

Wisdom Townhomes Additional Criteria Response

9. For a proposed major amendment to an adopted Planned District the following additional criteria shall be considered:

- a. Whether the amendment is consistent with the reasonable expectations of other residents within the Planned District with regard to how the Planned District would be built out over time.

Applicant Response: The proposed PUD amendment is to allow an additional access point and to allow townhomes as a permitted use within Sub-Area 3. The proposed access point is external to the Toscana PUD located off of Gene Green Road. This external access point can be seen as reasonable with the existing residents as the proposed development would not impact the access points to which residents currently use.

In addition to the proposed access point, the proposed amendment is to allow townhomes in Sub-Area 3. Sub-Area 3 is composed of two sections within the Toscana Isles PUD comprising approximately 10.6 acres. The first area is located at the corner of Gene Green Road and Knights Trail Road while the other is at the corner of Technology Drive and Knights Trail Road. Sub-Area 3 is the only area permitted within the Toscana Aisles PUD that allows commercial uses. The proposed additional use of townhomes only within this subarea can be seen as reasonable based on the fact that the proposed use is for a residential use similar to the rest of the Toscana Isles PUD. In addition to the proposed use, the proposed amendment is only for two sections on the fringes of the PUD and will not impact any of the previously approved parcels within the PUD.

- b. The extent to which the amendment deviates from the approved binding master plan, including whether any proposed change of use can be accommodated by any conversion, flex use or related similar Planned District allocation chart included in the binding master plan.

Applicant Response: The proposed amendment deviates from the approved binding master plan in two ways. The first deviation is from the approved access points relating to the Toscana PUD. Access to the property was from an approved access point shown internal to the Toscana Isles PUD however, based on litigation, the applicant is proposing the one new access point form Gene Green Road. The second deviation is adding the proposed use of townhomes to Sub Area 3. Sub Area 3 allows for a variety of both commercial and multi-family dwellings. Based on conversations with City Staff, they determined that townhomes were considered the same use as multi-family dwellings. Based on this determination, the applicant has specially added townhomes as a use in Sub Area 3.

- c. The extent to which the alteration to the Planned District will service and/or benefit other uses within the Planned District.

Applicant Response: The proposed alternation will not service or benefit other uses within the Toscana Isles PUD. The proposed access point is external to the existing PUD having minimal impact on the PUD. The proposed townhomes use is only for two sections of the PUD on the exterior fringes of the PUD and will not have an impact on the previously built PUD.

- d. Whether the amendment is compatible with the common scheme of development contemplated in the binding master plan.

Applicant Response: The proposed development is compatible with the common scheme of development within the PUD. The proposed use of townhomes is consistent with the existing residential development. One could argue that townhomes are more consistent than the permitted commercial uses already permitted within Sub Area 3.