

**SEC. 13-1-58 BASIS FOR APPROVAL OF THE PETITION FOR PLANNED UNIT DEVELOPMENT.**

- (a) **Requirements.** The Plan Commission, in making recommendations for approval, and the Common Council, in making a determination approving a petition for planned unit development, shall find as follows:
- (1) That the applicable physical requirements made and provided in Section 13-1-52 will be met;
  - (2) That the requirements as to public services and facilities made and provided in Section 13-1-56 will be met.
- (b) **Proposed Construction Schedule.** The Plan Commission and Common Council, in making their respective recommendation and determination, shall consider the reasonableness of the proposed construction schedule and any staging plan for the physical development of the proposed PUD, commencement of the physical development within one (1) year of approval being deemed reasonable.
- (c) **Residential PUD, Considerations.** The Plan Commission and Common Council, in making their respective recommendation and determination as to a proposed residential planned unit development, shall further consider whether:
- (1) Such development will create an attractive residential environment of sustained desirability and economic stability, including structures in relation to terrain, consideration of safe pedestrian flow, ready access to recreation space and coordination with overall plans for the community.
  - (2) The total net residential density within the planned unit development will be compatible with the City master plan (comprehensive land use and thoroughfare plan), neighborhood plan or components thereof, and shall be compatible with the density of the district wherein located.
  - (3) Structures types will be generally compatible with other structural types permitted in the underlying basic use district.
  - (4) Provision has been made for the installation of adequate public facilities and the continuing maintenance and operation of such facilities if privately owned.
  - (5) Provision has been made for adequate, continuing fire and police protection.
  - (6) The population density of the development will or will not have an adverse effect upon the community's capacity to provide needed school or other municipal service facilities.
  - (7) Adequate guarantee is provided for permanent preservation of open space areas as shown on the general development plan as approved either by private reservation and maintenance or by dedication to the public.
- (d) **Commercial PUD, Considerations.** The Plan Commission and Common Council, in making their respective recommendation and determination as to proposed commercial planned unit development, shall further consider whether:
- (1) The economic practicality of the proposed development can be justified.
  - (2) The proposed development will be served by off-street parking and truck service facilities in accordance with this Chapter.
  - (3) The proposed development shall be adequately provided with, and shall not impose any undue burden on, public services and facilities such as fire and police protection,

street maintenance, water, sanitary sewer and storm water drainage and maintenance of public areas.

- (4) The locations of entrances and exists have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets and that the development will not create any adverse effect upon the general traffic pattern of the surrounding neighborhood.
  - (5) The architectural design, landscaping, control of lighting and general site development will result in an attractive and harmonious service area compatible with and not adversely affecting the property values of the surrounding neighborhood.
- (e) **Industrial PUD, Considerations.** The Plan Commission and Common Council, in making their respective recommendations and determination as to a proposed industrial planned unit development, shall further consider whether:
- (1) The operational character and physical plant arrangement of buildings will be compatible with the latest in performance standards and industrial development design and will not result in an adverse effect upon the property values of the surrounding neighborhood.
  - (2) The proposed development shall be adequately provided with and shall not impose any undue burden on public services and facilities, such as fire and police protection, street maintenance, water, sanitary sewer and storm water drainage and maintenance of public areas.
  - (3) The proposed development will include provision for off-street parking and truck service areas in accordance with this Chapter and will be adequately served by easy-access rail and/or arterial highway facilities.
  - (4) The proposed development is properly related to the total transportation system of the community and will not result in an adverse effect on the safety and efficiency of the public streets.
- (f) **Mixed Use PUD, Considerations.** The Plan Commission and Common Council, in making their respective recommendation and determination as to a proposed mixed use planned unit development, shall further consider whether:
- (1) The proposed mixture of uses procedures a unified composite which is compatible with the zoning district and which, as a total development entity, is compatible with the surrounding neighborhood.
  - (2) The various types of uses conform to the general requirements as herein before set forth, applicable to projects of such use and character.
  - (3) The proposed development shall be adequately provided with and shall not impose any undue burden on public services and facilities, such as fire and police protection, street maintenance, water, sanitary sewer and storm water drainage and maintenance of public areas.