

APPLICANT RESPONSE STATEMENT- CONDITIONAL USE PERMITS

The applicant finds that the following standards are relevant in balancing the interest in promoting the public health, safety, morality, or general welfare against the right to unrestricted use of property and shall govern the exercise of the zoning power.

1. Explain requested conditional use permit.

REO Funding Solutions III, LLC ("REO") requests a conditional use permit ("CUP") for a state of the art but economical hotel option for local residents and travelers who require accommodations generally for an extended period of time. The hotel will provide numerous amenities within the property and in the guest rooms.

2. Whether or not there will be significant adverse effect on the surrounding area in which the proposed use will be located.

The proposed use will not create adverse effects on the surrounding area. The proposed use will provide needed accommodations at a great value in this area of the City.

3. Whether or not the use is otherwise compatible with the surrounding area.

The use will provide an appropriate transition and buffer between Hwy 92 and nearby residential developments. The proposal is compatible and consistent with development along this corridor of Hwy 92. The proposed use is an appropriate complement to the nearby commercial development and neighboring shopping center.

4. Whether or not the use proposed will result in a nuisance as defined under state law.

The proposed use will not result in a nuisance. The proposed use is compatible with the area and will not result in any inconvenience or annoyance.

5. Whether or not quiet enjoyment of surrounding property will be adversely effected.

Quiet enjoyment will not be negatively impacted but will be enhanced by the four sided architecture and buffering the use will provide and that the applicant proposes to install to separate the residential developments from Hwy 92. The applicant is willing to implement limitations on the proposed development to ensure that nearby residents are not negatively affected.

6. Whether or not property values of surrounding property will be adversely effected.

The property values of surrounding property will increase with the proposed use as a less intense and less invasive use contemplated as part of the master plan or as currently permitted.

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7. Whether or not adequate provisions are made for parking and traffic considerations.

Because the site is developed as part of a master plan which contemplated a more intense use as retail space traffic concerns are properly addressed with access limited in a way so the use will not impact traffic on Hwy 92 or those traversing the private roads to the nearby subdivisions. The applicant is not requesting additional curb cuts along Hwy 92 and is simply utilizing existing access points including a signalized intersection.

8. Whether or not the site or intensity of the use is appropriate.

The site and intensity of the use are appropriate in light of the commercial to residential transition facilitated by the proposed use and the commercial developments in the area.

9. Whether or not special or unique conditions created by the use are consistent with the purpose, intent and goals of the Comprehensive Town Plan.

The unique nature of the proposed use is consistent with the Plan providing for a commercial to residential transition to the north and south of Hwy 92. The Plan also provides for uses that service and complement existing and future businesses which are appropriate along this corridor of Hwy 92. Further similar development in this area is contemplated by the Plan.

10. Whether or not adequate provisions are made regarding hours of operation.

The business will be operational twenty-four (24) hours a day as customary and in order to service the travel and sleeping accommodations of its customer base but even at peak activity hours the proposed use will be of a minimal impact to the surrounding area and much less invasive than other currently permitted uses. The applicant will agree to appropriate limitations on its operations after regular business hours.

11. Whether or not adequate controls and limits are placed on commercial and business deliveries.

All deliveries will take place during normal business hours.

12. Whether or not adequate landscape plans are incorporated to ensure appropriate transition between adjacent or nearby properties.

Adequate landscape plans and buffering are provided for along all four sides of the property. All surrounding uses are further buffered from the proposed use by the common access roads surrounding the property.

13. Whether or not the public health, safety, welfare or moral concerns of the surrounding neighborhood will be adversely affected.

The proposed use will generate less traffic than other permitted commercial uses, will improve the safety of the property and adjoining area and will provide a significant employment outlet to benefit the general welfare of the City.

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14. Whether the application complies with any applicable specific requirements set forth in this chapter for conditional use permits for particular types of uses.

The applicant will comply with applicable requirements of the City Code. The proposed use is in compliance with the uses contemplated pursuant to a CUP along this corridor of Hwy 92.

15. Whether the applicant has provided sufficient information to allow full consideration of all relevant factors.

The applicant believes it has provided all pertinent information which allows for sufficient consideration of all relevant factors. The applicant however is happy to provide any additional requested information.

16. Whether the conditional use requested emits or creates unusual odors which would warrant use of an odor elimination/attenuation system as recommended by industry standards.

The use requested will not emit or create unusual odors.

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