

Agenda
City Plan Commission Meeting
Municipal Building, 625 52nd Street - Room 301, Kenosha, WI
Thursday, October 20, 2016
5:00 pm

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

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

Call to Order
Roll Call
Citizens Comments

Approval of the Minutes of the Meeting Held October 6, 2016

1. Quit Claim Deed to transfer City-owned property located 5802 14th Avenue from the City of Kenosha to Evren and Suzanne Hanson. (District 2) PUBLIC HEARING

Commissioners' Comments

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

CITY PLAN COMMISSION
Minutes
October 6, 2016

MEMBERS PRESENT: Alderperson Prozanski, Alderperson Michalski, Patrick DeGrace, Anita Faraone, Scott Haraty, Brad Kleba, Katherine Marks and Lydia Spottswood

MEMBERS EXCUSED: Mayor Antaramian and Alderperson Fox

STAFF PRESENT: Rich Schroeder

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

Citizens Comments - No Citizen comments

A motion was made by Ms. Faraone and seconded by Mr. DeGrace to approve the minutes of the September 22, 2016. The motion passed. (Ayes 8, Noes 0)

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

Public hearing opened, no comments, public hearing closed.

Rich Schroeder, Deputy Director, said there was a meeting which included Staff, a Lowe's representative, Alderperson Downing and Mayor Antaramian. The revised language in the document that was distributed is a results of that meeting.

Alderperson Michalski asked if Lowe's is willing to comply. Mr. Schroeder said yes. Alderperson Michalski doesn't like that they are getting special consideration.

Ms. Faraone said this is a compromise and hopefully a temporary fix. Ms. Faraone said I don't want to allow special treatment in the future.

Ms. Spottswood said the City sets boundaries that Lowe's disregards, they do whatever they want. Previously the City Plan Commission denied their request, so they went to the Common Council. Ms. Spottswood said there is no representative in attendance from Lowes.

Mr. Haraty said he is willing to accept this as a compromise, but is disappointed there is no representative here from Lowes.

Mr. Kleba said what are they compromising? Mr. Schroeder noted that the store manager said he would try to attend, but obviously hasn't made it. Mr. Schroeder said the main compromise is that the Tractor and Grill areas are much smaller and don't cover the entire store front. If this Amendment is denied, they could still have the entire area. Mr. Kleba said he is concerned about the process. We need to review this in the future.

Alderson Michalski asked if Staff is currently working on a revised Ordinance. Mr. Schroeder said no, but we will be in the near future. Alderman Michalski asked if we could "sunset" the Conditional Use Permit. Mr. Schroeder said no, they run with the land.

A motion was made by Ms. Faraone and seconded by Ms. Spottswood to approve the Conditional Use Permit as amended by Staff.

Ms. Spottswood asked the Conditional Use Permit could be contingent upon Lowe's fencing the backside of the store to clean up that area. Mr. Schroeder said it was discussed. Lowe's will need to go to corporate to work that out and asked to have until next year to work that out.

Alderson Prozanski suggested to add another Condition requiring them to come back by a specific time:

p. All outdoor storage behind the building shall be eliminated or located within a site obscure enclosure by July 1, 2017.

The Amendment was ok with Ms. Faraone and Ms. Spottswood.

The Amendment passed. (Ayes 8, Noes 0)

Alderson Prozanski asked that Items 2, 3 and 4 be taken together for public hearing purposes. All items were read.

- 2. Resolution by the Public Works Committee - To Vacate an alley between 75th Street and Roosevelt Road from 38th Avenue east 116 feet. (Hervat/Mathewson) (District 8) PUBLIC HEARING**
- 3. Resolution by the Public Works Committee - To Vacate an alley between 24th and 25th Avenues south of 66th Street 100 feet. (Hervat/Mathewson) (District 8) PUBLIC HEARING**
- 4. Resolution by the Public Works Committee - To Vacate an alley between 61st and 62nd Streets, the north 114.5 feet of the alley west of 14th Avenue. (Hervat/Michalski) (District 3) PUBLIC HEARING**

Public hearing opened.

Brian Hervat, 6113 14th Avenue, owns properties in these areas and is asking to close the various alley locations to improve the abutting properties.

Alderson Mathewson, 6624 21st Avenue, supports the two (2) alley vacations in his district.

Public hearing closed.

A motion was made by Ms. Faraone and seconded by Ms. Marks to approve Item 2.

Alderson Michalski said he supports all three (3) of the alley vacations.

The motion passed. (Ayes 8, Noes 0)

A motion was made by Ms. Faraone and seconded by Mr. Kleba to approve Item 3. The motion passed. (Ayes 8, Noes 0)

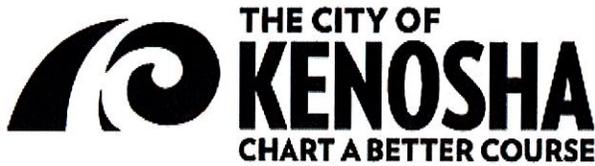
A motion was made by Ms. Faraone and seconded by Alderperson Michalski to approve Item 4. The motion passed. (Ayes 8, Noes 0)

Commissioner's Comments - No Commissioner comments.

A motion to adjourn was made by Alderperson Michalski and seconded by Ms. Marks. The motion passed. The meeting adjourned at 5:34pm.

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

Draft



CITY PLAN COMMISSION
Staff Report - Item 1

Thursday, October 20, 2016 at 5:00 pm
Municipal Building
625 52nd Street - Room 301 - Kenosha, WI 53140

Quit Claim Deed to transfer City-owned property located 5802 14th Avenue from the City of Kenosha to Evren and Suzanne Hanson. (District 2) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

The Alderman of the district, Alderman John Fox, has been notified. This item will also be reviewed by the Finance Committee before final approval by the Common Council.

LOCATION AND ANALYSIS:

Site: 5802 14th Avenue
Zoned: RG-2 General Residential

1. This property is a remnant of the reconfiguration of 14th Avenue which occurred in 1999.
2. The property has been maintained by the adjoining property owner since 1999 and is not buildable.
3. Evren and Suzanne Hanson submitted a request to obtain the property to be used as extended yard space.
4. The Hanson's will combine this parcel with their property to the south
5. The Quit Claim Deed will require the properties to be combined within 90 days of this transfer.

RECOMMENDATION:

A recommendation is made to approve the Quit Claim Deed from the City of Kenosha to Evren and Suzanne Hanson.



Tony Gelicke, Community Development Specialist



Jeffrey B. Laband, Director

State Bar of Wisconsin Form 3-2003
QUIT CLAIM DEED

Document Number	Document Name
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THIS DEED, made between City of Kenosha, a municipal corporation

 _____ (“Grantor,” whether one or more),
 and Evren and Suzanne Hanson, husband and wife, as marital property

 _____ (“Grantee,” whether one or more).

Grantor quit claims to Grantee the following described real estate, together with the rents, profits, fixtures and other appurtenant interests, in Kenosha County, State of Wisconsin (“Property”) (if more space is needed, please attach addendum):

See attached Legal Description

Name and Return Address:

Evren and Suzanne Hanson
 5806 14th Avenue
 Kenosha, WI 53140

12-223-31-382-021
 Parcel Identification Number (PIN)

This is not _____ homestead property.
 (is) (is not)

Dated _____.

* John M. Antaramian, Mayor (SEAL) * _____ (SEAL)
 _____ (SEAL) _____ (SEAL)
 * Debra L. Salas, City Clerk/Treasurer * _____ (SEAL)

AUTHENTICATION

Signature(s) _____

 authenticated on _____.

ACKNOWLEDGMENT

STATE OF WISCONSIN)
 _____) ss.
 _____ COUNTY)

* _____
 TITLE: MEMBER STATE BAR OF WISCONSIN
 (If not, _____
 authorized by Wis. Stat. § 706.06)

Personally came before me on _____,
 the above-named _____,
 to me known to be the person(s) who executed the foregoing
 instrument and acknowledged the same.

THIS INSTRUMENT DRAFTED BY:

William K. Richardson, Assistant City Attorney

* _____
 Notary Public, State of Wisconsin
 My Commission (is permanent) (expires: _____)

Parts of Lots 34 and 35 in Block 3 of McLaughlin's Addition to the Town of Southport, a recorded subdivision, also part of Lot 33 in Block 152 of Durkee's First Western Addition to the Village of Southport, a recorded subdivision, also part of the 58th Street and 14th Avenue intersection which was vacated by and under City of Kenosha Common Council Resolution No. 65-02, all in the Southwest Quarter of Section 31, Town 2 North, Range 23 East of the Fourth Principal Meridian in the City of Kenosha, Kenosha County, Wisconsin and being more particularly described as follows:

Beginning at the northwest corner of said Lot 34; thence North 01°29'02" West along the northerly extension of the west line of said Lot 34 a distance of 22.19 feet; thence North 30°52'56" East, 4.89 feet to the southerly right-of-way line of 14th Avenue, as said 14th Avenue is shown on a map filed with the Office of the County Clerk and as per Relocation Order by and under City of Kenosha Common Council Resolution No. 149-99; thence southeasterly along said right-of-way line, being here the arc of a circular curve which is concave northeasterly 40.55 feet, said curve having a central angle of 22°10'50", a radius of 104.75 feet and a chord which bears South 77°20'13" East a distance of 40.30 feet to a point of reverse curvature; thence continuing southeasterly along said right-of-way line, being here the arc of a circular curve which is concave southwesterly 83.84 feet, said curve having a central angle of 86°56'36", a radius of 55.25 feet and a chord which bears South 44°57'20" East a distance of 76.02 feet to a point on the east line of said Lot 35, said point being 39.68 feet, South 01°29'02" East of the northeast corner of said Lot 35; thence South 01°29'02" East along said east line, 3.57 feet; thence South 87°55'19" West parallel to the north line of said Lot 35, a distance of 94.00 feet to the west line of said Lot 34; thence North 01°29'02" West along the west line of said Lot 34, a distance of 43.25 feet to the northwest corner of said Lot 34 and the point of beginning; containing 0.117 acres of land, more or less, and subject to easements and restrictions of record.

This deed is made and accepted upon the following conditions subsequent:

- 1) Grantee shall complete parcel combination process pursuant to Section 17.081 of the Code of General Ordinances combining this parcel with parcel 12-223-31-382-020 within ninety (90) days of execution of this deed.
- 2) Should Grantee fail to timely complete the parcel combination, this conveyance shall be null and void and the Property, and all improvements thereon, shall revert to and become the property of Grantor without any declaration of forfeiture or act of reentry, and without any act by Grantor to be performed as absolutely, fully and perfectly as if this deed had never been made.

September 16, 2016

To whom it may concern,

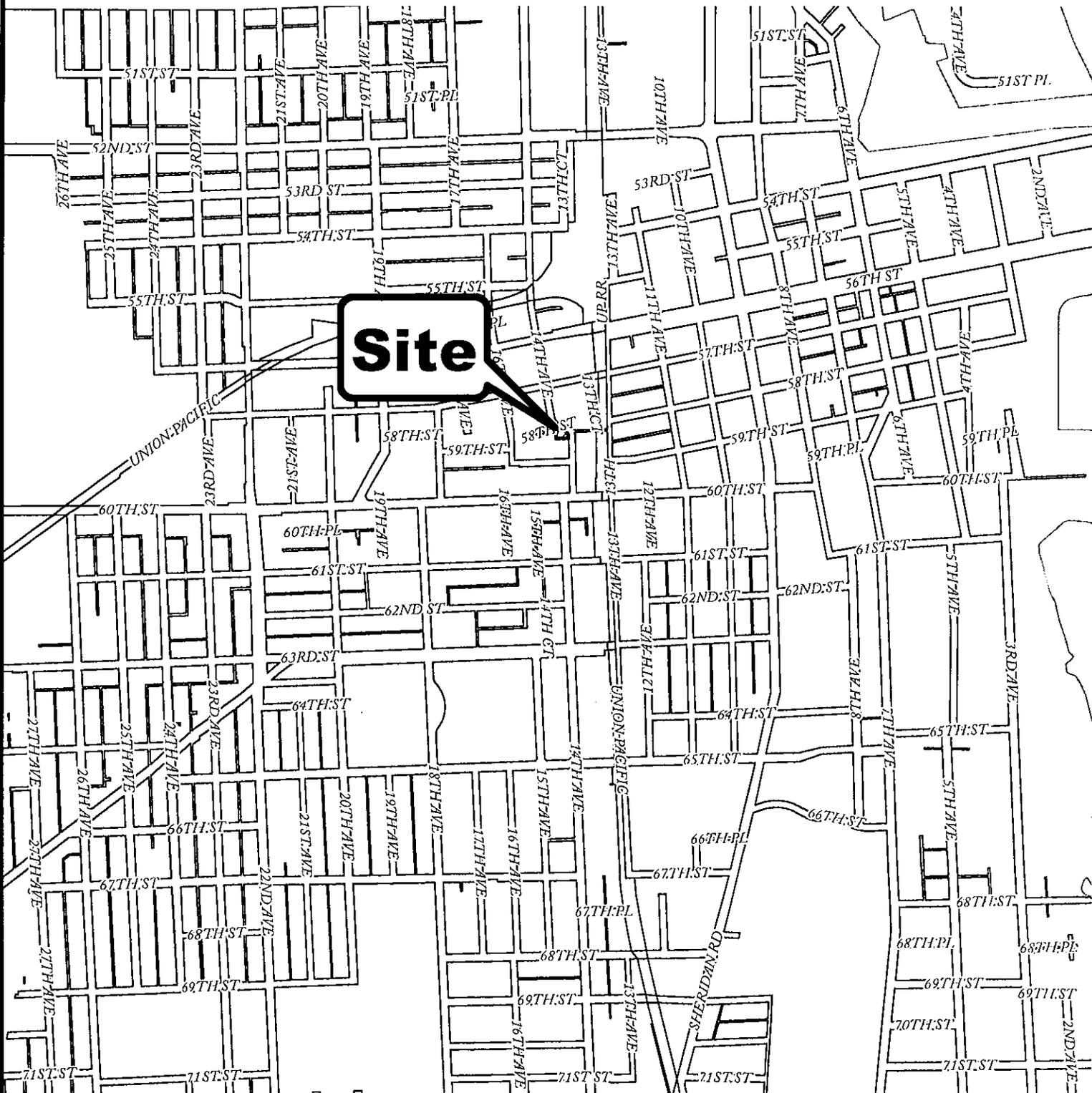
I recently purchased the house located at 5806 14th Ave Kenosha, WI 53140 and would like to obtain the lot neighboring the property directly north. I would like to merge the land with my property to be used as extended yard space. I am already maintaining the land as if it is my own. Thank you for your consideration and if there are any questions I can be reached at ~~262-344-8781~~ or at evren.hanson@gmail.com.

Sincerely,

Evren Hanson

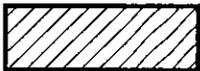
Vicinity Map

Transfer of City-Owned Property Located at 5802 14th Avenue

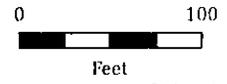


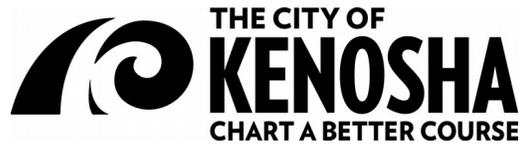
Vicinity Map

Transfer of City-Owned Property
Located at 5802 14th Avenue



Property requested to be transferred
(5802 14th Avenue)





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Call to Order
Roll Call
Citizens Comments

1. Role and Responsibility of the City Plan Commission

Commissioners' Comments

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