

JAN 21 2014

PLANNING & DESIGN SERVICES

District Development Plan Justification:

In order to justify approval of any district development plan, the Planning Commission considers the following criteria. Please answer all of the following items. Use additional sheets if needed. A response of yes, no, or N/A is not acceptable.

- 1. Are there any natural resources on the property, including trees and other living vegetation, steep slopes, water courses, flood plains, soils, air quality, scenic views, and historic sites? And are these natural resources being preserved?

Existing trees and vegetation shall remain and be preserved unless required to be removed to facilitate new construction.

- 2. Is safe and efficient vehicular and pedestrian transportation provided both within the development and the community?

Existing vehicular and pedestrian transportation conditions are to remain as is.

- 3. Is sufficient open space (scenic and recreational) to meet the needs of the proposed development being provided?

Open space requirements are per current zoning ordinances.

- 4. Are provisions for adequate drainage facilities provided on the subject site in order to prevent drainage problems from occurring on the subject site or within the community?

Existing drainage structures are being utilized to prevent any drainage problems.

- 5. Is the overall site design (location of buildings, parking lots, screening, landscaping) and land use or uses compatible with the existing and projected future development of the area?

Overall site design is in accordance with current zoning ordinances.

- 6. Is the proposal in conformance with the Comprehensive Plan and Land Development Code?

The proposal complies with the requirements of the Comprehensive Plan and LDC.

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

No, these are the existing conditions and they have not impacted the adjacent property owners over the past 20 years.

2. Will the waiver violate the Comprehensive Plan?

No, the request is to comply with current regulations.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The request will accommodate existing conditions.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

Existing landscape was incorporated to help screening.

RECEIVED
MAR 17 2014
PLANNING &
DESIGN SERVICES

General Waiver Justification:

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers four criteria. Please answer **all** of the following questions. Use additional sheets if needed. **A response of yes, no, or N/A is not acceptable.**

1. Will the waiver adversely affect adjacent property owners?

No, the waiver request will only affect the amount of greenspace adjacent to Hurstbourne Parkway.

2. Will the waiver violate the Comprehensive Plan?

No, the additional asphalt pavement will still be within the limit of impervious allowed.

3. Is extent of waiver of the regulation the minimum necessary to afford relief to the applicant?

The additional 6' needed will accommodate the accessibility for delivery trucks to access the site.

4. Has either (a) the applicant incorporated other design measures that exceed the minimums of the district and compensate for non-compliance with the requirements to be waived (net beneficial effect) or would (b) the strict application of the provisions of the regulation deprive the applicant of the reasonable use of the land or would create an unnecessary hardship on the applicant?

Yes, additional landscape measures will be in place to help screening.

RECEIVED
JAN 21 2014
PLANNING &
DESIGN SERVICES