

US HIGHWAY 61 DEVELOPMENT PROJECT



PLANNED UNIT DEVELOPMENT (PUD) GUIDELINES

The following guidelines for development of the US Highway 61 Development site are preliminary and subject to change upon approval and acceptance of a development proposal and agreement. Final guidelines may be modified and will be agreed to with the developer of the US Highway 61 site.

SECTION 1:

INTRODUCTION.

Whereas, Title 17 of the Burlington City Code includes Chapter 17.20.40, Planned Unit Development Districts (PUD), which establishes certain regulations and guidelines pertaining to proposed developments. The PUD is designed to allow comprehensively planned projects, which provide innovative and imaginative approaches to urban design and land development. The information and requirements herein strive to meet these innovative and imaginative goals and strengthen the quality of development for the US Highway 61 Development PUD site.

This document is an attachment to the Ordinance approving the Planned Unit Development for the US Highway 61 Development PUD site. These requirements and regulations have been approved by the Burlington City Council and are held in full force by the Burlington City Code. Any changes to the language or requirements contained herein shall require approval of the Burlington City Council. Any variance from the following requirements would require approval by the Zoning Board of Adjustment.

SECTION 2:

LAND DEVELOPMENT PLAN.

The Land Development Plan is a graphic representation of the property included in the US Highway 61 Development PUD Planned Unit Development (PUD), delineating the approximate locations and configuration of the lots for the purpose of easier reference for the applicable regulations of this document. It is recognized that shifts or modifications to the planned layout may be necessary for overall development compatibility and for the need to develop appropriate travel patterns and desired property sites. Minor modifications to the plan, including locations of buildings and travel patterns, are subject to City staff approval. The Land Development Plan, which is made a part of this document, delineates the proposed (conceptual) layout of the US Highway 61 Development PUD and is intended as a guide for the development of this property. The planned layout (Land Development Plan), including the information contained herein, shall be used as the visual implementation guide for the development of the US Highway 61 Development PUD area. Wherever conflict occurs between the written text in this document and the notations on the Land Development Plan, the written text shall prevail.

SECTION 3:

GENERAL CONDITIONS.

The information and requirements of this document shall be required to be submitted, depicted, or otherwise specified on a site plan and/or submitted documents prior to any building or construction.

1. The development standards, requirements, and use regulations contained herein shall apply to each of the lots, sites, and buildings contained within the US Highway 61 Development PUD as applicable.
2. Any regulation, standard, provision, or requirement that is not specifically addressed within this document and is regulated elsewhere in the City Code of Burlington, shall still be enforced.
3. All subdivisions, public streets, public street right-of-way, and general development shall adhere to the standards and design criteria set forth in the Burlington City Code as adopted by the City of Burlington pertaining thereto, unless otherwise stated within this Ordinance.
4. The Developer, their successors, and assigns, if any, shall pay all construction and engineering costs for the development of this PUD in accordance with current City policies at the time of development and as required by this Ordinance and the Subdivision Ordinance of the City of Burlington. This shall include all streets, storm sewers, sanitary sewers, drainage improvements, detention basins, water mains, buffers, and other improvements within the PUD that are required, as well as their proportionate share of infrastructure upgrades for adjacent streets and utilities, unless established by a separate development agreement.
5. If any public improvements are not to be completed prior to approval of the Final Plat, a bond, letter of credit, or acceptable personal guaranty shall be submitted to and approved by the City to ensure such construction shall meet the required appropriate standards. Upon completion of any public improvement, the appropriate City department shall inspect the improvement for compliance with City standards. All public improvements shall be accepted by Resolution of the City Council. The Developer shall maintain any public improvements that are not constructed to City standards or that are not conveyed or accepted by the City of Burlington.
6. Throughout the PUD, a consistency of project features shall be maintained so that the different buildings, sites, and parcels will all relate to each other and create a sense of collective environment. These features will include high quality architectural character, unifying treatment of roadways and curbs, signage, landscaping, lighting, and a common pedestrian orientation throughout the commercial / business center.
7. Burlington City Staff shall approve a detailed site plan for each phase or portion of development prior to such development for compliance to the Land Development Plan and Development Requirements, established herein, as well as other adopted codes and plans utilized or adopted by the City of Burlington.

SECTION 4:

SUBDIVIDING.

Prior to, or in conjunction with development or transfer of ownership of any portion of the PUD, said area shall be platted in accordance with the City's Subdivision Ordinance to delineate within a Plat, the parcel to be developed or sold separately or the street right-of-way to be dedicated or any other portion thereof. An operation and easement agreement (OEA) shall be established in order to maintain proper access for all parcels within this development across the appropriate private streets to public streets as necessary.

SECTION 5: **LAND USE.**

All sites, properties, and/or lots contained within the US Highway 61 Development PUD shall be designated and regulated as a C-2, General Commercial Zoning District. The following uses shall not be allowed within this PUD:

1. Light Industrial Uses
2. Automotive and Marine Craft Sales and/or Service
3. Vehicle Service Facilities
4. Warehousing and/or Storage Facilities (indoor and outdoor)
5. Medical Centers / Laboratories (medical, research, & development)
6. Adult Entertainment Facilities
7. Institutional Uses

Clinical medical office uses (dentist, chiropractor, etc) shall be allowed. Service use is allowed only as a secondary operation (20% or less of business) to a retail business (auto parts store, audio/visual installation, etc).

SECTION 6: **BULK REGULATIONS.**

Buildings shall be located and setback no less than thirty (30) feet off of the Roosevelt Avenue and Agency Street property lines. Parking lots shall be located and setback no less than fifteen (15) feet off of the Roosevelt Avenue and Agency Street property lines.

Buildings shall be setback a minimum of [redacted] feet off all other public rights-of-way at the exterior boundary of the development, with parking lots setback no less than [redacted] feet from such rights-of-way. [redacted]- setback is required for buildings and parking lots adjacent to any interior boundary lot lines that are established as a part of this PUD (excluding - Roosevelt Ave, Market St, Columbus Dr, and Agency St).

Buildings height shall not exceed [redacted]-feet in height from grade to the highest point of a roof, excluding any required screening.

SECTION 7: **SIGNAGE.**

All signage within the US Highway 61 Development PUD shall be in accordance with City Code requirements in place at the time of development, unless stated otherwise herein. The proper Sign Permits shall be obtained prior to location of any signage.

1. Signage for the US Highway 61 Development PUD shall follow all other requirements of 17.75.104 district Signage Regulations, Section 6. C-1, C-2, M-1, and M-2 of Chapter 17.75 Signs from the Zoning and Subdivision Regulations unless stated otherwise herein.
2. One ground sign is permitted at all entry points (from public streets, i.e. Market, Agency, Columbus, Roosevelt) to the development providing the following:
 - a. Signs shall identify the project name only.
 - b. Signs shall not exceed eight (8) feet in height.
 - c. Signs shall not exceed one hundred fifty (150) square feet in area per side, excluding the size of the base.
 - d. Sign bases are to be constructed of materials utilized on the buildings.
 - e. A minimum of 1.5 square feet of landscaping shall be located around the sign for every square foot of sign area.
3. Freestanding signs shall be permitted, provided the following requirements are met:
 - a. A total of seven (7) freestanding signs shall be allowed in this development, not including the permitted ground signs as allowed in #2 above.
 - b. Freestanding signs shall not exceed thirty (30) feet in height.
 - c. Sign bases are to be constructed of materials utilized on the buildings.
 - d. All freestanding signs shall be of the same geometric shape and color, excluding individual tenant panels.
 - e. Each freestanding sign shall not exceed two hundred (200) square feet in area for the sign face.
 - f. A minimum of 100 square feet of landscaping shall be located around any freestanding sign.
4. No sign shall exceed the height of the wall to which it is attached (mansard roof is permitted). No sign shall be located on top of a roof for this development.
 - a. Wall signage shall not exceed fifteen percent (15%) of the area of the building façade to which it is attached.
 - b. Sign type may be individually illuminated letters or non-illuminated letter with an independent lighting source. Each tenant sign may include a logo utilizing a cabinet type sign as long as the size of the cabinet is less than 15% of the size of the tenant's main signage.
 - c. Signage will be permitted on all four sides of the building.

5. One (1) two-sided electronic message sign shall be allowed within this PUD. Such sign shall be along Roosevelt Avenue only and shall be a maximum size of seventy five (75) square feet in area.

SECTION 8:

LIGHTING.

Lighting that is incorporated into entrances, design elements, parking lots, and landscaping shall be designed so as to not direct light into or towards vehicles within the public right-of-way. Freestanding lighting in such instances shall be vintage or ornamental type lighting.

Freestanding lighting within the parking lots shall be a maximum of _____ feet in height. Light sources shall be concealed or shielded to the maximum extent feasible to minimize glare, light pollution, and light trespass on adjacent properties that are not a part of this PUD; and away from the vision of passing motorists. The lighting level at the property line around the perimeter of the PUD shall not exceed _____.

SECTION 9:

BUILDING / SITE DESIGN STANDARDS.

All building sides shall be required to meet the City of Burlington Architectural Design Guidelines. All buildings shall be compatible in architectural character, utilizing quality exterior building materials. Various design elements and materials shall be common from project to project to ensure a unified commercial area.

Other materials not permitted within this development include vinyl, steel, or aluminum siding typically used in residential construction; plain non-textured concrete masonry units (unless utilized in areas not directly visible from the public right-of-way); metal siding typically utilized on a “pole shed” unless used in a creative manner as an accent; poured concrete, non-textured walls.

All negative aspects of buildings (loading docks, loading areas, outside storage areas, garbage dumpsters, HVAC units, rooftop equipment, etc) shall be adequately treated to minimize such appearance or reasonably screened from view if directly visible from a public street, whether located at grade or on the roof; such treatment/screening shall be approved by staff. Quality fence material that is no less than 75% solid or opaque or materials that are architecturally compatible to the primary building material for the building shall be utilized to screen such items from view. Such negative aspects (non-rooftop) shall be located towards the rear of the property and shall not extend beyond the front of a building. Buildings shall be located and designed to minimize the exposure of all negative aspects associated with such buildings.

All street access designs (driveways) shall be constructed as required to meet traffic projection requirements, developer's civil engineer's design, and the Design Standards adopted by the City of Burlington. The developer and the City of Burlington shall approve such designs, taking into consideration appropriate traffic and pedestrian safety concerns and traffic flow patterns. Such designs shall be addressed on the attached land development plan. Any changes to such plan shall require approval of City staff.

A public street shall remain or be constructed to connect Columbus Drive with Market Street. The existing five-way intersection at Market St, Columbus Dr, and Flint Hills Drive shall be reduced to a four-way intersection.

Internal circulation throughout the development shall be designed to minimize traffic congestion by controlling access points to and from primary drives and parking areas; and clearly delineating circulation movements throughout and into parking areas.

SECTION 13: LANDSCAPE AND OPEN SPACE.

A Master Landscape Plan shall be submitted for the entire site prior to development. A Landscape Plan shall also be submitted with each required site plan. All landscape and open space elements shall be in accordance with City Code requirements at the time of development, unless stated otherwise herein. Such elements shall be reviewed and approved by the appropriate City Staff to be consistent with the Zoning and Subdivision Regulations and the City of Burlington Area Parks, Recreation, and Open Space Plan.

1. Landscaping shall be provided at rate of thirty (30) square feet of landscape material for each ten thousand (10,000) square feet of lot area. The following landscaping shall be required in addition to what is required herein:
 - a. A minimum of fifteen (15) square feet of landscaped area shall be provided for every twenty-five (25) parking spaces that are provided.
 - b. One tree shall be required for every fifty square feet of landscape material required.
2. Landscaped islands and directional aisles shall be required within the designated parking area in order to provide a break or separation within large, open parking lot areas, reduce the heat island affect of paved areas, and improve the visual appeal of parking areas.
 - a. Landscaped islands shall be required at a maximum separation of one every two hundred (200) feet within parking aisles. Such landscaping shall be a minimum of one hundred (100) square feet in area.

- i. Other design elements (artwork, fountain, excess landscaping, etc) may be provided to create a visual and physical break in the parking lot areas, as approved by City staff.
 - b. Landscaped directional aisles (at the end of rows of parking) shall be incorporated along primary vehicle travel-ways within the development and at a minimum rate of one in every other parking aisle end.
 3. The maximum impervious lot coverage shall not exceed 80% of the total lot area. This includes all building footprints, parking areas, driveways, and walkways.
 4. Landscaping shall be required along all exterior boundaries of this PUD.
 5. A landscape buffer of trees, shrubs, and/or a landscaped berm along the south side of the development, directly adjacent to Market Street. Such landscaping shall be designed to reduce noise and light from the commercial properties north of Market Street.
 6. A landscape buffer of trees, shrubs, and/or a landscaped berm shall be required near the southeast corner of this development.
 7. Landscaping shall include earth berming, ground cover, and a mix of various plants, trees, shrubs, and flowers, including the following:
 - a. Overstory (Hardwood) Trees
 - b. Flowering Ornamental Trees
 - c. Evergreen Trees
 - d. Arborvitaes/Junipers
 - e. Shrubs/Grasses
 - f. Annual/Perennial Flowers
 8. Existing, high quality trees on the site shall be retained to the greatest extent possible based on the proposed site configuration. Such trees that are to be retained or removed shall be identified prior to such removal and development.

All landscape material and vegetation shall remain viable and in good condition at all times. Any material or vegetation that dies or becomes displaced shall be replaced with similar or like materials or vegetation by the Developer or their assigns.

All stormwater ponds and water features shall be properly maintained by the developer or their assigns and shall remain free of debris and weeds. Such features shall be landscaped appropriately. Aerators shall be utilized to keep algae at a minimum within the water features.