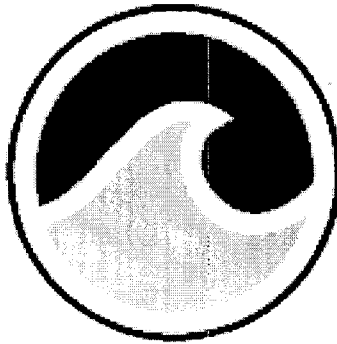


**SOUTH SHORE
REDEVELOPMENT AREA
AMENDMENT #2**

PROJECT PLAN



OSHKOSH
ON THE WATER

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

Prepared: August 2009

**Redevelopment Authority Approval: September 16, 2009
Common Council Approval: September 22, 2009**

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A. INTENT, PURPOSE, AND OBJECTIVES

The South Shore Redevelopment Area is generally located from the Fox River south to 9th Avenue, from Oregon Street east to Pioneer Drive. Map 1 on page 10 shows the location of the South Shore Redevelopment Area as well as the proposed area to be included within the amended boundaries of the district. The Common Council approved the original Project Plan for the South Shore Redevelopment Area in 2003 and approved the first amendment to the Plan in 2005.

It is the intent of this Project Plan amendment to identify the proposed expansion area, redevelopment activities, and land uses. 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 and the Redevelopment Authority (RDA) will be working with various businesses and property owners in the district to develop a plan for improvements in the area, 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 that redevelopment will take place in a phased manner and that the City/RDA will encourage both private redevelopment of parcels (where the City/RDA does not take the lead role in redevelopment), public/private partnerships, and instances when the City/RDA will take the lead role in redevelopment.

This amendment will add several properties to the Redevelopment Area by expanding district boundaries. The properties proposed for addition into the redevelopment area include the main Jeld-Wen facilities at 421 Oregon Street and the residential properties along the north side of W. 6th Avenue east of Iowa Street adjacent to the Jeld-Wen facilities.

Tax revenues in the district are significantly less than what could be expected if the district were developed to densities and land uses allowed by the proposed zoning and land use recommendations in the plan. The development of retail, commercial, residential, and public recreational facilities will eliminate blighting influences and underutilized, functionally obsolete and/or deteriorated structures in the district, thereby contributing to the overall improvement of the redevelopment area.

This amendment will allow the City/RDA to initiate redevelopment activities in these new areas as well as build upon past and current redevelopment efforts in the area. Map 1 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 66.1333 (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. Much of the plan focuses on waterfront redevelopment and includes portions of this Redevelopment Area.

While a majority 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 goals 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 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 South Shore Redevelopment Area as expanded with Amendment No. 2 is as follows:

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 78 and 75 and all of Blocks 48, 49, 61, 62, 63, 76 and 77 of Plat of the Original Third Ward, part of W. Third Avenue, W. Fourth Avenue, W. Sixth Avenue, Iowa Street, 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 centerline of W. Sixth Avenue and the centerline of Iowa Street; 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 southwestly 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 centerline of Iowa Street; thence south along the centerline of Iowa Street to the point of beginning.

F. EXISTING LAND USE AND ZONING

This amendment adds 7 parcels, which follow these general land use categories:

- Residential (6)
- Industrial (1)

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 M-2 Central Industrial District, this designation has made the 6 existing residential dwellings nonconforming uses which severely limits the amount of work that can be performed on the individual structures. Existing zoning is shown on Map 3.

G. EXISTING CONDITIONS

The majority of non-residential structures in the amendment area are functionally obsolete due to their age or appear in need of maintenance or rehabilitation. The structures on the Jeld-Wen Plant site are a mix of smooth faced block, brick, wood, and corrugated sheet metal buildings which creates a haphazard appearance through the manufacturing complex. The older primary factory facility was constructed in 1949 and was originally constructed adjacent to former 5th Avenue and Minnesota Street right-of-ways that were vacated in the 1960's with the building footprint still reflecting the grid street pattern. The older metal buildings all show signs of external deterioration through oxidation (rust) of the metal skin. The HVAC and wood collector conduit is exposed and unscreened throughout the site with some adjacent and visible from the right-of-way.

The residential structures were constructed from 1866 to 1880 and are not architecturally significant and all show some structural or site deterioration. None are listed or eligible for listing on the National Register of Historic Places. All are currently nonconforming uses due to their being located in a manufacturing zoning district.

The majority of properties in the amendment area are underutilized, functionally obsolete, in need of repair, nonconforming, or 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 are generally older housing stock on substandard sized lots. Given the standards and definition of blight, all 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 based on and consistent with the goals and objectives of the various aforementioned plans. The proposed zoning in the expansion area is C-3 PD Central Commercial District with a Planned Development Overlay. The C-3 is a multi-use zone permitting commercial, light industrial, and varying residential densities (R-1 to R-5). The Planned Development Overlay allows some flexibility with the underlying zoning requirements (i.e. setbacks) and provides for

review of all development activity within the area through the Planned Development Review process to ensure consistency with the Comprehensive Plan and other adopted community plans. Staff anticipates mixed use development (commercial/residential) in this area, with the development being integrally related to the future riverwalk system.

After adoption of this redevelopment plan, a zone change will be requested to the C-3PD classification for all parcels in the amendment area. Changing the zoning of the manufacturing use will make that use non-conforming, however, it will permit the use to continue or change to similar manufacturing uses. Moreover, if the use is destroyed or discontinued for a period of 12 months, the manufacturing use could not be re-established without Common Council approval. The residential uses in the subject area that are now considered non-conforming uses will become conforming uses.

Over the long-term, it is anticipated that all existing structures and uses in the district will be transitioned out and incorporated into a new overall planned development for this 30 acre sub-area of the South Shore Redevelopment District that generally runs from Oregon Street on the east to the former Boat Works marina property along Michigan Street on the west with 6th Avenue bordering the south and the Fox River bordering the north. Other than the planned riverwalk, there have been no detailed development plans developed for this area other than the mixed-used concept for the area and the eventual elimination of the industrial use. Any City/RDA initiated redevelopment project would involve a request for proposals that would require approval by the Redevelopment Authority.

Excerpts from the Zoning Ordinance including the C-3 Central Commercial and the PD Planned Development Overlay Districts are located in Appendix C.

Map 6 on page 15 depicts 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 PD zoning standards will be applied to all parcels in the redevelopment area. This will apply base C-3 district requirements to all new development. The Central Commercial District allows zero foot setbacks and requires no off-street parking for commercial uses, which is similar to existing M-2 requirements. With the application of the Planned Development Overlay District the RDA, Plan Commission, and Council will be able to evaluate site and design plans to ensure that objectives of the Redevelopment Plan are achieved.

The major difference is that C-3 zoning allows stand alone residential multiple family developments 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.

J. PRESENT AND EQUALIZED VALUE

As of January 1, 2009, the approximate assessed value of the properties in the expansion area is \$2,891,500 (\$930,800 land, \$1,960,700 improvements) with an equalized value of approximately \$2,978,000. The potential equalized value of the expansion area is \$8 to \$12 million (based on similar development value in the area), dependent on the amount of retail, commercial, and residential development in the district. Map 7 illustrates the assessment classifications for the expansion area.

K. PROJECT ACTIVITIES/IMPLEMENTATION

a Land Assemblage

To achieve redevelopment of the project area that is in keeping with this Redevelopment Plan, assembly of lands within the district may be necessary. 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 may 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 RDA 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 66.1333(9), Wis. Stats.

d Rehabilitation

It is anticipated that the majority of structures within the subject area will be demolished. There remains the possibility that the residential structures along W. 6th Avenue could be rehabilitated.

e Public Improvements

To facilitate support for new land uses and rehabilitation of structures in the area, the City/RDA 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 (i.e. extension of Iowa Street to 4th Avenue), storm and sanitary sewers, streetscaping, undergrounding of utilities, path and park construction (including the riverwalk), signage, traffic signalization, and gateway improvements.

L. PROJECT FINANCING

Funds necessary to implement project activities are expected to be obtained 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.

The subject area is located in TID # 20 South Shore Redevelopment Area and it is anticipated that tax increment financing will be utilized in support of redevelopment activities.

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 costs 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, imputed 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 the sale or lease of property acquired by the RDA. If the plan is to be modified or amended, the RDA will hold a public hearing. All proposed changes to this Plan are recommended and approved the by the RDA, as well as the Common Council.

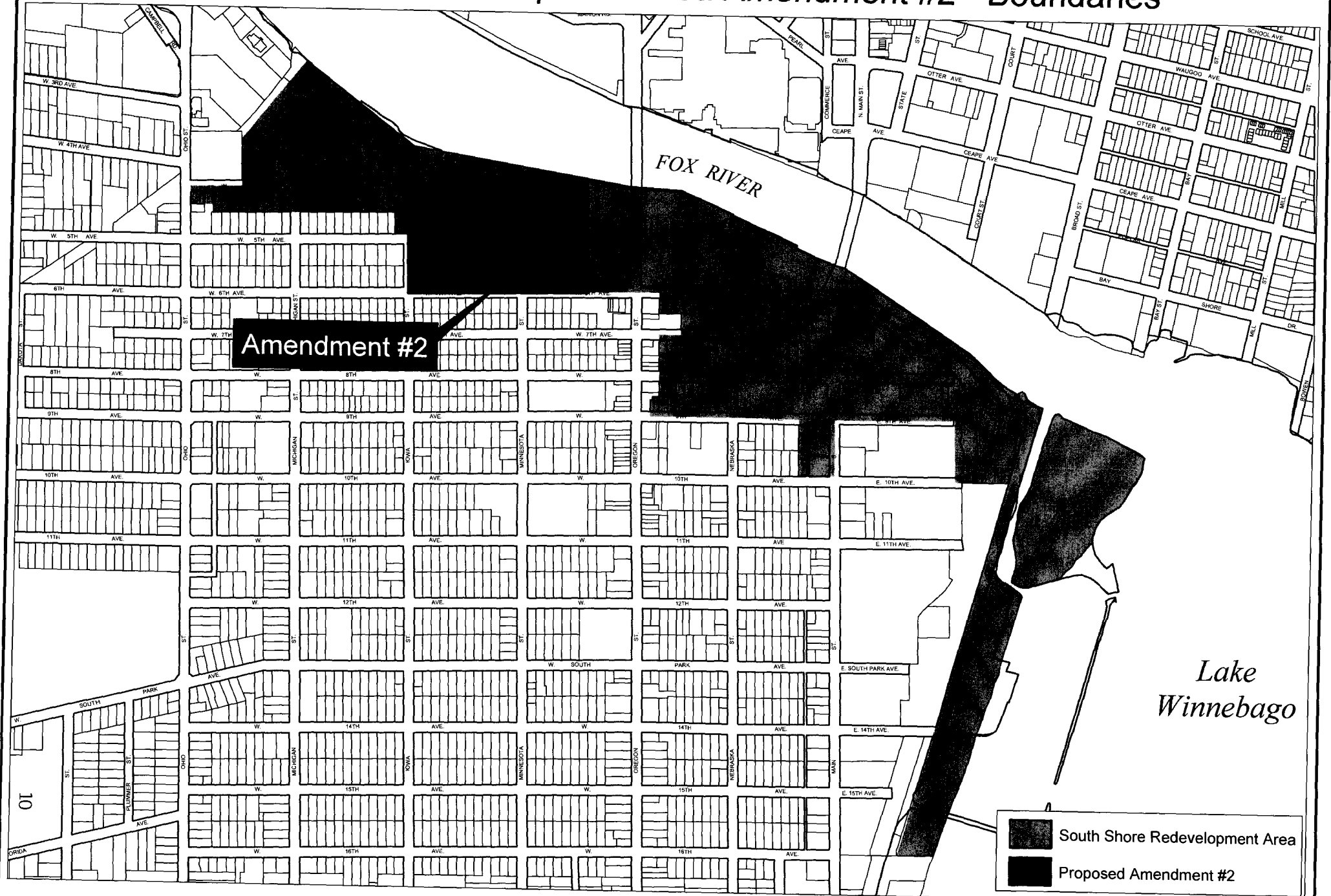
P. TERMINATION OF THE DISTRICT AND REDEVELOPMENT PLAN

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

Appendix A

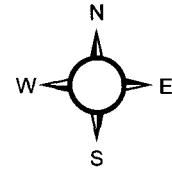
Maps

Map 1 South Shore Redevelopment Area Amendment #2 - Boundaries





Lake Winnebago












Map 2 South Shore Redevelopment Area Amendment #2 Existing Land Use

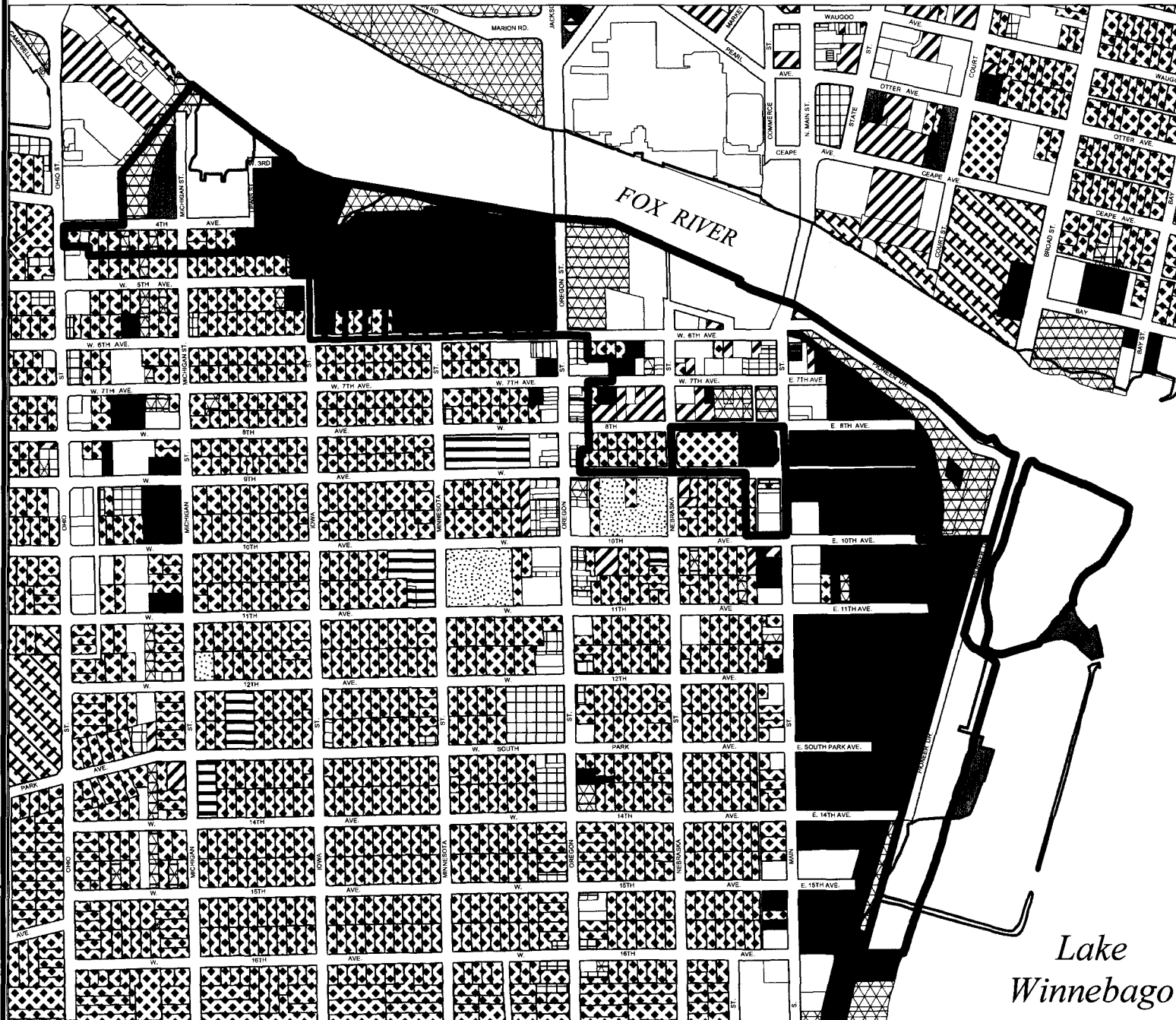


Legend

-  Current Redevelopment Area
-  Proposed Amendment #2

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 Amendment #2 Existing Zoning

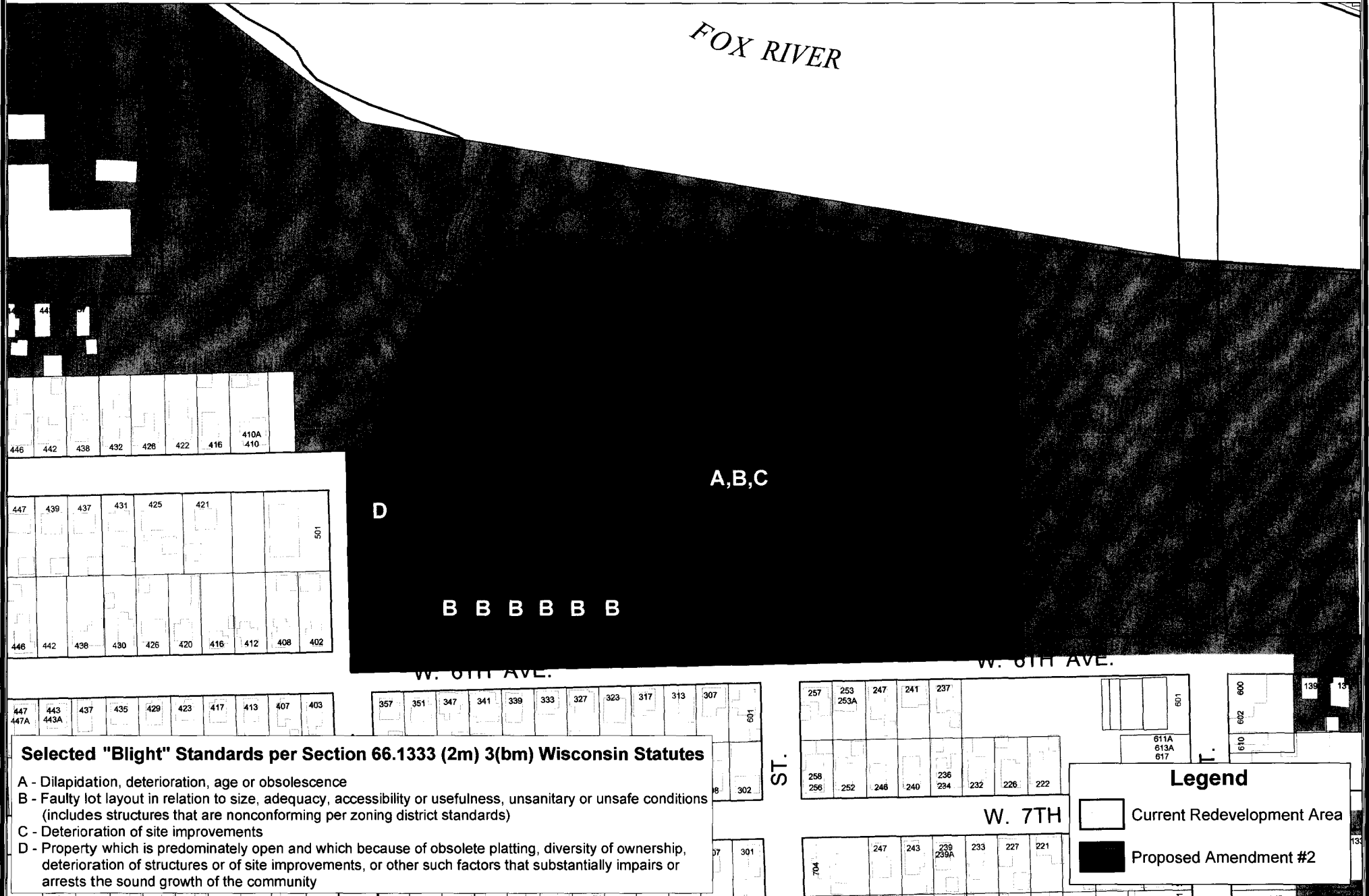


Map 4

South Shore Redevelopment Area Amendment #2

Structural/Parcel Conditions

FOX RIVER



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

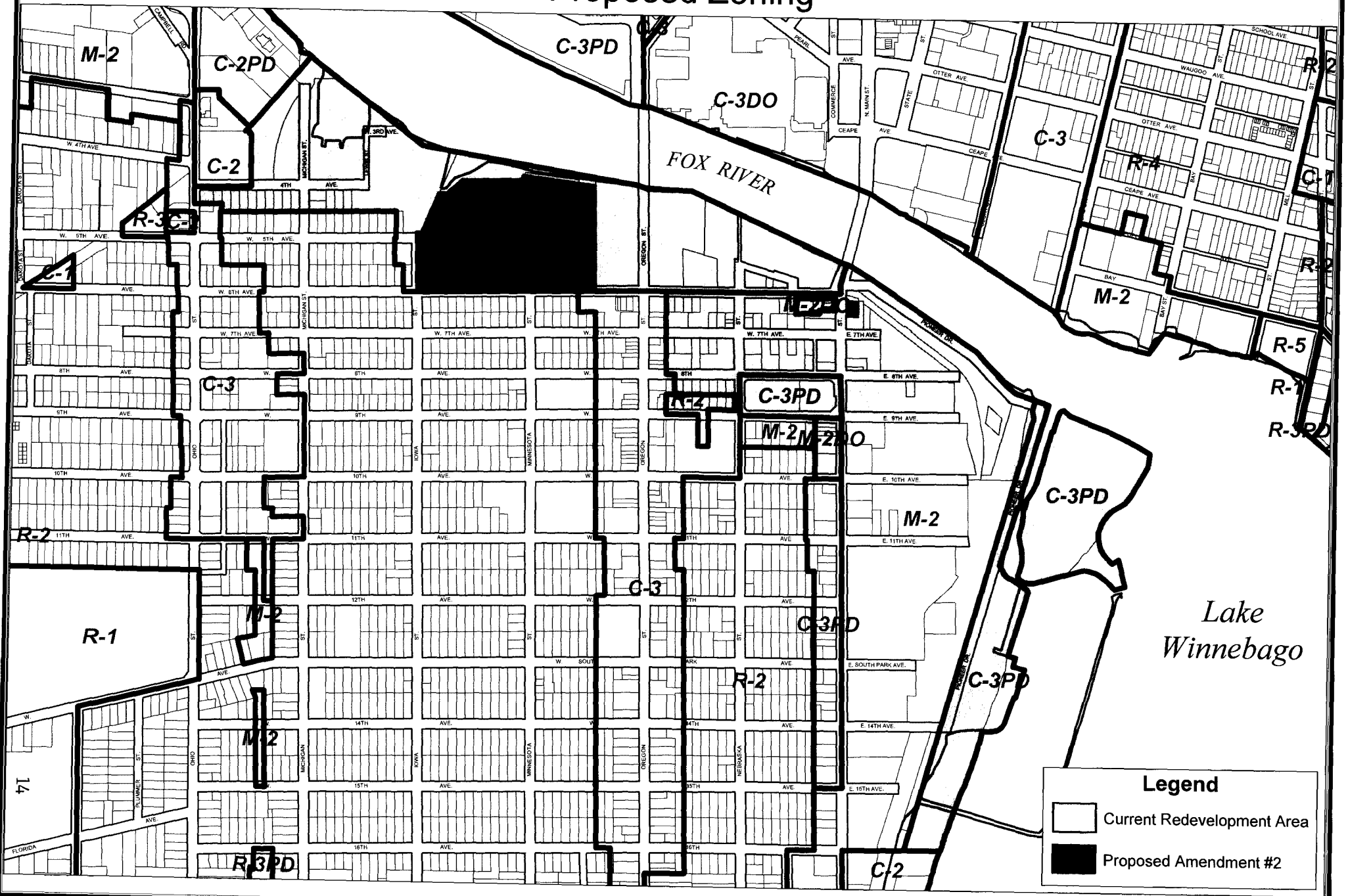
Legend

Current Redevelopment Area
 Proposed Amendment #2

Map 5

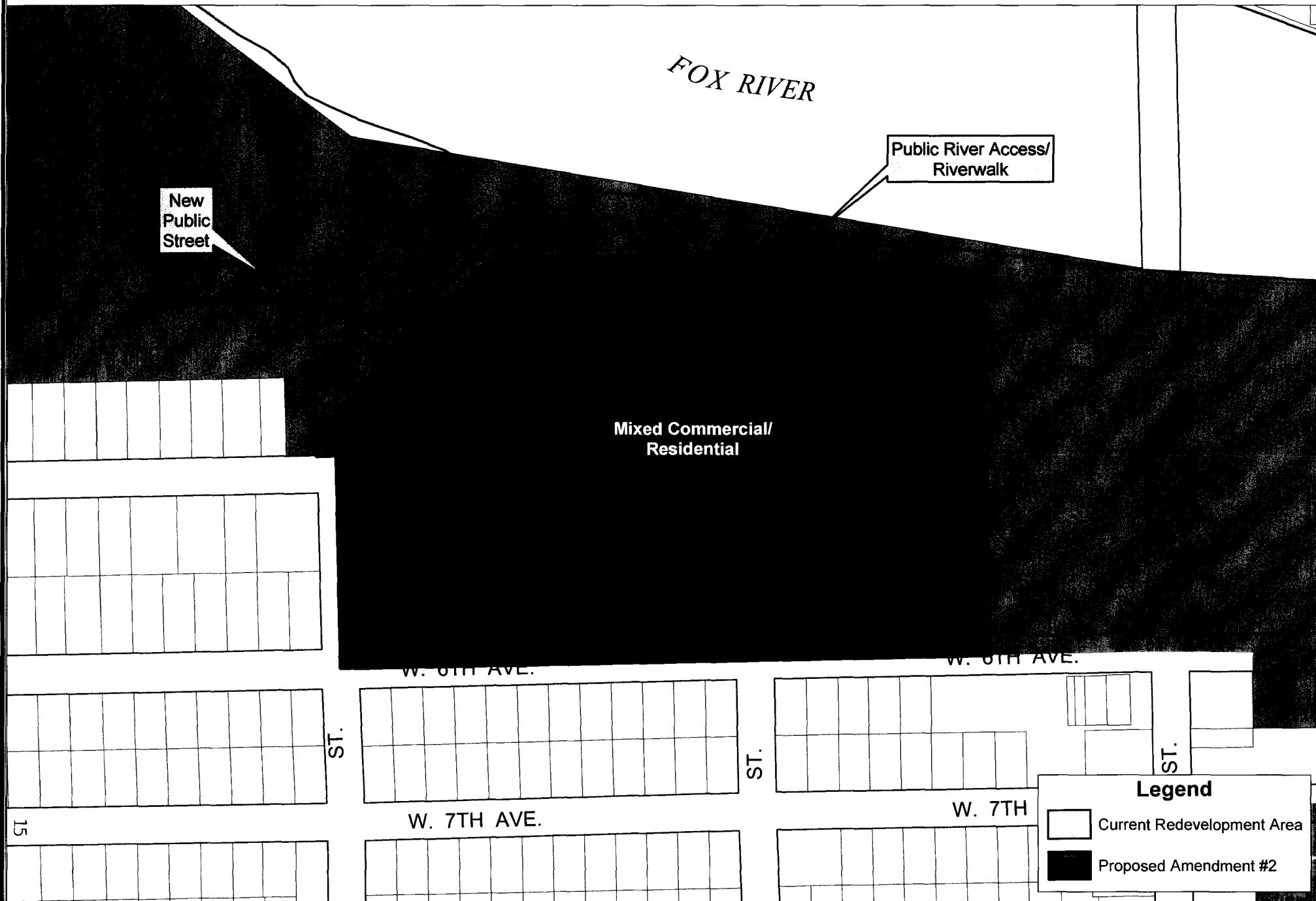
South Shore Redevelopment Area Amendment #2

Proposed Zoning



Map 6

South Shore Redevelopment Area Amendment #2 - Proposed Land Use (General)

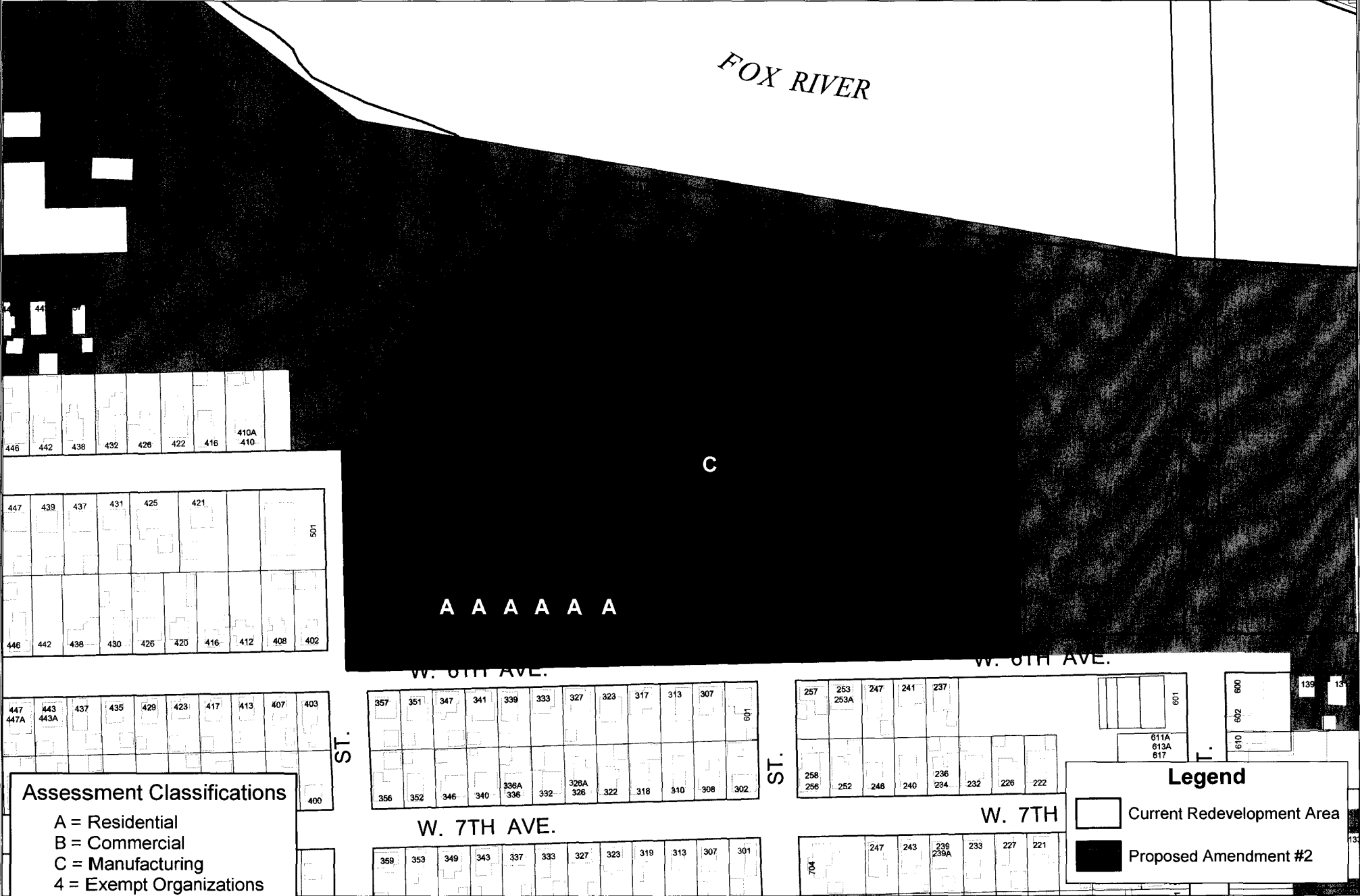


Map 7

South Shore Redevelopment Area Amendment #2

Assessment Classification

FOX RIVER



Assessment Classifications

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

Legend

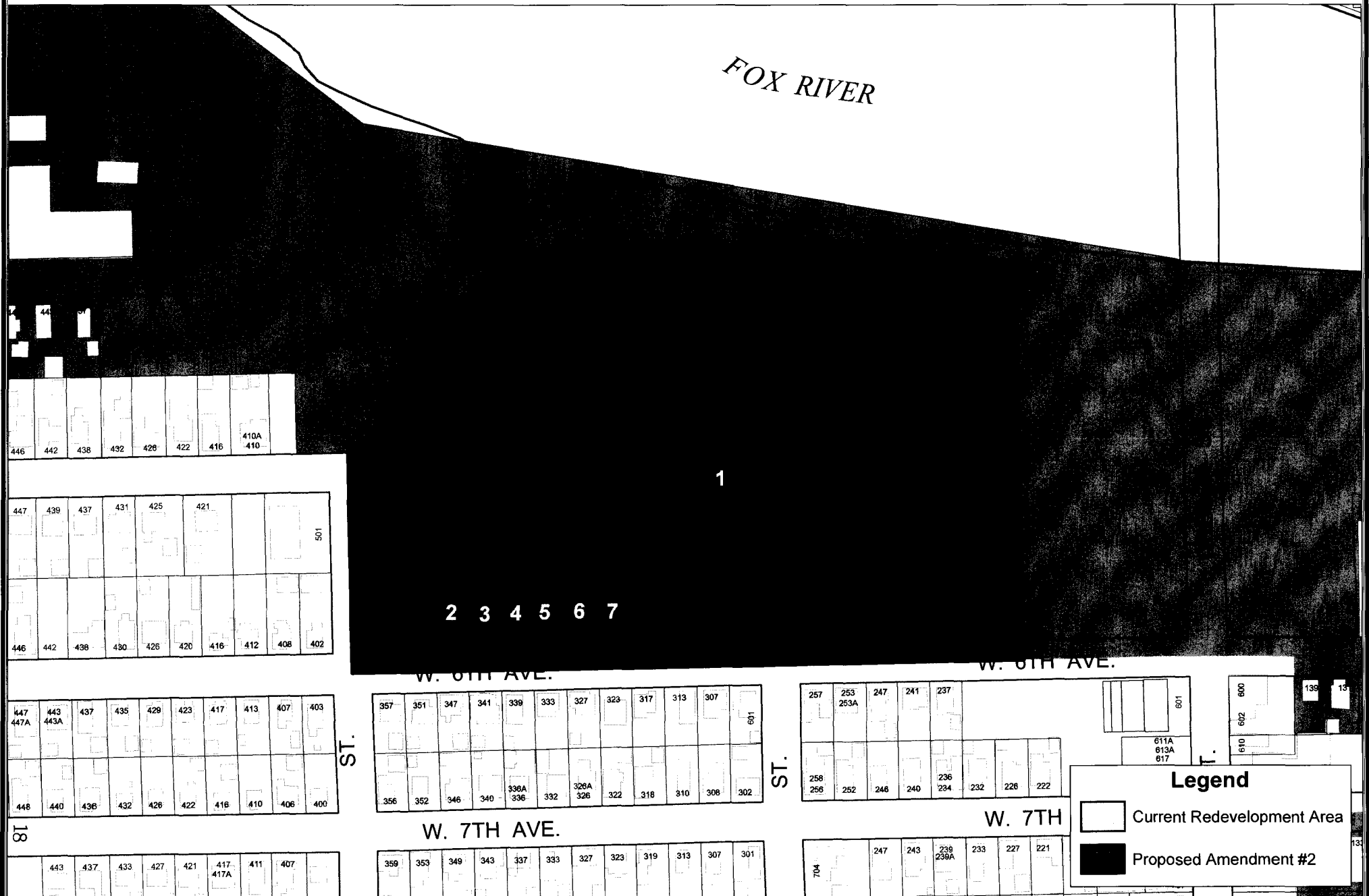
- Current Redevelopment Area
- Proposed Amendment #2

Appendix B
Parcel Information

**Appendix B
Parcel Identification**

MAP ID	PARCEL #	LOCADD	LEGAL1	USE
1	90900010000	421 OREGON ST	LOT 1 CSM 5748 DOC #1361929 R OF D	MANUFACTURING
2	90902400000	346 W 6TH AVE	LOT 15 BLK 63 PLAT OF ORIGINAL 3RD WARD	SINGLE FAMILY
3	90902410000	342 W 6TH AVE	LOT 16 BLK 63 PLAT OF ORIGINAL 3RD WARD	SINGLE FAMILY
4	90902420000	336 W 6TH AVE	LOT 17 BLK 63 PLAT OF ORIGINAL 3RD WARD	SINGLE FAMILY
5	90902430000	332 W 6TH AVE	W 44.5 FT OF LOT 18 BLK 63 PLAT OF ORIGINAL 3RD WARD	SINGLE FAMILY
6	90902440000	326 W 6TH AVE	E 5.5 FT OF LOT 18 & ALL OF LOT 19 BLK 63 PLAT OF ORIGINAL 3RD WARD	SINGLE FAMILY
7	90902450000	322 W 6TH AVE	LOT 20 BLK 63 PLAT OF ORIGINAL 3RD WARD	SINGLE FAMILY

Map 8 South Shore Redevelopment Area Amendment #2 Parcel Identification



Appendix C

Zoning Ordinance Text Excerpts

Section 30-26 C-3 Central Commercial District

Section 30-29 M-2 Central Industrial District

Section 30-33 Planned Development Overlay Districts

EXCERPT FROM CHAPTER 30 ZONING ORDINANCE

SECTION 30-26 C-3 CENTRAL COMMERCIAL DISTRICT

(A) Permitted Uses

- (1) Any use permitted in the R-5 Multiple Dwelling District, unless otherwise provided in this Chapter.
- (2) Any use permitted in the C-2 General Commercial District, unless otherwise provided in this Chapter.
- (3) Automobile storage garage
- (4) Animal hospital and pet shop excluding open kennel
- (5) Bakery, employing not more than five (5) persons
- (6) Caterer
- (7) Convention and exhibition hall
- (8) Funeral home
- (9) Laundry and cleaner
- (10) Microwave, radio and television relay structure
- (11) Newspaper printing, publishing or engraving establishment
- (12) Parking lot
- (13) Radio and television broadcasting studio
- (14) Railroad and bus passenger depot
- (15) Any use similar to the above
- (16) Conditional Uses:
 - Automobile service facility
 - Cemetery
 - Clubs and semi-public structure
 - College/university including residence halls
 - Commercial greenhouse and nursery
 - Day care center
 - Fish market (wholesale)
 - Family day care for nine (9) or more children
 - Hotel/motel directional signs

- Mental or psychiatric hospital
- Mixed commercial/residential
- New and used automobile sales
- Nursery school
- Public utility structure
- Restaurant with drive-up or drive thru
- Uses permitted in the M-1 Light Industrial District, Section 30-28(A)
- Vocational school
- Wireless telecommunication 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 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.

EXCERPT FROM CHAPTER 30 ZONING ORDINANCE

SECTION 30-29 M-2 CENTRAL INDUSTRIAL DISTRICT

(A) Permitted Uses

- (1) Uses permitted in the M-1 Light Industrial District unless otherwise provided in this Chapter.
- (2) Conditional Uses
 - Any conditional use identified in the M-1 Light Industrial District unless otherwise provided in this Chapter.
 - Any outright permitted use or conditional use allowed in the M-3 General Industrial District that is not otherwise allowed as an outright permitted use in the M-1 Light Industrial District.

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 - All Structures

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) Front Yard Setback: None required, except when parts of a block are in a residential district, the minimum setback is twenty-five (25) feet.
- (2) Side Yard Setback: None required. If provided where not required, a five (5) foot minimum setback is required.
- (3) Rear Yard Setback: None required.
- (4) Lot Width: None required for uses permitted in the M-1 Light Industrial District. One hundred fifty (150) foot minimum for M-3 General Industrial District uses.
- (5) Lot Size: None required for uses permitted in the M-1 Light Industrial District. One (1) acre minimum for M-3 General Industrial District uses.
- (6) Corner Lots: A ten (10) foot setback must be provided along all streets where the block frontage is divided among districts with setback requirements. Otherwise, no setback is required.
- (7) Vision Clearance: None required.
- (8) Off-Street Parking: In accordance with Section 30-36 Off-Street Parking and Loading Facilities.

EXCERPT FROM CHAPTER 30 ZONING ORDINANCE

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.
- (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.

(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.