

# City to share costs for connector road culvert

## Bike path can be built once ditch covered

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Monday, October 12, 2009

Elizabeth City officials agreed Monday night to share with a Chicago-based developer the cost of transforming a 50-foot-wide ditch next to Halstead Boulevard Extension into a foundation for the city's planned bicycle path.

The ditch was built by the N.C. Department of Transportation to handle runoff from the road and from nearby farm fields. But the drainage plan for Tanglewood Plaza — a planned shopping center just east of Wal-Mart — calls for diverting stormwater north to a retention pond.

City staff reported drainage from the development would not contribute to flooding in the Knobbs Creek drainage basin.

Staff did, however, report a concern that the ditch “will be a future maintenance problem for the subdivision tenants and the city.”

The plan is to install a 36-inch drainage pipe in the ditch and then fill the ditch in with dirt so the city can build its bike path on top.

“City staff has taken a hard-line stance on requiring the developer to pipe the ditch,” City Manager Rich Olson wrote in a memo to City Council. “He has agreed that the subdivision would be more attractive with the ditch covered but does not want to spend the \$169,853 to do the work.”

Council agreed to something of a compromise Monday. On a motion by Councilman Kirk Rivers, council voted unanimously to approve the preliminary plat for Tanglewood Plaza subject to the conditions set by the Planning Commission and city staff. The city will provide \$40,000 from the Stormwater Utility Fund to help cover the cost of the ditch culvert and also will waive three-fourths of the usual sidewalk fee.

The developer would have faced about \$50,000 in sidewalk fees but now will be assessed only \$12,500 — a savings of \$37,500.

Although Scott Prosser of Conlon and Co., the developer for the project, told council he would prefer it waive the entire sidewalk fee, he told The Daily Advance after council's vote that the company was willing to accept the city's offer.

“We're prepared to move forward,” Prosser said. “We're very excited. We believe this is going to be a vibrant and exciting commercial development.”

Prosser told The Daily Advance he wasn't ready to release names of any stores planned for the shopping center. All the potential tenants are still in negotiations, he said.

Ken Sisk, the subdivision design engineer, explained the bike path would be slightly lower than the elevation of the road.

Prior to council's vote, city staff indicated the developer's actions in installing the culvert and filling in the ditch would save the city money in the construction of the bike path. The developer will grant the city an easement for the path.

The 10-lot retail subdivision is part of a 72-acre tract just east of Wal-Mart.

Prosser said the company already had a sizeable investment in the development and plans on investing much more.

“We really believe in Elizabeth City,” he told council.

Fourth Ward Councilwoman Volanda Watts said she was concerned about the city only receiving a fourth of the sidewalk fee. She said she believed the 8-foot-wide bike path and sidewalk along Halstead Boulevard Extended would look good but also understands the need for sidewalks in the inner city.

Rivers agreed that part of the purpose of the sidewalk fee is to generate funds for sidewalks in existing city neighborhoods.

On the other hand, local attorney Tom Nash — speaking on behalf of the developer — said the bids for the ditch work were coming in higher than the original estimates and could be as much as \$190,000.

The developer is willing to install the pipe, fill in the ditch and give the city the easement for the bike path and sidewalk, Nash said. For that reason, a fair agreement would be for the city to waive the entire sidewalk fee, he said.

Second Ward Councilman Tony Stimatz replied council had taken all the factors into consideration and believed waiving three-fourths of the fee was fair.

Rivers agreed that waiving the entire fee would reduce the amount of money the city has available for sidewalks.