

Binding Element Amendment Justification:

In order to justify approval of any amendments to binding elements, 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 many trees are the property planted for compliance with the approved Landscape Plan. The trees will be preservced. There are no other natural resources on the site.

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

The site is located on Cane Run Road a five lane major arterial with sidewalks in the right-of-way.

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

Open space is not required.

- 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?**

The site has previously rec'd construction plan approval from MSD and MSD has determined the proposed drainage system including an onsite detention basin meet their requirements.

- 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 development has been the subject of several Planning Commission reviews by 09-072-96, 19devplan1147, B-17740-12 and 14CUP1036.

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

The request to amend the BE is in conformance.

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