

**Planning Commissioner's Written Comments
April 14, 2015**

108 Celeste Parking Lot (Z1400032)

BUZBY – I support this proposal. **I appreciate that the developer has proffered commitments to deal with storm water, after discussion with the neighbors.** My vote on the motion to recommend approval is for.

FREEMAN – awaiting proffer for sewer and water retention. Storm water detention facilities a committed element as to not contributing to the existing flooding. Citizens expressed concern about parking lots but okay with expanded buffer. Appreciate the developer's harmonious approach to the development.

GIBBS – Approve with committed element.

HARRIS – Voted for.

HUFF – Although this developer bent over backwards to inform and discuss his plan with the neighborhood and listen to their concerns, I voted against what I see as an intrusion into a secluded little neighborhood by commercial development. The proposed parking lot and the neighborhood are easily 25 ft. below the commercial buildings on HWY 54. That change in elevation demarcates a natural boundary between the commercial and neighborhood that I think should remain intact. The developer did proffer lighting on timers at the end of the discussion but it wasn't put into writing. Perhaps when it comes before the elected officials this offer can be formalized if the rezoning is accepted.

HYMAN – Approve with committed element for storm water system.

MILLER – The council should vote no on this rezoning. This case represents an unwarranted invasion of an established residential neighborhood for the temporary convenience of a commercial use next door. The council should not theta the UNC medical facility on the property facing 54 is in a leased building. UNC does not own the building. The parking lot that UNC proposes to build in the neighborhood will not be connected to the building or the property to which it is connected. If UNC vacates the building, the next tenant will have no access to the parking unless they can make a separate agreement with the state. This means that the parking issue in the building will no longer be resolved by the parking lot and the whole parking problem could re-occur. There are residential neighbors on Celeste Circle for whom the issue associated with the demolition of the house and the creation of the parking lot is essentially one of storm water control and flooding.

There are other neighbors, however, for who the issue is the integrity of their neighborhood. I think that this is the more important issue and I note that if this rezoning is denied, then the storm water issues attendant to redeveloping the land as parking lot go away.

There must be a place for neighborhoods. They must be protected. The most important interest in government in the regulation of land has to be the protection of the ordinary citizen's investment of his money and his life in his home. A zoning code that accomplishes this, whatever weaknesses it may have is a success. A zoning code that fails in this, whatever its strengths may be, is a failure. This case is a test of that principle.

PADGETT –Approve.

WHITLEY – I voted to approve.

WINDERS – My vote on the motion to recommend approval is for.