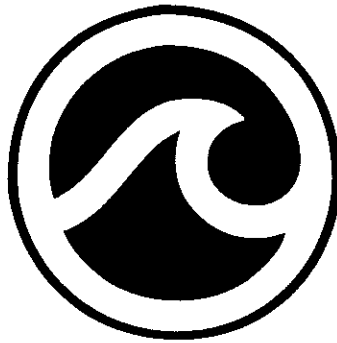


**PHASE ONE
MARION ROAD/PEARL AVENUE
REDEVELOPMENT PLAN**



OSHKOSH
ON THE WATER

**CITY OF OSHKOSH
DEPT OF COMMUNITY DEVELOPMENT**

AUGUST 1998

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MARION ROAD/PEARL AVENUE REDEVELOPMENT PLAN

I. INTRODUCTION

The City of Oshkosh Comprehensive Plan, adopted in August 1993, identified the Marion Road area as a special planning area of the Central City. Located adjacent to the Fox River and between the Central Business District (CBD) and the University of Wisconsin-Oshkosh is the Marion Road Industrial District. The industrial district encompasses approximately 44 acres and has been in existence for over 100 years. The district is characterized by a majority of manufacturing uses with some commercial and residential uses as well as some vacant parcels.

The City has identified a portion of the Marion Road Special Planning Area as the Marion Road/Pearl Avenue Planning Area (Map 1), and prepared the Phase One Marion Road/Pearl Avenue Redevelopment Plan to begin implementing recommendations of the City's Comprehensive Plan.

In this project area, the Comprehensive Plan calls for:

- Phasing out of industrial uses in the area.
- Clearance and redevelopment of the Universal Foundry property
- Targeting the Radford plant site for redevelopment.
- Expansion and improvement of the campus oriented commercial district on Wisconsin Street.
- Realignment of Marion Road.
- Development of new housing.

This Redevelopment Plan will provide detailed actions to achieve the objectives of the Comprehensive Plan. Map 1 shows the boundaries of this larger planning area.

A. Intent

It is the intent of this Redevelopment Plan to identify the geographic area of Phase One Marion Road/Pearl Avenue Redevelopment Plan and to specify the type of redevelopment activities appropriate for this area, and the methods in which those redevelopment activities will be carried out.

The implementation of this Redevelopment Plan is consistent with past efforts and constitutes a significant step towards redevelopment of the Central City and in particular the Marion Road Industrial District.

B. Scope

The Plan provides a framework for the acquisition, demolition, remediation, rehabilitation, disposition, and reuse of land within the project area. In addition to addressing planning and related concerns, the document outlines a process for implementing a partnership between developers and the City of Oshkosh. Provisions for amendments to the plan are described in Part IV(H). All entities engaged in activities as part of the plan, or its implementation, are obligated to comply with the conditions contained herein unless otherwise agreed upon or specified by the City of Oshkosh Common Council.

C. Statutory Authority

The preparation and adoption of this plan, and its implementation are enabled pursuant to Wisconsin Statutes, Section 66.43, as amended. It must be noted the City will only apply the powers granted by this Statute to those properties that have been identified for acquisition in this Plan.

D. Redevelopment Objectives

Recognizing the City's intent as specified in Part I(A) above, and the purpose and scope of Wisconsin Statutes Section 66.43, the following redevelopment objectives have been identified:

1. Eliminate obsolete and deteriorating or deteriorated buildings, blighting influences, and environmental deficiencies which detract from the functional utility, aesthetic appearance, economic and environmental welfare, and general health and safety of this section of the City of Oshkosh, and to aid in the prevention of blight.
2. Assemble land into parcels functionally adaptable with respect to shape and size for disposition and redevelopment in accordance with contemporary redevelopment needs and standards.
3. Provide for the orderly physical and economic growth of the City of Oshkosh through planned and controlled redevelopment.
4. Encourage coordinated redevelopment of parcels to achieve efficient building design, maximum utilization of sites, beautified off-street parking and service facilities, and integral pedestrian connections and open spaces, giving consideration to high standards of design for new development, rights-of-way, landscaping, and open spaces.
5. Achieve private redevelopment of parcels that will add to the tax base of the City of Oshkosh.

6. Assure that the design of all buildings will be in harmony with adjoining public, and semi-public developments.

7. Assure that any buildings are designed, located, and oriented to serve the area and to capitalize on existing views and open spaces.

10. Maximize utilization of Central City property in a manner consistent with the goals of the Comprehensive Plan.

11. Redevelopment of the former Universal Foundry and Radford Company sites as well as the improvement and/or redevelopment of the University parking lot and former railroad corridor properties.

E. Consistency with Local Plans

The goals of the Comprehensive Plan as they relate to this redevelopment plan are as follows:

- Phasing out of industrial uses in the area.
- Clearance and redevelopment of the Universal Foundry property
- Targeting the Radford plant site for redevelopment.
- Expansion and improvement of the campus oriented commercial district on Wisconsin Street.
- Realignment of Marion Road.
- Development of new housing.

As part of the City's annual 1995 submission to the U.S. Department of Housing and Urban Development, the City has also prepared and adopted a Consolidated Plan with the following goals as they relate to this redevelopment plan:

- Eliminate blight or blighting influences and conditions which are detrimental to health, safety, and public welfare, and to utilize land and other resources in an efficient manner.
- Promote economic development through physical development and improvements and business assistance, and to create and retain employment opportunities.

The activities proposed in this plan are consistent with goals of the City's Comprehensive Plan and the City's Consolidated Plan.

II. MARION ROAD/PEARL AVENUE REDEVELOPMENT PLAN

A. Project Area Boundaries and Description

A part of Western Addition Blocks C, E, F, G, L, M and N, Warren Road and vacated Warren Road, vacated Bell Place, Radford Place and vacated Radford Place, Dawes Street and vacated Dawes Street, and vacated Hancock Street, all in the First Ward, City of Oshkosh, Winnebago County, Wisconsin described as follows:

Commencing at a point on the southwesterly line of Pearl Avenue that is 5 feet northwesterly of the most northerly corner of Lot 7 in the Western Addition Block L as measured along the southwesterly line of Pearl Avenue; thence southeasterly along the southwesterly line and extended southwesterly line of Pearl Avenue to the most easterly corner of Lot 5 in the Western Addition Block G; thence southwesterly along the southeasterly line of said Lot 5 to the most southerly corner of said Lot 5; thence southeasterly along the southwesterly lines of Lots 6 through 15 and Lot 17 of the Western Addition Block G to a point 15 feet from the northwesterly line of Bell Place; thence southwesterly 105.68 feet along a line parallel and 15 feet northwesterly of the northwesterly line of vacated Bell Place to a point 14.35 feet from the northeasterly line of vacated Warren Road; thence southeasterly parallel to the northeasterly line of vacated Warren Road 45 feet to the centerline of vacated Bell Place; thence southwesterly along the centerline of vacated Bell Place 0.99 feet to a point on a line 14 feet northeasterly of the northeasterly line of Warren Road to the southeast; thence southeasterly along a line parallel and 14 feet northeasterly of the northeasterly line of vacated Warren Road to the west line of Jackson Street; thence south along the west line of Jackson Street 37.9 feet to the centerline of vacated Warren Road to the northwest; thence northwesterly along the centerline of vacated Warren Road to the extended northwesterly line of Lot 11 of the Western Addition Block F; thence southwesterly along the extended northwesterly line of said Lot 11, 24.98 feet to the former northerly right-of-way line of the Wisconsin Central Limited R.R.; thence westerly 704.56 feet along the arc of a curve concave to the left of radius 618.11 feet and whose chord bears S. 88°25'56.4" W., 667.03 feet and which is also the former northerly right-of-way line of the Wisconsin Central Limited R.R. to the southeasterly line of Dawes Street; thence southwesterly along the southeasterly line of Dawes Street to the northerly line of Marion Road; thence northwesterly to the northwest corner of Dawes Street and Marion Road; thence northwesterly along the northerly line of Marion Road to the easterly line of Wisconsin Street; thence northeasterly along the southeasterly line and extended southeasterly line of Wisconsin Street to the northeasterly line of Radford Place; thence southeasterly along the northeasterly line of Radford Place to the most southerly corner of Lot 20 of the Western Addition Block M; thence northeasterly 120 feet along the southeasterly lines of Lot 20 and 19 of the Western Addition Block M to the most easterly corner of said Lot 19; thence southeasterly 60 feet along the southwesterly line of Lot 3 of the Western Addition Block M to the most southerly corner of said Lot 3; thence northeasterly along the southeasterly line of said Lot 3 to the southwesterly line of Warren Road; thence northeasterly to a point on the northeasterly line of Warren Road being also the most southerly corner of Lot 1 of Certified Survey Map No. 1584 of Winnebago County

Records; thence N. 38°16'26" E. 120.31 feet along the easterly line of said Lot 1 of CSM 1584 to its northerly corner thereof; thence S. 51°33'59" E. 179.04 feet along the northerly line of Lots 18, 17, 16, and 15 of the Western Addition Block L; thence N. 38°50'26" E. 123.75 feet along a line 5 feet westerly of the easterly line of Lot 6 of said Block L to a point on the southwesterly line of Pearl Avenue also being the point of beginning.

Said parcel contains approximately 15.05 acres. The boundaries of the redevelopment area are illustrated in Map 2.

B. Existing Land Use and Ownership

The existing land use is shown in Map 3. The project area includes former manufacturing concerns known as the Universal Foundry at 495 Pearl Avenue and the Radford Company property at 40 Wisconsin Street. A portion of one of the six Foundry structures is used for storage while the rest of the foundry structures are vacant. The Radford building, acquired by the City, is being used for some limited manufacturing and commercial office space. The University owns a 1.9 acre parcel of land within the area which is used for parking and there is a vacant .6437 acre parcel of land which was formerly owned by the Fox River Railroad Company that is currently owned by the City. Land uses as shown in Map 3 are presented as percentages in the table below.

**TABLE 1
PHASE ONE
MARION ROAD/PEARL AVENUE REDEVELOPMENT AREA
EXISTING LAND USE**

<u>Land Use Type</u>	<u>Percentage</u>
Commercial/Manufacturing	28.13
Manufacturing	50.51
Parking Lot	12.52
Vacant Land	4.32
Right-of-Way	4.52

Source: City of Oshkosh GIS

Individual parcels in the Phase One Marion Road/Pearl Avenue Redevelopment Plan Area are shown and numbered in Map 4. The parcel ownership and assessed values are presented in Appendix B of this Plan.

C. Existing Structural Conditions

The contributing factors to finding an area blighted are defined in Section 66.43(3)(a) of Wisconsin Statutes. Ages of the structures range from in excess of 70 years for the Radford property complex and 20-30 years for the main structures on the Foundry property complex.

The structures are one to two stories in height with the highest structure on the foundry property approximately 50 feet in height and one story. The majority of structures within the redevelopment area exhibit signs of deterioration and decay due to lack of maintenance or age. Exterior signs of deterioration range from cracked masonry support walls, broken windows, bent exterior wall panels, sinking or leaning walls, holes in the walls, etc. Graffiti is present on most structures.

The structures may be considered obsolete based on their age of construction and/or the specificity of their construction for certain manufacturing processes. For example, the largest structure on the Foundry property which is one story and is approximately 50 feet in height, cannot be easily rehabilitated to meet the needs of most modern industrial concerns. According to an appraisal conducted for the owner on the Foundry property in 1991 by American Appraisal Associates, costs necessary to retrofit or cure problems associated with the property were approximately \$140,000 and included items such as heating systems, shipping and loading facilities, and the demolition of structures of nominal utility. Other problems included the excessive story heights and inadequate load bearing capacity of bearing walls to support larger and higher tonnage cranes. With such large structures energy efficiency requirements must be evaluated. Today's building codes emphasize energy conservation and efficiency, the excessive story heights and large spaces will result in high heat losses adding higher utility costs for any potential occupant of the structure.

All structures in the project area have been subjected to a structural survey review. Variables included in the survey are as follows:

Exterior Walls	Doors
Foundation Walls	Windows & Frames
Roof (if visible)	Porches, Outside Stairs
Chimney	Cornices

The survey results were converted to a numerical scale, with each structure receiving a composite point score based upon the following criteria:

1. Good: Item is in acceptable standard condition, does not have any significant defects, and does not need any repair other than normal maintenance.
2. Fair: Item rated is in need of minor repair and is worn, loose, or cracked to the extent of less than 20% of the entire item, system, or surface.
3. Poor: Item rated is in need of major repair, is badly worn, 20% or more of entire item, system or surface is loose, cracked, damaged, worn, or rotted to an extent requiring replacement.
4. Very Poor: Item rated is 50% or more beyond repair, or is sinking, leaning, non-

operative, non-functional, or unsafe to an extent requiring complete replacement of the entire system or item.

The composite rankings of the redevelopment area are shown in Map 5, Structural Conditions. The map shows that about 100 percent of the structures in this area are in need of major repairs/rehabilitation.

The blighting influence these properties have on the area is also indicated by the presence of graffiti and the uncontrolled growth of weeds and vegetation on the site. Most of the structures have graffiti painted on their exterior walls and exhibit other signs of being an attractive nuisance. Broken windows and glass is scattered around the buildings. Some of the buildings are not secure with doors hanging open. Weeds grow uncontrolled over most of the site.

D. Existing Zoning

The area contains land zoned M-2 Central Industrial District as illustrated in Map 6.

III. PROPOSED ZONING AND LAND USE

A. Proposed Zoning and Land Use

It is proposed that the redevelopment project area be zoned C-3PD Central Commercial with a Planned Development District Overlay. The proposed zoning will allow for multiple family development as well as a variety of commercial and retail uses. The Planned Development District Overlay will allow more flexibility in development designs while providing safeguards to ensure orderly and compatible developments. See Map 7 for the proposed zoning.

The project plan calls for the redevelopment of this area from its former manufacturing makeup to a mix of multiple family and commercial uses. These proposed land uses are illustrated in Map 8.

IV. PROJECT IMPLEMENTATION

A. Land Acquisition

After ratification of this plan by the City of Oshkosh Plan Commission and Oshkosh Common Council, the City will begin assembling parcels of land in the project area. Parcels to be assembled are identified on Map 9, Land Acquisition.

Land assembly will be facilitated by the City Attorney and Department of Community Development.

B. Relocation

Where relocation of individuals or business operations would take place as a result of City of Oshkosh acquisition activities occurring within the TID, relocation will be carried out in accordance with applicable relocation requirements as set forth by the State of Wisconsin and Federal regulations. Reference to these regulations is contained in Part IV(F) of this plan.

C. Land Disposition

Once assembled, land will be disposed of by sale or lease in accordance with provisions contained in Wisconsin Statutes Section 66.43. The property to be disposed of is indicated on Map 10, Land Disposition.

In addition to terms and conditions as specified by the Plan Commission and Common Council, purchasers and/or lessors shall enter into an agreement with the City. Said agreement shall contain all terms and conditions specified by the Plan Commission and Common Council, and all assurances necessary to insure consistency with objectives of the Plan.

D. Proposed Site and Public Improvements

Once land assembly is completed, the City will commence clearance of structures located on parcels 353-1, 243, and 364 as shown in Map 4. Street improvements will include the realignment/construction of Marion Road for approximately 800 feet, and the reconstruction/extension of Warren Road easterly from Wisconsin Street for approximately 800 feet. It is proposed that electric lines be installed underground in this area and include decorative street lights as well as street trees.

E. Performance Standards

Throughout the implementation of this project, and all stages and phases thereof, the developer(s) will be required to comply with requirements of all sections of this plan, as well as the pertinent sections of municipal codes and ordinances referenced herein. Local codes and ordinances to be complied with are as follows:

1. City of Oshkosh Zoning Ordinance
2. City of Oshkosh Sign Ordinance
3. City of Oshkosh Floodplain Ordinance
4. City of Oshkosh Building Code

Subsequent to the selection of a developer or developers by the Oshkosh Common Council, the following conditions will apply:

1. Execution of a Contract for Sale or Lease of Land for Private Redevelopment (prepared in accordance with Wisconsin Statutes Section 66.43). The contract shall include, while not being limited to, the following provisions: purchase price or lease terms, conveyance, time and place for deed delivery, apportionment of taxes per land sales, options (if applicable), deposits (if applicable), default and reversion, timing of construction and other conditions deemed necessary by the Oshkosh Common Council.

2. The following terms and conditions shall be incorporated into the contract relative to the process for finalizing the construction timetable and construction design elements:

a. City Obligation, e.g., construction of any improvements to be provided by the City.

b. Agreements In Principal. The developer(s) shall sign and comply with agreements in principal as needed to facilitate this project. All Agreements shall be approved by the Common Council.

c. Construction Plans. All development shall be in conformance with the redevelopment plan as approved by the Common Council. In addition, plans shall comply with all contract provisions and agreements in principal. The developer(s) shall submit plans to the City sufficient in detail to allow a determination to be made relative to compliance with the redevelopment plan, contract, and agreement provisions. The City will notify the developer(s) in writing concerning the approval or rejection of the plans. If the City rejects the plans in whole or in part, the developer must submit corrections and/or modifications to the City within a time period to be specified in the contract, and applicable agreements.

d. Changes in Construction Plans. If the developer(s) desires to change or modify the plans once they have been approved, the proposed changes must be submitted to the City. The procedure for approval shall correspond to that prescribed for submission of original plans.

e. Evidentiary Submittal. Prior to the time specified in the contract, the developer shall submit evidence of financial solvency, e.g., equity capital, mortgage financing where land sales would apply, etc. The evidence shall be submitted in a form, manner, and time frame specified in the contract.

f. Actual Construction. After conveyance, the contract shall specify a time frame for the initiation of construction. The developer must notify the City in writing of the date upon which construction shall begin. The City may request

and the developer shall provide progress reports as the City deems necessary. Once construction is completed, the developer will receive a certificate so stating. However, the certificate will be issued contingent upon all requirements specified in the contract. The contract shall contain provisions for issuance of the certificate and remedial actions to be taken in the event that construction does not comply with this plan, contract provisions, and applicable local, state, or federal requirements.

F. Compliance with Applicable Local, State, and Federal Regulations

Local codes and ordinances pertinent to this project have been identified in Part IV(E) of this plan. Notwithstanding these references, the developer(s) and City shall comply with any and all local codes and ordinances which are deemed applicable by the City of Oshkosh.

If funds are used for this project from a federal program (e.g., the Community Development Block Grant Program) additional requirements applicable to grantees and subgrantees will be in effect. Most significantly, these requirements relate to real property acquisition, relocation of displacees, environmental protection, equal opportunity and affirmative action, labor standards, and historic preservation. The City will comply with all state and federal regulations applicable under this project.

G. Project Financing

Acquisition, relocation, clearance activities, remediation related activities, and public improvements will be funded through the establishment of a Tax Incremental Financing District. Private improvements, such as new multiple family housing and commercial development, will be completed with financing obtained by the developer(s), although the City may provide a construction assistance grant with TIF funds to the developer(s).

Community Development Block Grants or similar activity related grants may be used if applicable to offset redevelopment costs.

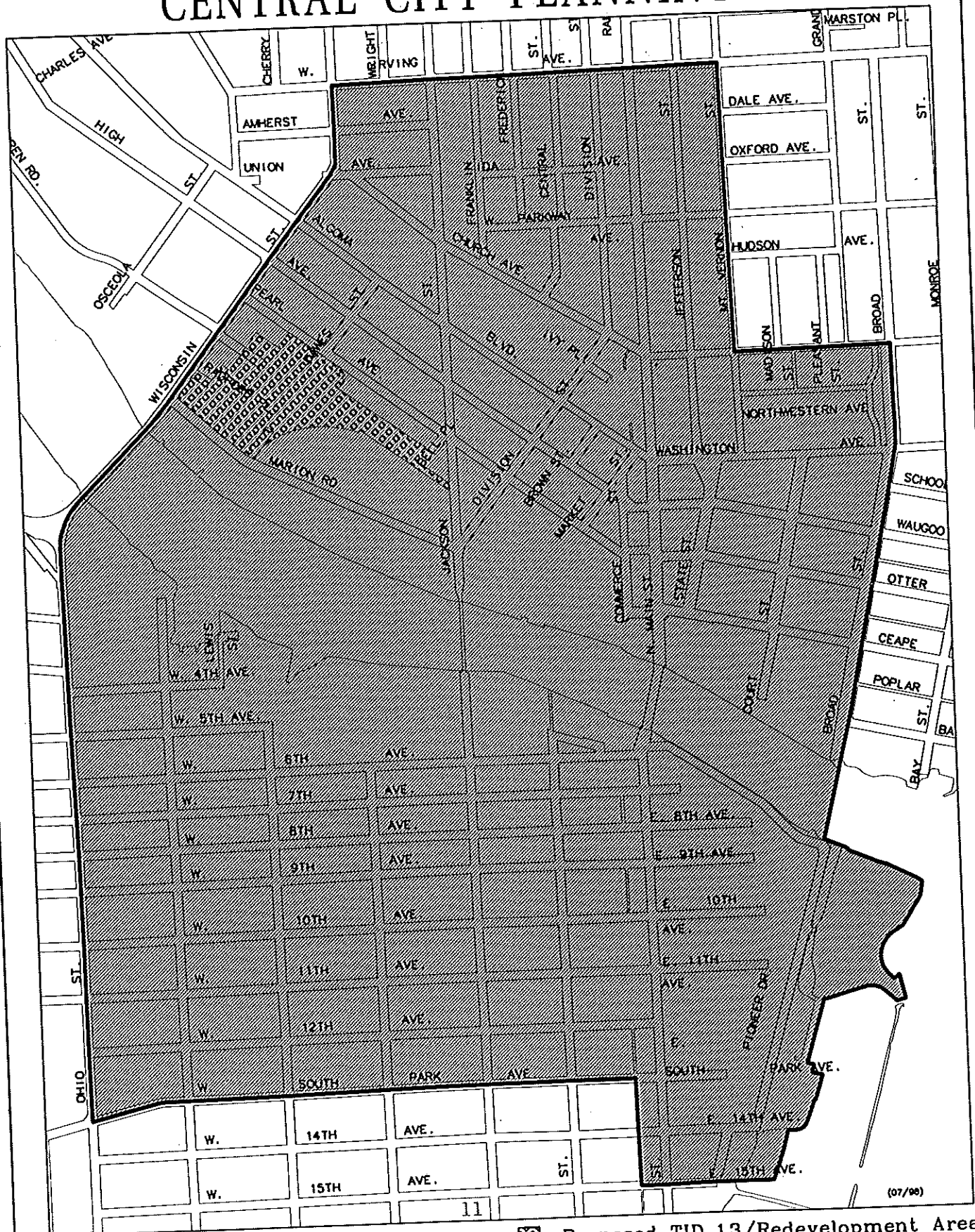
H. Redevelopment Plan Modification Procedures

This redevelopment plan may be modified or changed at any time, including after sale or lease of property, provided the purchaser or lessee concurs with the proposed modifications. If the plan is modified, a public hearing must be conducted by the City, and all changes must be recommended for approval by the City Plan Commission and approved by the Oshkosh Common Council.

APPENDIX A - MAPS

MAP 1

CENTRAL CITY PLANNING AREA



Central City Planning Area

Proposed TID 13/Redevelopment Area

MAP 2

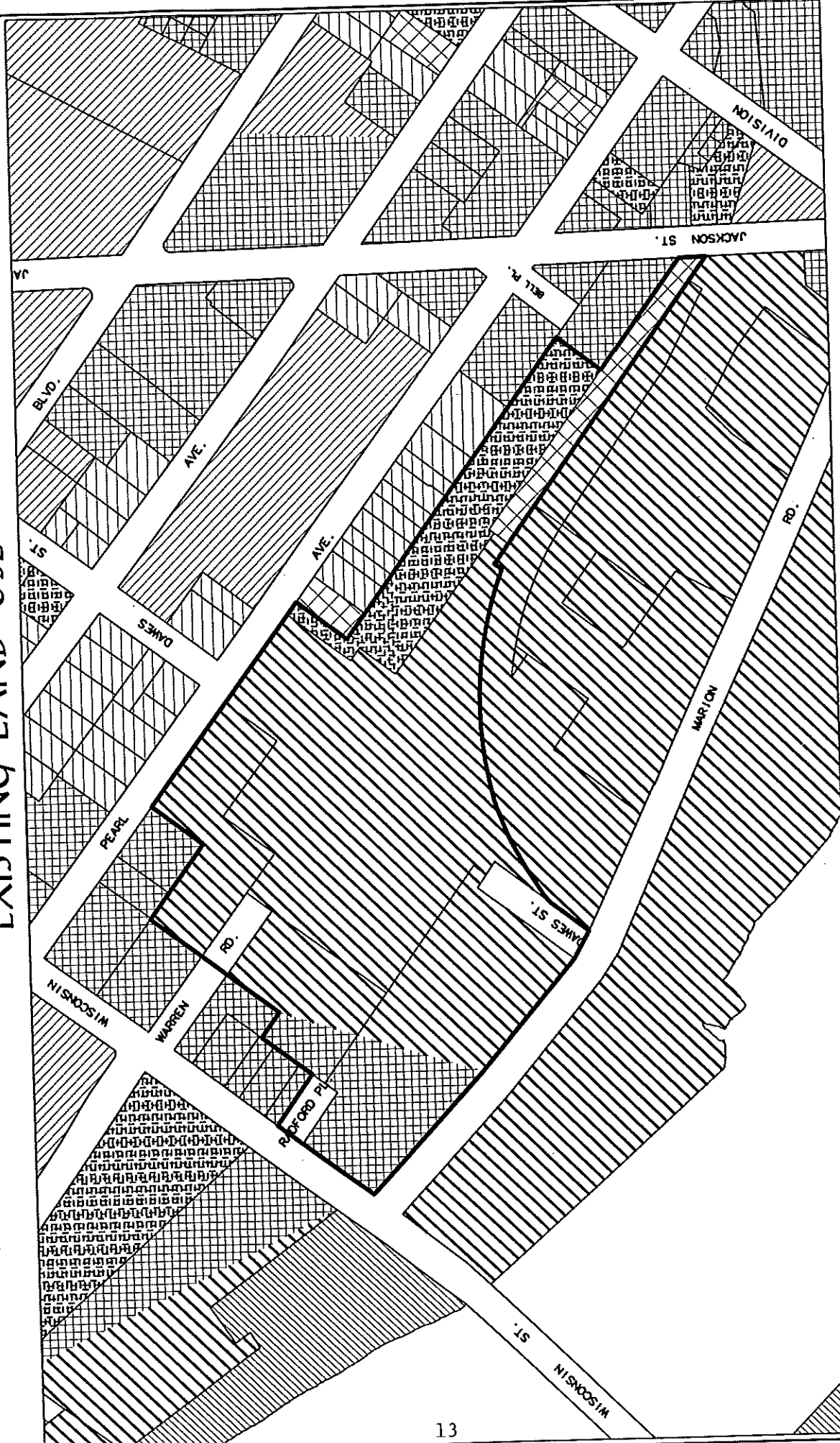
MARION ROAD / PEARL AVENUE PLAN BOUNDARIES



Plan Area

MAP 3

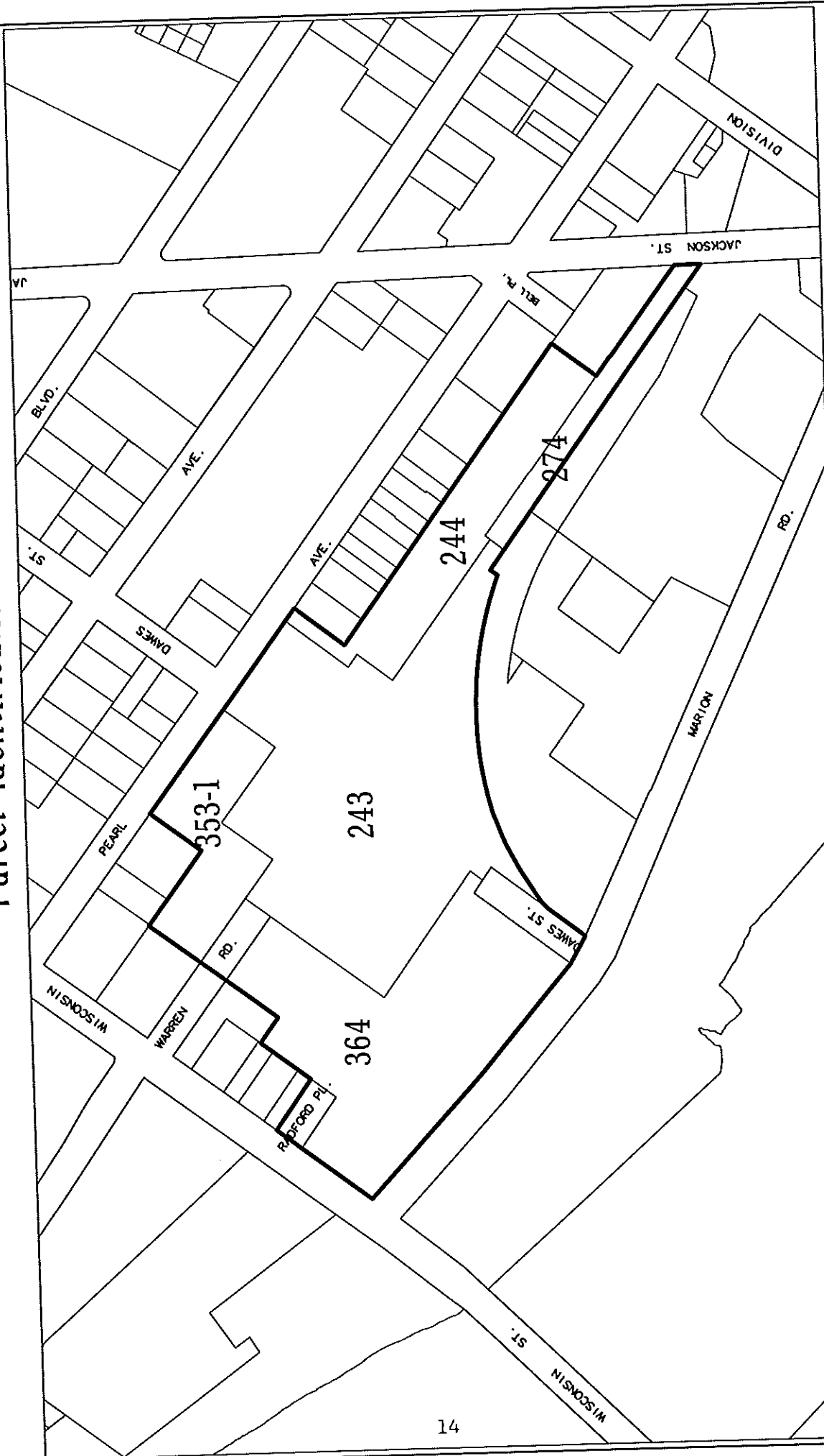
EXISTING LAND USE



- Residential
- Commercial
- Institutional
- Manufacturing
- Vacant
- Parking Lot
- Parks / Recreation
- Proposed TID #13 Boundary

MAP 4

Parcel Identification

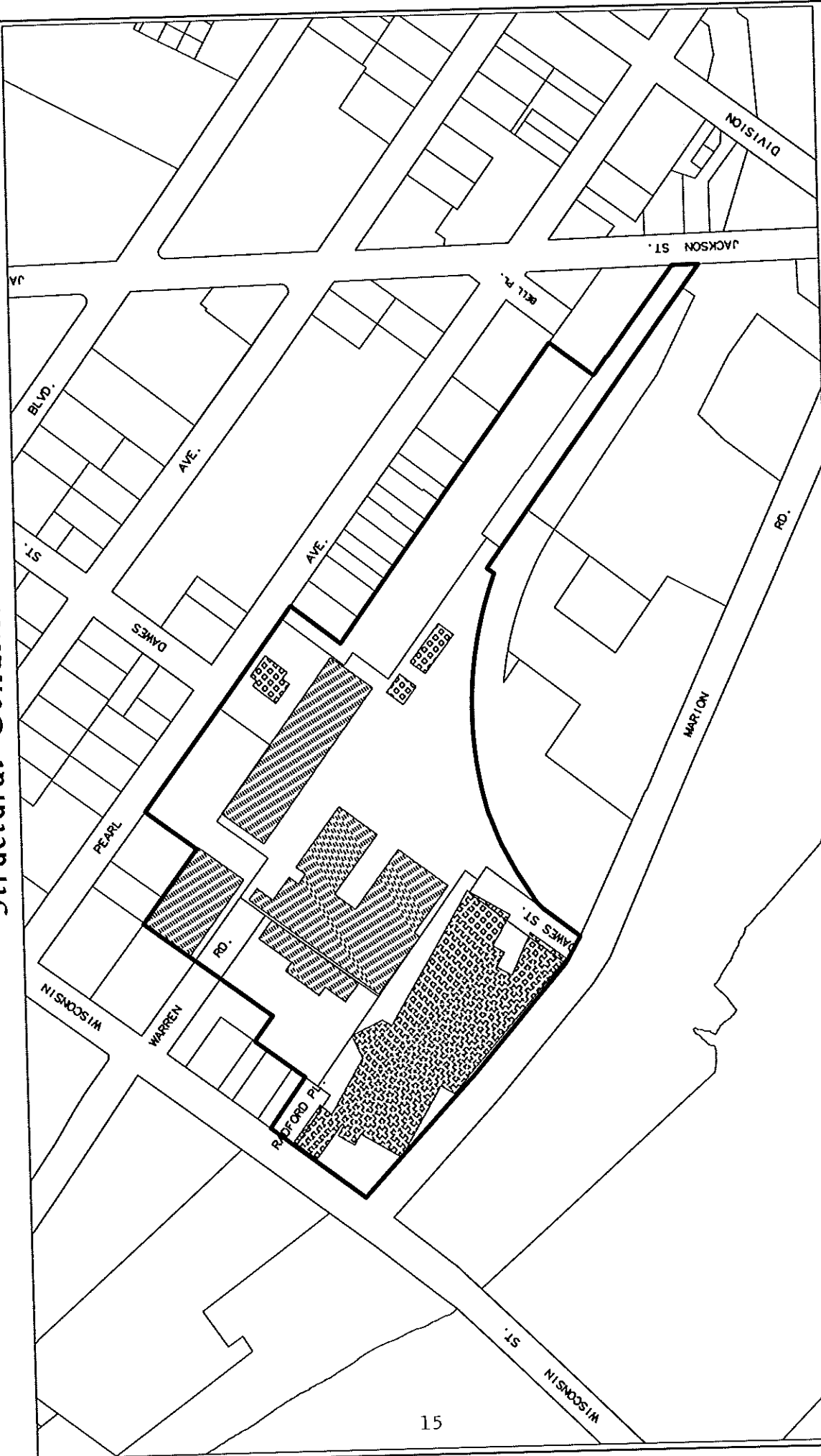


Phase 1 Redevelopment Boundary



MAP 5

Structural Conditions

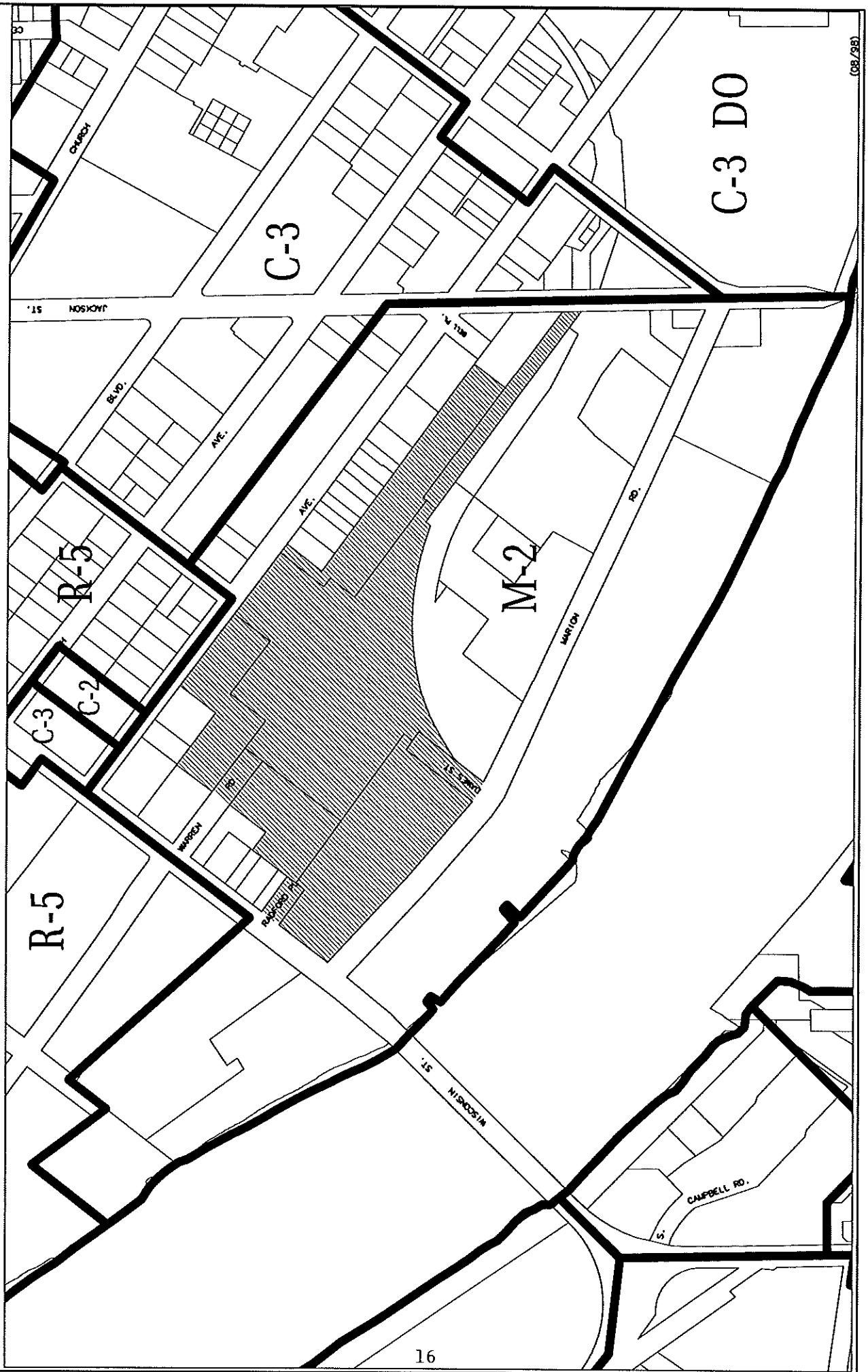


Major Repairs Required

Substandard

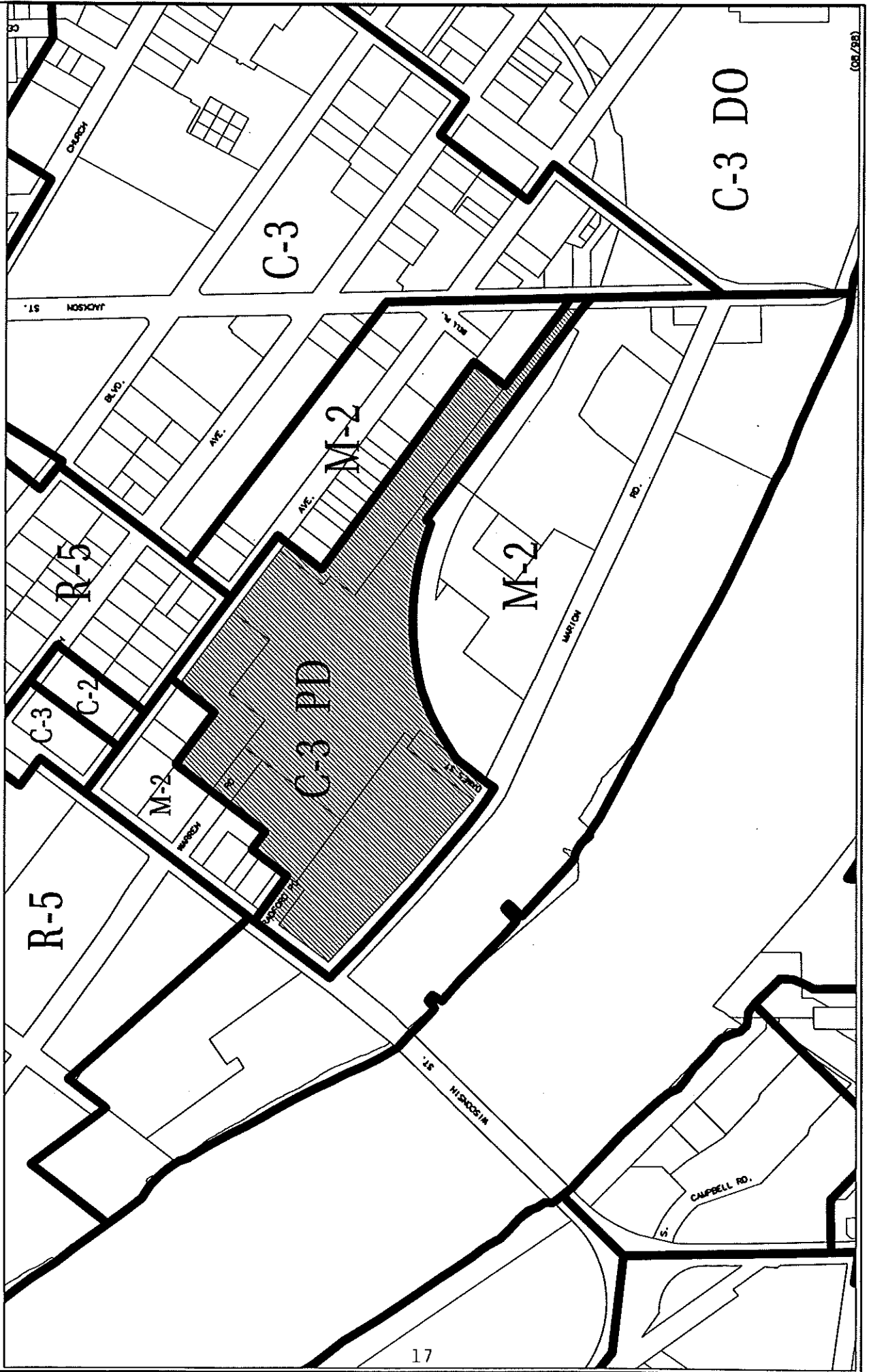
MAP 6

EXISTING ZONING



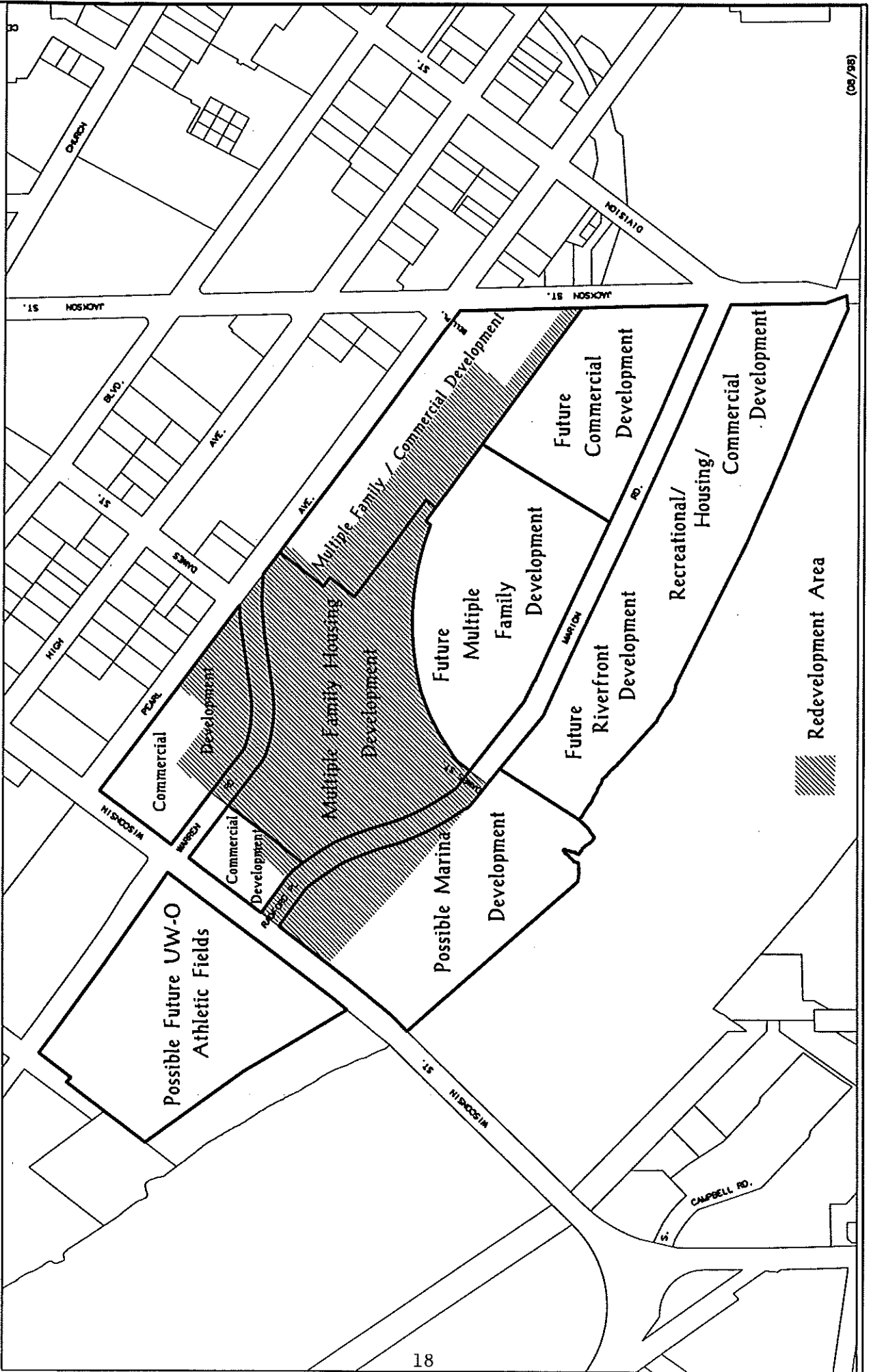
MAP 7

PROPOSED ZONING

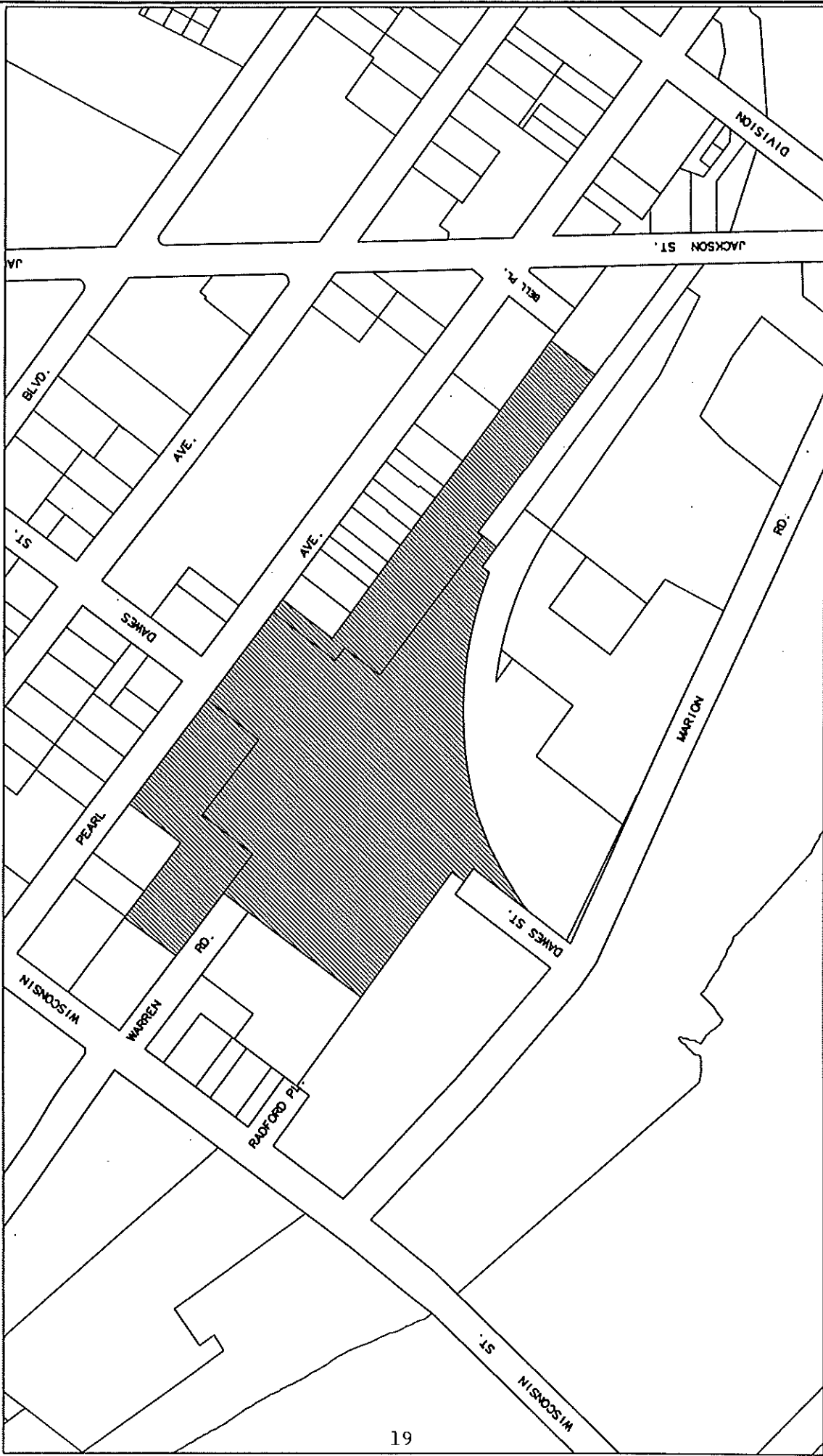



MAP 8

PROPOSED LAND USE



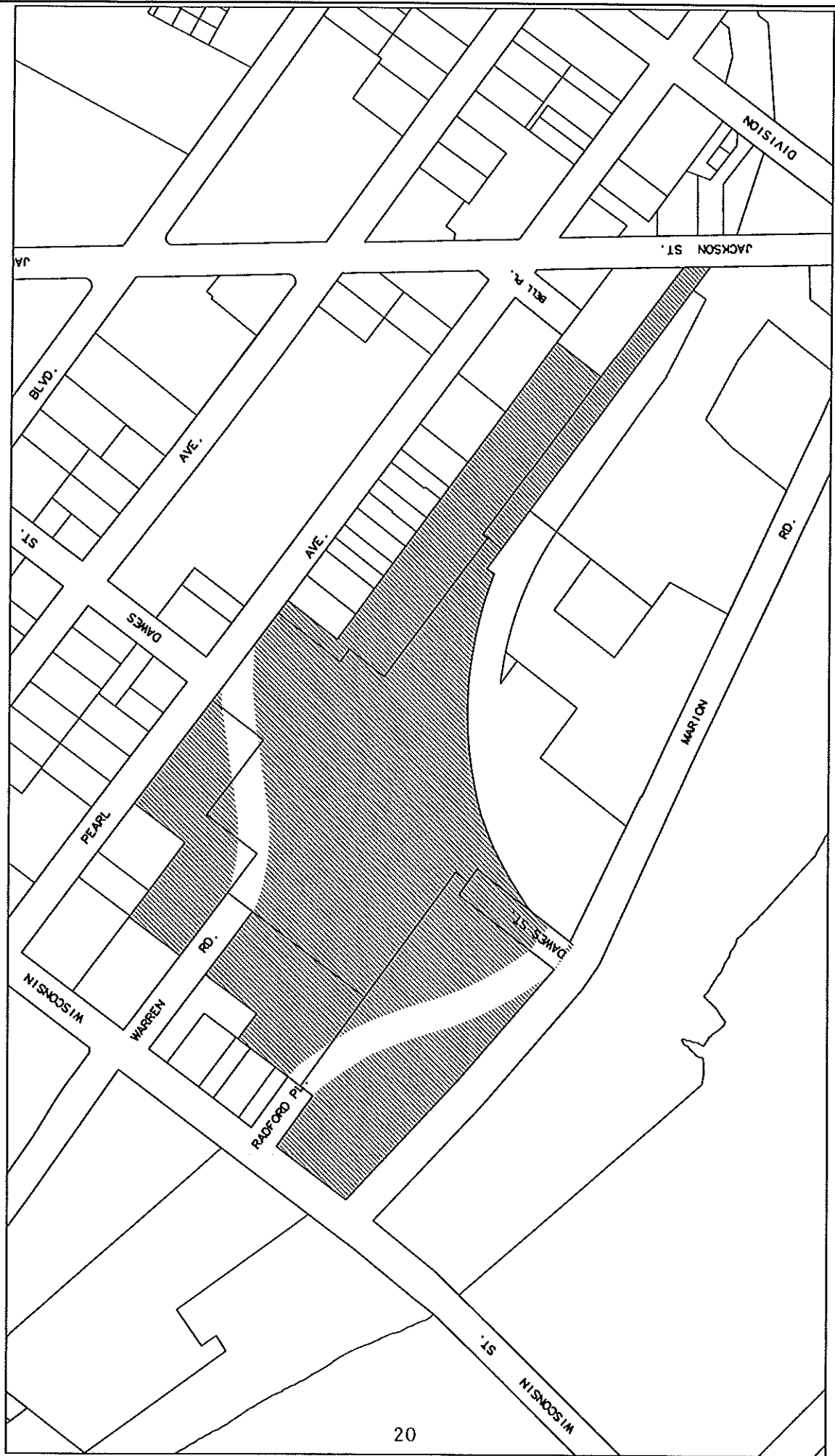
MAP 9
Land to Be Acquired




 Land to be Acquired

MAP 10

Land to Be Disposed



 Land to be Disposed

APPENDIX B

Land Ownership and Assessed Value By Parcel		
Parcel No.	Owner	Total Assessed Value Land & Improvements
243	Firststar Bank	\$309,800
353-1	Firststar Bank	\$165,800
364	City of Oshkosh	\$0
244	City of Oshkosh	\$0
274	UW-Oshkosh	\$0
Total		\$475,600

APPENDIX C

Excerpts from Zoning Ordinance

SECTION 30-26 C-3 CENTRAL COMMERCIAL DISTRICT

(A) Permitted Uses

- (1) Any use permitted in the R-5 Multiple Dwelling District, unless otherwise provided in this Chapter.
- (2) Any use permitted in the C-2 General Commercial District, unless otherwise provided in this Chapter.
- (3) Automobile storage garage
- (4) Animal hospital and pet shop excluding open kennel
- (5) Bakery, employing not more than five (5) persons
- (6) Caterer
- (7) Convention and exhibition hall
- (8) Funeral home
- (9) Laundry and cleaner
- (10) Microwave, radio and television relay structure
- (11) Newspaper printing, publishing or engraving establishment
- (12) Parking lot
- (13) Radio and television broadcasting studio
- (14) Railroad and bus passenger depot
- (15) Any use similar to the above
- (16) Conditional Uses:
 - Automobile service facility
 - Cemetery
 - Clubs and semi-public structure
 - College/university including residence halls
 - Commercial greenhouse and nursery
 - Day care center
 - Fish market (wholesale)
 - Family day care for nine (9) or more children
 - Hotel/motel directional signs
 - Mental or psychiatric hospital
 - Mixed commercial/residential
 - New and used automobile sales
 - Nursery school
 - Public utility structure
 - Restaurant with drive-up or drive thru
 - Uses permitted in the M-1 Light Industrial District, Section 30-28(A)
 - Vocational school
 - Wireless telecommunication towers/antennas

An application for a conditional use permit shall not be approved unless it complies with the conditions and standards set forth in Section 30-11 Conditional Use Permits.

(B) Standards

The following standards shall apply to development undertaken in this district, unless modified by the application of provisions in Section 30-33 Planned Development Districts and Section 30-27 Downtown Overlay District, or unless more restrictive standards apply per Section 30-35 Additional Standards and Exceptions.

- (1) Residential Structures: Shall meet all standards of the R-5 Multiple Dwelling District
- (2) Mixed Commercial/Residential Structures: Are permitted by conditional use permit, and shall meet all conditions of conditional use permit approval and shall meet the standards for principal commercial structures, unless otherwise noted below:
 - (a) Upper Floor Residential Only: Residential uses are limited to upper floor areas. No separate residential structure is permitted on the same lot with a non-residential or mixed commercial/residential structure.
 - (b) Dwelling Unit Area: Four hundred (400) square feet minimum.
 - (c) Height: Forty-five (45) feet maximum.
 - (d) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.
- (3) Principal Commercial Structures
 - (a) Height: Forty-five (45) feet maximum.
 - (b) Side Yard Setback: None required.
 - (c) Front Yard Setback: None required. However, if block frontage is shared with a residential district a twenty-five (25) foot minimum setback is required.
 - (d) Rear Yard Setback: None required.
 - (e) Corner Lots: The side street (front yard) setback can be reduced to not less than twelve (12) feet, as may be necessary to attain a twenty-eight (28) foot buildable width. The required side yard opposite the side street (front yard) must be maintained.
 - (f) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.
- (4) Accessory Commercial Structures
 - (a) Must be customary and incidental to the allowed principal uses including the processing or treatment of products clearly incidental to the conduct of a retail business on the premises. Accessory uses may not exceed forty (40) percent of the floor area of the structure.
 - (b) Standards
 - (i) Same as the principal commercial structure unless noted below.

- (ii) Front Yard Setback: Sixty (60) feet minimum and not less than five (5) feet behind the principal commercial structure.
- (iii) Corner Lots: Front yard/side street (front yard) setbacks shall be the same as the principal commercial structure.

SECTION 30-33 PLANNED DEVELOPMENT DISTRICTS

(A) Purpose and Intent

(1) Purpose

It is the purpose of this Section to provide a method which will facilitate a more flexible mixture and pattern of development, the grouping of open spaces, and arrangement of living patterns in accordance with good planning principles while providing adequate safeguards to protect the community.

(2) Exceptions

The City may permit in any Planned District (PD) even greater flexibility in the type of uses, the area and yard requirements, the off-street parking and other regulations set forth in this Section, subject to demonstration of appropriateness for the area under consideration.

(3) Zoning Classification

The Planned District would be an overlay of the zone most appropriate to the predominant use proposed for the area under consideration, and all regulations of the zone must be met except as varied under the Planned District standards.

(4) Benefit

The overlay district allows the developer a mixture of uses and a slightly higher density than would normally be allowed in a given zone, and may allow a land use in an area which would otherwise be deemed unsuitable. In exchange for this opportunity, the City retains right of site plan review and refusal based upon: adequacy and placement of open space, landscaping, buffering, traffic generation and circulation, lighting, noise, and similar considerations.

(B) Planned Residential District

(1) Permitted Uses

- (a) Any uses permitted in the underlying residential zone, including the allowed accessory structures.
- (b) Commercial uses permitted in the C-1 Light Commercial District, not to exceed five (5) percent of the area of the Planned District.

(2) Standards

- (a) Each Planned District shall have an area of at least one and one-half (1 ½) acres.
- (b) Not less than fifteen (15) percent of the total area of the Planned District shall be devoted to open space.

(C) Planned Commercial District

(1) Permitted Uses

Any uses permitted in the underlying commercial zone, including the allowed accessory structures.

(2) Standards

- (a) Each Planned District shall have an area of at least one and one-half (1 ½) acres.
- (b) Not less than ten (10) percent of the total area of the District shall be devoted to landscaped open space.
- (c) The commercial units of the Planned District shall not exceed the standard density of the underlying zoned area.

(D) Planned Industrial District

(1) Permitted Uses

- (a) Any uses permitted in the underlying industrial zone, including the allowed accessory structures.
- (b) Appropriate and compatible commercial uses.

(2) Standards

- (a) Each planned district shall have an area of at least one and one-half (1 ½) acres.
- (b) Not less than ten (10) percent of the total area of the district shall be devoted to landscaped open space.

(E) Administrative Process

- (1) Informal review of proposal by the Department of Community Development.
- (2) Application for rezoning to appropriate base district with Planned Development Overlay District designation.
- (3) Conditional use permit request for development plan review and approval.
 - (a) The development plan shall include an architect's drawing showing:
 - (i) The location of all structures or recreational facilities.
 - (ii) The location of all drives, entrances and sidewalks.
 - (iii) The location, size, number and screening of all parking spaces.
 - (iv) Drainage and grading plan.
 - (v) A detailed proposal including covenants, agreements, or other documents showing the ownership and method of assuring perpetual maintenance of land to be used for common purposes.

(4) Recording of Plats

In addition to the requirements of the Subdivision Regulations, plats located in a Planned District shall include statements indicating:

- (a) That the land is a portion of a Planned District.
- (b) That no substantive changes may be made without submission of a revised final plan, with subsequent approval by both the Plan Commission and Common Council.