



808 S Rte 59

Rev. 10.27.2020

EXHIBIT 7:

Section 6-3-6:2: Standards for Granting a Zoning Variance

1. The variance is in harmony with the general purpose and intent of this Title and the adopted comprehensive master plan

The variance is primarily related to parking. The parking supply of 527 parking spaces will not be sufficient for proposed use. However, the overall existing parking supply in the shopping center is adequate for the proposed use. Enclosed is parking study prepared by KLOA, traffic engineer. The above mentioned allows us to state that variance is in harmony with general purpose and intent of this Title and the adopted comprehensive master plan.

2. Strict enforcement of this Title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district

The current building and the site are completely improved. Both the parking and the building exists. The proposed uses are specific destination uses and are not recurrent use. Therefore, the hardship is due to special condition mentioned above. It is not generally found on other properties in the same zoning district

3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

The variance will not alter the character of the neighborhood, the improvements are within the existing building. The only exterior improvements are the enhance of the exterior façade to increase the visibility of the building and improve the physical condition of the building. The improvement should also enhance the adjacent properties.

If the City's Zoning Administrator determines that the current and proposed tenants' parking needs cannot be accommodated within the parking on the Subject Property as depicted on Exhibit 7 and parking study by KLOA, the owner of the Subject Property (or Owner's successors, transferees, and assigns) shall promptly take adequate measures to meet the parking needs of said tenants, including but not limited to formally assigning/reserving parking spaces for each unit, restricting the number of leasable units, or establishing an overflow parking location off-site, as necessary, which measures shall be subject to the review and approval of the Zoning Administrator. Failure to timely take adequate measures to adequately accommodate tenant parking needs on the Subject Property to the satisfaction of the City's Zoning Administrator may result in the City's revocation of one or more of the variances approved herein.