

That a use supplement be adopted by a resolution of the Common Council in association with a flex development overlay district at 1438 – 1440 Main Street, subject to the following conditions:

- a. That all uses listed in the underlying R-2 Single Family Residence District are permissible by right or by conditional use permit unless otherwise specified herein.
- b. That all applicable permits are obtained from the Building Inspection Department.
- c. That the following flex uses are permitted as conditional use permit by Ordinance No. ZOrd.0003-08 in addition to those permitted in the R-2 Single Family Residence District: one six (6) unit multifamily structure at 1438 Main Street and one fifteen (15) unit multifamily structure at 1440 Main Street.
- d. That the following uses shall be prohibited: community living arrangements, educational institutions, group or family daycare; bed & breakfast establishments.
- e. That all aspects of the flex uses and all other uses shall be contained on site.
- f. That the Chief Building Inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.
- g. That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of this flex development and the Flex Development Overlay District.
- h. That all applicable codes and ordinances be complied with and required permits acquired.
- i. That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission, and no major changes be made without the approval of the Common Council.
- j. That this flex development is subject to Plan Commission review for compliance with the listed conditions.

Fiscal Note: N/A