

RESOLUTION NO. 061820-01

**A Resolution Approving A Precise Implementation Plan,
As Amended, For A Portion of the Mill Street Plaza Development Project:
Kimkasi Pub, LLC, Property Owner**

WHEREAS, the original developer did, in two phases, previously petition the Village of Fontana on Geneva Lake to amend the Village's zoning ordinance (and accompanying zoning map) with regard to the property described more specifically in Addendum "A", attached hereto and incorporated herein by reference as if set forth at length herein (the "Subject Property"); and

WHEREAS, the Village did subsequently adopt Ordinance No. 01-05-05-01 rezoning the Subject Property to the Planned Development Zoning District and approving a General Development Plan ("GDP") for the Subject Property; and

WHEREAS, the original developer did subsequently petition the Village for approval of a Precise Implementation Plan ("PIP") for the Subject Property by filing the components of the PIP on July 18, 2005; and

WHEREAS, the Village did thereafter, on August 8, 2005, approve a PIP for the entirety of the Subject Property as called for by Village Ordinance and in furtherance of the GDP for the Subject Property by Ordinance no. 01-05-05-01; and

WHEREAS, the Village did on December 5, 2005 approve an amended PIP for the entirety of the Subject Property as called for by Village Ordinance and in furtherance of the GDP for the Subject Property by Ordinance No. 01-05-05-01; and

WHEREAS, the Village did on October 2, 2006 and July 7, 2008 approve further amendments to the PIP for the entirety of the Subject Property as called for by Village Ordinance and in furtherance of the GDP for the Subject Property by Ordinance No. 01-05-05-01; and

WHEREAS, the Village did on January 9, 2012 approve a further amendment to the PIP for a portion of the Subject Property as called for by Village Ordinance and in furtherance of the GDP for the Subject Property by Ordinance No. 01-05-05-01; and

WHEREAS, Kimkasi Pub, LLC, the owner of the property described in Addendum "B", attached hereto and incorporated herein as if set forth at length herein (the "Kimkasi Property") has petitioned the Village for an amendment to the PIP as to the Kimkasi Property; and

WHEREAS, the Village Board has been asked to consider the proposed amendment to the PIP as to the Kimkasi Property as submitted by Kimkasi Pub, LLC and as reviewed by the Plan Commission.

NOW, THEREFORE, BE IT RESOLVED by the Village Board for the Village of Fontana-on-Geneva Lake, as follows:

SECTION 1.

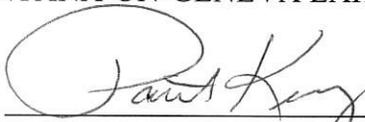
That the recitals set forth above are incorporated herein by reference as if set forth at length herein.

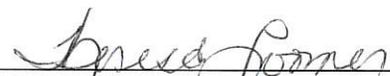
SECTION 2.

- A. That the proposed amendment to the PIP Kimkasi Property, herein defined so as to allow for liquor sales in the outdoor seating area that was approved in a prior amendment to the PIP is hereby approved.
- B. That non-substantive deviations from the details set forth in the PIP for the Subject Property, herein defined, and Kimkasi Property, herein defined, and as previously approved, may be reviewed and approved by the Village of Fontana, acting through the Village Administrator, without the need for additional review of said non-substantive changes by the Village Plan Commission or the Village Board.

PASSED AND ADOPTED by the Village Board for the Village of Fontana-on-Geneva Lake this 18th day of June, 2020.

VILLAGE BOARD OF THE VILLAGE OF
FONTANA-ON-GENEVA LAKE

By: 
Patrick Kenny, Village President

Attest: 
Theresa Loomer, Village Clerk

ADDENDUM "A"

Parcel 1:

Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and 30 in Block 11, Original Plat of the Village of Fontana, Walworth County, Wisconsin.

Also that portion of the vacated alley lying immediately East of Lot 2, being the West $\frac{1}{2}$ of said alley, and all of the vacated alley lying South of the North line of Lot 3 extended East and the North line of Lot 4 extended West, in said Block 11 of the Village of Fontana, Walworth County, Wisconsin.

Parcel 2:

Lot 1 in Block 3 of the Assessor's Plat No. 1, C.L. Douglass Addition to the Village of Fontana, Walworth County, Wisconsin.

ADDENDUM "B"

Legal Description:

Lot 2 of Certified Survey Map No. 3774 located in part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 15, Town 1 North, Range 16 East, Village of Fontana-on-Geneva Lake, Walworth County, Wisconsin