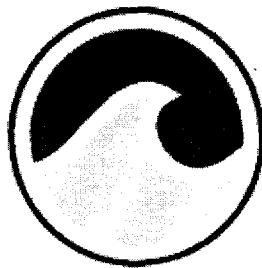


**SOUTH SHORE  
REDEVELOPMENT AREA  
MODIFICATION # 1**



**PROJECT PLAN**

**CITY OF OSHKOSH  
DEPT. OF COMMUNITY DEVELOPMENT**

**Prepared: June 2005**

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## **A. INTENT, PURPOSE, AND OBJECTIVES**

The South Shore Redevelopment Area is located generally from the Fox River south to 8<sup>th</sup> Street, from Oregon Street east to Pioneer Drive. Map 1 on page 13 shows the location of the South Shore Redevelopment Area and the proposed new boundaries of the redevelopment area. The Common Council approved the Project Plan for the South Shore Redevelopment Area on August 26, 2003.

It is the intent of this modification to the adopted Redevelopment Project Plan to identify a proposed expansion of the Redevelopment Area. This modification also specifies the type of redevelopment activities appropriate for this area and the methods by which those redevelopment activities will be implemented. Implementation of this Plan is consistent with prior redevelopment efforts and is another step toward completion of redevelopment activity in this area. This Plan is intended to serve as a general framework and redevelopment guide for the properties within the Area.

The City of Oshkosh will be working with various businesses and property owners in the district to develop a plan for improvements in the area through activities, including: acquisition and clearance, rehabilitation, infrastructure improvements, streetscaping, right-of-way vacation, recreational and trail improvements, docking facilities, land use and zoning changes. It is anticipated the City will redevelop the area in a phased manner and will encourage both private redevelopment of parcels where the City does not take the lead role in redevelopment, as well as public/private partnerships and instances when the City will take the lead role in redevelopment.

It is the intent of this modification to add several properties to the Redevelopment District and modify the Area boundaries. The properties proposed for addition to the project area include a variety of uses including industrial (portion of Jeld-Wen and Miles Kimball properties), residential, commercial (boat storage, Pioneer Resort & Marina, South Main Street), and public (boat launch and sanitation garage).

Tax revenues in the district are significantly less than what could be expected if the district were developed to the densities allowed by the proposed zoning, the proposed land use recommendations identified in this modification, and the goals of the Comprehensive Plan. The development of retail, commercial, residential, and public recreational facilities will eliminate blighting influences of property and underutilized and/or deteriorated structures, and contribute to the overall improvement of the redevelopment area.

This modification will allow the city to initiate redevelopment activities in these new areas as well as build upon past and current redevelopment efforts in the area. Map 2 shows the proposed new boundaries of the redevelopment area.

## **B. STATUTORY AUTHORITY**

The preparation and adoption of this Redevelopment Project Plan and designation of the district boundaries as well as plan implementation are enabled pursuant to Section 66.1331 (Blighted Area Law) of Wisconsin Statutes.

## **C. REDEVELOPMENT OBJECTIVES**

Recognizing the City's intent as previously discussed and the purpose of Wisconsin Statutes, Section 66.1333, 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. Provide for the orderly physical and economic growth of the City of Oshkosh through planned and controlled redevelopment.
3. Encourage coordinated redevelopment of parcels to achieve efficient building design, maximum utilization of sites, beautified off-street parking and service facilities, and integrated pedestrian connections and open spaces, giving consideration to high standards of design for new development, rights-of-way, landscaping, and open spaces.
4. Achieve private redevelopment of parcels that will add to the tax base of the City of Oshkosh while keeping with good land use planning principles.
5. Ensure the design of buildings is in harmony with adjoining public, and semi-public developments.
6. Ensure that buildings are designed, located, and oriented to serve the area and capitalize on existing views and open spaces.
7. Maximize utilization of Central City property in a manner consistent with the goals of the Comprehensive Plan.
8. Assemble land into parcels functionally adaptable with respect to shape and size for disposition and redevelopment in accordance with contemporary redevelopment needs and standards.

## **D. CONSISTENCY WITH LOCAL PLANS**

Local plans with which the South Shore Redevelopment Plan is consistent include:

- Comprehensive Plan (2005)
- Downtown Action Plan (2000)
- Consolidated Plan (2005)

The Comprehensive Plan identifies goals, objectives, and implementation actions that the City aims to achieve on both an overall citywide basis and a special area basis including this Redevelopment Area over the next 20-year planning period.

Relative to the City's Comprehensive Plan, specific goals of the Comprehensive Plan that relate to this redevelopment district include:

- Encourage redevelopment in the Central City to be oriented toward the lakefront and riverfront.
- Promote and maintain efficient commercial and recreational activity on the lakes and Fox River system.
- Continue revitalization efforts of downtown and the central city area.
- Promote the re-use of land and buildings.
- Maintain, improve, and increase public access to the waterfront.

The Downtown Action Plan sets forth various goals and objectives and an implementation framework for improving the "downtown" and portions of the Central City. The general boundaries of the Downtown Plan area are Parkway Avenue to the north, Broad Street to the east, South Park Avenue on the south, and Ohio and Wisconsin Streets on the west. Much of the plan focuses on waterfront redevelopment, which includes this Redevelopment Area.

While much of the attention of the Downtown Action Plan focuses on activities in the historic downtown area north of the river, the plan does call for improvements to be implemented in the South Shore Redevelopment Area. These generally include:

- Maximizing economic development and land use opportunities within Downtown Oshkosh and along the Fox River;
- Maximizing riverfront linkages and pedestrian connectivity to the downtown and surrounding community;
- Creating open spaces and recreational activities and promote environmental preservation;
- Enhancing and maintain the public realm; and
- Increasing downtown residential development.

The Downtown Action Plan further subdivided the overall plan area into four priority sub-areas, which includes the E. 9<sup>th</sup> Avenue and Pioneer Drive Development Zone that is in the South Shore Redevelopment Area.

The Consolidated Plan, required by the U.S. Department of Housing and Urban Development for Community Development Block Grant (CDBG) communities, is a local plan that identifies funding priorities for housing and other community development needs for which CDBG funds will be utilized. The Consolidated Plan as it relates to implementation of this Redevelopment Plan generally relates to the provision of more residential development in the Central City area and the elimination of blighting influences and the prevention of slums and blight.

## **E. PROJECT BOUNDARY**

The legal description for the expanded South Shore Redevelopment Area is as follows:

A part of Blocks 93, 94, and 95 of Plat of the Original Third Ward, W. Fourth Avenue, Michigan Street, Vacated W. Third Avenue, Vacated W. Second Avenue, and Vacated Michigan Street, being in the W $\frac{1}{2}$  of the SE $\frac{1}{4}$  of Section 23-18-16, Sixth Ward,

and also part of Blocks 48, 49, 61, 62, 78, 75 and all of Blocks 76 and 77 of Plat of the Original Third Ward, part of W. Third Avenue, W. Fourth Avenue, W. Sixth Avenue, Michigan Street, Lewis Street, Oregon Street, Vacated Michigan Street, Vacated W. Second through Vacated W. Fifth Avenues, Vacated Iowa Street, and Vacated Minnesota Street, being in the SE $\frac{1}{4}$  of Section 23-18-16, Ninth Ward,

and also part of Blocks 5, 7, 9, 16, 23, 28, 32, 35, 39, 43, and all of Blocks 1, 2, 3, 4, 6, 8, 10, 11, 12, 13, 14, 18, 19, 24, 36, and 40 of Plat of the Original Third Ward, part of W. Sixth through Tenth Avenues, Oregon Street, Nebraska Street, S. Main Street, Pioneer Drive, Vacated W. Fifth through Vacated W. Twelfth Avenues, Vacated E. South Park Avenue, Vacated W. Fourteenth through Vacated W. Sixteenth Avenues, Vacated Nebraska Street, Vacated Indiana Street, and all of Vacated Utah Street, being in the W $\frac{1}{2}$  and S $\frac{1}{2}$  of the SW $\frac{1}{4}$  and the SW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 24-18-16, N $\frac{1}{2}$  and E $\frac{1}{2}$  of the NW $\frac{1}{4}$  and the W $\frac{1}{2}$  of the NE $\frac{1}{4}$  of Section 25-18-16, Third Ward,

all in the City of Oshkosh, Winnebago County, Wisconsin described as follows:

Beginning at the intersection of the north line of W. Fifth Avenue and the east line of Iowa Street; thence N22°42'25"E, 250.13 feet; thence N90°00'00"E, 44.37 feet; thence N48°49'58"E, 119.69 feet; thence N88°39'28"E, 347.87 feet; thence N19°52'44"E, 26.42 feet; thence S82°45'47"E, 418.59 feet to a point 250 feet west of the west line of Oregon Street; thence south along a line parallel to and 250 feet west of the west line of Oregon Street to the centerline of W. Sixth Avenue; thence east along the centerline of W. Sixth Avenue to the extended east line of Lot 2, Block 5 of Plat of the Original Third Ward; thence south along the extended east line and east line of said Lot 2 to the southeast corner of said Lot 2; thence east along the north lines of Lots 13, 14 and 15, Block 5 of Plat of the Original Third Ward to a point 30 feet east of the west line of said Lot 15 Block 5; thence south along a line parallel and 30 feet east of the west line of said Lot 15 to the centerline of W. Seventh Avenue; thence west along the centerline of W. Seventh Avenue to a point 100 feet east of the east line of Oregon Street; thence south along a line parallel and 100 feet east of the east line of Oregon Street to the southeast corner of Lot 2, Block 9 of Plat of the Original Third Ward; thence west along the south line of said Lot 2, 37 feet; thence south parallel with the east line of Oregon Street 18 feet; thence west parallel to the south line of said Lot 2, 13 feet to the west line of Lot 12, Block 9 of Plat of the Original Third Ward; thence south along the east line and extended east line of said Lot 12 to the centerline of W. Ninth Avenue; thence east along the centerline of W. Ninth to the extended west line of Lot 8, Block 16 of

Plat of the Original Third Ward; thence south along the west line of said Lot 8 and continuing along the west line of Lot 19, Block 16 of Plat of the Original Third Ward, to the north line of E. Tenth Avenue; thence east along the north line of E. Tenth Avenue to the centerline of S. Main Street; thence north along the centerline of S. Main Street to the centerline of E. Ninth Avenue; thence east along the centerline of E. Ninth Avenue to the east line of Vacated Indiana Street; thence south along the east line of Vacated Indiana Street to the centerline of E. Tenth Avenue; thence east along the centerline and extended centerline of E. Tenth Avenue to the easterly line of the Fox Valley & Western, Ltd. Railroad right-of-way; thence southerly along the easterly line of the Fox Valley & Western, Ltd. Railroad right-of-way to the centerline of vacated W. Sixteenth Avenue; thence east along the centerline of vacated W. Sixteenth Avenue and its extension 1,500 feet; thence due north 2,700 feet; thence due west to a point on the southerly shoreline of the Fox River; thence northwesterly approximately 4,650 feet along the southerly shoreline of the Fox River to the original main line track of the Chicago, Minneapolis, St. Paul and Pacific Railroad projected; thence southwesterly along the Chicago, Minneapolis, St. Paul and Pacific Railroad original main line track projected and the original main line track to a point on a line parallel to and 300 feet east of the east line of Ohio Street; thence south along a line parallel to and 300 feet east of Ohio Street to the centerline W. Fourth Avenue; thence west along the centerline of W. Fourth Avenue to the E. line of Ohio Street; thence south along the E. line of Ohio Street to a point 47.5 feet north of the southwest corner of Lot 1, Block 95 of Plat of the Original Third Ward; thence east along a line parallel to and 47.5 feet north of the south lines of Lots 1 and 2, Block 95 of Plat of the Original Third Ward, extended to a point on the east line of Lot 3, Block 95 of Plat of the Original Third Ward; thence south along the east line of said Lot 3 to the southeast corner of said Lot 3; thence east along the north lines of Lots 16 through 24, Block 95, and Lots 13 through 23, Block 78 of Plat of the Original Third Ward to the northeast corner of Lot 23, Block 78 of Plat of the Original Third Ward; thence south along the east line of said Lot 23 to the north line of W. Fifth Avenue; thence east along the north line of W. Fifth Avenue to the point of beginning.

## **F. EXISTING LAND USE AND ZONING**

This modification includes 30 parcels, which follow these general land use categories:

- Residential
- Commercial
- Industrial
- Public

Existing land uses are shown in more detail on Map 2 and additional individual parcel information is presented in Appendix B.

The properties in the expansion area are zoned C-3 PD Central Commercial District with a Planned Development Overlay, M-2 Central Industrial District, M-2 DO Central

Industrial District with a Downtown Overlay, and R-2 Two Family Residence District. Existing zoning is shown on Map 3.

## **G. EXISTING CONDITIONS**

The majority of non-residential structures in the modification/expansion area are functionally obsolete or are in need of maintenance or rehabilitation. Also, a number of parcels exhibit characteristics reflective of poor layout and placement of structures on sites, with those and other conditions, such as inadequate parking and loading facilities, contributing to the under utilization and unproductive use of properties in the area.

The modification/expansion area is comprised of three smaller areas that will be attached to the existing South Shore Redevelopment Area. The first sub-area is along W. 4<sup>th</sup> Avenue. This area has residential uses on the south side of the street and non-residential uses on the north side of the street including a public boat launch, the City sanitation garage, the vacant Boat Works property and the western open storage area of the Jeld-Wen property. Michigan Street and 4<sup>th</sup> Avenue are asphalt streets without curb and gutter. No sidewalks exist on the north side of 4<sup>th</sup> Avenue, the east side of Michigan and there are no ADA accessible ramps to access the sidewalk at the intersection of these two streets.

The second sub-area includes the west side of the 800 and 900-blocks of South Main Street, from the Miles Kimball facility south to 10<sup>th</sup> Avenue. This area consists of multi-floor commercial buildings and also two residential properties to the west of the alley in the 900-block behind the commercial buildings. While the structures are mainly in good condition in this area, there are unsafe and unsanitary conditions that have a blighting influence on the surroundings. Some of the accessory structures on the two residential parcels exhibit deteriorating and deferred maintenance issues.

The third sub-area includes the Pioneer Resort and Marina, all of this area being under one ownership. This existing use is currently under construction of new resort facilities.

There is a predominance of properties in the modification/expansion area that are underutilized, functionally obsolete, in need of repair, nonconforming, or that otherwise contribute to the blighted conditions of the area and/or impair or arrest the sound growth of the community. The contributing factors in finding the area as blighted are defined in Section 66.1331 (3)(a) and 66.1333(2m)(b), Wisconsin Statutes. Properties were identified as “blighted” per the following selected standards identified in Wisconsin Statutes, Section 66.1333 (2m)(b)3(bm):

- A. Dilapidation, deterioration, age, or obsolescence;
- B. Faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions (includes structures that are nonconforming per zoning district standards);
- C. Deterioration of site improvements;
- D. Property which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or



other such factors that substantially impairs or arrests the sound growth of the community.

While some of the residential parcels in the modification/expansion area may not have been designated as blighted (A, B, C, or D) they still are generally older housing stock on substandard sized lots. Given the standards and definition of blight, 25 of the 30 parcels meet the blight requirements as defined in Wisconsin Statutes.

Parcel conditions are presented on Maps 4A, 4B, and 4C.

## **H. PROPOSED ZONING AND LAND USE**

Proposed land use and zoning in the area is intended to be consistent with the goals and objectives of the various aforementioned plans. In that regard, this expansion area has two proposed zonings - C-3 DO Central Commercial District with a Downtown Overlay and R-2 PD Two Family Residence District with a Planned Development Overlay; with the exception that a third existing zoning district C-3 PD (Central City with a Planned Development Overlay) for Pioneer Resort & Marina will remain as it is currently zoned. The C-3 District allows commercial, retail, multiple family, and mixed-use commercial/residential uses. The DO overlay is appropriate, per Section 30-27 of the Zoning Ordinance, as this area is considered part of the City's central city area and the overlay provisions are intended to relate to the special character of this older commercial and industrial area.

The R-2 District allows single and two family dwellings and accessory structures and several commercial uses as conditional uses. The R-2 PD District is proposed for the existing dwellings along West 4<sup>th</sup> Avenue and Michigan Street. A PD Overlay can provide greater flexibility in the types of uses, the area and yard requirements for residential lots, and design guidelines.

Excerpts from the Zoning Ordinance regarding the C-3, the Downtown Overlay, the R-2, and the Planned Development Overlay Districts are presented in Appendix C.

Since the exact future land use pattern is unknown at this time, it is anticipated that zone changes will occur as property is redeveloped on a phased basis. Map 5 on page 19 illustrates the proposed zoning for the Redevelopment Area.

It is anticipated that a majority of existing land uses will remain as they are. This includes the Pioneer Resort & Marina, the 900-block of South Main Street, the residential land uses along 4<sup>th</sup> Avenue, and the public access boat launch. The areas along South Main Street and W. 4<sup>th</sup> Avenue would benefit from rehabilitation work that would keep the existing structures but have the opportunity for façade improvements or general maintenance (paint, minor repairs, etc.) programs.

New land uses are proposed for the existing sanitation garage, the Boat Works property, the Jeld-Wen riverfront, and the Miles Kimball buildings. It is proposed that the

sanitation garage would be changed to either an expansion of the boat launch facility or combined with a new residential/marina/dock/mini development on the Boat Works property. A riverwalk-type land use is proposed along the Jeld-Wen property's riverfront to meet the city's goal of a looped riverfront trail system. A portion of the Miles Kimball facility could be converted into upper-floor residential uses with a portion of the facility being demolished to support those residential uses. Map 6 on page 20 illustrates the proposed land use for the Redevelopment Area.

#### **I. STANDARDS OF POPULATION DENSITY, LAND COVERAGE, AND BUILDING INTENSITY IN THE AREA AFTER REDEVELOPMENT**

Central Commercial C-3 DO zoning standards will be applied to all development occurring in the district, with the exception being the R-2 PD zoning along West 4<sup>th</sup> Avenue and Michigan Street. This will apply base C-3 district requirements to all new development including major rehabilitation projects. The Central Commercial District allows zero foot setbacks and requires no parking for commercial uses, which is similar to existing M-2 requirements. Theoretically, the Zoning Ordinance could allow up to 100 percent land coverage of a parcel of commercially used land.

The major difference is that C-3 zoning allows stand alone residential multiple family districts as well as mixed-use commercial/residential developments. Furthermore, the C-3 zoning allows the most dense residential multiple family developments to occur. C-3 zoning allows one residential living unit per 1,500 square feet of lot area, which would allow 29 units per acre.

The Two Family Residence District with a PD Overlay (R-2 PD) zoning standards will be applied to the residential units along West 4<sup>th</sup> Avenue and Michigan Street. This zoning district will apply base R-2 district requirements to all new development including major rehabilitation projects. The R-2 zoning allows two units (one duplex) per a 7,200 square foot lot, which would allow 12 units (6 duplexes) per acre.

#### **J. PRESENT AND EQUALIZED VALUE**

As of January 1, 2005, the approximate assessed value of the properties in the expansion area is \$8,500,100 (\$2,684,300 land, \$5,815,800 improvements) with an equalized value of approximately \$11,277,700. The potential equalized value of the expansion area is \$20 to 25 million, dependent on the amount of retail, commercial, and residential development in the district. Maps 7A, 7B, and 7C illustrate the assessment classifications for the expansion area.

## **K. PROJECT ACTIVITIES/IMPLEMENTATION**

### **a. Land Assemblage**

To achieve redevelopment of the project area in keeping with this Redevelopment Plan, assembly of lands within the district will be required. Acquired lands may be sold or leased for private redevelopment or may be dedicated for public purposes. The Redevelopment Authority of the City of Oshkosh (RDA) may utilize property that has been acquired for temporary uses as an incidental part of the redevelopment process. Temporary uses will exist until such time as property is scheduled for redevelopment.

Land assembly will be facilitated by the Department of Community Development and City Attorney's office in coordination with the Redevelopment Authority and Common Council, as applicable.

### **b. Relocation**

Individuals or business operations may need to be relocated as a result of implementation of this Redevelopment Plan. Where such relocation occurs by the RDA, it shall be done in compliance with State and/or Federal regulations as applicable.

### **c. Land Disposition**

Once assembled, land will be disposed of by sale or lease in accordance with the provisions contained in Section 66.1331(6), Wis. Stats.

### **d. Rehabilitation**

The project area contains a number of structures where rehabilitation may be preferable to demolition/clearance. These cases may involve historic or unique structures that may benefit from programs such as rehabilitation of upper floor areas to create residential units or improvements to the façades that will better the aesthetics of the area. In addition, there is also a concentration of single and two family dwellings along 4<sup>th</sup> Avenue, where rehabilitation may be necessary to improve or eliminate blighting influences as well as other code violation issues.

### **e. Public Improvements**

To facilitate support for new land uses and rehabilitation of structures in the area, the City will undertake public improvements where required and to the extent feasible. Said improvements and public utilities may include, but are not limited to, the improvement of streets, storm and sanitary sewers, streetscaping, undergrounding of utilities, path and park construction, signage, traffic signalization, and gateway improvements.

## **L. PROJECT FINANCING**

Funds necessary to implement project activities are expected to be derived from a variety of sources and may include, but not be limited to: general obligation bonds, State Land Trust Fund program loans, income from the sale or lease of acquired lands, lease-revenue bonds, redevelopment bonds, Community Development Block Grant and HOME funds, or, any other source approved by the Common Council.

It is anticipated that a Tax Increment District or Districts (TID) will be created to coincide with all or portions of the area. Creation of a TID will allow property tax revenues generated from new improvements in the district to pay debt service associated with City financed improvements.

Redevelopment project costs include the total of all reasonable and necessary costs incurred or estimated to be incurred and any such costs incidental to this Redevelopment Plan. Such may include, but are not limited to, the following:

1. Property assembly costs including, the acquisition of land and other property and other real or personal rights or interest therein, the demolition of buildings and the clearing and grading of land;
2. Relocation costs to the extent required by State or Federal law as applicable;
3. Costs of moving structures, rehabilitation, construction, repair or remodeling of existing buildings and fixtures, environmental remediation, organizational costs, impuntive administration costs included in the plan and loans and/or grants necessary for development;
4. Costs of the construction of public works or improvements;
5. Costs of surveys and studies, plans and specifications, professional service costs, such as architectural, engineering, legal, marketing, financial, planning and special services; and
6. Financing costs including, but not limited to, all necessary and incidental expenses relating to the issuance of obligations and payment of interest on any obligation issued;
7. Costs related to special assessments; and
8. Payments or expenditures necessary or convenient for implementation of the Plan; and
9. Loans and grants as necessary to implement the Plan objective.

Since a major source of funds needed for the promotion of development and public improvements in this area may be derived from the TIF, requirements applicable under TIF statutes will apply.

## **M. PERFORMANCE STANDARDS**

Throughout the implementation of this project and all stages and phases thereof, the participating developer(s) will be required to comply with requirements of all sections of this plan, as well as pertinent sections of municipal codes and ordinances referenced herein. Developers will also be responsible for complying with the requirements of

RDA-developed “requests for proposals” (RFPs) as issued for various phases of redevelopment.

**N. COMPLIANCE WITH APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS**

Local codes and ordinances applicable to the redevelopment area have been referenced in this Plan. Notwithstanding these references, the participating developer(s) and the RDA shall comply with any and all local, state, and/or federal codes as applicable.

**O. REDEVELOPMENT PLAN MODIFICATION**

This Project Plan may be modified or changed at any time in accordance with Section 66.1333(11), Wisconsin Statutes, including after sale or lease of property acquired by the RDA. If the plan is modified, the Redevelopment Authority will hold a public hearing. All proposed changes to this plan are recommended and approved by the RDA, as well as the Common Council.

**P. TERMINATION OF THE DISTRICT AND REDEVELOPMENT PLAN**

Following implementation and completion of project activities, this Redevelopment Area and Plan will be terminated by action of the Common Council.

## **Appendix A**

### **Maps**

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## **Appendix B**

### **Parcel Information**

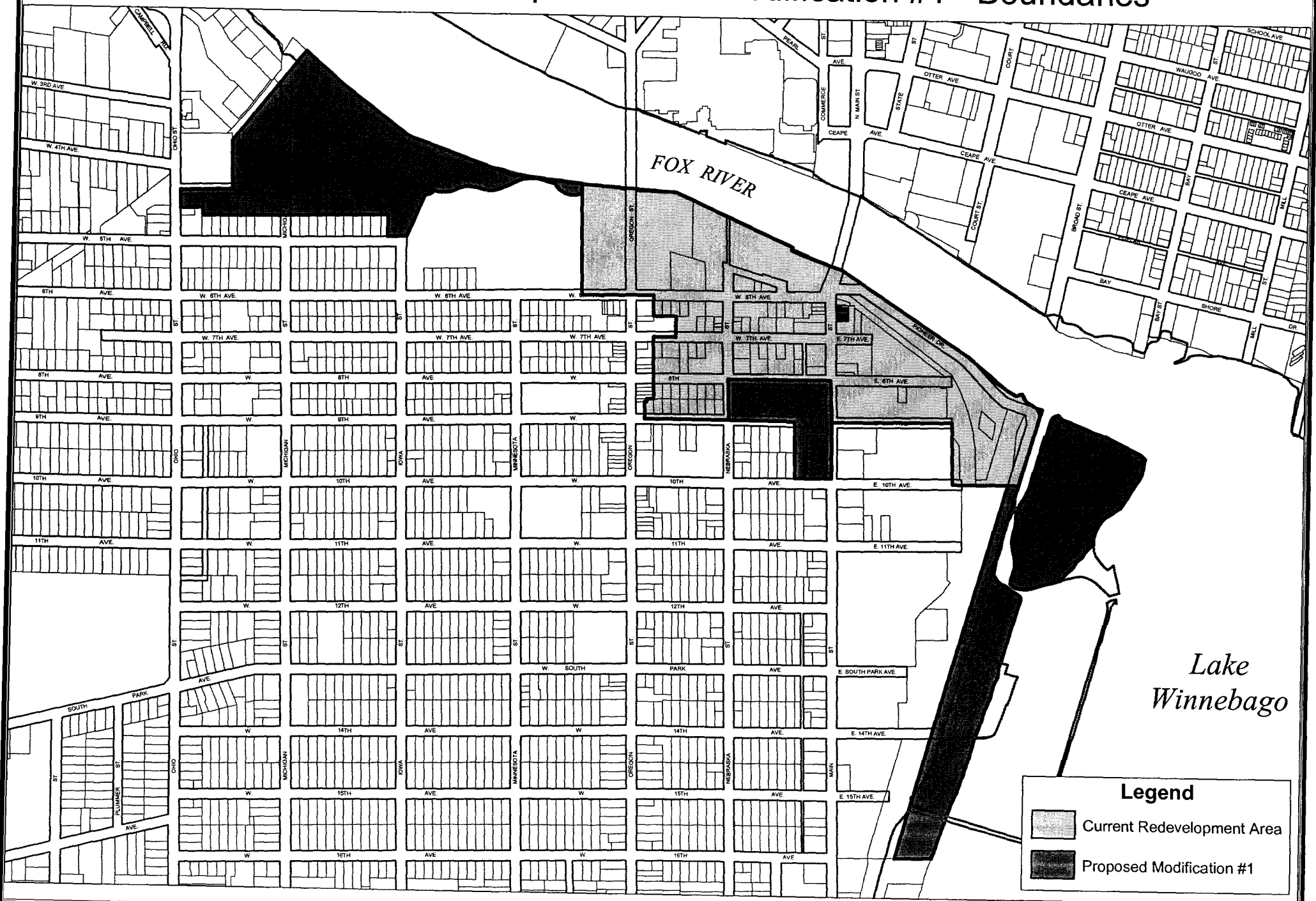
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## **Appendix C**

### **Zoning Text Excerpts**

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# Map 1 South Shore Redevelopment Area Modification #1 - Boundaries



**Legend**

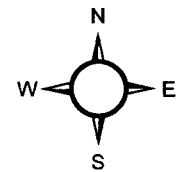
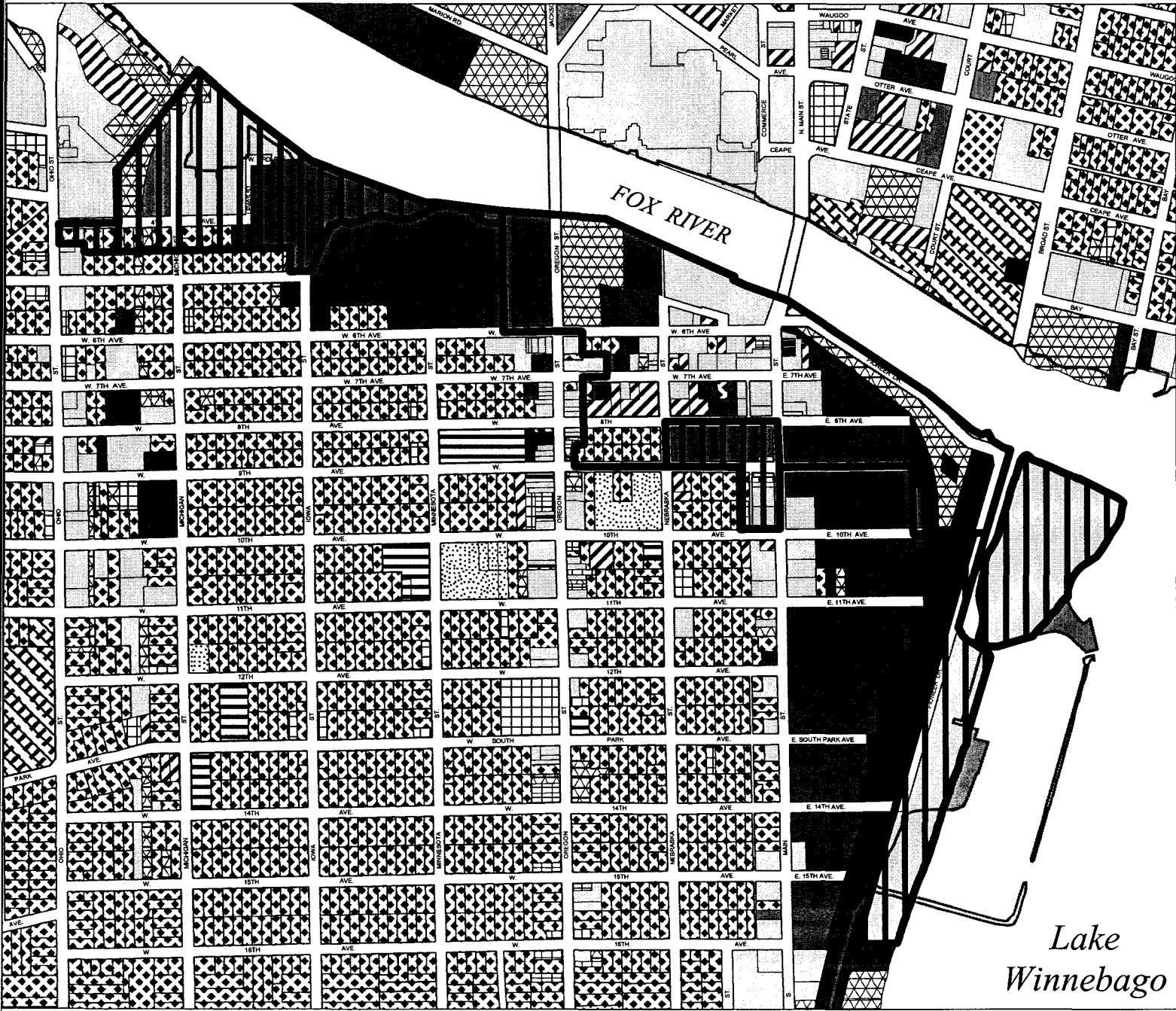
- Current Redevelopment Area
- Proposed Modification #1

Lake  
Winnebago



# Map 2

## South Shore Redevelopment Area Modification #1












### Existing Land Use



### Legend

-  Current Redevelopment Area
-  Proposed Modification #1

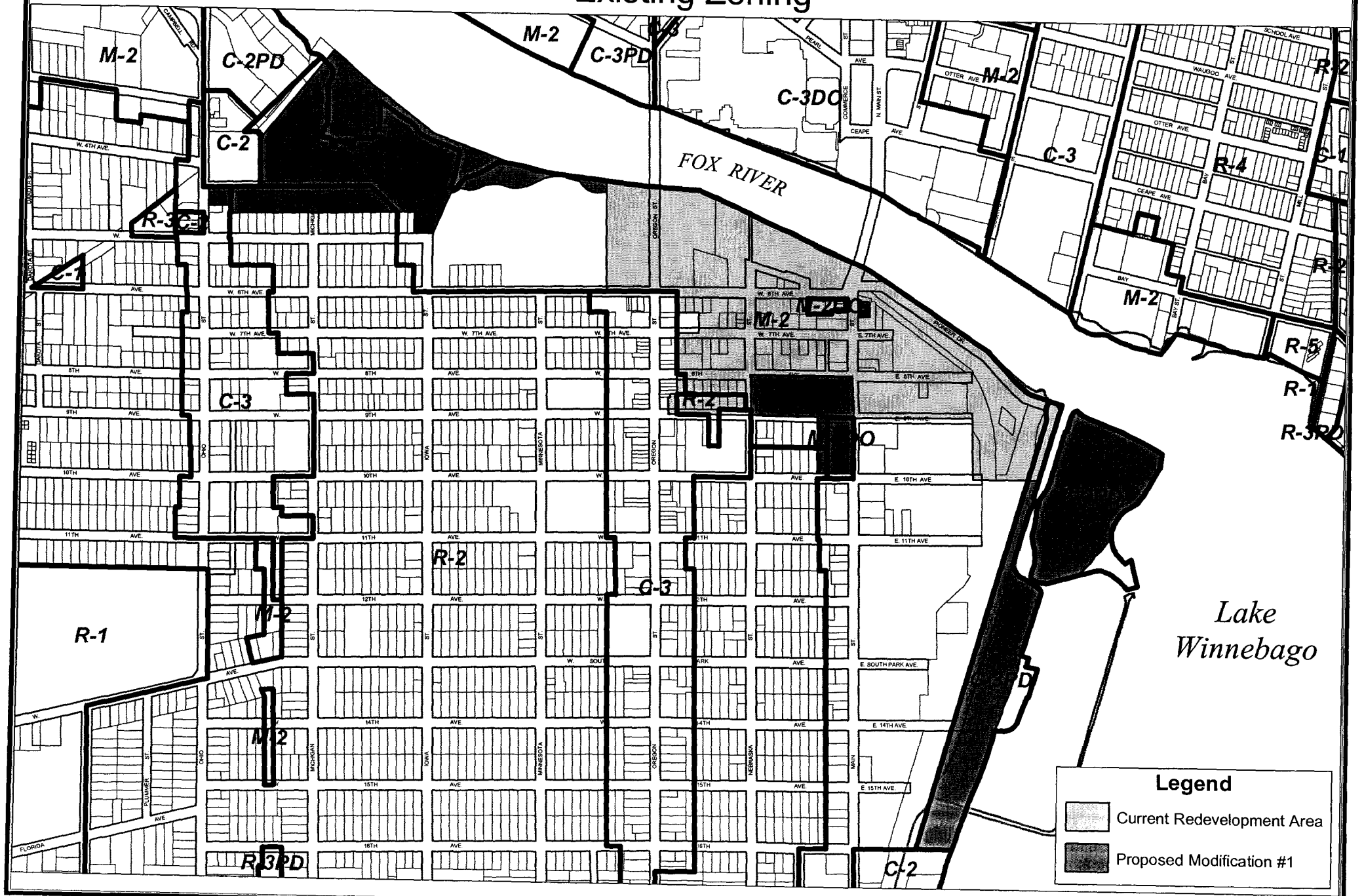
### Existing Land Use

-  Commercial
-  Government
-  Industrial
-  Infrastructure
-  Institutional
-  Mixed Use
-  Residential
-  Parking Lot
-  Parks, Recreation
-  School
-  Vacant Land

*Lake Winnebago*



Map 3  
South Shore Redevelopment Area Modification #1  
Existing Zoning

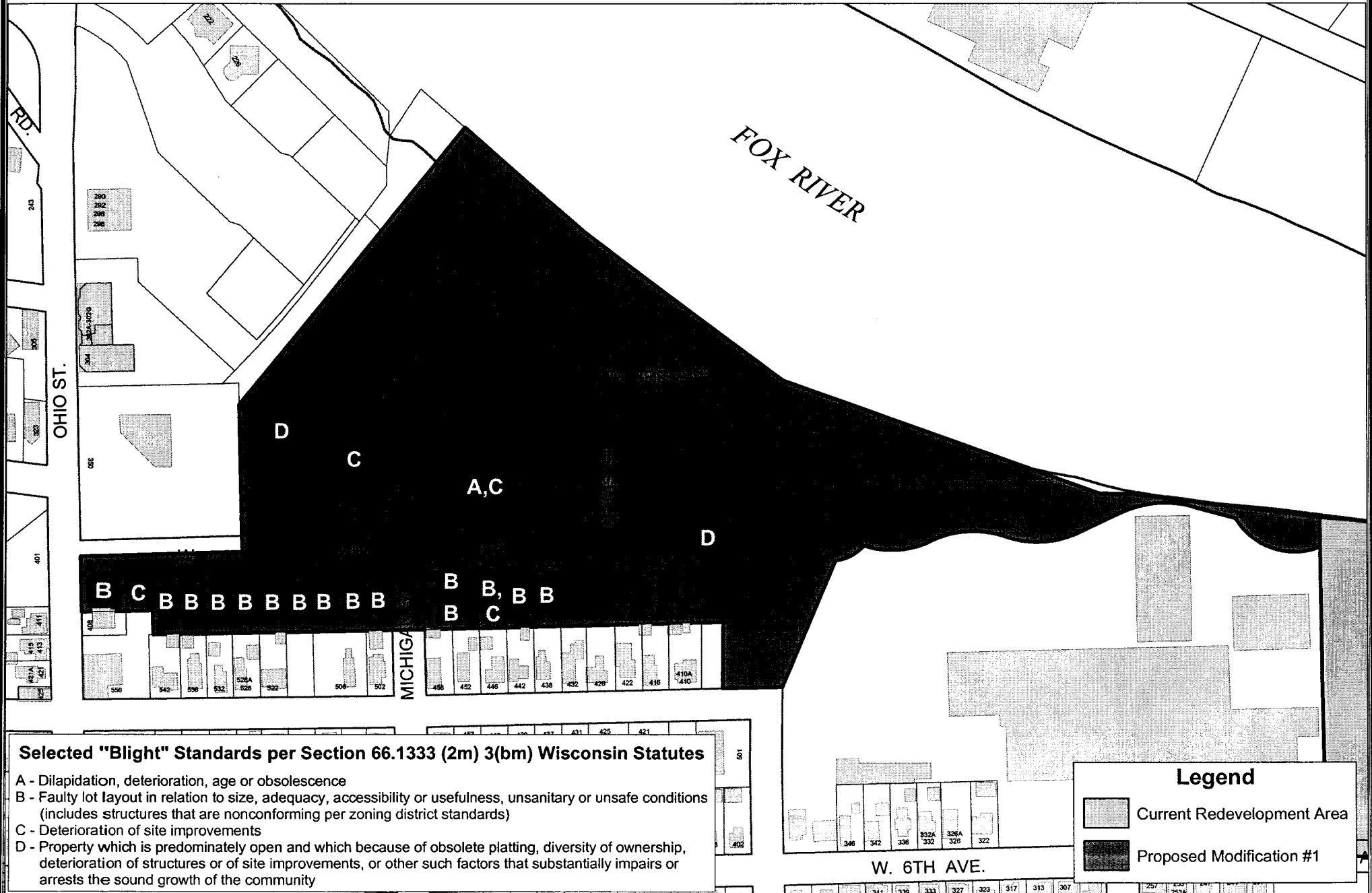


**Legend**

- Current Redevelopment Area
- Proposed Modification #1

# Map 4A

## South Shore Redevelopment Area Modification #1 Structural/Parcel Conditions



**Selected "Blight" Standards per Section 66.1333 (2m) 3(bm) Wisconsin Statutes**

- A - Dilapidation, deterioration, age or obsolescence
- B - Faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions (includes structures that are nonconforming per zoning district standards)
- C - Deterioration of site improvements
- D - Property which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or other such factors that substantially impairs or arrests the sound growth of the community

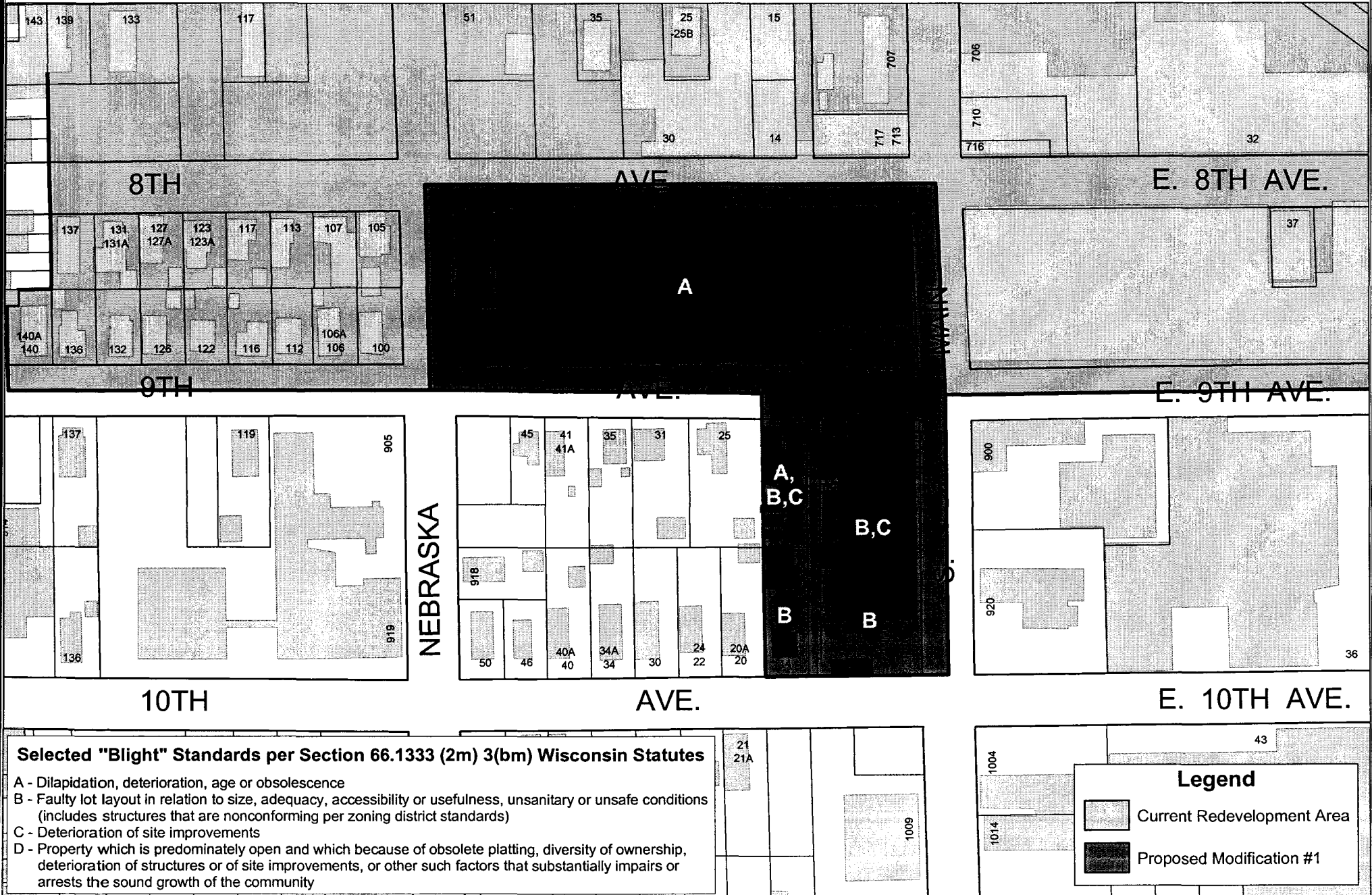
**Legend**

- Current Redevelopment Area
- Proposed Modification #1

# Map 4B

## South Shore Redevelopment Area Modification #1

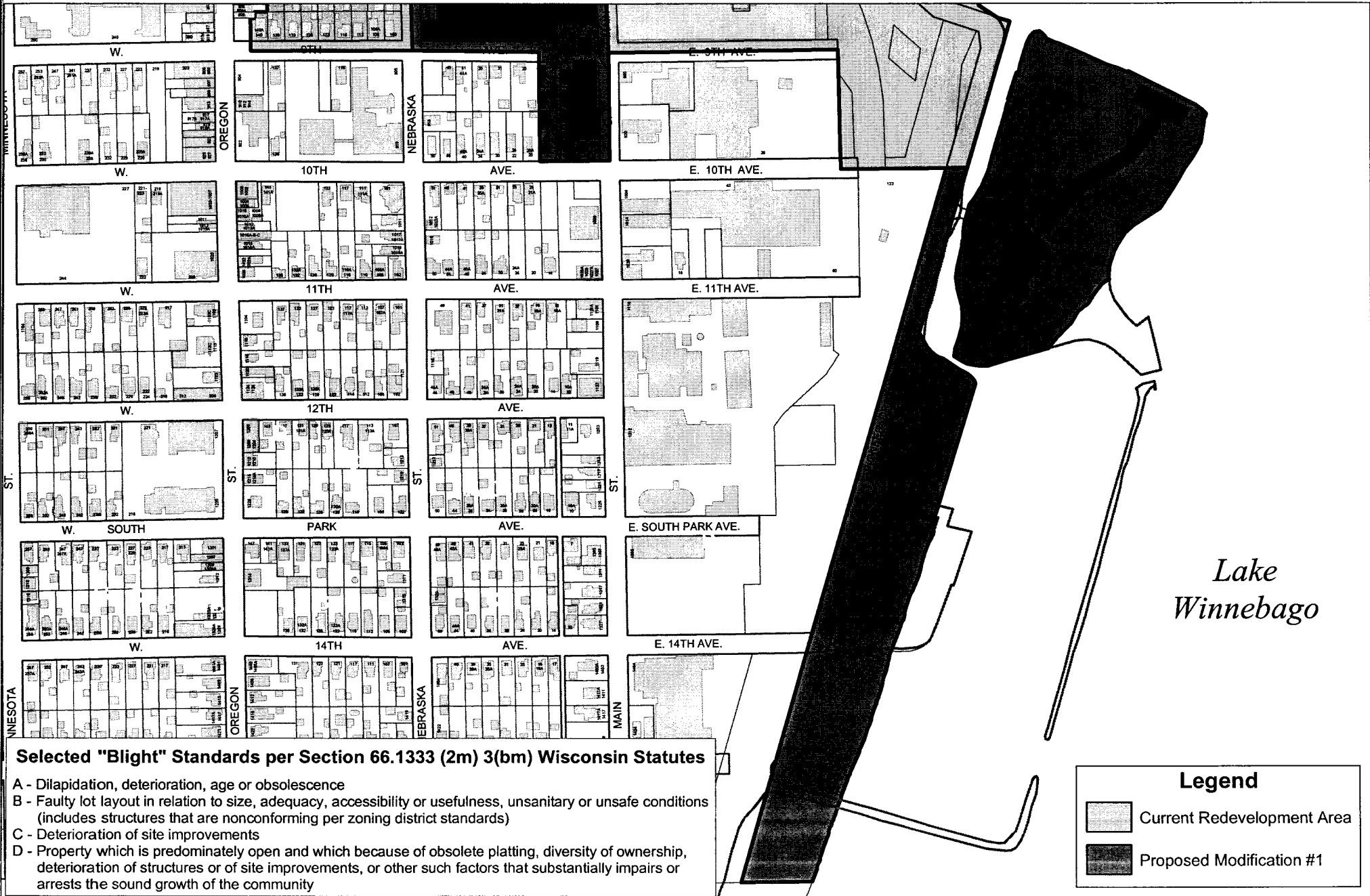
### Structural/Parcel Conditions



# Map 4C

## South Shore Redevelopment Area Modification #1

### Structural/Parcel Conditions



*Lake  
Winnebago*

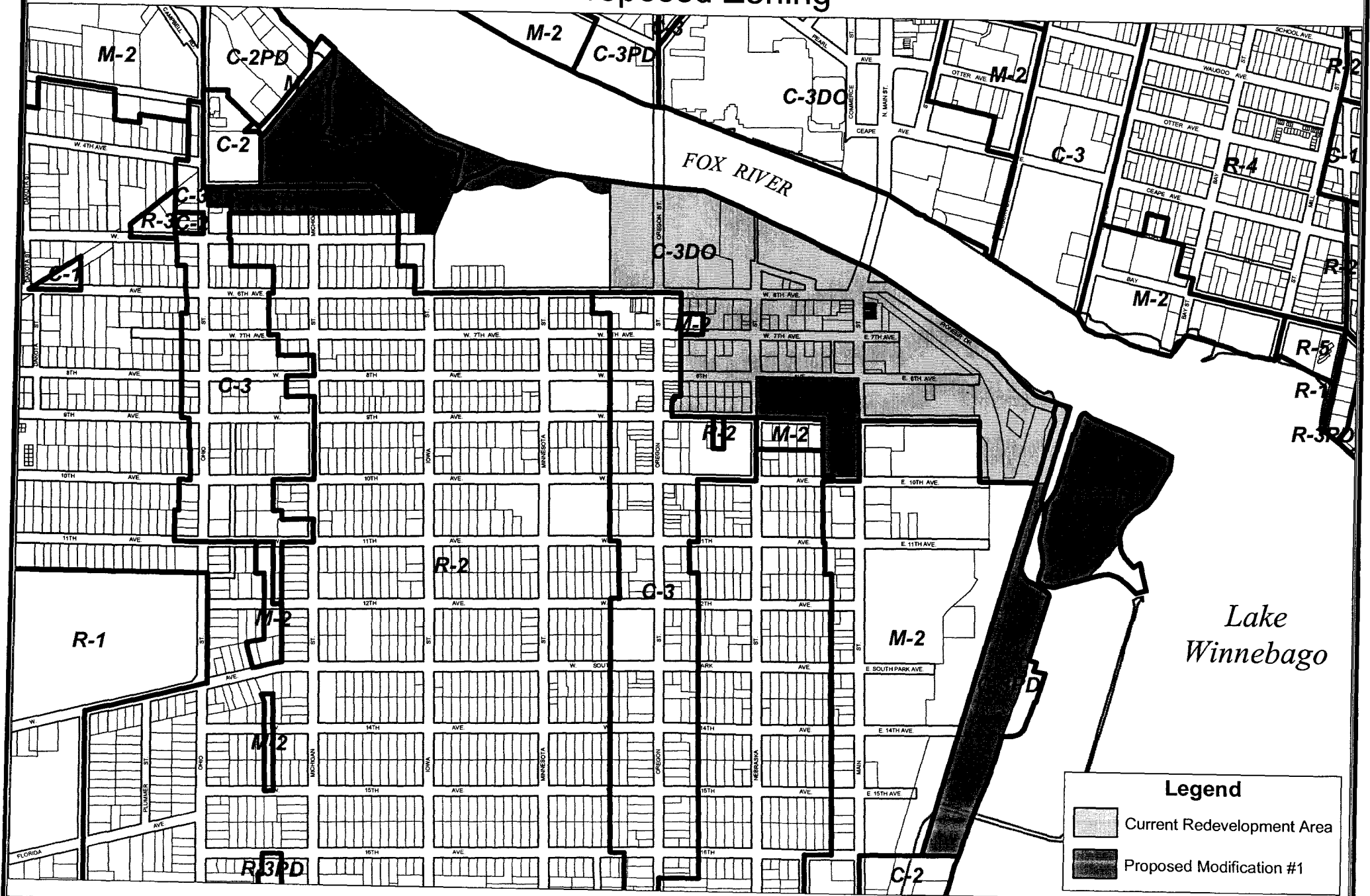
**Selected "Blight" Standards per Section 66.1333 (2m) 3(bm) Wisconsin Statutes**

- A - Dilapidation, deterioration, age or obsolescence
- B - Faulty lot layout in relation to size, adequacy, accessibility or usefulness, unsanitary or unsafe conditions (includes structures that are nonconforming per zoning district standards)
- C - Deterioration of site improvements
- D - Property which is predominately open and which because of obsolete platting, diversity of ownership, deterioration of structures or of site improvements, or other such factors that substantially impairs or arrests the sound growth of the community

**Legend**

	Current Redevelopment Area
	Proposed Modification #1

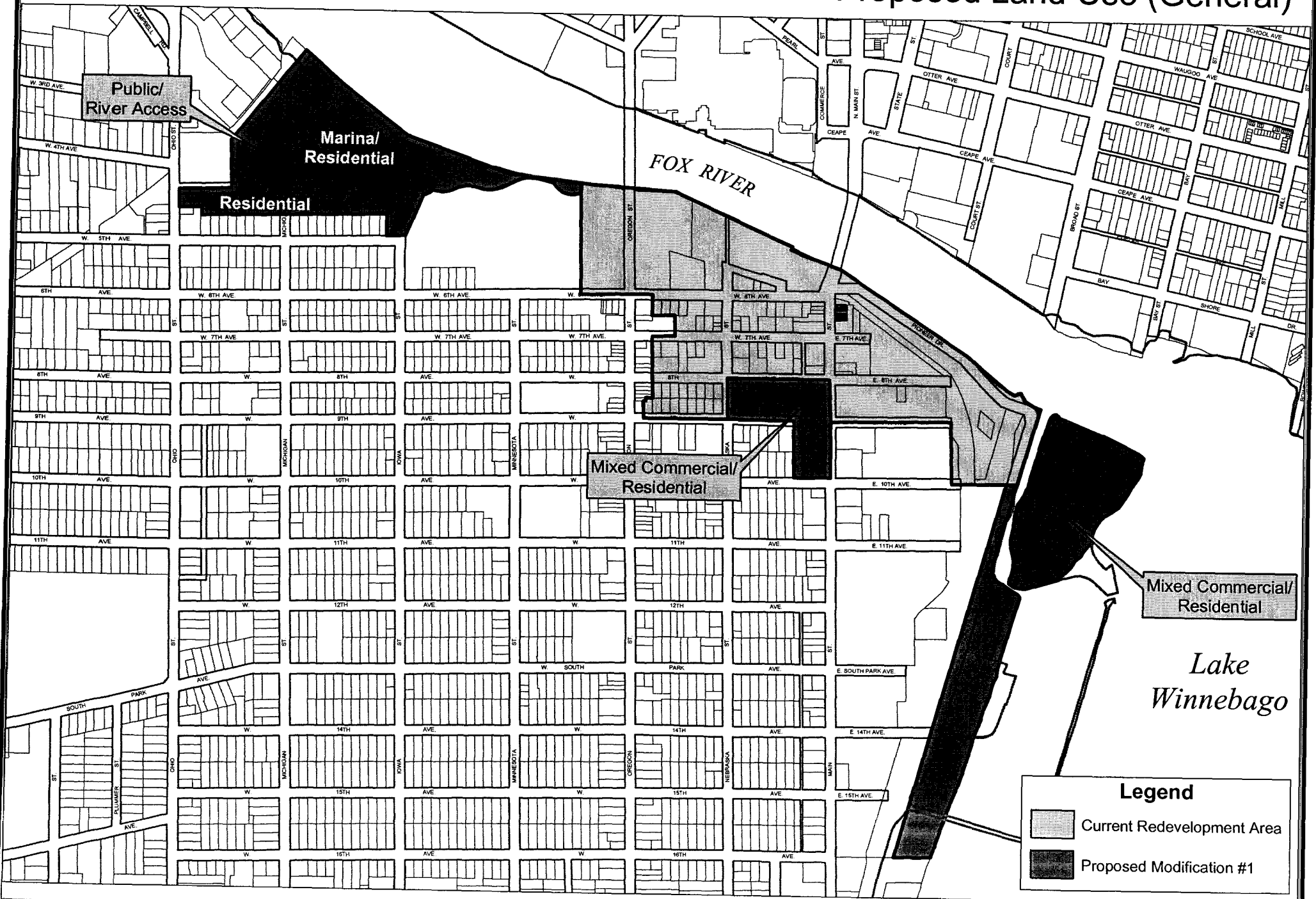
# Map 5 South Shore Redevelopment Area Modification #1 Proposed Zoning





Map 6

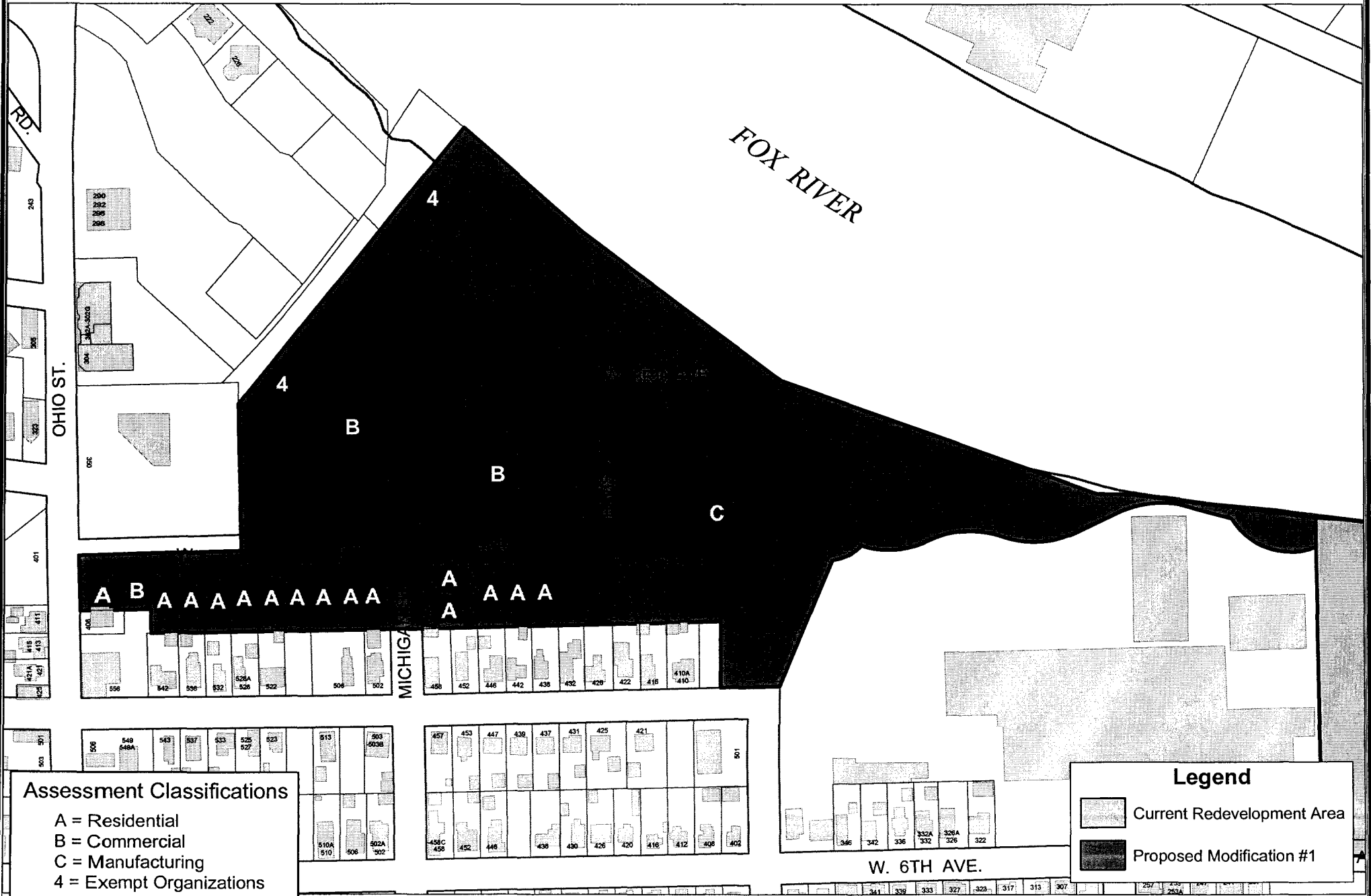
# South Shore Redevelopment Area Modification #1 - Proposed Land Use (General)



# Map 7A

## South Shore Redevelopment Area Modification #1

### Assessment Classification



**Assessment Classifications**

- A = Residential
- B = Commercial
- C = Manufacturing
- 4 = Exempt Organizations

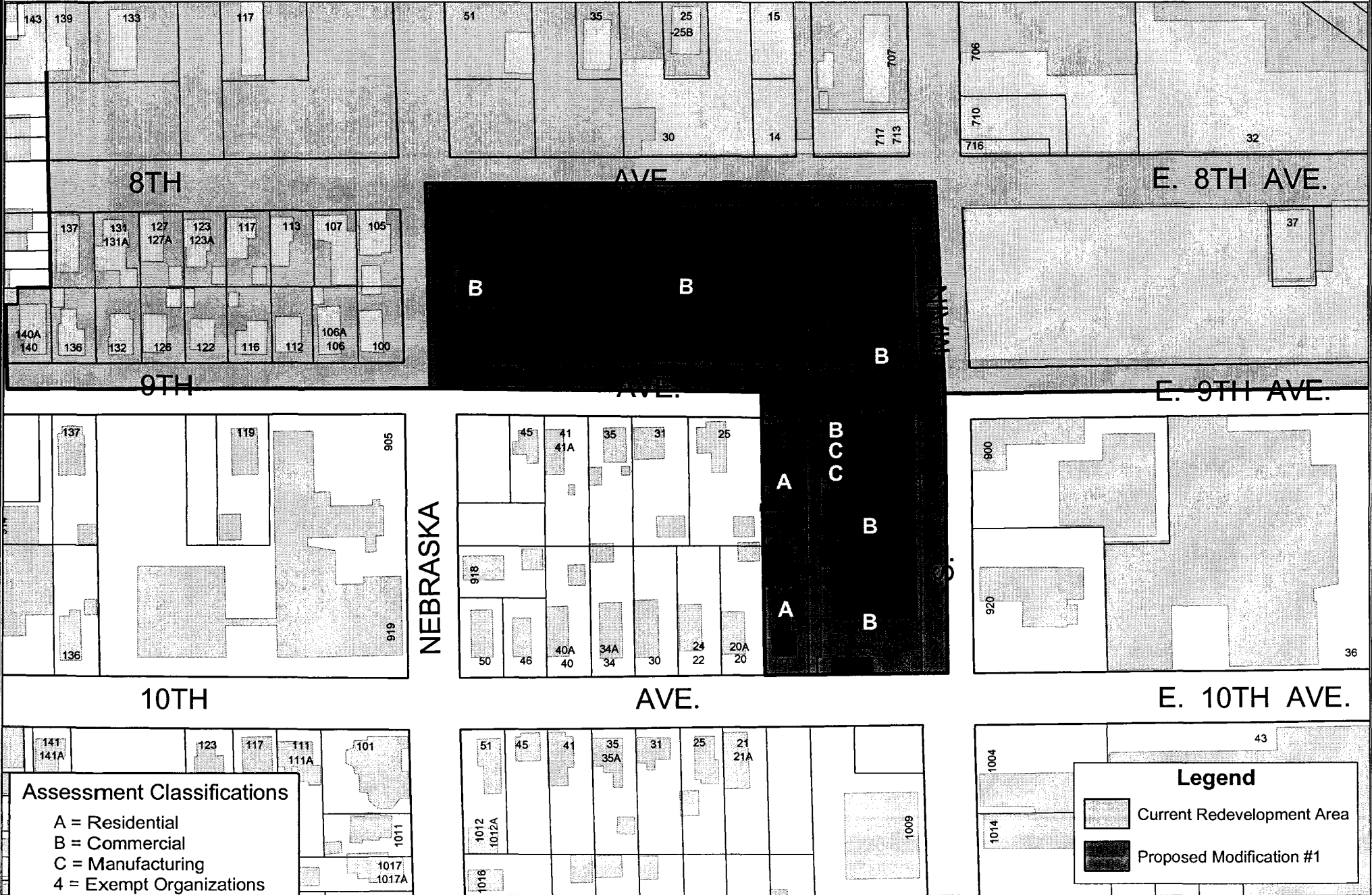
**Legend**

- Current Redevelopment Area
- Proposed Modification #1

# Map 7B

## South Shore Redevelopment Area Modification #1

### Assessment Classification





# Map 7C

## South Shore Redevelopment Area Modification #1 Assessment Classification



**Appendix B  
Parcel Identification**

MAP ID	PARCEL #	LEGAL DESCRIPTION	ADDRESS	USE
1	90904970000	A PRT VAC 2ND AVE & MICHIGAN ST; PRT LOT 24 BLK 92, LOT 1 BLK 76; & LOTS 1, 2 & 3 BLK 75 DESC AS: BEG SE COR MICHIGAN ST & VAC 2ND AVE; TH W ALG EXT S LI SD 2ND AVE 60 FT TO NE COR LOT 12 BLK 93; TH N52D34'39"W, 56.71 FT; TH NELY TO A PT E LI LOT 24 BLK 92 70.41 FT; TH N ALG W LI VAC MICHIGAN ST TO 1911 US HARBOR LI; TH SELY ALG SLY LI SD HARBOR LI TO A PT ON LSY EXT E LI LOT 3 BLK 75; TH S ALG SD EXT E LI TO C/L VAC 2ND AVE; TH W ALG C/L VAC 2ND AVE TO A PT 35 FT E OF & 30 FT N OF POB; TH	MICHIGAN ST	CITY OF OSHKOSH UNIMPROVED LOT
2	90600060000	LOTS 8, 9, 20, 21 & PRT LOTS 7, 10, 19 & 22 BLK 94; LOT 22 & PART OF LOTS 10, 11, 12, 20, 21, 23 & 24 BLK 93 & PART VAC 2ND AVE AS DESC IN DOC #1036753 R OF D PLAT OF ORIGINAL 3RD WARD	W 4TH AVE	CITY OF OSHKOSH UNIMPROVED LOT
3	90600070000	THAT PRT OF LOTS 12, 22, 23 & 24 BLK 93; LOTS 10, 11, 12, 22 23 & 24 BLK 94 & A PRT OF VAC 3RD AVE DESC AS: BEG INT W LI MICHIGAN ST & S LI BLK 94; TH W ALG S LI SD BLK 94 TO A PT 30 FT ELY OF & PERP TO C/L MAIN TRACK WC LTD RR; TH NLY & ELY PAR WITH & 30 FT FROM C/L SD MAIN TRACK WIS CEN LTD RR TO W LI SD MICHIGAN ST; TH S ALG W LI SD MICHIGAN ST BACK TO POB PLAT OF ORIGINAL 3RD WARD	508 W 4TH AVE	CITY OF OSHKOSH SANITATION
4	90907840000	LOTS 4 & 5 ALSO N 1/2 OF VAC W 2ND AVE LYG E OF W LI OF LOT 4 BLK 75 ALSO LOT 1 EXC A TRIANGULAR PIECE OF LAND OFF NWLY COR OF LOT 1 THAT IS 35 FT ON N LI & 42 FT ON W LI ALSO S 1/2 OF VAC W 2ND AVE E OF E LI OF MICHIGAN ST EXC W 35 FT ALSO ALL OF LOTS 10, 11 & 12 BLK 76 PLAT OF ORIGINAL 3RD WARD ALSO LOTS 1 & 2 LEWIS REPLAT	362 MICHIGAN ST	BOAT WORKS
5	90900010000	ALL OF BLKS 48, 49, 61, 62 & ALSO E 10 FT FRT & 46.3 FT REAR OF LOT 1 & ALL OF LOTS 2 THRU 14 INCL & LOTS 21 THRU 24 INCL BLK 63 ALSO LOTS 8, 9, 10, 11, 12, 20, 21, 22, 23 & 24 BLK 77 & LOTS 6, 7, 8, 9, 10, 11, 12 & 24 BLK 78 ALSO VAC W 5TH AVE LYG BETW E LI OF IOWA ST & W LI OF OREGON ST EXC THEREFROM THE S 30 FT OF W 40 FT ALSO VAC MINNESOTA ST N OF N LI W 6TH AVE ALSO VAC W 4TH AVE E OF E LI LEWIS ST ALSO VAC W 3RD AVE E OF EXT W LI LOT 10 BLK 77 ALSO VAC IOWA ST N OF N LI OF W 5TH AVE	421 OREGON ST	MORGAN DOOR MANUFACTURING
6	90600130000	N 77.5 FT OF LOTS 1 & 2 BLK 95 PLAT OF ORIGINAL 3RD WARD	553 W 4TH AVE	DUPLEX
7	90600250000	LOTS 3, 13, 14 & W 43 FT OF LOT 15 BLK 95 PLAT OF ORIGINAL 3RD WARD	556 W 5TH AVE	PLAYERS
8	90600150000	LOT 4 BLK 95 PLAT OF ORIGINAL 3RD WARD	543 W 4TH AVE	SINGLE FAMILY
9	90600160000	LOT 5 BLK 95 PLAT OF ORIGINAL 3RD WARD	537 W 4TH AVE	SINGLE FAMILY
10	90600170000	LOT 6 BLK 95 PLAT OF ORIGINAL 3RD WARD	533 W 4TH AVE	DUPLEX
11	90600180000	LOT 7 BLK 95 PLAT OF ORIGINAL 3RD WARD	W 4TH AVE	VACANT PARCEL
12	90600190000	LOT 8 BLK 95 PLAT OF ORIGINAL 3RD WARD	523 W 4TH AVE	SINGLE FAMILY
13	90600200000	LOT 9 BLK 95 PLAT OF ORIGINAL 3RD WARD	515 W 4TH AVE	SINGLE FAMILY
14	90600200100	LOT 10 BLK 95 PLAT OF ORIGINAL 3RD WARD	W 4TH AVE	ACCESS. RESIDENTIAL STRUCTURE
15	90600230000	LOT 11 BLK 95 PLAT OF ORIGINAL 3RD WARD	507 W 4TH AVE	SINGLE FAMILY
16	90600240000	LOT 12 BLK 95 PLAT OF ORIGINAL 3RD WARD	405 MICHIGAN ST	SINGLE FAMILY
17	90905050000	N 1/2 OF LOTS 1 & 2 BLK 78 PLAT OF ORIGINAL 3RD WARD & 2 BLK 78	404 MICHIGAN ST	SINGLE FAMILY
18	90905040000	S 1/2 OF LOTS 1 & 2 BLK 78 PLAT OF ORIGINAL 3RD WARD & 2 BLK 78	408 MICHIGAN ST	SINGLE FAMILY
19	90905060000	LOT 3 BLK 78 PLAT OF ORIGINAL 3RD WARD	449 W 4TH AVE	SINGLE FAMILY
20	90905070000	LOT 4 BLK 78 PLAT OF ORIGINAL 3RD WARD	443 W 4TH AVE	SINGLE FAMILY
21	90905080000	LOT 5 BLK 78 PLAT OF ORIGINAL 3RD WARD	437 W 4TH AVE	SINGLE FAMILY
22	90301300000	LOT 1 EXC S 18 FT ALSO LOT 2 THRU 22 EXC THE N 28 FT OF LOT 12 ALSO EXC THE S 1/2 OF LOT 22 BLK 10 PLAT OF ORIGINAL 3RD WARD	41 W 8TH AVE	MULTIPLE OFFICES-MILES KIMBALL
23	90301240000	S 18 FT OF LOT 1 & N 28 FT OF LOT 12 BLK 10 PLAT OF ORIGINAL 3RD WARD	NEBRASKA ST	MILES KIMBALL
24	90301310000	S 1/2 OF LOT 22 BLK 10 PLAT OF ORIGINAL 3RD WARD	W 9TH AVE	MILES KIMBALL
25	90301850000	LOT 8 BLK 16 PLAT OF ORIGINAL 3RD WARD	17 W 9TH AVE	DUPLEX
26	90301960000	LOT 19 BLK 16 PLAT OF ORIGINAL 3RD WARD	14 W 10TH AVE	DUPLEX

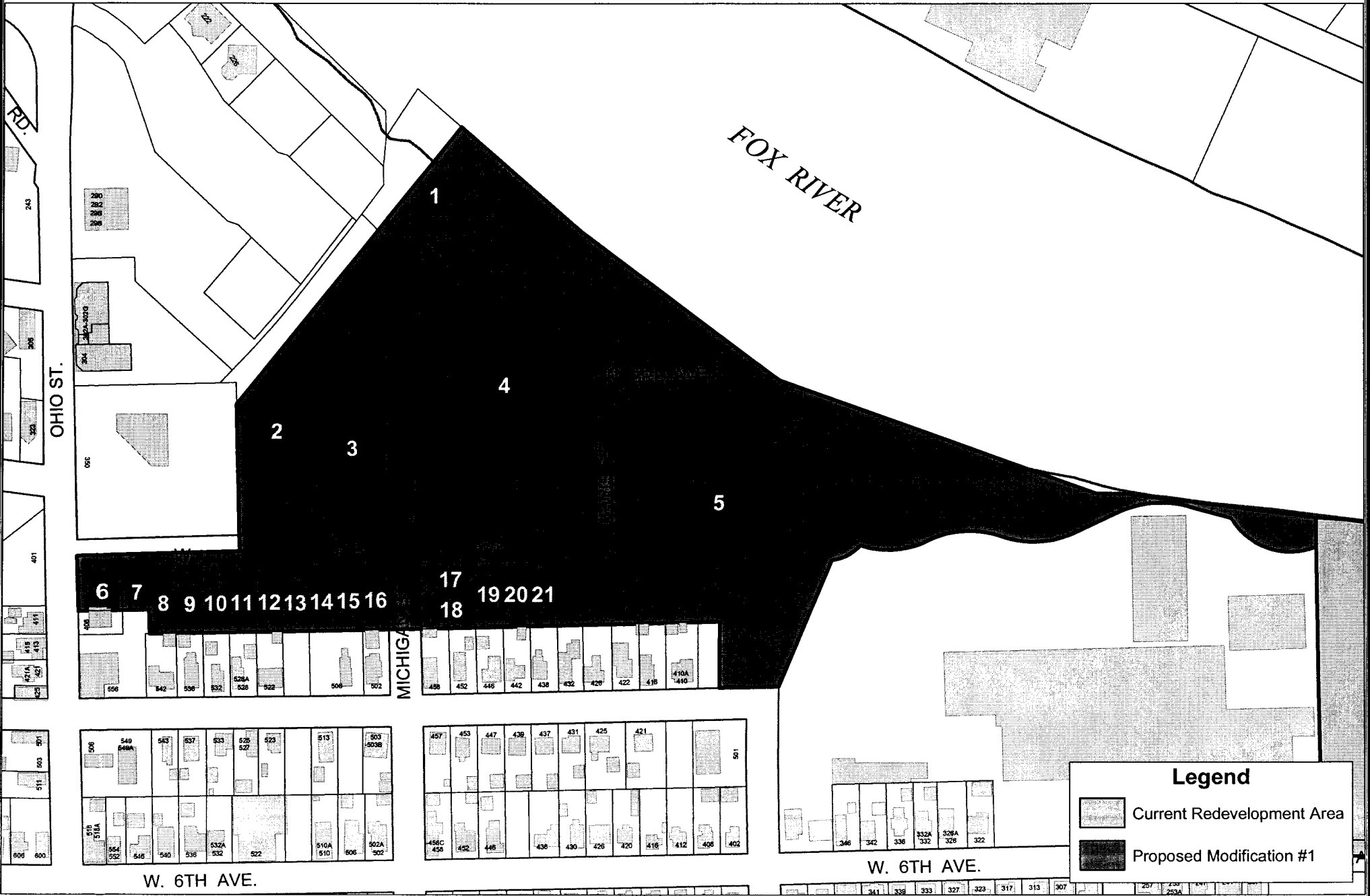
**Appendix B  
Parcel Identification**

MAP ID	PARCEL #	LEGAL DESCRIPTION	ADDRESS	USE
27	90301860000	LOT 10 & N 25 FT OF LOT 9 BLK 16 PLAT OF ORIGINAL 3RD WARD	901 S MAIN ST	THE COMPANY STORE
28	90301870000	S 25 FT OF N 50 FT OF LOT 9 & N 1/2 OF LOT 11 BLK 16 PLAT OF ORIGINAL 3RD WARD	905 S MAIN ST	GOLLNICK MACHINE
29	90301880000	S 25 FT OF N 1/2 OF LOT 9 & S 1/2 OF LOT 11 BLK 16 PLAT OF ORIGINAL 3RD WARD	907 S MAIN ST	GOLLNICK MACHINE
30	90301990000	S 1/2 OF LOT 9 & ALL OF LOTS 23, 24 & N 30 FT OF LOTS 20, 21 & 22 BLK 16 PLAT OF ORIGINAL 3RD WARD	913 S MAIN ST	PERFORMANCE PRODUCTS
31	90301980000	S 120 FT OF LOTS 20, 21, & 22 BLK 16 PLAT OF ORIGINAL 3RD WARD	923 S MAIN ST	PORTSIDE PROPERTIES
32	90302100000	THAT PRT OF BLK 18, 23, 28, 32, 25 & 36 LYG E OF E LI OF PIONEER DR EXC NE PASSAGE ALSO VAC E 9TH AVE E 10TH AVE E 11TH AVE E SO PARK AVE & E 14TH AVE E OF E LI PIONEER DR ALSO VAC UTAH ST ALSO ALL OF BLK 19-24 & 40 ALSO THAT PRT AS DESC IN VOL 1123 PG 577 AS REC IN R OF D ALSO THAT PRT OF BLKS 39 & 43 & VAC E 16 TH AVE ELY OF A LI PAR WITH & A DIST OF 70 FT ELY FROM C/L MAIN TRACK C & NW RR PLAT OF ORIGINAL 3RD WARD	1000 PIONEER DR	PIONEER RESORT & MARINA



# Map 8A

## South Shore Redevelopment Area Modification #1

### Parcel Identification



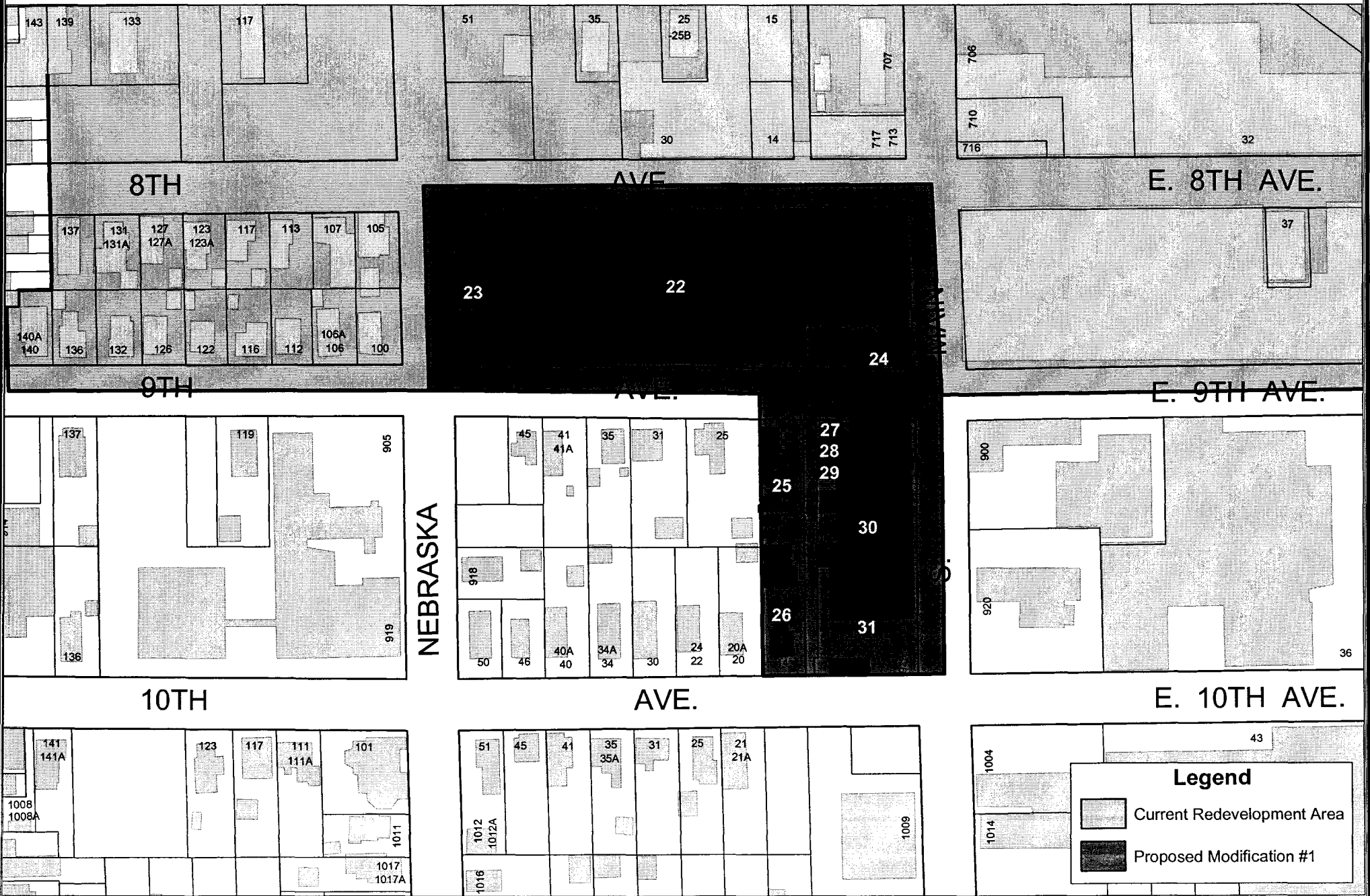
**Legend**

-  Current Redevelopment Area
-  Proposed Modification #1

# Map 8B

## South Shore Redevelopment Area Modification #1

### Parcel Identification



**Legend**



- Current Redevelopment Area
- Proposed Modification #1

# Map 8C South Shore Redevelopment Area Modification #1 Parcel Identification



*Lake  
Winnebago*

**Legend**

-  Current Redevelopment Area
-  Proposed Modification #1

Appendix C  
Zoning Text Excerpts

**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

Appendix C  
Zoning Text Excerpts

- 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 tower/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



Appendix C  
Zoning Text Excerpts

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.

Appendix C  
Zoning Text Excerpts

**SECTION 30-27      DOWNTOWN OVERLAY DISTRICT**

(A)    PURPOSE

The purpose of this district is to provide an overlay to the area generally considered to be the City's central city area.

The overlay provisions are intended to relate to the special character of older commercial and industrial districts in this area.

(B)    Permitted Uses

(1)    Any use permitted by the underlying District, unless otherwise provided in this Chapter.

(2)    Conditional Uses

- Any conditional use identified in C-3 Central Commercial District unless otherwise provided in this Chapter.

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.

(C)    Standards

The following special standards apply to any district where the Downtown Overlay designation is applied. These standards shall apply only when the special standard differs from the standards set forth for the primary residential district. In all other respects, the standards set forth for the C-3 Central Commercial District shall apply.

(1)    Height: No restrictions.

(2)    Vision Clearance: None required.

(3)    Mixed Commercial/Industrial/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 structures are permitted on the same lot with a non-residential or mixed commercial/industrial/residential structure.
- b)    Dwelling unit area: Four hundred (400) square feet minimum.
- c)    Off-street parking: In accordance with Section 30-36 Off-Street Parking & Loading Facilities.

Appendix C  
Zoning Text Excerpts

**SECTION 30-19      R-2 TWO FAMILY RESIDENCE DISTRICT**

(A)      Permitted Uses

- (1)      Any use permitted in the R-1 Single Family Residence District, unless otherwise provided in this Chapter.
- (2)      Two family dwellings and accessory structures customarily incidental to the residential principal use.

(3)      Conditional Uses

- Art center
- Cemetery
- Church
- Commercial greenhouse and nursery
- Community center
- Day care center
- Family day care center for nine (9) or more children
- Funeral home
- Governmental structures
- Group homes licensed, operated or permitted under authority of Wisconsin Department of Health and Social Services with nine (9) or more persons.
- Hospital
- Municipal structure
- Museum
- Nursing home
- Parking lot
- Public utility structure
- Retirement community
- Schools, public and private (including nursery, kindergarten, elementary and high school)
- Swimming club, private (non-profit)

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 District, or unless more restrictive standards apply per Section 30-35 Additional Standards and Exceptions.

(1)      All Development:

(a)      Lot Area

- (i)      Width: Sixty (60) feet minimum.
- (ii)     Depth: One hundred (100) feet minimum.
- (iii)    Area: Seven thousand two hundred (7,200) square feet minimum.

Appendix C  
Zoning Text Excerpts

(iv) Per Unit: Three thousand six hundred (3,600) square feet minimum.

(2) Principal Structure/Non-Residential

- (a) Height: Forty-five (45) feet maximum.
- (b) Side Yard Setback: Ten (10) feet minimum, both sides.
- (c) Front Yard Setback: Twenty-five (25) feet minimum.
- (d) Rear Yard Setback: Twenty-five (25) feet minimum.
- (e) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.

(3) Principal Structure

- (a) Height: Thirty-five (35) feet maximum or two and one-half (2 1/2) stories maximum.
- (b) Side Yard Setback: Seven and one-half (7 1/2) feet minimum, both sides.
- (c) Front Yard Setback: Twenty-five (25) feet minimum.
- (d) Rear Yard Setback: Twenty-five (25) feet minimum.
- (e) Structure Area: One thousand two hundred (1,200) square feet minimum (excluding cellar and attached garage).
- (f) Dwelling Unit Structure Area: Four hundred (400) square feet minimum.
- (g) 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.
- (h) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.

(4) Accessory Structures

The total allowable area for detached and attached garages, excluding boathouse, shall not exceed one thousand two hundred (1,200) square feet in area.

- (a) Attached Garage:  
All dimensional requirements (e.g. setbacks and height) of an attached garage shall be the same as the principal structure.
- (b) Detached Garage in Rear Yard.
  - (i) Height: Eighteen (18) feet and one (1) story maximum.
  - (ii) Front Yard Setback: Sixty (60) feet minimum, except if all required setbacks of a principal structure are met.
  - (iii) Yard Setback from an Alley Line: Ten (10) feet minimum.

Appendix C  
Zoning Text Excerpts

- (iv) Rear Yard Setback: Two and one-half (2 1/2) feet minimum.
- (v) Side Yard Setback: Two and one-half (2 1/2) feet minimum.
- (vi) Structure Area: Eight hundred (800) square feet maximum or a maximum thirty (30) percent of the rear yard area, whichever is less.
- (vii) Any detached garage closer than five (5) feet to a principal structure shall adhere to or exceed all required minimum setbacks of the principal structure.

(c) Detached Garage in Side Yard

- (i) Height: Eighteen (18) feet and one (1) story maximum.
- (ii) Front Yard Setback: Twenty-five (25) feet or the same setback as the principal structure whichever is greater.
- (iii) Rear Yard Setback: Twenty-five (25) feet minimum.
- (iv) Side Yard Setback: Seven and one-half (7 1/2) feet minimum.
- (v) Structure Area: Maximum eight hundred (800) square feet or a maximum thirty (30) percent of the rear and side yard areas combined, whichever is less.
- (vi) Five (5) foot minimum between principal and accessory structure.

(d) Detached Garage on Corner Lots

- (i) Front Yard and Side Street (Front Yard) Setbacks: Twenty-five (25) feet minimum or the same as the existing principal structure.
- (ii) Side Yard Setback: Two and one-half (2 1/2) feet minimum setback provided the accessory structure is a minimum of ten (10) feet from a neighboring principal structure.
- (iii) Rear Yard Setback: Same as side yard setback.
- (iv) Structure Area: Eight hundred (800) square feet maximum.
- (v) Any detached garage closer than five (5) feet to a principal structure shall adhere to or exceed all minimum required setbacks of the principal structure.

(e) Utility Storage Structure

- (i) One (1) utility storage structure located on the same lot as the principal structure, not occupied by nor involving the conduct of a business or home occupation.
- (ii) The location of the structure shall comply with all setback/height requirements governing a detached garage.

Appendix C  
Zoning Text Excerpts

- (iii) Structure Area: One Hundred Fifty (150) square feet maximum with said utility storage structure and all other accessory structures combined not exceeding thirty (30) percent of the rear yard area.

(f) Boathouse

- (i) One (1) boathouse structure when located on the same lot as the principal structure.
- (ii) The location of the boathouse shall comply with all setback/height requirements governing a detached garage.
- (iii) Structure Area: Five hundred (500) square feet maximum.

(g) Accessory Structures/Non-Residential

- (i) Must be customary and incidental to the allowed principal uses. Accessory structures may not exceed forty (40) percent of the floor area of the structure for incidental storage.
- (ii) Standards:
  - (aa) Same as the principal structure unless noted below.
  - (bb) Front Yard Setback: Sixty (60) feet minimum and not less than five (5) feet behind the principal structure.
  - (cc) Corner Lots: Front yard/side street (front yard) setbacks shall be the same as the principal structure.

(h) Satellite Television Receiving Device

- (i) Ground Mounted: Must be located in the rear yard and must adhere to the same required height and setback requirements as an accessory structure located in the rear yard area.
- (ii) Roof Mounted: Are permitted.
  - (aa) Height: No higher than the allowable height of the principal structure.

Appendix C  
Zoning Text Excerpts

**ARTICLE IX. PLANNED DEVELOPMENT OVERLAY DISTRICT**

**SECTION 30-33 PLANNED DEVELOPMENT DISTRICTS**

(A) Purpose and Intent

(1) Purpose

- (a) 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.
- (b) It is anticipated that development within this district will offer one (1) or more of the following advantages:
  - (i) Designs which reflect the City's development and planning policies for residential neighborhoods or nonresidential areas in which the district is to be located, as set forth in the City's Comprehensive Plan.
  - (ii) Designs which provide substantial buffers and transitions between areas of different land uses and development densities.
  - (iii) Designs which enhance the appearance of developments and the surrounding area by conserving areas of natural beauty and natural green space.
  - (iv) Designs which lessen congestion on streets, and contribute to improvements in pedestrian and vehicular circulation.
  - (v) Designs which promote architectural compatibility between adjacent structures.
  - (vi) Designs which will positively contribute to the physical appearance and functional arrangement of land uses and buildings in the area.
  - (vii) Designs which will buffer differing types of land use and intensities of development from each other so as to minimize any adverse impact which new development may have on existing development.
- (c) Areas that may be deemed appropriate for a Planned Development Overlay District include:
  - (i) Transitional Areas: which involve locations with a mix of different land uses, where new development is proposed in an area of older uses and buildings, and where the older uses may be allowed with lesser zoning standards than appropriate for new development.
  - (ii) Infill areas: which involve parcels bypassed during the normal course of urbanization in the community.
  - (iii) Redevelopment Areas: which relate to locations appropriate for redevelopment, either public or private, where first or subsequent uses and/or buildings are replaced by new uses and/or structures.
  - (iv) Large Commercial areas: which include shopping centers with a number of occupancies and/or structures, together with outlots, or locations encompassing multiple centers or multiple large scale commercial developments.

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- (v) **Special Areas:** which include locations that were identified as Special areas in the City's Comprehensive Plan.
- (vi) **Large Scale and/or Mixed Use Areas:** which encompass locations at least twenty (20) acres in size, where base zoning standards may not be appropriate and/or needed, and where the developer and community could benefit from a greater level of flexibility in the application of land use controls.

(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 Development (PD) District shall be applied as an overlay zoning district. When applied to a specific geographic area, the PD shall have the effect of allowing development to be designed, reviewed, approved, constructed and managed according to the provisions of this Section, rather than is required by the underlying zoning district. However, the underlying zoning district shall prevail in determining permitted and conditional uses of land within the PD as well as the maximum permitted project density or intensity of land use, except as otherwise provided herein.

(4) Benefit

- (a) It is not intended that the City will automatically grant exceptions for a Planned Development Overlay District, but it is expected the City shall grant only such exceptions which are deemed consistent with benefits accruing to the City as a result of the planned development. The City may require as a condition of approval any reasonable condition, limitation, or design factor which will promote development in the Planned Development Overlay District consistent with the intent of this Section.

(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.



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(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) Applications for rezoning to a Planned Development Overlay District shall include at least one of the advantages as stated in Section 30-33(A)(1)(b) and identify the characteristics of the District per Section 30-33(A)(1)(c).
- (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.

(b) Review Criteria

In reviewing the development plan, the following criteria shall be used:

- (i) Conformance with applicable standards of the base zoning district and the provisions of this chapter, except as may be modified under Section 30-33 and Section 30-11.
- (ii) Suitability of the site for the proposed development.
- (iii) Compatibility of the proposed development with adjacent and nearby existing or planned development in terms of scale, mass, height, bulk, uses, activities, traffic, design, structure placement, privacy, views and similar concerns.

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- (iv) Utilization of site planning principles common to high quality development.
  - (v) Effective mitigation of any potential negative impacts of the proposed development either on the site itself or off the site.
  - (vi) Conformance with the Comprehensive Plan, or other adopted City plans.
- (c) The Plan Commission, in making its recommendation to the Common Council, shall consider said criteria and take into consideration the recommendations of the Department of Community Development, and comments received at the Plan Commission meeting at which the item is reviewed.
- (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.