



Agenda
City Plan Commission Meeting
Municipal Building, 625 52nd Street - Room 202, Kenosha, WI
Thursday, October 6, 2016
5:00 pm

Mayor John Antaramian, Chairperson
Aldersperson Jan Michalski
Commissioner Pat DeGrace
Commissioner Scott Haraty
Commissioner Katherine Marks

Aldersperson Dan Prozanski, Vice-Chairperson
Aldersperson John Fox
Commissioner Anita Faraone
Commissioner Brad Kleba
Commissioner Lydia Spottswood

Call to Order
Roll Call
Citizens Comments

Approval of the Minutes of the Meeting Held September 22, 2016

1. Conditional Use Permit Amendment for Lowe's Home Improvement Store at 6500 Green Bay Road to allow for an outdoor display area. (Lowe's) (District 16) PUBLIC HEARING
2. Resolution by the Public Works Committee - To Vacate an alley between 75th Street and Roosevelt Road from 38th Avenue east 116 feet. (Hervat/Mathewson) (District 8) PUBLIC HEARING
3. Resolution by the Public Works Committee - To Vacate an alley between 24th and 25th Avenues south of 66th Street 100 feet. (Hervat/Mathewson) (District 8) PUBLIC HEARING
4. Resolution by the Public Works Committee - To Vacate an alley between 61st and 62nd Streets, the north 114.5 feet of the alley west of 14th Avenue. (Hervat/Michalski) (District 3) PUBLIC HEARING

Commissioners' Comments

*IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4030 BY NOON
OF THIS MEETING DATE TO MAKE ARRANGEMENTS FOR REASONABLE ON-SITE ACCOMMODATIONS.*

CITY PLAN COMMISSION
Minutes
September 22, 2016

MEMBERS PRESENT: Mayor Antaramian, Alderperson Prozanski, Alderperson Michalski, Alderperson Fox, Patrick DeGrace, Anita Faraone, Scott Haraty and Brad Kleba

MEMBERS EXCUSED: Katherine Marks and Lydia Spottswood

STAFF PRESENT: Jeff Labahn and Rich Schroeder

The meeting was called to order at 5:00 pm by Mayor Antaramian, roll call was taken.

Citizens Comments - No Citizen comments

A motion was made by Alderperson Michalski and seconded by Mr. DeGrace to approve the minutes of the September 8, 2016. The motion passed. (Ayes 8, Noes 0)

1. Resolution by the Mayor - To Amend the 2015-2019 Consolidated Plan for the Community Development Block Grant and HOME Programs. PUBLIC HEARING ON THE COMMUNITY DEVELOPMENT NEEDS AND OBJECTIVES

Public hearing opened, no comments, public hearing closed.

Tony Geliche, Community Development Specialist, the amendment is to recognize the application for the HUD Section 108 Loan Guarantee and items that will be done with the funds.

Alderperson Michalski asked asked if they were locked in on this location. Mr. Geliche said no. Alderperson Michalski said he has concerns, but will support.

A motion was made by Ms. Faraone and seconded by Mr. DeGrace to approve the Amendment. The motion passed. (Ayes 8, Noes 0)

2. Resolution by the Mayor - To Approve the Proposed HUD Section 108 Loan Guarantee Application in the amount of \$4,713,935. PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Mr. Geliche said this is the application for the HUD funds which does identify the site. The area serves low to moderate income families. The City pledges future CDBG funds to be paid back at a rate of approximately \$250,000 per year.

Ms. Faraone asked if the application will be approved prior to the CDBG application in October. Mr. Geliche said the City will request the funds to be set aside in anticipation of approval. There will also be a stipulation of how the money would be used if the application is not approved.

A motion was made by Ms. Faraone and seconded by Mr. Haraty to approve the application.

Alderson Prozanski asked what is the process when it gets to HUD. Mr. Geliche said that is unknown. We have had numerous conversation with HUD regarding this, but anticipate a minimum 30-45 day waiting period. Alderson Prozanski asked what is the benefit of going through HUD? Mr. Geliche said it does not go against our borrowing.

The motion passed. (Ayes 8, Noes 0)

3. 2017 Community Development Block Grant Fund Allocation Plan. PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Mr. Geliche said the Allocation Plan identifies the type of proposals the Committee is looking for, there are no changes to the 2016 plan.

A motion was made by Mr. DeGrace and seconded by Ms. Faraone to approve the Allocation Plan. The motion passed. (Ayes 8, Noes 0)

4. Resolution by the City Plan Commission - To Adopt a Project Plan Amendment for Tax Incremental District #16, City of Kenosha, Wisconsin, under Section 66.1105(4)(h)1., Wisconsin Statutes. (Amazon) (District 16) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Zohrab Khaligian, Community Development Specialist, said this Amendment will transfer positive tax increments from Amazon to Chrysler.

A motion was made by Ms. Faraone and seconded by Alderson Michalski to approve the Amendment. The motion passed. (Ayes 8, Noes 0)

5. Blighted Area Finding for Tax Incremental District #19, City of Kenosha, Wisconsin, in accordance with Section 66.1105 Wisconsin Statutes. (Chrysler) (Districts 3, 7 and 11) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Mr. Khaligian said that over 50% of the area is blighted.

A motion was made by Ms. Faraone and seconded by Alderson Michalski to find that over 50% of the area is blighted. The motion passed. (Ayes 8, Noes 0)

6. Resolution by the Mayor - To Create Tax Incremental District #19, City of Kenosha, Wisconsin, under Section 66.1105(4)(gm), Wisconsin Statutes. (Chrysler) (Districts 3, 7 and 11) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Mr. Khaligian said there are no changes in the boundaries.

A motion was made by Ms. Faraone and seconded by Alderson Michalski to approve

the Creation of TID #19. The motion passed. (Ayes 8, Noes 0)

7. Resolution by the Mayor - To Adopt a Project Plan for Tax Incremental District #19, City of Kenosha, Wisconsin, under Section 66.1105(4)(g), Wisconsin Statutes. (Chrysler) (Districts 3, 7 and 11) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Mr. Khaligian said there the addition of Public Infrastructure and Improvements was added to cover additional right-of-way if there are funds available. The additional wording provides flexibility.

A motion was made by Mr. Kleba and seconded by Ms. Faraone to approve the Plan. The motion passed. (Ayes 8, Noes 0)

8. Conditional Use Permit Amendment for Lowe's Home Improvement Store at 6500 Green Bay Road to allow for an outdoor display area. (Lowe's) (District 16) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

Mayor Antaramian asked that this item be deferred for two (2) weeks to allow time to meet with the Alderperson and address his concerns.

A motion was made by Mr. Haraty and seconded by Alderperson Prozanski to defer Item 8 for two (2) weeks. The motion passed. (Ayes 8, Noes 0)

9. Conditional Use Permit for a self-storage facility to be located at 3401 80th Street. (Macritchie Self-Storage) (District 14) PUBLIC HEARING

Public hearing opened.

Morgan Bullen, representing Macritchie Self-Storage, gave an overview of the project. Ms. Bullen asked if they could leave some of the parking spaces for future development instead of turning them into green space.

Public hearing closed.

Brian Wilke, Development Coordinator, showed a video of the site. Mr. Wilke said that Staff supports Site Plan-Option A, providing more green space.

Alderperson Michalski asked if entry to the storage units was accessed from the inside. Ms. Bullen said yes, only during certain hours.

Alderperson Prozanski said he also had concerns with the hours of operation, but that is answered. Alderperson Prozanski agrees there isn't a need for so many spaces and supports the project.

Ms. Faraone asked how large the building can be east of STH 31. Mr. Wilke said less than 100,000 s.f. and this is an existing building. Ms. Bullen added the 1st floor is 61,000 s.f. with additional space on the 2nd floor for a total of 122,000 s.f.

Alderperson Prozanski asked about security during "closed" hours. Ms. Bullen said

there are cameras inside and outside, along with an alarm system. Alderperson Prozanski asked wherein Illinois their other properties were located. Ms. Bullen said in Crestwood and Oak Forest and they are managed by Cube Smart.

Alderperson Fox asked what kind of security is there in the parking lot? Ms. Bullen said there are cameras, but it won't be gated. Alderperson Fox asked which Site Plan Option are you using? Mr. Wilke said Staff is requesting Option A.

Alderperson Prozanski asked what are the Hours of Operation? Ms. Bullen said the typical office hours are from 9:30am to 6:30pm, but customers can access their units from 6:00am until 10:00pm. Mr. Wilke said we typically have this listed under the Conditions of Approval which get recorded with the property, this can be added. Alderperson Prozanski has a concern with noise and the distance of future development on 35th Avenue. Mr. Wilke said that would be approximately 70-80 feet apart.

A motion was made by Mr. DeGrace and seconded by Mr. Kleba to approve the Conditional Use Permit subject to the inclusion of the Operation Plan dated July 14, 2016. The motion passed. (Ayes 8, Noes 0)

Mayor Antaramian asked that Items 10, 11 and 12 be taken together for Public hearing purposes. All items were read.

10. City Plan Commission Resolution - To Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035 regarding properties at 4220 43rd Avenue, 4116 39th Avenue and 4000 39th Avenue. (Bane-Nelson, Inc) (District 10) PUBLIC HEARING

11. Zoning Ordinance by the City Plan Commission - To Create Subsection 18.02 zz. of the Zoning Ordinance to Amend the Land Use Plan Map for the City of Kenosha: 2035. (Bane-Nelson, Inc) (District 10) PUBLIC HEARING

12. Zoning Ordinance by the Mayor - To Rezone a portion of the property at 4220 43rd Avenue, and to Rezone the property at 4000 39th Avenue from M-1 Light Manufacturing District to IP Institutional Park District, and to Rezone the property at 4116 39th Avenue from RS-1 Single-Family Residential District to IP Institutional Park District [in Conformance with Section 10.02 of the Zoning Ordinance]. (Bane-Nelson, Inc) (District 10) PUBLIC HEARING

Public hearing opened.

Jennifer Caravella, Military Affairs, Madison, was available for questions. Ms. Caravella, said this plan is very tentative and will probably not happen for 10-15 years. The project depends on receiving funds from the Department of Defense.

Public hearing closed.

Mr. Wilke showed a video of the site.

Alderperson Michalski asked if Alderperson Kennedy had commented. Mr. Wilke said no. Ms. Caravella said she spoke to him and he supports the project.

A motion was made by Alderperson Michalski and seconded by Mr. Haraty to approve

Item 10, the City Plan Commission Resolution. The motion passed. (Ayes 8, Noes 0)

A motion was made by Ms. Faraone and seconded by Alderperson Michalski to approve Item 11, the Zoning Ordinance. The motion passed. (Ayes 8, Noes 0)

A motion was made by Ms. Faraone and seconded by Mr. DeGrace to approve the rezoning. The motion passed. (Ayes 8, Noes 0)

13. Ordinance by the Mayor - To Annex 39.143 acres of land, more or less, located at 13402 Burlington Road from the Town of Paris to the City of Kenosha. (Baliga/State of Wisconsin) (District 16) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

A motion was made by Alderperson Michalski and seconded by Alderperson Prozanski to approve the Annexation. On roll call vote, the motion passed. (Ayes 8, Noes 0)

14. Resolution by the Mayor - To Amend the Official Map for the City of Kenosha, Wisconsin, to include the Annexation of Parcel #45-4-221-242-0355 and State owned right-of-way on STH 142 in the Town of Paris, Kenosha County, Wisconsin. (Baliga/State of Wisconsin) (District 16) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

A motion was made by Mr. DeGrace and seconded by Mr. Haraty to approve the Resolution. On roll call vote, the motion passed. (Ayes 8, Noes 0)

Commissioner's Comments - No Commissioner comments.

A motion to adjourn was made by Alderperson Michalski and seconded by Alderperson Prozanski. The motion passed. (Ayes 8, Noes 0) The meeting adjourned at 5:50pm.

Meeting Minutes Prepared by: Kay Schueffner, Community Development & Inspections

Thursday, October 6, 2016 at 5:00 pm
Municipal Building
625 52nd Street - Room 202 - Kenosha, WI 53140

Conditional Use Permit Amendment for Lowe's Home Improvement Store at 6500 Green Bay Road to allow for an outdoor display area. (Lowe's) (District 16) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Aldersperson Downing, District 16, has been notified. The City Plan Commission is the final review authority.

LOCATION AND ANALYSIS:

Site: 6500 Green Bay Road
Zoned: B-2 Community Business District

1. On July 22, 2004, the City Plan Commission approved a Conditional Use Permit for Lowe's Home Improvement Store. The Conditional Use Permit included a Condition of Approval that indicated "Outdoor display of products is prohibited, except within the Garden Center fence." Since the store opened in 2006, City Staff has had to perform multiple inspections of the site for violations of this Condition of Approval. Letters and emails have been sent to store management and meetings have been held discussing this requirement. Varying levels of compliance have been achieved over this time period.
2. Lowe's applied for a Conditional Use Permit Amendment in 2014 to allow the outdoor display of products. A timeline of meetings is as follows:
 - a. February 6, 2014 - The City Plan Commission unanimously recommended denial of the Amendment requesting to store/display various merchandise across the front of the entire store.
 - b. February 19, 2014 - The Common Council, the final review authority at the time, deferred a vote.
 - c. March 3, 2014 - The Common Council referred the item back to the City Plan Commission.
 - d. March 20, 2014 - The City Plan Commission reviewed a scaled back request from Lowe's to store only plants, tractors and grills along roughly the south half of the store front. The request was again unanimously recommended for denial.
 - e. April 7, 2014 - The Common Council approved the Amendment request by a 10-6 vote. The store has been closer to compliance requirements with the authorized display/storage areas, but still had problems with compliance in 2014.
 - f. June 29, 2016 - City Staff issued Orders to Lowe's to remove all displays and outdoor storage from the site that was displayed outside of the approved boundaries. The unauthorized displays included multiple pallets and bags of product stored along the exterior at the back (west) end of the store as well as a fence display panel mounted to the front of the building, a shed and a play set that were not a part of the amended outdoor display area. The applicant did not remove the fence panel display per the Orders. Lowe's has requested another Amendment to their Conditional Use Permit to allow the fence panel display to remain.
3. Staff opposes the Amendment of the fence panel display. The argument by the applicant in 2014 was that other retailers (Kmart, Shopko, Prairieside True Value) had seasonal displays that were permitted. However, those seasonal display are removed no later than the end of summer. The applicant is asking to have a year-long outdoor display of products. It is also worth noting that two (2) similar scale buildings, Menards and Meijer, have similar Conditions of Approval to the original Lowe's approval prohibiting outdoor storage and display. Menards has expanded their product yard behind their store

and has not displayed items in front of the store for several years. Meijer has been open approximately 1 1/2 years and has been able to store all of their products within the store or garden center.

4. If the desire of the City Plan Commission is to allow the fence display panel to remain, Staff recommends that the panel be repositioned to the exterior of the Garden Center fence and removed between Labor Day and mid-March, or repositioned to the interior of the Garden Center fence or inside the store where it can remain all year. The only outdoor display should be the approved areas in front of the store and only for the approved time period of mid-March through Labor Day.
5. Alderperson Downing, the Alderman of the District, indicated his support for the Amendment request from Lowe's.
6. This item was deferred at the September 22, 2016 City Plan Commission meeting to allow additional time to review the concerns of Administration, the Alderperson and Staff. A meeting has been scheduled with the applicant, Administration, the Alderperson and Staff for Monday, October 3, 2016. Based on the meeting, a revised recommendation and/or Conditions of Approval may be issued at the meeting.

RECOMMENDATION:

A recommendation is made to deny the Conditional Use Permit Amendment.

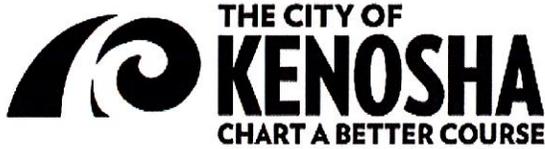


Brian Wilke, Development Coordinator



Jeffrey B. Labahn, Director

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Conditions of Approval
Lowe's Home Improvement Store
6500 Green Bay Road
October 6, 2016

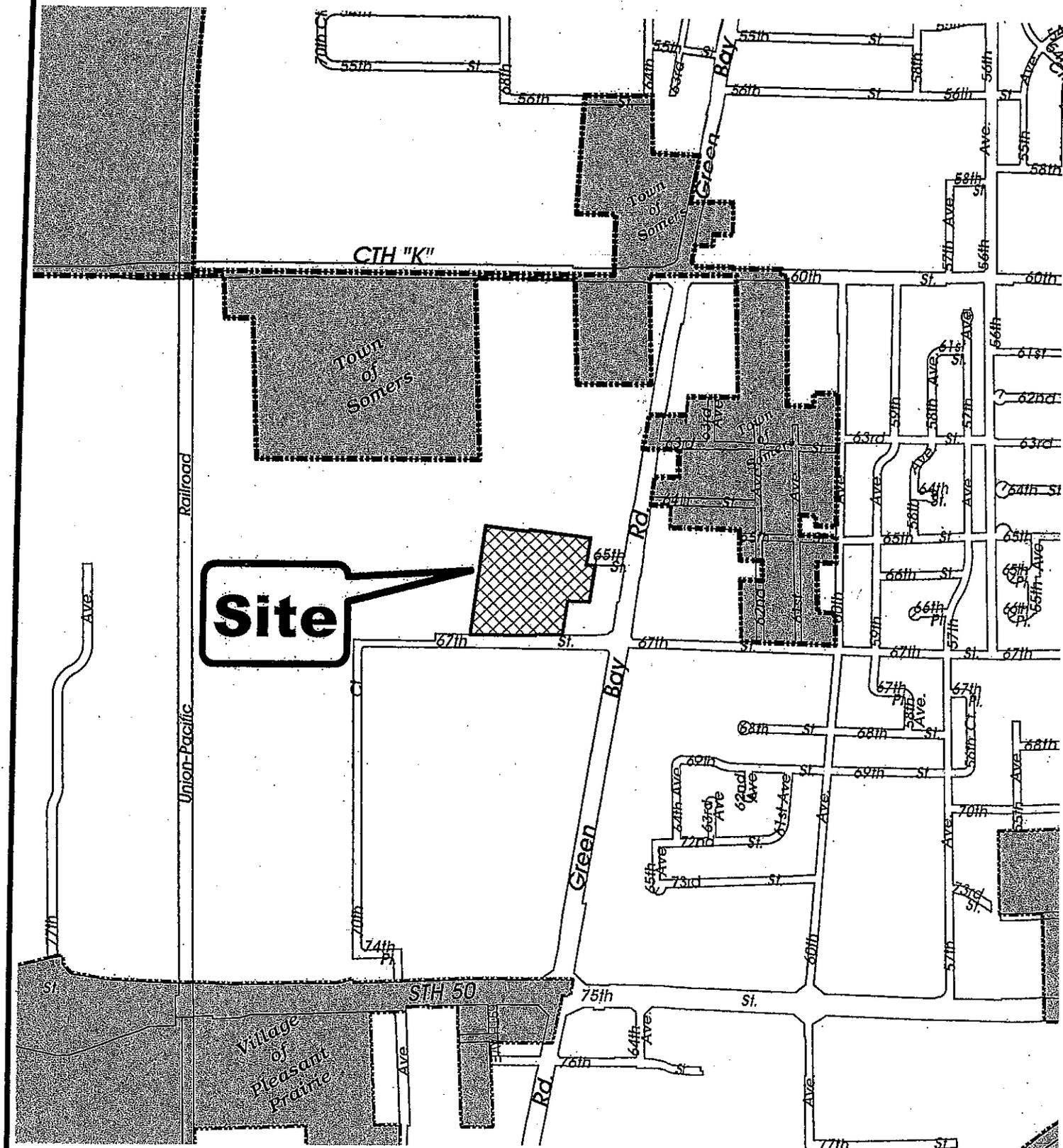
1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
 - a. The applicant shall obtain Erosion Control, Building, Fence, Plumbing, Electrical, Occupancy and any other required construction permits from the Department of Community Development & Inspections.
 - b. The applicant shall obtain Sidewalk, Street Opening, Driveway 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 Sign permits shall be obtained from the Department of Community Development & Inspections. The Unified Business Center is only permitted to have two (2) pylon signs on STH 31.
 - d. Storm water detention basins shall be constructed and operational prior to the issuance of any Occupancy permit.
 - e. The applicant shall meet all applicable Conditions of Approval and obtain a permit by July 22, 2005 or the Conditional Use Permit or the Conditional Use Permit shall be null and void per Section 4.041 of the Zoning Ordinance.
 - f. Compliance with City and State Codes and Ordinances and with any conditions noted in the recorded Developers Agreement.
 - g. Any changes to the approved plans shall require an Amendment to the approved Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - h. The development shall be constructed in accordance with the approved plans on file with the Department of Community Development & Inspections. All parking areas, drives, and designated paved areas shall be paved, building exterior completed and site lighting installed prior to the issuance of any Occupancy permits. All other improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit.
 - i. All off-site improvements required under the Developers Agreement and the approved Traffic Impact Analysis shall be completed prior to the issuance of any Occupancy permit.
 - j. All improvements indicated on the plans, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping, or building shall be replace/reconstructed per the approved plans.
 - k. All trash containers shall be stored within the enclosure
 - l. All vehicles shall be parked within designated paved areas.
 - m. Outdoor display of nursery products, grills, and tractors **and fence panels** are permitted only between mid-March and Labor Day in compliance with the Site Plan on file with the Department of Community Development & Inspections. **Outdoor display or storage of products is prohibited at all other locations on the site, except within the Garden Center Fence.**

- n. The applicant shall install motion sensors and other safety devices as approved by Staff at teh parking/truck intersection.
- o. All roof top mechanicals shall be properly screened per Section 14.07 B.10 of the Zoning Ordinance.

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City of Kenosha

Lowe's Home Improvement CUP Amendment



Site

----- Municipal Boundary



This letter states that Lowes Home Improvement Centers would like to file for an amendment of the Conditional use Permit located at 6500 Green Bay Road. On 8/17/2016 a letter was sent to Store Manager, Jeff Winiarski in regards to the fence display that is located at the front of the building on the Northeast side facing Green Bay Road. The letter goes on too state that we are in violation of our Conditional use Permit. (see attached) Lowes, has been in business in Kenosha since 2006 along with the fence display since the beginning of operation.

What we are asking for is the ability to leave the fence display where it has been since 2006. (see map).

The following was brought into the office today.

Application for Development Review.

Picture of the current display that is merchandised like this throughout the entire Company.

Map of where the display is located currently in Kenosha and hopefully will continue to be allowed to display.

Please attach this to the original documents that were dropped off this afternoon.

Thanks,

Jeff Winiarski
Store Manager #2560

ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

3.14 B-2 COMMUNITY BUSINESS DISTRICT

The primary purpose and characteristics of the B-2 Community Business District are intended to accommodate the needs of a larger consumer population than is served by the B-1 Neighborhood Business District, thereby permitting a wider range of uses and development sizes for both convenience and community shopping.

A. Permitted Uses.

1. Hotels and motels existing on the effective date of this Ordinance.
2. **Convenience Retail and Service Stores** as follows, all conducted wholly within an enclosed building, except as provided for herein:
 - a. Bakery, retail.
 - b. Barber shop.
 - c. Beauty or styling salon.
 - d. Bicycle sales, rental and repair shop.
 - e. Book and stationery shop, newsstand; excluding adult uses, as defined.
 - f. Camera and photographic supply store, including drive-in, pickup/drop-off centers.
 - g. Candy and ice cream store.
 - h. Clothes and costume rental service.
 - i. Coffee shop.
 - j. Dressmaking and tailor shop.
 - k. Drugstore.
 - l. Florist shop.
 - m. Food store; grocery; meat, poultry and fish market; and delicatessen; including the use of controlled atmosphere smoke producing and processing equipment for retail and customer order purposes.
 - n. Gift or antique shop.
 - o. Hobby shop.
 - p. Jewelry store.
 - q. Laundromat and dry cleaning establishment, including clothes or garment pickup/drop-off facilities.
 - r. Locksmith.
 - s. Office supply store.
 - t. Package beverage store, including drive through facilities.
 - u. Pet shop.
 - v. Photocopying center.
 - w. Record or tape store.
 - x. Repair, rental, and servicing of any article the sale of which is a permitted use in the B-2 District, except automobile body repair.
 - y. Restaurant, including drive-in and outdoor cafe restaurants and refreshment stands.
 - z. Secondhand Article Dealer.
 - aa. Shoe repair and combination shoe sales store.
 - bb. Tobacco and pipe shop.
 - cc. Travel bureau and transportation ticket.
 - dd. Upholstering shop.
 - ee. Artisan Studio.
3. **General Merchandise and Service Stores** as follows, all conducted wholly within an enclosed building, except as provided for herein:
 - a. Apparel store.
 - b. Business machine sales and service.
 - c. Catalog and mail-order store.
 - d. Department store, including outdoor storage areas of building and garden supplies, as permitted in

ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

§3.14 A.9.i. of this Ordinance.

- e. Drapery, curtain, and fabric store.
- f. Flea market.
- g. Furniture and home furnishing store.
- h. Furriers and fur shops.
- i. Household appliance store.
- j. Interior decorating and picture framing studio
- k. Leather goods and luggage store.
- l. Musical instrument store.
- m. Opticians sales.
- n. Orthopedic and medical appliance store.
- o. Radio, television, stereophonic and other electronic appliance store.
- p. Shoe and boot store.
- q. Sporting goods and trophy store.
- r. Toy store.
- s. Variety store.

4. Miscellaneous retail building, home improvement and gardening supply stores and uses as follows:

a. **Building supply store**, not involving the manufacture, treatment, or processing of any product, or the cutting or planing of any product other than cutting or planing which is incidental or essential to the retail business. All storage which is adjacent to or across an alley from any residential district shall be within completely enclosed buildings or contained within accessory outdoor storage areas effectively screened from the residential district.

b. **Carpenter, electrical, plumbing, heating and air conditioning shop, showroom and storage area**, all conducted wholly within completely enclosed buildings.

c. **Feed and fuel store**. All storage of feed or fuel which is adjacent to or across an alley from any residential district shall be within completely enclosed buildings or contained within accessory outdoor storage areas effectively screened from the residential district.

d. **Floor covering and carpet store**, all conducted wholly within a completely enclosed building.

e. **Garden supply, commercial nursery, greenhouse or orchard**. All storage of supplies which is adjacent to or across an alley from any residential district shall be within completely enclosed buildings or located in accessory outdoor storage areas in a manner which constitutes an effective screen from the residential district.

f. **Hardware store**. All storage of building or garden supplies which is adjacent to or across an alley from any residential district shall be within completely enclosed buildings or contained within accessory outdoor storage areas effectively screened from the residential district.

g. **Mobile or manufactured homes sales and services centers, excluding construction**. All storage of mobile or manufactured homes which is adjacent to or across an alley from a residential district shall be within completely enclosed buildings or contained within accessory outdoor storage areas effectively screened from the residential district.

h. **Paint, glass and wallpaper store**, all conducted wholly within a completely enclosed building.

i. **Storage areas of a department store containing building or garden supplies** provided that when such areas are adjacent to or across an alley from a residential district, such storage is within completely enclosed buildings or contained within accessory outdoor storage areas effectively screened from the residential district.

j. **Tool and equipment rental store**. All storage of retail or rental tools and equipment which is adjacent to or across an alley from a residential district shall be within completely enclosed buildings or contained within accessory outdoor storage areas effectively screened from the residential district.

5. Miscellaneous Retail and Services Uses as follows, all conducted wholly within a completely enclosed building except as provided for herein:

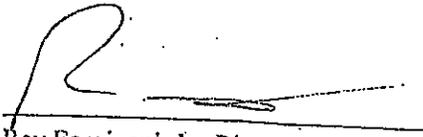
a. **Amusement enterprises and pool halls**. No amusement enterprise or pool hall shall be located within one thousand (1,000') feet, as measured by the most direct means, from lot line to lot line of any

Department of City Development
 625 - 52nd Street
 Kenosha, Wisconsin 53140
 (262) 653-4030, (262) 653-4045 (fax)

Conditional Use Permit Approval

Project Name:	Lowe's	Date: May 13, 2005
Location:	6500 Green Bay Road	
Issued to:	Mr. Evan Vlaeminck Lowe's Home Improvement 1962 McDowell Road - Suite B-03 Naperville, IL 60563	
Architect/Engineer/ Contractor (if applicable):	Mr. Joseph Vavrina Smith Engineering 4500 Prime Parkway McHenry, IL 60050	
Approval Date(s):	City Plan Commission - July 22, 2004 / December 9, 2004 (extension) Department of City Development - May 13, 2005	
<ul style="list-style-type: none"> • Conditions of approval (see attachment) • Conditional use permit shall be null and void if a building permit is not obtained by: July 22, 2005 		

Any questions regarding the approved conditional use permit should be directed to Jeffrey Labahn, Assistant City Planner, or Rich Schroeder, Development Coordinator, at 262-653-4030.



 Ray Forgianni, Jr., Director
 Department of City Development

- cc
- Ed St. Peter, Water Utility Manager
 - Daniel Wade, Police Chief
 - Ron Bursek, Public Works Administrator
 - Jim Schultz, Director of Neighborhood Services and Inspections
 - Patrick Ryan, Fire Prevention Bureau Chief
 - Mike Higgins, City Assessor
 - Paula Blise, Zoning Coordinator
 - Nick Torcivia, Senior Building Inspector

Project Name:	Lowe's	Date: May 13, 2005
Location:	6500 Green Bay Road	

Conditions of Approval:

1. Applicant shall obtain erosion control, building, fence, plumbing, electrical, occupancy and any other required construction permits from the Department of Neighborhood Services and Inspections.
2. Applicant shall obtain sidewalk, street opening, driveway and parking lot permits from the Department of Public Works.
3. All signs shall comply with Chapter 15 of the Code of General Ordinances and sign permits shall be obtained from the Department of Neighborhood Services and Inspections. The Unified Business Center is only permitted to have two (2) pylon signs on STH 31.
4. Storm water detention basins shall be constructed and operational prior to the issuance of any occupancy permit.
5. Applicant shall meet all applicable conditions of approval and obtain a permit by July 22, 2005 or the conditional use permit shall be null and void per Section 4.04I of the Zoning Ordinance.
6. Compliance with all City and State codes and ordinances and with any conditions noted in the recorded Developers Agreement.
7. Any changes to the approved plans shall require an amendment to the approved conditional use permit. All changes shall be submitted to the Department of City Development for review and approval.
8. The development shall be constructed in accordance with the approved plans on file with the Department of City Development. All parking areas, drives, and designated paved areas shall be paved, building exterior completed and site lighting installed prior to the issuance of any occupancy permits. All other improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final occupancy permit.
9. All off site improvements required under the Developers Agreement and the approved Traffic Impact Analysis shall be completed prior to the issuance of any occupancy permit.
10. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping, or building shall be replaced/reconstructed per the approved plans.
11. All trash containers shall be stored within the enclosure.
12. All vehicles shall be parked on the designated paved areas.
- 13. Outdoor display of products is prohibited, except within the Garden Center fence.
14. Applicant shall install motion sensors and other safety devices as approved by Staff at the parking/truck intersection.
15. All rooftop mechanicals shall be properly screened per Section 14.07 B.10 of the Zoning Ordinance.

Department of Community Development & Inspections
 625 52nd Street - Room 308
 Kenosha, Wisconsin 53140
 phone - 262.653.4030 or fax 262.653.4045

Conditional Use Permit Approval

Project Name:	Lowe's Amendment	Date: April 9, 2014
Location:	6500 Green Bay Road	
Project Description:	Outdoor display revision	
Issued to:	Jeff Winiarski Lowe's 6500 Green Bay Road Kenosha, WI 53142	
Architect/ Engineer/ Contractor: (if applicable)	↓	
Approval Dates:	Common Council – April 7, 2014 Community Development & Inspections – N/A	
<ul style="list-style-type: none"> • Conditions of approval (see attachment) • Approval shall be void if a building permit is not obtained by N/A 		

Any questions regarding the approved Conditional Use Permit should be directed to me at 262.653.4049 or via email at bwilke@kenosha.org.



 Brian Wilke
 Development Coordinator
 Community Development & Inspections

- c: Shelley Billingsley, Director of Engineering, Public Works
 Mike Callovi, Planning Technician, Community Development & Inspections
 Mike Higgins, Assessor
 Michael Moore, Commercial Building Inspector, Community Development & Inspections
 Jeffrey B. Labahn, Director, Community Development & Inspections
 Mike Lemens, Director, Public Works
 John W. Morrissey, Chief, Police Department
 Gail Rohde, Counter Clerk, Community Development & Inspections
 Patrick Ryan, Division Chief, Fire Prevention Bureau
 Ed St. Peter, General Manager, Kenosha Water Utility
 Debra Salas, City Clerk-Treasurer

Project Name:	Lowe's Amendment	Date: April 9, 2014
Location:	6500 Green Bay Road	

Conditions of Approval

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 Erosion Control, Building, Fence, Plumbing, Electrical, Occupancy and any other required construction permits from the Department of Community Development & Inspections.
 - b. The applicant shall obtain Sidewalk, Street Opening, Driveway 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 Sign permits shall be obtained from the Department of Community Development & Inspections. The Unified Business Center is only permitted to have two (2) pylon signs on STH 31.
 - d. Storm water detention basins shall be constructed and operational prior to the issuance of any Occupancy permit.
 - e. The applicant shall meet all applicable Conditions of Approval and obtain a permit by July 22, 2005 or the Conditional Use Permit shall be null and void per Section 4.041 of the Zoning Ordinance.
 - f. Compliance with all City and State Codes and Ordinances and with any conditions noted in the recorded Developers Agreement.
 - g. Any changes to the approved plans shall require an Amendment to the approved Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
 - h. The development shall be constructed in accordance with the approved plans on file with the Department of Community Development & Inspections. All parking areas, drives, and designated paved areas shall be paved, building exterior completed and site lighting installed prior to the issuance of any Occupancy permits. All other improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit.
 - i. All off-site improvements required under the Developers Agreement and the approved Traffic Impact Analysis shall be completed prior the issuance of any Occupancy permit.
 - j. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping, or building shall be replaced/reconstructed per the approved plans.
 - k. All trash containers shall be stored within the enclosure.
 - l. All vehicle shall be parked on the designated paved areas.
 - ➔ m. Outdoor display of nursery products, grills and tractors are permitted only between mid-March and Labor Day in compliance with the Site Plan on file with the Department of Community Development & Inspections.
 - n. The applicant shall install motion sensors and other safety devices as approved by Staff at the parking/truck intersection.
 - o. All rooftop mechanicals shall be properly screened per Section 14.07 B.10 of the Zoning Ordinance.



APPLICATION FOR DEVELOPMENT REVIEW
Forms #CDI301 thru #CDI310 (rev. 1/16)

MAILING INFORMATION

NAME OF PROJECT: Lowes Kenosha #2560

Check either the Applicant or Architect/Engineer box to indicate the recipient of all correspondence. The property owner will be copied on all correspondence.

<input checked="" type="radio"/>	Name and Address of Applicant [Please print]: <u>Lowes Home Improvement Center</u> <u>6500 Green Bay Road</u> <u>Kenosha, WI 53142</u>	Phone: <u>(262) 653-8770 ext. 4800</u> Fax: <u>(262) 653-8774</u> E-Mail: <u>jeffery.j.winiarski@store.lowes.com</u>
----------------------------------	---	--

<input type="radio"/>	Name and Address of Architect/Engineer [Please print]: _____ _____ _____	Phone: _____ Fax: _____ E-Mail: _____
-----------------------	---	---

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

PROJECT LOCATION

Location of Development (street address and / or parcel number): 6500 Green Bay Road

TYPE OF LAND DEVELOPMENT

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

<input type="checkbox"/>	Certified Survey Map #CDI301	Section 1	Page 3
<input type="checkbox"/>	Concept Review (Land Division) #CDI302	Section 2	Page 4
<input type="checkbox"/>	Concept Review (Multi-Family Residential or Non-Residential) #CDI303	Section 3	Page 5
<input checked="" type="checkbox"/>	Conditional Use Permit #CDI304	Section 4	Pages 6 & 7
<input type="checkbox"/>	Developer's Agreement #CDI305	Section 5	Page 8
<input type="checkbox"/>	Final Plat #CDI306	Section 6	Pages 9 & 10
<input type="checkbox"/>	Lot Line Adjustment Survey #CDI307	Section 7	Page 11
<input type="checkbox"/>	Preliminary Plat #CDI308	Section 8	Pages 12 & 13
<input type="checkbox"/>	Rezoning #CDI309	Section 9	Pages 14 & 15
<input type="checkbox"/>	Site Plan Review #CDI310	Section 10	Pages 16 & 17

Prior to submitting this Application to the Department of Community Development and Inspections, please review the appropriate sections 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 the address listed below.

pd \$100 cash

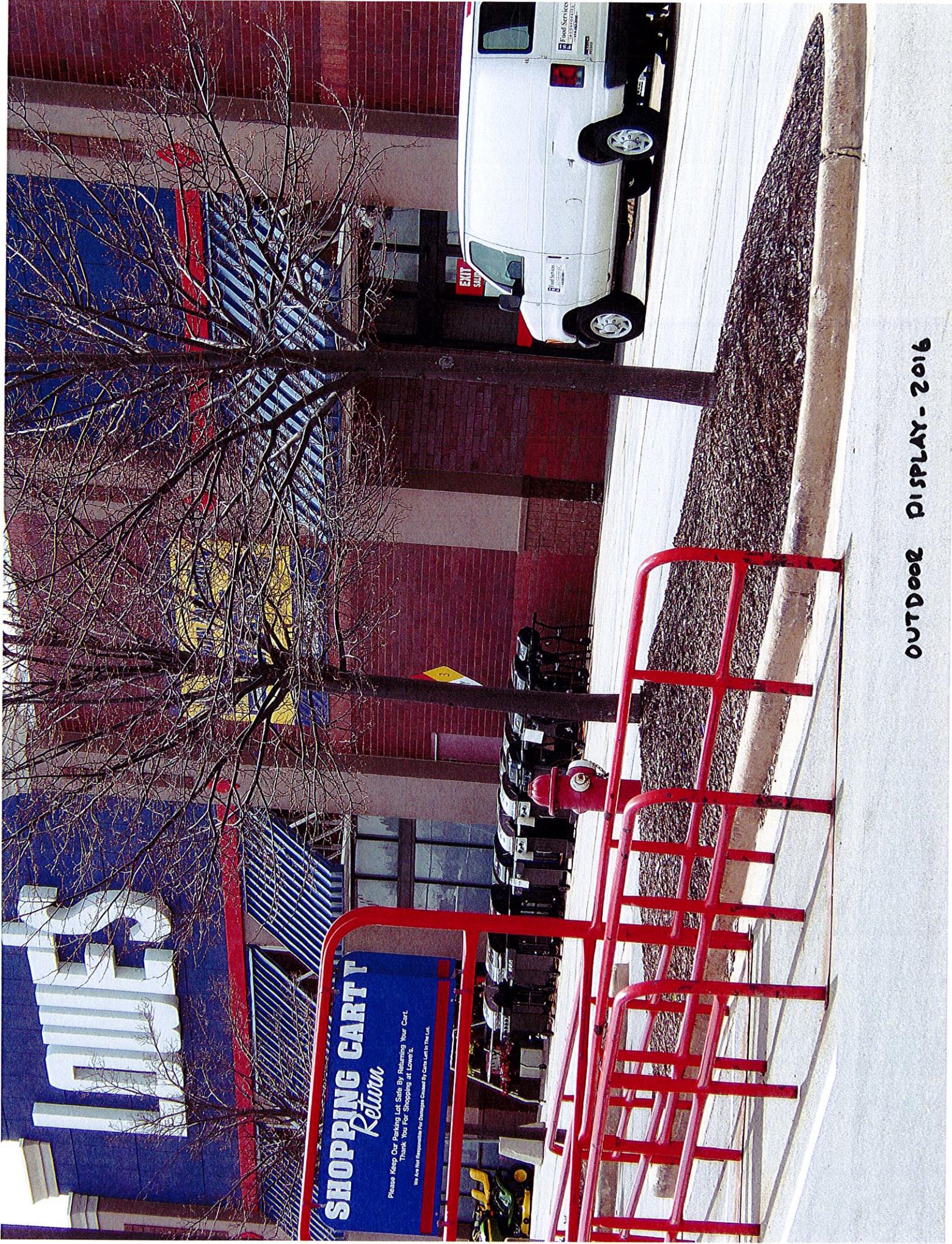


SPRING BENCHING MEAT
LIMITED SPECIAL VALUES!

STOP



OUTDOOR DISPLAY - 2016



OUTDOOR DISPLAY - 2016



CITY PLAN COMMISSION
Staff Report - Item 2

Thursday, October 6, 2016 at 5:00 pm
Municipal Building
625 52nd Street - Room 202 - Kenosha, WI 53140

Resolution by the Public Works Committee - To Vacate an alley between 75th Street and Roosevelt Road from 38th Avenue east 116 feet. (Hervat/Mathewson) (District 8) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Aldersperson Mathewson, District 8, has been notified. 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 via process server. Owners that cannot be served will be mailed a letter a minimum of thirty (30) days prior to the Public Hearing at the Common Council. A Class III notice will be published by Community Development & Inspections for the Common Council meeting. This item will also be reviewed by the Public Works Committee before final approval by the Common Council.

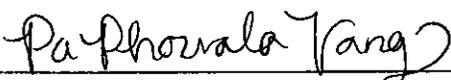
LOCATION AND ANALYSIS:

Site: Between 75th Street and Roosevelt

1. A Petition has been filed by all of the abutting property owners to vacate a portion of this alley. The existing alley right-of-way is gravel.
2. The existing alley right-of-way is twelve (12') feet wide. Abutting property owners will each receive six (6') feet of the alley if it is vacated.
3. 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.


PaPhouala Vang, Planner


Jeffrey B. Labahn, Director

RESOLUTION TO VACATE AN ALLEY
BETWEEN 75th STREET AND ROOSEVELT
ROAD FROM 38th AVENUE EAST 116 FEET
DISTRICT 8 [HERVAT/MATHEWSON]

Document Number

Document Title

Please see attached:

This space is reserved for recording data

Return to

Jonathan A. Mulligan
Office of the City Attorney
625 52nd Street, Room 201
Kenosha, WI 53140

Parcel Identification Numbers

01-122-01-362-007

01-122-01-362-008

01-122-01-362-009

01-122-01-362-018

RESOLUTION NO. _____

BY: COMMITTEE ON PUBLIC WORKS

TO VACATE AN ALLEY BETWEEN 75th STREET AND
ROOSEVELT ROAD FROM 38th AVENUE EAST
116 FEET. DISTRICT 8 [HERVAT/MATHEWSON]

WHEREAS, the public interest requires the vacation of an alley located between 75th Street and Roosevelt Road from 38th Avenue east 116 feet.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that pursuant to Section 66.1003(4), Wisconsin Statutes, and by direct action of said Council, a portion of an alley, depicted in the attached Exhibit "A" and legally described as follows:

All that part of a 12 foot wide East – West alley described as lying East of 38th Avenue and terminating at the East line of Lot 13, approximately 116 feet in length, and being South of Lot 13 and North of Lots 14, 15 and part of Lot 16 of the H.C. Crook's Western Subdivision. Said Subdivision being in the Southwest ¼ of Section 1, Township 1 North, Range 22 East of the Fourth Principal Meridian, and being in the City of Kenosha, County of Kenosha and State of Wisconsin. Containing 1,392 Square Feet.

be, and hereby is, vacated, subject to the following easements which are herein and hereby granted, or created by a reservation of rights.

Any and all provider of utilities, including the City (hereinafter collectively referred to as "Utilities"), furnishing gas, sewer, water, electric, telephone, cable television and any related services shall have reserved to them or are hereby and herein given and granted the right, permission, and authority to inspect, repair and maintain their respective existing installation in, above and under the above described parcel of property for as long as said installations and facilities are being operated and utilized by them.

Said Utilities are also given and granted the right, permission and authority to improve and expand the scope of the above easements in, above and under the above described parcel of property, and thereafter to inspect, repair and maintain said new additional installations and facilities. Utilities shall, at all times, have reasonable access to their respective installations and facilities, and owners of said parcel of land vacated by this Resolution, shall not interfere with easement rights herein specified or be entitled to compensation for anything placed by owners upon said vacated property which may have to be destroyed or removed by Utilities to effectively use their easements, although Utilities shall have the obligation to restore the turf to its original condition should it be destroyed or damaged through the exercise of easement rights.

IT IS FURTHER UNDERSTOOD that the area vacated will belong to the abutting property owners according to law.

BE IT FURTHER RESOLVED that the City Clerk shall record a certified copy of this Resolution in the Office of the Kenosha County Register of Deeds and forward a copy of same to all listed Utilities and the City Assessor's Office.

BE IT FURTHER RESOLVED that upon recordation of this Resolution, the City of Kenosha Official Map, as initially established by Resolution No. 122-06, adopted on November 6, 2006, and as subsequently amended to the time of recordation of this Resolution, will hereby be amended to include the closing of existing streets, highways, and right-of-ways, which changes are established in this Resolution.

Adopted this ____ day of _____, 2016.

ATTEST: _____
DEBRA L. SALAS, City Clerk/Treasurer

APPROVED: _____ Date: _____
JOHN M. ANTARAMIAN, Mayor

STATE OF WISCONSIN)
 :SS.
COUNTY OF KENOSHA)

Personally came before me this ____ day of _____, 2016, John M. Antaramian, Mayor, and Debra L. Salas, City Clerk/Treasurer, of the City of Kenosha, Wisconsin, a municipal corporation, to me known to be such Mayor and City Clerk/Treasurer of said municipal corporation, and acknowledged to me that they executed the foregoing instrument as such officers as the agreement of said City, by its authority.

Notary Public, Kenosha County, WI.
My Commission expires/is: _____

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney

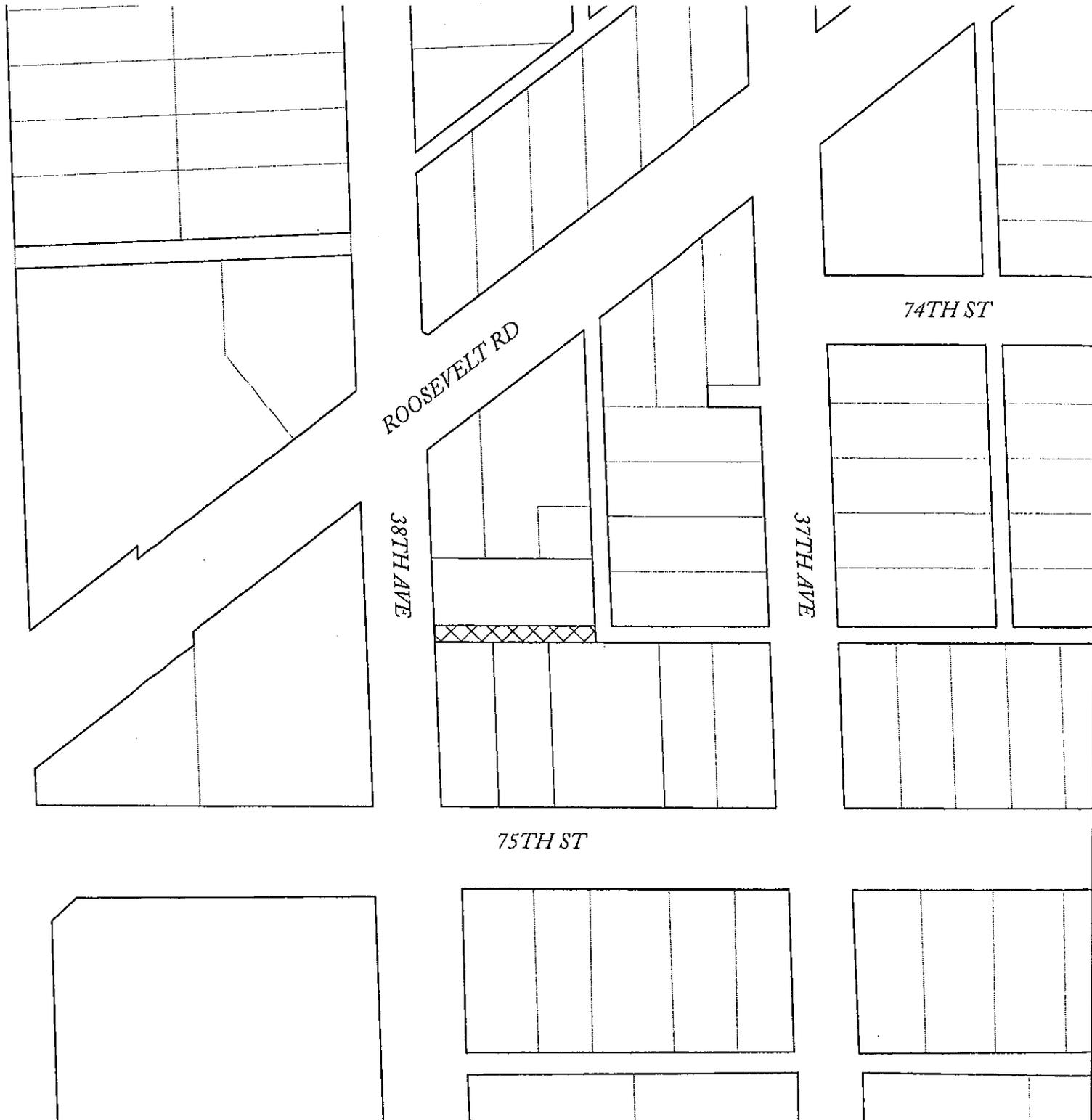
City of Kenosha

District Map Vacation

Supplement No. V2-16

Resolution No. _____

Hervat/Mathewson petition



 Alley Petitioned to be Vacated

EXHIBIT A



0  100
Feet



CITY PLAN COMMISSION
Staff Report - Item 3

Thursday, October 6, 2016 at 5:00 pm
Municipal Building
625 52nd Street - Room 202 - Kenosha, WI 53140

Resolution by the Public Works Committee - To Vacate an alley between 24th and 25th Avenues south of 66th Street 100 feet. (Hervat/Mathewson) (District 8) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderperson Mathewson, District 8, has been notified. 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 via process server. Owners that cannot be served will be mailed a letter a minimum of thirty (30) days prior to the Public Hearing at the Common Council. A Class III notice will be published by Community Development & Inspections for the Common Council meeting. This item will also be reviewed by the Public Works Committee before final approval by the Common Council.

LOCATION AND ANALYSIS:

Site: Between 24th and 25th Avenues south of 66th Street 100 feet

1. A Petition has been filed by all of the abutting property owners to vacate a portion of this alley. The existing alley right-of-way is gravel.
2. The existing alley right-of-way is sixteen (16') feet wide. Abutting property owners will each receive eight (8') feet of the alley if it is vacated.
3. 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.

PaPhouala Vang, Planner

Jeffrey B. Labahn, Director

RESOLUTION TO VACATE AN ALLEY
BETWEEN 24th AND 25th AVENUES SOUTH
OF 66th STREET 100 FEET,
DISTRICT 8 [HERVAT/MATHEWSON]

Document Number

Document Title

Please see attached:

This space is reserved for recording data

Return to

Jonathan A. Mulligan
Office of the City Attorney
625 52nd Street, Room 201
Kenosha, WI 53140

Parcel Identification Numbers

01-122-01-185-001

01-122-01-185-016

01-122-01-185-015

RESOLUTION NO. _____

BY: COMMITTEE ON PUBLIC WORKS

TO VACATE AN ALLEY BETWEEN 24TH AND
25TH AVENUES SOUTH OF 66TH STREET 100 FEET.
DISTRICT 8 [HERVAT/MATHEWSON]

WHEREAS, the public interest requires the vacation of an alley located between 24th and 25th Avenues south of 66th Street 100 feet.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that pursuant to Section 66.1003(4), Wisconsin Statutes, and by direct action of said Council, a portion of an alley, depicted in the attached Exhibit "A" and legally described as follows:

All of the remaining alley of Block 8 of Frost & Tuttle Subdivision described as: the North 100 feet of a 16 foot wide North – South alley in Block 8 of Frost & Tuttle Subdivision. Said subdivision being a part of the Northeast ¼ of Section 1, Township 1 North, Range 22 East of the Fourth Principal Meridian and being in the City of Kenosha, County of Kenosha and State of Wisconsin. Containing 1,600 Square Feet.

be, and hereby is, vacated, subject to the following easements which are herein and hereby granted, or created by a reservation of rights.

Any and all provider of utilities, including the City (hereinafter collectively referred to as "Utilities"), furnishing gas, sewer, water, electric, telephone, cable television and any related services shall have reserved to them or are hereby and herein given and granted the right, permission, and authority to inspect, repair and maintain their respective existing installation in, above and under the above described parcel of property for as long as said installations and facilities are being operated and utilized by them.

Said Utilities are also given and granted the right, permission and authority to improve and expand the scope of the above easements in, above and under the above described parcel of property, and thereafter to inspect, repair and maintain said new additional installations and facilities. Utilities shall, at all times, have reasonable access to their respective installations and facilities, and owners of said parcel of land vacated by this Resolution, shall not interfere with easement rights herein specified or be entitled to compensation for anything placed by owners upon said vacated property which may have to be destroyed or removed by Utilities to effectively use their easements, although Utilities shall have the obligation to restore the turf to its original condition should it be destroyed or damaged through the exercise of easement rights.

IT IS FURTHER UNDERSTOOD that the area vacated will belong to the abutting property owners according to law.

BE IT FURTHER RESOLVED that the City Clerk shall record a certified copy of this Resolution in the Office of the Kenosha County Register of Deeds and forward a copy of same to all listed Utilities and the City Assessor's Office.

City of Kenosha

District Map
Vacation

Supplement No. V4-16
Ordinance No. _____

Hervat - Mathewson petition

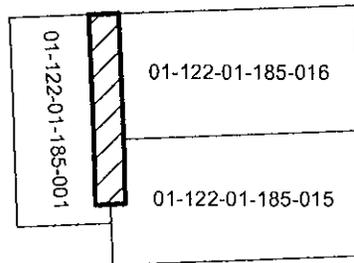
ROOSEVELT RD

66TH ST

25TH AVE

66TH ST

24TH AVE



67TH ST



Part of Alley requested to be vacated

EXHIBIT A





CITY PLAN COMMISSION
Staff Report - Item 4

Thursday, October 6, 2016 at 5:00 pm
Municipal Building
625 52nd Street - Room 202 - Kenosha, WI 53140

Resolution by the Public Works Committee - To Vacate an alley between 61st and 62nd Streets, the north 114.5 feet of the alley west of 14th Avenue. (Hervat/Michalski) (District 3) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Aldersperson Michalski, District 3, has been notified. 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 via process server. Owners that cannot be served will be mailed a letter a minimum of thirty (30) days prior to the Public Hearing at the Common Council. A Class III notice will be published by Community Development & Inspections for the Common Council meeting. This item will also be reviewed by the Public Works Committee before final approval by the Common Council.

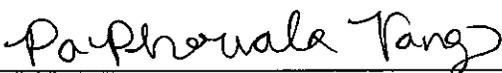
LOCATION AND ANALYSIS:

Site: Between 61st and 62nd Streets, the north 114.5 feet of the alley west of 14th Avenue

1. A Petition has been filed by a majority (5 of 6) of the abutting property owners to vacate a portion of this alley. The existing alley right-of-way is gravel.
2. The existing alley right-of-way is sixteen (16') feet wide. Abutting property owners will each receive eight (8') feet of the alley if it is vacated.
3. 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 Wilke, Development Coordinator



Jeffrey B. Labahn, Director

RESOLUTION TO VACATE AN ALLEY BETWEEN
61ST AND 62ND STREETS, THE NORTH 114.5 FEET
OF THE ALLEY WEST OF 14TH AVENUE.
DISTRICT 8 [HERVAT/MICHALSKI]

Document Number

Document Title

Please see attached:

This space is reserved for recording data

Return to

Jonathan A. Mulligan
Office of the City Attorney
625 52nd Street, Room 201
Kenosha, WI 53140

Parcel Identification Numbers

05-123-06-206-018

05-123-06-206-002

05-123-06-206-010

05-123-06-206-011

05-123-06-206-009

05-123-06-206-019

RESOLUTION NO. _____

BY: COMMITTEE ON PUBLIC WORKS

TO VACATE AN ALLEY BETWEEN 61ST AND
62ND STREETS, THE NORTH 114.5 FEET OF THE
ALLEY WEST OF 14TH AVENUE.
DISTRICT 3 [HERVAT/MICHALSKI]

WHEREAS, the public interest requires the vacation of an alley located between 61st and 62nd Streets west of 14th Avenue, being the north 114.5 feet of said alley.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that pursuant to Section 66.1003(4), Wisconsin Statutes, and by direct action of said Council, a portion of an alley, depicted in the attached Exhibit "A" and legally described as follows:

All that part of a 16 foot wide North - South alley in Block 13 of Ehles Subdivision described as: beginning 100 feet North of the North right-of-way line of 62nd Street; thence North 114.5 feet, more or less, to the North line of Block 13 of Ehles Subdivision. Said subdivision being a part of the Northwest ¼ of Section 6, Township 1 North, Range 23 East of the Fourth Principal Meridian and being in the City of Kenosha, County of Kenosha and State of Wisconsin. Containing 1,832 Square Feet more or less.

be, and hereby is, vacated, subject to the following easements which are herein and hereby granted, or created by a reservation of rights.

Any and all provider of utilities, including the City (hereinafter collectively referred to as "Utilities"), furnishing gas, sewer, water, electric, telephone, cable television and any related services shall have reserved to them or are hereby and herein given and granted the right, permission, and authority to inspect, repair and maintain their respective existing installation in, above and under the above described parcel of property for as long as said installations and facilities are being operated and utilized by them.

Said Utilities are also given and granted the right, permission and authority to improve and expand the scope of the above easements in, above and under the above described parcel of property, and thereafter to inspect, repair and maintain said new additional installations and facilities. Utilities shall, at all times, have reasonable access to their respective installations and facilities, and owners of said parcel of land vacated by this Resolution, shall not interfere with easement rights herein specified or be entitled to compensation for anything placed by owners upon said vacated property which may have to be destroyed or removed by Utilities to effectively use their easements, although Utilities shall have the obligation to restore the turf to its original condition should it be destroyed or damaged through the exercise of easement rights.

IT IS FURTHER UNDERSTOOD that the area vacated will belong to the abutting property owners according to law.

BE IT FURTHER RESOLVED that the City Clerk shall record a certified copy of this Resolution in the Office of the Kenosha County Register of Deeds and forward a copy of same to all listed Utilities and the City Assessor's Office.

BE IT FURTHER RESOLVED that upon recordation of this Resolution, the City of Kenosha Official Map, as initially established by Resolution No. 122-06, adopted on November 6, 2006, and as subsequently amended to the time of recordation of this Resolution, will hereby be amended to include the closing of existing streets, highways, and right-of-ways, which changes are established in this Resolution.

Adopted this ____ day of _____, 2016.

ATTEST: _____
DEBRA L. SALAS, City Clerk/Treasurer

APPROVED: _____
JOHN M. ANTARAMIAN, Mayor

Date: _____

STATE OF WISCONSIN)
 :SS.
COUNTY OF KENOSHA)

Personally came before me this ____ day of _____, 2016, John M. Antaramian, Mayor, and Debra L. Salas, City Clerk/Treasurer, of the City of Kenosha, Wisconsin, a municipal corporation, to me known to be such Mayor and City Clerk/Treasurer of said municipal corporation, and acknowledged to me that they executed the foregoing instrument as such officers as the agreement of said City, by its authority.

Notary Public, Kenosha County, WI.
My Commission expires/is: _____

Drafted By:
JONATHANA. MULLIGAN
Assistant City Attorney

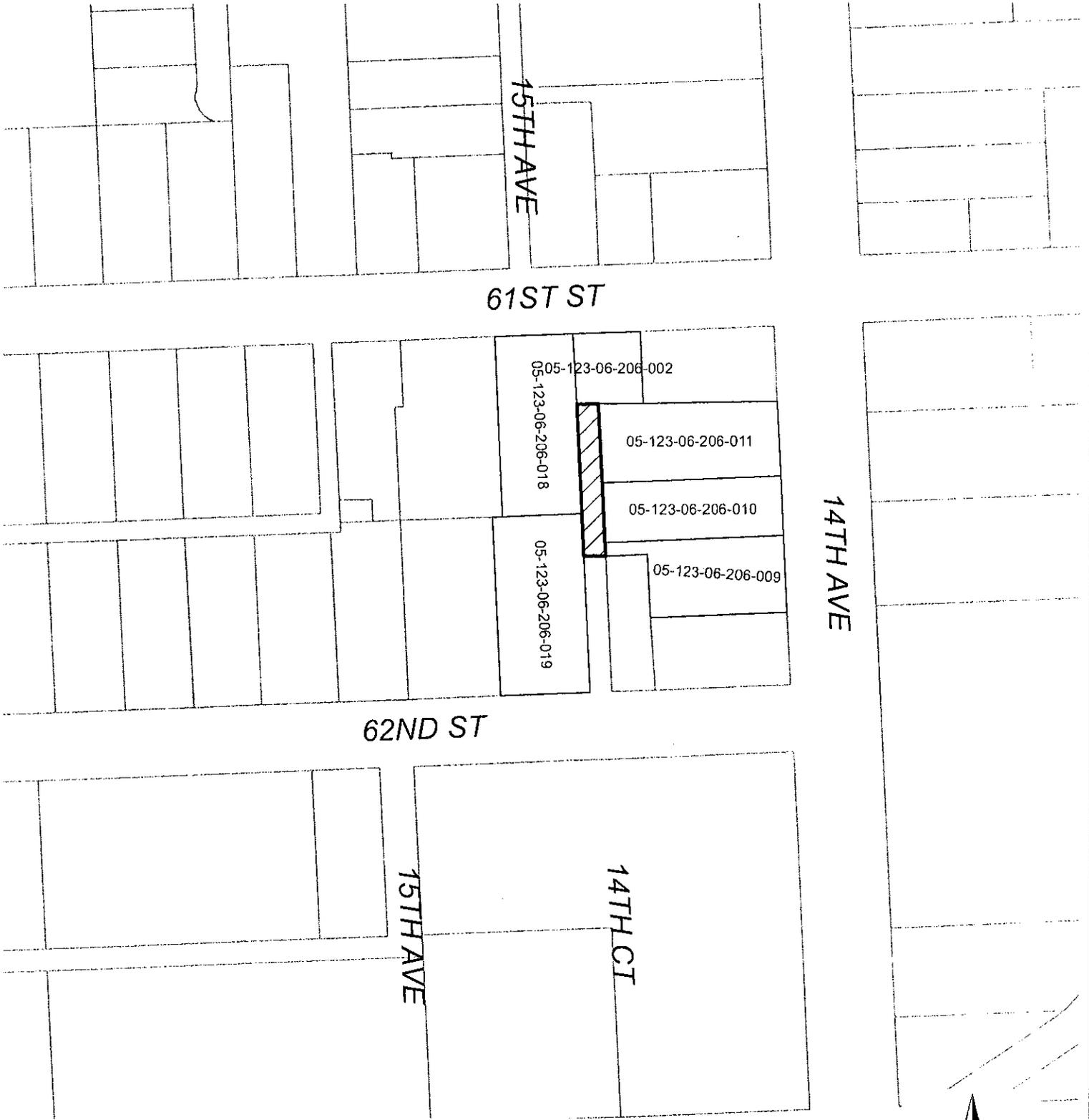
City of Kenosha

District Map
Vacation

Supplement No. V3-16

Ordinance No. _____

Hervat - Michalski petition



Part of Alley requested to be vacated

EXHIBIT A



CONSENT PETITION TO VACATE AN ALLEY or STREET

TO: Mayor Antaramian
Members of the Common Council

We, the undersigned adjoining property owners, do hereby consent and concur in the request to have a portion of an alley vacated as set forth on the attached map.

DATE	OWNER	ADDRESS	WILL YOU BUILD IN THE VACATED RIGHT OF WAY?*
7/12/16	Ben Hard	6112 14th Ave 6108 14th Ave	No.
7/12/16	Kerath Bajjal for Joseph	6120 14th Ave	No
7/15/16	David B. Newbury	1416 62nd st	No
7/19/16		1419 61st	No

* If you answered yes, please provide information as to the type of construction to occur and the location.