

## **VARIANCE 2: TABLE 8: PARKING CALCULATIONS**

### **1. Explain requested variance.**

The Applicant requests a variance from Table 8: Parking Calculations to allow additional parking that is needed to service the uses of a warehouse retail store.

### **2. There are exceptional and extraordinary conditions pertaining to the particular piece of property in question, due to its size, shape or topography.**

The warehouse retail parcel will have three different transect district designations (T4, T4O and T5) which will limit the maximum parking allowed to 306 (based on 2 spaces per 1000 sf). The Applicant has over 700 warehouses throughout the world and has an excellent understanding of their customer base and what it takes to operate a successful warehouse retail store. The Applicant's customers tend to stay longer than the normal retail customer; therefore, parking becomes a premium during peak shopping times – many warehouses have 650 parkway spaces. The Applicant would like to request a variance to exceed the maximum parking to provide 625 parking spaces.

### **3. The application of these regulations to this particular piece of property would create a practical difficulty or unnecessary hardship.**

By limited the number of parking spaces the Applicant can offer to its customers, these regulations are creating a particular difficulty and unnecessary hardship on the Applicant by limiting the amount of economic benefit the Applicant can experience at any given time. The applicant of Table 8 provide direct regulation of economic competition.

### **4. Such conditions are peculiar to the particular piece of property involved.**

Such conditions are peculiar to the particular piece of property involved.

### **5. A literal interpretation of this ordinance would deprive the applicants of any rights that others in the same district are allowed.**

A literal interpretation of Table 8 in the Form-Based Code would deprive the Applicant of rights that others in the same district are allowed. By requiring the Applicant to adhere to the literal interpretation of Table 8, the City would be depriving the Applicant and its use of the Applicant's ability to compete with similar uses in the area.

### **6. Relief, if granted, would not cause substantial detriment to the public good, or impair the purposes and intent of this ordinance.**

Relief from the parking space requiring in Table 8 of the Form-Based Code would not cause substantial detriment to the public good, or impair the purposes and intent of the ordinance.

- 7. Special circumstances or conditions applying to the building or land or building and land in question are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.**

The Applicant has extensive research on their customers' needs and the parking requirements to compete with similar uses. The Applicant has identified that there are special circumstances and conditions, such as the size of the building and the peak hour parking needed, that are peculiar to such premises and do not apply generally to other land or buildings in the vicinity.

- 8. Granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.**

Granting of the application is necessary for the preservation and enjoyment of a property right and not merely to serve as a convenience to the applicant.

- 9. The condition from which relief or a variance is sought did not result from willful action by the applicant.**

The condition from which relief or a variance is sought did not result from willful action by the applicant.

- 10. Authorizing the variance will not impair adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets, increase the danger of fire, imperil the public safety, unreasonably diminish or impair established property values within the surrounding areas or in any other respect impair the health, safety, comfort, morals or general welfare of the inhabitants of the City.**

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