

RLM PROPERTIES, INC.

WAIVER JUSTIFICATION

16ZONE1029

5206 St. Gabriel Lane

The applicant, RLM Properties, Inc., proposes to reconfigure its parking area and add parking spaces on the subject property. The addition includes small encroachments into the buffer areas along S. Hurstbourne Parkway and Stony Brook Drive.

The waiver will not adversely affect adjacent property owners, as one portion of it is located at the rear of the existing parking area and will not create a significant encroachment into the buffer area. The other portion of the subject property does encroach significantly into the buffer area along Stony Brook Drive but represents only a small expansion over the existing condition, which already encroaches into the buffer area. The site remains more than 20% open space.

The waiver will not violate the Cornerstone 2020 Comprehensive Plan. The applicant is attempting to reuse an existing day care building as a mixture of medical and general offices, necessitating the rework of the existing parking area. This requires the improvement of the parking area to today's design standards and the small expansions shown on the plan. The location of the office at the intersection of St. Gabriel Lane and Stony Brook Drive is appropriate, and the reuse of existing buildings, especially to create neighborhood-serving office space, is promoted in Cornerstone 2020.

The extent of the waiver is the minimum necessary to afford relief to the applicant. The applicant is only adding paved area to bring the existing parking up to contemporary design standards and to allow for the reuse of the existing structure as office space. The office should generate significantly less traffic than a day care center on a daily basis and should not represent an intensification of the use of the subject property.

The strict application of the provisions of the regulation would deprive the applicant of the reasonable use of the land as it would result in portions of the building remaining empty permanently or would result in the building being limited in use to a day care center or similar use.

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