University Towne Center Planned Development (PD)

Rezoning Justification Report

Prepared for Submittal to:
The City of Gainesville, Florida

Prepared on Behalf of: Argate Properties, Inc.

Prepared by:



Revised March 6, 2014

PN 11-0268.02

Exhibit "D" to Ordinance No. 130862 15 pages

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To: Mr. Steven Dush, AICP, Planning and Development Services Director

From: Craig Brashier, AICP, Planning Project Manager

Date: February 4, 2014

Re: University Towne Center Planned Development (PD) Rezoning PN 11-0268.02

Jurisdiction:

City of Gainesville

Intent of Development:

Nonresidential Planned Development (PD)

Description of Location:

3100 block of SW 34th Street

(Southeast quadrant of the SW 34th Street and SW Archer Road intersection)

Parcel Numbers:

06780-000-000, 06780-001-000, 06780-002-000, 06780-003-000, 06780-004-000, 06780-005-000, 06781-000-000, 06781-001-000, 06781-002-000, & 07240-001-000.

Acres:

± 18.5 acres

Source: Approved University Towne Center Master Zoning Plan

Current Zoning Category:

Alachua County Planned Unit Development (PUD)

Resolution Z-99-48, University Towne Center Planned Development shopping center.

Proposed Zoning Category:

City of Gainesville Planned Development District (PD)

University Towne Center Planned Development shopping center.

Existing Maximum Density / Intensity

155,000 square feet or 0.20 FAR. As currently approved by Resolution Z-99-48.

Proposed Density/Intensity

155,000 square feet or 0.20 FAR. As currently approved by Resolution Z-99-48.

Net Change

None.

I. Purpose and Intent

The University Towne Center Planned Development (PD) is an 18.5-acre site, located at the southeast quadrant of the SW 13th Street and SW Archer Road intersection. The PD was adopted in 1999 when the subject property was located within the unincorporated area of Alachua County. Sometime thereafter, the City of Gainesville annexed the site, and subsequently assigned commercial Future Land Use. The site is currently regulated by Alachua County Resolution Z-99-48 that assigns specific conditions to site design and development standards.

This application requests to rezone the University Towne Center nonresidential development the City of Gainesville Planned Development District (PD). This is primarily being done to allow both existing and future tenants to display signage more consistent with the City of Gainesville's signage regulations in place at the time a development plan is submitted for review. Also, a PD Signage Plan Map is submitted as part of this PD rezoning application to clearly identify areas where directional signs are allowed. There are no land development entitlements being sought in addition to what has already been approved.

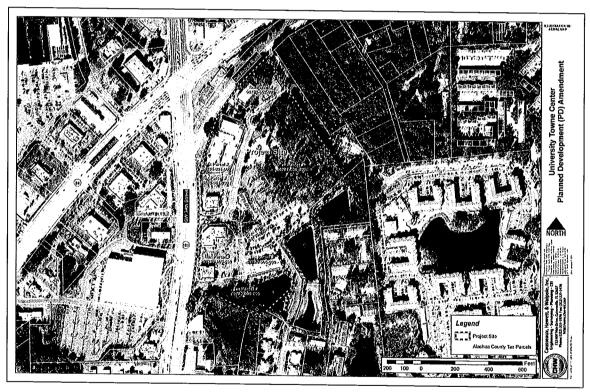


Figure 1: Aerial Map

II. Statistical Information

Table 1: Statistical Information

Description	PD Total Area
Total Site Acreage	± 18.5 acres
Maximum Floor Area Ratio	0.20
Maximum Impervious Ground Coverage	N/A
Minimum/Maximum Density	N/A
Maximum Intensity	155,000 square feet (Commercial)
Maximum Acreage of Each Use Area	N/A
Area Devoted to Public or Common Spaces	N/A

III. Stormwater Management Concept Plan

Stormwater management facilities are permitted and constructed. No modification to the existing stormwater management facilities, as approved, designed, and constructed, are proposed.

IV. Statement of Design Standards

There are no proposed changes to the PD's design standards, other than signage. Design standards for landscaping, buffer requirements, architectural design, internal traffic circulation, pedestrian access, mass transit facilities, parking areas, and stormwater management facilities will remain.

V. Development Schedule

The majority of the University Towne Center PD's infrastructure, including sidewalks, streets, etc., has been constructed. The proposed PD rezoning does not increase entitlements (i.e. intensity, density) beyond those currently approved.

VI. Signage

Signage will be regulated by the City's Land Development Code. Specific regulations are provided that apply to Directional Signs. A PD Sign Plan Map is also included as part of this application to clearly define the PD areas where the specific regulations apply.

VII. Enumeration of Differences

This PD rezoning application will allow signage within the University Towne Center PD that is more consistent with the City of Gainesville's signage regulations.

VIII. Consistency with the City's Comprehensive Plan

Objective 1.3 Adopt land development regulations that guide the transformation of conventional shopping centers into walkable, mixed-use neighborhood (activity) centers.

Response: The University Towne Center is a walkable shopping center with a mixture of nonresidential uses. The property's design incorporates walkable streets, parking to the side or rear of buildings, and ample landscaping that enhance the pedestrian experience, in contrast to traditional shopping center configurations.

Objective 1.5 Discourage sprawling, low-density dispersal of the urban population.

Response: The University Towne Center discourages sprawl because it is located on the corner of a major thoroughfare, SW 34th Street and SW Archer Road. Also, the center is proximate to residential single-family and multi-family developments that are frequent patrons of the center's businesses and restaurants.

Policy 2.6.4.2.d The southeast corner of SW 34 Street and Old Archer Road (parcels #6780 and #6781) shall be designed in a manner that meets all conditions contained in FLUE policies 2.1.6 - 1.1.13. Additionally, the following design criteria shall apply:

- 1. A maximum of 155,000 square feet of commercial buildings (or a floor area ratio of .20) may be constructed.
- 2. Use permitted for the property shall be commercial, office, or a mix of those uses at the scale of a community shopping center as defined in FLUE policy 3.6., and shall include such uses as retail sales, professional services, business services, and personal services.

Response: The University Towne Center development will be consistent with the 155,000 square feet limitation at build-out, and permitted uses, which include commercial, retail, and office.

Goal 3:ACHIEVE THE HIGHEST LONG-TERM QUALITY OF LIFE FOR ALL GAINESVILLE RESIDENTS CONSISTENT WITH SOUND SOCIAL, ECONOMIC AND ENVIRONMENTAL PRINCIPLES THROUGH LAND DEVELOPMENT PRACTICES THAT MINIMIZE DETRIMENTAL IMPACTS TO THE LAND, NATURAL RESOURCES AND URBAN INFRASTRUCTURE.

Response: The University Towne Center minimizes detrimental impacts to natural resources because it is located in an urban environment that is suitable for commercial development. Locating nonresidential uses proximate to residential development and existing public infrastructure is consistent with sound social, economic, and environmental development principles.

Goal 4:THE LAND USE ELEMENT SHALL FOSTER THE UNIQUE CHARACTER OF THE CITY BY DIRECTING GROWTH AND REDEVELOPMENT IN A MANNER THAT USES NEIGHBORHOOD CENTERS TO PROVIDE GOODS AND SERVICES TO CITY RESIDENTS; PROTECTS NEIGHBORHOODS; DISTRIBUTES GROWTH AND ECONOMIC ACTIVITY THROUGHOUT THE CITY IN KEEPING WITH THE DIRECTION OF THIS ELEMENT; PRESERVES QUALITY OPEN SPACE AND PRESERVES THE TREE CANOPY OF THE CITY. THE LAND USE ELEMENT SHALL PROMOTE STATEWIDE GOALS FOR COMPACT DEVELOPMENT AND EFFICIENT USE OF INFRASTRUCTURE.

Response: The University Towne Center is a compact shopping center with well-defined boundaries that buffer adjacent neighborhoods while remaining proximate and convenient to adjacent neighborhoods. The site's proximity to urban infrastructure supports an efficient use of infrastructure, as all utilities were already within close proximity to the site prior to development.

Policy 4.1.1 Land Use Categories on the Future Land Use Map shall be defined as follows:

Commercial

The Commercial land use category identifies those areas most appropriate for large scale highway-oriented commercial uses, and, when designed sensitively, residential uses. Land development regulations shall determine the appropriate scale of uses. This category is not appropriate for neighborhood centers. Intensity will be controlled by adopting height limits of 5 stories or less, requiring buildings to face the street, and modest build-to lines instead of a maximum floor area ratio; however, height may be increased to a maximum of 8 stories by special use permit.

Response: The University Towne Center is consistent with the underlying Commercial Future Land Use classification because it is located adjacent to SW 34th Street and SW Archer Road, major arterial roadways. Existing (and planned) development are consistent with the five story height limitation and buildings face public rights of way and/or interior streets.

Objective 4.5 The City's land development regulations shall continue to provide standards and guidelines that will regulate signage, subdivision of land, vehicle parking, designation of open spaces, drainage and stormwater management, and on-site traffic flow.

Response: The University Towne Center PD has specific conditions that regulate signage, parking, open space, and stormwater management. An amendment to the PD condition defining signage regulations is proposed as part of this application. The proposed amendment will require that signage be more consistent with the City's adopted Land Development Code.

Objective 4.8 A Special Area is established for the Idylwild/Serenola area which shall be subject to the policies and standards contained in this Section. Portions of the Idylwild/Serenola area that are not currently within city limits shall be subject to these policies and standards at such time as they may be annexed into the city.

Response: The University Towne Center is *not* located within an area considered to be significant uplands, nor are there endangered or threatened species or archeologically significant areas onsite. The center's design enhances compatibility with adjacent residential and nonresidential uses through a well-defined boundary with landscaped buffers and pedestrian/vehicular access in appropriate locations. Lastly, the site is equipped with adequate infrastructure and public utilities to support both existing and planned development.

IX. Consistency with the Future Land Use Map

The following is a list of surrounding Future Land Use and Zoning designations. Figures 2 and 3 depict the existing FLU Map (FLUM) and Official Zoning Atlas, respectively.

Table 2: Surrounding Future Land Use and Zoning Designations

Direction	Future Land Use Designation	Zoning Designation
North	Right-of-Way (R/W) / C / RM	BUS / RMF-8 / PD
East	RM	RMF-8 / PD
South	C/RM	BUS / RMF-8
West	R/W / C	BUS / PD

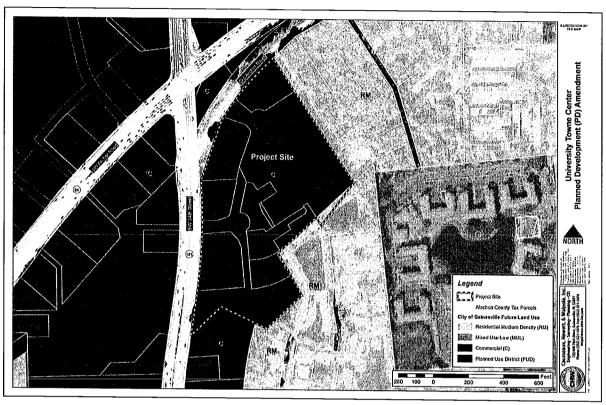


Figure 2: Existing Future Land Use Map

X. Consistency with the Concurrency Management System

Table 3: Net Development Intensity / Density Comparison

C	ategory	Acres	Intensity	Dwelling Units
Existing	Nonresidential	±18.5	±155,000 ft ²	-
Proposed	Nonresidential	±18.5	±155,000 ft ²	-
NeNe	t Change	0	0	0

Tables 4-8 demonstrate the absence of additional impacts to the County's public facilities due to the fact that no new entitlements will result from the proposed PD amendment.

Table 4: Trip Generation Impact

ITE Land Use ¹	Units ²	Daily		AM Peak		PM Peak	
		Rate	Trips	Rate	Trips	Rate	Trips
Shopping Center (ITE 820)	0	42.70	0	0.96	0	3.71	0
Net Change	0	-	0	-	0	-	0

Source: <u>ITE Trip Generation Manual</u>, ^{gh} <u>Edition</u>.
 Unit = 1,000 square feet Gross Floor Area

Table 5: Projected Potable Water Impact

Calculations	Gallons Per Day
Projected Potable Water Demand from PD Amendment ¹ 0 ft ² x 15 gallons / 100 ft ² = 0	0
Net Increase in Demand	0

^{1.} Ch. 64E – 6, Florida Administrative Code (FAC)

Table 6: Projected Sanitary Sewer Impact

Calculations	Gallons Per Day
Projected Sanitary sewer Demand from Rezoning ¹ 0 ft ² x 15 gallons / 100 ft ² = 0	0
Net Increase in Demand	0

^{1.} Ch. 64E – 6, Florida Administrative Code (FAC)

Table 7: Projected Solid Waste Impact

Calculations	Tons per year
((5.5 lbs./1,000 sq. ft./day x 0 ft²) x 365) / 2000 ¹	0
Net Increase in Demand	0

^{1.} Sincero and Sincero; Environmental Engineering: A Design Approach, Prentice Hall, New Jersey, 1996.

Table 8: Projected Recreation Impact

System Category	Required Acres
Improved Activity-based Recreation sites 0.5 acres per 1000 persons x 2.21 persons per du x 0 du	0 Acres
Improved Resource-based Recreation sites 5.0 acres per 1000 person x 2.21 persons per du x 0 du	0 Acres

XI. Consistency with the Land Development Code

Although the center's infrastructure is primarily constructed, both existing and future planned development will be constructed consistent with development standards and design requirements outlined within this PD rezoning application.

Per LDC Section 30-224, amendments to an approved PD must be accomplished only by a rezoning petition and ordinance accompanied by a new proposed PD. This application requests a rezoning from PD to PD with a specific intent to modify signage requirements outlined in Condition #12. Therefore, the following are responses to the City's required LDC sections that pertain to rezoning to a PD, which include LDC Sections 211, 213, and 216.

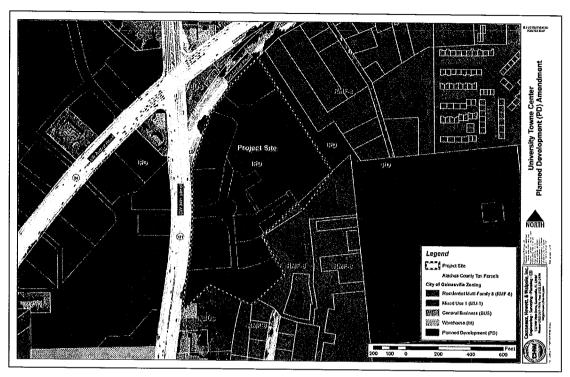


Figure 3: Existing/Proposed Zoning Map

Sec. 30-211. Purpose and intent.

(a) Purpose. It is the purpose of this district to provide a method for landowners or developers to submit unique proposals which are not provided for or allowed in the zoning districts otherwise established by this chapter. In particular, these provisions allow a mix of residential and nonresidential uses and/or unique design features which might otherwise not be allowed in the district, but they must conform to all aspects of the comprehensive plan. Rezoning for planned developments (PDs) will be an entirely voluntary procedure.

Response: The University Towne Center PD was adopted in 1999 by the Alachua County Board of County Commissioners. The PD provides a cohesive and logical development plan that incorporates a mix of nonresidential uses. This document outlines how the PD is consistent with specific goals, objectives, and policies within the Comprehensive Plan.

- (b) Objectives. The PD provisions are intended to promote flexibility of design and integration of uses and structures, while at the same time retaining in the city commission the absolute authority to establish limitations and regulations thereon for the benefit of the public health, welfare and safety. By encouraging flexibility in the proposals which may be considered, while at the same time retaining control in the city commission over the approval or disapproval of such proposals, the PD provisions are designed to:
 - (1) Permit outstanding and innovative residential and nonresidential developments with a building orientation generally toward streets and sidewalks; provide for an integration of housing types and accommodation of changing lifestyles within neighborhoods; and provide for design which encourages internal and external convenient and comfortable travel by foot, bicycle, and transit through such strategies as narrow streets, modest

setbacks, front porches, connected streets, multiple connections to nearby land uses, and mixed uses.

Response: PD design standards are listed as conditions within this PD rezoning application. University Towne Center has been developed with a system of internal roadways, cross access points, and buildings brought close to NW 34th Street and Old Archer Road for those parcels along the PD's eastern and northern boundaries, respectively.

(2) Provide flexibility to meet changing needs, technologies, economics and consumer preferences.

Response: The mix of uses and entitlements as well as the development standards, with the exception of signage, are being maintained. Therefore, University Towne Center may continue to build remaining parcels in a fashion similar to existing development within the PD. The proposed amendment to the signage condition (existing Condition #12) will provide much needed flexibility to both attract and sustain future development currently permitted within the PD.

(3) Preserve to the greatest extent possible, and utilize in a harmonious fashion, existing and outstanding landscape features and scenic vistas.

Response: Landscaping and open space requirements are being maintained in this PD rezoning application. Therefore, there are assurances that future development will not detract from the cohesiveness of landscaping and open space.

(4) Lower development and building costs by permitting smaller networks of utilities, a network of narrower streets, and the use of more economical development patterns and shared facilities.

Response: Existing development is currently served by Gainesville Regional Utilities *GRU) infrastructure. Future development will continue to utilize existing infrastructure, thereby increasing the efficient use of public utility infrastructure.

(5) Achieve overall coordinated building and facility relationships and infill development, and eliminate the negative impacts of unplanned and piecemeal development.

Response: The proposed PD rezoning maintains the existing entitlements, mix of uses, and development standards, with the exception of allowing the onsite signage to be more consistent with the City's signage plan in place at the time of this application. The development of remaining parcels will be consistent with existing development. The University Towne Center is a planned development that consists of common buffers, open space, infrastructure, etc. that support a cohesive nonresidential mixed-use development.

(6) Enhance the combination and coordination of architectural styles, building forms and building relationships within the development.

Response: The proposed PD rezoning does not affect the architectural continuity of the development.

(7) Promote the use of traditional, quality-of-life design features, such as pedestrian scale, parking located to the side or rear of buildings, narrow streets, connected streets, terminated vistas, front porches, recessed garages, alleys, aligned building facades that face the street, and formal landscaping along streets and sidewalks.

Response: Internal pedestrian, non-motorized, and motorized transportation network is constructed and will remain unaltered as a result of this application. There are no changes to the PD's design standards other than signage, which will be more closely conform to the City's adopted signage regulations in place at the time a development plan is submitted.

Sec. 30-213. Minimum requirements for rezoning to planned development.

An applicant for a PD rezoning must present evidence that justifies the rezoning. Justification must include one or more of the following:

(1) Unique and promoted by comprehensive plan. The proposed development is unique. Although it does not fit within an existing zoning district, it is consistent with the city comprehensive plan, except it may require a land use change. Other options available under the existing zoning district(s) in the city land development code would not allow the use and associated design elements of the proposed project.

Response: The proposed rezoning does not alter, amend, subtract from, or increase the nonresidential entitlements previously approved. The PD utilizes a combination of development standards and conditions not otherwise applied throughout the City at large to create a mixed-use development.

(2) Size, scale, complexity and design. The proposed development is of such size, scale, complexity, and/or unique design that it would be inconvenient and inefficient to process such a proposal outside the PD process.

Response: Outside of the PD process it would not be possible to create a unified development plan for the mix of uses that comprise the University Towne Center PD. The unified development plan enabled through the PD process allows for a common street and block development pattern that would not be as cohesive through autonomous parcel-by-parcel development. The proposed rezoning maintains the PD's unified development plan.

(3) Specialized compatibility and design characteristics. The nature of the proposed use at a specific site requires specialized design characteristics to preserve and protect neighborhood character, environmental concerns and other concerns unique to the immediate area, consistent with comprehensive plan policies.

Response: The University Towne Center PD's compatibility and design characteristics were established as part of the rezoning adoption processes and public hearings in 1999. Environmental concerns and wetland mitigation were addressed as part of original PD rezoning.

Sec. 30-216. Requirements and evaluation of PD.

The PD report shall address each item in the subsections below. In considering a proposed PD for approval, the city plan board and the city commission shall evaluate the proposal in consideration of these criteria:

(1) Conformance with the PD objectives and the comprehensive plan. No development plan may be approved unless it is consistent with the objectives set forth in section 30-211(b), and the city's comprehensive plan, future land use map and concurrency management system.

Response: The PD rezoning does not increase entitlements currently afforded by the existing University Towne Center PD. Consistency with the City's Comprehensive Plan, Future Land Use Map, PD objectives within Section 30-211(b), and the concurrency management system have been addressed throughout this document.

(2) Concurrency. The proposed PD must meet the level of service standards adopted in the comprehensive plan. Proof of meeting these standards shall exist in the form of a certificate of concurrency exemption, certificate of preliminary or final concurrency (as applicable at the particular review stage), or certificate of conditional concurrency reservation.

Response: This PD rezoning does not request additional entitlements. Further, the PD is substantially developed, and the proposed rezoning is the result of a specific condition to signage that was implemented in 1999 when the property was located in the unincorporated area of Alachua County. Concurrency, including transportation impacts resulting in individual parcel development, redevelopment, or change-of-use shall be analyzed at time of development plan approval.

(3) Internal compatibility. All land uses proposed within a PD must be compatible with other proposed uses; that is, no use may have any undue adverse impact on any neighboring use, based on the streetscape, treatment of pedestrian ways and circulation, motor vehicle circulation, and the separation and buffering of parking areas and sections of parking areas; the existence or absence of, and the location of, focal points and vistas, open spaces, plazas, recreational areas and common areas, and use of existing and proposed landscaping; use of the topography, physical environment and other natural features; use and variety of building setback or build-to lines, separations and buffering; use and variety of building groupings, building sizes, architectural styles, and materials; variety and design of dwelling types; particular land uses proposed, and conditions and limitations thereon; and any other factor deemed relevant to the privacy, safety, preservation, protection or welfare of any proposed use within the PD.

Response: University Towne Center's infrastructure, including sidewalks and streets, is primarily constructed. Existing uses were developed consistent with the approved conditions that regulate uses, building design, landscaping, circulation, etc. Additional development will maintain compatibility, as it will adhere to the conditions prescribed within the adopted University Towne Center PD. This PD rezoning will not impact wetlands, open space, stormwater management, etc.

(4) External compatibility. All land uses proposed within a PD must be compatible with existing and planned uses of properties surrounding the PD; that is, no internal use may

have any avoidable or undue adverse impact on any existing or planned surrounding use, nor shall any internal use be subject to undue adverse impact from existing or planned surrounding uses. An evaluation of the external compatibility of a PD should be based on the following factors: adjacent existing and proposed uses, design of the development, traffic circulation, and density and intensity.

Response: The existing PD was approved, in part, by a finding that it is compatible with adjoining and surrounding development. Additional development will maintain compatibility, as it will adhere to the conditions prescribed within the adopted University Towne Center PD.

(5) Intensity of development. The residential density and intensity of use of a PD shall be compatible with (that is, shall have no undue adverse impact upon) the physical and environmental characteristics of the site and surrounding lands, and they shall comply with the policies and density limitations set forth in the comprehensive plan. Within the maximum limitation of the comprehensive plan, the permitted residential density and intensity of use in a PD may be adjusted upward or downward in consideration of the following factors: the availability and location of public and utility services and facilities; the trip capture rate of development; and the degree of internal and external connectedness of streets.

Response: Environmental and wetland mitigation were addressed when the University Towne Center PD was adopted. There are no changes being proposed that would affect protected open space, wetlands, stormwater management, etc. The density and intensity parameters set forth in the existing PD will be maintained.

(6) Usable open spaces, plazas and recreation areas. Usable open spaces, plazas and recreation areas provided within a PD shall be evaluated based on conformance with the policies of the comprehensive plan and the sufficiency of such areas to provide appropriate recreational opportunities, protect sensitive environmental areas, conserve areas of unique beauty or historical significance, enhance neighborhood design, and encourage compatible and cooperative relationships between adjoining land uses.

Response: This PD rezoning does not propose changes to open spaces, plazas, or recreational areas. Nor does this PD rezoning increase demand for recreational facilities. Shared and joint access throughout the PD will be maintained.

(7) Environmental constraints. The site of the PD shall be suitable for use in the manner proposed without hazards to persons either on or off the site from the likelihood of increased flooding, erosion or other dangers, annoyances or inconveniences. Condition of soil, groundwater level, drainage and topography shall all be appropriate to the type, pattern and intensity of development intended. The conditions and requirements of article VIII, environmental management, including surface water, gateway, nature park, greenway, uplands, and wellfield overlay districts, must be met.

Response: The existing stormwater management facilities within the University Towne Center PD were designed and constructed to accommodate the total approved entitlements.

(8) External transportation access. A PD shall be located on, and provide access to, a major street (arterial or collector) unless, due to the size of the PD and the type of uses

proposed, it will not adversely affect the type or amount of traffic on adjoining local streets. Access shall meet the standards set in article IX, additional development standards, and chapter 23, streets, sidewalks, and other public places. Connection to existing or planned adjacent streets is encouraged. The trip generation report shall be signed by a professional engineer registered in the state when there is a difference between the traffic report provided by the petitioner and the concurrency test.

Response: Onsite infrastructure including roadways and sidewalks are currently constructed within the University Towne Center PD. All existing access points to public streets and internal right-of-ways will be maintained.

(9) Internal transportation access. Every dwelling unit or other use permitted in a PD shall have access to a public street either directly or by way of a private road, pedestrian way, court or other area which is either dedicated to public use or is a common area guaranteeing access. Permitted uses are not required to front on a dedicated public road. Private roads and other accessways shall be required to be constructed so as to ensure that they are safe and maintainable.

Response: The PD was developed with an internal roadway network and cross-access between parcels so as to guarantee access to the public street network. This transportation network will be maintained and unaffected by the proposed PD rezoning.

(10) Provision for the range of transportation choices. Sufficient off-street and on-street parking for bicycles and other vehicles, as well as cars, shall be provided. The requirements of article IX, division 2, shall be used as a guide only. Parking areas shall be constructed in accordance with such standards as are approved by the city commission to ensure that they are safe and maintainable and that they allow for sufficient privacy for adjoining uses. When there is discretion as to the location of parking in the project, it is strongly encouraged that all motor vehicle parking be located at the rear or interior side of buildings, or both. The design of a PD should, whenever feasible, incorporate appropriate pedestrian and bicycle accessways so as to provide for a variety of mobility opportunities. Connection to all sidewalks, greenways, trails, bikeways, and transit stops along the perimeter of the PD is required. Where existing perimeter sidewalks do not exist, sidewalks shall be provided by the development.

Response: Both non-motorized and motorized circulation will remain unaffected by the PD rezoning.

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