



Meeting Date: May 16, 2011
Agenda Item: #9

**VILLAGE OF HOWARD PLAN COMMISSION
 STAFF REPORT**

REPORT TO: Burt R. McIntyre Village President
 Village Plan Commission

REPORT FROM: Dave Wiese, Executive Director of Community Development

REPORT WRITTEN: May 12, 2011

REPORT SUBJECT: **Agenda Item #9**

Action on the Preliminary Planned Development District application to allow for the construction of a Menards retail store on the 29/42 Retail Centre Plat, Lots 35, 36, 37, 38, 39, and part of Lot 34 of the 29/42 Retail Centre Plat (VH-2039, VH-2040, VH-2041, VH-2042, VH-2043, VH-2044 - approximately 18.69 acres north of Woodman Drive across from Gander Mountain.)

BACKGROUND

| BASIC INFORMATION | |
|---|--|
| Project Name | Menards PDD |
| Applicant Name/Contact No. | Aaron Morrissey - (715)-876-2177 |
| Consulting Planner and/or Engineer | Advanced Engineering Concepts (715) 876-2941 |
| Size of Parcel | 18.69 Acres |
| Existing Zoning | B-1 Business |
| Requested Zoning | PDD |
| Comprehensive Land Map Designation | Regional Commercial |

| ADJACENT LAND USE/ZONING MATRIX | | |
|--|---|---|
| Direction | Land Use | Zoning |
| North | Single Family Residential/ Existing Berm | R-2 Single Family Duplex by Subdivision |
| South | Gander Mt. / Woodmans Food Store | B-1 Business |
| East | Detention Pond / U.S. 41 | B-1, B-2 |
| West | Vacant 8 Acres/ Single Family Residential | B1-R-2,R-3 |

REQUEST

Aaron Morrissey, Real Estate Representative for Menards, has submitted a Planned Development District (PDD) application to allow the establishment of a new Menards Home Improvement Store along Woodman Drive west of U.S. Hwy 41. The applicant is requesting a PDD in order to allow flexibility in order to construct the retail center. The PDD preliminary requirements have been provided in Attachment V and the B-1 regulations have been provided in Attachment VI.

DEVELOPMENT PROPOSAL

The total subject site is 18.69 acres. The proposed development of Menards would include a heated core building area of 162,340 square feet. Of that heated area, 94,432 square feet is for retail use, 64,157 square feet is used for warehouse and 3,751 square feet is used for office area. There is an unheated roof overhang area of 40,608 square feet. A separate lumber warehouse building is located to the west of the main structure, which will be 42,352 square feet. As proposed, the total area under rooftop is 246,802 square feet. The site provides 428 parking spaces and 8 cart coral spaces.

The Menards store would be located north of Gander Mountain and west of U.S. 41. The front façade of the structure would face toward the east and would be visible from U.S. 41. Parking would be located in front of the front façade. There is a large yard storage area generally located to the west of the store between the main building and the lumber storage building on the west end. The yard area will be screened by a fence of 14 feet in height and will be constructed with vertical wood siding for the majority of it. The east and west corners of the fence along Woodman Drive will be steel (wrought iron.)

The building will be constructed of precast concrete walls with the east (front) being faced with 4-inch face brick. Colors will include mountain red brick, tan accent banding with emerald green accent panels at various locations. Several emerald green canopies over major entry/exit points are included. Other exterior materials include wood and stone. Fences at various portions of the building will be wrought iron. The proposed warehouse (west elevation) will be faced with smooth face and split face block on the portion that will be visible from the street.

The plan indicates 428 parking stalls would be provided for the use, which exceeds the Code requirements by approximately 36 spaces. Access to the yard area will be provided from Woodman Drive across from the Woodmans Grocery Store entrance and it will provide for turning movements for trucks and other vehicles accessing that part of the site.

The applicant is proposing 788.9 square feet of signage. The majority of the signage (559 square feet) is be used by the main Menards sign on the front elevation and on the west elevation of the warehouse. Those signs are proposed to be 6' x 46'7" each.

EXECUTIVE ANALYSIS

1. Zoning

The property is currently zoned Business (B-1.) The applicant is requesting a PDD in order to allow flexibility for the development.

2. Setbacks

Minimum setbacks are to be established as part of the PDD. Proposed building setbacks comply with that of the B-1 zoning district. The 14 foot fence is taller than the 8 feet allowed by ordinance and is approximately 11 feet off of the front property line. The B-1 zoning regulations would require it to be 30 feet from Woodman Drive.

3. **Parking**

Minimum parking to be established as part of the PDD. The proposed number of stalls is 428. The current regulations would require 392 parking stalls (Retail area, plus restroom/office area).

4. **Floodplain, Shoreland Zoning & Stormwater Management**

The property is not in the 100-year regulatory floodplain district according to the proposed revised FEMA floodplain maps. There is no mapped wetland on the property.

5. **Land Division**

A combination Certified Survey Map would have to be completed that would combine lots 35, 36, 37, 38, 39, and part of Lot 34 of the 29/42 Retail Centre Plat (VH-2039, VH-2040, VH-2041, VH-2042, VH-2043, VH-2044 – approximately 18.69 acres north of Woodman Drive across from Gander Mountain.)

6. **Lighting**

Under the B-1 regulations, the overall height of light fixtures installed to illuminate parking lots and exterior grounds shall not exceed 30 feet or the height of the principal structure, whichever is less. The proposed lighting needs to be consistent with the height of the proposed principal structure.

7. **Fire Protection**

This property is currently served by the municipal water system and is located approximately 2.3 miles from the nearest fire station.

8. **Comprehensive Plan**

The Village's Comprehensive Plan Map shows the subject property designated as Regional Commercial. A majority of the property to the west and all of the property east and south is designated as Regional Commercial. In Staff's opinion the proposed use is consistent with the plan.

ACTION REQUESTED

It is requested that the Plan Commission open the public hearing and ask the applicant to present the plans for the proposed facility. After the public hearing is closed it is requested that the Plan Commission review the applicant's request and public input received and, if satisfied with the proposal, recommend approval to the Village Board.

If the Plan Commission recommends approval of the proposed preliminary planned development, staff recommends the following conditions be placed on the recommendation:

1. Sufficient landscaping to provide a vegetative buffer that will screen (height and density) the majority of the 14-foot fence along Woodman Drive
2. Consider a store front elevation that would include parapets instead of a flat building wall (Brown Deer store.) Keep the tan banding to break up the building elevation (Janesville store.) Remove the Merchandise signs on the store front (Carpet, lumber, appliances, etc)
3. Put a decorative facing on the tree planters that are to be located in the front of the store.
4. Consider a colored landscaping stone or mulch that complements the front elevation building color.

5. Approval of a Certified Survey Map creating the development parcel.
6. That the developer pays all costs for design and construction of traffic improvements associated with the project.
7. That the photometric plans for the site be modified to 30 feet or the height of the principle structure, whichever is less within the parking areas.
8. A stormwater management plan shall be submitted to and approved by the Village Engineer.
9. Outside display of merchandise and seasonal sales are prohibited in the parking lots and green space areas.

ATTACHMENTS

- I. Completed PDD Application
- II. Location Map and Zoning Map
- III. Site Plan CT 1-CT7
- IV. Photo Examples of Materials and Building elevations
- V. PDD Regulations
- VI. B-1 Zoning Regulations

COPIES EMAILED TO

Aaron Morissey, Real Estate Representative, Menards, Inc.

ATTACHMENT I



2456 Glendale Ave
Green Bay, WI 54313

PDD APPLICATION

See Next Page
for Materials to be Submitted
with This Application

Application Fee: \$200.00

Date: _____

Initials: _____

Application #: _____

Applicant

Name: Menard, Inc., Attn: Aaron Morrissey

Address: 5101 Menard Drive, Eau Claire, WI 54703

Phone: () - - - - - Email: amorri@menard-inc.com
(715) 876-2177

Business Name: Menards

PDD Site Address: None assigned

Landowner of Record: DAB Howard, LLC, Attn: Bret Backus

Address: 7818 Big Sky Drive, Ste 201, Madison, WI 53719

Phone: () - - - - - Email: bret@ravenmgmt.com
(608) 347-2930

Consultant(s)

Architect

Name: Menard, Inc., Attn: Denny Behrens

Address: 5101 Menard Drive, Eau Claire, WI 54703

Phone: () - - - - - Email: dbehrens@menard-inc.com
(715) 876-2941

Contractor/Engineer

Name: Advanced Engineering Concepts, Attn: Sean Bohan

Address: 635 Fairfax Street, Altoona, WI 54720

Phone: () - - - - - Email: sbohan@rls-aec.com
(715) 552-0330

Parcel/Building Information

Lot Size: Acres/Sq. Ft Current Zoning: R-1 Parcel #: VH - N/A

Lot Dimensions: See Exhibit "A" Does Current Zoning Permit Intended Use: Yes

Bldg. Sq. Footage: 162,340 (heated) Street Frontage: Woodman Drive

Describe Specifically the Nature of the Request: Menards Store

REQUIRED

(Check the Box to Signify Your Submittal of Listed Items)

- Statement describing the general character of the proposed development.
- A plat of survey or the equivalent thereof depicting the location, dimensions, boundaries, uses and size of the site.
- Legal description of the proposed development site.
- A site plan including the following:
 - Density and floor area ratio
 - Building heights and setbacks
 - Size & location of lots
 - Screening and fencing
 - Location of sanitary and storm sewer lines
 - Location of water mains
 - Site drainage
 - Location of roads, driveways and walks
 - Existing and proposed structures, parking, loading areas, ingress/egress points
 - Location of recreational and open space areas reserved or dedicated for public uses
 - Percentage of green space & impervious surface
- An accurate topographical map showing elevation and contour data at two (2) foot intervals and extending one hundred (100) feet beyond exterior boundaries of site and also the following
 - Topographical map showing all public right-of-ways & existing buildings within the project area.
 - Size and capacities of all available utilities and high water elevations along rivers and bodies of water.
- Easements to the Village for common open space areas, roadways and other right-of-ways not dedicated to the public.
- Landscape plan including table depicting quantity, size and name of species.
- Lighting plan showing photometrics and a spec sheet of all fixtures used.
- Sign plan with dimensions of sign.
- An attachment stating the methods and hours of operation (if applicable).
- Full-color rendering of building facades and large samples of colors and building materials to be used on the project.
- Table showing square footage of proposed buildings along with proportions of buildings devoted to office, production, manufacturing, warehousing, etc. and proposed number of employees in each area.
- Evidence showing proposed project is economically feasible.
- Table showing the approximate costs of individual buildings and dates of construction.
- Copies of deed restrictions, sureties, performance bonds, conditions, provisions, requirements and/or limitations to ensure public safety, health and welfare.
- Ownership and tax liability of private open space reservations and right-of-ways.
- Implementation schedule with proposed commencement and completion dates.

Please refer to Section 17.18 of the *Howard Municipal Code of Ordinances* for additional information on Planned Development District requirements.

Submit 10 color copies of all documents. If possible, provide electronic copies (pdf, word, excel, etc) of plans.

With this signature, I certify all required materials above have been submitted. Furthermore, I understand any required materials not submitted will result in an incomplete application. Incomplete applications will be returned to the applicant until all required materials are submitted.

x  _____ Date 4/22/11

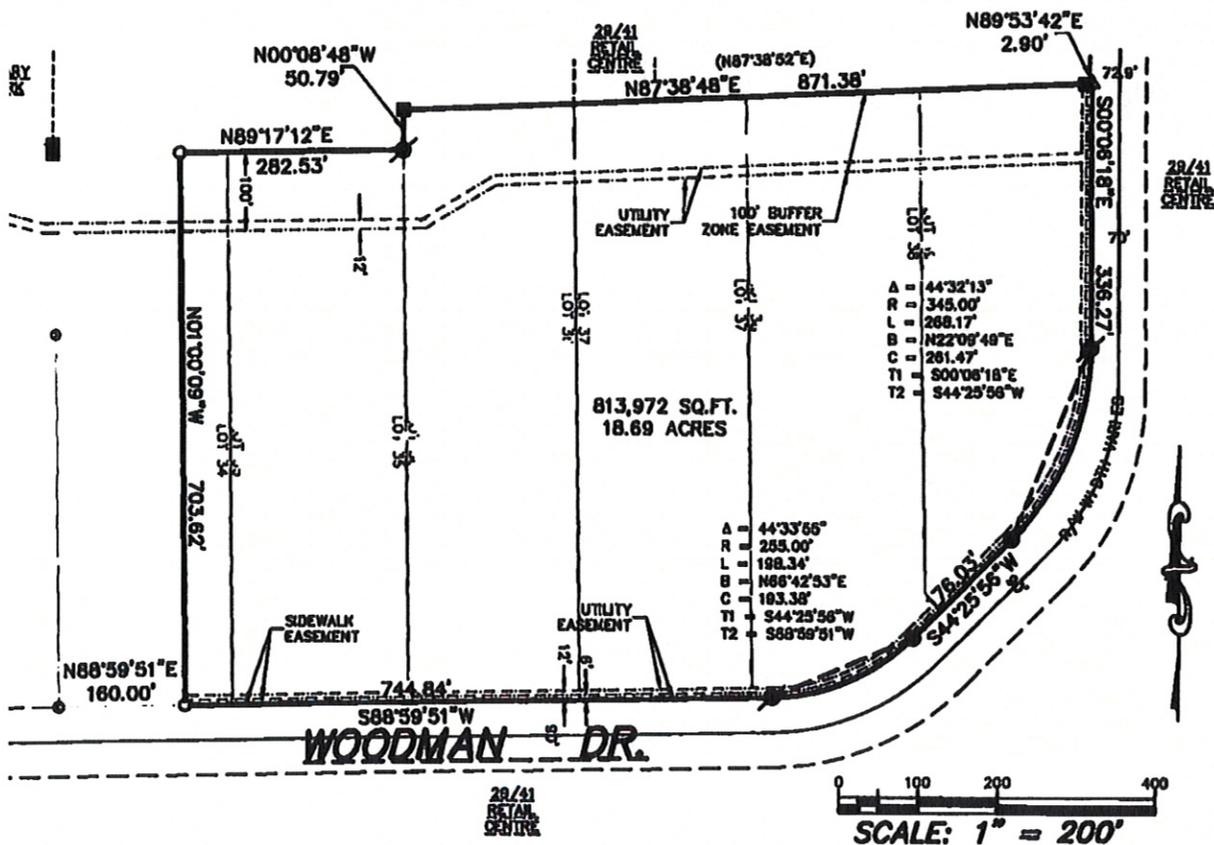
Please direct all questions to Dave Wiese at 434-4640 or dwise@villageofhoward.com

EXHIBIT A

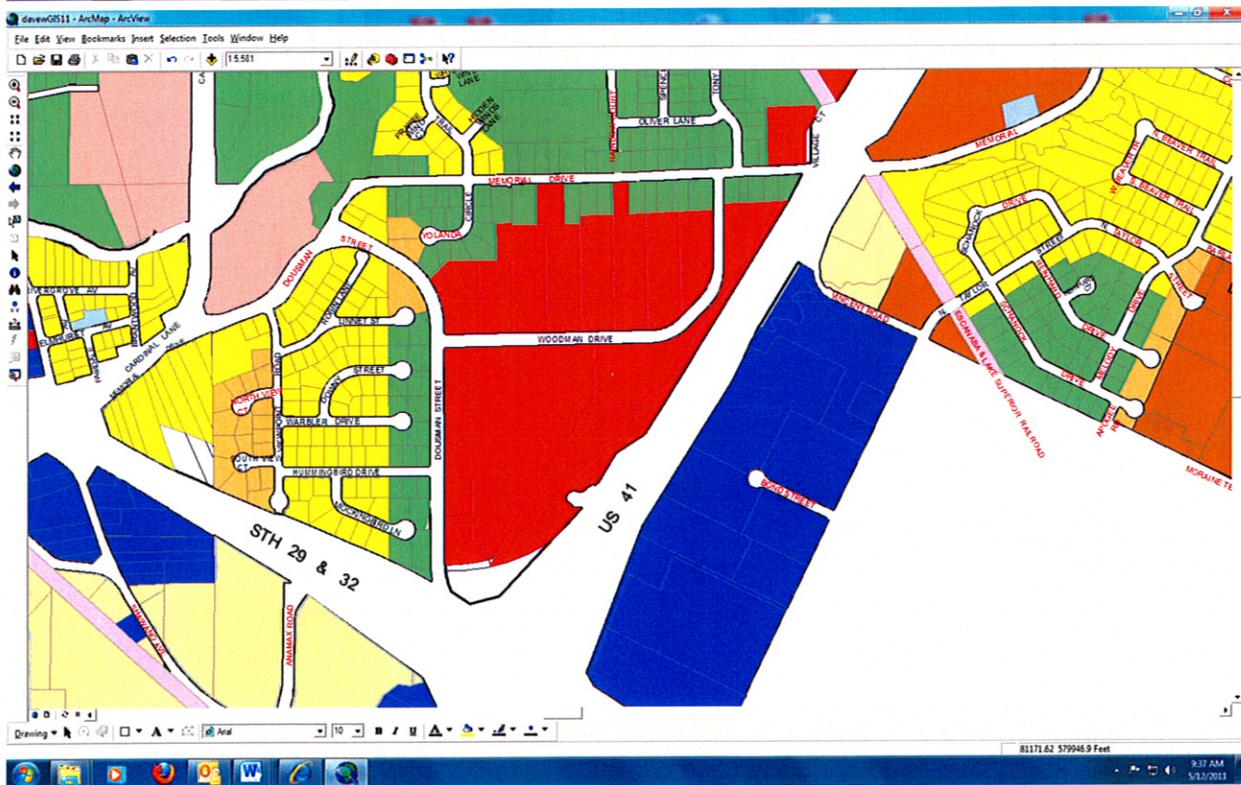
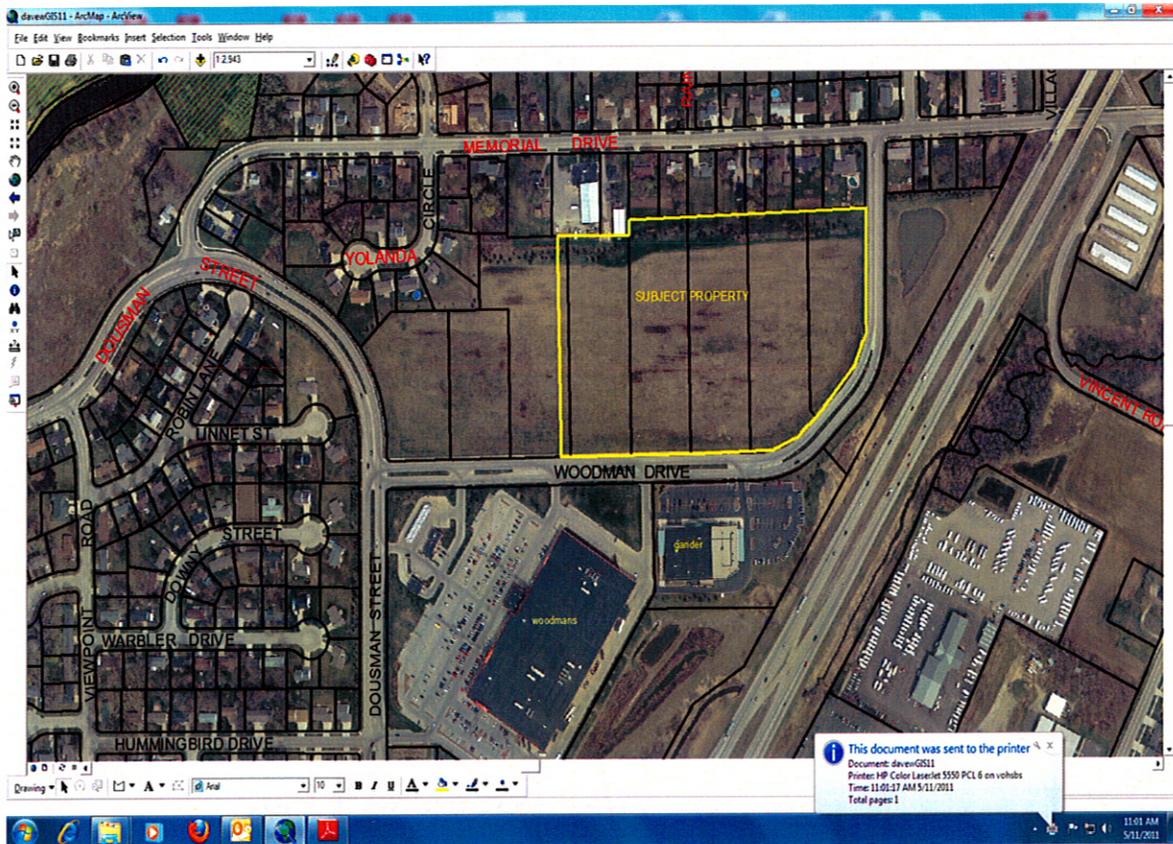
A PARCEL OF LAND LOCATED IN THE NE¼ OF THE NE¼ AND NW¼ OF THE NE¼, SECTION 21, T24N, R20E, VILLAGE OF HOWARD, BROWN COUNTY, WISCONSIN BEING ALL OF LOTS 35, 36, 37, 38, 39 AND PART OF LOT 34, PLAT OF 29/41 RETAIL CENTRE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

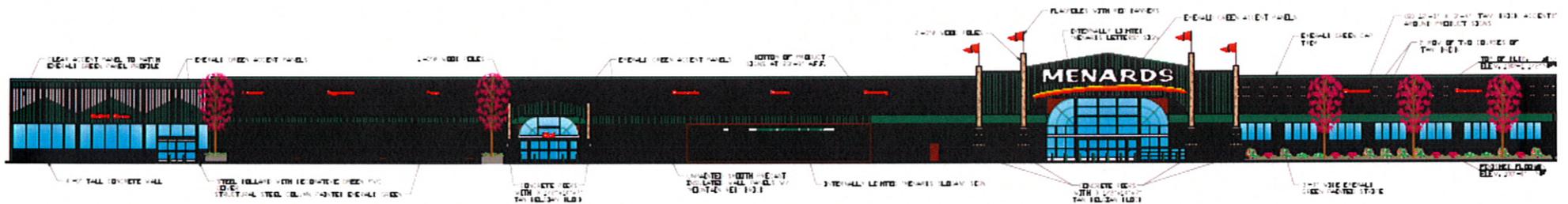
- BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 34;
- THENCE N.88°59'51"E. 160.00 FEET TO THE POINT OF BEGINNING;
- THENCE N.01°00'09"W. 703.62 FEET TO THE NORTH LINE OF SAID LOT 34;
- THENCE N.89°17'12"E. 282.53 FEET TO THE NORTHEAST CORNER OF SAID LOT 35;
- THENCE N.00°08'48"W. 50.79 FEET TO THE NORTHWEST CORNER OF SAID LOT 36;
- THENCE N.87°38'48"E. 871.38 FEET TO AN ANGLE POINT ON THE NORTH LINE OF SAID LOT 39;
- THENCE N.89°53'42"E. 2.90 FEET TO THE NORTHEAST CORNER OF SAID LOT 39;
- THENCE S.00°08'18"E. 336.27 FEET TO THE BEGINNING OF AN ARC ON THE EASTERLY LINE OF SAID LOT 39;
- THENCE SOUTHWESTERLY 288.17 FEET, ALONG THE SOUTHEASTERLY LINE OF SAID LOT 39 AND THE ARC OF A CURVE CONCAVE NORTHWESTERLY, THE LONG CHORD WHICH BEARS S.22°08'49"W. 261.47 FEET; CENTRAL ANGLE OF 44°32'13" AND HAVING A RADIUS OF 345.00 FEET;
- THENCE S.44°25'58"W. 176.03 FEET TO THE BEGINNING OF AN ARC ON THE SOUTHERLY LINE OF SAID LOT 38;
- THENCE SOUTHWESTERLY 188.34 FEET, ALONG THE SAID SOUTHERLY LINE AND ALONG THE ARC OF A CURVE CONCAVE NORTHWESTERLY, THE LONG CHORD WHICH BEARS S.66°42'53"W. 193.38 FEET, CENTRAL ANGLE OF 44°33'55" AND HAVING A RADIUS OF 255.00 FEET;
- THENCE S.88°59'51"W. ALONG THE SOUTH LINES OF SAID LOTS 34, 35, 36, 37 AND 38 A DISTANCE OF 744.84 FEET TO THE POINT OF BEGINNING.

CONTAINING 813,972 SQUARE FEET OF 18.69 ACRES



ATTACHMENT II

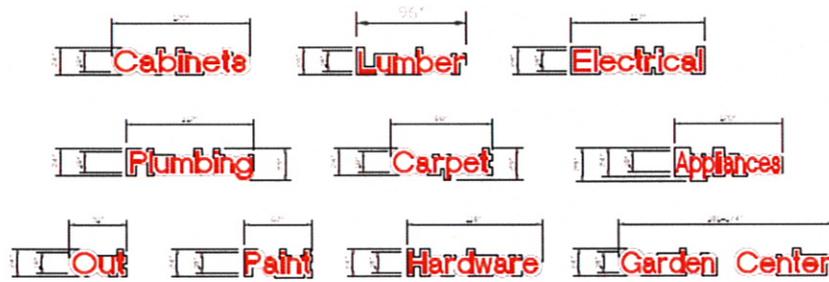




1 FRONT ELEVATION

| SIGN LEGEND | | | | |
|-------------|---------------|--------|--------|---------|
| ITEM | DESCRIPTION | HEIGHT | LENGTH | SQ. FT. |
| 1 | MENARDS | 8'-0" | 48'-0" | 384.0 |
| 2 | SWOOSH | 4'-0" | 34'-0" | 136.0 |
| 3 | SLOGAN SIGN | 4'-0" | 40'-0" | 160.0 |
| 4 | Appliances | 8'-0" | 24'-0" | 192.0 |
| 5 | Paint | 8'-0" | 24'-0" | 192.0 |
| 6 | Lumber | 8'-0" | 24'-0" | 192.0 |
| 7 | Carpet | 8'-0" | 24'-0" | 192.0 |
| 8 | Cabinets | 8'-0" | 24'-0" | 192.0 |
| 9 | Electrical | 8'-0" | 24'-0" | 192.0 |
| 10 | Plumbing | 8'-0" | 24'-0" | 192.0 |
| 11 | Hardware | 8'-0" | 24'-0" | 192.0 |
| 12 | Out | 8'-0" | 24'-0" | 192.0 |
| 13 | Paint | 8'-0" | 24'-0" | 192.0 |
| 14 | Hardware | 8'-0" | 24'-0" | 192.0 |
| 15 | Out | 8'-0" | 24'-0" | 192.0 |
| 16 | Garden Center | 8'-0" | 24'-0" | 192.0 |

TOTAL SQ. FEET = 2944

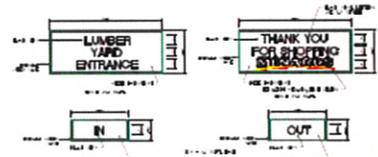


NOTE: ALL SIGN LETTERS ARE 4.0\"/>

2 PROPOSED FRONT SIGN ELEVATIONS



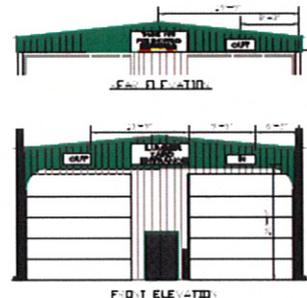
3 PROPOSED MENARDS SLOGAN SIGN



4 PROPOSED GATE AND YARD SIGNS



5 PROPOSED MENARDS SIGN W/ SWOOSH



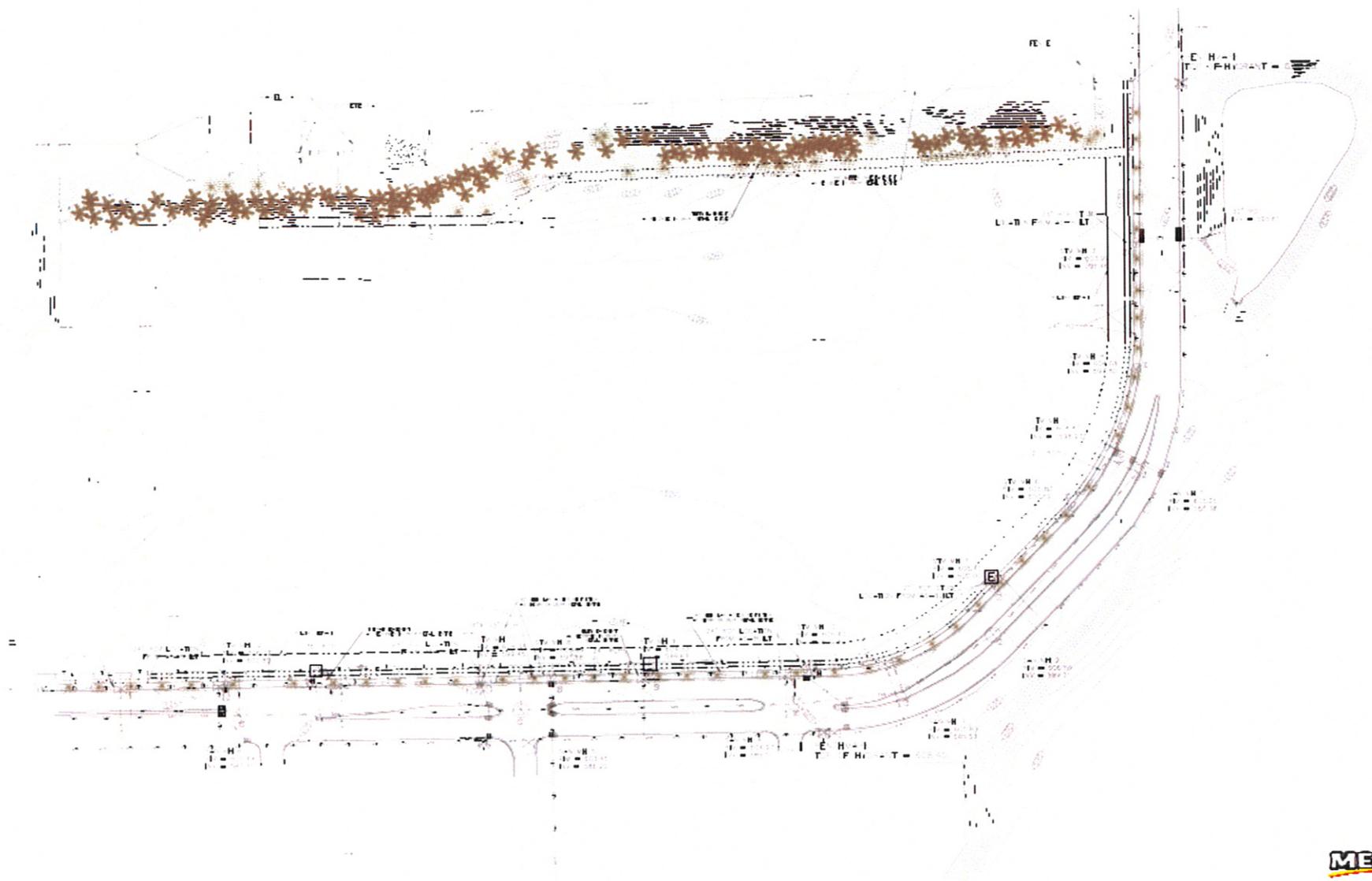
6 PROPOSED GATE AND YARD ELEVATIONS



7 PROPOSED WAREHOUSE MENARDS SIGN

MENARDS

Howard, Wisconsin
April 23, 2011
Proposed Sign Plan
Scale: As Shown



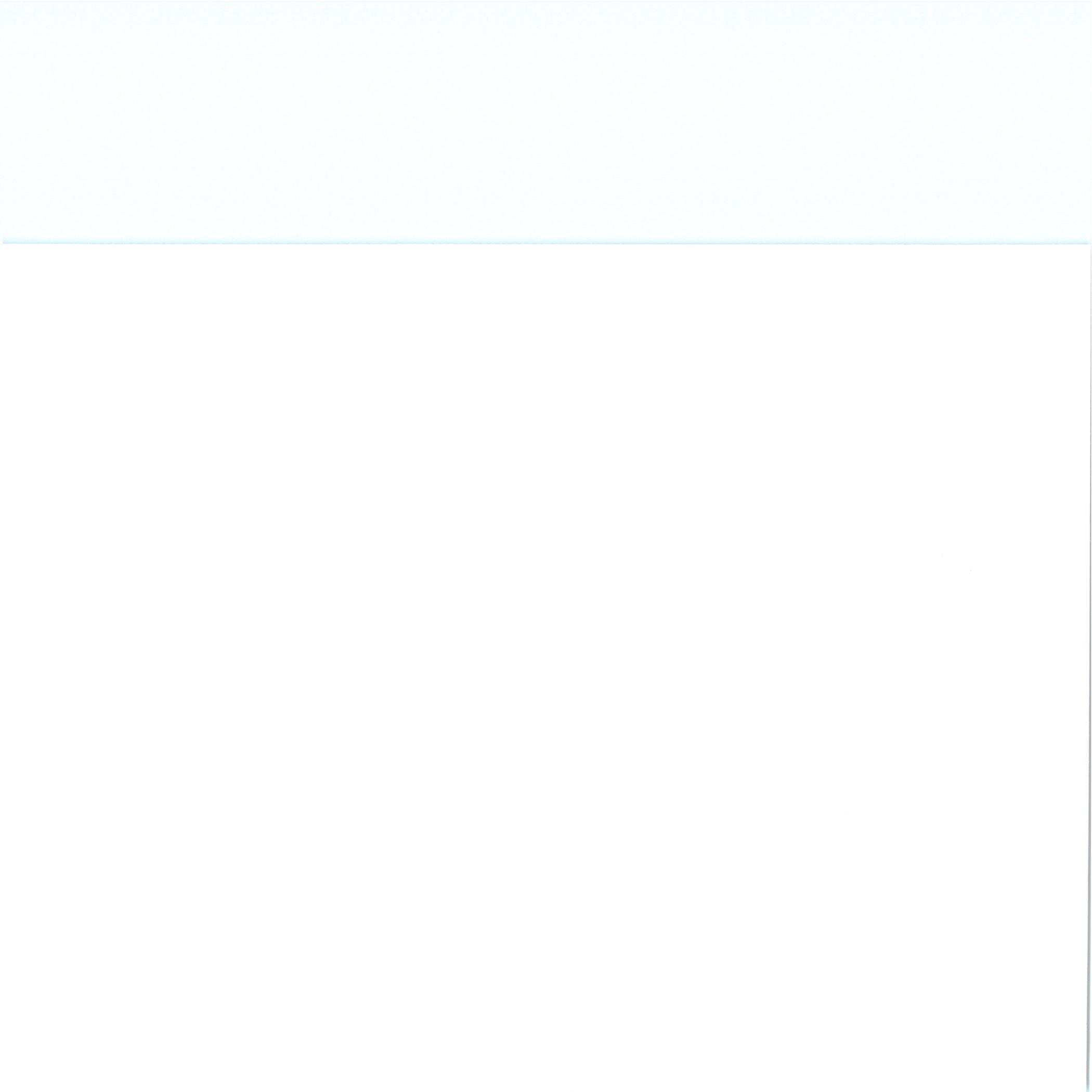
MENARDS

Howard, Wisconsin
April 22, 2011

ATTACHMENT IV







ATTACHMENT V

PDD

Approval criteria

As a basis for determining the acceptability of a planned development (PD) zoning district proposal, the following criteria shall be applied to the development plan with specific consideration as to whether the proposal is consistent with the spirit and intent of this chapter, has been prepared with competent professional advice and guidance, and produces significant benefits in terms of environmental design:

(1) *Character and intensity of land use.* The uses proposed and their intensity and arrangement on the building site:

- a. Shall be of such visual, aesthetic and operational character that they;
- b. Shall be compatible with the physical nature of the building site, with particular concern for preservation of natural features, tree growth and open space;
- c. Shall produce an attractive environment of sustained aesthetic and ecologic desirability, economic stability, and functional practicality compatible with the general development plan for the area as established by the village;
- d. Will not adversely affect the anticipated provision for schools, sewer and water installations, snow removal, garbage collection, fire protection, or other municipal services; and
- e. Will not create a traffic or parking demand incompatible with existing or proposed facilities to serve it.

(2) *Economic feasibility and impact.* Satisfactory evidence shall be provided demonstrating that the proposed project is economically feasible, has available adequate financing, and will not adversely affect the economic prosperity of the village or the value of surrounding properties.

(3) *Engineering design standards.* Right-of-way widths, location and widths of streets and other paving, outdoor lighting requirements, location of sewer and water lines, provision for drainage, and other similar environmental engineering considerations shall be based upon a determination as to the appropriate standards necessary to implement a specific function in a specific situation provided, however, that in no case shall construction standards be less than those necessary to ensure the public safety and welfare.

(4) *Open space and rights-of-way.* Adequate provisions shall be made in the following manner for the permanent preservation and maintenance of common open space and rights-of-way either by private reservation or dedication to the public:

- a. Common open space areas which are not dedicated to the public shall be protected against development by conveyance of easements to the village as a condition of project approval. Areas conveyed by easement shall be restricted to prevent future building construction, development or use, except as is consistent with that of providing landscaped open space for the aesthetic and recreational satisfaction of surrounding residential properties Noncommercial recreational or cultural buildings or uses compatible with the open-space objective may be permitted where specifically authorized as part of

the approved development plan, or subsequently upon village plan commission recommendation and village board approval.

b. For roadways and other rights-of-way which are not dedicated to the public, there shall be granted to the village as a condition of project approval, such easements as may be necessary to enable the village to provide fire protection, sanitary sewer, storm sewer, public water, and other required municipal services to the development.

c. The care and maintenance of recorded easements, open space reservations and rights-of-way shall be assured, either by establishment of an appropriate private management organization for the project, or by establishment of a special service district for the project area whereby the village provides necessary maintenance service and levies costs thereof as a special assessment on the tax bills of properties within the project area. In any case, the village shall have the right to carry out and levy assessments for costs of necessary maintenance if not otherwise performed to the satisfaction of the village. The manner of assuring maintenance and assessing costs to individual properties shall be determined prior to approval of the final development plan and shall be included in the title to each property.

d. Ownership and tax liability of private open space reservations and rights-of-way shall be established in a manner acceptable to the village and shall be made part of the conditions of final development plan approval.

(5) *Building, site and use characteristics.* The following building, site and use characteristics shall be considered as approval criteria:

- a. Neighborhood environment, characteristics and use.
- b. Physical, natural and topographical features of the building site.
- c. Nature, operational character, organizational structure and use of buildings and structures.
- d. Architectural design, visual appeal and building materials.
- e. Building arrangement, density and floor area ratio.
- f. Building heights.
- g. Building setbacks.
- h. Screening and fencing.
- i. Landscaping.
- j. Exterior lighting.
- k. Site drainage.
- l. Open space needs.
- m. Design and capacity of parking and loading areas.

- n. Design and location of roadways, driveways and walks.
- o. Traffic generation and rate of vehicle turnover.
- p. Street or highway access and traffic patterns.
- q. Number and location of street openings or curb cuts.
- r. Street and highway dedication.
- s. Availability and capacity of sewer, water and other utilities.
- t. Snow removal, garbage collection, fire protection and other municipal services.
- u. Methods and hours of operation.
- v. Operational control.
- w. Capacity of local schools and educational institutions.
- x. Economic impacts, inducements, attractions and detractions.
- y. Implementation schedule and proposed commencement and completion dates.
- z. Deed restrictions, sureties, performance bonds, conditions, provisions, requirements or limitations necessary for the protection of public safety, health and welfare and as assurance that each phase of development can and will be brought to completion in a manner which will not adversely affect the community as a result of termination at the end of any one phase.

(Comp. Ords. 2000, § 17.18(8))

Sec. 50-751. - Preliminary approval.

The procedures set forth in this section shall be adhered to when applying for preliminary approval of a planned development (PD) zoning district. No petition for final approval shall be considered until preliminary approval is granted in accordance with the procedures established in this division.

(1) *Application.* Anyone desiring to develop a building site as a planned development (PD) zoning district shall apply to the village director of code administration on such forms as shall be provided by the village and shall pay an application fee of \$200.00. Applications shall include the names, mailing addresses and telephone numbers of all owners and developers, a legal description of the proposed development site, and the following information in sufficient detail for the village plan commission and village board to determine the acceptability of the preliminary proposal and whether it conforms to the approval criteria set forth in section 50-750:

- a. A statement describing the general character of the proposed development.
- b. An accurate map of the project area, prepared by a registered land surveyor, showing the nature, use and character of abutting properties.

c. A general development plan showing:

1. The pattern of public and private roads, driveways and parking facilities;
2. The size and location of lots;
3. The type, size and location of structures;
4. The location of sanitary and storm sewer lines, water mains and lighting;
5. The location of recreational and open space areas reserved or dedicated for public uses;
6. The proposed landscape treatment;
7. Appropriate statistical data pertaining to development size, density, ratio of various land uses, and economic impacts;
8. Architectural drawings and sketches illustrating the design and character of the proposed structures; and
9. The general outline of intended organizational structure.

(2) *Preliminary discussions.* The village director of code administration shall inform the village plan commission of such request, shall schedule a date for preliminary discussions between the developer and the village plan commission, and shall notify the developer of such date.

(3) *Report and recommendation.* After such discussions have taken place and after thorough review of the application for preliminary approval, the village plan commission shall file a written report on the proposed development to the village board, together with its recommendation for approval or disapproval. The report and recommendation of the village plan commission shall be made to the village board no later than four months from the date of application with the village director of code administration. A recommendation of approval by the village plan commission shall in no way be binding on the village board. The village board shall either approve or disapprove the proposed development project without modification. Any such approval granted shall be preliminary only and shall not bind the village board with respect to approval of the final project.

(4) *Amendments.* The recommendation of the village plan commission and preliminary approval by the village board shall be based on, and include as conditions thereto, the building site and operational plans for the development as approved, as well as all other commitments offered or required with regard to project value, character or other factors pertinent to an assurance that the proposed development will be carried out as presented in the approved plans. Detailed construction and engineering drawings need not be presented at this time, however, preliminary approval shall be conditioned upon subsequent submittal and approval of more specific and detailed plans. Any changes or additions to the plans or proposed use after preliminary approval has been granted shall first be submitted to the village plan commission and, if the village plan commission determines that such alteration or addition constitutes a substantial change to the original plan, it shall make an appropriate recommendation to the village board regarding an amendment to the preliminary plan approval.

Sec. 50-752. - Final approval.

After the village board has granted preliminary approval for a planned development (PD) zoning district in accordance with the procedures established in section 50-751, the developer may file a petition for final approval stating that he seeks to develop such property under the provisions of this section. The following procedures shall be adhered to when applying for final approval of the development project:

(1) *Required information.* Unless previously submitted, the developer shall provide the following information in sufficient detail for the village plan commission and village board to determine the acceptability of the final proposed development and whether it conforms to the approval criteria set forth in section 50-750:

a. The names, mailing addresses and telephone numbers of any additional owners or developers since filing of the original preliminary approval application.

b. An accurate topographical map showing elevation and contour data at two foot intervals and extending 100 feet beyond the exterior boundaries of the site, showing all public rights-of-way and existing buildings within the project area. Such map shall show size and capacities of all available utilities and high water elevations along rivers and bodies of water.

c. A scale plot plan showing:

1. The location, size, type and use of all buildings and structures;
2. Driveways, walks and access roads;
3. Parking facilities and loading docks;
4. Exterior lighting;
5. Open spaces and recreation areas;
6. Site drainage;
7. Screening and fencing;
8. Landscaping; and
9. Utility easements.

d. A statistical table showing the acreage of development (exclusive of public streets), acreage of proposed open spaces and recreational areas, and proposed population densities.

e. Architectural drawings of all buildings and structures, typical building floor plans, and sketches showing the design characteristics and treatment of exterior building elevations.

f. A table showing the approximate costs of individual buildings and structures.

g. A statement confirming the anticipated commencement and completion dates.

h. Building sizes in square feet; proportions of buildings devoted to office, production, manufacturing, warehousing, etc., and proposed number of employees in each such area; proposed uses and manner of operation; and municipal services required to serve the site (commercial and industrial developments only).

i. Any other pertinent information, data, statements, drawings or plans which may be required by the village plan commission or village board.

(2) *Public hearing, report and recommendation.* After receipt of a petition for final approval and submittal of all required information as itemized in subsection (1) of this section, the village plan commission shall hold a public hearing regarding the proposed development. The public hearing shall be conducted and a record of such proceedings shall be preserved in such manner as the village plan commission shall by rule prescribe from time to time. A notice of public hearing shall be published at least twice in the official village newspaper and mailed directly to interested parties within 1,000 feet of the subject property, such publication and mailing to be made at least ten days prior to the date of the public hearing. Following such public hearing and review of all application materials, the village plan commission shall file a written report on the proposed development to the village board, together with its recommendation for approval or disapproval. Within a reasonable time period following such recommendation by the village plan commission, the village board shall either issue a final approval or disapprove such petition.

(3) *Commencement of construction.* No construction shall commence on the building site until the village board has granted final project approval, except such construction as shall be in compliance with underlying zoning district regulations and the proposed planned development as submitted for final approval. Neither preliminary approval nor final approval shall constitute permission to begin construction of any building or structure prior to the issuance of required permits as is now and as shall be hereafter prescribed elsewhere in this Code pursuant to state law.

(4) *Amendments.* Any request or petition for an amendment to a final approval shall be accompanied by an additional fee of \$200.00. No amendment shall be allowed or permitted until a public hearing is held, a recommendation is made by the village plan commission, and approval is granted by the village board in accordance the procedures established in subsections (1), (2) and (3) of this section.

ATTACHMENT VI

Lot size and density regulations.

Lots in the business (B-1) zoning district shall have an area of at least 5,000 square feet per business establishment and a width of at least 50 feet.

(Comp. Ords. 2000, § 17.10(4))

[Sec. 50-505.](#) - Setback regulations.

Unless otherwise regulated in this article, and unless otherwise specifically shown on a recorded subdivision plat or certified survey map, the minimum setback regulations in this section shall apply to all lots in the business (B-1) zoning district. When a lot in the business (B-1) zoning district abuts or adjoins a lot in a residential zoning district, however, the setback to the common property line shall conform to the setback regulations for the adjacent residential district, but in no case shall the setback be less than ten feet.

- (1) Front and corner side yard, arterial streets: 35 feet.
- (2) Front and corner side yard, minor/collector streets: 30 feet.
- (3) Interior side yard: ten feet.
- (4) Rear yard: 15 feet.

(Comp. Ords. 2000, § 17.10(5); Ord. No. 2006-09, § 1, 2-27-2006)

[Sec. 50-506.](#) - Building height regulations.

Except as provided in sections 50-861, 50-930 and 50-985, buildings and structures in the business (B-1) zoning district shall not exceed 40 feet in height.

(Comp. Ords. 2000, § 17.10(6); Ord. No. 2006-04, § 10, 1-23-2006)

[Sec. 50-507.](#) - Floor area ratio regulations.

The floor area ratio in the business (B-1) zoning district shall not exceed two.

(Comp. Ords. 2000, § 17.10(7))

[Sec. 50-508.](#) - Building architecture and style regulations.

The building architecture and style regulations in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

- (1) Except as specifically permitted in subsection (7) of this section, exposed exterior walls shall be surfaced with brick, stone, textured concrete or an equivalent masonry material on all sides. A proportionate amount of

decorative nonmasonry material, such as wood, steel, vinyl, etc., shall be permitted on the building exterior for ornamental or accent purposes only.

(2) Exterior building colors shall be earth tones.

(3) All buildings shall be similar in character to other buildings in the area.

(4) All mechanical equipment shall be screened from public view.

(5) Building walls exceeding 50 feet in length shall be broken or staggered.

(6) Trash dumpsters and recycling containers. The following regulations shall apply to all exterior trash dumpsters, recycling containers and other refuse storage areas in the business (B-1) zoning district:

a. Businesses and uses established on or after February 27, 2009, are as follows:

1. Trash dumpsters, recycling containers and other exterior refuse storage shall be effectively screened from public view by opaque fences, walls or enclosures constructed of materials matching that of the principal structure on the property.

2. Doors or gates constructed of decorative metal or vinyl shall be provided at the entrances to enclosures required in subsection (6)a.1. of this section and such doors or gates shall be kept in a fully closed position when the enclosure is not in use.

3. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located in front of or closer to a street right-of-way than the principal building or structure.

4. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located on, adjacent to or in front of any building wall containing a primary building entrance.

b. Businesses and uses established prior to February 27, 2009 are as follows:

1. Trash dumpsters, recycling containers and other exterior refuse storage shall be effectively screened from public view by opaque fences, walls or enclosures by February 27, 2014.

2. Enclosures required in subsection (6)a of this section shall be constructed of wood, metal, vinyl, masonry, or chainlink fencing with privacy slats. The color of such enclosure shall be similar to or shall compliment that of the principal building on the property.

3. Doors or gates constructed of decorative wood, metal, vinyl, masonry, or chainlink fencing with privacy slats shall be provided at the entrances to enclosures required in subsection (6)b.2 of this section and such doors or gates shall be kept in a fully closed position when the enclosure is not in use.

4. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located in front of or closer to a street right-of-way than the principal building or structure.

5. Trash dumpsters, recycling containers and other exterior refuse storage shall not be located on, adjacent to or in front of any building wall containing a primary building entrance.

(7) Building additions need not comply with the exterior wall surface regulations set forth in subsection (1) of this section as long as the following conditions are met:

- a. The existing building was constructed prior to the effective date of the ordinance from which this chapter is derived.
- b. The construction of the existing building was authorized by a valid building permit.
- c. The total floor area of the building addition does not exceed that of the existing structure.
- d. The exterior wall material used on the building addition is identical to that of the existing structure.

(Comp. Ords. 2000, § 17.10(8); Ord. No. 03-23, § 1, 9-22-2003; Ord. No. 2005-10, § 1, 3-28-2005; Ord. No. 2005-16, § 1, 7-25-2005; Ord. No. 2009-5, § 1, 2-23-2009)

Sec. 50-509. - Landscaping and green space regulations.

The landscaping and green space regulations in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

(1) A minimum of one shrub shall be required for every 3,000 square feet of lot area.

(2) A minimum of one tree shall be required for every 5,000 square feet of lot area. All proposed deciduous trees shall be a minimum of 1¾ inches in diameter and all evergreen trees shall be a minimum of four feet in height at the time of planting. Large maturing shade trees shall account for at least 50 percent of the total trees required.

(3) Landscape buffers (trees, hedges, plantings, berms or a combination thereof) shall be installed adjacent to and across from all residential areas.

(Comp. Ords. 2000, § 17.10(9); Ord. No. 03-23, § 2, 9-22-2003)

Sec. 50-510. - Sign regulations.

The sign regulations set forth in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply:

(1) Except as specifically allowed in division 4 of article VI of this chapter, exempt signs, and except as specifically allowed in subsection (2) of this section, only monument signs and signs mounted on a building or building appurtenance are permitted in the business (B-1) zoning district.

(2) Signs which do not comply with the provisions of subsection (1) of this section, and which existed on December 1, 2004, are permitted, provided such signs complied with all applicable ordinances and regulations at the time of initial erection or subsequent alteration, and such signs were covered by valid sign permits, if required. Any such sign may be repaired, structurally modified, altered or replaced as long as such work results in an identical sign or a sign which is more in compliance with the regulations in effect prior to December 1, 2004.

(3) The total area of all signs on a lot shall not exceed 300 square feet.

(4) No more than one monument sign shall be permitted on a lot.

(Comp. Ords. 2000, § 17.10(10); Ord. No. 03-23, § 3, 9-22-2003; Ord. No. 2004-37, § 1, 11-22-2004; Ord. No. 2005-09, § 1, 3-28-2005)

Sec. 50-511. - Parking, drive and loading area regulations.

The parking, drive and loading area regulations set forth in this section shall apply in the business (B-1) zoning district. In the event any of these regulations conflict with a rule or requirement set forth elsewhere in this chapter, the more restrictive regulation shall apply.

(1) Curb and gutter shall be installed around the perimeter or boundary of all parking, drive and loading areas.

(2) A minimum of ten percent of the surface area of all parking lots shall be landscaped with trees and shrubs.

(3) The overall height of light fixtures installed to illuminate parking lots and exterior grounds shall not exceed 30 feet or the height of the principal structure, whichever is lesser.

(4) Projected surface stormwater runoff rates upon project completion shall not exceed Predevelopment rates.

(5) Sidewalks and pedestrian walkways shall be provided in all developments as an integral part of an overall circulation and transportation network.