

<p>Municipal Building 625 52nd Street – Room 202</p>	<p><i>Kenosha City Plan Commission</i> <i>Agenda</i></p>	<p>Thursday, March 7, 2013 5:00 p.m.</p>
<p><i>Mayor Keith Bosman - Chairman, Alderman Kevin Mathewson - Vice-Chairman</i> <i>Alderman Anthony Kennedy, Alderman Jan Michalski,</i> <i>Kathryn Comstock, Robert Hayden, Anderson Lattimore, Jessica Olson and Ron Stevens</i></p>		

Call to Order and Roll Call

Approval of Minutes from February 21, 2013

1. Conditional Use Permit for a 64,960 s.f. waste transportation facility to be located at 4909 70th Avenue. (EMCO Waste Services) (District #16) PUBLIC HEARING
2. Conditional Use Permit for a 5,177 s.f. restaurant with drive-thru to be located at 12214 75th Street. (McDonald's) (District #16) PUBLIC HEARING
3. Conditional Use Permit for a 61,082 s.f. medical building to be located east of 118th Avenue at 68th Street. (Aurora Cancer Center) (District #16) PUBLIC HEARING
4. Review the location of a sculpture to be located at 812 56th Street. (Visitor's Bureau) (District #2) PUBLIC HEARING
5. By Alderperson Kevin E. Mathewson, Co-Sponsor Alderperson Steven G. Bostrom - To Repeal and Recreate Subparagraph 3.15 A.5.a. as Subparagraph 3.15 A.5.a-1. and Repeal Figure 3-1 of the Zoning Ordinance entitled "Amusement and Recreation Enterprises" and Reletter Subparagraphs 3.15 A.5.b-1, c and d. PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

Adjournment

Community Development & Inspections
625 52nd Street – Room 308
Kenosha, WI 53140
262.653.4030 phone / 262.653.4045 fax
www.kenosha.org

If you are disabled in need of assistance, please call 262.653.4030 at least 72 hours before this meeting.

Notice is hereby given that a majority of the members of the Common Council may be present at the meeting. Although this may constitute a quorum of the Common Council, the Council will not take any action at this meeting.

CITY PLAN COMMISSION
Minutes
February 21, 2013

MEMBERS PRESENT: Alderman Mathewson, Alderman Kennedy, Alderman Michalski, Kathryn Comstock, Robert Hayden and Anderson Lattimore

MEMBERS EXCUSED: Mayor Bosman, Jessica Olson and Ron Stevens

STAFF PRESENT: Jeffrey B. Labahn, Rich Schroeder and Brian Wilke

Others Present: Alderman Bostrom, Alderman Gordon and Alderman Schwartz

The meeting was called to order at 5:00 p.m. by Alderman Mathewson and roll call was taken.

A motion was made by Alderman Michalski and seconded by Mr. Hayden to approve the minutes of the January 24, 2013 meeting. The motion passed. (Ayes 6; Noes 0)

- 1. By the Mayor - To Amend Subparagraph 14.08 H.1. and Create Subparagraph 14.08 H.1.a. of the Zoning Ordinance regarding interior parkway landscaping. PUBLIC HEARING**

Public hearing opened.

Ron Trachtenberg, Murphy Desmond SC, 33 E Main Street, Madison, spoke representing the Woodmans property. Mr. Trachtenberg explained that the property was in compliance, but with changes from WisDOT, the current Zoning Ordinance would result in loss of parking spaces on their site. This Amendment would stipulate that any future development expansion or modification on sites where landscaped areas were affected by the East Frontage Road Project would not cause the City to require the landscaped areas to be expanded to their previous width and area.

Public hearing closed.

Rich Schroeder, Deputy Director, said this is a unique situation because of the frontage road changes made by WisDOT. The proposed Amendment was drafted by the City Attorney to clarify these issues.

A motion was made by Alderman Michalski and seconded by Mr. Lattimore to approve the Zoning Ordinance Amendment.

Mr. Lattimore asked how much space was effected by this frontage road project. Mr. Schroeder said part of the buffer was lost but there is no additional impact now. The Amendment would prevent loss of parking if there was a future modification or development expansion.

Alderman Michalski asked if the Amendment is not passed, would these properties be grandfathered. Mr. Schroeder explained that the use would continue, but any future

modifications would not be allowed or they would have to comply to the existing zoning ordinance which would result in a loss of parking spaces.

Alderman Kennedy asked if there is need for concern on the setbacks for landscaping. Mr. Schroeder said there is a potential for loss of parking spaces only.

The motion passed. (Ayes 6; Noes 0)

2. By the Mayor - To Amend Subparagraph 3.14 A.5.g-1; To Create Subsection 3.14 C.25; To Modify Table 4.01 Group 2; and To Create Subsection 4.06 B.24 of the Zoning Ordinance for the City of Kenosha, Wisconsin regarding Indoor Kennels. PUBLIC HEARING

Public hearing opened.

Alderman Scott Gordon, 5204 46th Avenue, spoke in support of the Amendment. Alderman Gordon has been working with the applicant of the proposed indoor kennel which would bring a new use to an older building that was vacant for approximately 10 years. Alderman Gordon has also contacted some of the six (6) homeowners that are in the immediate area, there were no objections.

Nancy Croft, 4980 Darling Drive, Gurnee, IL is the applicant for the proposed kennel. Ms. Croft gave an overview of the facilities.

Public hearing closed.

Brian Wilke, Development Coordinator, explained that the Zoning Ordinance currently requires a kennel to be a minimum of fifty (50') feet from the lot line of a residential district. The proposed Amendment would allow this setback to be negated because the entirety of the business will be conducted within the enclosed building.

Mr. Hayden said there is a house to the east of the building that is very close, have you spoke with those people? Alderman Gordon said this is a rental property and the tenants are ok with the indoor kennels.

Ms. Comstock asked how would you take care of the noise, sometimes it is difficult to control a number of dogs in one place. Ms. Croft said there is generally not a lot of barking. If there is an outburst, we would separate the dogs or give them a "time out." Ms. Comstock asked if there will be training? Ms. Croft said no, there is overnight boarding.

A motion was made by Alderman Kennedy and seconded by Mr. Hayden to approve the Amendment. The motion passed. (Ayes 6; Noes 0)

3. By Alderperson Jan Michalski; Co-Sponsors: Alderperson Curt Wilson, Alderperson Scott N. Gordon, Alderperson Patrick Juliana, Alderperson Chris Schwartz - To Repeal and Recreate Subparagraph 4.06 B.23.b.(2) of the Zoning Ordinance for the City of Kenosha regarding Location of Convenient Cash Business(es) in the B-2 District. PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Alderman Michalski said he has received complaints on the density of the convenient cash businesses. The proposed Ordinance would increase the distance between two convenient cash businesses. The proposed Amendment would not impact an existing business, but if the business were to close, a new business would not be allowed in same location.

A motion was made by Alderman Kennedy and seconded by Alderman Michalski to approve the Amendment. The motion passed. (Ayes 6; Noes 0)

4. By Alderperson Chris Schwartz - To Create Sections 3.15 C.18 and C.19, To Amend Table 4.01 Group 2 "Business Conditional Uses" and to Create Sections 4.06 B.24 and B.25 of the Zoning Ordinance to Include Body-Piercing and Tattoo Establishments. PUBLIC HEARING

Public hearing opened.

Alderman Chris Schwartz, 402 65th Street, spoke in support of the Amendment. There are potential businesses that could occupy the downtown area if this Amendment is approved.

Jennifer Priess, 7506 22nd Avenue, spoke in support of the Amendment. Ms. Priess is a tattoo artist and said the Amendment would bring more artists and creative people to the area.

Public hearing closed.

Mr. Schroeder said these establishments are currently only allowed in the B-2 District with a Conditional Use Permit. The Amendment would also allow them in the B-3 District and add a spacing requirement of one thousand (1,000') feet from another establishment.

A motion was made by Alderman Kennedy and seconded by Alderman Michalski to approve the Amendment.

Alderman Kennedy said while he supports the Amendment, he recommends an "open gallery" style of establishment. This arrangement is more appealing.

Alderman Michalski asked if there was an age restriction to getting a tattoo. Ms. Priess said you must be 18 years of age. Alderman Michalski said you may want to consider changing this to 21 years of age.

Alderman Mathewson asked Ms. Priess what type of license is required? Ms. Priess said a Tattoo License from the State.

The motion passed. (Ayes 6; Noes 0)

5. By Alderperson Kevin E. Mathewson, Co-Sponsor Alderperson Steven G. Bostrom - To Repeal and Recreate Subparagraph 3.15 A.5.a. as Subparagraph 3.15 A.5.a-1. and Repeal Figure 3-1 of the Zoning Ordinance entitled "Amusement and Recreation Enterprises" and Reletter Subparagraphs 3.15 A.5.b-1, c and d. PUBLIC HEARING

Public hearing opened.

Alderman Steve Bostrom, 1720 75th Street, spoke in support of the Amendment.

Public hearing closed.

Mr. Wilke explained currently these type of establishments are permitted within the B-3 District which has a limited area in the downtown, but they are not permitted in the Uptown. The proposed Amendment would allow these in the Uptown.

Alderman Mathewson said entertainment type business is allowed in the City except for the downtown or Uptown. The proposed Amendment would change this. The applicant would still need approval by the Common Council.

Alderman Michalski said he would like to talk to others in the district and get their concerns on this Amendment since they are the ones that will be affected.

A motion was made by Alderman Michalski and seconded by Alderman Kennedy to defer the proposed Amendment for 2 weeks.

Alderman Kennedy asked that Staff provide: What is the benefit to being in an amusement or recreation zone. Please email this information to the members prior to the next meeting.

Jeffrey B. Labahn, Director, said this started in 1984 with the adoption of the Zoning Code, it states if you are an amusement or entertainment enterprise, you must obtain a license so the City can make sure it is done in a professional manner. Then, in 1997, the Zoning was amended to restrict and concentrate the location in an attempt to create an "entertainment corridor".

Alderman Kennedy asked if this will change the "entertainment" boundary. Mr. Labahn said the boundary would be eliminated. Mr. Labahn added that there are currently seven (7) Amusement/Recreation licenses in the City.

Mr. Hayden said that he lives near Claw's Billiards and has not noticed any problems there. Mr. Hayden does not see the need for deferral.

Ms. Comstock asked Alderman Michalski what he thought the concerns from other businesses would be. Alderman Michalski said they did not say, but when these businesses were in the Uptown there were some problems. Alderman Michalski would just like to give them the opportunity to talk. Ms. Comstock asked who will notify them? Alderman Michalski said he would contact them.

Alderman Mathewson said he spoke to the chair of the Uptown Business Group and initially he did not like the Amendment, but he did not have any suggestions. The City can still approve the use on a case by case basis. Alderman Mathewson added that Mayor Bosman and Mr. Pacetti endorse this Amendment.

A motion was made by Alderman Kennedy and seconded by Mr. Lattimore to reopen the public hearing. The motion passed. (Ayes 6; Noes 0)

Public hearing opened.

Alderman Bostrom said he understands that the passage of this Amendment is not a "pressing issue", but the issue with "Twisters" is not a good comparison. By approving this Amendment, we have not designated what is allowed, but rather how the area is developed.

Public hearing closed.

Ms. Comstock believes it would be business friendly to allow time to get questions answered and she supports the deferral.

The motion to defer passed. (Ayes 4; Noes 2) *Alderman Mathewson and Mr. Hayden voted no*

6. City Plan Commission Resolution: To Amend the *Land Use Plan Map for the City of Kenosha: 2035* rezoning property at 6915 75th Place. (RAP of Pewaukee, LLC) (District #14) PUBLIC HEARING

Alderman Mathewson asked that Items #6, #7 and #8 be taken together for public hearing purposes. All items were read.

7. By the Mayor - Petition to Rezone property at 6915 75th Place from B-2 Community Business District to RM-2 Multiple-family Residential District in conformance with Section 10.02 of the Zoning Ordinance. (RAP of Pewaukee, LLC) (District #14) PUBLIC HEARING

8. By the City Plan Commission - To Create Subsection 18.02 u. of the Zoning Ordinance to Amend the *Land Use Plan Map for the City of Kenosha: 2035*. (RAP of Pewaukee, LLC) (District #14) PUBLIC HEARING

Public hearing opened.

Bill Bodner, 11514 North Port Washington Road, Mequon, gave an overview of the project. Mr. Bodner noted these are market rate apartments. Sizes will range from 800 to mid 1,200 s.f. and rents will be from \$700 to mid \$1,100 per unit. A Neighborhood Meeting was held and some of the issues brought forward were traffic, storm water retention and landscaping. A more complete Storm Water Management Plan will be done. Mr. Bodner said he would work with the neighbors to create a landscape buffer area. The traffic will increase, but this type of development will bring less traffic than if it were zoned B-2.

Ken Jennings, 9063 Cooper Road, Pleasant Prairie, owns property at 7005 75th Street. Mr. Jennings is confused why property zoned B-2/Business should be rezoned to Residential. There will be a lot more traffic on 70th Avenue and no advantage.

Kathy Jennings, 9063 Cooper Road, Pleasant Prairie, said the zoning plans were laid out and this is a valuable corridor. There are other areas that would be better for the residential development.

Mr. Jennings added that there was a community meeting held, but we were not notified.

Kevin Pfeufer, 7620 70th Avenue, has a concern with the property values. This would bring 70 new, fluctuating neighbors.

Casey Swetland, 7700 70th Avenue, said this would be a major change to the Comprehensive Plan. Mr. Swetland advised the City to do their due diligence on researching this developer before allowing the proposed development. There are failed developments associated with this firm.

Craig Schellin, 7624 70th Avenue, suggested that 70th Avenue be turned into a dead-end street to stop the traffic from flowing through that area.

Sharon Ingham, 6912 78th Street, said she is concerned with the drainage in the area. There is currently a retention pond, but they have 1 to 1 1/2 feet of water during heavy rains. Ms. Ingham asked the City to look into the flooding problem.

Ms. Jennings spoke again asking if an Impact Statement was done for this project.

Pat Magnuson, 7728 70th Avenue, said she is concerned with the drainage and the traffic.

Public hearing closed.

Mr. Labahn said he received a phone call from Alderman Prozanski late this afternoon stating he would be unable to attend the meeting tonight due to an illness in the family. Alderman Prozanski stated that at this time he is not taking a definitive position on this project. He is interested in hearing the comments that are expressed at tonight's meeting from both the neighborhood as well as the City Plan Commission.

Mr. Wilke showed a video of the site. Mr. Wilke stated that the improvement of 70th Avenue would be the responsibility of Mr. Bodner. The City would work with him to determine the street width. Mr. Wilke said the traffic will increase, but the multi-family development will bring less traffic than a commercial development would bring. City Staff spoke with WisDOT and they will not require a Traffic Impact Analysis to be done. Mr. Bodner has previously completed an apartment complex on the SWC of 64th Avenue and 52nd Street and he also manages properties. The driveway locations were discussed and Staff will be requiring two (2) access points. The City will require a Storm Water Plan and will take into account the issues brought up. Staff is looking for feedback, but a similar development in a similar setting would be the Pike Creek Development.

Alderman Mathewson said after listening to the comments, he would like to ask to defer the items for 30 days to do more work on the project and get more feedback.

A motion was made by Alderman Mathewson and seconded by Mr. Hayden to defer the items for 30 days.

Mr. Lattimore asked what did you use for an invitation list for the neighborhood meeting and did you have a "sign-up" sheet? Mr. Bodner said he received a list from City Staff and yes, there is a sign-up sheet. Mr. Lattimore asked that it be provided to Staff.

Alderman Kennedy asked Alderman Mathewson what he is looking to accomplish in the 30 day period. Alderman Mathewson said right now I would deny this project, but I want to give the applicant time to work with Staff and the Alderman to see if any of the issues can be resolved.

Alderman Kennedy says he does not support the deferral. When hearing the comments from the people who spoke, I have mixed feelings. Alderman Kennedy said when the other project in this neighborhood was proposed, people said they don't want commercial development. Now, we are proposing residential development and you don't want it. Alderman Kennedy said he changed his mind and now will support the deferral.

Ms. Comstock has concerns with the traffic problem because Green Bay Road and 75th Street are already busy. How will there be less traffic with residential?

The motion to defer for 30 days passed. (Ayes 6; Noes 0)

Mr. Labahn clarified that the motion to defer was for Items #6, #7 and #8. Alderman Mathewson said yes, all items.

9. By the Mayor - Resolution to approve a two-lot Certified Survey Map for property at 2216 Roosevelt Road. (Kassel) (District #3) PUBLIC HEARING

Public hearing opened.

Gary Anderson, 7400 60th Avenue, was present and available for questions.

Public hearing closed.

Alderman Michalski said he has no objection, this is a housekeeping matter.

A motion was made by Alderman Kennedy and seconded by Alderman Michalski to approve the Certified Survey Map. The motion passed. (Ayes 6; Noes 0)

10. 2012 Annual List of Amendments to the "A Comprehensive Plan for the City of Kenosha: 2035". PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

A motion was made by Alderman Michalski and seconded by Mr. Lattimore to Receive and File the List of Amendments. The motion passed. (Ayes 6; Noes 0)

Public Comments

Bill Bodner addressed some of the questions raised earlier during the meeting. The three agenda items are labeled as "RAP of Pewaukee, LLC". That is not my company, that is a previous owner, that may be related to the bad developments mentioned. Mr. Bodner said there has been a lot of discussion on the traffic. There will be traffic there regardless of what is built, but less traffic with residential rather than commercial. Mr. Bodner asked Staff if they need any other information from him to move this item forward. Alderman Mathewson asked him to remain after the meeting and it would be worked out.

Ken Jennings reiterated he does not understand why they would take a commercial property and turn it into residential.

Kathy Jennings said there is a lot of interest in this prime commercial property and there are other locations this residential project could be built on.

Commissioner Comments

Alderman Kennedy said Mr. Bodner is the person that was able to obtain funding for his project, that is why he is proposing to build. I don't understand why you don't want the Meijer development, but you don't want this residential development either.

Staff Comments

A motion to adjourn was made by Alderman Kennedy and seconded by Alderman Michalski. The motion passed. (Ayes 6; Noes 0) The meeting adjourned at 6:35 p.m.

Minutes Prepared by: Kay Schueffner, Department of Community Development & Inspections

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	March 7, 2013	Item 1
Conditional Use Permit for a 64,960 s.f. waste transportation facility to be located at 4909 70th Avenue. (EMCO Waste Services) (District #16) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 4909 70th Avenue
 Zoned: M-2 Heavy Manufacturing/Air-4 Airport Overlay District

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Downing, has been notified. The Common Council is the final review authority. The site shall comply with the Industrial Park of Kenosha Protective Covenants.

ANALYSIS:

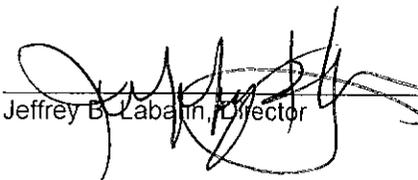
- The applicant is proposing to occupy the existing building at 4909 70th Avenue with a non-hazardous waste transfer facility.
- The basis of the operation is to accept non-hazardous waste from various facilities and bundle it for shipping to other off-site facilities that process the non-hazardous waste. Examples of the non-hazardous waste include expired food products, paint or cough syrup. The non-hazardous waste is never removed or transferred from the container it is shipped in.
- If hazardous waste is delivered to the site, it is immediately quarantined and sent back to the supplier or a proper disposal facility in less than ten (10) days.
- The applicant is proposing to install four (4) new depressed docks on the south elevation and four (4) new depressed docks on the east elevation of the building.
- The Industrial Park Control Committee reviewed this plan on February 22, 2013 and approved the plans as presented.
- City Departments have reviewed the plans. Their comments are included in the attached Conditions of Approval
- The plans generally comply with Sections 4 and 14 of the Zoning Ordinance.

RECOMMENDATION:

A recommendation is made to approve the Conditional Use Permit, subject to the attached Conditions of Approval.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Director

Planning & Zoning Division
625 52nd Street
Kenosha, WI 53140
262.653.4030

***Kenosha City Plan
Commission
Conditions of Approval***

**EMCO Waste Service
4909 70th Avenue**

March 7, 2013

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections. This includes, but is not limited to Building and Occupancy permits.
 - b. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval.
 - c. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - d. Prior to the issuance of any Occupancy permits, the building exterior shall be completed per the approved plans, the exterior lighting shall be installed and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - e. Compliance with City and State and/or Federal Codes and Ordinances and the Industrial Park of Kenosha Protective Covenants. The buildings shall comply with the current Code standards in effect upon application for a building permit.
 - f. All trash containers shall be stored within the enclosure or building. The applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.
 - g. The applicant shall meet all applicable Conditions of Approval and obtain a building permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - h. All vehicles shall be parked within the designated paved areas.
 - i. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.
 - j. Compliance with the Operational Plan dated February 7, 2013.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
 - a. The Utility Plan shall be revised and resubmitted for review and approval addressing the comments listed in the Kenosha Water Utility Memo dated February 19, 2013.

Engineering Services

4401 Green Bay Road
Kenosha WI 53144

Phone (262) 653-4315
Fax (262) 653-4303



"Providing and Protecting Kenosha's Greatest Natural Resource"

MEMO

To: Brian Wilke, Development Coordinator

From: Ian C. Bagley, P.E., Water Engineer

Date: February 19, 2013

Subject: EMCO Waste Services

Location: 4909 70th Avenue

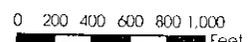
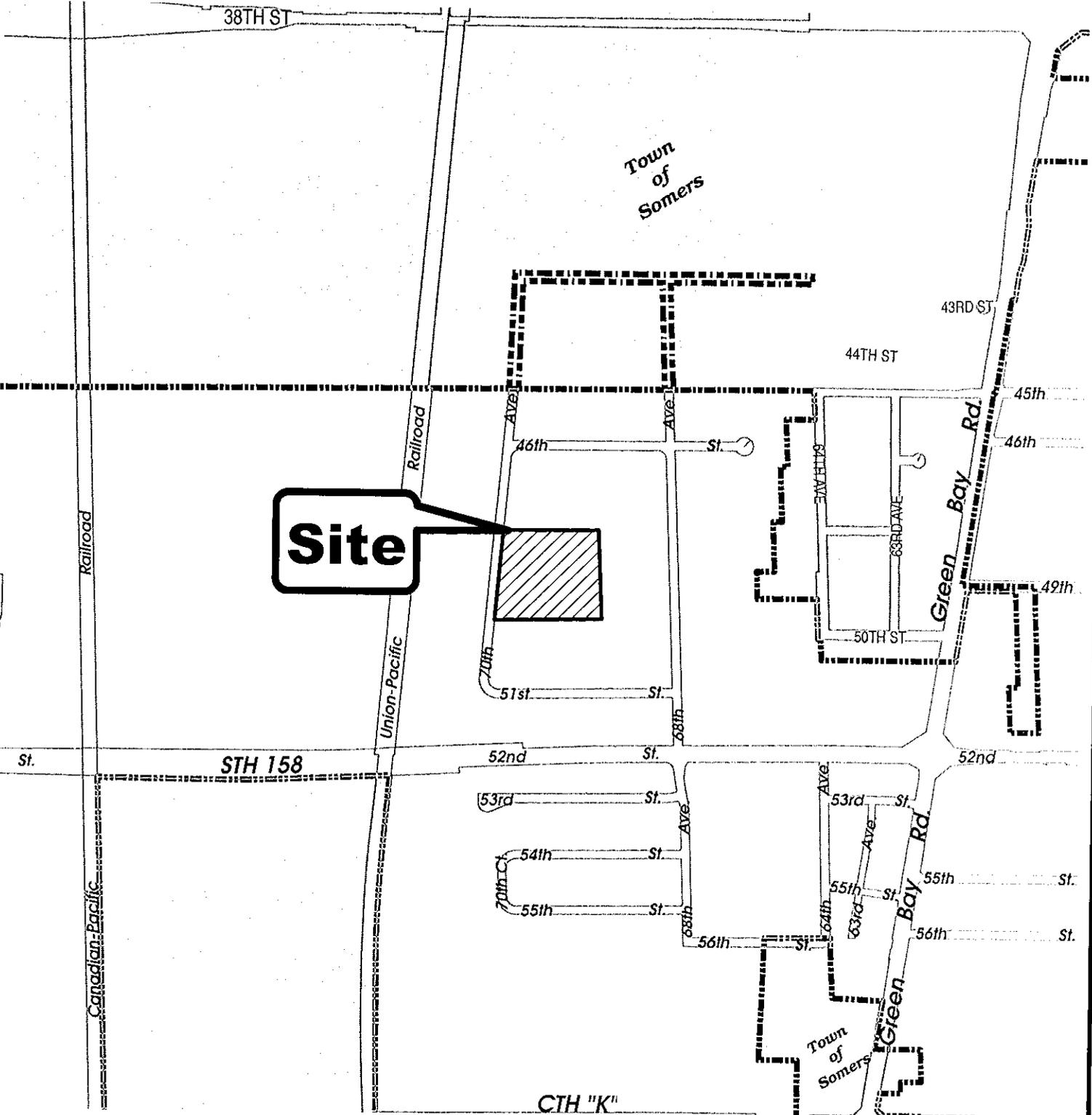
The Kenosha Water Utility has reviewed the submittal for the above referenced project. Further information from the Developer is required before the Utility can complete this review. Please withhold all permits until the following information is submitted.

1. A sampling manhole will be required, as this is an industrial facility, in accordance with Rule 08-05(02) of the Kenosha Water Utility Rules and Regulations. This sampling manhole shall be within five feet (5') of the property line and KWU shall be given written authorization to access the structure.
2. There are two sanitary sewer services to the building. The Developer must show what discharges are going to each service in order to determine if multiple sampling manholes will be required.
3. Industrial facilities must complete an industrial discharge form in accordance with Rule 08-03(02) of the Kenosha Water Utility Rules and Regulations. This form is attached.

CC: Mr. Robert Carlson, P.E., Director of Engineering Services

City of Kenosha

Vicinity Map
EMCO Waste Services CUP



**Development Review Application
City of Kenosha, Wisconsin**

MAILING INFORMATION

NAME OF PROJECT: EMCO Chemical Distributors, Inc., Waste Services Division

Check one (1) of the following boxes to indicate the recipient of all correspondence:

Name and Address of Applicant (Please print):
Greg Devereux Phone: 262-658-4000
EMCO Chemical Distributors, Inc. Fax: 262-658-1661
9114 58th Place, Suite 900 E-Mail: gdevereux@emcochem.com
Kenosha, WI 53144

Name and Address of Architect/Engineer (Please print):
 _____ Phone: _____
 _____ Fax: _____
 _____ E-Mail: _____

Name and Address of Property Owner (if other than applicant) (Please print):
 _____ Phone: _____
 _____ Fax: _____
 _____ E-Mail: _____

PROJECT LOCATION

Location of Development (street address and / or parcel number): 4909 70th Avenue, Kenosha, WI
08-222-34-251-020

TYPE OF LAND DEVELOPMENT

Check all that apply. Note: Additional information may be required within individual Sections.

<input type="checkbox"/>	Certified Survey Map	Section 1	Page 3
<input type="checkbox"/>	Concept Review (<i>Land Division</i>)	Section 2	Page 4
<input type="checkbox"/>	Concept Review (Multi-Family Residential or Non-Residential)	Section 3	Page 5
<input checked="" type="checkbox"/>	Conditional Use Permit	Section 4	Pages 6 & 7
<input type="checkbox"/>	Developer's Agreement	Section 5	Page 8
<input type="checkbox"/>	Final Plat	Section 6	Pages 9 & 10
<input type="checkbox"/>	Lot Line Adjustment Survey	Section 7	Page 11
<input type="checkbox"/>	Preliminary Plat	Section 8	Pages 12 & 13
<input type="checkbox"/>	Rezoning	Section 9	Pages 14 & 15
<input type="checkbox"/>	Site Plan Review	Section 10	Pages 16 & 17

**PRIOR TO SUBMITTING THIS APPLICATION TO THE DEPARTMENT OF CITY DEVELOPMENT,
PLEASE REVIEW THE APPROPRIATE SECTION(S) FOR FEES, REQUIREMENTS AND APPROPRIATE APPENDICES.**

*Submit this cover page, completed application, applicable section(s) and appendices
along with ALL required plans, information and fees to:*

Department of Community Development & Inspections
 Planning Division
 625 52nd Street, Room 308
 Kenosha, WI 53140

Phone: 262.653.4030
 Fax: 262.653.4045

Office Hours:
 M - F 8:00 am - 4:30 pm

**SECTION 4
CONDITIONAL USE PERMIT**

Additional Information Required:	Building or Addition Square Footage: <u>0 - Adding 7 Recessed Docks</u> Existing Building Size: <u>64,690 s.f.</u> Site Size: <u>10.88 Acres</u> Current # of Employees <u>11</u> Anticipated # of New Employees <u>5 - 10</u> Anticipated Value of Improvements <u>\$300,000</u>			
Submittal Requirements:	<ul style="list-style-type: none"> ➤ Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale ➤ Developer Site Plan/Conditional Use Permit Checklist (Appendix A) 			
If Item to be Reviewed by Plan Commission/Common Council must Submit:	<ul style="list-style-type: none"> ➤ One (1) 8 1/2" x 11" reduction <i>or</i> forty (40) 11" x 17" reductions of the Site/Landscape Plan, Floor Plan and Colored Building Elevations (all sides) ➤ Sample Board containing colored samples of all exterior building materials 			
Fees:	Level 1	Building or Addition Size <= 10,000 sq. ft.	Site size <= 1 acre	Review Fee \$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC
	Level 2	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC
	Level 3	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC
	Level 4	> 100,001 sq. ft.	> 25.01 acres	\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC
	<ul style="list-style-type: none"> ➤ If building size or addition and gross acreage of the site determine two (2) different fees, the greater of the two fees will be assessed. ➤ Application fee entitles applicant to an initial review and one re-submittal. ➤ Re-submittal fee = \$425 per re-submittal after two (2) permitted reviews. ➤ CUP Amendment = 50% of the applicable fee as determined above. 			
Appendices to Review:	➤ All			
Approximate Review Time:	<ul style="list-style-type: none"> ➤ 30 days for Staff Review ➤ 45-60 days for City Plan Commission/Common Council Review 			
The conditional use permit plans, <i>prepared to a standard engineering scale</i> , shall be submitted with this application & shall include the following information:				
Building Plan:	<ul style="list-style-type: none"> ➤ Layout of building(s) including size and layout of rooms ➤ Design and architecture ➤ Plans and details on fire suppression and/or standpipe ➤ Plans and details on fire detection, fire alarm and other safety devices 			
Site Plan (based on a plat of survey)	<ul style="list-style-type: none"> ➤ Legal description of property ➤ Location and footprint of building(s) and structure(s) ➤ Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks ➤ Outline of any development stages ➤ Location and details on any required emergency access roads ➤ A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space 			
Drainage Plan	<ul style="list-style-type: none"> ➤ Existing topography, including spot elevations of existing buildings, structures, high points, and wet areas, with any previous flood elevations ➤ Floodplain boundaries, if applicable ➤ Soil characteristics, where applicable ➤ Proposed topography of the site denoting elevations and natural drainage after construction and any proposed stormwater retention areas 			

February 7, 2013



INDUSTRIAL CHEMICALS • SPECIALTY CHEMICALS • CUSTOM PACKAGING • WASTE SERVICES

EMCO WASTE SERVICES

A DIVISION OF EMCO CHEMICAL DISTRIBUTORS, INC.

Since its inception, EMCO Waste Services has been at the forefront of providing companies, big and small, the ability to incinerate Non-Hazardous Industrial Waste for beneficial re-use in waste to energy programs. EMCO Waste Services first opened in 1999 and operated in North Chicago, Illinois near the headquarters of its parent company, EMCO Chemical Distributors, Inc. In 2002, Waste Services moved to Business Park of Kenosha in 2002 to expand its space and workforce after obtaining an Operating License from Wisconsin Department of Natural Resources. As the business has expanded, the operation has reached the point where more space is needed for continuing expansion.

EMCO Waste Services works with companies to effectively manage the disposal of Non-Hazardous Industrial Waste through thermal destruction, waste to fuel, or landfill. Thermal destruction is a beneficial re-use of Non Hazardous Industrial Waste in an incinerator located in Niagara Falls, New York to create electricity used in the electric grid or Indianapolis, Indiana to create steam provided to downtown Indianapolis. Our Non Hazardous Industrial Waste is also used in the evolving waste to fuel industry for beneficial use to power cement kilns and lime kilns and hopefully, someday soon, by utility companies for the generation of electricity. A number of our clients also landfill waste at landfills in Milwaukee and Indiana, as well as other areas in the country.

We are a container in container out operation. EMCO receives the Non-Hazardous Industrial Waste in closed/sealed containers ranging in size from a 275 gallon poly tote to Consumer Commodity Goods. All incoming waste is in a sealed container. Each shipment of containers comes to EMCO with a Material Safety Data Sheet and or an analytical that details the contents of the container as a Non-Hazardous Industrial Waste, and a Waste Profile signed by the generator of the waste verifying the contents of the container and a Shipping Manifest that lists the transporters of the waste to show possession of the waste from the generator to our door. EMCO offloads each container and tests each container to verify that the waste is in fact non-hazardous. The waste is then weighed and organized by size and weight into a load to be put on the next truck out to its final destination.

EMCO Waste Services does not open the containers to process the waste into a fuel or repackage it into a different container. Each container is opened using the small bung hole or cap on the container, then it is tested and closed. The fingerprinting is done to verify the contents of the container. There are occasions when a customer will mistakenly send a container that is a hazardous material.

When this happens the container is immediately quarantined and the customer is notified. The hazardous container is then returned as quickly as possible to the customer or a hazardous waste facility. Our Wisconsin DNR operating license allows us 10 days to move the Hazardous container.

EMCO Waste Services is a licensed Solid Waste Storage facility in the State of Wisconsin. We do not process or mix any waste. We do not move waste from one container to another. The containers remain sealed except for testing where they are opened and then closed. We do not accept any solid municipal waste or regular garbage. The waste we do accept is Non-Hazardous and typically comes from an industrial process of manufacturing and or cleaning a product and that waste is in a container. We move the waste into and out of our facility on a daily basis using trucks. Typically we would expect to see up to 15 trucks a day in our new facility. We would expect to operate between 5 AM and 10 PM.

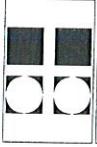
For further information or to receive a tour of our current facility please do not hesitate to call or come by.

Greg Devereux, Assistant Business Manager Office: 262-658-4000 Cell: 847-310-2213

Steve Nugent, Operations Manager Office: 262-658-4000

9114 58th Place Suite 900 Kenosha, Wisconsin 53144

Northeast corner of 58th Place and 95th Avenue in Business Park of Kenosha



EMCO WASTE
4909 70TH AVENUE
KENOSHA WISCONSIN
DESIGN STUDIOS
ARCHITECTS - PLANNERS
 1125 Remington Road, Kenosha, WI 53142
 TEL: 847.885.9300 FAX: 847.885.7251

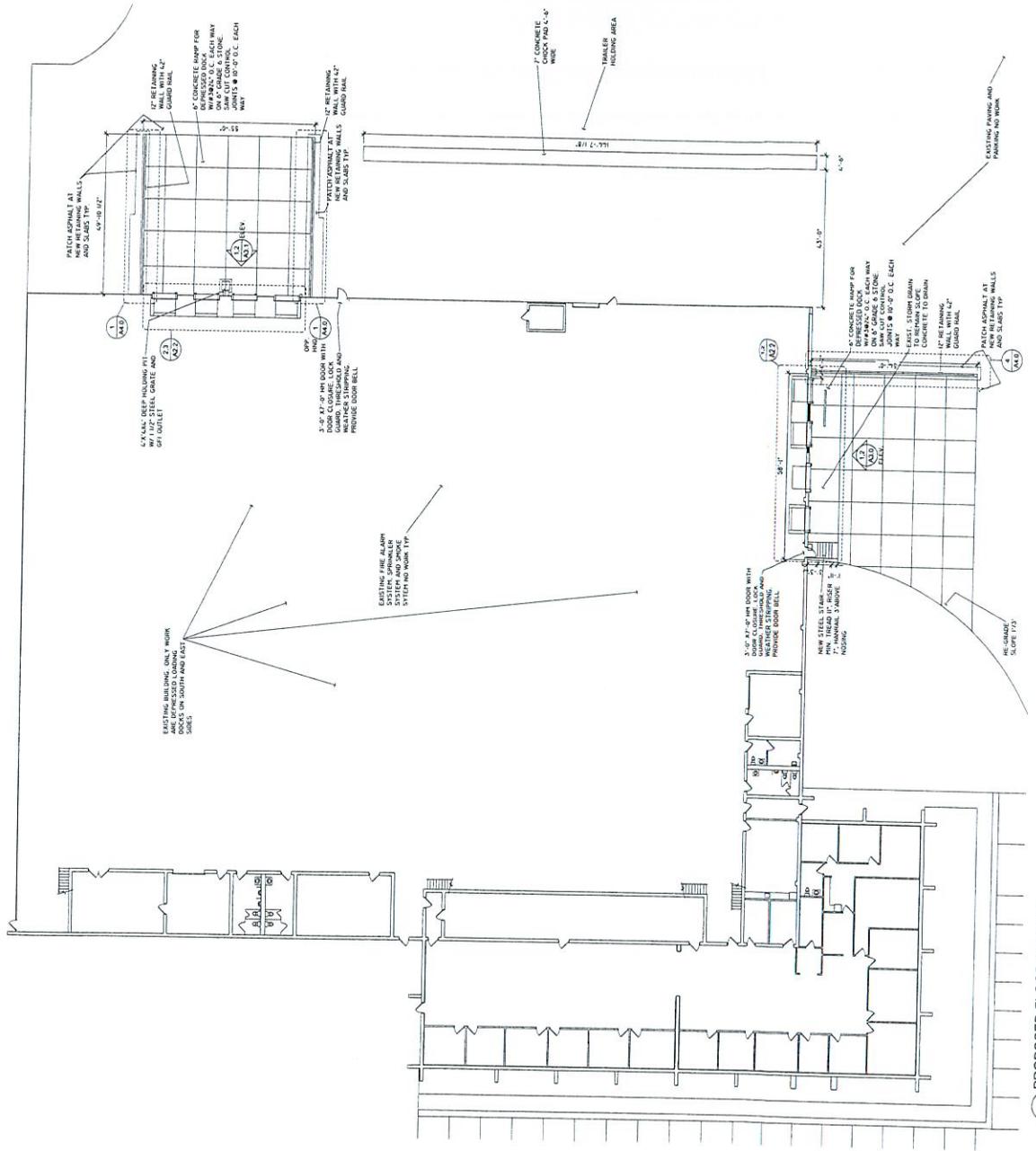
EXISTING/PROPOSED OVERALL BUILDING PLAN

STATEMENT OF CONCERNANCE
 I, the undersigned, being duly qualified, do hereby certify that the above described plan is a true and correct copy of the original as submitted to me, and that the same conform to the requirements of the laws of the State of Wisconsin, and that the same are in accordance with the provisions of the laws of the State of Wisconsin, and that the same are in accordance with the provisions of the laws of the State of Wisconsin.

STATEMENT OF CONCERNANCE
 I, the undersigned, being duly qualified, do hereby certify that the above described plan is a true and correct copy of the original as submitted to me, and that the same conform to the requirements of the laws of the State of Wisconsin, and that the same are in accordance with the provisions of the laws of the State of Wisconsin, and that the same are in accordance with the provisions of the laws of the State of Wisconsin.

DATE: 7.10.13
 DRAWN BY: J. P. HENNING
 SCALE: AS NOTED
 BY: C. WOODRUFF
 Christopher Urbanczyk
 REG. ARCHITECT

LICENSE NUMBER: 23344
A2.1



1. PROPOSED FLOOR PLAN
 SCALE: 1/8" = 1'-0"

EMCO WASTE
 4909 70TH AVENUE
 KENOSHA WISCONSIN
 DESIGNERS - PLANNERS
 1125 Kensington Road, Kenosha, WI 53142
 Tel: 847.885.7251 Fax: 847.885.7251

EXISTING & PROPOSED DOCK PLANS

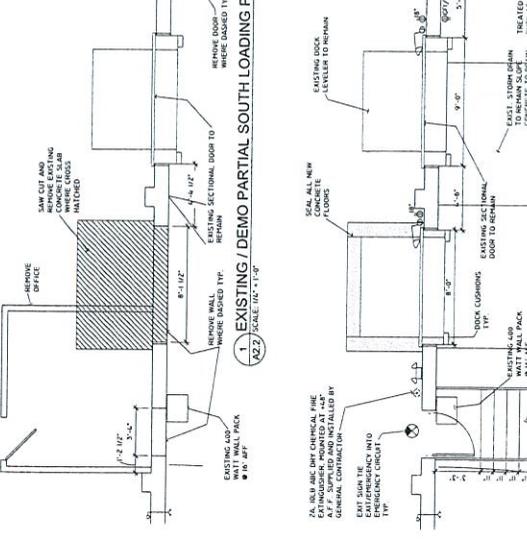
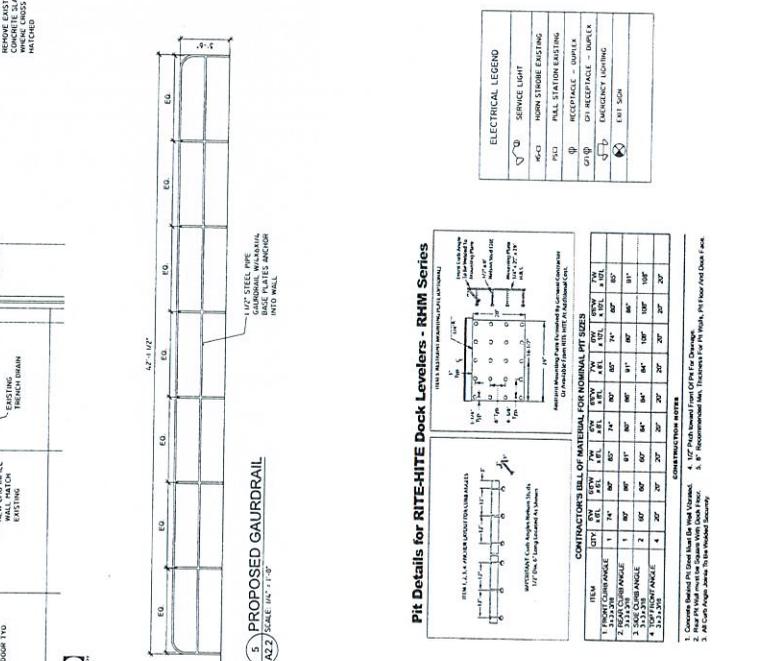
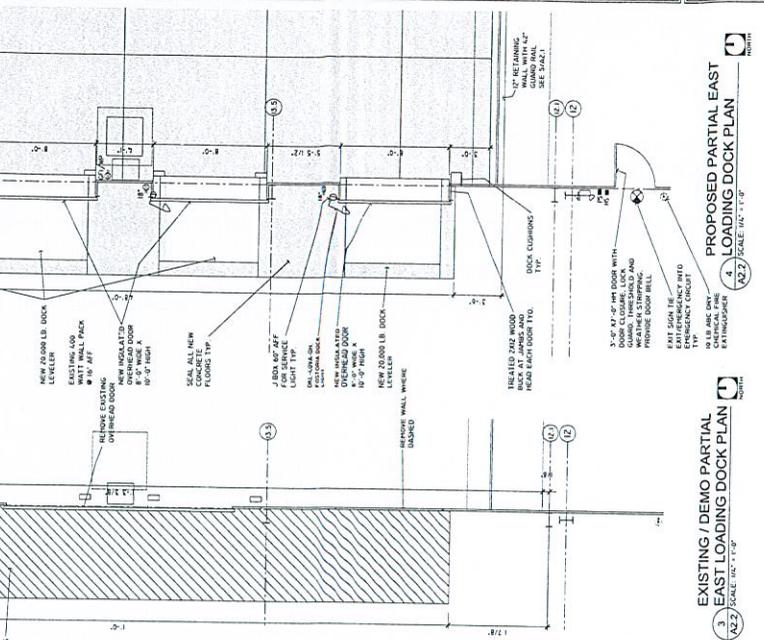
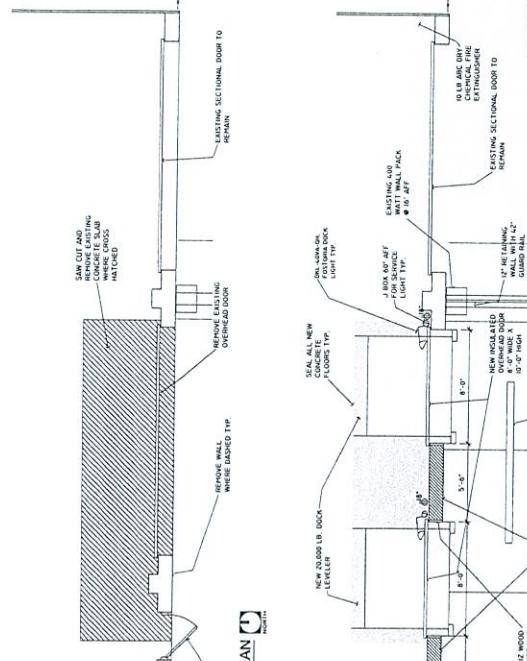
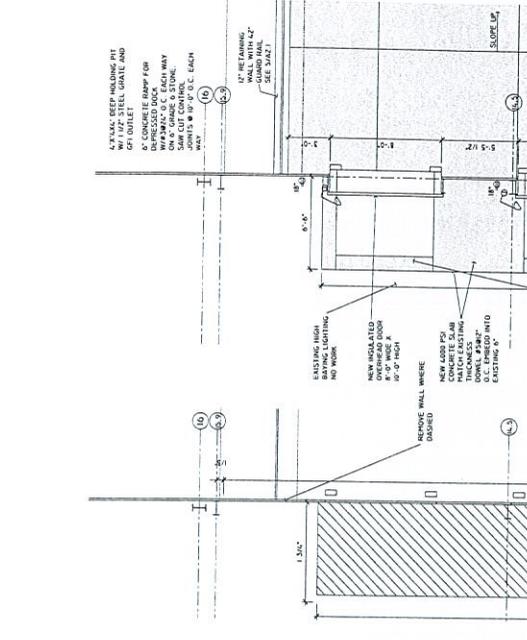
REVISIONS:

DATE	ISSUED FOR PERMIT	SCALE	AS NOTED
2.6.13			

BY: G. HENKAY
 CHECKED BY: [Signature]
 REVISIONS:

DATE: [Blank]
 ISSUED FOR PERMIT: [Blank]
 SCALE: AS NOTED
 BY: G. HENKAY
 CHECKED BY: [Signature]
 REVISIONS:

DATE: [Blank]
 ISSUED FOR PERMIT: [Blank]
 SCALE: AS NOTED
 BY: G. HENKAY
 CHECKED BY: [Signature]
 REVISIONS:



RITE-HITE RHM SERIES
 Pit Details for RITE-HITE Dock Levelers

NOTE: See Rite-Hite Pit Construction Requirements at the end of this manual. RITE-HITE is a registered trademark of Rite-Hite Manufacturing Company.

CONTRACTOR'S BILL OF MATERIAL FOR NOMINAL PIT SIZES

ITEM	QTY	UNIT	SIZE	WGT	WGT	WGT	WGT	WGT	WGT
1. 1" X 12" X 12" ANGLE	1	LF	8'0"	80	80	80	80	80	80
2. 1" X 12" X 12" ANGLE	1	LF	8'0"	80	80	80	80	80	80
3. 1" X 12" X 12" ANGLE	2	LF	8'0"	80	80	80	80	80	80
4. 1" X 12" X 12" ANGLE	4	LF	2'0"	20	20	20	20	20	20

CONSTRUCTION NOTES:
 1. Concrete Rite-Hite Pit Level (See End User Manual)
 2. 1" x 12" x 12" Angle (See End User Manual)
 3. 1" x 12" x 12" Angle (See End User Manual)
 4. 1" x 12" x 12" Angle (See End User Manual)

CONTRACTOR'S BILL OF MATERIAL FOR NOMINAL PIT SIZES

ITEM	QTY	UNIT	SIZE	WGT	WGT	WGT	WGT	WGT	WGT
1. 1" X 12" X 12" ANGLE	1	LF	8'0"	80	80	80	80	80	80
2. 1" X 12" X 12" ANGLE	1	LF	8'0"	80	80	80	80	80	80
3. 1" X 12" X 12" ANGLE	2	LF	8'0"	80	80	80	80	80	80
4. 1" X 12" X 12" ANGLE	4	LF	2'0"	20	20	20	20	20	20

CONSTRUCTION NOTES:
 1. Concrete Rite-Hite Pit Level (See End User Manual)
 2. 1" x 12" x 12" Angle (See End User Manual)
 3. 1" x 12" x 12" Angle (See End User Manual)
 4. 1" x 12" x 12" Angle (See End User Manual)

DATE: [Blank]
 BY: [Blank]
 CHECKED BY: [Blank]
 CITY & STATE: [Blank]

1. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES. DIMENSIONS SHOWN IN PARENTHESES ARE IN METERS. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT.

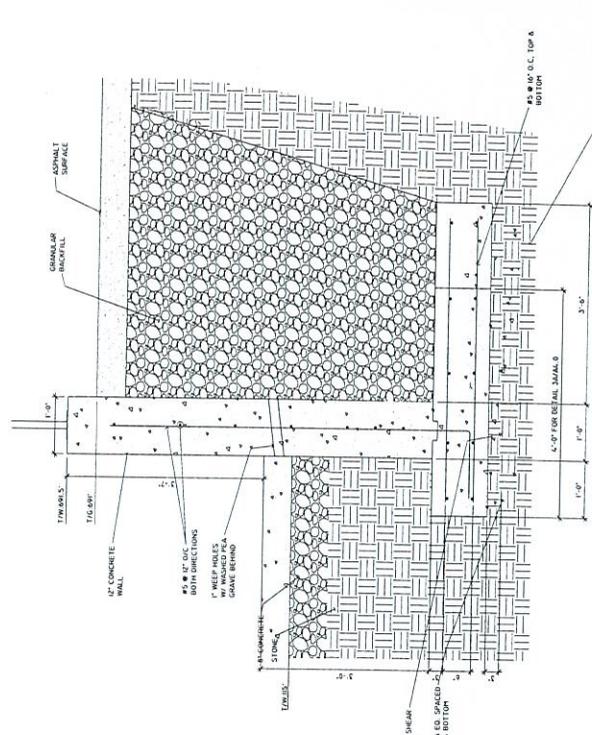
2. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES. DIMENSIONS SHOWN IN PARENTHESES ARE IN METERS. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT.

3. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES. DIMENSIONS SHOWN IN PARENTHESES ARE IN METERS. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT.

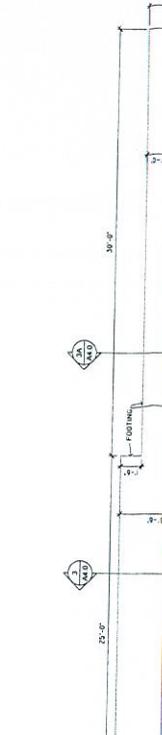
4. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES. DIMENSIONS SHOWN IN PARENTHESES ARE IN METERS. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT.

5. ALL DIMENSIONS UNLESS OTHERWISE NOTED ARE IN FEET AND INCHES. DIMENSIONS SHOWN IN PARENTHESES ARE IN METERS. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT. DIMENSIONS SHOWN IN METERS ARE APPROXIMATE. DIMENSIONS SHOWN IN FEET AND INCHES ARE EXACT.

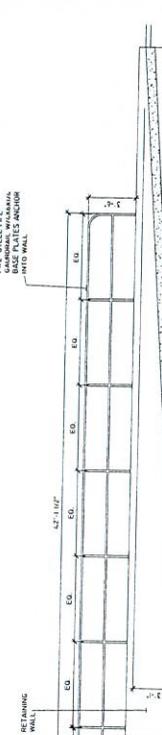
DATE: _____
 REVISIONS: _____
 SCALE: AS NOTED
 BY: C. BRONKHORST
 CHECKED BY: _____
 LICENSE EXPIRES: 7.30.14



1. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"



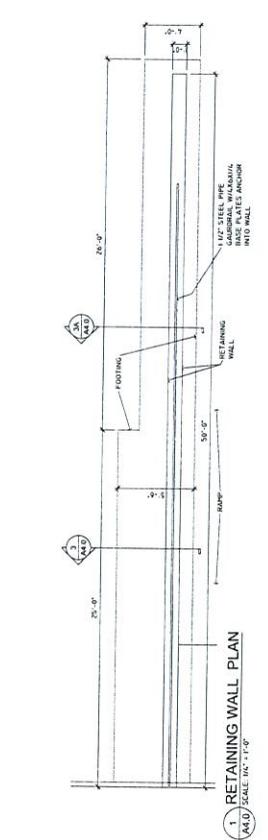
2. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"



3. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"



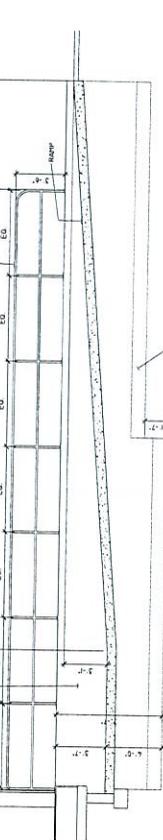
4. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"



5. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"



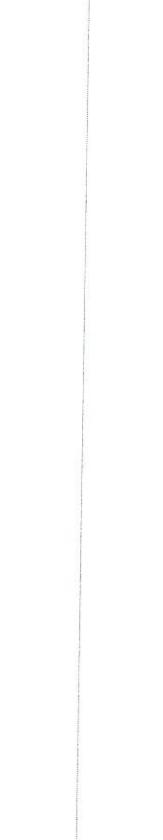
6. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"



7. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"



8. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"



9. RETAINING WALL ELEVATION PLAN
 A4.0 SCALE: 1/4" = 1'-0"

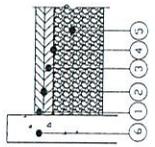
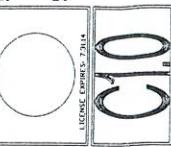


EMCO WASTE
DESIGN STUDIO
ARCHITECTS & PLANNERS
 4909 70TH AVENUE
 KENOSHA WISCONSIN
 1125 Hennepin Road, Suite 200, Kenosha, WI 53142
 Tel: 847.855.7151 Fax: 847.855.8300

STATEMENT OF WORK
 I have prepared the proposed site plan for the proposed project. The site plan shows the proposed building, parking, and other improvements. The site plan is based on the information provided to me by the client. I have not conducted a field inspection of the site. The client is responsible for providing accurate information and for obtaining all necessary permits. I am not responsible for any errors or omissions in the site plan. The client is responsible for obtaining all necessary permits and for ensuring that the project complies with all applicable laws and regulations.

STATEMENT OF LIABILITY
 I have prepared the proposed site plan for the proposed project. The site plan shows the proposed building, parking, and other improvements. The site plan is based on the information provided to me by the client. I have not conducted a field inspection of the site. The client is responsible for providing accurate information and for obtaining all necessary permits. I am not responsible for any errors or omissions in the site plan. The client is responsible for obtaining all necessary permits and for ensuring that the project complies with all applicable laws and regulations.

DATE	11/15/2017
REVISIONS	
2/20/2018	ISSUED FOR REVIEW
2/26/2018	ISSUED FOR PERMIT
SCALE	AS NOTED
BY	V. Srinivasan
SEPMESH M. SETHI PRINCIPAL ENGINEER	

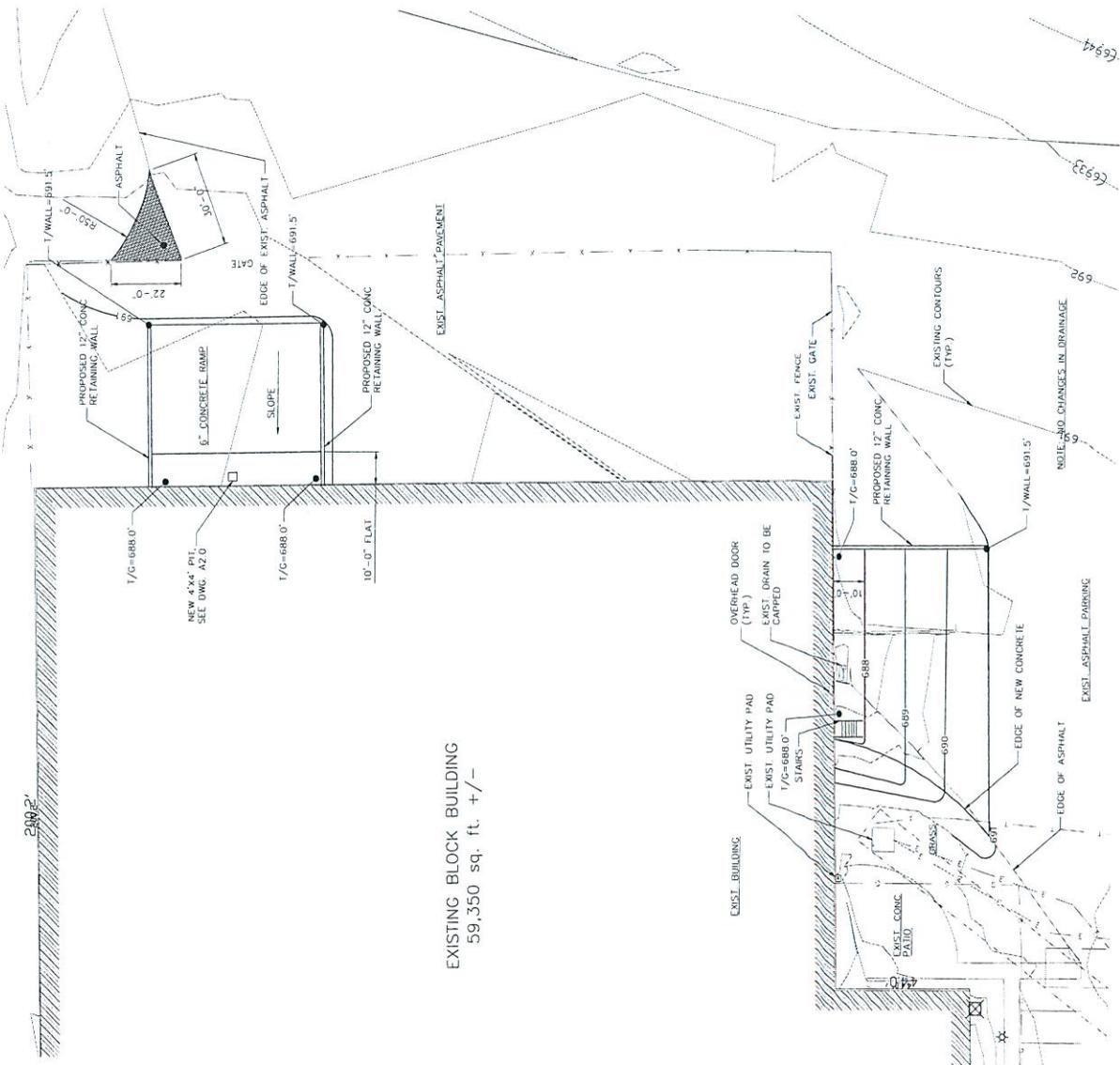


LEGEND:

1. HOT MIX ASPHALT SURFACE COURSE, THICKNESS TO MATCH EXIST.
2. BITUMINOUS MATERIAL (TACK COAT) (0.08 GAL/SY)
3. HOT MIX ASPHALT BINDER COURSE, THICKNESS TO MATCH EXIST.
4. BITUMINOUS MATERIAL (PRIME COAT) (0.35 GAL/SY)
5. AGGREGATE BASE COURSE, TYPE B CRUSHED, 10", CA-6
6. RETAINING WALL

2 TYPICAL SECTION - BITUMINOUS PAVEMENT

SCALE: 1"=1'



EXISTING BLOCK BUILDING
 59,350 sq. ft. +/-

1 SITE GRADING PLAN

SCALE: 1/16"=1'-0"

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	March 7, 2013	Item 2
Conditional Use Permit for a 5,177 s.f. restaurant with drive-thru to be located at 12214 75th Street. (McDonald's) (District #16) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 12214 75th Street
 Zoned: B-2 Community Business District/Air-4 Airport Overlay District

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Downing, has been notified. The Common Council is the final review authority.

ANALYSIS:

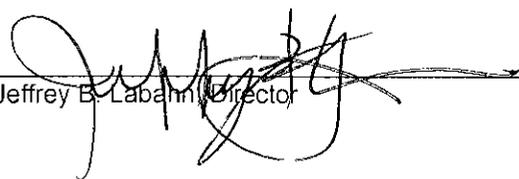
- The applicant is proposing to tear down the existing McDonald's restaurant at 12214 75th Street and construct a new building with a drive-thru on the same site. The existing restaurant is 4,623 s.f. and the proposed building will be 5,177 s.f.
- The exterior materials will be brick, tile and glass.
- The State Department of Transportation will be constructing 74th Street and 123rd Avenue, adjacent to this site in 2013. It is the intent of McDonald's to work on their reconstruction at the same time the DOT is doing their work.
- The proposed plans were sent to City Departments for review. Their comments are included in the attached Conditions of Approval.
- The plans generally comply with Sections 4 and 14 of the Zoning Ordinance.

RECOMMENDATION:

A recommendation is made to approve the Conditional Use Permit, subject to the attached Conditions of Approval.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Director

Planning & Zoning Division
625 52nd Street
Kenosha, WI 53140
262.653.4030

**Kenosha City Plan
Commission
Conditions of Approval**

**McDonald's
12214 75th Street**

March 7, 2013

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections. This includes, but is not limited to Raze, Erosion Control, Building, Plumbing, Electrical and Occupancy permits.
 - b. The applicant shall obtain Driveway, Sidewalk and Parking Lot permits from the Department of Public Works. Any work in the STH 50, 123rd Avenue or 74th Street rights-of-way may require a permit from the Wisconsin Department of Transportation.
 - c. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval. If the business is closed for more than ninety (90) days, the existing sign will need to comply with Chapter 15 of the General Code.
 - d. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - e. Prior to the issuance of any Occupancy permits, all parking areas, drives and designated paved areas shall have the initial lift of asphalt installed. The building exterior shall be completed per the approved plans, the exterior lighting shall be installed and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - f. Compliance with City and State and/or Federal Codes and Ordinances. The buildings shall comply with the current Code standards in effect upon application for a building permit.
 - g. All roof top mechanicals shall be properly screened per Section 14.07 B.10 of the Zoning Ordinance.
 - h. All trash containers shall be stored within the enclosure or building. The applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.
 - i. The applicant shall meet all applicable Conditions of Approval and obtain a building permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - j. Outdoor display of products is prohibited.
 - k. All vehicles shall be parked within the designated paved areas.



ENGINEERING DIVISION
SHELLY BILLINGSLEY, P.E.
CITY ENGINEER

PARK DIVISION
JEFF WARNOCK
SUPERINTENDENT

FLEET MAINTENANCE
MAURO LENCI
SUPERINTENDENT

STREET DIVISION
JOHN H. PRIJIC
SUPERINTENDENT

WASTE DIVISION
ROCKY BEDNAR
SUPERINTENDENT

DEPARTMENT OF PUBLIC WORKS

MICHAEL M. LEMENS, P.E., DIRECTOR
SHELLY BILLINGSLEY, P.E., DEPUTY DIRECTOR

MUNICIPAL BUILDING · 625 - 52ND ST · RM 305 · KENOSHA, WI 53140
TELEPHONE (262) 653-4050 · FAX (262) 653-4056
EMAIL PUBLICWORKS@KENOSHA.ORG

TO: Brian Wilke, Development Coordinator

FROM: Michael M. Lemens, P.E.
Director of Public Works

Shelly Billingsley, P.E.
City Engineer

[Handwritten signatures and date]
2-27-13

DATE: February 21, 2013
SUBJECT: PLAN REVIEW COMMENTS
Project Description: McDonald'd Rebuild
Location: 12214 75th Street

Our staff has reviewed the plans for this project. The following comments are provided:

Parking Lot Ordinance Compliance	Sufficient	Deficient	Not Applicable
Parking Lot Paved	X		
Standard Stall Width	X		
Parking Lot Layout	X		
Parking Lot Lighting Shown		X	
Parking Lot Lighting Adequate		X	
Handicapped Parking	X		
Driveway Locations	X		
Driveway Width	X		
Passing Blister or Accel/Decel Lanes			X
Sidewalks Adequate			X
Drive Thru Lane Design	X		

Public Streets	Sufficient	Deficient	Not Applicable
Geometric Design			X
Pavement Width			X
Pavement Thickness Design			X
Established Grades			X
Plan Details			X
Sidewalks			X
Street Lights			X

Site Grading/Drainage	Sufficient	Deficient	Not Applicable
Drainage Plan	X		
Storm Sewer		X	
Storm Water Detention		X	
Drainage Calculations		X	

Project Approval/Permits Needed	Yes	No	Not Applicable
Project Approved for Permitting		X	
Withhold Permits: See Comments			X
Approve Footing/ Foundation Only (per condition)			X
Parking Lot Permit Required	X		
Driveway Permits Required	X		
Sidewalk Permit Required	X		
Street Opening Permit Required			X
State Permit Required	X		

Other Comments:

Traffic Comments:

- **Detailed lighting plan is required**
- **Provide photometric data for the parking lot.**
- **Design information is needed for the storm sewer and storm water detention.**

cc: **Cathy Austin**
Clement Abongwa
Kile Kuhimey
Gerard Koehler

Engineering Services

4401 Green Bay Road
Kenosha WI 53144

Phone (262) 653-4315
Fax (262) 653-4303



"Providing and Protecting Kenosha's Greatest Natural Resource"

MEMO

To: Brian Wilke, Development Coordinator

From: Ian C. Bagley, P.E., Water Engineer

Date: February 19, 2013

Subject: McDonald's Rebuild

Location: 12214 75th Street

The Kenosha Water Utility (KWU) has reviewed the submittal for the above referenced project. Further information from the Developer is required before the Utility can complete this review. Please withhold all permits until the following information is submitted.

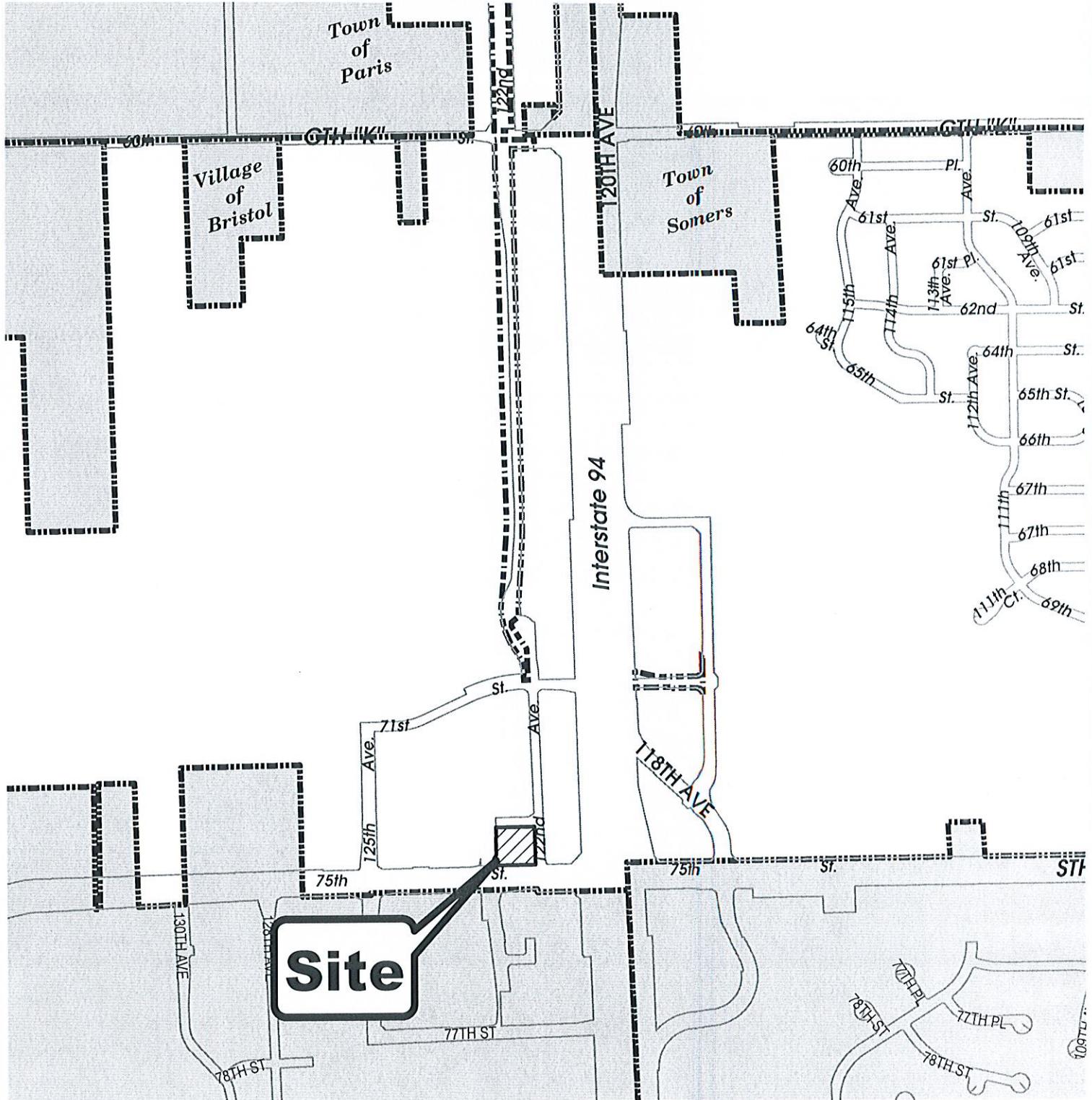
1. Show the water meter size and location, including a detail or diagram. The water meter shall have unobstructed access, twelve inches (12") from the inside wall, twelve to twenty-four inches (12"-24") above the floor. The meter shall have a gate valve on the inlet and outlet pipe.
2. All water meters one and one half inches (1-1/2") or greater shall have a bypass with a rub two way ball valve with locking handle.
3. Meters three inches (3") and larger shall have a two inch (2") test plug provided between the outlet side of the meter and the outlet valve.
4. A 3C18 gauge cable by Belden-M, or approved equal, shall be installed in a one half inch (1/2") conduit through the exterior wall for the remote meter reader. Remote reader to be field located by KWU meter division.
5. KWU records show that the existing building has a one and one half inch (1-1/2") meter. If a larger meter will be installed with the new building the Developer will need to pay a prorated sewer connection fee for the larger meter.
6. Show the existing two inch (2") water service to be cut and capped at the property line and abandon the valve box.
7. Label invert elevations on all water service stubs.
8. Water services shall have a minimum of five and one half feet (5-1/2') of cover to finished grade.
9. Please note that the six inch (6") service connection will require a deposit of \$1,800 and the connection work will be performed by KWU on a time and material basis.

10. The service valve within the STH 50 right-of-way shall be a resilient wedge seated gate valve, with a minimum operating pressure of 200 PSI, as manufactured by AFC (American Flow Control), Kennedy, Clow, or Mueller and shall be connected via mechanical joint. The valve shall close in a clockwise turning operation with non-rising stems and a 2-inch square tapered operating nut. All packing gland to bonnet and bonnet to body nuts and bolts shall be stainless steel.
11. The service valve shall not be placed within a vault as the plan currently shows. Instead it shall be installed within a valve box in accordance with KWU specifications. The valve box shall be Armor 5-245-48 poly iron shaft screw type of adequate length to extend from the valve to finished grade. Valve box covers shall be cast iron and clearly marked "Water".
12. Water services larger than two inches (2") shall be flushed and bacteria tested in accordance with KWU Chapter XXXII Rules & Regulations, Rule 06-29.
13. Water services shall have a blue 12 gauge locator wire installed along the entire length. Locator wire shall be brought to the surface in the curb box and at the edge of the building and enclosed in a curb box with "water" on the cover.
14. Bulkhead the existing sanitary sewer lateral at each manhole and bulkhead all abandoned manholes in accordance with Section 3.2.24 of the Standard Specifications for Sewer and Water in Wisconsin, Sixth Edition, with both Addenda.
15. Show rim and invert elevations at all sanitary and storm sewer manholes.
16. Label pipe lengths and slopes for sanitary sewer, storm sewer and water service lines.
17. Sanitary sewer laterals shall have a green 12 gauge locator wire installed along the entire length. Locator wire shall be brought to the surface at the edge of the building and enclosed in a curb box with "sewer" on the cover.
18. As this is a development associated with food service, a sampling manhole is required. The sanitary sewer manhole (SMH 2) located at the northeast corner of the parcel may be used as the sampling manhole for the development provided that KWU is given written authorization to access the structure.
19. KWU water main and sanitary sewer detail sheets shall be included with the construction plans. These detail sheets can be found on the KWU website (<http://www.kenoshawater.org/engineering.html>).
20. Include the following notes on the Utility Plan:
 - A. All sanitary sewer and water to be installed in accordance with Kenosha Water Utility (KWU) Standards.
 - B. All applications and fees for sanitary sewer and water must be completed and paid prior to connection to sewer/water systems.
 - C. All water connections to existing water mains shall be completed by KWU, with excavation and backfill by the developer. Developer shall provide 72 hours notice to KWU when connection is to be made.
 - D. Any utility work in the right-of-way and all sanitary sewer connections to be inspected by KWU. Notify KWU 48 hours in advance of connecting to sewer.

CC: Mr. Robert Carlson, P.E., Director of Engineering Services

City of Kenosha

Vicinity Map
McDonald's Rebuild CUP



**Development Review Application
City of Kenosha, Wisconsin**

MAILING INFORMATION

NAME OF PROJECT: McDonald's - Kenosha, Wisconsin - 12214 75th Street

Check one (1) of the following boxes to indicate the recipient of all correspondence:

<input checked="" type="radio"/>	Name and Address of Applicant [Please print]: McDonald's USA, LLC c/o Michael Best & Friedrich LLC 100 E. Wisconsin Avenue, Suite 3300 Milwaukee, WI 53202 Contact: Susan M. Sager, Esq.	Phone: 414-225-4929 Fax: 414-277-0656 E-Mail: <u>smsager@michaelbest.com</u>
<input type="radio"/>	Name and Address of Architect/Engineer [Please print]: V3 Companies 7325 Janes Avenue Woodridge, IL 60517 Contact: Andrew Uttan	Phone: 630-724-9200 Fax: 630-724-9202 E-Mail: <u>auttan@v3co.com</u>
<input type="radio"/>	Name and Address of Property Owner (if other than applicant) [Please print]: Franchise Realty Interstate Corporation, an Illinois Corporation c/o McDonald's Corporation 4320 Winfield Road, Suite 400, Warrenville, IL 60555 Contact: Mary Meyer	Phone: 630-836-9090 Fax: 630-836-9191 E-Mail: <u>mary.meyer@us.mcd.com</u>

PROJECT LOCATION

Location of Development (street address and / or parcel number): 12214 75th Street, Kenosha, WI 53142

TYPE OF LAND DEVELOPMENT

Check all that apply. Note: Additional information may be required within individual Sections.

<input type="checkbox"/>	Certified Survey Map	Section 1	Page 3
<input type="checkbox"/>	Concept Review (<i>Land Division</i>)	Section 2	Page 4
<input type="checkbox"/>	Concept Review (Multi-Family Residential or Non-Residential)	Section 3	Page 5
<input checked="" type="checkbox"/>	Conditional Use Permit	Section 4	Pages 6 & 7
<input type="checkbox"/>	Developer's Agreement	Section 5	Page 8
<input type="checkbox"/>	Final Plat	Section 6	Pages 9 & 10
<input type="checkbox"/>	Lot Line Adjustment Survey	Section 7	Page 11
<input type="checkbox"/>	Preliminary Plat	Section 8	Pages 12 & 13
<input type="checkbox"/>	Rezoning	Section 9	Pages 14 & 15
<input checked="" type="checkbox"/>	Site Plan Review	Section 10	Pages 16 & 17

**PRIOR TO SUBMITTING THIS APPLICATION TO THE DEPARTMENT OF CITY DEVELOPMENT,
PLEASE REVIEW THE APPROPRIATE SECTION(S) FOR FEES, REQUIREMENTS AND APPROPRIATE APPENDICES.**

*Submit this cover page, completed application, applicable section(s) and appendices
along with ALL required plans, information and fees to:*

Department of Community Development & Inspections
Planning Division
625 52nd Street, Room 308
Kenosha, WI 53140

Phone: 262.653.4030
Fax: 262.653.4045

Office Hours:
M - F 8:00 am - 4:30 pm

**SECTION 4
CONDITIONAL USE PERMIT**

Additional Information Required:	Building or Addition Square Footage: <u>5,177 s.f. (new)</u> Existing Building Size: <u>4,623 s.f.</u> Site Size: <u>1.79 ac</u> Current # of Employees <u>55</u> Anticipated # of New Employees <u>+10 (total 65)</u> Anticipated Value of Improvements <u>unknown at this time, approx. \$850,000</u>
---	---

Submittal Requirements:	<ul style="list-style-type: none"> ➤ Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale ➤ Developer Site Plan/Conditional Use Permit Checklist (Appendix A)
--------------------------------	--

If Item to be Reviewed by Plan Commission/Common Council must Submit:	<ul style="list-style-type: none"> ➤ One (1) 8 1/2" x 11" reduction <i>or</i> forty (40) 11" x 17" reductions of the Site/Landscape Plan, Floor Plan and Colored Building Elevations (all sides) ➤ Sample Board containing colored samples of all exterior building materials
--	---

Fees:	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;"></th> <th style="width: 30%;"><u>Building or Addition Size</u></th> <th style="width: 20%;"><u>Site size</u></th> <th style="width: 40%;"><u>Review Fee</u></th> </tr> </thead> <tbody> <tr> <td>Level 1</td> <td><= 10,000 sq. ft.</td> <td><= 1 acre</td> <td>\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC</td> </tr> <tr> <td>Level 2</td> <td>10,001 - 50,000 sq. ft.</td> <td>1.01 - 10 acres</td> <td>\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC</td> </tr> <tr> <td>Level 3</td> <td>50,001 - 100,000 sq. ft.</td> <td>10.01 - 25 acres</td> <td>\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC</td> </tr> <tr> <td>Level 4</td> <td>> 100,001 sq. ft.</td> <td>> 25.01 acres</td> <td>\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC</td> </tr> </tbody> </table> <ul style="list-style-type: none"> ➤ If building size or addition and gross acreage of the site determine two (2) different fees, the greater of the two fees will be assessed. ➤ Application fee entitles applicant to an initial review and one re-submittal. ➤ Re-submittal fee = \$425 per re-submittal after two (2) permitted reviews. ➤ CUP Amendment = 50% of the applicable fee as determined above. 		<u>Building or Addition Size</u>	<u>Site size</u>	<u>Review Fee</u>	Level 1	<= 10,000 sq. ft.	<= 1 acre	\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC	Level 2	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC	Level 3	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC	Level 4	> 100,001 sq. ft.	> 25.01 acres	\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC
	<u>Building or Addition Size</u>	<u>Site size</u>	<u>Review Fee</u>																		
Level 1	<= 10,000 sq. ft.	<= 1 acre	\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC																		
Level 2	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC																		
Level 3	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC																		
Level 4	> 100,001 sq. ft.	> 25.01 acres	\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC																		

Appendices to Review:	➤ All
------------------------------	--------------

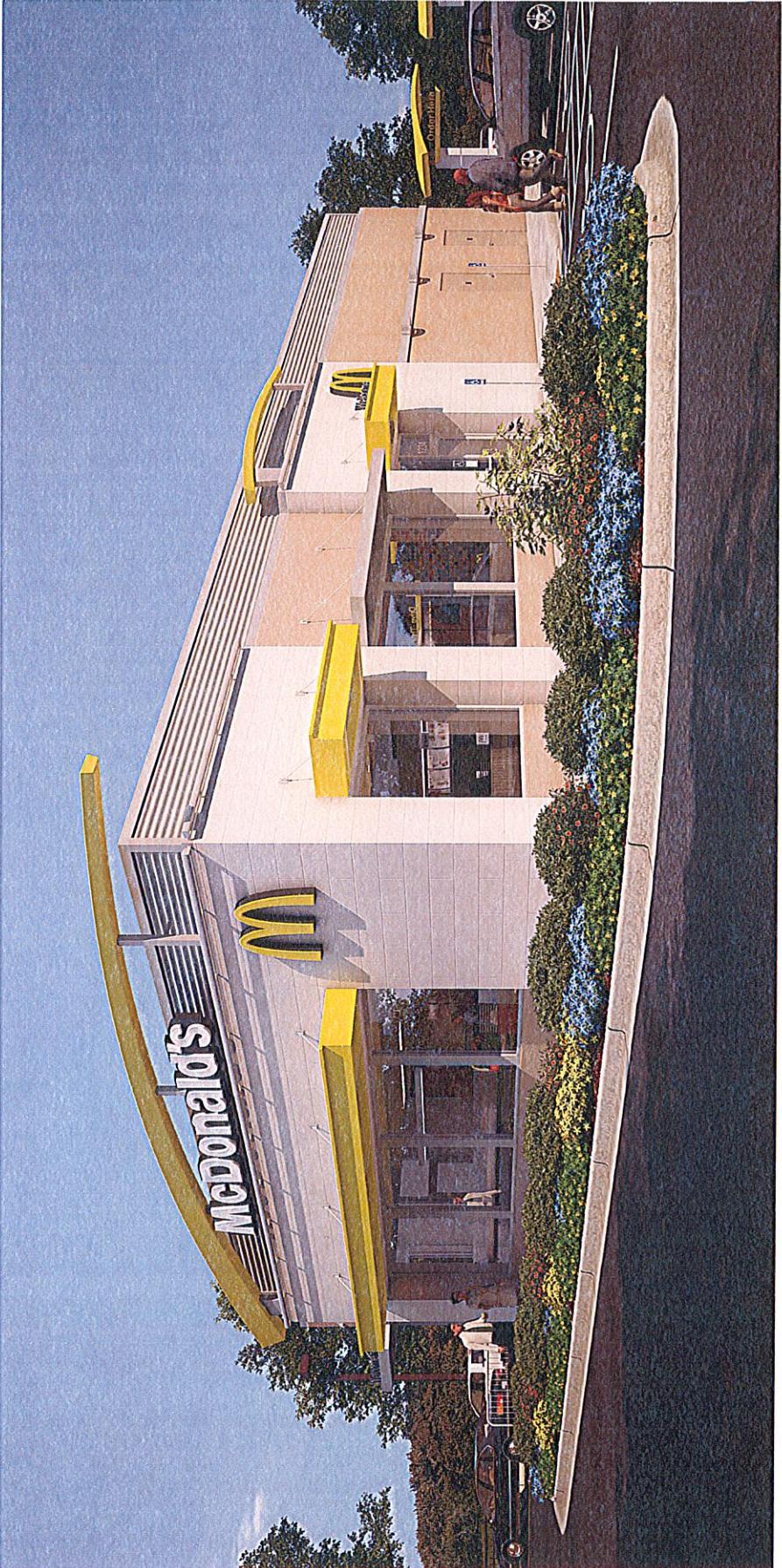
Approximate Review Time:	<ul style="list-style-type: none"> ➤ 30 days for Staff Review ➤ 45-60 days for City Plan Commission/Common Council Review
---------------------------------	---

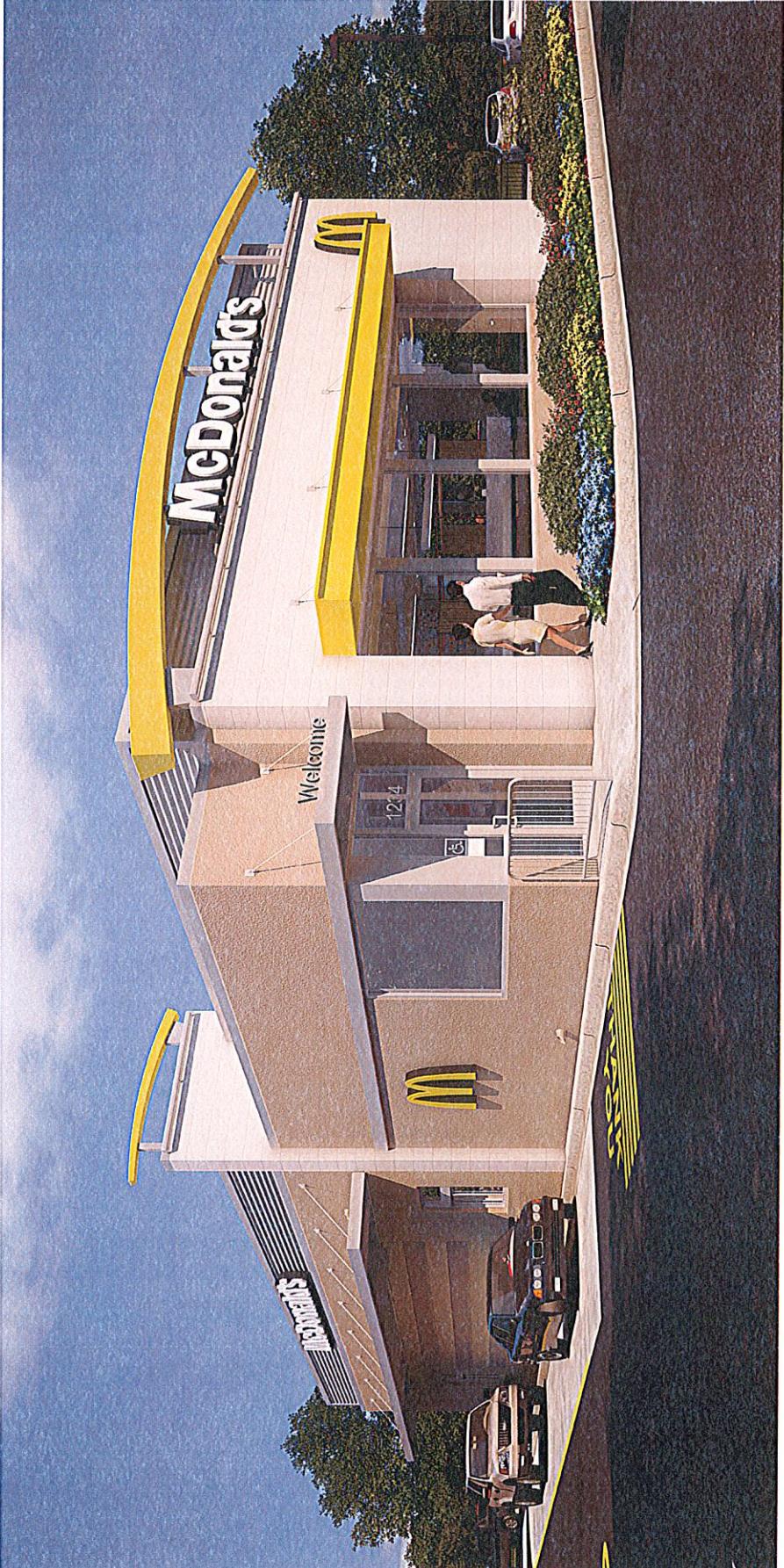
The conditional use permit plans, *prepared to a standard engineering scale*, shall be submitted with this application & shall include the following information:

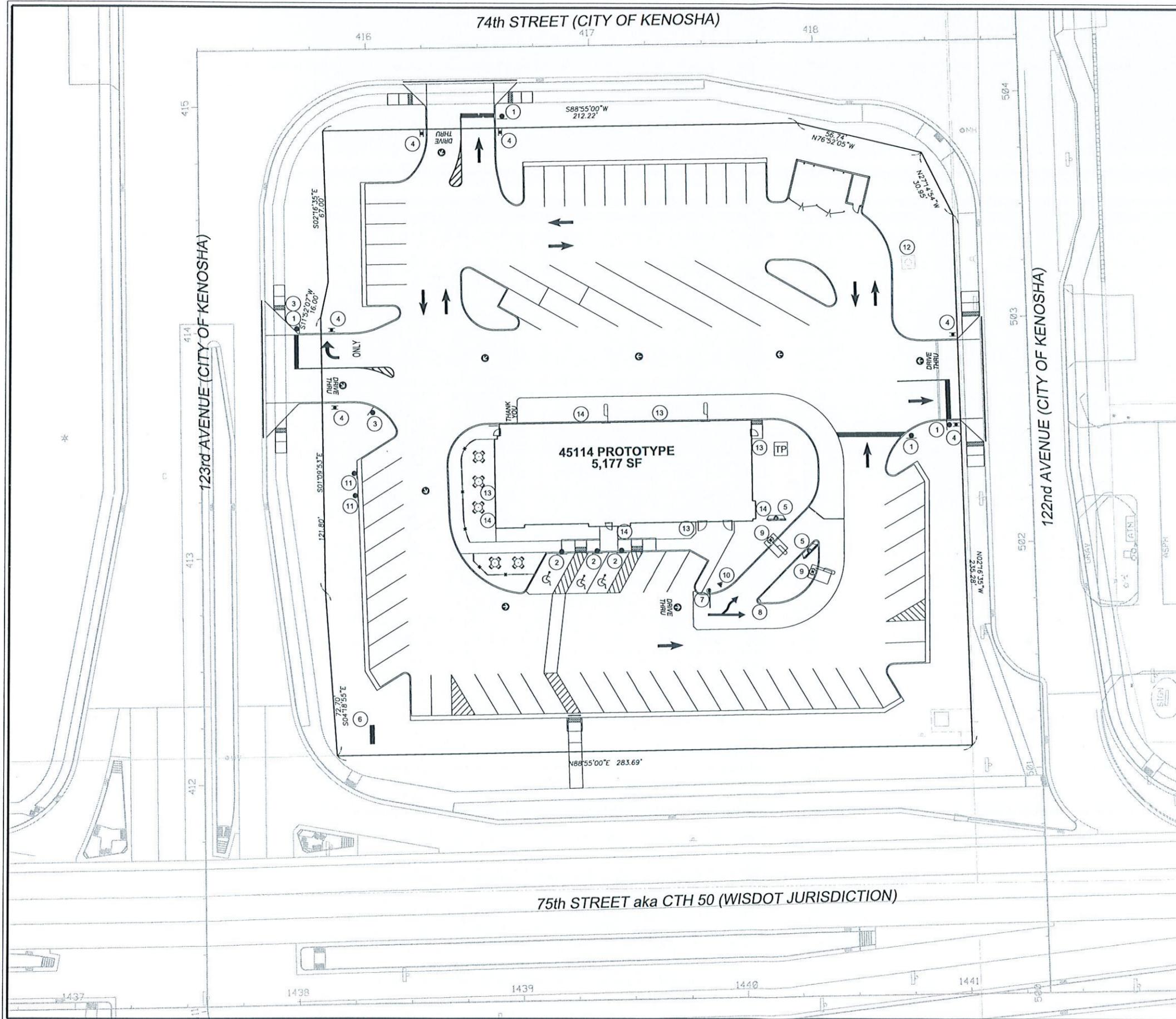
Building Plan:	<ul style="list-style-type: none"> ➤ Layout of building(s) including size and layout of rooms ➤ Design and architecture ➤ Plans and details on fire suppression and/or standpipe ➤ Plans and details on fire detection, fire alarm and other safety devices
-----------------------	---

Site Plan (based on a plat of survey)	<ul style="list-style-type: none"> ➤ Legal description of property ➤ Location and footprint of building(s) and structure(s) ➤ Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks ➤ Outline of any development stages ➤ Location and details on any required emergency access roads ➤ A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space
---	---

Drainage Plan	<ul style="list-style-type: none"> ➤ Existing topography, including spot elevations of existing buildings, structures, high points, and wet areas, with any previous flood elevations ➤ Floodplain boundaries, if applicable ➤ Soil characteristics, where applicable ➤ Proposed topography of the site denoting elevations and natural drainage after construction and any proposed stormwater retention areas
----------------------	---

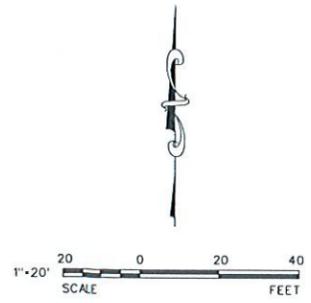




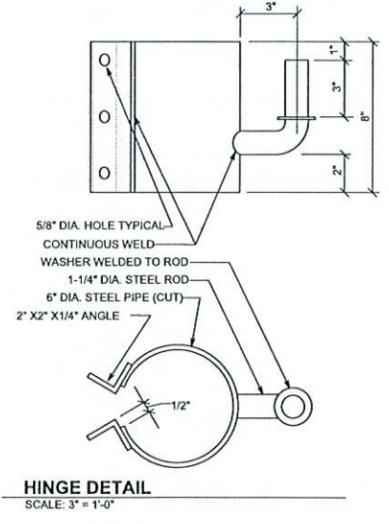
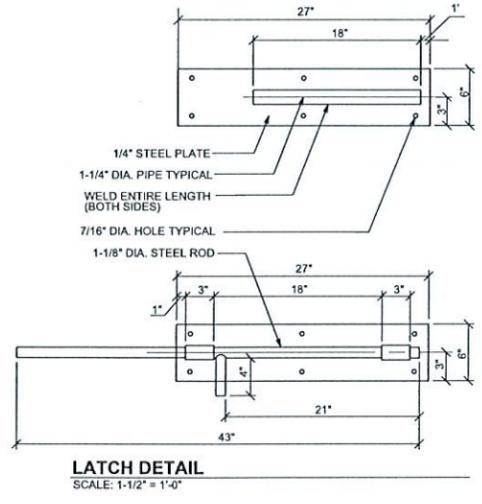
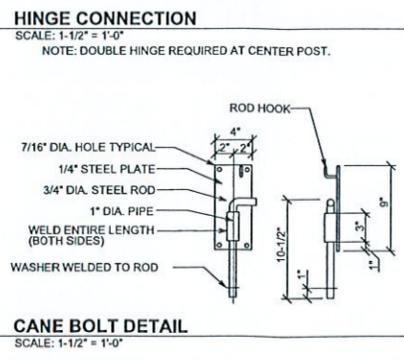
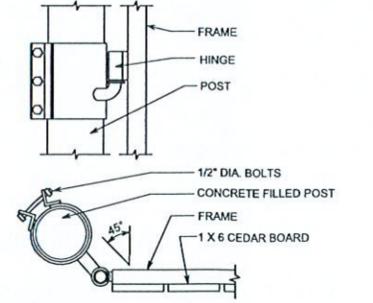
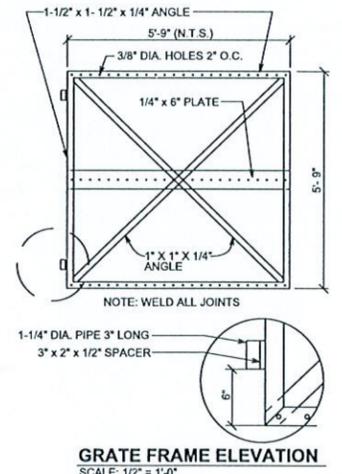
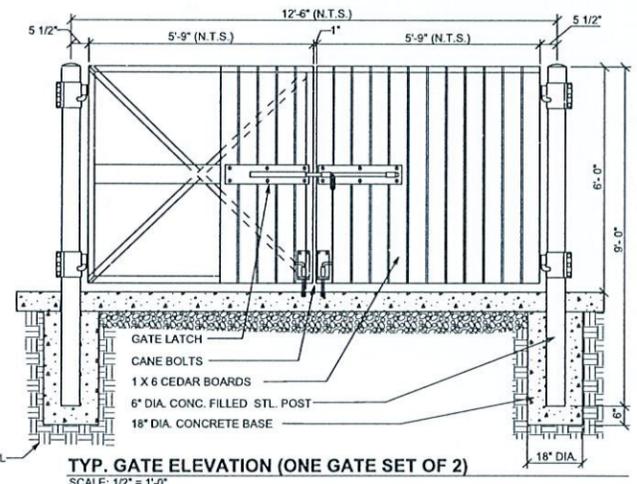
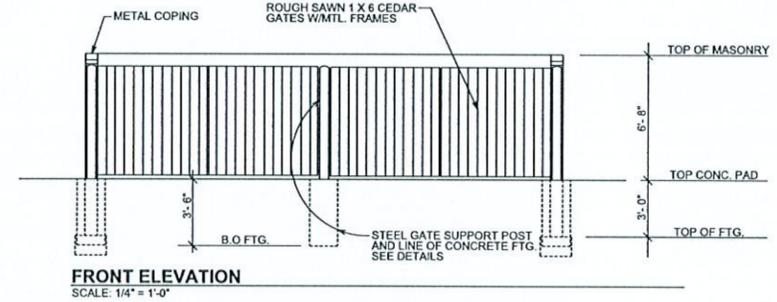
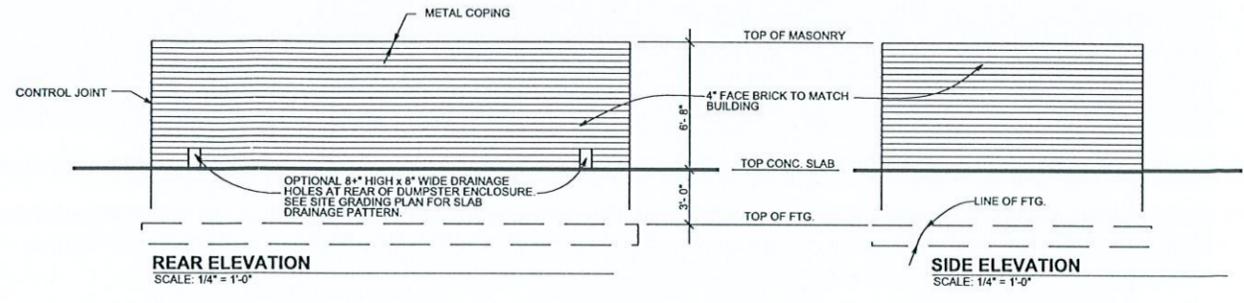
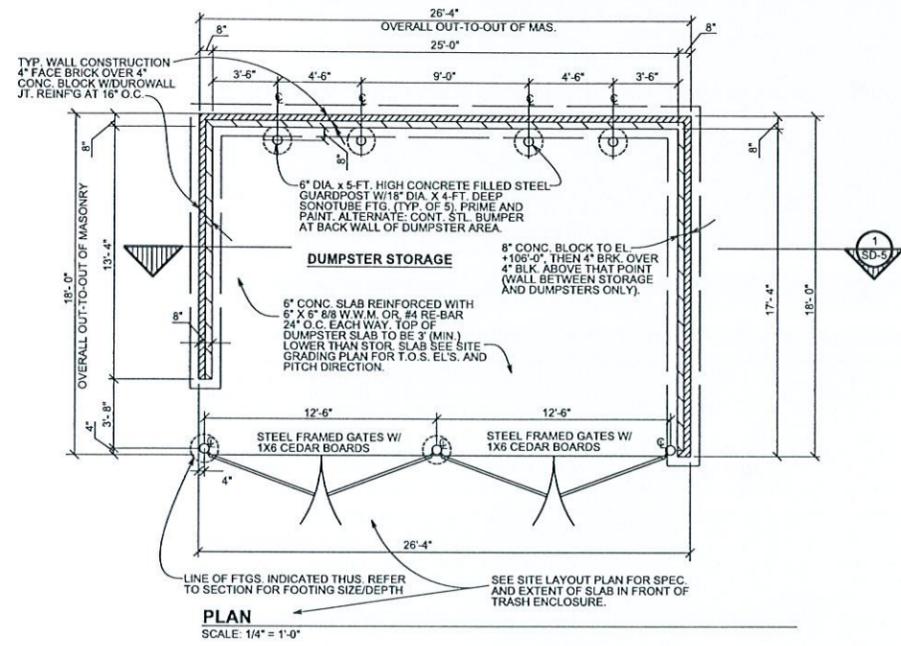


SIGN LEGEND

	1 STOP SIGN R1-1
	2 ACCESSIBLE SIGN R7-8
	3 RIGHT TURN ONLY
	4 McDONALD'S DIRECTIONAL SIGN WITH ARCH
	5 McDONALD'S MENU BOARD
	6 MONUMENT SIGN WITH ELECTRONIC READER
	7 McDONALD'S SINGLE WELCOME POINT GATEWAY
	8 McDONALD'S ANY LANE, ANY TIME SIGN
	9 CUSTOMER ORDERING DEVICE (C.O.D.)
	10 PRESELL MENU BOARD
	11 PULL FORWARD
	12 EXISTING ROAD SIGN
	13 WALL SIGNAGE
	14 WALL SIGNAGE

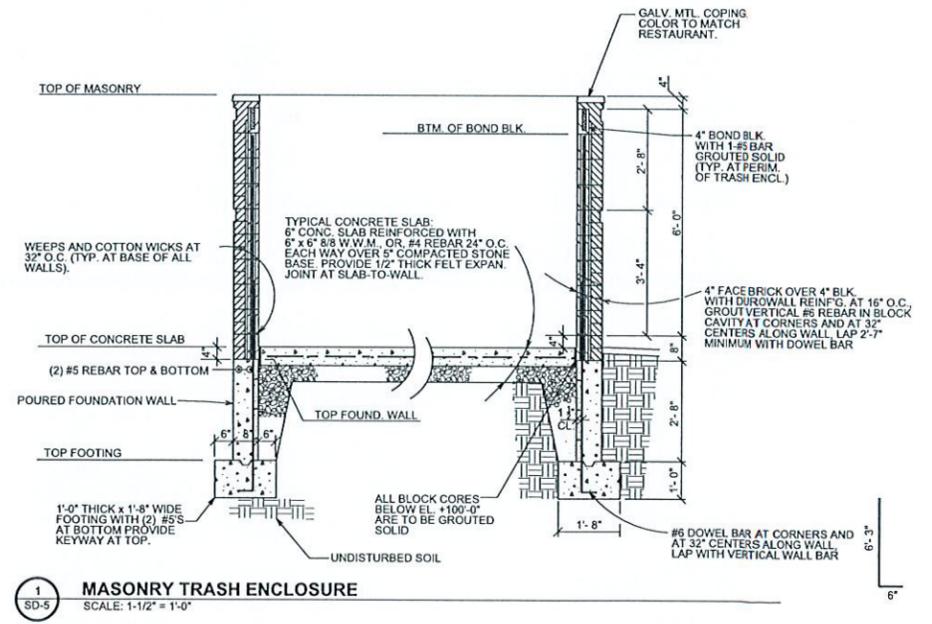


PREPARED BY: M. McDonald's USA, LLC <small>These drawings and specifications are the confidential and proprietary information of McDonald's USA, LLC. They are to be used only for the project and site identified herein and are not to be used for any other project without the written authorization of McDonald's USA, LLC. The contract documents were prepared for use on this specific site in conjunction with its issue date and are not to be used for any other project without the written authorization of McDonald's USA, LLC. The contract documents were prepared for use on this specific site in conjunction with its issue date and are not to be used for any other project without the written authorization of McDonald's USA, LLC. The contract documents were prepared for use on this specific site in conjunction with its issue date and are not to be used for any other project without the written authorization of McDonald's USA, LLC.</small>		PREPARED BY: V3 Companies 7325 James Avenue Woodridge, IL 60517 630.724.9200 phone 630.724.9202 fax www.v3co.com	V <small>Visio, Veterans, Virtue... The Vision to Transform with Excellence</small>
DRAWN BY: BJD	SITE ADDRESS: 046-0105 12214 75TH STREET	DATE: 02-06-13	DATE: 02-06-13
TITLE: PRELIMINARY SIGNAGE PLAN	DESCRIPTION: McDONALD'S - KENOSHA, WI	REV:	DESCRIPTION:
SHEET NO.: C3.1	SHEET NO.:	REV:	DESCRIPTION:



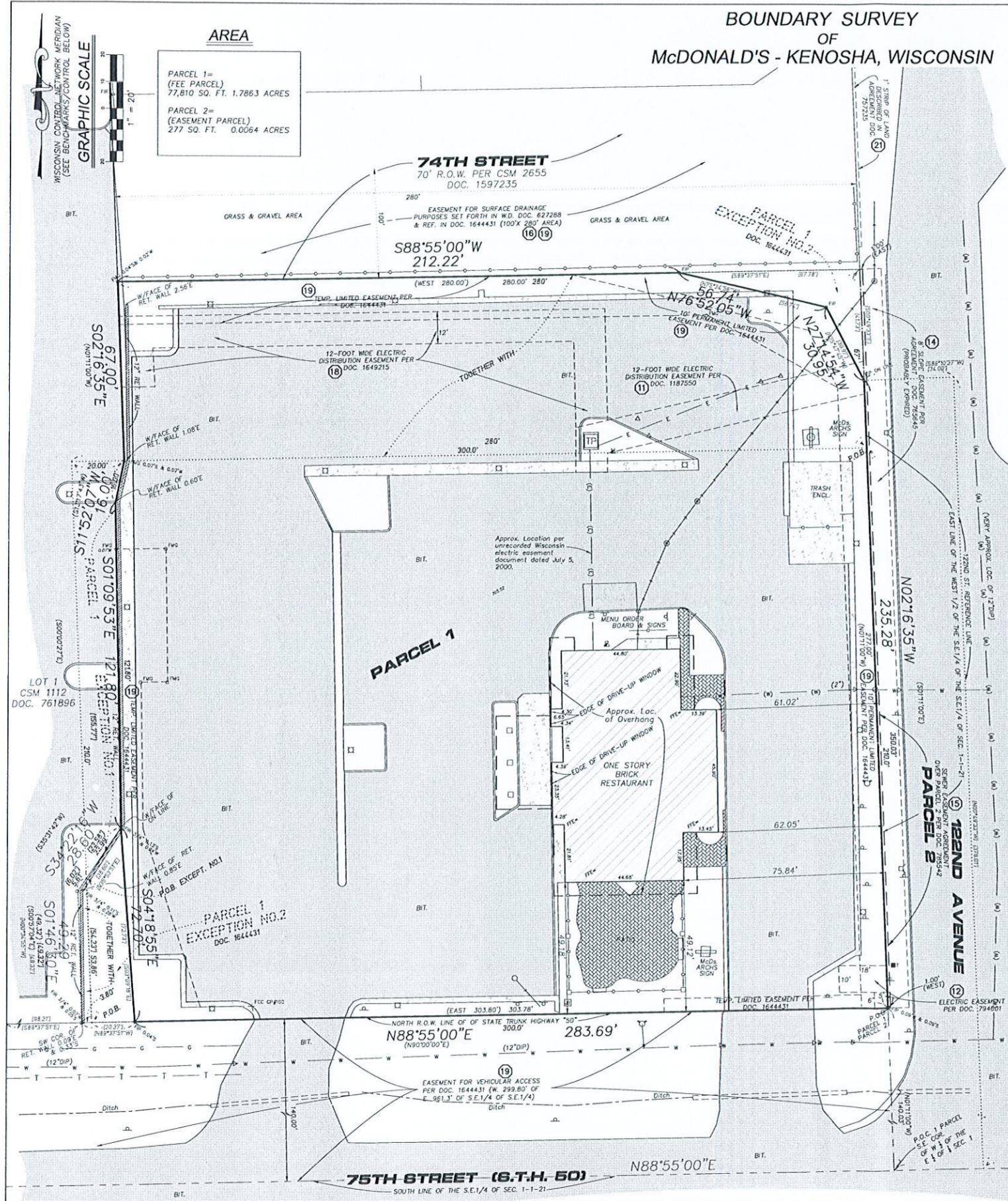
TRASH ENCLOSURE GENERAL NOTES:

1. BRICK IS TO MATCH THAT USED ON THE MAIN BUILDING.
2. ALL MASONRY IS TO BE SET IN RUNNING BOND PATTERN WITH CONCAVE MORTAR JOINTS.
3. PROVIDE INTEGRAL WATER-RESISTANT SEALER WITH MORTAR. ALL MORTAR COLOR IS TO MATCH THAT USED ON THE BUILDING.
4. ALL STEEL ELEMENTS AND FASTENERS SHALL BE GALVANIZED.



BY	
DESCRIPTION	
DATE	
REV	
PREPARED BY	V3 Companies 7325 Janes Avenue Woodridge, IL 60517 630.724.9200 phone 630.724.9202 fax www.v3co.com
PROJECT	McDonald's USA, LLC
DATE	02-06-13
REVISION	AMU
DATE	02-06-13
PREPARED FOR	McDonald's USA, LLC
DRAWN BY	AMU
DATE	02-06-13
TITLE	PRELIMINARY TRASH CORRAL DETAILS
DESCRIPTION	McDONALD'S - KENOSHA, WI
SHEET NO.	C6.0
SHEET	048-0105 12214 75TH STREET, KENOSHA, WI
DATE	02-06-13
SCALE	1-1/2" = 1'-0"

**BOUNDARY SURVEY
OF
McDONALD'S - KENOSHA, WISCONSIN**



PARCEL 1:

Part of the Southeast 1/4 of Section 1, Town 1 North, Range 21 East of the Fourth Principal Meridian, lying and being in the City of Kenosha, Kenosha County, Wisconsin, and being more particularly described as follows: Commencing at the Southeast corner of the West 1/2 of the East 1/2 of said 1/4 Section, which point is 661.3 feet West from the Southeast corner of said 1/4 Section; thence North 1° 11' West along upon the East line of the West 1/2 of the East 1/2 of said 1/4 Section 140.03 feet and to the point of beginning of the lands to be herein described; thence continue North 1° 11' West along upon the East line of the West 1/2 of the East 1/2 of the 1/4 Section 210.0 feet; thence West parallel to the South line of said 1/4 Section 300.0 feet; thence South 1° 11' East parallel to the East line of the West 1/2 of the East 1/2 of said 1/4 Section 210.0 feet; thence East parallel to the South line of said 1/4 Section 300.0 feet and to the point of beginning.

Excepting therefrom that part conveyed by Deed recorded on August 25, 1987, in Volume 1239, Page 22, as Document No. 762464 described as follows: A parcel of land located in the Southeast 1/4 of the Southeast 1/4 of Section 1, Town 1 North, Range 21 East, in the City of Kenosha, Kenosha County, Wisconsin, bounded and described as follows: Commencing at the Southeast corner of Section 1; thence West 661.30 feet along the South line of the Southeast 1/4 of Section 1 to the East line of the West 1/2 of the Southeast 1/4 of Section 1; thence North 1° 11' 00" West, 140.03 feet along said East line to the North right of way line of S.T.H. "50"; thence West 300.00 feet along said North line; thence North 1° 11' 00" West, 54.23 feet to the point of beginning; thence continuing North 1° 11' 00" West 155.77 feet; thence East 20.00 feet; thence South 13° 17' 43" West, 16.00 feet along the West face of a concrete retaining wall; thence South 0° 00' 27" East, 121.80 feet along said West face; thence South 35° 31' 42" West, 22.58 feet along said West face of the point of beginning.

TOGETHER WITH that part of the Southeast 1/4 of Section 1, Town 1 North, Range 21 East of the Fourth Principal Meridian, lying and being in the City of Kenosha, Kenosha County, Wisconsin, and being more particularly described as follows: Commencing at the Southeast corner of the West 1/2 of the East 1/2 of said 1/4 Section, which point is 661.3 feet West from the Southeast corner of said 1/4 Section; thence North 1° 11' West along the East line of the West 1/2 of the East 1/2 of said 1/4 Section, 350.03 feet to the point of beginning of the property to be herein described; thence continue North 1° 11' West along the same course 67 feet; thence West parallel to the South line of said 1/4 Section 280 feet; thence South 1° 11' East 67 feet; thence East 280 feet to the point of beginning.

TOGETHER WITH a parcel of land located in the Southeast 1/4 of the Southeast 1/4 of Section 1, Town 1 North, Range 21 East, in the City of Kenosha, Kenosha County, Wisconsin, bounded and described as follows: Commencing at the Southeast corner of Section 1; thence West 661.30 feet along the South line of the Southeast 1/4 of Section 1 to the East line of the West 1/2 of the Southeast 1/4 of Section 1; thence North 1° 11' 00" West, 140.03 feet along said East line to the North right of way line of S.T.H. "50"; thence West, 300.00 feet along said North line to the point of beginning; thence continuing West, 3.80 feet along said North line; thence North 0° 57' 04" West, 49.32 feet along the West face of a concrete retaining wall; thence North 35° 31' 42" East, 6.02 feet along said West face; thence South 1° 11' 00" East, 54.23 feet to the point of beginning.

EXCEPTING THEREFROM that part conveyed by Award of Damages recorded on April 28, 2011, as Document No. 1644431.

PARCEL 2:

Rights under a Sewer Easement Agreement dated February 3, 1987 and recorded on August 14, 1987, in Volume 1281 of Records, Page 719, as Document No. 785542.

GENERAL NOTES

1. COMPARE THIS PLAT, LEGAL DESCRIPTION AND ALL SURVEY POINTS AND MONUMENTS BEFORE ANY CONSTRUCTION, AND IMMEDIATELY REPORT ANY DISCREPANCIES TO SURVEYOR.
2. ONLY PRINTS OF THIS SURVEY WITH AN EMBOSSED SEAL SHALL BE DESIGNATED OFFICIAL COPIES. THIS SURVEY WAS PREPARED FOR THE SOLE USE OF THE CLIENT AS STATED HEREON AND IS NON-TRANSFERABLE.
3. DO NOT SCALE DIMENSIONS FROM THIS PLAT.
4. THE LOCATION OF THE PROPERTY LINES SHOWN ON THE FACE OF THIS PLAT ARE BASED UPON THE DESCRIPTION AND INFORMATION FURNISHED BY THE CLIENT, TOGETHER WITH THE TITLE COMMENTS. THE PARCEL WHICH IS DEFINED MAY NOT REFLECT ACTUAL OWNERSHIP, BUT REFLECTS WHAT WAS SURVEYED. FOR OWNERSHIP, CONSULT YOUR TITLE COMPANY.
5. A CURRENT TITLE COMMITMENT PREPARED BY CHICAGO TITLE INSURANCE COMPANY FILE NO. 123700 WITH AN EFFECTIVE DATE OF JUNE 10, 2012 AND ISSUE DATE OF JULY 19, 2012 WAS PROVIDED TO THE SURVEYOR FOR THE PREPARATION OF THIS SURVEY. THE PROPERTY IS SUBJECT TO THOSE TITLE EXCEPTIONS LISTED THEREIN. SEE THE "NOTES FROM SCHEDULE B" TABLE ON SHEET 2 FOR TITLE EXCEPTION COMMENTS.
6. MANHOLES, INLETS AND OTHER UTILITY RIMS OR GRATES SHOWN HEREON ARE FROM FIELD LOCATION OF SUCH, AND ONLY REPRESENT SUCH UTILITY IMPROVEMENTS WHICH ARE VISIBLE FROM ABOVE GROUND AT TIME OF SURVEY, THROUGH A NORMAL SEARCH AND WALK THROUGH OF THE SITE.
7. THIS SURVEY MAY NOT REFLECT ALL UTILITIES OR IMPROVEMENTS IF SUCH ITEMS ARE HIDDEN BY LANDSCAPING OR ARE COVERED BY SUCH ITEMS AS DUMPSTERS, TRAILERS, CARS, DIRT, PAVING OR SNOW. AT THE TIME OF THIS SURVEY, FILES OF PLOWED SNOW DID COVER CERTAIN AREAS OF THE SITE. MOSTLY CORNERS OF THE PARKING LOT - LAWN SPRINKLER SYSTEMS, IF ANY, ARE NOT SHOWN ON THIS SURVEY.
8. OTHER THAN VISIBLE OBSERVATIONS NOTED HEREON, THIS SURVEY MAKES NO STATEMENT REGARDING THE ACTUAL PRESENCE OR ABSENCE OF ANY SERVICE.
9. CALL YOUR LOCAL UTILITY COMPANIES & D.I.G.E.R.S. "HOTLINE" (800) 242-8511 FOR FIELD LOCATION OF UNDERGROUND UTILITIES PRIOR TO ANY DIGGING OR CONSTRUCTION.
10. OVERHEAD WIRES AND POLES (IF ANY EXIST) ARE SHOWN HEREON, HOWEVER THEIR FUNCTION AND DIMENSIONS HAVE NOT BEEN SHOWN.
11. RESTRICTIONS FOUND IN LOCAL BUILDING AND/OR ZONING CODES HAVE BEEN DEPICTED AND/OR NOTED HEREON.
12. SEE SHEET 2 FOR TOPOGRAPHIC SURVEY INFORMATION.

LEGEND

- ⊙ GAS VALVE VAULT
- ⊙ PAINTED GAS LINE
- ⊙ PROTECTIVE MARKER
- ⊙ GAS VALVE
- ⊙ GAS METER
- ⊙ CLEANOUT
- ⊙ SANITARY MANHOLE
- ⊙ POST INDICATOR VALVE
- ⊙ WATER VALVE VAULT
- ⊙ PAINTED WATER LINE
- ⊙ MONITORING WELL
- ⊙ SPRINKLER HEAD
- ⊙ WATER METER
- ⊙ WATER VALVE
- ⊙ WELL HEAD
- ⊙ HOSE BIB
- ⊙ HYDRANT
- ⊙ B-SH
- ⊙ POST/BEARLARD
- ⊙ FLAG POLE
- ⊙ MAILBOX
- ⊙ SIGN
- ⊙ DECIDUOUS TREE
- ⊙ NON-DECIDUOUS TREE
- ⊙ HEADWALL
- ⊙ CURB INLET
- ⊙ CATCH BASIN
- ⊙ STORM INLET
- ⊙ STORM MANHOLE
- ⊙ FLARED END SECTION
- ⊙ FOUND IRON ROD
- ⊙ FOUND RAILROAD SPIKE
- ⊙ FOUND P.N. NAIL
- ⊙ FOUND WAS NAIL
- ⊙ FOUND OUT NOTCH
- ⊙ FOUND OUT CROSS
- ⊙ FOUND IRON PIPE
- ⊙ SET P.N. NAIL
- ⊙ SET WAS NAIL
- ⊙ SET IRON PIPE

- BOUNDARY LINE
- EXISTING RIGHT-OF-WAY LINE
- EXISTING LOT LINE
- EXISTING CENTERLINE
- EXISTING EASEMENT LINE
- SECTION LINE
- EXISTING FENCELINE (CHAIN LINK)
- EXISTING FENCELINE (WOOD/IRON)
- GUARDRAIL
- CATV
- UNDERGROUND CABLE TV (ATLAS)
- UNDERGROUND FIBER OPTIC CABLE
- UNDERGROUND FIBER OPTIC CABLE (ATLAS)
- UNDERGROUND ELECTRIC
- UNDERGROUND ELECTRIC (ATLAS)
- UNDERGROUND TELEPHONE
- UNDERGROUND TELEPHONE (ATLAS)
- EXISTING
- EXISTING FLOOR ELEVATION
- FINISHED FLOOR ELEVATION
- GRAVEL
- SANITARY SEWER
- SANITARY SEWER (ATLAS)
- STORM SEWER
- STORM SEWER (ATLAS INFO)
- OVERHEAD WIRES
- EDGE OF WATER
- DEPRESSED CURB
- EXISTING CONTOUR LINE
- ASPHALT PAVING OR WATER (LABELLED)
- UNPAVED ROAD
- CONCRETE
- EXISTING BUILDING

ABBREVIATIONS

- 78242 EXISTING TOP OF CURB ELEVATION
- 78242 EXISTING EDGE OF PAVEMENT ELEVATION
- EXISTING SPOT ELEVATION
- 0.00' CALCULATED DATUM
- 0.00' MEASURED DATUM
- 0.00' RECORD DATUM
- 0.00' SECTION DATUM
- A.P. ARC LENGTH
- AP ACCESSIBLE PARKING
- BT BITUMINOUS
- BOC BACK OF CURB
- BOX BACK OF WALK
- BRK BRICK
- BM BOTTOM OF WALL
- CMF CORRUGATED METAL PIPE
- CONC CONCRETE
- CK CONCRETE WALK
- D.E. DRAINAGE EASEMENT
- DEP DEPRESSED CURB
- DIP DUCTILE IRON PIPE
- E EAST
- EP EDGE OF PAVEMENT
- EX EXISTING
- FES FINISHED END SECTION
- FFS FINISHED FLOOR ELEVATION
- GRV GRAVEL
- GUT GUTTER
- IE INGRESS & EGRESS EASEMENT
- INVERT ELEVATION
- INVT INVERT
- MH MANHOLE
- M.U.E. MUNICIPAL UTILITY EASEMENT
- N NORTH
- P.U.E. PUBLIC UTILITY EASEMENT
- PLA PLASABLE
- RAD RADIUS
- ROP REINFORCED CONCRETE PIPE
- SAN SANITARY SEWER
- SD STORM DRAIN
- S SOUTH
- TOP OF PIPE
- TW TOP OF WALL
- UE UTILITY EASEMENT
- VSP VITRIFIED CLAY PIPE
- WEST
- P.O.C. PLACE OF COMMENTMENT
- P.O.B. PLACE OF BEGINNING
- R.O.W. RIGHT-OF-WAY
- CSM CERTIFIED SURVEY MAP

SURVEYOR'S CERTIFICATE

STATE OF ILLINOIS)) SS
COUNTY OF DU PAGE))

I, GERALD M. KWATKOWSKI, A WISCONSIN PROFESSIONAL LAND SURVEYOR, HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THIS SURVEY IS CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. ALL DIMENSIONS ARE GIVEN IN FEET AND DECIMALS THEREOF, CORRECTED TO A TEMPERATURE OF 68 DEGREES FAHRENHEIT.

THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT WISCONSIN MINIMUM STANDARDS FOR PROPERTY SURVEYS.

FIELD WORK COMPLETED ON MARCH 6, 20 11

DATED THIS ?? DAY OF JULY A.D., 20 12.

WISCONSIN PROFESSIONAL LAND SURVEYOR NO. _____
MY LICENSE EXPIRES ON _____

McDonald's USA, LLC
7325 Jones Avenue
Woodridge, IL 60517
630.724.9200 phone
630.724.9202 fax
www.v3co.com

VP03.2

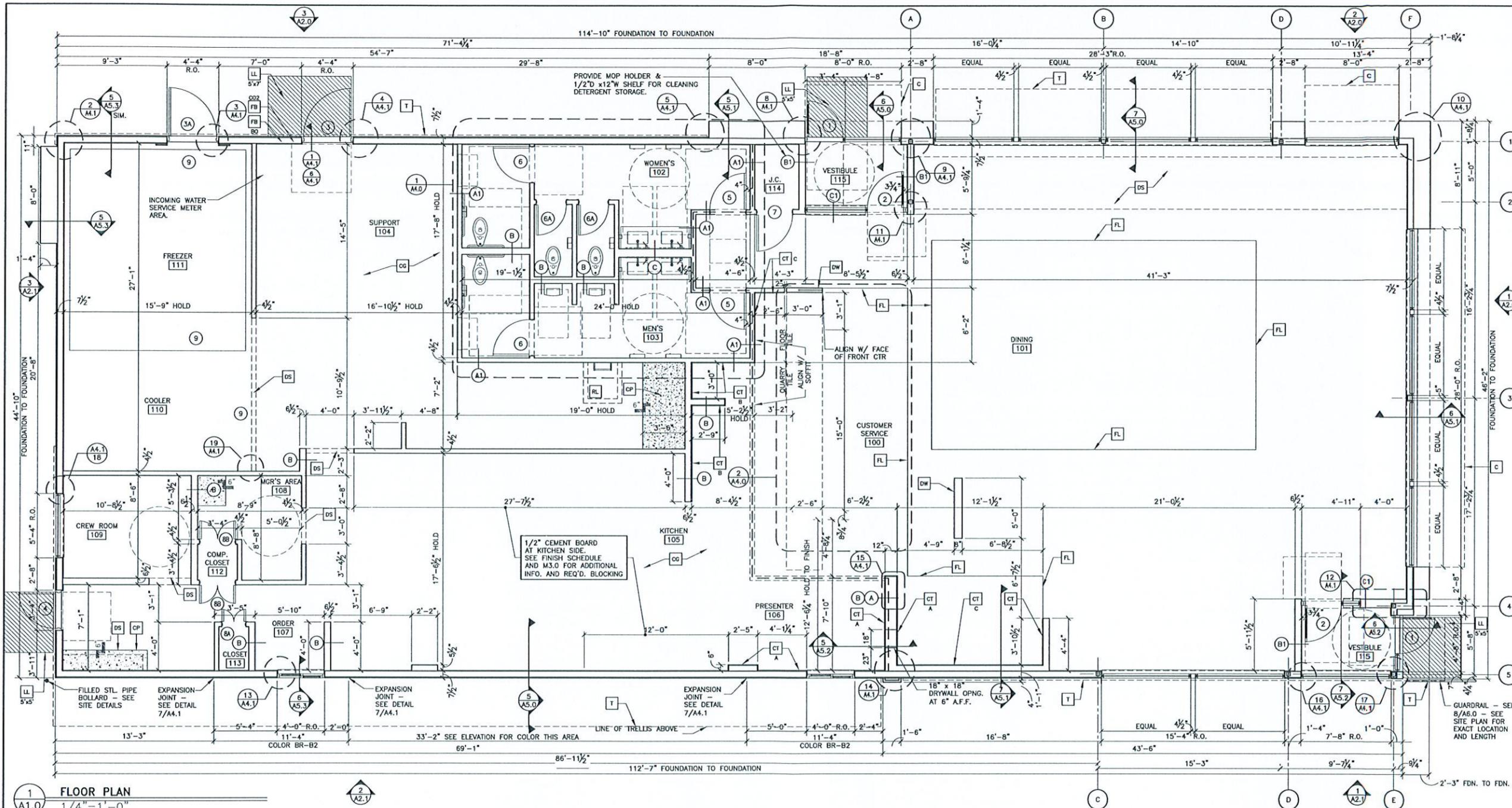
BOUNDARY & TOPOGRAPHIC SURVEY
McDONALD'S - KENOSHA, WISCONSIN

DATE ISSUED: 4/10/12

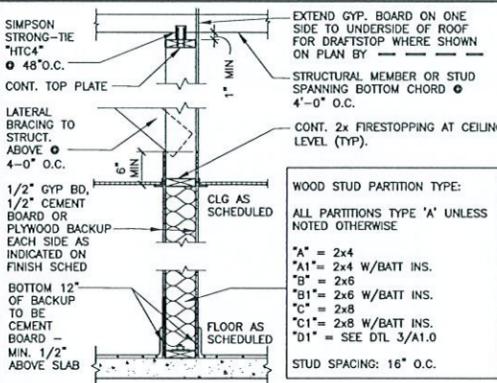
REVIEWED BY: CMB

STANDARD: 48-005

SHEET NO. 1 OF 2



1 FLOOR PLAN
1/4" = 1'-0"



2 INTERIOR PARTITION
3/4" = 1'-0"

- KEY NOTES**
- [C] ALUMINUM CANOPY SYSTEM ABOVE - SEE 4/A5.0 FOR NOTES - SEE ROOF PLAN FOR DIMENSIONS
 - [CO] G.C. TO PROVIDE 4"x4"x5'-0" HIGH STAINLESS STEEL CORNER GUARDS AT ALL EXPOSED LOCATIONS IN KITCHEN/SUPPORT AREA. CORNER GUARDS TO START AT FINISH FLOOR. ATTACH WITH WOOD SCREWS INTO WOOD BLOCKING BULLNOSE COVE BASE WHERE TILE MEETS STAINLESS STEEL CORNER
 - [CP] CONCRETE EQMT PAD - SEE STRUCTURAL
 - [CT] CERAMIC WALL TILE: EUROWEST COLOR: MADE UNI CRIGIO SIZE 12"x24"
A GROUT: MAPEI 27 SILVER - JOINT TO BE 1/8" MAX. COORDINATE WITH THE MCDONALD'S AREA CONSTRUCTION MANAGER
 - [CT] CERAMIC WALL TILE: EUROWEST FEEL COLOR: GREEN TASTE SIZE 10"x30"
B GROUT: MAPEI 10 BLACK - JOINT TO BE 1/8" MAX. COORDINATE WITH THE MCDONALD'S AREA CONSTRUCTION MANAGER
 - [CT] CERAMIC WALL TILE: EUROWEST COLOR: GREEN TASTE SIZE 10"x30"
C GROUT: MAPEI 27 SILVER - JOINT TO BE 1/8" MAX. COORDINATE WITH THE MCDONALD'S AREA CONSTRUCTION MANAGER
 - [DS] DROPPED SOFFIT ABOVE - SEE REFLECTED CEILING PLAN
 - [DW] DECOR WALL - VERIFY EXACT SIZE AND PLACEMENT WITH DECOR PLANS - SEE 2/A1.0

- SYMBOL LEGEND**
- [A] PARTITION TYPE TAG SEE 2/A1.0
 - [D] DRAFT STOPPING - SEE 2/A1.0
 - [7] DOOR TAG - SEE DOOR SCHEDULE ON A6.0
 - [X] KEY NOTE
 - [FB] CO2 FILL BOX (EQUIPMENT SCHEDULE ITEM 49.00)
 - [FB] OPTIONAL BULK OIL FILL BOX (EOPM SCHEDULE ITEM 700.18) CONFIRM USE WITH MCDONALD'S AREA CONSTRUCTION MANAGER
 - [FL] FLOOR LINE - CHANGE IN MATERIAL - SEE DECOR DRAWINGS
 - [LL] LEVEL LANDING @ EXT. DOOR W/ MAX. 2% RUNNING/CROSS SLOPE AWAY FROM BUILDING
 - [RL] ROOF ACCESS LADDER W/HATCH ABOVE SEE STRUCTURAL FRAMING PLAN FOR LOCATING DIMENSIONS
 - [T] TRELLIS SYSTEM ABOVE SEE 4/A5.0 FOR NOTES SEE ROOF PLAN FOR DIMENSIONS

- GENERAL NOTES**
1. EXTERIOR DIMENSIONS ARE TO COLUMN REFERENCE LINES AND EXTERIOR FACE OF FINISH UNLESS OTHERWISE NOTED. INTERIOR DIMENSIONS ARE TO FACE OF FINISH.
 2. SEE 4/A5.0 FOR EXTERIOR WALL ASSEMBLY TYPES. SEE 2/A1.0 FOR INTERIOR PARTITION TYPES. INTERIOR PARTITIONS ARE TYPE 'A' UNLESS NOTED OTHERWISE.
 3. SEE EXTERIOR ELEVATIONS FOR WINDOW TYPES
 4. SEE SHEET A6.0 FOR DOOR AND ROOM FINISH SCHEDULES
 5. SEE SITE PLAN FOR SIDEWALKS, RAMPS, ETC.
 6. GC TO PROVIDE ADA SIGNAGE PACKAGE AND INSTALL SIGNS AT LOCATIONS AND POSITIONS INDICATED IN PACKAGE OR AS REQUIRED BY LOCAL CODES. SIGNAGE PACKAGE SUPPLIED BY: FORREST FERMA-SIGN 1-800-214-8785 9292 1ST ST., BOX 588 www.forrestfermasign.com NEW ROCHELLE, NY 10802
 7. MAXIMUM OCCUPANCY SIGN TO BE POSTED PER LOCAL CODE. SIGN FURNISHED AND INSTALLED BY GENERAL CONTRACTOR.
 8. ALL HANDSINK LOCATIONS SHALL HAVE CEMENT BOARD BACKING 48" IN HEIGHT A.F.F.
 9. GC TO COORDINATE ALL REQUIRED BLOCKING FOR WALL HUNG EQUIPMENT, SHELVES, ETC. FOR PROPER INSTALLATION HEIGHTS.

PREPARED FOR: **McDonald's USA, LLC**
 2013 McDonald's USA, LLC
 200 S. WACKER DRIVE SUITE 1400
 CHICAGO, IL 60605
 (312) 777-2900
 PROJECT NO.: 602605.19

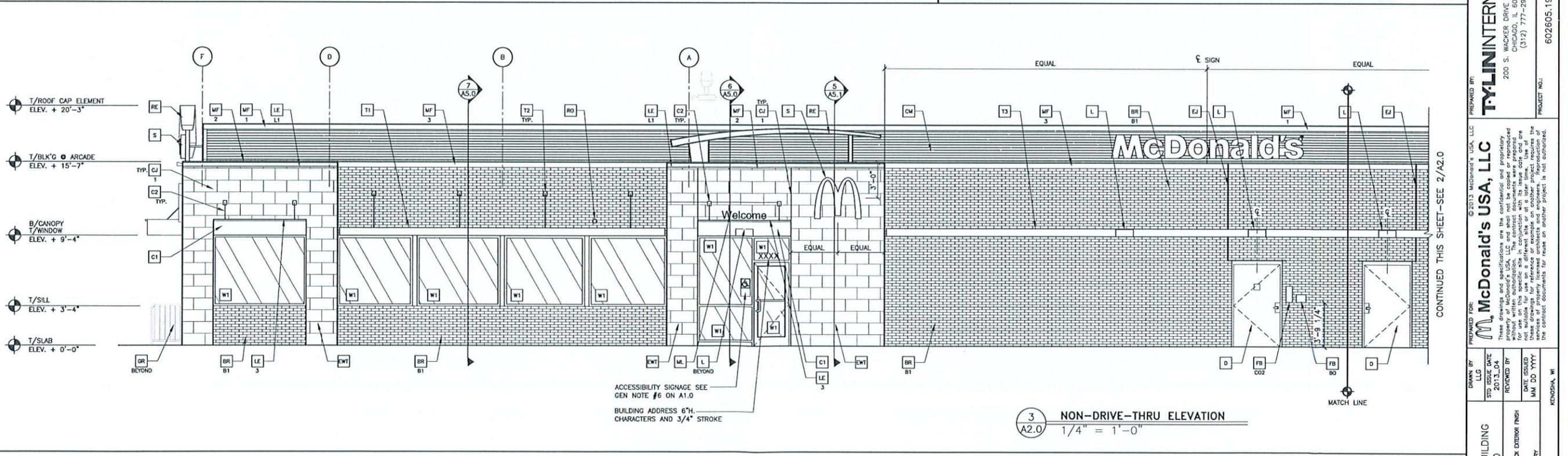
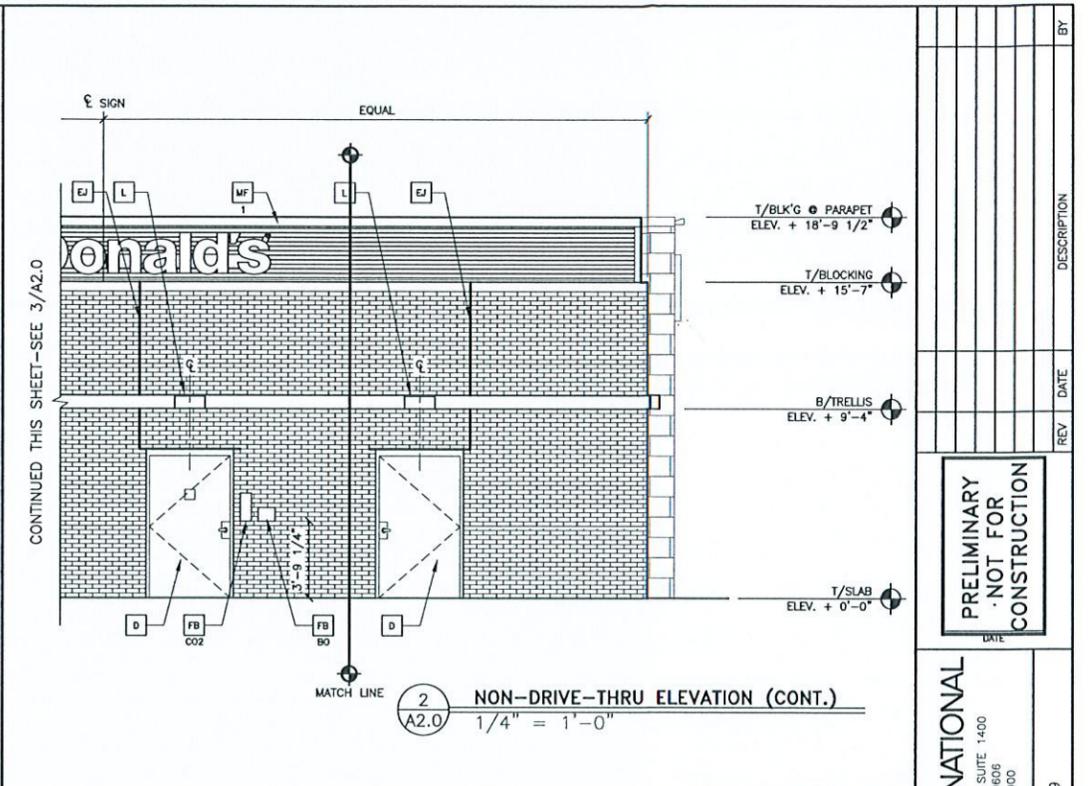
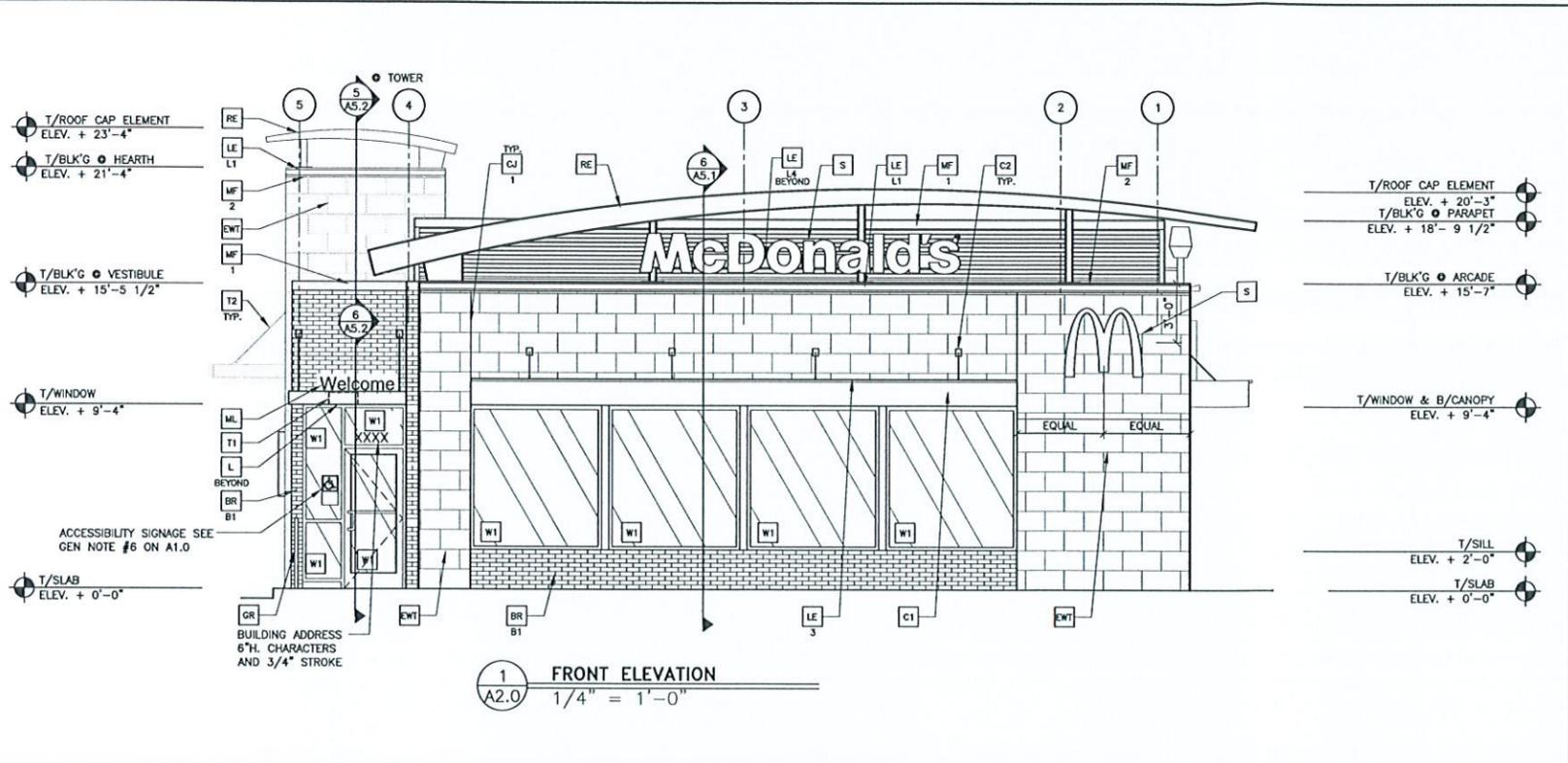
McDonald's USA, LLC
 PREPARED BY: [Signature]
 DATE: 2013.04
 CHECKED BY: [Signature]
 DATE: MM DD YYYY
 DRAWN BY: [Signature]
 DATE: MM DD YYYY

These drawings and specifications are the confidential and proprietary information of McDonald's USA, LLC. They are to be used only for the specific site in conjunction with its issue date and are not to be used for any other project without the express written authorization of McDonald's USA, LLC. The contract documents were prepared and issued for use on this specific site in conjunction with its issue date and are not to be used for any other project without the express written authorization of McDonald's USA, LLC. The contract documents were prepared and issued for use on this specific site in conjunction with its issue date and are not to be used for any other project without the express written authorization of McDonald's USA, LLC.

2013 STANDARD BUILDING
 45114-WOOD/WOOD
 DISPOSITION: NO. EXTERIOR WALLS W/FRM BRK EXTERIOR FINISH
 WOOD ROOF TRUSS FRAMING
 EUROWEST TILE FINISH, ARCHIVE/ENTRY
 SITE ID: 45114-0000
 048-0105.00.0
A1.0
 FLOOR PLAN

REV	DATE	DESCRIPTION	BY

PRELIMINARY - NOT FOR CONSTRUCTION



KEY NOTES:

- BM BREAK METAL
COLOR = CITYSCAPE BY METAL-ERA
- BR FACEBRICK
B1 = "LIGHT SANDSTONE" THIN BRICK BY ENDICOTT
B2 = "IVORY" THIN BRICK BY ENDICOTT
- C1 ALUMINUM CANOPY SYSTEM (COLOR: GOLD)
- C2 ALUMINUM CANOPY TIE-BACK SYSTEM
- CJ CONTROL JOINT
X - TYPE: 1 = EFS
- CM CORRUGATED METAL PANEL, COLOR = CITYSCAPE BY METAL ERA
OVER SMOOTH FACE CONCRETE BLOCK - SEE 1B/AS.0
- D HOLLOW METAL DOOR - PAINT TO MATCH COLOR OF
SURROUNDING MATERIAL
- EJ EXPANSION JOINT, SEE DETAIL 7/A4.1
- EWT EUROWEST TILE - OYSTER - BRUSH STROKE
USE 3/8" RUNNING BOND
- FB FB
CO2 = BULK OIL FILL BOX (EQPM SCHEDULE ITEM 700.18) -
CONFIRM USE WITH MCD PROJECT MANAGER
BULK CO2 FILL BOX (EQPM SCHEDULE ITEM 49.00)
- GR GUARD RAIL - SEE SITE PLAN
FOR EXACT LOCATION AND LENGTH
- L LIGHT FIXTURE (WALL SCONCE) - SEE ELECTRICAL
- LE ACCENT LIGHTING - SEE ELECTRICAL
L1 = LED LIGHT;
L2 = UP AND DOWN FIXTURE
L3 = DOWN ONLY FIXTURE
L4 = UP ONLY FIXTURE
- ML METAL LETTERING - BY OTHERS
- MF METAL FASCIA - COLOR TO MATCH CORRUGATED
METAL PANEL - SEE 1/A5.0
1 - TYPE:
1 = PRE-FAB ANCHOR-TITE FASCIA
2 = PRE-FAB CUSTOM ARCADE FASCIA
3 = PRE-FAB MASONRY CAP FASCIA
- PB PIPE BOLLARD - PAINTED YELLOW
- PT (RMHC) COIN COLLECTOR
UNIT #PPT 072000 CMJ
CALL 1-888-743-7435 TO ORDER
- RE ROOF CAP ELEMENT BY OTHERS
- RO ROOF DRAIN OVERFLOW PIPE PAINT TO MATCH
SURROUNDING MATERIAL
- T1 ALUMINUM TRELIS SYSTEM
- T2 TRELIS TIE-BACK SYSTEM
- T3 ALUMINUM TRELIS 2" x 8" WALL FASCIA SYSTEM
- REFER TO SIM. DETAIL 3 ON SHEET AS.1
- S McDONALD'S SIGNAGE BY OTHERS - UNDER SEPARATE
PERMIT.
- W1 EXTERIOR WINDOW ASSEMBLY - TEMPERED GLASS
- SEE ASSEMBLY NOTES
- W2 DRIVE-THRU WINDOW BY READY ACCESS 600 SERIES, 36" SERVICE
HEIGHT WITH TRANSOM - MANUAL OPEN; ELECTRONIC RELEASE
XX - SLIDE DIRECTION: RL = RIGHT TO LEFT
LR = LEFT TO RIGHT

PREPARED FOR: **McDonald's USA, LLC**
 200 S. WACKER DRIVE SUITE 1400
 CHICAGO, IL 60606
 (312) 777-2900

PROJECT NO.: 602605.19

DATE: _____
 REV: _____
 DATE: _____
 DESCRIPTION: _____

PRELIMINARY
 NOT FOR
 CONSTRUCTION

DATE: _____

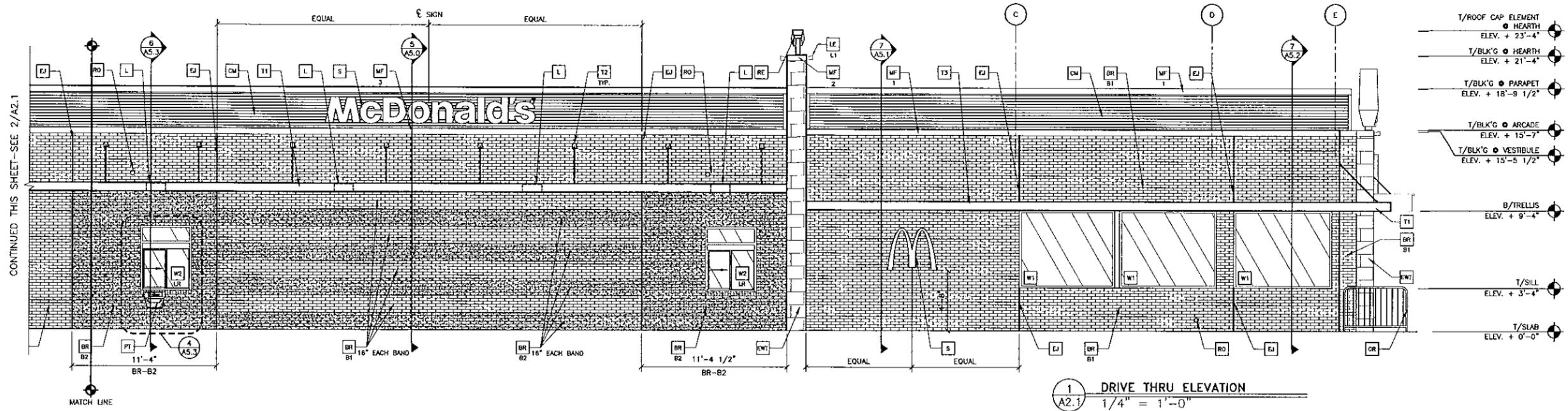
BY: _____

© 2013 McDonald's USA, LLC
 PREPARED BY: **TYLIN INTERNATIONAL**

2013 STANDARD BUILDING
 45114-WOOD/WOOD
 DESCRIPTION: PANELLED WOOD BEAMS WALLS WITH BRICK EXTERIOR FINISH
 WOOD ROOF TRUSS FRAMING
 EUROWEST TILE FINISH ARCADE/ENTRY

048-0105.00.0
 A2.0
 ELEVATIONS

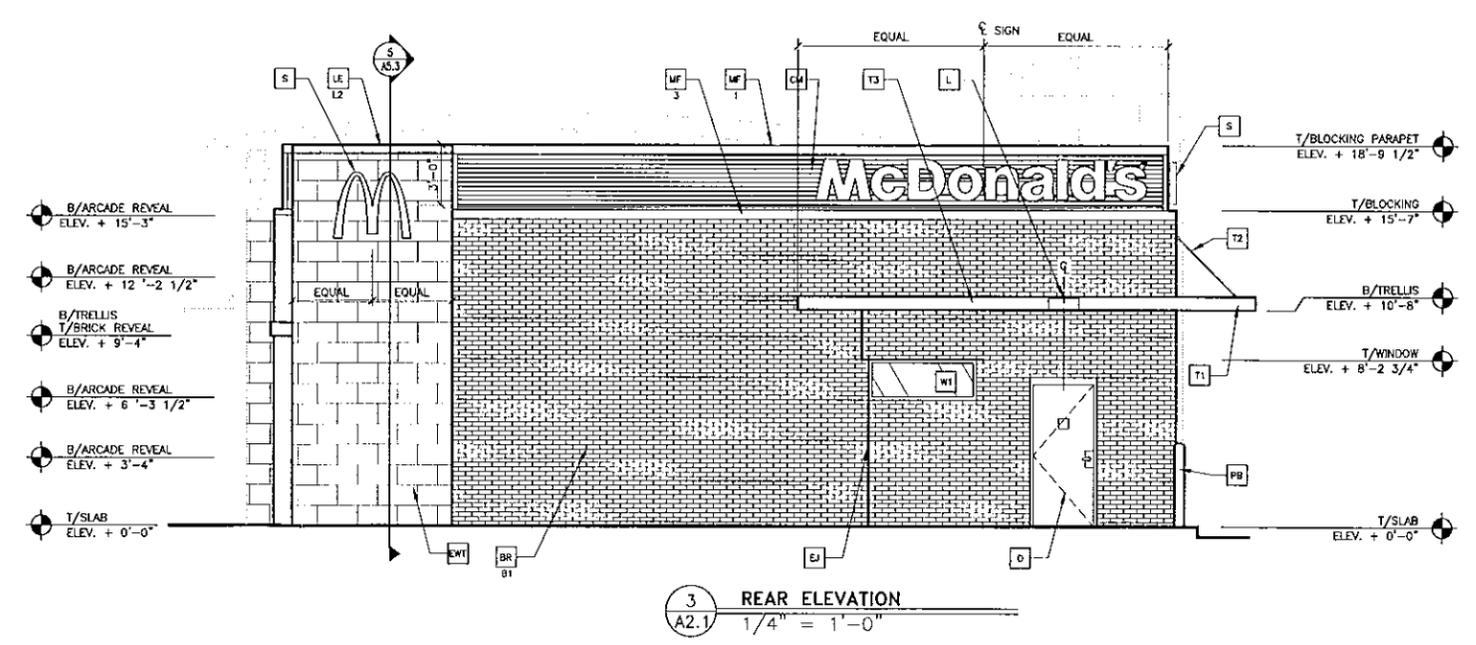
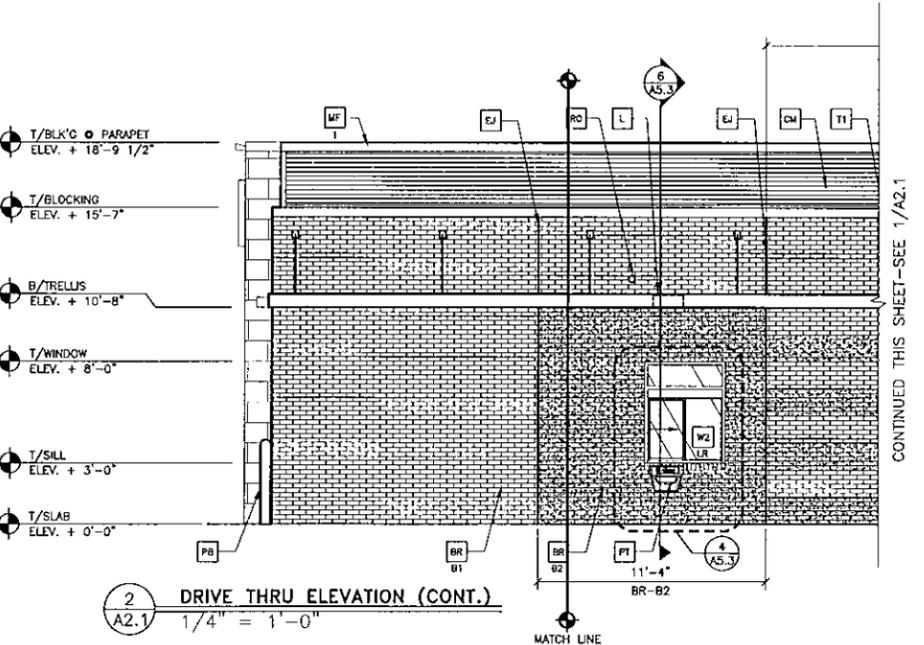
12214 79TH STREET
 KENOSHA, WI
 048-0105



REV	DATE	DESCRIPTION

PRELIMINARY
NOT FOR
CONSTRUCTION

TYLIN INTERNATIONAL
200 S. WACKER DRIVE, SUITE 1400
CHICAGO, IL 60606
(312) 777-2800
PROJECT NO.: 602605.19



- KEY NOTES:**
- BM BREAK METAL
COLOR = CITYSCAPE BY METAL-ERA
 - BR FACERBRICK
B1 = COLOR
B1 = "LIGHT SANDSTONE" THIN BRICK BY ENDICOTT
B2 = "TORY" THIN BRICK BY ENDICOTT
 - C1 ALUMINUM CANOPY SYSTEM (COLOR: GOLD)
 - C2 ALUMINUM CANOPY TIE-BACK SYSTEM
 - CJ CONTROL JOINT
X - TYPE 1 = EPS
 - CM CORRUGATED METAL PANEL, COLOR = CITYSCAPE BY METAL ERA
OVER SMOOTH FACE CONCRETE BLOCK - SEE 18/AS.0
 - D HOLLOW METAL DOOR - PAINT TO MATCH COLOR OF
SURROUNDING MATERIAL
 - EJ EXPANSION JOINT, SEE DETAIL 7/M.1
 - EWI EUROWEST TILE - OYSTER - BRUSH STROKE
USE 1/2" RUNNING BOND
 - FB FB
CO2 - CO2 =
B0 = BULK OIL FILL BOX (EGPM SCHEDULE ITEM 700.18) -
CONFIRM USE WITH MCD PROJECT MANAGER
BULK CO2 FILL BOX (EGPM SCHEDULE ITEM 49.00)
 - GR GUARD RAIL - SEE SITE PLAN
FOR EXACT LOCATION AND LENGTH
 - L LIGHT FIXTURE (WALL SOUNDC) - SEE ELECTRICAL
 - LE ACCENT LIGHTING - SEE ELECTRICAL
L1 - LED LIGHT:
L1 = UP AND DOWN FIXTURE
L2 = DOWN ONLY FIXTURE
L3 = INTEGRAL CANOPY FIXTURE
L4 = UP ONLY FIXTURE
 - ML METAL LETTERING - BY OTHERS
 - MF METAL FASCIA - COLOR TO MATCH CORRUGATED
METAL PANEL - SEE 1/AS.0
1 - TYPE
(S/MC) CON COLLECTOR
PT UNIT #MPT 072000 CMU
CALL 1-888-743-7435 TO ORDER
 - RE ROOF GAP ELEMENT BY OTHERS
 - RO ROOF DRAIN OVERFLOW PIPE PAINT TO MATCH
SURROUNDING MATERIAL
 - T1 ALUMINUM TRELLIS SYSTEM
 - T2 TRELLIS TIE-BACK SYSTEM
 - T3 ALUMINUM TRELLIS 2" x 8" WALL FASCIA SYSTEM
- REFER TO SM. DETAIL 3 ON SHEET AS.1
 - S MCDONALD'S SIGNAGE BY OTHERS - UNDER SEPARATE
PERMIT.
 - W1 EXTERIOR WINDOW ASSEMBLY - TEMPERED GLASS
- SEE ASSEMBLY NOTES
 - W2 DRIVE-THRU WINDOW BY READY ACCESS 600 SERIES, 36" SERVICE
HEIGHT WITH TRANSOM - MANUAL OPEN; ELECTRONIC RELEASE
XX SLIDE DIRECTION: RL = RIGHT TO LEFT
LR = LEFT TO RIGHT

PREPARED BY
Tylin International
200 S. WACKER DRIVE, SUITE 1400
CHICAGO, IL 60606
(312) 777-2800
PROJECT NO.: 602605.19

PREPARED FOR
McDonald's USA, LLC
These drawings and specifications are the confidential and proprietary
information of McDonald's USA, LLC. The drawings and specifications are
not to be used, copied, or reproduced in any form without the written
consent of McDonald's USA, LLC. The drawings and specifications are
for use on this specific site in conjunction with its issue date and are
not to be used for any other project. These drawings are the property of
McDonald's USA, LLC and are not to be used for any other project.
The contract documents for this project are subject to the terms and
conditions of the contract documents for this project.

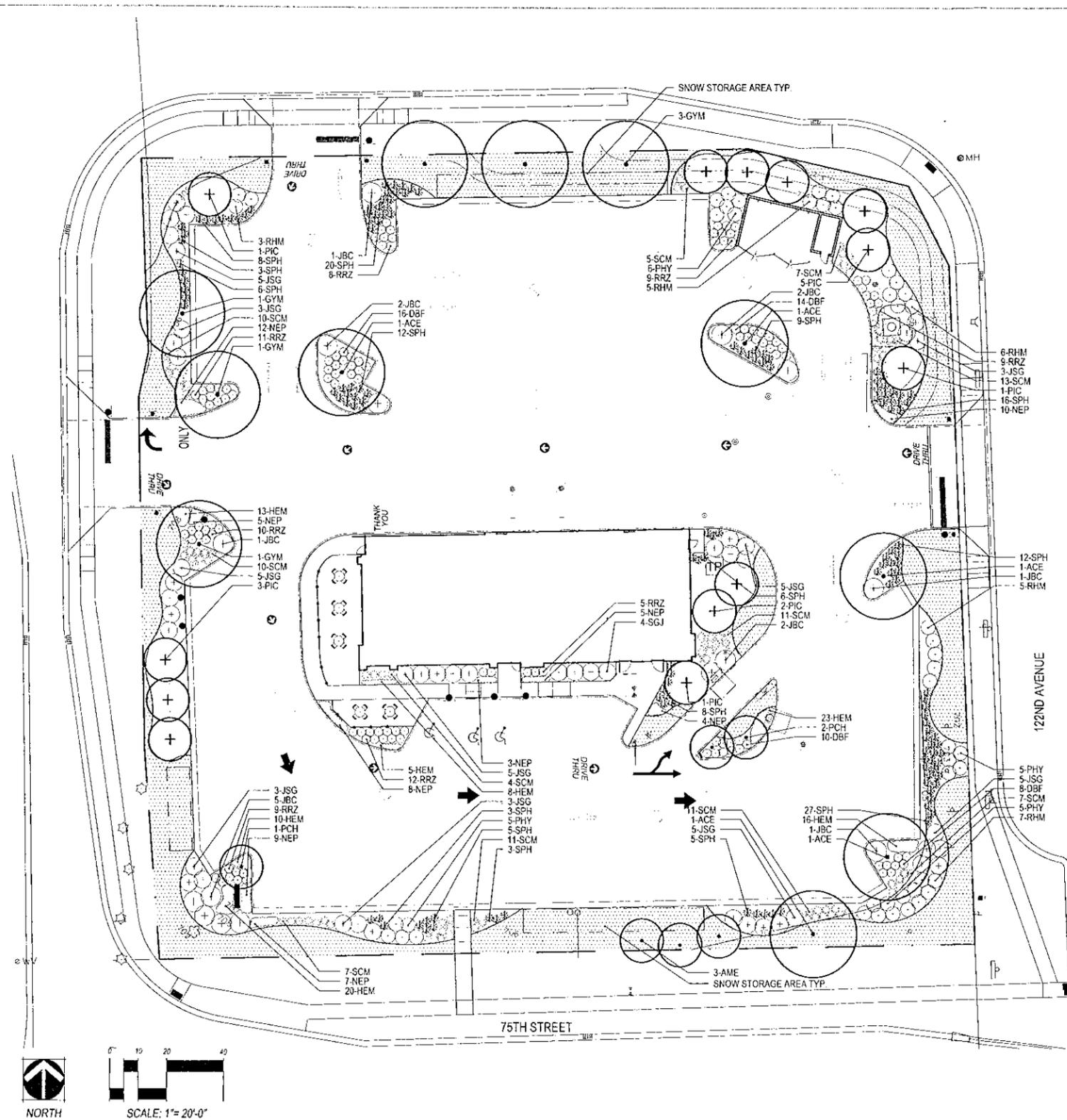
DATE OF DRAWING: 01/11/2013
DATE OF REVISION: 01/11/2013
DATE OF ISSUE: 01/11/2013
DATE OF REVISION: 01/11/2013

TITLE
2013 STANDARD BUILDING
45114-WOOD/WOOD

DESCRIPTION: WOOD ROOF TRUSS FRAMING
WOOD ROOF TRUSS FRAMING
WOOD ROOF TRUSS FRAMING
WOOD ROOF TRUSS FRAMING

SEE 0
45114-WOOD/WOOD

SHEET NO. 048-0105.00.0
A2.1
ELEVATIONS



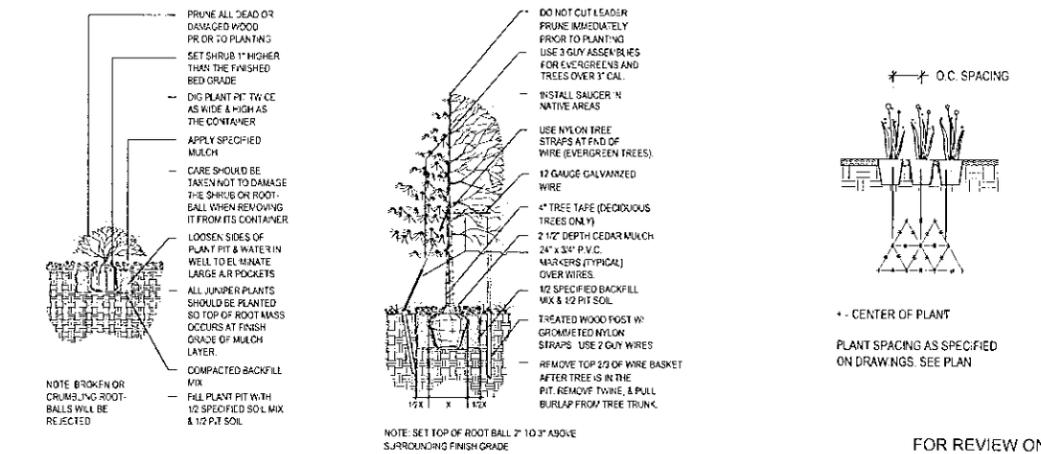
Notes

- The Landscape Contractor shall be responsible for installing materials and plants shown on the landscape plan.
- All nursery stock will be well branched, healthy, full, pre-inoculated and fertilized. Deciduous trees shall be free of fresh scars, trunks will be wrapped if necessary to prevent sun scald and insect damage. The landscape contractor shall remove the wrap at the proper time as a part of this contract.
- All nursery stock shall be guaranteed, by the contractor, for one year from date of final inspection.
- Clean viable earth will be provided and graded by the General Contractor up to 6 inches below finished grade in turf areas and 18 inches in planting areas.
- Soil shall be amended with 25% sphagnum peatmoss, 10% humus and 65% pulverized soil for all shrub, ornamental grass, perennial and annual beds.
- Double shredded hardwood mulch shall be applied three inches in depth to all perennial beds and tree rings, ornamental grass planting beds shown with a hatch are to be mulched with 3" depth pea gravel. Mulch shall not contain any form or other wastes.
- A chemical weed preventative barrier shall be applied in all wood mulch areas.
- A 4" x 14 gauge galvanized edger, Ryerson or equal shall separate the beds from the turf areas as shown on the plans. Edger is not required when adjacent to curbs, walls or walks.
- Local Utilities will need to be contacted before any type of work is done on the site.
- Do not disturb paving, lighting, landscaping, irrigation and/or fencing that is adjacent to the site or on the site to remain. The contractor is responsible for the cost to repair such areas if damaged.
- The contractor shall report any discrepancies in plan vs field conditions in writing immediately to the owners representative prior to continuing with that portion of the work.
- All trees are to be guyed per the tree planting detail for a period of one year. During the construction period tighten the guy wires as necessary. The landscape contractor shall remove all guying material after one year.
- Planting beds shall be recessed to prevent the depositing of soil, mulch and other landscape materials on the sidewalk.

PLANT LIST	ABBREV.	LATIN NAME	COMMON NAME	QUANTITY	SIZE & SHAPE
DECIDUOUS TREES					
ACE	Acer x freemanii 'Marmo'	MARMO MAPLE	5	2 5" CENTRAL LEADER	
GYM	Gymnocladia dioica	KENTUCKY COFFEE TREE	6	2 5" CENTRAL LEADER	
EVERGREEN TREES					
PIC	Picea glauca densata	BLACK HILLS SPRUCE	13	8' B&B	
ORNAMENTAL TREES					
AME	Ampelanchier x grandiflora 'Autumn Brilliance'	AUTUMN BRILLIANCE SERVICEBERRY	3	6' CLUMP FORM	
PCH	Pyrus calleryana 'Glen's Form'	CHANTICLEER PEAR	3	2' B&B	
EVERGREEN SHRUBS					
JSG	Juniperus chinensis 'Sea Green'	SEA GREEN JUNIPER	46	18" B&B	
JBC	Juniperus horizontalis 'Blue Chip'	BLUE CHIP JUNIPER	15	#3 CONT.	
DECIDUOUS SHRUBS					
DBF	Diervilla sessiliflora 'Butterfly'	SOUTHERN BUSH HONEYSUCKLE	48	#5 CONT.	
PHY	Physocarpus opulifolius 'Seward'	SUMMER WINE KNEEBARK	21	36" B&B	
RHM	Rhus copallina var. latifolia 'Mortor'	PRAIRIE FLAME SHINING SUMAC	26	36" B&B	
RRZ	Rosa 'Radrazz'	KNOCKOUT ROSE	73	#3 CONT.	
ORNAMENTAL GRASSES					
SCM	Schizachyrium scoparium 'MilkblueA'	BLUE HEAVEN LITTLE BLUESTEM	64	2 GAL.	
SPH	Sporobolus heterolepis	PRAIRIE DROPSIDE	143	1 GAL.	
PERENNIALS					
HEM	Hemerocallis 'Rosy Returns'	ROSY RETURNS DAYLILY	95	1 GAL. 18" O.C.	
NEP	Nepeta 'Walkers Low'	WALKERS LOW CATMINT	63	1 GAL. 24" O.C.	

BLUEGRASS/FESCUE SOD

Planting Details



BY: JTK/EL
DATE: 11/14/13
DESCRIPTION: PLANTING

NORRIS DESIGN
Planning | Landscape Architecture
540 Duane Street
Glen Ellyn, Illinois 60137
P 630.547.9372
F 630.790.2204
www.norris-design.com

PREPARED FOR:
McDonald's USA, LLC
These drawings and specifications are the confidential and proprietary property of McDonald's USA, LLC and shall not be copied or reproduced for use on any other project without the written consent of McDonald's USA, LLC. Use of these drawings and specifications on any other project is unauthorized. The contractor shall be responsible for obtaining all necessary permits and licenses for the project.

DRAWN BY: ZAS
DATE: 2-08-13
REVIEWED BY: AD
DATE ISSUED: 2-08-13

TITLE: Landscape Plan
PROJECT: McDonald's - Kenosha, WI
SHEET NO.: L1.0

FOR REVIEW ONLY

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	March 7, 2013	Item 3
Conditional Use Permit for a 61,082 s.f. medical building to be located east of 118th Avenue at 68th Street. (Aurora Cancer Center) (District #16) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: East of 118th Avenue at 68th Street
 Zoned: B-2 Community Business District/Air-4 Airport Overlay District

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Downing, was notified. The Common Council is the final review authority.

ANALYSIS:

- The applicant has proposed to construct a medical office building in the existing Woodman's Shopping Center. The proposed site is north of Steinhafel's and east of Gander Mountain. The proposed building materials would be brick, stone and glass.
- The building would essentially be constructed as two (2) buildings connected with a long corridor.
 - The westernmost building would be a Cancer Treatment Center.
 - The easternmost building would be a Pain Management and Ophthalmology Center.
- Staff met with the applicant prior to the Conditional Use Permit application to discuss issues with the building orientation and integration of a medical campus within a retail shopping center.
 - Staff's concern is that the proposed orientation of the building does not respect the established building line of Gander Mountain and Steinhafels. As a result of discussion on this item, the architects included a "future building expansion" pad on the Site Plan that shows how a future phase would include a building with more of a north/south orientation. Any future building development south of the east/west drive going through the site would have to match the front building line of Steinhafels.
 - Staff's concern with the integration of the facility into the shopping center prompted the applicant to agree to reduce the height of the landscaped berms along 118th Avenue from eight (8') feet high down to two or three (2' or 3') feet tall. The reduced height will still achieve some of the seclusion the campus was hoping to achieve, while still leaving the buildings partially visible and tied to the shopping center.
- Plans were sent to City Departments for their review. Their comments are included in the attached Conditions of Approval.
- The plans generally comply with Sections 4 and 14 of the Zoning Ordinance.

RECOMMENDATION:

A recommendation is made to approve the Conditional Use Permit, subject to the attached Conditions of Approval.



Brian R. Wilke, Development Coordinator
 /u2/acct/cp/ckays/1CPC/2013/MAR7/fact-cup-aurora.odt



Jeffrey B. Labahn, Director

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	<i>Kenosha City Plan Commission Conditions of Approval</i>	Aurora Cancer Center 118th Avenue at 68th Street	March 7, 2013
---	---	--	---------------

1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections. This includes, but is not limited to Erosion Control, Building, Plumbing, Electrical and Occupancy permits.
 - b. The applicant shall obtain Driveway, Sidewalk, Street Opening and Parking Lot permits from the Department of Public Works. Any work in the 118th Avenue right-of-way will require permits from the Wisconsin Department of Transportation.
 - c. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval. Since this site is part of a Unified Business Center, only a monument sign is allowed on the site.
 - d. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - e. Prior to the issuance of any Occupancy permits, all parking areas, drives and designated paved areas shall have the initial lift of asphalt installed. The building exterior shall be completed per the approved plans, the exterior lighting shall be installed and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
 - f. Compliance with City and State and/or Federal Codes and Ordinances. The buildings shall comply with the current Code standards in effect upon application for a building permit.
 - g. All roof top mechanicals shall be properly screened per Section 14.07 B.10 of the Zoning Ordinance.
 - h. All trash containers shall be stored within the enclosure or building. The applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.
 - i. The applicant shall meet all applicable Conditions of Approval and obtain a building permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
 - j. All vehicles shall be parked within the designated paved areas.

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	<i>Kenosha City Plan Commission Conditions of Approval</i>	Aurora Cancer Center 118th Avenue at 68th Street	March 7, 2013
---	---	--	----------------------

- k. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.
 - l. Cross access shall be provided to adjacent parcels if required at a future date by the City.
 - m. Compliance with the Operational Plan dated February 7, 2013 and compliance with the tax exemption letter from Aurora dated February 12, 2013.
 - n. The applicant shall obtain a Stormwater Management Permit and enter into a Stormwater Management Maintenance Agreement prior to the issuance of any construction permits.
2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
- a. The Drainage Plan shall be revised and resubmitted for review and approval addressing comments listed in the Public Works memo dated February 21, 2013.
 - b. The Utility Plan shall be revised and resubmitted for review and approval addressing the comments listed in the Kenosha Water Utility Memo dated February 19, 2013.
 - c. Detail on a gated wood or masonry trash enclosure shall be submitted for review and approval.
 - d. Detailed exterior dimensions of the building shall be provided. Also, include a breakdown of the amount of square footage on site dedicated to building, paving and landscaped/open space.
 - e. The proposed sidewalk connection south to Steinhafels shall connect to the proposed north/south sidewalk that connects to the front entrance of the Cancer Center with a combination of painted crosswalks and additional sidewalks in the medians.
 - f. A sidewalk connection shall be provided from the public sidewalk in 118th Avenue to the front entrance.
 - g. A signed authorization shall be provided from the 50/94 Association, LLC for the use of their property as the north driveway entrance. As an alternative, prepare and submit a Lot Line Adjustment Survey for the attached area for approval. The authorization or recorded survey shall be provided prior to the issuance of a Footings and Foundation permit.
 - h. The Site Plan shall show a future building pad for the area south of the east/west drive that aligns with the Steinhafels building. The Site Plan shall also show how the next phase of this project will connect the loop road from 118th Avenue to the existing loop road behind Steinhafels.



ENGINEERING DIVISION
 SHELLY BILLINGSLEY, P.E.
 CITY ENGINEER

PARK DIVISION
 JEFF WARNOCK
 SUPERINTENDENT

FLEET MAINTENANCE
 MAURO LENCI
 SUPERINTENDENT

STREET DIVISION
 JOHN H. PRIJIC
 SUPERINTENDENT

WASTE DIVISION
 ROCKY BEDNAR
 SUPERINTENDENT

DEPARTMENT OF PUBLIC WORKS

MICHAEL M. LEMENS, P.E., DIRECTOR
 SHELLY BILLINGSLEY, P.E., DEPUTY DIRECTOR

MUNICIPAL BUILDING · 625 - 52ND ST · RM 305 · KENOSHA, WI 53140
 TELEPHONE (262) 653-4050 · FAX (262) 653-4056
 EMAIL PUBLICWORKS@KENOSHA.ORG

TO: Brian Wilke, Development Coordinator

FROM: Michael M. Lemens, P.E.
 Director of Public Works

[Handwritten signature of Michael M. Lemens]
 2-28-B
[Handwritten signature of Shelly Billingsley]

Shelly Billingsley, P.E.
 City Engineer

DATE: February 21, 2013
SUBJECT: PLAN REVIEW COMMENTS
Project Description: Aurora Cancer Center
Location: East of 118th Avenue at 68th Street

Our staff has reviewed the plans for this project. The following comments are provided:

Parking Lot Ordinance Compliance	Sufficient	Deficient	Not Applicable
Parking Lot Paved	X		
Standard Stall Width	X		
Parking Lot Layout	X		
Parking Lot Lighting Shown	X		
Parking Lot Lighting Adequate	X		
Handicapped Parking	X		
Driveway Locations	X		
Driveway Width	X		
Passing Blister or Accel/Decel Lanes			X
Sidewalks Adequate			X
Drive Thru Lane Design			X

Public Streets	Sufficient	Deficient	Not Applicable
Geometric Design			X
Pavement Width			X
Pavement Thickness Design			X
Established Grades			X
Plan Details			X
Sidewalks			X
Street Lights			X

Site Grading/Drainage	Sufficient	Deficient	Not Applicable
Drainage Plan		X	
Storm Sewer		X	
Storm Water Detention		X	
Drainage Calculations		X	

Project Approval/Permits Needed	Yes	No	Not Applicable
Project Approved for Permitting		X	
Withhold Permits: See Comments			X
Approve Footing/ Foundation Only (per condition)			X
Parking Lot Permit Required	X		
Driveway Permits Required			X
Sidewalk Permit Required			X
Street Opening Permit Required			X
State Permit Required	X		

Other Comments:

1. Show drainage breaks and overland flow paths on the drainage plan.
2. Show curb grades at high points and at 50' intervals.
3. Provide storm sewer sizing calculations.
4. The proposed storm sewer segment from CB #9 to CB #11 appears to conflict with a proposed light pole.
5. Provide rim, top of cone or box, and invert elevations of all storm sewer structures.
6. Provide construction details.
7. Show protective areas around wetlands and provide a copy of the wetland delineation and a letter of concurrence from the Wisconsin DNR.
8. Provide an addendum to the approved stormwater management plan for the site showing that the development complies with the plan.

Traffic Comments:

- 1. Provide shop drawings for light fixtures.**

**cc: Jeff Hansen
Clement Abongwa
Kile Kuhlmeier
Gerard Koehler**

Engineering Services
4401 Green Bay Road
Kenosha WI 53144

Phone (262) 653-4315
Fax (262) 653-4303



"Providing and Protecting Kenosha's Greatest Natural Resource"

MEMO

To: Brian Wilke, Development Coordinator

From: Ian C. Bagley, P.E., Water Engineer

Date: February 19, 2013

Subject: Aurora Cancer Center

Location: East of 118th Avenue at 68th Street

The Kenosha Water Utility (KWU) has reviewed the submittal for the above referenced project. Further information from the Developer is required before the Utility can complete this review. Please withhold all permits until the following information is submitted.

1. Show the water meter size and location, including a detail or diagram. The water meter shall have unobstructed access, twelve inches (12") from the inside wall, twelve to twenty-four inches (12"-24") above the floor. The meter shall have a gate valve on the inlet and outlet pipe.
2. All water meters one and one half inches (1-1/2") or greater shall have a bypass with a rub two way ball valve with locking handle.
3. Meters three inches (3") and larger shall have a two inch (2") test plug provided between the outlet side of the meter and the outlet valve.
4. A 3C18 gauge cable by Belden-M, or approved equal, shall be installed in a one half inch (1/2") conduit through the exterior wall for the remote meter reader. Remote reader to be field located by KWU meter division.
5. Label invert elevations on all water service stubs.
6. Water services shall have a minimum of five and one half feet (5-1/2') of cover to finished grade.
7. A portion of the proposed water main is being constructed on the adjacent parcel to the north. In accordance with Rule 06-03 of the KWU Rules and Regulations a water service may cross one or more parcels to service another parcel provided only one parcel is served and the water service meets all of the following requirements / conditions:
 - a. Approved by the General Manager of the Water Utility;
 - b. A copy of a recorded easement between parcel owners is delivered to the Water Utility;

- c. A "Deed Covenant – Rights to Maintain Sewer and/or Water" (approved by the City Attorney) is recorded and a copy of the recorded document is delivered to the Water Utility.
8. Please note that the ten inch (10") service connection will require a deposit of \$1,800 and the connection work will be performed by KWU on a time and material basis.
9. Water services larger than two inches (2") shall be flushed and bacteria tested in accordance with KWU Chapter XXXII Rules & Regulations, Rule 06-29.
10. Water services shall have a blue 12 gauge locator wire installed along the entire length. Locator wire shall be brought to the surface in each curb box and at the edge of the building and enclosed in a curb box with "water" on the cover.
11. Upon connection of the proposed service at the location shown on the plans all facilities east of the connection point will be considered private and part of the service. Please note that this includes the existing hydrant at the northwest corner of the subject parcel.
12. Show rim and invert elevations at all sanitary and storm sewer manholes.
13. Label pipe slopes for sanitary sewer, storm sewer and water service lines.
14. Sanitary sewer laterals shall have a green 12 gauge locator wire installed along the entire length. Locator wire shall be brought to the surface at the edge of the building and enclosed in a curb box with "sewer" on the cover.
15. The sanitary sewer manhole (Sanitary Manhole #3) located at the northwest corner of the parcel may be used as the sampling manhole for the development provided that KWU is given written authorization to access the structure.
16. KWU water main and sanitary sewer detail sheets shall be included with the construction plans. These detail sheets can be found on the KWU website (<http://www.kenoshawater.org/engineering.html>).
17. Industrial facilities must complete an industrial discharge form in accordance with Rule 08-03(02) of the Kenosha Water Utility Rules and Regulations. This form is attached.

CC: Mr. Robert Carlson, P.E., Director of Engineering Services

February 7, 2013

Aurora Health Care Cancer, Pain Management and Ophthalmology Center
Plan of Operations

6809 118th Avenue, Kenosha, Wisconsin 53142

Organization History and Objectives

Aurora Health Care (Aurora) is a not-for-profit integrated healthcare delivery system that provides a complete continuum of health care services throughout 90 eastern Wisconsin communities and three communities in Northern Illinois. Aurora is comprised of 15 hospitals, 172 clinics, 70 pharmacies, a hospice center, a social service agency and Wisconsin's largest home visiting nurse association. Services offered through these facilities include primary and tertiary care, home care, hospice care, retail pharmacies, clinical laboratories and social services. The geographic area served by Aurora spans approximately the eastern third of the state of Wisconsin and part of Northern Illinois.

Aurora's mission is to promote health, prevent illness and provide state-of-the-art diagnosis and treatment, whenever and wherever possible to best meet our patients' individual and family needs. Aurora is committed to improving the quality of health care and health outcomes in the communities we serve through the rapid and broad application of knowledge. In 2012, Thompson Reuters ranked Aurora as one of the Top 50 hospitals in the United States. Aurora is engaged in the education of health care professionals and the ongoing quest for new knowledge through medical research to contribute to the quality of health care in the future. It is our goal to provide every patient with the best care.

Cancer Center, Pain Management and Outpatient Ophthalmology Services

Aurora is seeking to build clinical facilities within the Woodman's development located at 6809 118th Avenue. These facilities will be comprised of two conjoined buildings that will house cancer, pain management and ophthalmology services. The combined building size is approximately 61,000 square feet.

The Cancer Center will be approximately 35,385 square feet. The building will house two linear accelerators, medical oncology exam rooms, radiation oncology exam rooms, chemotherapy infusion bays, physician offices, nursing stations and reception areas.

The new cancer center will serve nearly 750 chemotherapy and radiation patients annually, approximately 30% more than are currently being served. It will offer improved technology, complementary medicines, such as massage therapy and acupuncture and the latest pharmacy and lab services. The center will also offer clinical trials for patients who might benefit from cutting edge treatment.

The Pain Management and Ophthalmology Center will be approximately 19,343 square feet (plus 6,272 square feet of shell space). This medical office building will house pain management and ophthalmology services and will include general medical exam rooms, procedure rooms, an optometry lab and retail area, and reception areas.

Facility operations: Once complete, the facilities will be open for full operation from Monday through Friday 7:00 a.m. to 5:00 p.m. and will have limited operations on

Saturdays, Sundays and certain holidays, from 7:00 a.m. to noon. Staff members will be scheduled in varying staggered shifts based on clinical needs and patient volumes.

Occupancy: Approximately 75 caregivers and 200 patients and visitors will occupy clinic space throughout the day. Caregivers to be located at this site will include medical oncologists, radiation oncologists, ophthalmologists, pain management physicians, advanced practice and registered nurses, nurse care navigators, physician assistants, a physicist, a dosimetrist, dieticians, receptionists and financial counselors.

Parking: The site will include 183 general-use parking spaces, and 102 parking spaces in the rear (northeast corner of the parcel) that will be reserved for facility staff.

Employment: Construction of two clinics is expected to create approximately 285 skilled labor and other related jobs.

Community Impact: Aurora is looking forward to making this approximately \$31 million investment to the 6809 118th Avenue facility. This development will allow Aurora to meet the growing health care needs of residents living in south eastern Wisconsin and northern Illinois.



750 W. Virginia Street
P.O. Box 341880
Milwaukee, WI 53215-1880

www.AuroraHealthCare.org

February 12, 2013

Brian R. Wilke
Development Coordinator
City of Kenosha -
Dept. of Community Development & Inspections
625 52nd Street
Kenosha, WI 53140

RE: 6809 118th Avenue Conditional Use Permit

Dear Mr. Wilke:

This letter serves as confirmation that 100% of the Aurora Health Care building will be taxable.

Please let me know if you have any questions.

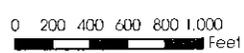
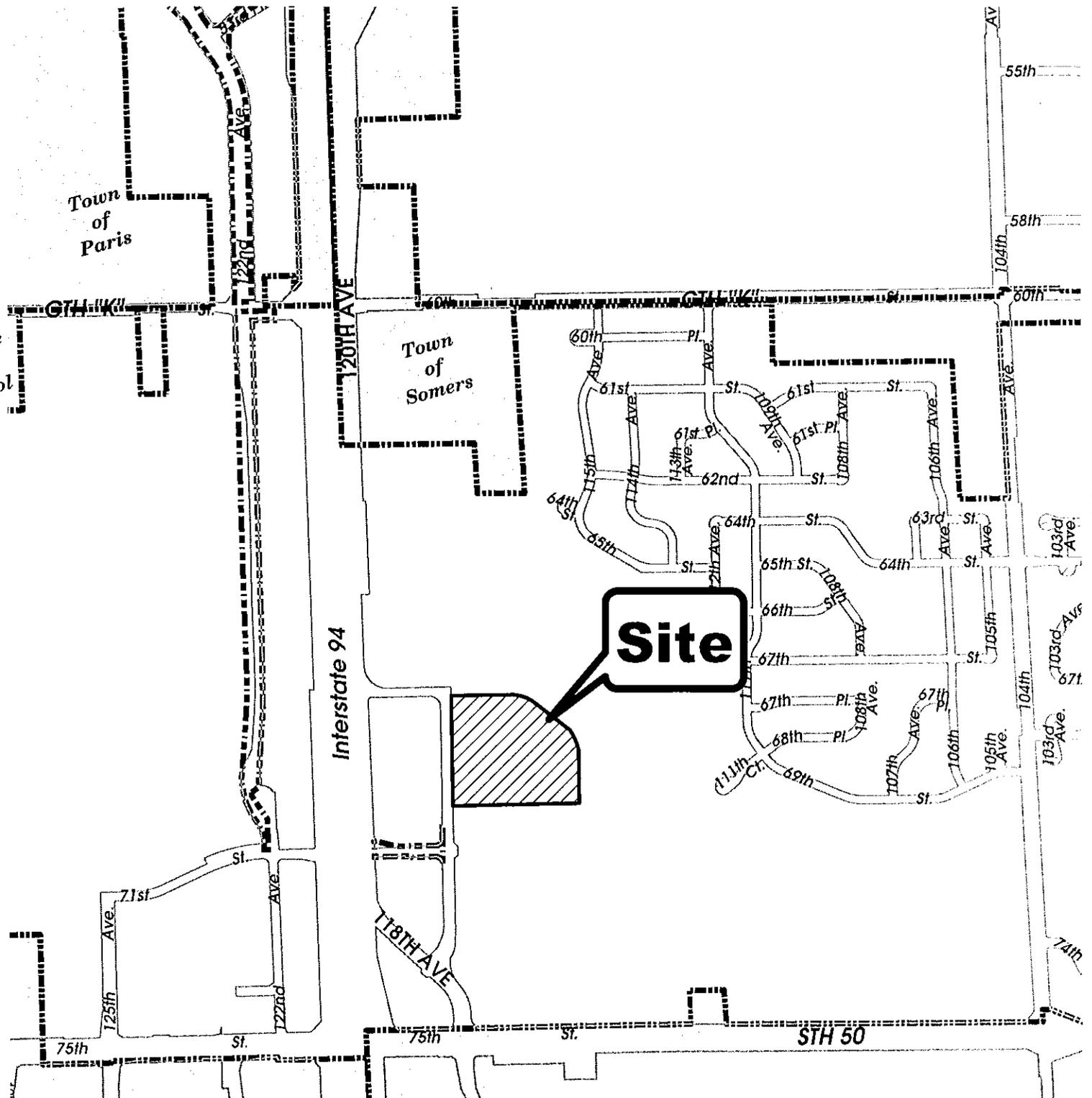
Sincerely,

A handwritten signature in black ink, appearing to read "Mike Connor", written over a horizontal line.

Mike Connor
Vice President, Facilities Operation

City of Kenosha

Vicinity Map Aurora Cancer Center CUP



**Development Review Application
City of Kenosha, Wisconsin**

MAILING INFORMATION

NAME OF PROJECT: Aurora Health Center - Kenosha

Check one (1) of the following boxes to indicate the recipient of all correspondence:

<input checked="" type="radio"/>	Name and Address of Applicant (Please print): <u>Randy Beckwith - HGA</u> <u>333 East Erie St.</u> <u>Milwaukee, WI 53211</u>	Phone: <u>414-278-3430</u> Fax: <u>414-270-7430</u> E-Mail: <u>rbeckwith@hga.com</u>
<input type="radio"/>	Name and Address of Architect/Engineer (Please print): <u>Scott Lindvall - HGA</u> <u>333 E. Erie St.</u> <u>Milwaukee, WI 53211</u>	Phone: <u>414-278-3419</u> Fax: <u>414-270-7419</u> E-Mail: <u>slindvall@hga.com</u>
<input type="radio"/>	Name and Address of Property Owner (if other than applicant) (Please print): <u>Brad Sabre - Aurora Health Care</u> <u>2903 West Oklahoma Ave</u> <u>Milwaukee, WI 53201</u>	Phone: <u>414-649-7174</u> Fax: _____ E-Mail: <u>brad.sabre@aurora.org</u>

PROJECT LOCATION

Location of Development (street address and / or parcel number): SW 1/4 Sec. 06 - T 01 N R 22 E
Lot 8

TYPE OF LAND DEVELOPMENT

Check all that apply. Note: Additional information may be required within individual Sections.

<input type="checkbox"/>	Certified Survey Map	Section 1	Page 3
<input type="checkbox"/>	Concept Review (Land Division)	Section 2	Page 4
<input type="checkbox"/>	Concept Review (Multi-Family Residential or Non-Residential)	Section 3	Page 5
<input checked="" type="checkbox"/>	Conditional Use Permit	Section 4	Pages 6 & 7
<input type="checkbox"/>	Developer's Agreement	Section 5	Page 8
<input type="checkbox"/>	Final Plat	Section 6	Pages 9 & 10
<input type="checkbox"/>	Lot Line Adjustment Survey	Section 7	Page 11
<input type="checkbox"/>	Preliminary Plat	Section 8	Pages 12 & 13
<input type="checkbox"/>	Rezoning	Section 9	Pages 14 & 15
<input type="checkbox"/>	Site Plan Review	Section 10	Pages 16 & 17

**PRIOR TO SUBMITTING THIS APPLICATION TO THE DEPARTMENT OF CITY DEVELOPMENT,
PLEASE REVIEW THE APPROPRIATE SECTION(S) FOR FEES, REQUIREMENTS AND APPROPRIATE APPENDICES.**

*Submit this cover page, completed application, applicable section(s) and appendices
along with ALL required plans, information and fees to:*

Department of Community Development & Inspections
Planning Division
625 52nd Street, Room 308
Kenosha, WI 53140

Phone: 262.653.4030
Fax: 262.653.4045

Office Hours:
M - F 8:00 am - 4:30 pm

**SECTION 4
CONDITIONAL USE PERMIT**

Additional Information Required:	Building or Addition Square Footage: <u>62,082 square feet</u> Existing Building Size: <u>N/A</u> Site Size: <u>15.6 Acres</u> Current # of Employees <u>N/A</u> Anticipated # of New Employees <u>82</u> Anticipated Value of Improvements <u>\$19,500,000</u>																						
Submittal Requirements:	<ul style="list-style-type: none"> ➤ Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale ➤ Developer Site Plan/Conditional Use Permit Checklist (Appendix A) 																						
If Item to be Reviewed by Plan Commission/Common Council must Submit:	<ul style="list-style-type: none"> ➤ One (1) 8 1/2" x 11" reduction <i>or</i> forty (40) 11" x 17" reductions of the Site/Landscape Plan, Floor Plan and Colored Building Elevations (all sides) ➤ Sample Board containing colored samples of all exterior building materials 																						
Fees:	<table border="1"> <thead> <tr> <th></th> <th><u>Building or Addition Size</u></th> <th><u>Site size</u></th> <th><u>Review Fee</u></th> </tr> </thead> <tbody> <tr> <td>Level 1</td> <td><= 10,000 sq. ft.</td> <td><= 1 acre</td> <td>\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC</td> </tr> <tr> <td>Level 2</td> <td>10,001 - 50,000 sq. ft.</td> <td>1.01 - 10 acres</td> <td>\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC</td> </tr> <tr> <td>Level 3</td> <td>50,001 - 100,000 sq. ft.</td> <td>10.01 - 25 acres</td> <td>\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC</td> </tr> <tr> <td>Level 4</td> <td>> 100,001 sq. ft.</td> <td>> 25.01 acres</td> <td>\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC</td> </tr> </tbody> </table>		<u>Building or Addition Size</u>	<u>Site size</u>	<u>Review Fee</u>	Level 1	<= 10,000 sq. ft.	<= 1 acre	\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC	Level 2	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC	Level 3	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC	Level 4	> 100,001 sq. ft.	> 25.01 acres	\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC		
	<u>Building or Addition Size</u>	<u>Site size</u>	<u>Review Fee</u>																				
Level 1	<= 10,000 sq. ft.	<= 1 acre	\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC																				
Level 2	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC																				
Level 3	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC																				
Level 4	> 100,001 sq. ft.	> 25.01 acres	\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC																				
<ul style="list-style-type: none"> ➤ If building size or addition and gross acreage of the site determine two (2) different fees, the greater of the two fees will be assessed. ➤ Application fee entitles applicant to an initial review and one re-submittal. ➤ Re-submittal fee = \$425 per re-submittal after two (2) permitted reviews. ➤ CUP Amendment = 50% of the applicable fee as determined above. 																							
Appendices to Review:	<ul style="list-style-type: none"> ➤ All 																						
Approximate Review Time:	<ul style="list-style-type: none"> ➤ 30 days for Staff Review ➤ 45-60 days for City Plan Commission/Common Council Review 																						
The conditional use permit plans, <i>prepared to a standard engineering scale</i> , shall be submitted with this application & shall include the following information:																							
Building Plan:	<ul style="list-style-type: none"> ➤ Layout of building(s) including size and layout of rooms ➤ Design and architecture ➤ Plans and details on fire suppression and/or standpipe ➤ Plans and details on fire detection, fire alarm and other safety devices 																						
Site Plan (based on a plat of survey)	<ul style="list-style-type: none"> ➤ Legal description of property ➤ Location and footprint of building(s) and structure(s) ➤ Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks ➤ Outline of any development stages ➤ Location and details on any required emergency access roads ➤ A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space 																						
Drainage Plan	<ul style="list-style-type: none"> ➤ Existing topography, including spot elevations of existing buildings, structures, high points, and wet areas, with any previous flood elevations ➤ Floodplain boundaries, if applicable ➤ Soil characteristics, where applicable ➤ Proposed topography of the site denoting elevations and natural drainage after construction and any proposed stormwater retention areas 																						

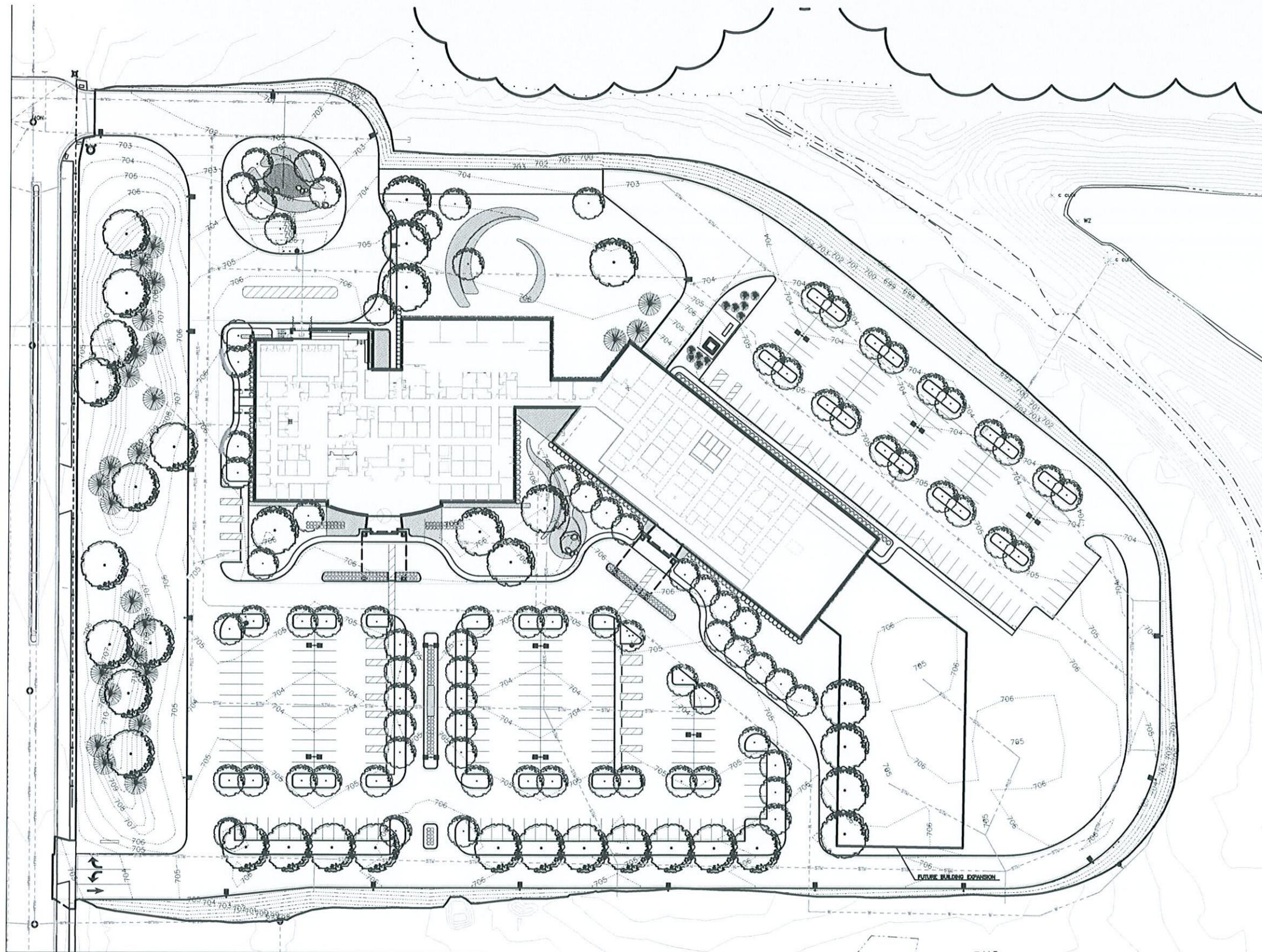


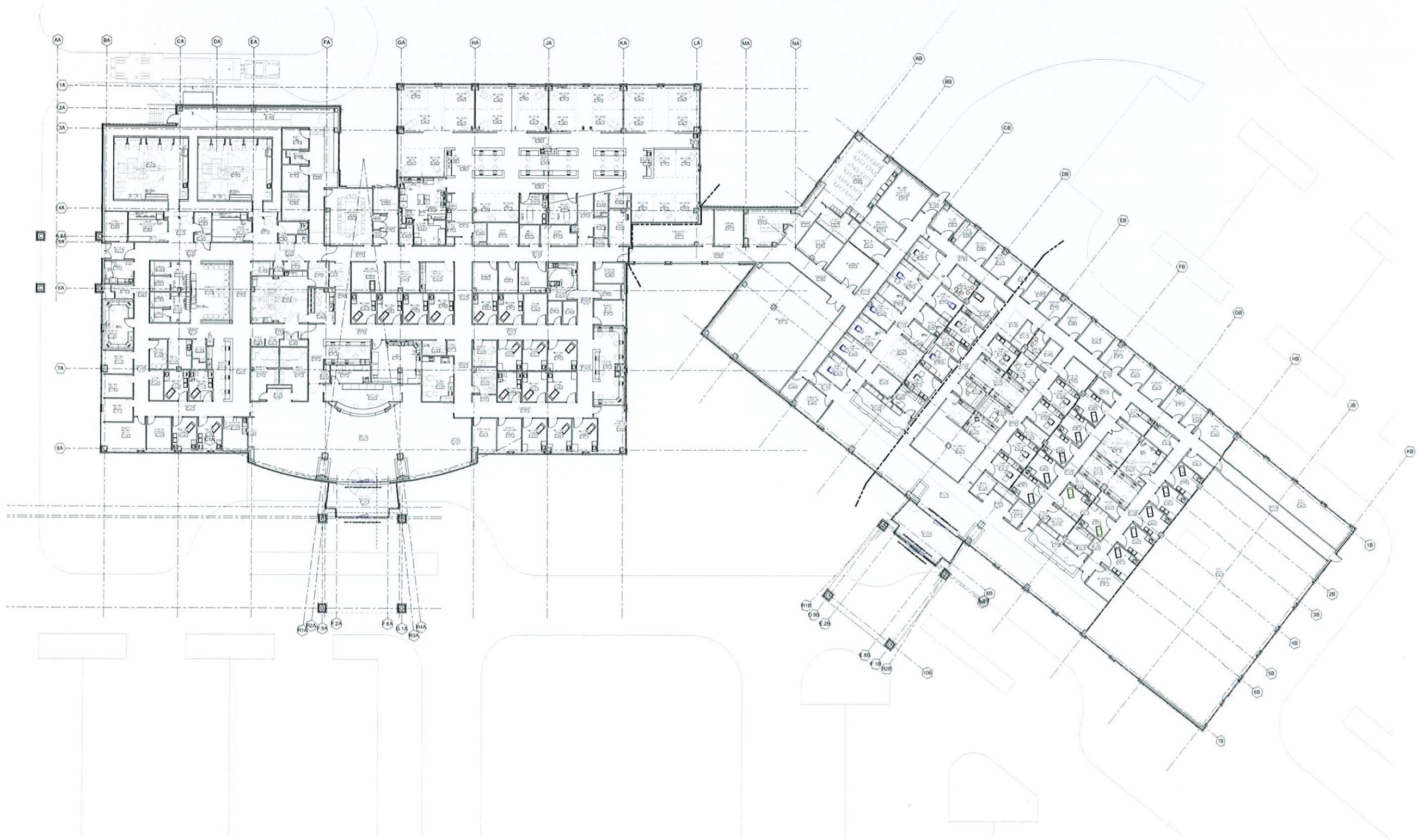
AURORA HEALTH CENTER, KENOSHA
Kenosha, Wisconsin

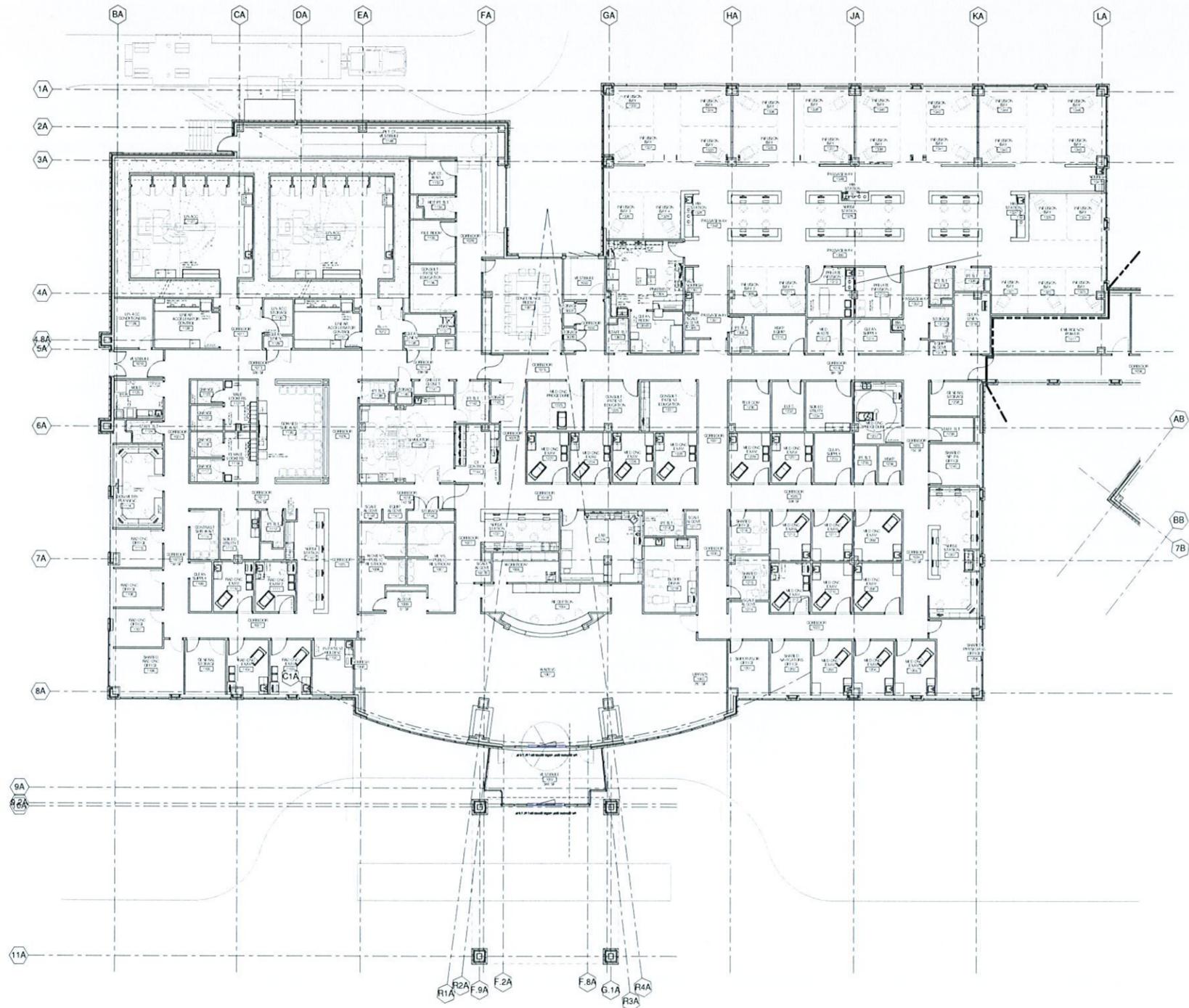
February 4, 2013
HGA No. 1882-013-00

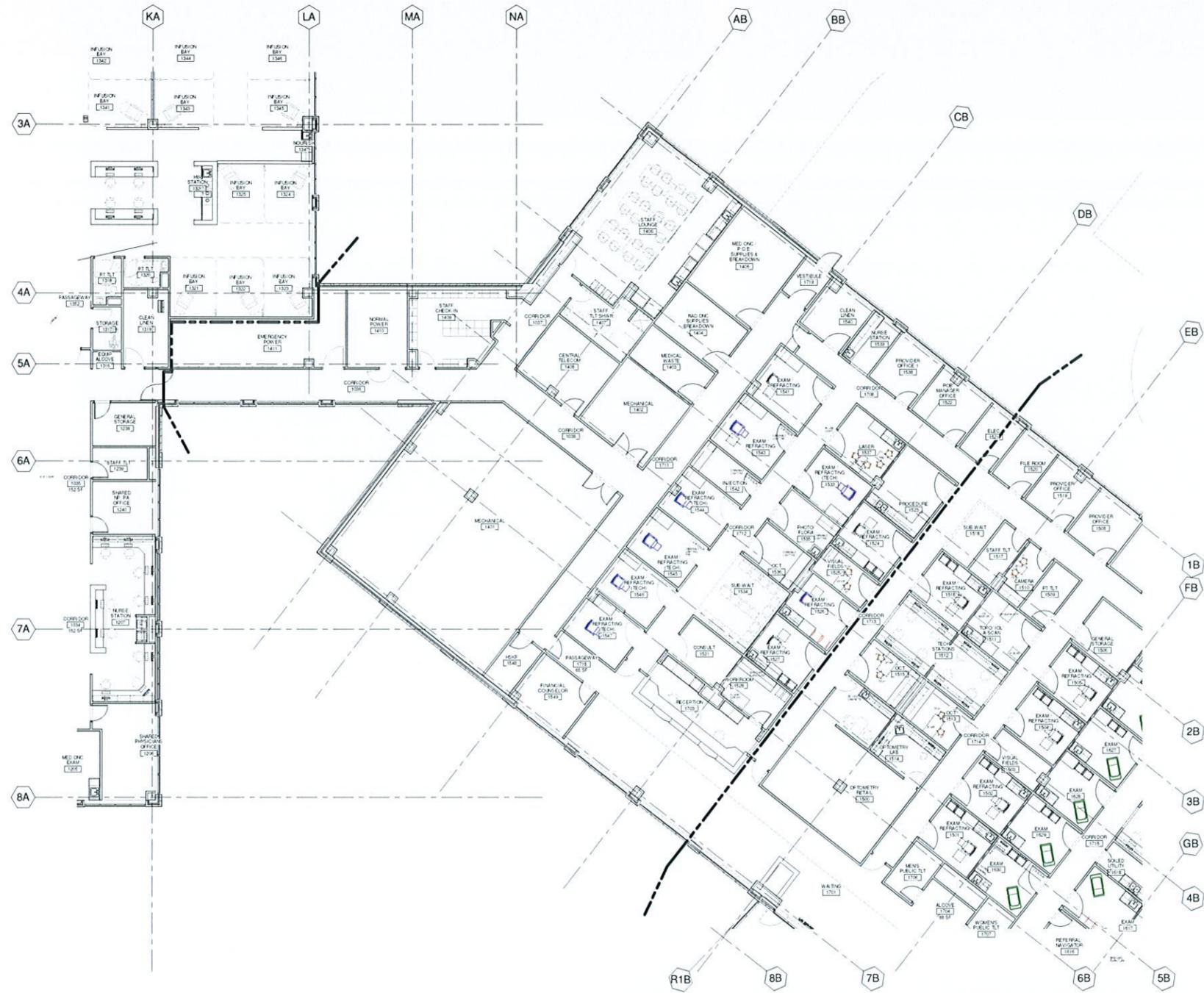


Rendering **CONDITIONAL USE PERMIT**





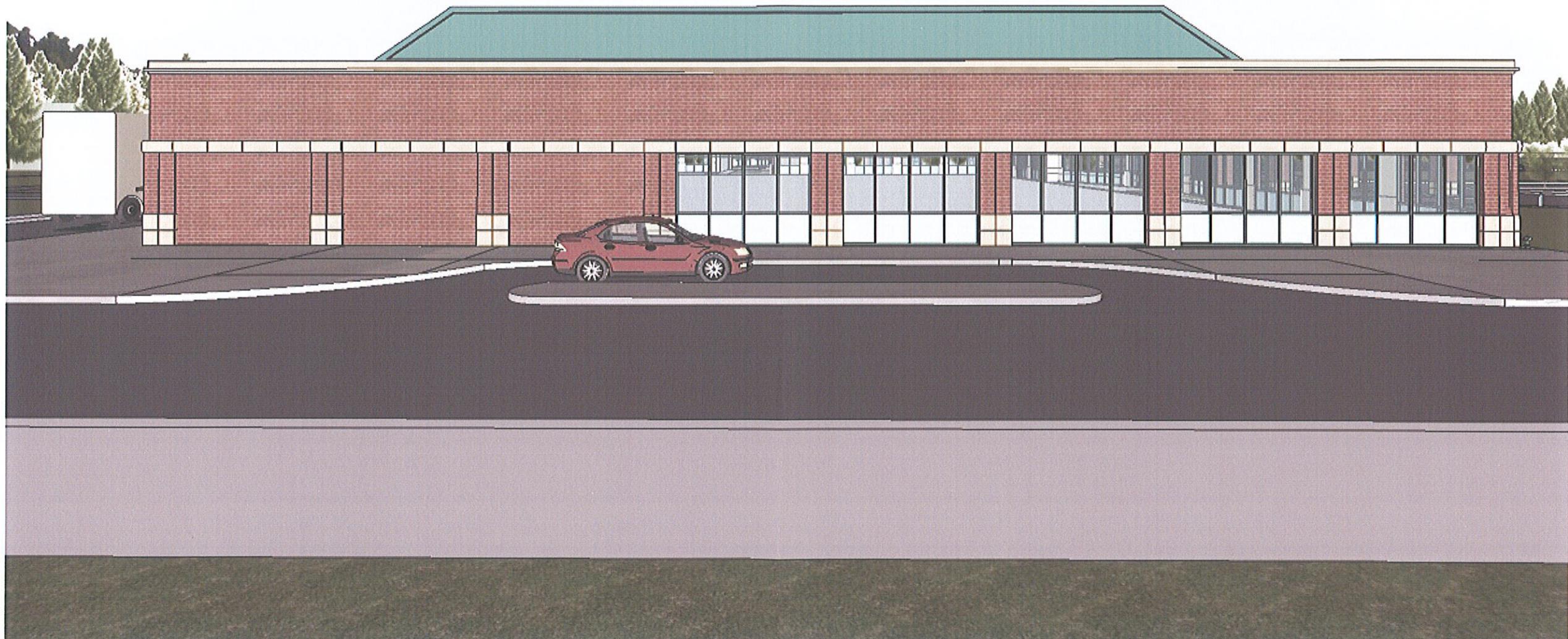












AURORA HEALTH CENTER, KENOSHA
Kenosha, Wisconsin

February 4, 2013
HGA No. 1882-013-00



Cancer Center Elevation - West

CONDITIONAL USE PERMIT





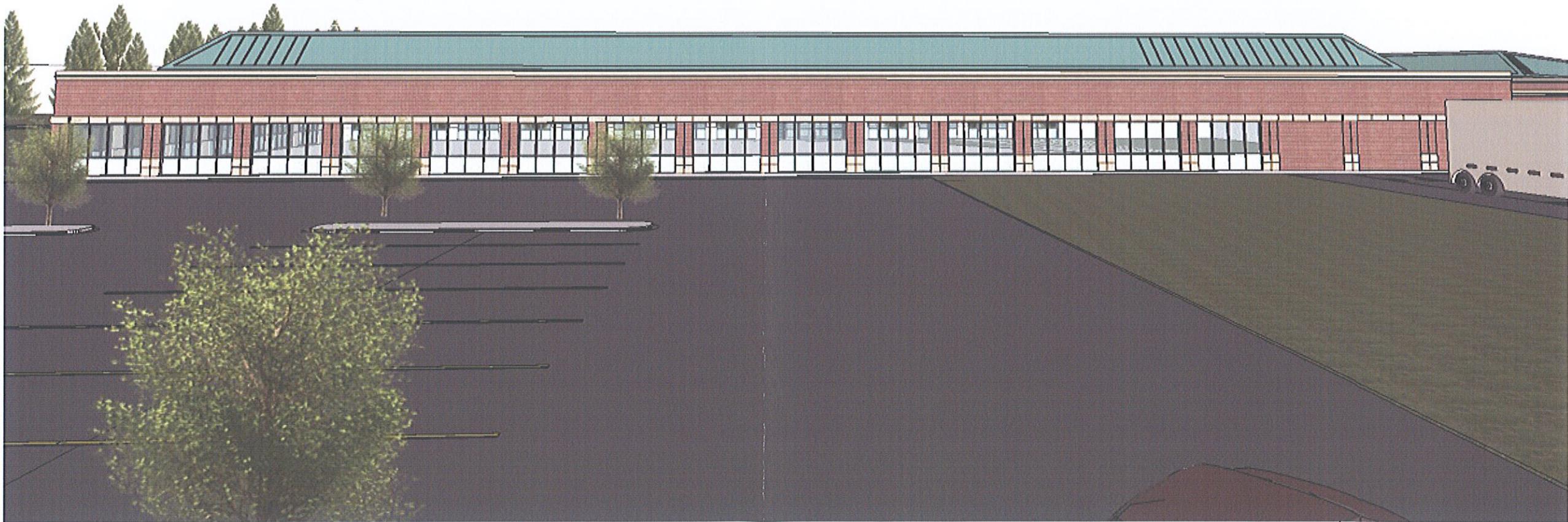
AURORA HEALTH CENTER, KENOSHA
Kenosha, Wisconsin

February 4, 2013
HGA No. 1882-013-00



POB Elevation - SouthWest

CONDITIONAL USE PERMIT



AURORA HEALTH CENTER, KENOSHA
Kenosha, Wisconsin

February 4, 2013
HGA No. 1882-013-00



POB Elevation - North East

CONDITIONAL USE PERMIT

City Plan Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	March 7, 2013	Item 4
Review the location of a sculpture to be located at 812 56th Street. (Visitor's Bureau) (District #2) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 812 56th Street

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Schwartz, has been notified. This item will also be reviewed by the Public Works Committee and the Common Council.

ANALYSIS:

- The proposed sculpture will be located outside the Kenosha Visitor Bureau office at 812 56th Street. It will be placed in the center of the landing between the two (2) sets of stairs to the building entrance on 56th Street.
- Per Chapter 62.23 of the State Statutes, the City Plan Commission is required to review the location of the sculpture. The City Plan Commission would not be reviewing the change in future sculptures.
- The Public Works Committee and Common Council will review the actual sculpture, which is being contracted by the Kenosha Community Foundation and will be changed every two (2) years.

RECOMMENDATION:

A recommendation is made to approve the sculpture location.



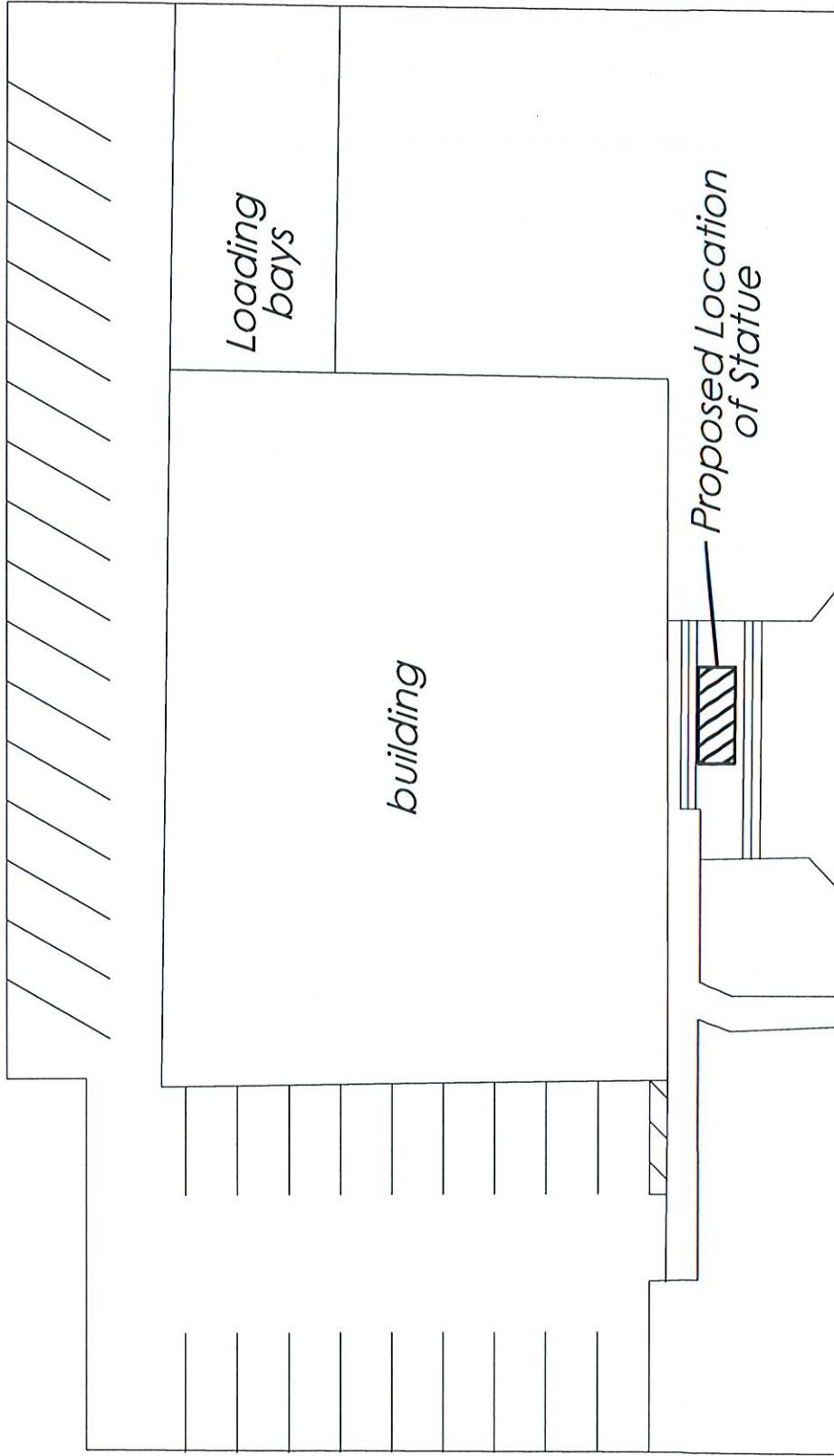
Rich Schroeder, Deputy Director



Jeffrey B. Labahn, Director

City of Kenosha

General Location Map



56th St.

Sheridan Rd.

8th Av.







Heels Overhead
84"h x 46"w x 30"d
aluminum
\$11,000



work of making the whole master plan progresses, may from time to time by resolution adopt a part or parts of a master plan. Beginning on January 1, 2010, or, if the city is exempt under s. 66.1001 (3m), the date under s. 66.1001 (3m) (b), if the city engages in any program or action described in s. 66.1001 (3), the master plan shall contain at least all of the elements specified in s. 66.1001 (2). The adoption of the plan or any part, amendment, or addition, shall be by resolution carried by the affirmative votes of not less than a majority of all the members of the city plan commission. The resolution shall refer expressly to the elements under s. 66.1001 and other matters intended by the commission to form the whole or any part of the plan, and the action taken shall be recorded on the adopted plan or part of the plan by the identifying signature of the secretary of the commission, and a copy of the plan or part of the plan shall be certified to the common council, and also to the commanding officer, or the officer's designee, of any military base or installation, with at least 200 assigned military personnel or that contains at least 2,000 acres, that is located in or near the city. The purpose and effect of the adoption and certifying of the master plan or part of the plan shall be solely to aid the city plan commission and the council in the performance of their duties.

(4) MISCELLANEOUS POWERS OF THE COMMISSION. The commission may make reports and recommendations relating to the plan and development of the city to public officials and agencies, public utility companies, civic, educational, professional and other organizations, and citizens. It may recommend to the mayor or council, programs for public improvements and the financing thereof. All public officials shall, upon request, furnish to the commission, within a reasonable time, such available information as it may require for its work. The commission, its members and employees, in the performance of its functions, may enter upon any land, make examinations and surveys, and place and maintain necessary monuments and marks thereon. In general, the commission shall have such powers as may be necessary to enable it to perform its functions and promote municipal planning.

(5) MATTERS REFERRED TO CITY PLAN COMMISSION. The council, or other public body or officer of the city having final authority thereon, shall refer to the city plan commission, for its consideration and report before final action is taken by the council, public body or officer, the following matters: The location and architectural design of any public building; the location of any statue or other memorial; the location, acceptance, extension, alteration, vacation, abandonment, change of use, sale, acquisition of land for or lease of land for any street, alley or other public way, park, playground, airport, area for parking vehicles, or other memorial or public grounds; the location, extension, abandonment or authorization for any public utility whether publicly or privately owned; all plats of lands in the city or within the territory over which the city is given platting jurisdiction by ch. 236; the location, character and extent or acquisition, leasing or sale of lands for public or semipublic housing, slum clearance, relief of congestion, or vacation camps for children; and the amendment or repeal of any ordinance adopted pursuant to this section. Unless such report is made within 30 days, or such longer period as may be stipulated by the common council, the council or other public body or officer, may take final action without it.

(6) OFFICIAL MAP.

(a) As used in this subsection, "waterways" includes rivers, streams, creeks, ditches, drainage channels, watercourses, lakes, bays, ponds, impoundment reservoirs, retention and detention basins, marshes and other surface water areas, regardless of whether the areas are natural or artificial.

(am)

1. In this paragraph:

a. "Airport" means an airport as defined under s. 114.002 (7) which is owned or operated by a county, city, village or town either singly or jointly with one or more counties, cities, villages or towns.

b. "Airport affected area" means the area established by an agreement under s. 66.1009. If a county, city, village or town has not established such an agreement, "airport affected area" in that county, city, village or town means the area located within 3 miles of the boundaries of an airport.

2. If the council of any city which is not located in whole or in part in a county with a population of 500,000 or more has established an official map under par. (b), the map shall show the location of any part of an airport located within the area subject to

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	March 7, 2013	Item 5
By Alderperson Kevin E. Mathewson, Co-Sponsor Alderperson Steven G. Bostrom - To Repeal and Recreate Subparagraph 3.15 A.5.a. as Subparagraph 3.15 A.5.a-1. and Repeal Figure 3-1 of the Zoning Ordinance entitled "Amusement and Recreation Enterprises" and Reletter Subparagraphs 3.15 A.5.b-1, c and d. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: B-3 Zone Property

NOTIFICATIONS/PROCEDURES:

The Common Council is the final review authority for Zoning Ordinance Amendments.

ANALYSIS:

- Amusement and Recreational Enterprises are currently only permitted in the B-3 District within a limited area in the downtown. They are not allowed in the uptown at all.
- The Ordinance change would make Amusement and Recreation Enterprises a permitted use anywhere in the B-3 District. A license would still be required from the Common Council per Chapter 12.01 of the General Code.
- A list of what uses are considered Amusement and Recreation is attached.
- This item was reviewed by the City Plan Commission on February 21, 2013 and deferred for two (2) weeks. Alderperson Michalski and Alderperson Schwartz attended a meeting on February 26, 2013 with several Uptown Business owners to discuss this Zoning Ordinance change and its potential impact to the area.
- For the City Plan Commission's reference, Staff has attached the Staff Report and minutes from the July 10, 1997 City Plan Commission meeting when this portion of the Zoning Ordinance was last changed.

RECOMMENDATION:

For Commission review and recommendation.



Rich Schroeder, Deputy Director



Jeffrey B. Labahn, Director

ORDINANCE NO. _____

SPONSOR: ALDERPERSON KEVIN E. MATHEWSON
CO-SPONSOR: ALDERPERSON STEVE G. BOSTROM

**TO REPEAL AND RECREATE SUBPARAGRAPH 3.15 A.5.a. AS
SUBPARAGRAPH 3.15 A.5.a-1. AND REPEAL FIGURE 3-1 OF THE
ZONING ORDINANCE ENTITLED "AMUSEMENT AND RECREATION
ENTERPRISES" AND RELETTER SUBPARAGRAPHS 3.15 A.5.b-1, c and d.**

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

Section One: Subparagraph 3.15 A.5.a. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby repealed and recreated as 3.15A5.a-1 follows:

a. 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.~~

Section Two: Figure 3-1 of the Zoning Ordinance for the City of Kenosha,

Wisconsin is hereby repealed.

Section Three: Subparagraphs 3.15 A.5.b-1, c., and d. of the Code of General

Ordinances for the City of Kenosha, Wisconsin are hereby relettered as 3.15 A.5.c, d, and a. respectively.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

ORDINANCE NO. _____

SPONSOR: ALDERPERSON KEVIN E. MATHEWSON
CO-SPONSOR: ALDERPERSON STEVE G. BOSTROM

**TO REPEAL AND RECREATE SUBPARAGRAPH 3.15 A.5.a. AS
SUBPARAGRAPH 3.15 A.5.a-1. AND REPEAL FIGURE 3-1 OF THE
ZONING ORDINANCE ENTITLED "AMUSEMENT AND RECREATION
ENTERPRISES" AND RELETTER SUBPARAGRAPHS 3.15 A.5.b-1, c and d.**

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

Section One: Subparagraph 3.15 A.5.a. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby repealed and recreated as 3.15A.5.a-1 follows:

a. Amusement and Recreation Enterprises.

Section Two: Figure 3-1 of the Zoning Ordinance for the City of Kenosha,

Wisconsin is hereby repealed.

Section Three: Subparagraphs 3.15 A.5.b-1, c., and d. of the Code of General

Ordinances for the City of Kenosha, Wisconsin are hereby relettered as 3.15 A.5.c, d, and a. respectively.

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

ATTEST: _____ City Clerk

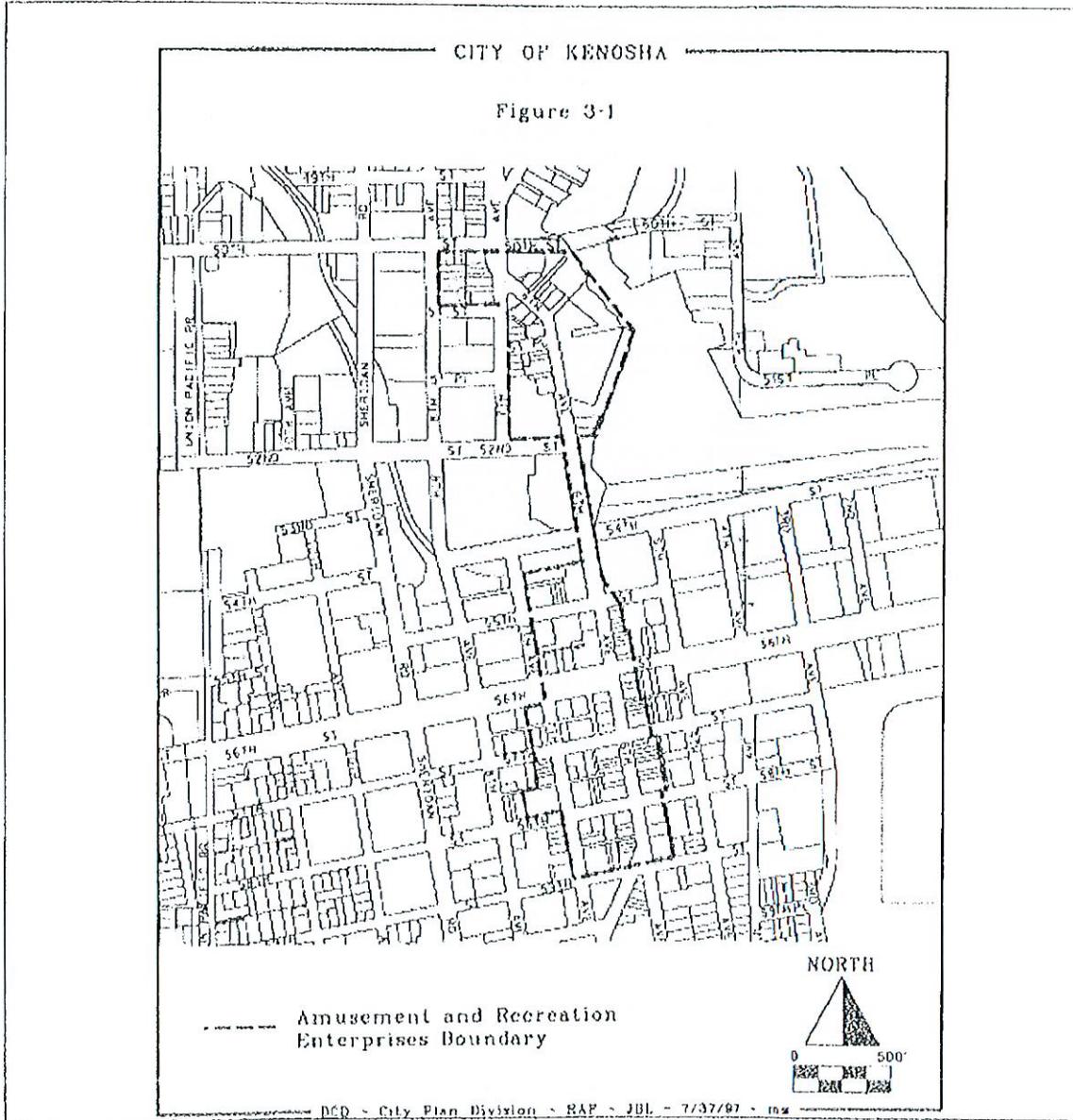
APPROVED: _____ Mayor

Passed:

Published:

Drafted By:
EDWARD R. ANTARAMIAN
City Attorney

ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN



CODE OF GENERAL ORDINANCES, 2012 - KENOSHA, WISCONSIN

as directed by the Court, the Court may direct imprisonment in the Kenosha County Jail for a period of not more than ninety (90) days.

12.01 AMUSEMENT AND RECREATION ENTERPRISE LICENSE

A. Definitions.

1. **Amusement And Recreation Enterprise** shall mean a place, whether indoor or outdoor, where amusement or recreational activities are furnished upon payment of a charge or membership fee, to include, but not limited to, Bowling Alleys, Pool Halls, Skating Rinks, Shooting Galleries and Public Dances. Amusement and Recreation Enterprise shall not include any such facility operated by a unit of government or agency thereof, or by any accredited school, school system or college.

2. **Amusement Or Recreational Activities** shall include games of chance or skill, children's rides, pinball machines, mechanical games, video games and other amusement devices where there are fifteen (15) or a combination of fifteen (15) or more thereof on the premises, irrespective of whether or not coin or token operated. Amusement or recreational activities shall also include eleven (11) of any such devices or combination thereof when combined with four (4) pool tables, or twelve (12) of any such devices or combination thereof when combined with three (3) pool tables, or thirteen (13) of such devices or any combination thereof combined with two (2) pool tables or fourteen (14) of any such devices or any combination thereof, when combined with one (1) pool table.

3. **Good Moral Character** shall mean to be law abiding, to conduct regulated activity in accordance with licensing and permitting regulations, to honor lawful contractual obligations, and to be honest and trustworthy.

4. **Pool Table** shall mean any table or structure used for the playing of pool, bumper pool or billiards, irrespective of table size.

5. **Pool Hall** shall mean any building, structure, room, space or area having five (5) or more pool tables.

6. **Skating Rink** shall mean any building, structure, room, space, or area in which skating is featured.

7. **Skating** shall include roller skating, roller blading, skateboarding, ice skating or any similar activity.

8. **Public Dance** shall mean recreational dancing and shall exclude dance lessons through professional instruction or dances held on premises holding a Cabaret License under **Chapter 10** of the Code of General Ordinances.

B. Licenses Required.

1. No person, party, firm or corporation shall operate or maintain an Amusement and Recreation Enterprise without first obtaining from the Common Council a license so to do. If the applicant be a firm or corporation, it shall appoint an agent, named in the application, who shall be subject to approval by the Common Council and who shall have all the qualifications of a person applying for a license. The fee for such a license, shall be One Hundred Fifty (\$150.00) Dollars. For the license term commencing June 1, 2003, the fee for such a license shall be Two Hundred (\$200.00) Dollars. The license period shall be June 1st through the following May 31st. Licensees and agents must be persons, eighteen (18) years of age or older, and of good moral character.

a. **Application.** Application for such a license shall be made to the City Clerk in writing, accompanied by the required fee. Such application shall be fully completed on City forms, and shall define all areas and rooms to be licensed.

b. **Inspection and Recommendation.** Upon receipt of any application, the City Clerk shall send copies thereof to the Department of Community Development and Inspections, County Health Department, and Fire Department who, within ten (10) days of receiving such copies, shall make a report, in writing, as to whether the premises meet the requirements in **Subsection "C"**, with any other pertinent information. The City Clerk shall also send a copy of the application to the Police Department, who shall report, in writing, to the City Attorney, as to any police record of

CODE OF GENERAL ORDINANCES, 2012 - KENOSHA, WISCONSIN

applicant which may reflect upon good moral character. The City Attorney, or designee thereof, shall examine said record and make a recommendation based thereon as to whether or not the license should be granted or agent status approved. A recommendation for denial shall consider only such portions of the record as are materially related to the licensed activity. Such reports shall be delivered to the City Clerk who, in turn, shall deliver them, with the application, to the Committee on Licenses/Permits. Such Committee shall recommend to the Common Council either the granting or denial of the application.

2. Supervisor License. No person, other than the licensee, or an agent of a corporate licensee, shall assume or be permitted to assume the charge of supervision of a licensed premises without a license from the Common Council so to do. The fee for such a license shall be Fifteen (\$15) Dollars. For the license term commencing June 1, 2003, the fee for such a license shall be Twenty-five (\$25.00) Dollars. The license period shall be June 1st through the following May 31st. No person shall be so licensed unless he or she be a person eighteen (18) years of age or older and of good moral character.

a. Application. Application for a supervisor license shall be made to the City Clerk in writing accompanied by the required fee. Such application shall be fully completed on City forms.

b. Inspection and Recommendation of Licenses. The procedure set forth for the review of the police record of a Licensee or agent in **Subsection B.1.b.** of this Ordinance shall be applicable.

3. Revocation, NonRenewal and Suspension of Licenses. The Common Council, for just cause, may suspend, revoke, or not renew any license or agent status herein provided, upon serving upon such party written notice of the charges forming a basis for the proposed penalty, in the same manner as that for the service of a Summons in a civil action. Service upon an appointed agent shall be deemed service upon a corporation. Said notice shall provide for a hearing upon a written request therefor being filed with the City Clerk within ten (10) days of service. Absent a timely request for a hearing, the City Clerk shall administratively impose the penalty set forth in said notice.

a. Criteria For License Revocation, NonRenewal Or Suspension. Any Licensee who, within a 730 day period, equals or exceeds a total of one hundred (100) demerit points for the below described conduct committed by Licensee, or employee or agent thereof, whether or not charged and/or convicted, shall have their License subject to revocation, nonrenewal, or suspension, within the discretion of the Common Council.

(1) Twenty-five (25) Demerit Points (except as provided in **Subsection a.(2)**):

- (a)** Violation of Chapter 125, Wisconsin Statutes.
- (b)** Violation of **Chapters X, XI, XII**, of the Code of General Ordinances.
- (c)** Violation of any City or County Gambling Ordinances or knowingly permitting any person to commit such violation.
- (d)** File an untrue, incorrect and/or incomplete application in violation of **§1.22 A.** of the Code of General Ordinances.

(2) Thirty-five (35) Demerit Points:

- (a)** Violation of a State or Federal misdemeanor criminal gambling law or knowingly permitting any such violation.
- (b)** Violation of any State misdemeanor criminal law or City Ordinance prohibiting the use of marijuana or possession thereof without intent to sell or knowingly permitting any person to commit such violation.

(3) Fifty (50) Demerit Points:

- (a)** Obstruction of any law enforcement officer or knowingly permitting any person to engage in such conduct.
- (b)** Failing to appear before the Committee or Common Council when ordered to do so by either such body.
- (c)** Violation of a State or Federal misdemeanor or knowingly permitting any such violation.
- (d)** Violation of an Order of the Common Council.

(4) One Hundred (100) Demerit Points:

- (a)** Violation of any State or Federal criminal law prohibiting the sale, trafficking in, or possessing with intent to sell marijuana or any controlled substance, or knowingly permitting any person to commit such violation.

CODE OF GENERAL ORDINANCES, 2012 - KENOSHA, WISCONSIN

(b) A conviction for a violation of State or Federal criminal law which is a felony, if the circumstances of the charge substantially relate to the circumstances of the licensed activity.

(c) Violation of any State misdemeanor criminal law or City Ordinance prohibiting the use of marijuana or possession thereof with or without intent to sell or knowingly permitting any person to commit such violation.

(5) **Discretionary Demerit Points.** Nonscheduled offenses shall be the subject of such number of demerit points as designated by the Common Council, within its discretion.

b. Discretion Upon Review. The Common Council is not mandated to revoke, not renew or suspend a License which is subject to revocation, nonrenewal or suspension based upon the criteria in **Subsection A.** therefore, but may take such action as the circumstances warrant with due consideration for mitigating factors.

A dismissal of a criminal charge or civil forfeiture case which is also the subject of demerit points, shall not, as a matter of law, nullify said charge for the purpose of review herein due to the differing burdens of proof and procedural requirements.

c. Disciplinary, NonRenewal, Suspension and Revocation Hearings. Disciplinary hearings, including nonrenewal, suspension and revocation hearings, shall be held before the Committee on Licenses/Permits, which shall submit a report to the Common Council, including Findings of Fact, Conclusions of Law and a recommendation as to what action, if any, the Common Council should take with respect to the License. The Committee on Licenses/Permits shall provide the Complainant and the Licensee with a copy of the report. Either the Complainant or Licensee may make an objection, orally or in writing, to the report and shall have the opportunity to present arguments supporting the objection to the Common Council. The Common Council shall determine whether the arguments shall be presented orally or in writing, or both. If the Common Council, after considering the Committee on Licenses/Permits' report and any arguments presented by the Complainant and Licensee, finds the complaint to be true, or if there is no objection to a report recommending a suspension, revocation or nonrenewal, the Licensee shall be suspended, revoked or not renewed as provided by law. If the Common Council finds the complaint untrue, the proceedings shall be dismissed without cost to the accused. The City Clerk shall give notice of each suspension, revocation or nonrenewal to the party whose License is affected.

The judgment of conviction of any Licensee, or employee or agent thereof, in any Municipal, State or Federal Court, irrespective of whether obtained following trial, plea agreement, or bond forfeiture, shall be prima facie proof of said violation for purposes of this Ordinance. However, in the instance of any judgment of conviction entered pursuant to a no contest plea, or considered in law to be rendered pursuant to a no contest plea, said judgment of conviction as a prima facie case may be rebutted. Further, mitigating circumstances may be introduced with respect to any judgment of conviction.

d. Application for Determination of Demerit Points. Any Licensee or the City Clerk, or his/her designee, or the City Attorney, or his/her designee, may, at any time, request the Common Council to determine whether or not conduct which has occurred constitutes a basis for demerit points, and, if so, how many demerit points. The Common Council, in making this determination, shall have before it the recommendation of the Committee and of the City Attorney's Office.

e. Commencement of Penalties. Penalties shall commence the day after they have been imposed by the Common Council. Days of suspension shall run consecutively.

f. Periodic Reports by Police Chief. The Police Chief shall file periodic reports with the City Attorney advising said City Attorney of conduct by any Licensee, or employees thereof, which may constitute a basis for disciplinary action. The City Attorney, at Licensee renewal time, or at any earlier time deemed appropriate, shall bring such matters to the attention of the Committee and make a recommendation on disciplinary action.

g. Off Premises Conduct of Patrons as a Basis for Disciplinary Actions. The off premises conduct of patrons of any premises licensed by this Chapter may be a basis for disciplinary action against such license subject to the following procedures:

CODE OF GENERAL ORDINANCES, 2012 - KENOSHA, WISCONSIN

(1) **Initial Meeting.** The Licenses/Permits Committee shall direct the Licensee to appear before it to discuss complaints and potential solutions. If mutual agreements are arrived at, the matter shall be held in abeyance to provide Licensee an opportunity to comply with such mutual agreements, which shall be reduced to writing and served upon Licensee.

(2) **Committee Hearing on Proposed Order.** In the event the initial meeting does not result in a mutual agreement to resolve complaints, the City Attorney shall draft a tentative order which mandates certain specific corrective action, and Licensee shall be served with a copy thereof and directed to appear before the Licenses/Permits Committee to discuss the proposed order. Following Licensee being heard, or being provided with an opportunity to be heard, the Finance Committee shall determine the proposed form of such order.

(3) **Common Council Hearing on Proposed Order.** Licensee shall be served with the proposed order of the Licenses/Permits Committee and be directed to appear before the Common Council to discuss the proposed order. Following Licensee being provided with an opportunity to be heard, the Common Council shall determine the final form of such order, which shall be served on Licensee.

(4) **Violations.** Violations of the final order of the Common Council, following service upon Licensee, shall constitute grounds for revocation in and of itself, or such other action as the Common Council deems appropriate.

h. Time For Action. Disciplinary action need not be commenced and completed in the same License year as of the offense occurred. Where disciplinary actions are not commenced and completed within a License term, a License shall be granted subject to a "NonRenewal Revocation Hearing", to be held as soon as practicable.

C. Regulations Respecting Premises. The premises to be used for an Amusement and Recreation Enterprise shall:

1. Where in a building or structure, have at least one (1) window having a pane of transparent glass no less than one (1) square foot in size at a point of public access from which the interior of the licensed premises may be viewed. The base of said window shall be no higher than sixty-eight (68") inches from the viewing floor.
2. Have a minimum of two (2) easily available, marked and useful exits from the building.
3. During hours of operation, have unlocked entrances and exits.
4. Have separate, clean, adequate and immediately accessible washrooms and toilets for each sex on the licensed premises.
5. Be in compliance with the City's Zoning Ordinance and Code of General Ordinances.

Subsections 1. and 2. shall not apply if the premises to be licensed are within an enclosed mall. If said premises to be licensed are located in an enclosed mall, the Director of Community Development and Inspections may waive **Subsection 4.**, where separate, clean, adequate and immediately accessible washrooms and toilets for each sex are located within the mall for general public use, unless the premises are the subject of a Restaurant Permit and has seating for dining.

D. Regulations Respecting Premises.

1. No licensee, agent, supervisor or employee of licensee shall permit any person under the age of eighteen (18) years to be present on the licensed premises between the hours of 8:00 A.M. and 2:30 P.M. on days which said minors are scheduled to be in school. Licensee shall post notice of this prohibition at the entrance of the licensed premises.
2. While open for business, all licensed premises shall be under the direct supervision of either the licensee, agent or licensed supervisor.
3. The holding of a license hereunder does not negate the requirement to hold other licenses or permits which may be applicable.
4. No gambling shall be permitted on the licensed premises.
5. No alcoholic beverages shall be served, consumed, or permitted on the licensed premises without an appropriate license.
6. No person who is visibly under the influence of alcoholic beverages or controlled substances shall be allowed to enter or remain on the licensed premises.
7. No person shall be permitted to conduct themselves in a disorderly manner on the licensed premises and the licensee shall obey any reasonable order of the Police Department to terminate or prevent such disorderly conduct.
8. There shall be compliance with State and County Obscenity laws.

CODE OF GENERAL ORDINANCES, 2012 - KENOSHA, WISCONSIN

9. Frequenters of the licensed premises shall not be permitted to congregate on the parking lot or public walks and thoroughfares adjacent to said premises.

10. There shall be no controlled substances permitted on the licensed premises.

11. Licensee shall comply with City, County, State or Federal laws, rules and regulations which are applicable to the licensed premises.

12. The licensee shall notify the Police Department of the hours of operation.

13. Chapter XXIII of the Code of General Ordinances, "NOISE CONTROL", shall be strictly complied with.

14. Licensee shall maintain the same closing hours as govern Retail Class "B" Licenses under Chapter 125, Wisconsin Statutes.

15. No Licensee, agent, supervisor or employee of Licensee shall permit any minor person to be on the licensed premises in violation of §11.05 of the Code of General Ordinances, entitled "Curfew", as said Ordinance now exists or may be amended in the future.

E. Safe Design And Operation. The purpose of this Ordinance is to provide an opportunity for City Code inspection and enforcement and to promote the orderly operation of the licensed premises. The Licensee is solely responsible for the safe design and operation of the licensed premises.

F. Liability Insurance. Any Licensee who does not maintain a policy of liability insurance shall conspicuously post notice of such lack of insurance at every entrance to the licensed premises.

G. Off Premises Conduct Of Patrons As A Basis For Disciplinary Actions. The off premises conduct of patrons of any Licensee may be a basis for disciplinary action against such Licensee subject to the following procedures:

1. **Initial Meeting.** The Committee on Licenses/Permits shall direct the Licensee to appear before it to discuss complaints and potential solutions. If mutual agreements are arrived at, the matter shall be held in abeyance to provide Licensee an opportunity to comply with such mutual agreements, which shall be reduced to writing and served upon Licensee.

2. **Committee Hearing On Proposed Order.** In the event the initial meeting does not result in a mutual agreement to resolve complaints, the City Attorney, or designee thereof, shall draft a tentative order which mandates certain specific corrective action, and Licensee shall be served with a copy thereof and directed to appear before the Committee on Licenses/Permits to discuss the proposed order. Following Licensee being heard, or being provided with an opportunity to be heard, the Committee on Licenses/Permits shall determine the proposed form of such order.

3. **Common Council Hearing On Proposed Order.** Licensee shall be served with the proposed order of the Committee on Licenses/Permits and be directed to appear before the Common Council to discuss the proposed order. Following Licensee being provided with an opportunity to be heard, the Common Council shall determine the final form of such order, which shall be served on Licensee.

4. **Violations.** Violations of the final order of the Common Council, following service upon Licensee, shall constitute grounds for disciplinary action.

H. Violations. Each calendar day of a violation of this Ordinance continues shall be considered a separate offense.

12.02 CIRCUS, MENAGERIE, ETC.

A. Granting License. The Mayor, in his discretion and upon conditions he deems advisable, may grant a license to any person, firm, or corporation to conduct for gain any circus, menagerie, or other entertainment given in open air, or partially or wholly under canvas. He may likewise grant a permit for a parade to be given in connection with any such entertainment.

B. License Fees.

1. For circus or kindred entertainment which uses Twenty-five Dollars or less in transportation, the sum of One

<p align="center">FACT SHEET</p> <p>Kenosha City Plan Commission Mayor John Antaramian, Chairperson</p>	<p>Ald. John Wamboldt, Vice Chair Ald. Lynn Bellow Iris Helman Mr. Steven Torcaso Mr. Mario Cicchini</p>	<p>Mr. Robert Zuehlsdorf Mr. Fred Haerter Ms. Adelaide Swartz Mr. Ted Wesley Mr. Donald Ruef</p>	<p>City Plan Division 625 - 52nd Street Kenosha, WI 53140 (414) 653-4030</p>
--	--	--	--

Date: July 10, 1997	Item # 8
Ordinance to repeal and recreate Sections 3.15 A.8.b. of the Zoning Ordinance entitled "Amusement and Recreation Enterprises." PUBLIC HEARING	

PURPOSE / PROGRAM:

Zoning Ordinance amendment to the B-3 district

LOCATION / SURROUNDINGS:

Downtown/B-3 district

NOTIFICATIONS / PROCEDURES:

The City Plan Commission will forward a recommendation to the Common Council.

ANALYSIS:

"Amusement and recreation enterprises" as defined in Chapter 12.01 of the Code of General Ordinances, requires a City license by approval of the Common Council. The Zoning Ordinance stipulates that the facility must be located in either the B-2 Community Business or B-3 Central Business district, and furthermore, not be located within one thousand (1,000) feet of any public or private elementary or secondary school or religious institution. The measurement is made by the most direct means from lot line to lot line.

The proposed ordinance would maintain the current requirements in the B-2 Community Business district, but alter the regulatory approach in the B-3 Central Business district. Specifically, amusement and recreation enterprises would be allowed as a permitted use within a defined boundary in the downtown area (see Figure 3-1). The proposed boundary is generally based upon maintaining a minimum distance from residential and institutional uses, as well as directing such enterprises to the entertainment core of the downtown area.

RECOMMENDATION:

Since the proposed ordinance will provide for the appropriate regulation of amusement and recreation enterprises in the B-3 district, a recommendation is made to approve the ordinance.


 Jeffrey Labahn
 Assistant City Planner


 Ray Forgianni, Director
 Department of City Development

7-10-97
City Plan
Commission

14. The storage of materials, vehicles and equipment shall not exceed the height of the fence.

Item 7 - Request for a distance exception for a 5-bed community living arrangement (CLA) to be located at 7802 - 23rd Avenue (Getter). PUBLIC HEARING

Mary Lou Getter, petitioner, spoke in support of her petition. She indicated that she presently lives with her sister-in-law and one other person. She indicated that she had spoken to her neighbors about this petition. She stated that the petition is for a maximum of five elderly women.

A motion was made by Ms. Helman, seconded by Mr. Torcaso to approve the distance exception. Motion carried unanimously.

Item 8 - Ordinance to repeal and recreate Sections 3.15 A.8.b. of the Zoning Ordinance entitled, "Amusement and Recreation Enterprises." PUBLIC HEARING

Alderman Pacetti spoke in favor of the ordinance, although he indicated he would prefer the delineated area to be larger.

Commissioners discussed whether the ordinance was inclusive enough and if it should be amended to include a larger area.

A motion was made by Mr. Wesley, seconded by Ms. Helman to approve. Motion carried Ayes-5; Noes-1 with Mr. Ruef voting against.

Item 9 - Ordinance to create, repeal, repeal and recreate and renumber various sections of the Zoning Ordinance pertaining to self-service storage facilities. PUBLIC HEARING

Commissioners discussed whether the number of parking spaces required should be increased. Mr. Ruef believed the number was too low.

A motion was made by Mr. Ruef to increase the required number of parking spaces to four. Motion lost of lack of second.

A motion was made by Mr. Wesley and seconded by Mr. Ruef to increase the required number of parking spaces to three. Motion carried unanimously.

A motion was made by Ms. Helman, seconded by Mr. Wesley to approve the ordinance as amended. Motion carried unanimously.

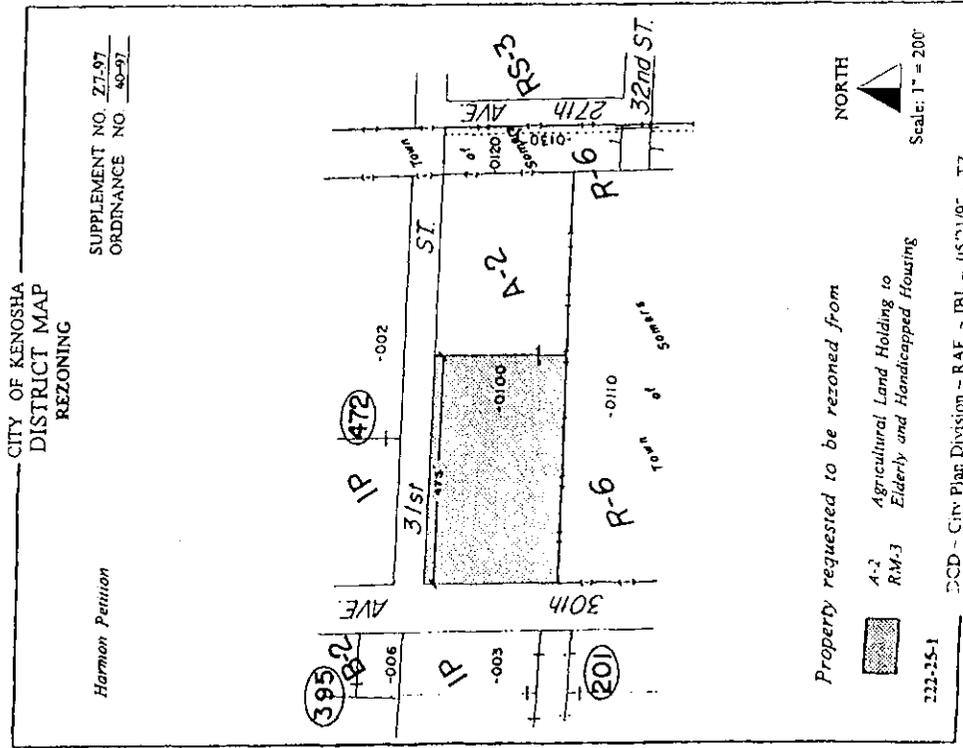
Item 10 - Request to initiate the rezoning of property located at 4235-4245 Green Bay Road (City Plan Commission).

A motion was made by Mr. Torcaso, seconded by Ms. Helman to approve the initiation of rezoning. Motion carried unanimously.

Item 11 - Certified survey map creating four lots at 5215 - 49th Avenue (Locante).

A motion was made by Mr. Ruef, seconded by Mr. Torcaso to approve the certified survey map. Motion carried unanimously.

Item 12 - Certified survey map agreement between the City and Albert Locante for property located at 5215 - 49th Avenue.



Property requested to be rezoned from
 A-2 Agricultural Land Holding to
 R-6 Elderly and Handicapped Housing

222-25-1

CCD - City Plan Division - RAF - JBL - 05/21/97 - T7

43. It was moved by Alderman Rizzo, seconded by Alderman Pacetti to adopt ordinance 41-97.
 A public hearing was held. No one spoke for or against said ordinance.
 On roll call vote, motion carried 12 to 1 with Alderman Sinclair voting nay and said ordinance was thereupon adopted as follows:

ORDINANCE 41-97
 By: The Mayor
TO REPEAL AND RECREATE SECTION 3.15 A.8.b. OF THE ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN, ENTITLED "AMUSEMENT AND RECREATION"

ENTERPRISES"

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

Section One: Section 3.15 A.8.b. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is repealed and recreated as follows:

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.

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

Attest:
 JEAN A. MORGAN,
 City Clerk

Approved:
 JOHN M. ANTARAMIAN,
 Mayor

Date: August 5, 1997
 Passed: August 4, 1997
 Published: August 8, 1997

CITY OF KENOSHA LICENSE LISTING

Name:

License Type:122

Expiration Year:2013

LICENSEE NAME	LICENSE #	LICENSE TYPE	TRADE NAME	TRADE ADDRESS	AGENT	EXPIRE
BRAT STOP, INC	10240 122 130005	AMUSEMENT/RECREATION ENTERPRISE	BRAT STOP	12304 75TH ST		05/31/13
CINEMARK USA, INC	8252 122 130002	AMUSEMENT/RECREATION ENTERPRISE	TINSELTON KENOSHA	7101-70TH CT		05/31/13
CLAUDIO PARRONE, SR.	15707 122 130001	AMUSEMENT/RECREATION ENTERPRISE	CLAW'S BILLIARDS	7447-57TH AVE		05/31/13
COINS SPORTS BAR, INC	9719 122 130003	AMUSEMENT/RECREATION ENTERPRISE	COINS SPORTS BAR	1714-52ND ST		05/31/13
DJ MILLER INVESTMENTS, INC.	16524 122 130007	AMUSEMENT/RECREATION ENTERPRISE	MONKEY JOE'S	4237 GREEN BAY		05/31/13
GUTTORMSEN RECREATION CORPORA	605 122 130006	AMUSEMENT/RECREATION ENTERPRISE	GUTTORMSEN RECREATION CENTER	5411 GREEN BAY		05/31/13
SHERIDAN LANES, INC	316 122 130004	AMUSEMENT/RECREATION ENTERPRISE	SHERIDAN LANES	1120 80TH ST		05/31/13

<p>Municipal Building 625 52nd Street – Room 202</p>	<p><i>Kenosha City Plan Commission</i> <i>Agenda</i></p>	<p>Thursday, March 7, 2013 5:00 p.m.</p>
<p><i>Mayor Keith Bosman - Chairman, Alderman Kevin Mathewson - Vice-Chairman Alderman Anthony Kennedy, Alderman Jan Michalski, Kathryn Comstock, Robert Hayden, Anderson Lattimore, Jessica Olson and Ron Stevens</i></p>		

****ADDENDUM****

Call to Order and Roll Call

1. Request for a Special Exception to the Major Street Setback for property located at 3300 Sheridan Road in accordance with Section 5.04 of the Zoning Ordinance for the City of Kenosha, Wisconsin. (La Fogata) (District #1) PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

Adjournment

Community Development & Inspections
625 52nd Street – Room 308
Kenosha, WI 53140
262.653.4030 phone / 262.653.4045 fax
www.kenosha.org

If you are disabled in need of assistance, please call 262.653.4030 at least 72 hours before this meeting.

Notice is hereby given that a majority of the members of the Common Council may be present at the meeting. Although this may constitute a quorum of the Common Council, the Council will not take any action at this meeting.

Planning & Zoning Division 625 52 nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	March 7, 2013	ADDENDUM Item 1
---	--	---------------	---------------------------

Request for a Special Exception to the Major Street Setback for property located at 3300 Sheridan Road in accordance with Section 5.04 of the Zoning Ordinance for the City of Kenosha, Wisconsin. (La Fogata) (District #1) PUBLIC HEARING

LOCATION/SURROUNDINGS:

Site: 3300 Sheridan Road
 Zoned: B-2 Community Business District

NOTIFICATIONS/PROCEDURES:

The Alderman of the District, Alderman Haugaard, has been notified. The Common Council is the final review authority for Special Exceptions to the Major Street Setback

ANALYSIS:

- The applicant is proposing to construct an addition to the East end of the existing restaurant located at 3300 Sheridan Road. The addition would be a glass structure with roof and wall panels that open on warmer days. The new addition would add additional seating area to the restaurant.
- The proposed structure would encroach in to the Major Street Setback of Sheridan Road on the East side of the property. The Major Street Setback on the South, or front, side of the property is not applicable, as the Setback and the right-of-way line are one and the same. The proposed addition will encroach by about five (5) feet. Therefore, the applicant is requesting the Special Exception.
- Per Section 5.04 of the Zoning Ordinance, the property owner must agree to the attached Major Street Setback Encroaching Structure Restriction. This Restriction will be recorded on to the property if the Special Exception is approved and states that it will be the owner's responsibility and cost to remove the encroaching structure if the City ever purchases additional right-of-way for street expansion.
- City Departments have reviewed this item as a Staff Level Site Plan Review. All of the other items have been addressed on the plan except for the Major Street Setback. If this Special Exception is approved, Staff will approve the Site Plan Review and the applicant may obtain building permits. The conditions of Section 5.04 of the Zoning Ordinance regarding Special Exceptions to the Major Street Setback have all been addressed. A copy of the Ordinance is attached.

RECOMMENDATION:

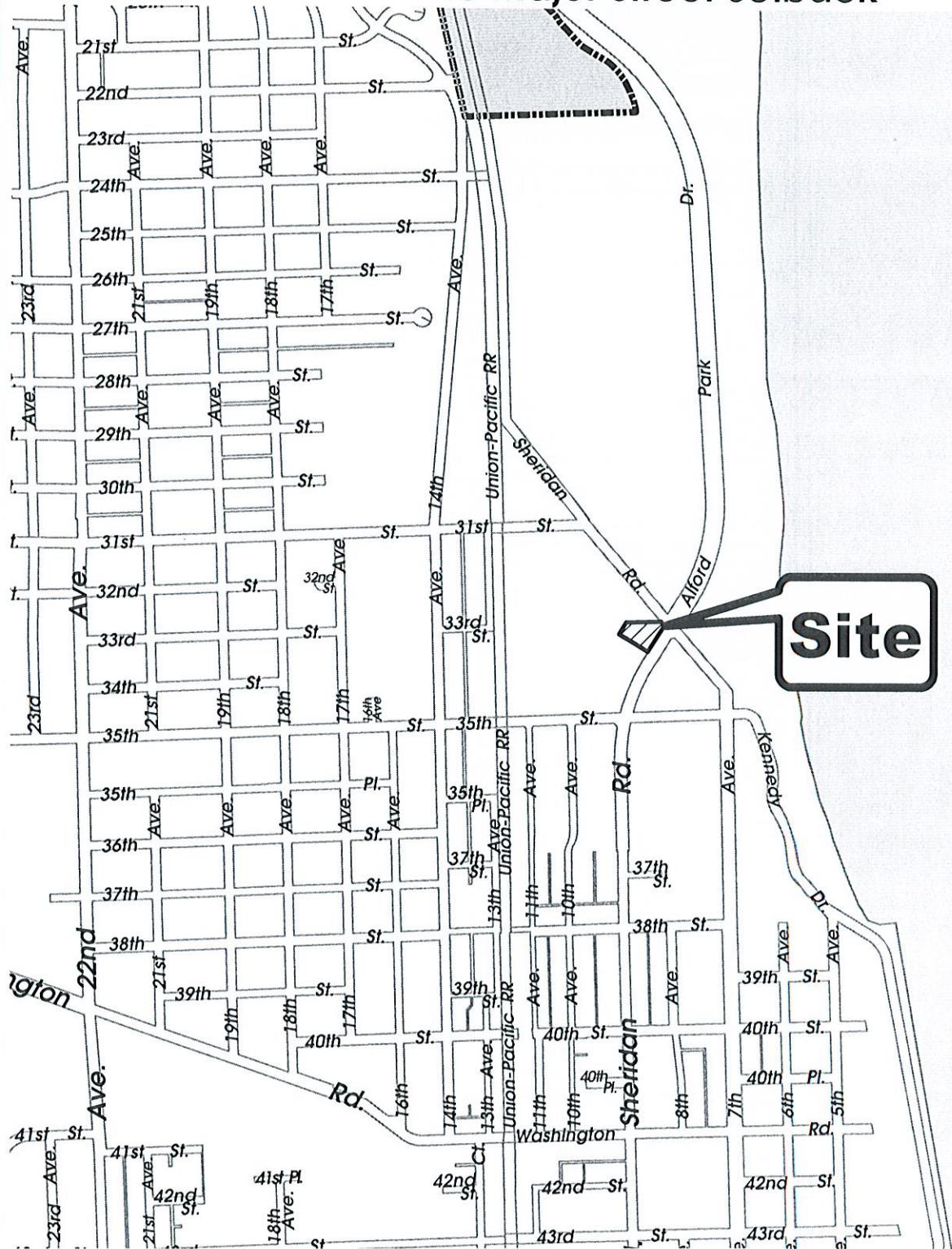
A recommendation is made to approve the Special Exception request.


 Brian R. Wilke, Development Coordinator


 Jeffrey B. Labarr, Director

City of Kenosha

Vicinity Map
La Fogata Special Exception
to Major Street Setback



MAJOR STREET SETBACK
ENCROACHING STRUCTURE RESTRICTION

WHEREAS, Miguel B. Aguirre is the OWNER of a parcel of real estate located in the City of Kenosha commonly referred to as 3300 Sheridan Road, Kenosha, Wisconsin more particularly described on attached Exhibit "A", hereafter referred to as the "PROPERTY"; and

WHEREAS, the City of Kenosha, hereafter referred to as the "CITY", has established a major street setback area at 3300 Sheridan Road, Kenosha, Wisconsin between the current right-of-way and the major street setback line established by the CITY; and

WHEREAS, the OWNER has applied for a special exception from the CITY to allow construction of a structure within the area located between the right-of-way and the setback line of 3300 Sheridan Road, Kenosha, Wisconsin depicted on Exhibit "B", hereafter, referred to as the "ENCROACHING STRUCTURE"; and

WHEREAS, construction of the ENCROACHING STRUCTURE within the area located between the right-of-way in a major street and the setback line of any major street is prohibited by the City of Kenosha Zoning Ordinance unless allowed as a special exception by the Common Council pursuant to Section 5.04 of the Zoning Ordinance as may be amended from time to time; and

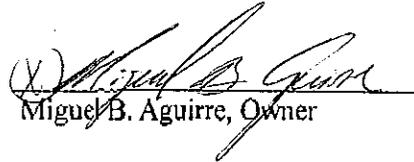
WHEREAS, among the conditions necessary to the granting and issuance of the special exception by the Common Council to allow construction of the ENCROACHING STRUCTURE is the execution and recording of this Restriction.

NOW THEREFORE, the OWNER agrees as follows:

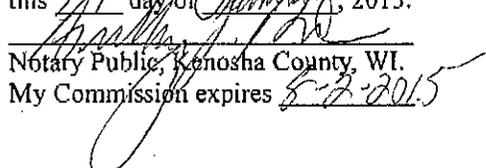
1. The OWNER acknowledges and agrees that this Restriction is for the benefit of the CITY, is enforceable by the CITY, and may only be released by the CITY.
2. The OWNER acknowledges and agrees that modification to the exterior of the ENCROACHING STRUCTURE is prohibited unless such modification is approved by the Kenosha City Plan Commission, or unless the modification involves the complete removal of the ENCROACHING STRUCTURE.
3. The OWNER acknowledges and agrees that an occupiable space below the grade of the ENCROACHING STRUCTURE is prohibited.
4. The OWNER acknowledges and agrees that extending or providing sanitary sewer and/or water service to any portion of the ENCROACHING STRUCTURE is prohibited.

5. The OWNER acknowledges and agrees that one of the purposes of prohibiting construction of an ENCROACHING STRUCTURE is to minimize the cost to the public for ultimate expansion of the major street and as such the OWNER shall remove the ENCROACHING STRUCTURE without any cost to the CITY within thirty (30) days of notification by the CITY through any means of service of process recognized by then prevailing Wisconsin law that the major street will be widened.
6. The OWNER acknowledges and agrees that in the event the OWNER would otherwise be entitled to compensation for other structures or lost business as a result of the exercise or enforcement of an eminent domain right by the CITY, the OWNER hereby waives compensation for any damages associated with the ENCROACHING STRUCTURE, including, but not limited to, any costs for the use, lost business, or relocation of the ENCROACHING STRUCTURE.
7. The OWNER acknowledges and agrees that this Restriction shall run with the land and be binding upon the OWNER and the OWNER's heirs, representatives, successors and assigns.

Dated at Kenosha, Wisconsin this 14th day of February, 2013.


Miguel B. Aguirre, Owner

Subscribed and sworn to before me
this 14 day of February, 2013.


Notary Public, Kenosha County, WI.

My Commission expires 5-2-2015

This instrument drafted by:

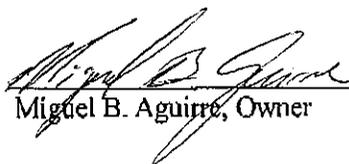
Jonathan A. Mulligan
Assistant City Attorney

OWNER STATEMENT

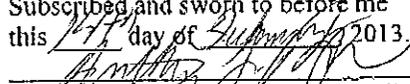
The undersigned OWNER states and agrees as follows:

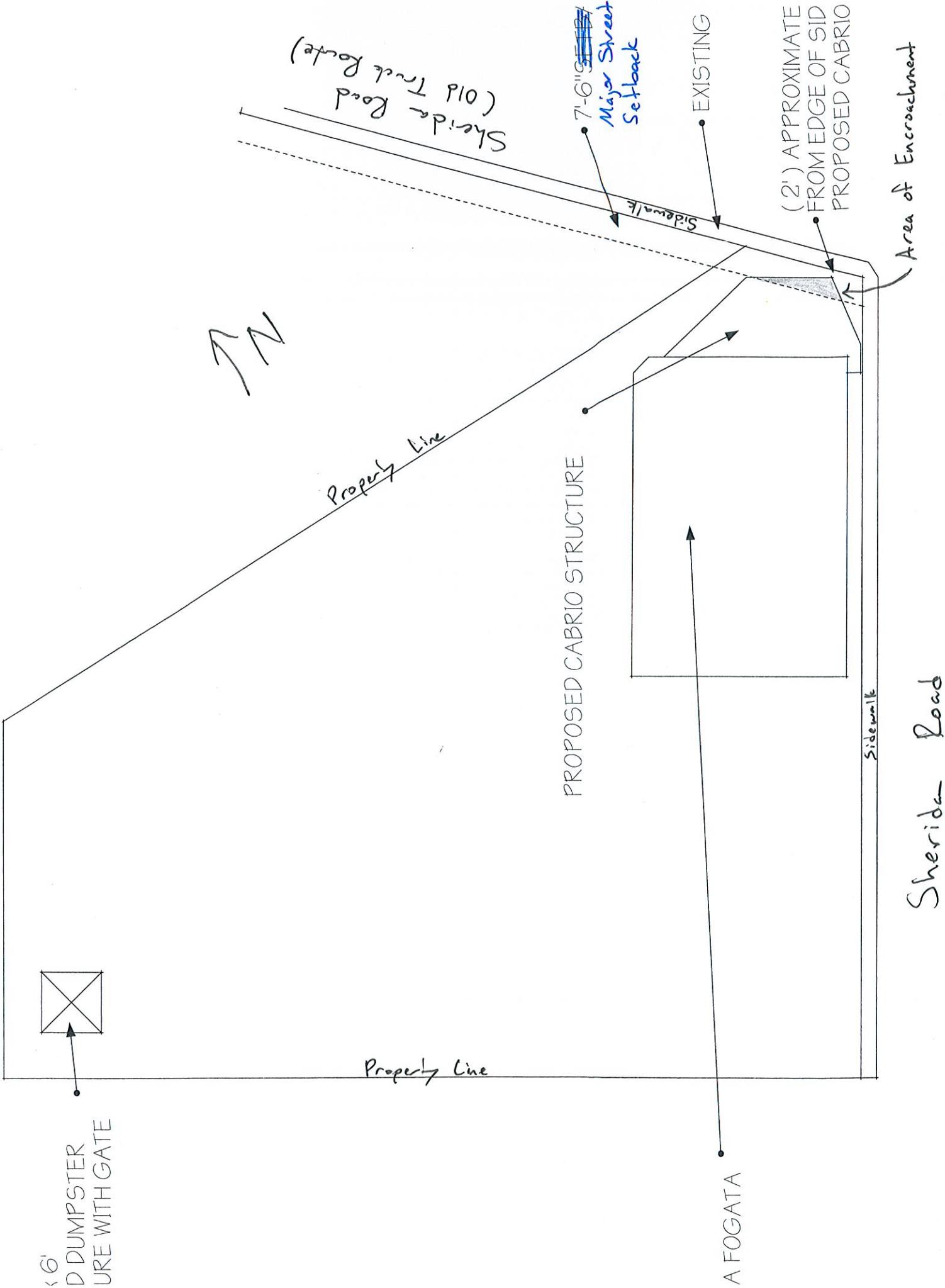
1. The undersigned is the OWNER of the property located at 3300 Sheridan Road, Kenosha, Wisconsin more particularly described on attached Exhibit A.
2. The undersigned has applied pursuant to Section 5.04 of the City of Kenosha Zoning Ordinance for a special exception to allow construction of a structure within the area located between the right-of-way and the setback line of 3300 Sheridan Road, Kenosha, Wisconsin depicted on Exhibit B which is referred to as the ENCROACHING STRUCTURE.
3. In the event the Common Council for the City of Kenosha grants the special exception to allow construction of the ENCROACHING STRUCTURE, the undersigned agrees that the ENCROACHING STRUCTURE shall be constructed according to the drawings and plans submitted in connection with the application, and that once constructed the exterior of the ENCROACHING STRUCTURE will not be modified unless such modification is approved by the Kenosha City Plan Commission, or unless the modification involves the complete removal of the ENCROACHING STRUCTURE.
4. The undersigned agrees that the City of Kenosha may enforce any violation of the conditions necessary to grant the special exception or any violation of the terms of this Statement through all available legal remedies, including but not limited to, injunctive relief.

Dated at Kenosha, Wisconsin this 14 day of February, 2013.


Miguel B. Aguirre, Owner

Subscribed and sworn to before me
this 14 day of February, 2013.


Notary Public, Kenosha County, WI.
My Commission expires 8-2-2015



6' DUMPSTER STRUCTURE WITH GATE

Property Line

PROPOSED CABRIO STRUCTURE

A FOGATA

Sidewalk

Sherida Road



Property Line

Sherida Road (Old Truck Route)

7-6" ~~SETBACK~~ Major Street Setback

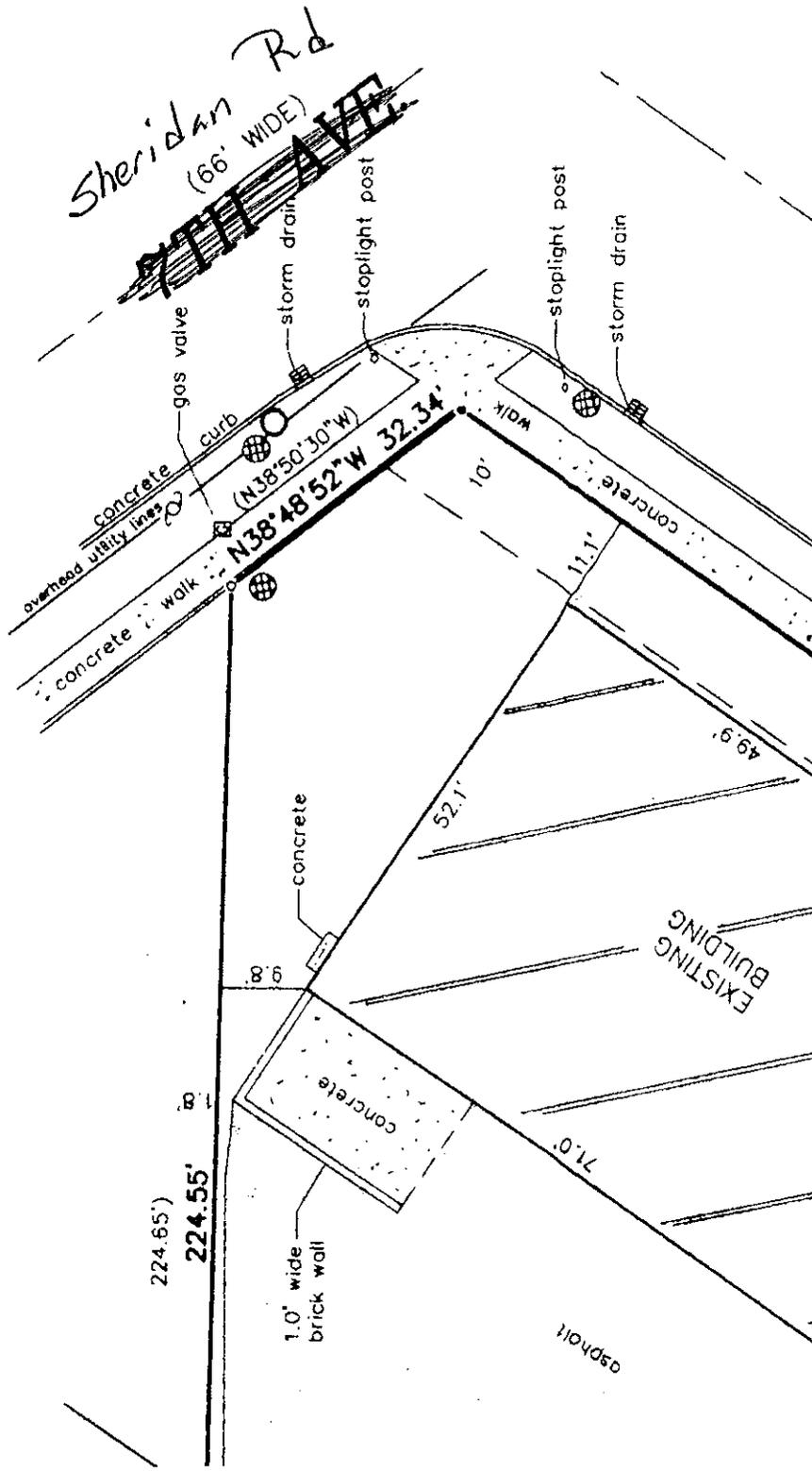
EXISTING

Sidewalk

(2') APPROXIMATE FROM EDGE OF SID PROPOSED CABRIO

Area of Encroachment

OF-WAY LINE OF SHERIDAN ROAD 89.24 FEET AND TO THE POINT OF BEGINNING; IN THE CITY OF



**Development Review Application
City of Kenosha, Wisconsin**

MAILING INFORMATION

NAME OF PROJECT: LA FOGATA Extension

Check one (1) of the following boxes to indicate the recipient of all correspondence:

Name and Address of Applicant (Please print):
Konstantinos (Dino) KATRIS Phone: 847 815 3311
1757 Evergreen Ct Fax: 262 654 5931
Lindhurst IL 60046 E-Mail: dinoctris@yahoo.com

Name and Address of Architect/Engineer (Please print):
Cabrio Structures Phone: (715) 416-4000
127 North Main St Cell Fax: (612) 270 3663
River Falls, WI 54022 E-Mail: Kent.Forsland@CabrioCompany.com

Name and Address of Property Owner (if other than applicant)(Please print):
Miguel B Aguirre Phone: (262) 247-5269
365 Elmwood Ave Fax: -
Burlington WI 53105 E-Mail: -

PROJECT LOCATION

Location of Development (street address and / or parcel number): 3300 Sheridan Rd
Kenosha WI 53140

TYPE OF LAND DEVELOPMENT

Check all that apply. Note: Additional information may be required within individual Sections.

<input type="checkbox"/>	Certified Survey Map	Section 1	Page 3
<input type="checkbox"/>	Concept Review (Land Division)	Section 2	Page 4
<input type="checkbox"/>	Concept Review (Multi-Family Residential or Non-Residential)	Section 3	Page 5
<input type="checkbox"/>	Conditional Use Permit	Section 4	Pages 6 & 7
<input type="checkbox"/>	Developer's Agreement	Section 5	Page 8
<input type="checkbox"/>	Final Plat	Section 6	Pages 9 & 10
<input type="checkbox"/>	Lot Line Adjustment Survey	Section 7	Page 11
<input type="checkbox"/>	Preliminary Plat	Section 8	Pages 12 & 13
<input type="checkbox"/>	Rezoning	Section 9	Pages 14 & 15
<input checked="" type="checkbox"/>	Site Plan Review	Section 10	Pages 16 & 17

**PRIOR TO SUBMITTING THIS APPLICATION TO THE DEPARTMENT OF CITY DEVELOPMENT,
PLEASE REVIEW THE APPROPRIATE SECTION(S) FOR FEES, REQUIREMENTS AND APPROPRIATE APPENDICES.**

*Submit this cover page, completed application, applicable section(s) and appendices
along with ALL required plans, information and fees to:*

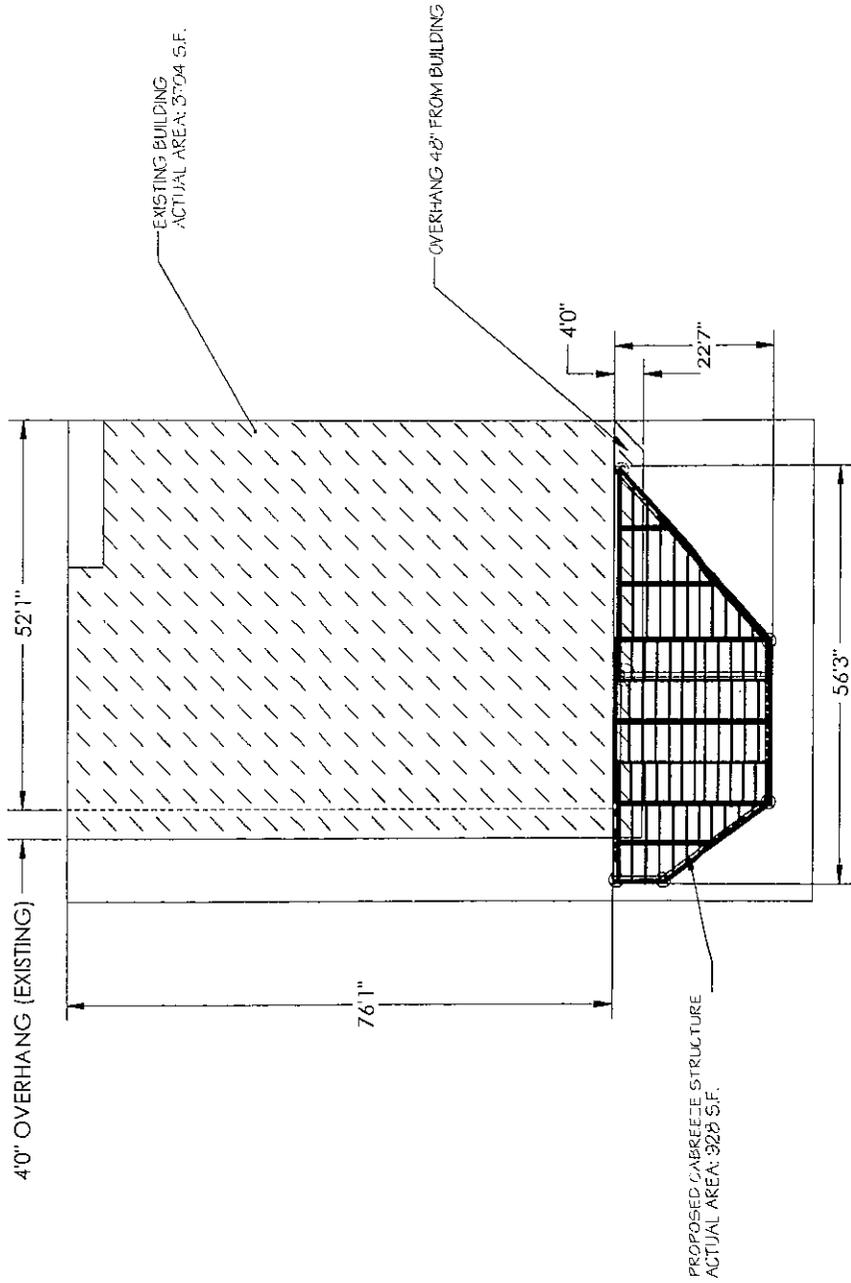
Department of Community Development & Inspections
 Planning Division
 625 52nd Street, Room 308
 Kenosha, WI 53140

Phone: 262.653.4030
 Fax: 262.653.4045

Office Hours:
 M - F 8:00 am - 4:30 pm

1 2 3 4 5 6 7 8

AERIAL VIEW



NOTES:
 1. SLIDING ROOF & WALL SEGMENTS OPEN TO EXPOSE PATIO AREA
 2. CABREEZE IS A FREE STANDING STRUCTURE
 3. DASHED LINES REPRESENT EXISTING BUILDING

PROJECT INFORMATION		127 N Main St River Falls WI 54022 715-228-4800	
UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN FEET & INCHES TOLERANCES EXCEPT AS NOTED		cabrio™ PERFORMANCE	
X ± 1/8	XXXX ± .0005	APPROVALS	DATE
XX ± 0.1	Angles ± 1°	REVISIONS	
XXX ± .005			
MATERIAL			
FINISH			
CONFIDENTIAL NO PART OF THIS DRAWING IS TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT PERMISSION FROM CABRIO COMPANIES LLC		DATE DWG. NO.	REV. NO.
		B	A
		C021 Site Plans	
		SHEET 3 OF 8	

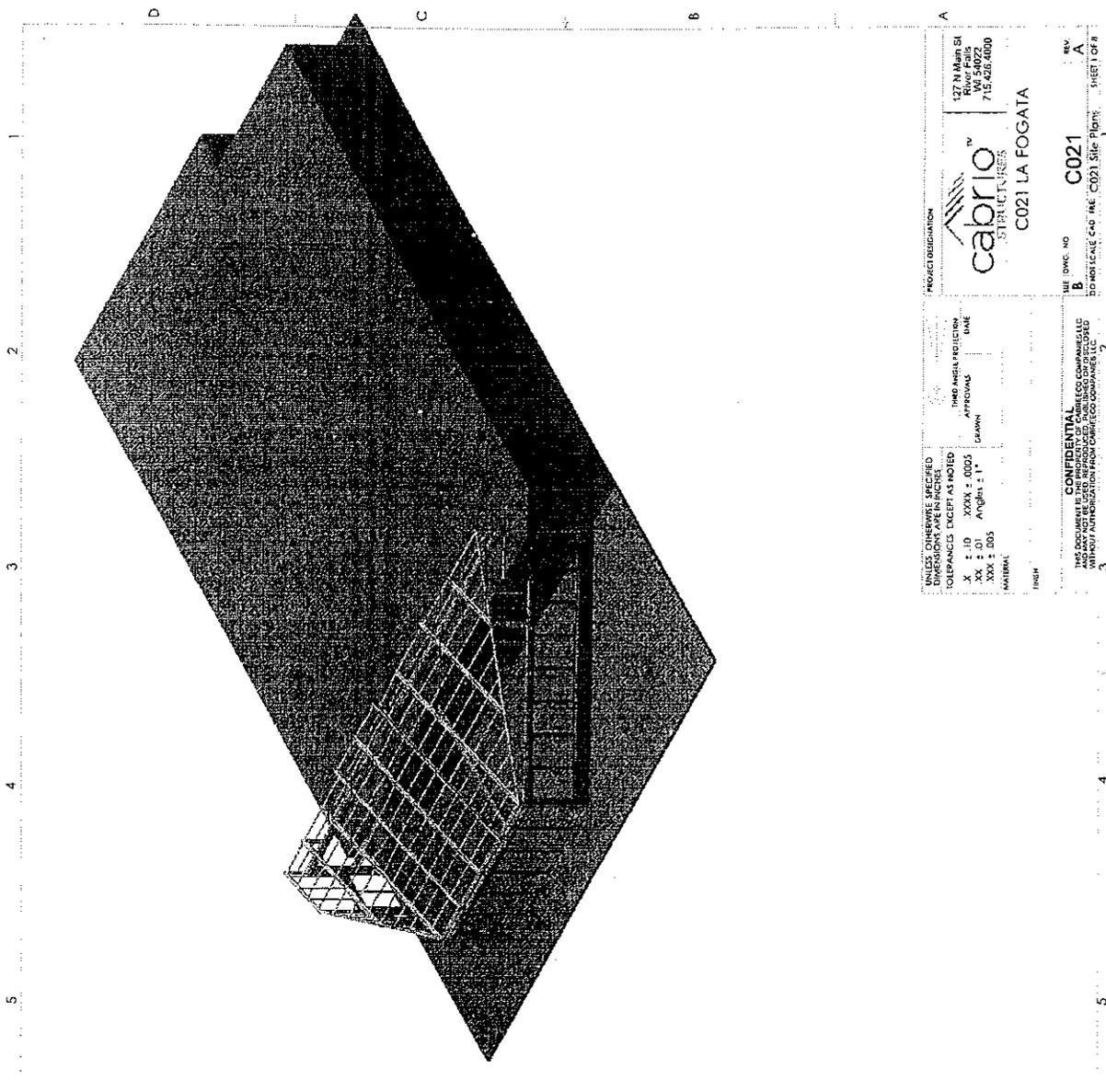
EXISTING 4

8

CABREEZE PROJECTED PROJECT PLANS

CABRIO STRUCTURES
127 NORTH MAIN STREET I
RIVER FALLS, WI 54022

PROJECT LOCATION:
LA FOGATA MEXICAN GRILL
3300 SHERIDAN RD
KENOSHA, WI 53140



INDEX

1. COVER SHEET
2. MATERIAL LIST
3. AERIAL VIEW
4. FRONT ELEVATION
5. RIGHT ELEVATION
6. LEFT ELEVATION

NOTES:

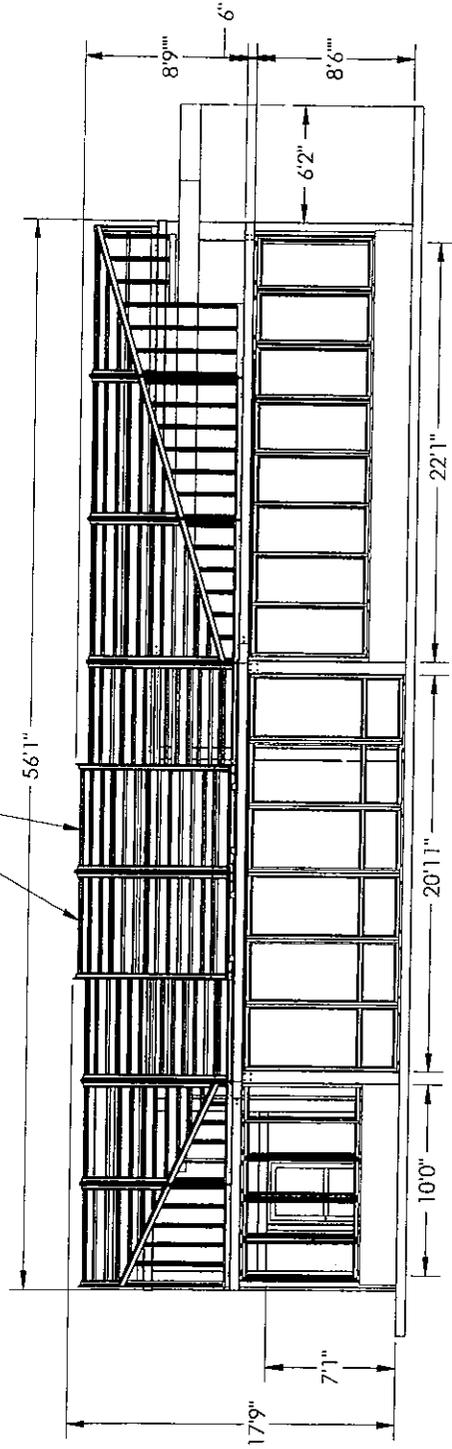
1. SLIDING ROOF & WALL STRUCTURE IS OPTN TO EXPOSE PATIO AREA
2. CABREEZE IS A FREE STANDING STRUCTURE
3. DASHED LINES REPRESENTS EXISTING BUILDING

UNLESS OTHERWISE SPECIFIED DIMENSIONS ARE IN INCHES	PROJECT DESIGNATION
2 - JD XX - 2 - 0005 XX - 2 - 005	<p>C021 LA FOGATA</p>
APPROVALS DATE	
THIRD PARTY PROJECTION DATE	<p>127 N MAIN ST RIVER FALLS WI 54022 715.428.4000</p>
MATERIAL	<p>THE DWG. NO. C021</p> <p>3D MOLECULE CAD FILE: C021_Site_Plan.dwg</p>
FINISH	<p>THIS DOCUMENT IS THE PROPERTY OF CABRIO STRUCTURES WITHOUT AUTHORIZATION FROM CABRIO STRUCTURES, LLC</p>

<p>COMPUTER GENERATED THIS DOCUMENT IS THE PROPERTY OF CABRIO STRUCTURES WITHOUT AUTHORIZATION FROM CABRIO STRUCTURES, LLC</p>	<p>DATE: 11/11/2023</p> <p>TIME: 10:00 AM</p>
--	---

FRONT ELEVATION

MOVABLE ROOF SEGMENTS
(ALL OTHERS FIXED)



UNLESS OTHERWISE SPECIFIED
TOLERANCES EXCEPT AS NOTED
X ± 1/8 XXXX ± .005
XX ± .01 XXXX ± .1"
XXX ± .005
MATERIAL
FINISH

PROJECT DISCRIMINATION
cabrio™
STRUCTURES
C021 LA FOGATA

127 N Main St
River Falls
WI 53089
715.456.4000

CONFIDENTIAL
THIS DOCUMENT IS THE PROPERTY OF CABRIO COMPANIES, LLC
WITHOUT PERMISSION FROM CABRIO COMPANIES, LLC

REV. NO. C021
REV. A

DATE: 10/13/16
DRAWN: [blank]
APPROVED: [blank]

DATE: [blank]

DATE: [blank]

ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

described in §5.01 B. of this Ordinance, and shall be measured from the base lines as described in §5.02 A. of this Ordinance.

5.04 Construction of Structures within the Area Setback from Major Streets.

A. Intent. Prior to enactment of this Subsection 5.04 there existed a prohibition on any construction of an encroaching structure to be located between the street right of way and the setback line of any major street. It is the intent of this Subsection 5.04 to allow limited construction of what would otherwise have been a prohibited encroaching structure within that area between the street right of way and the setback line of any major street, subject to conditions and consistent with the general purpose stated in Subsections 1.03 and 1.04 of the Zoning Ordinance.

B. Conditions Necessary to Grant the Special Exception. Construction of the encroaching structure within the area located between the right of way in a major street and the setback line of any major street, which construction is prohibited by other provisions of this Zoning Ordinance, may be allowed as a special exception by the Common Council subject to the following conditions:

1. a joint application for the special exception must be signed by all of the fee title owners to the property, who will hereinafter be collectively termed "applicant", containing the following:

a. scale drawings in plan view and appropriate elevation views of the encroaching structure; the plan view must show the location of the encroaching structure on the property, specifically showing dimensions with respect to other existing and proposed structures on the property and the adjacent setback lines of a major street; nevertheless, the filing of drawings required herein does not obviate the need to provide other drawings associated with a review of a conditional use permit application, a site plan review, a building permit, or other required permit;

b. a statement in a form that is legally enforceable by the City through injunctive relief that the encroaching structure will be built according to the drawings, and once constructed, with the exceptions of the removal of the entirety of the structure or a modification approved by the City Plan Commission to the exterior of the structure, the applicant will not allow modifications to the exterior of the encroaching structure;

c. a deed restriction in the form attached to and incorporated into the application, addressing those issues required in paragraph B.2; and

d. evidence of payment by the applicant to the City Clerk of a special exception application fee, the amount of which fee having been established by the Common Council from time to time by resolution, to cover the cost of processing the application and recording the deed restriction.

2. a deed restriction in recordable form that has been approved by the Office of the City Attorney, that has been executed by the applicant, and that contains provisions addressing the following:

a. the deed restriction is for the benefit of the City of Kenosha, is enforceable by the City, and may only be released by the City of Kenosha;

b. the applicant and subsequent property owners will not allow modification to the exterior of the encroaching structure, unless the modification is removal of the entirety of it or unless the modification is approved by the City Plan Commission;

c. the applicant and subsequent property owners will not allow an occupiable space to be created below the grade of the encroaching structure;

d. the applicant and subsequent property owners will not allow sanitary sewer and/or water service to be provided to any portion of the encroaching structure; and

e. as one of the purposes of prohibiting construction of an encroaching structures in the area between the right of way and the setback line to a major street is to minimize the cost to the public for ultimate expansion of the major street, the deed restriction will require that within thirty (30) days of notification by the City through any means of service of process recognized by then-prevailing Wisconsin law to the fee title owner of the property at the time of the notice that the major street will be widened, the fee title owner of the

ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

property will remove the encroaching structure without cost to the City; moreover, should the applicant or their successors-in-interest otherwise be entitled to compensation for other structures or lost business for enforcement of an eminent domain right, the applicant and their successors-in-interest waive compensation for any damages associated with the encroaching structure, such waiver shall specifically include costs for the use, lost business, or relocation of the encroaching structure.

3. Such other conditions that the Common Council deems necessary.

C. Grant of Special Exception. In its consideration of whether to grant the special exception, the Common Council must: (1) hold a public hearing whereby the Common Council may hear from the applicant and the public; (2) consider the reports of the Police Department, Fire Department, the Department of Public Works, and the Department of Community Development and Inspections as to the propriety of the construction of the proposed encroaching structure; (3) the recommendations made by the City Plan Commission within 45 days of referral to it regarding the propriety of the encroachment, the sufficiency of the deed restriction, and/or other factors the Commission deems should be considered by the Common Council; and (4) have determined to accept the language of the deed restriction, either as proposed by the applicant or as amended by the Common Council.

D. Conditions Subsequent to the Grant of the Special Exception. Prior to the issuance of the special exception and prior to the issuance of any required building permit for construction of the encroaching structure, the executed deed restriction with the language accepted by the Common Council must be recorded with the Register of Deeds.