

CITY PLAN COMMISSION
Minutes
April 10, 2008

MEMBERS PRESENT: Mayor Antaramian, Alderman Pitts, Alderman Moldenhauer, Alderman Ruef, Mike Lemens, Kathleen Barca, Anita Faraone, Paul Hegland, Art Landry, Bruce McCurdy and Tim Mahone

STAFF PRESENT: Jeffrey B. Labahn, Rich Schroeder and Brian Wilke

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

A motion to approve the minutes from March 20, 2008 was made by Mr. Hegland and seconded by Ms. Faraone. The motion passed unanimously. (9 ayes; 0 noes).

1. Request to amend the Conditional Use Permit for a mixed-use building located at 5710 4th Avenue, District #2. (Lakeview Virginia Towers) PUBLIC HEARING

Public hearing opened.

Bob Wirch, 3007 Springbrook Road, Pleasant Prairie, spoke in support of Mr. Watring's development.

Don Mayew, 1025 56th Street, Kenosha, attorney for Mr. Watring, presented pictures of what they propose to do to the exterior of the building. Mr. Mayew said he is looking for fairness and common sense from the Commission. Mr. Mayew said the applicant constructed the west wall as approved and now Staff is asking for changes from the original plan with significant financial requirements. Mr. Mayew said the applicant would like to use a drivit material that looks like cultured stone on the east side of the building and stain all exterior block a matching color. They would leave the west wall unchanged and landscape around this wall. Mr. Mayew claims the project is being delayed because there is no temporary occupancy approval. The cultured stone on the west wall may not be doable. Alternatives would be to cover the west wall and not remove the blue building. Mr. Mayew asked for a fair review of the proposal.

Claire Hiller, 420 57th Street, Kenosha, lives across the street from the development. Ms. Hiller said there should be no temporary occupancy until everything is completed.

Public hearing closed.

A motion was made by Mr. Hegland and seconded by Ms. Faraone to re-open the public hearing to allow Mr. Watring to speak. The motion passed unanimously (11 ayes; 0 noes).

Bob Watring, 3229 23rd Avenue, Kenosha, developer of the property requests support from the City Plan Commission for a temporary Occupancy Permit to allow the project to move forward. Mr. Watring stated they are about 60-90 days from building occupancy.

Public hearing closed.

Brian Wilke, Development Coordinator, showed a video of the site, along with various map boards to explain the revisions to the project. Mr. Wilke circulated the proposed EIFS material for the east elevation. Mr. Wilke explained that the west elevation was approved with a 0' lot line, with the idea another building on the abutting property could be built up to this building. The material submitted is not acceptable. The applicant has purchased adjacent property and plans to move the lot line a minimum of twenty-four (24') feet, which changes the approved Conditional Use Permit. The applicant has installed real windows on the west elevation without City approval. If the Lot Line Adjustment is approved, the real windows are acceptable. Staff also recommends cultured stone on the west elevation, not the proposed drivit material. All parking areas must be paved with a binder course prior to any building occupancy, this is in the Zoning Ordinance. Also, per the Ordinance, the exterior must be 100% completed prior to any building occupancy, no exceptions are allowed. Staff still recommends full cultured stone, with the drivit insert, on the west elevation instead of split face block.

Rich Schroeder, Assistant City Planner, said the applicant is already required to paint or stain the block on the first and second floors all one color. The additional parking spaces/lot is also a requirement. The applicant has made numerous changes to the building elevation without prior approval. Mr. Schroeder said the north elevation is acceptable; the south elevation needs EIFS panels; the east elevation needs cultured stone and the insets as shown on the plan; and the west elevation proposes numerous changes, which are up to the the City Plan Commission.

Mr. Hegland asked for clarification of the recommendation of approval. Jeffrey B. Labahn, City Planner, said that the recommendation is approval with the twelve attached Conditions of Approval. These conditions address any problems and are detailed in the Staff analysis.

Mr. McCurdy asked how the color of the stone would be done, would it be applied with a brush or spray. Mr. Labahn said the architect informed Staff it would be stained, we are unsure of how the stain is applied.

Alderman Pitts asked if it would be all one color, even inserts. Mr. Schroeder said that inserts would be a different color to match the EIFS which is used on the upper building floors.

Mr. Lemens asked if the secondary color of the building would match the existing trim. Mr. Schroeder said it would not match the trim.

Mr. Hegland said he is tired of the Commission spending time to approve a quality building and then the plans are not followed. Mr. Hegland said he strongly supports the Staff recommendation, which are included in the Conditions of Approval.

Ms. Faraone agrees with Mr. Hegland's comments and said we cannot make

exceptions for some people, this would not be fair.

Alderman Ruef said he voted for this project to be done a certain way. The Commission is setting a precedence if they allow variation. Alderman Ruef does not support the project.

Alderman Moldenhauer said the proposed wall reminds him of the "Wailing Wall". If the applicant could create green space, the proposal may be allowable. If the applicant does not landscape and does not raze the blue building, the proposal is not acceptable. Alderman Moldenhauer, alderman for the district, said he receives phone calls from constituents unhappy with the structure so far.

Alderman Pitts asked for clarification on the colors. Mr. Schroeder said the substitute material that was provided by the applicant for the meeting is already falling apart and is not acceptable. Mr. Schroeder suggested the applicant keep the real cultured block they have and correct the color.

Mayor Antaramian said the east wall requires cultured stone, the material presented is not acceptable. On the west wall, the applicant said there is a problem hanging cultured stone, please explain.

Pete Stangas, project manager, said the cultured stone they were hoping to get won't work. The thinnest cut of stone is almost 4" thick and 42 lbs. per block. Since the wall wasn't constructed to hold this stone, it will not work and he questioned installing it on the east wall.

Mr. Schroeder said he talked to Nick Torcivia, Department of Neighborhood Services & Inspections, he said the drivit product that was presented is totally unacceptable. The plans provided by the applicant show all cultured stone on the east wall and that is what is needed.

Mr. Mahone said this project has fallen apart. Changes were made without any approvals and he supports the Staff recommendation.

Mayor Antaramian said he was disappointed the architect was not present. Mr. Mayew said he was on vacation. Mr. Mayew said they can place cultured stone on the east elevation and finish the north and south elevation as originally approved. The cultured stone was not originally required on the west wall.

Mr. Lemens said he respects the comments, but originally there was a 0' lot line and the additional 24' obtained by the Lot Line Adjustment will change the scope of this wall. Staff did an adequate job and this is a reasonable solution.

Mr. McCurdy asked if the item should be deferred for two weeks to allow the architect to be present and the applicant to start working on some of the Conditions.

A motion was made by Ms. Barca and seconded by Mr. Mahone to approve the Amendment to the Conditional Use Permit, subject to the Staff recommendations.

Alderman Ruef said the west property line has changed from a 0' setback. If this side of the building is landscaped, in winter there is not much cover.

Mayor Antaramian said he is uncomfortable with the changes the applicant suggested and would like the architect to explain the walls. The east elevation must have the cultured stone. I would like cultured stone required on the west elevation, if verified with the architect that it can be done.

Mr. Hegland said we don't want to wait to ask the architect if it is possible. It is the applicant's fault they changed things and now they have to get the project done the right way. If we defer this item we are just extending an argument that we shouldn't be having.

Alderman Pitts asked if the material for the west elevation was approved originally. Mr. Schroeder said it was approved with the understanding of a 0' lot line and a building abutting the Watring site. The Lot Line Adjustment Survey must be 24' from the building to have real windows or the windows must be eliminated. Since the applicant is changing the plans, staff is requiring the wall to look better because it will now be visible.

Alderman Moldenhauer asked if the Commission could accept the Staff's recommendation, except for the west wall until clarification from the architect is obtained.

A motion was made by Mr. Hegland and seconded by Ms. Faraone to Amend the motion to: Approve all amendments and delete everything pertaining to the west elevation and discuss that elevation separately. The motion passed unanimously (11 ayes; 0 noes).

Mr. Landry was excused.

Ms. Barca asked if the trim color at the top of the building is the intended color or would it match the stone color.

Mr. Labahn said the applicant is open to change, you need to clarify the request.

Mr. Lemens requested an addition to the motion that the cultured stone and stain compliment the existing color of the building and must be approved by Staff.

The amendments were approved by Ms. Barca and Mr. Mahone. The motion passed unanimously (10 ayes; 0 noes).

Mr. McCurdy asked if the blue building was going to be razed. Mr. Mayew said there is a good possibility it will be razed, but he is making no commitment.

Alderman Pitts made a suggestion for the west elevation. The applicant could leave it as constructed which is as originally approved with EIFS inserts. We could require a short brick wall, starting at the building and wrapping around the corner along the frontage. The applicant could also be required to add additional

landscaping within the parking lot, along the wall and along the west elevation. These items could all be worked out at a Staff level.

Mayor Antaramian said Staff must then make sure the short brick wall is installed, the parking and drainage issues are all addressed and the blue building razed, all prior to Occupancy of the building.

This suggestions was formed into a motion by Mr. Hegland and seconded by Ms. Faraone. The motion passed unanimously (10 ayes; 0 noes).

Mr. Labahn noted that this item will not return to the Commissioners, it will be at Staff level, unless there are other issues that cannot be resolved.

Conditions of Approval
Lakeshore Virginia Towers, 5710 4th Avenue

1. Compliance with the original Conditional Use Permit issued on August 12, 2005.
2. Forty-three (43) parking spaces shall be shown on site. Documentation shall be provided to the Department of City Development that twenty-two (22) more off-site, off-street spaces are being leased by the applicants per the Zoning Board of Appeals approval of December 16, 2004. All forty-three (43) spaces of required paved parking shall be provided prior to the issuance of any Occupancy permit.
3. A masonry wall shall be constructed behind the false windows on the west elevation, which abuts the property line, unless the west property line is moved a minimum of twenty-four (24') feet to the west. The Lot Line Adjustment survey shall be recorded prior to the issuance of any Occupancy permit with real windows on the west elevation.
4. Any additional changes to the building exterior shall be approved by the City Plan Commission prior to any changes occurring.
5. The parking lot shall be screened per Section 14 of the Zoning Ordinance.
6. On the west side of the building, the applicant shall install a short masonry wall, starting at the building and wrapping around the entire frontage of parking lot. The applicant must also landscape on west elevation along the building wall and parking lot. Plan details shall be submitted for Staff approval.
7. A detailed Drainage and Parking Lot Lighting Plan shall be submitted for review and approval for the entire west parking lot.
8. The entire west parking lot, as shown on the revised Site Plan on file with the Department of City Development, shall be reconstructed, paved, and have the lighting and masonry wall installed per the approved plans prior to the issuance of any Occupancy permit. All landscaping shall be installed prior to the issuance of a final Occupancy permit per the Zoning Ordinance.
9. The exterior of the building shall be completed prior to the issuance of any Occupancy permit.
10. The following changes shall be made to the parking within the building:
 - a. Stall 3 shall show the northern three (3') feet of the stall as no parking. The south end of Stalls 3 and 4 shall be extended three (3') feet. Stall 5 does not

comply with City ordinances and does not count toward the overall total.

b. Stalls 26 through 29 shall be combined from four spaces down to three. The three spaces shall comply with the Ordinance standards.

c. Stall 42 shall be labeled as a compact parking space.

11. Applicant shall complete the reconstruction and landscaping of the City owned parking south of the site per his Lease Agreement with the Transit Commission prior to the issuance of a final Occupancy permit.
12. Applicant shall resurface 4th Avenue per the Conditional Street Closing Agreement prior to the issuance of a final Occupancy permit.
13. The cultured stone and stain must compliment the existing color of the building and must be approved by Staff.

Mayor Antaramian was excused.

2. Conditional Use Permit for the placement of fill and excavation in the Floodplain Fringe Overlay District located north of 52nd Street and east of 88th Avenue, District #16. (First Industrial) PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

A motion was made by Ms. Faraone and seconded by Mr. Hegland to approve the Conditional Use Permit, subject to conditions. The motion passed (9 ayes; 0 noes).

First Industrial FFO Filing
North of 52nd Street and East of 88th Avenue

1. All areas to be removed from the Floodplain Fringe Overlay (FFO) must be filled to an elevation of two (2') feet above the floodplain.
 2. Applicant shall obtain all required approvals and permits from the Department of Natural Resources (DNR) prior to the issuance of any construction permits.
 3. A Certified as-built survey shall be provided to the Department of City Development for documentation and verification of final elevations prior to any floodplain map amendment occurring.
 4. Compliance with any City and State Codes and Ordinances.
 5. Any changes to the approved plans shall require an amendment to the approved Conditional Use Permit. All changes shall be submitted to the Department of City Development for review and approval.
 6. Applicant shall obtain an Erosion Control Permit from the Department of Neighborhood Services and Inspections.
- 3. Ordinance to repeal and recreate Sections 14.07 B.10 and 14.07 B.11 of the Zoning Ordinance for the City of Kenosha, Wisconsin regarding conformance of commercially and institutionally used buildings with design guidelines, and conformance of multi-family buildings with exterior building variation guidelines. PUBLIC HEARING**

Public hearing opened, no comments, public hearing closed.

A motion was made by Ms. Faraone and seconded by Mr. McCurdy to approve the Ordinance. The motion passed (9 ayes; 0 noes).

Mr. Hegland asked if metal roofing was addressed. Mr. Wilke said the requirements for metal roofing were detailed and are based on the Building Code.

4. To approve the Amendment to the *Comprehensive Outdoor Recreation Plan* relating to Hobbs Park - City Plan Commission Resolution #02-08, District #10. PUBLIC HEARING

Public hearing opened.

Art Strong, Parks Director, was available for questions.

A motion was made by Alderman Ruef and seconded by Ms. Faraone to approve the Amendment. The motion passed (9 ayes; 0 noes).

Mr. Lemens asked about the elimination of a sidewalk. Mr. Strong said this sidewalk was not constructed.

Ms. Barca noted she was glad to see the spray park feature, it is very popular.

Mayor Antaramian returned.

Mr. Mahone was excused.

5. Resolution to amend Resolution #128-07 for a two-lot Certified Survey Map for property located at 4717 5th Avenue, District #2. (Dikmen)

A motion was made by Mr. Hegland and seconded by Ms. Faraone to approve the Resolution.

Mr. McCurdy asked what the width of a new building would be on the new lot. Mr. Wilke said it could be approximately thirty-four (34') feet with the side yard setbacks.

Ms. Faraone was excused.

The motion passed (8 ayes; 0 noes)

Amendment to Resolution #128-08
For a Two-Lot Certified Survey Map
4717 Fifth Avenue (Dikmen)

1. Condition #4 of Resolution #128-07 be amended to read that the Certified Survey Map shall be null and void if not recorded within six (6) months of approval of this amendment by the Common Council.
 2. Condition #5 of Resolution #128-07 be amended to read that the owner will enter into an Agreement with the City prior to recording the Certified Survey Map, to remove the existing garage, which encroaches into the south alley, before a building permit is issued on Parcel #2 or within two (2) years from the date of this Resolution, whichever occurs first.
- 6. Warranty Deed to dedicate 88th Avenue right-of-way, District #16. (First Industrial)**

A motion was made by Mr. McCurdy and seconded by Mr. Hegland to approve the Warranty Deed. The motion passed (8 ayes; 0 noes).

7. Permanent Easement for roadway improvements at the Kenosha Regional Airport on 88th Avenue north of 52nd Street, District #16. (City of Kenosha)

A motion was made by Mr. McCurdy and seconded by Mr. Hegland to approve the Easement. The motion passed (8 ayes; 0 noes).

Mr. Mahone and Ms. Faraone returned.

8. Multi-Jurisdictional Comprehensive Plan for Kenosha County, Chapter 10, Part 4 - Housing Element. PUBLIC HEARING

Public hearing opened, no comments, public hearing closed.

A motion was made by Mr. Hegland and seconded by Mr. McCurdy to approve the chapter. The motion passed unanimously (10 ayes; 0 noes).

9. Public Comments

Claire Hiller said she is disappointed in the Commission. Why is the west wall any different from the other three sides? The applicant made changes without your approval and you should make him correct it.

10. Commissioner Comments

Mayor Antaramian presented a Plaque of Service to Alderman Michael Pitts, this is his last meeting and to Mr. Hegland, his last meeting will be April 24, 2008.

The Mayor thanked the Commission and Staff for their support and service.

Congratulatory remarks were made by Ms. Faraone, Alderman Ruef, Mr. Hegland, Alderman Pitts and Mr. Mahone.

11. Staff Comments

Mr. Schroeder updated the Commission on the KAT Final Plat, Developers Agreement and the Harborside Commons development.

Mr. Labahn and the Staff of City Development then presented a short video for Mayor Antaramian that outlined his accomplishments during his years of service.

A motion to adjourn was made by Mr. Hegland and seconded by Mayor Antaramian. The motion passed unanimously (10 ayes; 0 noes). The meeting adjourned at 7:03 p.m.

CITY PLAN COMMISSION

Minutes

April 24, 2008

MEMBERS PRESENT: Mayor Bosman, Alderman Holland, Alderman Moldenhauer, Alderman Ruef, Mike Lemens, Kathleen Barca, Anita Faraone, Paul Hegland, Art Landry and Bruce McCurdy

MEMBERS EXCUSED: Tim Mahone

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

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

The Mayor and Alderman Holland took the oath of office.

- 1. Petition to rezone property at 2508 52nd Street from M-2 Heavy Manufacturing to B-2 Community Business in conformance with Section 10.02 of the Zoning Ordinance, District #7. (Evans) PUBLIC HEARING**

Public hearing opened.

Anthony Rivera, 5120 62nd Street, Kenosha, is the owner and operator of the Sunset Grille. Mr. Rivera asked what the property would be used for. He has heard there may be production of a pet bird filtration system being produced on the property.

Terry Evans, 1033 115th Avenue, Pleasant Prairie, owner of the building was available for questions. Ms. Evans intends to have her sister live in the second floor apartment and use the first floor for storage. Ms. Evans noted that she only owns the patents for the bird cleaning system.

Stacy West Rivera, 5120 62nd Street, Kenosha, co-owner of the Sunset Grille stated the tavern will be conducting business as usual and warned the new owner the area was noisy and busy.

Public hearing closed.

Brian Wilke, Development Coordinator, showed a video of the property and noted the reason for the rezoning was to allow conversion of the second floor to living space.

Alderman Ruef asked about the use of gravel area in the rear of the building, should this be paved? Ms. Evans said this will be used for personal parking. Rich Schroeder, Assistant City Planner the lot must be paved if it is for five (5) or more vehicles per the Code of General Ordinances.

Mr. Hegland asked if the owner could have a business at this location. Mr. Schroeder said you could have a different use, but this would require an Occupancy Permit, which would trigger a parking lot permit.

Alderman Ruef is uncomfortable with this use in this location and would like to defer for two weeks to obtain information from the Department of Neighborhood Services and Inspections. Jeffrey B. Labahn, City Planner, noted that if the item is approved by the City Plan Commission today, there will be 30 days before the item is heard at the Common Council. This would allow time for research. Mr. Schroeder added that the property owner holds the patents only and asked the owner if any work or assembling would be conducted from this building. Ms. Evans said no.

A motion was made by Mr. Hegland and seconded by Ms. Barca to approve the rezoning. The motion passed (9 ayes; 1 no). *Alderman Ruef voted no.*

2. Petition to rezone properties located west of 30th Avenue and north of 85th Street from RM-1 and RM-2 Multiple-Family Residential, RM-3 Elderly and Handicapped Housing and B-2 Community Business to TRD-2 Traditional Multiple Family Residential and IP Institutional Park in conformance with section 10.02 of the Zoning Ordinance, District #14. (Tirabassi Investments) PUBLIC HEARING

Public hearing opened.

Mike Pitts, 8202 40th Street, Kenosha, gave a brief overview of the proposed project.

Tim Kindschi, HNTB, 11414 Park Place, Milwaukee, gave a presentation of the layout and building styles proposed for the development. This will be a self-contained neighborhood.

Carol McGinnis, 2808 85th Street, Kenosha, asked what will be in these buildings, businesses? shops? Industrial? What is the ingress and egress onto 30th Avenue? How tall are the apartment buildings? How many units in each building? Ms. McGinnis noted that traffic is already congested in this area.

Public hearing closed.

Mr. Wilke showed a video of the site and noted there are no proposed businesses. The one public road leading onto 30th Avenue is shown on the map. The specific density and building height is undetermined at this time, this is just a Concept Plan. Mr. Schroeder added that the developer will be back to present a Developers Agreement, Land Division and Conditional Use Permit at future meetings.

A motion was made by Ms. Barca and seconded by Mr. Hegland.

Ms. Barca complimented the developer on the proposed project.

Alderman Ruef asked if there was multi-family properties behind the Super Value store. Mr. Pitts said yes. Alderman Ruef asked if some the soil in the area was contaminated. Mr. Pitts said not that they are aware of.

Alderman Moldenhauer asked if the public streets were determined, but the secondary streets and the footprints of the buildings could change. Mr. Labahn said yes, the development will probably be done in phases.

The motion passed 10 ayes; 0 noes.

3. Amendment to the Corridor Land Use Plan for property located south of 38th Street and east of I-94 - City Plan Commission Resolution #03-08, District #16. PUBLIC

HEARING

A motion was made by Ms. Faraone and seconded by Mr. Hegland to take Items #3 and #4 together for public hearing. The motion passed unanimously (10 ayes; 0 noes).

4. Petition to rezone properties located south of 38th Street and east of I-94 from A-2 Agricultural Land Holding to M-2 Heavy Manufacturing in conformance with Section 10.02 of the Zoning Ordinance, District #16. (Gitzlaff/Mass) PUBLIC HEARING

Public hearing opened.

Ron Scott, Gordon Food Service, 333 50th Street, Grand Rapids, Michigan, gave an overview of the proposed project and Gordon Food Service. Scott Hicks, Rick Cox, James Gomochak, and Jason Bransteter, members of the development team, were available for questions.

Dan Menarek, 10819 38th Street, Kenosha, owns property at the northeast corner of this site and asked how far the truck entrance would be from the property line.

Todd Battle, Kenosha Area Business Alliance, 600 52nd Street, Kenosha, spoke in support of the project.

Lawrence Boyd, 7716 33rd Avenue, Kenosha, is the chairman of the Kenosha Regional Airport Commission. The Airport Commission opposes the project because the City is taking land that was designated for future expansion of the airport. The airport brings the City money from fuel sold and lease on the hangars.

Ed St. Peter, Kenosha Water Utility, said it is important for the City to get water and sewer to this area for future growth.

Public hearing closed.

Mr. Wilke showed a video of the site. Mr. Labahn noted there are two items that will be voted on, the Amendment to the *Corridor Land Use Plan* and the Rezoning of the land.

Mr. Schroeder noted that the 4th *WHEREAS* paragraph on the Resolution should be stricken. Mr. Schroeder also noted that there are two larger properties adjacent to the east that are possibly available for the airport to purchase and expand on. Mr. Schroeder said the Traffic Impact Analysis was recently submitted and is currently being reviewed by City staff.

Mr. Labahn noted that the Conditional Use Permit application and Developers Agreement will be coming for approval in about 45 days.

Alderman Holland said this development will be good for the community and the Airport does have the other potential properties that could be used for expansion.

Mr. Hegland said there are two properties involved, only one is on this amendment. Mr. Labahn said the Gitzlaff property adjacent to the west is already in the City and will retain its current land use classification. Mr. Hegland asked if the applicant considered the property west of the creek. Mr. Scott said this area is not large enough.

Ms. Faraone said we must consider the impact of this entire project. Ms. Faraone requests that City Staff attend the County Land Use Committee meeting when this item

is being reviewed. Ms. Faraone supports the project.

Alderman Moldenhauer asked if the airport would benefit from GFS at some point. Mr. Scott said GFS transports their product by truck.

Mr. McCurdy said the Airport Commission does not support this project. The Commission was not informed of the water lines going through the airport; they would like to see the Traffic Impact Analysis reviewed before the Conditional Use Permit is approved. The current road cannot handle this volume of traffic.

Mr. Landry asked if the Airport Director was contacted with this proposal. Mr. Labahn said the plans for this development were forwarded to the Airport Director the same as any other plans. Mr. St. Peter said there were a number of sites being considered for this development. When other sites were eliminated and two were left, more Staff were involved to answer pertinent questions, but no decisions were made. The Airport Director was contacted the same day it was determined the property near the airport was being considered. He was not excluded, but informed after some sites were eliminated.

Mr. Landry asked what plans the airport has to expand at this time. Mr. Boyd said there are no specific plans at this time. Possible plans would be for additional hangars. Mr. Landry said this development would bring jobs and revenue now. We would be holding the land for a "possible" future expansion, nothing definite. Mr. Landry supports the project, but does not want to see a City committee by-passed during the decision making process.

Alderman Holland said it would be good to have the utilities in place for future developments to the west. There will also be utilities available for hangar expansion at a lower cost.

Ms. Barca asked Staff to respond to Mr. Menarak's question on the distance from the development entrance to his property line. Mr. Schroeder said this is a Concept Plan at this point. The final location of the drive will be determined by the County, since Highway "N" is under their jurisdiction. At this time, the plans show approximately forty (40') feet. The property line will also be buffered and landscaped.

Alderman Ruef said he dislikes the metal material to be used on the building. Mr. Schroeder noted this material is necessary on the refrigerated portion of the building.

A motion was made by Mr. Hegland and seconded by Mr. Landry to approve Item #3, the *Corridor Land Use Plan Amendment*, with the deletion as noted by Mr. Schroeder. The motion passed (9 ayes; 1 no). *Mr. McCurdy voted no.*

A motion was made by Ms. Faraone and seconded by Mr. Hegland to approve Item #4, the rezoning. The motion passed unanimously (10 ayes; 0 noes).

5. Resolution to Create Tax Incremental District #13, City of Kenosha, Wisconsin, Under Section 66.1105(4)(gm), Wisconsin Statutes. PUBLIC HEARING

A motion was made by Mr. Hegland and seconded by Ms. Barca to take Items #5 and #6 together for public hearing purposes, then vote separately..

6. Resolution to Adopt a Project Plan for Tax Incremental District #13, City of Kenosha, Wisconsin, Under Section 66.1105(4)(g), Wisconsin Statutes. PUBLIC HEARING

Public hearing opened.

Zohrab Khaligian, Community Development Specialist, explained the boundaries have not changed. The section changes in the final project plan were noted.

Public hearing closed.

Mr. McCurdy asked if the water and sewer would be paid by the developer or by the City. Mr. Khaligian said the Kenosha Water Utility has agreed to pay.

A motion was made by Alderman Moldenhauer and seconded by Mr. Landry to approve Item #5, the creation of the boundaries. The motion passed unanimously (10 ayes; 0 noes).

A motion was made by Ms. Faraone and seconded by Mr. Hegland to approve Item #6, the plan. The motion passed unanimously (10 ayes; 0 noes).

7. Resolution approving the Final Plat for KAT Subdivision located north of 45th Street and east of 35th Avenue, District #10.

A motion was made by Ms. Faraone and seconded by Mr. Hegland to approve the Final Plat. The motion passed unanimously (10 ayes; 0 noes).

Conditions of Approval for the Final Plat of KAT Subdivision
Located North of 45th Street and East of 35th Avenue

1. Approval of the Plat by the State Department of Administration.
2. Payment of unpaid real estate taxes and special assessments on the parcel of real estate which is being divided prior to the recording of the Final Plat.
3. Applicant entering into a Subdivider's Agreement with the City of Kenosha and Kenosha Water Utility. The agreement shall be in a form drafted and approved by the City Attorney. Agreement shall determine responsibility and timeframes for the construction of all improvements required by the City and Utility and all other improvements proposed by applicant which will serve the subdivision. The Final Plat shall not be recorded and no building or structure shall be constructed or installed within the subdivision until a Subdivider's Agreement has been approved and executed.
4. Compliance with City and State codes and ordinances.
5. Payment of all applicable fees, including recording fees prior to recording of the plat. All required park fees shall be paid at the time of issuance of building permits per Chapter 35 of the Code of General Ordinances.
6. Final Drainage, Utility, Street Light and Street Tree Plans shall be submitted for review and approval.
7. Compliance with all the preceding conditions as prerequisite for authorizing the City Clerk and Mayor to sign the plat.
8. The Final Plat shall be submitted to the City Clerk for signature within the time required under Section 236.25(2)(b) of the State Statutes and 17.04 I.4 of the Code of General Ordinances or the plat shall be null and void.

8. Developers Agreement between the City of Kenosha, Kenosha Water Utility and Brookstone Homes Inc., for the KAT Subdivision located north of 45th Street and east of 35th Avenue, District #10.

A motion was made by Alderman Moldenhauer and seconded by Mr. McCurdy to approve the Developers Agreement. The motion passed unanimously (10 ayes; 0 noes).

9. Resolution to approve a two-lot Certified Survey Map for property on 50th Avenue north of 31st Street, District #5. (City of Kenosha/Deaton)

A motion was made by Mr. Hegland and seconded by Alderman Moldenhauer to approve the Certified Survey Map. The motion passed unanimously (10 ayes; 0 noes).

Conditions of Approval for a Two-Lot Certified Survey Map
Property located on 50th Avenue, north of 31st Street (City of Kenosha/Deaton)

1. Compliance with all applicable State and City codes and ordinances.
2. Payment of all applicable fees, including recording fees.
3. Payment of all taxes and special assessments prior to recording. The Owner shall provide the City Clerk-Treasurer, a certificate from the County Treasurer, stating that there are no past-due real estate taxes or special assessments on the parcel of real estate which is being divided.
4. Compliance with all the preceding conditions as a prerequisite for authorizing Mayor and City Clerk-Treasurer to sign the Certified Survey Map.
5. The Certified Survey Map shall be null and void if not recorded within six (6) months of approval by the Common Council.

10. Public Comments

Mr. St. Peter noted that the Kenosha Water Utility has not yet made the final determination of the route of the water and sewer. The Water Utility has agreed to waive the assessments to the airport. The sewer and water is not in the TID area.

Alderman Anthony Kennedy, 4223 29th Avenue, thanked the Commission for support on the KAT Final Plat and Developers Agreement, projects located in his district.

11. Commissioner Comments

Mr. McCurdy said he did not like that the Airport Director/Commission was slighted on the review of this project. Committee members volunteer time to be a part of these groups and then are excluded from projects that directly affect them. Mr. McCurdy also suggested the Commission review the I-94 Corridor. If the City has a plan established, we would have guidelines as this area grows and develops.

Mr. Lemens wanted to recognize Ken Kanyuh, a land survey in the Department of Public Works. Ken did a great job on the legal descriptions for the KAT items.

Mayor Bosman said he believes it is administration's responsibility to get the necessary people to the proper meeting, he will work on that. The I-94 Corridor Plan is already

being discussed. The City has met with the County regarding the reconstruction of CTH "N". A group of City representatives viewed the GFS facilities in Shepherdsville, KY.

12. Staff Comments

No Comments.

A motion to adjourn was made by Mr. Hegland and seconded by Mr. McCurdy. The motion passed unanimously (10 ayes; 0 noes). The meeting adjourned at 6:45 p.m.