

# Attachment A

## RZ23-0008 Rezoning and Preliminary Site Development Plan for B Street Collision Center

### REQUEST FOR WAIVER

#### **18.20.150(C) – Parking Regulations**

*Requirement: No more than one hundred fifty (150) percent of the required parking for a use may be provided on site.*

(a) An alternative higher quality development design with no negative impacts to either the residential or nonresidential properties.

*RESPONSE: The developer is proposing to construct an approximately \$10 million project with high quality building design including glazing and masonry building materials as well as extensive perimeter landscaping and fencing that meets or exceeds the UDO's building and site design standards.*

(b) Development restrictions imposed on the property to ensure low impact land uses, low scale buildings and a site design arrangement in which adjoining residential properties will not be negatively impacted by any change in the applicable regulations.

*RESPONSE: The subject property does not have any adjoining residential properties. The Developer has not only taken appropriate measures to provide exceptional landscaping and fencing at its own property line, it has worked with other commercial property owners who do share a property line with residential properties to the north to provide exceptional landscaping at their shared property line.*

(c) Existing topography, hedgerows or natural features provide significant screening and an appropriate buffer for adjoining properties.

*RESPONSE: The subject property is providing significant screening and an appropriate buffer for all adjoining properties.*

(d) Significant buffers are provided on adjoining residential properties and those properties will not be negatively impacted by any change in the applicable regulations.

*RESPONSE: The subject property is providing a significant buffer of more than 315 feet to the residential property line to the north and is also screened with enhanced landscaping and fencing. These residential properties will not be negatively impacted by the requested waiver.*

(e) The regulations impose an unnecessary hardship upon the property owner arising from conditions unique to the property and alternative site design, building design and building arrangements are not possible. In such instances, findings shall be prepared that:

(i) No private rights will be injured or endangered by the waiver.

(ii) The public will suffer no loss or inconvenience thereby and that in justice to the applicant or applicants the application should be granted.

*RESPONSE: The regulations impose an unnecessary hardship to the applicant as the Off-Street Parking Regulations do not contemplate sufficient parking for this type of premier post-collision service provider. The provider needs sufficient parking for its skilled technicians, administrative staff and customers as well as parking in order to accommodate a collision repair process that is as seamless*

*and efficient as possible for its customers. In addition, the proposed parking lot will meet all other design and landscaping standards for parking area such as this. Lastly, no private rights will be injured or endangered by the waiver and the public will not suffer loss or inconvenience by granting the requested waiver.*