



**Minutes**  
**City of Burlington Plan Commission**  
**April 12, 2016, 6:30 p.m.**

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

**APPROVAL OF MINUTES**

Commissioner Tully moved, and Commissioner Lynch seconded to approve the minutes of March 8, 2016. All were in favor, and the motion carried.

**LETTERS & COMMUNICATIONS**

None

**CITIZEN COMMENTS**

None

**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.**

- Mayor Miller opened the Public Hearing at 6:31 p.m.
- There were no comments.

Alderman Bauman moved, and Commissioner Eisenhardt seconded to close the Public Hearing at 6:32 p.m. All were in favor and the motion carried.

**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.**

- Mayor Miller opened this item for discussion.
- There were no comments.

Commissioner Lynch moved, and Alderman Bauman seconded to recommend approval of a Conditional Use and Site Plan application for use as a retail shop and manufacturing, subject to Mark Roffers' April 6, 2016 memorandum to the Plan Commission as follows:

- The conditional use permit for “retail stores and services” use is limited to Suite 1. Any other “retail stores and services” besides the retail sales of emergency and survival gear, shall obtain a new conditional use permit.
- Mark the designated handicap parking spot with a sign on a post in front of the space and paint the asphalt with the handicap symbol.
- (Re)paint stripes on all parking spaces indicated on the February 16, 2016 site plans, with space no less than 9 feet by 20 feet in dimensions. Do not stripe parking space #5 as shown, instead leaving that area open for loading and 2-way movement. Install concrete or similar wheel stops near the front ends of each parking spaces to prevent further deterioration and protect landscaping.
- Remove pavement and install landscape plantings along the west façade of Suite 2, as indicated on the site plan

*All were in favor and the motion carried.*

**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.**

- Mayor Miller opened this item for discussion.
- Alderman Bauman questioned why this CSM was coming in front of the commission since the property is located in the Town of Burlington. Mark Roffers explained that any Extraterritorial CSM that has a 1½ mile radius needs to be approved by the City. Charles Albee, owner, stated the advantage of purchasing the little strip of land will help him on the selling of the house in the future and since the house was built on two lots this will allow the property to connect to the park instead of the public land.
- There were no further comments.

Commissioner Tully moved, and Commissioner Eisenhardt seconded to recommend approval of an Extraterritorial Certified Survey Map application to combine several parcels into two lots, subject to Mark Roffers' April 6, 2016 and Kapur & Associates' March 16, 2016 memorandums to the Plan Commission as follows:

- 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. *(This item was amended and will be reviewed.)*

- Amend all references to the “Township of Burlington” within the certified survey map to the “Town of Burlington”. *(This item was amended and will be reviewed.)*
- 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. *(This item was amended and will be reviewed.)*
- Within the first sentence in the first paragraph on Sheet 2, change “Certified Survey Map” to “Certified Survey Map”. *(This item was amended and will be reviewed.)*
- Within the third line in the “Owner’s Certificate” section on Sheet 3, change “plat” to “certified survey map”. *(This item was amended and will be reviewed.)*

*All were in favor and the motion carried.*

**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.**

- Mayor Miller opened this item for discussion.
- Mark Roffers stated since the April 6, 2016 memorandum, the CSM has been adjusted and a new report dated April 12, 2016 has been written reflecting the changes.
- Ms. Pella questioned if any amendment to the responsible parties or termination to the agreement could be approved by City staff without having to go through the process of the Plan Commission. Mark Roffers stated that he could see where the City might amend the recommendation to only require City staff approval of limited provisions of the agreement between Lot 1 and Lot 2 that is related to the City’s interest and not others. Ms. Pella stated there are a lot of shared properties and understands the confusion of the responsibilities for maintenance.
- There were no further comments.

Commissioner Lynch moved, and Alderman Bauman seconded to recommend approval of a Certified Survey Map application with the revised report dated April 12, 2016 instead of April 6, 2016 plus a renegotiation to the agreement between the parties involved prior to being presented to City Council if the changes can be approved by City staff, subject to Mark Roffers’ April 12, 2016 and Kapur & Associates’ March 16, 2016 memorandums to the Plan Commission as follows:

- 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, storm-water 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.

*All were in favor and the motion carried.*

Mayor Miller commented this is his last meeting. Mayor Miller thanked the Commissioners and the City for their support over the last 8 years.

**ADJOURNMENT**

Commissioner Eisenhardt moved, and Commissioner Lynch seconded to adjourn the meeting at 6:47 p.m. *All were in favor and the motion carried.*

Recording Secretary  
Kristine Anderson  
Administrative Assistant