

EXHIBIT "A"

PLANNED UNIT DEVELOPMENTS.

Section 1. PURPOSE.

The purpose of a Planned Unit Development is to allow innovative, creative and flexible development that is sensitive to economic, cultural and environmental considerations. The Planned Unit Development is intended to maximize benefits from the use of open spaces, maximize aesthetics, encourage building design standards that exceed normal standards and are compatible with surrounding properties and implement the goals of the City's Comprehensive Plan.

The Planned Unit Development the City Council with the flexibility to vary the traditional zoning district classifications with mixed types of uses, the ability to vary setbacks and bulk regulations, support pedestrian and bicycle safety and encourage environmental protection. The Planned Unit Development is intended to promote development which will surpass the quality of development resulting from the strict application of the regulations of conventional zoning districts. However, the Planned Unit Development shall not be used to circumvent traditional zoning regulations.

Section 2. LOCATION CRITERIA. The Planned Unit Development Districts are generally intended for use in the following urban contexts:

A. 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.

B. Community Development 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.

C. Neighborhood Contexts. Encourage reinvestment in existing neighborhoods.

D. Promotion of infill development and rehabilitation of underutilized sites.

Section 3. PERMITTED LAND USES. The Planned Unit Development Zoning Districts may only include residential, retail or commercial land uses, as listed below:

A. Residential Uses. The Planned Unit Development may contain single-family, duplex/townhouses and/or multi-family structures.

B. Professional and semi-professional office buildings, including, but not limited to:

- a. Abstracting or title business
- b. Accountants, actuaries, auditors and bookkeeping
- c. Advertising office (no sign shops)
- d. Adjusters (insurance)
- e. Aerial survey and photography
- f. Appraisers and auctioneers (no auction sale of any type on site)
- g. Architects, civil engineers, landscape architects and planners
- h. Attorneys

- i. Banks and financial institutions
- j. Business or financial analysts and counselors
- k. Building contractors, office only (no shops or equipment and material storage)
- l. Counseling, child guidance and family service
- m. City, County, State or Federal Government office use only (no shops or equipment and
- n. material storage)
- o. Drafting and printing services
- p. Engineers, professional
- q. Insurance and bonds
- r. Manufacturer's agents
- s. Market research and marketing agencies
- t. Model agencies or schools
- u. Mortgage brokers
- v. Public libraries
- w. Real estate sales and management (office only)
- x. Stock broker exchanges, investment services or brokers
- y. Tax consultants
- z. Similar or general office users

C. Medical Doctors and medical practitioners, optometrists, chiropractors and medical services offices, clinics or group medical centers, including dental clinics, but not including animal clinics.

D. The following neighborhood retail commercial and service establishments and uses are permitted:

- aa. Apparel (specialty) shops
- bb. Bakeries (retail), including baking for sale on premises only
- cc. Beauty shops and barber shops, but not including schools
- dd. Book stores and stationery stores
- ee. Camera and photographic supply stores, including photo finishing services
- ff. Candy, nut, and confectionery stores
- gg. Coffee shops
- hh. Convenience stores, provided there is no vehicle washing or repair on site
- ii. Drug stores
- jj. Dry cleaning establishment using nonflammable solvents
- kk. Florists, including potted house plants
- ll. Gift, party supply and souvenir shops
- mm. Grocery and specialty food
- nn. Hobby and game shops
- oo. Home accessories, such as small appliances, cookware, and glassware
- pp. Home video equipment and movie rentals
- qq. Jewelry stores
- rr. Liquor stores
- ss. Optical goods and medical supplies
- tt. Restaurants and cafes, provided there is no drive-through or drive-in facility
- uu. Sewing, needlework, linen and piece goods stores
- vv. Shoe repair and tailor shops, including clothing alteration and repair

E. Day care centers, day nursery or nursery school, licensed in the State of Iowa, provided no building, structure, or accessory use for property so used is located less than twenty-five (25) feet from Parcel 3 and 4 or any other lot in an residential zoning district; and provided there is established and well maintained in connection therewith a completely fenced play lot of no fewer than one thousand (1,000) square feet in area for the first twenty (20) or less children under care, with twenty-five (25) square feet added to such play lot area for each additional designated child capacity of the principal building, or as required by State law.

F. Any use which is found by the City to be similar to one of the above named uses and determined to conform to the intent of this parcel.

Section 4. Planned Unit Development District Application.

A. Pre-Application Meeting. Prior to submitting the Pre-Petition Concept Plan, the petitioner shall meet with City staff to outline the general concept of the proposed Planned Unit Development to determine whether the petitioner's plan qualifies for filing as a Planned Unit Development and to discuss issues with the proposed site.

B. Pre-petition Concept Plan. Prior to filing a formal district boundary amendment petition in accordance with the requirements of this Code, the petitioner shall meet with the Zoning Administrator for the purpose of submitting a pre-petition concept plan. This plan shall illustrate the conceptual overall plan for the District and shall include at a minimum the following information:

1. Location, size and legal description of site.
2. Location of existing major site features, including, but not limited to, tree masses,
drainageways and wetlands.
3. Location of 100-year and 500-year floodplains on the site, if any.
4. Proposed types and densities of development.
5. General location and types of buildings.

C. Pre-petition Concept Plan Review Criteria. The review of the pre-petition concept plan shall include consideration of the following criteria:

- (1) Land use intensity and density.
- (2) Ability to provide a positive environment for intended uses, including schematic building configurations and arrangements (if available) and general landscaping and site design.
- (3) Use of open space.
- (4) Impact on the surrounding natural and built environment.
- (5) Adequacy of on- and off-site transportation and utility systems to serve the proposed project.
- (6) Consistency with the City's comprehensive plan.
- (7) Architectural quality and compatibility of the proposed project with the scale and appearance of surrounding areas.
- (8) Compatibility with surrounding uses.

D. Following review and approval of the pre-petition concept plan, the petitioner may proceed to file a formal district boundary amendment petition in compliance with the requirements of this Code. All district boundary amendment petitions submitted under

this paragraph shall be approved by ordinance after the public hearing requirements of this Code have been satisfied.

Section 5. PLANNED UNIT DEVELOPMENT SITE PLAN SUBMITTAL. After approval of the Pre-Petition Concept Plan, the petitioner shall submit a Site Plan to the Planning and Zoning Commission for review. The proposed Site Plan shall include, at a minimum, the following information:

1. Existing topography of site at 2-foot intervals;
2. Internal and external transportation systems, including pedestrian and bicycle system;
3. General location, size and location of footprints of proposed buildings;
4. Site master plan, including general envelopes of buildings, parking spaces, open space and other site features;
5. Conceptual landscape and streetscape plans;
6. Building design standards and heights;
7. Location of existing utilities;
8. Proposed site development regulations, including setbacks and building heights;
9. Proposed lighting plan;
10. Property boundaries of the site;
11. Utility plans for all utilities to be installed;
12. Stormwater plans;
13. Phasing of project, if applicable.
14. If applicable, preliminary and final plats.

A. Zoning Administrator Review. The Zoning Administrator shall review and comment on the proposed concept plan and shall provide the petitioner with written comments within thirty (30) days of submission of the proposed concept plan. At the option of the petitioner or the Zoning Administrator, the final concept plan may be submitted to the Planning and Zoning Commission and the Council for review and comment at the earliest practical meeting.

B. Development Agreement. Each Planned Unit Development Site Plan shall also include a Development Agreement establishing the development requirements for the Planned Unit Development. The Development Agreement shall specify the following regulations:

- (1) Location and quantities of various land uses.
- (2) Master site plan for the development.
- (3) Storm water practices;
- (4) Front, side and rear yard setbacks.
- (5) Maximum heights of proposed structures.
- (6) Architectural design standards applicable to the project.
- (7) Other development covenants, easements and restrictions.
- (8) Site improvements that will be constructed following approval of the Planned Unit Development Site Plan. The City Council may require the posting of a letter of credit to ensure the construction of necessary public site improvements.
- (9) Schedule of phasing of project, if applicable.

C. Planned Unit Development Site Plan Submittal. Complete Planned Unit Development Site Plans shall be submitted for review to the Planning and Zoning Commission and the City Council. Both the Commission and the City Council shall review the Planned Unit Development Submittal for the following items:

1. Design of the Project. The Planned Unit Development Site Plan must represent a more creative approach and incorporates a higher standard of integrated design and amenities that could be achieved through the use of conventional zoning and platting requirements.
2. Consistency with Comprehensive Plan. The Planned Unit Development Site Plan is consistent with the development standards and objectives of the City's Comprehensive Plan.
3. Public Services. The land uses, densities and phasing of the Planned Unit Development Site Plan are consistent with the anticipated ability of the city and school district to provide necessary services for the site.
4. Compatibility with surrounding properties. The Planned Unit Development Site Plan will not substantially impair surrounding property values or impede the orderly development of surrounding property.
5. Circulation of vehicular, pedestrian and bicycle systems are appropriate for the planned uses.
6. Provision of appropriate access for emergency personnel and vehicles.
7. The quality and quantity of opens spaces and landscaping is consistent with the higher standard of development of the requirements of the Planned Unit Development.
8. The phasing of the project is appropriate.
9. The architectural design of the buildings is consistent with the higher standards of development in a Planned Unit Development.
10. The preservation of existing natural resources on the site.
11. The storm water management practices for the finished site.

12. The provision of public utilities to the site.

D. A public hearing shall be held by each body in accordance with the requirements of Chapter 165.

E. The Commission and Council may impose reasonable conditions, as deemed necessary to ensure that a Planned Unit Development Site Plan shall be compatible with adjacent land uses, will not overburden public services and facilities and will not be detrimental to public health, safety and welfare.

F. Planning and Zoning Commission Action. The Commission shall act upon each Planned Unit Development Site Plan submittal. The Commission may recommend amendments to the proposed Plan. The recommendation of the Commission shall be transmitted to the Council for final action.

G. Council Action. Approval of a proposed Planned Unit Development Site Plan shall be by resolution of the Council. Said approval shall not occur until after passage by the Council of the Ordinance creating the underlying Planned Unit Development zoning district.

H. Approvals. Upon approval by the Council by resolution, the Planned Unit Development Site Plan, including the Development Agreement, shall be filed with the Clerk. Additionally, the Development Agreement and the Council resolution approving the Planned Unit Development Site Plan shall be placed on record at the Office of the Cedar or Johnson County Recorder, whichever is applicable.

Section 6. AUTHORIZATION TO COMMENCE SITE IMPROVEMENTS. Approval of a Planned Unit Development Site Plan and prior or contemporaneous approval of the underlying Planned Unit Development Zoning District shall authorize the applicant to proceed with site improvements, including but not limited to grading, street construction, sewer construction, utilities, trails, parks and open spaces, sidewalks and other public improvements. As part of the Planned Unit Development Site Plan submittal, the applicant shall state the specific site improvements that the applicant will construct following approval of the PUD-A Site Development Plan. The scope of these improvements shall be incorporated into the Development Agreement.

Section 7. BUILDING PERMITS. Neither the approval of a Planned Unit Development Site Plan nor the approval of the underlying Planned Unit Development Zoning District shall authorize the construction of buildings or the issuance of permits for such construction.

Section 8. CHANGES OR MODIFICATIONS TO SITE PLAN. The Zoning Administrator has discretion to approve amendments to an approved Planned Unit Development Site Plan, provided that:

(1) A written request is filed with the Zoning Administrator, along with information specifying the exact nature of the proposed amendment.

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

(3) The amendment does not alter the approved site requirements of the Planned Unit Development Site Plan and does not materially alter other aspects of the Plan, which means the following:

a. Change the residential density less than five percent (5%).

- b. Increase the amount of commercial/retail floor space by less than ten percent (10%).
- c. The number of housing units is increased less than ten percent (10%).
- d. Does not significantly alter the open space or other amenities on the approved Site Plan.
- e. Does not significantly alter the approved architectural design standards.

(4) 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.