

STAFF RECOMMENDATION:

THAT A USE SUPPLEMENT BE ADOPTED BY A RESOLUTION OF THE COMMON COUNCIL IN ASSOCIATION WITH A FLEX DEVELOPMENT OVERLAY DISTRICT AT 1701 AND 1700 PACKARD AVENUE, SUBJECT TO THE FOLLOWING CONDITIONS:

- a. That all uses listed in the underlying I-2 General Industrial 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 use(s) are permitted as permitted use(s) by right by Ordinance No. ZOrd. 07-17 in addition to those permitted by right in the I-2 General Industrial District, unless prohibited herein:
 1. Above ground floor live-work spaces in association with "d.1." below, solely for the occupant of the living unit and a resident family member but not exceeding 50% of the floor area of the unit, with no customer traffic, and no noise, fumes or vibrations discernable beyond the confines of the living unit within which the activity occurs. Such activities shall not pose a public health and safety hazard.
 2. Accessory uses, incidental to and on the same zoning lot as the principal use.
- d. That the following flex uses may be permitted as a conditional use permit by Ordinance No. ZOrd. 07-17 in addition to those conditional uses permitted in the I-2 General Industrial District, unless prohibited herein:
 1. Single and multifamily residential units having a minimum of 550 square feet per dwelling unit and in compliance with all other zoning sections applicable to the R-6 General Resident District being complied with unless otherwise excepted herein.
 2. Ground floor commercial and professional uses such as art gallery, coffee and tea room, bakery outlet, delicatessen, restaurant, antique shop, consignment shop, musical or dance instructor, sculptor, photographer, book store, artisan work space, barber shop, beauty salon, attorney, accountant, doctor, dentist, branch bank, chiropractor, homeopathy, personnel storage facilities/mini-warehousing.
 3. Non-amplified live entertainment intended for the general public or a private audience.
 4. Other uses as determined by the Plan Commission to be of similar character that warrant the protections of a conditional use permit.
- e. That the following uses shall be prohibited:
 1. All permitted uses in the I-1 Restricted Industrial District 114-567 (b) except: warehousing and storage.
 2. All conditional uses in the I-1 Restricted Industrial District 114-568 except: community gardens.
 3. All permitted uses in the I-2 General Industrial District 114-586 (b).

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4. All conditional uses in the I-2 general Industrial District 114-588 except:
Access corridor overly district.
- f. That all aspects of the flex uses and all other uses shall be contained on site.
- g. 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.
- h. 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
- i. That all applicable codes and ordinances be complied with and required permits acquired.
- j. 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.
- k. That this flex development is subject to Plan Commission review for compliance with the listed conditions.