

<p><b>Municipal Building</b>  <b>625 52nd Street – Room 202</b></p>	<p><b><i>Kenosha City Plan Commission</i></b>  <b><i>Agenda</i></b></p>	<p><b>Thursday, December 6, 2012</b>  <b>5:00 p.m.</b></p>
<p><i>Mayor Keith Bosman - Chairman, Alderman Kevin Mathewson - Vice-Chairman</i>  <i>Alderman Anthony Kennedy, Alderman Jan Michalski,</i>  <i>Kathryn Comstock, Robert Hayden, Anderson Lattimore, Jessica Olson and Ron Stevens</i></p>		

Call to Order and Roll Call

*Approval of Minutes from November 8, 2012*

1. Request for a Special Exception to the spacing requirements of Section 3.12 E.2. of the Zoning Ordinance for a "Class A" liquor license at 3805 80th Street. (Walgreens Company) (District #14) PUBLIC HEARING
2. Request for a Special Exception to the spacing requirements of Section 3.12 E.2. of the Zoning Ordinance for a Class "A" fermented malt beverage license at 3805 80th Street. (Walgreens Company) (District #14) PUBLIC HEARING
3. Amendment to the Zoning Ordinance Sponsor: Alderperson Jesse Downing; Co-Sponsors: Alderperson Patrick Juliana and Alderperson Rocco LaMacchia Sr. - To Repeal Subsection 3.12 E. regarding Class "A", "Class A" license locations of the Zoning Ordinance for the City of Kenosha. PUBLIC HEARING
4. Amendment to the Conditional Use Permit for an off-premises sign to be located at 8016 75th Street. (Adams Outdoor) (District #16) PUBLIC HEARING
5. Petition to rezone property at 1407 57th Street from IP Institutional Park to RG-2 General Residential District in conformance with Section 10.02 of the Zoning Ordinance. (Mares) (District #2) PUBLIC HEARING
6. Blighted Area Finding for Tax Incremental district #15, City of Kenosha, Wisconsin, Under Section 66.1105, Wisconsin Statutes. (District #2) PUBLIC HEARING
7. To Create Tax Incremental District #15, City of Kenosha, Wisconsin, Under Section 66.1105(4) (gm), Wisconsin Statutes. (District #2) PUBLIC HEARING
8. To Adopt a Project Plan for Tax Incremental District #15, City of Kenosha, Wisconsin, Under Section 66.1105(4)(g), Wisconsin Statutes. (District #2) PUBLIC HEARING

Public Comments

Commissioner Comments

Staff Comments

*Adjournment*

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

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

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

**CITY PLAN COMMISSION  
Minutes  
November 8, 2012**

**MEMBERS PRESENT:** Mayor Bosman, Alderman Mathewson, Alderman Kennedy, Alderman Michalski, Kathryn Comstock, Robert Hayden and Anderson Lattimore

**MEMBERS EXCUSED:** Jessica Olson and Ron Stevens

**STAFF PRESENT:** Jeffrey B. Labahn, Brian Wilke and Zohrab Khaligian

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 October 18, 2012 meeting. The motion passed. (Ayes 7; Noes 0)

**1. Conditional Use Permit for an indoor batting cage facility at 4622 68th Avenue. (SES) (District #16) PUBLIC HEARING**

Public hearing opened, no comments, public hearing closed.

Brian Wilke, Development Coordinator, explained the application is to install three (3) batting cages inside an existing business in the Industrial Park of Kenosha. Staff has requested the applicant to provide three (3) additional off-street parking spaces to meet the requirements.

A motion was made by Mr. Hayden and seconded by Alderman Mathewson to approve the Conditional Use Permit.

Alderman Kennedy asked what the current parking requirement was. Mr. Wilke said the Site Plan currently shows twelve (12) off-street parking spaces. Alderman Kennedy asked if there is room for the additional spaces. Mr. Wilke said the applicant indicated there is room.

The motion passed. (Ayes 7; Noes 0)

The Commission then heard the addendum Item.

**Addendum 1. Preliminary designation of the district boundaries and adoption of proposed project plan for Tax Incremental District #15. (Varin/Library Park) (District #2) PUBLIC HEARING**

Public hearing opened.

Zohrab Khaligian, Community Development Specialist, explained the main objective of the proposed TID is to eliminate the blighting influence of the former Downtown KYF by converting the building into a 42 unit multi-family residence.

David Nankin, Varin/Library Park LLC, 1694 First Street, Highland Park, IL, developer of the project, was available for questions. Mr. Nankin explained that the TID would assist them in scoring more points on their WHEDA Tax Credit application.

Public hearing closed.

Mayor Bosman said he would like to see this project completed so he supports increasing the development grant to \$300,000.

Alderman Michalski said a TID is usually created to remove blight, but this is to promote investment. Mr. Khaligian said go inside of the building, it is blighted.

Alderman Michalski said he has spoken with Alderman Schwartz of the district and she supports the TID.

Alderman Kennedy asked if this process is different than previous TID's. Mr. Khaligian said this is the first time we issued a cash development grant for blight. Usually the City borrows the money and uses the funds for public, not private developments. Alderman Kennedy said as this gets bigger in scope, how can we increase the funding for the TID. Mr. Khaligian said we will have to amend the plan.

Ms. Comstock asked how many units were proposed. Mr. Nankin said 42 units, 9 at market rate and thirty-three (33) with income limits. Mayor Bosman added this may be an ideal rental for an entry level young professional to live downtown.

A motion was made by Mayor Bosman and seconded by Alderman Mathewson to make an Amendment to change the development grant to \$300,000. Mr. Khaligian said it would be appropriate for this recommendation to come at a later date, tonight we are only considering the preliminary boundaries and plan.

A motion was made by Alderman Kennedy and seconded by Alderman Mathewson to approve the preliminary boundaries and plan. The motion passed. (Ayes 7; Noes 0)

### **Public Comments**

No public comments.

### **Commissioner Comments**

No Commissioner comments.

### **Staff Comments**

Mr. Labahn said the City Plan Commission will review the Conditional Use Permit for this project at a future meeting. This is the only meeting in November, so our next meeting is set for December 6, 2012.

A motion to adjourn was made by Alderman Kennedy and seconded by Alderman Michalski. The motion passed. (Ayes 7; Noes 0) The meeting adjourned at 5:28 p.m.

*Certification that the minutes have been approved by the City Plan Commission.*

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*Jeffrey B. Labahn, Director of Community Development & Inspections*

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

Draft

<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>	December 6, 2012	Item
<b>Request for a Special Exception to the spacing requirements of Section 3.12 E.2. of the Zoning Ordinance for a "Class A" liquor license at 3805 80th Street. (Walgreens Company) (District #14)</b> <b>PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: 3805 80th Street - Walgreens Company  
 Zoned: B-2 community Business

**NOTIFICATIONS/PROCEDURES:**

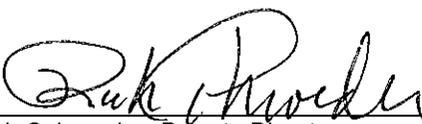
The alderman of the district, Alderman Prozanski, has been notified. This item requires final approval by the Common Council.

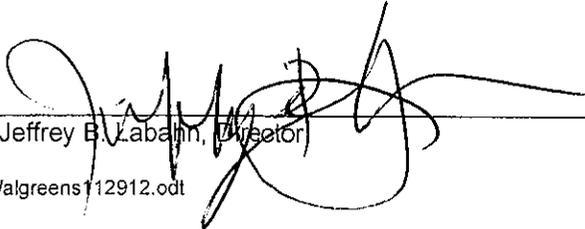
**ANALYSIS:**

- Section 3.12 E. 2. of the City Zoning Ordinance states that no "Class A" license shall be located within 5,280 feet of another City issued "Class A" license. If a license location is closer, the applicant can apply for an Exception. A Request for Exception is reviewed by the City Plan Commission with the Common Council making the final decision. Walgreens is requesting the exception in order to sell liquor in the store.
- Criteria for granting an Exception are detailed in Section 3.12 E.2.d.(2) of the Zoning Ordinance, which is attached.
- The proposed license location is within 5,280 feet of four other "Class A" license facilities.
- The applicant has provided information on why they should receive an Exception.
- If the Exception is granted, the applicant must still apply for a license from the City Clerk's office.

**RECOMMENDATION:**

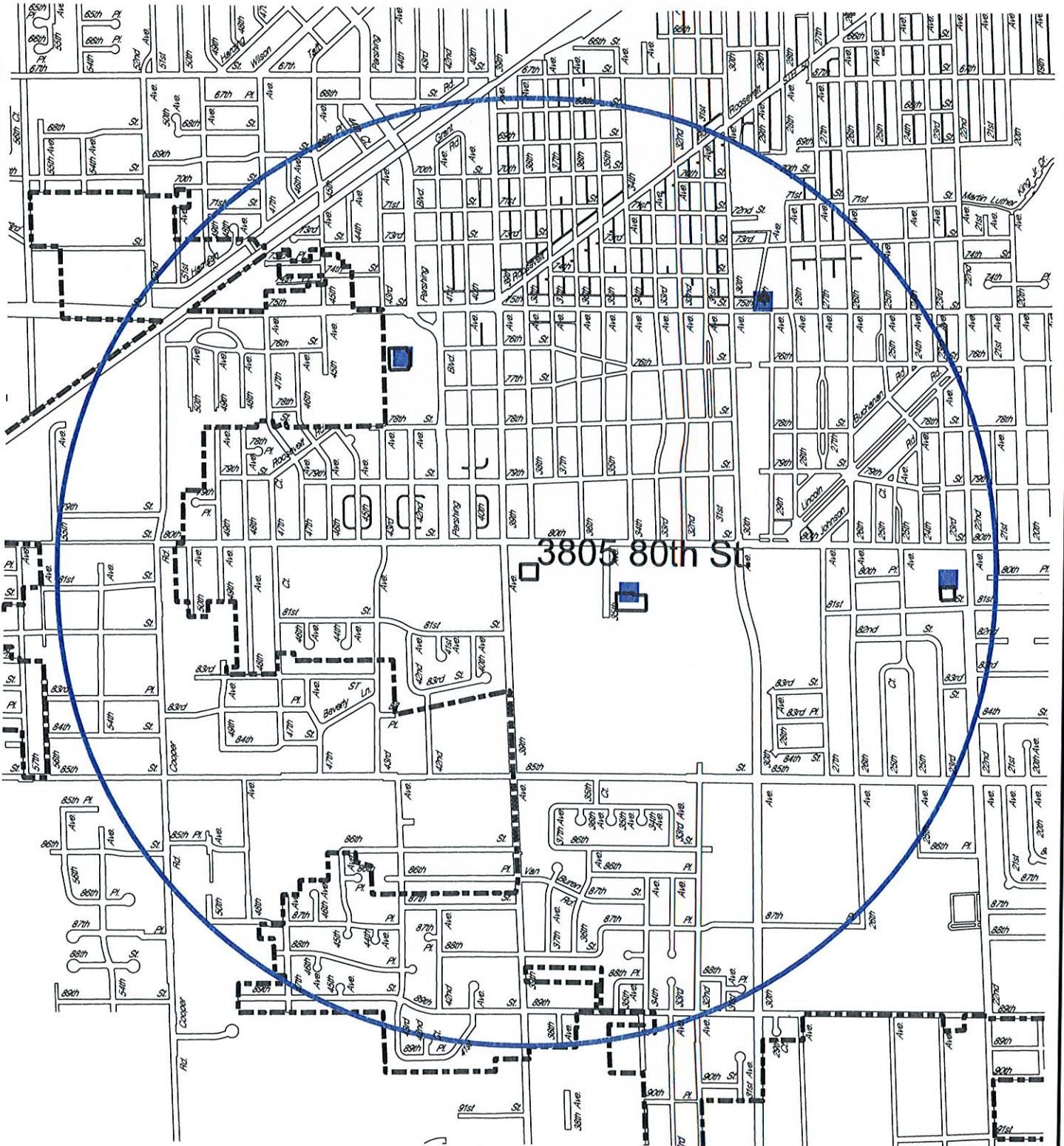
For Commission review and recommendation.

  
 Rich Schroeder, Deputy Director

  
 Jeffrey B. Labahn, Director

# City of Kenosha

## "Class A" Liquor Distance Determination 3805 80th Street



3805 80th St

NORTH

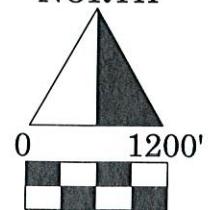


Existing "Class A" Licensed Establishment



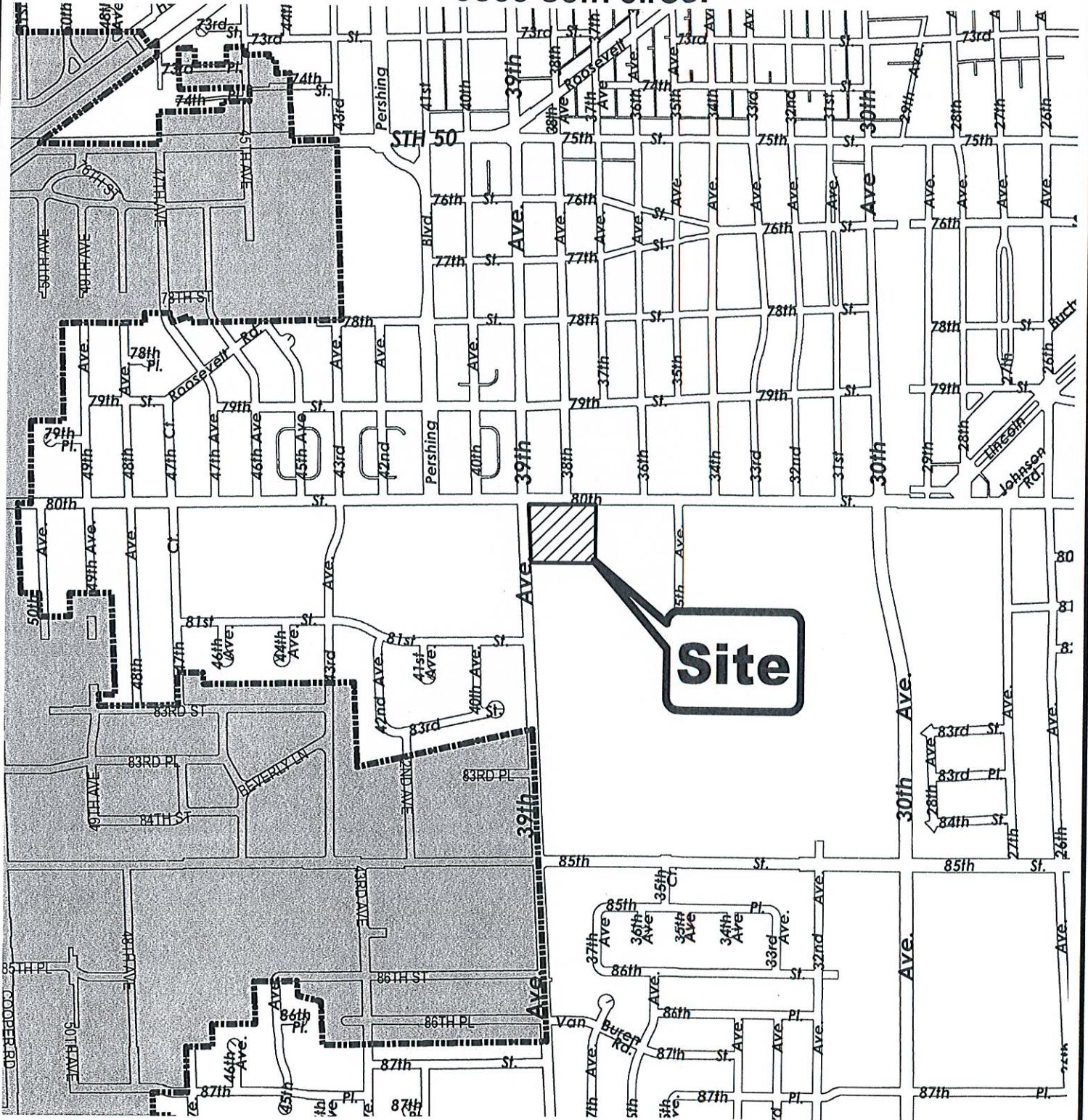
5280 feet from Structure

----- Municipal Boundary



City of Kenosha

Vicinity Map  
Special Exception Request  
3805 80th Street



Subject Property



CITY OF KENOSHA  
 625 - 52<sup>nd</sup> Street, Room 105  
 Kenosha, Wisconsin 53140-3480  
 Phone (262) 653 - 4020  
 Fax (262) 653 - 4023  
 cityclerk@kenosha.org  
 www.kenosha.org



Debra L. Salas  
 City Clerk-Treasurer

Karen J. Forsberg  
 Deputy City Clerk-Treasurer

NOV 07 2012

**Distance Review Application for  
 Class "A" and/or "Class A" license location**

An application has been filed with the City Clerk-Treasurer for a retail liquor license. In accordance with Section 3.12(E)(2), a distance review is required when a proposed location has not held an active retail liquor license within the 365 days preceding the application.

Business Name	Walgreen Co.
Business Address	
Applicant Name	Walgreens # 03617
Applicant Address	3805 - 80th St.
Applicant Phone Number	262-694-0750
Applicant email	
Type of License Applying for:	
Please circle one or both	Class "A" Beer
	Class "A" Liquor 11/9/12

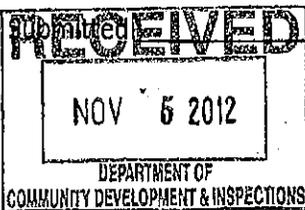
Please submit the completed application to:

City Clerk-Treasurer  
 625 52<sup>nd</sup> Street - Room 105  
 Kenosha, WI 53140

**\* FOR DCDI STAFF:** Please review the above information, answer the following questions, and return this form to the office of the City Clerk-Treasurer \*

Has this location held an active license within the preceding 365 days?	YES	NO
Does the location comply with the spacing requirements of Section 3.12(E) of the Zoning Ordinance?	YES	NO
If yes - Applicant may submit license application to City Clerk-Treasurer.		
If no - Location is prohibited for a license unless a Special Exception is granted by the Common Council.		

Date



Review Completed:



There's a way

November 13, 2012

City of Kenosha  
Department of Community Development and Inspections

Re: "Class A" License

Location: Walgreens #03617  
3805 80<sup>th</sup> St  
Kenosha, WI 53142

To Whom It May Concern:

I am writing in the hopes that the City of Kenosha will grant a special exception to the above referenced store in relation to its application for a "Class A" license. Walgreens made the decision to reenter the adult beverage market in 2009. The decision was made in direct response to consumer demand. These products have become part of the American mainstream, with the growth of the Food Network and other popular culinary TV shows and magazines emphasizing pairing food with alcoholic beverages. Our convenient locations, as well as our reputation as a responsible retailer, make us an attractive outlet for alcoholic beverage sales. In addition, Walgreens strives to remain competitive with other national retailers. This holds especially true for this store.

Walgreens understands and appreciates Kenosha's desire to issue alcohol licenses in a methodical and contentious manner. The company has had to prove time and time again in communities across the nation that it will be a welcome addition to an otherwise over-saturated alcohol market. Other municipalities have proven delighted with our strong compliance record and commitment to the communities we serve. We believe Kenosha will be no exception.

Allowing alcohol sales at this Walgreens location will have a substantial positive impact upon the immediate community. Our planned limited selection of alcoholic beverage products is meant to offer ease and convenience to our customers. We provide a safe, responsible and trusted atmosphere for local residents to make their drugstore purchases. We have controls in place to protect the safety of employees and customers as well as the security of our merchandise. We also have controls in place to ensure compliance with all local, state and federal regulatory requirements related to alcohol. Finally, the sale of alcoholic beverages adds to the overall profitability of the store, allowing its employees, and Walgreen Co. as a whole, to give more back to the surrounding community.

Allowing alcohol sales at this Walgreens location will have a significant, positive influence on the Kenosha economy. Sales of adult beverages produce tax revenue that will bolster municipal budgets. While the plans for alcoholic beverages at this store are relatively limited and will only make up a small portion of total store sales, the license is still extremely important to the economic viability of the store. An alcohol license allows the store to remain competitive with the other national retailers in the area—many of which have a pharmacy. The one-stop shopping experience is a major draw for consumers, thus increasing store sales and profitability overall. As mentioned previously, economic health of the store

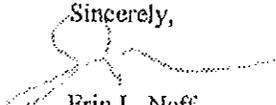
allows Walgreens to give more back to the community, thus taking some of the burden off of municipal resources.

Walgreens believes the granting of a license to sell alcoholic beverages at this store is compatible with the overall purpose of the land use and consistent with the City and neighborhood plans. Walgreen Co. representatives met with the Mayor and Alderman Prozanski to discuss the licensing of this location. Both gentlemen expressed their support.

I hope that you will grant this location the special exception needed to obtain a "Class A" license. Walgreen Co. has been an important and dedicated member of the Kenosha community for many years. With over 300 Walgreen Co. employees, including myself, living in the City, we consider ourselves a local business. We've watched many other national retailers build new locations in the City and receive liquor licenses. We'd like the opportunity to remain competitive with these retailers and to show the Kenosha community that we can be a responsible alcohol retailer. If you have any other questions or require additional information, please do not hesitate to contact me.

Thank you for your attention and cooperation regarding this matter.

Sincerely,



Erin L. Neff  
Senior Attorney  
Litigation and Regulatory Law  
Walgreen Co.  
847-315-2698  
erin.neff@walgreens.com



600 52nd Street, Suite 130 | Kenosha, WI 53140 | (262) 654-1234 | [www.kenoshaareachamber.com](http://www.kenoshaareachamber.com)

November 12, 2012

To: City of Kenosha

RE: Beer/Wine/Liquor License for Walgreens

The Kenosha Area Chamber of Commerce has served Kenosha area businesses since 1916. As Executive Director of the Chamber, I am proud of the strength and energy of the business community in Kenosha. We work hard to serve our member businesses, providing services, activities, and benefits that help our members grow and prosper.

One such important member of the Chamber is Walgreens. With locations throughout the Kenosha area, Walgreens provides much needed jobs, tax base, and community good will to our city. In my 30 years of business experience both in Lake County, Illinois and in Kenosha, Walgreens has shown that it is a conscientious corporate citizen. The company continually promotes the growth of the business environment by being active in local chambers, and it is a generous contributor of funds to many worthwhile charitable causes in these communities.

Recently, Walgreens has requested approval of an application for licenses to sell beer, wine and liquor in Kenosha at the store located at 3805 80<sup>th</sup> Street. Approval of this request would allow Walgreens to have responsible, attractive displays for sale of beer, wine and liquor in this store. As with any business, Walgreens hopes to increase its customer base with this additional service.

The Chamber supports Walgreens in its initiative to increase its customer base and sales. We want to see all of the Walgreens stores in Kenosha grow and prosper. The continued success of the Walgreens on 80<sup>th</sup> Street will contribute to the overall success of the business community in Kenosha. The Chamber recommends that the City Council and respective committees approve Walgreens' request for licenses for beer, wine and liquor sales.

Regards,

A handwritten signature in black ink that reads "Lou Molitor". The signature is written in a cursive, flowing style.

Lou Molitor  
Executive Director  
Office phone: 262-654-1234 Ext. 113  
Cell phone: 262-237-2316  
WEB: [www.kenoshaareachamber.com](http://www.kenoshaareachamber.com)  
Email: [lou@kenoshaareachamber.com](mailto:lou@kenoshaareachamber.com)

b. No "Class A" License shall be located within 5,280 feet of any other City issued "Class A" License, unless the proposed location held a "Class A" License within the three hundred sixty-five (365) days preceding the application.

c. **Standards of Measurement.** The distances identified in this Section shall be measured in a straight line, without regard to intervening structures or objects from the closest point of the structure proposed for occupancy by the licensed Class "A" or "Class A" business, whichever is applicable, to the nearest point of the structure licensed from which the proposed License is to be separated.

d. **Special Exceptions.**

(1) **Procedure.** Upon written determination of the Department of Community Development and Inspections that the proposed location for a new Class "A" or "Class A" License is prohibited pursuant the provisions of §3.12 E.2., a special exception request from the terms of §3.12 E.2. may be made in writing to the Department of Community Development and Inspections. The Common Council is designated the authority for granting a special exception from the requirements of §3.12 E.2. The City Plan Commission shall review each request for a special exception and after public hearing make a recommendation to the Common Council. Any special exception granted shall be considered unique to the project and will not set any precedent for future decisions. The special exception shall be limited to the terms of §3.12 E.2. and provides no licensing rights to the applicant. An applicant must qualify for a license pursuant to Wis. Stats. Chapter 125 and Chapter 10 of the Code of General Ordinances, City of Kenosha.

(2) **Criteria.** The City consider granting a special exception from the terms of §3.12 E.2. if:

(a) Whether the proposed development will have a substantial positive impact upon the surrounding properties, neighborhood within 5,280 feet of the development and the City of Kenosha.

(b) Whether the proposed development will have a significant, positive influence on the City economy; and,

(c) Whether the proposed development is compatible with the overall purpose of the land use and consistent with the City and neighborhood plans.

<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>	December 6, 2012	Item <i>2</i>
<b>Request for a Special Exception to the spacing requirements of Section 3.12 E.2. of the Zoning Ordinance for a Class "A" fermented malt beverage license at 3805 80th Street. (Walgreens Company) (District #14) PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: 3805 80th Street  
 Zoned: B-2 Community Business

**NOTIFICATIONS/PROCEDURES:**

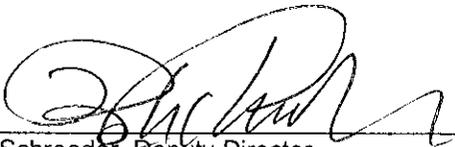
The current alderman of the district, Alderman Prozanski has been notified. This item requires final approval by the Common Council.

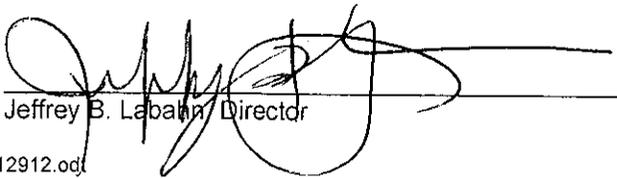
**ANALYSIS:**

- Section 3.12 E. 2. of the City Zoning Ordinance states that no Class "A" license shall be located within 2,640 feet of another City issued Class "A" license. If a license location is closer, the applicant can apply for an Exception. A Request for Exception is reviewed by the City Plan Commission with the Common Council making the final decision. Walgreens is requesting the exception in order to sell fermented malt beverages in the store.
- Criteria for granting an Exception are detailed in Section 3.12 E.2.d.(2) of the Zoning Ordinance, which is attached. The applicant provided information on why they should receive an exception.
- The proposed license location is within 2,640 feet of three other Class "A" license facilities.
- If the Exception is granted, the applicant must still apply for a license from the City Clerk's office and receive approval from the Common Council.

**RECOMMENDATION:**

For Commission review and recommendation.

  
 Rich Schroeder, Deputy Director

  
 Jeffrey B. Labalain, Director





CITY OF KENOSHA  
 625 - 52<sup>nd</sup> Street, Room 105  
 Kenosha, Wisconsin 53140-3480  
 Phone (262) 653 - 4020  
 Fax (262) 853 - 4023  
 cityclerk@kenosha.org  
 www.kenosha.org



Debra L. Salas  
 City Clerk-Treasurer  
 Karen J. Forsberg  
 Deputy City Clerk-Treasurer

**Distance Review Application for  
 Class "A" and/or "Class A" license location**

NOV 07 2012

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Business Address	
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Applicant Address	3805 - 80th St.
Applicant Phone Number	262-694-0750
Applicant email	
Type of license Applying for:	
Please circle one or both	<input checked="" type="radio"/> Class "A" Beer <input checked="" type="radio"/> "Class A" Liquor

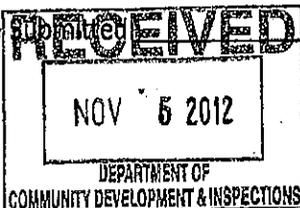
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 Kenosha, WI 53140

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Has this location held an active license within the preceding 365 days?	YES <input type="radio"/> NO <input checked="" type="radio"/>
Does the location comply with the spacing requirements of Section 3.12(E) of the Zoning Ordinance?	YES <input type="radio"/> NO <input checked="" type="radio"/>
If yes - Applicant may submit license application to City Clerk-Treasurer.	
If no - Location is prohibited for a license unless a Special Exception is granted by the Common Council.	

Date Submitted



Review Completed:



November 13, 2012

City of Kenosha  
Department of Community Development and Inspections

Re: Class "A" License

Location: Walgreens #03617  
3805 80<sup>th</sup> St  
Kenosha, WI 53142

To Whom It May Concern:

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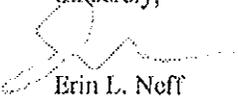
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Thank you for your attention and cooperation regarding this matter.

Sincerely,



Erin L. Neff  
Senior Attorney  
Litigation and Regulatory Law  
Walgreen Co.  
847-315-2698  
erin.neff@walgreens.com



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600 52nd Street, Suite 130 | Kenosha, WI 53140 | (262) 654-1234 | [www.kenoshaareachamber.com](http://www.kenoshaareachamber.com)

November 12, 2012

To: City of Kenosha

RE: Beer/Wine/Liquor License for Walgreens

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Regards,

A handwritten signature in cursive script that reads "Lou Molitor".

Lou Molitor  
Executive Director  
Office phone: 262-654-1234 Ext. 113  
Cell phone: 262-237-2316  
WEB: [www.kenoshaareachamber.com](http://www.kenoshaareachamber.com)  
Email: [lou@kenoshaareachamber.com](mailto:lou@kenoshaareachamber.com)

# ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

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b. No "Class A" License shall be located within 5,280 feet of any other City issued "Class A" License, unless the proposed location held a "Class A" License within the three hundred sixty-five (365) days preceding the application.

c. **Standards of Measurement.** The distances identified in this Section shall be measured in a straight line, without regard to intervening structures or objects from the closest point of the structure proposed for occupancy by the licensed Class "A" or "Class A" business, whichever is applicable, to the nearest point of the structure licensed from which the proposed License is to be separated.

d. **Special Exceptions.**

(1) **Procedure.** Upon written determination of the Department of Community Development and Inspections that the proposed location for a new Class "A" or "Class A" License is prohibited pursuant the provisions of §3.12 E.2., a special exception request from the terms of §3.12 E.2. may be made in writing to the Department of Community Development and Inspections. The Common Council is designated the authority for granting a special exception from the requirements of §3.12 E.2. The City Plan Commission shall review each request for a special exception and after public hearing make a recommendation to the Common Council. Any special exception granted shall be considered unique to the project and will not set any precedent for future decisions. The special exception shall be limited to the terms of §3.12 E.2. and provides no licensing rights to the applicant. An applicant must qualify for a license pursuant to Wis. Stats. Chapter 125 and Chapter 10 of the Code of General Ordinances, City of Kenosha.

(2) **Criteria.** The City consider granting a special exception from the terms of §3.12 E.2. if:

(a) Whether the proposed development will have a substantial positive impact upon the surrounding properties, neighborhood within 5,280 feet of the development and the City of Kenosha.

(b) Whether the proposed development will have a significant, positive influence on the City economy; and,

(c) Whether the proposed development is compatible with the overall purpose of the land use and consistent with the City and neighborhood plans.

Planning & Zoning Division 625 52 <sup>nd</sup> Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission  <b>FACT SHEET</b>	December 6, 2012	Item <b>3</b>
<b>Amendment to Zoning Ordinance Sponsor: Alderperson Jesse Downing; Co-Sponsors: Alderperson Patrick Juliana and Alderperson Rocco LaMacchia Sr. - To Repeal Subsection 3.12 E. regarding Class "A", "Class A" license locations of the Zoning Ordinance for the City of Kenosha. PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: Commercial zoning districts

**NOTIFICATIONS/PROCEDURES:**

The License & Permit Committee recommended approval of this ordinance 4-1. The Ordinance requires final action by the Common Council.

**ANALYSIS:**

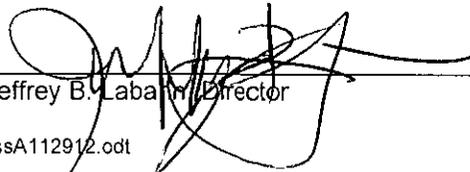
- The City currently requires that no new Class "A" beer license be within ½ mile of another Class "A" licensed location, or that any new "Class A" liquor license be within 1 mile of an existing "Class A" location. If the spacing requirement is not met the applicant can request a special exception. The current ordinance has criteria to be considered in granting an exception.
- The special exception requires review by the Plan Commission and approved by the Common Council.
- The proposed ordinance would repeal the spacing requirements for any new "Class A" & Class "A" licenses.
- All requests for a new license would still require Common Council approval.

**RECOMMENDATION:**

For Commission review & recommendation.



Rich Schroeder, Deputy Director



Jeffrey B. Labahn, Director

ORDINANCE NO. \_\_\_\_\_

**SPONSOR: ALDERPERSON JESSE DOWNING**  
**CO-SPONSOR: ALDERPERSON PATRICK JULIANA**  
**CO-SPONSOR: ALDERPERSON ROCCO J. LAMACCHIA, SR.**

**TO REPEAL SUBSECTION 3.12 E. REGARDING  
CLASS "A", "CLASS A" LICENSE LOCATIONS OF  
THE ZONING ORDINANCES FOR THE CITY OF KENOSHA**

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

**Section One:** Subsection 3.12 E. of the Zoning Ordinance for the City  
of Kenosha, Wisconsin, is hereby repealed.

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

ATTEST: \_\_\_\_\_ City Clerk

APPROVED: \_\_\_\_\_ Mayor

Passed:

Published:

Drafted By:  
MATTHEW A. KNIGHT  
Deputy City Attorney

# ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

## 3.12 BUSINESS ZONING DISTRICTS-GENERAL REGULATIONS

In addition to the general provisions outlined in §2.0 of this Ordinance and the requirements of the respective zoning district, uses of land in the Business Zoning Districts shall meet the following general regulations.

**A. Residential Uses Permitted Above First Floor.** Subject to the exception for religious residential quarters herein, in the B-1, B-2 or B-3 Business Districts, residential uses are only permitted when they are located above the first floor of the principal building, provided that the lowest finished floor of such attached residential units is constructed a minimum of nine (9') feet above the first floor elevation; provided that no portion of the first floor of any building within the Business Districts is used for residential purposes. The limitation in the previous sentence notwithstanding, residential quarters in convents, seminaries, rectories, parsonages, parish houses and other residential quarters for members of the clergy and immediate family members of the clergy and immediate family members of the clergy living with the member of the clergy, may be located on any floor subject to other provisions of law.

### **B. Detached Residential Uses Not Permitted in the B-1, B-2 or B-3 Districts.**

**1. Restrictions.** New construction of single-family, two-family and multiple family residences detached from a principal use is not permitted in the B-1, B-2 or B-3 Business Districts.

**2. Reconstruction of Existing Detached Residences in the B-1, B-2 or B-3 Business Zoning Districts.** The reconstruction of an existing detached residential use in the B-1, B-2 or B-3 District, which has been damaged or destroyed by catastrophe or act of God, is permitted provided that the reconstructed building does not exceed the original floor area of the structure and that such reconstruction is commenced no later than one (1) year after the date of the damage or destruction, and provided the building is in conformance with all other provisions of this Ordinance.

**C. Yard Requirements Exceptions.** On a lot in a business district where a building line is in existence prior to the effective date of this Ordinance and which provides yard less than

required when adjacent to or across an alley from a residential district, an addition to or reconstruction of the building is permitted provided such addition or reconstruction is no closer to the lot line than the existing building line and provided that the building is in conformance with all other provisions of this Ordinance, including the parking requirements of §6.01 of this Ordinance.

### **D. Screening.**

**1. Requirements and Standards.** For any use in a business district which is required to provide screening under the provisions of the respective zoning district in which such use is located, such screening shall be accomplished by a fence, wall, berm, landscaping, or some combination thereof, constituting an opaque characteristic which obstructs from horizontal view, the use required to be screened. Such screen shall not be less than four (4') feet in height except where reduced heights are required in §2.06 "Visual Clearance" of this Ordinance.

**2. Exceptions.** The Board may authorize an exception to the screening requirement and standards where an existing screen is on the lot adjacent to the use, building or structure required to be screened, or where special circumstances render a screen unnecessary.

### **E. Class "A", "Class A" License Locations.**

**1. Intent and Purpose.** The proliferation and clustering of Class "A" Beer and "Class A" Liquor Licenses as detailed by Chapter 10 of the Code of General Ordinances in limited areas within the City creates an undesirable image of the vitality of the commercial districts and the community as a whole. A high density of licensed establishments within close proximity can result in negative impacts to the adjacent and surrounding residential areas where such businesses may be located. Because there are a limited amount of Licenses available the City desires to ensure that the entire community is subject to service.

#### **2. Location.**

**a.** No Class "A" License shall be located within 2,640 feet of any other City issued Class "A" License, unless the proposed location held a Class "A" License within the three hundred sixty-five (365) days preceding the application.

## ZONING ORDINANCE FOR THE CITY OF KENOSHA, WISCONSIN

b. No "Class A" License shall be located within 5,280 feet of any other City issued "Class A" License, unless the proposed location held a "Class A" License within the three hundred sixty-five (365) days preceding the application.

c. **Standards of Measurement.** The distances identified in this Section shall be measured in a straight line, without regard to intervening structures or objects from the closest point of the structure proposed for occupancy by the licensed Class "A" or "Class A" business, whichever is applicable, to the nearest point of the structure licensed from which the proposed License is to be separated.

d. **Special Exceptions.**

(1) **Procedure.** Upon written determination of the Department of Community Development and Inspections that the proposed location for a new Class "A" or "Class A" License is prohibited pursuant the provisions of §3.12 E.2., a special exception request from the terms of §3.12 E.2. may be made in writing to the Department of Community Development and Inspections. The Common Council is designated the authority for granting a special exception from the requirements of §3.12 E.2. The City Plan Commission shall review each request for a special exception and after public hearing make a recommendation to the Common Council. Any special exception granted shall be considered unique to the project and will not set any precedent for future decisions. The special exception shall be limited to the terms of §3.12 E.2. and provides no licensing rights to the applicant. An applicant must qualify for a license pursuant to Wis. Stats. Chapter 125 and Chapter 10 of the Code of General Ordinances, City of Kenosha.

(2) **Criteria.** The City consider granting a special exception from the terms of §3.12 E.2. if:

(a) Whether the proposed development will have a substantial positive impact upon the surrounding properties, neighborhood within 5,280 feet of the development and the City of Kenosha.

(b) Whether the proposed development will have a significant, positive influence on the City economy; and,

(c) Whether the proposed development is compatible with the overall purpose of the land use and consistent with the City and neighborhood plans.

<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>	December 6, 2012	Item <u>4</u>
<b>Amendment to the Conditional Use Permit for an off-premises sign to be located at 8016 75th Street. (Adams Outdoor) (District #16) PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: 8016 75<sup>th</sup> Street  
 Zoned: M-2 Heavy Manufacturing District/AIR-4 Airport Overlay District

**NOTIFICATIONS/PROCEDURES:**

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

**ANALYSIS:**

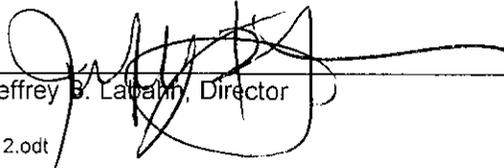
- The Common Council adopted changes to the Code of General Ordinances (Ordinance #64-11 on November 21, 2011) and Zoning Ordinance (Zoning Ordinance #1-12 on January 18, 2012) that created a review and approval process for off-premises signs, commonly referred to as billboards.
- The applicant submitted plans for two (2) new sign faces on this site, both 672 sf in size, that was approved by the City Plan Commission on March 22, 2012 and approved by the Common Council on April 2, 2012
- The applicant is requesting to move the sign location approximately twenty (20) feet closer to the State Trunk Highway 50 right-of-way on land that is owned by the same land owner on the previous application. Due to the new location, an amendment to the approved CUP is required.
- The new location is still within 150 feet from a Residential District, therefore the Conditional Use Permit is still required.
- 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:**

For Commission review and recommendation.



Brian R. Wilke, Development Coordinator



Jeffrey B. Labahn, Director

<b>Planning &amp; Zoning Division</b> 625 52nd Street Kenosha, WI 53140 262.653.4030	<b><i>Kenosha City Plan Commission Conditions of Approval</i></b>	<b>8016 75th Street</b>	<b>December 6, 2012</b>
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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. Compliance with the Conditional Use Permit dated September 7, 2012.

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

**Conditional Use Permit Approval**

<b>Project Name:</b>	Adams Outdoor Billboard	<b>Date:</b> September 7, 2012
<b>Location:</b>	8016 75th Street	
<b>Project Description:</b>	Installation of two (2) new sign faces	
<b>Issued to:</b>	Jason Saari Adams Outdoor 102 E. Badger Road Madison, WI 53713	
<b>Architect/ Engineer/ Contractor:</b>  (if applicable)		
<b>Approval Dates:</b>	Common Council – April 2, 2012 Community Development & Inspections – 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 October 2, 2012</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).



Brian Wilke  
 Development Coordinator  
 Community Development & Inspections

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

<b>Project Name:</b>	Adams Outdoor Billboard	<b>Date:</b> September 7, 2012
<b>Location:</b>	8016 75th Street	

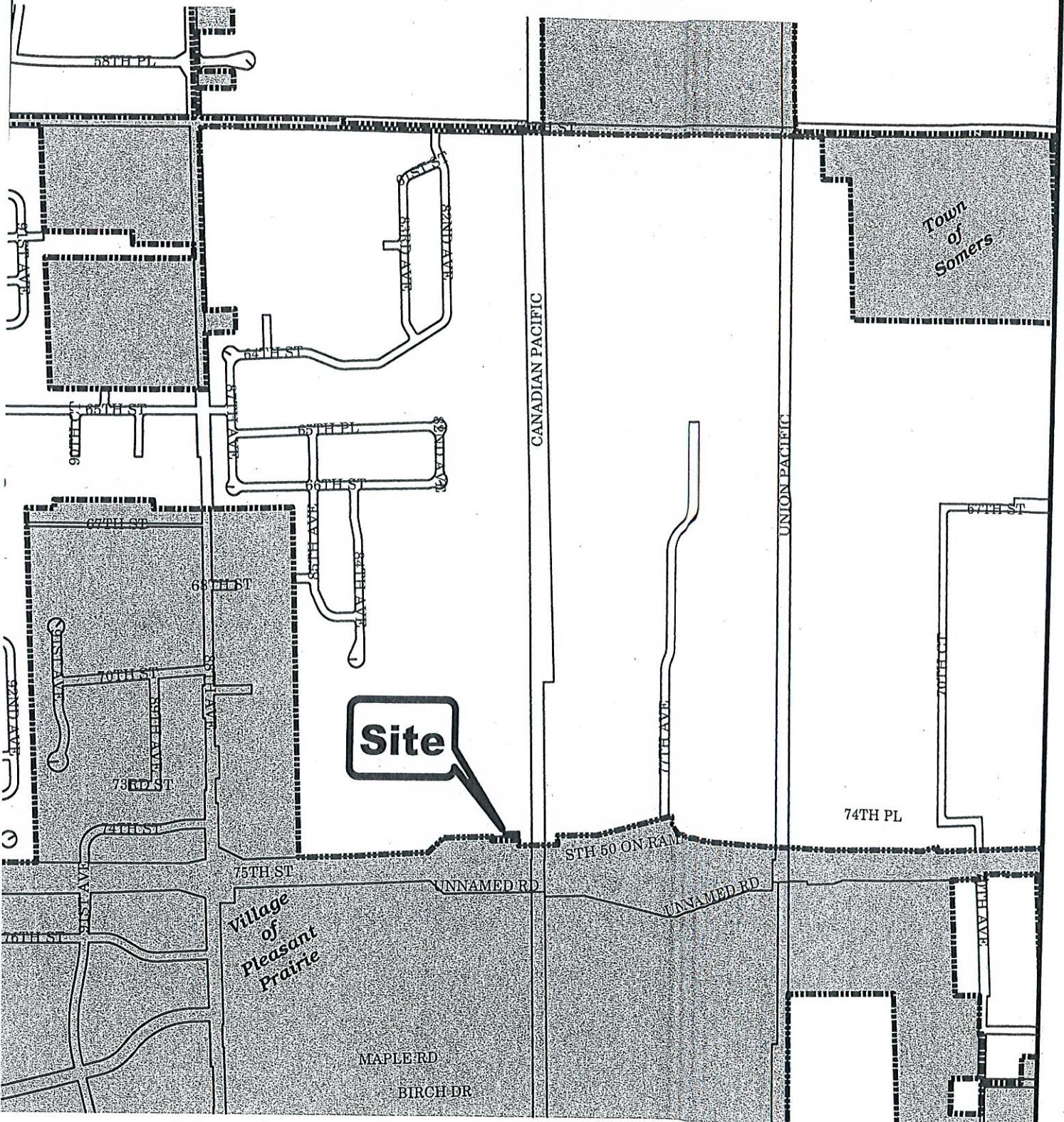
**Conditions of Approval**

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. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. The applicant shall obtain a Footing and Foundation permit from the Department of Community Development & Inspections.
  - b. 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.
  - c. Prior to the issuance of any permits, 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.
  - d. Compliance with City and State and/or Federal Codes and Ordinances.
  - e. The applicant shall meet all applicable Conditions of Approval and obtain a sign permit within six (6) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.
  - f. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged landscaping or sign face shall be replaced or reconstructed per the approved plans.

# City of Kenosha

## Vicinity Map

### Adams Off-Premises Sign CUP



Subject Property:  
8016 75th Street



Municipal Boundary

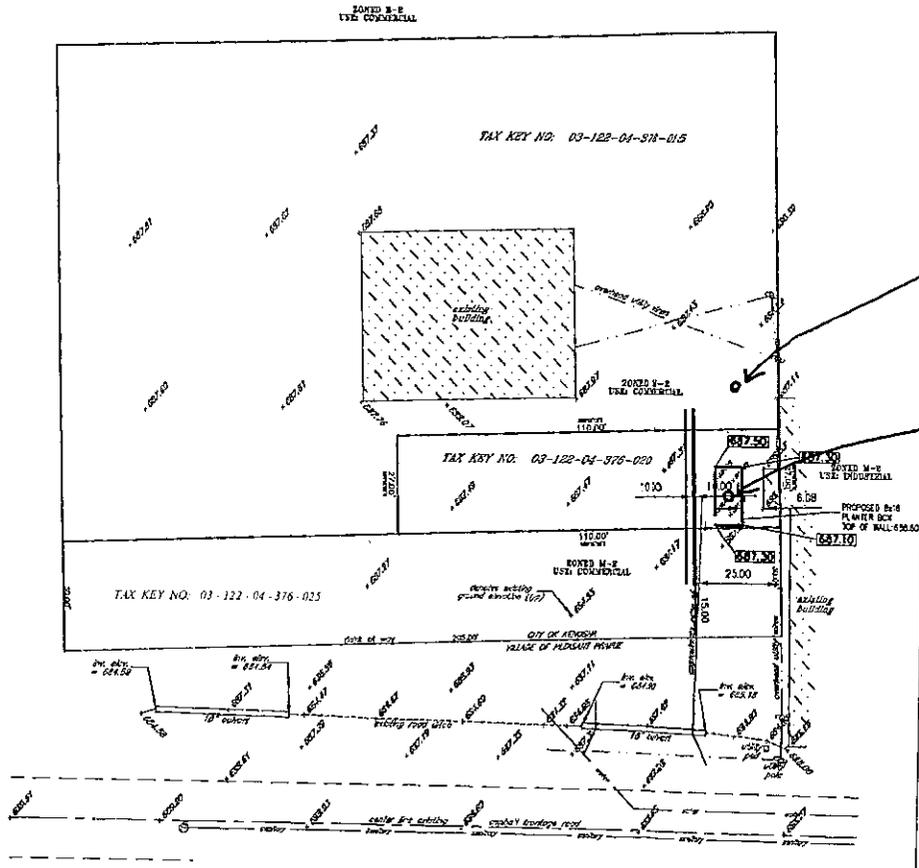


0 250 500 750 1,000  
Feet

Site Drainage Plan for ADAMS OUTDOOR ADVERTISING of Tax Key Nos 03-122-04-376-025, 03-122-04-376-020 and 03-122-04-376-015, in the City of Kenosha, Kenosha County, Wisconsin.



Survey information is from JKR  
Surveying Inc., dated 4/18/2012.



Approximate location of approved sign  
Proposed location

### GRADING LEGEND

+ 700.00 EXISTING SPOT GRADES

700.00 PROPOSED FINISHED SPOT GRADES

### LEGEND

- = ELEC METER
- = PAD MT TRANS
- = SOIL BORING

- = SIGN
- = ELEC LINE
- = FENCE

DRAWN 10-15-2012 BY ALJ

SCALE 1" = 40'

SHEET 1 OF 1 SHEETS

JOB NO. **2012.0078.01**



**Nielsen Madsen & Barber S.C.**  
Civil Engineers and Land Surveyors

1458 Horizon Blvd, Suite 200, Racine, WI. 53406 Tele: (262)634-5588 Fax: (262)634-5024 Website: www.nmbcsc.net

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

**MAILING INFORMATION**

**NAME OF PROJECT:** Off-Premise Advertising Sign

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

<input checked="" type="checkbox"/>	Name and Address of Applicant [Please print]: Adams Outdoor Advertising Jason Saari 102 E. Badger Rd. Madison, WI 53713	Phone: 608-271-7900 Fax: 608-271-4253 E-Mail: jsaari@adamsoutdoor.com
-------------------------------------	---	---

<input type="checkbox"/>	Name and Address of Architect/Engineer [Please print]: Adams Outdoor Advertising 102 E. Badger Rd Madison, WI 53713	Phone: 608-271-7900 Fax: 608-271-4253 E-Mail:
--------------------------	--	---

<input type="checkbox"/>	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): 8016-20 75th St./ parcel numbers:03-122-04-376-015/020

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

<b>Additional Information Required:</b>	<b>Building or Addition Square Footage:</b> Sign Faces 2 @ 672 sf + planter box @ 128 sf <b>Existing Building Size:</b> n/a <b>Site Size:</b> 8016=.06 acres 8020=.57 total size =.63 acres																						
<b>Submittal Requirements:</b>	<ul style="list-style-type: none"> <li>➤ Ten (10) full size scaled copies</li> <li>➤ Developer Site Plan/Conditional Use Permit Checklist (Appendix A)</li> </ul>																						
<b>If Item to be Reviewed by Plan Commission/Common Council must Submit:</b>	<ul style="list-style-type: none"> <li>➤ 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>➤ Sample Board containing colored samples of all exterior building materials</li> </ul>																						
<b>Fees:</b>	<table border="1"> <thead> <tr> <th>Level</th> <th>Building or Addition Size</th> <th>Site size</th> <th>Review Fee</th> </tr> </thead> <tbody> <tr> <td>Level 1</td> <td>&lt;= 10,000 sq. ft.</td> <td>&lt;= 1 acre</td> <td>\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC</td> </tr> <tr> <td>Level 2</td> <td>10,001 - 50,000 sq. ft.</td> <td>1.01 - 10 acres</td> <td>\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC</td> </tr> <tr> <td>Level 3</td> <td>50,001 - 100,000 sq. ft.</td> <td>10.01 - 25 acres</td> <td>\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC</td> </tr> <tr> <td>Level 4</td> <td>&gt; 100,001 sq. ft.</td> <td>&gt; 25.01 acres</td> <td>\$2,000 = City Plan Dept. <i>or</i> \$2,125 = CPC/CC</td> </tr> </tbody> </table>	Level	Building or Addition Size	Site size	Review Fee	Level 1	<= 10,000 sq. ft.	<= 1 acre	\$900 = City Plan Dept. <i>or</i> \$1,025 = CPC/CC	Level 2	10,001 - 50,000 sq. ft.	1.01 - 10 acres	\$1,175 = City Plan Dept. <i>or</i> \$1,300 = CPC/CC	Level 3	50,001 - 100,000 sq. ft.	10.01 - 25 acres	\$1,600 = City Plan Dept. <i>or</i> \$1,725 = CPC/CC	Level 4	> 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>➤ 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>➤ Application fee entitles applicant to an initial review and one re-submittal.</li> <li>➤ Re-submittal fee = \$425 per re-submittal after two (2) permitted reviews.</li> <li>➤ Amendment = 50% of the applicable fee</li> </ul>	
	Level	Building or Addition Size	Site size	Review Fee																			
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<b>Appendices to Review:</b>	<ul style="list-style-type: none"> <li>➤ All</li> </ul>																						
<b>Approximate Review Time:</b>	<ul style="list-style-type: none"> <li>➤ 30 days for Staff Review</li> <li>➤ 45-60 days for City Plan Commission/Common Council Review</li> </ul>																						
The site plan review plans, <i>prepared to standard engineering scale</i> , shall be submitted with this application and shall include the following information:																							
<b>Building Plan:</b>	<ul style="list-style-type: none"> <li>➤ Layout of building(s) including size and layout of rooms</li> <li>➤ Design and architecture</li> <li>➤ Plans and details on fire suppression and/or standpipe</li> <li>➤ Plans and details on fire detection, fire alarm, and other safety devices</li> </ul>																						
<b>Site Plan</b> (based on a plat of survey)	<ul style="list-style-type: none"> <li>➤ Legal description of property</li> <li>➤ Location and "footprint" of building(s) and structure(s)</li> <li>➤ Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks</li> <li>➤ Outline of any development stages</li> <li>➤ Location and details on any required emergency access roads</li> <li>➤ A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space</li> </ul>																						
<b>Drainage Plan</b>	<ul style="list-style-type: none"> <li>➤ Existing topography, including spot elevations of existing buildings, structures, high points, and wet areas, with any previous flood elevations</li> <li>➤ Floodplain boundaries, if applicable</li> <li>➤ Soil characteristics, where applicable</li> <li>➤ Proposed topography of the site denoting elevations and natural drainage after construction, and any proposed stormwater retention areas</li> </ul>																						
<b>Landscape Plan</b>	<ul style="list-style-type: none"> <li>➤ Existing trees and landform</li> <li>➤ Location, extent, and type of all proposed plantings</li> <li>➤ Location, height, opaque characteristics and type of any required screening</li> </ul>																						





# Wisconsin Department of Transportation

Date: 7/24/2012

Southeast Region - Waukesha Office  
141 N. W. Barstow St.  
P.O. Box 798  
Waukesha, WI 53187-0798

Phone: 262.548.5890  
Fax: 262.548.8655

Adams Outdoor Advertising  
102 E. Badger Road  
Madison, WI 53713

Subject: Outdoor Advertising Sign (s.84.30)-Permit #20325  
County of KENOSHA  
City of Kenosha  
STH 50

Your approved permit for the sign identified above is enclosed. The permit recognizes that this signing conforms to the requirements of Section 84.30 of the Wisconsin Statutes and to other applicable administrative rules and laws currently in effect. **As the owner of a regulated sign, it is important that you become familiar with the conditions and restrictions that are described on the back of the permit form.**

This permit is effective until superseded or revoked.

The Department monitors the installation and maintenance of permitted signs. If we find that the permit application included misrepresentations or that the signing is otherwise in noncompliance with applicable regulations at the time of issuance, it may result in revocation of your permit.

Please contact me using the number/s provided if you have questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Don Larson", written over a horizontal line.

Don Larson - Regional Sign Coordinator

# OUTDOOR SIGN INSTALLATION APPLICATION AND PERMIT

Wisconsin Department of Transportation

DT1680 6/2006 s.84.30 Wis. Stats. **This Permit is Revocable.**

For Locations Adjacent to Interstate and Federal Aid Primary Highways and the National Highway System

Mail Application to Regional Office

Applicant - Sign Owner <b>Adams Outdoor Advertising</b>		Area Code - Telephone Number <b>608-271-7900</b>	
Address, City, State, ZIP Code <b>102 E. Badger Rd. Madison, WI 53713</b>			
X <b>J. Saari</b> 4/14/12 (Permit Applicant Signature) (Date)		E-Mail Address <b>j.saari@adamsoutdoor.com</b>	
An agreement/lease with the landowner that allows installation of the described sign and continued access to the sign site must be obtained prior to approval of this application for all categories except on-premise. Nothing herein requires a property owner to have or to retain a sign on their land.			
Landowner Name - Print <b>Bradley Lorenz</b>		Area Code - Telephone Number <b>262-620-0097</b>	
Address, City, State ZIP Code <b>809 72nd st. Kenosha, WI 53144</b>			
By my signature, I acknowledge that I am aware of the Permit Conditions and Restrictions listed herein and I affirm there are no easements or restrictions that would prohibit this sign from being erected.			
X <b>Bradley Lorenz</b> 5/8/12 (Landowner Signature) (Date)			
Installer Name <b>Adams Outdoor Advertising</b>		License Number <b>109</b>	
Address, City, State ZIP Code <b>102 E. Badger Rd. Madison WI 53713</b>			
Highway/s <b>STH 50</b>	County <b>Kenosha</b>	<input type="checkbox"/> Town <input checked="" type="checkbox"/> City <input type="checkbox"/> Village <b>Kenosha</b>	Highway Side <input checked="" type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W
Land Zoning (Supply proof) <b>M2</b>	Date of Zoning <b>2-6-89</b>	Sign to Face <input type="checkbox"/> N <input type="checkbox"/> S <input type="checkbox"/> E <input type="checkbox"/> W <input type="checkbox"/> NIS <input checked="" type="checkbox"/> EW	
Sign Location (Legal Description) <b>SE 1/4 of the SW 1/4 of Section 4, Township 1 North, Range 22 East West</b>			
Distance from sign to the pavement centerline of the closest road that intersects with the highway along which the sign will be erected. <b>2336 EAST County Highway H</b> (Feet) (East, West, North, South) (Identify road measured from)			
Distance from highway right of way to sign <b>15 ft.</b>	Sign Illumination <input checked="" type="checkbox"/> Steady Light <input type="checkbox"/> No Light <input type="checkbox"/> Changeable Message	Height Above Ground Level (HAGL) <b>43 ft.</b>	

### Sign Category and Fee

- On Premises Free Standing - \$175
- On Premises On Building - \$175
- Real Estate along Interstate - \$175
- Off Property - \$175
- Service Club Meeting Notice - No Fee
- Religious Meeting Notice - No Fee
- Agricultural Test Plot - \$175
- Sign on officially designated school bus stop shelter; Affidavit from school officials required - \$175
- Directional as defined by sec. TRANS. 201.05 Wis. Adm. Code  
If box is checked, provide signature to the right - \$175
- Official (City, Village, Town, County, or State official to be applicant)  
If box is checked, provide signature to the right - No Fee

### Sign Design

- |   |  |
|---|--|
| <ul style="list-style-type: none"> <li><input type="checkbox"/> Type 1 (Choose one)</li> <li><input type="checkbox"/> Single Face</li> <li><input checked="" type="checkbox"/> Back-to Back</li> <li><input type="checkbox"/> "V" Type</li> </ul> | <ul style="list-style-type: none"> <li>Type 2 (Choose one)</li> <li><input type="checkbox"/> Side by Side</li> <li><input type="checkbox"/> Over Under</li> <li><input type="checkbox"/> On Building</li> <li><input type="checkbox"/> Does Not Apply</li> </ul> |
|---|--|

(Agent Signature for Directional Attraction or Official)

*[Signature]*  
(Approved for Director of Highway Operations)

### Completed by Wisconsin Department of Transportation

- Sign is on WisDOT Project No. \_\_\_\_\_
- Cancel existing permit as condition of issuing this permit?  No  Yes  
If the answer is "Yes", provide permit number and issue date \_\_\_\_\_

R.P. Number <b>051+0.44</b>	Inventory Sort Highway <b>50</b>	Inventory Direction <b>E</b>	Direction of Travel <input type="checkbox"/> N <input type="checkbox"/> S <input checked="" type="checkbox"/> E <input type="checkbox"/> W	Highway Side <input checked="" type="checkbox"/> Left <input type="checkbox"/> Right	Sign Area (Plus border & trim) sq. ft. <b>1344</b>
660 ft. + from R/W <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Scenic Byway <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Check Number <b>63803</b>	Trans. 233 Setback <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Issue Date <b>2-24-12</b>	Permit Number <b>20325</b>

<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>	December 6, 2012	Item <b>5</b>
<b>Petition to rezone property at 1407 57th Street from IP Institutional Park to RG-2 General Residential District in conformance with Section 10.02 of the Zoning Ordinance. (Mares) (District #2) PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: 1407 57<sup>th</sup> Street  
 Neighborhood: Columbus

Vicinity Zoning/Land Use

North: RG-2/Residential  
 South: IP/Rotary Safety Center  
 East: IP/Rotary Safety Center parking lot  
 West: RG-2/Residential

**NOTIFICATIONS/PROCEDURES:**

The Alderperson of the district, Alderperson Schwartz, has been notified. Property owners within 100 feet of the proposed rezoning were notified. The Common Council is the final review authority.

**ANALYSIS:**

- The owner of the property has requested to rezone the property from IP Institutional Park to RG-2 General Residential District. The purpose of the rezoning is to make the existing single-family residential use on the site a conforming use.
- Rezoning of the property to RG-2 General Residential District is consistent with the adopted *Comprehensive Plan for the City of Kenosha: 2035* which lists this site as *Medium-High Density Residential*. An amendment to that Plan is not required for the City to approve the rezoning.
- The development of the property will have to be consistent with all City, State and Federal Ordinance and regulations.

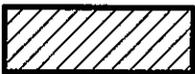
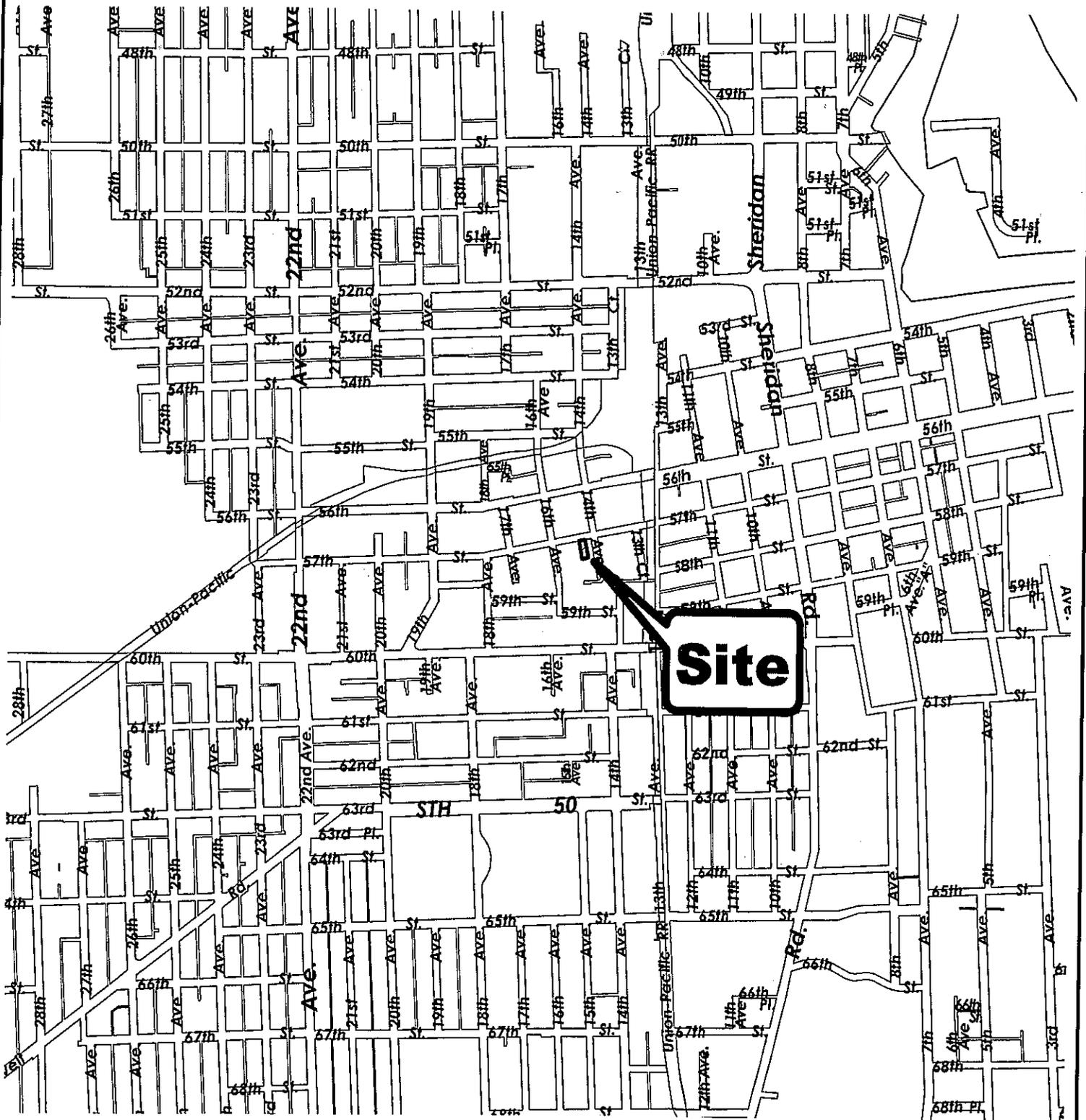
**RECOMMENDATION:**

Since the proposed rezoning is compatible with the *Comprehensive Plan for the City of Kenosha: 2035*, a recommendation is made to approve the rezoning in accordance with Section 10.02 of the Zoning Ordinance.

  
 Brian R. Wilke, Development Coordinator

  
 Jeffrey B. Labahn, Director

City of Kenosha  
Vicinity Map  
Mares Rezoning



Subject Property



0 200 400 600 800 1,000  
Feet

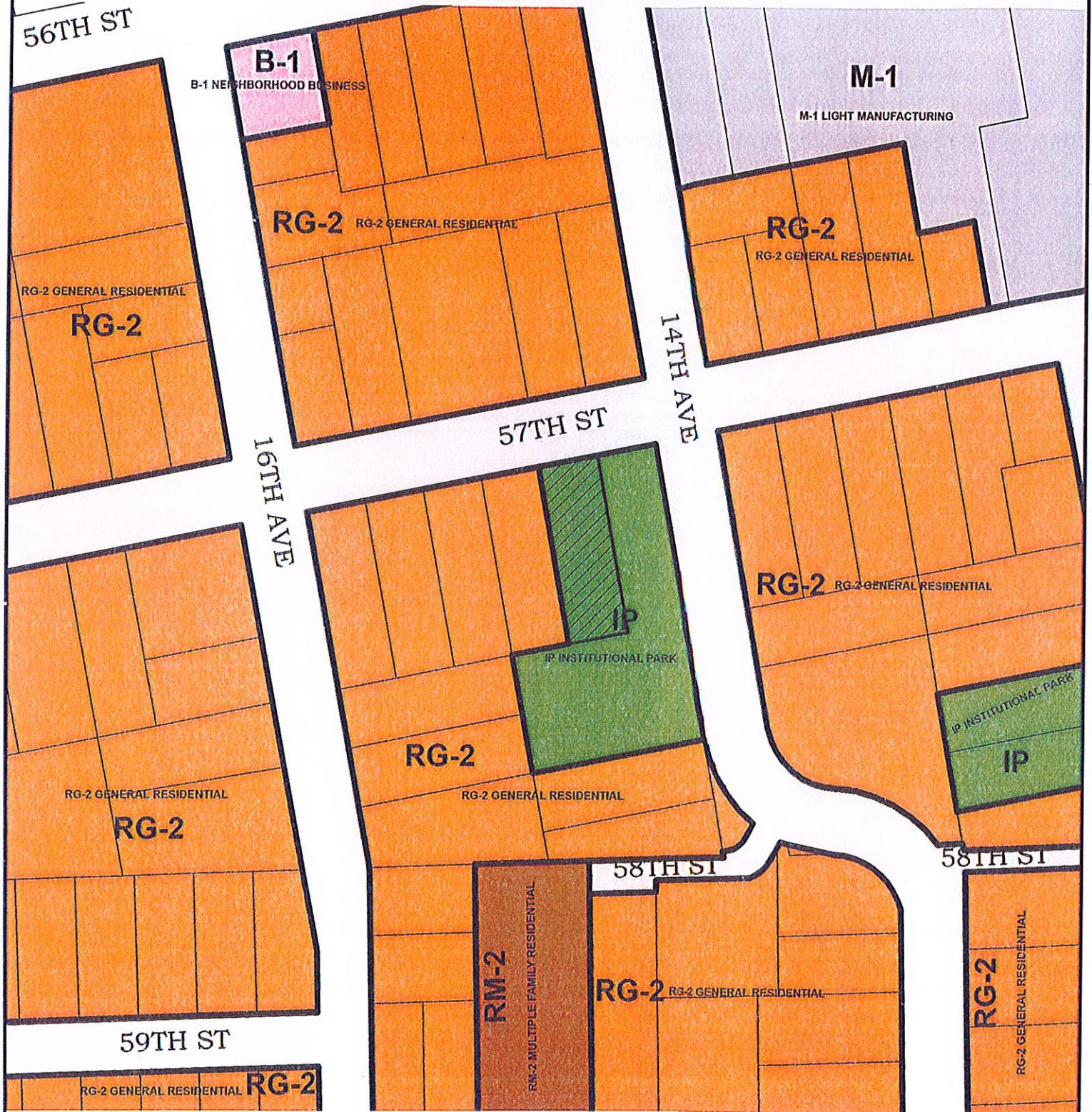
# City of Kenosha

## District Map Rezoning

Supplement No. 79-12

Ordinance No. \_\_\_\_\_

Mares petition



Property requested to be rezoned from:



IP Institutional Park to  
RG-2 General Residential



0 20 40 60 80 100  
Feet

# City of Kenosha

Land Use Map  
Mares Rezoning



Property requested to be rezoned



0 20 40 60 80 100 Feet

The Honorable Mayor  
And Members of the Common Council  
Kenosha, WI

Dear Members of the Common Council:

It is requested that my property located at 1407 57<sup>th</sup> Street be rezoned from IP to Rg-2. The purpose of the rezoning is to permit Single – family Residential.

Attached is a conceptual development plan including building, site development, land use and operational plans as required by Section 10 of the City of Kenosha Zoning Ordinance, and a receipt of the rezoning fee. I understand that development of the referenced property proposed for rezoning is required to be consistent with the conceptual development plans submitted with my rezoning petition.

Please inform of the date this item will be reviewed by the City Plan Commission. The meeting notice should be sent to Ramon Ynosencio at 6544 39<sup>th</sup> Avenue Kenosha WI. 53142. I can be reached at (262) 818-7202 if there are any questions regarding my request for the rezoning.

Sincerely,

  
Jose Mares

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

**MAILING INFORMATION**

**NAME OF PROJECT:** Jose MARES

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

Name and Address of Applicant (Please print):  
RAMON YNOSENCIO Phone: 262-818-7202  
12544 39th Ave. Fax: 262-605-3966  
Kenosha, WI 53142 E-Mail: RAY 645 @ hot mail. com

Name and Address of Architect/Engineer (Please print):  
 \_\_\_\_\_ Phone: \_\_\_\_\_  
 \_\_\_\_\_ Fax: \_\_\_\_\_  
 \_\_\_\_\_ E-Mail: \_\_\_\_\_

Name and Address of Property Owner (if other than applicant)(Please print):  
Jose MARES Phone: \_\_\_\_\_  
1407 57th St. Fax: \_\_\_\_\_  
Kenosha, WI E-Mail: \_\_\_\_\_

**PROJECT LOCATION**

Location of Development (street address and / or parcel number): 1407 57th St.

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

<b>Additional Information Required:</b>	Current Zoning District: <u>IP</u> Proposed Zoning District: <u>Rg-2</u> Proposed Type of Rezoning: (Check all applicable) <input checked="" type="checkbox"/> Single-family Residential <input type="checkbox"/> Two-family Residential <input type="checkbox"/> Multi-family Residential (3 or more units) <input type="checkbox"/> Institutional, Commercial or Industrial
<b>Submittal Requirements:</b>	<ul style="list-style-type: none"> <li>➤ Rezoning Petition (sample below) filled out according to the particular situation. The current owner(s) of the property must sign the petition.</li> <li>➤ Building and Site Development Plans as indicated below.</li> </ul>
<b>Fees:</b>	<ul style="list-style-type: none"> <li>➤ Rezoning Fee = <u>\$550</u> (For projects that <i>do not</i> require building and site development plans) <u>OR</u></li> <li>➤ <del>Rezoning with Concept Plan = \$1,150</del> (For projects that require building and site development plans)</li> </ul> <p><i>The City retains the fee whether the rezoning is approved or denied. The applicant should contact Community Development and Inspections – Planning Division to verify the total fee before submitting the rezoning application.</i></p>
<b>Appendices to Review:</b>	<ul style="list-style-type: none"> <li>➤ N/A</li> </ul>
<b>Approximate Review Time:</b>	<ul style="list-style-type: none"> <li>➤ 60-75 days (Reviewed by City Plan Commission and Common Council)</li> </ul>

A rezoning request can be initiated by:

- The City Plan Commission
- The Common Council
- A petition of 50 percent or more of the owners of property within the area proposed to be rezoned

**SAMPLE REZONING PETITION**

The Honorable Mayor  
and Members of the Common Council  
Kenosha, WI

Dear Members of the Common Council:

It is requested that my property located at *(address or parcel number)* be rezoned from *(present zoning)* to *(proposed rezoning)*. The purpose of the rezoning is to permit *(proposed use of the property)*.

Attached is a conceptual development plan including building, site development, land use and operational plans as required by Section 10 of the City of Kenosha Zoning Ordinance, and a receipt of the rezoning fee. I understand that development of the referenced property proposed for rezoning is required to be consistent with the conceptual development plans submitted with my rezoning petition.

Please inform me of the date this item will be reviewed by the City Plan Commission. The meeting notice should be sent to *(list one name only)* at *(address)*. I can be reached at *(phone number)* if there are any questions regarding my request for the rezoning.

Sincerely,  
  
Current Property Owner

·Planning & Zoning  
·Community Development

262.653.4030  
262.653.4045 FAX  
Room 308



·Building Inspections  
·Property Maintenance

262.653.4263  
262.653.4254 FAX  
Room 100

## DEPARTMENT OF COMMUNITY DEVELOPMENT & INSPECTIONS

Municipal Building · 625 52nd Street · Kenosha, WI 53140  
[www.kenosha.org](http://www.kenosha.org)

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Jeffrey B. Labahn, Director

Richard Schroeder, Deputy Director

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November 27, 2012

### Notice of Public Hearing

#### *Rezoning of property at 1407 57th Street (Mares)*

The City Plan Commission will hold a public hearing on a petition submitted by Jose Mares, Ramon Ynosencio, Agent, to rezone the property at 1407 57th Street. The proposed rezoning would amend the zoning on the property from IP Institutional Park to RG-2 General Residential District. The rezoning request is to allow the existing building to be utilized as a single-family use.

The public hearing will be held at the City Plan Commission meeting as follows:

*Thursday, December 6, 2012 at 5:00 p.m.  
Municipal Building  
625 52nd Street - Room 202  
Kenosha, WI 53140*

You are being notified of these public hearings because, as the owner of property located within 100-feet of the proposed zoning change, you are eligible to file a protest petition pursuant to Wisconsin State Statutes. The proposed rezoning **will not** change the zoning of your property. The enclosed map identifies the boundaries of the proposed rezoning and the location of your property has been highlighted.

The City Plan Commission will make a recommendation to the Common Council on the zoning petition. The Common Council is tentatively scheduled to hold a public hearing and take final action on this item at their meeting on Monday, January 7, 2012 at 7:00 p.m. in Room 200 of the Municipal Building.

Additional information regarding this petition is on file with the Department of Community Development & Inspections in Room 308 of the Municipal Building. For additional information or related questions, please contact Brian Wilke via email at [bwilke@kenosha.org](mailto:bwilke@kenosha.org) or at 262.653.4049.

BW:kas  
Enclosure

Planning & Zoning Division 625 52 <sup>nd</sup> Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission  <b>FACT SHEET</b>	December 6, 2012	Item 6
<b>Blighted Area Finding for Tax Incremental District #15, City of Kenosha, Wisconsin, Under Section 66.1105, Wisconsin Statutes. (District #2) PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: 720 59<sup>th</sup> Place. The area is generally bounded by 59<sup>th</sup> street on the north, 7<sup>th</sup> Avenue on the east, 59<sup>th</sup> Place on the south and 8<sup>th</sup> Avenue on the west.

**NOTIFICATIONS/PROCEDURES:**

The alderperson of the district, Alderperson Schwartz, has been notified.

A written notice announcing this hearing was mailed to the owner of the property that was identified as blighted as required by Wisconsin Statute 66.1105.

**ANALYSIS:**

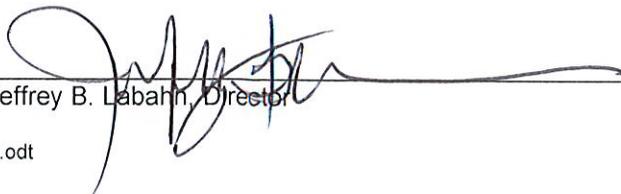
- Wisconsin Statute 66.1105 requires that the resolution to create a tax incremental district contain a finding that not less than 50%, by area, of the real property located in such district is either a blighted area, in need of rehabilitation or conservation work, or suitable for industrial use.
- As a result, an inspection of the exterior and interior building and property conditions was completed and a finding was made by the Department of Community Development and Inspections that over 50%, by area, of the real property in TID #15 should be designated as a "blighted area" in accordance with Wisconsin Statute 66.1105.
- The attached checklist is based on the definition of a "blighted area" found in Section 66.1105(2)(ae)1. of the Wisconsin Statutes. The lone property, the former Downtown KYF, located in TID #15 was found to be a "blighted area" because its interior is deteriorating, the age of the building (opened in 1930) and its use as a recreational and single room occupancy facility is obsolete, and since it has been vacant since 2009 it endangers property by fire and other causes and is conducive to crime (graffiti & vandalism).

**RECOMMENDATION:**

A recommendation is made that after holding a public hearing, the City Plan Commission find that not less than 50%, by area, of the real property located within the proposed Tax Incremental District #15 is a "blighted area" in accordance with Section 66.1105 of the Wisconsin Statutes and to submit said finding to the Common Council of the City of Kenosha.



A. Zohrab Khaligian, Development Specialist



Jeffrey B. Labahn, Director

**Blighted Area Checklist**

Date of Viewing: 11/28/12

Wisconsin State Statute 66.1105 (2)(ae)1.

Site Location: 720-5974 PLACE

<b>(1) BLIGHTED AREA, means an area, including a slum area, in which the structures, buildings or improvements, which by reason of:</b>	
dilapidation	<input checked="" type="checkbox"/> deterioration
<input checked="" type="checkbox"/> age or obsolescence	inadequate provision for ventilation
inadequate provision for light	inadequate provision for air
inadequate provision for sanitation	inadequate provision for open spaces
high density of population and overcrowding	<input checked="" type="checkbox"/> existence of conditions which endanger life or property by fire and other causes
any combination of such factors is conducive to ill health	any combination of such factors is conducive to transmission of disease
any combination of such factors is conducive to infant mortality	any combination of such factors is conducive to juvenile delinquency
<input checked="" type="checkbox"/> any combination of such factors is conducive to crime	
<input checked="" type="checkbox"/> AND IS DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, MORALS OR WELFARE	

<b>(2) AN AREA, which is predominantly open and which consists primarily of an abandoned highway corridor, as defined in s. 66.1333(2m)(a), or that consists of land upon which buildings or structures have been demolished and which because of:</b>	
obsolete platting	diversity of ownership
deterioration of structures	deterioration of site improvements
OR OTHERWISE, SUBSTANTIALLY IMPAIRS OR ARRESTS THE SOUND GROWTH OF THE COMMUNITY	

Community Development Staff Recommendation	<input checked="" type="checkbox"/> < Blighted	Not Blighted >	
--	--	----------------	--

City of Kenosha

Tax Incremental District #15  
for the City of Kenosha



Boundary & Parcel Map

-  T.I.D. Boundary
-  Block Number
-  Parcel Number

NORTH



Planning & Zoning Division 625 52 <sup>nd</sup> Street Kenosha, WI 53140 262.653.4030	Kenosha City Plan Commission  <b>FACT SHEET</b>	December 6, 2012	Item 7
<b>To Create Tax Incremental District #15, City of Kenosha, Wisconsin, Under Section 66.1105(4)(gm), Wisconsin Statutes (Varin/Library Park LLC). (District #2) PUBLIC HEARING</b>			

**LOCATION/SURROUNDINGS:**

Site: 720 59<sup>th</sup> Place. The area is generally bounded by 59<sup>th</sup> Street on the north, 7<sup>th</sup> Avenue on the east, 59<sup>th</sup> Place on the South and 8<sup>th</sup> Avenue on the west.

**NOTIFICATIONS/PROCEDURES:**

The alderperson of the district, Alderperson Schwartz, has been notified.

A notice announcing this hearing was published in the Kenosha Labor Paper on November 16 & 23, 2012 and sent to other local government units as required by Wisconsin Statute 66.1105.

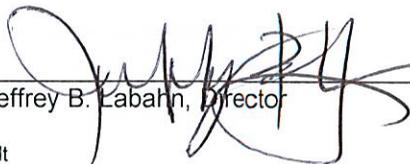
**ANALYSIS:**

- The preliminary designation of the boundaries of Tax Incremental District #15 was completed at the City Plan Commission meeting held on Thursday, November 8, 2012.
- The item is on the agenda for final designation of the project boundaries and approval to create TID #15. No changes have been made to the boundaries since the previous meeting. Changes to the creation resolution, per the City's Bond counsel, are highlighted.

**RECOMMENDATION:**

A recommendation is made that after holding a public hearing, the City Plan Commission designate the boundaries and approve the creation of Tax Incremental District #15 and submit this recommendation to the Common Council of the City of Kenosha.

  
 \_\_\_\_\_  
 A. Zohrab Khaligian, Development Specialist

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

RESOLUTION # \_\_\_\_\_

BY: THE MAYOR

TO CREATE TAX INCREMENTAL DISTRICT #15,  
CITY OF KENOSHA, WISCONSIN,  
UNDER SECTION 66.1105(4)(gm), WISCONSIN STATUTES

**WHEREAS**, Section 66.1105 of the Wisconsin Statutes, provides the authority and procedures for creating a Tax Incremental District; and

**WHEREAS**, a public hearing was properly noticed and held by the City Plan Commission on December 6, 2012 wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a Tax Incremental District and the proposed boundaries thereof; and

**WHEREAS**, pursuant to such procedure and after due reflection and consideration, the City Plan Commission has favorably recommended to the Common Council of the City of Kenosha the creation of Tax Incremental District #15, City of Kenosha, Wisconsin, the boundaries of which are described on Exhibits "A" and "B".

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Kenosha, Wisconsin, that it:

1. Deems the creation of the recommended Tax Incremental District for the purpose of eliminating blight in the City of Kenosha to be in the public interest and for a proper public purpose; and
2. Accepts and adopts as the district boundaries those recommended by the City Plan Commission, which boundaries generally lie within the City of Kenosha between 59th Street and 59th Place and between 7th Avenue and 8th Avenue, and are more specifically defined in Exhibit "A", which is attached hereto and incorporated herein by reference. The district boundaries include only those whole units of property as are assessed for general property tax purposes. Property standing vacant for an entire seven (7) year period immediately preceding adoption of this Resolution, as "vacant property" as defined in Section 66.1105(4)(gm)1., Wisconsin Statutes, does not comprise more than twenty-five (25%) percent of the area in the Tax Incremental District; and
3. Finds that not less than fifty (50%) percent by area of the real property within the District is a "blighted area" within the meaning of Section 66.1105(2)(ae), Wisconsin Statutes; and
4. Finds that the improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District; and
5. Finds that the project costs relate directly to eliminating "blight" within the District consistent with the purpose for which the Tax Incremental District was created; and
6. Finds that the equalized value of taxable property of the District plus the value increment of all existing tax increment districts does not exceed twelve (12%) percent of the total equalized value of taxable property within the City of Kenosha, Wisconsin; and

7. Declares that the District is a blighted area district.

**BE IT FURTHER RESOLVED** that Tax Incremental District #15 is created effective January 1, 2013 upon passage and publication of this Resolution and review and approval of this Resolution by a Joint Review Board under Section 66.1105(4m), Wisconsin Statutes.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2013

ATTEST:

\_\_\_\_\_  
Debra Salas, City Clerk

APPROVE:

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

Drafted by: Department of Community Development & Inspections

/u2/acct/cp/claurieb/CITY PLAN COMMISSION/12-6-12/resol-cc-tid15-create112912.odt

City of Kenosha

Tax Incremental District #15  
for the City of Kenosha



Boundary & Parcel Map

-  T.I.D. Boundary
-  Block Number
-  Parcel Number

NORTH



**EXHIBIT "B"**

**Tax Incremental District #15  
City of Kenosha, Wisconsin**

Boundary Description

Part of Lots 1, 2, 3 & 4 of Block 57 in the Southeast Quarter of Section 31 in the Original Town of Southport, Township 2 North, Range 23 East, of the Fourth Principal Meridian lying and being in the City of Kenosha, County of Kenosha, Wisconsin and being more particularly described as follows:

Commencing at a point which is the southeast corner of 59th Street and 8th Avenue and also the Point of Beginning, thence southerly along the east right-of-way line of 8th Avenue 174.99 feet (recorded as 131 feet) to the north right-of-way line of 59th Place, thence easterly along the north right-of-way line of 59th Place 198.21 feet, thence northwesterly 174.57 feet (recorded as 131 feet) to the south right-of-way line of 59th Street, thence westerly along the south right-of-way line of 59th Street 198.57 feet to the Point of Beginning; said Tax Incremental Financing District containing 35,461 s.f. of land, more or less.

**To Adopt a Project Plan for Tax Incremental District #15, City of Kenosha, Wisconsin, Under Section 66.1105(4)(g), Wisconsin Statutes. (District #2) PUBLIC HEARING**

**LOCATION/SURROUNDINGS:**

Site: 720 59<sup>th</sup> Place. The area is generally bounded by 59<sup>th</sup> street on the north, 7<sup>th</sup> Avenue on the east, 59<sup>th</sup> Place on the south and 8<sup>th</sup> Avenue on the west.

**NOTIFICATIONS/PROCEDURES:**

The alderperson of the district, Alderperson Schwartz, has been notified.

A notice announcing this hearing was published in the Kenosha Labor Paper on November 16 & 23, 2012 and sent to other local government units as required by Wisconsin Statute 66.1105

**ANALYSIS:**

- The adoption of the preliminary TID #15 project plan was approved at the City Plan Commission meeting held on Thursday, November 8, 2012.
- The item is on the agenda for adoption of the final project plan. The project plan has changed since the previous meeting. The changes are found on the following pages:

Page 2: Changes to the creation resolution, per City's Bond Counsel, are highlighted

Page 8: Changes to the list of estimated project costs, per City's Bond Counsel, are highlighted

Page 9: Adjusted debt service schedule per the City's Financial Adviser so that debt service matches estimated tax increment collections (see page 10)

Page 10: Tax rate increased to 27.24 and adjusted debt service schedule per the City's Financial; Adviser so that debt service matches estimated tax increment collections

Page 12: Opinion of the City Attorney has been added.

**RECOMMENDATION:**

A recommendation is made that after holding a public hearing, the City Plan Commission adopt the TID #15 Project Plan, and submit this recommendation to the Common Council of the City of Kenosha.

  
\_\_\_\_\_  
A. Zohrab Khaligian, Development Specialist

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

**City of Kenosha, Wisconsin**

**Project Plan for Tax Incremental District Number Fifteen**

**For Common Council Adoption on January 7, 2013**

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Changes in Zoning Ordinance and Building Code	11
List of Estimated Non-Project Costs	11
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Maps (Attached)	
Site Vicinity	
TID District Boundary & Parcel	
Existing Land Use	
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## GOALS OF THE KENOSHA TID PROGRAM

The City of Kenosha Tax Incremental District Program has been undertaken because of concern over the community's economic stability. As a result of numerous community meetings, the following goals have been identified:

- Encourage development in the City that will increase its tax base and reduce individual tax burdens
- Encourage development in the City that will increase the number and the variety of employment opportunities
- Encourage development in the City that will diversify the economic mix of businesses
- Encourage the efficient and economical use of land, buildings, and community facilities
- Encourage private investment through an expanded community facilities program
- Encourage reduction and/or elimination of economic and physical blight in the area

RESOLUTION # \_\_\_\_\_

BY: THE MAYOR

TO CREATE TAX INCREMENTAL DISTRICT #15,  
CITY OF KENOSHA, WISCONSIN,  
UNDER SECTION 66.1105(4)(gm), WISCONSIN STATUTES

**WHEREAS**, Section 66.1105 of the Wisconsin Statutes, provides the authority and procedures for creating a Tax Incremental District; and

**WHEREAS**, a public hearing was properly noticed and held by the City Plan Commission on December 6, 2012 wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of a Tax Incremental District and the proposed boundaries thereof; and

**WHEREAS**, pursuant to such procedure and after due reflection and consideration, the City Plan Commission has favorably recommended to the Common Council of the City of Kenosha the creation of Tax Incremental District #15, City of Kenosha, Wisconsin, the boundaries of which are described on Exhibits "A" and "B".

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Kenosha, Wisconsin, that it:

1. Deems the creation of the recommended Tax Incremental District for the purpose of eliminating blight in the City of Kenosha to be in the public interest and for a proper public purpose; and
2. Accepts and adopts as the district boundaries those recommended by the City Plan Commission, which boundaries generally lie within the City of Kenosha between 59th Street and 59th Place and between 7th Avenue and 8th Avenue, and are more specifically defined in Exhibit "A", which is attached hereto and incorporated herein by reference. The district boundaries include only those whole units of property as are assessed for general property tax purposes. Property standing vacant for an entire seven (7) year period immediately preceding adoption of this Resolution, as "vacant property" as defined in Section 66.1105(4)(gm)1., Wisconsin Statutes, does not comprise more than twenty-five (25%) percent of the area in the Tax Incremental District; and
3. Finds that not less than fifty (50%) percent by area of the real property within the District is a "blighted area" within the meaning of Section 66.1105(2)(ae), Wisconsin Statutes; and
4. Finds that the improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District; and
5. Finds that the project costs relate directly to eliminating "blight" within the District consistent with the purpose for which the Tax Incremental District was created; and
6. Finds that the equalized value of taxable property of the District plus the value increment of all existing tax increment districts does not exceed twelve (12%) percent of the total equalized value of taxable property within the City of Kenosha, Wisconsin; and

7. Declares that the District is a blighted area district.

**BE IT FURTHER RESOLVED** that Tax Incremental District #15 is created effective January 1, 2013 upon passage and publication of this Resolution and review and approval of this Resolution by a Joint Review Board under Section 66.1105(4m), Wisconsin Statutes.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2013

ATTEST:

\_\_\_\_\_  
Debra Salas, City Clerk

APPROVE:

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

Drafted by: Department of Community Development & Inspections

/u2/acct/cp/claurieb/CITY PLAN COMMISSION/12-6-12/resol-cc-tid15-create112912.odt

City of Kenosha

Tax Incremental District #15  
for the City of Kenosha



Boundary & Parcel Map

- T.I.D. Boundary
- (251) Block Number
- 001 Parcel Number

NORTH



**EXHIBIT "B"**

**Tax Incremental District #15  
City of Kenosha, Wisconsin**

Boundary Description

Part of Lots 1, 2, 3 & 4 of Block 57 in the Southeast Quarter of Section 31 in the Original Town of Southport, Township 2 North, Range 23 East, of the Fourth Principal Meridian lying and being in the City of Kenosha, County of Kenosha, Wisconsin and being more particularly described as follows:

Commencing at a point which is the southeast corner of 59th Street and 8th Avenue and also the Point of Beginning, thence southerly along the east right-of-way line of 8th Avenue 174.99 feet (recorded as 131 feet) to the north right-of-way line of 59th Place, thence easterly along the north right-of-way line of 59th Place 198.21 feet, thence northwesterly 174.57 feet (recorded as 131 feet) to the south right-of-way line of 59th Street, thence westerly along the south right-of-way line of 59th Street 198.57 feet to the Point of Beginning; said Tax Incremental Financing District containing 35,461 s.f. of land, more or less.

RESOLUTION # \_\_\_\_\_

BY: THE MAYOR

**TO ADOPT A PROJECT PLAN FOR  
TAX INCREMENTAL DISTRICT #15,  
CITY OF KENOSHA, WISCONSIN,  
UNDER SECTION 66.1105(4)(g), WISCONSIN STATUTES**

**WHEREAS**, Section 66.1105 of the Wisconsin Statutes, provides the authority and procedures for creating a Tax Incremental District; and

**WHEREAS**, the Project Plan for Tax Incremental District #15, City of Kenosha, Wisconsin, has been developed in accordance with Section 66.1105(4)(f), Wisconsin Statutes; and

**WHEREAS**, a public hearing was properly noticed and held by the City Plan Commission on December 6, 2012, under Section 66.1105(4)(e), Wisconsin Statutes, wherein interested parties were afforded a reasonable opportunity to express their views on the proposed Project Plan for Tax Incremental District #15, City of Kenosha, Wisconsin; and

**WHEREAS**, the City Plan Commission, on December 6, 2012, at a duly authorized, noticed and convened meeting, adopted the Project Plan for Tax Incremental District #15, City of Kenosha, Wisconsin, under 66.1105(4)(f), Wisconsin Statutes.

**NOW THEREFORE, BE IT RESOLVED** by the Common Council of the City of Kenosha, Wisconsin, that the Project Plan for Tax Incremental District #15, City of Kenosha, Wisconsin, is found to be feasible and in conformity with the Master Plan of the City of Kenosha, Wisconsin; and

**BE IT FURTHER RESOLVED** that the Project Plan for Tax Incremental District #15, City of Kenosha, Wisconsin, which is incorporated herein by reference and on file in the office of the City Clerk/Treasurer, is adopted under Section 66.1105(4)(g), Wisconsin Statutes.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_ 2013

ATTEST:

\_\_\_\_\_  
Debra Salas, City Clerk

APPROVE:

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

Drafted by: Department of Community Development & Inspections

/u2/acct/cp/ckays/2DEVELOPMENT/TIDs/TID15/resol-cc-tid15-adopt.odt

**RESOLUTION NO. 13-1**

**BY: THE JOINT REVIEW BOARD FOR  
TAX INCREMENTAL DISTRICT NUMBER FIFTEEN (15)**

**TO APPROVE THE CREATION OF TAX INCREMENTAL  
DISTRICT NUMBER FIFTEEN (15), CITY OF KENOSHA, WISCONSIN**

**WHEREAS**, Section 66.1105, Wisconsin Statutes, provides the authority and procedure for creating a Tax Incremental District; and,

**WHEREAS**, a Joint Review Board was convened under the authority of Section 66.1105(4m), Wisconsin Statutes, for the purpose of reviewing the public record, planning documents and the Resolution passed by the Common Council of the City of Kenosha, Wisconsin, under 66.1105(4)(gm), Wisconsin Statutes; and,

**WHEREAS**, the Joint Review Board has completed its review.

**NOW, THEREFORE, BE IT RESOLVED** by the Joint Review Board for Tax Incremental District Number Fifteen (15), City of Kenosha, Wisconsin, that it approves Resolution Number \_\_\_\_ adopted on January 7, 2013, by the Common Council of the City of Kenosha, Wisconsin, under Section 66.1105(4)(gm), Wisconsin Statutes, based on the following criteria:

1. That the development expected in the Tax Incremental District would not occur without the the creation of the Tax Incremental District and the use of tax incremental financing.
2. That the economic benefits of the Tax Incremental District, as measured by increased employment, business and personal income and property value are sufficient to compensate for the cost of improvements.
3. That the benefits of the Tax Incremental District outweigh the anticipated loss in tax increments to be paid by the owners of property in the overlying taxing districts.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST: \_\_\_\_\_, Staff

APPROVED: \_\_\_\_\_, Chairperson Date: \_\_\_\_\_

**STATEMENT OF KIND, NUMBER AND LOCATION OF ALL PROPOSED PUBLIC WORKS OR IMPROVEMENTS WITHIN THE DISTRICT AND A DETAILED LIST OF ESTIMATED PROJECT COSTS AND WHEN COSTS ARE EXPECTED TO BE INCURRED**

<b>Description of Project Costs</b>	<b>2013</b>	<b>2014</b>	<b>2015</b>	<b>Total</b>
1. Administration, Legal, Engineering, Marketing and Construction Management	\$25,000	\$0	\$0	\$25,000
2. Capital costs to include, but not be limited to, asbestos removal, demolition, rough-in construction and electrical, plumbing and HVAC improvements, in order to convert this former institutional building into a 42 unit multi family residence	\$275,000	\$0	\$0	\$275,000
<b>Total</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$0</b>	<b>\$300,000</b>

**Costs to be Recovered by TID**

1. Project Costs	-	-	-	\$300,000
2. Financing Costs	-	-	-	\$94,486
<b>Total</b>				<b>\$394,486</b>

# Economic Feasibility Study

## City of Kenosha TID No. 15

### Estimated Tax Increments, Cash Flow and All Debt Service

Assumptions:

Mill Rate Increase: 0.00%

Appreciation Rate: 2.00% starting in 2016

Date Prepared: 11/16/12

Change In Incremental Value During Year	Amount	Taxable Incremental Value		Collection Year	Tax Rate	Tax Increment Collections	Less Debt Service Payment	4.00% Revenue Bond Debt Balance at 10/01/13	Cash Fund Balance 12/31	Collection Year
		At 01/01	Amount							
2011				2013		0	0	300,000	0	2013
2012				2014		0	0	312,000	0	2014
2013				2015		0	0	324,480	0	2015
2014	200,000		200,000	2016	27.24	5,448	5,448	332,011	0	2016
2015	1,700,000		1,900,000	2017	27.24	51,756	51,756	293,536	0	2017
2016	38,000		1,938,000	2018	27.24	52,791	52,791	252,486	0	2018
2017	38,760		1,976,760	2019	27.24	53,847	53,847	208,738	0	2019
2018	39,535		2,016,295	2020	27.24	54,924	54,924	162,164	0	2020
2019	40,326		2,056,621	2021	27.24	56,022	56,022	112,628	0	2021
2020	41,132		2,097,754	2022	27.24	57,143	57,143	59,991	0	2022
2021	41,955		2,139,709	2023	27.24	58,286	58,286	4,105	0	2023
2022	42,794		2,182,503	2024	27.24	59,451	4,269	0	55,183	2024
2023	43,650		2,226,153	2025	27.24	60,640			115,823	2025
2024	44,523		2,270,676	2026	27.24	61,853			177,676	2026
2025	45,414		2,316,089	2027	27.24	63,090			240,766	2027
2026	46,322		2,362,411	2028	27.24	64,352			305,119	2028
2027	47,248		2,409,659	2029	27.24	65,639			370,758	2029
2028	48,193		2,457,853	2030	27.24	66,952			437,710	2030
2029	49,157		2,507,010	2031	27.24	68,291			506,001	2031
2030	50,140		2,557,150	2032	27.24	69,657			575,657	2032
2031	51,143		2,608,293	2033	27.24	71,050			646,707	2033
2032	52,166		2,660,459	2034	27.24	72,471			719,178	2034
2033	53,209		2,713,668	2035	27.24	73,920			793,098	2035
2034	54,273		2,767,941	2036	27.24	75,399			868,497	2036
2035	55,359		2,823,300	2037	27.24	76,907			945,404	2037
2036	56,466		2,879,766	2038	27.24	78,445			1,023,849	2038
2037	57,595		2,937,361	2039	27.24	80,014			1,103,862	2039
2038	58,747		2,996,109	2040	27.24	81,614			1,185,476	2040
2039	59,922		3,056,031	2041	27.24	83,246			1,268,723	2041
						<u>1,663,208</u>	<u>394,486</u>			

Base Value 01/01/12 = 290,700

## City of Kenosha

\$300,000 Tax Increment Revenue Bond - Dated 10/01/13  
TID No. 15  
Preliminary Estimate

### Debt Service Schedule

Calendar Year	Principal	Coupon	Interest	(A) Total P&I
2013	-	-	-	-
2014	-	-	-	-
2015	-	-	-	-
2016	-	-	\$5,448	\$5,448
2017	\$6,464	4.00%	45,292	51,756
2018	41,050	4.00%	11,741	52,791
2019	43,748	4.00%	10,099	53,847
2020	46,574	4.00%	8,350	54,924
2021	49,536	4.00%	6,487	56,022
2022	52,638	4.00%	4,505	57,143
2023	55,886	4.00%	2,400	58,286
2024	4,105	4.00%	164	4,269
	<b>\$300,000</b>		<b>\$94,486</b>	<b>\$394,486</b>

(A) Payments represent total estimated annual incremental tax collections.

2013 - TID No. 15 / 11/19/2012 / 12:15 PM

**Piper Jaffray & Co.**  
Wisconsin Public Finance

## CHANGES IN ZONING ORDINANCE AND BUILDING CODE

No changes to the City of Kenosha Zoning Ordinance, Building Code or other ordinances are presently anticipated. All City ordinances and code documents are readily available for public inspection and are incorporated herein by reference.

## LIST OF ESTIMATED NON-PROJECT COSTS

There are no non-project costs.

## STATEMENT OF THE PROPOSED METHOD FOR THE RELOCATION OF PERSONS TO BE DISPLACED

All individuals and businesses to be displaced as a result of the activities occurring within the district as a part of this project plan will be provided assistance in conformance with Chapter 32, Wisconsin Statutes, and in conformance with any other state and federal rules and regulations as applicable.

## STATEMENT OF CONFORMITY TO CITY OF KENOSHA MASTER PLANS

The development of this tax incremental district conforms to *A Comprehensive Plan for the City of Kenosha: 2035*, adopted April 19, 2010. The *Comprehensive Plan* is incorporated herein by reference.

## STATEMENT OF ORDERLY DEVELOPMENT

Based upon the feasibility analysis of the proposed project and the goals established for the City as a part of the *Comprehensive Plan*, the creation of this Tax Incremental District promotes the orderly development of the City.

OFFICE OF THE CITY ATTORNEY  
MUNICIPAL BUILDING  
625 - 52ND STREET, ROOM 201  
Kenosha, Wisconsin 53140  
PHONE (262) 653-4170  
FAX (262) 653-4176



EDWARD R. ANTARAMIAN  
CITY ATTORNEY  
MATTHEW A. KNIGHT  
DEPUTY CITY ATTORNEY  
WILLIAM K. RICHARDSON  
ASSISTANT CITY ATTORNEY  
JONATHAN A. MULLIGAN  
ASSISTANT CITY ATTORNEY

November 12, 2012

Honorable Mayor  
and Common Council  
City of Kenosha  
Kenosha, Wisconsin 53140

Re: Project Plan Amendment for Tax Incremental  
District Number 15 [TIF District No. 15]

Dear Mayor and Members of the Common Council:

I have reviewed the above and conclude that it is complete and complies with Section 66.1105(4)(f), Wisconsin Statutes.

Respectfully submitted,

  
Edward R. Antaramian  
City Attorney

ERA:df

# City of Kenosha

## Tax Incremental District #15 for the City of Kenosha



Proposed TID #15

**Site Location:**

North of 59th Place  
South of 59th Street  
East of 8th Avenue  
West of 7th Avenue

NORTH



City of Kenosha

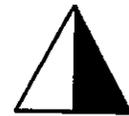
Tax Incremental District #15  
for the City of Kenosha



Boundary & Parcel Map

- - - - - T.I.D. Boundary
- (25) Block Number
- 001 Parcel Number

NORTH



City of Kenosha

Tax Incremental District #15  
for the City of Kenosha



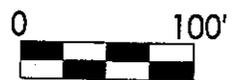
Existing Land Use

----- T.I.D. Boundary



Vacant Building

NORTH



City of Kenosha

Tax Incremental District #15  
for the City of Kenosha



Existing Zoning

- - - - - T.I.D. Boundary
- ▨ B-4 Mixed Use

NORTH



City of Kenosha

Tax Incremental District #15  
for the City of Kenosha



Property Condition

----- T.I.D. Boundary

 Blighted

City of Kenosha

Tax Incremental District #15  
for the City of Kenosha



Proposed Public Improvements

----- T.I.D. Boundary  
(there are no proposed public improvements)

NORTH



City of Kenosha

Tax Incremental District #15  
for the City of Kenosha



Proposed Private Improvements

- T.I.D. Boundary
- ▨ Residential Development

NORTH

