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3 ORDINANCE BY THE RACINE COUNTY ECONOMIC DEVELOPMENT AND LAND USE
4 PLANNING COMMITTEE TO REZONE FROM P-2 RECREATIONAL PARK DISTRICT TO
5 R-6/PUD TWO-FAMILY RESIDENTIAL DISTRICT/PLANNED UNIT DEVELOPMENT
6 OVERLAY DISTRICT

7
8 SECTION 21, T4N, R23E, TOWN OF CALEDONIA

9
10 APPLICANT: NEWPORT GROUP, LTD

11
12 AN ORDINANCE TO AMEND that Certain Ordinance Entitled RACINE COUNTY
13 ZONING ORDINANCE adopted December 2, 1969, found on pages 185 to
14 232 of the OFFICIAL PROCEEDINGS OF THE RACINE COUNTY BOARD OF
15 SUPERVISORS FOR THE YEAR 1969 as recodified May 28, 1991, by
16 Ordinance 91-196.

17
18 The County Board of Supervisors of the County of Racine ordains as
19 follows: Amend the Racine County Zoning Ordinance and change the
20 zoning district for the following described lands from P-2
21 Recreational Park District to R-6/PUD Two-Family Residential
22 District/Planned Unit Development Overlay District

23
24 BEING A PART of the Southeast ¼ of the Southwest ¼ of Section
25 21, Township 4 North, Range 23 East, Town of Caledonia, Racine
26 County, Wisconsin, more particularly described as follows:

27 COMMENCING at the Southwest corner of said Southwest ¼; thence
28 N 88°32'09" east, along the South line of said Southwest ¼, a
29 distance of 1,322.10 feet;

30 THENCE N 00°13'44" west, a distance of 725.59 feet to the
31 point of beginning;

32 THENCE N 00°22'26" west, a distance of 594.70 feet;

33 THENCE N 88°42'59" east, a distance of 580.95 feet;

34 THENCE S 00°20'21" east. a distance of 593.04 feet;

35 THENCE S 88°33'07" west. a distance of 580.62 feet to the
36 point of beginning.

37 CONTAINING 344,857 square feet or 7.9168 acres, more or less.

38
39 The official Racine County Zoning Map is hereby amended to conform
40 to this ordinance.

41
42 CONCERNING THE PUD, the applicant is responsible for compliance
43 with his testimony and the testimony of his agents given at the
44 August 15, 2005, public hearing and all subsequent public
45 meetings, whereby assurances were given, exhibits were presented,
46 and information was explained and received, all of which are now
47 part of the record.

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49 THE APPLICANT is also responsible for compliance with the
50 application and various site, grading, and landscaping plans
51 previously filed with Racine County.

52
53 IN ADDITION, the applicant is responsible for compliance with
54 conditions established by the Town of Caledonia and the Racine
55 County Economic Development and Land Use Planning Committee.

4 THESE CONDITIONS are on file at Racine County Planning and may be
5 amended from time to time.

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7 The Racine County Clerk is directed to transmit duplicate copies of
8 this ordinance by registered mail to the Caledonia Town Clerk
9 within seven (7) days after this ordinance is adopted.

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12 Respectfully submitted,
13 ECONOMIC DEVELOPMENT & LAND USE PLANNING COMMITTEE

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17 Jeff Halbach, Chair Thomas Pringle, Vice Chair

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21 Q. A. Shakoor, II, Secretary Karen A. Nelson

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25 Mark M. Gleason Michael J. Miklasevich

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29 Robert D. Grove

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31 VOTE REQUIRED: MAJORITY BOARD ACTION:

32
33 1st Reading _____ Adopted
34 For
35 2nd Reading _____ Against
36 Absent

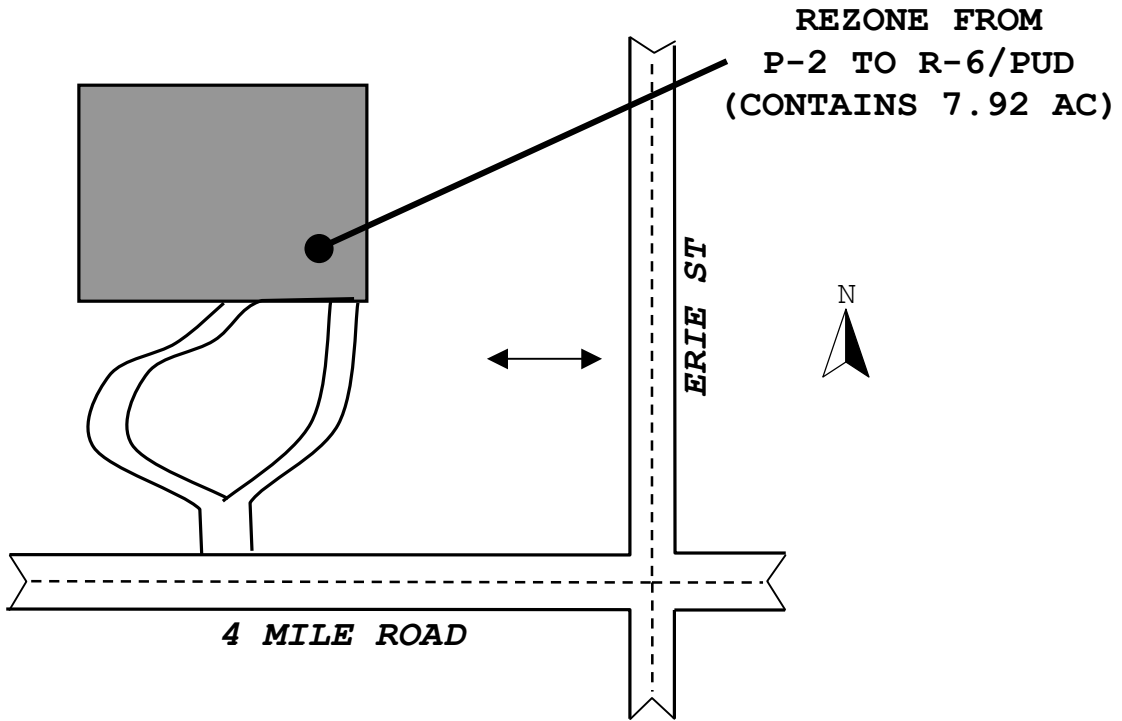
37
38 The Certificate of Publication, in compliance with State Statutes,
39 is available at Racine County Planning.

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41
42 FISCAL NOTE - NOT APPLICABLE

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44 NOTE: to allow the development of 15 two-family residential
45 units

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47 NOTE: The Committee recommended approval of this petition as
48 the Town approved the concept plan and this rezoning will
49 not adversely affect the surrounding property values.
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NEWPORT GROUP, LTD. – POINT WEST RACQUET & FITNESS CLUB, INC.
BRIARWOOD
APPROVAL CONDITIONS
AUGUST 15, 2005

1. Failure to comply with the terms and conditions stated herein might result in the issuance of citation(s) and/or revocation of this permit.
2. The applicant must obtain a zoning permit card from this office after paying the required fee of \$110.00. (This fee only authorizes the PUD permit.) This card must be displayed in a prominent location at the project site, and a copy of these conditions must be kept at the project site at all times until the project has been completed.
3. This proposed R-6/PUD, known as Briarwood, must be located and constructed in accordance with the concept plan received by Racine County Planning on July 19, 2005, as such may be modified through the platting process. This includes reduced lot widths and areas and reduced setback requirements. This development is to be a condominium with building pads, not lots.
4. This approval will expire August 15, 2006, unless substantial work has commenced following such grant. If this office determines that no substantial work has commenced, the project may not proceed and no construction may begin unless the Racine County Economic Development and Land Use Planning Committee grants a written extension. Written extension requests must be submitted to this office 30 days before permit/approval expiration.
5. The applicant must allow any Racine County employee full and unlimited access to the project site at a reasonable time to investigate the project's construction, operation, or maintenance.
6. The applicant must comply with the provisions of Article VII, Division 4, Performance Standards of Chapter 20, Zoning, Racine County Code of Ordinances.
7. All road names must be consistent with the Racine County Uniform Street Naming and Numbering System. The road names must be reviewed and approved by Racine County Planning. Racine County Planning and Development will assign addresses for all the new residential units in Briarwood.
8. Any proposed street and yard lights must be equipped with full cut-off luminaires following the lighting practices as found in IESNA RP-8-00.
9. All exterior lighting must be energy efficient and must be located, oriented, and of an intensity to illuminate only the building sites or lots without detrimentally affecting activity on adjacent sites or lots or traffic on streets and highways.

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10. The proposed overall heights of all light standards and the candlefoot power of the lights must be residential in scale.
11. A condominium plat must be prepared for this project and must be submitted to Racine County and the Town of Caledonia for approval.
12. Any subdivision name sign must be located according to Racine County Code of Ordinances, Chapter 20, Zoning. The sign must be a ground-mounted, landscaped monument sign. If the sign is lighted, it must be illuminated either internally or by shielded, top-mounted, down-directed white lighting. A separate zoning permit is required for each subdivision sign.
13. The proposed roads in this development will be private. The site owner is responsible for constructing the roads according to the Town of Caledonia's road construction rules and standards. The developer's agreement with the Town will detail how the roads will be constructed.
14. Grading, filling, and removing topsoil or other earthen materials are prohibited except in conjunction with the construction of residences and permitted outbuildings, the construction of private roads, the installation of utilities, the construction of driveways serving properly located residences and/or outbuildings, the establishment of drainage facilities (ditches, waterways, etc.) approved by the Town of Caledonia, or with the specific approval of the Racine County Planning Division.
15. Gazebos, pavilions or other minor structures that might be located within the designated open space in this subdivision for use by the homeowners' association will require separate zoning permits. Fees will be based on the fee schedule in effect at the time of permit application.
16. The proposed erosion-control measures (silt fences) must be installed according to best management practices. The silt fences must be installed before any earth disturbance activities occur. Storm water/sediment basins, if any, must be installed before other earth-disturbance activities occur so as to help trap sediment-laden water. Keep as much of the existing vegetation in place during construction.

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17. Silt fences must be installed in conformance with the attached job sheet, between any construction and the stream, wetlands or environmental corridors that are located in this subdivision. These silt fences must be installed outside of the boundary line of the proposed construction limits. The stream, wetland and environmental corridor must be protected, and inspection of the silt fences should be top priority during construction. Additional silt fences or other erosion-control measures may be needed in certain areas of this project if deemed necessary.
18. A minimum of three inches of topsoil must be on the surface of all areas that will be vegetated prior to seeding. Permanent seeding must be completed within seven days after grading. All road ditches must be seeded, fertilized, mulched, and in some instances should have erosion-control netting or sod. The ditches must have side slopes of 3:1 or flatter. If final grading of the road ditches is delayed until the road surface is installed, a temporary seeding of winter wheat or perennial ryegrass must be sown at a rate of five pounds per 1,000 square feet of disturbed areas in the ditches. If construction starts later this Fall, dormant seeding must be applied to the disturbed areas and re-seeding of those areas must be done next Spring, if the seed does not germinate. All seeding must be completed no later than September 15, 2006. See the attached "WI-CPA-123" for seeding recommendations or use the standard Department of Transportation's mixtures. In some of the natural areas, native prairie and wildflowers should be re-established.
19. Keep all stockpiles out of drainage ways. These stockpiles must be temporarily seeded within seven days after formation and must have side slopes of 2:1 or flatter. Temporary seeding must consist of five pounds of perennial ryegrass per 1,000 square feet of area. If the stockpile is to be a permanent pile, a minimum of four inches of topsoil must be on the surface prior to seeding with permanent grass.
20. The declaration of covenants, conditions, and restrictions for this development must be submitted to Racine County Planning and Development for review and approval within 120 days of this approval.
21. The driveways and all parking areas serving this project must be maintained in an all-weather, dust-controlled condition.
22. Storm water drainage review is the Town of Caledonia's responsibility, and a complete drainage plan for this entire site must be submitted to the Town of Caledonia Engineer for review and approval. No permits will be issued for construction or grading on the project site until the Town has submitted written notification to Racine County Planning of their review and approval of the drainage plan.

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23. The minimum street yard setback for this development is 25 feet. The minimum rear yard setback for this development is 25 feet. The separation between buildings will be 20 feet.
24. If needed, only clean fill may be used for this project. Fill material may not contain sod, brush, roots, or other perishable material. No re-bar, asphalt, scrap wood, or other types of construction debris will be permitted as fill material. Rock particles larger than three-fourths of the layer thickness must be removed from the material before compacting with the fill.
25. The applicant must obtain all necessary federal, state, and local permits, approvals, and licenses. He must comply with all applicable codes and regulations.
26. During construction, this site must have graveled roads, access drives, and/or parking areas of sufficient width and length to prevent sediment from being tracked onto public or private roadways. Any sediment reaching a public or private road must be removed by street cleaning (not flushing) before the end of each work day or as determined by the jurisdictional highway authority.
27. A complete and thorough maintenance program must be established to insure attractiveness. The continued positive appearance of buildings and property is dependent upon proper maintenance attitudes and procedures. Maintenance programs must be established that include watering, maintaining, and pruning all landscape planting areas; cleaning up litter and emptying trash containers in a timely fashion; sweeping, cleaning, and repairing paved surfaces; replacing broken and vandalized parts; replacing burned out light bulbs; and cleaning, painting, and repairing windows and building facade.
28. No additions, deletions, or changes may be made to the project, site plan, or these conditions without the Racine County Economic Development and Land Use Planning Committee's and the Town of Caledonia's prior approval. All addition, deletion, and/or change requests must be submitted to this office in writing.
29. Your accepting this approval/permit and beginning the project means that you have read, understand, and agree to follow all conditions. Therefore, Ray Leffler, Newport Group Limited, their officers, heirs, successors, and assigns are responsible for full compliance with these conditions.
30. It is the property owner's responsibility to inform any subsequent owner or operator of these conditions.
31. All utilities must be constructed underground.