
ORDINANCE NO. O-2223-30

ITEM NO. 8

STAFF REPORT

GENERAL INFORMATION

APPLICANT	J FORD, L.L.C.
REQUESTED ACTION	Amendment of the CCPUD approved by O-2021-23 to allow for additional signage and to modify landscaping
EXISTING ZONING	Center City Form-Based Code Planned Unit Development
SURROUNDING ZONING	North: CCFBC, Urban General East: CCPUD, (Dr. Bird) South: CCFBC, Urban Storefront West: CCFBC, Urban Storefront
LOCATION	231 W. Main Street
SIZE	0.16 acres more or less
PURPOSE	To allow for additional signage and to modify landscaping
EXISTING LAND USE	Vacant/Commercial
SURROUNDING LAND USE	North: Commercial/Office East: Commercial/Office South: Commercial West: Commercial
LAND USE PLAN DESIGNATION	Commercial

REQUEST SUMMARY/CCFBC EXCEPTIONS:

The applicant is requesting to amend the Center City Form-Based Code Planned Unit Development (CCPUD) for 231 W. Main Street to allow for additional signage and to replace the previously proposed rain garden with landscaped planter boxes.

The original CCPUD adopted in January of 2021 called for the retention of the existing building at the corner of Main Street and Webster Avenue, while allowing for development of a mixed

use building to “wrap” around that existing structure. The approved CCPUD had variances to accommodate this development. There are no requested changes to the uses of the building or the design of the building. Requested amendments are for additional signage and landscape modifications.

The applicant recently submitted a building permit to construct the first phase of the proposed mixed-use structure and anticipates two restaurant tenants will occupy part of this new building. As part of the building permit review, staff found that the requested signage for the two prospective tenants did not meet the existing CCPUD, which called for all signage to meet Section M., Signage of the Center City Form-Based Code (CCFBC). Additionally, the CCPUD stated that a rain garden would be installed on the west side of the structure, however, the applicant has found this would be difficult to install due to limited space and the rain garden is not needed to meet city drainage requirements.

With this amendment request to the CCPUD, the applicants are seeking a variance to the CCFBC signage requirements to allow for up to three tenant wall signs which may be located either on the wall or on the awning, depending upon the desires of the future tenants. The requested amendments also call for the allowance of temporary banners and allows both first and second floor commercial tenants to have a maximum of 25% of their windows covered with graphics. Finally, the amendments call for replacing the proposed rain garden with three planter boxes since there is limited space on the west side of the building.

During the review of the CCPUD, staff recommended to the applicant that they clarify the Live/Work option listed in the uses. The applicant provided clarification in the CCPUD narrative that the Live/Work use is allowed on the ground floor. No variances are associated with this clarification.

CCPUD BACKGROUND: During the review of the Center City Form Based Code, the question was asked, what to do with applications that need or want an option to vary from the regulations within the CCFBC? It was determined an option for a Center City Planned Unit Development, within the Center City Form-Based Code, be established in Appendix B, Section 520. Appendix B was included to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This process of requesting a CCPUD gives Planning Commission and City Council the opportunity to review the proposal within the Center City Area.

Appendix B

Sec. 520 Center City Planned Unit Development

- A. *Statement of Purpose:*** *It is the intent of this section to provide an alternative zoning district for the Center City Area as defined in the Center City Form Based Code (CCFBC). This Center City Planned Unit Development District (CCPUD) is specifically catering to the Center City Area because of the size of lots, the lack of vacant land and other distinguishing characteristics in this area that make the use of the existing PUD regulations not feasible. The CCPUD encourages developments that create the character of development envisioned in the CCFBC.*

Specifically, the purposes of this section are to:

1. Provide an alternative zoning district to the CCFBC where a property owner proposes a development that does not meet the strict regulations required in the CCFBC.
2. Provide open space/street space that is compatible with the concepts of the CCFBC.
3. Provide comprehensive and innovative planning and design for a development which is consistent and compatible with surrounding developments.
4. Provide more efficient and economic use of land resulting in an urban/pedestrian environment.
5. Provide complete and useful information which will enable the Planning Commission and City Council to make more informed decisions on land use.
6. Encourage developments that achieve community goals, such as, but not limited to, aging in place, or affordable housing, or other emerging trends in housing, that may not be able to meet all the required elements of the Center City Form Based Code.

B. Uses Permitted. The CCPUD regulations are designed to provide for any mix of uses. There are no specifically prescribed uses which are permitted within the boundaries of the Center City Area in order to increase creativity and flexibility in the Center City Area when development according to the CCFBC is not feasible. The owner/applicant will be responsible for the preparation of a list of permitted uses within the specific CCPUD. The development of the list shall take into account the nature and purpose of the CCPUD area, and such uses and locations shall be appropriate in order to protect and be in harmony with surrounding development.

ANALYSIS: The applicant provided an amended CCPUD Narrative. The Narrative outlines the additional signage proposed as well as the modification to the landscaping. As stated earlier there are no proposed changes to use or design of the proposed building from the approved CCPUD.

PARTICULARS OF THIS CCPUD:

1. **AMENDMENTS REQUESTED:** The amended CCPUD Narrative contains amendments as follows.

SIGNAGE:

- Allowance of three additional anchor tenant signs. Each sign is to be a maximum of 30 square feet. Signs are allowed to be located on the wall either between the second floor line and the first floor ceiling, or the third floor line and the second floor ceiling, or attached to the metal awning.
- Allowance for vinyl window graphics to cover a maximum of 25% of the windows for either the first or second floor tenants;
- The allowance for one temporary grand opening banner sign for each tenant for 30 days per grand opening. Each sign is allowed to be a maximum of 60 square feet and attached to the wall of the structure and are prohibited from covering any windows.

VARIANCES: The CCPUD Narrative provides variance requests for up to three additional anchor tenant signs, for the allowance of temporary signage on site,

and for the second floor commercial windows to have window graphics as cited above.

LANDSCAPING:

- Three planters on the west side of the building will replace the previously proposed rain garden.

OTHER AGENCY COMMENTS:

- **PRE-DEVELOPMENT:** No meeting was required for this application.
- **GREENBELT COMMISSION MEETING:** No meeting was required for this application.
- **PARK BOARD:** Park land dedication not required for this application.
- **PUBLIC WORKS:** Water and sewer service are existing for this site. Stormwater runoff will be diverted to the storm sewer inlets near the corner of Webster Avenue and W. Main Street.

CONCLUSION: Staff forwards this request and Ordinance No. O-2223-30 to Planning Commission for consideration and a recommendation to the City Council.