



Minutes
City of Burlington Plan Commission
June 12, 2018, 6:30 p.m.

Mayor Jeannie Hefty called the Plan Commission meeting to order at 6:30 p.m. Roll call: Alderman Bob Grandi; Commissioners Chad Redman; John Ekes; and Art Gardner were present. Alderman Tom Preusker and Commissioner Andy Tully were excused.

APPROVAL OF MINUTES

Alderman Grandi moved, and Commissioner Ekes seconded to approve the minutes of May 8, 2018. All were in favor and the motion carried.

LETTERS & COMMUNICATIONS

Commissioner Ekes moved, and Commissioner Redman seconded to accept a letter as presented from Commissioner Tully.

CITIZEN COMMENTS

None

OLD BUSINESS

None

NEW BUSINESS

A. Public Hearing to hear public comments regarding a Conditional Use application from Burlington Fireplace & Solar for property located at 857 Milwaukee Avenue, to engage in the display and retail of outdoor merchandise.

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

Commissioner Redman moved, and Commissioner Ekes seconded to close the Public Hearing at 6:32 p.m.

All were in favor and the motion carried.

B. Consideration to approve a Conditional Use application from Zach Acker of Burlington Fireplace & Solar for property located at 857 Milwaukee Avenue, to engage in the display and retail of outdoor merchandise, subject to Graef's June 5, 2018 and Fire Department's May 2, 2018 memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.

- Tanya Fonesca, Graef, explained there are two Conditional Use applications; one is for the outdoor display in front of the primary building, and the second one is for the display in front of the proposed building.
- Richard Hendrickson, Sr. owner, explained the outdoor display is for high-end outdoor kitchen appliances, Napoleon Fireplaces, etc. The displays will be outside in front of the building for a hands-on experience under a canopy, plus be used for possible future competition cooking events. The interior of the cold storage building will have appliances i.c. grills, fireplaces, and fire pit tables for purchase and take home. Gregory Guidry, Building Inspector, asked if the grills were operational. Mr. Hendrickson replied the grills will not be permanently operational. Commissioner Ekes questioned if the current outdoor display has been running under a Conditional Use. Mr. Guidry responded the Conditional Use has not been approved, the City is trying to clean up paperwork.
- Jack Reesman, resident, asked if there will be a solar display underneath the canopy. Mr. Hendrickson replied there are already solar panels, so there will not be any more, unless they are put on the top of the building.
- Mr. Guidry was asking what specific type of products would be on display. Mr. Hendrickson stated it would be code compliant, and everything that is currently hooked-up is hard pipe gas. Alderman Grandi clarified that no additional structures will be built at this time. Mr. Hendrickson replied, only the front canopy area.
- Alderman Grandi stated he would like to hear the whole story as to why the building was built prior to approval before making a decision on the Conditional Use Permit. Commissioner Ekes commented he would like to move onto the next item and come back to this later.
- There were no further comments.

C. Public Hearing to hear public comments regarding a Conditional Use application from Burlington Fireplace & Solar for property located at 857 Milwaukee Avenue, for the construction and occupancy of a 6,800 square foot storage building.

- Mayor Hefty opened the Public Hearing at 6:40 p.m.
- Mr. Hendrickson stated the addition is approximately 2,700 square feet and not 6,800 square feet.
- There were no further comments.

Alderman Grandi moved, and Commissioner Ekes seconded to close the Public Hearing at 6:41 p.m.

All were in favor and the motion carried.

D. Consideration to approve a Conditional Use and Site Plan application from Zach Acker for property located at 857 Milwaukee Avenue for the construction and occupancy of a 6,800 square foot storage building, subject to Graef's June 5, 2018, Kapur & Associates' May 1, 2018 and Fire Department's April 23, 2018 memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Attorney John Bjelajac explained City personnel was receiving complaints of a metal storage building that was built. The construction was almost completed when Mr. Guidry informed the owner that a building permit was required. A building permit was issued, but the project never came before the Commission for approval prior to construction. The City has the right to enforce zoning codes, and is following up with the correct paperwork. Attorney John Bjelajac further explained a Development Review Committee meeting was held, but the owner/applicant had not come back for further meetings or applications. The owner assumed things were done and approved. Mr. Hendrickson had stated earlier in the meeting that an employee who was responsible for the process to follow through, was no longer working with the company during the middle of the review process. Attorney John Bjelajac stated mistakes were made by both the owner and the City, and to review this project as if the building had not been constructed. Commissioner Redman asked if inspections had been done. Mr. Guidry responded yes, except for the final inspection. Ms. Fonesca stated the Site Plan and outdoor displays are compliant to all City codes.
- Commissioner Gardner was inquiring if the intention will be to black top or pave the driveways and parking lot. Mr. Hendrickson replied yes, everything that is needed to be paved will be.
- Carina Walters, City Administrator, commented that the Fire Department will need to be provided the criteria that is missing, such as what is inside the proposed cold storage building. Fire Chief Al Babe clarified there is no intent for the inside of the building. Mr. Hendrickson responded there will be storage of fireplaces, grills, pallets, and maybe stone at eight feet high. Mr. Babe stated the maximum height is twelve feet.
- Alderman Grandi stated even though it meets the requirements of a pole building, he still receives complaints from citizens. Alderman Grandi further stated he would like to see improvements on how it looks. Mayor Hefty stated Alderman Tom Preusker and herself have received many complaints on the look as well. Mr. Hendrickson stated he plans on putting stone on the building. Attorney John Bjelajac explained the Commissioner could request the owner to come back with a rendering for a better looking building.
- Commissioner Ekes asked if the solar panels in the front were approved. Mr. Guidry answered quite a few years ago, before 2015, there were approved.
- Attorney John Bjelajac stated if this item had come for approval prior to the build, the Commissioners would have asked to see improvements. Mr. Guidry commented since the parking and landscape is approved, the Commissioners should allow the owner to do those. Chief Babe explained he did not want the Conditional Use Permit to include what was be stored inside, only the intended use. Ms. Walters stated the Commissioners could allow the

owner to move forward and pave the parking lot, and sit with staff to discuss what is missing. Mr. Guidry stated that what is expected will be, what is inside and the final appearance.

- There were no further comments.

Commissioner Redman moved, and Alderman Grandi seconded to table the Conditional Uses and Site Plan until the August meeting with a revised rendering of the exterior and what is stored inside, but approve to proceed with asphaltting the parking lot and the landscape plan.

All were in favor and the motion carried.

E. Public Hearing to hear public comments regarding a Conditional Use application from Wisco Automotive, LLC for property located at 496 S. Pine Street, to operate as an automotive repair shop.

- Mayor Hefty opened the Public Hearing at 7:05 p.m.
- There were no comments.

Alderman Grandi moved, and Commissioner Redman seconded to close the Public Hearing at 7:06 p.m.

All were in favor and the motion carried.

F. Consideration to approve a Conditional Use application from Matthew Gums of Wisco Automotive, LLC for property located at 496 S. Pine Street, to operate as an automotive repair shop, subject to Graef's June 5, 2018 memorandum to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Ms. Fonesca, Graef, this is an existing structure and the Conditional Use Permit shall be reviewed yearly. Mr. Guidry stated that the number of vehicles parked at night, and that all vehicles are registered could be conditions on the permit. Matt Gums explained no more than 10 vehicles would be parked overnight. Commissioner Gardner asked how many vehicles can fit inside, and if there is any painting. Mr. Gums answered 2 vehicles fit in the garage, and there will be no painting. Mr. Gums further explained he only repairs cars and light trucks under 1 ton, and will keep this lot clean and not trashy. Commissioner Gardner questioned if there will be fencing. Mr. Gums responded no, since impound lots usually have fencing and not the repair shops. Mr. Gums stated the parking lot spaces will be painted. Mr. Reesman asked if a tow truck will be sitting out. Mr. Gums replied there will be no tows, since they will be contracting out.
- There were no further comments.

Commissioner Redman moved, and Alderman Grandi seconded to approve the Conditional Use to include 10 parking spaces and all vehicles to be registered.

All were in favor and the motion carried.

G. Public Hearing to hear public comments regarding a Conditional Use application from GMX Real Estate Group, LLC for property located at 1054 Milwaukee Avenue, to allow for a drive-thru window, and also two outdoor seating areas.

- Mayor Hefty opened the Public Hearing at 7:17 p.m.
- There were no comments.

Commissioner Ekes moved, and Commissioner Gardner seconded to close the Public Hearing at 7:18 p.m.

All were in favor and the motion carried.

H. Consideration to approve a Conditional Use and Site Plan application from Andrew Goodman for property located at 1054 Milwaukee Avenue, to allow for a drive-thru window, two outdoor seating areas, and construct a 6,200 square foot multi-tenant commercial building, subject to Graef's April 3, 2018, Kapur & Associates' April 3, 2018 and Fire Department's April 4, 2018 memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Ms. Fonesca explained the applicant is applying for a Certified Survey Map to purchase nearby outlot to have the existing property meet the City's dimensions. There will be 3 tenants, one which is a restaurant with a patio. The parking lot will be shared with the other businesses. The applicant is requesting a variance for the parking spaces, landscaping and additional signage.
- Representatives from GMX Real Estate Group, LLC gave a presentation. Mike Colombo, representative, showed the landscape plan, the drive-thru is around the back, the second seating area is on the opposite side of the building, and the proposed ground sign location. Mr. Colombo stated there is a sign band in case businesses change.
- Mayor Hefty asked if all their buildings, including in Illinois, have the same design. Andy Goodman, representative, responded the buildings are tailored a little differently, but the same materials are used. Mr. Guidry questioned if there is a parapet wall so the air conditioning unit will not be seen. Mr. Colombo replied yes, it will be hidden. Commissioner Redman asked if the brick color was a set choice, since the City has a predominant brick color. Mr. Goodman responded that if buildings can be pointed out, they will do their best to match the others. Alderman Grandi asked how the construction grade compares to the drawings on the letter from Commissioner Tully. Alderman Grandi further mentioned that the letter states a higher grade design is being requested. Mr. Goodman stated the design can be changed to meet the height of parapet walls to be code compliant. Commissioner Ekes commented he wanted to make sure the lighting poles height are at the right height, because when the Walmart lights were installed there was a big discussion. Mayor Hefty stated new lights had been installed by the owner of Big R recently. Commissioner Ekes further

commented that he has heard many times before that the parking lots between Kohl's and Big R will be connecting, but is very excited.

- Ms. Walters questioned what would happen if she wanted to leave the drive-thru lane for any reason. Mr. Goodman explained that there is always an escape route, however, in this case the landscape would have to be shortened. Commissioner Ekes would agree to have less landscape to allow for an escape route. Alderman Grandi asked how much landscape would be given up. Ms. Fonesco responded a very small percentage. Commissioner Ekes asked if Big R had any problems regarding the new sign blockage. Joe Devorkin, Big R owner, responded no, the new monument sign is not blocking the existing one. Commissioner Ekes stated he approves, as long as the applicant looks at surrounding businesses for brick color, has less landscape for an escape route, and shares the parking lot with surrounding businesses.
- There were no further comments.

Commissioner Ekes moved, and Commissioner Gardner seconded to approve the Conditional Use and Site Plan for 1054 Milwaukee Avenue.

All were in favor and the motion carried.

I. Public Hearing to hear public comments regarding a Conditional Use application from Joshua and Bethany Fiegel for property located at 732 S. Kane Street, to operate as an automotive repair shop.

- Mayor Hefty opened the Public Hearing at 7:50 p.m.
- There were no comments.

Alderman Grandi moved, and Commissioner Redman seconded to close the Public Hearing at 7:51 p.m.

All were in favor and the motion carried.

J. Consideration to approve a Conditional Use application from Joshua and Bethany Fiegel for property located at 732 S. Kane Street, to operate as an automotive repair shop, subject to Gregory Guidry's June 5, 2018 memorandum to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Mr. Guidry explained this property is an existing auto business repair shop that never had a Conditional Use. The new owners want to be in compliance with the City.
- Josh Fiegel, 34215 Fulton Street, stated he is in the process of purchasing the front and back of the building. Alderman Grandi asked if the lot will be purchased with everything on it. Mr. Fiegel further stated he cannot purchase the property without having the vehicles registered, and the current vehicles will be removed before operating the business.

Commissioner Ekes questioned if just body work, engine repair, and upholstery will be conducted. Mr. Fiegel responded no body work at first, but would like to have a Volkswagen restoration business, and then hopes to expand his business for body work.

- Commissioner Ekes stated he would like to see a parking lot sketch, since it looks like a junk yard by the fenced in area. Mr. Guidry asked how many vehicles will be parked overnight. Mr. Fiegel answered about fifteen. Commissioner Ekes questioned if the parking lot is gravel or paved. Mr. Fiegel replied he was not sure, but would like to improve the pavement since it is in rough shape.
- There were no further comments.

Commissioner Ekes moved, and Alderman Grandi seconded to approve the Conditional Use, to include a maximum of fifteen vehicles overnight, all vehicles are registered, and a one year renewal review.

All were in favor and the motion carried.

K. Consideration to approve a Site Plan application from Scherrer Construction for property located at 601 Blackhawk Drive to construct a storage building for material and equipment, subject to Graef's May 1, 2018, Kapur & Associates' May 1, 2018 and Fire Department's May 2, 2018 memorandums to the Plan Commission. This item was tabled at the May 8, 2018 meeting.

- This item is tabled since there is no quorum to vote. Commissioner Redman must excuse himself from this item.

ADJOURNMENT

Commissioner Gardner moved, and Alderman Grandi seconded to adjourn the meeting at 8:05 p.m.

All were in favor and the motion carried.

Recording Secretary
Kristine Anderson
Administrative Assistant