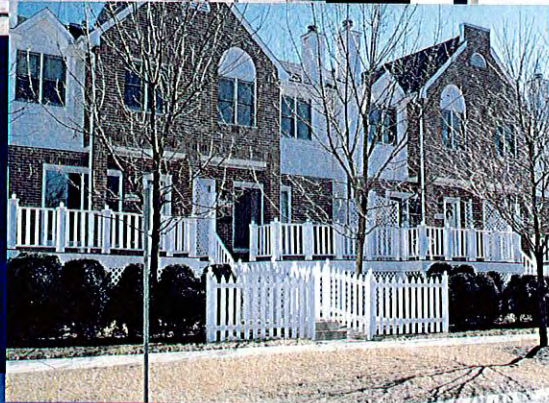


HARBOR PARK

A new waterfront community



Kenosha, Wisconsin

Neighborhood Code

HARBOR PARK

A new waterfront community

Prepared For:

- ✳ City of Kenosha, Wisconsin
- ✳ Mayor John M. Antaramarian
- ✳ Nick E. Arnold, City Administrator
- ✳ Ray A. Forgianni, Director of
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With:

- ✳ LDR International, Inc.
- ✳ Stanley Consultants
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February 1999

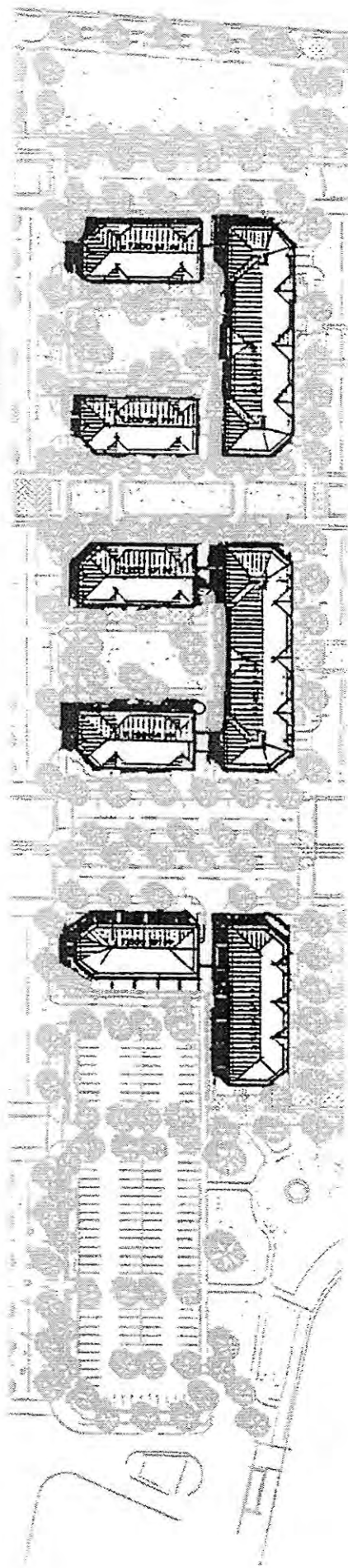
HarborPark

NEIGHBORHOOD CODE

Section

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INTRODUCTION

The design guidelines for the residential, commercial and civic buildings that follow serve as a tool for the City of Kenosha to help guide the development of the architecture within the overall framework of the HarborPark development plan. The objectives of the guidelines are:

- To establish appropriate residential densities
- To maximize the livability of the dwellings in regards to access to light, air, views and public amenity
- To establish guidelines for the architectural character with enough latitude to allow for creativity in the design process
- To provide a variety of housing typologies in order to serve the diverse market that is anticipated for HarborPark
- To minimize the apparent impact of the automobile on the site
- Integrate the new architecture with the existing urban fabric with links to the neighborhood, downtown and Lake Michigan

Fundamental in creating the guidelines is the recognition of the need to provide a cohesive, secure urban environment. The patterns, which the guidelines promote, discourage the creation of independent and isolated planned development.

Consistently in all proposed building types is a maximum of three levels above parking. (Four levels above a lower level parking level is possible if the building is protected in accordance with NFPA 13.) This is based on the practical limitations of the Building Code and the economics of construction. Although mid-rise or high-rise housing is possible, mid-rise or high-rise housing will not blend with the existing urban fabric or foster a pedestrian-friendly environment.

Some of the qualitative elements of urban design cannot be addressed by these guidelines. The

housing prototypes serve as illustrations of ways to achieve the intent of the guidelines. The enclosed Gallery of Design Precedents illustrates the desired architectural character that meets the intent of these guidelines.

All building plans shall be reviewed by the HarborPark Management Team to confirm compliance with the guidelines that follow in the next section. Variances to the code may be granted on the basis of specific site conditions. All building plans shall conform to the Wisconsin Administrative Code, all applicable national building codes, the Americans with Disabilities Act, and local codes and ordinances.

Making an Urban Neighborhood

An urban neighborhood is one that fosters community and opposes the privatization typical of suburban growth. There are two essential components of an urban neighborhood: walkable streets and reasons to walk. This requires a tight relationship of parks, stores, schools and civic buildings, which are directly integrated into the residential fabric. This necessitates that the buildings' fronting streets give them life and vitality.

Streets are walkable if their widths, traffic volumes, landscaping, parking arrangements and sidewalk design serve pedestrians. The guidelines establish the relationship of how the infrastructure, the land and building types interact to provide a neighborhood which will endure change by allowing individual building designs to respond to the varying conditions of the housing market and the way people live.

The Neighborhood Code consists of the following: The Development Plan, Urban Development Guidelines, Housing Prototypes, and Architectural Development Guidelines. It is intended that the Neighborhood Code is administered by the HarborPark Management Team with advisory authority to the City Plan Commission for approval or denial of development and construction within the boundaries of the Development Plan based upon adherence to this code.

1.1 THE HARBORPARK MASTER PLAN

The enclosed HarborPark Master Plan is the master organizational plan for the Kenosha HarborPark development. Every building parcel has been designated for particular types of structures as identified in the Development Plan.

1.2 URBAN DEVELOPMENT GUIDELINES

1.2.1 Introduction

The Urban Development Guidelines address issues of building use, building placement, building heights, fencing, parking and outbuildings on each building site. Used in conjunction with the Development Plan, this code is written to ensure a cohesive urban design for the Kenosha HarborPark.

1.2.2 Building and Spatial Hierarchy

This section codifies a basic sense of order and hierarchy within the entire built urban context of the HarborPark site. The built form of the buildings and the resultant open spaces, both public and private, must be considered in their totality.

The neighborhood consists of blocks on a network of small streets and open spaces. These are laid out to create blocks of appropriate building sites and to shorten pedestrian routes. An interconnecting street pattern provides multiple routes, diffusing and slowing automobile traffic while increasing pedestrian activity and encouraging the casual meetings that form the bonds of community.

Public spaces and public buildings enhance community identity and help to foster civic pride. Only through the participation and cooperation of the private sector in the creation of both the public and private space will a successful environment be produced for the benefit of all those who live in HarborPark.

Public space shall be recognized as the principal space. This includes but is not limited to streets,

squares, parks and pedestrian and bike paths. Private space bordering public space shall be developed and designed to support and contribute to the quality and character of the public space. This includes but is not limited to building porches, balconies and stoops, front yards, backyards, courtyards and walkways.

1.2.3 Parking

1. Garage doors are not permitted directly on the front façade of the main structure or outbuilding facing the public way. One curb cut per six cars minimum is permitted. Ganged openings in street façades for parking access are encouraged.
2. Private parking spaces shall be no less than 9' x 19' with access to a street or alley.
3. Trash containers shall be located within the parking area and must be screened from public view by means of fences, walls or other built enclosures.
4. One parking space is required per 500 gross square feet of commercial space. On street parking the length of curb not occupied with curb cuts or fire hydrants directly in front of the property may be applied toward this requirement. If ample accessible public parking exists within a 500-foot radius of the site, then the required parking for the commercial portion of the site is waived.
5. One parking space is required per one-bedroom unit.
6. Two parking spaces are required per two-three bedroom units.
7. One of the required residential parking spaces per unit shall be covered.
8. All ADA accessibility requirements must be met.

9. Screening is required to screen all surface parking from view from the street within 25' of a public street. A minimum setback of 5' is required. Screening may consist of a 3 to 3.5 foot high wall or fence providing 50% opacity. Landscaping is also required as described in the landscape section of the Neighborhood code. These screen walls may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.

1.2.4 Building Height

1. Heights shall be measured relative to the average fronting street elevation measured at the property line.
2. Minimum and maximum building heights shall be measured in number of floors, each floor not to exceed 12' of ceiling height. 14' is allowable ceiling height for first floor commercial and retail. Minimum height shall be 2½ floors with a maximum height of 4½ floors.
3. Half stories indicate stories above the eave line, which receive light through dormers or parking levels that are partially below grade.
4. Fences and walls shall be a minimum of 3' and a maximum of 3'6" high. Fences and walls shall conform to the visual clearance requirements of the Zoning Ordinance.
5. Basements are allowed in all structures as an additional floor without counting as floor area.
6. First floor elevation shall be a minimum of 2' above the adjacent sidewalk elevation. The required ADA residential units and Commercial and retail buildings will be an exception.

1.2.5 Permitted Building Use and Placement

The following building typologies define a variety of potential building combinations while at the same time reinforce the visual coherence and spatial hierarchy of the neighborhood.

Building Type I Multifamily/Commercial

Building Type II Multifamily

Building Type III 6-Unit Corner Multifamily

Building Type IV 12-Unit Multifamily

Building Type V 6-Unit "See-Through"

Building Type VIa Rowhouses

Building Type VIb Townhomes

Building Type VIc Flats

Building Type VII U-Shape Townhomes

Building Type VIII Back-to-Back Townhomes

Building Type IX Mixed Use Office/Retail

Building Type X Civic Buildings

TYPE I
Multifamily/
Commercial

TYPE II
Multifamily

TYPE III
6-Unit Corner
Multifamily

TYPE IV
12-Unit
Multifamily

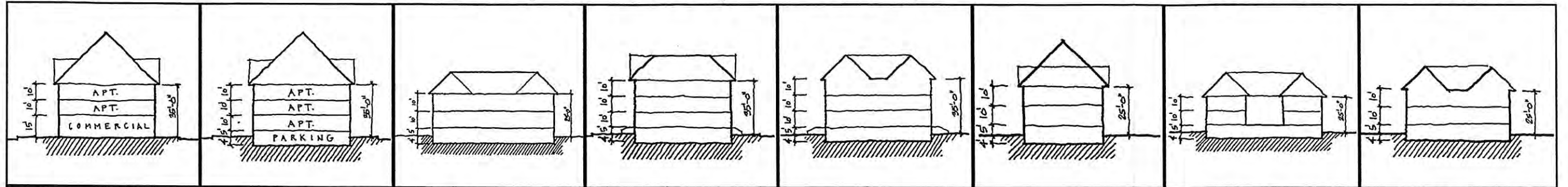
TYPE V
6-Unit
"See-Through"

TYPE VI
Townhomes

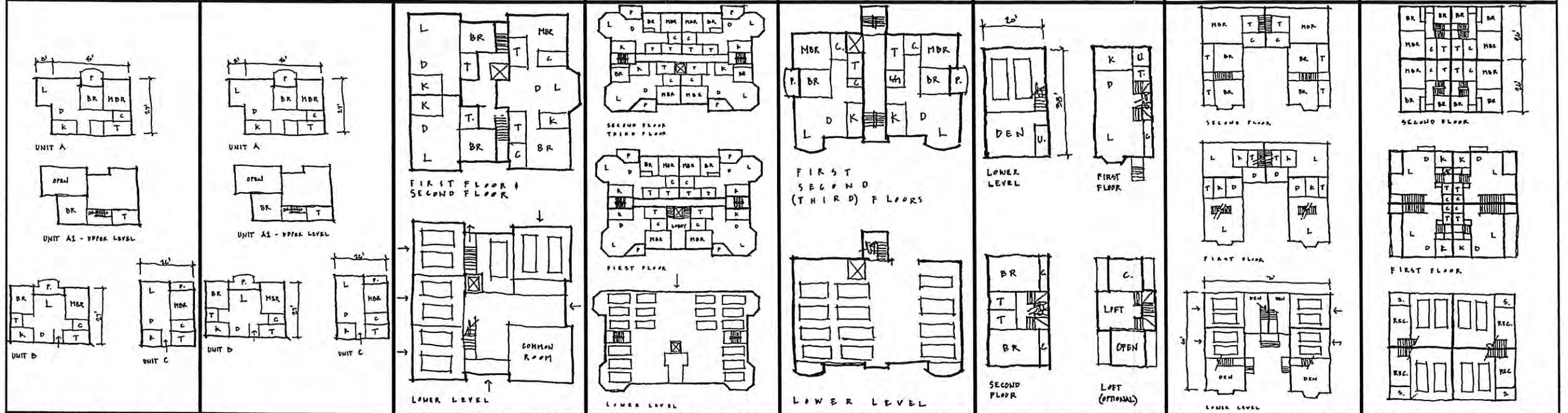
TYPE VII
U-Shape
Townhomes

TYPE VIII
Back to Back
Townhomes

**BUILDING
SECTION**



**BUILDING
PLANS**

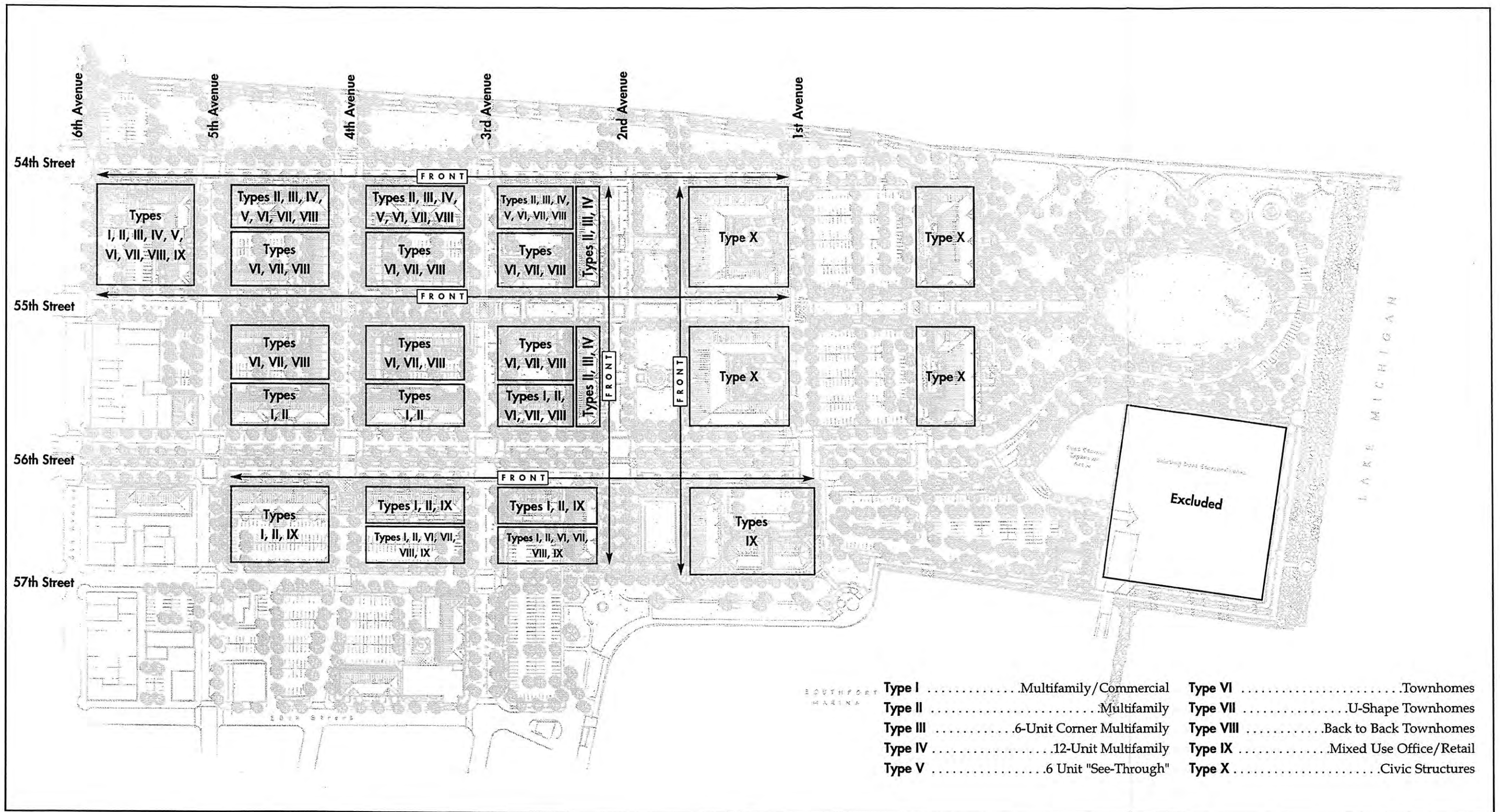


**BUILDING
CHARACTER**



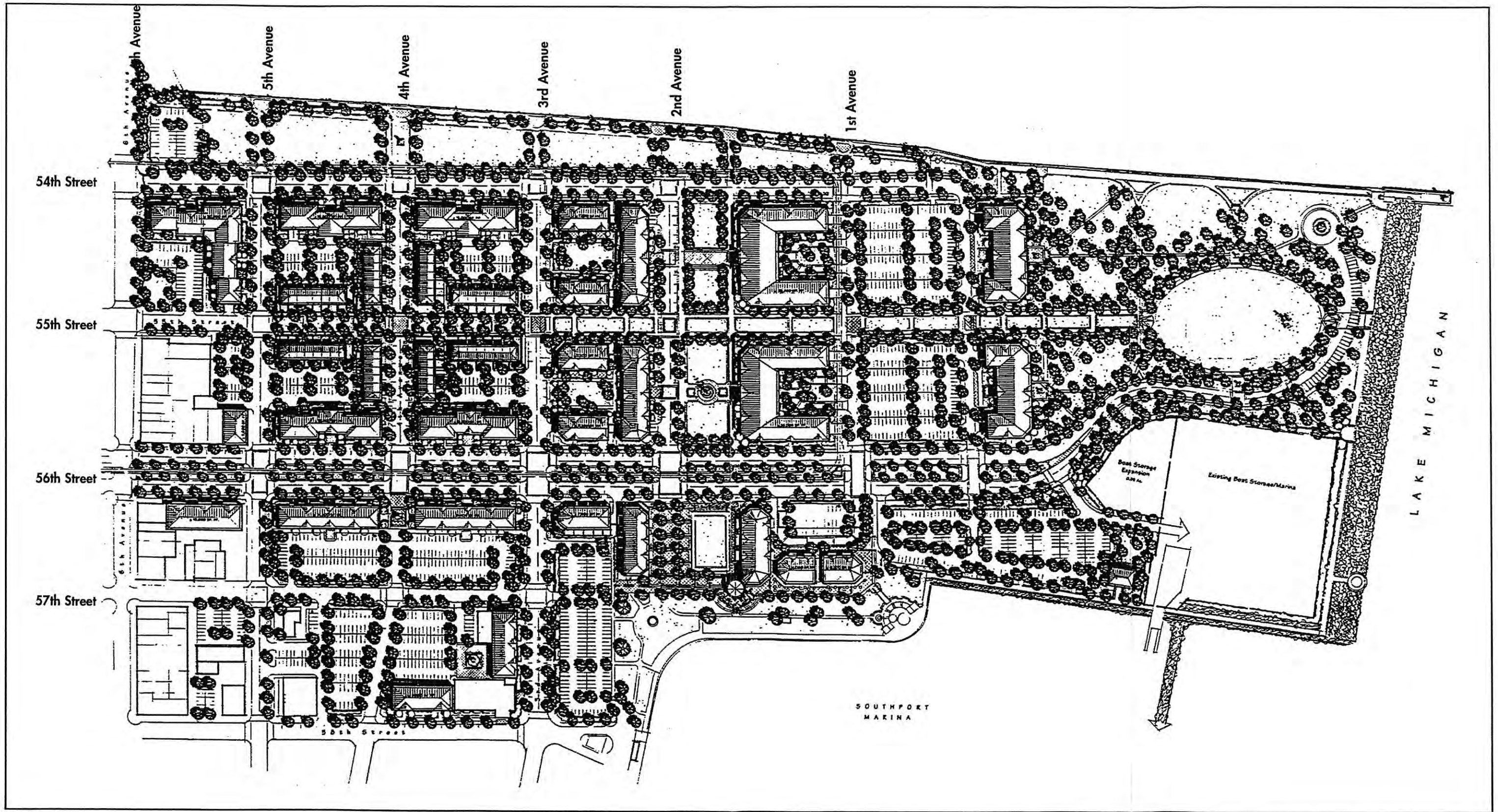
HOUSING PROTOTYPES

HarborPark



DEVELOPMENT PLAN *HarborPark*

- Type I Multifamily/Commercial
- Type II Multifamily
- Type III 6-Unit Corner Multifamily
- Type IV 12-Unit Multifamily
- Type V 6 Unit "See-Through"
- Type VI Townhomes
- Type VII U-Shape Townhomes
- Type VIII Back to Back Townhomes
- Type IX Mixed Use Office/Retail
- Type X Civic Structures



HARBORPARK MASTER PLAN Earlier version created by LDR

HarborPark

Building Type I
MULTIFAMILY/COMMERCIAL

A design prototype was developed with a commercial base and Multifamily housing above. Commercial space should occupy all at-grade frontages along the street. Above the ground level commercial space, two or three-level apartments should be oriented towards the street. Their entrances should be interspersed with the commercial entrances along the street, creating apartment lobbies.

Building Use

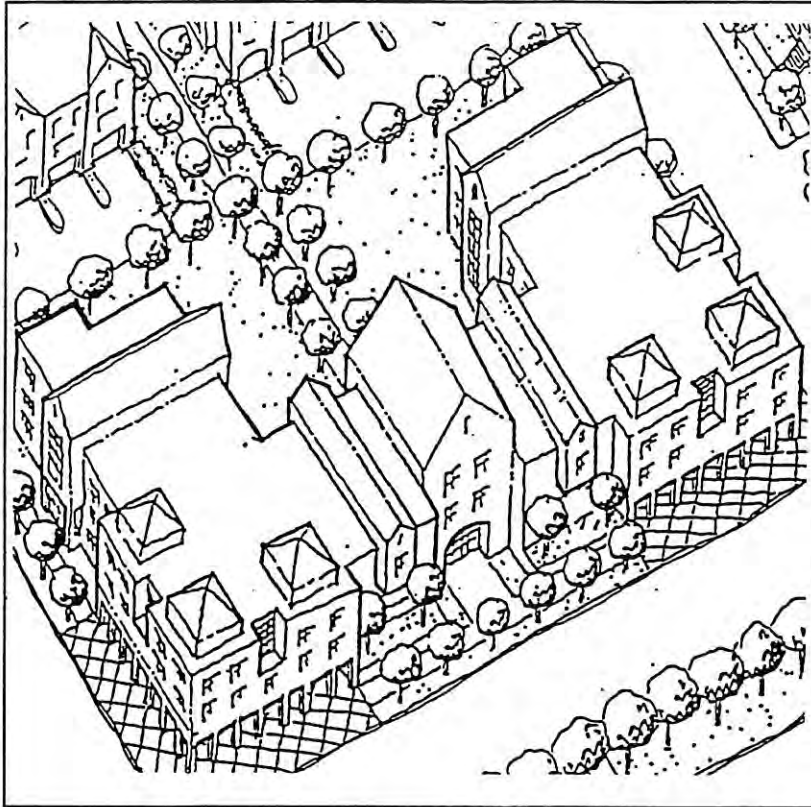
1. Location of and types of building uses are as shown on the Development Plan.
2. Accessory buildings are only permitted for covered parking.

Building Placement

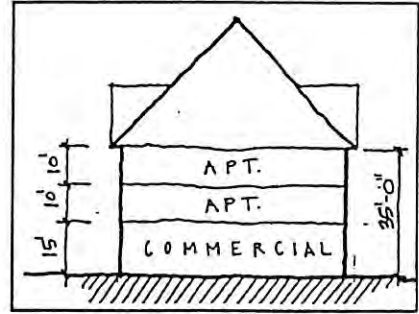
1. The main structure and accessory buildings shall be set on lots relative to the property lines as shown on the site diagram.
2. The front building façade shall occupy a minimum of 75% of the lot frontage at the build-to line.
3. For sites at the intersection of two streets or other public spaces, main structures shall have the entry walkway accessed from the front of the site as indicated on the Development Plan.
4. For sites at the intersection of two streets or other public spaces, the side of the structure facing the public way which is not designated on the Development Plan as 'front' is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the main structure and/or accessory adjacent to the public space must occupy a minimum of 60% of the sideyard at the build-to line.

**Permitted Encroachments
Beyond the Build-To Line**

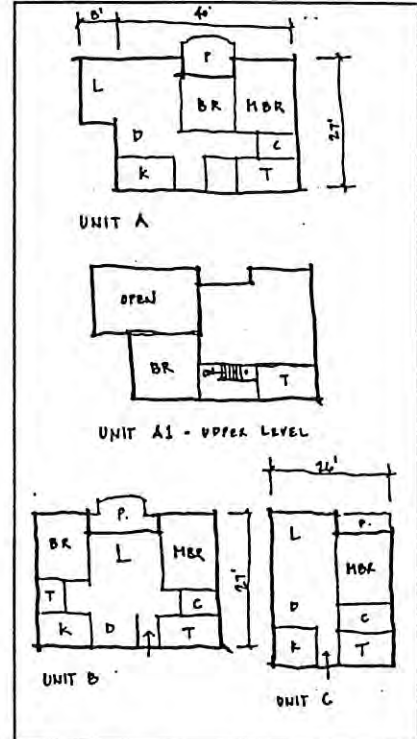
1. Open porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram. Porches, when built in the encroachment zone, are to occupy the entire depth of the encroachment zone.
2. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line or over a utility easement. Lots with zero lot line development may not have eaves extending past the face of the wall on the shared property line.
3. Paved yards are suggested in the front and street side encroachment zones between the build-to line and the curb. Any planting in this zone is to be done via tree beds with 4" curbs or immovable aboveground planters.
4. Garden walls or fences shall be permitted only along the build-to line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.



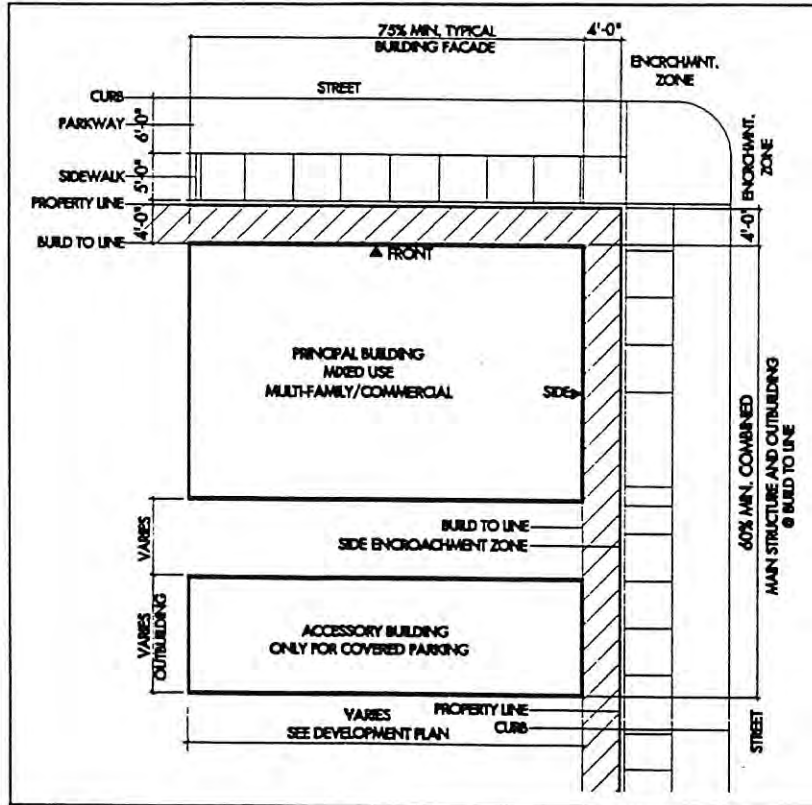
Type I - Multifamily/Commercial



Building Section



Building Plans



Unit Diagram

Building Type II
MULTIFAMILY
Building Type III
6-UNIT CORNER MULTIFAMILY
Building Type IV
12-UNIT MULTIFAMILY
Building Type V
6-UNIT "SEE-THROUGH"

These prototypes are apartment type units that could be developed as either rental or condominium type ownership. It is the intent of the development plan that these type of units are developed around the perimeter of the plan along 54th Street, 56th Street and 2nd Avenue fronting on Pike Creek Plaza.

Building Use

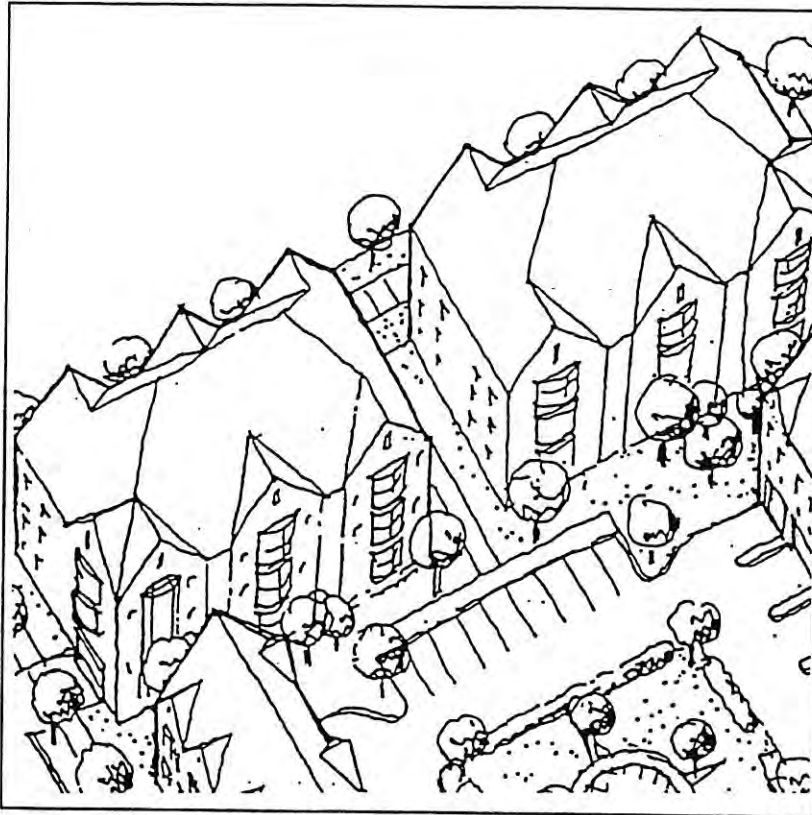
1. Location of and types of building uses are as shown on the Development Plan.
2. Accessory buildings are only permitted for covered parking.

Building Placement

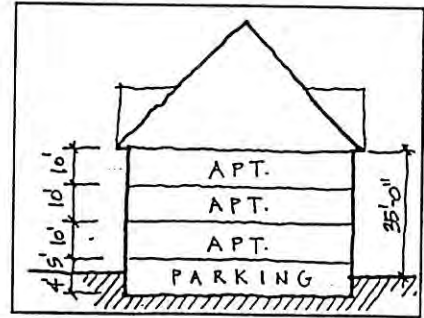
1. The main structure and accessory buildings shall be set on the site relative to the property lines as shown on the site diagram.
2. The front building façade shall occupy a minimum of 75% of the lot frontage at the build-to line.
3. For sites at the intersection of two streets or other public spaces, main structures shall have the entry walkway and porch accessed from the front of the site as indicated on the Development Plan.
4. For sites at the intersection of two streets or other public spaces, the side of the structure facing the public way which is not designated on the Development Plan as 'front', is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the main structure and/or accessory adjacent to the public space must occupy a minimum of 60% of the sideyard at the build-to line.

Permitted Encroachments Beyond the Build-To Line

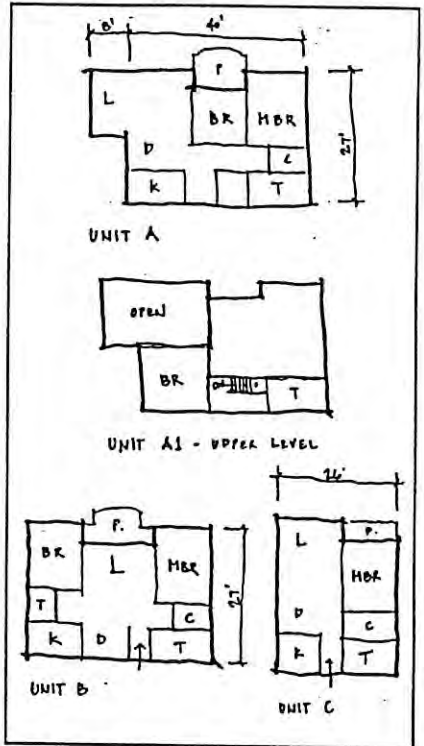
1. Open porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram.
2. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line or over a utility easement. Lots with zero lot line development may not have eaves extending past the face of the wall on the shared property line.
3. Garden walls or fences shall be permitted only along the build-to line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.



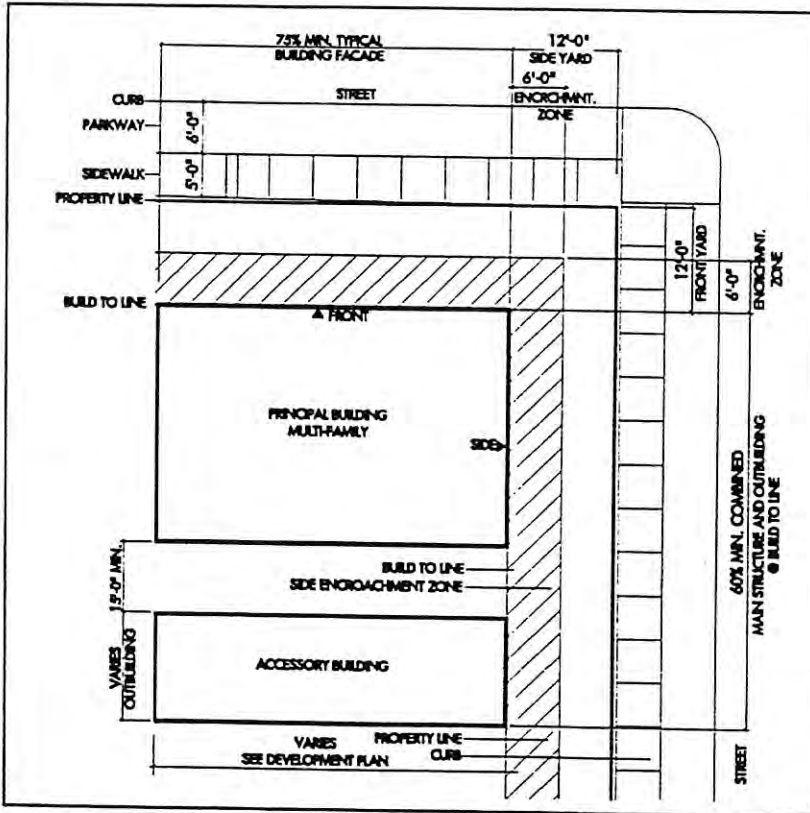
Type II - Multifamily



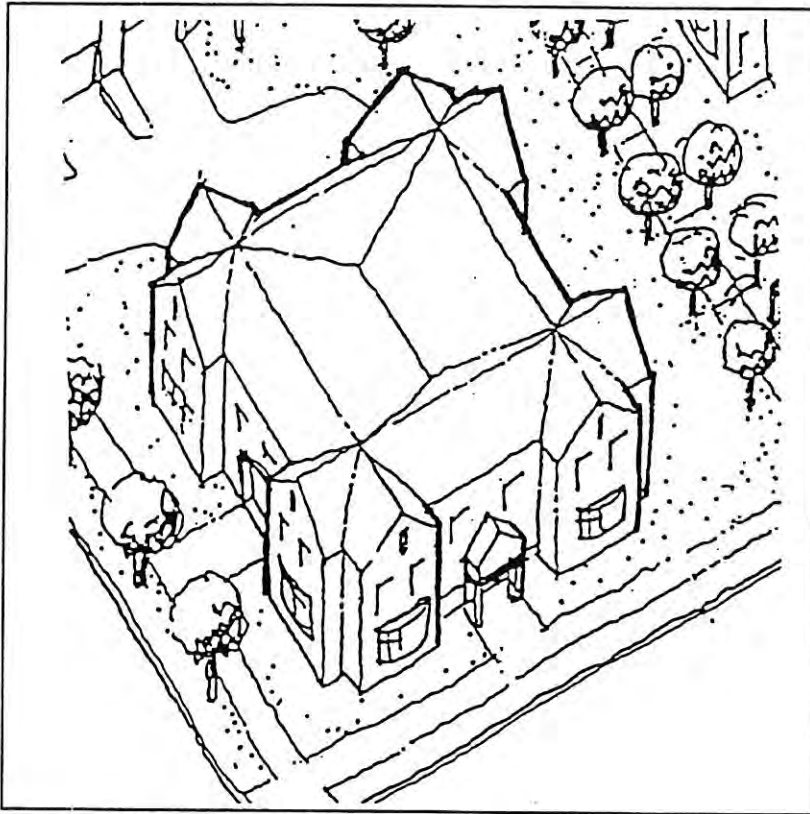
Building Section



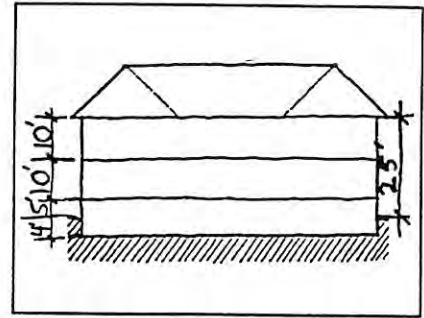
Building Plans



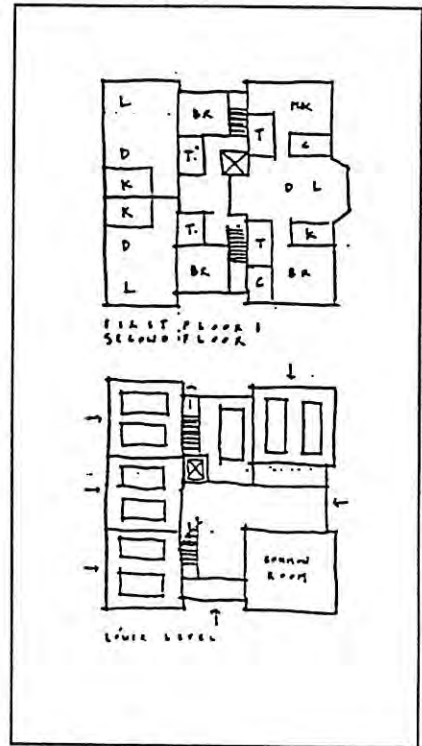
Unit Diagram



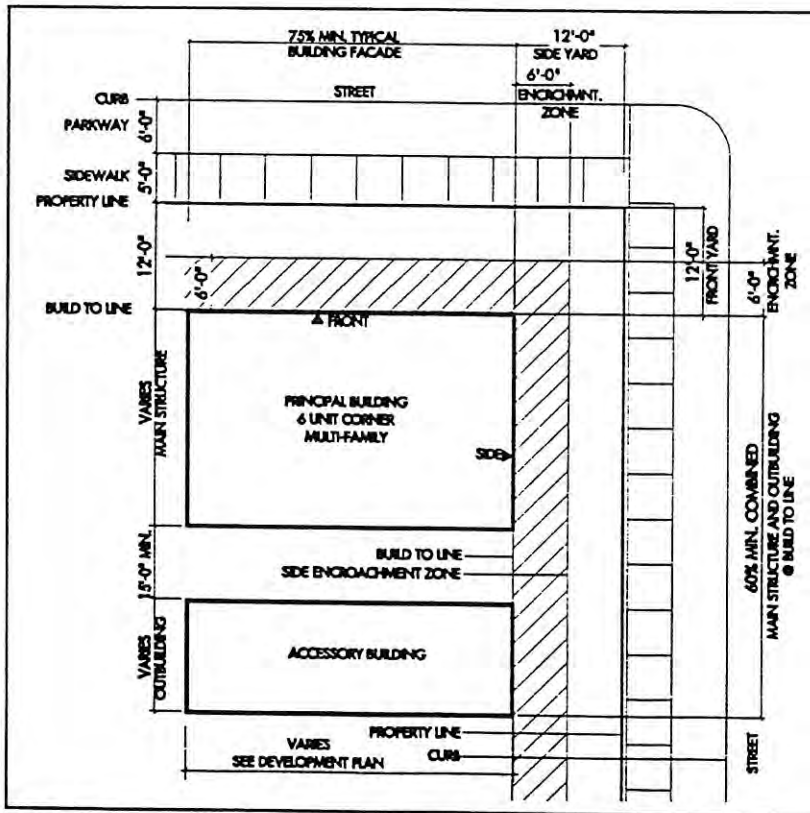
Type III - 6-Unit Corner Multifamily



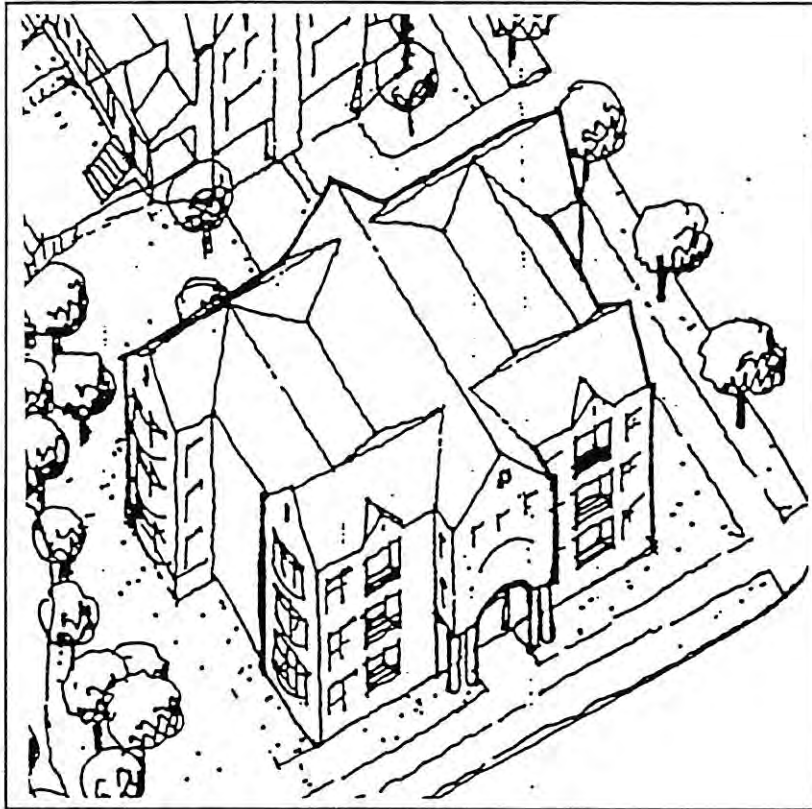
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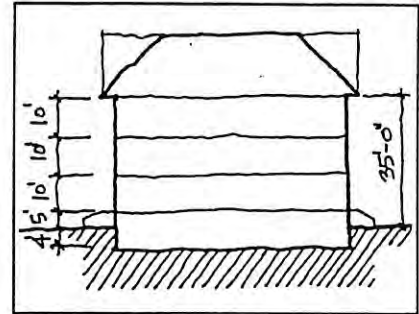
Building Plans



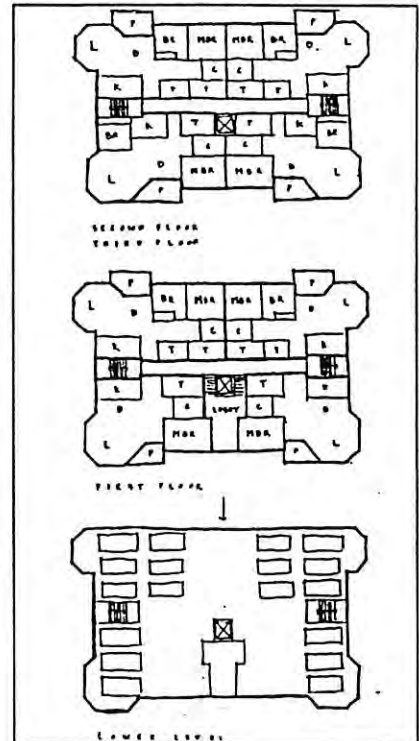
Unit Diagram



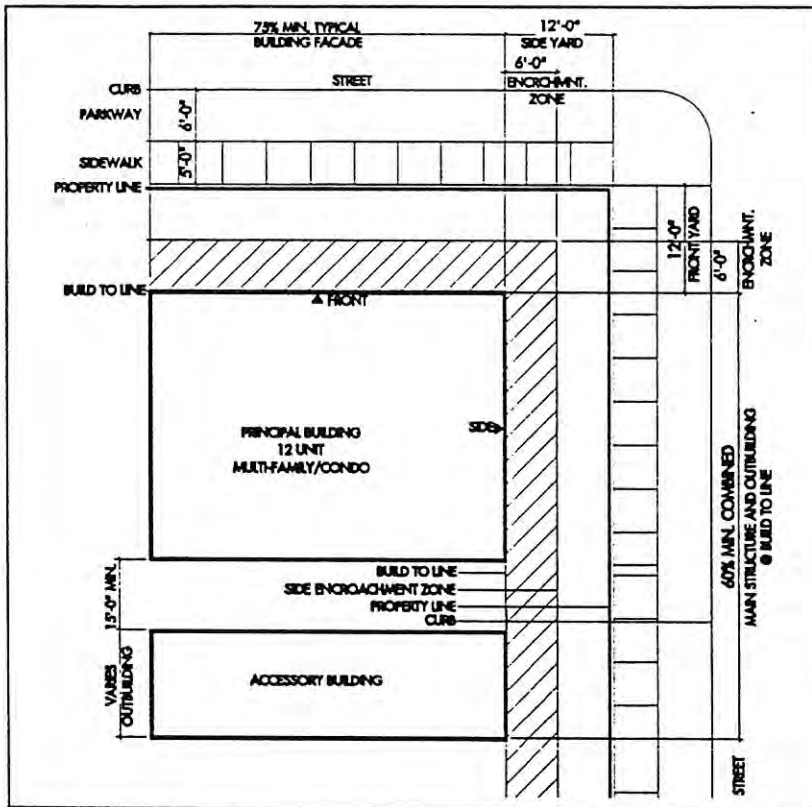
Type IV - 12-Unit Multifamily



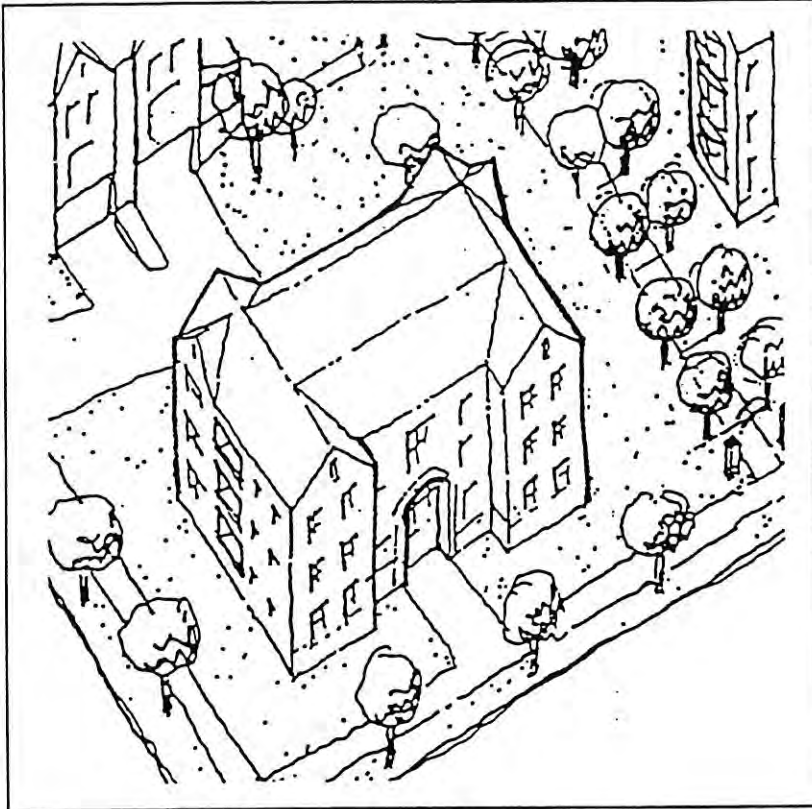
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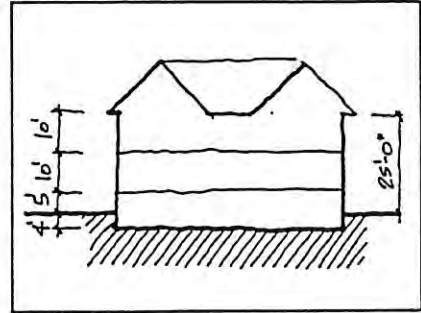
Building Plans



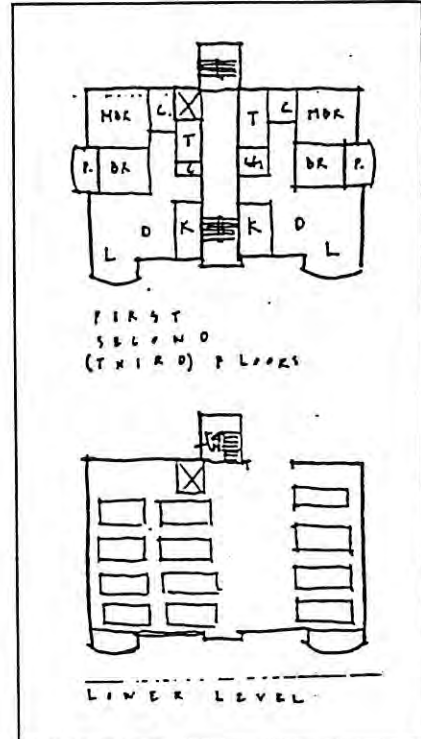
Unit Diagram



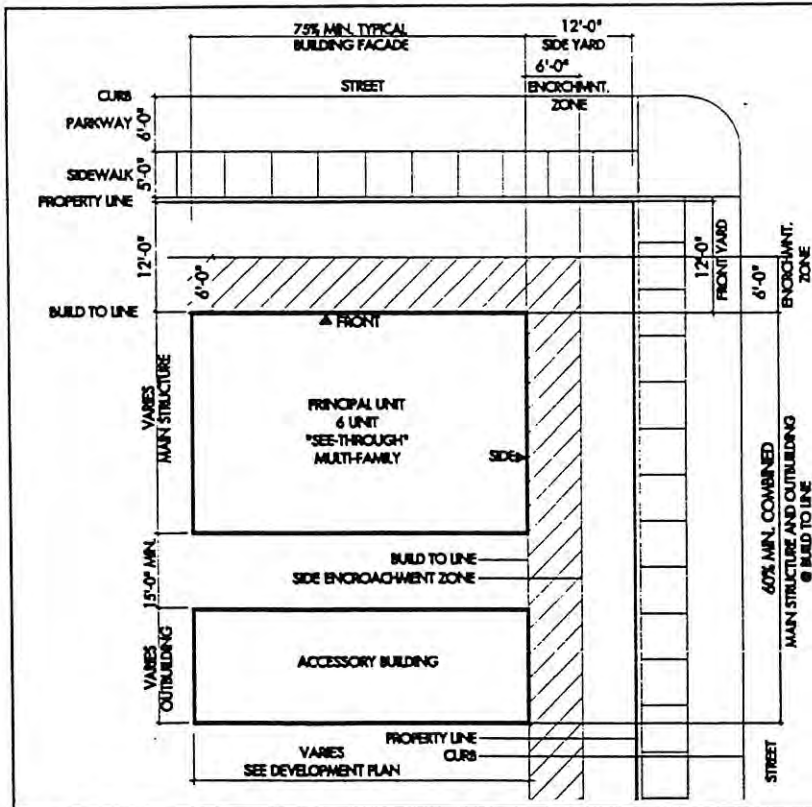
Type V - 6-Unit "See-Through"



Building Section



Building Plans



Unit Diagram

Building Type VIa
ROWHOUSES
Building Type VIb
TOWNHOMES
Building Type VIc
FLATS

Townhomes could be a very desirable building option for owner-occupied housing. In addition to serving a segment of the housing market, this building type could be very important in defining the neighborhood. Individual homes and their entrances should be oriented towards streets and private common areas. The typical width of units could range between 18' and 26' and length could vary between 38' and 48' with the possibility of an accessory building built behind the principal building.

Building Use

1. Location of building uses are as shown on the site diagram.
2. The following uses are permitted either as attached to the main structure or as an accessory building: garage, office, artist studio, gazebo, conservatory. Plumbing is not permitted in accessory building.
3. One accessory building per main structure is permitted.
4. The maximum size of an accessory building shall be 800 square feet with a maximum footprint of 400 square feet and a maximum of two stories.

Building Placement

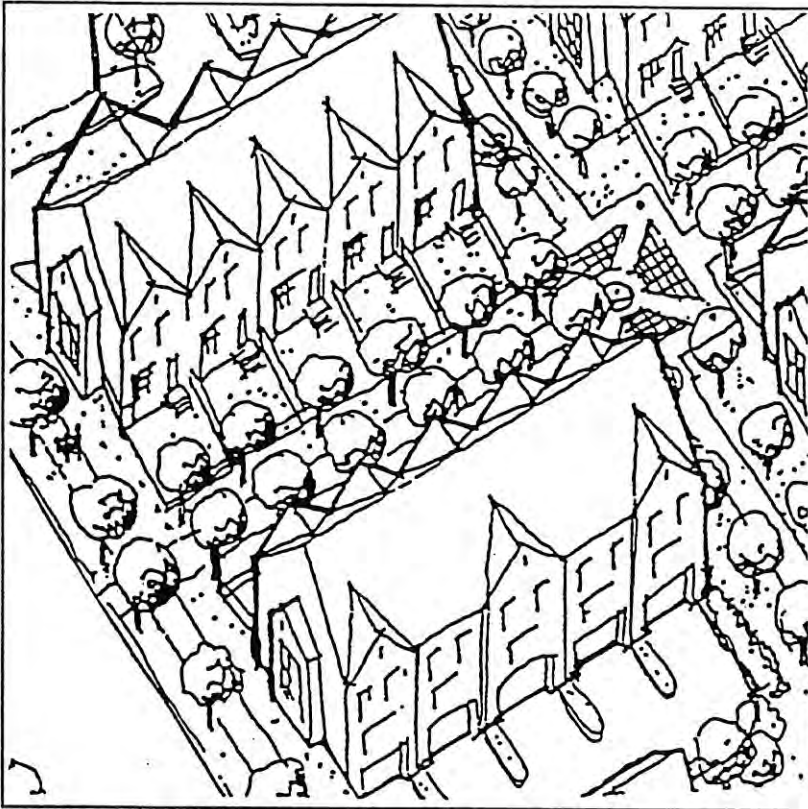
1. Principal and accessory buildings shall be set on lots relative to the property lines as shown on the site diagram.
2. The total principal unit width shall be no less than 18' and no more than 26'.
3. The front building façade shall occupy a minimum of 90% of the lot frontage at the build-to line. On corner sites, building street façades indicated to be on the front of the lot shall occupy a minimum of 100% of the frontage at the build-to line. Refer to the site diagram for

the designated front and sideyard locations.

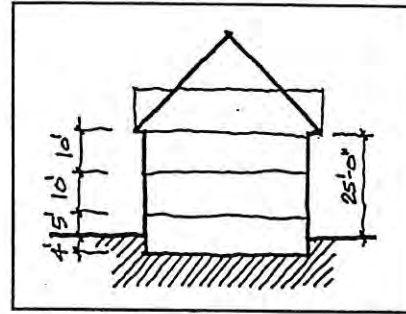
4. Accessory buildings shall be separated from the principal building by a minimum of 15'. They may be attached to the principal structure.
5. At the intersection of two streets or other public spaces, the side of the structure is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the principal structure and/or accessory building adjacent to the open public space must occupy a minimum of 60% of the sideyard at the build-to line.

Permitted Encroachments Beyond the Build-To Line

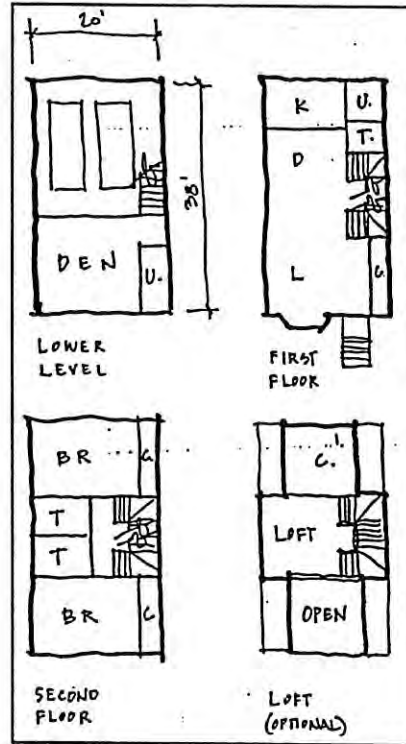
1. Covered or uncovered porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram.
2. One-story porches or stoops are required on the front of the building structure. The width of the porch is to be no less than 30% and no more than 50% of the total width of the front façade.
3. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line.
4. Garden walls or fences shall be permitted along the build-to line or property line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.



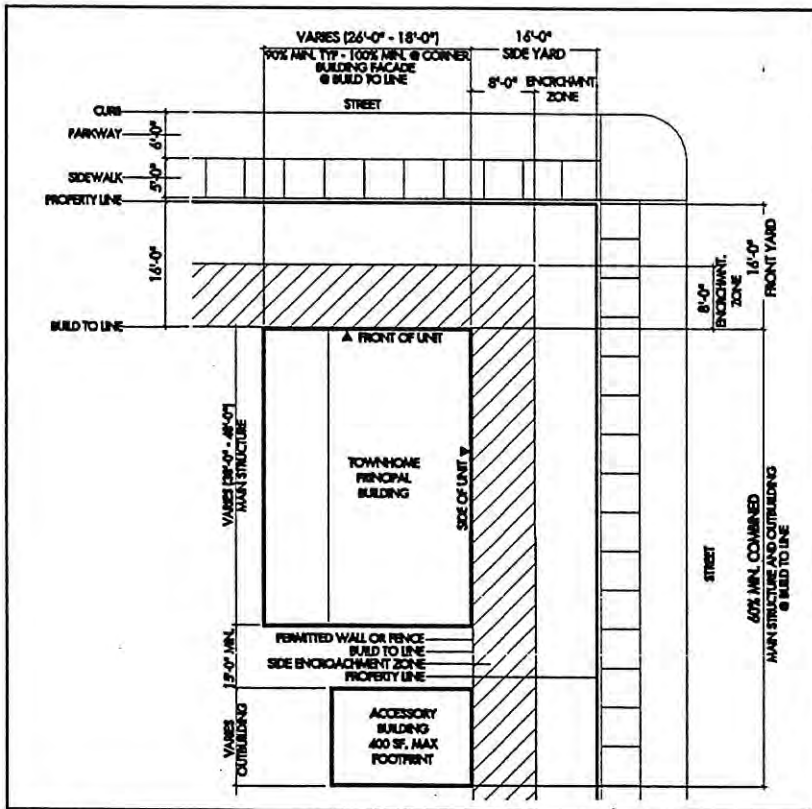
Type Via - Rowhouses



Building Section



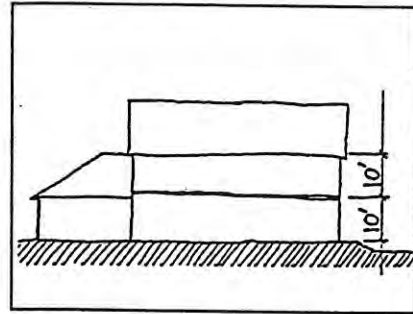
Building Plans



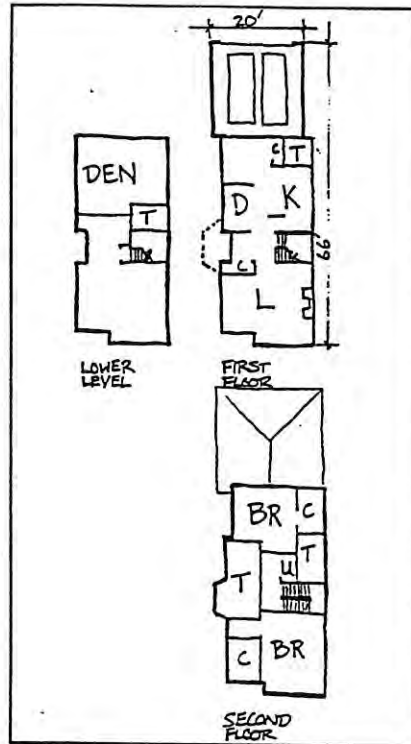
Unit Diagram



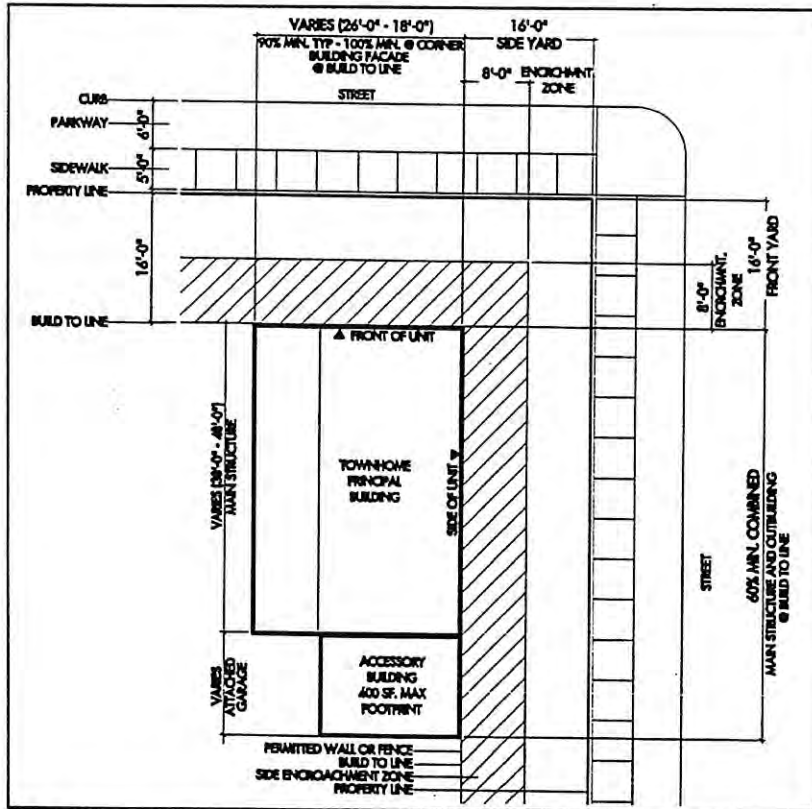
Type V1b - Townhomes



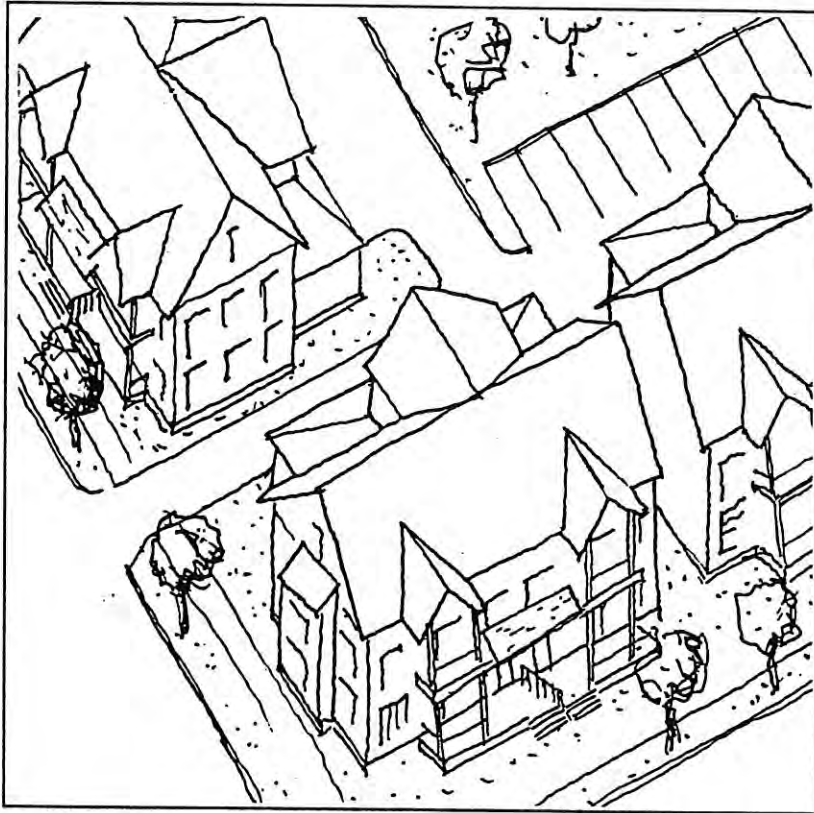
Building Section



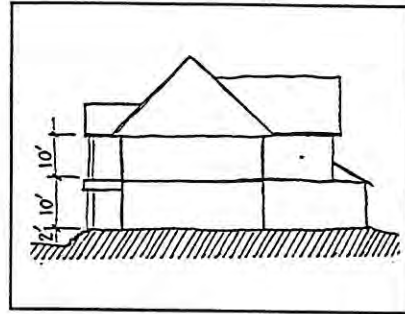
Building Plans



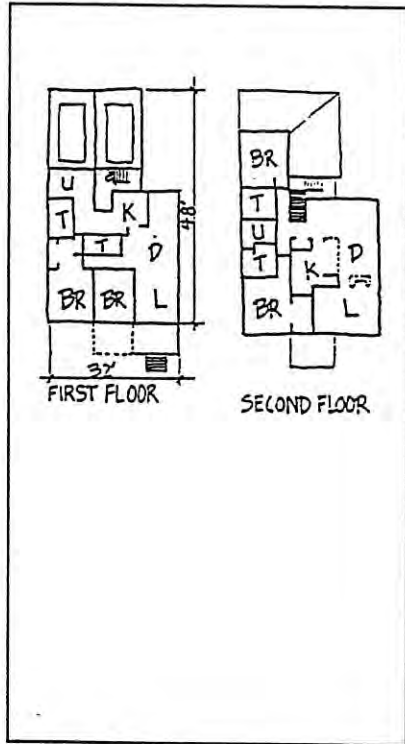
Unit Diagram



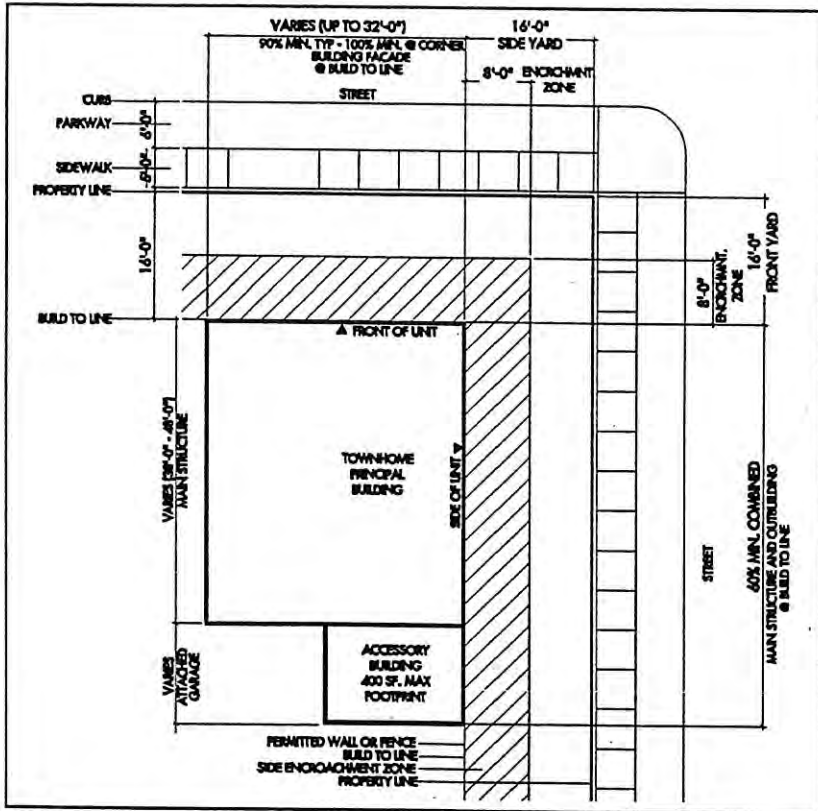
Type VIc - Flats



Building Section



Building Plans



Unit Diagram

Building Type VII
U-SHAPED TOWNHOMES

The courtyard townhomes creates a semi-private entry court to four townhome units. This configuration allows for a sense of transition and a level of security to the four units. This prototype works well in a mid-block location and minimizes the apparent parking impact on the street. Private outdoor space is difficult to achieve in this prototype; therefore porches and balconies are encouraged.

Building Use

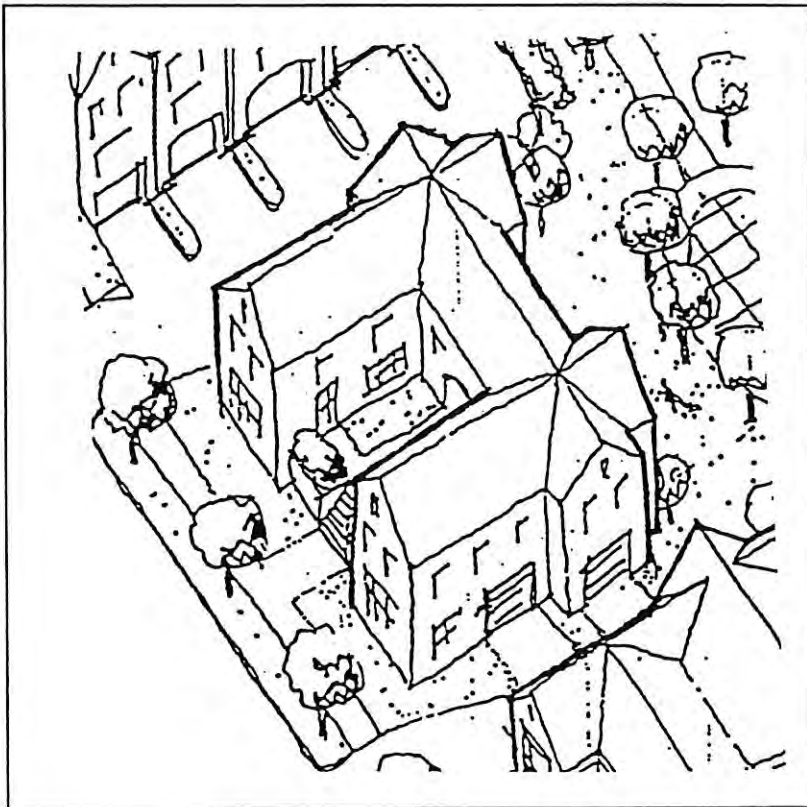
1. Location of building use is as shown on the Development Plan.
2. Accessory buildings are permitted.

Building Placement

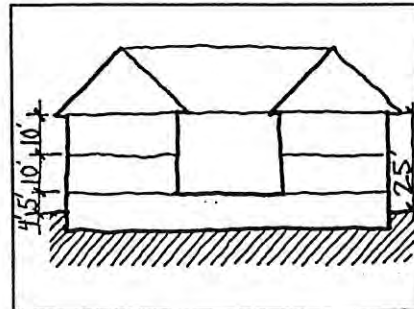
1. The main structure shall be set on the site relative to the property lines as shown on the site diagram.
2. The front building façades shall occupy a minimum of 90% of the site frontage at the build-to line typical and 100% at the corner. The edge between the two gables forming a courtyard should be defined by a low fence or planting treatment and counts towards the % of site frontage.
3. For sites at the intersection of two streets or other public spaces, corner courtyard apartments shall have the walkway and entry accessed from the front of the site or through a forecourt at the front of the site as indicated on the site diagram.
4. For sites at the intersection of two streets or other public spaces, the side of the structure facing the public way which is not designated on the Development Plan as 'front', is intended to create a built edge defining the boundary of the other street or public space. To achieve this, the main structure adjacent to the public space must occupy a minimum of 90% of the sideyard at the build-to line.

**Permitted Encroachments
Beyond the Build-To Line**

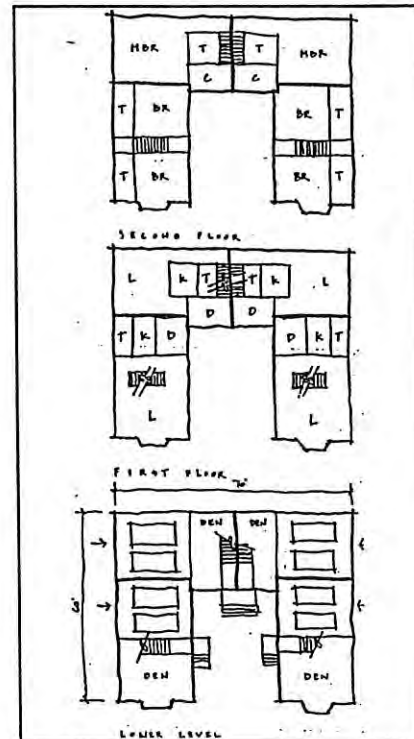
1. Open porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram.
2. Open porches or stoops are required at the entry of the building. The entry can be located at the front of the building structure at the build-to line or in the courtyard space.
3. Garden walls or fences shall be permitted only along the build-to line at street or public way frontage, or at a common property line.
4. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line or over a utility easement. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.



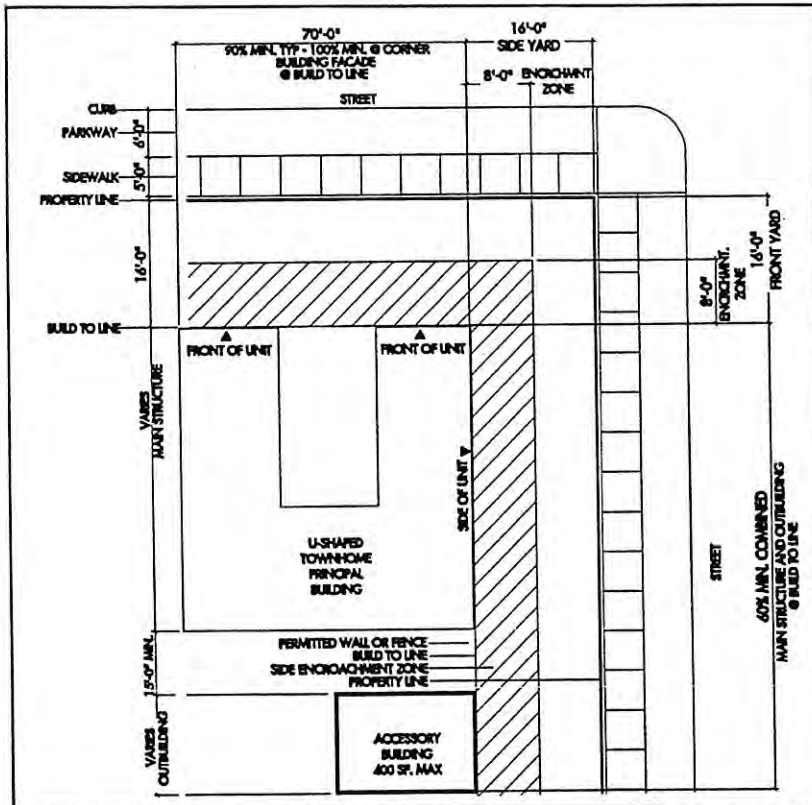
Type VII - U-Shape Townhomes



Building Section



Building Plans



Unit Diagram

Building Type VIII
BACK-TO-BACK TOWNHOMES

Back-to-Back Townhomes are developed in a four unit configuration. This prototype works well in a mid-block location.

Building Use

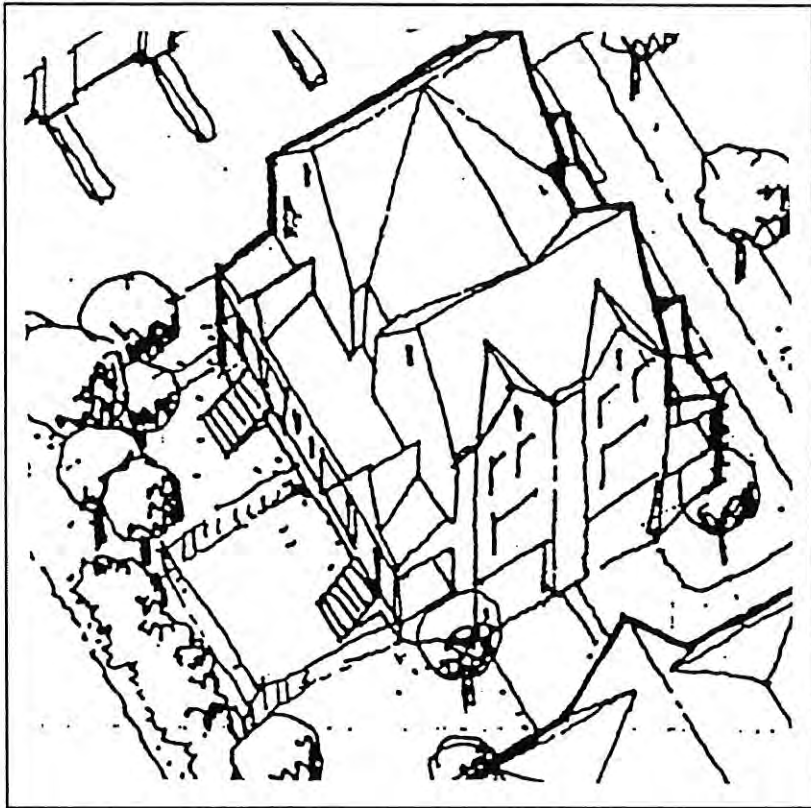
1. Location of building uses are as shown on the site diagram.
2. Accessory buildings are not permitted.

Building Placement

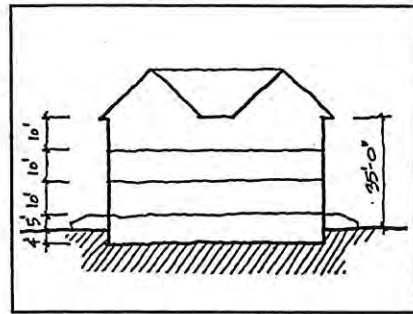
1. Principal buildings shall be set on lots relative to the property lines as shown on the site diagram.
2. The total principal width shall be no less than 18' and no more than 26'.
3. The front building façade shall occupy a minimum of 90% of the lot frontage at the build-to line. On corner sites, building street façades indicated to be on the front of the lot shall occupy a minimum of 100% of the frontage at the build-to line. Refer to the site diagram for the designated front and sideyard locations.
4. At the intersection of two streets or other public spaces, the side of the structure is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the principal structure adjacent to the open public space must occupy a minimum of 60% of the sideyard at the build-to line.

**Permitted Encroachments
Beyond the Build-To Line**

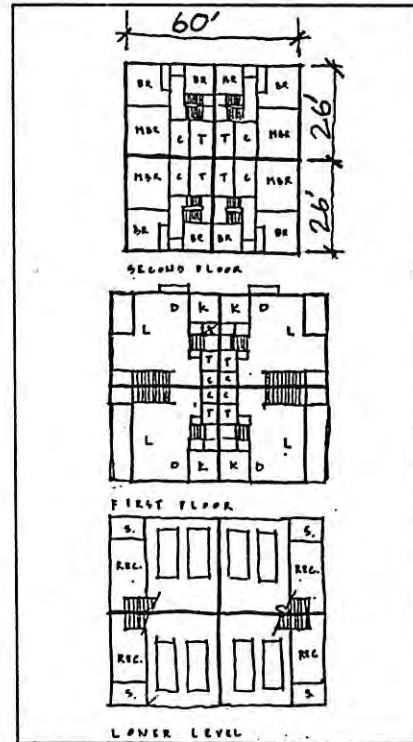
1. Covered or uncovered porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram.
2. One-story porches or stoops are required on the front of the building structure. The length of the porch is to be no less than 30% and no more than 50% of the total length of the front façade.
3. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line.
4. Garden walls or fences shall be permitted only along the build-to line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.



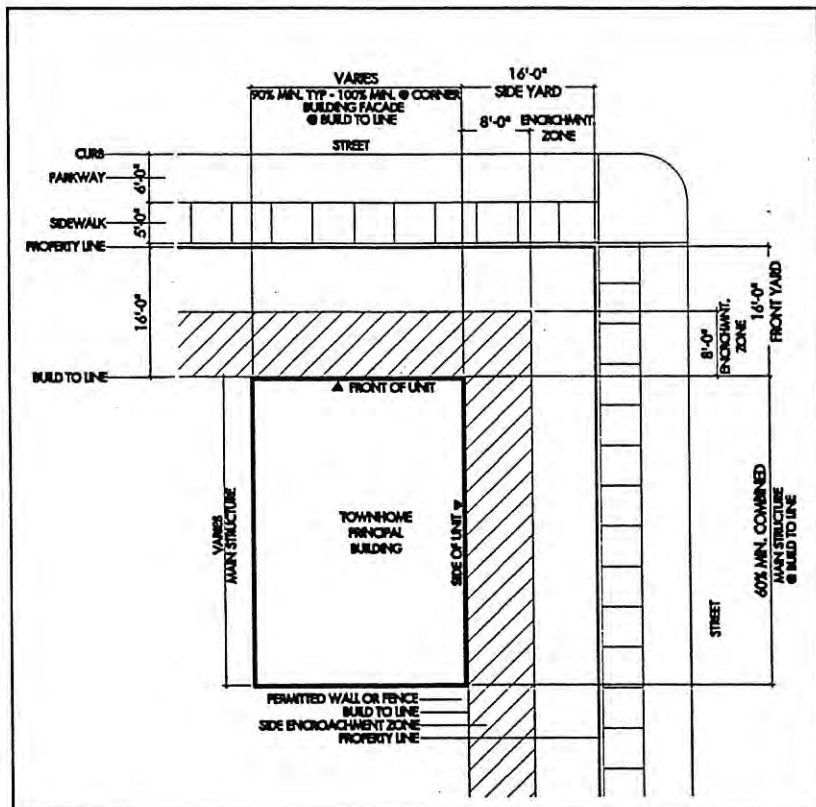
Type VIII – Back to Back Townhomes



Building Section



Building Plans



Unit Diagram

Building Type IX
MIXED-USE OFFICE/RETAIL

This type is to be located primarily on 56th Street depending on market conditions.

Building Use

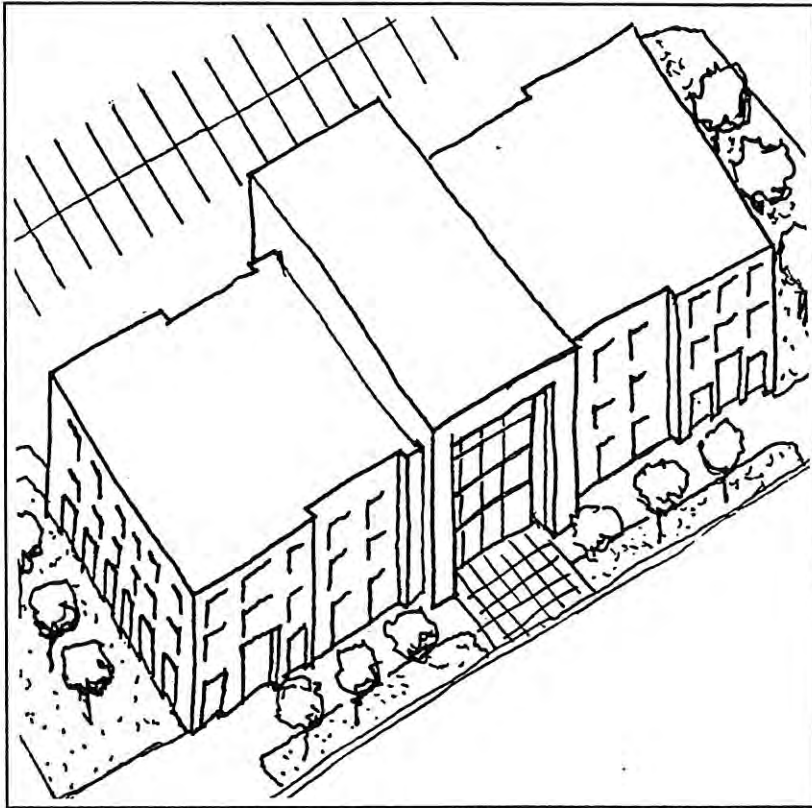
- 1. Location of and types of building uses are as shown on the Development Plan.
- 2. The following uses are permitted either as attached to the principal structure or as an accessory: garage, office, retail, restaurant, storage.

Building Placement

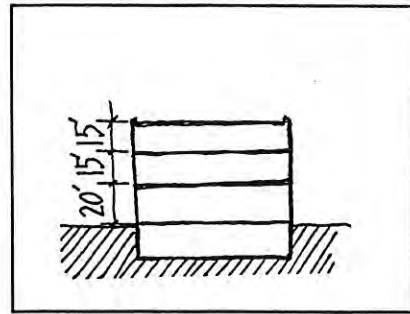
- 1. The main structure and accessory building shall be set on lots relative to the property lines as shown on the site diagram.
- 2. The front building façade shall occupy a minimum of 80% of the lot frontage at the build-to line. Refer to the Development Plan for designated front and side locations.
- 3. For sites at the intersection of two streets or other public spaces, principal structures shall have the entry walkway from the front of the lot as indicated on the Development Plan.
- 4. For lots at the intersection of two streets or other public spaces, the side of the structure facing the public way which is not designated on the Development Plan as 'front', is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the main structure and/or accessory adjacent to the public space must occupy a minimum of 60% of the sideyard at the build-to line.

**Permitted Encroachments
Beyond the Build-To Line**

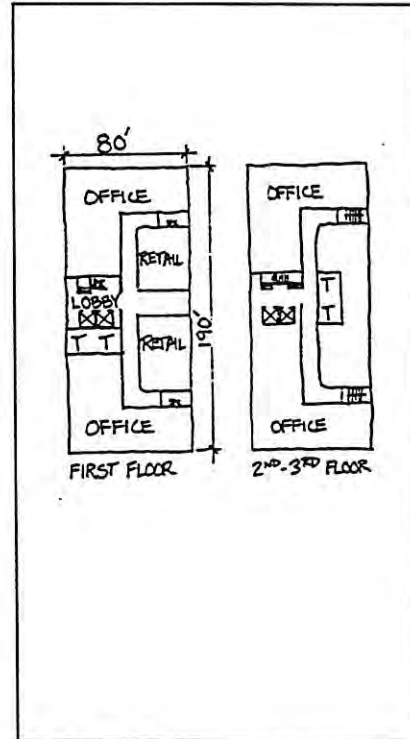
- 1. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line or over a utility easement. Sites with zero lot line development may not have eaves extending past the face of the wall on the shared property line.
- 2. Paved yards are mandatory in the front and street side encroachment zones between the build-to line and the curb. Any planting in this zone is to be done via tree grates laid flush with the sidewalk or in movable aboveground planters.
- 3. Garden walls or fences shall be permitted only along the build-to line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.



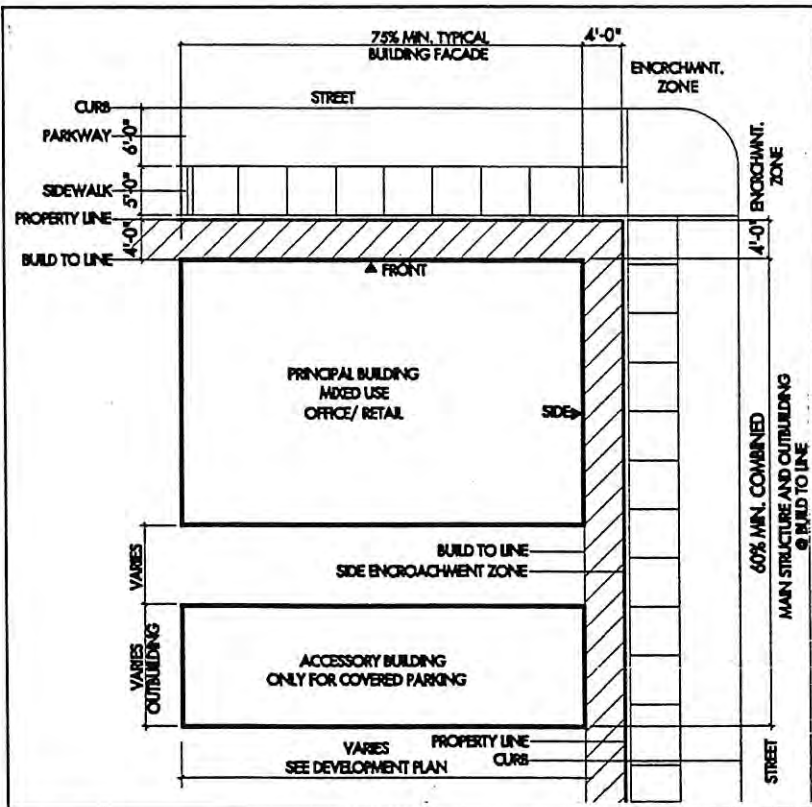
Type IX – Mixed Use Office/Retail



Building Section



Building Plans



Unit Diagram

Building Type X
CIVIC BUILDINGS

Building Use

1. Location of and types of building uses are as shown on the Development Plan.
2. The following uses are permitted as permanent building structures:
 - Civic buildings
 - Cultural institutions
 - Educational institutions
 - Parking facilities
 - Recreational facilities
 - Marine and navigational improvements
 - Commercial uses as may be permitted by the Department of Natural Resources
3. Non-permanent seasonal structures or vending carts are not covered in this document and must receive special permission from the HarborPark Management Team.

Building Placement

1. The main structure shall be set on sites relative to the property lines as shown on the HarborPark Master Plan.

Parking

1. Parking shall be on street or as shown on the Development Plan. There are no specific requirements for parking for Civic Structures. The requirements should be derived from the programmatic needs of the facility taking into consideration street parking and public transportation.

Building Height

1. Heights shall be measured relative to the average fronting street elevation measured at the property line.
2. Minimum and maximum building heights shall be measured in number of floors, each floor not to exceed 20' to ceiling height. Minimum height shall be 2½ floors and a maximum height of 4½ floors.

1.3 ARCHITECTURAL DEVELOPMENT GUIDELINES

1.3.1 Introduction

The Architectural Development Guidelines addresses issues of architectural character of the development. The purpose of the Architectural Code is to ensure that the Master Plan is realized in a manner compatible with the best architectural qualities of Kenosha's buildings.

The Architectural Code which was derived from examples in the surrounding neighborhoods of Kenosha, and historic residential pattern books that were utilized to create much of the residential character that typifies Kenosha. The Code should be used as an aesthetic guide for the implementation of built elements in response to the goals of the Neighborhood Code.

1.3.2 Architectural Development Guidelines for Residential Buildings

Common Language

This section identifies specific design elements or attitudes, which serve as the common language that, contribute to Kenosha's sense of place and are thus recommended for the HarborPark development.

Massing

The composition of the building façades shall be vertically oriented. Where a building's size or organization promotes a horizontal massing, the façade shall be articulated to accentuate an overall reading of verticality.

Roof gables shall face the street. Ridgelines may be parallel to the street provided a large prominent gable is facing the street to maintain the rhythm of gables along the street. On long roofs paralleling the street, large prominent gables facing the street shall be repeated elements used to break up the mass of the roof, and to help maintain the rhythm of gables facing the street.

Building Elements

For buildings on a street, main entries shall face the street and be visible from the street. Doors

and frames shall be prominently articulated. All main entries shall be the focus of the façade.

Porches and stoops help provide pedestrian scale to buildings and create an important transition from the public realm to private space. Refer to the Urban Development Guidelines for porch and stoop requirements.

Balconies should have enough room to promote their use as an outdoor space. They are a means of providing human scale to buildings and also provide "eyes on the street".

Bays projecting out into the encroachment zone allow occupants to see up and down the street, providing for "eyes on the street". The use of bays is encouraged.

Gabled pitched roofs are required on all single and duplex houses. Pitches shall either be sloped at twelve horizontally for each 12' vertically ("12 in 12"), or 14 in 12. Gambrel roofs are allowed. Gables shall face the street. Framed gable roofs allow for attic space or future expansion space unlike trussed roofs, and therefore are strongly encouraged. On larger building types, gables or "flat roofs" are acceptable when in done accordance with common local precedents. Pitches for porches and ancillary shall be 4 in 12. Mono pitches are not permitted unless abutting vertical walls. Roofs shall be symmetrical. Minimum overhang shall be 1'-4". Soffits shall horizontal to the ground. Fascia shall be a minimum of 12"

The use of dormers in the composition of the facades is encouraged. Dormers provide a means to admit light and views to attic space areas. Dormers also offer an opportunity to modify scale and proportion of large roof masses.

If skylights are utilized, they should be placed on the backside of a roofline, not on the street side, and should be limited in number.

It is strongly encouraged that all primary windows be vertically oriented with a minimum ratio of 2 unit's vertical: 1 unit wide. The use of double hung windows is also strongly encouraged. With the exception of storefront

windows on the ground floor of commercial buildings, all windows considered to be primary elements of a façade shall be at least square (not horizontal)

Window openings shall be articulated. In masonry- and stucco-finished exterior walls, sills are mandatory and an articulated lintel is encouraged. In clapboard or shingled exterior walls, windows shall be trimmed and "cased out", with ornamental lintels encouraged.

Buildings are encouraged to utilize traditional tripartite massing and façade composition (base, body, and cap). The height of these components should be coordinated between adjacent buildings. Articulation and materials are encouraged to change or be used differently between each layer.

No specific "architectural style" is specified or required. Since the historic built environment is predominately Italianate, Victorian, and Bungalow these styles may provide a good starting point for the design and understanding of different building elements and materials.

Signage: All homes shall display street numbers using 3" raised numbers in a consistent material displayed at the header of the door and visible to the street.

1.3.3 Architectural Guidelines for Multifamily/Commercial I and Mixed Use Office /Retail IX

The design of commercial structures should take their clues from a typical main street commercial building. It is the intent that these historical precedents are reinterpreted with the use of contemporary materials and building practices.

Bay windows may project beyond the face of the building and beyond the property line 2'. The proportions of the fenestration should not be less than 2½: 1 vertical to horizontal for windows above the first level. The base of buildings should have a minimum of 50% glass in the areas of commercial use (subject to Wisconsin Energy Code).

"Flat roofs" are permitted for this building type. All rooftop mechanical equipment must be screened from view.

The use of arcades and canopies at the base of this building type is encouraged

Single story buildings are allowable for this building type subject to approval. If a single level building is proposed a pitched roof would be required.

Signage: The Primary façade may incorporate one major sign identifying the tenant. Signage may be distinctive but complementary to the overall architectural character of the façade. The total area of all signage on any façade may not exceed 10% of the total area of the façade or 24". Raised letters are preferred, backlit panel signs or illuminated letters are not permitted. Additional signage may be incorporated but should be pedestrian oriented and scaled appropriately (perpendicular to the façade, on an awning or incorporated into a storefront window).

1.3.4 Use of Materials

Palette

The following is a list of materials considered acceptable for use in the HarborPark site. Some materials have restrictions or uses, which are described per individual material. Other exterior materials may be used if the design review committee, on an individual basis grants prior approval.

The acceptable building materials have been chosen to be complementary with the existing buildings in the surrounding neighborhoods. The acceptable materials should be used in a manner reflecting traditional building methods and detailing. Buildings will be reviewed on an individual basis to insure conformity with the intent of the Code.

Stone: The use of limestone is acceptable for the construction of all building types. Other types of stone may also be acceptable upon review.

Precast Concrete and Cast Stone: Precast concrete and/or cast stone is an acceptable

substitute for natural stone, to be reviewed on a case by case basis.

Brick: Common-sized brick is acceptable for the construction of all building types. This does not preclude the use of special and shapes sizes of brick for accents. Predominant brick colors to be used are "cream city", reds, reddish browns, and browns. Larger sized brick is acceptable for all building types other than residential.

Concrete Masonry Units (CMU): Decorative CMU is acceptable as an exterior cladding for all building types. It is to be restricted to a secondary material or used as an accent material, such as split faced block used as a rusticated base. The use of standard (gray, plain textured) utility block is not acceptable anywhere as an exposed material.

Terracotta: Terracotta is an acceptable accent material on brick and stucco clad buildings.

Stucco: Stucco is acceptable as an exterior building material for all building types. Used traditionally as a wall finish material on upper floors and gables, stucco may also be used as a primary wall finish material.

Exterior Insulated Finish System (EIFS): EIFS is an acceptable substitute for stucco. The use of EIFS as a finish for trim in addition to a wall finish is not acceptable. The use of EIFS in locations susceptible to impacts and in close proximity to grade should be avoided.

Clapboard Siding: Painted wood clapboard with exposed laps not greater than 6" is acceptable for use as secondary or accent materials only for all residential building types. Metal and vinyl siding is not acceptable.

Wood Shingle Siding: Wood shingle siding is acceptable as a siding material on upper floors and gables on all residential building types.

Ornamental Metals: Ornamental metal is acceptable as an accent material for all building types. Railings, copper panels, grills, etc., provide a good opportunity for detail and articulation.

Asphalt Shingles: Asphalt shingles are acceptable as a building material for roofing on all building types. The use of asphalt shingles, as a vertical siding material is not acceptable. Attention should be paid to color and style selection to enhance compatibility with nearby use.

Glazed Roofing Tile: Glazed-roofing tile is acceptable as a roofing material on all building types.

Standing Seam Metal Roofing: Standing seam metal is acceptable as a building material on all non-residential building types and low-pitched residential porch or balcony roofs.

Exterior light fixtures shall use light bulbs 40 watts or less. All exterior fixtures must be approved.

All houses must display street numbers using 3" numbers in a consistent material displayed at the header of the door and visible to the street.

Appropriate Use of Materials

A visit to the neighborhoods surrounding the HarborPark site will quickly reveal that the larger or more important a building is, the more likely it is to be constructed of more permanent/solid materials. Schools and churches use brick and stone. Apartment blocks and mixed-use buildings tend to be predominately brick construction with a variety of accent materials. Residences are usually, but not always built of wood. Industrial buildings are typically brick.

When horizontal changes in materials are desired, different materials should meet only at a change of plane, particularly at an inside corner. This gives the material a sense of thickness and a perception of permanence and quality. Different materials should never meet at an outside corner as this reveals the thinness of the material.

When adjacent vertical changes in materials are desired, different materials should meet with the upper material overlapping the lower material, sealed by an ornamental trim detail.

Performance

A common language shall be used throughout the development. While based on examples in adjacent neighborhoods, the common language may be amended to include positive trends and practices occurring within the HarborPark site that improve upon, reinforce, and complement nearby new development.

The common language is intended as a means to allow a variety of building and housing types, styles and economic levels to co-exist in a harmonious manner.

Every building should provide the opportunities for "eyes on the street." Porches, stoops, balconies, and bay windows allow residents to observe and even participate in the street life from their homes and places of employment.

Because development will be visible from the surrounding areas, selection of roofing materials, the layout of roofs, and the location of rooftop mechanical equipment is of critical importance and should be designed in accordance with the rest of the building. Vents and flashings that may cause reflections are to be discouraged. Roof penetrations are to be placed on the backside of the roofline

All building elevations through the use of building elements and materials shall be designed to provide a sense of human scale at the street level.

2.0 | GALLERY OF DESIGN PRECEDENTS

The following images are examples of buildings that generally comply with the Neighborhood Code. There are some examples herein that do not comply with aspects of the Code, but represent good examples of scale, use of materials, building articulation, etc.



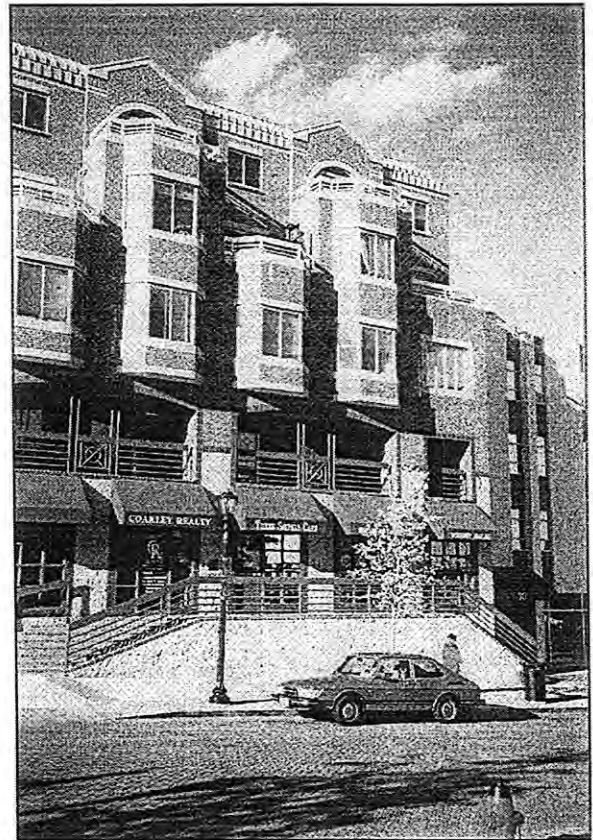
Type I Multifamily/Commercial



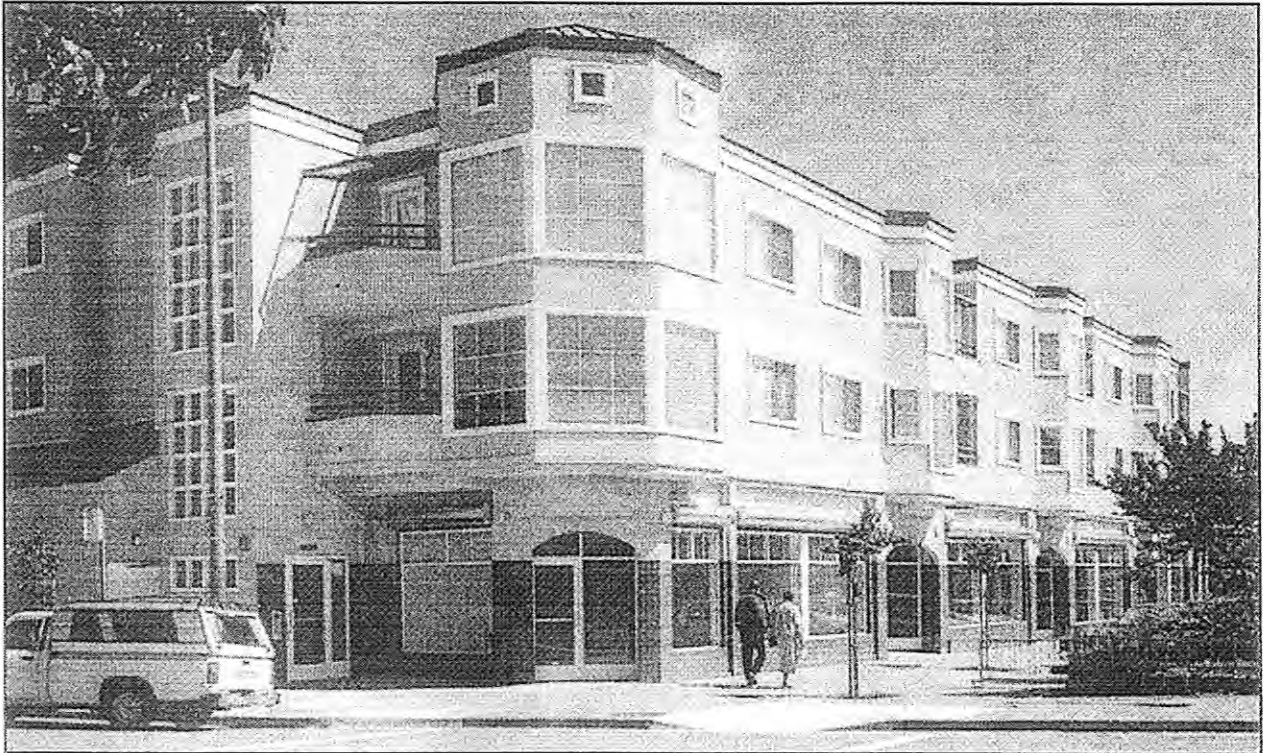
Type I Multifamily/Commercial



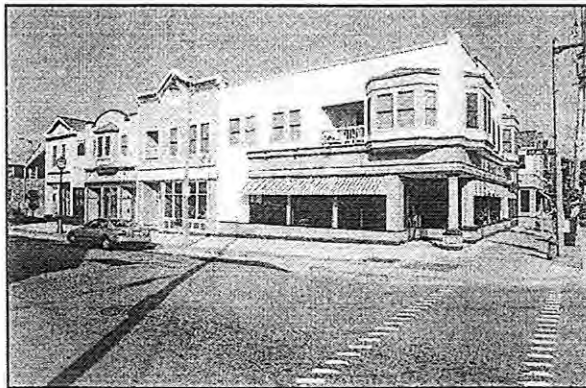
Type I Multifamily/Commercial



Type I Multifamily/Commercial



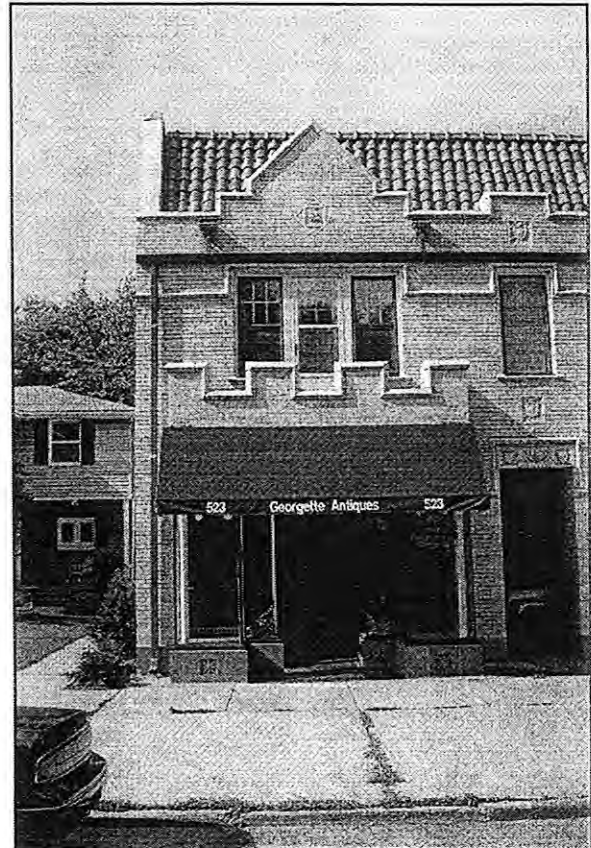
Type I Multifamily/Commercial



Type I Multifamily/Commercial



Type I Multifamily/Commercial



Type I Multifamily/Commercial



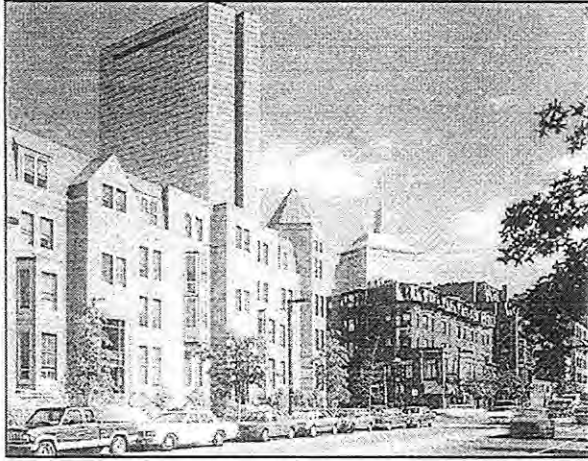
Type II, III, IV Multifamily



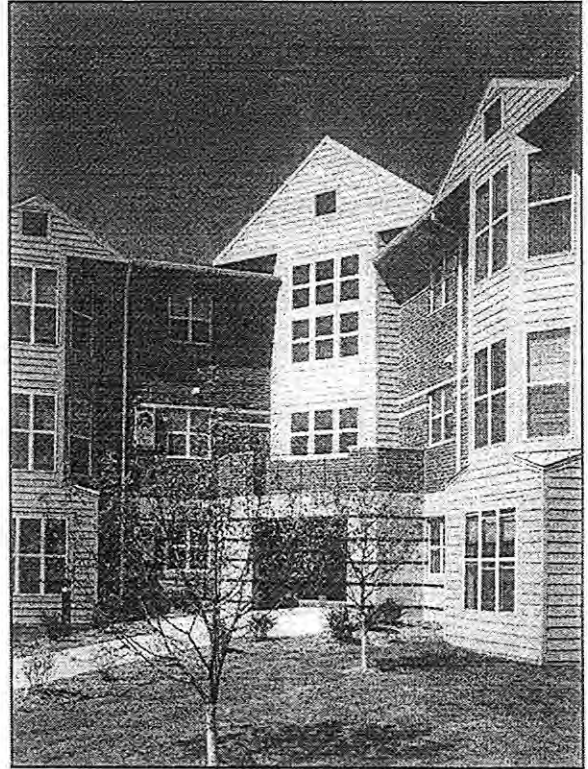
Type II, III, IV Multifamily



Type II, III, IV Multifamily



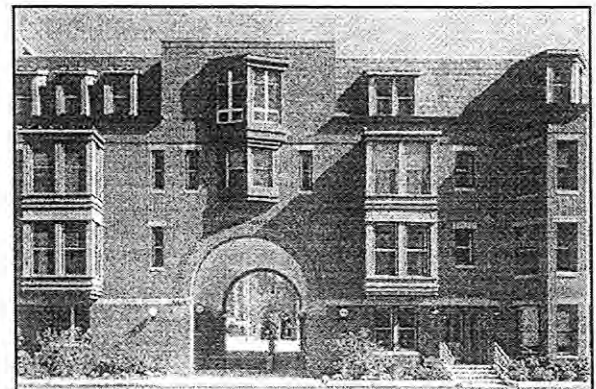
Type II, III, IV Multifamily



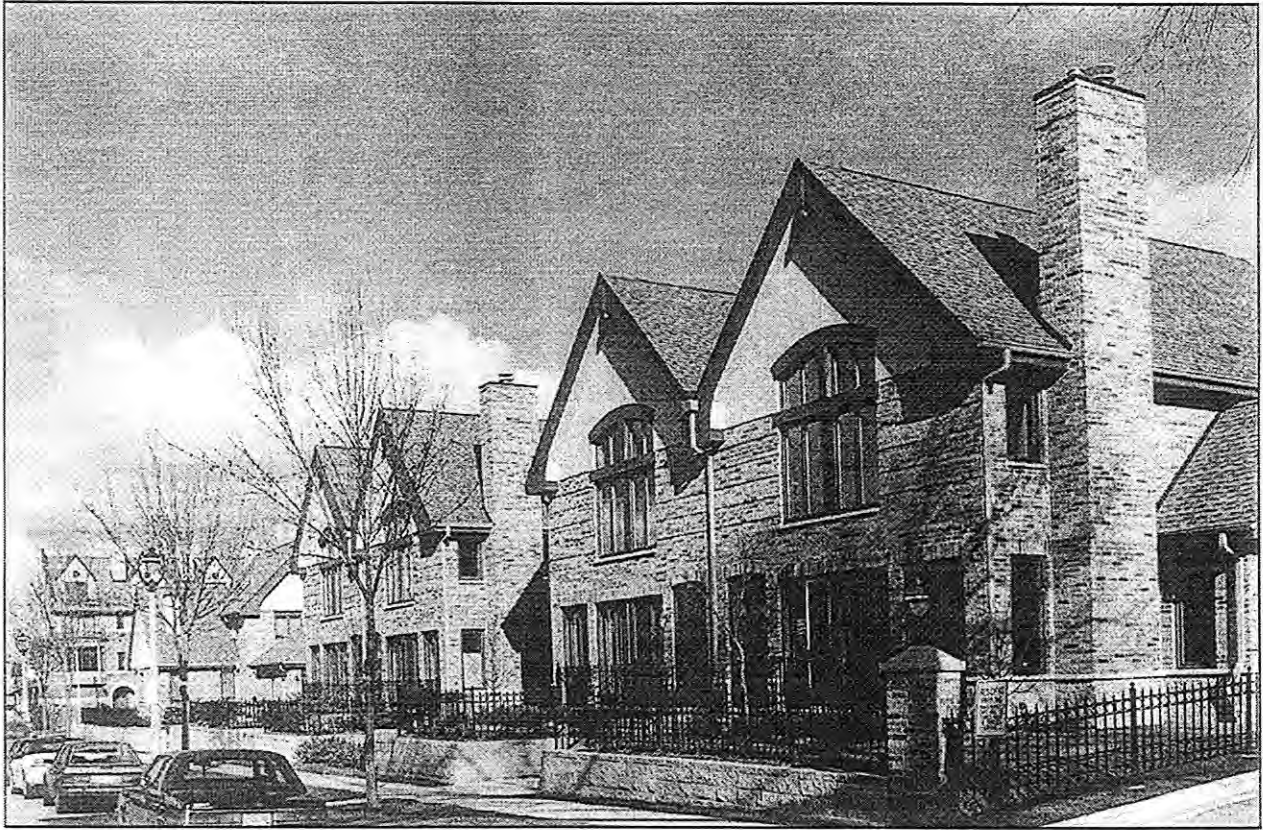
Type II, III, IV Multifamily



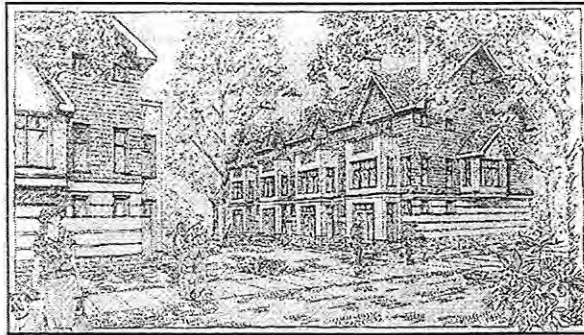
Type II, III, IV Multifamily



Type II, III, IV Multifamily



Type VI Rowhouses/Townhomes/Flats



Type VI Rowhouses/Townhomes/Flats



Type VI Rowhouses/Townhomes/Flats



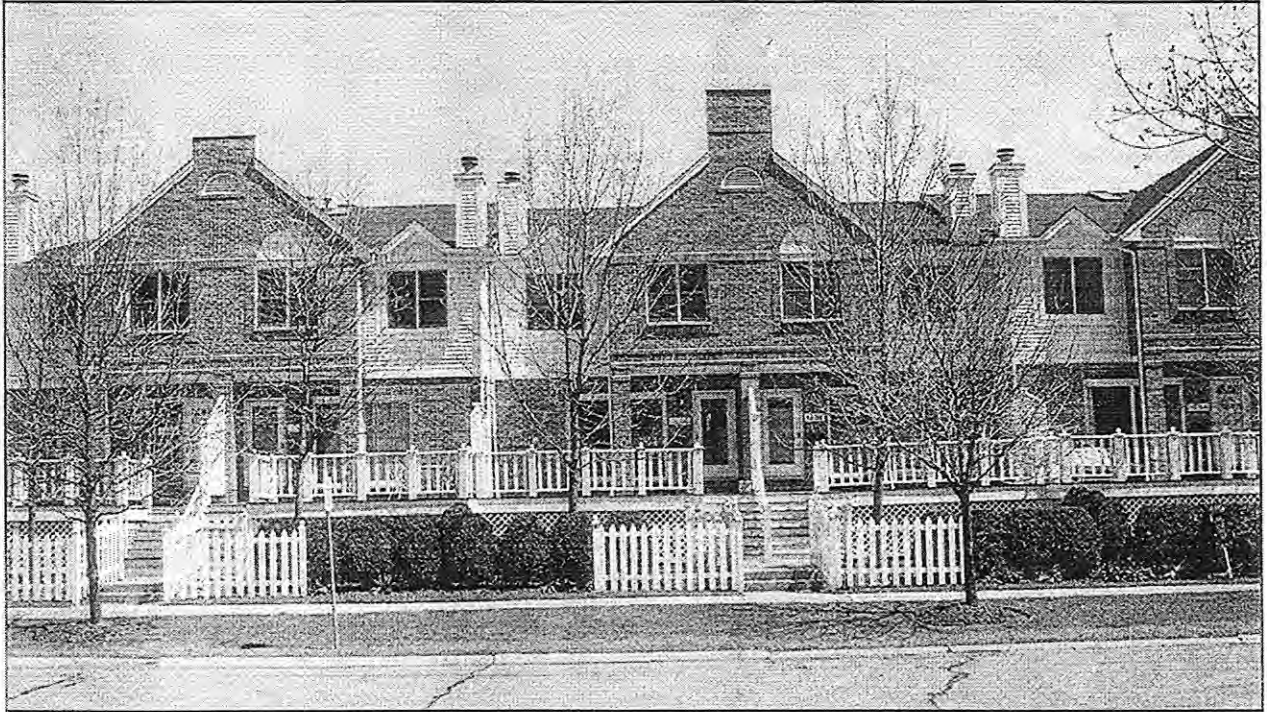
Type VI Rowhouses/Townhomes/Flats



Type VI Rowhouses/Townhomes/Flats



Type VI Rowhouses/Townhomes/Flats



Type VI Rowhouses/Townhomes/Flats



Type VI Rowhouses/Townhomes/Flats

HARBORPARK

A new waterfront community

EXHIBIT L

**RM-2 AND B-3 ZONING ORDINANCES (EXCERPTED) AND
HARBORPARK OVERLAY DISTRICT FROM THE CITY OF
KENOSHA – INCLUDED WITH NEIGHBORHOOD CODE.**

ZONING ORDINANCE NO. 11-99

BY: CITY PLAN COMMISSION

TO CREATE AND AMEND VARIOUS SECTIONS OF THE ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN, PERTAINING TO THE HARBORPARK OVERLAY DISTRICT

The Common Council of the City of Kenosha, Wisconsin, do ordain as follows:

Section One: Section 3.01 of the Zoning Ordinance for the City of Kenosha, Wisconsin, is amended by adding the following thereto:

HRPO Harborpark Overlay District

Section Two: Section 3.29 of the Zoning Ordinance for the City of Kenosha, Wisconsin, is created as follows:

3.29 HARBORPARK OVERLAY DISTRICT (HRPO)

The purpose of the HRPO Harborpark Overlay District is to provide for the development of the Harborpark site in a manner consistent with the adopted Harborpark Neighborhood Code, approved by the City Plan Commission on 2/4/99 and certified to the City Common Council on 2/17/99.

A. District Boundaries. The Harborpark Overlay District includes all property as referenced in Figure 3.29-1, generally bounded by Lake Michigan, 54th Street, 6th Avenue and 57th Street.

B. Permitted Uses. Any use permitted in the underlying Zoning Districts subject to a Conditional Use Permit, except for Prohibited Uses listed in Subsection E.

C. Permitted Accessory Uses. Any accessory use permitted in the underlying Zoning Districts subject to a Conditional Use Permit, except for Prohibited Uses listed in Subsection E.

D. Conditional Uses. Each use is a Conditional Use. Conditional Use Permits are available only for permitted uses and permitted accessory uses in the underlying Zoning Districts. Conditional Use Permits are not available for prohibited uses listed in Subsection E.

E. Prohibited Uses. The following uses, irrespective of whether in an otherwise appropriate Zoning District and irrespective of whether listed as a Permitted Use, Permitted Accessory Use, or Conditional Use, shall be prohibited and ineligible for a Conditional Use Permit:

1. Prohibited Uses in the RM-2 District:

- a. Educational institutions, limited to public and private elementary and secondary schools, including related administrative offices.
- b. Fraternity or sorority houses.
- c. Religious institutions, including churches, chapels, temples, synagogues, convents, seminaries, rectories, parsonages, parish houses and residential quarters for clergy.
- d. Secondary religious facilities.
- e. Mobile home parks.
- f. Planned developments.
- g. Rooming and boarding houses.
- h. Drive-thru facilities.
- i. Outdoor storage.
- j. Outdoor signs identifying any prohibited uses.

2. Prohibited Uses in the B-3 District:

- a. Adult uses.
- b. Single and two-family residences.
- c. Multiple family residences detached from a principal use.
- d. Flea Market.
- e. Building supply store.
- f. Outdoor storage.
- g. Outdoor signs identifying any prohibited uses.
- h. Carpenter, electrical, plumbing, heating and air conditioning shop, showroom and storage area.
- i. Funeral home.
- j. Monument or memorial sales and storage.
- k. Wholesale or warehouse establishments
- l. Motor vehicle uses, including:
 - (1) Automobile accessory and parts store.
 - (2) Automobile sales and/or service establishment.

(3) Automobile fuel station, including combination convenience store, or automobile fuel and service station, including combination convenience store.

(4) Automobile and/or truck rental or leasing establishment.

(5) Recreation vehicle sales, service and storage establishments, except for motorcycles and marine craft,

(6) Automobile body shop.

(7) Automobile or truck wash.

m. Aluminum collection center.

n. Recycling collection center.

o. Rooming and boarding houses.

p. Convention center, except conference or meeting facilities.

q. Drive-thru facilities

3. Prohibited Uses in the I-P District:

a. Single family, two-family and multi-family residences.

b. Agriculture.

c. Cemeteries, mausoleums, crematoriums and pet cemeteries, including buildings.

d. Convalescent and nursing homes, including extended medical care facilities and adult daycare centers.

e. Educational institutions, including public and private elementary and secondary schools, colleges and universities and related dormitories, and school administrative offices.

f. Funeral homes.

g. Golf courses, public and private.

h. Health services, including offices of State licensed health practitioners such as a doctor, dentist, or chiropractor, medical and dental laboratories, outpatient care facilities and other health and allied services operated by a State licensed health practitioner.

i. Hospitals.

j. Nursery and child care centers.

k. Offices, except those which are navigation or marine related.

l. Philanthropic and charitable institutions.

m. Municipal airports and aviation buildings and uses, except heliports.

n. Religious institutions, including churches, chapels, temples, synagogues, convents, seminaries, rectories, parsonages, parish houses, and residential quarters for clergy.

o. Community living arrangements.

p. Penal, disciplinary, mental health and reform institutions.

q. Bed and breakfast establishments.

r. Shelter facility.

s. Financial institution.

t. Drive-thru facilities.

u. Outdoor storage.

- v. Outdoor signs identifying any prohibited uses.

F. Harborpark Neighborhood Code. Development within the HRPO District shall conform to the Harborpark Neighborhood Code, as may be amended from time to time. The Harborpark Neighborhood Code consists of the Harborpark Master and Development Plans; the Urban Development Guidelines, which addresses the issues of building use, building placement, building height, fencing, parking and outbuildings on each building site within Harborpark; and the Architectural Development Guidelines, which addresses issues of architectural character of the development within Harborpark.

G. Application Procedure. Applications for Conditional Use Permits for projects within the HRPO District may be obtained from and shall be filed with the Department of City Development. Applications shall contain required information as stipulated in Sections 4.05, 4.06, 14.06 and 14.07 of the Zoning Ordinance, consistent with the Harborpark Neighborhood Code. Fifteen (15) copies of the plans required shall be submitted for developments within this District.

H. Review and Decision Process.

1. City Plan Division and City Department Review. The City Plan Division and applicable City departments will review the development application using the standards referenced in this Section, make a written recommendation and forward the recommendation to the Harborpark Management Team within thirty (30) days of applicant's submission to the City of all required plans and documents.

2. The Harborpark Management Team. The Harborpark Management Team, created by Resolution of the City Common Council, will review the development application using the standards referenced in this Section, after considering the recommendations of the City Plan Division and City departments make a written recommendation and forward the recommendation to the City Plan Commission within thirty (30) days of receipt of the recommendations by the City Plan Division and City departments.

3. City Plan Commission. The City Plan Commission will review the development application using the standards referenced in this Section after considering the recommendation from the Harborpark Management Team and either approve, deny or modify the application. The City Plan Commission, during the review process, may request the applicant or City departments or agents to furnish additional information and reports relevant to the scope and standard of review.

4. Pre-existing Applications. The requirements of this subsection shall not apply to public or private developers who have applied for architectural or site plan approval prior to the effective date of this Ordinance under circumstances where the development is otherwise in compliance with the Harborpark Neighborhood Code.

I. Development Standards. Development within the Harborpark Overlay District shall conform to the requirements of the Zoning Ordinance and Harborpark Neighborhood Code. In the event of conflicting development standards between the Zoning Ordinance and Harborpark Neighborhood code, the development standards in the Harborpark Neighborhood Code shall take precedence with respect to design standards.

Section Three: Section 4.02, Table 4.01, Group 1, of the Zoning Ordinance for the City of Kenosha, Wisconsin, is amended by adding the following thereto:

Residential development in the HRPO DistrictCPC

Section Four: Section 4.02, Table 4.01, Group 2, of the Zoning Ordinance for the City of Kenosha, Wisconsin, is amended by adding the following thereto:

Commercial development in the HRPO DistrictCPC

Section Five: Section 4.02, Table 4.01, Group 4, of the Zoning Ordinance for the City of Kenosha, Wisconsin, is amended by adding the following thereto:

Institutional development in the HRPO DistrictCPC

Section Six: Section 4.06 A.14. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is created as follows:

14. Residential Development in the HRPO District.

- a. Building Plan as required in Sections 4.05 B. and 14.07 B. of the Zoning Ordinance.
- b. Site Plan as required in Sections 4.05 C. and 14.07 C. of the Zoning Ordinance.
- c. Drainage Plan as required in Sections 4.05 D. and 14.07 E. of the Zoning Ordinance.

d. Landscape Plan as required in Sections 4.05 E. and 14.07 F. of the Zoning Ordinance.

e. Utility Plan as required in Sections 4.05 F. and 14.07 D. of the Zoning Ordinance.

f. Development standards of the Harborpark Neighborhood Code required in Section 3.29 of the Zoning Ordinance.

g. Other issues which may have an adverse social, economic, or environmental impact or affecting the health, safety or welfare of abutting or neighboring properties or the City as a whole.

Section Seven: Section 4.06 B.18. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is created as follows:

18. Commercial Development in the HRPO District.

a. Building Plan as required in Sections 4.05 B. and 14.07 B. of the Zoning Ordinance.

b. Site Plan as required in Sections 4.05 C. and 14.07 C. of the Zoning Ordinance.

c. Drainage Plan as required in Sections 4.05 D. and 14.07 E. of the Zoning Ordinance.

d. Landscape Plan as required in Sections 4.05 E. and 14.07 F. of the Zoning Ordinance.

e. Utility Plan as required in Sections 4.05 F. and 14.07 D. of the Zoning Ordinance.

f. Development standards of the Harborpark Development Code required in Section 3.29 of the Zoning Ordinance.

g. Other issues which may have an adverse social, economic or environmental impact or affecting the health, safety or welfare of abutting or neighboring properties or the City as a whole.

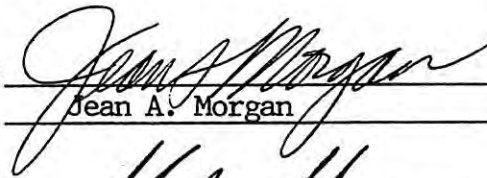
Section Eight: Section 4.06 D.14. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is created as follows:

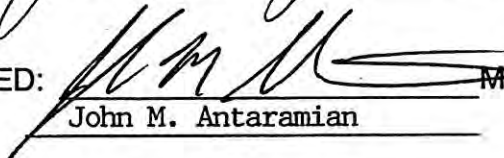
14. Institutional Development in the HRPO District:

- a. Building Plan as required in Sections 4.05 B. and 14.07 B. of the Zoning Ordinance.
- b. Site Plan as required in Sections 4.05 C. and 14.07 C. of the Zoning Ordinance.
- c. Drainage Plan as required in Sections 4.05 D. and 14.07 E. of the Zoning Ordinance.
- d. Landscape Plan as required in Sections 4.05 E. and 14.07 F. of the Zoning Ordinance.
- e. Utility Plan as required in Sections 4.05 F. and 14.07 D. of the Zoning Ordinance.
- f. Development standards of the Harborpark Development Code required in Section 3.29 of the Zoning Ordinance.
- g. Other issues which may have an adverse social, economic or environmental impact or affecting the health, safety or welfare of abutting or neighboring properties or the City as a whole.

Section Nine: This Ordinance shall become effective upon passage and publication.

Section Ten: The City Clerk is authorized to fill in the blank dates in Section Two, following adoption and prior to passage of this Zoning Ordinance.

ATTEST:  City Clerk
Jean A. Morgan

APPROVED:  Mayor
John M. Antaramian

Date: February 18, 1999

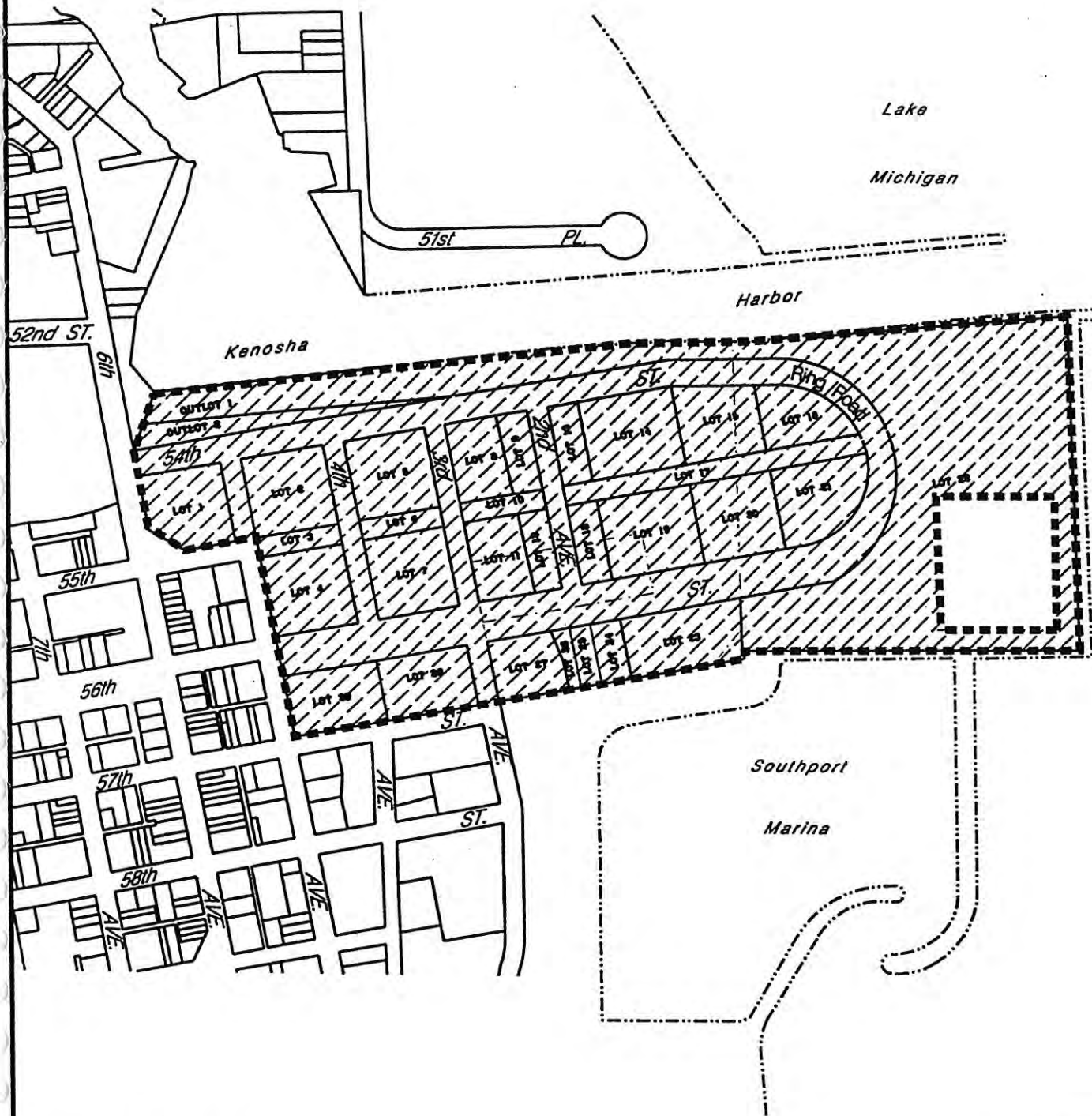
Passed: February 17, 1999

Published: February 26, 1999

Drafted By:
 JAMES W. CONWAY,
 City Attorney

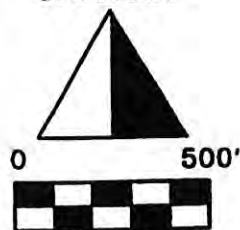
CITY OF KENOSHA

Figure 3.29-1



Harborpark Overlay District

NORTH



3.11 RM-2 MULTIPLE-FAMILY RESIDENTIAL DISTRICT

The primary purpose and characteristics of the Rm-2 Multiple Family Residential District are intended to provide for areas which are occupied by multiple family residences containing three (3) dwelling units or more per lot. Multiple family residential development density shall comply with Section 4.05.

A. Permitted Uses.

1. Community Living Arrangements with capacity for fifteen (15) or fewer persons which are in conformance with §62.23 (7) (i), Wisconsin Statutes.

2. Educational institutions, limited to public and private elementary and secondary schools, including related administrative offices.

3. Fraternity or sorority houses.

4. Historic monuments.

5. Public service buildings and uses, limited to fire and police stations and public emergency centers.

6. Public parks and playgrounds, including buildings and grounds, and properly licensed concessions.

7. Religious institutions including churches, chapels, temples, synagogues, convents, seminaries, rectories, parsonages, parish houses and residential quarters for clergy. Such quarters are permitted to be located on the same lot with a religious institution.

B. Permitted Accessory Uses.

1. Boathouses; private, noncommercial.

2. Garages and carports; private, noncommercial.

3. Greenhouses; private, noncommercial.

4. Home occupations, as permitted in §3.03 E. of this Ordinance.

5. Multiple-family management office, service building, or clubhouse.

6. Off-street parking spaces and parking facilities for the storage of vehicles used in conjunction with a permitted principal use, and in conformance with §6.01 of this Ordinance.

7. Outdoor signs, in conformance with Chapter 15 of the Code of General Ordinances and limited to the following:

a. Signs, not exceeding thirty-two (32) square feet in area per lot, pertaining to the lease, rental, or sale of a permitted building on premises and bed and breakfast establishments. Developments covered under Conditional Use Permits shall construct and install signs in accordance with approved plans.

b. Signs, not exceeding sixteen (16) square feet in area per lot, identifying permitted fraternity and sorority houses.

c. Signs, not exceeding sixty (60) square feet in area per lot, identifying permitted public and private schools, school administrative offices, public service buildings and uses, public parks and playgrounds and historic monuments.

d. Signs, not exceeding one hundred (100) square feet in area per religious institution, identifying permitted religious institutions.

8. Secondary religious facilities.

9. Swimming pools; private, noncommercial and in conformance with Chapter 9 of the Code of General Ordinances.

10. Tennis and game courts; private, noncommercial.

C. Conditional Uses. (See §4.0 of this Ordinance for the conditional use review procedures).

1. Multiple-family residences containing three (3) or more units per lot, in conformance with the Development Standards outlined in §4.0 of this Ordinance.

2. Community Living Arrangements with a capacity for greater than fifteen (15) persons which are in conformance with §62.23 (7) (i), Wisconsin Statutes.

3. Mobile home parks, in conformance with Chapter 4 of the Code of General Ordinances.

4. Planned developments, as permitted in §3.22 of this Ordinance.

5. The rental or lease of pier or dock space to boat owners and operators, in conformance with §4.05 H. of this Ordinance.

6. Utility substations.

7. Rooming and boarding houses.

8. Storm water detention and retention basins.

D. Lot Area and Width.

1. Lots shall provide a minimum lot area of twenty-five thousand (25,000) square feet.

2. Lots shall be not less than one hundred (100) feet in width.

3. Lots used for a rooming and boarding house shall provide a minimum of six hundred and twenty-five (625) square feet of lot area per bed.

E. Building Height. No principal building or structure, nor the enlargement of any principal building or structure shall exceed one hundred (100) feet in height. No accessory building or structure, nor the enlargement of any accessory building or structure shall exceed twenty (20) feet in height.

F. Yard Requirements.

1. Front Yard. There shall be a minimum front yard of twenty-five (25) feet, measured from the front lot line, or from the setback line of any major street.

2. Side Yards.

a. Interior Side Yard. There shall be a minimum interior side yard of fifteen (15) feet for one-story buildings, twenty (20) feet for two-story buildings, or twenty-five (25) feet for three or more story buildings. Interior lots shall have two interior side yards. Corner lots shall have one interior side yard and one street side yard.

b. Street Side Yard. There shall be a minimum street side yard of twelve and one-half (12.5) feet, measured from the street side lot line, or from the setback line of any major street. Corner lots shall have one street side yard and one interior side yard.

3. Rear Yard. There shall be a minimum rear yard of twenty-five (25) feet.

4. Accessory Buildings, Structures or Uses.

a. Accessory Front Yard. There shall be a minimum accessory front yard of seventy (70) feet, measured from the front lot line, or from the setback line of any major street. In the event a development is the subject of a Conditional Use Permit, the seventy (70) feet setback may be reduced by the designated reviewing authority.

b. Accessory Side Yards.

(1) Accessory Interior Side Yard. There shall be a minimum accessory interior side yard of four (4) feet.

(2) Accessory Street Side Yard. There shall be a minimum accessory street side yard of twenty (20) feet, measured from the street side lot line, or from the setback line of any major street.

c. Accessory Rear Yard. There shall be a minimum accessory rear yard of four (4) feet, except that where a rear lot line in the Rm-2 District fronts on a street and where a side lot line in the Rm-2 District abuts or is across an alley from a residential district, the other residential district yard requirement on that street shall apply as the accessory rear yard requirement.

d. Distance Between Accessory Buildings or Structures and the Principal Building or Structure. Accessory buildings or structures shall not be constructed or placed closer than five (5) feet to any principal building or structure on the lot.

e. Size Requirement. Accessory buildings or structures, other than swimming pools, shall not cover any portion of a lot in excess of the area outlined in §3.03 of this Ordinance. In the event a development is the subject of a Conditional Use Permit, the lot coverage requirement shall be established by the designated reviewing authority.

3.15 B-3 CENTRAL BUSINESS DISTRICT

The primary purpose and characteristics of the B-3 Central Business District are intended to accommodate the retail, service, office and institutional uses characteristic of the Downtown Business District and the Uptown Shopping District.

A. Permitted Uses.

1. Single-and two-family residences existing on the effective date of this Ordinance. New construction of single-or two-family residences is not permitted.

2. Multiple-family residences detached from a principal use existing on the effective date of this Ordinance. New construction of multiple-family residences detached from a principal use is not permitted.

3. Multiple-family residences at or below a first floor existing on the effective date of this Ordinance. New construction of multiple family residences at or below a first floor is not permitted.

4. Hotels and motels existing on the effective date of this Ordinance.

5. Convenience Retail and Service Stores as follows, all conducted wholly within an enclosed building, except as provided for herein:

a. Bakery, retail.

b. Barbershop.

c. Beauty and styling salon.

d. Bicycle sales, rental and repair shop.

e. Book and stationery shop, or newsstand. Adult bookstores, as defined, shall conform with this Ordinance.

f. Camera and photographic supply store, including drive-in film pickup/drop-off centers.

g. Candy and ice cream store.

h. Clothes and costume rental service.

i. Coffee shop.

j. Dressmaking, tailor or alteration shop.

k. Drugstore.

l. Florist shop.

m. Food store; grocery; meat, poultry and fish market; and delicatessen; including the use of controlled atmosphere smoke producing and processing equipment for retail and custom order purposes.

- n. Gift shop.
 - o. Hobby shop.
 - p. Jewelry store.
 - q. Laundromat and dry cleaning establishment, including clothes or garment pickup/drop-off facilities.
 - r. Locksmith.
 - s. Office supply store.
 - t. Package beverage store.
 - u. Pet shop.
 - v. Photocopying center.
 - w. Record or tape store.
 - x. Repair, rental, and servicing of any article the sale of which is a permitted use in the B-3 District, except automobile body repair.
 - y. Restaurant, including drive-in and outdoor cafe restaurants and refreshment stands.
 - z. Secondhand and antique store.
 - aa. Shoe repair and combination shoe sales store.
 - bb. Tobacco and pipe shop.
 - cc. Travel bureau and transportation ticket office.
 - dd. Upholstering shop.
6. General Merchandise and Service Stores as follows, all conducted wholly within an enclosed building:
- a. Apparel store.
 - b. Business machine sales and service.
 - c. Catalog and mail order store.
 - d. Department store.
 - e. Drapery, curtain, and fabric store.
 - f. Flea market.
 - g. Furniture and home furnishing store.

- h.** Furriers and fur shops.
- i.** Household appliance store.
- j.** Interior decorating and picture framing studio.
- k.** Leather goods and luggage store.
- l.** Musical instrument store.
- m.** Opticians sales.
- n.** Orthopedic and medical appliance store.
- o.** Radio, television, stereophonic and other electronic appliance store.
- p.** Shoe and boot store.
- q.** Sporting goods and trophy store.
- r.** Toy store.
- s.** Variety store.

7. Miscellaneous retail building, home improvement and gardening supply stores and uses as follows, all conducted wholly within an enclosed building:

- a.** Building supply store, not involving the manufacture, treatment, or processing of any product other than cutting or planing which is clearly incidental or essential to the retail business.
- b.** Carpenter, electrical, plumbing, heating and air conditioning shop, showroom and storage area.
- c.** Floor covering and carpet store.
- d.** Garden supply store.
- e.** Hardware store.
- f.** Paint, glass and wallpaper store.
- g.** Tool or equipment rental store.

8. Miscellaneous Retail and Services Uses as follows, all conducted wholly within an enclosed building, except as provided for herein:

- a.** Adult uses, as defined, and which conform with the following restrictions:

(1) No "adult uses" shall be located within five hundred (500) feet, as measured by the most direct means, from lot line to lot line of: a residential district; any public or private school; or any religious institution as defined.

(2) No "adult uses" shall be located within one thousand (1,000) feet of another "adult use", as measured by the most direct means, from lot line to lot line.

(3) Only one "adult use" is permitted within that area of the B-3 District which is located within the confines of the Downtown Business District. Said Downtown Business District is defined as follows: That area bounded on the north by 49th Street, on the east by the Lake Michigan shoreline, on the south by 61st Street, and on the west by 13th Avenue.

(4) Existing "adult uses" not located in the B-2 District or the B-3 District may continue as legal nonconforming uses, but if discontinued for a period of one (1) year, they may not be reestablished. Said nonconforming uses may not be enlarged or expanded.

b. Amusement and Recreation Enterprises. No premises required to be licensed as an amusement and recreation enterprise shall be permitted in this District unless said amusement and recreation enterprise is located within the boundary specified in Figure 3-1 of this Section.

c. Bank and other financial institutions, including drive-thru facilities.

c-1. Bowling alleys and roller skating rinks.

d. Civic, social and fraternal clubs and lodges, and union halls, including for-profit and nonprofit establishments.

e. Adult day care centers.

f. Funeral home.

g. Janitorial supply and service store.

h. Medical clinics or laboratory, excluding hospitals.

i. Monument and memorial sales and storage, not involving the manufacture, treatment, processing or cutting of any product other than that which is clearly incidental or essential to the retail business.

j. Nursery and child care center.

k. Offices; business, professional, governmental, civic, service, philanthropic, political and union.

l. Physical fitness center and health club.

m. Printing and publishing establishment, including newspaper establishments.

n. Private business, dance, driving or martial arts school; or other similar private school.

o. Radio and television station or studio.

p. Recording and sound studio.

q. Sign painting shop, limited to posters, banners, bumper stickers, truck and window and other non-electrical advertising displays.

r. Studio for art, dance, music or photography.

s. Tavern and cocktail lounge, and combination restaurant or eatery, including outdoor serving areas.

t. Taxidermist.

u. Theater; indoor. Adult motion picture theaters and adult mini-motion picture theaters, as defined, shall conform with this Ordinance.

v. Wholesale or warehouse establishments, not involving the manufacture, treatment or processing of any product and only servicing permitted uses which are located within the B-3 District.

9. Motor vehicle uses as follows, provided that all storage which is adjacent to or across an alley from any residential district shall be within completely enclosed buildings or contained within accessory outdoor storage areas effectively screened from the residential district:

a. Automobile accessory and parts store.

b. Automobile sales and/or service establishment, excluding automobile body repair shops.

c. Automobile fuel station, including combination convenience store, or automobile fuel and service station, including combination convenience store.

d. Automobile and/or truck rental or leasing establishment.

e. Commercial marina, including boat sales, service and storage, and rental or leasing of pier or dock space to boat owners and operators excluding any manufacturing or production process, and in conformance with applicable Federal, State and local regulations.

f. Parking facilities, including structures and ramps.

g. Recreation vehicle sales, service and storage establishments including boats and motorcycles.

10. Institutional uses as follows:

a. Cultural institutions, including libraries, museums and art museums.

b. Educational institutions, including public and private schools.

c. Historic monuments.

d. Parks and playgrounds, including buildings and grounds, and properly licensed concessions.

e. Philanthropic and charitable institutions.

f. Public administrative offices and public service buildings, including fire and police stations, community centers and public emergency shelters.

g. Public transportation uses, including municipal bus and transportation terminals and municipal marina.

h. Public and private utility offices.

i. Railroad passenger terminal.

j. Religious institutions, including churches, chapels, temples, synagogues, convents, seminaries, rectories, parsonages, parish houses and residential quarters for clergy. Such quarters are permitted to be located on the same lot with a religious institution.

11. Outdoor advertising signs, in conformance with Chapter 15 of the Code of General Ordinances.

B. Permitted Accessory Uses.

1. Residential quarters for owner, proprietor, employee or caretaker within a principal building.

2. Garages for the storage or loading of vehicles used in conjunction with the operation of a principal use.

3. Off-street parking and loading spaces and facilities, in conformance with §6.0 of this Ordinance.

4. Utility sheds, power supply units, external building heating/cooling systems, and other uses normally auxiliary to the principal use.

5. Outdoor storage areas of a motor vehicle use, provided that when such areas are adjacent to or across an alley from a residential district, such areas shall be effectively screened as outlined in §3.12 D. of this Ordinance.

6. Public use service building or structure.

C. Conditional Uses. (See §4.0 of this Ordinance for the conditional use review procedures).

1. Multiple-family residences above the first floor and in conformance with §3.12 A. of this Ordinance.

2. Hotels and motels constructed after the effective date of this Ordinance.

3. Community Living Arrangements, in conformance with §62.23 (7) (i), Wisconsin Statutes.

4. Automobile body shop.

5. Automobile or truck wash.

6. Convention center.

7. Aluminum Collection center.

8. Recycling Collection center.

9. Brewpub or winery, accessory to a restaurant, tavern, cocktail lounge or package beverage store, provided that no greater than thirty percent (30%) of the gross floor area is devoted to any manufacturing or processing, or storage of beverages produced on premises, provided that brewpubs produce no greater than two thousand (2,000) barrels of fermented malt beverages per year, or, that wineries produce no greater than twenty thousand (20,000) gallons of wine per year, in conformance with §125, Wisconsin Statutes, and Chapter 10 of the Code of General Ordinances.

10. Bed and Breakfast Establishments.

11. Utility substations.

12. Rooming and boarding houses above first floor.

13. Storm water detention and retention basins.

14. Drive-thru facilities in conjunction with any permitted use, excluding alcohol beverage sales which may not be made therefrom.

D. Lot Area and Width.

1. There shall be no minimum lot area or width requirements except that:

a. For structures constructed prior to the effective date of this Ordinance, which contain multiple family residential uses above a first floor, a minimum of five hundred (500) square feet of lot area per dwelling unit shall be provided.

b. For new construction of multiple-family residential uses above a first floor; a two-story building shall provide a minimum two thousand (2,000) square feet of lot area per dwelling unit; a three-story building shall provide a minimum of one thousand (1,000) square feet of lot area per dwelling unit; and a four or more story building shall provide a minimum five hundred (500) square feet per dwelling unit.

2. Lots used for a rooming and boarding house or a Community Living Arrangement shall provide a minimum of five-hundred (500) square feet of lot area per bed.

E. Building Height. No building or structure, nor the enlargement of any building or structure shall exceed one hundred (100) feet in height.

F. Yard Requirements.

1. **Front Yard.** No front yard shall be required except that where the frontage, as defined, lies partly within the B-3 District and partly within a residential district, the residential district yard requirement on that street shall apply as the front yard requirement.

2. Side Yards.

a. **Interior Side Yard.** No interior side yard shall be required except that:

(1) Where a side lot line in the B-3 District abuts residential district, there shall be an interior side yard of not less than five (5) feet.

(2) Where land is used for multiple family residential uses above a first floor, the interior side yard requirement shall be:

(a) Two-story building: ten (10) feet.

(b) Three-story building: twelve (12)

(c) Four or more story building: fourteen (14) feet to be increased two (2) feet for each story over four.

(d) Where a building has a masonry wall without any windows or openings on a side of the building, the interior side yard along that side of the building may be reduced to zero (0), except that when abutting a residential district there shall be an interior side yard of not less than five (5) feet.

(e) For buildings erected prior to November 1, 1963, there shall be an interior side yard of five (5) feet, except that where a building has a masonry wall without any windows or openings on a side of the building, and where a building does not abut a residential district, the interior side yard along that side of the building may be reduced to zero (0) feet.

(3) Where no interior side yard is required, but is voluntarily provided, the interior side yard shall be a minimum of five (5) feet.

(a) The interior side yard shall be a minimum of five (5) feet.

(b) **Street Side Yard.** No street side yard shall be required except that where a side lot line in the B-3 District fronts on a street and where a rear lot line in the B-3 District abuts or is across an alley from a residential district, the residential district yard requirement on that street shall apply as the street side yard requirement.

3. Rear Yard. A rear yard of not less than nine (9) feet is required, except that:

a. Where a rear lot line in the B-3 District abuts an alley, a rear yard equaling nine (9) feet from the center line of the alley is required.

b. Where a rear lot line in the B-3 District fronts on a street and where a side lot line in the B-3 District abuts or is across an alley from a residential district, the residential yard requirement on that street shall apply as the rear yard requirement.

4. Accessory Buildings, Structures or Fences.

a. No accessory building or structure shall be located in any required front or street side yard or in any rear yard which fronts on a street and will be located within twenty-five (25') of the public right-of-way.

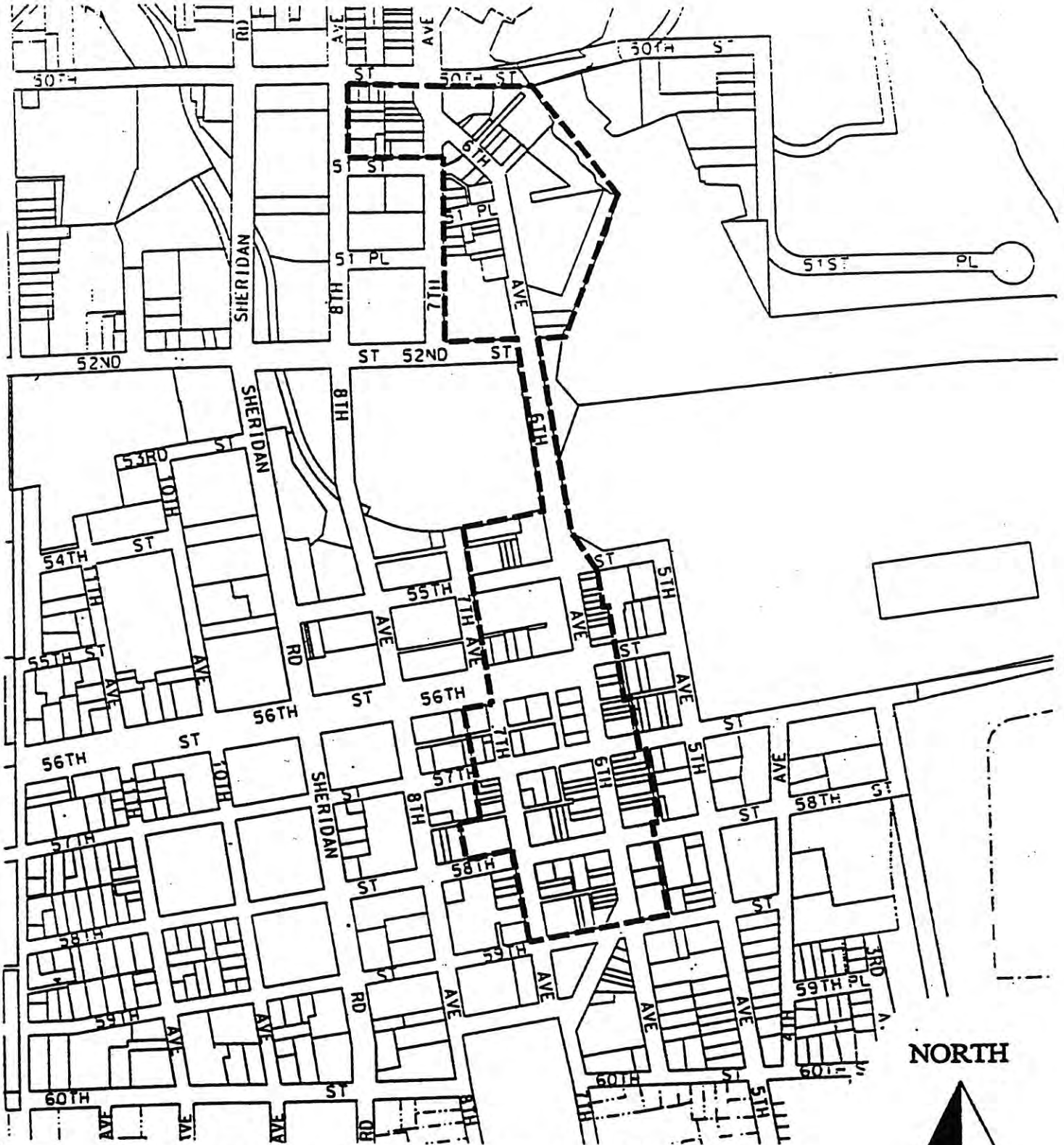
The minimum building to property line setback for the side and rear yards shall be five (5') feet, unless constructed in accordance with the commercial building code and utilized in conjunction with an approved commercial principal use of the property.

The size of an accessory building or structure, when utilized as an accessory building in conjunction with a nonconforming residentially occupied property, shall not exceed the size limitations as outlined in Section 3.03 of the Zoning Ordinance.

b. No fence shall be constructed or reconstructed in any required front yard unless said fence is approved in conjunction with a Conditional Use Permit/Site Plan Review or a variance as granted by the Board of Zoning Appeals.

5. Accessory Uses. No yards shall be required for accessory uses where no building or structure is involved.

FIGURE 3 - 1



**AMUSEMENT AND RECREATION
ENTERPRISES BOUNDARY**

NORTH



Scale:

0 500'



EXHIBIT Q
OUTLINE OF HARBOR PARK RESTRICTIVE COVENANTS
PAGE: 1 OF 3

The buyer's and seller's conceptual agreement of land use controls to be incorporated into conditions and covenants of title (CCR's) are described below subject to further definition and good faith negotiations between the buyer and seller. The specific CCR's documents will be negotiated between the parties within the first 30 days after full execution of the contract and any required governmental ratification thereof. The parcel designations referenced below are shown on the map attached as page four. The CCR's shall apply to Parcels A, B, C, D, E, F, G, H, I, J, and K unless otherwise specified.

- 1) Bulk regulations including height and yard setbacks, and minimum on site parking requirements contained in the Neighborhood Code will be incorporated in the CCR's to control the density of the parcels in the district.
- 2) Building height restrictions will be consistent with the Neighborhood Code with the further limitation that Use 3 (Retail & Service) buildings on Parcel K will be limited to 2 stories.
- 3) Roof top equipment will be screened from all residential views.
- 4) The "Pedestrian Way" will be owned by the City of Kenosha and will benefit from a maintenance easement burdening parcels B, C, D, E, F & G. The Developer will be responsible for maintenance of the Pedestrian Way upon closing of the first parcel. Other easements may be required but have not yet been identified.
- 5) The CCR's for all parcels will be recorded upon the closing of the developer's purchase of the first parcel and will contain a condition that they expire on all unsold or undeveloped parcels in the event of the Developer's default.
- 6) The term of the CCR's will be 50 years.
- 7) Four land use descriptions will be contained in the CCR's as described below.

Multi-family Residence For Sale - Use 1

Permitted Uses: Multi-family residential buildings offered as "for sale", primarily occupied by unit owners with at least two dwelling units per structure (or lot). Permitted building uses are described as condominiums, townhouse, and duplexes.

EXHIBIT Q
OUTLINE OF HARBOR PARK RESTRICTIVE COVENANTS
PAGE: 2 OF 3

Multi-family Residence For Rent – Use 2

Permitted Uses: Multi-family residential buildings offered for rent described as apartments. The minimum unit sizes for one-bedroom units will be 600 sq.ft. and two-bedroom units, 800 sq. ft. The proportion of studio apartments will not exceed 15% of the total apartments on any Parcel. Minimum on site parking (interior or exterior) will be equal to one space for studio and one-bedroom apartments. Two bedroom (and three bedroom, if any) will require two parking spaces per unit. The architectural guidelines of the Neighborhood Code will be incorporated in the CCR's. Additionally, not less than 85% of the area of all main facades of the apartment buildings shall be masonry and the buildings will be of non-combustible design. Apartment occupancy will not be permitted prior to September 1, 2001.

Retail & Service – Use 3

Prohibited Uses:

Adult entertainment: shows, sale or rental of materials or other uses described in zoning code	Auto/truck/bus mechanical or body service
Auto/truck/bus parts (interior or exterior)	Auto/truck/bus rental, leasing or storage
Auto/truck/bus wash	Billiards hall
Boat storage or repair	Bowling alley or roller rinks
Drive-through restaurants or liquor sales	Economy hotels or motels
Flea market	Funeral Homes or crematoriums
Gasoline/diesel drive through sales	Mental health, substance or criminal counseling and treatment facilities
Manufacturing	Medical offices, clinics or laboratories
Non-accessory hourly or daily fee parking lots and structures	Outdoor advertising signs
Recycling collection centers	Retail package liquor sales other than accessory with restaurant operation.
Rooming, boarding or communal housing	Tavern or cocktail lounge unless ancillary to restaurant.
Utility substations not fully enclosed within a permanent structure or enclosed substations greater than 25 sq. ft. in area	Vending operated Laundromats
Video arcades unless ancillary to other use	Warehousing
Wholesale sales	

Mixed Use Residential & Retail – Use 4a & 4b

Permitted Use 4a consists of multifamily residential Use 1 and Retail & Service Use 3 on the first floor only. Use 4b consists of multifamily residential Uses 1 & 2 plus Retail & Service Use 3 on the first floor only.

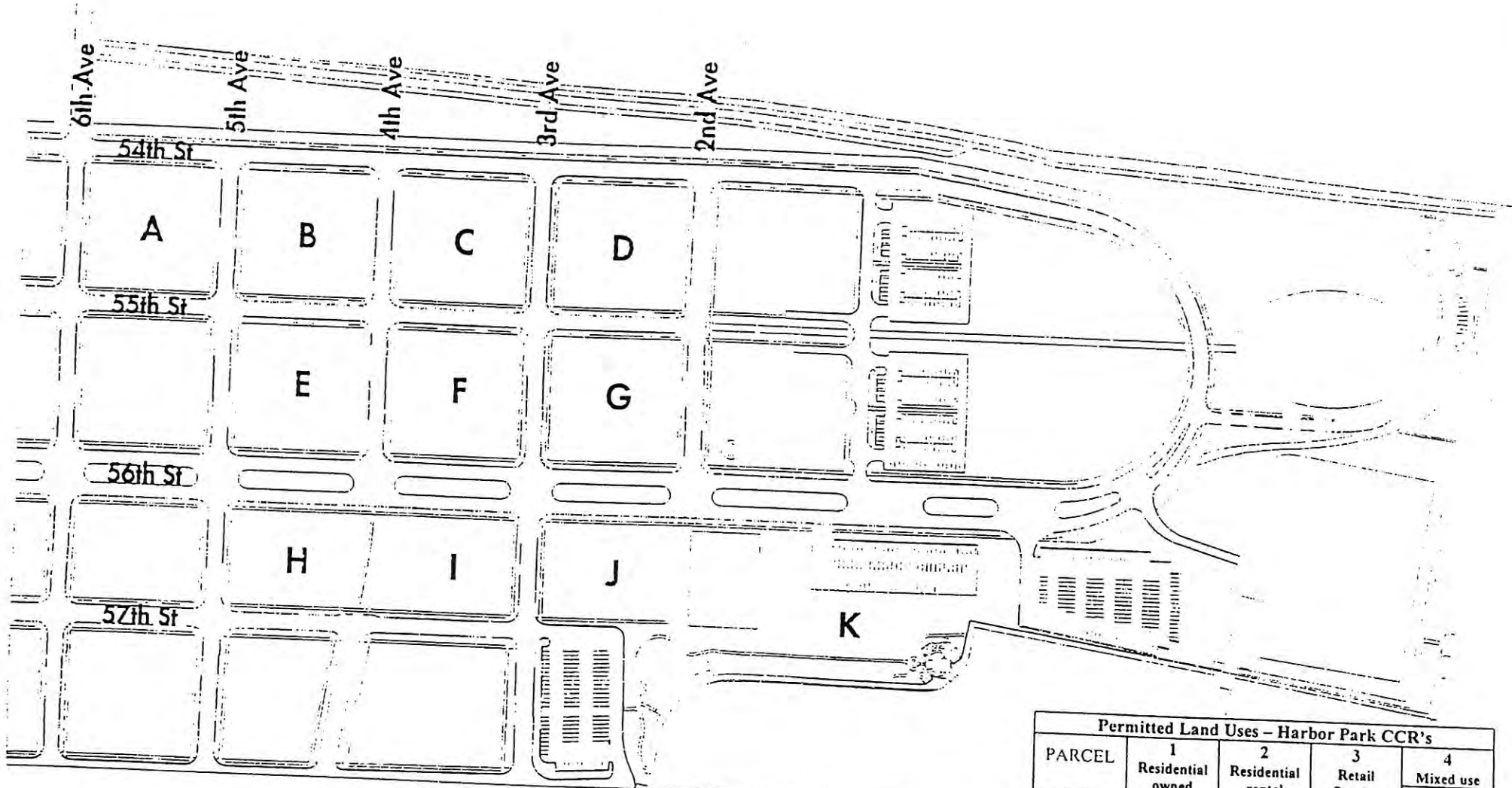


EXHIBIT Q
 OUTLINE OF HARBOR PARK RESTRICTIVE COVENANTS
 PAGE 3 OF 3

November 30, 1999

Permitted Land Uses - Harbor Park CCR's					
PARCEL	1 Residential owned	2 Residential rental	3 Retail Service	4 Mixed use	
				a	b
A	✓		✓	✓	
B	✓				
C	✓				
D	✓				
E	✓				
F	✓			✓	
G	✓			✓	
H	✓	✓		✓	✓
I	✓	✓		✓	✓
J	✓		✓	✓	✓
K	✓		✓	✓	

CITY PLAN COMMISSION RESOLUTION No. 1-00

By: The City Plan Commission

**Amendment to the *Harborpark Neighborhood Code*
and Certification to the Common Council**

WHEREAS, Section 62.23(6) Wisconsin State Statutes 62.23(3), cities have the responsibility for the preparation and adoption of a master plan for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

WHEREAS, *The Harborpark Neighborhood Code* consists of a Development Plan, Urban Development Guidelines, and Architectural Development Guidelines; and

WHEREAS, the City Plan Commission previously adopted "*The Harborpark Neighborhood Code*" at their meeting on February 4, 1999 per City Plan Commission Resolution No. 2-99; and


WHEREAS, the City Plan Commission desires to create some additional residential development types within the Harborpark development.

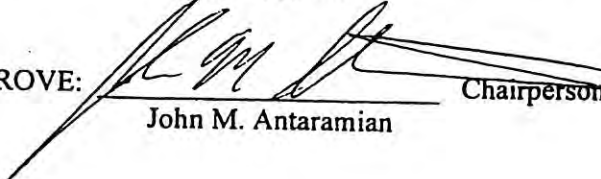
NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission amends *the Harborpark Neighborhood Code* as follows:

1. All references in the Code to a "Type IV 12 unit multi family" are changed to read "Type IV multi family."
2. Page 3, Section 1.2.5 is amended by adding "Building Type VI d - Duplexes" to the list of permitted building uses.
3. Page 5, Harborpark Development Plan Map is amended to allow Type IV homes on the north side of 56th Street between 3rd Avenue to 5th Avenue as shown on the revised map dated December 6, 1999.
4. Page 14, The title is amended to include "Building Type VI d - Duplexes."
5. Page 17.b. is created showing housing prototypes for Type VI d buildings.

BE IT FURTHER RESOLVED, that the City Plan Commission hereby certifies these amendments to the Common Council.

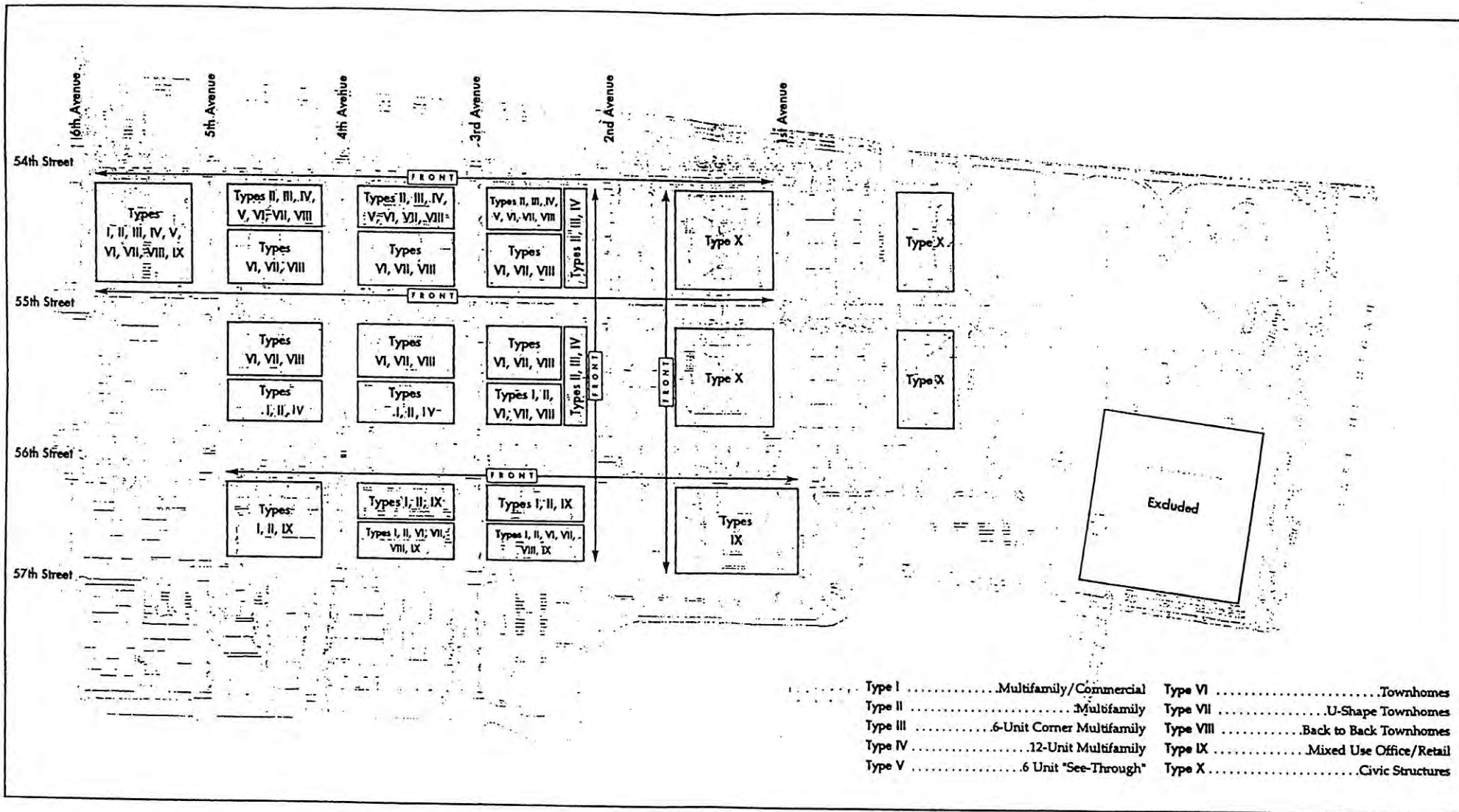
Adopted this 6th day of January, 2000.

ATTEST:  Secretary
Ray Forgianni

APPROVE:  Chairperson
John M. Antaramian

Date: 1-31-00

*Drafted by
Department of City Development*



DEVELOPMENT PLAN *Harbor Park*

Revised 12-06-99

Building Type VIa
ROWHOUSES
Building Type VIb
TOWNHOMES
Building Type VIc
FLATS
Building Type VI d
DUPLEXES

Townhomes could be a very desirable building option for owner-occupied housing. In addition to serving a segment of the housing market, this building type could be very important in defining the neighborhood. Individual homes and their entrances should be oriented towards streets and private common areas. The typical width of units could range between 18' and 26' and length could vary between 38' and 48' with the possibility of an accessory building built behind the principal building.

Building Use

1. Location of building uses are as shown on the site diagram.
2. The following uses are permitted either as attached to the main structure or as an accessory building: garage, office, artist studio, gazebo, conservatory. Plumbing is not permitted in accessory building.
3. One accessory building per main structure is permitted.
4. The maximum size of an accessory building shall be 800 square feet with a maximum footprint of 400 square feet and a maximum of two stories.

Building Placement

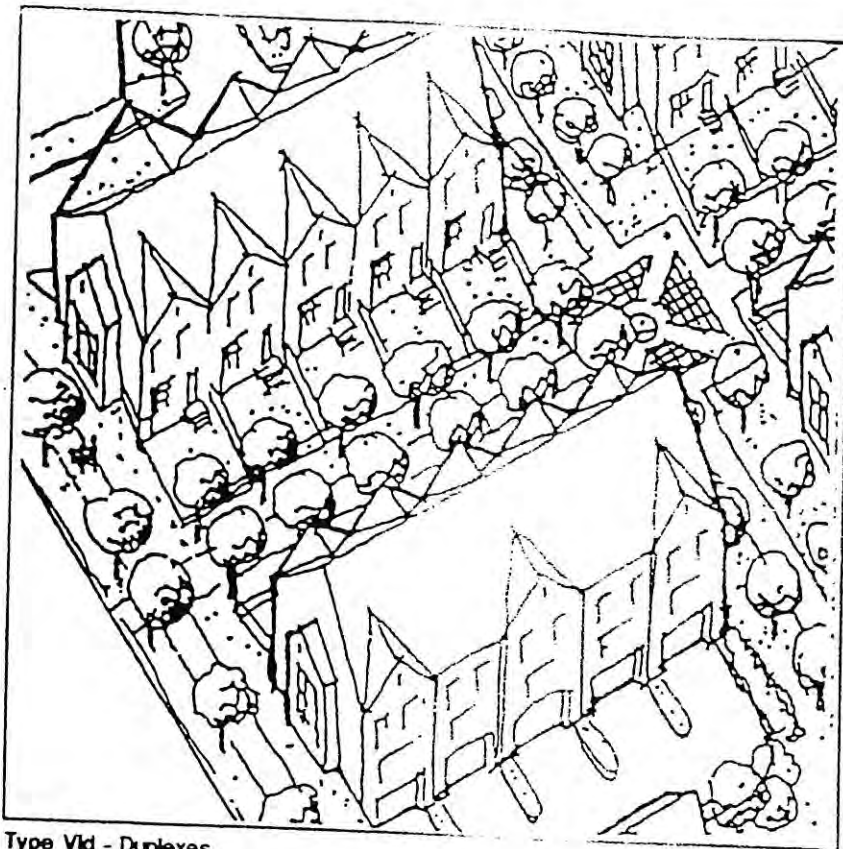
1. Principal and accessory buildings shall be set on lots relative to the property lines as shown on the site diagram.
2. The total principal unit width shall be no less than 18' and no more than 26'.
3. The front building façade shall occupy a minimum of 90% of the lot frontage at the build-to line. On corner sites, building street façades indicated to be on the front of the lot shall occupy a minimum of 100% of the frontage at the build-to line. Refer to the site diagram for

the designated front and sideyard locations.

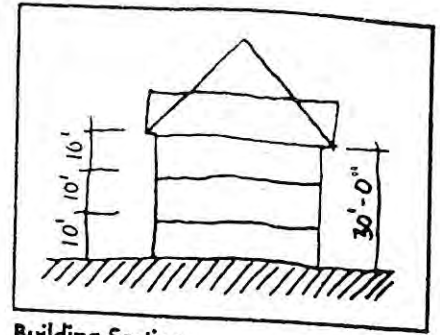
4. Accessory buildings shall be separated from the principal building by a minimum of 15'. They may be attached to the principal structure.
5. At the intersection of two streets or other public spaces, the side of the structure is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the principal structure and/or accessory building adjacent to the open public space must occupy a minimum of 60% of the sideyard at the build-to line.

Permitted Encroachments Beyond the Build-To Line

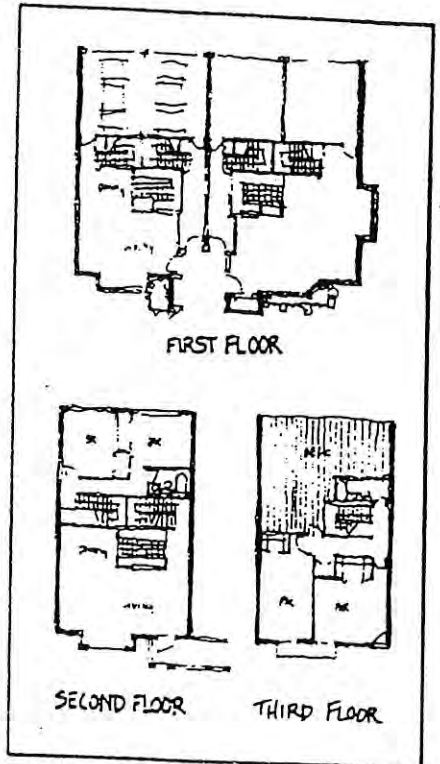
1. Covered or uncovered porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram.
2. One-story porches or stoops are required on the front of the building structure. The width of the porch is to be no less than 30% and no more than 50% of the total width of the front façade.
3. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line.
4. Garden walls or fences shall be permitted along the build-to line or property line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.



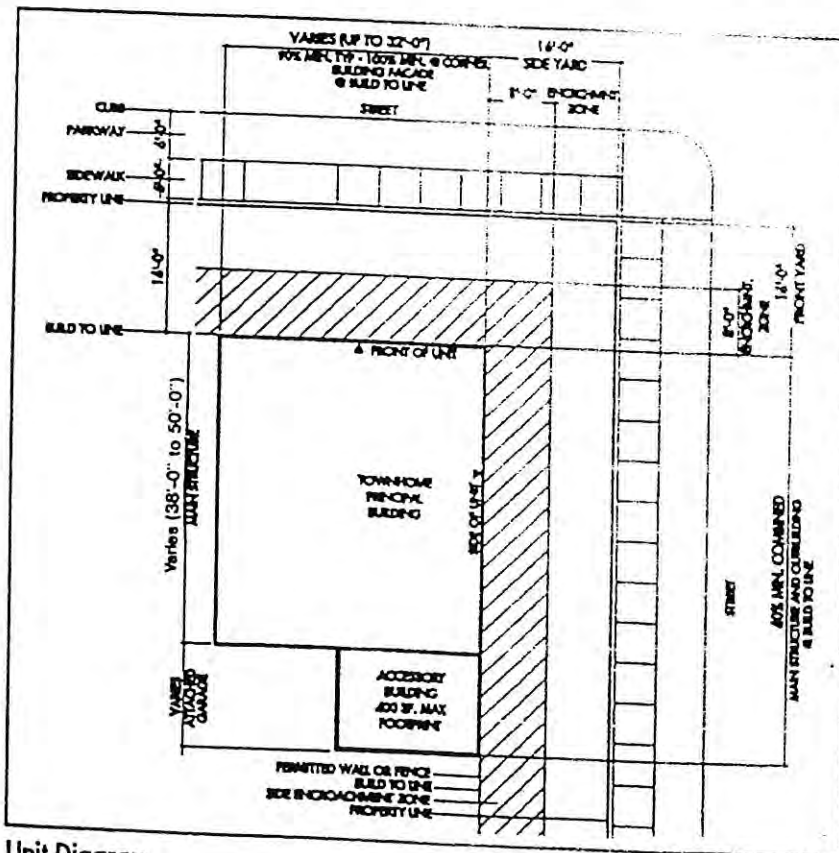
Type VIc - Duplexes



Building Section



Building Plans



Unit Diagram

CITY PLAN COMMISSION RESOLUTION NO. 5-00

By: The City Plan Commission

**Amendment to the *HarborPark Neighborhood Code*
and Certification to the Common Council**

WHEREAS, Section 62.23(6) Wisconsin State Statutes 62.23(3), cities have the responsibility for the preparation and adoption of a master plan for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

WHEREAS, *The HarborPark Neighborhood Code* consists of a Development Plan, Urban Development Guidelines, and Architectural Development Guidelines; and

WHEREAS, the City Plan Commission previously adopted *The HarborPark Neighborhood Code* at their meeting on February 4, 1999 per City Plan Commission Resolution No. 2-99; and

WHEREAS, the City Plan Commission amended *The HarborPark Neighborhood Code* at their meeting on January 6, 2000 per City Plan Commission Resolution No. 1-00; and

WHEREAS, the City Plan Commission desires to create some additional residential development types within the HarborPark development.

NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission amends *the HarborPark Neighborhood Code* as follows:

1. Page 14, Permitted Encroachments Beyond the Build To Line #2 is amended to read as follows:
 2. One-story porches or stoops are required on the front of the building structure. The width of the porch is to be no less than 50 percent of the total width of the front façade.
2. Page 20, Permitted Encroachments Beyond the Build To Line #2 is amended to read as follows:

2. One-story porches or stoops are required on the front of the building structure. The width of the porch is to be no less than 50 percent of the total width of the front façade.

BE IT FURTHER RESOLVED, that the City Plan Commission hereby certifies these amendments to the Common Council.

Adopted this 17th day of July, 2000.

ATTEST: [Signature] Secretary
Ray Forgianni

APPROVE: [Signature] Chairperson
John M. Antaramian

CITY PLAN COMMISSION RESOLUTION NO. 7-00

By: The City Plan Commission

Amendment to the *HarborPark Neighborhood Code*
and Certification to the Common Council

WHEREAS, Section 62.23(6) Wisconsin State Statutes 62.23(3), cities have the responsibility for the preparation and adoption of a master plan for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

WHEREAS, *The HarborPark Neighborhood Code* consists of a Development Plan, Urban Development Guidelines, and Architectural Development Guidelines; and

WHEREAS, the City Plan Commission previously adopted "*The HarborPark Neighborhood Code*" at their meeting on February 4, 1999 per City Plan Commission Resolution No. 2-99; and

WHEREAS, the City Plan Commission desires to create some additional residential development types within the HarborPark development.

NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission amends *the HarborPark Neighborhood Code* as follows:

1. Page 14, Item #3, under Building Placement is repealed and recreated as follows: "3. The front edge of a site shall be composed of at least 80 percent principle building façade."
2. Page 17b unit diagram is amended by reducing to build to line for duplex units to 12 feet.

BE IT FURTHER RESOLVED, that the City Plan Commission hereby certifies these amendments to the Common Council.

Adopted this 13th day of September, 2000.

ATTEST: Ray Forgianni Secretary
Ray Forgianni

APPROVE: John M. Antaramian Chairperson
John M. Antaramian

Date: 9-28-00

CITY PLAN COMMISSION RESOLUTION NO. 5-01

By: The City Plan Commission

Amendment to the *HarborPark Neighborhood Code*
and Certification to the Common Council

WHEREAS, per Section 62.23(6) Wisconsin State Statutes 62.23(3), cities have the responsibility for the preparation and adoption of a master plan for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

WHEREAS, the *HarborPark Neighborhood Code* consists of a Development Plan, Urban Development Guidelines, and Architectural Development Guidelines; and

WHEREAS, the City Plan Commission previously adopted "*The HarborPark Neighborhood Code*" at their meeting on February 4, 1999, per City Plan Commission Resolution No. 2-99; and

WHEREAS, the City Plan Commission desires to provide reduced covered parking requirements for Type IV multi-family buildings to allow for their development.

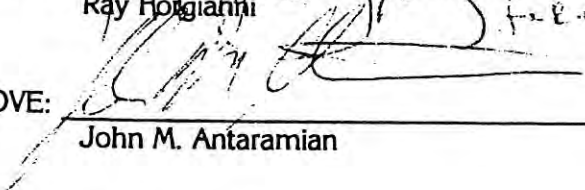
NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission amends the *HarborPark Neighborhood Code* as follows:

1. Page 2, Section 1.2.3., number 7 is changed to read "One of the required residential parking spaces per unit shall be covered, except for Type IV buildings, which shall provide covered parking stalls equalling or greater than eighty-five percent (85%) of the total number of units."

BE IT FURTHER RESOLVED, that the City Plan Commission hereby certifies these amendments to the Common Council.

Adopted this 21st day of May, 2001.

ATTEST:  _____, Secretary

APPROVE:  _____, Chairperson

Date: May 21, 2001

1.1 THE HARBORPARK MASTER PLAN

The enclosed HarborPark Master Plan is the master organizational plan for the Kenosha HarborPark development. Every building parcel has been designated for particular types of structures as identified in the Development Plan.

1.2 URBAN DEVELOPMENT GUIDELINES

1.2.1 Introduction

The Urban Development Guidelines address issues of building use, building placement, building heights, fencing, parking and outbuildings on each building site. Used in conjunction with the Development Plan, this code is written to ensure a cohesive urban design for the Kenosha HarborPark.

1.2.2 Building and Spatial Hierarchy

This section codifies a basic sense of order and hierarchy within the entire built urban context of the HarborPark site. The built form of the buildings and the resultant open spaces, both public and private, must be considered in their totality.

The neighborhood consists of blocks on a network of small streets and open spaces. These are laid out to create blocks of appropriate building sites and to shorten pedestrian routes. An interconnecting street pattern provides multiple routes, diffusing and slowing automobile traffic while increasing pedestrian activity and encouraging the casual meetings that form the bonds of community.

Public spaces and public buildings enhance community identity and help to foster civic pride. Only through the participation and cooperation of the private sector in the creation of both the public and private space will a successful environment be produced for the benefit of all those who live in HarborPark.

Public space shall be recognized as the principal space. This includes but is not limited to streets,

squares, parks and pedestrian and bike paths. Private space bordering public space shall be developed and designed to support and contribute to the quality and character of the public space. This includes but is not limited to building porches, balconies and stoops, front yards, backyards, courtyards and walkways.

1.2.3 Parking

1. Garage doors are not permitted directly on the front façade of the main structure or outbuilding facing the public way. One curb cut per six cars minimum is permitted. Ganged openings in street façades for parking access are encouraged.
2. Private parking spaces shall be no less than 9' x 19' with access to a street or alley.
3. Trash containers shall be located within the parking area and must be screened from public view by means of fences, walls or other built enclosures.
4. One parking space is required per 500 gross square feet of commercial space. On street parking the length of curb not occupied with curb cuts or fire hydrants directly in front of the property may be applied toward this requirement. If ample accessible public parking exists within a 500-foot radius of the site, then the required parking for the commercial portion of the site is waived.
5. One parking space is required per one-bedroom unit.
6. Two parking spaces are required per two-three bedroom units.
7. One of the required residential parking spaces per unit shall be covered.
8. All ADA accessibility requirements must be met.

CITY PLAN COMMISSION RESOLUTION NO. 01-04

BY:THE CITY PLAN COMMISSION

**AMENDMENT TO THE HARBORPARK NEIGHBORHOOD CODE
AND CERTIFICATION TO THE COMMON COUNCIL**

WHEREAS, Section 62.23(6) Wisconsin State Statutes 62.23(3), cities have the responsibility for the preparation and adoption of a Master Plan for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

WHEREAS, *The HarborPark Neighborhood Code* consists of a Development Plan, Urban Development Guidelines, and Architectural Development Guidelines; and

WHEREAS, the City Plan Commission previously adopted *The HarborPark Neighborhood Code* at their meeting on February 4, 1999 per City Plan Commission Resolution No. 2-99; and


WHEREAS, the City Plan Commission desires to allow Type VI Townhouses on Block H and I.

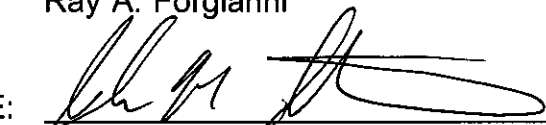
NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission amends *The HarborPark Neighborhood Code* as follows:

1. Page 5, The HarborPark Development Plan Map is amended to allow Type VI Townhomes on the south side of 56th Street between 3rd Avenue and 4th Avenue and the south side of 56th Street between 4th Avenue and 5th Avenue as shown on the revised map dated April 8, 2004.

BE IT FURTHER RESOLVED, that the City Plan Commission hereby certifies these amendments to the Common Council.

Adopted this 8th day of April, 2004.

ATTEST: , Secretary
Ray A. Forgianni

APPROVE: , Chairperson
John M. Antaramian

DATE: 4/8/04 CPC

FACT SHEET Kenosha City Plan Commission Mayor John Antaramian Chairman	Alderman John Wamboldt Alderman Daniel Rupp Mr. Michael Lottens City Engineer	Mr. Anta Fenech Mr. Paul Legend Mr. Jim Walker Mr. Tim Mahone	City Plan Division 625 - 52 nd Street Kenosha, WI 53140 (920) 682-4000
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Date: April 8, 2004	Item: 4
Amendment to the HarborPark Neighborhood Code and certification to the Common Council relating to blocks H and I, City Plan Commission Resolution #01-04, Aldermanic District #2. PUBLIC HEARING	

PURPOSE/PROGRAM:

Amendment to Blocks H & I of the Neighborhood Code.

LOCATION/SURROUNDINGS:

Site: HarborPark Blocks H & I (South of 56th Street and East of 4th Avenue)
 Aldermanic District #2: Alderman Wamboldt

NOTIFICATIONS/PROCEDURES:

The City Plan Commission has the final authority for approving the amendment to the Neighborhood Code.

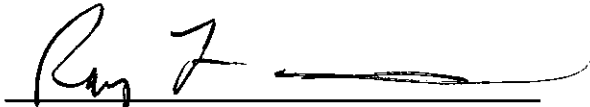
ANALYSIS:

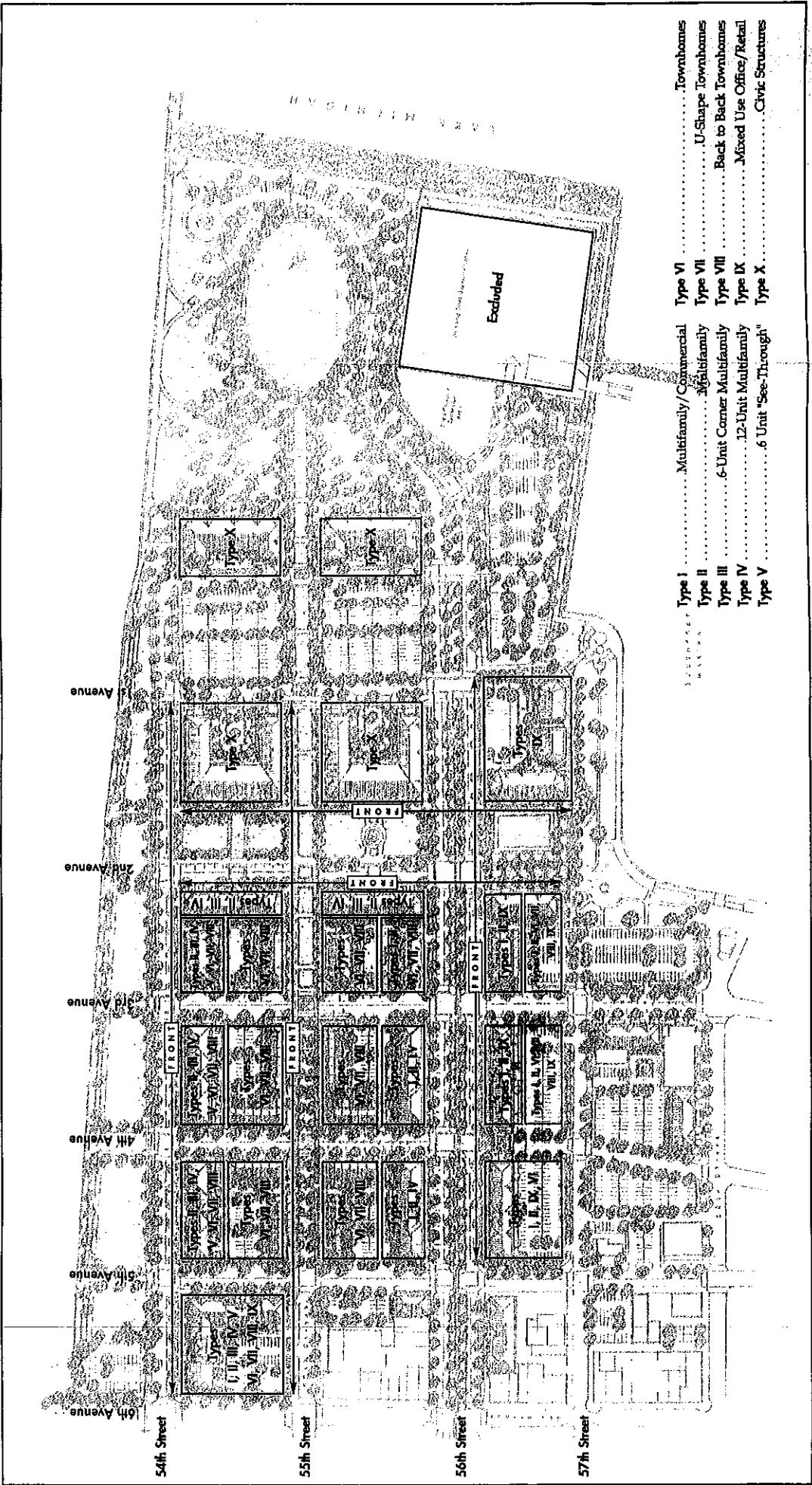
- The Neighborhood Code currently does not permit townhouses on Block H and only permits them on the south half of Block I. Due to grade problem, the developer has asked for permission to construct townhouses on the north side of Blocks H and I.
- Staff and the HarborPark Management Team do not object to the amendment.
- The change is consistent with the approved HarborPark contract.

RECOMMENDATION:

Since the change is consistent with the approved contract and will not adversely impact the intent of the code, a recommendation is made to approve the changes in the attached resolution.


 Rich Schroeder, Development Coordinator


 Ray Forgianni, Director of City Development



- Type I Multifamily/Commercial
 Type II Multifamily
 Type III 6-Unit Corner Multifamily
 Type IV 12-Unit Multifamily
 Type V 6 Unit "See-Through"
 Type VI Townhomes
 Type VII U-Shape Townhomes
 Type VIII Back to Back Townhomes
 Type IX Mixed Use Office/Retail
 Type X Civic Structures

DEVELOPMENT PLAN

Revised 4-8-04

CITY PLAN COMMISSION RESOLUTION NO. 03-06

BY: THE MAYOR

**Amendment to the HarborPark Neighborhood Code
and Certification to the Common Council**

WHEREAS, under Wisconsin State Statutes 62.23(3), cities have the responsibility for the preparation and adoption of a master plan for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

WHEREAS, the *HarborPark Neighborhood Code* consists of a Development Plan, Urban Development Guidelines, and Architectural Development Guidelines; and

WHEREAS, the City Plan Commission previously adopted *The HarborPark Neighborhood Code* at their meeting on February 4, 1999, per City Plan Commission Resolution #02-99; and

WHEREAS, the City Plan Commission desires to amend the *HarborPark Neighborhood Code* to allow for the proper development of Parcel K in HarborPark.


NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission amends the *HarborPark Neighborhood Code* as follows:

1. Page 3, Section 1.2.4 Number 2 shall be changed to read:
Minimum and maximum building heights shall be measured in the number of floors, each floor not to exceed twelve (12') feet of ceiling height. Fourteen (14') feet is an allowable ceiling height for first floor commercial and retail. The minimum height shall be two floors with a maximum height of four and one half floors.
2. Page 5, The HarborPark Development Plan Map is amended to allow Type I Multi-Family/Commercial Buildings and Type VI Townhomes on the south side of 56th Street east of the Place de Douai as shown on the revised map dated December 6, 1999.
3. Page 7, Building Placement, is amended by adding the following:
 5. *There shall be no interior side yard or rear yard setbacks.*
4. Page 14, Building Placement is amended by adding the following:
 6. *There shall be no interior side yard or rear yard setbacks.*
 7. *For Type Vi b. Townhomes located on the south side of 56th Street, east of the Place de Douai, the build-to line shall be twelve (12') feet.*
5. Page 27, Clapboard Siding, shall be changed to read:
Siding: *Painted wood clapboard siding or cement board siding with exposed laps not greater than 6" is acceptable for use as secondary or accent materials only for all residential building types. Metal or vinyl siding is not acceptable.*

BE IT FURTHER RESOLVED, that the City Plan Commission hereby certifies these amendments to the Common Council.


Adopted this 8th day of June, 2006.

ATTEST:



Jeffrey B. Laparra, Acting Director of City Development

APPROVE:



John M. Antaramian, Chairperson

Drafted by: Department of City Development
1CPC/2006/June8/resol-cpc-harborpark

FACT SHEET			
Kenosha City Plan Commission Mayor John Antaramian, Chairperson	Alderman Michael Pitts, Vice-Chairman, Alderman Don Moldenhauer Alderman Donald Ruef Mr. Michael Lemens	Ms. Kathleen Barca Mr. Paul Hegland Ms. Iris Helman Mr. Art Landry Mr. Bruce McCurdy Mr. Tim Mahone	City Plan Division 625 - 52 nd Street Kenosha, WI 53140 (262) 653-4030

Date: June 8, 2006	Item: 4
Amendment to the <i>HarborPark Neighborhood Code</i> and Certification to the Common Council, City Plan Commission Resolution #03-06. PUBLIC HEARING	

PURPOSE/PROGRAM:

Amendments to the *HarborPark Neighborhood Code* and certification to the Common Council.

LOCATION/SURROUNDINGS:

Site: HarborPark
Aldermanic District #2: Alderman Moldenhauer

NOTIFICATIONS/PROCEDURES:

The City Plan Commission has the final authority for the adoption and any amendments to the Master Plan.

ANALYSIS:

The City Plan Commission has previously approved the Master Plan for HarborPark as well as several amendments. Several more amendments are required to facilitate the approval of the Parcel K Conditional Use Permit, Item #3. The proposed changes are as follows:
(numbers below correspond to the numbers in Resolution #03-06)

1. The minimum height requirement in the *HarborPark Neighborhood Code* is two and one-half stories. The "Declaration of Covenants, Permitted Land Uses and Restrictions for HarborPark" requires a maximum of two stories on Parcel K. Item #1 addresses this discrepancy.
2. Type I Multi-Family/Commercial buildings and Type VI Townhome buildings would now be permitted on Parcel K.
3. All of the previously developed blocks in HarborPark had public street-frontage on all sides, therefore, the setbacks were defined by the *HarborPark Neighborhood Code* as street build-to lines. Parcel K has interior side and rear yards, which do not have defined setbacks by the *Code*. The underlying zoning district would then apply, which are typically inconsistent with the intent of the Code. Item #3 would override the underlying zoning setbacks for interior side and rear yards.

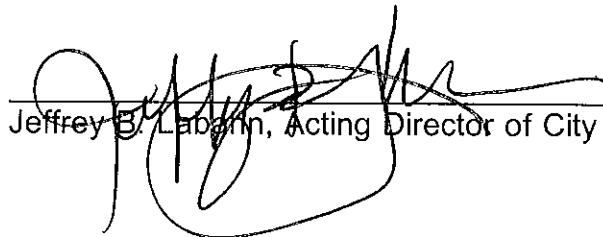
4. The same scenario applies here as Item #3 regarding setbacks. The build-to line for townhomes is also being amended from sixteen (16') feet to twelve (12') feet.
5. The *HarborPark Neighborhood Code* was originally drafted and adopted in 1999, when cement siding (also referred to as hardiplank siding) was not commonly use, therefore it was not included in the *Code* as a permitted material. Since cement siding is now commonly used and acceptable material, the *Code* is being revised to allow it as a secondary or accent material. All four buildings on Parcel K are proposed with some amount of cement siding.

RECOMMENDATION:

Since the change is consistent with the approved Preliminary Plans for HarborPark and will not adversely impact the intent of the *HarborPark Neighborhood Code*, a recommendation is made to approve the changes noted in the attached resolution.



Brian R. Wilke, Planner



Jeffrey B. Labahn, Acting Director of City Development

9. Screening is required to screen all surface parking from view from the street within 25' of a public street. A minimum setback of 5' is required. Screening may consist of a 3 to 3.5 foot high wall or fence providing 50% opacity. Landscaping is also required as described in the landscape section of the Neighborhood code. These screen walls may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.

1.2.4 Building Height

1. Heights shall be measured relative to the average fronting street elevation measured at the property line.
2. Minimum and maximum building heights shall be measured in number of floors, each floor not to exceed 12' of ceiling height. 14' is allowable ceiling height for first floor commercial and retail. Minimum height shall be 2½ floors with a maximum height of 4½ floors.
3. Half stories indicate stories above the eave line, which receive light through dormers or parking levels that are partially below grade.
4. Fences and walls shall be a minimum of 3' and a maximum of 3'6" high. Fences and walls shall conform to the visual clearance requirements of the Zoning Ordinance.
5. Basements are allowed in all structures as an additional floor without counting as floor area.
6. First floor elevation shall be a minimum of 2' above the adjacent sidewalk elevation. The required ADA residential units and Commercial and retail buildings will be an exception.

1.2.5 Permitted Building Use and Placement

The following building typologies define a variety of potential building combinations while at the same time reinforce the visual coherence and spatial hierarchy of the neighborhood.

Building Type I Multifamily/Commercial

Building Type II Multifamily

Building Type III 6-Unit Corner Multifamily

Building Type IV 12-Unit Multifamily

Building Type V 6-Unit "See-Through"

Building Type VIa Rowhouses

Building Type VIb Townhomes

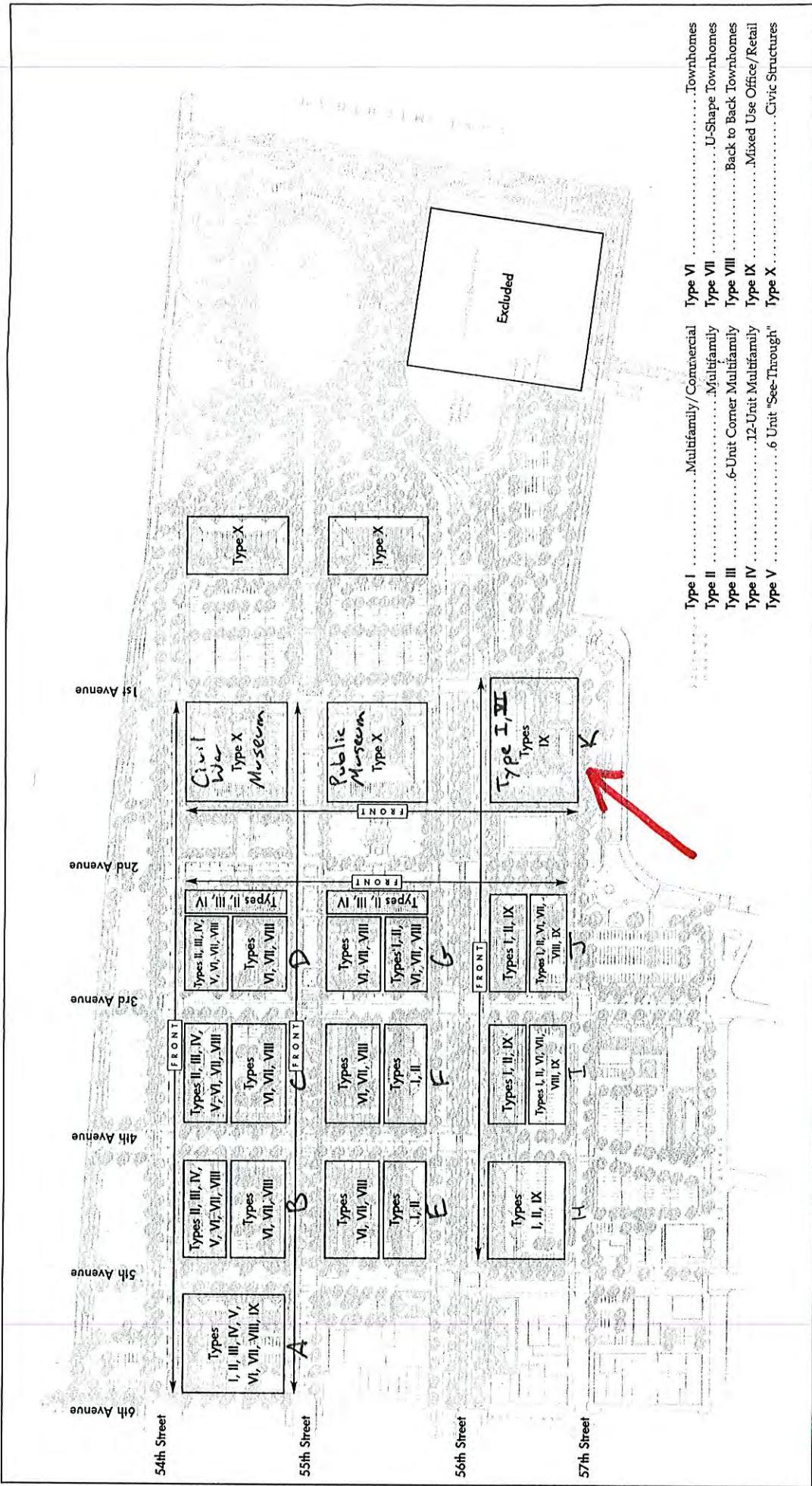
Building Type VIc Flats

Building Type VII U-Shape Townhomes

Building Type VIII Back-to-Back Townhomes

Building Type IX Mixed Use Office/Retail

Building Type X Civic Buildings



- Type I Multifamily/ Commercial
- Type II Multifamily
- Type III 6-Unit Corner Multifamily
- Type IV 12-Unit Multifamily
- Type V 6 Unit "See-Through"
- Type VI Townhomes
- Type VII U-Shape Townhomes
- Type VIII Back to Back Townhomes
- Type IX Mixed Use Office/Retail
- Type X Civic Structures

DEVELOPMENT PLAN Harbor Park

Building Type I

MULTIFAMILY/COMMERCIAL

A design prototype was developed with a commercial base and Multifamily housing above. Commercial space should occupy all at-grade frontages along the street. Above the ground level commercial space, two or three-level apartments should be oriented towards the street. Their entrances should be interspersed with the commercial entrances along the street, creating apartment lobbies.

Building Use

1. Location of and types of building uses are as shown on the Development Plan.
2. Accessory buildings are only permitted for covered parking.

Building Placement

1. The main structure and accessory buildings shall be set on lots relative to the property lines as shown on the site diagram.
2. The front building façade shall occupy a minimum of 75% of the lot frontage at the build-to line.
3. For sites at the intersection of two streets or other public spaces, main structures shall have the entry walkway accessed from the front of the site as indicated on the Development Plan.
4. For sites at the intersection of two streets or other public spaces, the side of the structure facing the public way which is not designated on the Development Plan as 'front' is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the main structure and/or accessory adjacent to the public space must occupy a minimum of 60% of the sideyard at the build-to line.

→ 5.

Permitted Encroachments Beyond the Build-To Line

1. Open porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram. Porches, when built in the encroachment zone, are to occupy the entire depth of the encroachment zone.
2. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line or over a utility easement. Lots with zero lot line development may not have eaves extending past the face of the wall on the shared property line.
3. Paved yards are suggested in the front and street side encroachment zones between the build-to line and the curb. Any planting in this zone is to be done via tree beds with 4" curbs or immovable aboveground planters.
4. Garden walls or fences shall be permitted only along the build-to line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.

Building Type VIa
ROWHOUSES

Building Type VIb
TOWNHOMES

Building Type VIc
FLATS

Townhomes could be a very desirable building option for owner-occupied housing. In addition to serving a segment of the housing market, this building type could be very important in defining the neighborhood. Individual homes and their entrances should be oriented towards streets and private common areas. The typical width of units could range between 18' and 26' and length could vary between 38' and 48' with the possibility of an accessory building built behind the principal building.

Building Use

1. Location of building uses are as shown on the site diagram.
2. The following uses are permitted either as attached to the main structure or as an accessory building: garage, office, artist studio, gazebo, conservatory. Plumbing is not permitted in accessory building.
3. One accessory building per main structure is permitted.
4. The maximum size of an accessory building shall be 800 square feet with a maximum footprint of 400 square feet and a maximum of two stories.

Building Placement

1. Principal and accessory buildings shall be set on lots relative to the property lines as shown on the site diagram.
2. The total principal unit width shall be no less than 18' and no more than 26'.
3. The front building façade shall occupy a minimum of 90% of the lot frontage at the build-to line. On corner sites, building street façades indicated to be on the front of the lot shall occupy a minimum of 100% of the frontage at the build-to line. Refer to the site diagram for

the designated front and sideyard locations.

4. Accessory buildings shall be separated from the principal building by a minimum of 15'. They may be attached to the principal structure.
5. At the intersection of two streets or other public spaces, the side of the structure is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the principal structure and/or accessory building adjacent to the open public space must occupy a minimum of 60% of the sideyard at the build-to line.



6. Permitted Encroachments Beyond the Build-To Line



1. Covered or uncovered porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram.
2. One-story porches or stoops are required on the front of the building structure. The width of the porch is to be no less than 30% and no more than 50% of the total width of the front façade.
3. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line.
4. Garden walls or fences shall be permitted along the build-to line or property line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.

substitute for natural stone, to be reviewed on a case by case basis.

Brick: Common-sized brick is acceptable for the construction of all building types. This does not preclude the use of special and shapes sizes of brick for accents. Predominant brick colors to be used are "cream city", reds, reddish browns, and browns. Larger sized brick is acceptable for all building types other than residential.

Concrete Masonry Units (CMU): Decorative CMU is acceptable as an exterior cladding for all building types. It is to be restricted to a secondary material or used as an accent material, such as split faced block used as a rusticated base. The use of standard (gray, plain textured) utility block is not acceptable anywhere as an exposed material.

Terracotta: Terracotta is an acceptable accent material on brick and stucco clad buildings.

Stucco: Stucco is acceptable as an exterior building material for all building types. Used traditionally as a wall finish material on upper floors and gables, stucco may also be used as a primary wall finish material.

Exterior Insulated Finish System (EIFS): EIFS is an acceptable substitute for stucco. The use of EIFS as a finish for trim in addition to a wall finish is not acceptable. The use of EIFS in locations susceptible to impacts and in close proximity to grade should be avoided.

Clapboard Siding: Painted wood clapboard with exposed laps not greater than 6" is acceptable for use as secondary or accent materials only for all residential building types. Metal and vinyl siding is not acceptable.

Wood Shingle Siding: Wood shingle siding is acceptable as a siding material on upper floors and gables on all residential building types. .

Ornamental Metals: Ornamental metal is acceptable as an accent material for all building types. Railings, copper panels, grills, etc., provide a good opportunity for detail and articulation.

Asphalt Shingles: Asphalt shingles are acceptable as a building material for roofing on all building types. The use of asphalt shingles, as a vertical siding material is not acceptable. Attention should be paid to color and style selection to enhance compatibility with nearby use.

Glazed Roofing Tile: Glazed-roofing tile is acceptable as a roofing material on all building types.

Standing Seam Metal Roofing: Standing seam metal is acceptable as a building material on all non-residential building types and low-pitched residential porch or balcony roofs.

Exterior light fixtures shall use light bulbs 40 watts or less. All exterior fixtures must be approved.

All houses must display street numbers using 3" numbers in a consistent material displayed at the header of the door and visible to the street.

Appropriate Use of Materials

A visit to the neighborhoods surrounding the HarborPark site will quickly reveal that the larger or more important a building is, the more likely it is to be constructed of more permanent/solid materials. Schools and churches use brick and stone. Apartment blocks and mixed-use buildings tend to be predominately brick construction with a variety of accent materials. Residences are usually, but not always built of wood. Industrial buildings are typically brick.

When horizontal changes in materials are desired, different materials should meet only at a change of plane, particularly at an inside corner. This gives the material a sense of thickness and a perception of permanence and quality. Different materials should never meet at an outside corner as this reveals the thinness of the material.

When adjacent vertical changes in materials are desired, different materials should meet with the upper material overlapping the lower material, sealed by an ornamental trim detail.

CITY PLAN COMMISSION RESOLUTION NO. 09-06

BY:THE CITY PLAN COMMISSION

**AMENDMENT TO THE HARBORPARK NEIGHBORHOOD CODE
AND CERTIFICATION TO THE COMMON COUNCIL**

WHEREAS, Section 62.23(6) Wisconsin State Statutes 62.23(3), cities have the responsibility for the preparation and adoption of a Master Plan for the purpose of guiding and accomplishing a coordinated, adjusted and harmonious development of the municipality which will, in accordance with existing and future needs, best promote public health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development; and

WHEREAS, *The HarborPark Neighborhood Code* consists of a Development Plan, Urban Development Guidelines, and Architectural Development Guidelines; and

WHEREAS, the City Plan Commission previously adopted *The HarborPark Neighborhood Code* at their meeting on February 4, 1999 per City Plan Commission Resolution No. 2-99; and amended *The HarborPark Neighborhood Code* at their meeting on April 8, 2004 per City Plan Commission Resolution No. 04-99; and

WHEREAS, the City Plan Commission desires to amend the *HarborPark Neighborhood Code* to allow for the proper development of Parcel J in HarborPark.

NOW, THEREFORE, BE IT RESOLVED that the City Plan Commission amends *The HarborPark Neighborhood Code* as follows:

1. Page 7, Building placement, is amended by adding the following:
 6. *For Type I Multi-Family/Commercial buildings located on the south side of 56th Street east of 3rd Avenue, the side build-to line shall be determined by the Review Authority.*

2. Page 9, Building Placement, is amended by adding the following:
 5. *There shall be no interior side yard setbacks.*
 6. *For Type II Multi-Family buildings located on the south side of 56th Street, east of 3rd Avenue, the build-to line shall be determined by the Review Authority.*

BE IT FURTHER RESOLVED, that the City Plan Commission hereby certifies these amendments to the Common Council.

Adopted this 10th day of August, 2006.

ATTEST:


Jeffrey B. Labahn

, Secretary

APPROVE:


John M. Antaramian

, Mayor

FACT SHEET			
Harbor Park Plan Commission Mayor Eric Adams Chairman	Alderman Michael Pitts Vice-Chairman Alderman Paul Morrison Chairman Alderman Richard Ruff Alderman Lorraine	Mr. Kenneth Burns Mr. Paul Harford Ms. Jo Harford Mr. Art Linder Mr. Bruce McCarty Mr. Tim Moore	City Plan Director 625 - 521 Street Memphis, TN 38103 (901) 253-3100

Date: August 10, 2006 Item: **3**

Amendment to the *HarborPark Neighborhood Code* and certification to the Common Council, City Plan Commission Resolution #09-06, Aldermanic District #2. PUBLIC HEARING

PURPOSE/PROGRAM:

Amendment to the *HarborPark Neighborhood Code* and certification to the Common Council.

LOCATION/SURROUNDINGS:

Site: HarborPark
 Aldermanic District #2: Alderman Moldenhauer

NOTIFICATIONS/PROCEDURES:

The City Plan Commission is the final review authority for approving amendments to the Neighborhood Code.

ANALYSIS:

- The City Plan Commission has previously approved the Master Plan for HarborPark as well as several amendments. Several more amendments are required to facilitate the approval of the Parcel J Conditional Use Permit, previous item. The proposed changes are as follows:

- Page 7, Building placement, is amended by adding the following:
 - For Type I Multi-Family/Commercial buildings located on the south side of 56th Street east of 3rd Avenue, the side build-to line shall be ten (10') feet.

This change allows Building A to be setback at ten (10') feet rather than the required four (4') feet. This change makes Parcel J more consistent with the 3rd Avenue setbacks on the two blocks to the north.

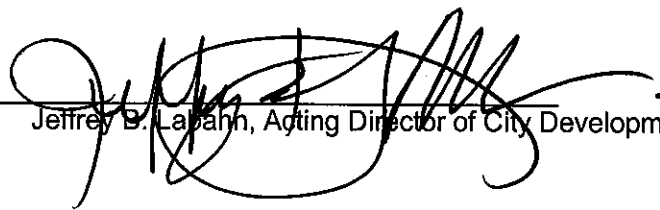
- Page 9, Building Placement, is amended by adding the following:
 - There shall be no interior side yard setbacks.
 - For Type II Multi-Family buildings located on the south side of 56th Street, east of 3rd Avenue, the build-to line shall be ten (10') feet.

This change would eliminate the underlying zoning setback of twenty-five feet for the front and side yards, which is inconsistent with the intent of the *HarborPark Neighborhood Code*.

RECOMMENDATION:

Since the change is consistent with the approved Preliminary Plans for HarborPark and will not adversely impact the intent of the *HarborPark Neighborhood Code*, a recommendation is made to approve the changes noted in the attached resolution.


 Brian Wilke, Planner
 1CPC/2006/Aug10/fact-amend-harborpark


 Jeffrey B. Labahn, Acting Director of City Development

Building Type I

MULTIFAMILY/COMMERCIAL

A design prototype was developed with a commercial base and Multifamily housing above. Commercial space should occupy all at-grade frontages along the street. Above the ground level commercial space, two or three-level apartments should be oriented towards the street. Their entrances should be interspersed with the commercial entrances along the street, creating apartment lobbies.

Building Use

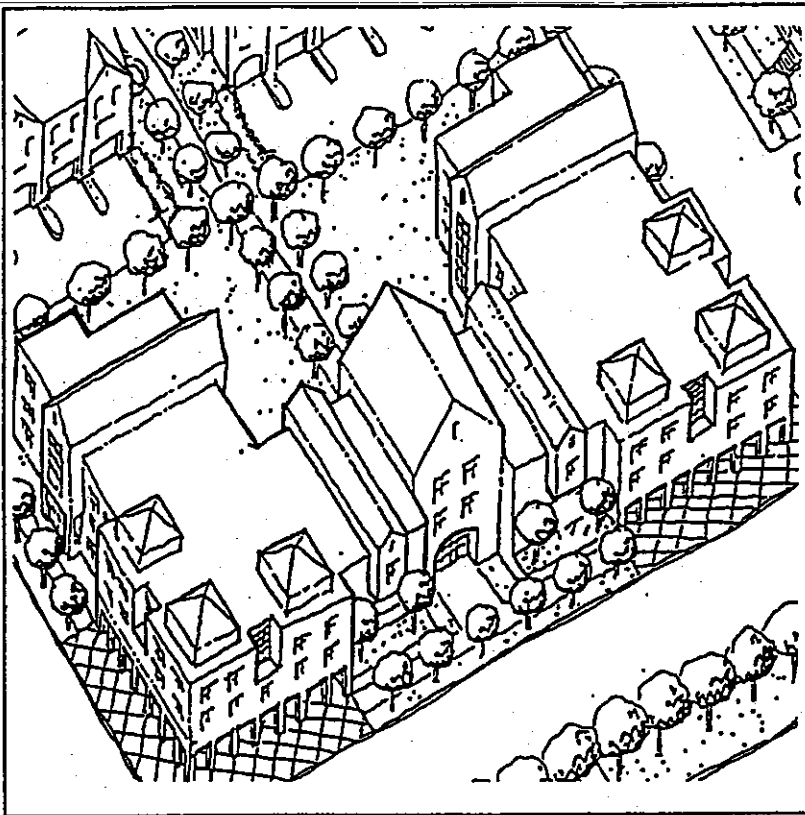
1. Location of and types of building uses are as shown on the Development Plan.
2. Accessory buildings are only permitted for covered parking.

Building Placement

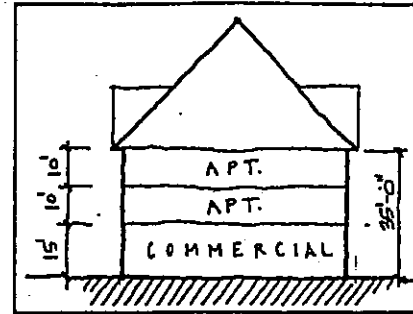
1. The main structure and accessory buildings shall be set on lots relative to the property lines as shown on the site diagram.
2. The front building façade shall occupy a minimum of 75% of the lot frontage at the build-to line.
3. For sites at the intersection of two streets or other public spaces, main structures shall have the entry walkway accessed from the front of the site as indicated on the Development Plan.
4. For sites at the intersection of two streets or other public spaces, the side of the structure facing the public way which is not designated on the Development Plan as 'front' is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the main structure and/or accessory adjacent to the public space must occupy a minimum of 60% of the sideyard at the build-to line.

**Permitted Encroachments
Beyond the Build-To Line**

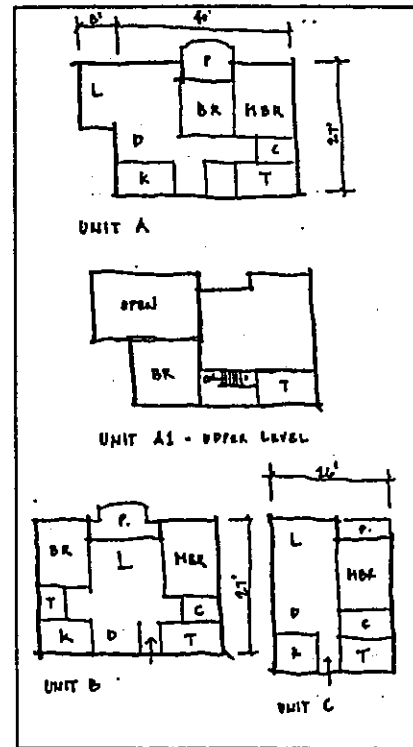
1. Open porches, balconies, stoops, bay windows and stairs shall be permitted within the encroachment zone (shaded areas) shown in the site diagram. Porches, when built in the encroachment zone, are to occupy the entire depth of the encroachment zone.
2. Eaves may extend up to 4' into the permitted encroachment zone. In no case may an eave extend beyond the property line or over a utility easement. Lots with zero lot line development may not have eaves extending past the face of the wall on the shared property line.
3. Paved yards are suggested in the front and street side encroachment zones between the build-to line and the curb. Any planting in this zone is to be done via tree beds with 4" curbs or immovable aboveground planters.
4. Garden walls or fences shall be permitted only along the build-to line at street or public way frontage, or at a common property line. These walls or fences may be made of either the material of the adjacent building, masonry, metal, landscape material or combination of acceptable materials as described in the architectural guidelines. No fencing consisting of chain link or similar material is permitted.



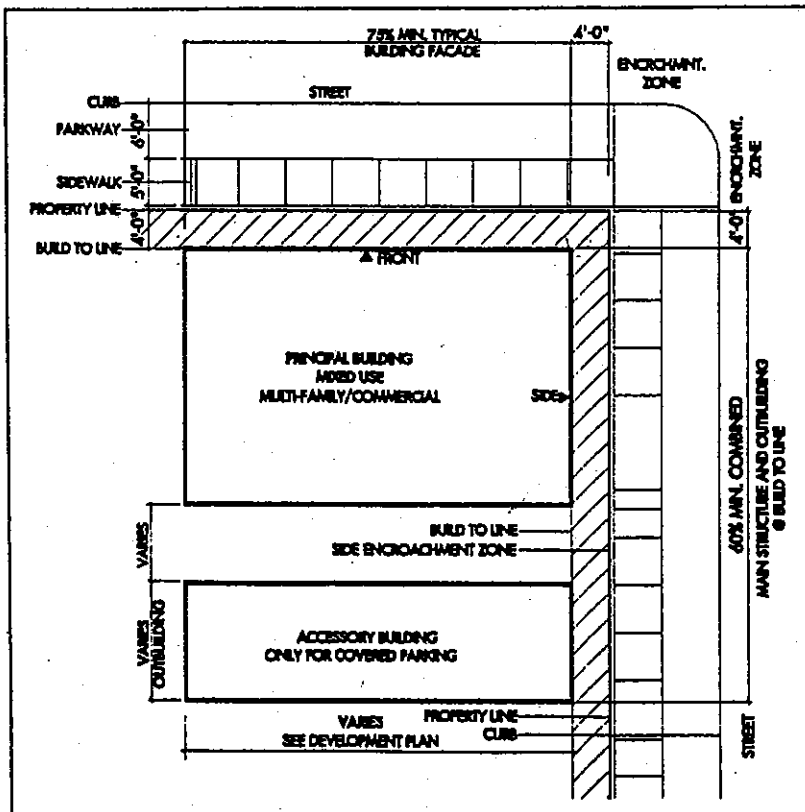
Type I - Multifamily/Commercial



Building Section



Building Plans



Unit Diagram

Building Type II
MULTIFAMILY
Building Type III
6-UNIT CORNER MULTIFAMILY
Building Type IV
12-UNIT MULTIFAMILY
Building Type V
6-UNIT "SEE-THROUGH"

These prototypes are apartment type units that could be developed as either rental or condominium type ownership. It is the intent of the development plan that these type of units are developed around the perimeter of the plan along 54th Street, 56th Street and 2nd Avenue fronting on Pike Creek Plaza.

Building Use

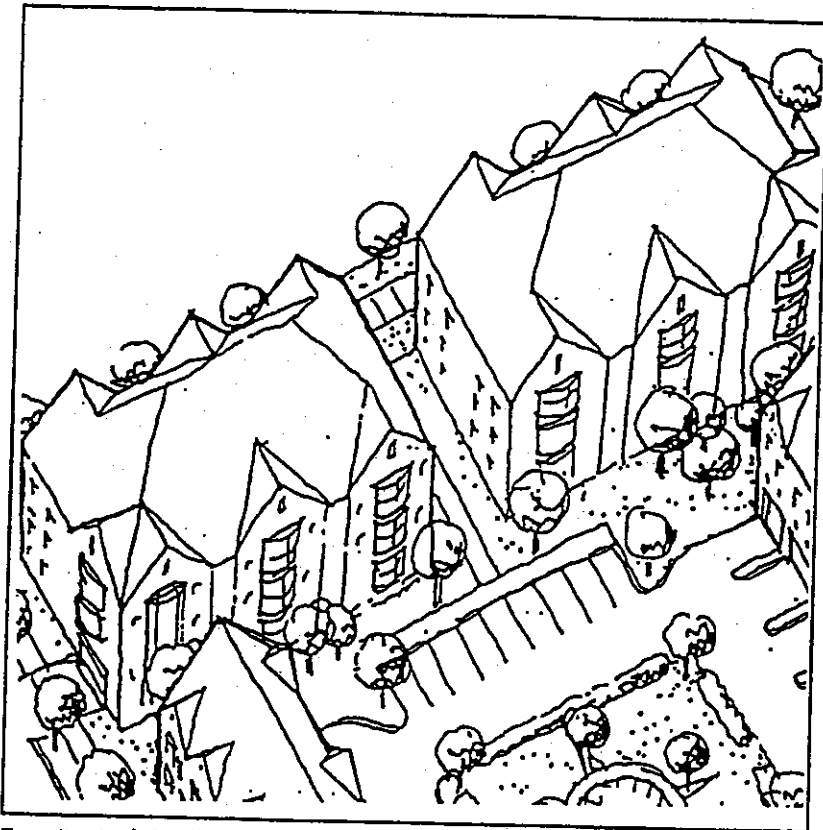
1. Location of and types of building uses are as shown on the Development Plan.
2. Accessory buildings are only permitted for covered parking.

Building Placement

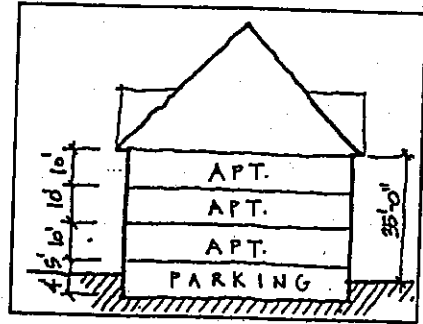
1. The main structure and accessory buildings shall be set on the site relative to the property lines as shown on the site diagram.
2. The front building façade shall occupy a minimum of 75% of the lot frontage at the build-to line.
3. For sites at the intersection of two streets or other public spaces, main structures shall have the entry walkway and porch accessed from the front of the site as indicated on the Development Plan.
4. For sites at the intersection of two streets or other public spaces, the side of the structure facing the public way which is not designated on the Development Plan as 'front', is intended to create a built edge defining the boundary of the other street or public open space. To achieve this, the main structure and/or accessory adjacent to the public space must occupy a minimum of 60% of the sideyard at the build-to line.

Permitted Encroachments Beyond the Build-To Line

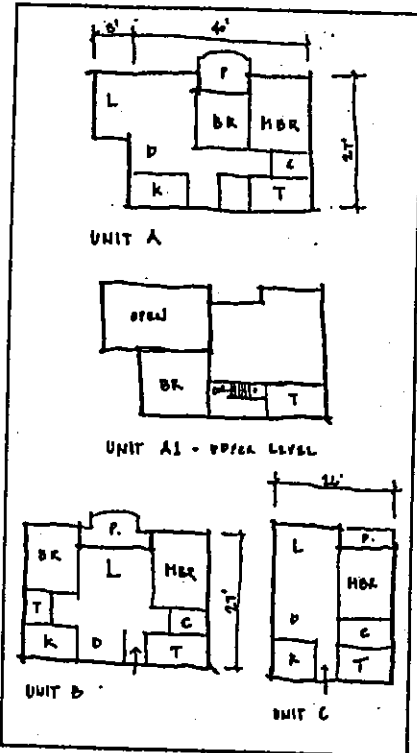
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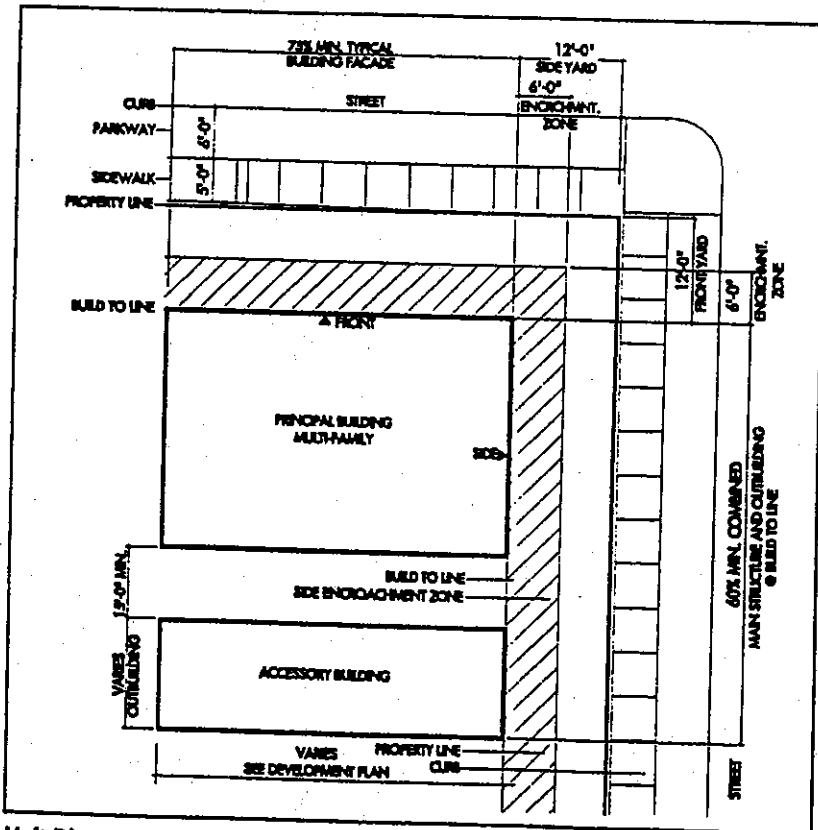
Type II - Multifamily



Building Section



Building Plans



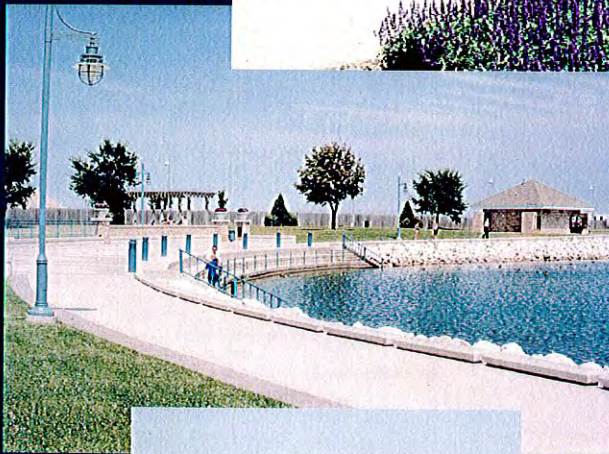
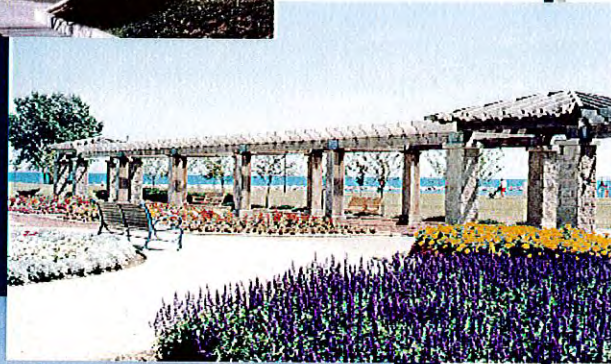
Unit Diagram

HARBORPARK

A new waterfront community

The Harborpark concept encompasses a high-quality public and private neighborhood that will invite year-round enjoyment of Kenosha's lakefront. Using a balanced program of public investment in infrastructure and private investment in commercial, office and residential development, the plan for Harborpark proposes to:

- ❖ Establish a new waterfront-oriented residential neighborhood with full amenities*
- ❖ Create a new civic and cultural focal point for Kenosha*
- ❖ General urban excitement and year-round activity*
- ❖ Create a family-oriented destination on the lakefront*
- ❖ Leverage public investment to create more residential opportunities*



Kenosha, Wisconsin

Project Statement

HARBOR PARK

A new waterfront community

City of Kenosha
City of Kenosha Dept. of City Development
625 52nd Street
Kenosha, WI 53140
(414) 653-4030

Mesirow Stein Real Estate, Inc.
350 N. Clark Street
Chicago, IL 60610
(312) 595-7888
(312) 595-7830

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