

**CITY OF LAKE GENEVA
PLAN COMMISSION MEETING**

MONDAY, OCTOBER 20, 2014 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL

A g e n d a

1. Meeting called to order by Mayor Connors.
2. Roll Call.
3. Approve Minutes of September 15, 2014 Plan Commission meeting as distributed.
4. Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to five (5) minutes.
5. Acknowledgment of Correspondence.
6. Review and Recommendation on an Application for Land Division Review for a Certified Survey Map submitted by Richard W Torhorst, P.O. Box 1300, Lake Geneva, WI 53147 for Liquid Capital, LLC, 951-7 S Lake Shore Drive, Lake Geneva, WI 53147 to split a current parcel into three parcels. Current Tax Key Nos. ZYUP 00149D1.
7. Public Hearing and recommendation to modifying Section 98-913, Exterior Colors within the Downtown Design Overlay Zoning District and setting a public hearing.
8. Adjournment

QUORUM OF CITY COUNCIL MEMBERS MAY BE PRESENT

Requests from persons with disabilities, who need assistance in order to participate in this meeting, should be made to the City Clerk's office, in order for appropriate accommodations to be made. Posted 10/17/14

**CITY OF LAKE GENEVA
PLAN COMMISSION MEETING**

MONDAY, SEPTEMBER 15, 2014 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL

Minutes

1. Meeting called to order by Mayor Connors at 6:30 PM.

2. Roll Call

Present Kupsik, Flower, Robers, Connors, Draper, Gibbs
Not Present Skates, Adams
Also Present Planner Slavney, Gregoles

3. Approve Minutes of August 18, 2014 Plan Commission meeting as distributed.

MOTION #1

Kupsik/Flower motion to approve the Minutes of 8/18/14 Plan Commission meeting as distributed.
The motion carried unanimously.

4. Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to five (5) minutes.

PUBLIC SPEAKER #1 Andrew Fritz, 327 Wrigley Drive, Lake Geneva
Mr. Fritz spoke on behalf of the BID (Business Improvement District).
He stated that they are in support of item # 8.

PUBLIC SPEAKER #2 Peter Jergens, 133 Darwin, Lake Geneva
Mr. Jergens stated his support of item #8 as a citizen, a builder and the contractor/agent for Brick & Mortar.
He also stated some specific desires in regards to what the revisions of the ordinance will include.

PUBLIC SPEAKER #3 Sarah Hill, 1024 George Street, Lake Geneva
Ms. Hill stated her support of Item #8, of revising the ordinance and encouraged the revision of the ordinance to allow for accent colors. She would also like to see some discretion be allowed for beautiful projects in Lake Geneva.

PUBLIC SPEAKER #4 Darren Schaffer, 201 Wrigley Drive, Lake Geneva
Mr. Schaffer spoke on behalf of the City of Lake Geneva Chamber of Commerce and Convention and Visitors Bureau.
They are in support of item #8 ordinance revisions and would like to see more leeway given to the Plan Commission in terms of interpretation.

5. Acknowledgment of Correspondence. – Included in the packet is a letter from 6 of our residents in support of the Brick and Mortar building and the colors that they chose and revisions to the ordinance.

6. Downtown Design Review.

A. Application by Kathy J Simes for two signs at Chatty Kathy’s located at 510 Broad Street, Tax Key No. ZGD 00005.

DISCUSSION

Kathy Simes, W5005 Paddock Drive, Elkhorn
Inspector Robers gave a brief overview and clarification of the application. Two color selections provided by Ms. Simes and she mentioned her preference is the inside color. Ms. Simes also stated she will not have the ‘red’ sign for at least a year.
Mr. Slavney commented that the ‘outside’ color choice would meet current City color requirements and what is proposed on revision.

MOTION # 2

Kupsik/Flower moved to approve the application by Kathy J Simes for two signs at Chatty Kathy's located at 510 Broad Street, Tax Key No. ZGD 00005 – including the color identified as burgundy. The motion carried unanimously.

7. Review and Recommendation on an Application for Land Division Review for a Certified Survey Map submitted by David and Julie Merhar, 129 Thatcher Ave, River Forest, IL 60305 for James and Kathleen Springer, 1591 Orchard Lane, Lake Geneva, WI 53147 to combine two parcels into one. Current Tax Key Nos. ZLM 00077 & ZLM 00079.

DISCUSSION

Scott Christian, Attorney (Thorpe & Christian), Agent for contract purchasers – David and Julie Merhar
Atty. Christian gave a brief overview of the application.
Inspector Robers gave some clarification regarding lot line.

MOTION # 3

Kupsik/Mayor Connors moved to approve the recommendation on the application for Land Division Review for a Certified Survey Map submitted by David and Julie Merhar, 129 Thatcher Ave, River Forest, IL 60305 for James and Kathleen Springer, 1591 Orchard Lane, Lake Geneva, WI 53147 to combine two parcels into one, including staff and engineer's recommendations. Current Tax Key Nos. ZLM 00077 & ZLM 00079.
The motion carried unanimously.

8. Discussion and recommendation to modifying Section 98-913, Exterior Colors within the Downtown Design Overlay Zoning District and setting a public hearing.

DISCUSSION

The Commission and Planner Slavney discussed in detail the proposed revisions to the ordinance.
Planner Slavney and Attorney Draper added some clarification to details of the revision and the discretion allowed to the Plan Commission. Staff agreed to go back and draft new revisions for future review at the October meeting.

MOTION # 4

Mayor Connors/ Kupsik moved to approve the recommendation to modify Section 98-913, Exterior Colors within the Downtown Design Overlay Zoning District and set a public hearing. Staff is to make the changes to the draft ordinance, to include the bold and bright color definition, to include bold colors in the 10C section and limiting the 5% of an individual façade, including awnings and doors in that % as well. Including staff recommendations and to bring it back to the October Plan Commission meeting for Public Hearing. The motion carried unanimously.

9. Continued Review of Amendment Requests for the Lake Geneva Comprehensive Plan. Joint Public Hearing with City Council set for October 20, 2014 at 5:30PM.

DISCUSSION

A brief discussion was had regarding the purpose for the joint Public Hearing meeting.

MOTION # 5

Mayor Connors/Gibbs moved to approve the Continued Review of Amendment Requests for the Lake Geneva Comprehensive Plan. Joint Public Hearing with City Council set for October 20, 2014 at 5:30PM.
The motion carried unanimously.

10. Adjournment

MOTION #6

Kupsik/Gibbs moved to adjourn the meeting at 7:37 pm. Motion carried unanimously.

QUORUM OF CITY COUNCIL MEMBERS MAY BE PRESENT

STAFF REPORT
To Lake Geneva Plan Commission

Meeting Date: October 20, 2014

Agenda Item #7

Applicant:

Richard Torhorst for
Liquid Capital, LLC
1951-7 S Lake Shore Drive
Lake Geneva, WI 53147

Request:

Applicant is applying to create three parcels from
one larger parcel in a PD zoning district at Tax Key No.
Nos. ZYUP 000149D1

Description:

The applicant would like to divide the current parcel into three non residential properties.

Staff Recommendation:

Staff has no problem with the proposed CSM as it complies with the current zoning requirements, with the requirement in the letter from the City Engineer dated October 3, 2014 to correct the measurements on the West lines of the proposed lots 1 & 2 so that their sum equals the combined distance shown and to note the Guarantee(s) of the propose 25 foot drainage easement be shown on the document.

Staff may provide additional comment on the above items and will comment on remaining agenda items at the meeting.

Zoning Administrator

City of Lake Geneva

APPLICATION FOR LAND DIVISION REVIEW



CERTIFIED SURVEY MAP or



SUBDIVISION PLAT

NAME AND ADDRESS OF CURRENT OWNER:

Liquid Capital, LLC
951-7 S. Lakeshore Dr
Lake Geneva, WI 53147

TELEPHONE NUMBER OF CURRENT OWNER:

(262) 745-3370

NAME AND ADDRESS OF APPLICANT:

Same as Owner and Attorney Richard W. Torkorst
P.O. Box 1300
Lake Geneva, WI 53147

TELEPHONE NUMBER OF APPLICANT:

(262) 248-3333

NAME AND ADDRESS OF SURVEYOR:

Peter Gordon
P.O. Box 437
Elkhorn, WI 53121

TELEPHONE NUMBER OF SURVEYOR:

(262) 723-2098

SHORT STATEMENT DESCRIBING PURPOSE OF APPLICATION:

To divide 5.49 acres into 3 parcels. All parcels meet or exceed minimum bulk requirements for nonresidential

SUBMITTAL CHECKLIST

✓

LOCATION MAP SHOWING LOCATION OF PARCELS TO BE DIVIDED OR PARTIALLY DIVIDED WITH TOWN OR TOWNS, AND PARCELS WITHIN 1,000-FT OF BOUNDARY OF SUBJECT PROPERTY.

✓

SKETCH MAP TO APPROXIMATE SCALE SHOWING ENTIRE PARCELS TO BE DIVIDED OR PARTIALLY DIVIDED, AND SHOWING THE APPROXIMATE CONFIGURATION OF PROPOSED LOTS AND ROADS WITHIN THOSE PARCELS.

✓

CITY OF LAKE GENEVA SIGNATURE BLOCK ON FACE OF CSM OR PLAT, PER STATE STATUTES.

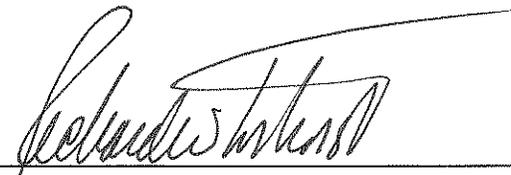
✓

PROVIDE 5 FULL SETS AND 20 11" X 17" COPIES OF CSM OR PLAT PRIOR TO PLACEMENT ON PLAN COMMISSION AGENDA.

I AM AWARE THAT THE CITY OF LAKE GENEVA IS ACTIVELY ENGAGED IN THE REVIEW, APPROVAL OR DENIAL OF LAND DIVISIONS WITHIN ITS EXTRATERRITORIAL LAND DIVISION REVIEW AREA.

I UNDERSTAND THAT THE CITY OF LAKE GENEVA LAND DIVISION ORDINANCE REQUIRES THE CITY TO DENY LAND DIVISIONS WHICH CREATE NEW, BUILDABLE PARCELS OR LOTS WITHIN THE EXTRATERRITORIAL AREA WITH OVERALL DENSITY THAT EXCEEDS MORE THAN ONE DWELLING UNIT PER THIRTY-FIVE ACRES UNLESS THE CITY DETERMINES THAT THE LAND DIVISION CONSTITUTES INFILL DEVELOPMENT.

10/1/14
DATE


SIGNATURE OF APPLICANT

AGREEMENT FOR SERVICES

REIMBURSABLE BY THE PETITIONER / APPLICANT. The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission and/or Common Council. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal including any finance charges that may accrue. The City may apply the charges for these services to the Petitioner. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until the Petitioner pays such fees. Review fees which are applied to a Petitioner and which are not paid, may be assigned by the City as a special assessment to the subject property. Petitioner hereby expressly waives any notice and hearing requirements provided in Wis. Stats. § 66.0701 or any additions or amendments to this section. Petitioner further authorizes the City Treasurer or City Clerk to levy and collect review fees and additional fees upon the affidavit of the City Administrator or the Zoning Administrator stating that such fees are reasonable and that payment is overdue. The Petitioner shall be required to provide the City with an executed copy of the following form as a prerequisite to the processing of the development application:

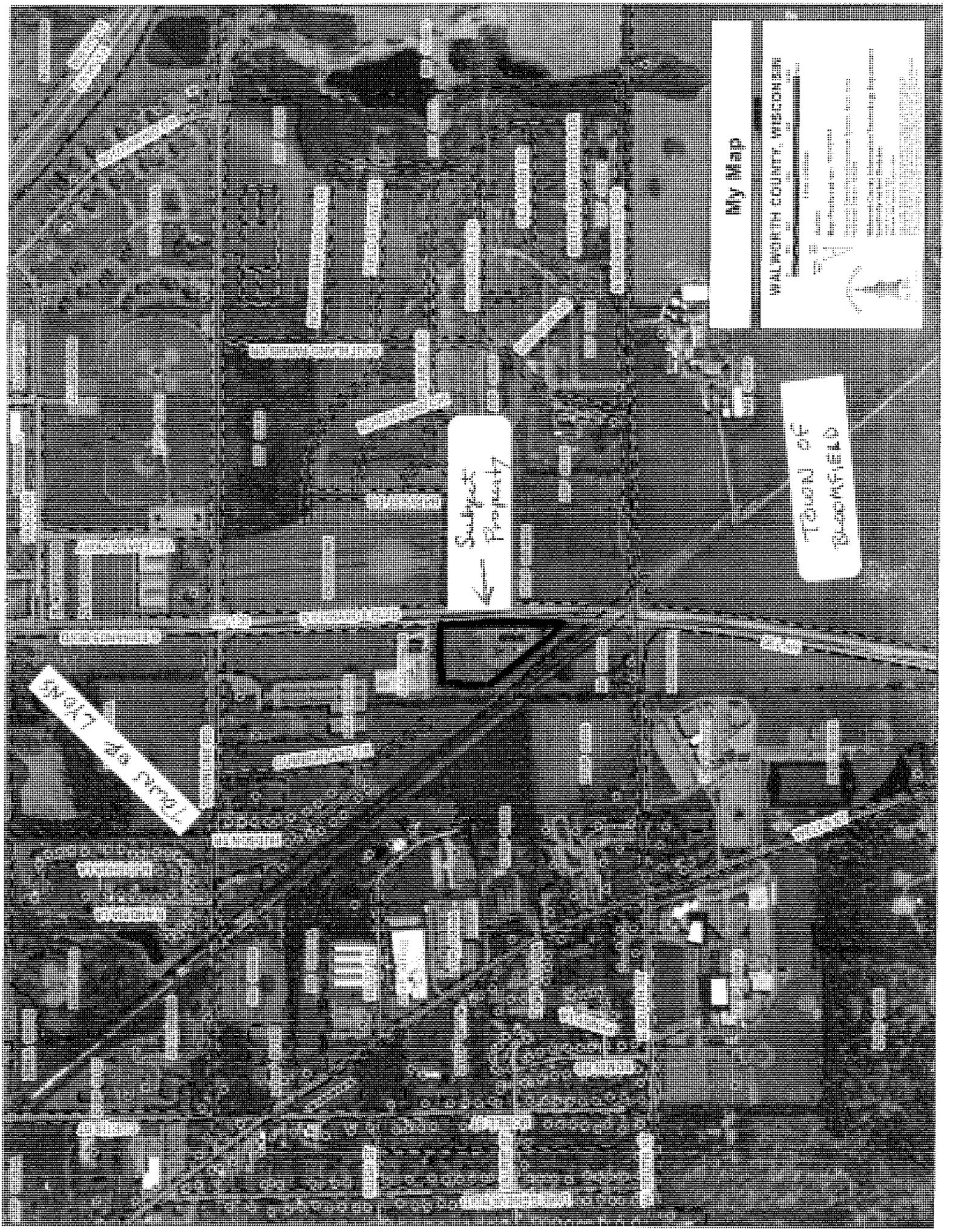
Richard W. Torhorst, as applicant/petitioner for:
Name: Liquid Capital LLC
Address: 951-7 S. Lakeshore Dr
Lake Geneva WI 53147
Phone: 262 - 745 - 3370

Agrees that in addition to those normal costs payable by an applicant/petitioner (e.g., filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Lake Geneva, in the judgment of its staff, to obtain additional professional service(s), (e.g., engineering, surveying, planning, legal) than would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof.

Dated this 1st day of October, 2014.

Richard W. Torhorst
Printed name of Applicant/Petitioner

Richard W. Torhorst
Signature of Applicant/Petitioner



My Map

WALWORTH COUNTY, WISCONSIN

- Walworth County Website
- Walworth County GIS
- Walworth County Planning Department
- Walworth County Assessor's Office
- Walworth County Treasurer's Office

Town of Bloomfield

Subject Property

17000 1st Ave

FARRIS, HANSEN & ASSOC. INC.

CERTIFIED SURVEY MAP NO. _____

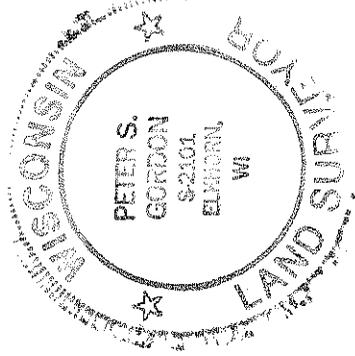
7 RIDGWAY COURT- P.O. BOX 437
ELKHORN, WISCONSIN 53121
PHONE (262) 723-2098
FAX (262) 723-5886

OWNER: LIQUID CAPITAL, LLC
951-7 SOUTH LAKESHORE DRIVE
LAKE GENEVA, WI. 53147

PART OF THE SW 1/4 OF THE NE 1/4
SECTION 6, TOWN 1 NORTH, RANGE 18 EAST
CITY OF LAKE GENEVA
WALWORTH COUNTY, WISCONSIN

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT AT THE DIRECTION OF LIQUID CAPITAL, LLC, HANS MELGES, MANAGING MEMBER, OWNERS, AND IN FULL COMPLIANCE WITH THE PROVISIONS OF CHAPTER 236.34 OF WISCONSIN STATUTES, AND THE SUBDIVISION ORDINANCE FOR THE CITY OF LAKE GENEVA, I HAVE SURVEYED, DIVIDED, AND MAPPED THE FOLLOWING DESCRIBED LANDS AND THAT THIS MAP IS A TRUE REPRESENTATION OF THE EXTERIOR BOUNDARIES OF THE MAP AND OF THE DIVISION THEREOF TO THE BEST OF MY PROFESSIONAL KNOWLEDGE AND BELIEF: A PARCEL OF LAND LOCATED IN THE SW 1/4 OF THE NE 1/4 OF SECTION 6, TOWN 1 NORTH, RANGE 18 EAST, CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:
COMMENCING AT THE EAST 1/4 CORNER OF SAID SECTION 6 (T1N, R18E); THENCE S 87DEG 40MIN 04SEC W, ALONG THE SOUTH LINE OF THE NORTHEAST 1/4 OF SAID SECTION 6, 2198.25 FEET; THENCE N 00DEG 00MIN E, 465.23 FEET TO THE POINT OF BEGINNING ON THE WESTERLY LINE OF STATE TRUNK HIGHWAY 120 AND THE NORTHERLY LINE OF CERTIFIED SURVEY MAP NO. 2435; THENCE ALONG SAID CSM 24-35, N 39DEG 57MIN 04SEC W, 613.56 FEET; THENCE CONTINUE ALONG SAID CSM 2435, N 02DEG 38MIN 41SEC W, 366.19 FEET; THENCE CONTINUE ALONG SAID CSM 2435, N 87DEG 44MIN 13SEC E, 391.07 FEET TO THE WEST LINE OF SAID S.T.H. 120 ; THENCE ALONG SAID HIGHWAY, S 02DEG 50MIN 10SEC E, 233.70 FEET; THENCE CONTINUE ALONG SAID HIGHWAY, 618.34 FEET ALONG THE ARC OF A CURVE TO THE RIGHT HAVING A RADIUS OF 9770.32 FEET AND A CHORD WHICH BEARS S 00DEG 47MIN 36SEC E, 618.24 FEET TO THE POINT OF BEGINNING. CONTAINING 239,215 SQUARE FEET OF LAND (5.49 ACRES) MORE OR LESS.



DATED: JUNE 26, 2014 REVISED 0919-2014



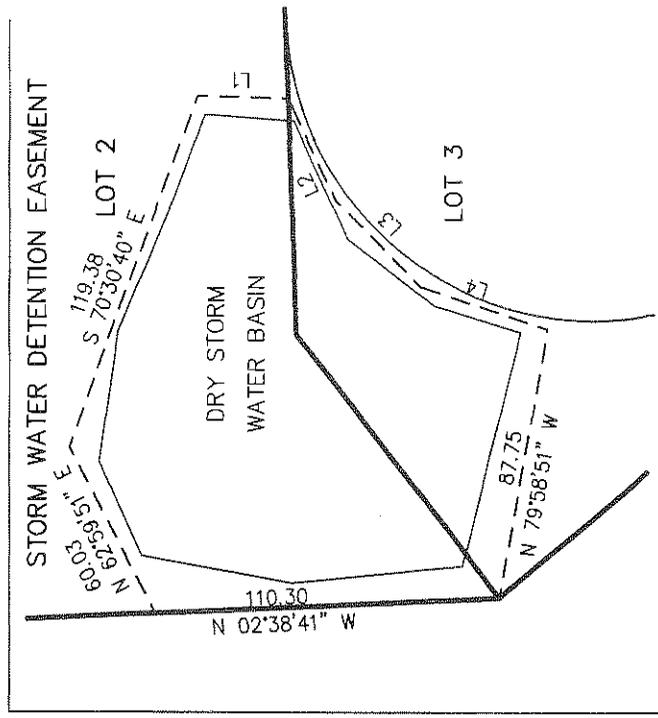
PETER S. GORDON RLS 2101

CITY OF LAKE GENEVA APPROVAL

RESOLVED THAT THIS CERTIFIED SURVEY MAP, WHICH IS LOCATED IN THE CITY OF LAKE GENEVA, IS HEREBY APPROVED THIS _____ DAY OF _____, 2014.

CITY MAYOR

LINE	BEARING	DISTANCE
L1	S 01°29'50" W	29.06
L2	S 64°46'08" W	36.06
L3	S 45°16'18" W	38.83
L4	S 18°14'48" W	43.30



PART OF THE SW 1/4 OF THE NE 1/4
SECTION 6, TOWN 1 NORTH, RANGE 18 EAST
CITY OF LAKE GENEVA
WALWORTH COUNTY, WISCONSIN

CERTIFIED SURVEY MAP NO. _____

OWNERS CERTIFICATE

AS OWNER, I HEREBY CERTIFY THAT I HAVE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED ON THIS MAP. I ALSO CERTIFY THAT THIS MAP IS REQUIRED BY S.236.10 OR S.236.12 TO BE SUBMITTED TO THE FOLLOWING FOR APPROVAL OR OBJECTION.
CITY OF LAKE GENEVA

HANS MELGES MANAGING MEMBER
LIQUID CAPITAL, LLC

STATE OF WISCONSIN)

COUNTY OF WALWORTH)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____ 2014, THE ABOVE NAMED, HANS MELGES, MANAGING MEMBER, FOR LIQUID CAPITAL, LLC, TO ME KNOWN TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THE SAME.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____ WISCONSIN

CONSENT OF CORPORATE MORTGAGEE

HARVARD BANK, A COMPANY DULY ORGANIZED AND EXISTING UNDER AND BY VIRTUE OF THE LAWS OF THE STATE OF ILLINOIS, MORTGAGEE OF THE ABOVE DESCRIBED LANDS, DOES HEREBY CONSENT TO SURVEYING, DIVIDING, AND MAPPING AS REPRESENTED ON THIS PLAT AND DO HEREBY CONSENT TO THE CERTIFICATE OF HANS MELGES, MANAGING MEMBER FOR LIQUID CAPITAL LLC, OWNERS.

IN WITNESS WHEREOF, THE SAID HARVARD BANK HAS CAUSED THESE PRESENTS TO BE SIGNED BY _____ ITS OFFICER, AT _____, ILLINOIS AND ITS CORPORATE SEAL TO BE AFFIXED HERETO THIS _____ DAY OF _____, 2014.

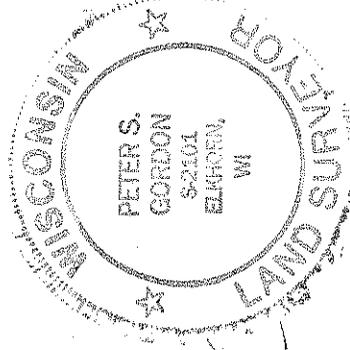
STATE OF ILLINOIS)
COUNTY OF _____)

PERSONALLY CAME BEFORE ME THIS _____ DAY OF _____, 2014, THE ABOVE NAMED _____ OF HARVARD BANK, TO ME KNOWN TO BE THE PERSON(S) WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED THAT THEY EXECUTED THE FOREGOING INSTRUMENT AS SUCH OFFICERS AS THE DEED OF SAID CORPORATION BY ITS AUTHORITY.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC, _____, ILLINOIS

THIS INSTRUMENT DRAFTED
BY PETER S. GORDON
PROJECT NO. 6652.14
DATED: 05-21-2014
SHEET 3 OF 3 SHEETS



*Witnessed & signed
Peter S. Gordon*

October 3, 2014

W130140.01

Mr. Ken Robers
Zoning Administrator
City of Lake Geneva
626 Geneva Street
Lake Geneva, Wisconsin 53147

Liquid Capital, LLC Certified Survey Map Review

Dear Mr. Robers:

We have completed our review of the proposed Certified Survey Map (CSM), received on October 3, 2014, prepared by Farris, Hansen & Assoc., Inc., Peter S. Gordon, R.L.S. The proposed bears a revision date of September 19, 2014. We have the following comments and recommendations:

Sheet 1:

- Adjust the west lines of proposed Lots 1 and 2 such that their sum agrees with the combined distance.
- Recommend noting the Grantee(s) of the proposed 25-foot drainage easement and the proposed storm water detention easement on the face of the CSM.

Based on our review, we recommend approval of the proposed CSM contingent on the above-comments being addressed.

Submitted data has been reviewed for conformance with generally accepted surveying practices and City policies. Although this data has been reviewed, the surveyor is responsible for the thoroughness and accuracy of survey and supplemental data and for compliance with all state and local codes, ordinances, and procedures. Modification to the survey, etc. may be required should errors or changed conditions be found at a future date.

Should you have any questions, please feel free to contact our Lake Geneva office.

Sincerely,

GAI Consultants, Inc.



Michael W. Rubendall
Project Civil Technical Specialist

cc: Peter S. Gordon, R.L.S. - Farris, Hansen & Assoc., Inc.
Tim Hastings, Project Manager, GAI Consultants, Inc., *via email*

Section 98-913 Downtown Design Overlay Zoning District

- (1) **Purpose and Scope:** This district is intended to implement the urban design recommendations of the comprehensive master plan by preserving and enhancing the historical quality of the downtown, and by attaining a consistent visually pleasing image for the downtown area. This district is designed to forward both aesthetic and economic objectives of the City by controlling the site design and appearance of development within the district in a manner which is consistent with sound land use, urban design, and economic revitalization principles. The application of these standards will ensure the long-term progress and broad participation toward these principles.
- (2) **Definitions**
 - (a) Design Review Commission: The Design Review Commission is comprised of members of the Plan Commission.
 - (b) cornice: The topmost projecting portion of the entablature, or top portion of a building. This term also refers to any "crowning" projection of a building.
 - (c) header: A brick laid so that the end only appears on the face of the wall, as opposed to a stretcher, which is a brick laid so that the side only appears.
 - (d) kickplate: A horizontal area on the façade of a building located between the sidewalk/entrance pavement and the lowest storefront windows.
 - (e) sign band: A horizontal area on the façade of a building located between the transom and the cornice, which is typically opaque and provides a location for signage indicating the name of the establishment.
 - (f) sill: A horizontal, lower member or bottom of a door or window casing.
 - (g) transom: A horizontal bar of stone, wood or glass across the opening of a door or window.
- (3) **Designation of Downtown Design Overlay Zoning District Boundaries:** The Downtown Design Overlay Zoning District boundaries are depicted on the City of Lake Geneva Zoning Map. All properties having frontage on either side of the following described route, and all other properties located within the boundaries of described route: BEGINNING at the intersection of Main Street and Cook Street; thence south along Cook Street to Wrigley Street; thence southeast along Wrigley Street to Baker Street; thence east along Baker Street to Lakeshore Drive; thence north along Lakeshore Drive to Main Street; thence along Main Street to the former Railroad; thence northwest along the former Railroad to Geneva Street; thence westerly along Geneva Street to Broad Street; thence northerly along Broad Street to abandoned railroad right-of-way; thence southerly along Broad Street to Geneva Street; thence west along Geneva Street to Cook Street; thence south along Cook Street to the point and place of BEGINNING. (Ord. No. 02-35 1/28/02)
- (4) **Powers and Duties of the Zoning Administrator, Design Review Commission, and Plan Commission for All Development:** Proposed changes to the exterior appearance of properties used exclusively for residential purposes and which do not have frontage on Main Street are hereby excluded from the provisions of this Section. All other applications within the Downtown Design Overlay Zoning District are subject to one of the following three processes, as determined by the Zoning Administrator:
 - (a) Applications which involve *only a renovation of the exterior appearance of a property* (such as repainting, re-roofing, residing or replacing with identical colors and materials approved by the City and listed in the attached Appendix), or a change in the exterior appearance of

a property in absolute clear and complete compliance with the provisions of Subsection (6) below (as determined by the Zoning Administrator), are subject to **Downtown Renovation Review** by the Zoning Administrator. The Zoning Administrator shall determine whether the petition requires only certification of thorough compliance with the technical requirements set out in Subsection (5)(a) below. In part, this effort shall be guided by the City of Lake Geneva Comprehensive Master Plan;

- (b) Applications which involve *only a change in the appearance of a property* (such as painting, roofing, siding, architectural component substitution, fencing, paving, or signage), are subject to **Downtown Design Review** by the Zoning Administrator and the Design Review Commission. The Zoning Administrator shall serve as the liaison between the applicant and the Design Review Commission, in facilitating the thorough and expedient review of an application, and shall ensure that the technical and procedural requirements of the Zoning Ordinance are met. The Design Review Commission shall serve as the final review and determining body in these matters, and shall focus its review on whether the application complies with sound aesthetic, urban design, historic and architectural practices pursuant to the procedures outlined in Subsection (5)(b), below. In part, this effort shall be guided by the comprehensive master plan;
- (c) Applications which involve *modification to the physical configuration of a property* (such as grading, the erection of a new building, the demolition of an existing building, or the addition or removal of bulk to an existing building) are subject to **Downtown Project Review** by the Zoning Administrator, the Plan Commission, and the Design Review Commission. The Zoning Administrator shall serve as the liaison between the applicant, the Plan Commission and the Design Review Commission in facilitating the thorough and expedient review of an application, and shall ensure that the technical and procedural requirements of the Zoning Ordinance are met. The Plan Commission shall serve as the initial and final discretionary review body on site design, and shall focus its review on the application's compliance with sound land use, site design and economic revitalization practices. In part, this effort shall be guided by the comprehensive master plan. The Design Review Commission shall serve as the initial and final review and determining body on aesthetics, and shall focus its review on whether the application complies with sound aesthetic, urban design, historic and architectural practices pursuant to the procedures outlined in Subsection (5)(c), below. In part, this effort shall be guided by the comprehensive master plan.

(5) **Procedures for Downtown Project Review and Approval**

- (a) **Downtown Renovation Review:** Applications which involve *only a renovation of the exterior appearance of a property* (such as repainting, re-roofing, residing or replacing with identical colors and materials approved by the City and listed in the attached Appendix), or a change in the exterior appearance of a property in absolute clear and complete compliance with the provisions of Subsection (6) below (as determined by the Zoning Administrator), are subject to **Downtown Renovation Review** by the Zoning Administrator. The Zoning Administrator shall serve to determine whether the applications simply requires certification of thorough compliance with the technical requirements below. In part, this effort shall be guided by the attached appendix, which provides a list of sample projects which are eligible for this form of review. (Refer to the procedure summary chart at the end of this Section.)

1. **Application Requirements:** All applications for Downtown Renovation Review shall be made to the Zoning Administrator and shall be accompanied by the Building Permit application, and, in addition, shall be accompanied by all of the following:

- a. A clear depiction of the *existing appearance* of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the Zoning Administrator;
 - b. A clear depiction of the *proposed appearance* of the property. Paint charts, promotional brochures, and/or clear color photographs of replacement architectural components are recommended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for renovation or replacement may be required by the Zoning Administrator;
 - c. A written description of the proposed renovation, including a complete listing of proposed components, materials, and colors.
 - d. Written justification for the proposed renovation consisting of the reasons why the Applicant believes the requested alteration is in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards set out in Subsection 2.b., below.
2. **Review by the Zoning Administrator:** The application for Downtown Renovation Review shall be reviewed by the Zoning Administrator as follows:
- a. Within 20 days after the filing of the application, the Zoning Administrator shall determine whether the application is complete and fulfills the requirements of this Chapter. If the Zoning Administrator determines that the application is not complete and does not fulfill the requirements of this ordinance, he shall return the application to the Applicant. If the Zoning Administrator determines that the application is complete, he shall so notify Applicant.
 - b. Within 20 days after the filing and notification of a complete application, the Zoning Administrator shall review the application which: 1) shall evaluate its status as merely requiring Downtown Renovation Review; and, 2) shall evaluate and comment on the written justification for the proposed alteration provided in the application per Subsection (5)(a)1.d., above. The Zoning Administrator shall also evaluate the application based on the following question: How is the proposed alteration in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards of Subsection (6), below?
3. **Action by the Zoning Administrator**
- a. The Zoning Administrator may request further information and/or additional reports from the Applicant.
 - b. The Zoning Administrator may approve the application as originally proposed, may approve the application with modifications, may deny the application, or (where the proposal requires discretionary aesthetic judgment) shall forward the application to Design Review Commission as an application for Downtown Design Review.
 - c. The Zoning Administrator shall not approve any application unless he makes written findings of facts regarding the application.
 - d. The approval of the proposed renovation shall be considered as the approval of a unique request, and shall not be construed as precedent for any other proposed alteration.

(b) **Downtown Design Review:** Applications which involve *only a change in the appearance of a property* (such as painting, roofing, siding, architectural component substitution, fencing, paving, or signage), are subject to **Design Review** by the Zoning Administrator and the Design Review Commission. The Zoning Administrator shall serve as the liaison between the Applicant and the Design Review Commission in facilitating the thorough and expedient review of an application, and shall ensure that the technical and procedural requirements of the Zoning Ordinance are met. The Design Review Commission shall serve as the final review and determining body in these matters, and shall focus its review on the application's compliance with sound aesthetic, urban design, historic and architectural practices per the procedures outlined below. In part, this effort shall be guided by the comprehensive master plan. (Refer to the procedure summary chart at the end of this Section.)

1. **Procedure:** Downtown Design Review proposals shall follow the procedures for Site Plan Review and Approval, see Section 98-908.
2. **Application Requirements:** In addition to the application requirements for Site Plan Review and Approval, all applications for Downtown Design Review shall be made to the Zoning Administrator and shall be accompanied by the Building Permit application, and, in addition, shall be accompanied by all of the following:
 - a. A clear depiction of the *existing appearance* of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the Zoning Administrator or by the City;
 - b. A clear depiction of the *proposed appearance* of the property. The applicant shall provide physical color samples of all proposed paints or coatings applied to the actual building material. Samples will not be returned to the applicant. Promotional brochures and/or clear color photographs of replacement architectural components are also recommended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the City;
 - c. A written description of the proposed modification, including a complete listing of proposed components, materials, and colors.
 - d. Written justification for the proposed alteration consisting of the reasons why the Applicant believes the requested alteration is in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards set out in Subsection 2.b., below., using the following question to develop said written justification. How is the proposed alteration in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with Subsection (6), below?

(c) **Downtown Project Review:** Applications which involve *modification to the physical configuration of a property* (such as the erection of a new building, the demolition of an existing building, or the addition or removal of bulk to an existing building) are subject to **Downtown Project Review** by the Zoning Administrator, the Plan Commission, and the Design Review Commission. Specifically, the powers of the Zoning Administrator, Plan Commission, and the Design Review Commission within the Urban Design Overlay Zoning District shall be as described in the following sections. The Zoning Administrator shall serve as the liaison between the Applicant, the Plan Commission, and the Design Review

Commission, in facilitating the thorough and expedient review of an application, and shall ensure that the technical and procedural requirements of the Zoning Ordinance are met. The Plan Commission shall serve as the initial and final discretionary review body on site design, and shall focus its review on the application's compliance with sound land use, site design and economic revitalization practices. In part, this effort shall be guided by the comprehensive master plan. The Design Review Commission shall serve as the final review and determining body on aesthetics, and shall focus its review on the application's compliance with sound aesthetic, urban design, historic and architectural practices per the procedures outlined below. In part, this effort shall be guided by the comprehensive master plan. (Refer to the procedure summary chart at the end of this Section.)

1. **Procedure:** Downtown Project Review proposals shall follow procedures for Conditional Use Permits, refer to Section 98-905.
2. **Application Requirements:** In addition to the application requirements for Conditional Use Permits, Section 98-905, all applications for Downtown Project Review shall be made to the Zoning Administrator and shall be accompanied by the Building Permit application, and, in addition, shall be accompanied by all of the following:
 - a. A clear depiction of the *existing appearance* of the property. Clear color photographs are recommended for this purpose. Scaled and dimensioned drawings of existing components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the Zoning Administrator or by the Plan Commission.
 - b. A clear depiction of the *proposed appearance* of the property. The applicant shall provide physical color samples of all proposed paints or coatings applied to the actual building material. Samples will not be returned to the applicant. Promotional brochures and/or clear color photographs of replacement architectural components are also recommended for this purpose. Scaled and dimensioned drawings of proposed components such as windows, doors, railings, fencing or other site components, and/or detailed building elevations which are proposed for alteration or replacement may be required by the Zoning Administrator or by the Plan Commission.
 - c. For all projects involving a new building, or an addition exceeding 100 square feet of gross floor area, a detailed site plan which provides the following information:
 - i. A title block which indicates the name and address of the current property owner, developer and project consultants;
 - ii. The date of the original plan and the latest date of revision to the plan;
 - iii. A north arrow and a graphic scale. Said scale shall not be smaller than one inch equals 100 feet;
 - iv. All property lines and existing and proposed right-of-way lines with bearings and dimensions clearly labeled;
 - v. All existing and proposed easement lines and dimensions with a key provided and explained on the margins of the plan as to ownership and purpose;
 - vi. All existing and proposed buildings, structures, and paved areas, including walks, drives, decks, patios, fences, utility poles, drainage facilities, and walls;
 - vii. All required building setback lines;
 - viii. A legal description of the subject property;

- ix. The location, type and size of all signage on the site;
- x. The location, type and orientation of all exterior lighting on the subject property;
- xi. The location of all access points, parking and loading areas on the subject property, including a summary of the number of parking stalls and labels indicating the dimension of such areas;
- xii. The location of all outdoor storage areas;
- xiii. The location and type of any permanently protected green space areas;
- xiv. The location of existing & proposed drainage facilities;
- xv. In the legend, the following data for the subject property:
 - Lot Area;
 - Floor Area;
 - Floor Area Ratio;
 - Impervious Surface Area;
 - Impervious Surface Ratio; and
 - Building Height
- d. A detailed landscaping plan of the subject property, at the same scale as the main plan, showing the location, species and size of all proposed plant materials.
- e. A written description of the proposed project, including a complete listing of proposed components, materials, and colors.
- f. Written justification for the proposed project consisting of the reasons why the Applicant believes the requested alteration is in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards set out in Subsection 2.b., below., using the following question to develop said written justification: How is the proposed project in harmony with the recommendations of the comprehensive master plan, particularly as evidenced by compliance with the standards of Subsection (9), below?

(6) Additional Recommendations Permitted Under the Design Review Process

- (a) The Zoning Administrator is hereby authorized to make recommendations for, or require modifications to, a proposed application for Downtown Renovation Review; and to make recommendations for the modification of a proposed application for Downtown Design Review or Downtown Project Review.
 - (b) The Design Review Commission is hereby authorized to make recommendations for, or require modifications to, a proposed application for aesthetic aspects for Downtown Design Review and Downtown Project Review.
 - (c) The Plan Commission is hereby authorized to make recommendations for, or require modifications to, a proposed application for site design aspects for Downtown Project Review.
- (7) Appeals:** Appeals from the decisions of the Zoning Administrator and Plan Commission may be made per the provisions of the Municipal Code and State Statutes.
- (8) Penalty:** Penalty for violation of the provisions of this Chapter shall be per the provisions of Section 98-936.

(9) **Downtown Design Standards**

(a) **Overall Design Theme:** The design theme for the Downtown area is based on historic commercial and residential architectural styles which dominated the economic growth period from 1890 through the 1920s.

1. **Nonresidential Development:** The design theme varies by location.

a. **Main Street Frontage:** Along Main Street frontage from Cook Street to Center Street, the nonresidential design theme is characterized by a variety of architectural styles popular at the time, including Italianate, Romanesque and Neoclassical, in a two story format with office, storage or residential located over commercial. The façades of these buildings have a traditional main street storefront appearance, are relatively small in scale, have street-yard and side-yard setbacks of zero feet, have prominent horizontal and vertical patterns formed by regularly-spaced window and door openings, detailed cornice designs, rich detailing in masonry coursing, window detailing and ornamentation, and are predominantly of brick, stone or wood. Exterior building materials are of high-quality. Exterior appurtenances are minimal. Exterior colors are harmonious, simple and muted. Exterior signage blends, rather than contrasts with buildings in terms of coloring (complementary to building), location (on-building), size (small) and number (few).

b. **Remainder of Downtown Design Overlay Zoning District:** In this area, the nonresidential design theme is characterized by a variety of architectural styles popular throughout the entire 20th Century. Building styles, heights, setbacks and details vary significantly. In the desired theme, exterior building materials are of high-quality. Exterior appurtenances are minimal. Exterior colors are harmonious, simple and muted. Exterior signage blends, rather than contrasts with buildings in terms of coloring (complementary to building), location (on-building), size (small) and number (few).

2. **Residential Development:** This theme is characterized by a variety of architectural styles popular at the time, including Queen Anne, Gothic, High Victorian, Georgian, and Prairie. These homes have generous street-yard, side-yard and rear-yard setbacks, and are well-landscaped with a mixture of canopy and understory yard trees, and foundation shrubs and/or flower beds. For illustrative purposes, examples of architectural styles which tend to have elements *incompatible* with Downtown historic styles include (with no attempt to be inclusive) Spanish Mission, Scandinavian Modern, Bavarian, and California Contemporary.

(b) **Non-Residential Construction**

1. **General:** Nonresidential construction, including new structures, building additions, building alterations, and restoration or rehabilitation shall correspond to the downtown design guidelines as determined by the Design Review Commission and as evidenced by certain existing structures within the Downtown and by the following requirements for building setback; height; building mass; horizontal rhythms (created by the placement and design of façade openings and related elements such as piers, columns); vertical rhythms (created by the placement and design of façade details such as sills, transoms, cornices and sign bands); roof forms; exterior materials; exterior surface features and appurtenances; exterior colors; exterior signage; on-site landscaping; exterior lighting; parking and loading area design; and the use of screening.
2. **Building Setback:** Throughout the district, the setback of buildings from street-yard and side-yard property lines shall be compatible with existing buildings in the immediate area which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above.

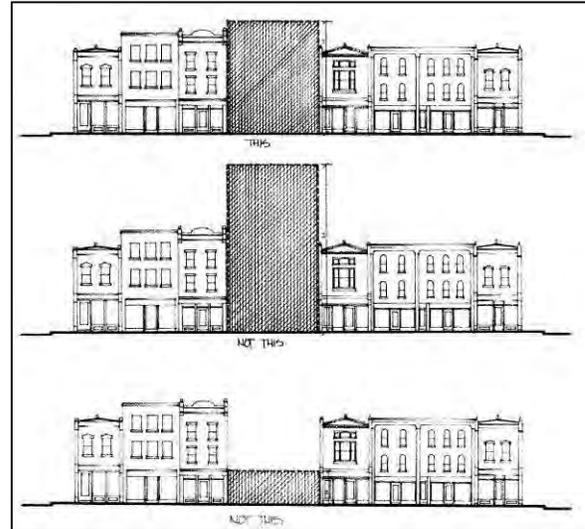


Figure 1

3. **Building Height:** Throughout the district, the height of buildings shall be compatible with existing buildings in the immediate area which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. In no instance shall buildings be more than one story taller or shorter than the height of a building of similar use on one of the immediately adjoining properties, which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above.
4. **Building Mass:** Throughout the district, the mass of buildings shall be compatible with existing buildings in the immediate area which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. The characteristic proportion (relationship between façade height and width) of the general design theme shall be maintained. Building mass for large structures (with a façade area exceeding 5,000 square feet) shall be disguised through the use of façade articulations, or through the use of exterior treatments which give the impression of directly adjoining individual buildings. (See Figures 2 and 3.)
5. **Horizontal Rhythms:** Along Main Street between Cook Street and Center Street, the horizontal pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as piers and columns shall be spaced at regular intervals across all visible façades of the building, and shall be compatible with those of existing buildings in the immediate area which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. (See Figures 2 and 3.)

6. **Vertical Rhythms:** Along Main Street between Cook Street and Center Street, the floor heights on main façades shall appear visually in proportion to those of adjoining buildings. The rhythm of the ground floor shall harmonize with the rhythm of upper floors. The vertical pattern of exterior building elements formed by patterns of building openings for windows and doors, and related elements such as sills, headers, transoms, cornices and sign bands shall be compatible in design and elevation with those of existing buildings in the immediate area which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above.

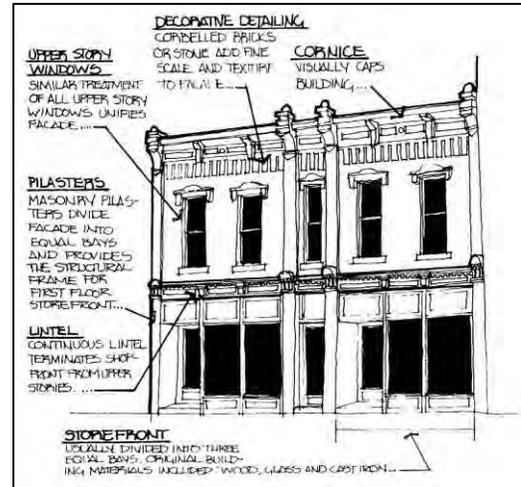


Figure 2



Figure 3

7. **Roof Forms:** Along Main Street between Cook Street and Center Street, flat or gently sloping roofs which are not visible from the street shall be used. Mansards or other exotic roof shapes not characteristic of the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above, as determined by the Design Review Commission shall not be used. Throughout the district, roof shapes not characteristic of the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above, shall not be used.
8. **Exterior Materials:** Selected building materials shall be compatible with those of existing buildings in the immediate area which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. In addition:

- a. **Masonry:** Along Main Street between Cook Street and Center Street, stone or brick facing should be of even coloration and consistent size. Cinder block, concrete block, concrete slab, or concrete panel shall not be permitted.
 - b. **Siding:** Along Main Street between Cook Street and Center Street, wood or thin board textured vinyl or textured metal clapboard siding may be appropriate -- particularly if the proposed non-masonry exterior was used on a building which conforms to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. In certain instances clapboard, board and batten may be in keeping with the general design theme. Asphalt shingles shall not be permitted.
 - c. **Glazing:** Along Main Street between Cook Street and Center Street, clear, or slightly tinted glass or related glazing material shall be used. Mirrored glass, smoked glass, or heavily tinted glass shall not be permitted.
9. **Exterior Surface Appurtenances:** Exterior surface appurtenances shall be compatible with those of existing buildings in the immediate area which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. In addition:
- a. Along Main Street between Cook Street and Center Street, the traditional storefront design theme (characterized by strong horizontal and vertical rhythms formed by building openings, storefront columns, storefront cornices, upper cornices, kickplates, signbands, large display windows, and transom windows) shall be employed for all new nonresidential buildings -- including retail, office, professional service, personal service, maintenance, lodging, entertainment, and storage uses.
 - b. Throughout the district, avoid cluttering building façades with brackets, wiring, meter boxes, antennae, gutters, downspouts and other appurtenances. Unnecessary signs shall also be avoided. Where necessary, such features shall be colored so as to blend in, rather than contrast, with the immediately adjacent building exterior. Extraneous ornamentation which is inconsistent with the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above, is also prohibited.
 - c. **Awnings:** Throughout the district, awning size, color and placement should complement the architectural character of the building. Soft, weather-treated canvas or vinyl materials which allow for flexible or fixed installation shall be used. Aluminum or suspended metal canopies shall be prohibited. Signage applied to awnings shall be simple and durable. Backlit awnings are prohibited.
10. **Building and Structure Exterior Colors:** Selected exterior colors for structures and appurtenances including fixtures, but not including exterior signage which is regulated per (9)(b)11., below, shall be compatible and harmonious with those of existing buildings in the immediate area which conform to the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. Specifically, throughout the district:
- a. Bold colors, bright colors, and fluorescent, "day glow", and/or "neon" colors shall not be permitted. The Zoning Administrator shall determine whether a proposed color is bold, bright, fluorescent, "day glow," or "neon" using the process outlined in **Appendix B**, Where such colors constitute a component of a standardized corporate theme or identity, muted versions of such corporate colors shall be used.
 - b. High gloss paints, enamels, lacquers, varnishes or other shiny non-glazing surfaces shall not be used, except as provided for under Subsection (c), below. Flat paint or stain finishes are encouraged.

- c. Color combination schemes shall be limited to no more than three different colors for all the structures and appurtenances on a property. Varying shades, tints or intensities of a color shall count as a different color for this purpose. Natural exterior materials such as stone, brick, wood and glass, having a fine-grained assortment of colors may be considered as one color. Additional colors, including bold colors, enamels, and high gloss coatings, may be permitted, but are limited to appurtenances and small architectural elements not to exceed 5 percent of an individual façade area. Appurtenances and small architectural elements include but are not limited to awnings, doors, sills, lintels, dentils, moldings, frames, brackets, and modillions.
 - d. Color schemes shall be used consistently throughout the property, including on both the upper and lower portions of buildings, and on all façades of a building or structure.
11. **Exterior Signage:** All signage which is visible from any point outside of the building or structure shall be compatible and harmonious with the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. Signage regulations are provided in Article VII. In addition:
- a. **Number of Signs:** No more than three exterior signs for the same business shall be visible from any single vantage point on or off the subject property.
 - b. **Area of Signage:** Signage area shall comply with the requirements for the Commercial Business (CB) district in Section 98-806(6).
 - c. **Types of Signage:** Wall signs, projecting signs (smaller than five square foot) and awning signs (see Subsection 9. d. above, for additional restrictions for awning signs) may be used for individual businesses. Roof signs, mobile signs and portable signs are not permitted in any instance. Holiday and special event signs shall be regulated per Section 98-807 of this Chapter.
 - d. **Group Development Signs:** Group Development signs may be wall, projecting, awning or freestanding signs. Such freestanding signs shall be limited to one per lot, shall not exceed the height of the principle building on the subject property, shall be limited in area to a maximum of one square foot of sign area for every two feet of frontage along the public street located closest to the freestanding sign, and shall in no instance exceed the area allocated in Table 98-806(6). The base of freestanding signs shall be fully landscaped per the requirements of Subsection 12. d. below. The supports of freestanding signs shall be constructed of materials and in a style which is consistent with the materials and style of the principle structure on the site, and with the design guidelines as determined by the Design Review Commission.
 - e. **Sign Colors:**
 - i. Bold colors, bright colors and fluorescent, "day glow", and/or "neon" colors shall not be permitted. The Zoning Administrator shall determine whether a proposed color is bold, bright, fluorescent, "day glow," or "neon" using the process outlined in **Appendix B**. Where such colors constitute a component of a standardized corporate theme or identity, muted versions of such corporate colors shall be used.
 - ii. High gloss paints, enamels, lacquers, varnishes or other shiny non-glazing surfaces shall not be used, except as provided for under Subsection (iii), below. Flat paint or stain finishes are encouraged.

- iii. Color combination schemes shall be limited to no more than three different colors for all signs on a property. Varying shades, tints or intensities of a color shall count as a different color for this purpose. Natural exterior materials such as stone, brick, wood and glass, having a fine-grained assortment of colors may be considered as one color. Additional colors including bold colors, enamels, and high gloss coatings may be permitted, but are limited to appurtenances and small architectural elements not to exceed 5 percent of the sign area. Appurtenances and small architectural elements include but are not limited to moldings, frames, and brackets.
- iv. Color schemes and lettering styles shall be used consistently on all signage used throughout the property.
- f. **Sign Materials:** Permitted sign materials include glass, plastic, wood, brass, metal leaf, metal plates, canvass or related fabric, or etched glass, stone or concrete.
- g. **Sign Illumination:** Illumination of exterior signage shall be limited to shielded spotlight. The lighting element of such fixtures shall not be visible from public rights-of-way or adjoining properties. Flashing signs (including illuminated awnings with or without messages) are not permitted, including neon and related illumination systems.
- h. **Sign Location:** Wall signs, canopy signs and projecting signs shall not be located on any portion of upper stories. The location of signs shall fit the building. (See Figure 4, below.)



Figure 4

- j. **Removal of Signs:** Illegal nonconforming signs, poorly maintained signs, and obsolete signs pertaining to a closed business, shall be removed. The property owner shall be responsible for the removal of such signs.
12. **On-Site Landscaping and Screening:** On-site landscaping is not required within portions of the Downtown Design Overlay Zoning District located along Main Street between Cook Street and Center Street, except to provide vegetated ground cover for pervious (non-paved/roofed) surfaces, and to provide screening and shading of on-site paved areas.

- a. **Groundcover:** All areas which are not covered by impervious paving or structures shall be covered with vegetative groundcover. Appropriate groundcover includes grasses, forbs, and shrubs.
 - b. **On-Site Paved Areas:** On-site landscaping shall also be provided for on-site paved areas used for outdoor seating, vehicular parking, or loading, except for pedestrian and vehicle walks and drives which connect such areas to public rights-of-way (such as driveways and walks to building entrances).
 - i. **Required Screening:** On-site paved areas, including parking lots, loading areas, circulation drives, and patios shall be partially screened from the view of public rights-of-way and adjoining properties by, at minimum, a continuous vegetated hedge with a minimum width of five feet, and a height of between 40 and 60 inches. This hedge may be supplemented by trees and/or compatible iron, masonry, or wood fencing, and/or berming.
 - ii. **Required Shading:** In addition, one canopy tree (with a minimum installed breast height caliper of 2½ inches) shall be provided within, or within five feet of the edge of, on-site paved areas for every 2,000 square feet (or fraction thereof) of paved area.
 - c. **Exterior Storage and Utility Areas:** Trash storage areas, air conditioning units, and related storage and utility areas and components shall be fully screened from the view of adjoining properties, public rights-of-way, and customer areas.
 - d. **Freestanding Signs:** The base of freestanding signs shall be fully concealed by plants to a minimum height of twenty-four inches.
 - e. Additional landscaping standards are found in Article VI.
13. **Exterior Lighting:** Throughout the district, on-site exterior lighting shall be compatible and harmonious with the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. Specifically:
- a. **Pedestrian Lighting:** The design, color, height, location and light quality of on-site pedestrian lighting shall be consistent with the pedestrian lighting fixtures which complement the district's character.
 - b. **Vehicular Circulation Lighting:** The design, color, height, location and light quality of on-site vehicular circulation lighting shall be consistent with the lighting fixtures which complement the district's character.
 - c. Additional lighting standards are found in Section 98-707.
14. **Rehabilitation and Restoration:** New projects, building additions, and new appurtenances and features shall comply with the provisions of 1-13, above. The following standards shall apply where existing construction is proposed for rehabilitation and/or restoration:
- a. **In General:** Buildings shall be restored relying on physical evidence (such as photographs, original drawings, and existing architectural details) as much as possible, in keeping with the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above. Specifically, throughout the Downtown Design Overlay Zoning District:
 - i. **Exterior Materials and Surface Features:** Materials and features identical to the original shall be used. Where such knowledge is lacking, materials and features in common use at the time of building erection shall be used. Significant

architectural features, including cornices, moldings and coursings shall be preserved or replaced with identical features and materials where possible.

- ii. **Windows and Doors:** The size, proportion and rhythm of original windows and doors shall not be altered. Original window and door openings shall not be blocked, except with a dark opaque panel placed behind the window or door to preserve the appearance of the opening. Where now blocked in another manner, blocked window and doors shall be restored using said method. Window and door features, including lintels, sills, architraves, shutters, pediments, hoods and hardware, shall be preserved where possible, or replaced with identical features and materials. Dark frames (i.e. anodized bronze) shall be used to replace storefront and upper story windows. Clear aluminum finishes and mill finish aluminum storm windows are prohibited. Real shutters and awnings shall be used if there is evidence that they were a component of the original building design. Vinyl and plastic shutters and awnings shall be prohibited.
 - iii. **Shop Fronts:** Shop fronts should fit inside the original shop front in terms of all three dimensions (vertical, horizontal and front to back articulation);
 - iv. **Display Windows:** Display windows should be restored to their original appearance.
 - v. **Entrances and Porches:** Original porches and steps shall be retained, except as required to meet accessibility standards. Porches, steps and related enclosures which do not comply with the architectural design theme shall be removed.
 - vi. **Roofs:** The original roof shape and character of visible materials shall be retained. Original architectural features which give the roof its essential character, including dormer windows, cupolas, cornices, brackets, chimneys and weathervanes, shall be preserved if in keeping with the architectural design theme.
 - vii. **Painting and Color:** See Subsection (b) 10., above.
 - viii. **Signage:** Any and all signage, existing upon the adoption date of this Chapter, which does not comply with the standards of Subsection (b) 11., above may be continued so long as well maintained. However, the maintenance of such legal nonconforming signs shall be limited to repair of the sign structural or lighting elements, and to the repainting or replacement of the sign face with identical new material, message, and original appearance. Should a change in material, message, or original appearance be desired, the legal nonconforming sign shall be removed.
 - ix. **Cleaning:** Structural components and exterior materials shall be cleaned when necessary, and with only the gentlest possible methods. Low pressure water and soft natural bristle brushes are acceptable. Sandblasting is never acceptable. Other methods shall be pre-approved by the Plan Commission.
- (c) **Residential Construction:** Proposed residential construction, located on properties having frontage on Main Street between Cook Street and Center Street, including new structures, building additions, building alterations, and restoration or rehabilitation shall be reviewed per Section (5) above and shall correspond to the design guidelines as determined by the Design Review Commission. The building setback, height, mass, roof form, exterior materials, exterior surface appurtenances, exterior colors, landscaping and lighting shall be

compatible and harmonious with the general design theme noted in Subsection (9)(a)1.a., 1.b., and 2., above.

- (d) **Designated Historic Structures:** Landmark Center, 772 Main Street; Riviera Building, 810 Wrigley Drive; Stone Manor, 880 S. Lakeshore Drive; T.C. Smith House, 865 Main Street; Youngland Coach House, 701 S. Lakeshore Drive; St. Moritz, 327 Wrigley Drive.

(15)-(19)Reserved.

(20) **Community Entry Corridor Urban Design Overlay Zoning District:**

- (a) **Requirement of Compatibility:** Proposed site design and construction within this District, including new structures and building additions shall be reviewed, per Section (5) above, by the Plan Commission. The building setback, height, mass, roof form, exterior materials, exterior surface appurtenances, exterior colors, landscaping and lighting shall be compatible with the following General Design Theme, as determined by the Plan Commission.
- (b) **Design Standards for Residential Development:** The General Design Theme for residential development within the Community Entry Corridor Urban Design Overlay Zoning District shall be designed to accommodate typical impacts of transportation and nearby non-residential development -- particularly through the use of building orientation, door and window location and design, and on-site landscaping and related buffering structures or berms. Above and beyond such concerns, particular attention shall be devoted to ensuring that selected residential design components complement nearby residential styles with high-quality building materials, in an attractive manner as becoming an entry corridor, and as determined by the Plan Commission. Where a detailed Neighborhood Plan has been adopted, it should be used to provide additional guidance in the design review process.
- (c) **Design Standards for Non-Residential Development:** The general design theme for non-residential development within the Community Entry Corridor Urban Design Overlay Zoning District is characterized by high-quality building materials, architectural design, site design, and on-site landscaping. Prominent urban design elements and architectural details, which are decorative and functional, shall be considered as a required component of each site within the District. Above and beyond such concerns, particular attention shall be devoted to ensuring that selected non-residential design components complement nearby non-residential styles and to reflect positively on the character of the community, as becoming an entry corridor, and as determined by the Plan Commission. Where a detailed Neighborhood Plan has been adopted, it should be used to provide additional guidance in the design review process.
- (d) These requirements shall become effective upon the date of adoption of detailed neighborhood plans and upon the date of depicting these overlay zoning districts on the Official Zoning Map.

(21)-(29)Reserved.

(30) **Community Gateway Urban Design Overlay Zoning District:**

- (a) **Requirement of Compatibility:** Proposed site design and construction within this District, including new structures and building additions shall be reviewed, per Section (5) above, by the Plan Commission. The building setback, height, mass, roof form, exterior materials, exterior surface appurtenances, exterior colors, landscaping and lighting shall be compatible with the following General Design Theme, as determined by the Plan Commission.
- (b) **Design Standards for Residential Development:** The General Design Theme for residential development within the Community Gateway Urban Design Overlay Zoning District shall be designed to accommodate typical impacts of transportation and nearby non-

residential development, and to assist in creating a sense of welcome to the City of Lake Geneva -- particularly through the use of building orientation, door and window location and design, and on-site landscaping and related buffering structures or berms. Above and beyond such concerns, particular attention shall be devoted to ensuring that selected residential design components complement nearby residential styles with high-quality building materials, in an attractive manner as becoming a gateway entry to the community, as determined by the Plan Commission. Where a detailed Neighborhood Plan has been adopted, it should be used to provide additional guidance in the design review process.

- (c) **Design Standards for Non-Residential Development:** The general design theme for non-residential development within the Community Entry Corridor Urban Design Overlay Zoning District is characterized by high-quality building materials, architectural design, site design, and on-site landscaping. Prominent urban design elements and architectural details, which are decorative and functional, shall be considered as a required component of each site within the District. Above and beyond such concerns, particular attention shall be devoted to ensuring that selected non-residential design components complement nearby non-residential styles and to reflect positively on the character of the community, and to assist in creating a sense of welcome to the City of Lake Geneva, as becoming a gateway entry area to the community, and as determined by the Plan Commission. Where a detailed Neighborhood Plan has been adopted, it should be used to provide additional guidance in the design review process.
- (d) These requirements shall become effective upon the date of adoption of detailed neighborhood plans and upon the date of depicting these overlay zoning districts on the Official Zoning Map.

(31)-(39)**Reserved.**

Appendix B –Definitions of Prohibited Colors in the Downtown Design Overlay District

NOTE: The City will have to acquire a PANTONE Process Color System Guide or another guide that provides color swatches with CMYK values.

Using the PANTONE Process Color System Guide, the Zoning Administrator shall match the proposed color to the nearest PANTONE color to determine the closest possible equivalent of the proposed color. If the CMYK values of the proposed color meet the definition for any of the colors listed below, that color is prohibited.

BOLD COLORS

Bold Red: Any color in which all CMYK values fall into all of the following ranges:

C: 0-10 M: 90-100 Y: 90-100 K: 0-5

Bold Blue: Any color in which all CMYK values fall into all of the following ranges:

C: 80-100 M: 80-100 Y: 0-25 K: 0-35

Bold Green: Any color in which all CMYK values fall into all of the following ranges:

C: 70-100 M: 0-10 Y: 70-100 K: 0-30

BRIGHT COLORS

Bright Cyan: Any color in which all CMYK values fall into all of the following ranges:

C: 85-100 M: 0-15 Y: 0-15 K: 0-5

Bright Magenta: Any color in which all CMYK values fall into all of the following ranges:

C: 0-15 M: 75-100 Y: 0-15 K: 0-5

Bright Yellow: Any color in which all CMYK values fall into all of the following ranges:

C: 0-15 M: 0-15 Y: 85-100 K: 0-5

FLUORESCENT, “DAY GLOW,” “NEON” COLORS

Fluorescent, “day glow” or “neon” colors are those colors that contain the word “fluorescent,” “neon,” “day glow,” or “DayGlo” in the labeling of the original product packaging or product description, or those colors that have otherwise considered be fluorescent, “day glow,” or “neon” colors by the Zoning Administrator.

Due to a request from the property owner to allow the construction of a Condominium style apartment complex, the City of Lake Geneva is considering a change in the Comprehensive Plan on two parcels of land from Single Family Residential -Urban to Multi-Family Residential. The affected parcels are Tax Key Nos. ZYUP 00130C and ZMEA 00052 and are located on the Southeast corner of Curtis Street and Skyline Drive. The change in the Comprehensive Plan will allow a change in Zoning from Single Family Residential (SR-4) to Multi-Family Residential – 8 (MR-8).

