



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

Alderman Tom Vos called the Plan Commission meeting to order at 6:30 p.m. Roll call: Alderman Bob Grandi; Commissioners Darrel Eisenhardt; Chad Redman; Chris Reesman; and Andy Tully were present. Mayor Jeannie Hefty was excused.

Alderman Vos stated his intention is to vote in his position, even though he is running the meeting.

APPROVAL OF MINUTES

Alderman Grandi moved, and Commissioner Tully seconded to approve the minutes of June 14, 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 to use the existing building for a retail shop for emergency and survival gear, light manufacturing and as a firearms transfer dealer.

- Alderman Vos opened the Public Hearing at 6:32 p.m.
- Richard Gilbreath, owner, stated the store will carry specialized guns for hunting and survival, not for a full gun shop that sells military rifles. Alderman Grandi asked what type of license they will have. Mr. Gilbreath responded it is a Type 1 License and no guns will be sold on-line. Mr. Glibreath stated they still have to be in compliance with the Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) regulations. Commissioner Tully was concerned and wanted to know what other stores were located next to them, since there is a common hallway. Mr. Gilbreath replied the whole back half is a martial arts school and a scrap metal place, but there are two large safes that the guns will be stored in and locked up at night. Mr. Gilbreath also stated there are 8 cameras. Commissioner Tully questioned if training had to be completed to be able to sell guns. Mr. Gilbreath responded that his wife Nicole Gilbreath went through background checks and received certificates for training through ATF. Alderman Grandi was inquiring what type of age groups and cliental they were targeting. Mr. Gilbreath stated they are anticipating to sell to hunters. They will carry unique shot guns that cannot be found elsewhere, air rifles and riffles for survival from animals. Commissioner Eisenhardt asked if pistols will be sold. Mr. Gilbreath commented as of now they are not, but in time it is possible.

- There were no further comments.

Commissioner Eisenhardt moved, and Commissioner Reesman seconded to close the Public Hearing at 6:40 p.m. All were in favor and the motion carried.

OLD BUSINESS

None

NEW BUSINESS

A. Consideration to approve a Conditional Use application for property located at 940 S. Pine Street to add “firearms transfer dealer” to the original Conditional Use application, subject to Graef’s July 5, 2016 memorandum to the Plan Commission.

- Alderman Vos opened this item for discussion.
- Alderman Grandi stated he would like an explanation of the City of Burlington Comprehensive Zoning Plan. Attorney John Bjelajac stated from a legal standpoint there is nothing stopping the Comprehensive Plan to deny this request to carry firearms. Attorney John Bjelajac reminded everyone that they are competing with the other stores such as Reinemans, Walmart and Dunhams. Commissioner Tully questioned if there were any limitations for selling guns like there are for beer & liquor sales. Attorney John Bjelajac replied there are no limitations, however, the City has the right to limit hours if they see fit. Tanya Fonseca and Larry Witzling from Graef stated they are legal and in conformance with zoning and conditional use requirements. Commissioner Redman commented since the other businesses do not have restricted hours, they shouldn’t either. Commissioner Tully questioned if Mr. & Mrs. Gilbreath read the bullet points from Graef’s memorandum. Mr. & Mrs. Gilbreath replied they were fine with the possible suggestions. Alderman Grandi clarified that a Public Hearing Notice went out to the public.
- There were no further comments.

Alderman Grandi moved, and Commissioner Redman seconded to recommend approval of a Conditional Use application to add “firearms transfer dealer”.

All were in favor and the motion carried.

B. Introduction and discussion with the new City Planner, Graef, to explain their roles and challenges they will be accepting, as well as a “Plan Commission 101”, for the members of the Plan Commission.

- Alderman Vos opened this item for discussion.
- City Administrator Carina Walters introduced Graef as the new City Planner and had them explain what work they will be doing for the city.
- Tanya Fonseca and Larry Witzling from Graef gave a presentation of the projects they have worked on in other communities throughout Wisconsin. Ms. Fonesca and Mr. Witzling stated there were a lot of architects, planners, developers and engineers that review the projects the

City submits. Mr. Witzling explained that Comprehensive Plan means how the community wants to be in the future and zoning is what the property rights are currently. Alderman Grandi asked how someone would get information to be able to change the Comprehensive Plan. City Administrator Carina Walters stated it would come from public feedback and where City staff would like to go with the suggestions. Commissioner Redman was curious that since the plan was done four years ago, would sections get revised or would the whole plan be redone. Mr. Witzling suggested the plan will be reviewed and Graef would only redo small parts at a time if necessary. Ms. Fonesca explained Graef's role is to know the community, ask questions and with their skills and expertise it will guide them to be fair to all applicants. Graef will be making recommendations for revising the City Code this fall since they were drafted years ago. City Administrator Carina Walters commented that Graef will work similar compared to Patrick Meehan and that City staff are having meetings with new business owners before coming to Plan Commission to help make the process run smoother and possibly quicker. Commissioner Tully clarified that the Plan Commission body is advisory to Common Council. Attorney John Bjelajac stated yes, but also Conditional Use applications do not go to Council, thus the board makes the final decision.

- There were no further comments.

All were in favor and the motion carried.

ADJOURNMENT

Commissioner Eisenhardt moved, and Commissioner Reesman seconded to adjourn the meeting at 7:55 p.m. *All were in favor and the motion carried.*

Recording Secretary
Kristine Anderson
Administrative Assistant