

JUSTIFICATION STATEMENT

LDG Land Holdings, LLC

13915, 14201 & 15012 Bohannon Ave.

INTRODUCTION

LDG Land Holdings, LLC (the “Applicant”) proposes to re-zone the properties located at 13915, 14201 & 15012 Bohannon Ave. from M-2 Industrial and R-4 Residential to EZ-1 and develop these currently vacant properties into five industrial warehouses. For the reasons set out below, the proposed rezoning complies with the applicable Plan Elements of the Plan 2040 Comprehensive Plan.

COMMUNITY FORM

The proposal complies with the intent and applicable policies of the Community Form Plan Element. The subject property is currently located in the Neighborhood Form District, but the Applicant proposes to change the Form District to Suburban Workplace. The Comprehensive Plan states that the Suburban Workplace Form District “is . . . characterized by predominately industrial and office uses where the buildings are set back from the street in a landscaped setting. Suburban Workplaces often contain a single large-scale use or a cluster of uses within a master planned development.” Here, the proposal is consistent with the Suburban Workplace Form District as it proposes to develop the currently vacant properties into a cluster of five industrial warehouses. The proposal is also consistent with the pattern of development, scale, and site design in the area, which features large parcels zoned EZ-1 and in the Suburban Workplace Form District immediately adjacent to the subject properties to the west, as well as numerous smaller-scale commercial and industrial uses along Dixie Highway to the west. The land adjacent to the subject properties to the east and south are vacant.

MOBILITY

The proposal complies with the intent and applicable policies of the Mobility Plan Element. Currently, Bohannon Drive is the only access to the properties. The Applicant proposes to extend Bohannon Drive south, and construct a bridge over Weaver’s Run Creek and connect with existing Lewis Lane to the west. The connection with Lewis Lane will provide a direct access route to the development from Dixie Highway. The development will have three access points along Bohannon Ave.: two north of the proposed intersection with Lewis Lane and one at the new intersection of Lewis Lane and Bohannon Ave. An internal driveway over the jurisdictional wetlands will provide access to the two proposed warehouses on the eastern portion of the development. The proposal calls for more than adequate parking for the proposed use, but requests flexibility due to the variability in future tenant needs. Bicycle parking will also be provided.

JUL 27 2020

PLANNING & DESIGN
SERVICES

20 - ZONE - 0069

COMMUNITY FACILITIES

The proposed development complies with the intent and applicable policies of the Community Facilities Plan Element. The subject property is adequately served by all utilities. Sanitary sewer is available by lateral extension.

ECONOMIC DEVELOPMENT

The proposed development complies with the intent and applicable policies of the Economic Development Plan Element. The proposal calls for the creation of a large new industrial use on currently vacant land that will create new employment opportunities and economic activity in the area.

LIVABILITY

The proposed development complies with the intent and applicable policies of the Livability Plan Element. The proposal calls for a bridge over Weaver's Run Creek and will minimize impacts on the jurisdictional wetlands that run through the property. The proposal will comply with the tree canopy sections of the LDC.

HOUSING

The proposed development complies with the intent and applicable policies of the Housing Plan Element as it appropriately mitigates environmental risks while creating new employment opportunities and economic activity in on a site that is appropriate for the proposed use.

RECEIVED

JUL 27 2020

PLANNING & DESIGN
SERVICES

VARIANCE JUSTIFICATION

LDG Land Holdings, LLC

13915, 14201 & 15012 Bohannon Ave.

The proposed variance, which will allow a portion of the parking area of the proposed development to encroach into the 100' stream buffer for Weaver's Run, will not adversely affect the public health, safety or welfare. The encroachment varies with the course of the stream, but is limited to the northwestern corner of the site north of Lewis Lane and near an existing residence on Bohannon Ave. (which is not part of the applicant's property) that also sits within the 100' stream buffer. The encroachment will not impact Weaver's Run, and there will still be a substantial buffer between Weaver's Run and the proposed development. This encroachment will not have any impact on public health, safety or welfare, and is the minimal encroachment required to permit proper vehicle parking and circulation around the proposed warehouses in the northwest corner of the site.

The variance will not alter the essential character of the general vicinity as the encroachment will not impact Weaver's Run, and there will still be a substantial buffer between Weaver's Run and the proposed development. Also, as stated above, there is an existing residence north of Lewis Lane on Bohannon Ave. that already sits within the 100' stream buffer.

The variance will not cause a hazard or nuisance to the public. The encroachment will not impact Weaver's Run, and there will still be a substantial buffer between Weaver's Run and the proposed development. Furthermore, the encroachment will permit proper vehicle parking and circulation around the proposed warehouses in the northwest corner of the site.

The variance will not allow an unreasonable circumvention of the requirements of the zoning regulations. The encroachment is limited to the northwestern corner of the site north of Lewis Lane, and is necessary to bring the proposed warehouse and parking areas within the lot setback requirements and to minimize impacts to the jurisdictional wetlands that run through the site. The encroachment will not impact Weaver's Run and there will still be a substantial buffer between Weaver's Run and the proposed development.

The variance arises from special circumstances that do not generally apply to land in the vicinity of the project. The subject site is nearly 100 acres of currently vacant land adjacent to Weaver's Run and that also has jurisdictional wetlands running through it. The variance is necessary to bring the proposed warehouse and parking areas within the lot setback requirements and to minimize impacts to the jurisdictional wetlands.

The strict application of the regulations would create an unnecessary hardship because the size and parking needs of the proposed development require that the parking areas be permitting to encroach on the 100' stream buffer area. Strict application of the regulations would force the applicant to reduce the amount of onsite parking or reduce the size of the development.

RECEIVED

JUL 27 2020

PLANNING & DESIGN
SERVICES

20 - VARIANCE - 0098

The circumstances are not the result of actions taken by the applicant subsequent to the adoption of the zoning ordinance but are, instead, the result of the varying width of Weaver's Run. The applicant proposes a substantial buffer for Weaver's Run, but a small variance is necessary to permit the applicant to provide adequate parking and vehicle circulation on the property.

RECEIVED

JUL 27 2020

PLANNING & DESIGN
SERVICES