

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?

No, the proposed building will be the same scale as the adjacent property owners building. The Nulu Reivew Overlay District has approved the proposed plan and building as currently shown.

2. Will the waiver violate the Comprehensive Plan?

No, per Comprehensive Plan – Guideline 3.1 the proposed plan and building is compatible with the surrounding development and per Guideline 6.3 is a re-investment in an older neighborhood. The proposed 2 story building maintains the scale of the existing streetscape.

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

Yes, the reduction in height from the required 3 stories to the proposed 2 stories is more in-keeping with the scale of the adjacent buildings and the Market Street streetscape. The Nulu Reivew Overlay District has approved the proposed plan and building as currently shown.

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 would require the owner to construct a larger building than is necessary for their development and increase costs to an already expensive project that also includes restoring an existing church building.

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