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Pleasant Hill, IA Code of Ordinances

167.10 PLANNED COMMERCIAL DISTRICT.

The regulations set forth in this section or elsewhere in the Zoning Ordinance which are applicable, shall apply in the C-3 District.

1. **Statement of Intent.** The C-3 District is intended to provide for the development of shopping center type business areas. The term “shopping center” is intended to mean a planned retail shopping and service area under single ownership, management, or control characterized by a concentrated grouping of stores and compatible uses, with various facilities designed to be used in common, such as access roads, off-street parking, loading areas, lighting, signs and walks.
2. **Principal Permitted Uses Requiring Site Plan Review.** A building or premises shall be used only for the following purposes:
 - A. Any use as permitted in the C-1 District.
 - B. Local retail business or service establishments including but not limited to:
 - (1) Bars and nightclubs (public or private).
 - (2) Bowling alleys.
 - (3) Department store.
 - (4) Furniture store.
 - (5) Theaters.
 - C. Any use which is considered by the Zoning Administrator to be like or similar to one of the uses listed above.
 - D. Combinations of the above uses.
3. **Permitted Accessory Uses.**
 - A. Accessory uses permitted in and as limited in the C-1 District.
 - B. Accessory uses and structures customarily incidental to any principal permitted use.
4. **Bulk Regulations.** The following minimum requirements shall be observed in the C-3 District:
 - A. Minimum Lot Area: 5 acres.
 - B. Minimum Yards: 50 feet from all property lines.
 - C. Maximum Height: 60 feet.
5. **Development Plan.** The owner or owners shall present to the Planning Department of the City one copy of the development plan of any Planned Commercial District. Plan shall be scaled drawings submitted on paper sheets not less than 24 inches x 36 inches at a minimum scale to 1 = 50. The plan shall show the generalized overall plan for the development of the proposed Planned Commercial District and shall include the following information:
 - A. A site plan outlining, in detail:

- (1) Areas to be developed for buildings.
- (2) Areas to be developed for parking. (See Chapter 169.)
- (3) Location of sidewalks and driveways.
- (4) Points of vehicular access.
- (5) Location and heights of walls.
- (6) Location and type of landscaping and open space. (See Chapter 168.)
- (7) Location, size and number of signs. (See Chapter 170.)
- (8) Anything else required on a site plan per Chapter 171.

B. Evidence concerning the feasibility of the project and its effect on surrounding property.

C. Methods and feasibility of providing water, storm and sanitary facilities.

D. A statement of financial responsibility to assure construction of the development in accordance with the site plan submitted and the requirements of this section. Said statement shall include the owner's reasonable estimate as to the square footage which the owner expects to lease. If this estimate is less than 50%, this shall be a factor, in and of itself, which could be reason to deny the petition.

6. Development Plan Fee. A non-refundable fee of one dollar (\$1.00) per acre shall accompany the filing of a development plan proposal.

7. Submittal of Proposal. Personnel in the Planning Department of the City shall review the proposal of the Planned Commercial District submitted; may discuss any suggestions or proposals with the applicant; and shall file a report along with the applicant's proposal to the Planning and Zoning Commission. The owner shall submit an additional 12 copies of the development plan for distribution to the Planning and Zoning Commission.

A. The Planning and Zoning Commission, after receipt of the report from the Planning Department and receipt of the Planned Commercial District proposal, shall consider the presentation and give special attention to the following:

- (1) Density.
- (2) Building types, functions, screenings and arrangement.
- (3) Use of open space.
- (4) Access to and from the site.
- (5) General relationship to environs.

B. The Commission may approve or disapprove the development plan proposal as submitted, or may require the applicant to modify, alter, adjust or amend the proposal, in order to preserve the intent and purpose of this Chapter and the Comprehensive Plan of the City.

C. An application for a tentative approval of a Planned Commercial District shall be deemed a petition for rezoning to the Planned Commercial District classification. Prior to an affirmative report from the Commission the applicant shall file the necessary rezoning petition as prescribed in amendments contained in Section 165.09 of this Code of Ordinances.

D. Before any report is given to the City Council by the Planning and Zoning Commission pertaining to a development plan submitted for a Planned Commercial District, said Commission shall determine if such proposal is in compliance with the Comprehensive Plan or if such proposal represents a substantial change to the Comprehensive Plan. The Commission may hold a public hearing if no substantial change to the Comprehensive Plan is determined. The Commission shall hold a public hearing, giving notice in the same manner for rezoning, if it is determined that said proposal constitutes a substantial change to the Comprehensive Plan.

E. If the Planning and Zoning Commission denies a request for a Planned Commercial District as proposed, and the applicant desires to revise and resubmit, said applicant shall be subject to an additional non-refundable fee of one dollar (\$1.00) per acre and proceed as though it were the initial application.

F. After a complete review by the Planning and Zoning Commission, a written report giving reasons as to their action shall be filed with the City Council. The owner shall submit an additional twelve (12) copies of the development plan for distribution to the City Council.

G. Within a period of sixty (60) days after the City Council is in receipt of the report from the Planning and Zoning Commission, together with the development plan for the Planned Commercial District, a public hearing shall be held by the City Council in accordance with the provisions of Section 165.09, "Amendments," of this Code of Ordinances. The City Council shall then approve or deny the application.

8. Recording of Development Plan. The ordinance providing for the rezoning of property to the Planned Commercial District and the associated development plan as approved by the City Council shall be recorded at the Office of the Polk County Recorder and shall be binding on the property owners, their heirs, successors or assigns. No phase of the Planned Commercial District shall be started until all documents have been recorded.

9. Modifications. Any proposed modifications in the approved Planned Commercial District shall first be reviewed by the Planning and Zoning Commission. Said proposed modification along with a report from the Commission shall then be forwarded to the City Council with appropriate recommendations. The City Council shall then take such appropriate action on the proposed modification and their decision shall be final. No modification may be considered that is more than a ten percent (10%) increase in density or change of uses on the site without a public hearing as required of a rezoning procedure. A public hearing may be held by the City Council on any modification. All modifications and adjustments shall be recorded at the Office of the Polk County Recorder.

10. Completion. The Planning and Zoning Commission or Council may make the approval of the development plan contingent upon the completion of construction and improvements within a reasonable period of time, provided, however, that in the determination, the magnitude of the development project and any schedule of construction and improvements submitted by the developer are considered. Failure to complete all construction and improvements within said period of time shall be deemed sufficient cause for the Council, in accordance with the provisions of Section 165.09 of this Code of Ordinances, to rezone the unimproved property to the classification effective at the time of original submission of the development plan, unless an extension is recommended by the Commission and approved by the Council for due cause shown. Any proposed change in the development plan after approval by the Council shall be resubmitted and considered in the same manner as the original proposal. For the purpose of this section, the term "unimproved property" means all property situated within the development plan upon which the installation of improvements has not been commenced.

11. Open Space and Landscaping Requirements. See Chapter 168.
12. Off-Street Parking and Loading. See Chapter 169.
13. Sign Regulations. See Chapter 170.
14. Site Plan Requirements. See Chapter 171.