



**CITY PLAN COMMISSION
Agenda**

**Thursday, May 21, 2015 at 5:00 pm
Municipal Building
625 52nd Street - Room 202 - Kenosha, WI 53140**

Mayor Keith Bosman - Chairman, Alderperson Scott Gordon - Vice-Chairman
Alderperson Jan Michalski, Alderperson Kurt Wicklund,
Patrick DeGrace, Anita Faraone, Robert Hayden, Bradley Kleba, Anderson Lattimore and Jessica Olson

Call to Order and Roll Call

Approval of Minutes from May 7, 2015

1. Resolution by the Mayor - To approve a Two-Lot Certified Survey Map for property at 6110 3rd Avenue. (Heim) (District 2) PUBLIC HEARING
2. City of Kenosha Alley Analysis

Public Comments

Commissioner Comments

Staff Comments

Adjournment

*If you are disabled in need of assistance, please call 262.653.4030 at least 72 hours before this meeting.
Notice is hereby given that a majority of the members of the Common Council may be present at the meeting.
Although this may constitute a quorum of the Common Council, the Council will not take any action at this meeting.*

CITY PLAN COMMISSION
Minutes
May 7, 2015

MEMBERS PRESENT: Alderperson Gordon, Alderperson Michalski, Alderperson Wicklund, Anita Faraone, Robert Hayden, Anderson Lattimore

MEMBERS EXCUSED: Mayor Bosman, Patrick DeGrace, Brad Kleba and Jessica Olson

STAFF PRESENT: Jeffrey B. Labahn and Brian Wilke

The meeting was called to order at 5:08 p.m. by Alderperson Gordon and roll call was taken.

A motion was made by Alderperson Michalski and seconded by Mr. Lattimore to approve the minutes of the April 9, 2015 meeting. The motion passed. (Ayes 6, Noes 0)

A motion was made by Mr. Lattimore and seconded by Alderperson Wicklund to take Item 2 first and then go to Item 1. The motion passed. (Ayes 6, Noes 0)

2. Public Building Review for a 1,542 s.f. addition to the Kenosha Unified School District Educational Support Center at 3600 52nd Street. (District 10) PUBLIC HEARING

Public hearing opened.

Mike Risselada, Partners In Design Architects, 600 52nd Street and John Setter, Kenosha Unified School District, 3600 52nd Street were available for questions.

Public hearing closed.

Brian Wilke, Development Coordinator, gave an overview of the project.

A motion was made by Mr. Lattimore and seconded by Mr. Hayden to approve the review. The motion passed. (Ayes 6, Noes 0)

1. Conditional use Permit for a contractor's storage yard to be located at 8010 and 8020 75th Street. (Lorenz) (District 16) PUBLIC HEARING

Public hearing opened.

Dennis Dahlberg, 8200 75th Street-Lot #35, distributed a folder of pictures to each Commissioner. Mr. Dahlberg has concerns with the odor being emitted, the dust and dirt in the air, the dyes in the wood that Mr. Lorenz is mulching on his property, the height of the mulch or dirt piles and the junk cars in the yard.

Paul Rowan, 8200 75th Street-Lot #45, distributed some papers to the Commissioner. Mr. Rowan is concerned the smell (air pollution), the dyes within the wood being

mulched, the air pollution, ground contamination, and junk in the yard.

Randy Waas, 8200 75th Street-Lot #26, is concerned with the work being done in the road and the noise from the property. Mr. Waas said they just want things cleaned up.

William Glidden, 8200 75th Street-Lot #28, wants to know where the used skids are coming from, are they contaminated.

Dolly Dahlberg, 8200 75th Street-Lot #35, said they don't want to shut Mr. Lorenz down, they just want to improve the air quality and have him do the mulching somewhere else.

Deb Perry, 8200 75th Street-Lot #60, said the mulching creates a big problem with the air quality.

Dominic Ruffalo, 8200 75th Street-Lot #61, said Mr. Lorenz does what he wants and doesn't follow the rules. Mr. Ruffalo's concerns include the garbage in the yard, his trucks blocking the road, no set hours, and air quality/health issues.

Trisha Glidden, 8200 75th Street-Lot #28, concerns include the semis parking on the road.

Peter Barca, 1339 38th Avenue, said he has bet with the Mayor and has been out to the Prairie Lakes Estates to observe the problems. Mr. Barca said the biggest problem is the odor and air pollution. This business is not compatible with this location.

Judy Tanzer, 8200 75th Street-Lot #49, asked what does Mr. Lorenz have permits for? Ms. Tanzer said Mr. Lorenz's operation devalues their property.

Dana Larsen, 8200 75th Street-Lot #69, wants the City to verify that Mr. Lorenz is allowed to do what he is doing at the site. There is also a large white tank marked "poison" next to the wetlands. Ms. Larson is concerned about seepage into the wetland area.

Don Lajeunesse, 8200 75th Street-Lot #27, said the community has a number of older citizens there and this type of air quality affects them more.

Public hearing closed.

Mr. Wilke showed a video of the site and gave an overview of what has transpired. Staff has created a timeline for the applicant to abide to the issues in the Conditions of Approval.

Ms. Faraone said Mr. Lorenz is not represented here tonight and she doesn't support the Conditional Use Permit.

Alderman Michalski asked Staff if Alderman Johnson supports the project. Mr. Wilke said he has received emails from the alderman and believes he is concerned with some issues. Alderman Michalski asked if we know if the pallets are toxic. Mr. Wilke said we have no evidence of that. Alderman Michalski said since Mr. Lorenz is not here and the previous work without permits, he doesn't support the project.

Mr. Hayden does not support the project.

Mr. Lattimore asked for clarification on requirements by Staff and results from Mr. Lorenz. Mr. Lattimore asked if the wetlands have been affected by Mr. Lorenz's business or his practices. Mr. Wilke we don't know about the wetlands for sure, but Mr. Lorenz does have things stacked in the floodplain area. Mr. Lattimore will not support the project.

Aldersperson Wicklund asked how Staff became aware of Mr. Lorenz operating without permits. Jeffrey Labahn, Director, said he became aware when concerned citizens of Prairie Lakes Estates notified him with their concerns. The area is zoned Industrial, but Mr. Lorenz is not the long term owner. The business activity has ramped up recently. Aldersperson Wicklund suggested that the soil be tested for contamination before any permits are granted.

Aldersperson Wicklund asked if we know the height of the piles. Mr. Labahn said no, we don't know that. Aldersperson Wicklund asked about the laws on grinding pallets. Mr. Labahn said he has had ongoing discussion with the County Health Department and they have been at the site on several occasions. Mr. Labahn will follow-up on the site monitoring. Aldersperson Wicklund asked for a more definitive Operational Plan.

Aldersperson Gordon asked if Mr. Lorenz has any permits. Mr. Wilke said they applied for a Business Occupancy. Other departments have signed off on this, but our department has not yet signed off on that application. Aldersperson Gordon asked when this application procedure started. Mr. Wilke said September of 2014, with a few reinspection fees. Aldersperson Gordon recommended that a Stop Work Order be issued and asked Staff to follow up on that.

Ms. Faraone made a motion to deny the application and place a Stop Work Order on the business immediately. The motion died for lack of a second. Mr. Labahn noted there are other ways Staff can be more aggressive with the applicant, but they don't have the authority to issue a Stop Work Order.

A motion was made by Ms. Faraone and seconded by Mr. Hayden to deny the Conditional Use Permit. The motion passed. (Ayes 6, Noes 0)

Public Comments

No public comments.

Commissioner Comments

Aldersperson Michalski, Mr. Lattimore, Aldersperson Wicklund and Ms. Faraone thanked the public for speaking. Aldersperson Michalski added Commission must act on items from the agenda.

Ms. Faraone asked Staff to have the City Attorney review the Lorenz item. Ms. Faraone also suggested the City Attorney look into a requirement that Commission/Committee/Board members attend meeting or they will be cut from the Commission/Committee/Board.

Staff Comments

Mr. Labahn thanked Commissioners for their participation at the ULI interviews and meetings.

A motion to adjourn was made by Ms. Faraone and seconded by Alderperson Michalski. The motion passed. (Ayes 6, Noes 0) The meeting adjourned at 6:16 p.m.

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

Draft

Thursday, May 21, 2015 at 5:00 pm
Municipal Building
625 52nd Street - Room 202 - Kenosha, WI 53140

Resolution by the Mayor - To approve a Two-Lot Certified Survey Map for property at 6110 3rd Avenue. (Heim) (District 2) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Aldersperson Jenkins, District 2, has been notified. This item will also be reviewed by the Public Works Committee before final approval by the Common Council.

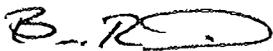
LOCATION AND ANALYSIS:

Site: 6110 3rd Avenue **Zoned:** RS-1 Single-Family Residential District

1. The property owners at 6110 3rd Avenue have submitted a Certified Survey Map to split their lot into two (2) parcels. There is an existing residence on the property that would remain (Lot 2-A) and a vacant buildable lot would be created (Lot 2-B).
2. The proposed properties meet or exceed the minimum lot width and lot area standards of the RS-1 Single-Family Residential District. The new buildable lot would be generally in conformance with the surrounding neighborhood in terms of lot width and size.
3. The home at 6110 3rd Avenue is listed on the National Register of Historic Places and the lot is located in the Third Avenue Historic District. The Historic Preservation Commission does not have to review the Certified Survey Map application, but if a new home or accessory structure is constructed on Lot 2-B, an application for a Certificate of Appropriateness will have to be filed with the Historic Preservation Commission.
4. There is an existing shed and landscape wall on Lot 2-B which will have to be removed prior to recording of the Certified Survey Map.
5. The Certified Survey Map was sent to City Departments for their review. Their comments are included in the attached Resolution.
6. The Certified Survey Map generally complies with Chapter 17 of the Code of General Ordinances.

RECOMMENDATION:

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



Brian Wilke, Development Coordinator



Jeffrey B. Labat, Director

RESOLUTION # _____ - 15

BY: THE MAYOR

TO APPROVE A TWO-LOT CERTIFIED SURVEY MAP
Property at 6110 3rd Avenue (Heim)

BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that a Certified Survey Map relating to one parcel at 6110 3rd Avenue 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 in CAD and GIS formats.
5. The Certified Survey Map shall be null and void if not recorded within six (6) months of approval by the Common Council.
6. The existing cut limestone wall located south of the existing house shall be shown on the Certified Survey Map and removed on the entirety of Lot 2-B prior to recording of the Certified Survey Map. The shed shall be razed prior to the recording of the Certified Survey Map. Removal of the wall shall be in compliance with Section 15.0 of the Zoning Ordinance.
7. The following notes shall be placed on the Certified Survey Map:
 - a. "The front yard setback for Lot 2-B shall be determined by the average front yard setback of the two (2) nearest residential zoned properties on either side of the subject lot fronting the same street which are most nearly adjacent to Lot 2-B."
 - b. "Review and recommendation by the Historic Preservation Commission is required prior to the construction of a new principal or accessory structure on Lot 2-B in accordance with Section 15.0 of the Zoning Ordinance."
 - c. "Lot 2-B will need new sanitary sewer and water services installed at the time of construction due to the age of the existing stubs. A sewer connection fee will need to be paid based on the meter size for the proposed residence."
8. Provide proposed lot line grades for the shared property line of the two (2) lots.
9. The notation on Sheet One, denoting the iron pipe, does not indicate whether they are found or set. One of the pipe symbols is filled in, but there is only one (1) symbol in the legend. Please change the legend to add the filled symbol and indicate what the open and filled symbols represent.
10. Compliance with all preceding conditions as a prerequisite for authorizing Mayor and City Clerk-Treasurer to sign the Certified Survey Map.

Adopted this ____ day of _____, 2015

ATTEST:

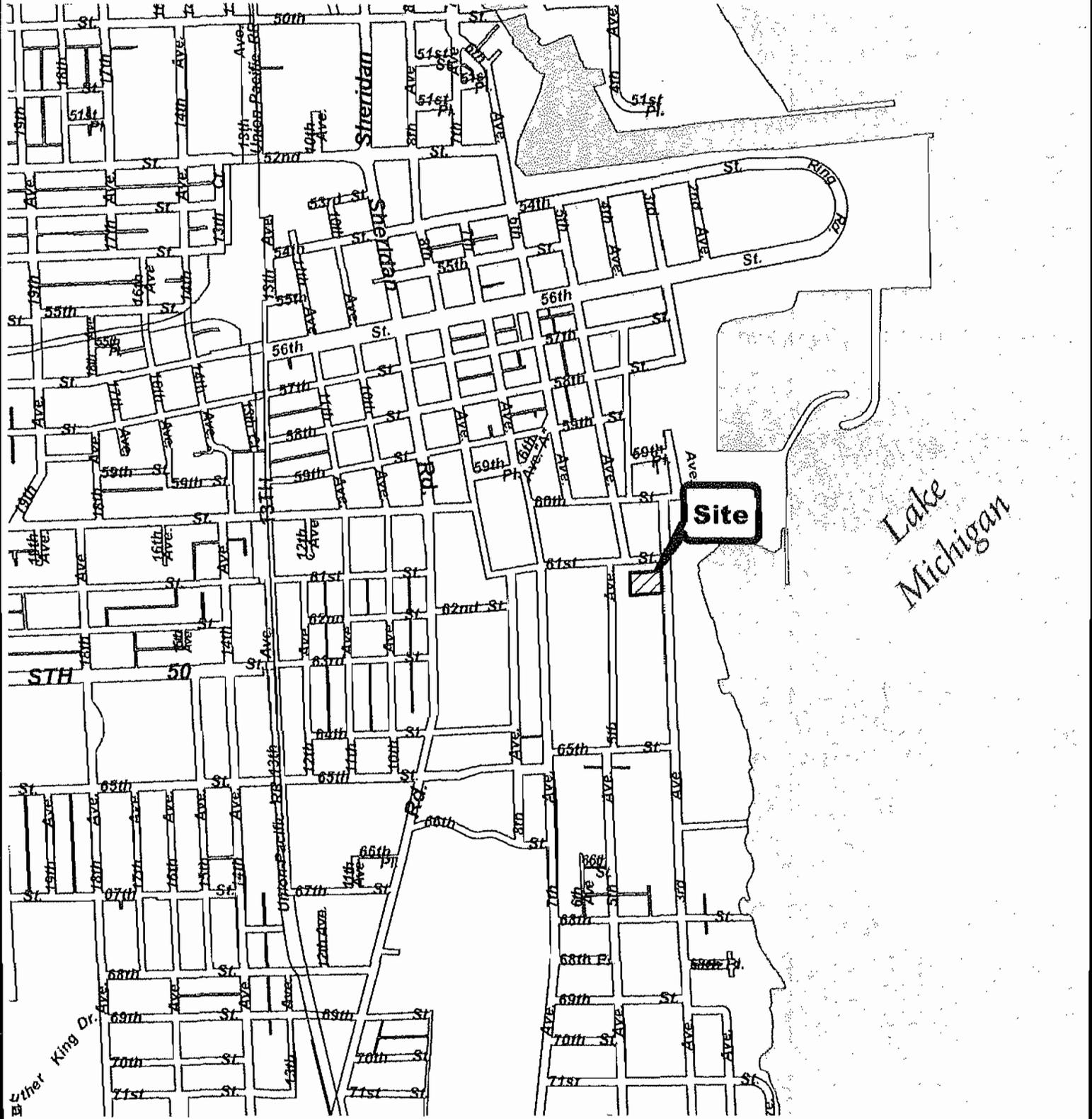
Debra L. Salas, City Clerk-Treasurer

APPROVE:

Keith G. Bosman, Mayor

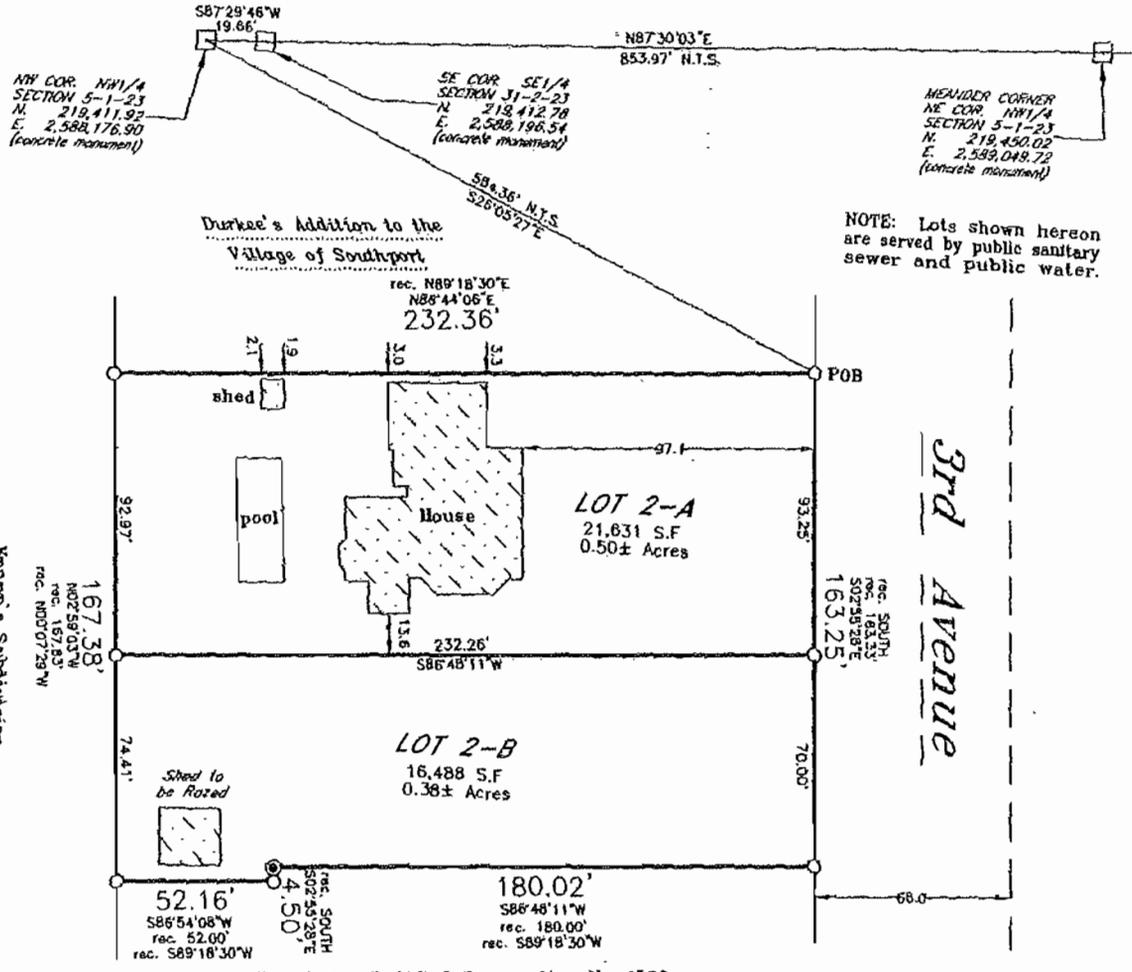
City of Kenosha

Vicinity Map Heim Certified Survey Map



Lake Michigan

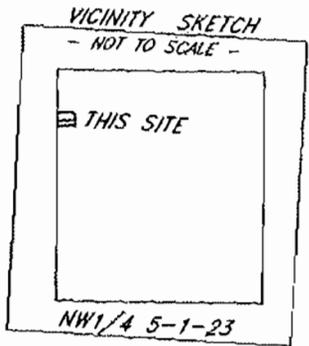
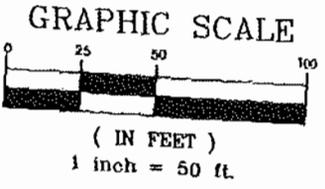




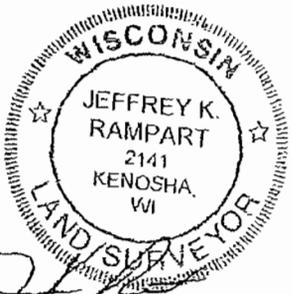
Parcel 1 - Certified Survey Map No. 1522

Bearings refer to grid north, state plane coordinate system south zone.

denotes 1" x 2" iron pipe (weight: 1.13 lbs per foot)



J.K.R. SURVEYING, INC.
 8121 22ND AVENUE KENOSHA, WI 53143
 phone 262-652-8110 fax 262-652-9695



WISCONSIN REGISTERED LAND SURVEYOR
 JEFFREY K. RAMPART, 5 - 2141
 Dated: March 30, 2015
 Revised 4/21/15
 SHEET ONE OF TWO SHEETS

CERTIFIED SURVEY MAP
 - for Owners -
 John & Jennifer Heim
 8110-3rd Avenue
 Kenosha, WI 53143
 (A Re-division of Parcel 2 of Certified Survey Map No. 1522)
 in NW1/4 Section 5-1-23
 CITY OF KENOSHA
 KENOSHA COUNTY, WIS.

CERTIFIED SURVEY MAP NO.

CERTIFIED SURVEY MAP

I, JEFFREY K. RAMPART, SURVEYOR, hereby certify that I have prepared this certified survey map, the exterior boundaries of which are described as:
A Re-division of Parcel 2 of Certified Survey Map No. 1522, a plat on file and of record in the Kenosha County Land Registry on November 13, 1991, as Document No. 879197; being in part of Block 3 of Durkee's Addition to the Village of Southport; lying and being in part of the Northwest Quarter of Section 5, Town 1 North, Range 23 East of the Fourth Principal Meridian; being in the City of Kenosha, County of Kenosha and State of Wisconsin and being more particularly described as: Commencing at the northwest corner of said quarter section; thence S26°05'27"E 584.36 feet to a 1 inch iron pipe found at the northeast corner of said Parcel 2 and the point of beginning; thence S02°55'28"E 163.25 feet to a 1 inch iron pipe found at the southeast corner of said Parcel 2; thence S86°48'11"W 180.02 feet to a 5/8 inch solid rod found; thence S02°55'28"E 4.50 feet; thence S86°54'08"W 52.16 feet to a 1 inch iron pipe found at the southwest corner of said Parcel 2; thence N02°59'03"W 167.38 feet to a 1 inch iron pipe found at the northwest corner of said Parcel 2; thence N86°44'06"E 232.36 feet to a 1 inch iron pipe found at aforesaid northeast corner of said Parcel 2 and the point of beginning.

That I have complied with the provisions of chapter 236.34 of the State Statutes on certified surveys and the City of Kenosha Land Division and Platting Ordinance.



Dated this 21ST day of APRIL, 2015.

SURVEYOR, *JKR*
JEFFREY K. RAMPART (S-2141)
WISCONSIN REGISTERED LAND SURVEYOR

As owners, we hereby certify that we caused the land described on this plat to be surveyed, divided and mapped as represented on this plat.

OWNER.....
JOHN HEIM

OWNER.....
JENNIFER HEIM

STATE OF WISCONSIN
KENOSHA COUNTY S.S.

Personally came before me this day of, 20___, the above named John and Jennifer Heim, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

My Commission Expires.....
NOTARY PUBLIC

PRINT NAME HERE.....

This certified survey map has been submitted to and approved by the Common Council of the City of Kenosha on this day of, 20___.

APPROVED.....
KEITH G. BOSMAN, Mayor

PRINT NAME HERE.....

I hereby certify that the foregoing is a copy of resolution number _____ adopted by the Common Council of the City of Kenosha.

- for Owners -
John & Jennifer Heim
6110-3rd Avenue
Kenosha, WI 53143

CITY CLERK/TREASURER.....
DEB SALAS

PRINT NAME HERE.....

Development Review Application City of Kenosha, Wisconsin

MAILING INFORMATION

NAME OF PROJECT: 6110 3RD Ave - CSM

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

<input checked="" type="radio"/>	Name and Address of Applicant (Please print): <u>John / Jennifer Heim</u> <u>6110 3rd Ave</u> <u>Kenosha WI 53143</u>	Phone: <u>John (262) 388-1269 / Jennifer (262) 716-1781</u> Fax: _____ E-Mail: <u>theheims@shcglobal.net</u>
<input type="radio"/>	Name and Address of Architect/Engineer (Please print): <u>TKR Surveying Inc.</u> <u>8121 22nd Ave</u> <u>Kenosha, WI 53143</u>	Phone: <u>(262) 652-8110</u> Fax: <u>(262) 652-9695</u> E-Mail: _____
<input type="radio"/>	Name and Address of Property Owner (if other than applicant) (Please print): <u>John / Jennifer Heim</u> <u>6110 3rd Ave</u> <u>Kenosha, WI 53143</u>	Phone: <u>John (262) 388-1269 / Jennifer (262) 716-1781</u> Fax: _____ E-Mail: _____

PROJECT LOCATION

Location of Development (street address and / or parcel number): _____

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

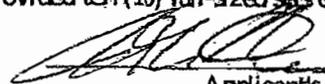
**SECTION 1
CERTIFIED SURVEY MAP**

Additional Information Required:	Number of Lots: <u>TWO</u> Zoning District: <u>RS-1</u> Proposed Zoning Change, if any: <u>N/A</u>
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.

Checklist to be completed and signed: <input type="checkbox"/> Scale and north arrow <input type="checkbox"/> Scale of plans less than or equal to 1" = 100' <input type="checkbox"/> Date of original and revisions noted <input type="checkbox"/> Certification from surveyor that Plat complies with Chapter 17 <input type="checkbox"/> Reproducible paper less than 36" in width <input type="checkbox"/> Location of all existing structures and first floor elevations <input type="checkbox"/> Location of utility and drainage easements <input type="checkbox"/> Exact length and bearing of the centerline of all streets <input type="checkbox"/> Exact street width along the line of any obliquely intersecting street <input type="checkbox"/> Railway rights-of-way within and abutting the plat <input type="checkbox"/> Location and size of all lands to be dedicated for public use (when required) <input type="checkbox"/> Comprehensive drainage plan <input type="checkbox"/> Special restrictions relating to access control, planting strips, restrictive yard requirements, etc. (when required) <input type="checkbox"/> Major street setback or WisDOT setbacks (if applicable) <input type="checkbox"/> Map shows entirety of all parcels in proposed certified survey map	Checklist to be completed and signed: <input type="checkbox"/> Floodplain limits of the 100 year recurrence interval flood <input type="checkbox"/> Location of any wetlands, shoreland, or other environmental areas (if applicable) Plans to be submitted (when applicable) <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 I hereby certify that I have reviewed the City ordinances and provided ten (10) full-sized sets of all required information.  Applicant's Signature
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City of Kenosha Alley Analysis

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

N/A

LOCATION AND ANALYSIS:

Site: City-Wide

1. Staff from Department of Public Works and Community Development & Inspections will provide a presentation on public alleys including information on maintenance, lighting, paving and vacating alleys.
2. This presentation was also given to the Committee on Public Works at the request of their Chairman. This information is being provided to the City Plan Commission since the Commission provides recommendations on vacating public alleys.

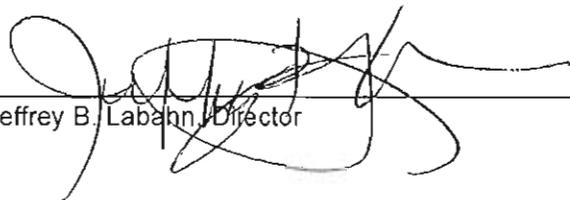
RECOMMENDATION:

For informational purposes only, a recommendation is made to receive and file.



Rich Schroeder, Deputy Director

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Jeffrey B. Labahn, Director



CITY OF KENOSHA ALLEY ANALYSIS

PUBLIC WORKS DEPARTMENT
ENGINEERING DIVISION
STREET DIVISION

COMMUNITY DEVELOPMENT AND
INSPECTIONS
PLANNING DIVISION /
PROPERTY MAINTENANCE

SHELLY BILLINGSLEY, MBA, PE
ACTING DIRECTOR OF PUBLIC WORKS
AND
RICH SCHROEDER
DEPUTY DIRECTOR OF CDI

ALLEY ANALYSIS

INTRODUCTION

The City of Kenosha has approximately 444 alleys that cover approximately 25 miles. The alleys range between unimproved (i.e. grass), gravel and pavement and have a variety of factors that impact their functionality, maintenance, and priority. The breakdown of alleys within the City of Kenosha are as follows:

- Paved: 124 alleys (6 mi) – 27% of alleys / 24% of miles
- Unpaved: 290 alleys (17.5 mi) – 66% of alleys / 70% of miles
- Unimproved: 30 alleys (1.5 mi) – 7% of alleys / 6% of miles

Of the 444 alleys, there are 91 partially vacated alleys covering 2.7 miles within the City. The breakdown of partially vacated alleys are as follows:

- Paved: 19 alleys (0.8 mi) – 21% of partially vacated alleys / 30% of miles
- Unpaved: 56 alleys (1.5 mi) – 61% of partially vacated alleys / 56% of miles
- Unimproved: 16 alleys (0.4 mi) – 18% of partially vacated alleys / 14% of miles

The Lighting, Paving and Partial Alley Vacations are covered within the Code of General Ordinances 5.04 (C) and (D) which will be defined in the sections of this report.

MAINTENANCE

Alleys within the City have a wide range of treatments however the majority of alleys are unpaved and require only periodic maintenance. Annually the Street

Division will re-grade approximately 25% of the gravel alleys, rebuild approximately 5% of the alleys by removing bad base material, widening them to their full right-of-way width and replacing with 8 to 10 inches of compacted limestone.

High traffic alleys may need to be re-graded more than once annually due to use. Most of these alleys are located around businesses, have heavy truck access or have alley dumpster collection.

There are a few alleys that are rarely utilized and citizens living adjacent have specifically requested that the City only maintain them when requested so that they can minimize traffic use.

Alley maintenance usually is staffed by, on average, two Equipment Operators from the Street Division daily (weather permitting) during the construction season. Alley maintenance includes not only re-grade but trimming of overgrown trees and removal of what are referred to as “weed trees” when and only if they are impacting equipment clearances (i.e. Snow Plows). The Street Division evaluates the condition of alleys under several conditions, some of which are below:

- a. Right of Way Infringements – Many alleys over time have been encroached upon by adjacent property owners making their maintenance and plowing difficult to nearly impossible.
- b. Complaints and Grading Requests – Street Division receives Alderman and citizen complaints regarding the alley conditions and upon those complaints the alleys are then put on a priority list. Most complaints are received after the winter season ends and during the spring rains. Therefore as complaints are made and alleys are inspected prioritization is completed and crews proceed with the repair(s) that can be made utilizing budgeted funding.

The Street Division has developed a system to prioritize alleys to schedule for maintenance. The factors are as follows, please refer to maps in Appendix B divided by Districts:

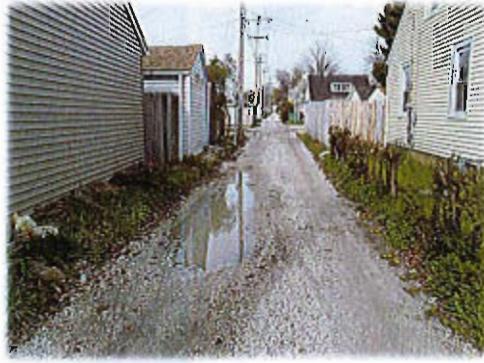
- a. Condition – Some alleys need to be re-graded as they may be deemed unsafe due to soft areas or large potholes that could damage a vehicle. Upon receiving this request engineering staff has begun an Alley Condition Program. Yearly Engineering will evaluate all maintained alleys and rate them on a condition point system similar to PASER (used to evaluate conditions of roadways). Alleys will be rated on a 1-5 scale with 1 being poor and 5 being excellent. The following are photos showing examples of each point in the ranking system:

UNPAVED ALLEYS

These are examples of the Rankings of 1 – 5 of Unpaved Alleys



Ranking #1



Ranking #2



Ranking #3



Ranking #4



Ranking #5

PAVED ALLEYS

These are examples of the Rankings of 1 – 5 of paved Alleys



Ranking #1



Ranking #2



Ranking #3



Ranking #4



Ranking #5

The City's 2015 analysis show the following number of alleys under each point:

ALL ALLEYS					
ALLEY TYPE	#1	#2	#3	#4	#5
PAVED	14	35	41	22	12
UNPAVED	74	103	85	27	1
UNIMPROVED	30				

Partially vacated alleys had the following number of alleys under each point:

PARTIALLY VACATED ALLEYS					
ALLEY TYPE	#1	#2	#3	#4	#5
PAVED	1	4	9	3	2
UNPAVED	12	19	16	9	0
UNIMPROVED	16				

- b. Traffic Volume – Business alleys and those with high traffic volumes degrade quickly and require more maintenance by the Street Division crews. These are generally wider in nature with cars traveling at higher speeds.
- c. Alleys in Vicinity – Grading crews will generally improve poor condition alleys adjacent to the ones that meet the top two criteria since they are working in the area. This improves efficiency and reduces requests that are made under the “I saw you just redid Alley Z why wasn’t my alley re-graded”.

The data shown on the attached maps will be compiled and maintained in a Geographical Information System (GIS) so field personnel can review the PASER rating of the alleys and prioritize them earlier on in the year. This will allow staff to more effectively estimate the budget funding to request in the next budget cycle.

Public Works staff would also like to work with CDI and Elected Officials to vacate any alleys that meet the vacation requirements especially those that the adjacent property owners are requesting maintenance not be performed.

LIGHTING AND PAVING

The policy of paving of alleys is subject to the Department of Public Works receiving a Paving Petition (copy attached in appendix A). The petition identifies the owners, addresses and frontage that is requested to be paved. This petition is submitted to the Director of Public Works who then computes the percentage of the alley that has signed the petition. If this percentage is greater than 70% the item is added to Public Works and the Common Council meeting for review. If the item is approved staff will propose the cost of the future paving into the next year's Capital Improvement Plan to be approved again at budget. In interviewing staff over the last 30 years only three alley petitions have been recalled with the most recent having been completed in 2006/2007. Attached to this report is an example of the 2005 petition and backup to the Public Works Committee.

The policy regarding the lighting of Alleys is defined in Resolution 79-83. A copy of this Resolution can be found in Appendix B. Resolution 79-83 gives spacing guidelines for all alley lights leased through the Wisconsin Electric Power Company (WE Energies). Alley lights are generally required to be placed either at the intersection of two alleys. If an alley or alley segment exceeds 400 feet in length, this resolution requires that one alley light be installed at the approximate midpoint of the total distance. Alleys over 400 feet in length should have two lights, installed at the one-third points of the total distance. Alleys over 700 feet

in length should be considered for three lights, placed at the approximate one-quarter points of its total length.

When Public Works receives requests for additional alley lights the alley is first inspected to see if it meets (or exceeds) the guidelines set forth in Resolution 79-83. If this Resolution is not met, staff will contact WE Energies to see if the installation of an alley light would be feasible. Staff will then work with WE Energies to create a proposal for the installation of an alley light to satisfy Resolution 79-83. If Resolution 79-83 is already satisfied, no further action is required.

The Code of General Ordinances Section 5.04 specifies the Alleys requirements on Lighting and Paving is as follows:

5.04 STREETS, ALLEYS, AND SIDEWALKS

C. Miscellaneous

6. Lighting and Paving of Alleys

a. Lighting and paving of alleys shall, in all instances, be done at the sole discretion of Common Council.

b. The cost of paving alleys shall be spread as a special assessment upon the abutting benefitting properties on the same basis as street paving. Said special assessment shall be reduced by twenty-five (25%) percent, which cost shall be assumed by the City.

c. Alley lighting costs shall be totally paid for by the City.

VACATING

Alley vacations are subject to the provisions of 66.1003 of the State Statutes. This portion of the State Statutes provides the framework for the City to vacate any rights-of-way, including streets and alleys. Generally, the process includes the following:

- **Paved street/alley or unpaved alley.** If the right-of-way proposed to be vacated is paved, every property owner abutting the right-of-way proposed to be vacated is required to sign the petition in order for the City to take action on the petition. If the right-of-way proposed to be vacated is unpaved (i.e. gravel, grass, etc) only a majority of the property

owners, based on linear frontage, is required to sign the petition in order for the City to take action on the petition. In the alternative, the Common Council may initiate a petition to vacate a right-of-way per Statute 66.1003(4).

- **Process.** If a valid petition is received by the City, the Department of Community Development and Inspections processes the application. A legal description is created by the Department of Public Works. City Department and public utility companies are contacted to review the petition. The Alderperson of the District is notified. A Class III notice for the Public Hearing to be held by the Common Council is published in the official newspaper of the City. Individual property owners are notified of the Public Hearing by process server. The City Plan Commission and the Public Works Committee will both hold a hearing and then make recommendations to the Common Council. The Common Council. The Common Council is the final review authority.
- **Deeding of property.** If the street or alley is vacated, the public right-of-way is divided amongst abutting property owners based on how the public right-of-way was originally platted. If lots were platted on both sides of the right-of-way with the original subdivision plat, the right-of-way is divided equally amongst the property owners. If the right-of-way was platted with lots on only one side, and the other abutting lots were platted separately, the entire right-of-way is deeded to lots that the right-of-way was originally platted from. The land legally becomes part of the abutting properties, and there is no charge to the owners for the petition or the additional property.

The Code of General Ordinances for the City provides additional standards for alley vacations. The full reference is below:

D. Partial Alley Vacations – Alleys shall be vacated in accordance with Section 66.1003, Wisconsin Statutes. A partial vacation of an alley will be approved by the Common Council subject to the following:

1. Criteria.

- a. *The length of the alley remaining upon vacation of a portion of said alley shall not exceed one hundred (100') feet or abut more than four (4) properties.*
- b. *The partial alley vacation shall not result in discontinuance of sole access to a developed property.*
- 2. *Exceptions*
 - a. *A partial alley vacation of any length may be approved if the purpose is to reduce the length of an existing dead end alley.*
 - b. *A partial alley vacation of any length may be approved if the result is an alley with two or more access points on a public street.*
- 3. *Administrative Review. Notwithstanding compliance with Section 5.04 D.1 and 2. A partial alley vacation shall be denied if in the opinion of the Chief of Police, Fire Chief, Director of Public Works or Director of Community Development and Inspections, the proposal will adversely impact the public health or safety of the immediate neighborhood.*

With any vacation of a public right-of-way, whether paved or unpaved, the vacation cannot eliminate the sole access of a property to a garage or paved parking area.

PROPERTY MAINTENANCE

The Property Maintenance Code (Section 16.17 C) stipulates that the abutting property owner is responsible for maintenance to the center of the alley. The Department of Community Development and Inspections is responsible for the enforcement of violations of long grass/weeds, garbage, debris, graffiti, etc. that occur at the rear of the private properties and within the abutting portion of the alley.

16.17 Exterior Premises

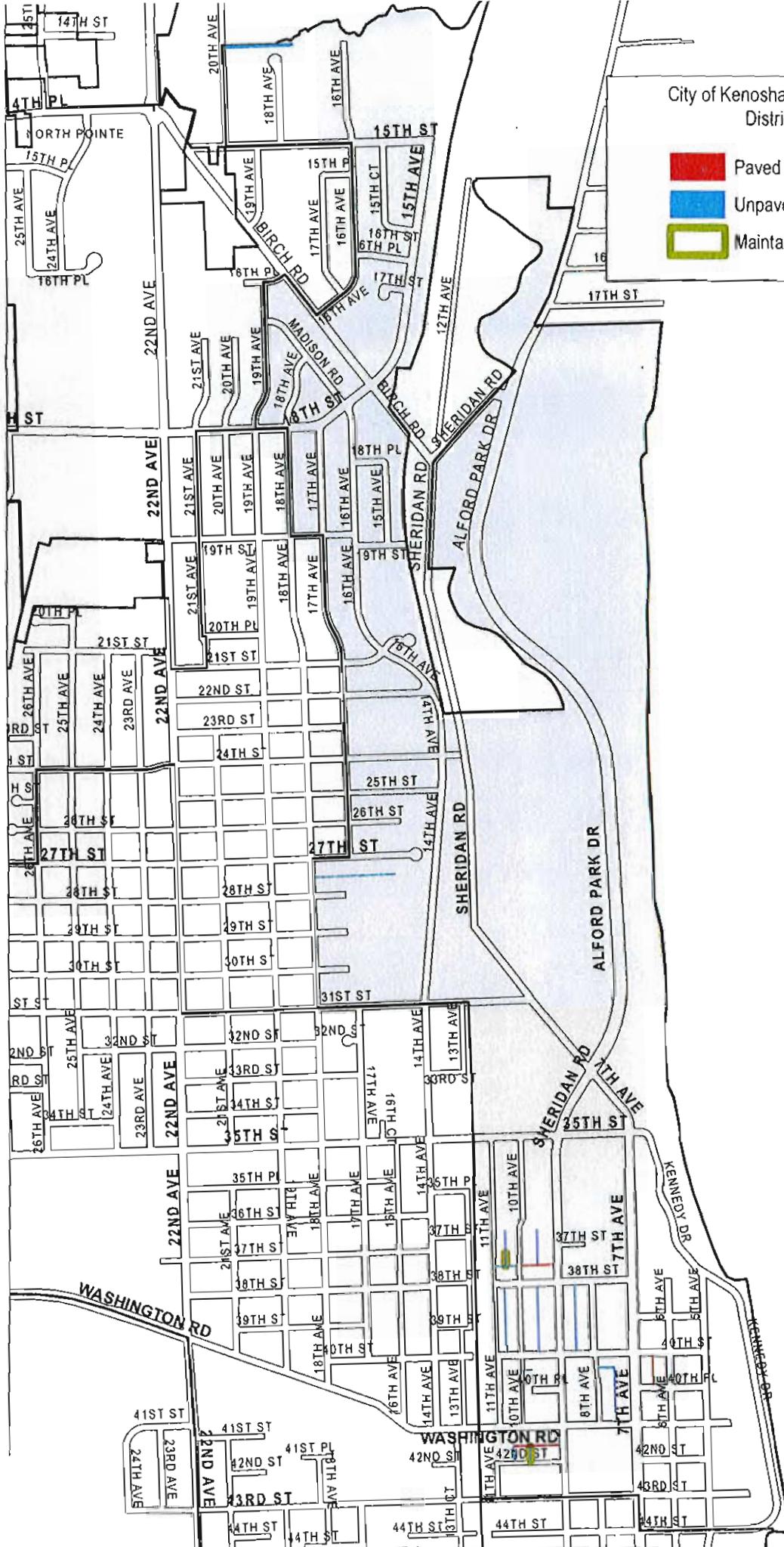
- C. *Maintenance of Alleys and Vacated Alleys – All alleys and vacated alleys, abutting private property between the center of the alley and the lot line, shall be maintained by the abutting property owner in accordance with this code.*

EXHIBITS

- DISTRICT 1 (ERIC HAUGAARD)
- DISTRICT 2 (RHONDA JENKINS)
- DISTRICT 3 (JAN MICHALSKI)
- DISTRICT 5 (ROCCO LAMACCHIA SR)
- DISTRICT 6 (DAVE PAFF)
- DISTRICT 7 (PATRICK JULIANA)
- DISTRICT 8 (KURT WICKLUND)
- DISTRICT 10 (ANTHONY KENNEDY)
- DISTRICT 11 (SCOTT GORDON)
- DISTRICT 12 (STEVE BOSTROM)
- DISTRICT 13 (CURT WILSON)
- DISTRICT 14 (DANIEL PROZANSKI, JR)
- DISTRICT 15 (JACK ROSE)

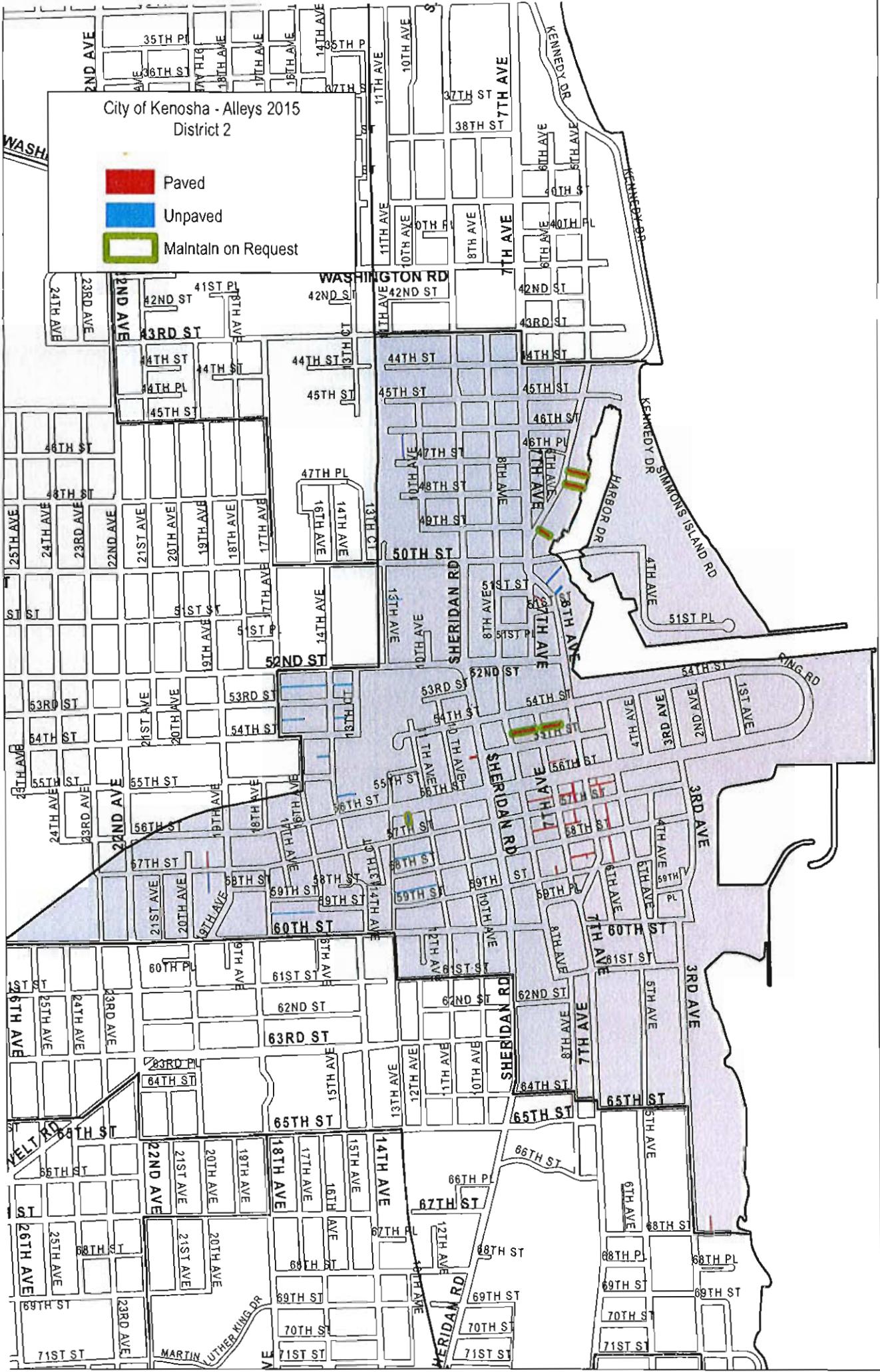
City of Kenosha - Alleys 2015
District 1

-  Paved
-  Unpaved
-  Maintain on Request



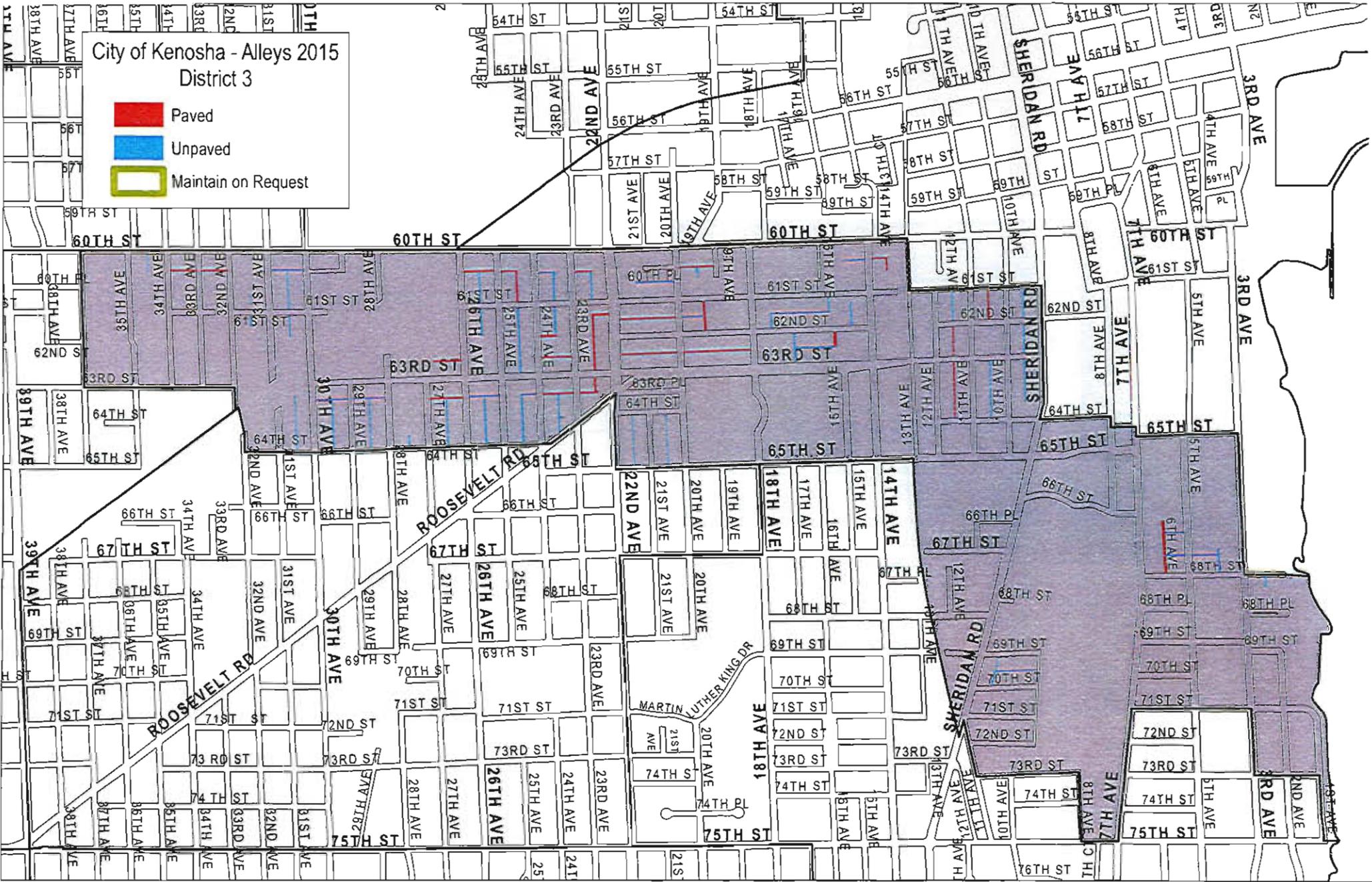
City of Kenosha - Alleys 2015
District 2

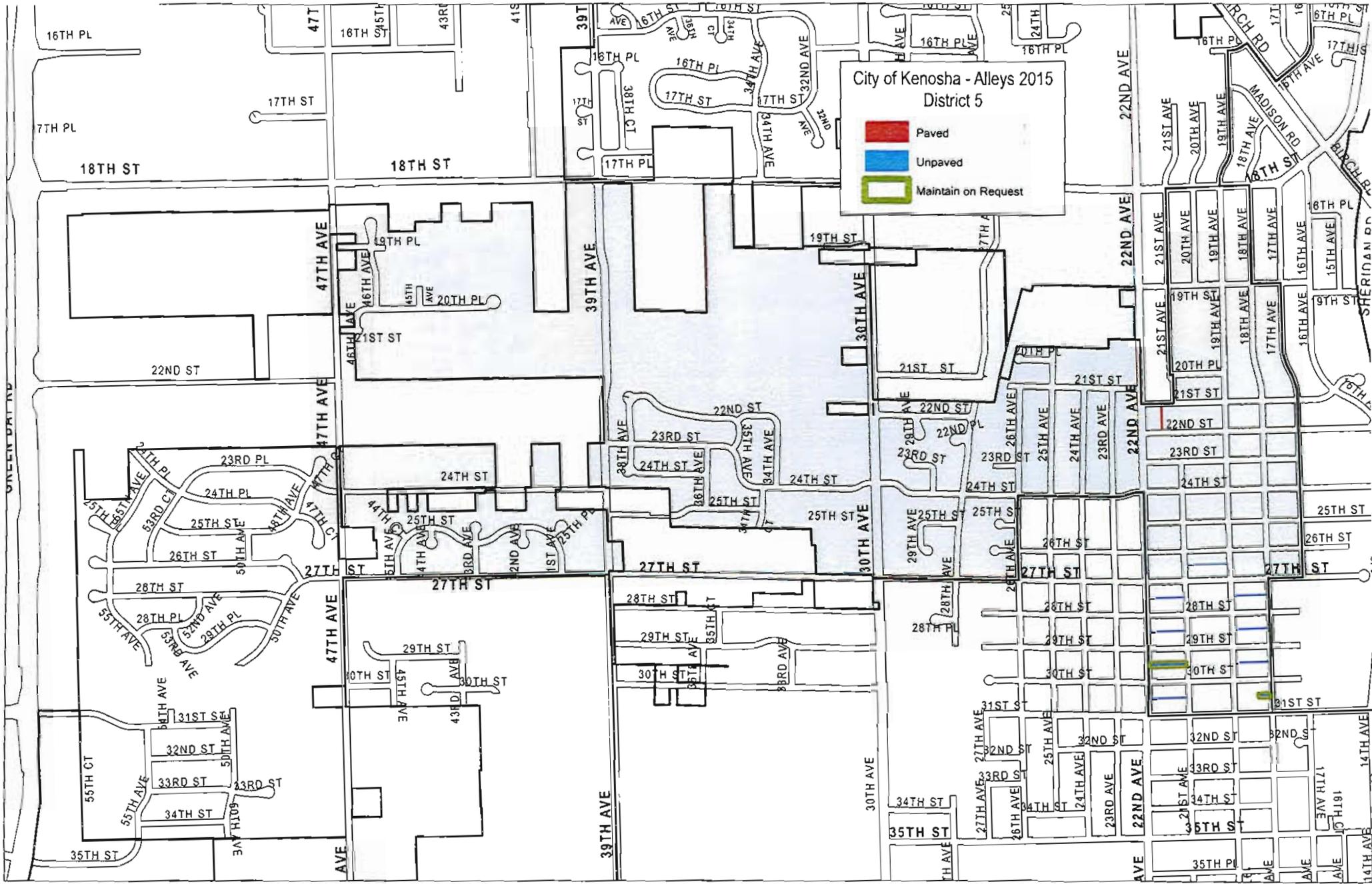
-  Paved
-  Unpaved
-  Maintain on Request



City of Kenosha - Alleys 2015
District 3

-  Paved
-  Unpaved
-  Maintain on Request





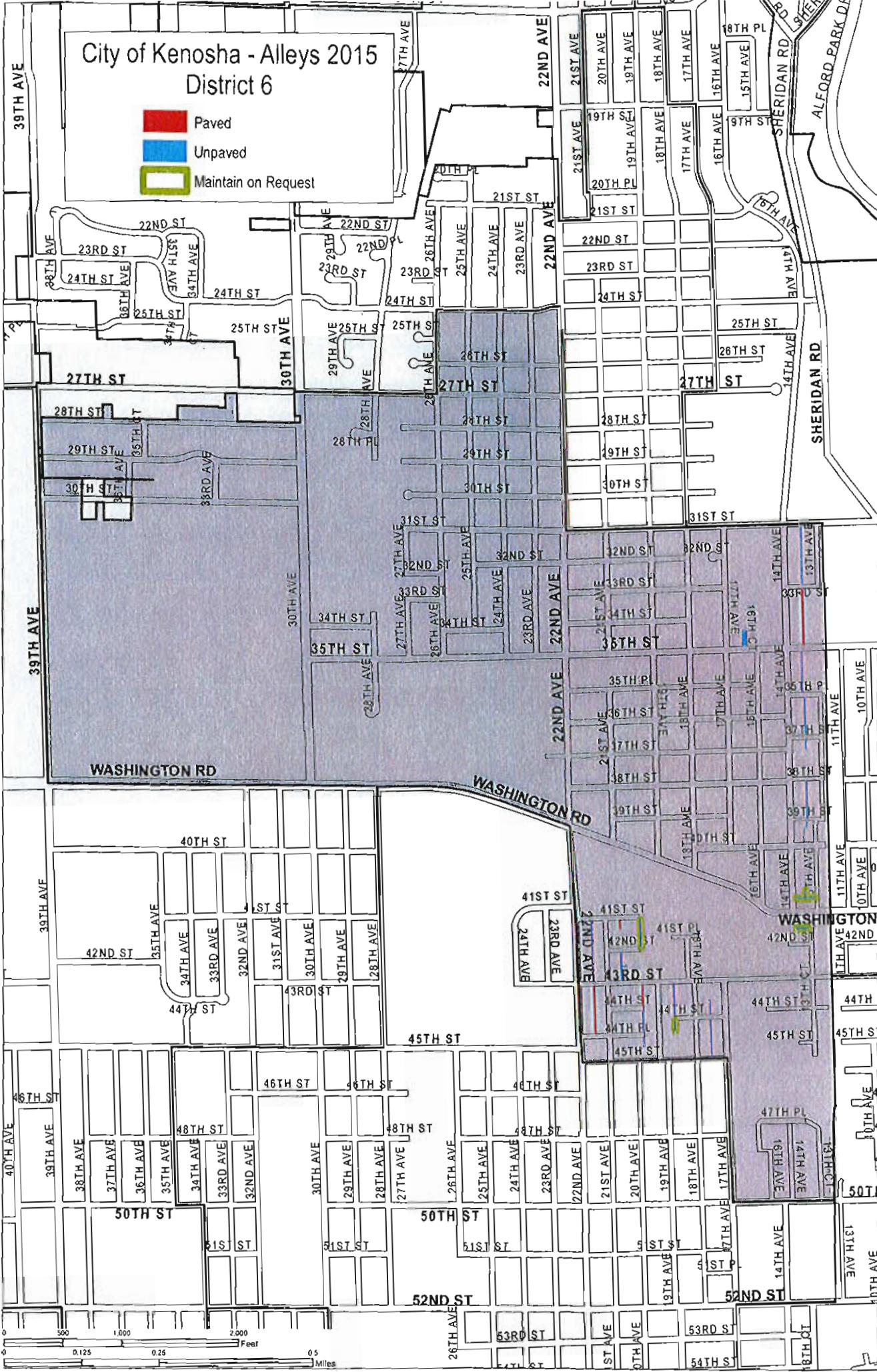
City of Kenosha - Alleys 2015
District 5

- Paved
- Unpaved
- Maintain on Request

UNLDR DATA

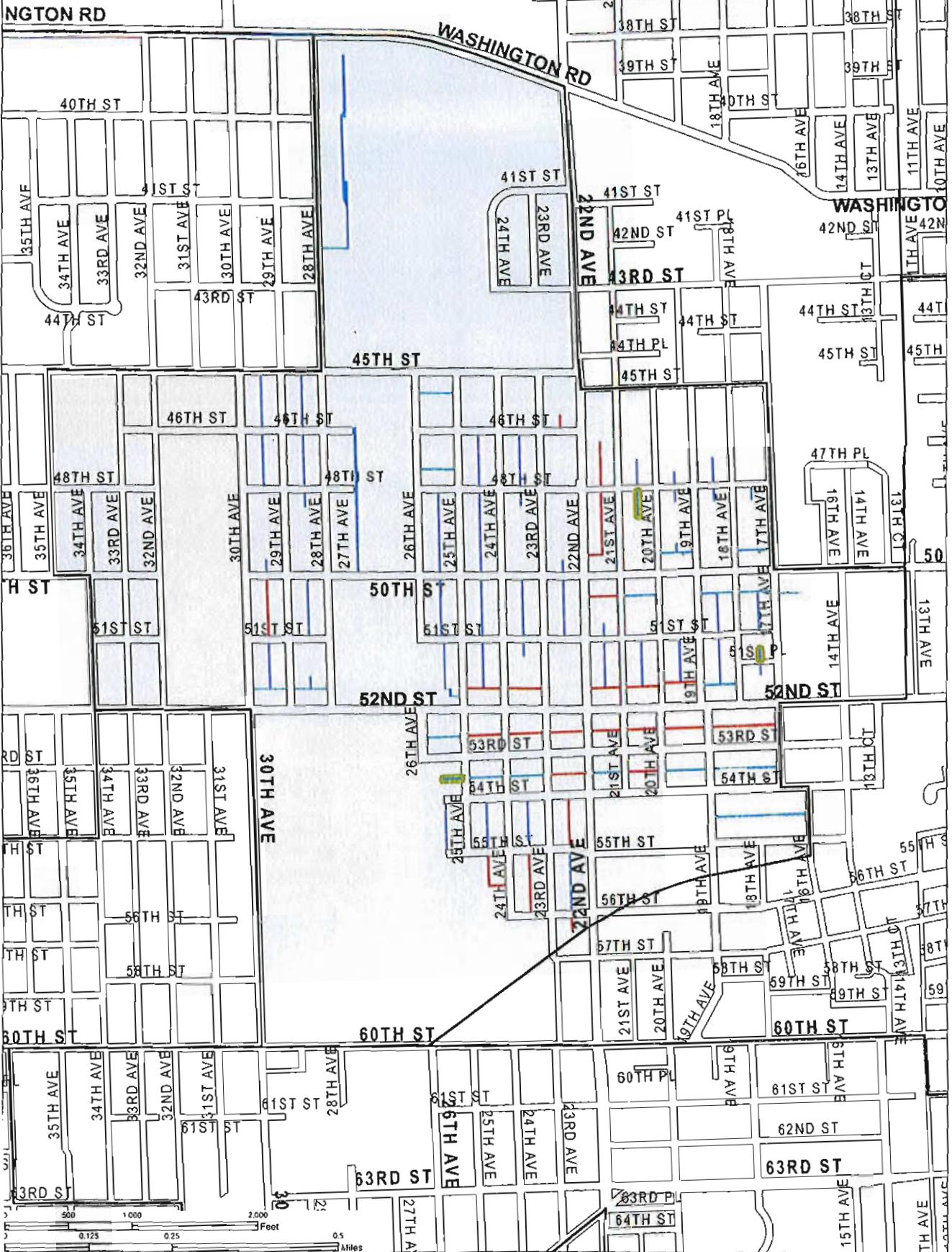
City of Kenosha - Alleys 2015 District 6

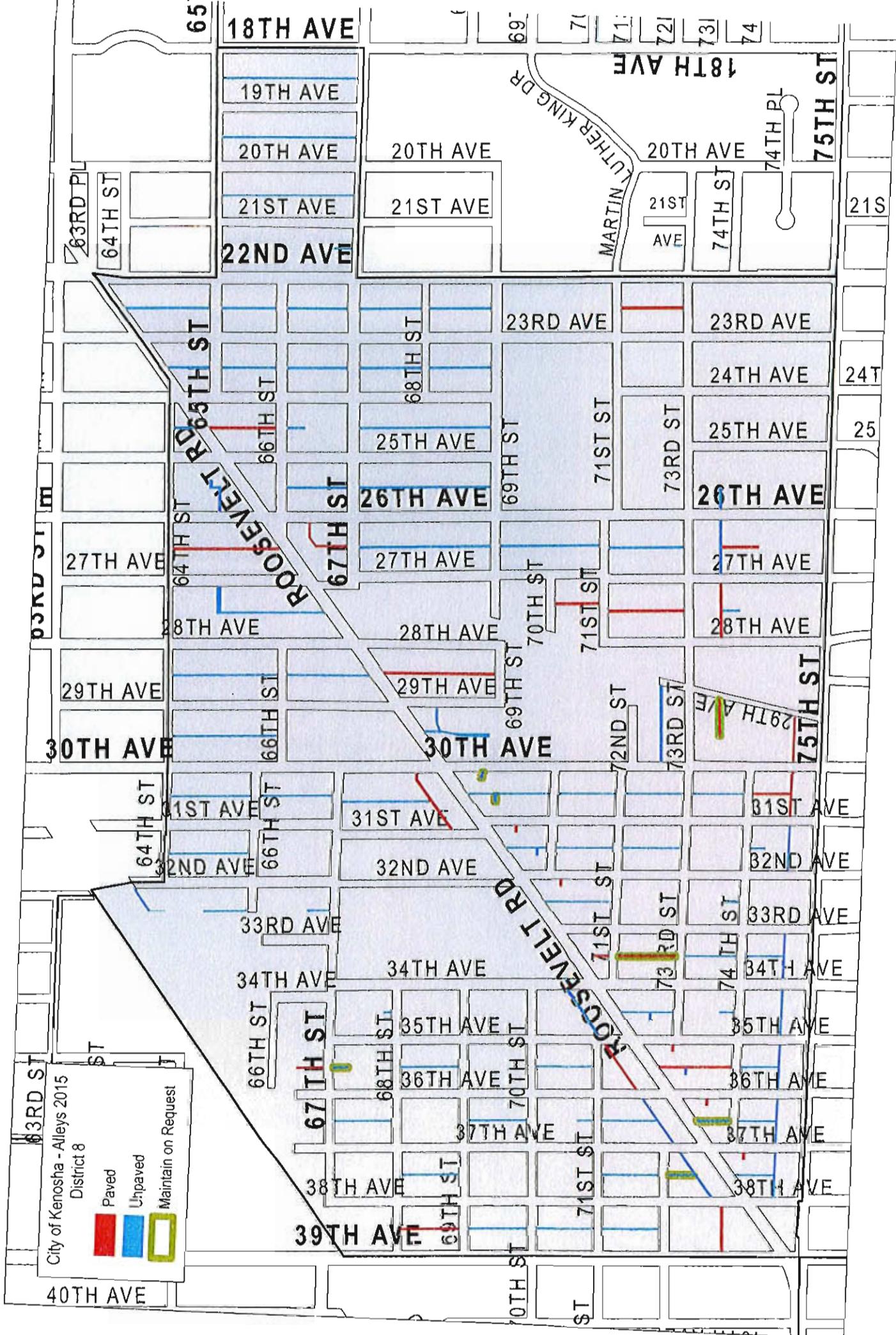
- Paved
- Unpaved
- Maintain on Request



City of Kenosha - Alleys 2015 District 7

-  Paved
-  Unpaved
-  Maintain on Request





City of Kenosha - Alleys 2015
 District 8

█	Paved
█	Unpaved
█	Maintain on Request

65

18TH AVE

19TH AVE

20TH AVE

21ST AVE

22ND AVE

69

70

71

72

73

74

18TH AVE

20TH AVE

21ST AVE

LUTHER KING DR
 MARTIN

74TH ST

74TH PL

75TH ST

21S

23RD AVE

23RD AVE

24TH AVE

24T

25TH AVE

25

26TH AVE

26TH AVE

27TH AVE

27TH AVE

27TH AVE

28TH AVE

28TH AVE

28TH AVE

29TH AVE

29TH AVE

29TH AVE

30TH AVE

30TH AVE

29TH AVE

75TH ST

64TH ST

31ST AVE

31ST AVE

31ST AVE

32ND AVE

32ND AVE

32ND AVE

33RD AVE

33RD AVE

33RD AVE

34TH AVE

34TH AVE

34TH AVE

67TH ST

35TH AVE

35TH AVE

36TH AVE

36TH AVE

37TH AVE

37TH AVE

38TH AVE

38TH AVE

67TH ST

39TH AVE

39TH AVE

40TH AVE

70TH ST

71ST ST

ROOSEVELT RD

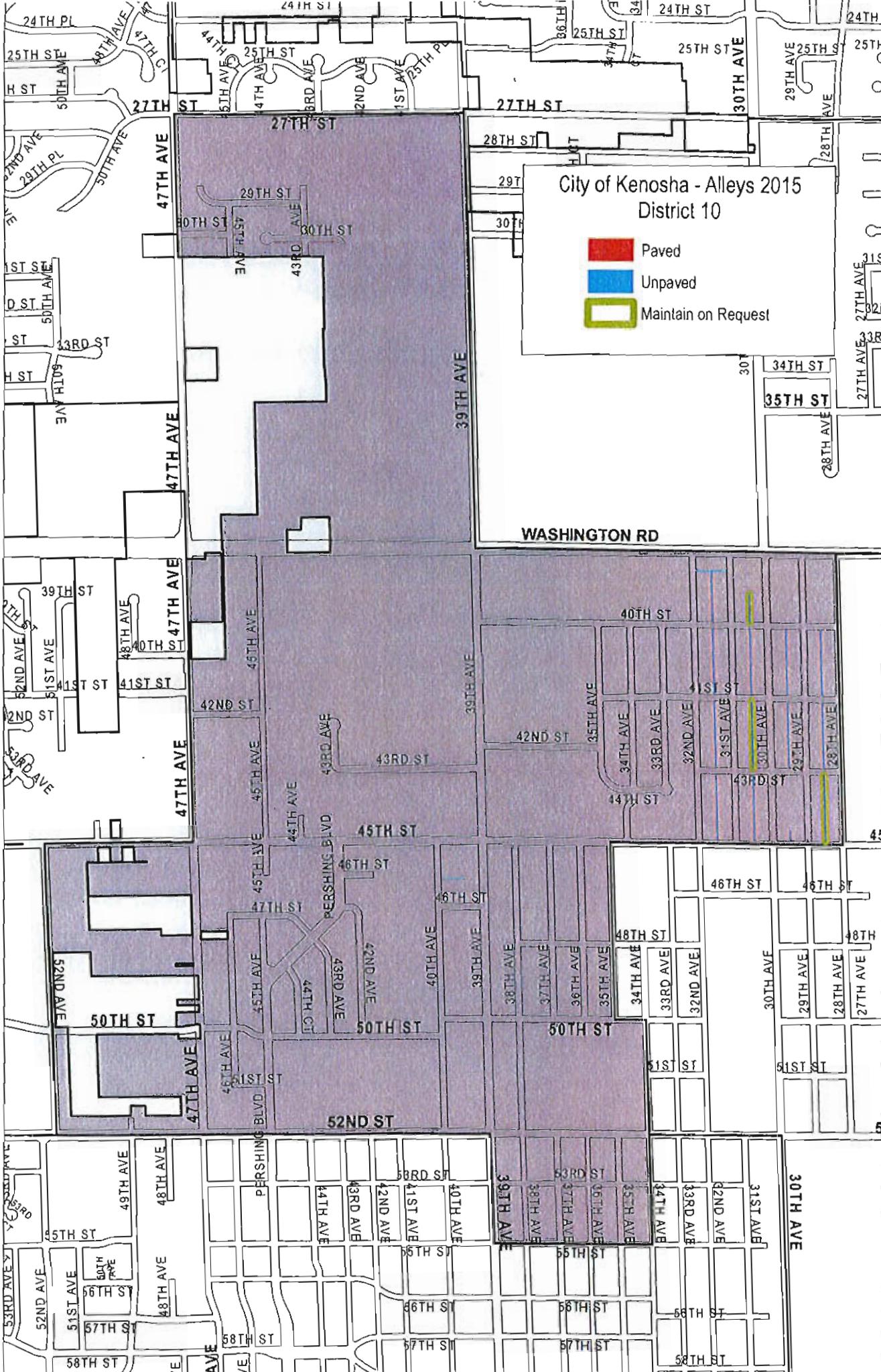
71ST ST

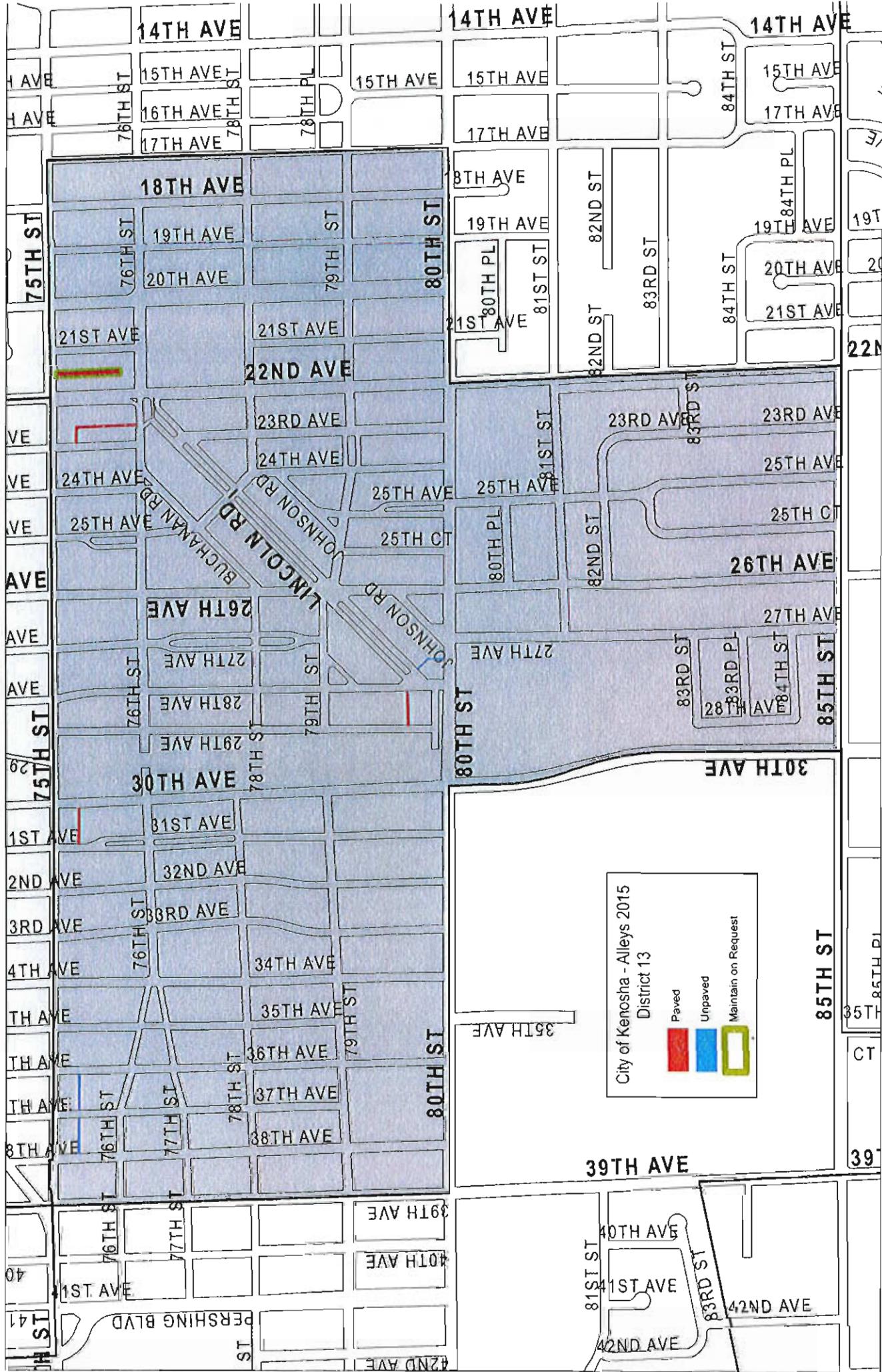
73RD ST

74TH ST

70TH ST

71ST ST



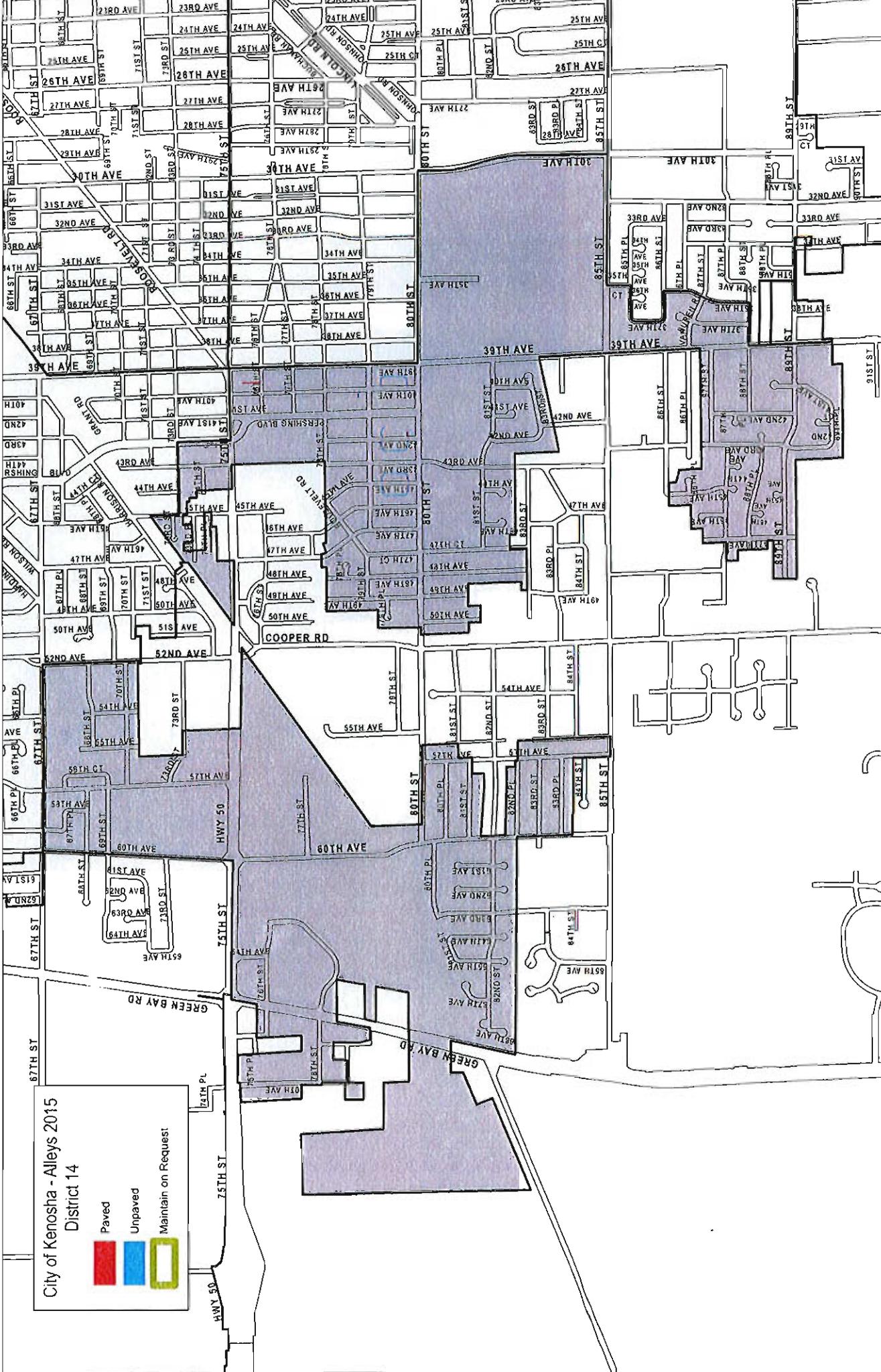


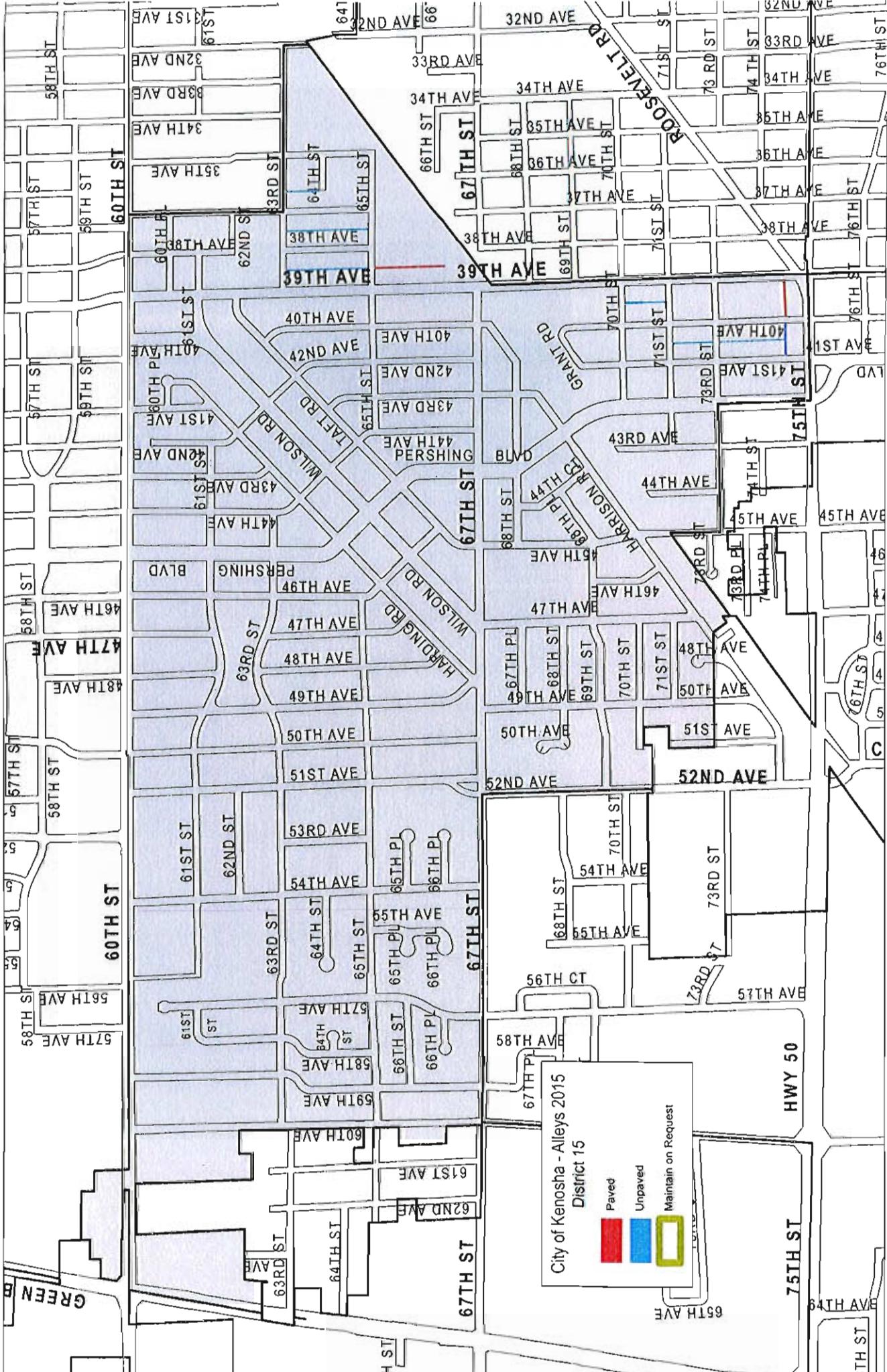
City of Kenosha - Alleys 2015
District 13

	Paved
	Unpaved
	Maintain on Request

City of Kenosha - Alleys 2015
District 14

-  Paved
-  Unpaved
-  Maintain on Request





City of Kenosha - Alleys 2015
 District 15

- Paved
- Unpaved
- Maintain on Request

APPENDIX

- PAVING PETITION
- EXAMPLE OF PAVING PETITION WITH BACKUP (APRIL 28, 2005)
- RESOLUTION 79-83 (INSTALLATION OF ALLEY LIGHTS)
- CONSENT PETITION TO VACATE AN ALLEY OR STREET

C-3



ENGINEERING DIVISION
MICHAEL M. LEMENS, P.E.
DIRECTOR/CITY ENGINEER

STREET DIVISION
JOHN H. PRIJIC
SUPERINTENDENT

FLEET MAINTENANCE
MAURO LENCI
SUPERINTENDENT

WASTE DIVISION
JOSEPH BADURA
SUPERINTENDENT

OPERATIONS COORDINATOR
JANICE D. SCHROEDER

DEPARTMENT OF PUBLIC WORKS

RONALD L. BURSEK, P.E., DIRECTOR

MUNICIPAL BUILDING • 626 - 52ND ST. • RM. 305 • KENOSHA, WI 53140
TELEPHONE (262) 653-4050 • FAX (262) 653-4056

April 28, 2005

To: G. John Ruffolo, Chairman
Public Works Committee

From: Michael M. Lemens, P.E. *[Signature]*
Director of Engineering/City Engineer

Subject: *Citizen Petition to pave alley*
Alley between 33rd Avenue and 34th Avenue from 71st Street to 73rd Street

BACKGROUND/ANALYSIS

We have received a petition from landowners adjacent to the above-referenced alley. This alley has poor drainage and is poor condition. The Street Division grades the alley and performs some maintenance annually, but the overall poor condition of the alley cannot be improved. Abutting property owners will be assessed for a proportional share of the cost of reconstruction after the public hearing process.

RECOMMENDATION

Recommend to receive and file the petition, and to consider the alley for inclusion in the 2006 CIP.

- PAVING PETITION -

**TO THE HONORABLE COMMON COUNCIL OF
THE CITY OF KENOSHA, WISCONSIN**

We, the undersigned, being the owners of the number of feet of property set opposite our names below, abutting upon Alley between 71st and 73rd Street and 33rd and 34th Avenue.

_____ respectfully petition your Honorable Body for the improvement of said street between the points aforesaid by paving the same to a width of 12 feet; and that the entire cost of said improvement, except only such portion thereof as is by law chargeable against the municipality, be assessed according to benefits upon the lots and lands bounding and abutting upon said alley between the points aforesaid.

And the undersigned, and each of them, consent and request that said assessments be payable in ten annual installments, proportioned to the whole assessment; or in cash, at the option of the owner of property assessed, in the manner provided by law for the levy and collection of assessments.

And we, the undersigned, further request that all necessary sewer and water underground work be constructed in the above-named street, and each of us agree to pay therefor the regular assessment, as is by law chargeable against our property.

OWNER	ADDRESS & LOT NUMBER	FRONTAGE
Mary Jane Christiansen	7100 - 33 ave	41'
[Signature]	7201 34 Ave	40'
Jeffrey R. Vallis	7213 34 th Ave	40'
[Signature]	7110 - 33 rd Ave	40'
Bulan Robinson	7114 - 33 rd Ave.	43'
Isidro M. Alanis	7212 - 33 Ave	43'
Garnie New	7204 - 33 rd Ave	40'
[Signature]	7217 34 Ave	43'
[Signature]	7205 34 th Ave	40'
[Signature]	7211 - 34 Ave	40'
Francis Ferraton	7209 34 ave.	40'
Melinda [Signature]	7107 34 th Ave	40'
Joy Wilson	7200 33 rd ave.	40'
PWC: [Signature]	CC: [Signature]	Percentage of Property Owners: 81%

BY: COMMITTEE ON PUBLIC SAFETY & WELFARE
COMMITTEE ON FINANCE

To Adopt a Policy Governing the Installation of Leased Lights
In City Alleys

BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin that the installation or relocation of any alley light(s) leased by the City from the Wisconsin Electric Power Company shall be governed by Section 5.04 C.(6) of the Code of General Ordinances by the following spacing guidelines:

- A. Where Two Alleys Intersect at a "T".
 - 1) One light, nominal 4000 lumens, should normally be installed at the "T"-intersection.
 - 2) If the distance between the "T"-intersection and an intersecting street is 400 feet or greater, a second light, nominal 4000 lumens, should normally be installed at approximately the midpoint of the total distance.
 - 3) If the distance between the "T"-intersection and intersecting street is greater than 600 feet, two lights, both nominal 4000 lumens, should normally be installed at approximately the one-third points of the total distance.
- B. All Other Alleys.
 - 1) Alleys 400 Feet Long or Shorter - Alleys of this length should normally have one light, nominal 4000 lumens, located as near as possible to its midpoint.
 - 2) Alleys between 400 and 500 Feet in Length - Depending upon other factors, including the presence or absence of a street light(s) where the alley intersects a street, alleys of this length may have either one light (located at its midpoint) or two lights (located at the one-third points of its total length), nominal 4000 lumens. The Traffic Engineer shall make this determination after a field investigation.
 - 3) Alleys between 500 and 700 Feet in Length - Alleys of this length should normally have two lights, nominal 4000 lumens, located at approximately the one-third points of its total length.
 - 4) Alleys Over 700 Feet in Length - Alleys of this length should normally have three lights, nominal 4000 lumens, located at approximately the one-quarter points of its total length.

Adopted this 4th day of April, 1983.

ATTEST: Gail F. Procarione City Clerk
Gail F. Procarione

APPROVED: John D. Bilotti Mayor Date: _____

