

**Municipal Building
625 52nd Street – Room 202**

***Kenosha City Plan Commission
Agenda***

**Thursday, May 22, 2014
5:00 p.m.**

*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

Oath of office for new Members

Approval of Minutes from May 8, 2014

1. City Plan Commission Resolution - To Amend the Land Use Plan Map for the City of Kenosha: 2035 to designate property South of CTH S and West of I94 as Industrial. PUBLIC HEARING
2. By the City Plan Commission - To Create Subsection 18.02 dd. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

Adjournment

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

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

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

CITY PLAN COMMISSION
Minutes
May 8, 2014

MEMBERS PRESENT: Mayor Bosman, Alderperson Michalski, Alderperson Wicklund, Anita Faraone, Robert Hayden, Bradley Kleba and Anderson Lattimore

MEMBERS EXCUSED: Jessica Olson

STAFF PRESENT: Jeffrey B. Labahn and Rich Schroeder

Others Present: Alderpersons Wilson, Johnson and Bogdala

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 April 10 and 24, 2014 meeting. The motion passed. (Ayes 6; Noes 0)

Mr. Kleba arrived.

Oath of office to Bradley Kleba by Jeffrey B. Labahn, Director.

**1. Petition to vacate 66th Street, East of 3rd Avenue to Lake Michigan.
(Kenosha County/Jenkins) (District #2) PUBLIC HEARING**

Public hearing opened.

Chris Masin, Kenosha County Public Works Director, was available for any questions.

Public hearing closed.

Alderperson Michalski said this is the street between the Kemper Center and Anderson Art Center. Mr. Masin noted that access to the buildings will remain with some parking spaces added.

A motion was made by Ms. Faraone and seconded by Alderperson Michalski to approve the vacation. The motion passed. (Ayes 7, Noes 0)

Mayor Bosman asked that Items 2, 3 and 4 be taken together for public hearing purposes. 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 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

Public hearing opened.

Ryan Douglas, 8360 49th Avenue, representing Landquest said they will use the two buildings for office space and redo the parking.

Josh Zizzo, 4317 Washington Road, neighbor to the property was there to obtain information.

Public hearing closed.

Aldersperson Michalski noted that Aldersperson Kennedy, Alderman of the District supports the project.

A motion was made by Ms. Faraone and seconded by Aldersperson Michalski to approve Item 2, the Plan Commission Resolution. The motion passed. (Ayes 7, Noes 0)

A motion was made by Ms. Faraone and seconded by Aldersperson Michalski to approve Item 3, the Zoning Ordinance. The motion passed. (Ayes 7, Noes 0)

A motion was made by Ms. Faraone and seconded by Mr. Hayden to approve Item 4, the Rezoning. The motion passed. (Ayes 7, Noes 0)

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

Public hearing opened.

Kevin Thomas, 5301 22nd Street, owner of the proposed yard, was available for questions.

Public hearing closed.

Rich Schroeder, Deputy Director, gave an overview of the project.

Aldersperson Michalski asked if the Aldersperson of the District supports the project. Aldersperson Johnson, from the audience, said yes.

Mr. Lattimore asked if the applicant had any issue with the required fencing. Mr. Schroeder said no.

A motion was made by Ms. Faraone and seconded by Aldersperson Wicklund. The motion passed. (Ayes 7, Noes 0)

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

Public hearing opened.

Mark Lake, Kenosha NEWCO Capital, LLC, was available for questions.

Public hearing closed.

Ms. Faraone asked why the lots were being divided at this time. Mr. Labahn said that the map places each improved area to a separate lot. Ms. Faraone asked Mr. Lake if he has a plan. Mr. Lake said this would allow them to market the property.

A motion was made by Ms. Faraone and seconded by Alderperson Michalski to approve the Certified Survey Map. The motion passed. (Ayes 7, Noes 0)

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

Public hearing opened.

Brian Quigley, from Dermody Properties, said the plan would be to rezone the property from multi-family to industrial and provide additional larger industrial space.

Public hearing closed.

Mr. Schroeder said the Commission is asked to provide comments. Staff would like to see the space developed as a business or office park. If it were a warehouse or heavy manufacturing use, it would have a different impact. Staff would consider a land use change at a future date, once we receive detailed information on the specific buildings, uses and location. Staff would like to retain some control on the use within the buildings.

Ms. Faraone said she would like to see exactly what is going on the site before approval. Ms. Faraone asked if the area was considered for a TID. Mr. Labahn said no.

Mr. Lattimore urged Mr. Quigley to work closely with Staff in the future development.

Mayor Bosman asked the size of the largest building. Mr. Quigley said 624,000 s.f., they are looking to attract an e-commerce type of tenant. Mayor Bosman noted that this building is similar to the size of the Affiliated Foods building or Panattoni Building. Mayor Bosman added that he would rather see a 200,000 s.f. sized building at this location. Mayor Bosman added that he does not want to see any type of truck terminal at this location.

Alderperson Johnson, Alderperson of the district, said he supports the project if it contributes to the area with the least amount of disruption.

Mr. Kleba asked if the e-commerce type of tenant would possibly be another distribution facility? Mr. Quigley said yes, that would be typical.

Aldersperson Wicklund said he has concerns and would not like a truck terminal either. Aldersperson Wicklund added that the desirability of the area may depend on Governor Walker's decision on the casino. The City may want to designate this area for additional hotels.

Mr. Hayden said this may be a good fit.

A motion was made by Mr. Lattimore and seconded by Aldersperson Michalski to Receive & File. The motion passed. (Ayes 7, Noes 0)

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 hearing opened.

Aldersperson David Bogdala, 7101 96th Avenue, said the proposed ordinance establishes deadlines for the approval process. Aldersperson Bogdala believes there is an undo burden on people and the proposed ordinance, modeled after changes that were made at DNR, would provide clarity. There is a companion General Code Ordinance and the Sponsors are open for suggestions to clarify.

Public hearing closed.

Mr. Labahn said the proposed ordinance was drafted by the sponsors with no discussion with Staff.

Aldersperson Michalski said he would like to see some items move forward quicker and easier. The problem with presumptive approval is that it doesn't work for all circumstances.

Mr. Lattimore asked how the time frames were determined. Aldersperson Bogdala said it is very similar to Madison. Other times are based on experience and contracts with the City.

Aldersperson Wicklund said he has not seen the need demonstrated. Presumptive approval is not a good tool. Some items approved incorrectly could have long term implications. This process favors larger firms that may not resubmit necessary information so their project is approved prior to resubmission. This is counter productive.

Mr. Kleba said having presumptive approval may make items move quicker, but is there really a significant change? Has the DNR seen a significant improvement? Mr. Bogdala said not that I'm aware of.

Mr. Hayden said this process could streamline items to help them move forward. Mr. Hayden supports the Ordinance.

Mayor Bosman asked Staff if an incomplete application would be submitted, would Staff deny the application to prevent the applicant from just moving forward? Mr. Schroeder said the sponsors of the ordinance never asked Staff for their input. Section 14 already

establishes review times and dates for departmental review and comments. Sometimes the plans are not complete and then need to be resubmitted and reviewed only by certain departments. Mr. Schroeder added that if Staff has a strict 30 day window to review and either approve or deny, some projects would be denied if not submitted correctly. Then the applicant would need to resubmit the entire application along with the fees.

Aldersperson Bogdala said the scenario that was mentioned does not happen often. The complaint is that Staff makes extra, undo requests which adds extra time and money. Aldersperson Bogdala said he would like to incorporate any suggestions rather than a denial.

A motion was made by Ms. Faraone and seconded by Aldersperson Wicklund to deny the proposed Ordinance. On roll call vote, the motion passed. (Ayes 5, Noes 2) *Hayden and Lattimore voted no.*

Public Comments

No public comments.

Commissioner Comments

Aldersperson Wicklund welcomed the newest member, Mr. Kleba.

Staff Comments

A motion to adjourn was made by Aldersperson Michalski and seconded by Mr. Lattimore. The motion passed. (Ayes 7; Noes 0) The meeting adjourned at 6:02 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 22, 2014	Item 1
City Plan Commission Resolution - To Amend the Land Use Plan Map for the City of Kenosha: 2035 to designate property South of CTH S and West of I94 as Industrial. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: South of CTH 2 and West of I94

NOTIFICATIONS/PROCEDURES:

The alderperson of the district, Alderperson Johnson, has been notified. The 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 dd. to Amend the *Land Use Plan for the City of Kenosha: 2035* to designate the properties as *Industrial*.
- This property is currently in the Town of Paris. However, the owners will be requesting annexation of the property to the City. The land use Amendment is required to designate the property as *Industrial* and the Amendment will be used to request an Amendment to the SEWRPC Sewer Service Agreement.

RECOMMENDATION:

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



Rich Schroeder, Deputy Director



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 South of CTH S and West of I94**

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, the owners desire to Amend the Land Use designation for the referenced properties to *Industrial*, as mapped on the attached Map C3-14 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 C3-14.

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

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission FACT SHEET	May 22, 2014	Item 2
By the City Plan Commission - To Create Subsection 18.02 dd. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. PUBLIC HEARING			

LOCATION/SURROUNDINGS:

Site: South of CTH S and West of I94

NOTIFICATIONS/PROCEDURES:

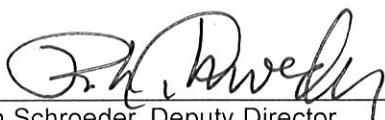
The alderperson of the district, Alderperson Johnson, has been notified. The Common Council is the final review authority.

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 C3-14, which identifies the Amendment to the Land Use Plan in the Comprehensive Plan.
- Currently the property is in the Town of Paris and is not included in the City's Comprehensive Plan. This change will designate the property for Industrial Use.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.


 Rich Schroeder, Deputy Director


 Jeffrey B. Labahn, Director

ORDINANCE NO. _____

SPONSOR: CITY PLAN COMMISSION

**TO CREATE SUBSECTION 18.02 dd. 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 dd. of the Zoning Ordinance for the City
of Kenosha, Wisconsin, is hereby created as follows:

dd. By map C3-14 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

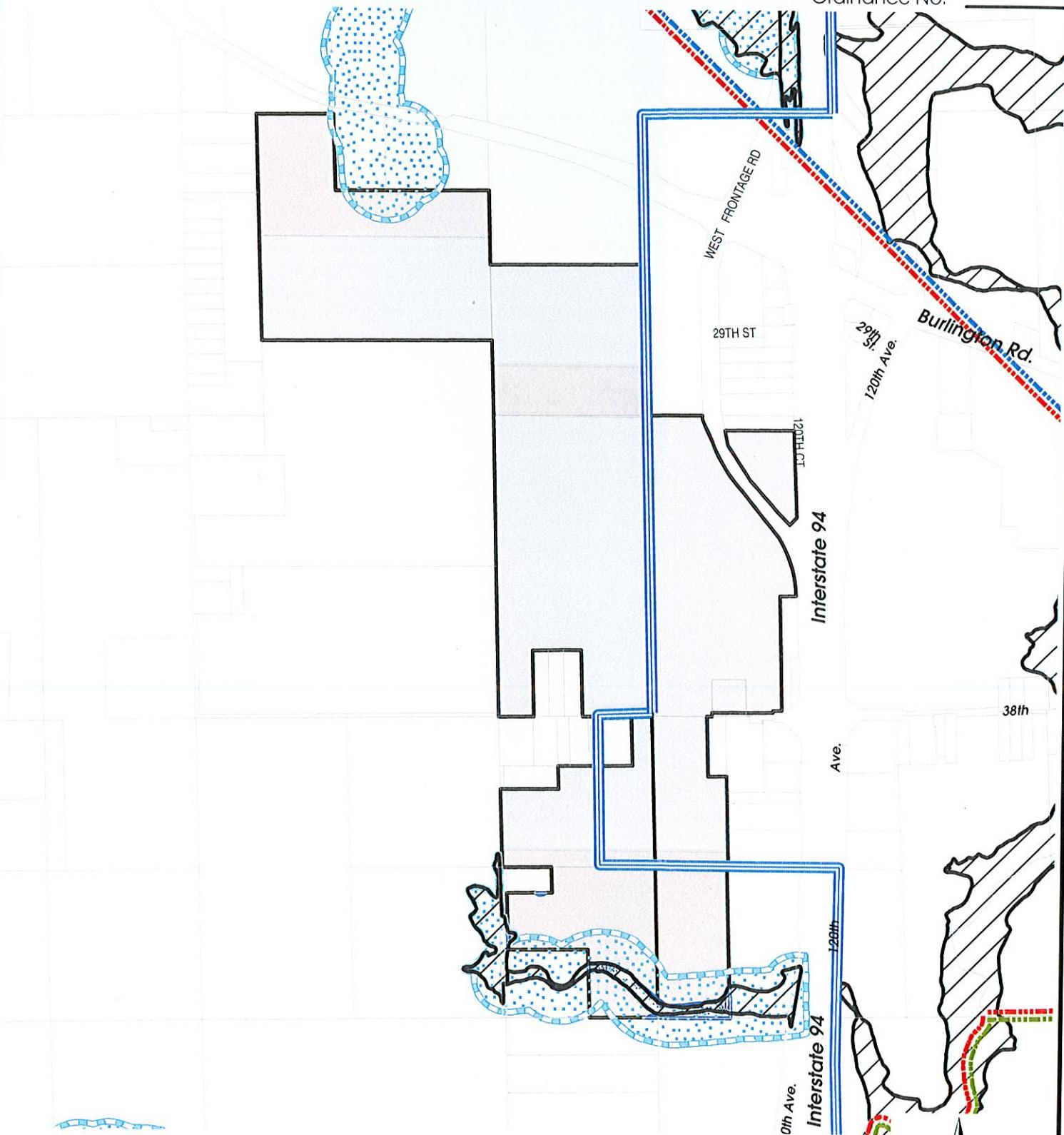
City of Kenosha

Comprehensive Plan Amendment

Drissel, Peck & Rozhon Petition

Supplement No. C3-14

Ordinance No.



Properties Requested to be Designated as:

-  Industrial
-  Wetland
-  100-Year Floodplain (Overlay)
-  Shoreland Zoning Area (Overlay)

 Existing Sanitary Sewer Service Area Boundary