

DEC 29 2017

**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 no natural resources on the building site. the building site is a parking lot as of this moment.

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

yes there is adequate parking adjacent to the facility for patrons of the facility and for the rest of the community - there also is ~~added~~ additional parking across Millwood Ave for patrons of the facility.

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

yes, the addition to the already existing building is so minuscule that the parking will not be effected. The building that is being Renovated was already included in the initial District Development plan. we are actually going to be adding green space to the facility.

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?

yes, the addition to the building is so small that the drainage system will not be effected. the drainage system that ~~is~~ in place has already been approved by the district development.

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, the facility that is being built is only an addition to an already existing building on the site, therefore impact on future development will be low. If there is going to be future expansion.

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

yes, it is fully in the spirit of the proposed  
planning when the facility was bought and plans were  
approved in 2003.

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**Parking Waiver Justification:**

In order to justify approval of any parking waiver, 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.**

For all Parking Waivers:

1. The Parking Waiver is in compliance with the Comprehensive Plan.

YES - WE HAVE A WAIVER PARKING ON SITE AS PER CODE

2. The applicant made a good faith effort to provide as many parking spaces as possible on the site, on other property under the same ownership, or through joint use provisions.

YES - WE ARE SEEKING TO ALLOCATE ADD'L PARKING IN ANOTHER CLOSE BY LOT.

For Waivers to reduce the minimum number of required parking spaces; OR use on-street parking spaces that are not directly adjacent to or abutting the development site; OR use parking spaces located in a public parking lot:

1. The requested waiver is the smallest possible reduction of parking spaces that would accommodate the proposed use.

YES - BY CAUSE OF OUR BUILDING AREA OUR REG' IS FIXED AS IS THE LIMITATION ON THE LOT.

2. Adjacent or nearby properties will not be adversely affected.

NO THEY WILL NOT. WE CONTRA ADJACENT PROPERTIES

3. The requirements found in Table 9.1.2 do not accurately depict the parking needs of the proposed use and the requested reduction will accommodate the parking demand to be generated by the proposed use.

YES - WE WILL SHIFT THE WAIVED AMOUNT TO OUR LOT ACROSS THE MELLWOOD AVE.

4. There is a surplus of on-street or public spaces in the area that can accommodate the generated parking demand.

NO - NO PARKING ALLOWED ON MELLWOOD

Waivers to provide more parking spaces than the maximum allowed:

1. The requirements found in Table 9.1.2 do not allow the provision of the number of parking spaces needed to accommodate the parking needs.

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2. The requested increase is the minimum needed to do so.

NA

**Sidewalk Waiver Justification:**

In order to justify approval of any waiver, the Planning Commission or Board of Zoning Adjustment considers the following 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. How does the proposed waiver conform to the Comprehensive Plan and the intent of the Land Development Code?

ACCESS IS STILL CLEAR AND OPEN TO ALL STRUCTURES + USES. THE REQ'D SIDEWALKS ARE REDUNDANT

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- 2. Why is compliance with the regulations not appropriate, and will granting of the waiver result in a development more in keeping with the Comprehensive Plan and the overall intent of the Land Development Code?

THE REDUNDANCY REQUIRED WOULD REDUCE LBA SIGNIFICANTLY, THIS SEEMS OPPOSITE TO THE INTENT OF THE COMP. PLAN. ALSO A SIDEWALK EXISTS ON OTHER SIDE OF DELMONT - WHY ADD MORE CONCRETE?

- 3. What impacts will granting of the waiver have on adjacent property owners?

NONE WHATSOEVER. MSD, CITY, MELLWOOD ARTS are NOT affected. The only adjacent resident isn't contiguous property

- 4. Why would strict application of the provision of the regulations deprive you of reasonable use of the land or create an unnecessary hardship for you?

THE AREA IS A VERY STEEP SLOPE AND AN LBA. ADDING A SIDEWALK WOULD NOT ONLY BE EXPENSIVE BUT REQUIRE FINDING ADD'L LBA ELSEWHERE.