

**SECTION 46-53.4 CENTRAL BUSINESS DISTRICT -- PLANNED DEVELOPMENT**

**A. Purpose**

The purpose of the CBD planned development provisions is to allow flexibility to achieve the goals of maintaining a vital business district, preserving the village character and historic significance and ensuring that the development is consistent with the available infrastructure. This provision provides a process for the Plan Commission and City Council to consider development incentives that vary from the standards in the B-2, B-3 and B-4 zoning district through the Special Use Permit process established in Section 46-24 of the Code.

**B. Permissible Zones**

A Planned Development shall be permitted only pursuant to Special Use Permit in the B-2, B-3 and B-4 Districts.

**C. Site Standards**

A Planned Development shall not require a minimum lot area.

**D. Development Incentives**

The CBD Planned Development process provides the opportunity for development incentives in the zoning district as described below.

- a. The maximum floor area ratios in each zoning district may be increased up to the limits listed below if the development criteria are met, the standard criteria for a Special Use Permit and the other standards of the zoning district are satisfied, and the variance incentive is found to further development that is consistent with the purpose of SECTION 46-53 of the Code.

B-2 Community Commercial, floor area ratio cap – 1.0

B-3 Traditional Business, floor area ratio cap – 1.25

B-4 Preservation Business, floor area ratio cap – 2.0

- b. The required parking spaces may be modified through payment in-lieu-of parking if one or more of the development criteria are met, the standard criteria for a Special Use Permit and the other standards of the zoning district are satisfied, and the incentive is found to further development that is consistent with the purpose of Section 46 of the Code.

**E. Development Criteria**

In addition to the standard criteria for a Special Use Permit, the criteria in the applicable zoning district, and the other standards of the zoning district, the following criteria shall be satisfied to achieve the bonuses offered by the Planned Development provisions.

- a. In the B-2 district, above the first floor, the project shall be entirely residential, or at least 50% of the first floor is occupied by retail uses.
- b. In the B-3 district, at least 50% of the floor area shall be committed to residential use or at least 60% of the first floor is occupied by retail uses.
- c. In the B-4 district, residential uses above the first floor are provided unless the applicant demonstrates that such uses will not further the overall purpose of the district at the proposed site.
- d. If a drive-thru is proposed in any district as part of the development, it is located off site, located within a building, or is constructed to avoid the construction of additional curb cuts.

- e. The building and landscape concepts have received conceptual approval from the Historic Preservation Commission or the Building Review Board.

In addition to the above criteria, one or more of the following criteria shall be satisfied.

- a. At least 50% of the required parking spaces are located underground or all of the parking spaces are located in parking deck one level of which is constructed below grade.
- b. At least 25% of the site is retained as open space, exclusive of parking islands.
- c. An increased setback of at least 5' is provided along the streetscape side of the building or a "pocket park" is created with a visual and pedestrian link to the public street.

**F. Application Materials**

Any applicant for a CBD Planned Development shall file the following information along with the information required under the Special Use Permit procedures with the Director of Community Development.

- a. A statement describing the proposed uses, overall character of the development and a detailed narrative outlining how the development satisfies the criteria in this Section, the Special Use Permit criteria and the intent of this Section to preserve the character of the Central Business District.
- b. Calculations and an annotated floor plan of the floor area ratio.
- c. A site plan showing building locations, parking areas, open space, landscape areas, pedestrian walkways, loading docks, location of mechanical equipment and any other pertinent features of the plan to the overall character of the site.
- d. A copy of the proposed protective covenants whereby the owner proposes to regulate land use and ensure specific uses in the future.
- e. A draft of proposed incorporation agreement and a draft of bylaws or easement declaration concerning maintenance of open space and other common facilities if needed for the proposed development.
- f. Architectural elevations and perspective drawings of all proposed structures and improvements.
- g. A traffic study shall be submitted including but not limited to, the following information: the volume of traffic that will be generated by the proposed uses, the traffic circulation patterns, a study of how ingress and egress to parking lots and drive thru facilities will enhance or impair pedestrian activity, and how existing streets will be impacted.
- h. A plan illustrating how the building and overall site can be adaptively reused in the future by an alternative use.
- i. A comprehensive landscape plan for the site.
- j. Preliminary engineering plans.

- k. A development schedule indicating:
  - 1) The approximate date when construction of the project will begin.
  - 2) The construction phases, if any, in which the project will be built, and the approximate dates when construction of each stage will begin and end.
  - 3) The anticipated completion date of the entire project including landscaping.
- l. A statement of proposed financing and financial assurances acceptable to the Plan Commission and City Council guaranteeing that once any stage of a development is started it will be completed.
- m. Such additional information as the Director of Community Development deems necessary to properly review the application.
- n. A study of the financial impacts of the proposed development on the City and other affected taxing bodies.