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**PLANNING AND ZONING COMMISSION MEETING**

**Tuesday, March 27, 2018 • 7:00 p.m.**

**West Branch City Council Chambers, 110 N. Poplar St.**

*Council Quorum May Be Present*

1. Call to Order
2. Roll Call
3. Approve Agenda/Consent Agenda/Move to action.
  - a. Approve minutes from the January 23, 2018 Planning and Zoning Commission Meeting.
4. Public Hearing/Non-Consent Agenda./Move to action.
  - a. Discussion- Concept Plan for Cedar's Edge Golf Course – Jerry Sexton
  - b. Discussion – Potential Retail Space – Dollar General
  - c. Discussion – Cluster Box Units for new developments
  - d. Review of draft Ordinance change to Chapter 170
  - e. Review Planned Unit Development (PUD) draft ordinance
  - f. Discussion – Transportation Chapter
5. City Staff Reports
6. Comments from Chair and Commission Members
7. The next regularly-scheduled Planning and Zoning Commission Meeting – May 22, 2018 at 7:00 p.m.
8. Adjourn

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**Planning & Zoning Commission Members:** Chair John Fuller, Vice Chair Ryan Bowers, MaryBeth Stevenson, Sally Peck, Gary Slach, Emilie Walsh, Tom Dean • **Zoning Administrator:** Terry Goerdts • **Deputy City Clerk:** Leslie Brick  
**Mayor:** Roger Laughlin • **Council Members:** Jordan Ellyson, Colton Miller, Brian Pierce, Nick Goodweiler, Jodee Stoolman  
**City Administrator/Clerk:** Redmond Jones II • **Fire Chief:** Kevin Stoolman • **Library Director:** Nick Shimmin  
**Parks & Rec Director:** Melissa Russell • **Police Chief:** Mike Horihan • **Public Works Director:** Matt Goodale

*(These minutes are not approved until the next Commission meeting.)*

**City of West Branch Planning & Zoning Commission Meeting**  
**January 23, 2018**  
***West Branch City Council Chambers, 110 North Poplar Street***

Chairperson John Fuller opened the meeting of the Planning & Zoning Commission at 7:03 p.m. welcoming the audience and following City Staff, Deputy City Clerk Leslie Brick, Public Works Director Matt Goodale, Zoning Administrator Terry Goerdts and City Administrator Redmond Jones. Commission Members Ryan Bowers, Emilie Walsh, Gary Slach and Tom Dean were present. Absent: Peck and Stevenson.

**Approve Agenda/Consent Agenda/Move to action.**

Approve the January 23, 2018 agenda.

Motion by Walsh, second by Bowers to approve the agenda. Motion carried on a voice vote.

Approve the minutes from the November 28, 2017 Planning and Zoning Commission Meeting.

Motion by Bowers, second by Walsh to approve the minutes. Motion carried on a voice vote.

Approve the minutes from the November 29, 2018 Joint City Council / Planning & Zoning Commission Meeting.

Motion by Walsh, second by Slach to approve the minutes. Motion carried on a voice vote.

Approve 2018 regular meeting schedule: (4<sup>th</sup> Tuesday, odd months), March 27<sup>th</sup>, May 22<sup>nd</sup>, July 24<sup>th</sup>, September 25<sup>th</sup>, and November 27<sup>th</sup>

Motion by Dean, second by Slach to approve the meeting schedule. Motion carried on a voice vote.

**Public Hearing/Non-Consent Agenda**

Selection of Officers

as Chairperson of Planning & Zoning./Move to action

Slach nominated Fuller to continue as Chairperson of the Planning & Zoning Commission. No other nominations were suggested.

Motion by Slach, second by Dean to approve Fuller as Chairperson for 2018. Motion carried on a voice vote.

as Vice Chairperson of Planning & Zoning./Move to action

Walsh nominated Bowers to continue as Vice Chair of the Planning & Zoning Commission. No other nominations were suggested.

Motion by Walsh, second by Slach to approve Bowers as the Vice Chair for 2018. Motion carried on a voice vote.

Discussion - Pedersen Valley Part Three, Phase One, Lot 23 Site plan.

Brian Shay, new owner of Lot 23 presented his site plan for the construction of a four unit town home on Hilltop Drive. Shay commented that the previous owner of this lot had previously presented a site plan to this commission with a private drive coming off of Hilltop with the units facing Pedersen. Shay said his plan was to have the units face Hilltop with individual driveways. In order to accommodate this, the structure would be stepped down the hillside. The structure will be situated over an existing sewer line and will need to confirm that it can be abandoned. Shay said had a previous conversation with Public Works Director Goodale and said it should not be a problem. City Engineer Dave Schechinger had also reviewed the site plan and had a few comments, but said overall the plan looked good and recommended that commission approve it contingent upon a few minor changes.

Approve Pedersen Valley Part Three, Phase One, Lot 23 Site plan. /Move to action.

Fuller said he was in favor of approving the site plan with the minor changes and recommended approval to move on to the City Council for their approval.

Motion by Walsh, second by Bowers to approve Lot 23 site plan. Motion carried on a voice vote.

Review passage of Ordinance 747.

Brick said the Ordinance was approved by the City Council on December 4, 2017. Brick provided copies to the commission members to add to their Code books for future reference.

Review Planned Unit Development (PUD) draft ordinance.

Fuller said the draft was written and compared to the Cedar Rapids ordinance but felt the commission should take their time in reviewing it. Fuller said some investigating with other smaller communities would be helpful so as to tailor it to best fit West Branch. Fuller requested that this be an agenda item for the next meeting.

Discuss Complete Streets Plan.

Fuller said the Complete Street policy is included as part of the Transportation Chapter of the Comp Plan and provided a copy of Chapter 9: Transportation. Fuller recommended passing the Complete Streets policy which starts on page 3 of the document and forward to the City Council for their approval.

Approve Complete Streets Policy./Move to action.

Motion by Walsh, second by Bowers to approve the Complete Street policy. Motion carried on a voice vote.

Discuss – Housing Chapter

Fuller presented Chapter 6, Housing in West Branch for commission review. This is the first of many chapters to yet be completed. The Housing chapter starts by introducing three goals on how to address the growing needs of the City. It further provides suggestions on how the City might achieve those goals while still producing and maintaining quality, affordable housing for its residents.

Approve Housing Chapter./Move to action.

Motion by Bowers, second by Slach to approve Chapter 6. Motion carried on a voice vote.

Report on Charging Stations

Fuller reported that Mayor Laughlin has a meeting scheduled later this week with Alliant Energy and the National Park Service to discuss potentially installing an electric car charging station in West Branch. During this meeting costs for installation and possible locations will be discussed.

**CITY STAFF REPORTS**

Matt Goodale – Parking on Orange Street

Goodale provided a follow-up to a question from the last meeting on parking on West Orange Street. He confirmed that there is ‘no parking’ on the south side of the street and that signs were probably removed when driveways for new homes were constructed. Goodale said that signs would be reinstalled when weather permitted. Goodale also said he had reviewed Chapter 65 and noted that Code changes would be needed for other areas as well.

**COMMENTS FROM CHAIR AND COMMISSION MEMBERS**

No comments.

Adjourn

Fuller moved to adjourn the Planning & Zoning Commission Meeting. Motion approved on a voice vote. Meeting adjourned at 8:09 p.m.

Submitted by:

Leslie Brick

Deputy City Clerk







WEST BRANCH  
IA

WANT HALL!  
NO CHANCE!  
PAD FOOT  
314-624-2206

#1

#2

#4

SIA

N 2nd

Foster St

EOANG

Ohit St

Gilbert Dr

Chilose

agent St

Thomas

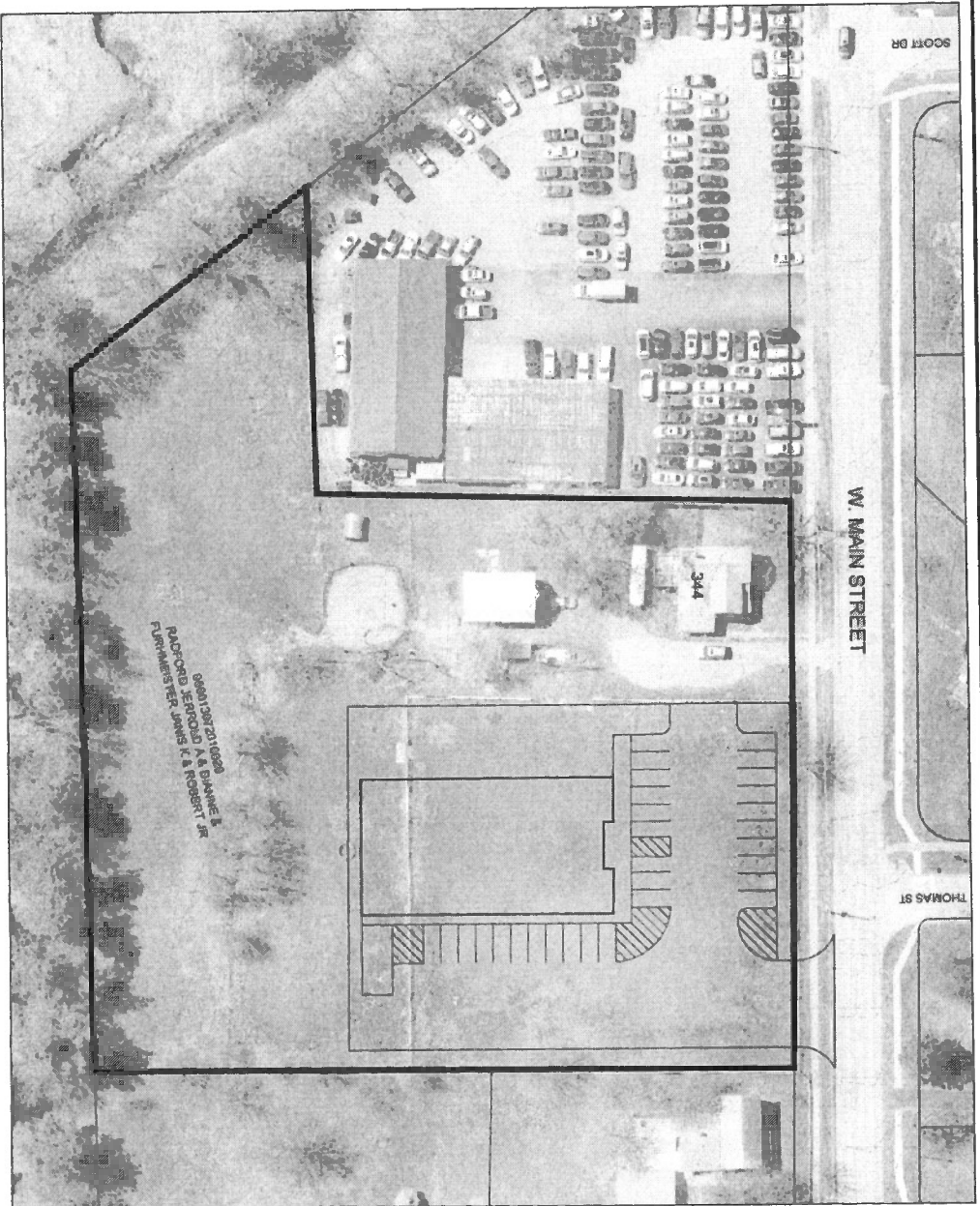
Foster St

N Maple St

N Orphant St

Southwind Dr

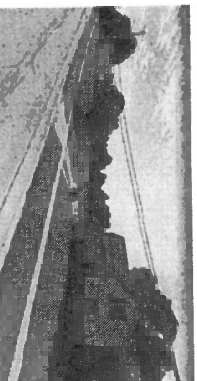
Edgar Ave



SCOTT ST.

W. MAIN STREET

THOMAS ST.



PROJECT NAME:

PROJECT ADDRESS:

PROJECT TITLE:

**hbk**  
ENGINEERING

HBK ENGINEERING, LLC  
808 S. CALVERT ST.  
IOWA CITY, IA 52240  
PHONE: (319) 338-7397  
FAX: (319) 338-2337  
IOWA DEPARTMENT  
OF LABOR  
REGISTRATION  
NO. 00627238

DATE:

PROJECT NAME:

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PROJECT TITLE:

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CHAPTER 170 SUBDIVISION REGULATIONS CODE OF ORDINANCES, WEST BRANCH, IOWA

**Delete**

Chapter 170.2 (8) & (9)

8. "Major street" means a street of considerable continuity connecting various sections of the City and designated as a major street on the official major street plan of the City.

9. "Minor street" means a street which is used primarily for access to the abutting properties.

**Delete**

Chapter 170.15 (5) (D)

D. Street right-of-way widths shall be as follows:

(1) Arterial Streets: a 70-foot right-of-way, 42-foot pavement, and 5-foot sidewalks per City Specifications.

(2) Collector Streets: a 66-foot right-of-way, 34-foot pavement, and 5-foot sidewalks per City Specifications.

(3) Minor Streets: a 60-foot right-of-way, 29-foot pavement, and 5-foot sidewalks per City Specifications. (Ord. 726 – May 15 Supp.)



ORDINANCE NO. \_\_\_\_

AN ORDINANCE AMENDING CHAPTER 170 OF THE CODE OF ORDINANCES OF THE CITY OF WEST BRANCH REGARDING STREET TYPES AND WIDTHS.

WHEREAS, the Planning and Zoning Commission of the City of West Branch, Iowa, has heretofore recommended changes to the City's subdivision code regarding definitions of types of streets and widths of streets.

NOW, THEREFORE, BE IT ORDAINED:

1. Amendment. Sections 170.2(8) and 170.2(9) are hereby deleted.
2. Amendment. Section 170.2 is hereby amended by adding the following definitions and providing for the renumbering in alphabetical order:

““Arterial Street” means a street that carries the largest volume of traffic through the City and has limited points of access from adjacent properties.

“Collector Street” means a street that collects low to moderate volumes of traffic from local streets and distributes these to the Arterials Streets. Collector Streets may provide access to residential properties.

“Local Street” means a low volume street that provides numerous access points and distributes the traffic to Collector Streets.”

3. Amendment. Section 170.15(5)(D) is hereby amended by deleting it in its entirety and replacing it with the following:

“D. Street right-of-way widths shall be as follows:

1. Arterial Streets shall have a minimum of a 70-foot right-of-way and a minimum of 31 feet of paved street right-of-way, and in addition, may require appropriate turn-lanes to be determined by a traffic analysis by a qualified engineer.

2. Collector Streets shall have a minimum 66-foot right-of-way and a minimum of 31 feet of paved street right-of-way, and may require

appropriate turn-lanes to be determined by a traffic analysis by a qualified engineer.

3. Local Streets shall have a 60-foot right-of-way and a minimum of 29 feet of paved street right-of-way.”

4. Conflicts. All ordinances or parts of ordinances not specifically provided for and in conflict with the provisions of this ordinance are hereby repealed.

5. Adjudication. If any section, provision or part of this ordinance shall be adjudged to be invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

6. Effective Date. This ordinance shall be in full force and effect after its passage, approval and publication as required by law.

First reading:

Second reading:

Third Reading:

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Roger Laughlin, Mayor

ATTEST:

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Redmond Jones II, City Administrator/Clerk



## Planned Unit Development One District and Planned Unit Development Two District

A. Intent. The Planned Unit Development District One District (PUD-1 District) and the Planned Unit Two District (PUD-2 District) are intended to provide flexibility in the design of planned projects; to encourage innovation in project design that incorporates open space and other amenities; and to insure the compatibility of developments with the surrounding urban environment. The Planned Unit Development Districts (One and Two) are intended to promote developments which will be advantageous to the City and its urban form by permitting project design that will surpass the quality of development resulting from a strict application of the regulations of conventional zoning districts. Consequently, the Planned Unit Development Districts are to be used to exceed the City's traditional zoning and subdivision requirements and not to circumvent these standards. The Planned Unit Development Districts shall not be used to secure approval for projects that do not conform to the City's Comprehensive Plan. A Planned Unit Development is intended to permit and encourage flexibility and accomplish the following goals:

- i. To stimulate unique and creative approaches to the development of land;
- ii. To provide for the more efficient use of land;
- iii. To promote flexibility in design and permit planned diversification in the location of structures;
- iv. To promote the efficient use of land to facilitate sustainability in the arrangement of buildings, circulation systems, utilities, open space and natural resources;
- v. To preserve existing natural resources and landscape features and to utilize them in a manner harmonious with development;
- vi. To provide for more usable and suitably located recreation facilities and other public facilities than would otherwise be provided under conventional development;
- vii. To provide for the aesthetic and functional harmony of various types of buildings, land uses, and landscape elements;
- viii. To develop new approaches to the living environment through variety in type, design and layout of residential structures, commercial and industrial buildings, transportation systems and public facilities;
- ix. To allow for the development of properties with unique constraints such as environmentally-sensitive areas or infill parcels which require a more flexible approach to land use control to make possible development that is sensitive to such constraints.

B. Overlay Districts.

1. *The Planned Unit Development One District ("PUD-1 District").* The PUD-1 District is intended to accommodate large, comprehensively Site planned developments, which are likely to develop in multiple phases over an extended period of time.

2. *The Planned Unit Development Two District ("PUD-2 District").* The PUD-2 District is intended to accommodate projects that are intended to be developed in a single phase, particularly for infill development sites where the specific design of an individual building or buildings and elements may be determined.

C. Location Criteria. The Planned Unit Development Districts are generally intended for use in the following three urban contexts:

1. *Vacant Land.* Areas of substantial open space, where the structure of conventional zoning may artificially limit or constrain good urban design, may restrict the achievement of the City's development objectives, or may not be appropriate to changes in technology or demand consistent with the best interests of the City.

2. *Community Redevelopment Areas.* Areas of the City which are in need of rehabilitation or redevelopment, including areas which may be deficient in public facilities or services. In these situations, the PUD District may encourage private investment by recognizing the need for flexibility that conventional zoning regulations do not provide.

3. *Neighborhood Contexts.* Areas in which sensitive project design is critical to maintain and protect the value of surrounding residential neighborhoods and other sensitive or vulnerable urban settings.

D. Permitted Land Uses. In addition to being classified as either a Planned Unit Development One District or a Planned Unit Development Two District, Planned Unit Development Districts may include residential, office, commercial, industrial or public land uses, subject to the following restrictions:

1. The proposed use or uses shall be consistent with the City's Comprehensive Plan goals and objectives and/or the Future Land Use Map in the City's Comprehensive Plan.

2. The proposed use or uses shall be consistent with the Development Agreement adopted at the time of PUD Preliminary Site Development plan approval.

3. The proposed uses shall be consistent with those uses agreed upon by the applicant and City Council in the general locations as indicated on the approved site plan.

4. The proposed development plan shall be designed to the extent possible to include transitions in land use and buffering and screening to minimize negative impacts



associated with incompatible land uses being located next to each other for properties surrounding the proposed development.

E. PUD Site Plans, PUD Preliminary Plans and PUD Administrative Site Plans

1. The PUD Site Plan is intended to provide a high level guide to the general growth and development of large, long-term comprehensive developments within PUD-1 Districts that generally develop in multiple phases. Accordingly, the PUD Site Plan guidelines and regulations ensure that development over time conforms to an established Site plan.

2. The PUD Preliminary Site Development Plan is intended to facilitate the development of projects for which the specific design of individual buildings and site layout and features may be determined. The PUD Preliminary Site Development Plan may be used either: (i) at the time that a PUD-2 District boundary amendment is sought; or (ii) once the overall development of a project has progressed to the point that detailed design elements are available for a proposed Planned Unit Development within an existing PUD-1 District. Several PUD Preliminary Site Development Plans may be approved within a single PUD-1 District, provided that such projects are consistent with the overall design and development standards of the PUD-1 District. PUD Site Plans may only be approved in connection with a PUD-1 District.

3. The PUD Administrative Site Plan is required upon approval or concurrent with approval of a PUD Preliminary Site Development Plan once the underlying Planned Unit Development One District (PUD-1 District) or the Planned Unit Two District (PUD-2 District) boundary amendment is approved.

F. Application Procedures for PUD-1. The following application procedure shall be used for a Planned Unit Development One ("PUD-1") District:

1. Pre-Application Concept Plan. Prior to petitioning for a formal district boundary amendment, the petitioner shall schedule a meeting with the City for Pre-Application Concept Plan review. This plan shall illustrate the conceptual overall plan for the PUD-1 District.

2. The purpose of the Pre-Application Concept Plan review is intended to acquaint the City with the proposed development and to acquaint the applicant with the procedures and any special problems that might relate to the proposed development.

3. The applicant shall furnish a legal description of the property to be developed and a concept sketch at the time of requesting a Pre-Application Concept Plan review.

4. The City shall review and comment on the proposed concept plan and shall provide the petitioner with written comments within twenty (20) days of submission of the proposed concept plan. The review of the concept plan shall include, but not be limited to:

- (a) Approximate land use intensity and density.
- (b) Ability to provide a positive environment for intended uses, including schematic building configurations and arrangements (if available) and general landscaping and site design.
- (c) Use of open space.
- (d) Impact on the surrounding natural and built environment.
- (e) Adequacy of on- and off-site transportation and utility systems to serve the proposed project.
- (f) Consistency with the City's Comprehensive Plan and any other adopted plan(s) for the area.

5. PUD-1 District Boundary Amendment and PUD Site Plan. Following review of the PUD-1 District Pre-Application Concept Plan, the petitioner may proceed to file a formal district boundary amendment petition. The Planning and Zoning Commission and City Council shall take action on a PUD-1 District boundary amendment in accordance with the requirement of this Ordinance. All district boundary amendment petitions submitted shall be approved by ordinance after the public hearing and ordinance reading requirements have been satisfied.

(a) The PUD-I District Boundary Amendment and PUD Site Plan Requirements and Application Procedures. The filing of a formal PUD Site Plan shall illustrate the development Site plan for a PUD-1 District amendment request and shall include, at a minimum:

- (i) Narrative - A written statement describing the character of the development. The Narrative shall be the basis for development of a Development Agreement to be adopted with approval of a PUD Preliminary Site Development Plan for each phase of the development. The statement shall include the following information:
  - (ii) The proposed title of the development and a description of the land uses planned for the development.
  - (iii) The relationship between the proposed development and the City's Comprehensive Plan and any other adopted plan or **overlay** for the area.

(iv) The relationship of the development to limiting conditions such as excessive grade or slope, flood plain, high water table, woodlands, scenic vistas, water sources, wetlands, etc.

(v) The relationship of the proposed development to adjoining uses (both existing and projected).

(vi) The relationship of the proposed development to existing and projected sanitary sewers, storm sewers, and other drainage structures, and streets and other transportation features.

(vii) An estimated schedule of development included anticipated phases of development.

(b) Names and addresses of the owners, developers, engineers, land surveyors, landscape architects, land planners, architects, attorneys, or any other professionals associated with the development.

(c) Total land area and estimated land areas for proposed land uses.

(d) Maps and Diagrams - A drawing of the planned development shall be prepared at a scale of one inch equals 100 feet or one inch equals 50 feet, or such other scale as may be recommended by City staff. The drawing should show the general location of proposed streets (public and private) and land uses to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings and shall include:

€ Potential lot and street layout for proposed development.

(f) General areas for proposed land uses.

(g) Existing land uses adjacent to the site.

(h) Approximate locations of existing and proposed buildings and structures.

(i) The character and approximate density of residential uses.

(j) Location and type of natural conditions within or adjacent to the site which may present limitations to development such as water courses, flood plains, marshes and wetlands, rock outcrops, wooded areas, significant tree masses that would need to be mitigated or would be preserved, and other significant features.

- (k) Map and data, including north point, scale, and date of preparation.

6. Upon approval of the PUD-1 District boundary amendment and PUD Site Plan an application can be submitted for PUD Preliminary Site Development Plan for each phase of the development. The PUD Preliminary Site Development Plan may also be combined with an application for PUD Administrative Site Plan approval for each phase of the development.

G. Application Procedure for the PUD-2.

1. Pre-Application Concept Plan. Prior to petitioning for a formal district boundary amendment, the petitioner shall schedule a meeting with the City for Pre-Application Concept Plan review. This plan shall illustrate the conceptual overall plan for the PUD-1 District.

2. The purpose of the Pre-Application Concept Plan review is intended to acquaint the City with the proposed development and to acquaint the applicant with the procedures and any special problems that might relate to the proposed development.

3. The applicant shall furnish a legal description of the property to be developed and a concept sketch at the time of requesting a Pre-Application Concept Plan review.

4. The City shall review and comment on the proposed concept plan and shall provide the petitioner with written comments within twenty (20) days of submission of the proposed concept plan. The review of the concept plan shall include, but not be limited to:

- (a) Approximate land use intensity and density.
- (b) Ability to provide a positive environment for intended uses, including schematic building configurations and arrangements (if available) and general landscaping and site design.
- © Use of open space.
- (d) Impact on the surrounding natural and built environment.
- (e) Adequacy of on- and off-site transportation and utility systems to serve the proposed project.
- (f) Consistency with the City's Comprehensive Plan and any other adopted plan(s) for the area.



5. PUD-1 District Boundary Amendment and PUD Site Plan. Following review of the PUD-1 District Pre-Application Concept Plan, the petitioner may proceed to file a formal district boundary amendment petition. The Planning and Zoning Commission and City Council shall take action on a PUD-1 District boundary amendment in accordance with the requirement of this Ordinance. All district boundary amendment petitions submitted shall be approved by ordinance after the public hearing and ordinance reading requirements have been satisfied.

(a) The PUD-I District Boundary Amendment and PUD Site Plan Requirements and Application Procedures. The filing of a formal PUD Site Plan shall illustrate the development Site plan for a PUD-1 District amendment request and shall include, at a minimum:

(i) Narrative - A written statement describing the character of the development. The Narrative shall be the basis for development of a Development Agreement to be adopted with approval of a PUD Preliminary Site Development Plan for each phase of the development. The statement shall include the following information:

(ii) The proposed title of the development and a description of the land uses planned for the development.

(iii) The relationship between the proposed development and the City's Comprehensive Plan and any other adopted plan or **overlay** for the area.

(iv) The relationship of the development to limiting conditions such as excessive grade or slope, flood plain, high water table, woodlands, scenic vistas, water sources, wetlands, etc.

(v) The relationship of the proposed development to adjoining uses (both existing and projected).

(vi) The relationship of the proposed development to existing and projected sanitary sewers, storm sewers, and other drainage structures, and streets and other transportation features.

(vii) An estimated schedule of development included anticipated phases of development.

(b) Names and addresses of the owners, developers, engineers, land surveyors, landscape architects, land planners, architects, attorneys, or any other professionals associated with the development.

(c) Total land area and estimated land areas for proposed land uses.

(d) Maps and Diagrams - A drawing of the planned development shall be prepared at a scale of one inch equals 100 feet or one inch equals 50 feet, or such other scale as may be recommended by City staff. The drawing should show the general location of proposed streets (public and private) and land uses to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings and shall include:

€ Potential lot and street layout for proposed development.

(f) General areas for proposed land uses.

(g) Existing land uses adjacent to the site.

(h) Approximate locations of existing and proposed buildings and structures.

(i) The character and approximate density of residential uses.

(j) Location and type of natural conditions within or adjacent to the site which may present limitations to development such as water courses, flood plains, marshes and wetlands, rock outcrops, wooded areas, significant tree masses that would need to be mitigated or would be preserved, and other significant features.

(k) Map and data, including north point, scale, and date of preparation.

6. PUD-2 District Boundary Amendment and PUD Preliminary Site Development Plan. Following review of the PUD-2 District Pre-Application Concept Plan, the petitioner may proceed to file a formal district boundary amendment petition. The Planning and Zoning Commission and City Council shall take action on a PUD-2 District boundary amendment in accordance with the requirements of this Ordinance. All district boundary amendment petitions submitted shall be approved by ordinance after the public hearing and Site Development Plan can be submitted for approval at the time of application for a PUD- 2 District boundary amendment or after approval of a PUD-2 District boundary amendment. The PUD Preliminary Site Development Plan may be combined with an application for PUD Administrative Site Plan approval unless the applicant chooses to submit the PUD Preliminary Site Development after the PUD-2 District boundary amendment has been approved.

H. *The PUD Preliminary Site Development Plan*

1. The filing of a formal PUD Preliminary Site Development Plan shall illustrate the development plan for each phase of the underlying PUD-1 District and PUD Site Plan or the development plan for the underlying PUD-2 District and shall include, at a minimum:

(a) Narrative - A written statement describing the character of the development. The Narrative shall be the basis for development of a Development Agreement to be adopted with approval of a PUD Preliminary Site Development Plan for each phase of the development. The statement shall include the following information:

(b) The proposed title of the development and a description of the land uses planned for the development.

(c) The relationship between the proposed development and the Comprehensive Development Plan for the City.

(d) The relationship of the development to limiting conditions such as excessive grade or slope, flood plain, high water table, woodlands, scenic vistas, water sources, etc.

(e) The relationship of the proposed development to adjoining uses (both existing and projected).

(f) The relationship of the proposed development to existing and projected sanitary sewers, storm sewers, and other drainage structures, and streets and other transportation features.

(g) An expected schedule of development including density, use, utilities, and public facilities (including open space, landscaping, and parking) to be developed stage. An identification of estimated start and completion dates shall be included.

(h) Names and addresses of the owners, developers, engineers, land surveyors, landscape architects, land planners, architects, attorneys, or any other professionals associated with the development.

(i) Tabulations of the following information: total land area, number of buildings, total area covered by buildings, number of dwelling units, dwelling units per acre, total common open space area.

2. *Maps and Diagrams* - A drawing of the planned development shall be prepared at a scale of one-inch equals 100 feet or one inch equals 50 feet, or such other scale as may be recommended by City staff. The drawing should show the general location of proposed streets (public and private) and land uses to indicate the character of the proposed development. The submission may be composed of one or more sheets and drawings and shall include:

- (a) Lot and street layout for proposed development.
- (b) Areas for proposed land uses within the development area.
- (c) Existing land uses adjacent to the site.
- (d) Locations of existing and proposed buildings and structures.
- (e) The character and density of residential uses.
- (f) Location and type of natural conditions within or adjacent to the tract which may present limitations to development such as water courses, flood plains, marshes and wetlands, rock outcrops, wooded areas, significant tree masses that would need to be mitigated or would be preserved, and other significant features.
- (g) Map and data, including north point, scale, and date of preparation.

3. Upon approval of the PUD-2 District boundary amendment and PUD Preliminary Site Plan an application can be submitted for the PUD Administrative Site Plan for the development. The PUD Preliminary Site Development Plan can also be combined with an application for Administrative Site Plan approval.

4. *Development Agreement.* Each PUD Preliminary Site Development Plan shall also include a Development Agreement establishing the development requirements for the PUD Preliminary Site Development Plan and the underlying PUD-1 District or PUD-2 District. The Development Agreement shall include the following information:

- (a) Location and quantities of various land uses.
- (b) Maximum floor area ratios and residential densities.
- (c) Maximum building and impervious coverage.
- (d) Front, side and rear yard setbacks.
- (e) Maximum heights of proposed structures.
- (f) Design standards applicable to the project.
- (g) Other development covenants, easements and restrictions.

5. Site improvements that will be constructed following approval of the PUD Administrative Site Plan.



I. Changes or Modifications to PUD Preliminary Site Development Plans.

The City Administrator has discretion to approve amendments to an approved PUD Preliminary Site Development Plan, provided that:

(A) A written request is filed with the Development Services Department Manager, along with information specifying the exact nature of the proposed amendment.

(B) The amendment is consistent with the provisions of this section.

(C) The amendment does not alter the approved site requirements of the PUD Site Development Plan and does not materially alter other aspects of the Plan, including traffic circulation, land used or land use intensity, mixture of use types and physical design.

(D) Any amendment not conforming to these provisions shall be considered tantamount to a new application and shall be submitted to the Planning and Zoning Commission and Council according to the procedures for new applications established in this section.

(E)

The proposed changes are below the thresholds as stated in the following Subsection 32.030.010.C.4.m.i.

J. Revised Preliminary Development Plan Required

A Revised PUD Preliminary Site Development Plan shall be required if the Site Plan varies from the PUD Preliminary Site Development Plan as follows:

1. A material change in the use of the development.
2. A 20% increase in the overall coverage of structures.
3. A 20% increase in the density of a residential development.
4. A 20% reduction in open space.
5. A 20% reduction in off-street parking spaces.
6. A significant change in the location of the street or utility system.

7. A reduction in density, coverage or increase in open space may be permitted by the City Administrator.

After receiving the recommendation of the Planning and Zoning Commission, the City Council shall approve, approve with minor modifications, or disapprove the Preliminary Development Plan.

All conditions, modifications, documents, and plans required by the Council must be delineated in the Preliminary Development Plan or agreed to in writing prior to the Council approval.

K. Withdrawal of Approval of PUD Site Development Plan

The City Administrator shall conduct an annual review of the status of each active PUD Preliminary Development Plan. If no substantial development has taken place in a proposed Planned Unit Development in accordance with the approved development schedule, the Planning and Zoning Commission may consider recommending that the Council withdraw approval of the PUD Preliminary Site Development Plan. The Commission may then make a recommendation to the Council and the Council may reconsider its approval of the PUD Preliminary Site Development Plan and may, on its own motion, initiate proceedings to withdraw said approval of the PUD Preliminary Site Development Plan. The City Administrator shall notify the developer by mail not less than ninety (90) days before the date of the meeting at which the Commission is scheduled to consider a recommendation of withdrawal of approval of the PUD-Preliminary Site Development Plan. If withdrawal of approval is recommended to the Council by the Planning and Zoning Commission, the City Administrator shall notify the developer by mail not less than fourteen (14) days before the date upon which the Council is scheduled to consider withdrawing its previous approval of the PUD Preliminary Site Development Plan.

L. Extension of Approval of the PUD Site Development Plan

Prior to the withdrawal of approval of the PUD Preliminary Site Development Plan, the applicant or the applicant's designated agent may request an extension of time and submit an amended development schedule. An extension request must be submitted to the City Administrator not less than sixty (60) days before the date of the meeting at which the Planning and Zoning Commission is scheduled to consider a recommendation of withdrawal of approval to the Council. The City Administrator shall refer the extension request to the Planning and Zoning Commission which, in turn, will refer the extension request to the Council with a recommendation to either grant or deny the request. The Council shall elect either to grant or deny the extension request. No extension granted under this subsection shall exceed one (1) year in duration.

J.     Open Space

All common open space shall either be conveyed to a municipal or public corporation, conveyed to a corporation or entity established for the purpose of benefiting the owners and residents of the planned development, or retained by the owner or owners with legally binding guarantees, in a form approved by the City Attorney, that the common open space shall be permanently preserved and maintained as an open area. All land conveyed to a corporation or like entity shall be subject to the right of said corporation to impose a legally enforceable lien for maintenance and improvement for the common space.

K.     Subdivision

If the planned development involves the subdivision of land as governed by Chapter 165 of the City's Code, the Subdivision Ordinance, no building permits may be issued until the procedural provisions of said Chapter 165 are satisfied.

L.     Conditions and Guarantees

Prior to the approval of any planned development, the Council may stipulate such conditions and restrictions upon the establishment, location, design, layout, height, density, construction, maintenance, aesthetics, operation and other elements of the planned development as deemed necessary for the protection of the public interest, protection of the adjacent area, and to secure the compliance with standards set forth in this section. In all cases in which planned developments are granted, the Council may require such evidence and guarantees, in addition to the guarantees of performance required under this section, that the Council may deem necessary as proof that the conditions stipulated in connection therewith are being and will be complied with.

M.     Failure to Begin Planned Development

If no construction has begun or no use established in the Planned Unit Development within twenty-four (24) months from the approval of the Administrative Development Plan, the approved Administrative Development Plan shall lapse and be of no further effect. In its discretion and for good cause, the Council may extend, in additional six-month increments, the period of the beginning of the construction or the establishment of use.