



AGENDA PLAN COMMISSION

Tuesday, April 12, 2016 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
Gabriel King, Student Representative

1. Call to Order
2. Roll Call
3. Approval of the minutes of March 8, 2016
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 Nicole Gilbreath for property located at 940 S. Pine Street for use as a retail shop and manufacturing to sell emergency survival products and manufacture water filters.
7. Old Business: None
New Business:
 - A. Consideration to approve a Conditional Use and Site Plan application from Nicole Gilbreath for property located at 940 S. Pine Street for use as a retail shop and manufacturing to sell emergency survival products and manufacture water filters, subject to Mark Roffers' April 6, 2016 memorandum to the Plan Commission.
 - B. Consideration to recommend approval to the Common Council of an Extraterritorial Certified Survey Map from Chuck Albee for property located at 7625 Franklin Street in the Town of Burlington, subject to Mark Roffers' April 6, 2016 and Kapur & Associates' March 16, 2016 memorandums to the Plan Commission.

- C. Consideration to recommend approval to the Common Council of a Certified Survey Map from Leslie Scherrer Pella for property located at 980 Milwaukee Avenue, subject to Mark Roffers' April 6, 2016 and Kapur & Associates' March 16, 2016 memorandums to the Plan Commission.

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
March 8, 2016, 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 Chris Reesman and Andy Tully were present. Commissioners John Lynch and Darrel Eisenhardt were excused. BHS Student Representative, Gabriel King was also excused.

APPROVAL OF MINUTES

Alderman Vos moved, and Commissioner Reesman seconded to approve the minutes of December 8, 2015. All were in favor, and the motion carried.

LETTERS & COMMUNICATIONS

None

CITIZEN COMMENTS

None

PUBLIC HEARINGS

None

OLD BUSINESS

None

Mayor Miller introduced and welcomed Mark Roffers as the Interim City Planner.

NEW BUSINESS

A. Consideration to approve a Site Plan application from Leslie Scherrer Pella of PSG, on behalf of SDG Milwaukee Avenue Lot 3 LLC, for property located at 980 Milwaukee Avenue to construct a building for multi-tenant retail, subject to Mark Roffers' March 2, 2016 and Kapur & Associates' March 3, 2016 memorandums to the Plan Commission.

- Mayor Miller opened this item for discussion.
- Leslie Scherrer Pella of PSG, Inc., gave a presentation stating that in 2008 there was a Reciprocal Easement Agreement (REA), part of the Planned Unit Development (PUD), pertaining to four primary phases; Kohl's, Pick-n-Save, 980 Milwaukee Avenue and BMO Harris Bank. The PUD states the design of the buildings shall look similar along with the materials being used, but not to match. Ms. Pella stated 19,282 square feet was allowed for the building area in which two buildings will be developed with 12,000 square feet for the first building which are being pre-leased for multi-tenant retail. Ms. Pella clarified that the plans, including the parking lot, are the same site plans that were originally approved in the PUD. There are various parapet heights to differentiate between tenant spaces, but mainly one continuous plain for the storefronts.

- Alderman Vos stated the plan adheres to what was originally proposed for the PUD, except for the splitting of the building. Ms. Pella commented the splitting of the building is not a change because of the large square foot area, the REA allows a building of its size whether it is one building or two buildings. Anytime a plan is submitted the other parties in the REA have to approve it as well.
- Mark Roffers stated the issues referenced in his memorandum were either addressed or explained to him. Mr. Roffers suggested he would like to see additional masonry be brought to the front façade by bringing the stone to the top and wrapped around the corners. Mr. Roffers stated the B-1 district does not allow signage to be placed on the sides of the building since it does not face a street side. Ms. Pella stated in the original PUD, the REA with Kohl's, Pick-n-Save and PSG being the approving owners to sign off, have approved the design of the building as it is in the original plans without additional masonry. Alderman Vos agreed since this lot has been sitting since 2008, he did not see the importance of more masonry when the design had been approved by all parties. Commissioner Tully stated the developments from PSG are successful and questioned Mr. Roffers' concern was that the masonry style should be the same as the surrounding buildings. Peter Scherrer of PSG stated they wanted the building to blend in but not match exactly. Alderman Bauman asked if they already had tenants. Ms. Pella replied that four tenants are in the process of completing the contracts. Ms. Pella also stated the second building will be determined by the users, meaning if there is a demand for more tenant space.
- Mayor Miller stated the only concern is the signage being placed on the side of the building. He also stated since the signage was approved in the REA part of the PUD in 2008 it might be grandfathered in. Mayor Miller stated this would be a question for the City Attorney to determine if the REA in the PUD trumps the current sign ordinance or not. Mr. Roffers stated since the signage was originally approved by the REA, he is comfortable with the signage being placed on the side of the building.
- There were no further comments.

Alderman Vos moved, and Commissioner Reesman seconded to recommend a conditional approval of a Site Plan application to construct a building for multi-tenant retail subject to the City Attorney's review to determine if the Reciprocal Easement Agreement (REA) is part of the PUD that would allow a deviation to the ordinance allowing signage on the side of the building, subject to Mark Roffers' March 2, 2016 and Kapur & Associates' March 3, 2016 memorandums to the Plan Commission as follows:

- The applicant shall address the starting and anticipated completion time. *(This item was amended and compliant prior to the Plan Commission Meeting.)*
- Construction of the 2nd future building on this Lot 3 will require subsequent site plan approval when this building is ready for construction.
- The applicant shall verify that any required easements for sewer and water mains or shared laterals have been acquired where needed. The cross access easement for existing drive adjacent to lot shall be verified that it has been recorded. *(This item was amended and compliant prior to the Plan Commission Meeting.)*

- The south driveway around the building is only 20 feet wide and the City typically requires a 25 foot wide driveway (which was included in the original development) for safety. *(This item was amended and compliant prior to the Plan Commission Meeting.)*
- The sanitary manhole casting shall be changed to be consistent with the current ones. *(This item was amended and compliant prior to the Plan Commission Meeting.)*
- The loading area shall be designated on plans. The site plan should be amended to designated conforming loading spaces. B-1 sites require one loading space per 3,000 square feet of retail area, with each space at least 10 feet by 25 feet. *(This item was amended and compliant prior to the Plan Commission Meeting.)*
- Some handicap parking spaces require a minimum of 14 feet wide, but the plans appear to show 13 feet wide. *(This item was amended and compliant prior to the Plan Commission Meeting.)*
- “One-way/do not enter” signs shall be added at various locations around the southeast part of the building to minimize wrong-way traffic. *(This item was amended and compliant prior to the Plan Commission Meeting.)*
- Several of the proposed plantings within the required vision triangle near Milwaukee Avenue are not met, the landscape plan shall be adjusted to relocate these and select different species and that some foundation landscaping be added in front of the building. *(This item was amended and compliant prior to the Plan Commission Meeting.)*
- Fences. The locations of bollards shall be clarified and reconciled among the engineering and building elevation plans.
- The applicant shall submit proposed pole building-mounted luminaires, including the mounting method, a graphic depiction of the luminaire concealment and light cutoff angles. The building elevation and photometric plan shall also show any lights mounted to the front of the building, if any are intended. *(This item was amended and compliant prior to the Plan Commission Meeting.)*

All were in favor and the motion carried.

ADJOURNMENT

Commissioner Tully moved, and Alderman Bauman seconded to adjourn the meeting at 7:02 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

Plan Commission Item Number: 6A

Date: April 12, 2016

Submitted By: Gregory Guidry, Building Inspector

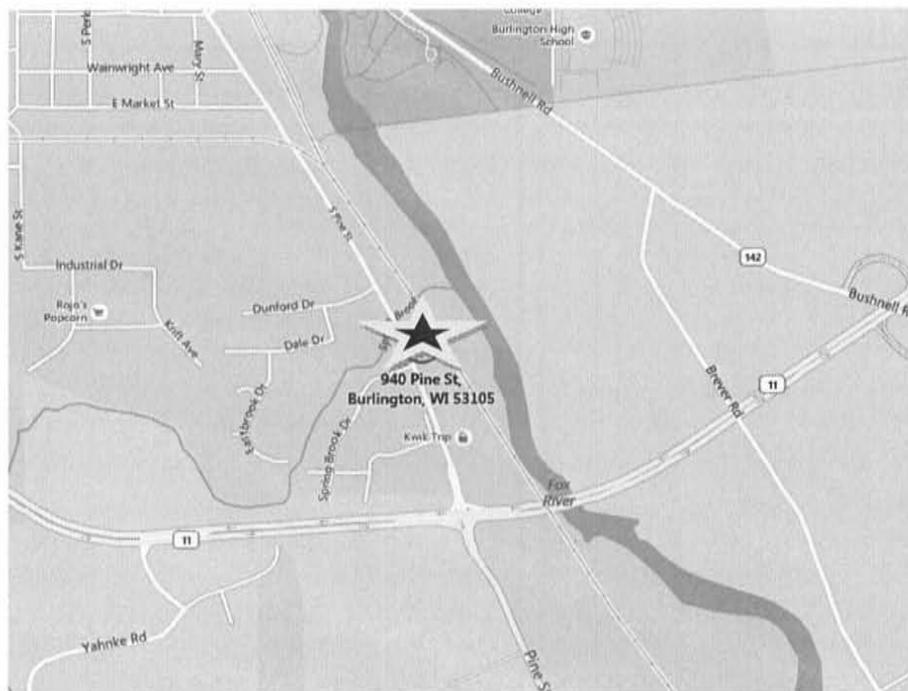
Subject: A Public Hearing for a Conditional Use application at 940 S. Pine Street

Details:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a Conditional Use application from Nicole Gilbreath of SHTF and GO, LLC for property located at 940 S. Pine Street. The applicant is proposing to use this building as a retail shop and manufacturing to sell emergency survival products and manufacture water filters.

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

Map Location:



Executive Action:

This item is for a Public Hearing at the April 12, 2016 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: Nancy Schvetz
Applicant: Nicole Gilbreath
Location: 940 S. Pine Street
Zoning: M-1, Light Manufacturing District
Use: Retail shop and manufacturing (for selling emergency survival products and manufacturing water filters)

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, APRIL 12, 2016 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, 21st day of March, 2016.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
March 24th, 2016 and March 31st, 2016



CITY OF BURLINGTON

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

Plan Commission Item Number: 8A	Date: April 12, 2016
Submitted By: Gregory Guidry, Building Inspector	Subject: Consideration to approve a Conditional Use and Site Plan application at 940 S. Pine Street.

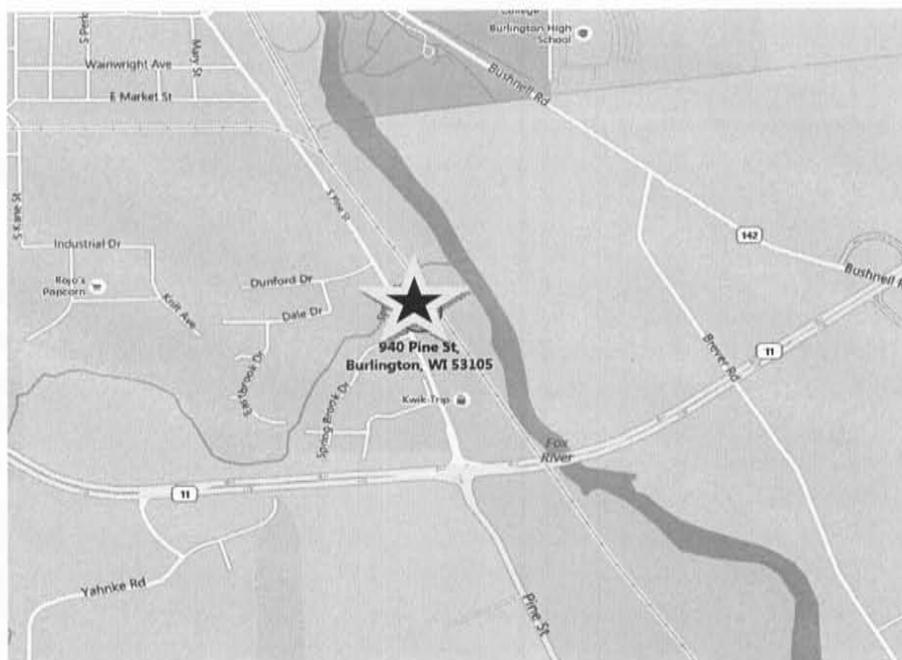
Details:

This item is to consider approving a Conditional Use and Site Plan application from Nicole Gilbreath of SHTF and GO, LLC, for property located at 940 S. Pine Street. The applicant is proposing to use this building as a retail shop and manufacturing to sell emergency survival products and manufacture water filters. This business will be located in Suite #1 of four in this building which formerly held the "For Your Home" retail store.

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

Mark Roffers recommends approval of this Conditional Use and Site Plan subject to items listed in his memorandum.

Map Location:



Executive Action:

This item is for consideration at the April 12, 2016 Plan Commission meeting. No further action is necessary.



To: City of Burlington Plan Commission
From: Mark Roffers and Colette Spranger, Interim City Planning Consultants
Date: April 6, 2016
Re: Applications for Conditional Use Permit and Site Plan Approvals, 940 S. Pine Street

Requested Approvals: Conditional use permit and site plan approval to enable a new business occupant

Location: On the east side of South Pine Street, near the intersection of Pine and Springbrook Drive, on the City's south side.

Current Land Uses: See the images on the next page. The former feed mill building on the 1.14 acre site was previously divided into four "suites" to accommodate different businesses, as follows:

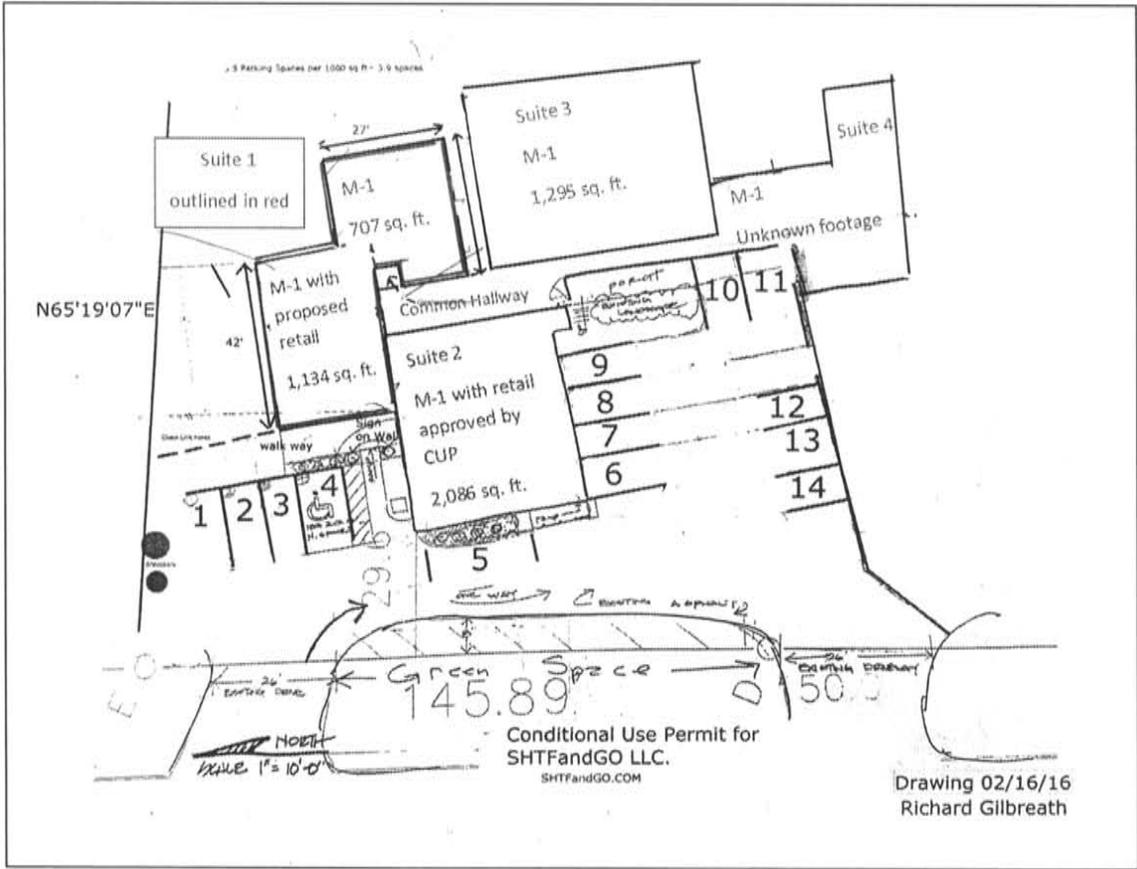
- Suite 1 is currently being occupied by the non-retail components of the applicant's emergency and survival gear business. Suite #1 was previously used as retail space by another company—a resale business that obtained a conditional use permit for such occupancy in 2006.
- Suite 2 is currently occupied by Veneration BJJ, a jujitsu studio, which obtained a conditional use permit in 2014.
- Suite 3 is currently unoccupied, but is somewhat subject to these applications.
- We believe that Suite 4 is occupied by the land owner, who also operates the garage/vehicle storage area behind that suite, which is a permitted accessory use in the M-1 district.

Proposed Uses: The applicant, SHTFandGo LLC, intends to occupy Suite 1 with a business focused on the assembly and sales of emergency and survival gear, such as water filters, meal kits, medical kits, among other types of survival/camping gear. The same applicant also plans to occupy Suite 3 with a separate business—Elements HVAC, which would include warehousing for business supplies but no retail space.

Current and Proposed Zoning District: M-1 Light Manufacturing. Within the M-1 district, "retail stores and services" uses, such as the retail portion of the survival gear business, require a conditional use permit. The HVAC business and assembly/storage portion of the survival gear business are permitted M-1 uses. There is also presently FW Floodway on western edge of site, but the building does not appear to be in the FW Floodway area.

Comprehensive Plan's Planned Land Use Designation: Commercial. Previous conditional use permits for retail businesses at this site have, in part, justified retail uses under this comprehensive plan recommendation.

Surrounding Zoning and Land Use: Both parcels to the north and south are zoned M-1. The parcel to the north is occupied by a residence, and the parcel to the south by an electrical contractor. The parcel to the south shares a driveway with the 940 South Pine site. Lands west of Pine Street are residential.



Recommendation: Considering comments the public hearing, we recommend that the Commission approve a conditional use permit for a “retail stores and services” use in Suite 1 at 940 South Pine Street, and an associated site plan approval, subject to the following conditions:

1. The conditional use permit for “retail stores and services” use is limited to the northwest approximately 1,134 square feet of Suite 1. There shall be no other “retail stores and services” use on the premises, except per the 2014 conditional use permit for Suite 2 and any future City approvals for this property.
2. The conditional use permit is for the retail sales of emergency and survival gear, and for other “retail stores and services” uses of comparable expected intensity and parking demand, as determined by the Building Inspector. Any other “retail stores and services” use shall obtain a new conditional use permit before occupying any part of Suite 1.
3. The site shall be occupied and improved per the site plan drawing titled “Conditional Use Permit for SHTFandGo LLC” and dated 2/16/16, except as adjustments are required per the condition 4 that follows.
4. Prior to the occupancy of Suite 1 for the retail sales of emergency and survival gear use, the applicant or property owner shall complete the following improvements:
 - a. Mark the designated handicapped parking spot with a standard handicapped parking sign on a post in front of the space and paint the standard handicapped parking symbol on the asphalt within the parking space.
 - b. (Re)paint stripes on all parking spaces indicated on the 2/16/16 site plan, with each space no less than 9 feet by 20 feet in dimension. Do not stripe parking space #5 as shown on the site plan, instead leaving that area open for loading and 2-way movement.
 - c. To prevent further deterioration of asphalt edges, protect landscaping and building walls, prevent parking in walkways, and further mark parking stalls, install concrete or similar wheel stops near the front ends of all parking spaces.
 - d. Remove pavement and install landscape plantings along the west façade of Suite 2, as indicated on the 2/16/16 site plan sheet and prior approved plans for this property.
 - e. Satisfy any other requirements of the Plan Commission, Zoning Administrator, Fire Inspector, or Building Inspector that relate to zoning ordinance, fire code, or conditional use permit standards.
5. Any signage shall require a sign permit from the City prior to installation. Temporary signs are allowed for a period not exceeding 30 days.

Analysis of Request Against City Ordinance Requirements

APPLICABLE REVIEW STANDARD	EVALUATION	COMMENTS
HAS APPLICANT SUBMITTED REQUIRED PLANS?		
(1) Site Plan Submittal Items (Section 315-137(C) of Zoning Ordinance)	Yes, given the minor nature of this request on an already developed site	The City advised the applicant to utilize a site plan utilized by previous applicants. CUPs for other businesses were approved in 2006 (for a resale shop in Suite 1) and 2014 (for a jujitsu studio in Suite 2). The current applicants have no plans for remodeling the building façade or building grounds. Still, improvements proposed and required by prior approvals should be completed and parking should be clearly marked.
SITE PLAN REVIEW CRITERIA (SECTION 315-137(B) OF ZONING ORDINANCE)		
(1) Conformity of use to zoning district.	Pending	Section 315-30(G) states that a proposed building should not “substantially increase the danger of fire or traffic congestion or otherwise endanger the public health or safety.” Store inventory could pose a risk for fire danger includes fire starters and waterproof matches, although the applicant has stated they may offer camp stoves at a later date. The Fire Inspector should review and provide recommendations.
(2) Dimensional requirements.	NA	
(3) Use and design provisions.	Pending CUP	
(4) Relation to existing and proposed streets.	NA	Site is already improved, with two existing driveways onto South Pine Street.
(5) Impacts on surrounding uses.	Met	Site already has a mix of commercial and industrial uses. The Plan Commission has previously approved CUPs for retail on this site and in this suite. There exists a potential for parking shortage should all businesses within the building have concurrent activity. However, the operating hours for the two primary businesses will have only a half hour of overlap 3 days a week. The type of assembly described by the applicant (e.g., drilling and assembly of other products in order to create a water filter) produces no toxic by-products or create smoke, dirt, dust, odorous/noxious gases that would negatively impact the adjacent tenants or nearby property owners.
(6) Natural resource features protection.	NA	Property is bordered on the west by FW Floodway District, but building is not affected.

APPLICABLE REVIEW STANDARD	EVALUATION	COMMENTS
(7) Required landscaping and bufferyards.	NA	Some landscaping indicated on previous plans does not appear to have been installed, such as the landscaped area in front of Suite 2, as indicated on the 2014 application for Veneration BJJ). This should be completed.
(8) Provision of emergency vehicle accessibility.	Yes	Site is easily accessible from Pine Street for emergency vehicles, via two driveways.
(9) Building location.	NA	Site is already improved.
(10) Location and design of loading facilities.	Unmet	Site plan from 5/13/14 locates a loading space adjacent south of parking space #5 west of the ramp leading to Suite #2. There is no loading space on the 2/16/16 plan, parking space #5 appears to occupy more space, and a one-way drive is suggested. A designated parking space cannot double as a loading space. One space of 10 feet by 50 feet for each 10,000 square feet of floor area or part thereof is normally required for wholesale and industrial sites. Our suggestion is to remove parking space #5, and keep the paved area between Suite 2 and Pine Street open for occasional loading and two-way circulation.
(11) Consistency with the intent of the zoning ordinance.	Met	Retail space at this location has been approved for other businesses on this site. The retail use proposed seems low in intensity and likely number of visitors (operates an online store).
(12) Consistency with the intent of the City Master Plan.	Met	Site is planned for "commercial" use via planned land use map in comprehensive plan.
Conditional Use Permit Review and Approval Criteria (315-130B)		
"The City Plan Commission shall review the site, existing and proposed structures, neighboring uses, parking areas, driveway locations, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation, and also conditions such as landscaping, type of construction, floodproofing, anchoring of structures in flood area, construction commencement and completion dates, sureties, and lighting."	Met	In general, the standard for granting a conditional use permit is met in our opinion. The City, in the past, has approved conditional use permits for similar amounts of retail/commercial service space on the property. See other sections of this report for specific details. The applicant should maintain distinction between its business spaces. If granted, the conditional use permit will only apply for retail related to SHTFandGo LLC, not Elements HVAC, and only in part of Suite 1. See associated conditional use permit approval conditions earlier in this report.

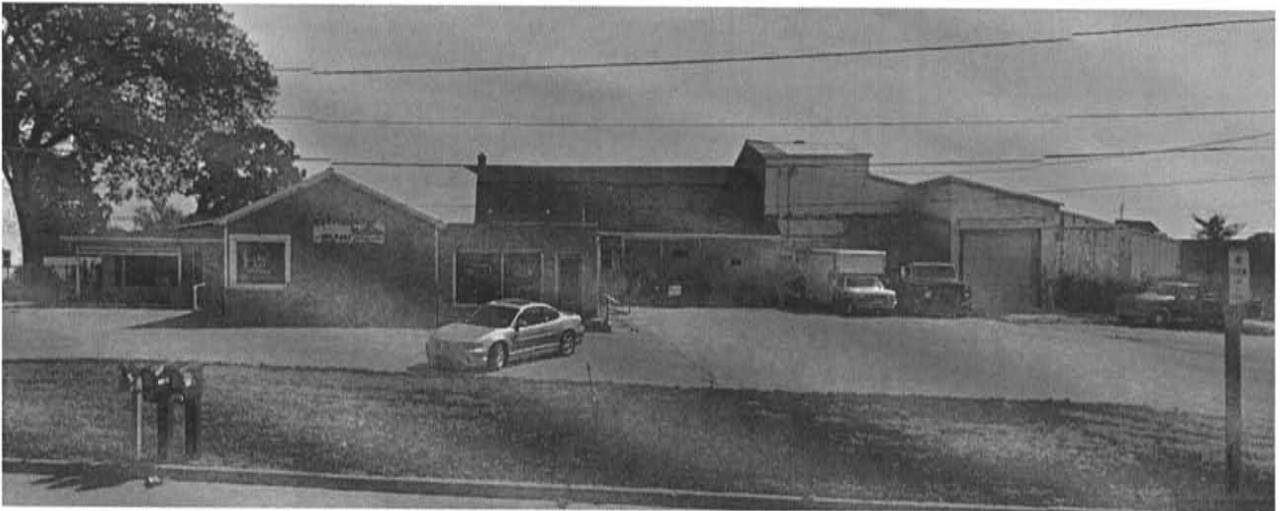
OTHER CITY ZONING ORDINANCE STANDARDS

<p>Parking Requirements (Section 315-48)</p>	<p>Met, as a continuation of a previously approved nonconforming parking condition</p>	<p>The 2/16/16 site plan suggests 14 parking spaces, one of which (#5) may currently double as a loading area under past plans. Beyond the handicapped space, no parking space dimensions are listed. Parking spaces must be at least 180 square feet and not less than 9 feet in width. Two-way driveways must also be 24 feet wide. The site plan submitted appear to provide spaces just short of this requirement. Lengthening the parking spaces should be possible, while still meeting the 24 foot minimum driveway width.</p> <p>One of the proposed off-street parking spaces is for persons with disabilities. This space appears to be unmarked on the site. Subsection (H)(4) requires signage for handicapped parking spaces.</p> <p>Previous approved plans for this site have specified restriping of parking spaces in the asphalt parking lot. This should be done to satisfy those past approvals and subsection G of Section 315-48 of the zoning ordinance.</p> <p>When factoring the mix of existing and proposed uses for this site, we calculate a parking requirement by ordinance of 17 spaces. This being said, particularly with past conditional use permit approvals, the City has apparently accepted a nonconforming parking situation on this site. This approval does not increase the amount of retail or other spaces previously authorized for this site, and the tenants appear to have modest and usually non-overlapping parking demands. Therefore, we suggest that the 13-14 parking spaces provided be considered acceptable, as a nonconforming prior condition.</p>
<p>Loading (Section 315-47)</p>	<p>Pending; see suggested approval condition.</p>	<p>Wholesale and industrial sites require one loading space of at least 10 feet by 50 feet for each 10,000 square feet of floor area or part thereof. The applicant reports that deliveries for their new businesses will be made monthly, at most. We believe that providing an informal loading space, in the place of parking space #5 of the proposed plan, meets the ordinance intent.</p>

<p>Driveways (Section 315-49)</p>	<p>Met, as prior condition not proposed for change</p>	<p>There are two existing driveways to South Pine Street, the southern of which also serves the electrical contractor to the south. The site plan submitted indicates a one-way movement in front of Suite 4. This does not appear to be marked on the site, and we suggest the idea be abandoned as unenforceable.</p>
<p>Landscaping (Section 315-52)</p>	<p>Should complete past approved landscaping</p>	<p>The current and prior approved site plans for this property suggest a foundation planting bed in front of Suite 4. It does not appear that that bed has been installed.</p>
<p>Lighting (Section 315-26P)</p>	<p>Met</p>	<p>Applicant has no plans to alter lighting on the site or building.</p>
<p>Floodway District (Section 315-38B)</p>	<p>Met</p>	<p>Building does not encroach into the FW Floodway District.</p>
<p>Signs (Article VII)</p>	<p>Met</p>	<p>Applicant will need to submit a separate sign permit for permanent business signage. A temporary sign may currently be in the window of Suite #1. Temporary signs are permitted by the Zoning Ordinance, but may only be in place for less than 30 days.</p>



Suite 1 entrance area, as seen on Google Maps Street View in 2012.



Entire building as seen on Google Maps Street View in 2012.
Note the car parked in unmarked parking area also intended for circulation.



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

**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	2/16/16
DATE PUBLISHED	_____
PUBLIC HEARING DATE:	_____
RECEIVED BY:	KA

- Zoning Permit - \$25.00 Joint Zoning/Certificate of Compliance - \$35.00
- Certificate of Compliance - \$15.00 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 ELEMENTS HVAC - Nicole Gilbert - SHTF and GO LLC.

Phone No. 262-800-8022 Fax No. _____

Applicant's Address 940 S. PINE street

Owner of the site Nancy Schwetz

Phone No. 262-490-4845 Fax No. _____

Owner's address 164 State St Burlington WI 53105

Architect / Professional Engineer _____

Architect / Professional Engineer Address _____

Contractor _____

Contractor's Address _____

DESCRIPTION OF THE SUBJECT SITE

Address 940 S. Pine St

Or if no address exists: Parcel Identification No. _____

Existing Zoning classification M-1

Description of existing use OFFICE / STORAGE
Description of the proposed use Retail SHOP. and MANUFACTURING
Number of employees / Hours of operation 2-3

**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):

SELLING EMERGENCY products to the public
MANUFACTURING WATER FILTERS, EMERGENCY supplies,
medical kits, BACK PACKS & KAMPING KITS

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 Nicole Gilbreath
(Signature)

Nicole Gilbreath
(Print)

Owner Nicole Gilbreath
(Signature)

Nicole Gilbreath
(Print)

Date: 2/16/16

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: _____
(Signature)

Date: _____



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: 2/16/16

RECEIVED BY: KA
(Initials)

AMT. PAID: 500

APPLICANT: SHTF and GO LLC,

ADDRESS: 940 S. Pine PHONE NO. 612-888-7483 FAX NO. _____

OWNER: Nicole Gilbreath

ADDRESS: 29947 MEADOW DRIVE PHONE NO. 262-254-1232 FAX NO. _____

SITE ADDRESS: 940 S. Pine

PROPOSED USE: MANUFACTURING/RETAIL PRESENT ZONING: M1

LEGAL DESCRIPTION: _____
(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.
- 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: 3 and Hours of operation M-F 10-6
Sat 8-12

- Total no. of parking spaced noted. No. of parking spaces provided: 14. Calculations used to arrive at the no. of spaces: 3.5 per 1000 sq ft
- 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.
- Graphic outline of any development staging that is planned.
- Driveway locations and sizes.
- Handicap accessibility.
- List environmental concerns, i.e. odor, smoke, noise.

Owner: Nicole Gilbreath
(Print)

Date: 2/16/16

Owner: Nicole Gilbreath
(Signature)

Applicant: Nicole Gilbreath
(Print)

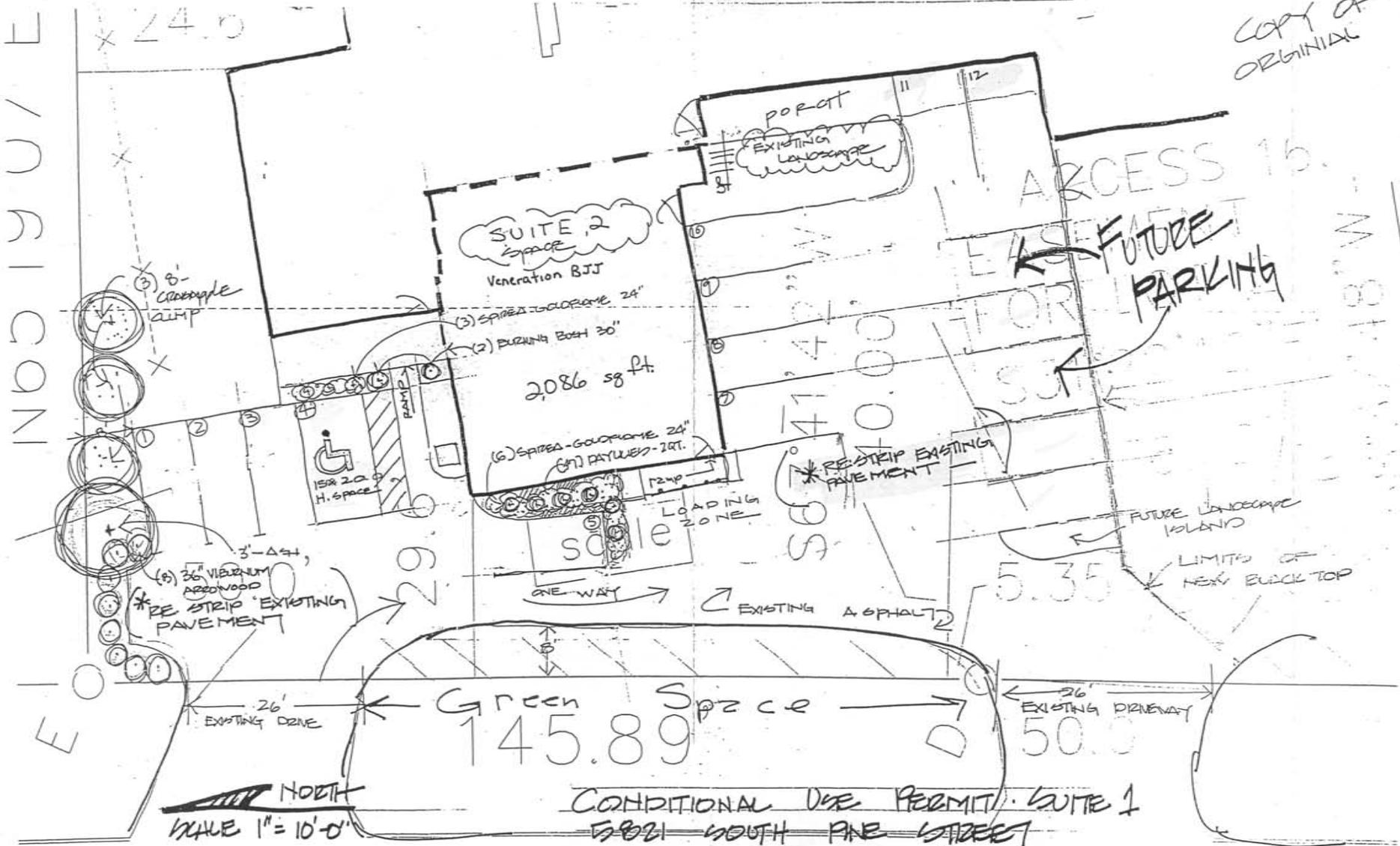
Date: 2/16/16

Applicant: Nicole Gilbreath
(Signature)

Zoning Administrator: _____
(Signature)

Date: _____

COPY OF ORIGINAL



CONDITIONAL USE PERMIT - SUITE 1

5821 SOUTH PINE STREET

ANS PROPERTIES LLC

164 WEST STATE STREET - PURLINGTON

DRAWING #1 - 5/13/14
ANS PROPERTIES

TENANT #4

1295 SQ.FT..
VACANT SPACE

Suite C
gas meter 1546984(?)

Suite 1

Common
Rest-
room

closet

Common Hallway

Suite 1

1841SQ.FT..
"M" MERCANTILE

EXISTING TENANT #1
2,086 SQ.FT..
USE: "M" MERCANTILE



Stock No. 26273

CERTIFIED SURVEY MAP NO. _____

BEING PART OF THE SOUTHEAST 1/4 AND 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 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

PART OF TAX PARCEL NO. 206-02-19-04-022-000

PREPARED FOR: VERNETTA SCHNEIDER AND KAREN THATE
2710 BIENEMAN ROAD
BURLINGTON, WI 53105
C.S.M. LOCATION: 5821 S. PINE ST.

PREPARED BY: B.W. SURVEYING, INC.
412 N. PINE STREET
BURLINGTON, WI 53105
(262)-767-0225
JOB NO. 5002

D.O.T. APPROVAL NO. 51-83-0199-01

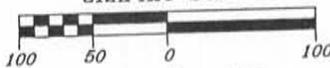
SEE SHEET 4 FOR D.O.T. NOTES

LEGEND

- FOUND RACINE COUNTY STANDARD MONUMENT
- FOUND IRON PIPE
- SET 1" X 24" IRON PIPE WEIGHING NOT LESS THAN 1.13 POUNDS PER LINEAL FOOT.
- EXISTING ELEVATION
- RESTRICTED NO ACCESS



GRAPHIC SCALE

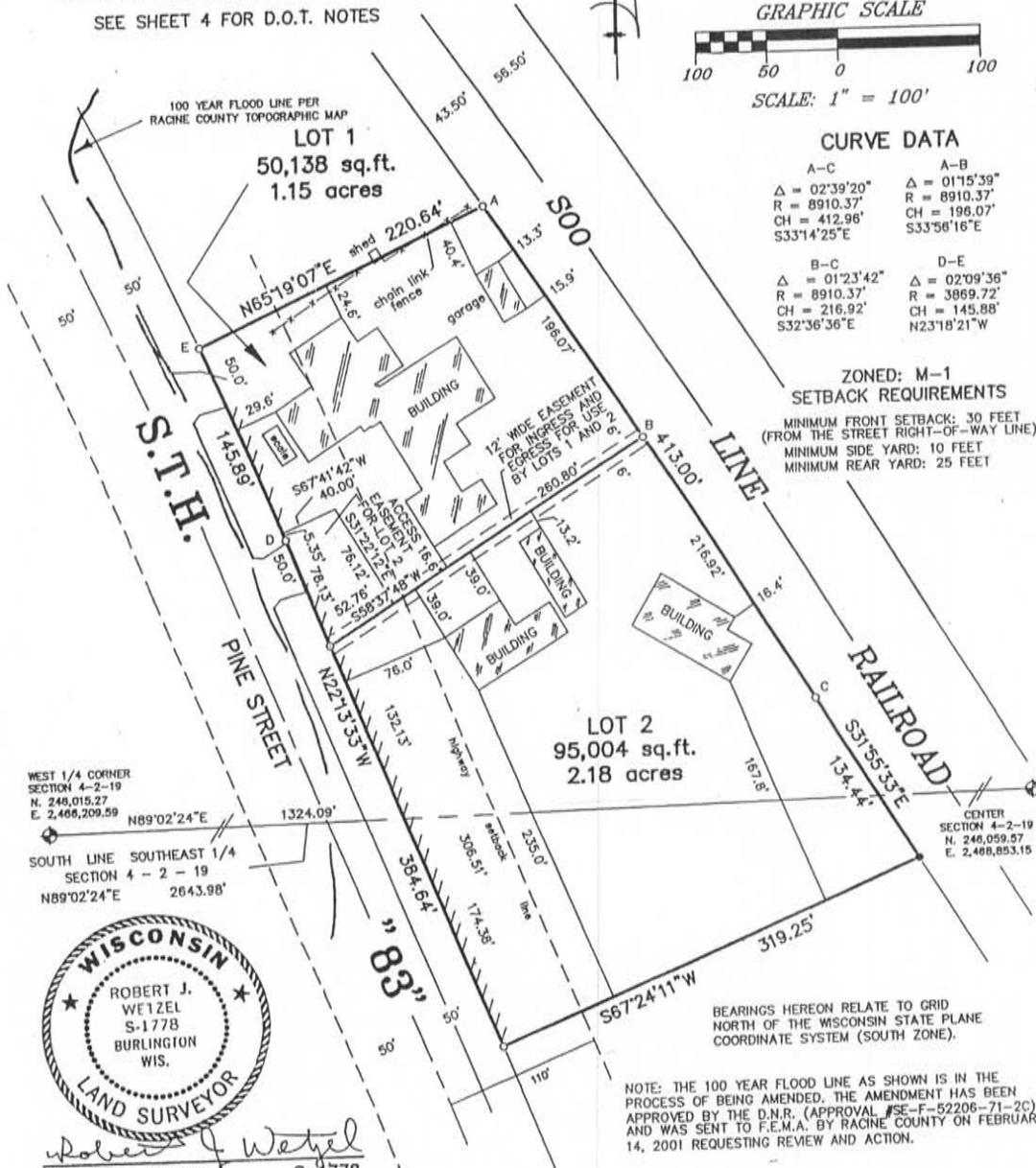


SCALE: 1" = 100'

CURVE DATA

A-C	A-B
$\Delta = 02^{\circ}39'20"$	$\Delta = 01^{\circ}15'39"$
R = 8910.37'	R = 8910.37'
CH = 412.96'	CH = 196.07'
S33°14'25"E	S33°56'16"E
B-C	D-E
$\Delta = 01^{\circ}23'42"$	$\Delta = 02^{\circ}09'36"$
R = 8910.37'	R = 3869.72'
CH = 216.92'	CH = 145.88'
S32°36'36"E	N23°18'21"W

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



WEST 1/4 CORNER
SECTION 4-2-19
N. 246,015.27
E. 2,466,209.59

SOUTH LINE SOUTHEAST 1/4
SECTION 4-2-19
N89°02'24"E 2643.98'

CENTER
SECTION 4-2-19
N. 246,059.57
E. 2,466,853.15



Robert J. Wetzel
ROBERT J. WETZEL S-1778
JUNE 22, 2001
REVISED: JUNE 29, 2001
REVISED: AUGUST 15, 2001

BEARINGS HEREON RELATE TO GRID
NORTH OF THE WISCONSIN STATE PLANE
COORDINATE SYSTEM (SOUTH ZONE).

NOTE: THE 100 YEAR FLOOD LINE AS SHOWN IS IN THE
PROCESS OF BEING AMENDED. THE AMENDMENT HAS BEEN
APPROVED BY THE D.N.R. (APPROVAL #SE-F-52206-71-2C)
AND WAS SENT TO F.E.M.A. BY RACINE COUNTY ON FEBRUARY
14, 2001 REQUESTING REVIEW AND ACTION.



(/h2o)
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x



Meet Our Family. Kayla, Kara, Jenny, and Alek.

Our Mother and Father raised us to be self reliant and resourceful. We each possess skills and knowledge to survive an emergency situation. You Must have a **PLAN**, You and your family need to **PREPARE** for most contingencies, and you lastly need a way to **PROTECT** your loved ones.

We have been raised outdoors, hunting, camping, and surviving the outdoors in Burlington, Wisconsin. We write and share information about Being Prepared and Survival Skills through our free library database and blog. We manufacture and distribute survival products too.

Any Questions send us an email below.



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[TERMS \(/TERMS-AND-CONDITIONS/\)](/TERMS-AND-CONDITIONS/) [PRIVACY POLICY \(/PRIVACY-POLICY/\)](/PRIVACY-POLICY/) [FAQ \(/FAQ/\)](/FAQ/)

SHTFANDGO.COM, 205 FRONT ST UNIT A, BURLINGTON, WI, 53105, UNITED STATES (612) 888-7483 SHTFANDGO@GMAIL.COM (MAILTO:SHTFANDGO@GMAIL.COM)



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

Plan Commission Item Number: 8B	Date: April 12, 2016
Submitted By: Gregory Guidry, Building Inspector	Subject: ETZ Certified Survey Map

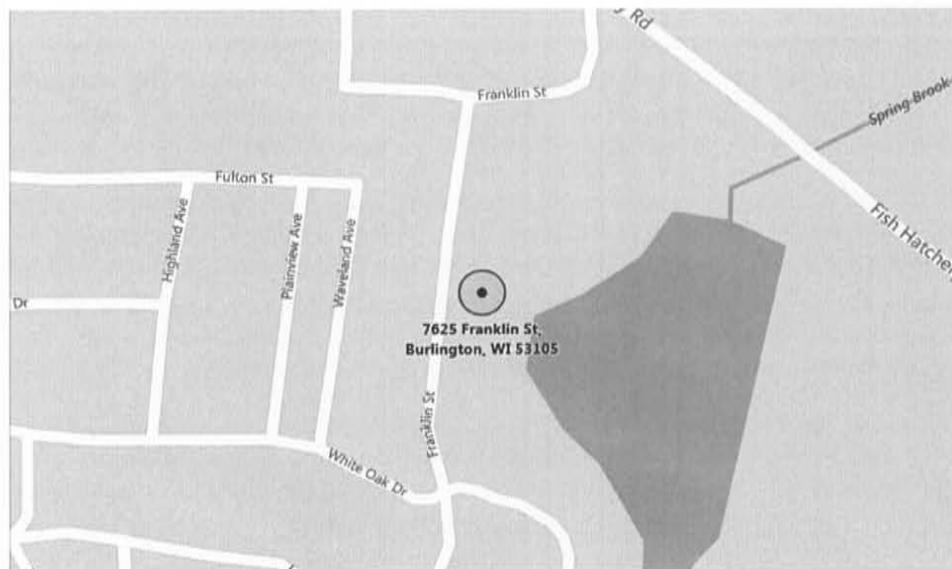
Details:

As part of the City’s Extraterritorial Plat Approval Jurisdiction Area, which includes any area within 1.5 miles of the City of Burlington, all divisions and subdivisions of land shall be reviewed by the Plan Commission and Common Council. The purpose of this is to enable the City to extend regulations to adjacent land that could affect quality of life within the city. The Extraterritorial Zoning District (ETZ) represents a city’s potential growth boundary, both with respect to its future tax base and municipal service area.

This Certified Survey Map has been submitted for review by Charles Albee for property located on 7625 Franklin Street in the Town of Burlington. The applicant would like to combine several existing parcels into two lots. The Town of Burlington Planning and Zoning Committee will consider to approve this CSM at their April 14, 2016 meeting.

Map Location:

Mark Roffers recommends approval of this ETZ Certified Survey Map, subject to the items listed in his memorandum.



Executive Action:

This item is for consideration at the April 12, 2016 Plan Commission meeting and will be placed on the May 3, 2016 Committee of the Whole and May 17, 2016 Common Council meeting for final consideration.



To: City of Burlington Plan Commission

From: Mark Roffers and Colette Spranger, Interim City Planning Consultants

Date: April 6, 2016

Re: Certified Survey Map (CSM) within City's Extraterritorial Jurisdiction, for 7625, 7647, and 33601 Franklin Street

Requested Approval: CSM combining several existing parcels into two lots

Location(s): Within the Town of Burlington, between Fish Hatchery Road, McHenry Street, and Bohners Lake, south of the City limits

Summary: The proposed changes for lands at 33601 Franklin Street, 7647 Franklin St (Lot 1 of CSM No. 2897) and 7625 Franklin Street (Lots 9 through 11 of White Oak Park) would facilitate more regular lotting patterns and the transfer of land in this area. Following approval of this CSM, there would be fewer lots and no additional homes. The following image depicts the parcels and owners as they are currently drawn, as a point of reference:



To the extent applicable, the CSM conforms with the City's Subdivision of Land Ordinance. We have identified some minor technical issues with the CSM that are listed as approval conditions below.

Recommendation: We recommend that the Commission recommend that the Common Council approve this CSM, subject to the following changes to the CSM before the City adds its signatures and the CSM is recorded:

1. Within the "Surveyor's Certificate" section on Sheet 1, add a provision that the surveyor has fully complied with applicable provisions of the City's Subdivision of Land Ordinance, as is required by that ordinance.
2. Amend all references to the "Township of Burlington" within the certified survey map to the "Town of Burlington".
3. Within the legal description on Sheet 1, within the second last line, change "THENCE NORTH 88°28'18" EAST 167.37 FEET" to "THENCE SOUTH 88°28'18" WEST 167.37 FEET" to reflect the associated map and the clockwise direction of the legal description.
4. Within the first sentence in the first paragraph on Sheet 2, change "Certified Survey Map" to "Certified Survey Map".
5. Within the third line in the "Owner's Certificate" section on Sheet 3, change "plat" to "certified survey map".

To: Kristine Anderson **Date:** March 16, 2016
From: Gary R. Splinter, PLS
CC: Carina Walters, Gregory Guidry, Jim Bergles, Dan Jensen, Judy Gerulat, Tom Foht,
Greg Governatori
Subject: Review of Certified Survey Map for Harmony Homes (7625 Franklin
Street) Town of Burlington

We have completed a review of a Certified Survey Map prepared by Robert Wetzel of B.W. Surveying. Our review was conducted to determine compliance with Chapter 236 of the Wisconsin State Statutes, Chapter 278 of the City of Burlington Municipal Code and good surveying practices. The Certified Survey Map dated March 7th, 2016 was reviewed.

We have no comments for the Certified Survey Map.

We recommend approval of the Certified Survey Map. Although the material has been reviewed, the surveyor is ultimately responsible for the thoroughness and accuracy of the Certified Survey Map with state statutes and municipal city code.

Please contact me if you have any questions or comments pertaining to this project.

CERTIFIED SURVEY MAP NO. _____.

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 2879 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 258-260 AS DOCUMENT NO. 2151219 ON OCTOBER 17, 2007, ALSO A REDIVISION OF LOTS 9 THROUGH 11, BLOCK 15, WHITE OAK PARK, A SUBDIVISION OF RECORD ALL BEING RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR RACINE COUNTY, WISCONSIN, ALSO PART OF LANDS BEING LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN IN THE TOWNSHIP OF BURLINGTON, RACINE COUNTY, WISCONSIN.

OWNERS: HARMONY Q HOMES, LLC
CHARLES R. ALBEE, PRESIDENT
7625 FRANKLIN STREET
BURLINGTON, WI 53105

MARK AND CATHERINE ZLEVOR
7647 FRANKLIN STREET
BURLINGTON, WI 53105

MARK E. AND TARA PIPPIN
33601 FRANKLIN STREET
BURLINGTON, WI 53105

PREPARED BY: B.W. SURVEYING, INC.
412 N. PINE STREET
BURLINGTON, WI 53105
JOB NO. 9052-CSM

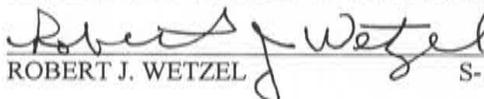
LEGAL DESCRIPTION:

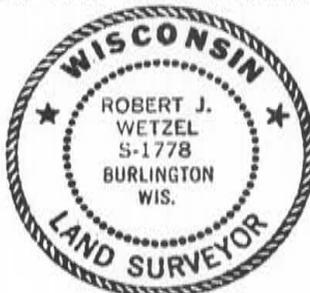
BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 2879 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 258-260 AS DOCUMENT NO. 2151219 ON OCTOBER 17, 2007, ALSO A REDIVISION OF LOTS 9 THROUGH 11, BLOCK 15, WHITE OAK PARK, A SUBDIVISION OF RECORD ALL BEING RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR RACINE COUNTY, WISCONSIN, ALSO PART OF LANDS BEING LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN IN THE TOWNSHIP OF BURLINGTON, RACINE COUNTY, WISCONSIN AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCE AT THE WEST 1/4 CORNER OF SAID SECTION 17, THENCE NORTH 00°53'50" WEST 300.90 FEET; THENCE NORTH 89°06'10" EAST 821.51 FEET; THENCE NORTH 06°09'51" EAST 121.87 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; THENCE CONTINUE NORTH 06°09'51" EAST (RECORDED AS NORTH 06°54' EAST) ALONG THE EASTERLY LINE OF FRANKLIN STREET 299.68 FEET; THENCE NORTH 88°31'56" EAST (RECORDED AS NORTH 89°15' EAST) 125.00 FEET; THENCE SOUTH 06°15'16" WEST 59.92 FEET (RECORDED AS SOUTH 06°54' WEST 60.00 FEET); THENCE NORTH 88°31'02" EAST 110.77 FEET; THENCE SOUTH 56°55'47" WEST 124.04 FEET; THENCE SOUTH 03°17'30" EAST 172.59 FEET; THENCE NORTH 88°28'18" EAST 167.37 FEET TO THE PLACE OF BEGINNING. CONTAINING 1.06 ACRES OF LAND MORE OR LESS.

SURVEYOR'S CERTIFICATE:

I, ROBERT J. WETZEL, DO HEREBY CERTIFY THAT AT THE DIRECTION OF CHARLES ALBEE AS PRESIDENT OF HARMONY Q HOMES, LLC, MARK AND CATHERINE ZLEVOR, AND MARK E. AND TARA PIPPIN, I HAVE SURVEYED THE LAND DESCRIBED HEREON AND THAT THE MAP SHOWN IS A CORRECT REPRESENTATION OF ALL LOT LINES AND THAT I HAVE FULLY COMPLIED WITH CHAPTER 236.34 OF THE WISCONSIN STATUTES.

DATED THIS 29TH DAY OF FEBRUARY, 2016
REVISED THIS 7TH DAY OF MARCH, 2016


ROBERT J. WETZEL S-1778



CERTIFIED SURVEY MAP NO.

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVY MAP NO. 2879 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 258-260 AS DOCUMENT NO. 2151219, RECORDED ON OCTOBER 17, 2007, ALSO A REDIVISION OF LOTS 9 THROUGH 11, BLOCK 15, WHITE OAK PARK, A SUBDIVISION OF RECORD, ALL BEING RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR RACINE COUNTY, WISCONSIN, ALSO PART OF LANDS BEING LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN, IN THE TOWNSHIP OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

PREPARED BY: B.W. SURVEYING, INC.
412 N. PINE STREET
BURLINGTON, WI 53105
(262)-767-0225
JOB NO. 9052

PREPARED FOR: HARMONY Q HOMES, LLC
CHARLES ALBEE, PRESIDENT
7625 FRANKLIN STREET
BURLINGTON, WI 53105

AND
MARK AND CATHERINE ZLEVOR
7647 FRANKLIN STREET
BURLINGTON, WI 53105

AND
MARK E. AND TARA PIPPIN
33601 FRANKLIN STREET
BURLINGTON, WI 53105

PART OF TAX PARCEL NO.
002-02-19-17-011-000
UNPLATTED LAND

PART OF TAX PARCEL NO.
002-02-19-17-011-000

NOTE: THIS IS A LOT LINE ADJUSTMENT BETWEEN ADJOINING LOTS THAT DOES NOT CREATE ADDITIONAL LOTS AND THE REMAINING LOTS MEET THE RACINE COUNTY ZONING ORDINANCES.

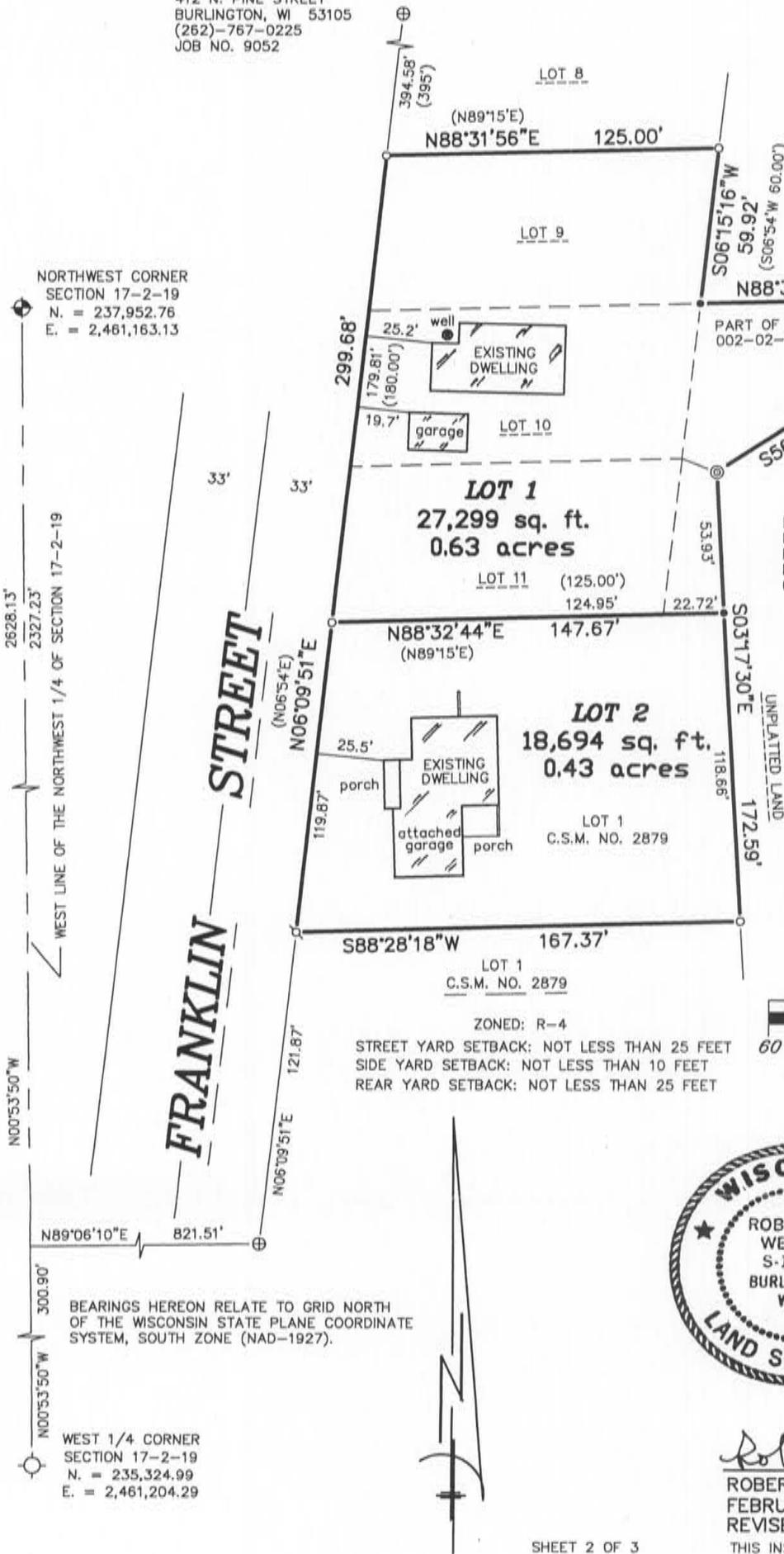
LEGEND

- ⊙ FOUND 6" DIA. CONCRETE MONUMENT
- ⊕ FOUND 9" DIA. CONCRETE MONUMENT
- ⊘ FOUND 1" O.D. IRON PIPE
- FOUND 1-5/16" O.D. IRON PIPE
- SET 1-5/16" O.D. X 18" IRON PIPE WEIGHING NOT LESS THAN 1.68 POUNDS PER LINEAL FOOT.
- ⊕ FOUND RACINE COUNTY MONUMENT (CONCRETE/CAP)
- ⊙ FOUND RACINE COUNTY MONUMENT (CAST IRON/CAP)

GRAPHIC SCALE



SCALE: 1" = 60'



NORTHWEST CORNER
SECTION 17-2-19
N. = 237,952.76
E. = 2,461,163.13

WEST LINE OF THE NORTHWEST 1/4 OF SECTION 17-2-19

BEARINGS HEREON RELATE TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD-1927).

WEST 1/4 CORNER
SECTION 17-2-19
N. = 235,324.99
E. = 2,461,204.29

ZONED: R-4
STREET YARD SETBACK: NOT LESS THAN 25 FEET
SIDE YARD SETBACK: NOT LESS THAN 10 FEET
REAR YARD SETBACK: NOT LESS THAN 25 FEET



Robert J. Wetzel
ROBERT J. WETZEL S-1778
FEBRUARY 29, 2016

REVISED: MARCH 7, 2016
THIS INSTRUMENT DRAFTED BY RITCHIE WENZEL

CERTIFIED SURVEY MAP NO. _____.

BEING A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 2879 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 258-260 AS DOCUMENT NO. 2151219 ON OCTOBER 17, 2007, ALSO A REDIVISION OF LOTS 9 THROUGH 11, BLOCK 15, WHITE OAK PARK, A SUBDIVISION OF RECORD ALL BEING RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS IN AND FOR RACINE COUNTY, WISCONSIN, ALSO PART OF LANDS BEING LOCATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 2 NORTH, RANGE 19 EAST OF THE FOURTH PRINCIPAL MERIDIAN IN THE TOWNSHIP OF BURLINGTON, RACINE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE:

WE, CHARLES ALBEE AS PRESIDENT OF HARMONY Q HOMES, LLC, MARK AND CATHERINE ZLEVOR AND MARK E. AND TARA PIPPIN, HEREBY CERTIFY THAT WE CAUSED THE LAND DESCRIBED ON THIS PLAT TO BE SURVEYED, DIVIDED, AND MAPPED AS REPRESENTED HEREON.

DATED THIS _____ DAY OF _____, 2016

CHARLES ALBEE PRESIDENT

MARK ZLEVOR

CATHERINE ZLEVOR

MARK E. PIPPIN

TARA PIPPIN

TOWN OF BURLINGTON TOWN BOARD APPROVAL:

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE TOWN OF BURLINGTON TOWN BOARD ON THIS _____ DAY OF _____, 2016.

RALPH RICE TOWN CHAIRMAN

ADELHEID STREIF TOWN CLERK

CITY OF BURLINGTON COMMON COUNCIL APPROVAL (EXTRATERRITORIAL):

THIS CERTIFIED SURVEY MAP IS HEREBY APPROVED BY THE CITY OF BURLINGTON COMMON COUNCIL ON THIS _____ DAY OF _____, 2016.

ROBERT MILLER MAYOR

DIAHNN HALBACH CITY CLERK

DATED THIS 29TH DAY OF FEBRUARY, 2016
REVISED THIS 7TH DAY OF MARCH, 2016


ROBERT J. WETZEL S-1778





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

Plan Commission Item Number: 8C	Date: April 12, 2016
Submitted By: Gregory Guidry, Building Inspector	Subject: Consideration to recommend approval of a Certified Survey Map at 980 Milwaukee Avenue.

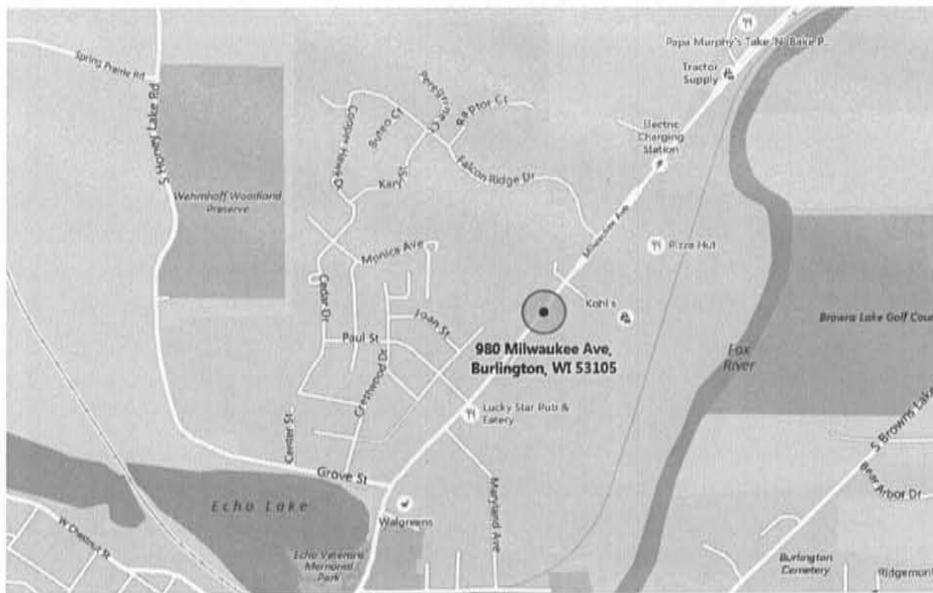
Details:

This item is to consider recommending approval of a Certified Survey Map from Leslie Scherrer Pella, for property located at 980 Milwaukee Avenue. This CSM, drafted by David Schmalz, WLS, seeks a division to create a fifth parcel within the Kohls Planned Unit Development. The purpose of the proposed lot division is to permit separate ownership and/or investment group for the two buildings. Lot 1 is proposed to be 112,342 square feet (2.602 acres) and Lot 2 is proposed to be 62,268 square feet (1.430 acres) in area.

It should be noted that while both lots have a lot width of 80 feet closest to Milwaukee Avenue and do not meet City ordinance requiring 150 foot minimum lot width, these proposed parcels are within a Planned Unit Development (PUD) with a Reciprocal Easement Agreement (REA), which allows for flexibility of City ordinances. These parcels will align with the other parcels within this master development and PUD.

Mark Roffers and Kapur & Associates recommend approval of this CSM subject to items listed in their memorandums.

Map Location:



Executive Action:

This item is for consideration at the April 12, 2016 Plan Commission meeting and will be placed on the April 19, 2016 Common Council meeting for consideration.



To: City of Burlington Plan Commission
From: Mark Roffers, Interim City Planning Consultant
Date: April 6, 2016
Re: Certified Survey Map for 980 Milwaukee Avenue

Requested Approval: CSM dividing the site that was approved in March for an 11,600 square foot multitenant retail building from the vacant land to its immediate west, which is intended for future construction of another retail building.

Location: Lot 3 of recorded CSM 2926; 980 Milwaukee Ave (Hwy 36/83)

Current Land Use: Unbuilt site with paved parking lot, landscaped islands, and stormwater facilities.

Proposed Use: For Lot 1 of the proposed CSM, a multitenant retail building and associated parking, loading, circulation, signage, and part of the stormwater basins serving this PUD. For Lot 2 of the proposed CSM, a future retail or commercial service building within the same PUD, plus a small amount of parking and circulation space, part of the stormwater basins serving this PUD, and power lines crossing this area. Inclusion of the stormwater basin and power line areas in Lot 2 establishes frontage (but not access) from Lot 2 to Milwaukee Avenue.

Current and Proposed Zoning District: B-1 Neighborhood Business District. Site is also within a PUD Overlay District, intended to permit developments “that, will, over a period of time, be enhanced by coordinated area site planning, diversified location of structures, and/or mixing of compatible uses.”

Comprehensive Plan’s Planned Land Use Designation: Commercial

Surrounding Zoning and Land Use: Site is bounded by three parcels zoned B-1 Neighborhood Business on its north, east, and west, and by a parcel in the M-1 Light Manufacturing District to its south. Lands to the north are occupied a bank and auto supply store, lands to the west are occupied by a restaurant and auto dealership, lands to the east are occupied by Pick ‘N’ Save and Kohl’s, and lands to the south are presently undeveloped.

Project Background: Lot 3 of CSM 2926, now proposed to be divided into two lots, was created by CSM in 2007. The PUD General Development Plan was approved in 2008, which suggested site improvement in phases and was largely silent to the issue of land division. Lots 1 and 2

developed into Kohl's Department Store and Pick 'n Save Grocery Store. Lot 3 has remained vacant until now. The purpose of the proposed division of Lot 3 is to permit separate ownership and/or investment groups for the two future buildings in this part of the PUD.

Recommendation: I recommend that the Commission recommend that the Common Council approve this CSM, subject to the following conditions being met before the City adds its signatures and the CSM is recorded:

1. The surveyor shall make the following changes to the CSM:
 - a. Replace the note on Sheet 1 of the CSM with the following: "Note: In conjunction with the recording of this Certified Survey Map, the property owner recorded a separate agreement indicating rights and responsibilities between the two lots for use and maintenance of parking, loading, circulation, stormwater management, and other areas with overlapping or common use."
 - b. Indicate on Lot 2 of the CSM a minimum building setback line placed at the part of that lot that widens from 80 feet to 250+ feet.
 - c. On page 2 of 4, reconcile the "Side Yard=10 feet" note with the apparent desire to enable the future building on Lot 2 to have an east side yard setback of fewer than 10 feet, if the City believes that a sub-10 foot building setback is appropriate.
 - d. Indicate an existing or new easement around the segments of the overhead electrical lines between the WEPCO easement and the Milwaukee Avenue right-of-way.
2. The applicant shall submit, for City staff approval, an agreement indicating rights and responsibilities between Lots 1 and 2 for use and maintenance of parking, loading, circulation, stormwater management, and other areas with overlapping or common use. The applicant shall record that agreement in conjunction with the recording of the CSM, and shall amend or terminate that agreement only with the subsequent approval of the City.

Analysis: This CSM will enable flexibility in ownership in this PUD, which has the potential to increase its marketability and the likelihood of further development there. From a regulatory standpoint, the CSM generally meets zoning and subdivision ordinance requirements, with the PUD overlay seeming to provide room for flexibility from some normal requirements.

The applicant indicates that the PUD overlay—and past lots created in the PUD—should allow for a waiver or variance to the normal requirement that new lots in the B-1 district have at least 150 feet of lot width. The proposed CSM provides an 80 foot wide "flag" extending from the future building site across open space to Milwaukee Avenue. I am inclined to support the 80 foot lot width. Section 278-48(F) of the subdivision ordinance indicates that "width of lots shall conform to the requirements of Chapter 315, Zoning, or other applicable ordinance, and in no case shall a

lot be less than 60 feet in width at the building setback line.” I am presuming that PUD zoning was assigned to this area in 2008 by Board ordinance, and such PUD has already allowed for a lot with less than 150 feet in width. In general, Section 278-48 of the subdivision ordinance states that “the size, shape, and orientation of lots shall be appropriate for the location of the subdivision and for the type of development and use contemplated. The lots should be designed to provide an aesthetically pleasing building site and a proper architectural setting for the building contemplated.” Subject to the recommended conditions, I believe that this standard has been accomplished with this proposed CSM.

I do recommend that the City require a front building setback line that eliminates the possibility of any building development on the 80 foot wide portion of CSM Lot 2. Such a requirement is authorized under Sections 238-39(A)2 and 278-49, which states that “building setback lines appropriate to the location and type of development contemplated which are more restrictive than the regulation of the zoning district in which the plat is located may be required by the City Plan Commission.”

The B-1 zoning district normally requires a minimum side yard setback of 10 feet. The conceptual future building suggested for CSM Lot 2 would seem to be less than 10 feet from the proposed side lot line between Lots 1 and 2. I am not aware of any allowance in the zoning ordinance or PUD documents for setbacks less than the B-1 minimums, though the PUD section of the zoning ordinance does allow that “the district area, width, and yard requirements of the underlying basic use district may be modified” in PUDs. Further, there is a note (restriction?) on Page 2 of the CSM which seems to reinforce the normal 10 foot minimum side yard setback. This issue should be discussed and researched further.

On Page 2 of the CSM, which shows easements, it appears to me that the land under the power lines that is closest to Milwaukee Avenue is not subject to any easement granting the power providers the right to use that segment. That should be addressed, in my opinion. Section 278-50 indicates that “the City Plan Commission may require utility easements of widths deemed adequate for the intended purpose on each side of all rear lot lines and on side lot lines or across lots where necessary or advisable for electric power and communication lines, wires, conduits, storm and sanitary sewers, and gas, water and other utility lines.”

Finally, this proposed land division subdivides Lot 1 and 2 in a way that splits stormwater basins for the entire PUD into two lots (two future owners), necessitates the use of the circulation drive on Lot 2 to reach the drive-through lane proposed for the building on Lot 1, and creates some other shared-use and maintenance oddities. I recommend that, as part of the CSM approval process, an agreement between current and future owners of Lots 1 and 2 be prepared, reviewed by the City, and recorded by the applicant in conjunction with the recording of the CSM. While

the 2008 reciprocal easement seems to address some of these issues, it does not appear to address all of them and not in a way that contemplated this land division.

To: Kristine Anderson **Date:** March 16, 2016
From: Gary R. Splinter, PLS
CC: Carina Walters, Gregory Guidry, Jim Bergles, Dan Jensen, Judy Gerulat, Tom Foht, Greg Governatori
Subject: Review of Certified Survey Map for SDG Milwaukee Avenue Lot 3 LLC

We have completed a review of a Certified Survey Map prepared by David Schmalz of McMahon Engineers/Architects. Our review was conducted to determine compliance with Chapter 236 of the Wisconsin State Statutes, Chapter 278 of the City of Burlington Municipal Code and good surveying practices. The Certified Survey Map dated March 11th, 2016 was reviewed.

Comments for the Certified Survey Map:

- As per s.236.20 (2(b)) - Please indicate the outside diameter of all monuments (page 1 of 4).

We recommend approval of the Certified Survey Map contingent upon enclosed surveyor's comments. Although the material has been reviewed, the surveyor is ultimately responsible for the thoroughness and accuracy of the Certified Survey Map with state statutes and municipal city code.

Please contact me if you have any questions or comments pertaining to this project.



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

APPLICATION FOR CERTIFIED SURVEY MAP REVIEW

REVIEW: \$500.00 Deposit +/- Actual Cost

FOR OFFICE USE ONLY
DATE FILED: 3/11/16
RECEIVED BY: KA (Initials)
AMT. PAID: 500

APPLICANT: PSG, Inc. - Leslie Scherrer Pella

ADDRESS: 448 Falcon Ridge Dr Ste B; Burlington, WI 53105 PHONE NO. 262-758-6064 FAX NO. 262-364-2661

OWNER: SDG Milwaukee Avenue Lot 3 LLC

ADDRESS: 448 Falcon Ridge Dr Ste B; Burlington, WI 53105 PHONE NO. 262-758-6064 FAX NO. 262-364-2661

SITE ADDRESS: 980 Milwaukee Avenue; Burlington, WI 53105

PROPOSED USE: Shopping Center

LEGAL DESCRIPTION: See Attached Exhibit A
(Attach full legal description if needed)

LOCATION 1/4 of section 29, T 3 N, R 19 E, City of Burlington

CERTIFIED SURVEY MAP CHECKLIST
(PLEASE LIST ANY ADDITIONAL INFORMATION WHERE APPLICABLE):

- X Subdivider is to submit 14/27 copies and one original certified survey map (CSM) with this application.
X Review fee must be submitted with application.
X Survey performed and map prepared by WI Registered Land Surveyor.
(Each Sheet (singled sided) must be signed, sealed and dated by the Surveyor.)

PARCEL LOCATION

- X Describe all monuments used for determining the location of the parcel and show by bearing and distance their relationship to the surveyed parcel and indicate whether such monuments were found or placed. (Including monuments from adjoiners and section split.)
X The location of the certified survey map shall be indicated by bearing and distance from a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. Include a north arrow on each sheet with details.

PREPARATION

- X Graphic scale of not more than 500 feet to an inch, which shall be shown on each sheet showing layout features.
- X When more than one sheet is used for any map, each sheet number shall be labeled as Sheet 1 of 3.

MAP AND ENGINEERING INFORMATION

- X The exterior boundaries of the land surveyed and divided must be clearly shown.
- X The Legend for monuments shall indicate the type, the outside diameter, length and weight per lineal foot of the monuments.
- X The length and bearing of the exterior boundaries, the boundary lines of all blocks, public grounds, streets and alleys, and all lot lines shall be shown. When the lines in any tier of lots are parallel the bearings of the outer lines on each tier may be sufficient.
- X Easements not parallel to a boundary or lot line shall be shown by centerline bearing and width or by easement boundary bearings and distances.
- X Abutting street and state highway lines of adjoining plats shall be shown in their proper location by dotted or dashed lines. The width of these streets and highways shall also be given.
- X All lots and outlots must be consecutively numbered and show the area in square feet for each lot.
- X The exact width of all easements, streets and alleys and the centerline of all streets shall be shown.
- X The distances and bearings along all meander lines, and the distance to the ordinary high water mark at each lot line (must be greater than 20 feet) shall be shown.
- X When a street is on a circular curve, the main chords of the right-of-way lines shall be drawn as dotted or dashed lines in their proper places.
- X Curves shall show the radius, the central angle, chord bearing, the chord length and the arc length for each segment and the tangent bearing shall be shown for each end of the curve.

* Our attached cover letter further outlines some background information on this parcel and our approach in preparing this CSM.

Property Owner:

SDG Milwaukee Avenue Lot 3 LLC
Print

 Date: 3/11/16
Signature

Applicant:

PSG, Inc.
Print

 Date: 3/11/16
Signature

Zoning Administrator: _____

Signature

Date: _____

EXHIBIT A

LEGAL DESCRIPTION OF THE PROPERTY

Lot 3 Certified Survey Map No. 2926 recorded in the office of the Register of Deeds for Racine County, Wisconsin, on September 11, 2008 in Volume 9 of Certified Survey Maps, at Page 437, as Document No. 2187642, being a redivision of Lot 1 of Certified Survey Map No. 2898 as recorded in Volume 9 of Certified Survey Maps on pages 329-334 and a part of the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 28, located in the Northwest $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 28, and the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 29, all in Township 3 North, Range 19 East, City of Burlington, County of Racine, State of Wisconsin.



CONSULT
DEVELOP
CONSTRUCT

City of Burlington
Attn: Mark Roffers, Interim City Planning Consultant
200 S. Pine Street
Burlington, WI 53105

RE: CSM Application Submitted 3/11/16 for 980 Milwaukee Avenue, Burlington, WI 53105

Dear Mark,

PSG, Inc. is submitting the enclosed CSM application for the property located at 980 Milwaukee Avenue in Burlington also known as Lot 3 of the existing CSM 2926 (the Subject Property). Our packet includes the Application itself, the proposed CSM, and a document showing how the proposed CSM relates to the approved site plan. Some background information on the site and some of our thoughts that went into preparing this submittal are as follows:

- The Subject Property is a part of a master development that was approved by the City in 2008 along with an overall site plan and detailed documentation for the planned development.
- The master development started with 3 individual parcels and a 4th parcel was created to make the Subject Parcel separate from the Pick 'N Save parcel so that they could have separate ownership.
- We now wish to create a 5th parcel. The purpose of the proposed lot division is to permit separate ownership and/or investment groups for the two buildings shown on the approved site plan.
- The proposed lots do not meet the City ordinance that requires a minimum lot width of 150'. Our minimum lot width is 80'. Our thoughts on why this should be acceptable are as follows:
 - The Pick 'N Save lot also does not meet the minimum lot width with a minimum width of 44' and that was acceptable to the City in the context of this master development and the PUD zoning.
 - The City's ordinance states that PUDs are intended to allow for flexibility of overall development design with benefits from such design flexibility intended to be derived by both the developer and the community. We believe that this flexibility will provide such benefit to the community as Burlington seeks to attract businesses and this increases the opportunities for development of the Subject Property. From our perspective, separate ownership of the lots makes the property more attractive for the investment groups who join us in the ownership of our projects. It also increases the various opportunities for the future development of the proposed Lot 2.
 - With the terms in the REA that create rights to site access and utilities, shared parking, and shared common area within the master development as well as with the future creation of the Use Agreement referenced below, the physical boundaries of the sites are less relevant as property owners have easements and rights to utilize facilities and common area that aren't located on one's parcel.

- The property is subject to the Reciprocal Easement Agreement dated March 13, 2008, and recorded in the Racine County Register of Deeds office as Document No. 2167255, as amended and the Planned Unit Development Agreement dated February 18, 2008, and recorded in the Racine County Register of Deeds office as Document No. 2167255.
 - Neither the PUD or the REA prohibit a lot division.
 - Both lots will remain subject the REA and the PUD.
 - The number of Approving Owners under the REA will remain unchanged.
- A Use Agreement will be drafted between the owners of the two proposed lots to address the common area specific to the two lots (including the storm water basins, parking & drive areas, landscape areas, and the future monument sign) and related maintenance and cost of maintenance for these areas.

Thank you for your consideration of our application. If there are any comments or questions you wish to discuss with our team, please feel free to contact me at Leslie@PSGwisconsin.com or 262.758.3190.

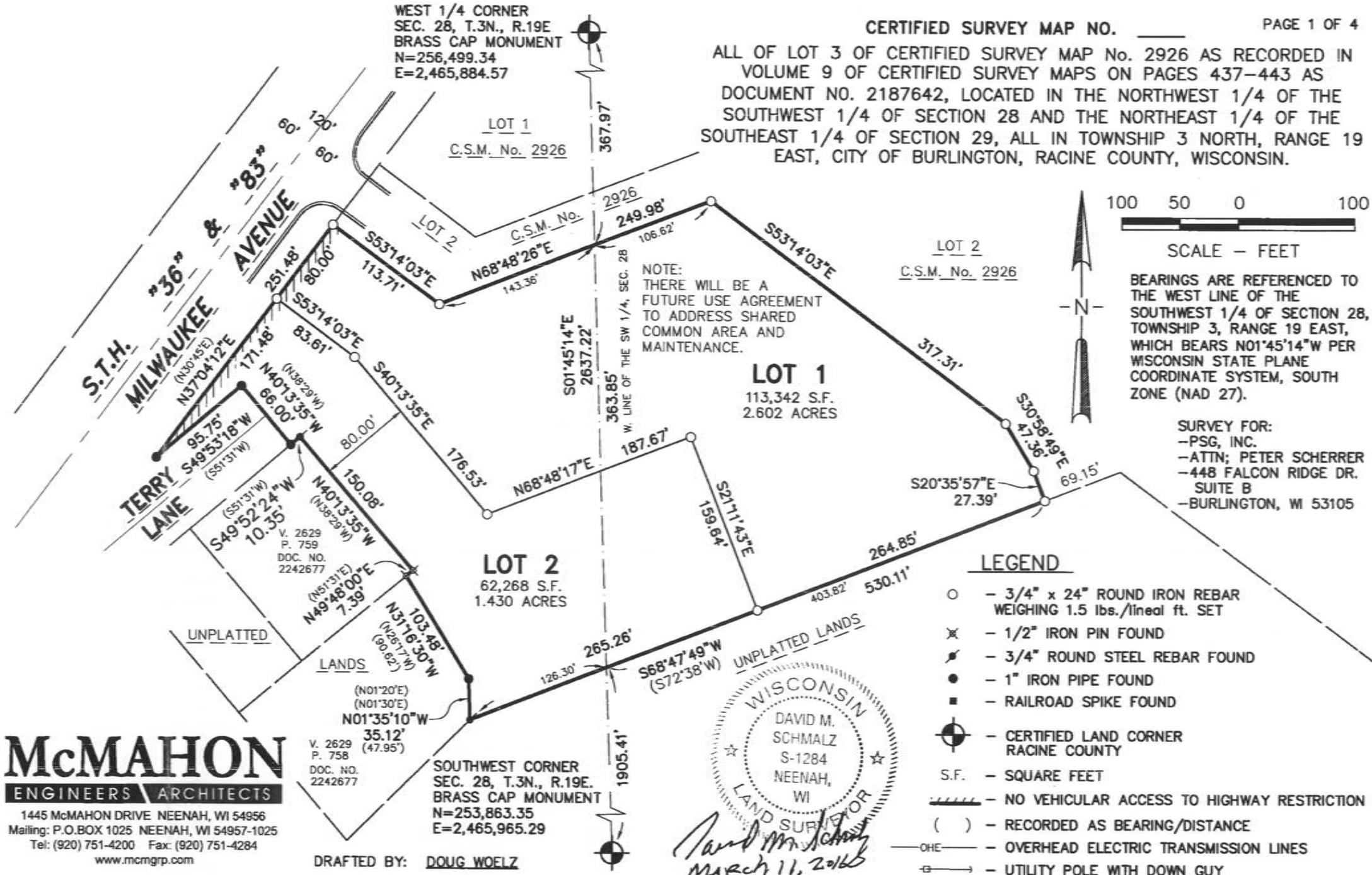
Sincerely,



Leslie N. Scherref Pella
PSG, Inc.

WEST 1/4 CORNER
SEC. 28, T.3N., R.19E
BRASS CAP MONUMENT
N=256,499.34
E=2,465,884.57

ALL OF LOT 3 OF CERTIFIED SURVEY MAP No. 2926 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 437-443 AS DOCUMENT NO. 2187642, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 29, ALL IN TOWNSHIP 3 NORTH, RANGE 19 EAST, CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.



McMAHON
ENGINEERS ARCHITECTS

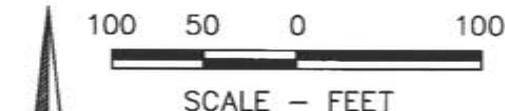
1445 McMAHON DRIVE NEENAH, WI 54956
Mailing: P.O. BOX 1025 NEENAH, WI 54957-1025
Tel: (920) 751-4200 Fax: (920) 751-4284
www.mcmgrp.com

DRAFTED BY: DOUG WOELZ

mchilback, W:\PROJECTS\PI000\9-16-00165\02\Scherrer 2 Lot CSM-Burlington.dwg, model, Plot Date: 3/11/2016 11:24 AM, xref: none

CERTIFIED SURVEY MAP NO. _____

ALL OF LOT 3 OF CERTIFIED SURVEY MAP No. 2926 AS RECORDED IN VOLUME 9 OF CERTIFIED SURVEY MAPS ON PAGES 437-443 AS DOCUMENT NO. 2187642, LOCATED IN THE NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28 AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 29, ALL IN TOWNSHIP 3 NORTH, RANGE 19 EAST, CITY OF BURLINGTON, RACINE COUNTY, WISCONSIN.



BEARINGS ARE REFERENCED TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 3, RANGE 19 EAST, WHICH BEARS N01°45'14"W PER WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 27).

SURVEY FOR:
-PSG, INC.
-ATTN; PETER SCHERRER
-448 FALCON RIDGE DR.
SUITE B
-BURLINGTON, WI 53105

THE SUBJECT PROPERTY IS CURRENTLY ZONED: B-1 NEIGHBORHOOD BUSINESS DISTRICT AND THE PLANNED UNIT DEVELOPMENT (P.U.D.) ZONING OVERLAY SUBJECT TO A DEVELOPMENT AGREEMENT ON FILE AT THE CITY OF BURLINGTON:
-STREET RIGHT-OF-WAY=25 FEET
-SIDE YARD=10 FEET
-REAR YARD=25 FEET

NOTES:
VACATED PORTION OF WEGGE ROAD BY RESOLUTION NO. 3396(1) AND 3113(31) IS SUBJECT TO EASEMENTS, IF ANY, OF THE PUBLIC OR ANY SCHOOL DISTRICT, UTILITY, MUNICIPALITY OR PERSON, AS PROVIDED IN SECTION 66.1005(2) OF THE STATUTES, FOR THE CONTINUED USE AND RIGHT OF ENTRANCE, MAINTENANCE, CONSTRUCTION AND REPAIR OF UNDERGROUND OR OVERGROUND STRUCTURES, IMPROVEMENTS OR SERVICE.

LOTS 1 & 2 OF THIS CSM ARE SUBJECT TO AN EASEMENT AGREEMENT FOR STORM WATER DETENTION POND PER DOC NO. 2190062.

LOTS 1 & 2 OF THIS CSM ARE SUBJECT TO RECIPROCAL EASEMENT AGREEMENTS WITH LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. 2926 PER DOCUMENT NO.S: 2167255, 2190067 & 2190094.

WEST 1/4 CORNER
SEC. 28, T.3N., R.19E
N=256,499.34
E=2,465,884.57

LOT 1
C.S.M. No. 2926
VACATED WEGGE ROAD PER
RESOLUTION No. 3113(31)

LOT 2
C.S.M. No. 2926

20' WATERMAIN
EASEMENT
DOC. NO. 2186648

LOT 1
113,342 S.F.
2.602 ACRES

LOT 2
62,268 S.F.
1.430 ACRES

V. 2629
P. 759
DOC. NO.
2242677

V. 2629
P. 758
DOC. NO.
2242677

SOUTHWEST CORNER
SEC. 28, T.3N., R.19E.
N=253,863.35
E=2,465,965.29

DRAFTED BY: DOUG WOELZ

S.T.H. "36" & "83"
MILWAUKEE AVENUE
VEHICLE ACCESS RESTRICTION
PER CSM NO. 2926
TERRY LANE

TRAFFIC SIGNAL
EASEMENT DOC.
NO. 2190061

ATC ACCESS
EASEMENT
AREA DOC.
NO. 2190062

VACATED WEGGE ROAD PER
RESOLUTION No. 3396(1)

WEPKO EASEMENT DOC.
NO. 1134242

EASEMENT TO WISCONSIN
ELECTRIC POWER COMPANY
PER DOC. #033505

UNPLATTED

LANDS

UNPLATTED LANDS



David M. Schmalz
March 11, 2016

McMAHON
ENGINEERS ARCHITECTS

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