



**TWO RIVERS**  
WISCONSIN

**LAND DEVELOPMENT APPLICATION**

APPLICANT Brian Laurent TELEPHONE 920 901 6245

MAILING ADDRESS 3406 Mirro Drive Manitowoc WI 54220  
(Street) (City) (State) (Zip)

PROPERTY OWNER Brian Laurent TELEPHONE 920 901 8245

MAILING ADDRESS 3406 Mirro Drive Manitowoc WI 54220  
(Street) (City) (State) (Zip)

REQUEST FOR:

- Comprehensive Plan Amendment
- Site/Architectural Plan Approval
- Subdivision Plat or CSM Review
- Zoning District Change
- Conditional Use
- Annexation Request
- Variance/Board of Appeals
- Other

STATUS OF APPLICANT:  Owner  Agent  Buyer  Other

PROJECT LOCATION 1609 16<sup>th</sup> TYPE OF STRUCTURE Garage 24' x 80'

PRESENT ZONING PUD REQUESTED ZONING \_\_\_\_\_

PROPOSED LAND USE \_\_\_\_\_

PARCEL # 053-000-073-010.05 ACREAGE \_\_\_\_\_

LEGAL DESCRIPTION \_\_\_\_\_

**NOTE: Attach a one-page written description of your proposal or request.**

The undersigned certifies that he/she has familiarized himself/herself with the state and local codes and procedures pertaining to this application. The undersigned further hereby certifies that the information contained in this application is true and correct.

Signed Brian Laurent (Property Owner) Date 3/12/2024

Fee Required

- \$ 350 Comprehensive Plan Amendment
- \$ t/b/d Site/Architectural Plan Approval (Listed in Sec 1-2-1)
- \$ t/b/d CSM Review (\$10 lot/\$30 min)
- Subdivision Plat (fee to be determined)
- \$ 350 Zoning District Change
- \$ 350 Conditional Use
- \$ t/b/d Annexation Request (State Processing Fees Apply)
- \$ 350 Variance/Board of Appeals
- \$ t/b/d Other

Schedule

- Application Submittal Date \_\_\_\_\_
- Date Fee(s) Paid \_\_\_\_\_
- Plan(s) Submittal Date \_\_\_\_\_
- Plan Comm Appearance \_\_\_\_\_

\$ \_\_\_\_\_ TOTAL FEE PAID APPLICATION, PLANS & FEE RECEIVED BY \_\_\_\_\_



**TWO  
RIVERS**  
WISCONSIN

**COMMUNITY DEVELOPMENT**

1717 E. Park Street  
P.O. BOX 87  
Two Rivers, WI 54241-0087



**PLAN COMMISSION**

**Action:** Proposed amendment to PUD  
**Location:** 1609 – 16<sup>th</sup> Street  
**Current Zoning:** Planned Unit Development (PUD)  
**Date:** July 8, 2024

The owner of this property is requesting a change to the previously approved PUD, to construct a garage, closer to the dwelling unit. Staff has raised questions about the location of the garage, in relation to existing easements presently impacting the site. The current site plan does not include the easements.

**Section 10-1-41. - Subsequent change or addition to approved PUD plan.**

Any subsequent change or addition to an approved plan shall first be submitted for recommendation to the plan commission. The plan commission shall make its recommendation to the city council. If in the city council's opinion, the change or addition is substantial, keeping in mind how substantial is defined below, the city council shall call for a public hearing on such proposed change or addition. Without limitation to the city council's right to determine any other substantial change, a change may be construed to be "substantial" if it results in any of the following:

- A. An increase in density.
- B. An increase in traffic congestion.
- C. Creation of service problems.
- D. Change in project design, architecture, or aesthetics.



[www.two-rivers.org](http://www.two-rivers.org)

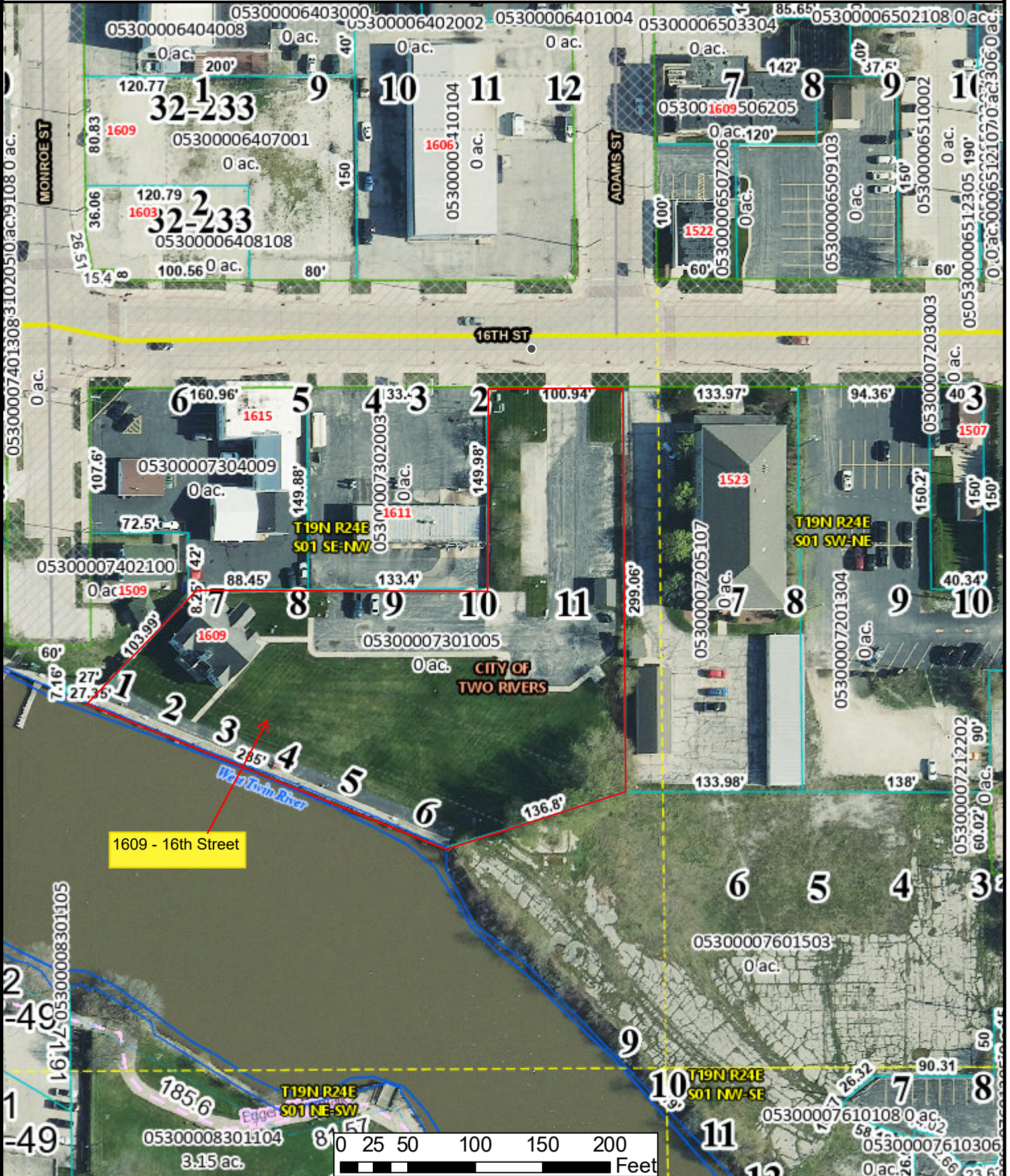


920.793.5564



920.793.5512

# Manitowoc County Parcel Viewer



1609 - 16th Street



Hello,

I own a property at 1609 16<sup>th</sup> Street. I would like to build a 26' X 80' garage for my 4 plex. Each tenant would have a 20' X 26' garage. The building code reads that I need to be 8 feet from the north property line. I would like to build it as close to the property line as you would allow. I have no problem building this garage with block . The reason being I don't want things stored behind the building and it will allow for more parking.

Thank you,

Brian Laurent

**DESCRIPTION:**

Tract 2 of a Certified Survey Map recorded in Volume 12, Page 163, located in Government Lot 1 of Section 1, Town 19 North, Range 24 East, City of Two Rivers, Manitowoc County, Wisconsin.

Said parcel contains 70,588 Square Feet (1.620 Acres) of land.

**SETBACK NOTES:**

The lot shown hereon is subject to an 8 foot building setback from the interior side yard and 35 feet from the ordinary high water mark.

**SURVEY NOTE:**

This survey is based on existing monumentation that is believed to be original to the Certified Survey Map recorded in volume 12, page 163.

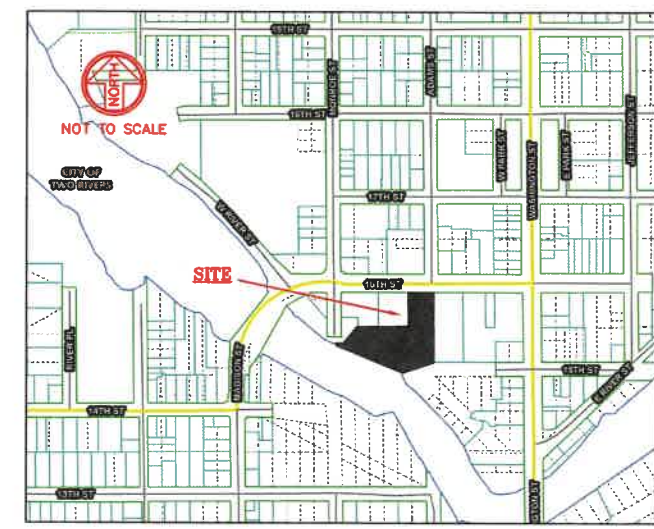
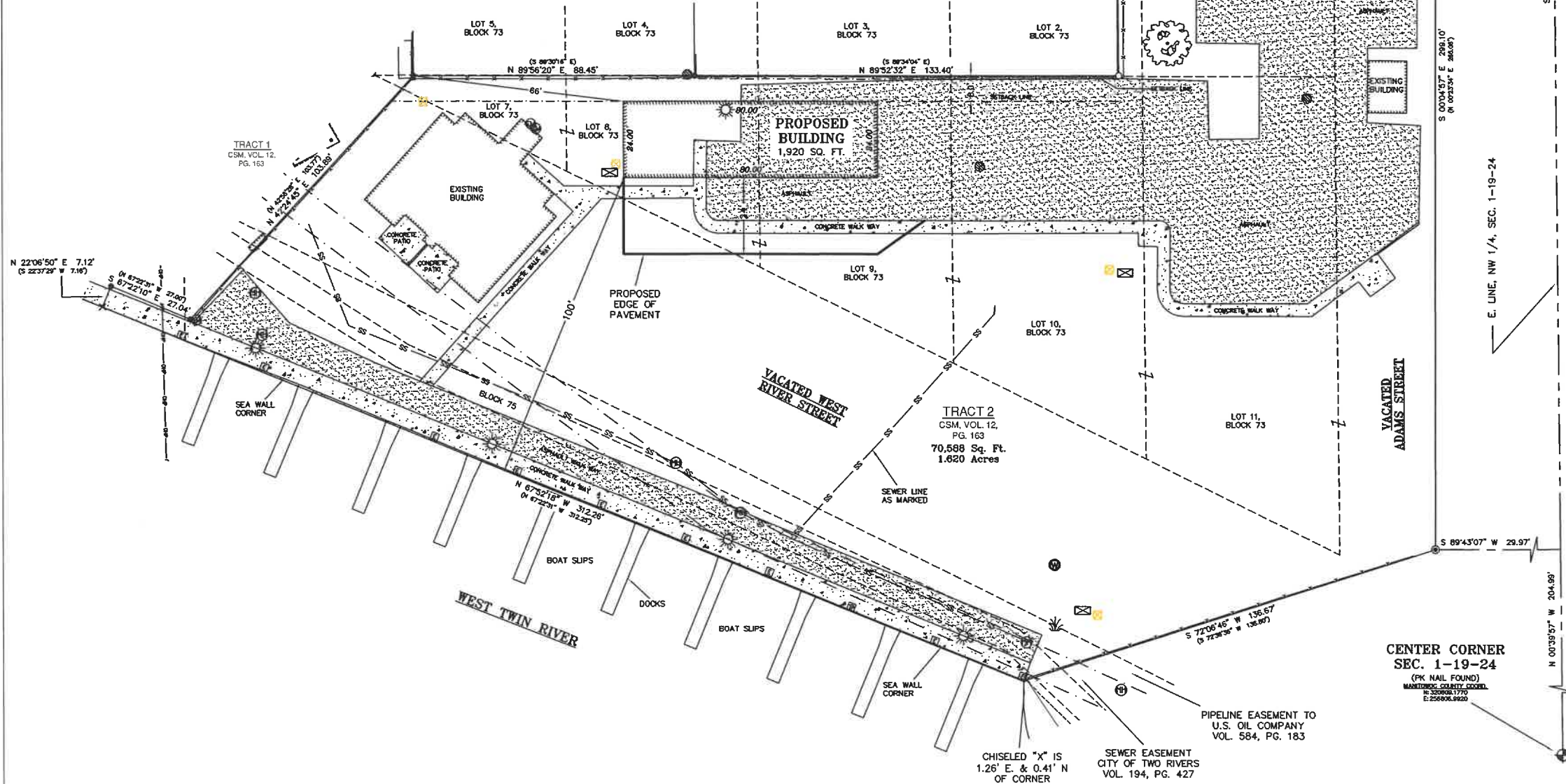
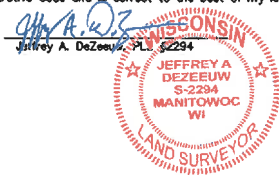
The proposed garage floor elevation to be established by the owner/grading contractor.

The location of underground utilities are based on field observations and marks from Diggers Hotline. The location of all utilities must be verified before excavation begins.

**SURVEYORS CERTIFICATE:**

I, Jeffrey A. DeZeeuw of Corner Point, do hereby certify that this survey was made under the direction of the client shown hereon by the undersigned of the described property on the date shown below and that this survey complies with Chapter A-7 of the Wisconsin Administrative Code and is correct to the best of my knowledge and belief.

6/18/2024  
DATE



**LEGEND**

○ = 3/4" x 18" IRON REBAR SET WEIGHING 1.13 LBS/FT	⊕ = EXISTING ELECTRIC METER
● = EXISTING 1" IRON PIPE	☀ = EXISTING LIGHT POLE
⊙ = EXISTING 1/2" ROD	⊙ = EXISTING GAS METER
X = EXISTING CHISELED "X"	⊕ = EXISTING TELEPHONE PEDESTAL
▲ = EXISTING MAG/P-K NAIL	⊕ = EXISTING TRAFFIC SIGN
∟ = COMBINED LOTS	(0000) = "RECORDED AS" DIMENSIONS
▭ = EXISTING SIGN	⊕ = MANHOLE
⊕ = EXISTING STORM INLET	⊕ = EXISTING WELL
⊕ = EXISTING CATCH BASIN	● = EXISTING BOLLARD
⊕ = EXISTING TRANSFORMER	—X— = FENCE
⊕ = EXISTING WATER SPOCKET	—OP— = OVERHEAD POWER LINE
	- - - - = EASEMENT

SITE LAYOUT  
TRACT 2 OF A CERTIFIED SURVEY MAP RECORDED IN VOLUME 12, PAGE 163, LOCATED IN GOVERNMENT LOT 2 OF SECTION 1, TOWN 19 NORTH, RANGE 24 EAST, CITY OF TWO RIVERS, MANITOWOC COUNTY, WISCONSIN

FIELD WORK COMPLETION DATE: 6/14/2024  
DRAWN BY: JAD/FILE  
JOB NO.: S1819024  
JOB FILE: 01603701R/LAURENT/S1819024  
SCALE: 1" = 20'

KEITH LAURENT  
3612 MIRRO DR.  
MANITOWOC, WI 54220



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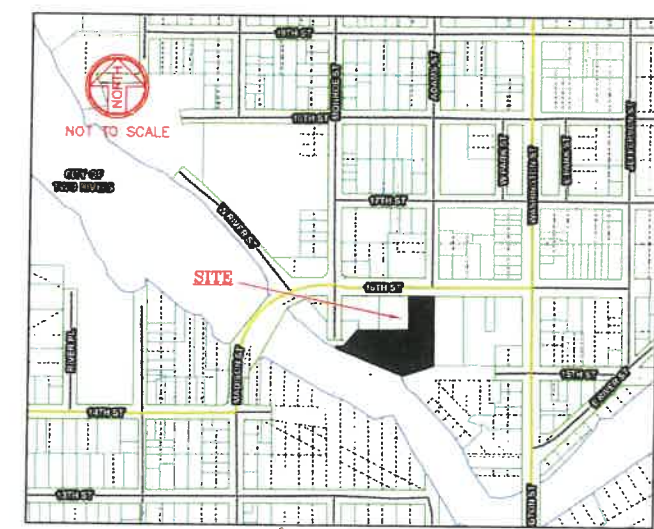
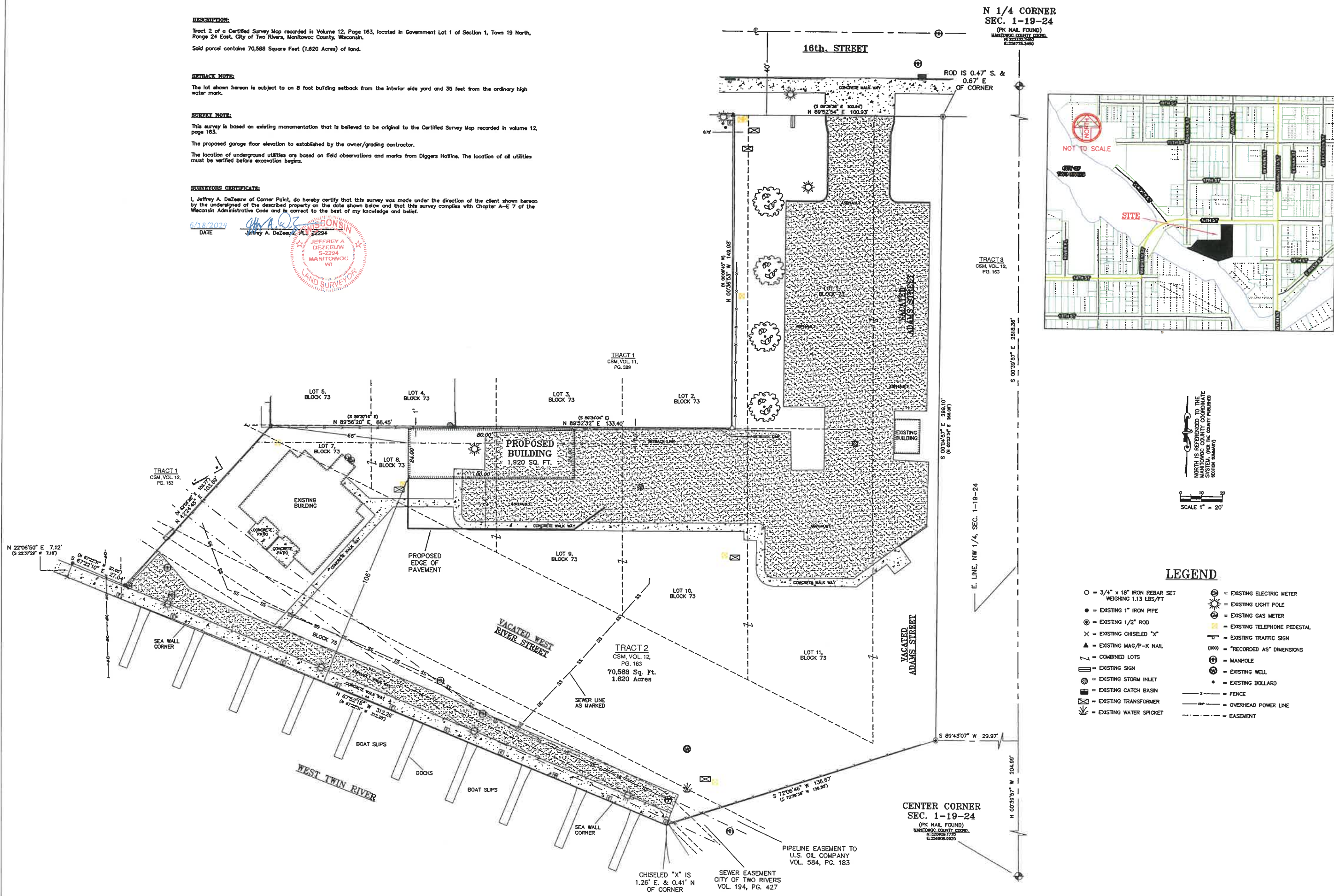
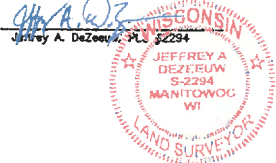
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DATE 6/18/2024



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- ⊙ = EXISTING 1/2" ROD
- × = EXISTING CHISELED "X"
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FIELD WORK COMPLETION DATE: 6/4/2024  
DRAWN BY: JAD/JLB  
JOB NO.: S191024  
CAD FILE D:\M\GTA\JLAURENT\S191024  
SCALE: 1" = 20'

KEITH LAURENT  
3812 MIRRO DR.  
MANITOWOC, WI 54220



## **NOTICE OF PUBLIC HEARING**

### **RE: AMEND DEVELOPMENT PLAN FOR NESHOTAH SHORES AT 1609 - 16TH STREET, TWO RIVERS**

PLEASE TAKE NOTICE that the City Council of the City of Two Rivers will hold a public hearing at 6:00 PM, Tuesday, January 2, 2018, in the Council Chambers, City Hall, to hear all interested parties in the matter of amending the Development Plan for Neshotah Shores at 1609 - 16th Street.

The Development Plan for Neshotah Shores was originally approved in 1990 which consisted of five 4-unit residential buildings (20 units) and open off-street parking. One building has been constructed along with off-street parking and landscaping. The 1990 Development Plan was re-affirmed in November 2016 subject to any change in regulations since the 1990 Development Plan was approved.

The Developer has submitted a request to amend the approved Development Plan to construct four 4-unit residential buildings with attached garages and an 8-stall detached garage on the premises.

The proposed amended Development Plan is a positive upgrade from the previously approved 1990 Plan because the residential buildings include attached garages and the addition of the detached garage will provide indoor storage of vehicles and/or personal property for the residents of the development.

The subject property is zoned Planned Unit Development District and contains 1.62 acres of land, more or less. The location of the four proposed buildings and the detached garage is shown on the following sketch.

Additional information regarding this matter is available from the Inspections Department, City Hall.

Dated December 19, 2017

(signed) Kim M. Graves  
City Clerk

(signed) Vicky L. Berg  
Zoning Administrator

Published as a legal display ad  
December 20th and 26th, 2017

**PUBLISHED BY AUTHORITY OF THE CITY COUNCIL  
OF THE CITY OF TWO RIVERS, WISCONSIN**

## RESOLUTION

*To revise the approved Development Plan for Neshotah Shores Planned Unit Development (PUD), related to architectural changes to include attached garages and the addition of an 8-stall detached garage*

**WHEREAS**, Southpier, LLC has requested that the Plan for Neshotah Shores located at 1609 - 16th Street be revised to allow for the construction of four 4-unit residential buildings with attached garages and an 8-stall detached garage; and

**WHEREAS**, the Plan Commission of the City of Two Rivers has recommended amending the approved Development Plan for Neshotah Shores, zoned Planned Unit Development District (PUD), to allow for implementation of this design alternative; and

**WHEREAS**, a public hearing was held on January 2, 2018 to hear and evaluate public comments on this proposed revision; and

**WHEREAS**, after review and consideration, the Council finds that said revision:

1. Continues this development's conformity with the Purpose and General Development Controls for Residential PUD's, as set forth in the Zoning Code;
2. Continues this PUD's conformity with adopted policy plans and development guidelines for portion of the City where it is located;
3. Creates additional indoor storage of vehicles and/or personal property
4. Does not create traffic congestion or on-street parking problems;
5. Would not be contrary to the purpose and intent of the Municipal Code; and

**NOW, THEREFORE, BE IT HEREBY RESOLVED** that the Council of the City of Two Rivers does hereby approve the requested revision to the Development Plan for the Neshotah Shores Planned Unit Development, to allow for implementation of this design alternative; and.

**BE IT RESOLVED FURTHER**, that this Resolution shall take effect upon compliance with all specified conditions, approved plans and specifications.

Dated this 2nd day of January, 2018.

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Councilmember

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Gregory E. Buckley  
City Manager





**Tuesday, November 14, 2017**

**Subject: Neshotah Shores Condominium Narrative**

The Neshotah shores condominium development is a planned unit development located on and was approved in 1990. Presently, only one building has been constructed. It is our intention to revive this project and we are requesting a couple modifications to the original approved plans. We are requesting to add attached garages to some of the units based on available land at each unit. The existing number of units remain the same at 20 and. We are also proposing to add a 8 car detached garage in lieu of outside parking. The number of attached garages varies based on each individual building. Please see the attached drawing for each specific size of garage.

This proposal will have 28 exterior parking stalls and 19 enclosed stalls for 47 total parking spaces. The existing site plan had 36,949sf of impervious surface and the proposed plan will have 41,485 sf of impervious surface. The original building footprint was 8,860sf and the proposed footprint would now be 11,939sf.

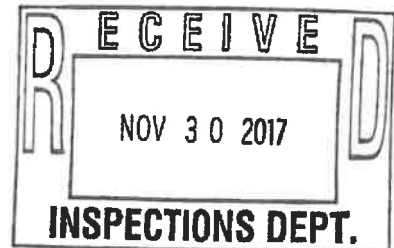
The originally proposed storage/yard building will no longer be constructed. The dumpster location will be moved to the new plans and will be a chainlink fence with privacy lats installed within the chain link.

These buildings will be built as apartments instead of condominiums. We understand that additional agreements will be required if they are turned into condominiums in the future. We are not proposing any addition lights for the parking. There will be a "pac lights" installed on the new garage.

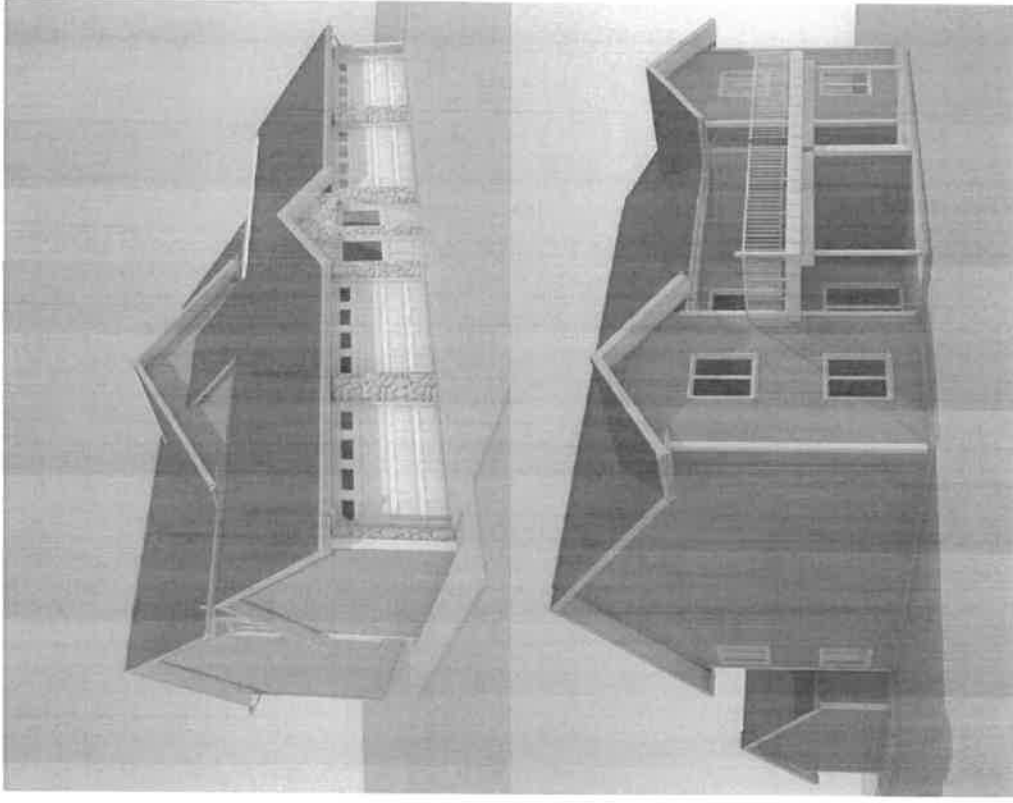
Our first phase would be to build the detached garage building and then follow up with the housing buildings.

Sincerely,

Scott Matula, AIA  
Aspire Architecture & Design, LLC



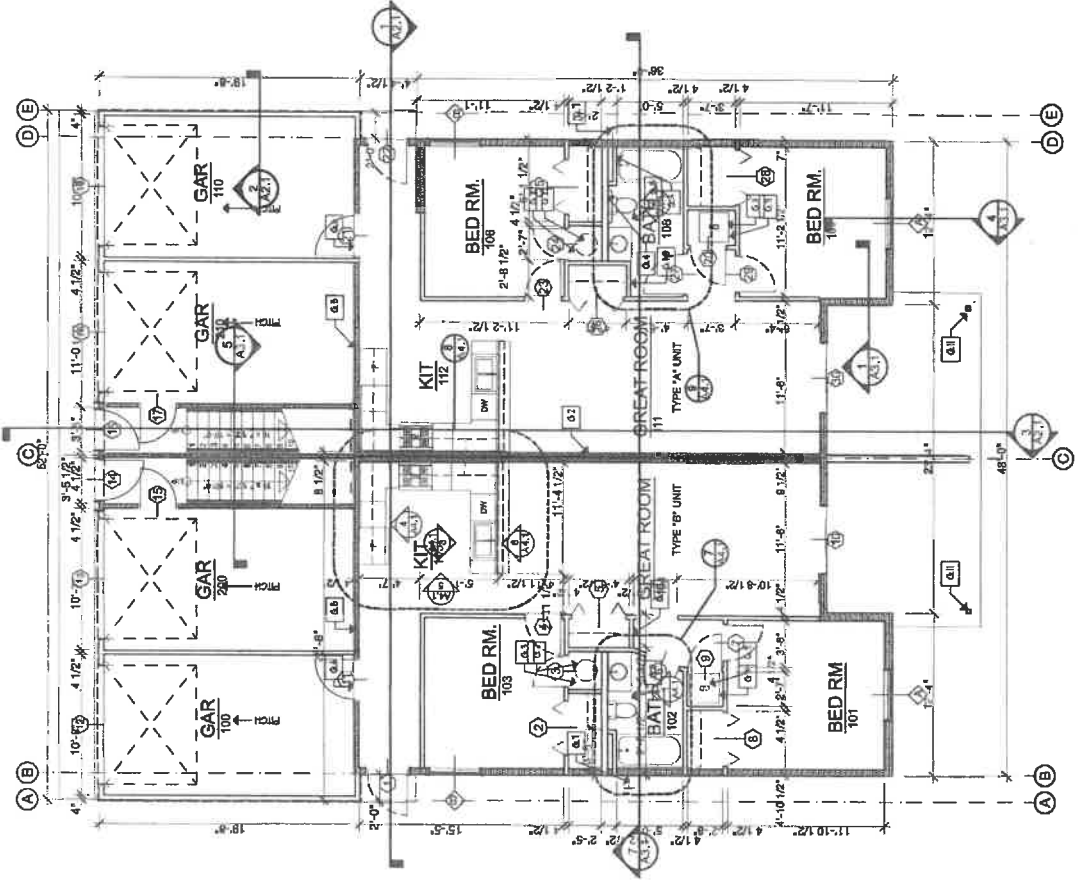




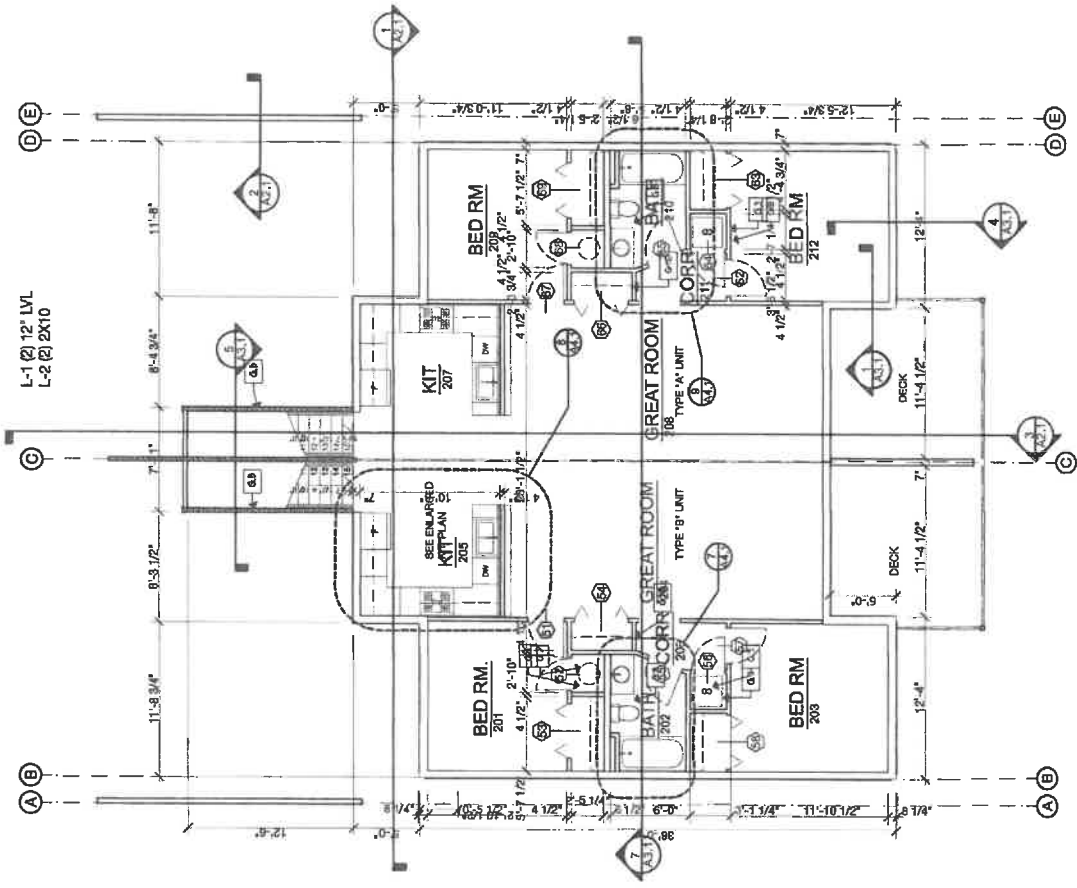
**ASPIRE**  
ARCHITECTURE & DESIGN, LLC

**NEW BUILDING for:**  
**NESHOTAH SHORES**  
**TWO RIVERS WI**

ASPIRE ARCHITECTURE & DESIGN, LLC Issue  
1416 N. 6th St. Sheboygan, WI. 53081 11.15.17  
920-467-4884 rev.  
aas@aspirearchitects.com  
www.aspirearchitects.com 09-002 1



**1** 1st Floor Plan  
SCALE: 1/8" = 1'-0"

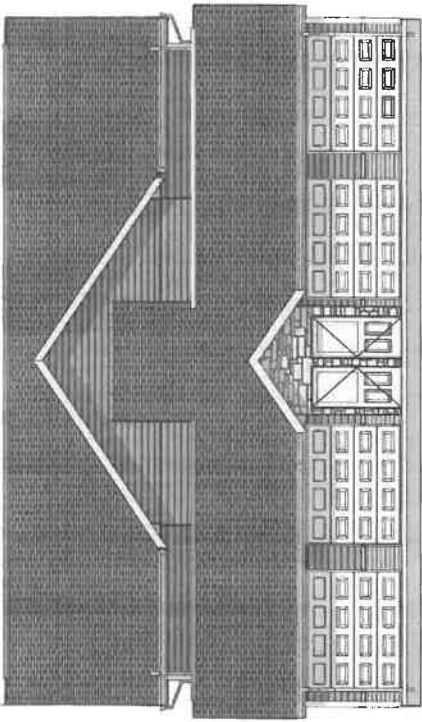


**1 2ND FLOOR PLAN**

SCALE: 1/8" = 1'-0"

**ASPIRE**  
ARCHITECTURE & DESIGN, LLC  
NEW BUILDING for:  
**NESHOTAH SHORES**  
TWO RIVERS WI

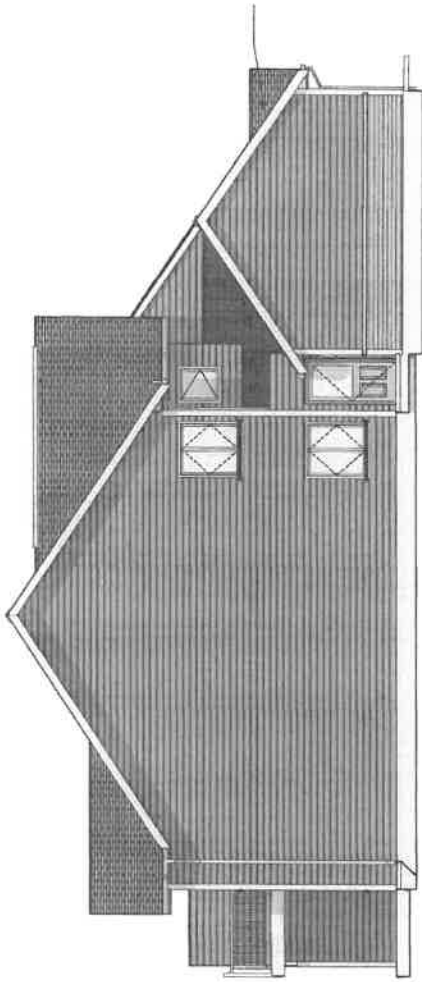
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1 North Elevation-Presentation

SCALE: 1/8" = 1'-0"

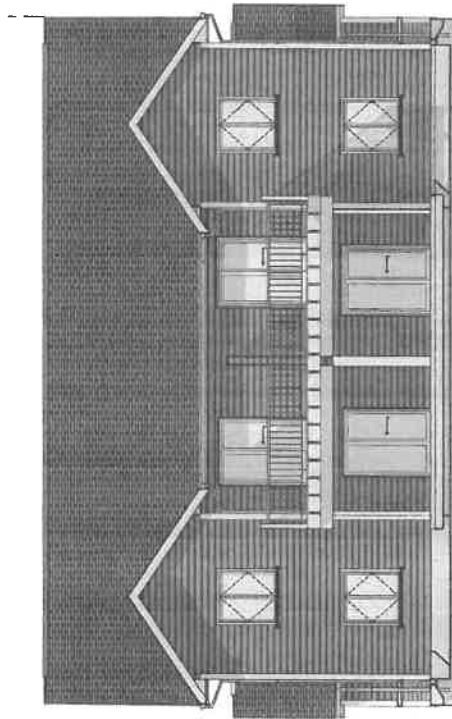
①



3 East Elevation-Presentation

SCALE: 1/8" = 1'-0"

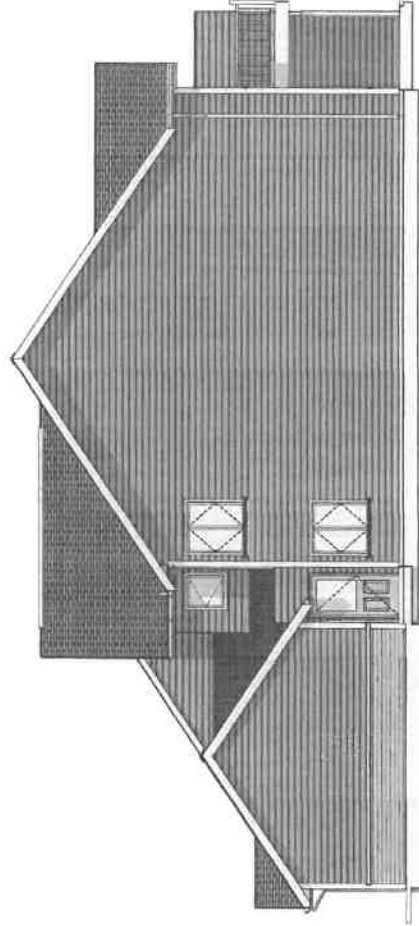
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2 South Elevation-Presentation

SCALE: 1/8" = 1'-0"

②



4 West Elevation-Presentation

SCALE: 1/8" = 1'-0"

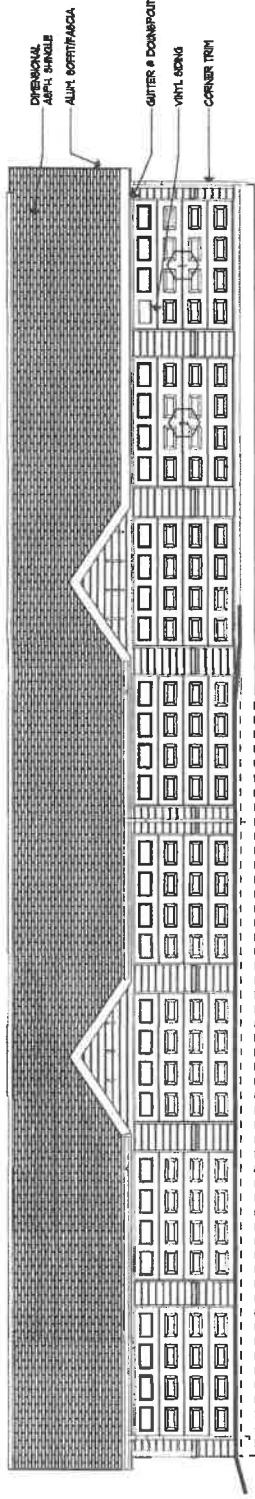
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**ASPIRE**  
ARCHITECTURE & DESIGN, LLC

NEW BUILDING for:  
**NESHOTAH SHORES**  
TWO RIVERS WI

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1416 N. 5th St. Sheboygan, WI, 53081 11.15.17  
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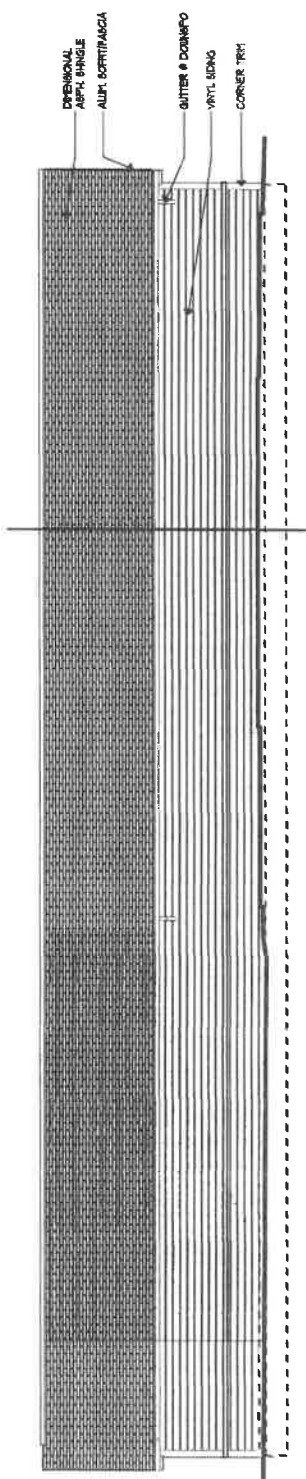




**North Elevation**

SCALE: 1/8" = 1'-0"

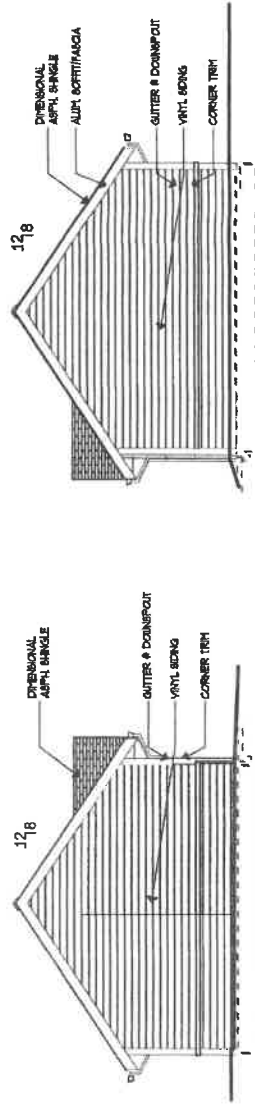
1



**South Elevation**

SCALE: 1/8" = 1'-0"

2



**East Elevation**

SCALE: 1/8" = 1'-0"

3

**West Elevation**

SCALE: 1/8" = 1'-0"

4

**NEW BUILDING for:**  
**NESHOTA SHORES**  
TWO RIVERS WI

ASPIRE

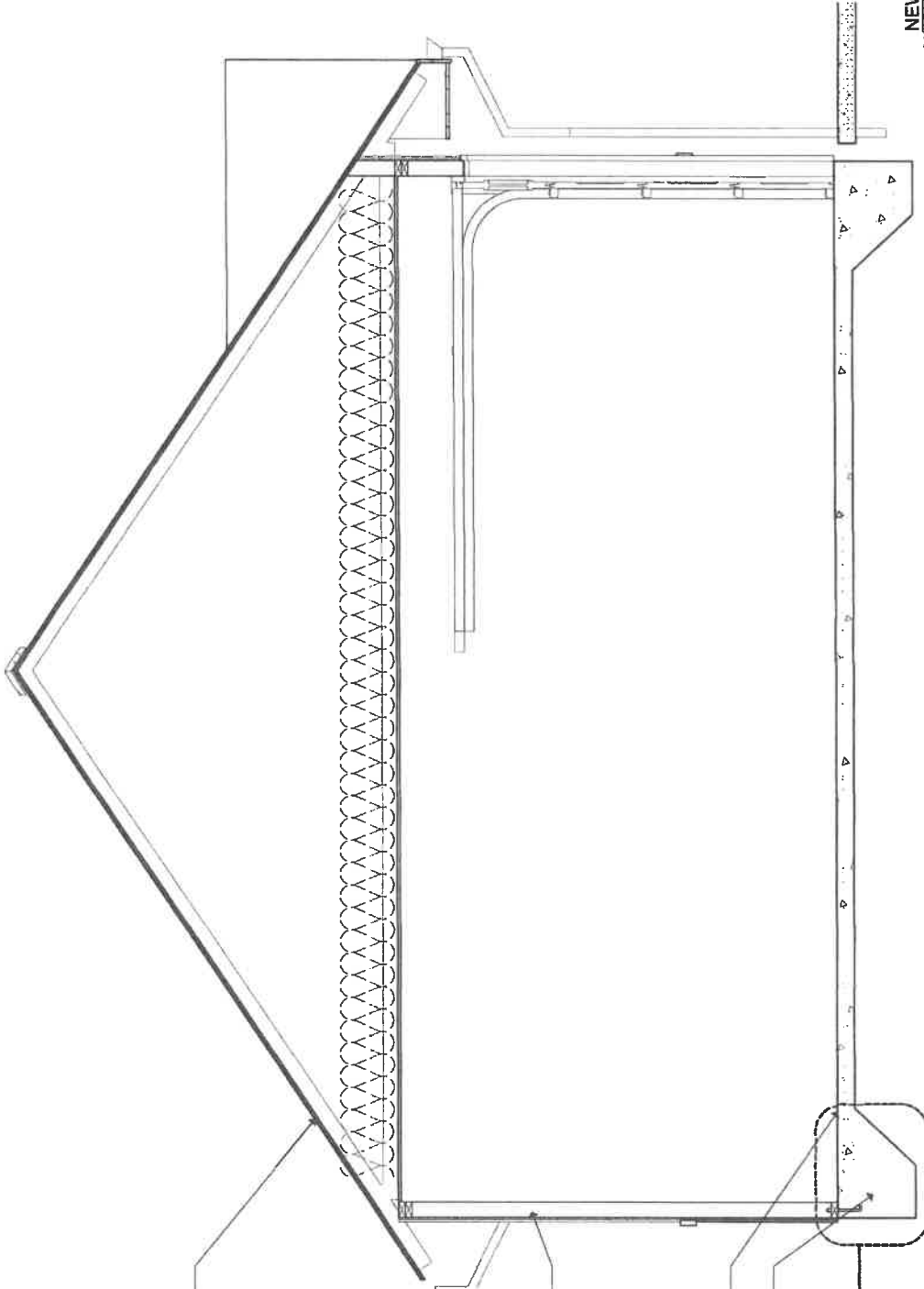
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issue 4.27.17

rev. --

09-002

A.2



TYPICAL ROOF CONSTRUCTION  
 2" POLYSTYRENE INSULATION  
 3/4" ASPHALT FLASHING  
 1/2" GYP BOARD  
 ROOF TRUSS RAFT @ 24" O.C.  
 R-49 INSULATION  
 5/8" GYP. SD.

TYPICAL WALL CONSTRUCTION  
 VENT. BRICK  
 AIR BARRIER  
 10" CMU BLOCK  
 2x4 @ 16" O.C.

TYPICAL FLOOR CONSTRUCTION  
 4" CONCRETE SLAB  
 VENT. BRICK  
 1/2" GYP BOARD  
 1/2" CRACKED STONE  
 15" GRADE BEAM

1 SECTION  
 SCALE: 1/2" = 1'-0"



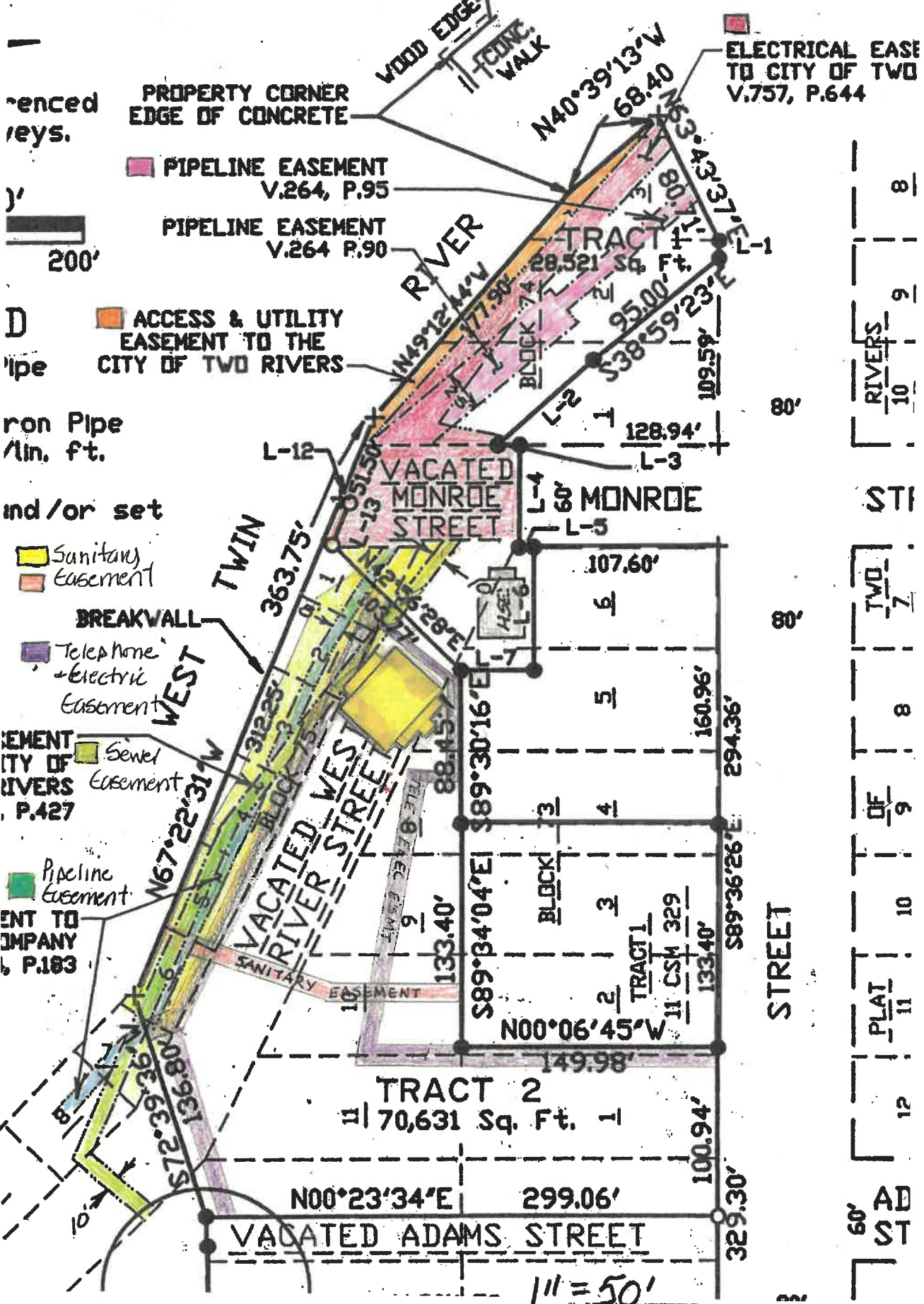
NEW BUILDING for:  
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issue 4.27.17  
 rev. --  
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**A.3**

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 info@aspirearchitects.com  
 www.aspirearchitects.com



MONROE STREET, ADAMS STREET, WEST RIVER STREET, ALL PART OF THE ORIGINAL PLAT OF TWO RIVERS IF TWO RIVERS, MANITOWOC COUNTY, WISCONSIN



8	RIVERS
9	TWO
10	OF
11	PLAT
12	ADAMS

## ARTICLE D. - PLANNED UNIT DEVELOPMENTS

## Sec. 10-1-36. - PUD purpose.

This article of the zoning ordinance of the City of Two Rivers is hereby adopted to facilitate the construction of planned unit developments. The planned unit development district and uses created herein are intended to provide opportunity for the construction of quality developments by providing flexible guidelines where strict adherence to zoning codes preclude the use of innovative but sound development principles.

## Sec. 10-1-37. - PUD area of applicability.

A planned unit development shall be a separate residential district that is identifiable as a distinct neighborhood and may contain one-, two- or multi-family dwellings. A day-care facility may be a conditional use in accordance with section 10-1-12 of this chapter.

## Sec. 10-1-38. - PUD development controls.

A. *Yards.*

- (1) A landscaped yard shall be provided and maintained along all streets and traveled rights-of-way. The yard shall be at least 25 feet in depth along all streets as measured from the street right-of-way. The yard shall extend along the entire frontage(s) of the lot except for driveways and shall be kept clear of all storage, structures and off-street parking.
- (2) *Exceptions.* Any landowner intending to propose a yard of less than the required 25-foot depth must first apply for and receive a variance to that requirement. The plan commission may approve the variance if, in its judgment, the alternative plan is in conformity with the intent and purpose of this section and reasonably related to the established pattern of the neighborhood. Before any such alternative plan shall be approved it shall contain as a minimum a buffer area on both sides of driveways and curb cuts a minimum of 25 feet in depth as measured from street right-of-way and not less than eight feet in width as measured parallel to the driveway.

- B. *Interior side yard.* An interior side yard shall be provided for those parcels in a planned unit development district which border upon other districts; such side yard shall abut the adjacent district and shall be not less than eight feet in width except that, for accessory buildings not exceeding 500 square feet in area, the minimum width of such interior side yard shall be three feet.

C. *Exterior storage.*

- (1) All materials, machinery and equipment shall be stored within a building or fully screened so as not to be visible from adjoining or adjacent lands, except for the following: laundry drying lines and recreational equipment; construction materials, machinery and equipment currently being used on the premises during the course of construction; landscaping equipment and machinery currently being used or intended for use on the premises.
- (2) Major recreational equipment, defined for the purposes of this section as travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, less than eight feet in height above the ground, may be stored in any rear yard except when such yard is adjacent to a street. In addition to the general eight-foot height permitted, minor portions of such equipment not exceeding four square feet in vertical cross-section as viewed from the adjacent lot line is permitted. No such equipment shall be stored out of doors unless it is in condition for safe and effective performance of the function for which it is intended or can be made so at a cost not exceeding the value of the equipment in its existing state; in no event shall any such equipment be so stored for a period of more than 60 days if not in condition for safe and efficient performance of its intended function.

D. *Refuse.* In all areas all waste material, debris, refuse or garbage shall be kept in an enclosed building or properly contained in a closed container designed for such purposes. Trash and garbage receptacles must be screened from view from off the site and are prohibited in front yards and in the setback area of rear and side yards.

E. *Landscaping.* Landscaping shall be provided and maintained for all yard areas except those utilized for driveways and off-street parking and shall consist of grass, shrubs and trees suitable for the climatic and soil conditions of the site area.

F. *Off-street parking.* Off-street parking and loading facilities shall be provided with a site plan recommended by the plan commission and approved by the city council. Such facilities may vary from the requirements in Sec. 10-1-13.

G. *Screening.* Screening shall be required where any off-street parking area contains more than four parking spaces. Such screening shall conform to the spirit of Sec. 10-1-13.

H. *Traffic control.* The traffic generated by any use shall be channeled and controlled in a manner that will avoid congestion on the public streets, traffic hazards, and excessive traffic through residential areas, particularly truck traffic. Internal traffic shall be so regulated as to ensure a safe and orderly flow.

I. *Screening of roof-mounted equipment.*

- (1)

Roof-mounted mechanical equipment installed on buildings constructed within the planned unit development district shall be screened from view. This requirement shall be deemed satisfied when all parts of the roof-mounted equipment are not visible from ground-level observation or at any point on the property, adjacent property, or from adjacent streets.

(2) *Screening required by this section shall comply with the following:*

- (a) The screening shall be permanently attached to the building and shall be capable of withstanding all load requirements as outlined in applicable codes.
- (b) The screening shall be constructed with materials that are architecturally compatible with the building. The use of wood, in whole or in part, as a screening material shall not be considered as being architecturally compatible unless the building is constructed with a wood exterior.
- (c) A parapet wall of sufficient height and as an integral part of the building shall be considered as approved screening.
- (d) All rooftop screening shall be kept in repair or in a proper state of preservation.
- (e) Existing screening which requires major alteration or replacement shall meet the requirements of this section.

Sec. 10-1-39. - PUD application review.

- A. *Review scope.* An application to construct a planned unit development must be reviewed in a manner which is consistent with the procedures set forth in this section and those procedures required by state statute.
- B. *Constitution of review authority.* Planned unit development applications shall be subject to review by the city council based on plan commission recommendations and a public hearing.
- C. *Preapplication conference.*
  - (1) A developer desiring to construct a planned unit development may request a preapplication conference with the plan commission prior to submitting an application.
  - (2) The purpose of this preapplication conference shall be to familiarize both the developer and the plan commission with each other's intentions with respect to the planned unit development. Although a preapplication conference shall not be required, this preliminary meeting between the plan commission and the developer is desirable since it should help clarify many procedural and policy issues.
  - (3)

The developer shall not be required to present any written or graphic materials at the preapplication conference. The plan commission cannot approve a PUD at the preapplication conference.

*D. Development proposal.*

- (1) The written and graphic information specified in this section must be submitted for the entire proposed project. A copy of the development proposal shall remain open to the public during the application process and shall be located in the zoning administrator's office.
- (2) The purpose of the development proposal shall be to provide the plan commission with an opportunity for in-depth substantive review of the planned unit development before final designs are developed.
- (3) The development proposal shall include written and graphic materials.
  - (a) Written materials shall include, but not be limited to, the following:
    - [1] Legal description of the total development parcel proposed for development including exact location and a statement of present and proposed ownership.
    - [2] Statement of development concept, including the planning objectives and the character of the development to be achieved through the planned unit development.
    - [3] Development schedule indicating the appropriate date when construction of the planned unit development can be expected to begin and to be completed, including initiation and completion dates of separate stages of a phased development.
    - [4] Statement of intentions regarding the future selling or leasing of all or portions of the planned unit development, such as land area, dwelling units, and public facilities.
    - [5] The impact of the development on existing city services outside the development.
  - (b) Quantitative data, including:
    - [1] Parcel size.
    - [2] Proposed lot coverage of structures.
    - [3] Total amount of usable open space, both private and public.
    - [4] Total number and type of dwelling units by number of bedrooms.
    - [5] Approximate gross residential densities.

- [6] Number of parking spaces to be provided.
  - [7] Total length of streets to be conveyed to the city government.
  - [8] Total length of streets to be held as private ways within the development.
  - [9] Description of type of other public works to be conveyed to the city government.
  - [10] Number and types of public facilities.
- (c) Graphic materials shall include, but not be limited to, the following:
- [1] Map of existing site conditions, including contours, watercourses, floodplains, unique natural features, existing vegetation, existing buildings.
  - [2] Existing and proposed lot lines.
  - [3] Location and size of gross floor area of all existing and proposed buildings, structures, and other improvements including maximum heights and types of dwelling units.
  - [4] Location and size in square feet of all usable open space and areas to be conveyed, dedicated or reserved as common open spaces and recreation areas.
  - [5] The existing and proposed circulation, including off-street parking areas, service areas, loading areas, and all points of access to existing public rights-of-way.
  - [6] Proposed pedestrian circulation system.
  - [7] Existing and proposed utility systems, including sanitary sewers, storm sewers, water and gas lines, and utility easements.
  - [8] Landscape plan indicating the treatment of materials used for private and common open spaces.
  - [9] Location of trash and garbage receptacles and type of screening.
  - [10] Proposed treatment of the perimeter of the development, including materials and techniques used, such as screens, fences, and walls.
- (d) Approval of the development proposal shall be granted by the city council upon the recommendation of the plan commission and following a public hearing where the development proposal:
- [1] Conforms with the general development controls set forth in this section.
  - [2]

Conforms with adopted policy plans or development guidelines for the portion of the city in which the planned unit development district is located.

[3] Provides benefits to the city which outweigh its adverse effects; in making this determination, the plan commission shall consider the following:

[a] Quality of site design, including integration of a variety of land uses; building types, and densities; preservation of natural features, compatibility with adjacent land uses, provision and type of open space, provision of other amenities designed to benefit the general public.

[b] Traffic flow and safety.

[c] Adequacy of utilities and other public works facilities.

**Editor's note**— Amended at time of adoption of Code.

**State Law reference**— See title 1, general provisions, Ch. 1-1, Art. III.

Sec. 10-1-40. - PUD final development plan.

- A. The final development plan shall be submitted to the zoning administrator. It shall include all of the previously specified data and, in addition, any changes approved by the city council.
- B. In lieu of completing all of the elements in the development proposal, the city manager may accept a bond in an amount equal to the estimated costs for completing the project.

Sec. 10-1-41. - Subsequent change or addition to approved PUD plan.

Any subsequent change or addition to an approved plan shall first be submitted for recommendation to the plan commission. The plan commission shall make its recommendation to the city council. If in the city council's opinion the change or addition is substantial, keeping in mind how substantial is defined below, the city council shall call for a public hearing on such proposed change or addition. Without limitation to the city council's right to determine any other substantial change, a change may be construed to be "substantial" if it results in any of the following:

- A. An increase in density.
- B. An increase in traffic congestion.

- C. Creation of service problems.
- D. Change in project design, architecture, or aesthetics.

Sec. 10-1-42. - Planned Development district (PDD).

A. *Intent.*

- (1) Planned development district regulations are intended to permit greater flexibility and, consequently, more creative and imaginative design for the development of a site than is possible under conventional zoning regulations. It is further intended to promote more economical and efficient use of land while providing a harmonious variety of housing choices, adequate buffering between adjacent uses, and preservation of the natural qualities of open spaces.
- (2) The procedure described herein is designed to give the developer general plan approval before completing all detailed design work while providing the city with assurances that the project will retain the character envisioned at the time of approval.

B. *General provisions.* The plan commission may recommend and the city council may, upon the request of the owners, establish planned development districts which will, over a period of time, tend to promote the maximum benefit from coordinated area site planning by permitting the diversified location of structures and mixed dwelling types and mixed compatible uses. Adequate buffering and preservation of open spaces shall also be provided in a PDD.

C. *Permitted uses.* Permitted and accessory uses in a planned development district shall be the same as those permitted in the underlying existing zoning district in which the PDD is located. If a developer desires uses different than those permitted by the existing zoning, the developer must simultaneously petition for rezoning of the underlying existing zoning to a zoning district which allows the desired use(s).

D. *Mixed uses.* A mix of different uses within a planned development district may be permitted if the plan commission and the city council determine that the mix of uses is compatible and necessary to achieve the objectives of the PDD.

E. *Number of buildings on a lot.* The PDD may allow more than one building on a lot.

F. *Density.* The PDD may permit the transfer of density (dwelling units) from one portion of the subject site to another and will permit the clustering of dwelling units in one or more locations within the total site. However, the density of use shall not exceed the density permitted in the underlying existing zoning district.

G. *Minimum area for a PDD.* Planned development districts are intended to provide flexibility to encourage more creative design for all sizes of sites than would be allowed under conventional zoning. To achieve this goal, there is no minimum area for a PDD.