

Sec. 8-3041. Development standards in P-R-T districts.

(a) *Intent.* The purposes of this district are to recognize predominately residential areas which:

- (1) Front along arterial streets and are located directly across from or adjacent to B (business) zoned properties;
- (2) Possess special or unique land use or architectural qualities;
- (3) Face redevelopment pressures, but which are not protected by an historic zoning district or compatibility design standards; and
- (4) Require special development standards, criteria and review procedures to protect these special characteristics and at the same time address development pressures by allowing for alternative uses through the conversion of structures to a limited number of uses compatible with the existing neighborhood, while still preserving the residential character of the area.

(b) *Planned requirement.* A general development plan for the property requesting rezoning to a P-R-T (planned-residential-transition) district shall be submitted to the MPC for review and recommendation to the mayor and aldermen. The general development plan shall accompany the petition for rezoning. Upon the adoption of the zoning petition, such development plan shall be made a part of the zoning approval. A specific plan may be submitted in lieu of a general plan as set for in subsection (d) of this section.

(c) *General plan requirement.* The general plan shall include the proposed use or reuse of the property and shall show the location of existing and/or proposed buildings; location of proposed off-street parking and driveways; landscaping and any fencing or screening buffers; and show through illustration and/or statements how the proposed use of the property will be visually compatible with surrounding properties, including an analysis of how the anticipated traffic will affect the area's residential development.

(d) *Specific plan.* No development or reuse of the property shall take place within a P-R-T district until a detailed specific development plan for the property has been submitted to the planning commission for review and approval. The specific plan shall be consistent with the general development plan submitted and approved at the time of rezoning.

(e) *Specific plan requirements.* Specific development plans shall show in detail the layout of existing streets, accessways and curb cuts; parking areas, open spaces and buffers, and landscaped areas; pedestrian ways; the location and use of all buildings on the property; and such other significant details as may be reasonably required by the planning commission to assure that the residential character of the structure and the adjacent area will be protected.

(f) *Certificate of visual compatibility required.* No permit shall be issued to make any of the following building or site changes within a P-R-T district until the plans for such building or site changes have been reviewed, approved and certified by the MPC as complying with the visual compatibility requirements as set forth in subsection (g):

- (1) Moving a building into or within a P-R-T district.
- (2) Material change in the exterior appearance of existing buildings by addition, reconstruction, alteration or conversions.
- (3) Construction of, or major improvements to, a principal building or accessory building or structure where such activity is subject to view from a public street or from adjacent properties.
- (4) Change in existing landscaping, walls and fences, or construction of new walls and fences, if such activity is along or visible from any public street, or from adjacent properties.
- (5) Erection or placement of any sign.

(g) *Visual compatibility requirements.* Within a P-R-T district, the design and construction of a new building and the design and construction of alterations to an existing building that is moved, reconstructed, materially altered or repaired shall be visually compatible with the residential buildings to which such building is visually related in terms of the following features:

- (1) *Height.* The height of proposed buildings shall be visually compatible with adjacent residential buildings.
- (2) *Proportion of building's front facade.* The relationship of the width of building to the height of the front elevation shall be visually compatible to residential buildings and places to which it is visually related.
- (3) *Proportion of openings within the facility.* The relationship of the width of the windows to height of windows in a building shall be visually compatible with residential buildings and places to which the building is visually related.
- (4) *Rhythm of buildings on street.* The relationship of the building to open space between it and adjoining buildings shall be visually compatible to the residential buildings and places to which it is visually related.

- (5) *Rhythm of entrance and/or porch projection.* The relationship of entrances and porch projections to sidewalks of buildings, squares and places shall be visually compatible to the residential buildings to which it is visually related.
- (6) *Relationship of materials, texture.* The relationship of materials, texture and color of the facade of a building shall be visually compatible with the predominant materials used in the residential buildings to which it is visually related.
- (7) *Roof shapes.* The roof shape of a building shall be visually compatible with the residential buildings to which it is visually related.
- (8) *Walls of continuity.* Appurtenance of a building such as walls, wrought iron, fences, evergreen landscape masses and building facades shall, if necessary, form cohesive walls of enclosures along a street, to ensure visual compatibility of the building with the residential buildings and places to which it is visually related.
- (9) *Scale of a building.* The size of a building, the building mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the residential buildings and places to which it is visually related.
- (10) *Directional expression of front elevations.* A building shall be visually compatible with the residential buildings and places to which it is visually related in its directional character, whether this be vertical character, horizontal character or nondirectional character.
- (11) *Architectural style.* Exterior changes to existing buildings shall be of the same residential architectural style as the original structure or of a style of an adjacent residential dwelling. New buildings shall be of the same residential architectural style prevalent in the surrounding neighborhood.

(h) *Application for certificate of visual compatibility.* Application for a certificate of visual compatibility shall be made in the office of the zoning administrator on forms provided therefor and obtainable at said office. Application forms shall specify the information required to determine whether the proposed activity, repairs or construction will be in compliance with the provisions of this chapter. Each application shall provide all required information as specified on the application form and shall be submitted to the MPC for review and approval.

(i) *Permitted uses.* Uses permitted within a P-R-T district shall be limited to the following:

- (1) Uses permitted within the R-6 district.
- (2) Interior decorating business.
- (3) Arts and craft shop (including craft or sewing classes) but excluding activities or processes that produce noise, odor, chemical, or fire hazards or require exterior venting of smoke, fumes or heat.
- (4) Teaching of music, voice and dance.
- (5) Mixed use/residential.
- (6) Photography studio.
- (7) Principal or incidental use sign not exceeding three square feet. Such sign shall not be internally lighted. Provided, however, principal or incidental signs fronting into business or industrial zoning districts may contain up to 12 square feet. Freestanding signs above five feet in height and internally lighted signs may be approved by the MPC upon a finding that such sign is compatible with the surrounding area and uses.
- (8) Offices.

(j) *Development standards.* Within a P-R-T district the development standards shall be those standards for the R-6 district as set forth in section 8-3025(c), "schedule of development standards." The following standards shall apply to uses allowed in the P-R-T district that are not permitted within the R-6 district:

- (a) Nonresidential leasable floor area shall not exceed 2,000 square feet.
- (b) No greater than three employees shall work at the site.
- (c) No greater than 30 persons shall perform or be instructed at any one time.
- (d) Driveways, unloading/loading areas, and parking orientation shall be compatible with and screened from the surrounding development.
- (e) Hours of operation involving persons not residing on the premises shall be restricted to the hours between 8:00 a.m. and 9:00 p.m.
- (f) No outdoor storage or displays shall be allowed.

(k) *Approval of specific development plan.*

- (1) The planning commission's approval of the specified development plan shall constitute a finding by the planning commission that:
 - a. The development is visually compatible with surrounding residential properties.
 - b. The development complies with all development standards set forth in this chapter, or, to the extent any improvements, setbacks, easement, parking, loading or other elements of the development are shown on the specific development plan which vary from such standards, such variances are approved in accordance with the criteria set forth in subsection (l) of this section.
- (2) Specific development plans approved by the planning commission shall be certified to the zoning administrator for the issuance of applicable permits. No building permit shall be issued for the construction of any improvements that are not shown on a specific development plan as approved by the planning commission.

(l) *Variances.* Development standards shall be applied as provided elsewhere in this chapter, provided that the planning commission may approve variances from these requirements at the request of the developer on a finding that such variances would:

- (1) Be in keeping with the overall residential character of the area.
- (2) Not be contrary to the purpose and intent of this chapter.
- (3) Not be detrimental to existing or proposed surrounding uses.
- (4) Serve public purposes to a degree equal to or greater than the standards replaced.