

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?

It will not because the required trees will be planted along the north (Shade) property line, the required trees will be planted adjacent to the building for the south (JR Real Estate) property line. The required trees will be planted adjacent to CSX railroad and Chamberlain Crossings Drive. Trees cannot be planted in the detention basin and the detention basin remain grass and remain undeveloped. The area adj to JR Real Estate likewise will remain undeveloped and a 25 ft to 30 ft wide grass verge will be provided instead of the 15 ft LBA.

2. Will the waiver violate the Comprehensive Plan?

The LBA reduction will result in a 15 ft Landscape Buffer Area which is the required LBA width for a PEC property, the required trees will be planted and the 15 ft LBA to be eliminated is in a detention basin where trees cannot be planted for practical reasons but a grass area void of development will still be provided.

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

Yes, it is the minimum necessary because the applicant is providing a 15 ft LBA and the trees for the north and south property lines and is providing a grass undeveloped area in the detention basin where the LBA will be eliminated.

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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?

The strict application of the regulations would significantly reduce the developable area of the property and would deprive the applicant of the reasonable use of industrial zoned land.

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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?**

There are none

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

A sidewalk is provided in the Collins Lane right-of-way.

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

None required

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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?**

There is an existing onsite detention basin sized to handle the stormwater drainage generated by the proposal.

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?**

The surrounding uses are predominantly similar to the proposed use

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

~~There are no waivers or variances associated with this proposal.~~