

**Binding Element Amendment Justification:**

**In order to justify approval of any amendments to binding elements, 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?

**There are no natural resources, natural features (as described above) or historic sites on the property.**

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

Safe and efficient vehicular and pedestrian movement is provided. See attached site plan.

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

There is no "open space" on the site other than a flood plain compensation area.

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?

See #3 and attached site plan approved by MSD.

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?

Yes. See approved plan.

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

Yes. The site plan and zoning of the site was reviewed and approved by the Planning Commission. We are seeking amendments to binding elements for uses otherwise permitted on the site but for the binding elements.