



AGENDA
PLAN COMMISSION
Tuesday, February 14, 2017 at 6:30 p.m.
Common Council Chambers, 224 East Jefferson Street

Mayor Jeannie Hefty, Chairman
Tom Vos, Aldermanic Representative
Bob Grandi, Aldermanic Representative
Darrel Eisenhardt, Park Board President
Chad Redman, Commissioner
Chris Reesman, Commissioner
Andy Tully, Commissioner

1. Call to Order
2. Roll Call
3. Approval of the minutes of December 13, 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 Sunnyside Ventures, LLC for property located at 200 S. Pine Street to operate a child daycare for ages 0-3 years old.
7. Old Business: None
8. New Business:
 - A. Consideration to approve a Conditional Use application for property located at 200 S. Pine Street to operate a child daycare for ages 0-3 years old, subject to Graef's February 10, 2017 and Kapur's January 31, 2017 memorandums to the Plan Commission.
 - B. Consideration to approve a Site Plan application for property located at 200 S. Pine Street to use the building for two businesses; a coin laundry and a child daycare for ages 0-3 years old, subject to Graef's February 10, 2017 and Kapur's January 31, 2017 memorandums to the Plan Commission.

C. Consideration to approve an extension to a Conditional Use Permit application for one year for Cretex Materials, Inc. for property located at 500 W. Market Street.

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
December 13, 2016, 6:30 p.m.

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

APPROVAL OF MINUTES

Alderman Vos moved, and Commissioner Redman seconded to approve the minutes of November 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 Nicholas Lovrine for property located at 357 S. Perkins Blvd. to allow a duplex to convert back to a single-family residence.

- Mayor Hefty opened the Public Hearing at 6:31 p.m.
- Nicholas Lovrine, owner, stated the house was originally a single-family residence, but due to the selling market it is advantageous to switch it back to a single-family instead of keeping it currently as a duplex.
- There were no further comments.

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

OLD BUSINESS

A. Revocation Hearing for Conditional Use Permit No. 71261 with Motor Sports Auto Sales for property located at 1157 Milwaukee Avenue, which was tabled at the November 8, 2016 meeting.

- Mayor Hefty opened this item for discussion.
- Carina Walters, City Administrator, explained that staff met with Mr. Way after the November 8, 2016 meeting at the property and found several items from the original Conditional Use were still not in compliance. Even though the business is not in operation, this does not exclude Mr. Way of making any necessary corrections of the Conditional Use,

except the two vehicles parked in front of the building. Ms. Walters stated the property is for sale by Bear Realty and that the Plan Commission can require a revised Site Plan if the property is not sold by March.

- Mr. Way stated the property was placed on the market to sell or lease by June 3, 2017 and not March. Mr. Way explained the vehicles in front have been removed as requested. The few vehicles remaining were sold to either salvage yards or dealers and will be picked up soon. Unfortunately, the key to the Trail Blazer is lost and is in the process of getting one. Mr. way also stated five more vehicles were removed after the pictures were taken in the afternoon on December 13, 2016. Mr. Way explained there are roughly 70 vehicles behind the fence and the fence that runs parallel to Milwaukee Avenue was taken down as requested.
- Ms. Walters stated since most of the issues have been mitigated, the Plan Commission has two options for this revocation. 1) Continue to allow Mr. Way to keep making corrections to become compliant with the original Conditional Use by June 30, 2017 or 2) Chose to revoke the Conditional Use. Commissioner Tully stated since the property is listed for sale, he does not see the point in revoking the Conditional Use, since Mr. Way is making progress in correcting the violations. Mr. Way explained if the property did not sell by June, he would come back to the Plan Commission with a new Conditional Use and Site Plan application, and in the meantime would keep cleaning up the property. Mr. Way suggested the parking spaces should be based on the type of business and not just a specific amount of spaces. Alderman Vos stated it would be a good idea to allow Mr. Way to work out the details with the City. Alderman Vos also stated this issue should have been brought to the Plan Commission a long time ago since this started in 2007. Ms. Walters commented that the City had many attempts to hold revocation hearing, to move forward and work with Mr. Way. Mr. Way agreed with Alderman Vos, that if this was taken care of, money could have been made.
- Attorney John Bjelajac stated that any new buyer would be required to have their own Conditional Use application. Attorney John Bjelajac also stated the Plan Commission body has the power to change parking spaces that seem fit. Mr. Guidry stated if Mr. Way does not sell the property by June, there would be less cars if a new Conditional Use application was applied for. Attorney John Bjelajac stated the Plan Commission could motion to defer to a specific date set by Ms. Walters for everything to be resolved. Ms. Walters stated this property can be brought to the Plan Commissioner earlier if it gets sold.
- There were no further comments.

Alderman Vos moved, and Commissioner Eisenhardt seconded to close the Revocation Hearing.

Attorney John Bjelajac reminded the Plan Commission to vote on a decision. Commissioner Eisenhardt questioned if an update could be given in 60-90 days from now and Ms. Walters stated the Plan Commissioner would be notified.

Alderman Vos moved, and Commissioner Tully seconded to rescind the Revocation Hearing at this time allowing time to comply with the violations.

All were in favor and the motion carried.

B. Consideration to recommend approval by the Common Council of an ordinance to amend Chapter 315-27, "B-2 Central Business District" in the Municipal Code creating trash dumpster and garbage receptacle requirements.

- Mayor Hefty opened this item for discussion.
- Gregory Guidry, Building/Zoning Administrator, stated the City is trying to avoid garbage in the downtown streets from blowing everywhere, by making sure trash receptacles are being used with lids. Commissioner Reesman clarified that the owners of downtown commercial buildings are responsible to supply service for the upstairs rental units. Mike Springer, 472 N. Pine Street, stated that he got rid of their receptacles, since it required a fencing around it and there was no room. Megan Watkins, Director of Administrative Services, and Ms. Walters stated the code does not require an enclosure around the receptacle, only a paved surface.
- There were no further comments.

Commissioner Eisenhardt moved, and Alderman Vos seconded to recommend approval of an ordinance to amend Chapter 315-27, "B-2 Central Business District".

All were in favor and the motion carried.

NEW BUSINESS

A. Consideration to approve to the Common Council of a Conditional Use application from Nicholas Lovrine for property located at 357 S. Perkins Blvd. to allow a duplex to convert back to a single-family residence, subject to Gregory Guidry's December 2, 2016 memorandum to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Commissioner Eisenhardt questioned what the properties on either side were, whether they were single-family or duplex. Mr. Guidry replied, that on either side of 357 S. Perkins Blvd. was a single-family and a two-family residence.
- Alderman Vos clarified that if a two-family residence was changed to a single-family and there were two kitchen sinks, one sink would have to be removed to meet the single-family residential code. Mr. Guidry answered yes and would see to it that other inspections were in compliance with the city code.
- There were no further comments.

Alderman Vos moved, and Commissioner Reesman seconded to approve a Conditional Use to allow a duplex to convert back to a single-family residence.

All were in favor and the motion carried.

ADJOURNMENT

Alderman Grandi moved, and Commissioner Eisenhardt seconded to adjourn the meeting at 7:23 p.m.
All were in favor and the motion carried.

Recording Secretary
Kristine Anderson
Administrative Assistant



PLAN COMMISSION

ITEM NUMBER: 6A

DATE: February 14, 2017

SUBJECT: A Public Hearing for a Conditional Use application at 200 S. Pine Street.

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a Conditional Use application from Sunnyside Ventures for property located at 200 S. Pine Street. The applicant is proposing to operate a child daycare for ages 0-3 years old in part of the building.

ZONING:

The parcel is zoned B-1, Neighborhood Business District.

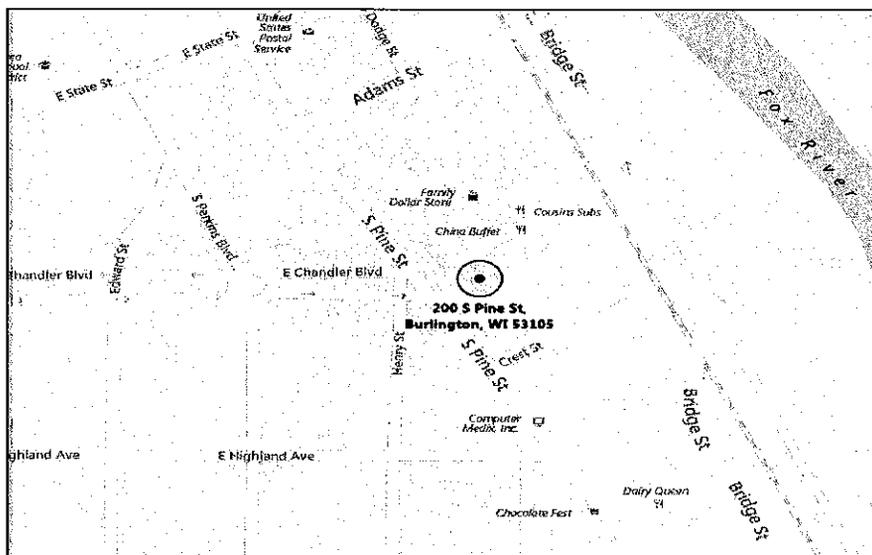
RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the February 14, 2017 Plan Commission meeting and will be for discussion the same night.

MAP:



THE PLAN COMMISSION IN AND FOR THE CITY OF BURLINGTON

Notice of Hearing on
Proposed Conditional Use Permit
B-1, Neighborhood Business 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: Michael & Heidi Wiley
Applicant: Sunnyside Ventures, LLC
Location: 200 S. Pine Street
Zoning: B-1, Neighborhood Business District
Use: To operate a child daycare for ages 0-3 years old

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, FEBRUARY 14, 2017 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, 23rd day of January, 2017.

Diahnn Halbach, City Clerk

*Published in the Burlington Standard Press
January 26th, 2017 and February 2nd, 2017*



PLAN COMMISSION

ITEM NUMBER: 8A

DATE: February 14, 2017

SUBJECT: Consideration to approve a Conditional Use and application at 200 S. Pine Street.

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use application from Sunnyside Ventures, LLC for property located at 200 S. Pine Street. The applicant is proposing to operate a child daycare for ages 0-3 years old in part of the building. This building is the former M&I Bank that closed in 2010.

ZONING:

The parcel is zoned B-1, Neighborhood Business District.

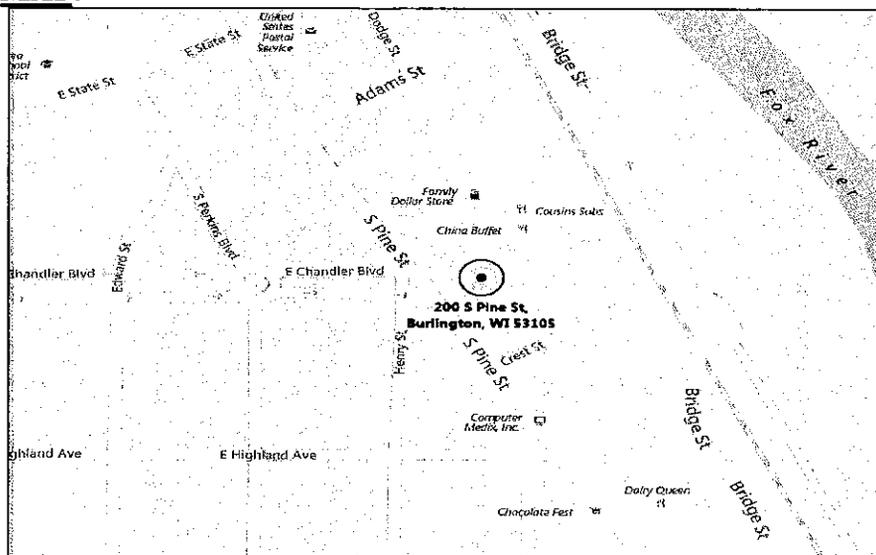
RECOMMENDATION:

Graef and Kapur recommend a conditional approval of this Conditional Use, subject to items listed in their February 10, 2017 and January 31, 2017 memorandums.

TIMING/IMPLEMENTATION:

This item is for consideration at the February 14, 2017 Plan Commission meeting. No further action is necessary.

MAP:





One Honey Creek Corporate Center
125 South 84th Street, Suite 401
Milwaukee, WI 53214-1470
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

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MEMORANDUM

TO: Plan Commission
City of Burlington

Copies to: Carina Walters, City Administrator
Megan Watkins, Director of Administrative Services
Gregory Guidry, Building Inspector
Gregory Governatori, City Engineer, Kapur & Associates, Inc.
John Bjelajac, City Attorney
Michael and Heidi Wiley of SunnySide Ventures LLC, Applicant

FROM: GRAEF
Kristian Vaughn
Tanya Fonseca, AICP

DATE: February 10, 2016

SUBJECT: Review of Site Plan and Conditional Use Permit for SunnySide Ventures LLC at 200 S. Pine Street, Burlington, WI 53105

A. PURPOSE

- 1) Consider for approval a Site Plan Approval Application from SunnySide Ventures LLC to renovate the existing structure and parking facilities at 200 S. Pine Street, Burlington, WI 53105 to operate a coin laundry and daycare.
- 2) Consider for approval a Conditional Use Permit Application from SunnySide Ventures LLC to operate a daycare at 200 S. Pine Street, Burlington, WI 53105.

B. RECOMMENDATION

Based upon the review of the submitted materials, GRAEF recommends that the Plan Commission recommend to the Common Council the:

- a. **APPROVAL** of a Site Plan Approval Application from SunnySide Ventures LLC to renovate the existing structure and parking facilities at 200 S. Pine Street, Burlington, WI 53105 to operate a coin laundry and daycare subject to the following recommendations:
 - (1) It is recommended that the 25% or greater landscape surface ratio (LSR) required pursuant to §315-26(1)(1a) be waived and the Applicant be allowed to reconstruct the proposed parking lot on parcel 206031932190000 as indicated;
 - (2) It is recommended that the eight foot side and rear setbacks required pursuant to §315-48(D)(2) be waived, as the parking lot is being reconstructed to mirror its current condition as an existing structure; and,

- (3) It is recommended that the 67 total required parking spaces pursuant to §315-48(l) "Minimum number of off-street parking spaces and on-site queuing required for use types," (K) "Employee parking," and (L) "Off-street parking requirements for mixed or combined uses located within the same building or on the same lot or parcel" be reduced to 52 total parking spaces acknowledging that customers at the coin laundry may use additional parking in the Pinecrest Shopping Center.
- b. and, **APPROVAL** of a Conditional Use Permit Application from SunnySide Ventures LLC to operate a daycare at 200 S. Pine Street, Burlington, WI 53105.

C. BACKGROUND

Michael and Heidi Wiley of SunnySide Ventures LLC (Applicant) submitted a Site Plan Approval Application and Conditional Use Permit Application for the renovation of the former M&I Bank and its driveways and parking lots at 200 S. Pine Street, Burlington, WI 53105. The project is proposed to occur on parcels 206031932189000 and 206031932190000.

Interior renovations for the proposed project will convert the former bank into a two-unit building that will be occupied by a coin laundry and daycare with a one-bay garage. The coin laundry will be staffed by one employee and will be operated between the hours of 6am and 9pm. The daycare will be staffed by 11 employees and will be operated between the hours of 6am and 6pm. The daycare will be able to accommodate 48 children.

Exterior renovations are proposed to include a parking lot reconfiguration, restriping of parking spaces, the addition of landscaped islands, and the construction of a children's play area. The reconfigured parking lot will contain 52 parking spaces.

Parcels 206031932189000 and 206031932190000 are both zoned B-1 "Neighborhood Business District." The parcels front South Pine Street with the Pinecrest Shopping Center to the rear (east/northeast). The parcels have a unique physical form and encircle two parcels that share frontage on South Pine Street: parcels 206031932188000 and 206031932187000. Parcel 206031932188000 is zoned B-1 "Neighborhood Business District" with an existing single-family residence; parcel 206031932187000 is zoned I-1 "Institutional" and is a grass lot.

The Applicant submitted the following materials:

- a. Site Plan Approval Application
- i. Site Plan Approval Application form (2 sheets, as prepared by Heidi Wiley, dated January 17, 2017)
 - ii. Engineering Drawings, Landscape Plan, and Architectural Drawings – 24"x36" set (8 sheets, as prepared by Stelling & Associates Architects, Ltd., dated January 17, 2017)
- b. Conditional Use Permit Application
- i. Conditional Use Permit Application form (3 sheets, as prepared by Heidi Wiley, dated January 17, 2017)



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It is the understanding of GRAEF that reviews and comments on all engineering-related aspects of the site plan are to be accomplished by the City Engineer. Therefore GRAEF defers all engineering-related review and comment to the City Engineer.

D. COMPLIANCE WITH BURLINGTON ZONING CODE §315-26 "B-1 NEIGHBORHOOD BUSINESS DISTRICT"

The proposed project will retain the B-1 zoning district on parcels 206031932189000 and 206031932190000. The proposed uses are compliant with the intent of the zoning district as described in §315-26(A). The coin laundry is a permitted use under "Self-service laundry and dry-cleaning establishments"; the garage is a permitted accessory use; and, the daycare is a conditional use under "Child day-care centers" and is subject to regulation per §315-26(D)(6) and §315-130. Consult Section G of this memorandum for discussion on §315-130 "Conditional Use Permit."

Pursuant to §315-26(D)(6), the exterior children's play area of the proposed daycare is compliant with provisions for a security fence, a proper setback, a landscape buffer, a contextually appropriate location away from a pollutant source, and a proper location away from vehicular traffic.

The proposed project is compliant with §315-26(E) "Lot area and width," (F) "Building height," and (G) "Setback and yards."

The Applicant submitted a site plan pursuant to §315-26(H).

The reconfigured parking lot on parcel 206031932189000 is exempt from landscape surface ratio (LSR) requirements pursuant to §315-26(I)(c1). The complete resurfacing and reconfiguration of the parking lot on parcel 206031932190000 may constitute a "Substantial Improvement" pursuant to §315-140. As a result, the reconstructed parking lot would be subsequent to regulation pursuant to §315-26(I)(1a) and would be required to have an LSR of 25% or greater. As the parking lot is an existing structure, we recommend that the LSR requirement be waived for the proposed parking lot reconstruction on parcel 206031932190000.

The proposed project is compliant with §315-26(J) "Required off-street parking setbacks from public street rights-of-way," (L) "Loading docks, on-site loading spaces, and/or building service areas," (M) "Prohibition of long-term truck parking unless screened from view," (N) "Maximum area of outdoor storage, location, and screening requirements," and (O) "Trash dumpster and garbage receptacles (trash and garbage storage)." Consult Section E of this memorandum for discussion on §315-26(K) "Vehicular circulation between adjacent properties."

It is our understanding that the proposed project will retain its existing lighting and will not add additional fixtures. As a result, §315-26(P) "Exterior lighting standards and lighting plan required" is not applicable.



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E. COMPLIANCE WITH BURLINGTON ZONING CODE §315-48 "PARKING REQUIREMENTS"

The following table determines the compliance of the reconfigured parking lot with §315-48.

Compliance with §315-48 "Parking requirements"

Subsection	Status
(A) "Adequate access"	Compliant
(B) "Minimum parking space size"	Compliant
(C) "Location of off-street parking area"	Not Applicable – Sheet AS101 of the Engineering Drawings improperly cites §315-48(C) as justification to not provide for the required number of parking spaces pursuant to Chapter 315 Table 5 "Off-Street Parking and On-Site Queuing Requirements for Use Types." The change in intensity of use and the substantial improvement of the parking facilities warrants the provision of the required number of parking spaces pursuant to §315-48(H, J, & L).
(D) "Minimum required parking lot setbacks, landscaping, and plans"	(1) Compliant (2) Not Compliant – The reconfiguration and substantial improvement of the parking lot on parcel 206031932189000 is not compliant with the required eight foot side and rear setback. The proposed boundaries of the parking lot directly abut the lot lines of surrounding parcels, notably parcel 206031932188000 containing a single-family residence. We recommend the waiving of this requirement acknowledging that the parking lot is being reconstructed to mirror its current condition as an existing structure. (3) Not Applicable (4) Not Applicable (5) Compliant (6) Compliant
(E) "Off-street parking area surfacing"	Compliant
(F) "Concrete curb and gutter required for all off-street parking areas and associated drives"	Compliant
(G) "Permanent marking of off-street parking stalls"	Compliant
(H) "Parking spaces for use by persons with disabilities"	Compliant
(I) "Minimum number of off-street parking spaces and on-site queuing required for use types" (K) "Employee parking" (L) "Off-street parking requirements for mixed or combined uses located within the same building or on the same lot or parcel"	Not Compliant – Sheet AS101 of the Engineering Drawings indicates that 52 parking spaces, inclusive of three accessible parking spaces, are being provided. Pursuant to Chapter 315 Table 5 "Off-Street Parking and On-Site Queuing Requirements for Use Types," the reconstructed parking lots need to provide 67 total parking spaces: 16 for "Day-care center or nursery school" and 51 for "Laundromat." The project as proposed is lacking 15 parking spaces. Due to the adjacency of the Pinecrest Shopping Center and its available parking lot, we are recommending that the



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	provision of the remaining 15 parking spaces be waived considering §315-26(K).
(J) "Uses not listed in Table 5 and other uses"	Compliant
(M) "Minimum width of off-street parking rows and aisles"	Compliant

F. COMPLIANCE WITH BURLINGTON ZONING CODE §315-49 "DRIVEWAYS"

The two drive-thru lanes that are proposed to be reconstructed on the northern and southern boundaries of the project site are compliant with §315-49.

G. COMPLIANCE WITH BURLINGTON ZONING CODE §315-130 "CONDITIONAL USE PERMIT"

The Applicant's materials comply with the provisions enumerated in §315-130(A) "Application for conditional use permit."

H. COMPLIANCE WITH BURLINGTON ZONING CODE §315-137 "SITE PLANS"

The current configuration of the existing structure and parking lots on parcels 206031932189000 and 206031932190000 are existing nonconforming structures. The existing physical form and construction pattern of the project site is unique and presents certain challenges to its redevelopment. To allow for this project and avoid the challenges presented by the site's existing conditions, certain requirements have been recommended to be waived. With respect to the determination of compliance with §315-137, the waiving of requirements has been taken into account.

The Applicant's materials and site plan comply with the provisions enumerated in §315-137(B) "Principles and standards of review." This determination of compliance must be accompanied by an important note; the existing single-family residence on parcel 206031932188000 is zoned B-1 "Neighborhood Business District." As the home is currently occupied – despite its status as a nonconforming use, it is important to consider the impacts of this project on its occupants. Upon review of "Map 1 – Recommended Land Use Plan for the City of Burlington Planning Area: 2035" in *A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035*, the continued use of parcels 206031932189000 and 206031932190000 for commercial purposes is consistent with the Plan's identification of the parcels as the "Commercial" land use type (page D-2).

The Applicant's materials and site plan comply with the provisions enumerated in §315-137(C) "Applications for site plan review."

I. COMPLIANCE WITH BURLINGTON ZONING CODE §315-138 "LANDSCAPE PLANS"

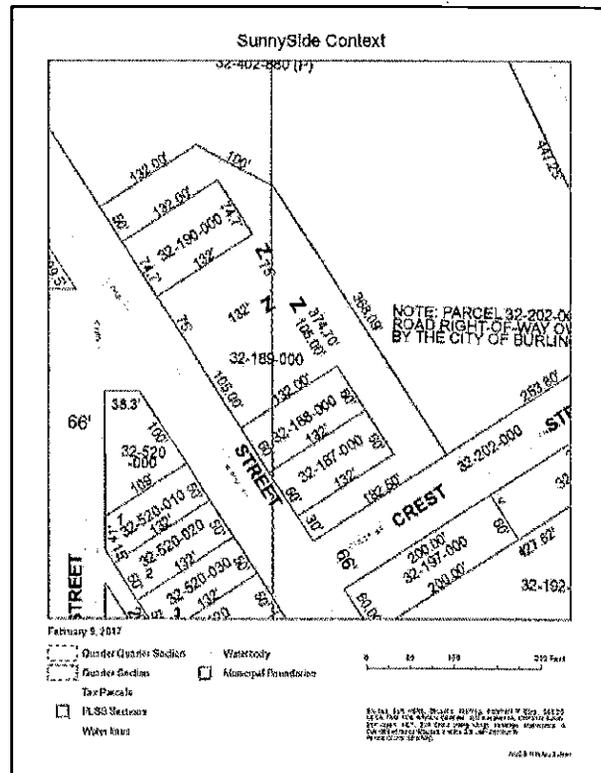
The Applicant's materials and landscape plan comply with the provisions enumerated in §315-138.

J. CONSIDERATIONS FOR BURLINGTON ZONING CODE ARTICLE VII "SIGNS"

Sheet AS101 of the Engineering Drawings indicates the presence of two existing monument signs on the project site; and, Sheet A200 of the Architectural Drawings indicates the proposed construction of two wall signs on the exterior of the structure. Special attention must be paid to the maximum total accumulated sign area for the project site and how the total face area of the four signs can sum to an acceptable area. Article VII "Signs" will need to be revisited for the issuance of a Sign Permit.

K. COMMENTARY ON PHYSICAL FORM OF THE PROJECT SITE AND FUTURE LAND CONSOLIDATION

The physical form of the parcels included in this proposed project make redevelopment within the confines of the Burlington Zoning Code difficult. Likely originally developed as an outlet for M&I Bank at the Pinecrest Shopping Center, the creation of these parcels did not consider long-term land use planning goals and the future uses of the site. Looking ahead, it would benefit both the Applicant and the City, equally, to consider land consolidation via a certified survey map to maximize development potential. The Applicant would benefit from the possibility of earning additional income; and, the City would benefit from an increase in the property tax base due to additional commercial development. If the four parcels were consolidated, the context map (right) provides an image of the entirety of the site size and how appealing it may be for development. This consolidation would be reliant upon the sale of parcel 206031932188000, as it is not owned by the Applicant.





To: Kristine Anderson **Date:** January 31, 2017

From: Greg Governatori

CC: Carina Walters, Gregory Guidry, Jim Bergles, Judy Gerulat, Tanya Fonseca, Megan Johnson

Subject: Sunnyside Ventures, LLC

BACKGROUND AND REQUEST: Stelling & Associates, Architects Ltd. has submitted a preliminary site plan approval application for 200 Pine Street. The site plans propose a small building addition, and alterations to the existing parking layout. The parking alterations include full pavement removal, additional greenspace, new asphalt pavement, a dumpster enclosure and new internal concrete sidewalk. Our review was conducted to determine compliance with City ordinances and good engineering practices.

The following plans were submitted for review:

- Site Plan Sheets, T1, AS100-101, AL101 and A100, A101 & A102 dated January 17th, 2017

STAFF COMMENTS:

General:

- We have completed a verbal discussion with Stelling and Associates, to determine the extent of the proposed improvements. The architect has given a description that all pavement will be removed and replaced with curb and gutter and new asphalt as shown on the plans.
- Civil plans were not provided as part of the submittal, this would include detailed demolition, drainage, grading, paving and erosion control plans along with a basis for the storm water exemption. We are not sure if the sidewalk along S. Pine is proposed for replacement, it appears that it is remaining. The inclusion of these plans should assist in the review, extent and construction of the proposed project.
- The land disturbance area shall be shown on the plans. Requirements for Wisconsin DNR state permitting and storm water management are subject to the project size and impervious area calculations.
- The plan defines accessible curb cuts, but the detail provided does not match the sidewalk style shown. Standard state details should be used for accessibility. The stamped mesh texture is no longer an accepted method of detection and requires a raised truncated dome plate the full width of the opening.
- The project proposes to decrease runoff by reducing the impervious areas of the property. Multiple landscaped islands are proposed in addition to reducing the impervious area of the parcel. Applicability for storm water management practices follows Chapter 270-5 of the Burlington City Code which allows an exemption for redevelopment site of less than one acre with no increase in roads or parking areas. *It does not appear that Storm water management will be required as part of this project.*

- A demolition, removal and erosion control are required. The plan shall clearly indicate the removal limits and show all erosion control practices needed as part of the construction, tracking pads, inlet protection, possible silt fence, etc.
- Portions of the existing asphalt and driveways are located on properties not owned by the applicant, permission shall be granted and notice shall be given to the owner at S. 232 Pine Street that construction will be required on the property.
- No grading plan was provided as part of the submittal. The architect is proposing to add new curb and gutter to the interior of the drive lane. We agree with the curb and gutter however grades are needed for the construction of the new curb. We cannot determine if the curb will require additional drainage modifications based on its placement. If the curb is placed high, it may trap water on the adjacent parcel, and if it is lowered it may require revised driveway drainage patterns. In addition, the curb is proposed directly on the rear property line to 232 S. Pine Street. Zoning requires a minimum 3' from driveway to the lot line, however this parcel has many nonconforming areas.

RECOMMENDATION: We recommend a revised submittal with required civil engineering plans for review prior to construction.

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 pertaining to this project.

Description of existing use (vacant 5+ yrs) formerly a bank

Description of the proposed use (2 tenants) Coin Laundry with Drop off service / Daycare (0-3yrs)

Number of employees / Hours of operation (Laundry) 1 employ, 6am-9pm / (Daycare) 11employ, 6am-6pm

**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):

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 Heidi Wiley
(Signature)

Heidi Wiley
(Print)

Owner Heidi Wiley
(Signature)

Heidi Wiley
(Print)

Date: 17 Jan 2017

Date application Filed: 17 Jan 2017

- 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.

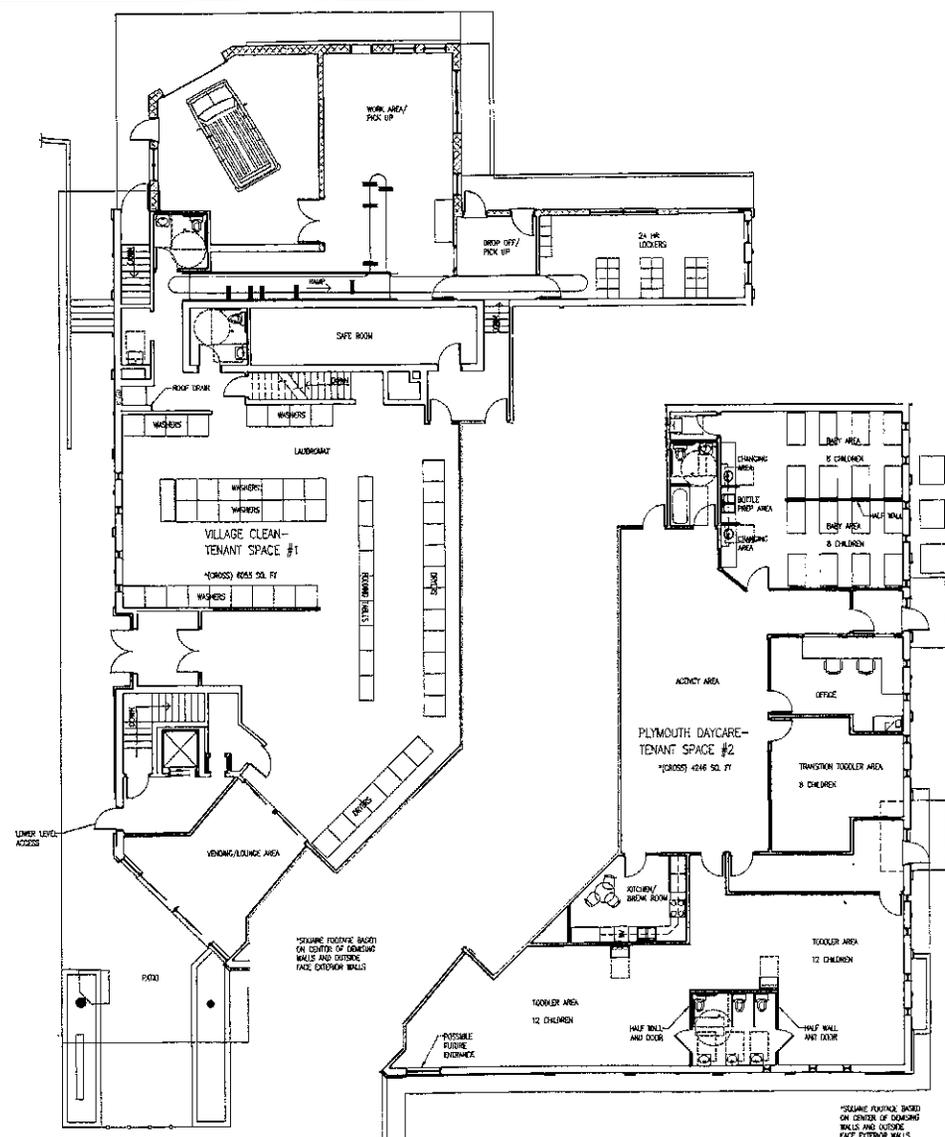
Zoning Administrator: _____
(Signature)

Date: _____

MEMBER OF FIDELITY
THIS DOCUMENT AND THE WORKS HEREON
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ARCHITECTS, LTD. AND SHALL REMAIN THE
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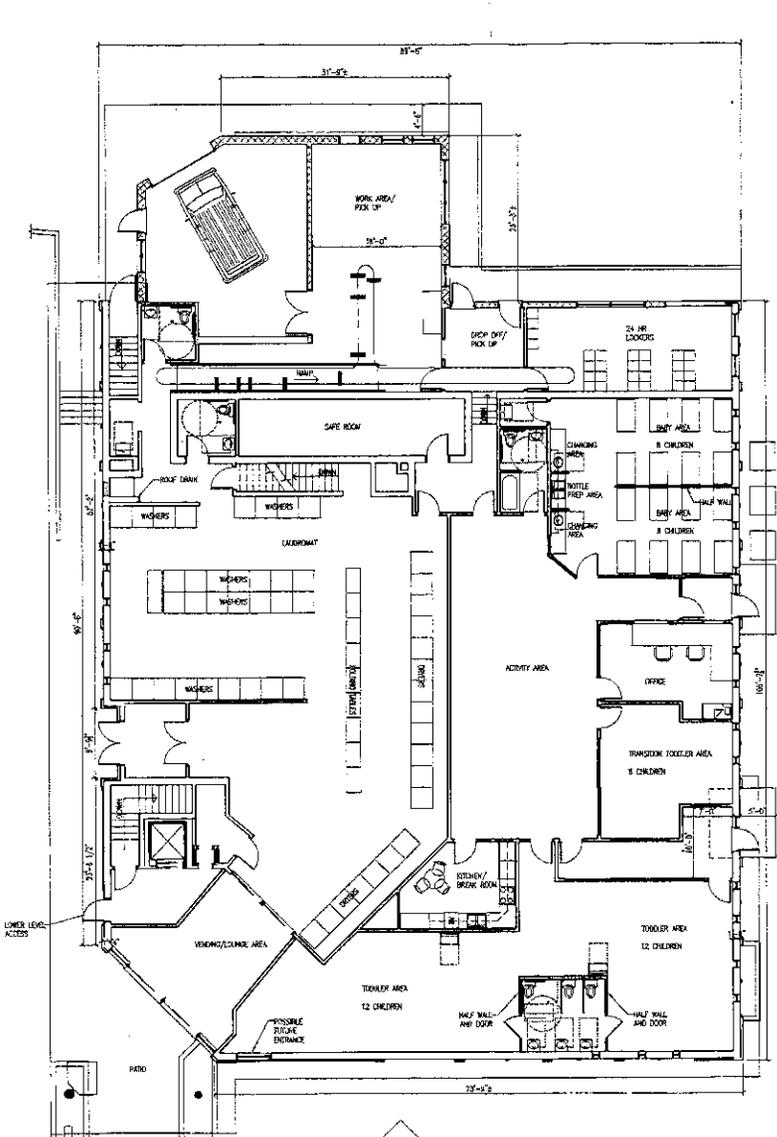
PREPARED BY	
APPROVED BY	
DRAWN BY	CR
DATE	1-17-17
PROJECT NUMBER	15014
SHEET NUMBER	

A101
7 OF 8



1
PROPOSED TENANT SPACE #1
187' x 157'
PLAN NORTH

2
PROPOSED TENANT SPACE #2
716' x 115'
PLAN NORTH



3
PROPOSED FIRST FLOOR PLAN
187' x 115'
APPROXIMATE
GROSS SQUARE
FOOTAGE 3027
PLAN NORTH

NOTE
GENERAL CONTRACTOR TO DISTRIBUTE
ALL SHEETS IN SET TO SUBCONTRACTORS!
DO NOT DISTRIBUTE PARTIAL SETS

ALL DIMENSIONS UNLESS
OTHERWISE SPECIFIED
ARE IN FEET AND INCHES
UNLESS OTHERWISE
SPECIFIED



PLAN COMMISSION

ITEM NUMBER: 8B

DATE: February 14, 2017

SUBJECT: Consideration to approve a Site Plan and application at 200 S. Pine Street.

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Site Plan application from Sunnyside Ventures, LLC for property located at 200 S. Pine Street. The applicant is proposing to renovate the existing structure and parking facilities to operate a coin laundry in part of the building. This building is the former M&I Bank that closed in 2010.

ZONING:

The parcel is zoned B-1, Neighborhood Business District.

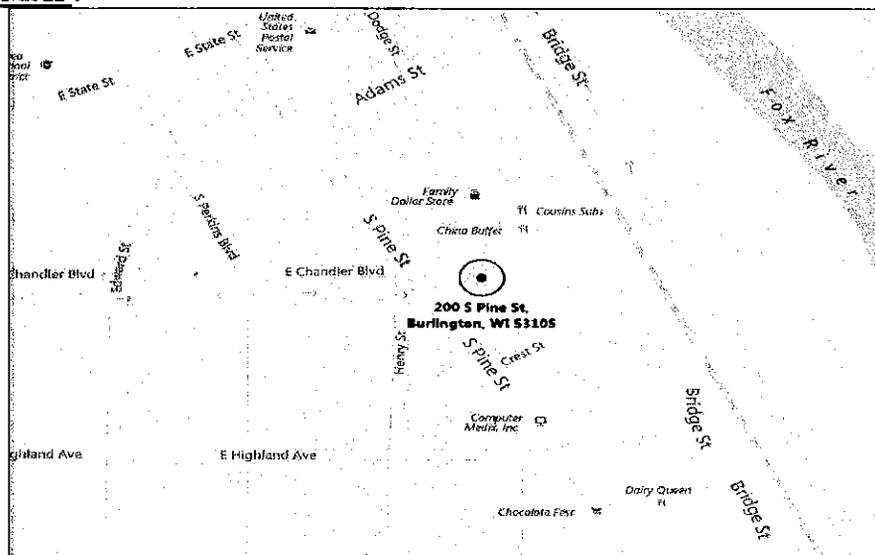
RECOMMENDATION:

Graef and Kapur recommend a conditional approval of this Site Plan, subject to items listed in their February 10, 2017 and January 31, 2017 memorandums.

TIMING/IMPLEMENTATION:

This item is for consideration at the February 14, 2017 Plan Commission meeting. No further action is necessary.

MAP:





One Honey Creek Corporate Center
125 South 84th Street, Suite 401
Milwaukee, WI 53214-1470
414 / 259 1500
414 / 259 0037 fax
www.graef-usa.com

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MEMORANDUM

TO: Plan Commission
City of Burlington

Copies to: Carina Walters, City Administrator
Megan Watkins, Director of Administrative Services
Gregory Guidry, Building Inspector
Gregory Governatori, City Engineer, Kapur & Associates, Inc.
John Bjelajac, City Attorney
Michael and Heidi Wiley of SunnySide Ventures LLC, Applicant

FROM: GRAEF
Kristian Vaughn
Tanya Fonseca, AICP

DATE: February 10, 2016

SUBJECT: Review of Site Plan and Conditional Use Permit for SunnySide Ventures LLC at 200 S. Pine Street, Burlington, WI 53105

A. PURPOSE

- 1) Consider for approval a Site Plan Approval Application from SunnySide Ventures LLC to renovate the existing structure and parking facilities at 200 S. Pine Street, Burlington, WI 53105 to operate a coin laundry and daycare.
- 2) Consider for approval a Conditional Use Permit Application from SunnySide Ventures LLC to operate a daycare at 200 S. Pine Street, Burlington, WI 53105.

B. RECOMMENDATION

Based upon the review of the submitted materials, GRAEF recommends that the Plan Commission recommend to the Common Council the:

- a. **APPROVAL** of a Site Plan Approval Application from SunnySide Ventures LLC to renovate the existing structure and parking facilities at 200 S. Pine Street, Burlington, WI 53105 to operate a coin laundry and daycare subject to the following recommendations:
 - (1) It is recommended that the 25% or greater landscape surface ratio (LSR) required pursuant to §315-26(1)(1 a) be waived and the Applicant be allowed to reconstruct the proposed parking lot on parcel 206031932190000 as indicated;
 - (2) It is recommended that the eight foot side and rear setbacks required pursuant to §315-48(D)(2) be waived, as the parking lot is being reconstructed to mirror its current condition as an existing structure; and,



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- (3) It is recommended that the 67 total required parking spaces pursuant to §315-48(l) "Minimum number of off-street parking spaces and on-site queuing required for use types," (K) "Employee parking," and (L) "Off-street parking requirements for mixed or combined uses located within the same building or on the same lot or parcel" be reduced to 52 total parking spaces acknowledging that customers at the coin laundry may use additional parking in the Pinecrest Shopping Center.
- b. and, APPROVAL of a Conditional Use Permit Application from SunnySide Ventures LLC to operate a daycare at 200 S. Pine Street, Burlington, WI 53105.

C. BACKGROUND

Michael and Heidi Wiley of SunnySide Ventures LLC (Applicant) submitted a Site Plan Approval Application and Conditional Use Permit Application for the renovation of the former M&I Bank and its driveways and parking lots at 200 S. Pine Street, Burlington, WI 53105. The project is proposed to occur on parcels 206031932189000 and 206031932190000.

Interior renovations for the proposed project will convert the former bank into a two-unit building that will be occupied by a coin laundry and daycare with a one-bay garage. The coin laundry will be staffed by one employee and will be operated between the hours of 6am and 9pm. The daycare will be staffed by 11 employees and will be operated between the hours of 6am and 6pm. The daycare will be able to accommodate 48 children.

Exterior renovations are proposed to include a parking lot reconfiguration, restriping of parking spaces, the addition of landscaped islands, and the construction of a children's play area. The reconfigured parking lot will contain 52 parking spaces.

Parcels 206031932189000 and 206031932190000 are both zoned B-1 "Neighborhood Business District." The parcels front South Pine Street with the Pinecrest Shopping Center to the rear (east/northeast). The parcels have a unique physical form and encircle two parcels that share frontage on South Pine Street: parcels 206031932188000 and 206031932187000. Parcel 206031932188000 is zoned B-1 "Neighborhood Business District" with an existing single-family residence; parcel 206031932187000 is zoned I-1 "Institutional" and is a grass lot.

The Applicant submitted the following materials:

- a. Site Plan Approval Application
 - i. Site Plan Approval Application form (2 sheets, as prepared by Heidi Wiley, dated January 17, 2017)
 - ii. Engineering Drawings, Landscape Plan, and Architectural Drawings – 24"x36" set (8 sheets, as prepared by Stelling & Associates Architects, Ltd., dated January 17, 2017)
- b. Conditional Use Permit Application
 - i. Conditional Use Permit Application form (3 sheets, as prepared by Heidi Wiley, dated January 17, 2017)



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It is the understanding of GRAEF that reviews and comments on all engineering-related aspects of the site plan are to be accomplished by the City Engineer. Therefore GRAEF defers all engineering-related review and comment to the City Engineer.

D. COMPLIANCE WITH BURLINGTON ZONING CODE §315-26 "B-1 NEIGHBORHOOD BUSINESS DISTRICT"

The proposed project will retain the B-1 zoning district on parcels 206031932189000 and 206031932190000. The proposed uses are compliant with the intent of the zoning district as described in §315-26(A). The coin laundry is a permitted use under "Self-service laundry and dry-cleaning establishments"; the garage is a permitted accessory use; and, the daycare is a conditional use under "Child day-care centers" and is subject to regulation per §315-26(D)(6) and §315-130. Consult Section G of this memorandum for discussion on §315-130 "Conditional Use Permit."

Pursuant to §315-26(D)(6), the exterior children's play area of the proposed daycare is compliant with provisions for a security fence, a proper setback, a landscape buffer, a contextually appropriate location away from a pollutant source, and a proper location away from vehicular traffic.

The proposed project is compliant with §315-26(E) "Lot area and width," (F) "Building height," and (G) "Setback and yards."

The Applicant submitted a site plan pursuant to §315-26(H).

The reconfigured parking lot on parcel 206031932189000 is exempt from landscape surface ratio (LSR) requirements pursuant to §315-26(I)(c1). The complete resurfacing and reconfiguration of the parking lot on parcel 206031932190000 may constitute a "Substantial Improvement" pursuant to §315-140. As a result, the reconstructed parking lot would be subsequent to regulation pursuant to §315-26(I)(1a) and would be required to have an LSR of 25% or greater. As the parking lot is an existing structure, we recommend that the LSR requirement be waived for the proposed parking lot reconstruction on parcel 206031932190000.

The proposed project is compliant with §315-26(J) "Required off-street parking setbacks from public street rights-of-way," (L) "Loading docks, on-site loading spaces, and/or building service areas," (M) "Prohibition of long-term truck parking unless screened from view," (N) "Maximum area of outdoor storage, location, and screening requirements," and (O) "Trash dumpster and garbage receptacles (trash and garbage storage)." Consult Section E of this memorandum for discussion on §315-26(K) "Vehicular circulation between adjacent properties."

It is our understanding that the proposed project will retain its existing lighting and will not add additional fixtures. As a result, §315-26(P) "Exterior lighting standards and lighting plan required" is not applicable.



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E. COMPLIANCE WITH BURLINGTON ZONING CODE §315-48 "PARKING REQUIREMENTS"

The following table determines the compliance of the reconfigured parking lot with §315-48.

Compliance with §315-48 "Parking requirements"

Subsection	Status
(A) "Adequate access"	Compliant
(B) "Minimum parking space size"	Compliant
(C) "Location of off-street parking area"	Not Applicable – Sheet AS101 of the Engineering Drawings improperly cites §315-48(C) as justification to not provide for the required number of parking spaces pursuant to Chapter 315 Table 5 "Off-Street Parking and On-Site Queuing Requirements for Use Types." The change in intensity of use and the substantial improvement of the parking facilities warrants the provision of the required number of parking spaces pursuant to §315-48(H, J, & L).
(D) "Minimum required parking lot setbacks, landscaping, and plans"	(1) Compliant (2) Not Compliant – The reconfiguration and substantial improvement of the parking lot on parcel 206031932189000 is not compliant with the required eight foot side and rear setback. The proposed boundaries of the parking lot directly abut the lot lines of surrounding parcels, notably parcel 206031932188000 containing a single-family residence. We recommend the waiving of this requirement acknowledging that the parking lot is being reconstructed to mirror its current condition as an existing structure. (3) Not Applicable (4) Not Applicable (5) Compliant (6) Compliant
(E) "Off-street parking area surfacing"	Compliant
(F) "Concrete curb and gutter required for all off-street parking areas and associated drives"	Compliant
(G) "Permanent marking of off-street parking stalls"	Compliant
(H) "Parking spaces for use by persons with disabilities"	Compliant
(I) "Minimum number of off-street parking spaces and on-site queuing required for use types" (K) "Employee parking" (L) "Off-street parking requirements for mixed or combined uses located within the same building or on the same lot or parcel"	Not Compliant – Sheet AS101 of the Engineering Drawings indicates that 52 parking spaces, inclusive of three accessible parking spaces, are being provided. Pursuant to Chapter 315 Table 5 "Off-Street Parking and On-Site Queuing Requirements for Use Types," the reconstructed parking lots need to provide 67 total parking spaces: 16 for "Day-care center or nursery school" and 51 for "Laundromat." The project as proposed is lacking 15 parking spaces. Due to the adjacency of the Pinecrest Shopping Center and its available parking lot, we are recommending that the



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	provision of the remaining 15 parking spaces be waived considering §315-26(K).
(J) "Uses not listed in Table 5 and other uses"	Compliant
(M) "Minimum width of off-street parking rows and aisles"	Compliant

F. COMPLIANCE WITH BURLINGTON ZONING CODE §315-49 "DRIVEWAYS"

The two drive-thru lanes that are proposed to be reconstructed on the northern and southern boundaries of the project site are compliant with §315-49.

G. COMPLIANCE WITH BURLINGTON ZONING CODE §315-130 "CONDITIONAL USE PERMIT"

The Applicant's materials comply with the provisions enumerated in §315-130(A) "Application for conditional use permit."

H. COMPLIANCE WITH BURLINGTON ZONING CODE §315-137 "SITE PLANS"

The current configuration of the existing structure and parking lots on parcels 206031932189000 and 206031932190000 are existing nonconforming structures. The existing physical form and construction pattern of the project site is unique and presents certain challenges to its redevelopment. To allow for this project and avoid the challenges presented by the site's existing conditions, certain requirements have been recommended to be waived. With respect to the determination of compliance with §315-137, the waiving of requirements has been taken into account.

The Applicant's materials and site plan comply with the provisions enumerated in §315-137(B) "Principles and standards of review." This determination of compliance must be accompanied by an important note; the existing single-family residence on parcel 206031932188000 is zoned B-1 "Neighborhood Business District." As the home is currently occupied – despite its status as a nonconforming use, it is important to consider the impacts of this project on its occupants. Upon review of "Map 1 – Recommended Land Use Plan for the City of Burlington Planning Area: 2035" in *A Multi-Jurisdictional Comprehensive Plan for Racine County: 2035*, the continued use of parcels 206031932189000 and 206031932190000 for commercial purposes is consistent with the Plan's identification of the parcels as the "Commercial" land use type (page D-2).

The Applicant's materials and site plan comply with the provisions enumerated in §315-137(C) "Applications for site plan review."

I. COMPLIANCE WITH BURLINGTON ZONING CODE §315-138 "LANDSCAPE PLANS"

The Applicant's materials and landscape plan comply with the provisions enumerated in §315-138.



To: Kristine Anderson **Date:** January 31, 2017
From: Greg Governatori
CC: Carina Walters, Gregory Guidry, Jim Bergles, Judy Gerulat, Tanya Fonseca, Megan Johnson
Subject: Sunnyside Ventures, LLC

BACKGROUND AND REQUEST: Stelling & Associates, Architects Ltd. has submitted a preliminary site plan approval application for 200 Pine Street. The site plans propose a small building addition, and alterations to the existing parking layout. The parking alterations include full pavement removal, additional greenspace, new asphalt pavement, a dumpster enclosure and new internal concrete sidewalk. Our review was conducted to determine compliance with City ordinances and good engineering practices.

The following plans were submitted for review:

- Site Plan Sheets, T1, AS100-101, AL101 and A100, A101 & A102 dated January 17th, 2017

STAFF COMMENTS:

General:

- We have completed a verbal discussion with Stelling and Associates, to determine the extent of the proposed improvements. The architect has given a description that all pavement will be removed and replaced with curb and gutter and new asphalt as shown on the plans.
- Civil plans were not provided as part of the submittal, this would include detailed demolition, drainage, grading, paving and erosion control plans along with a basis for the storm water exemption. We are not sure if the sidewalk along S. Pine is proposed for replacement, it appears that it is remaining. The inclusion of these plans should assist in the review, extent and construction of the proposed project.
- The land disturbance area shall be shown on the plans. Requirements for Wisconsin DNR state permitting and storm water management are subject to the project size and impervious area calculations.
- The plan defines accessible curb cuts, but the detail provided does not match the sidewalk style shown. Standard state details should be used for accessibility. The stamped mesh texture is no longer an accepted method of detection and requires a raised truncated dome plate the full width of the opening.
- The project proposes to decrease runoff by reducing the impervious areas of the property. Multiple landscaped islands are proposed in addition to reducing the impervious area of the parcel. Applicability for storm water management practices follows Chapter 270-5 of the Burlington City Code which allows an exemption for redevelopment site of less than one acre with no increase in roads or parking areas. *It does not appear that Storm water management will be required as part of this project.*

- A demolition, removal and erosion control are required. The plan shall clearly indicate the removal limits and show all erosion control practices needed as part of the construction, tracking pads, inlet protection, possible silt fence, etc.
- Portions of the existing asphalt and driveways are located on properties not owned by the applicant, permission shall be granted and notice shall be given to the owner at S. 232 Pine Street that construction will be required on the property.
- No grading plan was provided as part of the submittal. The architect is proposing to add new curb and gutter to the interior of the drive lane. We agree with the curb and gutter however grades are needed for the construction of the new curb. We cannot determine if the curb will require additional drainage modifications based on its placement. If the curb is placed high, it may trap water on the adjacent parcel, and if it is lowered it may require revised driveway drainage patterns. In addition, the curb is proposed directly on the rear property line to 232 S. Pine Street. Zoning requires a minimum 3' from driveway to the lot line, however this parcel has many nonconforming areas.

RECOMMENDATION: We recommend a revised submittal with required civil engineering plans for review prior to construction.

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 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

SITE PLAN APPROVAL APPLICATION

REVIEW: \$500.00 Deposit +/- Actual Cost

FOR OFFICE USE ONLY	
DATE FILED:	1/27/17
RECEIVED BY:	KA (Initials)
AMT. PAID:	\$500

APPLICANT: SunnySide Ventures LLC

ADDRESS: W496 County Rd D, Burlington, WI **PHONE NO.:** (262) 332-7304 **FAX NO.:** _____

OWNER: Michael & Heidi Wiley

ADDRESS: W496 County Rd D, Burlington, WI **PHONE NO.:** _____ **FAX NO.:** _____

SITE ADDRESS: 200 S Pine St., Burlington, WI

PROPOSED USE: (2 tenants) Coin Laundry / Daycare **PRESENT ZONING:** B-1

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: _____ and Hours of operation _____.

- ___ 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.
- ___ Graphic outline of any development staging that is planned.
- ___ Driveway locations and sizes.
- ___ Handicap accessibility.
- ___ List environmental concerns, i.e. odor, smoke, noise.

Owner: Heidi Wiley
(Print)

Date: 17 Jan 2017

Owner: Heidi Wiley
(Signature)

Applicant: Heidi Wiley
(Print)

Date: 17 Jan 2017

Applicant: Heidi Wiley
(Signature)

Zoning Administrator: _____
(Signature)

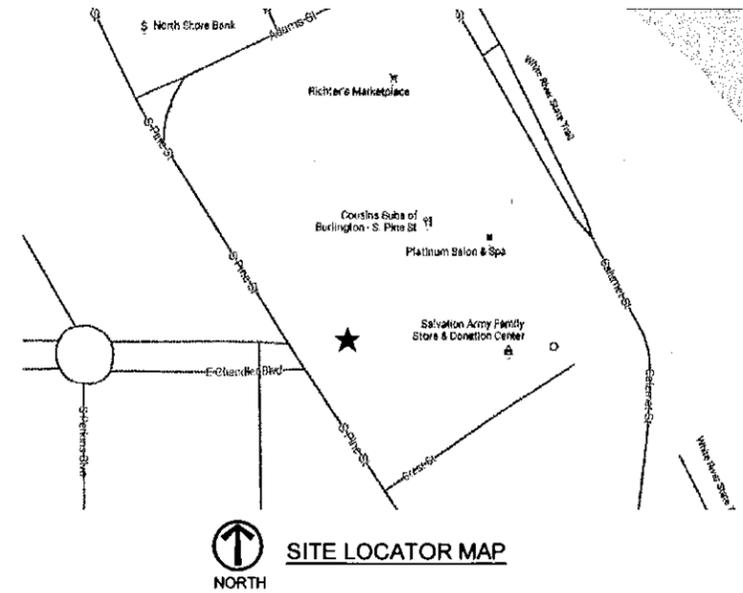
Date: _____

PROJECT:
VILLAGE CLEAN REMODEL

PROJECT LOCATION:
**200 S. PINE ST.
BURLINGTON, WI 53105**

PROJECT FOR:
VILLAGE CLEAN

ARCHITECT:
STELLING & ASSOCIATES ARCHITECTS, LTD.
181 WEST CHESTNUT STREET
BURLINGTON, WI 53105

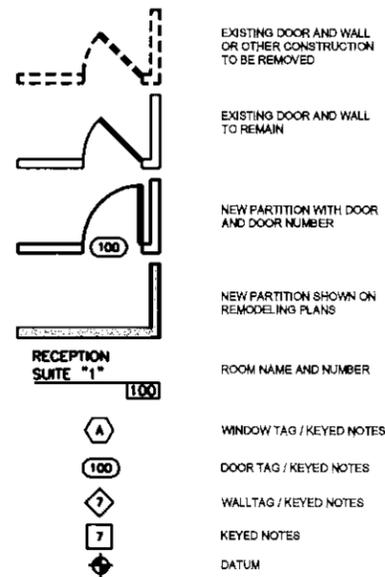


INDEX OF DRAWINGS

- T1 TITLE SHEET, SITE PLAN, SITE LOCATOR MAP, INDEX & GENERAL NOTES
- AS100 EXISTING SITE PLAN
- AS101 PROPOSED SITE PLAN
- AL100 PROPOSED LANDSCAPE PLAN-NORTH HALF
- AL101 PROPOSED LANDSCAPE PLAN-SOUTH HALF
- A100 EXISTING FIRST FLOOR PLAN
- A101 PROPOSED FIRST FLOOR PLAN
- A200 PROPOSED EXTERIOR ELEVATIONS

MATERIAL AND SYMBOL LEGEND

	EARTH, UNDISTURBED		MATCH LINE
	EARTH, DISTURBED		DETAIL REFERENCE WITH NUMBER AND SHEET
	GRAVEL		INTERIOR ELEVATION MARK, DRAWING NUMBER AND SHEET REFERENCE
	CONCRETE		EXTERIOR ELEVATION MARK, DRAWING NUMBER AND SHEET REFERENCE
	BRICK		DRAWING NAME AND ADDRESS TAG
	MASONRY		DRAWING NUMBER AND TITLE
	RIGID INSULATION		SECTION OUT MARK
	BATT INSULATION		REVISIONS
	STEEL		
	DRYWALL		
	WOOD / FINISHED		
	WOOD / CONTINUOUS BLOCKING		
	WOOD / NAILER		
	PLYWOOD		



ABBREVIATIONS

AFF	above finish floor	DF	drinking fountain	INT	interior	TEMP	temperature
AFG	above finish grade	E	east	JS	janitor's sink	TER	terrace
AFS	above finish slab	EL	elevation	LAM	laminale	TER B	base terrazzo
ACS PNL	access panel	ELEV	elevator	LAV	lavatory	T&M	time & materials
AMD	acoustical metal deck	EP	epoxy	LL	live load	TOB	top of beam
ADD	addendum	EPB	epoxy base	M	marble	TFF	top of finish floor
ADDL	additional	EXIST	existing	MO	masonry opening	TOS	top of slab
AC	air condition	EKT	exterior	MAX	maximum	TOPO	topography
ALUM	aluminum	EIPS	exterior insulation & finish system	MECH	mechanical	TYP	typical
ALT	alternate	EPS	expanded polystyrene board	MISC	miscellaneous	UNO	unless noted otherwise
APT	apartment	XPS	extruded polystyrene board	MC	modular carpet tile	VIF	verify in field
APPD	approved	EWS	eye wash station	MS	mop sink	VB	vinyl base
A/E	Architect/Engineer	FWC	fabric wall covering	N	north	VCT	vinyl composition tile
BA	by allowance	FAX	facsimile	NS	no scale	VWC	vinyl wall covering
BP	base plate	FM	factory mutual	OH DR	overhead door	WC	water closet
BLV	below	FT	feet	PT	paint	WH	water heater
BLT	borrowed light	F	female	P2P	primer w/ 2 coats paint	W	west
BB	bulletin board	FRP	fiber reinforced polyester	PLAM	plastic laminate	W/	with
BLDG	building	FC	file cabinet	PLYWD	plywood	W/O	without
QFT	carpet	FA	fire alarm	PSI	pounds per square inch	WP	workpoint
CSHK	casework	FP	fire protection	PREFAB	prefabricated		
CLG	ceiling	FFL	fire place	PREFIN	prefinished		
CT	ceramic tile	FP	fire proof	QT	quarry tile		
OTB	ceramic tile base	FLR	floor	FLR	quarry tile base		
CIP	cast-in-place	FD	floor drain	RCP	reflected ceiling plan		
CB	catch basin	FTG	footing	REBAR	reinforcing steel bars		
CH BD	chalkboard	GA	gaga	RB	resilient base		
CO	clear	QALY	galvanized	RF	resilient flooring		
COL	column	GC	general contractor	RD	roof drain		
CONC	concrete	GLU LAM	glued laminated wood	RB	rubber base		
CMU	concrete masonry unit	GB	grab bar	RS	rubber sheet flooring		
CM	construction management	GRAN	granite	RT	rubber tile		
CJ	control joint	GYP BD	gypsum board	SAN	sanitary		
CO	corridor	HCP	handicapped	SAT	suspended acoustical tile		
COOR	corridor	HVAC	heating, ventilating & air conditioning	SC	sealed concrete		
DEMO	demolition	HWY	highway	SV	sheet vinyl		
DEPT	department	HC	hollow core	SS	solid surface		
DIA	diameter	HM	hollow metal	S	south		
DW	dishwasher	HB	hollow metal	SE	square foot		
DR	door	HW	hot water	ST	stair		
DR FR	door frame	HSK/PG	housekeeping	STRUT	strut		
DH	double hung	INSUL	insulation	TV	television		
DWG	drawing						

NOTE
GENERAL CONTRACTOR TO DISTRIBUTE
ALL SHEETS IN SET TO SUBCONTRACTORS!
DO NOT DISTRIBUTE PARTIAL SETS

ALL DIMENSIONS MEASURED TO AND FROM FACE OF STUD
ALL ANGLES TO BE AS SHOWN UNLESS OTHERWISE NOTED ON DRAWINGS
DO NOT SCALE FROM DRAWINGS
IF ANY QUESTIONS ARISE NOTIFY ARCHITECT IMMEDIATELY

STELLING & ASSOCIATES ARCHITECTS, LTD.
181 W. CHESTNUT STREET
BURLINGTON, WI 53105
TELEPHONE: (262) 793-8725 FAX: (262) 793-1871

PROJECT DESCRIPTION:
INTERIOR REMODEL
PROJECT CODE:
VILLAGE CLEAN
200 S. PINE ST.
BURLINGTON, WI 53105

DRAWING DESCRIPTION:
TITLE SHEET, SITE LOCATOR MAP AND CODE DATA

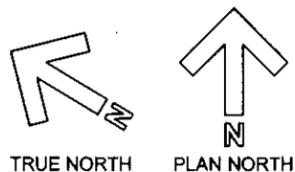
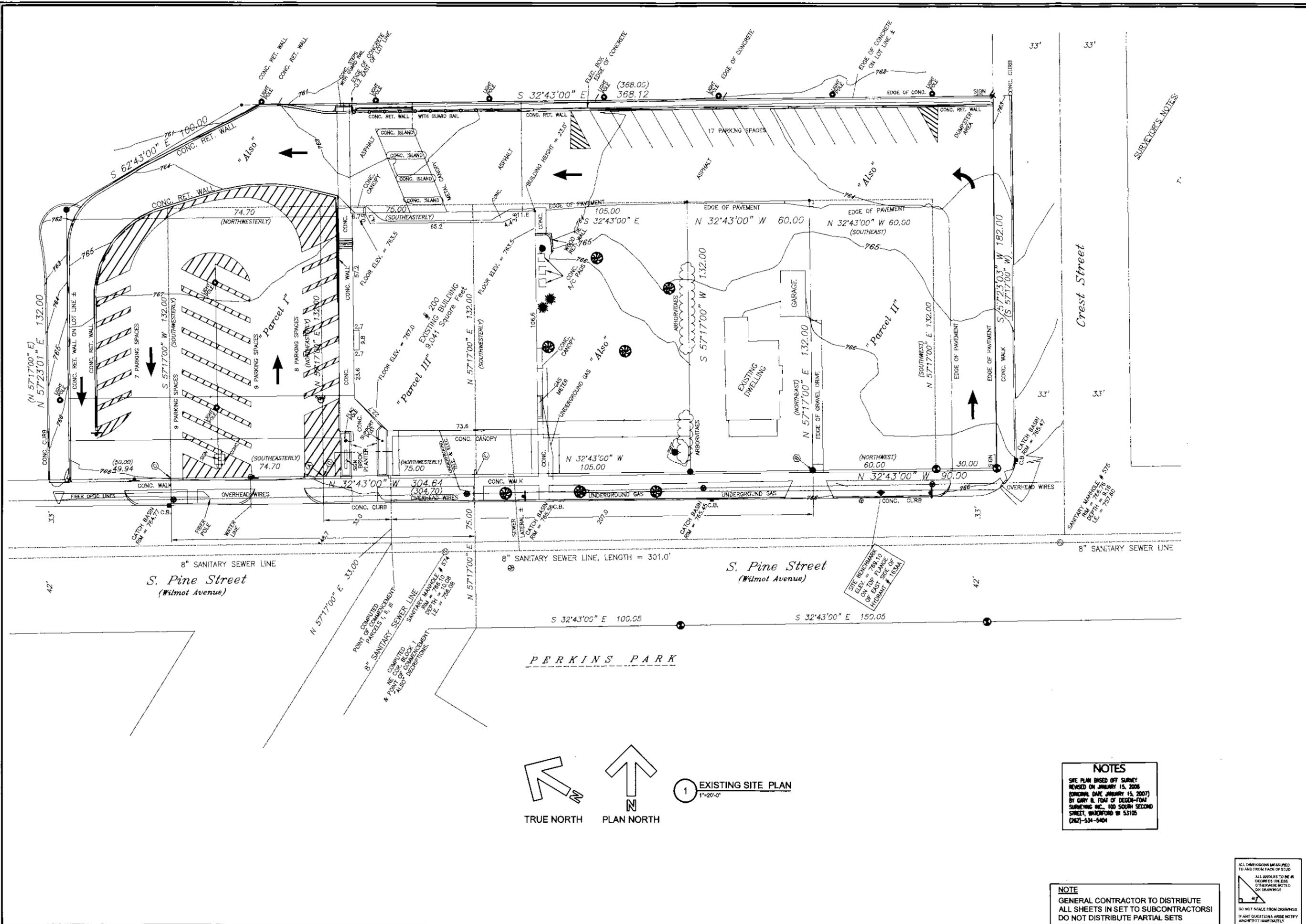
REVISIONS:
APPROVED:
DRAWN BY:
DATE:

PROJECT NUMBER:
CR

DATE:
1-17-17

ARCHITECT PROJECT NUMBER:
18014

SHEET NUMBER:
T1
1 OF 8



1 EXISTING SITE PLAN
1"=20'-0"

NOTES
 SITE PLAN BASED OFF SURVEY
 REVISION ON JANUARY 15, 2008
 (ORIGINAL DATE JANUARY 15, 2007)
 BY GARY B. FOAT OF DEGEN-FROST
 SURVEYING INC., 160 SOUTH SECOND
 STREET, WISCONSIN WI 53185
 (267)-534-5404

NOTE
 GENERAL CONTRACTOR TO DISTRIBUTE
 ALL SHEETS IN SET TO SUBCONTRACTORS!
 DO NOT DISTRIBUTE PARTIAL SETS

ALL DIMENSIONS MEASURED
 TO AND FROM FACE OF STUD
 ALL ANGLES TO BE AS
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 OTHERWISE NOTED
 OR DRAWING

DO NOT SCALE FROM DRAWING
 IF ANY QUESTIONS ARISE NOTIFY
 ARCHITECT IMMEDIATELY

**STELLING & ASSOCIATES
 ARCHITECTS, LTD.**
 181 W. CHESTNUT STREET
 BURLINGTON, WI 53106
 TELEPHONE: (262) 765-9725 FAX: (262) 765-1971

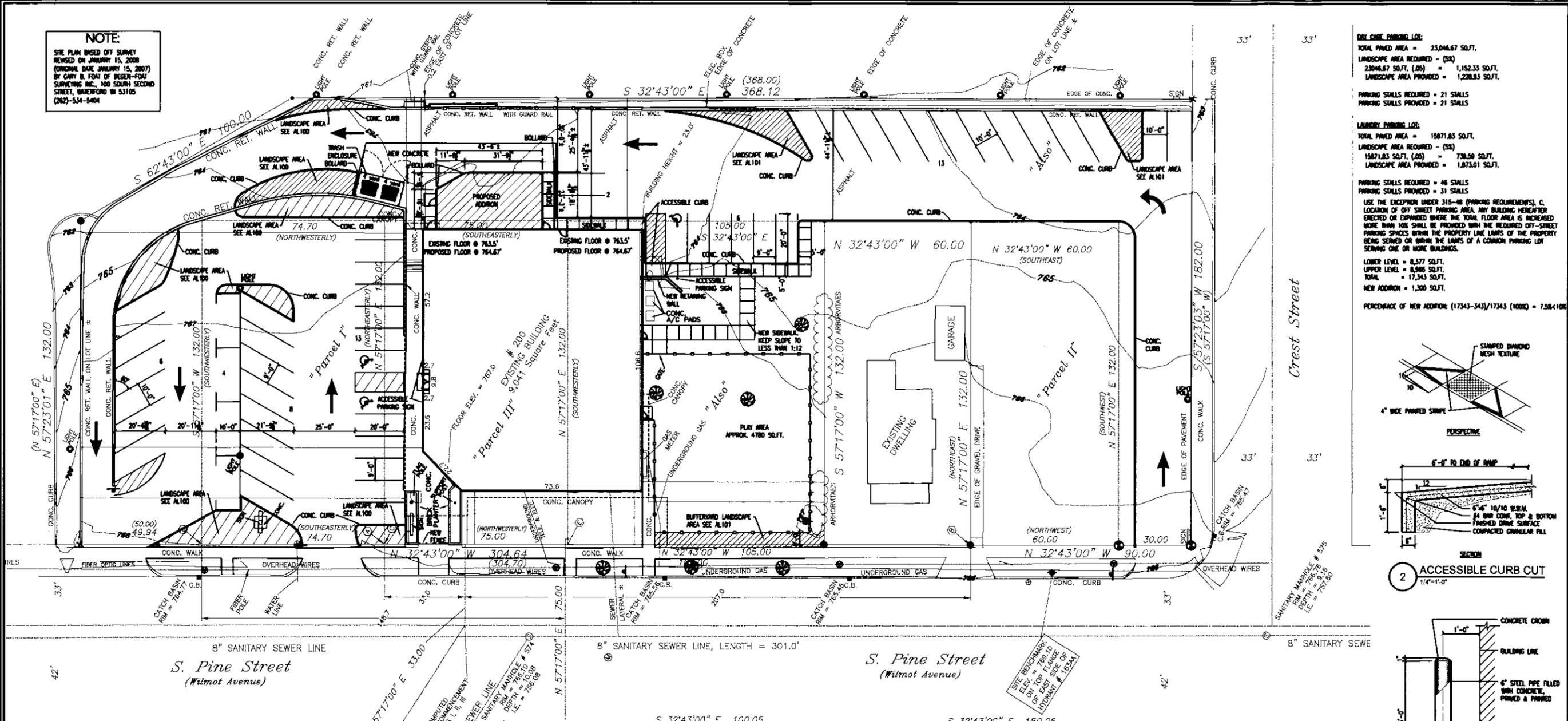
PROJECT DESCRIPTION:
**INTERIOR REMODEL
 VILLAGE CLEAN**
 PROJECT NO:
 200 S. PINE ST.
 BURLINGTON, WI 53105

DRAWING DESCRIPTION:
EXISTING SITE PLAN

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REVISIONS:
 APPROVED:
 DRAWN BY:
 CR
 DATE:
 1-17-17
 ARCHITECTS
 PROJECT NUMBER:
 16014
 SHEET NUMBER:
AS100
 2 OF 8

NOTE
 SITE PLAN BASED OFF SURVEY
 REVISED ON JANUARY 15, 2008
 (ORIGINAL DATE JANUARY 15, 2007)
 BY GARY B. FOAT OF DEGEN-FOAT
 SURVEYING INC., 100 SOUTH SECOND
 STREET, WAUKESHA WI 53150
 (262)-534-5404



DRY CONC. PARKING LOT:
 TOTAL PAVED AREA = 23,046.67 SQ. FT.
 LANDSCAPE AREA REQUIRED - (5%)
 2,304.67 SQ. FT. (25%) = 1,152.33 SQ. FT.
 LANDSCAPE AREA PROVIDED = 1,228.93 SQ. FT.

PARKING STALLS REQUIRED = 21 STALLS
PARKING STALLS PROVIDED = 21 STALLS

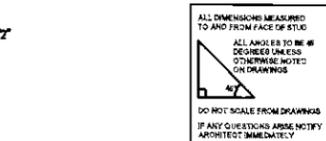
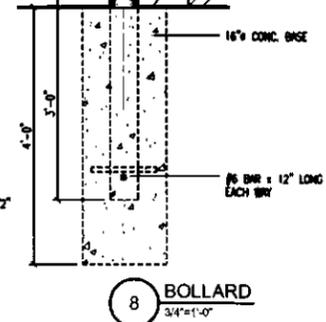
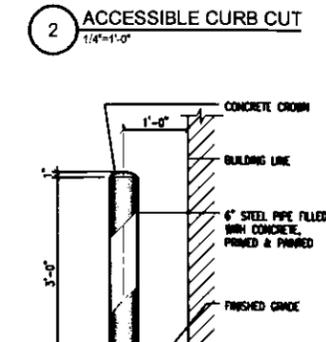
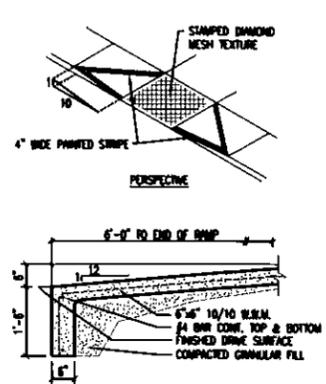
LAUNDRY PARKING LOT:
 TOTAL PAVED AREA = 15871.83 SQ. FT.
 LANDSCAPE AREA REQUIRED - (5%)
 15871.83 SQ. FT. (25%) = 7935.92 SQ. FT.
 LANDSCAPE AREA PROVIDED = 1,873.01 SQ. FT.

PARKING STALLS REQUIRED = 46 STALLS
PARKING STALLS PROVIDED = 31 STALLS

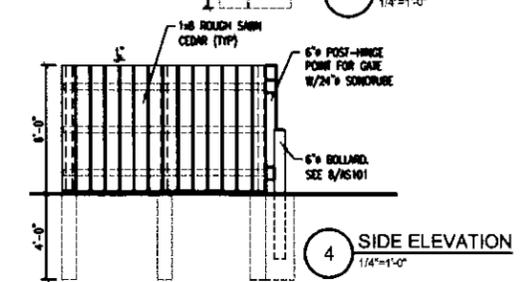
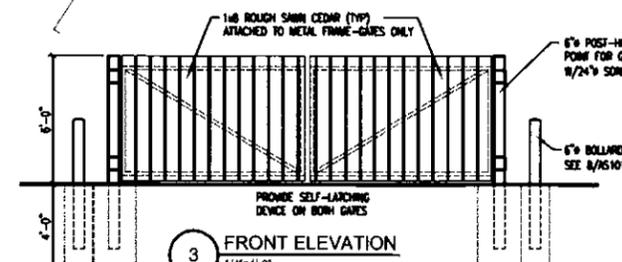
USE THE EXCEPTION UNDER 315-48 (PARKING REQUIREMENTS), C. LOCATION OF OFF-STREET PARKING AREA, ANY BUILDING HEIGHT OR EXISTING OR EXPANDED WHERE THE TOTAL FLOOR AREA IS INCREASED MORE THAN 10% SHALL BE PROVIDED WITH THE REQUIRED OFF-STREET PARKING SPACES WITHIN THE PROPERTY LINE LINES OF THE PROPERTY BEING SERVED OR WITHIN THE LINES OF A COMMON PARKING LOT SERVING ONE OR MORE BUILDINGS.

LOWER LEVEL = 8,577 SQ. FT.
UPPER LEVEL = 8,986 SQ. FT.
TOTAL = 17,563 SQ. FT.
NEW ADDITION = 1,300 SQ. FT.

PERCENTAGE OF NEW ADDITION (17343-543/17343 (100%)) = 7.58(100%)

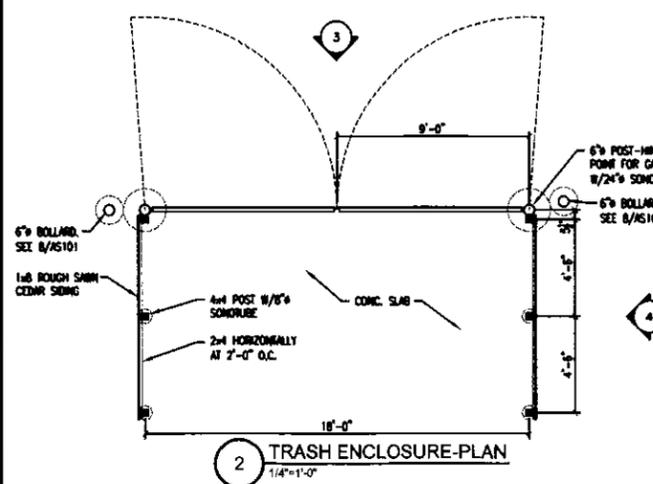


1 PROPOSED SITE PLAN
 1"=20'-0"



5 ACCESSIBLE SIGN DETAILS
 3/4"=1'-0"

6 ACCESSIBLE SIGN DETAILS
 1/4"=1'-0"



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 BURLINGTON, WI 53105
 TEL: (262) 782-6125 FAX: (262) 782-1971

INTERIOR REMODEL
VILLAGE CLEAN
 200 S. PINE ST.
 BURLINGTON, WI 53105

PROPOSED SITE PLAN

REVISIONS:

APPROVED:

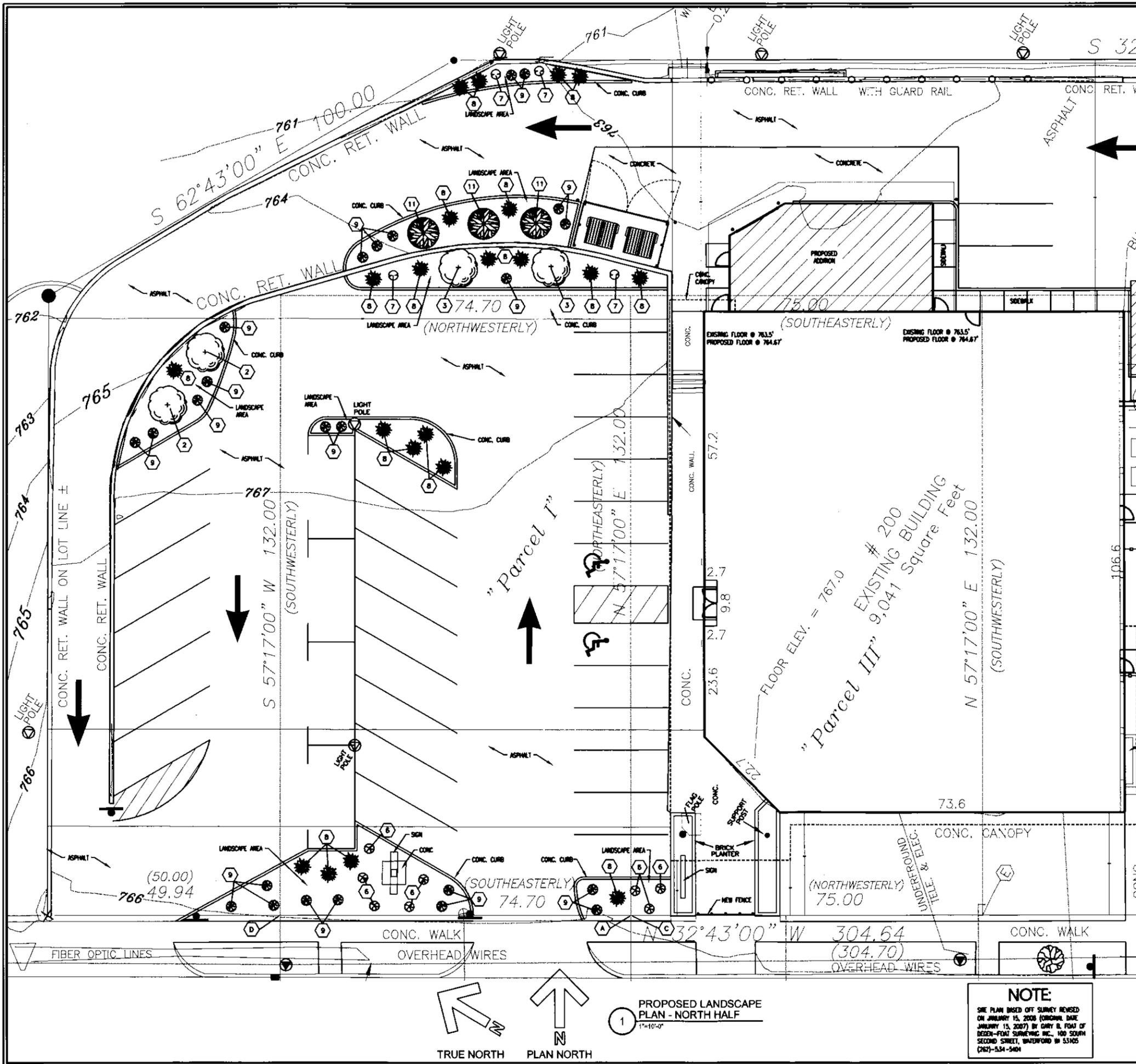
DATE: 1-17-17

PROJECT NUMBER: 16014

SHEET NUMBER: AS101

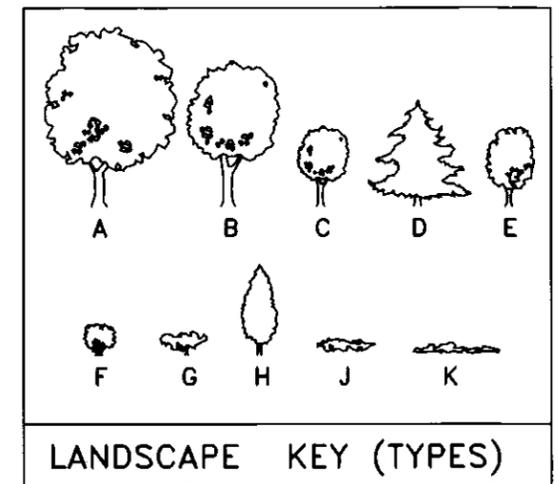
3 OF 8

NOTE
 GENERAL CONTRACTOR TO DISTRIBUTE
 ALL SHEETS IN SET TO SUBCONTRACTORS!
 DO NOT DISTRIBUTE PARTIAL SETS



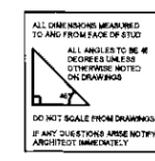
PLANTINGS KEY - NORTH HALF:

SYMBOL	PLANTING SIZE	BOTANICAL NAME	COMMON NAME	CONIFEROUS DECIDUOUS	QUANTITY	TYPE
1.	3" CALIPER	GLEDITSIA SKYLINER	SKYLINE LOCUST	D	0	A
2.	3" CALIPER	BETULA NIGRA	RIVER BIRCH	D	2	B
3.	3" CALIPER	MALUS X HYBRIDS	FLOWERING CRAB	D	2	C
4.	6'-0"	JUNPERUS SCOPULORUM	MEDORA JUNPER	C	0	H
5.	6'-0"	NIGRA AUSTRIACA	AUSTRIAN PINE	C	0	D
6.	MIN. 24"	HORIZONTALIS HUGHES	HUGHES JUNPER	C	8	K
7.	MIN. 24"	PRUNUS X CISTENA	PURPLE LEAF SAND CHERRY	D	4	F
8.	MIN. 24"	SPIRAEA NIPPONICA	ANTHONY WATER SPIREA	D	21	G
9.	MIN. 24"	SPIRAEA JAPONICA	GOLDBOUND SPIREA	D	24	G
10.	3" CALIPER	ACER SACCHARUM	SUGAR MAPLE	D	0	B
11.	6'-0"	PICEA PUNGENS GLAUCA	COLORADO BLUE SPRUCE	C	3	D



EXCAVATE "PLANTING PIT" TWICE THE DIAMETER OF BALL AND 6" GREATER IN DEPTH. LOOSEN SUBSOIL WITH PICK TO ENSURE POROSITY. PLACE 6" PEAT MOSS IN PLANTING PIT AND TRAMP. PLACE TREE IN PLANTING PIT AND REMOVE OVERLAP FROM HALF OF BALL. BACKFILL WITH MIXTURE OF 1/3 PEAT MOSS 2/3 TOP SOIL IN 9" LAYER. WATER EACH LAYER UNTIL SETTLED. WATER STAKE TO HEIGHT OF LOWEST BRANCH AT SIDE OF TREE. BIND TRUNK WITH PAPER TAPE TO FIRST BRANCH. SECURE TO STAKE WITH RUBBER HOSE AND CUT WIRE. FORM 5" DEEP SAUCER TO ENCLOSE SHOULDER. FILL SAUCER WITH BARK CHIP MULCH. WATER TWICE FIRST DAY, EVERY OTHER DAY FOR TWO WEEKS, THEN TWICE A WEEK FOR TWO MONTHS.

***GROUND LINE SHOULD BE SAME AS AT NURSERY.**



NOTE:
 SHE PLAN BASED OFF SURVEY REVISED ON JANUARY 15, 2008 (ORIGINAL DATE JANUARY 15, 2007) BY GARY B. FOAT OF DEGEN-FOAT SURVEYING INC., 100 SOUTH SECOND STREET, WATERFORD WI 53105 (262)-534-5404

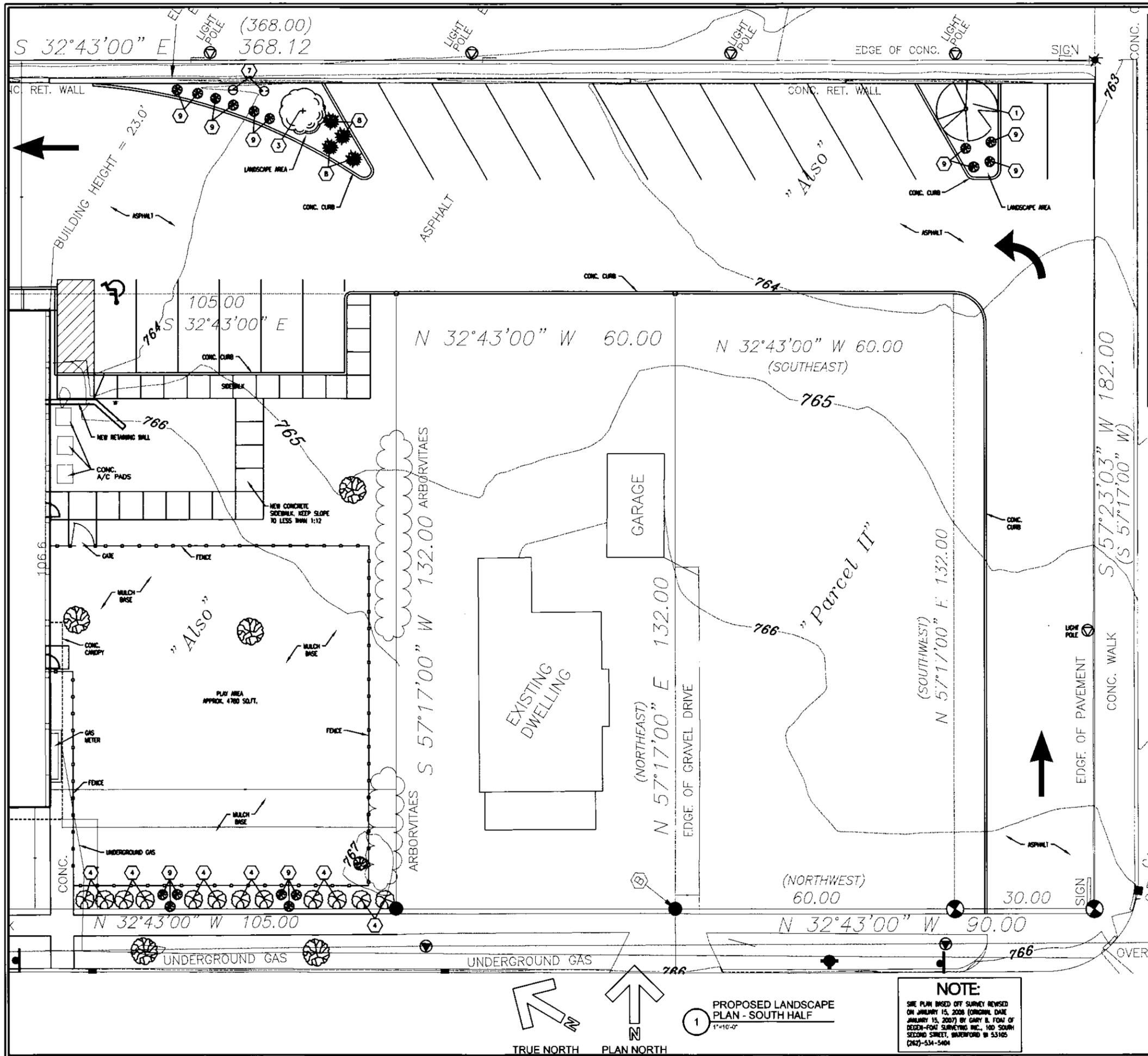
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PROJECT DESCRIPTION: INTERIOR REMODEL
 PROJECTOR: VILLAGE CLEAN
 200 S. PINE ST. BURLINGTON, WI 53105

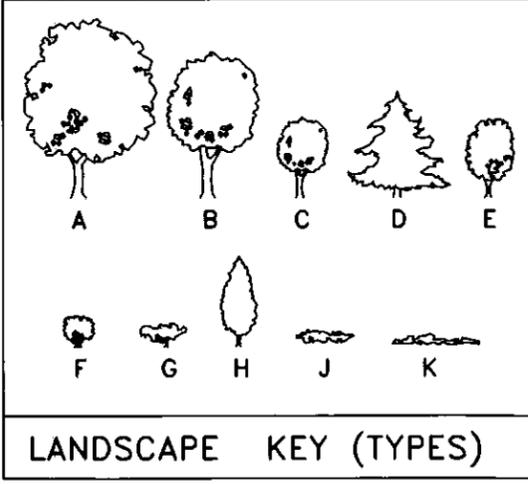
PROPOSED LANDSCAPE PLAN - NORTH HALF

REVISIONS:
 APPROVED:
 DRAWN BY: CR
 DATE: 1-17-17
 ARCHITECTS PROJECT NUMBER: 16014
 SHEET NUMBER: AL100
 4 OF 8



PLANTINGS KEY - SOUTH HALF:

SYMBOL	PLANTING SIZE	BOTANICAL NAME	COMMON NAME	CONIFEROUS/DECIDUOUS	QUANTITY	TYPE
1.	3" CALIPER	GLEDITSIA SKYLINER	SKYLINE LOCUST	D	1	A
2.	3" CALIPER	BETULA NIGRA	RIVER BIRCH	D	0	B
3.	3" CALIPER	MALUS X HYBRIDS	FLOWERING CRAB	D	1	C
4.	6'-0"	JUNIPERUS SCOPIULORUM	MEDORA JUNIPER	C	12	H
5.	6'-0"	NIGRA AUSTRACA	AUSTRIAN PINE	C	0	D
6.	MIN. 24"	HORIZONTALIS HUGHES	HUGHES JUNIPER	C	0	K
7.	MIN. 24"	PRUNUS X DISTENA	PURPLE LEAF SAND CHERRY	D	2	F
8.	MIN. 24"	SPIRAEA NIPPONICA	ANTHONY WATER SPIREA	D	4	G
9.	MIN. 24"	SPIRAEA JAPONICA	GOLDMOUND SPIREA	D	16	G
10.	3" CALIPER	ACER SACCHARUM	SUGAR MAPLE	D	0	B
11.	6'-0"	PICEA PLUNGENS GLAUCA	COLORADO BLUE SPRUCE	C	0	D



EXCAVATE "PLANTING PIT" TWICE THE DIAMETER OF BALL AND 6" GREATER IN DEPTH. LOOSEN SUBSOIL WITH PICK TO ENSURE POROSITY. PLACE 6" PEAT MOSS IN PLANTING PIT AND REMOVE BURLAP FROM HALF OF BALL. GRABBLE WITH NUMBER OF 1/3 PEAT MOSS 2/3 TOP SOIL IN 6" LAYER. WATER EACH LAYER UNTIL SETTLED. WATER LONGER TO HEIGHT OF LOWEST BRANCH AT SIDE OF TREE. WRAP TRUNK WITH PAPER TAPE TO FIRST BRANCH. SECURE TO STAKE WITH RUBBER HOSE AND CUT WIRE. FORM 6" DEEP SAUCER TO ENCLOSE SPOCK. FILL SAUCER WITH BARK CHIP MULCH. WATER TWICE FIRST DAY, EVERY OTHER DAY FOR TWO WEEKS, THEN TWICE A WEEK FOR TWO MONTHS.

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***GROUND LINE SHOULD BE SAME AS AT NURSERY.**



NOTE:
SITE PLAN BASED OFF SURVEY REVISION ON JANUARY 15, 2008 (FORMING DATE JANUARY 15, 2007) BY GARY B. FOUL OF DEGEN-FOUL SURVEYING INC., 140 SOUTH SECOND STREET, WAUWATONIA WI 53190 (262)-534-5404

NOTE:
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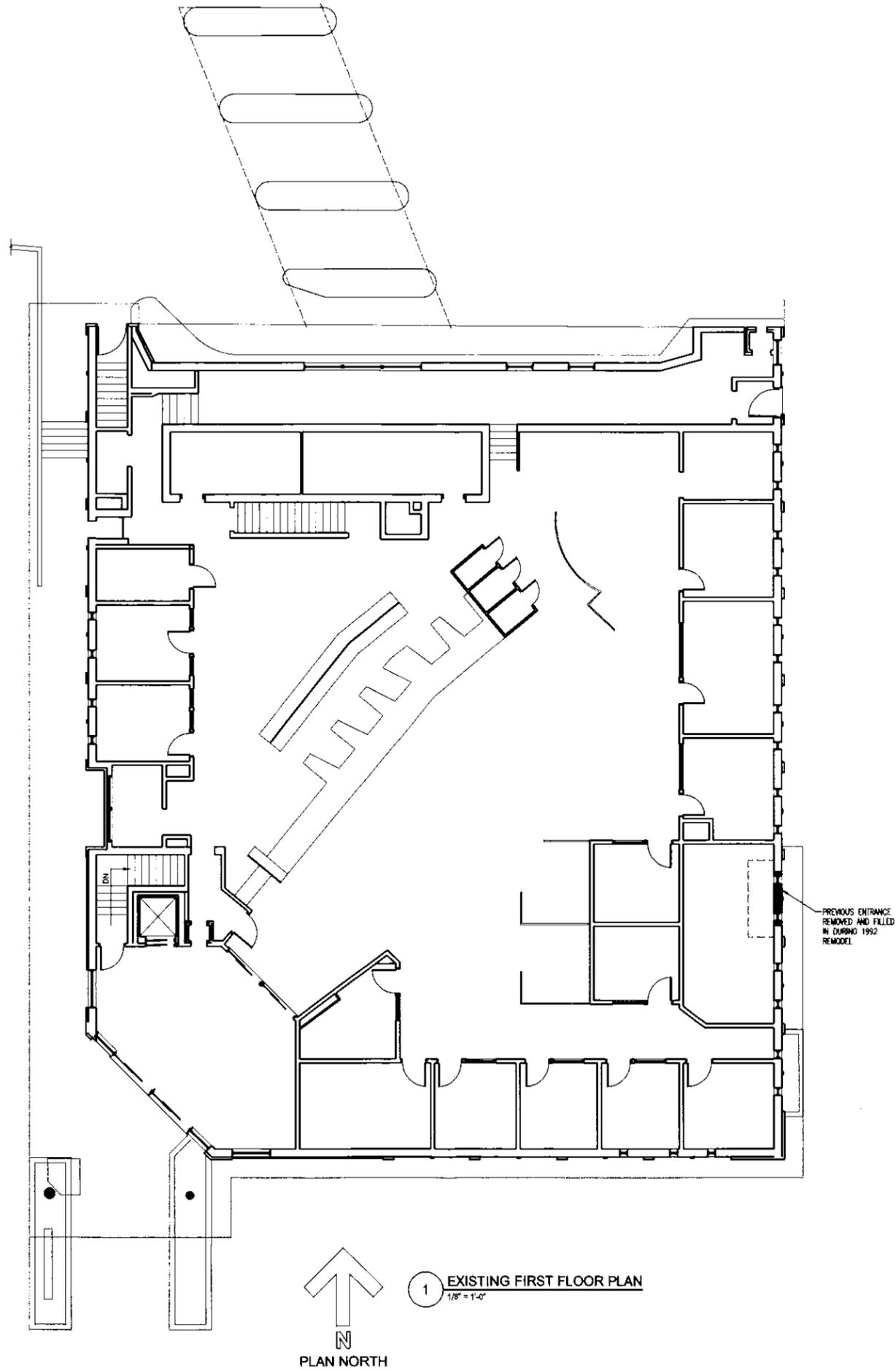
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INTERIOR REMODEL
VILLAGE CLEAN

PROPOSED LANDSCAPE PLAN - SOUTH HALF

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APPROVED:
DRAWN BY: CR
DATE: 1-17-17
ARCHITECT: PROJECT NUMBER: 16014
SHEET NUMBER: AL101
5 OF 8



1 EXISTING FIRST FLOOR PLAN
1/8" = 1'-0"

PLAN NORTH

NOTE
GENERAL CONTRACTOR TO DISTRIBUTE
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ALL DIMENSIONS MEASURED TO AND FROM FACE OF STUD
ALL HOLES TO BE AS SHOWN UNLESS OTHERWISE NOTED ON DRAWINGS
DO NOT SCALE FROM DRAWINGS
IF ANY QUESTIONS ARISE NOTIFY ARCHITECT IMMEDIATELY

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BURLINGTON, WI 53105
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PROJECT DESCRIPTION:
INTERIOR REMODEL
PROJECT FOR:
VILLAGE CLEAN
200 S. PINE ST.
BURLINGTON, WI 53105

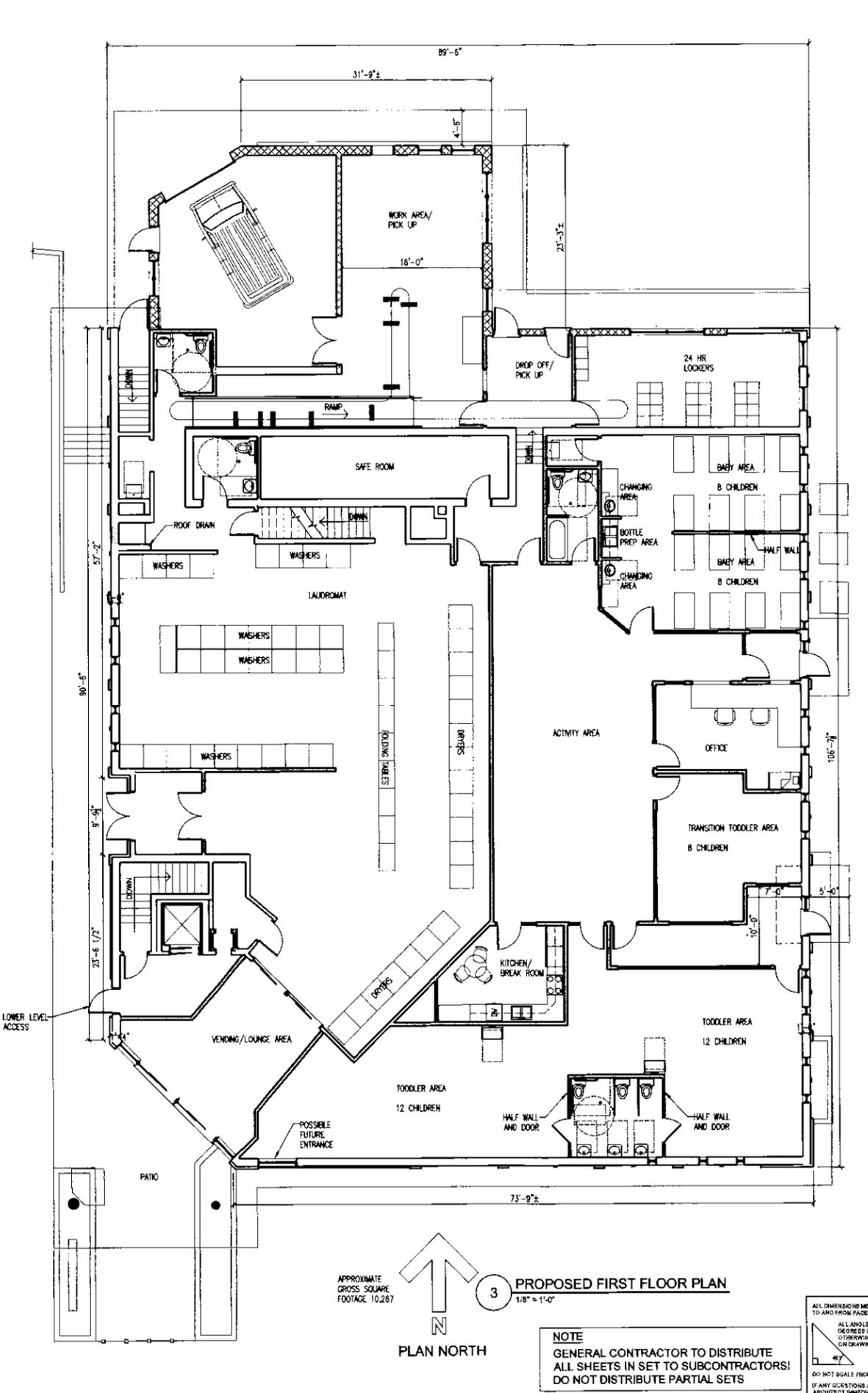
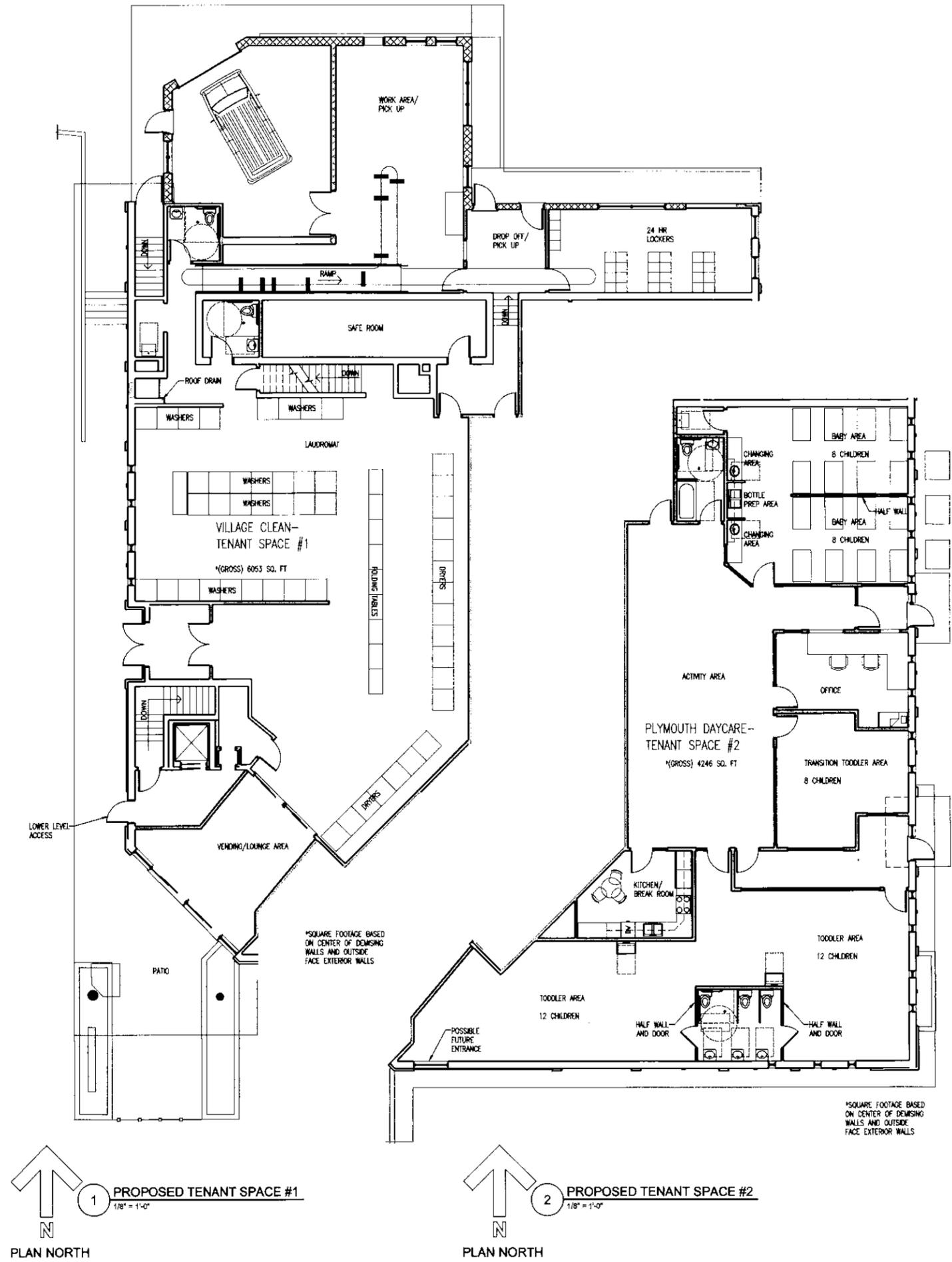
DRAWING DESCRIPTION:
EXISTING FIRST FLOOR PLAN

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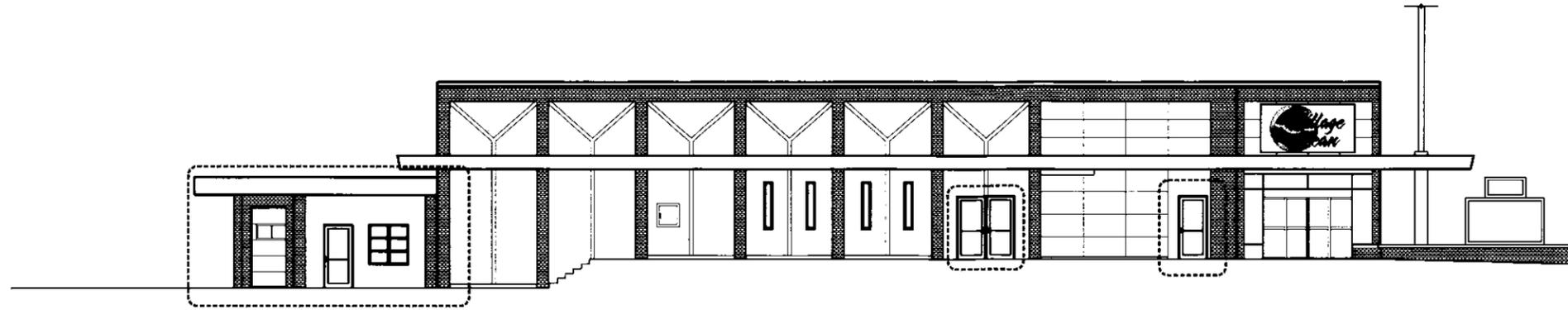
REVISIONS:
APPROVED:
DRAWN BY: CR
DATE: 1-17-17
ARCHITECTS PROJECT NUMBER: 16014
SHEET NUMBER: **A100**
6 OF 8

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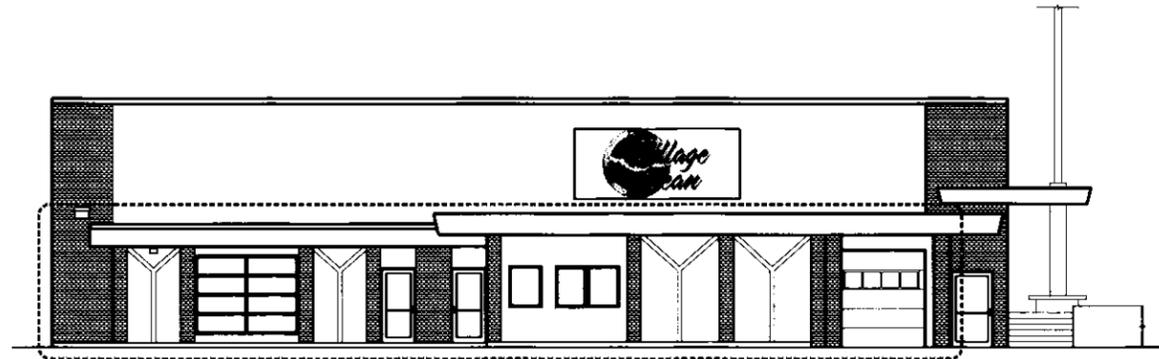
REVISIONS:
APPROVED:
DRAWN BY: CR
DATE: 1-17-17
ARCHITECTS PROJECT NUMBER: 16014
SHEET NUMBER: A101



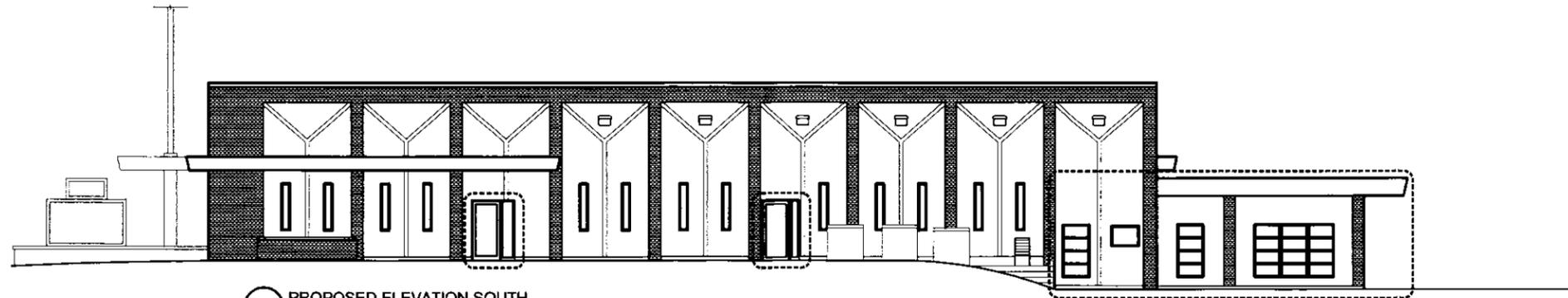
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 ALL ANGLES TO BE AS SHOWN UNLESS OTHERWISE NOTED ON DRAWINGS.
 DO NOT SCALE FROM DRAWINGS IF ANY QUESTIONS ARISE NOTIFY ARCHITECT IMMEDIATELY.



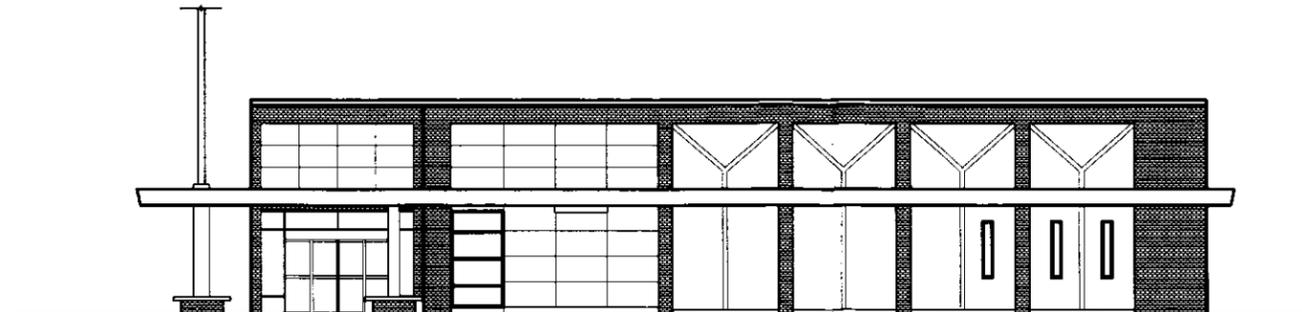
1 PROPOSED ELEVATION-NORTH
1/8" = 1'-0"



2 PROPOSED ELEVATION-EAST
1/8" = 1'-0"



3 PROPOSED ELEVATION-SOUTH
1/8" = 1'-0"



4 PROPOSED ELEVATION-WEST
1/8" = 1'-0"

NOTE
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ALL ANGLES TO BE 45
DEGREES UNLESS
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ARCHITECTS, LTD.**
181 W. CHESTNUT STREET
BURLINGTON, WI 53108
TELEPHONE: (262) 793-8723 FAX: (262) 793-4871

PROJECT DESCRIPTION:
INTERIOR REMODEL
PROJECTOR:
VILLAGE CLEAN
200 S. PINE ST.
BURLINGTON, WI 53105

DRAWING DESCRIPTION:
**PROPOSED EXTERIOR
ELEVATIONS**

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DATED: 1-17-17
ARCHITECTS:
PROJECT NUMBER: 16014
SHEET NUMBER:

A200
8 OF 8



PLAN COMMISSION

ITEM NUMBER: 8C

DATE: February 14, 2017

SUBJECT: Consideration to approve a Conditional Use Permit (CUP) Review for 500 W. Market Street (Cretex Materials, Inc.).

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

Staff requests the Plan Commission review a Conditional Use Permit (C.U.P.) for Cretex Materials, Inc. (former J.W. Peters), located at 500 W. Market Street. The C.U.P. was originally issued on June 20, 1994 and last reviewed on October 14, 2014 with an extension of two years. Staff recommends approval of another extension of the C.U.P. for the period of one year, per Plan Commission recommendation.

ZONING:

The parcel is zoned M-2, General Manufacturing.

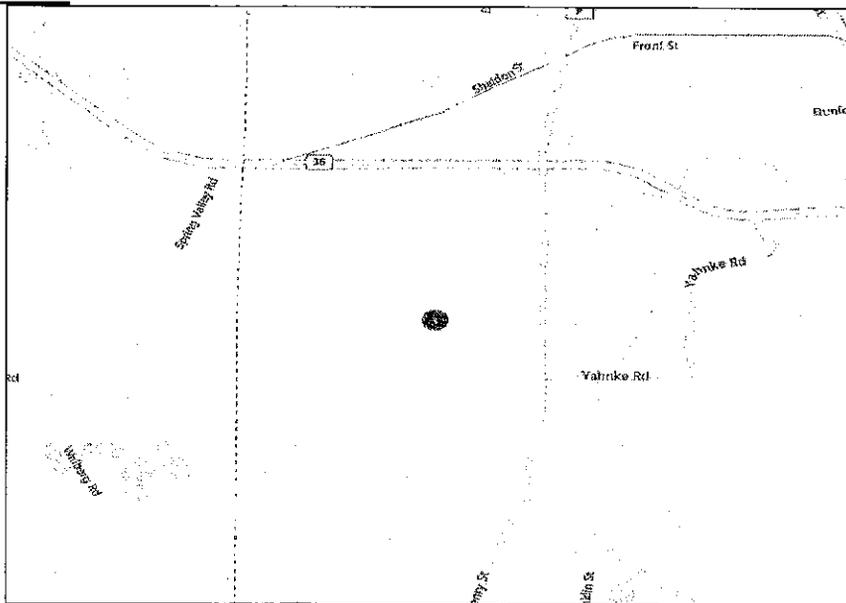
RECOMMENDATION:

Gregory Guidry recommends approval of this Conditional Use Permit extension, subject to items listed in his January 31, 2017 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the February 14, 2017 Plan Commission meeting. No further action is necessary.

MAP:





CITY OF BURLINGTON

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

January 31, 2017

To: City of Burlington Plan Commission

From: Gregory Guidry, Building Inspector/Zoning Administrator

J. W. Peters was given approval for a Conditional Use to operate a mineral extraction operation on February 21, 1994 and modified on January 14, 2003 to include a Single-Family Residential Development. The mineral extraction business was sold to Cretex Materials who is the current owner of the site. This Conditional Use Permit is to be reviewed annually by the Plan Commission. This report serves as my annual review and recommendation.

On January 10, 2017, I went to the Cretex site and pit area with Carl Beck, the owner of Cretex. This was my first time visiting the site and pit. This review is a more detailed observation of my drive through. Listed below are suggestions and recommendations of areas of concern and areas that need updating after all these years. They are listed in order based upon the J.W. Peters Conditional Use Permit letter from June 20, 1994 as follows:

- #2. **Excavation** - Cretex is currently in Phase III of the Conditional Use Permit, so an update of the excavation and restoration up to 2017 should be submitted.
- #3. **Set backs** - There has been a complaint regarding tree clearing along the property line of the Thomsen property 200 feet buffer zone. There has been a clear cut of all trees and shrubs up to the property line, photos are on file. I will be communicating with Cretex to get a better understanding as to why this took place. Mr. Beck informed me that they are required to have an emergency access road around the pit, which makes since, but I am not sure why that should eliminate the trees buffer zone (see item 36).
- #7. **Wells** - Cretex informed me that they recently installed two new wells and one septic holding tank. One well is located in the City and one is in the Town. One of these wells and the septic holding tank are for the site job office, but were installed on City property without City permission. I will wait on City Council and legal counsel for direction.
- #8. **Base limit** - This condition directly addresses the depth/elevation of Phase I from 1994. We are currently in Phase III and the year 2017. We should be updated to any possible changes in previous approved elevations. Item #16 permits this request.
- #17. **As built** - Cretex should update City records by submitting a current "as built" survey.

- #20. **Stormwater** - I will work with the City Engineer to look into the approved stormwater drainage and detention system to make sure that all drainage stays on this property as required.
- #25. **Operations Plan** - An updated operations plan should be submitted to keep the City informed with the daily and future works of the site. This can be compared to the approved Conditional Use of 1994.
- #31. **Detention Areas** - I will be working with the City Engineer to review the 1994 submitted storm-water plan to make sure all stages are being followed.
- #36. **Buffer Zone** - As mentioned in item #5, this also pertains to the complaint of activity and clearing of the buffer zone. Number 36(e) reads that the access road may cross the buffer zone, it does not mention run along the buffer zone.
- #38. **Aerial Photograph** - This condition requires an updated aerial photo submitted to the City annually. This is important this year due to the complaint of the clear cutting taking place in the buffer zone.

Recommendation:

I feel that the Plan Commission should renew the Conditional Use Permit to Cretex for another year with the condition that the following items are submitted to the City:

- 1) A current aerial photo showing the recent clear cutting with the property lines imposed so we can see the clearing in relation to the property line. This should include the measurement of the width of the clear cut that appears to be in the buffer zone.
- 2) A current survey with the progression phases identified, the restoration areas, the detention ponds, the elevations, the approved slopes where appropriate and the well locations.
- 3) A current stormwater management plan with all necessary information for our City Engineer to verify that the City requirements are being met.
- 4) A current set of "as built" plans and an updated operations plan of all future extractions.

COPY



City of Burlington

City Hall - 300 N. Pine Street
Burlington, Wisconsin 53105-1435
Phone: (262) 342-1161 Fax: (262) 763-3474
www.ci.burlington.wi.us

June 20, 1994

Mr. John Nanna, President
J. W. Peters and Sons, Inc.
34212 Market St.
P. O. Box 160
Burlington, WI 53105

RE: J. W. Peters Conditional Use Permit

Dear Mr. Nanna:

On February 21, 1994, the Plan Commission of the City of Burlington approved your request for a conditional use permit for the mineral extraction operation you have proposed on the land fully described in Exhibit A of this document. This request was approved subject to your compliance with the following conditions by the City of Burlington:

1. The Conditional Use Permit is for a multi-phase operation which will be initially issued for a one (1) year period and must be reviewed and extended annually by the Plan Commission.
2. The excavation for Phase I shall take place in accordance with the site plan submitted on February 10, 1994.
3. The set back on the Phase I parcel will be 200 feet as shown on the grading plan prepared by Howard, Needles, Tammen and Bergendoff (HNTB) dated July 1, 1993.
4. You shall plant in the setback on the Thomsen/Cerami parcels in 1994, the trees and shrubs described in the attachment prepared by Scott Erickson of Rustic Road Landscaping. Some of these are to be replanted from excavated areas

and others transplanted from off site. Plantings and transplanted trees shall be reasonably maintained and watered for survival.

5. Any endangered plant species, in any area to be excavated, will be transplanted in the setback (buffer zone.) The Plan Commission will review protection of "threatened" plant species for all future phases of operation after Phase I.
6. The wetlands area (not to be disturbed) and the North prairie lands consisting in total of about 30.5 acres will be restored as shown on plans prepared by HNTB entitled Conceptual Development Plan for Residential Development, dated 10-30-02. Master Land Use Plan or as otherwise agreed to as part of the Conditional Use Permit process.

Additional area for Storm Water Management will be accommodated in the area designated as "LAKE" on the Conceptual Development Plan for Residential development prepared by HNTB and dated 10-30-02.

~~An additional approximately 40 acres will be restored to storm water management area and prairie within the interior as shown on plans prepared by HNTB entitled Conceptual Master Land Use Plan.~~

7. You shall repair or replace any existing well or any well drilled during the excavation period damaged as a result of the excavation, provided the well is located within 1500 feet of the Peters property line, and:
 - a. The owner of an existing well allows representatives of your company to inspect and test the well prior to the excavation, or
 - b. The owner of any well drilled during the excavation notifies J. W. Peters Company at the time of the completion of the drilling thereof, and allows the company to inspect the same to determine its condition.
8. The base limit to which excavation may occur in Phase I is established at an elevation of 800 feet, USGS datum. As a part of the City's Conditional Use permit review, the base limit of excavation for subsequent phases of excavation will be 775-780 feet USGS datum, dependent on material quality. ~~Established based upon information submitted by J. W. Peters and Sons, Inc. to the City Planning Commission as to the water table elevation for that phase of the proposed excavation, which excavation shall be limited to a depth of a minimum of twenty feet above the existing water table elevation.~~
9. There will be no blasting on the site.
10. All overburden shall be stockpiled on the subject property for future use in the restoration of the property. Stock piled overburden shall be covered with a temporary seeding within seven days after formation and shall have side slopes not steeper than 3:1.

11. No washing of materials will take place on the subject property.
12. Equipment to be used in this project shall be limited to conveyors, crushers, tool trailers, end loaders and trucks.
13. No materials will be hauled off the subject property over public roads. All materials will be removed off the subject property by covered conveyor. Until restoration is commenced, any access road to Highway P shall be used for: (a) personnel and equipment traveling to and from the excavation for the set up and operation of the excavation and transportation of materials by conveyor to the Peters plant; (b) personnel and equipment to complete planting and replanting in the buffer areas of shrubs and trees and the maintenance thereof; (c) transportation of conveyor and related crushing equipment, including front end loaders, tool trailers and trucks to be used on the excavation site; and, (d) personnel and equipment for stripping and restoration.
14. An irrevocable letter of credit, written to the City of Burlington in the amount of \$60,000 (computed at the rate of \$3,000 per disturbed acre) shall be supplied by J. W. Peters & Sons, Inc. Such letter of credit shall be provided prior to issuance of the Conditional Use Permit in form and content as approved by the City Attorney. The restoration letter of credit will be based on a phased operational plan, as outlined in paragraph No. 15 below, with the letter of credit amount computed upon the area in the phase which will be disturbed, which shall include any roads in the project. Upon completion of restoration and approval of said restoration by the City of Burlington, which approval shall not be unreasonably withheld, the Letter of Credit may be reduced by 80% of the original value. The Letter of Credit remaining of 20% will be retained as a guarantee that the security for a twelve month period to guarantee that the restoration improvements remain in good and sound condition.
15. Restoration shall include sloping and grading to a 3:1 side slope or flatter and seeding and/or sodding at the discretion of J. W. Peters of all the disturbed area. Restoration of each phase shall be completed in the planting season following excavation and finished grading.
16. The City of Burlington shall reserve the right to require, within thirty (30) days notice, a complete set of elevations, including the bottom of the excavation grades. These elevations must be taken by a registered land surveyor or professional engineer. This operation shall not occur below the grade shown on the submitted restoration plan.
17. The applicant shall provide the City of Burlington with any as built survey for each phase within 12 months after restoration is completed.

18. The Zoning Administrator or designee may enter the subject property in order to inspect and to ascertain compliance with all conditions or to investigate an alleged violation. Said inspections can occur whenever deemed appropriate by the City, but at a minimum will occur on a quarterly schedule. Unless the operation is in reasonable compliance with the terms of the Conditional Use Permit, such permit is subject to amendment or revocation.
19. All excavation and phase boundaries shall be staked or otherwise marked and may be inspected by the Zoning Administrator prior to commencing operations. Stakes shall be made of steel, fiberglass or other suitable materials as determined by the Zoning Administrator.
20. Storm water drainage shall be contained within the boundary of this property or the adjacent J. W. Peters property.
21. J. W. Peters shall be responsible for control and/or cutting of noxious weeds in compliance with the City of Burlington Weed Ordinance.
22. This operation shall conform to the State of Wisconsin air pollution control regulations.
23. J. W. Peters shall be responsible for obtaining all necessary federal, state and local permits, approvals and licenses.
24. All exterior lighting shall be arranged, oriented, or shielded in such a manner that direct radiation or glare from such source does not penetrate adjacent or nearby parcels or the public right of way. The source of such illumination shall be arranged, oriented or shielded in a manner which will not endanger the safety of pedestrian or vehicular traffic.
25. For all future phases, an operations plan shall be submitted to the City for review and approval at least 90 days prior to commencing operation. This plan shall include a plan view drawing and a description of the sequential stages of mining. The drawing shall show the location of the phase boundary stakes and the location and extent of the mining site to include but not be limited to mining refuse dumps, sediment ponds, sediment basins, stock piles, structures, erosion control, roads, utilities and other permanent or temporary facilities used in mining. Also a timetable for the commencement, duration and cessation of mining operations, and if seasonal operations are intended, the months of operation shall be identified.
26. This operation shall not discharge, or permit the discharge of any treated, untreated, or inadequately treated liquid, gaseous, or solid materials of such nature, quantity, obnoxiousness, toxicity, or temperature that might

COPY

- run off, seep, percolate, or wash or be harmful to human, animal, plant or aquatic life.
27. No sediment or other solid material shall be permitted to be transported off this site and deposited in any wetland areas or onto abutting properties.
 28. Dust control shall be established on all internal haul roads. Dust palliative must be D. N. R. approved. The applicant shall take appropriate measures to control dust during crushing operations in accordance with State and Federal requirements.
 29. Silt fences shall be installed as shown on the restoration plan prior to earth disturbances in those areas. These silt fences shall be maintained until those areas are reestablished in a vegetative cover.
 30. All finished slopes of the project shall be 3:1 or flatter. The restoration of this site shall have the overburden material replaced and covered with a minimum of three inches of soil cover prior to seeding and mulching.
 31. Direct all surface water to the detention areas as shown on the plan. These detention areas shall be designed to contain the volume of water that would be produced from a 25 year rainfall. Keep all sediment from leaving these sites and detention areas. Additional measures may be required to protect the wetlands.
 32. No direct access road to this site from C.T.H. "P" will be used for excavated material hauling. All excavated material will be transported via conveyor. There shall be no more than two access roads from C.T.H. "p" (McHenry Street) allowed as a condition of this permit. A third access road from the north, from private property, is also permitted to service the conveyor, as well as to haul personnel and equipment. These access roads for employees and equipment shall be maintained in an all-weather, dust-controlled condition.
 33. All detention areas should have 3:1 side slopes or flatter and be fenced with warning signs around these ponds.
 34. All noise shall be so muffled or otherwise controlled so as to meet City of Burlington noise regulations.
 35. As Phases 2, 3, and 4 are completed and after completion of the restoration, required by conditional use permits issued by the City, that part of the Cerami/Thomsen parcels included in the completed phase area and as indicated in the Park Map, attached hereto shall be conveyed to the City by Peters

pursuant to s. 27.08(2)(b) Wis. Stats. The City shall have the option to accept or reject such conveyance in part or in total. In the event that the City elects not to accept a conveyance of all or part of the proposed park, Peters shall cause a restrictive covenant to be recorded on said lands excluding any development thereon except for its use as a recreation area for residents of the subdivision in the Thomsen/Cerami parcels. Peters shall not be required to transfer any land required to provide road access and utilities to the Thomsen/Cerami parcels.

36. There shall be no activity and no equipment in the buffer zone except:
 - a. Planting, transplanting and maintenance of trees and shrubs;
 - b. As may be required for restoration after a phase of excavation is completed;
 - c. In the prairie land there will be stock piling of materials and temporary equipment storage;
 - d. A conveyor and the equipment necessary to install and maintain it; and
 - e. Access roads crossing the buffer zone.
37. Hours of operation shall not exceed 6:00 a.m. to 6:00 p.m., Monday through Friday; there shall be no excavation, rushing, or processing on Saturdays, Sundays or holidays.
38. In the Fall of 1994, the applicant shall have an aerial photograph taken of the entire parcel of land controlled under this Conditional Use Permit from directly overhead and provided to the City. A similar photograph shall be submitted each year that the Conditional Use Permit is in effect.
39. Prior to receipt of approval of an operational plan for Phases 2, 3 and 4, no activities in Phases 2, 3 and 4 shall occur except:
 - a. Selective logging to remove mature, diseased or dead trees; and
 - b. Construction and use of the permitted access roads

No additions, deletions, or changes may be made to these conditions without the prior approval of the City of Burlington.

Failure to comply with the terms and conditions stated herein may result in the issuance of citation(s) and/or amendment or revocation of this permit.

COPY

Your accepting the conditional use permit and beginning the project means that you have read, understand and agree to follow all conditions of this approval. Therefore, J. W. Peters and Sons, Inc., its officers, heirs, successors and assigns are responsible for full compliance with the above conditions.

Sincerely,

CITY OF BURLINGTON

Jack Daams
Zoning Administrator

JD/MK/jmm

cc: Lloyd, Phenicie, Lynch and Kelly, S. C.
City Attorney Tom Dolatowski

40. Prior to this development proceeding and before any excavation below the normal water level of the lake can begin, J. W. Peters shall submit a plan to the City of Burlington and any other applicable governmental agency to insure ground water quality and the surface water quality of the lake.

41. This Conditional Use Permit does not imply approval of any rezoning or platting for the property. At the time of platting J. W. Peters shall:

- a. Meet all current storm water detention, retention and water quality regulations
- b. Comply with all City roadway, sanitary sewer, and water facilities construction specifications

- c. Provide the City with a maintenance agreement for all private roadways and open space areas of the subject property.
- d. Agree to pay a prorated share (based upon road frontage along C.T.H. "P"/McHenry Street) of the extension of public sanitary sewer and/or water main facility costs along C.T.H. "P"/McHenry Street.
- e. Comply with all City, County, State and Federal regulations governing development of the type illustrated in Exhibit "A" (dated 10/30/02).