

**Planning Commissioner's Written Comments
August 11, 2015**

Hanover Pointe Sub Area A (Z1500011)

Buzby: I vote to approve.

Harris: Voted yes.

Huff: It is disappointing that the county has not found a way to create and fund sidewalks in the county. IN this case a walk could be constructed over the drainage ditch; after all they built walkways over swamp in RTP. It would be good to fix this problem and make the county more walkable. At least County Government should create a payment in lie fund.

Miller: The council should approve this rezoning request. In this case, the developer of a single-family home subdivision is prevented from moving its project to completion because events have proved that commitments made in the original development plan are incapable of fulfillment. The commitments in question include improvements to a state-maintained road and sidewalks where the right-of-way required is in private hands. In attempting to fulfill its commitments, the developer discovered that the state does not believe the required improvements are necessary or appropriate. The developer's attempt to acquire the right of way necessary for the perimeter sidewalk from the neighbors who own the land was not met with an enthusiastic response. While these improvements would have been valuable to the community, I do not believe that they are so important that we should halt completion of the developer's subdivision if they are not provided.

This case demonstrates the problems attendant to including commitments in development plans which require approval of parties not bound by the plan. We should be careful of approving projects which depend on such commitments.

This request does not challenge the comprehensive plan in my view.

Whitley: I vote to approve.

Freeman: It appears that 3 residents in the community were not finish with questions regarding easements not obtained to develop a continuous sidewalk.