

STAFF RECOMMENDATION:

THAT A USE SUPPLEMENT BE ADOPTED BY A RESOLUTION OF THE COMMON COUNCIL IN ASSOCIATION WITH A FLEX DEVELOPMENT OVERLAY DISTRICT AT 2100-2200 NORTHWESTERN AVENUE, SUBJECT TO THE FOLLOWING CONDITIONS:

- a) That all uses listed in the underlying R-5 General Residence District are permissible by right or by conditional use permit unless otherwise specified herein.
- b) That all applicable permits are obtained from the Building Inspection Department.
- c) That the following flex use(s) are permitted as permitted use(s) by right by Ordinance No. ZOrd.0002-18 in addition to those permitted by right in the R-5 General Residential District, unless prohibited herein:
 1. Waiver of yard requirements in accordance with 114-254
 2. Commercial uses on the ground floor:
 - a. Bakery, retail.
 - b. Banks and other Financial institutions
 - c. Barbershop.
 - d. Beauty shop.
 - e. Candy and ice cream store.
 - f. Cleaners, pickup station only.
 - g. Custom dressmaking.
 - h. Dine in restaurants
 - i. Food store, grocery store, meat market, and delicatessen.
 - j. Gift and hobby shop.
 - k. Non-amplified music and performance
 - l. Offices, business and professional.
 - m. Shoe repair shop.
 - n. Tailor shop.
 - o. Other uses determined to be similar by the Zoning Administrator.
 3. Studios or work space for artist, photographer, sculptor, wood working, furniture making or restoration, or other like professions.
 4. Existing and approved telecommunications facilities that have all antennas concealed from view. Subordinate equipment is to be completely contained within buildings. If screening is not possible then the City Plan Commission shall review the design for its appropriateness, upon consultation with the Landmarks Preservation Commission.
- d) That the following flex uses may be permitted as a conditional use permit by Ordinance No. ZOrd.0002.18 in addition to those conditional uses permitted in the R-5 General Residential District, unless prohibited herein:
 1. Radio and television stations and towers.
 2. Take out/carry out restaurant.
 3. New telecommunications facilities that have all antennas concealed from view from the street. Subordinate equipment is to be completely contained within buildings. If screening is not possible then the City Plan Commission shall review the design for its appropriateness, upon consultation with the Landmarks Preservation Commission.

- e) That the following uses shall be prohibited:
 - 1. Mobile home parks
 - 2. Boardinghouses, lodginghouses, and roominghouses.
 - 3. Fraternity and sorority houses.
 - 4. Halfway houses.
- f) That the parking requirements conform to the regulations set in Sec. 114-1188 unless otherwise stated herein:
 - 1. Dwelling, multiple-family 1/dwelling unit.
 - 2. Commercial uses require parking at $\frac{1}{4}$ the rate set in Sec. 114-1188.
- g) One nonflashing on-premise sign shall be permitted for each individual retail use with building frontage subject to the following conditions.
 - 1. *Area.* The gross area shall not exceed 20 sq. ft.
 - 2. *Projecting Signs.* A projecting sign may be authorized for retail uses that has 20 ft. or more of building frontage, subject to the following.
 - a) The area of the sign/banner shall not exceed nine square feet.
 - b) Signs shall not have an internally illuminated light box with single or multiple faces that are fully translucent.
 - c) The sign/banner shall not project more than five feet horizontally from the building.
 - d) The sign/banner must have a minimum clearance of eight feet above a public sidewalk and 15 feet above driveways or alleys.
 - e) The sign/banner shall not project higher than 15 feet above curb level.
 - f) No off-premises signs allowed.
 - g) The sign/banner shall be professionally made.
 - 3. That signs conform to all other regulations of Article XI of the zoning code.
- h) That all aspects of the flex uses and all other uses shall be contained on site.
- i) That the Chief Building inspector or Director of City Development may impose additional conditions on a single or a group of flex uses to mitigate potential negative impacts on the subject or surrounding properties. Decisions in this regard may be appealed by the affected operator(s) to the Plan Commission who will forward a recommendation to the Common Council.
- j) That upon consultation between the Chief Building Inspector and Director of City Development, additional uses not listed in this resolution may be permitted if found to comply with the spirit and intent of this flex development and the Flex Development Overlay District
- k) That all applicable codes and ordinances be complied with and required permits acquired.
- l) That no minor changes be made from the conditions of this flex development without the approval of the Plan Commission and no major changes be made without the approval of the Common Council.
- m) That this flex development is subject to Plan Commission review for compliance with the listed conditions.