

Standards for Granting 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 proposed conditional use will not be detrimental to or endanger public health, safety or the general welfare. The proposed mixed-use development consisting of retail and residential is directly in line with the City's 5th Avenue Study and OCI zoning district while providing for desirable living options and new retail opportunities which compliment the surrounding area. It will also fill a need for those seeking a new housing opportunity within walking distance of necessities such as mass transit, pharmacies, grocery stores, retail and dining and entertainment venues. In addition, the conditional use will provide for the development of underperforming land to be utilized for its highest and best use which will in turn support the adjacent commercial development and enhance the City's workforce and retail and property tax bases. The proposed amendment is also in conformance with the City's official plans.

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, nor substantially diminish and impair property values within the neighborhood; and*

The conditional use will provide for the improvement of the Subject Property. As a result the property values in the area will increase, and the housing stock will be improved.

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 Proposed development is consistent with the City's master plan for this property and the 5th Avenue Study which will then help insure the normal, orderly and desirable development of the Subject Property and adjacent areas. The proposed development will create the highest and best use of the Subject Property.

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

The proposed development is right on target with the City's 5th A venue Study as evidenced herein which is the comprehensive master plan for this area.