

## Standards for Granting or Amending a Planned Unit Development

Municipal Code Section 6-4-7:1. Standards for Granting of Amending a Planned Unit Development:

1. *The design of the planned unit development presents a n innovative and creative approach to the development of land and living environments; and*

We are rezoning from a R3 PUD to a B2.

2. *The planned unit development meets the requirements and standards of the planned unit development regulations; and*

The rezoning will bring the site into compliance for the existing/proposed use.

3. *The physical design of the planned unit development efficiently utilizes the land and adequately provides for transportation and public facilities while preserving the natural features of the site; and*

The site is designed to best utilize the proposed redevelopment of the land and allows better on site circulation as well as better site visibility.

4. *Open space, outdoor common area, and recreational facilities are provided; and*

We have provided open space to the north of the convenience store and a common area to the east of the convenience store.

5. *The modifications in design standards from the subdivision control regulations and the waivers in bulk regulations from the zoning regulations fulfill the intent of those regulations; and*

No modifications in design standards and no waivers in bulk regulations have been requested.

6. *The planned unit development is compatible with the adjacent properties and nearby land uses; and*

The rezoning of this property is compatible with the surrounding commercial uses.

7. *The planned unit development fulfills the objectives of the comprehensive plan and planning policies of the city.*

The rezoning of this parcel will bring it into compliance with its current use.

## Standards for Granting or Amending a Conditional Use

Municipal Code Section 6-3-8:2. Standards for Granting of Amending a Conditional Use:

1. *The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare; and*

The existing Convenience Store and Car Wash will be updated with a new fresh clean look that will blend into the adjacent area. The improved on site circulation and site lines will make the site more open and more convenient to the public.

2. *The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, not substantially diminish and impair property values within the neighborhood; and*

The current site is operating with a Convenience Store selling gasoline and offering a Car Wash as an accessory use. We plan to maintain this use but intend to improve upon it and add to the property in the immediate area.

3. *The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district; and*

The development we are proposing on this property will have no impact on future development of the adjacent properties.

4. *The establishment of the conditional use is not in conflict with the adopted comprehensive master plan.*

We are bringing the site into compliance with the surrounding uses by rezoning the site from a R3-PUD to B2. The update of this site to a Conditional Use is a requirement for all Service Stations per the Zoning Ordinance. Automobile Service Stations are allowed in the Comprehensive Master plan for this area.

## Standards for Approving PUD Deviation

Municipal Code Section 6-4-3:12.1. Standards for Approving PUD Deviation:

1. *Whether the requested deviation would undermine the intent and purpose of the underlying zoning district; and*

The requested setback variance request will have no impact on the adjacent property. The building will be located adjacent to the 10' utility easement that exists on this west property line.

2. *Whether the requested deviation would be a detriment to the provision of municipal services and infrastructure; and*

We will not be modifying any municipal services or infrastructure.

3. *Whether the requested deviation would contribute a planned unit development which offers a superior level of design, amenity enhancement, or environmental benefit; or would enhance community vitality through the inclusion of attainable or barrier free housing; and*

Our request is to bring this site into Zoning conformance with the surrounding Commercial Development. The deviation will not be a detriment to Municipal services as the site will utilize the existing infrastructure and will not add any new undue hardship to what already exists. The proposal is intended to update the property with better building design, better site visibility along with additional landscaping to meet the requirements for the new proposed Zoning district.

We are requesting a side yard setback variance for the Car Wash Building to be located 10' from the west property line instead of the required 12'. This request is due to the location of an existing utility easement to the north and east and west of the building and the underground storage tanks to the south of the building.