

## **ROSEWOOD CONDOMINIUM COUNCIL'S ARGUMENTS AGAINST PARKING WAIVERS**

**The waiver to reduce the minimum parking requirement from 18 to 16 spaces and the waiver to use on-street parking spaces that are not directly adjacent or abutting the site should be denied on the following grounds:**

1. The waivers would contradict key justifications for previous approval of this development plan based upon:
  - a. provisions for ample off-street parking
  - b. expectation of increased property values
  - c. public safety considerations
  - d. presumption of 11 rather than 12 units
  - e. economic necessity of the underground garage
2. The waivers can only benefit HRG at the expense of the Tyler Park community.
3. The requirements found in LDC Table 9.1.2 cannot address the parking needs for spot zoned property. The waivers would only exacerbate the nonconformance of this site and the parking deficit within its vicinity.
4. The waiver to reduce the requisite minimum from 18 to 16 spaces is not the smallest possible reduction. 3 additional dwelling units will require 5 additional on-street parking spaces.
5. The applicant has not made a good faith effort to provide as many on-site parking spaces as possible, as evidenced by the unforced choice to eliminate the 5-car underground garage.
6. The parking study does not justify compliance with the Comprehensive Plan. The applicant's response to Criteria #1 reflects a lack of respect for the authority of the Comprehensive Plan.
7. The parking study methodology deviates from LDC instructions:
  - a. time count does not accurately reflect parking conditions over a sufficient time period
  - b. the reported parking surplus is based upon data that improperly includes private spaces
8. The study boundaries are unreasonably expansive and offers skewed results in favor of the applicant's requests.
  - a. study limits is based upon an arbitrary and unreasonable standard
  - b. study fails to address parking conditions within the relevant area, which does not have a surplus of available spaces that can accommodate the generated parking
9. The waivers would violate the Comprehensive Plan:
  - a. both the LDC and Comprehensive Plan forbid waivers that would create public safety hazards
  - b. increased parking along the hill conflicts the Comprehensive Plan's requirement that new developments provide reasonably easy vehicular access and not adversely affect nearby residents
  - c. the waivers conflict with neighborhood's existing pattern in that 91% of homes on Rosewood have provisions for off-street parking
  - d. an increased parking burden will diminish the neighborhood's aesthetic appeal and corresponding property values
10. Approval for these waivers would condone the applicant's illegitimate claim to the multi-purpose Accessory Use/Service Area/Loading Area as Private Yard Area, which will compound adverse affects on nearby residents.

**CONCLUSION: Both parking waivers should be denied because the applicant has failed to meet any one of the six criteria necessary to justify relief.**