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2 *tool is only meant for editing.*

3 **§ 335-24 B-3 Mid-Rise Office and Professional District.**

4 The B-3 Business District is intended to provide for office, professional and special service uses in a more
5 intense, urban setting.

6 A. Permitted uses.

7 Except for those uses specifically stated as being conditional uses found within §335-24C, permitted uses
8 include:

- 9 (1) Business offices, defined as follows. A business office consisting of use of a tenant space or building
10 solely for administrative functions of an organization, with no retail or wholesale sales or services
11 performed on site.
- 12 (2) Office services defined as establishments providing executive, management, administrative, or
13 professional services, or other recognized professions maintained for the conduct of that profession,
14 which may include retail or wholesale sales or services on site.
- 15 (3) Trustee Haas Comment: The phrase “other recognized professions” lacks an antecedent basis. Although
16 the term “professional services” does appear, such services do not provide a basis for the term “other
17 recognized professions”. There are two different things. What are “other recognized professions?”
- 18 (4) Also, why are retail or wholesale sales or services allowed here and not for Business offices in paragraph
19 (1).
- 20 (5) “Office Services” could include banks i.e. financial services. What about drive-in banks.
- 21 (6) Office Services appear to include professional services, such as beauty salons, barber shapos, and tattoo
22 parlors. Is that indented?

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25 B. Permitted accessory uses.

- 26 (1) Accessory garages for storage of vehicles used in conjunction with the operation of the business or for
27 occupants of the premises.
- 28 (2) Off-street parking areas, parking structures and loading areas.

29 C. Conditional uses.

- 30 (1) Convention and conference centers.
- 31 (2) Restaurants with drive-up windows with take-away service. Only property which has frontage along,
32 and vehicular ingress and egress access to, Bluemound Road may be considered for such a use.

- 33 (5) Automotive parking on a short-term basis related to businesses on adjacent properties.
- 34 (6) Wireless communication antennas.
- 35 (7) Multifamily residential units as part of a Mixed Compatible Residential Planned Development Overlay
36 District project under § **335-30**. Densities of up to 12 dwelling units per net acre may potentially be
37 granted subject to the adjustments provided for in § **335-30F(3)** and **(4)**.
- 38 (8) Parking lots, driveways, walkways or other hardscape constructed using a permeable surface to exceed
39 the allowable percentage of maximum impervious surface area as defined within this chapter.
- 40 (9) Other unspecified uses which are found to be similar in character to those principal uses conditionally
41 permitted by the Plan Commission.

42 George Haas Comment: This term is too vague. How similar in character? What is the criteria to allow
43 or disallow some conditional uses?

44 D. Site and Building Plan

- 45 (1) Lot area and width. Lots shall have a minimum area of 40,000 square feet and shall be not less than 100
46 feet in width at the front building line.
- 47 (2). Building height.
- 48 (a) Principal structures in the B-3 Business District shall not be less than three, nor more than five, stories
49 in height. No accessory structure shall exceed 10 feet in building height.
- 50 (b) No principal structure or parts of a principal structure shall exceed 65 feet in height. Accessory
51 structures shall not exceed 10 feet in height.
- 52 (3). Yards (principal and/or accessory structures).
- 53 (a) There shall be a minimum setback of 50 feet from each abutting street right-of-way for structures not
54 exceeding 35 feet in height.
- 55 (b) There shall be a side yard setback on each side of all buildings not less than 25 feet in width for
56 structures not exceeding 35 feet in height.
- 57 (c) There shall be a rear yard setback of not less than 25 feet for structures not exceeding 35 feet in height.
- 58 (d) The setback requirements in all yards shall be increased one foot for each two feet the structure exceeds
59 35 feet in height.
- 60 (4). Maximum impervious surface: 80% of lot area.
- 61 (5). Maximum building footprint area: 60% of lot area.
- 62 I. Plan of operation required. (Refer to § **335-85**.)

