

B U R G I S
A S S O C I A T E S , I N C .

MEMORANDUM

To: Parsippany-Troy Hills Planning Board
From: Edward Snieckus, Jr. PP, LLA, ASLA
Subject: Ordinance 2013:28
RCR Overlay Amendment for POD Zone District
Review for Consistency with Master Plan
Date: September 5, 2013
BA#: 2783.27
PTH#: 13:520

INTRODUCTION

The Township of Parsippany-Troy Hills Council has requested the Planning Board to review proposed ordinance amendment number 2013:28 for consistency with the Township's Master Plan. Ordinance 2013:28 proposes to amend and supplement Chapter 430: Zoning of the general ordinances to add a new article XLIX establishing a "RCR – Planned Retail/Commercial/Residential Overlay District." The proposed overlay regulations will be placed over a portion of the POD (Planned Office District). The overlay will not replace this underlying zoning. Instead, the regulations permit a development alternative for the subject area of the overlay zone.

This request is pursuant to the provisions set forth by N.J.S.A. 40:55D-26 of the Municipal Land Use Law (MLUL), which details the role of the planning board in the ordinance adoption process as follows:

Prior to the adoption of a development regulation, revision, or amendment thereto, the planning board shall make and transmit to the governing body, within 35 days after referral, a report including identification of any provisions in the proposed regulation, revision or amendment, which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate.

Our office has prepared the following planning analysis to assist the Planning Board in this review, and is comprised of four sections. The first section provides a study area summary relating to the RCR Overlay Area, surrounding land uses and current POD zoning. The second section outlines the requirements set forth by the Municipal Land Use Law (MLUL) for reviewing a zoning ordinance for consistency with the municipality's Master Plan. The third section provides a synopsis of the proposed RCR Overlay District regulations. The fourth section examines the Township's Master Plan and reviews those portions that are relevant to the proposed zone amendment.

PLANNING ANALYSIS

1. **Study Area.** The following includes a description of the area for the RCR overlay, its surrounding land uses and the overall POD zone district.

- a. **RCR Overlay Area:**

The proposed RCR overlay district is to overlay Block 421 Lot 29. This tract is located in the northwestern area of the Township, adjacent to the municipality's boundary with the Borough of Mountain Lakes. With an area of 26.64 acres, the tract configuration and frontage is characterized as a vacant corner lot of a considerable size with roadway frontages on three sides. These roadway frontages include Waterview Boulevard to the east, U.S. Route 46 to the south and Intervale Road to the west. The Circulation Element of the Master Plan (adopted in October 2005) lists Route 46 as a principal arterial street frontage and Waterview Blvd as a commercial collector roadway.

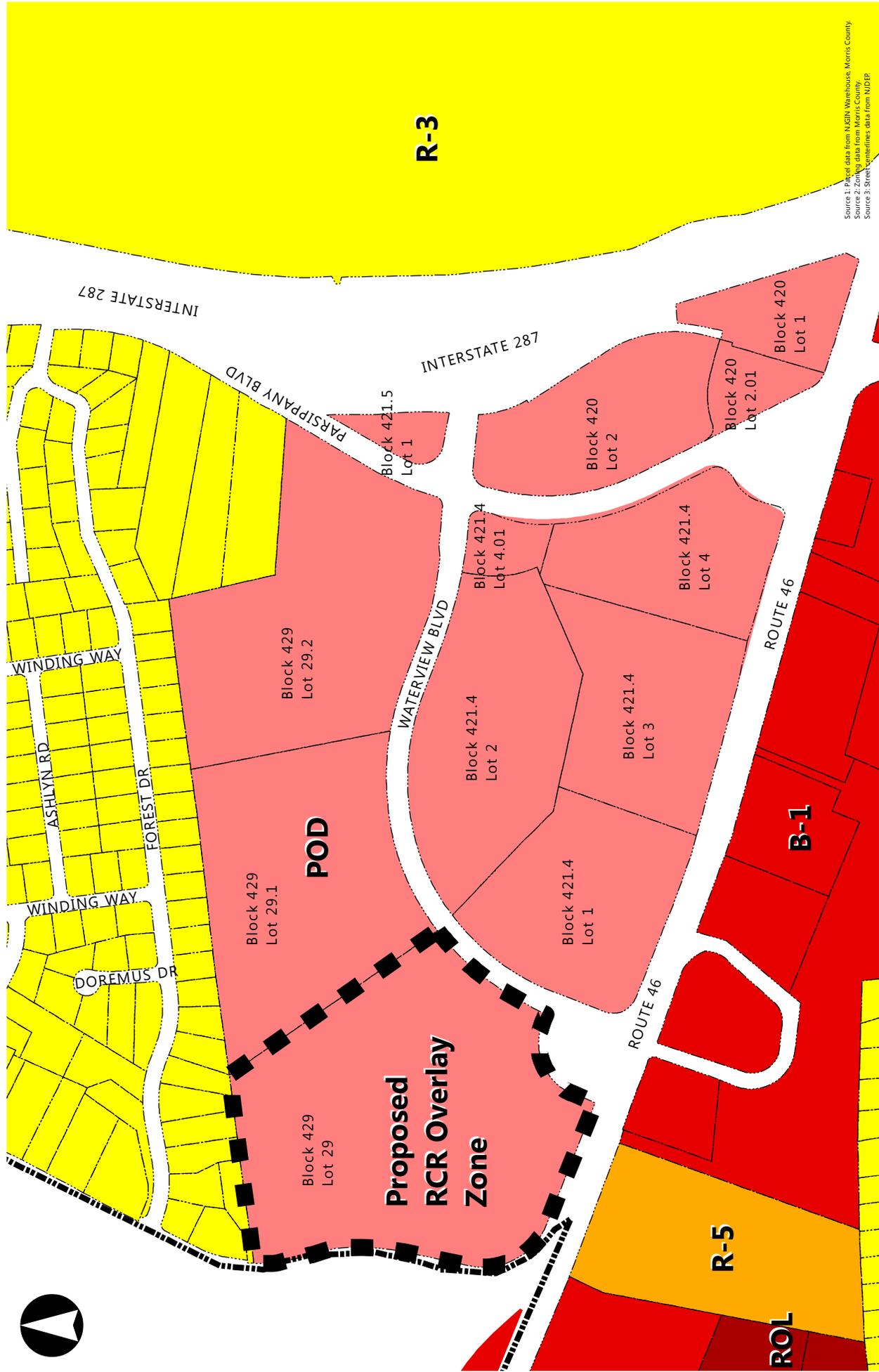
The area under consideration is located in a Wellhead Protection Area including Tiers 1, 2 and 3. This designation establishes specific limitations on uses in these tier areas and regulates what is termed potential pollutant materials in accordance with Township regulations (contained in section 430-316 thru 325). The proposed overlay is consistent with the use restrictions in the identified wellhead tier areas and any stored potential pollutant materials that are regulated will be required to be in accordance with these regulations as well as applicable state regulations.

- b. **Surrounding Land Uses:**

Office and commercial uses are located adjacent to the eastern and western sides of the proposed overlay area (in the POD Zone District), while detached single-family residential uses and a vacant parcel containing a burial plot known as the Doremus family cemetery are located to the northern side of the property (R-3 Zone District). Multifamily garden apartments (R-5 Zone District), the Parsippany-Troy Hills Police and the Township Post Office facility are also located to the south of the property on the opposite side of Route 46 (B-1 Zone District). An office and a townhouse development are located to the east of the tract along Intervale Road, within the Borough of Mountain Lakes.

- c. **Current POD Zoning:**

Presently, the property is located only in the POD Professional Office District. Permitted uses in this district include: professional offices; television and radio stations (but not including transmission facilities); research facilities; and mobile food vendor establishments. Hotels are permitted conditional uses. The regulations for the POD District are outlined in Article XXII of the Parsippany-Troy Hills Zoning Ordinance (§430-150 thru 161). This district further extends to the east of the tract, and includes the office style development of the Waterview Office Complex. The map on the following page provides the extent of the POD and surrounding zoning districts.



Source 1: Parcel data from NJGN Warehouse, Morris County.
 Source 2: Zoning data from Morris County.
 Source 3: Street centerlines data from NJDP.

Zoning

	R-3		ROL
	R-5		POD
	B-1		

Legend

	Municipal Boundary
	Proposed RCR Overlay Zone
	Parcels

Project No.	2783.27	Date	08.30.13	Drawn	DN
Scale:	1" = 500'	Dwg. No.:	zoning		
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Existing Zoning Map

Project Title
RCR Overlay: Master Plan Consistency
 TOWNSHIP OF PARSPANY, TROY HILLS, MORRIS COUNTY, NEW JERSEY

BURGIS ASSOCIATES, INC.
 COMMUNITY PLANNING | LAND DEVELOPMENT AND DESIGN | LANDSCAPE ARCHITECTURE
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2. **Municipal Land Use Law (MLUL) Requirements.** State statute N.J.S.A. 40:55D-62 of the Municipal Land Use Law (MLUL) establishes that *“a governing body may adopt or amend the zoning ordinance relating to the nature and extent of the uses of land and of building and structures thereon.”* The MLUL further stipulates that a zoning ordinance shall either be substantially consistent with the land use element and the housing plan element of the master plan, or be designed to effectuate such plan elements. However, the statute also offers that a governing body may adopt an amendment to a zoning ordinance that is, in whole or part, inconsistent with the master plan subject to specific findings of fact.

The analysis contained herein identifies some inconsistencies as well as a number of objectives and purposes of the Master Plan that will be furthered should the proposed overlay regulation be implemented. As established by the statute, this analysis is offered for the Board’s consideration in the review of the proposed regulation to formulate specific findings that can provide for a basis by which any inconsistencies are substantial or upon further review represent a benefit to the public good and general welfare.

3. **Proposed Zoning Ordinance.** The following provides a general overview of the proposed overlay zoning ordinance.

The proposed RCR Planned Retail/Commercial/Residential Overlay District will permit the following alternative uses:

- a. Retail commercial buildings with one or more tenants, with at least one tenant having a gross floor area ranging from a minimum of 35,000 square feet to a maximum of 150,000 square feet.
- b. Restaurants and other eating and drinking facilities, with or without drive-through window facilities.
- c. Banks, with or without a drive-through window.
- d. Residential townhouse dwellings, on a separate sub lot of the tract.
- e. Multiple uses, limited to any combination of the uses above, in one or multiple buildings. Multiple uses are permitted on a lot except the sub-lot of the tract to contain residential townhouse development.

No access is permitted from Intervale Road.

The RCR Overlay district also outlines several buffer requirements, including the following:

- a. No building or parking shall be located within 50 feet of Waterview Boulevard, Route 46, and the R-3 Zone boundary.
- b. No building or parking shall be located within 75 feet of Intervale Road at the intersection with Route 46 and continuing the length of Interval Road adjacent to the RCR Zone District.
- c. No building or parking on a residential developed lot created by subdivision within the tract shall be located within 40 feet of the lot line between residential and non-residential uses.
- d. No parking or roadways on the commercial non-residential lots created by subdivision within the tract shall be located within 5 feet of the lot line between non-residential and residential uses.

For residential townhouse dwellings, the following buffer requirements are required:

- a. No building shall be located within 85 feet of Intervale Road or 65 feet from the R-3 Zone Boundary.
- b. No building shall be located within 300 feet of Route 46 or Waterview Boulevard.
- c. No building shall be located within 40 feet of a side or rear lot line that is not coincident with the R-3 Zone Boundary.

For nonresidential commercial uses, the following buffer requirements are required:

- a. No building shall be located within 85 feet of Intervale Road.
- b. No building shall be located within 100 feet of Route 46 and Waterview Boulevard.
- c. No building shall be located within 300 feet of a lot line that coincides with the R-3 Zone Boundary.
- d. No building shall be within 35 feet of a side or rear lot line within the tract.

Additional landscaping requirements for buffers are also outlined.

4. **Master Plan.** The latest Township of Parsippany- Troy Hills Master Plan Periodic Re-examination Report was adopted on May 10, 2004. This re-examination report contains a review and update to the Land Use Plan for the Township. In 2010, the Board also prepared a draft Re-examination Report of the Master Plan. This report was not formally adopted due to both uncertainties relating to what are termed third round housing regulations for affordable housing established by the Council on Affordable Housing (COAH), and the Township's review at the time to opt into conformance with the Highlands Regional Master Plan. The requirement for affordable housing promulgated by COAH was, and remains today, an uncertainty due to the Court's overturning of the prior third round rules and the absence of new rules in place to guide municipalities throughout the state. This zone was not specifically analyzed in the draft 2010 Master Plan Re-examination, although the draft did recognize that the economic recession of 2007 and 2008 created a significant and ongoing impact on prospective development in the Township. This impact would need to be considered in a reevaluation of the Land Use Plan to see if adjustments are needed to maintain an updated and current vision for the future of the Township.

The Re-examination Report also outlines twelve general objectives for the Township, which were formulated from the purposes of the MLUL. The relevant purposes of zoning relating to this rezoning are as follows:

- a. To encourage Township's action to guide appropriate use or development of lands that will promote the general welfare.
- b. To ensure development within the Township does not conflict with the development and general welfare of adjacent municipalities.
- c. To promote establishment of appropriate population densities and concentrations that will contribute to well-being of persons & neighborhoods.

- d. To promote a desirable visual environment through creative development techniques and good civic design and arrangements.

The subsequent sections of this analysis evaluate how these purposes are affected or supported.

The proposed overlay re-zoning also relates to the following overview of the specific goals set forth for the Township as identified in the 2004 Master Plan Re-examination Report:

- a. **Goal 1:** *“To maintain and enhance the existing areas of stability in the community; to encourage a proper distribution of land uses by designating areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and existing density of the community by restricting incompatible land uses from established residential areas, and limiting intensities-of-use to the levels, and locations, prescribed herein.”*
- b. **Goal 3:** *“To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the Township.”*
- c. **Goal 4:** *“To encourage and provide buffer zones to separate incompatible land uses.”*
- d. **Goal 5:** *“To preserve and enhance the Township’s retail commercial areas by defining their functional role in the community.”*
- e. **Goal 6:** *“To permit the imposition of transitional uses within clearly defined areas which will serve to act as a buffer between two adjoining zone districts of distinctly different uses and intensities of use.”*
- f. **Goal 10:** *“To protect and conserve the water supply serving the Parsippany-Troy Hills community.”*

The following elaborates on these goals and the land use element of the Master Plan, and outlines the inconsistencies or the factual benefits derived by the proposed amendment to the relevant goal and associated policy statements of the Master Plan for the Board’s consideration.

GOAL 1

"To maintain and enhance the existing areas of stability in the community; to encourage a proper distribution of land uses by designating areas which have their own uniform development characteristics. A principal goal of this plan is to preserve and protect the residential character and existing density of the community by restricting incompatible land uses from established residential areas, and limiting intensities-of-use to the levels, and locations, prescribed herein."

The proposed amendment would further this goal by the incorporation of specific setback requirements and transitional buffers between the permitted retail uses and residential uses surrounding the proposed overlay areas as well as within the proposed overlay zone. The buffer and setback standards that are provided for in the overlay district will enable a regulatory framework to safeguard and preserve the residential character of the properties located to the north in the R-3 Zone as well as Intervale Road in Mountain Lakes.

It is also noted that a traditional planning tool is to place a medium density residential use in between a commercial use and adjacent residential uses in order to form a transitional zone. This transitional characteristic is embodied by the proposed townhouse use in the overlay zone, establishing a single family attached land use compatible to the adjacent single-family residential uses of the adjacent R-3 zone. This planning tool has been effectively used in existing development elsewhere in the community. An example for consideration is the PRD multifamily residential district underlying the Hunting Ridge Development along Route 46. The PRD zone permits a similar attached residential density to that which is proposed, with setbacks and corresponding buffer requirements providing a transitional use to the commercial corridor along Route 46.

An additional feature of the proposed overlay is the setback relationship that would be fostered by the proposed relationship to the non-residential uses contained in the proposed overlay zone. The setbacks for the residential and the proposed commercial development are such that the non-residential development is regulated to the southerly portion of the overlay area. The POD zone requires a 150 foot minimum to a 200 foot average buffer requirement from the R-3 residential development to the north if the area is developed as a corporate office building. This requirement establishes a transition distance from what could be a 60 foot tall non-residential structure to the adjacent R-3 zone. The proposed overlay would require any non-residential structure to be placed at least 300 feet from the adjacent R-3 zone while permitting a maximum height of 40 feet thereby providing a comparable relationship to the underlying POD zone district. Additionally, the placement of the residential townhome use on the northerly area of the overlay forms a transition to the adjacent R-3 zone further supporting this separation of incompatible land uses.

These features of the proposed regulation would further the policy identified above by preserving the adjacent residential character of the R-3 zone and restricting incompatible land uses from established residential areas by this arrangement.

GOAL 3

"To provide a variety of housing types, densities and a balanced housing supply, in appropriate locations, to serve the Township."

Specifically, the policy statement of this goal states: *"Consequently, the Township policy is designed to acknowledge this existing and established broad array of housing, but not to allow any more multi-family housing and townhouses due to the large percentage of the housing stock which is already devoted to these housing types. The Township's policy is to continue to accommodate this broad array of housing pursuant to the specific delineations depicted on the land use plan map, but not to encourage any additional multi-family and townhouse development beyond that which is depicted on the Plan."*

The intent of this statement in the Master Plan is to limit attached residential development to the areas as planned for or contemplated for such development. The proposal to permit an attached residential townhouse development was not contemplated at the time of this prior re-examination; therefore such a proposal represents an inconsistency with this statement.

However, it is offered for consideration that the proposed residential use can represent an appropriate alternative at this location in the Township by promoting the efficient use of land in close proximity of goods and services as provided for on Route 46. The development criteria proposed would provide a suitable population density with design standards to safeguard the public welfare. The proposed development alternative features use types that are designed to complement one another. In particular, the commercial development provides proximity to goods and services and the multifamily use constitutes a modern residential housing alternative to the community while providing a transitional use adjacent to the residential uses to the north and northeast townhouses in Mountain Lakes.

Since the 2004 re-examination of the Master Plan, planning policy initiatives throughout the state have increasingly focused on the location of a mixture of uses including attached residential planning close to or directly adjacent to goods and services and established transportation networks. This proposal would exemplify this initiative by efficiently using this area of the POD zone where it is located adjacent to developed goods, services, infrastructure and access to mass transit along a regional corridor. This area of the Township is located in the Metropolitan Planning Area of the New Jersey State Plan which encourages similar planning efforts.

GOAL 4

"To encourage and provide buffer zones to separate incompatible land uses."

This goal is furthered through the establishment of sufficient and comparable buffer requirements, setbacks and performance requirements. These requirements will properly arrange and mitigate the potential impacts of any incompatibility of adjacent land uses consistent with established zones in the Township with similar characteristics. The 50 foot transition buffers and 65 foot building setbacks required along the R-3 zone

boundary provides an adequate buffer distance to transition the 35 foot maximum height permitted for the townhouse development. It is also noted that a buffer of 75 feet and corresponding townhouse building setback of 85 feet and commercial building setback of 125 feet proposed from Intervale Road represent the same benefit. This will effectively bring the area for development of this tract beyond the existing topographic ridge line adjacent to Intervale Road in this area, preserving this landform to provide the adequate transition to adjacent land uses and municipal boundaries.

GOAL 5

“To preserve and enhance the Township’s retail commercial areas by defining their functional role in the community.”

A number of objectives are included in the policy statement of this goal are discussed below:

- a. A statement objective notes that *“large scale commercial uses, commonly known as big-box retail, should be discouraged throughout the Township.”* Specifically, this statement discourages large scale commercial uses requiring a higher level of scrutiny of where and if this type of development should be permitted. It is necessary to review the detriments and benefits of the proposal in order to conclude if the proposal would be inconsistent with the identified goal.

Large retail centers can create concerns of traffic, an increase in municipal services required and an expansive land use pattern if not properly regulated. It is offered for the Board’s review that the amount of existing, approved and proposed office development throughout the Township should be an additional consideration in reviewing this proposal. A significant role of the Master Plan is to forecast a specific direction to guide the appropriate use or development of lands that will promote the general welfare and serve the public good. However, these projections must be adjusted periodically to address new conditions, whether they be economic, environmental, or demographic. Since the adoption of the most recent Reexamination Report in 2004, the office land use market has experienced a significant downturn in development and occupancy. This has largely been prompted by regional shifts in workforce, the economic recession of 2007 to 2009, and an overall corporate restructuring that has contributed to less demand and a drive for greater efficiency of space used contributing to a significant increase in vacancy of existing office stock.

Current real estate trade studies of the Parsippany-Troy Hills regional office market at the second quarter of 2013 indicate the region has a published vacancy rate of 22 percent with an estimated 3.9 million square feet of vacant office space. This does not account for what are termed shadow vacancies (vacant office space leased but not occupied). Shadow vacancies are often difficult to fully quantify but it has been reported to increase this rate to over 25 percent if not more. It is also noteworthy that the trade studies for the second quarter of 2013 identified that a trend which continues to influence the market is the demand for more efficient office space with shared work spaces, which reduces operating expenses. This will necessitate the rehabilitation of the current office space inventory to meet this market demand to remain competitive.

The current vacant space coupled with changing employment dynamics is and will continue to have an impact on the future of office needs throughout the Township and in surrounding communities. This presents a compelling basis by which the Township should reconsider alternatives to office space zoning. Similarly, such a review will also need to consider how best to safeguard the continued viability of existing office development and how it contributes to the stability of the community.

The proposed alternative overlay district permitting development as a retail center offers an opportunity to improve the stability of the community by adding to the range of retail, food and department store options for the Township. Such an alternative development would also provide an economic stimulus in both the community and the region. The proposed mixed use characteristic consisting of retail and residential provides an alternate benefit by bringing greater value, viability and less dilution of the current office space inventory in the Township. While the amendment will allow for a location for what could be termed "large scale commercial use", it should be considered that this development alternative provides an opportunity to safeguard the continued viability of existing office development while adding to the range of retail, food and department store options.

The location of the proposed retail use is a viable alternative due to the inherent frontage and connections to the regional roadway corridor of Route 46 with access to Interstates 287 and 80 via Waterview Boulevard. These options provide a basis by which traffic to and from such a facility can be appropriately managed. The overlay also establishes specific setback controls on the location of the non-residential component of the overlay area seeking to control the scale of a retail center. Therefore on balance, while the general term of "large scale commercial uses" is not encouraged, it is offered that the comprehensive and specific features of a commercial center, at this specific location in the Township, would serve to enhance the Township's retail commercial areas by improving the provision of goods and services to the community and the surrounding area.

- b. Goal 5 further notes that the community is served by a variety of retail areas. Specifically, it identifies "neighborhood and regional-type" areas that exist along Route 46 and other areas of the community. It continues by identifying that, within these commercial areas, a *"consolidated development should be encouraged to facilitate a comprehensive approach to a unified and integrated development...[and] limit the number of curb cuts and conflicting turning movements."*

The establishment of a comprehensively designed new retail area, accessed by an anticipated signalized access needed for the development contemplated to Waterview Boulevard, provides a safe and efficient direct connection to Route 46 and Route 287. This represents and furthers a comprehensive approach to a unified and integrated development reducing the number of curb cuts needed.

- c. Goal 5 notes that *“within this framework, the Plan encourages the continued improvement of the community’s commercial areas for retail and service commercial uses to primarily serving the needs of the area’s resident population,”* and adds that *“this should be achieved in a manner which protects and promotes the physical and aesthetic character.”*

As noted previously, the development under this alternative development option would add to the range of retail, food and department store options for the community. The proposed amendment effectively promotes these objectives through the requirement for comprehensive building and site development design standards including building massing and aesthetic treatment requirements along with detailed buffer requirements.

GOAL 6

“To permit the imposition of transitional uses within clearly defined areas which will serve to act as a buffer between two adjoining zone districts of distinctly different uses and intensities of use.”

As noted above, this goal is furthered by the proposed residential townhouse use, which is to feature a proper arrangement of land uses and sufficient buffer requirements to separate and mitigate the potential effects of incompatible land uses thereby presenting a compatible arrangement.

GOAL 10

“To protect and conserve the water supply serving the Parsippany-Troy Hills community.”

The Board has previously solicited the input of the Township’s water and sewer departments to ascertain if there is adequate water supply for the level of development currently proposed. Correspondence from Kevin Ryan, Water Superintendent, provided a positive determination that a development density permitted in this amendment would have “no problem supplying drinking water.” He did note that such a development would be required to obtain a safe drinking water permit prior to construction thereby necessitating a specific analysis for the availability of water at the time of a proposed development.

Additionally, the Township’s consultant, Steve Mizerek, PE from Engineering and Environmental Services, Inc., provided a similar analysis in correspondence to Mr. Philip Bober, Superintendent of Parsippany Troy Hills Sewer Utility on November 30, 2012 concluding there are adequate sewer capacities in the system that would serve the alternative development permitted by this amendment.

As noted the area under consideration is located in a Wellhead Protection Area including Tiers 1, 2 and 3. This designation will limit uses and storage of materials that are specifically categorized as potential pollutant materials. The proposed overlay is consistent with the regulations on use restrictions in the identified well head areas and any regulated potential pollutant materials that are stored on site, will be required to be in accordance with these regulations as well as applicable state regulations with a Best Management Plan in place for their proper handling.

LAND USE PLAN

The 2004 Township of Parsippany- Troy Hills Master Plan Periodic Reexamination also includes a review of the Township-wide Land Use Plan. The Land Use Plan designates the area under consideration to be in the "Office, Corporate Professional" land use category, which is consistent to the current POD Professional Office District zoning. The proposed rezoning is not contemplated by the Land Use Plan of the Master Plan since it was formulated to support the creation of the Planned Office Development zone for this area of the Township. The planned office development zone, while intentioned for the comprehensive planning of this area, has not been realized for this area of the Township since the zone's inception. While not precluding this opportunity to have the site developed consistent with this intent, the proposed overlay would maintain this land use while providing an additional development alternative. The alternative offers public benefits by improving the provision of goods and services through a retail center at a location conducive to safe and efficient access on U.S. Route 46 and the 4 lane wide commercial collector roadway of Waterview Boulevard.

5. **General Objectives Review.** As previously noted, the Re-examination Report outlines twelve general objectives for the Township which were formulated from the purposes of the MLUL wherein four were identified as applicable to this proposed overlay zoning. The summary review of these relevant objectives as they relate to this rezoning are as follows:

- a. *To encourage Township's action to guide appropriate use or development of lands that will promote the general welfare.*

The proposal as outlined herein would further this objective through establishing a residential and commercial development that would promote the general welfare by providing goods and services on a regional transportation corridor to serve the community, an employment center, a residential housing alternative in close proximity to regional transportation, a development alternative that would help to safeguard the current office inventory for the community, and a mixture of uses that forms an effective transitional plan to adjacent moderate density residential uses.

- b. *To ensure development within the Township does not conflict with the development and general welfare of adjacent municipalities.*

The proposed buffer and setback requirements along with the proposed transitional use characteristics as well as the municipal boundary line adjacent to Intervale Road would establish appropriate controls and measures to protect the development and general welfare of adjacent municipalities. In addition, it is offered that the regulation maintains the provision that no access is permitted to Intervale Road effectively directing traffic away from this roadway located in the adjacent community of Mountain Lakes.

- c. *To promote establishment of appropriate population densities and concentrations that will contribute to well-being of persons & neighborhoods.*

The medium density residential characteristics and setback controls of the proposed overlay is an appropriate population density in proximity to the moderate density land use category of the R-3 zone and as noted provides a transitional arrangement to the proposed commercial development. These controls and relationships would effectively contribute to the well-being of persons or neighborhoods.

- d. *To promote a desirable visual environment through creative development techniques and good civic design and arrangements.*

While the removal of vegetation to establish any development of this site would have a visual impact, the proposal can be identified to create a desirable visual environment through the transitional and frontage buffer requirements while the design standards proposed would strive to promote good civic design and appropriate arrangements.

PLANNING SUMMARY

It is noted for the Planning Board's consideration that amendment 2013:28 to establish the RCR Overlay District over a portion of the POD Zone District is to have some inconsistencies with Goal 3 regarding the provision of additional multifamily housing where not prescribed. In addition, it is noted that the Land Use Plan does not contemplate this use for the subject area. Furthermore, while the proposed overlay does not encourage the portions of Goal 5 relating to large scale retail buildings, it does provide adequate safeguards to mitigate the impacts associated with such a facility.

In conclusion, it is offered for the Board's consideration that there are numerous safeguards integrated in the proposed regulations along with numerous benefits to the general welfare and public good of the community as outlined herein that offer, on balance, a compelling alternative to the underlying Planned Office Development that is currently prescribed by the Land Use Plan.

ES:dn

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