

<b>Municipal Building 625 52nd Street – Room 202</b>	<b>Kenosha City Plan Commission Agenda</b>	<b>Thursday, October 18, 2012 5:00 p.m.</b>
<p style="text-align: center;"><i>Mayor Keith Bosman - Chairman, Alderman Kevin Mathewson - Vice-Chairman Alderman Anthony Kennedy, Alderman Jan Michalski, Kathryn Comstock, Robert Hayden, Anderson Lattimore, Jessica Olson and Ron Stevens</i></p>		

Call to Order and Roll Call

*Approval of Minutes from September 20, 2012*

1. Conditional Use Permit for a new public safety communication tower to be located at 6210 60th Street. (Kenosha County/Nash Park) (District #15) PUBLIC HEARING
2. By the Finance Committee - Resolution to approve the 2013 Consolidated Plan - Annual Plan for the Community Development Block Grant/HOME Program. PUBLIC HEARING
3. Deed Restriction for Celebre Place Assisted Living Facility at 1870 27th Avenue. (Celebre Place) (District #4) PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

*Adjournment*

**CITY PLAN COMMISSION**  
**Minutes**  
**September 20, 2012**

**MEMBERS PRESENT:** Mayor Bosman, Alderman Kennedy, Alderman Michalski, Kathryn Comstock, Robert Hayden, Jessica Olson and Ron Stevens

**MEMBERS EXCUSED:** Alderman Mathewson and Anderson Lattimore

**STAFF PRESENT:** Rich Schroeder

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

A motion was made by Alderman Michalski and seconded by Mr. Hayden to approve the minutes of the September 6, 2012 meeting. The motion passed. (Ayes 6; Noes 0)

*Ms. Olson arrived.*

**1. Conditional Use Permit for an Amendment to the drive-thru lane for a restaurant at 7530 Pershing Boulevard. (McDonald's) (District #14)**  
**PUBLIC HEARING**

Public hearing opened.

Kenneth Sack, Watermark Engineering Resources, Ltd, 2631 Ginger Woods Parkway, Aurora, IL gave a brief overview of the proposed renovations. Mr. Sack explained the applicant is proposing to remove the existing vestibule and add a cash booth and side-by-side drive thru lanes.

Public hearing closed.

Ms. Comstock said there are numerous vehicles entering the McDonald's from the Pershing Plaza entrance and crossing traffic. Will there be any changes to alleviate this? Mr. Sack said there are no proposed changes, but there will be increased room for the cars to stack and they will not be backed up onto the road. Ms. Comstock asked if cars will be able to "jump" into line. Mr. Sack said the landscaping should prohibit that problem.

Ms. Olson said she has been to other McDonald's where they did a similar change and the traffic flows much better.

Alderman Michalski said with the changes you have reconfigured the parking, how many spaces have you lost? Mr. Sack said that previously there were 45 spaces, now there is 36 spaces. The code requires 26 spaces. Alderman Michalski also asked if the parking spaces on the south side of the facility will be blocked by the drive thru lane. Mr. Sack said this should not interfere. Even if they are in the front of the line waiting for food, there is space provided to move forward.

Alderman Kennedy asked is the Landscape Plan will be a Staff level review. Rich

Schroeder, Deputy Director, said yes, when they provide a revised Landscape Plan it will be reviewed by Staff. Alderman Kennedy said if a vehicle enters from the south parking lot and wants to turn left instead of proceeding straight, what would prevent that. Mr. Sack said we could put up a sign if you feel it is necessary.

Mayor Bosman asked if there is angle parking at the site now. Mr. Sack said yes. Also, all of the ADA parking stalls were moved closer to the front entrance.

A motion was made by Alderman Kennedy and seconded by Ms. Olson to approve the Conditional Use Permit. The motion passed. (Ayes 7; Noes 0)

**Public Comments**

No public comments.

**Commissioner Comments**

No Commissioner comments.

**Staff Comments**

No Staff comments.

A motion to adjourn was made by Alderman Kennedy and seconded by Ms. Olson. The motion passed. (Ayes 7; Noes 0) The meeting adjourned at 5:18 p.m.

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

Planning & Zoning Division 625 52 <sup>nd</sup> Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission  <b>FACT SHEET</b>	October 18, 2012	Item 1
<b>Conditional Use Permit for a new public safety communication tower to be located at 6210 60th Street. (Kenosha County/Nash Park) (District #15) PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: 6210 60th Street  
 Zoned: IP Institutional Park

**NOTIFICATIONS/PROCEDURES:**

The alderman of the district, Alderman Orth, as well as the Alderman of the adjacent district, Alderman Gordon, has been notified. This item will also be reviewed by the Airport Commission and Parks Commission, before final approval by the Common Council.

**ANALYSIS:**

- Kenosha County has submitted the attached application for a Conditional Use Permit to construct a new public safety communication tower on the property owned by the City of Kenosha in Nash Park. The proposed tower would be three hundred thirteen (313') feet tall and would include a fenced compound on the ground with an equipment building and paved access drive to the site. The tower would be lattice-type construction with either three (3) or four (4) legs. By Ordinance, the tower cannot have guy wires. This proposed tower would replace the existing County-owned tower located at 5400 60th Street. The existing tower is nearing the end of its useful life so the County is hoping to replace it soon.
- The location of the tower is based on and complies with the recently adopted Amendment to the Zoning Ordinance that allowed this specific use as a Conditional Use. The height of the tower is established by the Review Authority, which is the Common Council. The City Plan Commission reviewed that Zoning Ordinance Amendment at their August 9, 2012 meeting.
- Based on the height of the tower, which exceeds the airport height limit by approximately one hundred seventy-eight (178') feet and its proximity to the Kenosha Regional Airport, the Federal Aviation Administration (FAA) must determine if the tower is a hazard to aviation. While the formal report has not been received by the City from the FAA, Staff has received word from Kenosha County that the FAA has given a verbal determination that the tower is not a hazard to aviation. If the formal opinion is received prior to the City Plan Commission meeting, Staff will provide a copy of that document. According to the Zoning Ordinance, the Airport Commission must also review the application and determine if the tower is a hazard to aviation.
- The Parks Commission will be reviewing this application since the tower is on City-owned park land.
- Staff has requested the following changes to the plans as submitted:
  - 1) Remove the strands of barbed wire from the fence. Barbed wire is permitted only in Manufacturing districts, not in the Institutional Park District. The Zoning Ordinance includes a provision that barbed wire fencing may be used surrounding a "public utility (or) public use" if approved under a Conditional Use Permit. Staff feels since this is a public park, the barbed wire should not be used.

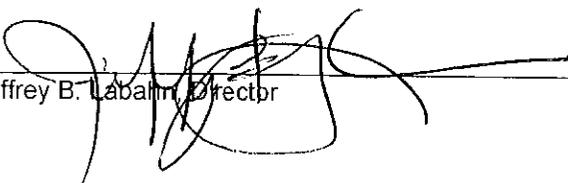
Planning & Zoning Division 625 52 <sup>nd</sup> Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission  <b>FACT SHEET</b>	October 18, 2012	Item 1
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- 2) A brick exterior for the equipment shelter, rather than an aggregate stone finish. Both finishes were proposed by the County as alternates and both finishes comply with the Zoning Ordinance. However, since this is a City-owned site, we feel the more decorative brick finish should be used.
- 3) A pitched roof to the building that is more compatible with the existing 4:12 roof pitch used on the park pavilion building constructed by US Cellular located near the baseball diamonds. Again, the Plan as proposed with a very small roof pitch meets the Zoning Ordinance. However, Staff is looking for a building that is more compatible with the existing park buildings.
- The plans were sent to City Departments for their review. Their comments are included in the attached Conditions of Approval.
- The plans generally comply with Sections 4 and 14 of the Zoning Ordinance.

**RECOMMENDATION:**

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

  
 Brian R. Wilke, Development Coordinator

  
 Jeffrey B. Labahn, Director

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	<b><i>Kenosha City Plan          Commission          Conditions of Approval</i></b>	<b>Kenosha          County/Nash Park          6210 60th Street</b>	October 18, 2012
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1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:
  - a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections. This includes, but is not limited to Erosion Control, Building, Electrical and Occupancy permits.
  - b. The applicant shall obtain a Driveway permit from the Department of Public Works.
  - c. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval.
  - d. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52<sup>nd</sup> Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.
  - e. Prior to the issuance of any occupancy permits, all parking areas, drives and designated paved areas shall have the initial lift of asphalt installed. The building exterior shall be completed per the approved plans and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
  - f. Compliance with City and State and/or Federal Codes and Ordinances. The buildings shall comply with the current Code standards in effect upon application for a building permit.
  - g. The applicant shall meet all applicable Conditions of Approval and obtain a building permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
  - h. All vehicles shall be parked within the designated paved areas.
  - i. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.
  - j. Compliance with the Operational Plan.

Planning & Zoning Division 625 52nd Street Kenosha, WI 53140 262.653.4030	<b><i>Kenosha City Plan          Commission          Conditions of Approval</i></b>	<b>Kenosha          County/Nash Park          6210 60th Street</b>	October 18, 2012
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- k. Compliance with the Lease Agreement between the City of Kenosha, Board of Park Commissioners for the City of Kenosha and the County of Kenosha.
- 2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.
  - a. The exterior material of the equipment shelter shall be brick as shown in Exhibit "B" provided with the application.
  - b. The barbed wire shown on the fence shall be removed. The chain-link fence shall be shown as vinyl-coated chain-link and revised plans submitted for review and approval.
  - c. The equipment shelter shall have a roof pitch of 4:12. The roof shall be shingled. Revised plans showing the pitch and shingle detail shall be submitted for review and approval.
  - d. The Landscape Plan shall show some additional evergreen screening along the south side of the fenced area.
  - e. Plans shall be provided which more clearly indicate what the tower will look like and the possible mounting heights for equipment.
  - f. An Operational Plan shall be submitted indicating the name and address of the facility operator along with the facility maintenance detail.
  - g. Final determination by the FAA is required prior to the issuance of construction permits.



**ZONING ORDINANCE 43-12**

**BY: MAYOR**

**TO AMEND AND CREATE VARIOUS SECTIONS OF THE  
ZONING ORDINANCE RELATING TO PUBLIC SAFETY  
COMMUNICATION TOWERS**

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

**Section One:** Section 2.04 A.3. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby amended as follows:

**3. Special Structures.** Cooling towers, fire towers, petroleum tanks, grain elevators, smokestacks, monuments, water towers and electric power and transmission lines may be erected to a height which exceeds the height limit established for the district.

Utility substations, Communication Towers and Antennas may exceed the height limit established for the district, when so authorized by the Review Authority, but may in no event be higher than one hundred (100') feet or the Kenosha Regional Airport Height Limitation, whichever is more restrictive. Communication Towers and Antennas may be constructed to a height of one hundred fifty (150') feet, or the Kenosha Regional Airport Height Limitation, whichever is more restrictive, on a City-owned Site when so authorized by the Review Authority, provided a license or lease agreement authorizing such Communication Tower has been approved by the City. Antenna Co-Locations may exceed these height limitations, but may not exceed the Kenosha Regional Airport Height Limitation, whichever is more restrictive, when so authorized by the Review Authority.

Radio/Television/Relay Towers and Antennas may be erected/constructed to a height of three hundred (300') feet or the Kenosha Regional Airport Height Limitation, whichever is more restrictive, as authorized by the Review Authority and in accordance with the spacing and setback requirements of Section 4.06 D.13. of this Ordinance.

Public Safety Communication Towers and Antennas may be erected/constructed to a height which exceeds the height limit established for the district when so authorized by the Review Authority but may in no event be higher than the Kenosha Regional Airport Height Limitation unless an exception is approved in accordance with Section 13.10 K.3. of this Ordinance.

**Section Two:** Section 3.14 C.24. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby created as follows:

**24. Public Safety Communication Towers and Antennas**

**Section Three:** Section 3.17 C.11 of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby created as follows:

**11. Public Safety Communication Towers and Antennas**

**Section Four:** Section 3.18 C.40 of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby created as follows:

**40. Public Safety Communication Towers and Antennas**

**Section Five:** Section 3.19 C.13. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby created as follows:

**13. Public Safety Communication Towers and Antennas**

**Section Six:** TABLE 4.01, GROUP 2 of the Zoning Ordinance for the

City of Kenosha, Wisconsin is hereby amended as follows:

Public Safety Communication Towers and Antennas in the B-2 District. . . . . CC

**Section Seven:** TABLE 4.01, GROUP 3 of the Zoning Ordinance for the

City of Kenosha, Wisconsin is hereby amended as follows:

Public Safety Communication Towers and Antennas in the M-1 and M-2 Districts. . . . . CC

**Section Eight:** TABLE 4.01, GROUP 4 of the Zoning Ordinance for the

City of Kenosha, Wisconsin is hereby amended as follows:

Public Safety Communication Towers and Antennas in the IP Districts. . . . . CC

**Section Nine:** Section 4.06 D.18. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby created as follows:

**18. Public Safety Communication Towers and Antennas in the B-2, M-1, M-2, and IP Districts.**

**a. Building Plan** as required in Section 4.05 B. and Section 14 of this Ordinance, including Communication Tower and adjoining service buildings.

(1) Public Safety Communication Towers shall be constructed as a Monopole rather than Lattice Tower for towers under one hundred fifty (150') feet in height. Towers over one hundred fifty (150') feet in height shall be constructed as a lattice tower. Guy wires are not permitted.

(2) Equipment facilities and/or accessory buildings shall be designed with materials in conformance with **Section 14.07 B.10.a.** of this Ordinance, and all equipment facilities and accessory buildings on a site shall be designed with compatible materials. All Co-Locators are encouraged, but not required, to be housed within a common building.

(3) Equipment areas that are fenced shall be fenced with a six (6') foot fence constructed as determined by the Review Authority.

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

(1) Location and footprint of all building(s) and structure(s) for entire parcel, including existing buildings, existing structures and tower setbacks from lot lines, street rights-of-way, and existing buildings.

(2) The location of all existing off-street parking spaces. All parking spaces shall be paved with asphaltic concrete or Portland cement concrete.

(3) Access easements, if applicable. All access easements shall be a minimum of eighteen (18') feet wide and shall be paved.

(4) Towers shall not be illuminated by artificial means and shall not display strobe lights unless such lighting is specifically required by the Federal Aviation Administration or other Federal or State authority for a particular Tower.

(5) The use of any portion of a Tower for signs other than warning or equipment information signs is prohibited.

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

**d. Landscape Plan** as required in **Section 4.05 E.** and **Section 14.08 H.**, Commercial Site Landscaping Requirements of the Zoning Ordinance. At a minimum, provide a five (5') foot wide landscape area around the service building.

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

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

(1) Name and address of facility operator.

(2) Facility maintenance detail.

**g. Yard Requirements For Public Safety Communication Towers.**

(1) **Front Yard.** There shall be a minimum front yard of one hundred (100') feet, measured from the front lot line, or from the setback of any major street to the centerline of the tower.

(2) **Street Side Yard.** There shall be a minimum street side yard of one hundred (100') feet, measured from the street side lot line, or from the setback of any major street to the centerline of the tower.

(3) **Interior Side Yard and Rear Yard.** There shall be a minimum interior side yard and rear yard of twenty-five (25') feet measured to the centerline of the tower.

(4) **Spacing From Residential Districts.** Notwithstanding the setbacks noted above, new Public Safety Communication Towers, shall in no case be permitted to be erected or constructed within two hundred fifty (250') feet of any residential district.

**h. Spacing From Buildings.** New Public Safety Communication Towers shall not be permitted to be erected or constructed within two hundred (200') feet of any existing occupiable building(s).

**i. Removal of Abandoned Antennas and Towers.** Any Antenna or Tower that is not operated for a continuous period of six (6) months shall be considered abandoned, and the owner of such Antenna or Tower shall remove same within ninety (90) days of receipt of notice from the City of Kenosha notifying the owner of such abandonment. If such Antenna or Tower is not removed within said ninety (90) days, the City of Kenosha may remove such Antenna or Tower at the owner's expense. All physical and administrative costs incurred with the removal of the Antenna or Tower shall be assessed against the

property in the form of a special tax assessment. If there are two or more users of a single Tower, then this provision shall not become effective until all users cease using the Tower.

**j. Leased Sites.** With respect to leased land, the facility operator shall inform the property owner that the real property upon which a Public Safety Communication Tower or Antenna is located may be charged a special assessment to cover the cost of removal if the Communication Tower or Antenna is not removed after the termination of operations. Verification of such notice to the owners shall be in the form of a letter to be filed in the office of the Department of Community Development and Inspections.

**k.** The facility shall meet all applicable Federal, State and local regulations, licenses and permitting requirements.

**l.** Use of the Public Safety Communication Tower for the installation of any antennas or other communications device for commercial purposes including, but not limited to, cellular, telephone or other similar forms of electromagnetic communication is strictly prohibited.

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

**Section Ten:** Section 12.0 B. **Specific Words and Phrases** of the Zoning Ordinance for the City of Kenosha, Wisconsin is hereby amended by adding the following definition:

**Public Safety Communication Tower.** A monopole or lattice tower, constructed as a freestanding structure or in association with another permanent building, structure or equipment containing one (1) or more Antennas intended for transmitting or receiving digital, microwave, or similar forms of electromagnetic communication exclusively on behalf of a municipality, including, but not limited to, a law enforcement agency, fire department public works department or military group.

**Section Eleven:** Section 13.10 K. of the Zoning Ordinance for the City of

Kenosha, Wisconsin is hereby repealed and recreated as follows:

**K. Appeals, Variances, And Exceptions.** Appeals, variances and exceptions to this Section 13 are governed by Section 9, Zoning Ordinance, subject to the fees provided in Section 11 of the Zoning Ordinance.

**1. Variances.** Under no circumstances shall a variance be given for a height limitation, a land use not authorized by this Section 13 or the Zoning Ordinance, or a prohibited land use except for the following:

**a. Exception For Addition To Residential Building.** The City Zoning Board of Appeals may consider and grant an exception from this Section 13 to permit an addition to an existing residential building in AIR-2, but the application shall not be reviewed and acted upon until the Airport Commission has made a recommendation on whether the exception will create a hazard to aviation or Airport operation. The standard of review for the application is the best interest of the Airport. The exception, if granted, may be subject to reasonable conditions and limitations.

**b. Exception For Public Safety Communication Tower.** The Common Council may consider and grant an exception from this Section 13 to permit construction of a Public Safety Communication Tower that exceeds the Height Limitation Map dated May 25, 1988, but the application shall not be reviewed and acted upon until the Federal Aviation Administration (FAA) and then the Airport Commission has made a recommendation on whether the exception will create a hazard to aviation or Airport operation. The standard of review for the application is the best interest of the Airport. The

exception, if granted, may be subject to reasonable conditions and limitations.

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

ATTEST:  City Clerk  
Debra L. Salas

APPROVED:  Mayor  
Keith G. Bosman

Passed: September 17, 2012

Published: September 21, 2012

Drafted By:  
WILLIAM K. RICHARDSON  
Assistant City Attorney

**GENERAL NOTES**

- All dimensions to be shown on drawings are in feet and inches.
- Verify all dimensions, access, utilities and working conditions on site.
- Obtain and pay for all site codes, ordinances and safety standards.
- Obtain and pay for all site codes, ordinances and safety standards.
- Notify Architect immediately if work cannot proceed as shown on Drawings or as noted on this sheet.
- No concrete to be poured without Architect's prior review.
- All materials and workmanship to be approved by Architect and Engineer's representatives.
- Existing conditions are shown as they are. The Contractor shall verify all existing conditions with all trades, Owner's and Architect's representatives.
- Existing conditions are shown as they are. The Contractor shall verify all existing conditions with all trades, Owner's and Architect's representatives.
- Specifications, Drawings, Addenda and Change Orders.
- These Drawings contain no provisions or procedures for on-site safety. Each contractor shall provide their own engineering to provide a safe work place. The Contractor shall be responsible for the safety of all workers on site. The Contractor shall determine the exact location of all existing utilities before or during construction. The Contractor shall be responsible for the safety of all workers on site with the level of care and skill consistently associated by members of the profession. No warranty, expressed or implied, is made.

**MATERIAL INDICATIONS**

Corin Bucktail	Block Fill
Rigid Insulation	Concrete
Concrete Block	Finished Wood
Aluminum	Stone Fill
Lumber (Sawn)	Plumb
Steel	Back to Back

**DRAWING LEGEND**

- 451.2 New or Required Point Elevation
- 451.2 Existing Point Elevation
- 451.2 Existing Contour
- 451.2 New or Required Contour
- Column Grid
- Wall Section
- Room/Space Number
- Door Number
- Building Section

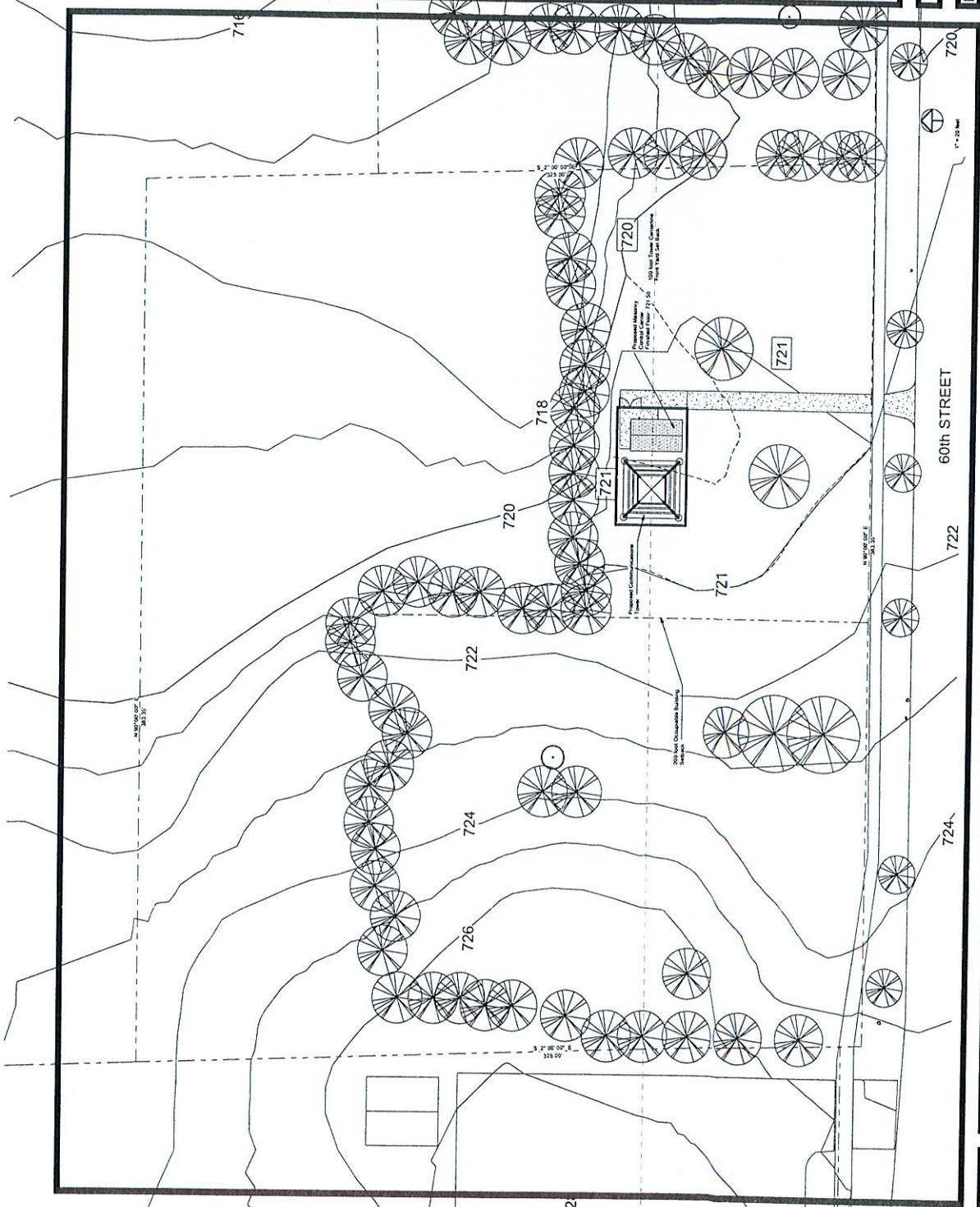
**CONSULTANTS**

ARCHITECT: Kuey Architects, LLC 15555 Corporate Drive, West Allis, Wisconsin 53144  
248-852-4101

**SHEET INDEX**

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**SITE MAP**



Kenosha County Communications Tower and Control Center

**Kuey Architects**

1

3 September 2013

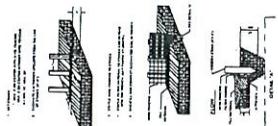
**COUNTY OF KENOSHA, WISCONSIN**

Kenosha, Wisconsin 53142

6210 60th Street (County Trunk Highway K)

**SILT FENCE NOTES**

- 1. ALL SILT FENCES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE FOLLOWING NOTES AND DETAILS.
- 2. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' HIGHER THAN THE ADJACENT TERRAIN.
- 3. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' HIGHER THAN THE ADJACENT TERRAIN.
- 4. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' HIGHER THAN THE ADJACENT TERRAIN.
- 5. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' HIGHER THAN THE ADJACENT TERRAIN.
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- 7. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' HIGHER THAN THE ADJACENT TERRAIN.
- 8. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' HIGHER THAN THE ADJACENT TERRAIN.
- 9. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' HIGHER THAN THE ADJACENT TERRAIN.
- 10. THE SILT FENCE SHALL BE CONSTRUCTED WITH A MINIMUM OF 10' HIGHER THAN THE ADJACENT TERRAIN.



Tax Parcel #08-222-34-451-022  
124,512.85 square feet  
2.858 acres

716

718

720

722

724

726

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60th Street

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60th Street

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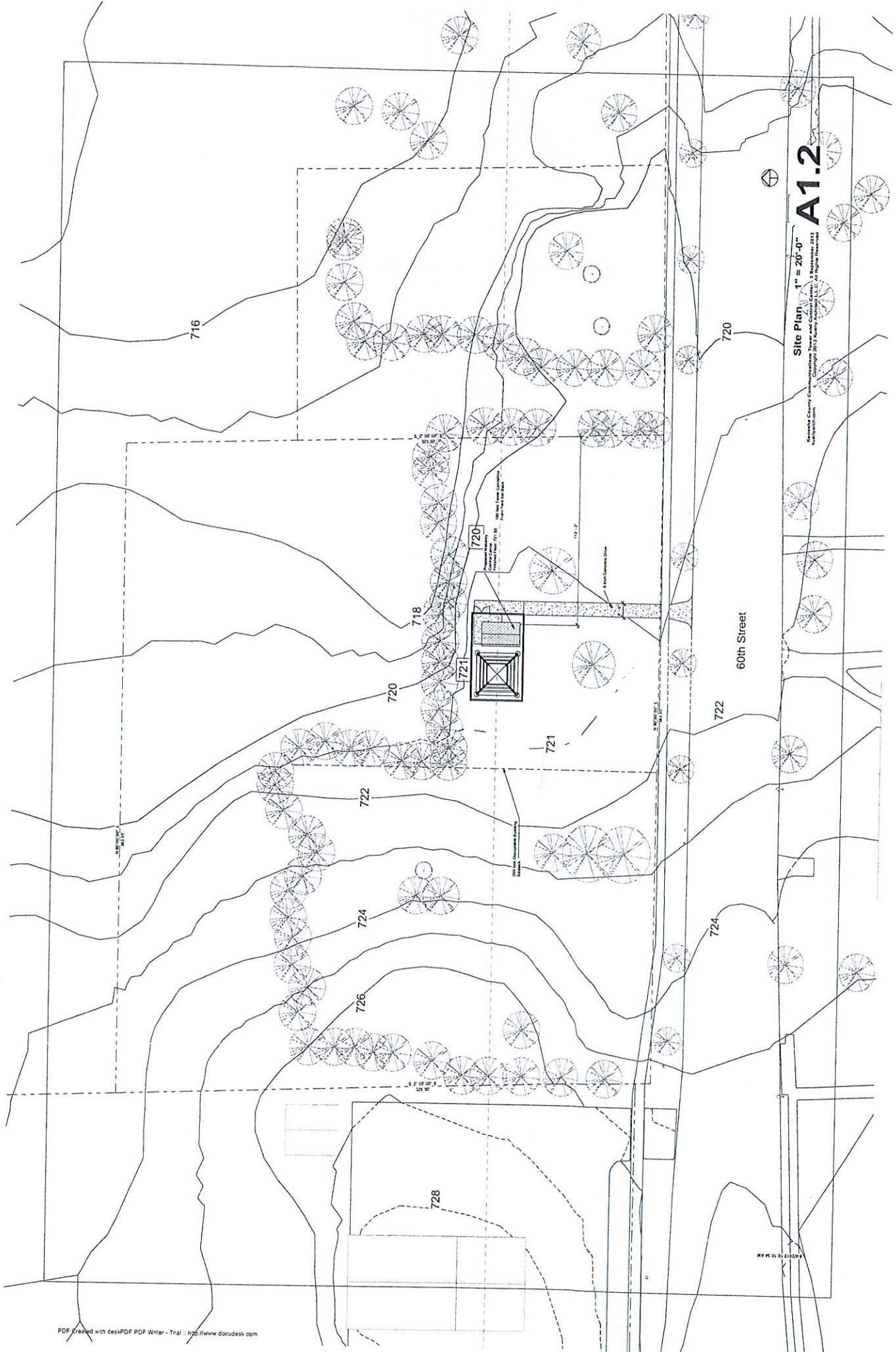
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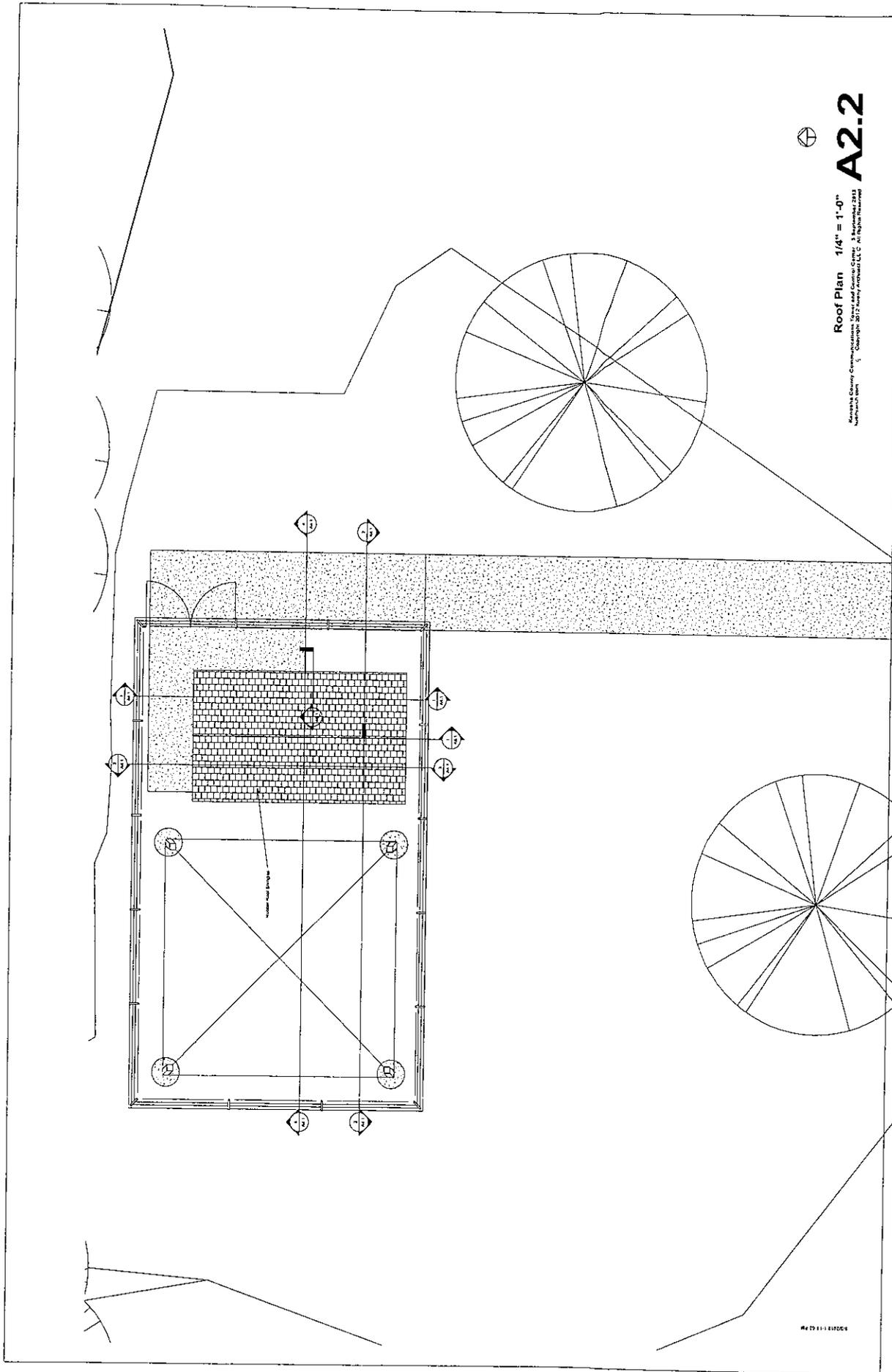
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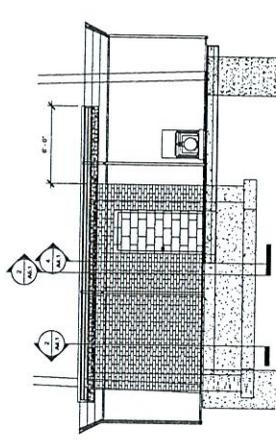


**Site Plan 1" = 20'-0"**

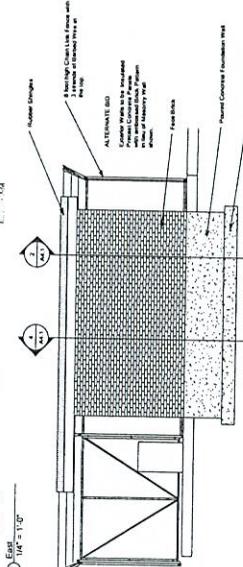
Keneshia Coyle, C.A.S., Landscape Architect  
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 keneshiacoyle.com







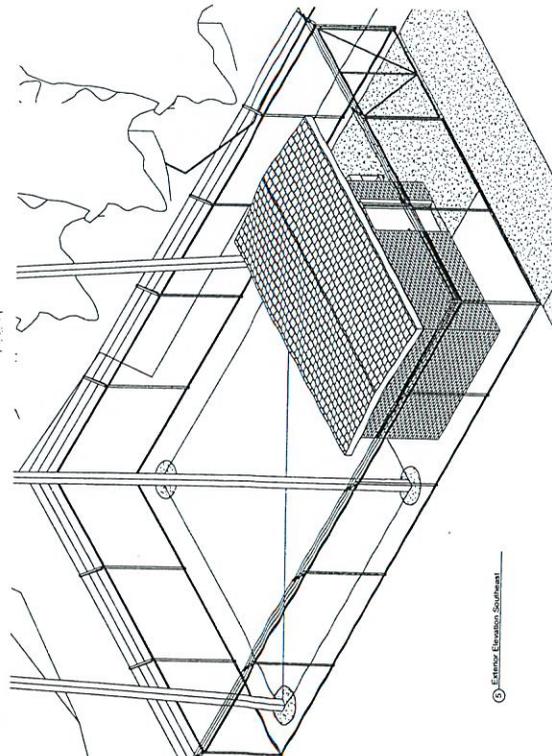
1 North  
1/4" = 1'-0"



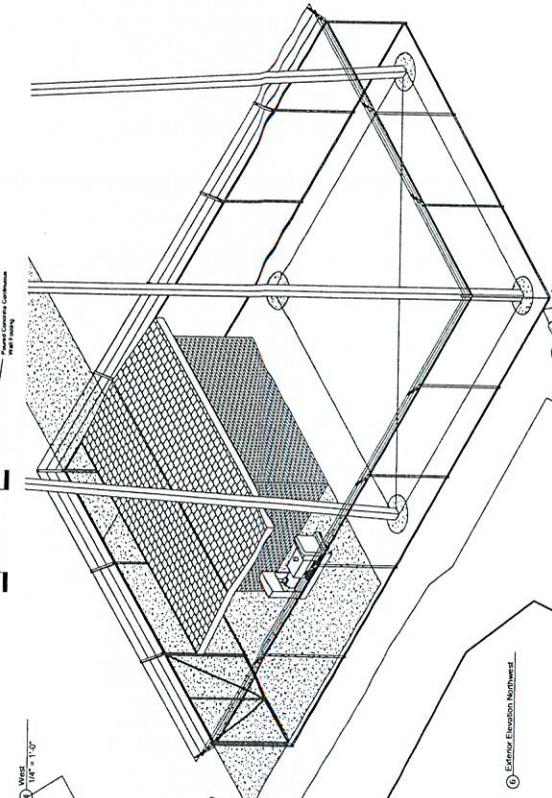
2 West  
1/4" = 1'-0"

Notes:  
1. Finish Grade  
2. Foundation  
3. Footing  
4. Foundation  
5. Foundation  
6. Foundation  
7. Foundation  
8. Foundation  
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3 South  
1/4" = 1'-0"



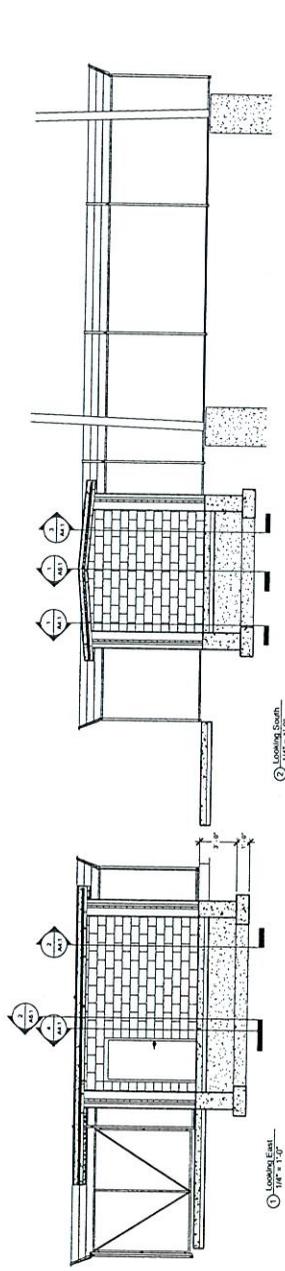
4 Exterior Elevation Southeast



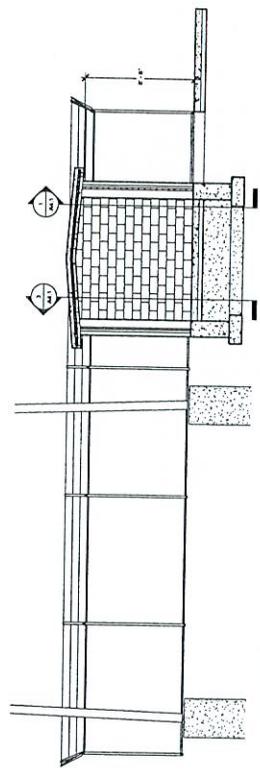
5 Exterior Elevation Northwest

Exterior Elevations 1/4" = 1'-0" **A3.1**

Marshall County Commercial/Service Area and Cultural Center, 3 Buchanan, 2012  
 5 Copyright 2017 Henny Architects LLC. All Rights Reserved  
 henny.com

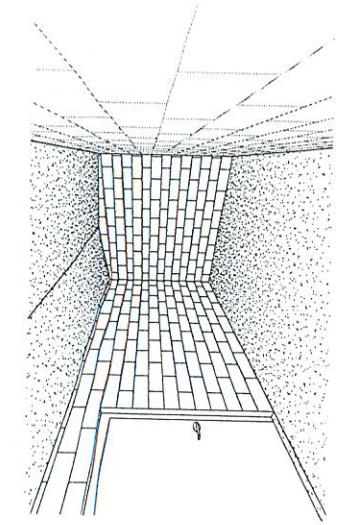


② Looking South  
1/4" = 1'-0"

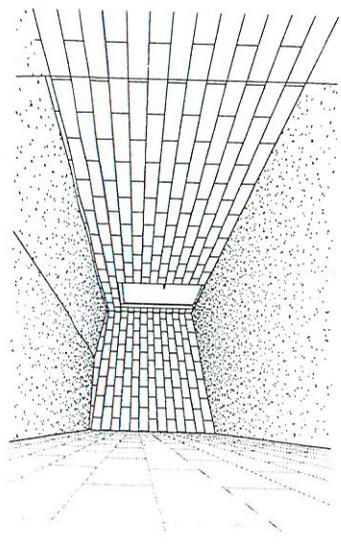


③ Looking West  
1/4" = 1'-0"

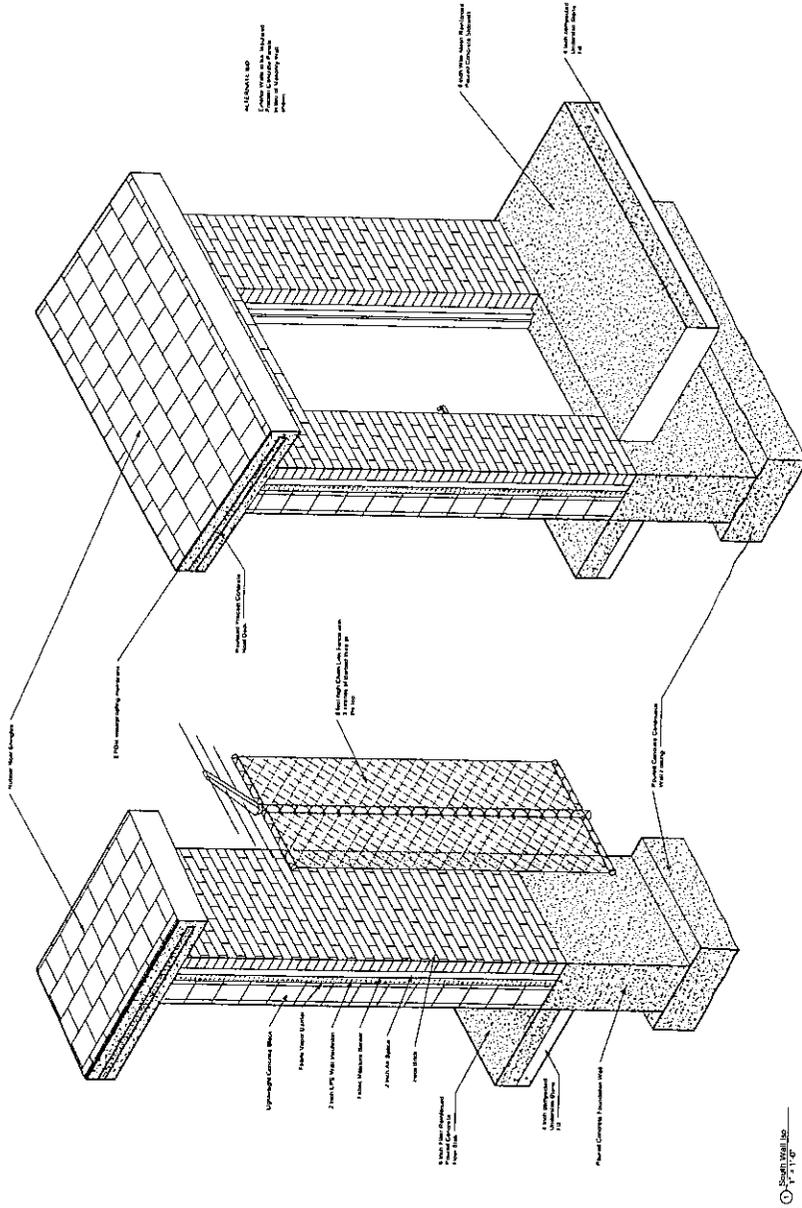
④ Looking North  
1/4" = 1'-0"



⑤ Interior Looking South/East



⑥ Interior Looking North/West



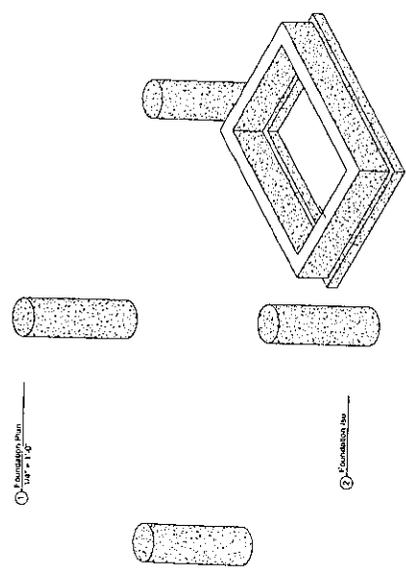
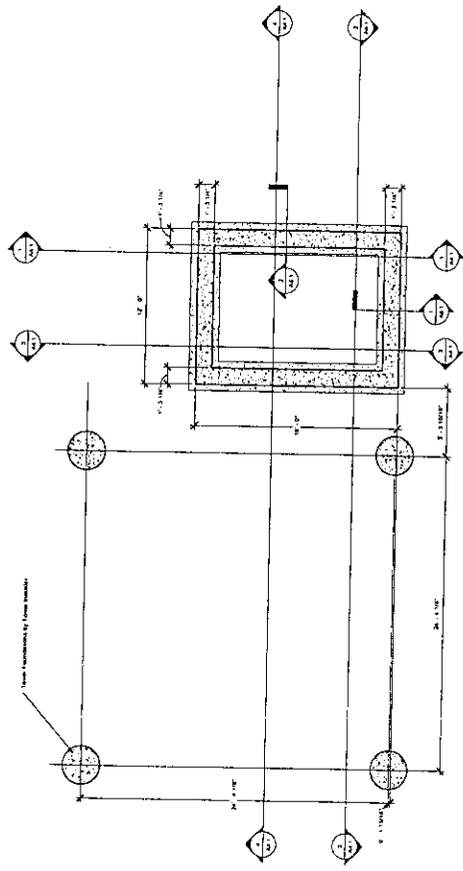
① South Wall Section  
1" = 1'-0"

② Parapet Wall Section  
1" = 1'-0"

# Wall Sections 1" = 1'-0" A6.1

Northwest County Communications, Repair and Control Center - 3 September 2015  
A6.1  
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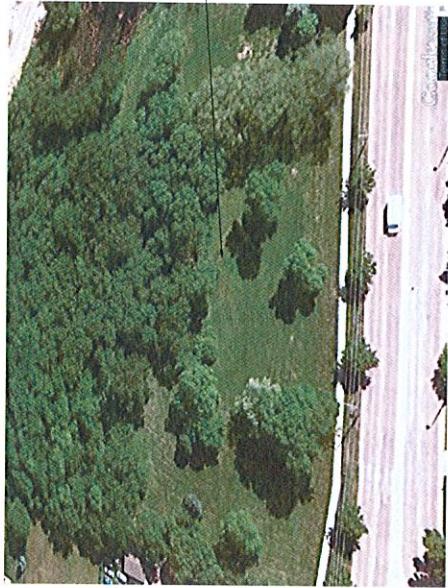




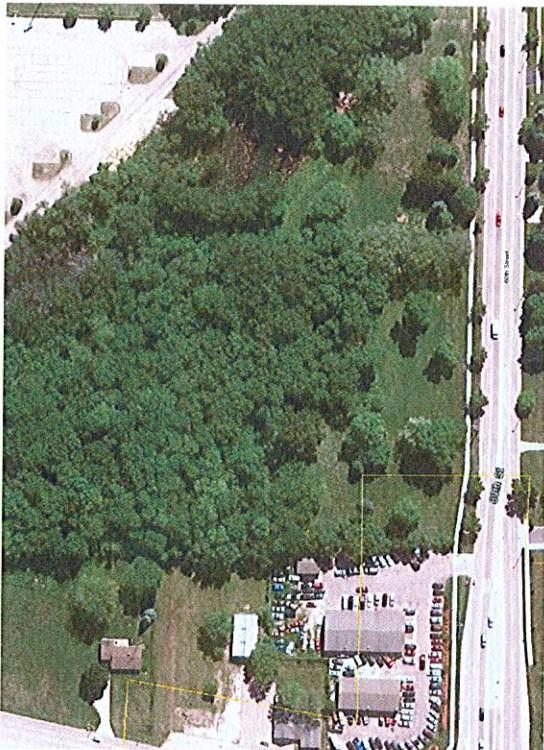
  
**Foundation Plan 1/4" = 1'-0"**  

 Riverside County Comprehensive Energy and Climate Code, 22 August 2015  
 Submission.com © Copyright 2015 Perry Architects, LLC. All Rights Reserved.

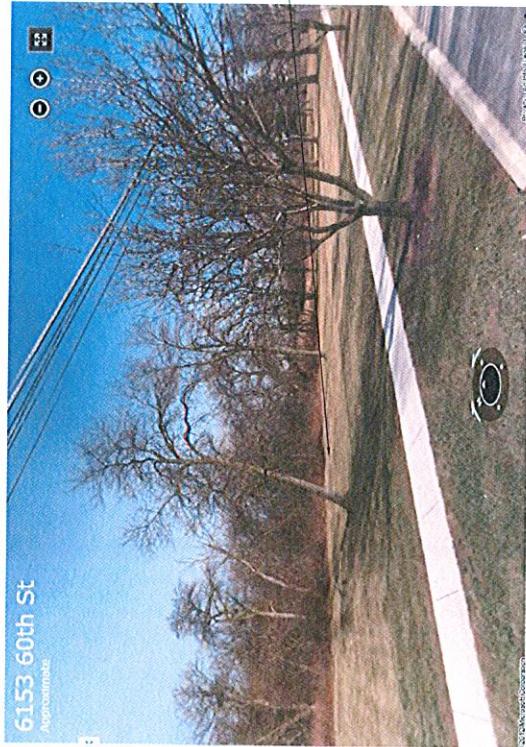
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Proposed Site



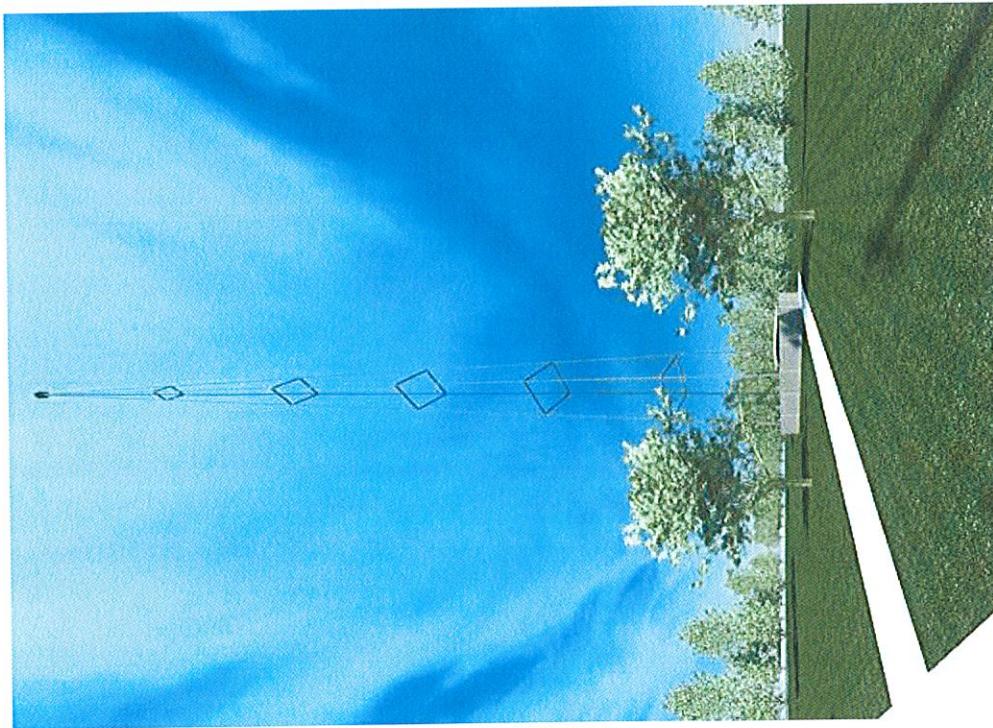
Proposed Site



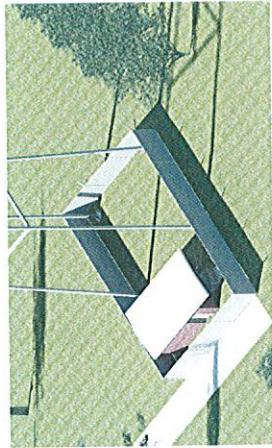
**AE**

**Aerial Views**

Kenneshaw County Communications Tower and Control Center - 3 September 2012  
 Copyright 2012 Aerial Views LLC. All Rights Reserved.



① Ground Level Looking Northwest  
1/2" = 1'-0"



② Aerial Looking Southwest  
1/2" = 1'-0"



③ Site Plan Looking Southwest  
1/2" = 1'-0"



④ Aerial Looking Northwest  
1/2" = 1'-0"

Views 12" = 1'-0" **3D**

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SAMPLE 'A'



Exhibit B

Sample 'B'

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

**MAILING INFORMATION**

**NAME OF PROJECT:** KENOSHA COUNTY COMMUNICATIONS TOWER AND CONTROL CENTER

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

Name and Address of Applicant (Please print):  
KUENV ARCHITECTS LLC Phone: \_\_\_\_\_  
10505 VORBERG DRIVE SUITE #100 Fax: \_\_\_\_\_  
PLEASANT PRRIE, WI 53154 E-Mail: \_\_\_\_\_

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): \_\_\_\_\_

**TYPE OF LAND DEVELOPMENT**

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

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

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

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

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

Phone: 262.653.4030  
 Fax: 262.653.4045

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

**SECTION 4  
CONDITIONAL USE PERMIT**

<b>Additional Information Required:</b>	Building or Addition Square Footage: <u>192 sq ft / 913' TOWER / 13' LIGHTNING ROD</u>
	Existing Building Size: <u>N/A</u>
	Site Size: <u>2.8 ACRES</u>
	Current # of Employees <u>0</u> Anticipated # of New Employees <u>0</u>
Anticipated Value of Improvements _____	

<b>Submittal Requirements:</b>	<ul style="list-style-type: none"> <li>&gt; Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale</li> <li>&gt; Developer Site Plan/Conditional Use Permit Checklist (Appendix A)</li> </ul>
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<b>If Item to be Reviewed by Plan Commission/Common Council must Submit:</b>	<ul style="list-style-type: none"> <li>&gt; One (1) 8 1/2" x 11" reduction <i>or</i> forty (40) 11" x 17" reductions of the Site/Landscape Plan, Floor Plan and Colored Building Elevations (all sides)</li> <li>&gt; Sample Board containing colored samples of all exterior building materials</li> </ul>
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<b>Fees:</b>	<b>Level 1</b>	<b>Building or Addition Size</b> ≤ 10,000 sq. ft.	<b>Site size</b> ≤ 1 acre	<b>Review Fee</b> \$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC
	<b>Level 2</b>	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC
	<b>Level 3</b>	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC
	<b>Level 4</b>	> 100,001 sq. ft.	> 25.01 acres	\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC
	<ul style="list-style-type: none"> <li>&gt; If building size or addition and gross acreage of the site determine two (2) different fees, the greater of the two fees will be assessed.</li> <li>&gt; Application fee entitles applicant to an initial review and one re-submittal.</li> <li>&gt; Re-submittal fee = \$425 per re-submittal after two (2) permitted reviews.</li> <li>&gt; CUP Amendment = 50% of the applicable fee as determined above.</li> </ul>			

<b>Appendices to Review:</b>	> All
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<b>Approximate Review Time:</b>	<ul style="list-style-type: none"> <li>&gt; 30 days for Staff Review</li> <li>&gt; 45-60 days for City Plan Commission/Common Council Review</li> </ul>
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The conditional use permit plans, *prepared to a standard engineering scale*, shall be submitted with this application & shall include the following information:

<b>Building Plan:</b>	<ul style="list-style-type: none"> <li>&gt; Layout of building(s) including size and layout of rooms</li> <li>&gt; Design and architecture</li> <li>&gt; Plans and details on fire suppression and/or standpipe</li> <li>&gt; Plans and details on fire detection, fire alarm and other safety devices</li> </ul>
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<b>Site Plan</b> (based on a plat of survey)	<ul style="list-style-type: none"> <li>&gt; Legal description of property</li> <li>&gt; Location and footprint of building(s) and structure(s)</li> <li>&gt; Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks</li> <li>&gt; Outline of any development stages</li> <li>&gt; Location and details on any required emergency access roads</li> <li>&gt; A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space</li> </ul>
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<b>Drainage Plan</b>	<ul style="list-style-type: none"> <li>&gt; Existing topography, including spot elevations of existing buildings, structures, high points, and wet areas, with any previous flood elevations</li> <li>&gt; Floodplain boundaries, if applicable</li> <li>&gt; Soil characteristics, where applicable</li> <li>&gt; Proposed topography of the site denoting elevations and natural drainage after construction and any proposed stormwater retention areas</li> </ul>
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City Plan Division 625 52 <sup>nd</sup> Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission  <b>FACT SHEET</b>	October 18, 2012	Item <b>2</b>
<b>By the Finance Committee - Resolution to approve the 2013 Consolidated Plan - Annual Plan for the Community Development Block Grant/HOME Program. PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

City - Wide

**NOTIFICATIONS/PROCEDURES:**

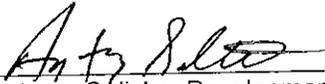
The *CDBG portion* of the Consolidated Plan - Annual Plan has also been referred to the Finance Committee with final approval by the Common Council. The *HOME Program portion* will only go the Finance Committee before final approval by the Common Council.

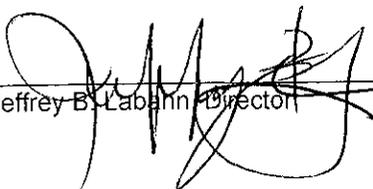
**ANALYSIS:**

- The Community Development Block Grant Program (CDBG) is a City-Wide program whose primary purpose is to aid in the elimination of slums/blight and to benefit low/moderate income persons.
- The CDBG Committee held interviews on September 11, 2012 and September 12, 2012. The Committee held the Allocation meeting and made recommendations on September 19, 2012. A copy of the minutes are included for your reference.
- The activities recommended by the CDBG Committee comply with the requirements of the CDBG Program in that they eliminate blight and benefit low/moderate income persons.

**RECOMMENDATION:**

A recommendation is made to approve the CDBG Committee recommendation for the 2013 CDBG Program.

  
 \_\_\_\_\_  
 Anthony Geliche, Development Specialist

  
 \_\_\_\_\_  
 Jeffrey B. Labahn, Director

RESOLUTION NO. \_\_\_\_\_

BY: FINANCE COMMITTEE

**RESOLUTION TO APPROVE THE 2013 CONSOLIDATED PLAN - ANNUAL PLAN**

**WHEREAS**, the City of Kenosha receives CDBG funds under the Housing and Community Development Act of 1974, as amended; and HOME funds under the HOME Investment Partnership Program of 1991 as amended; and

**WHEREAS**, the U.S. Department of Housing and Urban Development (HUD) requires the City to develop a document designed as its Consolidated Plan; and

**WHEREAS**, for the purpose of the CDBG Program, public hearings were held as follows:  
CDBG Committee on June 27, 2012; September 11, 2012 and September 12, 2012;  
City Plan Commission on July 19, 2012 and October 18, 2012;  
Finance Committee on August 6, 2012 and November 5, 2012; and  
Common Council on August 6, 2012 and November 5, 2012 to consider proposed projects and obtain citizen views and comments on housing and community development needs; and

**WHEREAS**, for the purpose of the HOME Program, public hearings were held before the Finance Committee on November 5, 2012 and the Common Council on November 5, 2012 to consider the 2013 Program Description and obtain citizen comments on housing needs; and

**WHEREAS**, the 2013 CDBG Entitlement Grant to be received from HUD for the City is estimated to be \$844,227 and project allocations are based on this amount; and

**WHEREAS**, if the actual 2013 CDBG Entitlement Grant is less than \$844,227, program allocations will be adjusted in proportion to each project allocation; and

**WHEREAS**, if the actual 2013 CDBG Entitlement Grant is more than \$844,227, funds will be used in accordance with the 2013 Fund Allocation Plan approved by the Common Council on August 6, 2012; and

**WHEREAS**, the 2013 HOME Entitlement Grant to be received from HUD for the City is estimated to be \$341,645 and proposed allocations are based on this amount; and

**WHEREAS**, if the actual 2013 HOME Entitlement Grant is more or less than \$341,645, the program allocation will be adjusted in proportion to each activity allocation approved in the 2013 Program Description.

**NOW, THEREFORE, BE IT RESOLVED** by the Common Council, that the 2013 Consolidated Plan - Annual Plan is approved; and

**BE IT FURTHER RESOLVED** that the Mayor is hereby authorized to submit all necessary and required documents to the U.S. Department of Housing and Urban Development, and execute all documents relative thereto.

Dated this \_\_\_\_ day of \_\_\_\_\_, 2012

ATTEST:

\_\_\_\_\_  
Debra Salas, City Clerk-Treasurer

APPROVE:

\_\_\_\_\_  
Keith G. Bosman, Mayor

## 2013 CDBG Program

### **Public Service**

Urban League of Racine and Kenosha, Inc.	Sickle Cell Awareness, Education & Testing	\$1,000
New Song Ministries, Inc.	Whole Person Training	\$1,400
Urban League of Racine and Kenosha, Inc.	Reducing Employment Barriers	\$1,600
Walkin' In My Shoes, Inc.	Survival Backpack Street Outreach Program	\$4,626
Kenosha Area Family & Aging Service, Inc.	Volunteer Transportation Service	\$5,000
Kenosha Literacy Council, Inc.	Literacy at Work	\$6,300
Kenosha Achievement Center, Inc.	Youth Employment Exploration	\$8,525
ELCA Urban Outreach Center	Helping Residents Become Self-Sufficient	\$11,225
Women & Children's Horizons, Inc.	Legal Advocacy Program – Legal Coordinator	\$17,327
Kenosha YMCA, Inc.	Frank Neighborhood Project	\$23,000
Boys and Girls Club of Kenosha, Inc.	Gang Prevention and Diversion	\$23,031
Kenosha County Interfaith Human Concerns Network, Inc.	Emergency Family Shelter	\$23,600
		<u>\$126,634</u>

### **Housing, Neighborhood Improvement/Economic Development**

Club Breakaway	Facility Improvements	\$2,800
Oasis Youth Center, Inc.	Facility Improvements	\$2,800
Urban League of Racine and Kenosha, Inc.	Facility Improvements	\$5,865
HOPE Council on Alcohol & Other Drug Abuse, Inc.	Facility Improvements	\$6,010
Kenosha Human Development Services, Inc.	Shelter Facility Improvements	\$38,000
Women & Children's Horizons, Inc.	Shelter Facility Improvements	\$45,000
WI Women's Business Initiative Corp.	Micro Enterprise Technical Assistance/Loans	\$92,000
City of Kenosha – Public Works	Street Improvements	\$356,273
		<u>\$548,748</u>

### **Planning/Management**

City of Kenosha	Program Administration/Comprehensive Planning	\$168,845
<b>Total 2013 CDBG Program</b>		<b>\$844,227</b>

**COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE**  
**Minutes**  
**September 11, 2012**

---

**MEMBERS PRESENT:** Alderman Anthony Kennedy, Alderman Tod Ohnstad, Alderman Daniel Prozanski, Alderman Curt Wilson, Anderson Lattimore, and Ronald Frederick

**MEMBERS EXCUSED:** Alderman Prozanski

**STAFF PRESENT:** Anthony Geliche

The meeting was called to order at 5:30 p.m. by Alderman Kennedy and roll was taken.

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to approve the June 27, 2012 meeting minutes. The motion passed. (Ayes 5; Noes 0)

**1. Consideration of Proposals for Funding under the 2013 Community Development Block Grant Program**

**Applicant:** *City of Kenosha, Public Works*  
**Project:** *Street Improvements*  
**Request:** *\$548,748.00*

Representatives were Mike Lemens, Director and Shelly Billingsley, Deputy Director. Mr. Lemens presented a map showing the completed projects and future projects.

Question: You mentioned the WISLER - how do you rate with the census tract.

Answer: All streets are rated, and called surface rating. Some items are related to things happening under the street.

Question: How did you rank the five projects your are proposing?

Answer: We look at the streets that are rated at a 2 or 3. We propose more streets than there are funds, in the event additional funds become available. Sometimes we can do work to extend the life of a street.

Question: On the reinvestment table, what is the Block group?

Answer: Mr. Geliche explained that is a census block group - the funds benefit an area instead of individuals.

Question: Do you always ask for so much money?

Answer: We try to do the maximum amount.

Question: Did you spend the reallocated funds?

Answer: Yes - the projects are currently underway. We were able to make a much larger impact.

**Applicant:** Kenosha Common Markets  
**Project:** Community Commercial Kitchen & Marketplace  
**Request:** \$2,307,656.00

Representatives were Ray Forgianni, President, Melanie Hovey, Secretary/Treasurer. Mr. Forgianni said we received money, but have not spent it yet. They waited until the Downtown Study was completed. They have spent time and money in the past year on a pending lawsuit. The Feasibility Study is roughly \$100,000. They understand that they may not receive money now, but may request some prior to the next year funding cycle from reserve funds.

Alderman Kennedy asked Mr. Geliche to explain a Multi-year funding program. Mr. Geliche said it can be done in different ways: 1) It could be a 3 year commitment, such as what the City did with the Boys and Girls Club. 2) We could utilize funds from future years and pledge future year funds to pay back the amount borrowed. We would need approval from HUD to do so and must pledge City dollars if CDBG money is not available.

Question: Has lawsuit been resolved?

Answer: Have not received a ruling from the Judge, and it may not come until the end of the market season. We have received a new permit from the City and the problem is now resolved.

Question: Have you been able to quantify what jobs have been created from the market?

Answer: No, but we know there are new businesses. There are people that left the market and opened their own business.

Question: On page 10, you state the proposed project is contained in a Neighborhood Plan, which plan?

Answer: The current Downtown Plan

Question: How does Kenosha Common Markets remain non-profit? You want to open a kitchen.

Answer: The kitchen does not affect us remaining a non-profit. We do not redistribute earnings, they are re-invested back into the market. There are three types of a 501(c)3's - charitable, religious or educational.

Mr. Forgianni asked is there still a Section 108 program. Mr. Geliche said there still is - a guaranteed program through HUD, but it may be better to just borrow through the City.

**Applicant:** Club Breakaway  
**Project:** Exterior Club Renovations  
**Request:** \$3,000.00

Representatives were Timmer Weiher, Vice President; Anthony Derengowski, President; and Laurie Karaway, Vice President of Outside Operations. The funds would be for used for building repairs. The building is mostly cinder block and breaking down.

Question: What do you attribute decrease in the number of people requesting services to?

Answer: Possibly a "seasonal" reason. Certain times of the year the attendance goes down. There are other facilities opening some services, but we offer all of the 12 step program. Attendance does fluctuate.

Question: How are you different than AA?

Answer: Club Breakaway is independent. We are not sponsored or promoted by any other recovery. This building allows any type of meeting that allows the 12 step recovery method.

Question: You have requested money a number of different times. Why the long break since you have asked for help?

Answer: The funding we previously received has been exhausted. We received about \$5,000 a year from them.

Question: The need is great in the community. Have you partnered with other organizations?

Answer: There are various recovery areas. We work with *Lakeshore Borderline*, another recovery area. We recently had a get together with the other recovery clubs.

**Applicant:** *HOPE Council, Incorporated*  
**Project:** *Waterproofing at Oxford House Lena -1630 56th Street*  
**Request:** *\$6,300.00*

Guida Brown was the representative. They own the property at 1630 56th Street and have recently partnered with Oxford House. The building is in need of repairs.

Question: You can house nine women, are you at full capacity?

Answer: We currently have openings, people have left because of relapse.

Question: Where do you get referrals?

Answer: Other 12 step meeting groups, incarceration, treatment providers, etc.

Question: When someone is asked to leave the house, where do you send them?

Answer: Some move on to First Step.

**Applicant:** *Kenosha Human Development Services*  
**Project:** *Juvenile Shelter Care - Roof*  
**Request:** *\$60,000.00*

Byron Wright was the representative. The Juvenile Shelter teaches social skills and helps families. They are currently working in the Zion School system and in Kenosha at Whittier School.

Question: Why are you working in Zion?

Answer: They asked us - they are the ones who have asked for help.

Question: Are you only at Whittier School?

Answer: We had a meeting with a few Staff members and they gave us a "test" school.

Question: You said in Zion you cut the number of children in special education in half?

Answer: Yes, we have. We are in about six schools. We use PBIS.

Question: I am surprised by the amount of money we are providing for you. Do you ask for any other funding.

Answer: We might be able to get money from WHEDA. We apply for money every year, but we get funding every 3 - 4 years. Appreciate any money we receive.

**Applicant:** *Oasis Youth Center*  
**Project:** *Site Air Conditioning Project*  
**Request:** *\$5,000.00*

David Zank, 6217 83rd Avenue, part time fund raiser for the youth center was the representative. They had to close their facility a few days this summer due of the heat.

Question: Would the proposed air conditioning units cool the area used for the youth center or would they cool the entire church?

Answer: Just the youth center, we would store the units when we aren't there. We would also be able to take them with us if we move to a new location.

Question: Under Section 6, you have a lengthy explanation, is the first part for air conditioning request and the rest for the Director position?

Answer: Yes

Question: How many days were you closed because of the heat?

Answer: I believe last year it was 4 days. In the last 2 years it has been 15 days.

**Applicant:** *Oasis Youth Center*  
**Project:** *Director - Fundraising Project*  
**Request:** *\$10,000.00*

David Zank, 6217 83rd Avenue, part time fund raiser for the youth center was the representative. They have secured funding from some Lutheran congregations

Question: What do you mean hire or call?

Answer: We are affiliated with the Lutheran churches. The person we hire would probably have ministry background or principal experience.

Question: If the funding is not received, other funding will be used. Who are the other people who may be funding.

Answer: Yesterday we got \$15,000 from the Lutheran Community Grants-Lutheran Grant Program. We also received \$5,000 from the Green Bay Packer organization. We possibly have two other smaller donors.

**Applicant:** *Urban League of Racine & Kenosha, Inc.*  
**Project:** *Energy Conservation Project*  
**Request:** *\$6,375.00*

Yolanda Adams, President and CEO was the representative. They would like to install a second front door to secure the front door area. The request also includes the replacement of two new furnace units.

No questions.

**Applicant:** *Urban League of Racine & Kenosha, Inc.*  
**Project:** *Reducing Employment Barriers*  
**Request:** *\$30,000.00*

Yolanda Adams, President and CEO was the representative. This program served 50 people last year. The software they have has been extended through 2013, they are a pilot site for this software. They are hoping to have enough money to hire an instructor.

Question: You are looking for \$28,000 of the \$33,000.

Answer: Yes.

Question: Upon completion of the program, what do the participants receive.

Answer: They receive certificates, we show them how their scores have improved.

Question: You have helped 50 people - who has a job today?

Answer: We have a 50% success rate. Some have been able to obtain a well paying job.

Question: How many have met their objectives in the Options Program?

Answer: Some have.

Question: Any collaboration with New Song Ministries?

Answer: Have not had any collaboration with New Song. Only with First Step and Walkin' in My Shoes. If people have low test scores or do not use the software, the total test scores come down. We contact them or then remove them from the program until they are ready to do serious work.

Question: Top shows \$33,000 from CDBG, bottom shows \$28,000

Answer: Should be \$28,000

**Applicant:** *Urban League of Racine & Kenosha, Inc.*  
**Project:** *Sickle Cell Awareness, Education and Testing*  
**Request:** *\$30,000.00*

Yolanda Adams, President and CEO was the representative. We are looking to combine the Sickle Cell Program with the other Urban League programs. We need to focus on the education of this disease.

Question: Who was doing it before?

Answer: No one in Kenosha, in Racine it was Sickle Cell Foundation, Donnie Snow.

Question: Is it possible to combine the Sickle Cell and Employment Barriers positions?

Answer: It is possible, four hours a day in each program, but they are two entirely different programs. This person would need to have unique skills.

Question: I contacted Kenosha County Division of Health. They don't do anything in this area. Are you proposing to develop a treatment facility at the Urban League?

Answer: No, we would refer them for treatment.

Question: I am not sure you will find someone with the skill set to combine these two positions.

Answer: We have helped, but never ran the program.

**Applicant:** *Women & Children's Horizons*  
**Project:** *Building Rehabilitation*  
**Request:** *\$50,000.00*

Kathryn Comstock, Executive Director was the representative. The priority is to replace second story windows first.

No questions.

**Applicant:** *Women & Children's Horizons*  
**Project:** *Legal Advocacy Program - Legal Coordinator*  
**Request:** *\$20,000.00*

Regina Cappitelli, Legal Program Coordinator, was the representative.

Question: How do you plan to improve the effectiveness of Restraining Order Advocate?

Answer: With outreach, getting into college campuses. We have to make them understand that anyone can use this program.

### **Public Comments**

No public comments.

### **Committee Comments**

No Committee comments.

### **Staff Comments**

No Staff comments.

A motion to adjourn was made by Mr. Lattimore and seconded by Alderman Ohnstad. The motion passed. (Ayes 5; Noes 0). The meeting adjourned at 8:10 p.m.

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

**COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE**  
**Minutes**  
**September 12, 2012**

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**MEMBERS PRESENT:** Alderman Anthony Kennedy, Alderman Tod Ohnstad, Alderman Curt Wilson, Anderson Lattimore, and Ronald Frederick

**MEMBERS EXCUSED:** Alderman Daniel Prozanski

**STAFF PRESENT:** Anthony Geliche

The meeting was called to order at 5:30 p.m. by Alderman Kennedy and roll was taken.

**1. Consideration of Proposals for Funding under the 2013 Community Development Block Grant Program**

**Applicant:** *WI Women's Business Initiative Corporation*  
**Project:** *Business Owner*  
**Request:** *\$180,000.00*

Representatives were Heather Lux, Katherine Marks - Outreach Specialist; and Mary Fischer Tracy - SE Loan Officer. Serve women, low income individuals and people of color. Business Assistance program makes WWBIC different and helps the client after they receive the loan. They increased their request because they are growing.

**Question:** How are the loan repayments, have there been any defaults?

**Answer:** We have only had one write-off.

**Question:** How much was the loan?

**Answer:** \$14,000

**Question:** How do you estimate the number of jobs created?

**Answer:** We do an average.

**Question:** Where will the new jobs be created?

**Answer:** Our emphasis is on the Downtown area, but we work city-wide.

**Question:** What is the average time from the application coming in, to the time the applicant receives a check?

**Answer:** It varies, it depends on their business plan and how detailed it is. If the application is complete it could take 1-2 months to get a check. Sometimes we say no to their plan and they must adjust their business plan and receive a smaller loan.

**Question:** What additional outreach would you do with the requested funds?

Answer: We give presentations to bankers to let them know what we offer.

Question: Are the loan rates competitive.

Answer: We don't base our rates on the risk, it is based on what our funders give us. We try to get the lowest rates possible for our clients.

**Applicant:** *Kenosha YMCA*  
**Project:** *Frank Neighborhood Project*  
**Request:** *\$50,000.00*

Representatives were Pastor Harris and Sheriff Dave Beth. We made progress through our collective efforts. Sheriff Beth noted police calls to this area have dropped 30% over the past 5 years. Tom Gaudio, teacher at Frank Elementary - works with Pastor Harris, kids respect him and they know him. He is involved in their lives. Monthly Family Night - must bring a family member - Friday night - they get great involvement. They establish relationships with parents.

No questions.

**Applicant:** *ELCA Urban Outreach Center*  
**Project:** *Helping Residents Become Self Sufficient*  
**Request:** *\$43,490.00*

Representatives were Karl Erickson - Director and Juan Torres - teacher. The funds have helped with their GED program. Funding also helps that summer camp and draws kids from a large area.

Question: What does ELCA stand for?

Answer: Evangelical Lutheran Churches of America. We get funds from Milwaukee, but we get funds from other churches in Kenosha.

**Applicant:** *Kenosha Literacy Council, Inc.*  
**Project:** *Literacy at Work*  
**Request:** *\$7,500.00*

*Mr. Lattimore is on the board of the Literacy Council.*

Representatives were Ashleigh Henrichs - Exec Director; Cheryl Hernandez - Program Director; Gary Flynn - President and Maria - student. There is a need for the services because of the increased need of learning English.

Alderman Kennedy said he was impressed with the diversification of funding.

**Applicant:** *Walkin' In My Shoes, Inc.*  
**Project:** *Survival Backpack Street Outreach Program*  
**Request:** *\$5,000.00*

The representative was Jo Wynn. They search for homeless people living on the street and provide them with a backpack.

Question: What's in the backpack?

Answer: Sleeping bag, resource books, food, summer kit (rain poncho, lip balm, bug spray) a card that invites them to receive any toiletries they need.

Alderman Kennedy urged Ms. Wynn to contact Bed, Bath & Beyond to see if they will donate any items for the backpack. They do not resell any products returned to them. This may be a resource you want to investigate.

**Applicant:** *New Song Ministries, Inc.*  
**Project:** *Whole Person Training Program*  
**Request:** *\$15,000.00*

Representatives were Ray Misner, who is assisting with grant applications and Pastor Jerry . This program provides assistance to new parolees and their families.

Question: Did you apply last year? Did you receive any funding?

Answer: We did not apply.

Question: You state you have \$90,000 in grants (\$45,000 in government and \$45,000 in foundation grants). Can you identify the source and what extent are the grants are locked in between the government and foundation.

Answer: We have grants from the Cost Foundation, the County Government, and we are pursuing the state. Seeking sources from Vendornet.com and had successful meetings.

Question: You teach with module courses - what would you do with less funding.

Answer: We would be able to help fewer individuals. We have developed a 90-day, 8-module program that targets areas the person may need help with.

Question: What are the program expenses?

Answer: Module materials, Staff training, space and curriculum.

Question: Is curriculum research based.

Answer: From the University of Milwaukee.

Question: Under the project descriptions you are serving about 35 clients a year?

Answer: Yes, but there are more than that - over 200 have come through - when they are doing better they don't come in as often.

Alderman Kennedy said he was impressed with the diversification of funding.

**Applicant:** *Potter's Center*  
**Project:** *Neighborhood Friendship Support Group*  
**Request:** *\$6,500.00*

No representation.

**Applicant:** *Shalom Center*  
**Project:** *Emergency Family Shelter*  
**Request:** *\$50,000.00*

Representatives were Fran Hansen - Interim Director and Lisa Sanders - Family Shelter Coordinator. They now have 58 families on the list waiting for shelter. They would like to strengthen the children's services.

Question: You have 130 un-duplicated clients, that number is rising?

Answer: We have more and more families. With the additional room would like to add a family and provide additional room in the INNS program.

Question: How many sites does your INNS program have?

Answer: We have 5 sites in summer and 6 sites in winter. On any night there are 40 - 45 people looking for shelter, can only help 30 people.

Question: Are your other sources solid?

Answer: Pretty solid, but each year we are not sure what we will receive.

Question: Only family shelter in Kenosha area?

Answer: Yes

**Applicant:** *Kenosha Area Family & Aging Service, Inc.*  
**Project:** *Volunteer Transportation Services*  
**Request:** *\$5,000.00*

Representatives were Lauren Zielsdorf - Director of Meals on Wheels and Barb Tenuta - Coordinator of the Volunteer Transportation. They have put their programs under one umbrella and helped people that previously may have been overlooked. They have over 900 volunteers and serve people 60 years and older or those with a disability.

Question: Why is reimbursement rate for your program so low?

Answer: We have it equal to what Staff is reimbursed.

Question: Like your diversity of funding, do you really need the funding?

Answer: Our reimbursement does not cover cost. Will use some funds for outreach to Spanish speaking elders.

**Applicant:** *Kenosha Achievement Center, Inc.*  
**Project:** *Youth Employment Exploration*  
**Request:** *\$12,123.00*

The representative was Chris Weyker who provided information of their program from last year.

Question: On satisfaction scale - 3 point scale?

Answer: We scored a 3.5 - everyone extremely satisfied.

**Applicant:** *Agape Love Christian Ministries, Inc.*  
**Project:** *Youth Program*  
**Request:** *\$8,500.00*

Representative was Pastor Monroe Mitchell. The after school program will help children in the Wilson Neighborhood. They are targeting the 4th and 5th graders to help them with education, crime prevention, athletics and mentoring. They are establishing relationships with teachers and families.

Question: Budget - page 13 - regarding Salary. There is no dollar amount. We request your entire budget, this amount should be included.

Answer: I didn't understand what they were asking for.

Question: You have applied for a 501(c)3, what is the status?

Answer: We called 2 weeks ago, they are still reviewing.

Question: Do you do a background check on the Staff members?

Answer: The church does a background with help from KUSD.

Question: Wilson School is open year round - how do you fit in?

Answer: Even though school is in summer recess, kids still come to the school.

**Applicant:** *Boys and Girls Club of Kenosha*  
**Project:** *Gang Prevention and Diversion*  
**Request:** *\$49,680.00*

Representatives were Wally Graffen - CEO; Phil Waddles - Gang & Youth; Kathy Cole - Associate Director; and David Wilk - Vice President.

Question: You teach the StreetSMART Program at targeted schools, do you ever provide it for a larger audience?

Answer: In the Youth Center and Teen Center. We teach gang prevention and safe dating. Other organizations we partner with also bring their knowledge and teach at our location.

**Applicant:** *City of Kenosha*  
**Project:** *Program Administration - Comprehensive Planning*  
**Request:** *\$168,845.00*

The representative was Tony Geliche. The funds are used for work being done on CDBG administration, neighborhood plans, comprehensive plans and long range plans. Staff working on these projects charge back their time for reimbursement.

Question: Is the amount restricted to 20%

Answer: Yes

### **Public Comments**

No public comments.

### **Committee Comments**

Commend Staff.

### **Staff Comments**

The Allocation meeting will be held on Wednesday, September 19, 2012 at 6:45. The amounts will be published and there will be a 30 day comment period. The City Plan Commission will review on October 18, 2012 and the Common Council on November 5, 2012. We probably won't know exactly how much money we will be receiving until sometime in March.

A motion to adjourn was made by Mr. Lattimore and seconded by Alderman Ohnstad. The motion passed. (Ayes 5; Noes 0). The meeting adjourned at 8:22 p.m.

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

**COMMUNITY DEVELOPMENT BLOCK GRANT COMMITTEE**  
**Minutes**  
**September 19, 2012**

---

**MEMBERS PRESENT:** Alderman Anthony Kennedy, Alderman Tod Ohnstad, Alderman Curt Wilson, Anderson Lattimore, and Ronald Frederick

**MEMBERS EXCUSED:** Alderman Daniel Prozanski

**STAFF PRESENT:** Anthony Geliche

The meeting was called to order at 6:45 p.m. by Alderman Kennedy and roll call was taken.

A motion was made by Alderman Wilson and seconded by Mr. Frederick to approve the minutes of the September 11, 2012 and September 12, 2012 meeting as written.

Mr. Lattimore noted a correction to the September 12, 2012 minutes, on the last page, adjournment, the time noted is 8:2, please correct that. Mr. Geliche said we will change that time to 8:22. A motion was made by Mr. Lattimore and seconded by Alderman Wilson to approve the minutes as corrected. The motion passed. (Ayes 5; Noes 0)

**1. Project Funding under the 2013 Community Development Block Grant Program**

Alderman Kennedy explained the funds will be distributed by the funding categories. The first category was **Public Service**. Mr. Lattimore noted he will be abstaining from the Public Service category.

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to fund the **Urban League/Reducing Employment Barriers for \$1,600**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Wilson and seconded by Alderman Ohnstad to fund the **Urban League/Sickle Cell Awareness, Education & Testing for \$1,000**. The motion passed. (Ayes 3; Noes 1; Abstain-1) *Mr. Frederick voted no. Mr. Lattimore abstained.*

A motion was made by Mr. Frederick and seconded by Alderman Wilson to fund the **Women & Children's Horizons/Legal Advocacy Program for \$17,327**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to fund the **Kenosha YMCA/Frank Neighborhood Project for \$23,000**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Wilson and seconded by Mr. Frederick to fund the **ELCA Urban Outreach/Helping Residents Become Self Sufficient for \$11,225**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to fund the **Kenosha Literacy Council/Literacy at Work for \$6,300**. The motion passed.

(Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Wilson and seconded by Alderman Ohnstad to fund **Walkin In My Shoes/Survival Backpack Street Outreach for \$3,800**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to fund the **New Song Ministries/Whole Person Training for \$1,400**.

Mr. Frederick said the applicant will not be able to do much with such a small amount of money. Unless we are willing to raise the amount, it may be better to zero this out and give this money to support other programs.

Alderman Ohnstad said this amount is similar to the amount they received last year.

Alderman Kennedy said he is impressed with how they diversify their funding. This is an important program and they will possibly get additional funding from another source.

The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Wilson and seconded by Alderman Ohnstad to fund the **Kenosha County Interfaith Human Concerns Network (Shalom Center) / Emergency Family Shelter for \$23,600**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Mr. Frederick and seconded by Alderman Wilson to fund the **Kenosha Area Family & Aging/Volunteer Transportation Service for \$5,000**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Wilson and seconded by Alderman Ohnstad to fund the **Kenosha Achievement Center/Youth Employment Exploration for \$8,525**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Mr. Frederick and seconded by Alderman Ohnstad to fund the Agape Love Christian Ministries at \$0.

Mr. Frederick said when it comes down to giving small amount it becomes counter-productive. They need to have a bigger impact on the community. This decision has nothing to do with the integrity or intent of the program, we just have limited finances.

Alderman Kennedy said he does not support the motion. If we give them a small amount it will not impact our larger applicants.

The motion passed. (Ayes 3; Noes 1; Abstain-1) *Alderman Kennedy voted no. Mr. Lattimore abstained.*

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to fund the **Boys and Girls Club/Gang Prevention and Diversion for \$23,031**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

Mr. Geliche noted there is \$826 left to allocate.

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to fund the **Walkin In My Shoes for the remaining \$826. This brings their total to \$4,626**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Lattimore abstained.*

A motion was made by Alderman Ohnstad and seconded Alderman Wilson to approve the entire Public Service category as stated. The motion passed. (Ayes-4; Noes-0; Abstain-1) *Mr. Lattimore abstained.*

\*\*\*\*\*

The next category was ***Housing, Neighborhood Improvement/Economic Development***. Mr. Frederick noted he will be abstaining from the category.

A motion was made by Alderman Wilson and seconded by Mr. Lattimore to fund the **City of Kenosha/Public Works for \$356,273**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Frederick abstained.*

A motion was made by Mr. Lattimore and seconded by Alderman Wilson to fund **Club Breakaway/Facility Improvements for \$2,800**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Frederick abstained.*

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to fund the **HOPE Council/Facility Improvements for \$6,010**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Frederick abstained.*

A motion was made by Alderman Wilson and seconded by Mr. Lattimore to fund the **Kenosha Human Development Services/Shelter Facility Improvements for \$38,000**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Frederick abstained.*

A motion was made by Mr. Lattimore and seconded by Alderman Wilson to fund the **Oasis Youth Center/Facility Improvements for \$2,800**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Frederick abstained.*

A motion was made by Alderman Ohnstad and seconded by Alderman Wilson to fund the **Urban League/Facility Improvements for \$5,865**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Frederick abstained.*

A motion was made by Alderman Wilson and seconded by Alderman Ohnstad to fund **Women and Children's Horizons/Shelter Facility Improvements for \$38,000**. Mr. Lattimore said he would like to **change that amount to \$45,000**. Alderman Wilson and Alderman Ohnstad agreed. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Frederick abstained.*

A motion was made by Alderman Ohnstad to fund the WI Women's Business Initiation Corp/Micro Enterprise Technical Assistance for \$99,000. The motion died for lack of a second.

A motion was made by Alderman Ohnstad and seconded by Mr. Lattimore to fund the **WWBIC for \$92,000**. The motion passed. (Ayes 4; Noes 0; Abstain-1) *Mr. Frederick abstained.*

A motion was made by Alderman Wilson and seconded Mr. Lattimore to approve the entire Economic Development category as stated. The motion passed. (Ayes-4; Noes-0; Abstain-1) *Mr. Frederick abstained.*

\*\*\*\*\*

The final category is **Planning/Management** and everyone will be voting on the category.

A motion was made by Alderman Wilson and seconded by Alderman Ohnstad to fund the **City of Kenosha/Program Administration for \$168,845**. The motion passed. (Ayes 5; Noes 0)

A motion was made by Mr. Lattimore and seconded Alderman Wilson to approve the Planning/Management category as stated. The motion passed. (Ayes-5; Noes-0)

A motion was made by Alderman Wilson and seconded by Alderman Ohnstad to approve the entire project funding allocation as stated. The motion passed. (Ayes-3; Noes-0; Abstain-2) *Mr. Frederick and Mr. Lattimore abstained.*

Mr. Geliche said the Consolidated Plan-Annual Plan will now be open for a 30 day public comment period. It will then go to the City Plan Commission on October 18, 2012; the Finance and Common Council meetings on November 5, 2012.

#### **Public Comments**

The following people thanked the Committee: Kathryn Comstock, Women & Children's Horizons; Mary Fischer-Tracy, WWBIC; (and asked why the Kenosha Common Markets did not receive any funding); Laurie Karaway, Club Breakaway; Byron Wright, Kenosha Human Development; Heather Lux, WWBIC; Katherine Marks, 1821 56th Street; and Yolanda Adams, Urban League.

#### **Committee Comments**

Mr. Lattimore thanked the Staff, applicants and fellow Committee members.

Alderman Kennedy noted the Kenosha Common Markets did not receive any funding because they said they didn't want money, they were just giving a status report. Alderman Kennedy also thanked Staff and fellow Committee members.

#### **Staff Comments**

No Staff comments.

A motion to adjourn was made by Alderman Wilson and seconded by Mr. Lattimore. The motion passed. (Ayes 5; Noes 0). The meeting adjourned at 7:24 p.m.

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

<b>Planning &amp; Zoning Division</b> 625 52 <sup>nd</sup> Street Kenosha, WI 53140 262.653.4030	<b>Kenosha City Plan Commission</b>  <b>FACT SHEET</b>	October 18, 2012	Item 3
<b>Deed Restriction for Celebre Place Assisted Living Facility at 1870 27th Avenue. (Celebre Place)          (District #4) PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: 1870 27th Avenue  
 Zoned: RM-3 Elderly and Handicapped Housing District

**NOTIFICATIONS/PROCEDURES:**

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

**ANALYSIS:**

- The City Plan Commission approved a Conditional use Permit for a 47-unit Residential Care Apartment Complex (RCAC) on February 24, 2011. After some negotiations for HOME funding, the Common Council approved the development on September 7, 2011.
- The project began construction in November of 2011 and was completed in June of 2012.
- A Condition of Approval was that a Deed Restriction must be recorded on the property that prevents the conversion of the site to conventional multi-family housing. The Deed Restriction that was provided by the applicant to the City was unacceptable as it did not accurately describe what the current use on the property was.
- It was further discovered by Staff that the building was not fully licensed as on RCAC as was anticipated by the approval. The owner also indicated that all residents were not receiving assisted living services and were more independent.
- Staff met with the owner several times to draft an appropriate Deed Restriction. The Deed Restriction attached is acceptable to Staff and the owner. It states that the property shall be operated as an affordable assisted living residential care apartment complex and assisted living services shall be offered to all residents, but use of the services shall be optional. It also states that the property shall only be marketed as an affordable assisted living facility. Staff feels this Deed Restriction keeps the use of the property consistent with the Conditional Use Permit and Operational Plan previously approved by the Common Council, but allows the owner the leverage to accept residents who may not necessarily require assisted living services at this time, but may require those services in the future.

**RECOMMENDATION:**

A recommendation is made to approve the Deed Restriction.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Director

	<b>DEED RESTRICTION</b>
Document No.	Document Title

**THIS DEED RESTRICTION** (the "Restriction") is made and entered into this \_\_\_ day of \_\_\_\_\_, 2012, by Celebre Place, LLC a Wisconsin limited liability company (the "Owner"), to and for the benefit of the City of Kenosha, Wisconsin.

**WHEREAS**, the Owner owns the real property located in the City of Kenosha, Wisconsin (the "Property"), more specifically described on Exhibit A, which is attached hereto and incorporated herein by reference; and,

**WHEREAS**, the Property is located in the RM-3 Elderly and Handicapped Housing District and is the subject of a Conditional Use Permit dated January 31, 2012 and recorded with the Kenosha County Register of Deeds on February 2, 2012 as Document No. 1664194 (the "Conditional Use Permit"), which Conditional Use Permit required the Owner to record this deed restriction against the Property; and,

**WHEREAS**, the purpose of this Restriction is to safeguard the integrity of the Kenosha Zoning Ordinance, secure compliance with the terms and conditions of the Conditional Use Permit, and protect property values of neighboring properties.

Recording Area

Return This Document To:

City of Kenosha  
 Dept. of Community Development  
 and Inspections  
 625 - 52nd Street, Room 308,  
 Kenosha, Wisconsin 53140

07-222-24-127-010  
 Parcel Identification Number (PIN)

**WITNESSETH:**

Owner declares that the Property shall be held, sold, conveyed, transferred and occupied only in accordance with the following Restriction:

1. **RESTRICTION.** The Property shall be operated as an affordable assisted living residential care apartment complex as defined by Wisconsin Statute and shall not be converted to conventional multifamily housing. Assisted living services shall be offered to all residents including but not limited to personal care services, dining services, housekeeping, laundry services and medication management. The services shall be optional, and residents shall not be required to take any services. The Property shall be marketed as an affordable assisted living facility and not as an independent senior living facility.
2. **RESTRICTION RUNS WITH THE LAND.** The Restriction shall run with the Property and shall be binding from the date on which the Restriction is recorded with the Register of Deeds for Kenosha County, until rescinded or modified by the Owner with the written consent of the City of Kenosha and a document to that effect is recorded with the Register of Deeds for Kenosha County.
3. **ENFORCEMENT OF RESTRICTION.** The Restriction may be enforced by the City of Kenosha through proceedings at law or in equity brought against the Owner or any subsequent owner or party in interest in any court of competent jurisdiction. The City of Kenosha shall be entitled to recover its costs and reasonable attorney fees expended in enforcing the Restriction.
4. **SEVERABILITY CLAUSE.** The provisions of this Restriction shall be deemed separable, and if any term or provision of this Restriction is deemed to be invalid or unenforceable, the remainder of this Restriction shall not

be affected and shall be valid and enforced to the fullest extent of the law.

5. **GOVERNING LAW.** This Restriction shall be deemed entered into in the State of Wisconsin and governed by the laws of the State of Wisconsin.

**IN WITNESS WHEREOF**, the Owner has executed this Restriction on the date below given.

**OWNER:**

**CELEBRE PLACE LLC**  
a Wisconsin limited liability company

By: Parmenter Development, Inc.,  
a Wisconsin Corporation, Manager

By: \_\_\_\_\_  
Robert B. Schwarz, President

STATE OF WISCONSIN )  
                                  :SS.  
DANE COUNTY            )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2012, the above-named Robert B. Schwarz, to me known to be the President of Parmenter Development, Inc., Manager of Celebre Place LLC and acknowledged to me that he executed the foregoing instrument on behalf of said limited liability company by its authority.

\_\_\_\_\_  
Notary Public, Dane County, State of Wisconsin  
My Commission Expires: \_\_\_\_\_

Drafted By:  
Jonathan A. Mulligan  
Assistant City Attorney

**Legal Description**

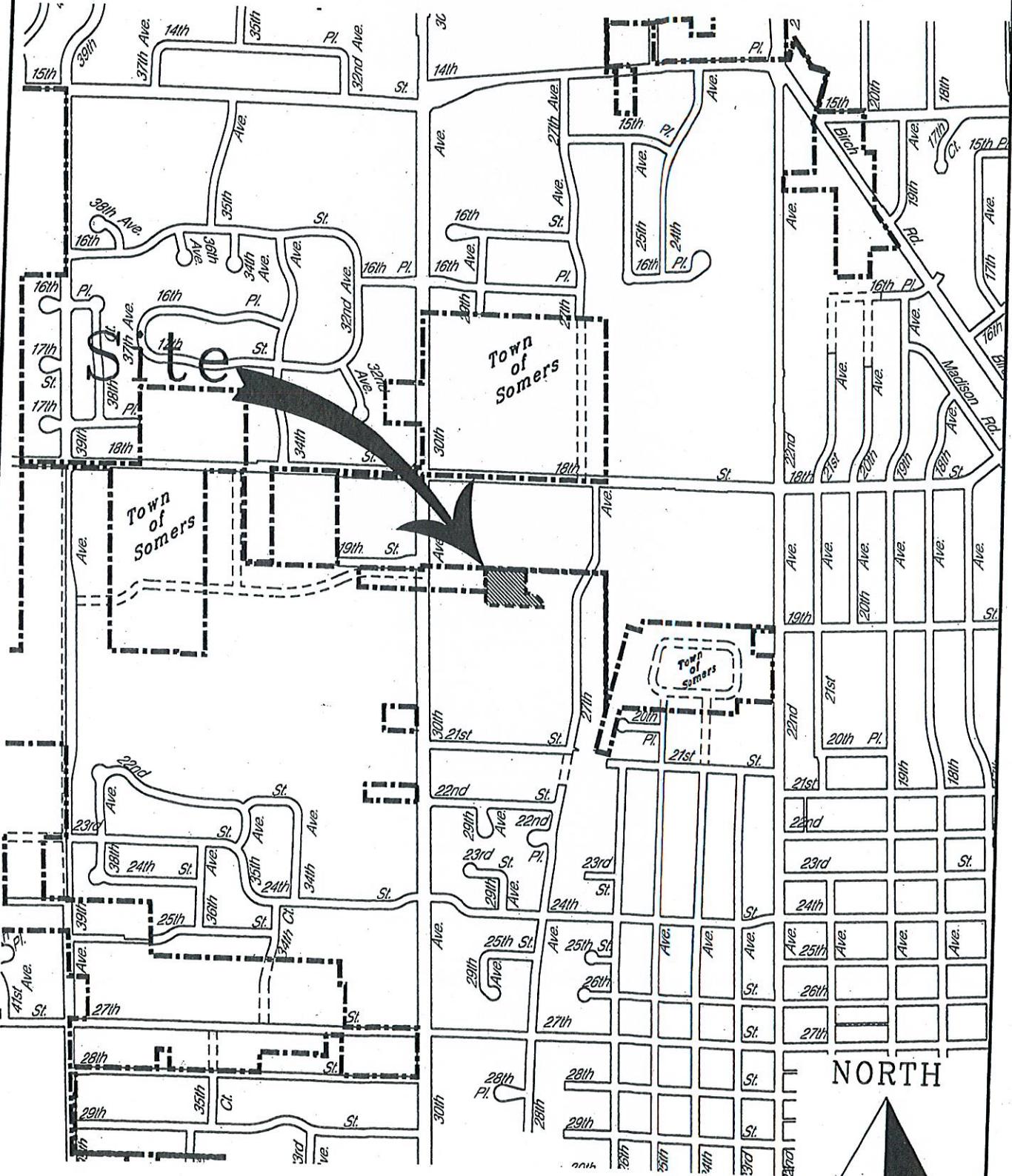
Address: *1870 27<sup>th</sup> Avenue*  
Parcel No.: *07-222-24-127-010*

Part of Lots 1-C and 1-D of Certified Survey Map No. 1829, recorded in the Office of the Kenosha County Register of Deeds on June 30, 1995, as Document No. 994663, being a redivision of Lot 1 of Certified Survey Map No. 1793, lying and being a part of the Northeast Quarter (¼) of Section Twenty-four (24), Town Two (2) North, Range Twenty-two (22) East of Fourth Principal Meridian, lying and being in the City of Kenosha, Kenosha County, Wisconsin, and more particularly described as follows:

Commencing at the northwest corner of said Lot 1-D; thence S 88°50'51" E along the north line of said lot 293.00 feet to the northeast corner of thereof; thence S 01°42'39" E 167.61 feet; thence southeasterly 179.61 feet along part of said Lot 1-C; which is the arc of a curve concave to the southwest; said curve having a central angle of 75°30'24", a radius of 140.00 feet and a chord which bears S 54°57'26" E 167.54 feet; thence N 88°50'51" W 427.41 feet to the west line of aforesaid Lot 1-D; thence N 01°42'39" W along said west line 261.16 feet to the northwest corner of said lot and the point of beginning; containing 1.96 acres more or less, subject to easements and restrictions of record.

# City of Kenosha

## Vicinity Map Celebre Place CUP



Site

Town of Somers

Town of Somers

Town of Somers

NORTH

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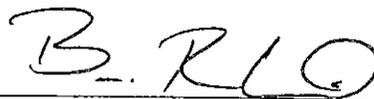
-  Subject Property
-  Municipal Boundary

Department of City Development  
625 52nd Street  
Kenosha, Wisconsin 53140  
phone - 262.653.4030 or fax 262.653.4045

**Conditional Use Permit Approval**

<b>Project Name:</b>	Celebre Place	<b>Date:</b> November 3, 2011
<b>Location:</b>	1870 27th Avenue	
<b>Project Description:</b>	A new 47-unit assisted living facility.	
<b>Issued to:</b>	Robert Schwarz Parmenter Development, Inc. 2310 Parmenter Street #414 Middleton, WI 53562	
<b>Architect/ Engineer/ Contractor:</b>  (if applicable)	Knothe & Bruce Architects 7601 University Avenue - Suite 201 Middleton, WI 53562	
<b>Approval Dates:</b>	Common Council – September 7, 2011 Department of City Development – N/A	
<ul style="list-style-type: none"> <li>• <b>Conditions of approval (see attachment)</b></li> <li>• <b>Approval shall be void if a building permit is not obtained by March 7, 2011</b></li> </ul>		

Any questions regarding the approved Conditional Use Permit should be directed to me at 262.653.4049 or via email at [bwilke@kenosha.org](mailto:bwilke@kenosha.org).



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Brian Wilke  
Development Coordinator, City Development

- c: Shelley Billingsley, Deputy Director of Engineering, Public Works  
Paula Blise, Zoning Coordinator, Neighborhood Services & Inspections  
Mike Callovi, Planning Technician, City Development  
Mike Higgins, City Clerk/Treasurer/Assessor  
Rick Hillesland, Commercial Building Inspector, Neighborhood Services & Inspections  
Jeffrey B. Labahn, Director, City Development  
Mike Lemens, Director of Engineering, Public Works  
John W. Morrissey, Chief, Police Department  
Gail Rohde, Counter Clerk, Neighborhood Services & Inspections  
Patrick Ryan, Division Chief, Fire Prevention Bureau  
Ed St. Peter, General Manager, Kenosha Water Utility

<b>Project Name:</b>	Celebre Place	<b>Date:</b>	November 3, 2011
<b>Location:</b>	1870 27th Avenue		

### 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 all required construction permits from the Department of Neighborhood Services & Inspections. This includes, but is not limited to Erosion Control, Building, Plumbing, Electrical and Occupancy permits.
  - b. The applicant shall obtain a Driveway permit from the Department of Public Works.
  - c. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval.
  - d. The development shall be constructed per the approved plans on file with the Department of City Development, Room 308, 625 52<sup>nd</sup> Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of City Development for review and approval.
  - e. Prior to the issuance of any occupancy permits, all parking areas, drives and designated paved areas shall have the initial lift of asphalt installed. The building exterior shall be completed per the approved plans, the exterior lighting shall be installed and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.
  - f. Compliance with City and State and/or Federal Codes and Ordinances. The buildings shall comply with the current Code standards in effect upon application for a building permit.
  - g. All trash containers shall be stored within the enclosure or building. Applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.
  - h. The applicant shall meet all applicable Conditions of Approval and obtain a building permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
  - i. All vehicles shall be parked within the designated paved areas.
  - j. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.
  - k. Cross access shall be provided to adjacent parcels if required at a future date by the City.
  - l. A Deed Restriction shall be recorded on the property which prevents the conversion of the site to conventional multi-family housing. The Deed Restriction shall be recorded prior to Occupancy.
  - m. If the building is converted to independent senior housing at a future date, the owner must amend the Conditional Use Permit, provide additional off-street parking and obtain a new Occupancy Permit.
  - n. Compliance with the Operational Plan dated August 31, 2011.



**Celebre Place  
Operational Plan  
August 31, 2011**

**Overview:** A new, affordable 47-unit rental development for older adults. The owner intends to provide assisted living services to residents. It is anticipated that many residents will be Medicaid-eligible, and that this program will support the cost of living services.

**Staffing:** As an assisted living residence, Celebre Place will be staffed 24/7. If about half of all residents opt to receive services, about 12 to 15 people would be employed. Of those staff, about 4 to 5 would be full-time and 8 to 10 part-time positions. Positions may include leasing agents, managers, nursing staff, chefs and cooks, housekeepers, maintenance supervisors, caregivers and an assortment of healthcare professionals.

**Zoning Requirements and Building Design:** The property is zoned Rm-3 Elderly and Handicapped Housing District. The proposed development will meet all requirements of the Zoning Code for this District, including setbacks, parking and building height. The building is designed to accommodate the physical needs of its intended older adult residents, all of whom desire a measure of independence yet many of who may have mobility impairments.

**Celebre Place Common Space Amenities:**

- Dining room
- Professional kitchen
- Conference room
- Fitness center
- Salon and Art & Crafts rooms
- Business Center with computers
- Library/Media Center
- Underground parking
- Storage lockers
- Fully accessible for residents with mobility impairments

**Celebre Place Living Units:**

- 35 one-bedroom units, ranging from 645 to 754 square feet
- 12 two-bedroom units, ranging from 906 to 925 square feet
- Modern, Energy Star kitchen appliances, including range, oven, dishwasher, disposal and microwave
- Accessible design features, such as lever door, windows and plumbing hardware

**Property Management:** The property will be professionally managed. Fresh Coast Partners, a professional RCAC service provider, and Horizon Management Services, an experienced affordable rental manager, plan to provide management services. Horizon Management Services has managed the neighboring Villa Ciera since 2001. Fresh Coast Partners provides assisted living services for Parkview Manor in Caledonia and other properties in Southeast Wisconsin.

**Operation of the Property:** The owner will operate Celebre Place as an affordable assisted living rental residence for seniors.