

APPLICATION ADDENDUM
2618 West Broadway
Waiver of Land Development Code §5.5.1.A.3.a

THIS IS A REQUEST TO WAIVE LAND DEVELOPMENT CODE [“LDC”] 5.5.1.A.3.a TO ALLOW EXISTING PARKING SPACES TO REMAIN IN FRONT OF A PROPOSED POPEYE’S BUILDING.

- **The parking spaces are presently existing; Popeye’s would be eliminating 7 spaces perpendicular to the front of the building; 2 spaces will remain at that location.**
- **4 existing parking spaces adjacent to the existing Broadway curb are being eliminated to allow for a reduced-width one-way-in-only access.**
- **The existing parking spaces directly perpendicular to Broadway are to remain as is.**

1. Will the waiver adversely affect adjacent property owners?

No. The number and location of the parking spaces for Popeye’s will have no effect on adjacent property owners.

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2. Will the waiver violate the Comprehensive Plan?

The waiver will advance the Comprehensive Plan. Mobility Goal 3, Policy 14 provides: Parking requirements should take into account (among other things) the character and pattern of the form district, i.e., Town Center. Town Center development is typically a compact mixture of moderately intense uses including shopping, restaurants, offices and residences. Although there are no offices and residences in the immediate vicinity this site has shopping and restaurants with a high level of access.

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

As can be seen from the bullet points above, the number of parking spaces has been reduced to the number minimally necessary to provide adequate customer parking for the proposed restaurant.

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 provisions of the regulation would create an unnecessary hardship on the applicant because all the parking spaces in question are existing and only those spaces proposed for the waiver would be remain. To require the elimination of these parking spaces – which are among the most valuable to Popeye’s – would cause an unnecessary hardship on the applicant.

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