CHAPTER 1123
Shopping Center District

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1123.01 INTENT.

This chapter (Class U-4B District) is established to provide regulations for a regional scale fashion shopping center designed in a cohesive fashion, requiring large amounts of land, involving uses generating large volumes of traffic, and serving the shopping needs of the region extending beyond the boundaries of the City. General retail businesses, shops and offices providing services are permitted in this District only as part of a unified site design which incorporates an enclosed mall, and further provided that such uses are consistent with the fashion character of the center.

1123.02 PERMITTED USES.

Buildings and land in a Class U-4B District shall be designed, created, used, altered, and intended only as a unified and cohesive shopping center which shall include an interior sheltered walk or promenade that provides access to a variety of retail stores, restaurants, and service uses. Permitted uses shall include retail stores, personal services, restaurants, and offices, which are consistent with the fashion character of the center. Free-standing restaurants and outdoor dining areas may be permitted provided that they are consistent in style with the fashion character of the mall, are designed and oriented to be compatible with the overall design of the mall, and obtain a Conditional Use Permit from the Planning and Zoning Commission. Accessory uses shall include parking garages, parking lots, truck loading and delivery areas, signs, and solid waste collection, compaction, and storage facilities.

1123.03 AREA, YARD AND HEIGHT REGULATIONS

(a) Area.

(1) The ground area occupied by buildings, exclusive of parking decks, shall not exceed thirty percent (30%) of the total area of the development.

(2) At least fifteen percent (15%) of the total area of the development shall be developed as planted or landscaped area.

(b) Yards.

(1) The main mall building shall be setback a minimum of two hundred (200) feet from the right-of-way line of any public street.

(2) Free-standing restaurants not exceeding 10,000 square feet in gross floor area and 25 feet in height may be located closer than 200 feet but not less than 100 feet from any street right-of way.

(3) The main mall building shall be setback a minimum of one hundred (100) feet from any adjacent side or rear property line.

(4) Free-standing restaurants shall be setback a minimum of one hundred (100) feet from any adjacent side or rear property line.

(5) Parking spaces shall be setback a minimum of thirty (30) feet from the right-of-way lines of Cedar Road and George Zeiger Drive.

(6) Parking spaces shall be setback a minimum of sixty (60) feet from the right-of-way line of Richmond Road.

(7) Parking spaces shall be setback a minimum of fifty (50) feet from any adjacent side or rear property line.

(8) Required setbacks shall be improved with landscaping which may include the installation of fences, walls, hedges, mounding, or other treatments as approved to create visual appeal and provide screening or buffering as appropriate.

(c) Height.

The height of buildings shall not exceed fifty (50) feet inclusive of towers, cornices, and decorative architectural features.

1123.04 OFF-STREET PARKING.

(a) Accessibility.

Handicapped parking and access shall be provided, designed, located and identified in accordance with the requirements of the Americans with Disabilities Act.

(b) Pavement and Grading.

All parking areas and driveways shall be provided with an asphalt, concrete, or similar hard surface designed in accordance with criteria established by the City Engineer. All drive aprons shall be concrete. All parking areas and driveways shall be graded and drained to provide positive drainage away from buildings, to prevent runoff onto adjacent properties, and to direct storm water to an approved outlet.

(c) Curbs.
Concrete or stone curbs at least six (6) inches above the level of the surface of the parking area and at least twelve (12) inches below the surface shall be provided to define the limits of the parking area. Such curbs shall be at least six (6) inches thick.

(d) Landscape Islands Required.
Parking areas shall be developed with planted islands distributed so as to interrupt the expanse of paved area as approved by the Planning and Zoning Commission. Planter islands shall be of sufficient width to adequately support and maintain the landscape materials.

(e) Emergency Access.
All access drives and parking areas shall be designed to provide appropriate accessibility for emergency vehicles as determined by the Fire Chief.

(f) Screening of Service Areas.
Loading spaces and service areas shall be screened from view to the greatest extent possible with screen walls, landscaping, or other approved methods.

(g) Parking Ratio.
Parking spaces shall be provided at a minimum rate of four (4) parking spaces for each one thousand (1,000) square feet of gross leasable area. Gross leasable area shall be the total area of all floors designed for tenant occupancy and exclusive use but does not include common areas such as arcades, stairwells, elevators, and mechanical equipment rooms.

(h) Parking Dimensions.
Individual parking spaces shall not be less than one hundred eighty (180) square feet in area exclusive of drive aisles. The minimum width of a double loaded parking bay shall be sixty (60) feet.

1123.05 SIGNS

(a) Area of Signs.
The total area of all permanent signs shall not exceed one (1) square foot for each lineal foot of exterior perimeter wall of the main mall building as determined by the Building Commissioner. Total permanent sign area may be allocated to any or all of the sign types in Subsections (b) through (e) subject to the restrictions and requirements set forth herein.

(b) Wall Signs.

Wall signs shall not project more than eighteen (18) inches in front of the building wall to which they are attached. Wall signs may be backlit or externally illuminated. If internally illuminated, only letters and logos shall transmit light, backgrounds shall remain solid opague. Wall signs may include any or all of the following:

(1) Mall Signs. Wall signs may be permitted on the main mall building only to identify mall entrances and for anchor tenants with exterior entrances.

(2) Streetscape Tenant Signs. Wall signs for streetscape tenants facing Richmond Road shall not exceed 1 square foot per lineal foot of store frontage nor shall the length of such signs be more than seventy percent (70%) of the store frontage. Lighting of streetscape tenant signage shall be turned off during non-business hours.

(3) Restaurant Signs. Wall signs for free-standing restaurants shall not exceed 1 square foot per lineal foot of wall frontage nor shall the length of any such signs be more than seventy percent (70%) of the length of the wall to which it is attached. Illuminated restaurant signs shall be turned off during non-business hours.

(c) Monument Signs.

The mall development shall be permitted a total of two (2) monument signs, which shall not exceed forty-eight (48) square feet in area nor ten (10) feet in height. One such monument sign may be located at the intersection of Cedar Road and George Zeiger Drive and the other at the intersection of Richmond Road and George Zeiger Drive. Monument signs shall be located a minimum of ten (10) feet from all property boundary lines and the public right-of-way. Each monument sign shall be so designed and constructed of such materials as to be compatible with the architectural treatment of the principal mall building. The base and foundation of each monument sign shall be landscaped with plant material as approved by the Planning and Zoning Commission.

(d) Entrance Identification Signs.

The mall development shall be permitted two (2) entrance identificaiton signs at each driveway entrance to the site. Entrance Identifications signs shall not exceed forty-eight (48) square feet in area nor eight (8) feet in height and shall be located a minimum of ten (10) feet from all property boundary lines and the public right-of-way. Each entrance identificaiton sign shall be so designed and constructed of such materials as to be compatible with the architectural treatment of the principal mall building. The base and foundation of each

entrance identificaiton sign shall be landscaped with plant material as approved by the Planning and Zoning Commission.

(e) Window signs.
Window signs shall be limited to one (1) such sign per use or tenant which sign shall not exceed a maximum of four (4) square feet in area.

(f) Wayfinding Signs.
The mall development shall submit a Wayfinding Signage Plan to the Planning and Zoning Commission as part of the Site Plan Review process. The Planning and Zoning Commission may, at its sole discretion, authorize the installation of wayfinding signs where it deems their use necessary and/or appropriate for guiding traffic flow on the site. Wayfinding signs approved by the Planning Commission shall not be counted as part of the total permitted sign area as set forth in Subsection (a) hereof. The number, size, height, and location of wayfinding signs shall be as authorized by the Planning and Zoning Commission, provided however, that no such signs shall exceed a maximum of forty-eight (48) square feet in area or twelve (12) feet in height.

(g) Temporary Signs.
Temporary signs may be approved from time to time for such duration and in such manner as specifically authorized by the Safety Director and Building Commission. Temporary signs shall require the approval of the Architectural Review Board.

(h) Compliance Required.
All signs erected in the U-4B District shall comply with the provisions of Chapter 1141.

1123.06 DEVELOPMENT PLANS.

(a) Submission of Plans.
Preliminary and final site development plans are required and shall be prepared for all proposed developments in a Class U-4B District. Site development plans shall be prepared by persons professionally qualified to do such work and shall be submitted to the Planning and Zoning Commission.

(b) Contents of Preliminary Site Plans.
Preliminary site development plans shall be prepared at an appropriate scale and shall include the following:

(1) Property description. A boundary description based on deed records showing the land owned and proposed for development and topographic contours at an interval acceptable to the City Engineer.

(2) Buildings. The locations, size, heights and proposed use of all main and accessory buildings and their general design.
(3) Setbacks. All required setbacks and yard areas.
(4) Traffic. The proposed system of circulation of vehicular and pedestrian traffic, including details for connections to existing streets; types and widths of all pavements; estimates of traffic volume; and plans for control of traffic in and around the development.
(5) Utilities. A schematic plan for all utility installations.
(6) Parking facilities. The layout and number of parking spaces, drive aisles, design features, and type of pavement.
(7) Drainage. Conceptual plans for grading, drainage and storm water management, including identification of the intended outlet.
(8) Landscaping. Conceptual plans showing the areas to be landscaped, the locations and dimensions of buffer areas, and proposed parking lot planter strips and/or islands. Plans shall include information regarding the general landscape treatment and the nature of buffer and/or screening treatments.
(9) Lighting. A schematic site lighting plan.
(10) Miscellaneous. The location and nature of refuse facilities, recreation areas, fencing, retaining walls, and similar site features.

(c) Contents of Final Site Plans.
Final site development plans shall be prepared at an appropriate scale and shall include the following:
(1) Survey. A boundary and topographic survey, showing the land owned and proposed for development and contours at an interval acceptable to the City Engineer.
(2) Buildings. The locations, size, heights and proposed use of all main and accessory buildings and their general design.
(3) Setbacks. All required setbacks and yard areas.
(4) Traffic. The proposed system of circulation of vehicular and pedestrian traffic, including details for connections to existing streets; types and widths of all pavements; estimates of traffic volume and plans for control of traffic in and around the development.
(5) Utilities. The final improvement plans for all utility installations, with pipe sizes and grades, invert elevations, structure locations, and proposed easements.
(6) Parking facilities. The layout and number of parking spaces, drive aisles, design features, and type of pavement.
(7) Drainage. Detailed final grading, drainage, storm water management, and erosion and sedimentation control measures including detention calculations, pipe sizes, inlet information,

and proposed storm outlet facility.

(8) Landscaping. Detailed designs of landscaped yards, planting areas, buffer and screening improvements, and parking lot planter strips and/or islands, including plant lists and installation details.

(9) Lighting. A site lighting plan which indicates placement, heights, and types of lighting fixtures. Such plans may include details of resulting levels of illumination as required.

(10) Miscellaneous. The location and nature of refuse facilities, recreation areas, fencing, retaining walls, and similar site features.

(11) Signs. The location, size and design of all signage to be placed on the site.

(d) Approval of Plans.
If the Planning and Zoning Commission finds the plans are in accordance with this Zoning Code and other ordinances of the City, the Commission may grant approval and the final development plan shall be submitted to the Architectural Board of Review for study and approval. The Commission may attach conditions to the approval of site development plans as it may deem reasonable and appropriate to insure compliance with the spirit and intent of this chapter and to protect the public health, safety and welfare. An approved site development plan may be modified by the same procedure. When reviewing site development plans, the Commission may seek expert advice or cause special studies to be made. The cost of securing such advice or studies shall be borne by the applicant. No building permit shall be issued by the Building Commissioner until a site development plan has been approved as provided herein.

(e) Time Limitation on Plan Approval.
Failure to apply for a building permit within two (2) years from the date of final site development plan approval shall render such site development plan approval null and void and shall require submission of a new site plan prior to the commencement of any construction. Failure to begin construction of the plan within six (6) months after the issuance of a building permit shall void the plan as approved unless an extension of time is granted by Council.

1123.07 OCCUPANCY.

No use or occupancy shall be permitted until the development plan for which a building permit has been issued is substantially completed and until a certificate of occupancy has been obtained from the Building Commissioner.

1123.08 ILLUMINATION.

Sources of light for illumination of buildings and grounds shall be shielded so that the light source is not directly visible from residential property and light spillage at the property line shall not be greater than 0.1 lumens and shall be installed in conformance with a lighting plan approved by the Planning Commission.

1123.09 ACCESS.

Direct vehicular access to the mall development from a public right-of-way shall only be from Cedar Road and George Zeiger Drive.