

DIVISION 10. PLANNED UNIT DEVELOPMENT DISTRICTS**Section 36-268-PUD 1.****(a) Development Plan**

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. G000 – Cover Sheet
2. C1.01 – Title Sheet
3. C2.01 – Preliminary Plat
4. C2.02 - Construction Route/Parking
5. C3.01 – Site Plan
6. C4.01 – Grading and Erosion Control
7. C6.01 – Utility Plan
8. C8.01 – France Avenue Plan and Profile
9. L000 – Tree Preservation Plan
10. L100 – Landscape Site Plan
11. L101 – Planting Details
12. AS100 – Architectural Site Plan
13. A100 – Level P1 Floor Plan
14. A110 – Level 1 Floor Plan
15. A120 – Level 2 Floor Plan
16. A130 – Level 3 Floor Plan
17. A140 – Level 4 Floor Plan
18. A150 – Level 5 Floor Plan
19. A160 – Roof Plan
20. A200 – Elevations
21. A201 – Elevations
22. A202 – Elevations
23. A310 – Building Sections
24. Site Lighting Photometric Plan
25. Final Plat
26. Zoning Map Amendment Exhibit

The site shall also conform to the following requirements:

- 1) The property shall be divided into two zones, as indicated on Sheet AS100 of the Official Exhibits. The zones shall be established by dividing the site into a north side and south side. The north side shall be called Zone A and the south side shall be called Zone B.
- 2) Parking will be provided off-street in a surface lot and structured parking, and on-street in the circular driveway on the north side of the property. A total of two-hundred-ninety-one (291) parking spaces will be provided: 203 spaces for residential units and 88 spaces for non-residential uses.
- 3) The maximum building height in Zone A shall not exceed 65 feet and five stories. The maximum building height in Zone B shall not exceed 35 feet and three stories.
- 4) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.

(b) Permitted Uses**Zone A**

- (1) *Multiple-family dwellings.* Dwelling units are not permitted on the first floor. Uses associated with the multiple-family dwellings, including, but not limited to the

residential office, fitness facility, mail room, assembly rooms or general amenity space are limited to a maximum of 50% of the building first floor.

- (2) *Commercial uses.* Commercial uses are only permitted on the first floor, and are limited to the following: office, medical or dental office, adult day care, group day care/nursery school, group home/nonstatutory, banks without drive-up facilities, food service, private entertainment (indoor), retail shops, service, showrooms and studios.
 - a. All parking requirements must be met for each use.
 - b. Hours of operation for commercial uses shall be limited to 6 a.m. to 12 a.m.
 - c. No drive up facilities are allowed.
- (3) *Civic and institutional uses.* Civic and institutional uses are limited to the following: education/academic, library, museums/art galleries, indoor public parks/open space, police service substations, post office customer service facilities, public studios and performance theaters.

Zone B

- (1) *Multiple-family dwellings.* (Ord. No. 2475-15, 9-21-2015)

(c) Accessory Uses

Accessory uses are as follows:

- (1) Incidental repair or processing which is necessary to conduct a permitted use and not to exceed ten percent of the gross floor area of the associated permitted use.
- (2) Home occupations complying with all of the conditions in the R-C district.
- (3) Catering, if accessory to food service, delicatessen or retail bakery.
- (4) No outdoor uses or storage allowed.

(d) Special Performance Standards

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) All trash handling and loading areas shall be inside of the building and screened from view.
- (3) Signage shall be allowed in conformance with the approved redevelopment plan or final PUD site plan and development agreement in accordance with the following conditions:
 - a. Pylon signs are prohibited;
 - b. Freestanding monument signs shall utilize the same exterior materials as the principal buildings and shall not interfere with pedestrian, bicycle or automobile circulation and visibility;
 - c. Pedestrian-scale signs visible from public sidewalks shall be no more than three feet in vertical dimension unless flush with the building wall; and
 - d. Maximum allowable number, sizes and heights of signs shall be regulated by section 36-362, C-2 requirements, except as may be specifically modified by the final PUD.

- e. Wall signs of non-residential uses shall only be placed on the ground floor, exterior wall of the occupied tenant lease space, and/or a monument sign.
 - f. Wall signs shall not be included in calculating the aggregate sign area on the lot if they meet the following outlined conditions:
 - 1. Non-residential wall signs permitted by this section that do not exceed seven percent of the exterior wall area of the ground floor tenant lease space.
 - 2. The sign is located on the exterior wall of the ground floor tenant lease space from which the seven percent sign area was derived.
 - 3. No individual wall sign shall exceed 80 square feet in area.
- (4) Façade. The following façade design guidelines shall be applicable to all ground floor non-residential facades located in Zone A:
- a. For street-facing facades, no more than 10% of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signage. The remaining 90% of window and door area shall be clear or slightly tinted glass, allowing views into and out of the interior.
 - b. Visibility into the space shall be maintained for a minimum depth of three feet. This requirement shall not prohibit the display of merchandise.
- (5) Awnings.
- a. Awnings must be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
 - b. Backlit awnings are prohibited.

(Ord. No. 2471-15, 6-1-2015; Ord. No. 2475-15, 9-21-2015)

Section 36-268-PUD 2

(a) Development Plan

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

- 1. C1.0 – Cover Sheet
- 2. C2.0 – Demolition Plan
- 3. C2.1 – Phase I Erosion Control Plan
- 4. C2.2 – Phase II Erosion Control Plan
- 5. C2.3 – Erosion Control Details
- 6. C3.0 – Site Plan
- 7. C4.0 – Grading and Drainage Plan
- 8. C4.1 – P-01 Drainage Plan
- 9. C4.2 – P-02 Drainage Plan
- 10. C4.3 – Stormwater Details
- 11. C5.0 – Utility Plan
- 12. L100 – Landscape Plan
- 13. A001 – Site Plan
- 14. A002 – Floor Plans
- 15. A003 – Floor Plans

16. A004 – Floor Plans
17. A005 – Floor Plans
18. A006 – Rendering

19. A007 – Elevations
20. A008 – Elevations
21. A009 – Elevations
22. E001 – Exterior Lighting Plan
23. PP2 – Preliminary Plat
24. Final Plat
25. Zoning Map Amendment Exhibit
26. Parking Management Plan

The site shall also conform to the following requirements:

- 1) The property shall be developed with 164 to 176 multiple family dwelling units totaling not more than 228 bedrooms, and not more than 28,250 square feet of commercial space.
- 2) Parking will be provided in parking ramps and adjacent on-street parking bays. Three-hundred forty (340) parking spaces will be provided: 241 spaces for residential units, 66 spaces for commercial uses, and 33 on-street spaces. At least 20 parking spaces on Level P1 will be available for shared parking for employees of the commercial uses and residential guest parking.
- 3) The maximum building height will be 77 feet and six stories tall, plus up to an additional eight feet for the rooftop metal trellis architectural elements.
- 4) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.

(b) Permitted uses. The following uses are permitted in the PUD 2 district:

(1) Multiple family uses.

(c) Uses permitted with conditions. A structure of land in the PUD 2 district may be used for one or more of the following uses if it complies with the conditions specified for the use in this subsection:

(1) Commercial uses. Commercial uses limited to the following: bank, food service, grocery store, large item retail, liquor store, medical or dental office, office, private entertainment (indoor), retail, service, showroom and studio. These commercial uses shall meet the following conditions:

- a. Commercial uses are limited to the first floor.
- b. Hours of operation, including loading/unloading of deliveries, for commercial uses shall be limited to 6 a.m. to 12 a.m.
- c. In-vehicle sales or service is prohibited.
- d. Restaurants are prohibited.
- e. Outdoor storage is prohibited.

(2) Civic and institutional uses. Civic and institutional uses are limited to the following: education/academic, indoor public parks/open space, libraries, museums/art galleries, police service substations, post office customer service facilities, public studios and performance theaters.

- (d) **Accessory uses.** Accessory uses are as follows:
- (1) Parking ramps.
 - (2) Incidental repair or processing which is necessary to conduct a permitted use and not to exceed ten percent of the gross floor area of the associated permitted use.
 - (3) Home occupations complying with all of the conditions in the R-C district.
 - (4) Catering, if accessory to a food service, grocery store or retail bakery.
 - (5) No outdoor uses or storage allowed.
- (e) **Special Performance Standards**
- (1) All general zoning requirements not specifically addressed in this ordinance must be met, including but not limited to outdoor lighting, architectural design, landscaping and all screening requirements.
 - (2) Each commercial tenant space on the ground floor shall have a direct and primary access to the outside of the building that is open during business hours.
 - (3) All trash handling and loading areas must be inside of the building and screened from view.
 - (4) Signs shall be allowed in conformance with the following conditions:
 - a. Pylon signs are permitted; and
 - b. Maximum allowable number, size and height of signs shall be regulated by Section 36-362 per the MX district regulations.
 - (5) Façade. The following design requirements shall be applicable to all ground floor, non-residential facades along Excelsior Boulevard:
 - a. Façade Transparency.
 1. The façade shall be primarily transparent materials at the pedestrian level.
 2. No more than 10% of the total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signs. The remaining 90% of window and door area shall be clear or slightly tinted glass, allowing view into and out of the interior.
 3. Visibility into the tenant spaces from the exterior windows and doors shall be maintained for a minimum depth of three feet. This requirement shall not prohibit the display of merchandise. Display windows may be used to meet the transparency requirement.
 - (6) Awnings.
 - a. Awnings must be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
 - b. Backlit awnings are prohibited.

- (7) Use of Sidewalk. A business may use that portion of a sidewalk extending a maximum of five feet from the building wall for the following purposes, provided a six-foot minimum horizontal clearance along Excelsior Boulevard is maintained between obstructions on public sidewalks and provided that all activity is occurring on private property:
- a. Display of merchandise.
 - b. Benches, planters, ornaments and art.
 - c. Signage, as permitted in the zoning ordinance.
 - d. Dining areas may extend beyond five feet of the building, provided six feet minimum horizontal clearance along Excelsior Boulevard is maintained between the obstructions on the sidewalk. An agreement shall be obtained for any temporary private use of public land for seating upon any public right-of-way or easements.

(Ordinance No. 2483-15, 12-14-15)

Section 36-268-PUD 3

(a) Development Plan

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. T1.1 – Title Sheet
2. AS1.2 – Architectural Site Plan
3. AS2.1 – Reference Images
4. C1-1 – Existing Conditions
5. C1-2 – Preliminary Plat
6. C1-3 – Preliminary Plat
7. C2-1 – Site Plan
8. C3-1 – Grading Plan
9. C3-2 – Stormwater Pollution Prevention Plan
10. C4-1 – Sanitary & Watermain
11. C4-2 – Storm Sewer
12. C8-1 - Details
13. C8-2 – City Details
14. L1-1 – Landscape Plan
15. L2-1 – Tree Inventory Plan
16. Photometric Plan
17. A1.1 – Floor Plan
18. A1.2 – Floor Plan
19. A1.3 – Floor Plan
20. A1.4 – Floor Plan (Roof)
21. A3.1 – Exterior Elevations
22. A3.2 – Exterior Elevations
23. A3.3 – Exterior Elevations
24. Final Plat
25. Zoning Map Amendment Exhibit
26. Solar Canopy Schematics (Ord. No. 2502-16, 9-6-16)
27. Solar Study (Ord. No. 2502-16, 9-6-16)

The site shall also conform to the following requirements:

- 1) Parking will be provided off-street in a surface lot. A total of 52 spaces will be provided for residential users including five (5) spaces for guest parking.

- 2) The maximum building height shall be 37 feet.
- 3) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.

(b) Permitted Uses

- (1) Multiple-family dwelling.
- (2) Parks/open space.

(c) Accessory Uses

Accessory uses are as follows:

- (1) Private garages and parking lots.
- (2) Private swimming pool in conformance with section 36-73.
- (3) Service and retail facilities intended for use of residents not to exceed ten percent of the gross floor area of the development.
- (4) Property management or rental office provided that it does not occupy more than ten percent of the gross floor area.
- (5) Gardening and other horticultural uses.
- (6) Solar panels.
 - a. Rooftop of building mounted systems
 1. Roof or building mounted solar systems shall not exceed the maximum allowed height in the PUD zoning district.
 - b. Ground or accessory structure mounted solar systems.
 1. The height of a ground or accessory structure mounted solar system, measured when oriented at maximum design tilt, shall not exceed 15 feet.
 2. Ground or accessory structure mounted solar systems shall have a minimum setback of 7 feet from the south property line, 46 feet from the west property line and shall be subject to the principal building setbacks along the north and east property lines.

(Ord. No. 2502-16, 9-6-16)

- (7) Decorative landscape features including but not limited to pools, arbors and terraces.
- (8) No outdoor uses or storage allowed.

(d) Special Performance Standards

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) All trash handling and loading areas shall be screened from view by a masonry wall no taller than six feet in height and constructed out of a material compatible with the principal buildings.
- (3) Signs shall be allowed in conformance with the approved redevelopment plan or final PUD site plan and development agreement in accordance with this Chapter and the sign area and height regulations for the R-4 Multiple-Family Residence zoning district.

(Ord. No. 2481-15, 11-2-2015; Ord. No. 2502-16, 9-6-16)

Section 36-268-PUD 4.**(a) Development Plan.**

The site shall be developed, used and maintained in conformance with the following:

Final PUD signed Official Exhibits:

1. C100 – Site Conditions After Phases 1 & 2 With Demolition Plan
2. C200 – Proposed Site Plan
3. C300 – Storm Drainage and Grading Plan
4. C400 – Utility Plan
5. C500 – Erosion Control Plan
6. C600 – Storm Water and Erosion Control Details
7. E002 – Electrical Site Plan
8. A101 – Parking Garage Level, First Floor Plan
9. A201 – Exterior Elevations
10. A202 – Exterior Elevations
12. A901 – 3D Views
13. L000 – Tree Inventory
14. L001 – Tree Mitigation Plan
15. L100 – Landscape Plan
16. L101 – Landscape Details and Notes
17. PH-3 – Phasing Plan
18. Designed Outdoor Recreation Area Calculation Exhibit
19. Zoning Map Amendment Exhibit
20. Temporary Off-Site Parking Plan

The site shall also conform to the following requirements:

- (1) The property shall be developed with 126 rooms, approximately 1,700 square feet of meeting space, and approximately 3,620 square feet of hotel/restaurant/lounge area.
- (2) Parking will be provided both on-site and off-site. The on-site parking will contain twenty-seven (27) underground spaces and fifty-two (52) surface spaces. Off-site parking will include one-hundred ten (110) parking spaces in an above ground ramp located on Outlot A. Parking will total one-hundred-eighty-nine (189) parking spaces.
- (3) The maximum building height shall not exceed 84 feet and six stories.
- (4) The development site shall provide 1,416 square feet of Designated Outdoor Recreation Area (DORA) on a rooftop deck.

(b) Permitted Uses

- (1) *Hotel/motel*. The conditions are as follows: Building heights shall be limited to six stories or 84 feet.

(c) Accessory Uses. Accessory uses are as follows:

- (1) Bar, if accessory to a hotel and in compliance with City liquor licensing requirements.
- (2) Parking lots.
- (3) Parking ramps utilizing the same exterior facing materials as the principal buildings.
- (4) Public transit stops/shelters.

- (5) Food Service
 - a. Service space is limited to space designated in Site Plan.
- (6) Outdoor seating, public address (PA) system prohibited.
- (7) No outdoor storage allowed.
- (d) Special Performance Standards**
- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in the manner required by this Code. All trash handling and loading areas shall be located within the building and screened from view.
- (3) Signage shall be allowed in conformance with the approved redevelopment plan or final PUD site plan and development agreement in accordance with the following conditions:
 - a. Pylon signs are not permitted;
 - b. Freestanding monument signs shall utilize the same exterior materials as the principal buildings and shall not interfere with pedestrian/bicycle or automobile circulation and visibility;
 - c. Pedestrian-scale signs visible from public sidewalks shall be no more than three feet in vertical dimension unless flush with the building wall; and
 - d. Maximum allowable number, sizes and heights of signs shall be regulated by Section 36-362, C-2 requirements, except as may be specifically modified by the final PUD.
- (4) Façade. The following façade design guidelines shall be applicable to all ground floor non-residential facades:
 - a. For street-facing facades, no more than 10% of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signage. The remaining 90% of window and door area shall be clear or slightly tinted glass, allowing views into and out of the interior.
 - b. Visibility into the space shall be maintained for a minimum depth of three feet. This requirement shall not prohibit the display of merchandise.
- (5) Awnings.
 - a. Awnings must be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
 - b. Backlit awnings are prohibited.

(Ordinance No. 2488-16, 4-4-16; Ord. No. 2502-16, 9-6-16)

Section 36-268-PUD 5.**(a) Development Plan.**

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. T1.1 – Title Sheet
2. AS1.3 – Architectural Site Plan
3. Sheet 1 – Survey
4. C1-1 – Existing Conditions/Survey
5. C1-2 – Preliminary Plat (existing conditions)
6. C1-3 – Preliminary Plat
7. C2-1 – Site Plan
8. C3-1 – Grading Plan
9. C3-2 – Stormwater Pollution Prevention Plan
10. C4-1 – Sanitary & Watermain
11. C4-2 – Storm Sewer
12. C8-1 – Details
13. C8-2 – City Details
14. L1-1 – Landscape Plan
15. L2-1 – Tree Inventory Plan
16. A1.0 – First & Second Level Floor Plans
17. A1.1 – Level 3 Floor & Roof Plan
18. A3.0 – Exterior Elevations
19. A3.4 – Exterior Elevations
20. Site Lighting Photometric Plan
21. Final Plat
22. Zoning Map Amendment Exhibit
23. Solar Canopy Details (Ord. No. 2503-16, 9-6-16)
24. Solar Study (Ord. No. 2503-16, 9-6-16)

The site shall also conform to the following requirements:

- (1) The property shall be developed with up to 27 multiple family dwelling units totaling no more than 43 bedrooms.
- (2) A total of forty three (43) off-street parking spaces shall be provided in a surface lot.
- (3) The maximum building height shall be 36.5 feet and three stories.
- (4) A minimum of 12 percent of the lot shall be developed as a designed outdoor recreation area.

(b) Permitted Uses.

- (1) Multiple-family dwelling.
- (2) Parks/open space.

(c) Accessory Uses. Accessory uses are as follows:

- (1) Private garages and parking lots.
- (2) Private swimming pool in conformance with Section 36-73.
- (3) Service and retail facilities intended for use of residents not to exceed ten percent of the gross floor area of the development.
- (4) Property management or rental office provided that it does not occupy more than ten percent of the gross floor area.
- (5) Gardening and other horticultural uses.

- (6) Solar panels.
 - a. Rooftop of building mounted systems.
 - 1. Roof or building mounted solar systems shall not exceed the maximum allowed height in the PUD zoning district.
 - b. Ground or accessory structure mounted solar systems.
 - 1. The height of a ground or accessory structure mounted solar system, measured when oriented at maximum design tilt, shall not exceed 15 feet.
 - 2. Ground or accessory structure mounted solar systems shall have a minimum setback of 8 feet from the north property line, 5 feet from the east property line, 46 feet from the south property line and shall be subject to the principal building setbacks along the west property line.

(Ord. No. 2503-16, 9-6-16)

- (7) Decorative landscape features including but not limited to fountains, arbor pools and pergolas.

- (8) Home occupations complying with all of the following conditions:

- a. All materials or equipment shall be stored within an enclosed structure.
- b. Operation of the home occupations is not apparent from the public right-of-way.
- c. The activity does not involved warehousing, distribution, or retail sales of merchandise produced off the site.
- d. No person is employed at the residence who does not legally reside in the home except that a licensed group family day care facility may have one outside employee.
- e. No light or vibration originating from the business operation is discernible at the property line.
- f. Only equipment, machinery and materials which are normally found in the home are used in the conduct of home occupation.
- g. No more than one non-illuminated wall sign limited to two square feet in area is used to identify the home occupation.
- h. Space within the dwelling devoted to the home occupation does not exceed one room or ten percent of the floor area, whichever is greater.
- i. No portion of the home occupation is permitted within any attached or detached accessory building.
- j. The structure housing the home occupation conforms to the building code.

- (9) No outdoor uses or storage allowed.

(d) Special Performance Standards

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) All trash handling and loading areas shall be screened from view by a masonry wall no taller than six feet in height and constructed out of a material compatible with the principal buildings.
- (3) Signs shall be allowed in conformance with the approved redevelopment plan or final PUD site plan and development agreement in accordance with this Chapter and the sign area and height regulations for the R-4 Multiple-Family Residence zoning district.

(Ord. No. 2489-16, 4-4-16; Ord. No. 2503-16, 9-6-16)

Section 36-268-PUD 6.**(a) Development Plan.**

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. C100-C102 – Survey
2. C101 – Proposed Site Plan
3. C200 – Erosion Control Plan
4. C300 – Site Plan
5. C301 – Final Phasing Plan
6. C400 – Grading Plan
7. C500 – Utility Plan
8. E100 – Photometric Plan
9. L100 – Landscape Site Plan
10. L101 – DORA Requirements
11. L200 – Layout Plan
12. L400 – Planting Plan
13. L500 – Planting Detail Sheet
14. A050 – Architectural Site Plan
15. A100 – Floor Plan – Level 1
16. A101 – Floor Plan – Level 2
17. A102 – Floor Plan – Level 3 & 4 (Typ. Multi)
18. A103 – Floor Plan – Level 5-10 (Typ. Single)
19. A104 – Floor Plan – Level 11
20. A105 – Floor Plan – Level 12 (Penthouse)
21. A120 – Roof Plan
22. A150 – Floor Plan - Loading Dock
23. A300 – Exterior Elevation - South
24. A301 – Exterior Elevation - West
25. A302 – Exterior Elevation - North
26. A303 – Exterior Elevation – East
27. Preliminary Plat
28. Final Plat
29. 10 West End AUAR Memorandum
30. Travel Demand Management Plan
31. Zoning Map Amendment Exhibit
32. Parking Easement for Phase III Hotel

The site shall also conform to the following requirements:

- (1) The property shall be developed with 332,600 square feet of building space.
- (2) Parking shall be provided on-site. The parking structure located on Lot 2, Block 1, Central Park West P.U.D. 121 Second Addition will provide at least 1,214 parking stalls. One-hundred-ten of these stalls shall be shared with Phase III of Central Park West (PUD-4).
- (3) The maximum building height shall not exceed 175 feet and eleven stories, excluding mechanical penthouse.
- (4) The development site shall provide Designated Outdoor Recreation Area (DORA) through access to the outdoor amenity decks located on each floor, and through shared outdoor space on site.

(b) Permitted Uses

- (1) *Office. The conditions are as follows:* Building heights shall be limited to eleven stories or 173 feet.
- (2) *Retail. The conditions are as follows:*
 - a. No single use retail establishment over 20,000 square feet is permitted. The retail facility shall be permitted only as a part of a larger development on a single parcel which contains at least one other permitted principal use or as a part of a mixed use PUD.
 - b. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
 - c. All refuse shall meet the requirements of chapter 22 regulating refuse.
- (3) *Restaurants without intoxicating liquor license. The conditions are as follows:*
 - a. This use shall be permitted as part of a larger development which contains at least one other principal use or as part of a PUD.
 - b. These uses shall not result in any exterior building modifications, including truck docks or freestanding signage, overnight truck parking or similar features.
 - c. Retail uses shall be integrated with other principal land uses which are within the O district and shall not exceed ten percent of the gross floor area of the building.
 - d. If there is a wine and/or beer license, the following additional conditions shall apply:
 - 1. There shall be no separate bar area within the restaurant.
 - 2. If the conditions in subsections (c)(15)a.--(c)(15)e. of this section are not met, a restaurant with a wine and/or beer license may apply for a major amendment to a Planned Unit Development under section 36-194(d)(4), provided that the parking requirements for a restaurant with intoxicating liquor license are met.

(c) Accessory Uses. Permitted accessory uses are as follows:

- (1) Parking lots.
- (2) Parking structures. Facades that are visible from off-site shall display and integration of building materials, building form, textures, architectural motifs, and building colors with principal building.
- (3) Public transit stops/shelters.
- (4) Outdoor seating, public address (PA) systems are prohibited.
- (5) No outdoor storage allowed.

(d) Special Performance Standards.

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in the manner required by this Code. City strongly encourages all new developments to have on-site organic recycling, Garbage/recycling rooms should be sized to allow for organics recycling. All trash handling and loading areas shall be screened from view within a waste enclosure.

- (3) Signage shall be allowed in conformance with the approved redevelopment plan or final PUD site plan and development agreement in accordance with the following conditions:
 - a. Pylon signs are not permitted;
 - b. Freestanding monument signs shall utilize the same exterior materials as the principal buildings and shall not interfere with pedestrian/bicycle or automobile circulation and visibility;
 - c. Maximum allowable number, sizes and heights of signs shall be regulated by Section 36-362, O-Office requirements.
- (4) Façade. The following façade design guidelines shall be applicable to ground floor north, south, and west side facades.
 - a. For street-facing facades, no more than 10% of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signage. The remaining 90% of window and door area shall be clear or slightly tinted glass, allowing views into and out of the interior.
 - b. Visibility into the space shall be maintained for a minimum depth of three feet. This requirement shall not prohibit the display of merchandise.
- (5) Awnings.
 - a. Awnings must be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
 - b. Backlit awnings are prohibited.

(Ord. No. 2501-16, 9-6-16)

Section 36-268 PUD 7.

(a) Development Plan.

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. G000P – Cover Sheet
2. C0.1 – Site Survey
3. C1.0 – Removals Plan
4. C2.0 – Site Plan
5. C2.1 – Alley Plan and Profile
6. C3.0 – Grading Plan
7. C3.1 – Grading Plan Interim
8. C4.0 – Utility Plan
9. C5.0 – Civil Details
10. C5.1 – Civil Details
11. C5.2 – Civil Details
12. SW1.0 – SWPPP – Existing Conditions
13. SW1.1 – SWPPP – Proposed Conditions
14. SW1.2 – SWPPP – Narrative and Details
15. SW1.3 – SWPPP – Attachments
16. SW1.4 – SWPPP – Attachments
17. LS100 – Tree Preservation and Replacement Plan
18. LS300 – Site Landscape Plan
19. L400 – Reference Plan
20. L401 – Layout Plan
21. L500 – Planting Details
22. G000 – Cover Sheet
23. A100P – Floor Plan – Level 1
24. A110P – Floor Plan – Level 1
25. A120P – Floor Plan – Level 2-4
26. A150P – Floor Plan – Level 5
27. A160P – Roof Plan
28. A200P – Exterior Elevations
29. A201P – Exterior Elevations
30. AS100P – Architectural Site Plan
31. A300P – Building Sections
32. Site Lighting Photometric Plan
33. Zoning Map Amendment Exhibit
34. Preliminary Plat
35. Final Plat
36. Traffic Study
37. Parking Management Plan
38. Parking Agreement

(Ord. No. 2517-17, 5-1-17)

The site shall also conform to the following requirements:

- (1) The property shall be developed with 112 residential units and 12,040 square feet of ground floor commercial space. (Ord. No. 2517-17, 5-1-17)
- (2) At least 202 off-street parking spaces shall be provided. At least 16 on-street parallel parking and loading spaces shall be installed adjacent to the site. An off-street parking management plan shall be approved by the city and managed by the property owner, with the goal of avoiding spill over parking into surrounding streets in the neighborhood and maximizing the benefits of mixed use development and shared parking. At least 10% of the parking shall be permitted for use as guest parking. (Ord. No. 2517-17, 5-1-17)

- (3) The maximum building height shall not exceed 67 feet and five stories.
- (4) The development site shall include a minimum of 17.7% percent designed outdoor recreation area based on private developable land area.

(b) Permitted Uses.

- (1) *Multiple-family dwellings.* Uses associated with the multiple-family dwellings, including, but not limited to, the residential office, fitness facility, mail room, assembly rooms or general amenity space are limited to a maximum of 40% of the building first floor.
- (2) *Commercial uses.* Commercial uses are only permitted on the first floor, and are limited to the following: medical office, office, private entertainment (indoor), retail shops, service, showrooms and studios.
 - a. All parking requirements shall be met for each use.
 - b. Hours of operation for commercial uses shall be limited to 6 a.m. to 12 a.m. including commercial deliveries.
 - c. Each commercial tenant space on the first floor shall have a direct and primary access to the outside of the building on the north building elevation that is open during business hours.
 - d. In vehicle sales is prohibited.
 - e. Restaurants are prohibited.

(Ord. No. 2517-17, 5-1-17)

- (3) *Civic and institutional uses.* Civic and institutional uses are limited to the following: education/academic, library, museums/art galleries, indoor public parks/open space, police service substations, post office customer service facilities, public studios and performance theaters.

(c) Accessory Uses. Accessory uses are as follows:

- (1) Incidental repair or processing which is necessary to conduct a permitted use and not to exceed ten percent of the gross floor area of the associated permitted use.
- (2) Home occupations complying with all of the conditions for home occupations located in the R-C district.
- (3) Catering, if accessory to food service, delicatessen or retail bakery.
- (4) Gardens.
- (5) Parking lots.
- (6) Public transit stops/shelters.
- (7) Outdoor seating, public address (PA) systems are prohibited.
- (8) Outdoor uses and outdoor storage are prohibited.

(d) Special Performance Standards.

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in the manner required by this Code. All trash handling and loading areas shall be screened from view within a waste enclosure.
- (3) Signage shall be allowed in conformance with the MX- Mixed Use District requirements found in the sign code.

- (4) Façade. The following façade design guidelines shall be applicable to all ground floor non-residential facades:
- a. For street-facing facades, no more than 10% of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signage. The remaining 90% of window and door area shall be clear or slightly tinted glass, allowing views into and out of the interior.
 - b. Visibility into the space shall be maintained for a minimum depth of three feet. This requirement shall not prohibit the display of merchandise.
- (5) Awnings.
- a. Awnings must be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
 - b. Backlit awnings are prohibited.

(Ord. No. 2500-16, 9-6-16; Ord. No. 2517-17, 5-1-17)

Section 36-268-PUD 8.

(a) Development Plan.

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. C0.0– Title Sheet
2. C0.1 – Site Survey
3. C0.2 – Preliminary Plat
4. C0.3 – Final Plat
5. C1.0 – Removals Plan
6. C2.0 – Site Plan
7. C2.1 – Green Roof Layout & Landscape Plan
8. C2.2 – Rooftop Green Roof Layout & Landscape Plan
9. C3.0 – Grading Plan
10. C4.0 – Utility Plan
11. C5.0 – Civil Details
12. C5.1 – Civil Details
13. C5.2 – Civil Details
14. L1.0 – Landscape Plan
15. LT1.0 – Lighting Plan
16. LT1.1 – Lighting Specifications
17. A010 – Floor Plan – Level (-1) & 1
18. A011 – Floor Plan – Level 2 & 3
19. A012 – Floor Plan – Level 4 & 5
20. A013 – Floor Plan – Roof
21. A200 – Exterior Elevations
22. A201 – Exterior Elevations
23. Shadow Study
24. Front Perspective 1
25. Front Perspective 2
26. Rear Perspective
27. Exterior Vignettes
28. Parking Management Plan

The site shall also conform to the following requirements:

- (1) The property shall be developed with 70 residential units and a minimum of 4,393 square feet of ground floor commercial space.
- (2) At least 118 off-street parking spaces shall be constructed. At least nine (9) public on-street parallel parking spaces shall be constructed on 36th Street West and one public on-street loading bay shall be installed adjacent to the site.
- (3) The maximum building height shall not exceed 69 feet and five stories.
- (4) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.

Ordinance No. 2522-17, 10-2-17

(b) Permitted with Conditions.

- (1) *Multiple family dwellings.* The conditions are as follows:
 - a. Multiple-family dwellings are permitted on all floors of the building.
 - b. Residential units are limited to a maximum of 35 percent of the ground floor area of the building.
 - c. Multiple-family dwellings shall not exceed 40 percent of building frontage along 36th Street West.
 - d. Uses associated with the multiple-family dwellings, including but not limited to, the residential office, fitness facility, mail room, assembly rooms or general amenity space are limited to a maximum of 45 percent of the ground floor area of the building.
- (2) *Commercial uses.* Commercial uses are only permitted on the first floor, and are limited to coffee shops, office, private entertainment (indoor), retail shops, service, showrooms and studios. The conditions are as follows:
 - a. All parking requirements must be met for each use.
 - b. Hours of operation shall be limited to 6 a.m. to 12 a.m.
 - c. Restaurants are prohibited.
 - d. In vehicle sales is prohibited.

(c) Accessory Uses. Accessory uses are as follows:

- (1) Incidental repair or processing which is necessary to conduct a permitted use and not to exceed ten percent of the gross floor area of the associated permitted use.
- (2) Home occupations complying with all of the conditions in the R-C district.
- (3) Catering, if accessory to food service, delicatessen or retail bakery.
- (4) Gardens.
- (5) Parking lots.
- (6) Outdoor seating, public address (PA) systems are prohibited.
- (7) No outdoor uses or storage allowed.

(d) Special Performance Standards.

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to, outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) Each commercial, civic or institutional tenant space on the ground floor shall have a direct and primary access to and from the 36th Street (north) building façade and the access shall remain open during business hours.

- (3) All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in the manner required by this Code. All trash handling and loading areas shall be screened from view within a waste enclosure.
- (4) Signage shall be allowed in conformance with the approved redevelopment plan or final PUD site plan and development agreement in accordance with the following conditions:
 - a. Pylon signs are prohibited;
 - b. Freestanding monument signs shall utilize the same exterior materials as the principal buildings and shall not interfere with pedestrian, bicycle or automobile circulation and visibility;
 - c. Maximum allowable number, sizes, heights and yards for signs shall be regulated by section 36-362, MX requirements.
 - d. Wall signs of non-residential uses shall only be placed on the ground floor and exterior walls of the occupied tenant lease space, and/or a monument sign.
 - e. Wall signs shall not be included in calculating the aggregate sign area on the lot if they meet the following outlined conditions:
 1. Non-residential wall signs permitted by this section that do not exceed seven percent of the exterior wall area of the ground floor tenant lease space.
 2. The sign is located on the exterior wall of the ground floor tenant lease space from which the seven percent sign area was derived.
 3. No individual wall sign shall exceed 80 square feet in area.
- (5) Façade. The following façade design guidelines shall be applicable to all ground floor non-residential street-facing façades:
 - a. Minimum ground floor transparency shall be 65% at the pedestrian level.
 - b. No more than 10% of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signs. The remaining 90% of window and door area shall be clear or slightly tinted glass, allowing views into and out of the interior.
 - c. Active permitted uses, not including storage areas or utility closets, shall be maintained for a minimum depth of 15 feet.
 - d. Visibility into the space shall be maintained for a minimum depth of ten feet. This requirement shall not prohibit the display of merchandise.
- (6) Awnings.
 - a. Awnings shall be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
 - b. Backlit awnings are prohibited.

(Ord. No. 2515-17, 3-20-17)

Section 36-268-PUD 9.**(a) Development Plan.**

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. PUD Exhibit
2. G001 – Cover Sheet
3. G002 – Legend
4. G003 – General Notes
5. C001 – Existing Conditions and Removals
6. C003 – Tree Removals and Preservation Plan
7. C101 – Site Plan – Overall
8. C102 – Site Plan Northwest
9. C103 – Site Plan Northeast
10. C101 – Site Plan South
11. C201 – Temporary Erosion Control Plan
12. C301 – Grading and Drainage Plan – Overall
13. C401 – Sanitary Sewer and Watermain
14. C402 – Storm Sewer Plan
15. C801 – Site Details
16. C802 – Site Details
17. C901 – City Std Utility Plates
18. C902 – City Std Utility Plates
19. C903 – City Std Utility Plates
20. C904 – City Std Erosion Control Plates
21. C1001 – MNDOT Std Ped Curb Ramp Details
22. C1002 – MNDOT Std Ped Curb Ramp Details
23. L101 – Planting Plan – Overall
24. L102 – Planting Plan – Northwest
25. L103 – Planting Plan – Northeast
26. L104 – Planting Plan – South
27. L801 – Planting Details
28. V101 – Preliminary Plat
29. V102 – Preliminary Plat
30. V103 – Preliminary Plat
31. E101 – Electrical Site Plan – Overall
32. S001 – Site Plan
33. A101 – North Building Floor Plans
34. A102 – North Building Floor Plans
35. A103 – North Building Floor Plans
36. A104 – North Building Floor Plans
37. A105 – North Building Floor Plans
38. A106 – North Building Elevations
39. A107 – North Building Illustrative Elevations
40. A201 – South Building Hotel & Residential Floor Plans
41. A202 – South Building Hotel & Residential Floor Plans
42. A203 – South Building Hotel & Residential Floor Plans
43. A204 – South Building Hotel & Residential Floor Plans
44. A205 – South Building Hotel & Residential Floor Plans
45. A206 – South Building Hotel & Residential Floor Plans
46. A207 – South Building Hotel & Residential Floor Plans
47. A208 – South Building Hotel & Residential Floor Plans
48. A209 – South Building Hotel & Residential Floor Plans
49. A210 – South Building Elevations
50. A211 – Hotel Elevations
51. A212 – South Building Illustrative Elevations

52. A301 – E-Generation Floor Plans
53. A302 – E-Generation Roof Plan
54. A303 – E-Generation Elevations
55. A401 – 3D View
56. A501 – Illustrative Sections
57. A502 – Sections
58. PLACE – Envelope Proposals
59. PLACE – Sustainability Proposals
60. PLACE – Proof of Parking
61. PLACE – Lighting Proposals
62. PLACE – Parking Requirements
63. PLACE – Mobility Plan (Travel Demand Management Plan)

The site shall also conform to the following requirements:

- (1) The property shall be divided into four zones, as indicated on PUD Exhibit of the Official Exhibits. The zones shall be established by dividing the site into a northwest site, a northeast site, a southwest site, and a southeast site. The northwest site shall be called “Site A – E-Gen”, the northeast site shall be called “Site B – North” the southwest site shall be called “Site C – Hotel” and the southeast site shall be called “Site D – South”.
- (2) Parking will be provided off-street in a surface lot, on-street, in structured parking, and within the public plaza. The property shall be developed with 299 residential units, including 99 live/work units, a 110 room hotel, a minimum of 35,000 square feet of ground floor commercial space, 0.88 acres of urban forest, an e-generation energy facility, and a greenhouse.

Parking will be provided off-street in a surface lot, on-street parallel parking, and structured parking. A total of four-hundred-forty-seven (447) parking spaces will be provided: 251 spaces for residential units or 0.83 spaces per dwelling unit, 110 spaces for the hotel or 1.0 space per hotel room, 76 spaces for non-residential uses and 10 spaces for shared cars. An additional 55 spaces are required as a proof of parking as indicated on Sheet 60 of the Official Exhibits. Parking requirements are provided based on Sheet 62 of the Official Exhibits.

- (3) The maximum height for Site A – E-Gen shall not exceed 33 feet for the building, and 40 feet for the flute. The maximum building height for Site B – North shall not exceed 61 feet and five stories and 78 feet for the helical wind turbine. The maximum height for Site C – Hotel shall not exceed 76 feet and six stories and the maximum height for Site D – South shall not exceed 79 feet and six stories.
- (4) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.
- (5) The development shall incorporate a Travel Demand Management (TDM) plan including:
 - a. The development shall offer car-free incentives for a minimum of 90 dwelling units.
 - b. The development shall provide 10 cars available as a car share.
 - c. The development shall provide a local shuttle until opening day of the Southwest Light Rail Green Line Wooddale Station.
 - d. A transportation concierge program shall be maintained.
 - e. The development shall provide car-free perks for 90 households until the site conforms to the city’s off-street parking requirements.
 - f. The TDM plan shall be reported to the city annually for a duration of three (3) years.

(b) Site A – E-Gen**(1) Permitted with Conditions:**

- a. *Anaerobic digester.* Anaerobic digesters shall be permitted only as part of a larger development which contains at least one other principal use, and where electricity and bio-gas produced by the digester is used primarily by the larger development.
 - i. Organic material, as defined in the Zoning Code, is the only input allowed.
 - ii. No more than 3,000 tons of organic material shall be processed per year.
 - iii. The digester system, associated equipment and operations must occur completely within a negative-pressure building.
 - iv. Organic material shall be deposited from the delivery vehicle directly into an enclosed container integrated with the digester system.
 - v. Sorting of material must occur in an enclosed container integrated with the digester system.
 - vi. Odor controlling devices shall be used to prevent odors from being detectable outside of the building containing the digester system.
 - vii. Flaring of bio-gas is only allowed to burn excess gas and shall not be visible from off-site.
 - viii. No outdoor storage is allowed.
 - ix. Retail distribution of compressed natural gas is not allowed.
 - x. All necessary permits relating to items such as: emissions, solid waste processing, energy production, industrial waste water, and storm water must be obtained from the appropriate agencies.
 - xi. All necessary contracts or agreements with material providers and utility companies must be submitted to the City prior to the issuance of a building permit.

(2) Accessory Uses.

- a. Greenhouse.
- b. Parking lots.
- c. Outdoor seating, with the following conditions:
 - i. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a residential use.
 - ii. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a residential use.
- d. Outdoor uses and outdoor storage are prohibited.
- e. Solar Panels
 - i. Rooftop of building mounted systems.
 1. Roof or building mounted solar systems may exceed the maximum allowed height in the PUD zoning district by 3 feet.
 - ii. Ground or accessory structure mounted solar systems.
 1. The height of a ground or accessory structure mounted solar system, measured when oriented at maximum design tilt, shall not exceed 20 feet.

(c) Site B – North**(1) Permitted with Conditions:**

- a. *Multiple-family dwellings.* Uses associated with the multiple-family dwellings, including, but not limited to the residential office, fitness facility, mail room, assembly rooms or general amenity space.
- b. *Live-work Type I.*
 - i. All material or equipment shall be stored within an enclosed structure.
 - ii. Operation of the home occupation is not apparent from the public right-of-way.
 - iii. The activity does not involve warehousing, distribution or retail sales of merchandise produced off the site.
 - iv. No person is employed at the residence who does not legally reside in the home.
 - v. No light or vibration originating from the business operation is discernible at the property line.
 - vi. Only equipment, machinery and materials which are normally found in the home are used in the conduct of the home occupation.
 - vii. No more than one non-illuminated wall sign limited to two square feet in area is used to identify the home occupation.
 - viii. Space within the dwelling devoted to the home occupation does not exceed one room or forty-five (45) percent of the floor area, whichever is greater.
 - ix. No portion of the home occupation is permitted within any attached or detached accessory building.
 - x. The structure housing the home occupation conforms to the building code; and in the case where the home occupation is day care or if there are any customers or students, the home occupation has received a certificate of occupancy.
- c. *Commercial uses.* Commercial uses are only permitted on the first floor, and are limited to the following: coffee shops, office, private entertainment (indoor), retail shops, service, showrooms and studios.
 - i. All parking requirements must be met for each use per Sheet 62 of the Official Exhibits.
 - ii. Hours of operation for commercial uses shall be limited to 6 a.m. to 12 a.m.
 - iii. Restaurants are prohibited.
 - iv. In vehicle sales is prohibited.
- d. *Civic and institutional uses.* Civic and institutional uses are limited to the following: education/academic, library, museums/art galleries, indoor public parks/open space, police service substations, post office customer service facilities, public studios and performance theaters.

(2) Accessory Uses:

- a. Incidental repair or processing which is necessary to conduct a permitted use and not to exceed ten percent of the gross floor area of the associated permitted use.
- b. Home occupations complying with all of the conditions in the R-C district.
 - i. Except family day care is prohibited.

- c. Catering, if accessory to food service, delicatessen or retail bakery.
 - d. Gardens.
 - e. Parking lots.
 - f. Outdoor seating, with the following conditions:
 - i. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a residential use.
 - ii. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a residential use.
 - g. No outdoor uses or storage allowed.
 - h. Solar panels
 - i. Roof or building mounted solar systems may exceed the maximum allowed height in the PUD zoning district by 3 feet.
- (3) Wind Energy Conversion Systems (WECS), with the following conditions:
- a. Wind turbines shall be of the helical-type.
 - b. Helical wind turbines shall meet the following design requirements:
 - i. One WECS shall be allowed per lot.
 - ii. The WECS unit shall not exceed 17 feet in height, and shall not exceed 79 feet overall, including the building height when attached to the roof of a building.
 - iii. The fall zone shall be completely within the property lines of the lot within which the WECS is located.
 - iv. Minimize visual impact. WECS design and location shall minimize visual impact.
 - v. Color and finish. All WECS shall be white, grey, black or another non-obtrusive color. Blades may be black in order to facilitate deicing. Finishes shall be matt or non-reflective.
 - vi. Tower lighting. WECS shall not be artificially lighted, except as specified herein and to the extent required by the FAA or other federal or state law or regulation that preempts local regulations.
 - vii. Signs and displays. The use of any portion of a WECS for displaying flags and signs, other than warning or equipment information signs, is prohibited.
 - viii. Associated equipment. Ground equipment associated with a WECS shall be housed in a structure. Structures housing equipment shall meet the architectural design standards of the Zoning Ordinance. Control wiring and power-lines shall be wireless or underground.
 - ix. Braking system required. All WECS shall have an automatic braking, governing or feathering system to prevent uncontrolled rotation, over speeding and excessive pressure on the structure, rotor blades and turbine components.
 - x. Design height. The applicant shall provide evidence that the proposed height of the WECS does not exceed the height recommended by the manufacturer or distributor of the system.
 - xi. Interconnection agreement. The applicant shall provide a copy of the utility notification requirements for interconnection, unless the applicant intends, and so states on the application, that the system will not be connected to the electricity grid.

- xii. Technology standards. WECS must meet the minimum standards of a WECS certification program recognized by the American Wind Energy Association, such as AWEA's Small Wind Turbine Performance and Safety Standard, the Emerging Technologies program of the California Energy Commission, or other 3rd party standards acceptable to the City.
- xiii. Noise. Audible sound due to wind energy system operations shall comply with the standards governing noise contained in the City of St. Louis Park Code of Ordinances.
- xiv. If the WECS remains nonfunctional or inoperative for a continuous period of one year, the system shall be deemed abandoned and shall constitute a public nuisance. The owner shall remove the abandoned system at their expense after a demolition permit has been obtained. Removal includes the entire structure including foundations to below natural grade and transmission equipment.

(d) Site C – Hotel

(1) Permitted:

- a. *Hotel*. Uses associated with the hotel, including but not limited to, hotel office, fitness facility, pool, parking, mail room, assembly rooms or general amenity space.

(2) Permitted with Conditions:

- a. *Commercial uses*. Commercial uses are only permitted on the first floor, and are limited to the following: restaurants, coffee shops, office, private entertainment (indoor), retail shops, service, showrooms and studios.
 - i. All parking requirements must be met for each use per Sheet 62 of the Official Exhibits.
 - ii. Hours of operation for commercial uses shall be limited to 6 a.m. to 12 a.m.
 - iii. In vehicle sales is prohibited.
- b. *Civic and institutional uses*. Civic and institutional uses are limited to the following: education/academic, library, museums/art galleries, indoor public parks/open space, police service substations, post office customer service facilities, public studios and performance theaters.

(3) Accessory Uses:

- a. Incidental repair or processing which is necessary to conduct a permitted use and not to exceed ten percent of the gross floor area of the associated permitted use.
- b. Catering, if accessory to food service, delicatessen or retail bakery.
- c. Parking lots.
- d. Outdoor seating, with the following conditions:
 - i. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a residential use.
 - ii. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a residential use.
- e. No outdoor uses or storage allowed.
- f. Solar panels
 - i. Roof or building mounted solar systems may exceed the maximum allowed height in the PUD zoning district by 3 feet.

(e) Site D - South**(1) Permitted with Conditions:**

- a. *Multiple-family dwellings.* Uses associated with the multiple-family dwellings, including but not limited to, the residential office, fitness facility, mail room, assembly rooms or general amenity space.
- b. *Live-work Type I.*
 - i. All material or equipment shall be stored within an enclosed structure.
 - ii. Operation of the home occupation is not apparent from the public right-of-way.
 - iii. The activity does not involve warehousing, distribution or retail sales of merchandise produced off the site.
 - iv. No person is employed at the residence who does not legally reside in the home except that a licensed family day care facility may have one outside employee.
 - v. No light or vibration originating from the business operation is discernible at the property line.
 - vi. Only equipment, machinery and materials which are normally found in the home are used in the conduct of the home occupation.
 - vii. No more than one non-illuminated wall sign limited to two square feet in area is used to identify the home occupation.
 - viii. Space within the dwelling devoted to the home occupation does not exceed one room or forty-five (45) percent of the floor area, whichever is greater.
 - ix. No portion of the home occupation is permitted within any attached or detached accessory building.
 - x. The structure housing the home occupation conforms to the building code; and in the case where the home occupation is day care or if there are any customers or students, the home occupation has received a certificate of occupancy.
- c. *Live-work Type II.*
 - i. Live-work uses as defined by Sec. 36-142 of city code are permitted on the first floor.
 - ii. A Registration of Land Use (RLU) shall be approved by the city when there is a change in tenant.
- d. *Commercial Uses.* Commercial uses are only permitted on the first and second floors, and are limited to the following: coffee shops, office, private entertainment (indoor), retail shops, service, showrooms and studios.
 - i. All parking requirements must be met for each use per Sheet 62 of the Official Exhibits.
 - ii. Hours of operation for commercial uses shall be limited to 6 a.m. to 12 a.m.
 - iii. Restaurants are prohibited.
 - iv. In vehicle sales is prohibited.
- e. *Civic and institutional uses.* Civic and institutional uses are limited to the following: education/academic, library, museums/art galleries, indoor public parks/open space, police service substations, post office customer service facilities, public studios and performance theaters.

- (2) Accessory Uses:
 - a. Incidental repair or processing which is necessary to conduct a permitted use and not to exceed ten percent of the gross floor area of the associated permitted use.
 - b. Home occupations complying with all of the conditions in the R-C district.
 - c. Catering, if accessory to food service, delicatessen or retail bakery.
 - d. Gardens.
 - e. Parking lots.
 - f. Outdoor seating, with the following conditions:
 - i. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a residential use.
 - ii. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a residential use.
 - g. No outdoor uses or storage allowed.
 - h. Solar panels
 - i. Roof or building mounted solar systems may exceed the maximum allowed height in the PUD zoning district by 3 feet.

(f) Special Performance Standards.

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) The site is exempt from the shadowing requirements specified in Section 36-366(b)(1)g of the zoning ordinance.
- (3) Each commercial, civic or institutional tenant space on the ground floor facing West 36th Street shall have a direct and primary access to and from the 36th Street (south) building façade and the access shall remain open during business hours.
- (4) All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in the manner required by this Code. All trash handling and loading areas shall be screened from view within a waste enclosure.
- (5) Signage shall be allowed in conformance with the approved redevelopment plan or final PUD site plan and development agreement in accordance with the following conditions:
 - a. Pylon signs are prohibited;
 - b. Freestanding monument signs shall utilize the same exterior materials as the principal buildings and shall not interfere with pedestrian, bicycle or automobile circulation and visibility;
 - c. Maximum allowable number, sizes, heights and yards for signs shall be regulated by section 36-362, MX requirements.
 - d. Wall signs of non-residential uses shall only be placed on the ground floor and exterior walls of the occupied tenant lease space, and/or a monument sign.
 - e. Wall signs shall not be included in calculating the aggregate sign area on the lot if they meet the following outlined conditions:

- i. Non-residential wall signs permitted by this section that do not exceed seven percent of the exterior wall area of the ground floor tenant lease space.
- ii. The sign is located on the exterior wall of the ground floor tenant lease space from which the seven percent sign area was derived.
- iii. No individual wall sign shall exceed 100 square feet in area.

(6) Façade.

- a. Fibrous cement, high performance brick veneer with rain screen cladding systems, and vertically integrated photovoltaic panels shall be considered Class I Materials.
- b. The following façade design guidelines shall be applicable to all ground floor non-residential street-facing facades and all ground floor non-residential facades on the west façade of Site D South, including live/work type II units:
 - i. The minimum ground floor transparency shall be 60% at the pedestrian level.
 - ii. No more than 10% of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signs. The remaining 90% of window and door area shall be clear or slightly tinted glass, allowing views into and out of the interior.
 - iii. Active permitted uses, not including storage areas or utility closets, shall be maintained for a minimum depth of 15 feet.
 - iv. Visibility into the space shall be maintained for a minimum depth of ten feet. This requirement shall not prohibit the display of merchandise.

(7) Awnings.

- a. Awnings must be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
- b. Backlit awnings are prohibited.

(Ord. No. 2518-17, 5-1-17)

Section 36-268-PUD 10.

(a) Development Plan.

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. Site Plans
2. Landscaping Plans
3. Lighting Plans
4. Grading Plans
5. Building Plans
6. Storm Water Plans
7. Utility Plans
8. Survey
9. The site shall also conform to the following requirements:
 - a. A minimum of 1,695 parking spaces shall be provided on-site.
 - b. The maximum building height shall be 40 feet.

(b) Permitted Uses. The following uses are permitted uses in PUD 10:

- (1) *Shopping Center.* The shopping center shall be limited to the following uses:
 - a. Office.
 - b. Medical or dental office.
 - c. Adult day care.
 - d. Group day care/nursery school.
 - e. Bank.
 - f. Food service.
 - g. Private entertainment (indoor).
 - h. Retail.
 - i. Liquor store.
 - j. Service.
 - k. Showroom.
 - l. Studios.
 - m. Restaurants with or without intoxicating liquor.
 - n. Museum.
 - o. Police service substation.
 - p. Post office.

(c) Accessory Uses. The following uses shall be permitted accessory uses in PUD 10:

- (1) Incidental repair or processing which is necessary to conduct a permitted use and does not exceed ten percent of the gross floor area of the associated permitted use.
- (2) Catering, if accessory to food service, delicatessen or retail bakery.
- (3) Food service.
- (4) Outdoor seating and service of food and beverages with the following conditions:
 - a. No speakers or other electronic devices which emit sound are permitted outside of the principal structure if the use is located within 500 feet of a residential use.
 - b. Hours of operation shall be limited to 7:00 a.m. to 10:00 p.m. if located within 500 feet of a residential use.
 - c. Additional parking will not be required if the outdoor seating area does not exceed 500 square feet or ten percent of the gross floor area of the principal use, whichever is less. Parking will be required at the same rate as the principal use for that portion of outdoor seating area in excess of 500 square feet or ten percent of the gross building area, whichever is less.

- (5) In-vehicle sales or service, limited to restaurants, banks, and pharmacies.
- a. Drive-through facilities and stacking areas shall not be located within 100 feet of any parcel that is zoned residential and used or subdivided for residential use, or has an occupied institutional building, including but not limited to schools, religious institutions, and community centers, unless the entire facility and stacking areas are separated from the lot in an R district by a building wall.
 - b. Stacking shall be provided for six cars per customer service point and shall comply with all yard requirements.
 - c. This use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service on adjacent streets and intersections.
 - d. The drive-through facility shall be designed so it does not impede traffic or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian or vehicular conflicts.
 - e. Access shall be to a roadway identified in the comprehensive plan as a collector or arterial or shall be otherwise located so that access can be provided without generating significant traffic on local residential streets.
 - f. Any canopy constructed as part of this use shall be compatible with the architectural design and materials of the principal structure.
 - g. The use is in conformance with the comprehensive plan including any provisions of the redevelopment chapter and the plan by neighborhood policies for the neighborhood in which it is located and conditions of approval may be added as a means of satisfying this requirement.

(d) Special Performance Standards.

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) Signage shall be subject to the regulations found in Section 36-362 pertaining to signs. PUD 10 shall be subject to the C-2 regulations with the following clarifications and modifications:
 - a. The maximum sign area shall be increased by 240 square feet with the condition that the additional signage be used in its entirety for a free-standing sign located at the corner of Highway 7 and Texas Ave S. The sign shall be double sided, and not exceed 120 square feet per side.
- (3) Awnings shall be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited. Backlit awnings are prohibited.

(Ord. No. 2520-17, 5-15-17)

Section 36-268-PUD 11.**(a) Development Plan.**

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. Platia Place Sheet 1
2. Platia Place Sheet 2
3. Platia Place Sheet 3
4. CJ001 Civil Title Sheet
5. CD100 Existing Conditions, Tree Inventory & Demolition Plan
6. CS100 Overall Site Plan – DORA Exhibit
7. CS101 Site Plan – Lot 1 (Multi-Family)
8. CS102 Site Plan – Lot 2 (Hotel)
9. CS501 Site Details
10. CS502 Site Details
11. CS503 Site Details
12. CG101 Grading Plan – Lot 1 (Multi-Family)
13. CG102 Grading Plan – Lot 2 (Hotel)
14. CG110 Erosion Control Plan
15. CG111 SWPPP
16. CG501 Erosion Control Details
17. CU101 Utility Plan – Lot 1 (Multi-Family)
18. CU102 Utility Plan – Lot 2 (Hotel)
19. CU111 Storm Sewer Plan Lot 1 (Multi-Family)
20. CU100 Storm Sewer Plan Lot 2 (Hotel)
21. CU501 Utility Details
22. CU502 Utility Details
23. CU503 Utility Details (Stormtech)
24. CK101 Site Lighting Plan
25. A0.2 Reference Views
26. A0.3 Hotel Elevations
27. A0.4 Hotel Plans
28. A0.5 Multi-Family Housing - Elevations
29. A0.6 Multi-Family Housing - Plans
30. A0.7 Multi-Family Housing - Plans
31. A6.0 Site Details
32. A6.7 Cement Plaster Details
33. Landscape Plan

The site shall also conform to the following requirements:

- (1) The property shall be developed with 149 residential units and 63,740 square feet of hotel space.
- (2) At least 327 off-street parking spaces shall be provided.
- (3) The maximum building height shall not exceed 71 feet and six stories.
- (4) The development site shall include a minimum of 25% designed outdoor recreation area based on private developable land area.

(b) Permitted Uses

The following uses are permitted uses on Lot 1:

- (1) *Multiple-family dwellings*, and uses associated with the multiple-family dwellings, including, but not limited to, the residential management office, fitness facility, mail room, assembly rooms and general amenity space.

The following uses are permitted uses on Lot 2:

- (2) *Commercial uses*. Commercial uses are limited to the following:

- a. Hotel

(c) Prohibited Uses

- (1) Extended-stay hotels.
- (2) Restaurants.

(d) Accessory Uses

Accessory uses are as follows:

- (1) Home occupations are permitted on Lot 1 with the condition that they comply with all of the following conditions:

- a. All material or equipment shall be stored within an enclosed structure.
- b. Operation of the home occupation is not apparent from the public right-of-way.
- c. The activity does not involve warehousing, distribution or retail sales of merchandise produced off the site.
- d. No person is employed at the residence who does not legally reside in the home except that a licensed group family day care facility may have one outside employee.
- e. No light or vibration originating from the business operation is discernible at the property line.
- f. Only equipment, machinery and materials which are normally found in the home are used in the conduct of the home occupation.
- g. No more than one non-illuminated wall sign limited to two square feet in area is used to identify the home occupation.
- h. Space within the dwelling devoted to the home occupation does not exceed one room or ten percent of the floor area, whichever is greater.
- i. No portion of the home occupation is permitted within any attached or detached accessory building.
- j. The structure housing the home occupation conforms to the building code; and in the case where the home occupation is day care or if there are any customers or students, the home occupation has received a certificate of occupancy.

- (2) Gardens.

- (3) Parking lots.

- a. All parking requirements must be met for each use.
- b. A minimum of 20 parking spaces shall be designated and signed visitor parking on Lot 1.

- (4) Public transit stops/shelters.
- (5) Outdoor seating, public address (PA) systems are prohibited.
- (6) Outdoor uses and outdoor storage are prohibited.
- (e) **Special Performance Standards**
 - (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
 - (2) All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in the manner required by this Code. All trash handling and loading areas shall be screened from view within a waste enclosure. Trash enclosures shall be constructed from the same materials as the principal building.
 - (3) Signage shall be allowed in conformance with the requirements found in the following districts:
 - a. The apartment building signage shall be consistent with the R-C High-Density Multiple-Family Residential zoning district.
 - b. The hotel building signage shall be consistent with the O - Office zoning district.
 - c. Exemptions located in the zoning ordinance for wall signage shall not apply.

(Ord. No. 2531-18, 3-19-18)

Section 36-268-PUD 12.**(a) Development Plan.**

The site shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

1. Survey
2. A100 Main Level Plan
3. A101 Upper Level Plan
4. A300 Exterior Elevations
5. A301 Exterior Elevations
6. A302 Exterior Renderings
7. D2.1 Site/Drive through Layout Plan
8. Planting Plan Area 3
9. A1 Demo Plan, Patio Plan and Notes
10. A2 Elevations, Wall Section, Finish Plan
11. A2.03R Floor Plan and Elevations
12. Granite City Building Elevations

(b) Permitted Uses.

The following uses are permitted uses:

1. Medical and dental office
2. Funeral homes
3. Libraries
4. Museums
5. Office
6. Parks and open spaces
7. Police and fire stations
8. Banks
9. Business/trade school/college
10. Retail shops up to 20,000 square feet
11. Service
12. Studios
13. Public service structures
14. Food service
15. Restaurants with or without intoxicating liquor
16. More than one principal building located on a single lot

(c) Uses Permitted with Conditions.

The following uses are permitted if they comply with the conditions specified in this section:

- (1) Medical, optical and dental laboratories. The use shall not generate any fumes or odors which are detectable at the property lines of the parcel on which the use is located.
- (2) Private entertainment (indoor) with or without intoxicating liquor. If there is liquor then there shall be no separate bar area within the establishment.

(d) Accessory Uses.

Accessory uses are as follows:

- (1) Catering if accessory to a restaurant, food service, delicatessen, grocery store or retail bakery.

- (2) In-vehicle sales or service. The conditions are as follows:
 - a. Stacking shall be provided for six cars per customer service point and shall comply with all yard requirements.
 - b. This use shall only be permitted when it can be demonstrated that the operation will not have a significant adverse effect on the existing level of service on adjacent streets and intersections.
 - c. The drive-through facility shall be designed so it does not impeded traffic or impair vehicular and pedestrian traffic movement, or exacerbate the potential for pedestrian or vehicular conflicts.
 - d. Any canopy constructed as part of this use shall be compatible with the architectural design and materials of the principal structure.
 - (3) Parking lots.
 - (4) Parking ramps.
 - (5) Public transit stops/shelters.
 - (6) Outdoor seating with the following conditions:
 - a. Public address (PA) systems are prohibited.
 - b. Additional parking will not be required if the outdoor seating area does not exceed 500 square feet or ten percent of the gross floor area of the principal use, whichever is less. Parking will be required at the same rate as the principal use for that portion of outdoor seating area in excess of 500 square feet or ten percent of the gross building area, whichever is less.
 - (7) Outdoor storage is prohibited.
 - (e) **Special Performance Standards.**
 - (1) All general zoning requirements not specifically addressed in this PUD shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
 - (2) All solid waste materials containers shall be kept in the manner required by this code. All solid waste handling and loading areas shall be screened from view. The screening shall be constructed from the same materials as the principal building.
 - (3) Signs shall be allowed in conformance with the requirements found in the C-2 General Commercial zoning district.
- (Ord. No. 2536-18, 5-21-18)

Section 36-268-PUD 13.**(a) Development Plan.**

The site located on property legally described as Lots 1 and 2, Block 1, Bridgewater Bank Addition, Hennepin County, Minnesota, shall be developed, used and maintained in conformance with the following Final PUD signed Official Exhibits:

- 1) G000P – Cover Sheet
- 2) G001P - Renderings
- 3) G002P – Shadow Study
- 4) C0.0 – Title Sheet
- 5) V1.0 – Site Survey
- 6) V1.1 – Final Plat Page 1
- 7) V1.2 – Final Plat Page 2
- 8) C1.0 – Removals Plan
- 9) C2.0 – Site Plan
- 10) C2.1 – Site Plan – Northern Drive
- 11) C2.2 – Vehicle Turning Movement Plan
- 12) C2.3 – Right of Way Dedication
- 13) C3.0 – Grading Plan
- 14) C3.1 Grading Plan – Northern Drive
- 15) C4.0 – Utility Plan
- 16) C5.0 – Civil Details
- 17) C5.1 – Civil Details
- 18) C5.2 – Civil Details
- 19) C5.3 – Civil Details
- 20) SW1.0 – SWPPP – Existing Conditions
- 21) SW1.1 – SWPPP – Proposed Conditions
- 22) SW1.2 – SWPPP – Details & Narrative
- 23) SW1.3 – SWPPP – Attachments
- 24) SW1.4 – SWPPP - Attachments
- 25) SW1.5 – SWPPP – Attachments
- 26) L001 – Tree Preservation Plan
- 27) L100 – Landscape Plan
- 28) L400 – Landscape Enlargement
- 29) L500 – Landscape Details and Notes
- 30) AS100P – Architectural Site Plan
- 31) A090P – Floor Plan – Level P2
- 32) A100P – Floor Plan – Level P1
- 33) A110P – Floor Plan – Level 1
- 34) A120P – Floor Plan – Level 2
- 35) A130P – Floor Plan – Level 3
- 36) A140P – Floor Plan – Level 4
- 37) A160P – Roof Plan
- 38) A200P – Exterior Elevations
- 39) A201P – Exterior Elevations
- 40) A202P – Exterior Elevations
- 41) A203P – Exterior Elevations
- 42) A300P – Building Sections
- 43) AL100 – Photometric Plan
- 44) AL100 – Photometric P1 Plan
- 45) AL102 – Photometric P2 Plan

The site shall also conform to the following requirements:

- 1) The property shall be developed with 84,000 square feet of building space.
- 2) At least 277 off-street parking spaces shall be constructed. At least five (5) public on-street parallel parking spaces shall be constructed on Excelsior Boulevard.

Parking will be provided off-street in a surface lot (50 spaces), on-street parallel parking (5 spaces), and in below grade structured parking (227). 10 spaces shall be shared parking via a shared parking easement with Lot 2 Block 1 Bridgewater Addition. An off-street parking management plan shall be approved by the city and managed by the property owner, with the goal of avoiding spill over parking into surrounding streets in the neighborhood and maximizing the benefits of mixed use development and shared parking.

- 3) A commercial loading bay shall be located 6 feet from the east property line on the north side of the building. Access shall be provided from 36-1/2 Street.
- 4) The maximum building height shall not exceed 62 feet and four stories, plus up to an additional ten (10) feet for stair and elevator penthouses.
- 5) The development site shall include a minimum of 12 percent designed outdoor recreation area based on private developable land area.

(b) Permitted Uses.

The following uses are permitted on Lot 2, Block 1, Bridgewater Bank Addition, Hennepin County, Minnesota:

- (1) Office.

(c) Permitted with Conditions.

The following uses are permitted with conditions on Lot 1, Block 1, Bridgewater Bank Addition, Hennepin County, Minnesota:

- (1) *Office.* Office uses shall be limited to upper floors.

The following uses are permitted with conditions on Lot 1 and Lot 2, Block 1, Bridgewater Bank Addition, Hennepin County, Minnesota:

- (1) *Commercial uses.* Commercial uses shall be limited to the following: medical and dental offices, libraries, museums, banks, and studios.
 - a. In vehicle sales is prohibited.
- (2) *Retail and service facilities.* The conditions are as follows:
 - a. No single use retail or service facility establishment over 4,000 square feet is permitted. The use shall be located on the ground floor and shall be permitted only as a part of a larger development which contains at least one other permitted principal use or as a part of a mixed use PUD.
 - b. All refuse shall meet the requirements of chapter 22 regulating refuse.
 - c. In vehicle sales is prohibited.

- (3) *Restaurants with or without intoxicating liquor license.* The conditions are as follows:
- a. A maximum of 4,000 gross square feet shall be used for restaurants. This use shall be permitted as part of a larger development which contains at least one other principal use or as part of a PUD.
 - b. A Travel Demand Management Plan shall be implemented and shall provide ongoing mitigation while a restaurant use is present.
 - c. These uses shall not result in any exterior building modifications, including truck docks or freestanding signage, overnight truck parking or similar features.
 - d. If there is a wine, beer, and/or intoxicating liquor license, the Restaurant uses shall be located a minimum of 100 feet from any parcel that is zoned residential and used or subdivided for residential or has an occupied institutional building including but not limited to a school, religious institution or community center.
 - e. In vehicle sales is prohibited.
- (4) *Civic and institutional uses.* Civic and institutional uses are limited to education/academic, library, museums/art galleries, indoor public parks/open space, police service substations, post office customer service facilities, public studios and performance theaters. The conditions are as follows:
- a. All parking requirements must be met for each use.
 - b. In vehicle sales is prohibited.

(d) Accessory Uses.

Accessory uses are as follows:

- (1) Parking lots.
- (2) Parking structures. Facades that are visible from off-site shall display and integration of building materials, building form, textures, architectural motifs, and building colors with principal building.
- (3) Public transit stops/shelters.
- (4) Catering, if accessory to food service, delicatessen or retail bakery.
- (5) Outdoor seating, public address (PA) systems are prohibited.
- (6) No outdoor uses or storage allowed.
- (7) Solar panels. Roof or building mounted solar systems shall not exceed the maximum allowed height in PUD 13.
- (8) In vehicle sales is prohibited.

(e) Special Performance Standards.

- (1) All general zoning requirements not specifically addressed in this ordinance shall be met, including but not limited to: outdoor lighting, architectural design, landscaping, parking and screening requirements.
- (2) Each commercial, civic or institutional tenant space on the ground floor shall have a direct and primary access to and from the Excelsior Boulevard (south) building façade and the access shall remain open during business hours.

- (3) All trash, garbage, waste materials, trash containers, and recycling containers shall be kept in the manner required by this Code. All trash handling and loading areas shall be screened from view within a waste enclosure.
- (4) Signage shall be allowed in conformance with the C-2 General Commercial Zoning District and shall comply with the following:
 - a. Pylon signs shall be prohibited.
- (5) Façade.
 - a. Composite wooden resin paneling a minimum of seven (7) millimeters thick shall be considered a Class I Material.
 - b. The following façade design guidelines shall be applicable to all ground floor street-facing facades:
 - i. Minimum ground floor transparency shall be 70% at the pedestrian level.
 - ii. No more than 10% of total window and door area shall be glass block, mirrored, spandrel, frosted or other opaque glass, finishes or material including window painting and signs. The remaining 90% of window and door area shall be clear or slightly tinted glass, allowing views into and out of the interior.
 - iii. Active permitted uses shall be maintained for a minimum depth of 15 feet. Storage areas and utility closets are prohibited within this 15 feet.
 - iv. Visibility into the space shall be maintained for a minimum depth of ten feet. This requirement shall not prohibit the display of merchandise.
- (6) Awnings.
 - a. Awnings shall be constructed of heavy canvas fabric, metal and/or glass. Plastic and vinyl awnings are prohibited.
 - b. Backlit awnings are prohibited.

(Ord. No. 2538-18, 6-4-18)

36-268—36-290. Reserved.

(Ord. No. 2462-15, 2-2-2015)