

(40)

## MEMORANDUM

TO: Mayor and Town Council

FROM: Greenways Commission  
Joe Herzenberg, Chair *13w per J.H.*

SUBJECT: Development Application: Creekside Subdivision

DATE: November 20, 2002

The Commission voted unanimously (6-0) to recommend to the Council that the development be approved with the following stipulations:

1. The 5,470 SF recreation area leading from Morgan Creek Road to lot 11 should be dedicated to the Homeowners Association. This area should be expanded (see #3 below).
2. We generally like the idea of trails within subdivisions. However, we believe that the proposed trail that would pass through lots 8, 9, 10 and 11 would not work in this situation because this trail would be very short and very close to 4 new and 3 existing homes. The trail does not seem to serve any function. It's too short for exercise or pleasure walking. The connectivity function, which is important, could be easily handled by a single trail directly through the northern edge of lot #11 to the new road without compromising the privacy of 7 homeowners. (See #3 below)
3. We recommend that the portion of the trail that lies along the northern property line of lot #11 be placed entirely within property owned by the Homeowners Association and not an easement on a private lot. The western recreation area should be extended eastward to the new road. The width of the extension should be at least 15 ft. but could vary as topography dictates need.
4. The residents of the subdivision should have access to their own recreation area. An access trail should be provided, on land owned by the Homeowners Association, from the end of the cul-de-sac to the recreation area. The sewer easement may be the best place for the trail.
5. We support the concept of allowing the Botanical Garden Foundation to control the use of the land. However, there should be no legal barriers erected that would:
  - Prevent the use of the recreation area by residents of Creekside Subdivision
  - Prevent the construction and use of any future trail along the creek in the event that the Council, neighborhood and the Botanical Garden decide at some future date to support a public trail.