



## **AGENDA PLAN COMMISSION**

**Tuesday, October 13, 2015 at 6:30 p.m.**  
**Common Council Chambers, 224 East Jefferson Street**

**Mayor Robert Miller**, Chairman  
**Tom Vos**, Aldermanic Representative  
**Todd Bauman**, Aldermanic Representative  
**Darrel Eisenhardt**, Park Board President  
**John Lynch**, Commissioner  
**Chris Reesman**, Commissioner  
**Andy Tully**, Commissioner

1. Call to Order
2. Roll Call
3. Approval of the minutes of September 8, 2015
4. Letters and Communications: None
5. Citizen Comments
6. Public Hearings:
  - A. A Public Hearing to hear public comments regarding a Conditional Use application from Mike Lewandowski for property located at 996 S. Pine Street to construct a building for marine equipment sales and services.
7. Old Business:
  - A. A Conditional Use application from Mary Ann Sander for property located at 160 W. Chestnut Street for the operation of a tattoo and body piercing studio that was tabled at the September 8, 2015 meeting.
8. New Business:
  - A. Consideration to approve a Conditional Use and Site Plan application from Mike Lewandowski for property located at 996 S. Pine Street to construct a building for marine equipment sales and services, subject to Patrick Meehan's September 30, 2015 and Kapur and Associates' October 5, 2015 memorandums to the Plan Commission.

- B. Consideration to recommend approval to the Common Council of a Rezone Map Amendment application from Jon Thorngate for property located at 457 Milwaukee Avenue to rezone from B-1 Central Business District to I-1 Institutional District, subject to Patrick Meehan's September 30, 2015 memorandum to the Plan Commission.
- C. Consideration to approve Resolution No. 21 to amend the Racine County Multi-Jurisdictional Comprehensive Plan for property located at 457 Milwaukee Avenue.

9. Adjournment.

*Note: If you are disabled and have accessibility needs or need information interpreted for you, please call the City Clerk's Office at 262-342-1161 at least 24 hours prior to the meeting.*

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



**Minutes**  
**City of Burlington Plan Commission**  
**September 8, 2015, 6:30 p.m.**

Mayor Robert Miller called the Plan Commission meeting to order at 6:30 p.m. Roll call: Alderman Tom Vos and Todd Bauman; Commissioners Darrel Eisenhardt; John Lynch; Andy Tully; and Chris Reesman were present.

**APPROVAL OF MINUTES**

Alderman Vos moved, and Commissioner Lynch seconded to approve the minutes of July 14, 2015. All were in favor, and the motion carried.

**LETTERS & COMMUNICATIONS**

None

**CITIZEN COMMENTS**

None

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

**A. Consideration of a Conditional Use application from Mary Ann Sander for property located at 160 E. Chestnut Street for the operation of a tattoo and body piercing studio.**

- Mayor Miller opened this item for discussion.
- Mary Ann Sander, owner, 3363 S. Kinnickinnic Avenue Bayview, WI, stated that Charles (Chip) Hinds resigned as manager September 4, 2015 and was hoping that would change the decision of denying the Conditional Use application. Commissioner Tully questioned if the tattoo business is currently in operation. Mayor Miller stated Mary Ann has been operating without a Conditional Use for about a year.
- Alderman Vos stated as Chip is no longer a part of the business he would like to make a motion to deny the Conditional Use and allow Mary Ann to reapply for the Conditional Use application. City Administrator Walters stated there was a plea of no contest, knowingly Mary Ann allowed Chip to operate the business in this type of manner and risking the chance of the Conditional Use be taken away. Mary Ann stated she was unaware of the activity going on in the building since she was not present and is looking for a new manager. Mary Ann also stated she has brought business to the community. Commissioner Tully asked how many employees are there. Mary Ann replied there are two employees without Chip.
- Mayor Miller stated it is the owner's responsibility to be aware of any activity taking place, whether present or not, and Mary Ann had failed in her responsibilities of maintaining a business that was not "hazardous, harmful, offensive or otherwise adverse to the environment or the value of the neighborhood or the community" as stipulated in city ordinance 315-130.

Mayor Miller advised the Commissioners to deny the operation of her business until she reapplies for a Conditional Use, which allows Chip not to be associated with the business.

Alderman Vos moved, and Commissioner Reesman seconded to deny the Conditional Use application.

- Mary Ann questioned if the denial meant the business is shut down immediately or can it be opened for 30 or 60 days to finish with current clients and those who have purchased gift certificates previously. Mayor Miller stated without a Conditional Use on file, the business is being operated illegally.

Alderman Vos amended the denial to have an effective date as of October 1, 2015 to close out existing business since she is already operating illegally.

- Todd Bauman questioned how a business operates without a Conditional Use and how do you extend something the owner does not have. Alderman Vos stated if this item was never brought to the Plan Commission tonight, it would never have been dealt with and would have waited until the October meeting. Commissioner Lynch suggested maybe the Commissioners should table this item until the next meeting in October. Mayor Miller stated on October 13, 2015 Mary Ann would have to lock her doors and then has the opportunity to reapply for the Conditional Use.
- Mayor Miller stated the amended motion of denial dies without a second motion.

Alderman Vos moved, and Commissioner Lynch seconded to rescind the motion for denial.

Alderman Vos moved, and Commissioner Tully seconded to table this item until the next Plan Commission meeting October 13, 2015.

- There were no further comments.

*All were in favor and the motion carried.*

#### **NEW BUSINESS**

None

#### **ADJOURNMENT**

Commissioner Lynch moved, and Commissioner Eisenhardt seconded to adjourn the meeting at 6:46 p.m. *All were in favor and the motion carried.*

Recording Secretary  
Kristine Anderson  
Administrative Assistant



**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

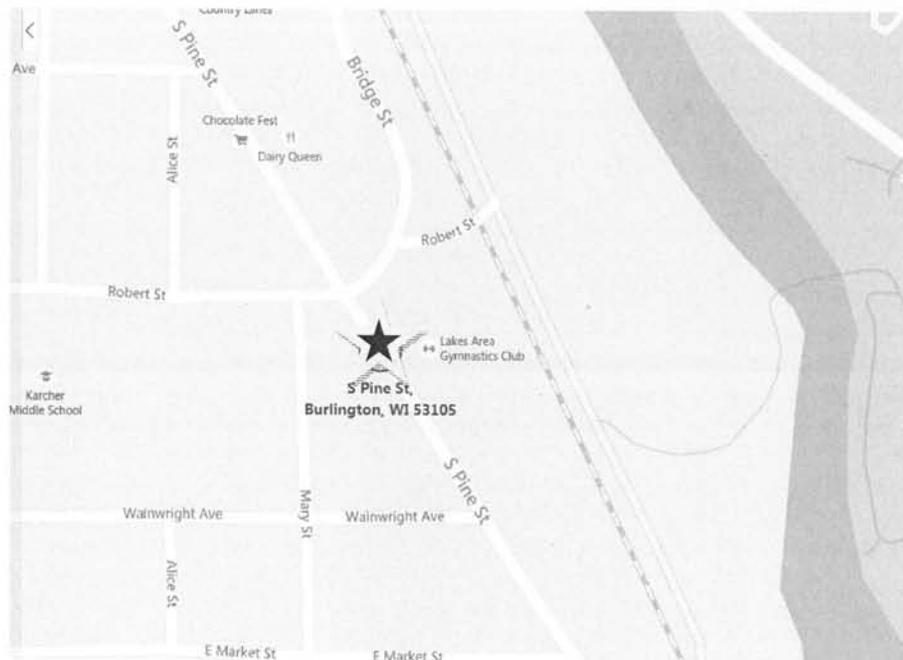
<b>Plan Commission Item Number: 6A</b>	<b>Date:</b> October 13, 2015
<b>Submitted By:</b> Gregory Guidry, Building Inspector	<b>Subject:</b> A Public Hearing for a Conditional Use application at 996 S. Pine Street

**Details:**

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a Conditional Use application from Mike Lewandowski of Marine Sales for property located at 996 S. Pine Street. The applicant is proposing to construct a building for marine equipment sales use and services at 996 S. Pine Street.

The parcel is zoned M-1, Light Manufacturing District.

**Map Location:**



**Executive Action:**

This item is for a Public Hearing at the October 13, 2015 Plan Commission meeting and will be for discussion the same night.

THE PLAN COMMISSION IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on  
Proposed Conditional Use Permit  
M-1, Light Manufacturing District

TO WHOM IT MAY CONCERN:

**NOTICE** is hereby given that the Plan Commission of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to discuss the proposed Conditional Use Permit for:

**Owner:** Mike Lewandowski  
**Applicant:** Mike Lewandowski  
**Location:** 996 S. Pine Street  
**Zoning:** M-1, Light Manufacturing District  
**Use:** Marine Sales (for storage, servicing and selling of boats)

**NOTICE IS FURTHER GIVEN** that a hearing on the above-mentioned Conditional Use Permit will be held by the City Plan Commission in the Courtroom of the Police Department, in the City of Burlington on:

**TUESDAY, OCTOBER 13, 2015 DURING THE MEETING OF THE PLAN COMMISSION SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER**

To consider the above Conditional Use Permit and to hear persons in support thereof or opposition thereto.

CITY OF BURLINGTON  
PLAN COMMISSION

Dated at Burlington, Wisconsin, 21<sup>st</sup> day of September 2015.

Diahnn Halbach, City Clerk

*Published in the Burlington Standard Press  
September 24<sup>th</sup>, 2015 and October 1<sup>st</sup>, 2015*



**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

<b>Plan Commission Item Number: 7A</b>	<b>Date:</b> October 13, 2015
<b>Submitted By:</b> Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to approve a Conditional Use application at 160 E. Chestnut Street

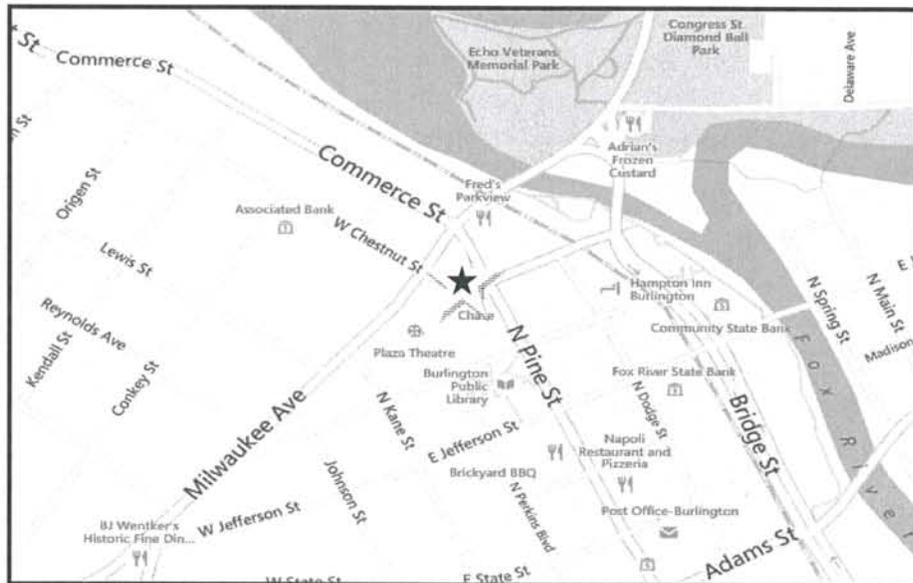
**Details:**

This item is to consider a Conditional Use application from Mary Ann Sander of Fat Daddyz Tats for property located at 160 W. Chestnut Street. The applicant is proposing to use an existing unit at 160 W. Chestnut Street for the operation of tattoo and body piercing. This item was tabled at the September 8, 2015 Plan Commission meeting.

Please find attached email from Mary Ann Sander withdrawing her Conditional Use application dated September 21, 2015.

The parcel is zoned B-2, Central Business District.

**Map Location:**



**Executive Action:**

This item is for consideration at the October 13, 2015 Plan Commission meeting. No further action is necessary.

**Megan Watkins**

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**Subject:** FW: Conditional use permit

**Sent:** Monday, September 21, 2015 8:00 AM

**To:** Bubner, Terese <[tbubner@burlington-wi.gov](mailto:tbubner@burlington-wi.gov)>

**Subject:** Conditional use permit

To Whom It May Concern,

I, MaryAnn Sander, owner of Fat Daddyz tattoos at 160 East Chestnut Street, Burlington Wisconsin, officially withdraw my application for a new conditional use permit. Our last day open to the public for business will be October 12th, 2015.

Sincerely, MaryAnn Sander

Sent from my T-Mobile 4G LTE device



## CITY OF BURLINGTON

**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

<b>Plan Commission Item Number: 8A</b>	<b>Date:</b> October 13, 2015
<b>Submitted By:</b> Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to approve a Conditional Use and Site Plan application at 996 S. Pine Street.

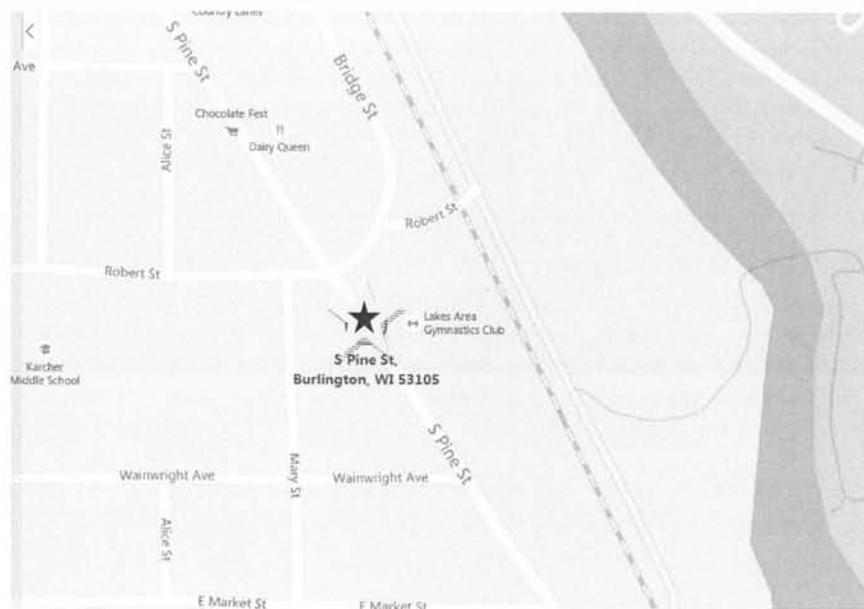
### Details:

This item is to consider approving a Conditional Use and Site Plan application from Mike Lewandowski for property located at 996 S. Pine Street. The applicant is proposing to construct a building for marine equipment sales and services at 996 S. Pine Street.

The parcel is zoned M-1, Light Manufacturing District.

Patrick Meehan and Kapur & Associates recommend a conditional approval of this Site Plan subject to items listed in their memorandums.

### Map Location:



### Executive Action:

This item is for consideration at the October 13, 2015 Plan Commission meeting. No further action is necessary.

# MEEHAN & COMPANY, INC.

PATRICK J. MEEHAN, AICP, AIA  
PRESIDENT

P. O. BOX 925  
HALES CORNERS, WI 53130-0925  
PHONE: (414) 529-9559  
FAX: (414) 529-9559

## MEMORANDUM

**TO:** Plan Commission  
City of Burlington

**FROM:** Meehan & Company, Inc.  
Patrick J. Meehan, AICP

**SUBJECT:** Conditional Use and Site Plan Review for a Proposed Marine Sales Use at 996 S. Pine Street in the M-1 Light Manufacturing District (Applicant: Mike Lewandowski, MD Services; Owners: Mike and Dawn Lewandowski)

**DATE:** September 30, 2015

### INTRODUCTION AND BACKGROUND

Pursuant to the September 14, 2015, written request of Kristine Anderson, Administrative Assistant, City of Burlington, Meehan & Company, Inc. has prepared this memorandum review of the proposed request for a Conditional Use and Site Plan Review for a proposed marine sales use (a type of retail stores and services use) at 996 S. Pine Street located in the M-1 Light Manufacturing District.

*Within the M-1 Light Manufacturing District, "retail stores and services" uses are a conditional use which requires the holding of a public hearing before the City Plan Commission pursuant to the requirements of Section 315-130(C) of the City Zoning Ordinance.*

The materials submitted by the applicant are as follows:

- a. "Application for Conditional Use Permit," 3 pages, dated 9/1/15.
- b. "Site Plan Approval Application," 2 pages, dated 9/1/15.
- c. "Site Plan (Plat of Survey)," 1 Sheet, dated August 31, 2015 as prepared by Robert J. Wetzel, RLS, B.W. Surveying, Inc.
- d. "(Building) Elevations (North, South, West, and East)," Sheet 1 of 4, dated, 8/10/15, as prepared by Pinno Buildings.
- e. "Floor Plan," Sheet 2 of 4, dated, 8/10/15, as prepared by Pinno Buildings.
- f. "Details," Sheet 3 of 4, dated, 8/10/15, as prepared by Pinno Buildings.
- g. "Details," Sheet 4 of 4, dated, 8/10/15, as prepared by Pinno Buildings.

*All site engineering-related portions of this project (including drainage, utility, easement, sewer, water, and all other engineering-related issues) are deferred to the City Engineer for review and comment.*

*Meehan & Company, Inc. did not review the submitted plans for compliance with City Building Codes. All proposed architectural plans need to be reviewed by the City Building Inspector for compliance with all applicable Building Codes.*

1. **GENERAL CHARACTERISTICS:** The subject property is about 1.5+/- acres in area. It is the understanding of Meehan & Company, Inc. that the proposed marine sales use would occupy a proposed 3,200 square-foot building (50 feet X 64 feet) with a 768 square-foot (64 feet long) covered "porch" facing S. Pine Street and located on the

west side of the subject property.

Based upon the "Site Plan (Plat of Survey)" drawing submitted by the applicant, the subject property is proposed to be continued to be served by the existing, approximate 16-foot wide, shared driveway located contiguous to the abutting property at the northwest corner of the subject property until such time as the future driveway intersecting S. Pine Street at the northwest corner of the subject property is constructed. However, no time frame for the construction of the proposed future driveway intersecting S. Pine Street is provided by the applicant.

Also shown on the "Site Plan (Plat of Survey)" submitted is an asphalt-paved, eight-space, off-street, angled (approximately 60-degree) parking lot located in the northwest corner of the subject property. One of those proposed off-street parking spaces is proposed to be to accommodate persons with disabilities.

The applicant is proposing to have two (2) employees on the premises and the hours of operation are proposed to be from 8:00 am to 5:00 pm.

2. **EXISTING AND SURROUNDING ZONING:** The subject property is zoned within the M-1 Light Manufacturing District zoning classification and also surrounded by the M-1 Light Manufacturing District zoning classification. Retail stores and services uses (including marine sales) are conditional uses in the M-1 Light Manufacturing District. Off-street parking uses (accessory to principal uses) are permitted accessory uses.

Based upon a visual review of the City Zoning Map, it appears that the subject property is not located within a WPO Wellhead Protection Overlay District.

Based upon a review of the City Zoning Map, it is the understanding of Meehan & Company, Inc. that property abutting the subject property on all sides is the M-1 Light Manufacturing District.

3. **100-YEAR RECURRENCE INTERVAL FLOODPLAIN AND ENVIRONMENTAL CORRIDORS:** Based upon a review of the City's zoning map, no 100-year recurrence interval floodplain area is indicated for the subject property.

SEWRPC's Community Assistance Planning Report No. 78 titled Sanitary Sewer Service Area for the City of Burlington indicates that no portion of the subject property is located within a SEWRPC-delineated primary environmental corridor.

4. **CONSISTENCY WITH CITY PLANS:**

**City's Adopted Comprehensive Plan:** The subject property is located within an area designated as "Commercial" in the City-adopted SEWRPC Community Assistance Planning Report No. 301 titled A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035 dated November 2009 as described in Appendix D (Map 1 titled "Recommended Land Use Plan for the City of Burlington Planning Area: 2035"). *The existing M-1 Light Manufacturing District zoning classification's conditional use allowance of retail stores and services uses is consistent with the A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035 as that plan currently pertains to such uses proposed for the subject property. The Comprehensive Plan was adopted by the City under the provisions of Section 66.1001 of the Wisconsin Statutes.*

The City of Burlington Bicycle/Pedestrian Plan dated September 28, 2001 as prepared by Schreiber/Anderson Associates, Inc. does not indicate any bicycle routes proposed on the subject property. *Therefore, the proposed use is not inconsistent with this existing plan.*

**City of Burlington: 2010-2014 Comprehensive Outdoor Recreation Plan:** The City of Burlington: 2010-2014 Comprehensive Outdoor Recreation Plan dated July 2010 as prepared by Schreiber/Anderson Associates, Inc. does not indicate any proposed park or proposed trail on the subject property. *Therefore, the proposed marine sales use is not in conflict with this plan since no park or proposed trail is planned to be located on the subject property.*

5. **CITY "OFFICIAL MAP":** The City "Official Map" does not indicate any new streets traversing the subject property. The proposed use is in conformance with the adopted "Official Map" since the "Official Map" does not indicate additional right-of-way to be dedicated for S. Pine Street.

6. **ZONING AND M-1 LIGHT MANUFACTURING ZONING DISTRICT DIMENSIONAL REQUIREMENTS:**

a. **Conditional Use Permit Required:** As indicated earlier in this memorandum, retail store and services uses (including marine sales) are considered a conditional use in the M-1 Light Manufacturing District zoning classification and require a public hearing before the Plan Commission and the grant of a Conditional Use Permit by the Plan Commission pursuant to the requirements of Section 315-130(C) of the City Zoning Ordinance.

b. **Dimensional Requirements:** Without elaborating on all of the dimensional requirements of the City Zoning Ordinance relative to the proposed use, the following are some of the most significant dimensional requirements of lots in the M-1 Light Manufacturing District:

- Minimum Lot Area: 7,200 square feet
- Minimum Lot Width: 60 feet
- Minimum Front Yard: 30 feet from the street right-of-way line
- Minimum Side Yard: 10 feet
- Minimum Rear Yard: 25 feet
- Max. Building Height: 40 feet

*The proposed building location on the subject property meets the above dimensional requirements of the M-1 Light Manufacturing District.*

7. **OTHER ZONING ORDINANCE REQUIREMENTS:** The following requirements need to be met by the proposed Conditional Use and Site Plan:

a. **Number of Off-Street Parking Spaces Required:** The City Zoning Ordinance does not provide a parking standard for marine sales types of uses. However, Section 315-48J of the City Zoning Ordinance indicates that:

*"... In the case of conditional uses, parking spaces for conditional uses not listed in Table 5 shall be provided in accordance with*

*requirements designated by the Plan Commission upon recommendation of the City Planner and as may be required by the Common Council...."*

Also, it is important to note that not even the Institute of Transportation Engineers' Parking Generation—3rd Edition (Washington, D.C.: Institute of Transportation Engineers, 2004) addresses the off-street parking needs of marine sales facilities.

*Since the boats for sale on the subject property would be located in both the porch and enclosed building areas totaling 3,968 square feet of boat sales area (a type of storage area for very large items), Meehan & Company, Inc. recommends to the Plan Commission that a variation of the off-street parking standards set forth for warehouse uses in Table 5 of the City Zoning Ordinance be used as follows: 0.5 parking space per 1,000 square feet of floor area, plus 1 space per employee. In the current instance, this would be a minimum of 2 spaces for the 3,968 square feet of boat sales plus another 2 spaces for the two proposed employees, and one space for persons with disabilities and totaling a minimum of five off-street parking spaces. The applicant's "Site Plan (Plat of Survey)" indicates the provision of a total of eight off-street parking spaces inclusive of one space to accommodate persons with disabilities. Under the applicant's proposed "Site Plan (Plat of Survey)," this standard would be met.*

- b. **Minimum Setback of Off-Street Parking and Drive Areas from Rear and Side Lot Lines:** Section 315-48(D) requires that no off-street parking area or associated driveway serving more than five (5) vehicles shall be closer than eight (8) feet to a side or rear lot line and that the area between the parking lot and lot or parcel line shall consist of landscaping. *These requirements appear to have been met by the proposed "Site Plan (Plat of Survey)" dated 8/31/15.*
- c. **Paving of Off-Street Parking and Loading Spaces:** Pursuant to the requirements of Section 315-48(E)(1), the proposed off-street parking and loading areas shall be paved with either asphalt or concrete. *These requirements appear to have been met by the proposed "Site Plan (Plat of Survey)" dated 8/31/15.*
- d. **Minimum Driveway Width:** Pursuant to the requirements of Section 315-48(A) of the Zoning Ordinance, the minimum required driveway width to serve the proposed use is 24 feet. The applicant proposes one "future drive" with a width of only 19 feet. As indicated earlier in this memorandum, the subject property is proposed to be continued to be served by the existing, approximate 16-foot wide, shared driveway located contiguous to the abutting property at the northwest corner of the subject property until such time as the future driveway intersecting S. Pine Street at the northwest corner of the subject property is constructed. However, no time frame for the construction of the proposed future driveway intersecting S. Pine Street is provided by the applicant. Also, based upon Meehan & Company, Inc.'s September 21, 2015 telephone discussion with the applicant's Land Surveyor, Robert J. Wetzel, no share driveway access easement exists between the subject property and the northerly abutting property for this driveway to be shared by both property owners.

*Based upon the foregoing, Meehan & Company, Inc. recommends that the proposed "future drive" intersecting S. Pine Street at the northwest corner of the subject property be constructed at the City Zoning Ordinance required width of 24 feet in conjunction with the construction of the proposed parking*

- lot which it is to serve. It is further recommended that the driveway location be reviewed and commented upon by the City Engineer regarding the safety and transportation engineering issues of its design and proposed location. A revised "Site Plan" shall be submitted to the City staff for review for compliance with these issues prior to the issuance of a Conditional Use Permit.*
- e. **Minimum Size of Off-Street Parking Spaces:** Section 315-48(B) requires that no off-street parking space be less than 9 feet in width and 180 square feet in area. *The proposed "Site Plan (Plat of Survey)" appears to meet these requirements.*
  - f. **Minimum Required Width of Off-Street Parking Rows and Aisles:** Section 315-48(M) sets forth the minimum required width of off-street parking rows and aisles. Based upon that requirement, a double row and aisle of 60 degree parking spaces needs to be a minimum of 62 feet in width. *The proposed "Site Plan (Plat of Survey)" indicates a double row and aisle of 60 degree parking spaces which are only 60 feet in width and not the required 62 feet in width. Therefore, it is recommended that a revised "Site Plan" shall be submitted to the City staff for review for compliance with these issues prior to the issuance of a Conditional Use Permit. [Note: Adequate space is available on-site in order to meet this requirement.]*
  - g. **Permanent Marking of Off-Street Parking Area:** Section 315-48(G) of the City Zoning Ordinance requires that all off-street parking areas serving five (5) or more vehicles shall have all parking stalls permanently marked by painted lines or other approved material, and said marking shall be maintained so as to be legible at all times. *This requirement shall be met prior to the issuance of an Occupancy Permit.*
  - h. **Parking Space Allocation for Persons with Disabilities:** Pursuant to the requirements of Section 315-48(H) and Table 4 of the City Zoning Ordinance, per each parking lot which has 1 to 25 parking spaces (such as the applicant proposed parking lot), a minimum total of one (1) off-street parking space is needed to accommodate persons with disabilities. *The proposed "Site Plan (Plat of Survey)" appears to meet this requirement.*

## 8. SITE PLAN REQUIREMENTS OF THE CITY ZONING ORDINANCE

The submitted plans need to meet the following requirements of Section 315-137(C) of the City Zoning Ordinance:

- a. *As required under the provisions of Section 315-137(C)(6), the existing and proposed topography shall be indicated on the "Site Plan" and existing and proposed topography shown at a contour interval of not more than two feet at National Geodetic Vertical Datum of 1929 (mean sea level). A site grading plan may also be required by the Zoning Administrator and/or Plan Commission.*
- b. *As required under the provisions of Section 315-137(C)(15), proposed sanitary sewers, storm sewers, and water mains shall be indicated on the "Site Plan" including existing and the general location of proposed sanitary sewers, storm sewers (including direction of flow), water mains, and fire hydrants noted on the site plan. All locations for the proposed connections to such utilities shall be indicated on the "Site Plan."*
- c. *As required under the provisions of Section 315-137(C)(16), the location of any*

*proposed stormwater management facilities, including detention/retention area(s) shall be noted on the "Site Plan." Said submission shall indicate how the planned stormwater drainage system meets the requirements of the City's stormwater management plan. Proposed stormwater management calculations may need to be submitted to the City if required by the City Engineer.*

- d. *As required under the provisions of Section 315-137(C)(26), the location of all existing and proposed easements shall be shown on the "Site Plan," including access easements, utility easements, and all other easements.*
- e. *If any outdoor lighting serving the proposed use is proposed in the future, outdoor lighting data is required which indicates location, type, and illumination level (in footcandles) of all outdoor lighting proposed to illuminate the site meeting the requirements of Sections 315-30(H) of the City Zoning Ordinance. If lighting is planned, it is recommended that total cut-off luminaires be used throughout the site meeting the requirements of Sections 315-30(H) and 315-137(C)(25) of the City Zoning Ordinance.*

## RECOMMENDATIONS

*Based upon the foregoing analyses and findings, Meehan & Company, Inc. recommends that the Plan Commission:*

- A. *Hold a formal public hearing on the applicant's proposal following the requirements of Section 315-130(C) of the City Zoning Ordinance regarding "Conditional Use Permits."*
- B. *Conditionally approve the proposed Conditional Use and Site Plan documents subject to the applicant's compliance with numbered items 7a, 7d, 7f, 7g, and 8a through 8e of this memorandum (including the submission of all required revised documents to City staff for City staff for review for compliance with these stated conditions), and compliance with any other conditions required by the City Administrator, City Departments, City Attorney, and/or City Engineer, prior to the issuance of a Conditional Use Permit.*



**To:** Kristine Anderson **Date:** October 5, 2015  
**From:** Greg Governatori  
**CC:** Carina Walters, Gregory Guidry, Tom Foht, Judy Gerulat,  
**Subject:** 996 S. Pine Street Marine Sales–Site Plan Application

**BACKGROUND AND REQUEST:** Mr. Mike Lewandowski of MD Services has submitted site and building plans for 996 S. Pine Street to use for future Marine sales. The site plans provided specify creating a new access drive from Pine Street, Three future buildings and the use of a single existing building, new asphalt pavement, gravel drives, and other improvements. Our review was conducted to determine compliance with City ordinances and good engineering practices.

The following site plan prepared by B.W. Surveying, Inc. dated August 31, 2015 was submitted for review:

- Sheet 1 of 1 – Plat of Survey
- Sheets 1 to 4 – PINNO Building Plans

**General:**

- Detail engineering drawings were not provided as part of the conditional use submittal. We recommend the submittal of a detailed grading plan, site plan, paving plan, utility plan and all associated details. The plans shall show all dimensions, pavements, walks, grades, contours, erosion control locations, storm water management, any proposed utilities, utility connections, detail driveway connections, all materials, lengths, easements if required, and restoration.
- The project appears that it may be in excess of 40,000 square feet and will require storm water management due to increase in runoff generated from the additional impervious areas. The project will need to address storm water quality and release rates. Applicability for storm water management practices follows Chapter 270-5 of the Burlington City Code which requires post construction storm water management for a development site having a gross aggregate area of 40,000 SF or more. *Post Construction Storm water management may be required as part of this project.*
- The site plan does not show connectivity of the future buildings. If the area is to remain in a lawn/landscaped condition the site plan should reflect this.
- No Topographic information existing or proposed was provided as part of the site plan. A site visit to the property confirmed that all runoff continues to the south east and into the railroad right of way. A grading plan shall be provided detailing existing and proposed topography shown at contour intervals of not less than two feet, indicating proposed grades for the areas of improvement. It is unclear whether or not there will be adequate drainage around the proposed building.
- An erosion control plan needs to be provided showing locations of erosion control placement and details for installation. The erosion control plan needs to show approximate limits of disturbance and locations for any stockpiles and restoration work. It shall also include construction sequencing notes.

- NR 151 requires any project with land disturbance in excess of 1 acre to obtain a Notice of Intent for construction. Post construction performance standards for redevelopment follow NR 151.12. The submittal does not provide site data in regards to post construction storm water activities, or exemption status if the project qualifies under NR 151.12. A notice of intent will be required and possibly post construction storm water practices. Once a grading has been provided it can be determined if the Permit will be required.
- A City permit for both the utility and driveway construction work in the right-of-way is required before construction can begin.

The plans have been reviewed for conformance with generally accepted engineering practices and City of Burlington policies. Although the material has been reviewed, the design engineer is ultimately responsible for the thoroughness and accuracy of the plans and supplemental data and for compliance with state, county, and other local ordinances and procedures.

Please contact me if you have any questions or comments at (262) 767-2747.



Building & Zoning Department
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1163 - (262) 763-3474 fax
www.burlington-wi.gov

PINNO BUILDINGS
DEVAIRN OFFICE
262-925-6783
GREG DZIEDZIC (C) 262-210-9270

APPLICATION FOR A ZONING PERMIT,
CERTIFICATE OF COMPLIANCE,
OR
CONDITIONAL USE PERMIT

FOR OFFICE USE ONLY
PERMIT NO. (not C.U.)
AMOUNT PAID \$ 500
DATE FILED 9/1/15
DATE PUBLISHED
PUBLIC HEARING DATE:
RECEIVED BY: JA

- Zoning Permit - \$25.00
Joint Zoning/Certificate of Compliance - \$35.00
Certificate of Compliance - \$15.00
[X] Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant MIKE LEWANDOWSKI MD SERVICES
Phone No. 262-206-3045 Fax No.
Applicant's Address 417 N. STATE ST P.O. BOX 404 ROCHESTER, WI 53161
Owner of the site MIKE LEWANDOWSKI & DAWN LEWANDOWSKI
Phone No. 262-206-3045 Fax No.
Owner's address SAME AS ABOVE
Architect / Professional Engineer CADRE INC. - HOWARD FLOETER
Architect / Professional Engineer Address P.O. BOX 983 FOND DU LAC, WI 54936
Contractor PINNO BUILDINGS #1567 WI
Contractor's Address W8856 COUNTY ROAD T ROSENDALE, WI 54974

DESCRIPTION OF THE SUBJECT SITE

Address 996 S. PINE STREET BURLINGTON, WI 53105
Or if no address exists: Parcel Identification No.
Existing Zoning classification M-1

Description of existing use MANUFACTURING  
 Description of the proposed use MARINE SALES  
 Number of employees / Hours of operation 2 (8-5)

**ATTACHMENTS –  
 THE FOLLOWING ITEMS MAY NEED TO BE ATTACHED TO THIS APPLICATION:**

**PLAT OF SURVEY** – prepared by a registered land surveyor showing the location, boundaries, elevations, uses and size of the following: subject site; existing and proposed structures; existing and proposed easements, streets and other public ways; off-street parking, loading areas and driveways; existing highway access restrictions; existing and proposed street, side and rear yards. In addition, the plat of survey shall show the location, elevation, and use of any abutting lands and their structures within (40) feet of the subject site.

If municipal sewage service or water service is not available, a plan shall be approved by the City Engineer who shall certify in writing that satisfactory, adequate and safe sewage disposal and/or a safe supply of water, is possible on the site as proposed by the plan in accordance with applicable local, county and state board of health regulations.

*Additional information as may be required by City Officials.*

**Reason for requesting a Conditional Use (for Conditional Use Permit Only):**

CONDITIONAL USE REQUIRED FOR MARINE SALES

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Certificate – I hereby certify that all the preceding statements and attachments submitted hereto are true and correct to the best of my knowledge and belief.

Applicant Same (Signature) \_\_\_\_\_ (Print)

Owner Michael Lewandowski (Signature) \_\_\_\_\_ MICHAEL LEWANDOWSKI (Print)

Date: 9/1/2015 Date application Filed: \_\_\_\_\_

- Applications will not be processed without the property owner's signature.
- Permit may be revoked without notice if misrepresentation of any of the above information or attachments is found to exist.
- Permit is Null and Void if issued in error. It is understood that any permits issued on this application will not grant any right or privilege to erect any structure or to use any premises for any purpose that is prohibited by the Zoning Ordinance or any other state or local laws.
- Changes in the plans or specifications submitted in the original application shall not be made without prior written approval of the Zoning Administrator.

Zoning Administrator: Gregory E. Gandy  
(Signature)

Date: 10/5/15



CITY OF BURLINGTON

Building & Zoning Department  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1163 – (262) 763-3474 fax  
www.burlington-wi.gov

SITE PLAN APPROVAL APPLICATION

REVIEW: \$500.00 Deposit +/- Actual Cost

FOR OFFICE USE ONLY

DATE FILED: 8/11/15  
RECEIVED BY: KA  
AMT. PAID: \$500- (Initials)

APPLICANT: MIKE LEWANDOWSKI  
ADDRESS: 417 N. STATE ST PHONE NO. 262-206 FAX NO. N/A  
P.O. BOX 404 3045  
OWNER: STATE  
ADDRESS: PHONE NO. FAX NO.  
SITE ADDRESS: 996 S. PINE ST  
PROPOSED USE: MARINE SALES PRESENT ZONING: M-1  
LEGAL DESCRIPTION: SEE SITE PLAN  
(Attach full legal description if needed)

THE SITE PLAN MUST INCLUDE THE FOLLOWING INFORMATION  
(PLEASE LIST ANY ADDITIONAL INFORMATION WHERE APPLICABLE):

- Site plan drawn to a recognized engineering or architectural scale with graphic scale, shown as well as the date of drawing and the north arrow shown.
- Project title and owner's/developer's name and address noted.
- Architect's and/or engineer's name and address noted.
- Property boundaries and dimensions.
- Abutting property zoning classifications.
- General description of building materials, façade and roof detail.
- Setback lines indicated.
- Easements for access, if any.
- 100-year floodplain identification. N/A
- Existing and proposed topography show at a contour interval of not less than two feet, indicating proposed grade and location of improvements.
- Signage and outdoor lighting – proposed location and details.
- Total number of employees: 2 and Hours of operation 8-5

- Total no. of parking spaced noted. No. of parking spaces provided: \_\_\_\_\_ Calculations used to arrive at the no. of spaces: \_\_\_\_\_.
- Type, size and location of all structures with all building dimensions shown.
- Locate existing and general location of proposed sanitary sewers, storm sewers and watermains.
- Locate any proposed stormwater management facilities, including detention/retention areas. The City of Burlington has a stormwater ordinance in effect.
- Note location, extent and type of proposed landscaping and landscaping plantings and buffers to adjacent property, including fencing or other screening.
- Note, location of pedestrian sidewalks and walkways. *N/A*
- Graphic outline of any development staging that is planned.
- Driveway locations and sizes.
- Handicap accessibility.
- List environmental concerns, i.e. odor, smoke, noise.

Owner: MICHAEL LEVANDOWSKI

Date: 9/1/15

Owner: *Michael Levandowski*  
(Signature)

Applicant: Same  
(Print)

Date: \_\_\_\_\_

Applicant: \_\_\_\_\_  
(Signature)

Zoning Administrator: *Gregory E. Gudy*  
(Signature)

Date: 10/5/16

PLAT OF SURVEY  
-OF-

LOT 1 OF CERTIFIED SURVEY MAP NO. , BEING A REDIVISION OF LOT 2 OF CERTIFIED SURVEY MAP NO. 2339 AS RECORDED IN VOLUME 7 OF CERTIFIED SURVEY MAPS ON PAGE 223 IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR RACINE COUNTY, WISCONSIN, AND BEING PART OF THE SOUTHEAST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 AND PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 4, TOWNSHIP 2 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

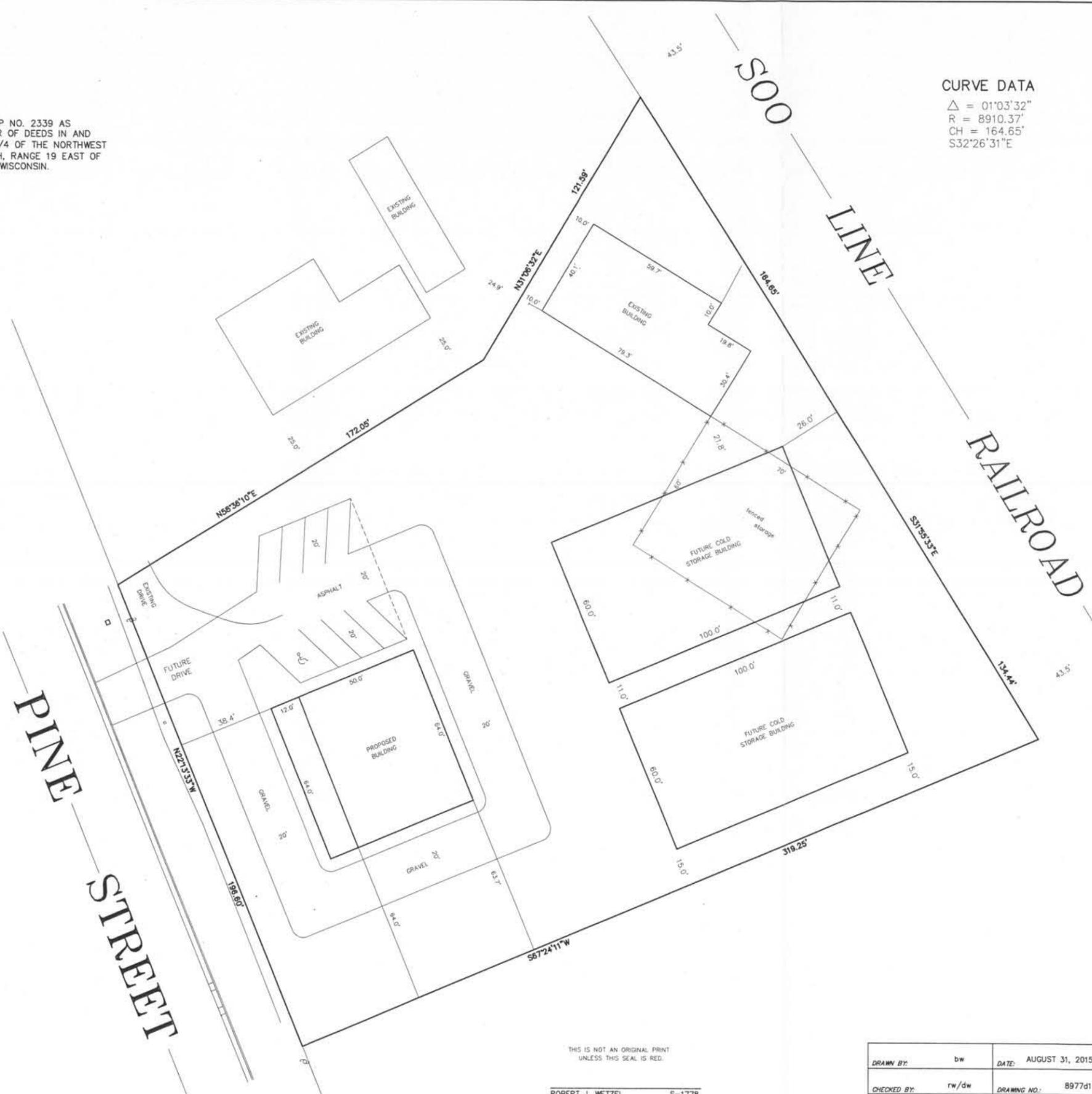
SURVEY FOR: MIKE LEWANDOWSKI

CURVE DATA  
 $\Delta = 01^{\circ}03'32''$   
 $R = 8910.37'$   
 $CH = 164.65'$   
 $S32^{\circ}26'31''E$

ZONED: M-1  
 SETBACK REQUIREMENTS  
 MINIMUM FRONT SETBACK: 30 FEET  
 (FROM THE STREET RIGHT-OF-WAY LINE)  
 MINIMUM SIDE YARD: 10 FEET  
 MINIMUM REAR YARD: 25 FEET



"I hereby certify that I have surveyed the above described property and that the above map is a correct representation thereof and shows the size and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadways and encroachments, if any."  
 "This survey is made for the use of the present owners of the property, and those who purchase, mortgage, or guarantee the title thereto within one year from date hereof."



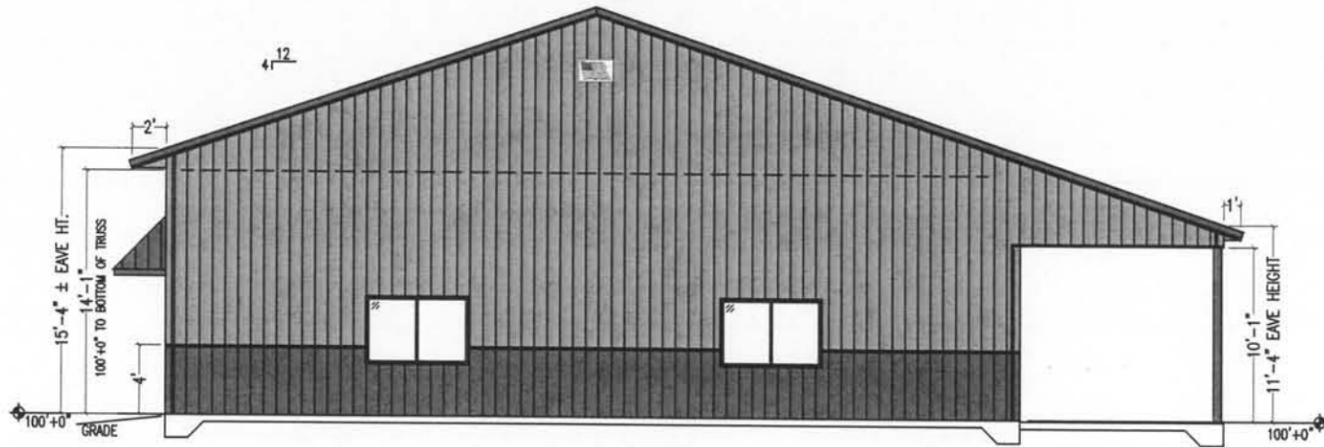
**B.W. SURVEYING, INC.**

412 N. PINE STREET  
 BURLINGTON, WI 53105  
 (262)-767-0225

THIS IS NOT AN ORIGINAL PRINT  
 UNLESS THIS SEAL IS RED.

ROBERT J. WETZEL S-1778

DRAWN BY:	bw	DATE:	AUGUST 31, 2015
CHECKED BY:	rw/dw	DRAWING NO.:	8977d1
JOB NO.:	8977	SHEET	1 OF 1

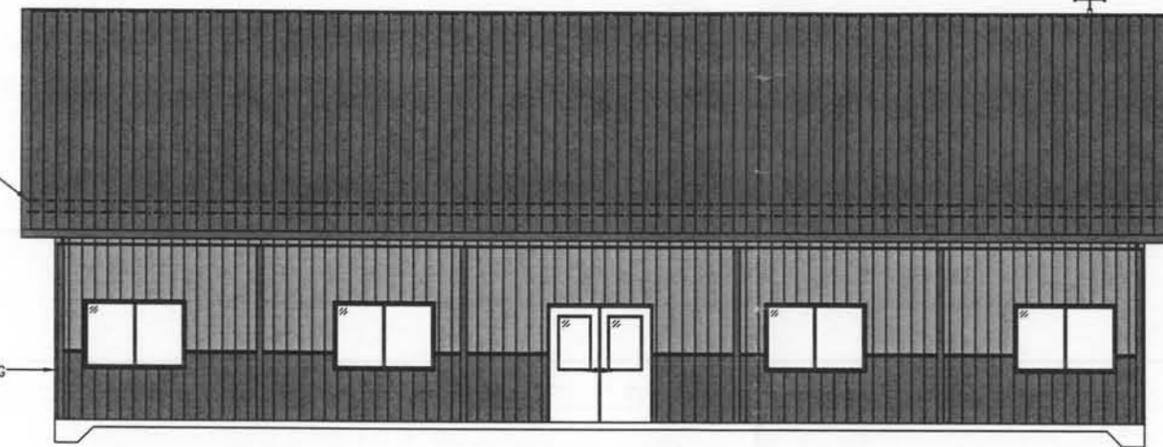


North Elevation

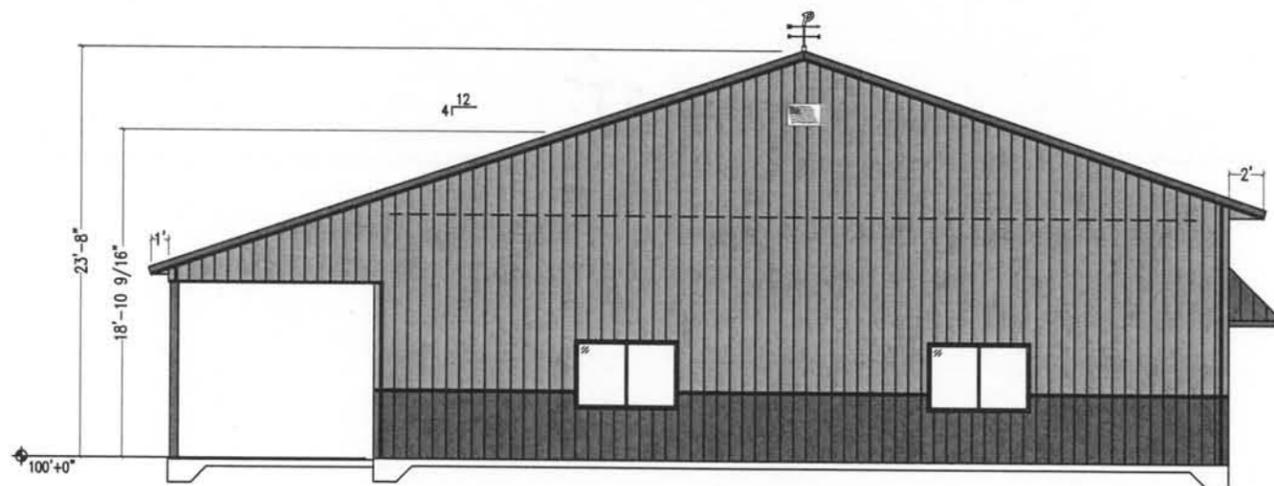
NOTE:  
 COLORED ELEVATION DRAWINGS ARE FOR CONCEPT ONLY.  
 DUE TO INDIVIDUAL COMPUTER MONITOR AND PRINTER  
 LIMITATIONS, COLORS SEEN HERE MAY NOT ACCURATELY  
 REFLECT McELROY PAINT COLORS. PLEASE REFER TO THE  
 ACTUAL PAINT OR PRODUCT SAMPLES.

2 ROWS SNOW BAFFLE  
 BOTH EAVES

48" WAINSCOTING



West Elevation



South Elevation



East Elevation

ROOF & SIDE STEEL ARE  
 McELROY - MESA - 29 ga.  
 W/KYNAR 500 PAINT SYSTEM

VERIFY COLORS WITH OWNER

BUILDING COLORS:	
SIDE	ASH GRAY
GABLE	ASH GRAY
ACCENTS	N.A.
WALK DOOR	WHITE
WINDOWS	WHITE
DOOR/WINDOW TRIM	REGAL BLUE
OVERHEAD DOOR	WHITE
OVHD. DOOR TRIM	REGAL BLUE
SLIDE DOOR	N.A.
SLIDE DOOR TRIM	N.A.
WAINSCOT	REGAL BLUE
WAINSCOT TRIM	REGAL BLUE
WNSCT. CORNER TRIM	REGAL BLUE
EAVELITE	N.A.
BOTTOM TRIM	REGAL BLUE
CORNER TRIM	ASH GRAY
ROOF	REGAL BLUE
RIDGE CAP	REGAL BLUE
GABLE TRIM	REGAL BLUE
FASCIA TRIM	REGAL BLUE
EAVE TRIM	REGAL BLUE
SOFFIT	REGAL BLUE
SOFFIT F&J TRIM	REGAL BLUE
CUPOLA SIDE	ASH GRAY
CUPOLA ROOF	REGAL BLUE
WEATHERVANE	PINNO
EAVE TROUGHS	N.A.
DOWNSPOUTS	N.A.

# PERMIT PLAN

CONTRACT SPECIFICATIONS  
 TAKE PRECEDENCE  
 OVER BUILDING PLANS

MD Services - Lewandowski  
 50' x 64' x 14' clear height  
 ELEVATIONS

DRAWING NO.  
 15-300

SCALE:  
 3/32" = 1'

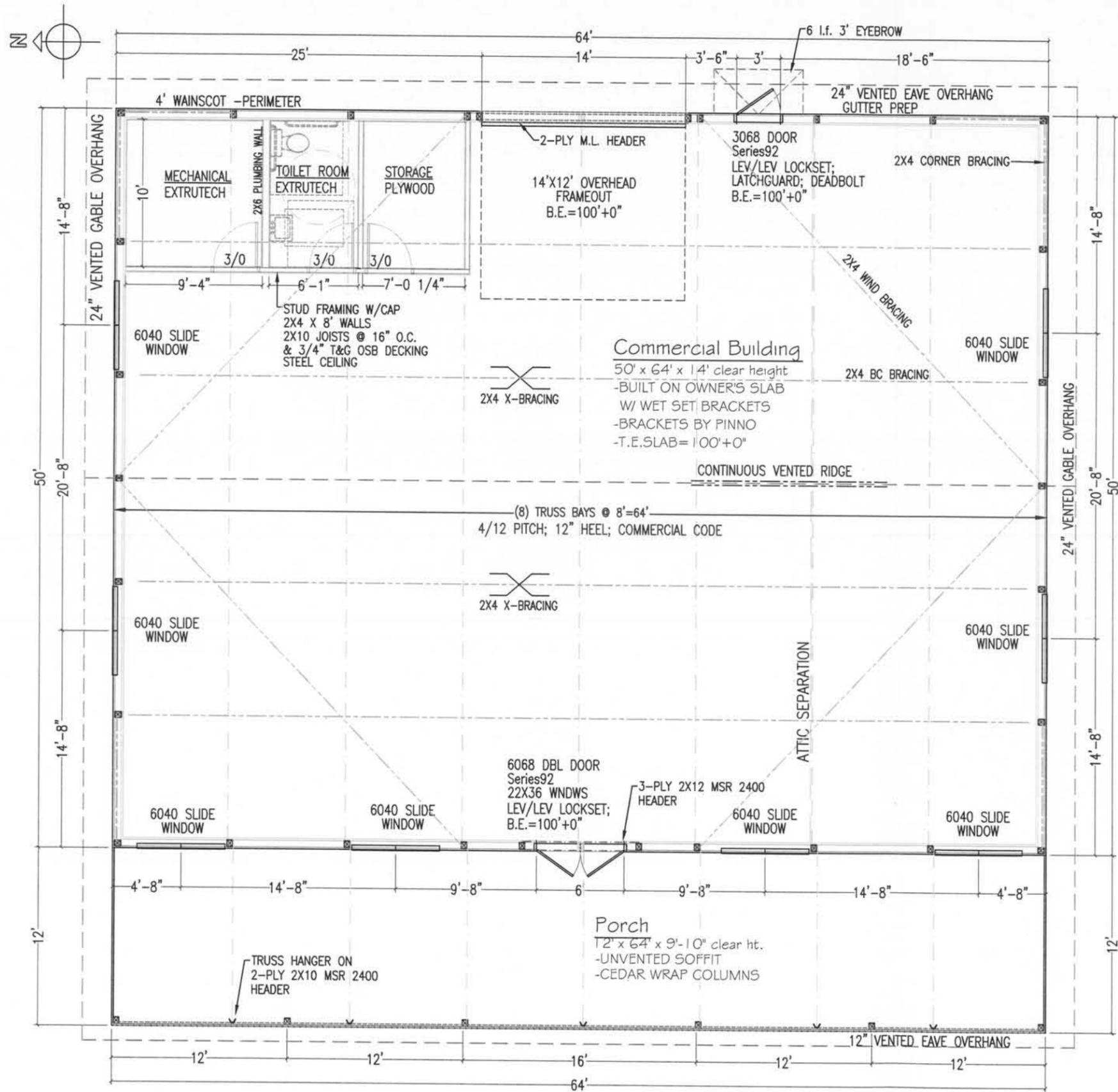
DATE:  
 8/10/2015

REVISIONS

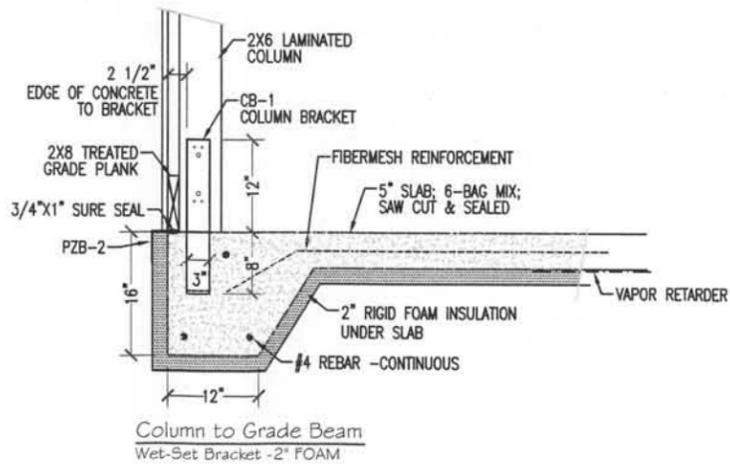
SHEET NO.

1 OF 4

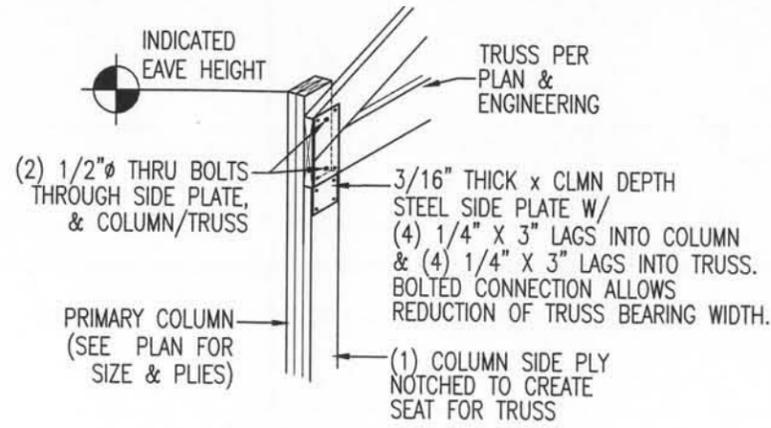
PINNO BUILDINGS  
 Quality Post Frame Buildings  
 W8856 COUNTY RD. T  
 ROSENDALE, WI. 54974  
 PHONE (920)922-7010  
 FAX (920)922-9093  
 www.rapinno.com



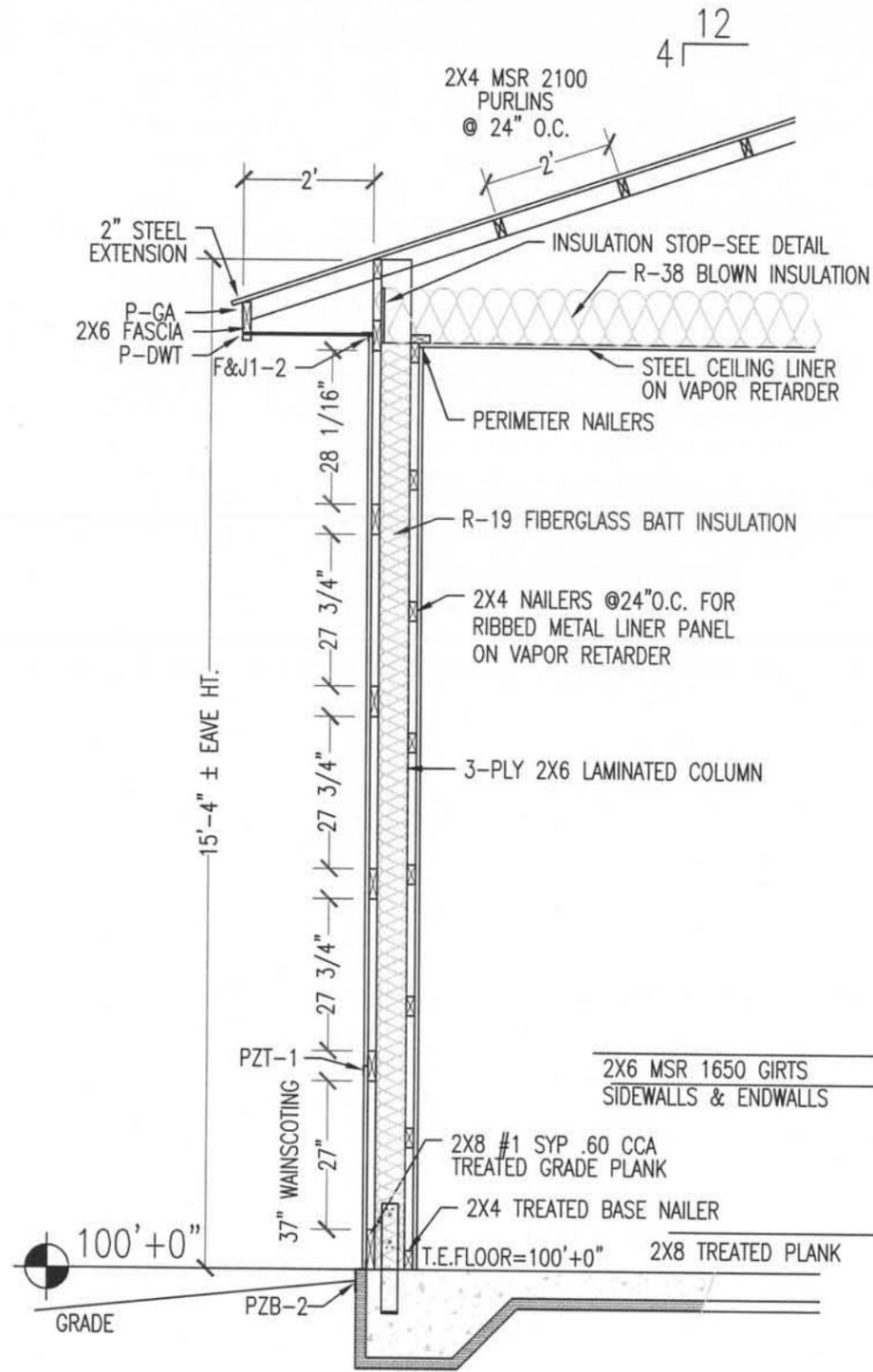
**INTERIOR FINISH**  
 -CEILING LINER W/ VAPOR RETARDER  
 -R-38 BLOWN INSULATION  
 -STEEL WALL LINER W/ VAPOR RETARDER ON 2X4 NAILERS @ 24" O.C. W/ R-19 BATT INSULATION



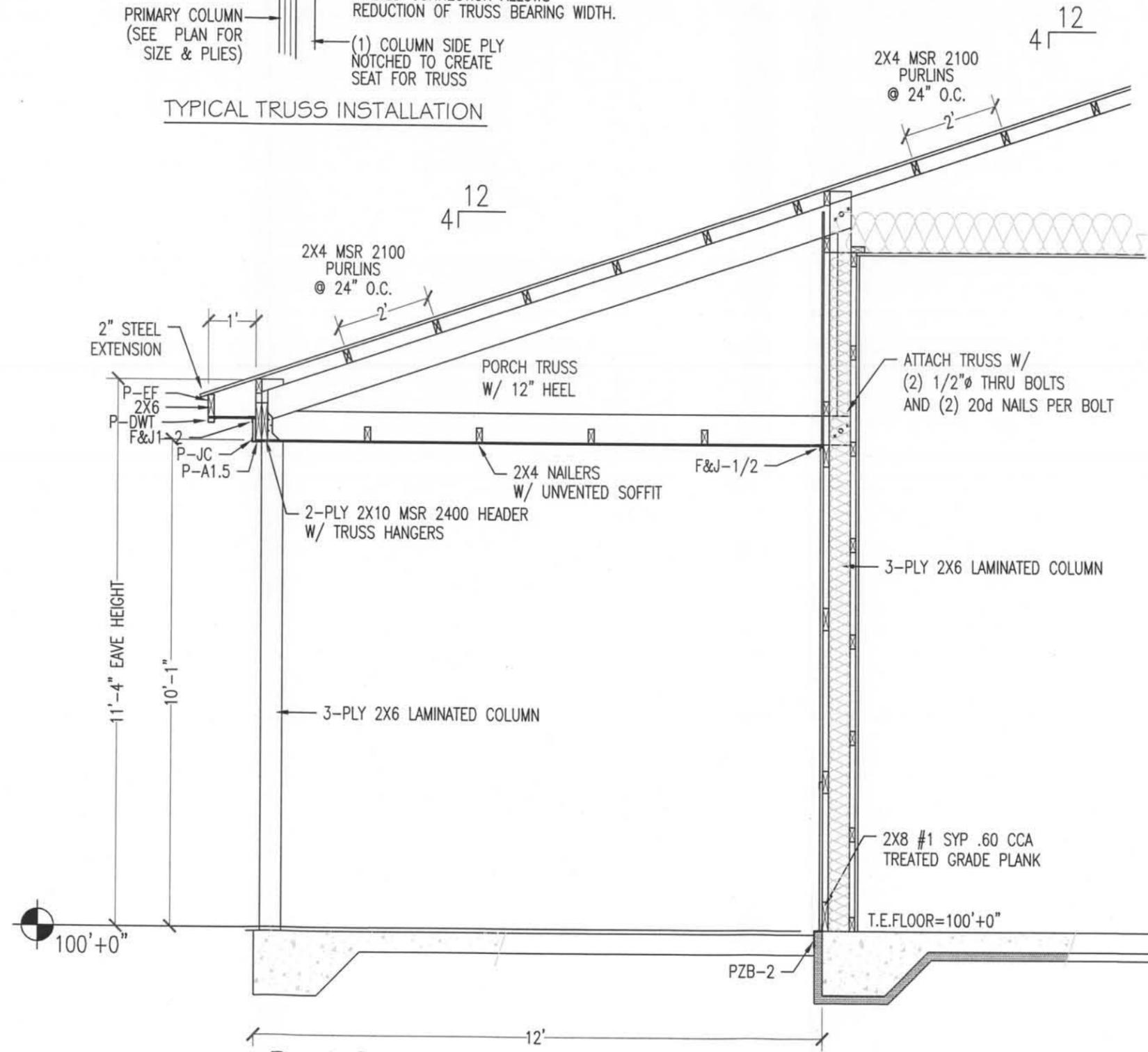
COLUMNS ARE TITAN TIMBER  
GLUE LAMINATED COLUMNS  
LOWER - #1 SYP .60 CCA  
UPPER - 2X6 SPF MSR1650  
-OR- 2X8 SPF MSR 1950



TYPICAL TRUSS INSTALLATION



Wall Section & Girt Spacing



Porch Section  
12' Porch w/Soffit

**PINNO BUILDINGS**  
Quality Post Frame Buildings  
W8856 COUNTY RD. T  
ROSENDALE, WI. 54974  
PHONE (920)922-7010  
FAX (920)922-9093  
www.pinnobuildings.com

MD Services - Lewandowski  
50' x 64' x 14' clear height + 12' x 64' Porch  
DETAILS

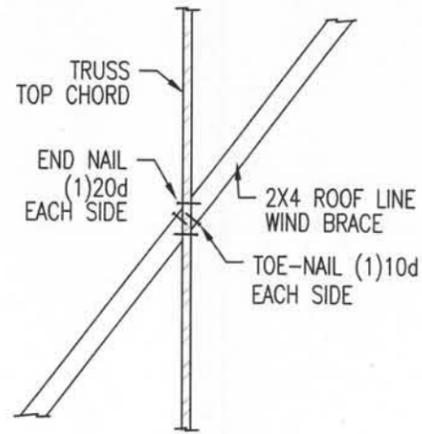
DRAWING NO.  
15-300

SCALE:  
3/8"=1'

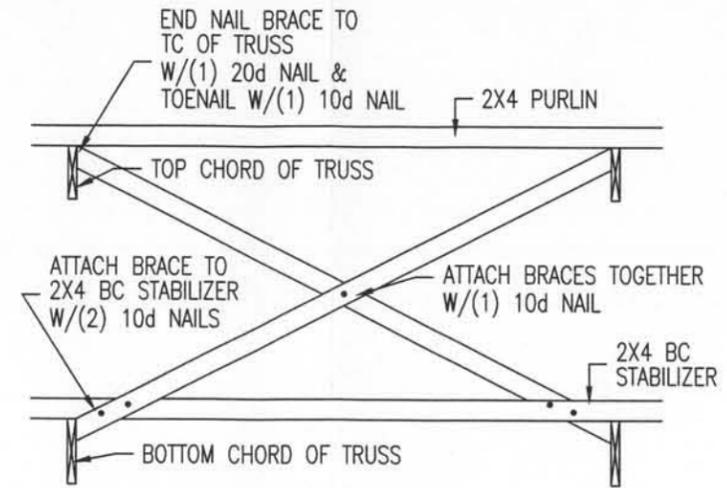
DATE:  
8/10/2015

REVISIONS

SHEET NO.  
3 OF 4

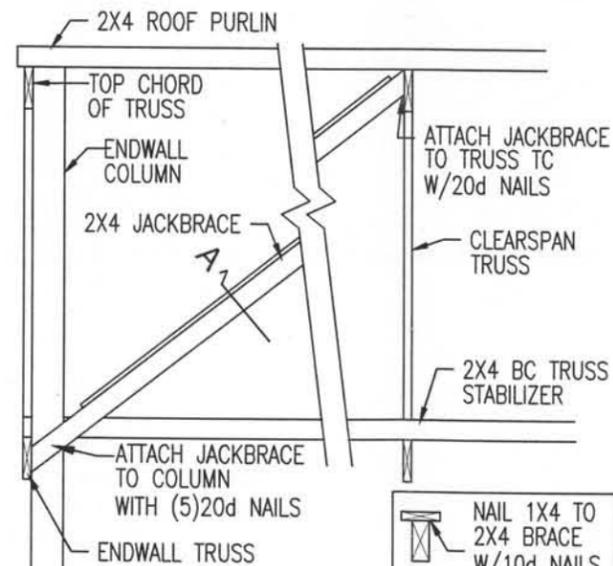


Wind Bracing Connection



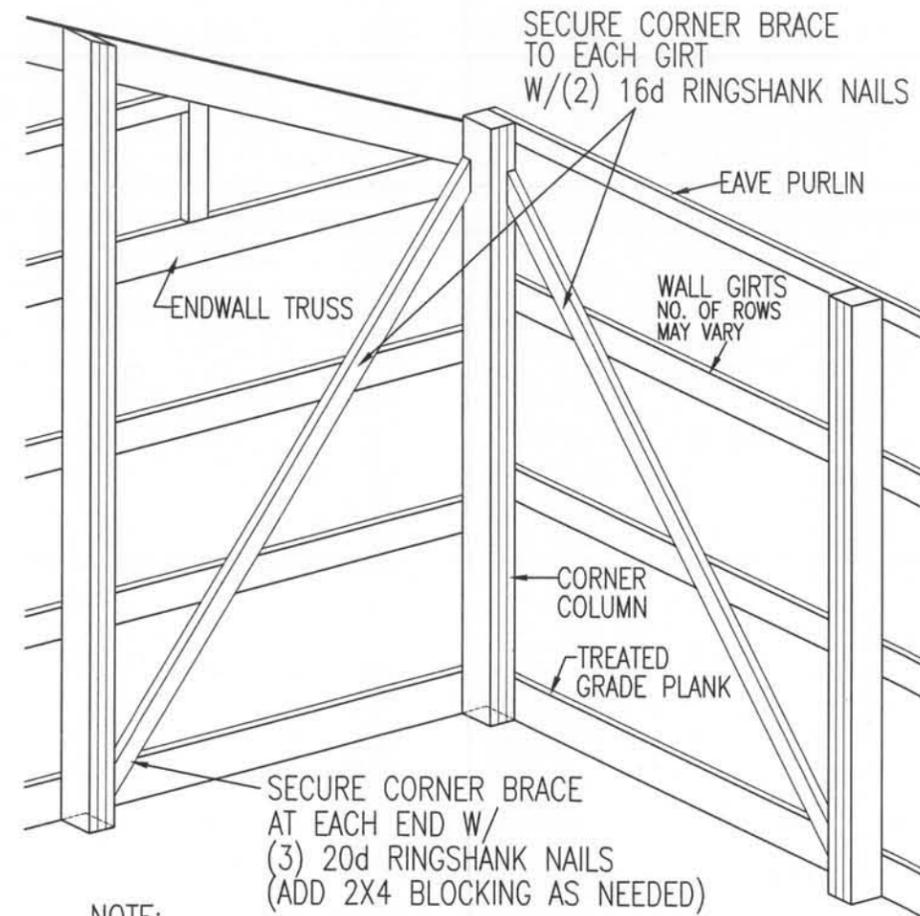
ROOFLINE X-BRACING DETAIL

SEE FLOOR PLAN FOR X-BRACE LOCATIONS



JACKBRACING DETAIL  
@ENDWALL COLUMNS

NAIL 1X4 TO  
2X4 BRACE  
W/10d NAILS  
@12"O.C.  
SECTION 'A'



NOTE:  
CORNER BRACE SHALL EXTEND FROM GRADE PLANK AT  
FIRST COLUMN TO TOP OF CORNER COLUMN AT TRUSS

CORNER BRACE

DRAWING NO.  
15-300

SCALE:  
3/8"=1'

DATE:  
8/10/2015

REVISIONS

SHEET NO.

4 OF 4



## CITY OF BURLINGTON

### Administration Department

300 N. Pine Street, Burlington, WI, 53105

(262) 342-1161 – (262) 763-3474 fax

www.burlington-wi.gov

<b>Plan Commission Item Number: 8B</b>	<b>Date:</b> October 13, 2015
<b>Submitted By:</b> Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to recommend approval of a rezone request at 457 Milwaukee Avenue from B-2 to I-1 District.

#### Details:

This item is to consider recommending approval of a rezone request from Jon Thorngate for property at 457 Milwaukee Avenue. The applicant is requesting to rezone the property from B-2, Central Business District to I-1, Institutional District to use the property as a church for Mt. Zion Christian Church/LifeBridge Community Church. LifeBridge Community Church is currently operating out of the Plaza Theater building across the street from the proposed location at 457 Milwaukee Avenue.

Patrick Meehan recommends approval of this request.

#### Map Location:



#### Executive Action:

This item is for recommendation to the Council at the October 13, 2015 Plan Commission, is scheduled for the October 20, 2015 Committee of the Whole meeting and with a Public Hearing the same night and at the November 3, 2015 Common Council meeting for consideration.

# MEEHAN & COMPANY, INC.

PATRICK J. MEEHAN, AICP, AIA  
PRESIDENT

P. O. BOX 925  
HALES CORNERS, WI 53130-0925  
PHONE: (414) 529-9559  
FAX: (414) 529-9559

## MEMORANDUM

**TO:** Plan Commission  
City of Burlington

**FROM:** Meehan & Company, Inc.  
Patrick J. Meehan, AICP

**SUBJECT:** Review of a Proposed Comprehensive Plan Amendment (457 Milwaukee Avenue, Tax Key No. 206031932035000) from the "Commercial" to "Governmental and Institutional" Land Use Classification) and Rezoning (457 Milwaukee Avenue, Tax Key No. 206031932035000) from the B-2 Central Business District into the I-1 Institutional Zoning District. (Property Owner/Applicant: Wisconsin Vision Associates, Inc.; Pending Property Owner/Applicant: Mt. Zion Christian Church, Inc.)

**DATE:** September 30, 2015

### INTRODUCTION

Pursuant to the September 14, 2015 written request of the City of Burlington, Meehan & Company, Inc. has prepared the following comments and recommendations pertaining to:

- a. A proposed Comprehensive Plan Amendment for 457 Milwaukee Avenue (Tax Key No. 206031932035000) from the "Commercial" to "Governmental and Institutional" land use classification; and
- b. The rezoning of 457 Milwaukee Avenue (Tax Key No. 206031932035000) from its current B-2 Central Business District zoning classification into the I-1 Institutional District zoning classification.

*A public hearing for the proposed rezoning of 457 Milwaukee Avenue (Tax Key No. 206031932035000) from its current B-2 Central Business District zoning classification into the I-1 Institutional District zoning classification is to be held pursuant to the provisions of Section 315-121 of the City Zoning Ordinance.*

*With respect to the Comprehensive Plan Amendment for 457 Milwaukee Avenue (Tax Key No. 206031932035000) from the current "Commercial" land use classification to the "Governmental and Institutional" land use classification, it is the understanding of Meehan & Company, Inc. that the City of Burlington Director of Administrative Services has, or will, cause the following actions: preparation of a report in the form of a Plan Commission Resolution [as required under the provisions of Section 66.1001(4)b) of the Wisconsin Statutes]; schedule a Comprehensive Plan Amendment public hearing before the Common Council; the preparation of a Class 1 public hearing notice [with such notice published at least 30 days before the public hearing and containing the information required under Section 66.1001(4) (d) of the Wisconsin Statutes], and the preparation of a Common Council Ordinance pertaining to the proposed Comprehensive Plan amendment.*

*Meehan & Company, Inc. has not reviewed the proposed project from an engineering standpoint and defers all engineering issues (including drainage, utility, easements, sewer, water, traffic visibility and vision clearance, and all other engineering-related issues) for*

*review and comment by the City's Engineer.*

*Meehan & Company, Inc. did not review the submitted plans for compliance with City Building Codes. All proposed architectural plans need to be reviewed by the City Building Inspector for compliance with all applicable Building Codes.*

The materials submitted by the applicant for the rezoning and Comprehensive Plan review are as follows:

- a. "Zoning Form No. 2 Petition for Rezoning Map Amendment," 3 pages, dated 9/3/15.
- b. "Racine County Multi-Jurisdictional Comprehensive Plan Amendment Application for City of Burlington," dated September 4, 2015, 2 pages plus 7 pages of attachments including:
  - 1) "LifeBridge Community Church Plan of Operations" (1 page, undated),
  - 2) "Downtown Burlington Vision for LifeBridge Community Church (1 page, undated, Jon Thorngate),"
  - 3) "Letter of Intent for LifeBridge Community Church" (1 page, undated, Eric Halbur, Abacus Architects of Sheboygan) with Schematic Plan for Remodeling (1 page, dated 2015),
  - 4) "Burlington Square Merchants Parking Agreement for LifeBridge Community Church" (2 pages, dated 9/2/15), and
  - 5) Aerial Photograph of Areas for Parking (1 page, dated 2015, Abacus Architects of Sheboygan).

*As outlined in the applicant's submitted materials, the proposal is to occupy an existing building with a religious (church) use. The building has a total area of 6,556 square feet. The proposed facility is proposed to serve 200 people for a single church service on Sunday mornings. Office hours are proposed to be held in the building Tuesdays through Friday.*

*A parking availability analysis was submitted with the application materials and indicates that existing "surface" public parking lots in the area accommodate about 130 spaces; a contiguous, existing, off-street parking lot (abutting the subject property on the southwest to be used on Sundays only through agreement with that property owner) provides about 140 parking spaces; and public street parking provides about 10 parking spaces. Based upon the above parking information provided by the applicant, a potential of 280 +/- parking space are available in the area located within a one block distance of the subject property on Sundays in order to serve the single church service on Sunday mornings. And, in addition to those 280 +/- parking spaces, additional parking spaces are available in the parking structure located at the northwest intersection of E. Washington Street and N. Dodge Street located about two blocks east of the subject property.*

*Based upon Meehan & Company, Inc.'s review of the "National Register of Historic Places Registration Form for the Burlington Downtown Historic District" dated January 1992 and the "Downtown Historic District Map" attached thereto, the building is considered as a "Non-Contributing" building to that historic district designation and is historically known as the Agner Auto Company building constructed in 1927/1985 and is of contemporary style architecture.*

1. **100-YEAR RECURRENCE INTERVAL FLOODPLAIN, ENVIRONMENTAL CORRIDORS, AND SANITARY SEWER SERVICE AREA:** *Based upon a review of the City's zoning map, no portion of the subject property is located within the 100-year recurrence interval floodplain.*

SEWRPC's Community Assistance Planning Report No. 78 (2nd Edition) titled Sanitary Sewer Service Area for the City of Burlington and Environs indicates that the subject property is not located within a SEWRPC-delineated environmental corridor area. A review of SEWRPC's Community Assistance Planning Report No. 78 (2nd Edition) also indicates that the subject property is located within a SEWRPC-delineated sanitary sewer service area.

2. **EXISTING, PROPOSED, AND SURROUNDING ZONING:** The subject property is currently zoned within the B-2 Central Business District and the HPO Historic Preservation Overlay District. *As indicated earlier, the proposal calls for the rezoning from its current B-2 Central Business District zoning classification into the I-1 Institutional District zoning classification.*

Since the existing structure is located within the HPO Historic Preservation Overlay District, any proposed changes to the exterior of the existing structure and any proposed signage will need to comply with the provisions of both Sections 315-42 and 315-74 (regarding signage in the HPO District) of the City Zoning Ordinance and reviewed by the Historic Preservation Commission prior to the implementation of any changes to the exterior of the existing structure and/or the installation of signage.

The subject property is bounded by the B-2 Central Business District on all sides.

The subject property is bounded by the HPO Historic Preservation Overlay District on its northeast, southeast, and northwest.

Based upon a review of the City Zoning Map, the subject property is not located within a WPO Wellhead Protection Overlay District.

3. **CITY "OFFICIAL MAP":** The City "Official Map" does not indicate any new streets traversing the subject property. The proposed Comprehensive Plan amendment and rezoning appears to be in conformance with the adopted "Official Map" since the "Official Map" does not indicate uses or additional right-of-way to be dedicated.

4. **CONSISTENCY OF THE PROPOSED REZONING WITH ADOPTED CITY PLANS:**

City's Adopted Comprehensive Plan: The entire subject property is currently indicated to be used for "Commercial" land uses in the City-adopted SEWRPC Community Assistance Planning Report No. 301 titled A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035 dated November 2009 as described in Appendix D (Map 1 titled "Recommended Land Use Plan for the City of Burlington Planning Area: 2035"). *The use of the subject property for religious institutional use purposes (under the Comprehensive Plan called a "governmental and institutional use") is currently inconsistent with the A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035 as that plan currently pertains to the entire subject property. Therefore, a Comprehensive Plan Amendment would be necessary to change the Comprehensive Plan's use designation for the entire subject property to a "Governmental and Institutional" land use designation.*

*The Comprehensive Plan was adopted by the City under the provisions of Section 66.1001 of the Wisconsin Statutes.*

Section 66.1001(3) of the *Statutes* requires that the following ordinances be consistent with a unit of government's comprehensive plan by January 1, 2010:

- *City or village zoning ordinances enacted or amended under Section 62.23 (7) of the Statutes including their respective zoning maps.*
- *Zoning of shorelands or wetlands in shorelands under Section 59.692 (for counties), 61.351 (for villages), or 62.231 (for cities) of the Statutes.*
- *Official mapping established or amended under Section 62.23(6) of the Statutes.*
- *County or local subdivision regulations under Section 236.45 or 236.46 of the Statutes.*
- *County zoning ordinances enacted or amended under Section 59.69 of the Statutes.*

*Beginning on January 1, 2010, County and local governments must use their comprehensive plan as a guide to ensure that implementation of zoning, subdivision, and official mapping ordinances adopted by the governing body (County Board, Common Council, Village Board, or Town Board) does not conflict with the recommendations of the comprehensive plan adopted by the governing body. If a conflict is found or would result from a proposed action, the County or local government has the option of amending its comprehensive plan.*

*In order for the proposed rezoning of 457 Milwaukee Avenue (Tax Key No. 206031932035000) from its current B-2 Central Business District zoning classification into the I-1 Institutional District zoning classification to be consistent with the adopted City Comprehensive Plan, a Comprehensive Plan amendment would be needed (prior to, or in conjunction with, the rezoning of the subject property) from the current "Commercial" land use classification to the "Governmental and Institutional" land use classification as required under the provisions of both Section 66.1001(4) of the Wisconsin Statutes and the method described in Chapter XV titled "Implementation Element" of the City-adopted, SEWRPC Community Assistance Planning Report No. 301 titled A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035.*

*City of Burlington Bicycle/Pedestrian Plan: The City of Burlington Bicycle/Pedestrian Plan dated September 28, 2001 as prepared by Schreiber/Anderson Associates, Inc. indicates a "Main Bike/Ped Route (Bike Lanes and Sidewalks)" within the Washington Street right-of-way. *The proposed Comprehensive Plan amendment and rezoning are not in conflict with this plan since no such bike path is planned to be located on the subject property.**

*City of Burlington: 2010-2014 Comprehensive Outdoor Recreation Plan: The City of Burlington: 2010-2014 Comprehensive Outdoor Recreation Plan dated July 2010 as prepared by Schreiber/Anderson Associates, Inc. does not indicate any proposed park or proposed trail on the subject property. *Therefore, the proposed Comprehensive Plan amendment and rezoning are not in conflict with this plan since no park or proposed trail is planned to be located on the subject property.**

5. **I-1 INSTITUTIONAL ZONING DISTRICT USE AND DIMENSIONAL REQUIREMENTS:** Under the provisions of Section 315-35A(5) of the City Zoning Ordinance, churches are a permitted use in the I-1 Institutional District.

Without elaborating on all of the dimensional requirements of the Zoning Ordinance

relative to the I-1 District, the following are some of the most significant requirements which must be met for any proposed use in the I-1 Institutional District:

- Minimum Lot Area: 10,000 square feet
- Minimum Lot Width: 80 feet
- Minimum Front Yard: 25 feet from the street right-of-way line
- Minimum Side Yard: 10 feet
- Minimum Rear Yard: 25 feet
- Maximum Building Height: 60 feet

On-Site Queuing and Off-Street Parking Requirements: The on-site queuing and off-street parking requirements for churches are as set forth under the provisions of Section 315-481 (Table 5) of the City Zoning Ordinance. These requirements are a minimum required on-site queuing space to be provided for six (6) vehicles and a minimum requirement of the provision of off-street parking spaces of 0.25 space per seat if seats are fixed, or 0.25 space per 20 linear inches of seating, or 1 space per 30 square feet of floor area used for seating in the main sanctuary, whichever is greater.

The subject property does not have space on-site to accommodate the on-site queuing and off-street parking requirements. Therefore, as stated earlier in this memorandum, the applicant has indicated that a potential of 280 +/- parking spaces are available in the area located within a one block distance of the subject property on Sundays in order to serve the single church service on Sunday mornings. And, in addition to those 280 +/- parking spaces, additional parking spaces are available in the parking structure located at the northwest intersection of E. Washington Street and N. Dodge Street located about two blocks east of the subject property.

*Based upon the applicant's submitted materials, the church is intended to serve a maximum of 200 people for its single church service on Sundays (typically when most B-2 District business are closed).*

*As indicated earlier, a minimum City Zoning Ordinance requirement parking requirement is for the provision of off-street parking spaces of 0.25 space per seat if seats are fixed. A total of 131 fixed seats are indicated on the floor plan of the main sanctuary of the church submitted by the applicant. Based upon the above City Zoning Ordinance requirement of the provision of 0.25 space per seat if seats are fixed results in the need for a total of only 33 parking spaces.*

*As also indicated earlier, the building within which the church is to be housed is a total of 6,556 square feet in area. Based upon the floor plan of the proposed church submitted by the applicant, about 50 percent of the church is proposed to be the sanctuary (about 3,278 square feet). Based upon the above City Zoning Ordinance requirement of the provision of 1 space per 30 square feet of floor area used for seating in the main sanctuary, a total of 110 parking spaces would be needed.*

*Adequate off-street queuing space for more than six (6) vehicles appears to be available in the privately contracted adjoining, 140 space, parking lot.*

*Based upon the foregoing stated City Zoning Ordinance standards, the need to provide a significant number of spaces to serve the single church service on Sunday mornings, and the availability of potentially 280 +/- parking spaces plus the additional parking spaces available in the parking structure located at the northwest intersection of E. Washington Street and N. Dodge Street, it appears that the City's parking intent to provide an adequate number of parking spaces would be more than met (although NOT on the subject property).*

## Nonconformities

*Based upon a September 18, 2015 review of the Racine County Tax Parcel Viewer at [www.goracine.org](http://www.goracine.org) of the subject property, the subject property is 7,345.34 square feet in area (less than the required lot area of 10,000 square feet set forth in the I-1 Institutional District) and does not meet various setback requirements of the I-1 Institutional District and, therefore, could be considered as nonconforming relative to both some of the dimensional requirements and the on-site queuing/off-street parking requirements of the I-1 Institutional District. [Note: However, currently the subject property is conforming to the dimensional requirements of the B-2 Central Business District zoning classification within which zoning district it is currently located.]*

*Existing, nonconforming structures, fixtures, or uses are lawful under the provisions of the recently passed 2011 Wisconsin Act 170 (enacted April 2, 2012 and published on April 16, 2012) relating to nonconformities. As indicated above, the subject property is currently conforming to the dimensional requirements of the B-2 Central Business District zoning classification. But, the subject property, would not be conforming under some of the dimensional requirements and the on-site queuing/off-street parking requirements of the I-1 District if rezoned from the B-2 District to the I-1 District.*

*For informational purposes, the Religious Land Use and Institutionalized Persons Act (RLUIPA) of 2000 114 Stat. 803-0807 (codified at 42 U.S.C. paras. 2000cc et seq) indicates several items that curtail government action which affects religious activities, including the Equal Terms provision, which states that: "No government shall impose or implement a land use regulation in a manner that treats a religious assembly or institution on less than equal terms with a non-religious assembly or institution." [Note, non-religious assembly types of use (such as clubs, dance halls, and theaters) are currently permitted uses in the B-2 District and, therefore, would be allowed to occupy the existing building of the subject property as a matter of right without the provision of on-site automobile queuing or off-street parking.]*

*The Plan Commission and Common Council should consider the foregoing discussion relative to their decision regarding the rezoning of the subject property which already has an existing building (currently conforming to the various standards and requirements of the B-2 District zoning classification) which has existed since it was constructed on the subject property in 1927.*

## 6. SITE PLAN REQUIREMENTS OF THE CITY ZONING ORDINANCE

No changes have been proposed to the exterior site of the subject property, therefore there is no need to meet the requirements of Section 315-137(C) of the City Zoning Ordinance.

## CONCLUDING COMMENTS

Based upon the foregoing analyses and findings, it appears that:

- The proposed comprehensive plan amendment is consistent with the goals, objectives, and policies of the plan.
- The proposed comprehensive plan amendment will not lead to any known detrimental environmental effects.
- The proposed comprehensive plan amendment is compatible with surrounding urban land uses when not only considering the abutting,

- existing land uses but also when considering the specific types of uses currently located in the vicinity of the subject property.
- The proposed comprehensive plan amendment would not overburden existing local and County facilities and services and such facilities and services are adequate to serve the type of development associated with the amendment.
- The proposed comprehensive plan amendment will enhance economic development within the City and County through the continued use of existing, developed, real property in the City.
- The proposed comprehensive plan amendment is in substantial agreement with the recommendations of the regional land use plan since the regional plan calls for urban type development in the area.

## RECOMMENDATIONS

Based upon the foregoing findings and analyses, Meehan & Company, Inc. recommends that:

- A. The Plan Commission recommend the following to the Common Council:
- 1) The Plan Commission finds and hereby adopts a Resolution reporting said findings, and recommends that the Common Council also find that:
    - The proposed comprehensive plan amendment is consistent with the goals, objectives, and policies of the plan.
    - The proposed comprehensive plan amendment will not lead to any known detrimental environmental effects.
    - The proposed comprehensive plan amendment is compatible with surrounding urban land uses when not only considering the abutting, existing land uses but also when considering the specific types of uses currently located in the vicinity of the subject property.
    - The proposed comprehensive plan amendment would not overburden existing local and County facilities and services and such facilities and services are adequate to serve the type of development associated with the amendment.
    - The proposed comprehensive plan amendment will enhance economic development within the City and County through the continued use of existing, developed, real property in the City.
    - The proposed comprehensive plan amendment is in substantial agreement with the recommendations of the regional land use plan since the regional plan calls for urban type development in the area.
  - 2) That the Common Council amend by ordinance, prepared by the City Attorney, the Comprehensive Plan, as it pertains to the entire subject property currently shown as a "Commercial" land use classification to the "Governmental and Institutional" land use classification under the provisions of both Section 66.1001(4) of the Wisconsin Statutes and Chapter XV titled "Implementation Element" of the recent City-adopted SEWRPC Community Assistance Planning Report No. 301 titled A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035.

B. Subsequent to the accomplishment of recommendation A. above, that the Plan Commission recommend to the Common Council:

- 1) That a public hearing for the proposed rezoning is to be held pursuant to the provisions of Section 315-121 of the City Zoning Ordinance;
- 2) That all of the subject property located at 457 Milwaukee Avenue currently shown as zoned in the B-2 Central Business District be rezoned by the Common Council into the I-1 Institutional District zoning classification.





CITY OF BURLINGTON

**Building & Zoning Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1163 – (262) 763-3474 fax  
www.burlington-wi.gov

For Office Use Only	
Petition No.	_____
Date Filed	9/3/15
Date Received (\$500)	9/3/15
Zoning Administrator	JA
	(initials)

ZONING FORM NO. 2  
PETITION FOR REZONING MAP AMENDMENT

TO THE COMMON COUNCIL OF THE CITY OF BURLINGTON, WISCONSIN:

I, the undersigned, being owner/owner's agent of all the area herein described, hereby petition the Common Council of the City of Burlington, Wisconsin, to rezone and make appropriate a zoning map amendment to the following described property from B-2 District to I-1 District:

Address of Property: 457 Milwaukee Avenue Burlington, WI 53105 Acres: \_\_\_\_\_

Legal Description of Property (attach additional sheets if needed): \_\_\_\_\_

PT NW1/4 NELY 58 OF SWLY 412.5 OF SELY 123.25 W OF GENEVA ST N OF LEWIS ST

I have requested this rezoning for the purpose of: remodeling the current building to become a church.

Please find the following items attached:

Plot Plan drawn to a scale of one inch equals one hundred (100) feet showing the area to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within two hundred (200) feet of the area proposed to be rezoned.

Owners' Names and Addresses of all properties lying within two hundred (200) feet of the area proposed to be rezoned.

Additional Information required by the Plan Commission or Common Council.

I have certified that all the above statements submitted herewith are true and correct to the best of my knowledge and belief.

CURRENT PROPERTY OWNER:

Name Wisconsin Vision Associates, Inc.

Address 35263 West State St.

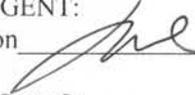
Burlington, WI 53105

(City) (State) (Zip)

Telephone No. 262.492.8692

Date 09.03.15

OWNER'S AGENT:

Name Jeffery Erickson 

Address 35263 West State St.

Burlington, WI 53105

(City) (State) (Zip)

Telephone No. 262.492.8692

Date 09.03.15

More information maybe requested by the Plan Commission and/or Common Council if deemed necessary to properly evaluate your request. The lack of information requested by this form may be sufficient cause to deny the petition. If you have any question regarding the procedure, please contact the Zoning Administrator.

I have certified that all the above statements submitted herewith are true and correct to the best of my knowledge and belief.

PENDING PROPERTY OWNER:

Name Mt. Zion Christian Church, Inc.  
/ LifeBridge Community Church

Address 2330 State Rd. 120

Lake Geneva, WI 53147  
(City) (State) (Zip)

Telephone No. 262.215.7887

Date 09.03.15

OWNER'S AGENT:

Name Jon Thorngate 

Address 2330 State Rd. 120

Lake Geneva, WI 53147  
(City) (State) (Zip)

Telephone No. 262.215.7887

Date 09.03.15

More information maybe requested by the Plan Commission and/or Common Council if deemed necessary to properly evaluate your request. The lack of information requested by this form may be sufficient cause to deny the petition. If you have any question regarding the procedure, please contact the Zoning Administrator.

**LifeBridge Community Church Plan of Operations**  
457 Milwaukee Ave

**Who is LifeBridge?**

We are a church, currently meeting in the Plaza Theater, that was planted out of Mt. Zion Christian Church (Lake Geneva) in January of 2014. We started as a team of 15 from the Burlington area. As of August 2015, we are home to close to 100 attendees. LifeBridge is co-led by Teaching Pastor John Adams and Administrative Pastor Jon Thorngate.

Website: <http://lifebridge.church>

**Who is Mt. Zion?**

Mt. Zion is a non-denominational church that was founded in 1986. It's a church of around 500. Mt. Zion has provided and continues to provide LifeBridge with financial support and leadership guidance. All LifeBridge finances are through Mt. Zion. They have approved the building purchase and agreed to hold a mortgage on the property.

Website: <http://mtzn.com>

**Building Needs: Sunday Morning**

LifeBridge is looking for a permanent home that can run a single church service for 200 people. This building fits that need, with ample square footage and parking.

**Building Needs: Midweek Operations**

We would have "office hours" in the building Tuesdays-Fridays, as well as meetings, groups, classes, and other smaller gatherings happening throughout the week.

**Parking Needs+Agreement**

We have the basic elements of an agreement in place to lease parking space in the Burlington Square where there currently are more than 100 empty parking spaces on a normal Sunday morning, with at least 100 additional empty public parking spaces within short walking distance. By comparison, Mt. Zion has 150 parking spots which allow it to operate at a capacity of over 500.

We would not need access to the Burlington Square parking at any point during the week. Our only significant parking need is on Sunday morning. If we were to need significant parking for an event outside of Sunday morning, we would seek special approval to utilize the Burlington Square on a case by case basis. No such cases are foreseen at this time.



Downtown Burlington Vision for:  
**LifeBridge Community Church**

We planted this church in January of 2014 with a team of 15 people, a team with serious roots in Burlington- most work and own homes here, with a large number being born and raised here as well.

Since we began, one of our primary goals has been very simple: to make Burlington a better place. We've been pursuing this vision through charitable efforts, service, and community-focused gatherings. In that process, we've seen our church grow close to 100 people.

When we began exploring options for a permanent home, we wanted something that fit into that vision as well: we want our physical presence to be a part of improving Burlington as a whole. Most churches in communities like Burlington build their buildings in neighborhoods or outside of town on a larger piece of land. While there's nothing wrong with those approaches, our vision is to be downtown, where we can be a part of the action.

We feel that 457 Milwaukee Ave. is a perfect fit. It suits our needs and vision very well, and gives us an opportunity to continue to make Burlington a better place by restoring a historical building and adding youthful vibrancy to the downtown area for years to come. There is little doubt in my mind that this is a mutually beneficial opportunity for LifeBridge Community Church and the City of Burlington.

Thank you for your consideration,

Jon Thorngate  
Administrative Pastor  
LifeBridge Community Church

Letter of architectural intent for:  
**LIFEBRIDGE COMMUNITY CHURCH**

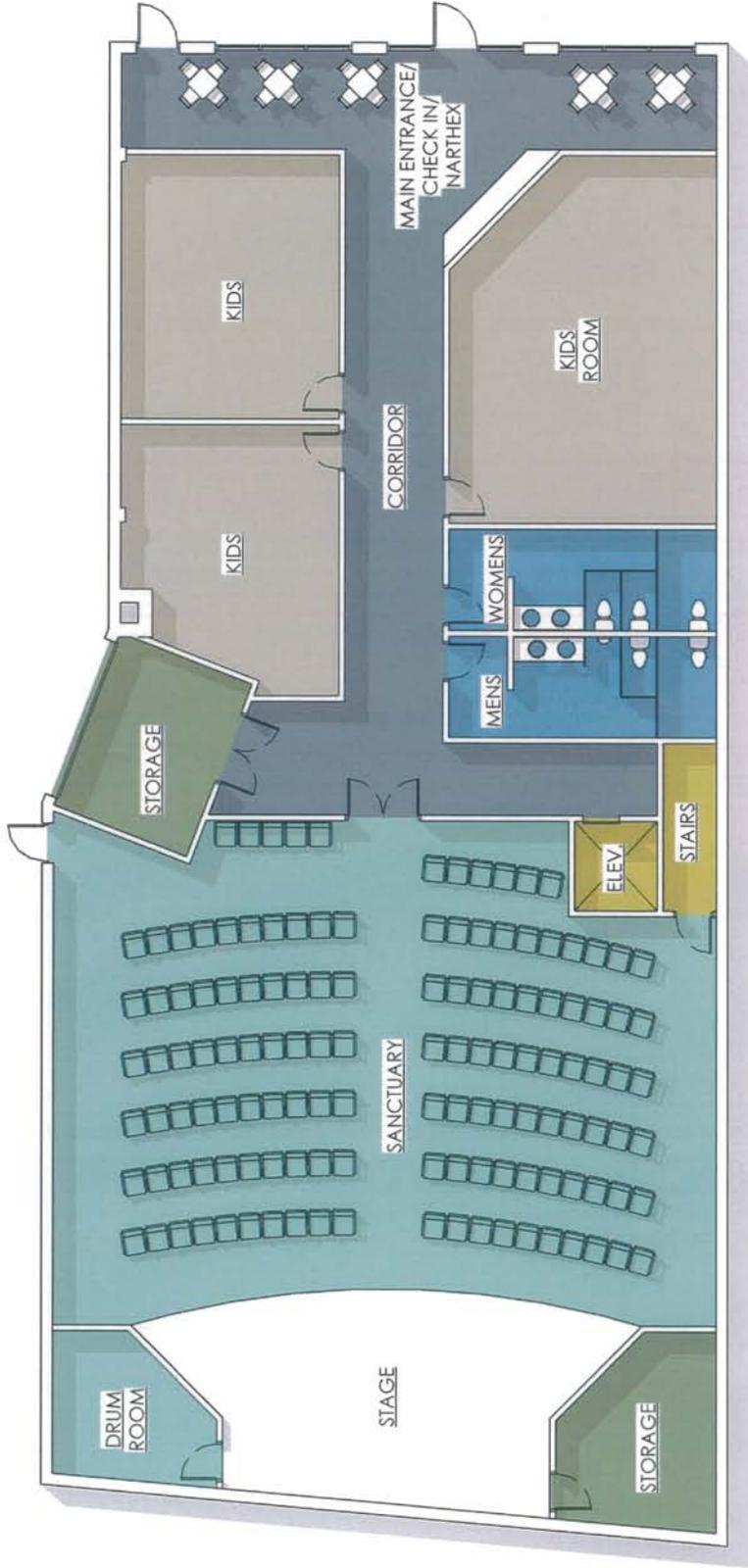
To whom it may concern,

LifeBridge Community Church would like to take over the building at 457 Milwaukee Ave. and use it as their church home. The building would be brought back to original aesthetic style while working with both the Historical preservation committee as well as the City of Burlington. The intent would be to have the refreshed building blend with the downtown vernacular while adaptively reusing a current vacant structure both saving the building and bringing positive activity downtown. We are still in the beginning stages of this process but wanted to make sure that everyone is aware that the LifeBridge Community Church has full intent to keep the Burlington downtown area aesthetically pleasing and will work with Burlington to keep their vision true.

Thank you

Eric Halbur  
Project Manager  
Abacus Architects





**SCHEMATIC PLAN**  
SCALE: 1" = 10'-0"

REMODELING FOR:  
**LIFEBRIDGE CHURCH**  
BURLINGTON, WI  
PROJ. NO. 2015-64



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## BURLINGTON SQUARE MERCHANTS

Parking Agreement for:  
LIFEBRIDGE COMMUNITY CHURCH

Burlington Square Merchants, as Lessor, does hereby agree to let to LifeBridge Community Church, as Lessee, the use of 40 parking spaces on Sunday mornings in the Burlington Square parking lot. These 40 spaces shall be the two rows closest to the building at 457 Milwaukee Avenue, Burlington WI, 53105. If the need for additional spaces should arise, the monthly rate must be renegotiated at that time. Any additional parking needs not occurring on Sunday mornings must be negotiated separately. The lessor has the right to refuse and prosecute any use of the Burlington Square parking lot that violates the terms of this agreement.

### **Terms and Conditions:**

- 1. Items Left in Vehicle.** Lessor shall not be responsible for damage or loss to possessions or items left in Lessee's vehicle.
- 2. Damage to Vehicle.** Lessor shall not be responsible for damage to Lessee's vehicle, whether or not such damage is caused by other vehicle(s) or person(s) in the parking lot and surrounding area.
- 3. Payments by Lessee.** Lessee agrees to pay \$100 per month for the lease of the aforementioned parking spaces. Lessee is to make such leasehold payment –(to Lessor or Lessor's Agent) in person or by mail. Payments shall be made in advance by Lessee on the first of each month.
- 4. Termination.** Either party may terminate this Agreement by providing 30 days written notice to the other party. Any such notice shall be directed to a party at the party's address as listed below in this Agreement.
- 5. Damages and Loss of Equipment.** Lessee is responsible for any and all damages beyond normal wear and tear to the parking facilities. Lessee is also to be held responsible for replacement of any lost, stolen, damaged, or misplaced parking facility related equipment lent to the Lessee by the Lessor.
- 6. Maintenance and Snow Removal.** Lessor is responsible for maintenance and snow removal.

7. **Certificate of Insurance.** Lessee shall provide lessor with certificate of insurance listing lessor as additionally insured.

Printed Name of Lessor

Burlington Square Merchants

Address of Lessor

c/o Edward's Group, CPA's, S.C. 441 Milwaukee Ave, Burlington WI 53102

Authorized Signature of Lessor

Cheryl M Ahler 9/2/15

Printed Name of Lessee

\_\_\_\_\_

Address of Lessee

\_\_\_\_\_

Authorized Signature of Lessee

\_\_\_\_\_



REMODELING FOR:  
**LIFEBRIDGE CHURCH**  
 BURLINGTON, WI  
 PROJ. NO. 2015-64

- BUILDING TO BE REMODELED
- PUBLIC PARKING LOTS ABOUT 130 SURFACE + PARKING GARAGE
- PRIVATE CONTRACTED PARKING (SUNDAYS) ABOUT 140 SPACES
- PUBLIC STREET PARKING (CLOSEST TO ENTRY) ABOUT 10 SPACES



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## CITY OF BURLINGTON

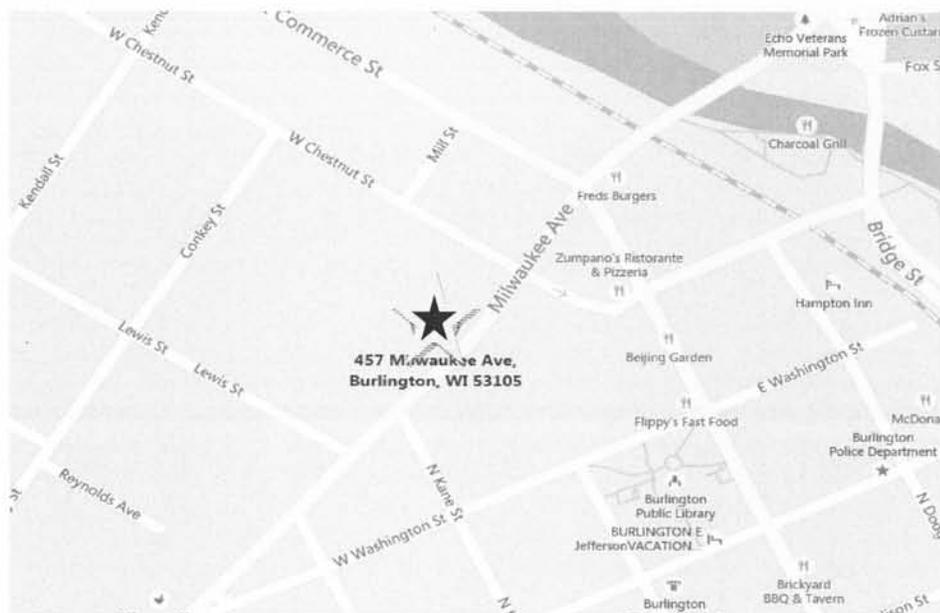
**Administration Department**  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

<b>Plan Commission Item Number: 8C</b>	<b>Date:</b> October 13, 2015
<b>Submitted By:</b> Gregory Guidry, Building Inspector	<b>Subject:</b> Consideration to approve Resolution 21 to amend the Multi-Jurisdictional Comprehensive Plan for property at 457 Milwaukee Avenue.

### Details:

This item is to consider recommending approval of a rezone request from Jon Thorngate for property at 457 Milwaukee Avenue. The applicant is requesting to rezone the property from “Commercial” to “Governmental and Institutional” to use the property as a church for Mt. Zion Christian Church/LifeBridge Community Church. LifeBridge Community Church is currently operating out of the Plaza Theater building across the street from the proposed location at 457 Milwaukee Avenue.

### Map Location:



### Executive Action:

Resolution 21 is for consideration at the October 13, 2015 Plan Commission. It will move on as an ordinance at the October 20, 2015 Committee of the Whole meeting with a Public Hearing the same night scheduled for the November 3, 2015 Common Council meeting for consideration.

**Plan Commission Resolution No. 21  
Introduced by the Plan Commission**

**CITY OF BURLINGTON PLAN COMMISSION RESOLUTION RECOMMENDING  
THE AMENDMENT OF THE RACINE COUNTY MULTI-JURISDICTIONAL  
COMPREHENSIVE PLAN FOR PROPERTY LOCATED AT 457 MILWAUKEE AVENUE  
IN THE CITY OF BURLINGTON, WISCONSIN**

**WHEREAS**, on July 21, 2009, the City of Burlington adopted, as Ordinance No. 1890(11) a comprehensive plan (the "Plan") pursuant to the provisions of 66.1001 of the Wisconsin Statutes, such Plan being formally titled "A Multi-Jurisdictional Comprehensive Plan for the City of Burlington, Wisconsin"; and,

**WHEREAS**, Section 66.1001(4) of the Wisconsin Statutes allows the Plan to be amended from time to time, by the City of Burlington under and pursuant to the provisions and procedures contained in such Section 66.1001(4); and,

**WHEREAS**, the City of Burlington Plan Commission wishes to recommend to the City of Burlington Common Council to so amend the Plan as expressly described below (the "Plan Amendment"); and,

**WHEREAS**, the Plan Amendment pertains to the real property (the "Real Property") located in the City of Burlington and which is more specifically described in attached Exhibit A, such Exhibit A being hereby incorporated herein by reference.

**WHEREAS**, the City of Burlington Plan Commission hereby finds and determines that:

- a) The Plan Amendment is consistent with the goals, objectives, and policies of the Plan.
- b) The Plan Amendment will not lead to any detrimental environmental effects.
- c) The Plan Amendment is compatible with surrounding land uses.
- d) The Plan Amendment will not overburden existing local and County facilities and services and such facilities and services are adequate to serve the type of development associated with the Plan Amendment.
- e) The Plan Amendment will enhance economic development within the City and County.
- f) The Plan Amendment is in substantial agreement with the recommendations of the regional land use plan.

**NOW, THEREFORE, BE IT RESOLVED** that the City of Burlington Plan Commission hereby recommends to the City of Burlington Common Council that the Real Property at 457 Milwaukee Avenue (described in attached Exhibit A) be changed from its current land use designation of "Commercial" in the Plan to the new land use designation of "Governmental and Institutional" in the Plan to use the property for Mt. Zion Christian Church/LifeBridge Community Church.

**BE IT FURTHER RESOLVED** that this resolution, having been adopted by a majority of all the members of the City of Burlington Plan Commission as required by Sections 62.23(3)(b) and 66.1001(4)(b) of the Wisconsin Statutes, is hereby certified to the City of Burlington Common Council for its consideration.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2015

Ayes:    Nays:    Absent:

---

Robert Miller, Chairman  
City of Burlington Plan Commission

Attest:

---

Kristine Anderson, Secretary  
City of Burlington Plan Commission

## EXHIBIT A

THAT PART OF NORTHWEST 1/4, NORTHEASTERLY 58 OF SOUTHWESTERLY 412.5  
OF SOUTHEASTERLY, 123.25 WEST OF GENEVA STREET, NORTH OF LEWIS STREET  
TO THE CITY OF BURLINGTON, RACINE COUNTY.



## STAFF REPORT

### COMPREHENSIVE LAND USE PLAN AMENDMENT

### CITY OF BURLINGTON

**Date:** September 14, 2015

**Report Prepared By:** Kristine Anderson, Administrative Assistant

**Property Address:** 457 Milwaukee Avenue, Burlington, WI 53105

**Parcel Numbers:** 206-03-19-32-035-000

**Property Owner:** Wisconsin Vision Associates

**Applicant:** Jon Thorngate of Mt. Zion Christian Church/LifeBridge Community Church

**Date of Public Hearing:** The Public Hearing will be held at 6:30 p.m. or shortly thereafter on October 20, 2015 during the Common Council meeting located at 224 E. Jefferson Street.

**Action Requested:** To change the Racine County Multi-Jurisdictional Comprehensive Plan from "Commercial" to "Governmental and Institutional" for the subject property.

**Summary:** The City of Burlington Common Council has petitioned to rezone property at 457 Milwaukee Avenue, within city zoning district classifications and it was determined a Comprehensive Plan amendment was also required. Per the Comprehensive Plan, the subject property is listed as Commercial and would not be consistent with the city zoning change from B-2, Central Business District to I-1, Institutional District.

**Existing Comprehensive Plan Zoning:** Commercial

**Surrounding Comprehensive Plan Zoning:** Commercial to the north; Commercial and Medium Density Residential to the west and south; Governmental and Institutional and Commercial to the east.

**Existing Use:** 457 Milwaukee Avenue is the Wisconsin Vision Associates

**Proposed Use:** 457 Milwaukee Avenue is proposing to be a church for Mt. Zion Christian Church/Life Bridge Community Church

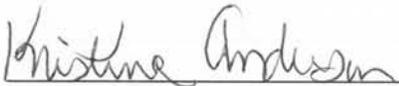
**Relevant Criteria:**

The City of Burlington Plan Commission shall review and determine that:

- a) The Plan Amendment is consistent with the goals, objectives, and policies of the Plan.
- b) The Plan Amendment will not lead to any detrimental environmental effects.
- c) The Plan Amendment is compatible with surrounding land uses.
- d) The Plan Amendment will not overburden existing local and County facilities and services and such facilities and services are adequate to serve the type of development associated with the Plan Amendment.
- e) The Plan Amendment will enhance economic development within the City and County.
- f) The Plan Amendment is in substantial agreement with the recommendations of the regional land use plan.

**Recommendation of Plan Commission:** Recommendation will go before the Plan Commission on October 13, 2015 as Plan Commission Resolution Number 21.

**Future Action:** This item is scheduled for discussion among the Common Council at the Committee of the Whole meeting on October 20, 2015; a Public Hearing is scheduled before the Common Council on October 20, 2015; and scheduled for consideration by the Common Council on November 3, 2015.



Kristine Anderson  
Administrative Assistant





Administration Department  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

**RACINE COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE PLAN AMENDMENT  
APPLICATION FOR CITY OF BURLINGTON**

Date of Application for Plan Amendment: September 4, 2015

Attach a legal description and provide the tax key numbers of parcels included in the application:  
PT NW 1/4 NELY OF SWLY 412.5 OF SELY 123.25 W OF GENEVA ST N OF LEWIS ST

Tax Key 206031932035000

Property Owner's Name:

Wisconsin Vision Associates (Current)

Signature

Mailing Address: 35263 West State Street, Burlington WI 53105

Phone Number: 262.492.8692

Note: if the property owner's signature cannot be obtained in the above space, a "letter of agent status" signed by the property owner must be submitted if you are an applicant (tenant, leaseholder, or authorized agent representing the legal owner) acting on their behalf.

Applicant's Name (if different than property owner):

LifeBridge Community Church

Signature

Mailing Address: PO Box 28, Burlington WI 53105

Phone Number: 262.757.8588

Current Zoning: B-2

Existing planned land use category as shown on the land use plan map:

Proposed land use category:

Reason(s) for proposed Amendment: (Describe the intended use of the property)

Church. (See packet)

<b>FOR OFFICE USE ONLY:</b>	Resolution No. _____	Ordinance No. _____
Fee Paid: <input type="checkbox"/> \$200	Date pd: _____	
Date to Council: _____	Approved by Council: <input type="checkbox"/> Yes <input type="checkbox"/> No	Date Approved by Council: _____



Administration Department  
300 N. Pine Street, Burlington, WI, 53105  
(262) 342-1161 – (262) 763-3474 fax  
www.burlington-wi.gov

**RACINE COUNTY MULTI-JURISDICTIONAL COMPREHENSIVE PLAN AMENDMENT  
APPLICATION FOR CITY OF BURLINGTON**

Date of Application for Plan Amendment: September 4, 2015

Attach a legal description and provide the tax key numbers of parcels included in the application:  
**PT NW 1/4 NELY OF SWLY 412.5 OF SELY 123.25 W OF GENEVA ST N OF LEWIS ST**

**Tax Key 206031932035000**

Property Owner's Name:

**Mt. Zion Christian Church**

Signature

Mailing Address: **2330 State Road 120, Lake Geneva WI 53147**

Phone Number: **262.215.7887**

Note: if the property owner's signature cannot be obtained in the above space, a "letter of agent status" signed by the property owner must be submitted if you are an applicant (tenant, leaseholder, or authorized agent representing the legal owner) acting on their behalf.

Applicant's Name (if different than property owner):

**LifeBridge Community Church**

Signature

Mailing Address: **PO Box 28, Burlington WI 53105**

Phone Number: **262.757.8588**

Current Zoning: **B-2**

Existing planned land use category as shown on the land use plan map:

Proposed land use category:

Reason(s) for proposed Amendment: (Describe the intended use of the property)

*Church (see packet)*

**FOR OFFICE USE ONLY:**

Resolution No. \_\_\_\_\_

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

Fee Paid:  \$200 Date pd: \_\_\_\_\_

Date to Council: \_\_\_\_\_ Approved by Council:  Yes  No Date Approved by Council: \_\_\_\_\_