

<p>Municipal Building 625 52nd Street – Room 202</p>	<p><i>Kenosha City Plan Commission</i> <i>Agenda</i></p>	<p>Thursday, May 8, 2014 5:00 p.m.</p>
<p><i>Mayor Keith Bosman - Chairman, Alderperson Scott Gordon - Vice-Chairman</i> <i>Alderperson Jan Michalski, Alderperson Kurt Wicklund</i> <i>Kathryn Comstock, Anita Faraone, Robert Hayden, Bradley Kleba, Anderson Lattimore and Jessica Olson</i></p>		

Call to Order and Roll Call

Oath of Office

Approval of Minutes from April 10 and April 24, 2014

1. Petition to vacate 66th Street, East of 3rd Avenue to Lake Michigan. (Kenosha County/Jenkins) (District #2) PUBLIC HEARING *(Also referred to Public Works Committee)*
2. City Plan Commission Resolution - To Amend the Land Use Plan Map for the City of Kenosha: 2035 rezoning property at 4419 Washington Road. (Fannie Mae/Landquest) (District #10) PUBLIC HEARING
3. By the City Plan Commission - To Create Subsection 18.02 cc. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Fannie Mae/Landquest) (District #10) PUBLIC HEARING
4. By the Mayor - Petition to rezone property at 4419 Washington Road from RS-1 Single-Family Residential District to IP Institutional Park District in conformance with Section 10.02 of the Zoning Ordinance. (Fannie Mae/Landquest) (District #10) PUBLIC HEARING
5. Conditional Use Permit for a contractor's storage yard to be located on property north of 49th Street and East of Green Bay Road. (Thomas Concrete) (District #16) PUBLIC HEARING
6. Resolution By the Mayor - To Approve a Three-Lot Certified Survey Map for property at 1901 63rd Street. (Uptown Brass Center) (District #3) PUBLIC HEARING *(Also referred to Public Works Committee)*
7. Review of a Conceptual Plan for a 147 acre industrial park to be located south of 60th Street and west of I-94. (MLG/Dermody Properties) (District #16) PUBLIC HEARING
8. By Alderman David F. Bogdala, Co-Sponsors: Aldermen Steve Bostrom and G John Ruffolo - To Create Section 19 of the Zoning Ordinance Regarding Presumptive Approval. PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

Adjournment

CITY PLAN COMMISSION
Minutes
April 10, 2014

MEMBERS PRESENT: Mayor Bosman, Alderperson Kennedy, Alderperson Michalski, Robert Hayden, Anderson Lattimore and Jessica Olson

MEMBERS EXCUSED: Alderperson Mathewson, Kathryn Comstock, Anita Faraone and Ron Stevens

STAFF PRESENT: Rich Schroeder and Brian Wilke

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

A motion was made by Alderperson Michalski and seconded by Mr. Lattimore to approve the minutes of the March 20, 2014 meeting. The motion passed. (Ayes 6; Noes 0)

- 1. By the Mayor - To Adopt a Project Plan Amendment for Tax Incremental District #16, City of Kenosha, Wisconsin, Under Section 66.1105 (4)(h)1., Wisconsin Statutes. (District #16) PUBLIC HEARING**

Public hearing opened.

Zohrab Khaligian, Community Development Specialist, was available for questions. Since the TID was created, four (4) more parcels were purchased to be added to the TID area.

Public hearing closed.

A motion was made by Alderperson Kennedy and seconded by Ms. Olson to approve the Amendment. The motion passed. (Ayes 6, Noes 0)

Mayor Bosman asked that Items 2, 3 and 4 be taken together. All items were read.

- 2. City Plan Commission Resolution - To Amend the Land Use Plan Map for the City of Kenosha: 2035 rezoning property at 6201 14th Avenue. (St. Vincent DePaul) (District #3) PUBLIC HEARING**
- 3. By the City Plan Commission - To Create Subsection 18.02 bb. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. PUBLIC HEARING**
- 4. By the Mayor - To Rezone property at 6201 14th Avenue from B-2 Community Business District to IP Institutional Park District in conformance with Section 10.02 of the Zoning Ordinance. (St. Vincent DePaul) (District #3) PUBLIC HEARING**

Ms. Faraone arrived.

Public hearing opened.

Mark Modory, 5238 38th Avenue, Shalom Center Board Member, asked that the items be deferred until April 24, 2014 to allow time to address questions from concerned neighborhood members.

John Hockstetter, 6112 14th Avenue, supports the deferral.

Brian Hervat, 6113 14th Avenue, thanked Alderperson Michalski for holding the neighborhood meeting. Mr. Hervat said there is a Columbus Neighborhood Plan that he would like reviewed. He has concerns and agrees with the deferral.

Public hearing closed.

A motion was made by Alderperson Kennedy and seconded by Mr. Lattimore to defer Items 2, 3, and 4 for two (2) weeks.

Alderperson Michalski requested that all City Plan Commission members get a copy of the Columbus Neighborhood Plan for their reference prior to the next City Plan Commission meeting.

Mr. Hayden said he attended the neighborhood meeting and many people had questions. Mr. Hayden supports the deferral.

Ms. Olson asked if there will be any more neighborhood meetings? Mayor Bosman said that's the plan. Mayor Bosman asked Mr. Modory if two weeks is long enough. Mr. Modory said they should be ready in two weeks. Mayor Bosman confirmed that if all questions are not answered, the item will be deferred again. Mr. Modory said we would like to keep it to the two weeks because we have a closing date coming up.

On the two-week deferral of Items 2, 3 and 4, the motion passed. (Ayes 7, Noes 0)

Mr. Schroeder, Deputy Director, noted these items will be on the April 24, 2014 meeting agenda.

Mayor Bosman asked that Items 5 and 6 be taken together. Both items were read.

- 5. Conditional Use Permit for a 93-room hotel to be located at 7300 125th Avenue. (Hampton Inn) (District #16) PUBLIC HEARING**
- 6. Resolution By the Mayor - To approve a Two-Lot Certified Survey Map for property at the northeast corner of 75th Street and 125th Avenue. (Hampton Inn) (District #16) PUBLIC HEARING**

Public hearing open.

Steve Mills, 4011 80th Street, applicant spoke on the project. Mr. Mills said they will be asking the Zoning Board of Appeals for a variance to the height limit of the parapet walls.

Public hearing closed.

Mr. Schroeder explained that revised elevations were submitted for Staff approval and they were distributed to the Commission. With the changes made to the elevations, the Commission can delete Condition 2.h. which required additional stone. The issue on the height restriction is detailed in the Zoning Ordinance. The applicant must go before the Zoning Board of Appeals (ZBA) for relief. Staff has advised the applicant the variance will likely be rejected since it is a self-imposed hardship.

Mayor Bosman asked if there was any other recourse on our part. Mr. Schroeder said the City Plan Commission could initiate a change to the Ordinance regarding height, but it would take time.

Aldersperson Kennedy said if the application does not meet our Zoning requirements it should go to the ZBA.

Aldersperson Michalski said the variance should go before the ZBA, we should not be changing the Ordinance to accommodate one person.

Ms. Olson asked when the ZBA would meet. Mr. Schroeder the applicant must submit an application and it is typically a 30 day process. In this case because they are requesting a variance to the Ordinance and it is a self-imposed hardship, it is more difficult to obtain.

Mr. Schroeder suggested that if there is an Amendment to the Zoning Ordinance, they could make it specific to parapet walls. No other applicant has come forward asking for relief to this restriction.

A motion was made by Ms. Olson and seconded by Aldersperson Kennedy to approve Item 5 and 6, with the deletion of Condition 2.h. The motion passed. (Ayes 7, Noes 0)

Public Comments

No public comments.

Commissioner Comments

Ms. Faraone spoke of her dismay to the Common Council's approval of the Lowe's Conditional Use Permit Amendment.

Aldersperson Michalski agreed with Ms. Faraone's dismay.

Aldersperson Kennedy said he tried to work out an agreement at the last City Plan meeting because he thought Council would approve the Amendment request.

Ms. Olson said the approval process is frustrating, but how can we change the authority that was taken from us.

Mayor Bosman said he has asked Staff for a list of the changes, we can move forward when we receive that list.

Staff Comments

A motion to adjourn was made by Ms. Faraone and seconded by Ms. Olson. The motion passed. (Ayes 7; Noes 0) The meeting adjourned at 5:50 p.m.

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

CITY PLAN COMMISSION
Minutes
April 24, 2014

MEMBERS PRESENT: Mayor Bosman, Alderperson Michalski, Alderperson Wicklund, Anita Faraone, Robert Hayden & Ron Stevens

MEMBERS EXCUSED: Kathryn Comstock, Anderson Lattimore and Jessica Olson

STAFF PRESENT: Rich Schroeder

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

Rich Schroeder, Deputy Director, gave the Oath of Office to Alderperson Wicklund.

Mayor Bosman asked that Items 1, 2 and 3 be taken together for public hearing purposes. All items were read.

1. **City Plan Commission Resolution - To Amend the Land Use Plan Map for the City of Kenosha: 2035 rezoning property at 6201 14th Avenue. (St. Vincent DePaul) (District #3) PUBLIC HEARING**
2. **By the City Plan Commission - To Create Subsection 18.02 bb. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. PUBLIC HEARING**
3. **By the Mayor - To Rezone property at 6201 14th Avenue from B-2 Community Business District to IP Institutional Park District in conformance with Section 10.02 of the Zoning Ordinance. (St. Vincent DePaul) (District #3) PUBLIC HEARING**

Rich Schroeder, Deputy Director, explained the Amendment to the Land Use Map and the request for the rezoning. Mr. Schroeder noted that Item #1 must pass by a majority of the full City Plan Commission, which is 6 votes. At the meeting this evening, there are only 6 members present, so it must be a unanimous approval. If the City Plan Commission Resolution does not pass, the Zoning Ordinance would need to be withdrawn and subsequently the rezoning would be denied. The total number of individuals allowed at the shelter would be determined at a future date under the Conditional Use Permit.

Public hearing opened.

A number of people spoke on the items:

Fran Hansen, 1257 40th Avenue, Executive Director of the Shalom Center, supports the project. The new facility will combine all current INNS Program locations into one shelter.

Eric Migrin, Partners In Design, 6019 47th Avenue, showed the current building and

explained the proposed changes.

Florence Hammelev, 3018 86th Street #203, member of CUSH, supports the project.

Tim Verlu, 201A 55th Street, First United Methodist Church, supports the project.

Brian Hervat, 6113 14th Avenue, does not support the project. Mr. Hervat said he asked for the deferral 2 weeks ago, but his questions are still not answered. Mr. Hervat believes that the Columbus Neighborhood Plan should be followed.

Dennis Nelson, 8712 Second Avenue, Pleasant Prairie, does not support the project. Mr. Nelson said this is not a fit for the neighborhood.

Jeff Gaffee, 1510 15th Avenue with Bridges Community Center, supports the project. Mr. Gaffee said he deals with the homeless on a daily basis and there is a need for this facility.

Judy Juliana, 8743 Lakeshore Drive, Pleasant Prairie, supports the project. Ms. Juliana said that 84 people would be the maximum amount of beds in the facility.

Tom Eide, 6018 14th Avenue, supports the project.

Barb Tebor, 2008 63rd Street, supports the project.

Leslie Schlax, 6105 10th Avenue, does not support the project. Ms. Schlax said she was not contacted to attend the neighborhood meeting and her concerns were not addressed.

Justine Hammelev-Jones, 8456 East Ridge Drive, Pleasant Prairie, supports the project. Ms. Hammelev-Jones is a teacher at Wilson Elementary School and urges that we need a stable place for the children involved.

Sue Schmidt-Decker, 1775 19th Avenue, supports the project.

Dawn Lingo, 6631 37th Avenue, Bradford Community Church Board President supports the project. Ms. Lingo acknowledged a number of other representatives from the church to show support.

Veronica King, 5518 34th Avenue, Vice President of CUSH, supports the program.

Bob Wolf, 11321 42nd Avenue, Pleasant Prairie, owns property at 6225 14th Avenue, expressed his concern over density issues. Mr. Wolf said there are parking problems and a small parking lot.

Roger Clark, 3030 39th Avenue, supports the Shalom Center and supports the project.

Glenn Simmons, 4013 39th Avenue, supports the project. Mr. Simmons was a past guest of the Shalom Center now he is a supervisor.

Sandy Milligan, 6603 Pershing Boulevard, supports the project.

Frank Marrelli, 4521 23rd Avenue, supports the project.

Lisa Sanders, 1875 20th Avenue, supports the project.

Kyle Calvin, currently homeless, supports the project. Mr. Calvin was in the INNS Program as a child and believes it is beneficial.

M. Geaves, 1628 60th Street, supports the project.

Jonathan Lawrence, 5714 7th Avenue #201, on the Bridges Board, supports the project.

Robin Rhodes, 1817 104th Street, supports the project.

Public hearing closed.

Aldersperson Michalski said that while he understands the need for the facility, this would be spot zoning and this does not correspond with the Long Range Plan. The people in the area don't support this and thus he, as the Aldersperson of the district does not support the project.

Mayor Bosman said that maybe this item should be deferred for 30 days to allow for the unanswered questions to be answered. Aldersperson Wicklund is new to the Commission, Mr. Stevens is leaving the Commission and there will be two (2) new Commissioners at the next meeting.

A motion was made by Mayor Bosman and seconded by Aldersperson Wicklund to defer Items 1, 2 and 3 for 30 days.

Ms. Faraone said she does not support the deferral because the applicant already had 2 weeks to get the questions answered. Also, there was information that was presented to the Commission at the meeting and was not presented in advance. This is spot zoning and not in the long range plan.

Mr. Hayden said he does not support the deferral, it just doesn't fit in the neighborhood.

Mr. Stevens said we should allow the people time to get their answers and he supports the deferral.

Aldersperson Wicklund said he has just learned of all the questions today and supports the deferral to allow time to get the questions answered.

On roll call for the motion to defer, tie vote (Ayes 3, Noes 3) *Aldersperson Michalski, Faraone and Hayden voted no.*

A motion was made by Ms. Faraone and seconded by Mr. Hayden to deny Item 1. The motion passed. (Ayes 4, Noes 2) *Mayor Bosman and Mr. Stevens voted no.*

A motion was made by Mr. Hayden and seconded by Aldersperson Michalski to withdraw Item 2. The motion passed. (Ayes 6, Noes 0)

A motion was made by Ms. Faraone and seconded by Mr. Hayden to deny Item 3. The motion passed. (Ayes 6, Noes 0)

Note: Staff will confer with the City Attorney's office whether this item needs to be forwarded to the Common Council.

4. Request to initiate the Rezoning to remove and/or add FW Floodway to properties at 1925, 1933 and 2901 Sheridan Road and 2001 Alford Park Drive. (District #1) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

A motion was made by Ms. Faraone and seconded by Alderperson Michalski to initiate the rezoning. The motion passed. (Ayes 6, Noes 0)

Public Comments

Virginia Hoekstra, 6209 75th Street, said that with items 1, 2 and 3 the Commission went against the majority that spoke tonight.

Brian Hervat, 6113 14th Avenue, said he was appalled by the comments from the people that made remarks as they were leaving the meeting tonight.

Commissioner Comments

Mayor Bosman thanked Mr. Stevens for his years of service to the City Plan Commission. Mayor Bosman also welcomed newly appointed Alderperson Wicklund to the Commission.

Alderperson Michalski said tonight he also listened to all those people that called him, but did not attend the meeting, that is why he voted against Items 1, 2 and 3.

Staff Comments

No Staff comments.

A motion to adjourn was made by Alderperson Michalski and seconded by Alderperson Wicklund. The motion passed. (Ayes 6; Noes 0) The meeting adjourned at 6:50 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	May 8, 2014	Item 1
Petition to vacate 66th Street, East of 3rd Avenue to Lake Michigan. (Kenosha County/Jenkins) (District #2) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 66th Street, East of 3rd Avenue to Lake Michigan
 Neighborhood: Allendale

NOTIFICATIONS/PROCEDURES:

The Vacation has been initiated by Petition and a Lis Pendens has been filed with the Register of Deeds. Abutting property owners have been notified by Certified Mail. A Class III notice will be published by Community Development & Inspections for the Common Council meeting. The alderperson of the district, Alderperson Jenkins, has been notified. This item will also be reviewed by the Public Works Committee before final approval by the Common Council.

ANALYSIS:

- A Petition has been filed by the abutting property owners, Kenosha County, to vacate this street. The existing street right-of-way is improved.
- The existing street right-of-way is fifty (50') feet wide. Kenosha County owns the property on both sides of the right-of-way and will therefore receive the full right-of-way.
- The County plans to maintain a paved surface in the vacated right-of-way. It may be narrower with some parking stalls, but access will be maintained to the existing buildings.
- City Departments and utilities have reviewed the vacation. The proposed vacation is in compliance with City Ordinances.

RECOMMENDATION:

A recommendation is made to approve the vacation, subject to the recording of all required Easements.


 Brian R. Wilke, Development Coordinator


 Jeffrey B. Labahn, Director

City of Kenosha

Kenosha County / Jenkins petition

District Map
Vacation

Supplement No. V1-14

Ordinance No. _____

3RD AVE

05-123-05-251-003

66TH ST

Lake
Michigan

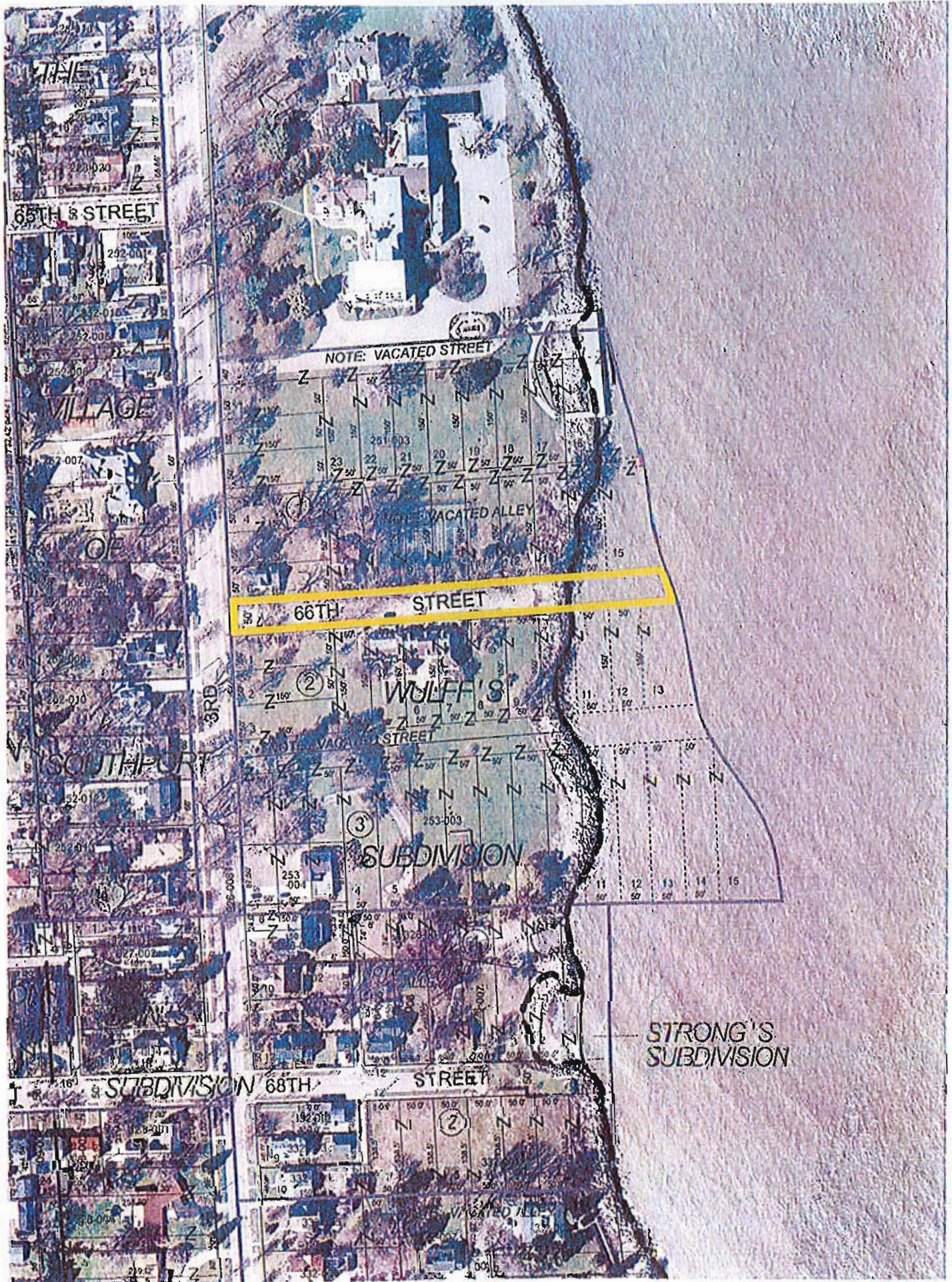
05-123-05-253-001



Street requested to be vacated



0 25 50 75 100 Feet



65TH STREET

NOTE: VACATED STREET

VILLAGE

66TH STREET

SOUTHPORT

WULFF'S

SUBDIVISION

STRONG'S
SUBDIVISION

68TH STREET

VACATED ALLEY



COUNTY OF KENOSHA

Chris Masin, PE, Director
Department of Public Works & Development Services
Chris.Masin@kenoshacounty.org

Gary Sipsma, Director
Division of Highways, and
Highway Commissioner
19600 75th Street, Suite 122-1
Bristol, Wisconsin 53104
(262) 857-1870
Fax: (262) 857-1885

March 3, 2014

Mr. Jeff Labahn, Director
City of Kenosha
Department of Community Development & Inspections
625 52nd Street
Kenosha, WI 53140

Dear Mr. Labahn:

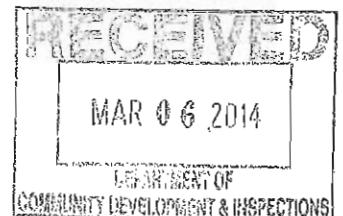
The purpose of this letter is to formally request the City of Kenosha vacate 66th street from its limits at the east side of 3rd Avenue, easterly to its end point. Kenosha County owns all adjacent land within the limits of the proposed vacation. Attached is a fully executed Consent to Vacate an Alley or Street and maps of the proposed 66th Street vacation. Kenosha County intends to convert the existing street to a road and parking lot to serve the Anderson Arts Center and Kemper Center grounds.

As you can see on the attached map, Wulff's Subdivision including 66th Street extends into Lake Michigan. I understand the extension of the 66th Street map into the lake may require additional approvals. Please let me know of what action I can take on behalf of Kenosha County to successfully accomplish the 66th Street vacation.

Sincerely,

Gary Sipsma, Director
Division of Highways and
Highway Commissioner

CC: J. Kreuser
B. Vash
C. Masin



Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 8, 2014	Item 2
City Plan Commission Resolution - To Amend the Land Use Plan Map for the City of Kenosha: 2035 rezoning property at 4419 Washington Road. (Fannie Mae/Landquest) (District #10) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 4419 Washington Road
 Zoned: RS-1 Single-Family Residential District

NOTIFICATIONS/PROCEDURES:

The alderman of the district, Alderman Kennedy, has been notified. This City Plan Commission Resolution recommends the Common Council approve the Amendment through a Zoning Ordinance Amendment.

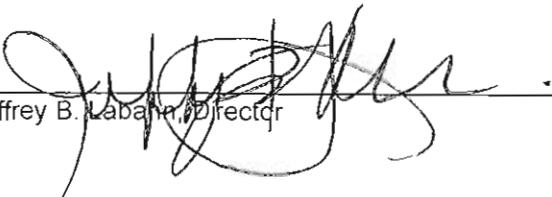
ANALYSIS:

- Wisconsin Statutes require the City Plan Commission to adopt a City Plan Commission Resolution to recommend that the Common Council adopt amendments to the Comprehensive Plan. By State Statutes, the Resolution can only be approved with a minimum of six (6) affirmative votes of the City Plan Commission.
- The attached Resolution satisfies this requirement and will be attached to the Zoning Ordinance to create Subsection 18.02 cc. to Amend the *Land Use Plan for the City of Kenosha: 2035* for a portion of the referenced properties from *Medium-Density Residential* to *Government and Institutional*.
- The adopted Comprehensive Plan designated this site on the norther two-thirds as *Government and Institutional*, and on the southern third as *Medium-Density Residential*. This area has developed as a residence.
- The owner of the property has requested the land use change to a portion of the property to allow use of the existing residences as office space.

RECOMMENDATION:

A recommendation is made to approve the City Plan Commission Resolution amending the Comprehensive Plan.


 Brian R. Wilke, Development Coordinator


 Jeffrey B. Labahn, Director

CITY PLAN COMMISSION RESOLUTION # __-14

By: City Plan Commission

**To Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035
Property at 4419 Washington Road (Fannie Mae/Landquest)**

WHEREAS, the City of Kenosha, pursuant to Section 62.23 of the Wisconsin Statutes, has established the City Plan Commission; and

WHEREAS, the Common Council adopted "A Comprehensive Plan for the City of Kenosha: 2035" on April 19, 2010, following extensive public participation; and

WHEREAS, a property owner has submitted a request to amend the Land Use designation for the referenced properties from *Medium-Density Residential* to *Government and Institutional*, as mapped on the attached Map C2-14 and on the Land Use Plan map adopted by the Common Council as part of the Comprehensive Plan; and

WHEREAS, the City Plan Commission finds that the Comprehensive Plan, with the proposed amendment, contains all of the required elements specified in Section 66.1001(2) of the Wisconsin Statutes and the Comprehensive Plan, with the proposed amendment, is internally consistent; and

WHEREAS, the City has duly noticed and will hold a public hearing on the proposed amendment, following the procedures in Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW, THEREFORE BE IT RESOLVED that pursuant to Section 66.1001(4)(b), the City Plan Commission for the City of Kenosha, Wisconsin, hereby approves the amendment to "A Comprehensive Plan for the City of Kenosha: 2035" as shown on the attached Map C2-14.

BE IT FURTHER RESOLVED, that the City Plan Commission, for the City of Kenosha, Wisconsin, does hereby recommend that the Common Council enact a Zoning Ordinance adopting the Comprehensive Plan Amendment.

Adopted this ____ day of _____, 2014

ATTEST:

Jeffrey B. Labahn, Secretary of City Plan Commission

APPROVE:

Mayor Keith Bosman, Chairman of City Plan Commission

City of Kenosha

Comprehensive Plan Amendment

Fannie Mae / Landquest Petition

Supplement No. C2-14

Ordinance No. _____



Right-of-Way WASHINGTON RD



Property requested to be changed from
Medium Density Residential to Government and Institutional



Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 8, 2014	Item 3
By the City Plan Commission - To Create Subsection 18.02 cc. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Fannie Mae/Landquest) (District #10) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 4419 Washington Road

NOTIFICATIONS/PROCEDURES:

The alderperson of the district, Alderperson Kennedy, has been notified. The Common Council is the final review authority.

ANALYSIS:

- The Common Council adopted *A Comprehensive Plan for the City of Kenosha: 2035* on April 19, 2010.
- Wisconsin Statutes require the Common Council to adopt an Ordinance for Amendments to the Comprehensive Plan.
- The attached Zoning Ordinance references Map C2-14, which identifies the Amendment to the Land Use Plan located in the Comprehensive Plan. The Amendment will change the land use designation for a portion of the referenced properties from *Medium-Density Residential* to *Government and Institutional*. The balance of the property is already shown as *Government and Institutional* on the Land Use Plan Map.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.



 Brian R. Wilke, Development Coordinator



 Jeffrey B. Labatini, Director

ORDINANCE NO. _____

SPONSOR: CITY PLAN COMMISSION

TO CREATE SUBSECTION 18.02 cc. OF THE ZONING
ORDINANCE TO AMEND THE LAND USE PLAN MAP
FOR THE CITY OF KENOSHA: 2035

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

Section One: Subsection 18.02 cc. of the Zoning Ordinance for the City
of Kenosha, Wisconsin, is hereby created as follows:

cc. By map C2-14 on file with the Department of Community Development and
Inspections.

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

ATTEST: _____ City Clerk

APPROVED: _____ Mayor

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney

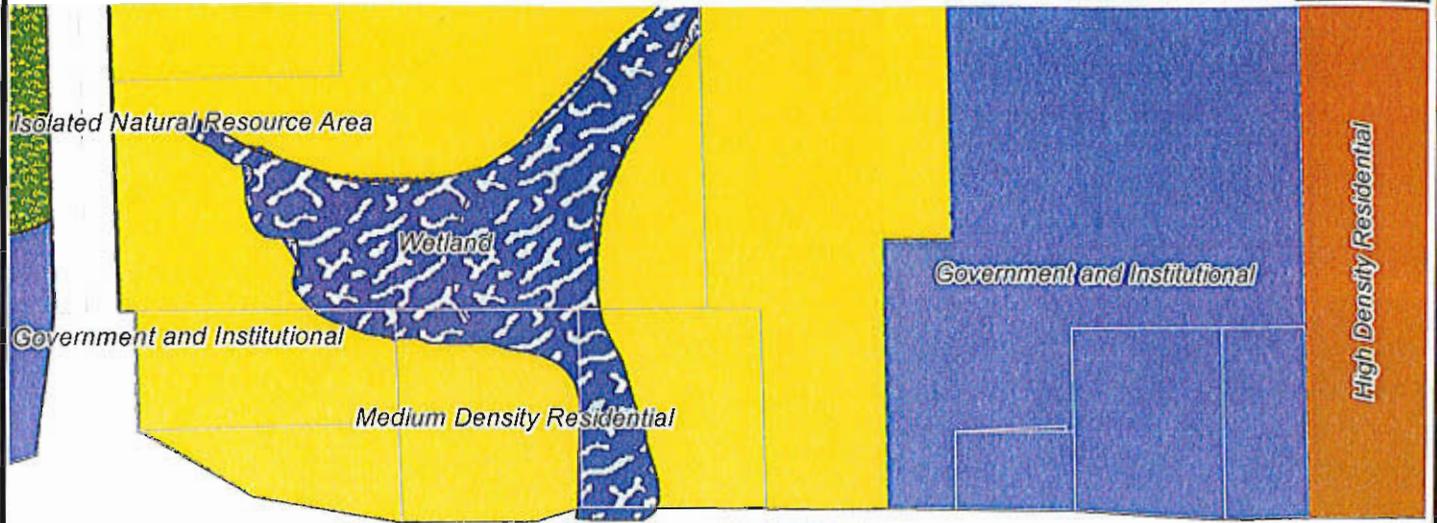
City of Kenosha

Comprehensive Plan Amendment

Supplement No. C2-14

Fannie Mae / Landquest Petition

Ordinance No. _____



Right-of-Way **WASHINGTON RD**



Property requested to be changed from
Medium Density Residential to Government and Institutional



Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 8, 2014	Item 4
By the Mayor - Petition to rezone property at 4419 Washington Road from RS-1 Single-Family Residential District to IP Institutional Park District in conformance with Section 10.02 of the Zoning Ordinance. (Fannie Mae/Landquest) (District #10) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: 4419 Washington Road

Neighborhood: West Corridor

Vicinity Zoning/Land Use

North: RS-1, IP/Single-Family Residential, Nursery

East: RS-1, IP/Single-Family Residential

South: RS-1/Single-Family Residential

West: RM-2, B-1/Commercial, Office, Multiple-Family Residential

NOTIFICATIONS/PROCEDURES:

The alderperson of the district, Alderperson Kennedy, has been notified. Property owners within 100 feet of the proposed rezoning were notified. The Common Council is the final review authority.

ANALYSIS:

- The owner of the property is requesting to rezone the property from RS-1 Single-Family Residential District to IP Institutional Park District. The purpose of the rezoning is to use the existing buildings on the site for office use.
- Rezoning of the property to IP Institutional Park District is partially consistent with the adopted *Comprehensive Plan for the City of Kenosha: 2035* which lists this site as *Government and Institutional* for the norther two-thirds of the property. An Amendment to the *Comprehensive Plan for the City of Kenosha: 2035* is required for the southern one-third of the property, which is listed as *Medium-Density Residential*. That amendment has been included on this agenda
- The development of the property will have to be consistent with all City, State and Federal Ordinances and regulations. The owner intends to use the existing residential structures as office space. He will be required to provide paved off-street parking spaces and bring the buildings from a residential code up to a commercial code.

RECOMMENDATION:

A recommendation is made to approve the rezoning in accordance with Section 10.05 of the Zoning Ordinance

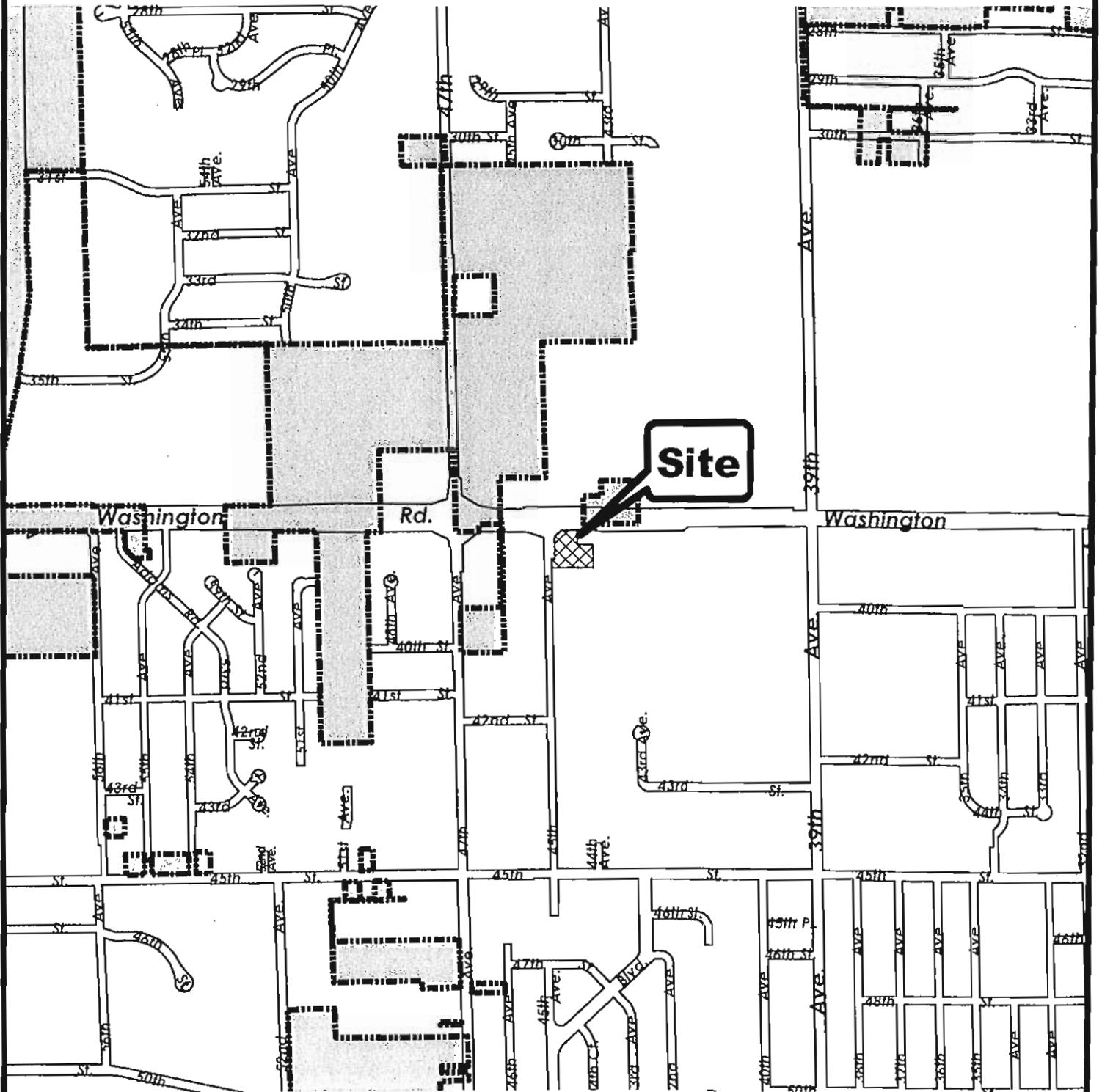

 Brian R. Wilke, Development Coordinator


 Jeffrey B. Labanni, Director

City of Kenosha

Vicinity Map

Fannie Mae / Landquest rezoning



Property requested to be rezoned



0 250 500 750 1,000
Feet

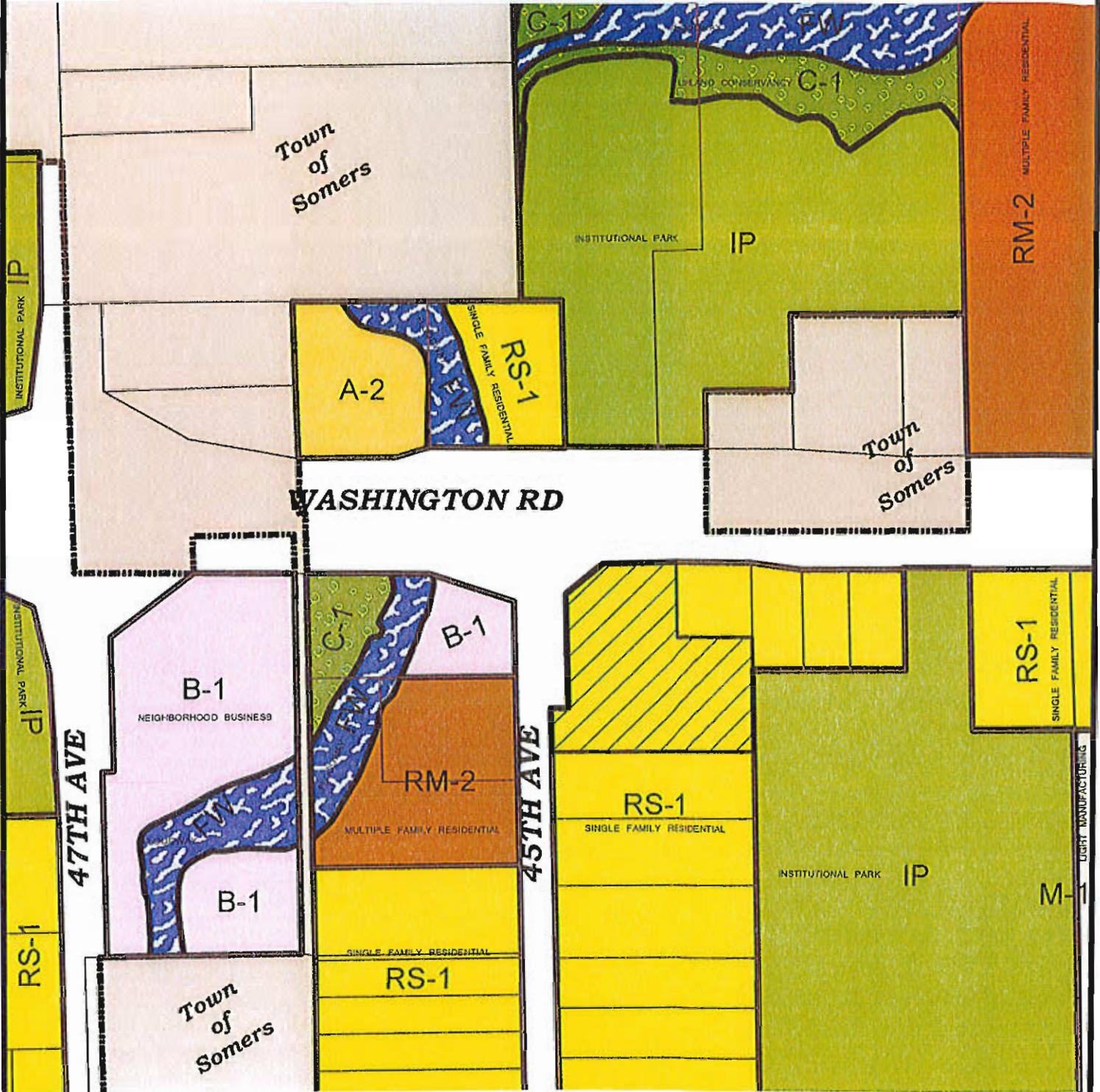
City of Kenosha

District Map
Rezoning

Supplement No. Z3-14

Fannie Mae / Landquest petition

Ordinance No.



Property requested to be rezoned from:



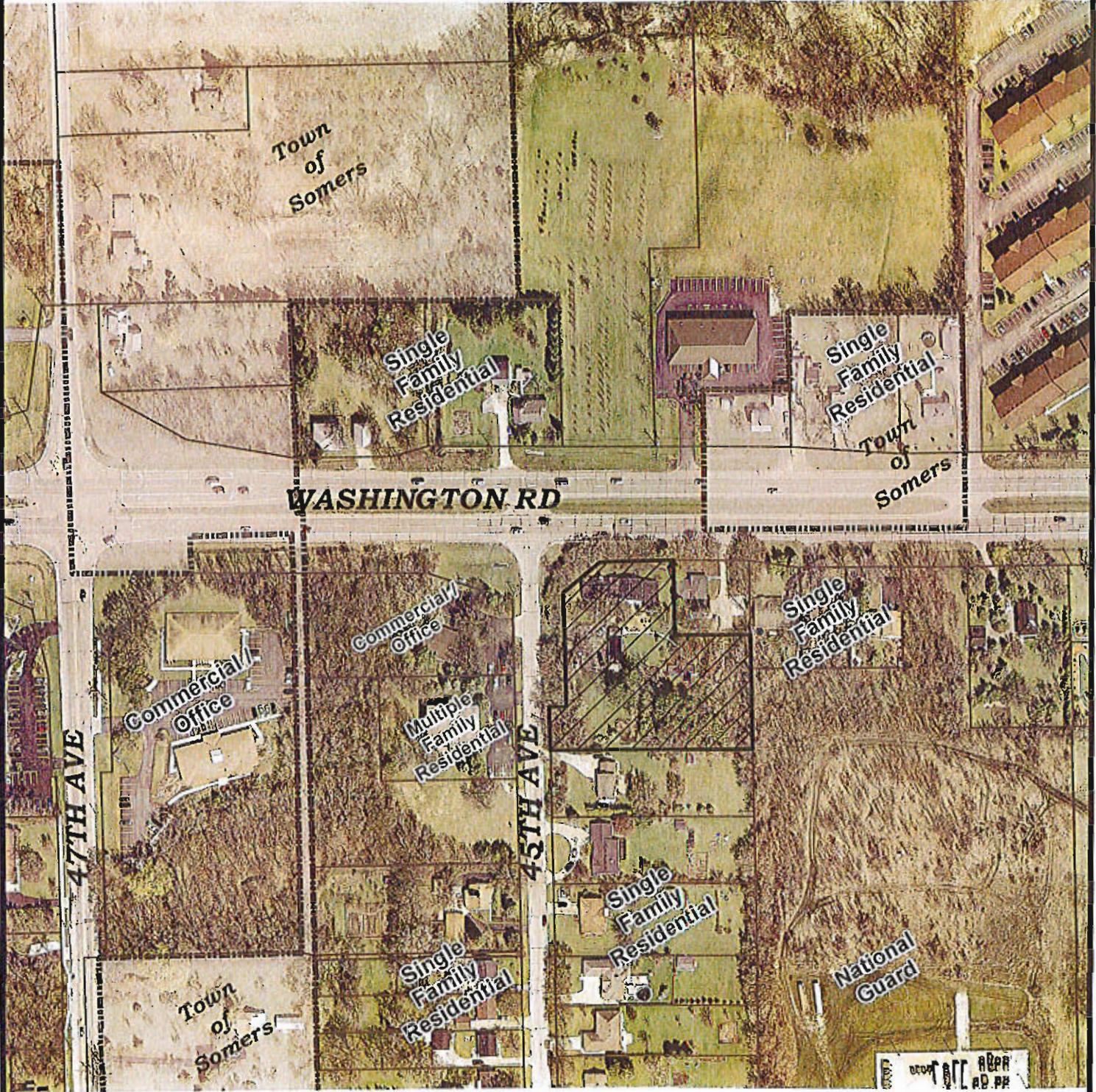
RS-1 Single Family Residential to
IP Institutional Park



City of Kenosha

Land Use Map

Fannie Mae / Landquest Rezoning



Property requested to be rezoned



April 4, 2014

The Honorable Mayor
And Members of the Common Council
Kenosha, WI

Dear Members of the Common Council:

It is requested that my property located at 4419 Washington Road, Kenosha, WI 53144-1501, parcel number 08-222-26-426-015 be rezoned from RS1 to IP Institutional zoning. The purpose of the rezoning is to permit professional offices to be used at this location.

Attached is a parcel map of the location, photos of structures, a current MLS sheet showing that the property is being sold by Fannie Mae, and a receipt of the rezoning fee. No new development will be done at this location. It is the plan to use the existing two structures for offices and the garage structure for parking.

Please inform me of the date this item will be reviewed by the City Plan Commission. The meeting notice should be sent to Ryan Douglas at 8360 49th Avenue, Kenosha, WI 53142. I can be reached at 262-237-8048 if there are any questions regarding my request for the rezoning.

Sincerely,

A handwritten signature in black ink, appearing to read "Fannie Mae". The signature is written in a cursive, flowing style.

Fannie Mae

**SECTION 9
REZONING**

Additional Information Required:	Current Zoning District: <u>RS-2</u> Proposed Zoning District: <u>IP Institutional</u> Proposed Type of Rezoning: (Check all applicable) <input type="checkbox"/> Single-family Residential <input type="checkbox"/> Two-family Residential <input type="checkbox"/> Multi-family Residential (3 or more units) <input checked="" type="checkbox"/> Institutional, Commercial or Industrial
Submittal Requirements:	<ul style="list-style-type: none"> > Rezoning Petition (sample below) filled out according to the particular situation. The current owner(s) of the property must sign the petition. > Building and Site Development Plans as indicated below.
Fees:	<ul style="list-style-type: none"> > Rezoning Fee = \$550 (For projects that <i>do not</i> require building and site development plans) <u>OR</u> > Rezoning with Concept Plan = \$1,150 (For projects that require building and site development plans) <p><i>The City retains the fee whether the rezoning is approved or denied. The applicant should contact Community Development and Inspections – Planning Division to verify the total fee before submitting the rezoning application.</i></p>
Appendices to Review:	<ul style="list-style-type: none"> > N/A
Approximate Review Time:	<ul style="list-style-type: none"> > 60-75 days (Reviewed by City Plan Commission and Common Council)

A rezoning request can be initiated by:

- > The City Plan Commission
- > The Common Council
- > A petition of 50 percent or more of the owners of property within the area proposed to be rezoned

SAMPLE REZONING PETITION

The Honorable Mayor
and Members of the Common Council
Kenosha, WI

Dear Members of the Common Council:

It is requested that my property located at *(address or parcel number)* be rezoned from *(present zoning)* to *(proposed rezoning)*. The purpose of the rezoning is to permit *(proposed use of the property)*.

Attached is a conceptual development plan including building, site development, land use and operational plans as required by Section 10 of the City of Kenosha Zoning Ordinance, and a receipt of the rezoning fee. I understand that development of the referenced property proposed for rezoning is required to be consistent with the conceptual development plans submitted with my rezoning petition.

Please inform me of the date this item will be reviewed by the City Plan Commission. The meeting notice should be sent to *(list one name only)* at *(address)*. I can be reached at *(phone number)* if there are any questions regarding my request for the rezoning.

Sincerely,

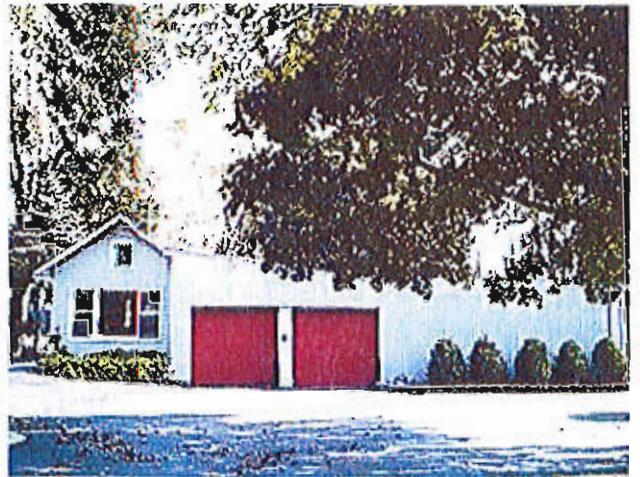
Current Property Owner



Use front building for Offices



Use rear building for Offices



Use garage building for parking

·Planning & Zoning
·Community Development

262.653.4030
262.653.4045 FAX
Room 308



·Building Inspections
·Property Maintenance

262.653.4263
262.653.4254 FAX
Room 100

DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

Municipal Building · 625 52nd Street · Kenosha, WI 53140
www.kenosha.org

Jeffrey B. Labahn, Director

Richard Schroeder, Deputy Director

April 30, 2014

Notice of Public Hearing

Rezoning of property at 4419 Washington Road (Landquest/Fannie Mae)

The City Plan Commission will hold a public hearing on a petition submitted by Landquest, Ryan Douglas, agent, to rezone the property at 4419 Washington Road. The proposed rezoning would amend the zoning on the property from RS-1 Single-Family District to IP Institutional Park District. The rezoning request is to allow the existing homes on the property to be used for office space.

An Amendment to the City's Adopted *Comprehensive Land Use Plan for the City of Kenosha: 2035* is also required. The Amendment would change the land use on a portion of the property from *Medium-Density Residential* to *Government and Institutional*.

The public hearing will be held at the City Plan Commission meeting as follows:

Thursday, May 8, 2014 at 5:00 p.m.
Municipal Building
625 52nd Street - Room 202
Kenosha, WI 53140

You are being notified of these public hearings because, as the owner of property located within 100-feet of the proposed zoning change, you are eligible to file a protest petition pursuant to Wisconsin State Statutes. The proposed rezoning **will not** change the zoning of your property. The enclosed map identifies the boundaries of the proposed rezoning and the location of your property has been highlighted.

The City Plan Commission will make a recommendation to the Common Council on the zoning petition. The Common Council is tentatively scheduled to hold a public hearing and take final action on this item at their meeting on Monday, June 16, 2014 at 7:00 p.m. in Room 200 of the Municipal Building.

Additional information regarding this petition is on file with the Department of Community Development & Inspections in Room 308 of the Municipal Building. For additional information or related questions, please contact Brian Wilke via email at bwilke@kenosha.org or at 262.653.4049.

BW:kas
Enclosure

Planning & Zoning Division 625 52nd Street - Room 308 Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 8, 2014	Item 5
Conditional Use Permit for a contractor's storage yard to be located on property north of 49th Street and East of Green Bay Road. (Thomas Concrete) (District #16) PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: North of 49th Street and East of Green Bay Road
 Zoned: M-2 Heavy Manufacturing/Air-4 Airport Overlay District

NOTIFICATIONS/PROCEDURES:

The alderperson of the district, Alderperson Johnson, has been notified. The Common Council is the final review authority.

ANALYSIS:

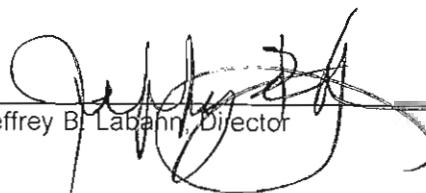
- The applicant has submitted plans to construct a new office/warehouse building and operate a contractor's storage yard on a property in Westview Industrial Park. The business is a concrete and landscape contractor. The plans for the building are a Staff level Site Plan review, the Contractor's Storage Yard requires a Conditional Use from the Common Council.
- The applicant is proposing a building with a brick wainscot base and metal panels. Staff informed the applicant that all building exteriors must be completely masonry. The applicant submitted a letter committing to applying a stucco finish to the metal panels. This stucco finish will allow the building to comply with the design standards of the Zoning Ordinance.
- Staff will require the entire storage area to be paved with asphalt or concrete, consistent with past approvals of contractor storage yards.
- The applicant is proposing a chain link fence surrounding the storage yard. Staff recommends, at a minimum, that the fence facing 49th Street be a stockade fence.
- Plans were sent to other 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



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>	Thomas Concrete North of 49th Street and East of Green Bay Road	May 8, 2014
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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, Street Opening and Parking Lot permits from the Department of Public Works.
 - 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.
 - 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 trash containers shall be stored within the enclosure, building or fenced area. 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.
 - h. 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.
 - i. 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>	Thomas Concrete North of 49th Street and East of Green Bay Road	May 8, 2014
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- j. 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.
 - k. Compliance with the Operational Plan dated May 1, 2014.
 - l. Material piles shall not exceed the height of the fence.
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.
 - b. The Utility Plan shall be revised and resubmitted for review and approval addressing the comments listed in the Kenosha Water Utility Memo dated April 22, 2014.
 - c. Detail on a gated wood or masonry trash enclosure shall be submitted for review and approval. If the dumpsters are to be stored in the building or in the fenced area, no enclosure is required.
 - d. The Site Plan shall be revised to show that the entire fenced area proposed for vehicles or materials shall be paved with asphalt or concrete.
 - e. What is the purpose of the berm in the fenced area? The Zoning Ordinance does not allow the fence height to be artificially raised by installing a berm, so the berm shall either be removed or the fence height shall be lowered in the area of the berm to maintain a consistent six (6') foot height.
 - f. The interior parkway (area between the parking lot and right-of-way line) shall be landscaped per Section 14, Table 5, Option 2, of the Zoning Ordinance for Industrial Development.
 - g. The fence surrounding the storage area shall be a wood stockade fence facing 49th Street with chain link for the balance of the site.
 - h. All exterior doors shall be shown swinging in the direction of egress.

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: April 22, 2014

Subject: Thomas Concrete New Building and Contractor's Storage Yard

Location: North Side of 49th Street, East of Green Bay Road

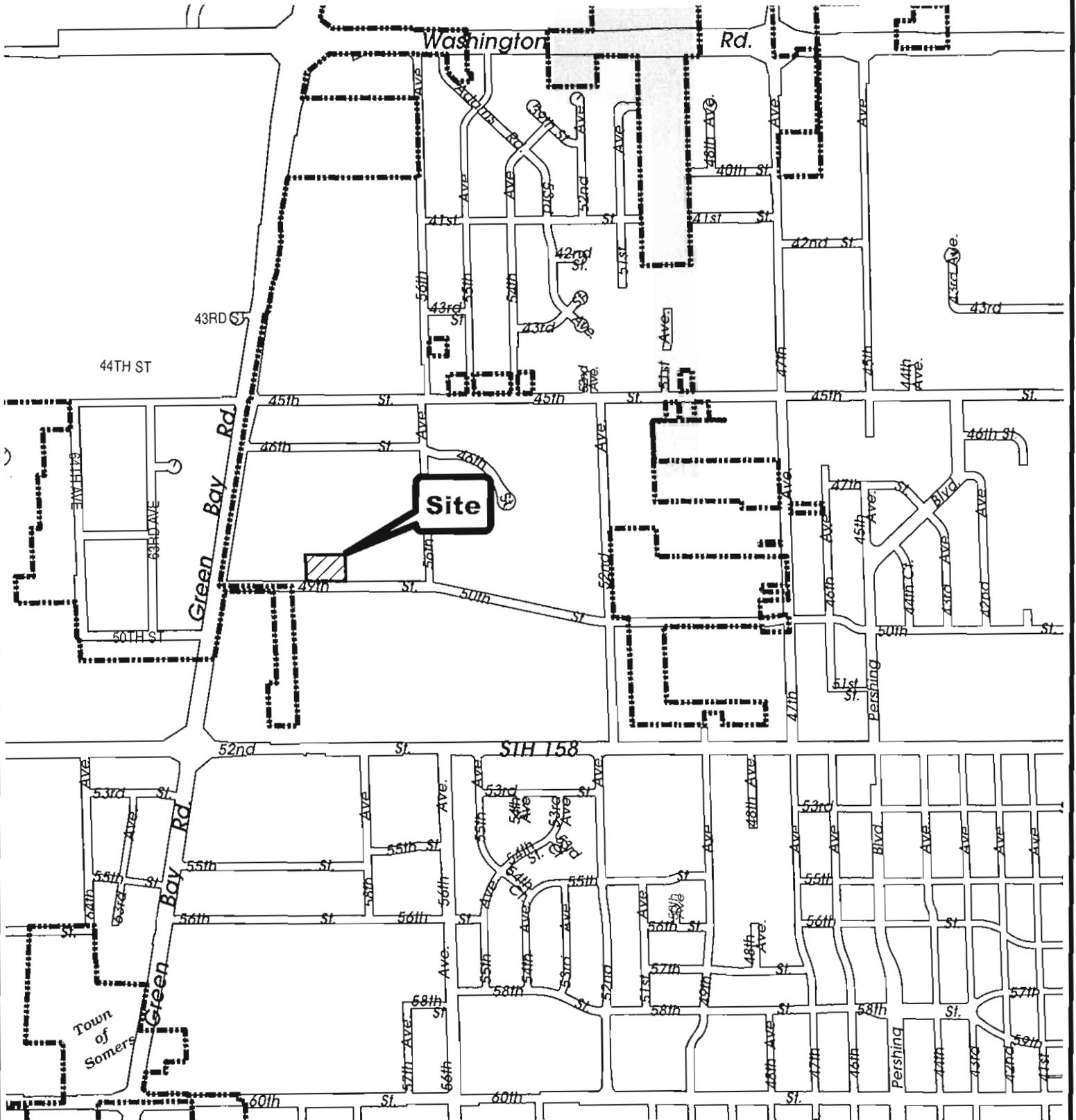
The Kenosha Water Utility (KWU) has reviewed the submittal for the above referenced project. Further information from the Developer is required before the Utility can complete this review. Please withhold all permits until the following information is submitted.

1. Show the water meter detail or diagram, on the construction plans, not with the MEP submittal. 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 or ball valve on the inlet and outlet pipe.
2. 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, at each hydrant and at the edge of the building and enclosed in a curb box with "water" on the cover.
3. Note 5 under "WATER UTILITY NOTES" on sheet C-8 mentions an "external Chimney Seal by Adaptor Inc.". This should actually be an "Internal / External" manhole seal as manufactured by Adaptor, Inc.
4. 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.
5. Written authorization for KWU access to the sampling manhole must be provided.
6. Industrial facilities must complete an industrial discharge form in accordance with Rule 08-03(02) of the Kenosha Water Utility Rules and Regulations.

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

City of Kenosha

Thomas Concrete Contractor's Storage Yard Conditional Use Permit



----- Municipal Boundary



May 1, 2014

Thomas Concrete & Landscape

New Proposed site 49th St.

Pickups, dump truck, skid loader, trailers will be stores inside storage building or on outside concrete parking area. Materials will be stores in concrete bins and covered if necessary.

Trash pickup will be every two weeks with 2 yard roll away dumpster to lowest bid from trash company

Materials will be covered if necessary to prevent any blowing, dust and debris. Fire extinguishers will be on site at every door opening.

Hours of operation will be 6am to 7pm during summer hours and winter will be the same plus any snow plowing time. Snow plowing time varies between snow times

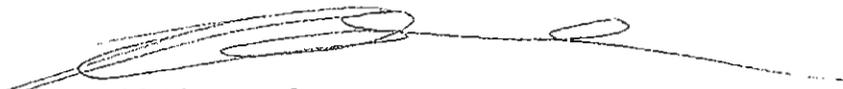
Fencing will be chain link around property.

04/28/2014

To whom it may concern:

The proposed building with steel-ribbed siding has been changed to siding with a stucco-finished exterior.

Regards,

A handwritten signature in black ink, appearing to read "Kevin M. Thomas", with a long horizontal flourish extending to the right.

Kevin M. Thomas, Owner
Thomas Concrete & Landscape

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

MAILING INFORMATION

NAME OF PROJECT: _____

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

Name and Address of Applicant [Please print]:
THOMAS CONCRETE & LANDSCAPE
991 88th AVE
KENOSHA WI 53144
 Phone: 262-909-9254
 Fax: 262-859-0327
 E-Mail: KEVIN@TCL-LLC.COM

Name and Address of Architect/Engineer [Please print]:
CLARK DIETZ D.C.
5017 GREEN BAY RD.
KENOSHA, WI 53144
GREG DROESCHER P.E.
 Phone: 262-657-1550
 Fax: 262-657-1594
 E-Mail: GREG.DROESCHER@CLARKDIETZ.COM

Name and Address of Property Owner (if other than applicant) [Please print]:
ZIG-LIE ENTERPRISES
991 88th AVE
KENOSHA WI 53144
 Phone: 262-909-9254
 Fax: 262-859-0327
 E-Mail: KEVIN@TCL-LLC.COM

PROJECT LOCATION

Location of Development (street address and / or parcel number): FIN 08-222-34-102-007

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>50x60 Storage and 36x24 Office</u> Existing Building Size: <u>NA</u> Site Size: <u>200 Deep x 175 wide EAST SIDE OF PROPERTY</u> Current # of Employees <u>4</u> Anticipated # of New Employees <u>4</u> Anticipated Value of Improvements: <u>50,000</u>
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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)
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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> twenty (20) 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:		<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:	➤ All
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Approximate Review Time:	<ul style="list-style-type: none"> ➤ 30 days for Staff Review ➤ 45-60 days for City Plan Commission/Common Council Review
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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
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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
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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
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Basis of Design Narrative
Proposed Thomas Concrete Site Development
Revision Date: 4/2/2014

Clark Dietz has been contracted to design and prepare plans for the site improvements and related storm sewer for Thomas Concrete's proposed office and storage facility to be located on 49th Street in Kenosha. The proposed facility will include the redevelopment of the former material transfer facility on a 1.36 acre parcel. The new building is to be located along the eastern half of the property to as to utilize the existing driveway entrance and utility stubs to the site. There are no plans in place to divide the property or to further utilize the western half of the site at this time.

Site Development Areas:

The following is a breakdown of the pervious (grassy) and impervious (paved and building roof) areas on the entire 1.36 acre parcel:

- Pervious: 47,870 s.f. (1.10 acre)
- Impervious: 11,370 s.f. (0.26 acre)

Site Storm Sewer Design:

While the entire parcel is 1.36 acres, less than 1 acre of the site will be disturbed by the development; thus stormwater detention is not required. The site storm sewer was designed using the Rational Method for a 10-Year design storm. The following inputs for the equation $Q = CIA$ were used per the Kenosha Stormwater Utility requirements:

- $C = 0.38$
- $I = 4.28$ in/hr
- $A = 1.4$ acres

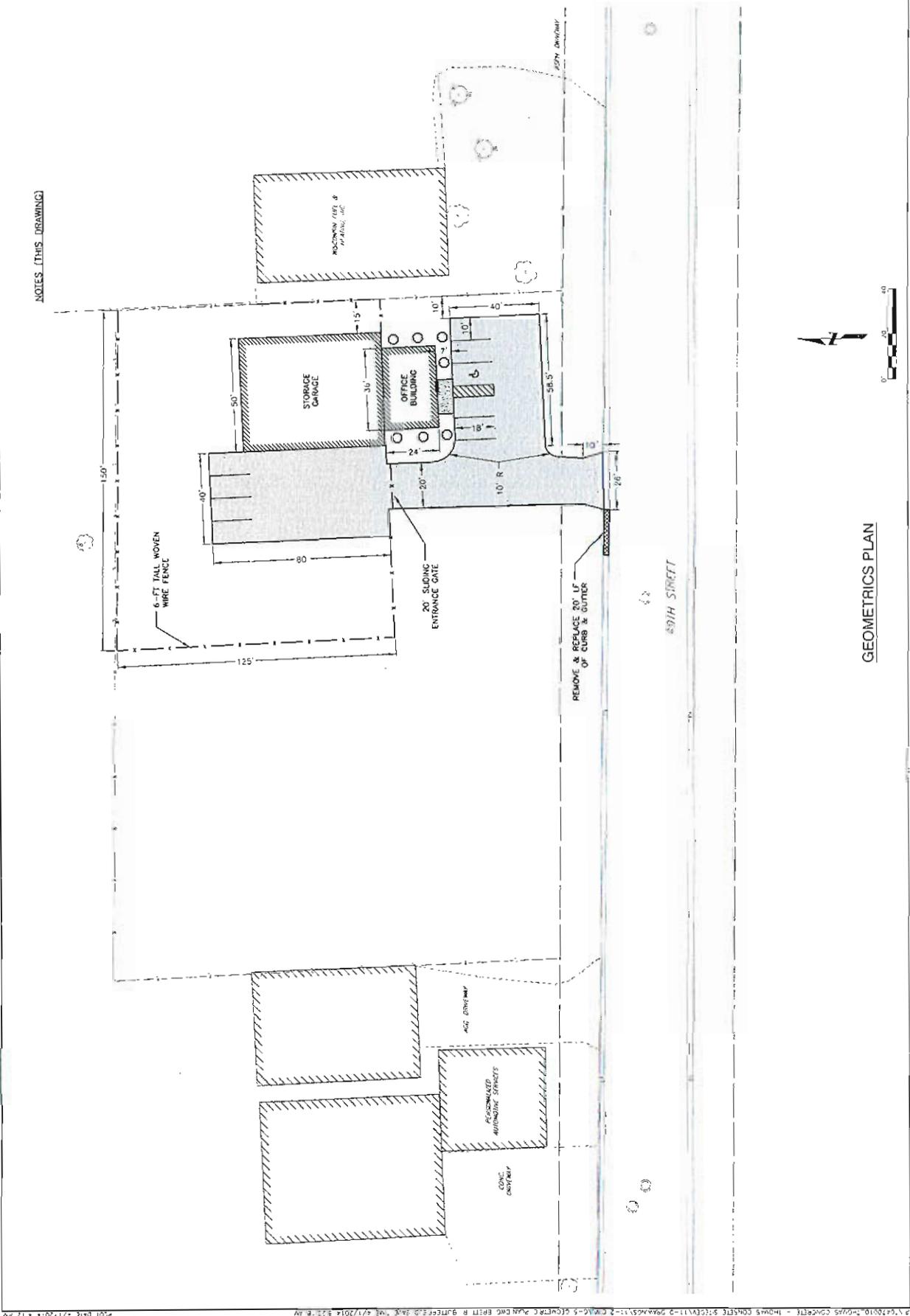
The Storm Intensity (I) was calculated using an inlet time of concentration of 15 minutes. The storm intensity was checked using Worksheet 3 (see attached). A total peak discharge of 2.28 cfs was found, suggesting the most suitable pipe to the City storm sewer system to be a 12" PVC at a slope of 0.5%.

Site Grading:

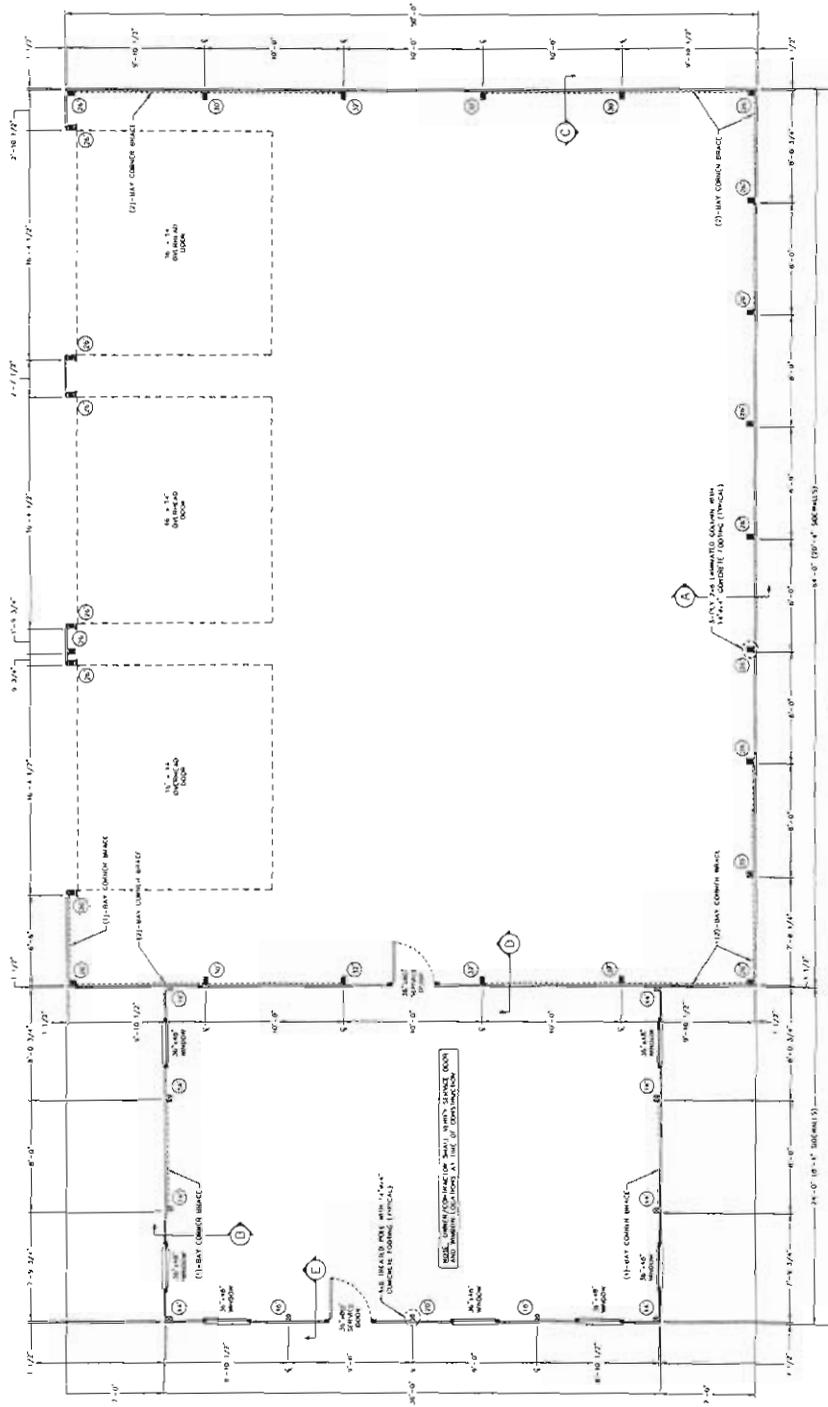
The existing site generally drains from the north to south towards 49th Street. This drainage will be maintained and routed to onsite storm sewer inlets as shown on the plans. Drainage swales are proposed along the east and west property lines to pick up any onsite storm water. The west swale is intended to replace the existing cut trench and to assist the neighboring property to further divert water from his entrance drive.

Erosion Control Measures:

Silt fence is proposed around the entire parcel during construction. Type "D" inlet protection will also be installed in each of the proposed inlets. A tracking pad is also proposed for the construction entrance to the site to minimize the debris on 49th Street.



GEOMETRICS PLAN



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



Midwest
127-5355514

Midwest
127-5355514

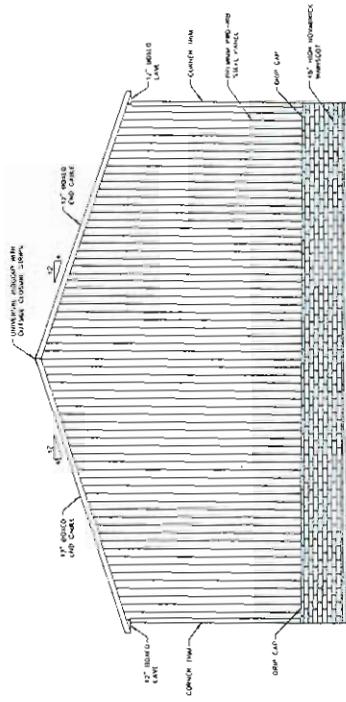
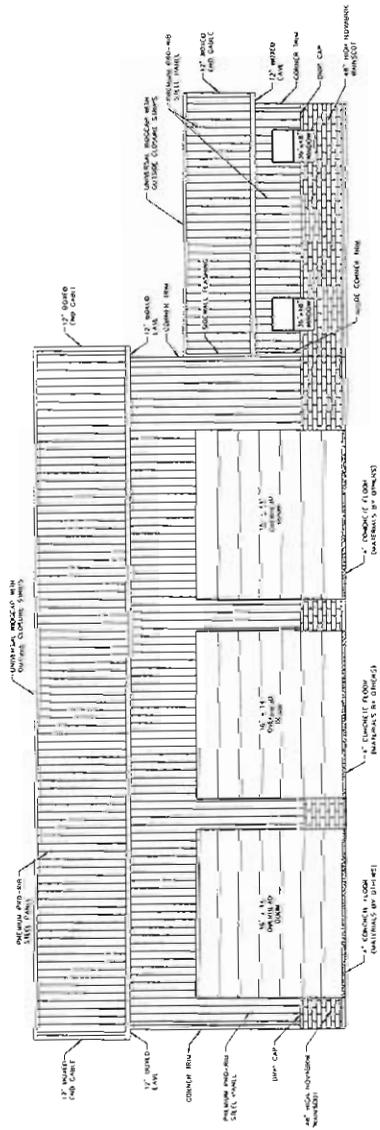
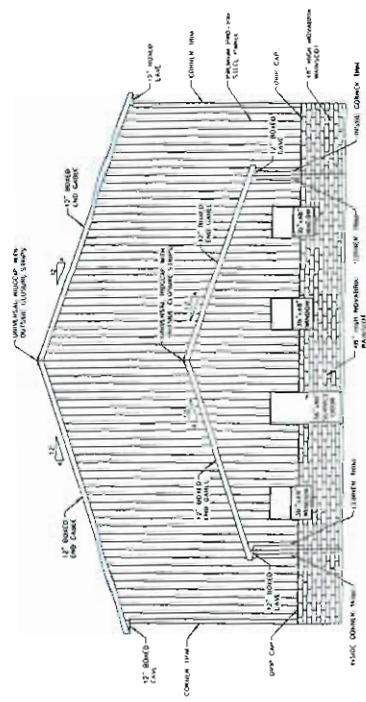
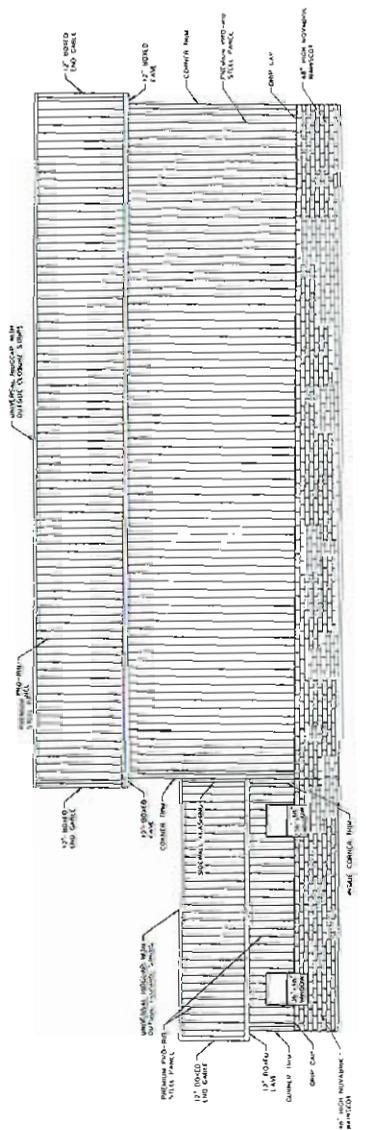


FIG. 12. SECTION THROUGH ROOF AND WALLS.

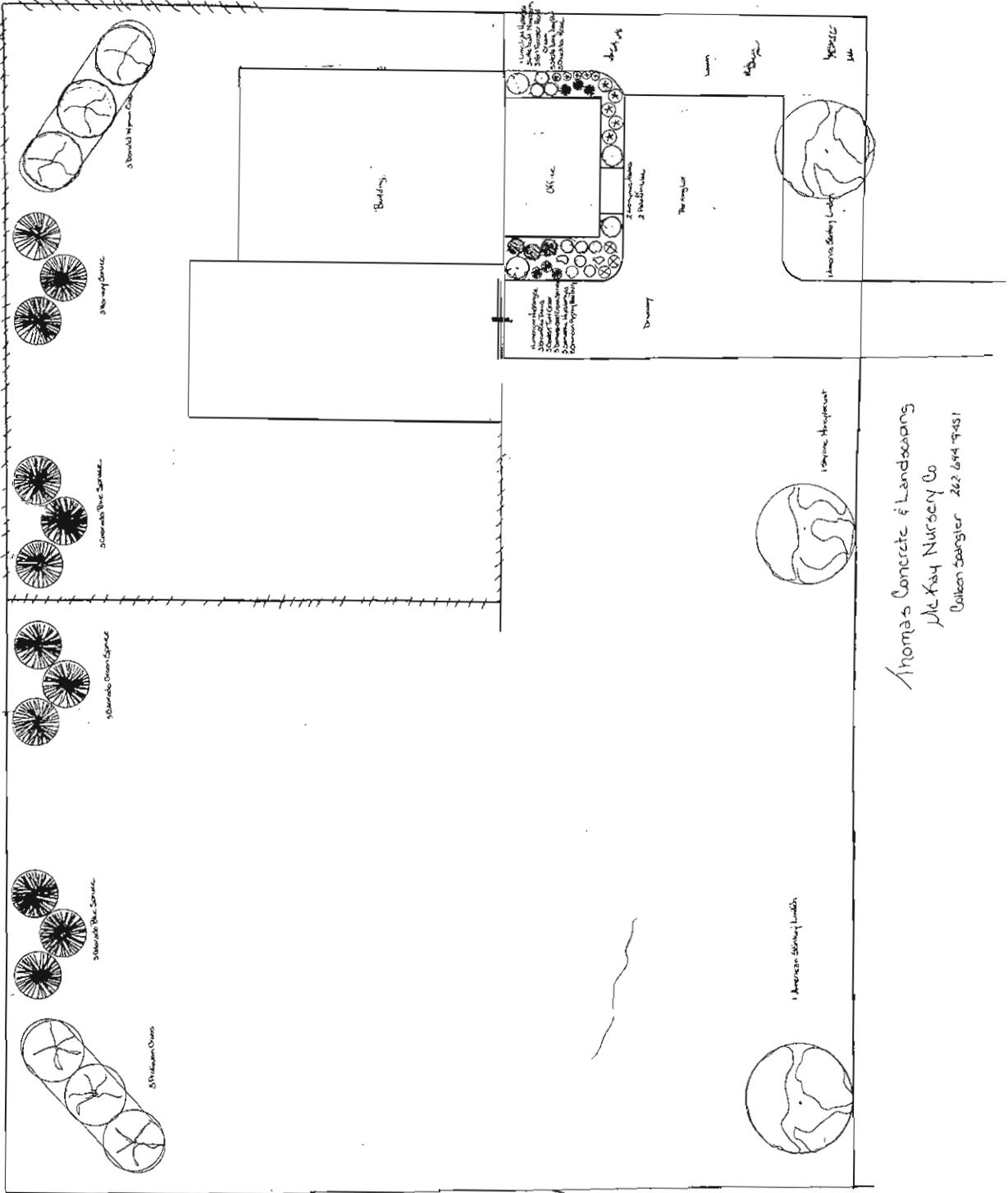


ELCVA OON'S



Midwest Construction Co. Inc. 127-3333
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 127-3333



Thomas Concrete & Landscaping
 McKay Nursery Co
 Colleen Seeger 262 694 7951

ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

- (3) Runway and other lighting impacts from the facility.
- (4) Air and water quality impacts including aircraft fuel emissions.
- (5) Construction impacts.
- (6) Prime farmland impacts.
- (7) Other applicable social, economic and environmental impacts.
- h. Federal Aviation Administration (FAA) and Wisconsin Bureau of Aeronautics (BOA) approval of all plans and environmental impact statements.
 - i. Facility should have adequate land area and easements to assure safe operation.
 - j. Facility should have adequate plans for emergency crash, fire and rescue services.
 - k. The noise impacted area should not exceed FAA standards or policies on airport and heliport land use compatibility.
 - l. Facility should have adequate plans for restricting buildings and structures to assure safe aerial approaches.
 - m. Other issues or concerns which may have an adverse social, economic, or environmental impact or affecting the health, safety or welfare of abutting or neighboring properties or the City as a whole.

3. Storage Yard for a Contractor in the M-1 and M-2 Districts.

- a. **Building Plan** as required by §4.05 B. of the Zoning Ordinance.
- b. **Site Plan** as required by §4.05 C. of the Zoning Ordinance, plus:
 - (1) Location and height of all storage areas including vehicles, equipment, building materials, metals, sand, gravel and scrap storage.
 - (2) Internal roads and paths for vehicular use.
 - (3) Outdoor signs including any mounted or painted on fences.
- c. **Drainage Plan** as required by §4.05 D. of the Zoning Ordinance.
- d. **Landscape Plan** as required by §4.05 E. of the Zoning Ordinance.
- e. **Utility Plan** as required by §4.05 F. of the Zoning Ordinance.
- f. **Operational Plan** which shows:
 - (1) Types of equipment and materials which will be used and stored.
 - (2) How often trash and unusable materials will be picked up.
 - (3) Methods to be used to control noise, dust and windblown materials and maintain fire protection.
 - (4) Hours and days of operation.
- g. No activity shall produce a sound level outside its premises that exceeds the standards set forth in Chapter 23 "Noise Control" of the City Code of General Ordinances.
- h. No activity shall emit odorous matter of such nature or quantity as to be offensive, obnoxious, or unhealthful outside the premises, nor shall any activity emit dust, fumes, vapors or gases in such quantities as to cause spoiling or danger to the health of persons, animals, vegetation or other property, all as measured and controlled by Chapter NR 400-494 "Air Pollution Control" of the Wisconsin Administrative Code.
- i. No activity shall locate, store, discharge or permit the discharge of any treated, untreated or inadequately treated liquid, gaseous or solid materials of such nature, quantity, obnoxiousness, toxicity or temperature that might run off, seep, percolate or wash into surface or subsurface waters so as to exceed or contribute toward the exceeding of the minimum standards set forth in Chapter NR 102 "Water Quality Standards for Wisconsin Surface Waters" and Chapters NR 200 through 299 "Wisconsin Pollutant Discharge Elimination System" of the Wisconsin Administrative Code.
- j. The storage yard shall be effectively screened along any property line which is adjacent to or across an alley from any residential district, as required in §4.05 E.2. of the Zoning Ordinance. The Commission may require additional screening or landscaping on any portion of the lot, regardless of the adjacent district, if special characteristics of the storage yard warrant such additional screening or landscaping.
- k. Exterior lighting shall be arranged, oriented or shielded in such a manner that direct radiation or glare from such source does not penetrate residential lots which are located in a residential district adjacent to or across an alley from the storage yard.
- l. No signage, other than one eight (8) square foot identification sign near each access gate, shall be mounted or painted on any required fence.
- m. Any windblown material resulting from operation of the yard shall be collected daily and properly

ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

disposed.

n. The Commission may establish a time schedule for the completion of any site or building improvements, landscaping, screening, or other desired improvements required as part of an approved Conditional Use Permit. The Commission may establish height limits for the storage of building materials, metals, sand, gravel, scrap salvage or other raw materials.

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

4. Aluminum Collection Center in the M-1 and M-2 Districts.

a. The standards outlined in §4.06 B.8. shall apply.

5. Recycling Collection Centers in the M-1 and M-2 Districts.

a. The standard outlined in §4.06 B.9. shall apply.

6. Golf Range, Batting Range, Batting Cage, or Golf and/or Batting Simulator in the M-1 or M-2 Districts.

a. **Building Plan** as required in Section 4.05 B. and Section 14 of this Ordinance.

b. **Site Plan** as required in Section 4.05 C. and Section 14 of this Ordinance, plus:

(1) Indicate the location of any off-street parking spaces dedicated to the use per Section 6.0 of the Zoning Ordinance.

c. **Drainage Plan** as required in Section 4.05 D. and Section 14 of the Zoning Ordinance.

d. **Landscape Plan** as required in Section 4.05 E. and Section 14.08 H.

e. **Utility Plan** as required in Section 4.05 F. and Section 14 of the City of Kenosha Zoning Ordinance.

f. **Operational Plan**, which includes:

(1) Name and address of facility operator;

(2) Facility maintenance detail; and,

(3) Hours of operation.

g. One or more of the plans identified hereinabove may be waived at the discretion of the Reviewing Authority.

h. The conditional use permit shall require and the conditional use shall comply with the following:

(1) The use shall be located wholly within an enclosed building;

(2) The use shall be secondary to the primary use, and;

(3) The use shall comprise less than fifty (50%) percent of the gross square footage of the building in which it is located.

(4) Requirement imposed by the Common Council in the conditional use permit that addresses issues that may have an adverse social, economic or environmental impact or that may affect the health, safety or welfare of abutting or neighboring properties of the City as a whole.

7. Physical Fitness Center in the M-1 or M-2 Districts.

a. **Building Plan** as required in Section 4.05 B. and Section 14 of this Ordinance.

b. **Site Plan** as required in Section 4.05 C. and Section 14 of this Ordinance, plus:

(1) Indicate the location of any off-street parking spaces dedicated to the use per Section 6.0 of the Zoning Ordinance.

c. **Drainage Plan** as required in Section 4.05 D. and Section 14 of the Zoning Ordinance.

d. **Landscape Plan** as required in Section 4.05 E. and Section 14.08 H.

e. **Utility Plan** as required in Section 4.05 F. and Section 14 of the City of Kenosha Zoning Ordinance.

f. **Operational Plan**, which includes:

(1) Name and address of facility operator;

(2) Facility maintenance detail; and,

(3) Hours of operation.

g. One or more of the plans identified hereinabove may be waived at the discretion of the Reviewing Authority.

h. The conditional use permit shall require and the conditional use shall comply with the following:

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

Kenosha City Plan Commission

FACT SHEET

May 8, 2014

Item 6

Resolution By the Mayor - To Approve a Three-Lot Certified Survey Map for property at 1901 63rd Street. (Uptown Brass Center) (District #3) PUBLIC HEARING

LOCATION/SURROUNDINGS:

Site: 1901 63rd Street
Zoned: B-4 Mixed Use District

NOTIFICATIONS/PROCEDURES:

The alderperson of the district, Alderperson Michalski, has been notified. This item will also be reviewed by the Public Works Committee before final approval by the Common Council.

ANALYSIS:

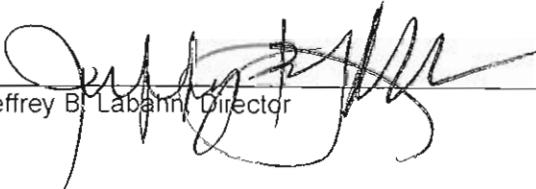
- The applicant has submitted a Three-lot Certified Survey Map to split the existing Uptown Brass Shopping Center into three (3) parcels as follows:
 - Lot 4 would be the existing Mixed-Use building with ground floor retail and twenty-six (26) apartment units.
 - Lot 5 would be the existing Pick 'N Save grocery store.
 - Lot 6 has a foundation in the ground, but is otherwise vacant.
- The approval of the Certified Survey Map would not change any physical attributes of the site. The parking lot and access points would remain the same.
- The Certified Survey Map was sent to City Departments for their review. Their comments are included in the attached Resolution.
- The Certified Survey Map generally complies with Section 17 of the Code of General Ordinances.

RECOMMENDATION:

A recommendation is made to approve the Certified Survey Map, subject to the attached Resolution.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Director

RESOLUTION NO: ____ - 14

BY: THE MAYOR

**TO APPROVE A THREE-LOT CERTIFIED SURVEY MAP
Property at 1901 63rd Street (Uptown Brass Center)**

BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that a Certified Survey Map relating to one (1) parcel at 1901 63rd Street is herein and hereby approved subject to the following conditions:

1. Compliance with all applicable State and City codes and ordinances.
2. Payment of all applicable fees, including recording fees.
3. Payment of all storm water utility fees and delinquent taxes prior to recording.
4. A digital copy of the Certified Survey Map shall be provided to the City prior to recording.
5. The Certified Survey Map shall be null and void if not recorded within six (6) months of approval by the Common Council.
6. A Cross Access Agreement between the parcels is required.
7. Drainage and/or Utility Easements are required between the parcels.
8. Sheets 1 & 2: dimension of 1,174.88 feet from the north line of quarter section is about 190' short of the correct starting point. Please revise.
9. Lot 4 shows dimensions of 309.93' for the west property line and 284.1' for the east property line. Plotting these two (2) lines results in a gap of over twenty-six (26') feet between one of them and the south lot line. Please revise.
10. Compliance with all the preceding conditions as a prerequisite for authorizing Mayor and City Clerk-Treasurer to sign the Certified Survey Map.

Adopted this ____ day of _____, 2014

ATTEST:

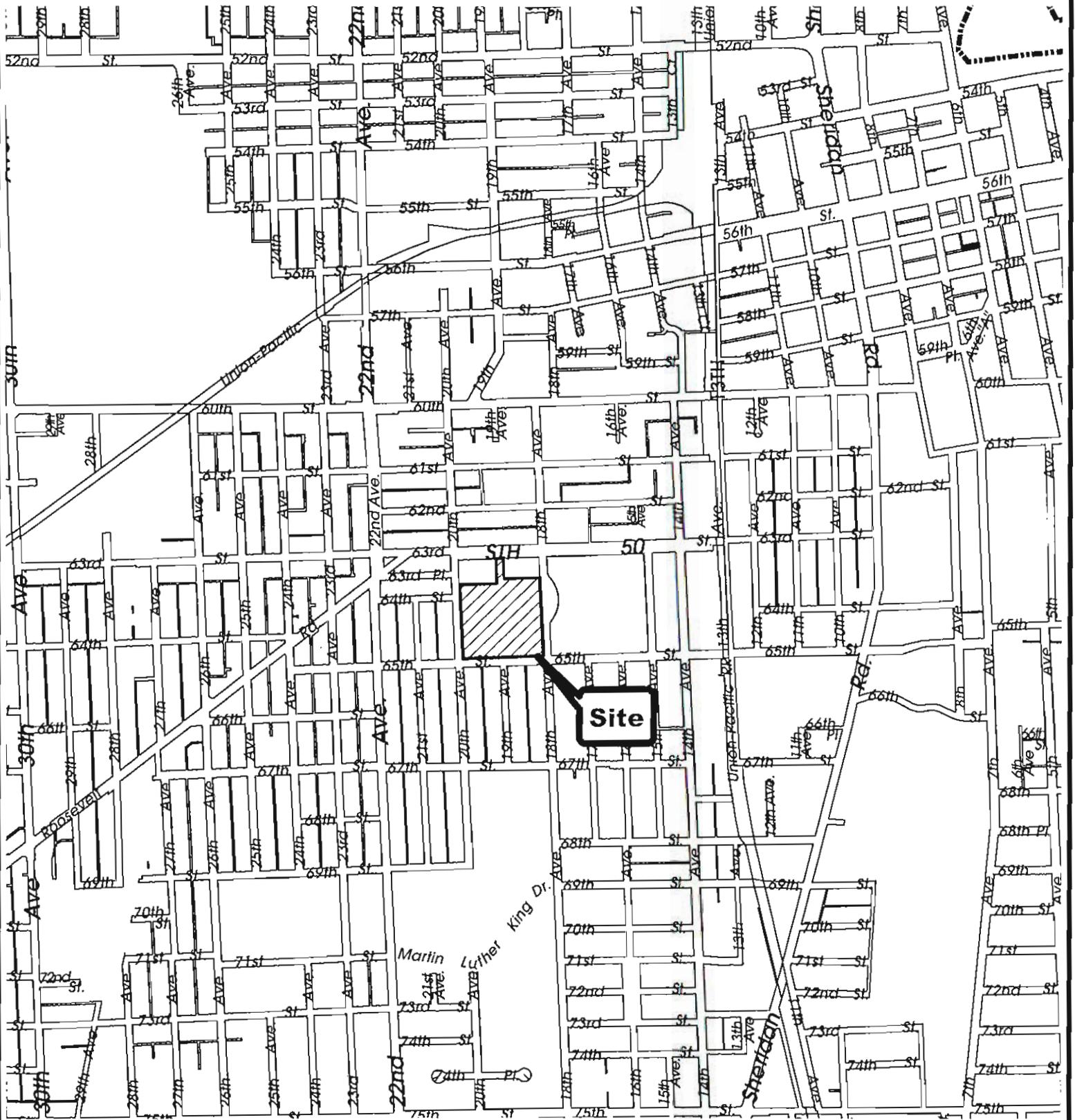
Debra L. Salas, City Clerk-Treasurer

APPROVE:

Keith G. Bosman, Mayor

City of Kenosha

Uptown Brass CSM



--- Municipal Boundary



CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 2464, IN PART OF THE NORTHWEST $\frac{1}{4}$ AND SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 6, TOWN 1 NORTH, RANGE 23 EAST, IN THE CITY OF KENOSHA, COUNTY OF KENOSHA, STATE OF WISCONSIN.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)

);SS

MILWAUKEE COUNTY)

I, BAIBA M. ROZITE, a Registered Land Surveyor, hereby certify:

That I have surveyed, divided and mapped all of Lot 2 of Certified Survey Map No. 2464, in part of the Northwest $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 6, Town 1 North, Range 23 East, in the City of Kenosha, County of Kenosha, State of Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of the Northwest $\frac{1}{4}$ of said Section 6; Thence North $87^{\circ}54'17''$ East, 640.22 feet along the North line of said quarter section; Thence South $2^{\circ}41'34''$ East, 1174.88 feet to the Point of Beginning of this description; Thence North $87^{\circ}54'56''$ East, 278.00 feet along the South line of Lot 1 of Certified Survey Map No. 2464; Thence North $2^{\circ}41'34''$ West, 190.00 feet along the East line of said Lot 1; Thence North $87^{\circ}54'56''$ East, 60.00 feet along the South line of 63rd Street; Thence South $2^{\circ}41'34''$ East, 156.00 feet along the West line of Lot 3 of Certified Survey Map No. 2464; Thence North $87^{\circ}54'56''$ East, 258.97 feet along the South line of said Lot 3; Thence South $2^{\circ}41'34''$ East, 596.26 feet along the West line of 18th Avenue; Thence South $87^{\circ}53'40''$ West, 596.97 feet along the North line of 65th Street; Thence North $2^{\circ}41'34''$ West, 562.48 feet along the East line of 20th Avenue to the Point of Beginning.

Said parcel contains a total of 355,904 square feet, or 8.170 acres of land, more or less.

THAT I have made the survey, land division, and map by the direction of the owner of said land.

THAT the map is a correct representation of all exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and City of Kenosha Ordinances in surveying, dividing and mapping the same.

(SEAL)

Baiba M. Rozite, Registered Wisconsin
Land Surveyor S-2351
Sigma Environmental
1300 W. Canal Street
Milwaukee, WI 53233



www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 2464, IN PART OF THE NORTHWEST ¼ AND SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 6, TOWN 1 NORTH, RANGE 23 EAST, IN THE CITY OF KENOSHA, COUNTY OF KENOSHA, STATE OF WISCONSIN.

OWNER'S CERTIFICATE OF DEDICATION

KENOSHA NEWCO CAPITAL, LLC, as owner, does hereby certify that said owner caused the land described on this map to be surveyed, divided, dedicated and mapped as represented on this map. KENOSHA NEWCO CAPITAL, LLC, as owner, does further certify that this map is required by s. 236.10 or 236.12 to be submitted to the following for approval or objection: CITY OF KENOSHA

WITNESS the hand and seal of said owner this ____ day of _____, 20 ____.

By: KENOSHA NEWCO CAPITAL, LLC

signature

printed name

STATE OF WISCONSIN)
:SS
_____ COUNTY)

PERSONALLY came before me this ____ day of _____, 20 __, _____, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Signature Notary Public, State of Wisconsin

Notary, printed name

My Commission Expires _____.

CERTIFIED SURVEY MAP NO. _____

BEING A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 2464, IN PART OF THE NORTHWEST $\frac{1}{4}$ AND SOUTHWEST $\frac{1}{4}$ OF THE NORTHWEST $\frac{1}{4}$ OF SECTION 8, TOWN 1 NORTH, RANGE 23 EAST, IN THE CITY OF KENOSHA, COUNTY OF KENOSHA, STATE OF WISCONSIN.

CITY OF KENOSHA COMMON COUNCIL APPROVAL

This Certified Survey Map, being a redivision of Lot 2 of Certified Survey Map No. 2464, in part of the Northwest $\frac{1}{4}$ and Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 8, Town 1 North, Range 23 East, in the City of Kenosha, County of Kenosha, State of Wisconsin, is hereby accepted by the Common Council of the City of Kenosha.

on this ___ day of _____, 20__.

Keith G. Bosman
Mayor

Date

Deb Salas
Clerk/Treasurer

Date

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

MAILING INFORMATION

NAME OF PROJECT: UpTown Brass

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): Wangard Partners, Inc. 1200 N. Mayfair Road, Ste 310 Milwaukee, WI 53226 Attn: Mark C. Lake	Phone: 414-935-4014 Fax: 414-935-4015 E-Mail: <u>inlake@wangard.com</u>
<input type="radio"/>	Name and Address of Architect/Engineer (Please print): Baiba M. Rozite, RLS The Sigma Group 1300 W. Canal Street Milwaukee, WI 53233	Phone: 414-643-4200 Fax: 414-643-4210 E-Mail: <u>brozite@thesigmagroup.com</u>
<input type="radio"/>	Name and Address of Property Owner (if other than applicant)(Please print): KENOSHA NEWCO CAPITAL, LLC 1200 N. Mayfair Road, Ste 310 Milwaukee, WI 53226	Phone: 414-777-1200 Fax: 414-777-1201 E-Mail: _____

PROJECT LOCATION

Location of Development (street address and / or parcel number): 1901 63rd Street, Taxkey No. 05-123-06-251-012

TYPE OF LAND DEVELOPMENT

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

<input checked="" 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 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

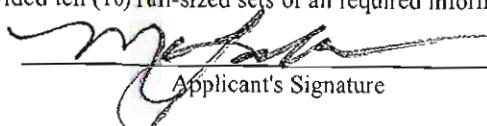
**SECTION 1
CERTIFIED SURVEY MAP**

Additional Information Required:	Number of Lots: <u>three (3) Lot CSM</u> Zoning District: <u>B-4, Mixed Use District</u> Proposed Zoning Change, if any: _____
Submittal Requirements:	<ul style="list-style-type: none"> ➤ Ten (10) copies of Certified Survey Map (Applicant to keep original) ➤ Four (4) copies of Drainage Plan (when required) ➤ Signed Checklist below
Fees:	<ul style="list-style-type: none"> ➤ 2-Lot Certified Survey Map = \$750 ➤ 3-Lot Certified Survey Map = \$800 ➤ 4-Lot Certified Survey Map = \$850 ➤ With a Developer's Agreement = \$1,500 ➤ Re-submittals = \$400 Miscellaneous fees <ul style="list-style-type: none"> ➤ All special assessments and taxes shall be paid prior to recording. The Department of Community Development and Inspections will record the map with the Kenosha County Register of Deeds and recording fees shall be paid at that time by the applicant.
Park Fees:	<ul style="list-style-type: none"> ➤ Five percent (5%) of the value of the property, but not less than \$1,415 per lot. Note that park fees are only collected for residentially-zoned property and are due at the time of acquiring building permits. The City may require dedication of the land in lieu of fee.
Appendices to Review:	<ul style="list-style-type: none"> ➤ D, E, F and G
Approximate Review Time:	<ul style="list-style-type: none"> ➤ 45 - 60 days (Reviewed by City Plan Commission, Public Works Committee and Common Council)

The land division will be reviewed for compliance with Chapters 17 and 35 of the City Code of General Ordinances, City Zoning Ordinance, any neighborhood or master land use plans for the area, and Chapter 236 of the Wisconsin State Statutes.

The applicant shall be responsible for the costs of project engineering, design, construction, and inspection as follows (when applicable):

1. The applicant is responsible for installing all improvements and infrastructure, including but not limited to, utilities (water, sanitary and storm sewer), oversizing of utilities, sidewalks, streets, street lights and signs, retention/detention basins, street trees, etc.
2. The applicant is responsible for any off-site improvements for the development, including but not limited to, traffic signals and signs, median openings, and street improvements/widening.
3. Payment of inspection and engineering services performed by the City and Kenosha Water Utility for the project.
4. Applicant responsible for posting of all required assurance to cover required improvements.

<p>Checklist to be completed and signed:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Scale and north arrow <input checked="" type="checkbox"/> Scale of plans less than or equal to 1" = 100' <input checked="" type="checkbox"/> Date of original and revisions noted <input checked="" type="checkbox"/> Certification from surveyor that Plat complies with Chapter 17 <input checked="" type="checkbox"/> Reproducible paper less than 36" in width <input checked="" type="checkbox"/> Location of all existing structures and first floor elevations <input checked="" type="checkbox"/> Location of utility and drainage easements <input checked="" type="checkbox"/> Exact length and bearing of the centerline of all streets <input checked="" type="checkbox"/> Exact street width along the line of any obliquely intersecting street <input checked="" type="checkbox"/> Railway rights-of-way within and abutting the plat <input checked="" type="checkbox"/> Location and size of all lands to be dedicated for public use (when required) <input checked="" type="checkbox"/> Comprehensive drainage plan <input type="checkbox"/> Special restrictions relating to access control, planting strips, restrictive yard requirements, etc. (when required) <input checked="" type="checkbox"/> Major street setback or WisDOT setbacks (if applicable) <input checked="" type="checkbox"/> Map shows entirety of all parcels in proposed certified survey map 	<p>Checklist to be completed and signed:</p> <ul style="list-style-type: none"> <input checked="" type="checkbox"/> Floodplain limits of the 100 year recurrence interval flood <input checked="" type="checkbox"/> Location of any wetlands, shoreland, or other environmental areas (if applicable) <p>Plans to be submitted (when applicable)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Street plans and profiles <input type="checkbox"/> Sanitary sewer plans and profiles <input type="checkbox"/> Storm sewer plans <input type="checkbox"/> Grading/drainage plans <input type="checkbox"/> Water main plans and profiles <input type="checkbox"/> Erosion control plans <input type="checkbox"/> Landscape plans <p>I hereby certify that I have reviewed the City ordinances and provided ten (10) full-sized sets of all required information.</p> <p align="center">  _____ Applicant's Signature </p>
--	---

Review of a Conceptual Plan for a 147 acre industrial park to be located south of 60th Street and west of I-94. (MLG/Dermody Properties) (District #16) PUBLIC HEARING

LOCATION/SURROUNDINGS:

Site: South of 60th Street at approximately 125th Avenue
Zoned: TRD-1 / TRD-2 / C-1 / A-2 / AIR-3 / AIR-4

NOTIFICATIONS/PROCEDURES:

The alderperson of the district, Alderperson Johnson, has been notified. This item is for City Plan Commission review and comment only.

ANALYSIS:

- The attached Conceptual Plan was submitted by Dermody Properties for land under contract to MLG Development in the Bristol Neighborhood. The Concept Plan covers four (4) properties located south of 60th Street at approximately 125th Avenue. The current base zoning on the site includes TRD-1 and TRD-2 Traditional Residential Development, C-1 Upland Resource Conservancy and A-2 Agricultural Land Holding. The City previously approved a Preliminary Plat for single-family lots and a multi-family development for 112 units at the site, but the project was never built due to the economy at the time.
- This area is part of the *Bristol Neighborhood Plan*. The land uses shown in the plan generally match the zoning (i.e. residential land use and TRD-1 and TRD-2 Zoning) on the North end of the site. The South end of the site is zoned A-2 Agricultural Land Holding, but is shown on the plan as a mix of multi-family residential and commercial development.
- The attached Concept Plan proposes to develop this entire area as manufacturing/industrial. An Amendment to the *Bristol Neighborhood Plan* as well as the *Comprehensive Land Use Plan for the City of Kenosha: 2035* would be required, as well as a rezoning to M-2 Heavy Manufacturing. The proposed development would include a large warehouse/distribution facility in the middle of the site, with smaller buildings at the edges of the development site. The applicant has not indicated any end users for any building at this time.
- One of the concerns of Staff regarding this plan is the public street layout. As noted on the *Bristol Neighborhood Plan*, there are several proposed public roads running east-west through this property that will ultimately connect the entire neighborhood internally when completed. While these roads are not adopted as future streets on the Official Map, Staff believes they are an integral part of any development in this area, regardless of land use, and should be included on the plans. The applicant has provided a public east-west connection at the north end of the site, but has failed to include the requested east-west connection through the middle of the development where the Kenosha Water Utility currently has a Sewer and Water Easement. It has always been the plan to build a public road over the top of the Sewer and Water Easement.
- The applicant has also shown an "open space and park" area on the west end of the site where there is currently Conservancy zoning. The City now owns public parkland just west of this area in compliance with the adopted plan. Additional public parkland may not be appropriate at this location.
- The applicant is requesting feedback from the City Plan Commission on the proposed development, including the change in land use, the street layouts and building sizes and types.

Review of a Conceptual Plan for a 147 acre industrial park to be located south of 60th Street and west of I-94. (MLG/Dermody Properties) (District #16) PUBLIC HEARING

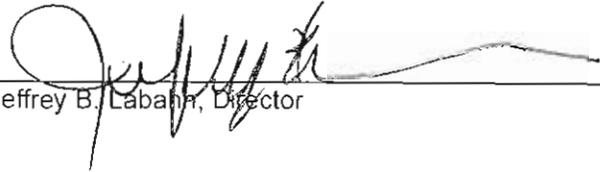
- Staff is currently looking at the *Bristol Neighborhood Plan* and what impacts a change from residential to industrial may have on the ultimate development of the area. At this point, Staff does not have a recommendation for the change in the land use.

RECOMMENDATION:

For review and comment.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Director

PROJECT DATA:

SITE AREA 147.56 AC (6,427,667 SF)
GROSS: 135.10 AC (5,885,118 SF)
 (LESS DETENTION, OPEN SPACE,
 PARK & LOTTERY FOR FUTURE
 FIRE STATION)
 DETENTION AT 8.44% OF GROSS

TOTAL BLDG AREA: 1,324,921 SF
F.A.R.: 0.22 (NET)

DOCK POSITIONS: 302
DRIVE IN DOORS: 18

AUTO PKNG: 2,878 STALLS
TRAILER PKNG: 671 STALLS

SITE LEGEND:

- ◀ DOCK HIGH TRUCK DOOR
- GRADE LEVEL TRUCK DOOR



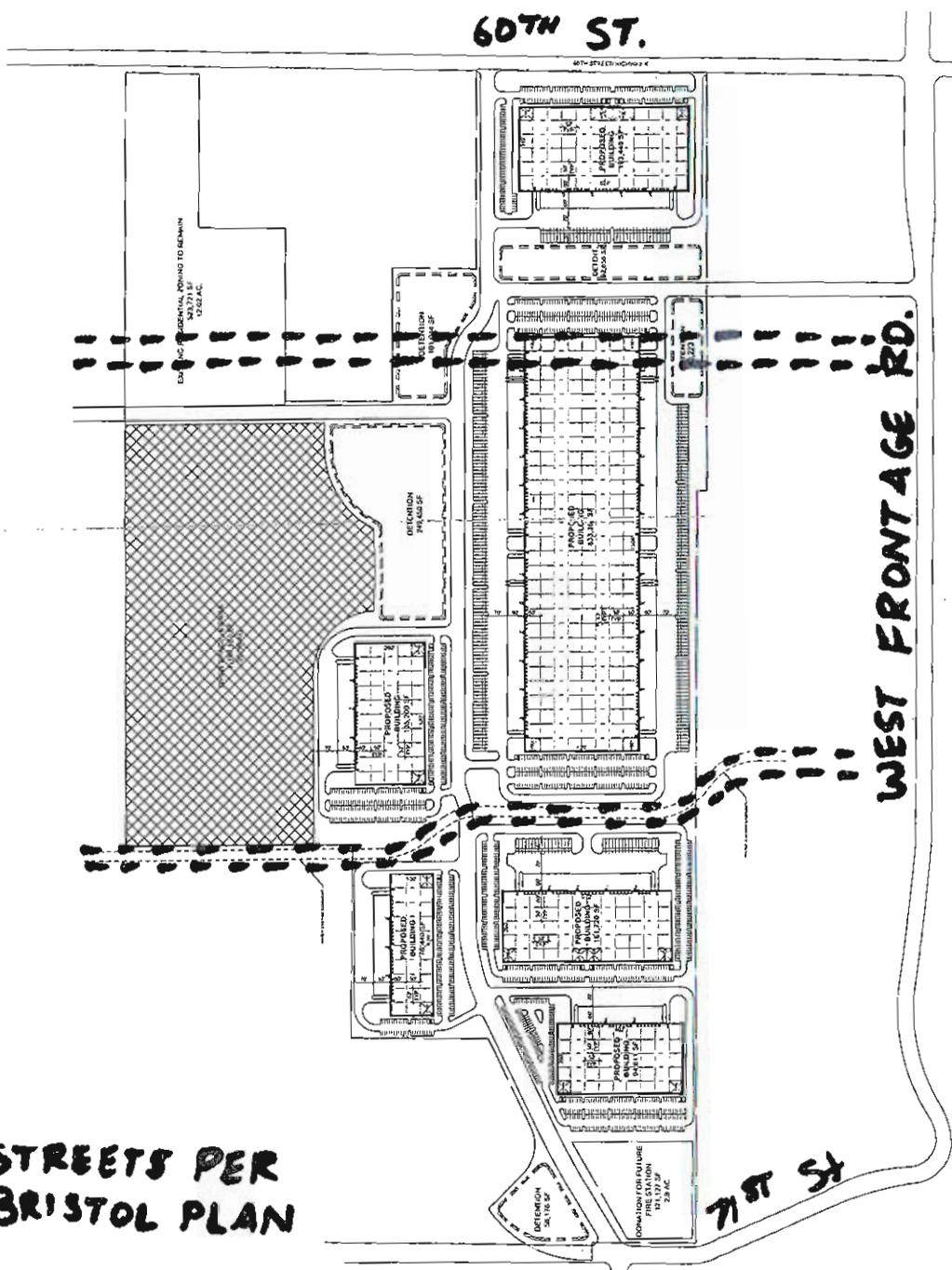
WARE MALCOMB
 CONSULTING ENGINEERS
 5101 S. 10TH ST.
 SCHEMATIC 1

Conceptual Site Plan
 Hwy 50 Kenosha
 Kenosha, WI

SCHEMATIC 03



==== STREETS PER BRISTOL PLAN

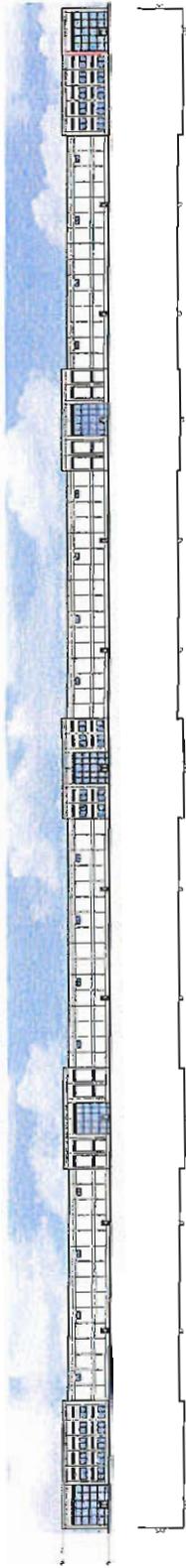


125th Ave.

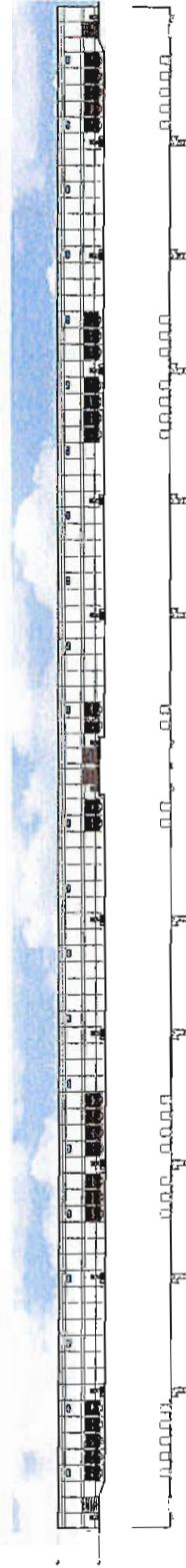
BR

WEST FRONTAGE RD.

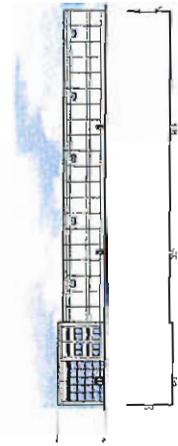
60th ST.



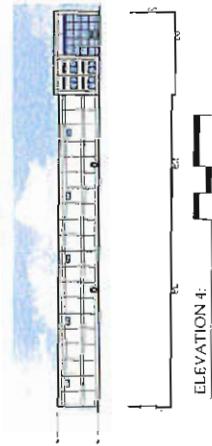
ELEVATION 1: 0 20 40 80 FEET



ELEVATION 2: 0 20 40 80 FEET



ELEVATION 3: 0 20 40 80 FEET



ELEVATION 4: 0 20 40 80 FEET

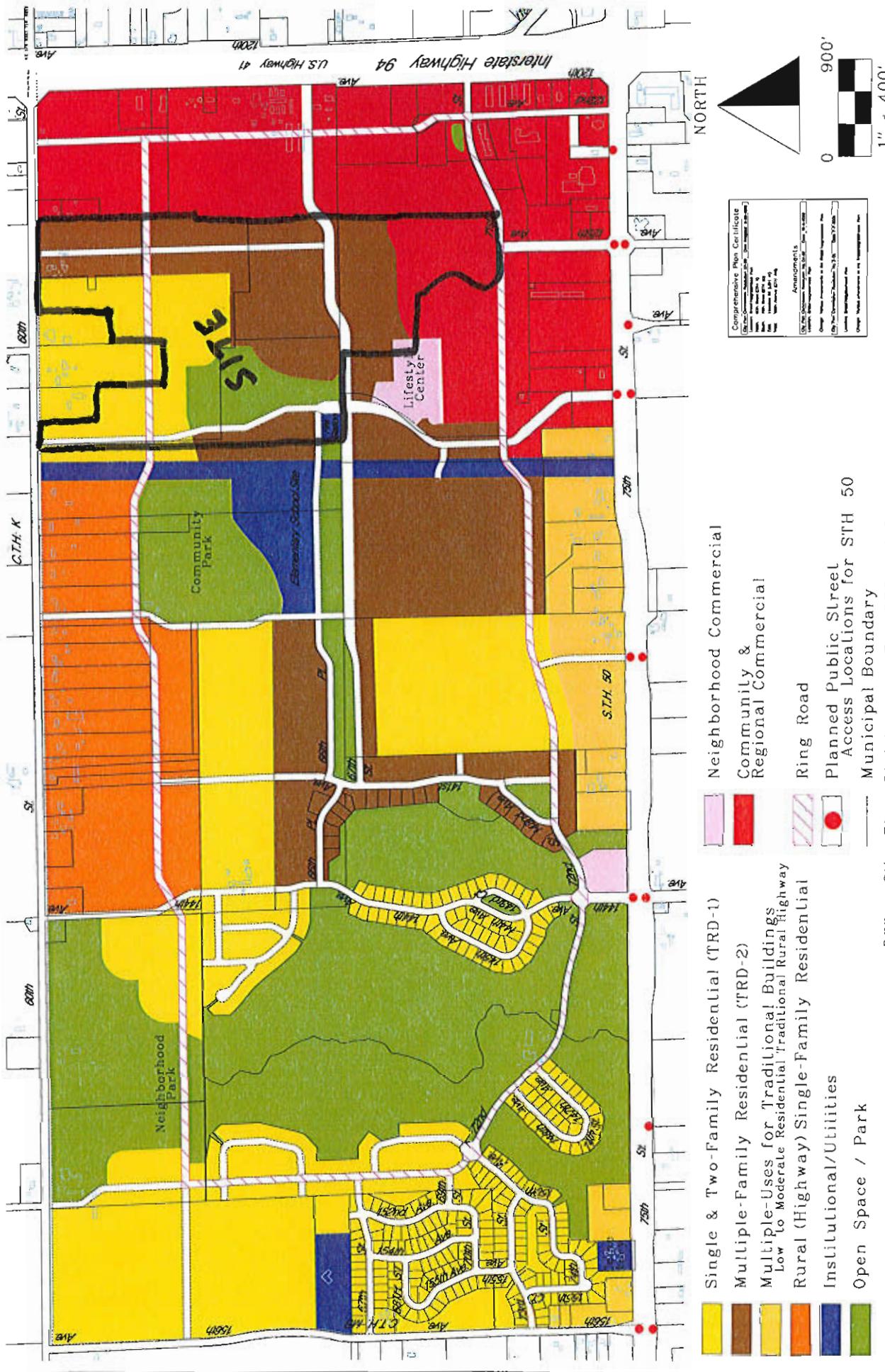
PROPOSED FACILITY



City of Kenosha

Adopted Bristol Neighborhood Plan

VICINITY MAP

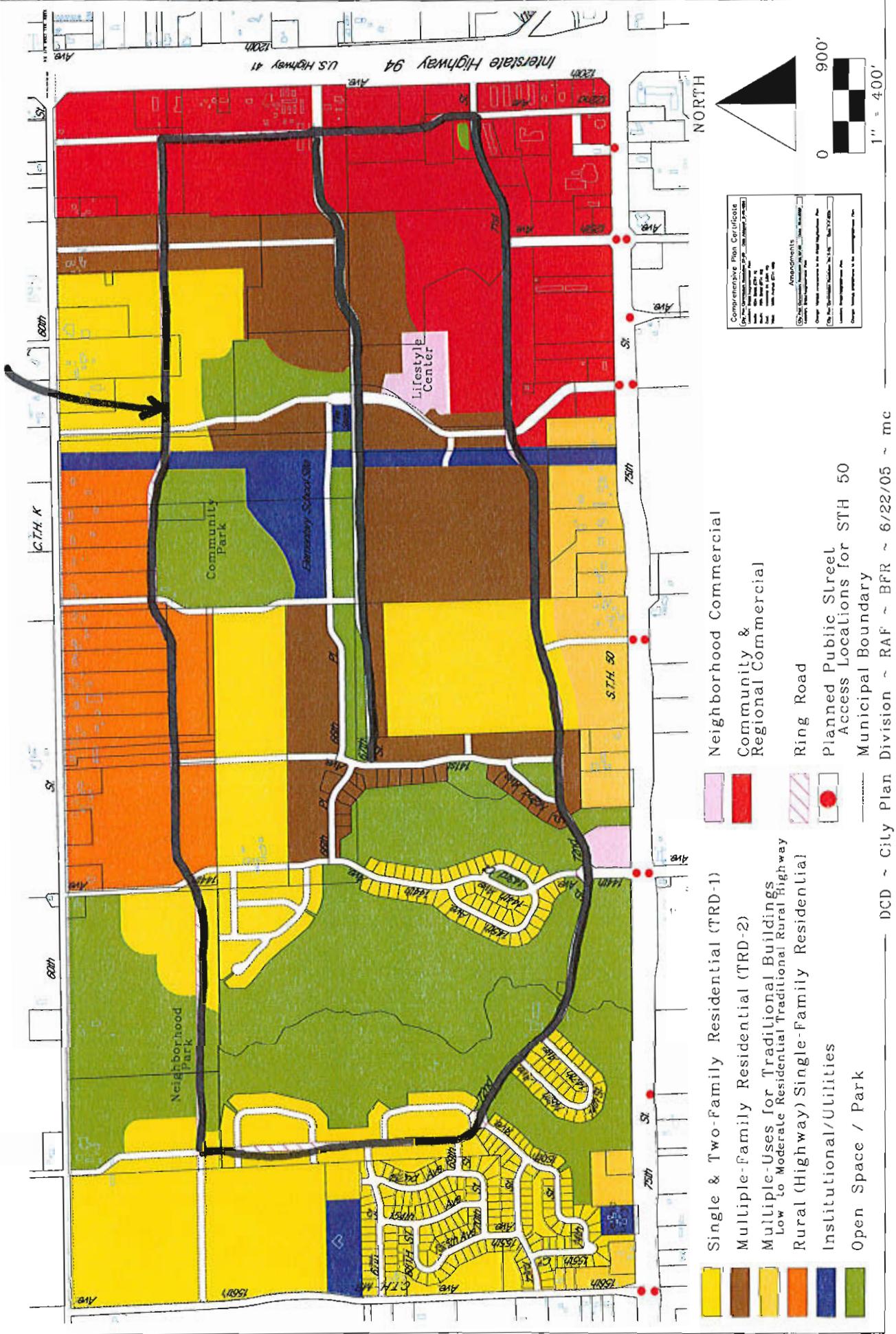


DCD ~ City Plan Division ~ RAF ~ BFR ~ 6/22/05 ~ mc

City of Kenosha

Adopted Bristol Neighborhood Plan

"LOOP" ROAD



Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 8, 2014	Item 8
By Alderman David F. Bogdala, Co-Sponsors: Aldermen Steve Bostrom and G John Ruffolo - To Create Section 19 of the Zoning Ordinance Regarding Presumptive Approval. PUBLIC HEARING			

NOTIFICATIONS/PROCEDURES:

This Ordinance would require Common Council approval.

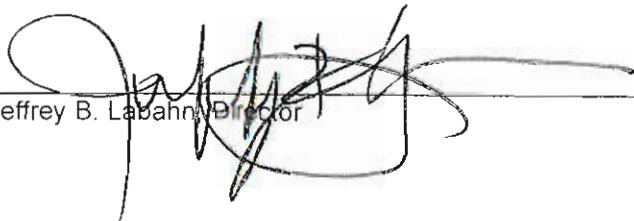
ANALYSIS:

- The attached Ordinance was drafted by Alderperson Bogdala and Bostrom.
- As drafted, the Ordinance would establish timeframes for the reviews of all permits under the Ordinance. If approval or denial is not granted within specified timeframes, the applicant can presume that they have been approved.
- The current Zoning Ordinance already contains review time lines for certain permits such as a Site Plan Review.

RECOMMENDATION:

For review and comment.


 Rich Schroeder, Deputy Director


 Jeffrey B. Labahn, Director

ORDINANCE NO.

PRINCIPAL SPONSOR: ALDERMAN DAVID F. BOGDALA
CO-SPONSOR: ALDERMAN STEVE BOSTROM
CO-SPONSOR: ALDERMAN G JOHN RUFFOLO

TO CREATE SECTION 19 ~~OF THE CODE OF~~ **THE ZONING ORDINANCES** ~~AND TO~~
~~CREATE CHAPTER XXXIX OF THE CODE OF GENERAL ORDINANCES~~
REGARDING PRESUMPTIVE APPROVAL

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

Section One: Section 19 of the Code of Zoning Ordinances for the City of

Kenosha, Wisconsin, is hereby created as follows:

19. Presumptive Approval.

19.01. Purpose. The purpose of this Section 19 is to expedite applications for permits, licenses or other approvals submitted in accordance with the ~~Code of Zoning Ordinances~~ for the City of Kenosha.

19.02. Definitions. Except as otherwise provided, the definitions of the terms in this Section 19 are as follows:

City means the City of Kenosha, State of Wisconsin.

City Department means any department of the City of Kenosha, whether one or more, or employees thereof.

City Commission means any committee or commission established by state statute, the Common Council or otherwise for the City of Kenosha including wholly-owned utilities and subsidiaries.

Common Council means the Common Council for the City of Kenosha.

Final Review Authority means the authority that has the final decision on any application.

Presiding Officer means the chairman of a City Commission or the mayor in the case of the Common Council.

19.03. Deadlines for action on applications.

A. Deadlines. Any application submitted in accordance to the Ordinance will be approved or disapproved within the time frame as follows for each respective Final Review Authority, except as provided by state or federal law:

1. City Department. Thirty days.
2. City Commission. Sixty days.
3. Common Council. Ninety days.

B. Agendas. In the case of the Final Review Authority being a City Commission or the Common Council, the Presiding Officer will, within the period established under Subsection 19.03A, place any application submitted in accordance to the Ordinance on the agenda for the respective Final Review Authority to consider and take action for approval or disapproval.

C. Automatic extension. Failure of the Presiding Officer to act in accordance with Subsection 19.03B of this Ordinance will subject the Presiding Officer to all equities of law including but not limited to automatically subjecting the Presiding Officer to Chapter 30 of the General Code of Ordinances for the City. The City Administrator is charged with the action of filing a complaint against the Presiding Officer under same Chapter 30 within ten days of the expiration of the deadline for action. In the event that the Presiding Officer fails to act in accordance with Subsection 19.03B of this Ordinance, the City Clerk will place the application on the next agenda of the Final Review Authority for approval or disapproval and continue as such until a quorum of the Final Review Authority exists to consider the application.

19.04. Failure to meet deadline.

A. Subject to Subsections 19.06 and 19.03C of this Ordinance, if the Final Review Authority fails to provide the applicant for an approval with written notice that the Final Review Authority has approved or disapproved the application before the expiration of the period established under Subsection 19.03A of this Ordinance for the approval, the applicant may choose to proceed as though the Final Review Authority had approved the application by providing the City Clerk with written notice of that choice no later than forty-five days after the expiration of the period established under Subsection 19.03A of this Ordinance.

B. The Final Review Authority may not disapprove an application for an approval solely because the Final Review Authority is unable to complete its review of the application within the period established under Subsection 19.03A of this Ordinance.

19.05. Notice of deadline. Upon receiving an application for an approval, the City will inform the applicant of the period established under Subsection 19.03A of this Ordinance for the permit, license or other approval.

19.06. Permitted extension of deadline for incomplete application. The Final Review Authority may extend the period established under Subsection 19.03A of this Ordinance because an application is incomplete if all of the following apply:

A. Within fourteen days after the City receiving the application, the City provides written notice to the applicant describing specifically the information that must be provided to complete the application.

B. The information under Subsection 19.06A of this Ordinance is directly related to eligibility for the permit, license or other approval or to terms or conditions of the permit, license or other approval.

C. The information under Subsection 19.06A of this Ordinance is necessary to determine whether to approve the application or is necessary to determine the terms or conditions of the license or other approval.

D. The extension is not longer than the period equal to the number of days from the day on which the City provides the notice under Subsection 19.06A to the day on which the City receives the information.

~~Section Two: Chapter XXXIX of the Code of General Ordinances for the City of Kenosha, Wisconsin, is hereby created as follows:~~

~~XXXIX. Presumptive Approval~~

~~39.01. Purpose. The purpose of this Chapter 39 is to expedite applications for pennits, licenses or other approvals submitted in accordance with the Code of General Ordinances for the City of Kenosha.~~

~~39.02. Definitions. Except as otherwise provided, the definitions of the terms in this Chapter 39 are as follows:~~

~~City means the City of Kenosha, State of Wisconsin.~~

~~City Department means any department of the City of Kenosha, whether one or more, or employees thereof.~~

~~City Commission means any committee or commission established by state statute, the Common Council or otherwise for the City of Kenosha including wholly-owned utilities and subsidiaries.~~

~~Common Council means the Common Council for the City of Kenosha.~~

~~Final Review Authority means the authority that has the final decision on any application.~~

~~Presiding Officer means the chairman of a City Commission or the mayor in the case of the Common Council.~~

~~39.03. Deadlines for action on applications.~~

~~A. Deadlines. Any application submitted in accordance to the Ordinance will be approved or disapproved within the time frame as follows for each respective Final Review Authority, except as provided by state or federal law:~~

~~1. City Department. Thirty days.~~

~~2. City Commission. Sixty days.~~

~~3. Common Council. Ninety days.~~

~~B. Agendas. In the case of the Final Review Authority being a City Commission or the Common Council, the Presiding Officer will, within the period established under Subsection 39.03A, place any application submitted in accordance to the Ordinance on the agenda for the respective Final Review Authority to consider and take action for approval or disapproval.~~

~~C. Automatic extension. Failure of the Presiding Officer to act in accordance with Subsection 39.03B of this Ordinance will subject the Presiding Officer to all equities of law including but not limited to automatically subjecting the Presiding Officer to Chapter 30 of the General Code of Ordinances for the City. The City Administrator is charged with the action of filing a complaint against the Presiding Officer under same Chapter 30 within ten days of the expiration of the deadline for action. In the event that the Presiding Officer fails to act in accordance with Subsection 39.03B of this Ordinance, the City Clerk will place the application on the next agenda of the Final Review Authority for approval or disapproval and continue as such until a quorum of the Final Review Authority exists to consider the application.~~

~~39.04. Failure to meet deadline.~~

~~A. Subject to Subsections 39.06 and 39.03C of this Ordinance, if the Final Review Authority fails to provide the applicant for an approval with written notice that the Final Review Authority has approved or disapproved the application before the expiration of the period established under Subsection 39.03A of this Ordinance for the approval, the applicant may choose to proceed as though the Final Review Authority had approved the application by providing the City Clerk with written notice of that choice no later than forty five days after the expiration of the period established under Subsection 39.03A of this Ordinance.~~

~~B. The Final Review Authority may not disapprove an application for an approval solely because the Final Review Authority is unable to complete its review of the application within the period established under Subsection 39.03A of this Ordinance.~~

~~39.05. Notice of deadline. Upon receiving an application for an approval, the City will inform the applicant of the period established under Subsection 39.03A of this Ordinance for the permit, license or other approval.~~

~~39.06. Permitted extension of deadline for incomplete application. The Final Review Authority may extend the period established under Subsection 39.03A of this Ordinance because an application is incomplete if all of the following apply:~~

~~A. Within fourteen days after the City receiving the application, the City provides written notice to the applicant describing specifically the information that must be provided to complete the application.~~

~~B. The information under Subsection 39.06A of this Ordinance is directly related to eligibility for the permit, license or other approval or to terms or conditions of the permit, license or other approval.~~

~~C. The information under Subsection 39.06A of this Ordinance is necessary to determine whether to approve the application or is necessary to determine the terms or conditions of the license or other approval.~~

~~D. The extension is not longer than the period equal to the number of days from the day on which the City provides the notice under Subsection 39.06A, to the day on which the City receives the information.~~

~~**Section Two**ree: The treatment of the creation of Section 19 of the Code of Zoning Ordinances and the creation of Chapter XXXIX of the Code of General Ordinances applies to all applications for individual permits, licenses or other approvals that were lawfully submitted to the City within the twelve months immediately preceding the effective date as established by Section **Three**Four, of which deadlines will run from said effective date. All individual permits, licenses or other approvals submitted after said effective date will be subject to all terms and conditions of the respective code under which they are submitted.~~

~~**Section Three**Four: This Ordinance will become effective after passage and publication.~~

ATTEST: _____ City Clerk

Debra Salas

APPROVED _____ Mayor
Keith Bosman

Date: _____

Passed:

Published:

Drafted By: David F. Bogdala

17th District Alderman/License and Permit Committee Member

Steve Bostrom

12th District Alderman/Public Works Committee Member

City of Kenosha, State of Wisconsin