

Zoning Session - Common Council
 Monday, April 16, 1973 from 8:15p.m. to 10:00 p.m.,
 in the Council Chambers of the Municipal Building
 with Councilpresident Charlotte Zietlow presiding.

Present: Councilmembers Towell, Davis, De St. Croix,
 Fix, and Zietlow.

Absent: Councilmembers Morrison, Mizell, Ackerman, Behen.

City officials present: Tom Crossman, Planning Director;
 Grace Johnson, City Clerk.

Others: About 6 people including members of the press.

Councilman Towell moved that Ordinance No. 73-3 as amended
 be adopted. Councilman Fix seconded the motion.
 The motion FAILED BY A ROLL CALL VOTE OF Ayes 3, Nays 2 (Nay:
 Zietlow, De St. Croix)

Mr. Crossman reported that Steve Richardson and Peggy Tuke are
 working up new wording for nonconforming uses which should be
 ready for next week. There followed a discussion of how to keel
 nonconforming uses from existing forever. Mr. Crossman indicated
 he would check on the various legal possibilities with Larry Owens,
 City Attorney. Mr. Crossman indicated that he was also seeking an
 opinion from the legal department on the jurisdiction of the City
 over institutional zone properties.

Councilman Davis moved that section 20.06.04.03 be amended
 by deleting the very last phrase of the paragraph: "except
 that compliance with the off-street parking provision is not
 required;" this would put a period after the word "chapter" in
 the second paragraph of the section. Councilman Towell
 seconded the motion. THE MOTION WAS CARRIED BY A ROLL CALL
 VOTE OF AYES 5, Nays 0.

Councilman De St. Croix moved that day-care homes be allowed in
 all residential zones. Councilman Towell seconded the motion.
 The motion was CARRIED BY A ROLL CALL VOTE OF AYES 5, NAYS 0.

Councilman Towell moved that the memorandum from the Plan Department
 to the Common Council, dated March 7, 1973, containing revisions
 of section 20.11.62.00 Retail Uses in Residential Zones, be adopted
 and the recommended changes in the section be incorporated into the
 text of Ordinance No. 73-3. Councilman De St. Croix seconded the
 motion. THE MOTION WAS CARRIED BY A ROLL CALL VOTE OF AYES 5, Nays 0.

(A copy of the memo is attached to these minutes.)

Councilman De St. Croix asked that Mr. Crossman come up with some
 language regarding special exception for improving a nonconforming use.

Councilman De St. Croix moved that the uses outlined by the
 plan department for the Institutional Business Zoned adopted
 April 12, 1973, be included in the use tables. Councilman
 Towell seconded the motion. THE MOTION FAILED BY A ROLL CALL
 VOTE OF Ayes 4, Nays 1 (Nay: Fix).

The meeting was adjourned at 10:00 p.m.

Grace Johnson
 Grace Johnson, City Clerk

The next zoning session will be Tuesday, April 24, 1973, at
 7:30 p.m. in the Council Chambers.

Interdepartmental Memo

TO: Common Council

SUBJ: _____

FROM: Plan DepartmentDATE: March 7, 1972

Attached is an amendment to the special exception section to permit commercial uses in residential zones in accordance with Council's request.

- 20.11.62.00 The BZA may grant a special exception for retail uses in any residential district providing only uses listed below may be permitted and only if the following conditions are met.
- 20.11.62.01 Retail uses permitted as a special exception shall be limited to: bakery products, dairy products, drugs and sundries, groceries and meats, florists, variety stores, and beauty or barber shops.
- 20.11.62.02 All retail uses so permitted shall have principal access from at least a collector street.
- 20.11.62.03 No retail use shall be permitted in a structure exceeding 3000 square feet.
- 20.11.62.04 To insure the proposed retail use is desired by the neighborhood a petition of over 50% of the residents of the area shall be submitted in support of the proposed retail use.
- 20.11.62.05 Not more than five (5) percent of the land area as determined by the geographic boundaries covered by the petition in sections 20.11.62.04 above may contain structures devoted to retail uses.
- 20.11.62.06 No commercial structure permitted under these regulations shall have exposed block or construction walls. All exterior surfaces shall be faced with an architectural siding.
- 20.11.62.07 In any single family residential district any permitted commercial structure shall have a roof pitch equal to the average roof pitch of the structures on the same block.
- 20.11.62.08 To insure neighborhood compatibility business hours for retail uses permitted under these regulations shall be between 6:00 am and 9:00 pm.
- 20.11.62.09 Since one purpose of neighborhood business facilities is to provide services within walking distance of dwellings parking requirements may be reduced to one half normal requirements.
- 20.11.62.10 No parking may be provided in front yards and all front yard setbacks shall be landscaped.
- 20.11.62.11 All yard and lot coverage provisions shall be the same as for residential uses in the zone in which the special exceptions are granted.