Agenda
City Plan Commission Meeting
Municipal Building, 625 52nd Street – Room 202, Kenosha, WI
Thursday, September 19, 2019
5:00 pm

Mayor John Antaramian, Chairperson
Alderperson Dan Prozanski, Vice-Chairperson
Alderperson David Bogdala
Alderperson Jan Michalski
Commissioner Lydia Spottswood
Commissioner Charles Bradley
Commissioner Dennis Filippelli
Commissioner Veronica Flores
Commissioner Scott Haraty

Call to Order
Roll Call
Citizens Comments

Approval of the Minutes from the Meeting held September 5, 2019

1. Resolution by the Mayor – To Create Tax Incremental District #28, City of Kenosha, Wisconsin, Under Section 66.1105(4)(gm) Wisconsin Statutes. (Water) (District 16) PUBLIC HEARING

2. Resolution by the Mayor – Resolution to Adopt a Project Plan for Tax Incremental District #28, City of Kenosha, Wisconsin, under Section 66.1105(4)(f), Wisconsin Statutes (Water) (District 16) PUBLIC HEARING

3. Conditional Use Permit Amendment for a revised clubhouse to be located at 13002 71st Street (Springs at Kenosha Phase 2-Final Hearing) (District 16) PUBLIC HEARING

4. Conditional Use Permit Amendment for a 19,109 square foot hardware store to be located at 3505 80th Street (Ace Hardware-Final Hearing) (District 14) PUBLIC HEARING

5. Conditional Use Permit for a new fuel island canopy to be located at 4918 60th Street. (Ali Petroleum Canopy-Final Hearing) (District 11) PUBLIC HEARING

6. City Plan Commission Resolution – To Amend the Land Use Plan Map for the Comprehensive Plan for the City of Kenosha: 2035, regarding property at 1923 30th Avenue. (Arbor Holdings, LLC) (District 4) PUBLIC HEARING

7. Zoning Ordinance by the City Plan Commission to create subsection 18.02 bbbb. Of the Zoning Ordinance to amend the Land Use Plan Map for the City of Kenosha: 2035 (Arbor Holdings, LLC) (District 4) PUBLIC HEARING

8. To Rezone the Property Located at 1923 30th Avenue from A-2 Agricultural Land Holding District to RM-2 Multiple Family Residential District in Conformance with Section 10.02 of the Zoning Ordinance. (Arbor Holdings, LLC) (District 4) PUBLIC HEARING
9. Resolution by the Mayor to Amend the Official Map for the City of Kenosha, Wisconsin, to include the Attachment of 1923 30th Avenue, in the Town of Somers, Parcel # 80-4-222-241-0250, Kenosha County, Wisconsin, (in accordance with the approved City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes). (Arbor Holdings, LLC) (District 4) PUBLIC HEARING

10. Conditional Use Permit amendment for an addition to the existing distribution facility at 8100 60th Street (Associated Wholesale Grocers) (District 16) PUBLIC HEARING

11. Resolution by the Mayor to Amend the Official Map for the City of Kenosha, Wisconsin, to include the Attachment of 13620 75th Street, in the Village of Bristol, Kenosha County, Wisconsin, (in accordance with the approved City of Kenosha/Village of Bristol Cooperative Plan under Section 66.0307 of the Wisconsin Statutes). (Brown Revocable Trust/WI DOT) (District 16) PUBLIC HEARING

Commissioners’ Comments

IF YOU ARE DISABLED AND NEED ASSISTANCE, PLEASE CALL 653-4030 BY NOON OF THIS MEETING DATE TO MAKE ARRANGEMENTS FOR REASONABLE ON-SITE ACCOMMODATIONS.
The meeting was called to order at 5:32pm by Alderperson Dan Prozanski, roll call was taken.

Citizens Comments – No Citizen comments

A motion was made by Alderperson Michalski and seconded by Mr. Filippelli to approve the minutes from the meeting on August 22, 2019. The motion passed. (Ayes 6, Noes 0)

A motion was made to combine Items 1 & 2 by Alderperson Michalski and seconded by Mr. Filippelli. The motion passed. (Ayes 6, Noes 0)

Items read:

1. Zoning Ordinance by the City Plan Commission – To Rezone the property at 6410 88th Avenue from A-2 Agricultural Land Holding District to RS-1 Single Family Residential District (in Conformance with Section 10.02 of the Zoning Ordinance). (Pierangeli) (District 17) PUBLIC HEARING

2. Resolution by the Mayor to Amend the Official Map for the City of Kenosha, Wisconsin, to include the attachment of 6410 88th Avenue, (80-4-122-051-0030) in the Town of Somers, Kenosha County, Wisconsin, in Accordance with the Approved City of Kenosha/Town of Somers Cooperative plan under Section 66.0307 of the Wisconsin Statues (Pierangeli) District 17) PUBLIC HEARING

Public hearing was opened and closed.

A motion was made by Alderperson Michalski, seconded by Ms. Spottswood to approve Item #1 per staff recommendation. The motion passed. (Ayes 6, Noes 0)

A motion was made by Alderperson Michalski, seconded by Mr. Filippelli to approve Item #2 per staff recommendation. The motion passed. (Ayes 6, Noes 0)
3. Conditional Use Permit for a 24-unit multi-family development to be located north of 21st Street and east of 30th Avenue. (Sun Pointe Village Phase 3 – Final Hearing) (District 4) PUBLIC HEARING

Public hearing opened.

Craig Bartsch with Bear Development, 4011 80th Street, was available for questions.

Public hearing closed.

Ms. Spottswood asked if any modifications can be done? She feels it looks cookie cutter and does not see much differential between the buildings.

Mr. Bartsch said they are doing 2 different building types, along with shutters verses flower boxes to differentiate the building. The materials have not changed, color scheme has not changed.

Mr. Schroeder explained the building materials have not changed and were submitted at the first meeting. They have provided what was requested to staff and met the articulation ordinance the City has.

Mr. Labahn stated same standards are being applied. What they did not originally comply with was the roof line articulation. Plans have been revised to comply. Color scheme was in conformance.

A motion was made by Mr. Bradley, seconded by Mr. Filippelli to approve the Conditional Use Permit subject to conditions. The motion passed. (Ayes 6, Noes 0)

4. Conditional Use Permit Amendment for a 667 s.f. addition to the Falls at Pike Creek Clubhouse located at 6965 70th Court. (Falls of Pike Creek Clubhouse-Final Hearing) (District 16) PUBLIC HEARING

Public hearing opened.

Peter Bissen with Kahler Slater, 111 W. Wisconsin Ave., Milwaukee was available to answer any questions.

Alderperson Ruffalo, District 16, said he supports staff’s recommendation.

Public hearing closed.

Ms. Flores asked if any other landscaping was required?

Mr. Schroeder noted that no additional landscaping is required and we are not able to add any once the conditions are established.

A motion was made by Alderperson Michalski, seconded by Mr. Bradley to approve the Conditional Use Permit subject to conditions. The motion passed. (Ayes 6, Noes 0)
5. Conditional Use Permit for a 144-unit apartment complex to be located at the northeast corner of 50th Street and 52nd Avenue. (Fox Meadowview-Final Hearing) (District 10) PUBLIC HEARING

Public hearing opened.

Leah Teske, JLA Architects, 311 E. Chicago Ave., Milwaukee was available to answer questions and showed updated materials.

Ms. Teske said they added a variation to materials, rotated the building, different roof lines, altered porches, balcony's, colors and accents. Three color schemes have different styles in each scheme and 1 scheme added stone to differentiate from other buildings. The amenities added were the fire pit, walking trail, picnic pavilion and fitness circuit.

Mark Eberle, Engineer 1458 Horizon Boulevard, Racine said that they now show a private road.

Public hearing closed.

Ms. Spottswood asked staff about analysis point 5. This is the final hearing and staff is recommending more items. If we approve this is the developer going to come back with more? Did they meet condition 5?

Mr. Schroeder noted under conditions 2g the changes are for staff approval.

Mr. Labahn went over the process.

A motion was made by Mr. Filippelli second by Mr. Bradley to approve the Conditional Use Permit subject to conditions. The motion passed. (Ayes 6, Noes 0)

6. Conditional Use Permit for a facade renovation at the Southport Plaza Unified Business Center located at 7150 Green Bay Road.(Party City-Final Hearing)(District 16) PUBLIC HEARING

Public hearing opened.

Adam Stein, Logic Design Architecture, 802 N. 109th Street, Milwaukee, was available to answer questions.

Alderperson Ruffalo, District 16, supports staff’s recommendation.

Public hearing closed.

Alderperson Michalski stated the bigger sign is not going to bring anymore traffic to the plaza. The old sign is just as visible.

Mr. Stein said it is all about the brand recognition and getting a lease renewal with Party City. The owners want to keep occupancy in mall as high as they can. The building has established tenants and what is happening is as we invest money into each tenant space that portion is getting refreshed and updated.
Mr. Bradley said the bigger sign would make it more visible and should be allowed. We can’t compare this to other malls and there different developers who have met the requirements.

Ms. Spottswood feels it is no longer a unified center with all the changes and this is bringing the value down.

Ms. Flores feels it will complement and they need their own identity.

Mr. Filippelli said that the City of Madison has many variations of malls – every business has its own identity.

Alderperson Prozanski asked staff if this is final approval? What happens if we said no?

Mr. Labahn said he would feel that if the Commission would vote no that the applicant would appeal.

Alderperson Prozanski stated we need to set the conditions the 1st time when it is brought before us.

A motion was made by Mr. Filippelli second by Mr. Bradley to approve the Conditional Use Permit subject to the conditions. The motion passed. (Ayes 4, Noes 2) (Noes, Ms. Spottswood and Alderperson Michalski)

7. Conditional Use Permit Amendment for a 5,272 s.f. restaurant with a drive-thru to be located at 11811 29th Street. (Culver’s-Final Hearing) (District 16) PUBLIC HEARING

Public hearing opened.

Chris McGuire, McCON Building Corporation, 1059 Circle Drive, Highland, WI. Mr. McGuire was available to answer any questions.

Alderperson Ruffalo – supports the project.

Public hearing closed.

A motion was made by Alderperson Michalski second by Mr. Bradley to approve the Conditional Use Permit subject to conditions. The motion passed. (Ayes 6, Noes 0)

8. Conditional Use Permit for a new communication tower to be located at 1815 Birch Road. (US Cellular/Watring-Final Hearing)(District 1) PUBLIC HEARING

Public hearing opened.

Richard Rogers, N70 W729 Ridge Road, Cedarburg was available to answer any questions.

Public hearing closed.
Alderperson Michalski noted that for cell towers the state legislation sets the conditions.

Mr. Labahn would concur with that statement.

Ms. Spottswood wants to make sure tax payers are not responsible to pay for demolition in the future.

Mr. Schroeder explained condition 2b.

A motion was made by Ms. Spottswood second by Mr. Bradley to approve the Conditional Use Permit subject to conditions. The motion passed. (Ayes 6, Noes 0)

9. Conditional Use Permit Amendment for a revised drive-thru at 7530 Pershing Boulevard. (McDonalds-Initial Hearing) (District 14) PUBLIC HEARING

Public hearing opened.

Tim Crawley, Peter Schwabe, Inc., 13890 Bishop Drive, Brookfield was available to answer any questions.

Public hearing closed.

Alderperson Michalski stated he prefers having an outdoor eating area.

Alderperson Prozanski Alderperson of the district believes the outdoor eating area is under utilized and the revised drive-thru would be best.

A motion was made by Ms. Spottswood second by Alderperson Michalski to approve the staff recommendation. The motion passed. (Ayes 6, Noes 0)

10. Conditional Use Permit for an 8,300 square foot addition to a truck repair facility to be located at 5670 Green Bay Road. (Dejno’s-Initial Hearing) (District 16) PUBLIC HEARING

Public hearing opened.

Larry Dejno, 7900 Cooper Road, explained what happened with the buildings and was available to answer any questions.

Alderperson Ruffalo has never had any problems with this business.

Public hearing closed.

A motion was made by Ms. Spottswood second by Alderperson Michalski to approve per staff recommendation. The motion passed. (Ayes 6, Noes 0)
11. Resolution by the Mayor to Amend the Official Map for the City of Kenosha, Wisconsin, to include the Attachment of 3100 120th Avenue, Town of Paris, 3016 W. Frontage Road, Town of Paris, 3010 W. Frontage Road, Town of Paris (45-4-221-251-0105, 45-4-221-244-0455, 45-4-221-244-0450) in the Town of Paris, Kenosha County, Wisconsin, (in accordance with the approved City of Kenosha/Village of Somers/Town of Paris Cooperative Plan under Section 66.0307 of the Wisconsin Statutes). (Route 142 LLC/State of Wisconsin) (District 16) PUBLIC HEARING

Public hearing opened.

Alderman Ruffalo stated he supports this.

Public hearing closed.

A motion was made by Alderman Michalski second by Mr. Bradley to approve. The motion passed. (Ayes 6, Noes 0)

Commissioners Comments – No Commissioners Comments

A motion to adjourn was made by Alderman Michalski and seconded by Mr. Filippelli. The motion passed. (Ayes 6, Noes 0) The meeting adjourned at 6:40pm.

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

Jeffrey B. Labahn, Director of Community Development & Inspections

Meeting Minutes Prepared by: Laurie Bauman, Community Development & Inspections
Resolution by the Mayor – To Create Tax Incremental District #28, City of Kenosha, Wisconsin, Under Section 66.1105(4)(gm) Wisconsin Statutes. (Water) (District 16) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Aldergperson Ruffalo, District 16, has been notified. A Class II Notice, as required by Wisconsin Statute 66.1105, announcing this hearing was published in the Kenosha News on August 30 & September 6, 2019.

LOCATION AND ANALYSIS:

Area generally bounded by Burlington Road on the north, 120th Avenue on the east, 38th Street on the South and 128th Avenue on the west.

A Tax Incremental District (TID) has been proposed for adoption. A TID allows a local government to capture new taxes that are generated from private development to fund improvements. The new taxes are used to recover the costs of the improvements including the cost of borrowing.

The attached resolution designates the boundaries and creates TID #28.

The main objective of the TID is to promote industrial development in the district. Project costs include construction of a second public water main and related infrastructure improvements which will bring the fire flow to the required industrial standards in the district, and public administrative, legal and other costs.

RECOMMENDATION:

A recommendation is made to designate the boundaries and approve the creation of TID #28.

Zohrab Khaligian, Community Dev Specialist

Jeffrey B. Labarre, AICP, Director
RESOLUTION NO. ________

BY: THE MAYOR

TO CREATE
TAX INCREMENTAL DISTRICT #28, 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 (TID); and

WHEREAS, a public hearing was properly noticed and held by the City Plan Commission on September 19, 2019, wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of TID #28 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 TID #28, City of Kenosha, Wisconsin (the "District"), the boundaries of which shown on Exhibit "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 District to promote industrial development in the City of Kenosha to be in the public interest and for a proper public purpose.

2. Accepts and adopts as the district boundaries those boundaries specifically defined in Exhibit "A" and "B", which are attached hereto and incorporated herein by reference, which boundaries generally lie within the City of Kenosha between Burlington Road and 38th Street and between 120th Avenue and 128th Avenue. The district boundaries include only those whole units of property as are assessed for general property tax purposes.

3. Assigns to the District the name "Tax Incremental District #28, City of Kenosha, Wisconsin".

4. Finds that not less than fifty (50%) percent by area of the real property within the District is suitable for "industrial sites" within the meaning of Section 66.1101, Wisconsin Statutes and has been zoned for industrial uses.

5. 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,

6. Finds that the project costs relate directly to promoting industrial development within the District consistent with the purpose for which the District was created.

7. Finds that the equalized value of taxable property of the District plus the value increment of all existing tax incremental districts does not exceed twelve (12%) percent of the total equalized value of taxable property within the City of Kenosha, Wisconsin.
8. Confirms that the real property within the District that has been found suitable for industrial sites and has been zoned for industrial use will remain zoned for industrial use for the life of the District.

9. Finds that the percentage of territory in the District that will be devoted to retail business is less than 35%.

10. Finds that the Project Plan for TID #28, City of Kenosha, Wisconsin, is feasible and in conformity with the Master Plan of the City of Kenosha, as amended.

11. Declares that the District is an industrial district.

BE IT FURTHER RESOLVED that TID #28 is created effective January 1, 2020, upon passage and publication of this Resolution and review and approval of this Resolution by the City of Kenosha Joint Review Board #2 under Section 66.1105(4m), Wisconsin Statutes.

Adopted this 7th day of October, 2019.

ATTEST:

Debra Salas, City Clerk

APPROVED:

John M. Antaramian, Mayor

Drafted by: Department of Community Development & Inspections
City of Kenosha

Tax Incremental District #28
for the City of Kenosha

Boundary and Parcel Map

Exhibit "A"

TID #28

(101) Block Number
-101 Parcel Number

DCDI - Community Development Division - JBL - 2K - August 13, 2010 - nc
EXHIBIT "B"

Tax Incremental District Number #28

Boundary Description

A part of the Southeast Quarter of Section 24 and the Northeast and Northwest Quarters of Section 25, Town 2 North, Range 21 East and the Northwest Quarter of Section 30 and the southwest Quarter of Section 19, Town 2 North, Range 22 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Kenosha County, Wisconsin and being more particularly described as follows:

Commencing at the northeast corner of Certified Survey Map #2808, a Certified Survey Map of record and on file in the Kenosha County land registry as document #1769050 thence S01°45'22" E along the west line of said Certified Survey Map, which line is also the west line of said Southeast Quarter, a distance of 2416.41 feet to the southwest corner of said Southeast Quarter, which is also the northwest corner of said Northeast Quarter; thence S01°33'48"E along the west line of said Northeast Quarter, which is also the west line of 268th Avenue, 2150.04 feet to an angle point; thence S13°7'37"W along said west right-of-way line a distance of 190.52 feet; thence S1°22'31"E along said right-of-way line a distance of 207.70 feet; thence S88°50'32"W along said right-of-way line a distance of 73.72 feet; thence S1°27'23"E along said right-of-way line and its southerly extension a distance of 137.30 feet, more or less, to the south right-of-way line of 36th Street; thence N89°20'44"E along said south right-of-way line a distance of 80.33 feet, more or less, to the west line of the Southeast Quarter of said Section 25; thence N89°23'53"E along said south right-of-way line a distance of 2210.37 feet, more or less; thence S0°36'57"E along said south right-of-way line a distance of 77.00 feet, thence N89°23'3"E along said south right-of-way line a distance of 110.00 feet; thence N0°36'57"W along said south right-of-way line a distance of 27.00 feet; thence N89°23'3"E along said south right-of-way line a distance of 110.00 feet; thence N0°36'57"W along said south right-of-way line a distance of 27.00 feet; thence N89°23'3"E along said south right-of-way line a distance of 96.55 feet; thence S0°36'57"E along said south right-of-way line a distance of 17.00 feet; thence N89°23'3"E along said south right-of-way line and its easterly extension of a distance of 236.50 feet, more or less, to the southerly extension of the east line of lot A of Certified Survey Map #1438, a Certified Survey Map of record and on file in the Kenosha County land registry as document #890176, which line is also the west right-of-way line of 120 Avenue, a distance of 430.19 feet, more or less; thence N88°27'52"E along said west right-of-way line a distance of 7.75 feet; thence N1°34'8"W along said west right-of-way line a distance of 142.88 feet; thence N89°23'3"E along said west right-of-way line a distance of 10.00 feet; thence N1°34'8"E along said west right-of-way line a distance of 457.50 feet; thence N32°28'32"W along said west right-of-way line a distance of 30.00 feet; thence N1°34'8"W along said west right-of-way line a distance of 37.23 feet; thence northwesterly along said west right-of-way line 545.70 along the arc of a curve to the left which is concave westerly, has a radius of 1030.00 feet, and has a chord which bears N16°41'50"W a distance of 539.34 feet; thence N39°17'25"W along said west right-of-way line a distance of 12.78 feet, more or less, to a point where said 120 Avenue becomes West Frontage Road; thence N43°32'53"E along the west right-of-way line of said 120 Avenue and its southerly extension of a distance of 415.85 feet, more or less, to the west right-of-way line of Interstate Highway 94; thence N2°34'3"W along said right-of-way line a distance of 825.55 feet, more or less, to the south line of the west frontage road referred to as Paris Parkway; thence N89°54'38"W along the south line of the so-called Paris Parkway to the east line of the Southeast Quarter of said Section 24, which line is also the municipal boundary of the City of Kenosha; thence S1°42'50"E along said east line and said municipal boundary a distance of 88.28 feet, more or less, to the north line of the Northeast Quarter of said Section 25; thence S1°34'8"E along said municipal boundary and the east line of said Northeast Quarter a distance of 132 feet, more or less; thence S89°30'24"W along said municipal boundary a distance of 634.68 feet to the east right-of-way line of West Frontage Road; thence N57°3'45"W along said municipal boundary a distance of 239.55 feet to the west right-of-way line of West Frontage Road and the north line of said Section 25; thence N89°30'24"E along said municipal boundary and said north line a distance of 86.06 feet to the centerline of West Frontage Road, thence northeasterly along said municipal boundary and said centerline 228.66 feet along the arc of a curve to the right which is concave easterly, has a radius of 1300.00 feet, and a chord which bears N8°45'8"W a distance of 228.36 feet; thence N1°42'49"W along said municipal boundary and said centerline a distance of 832.32 feet; thence northerly along said municipal boundary and said centerline a distance of 587.19 feet along the arc of a curve to the right which is concave easterly, has a radius of 1200.00 feet and a chord which bears N12°18'3"E a distance of 581.35 feet; thence N26°20'8"E along said municipal boundary and said centerline a distance of 26.13 feet to the centerline of State Trunk Highway 142, also known as Burlington Road; thence N61°16'58"W along said municipal boundary and said centerline a distance of 425.46 feet; thence northwesterly along said municipal boundary and said centerline a distance of 1799.98 feet along the arc of a curve to the left which is concave southerly, has a radius of 8000 feet and a chord which bears N70°35'22"W a distance of 1795.81 feet, to the west line of the Southeast Quarter of said Section 24; thence S1°52'22"E along said municipal boundary and said west line a distance of 71.65 feet to the Point of Beginning; said Tax Incremental Financing District containing 257.31 Acres of land, more or less.
Resolution by the Mayor – Resolution to Adopt a Project Plan for Tax Incremental District #28, City of Kenosha, Wisconsin, under Section 66.1105(4)(f), Wisconsin Statutes (Water) (District 16) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderman Ruffalo, District 16, has been notified. A Class II Notice, as required by Wisconsin Statute 66.1105, announcing this hearing was published in the Kenosha News on August 30 & September 6, 2019.

LOCATION AND ANALYSIS:

Area generally bounded by Burlington Road on the north, 120th Avenue on the east, 38th Street on the South and 128th Avenue on the west.

The attached resolution adopts the project plan for TID #28. The full project plan is also attached.

The main objective of the TID is to promote industrial development in the district. Project costs include construction of a second public water main and related infrastructure improvements which will bring the fire flow to the required industrial standards in the district, and public administrative, legal and other costs.

The total estimated project cost for TID #28 is $2,175,000, of which $2,000,000 is for construction of a second public water main and related infrastructure improvements and $175,000 is for public administrative, legal and other costs which include, but is not limited to, creation of the district, issuing G.O. Promissory Notes, capitalized interest, and any other activities associated with the creation of the district and preparation of the project plan.

RECOMMENDATION:

A recommendation is made to adopt the Resolution Project Plan for TID #28.

Zohrab Khaligian, Community Dev Specialist

Jeffrey B. Labahn, MCP, Director
CITY PLAN COMMISSION RESOLUTION NO. ________

By: City Plan Commission

TO ADOPT A PROJECT PLAN FOR
TAX INCREMENTAL DISTRICT #28, CITY OF KENOSHA, WISCONSIN,
UNDER SECTION 66.1105(4)(f), WISCONSIN STATUTES

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

WHEREAS, the Project Plan for TID #28, 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 September 19, 2019, 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 TID #28, City of Kenosha, Wisconsin; and

WHEREAS, the TID #28 Project Plan is feasible and in conformity with the Master Plan of the City of Kenosha, Wisconsin, as amended.

NOW, THEREFORE, BE IT RESOLVED, by the City Plan Commission that it:

1. Recommends that the boundaries of TID #28 be as shown in the Project Plan for TID #28.

2. Finds the Project Plan for TID #28, City of Kenosha, Wisconsin, is feasible and in conformity with the Master Plan of the City of Kenosha, Wisconsin, as amended.

3. Adopts the Project Plan for TID #28, City of Kenosha, Wisconsin.

4. Recommends that the Common Council of the City of Kenosha, Wisconsin also adopt the Project Plan for TID #28, City of Kenosha, Wisconsin.

Adopted this 19th day of September, 2019.

ATTEST:

Jeffrey B. Labahn, Secretary of the City Plan Commission

APPROVED:

John M. Antaramian, Chairman of the City Plan Commission

Drafted by: Department of Community Development & Inspections
Proposed Project Plan for
Tax Incremental District #28

For Consideration by the Common Council
on October 7, 2019
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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
CITY PLAN COMMISSION RESOLUTION NO. ________

By: City Plan Commission

TO ADOPT A PROJECT PLAN FOR
TAX INCREMENTAL DISTRICT #28, CITY OF KENOSHA, WISCONSIN,
UNDER SECTION 66.1105(4)(f), WISCONSIN STATUTES

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

WHEREAS, the Project Plan for TID #28, 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 September 19, 2019, 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 TID #28, City of Kenosha, Wisconsin; and

WHEREAS, the TID #28 Project Plan is feasible and in conformity with the Master Plan of the City of Kenosha, Wisconsin, as amended.

NOW, THEREFORE, BE IT RESOLVED, by the City Plan Commission that it:

1. Recommends that the boundaries of TID #28 be as shown in the Project Plan for TID #28.

2. Finds the Project Plan for TID #28, City of Kenosha, Wisconsin, is feasible and in conformity with the Master Plan of the City of Kenosha, Wisconsin, as amended.

3. Adopts the Project Plan for TID #28, City of Kenosha, Wisconsin.

4. Recommends that the Common Council of the City of Kenosha, Wisconsin also adopt the Project Plan for TID #28, City of Kenosha, Wisconsin.

Adopted this 19th day of September, 2019.

ATTEST: ____________________________________________
Jeffrey B. Labahn, Secretary of the City Plan Commission

APPROVED: _________________________________________
John M. Antaramian, Chairman of the City Plan Commission

Drafted by: Department of Community Development & Inspections
RESOLUTION NO. ________

BY: THE MAYOR

TO CREATE
TAX INCREMENTAL DISTRICT #28, 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 (TID); and

WHEREAS, a public hearing was properly noticed and held by the City Plan Commission on September 19, 2019, wherein interested parties were afforded a reasonable opportunity to express their views on the proposed creation of TID #28 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 TID #28, City of Kenosha, Wisconsin (the “District”), the boundaries of which shown on Exhibit “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 District to promote industrial development in the City of Kenosha to be in the public interest and for a proper public purpose.

2. Accepts and adopts as the district boundaries those boundaries specifically defined in Exhibit “A” and “B”, which are attached hereto and incorporated herein by reference, which boundaries generally lie within the City of Kenosha between Burlington Road and 38th Street and between 120th Avenue and 128th Avenue. The district boundaries include only those whole units of property as are assessed for general property tax purposes.

3. Assigns to the District the name “Tax Incremental District #28, City of Kenosha, Wisconsin”.

4. Finds that not less than fifty (50%) percent by area of the real property within the District is suitable for “industrial sites” within the meaning of Section 66.1101, Wisconsin Statutes and has been zoned for industrial uses.

5. 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,

6. Finds that the project costs relate directly to promoting industrial development within the District consistent with the purpose for which the District was created.

7. Finds that the equalized value of taxable property of the District plus the value increment of all existing tax incremental districts does not exceed twelve (12%) percent of the total equalized value of taxable property within the City of Kenosha, Wisconsin.
8. Confirms that the real property within the District that has been found suitable for industrial sites and has been zoned for industrial use will remain zoned for industrial use for the life of the District.

9. Finds that the percentage of territory in the District that will be devoted to retail business is less than 35%.

10. Finds that the Project Plan for TID #28, City of Kenosha, Wisconsin, is feasible and in conformity with the Master Plan of the City of Kenosha, as amended.

11. Declares that the District is an industrial district.

BE IT FURTHER RESOLVED that TID #28 is created effective January 1, 2020, upon passage and publication of this Resolution and review and approval of this Resolution by the City of Kenosha Joint Review Board #2 under Section 66.1105(4m), Wisconsin Statutes.

Adopted this 7th day of October, 2019.

ATTEST:

Debra Salas, City Clerk

APPROVED:

John M. Antaramian, Mayor

Drafted by: Department of Community Development & Inspections
City of Kenosha

Tax Incremental District #28
for the City of Kenosha

Boundary and Parcel Map

Exhibit "A"

TID #28
101 Block Number
-101 Parcel Number

DCCD - Community Development Division - JBL - ZK - August 13, 2019 - nc
Tax Incremental District Number #28

Boundary Description

A part of the Southeast Quarter of Section 24 and the Northeast and Northwest Quarters of Section 25, Town 2 North, Range 21 East and the Northwest Quarter of Section 30 and the southwest Quarter of Section 19, Town 2 North, Range 22 East of the Fourth Principal Meridian lying and being in the City of Kenosha, Kenosha County, Wisconsin and being more particularly described as follows:

Commencing at the northeast corner of Certified Survey Map #2869, a Certified Survey Map of record and on file in the Kenosha County land registry as document #1769050 thence S01°52'22"E along the west line of said Certified Survey Map, which line is also the west line of said Southeast Quarter, a distance of 2416.41 feet to the southwest corner of said Southeast Quarter, which is also the northwest corner of said Northeast Quarter, thence S01°33'48"E along the west line of said Northeast Quarter, which is also the west line of 128th Avenue, 2150.04 feet to an angle point; thence S13°7'37"W along said west right-of-way line a distance of 190.52 feet; thence S1°22'31"E along said right-of-way line a distance of 207.70 feet; thence S88°50'32"W along said right-of-way line a distance of 30.72 feet; thence S1°27'29"E along said right-of-way line and its southerly extension a distance of 137.30 feet, more or less, to the south right-of-way line of 38th Street; thence N89°20'4"E along said south right-of-way line a distance of 80.33 feet, more or less, to the west line of the Southeast Quarter of said Section 25; thence N89°23'3"E along said south right-of-way line a distance of 2,210.37 feet, more or less; thence S0°36'57"E along said south right-of-way line a distance of 27.00 feet, thence N89°23'3"E along said south right-of-way line a distance of 110.00 feet; thence N0°36'57"W along said south right-of-way line a distance of 27.00 feet; thence N89°23'3"E along said south right-of-way line a distance of 80.56 feet; thence S0°36'57"E along said south right-of-way line a distance of 17.00 feet; thence N89°23'3"E along said south right-of-way line and its southerly extension a distance of 236.50 feet, more or less, to the southerly extension of the east line of Lot A of Certified Survey Map #1438, a Certified Survey Map of record and on file in the Kenosha County land registry as document #860176, which line is also the west right-of-way line of 120th Avenue, a distance of 430.19 feet, more or less; thence N88°27'52"E along said west right-of-way line a distance of 7.75 feet; thence N1°34'8"W along said west right-of-way line a distance of 142.98 feet; thence N89°23'3"E along said west right-of-way line a distance of 10.00 feet; thence N1°34'8"E along said west right-of-way line a distance of 457.50 feet; thence N32°26'32"W along said west right-of-way line a distance of 30.00 feet; thence N1°34'8"W along said west right-of-way line a distance of 37.23 feet; thence northwesterly along said west right-of-way line 545.70 along the arc of a curve to the left which is concave westerly, has a radius of 5030.00 feet, and has a chord which bears N106°41'50"W a distance of 539.34 feet; thence N39°17'25"W along said west right-of-way line a distance of 12.78 feet, more or less, to a point where said 120th Avenue becomes West Frontage Road; thence N43°32'53"E along the west right-of-way line of said 120th Avenue and its southerly extension a distance of 317.85 feet, more or less, to the west right-of-way line of Interstate Highway 94; thence N2°46'17"W along said right-of-way line a distance of 325.55 feet, more or less, to the south line of the west frontage road referred to as Parkside Parkway thence N89°26'34"W along the line of the so-called Parkside Parkway and the east line of the southeast Quarter of said Section 24, which line is also the municipal boundary of the City of Kenosha; thence S1°42'50"E along said east line and said municipal boundary a distance of 88.28 feet, more or less, to the north line of the Northeast Quarter of said Section 25; thence S1°34'8"E along said municipal boundary and the east line of said Northeast Quarter a distance of 132.00 feet, more or less; thence S9°30'24"W along said municipal boundary a distance of 634.68 feet to the east right-of-way line of West Frontage Road; thence N5°0°35'45"W along said municipal boundary a distance of 239.55 feet to the west right-of-way line of West Frontage Road and the north line of said Section 25; thence N6°30'24"E along said municipal boundary and said north line a distance of 86.06 feet to the centerline of West Frontage Road, thence northerly along said municipal boundary and said centerline 228.66 feet along the arc of a curve to the right which is concave easterly, has a radius of 1300.00 feet, and a chord which bears N6°45'8"W a distance of 228.36 feet; thence N1°42'49"W along said municipal boundary and said centerline a distance of 587.19 feet along the arc of a curve to the right which is concave easterly, has a radius of 1200.00 feet and a chord which bears N12°18'3"E a distance of 581.35 feet; thence N26°20'8"E along said municipal boundary and said centerline a distance of 26.13 feet to the centerline of State Trunk Highway 142, also known as Burlington Road; thence N61°16'58"W along said municipal boundary and said centerline a distance of 425.46 feet; thence northwestly along said municipal boundary and said centerline a distance of 1799.98 feet along the arc of a curve to the left which is concave southerly, has a radius of 8000 feet and a chord which bears N70°35'22"W a distance of 1795.81 feet, to the west line of the Southeast Quarter of said Section 24; thence S1°52'22"E along said municipal boundary and said west line a distance of 71.65 feet to the Point of Beginning; said Tax Incremental Financing District containing 257.31 Acres of land, more or less.
RESOLUTION NO. ________

BY: THE MAYOR

TO ADOPT A PROJECT PLAN
FOR TAX INCREMENTAL DISTRICT #28, 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 (TID); and

WHEREAS, the Project Plan for TID #28, 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 September 19, 2019, 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 TID #28, City of Kenosha, Wisconsin; and

WHEREAS, the City Plan Commission, on September 19, 2019, at a duly authorized, noticed and convened meeting, adopted the Project Plan for TID #28, City of Kenosha, Wisconsin, under Section 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 TID #28, City of Kenosha, Wisconsin, is found to be feasible and in conformity with the Master Plan of the City of Kenosha, Wisconsin, as amended; and

BE IT FURTHER RESOLVED, that the Project Plan for TID #28, 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 7th day of October, 2019.

ATTEST:

__________________________________________
Debra Salas, City Clerk

APPROVED: _________________________________

John M. Antaramian, Mayor

Drafted by: Department of Community Development & Inspections
RESOLUTION NO. 19-2

BY: CITY OF KENOSHA STANDING JOINT REVIEW BOARD #2

TO APPROVE THE CREATION OF
TAX INCREMENTAL DISTRICT #28, CITY OF KENOSHA, WISCONSIN

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

WHEREAS, the City of Kenosha Standing Joint Review Board #2 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 Section 66.1105(4)(gm), Wisconsin Statutes, relating to the creation of TID #28 (the "District"); and,

WHEREAS, the City of Kenosha Standing Joint Review Board #2 has completed its review.

NOW, THEREFORE, BE IT RESOLVED by the City of Kenosha, Wisconsin Standing Joint Review Board #2, that it approves Resolution Number _______ adopted on October 7, 2019, 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 District would not occur without the creation of the District and the use of tax incremental financing.

2. That the economic benefits of the 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 District outweigh the anticipated loss in tax increments to be paid by the owners of property in the overlying taxing districts.

4. That, in its judgment, the development described in the Project Plan would not occur without the Project Plan.

Adopted this _____ day of ____________, 2019

ATTEST: __________________________, Staff

APPROVED: _________________________, Chairperson

Drafted by: Department of Community Development & Inspections
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 – Construction of public water main and related infrastructure improvements within and outside the District. See attached Public Improvements Map for location of all improvements.

Per Section 66.1105(2)(f)1.k., Wisconsin Statutes, the water main and related infrastructure improvements, which includes extending a second water main outside the District to connect to an existing water main inside the District, are eligible project costs because they are necessitated by the requirement to bring the fire flow to industrial standards in the District. Work to begin in 2019 and be completed by 2021.

Public administrative, legal and related costs include the creation of the District, issuing the G.O. Promissory Notes, capitalized interest, and any other activities associated with the creation of the District and preparation of the project plan.

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<th>Description of Project Costs</th>
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<th>2021</th>
<th>Total</th>
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<th>Costs to be Recovered by TID</th>
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<td>2. Financing costs</td>
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<td>$2,387,000</td>
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**City of Kenosha, Wisconsin**

$2,175,000.00 - General Obligation Debt, Series 2020 - 4/01/2020

(TID#28 Project)

**Sources & Uses**

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**Sources Of Funds**

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**Total Sources**

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**Uses Of Funds**

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<td>Costs of Issuance</td>
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**Total Uses**

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<td>$2,175,000.00</td>
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City of Kenosha, Wisconsin
$2,175,000.00 - General Obligation Debt, Series 2020 - 4/01/2020

(TID/#28 Project)

Debt Service Schedule -- Accrual Basis

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<th>Coupon</th>
<th>Interest</th>
<th>Total Paid</th>
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Yield Statistics

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<td>Average Coupon</td>
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<td>Net Interest Cost (NIC)</td>
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<td>True Interest Cost (TIC)</td>
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<td>Bond Yield for Ad Valorem Purposes</td>
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IRS Form 8038

<p>| Net Interest Cost | 4.00000000% |
| Weighted Average Maturity | 2.437 Years |</p>
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<th>Value of Collection Year</th>
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<th>Capitalized Interest</th>
<th>Total All Revenues 3/31/2021</th>
<th>Balance 1/1/2021</th>
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Note: The values are estimated based on the latest available tax data and other sources.

Prepared by AJovey Advisors - 2/22/2019
CHANGES IN ZONING ORDINANCE, MASTER PLAN, MAP, BUILDING CODE AND CITY ORDINANCES

No changes to the City of Kenosha Zoning Ordinance, Master Plan, Map, 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, as amended September 4, 2019. 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, as amended September 4, 2019, the creation of this Tax Incremental District promotes the orderly development of the City by eliminating blight and encouraging development that will increase the number and variety of employment opportunities and diversity the economic mix of businesses.

12% LIMIT CALCULATION

The estimated equalized base value of TID 28 is $111,341,900. Adding this base value to the City's 2019 TID Value Increment of $791,419,700 equals $902,761,600, which when divided by the City's 2019 Total Equalized Value of $7,280,422,000 equals 12.4%. In order to stay below the City's 12% limit, the City will dissolve TID 1 (City Industrial Park), which has a 2019 TID Value Increment of $76,392,600, by September 16, 2019. Doing so reduces the City's 2019 TID Value Increment to $826,369,090, which when divided by the City's 2019 Total Equalized Value of $7,280,422,000 equals 11.4%.
OPINION OF THE CITY ATTORNEY
(to be provided)
City of Kenosha

Tax Incremental District #28
for the City of Kenosha

Boundary and Parcel Map

TID #28
101 Block Number
-101 Parcel Number

DCD - Community Development Division - JBL - ZK - August 13, 2019 - sic
City of Kenosha

Tax Incremental District #28
for the City of Kenosha

Existing Land Uses Map

- TID #28
- Distribution Warehouse
- Distribution Warehouse (under construction)
- Parking Lots
- Retention Ponds
- Proposed warehousing sites

DCDF - Community Development Division - JBL - ZK - August 13, 2013 - nc
City of Kenosha

Tax Incremental District #28
for the City of Kenosha

Existing Zoning Map
City of Kenosha

Tax Incremental District #28
for the City of Kenosha
Private Improvements Map

- TID #28
- Building, Parking Lot, and related Site and Infrastructure improvements
Conditional Use Permit Amendment for a revised clubhouse to be located at 13002 71st Street (Springs at Kenosha Phase 2-Final Hearing)(District 16) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

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

LOCATION AND ANALYSIS:

Site: 13002 71st Street

1. This item was heard by the City Plan Commission on August 22, 2019, and the Conditions of Approval were established at that meeting.

2. On January 10, 2019, the City Plan Commission approved a Conditional Use Permit for a 200-unit apartment complex known as the Springs at Kenosha- Phase 2. Included in that approval was a clubhouse for the residents of the complex. The applicant has submitted the attached plans to modify the exterior appearance and slightly modify the footprint of the clubhouse.

3. The exterior materials are fiber cement siding and fiber cement panels. There will be a stone masonry band around the bottom of the facade. The materials are comparable to the approved clubhouse facade as well as the apartment buildings.

4. Earthwork has commenced on the development site, and the residential buildings may begin construction shortly.

5. The plans generally comply with Section 4 and 14 of the Zoning Ordinance.

6. The plans were sent to City Departments for their review. Their comments are included in the attached Conditions of Approval.

7. A Class II Notice has been published. The formal public hearing can be held and the review authority can take final action on the Conditional Use Permit at this meeting.

RECOMMENDATION:

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

Brian Wilke, Development Coordinator

Jeffrey B. Luttinger, MCP, Director
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 approved by the City Plan Commission on January 10, 2019.

2. The following conditions of approval shall be satisfied with City Staff prior to the issuance of any construction permits.

   a. The revised Site and Engineering Plans shall be reviewed and approved by City Staff.

   b. Prior to the issuance of any permits, a Deed Restriction or Restrictive Covenant approved by the City Attorney shall be recorded with the Kenosha County Register of Deeds stating that the property shall remain fully taxable for ad valorem tax purposes, including, but not limited to taxation unless to, real and personal property taxes and will not be subject to any exemption or exception to taxation unless otherwise agreed to by the City. The Deed Restriction or Restrictive Covenant shall be recorded at the applicant’s expense, shall run with the land and shall be enforceable by the City against the owner and the owner’s successors, assigns, and successors in title, including any tenants.
City of Kenosha Landscape Improvement Table

a. Square footage of parking lot area (Includes drive aisles): 145,558 sf
b. Square footage of interior parking lot landscape area: 12,235 sf
   Percentage of interior parking lot landscape area expressed as a ratio to parking lot area: 12,235 sf / 145,558 sf = .084
c. Number of areas provided for parking lot detention: 45
   d. Percent quantities provided for buffer strips and medians:
      Where 25 feet of buffer is provided, plan shows 1 tree (2.5" minimum caliper)
      per 50 feet, maximum 20% planted in shrubs and minimum 50% of shrubs are evergreens.
      Where 10 feet of buffer is provided, plan shows 1 tree (2.1" minimum caliper)
      per 26 feet, minimum 10% planted in shrubs and minimum 50% of shrubs are evergreens.

A total of 72 trees have been provided exclusively for buffer area.

a. Square footage of interior open space (not including the 12,235 sf of interior parking lot landscape area): 190,198 sf
b. Number of trees on interior open space (exclusive of parking lot medians): 183

Street trees provided on public right-of-way: 4 trees (7" caliper) required for up to 500 ft
   1 tree required per additional 50 ft.
   1/4 of the required number of street trees is required in public right-of-way.
   Street trees provided per plan at 7.5" caliper.

11 Additional trees provided on opposite side of street.
GENERAL PLANTING SPECIFICATIONS:

PART 1 - GENERAL

1.0 QUALITY ASSURANCE

1.1 Quality and Job Specifications

The contractor shall prepare a 3-dimensional layout plan of the entire site area to be landscaped. The layout plan shall include the following:

1.1.1.1 Site boundaries

1.1.1.2 Proposed plantings

1.1.1.3 Irrigation systems

1.1.1.4 Lighting systems

1.1.1.5 Decorative elements

1.1.1.6 Site furniture

1.1.1.7 Site improvements

1.1.1.8 Site drainage

1.1.1.9 Site access

1.1.1.10 Site utility connections

1.1.1.11 Site budgets

1.1.1.12 Site schedules

1.1.1.13 Site permits

1.1.1.14 Site inspections

1.1.1.15 Site竣工检验

1.1.1.16 Site warranty

1.1.1.17 Site maintenance

1.1.1.18 Site compliance

1.1.1.19 Site certification

1.1.1.20 Site documentation

1.1.1.21 Site scheduling

1.1.1.22 Site coordination

1.1.1.23 Site communication

1.1.1.24 Site safety

1.1.1.25 Site environmental

1.1.1.26 Site legal

1.1.1.27 Site regulatory

1.1.1.28 Site operational

1.1.1.29 Site financial

1.1.1.30 Site contract

1.1.1.31 Site management

1.1.1.32 Site control

1.1.1.33 Site planning

1.1.1.34 Site development

1.1.1.35 Site implementation

1.1.1.36 Site execution

1.1.1.37 Site control

1.1.1.38 Site assurance

1.1.1.39 Site verification

1.1.1.40 Site validation

1.1.1.41 Site conformance

1.1.1.42 Site compliance

1.1.1.43 Site inspection

1.1.1.44 Site testing

1.1.1.45 Site acceptance

1.1.1.46 Site certification

1.1.1.47 Site warranty

1.1.1.48 Site modification

1.1.1.49 Site update

1.1.1.50 Site review

1.1.1.51 Site audit

1.1.1.52 Site evaluation

1.1.1.53 Site surveillance

1.1.1.54 Site monitoring

1.1.1.55 Site observation

1.1.1.56 Site observation

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1.1.1.76 Site observation
Conditional Use Permit Amendment for a 19,109 square foot hardware store to be located at 3505 80th Street (Ace Hardware-Final Hearing) (District 14) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderman Prozanski, District 14, has been notified. The City Plan Commission is the final review authority.

LOCATION AND ANALYSIS:

Site: 3505 80th Street

1. This item was heard by the City Plan Commission on August 22, 2019, and the Conditions of Approval were established at that meeting.

2. On April 4, 2019, the City Plan Commission approved a Conditional Use Permit for a 19,951 square foot hardware store, subject to certain conditions of approval. At that time, the applicant was proposing to raze only the drive-thru canopy portion of the existing building on the site, and leave the office portion of the building. The new hardware store would be an addition to that office building.

3. The applicant has submitted a request to amend that approval with the attached plans. The entire existing building on the site would be razed. A new 19,109 square foot hardware store would be constructed in its place.

4. The exterior building materials are essentially the same as the previous approval. The main material is a stucco-faced metal panel. The lower portion of the building will have a stone veneer.

5. One of the other main changes with this application is that the applicant is proposing exposed stormwater ponds. The previous application included underground stormwater detention structures.

6. The pond along the east side of the site will have a deck constructed which will project out over the pond. This area is listed as an Outdoor Garden Center. Staff is recommending that additional information be provided on what will be stored or displayed in this area. Staff recommends the deck area be used only for display of items that will not leak through the deck and cause harm to the stormwater pond below, such as fertilizer or gas lawn equipment.

7. The applicant received relief to the off-street parking requirements from the City Plan Commission at the initial hearing. Since the proposed building is smaller than the original proposal, but the same amount of parking stalls are provided, additional relief does not need to be granted. The size of the building with this use requires seventy-six (76) off-street parking spaces. A total of fifty (50) spaces have been provided.

8. The plans generally comply with Section 4 and 14 of the Zoning Ordinance.

9. The plans were sent to City Departments for their review. Their comments are included in the attached conditions of approval.
10. A Class II Notice has been published. The formal public hearing can be held and the review authority can take final action on the Conditional Use Permit at this meeting.

RECOMMENDATION:

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

Brian Wilke, AICP, Development Coordinator

Jeffrey B. Labate, AICP, Director
1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:

   a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections. This includes, but is not limited to Erosion Control, Building, Plumbing, Electrical and Occupancy permits.

   b. The applicant shall obtain Driveway, Sidewalk, Street Opening, Stormwater and Parking Lot permits from the Department of Public Works.

   c. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval. Since the site is part of a Unified Business Center, the site is permitted one (1) monument sign.

   d. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.

   e. Prior to the issuance of any Occupancy permits, all parking areas, drives and designated paved areas shall have the initial lift of asphalt installed. The building exterior shall be completed per the approved plans, the exterior lighting shall be installed and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.

   f. Compliance with City and State and/or Federal Codes and Ordinances. The buildings shall comply with the current Code standards in effect upon application for a building permit.

   g. All roof top mechanicals shall be properly screened per Section 14.07 B.10 of the Zoning Ordinance.

   h. All trash containers shall be stored within the enclosure or building. The applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.

   i. The applicant shall meet all applicable Conditions of Approval and obtain a building permit within twelve (12) months of City Plan Commission approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.

   j. Outdoor display of products is limited to the Outdoor Garden Center East of the building and seasonal displays of organic merchandise and materials that have a seasonal theme or orientation, limited to the covered canopy area adjacent to the north side of the building. Outdoor display on the deck over the stormwater pond shall not include any bagged products or any gas-powered equipment.
k. All vehicles shall be parked within designated paved areas.

l. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.

m. Cross access shall be provided to adjacent parcels, if required, at a future date by the City.

n. Prior to final Occupancy of the building, the applicant shall provide an electronic copy of the following information to the Fire Prevention Bureau:
   i. Site Plan as-built
   ii. Floor Plan as-built
   iii. Site Utilities
   iv. Sprinkler Plans
   v. Fire Alarm Plans

o. Compliance with the Fire Prevention Bureau memo dated July 30, 2019.

p. A Tree Protection Permit shall be obtained prior to the removal of any trees.

2. The following Conditions of Approval shall be satisfied with City Staff prior to the issuance of any construction permits:

   a. The Drainage Plan shall be revised and resubmitted for review and approval addressing comments listed in the Public Works memo dated August 7, 2019.

   b. The Utility Plan shall be revised and resubmitted for review and approval addressing the comments listed in the Kenosha Water Utility memo dated August 5, 2019.

   c. Plan shall be revised to show the following:
      i. Amend to match the Architectural Site Plan with two (2) River Birch trees planted at the Southeast corner of the property.

   d. The Architectural Site Plan shall include a note that the propane tank will be painted a complimentary color to the building.

   e. Prior to the issuance of any permits, a Deed Restriction or Restrictive Covenant approved by the City Attorney shall be recorded with the Kenosha County Register of Deeds stating that the property shall remain fully taxable for ad valorem tax purposes, including, but not limited to taxation unless to, real and personal property taxes and will not be subject to any exemption or exception to taxation unless otherwise agreed to by the City. The Deed Restriction or Restrictive Covenant shall be recorded at the applicant’s expense, shall run with the land and shall be enforceable by the City against the owner and the owner’s successors, assigns, and successors in title, including any tenants.

   f. Additional information shall be provided on the type of display and/or storage proposed on the deck over the stormwater pond.
TO: Brian Wilke, Development Coordinator
FROM: Greg Holverson, P.E.
       Assistant City Engineer
       Kim Masura, P.E., CFM
       Senior Civil Engineer
DATE: August 7, 2019
SUBJECT: CONDITIONAL USE PERMIT (Review 2)
Project Description: Ace Hardware
Location: 3505 80th Street

Our staff has reviewed the following documents:
- Site Lighting plans prepared by Elan Lighting, dated 7/18/19
- Landscape Plans prepared by Thomas Nordhol, dated 7/19/19
- Architectural plans prepared by Partners in Design, dated 7/19/19
- Ace Hardware Site prepared by Nielsen, Madsen & Barber, dated 7/19/19
- SWMP, prepared by Nielsen, Madsen & Barber, dated 7/19/19

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### Site Grading/Drainage

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### Project Approval/Permits Needed

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The following comments summarize the outcome of our review.

**Grading & Drainage Comments:**

1. *Comment addressed.*
2. *Comment addressed.*
3. Please include a detail of the Outlet Control Structures for clarity on configuration and elevations of orifices.
4. Calculations shall be provided to show the proposed storm sewer meets the City of Kenosha Stormwater Management Criteria for Design of Storm Sewers, last revised November 2016 (Form #PWU005)
   a. *Comment addressed.*
   b. *Comment addressed.*
   c. *Comment addressed.*
   d. *Comment addressed.*
   e. **Update 8/7/19:** As the storm sewer conveys the 100-year event, please submit the 100-year HGL with 100-year tailwater to show the overflow path in this event. Surcharging the storm sewer structures in the 100-year event is allowed.
5. *Comment addressed.*
6. *Comment addressed.*
7. *Comment addressed.*
8. The WinSLAMM model does not appear to match the storm structure rim elevation shown on the plan. Please revise.
9. The linetype directions of the proposed storm sewer appear to be reversed. Please reconcile.
10. Please show curb cuts with associated dimensions on the plan sheets for constructability and to verify the model is accurate.
11. All disturbed areas not covered by permanent structures or pavement shall be finished graded with 3"-6" topsoil, seeded and stabilized within 7 days of reaching final grade. Please add this note to the plan set.
12. A maintenance agreement and easement will be required for the stormwater management facilities per Section 36.10 of the City of Kenosha Code of General Ordinance. Application Form PWU003 shall be submitted to initiate the process.
13. Developments disturbing 1 acre or more shall meet the requirements of WPDES Construction Site Stormwater Runoff permit through WDNR (General Permit No. WI-S067831-5). The construction site NOI shall be obtained prior to the start of construction.

Traffic Comments:
1. **Addressed:** Provide sidewalk along adjacent private road frontage
2. **Addressed:** Bring HC ramps in abutting exiting sidewalk up to current ADA standards.
3. **Will be checked via permit inspection process:** Any existing hazardous public sidewalk abutting development is to be replaced per City of Code of General Ordinance Chapter 5.116.
4. **Same comment as Review 1:** Provide copy of cross access agreement for shared driveway.
5. **Same comment as Review 1:** Existing pedestrian way connections to property on west needs to be reestablished in proposed layout.
6. **Same comment as Review 1:** ADA complaint slopes with grades need to be shown connecting HC parking to front door.
7. **Same comment as Review 1:** Place note on plan cover sheet to call City Inspector (262-345-3475) twenty-four hours (24) prior to work starting in public RW.
8. **Addressed:** The plans show curb gutter and approach removed on 35th Av. private road, and 80th St. but no curb and gutter and approach call outs for replacement. Driveways need to be detailed with dimensions per General Ordinances 5.085 Driveway Approaches. Concrete in driveway approach and abutting sidewalk in the RW to be 6-inch thick nonreinforced.
9. **Addressed:** Add note that all existing curb, gutter and sidewalk removal needs to be to the nearest existing joint.
10. **Approved by Higher Plan Review Authority:** Vehicles backing up on the private street into the loading dock or adjacent driveway poses danger to any person or motorist who might have appeared in the vehicle’s backward path.
11. **No welded wire fabric in concrete in RW, detail reference on page C2 at driveway on 35th Av needs to be corrected.**
12. **Please note during construction not to plant landscaping in such a fashion as to block sight lines at driveways and intersections. No response needed.**

cc: Greg Holverson; Kile Kuhlme; Kim Masura, Emily Basalla (Clark Dietz)
To:       Brian Wilke, Development Coordinator

From:    Leif Jackson, Water Engineer

Date:    August 5, 2019

Subject: Ace Hardware Amendment (Review #1)

Location: 3505 80th Street

The Kenosha Water Utility (KWU) has reviewed the submittal for the above referenced project. Further information from the Developer is required before the Utility can complete this review. Please withhold all permits until the following information is submitted.

1. Please show water meter size and location, including a detail or diagram, on the construction plans, not with the MEP submittal. If a basement is proposed, meters shall be placed in the basement. The following notes (if applicable) should be included in the detail:

   • The water meter shall have unobstructed access, twelve inches (12") from the inside wall, twelve to twenty-four inches (12"-24") above the floor. The meter shall have a valve, preferably ball type, on the inlet and outlet pipe.

   • All water meters one and one half inches (1-1/2") or greater shall have a bypass with a two way ball valve with locking handle as manufactured by RuB, or approved equal.

   • Meters three inches (3") and larger shall have a two inch (2") test plug provided between the outlet side of the meter and the outlet valve.

   • A 3C18 gauge cable by Belden-M, or approved equal, shall be installed in a one half inch (1/2") conduit through the exterior wall for the remote meter reader. Remote reader to be field located by KWU meter division. (Residential installed by meter shop, commercial installed by developer).
• Remote meter reader will be installed four feet (4’) above adjacent grade with no obstructions.

2. As the tapping valve is greater than ten feet (10’) from the property line, an additional valve will be required between the curb & gutter and the sidewalk in accordance with Rule 06-03 of the Kenosha Water Utility Rules and Regulations. This second valve will function as the service valve for the development.

Currently, the proposed service valves are located approximately 66’ and 69’ from the public right-of-way (the eastern property line). The southern property line and the access road located near it are private property. Therefore, the proposed service valves do not meet KWU requirements. The proposed service valve(s) could be moved to near the eastern property line or an additional valve in this location could be added to the plan-set.

3. Provide elevations for the invert, flange and the center of large coupling at each fire hydrant. The invert elevation and center of large coupling elevation have been provided, but the flange elevation is missing.

4. The sanitary connection details are incomplete; no line-work is provided within the property limits. Please provide further connection details illustrating where the proposed sanitary lateral is being located. Include invert elevations and clearances at all crossings to verify the connection can be made. Site Utility Note #1 does not provide sufficient detail.

5. Sanitary sewer laterals shall have a green 12 gauge locator wire installed along the entire length. Locator wire shall be brought to the surface at the edge of the building and enclosed in a locator box with “sewer” on the cover.

6. On Sheet C4, Please add to “Existing water service to be abandoned per KWU requirement” that waster service “shall be cut and capped at property line. Please notify KWU 48 hours in advance of this work. For inspection call 262-653-4315.”

7. There are multiple locations that call out grade breaks along the proposed water service line. These grade breaks that occur where the grade break is over 7% are not possible to construct using PVC push-on joints. Please show vertical bends at these locations so that contractor has a buildable design.

Feel free to contact me with any questions, comments, or concerns.

CC: Curt Czarnecki, P.E., General Manager
    Adam Dow, P.E., Water Engineer
Fire Prevention Bureau
C.U.P./Site Development Plan Review Form

Date: 07/30/2019
Project: Ace Hardware
Address: 3505 80th Street

The City of Kenosha Fire Department Fire Prevention Bureau performed a plan review on the above property. Please see comments below and do not hesitate to contact us with questions.

Circle one:

- Approved – No Comments
- Approved – See Comments Below
- Withhold Permits- Subject to Items Below
- Approval Denied – See Comments Below

Comments:

1. Automatic Fire Sprinkler System Required:
   Plans and specifications shall accompany each submittal, including all applicable plan review and acceptance testing fees. Plans will be reviewed and conditionally approved by the Fire Prevention Bureau. All sprinkler systems require a permit issued by the Department of Neighborhood Services and Inspections prior to the start of any work. The Kenosha Fire Department shall witness all field and acceptance testing.

2. Fire Department Connections:
   Every Automatic Fire Sprinkler System shall have the following:
a. A Concrete Pumper Pad. The concrete pumper pad shall have the following minimum dimensions of concrete: length of twenty (20') feet; width of fifteen (15') feet; and depth of six (6") inches. The concrete pad must be designed and maintained to allow for the parking of at least a Fire Department pumper apparatus of sixty-five thousand (65,000 lbs.) pounds gross weight on it, without failure. Said pumper pad must have included within it or have within five (5') feet adjacent to it, a fire hydrant containing at least one (5") inch Storz connection and at least two (2) two and one-half (2.5") inch outlets having national standard threads; if the fire hydrant is located off the concrete pumper pad, the concrete pumper pad must be oriented such that an outlet having the Kenosha standard threads must face the concrete pumper pad, and there may not be any obstruction between the fire hydrant and the pumper pad that would impede a firefighter's access to the fire hydrant from the pumper pad, or that would inhibit the operation of a hose extending from the fire hydrant to the Fire Department pumper apparatus. Fire Hydrant shall be safety blue in color.

b. A Fire Department Connection. The Fire Department Connection shall be operationally connected to the Automatic Fire Sprinkler System. The Fire Department Connection shall have a five (5") inch Storz connection. The Fire Department Connection shall be located to comply with all of the following: no further than five (5') feet from the pumper pad; no further than five (5') feet from a fire hydrant; and no closer to the building it services than the height of the building that it services. There may not be any obstruction between the fire hydrant and the Fire Department Connection that would impede a firefighter's access to the Fire Department Connection, or that would inhibit the operation of a hose extending from the fire hydrant to the Fire Department Connection. There may not be any obstruction between the pumper pad and the Fire Department Connection that would impede a firefighter's access to the Fire Department Connection, or that would inhibit the operation of a hose extending from the pumper pad to the Fire Department Connection.

c. Locking Cap Covers. All Fire Department Connections, regardless of when installed, shall be occluded by a Locking Cap capable of being removed by appropriate Key Wrenches carried by the Fire Department. Due to the need for consistency and efficiency in emergency situations, and due to the proprietary nature of Key Wrenches, the Fire Department may specify a certain manufacturer or a limited number of manufacturers that provide Locking Caps removable by a particular Key Wrench configuration.

d. Bollards. Fire hydrants associated with the pumper pad and any private hydrants on the property shall be protected from vehicular traffic damage with bollards. The Bureau shall determine the number of bollards needed.

e. Signage. All Fire Department Connections will be labeled on the building or pumper pad; signage to be approved by the Bureau.

3. EXIT SIGNS IN PROXIMITY OF FLOOR
Floor proximity exit signs as required per 3.27 of the City of Kenosha Ordinance.

4. Building & Door Numbers
Building address number size and man door number size shall be approves by the FPB AHJ prior to installation on the building.
5. Knox Box Required
   A Knox Box shall be required on all buildings, multiple may be needed on larger buildings, per 3.30 (C) of the City of Kenosha Ordinance.

6. Fire Alarms Required
   Fire alarms shall be required in all buildings on the plan. The fire alarm will be individually monitored by the address of the building. Fire alarm plans shall be reviewed and permitted thru the Fire Prevention Bureau. Upon completion of the building final testing of the system shall be completed before final occupancy of the building is gained.

Reviewed by:
Guy J. Santelli II
Kenosha Fire Department

(X/FORMS/CUP.Site.P.Rvw.4.5.2016)
July 19, 2019

Mr. Brian Wilke
Development Coordinator
City of Kenosha
625 52nd Street
Kenosha, Wisconsin 53140

Re: Ace Hardware

Dear Mr. Wilke:

Enclosed you will find the required Conditional Use Permit documentation for the new Ace Hardware building being proposed for 3505 80th Street in Kenosha. These documents are being submitted for review approval by city staff and the City of Kenosha Plan Commission. This resubmittal is being made to address value engineering changes that were made on the project since the original Plan Commission approval on April 4, 2019.

The scope of the revised project consists of a new 19,109 square foot building that will house Ace Hardware. The new plan proposes demolition of the existing drive through building and canopy in order to make way for the new retail store. The design includes an 1,563 square foot outdoor garden center, consisting of an 850 square foot hard surface area adjacent to the building as well as a 713 square foot wood deck structure extending out over the dry basin on the east side of the building.

The new building will be constructed using a rigid frame steel structure. The exterior facade of the building will consist of stucco textured insulated panels and a stone veneer of a color that is compatible with the adjacent buildings to the west and north of the site. The roof will be a standing seam metal roof that is aluminum on the upper portion of the building and dark bronze on the lower roof. We will utilize dark bronze finished aluminum doors and storefront windows. The hollow metal doors and overhead doors will be painted dark brown to be compatible with the aluminum frames and other metal finishes on the building.

The fire protection for the new building will be completed on a design/build basis. As such, we do not have fire sprinkler design drawings available for submittal at this time. However, it is our intent to fire sprinkler the facility per NFPA13 Standards. The required plans will be submitted to the appropriate review departments once they are completed by the design/build subcontractor.

During our original submittal, we proposed a vertical propane storage tank to be used to fill customer propane tanks. The revised plan includes the same propane tank that was originally proposed in the same location with the same landscape screening that was originally approved by the Plan Commission during the initial hearing on March 7, 2019.
Additionally, during our original submittal the owner requested, and was granted approval of a reduced parking quantity for the site based upon historical parking data that was provided at that time. The square footage of the revised building is slightly less than the original design. Therefore, the parking requirement per the ordinance is slightly less (77 current vs. 80 previously). The owner is again requesting approval of a reduced parking quantity of 50 spaces. We have included the historical customer count data that was originally submitted for your consideration.

The documents that accompany this letter should provide the necessary information for your review and approval of the proposed project.

If you are in need of any additional information or if you have any question, please do not hesitate to contact our office.

Sincerely,

[Signature]

Eric M. Migrin, LEED AP
APPLICATION FOR DEVELOPMENT REVIEW
Forms #CDI301 thru #CDI310 (rev. 2/18)

This page required with every application or the application will be deemed incomplete.

NAME OF PROJECT: Ace Hardware

Mailing Information

The property owner will receive all correspondence. The Applicant and Architect/Engineer will be copied on correspondence.

Name and Address of Property Owner [Please print]:
Gary Dickes (Manager)
Prairie Stone Properties, LLC
1688 34th Avenue
Kenosha, Wisconsin 53144

Phone: ____________________________
Fax: ____________________________
E-Mail*: gd.pprairie@gmail.com

Name and Address of Applicant (if other than Property Owner) [Please print]:

Phone: ____________________________
Fax: ____________________________
E-Mail*: ____________________________

Name and Address of Architect / Engineer [Please print]:
Eric Micn
Partners In Design Architects
600 52nd Street, Suite 220
Kenosha, Wisconsin 53140

Phone: 262-652-2800
Fax: ____________________________
E-Mail*: eriem@pidarchitects.com

PROJECT LOCATION

Location of Development (street address and / or parcel number): 3505 80th Street, Kenosha, Wisconsin 53142

TYPE OF LAND DEVELOPMENT

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

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

Prior to submitting this Application to the Department of Community Development and Inspections, please review the appropriate sections for fees, requirements and appropriate appendices. Submit this cover page, completed application, applicable section(s) and appendices along with ALL required plans, information and fees to the address listed below.

*All applications for City Plan Commission / Common Council must include an email address. Staff report and agenda will be forwarded to the email address included in this application.

Community Development & Inspections | 625 52nd St. Room 308, Kenosha, WI 53140 | T: 262.653.4030 | kenosha.org
# APPLICATION FOR CONDITIONAL USE PERMIT
Form #CDI304 (rev. 1/16)

## SECTION 4
CONDITIONAL USE PERMIT

### Additional Information Required:
- **Building or Addition Square Footage:** 19,109 S.F.
- **Existing Building Size:** N/A
- **Site Size:** 1.43 Acres
- **Current # of Employees:** N/A
- **Anticipated # of New Employees:** 14
- **Anticipated Value of Improvements:** $1,500,000.00

### Submittal Requirements:
- Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale. Engineering plans to be stamped by Professional Engineer.
- Developer Site Plan/Conditional Use Permit Checklist (Appendix A)
- One set of plans in .pdf format provided to bwilke@kenosha.org

### If Item to be Reviewed by Plan Commission/Common Council must Submit:
- Seventeen (17) copies of 11” x 17” reduction of the Site/Landscape Plan, Floor Plan and Colored Building Elevations (all sides)
- Sample Board containing colored samples of all exterior building materials
- *Application will not be reviewed by City Plan Commission without these submittals.

### Fees:

<table>
<thead>
<tr>
<th>Level</th>
<th>Building or Addition Size</th>
<th>Site Size</th>
<th>Review Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>&lt;= 10,000 sq. ft.</td>
<td>&lt;= 1 acre</td>
<td>$900 = City Plan Dept. or $1,025 = CPC/CC</td>
</tr>
<tr>
<td>2</td>
<td>10,001 - 50,000 sq. ft.</td>
<td>1.01 - 10 acres</td>
<td>$1,175 = City Plan Dept. or $1,300 = CPC/CC</td>
</tr>
<tr>
<td>3</td>
<td>50,001 - 100,000 sq. ft.</td>
<td>10.01 - 25 acres</td>
<td>$1,600 = City Plan Dept. or $1,725 = CPC/CC</td>
</tr>
<tr>
<td>4</td>
<td>&gt; 100,001 sq. ft.</td>
<td>&gt; 25.01 acres</td>
<td>$2,000 = City Plan Dept. or $2,125 = CPC/CC</td>
</tr>
</tbody>
</table>

- 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.
- Application fee entitles applicant to an initial review and one re-submittal.
- Re-submittal fee = $425 per re-submittal after two (2) permitted reviews.
- CUP Amendment = 50% of the applicable fee as determined above.

### Appendices to Review:
- All

### Approximate Review Time:
- 30 days for Staff Review
- 45-60 days for City Plan Commission/Common Council Review

The conditional use permit plans, prepared to a standard engineering scale, shall be submitted with this application & shall include the following information:

#### Building Plan:
- Layout of building(s) including size and layout of rooms
- Design and architecture
- Plans and details on fire suppression and/or standpipe
- Plans and details on fire detection, fire alarm and other safety devices

#### Site Plan (based on a plat of survey):
- Legal description of property
- Location and footprint of building(s) and structure(s)
- Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks
- Outline of any development stages
- Location and details on any required emergency access roads
- A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space
PREVIOUSLY APPROVED ELEVATIONS (4/4/19)
PREVIOUSLY APPROVED RENDERING
(4/4/19)
Conditional Use Permit for a new fuel island canopy to be located at 4918 60th Street. (Ali Petroleum Canopy-Final Hearing)(District 11) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderperson Kemp, District 11, has been notified. The City Plan Commission is the final review authority.

LOCATION AND ANALYSIS:

Site: 4918 60th Street

1. This item was heard by the City Plan Commission on August 22, 2019, and the Conditions of Approval were established at that meeting.

2. This item was deferred by the City Plan Commission on August 8, 2019. The City Plan Commission requested color renderings and information on the facade of the existing building. The architect has modified the plans as requested.

3. The applicant is proposing to add on to the existing fuel canopy at the existing fuel station located at 4918 60th Street. The canopy currently covers two fuel islands. A third fuel island would be added to the fuel station. The attached drawings from the architect show the detail of the canopy, including pictures of the vinyl trim pieces and signage package.

4. In addition to modifying the fuel canopy, the applicant has proposed to remove a small portion of the existing asphalt parking area to be replaced with landscaping. The City Plan Commission also requested at the last meeting to add additional landscaping along 60th Street which has been added. A grass lawn park area will also be added between the two driveways on 60th Street. The two signs existing on the site will be removed and replaced with one monument sign.

5. The canopy columns will be enclosed with a masonry material that is compatible with the building.

6. The entire parking lot is proposed to be repaved.

7. The plans generally comply with Section 4 and 14 of the Zoning Ordinance.

8. The plans were sent to City Departments for their review. Their comments are included in the attached Conditions of Approval.

9. A Class II Notice has been published. The formal public hearing can be held and the review authority can take final action on the Conditional Use Permit at this meeting.

RECOMMENDATION:

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

Brian Wilke, AICP, Development Coordinator

Jeffrey B. Liebman, AICP Director
1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:

   a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections. This includes, but is not limited to Erosion Control, Building, Plumbing, Electrical and Occupancy permits.

   b. The applicant shall obtain a Public right-of-way permit from the Department of Public Works.

   c. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval.

   d. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.

   e. Prior to the issuance of any Occupancy permits, all parking areas, drives and designated paved areas shall have the initial lift of asphalt installed. The building exterior shall be completed per the approved plans, the exterior lighting shall be installed and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.

   f. Compliance with City and State and/or Federal Codes and Ordinances. The buildings shall comply with the current Code standards in effect upon application for a building permit.

   g. All roof top mechanicals shall be properly screened per Section 14.07 B.10 of the Zoning Ordinance.

   h. All trash containers shall be stored within the enclosure or building. The applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.

   i. The applicant shall meet all applicable Conditions of Approval and obtain a building permit within twelve (12) months of City Plan Commission approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.

   j. Outdoor display of products is prohibited with the exception of ice storage and propane exchange cages.

   k. All vehicles shall be parked within designated paved areas.

   l. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.
m. Prior to final Occupancy of the building, the applicant shall provide an electronic copy of the following information to the Fire Prevention Bureau:
   i. Site Plan as-built
   ii. Floor Plan as-built
   iii. Site Utilities
   iv. Sprinkler Plans
   v. Fire Alarm Plans

2. The following Conditions of Approval shall be satisfied with City Staff prior to the issuance of any construction permits:

   a. Prior to the issuance of any permits, a Deed Restriction or Restrictive Covenant approved by the City Attorney shall be recorded with the Kenosha County Register of Deeds stating that the property shall remain fully taxable for ad valorem tax purposes, including, but not limited to taxation unless to, real and personal property taxes and will not be subject to any exemption or exception to taxation unless otherwise agreed to by the City. The Deed Restriction or Restrictive Covenant shall be recorded at the applicant’s expense, shall run with the land and shall be enforceable by the City against the owner and the owner’s successors, assigns, and successors in title, including any tenants.

   b. Additional Landscaping to be added.

   c. Submit more detailed renderings on the buildings elevations signage detail.
## MAILING INFORMATION

The property owner will receive all correspondence. The Applicant and Architect/Engineer will be copied on correspondence.

Name and Address of Property Owner (Please print):

<table>
<thead>
<tr>
<th>Name and Address of Property Owner</th>
<th>Phone:</th>
<th>Fax:</th>
<th>E-Mail*</th>
</tr>
</thead>
<tbody>
<tr>
<td>RAFIQAT INVESTMENTS, LLC</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4918 S 60th STREET</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>KENOSHA, WI 53144</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Name and Address of Applicant (if other than Property Owner) (Please print):

<table>
<thead>
<tr>
<th>Name and Address of Applicant</th>
<th>Phone:</th>
<th>Fax:</th>
<th>E-Mail*</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Name and Address of Architect/Engineer (Please print):

<table>
<thead>
<tr>
<th>Name and Address of Architect/Engineer</th>
<th>Phone:</th>
<th>Fax:</th>
<th>E-Mail*</th>
</tr>
</thead>
<tbody>
<tr>
<td>WILLIAM A. MORRIS, ARCHITECT, LLC</td>
<td>262-620-0563</td>
<td></td>
<td><a href="mailto:WMMORR@WI.RK.COM">WMMORR@WI.RK.COM</a></td>
</tr>
<tr>
<td>3913 S 77TH PLACE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>PLEASANT PRAIRIE, WI 53158</td>
<td></td>
<td></td>
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## PROJECT LOCATION

Location of Development (street address and/or parcel number):

<table>
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<th>Location of Development</th>
<th>Phone:</th>
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<tr>
<td>4918 S 60th STREET</td>
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<td></td>
<td></td>
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<td>08-222-35-381-003</td>
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## TYPE OF LAND DEVELOPMENT

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

- [ ] Certified Survey Map #CDI301
- [ ] Concept Review (Land Division) #CDI302
- [ ] Concept Review (Multi-Family Residential or Non-Residential) #CDI303
- [X] Conditional Use Permit #CDI304
- [ ] Developer's Agreement #CDI305
- [ ] Final Plat #CDI306
- [ ] Lot Line Adjustment Survey #CDI307
- [ ] Preliminary Plat #CDI308
- [ ] Rezoning #CDI309
- [ ] Site Plan Review #CDI310

Prior to submitting this Application to the Department of Community Development and Inspections, please review the appropriate sections for fees, requirements and appropriate appendices. Submit this cover page, completed application, applicable section(s) and appendices along with ALL required plans, information and fees to the address listed below.

*All applications for City Plan Commission/Common Council must include an email address. Staff report and agenda will be forwarded to the email address included in this application.*
## SECTION 4
### CONDITIONAL USE PERMIT

### Additional Information Required:
- Building or Addition Square Footage: [Amount]
- Existing Building Size: [Amount] sq. ft.
- Site Size: [Amount] acres
- Current # of Employees: [Amount]
- Anticipated # of New Employees: [Amount]
- Anticipated Value of Improvements: [Amount]

### Submittal Requirements:
- Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale. Engineering plans to be stamped by Professional Engineer.
- Developer Site Plan/Conditional Use Permit Checklist (Appendix A)
- One set of plans in .pdf format provided to bwilke@kenosha.org

### If Item to be Reviewed by Plan Commission/Common Council must Submit:
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</tr>
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<td>10,001 - 50,000 sq. ft.</td>
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<tr>
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<td>10.01 - 25 acres</td>
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<td>Level 4</td>
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- CUP Amendment = 50% of the applicable fee as determined above.

### Appendices to Review:
- All

### Approximate Review Time:
- 30 days for Staff Review
- 45-60 days for City Plan Commission/Common Council Review

The conditional use permit plans, prepared to a standard engineering scale, shall be submitted with this application & shall include the following information:

**Building Plan:**
- Layout of building(s) including size and layout of rooms
- Design and architecture
- Plans and details on fire suppression and/or standpipe
- Plans and details on fire detection, fire alarm and other safety devices

**Site Plan** (based on a plat of survey):
- Legal description of property
- Location and footprint of building(s) and structure(s)
- Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks
- Outline of any development stages
- Location and details on any required emergency access roads
- A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space
PROPOSED NEW CANOPY
FACING
SEE SHEET A1 FOR DETAILS

COLUMNS SHALL BE ENCLOSED
IN FACE BRICK TO COORDINATED
WITH EXISTING BUILDING

NEW CANOPY
ELEVATION
SCALE 1" = 30.0'
EXISTING CANOPY SHALL BE CLEANED AND PREPARED FOR PAINTING NEW GREEN COLOR TO MATCH WITH B P GREEN COLOR ON CANOPY

EXISTING BRICK TO REMAIN

EXISTING EXTERIOR SIDING SHALL BE CLEANED AND PREPARED FOR PAINTING NEW OFF WHITE COLOR
NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderperson Kangas, District 4, has been notified. This City Plan Commission Resolution recommends the Common Council approve the Amendment through a Zoning Ordinance Amendment.

LOCATION AND ANALYSIS:

Site: 1923 30th Avenue

1. Wisconsin Statutes require the City Plan Commission to adopt a City Plan Commission Resolution to recommend that the Common Council adopt amendments to the Comprehensive Plan. The City Plan Commission will need six (6) affirmative votes from the Commission to pass.

2. The attached Resolution satisfies this requirement and will be attached to the Zoning Ordinance to create Subsection 18.02 bbbb. to Amend the Land Use Plan for the City of Kenosha: 2035 for the referenced properties from "High Density Residential" to "High Density Residential (18 Units per Acre)".

3. The adopted Comprehensive Plan will need to amend the property from "High Density Residential" to "High Density Residential (18 Units per Acre)".

RECOMMENDATION:

A recommendation is made to approve the City Plan Commission Resolution amending the Comprehensive Plan.

Matt Werderitch, Planner

Jeffrey B. Lajala, AICP, Director
CITY PLAN COMMISSION RESOLUTION # ___-19

By: City Plan Commission

To Amend the Land Use Plan Map
for the Comprehensive Plan for the City of Kenosha: 2035
Property at 1923 30th Avenue (Arbor Holdings, LLC)

WHEREAS, the City of Kenosha, pursuant to Section 62.23 of the Wisconsin Statutes, has established the City Plan Commission; and

WHEREAS, the Common Council adopted "A Comprehensive Plan for the City of Kenosha: 2035" on April 19, 2010, following extensive public participation; and

WHEREAS, a property owner has submitted a request to amend the Land Use designation for the referenced properties from High Density Residential to High Density Residential (18 Units per Acre), as mapped on the attached Map C12-19 and on the Land Use Plan map adopted by the Common Council as part of the Comprehensive Plan; and

WHEREAS, the City Plan Commission finds that the Comprehensive Plan, with the proposed amendment, contains all of the required elements specified in Section 66.1001(2) of the Wisconsin Statutes and the Comprehensive Plan, with the proposed amendment, is internally consistent; and

WHEREAS, the City has duly noticed and will hold a public hearing on the proposed amendment, following the procedures in Section 66.1001(4)(d) of the Wisconsin Statutes.

NOW, THEREFORE BE IT RESOLVED that pursuant to Section 66.1001(4)(b), the City Plan Commission for the City of Kenosha, Wisconsin, hereby approves the amendment to "A Comprehensive Plan for the City of Kenosha: 2035" as shown on the attached Map C12-19.

BE IT FURTHER RESOLVED, that the City Plan Commission, for the City of Kenosha, Wisconsin, does hereby recommend that the Common Council enact a Zoning Ordinance adopting the Comprehensive Plan Amendment.

ATTEST:

_____________________________________
Jeffrey B. Labahn, City Plan Commission Secretary

APPROVE: ___________________________ DATED: ____________

_____________________________________
Mayor John M. Antaramian, City Plan Commission Chairman

PASSED:

PUBLISHED:

DRAFTED BY: MATT WERDERITCH, COMMUNITY DEVELOPMENT & INSPECTIONS
/a2/acct/cp/cmattw/Documents/Developments/2019/Rezonings/Arbor Holdings, LLC/009-Comp Plan Resolution.odt
Property Requested to be changed from:

- High-Density Residential to High-Density Residential (18 units per acre)
Zoning Ordinance by the City Plan Commission - To Create Subsection 18.02 bbbb. of the Zoning Ordinance to amend the Land Use Map for the City of Kenosha: 2035. (Arbor Holdings, LLC) (District 4) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderman Kangas, District 4, has been notified. The Common Council is the final review authority.

LOCATION AND ANALYSIS:

Site: 1923 30th Avenue


2. Wisconsin Statutes require the Common Council to adopt an Ordinance for Amendments to the Comprehensive Plan.

3. The attached Zoning Ordinance references Map C12-19, which identifies the Amendment to the Land Use Plan located in the Comprehensive Plan. The Amendment will change the land use designation for the referenced properties from “High Density Residential (12 Units per Acre)” to “High Density Residential (18 Units per Acre)”.

4. The proposed development contains twenty-eight (units) on a 1.6 acre lot. This results in a density of 17.5 (or 18) units per acre.

RECOMMENDATION:

A recommendation is made to approve the proposed Zoning Ordinance.

Matt Werderitch, Planner

Jeffrey B. Labahn, MCP, Director
ORDINANCE NO. __________

SPONSOR: CITY PLAN COMMISSION

TO CREATE SUBSECTION 18.02 bbbb. OF THE ZONING ORDINANCE TO AMEND THE LAND USE PLAN MAP FOR THE CITY OF KENOSHA: 2035

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

Section One: Subsection 18.02 bbbb. of the Zoning Ordinance for the City of Kenosha, Wisconsin, is hereby created as follows:

By Map C12-19 on file with the Department of Community Development and Inspections.

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

ATTEST: __________________________ City Clerk
       DEBRA L. SALAS

APPROVED: _________________________ Mayor       Date: ______________
           JOHN M. ANTARAMIAN

Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney
City of Kenosha

Comprehensive Land Use Plan Amendment

Arbor Holdings, LLC petition

Property Requested to be changed from:

High-Density Residential to High-Density Residential (18 units per acre)
Zoning Ordinance by the Mayor – To Rezone the property at 1923 30th Avenue from A-2 Agricultural Land Holding District to RM-2 Multiple Family Residential District (in Conformance with Section 10.02 of the Zoning Ordinance). (Arbor Holdings, LLC) (District 4) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderperson Kangas, District 4, has been notified. Property owners within 100 feet of the proposed rezoning were notified. The Town of Somers has been notified. The Common Council is the final review authority.

LOCATION AND ANALYSIS:

Site: 1923 30th Avenue

Vicinity Zoning/Land Use

<table>
<thead>
<tr>
<th>North</th>
<th>East</th>
</tr>
</thead>
<tbody>
<tr>
<td>B-2 / Commercial</td>
<td>RM-3 / High Density Residential (24 units per Acre)</td>
</tr>
<tr>
<td>A-2 / Vacant Land</td>
<td>Town of Somers / Single Family Residential</td>
</tr>
</tbody>
</table>

1. The owner of the property is requesting to rezone the property from A-2 Agricultural Land Holding District to RM-2 Multiple Family Residential District.

2. The purpose of this rezoning is to allow the subject property, currently vacant land, be developed as multiple family housing. The units are exclusively for the mentally ill or developmentally disabled adults. The development will consist of three apartment buildings, totaling twenty-eight (28) units (17.5 units per acre). The building exterior will be brick and cement board siding. The concept plan meets the minimum parking requirement of two (2) spaces per unit.

3. Rezoning of the property to RM-2 Multiple Family Residential District is consistent with the existing land uses in the area. Per Section 10.05 of the Zoning Ordinance, the development of the property will be required to be consistent with the development plan dated August 6, 2019.

4. Prior to development, the applicant will also be required to obtain final approval through a Conditional Use Permit approved by the Plan Commission. The developer is also seeking any input the Commission has at this time on the concept plan that is attached. The final development will be required to be in compliance with the applicable City and State Ordinances, Codes and development standards.

RECOMMENDATION:

A recommendation is made to approve the rezoning in accordance with Section 10.05 of the Zoning Ordinance.

Matt Werdentich, Planner

Jeffrey B. Labahn, AICP, Director
REZONING ORDINANCE NO.

SPONSOR:  THE MAYOR

To Rezone the Property Located at 1923 30th Avenue from A-2 Agricultural Land Holding District to RM-2 Multiple Family Residential District in Conformance with Section 10.02 of the Zoning Ordinance. (Arbor Holdings, LLC) (District 4)

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

Section One: That the land shown on the attached Supplement Map No. Z18-19 be, and the same hereby is, zoned and districted as indicated on said map.

Section Two: The development of the property shall be consistent with the conceptual development plan for the property being rezoned, which plan was submitted by the property owner/developer, considered by the City Plan Commission on the 19th day of September, 2019 and is on file with the Department of Community Development and Inspections, as required in Section 10.02 A. of the Zoning Ordinance.

Section Three: This Ordinance shall be in full force and effect upon passage and the day after its publication.

ATTEST: __________________________ City Clerk
DEBRA SALAS

APPROVED: __________________________ Mayor  Date: ____________________
JOHN M. ANTARAMIAN

Passed:

Published:

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney
City of Kenosha

District Map
Rezoning

Supplement No. Z18-19
Ordinance No. __________

Property requested to be rezoned from:

- A-2 Agricultural Land Holding to RM-2 Multiple Family Residential
TO:        City of Kenosha Mayor Antaramian and Common Council
FROM:     Arbor Holdings LLC.
          Parcel #8042222410250
DATE:     August 5, 2019

The undersigned hereby request that the property described above, once it is attached to the City of Kenosha as A-2, be rezoned to RM-2 Multi-family Residential.
The purpose of the rezoning is to have the subject property, currently vacant land, be developed as multi-family housing.
Attached is a conceptual development plan submission as required by Section 10 of the City of Kenosha Zoning Ordinances and the requisite fees. We understand that the development of the subject property is required to be consistent with the conceptual development plans submitted with my rezoning petition.
There are no persons residing on the property presently. Ownership is held by Arbor Holdings LLC a Wisconsin limited liability company.
Please inform us of the date this item will be reviewed by the City Plan Commission.
Meeting Notices should be sent to:
Arbor Holdings, LLC       John Landa, Coldwell Banker Commercial Select Properties
3100 – 15th Ave          6809 Green Bay Rd.
Kenosha, WI 53144        Kenosha, WI 53142-1427
262-960-2200             262-842-3000 x 104 or cell 262-960-1372

Arbor Holdings, LLC.

Jeff Crabtree, M/M
ARBOR HOLDINGS LLC

Operational Plan for City of Kenosha

A. INTRODUCTION

Arbor Holdings LLC is owned and operate by brothers Mack and Jeffrey Crabtree. They have over 50 years of experience working with persons who have developmental disabilities and mental illnesses. They have owned state licensed Adult Family Homes, Community Based Residential Facilities and Supported Apartments in Kenosha and Racine Counties. This new project will not be a licensed activity.

This Operational Plan is being submitted to assist in evaluating the proposed development of 1923 – 30\textsuperscript{th} Ave. This vacant site is planned for development as a multi-family residential project with 48 beds spread over 28 apartments. Owner is a for-profit entity and will operate the development directly.

This project will be “Attached” to the City of Kenosha from the Town of Somers under terms of the intergovernmental agreement. A rezoning request to RM – 2 “Multi-Family Residential District” will be filed. At that time a Site Plan, Building Plan, Parking Plan, Landscape Plan, Drainage Plan, and Utility Plan will be filed.

B. OWNERSHIP

Title to the subject property is held by Arbor Holding, LLC a Wisconsin limited liability company 3100 – 15\textsuperscript{th} Ave. Kenosha, WI 53144. Members are Mack Crabtree and Jeff Crabtree.

C. SITE

The parcel is identified as tax parcel #8042224010250 with an address of 1923 – 30\textsuperscript{th} Ave. Somers, WI 53144. It is CSM #473 and is vacant. For years this was the site of a single-family residence for the family who owned much of the surrounding acreage. The residence has been removed, and part of the parcel has been farmed. The land slopes generally downward from west to east.

The site is 1.60 acres or 69,720 sq. ft. It is oriented along an east-west axis, having 168’ of frontage on the west lot line at the recently improved 30\textsuperscript{th} Ave. The parcel is 415 feet deep abutting a multi-family development at the east lot line.

The parcel was acquired August 16, 2018 following a multi-year effort to locate a suitable site for the proposed development. The north side location is critical to the present concentration of potential users who work both in Kenosha and Racine. The location is proximate to shopping, a drug store, restaurants, medical offices, and public transportation. As most of the potential users do not drive the conveniences of this location was a major consideration.
A favorable wetlands evaluation was obtained prior to closing indicating the absence of any wetlands. Soil borings revealed that the hydraulics of the soils was appropriate for the planned structures.

The site is adjacent to four high-density 55+ developments abutting on the east. These ventures range from retirement housing to assisted living care. Land use plans call for multi-family development on the subject site, also on vacant sites to the south and west of subject.

**D. DEVELOPMENT**

The project calls for 28 units (48 beds) a business office, storage for equipment & inventory, and a trash/recycling corral. The density factor is effectively 18 units per acre using only one- and two-bedroom floor plans. 14 two-bedroom units will be housed in the main building. A second building will have 8 one-bedroom units. A third building on the west end of the project will have 6 apartments with two bedrooms each. All buildings will be two story with unique entrances for all units (no common hallways). All units will have major appliances to include a washer and dryer. All ground floor units will be fully handicap accessible.

As a residential project it will be available to tenants 24 hours per day. However, the office will only be staffed during normal business hours. It is anticipated that once permitted the construction will be accomplished in say 8 to 9 months. The plan is to have entitlement and permitting accomplished such that construction will begin early 2020. Project financing has been secured. Overall a $2MM investment is projected.

It is anticipated that the project once stabilized will support the direct employment of four people and generate part-time work for three others as service needs for the residents are met.

This development is properly viewed as providing independent apartment living for the targeted population who are already served but scattered in various apartment developments in the community.

**E. POPULATION SERVED**

Tenancy in the development will be limited exclusively to the mentally ill and/or developmentally disabled adults who are fully capable of working in the community and living in independent housing. Tenancy will be limited to those receiving services from one of the agencies with which Crabtree holds a service contract. Residency will not be allowed to any children, relatives, spouses, or friends who do not meet these criteria.

Crabtree currently has contracts with the Kenosha Division of Aging, the CSP and CCS programs for the mentally ill. In addition, they have contracts with Community Care and Care Wisconsin. Both entities administer the State of Wisconsin Family Care Program. The Family Care Program assists persons with disabilities by contracting with vendors to provide the services they need to live a meaningful life in the least restrictive setting. This model, and the number of members served with disabilities has increased significantly.

Ages will cover a wide range. It is anticipated that roughly one third of the residents will be 55 or older. Presently 24% of those receiving services are 55+.
F. SERVICES PROVIDED

First, the project will provide a good quality residential experience for each resident in an accepting environment.

Next, pursuant to contractual obligations, Crabtree will provide the following additional service to each resident:

- Supervision of medications
- 24-hour emergency call service
- Money management
- Transportation to work, shopping, and medical appointments
- Daily well-being checks
- Assisting with meal preparation
- Assisting in grocery shopping

The Crabtree contract for supported services at independent apartments with Community Care started in 2015. The Community Care goal was and is to develop independent apartment living for clients who have the skills to live independently but with some support. This effort started with eight residents and has grown to 38 in a few short years. The logistics of having 38 residents living in scattered locations across Kenosha is extremely inefficient and cumbersome for both residents and staff.

Relocating residents to the new development will be more efficient and provide better services to the residents of Kenosha County with disabilities. Crabtree will be able to provide better service, more care time, and more efficiently.

G. CONCLUSION

The owner intends to provide the disabled of Kenosha County a safe, comfortable, well supervised living arrangement. This is not Section 8 housing. As a for-profit entity all the requisite property and income taxes will apply.

The ownership has already made a significant investment in the acquisition of this site and pre-planning for this project. The caliber of housing being planned is not available in the community for the target population. The owners have a financial interest in the success of this project, but so does the community more broadly. The Crabtrees have an enduring hope that the future will be bright for the disabled residents of Kenosha County who take up residence in the planned new apartment development.

Respectfully submitted

Arbor Holdings, LLC.

August 5, 2019
SECTION 9
REZONING

Additional Information Required:

Current Zoning District: A-2 Ag Holding

Proposed Zoning District: RM-2

Proposed Type of Rezoning: (Check all applicable)
- Single-family Residential
- Two-family Residential
- Multi-family Residential (3 or more units)
- Institutional, Commercial or Industrial

Submittal Requirements:
- Rezoning Petition (sample below) filled out according to the particular situation. The current owner(s) of the property must sign the petition.
- Building and Site Development Plans as indicated below.

Fees:
- Rezoning Fee = $550 (For projects that do not require building and site development plans)
- OR
- Rezoning with Concept Plan = $1,150 (For projects that require building and site development plans)

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.

Appendices to Review:
- N/A

Approximate Review Time:
- 60-75 days (Reviewed by City Plan Commission and Common Council)

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
September 10, 2019

NOTICE OF PUBLIC HEARING

Rezoning of property at 1923 30th Avenue (Arbor Holdings, LLC)

The City Plan Commission will hold a public hearing on a Petition to rezone the property at 1923 30th Avenue. The proposed rezoning would amend the zoning on the property from A-2 Agricultural Land Holding District to RM-2 Multiple Family Residential District. The purpose of the rezoning is to have the subject property, currently vacant land, be developed as multiple family housing.

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

City Plan Commission – Thursday, September 19, 2019 at 5:00pm
Municipal Building, 625 52nd Street, Kenosha, Room 202

You are being notified of these public hearings because, as the owner of property located within one hundred (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. A public hearing with final action on this item is scheduled as follows:

Common Council – Monday, November 4, 2019 at 7:00pm
Municipal Building, 625 52nd Street, Kenosha, Room 200

Additional information regarding this petition is on file with the Department of Community Development & Inspections in Room 308 of the Municipal Building.

Please contact Matt Werderitch at 262.653.4037 or via email at mwerderitch@kenosha.org for additional information.

MTW:lib
Enclosure
City of Kenosha

District Map
Rezoning

Arbor Holdings, LLC petition

Supplement No. Z18-19
Ordinance No. _____

18TH ST

19TH ST

30TH AVE

Property requested to be rezoned from:
- A-2 Agricultural Land Holding to RM-2 Multiple Family Residential
- 100-foot Notification Boundary

DCDJ - Planning & Zoning Division - JBL - RRR - August 19, 2019 - mc
Resolution by the Mayor to Amend the Official Map for the City of Kenosha, Wisconsin, to include the Attachment of 1923 30th Avenue, in the Town of Somers, Parcel # 80-4-222-241-0250, Kenosha County, Wisconsin, (in accordance with the approved City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes). (Arbor Holdings, LLC) (District 4) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderperson Kangas, District 4, has been notified.

LOCATION AND ANALYSIS:

1. The City of Kenosha and Town of Somers Agreement requires this property to be annexed into the City. The Owner has requested attachment in order to develop the property.

2. An Attachment Agreement is pending Common Council approval for the 1.79 acres of property.

RECOMMENDATION:

A recommendation is made to approve the attached Resolution.

Rich Schroeder, Deputy Director

Jeffrey B. Labahn, AICP, Director
RESOLUTION NO. __________

BY: THE MAYOR

TO AMEND THE OFFICIAL MAP FOR THE CITY OF KENOSHA, WISCONSIN, TO INCLUDE THE ATTACHMENT OF

Parcel No(s): 80-4-222-241-0250

Located at: 1923 30th Avenue, Town of Somers

IN THE TOWN OF SOMERS, KENOSHA COUNTY, WISCONSIN, IN ACCORDANCE WITH THE APPROVED CITY OF KENOSHA/TOWN OF SOMERS COOPERATIVE PLAN UNDER SECTION 66.0307 OF THE WISCONSIN STATUTES
[Arbor Holdings, LLC, Property Owner]

WHEREAS, the City of Kenosha, Wisconsin, has established an Official Map pursuant to Section 62.23(6), Wisconsin Statutes; and,

WHEREAS, the City of Kenosha, Wisconsin, and the Town of Somers, Wisconsin, entered into the City of Kenosha/Town of Somers Cooperative Plan Under Section 66.0307, Wisconsin Statutes, which was approved by the Wisconsin Department of Administration, Intergovernmental Relations, Municipal Boundary Review, on August 8, 2005, and the First Amendment to the City of Kenosha/Town of Somers Cooperative Plan under Section 66.0307 of the Wisconsin Statutes, approved by the Wisconsin Department of Administration, Intergovernmental Relations, Municipal Boundary Review, on September 15, 2015; and,

WHEREAS, it was in the best interest for the public health, safety, and welfare of the City of Kenosha/Town of Somers to attach territory known as Parcel No. 80-4-222-241-0250 located in the Town of Somers, Kenosha County, Wisconsin, to the City of Kenosha, Wisconsin; and,
WHEREAS, on October 21, 2019, the Common Council for the City of Kenosha, Wisconsin, approved an Attachment and Zoning District Classification Ordinance under Section 66.0307, Wisconsin Statutes, for Parcel No. 80-4-222-241-0250, located in the Town of Somers, Kenosha, Wisconsin, to be attached to the City of Kenosha, Wisconsin, with the zoning district classification designated therein.

WHEREAS, Parcel Number 80-4-222-241-0250 attached to the City of Kenosha, Wisconsin pursuant to the Attachment and Zoning District Classification Ordinance approved by the Common Council for the City of Kenosha, Wisconsin on October 21, 2019, is within the following Districts:

1st Congressional District  
22nd State Senate District  
64th State Assembly District  
15th County Board District  
Kenosha Unified School District

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that pursuant to the authority of Section 62.23(6)(c), Wisconsin Statutes, the Official Map of the City of Kenosha, Wisconsin, be and hereby is amended to include the designation of the attached territory formerly of the Town of Somers, County of Kenosha, Wisconsin, known as Parcel No. 80-4-222-241-0250 legally described and shown on attached Exhibit "A".

BE IT FURTHER RESOLVED that Parcel No. 80-4-222-241-0250 attached to the City of Kenosha pursuant to the Attachment and Zoning District Classification Ordinance approved by the Common Council for the City of Kenosha, Wisconsin on October 21, 2019, constitutes the 112th Ward of the City of Kenosha, subject to the Ordinances, rules and regulations of the City governing Wards and Aldermanic Districts.
BE IT FURTHER RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that Parcel No. 80-4-222-241-0250 attached to the City of Kenosha pursuant to the Attachment and Zoning District Classification Ordinance approved by the Common Council for the City of Kenosha, Wisconsin on October 21, 2019, constitutes City of Kenosha Voting Ward 112 and Ward 112 is adjoined to the polling place with Wards 13, 14, 15 and 96 for voting purposes as allowed by Section 5.15(6)(b), Wisconsin Statutes.

BE IT FURTHER RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that the City Clerk/Treasurer is directed to send a copy of this Resolution to the County Clerk for referral to the Kenosha County Board.

Adopted this _____ day of ____________________, 2019.

ATTEST: ____________________________ City Clerk/Treasurer          Date: ______________
          DEBRA SALAS

APPROVED: ____________________________ Mayor                    Date: ______________
           JOHN M. ANTARAMIAN

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney
CITY OF KENOSHA
DISTRICT MAP
ATTACHMENT ORDINANCE

SUPPLEMENT NO. ____________  ACCOMPANYING ORDINANCE NO. ____________

CITY OF KENOSHA

ARBOR HOLDINGS, LLC

Part of the Northeast Quarter of Section 26, Town 2 North, Range 22 East of the Fourth Principal Meridian, lying and being in the Town of Tremper, Kenosha County, Wisconsin and being more particularly described as follows:

CERTIFIED SURVEY MAP NO. 473, recorded in the office of the Register of Deeds for Kenosha County, Wisconsin on October 26, 1977 in Volume 1002 of Records, page 492, per Document No. 052122 and also described as follows:

Beginning at a point of the west line of said the aforesaid Northeast Quarter Section, S01°42'39"E 646.50 feet from the northwest corner thereof, thence continue S01°42'39"E along and upon said west line, 168.00 feet; thence S88°50'51"E parallel to the north line of said Quarter Section, 465.20 feet; thence N01°42'39"W parallel to the west line of said Quarter Section, 168.00 feet; thence N88°50'51"E parallel to the north line of said Quarter Section, 465.20 feet and to the point of beginning. Containing 1.79 acres, more or less. Subject to a public road over and across the northwesterly 50.00 feet thereof.

tax parcel no.: 80-4-222-241-0250
address: 1923-30th Avenue

CERTIFIED SURVEY MAP NO. 473
1.79± acres

SCALE 1"=100'

CITY OF KENOSHA - DEPARTMENT OF PUBLIC WORKS - ENGINEERING - JULY 2019 - C.A.M.
Conditional Use Permit Amendment for an addition to the existing distribution facility at 8100 60th Street. (Associated Wholesale Grocers) (District 16) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderman Ruffalo, District 16, has been notified. The City Plan Commission makes a recommendation to the Common Council, which is the final review authority.

LOCATION AND ANALYSIS:

Site: 8100 60th Street

1. On March 17, 2008, the Common Council approved a Conditional Use Permit for a new distribution facility of approximately 731,000 square feet. The applicant is now proposing to add on to that existing facility.

2. The improvements are proposed in two phases. The applicant is asking for approval of both phases at this time. Phase 1 would be 48,710 additional square feet over two additions to the building (north and east). Additional parking area and a bypass lane to the truck entrance off of 88th Avenue will be added in this phase, along with a fuel island and an additional driveway for cars off of 60th Street. Phase 2 would be 341,718 additional square feet (north, east and south). The existing user is a food distribution facility with both dry storage in the south end of the warehouse, and chiller and freezer storage in the north end of the warehouse. The additions would add on to both of those existing uses.

3. The proposed exterior materials will match the existing materials, which are an insulated metal panel on the north end of the building around the chiller and freezer areas, and precast concrete panels at the south end of the building around the dry storage areas.

4. The plans generally comply with Sections 4 and 14 of the Zoning Ordinance.

5. The plans were sent to City Departments for their review. Their comments are included in the attached Conditions of Approval.

6. The City Plan Commission will make a recommendation on the Conditions of Approval. The Common Council will establish the conditions of approval at a future meeting, and after a Class II notice is published, the formal public hearing will be held and the review authority can take final action at that meeting.

RECOMMENDATION:

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

Brian Wilke, AICP, Development Coordinator

Jeffrey DuLabah, AICP, Director
1. The following Conditions of Approval will run with the land and shall be included in a document recorded with the Kenosha County Register of Deeds:

   a. The applicant shall obtain all required construction permits from the Department of Community Development & Inspections. This includes, but is not limited to Erosion Control, Building, Plumbing, Electrical and Occupancy permits.

   b. The applicant shall obtain Stormwater and Parking Lot permits from the Department of Public Works.

   c. All signs shall comply with Chapter 15 of the Code of General Ordinances and the applicant shall obtain sign permits for all new signs. A separate submission and permits are required for all signs. Sign information provided under the Conditional Use Permit is for reference only and does not constitute sign permit approval.

   d. The development shall be constructed per the approved plans on file with the Department of Community Development & Inspections, Room 308, 625 52nd Street, Kenosha, WI 53140. Any changes to the approved plans shall require an amendment to the Conditional Use Permit. All changes shall be submitted to the Department of Community Development & Inspections for review and approval.

   e. Prior to the issuance of any Occupancy permits, all parking areas, drives and designated paved areas shall have the initial lift of asphalt installed. The building exterior shall be completed per the approved plans, the exterior lighting shall be installed and the Conditional Use Permit shall be recorded with the Kenosha County Register of Deeds. All improvements indicated on the plans, including landscaping, shall be installed prior to the issuance of a final Occupancy permit. The recording fees for the Conditional Use Permit shall be submitted by the applicant.

   f. Compliance with City and State and/or Federal Codes and Ordinances. The buildings shall comply with the current Code standards in effect upon application for a building permit.

   g. All trash containers shall be stored within the enclosure or building. The applicant/owner shall be responsible for waste collection and removal for the development. The City of Kenosha shall not provide waste collection or removal services or incur any cost in this regard.

   h. The applicant shall meet all applicable Conditions of Approval and obtain the first building permit within twelve (12) months of Common Council approval of the Conditional Use Permit and all permits within twenty-four (24) months of Common Council approval of the Conditional Use Permit or the Conditional Use Permit shall be null and void.

   i. All vehicles and trailers shall be parked within designated paved areas.

   j. All improvements, including landscaping, shall be maintained per the approved plans. Any damaged fencing, landscaping or building shall be replaced or reconstructed per the approved plans.

   k. Cross access shall be provided to adjacent parcels, if required, at a future date by the City.

   l. Prior to final Occupancy of the building, the applicant shall provide an electronic copy of the following information to the Fire Prevention Bureau:
i. Site Plan as-built
ii. Floor Plan as-built
iii. Site Utilities
iv. Sprinkler Plans
v. Fire Alarm Plans

m. Prior to occupancy of any Phase 2 portion of the building, a total of 297 vehicle parking stalls shall be provided on the site, or relief to that requirement shall be granted by the City Plan Commission.

n. Prior to a final occupancy permit of Phase 1, all existing dead or missing landscaping in the interior lawn park and buffer strip areas shall be replaced in compliance with the originally approved plans.

o. Prior to issuance of building permits, the owner of the property shall amend the existing easement to allow public utilities to be installed on the private property within the existing bicycle / pedestrian easement along County Truck Highway K or dedicate the area encompassed by the easement as public right-of-way.

p. All truck traffic entering and/or exiting the site shall use the 88th Avenue driveways, trucks are not permitted to use any driveway on 60th Street (CTH K)

2. The following Conditions of Approval shall be satisfied with City Staff prior to the issuance of any construction permits:

a. The Drainage Plan shall be revised and resubmitted for review and approval addressing comments listed in the Public Works memo dated September 9, 2019.

b. The Utility Plan shall be revised and resubmitted for review and approval addressing the comments listed in the Kenosha Water Utility memo dated August 23, 2019.


d. Dimensions of the Meat Cooler addition shall be provided.

e. The square footage on page A1.0 for cold dock storage is inaccurate. A new table with accurate sizes shall be provided or an explanation of the 27,202 square foot figure shall be provided.

f. Show on the Landscape Plan where the trees removed along side the truck entrance will be replaced.

g. Prior to the issuance of any permits, a Deed Restriction or Restrictive Covenant approved by the City Attorney shall be recorded with the Kenosha County Register of Deeds stating that the property shall remain fully taxable for ad valorem tax purposes, including, but not limited to taxation unless to, real and personal property taxes and will not be subject to any exemption or exception to taxation unless otherwise agreed to by the City. The Deed Restriction or Restrictive Covenant shall be recorded at the applicant's expense, shall run with the land and shall be enforceable by the City against the owner and the owner's successors, assigns, and successors in title, including any tenants.

h. The applicant shall obtain all required permits from Kenosha County Highway Department for the driveway. A turn lane for CTH K driveway shall constructed.

i. The columns of the fuel island canopy shall be enclosed in a masonry material comparable to the existing facility.
TO: Brian Wilke, Development Coordinator  
FROM: Greg Holverson, P.E.  
       Assistant City Engineer  
       Kim Masura, P.E., CFM  
       Senior Civil Engineer  

DATE: September 9, 2019
SUBJECT: CONDITIONAL USE PERMIT (Review 1)  
Project Description: Associated Wholesale Grocers Addition & Site Improvements
Location: 1923 30th Avenue

Our staff has reviewed the following documents:
- Site Plan, prepared by Kimley Horn, dated 08/02/2019
- SWMP, prepared by Kimley Horn, dated 08/02/2019

<table>
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<th>Parking Lot Ordinance Compliance</th>
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<td>Drainage Plan</td>
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<tr>
<td>Project Approved for Permitting</td>
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<td>Withhold Permits: See Comments</td>
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<td>Approve Footing / Foundation Only (per condition)</td>
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<td>Stormwater Maintenance Agreement (PWU003)</td>
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<td>Exterior Sewer / Water Lateral Permit (CDI109)</td>
<td>Verify w/Building Inspection if State Permit req'd</td>
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<td>Erosion Control Permit (CDI142)</td>
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The following comments summarize the outcome of our review.

Grading & Drainage Comments:

1. Since this project is amending an old SWMP, please include a narrative and applicable excerpt pages of the original report to prove the conditions below are being satisfied. This includes linkage between the old calculations and new calculations as well as modeling and plan sheets to indicate previously approved conditions.

2. It appears that the overall project site was modeled in the July 2008 SWMP (HydroCAD) with 110.82 Ac of project area and 46.7 Ac of offsite area. The submitted exhibits show a project area of 103.47 Ac. The previous exhibits exclude the northern driveway to 88th Avenue and it must be confirmed that this is included in the detention pond calculations. Therefore, please submit the following exhibits showing, at a minimum:
   a. Existing project area as modeled in the approved SWMP and Addendum from July 2008. This shall also indicate the planned impervious surface (or corresponding Curve Number).
   b. Current site plan exhibit with project area and current impervious surface on the property and corresponding Curve Number (including the northern drive to 88th Ave).
   c. Proposed project area for current development with proposed additional impervious surface and corresponding Curve Number.

3. The inverts on the storm sewer calculations need to match with the plan set and survey. For example, D3A is shown with a bottom of 677.68 while the storm calculations show an invert connection at 677.46. Please reconcile and clarify the feasibility.

4. It appears that the proposed storm sewers vary in slope, length, and sometimes placement location from the original plan. Therefore, calculations shall be provided to show the proposed storm sewer meets the City of Kenosha Stormwater Management Criteria for Design of Storm Sewers, last revised November 2016 (Form #PWU005)
   a. Storm sewers shall be sized for the largest peak flow produced by the 10 year rational method design storm.
b. The hydraulics of the storm sewer shall be designed to operate under full or partially full conditions for the 10 year storm. This shall use the existing HGL in the existing pipes as the downstream condition. This may require the need to extend the analysis to the pond discharge.

c. Where a storm sewer discharges into a storm water detention facility the pipe sizing must take into account the loss of hydraulic gradient due to rising water levels in the basin. A design that would cause the storm sewer to surcharge (exceed full flow) during the 10 year storm is not acceptable.

d. Design calculations must show actual storm water taken in by each inlet draining to the proposed storm sewer and the amount of storm water by-passing the inlet.

e. The existing storm sewers (downstream) need to be shown they have sufficient capacity from the original design. Therefore, clarify whether the additional flow from the proposed inlets/piping will be within the original flow calculations of the SWMP from 2008 for the downstream reaches of existing storm sewer.

5. An overflow path shall be provided for all sumps in streets and any sumps in the interior of developments to protect against damage in the case of plugged inlets or runoff in excess of the storm sewer capacity. The required capacity of this overflow route shall be equal to that required for the 100-year, 24-hour runoff. The plan set shows overflow arrows routing to the basin; however, it is unclear whether this flow will reach the basin before discharging to the adjacent ditches along STH 158 and CTH K. Please include additional contours in this area to confirm that all runoff in the 100-year, 24-hour storm event will reach the detention pond prior to discharging off the site.

6. Runoff from disturbed areas with a tributary area of 1 acre or more shall be routed to a sediment trap which meets WDNR Technical Standard 1063.
   a. If designing a sediment trap, provide calculations and additional details to document the sediment trap(s).
   b. If any proposed basin(s) is to be used for sediment storage, this shall be noted, a perforated riser must be installed in the basin, and methods of removing this sediment should be outlined in the plans. Dredging of the accumulated sediment post-construction may be necessary.

7. Please add this note to all erosion control sheets:
   a. Excess soils are to be hauled off site or enclosed with an approved sediment control device within 24 hours.
   b. All disturbed areas not covered by permanent structures or pavement shall be finished graded with 3”- 6” topsoil, seeded and stabilized within 7 days of reaching final grade.

8. Developments disturbing 1 acre or more shall meet the requirements of WPDES Construction Site Stormwater Runoff permit through WDNR (General Permit No, WI-S067831-5). The construction site NOI shall be obtained prior to the start of construction.

Traffic Comments:

1. Please clarify how the expansion addresses the past complaints of semis lining up offsite in the business park and surrounding areas because they cannot drop off their loads/trailers at Associated Wholesale Grocers and sleeping overnight. These semis when parked by other businesses can greatly hurt sight distance in and out of the businesses and make it unsafe for people entering or exiting.

cc: Greg Holverson; Kile Kuhlmyer; Kim Masura, Emily Basalla (Clark Dietz)
MEMO

To: Brian Wilke, Development Coordinator
From: Leif Jackson, Water Engineer
Date: August 23, 2019
Subject: Associated Wholesale Grocers Addition
Location: 8100 60th Street

The Kenosha Water Utility (KWU) has reviewed the submittal for the above referenced project and recommends approval of the project subject to the following:

1. Please revise Demolition Note 13, on pages C1.0 through C1.4, to reflect the appropriate agency. Currently, the note references Julie instead of Diggers Hotline.

Feel free to contact me with any questions, comments, or concerns.

CC: Curt Czarnecki, P.E., General Manager
    Adam Dow, P.E., Water Engineer
Fire Prevention Bureau
C.U.P./Site Development Plan Review Form

Date: 08/21/2019
Project: Associated Foods Addition
Address: 8100 60th Street

The City of Kenosha Fire Department Fire Prevention Bureau performed a plan review on the above property. Please see comments below and do not hesitate to contact us with questions.

Bold one:

- Approved -- No Comments
- Approved -- See Comments Below
- Withhold Permits- Subject to Items Below
- Approval Denied -- See Comments Below

Comments:

1. **Automatic Fire Sprinkler System Required:**
   Plans and specifications shall accompany each submittal, including all applicable plan review and acceptance testing fees. Plans will be reviewed and conditionally approved by the Fire Prevention Bureau. All sprinkler systems require a permit issued by the Department of Neighborhood Services and Inspections prior to the start of any work. The Kenosha Fire Department shall witness all field and acceptance testing.

2. **Class Three Standpipe Required:**
   Class Three Standpipe will be installed in the building at all exit man doors.

3. **Fire Department Connections:**
   Every Automatic Fire Sprinkler System shall have the following:
a. A Concrete Pumper Pad. The concrete pumper pad shall have the following minimum dimensions of concrete: length of twenty (20') feet; width of fifteen (15') feet; and depth of six (6") inches. The concrete pad must be designed and maintained to allow for the parking of at least a Fire Department pumper apparatus of sixty-five thousand (65,000 lbs.) pounds gross weight on it, without failure. Said pumper pad must have included within it or have within five (5') feet adjacent to it, a fire hydrant containing at least one (5") inch Storz connection and at least two (2) two and one-half (2.5") inch outlets having national standard threads; if the fire hydrant is located off the concrete pumper pad, the concrete pumper pad must be oriented such that an outlet having the Kenosha standard threads must face the concrete pumper pad, and there may not be any obstruction between the fire hydrant and the pumper pad that would impede a firefighter’s access to the fire hydrant from the pumper pad, or that would inhibit the operation of a hose extending from the fire hydrant to the Fire Department pumper apparatus.

b. A Fire Department Connection. The Fire Department Connection shall be operationally connected to the Automatic Fire Sprinkler System. The Fire Department Connection shall have a five (5") inch Storz connection. The Fire Department Connection shall be located to comply with all of the following: no further than five (5') feet from the pumper pad; no further than five (5') feet from a fire hydrant; and no closer to the building it services than the height of the building that it services. There may not be any obstruction between the fire hydrant and the Fire Department Connection that would impede a firefighter’s access to the Fire Department Connection, or that would inhibit the operation of a hose extending from the fire hydrant to the Fire Department Connection. There may not be any obstruction between the pumper pad and the Fire Department Connection that would impede a firefighter’s access to the Fire Department Connection, or that would inhibit the operation of a hose extending from the pumper pad to the Fire Department Connection.

c. Locking Cap Covers. All Fire Department Connections, regardless of when installed, shall be occluded by a Locking Cap capable of being removed by appropriate Key Wrenches carried by the Fire Department. Due to the need for consistency and efficiency in emergency situations, and due to the proprietary nature of Key Wrenches, the Fire Department may specify a certain manufacturer or a limited number of manufacturers that provide Locking Caps removable by a particular Key Wrench configuration.

d. Bollards. Fire hydrants associated with the pumper pad and any private hydrants on the property shall be protected from vehicular traffic damage with bollards. The Bureau shall determine the number of bollards needed.

e. Signage. All Fire Department Connections will be labeled on the building or pumper pad; signage to be approved by the Bureau.
4. **Yard Fire Hydrants As A Part of Fire Loop.**

   **a. Number of Required Yard Fire Hydrants.** Additional yard fire hydrants shall be provided around the perimeter of the building so that no yard fire hydrant is more than Five hundred (500') feet from other approved yard fire hydrants measured by normal access routes.

   **b. Setback Distances.** Yard fire hydrants shall be no more than five (5') feet from the curb or edge of the street or fire apparatus access. Alternative setback distances may be considered when site conditions conflict with the provisions of this Section.

5. **System Design.**

   **a. Valves.** Control valves shall be provided to limit the number of yard fire hydrants and/or Automatic Fire Sprinkler Systems affected by maintenance, repair or construction. Valves shall be located at street intersections and at no more than eight hundred (800) foot intervals, and sectional control valves shall be placed so that no more than a combination of yard fire hydrants and Automatic Fire Sprinkler Systems can be isolated between control valves. Valves shall be provided in each yard fire hydrant lead.

   **b. Outlet Position.** All yard fire hydrants shall be positioned so that the largest outlet faces the street or fire apparatus access route.

   **c. Yard Fire Hydrant Height above Grade.** The center of the lowest outlet cap of the yard fire hydrants shall be at least eighteen (18") inches above grade and not more than twenty-three (23") inches above grade.

   **d. Yard Fire Hydrant Specifications.** All yard fire hydrants shall meet the specifications of the Kenosha Fire Department.

   **e. Bollards.** Yard fire hydrants shall be protected from vehicular traffic damage with bollards. The Bureau shall determine the number of bollards needed.

6. **Yard Fire Hydrant Colors.**

   **a.** Yard fire hydrants fed by municipal water shall be safety blue in color.
   **b.** Yard fire hydrants fed by a fire pump shall be painted a solid yellow color.
   **c.** No person shall alter the color or paint scheme of an approved private fire hydrant.

7. **EXIT SIGNS IN PROXIMITY OF FLOOR**

   Floor proximity exit signs as required per 3.27 of the City of Kenosha Ordinance. In the office sections of the buildings.
8. **Building & Door Numbers**
   Building address number size and man door number size shall be approved by the FPB AHJ prior to installation on the building.

9. **Knox Box Required**
   A Knox Box shall be required on all buildings, multiple may be needed on larger buildings, per 3.30 (C) of the City of Kenosha Ordinance.

10. **Fire Alarms Required**
    Fire alarms shall be required in all buildings on the plan. All alarms will be individually monitored by the address of the building. Fire alarm plans shall be reviewed and permitted through the Fire Prevention Bureau. Upon completion of the building final testing of the system shall be completed before final occupancy of the building is gained.

Reviewed by:

Guy J. Santelli II

Kenosha Fire Department
City of Kenosha

Vicinity Map

Associated Wholesale Grocers Expansion

Conditional Use Permit

[Map showing the site location and surrounding areas]
APPLICATION FOR DEVELOPMENT REVIEW
Forms #CDI301 thru #CDI310 (rev. 2/18)

This page required with every application or the application will be deemed incomplete.

MAILING INFORMATION

NAME OF PROJECT:  Associated Wholesale Grocers

The property owner will receive all correspondence. The Applicant and Architect/Engineer will be copied on correspondence.

Name and Address of Property Owner [Please print]:
Associated Wholesale Grocers, Inc.
5521 88th Ave.
Kenosha, WI 53144

Phone: 262-656-4200
Fax: 
E-Mail*: rkears@awginc.com

Name and Address of Applicant (if other than Property Owner) [Please print]:
Tippmann Construction
9009 Coldwater Road
Fort Wayne, IN 46825

Phone: 260-490-3000
Fax: 
E-Mail*: jbransteter@tippmanngroup.com

Name and Address of Architect / Engineer [Please print]:
Project Design & Management - Incorporated
Mark Reynolds
6319 Mutual Drive
Fort Wayne, IN 46825

Phone: 260-494-3282
Fax: 
E-Mail*: 

PROJECT LOCATION

Location of Development (street address and / or parcel number): 5521 88th Ave. Kenosha, WI 53144

TYPE OF LAND DEVELOPMENT

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

- Certified Survey Map #CDI301
- Concept Review (Land Division) #CDI302
- Concept Review (Multi-Family Residential or Non-Residential) #CDI303
- Conditional Use Permit #CDI304
- Developer's Agreement #CDI305
- Final Plat #CDI306
- Lot Line Adjustment Survey #CDI307
- Preliminary Plat #CDI308
- Rezoning #CDI309
- Site Plan Review #CDI310

Section 1  Page 3
Section 2  Page 4
Section 3  Page 5
Section 4  Pages 6 & 7
Section 5  Page 8
Section 6  Pages 9 & 10
Section 7  Page 11
Section 8  Pages 12 & 13
Section 9  Pages 14 & 15
Section 10 Pages 16 & 17

Prior to submitting this Application to the Department of Community Development and Inspections, please review the appropriate sections for fees, requirements and appropriate appendices. Submit this cover page, completed application, applicable section(s) and appendices along with ALL required plans, information and fees to the address listed below.

*All applications for City Plan Commission / Common Council must include an email address. Staff report and agenda will be forwarded to the email address included in this application.
### SECTION 4
**CONDITIONAL USE PERMIT**

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<th>Building or Addition Square Footage: 384,220 SF</th>
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<td>Current # of Employees: 418</td>
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<td>Anticipated Value of Improvements: $6,200,000.00</td>
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**Submittal Requirements:**
- Ten (10) full size scaled copies of Specified Plans indicated below drawn at a standard engineering scale. Engineering plans to be stamped by Professional Engineer.
- Developer Site Plan/Conditional Use Permit Checklist (Appendix A)
- One set of plans in .pdf format provided to bwilke@kenosha.org

**If Item to be Reviewed by Plan Commission/Common Council must Submit:**
- Seventeen (17) copies of 11” x 17” reduction of the Site/Landscape Plan, Floor Plan and Colored Building Elevations (all sides)
- Sample Board containing colored samples of all exterior building materials
- *Application will not be reviewed by City Plan Commission without these submittals.

**Fees:**

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<td>&gt; 25.01 acres</td>
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- 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.
- Application fee entitles applicant to an initial review and one re-submittal.
- Re-submittal fee = $425 per re-submittal after two (2) permitted reviews.
- CUP Amendment = 50% of the applicable fee as determined above.

**Appendices to Review:**
- All

**Approximate Review Time:**
- 30 days for Staff Review
- 45-60 days for City Plan Commission/Common Council Review

The conditional use permit plans, **prepared to a standard engineering scale**, shall be submitted with this application & shall include the following information:

**Building Plan:**
- Layout of building(s) including size and layout of rooms
- Design and architecture
- Plans and details on fire suppression and/or standpipe
- Plans and details on fire detection, fire alarm and other safety devices

**Site Plan**
(based on a plat of survey)
- Legal description of property
- Location and footprint of building(s) and structure(s)
- Locations of existing and proposed streets, drives, alleys, easements, rights-of-way, parking as required, vehicular and pedestrian access points, and sidewalks
- Outline of any development stages
- Location and details on any required emergency access roads
- A calculation of square footage devoted to building, paving and sidewalks, and landscaped/open space
Mr. Brian Wilke, AICP  
Development Coordinator  
City of Kenosha  
625 52nd Street, Room 308  
Kenosha, WI  53140  

RE: Associated Wholesale Grocers  
Distribution Center Expansion  
5521 88th Ave  
Kenosha, WI  53144  

Dear Mr. Wilke,

This letter is submitted to further clarify the building materials that will be used for the Associated Wholesale Grocers expansion. Colored elevations were submitted to your office on September 11, 2019. These elevations show both the Phase I Expansion and Full Expansion (Phase II). To further explain the building materials that will be utilized, we offer the following clarifications:

- The Phase I Expansion will be on the North side of the building as shown on Sheet A2.0. This expansion will be for cold storage and will be constructed using insulated metal panels like the current north half of the existing building. These panels will match in color and will have the same accents as the existing facility.

- The North side of the Full Expansion (Phase II) will be another cold storage expansion and will be constructed using the same insulated metal panels.

- The South side expansion for Phase II will be a dry warehouse expansion and will be constructed using concrete tilt-up panels like the existing facility. These panels will match the same color and design as the existing building.

We will have examples of these materials at the Plan Commission meeting on September 19 along with a full color rendering of the existing building and planned expansions.

In addition, you had a question regarding the new full island. I have included a picture of a similar fuel island that was constructed for Associated Wholesale Grocers in Louisiana. This picture is a good representation of what will be constructed in Kenosha.

We hope this letter clarifies your question regarding building materials. Should you have any additional questions or concerns, please feel free to contact me.

Sincerely,

Jason Bransteter. AIA, LEED AP  
Vice President of Design & Engineering
Resolution by the Mayor to Amend the Official Map for the City of Kenosha, Wisconsin, to include the Attachment of 13620 75th Street, Parcel # 37-4-121-024-0100, in the Village of Bristol, Kenosha County, Wisconsin, (in accordance with the approved City of Kenosha/Village of Bristol Cooperative Plan under Section 66.0307 of the Wisconsin Statutes). (Brown Revocable Trust/WI DOT) (District 16) PUBLIC HEARING

NOTIFICATIONS AND APPROVAL REQUIREMENTS:

Alderman Ruffalo, District 16, has been notified.

LOCATION AND ANALYSIS:

1. The City of Kenosha and Village of Bristol Agreement requires this property to be annexed into the City. The Owner has requested attachment in order to develop the property.

2. An Attachment Agreement is pending Common Council approval for the 62.76 acres of property.

RECOMMENDATION:

A recommendation is made to approve the attached Resolution.

Rich Schroeder, Deputy Director

Jeffrey B. Labatt, RGP, Director
RESOLUTION NO. ____________

BY: THE MAYOR

TO AMEND THE OFFICIAL MAP FOR THE CITY OF KENOSHA, WISCONSIN, TO INCLUDE THE ATTACHMENT OF:

Parcel Number(s): 37-4-121-024-0100

Located at: 13620 75th Street, Village of Bristol

IN THE VILLAGE OF BRISTOL, KENOSHA COUNTY, WISCONSIN, IN ACCORDANCE WITH THE APPROVED CITY OF KENOSHA/ VILLAGE OF BRISTOL COOPERATIVE PLAN UNDER SECTION 66.0307 OF THE WISCONSIN STATUTES [Brown Revocable Trust/WI DOT – Property Owners]

WHEREAS, the City of Kenosha, Wisconsin, has established an Official Map pursuant to Section 62.23(6), Wisconsin Statutes; and,

WHEREAS, the City of Kenosha, Wisconsin, and the Town of Bristol, Wisconsin, entered into the City of Kenosha/Town of Bristol Cooperative Plan Under Section 66.0307, Wisconsin Statutes, which was approved by the Wisconsin Department of Administration, Intergovernmental Relations, Municipal Boundary Review, on October 20, 2000, and amended on November 7, 2000; and,

WHEREAS, it was in the best interest for the public health, safety, and welfare of the City of Kenosha/Village of Bristol to attach territory known as Parcel No. 37-4-121-024-0100, located at 13620 75th Street and including abutting State owned right-of-way of State Trunk Highway 50, in the Village of Bristol, Kenosha County, Wisconsin, to the City of Kenosha, Wisconsin; and,
WHEREAS, on October 21, 2019, the Common Council for the City of Kenosha, Wisconsin, approved an Attachment Zoning District Classification Ordinance Under Section 66.0307, Wisconsin Statutes, for Parcel No. 37-4-121-024-0100, located at 13620 75th Street and including abutting State owned right-of-way of State Trunk Highway 50, in the Village of Bristol, Wisconsin, to be attached to the City of Kenosha, Wisconsin, with the zoning district classification designated therein.

WHEREAS, Parcel Number 37-4-121-024-0100, attached to the City of Kenosha, Wisconsin pursuant to the Attachment and Zoning District Classification Ordinance approved by the Common Council for the City of Kenosha, Wisconsin on October 21, 2019, is within the following Districts:

21st State Senate District
61st State Assembly District
19th County Board District
Bristol School District #1
Central/Westosha High School District

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that pursuant to the authority of Section 66.23(6)(c), Wisconsin Statutes, the Official Map of the City of Kenosha, Wisconsin, be and hereby is amended to include the designation of the attachment of territory formerly of the Village of Bristol, County of Kenosha, Wisconsin, known as Parcel No. 37-4-121-024-0100, located at 13620 75th Street and including abutting State owned right-of-way of State Trunk Highway 50, legally described and shown on attached Exhibit "A".

BE IT FURTHER RESOLVED, that Parcel Number 37-4-121-024-0100, attached to the City of Kenosha pursuant to the Attachment and Zoning District Classification Ordinance approved by the Common Council for the City of Kenosha, Wisconsin on October 21, 2019
constitutes the 111th Ward of the City of Kenosha, subject to the Ordinances, rules and regulations of the City governing Wards and Aldermanic Districts.

BE IT FURTHER RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that Parcel No. 37-4-121-024-0100 attached to the City of Kenosha pursuant to the Attachment and Zoning District Classification Ordinance approved by the Common Council for the City of Kenosha, Wisconsin on October 21, 2019, constitutes City of Kenosha Voting Ward 111 and Ward 111 is adjoined to the polling place with Wards 74, 75, 89, and 97 for voting purposes as allowed by Section 5.15(6)(b), Wisconsin Statutes.

BE IT FURTHER RESOLVED by the Common Council of the City of Kenosha, Wisconsin, that the City Clerk/Treasurer is directed to send a copy of this Resolution to the County Clerk for referral to the Kenosha County Board.

Adopted this ___ day of ___________________, 2019.

ATTEST: _____________________ City Clerk

DEBRA SALAS

APPROVED: _____________________ Mayor

JOHN M. ANTARAMIAN

Drafted By:
JONATHAN A. MULLIGAN
Assistant City Attorney
CITY OF KENOSHA
DISTRICT MAP
ATTACHMENT ORDINANCE

SUPPLEMENT NO. __________________ ACCOMPANYING ORDINANCE NO. __________

CITY OF KENOSHA

BROWN

CITY OF KENOSHA - DEPARTMENT OF PUBLIC WORKS - ENGINEERING - JUNE 2019 - G.A.M.