



AGENDA
PLAN COMMISSION
Tuesday, August 14, 2018 at 6:30 p.m.
Common Council Chambers, 224 East Jefferson Street

Mayor Jeannie Hefty, Chairman
Tom Preusker, Aldermanic Representative
Bob Grandi, Aldermanic Representative
Chad Redman, Commissioner
Andy Tully, Commissioner
John Ekes, Commissioner
Art Gardner, Commissioner

1. Call to Order
2. Roll Call
3. Approval of the minutes of July 10, 2018
4. Letters and Communications: None
5. Citizen Comments
6. Old Business:
 - A. Consideration to recommend approval to the Common Council of a Certified Survey Map Amendment application from GMX Real Estate Group, LLC for property located at 1054 Milwaukee Avenue, subject to Graef's August 7, 2018 memorandum to the Plan Commission.
 - B. 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 drive-thru window, two outdoor seating areas, a reduced landscape and parking ratio requirement, and signage on four sides of the building.
 - C. 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, a reduced landscape and parking ratio requirement, signage on four sides of the building, and construct a 6,200 square foot multi-tenant commercial building, subject to Graef's August 7, 2018, Kapur & Associates' July 25, 2018 and Fire Department's August 6, 2018 memorandums to the Plan Commission.

7. New Business:

- A. Public Hearing to hear public comments regarding a Conditional Use application from Square One Investments for property located at 616 Droster Avenue, to allow for a cold storage building for storage of heating, ventilation, and air conditioning (HVAC) units.
- B. Consideration to approve a Conditional Use and Site Plan application from Square One Investments for property located at 616 Droster Avenue to allow for a cold storage building, subject to Graef's August 7, 2018, Kapur & Associates' June 28, 2018, and Fire Department's August 6, 2018 memorandums to the Plan Commission.
- C. Consideration to recommend approval of a Preliminary Plat for Stonegate Subdivision, Addition II, subject to Graef's August 7, 2018, Kapur & Associates' July 11, 2018, and Fire Department's August 6, 2018 memorandums to the Plan Commission.
- D. Public Hearing to hear public comments regarding a Conditional Use application from Wendy Lynch for property located at 413 N. Pine Street, to be used as an outdoor seating area.
- E. Consideration to approve a Conditional Use and Site Plan application from Wendy Lynch for property located at 413 N. Pine Street to deconstruct and reconstruct the building that is unsalvageable due to fire damage, subject to Graef's August 7, 2018 memorandum to the Plan Commission.
- F. Public Hearing to hear public comments regarding a Conditional Use application from Wendy Lynch for property located at 164 E. Washington Street, to use the second-story as Vacation Rentals by Owner (VRBO) suites.
- G. Consideration to approve a Conditional Use application from Wendy Lynch for property located at 164 E. Washington Street to use the second-story as Vacation Rentals by Owner (VRBO) suites, subject to Graef's August 7, 2018 and Fire Department's August 6, 2018 memorandums to the Plan Commission.
- H. Public Hearing to hear public comments regarding a Conditional Use application from Susan Myres for property located at 448 S. Pine Street, to operate an art, painting studio, and retail business.
- I. Consideration to approve a Conditional Use application from Susan Myres for property located at 448 S. Pine Street to operate an art, painting studio, and retail business, subject to Graef's August 7, 2018 and Fire Department's August 6, 2018 memorandums to the Plan Commission.

8. 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
July 10, 2018, 6:30 p.m.

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

Commissioner John Ekes stated he would retain his voting privileges.

APPROVAL OF MINUTES

Commissioner Redman moved, and Commissioner Gardner seconded to approve the minutes of June 12, 2018. All were in favor and the motion carried.

LETTERS & COMMUNICATIONS

None

CITIZEN COMMENTS

None

OLD BUSINESS

A. 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. This item was tabled at the June 12, 2018 meeting.

- Commissioner Ekes opened this item for discussion.
- Tanya Fonesca, Graef, explained at the previous meeting it was decided that the owner could move forward with paving the parking lot, which he has, and provide what was to be stored inside and displayed outside.
- Commissioner Redman asked if the building inspector and fire inspector have received the correct information, and was approved. Richard Hendrickson, owner, stated all submitted information was code compliant. Gregory Guidry, Building Inspector, responded both departments were satisfied with the submitted information. Commissioner Gardner questioned if the displays would be brought in at night, since the owner mentioned it at the last meeting. Mr. Hendrickson stated the larger grills would be left out since they weigh about 4,000 pounds each, and would not start a fire.
- Carina Walters, City Administrator, questioned if the fire department had any concerns regarding the stacking of materials. Mr. Guidry answered the racks for stacking materials would only be 10 feet high, even though 12 feet is allowed. Mr. Guidry asked if the Commissioners were satisfied with the look of the pole building. Mr. Guidry explained the

building would have stone and wainscoting to match the main building. Commissioner Redman asked if plants/shrubbery could be planted to dress it up. Mr. Hendrickson answered shrubbery would definitely be planted so you could barely see the building.

- Commissioner Tully was concerned about the outdoor merchandise, and how it could start looking like a junk yard. Commissioner Tully mentioned that Unique Automotive doesn't even have a car sitting out at night, and Lois Tire Shop brings in all tires and display items. Mr. Hendrickson stated if the Conditional Use is being reviewed every year, and if there is a problem, it could be taken care of at that time. Mr. Hendrickson further stated all outdoor displays that are left out at night are under the cover, and the smaller grills would be wheeled in every night. Commissioner Tully asked how many solar panels he plans on having on display. Mr. Hendrickson responded it may be doubled up, with the existing panels being placed on top of the building. Alderman Preusker explained he was receiving complaints from citizens that do not want pole buildings in the City. Alderman Preusker reminded Mr. Hendrickson that in the future a sidewalk could be installed on Milwaukee Avenue and that these displays would have to be placed far enough back so they are not in the way. Ms. Fonesca stated he is protected by the setback requirement and the Conditional Use could include special conditions.
- Commissioner Redman asked if the building could be discussed prior to the Conditional Use being approved, since each item should be discussed separately. Commissioner Ekes responded yes, the building Site Plan could be discussed first, then back to the Conditional Use.
- Commissioner Redman stated the City does allow pole buildings according to the city codes, and improvements have been done. Commissioner Tully questioned what the estimated timeline for the landscape to be completed was. Mr. Hendrickson answered it would take about 2-3 weeks, plus on one side would be green foliage to block most of the building. Commissioner Gardner asked if the submitted timeline would be able to be achieved. Mr. Hendrickson replied yes, it would be completed by the end of summer of 2019.
- There were no further comments.

Commissioner Tully moved, and Alderman Preusker seconded to approve the Conditional Use and Site Plan for the construction of the building, which is for the second item (B).

All were in favor and the motion carried.

B. 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. This item was tabled at the June 12, 2018 meeting.

- Commissioner Ekes opened this item for discussion.
- There were no comments.

Alderman Preusker moved, and Commissioner Gardner seconded to approve the Conditional Use for outdoor display, which is for the first item (A), provided there is an annual review.

All were in favor and the motion carried.

C. 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 and June 12, 2018 meetings.

- Commissioner Ekes opened this item for discussion.
- Commissioner Redman excused himself from discussion and voting.
- There were no comments.

Commissioner Gardner moved, and Alderman Preusker seconded to approve the Site Plan to construct the storage building.

All were in favor and the motion carried.

NEW BUSINES

A. Consideration to recommend approval to the Common Council of a Petition for Rezoning Map Amendment application from Richard Torhorst on behalf of Brian Ehlert, for property located at 169 Industrial Drive to rezone from M-2, General Manufacturing District to M-2 PUD, General Manufacturing District with a Planned Unit Development Overlay subject to Graef's July 2, 2018 memorandum to the Plan Commission.

- Commissioner Ekes opened this item for discussion.
- Ms. Fonesca explained this is an existing industrial building that is changing to a condominium ownership, and requires a PUD. Commissioner Gardner asked is anyone else has requested to have this property rezoned, but got denied. Ms. Fonseca and Attorney John Bjelejac replied no, not to their knowledge.
- There were no further comments.

Commissioner Redman moved, and Commissioner Tully seconded to approve the rezone.

All were in favor and the motion carried.

B. Public Hearing to hear public comments regarding a Conditional Use application from Paul Molkentin for property located at 454 S. Pine Street, to operate as a construction company.

- Commissioner Ekes opened the Public Hearing at 6:58 p.m.
- Charlene Mills, 340 Wainwright Avenue, was concerned about the noise and amount of traffic being next to the busy intersection; having businesses on that street could be a potential problem. Ms. Mills stated she hopes the loading of the trucks would not be too early in the morning since there are residential homes nearby.
- Jessica Olson, Assistant Manager, explained there will be one crew and one or two smaller trucks, not even full size. Ms. Olson stated they contract out roofing subs from other locations, mainly Milwaukee.
- Commissioner Tully questioned what type of construction business they operate. Ms. Olson replied it is construction for light remodeling such as; decks, stairs, and mostly masonry work. Commissioner Gardner asked what the hours were. Ms. Olson answered Monday-Friday 8 am – 4:30 pm, and the crew starts at 7:30 am with 8 employees. Richard Colano, owner, commented that the previous owner (Love Inc.) had more traffic in and out.
- There were no further comments.

Commissioner Tully moved, and Alderman Preusker seconded to close the Public Hearing at 7:05 p.m.

All were in favor and the motion carried.

C. Consideration to approve a Conditional Use application from Paul Molkentin for property located at 454 S. Pine Street, to operate as a construction company, subject to Graef's July 2, 2018 and Fire Department's June 27, 2018 memorandums to the Plan Commission.

- Commissioner Ekes opened this item for discussion.
- Mr. Guidry explained this Conditional use should also have an annual review, no outdoor storage of equipment, and the lumber should be kept inside. Commissioner Redman asked if small cars or trucks would be allowed outside. Mr. Guidry replied those would be fine. Ms. Olson stated the scaffolding and some materials are in a covered area with 3 sides. Commissioner Gardner asked if they work with stones and bricks. Ms. Olson stated the bricks are all stored inside the building. Mr. Colano stated that he will patrol the lot, but the cars, trucks, and cement mixer would have to be parked in the rear of the lot.
- There were no further comments.

Commissioner Tully moved, and Commissioner Redman seconded to approve the Conditional Use, provided there is an annual review and no outdoor storage of material and equipment.

All were in favor and the motion carried.

D. Public Hearing to hear public comments regarding a Conditional Use application from Craig Faust for property located at 332 Milwaukee Avenue, to rezone from B-2, Central Business District to Rd-2, Two-Family Residential District.

- Commissioner Ekes opened the Public Hearing at 7:08 p.m.
- There were no comments.

Alderman Preusker moved, and Commissioner Gardner seconded to close the Public Hearing at 7:10 p.m.

All were in favor and the motion carried.

E. Consideration to approve Resolution No. 26 to amend the Racine County Multi-Jurisdictional Comprehensive Plan for property located at 332 Milwaukee Avenue.

- Commissioner Ekes opened this item for discussion.
- Ms. Fonesca explained a Comprehensive Plan revision would be the first step, then a rezone, followed by a Conditional Use to change this property into a single-family residence. Alderman Preusker asked how the metering and park provisions are handled when converting to a multi-family residential. Mr. Guidry replied there is no impact fee and only one meter for single-family residential. Ms. Fonesca explained that this property was grandfathered in as residential originally.
- There were no further comments.

Alderman Preusker moved, and Commissioner Gardner seconded to approve Resolution No. 26.

All were in favor and the motion carried.

F. Consideration to recommend approval to the Common Council of a Petition for Rezoning Map Amendment application from Craig Faust for property located at 332 Milwaukee Avenue, to rezone from B-2, Central Business District to Rd-2, Two-Family Residential District, subject to Graef's July 2, 2018 memorandum to the Plan Commission.

- Commissioner Ekes opened this item for discussion.
- Ms. Fonesca explained this property is being rezoned as Rd-2, Two-Family Residential, since the surrounding properties are the same. A Conditional Use is required to be a single-family residential, but can be permitted as multi-family in the future.
- There were no further comments.

Alderman Preusker moved, and Commissioner Tully seconded to approve the rezone to Rd-2, Two-Family Residential.

All were in favor and the motion carried.

G. Consideration to approve a Conditional Use application from Craig Faust for property located at 332 Milwaukee Avenue, to convert the existing commercial business rental unit into a single-family residence, subject to Graef's July 2, 2018 memorandum to the Plan Commission.

- Commissioner Ekes opened this item for discussion.
- There were no comments.

Commissioner Gardner moved, and Commissioner Redman seconded to approve the Conditional Use.

All were in favor and the motion carried.

H. Consideration to approve a Site Plan application from Kueny Architects for property located at 800 Blackhawk Drive, to construct an office building for Phase II, subject to Graef's July 2, 2018, Kapur & Associates' June 28, 2018 and Fire Department's June 29, 2018 memorandums to the Plan Commission.

- Commissioner Ekes opened this item for discussion.
- Ms. Fonesca explained that Phase I was approved in March 2018 for the truck terminal. John Schmidbauer, Kueny Architects, stated Phase I expansion was for additional docks and now Phase II is for additional office space.
- There were no further comments.

Alderman Preusker moved, and Commissioner Tully seconded to approve the Site Plan to construct an office building for Phase II.

All were in favor and the motion carried.

I. Public Hearing to hear public comments regarding a Conditional Use application from Scott Slauson for property located at 381 W. Market Street, to allow for shop and equipment storage for a small asphalt business.

- Commissioner Ekes opened the Public Hearing at 7:18 p.m.
- Ed McCord, 380 W. Market Street, asked if this is an asphalt plant. Scott Slauson, owner, responded no. Mr. Slauson stated he is an asphalt maintenance contractor where he does

patching and sealing. Mr. Slauson explained he has a roller, sealing trailer, and an asphalt hot box trailer which will all be parked inside. Mr. McCord questioned if the trucks trailers will be gone and if there are any building improvements. Mr. Slauson answered the trailers will be moved and plans on putting a 60 foot building in between the two buildings in the future after approval.

- There were no further comments.

Commissioner Redman moved, and Alderman Preusker seconded to close the Public Hearing at 7:23 p.m.

All were in favor and the motion carried.

J. Consideration to approve a Conditional Use application from Scott Slauson for property located at 381 W. Market Street, to allow for shop and equipment storage for a small asphalt business, subject to Graef's July 2, 2018 and Fire Department's memorandums to the Plan Commission.

- Commissioner Ekes opened this item for discussion.
- Alderman Preusker stated that citizens surrounding the property might be concerned with the asphalt business, even though you are not operating a plant. Alderman Preusker further stated that he receives citizens' complaints months before operations start and wanted to inform the owner. Mr. Guidry stated the Conditional Use should have conditions to have no storage of vehicles or equipment on the lot.
- Mr. Slauson explained the unpaved area between the two paved lots is not a driveway entrance, it has a 6 inch curb, but not a curb cut. Mr. Slauson asked Ms. Fonesca if the paving improvement area would require a curb cut. Ms. Fonseca replied a curb cut would not be required, but would like to see pavement. Ms. Fonseca stated the concern was that previously the gravel lot had vehicle storage. Ms. Fonesca mentioned that Mr. Slauson has a future plan to do a building expansion and vehicles would be driving across that lot. Mr. Slauson stated he plans on paving the lot, but because of the cost, it may take about 3 years.
- There were no further comments.

Commissioner Tully moved, and Commissioner Gardner seconded to approve the Conditional Use, provided there is an annual review, no outdoor storage of equipment or materials, and no storage of any kind on the unimproved surfaces.

All were in favor and the motion carried.

Attorney John Bjelajac stated that the Commissioners have the authority to grant a variance as deemed appropriate, if a variance is requested, instead of going to the variance board.

Mr. Guidry stated there were less than 50 vehicles on Jeff Way's property located at 1157 Milwaukee Avenue, and he has been cleaning it up. Mr. Guidry further stated by next month there shall be no

vehicles left, according to calculations. Attorney John Bjelajac stated he has been authorized to take Mr. Way to court, but has not yet since Mr. Way has been working with him to comply. Commissioner Ekes asked if there was any sign of ground contamination from the oil or gas. Mr. Guidry answered no, he does not see an issue.

ADJOURNMENT

Alderman Preusker moved, and Commissioner Redman seconded to adjourn the meeting at 7:33 p.m.

All were in favor and the motion carried.

Recording Secretary
Kristine Anderson
Administrative Assistant



PLAN COMMISSION

ITEM NUMBER: 6A

DATE: August 14, 2018

SUBJECT: Consideration to recommend approval of a Certified Survey Map application at 1054 Milwaukee Avenue.

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

This item is to consider recommending approval a Certified Survey Map application from GMX Real Estate Group, LLC for property located at 1054 Milwaukee Avenue. This CSM, drafted by Donald C. Chaput, WLS, seeks a re-division of Lots 1 and 2. The proposed land revision creates a larger Lot 1 (the Lot that contains this proposed development) and a smaller Lot 2 – the primary parcel containing the Fox River Plaza shopping center.

ZONING:

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

RECOMMENDATION:

Graef recommends approval of this CSM, subject to items listed in the August 7, 2018 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the August 14, 2018 Plan Commission meeting and will be placed on the August 21, 2018 Committee of the Whole and September 4, 2018 Common Council meeting for consideration.

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

collaborāte / formulāte / innovāte

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Ben Block
Tanya Fonseca, AICP

DATE: August 7, 2018

SUBJECT: Review of an Application for a Certified Survey Map Review, a Site Plan Approval Application, and an Application for a Conditional Use Permit for a Proposed Outlot Development in the Fox River Plaza.

A. PURPOSE

- 1) Consider for approval an Application for a Certified Survey Map Review of the re-division of Lots 1 and 2 of CSM No. 1217.
- 2) Consider for approval a Site Plan Approval Application for a multi-tenant commercial building; and,
- 3) Consider for approval an Application for a Conditional Use Permit for the following:
 - a. A drive-through window with dedicated drive-up lane.
 - b. Two outdoor patios for potential restaurant user occupant(s).
 - c. An allowance for the amount of parking spaces provided.
 - d. An allowance for the amount of landscaping provided.
 - e. An allowance for the amount of signage allowed.

B. RECOMMENDATION

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

- a. An Application for a Certified Survey Map Review of the re-division of Lots 1 and 2;
- b. A Site Plan Approval Application for a multi-tenant commercial building; and,
- c. An Application for a Conditional Use Permit for a drive-through, outdoor seating, parking allowance, landscaping allowance, and signage allowance at the proposed multi-tenant commercial building in the Fox River Plaza.

C. BACKGROUND

GMX Real Estate Group, LLC (Applicant) submitted an Application for Certified Survey Map Review, a Site Plan Approval Application, and an Application for a Conditional Use Permit for a proposed outlot development in the Fox River Plaza at 1054 Milwaukee Avenue, Burlington WI 53105. The property is

located on parcel 206-03-19-28-021-010. The property is zoned "B-1 Neighborhood Business District," as are all of the properties that surround it.

The outlot development will consist of an approximately 6,200 square-foot commercial building with space for three tenants. The future uses, presently undefined, will consist of restaurants, retail, and service. These uses will have hours of operation ranging from 5am to 10pm.

D. COMPLIANCE WITH ZONING CODE §278 "SUBDIVISION OF LAND"

The proposed land revision creates a larger Lot 1 (the Lot that contains this proposed development) and a smaller Lot 2 – the primary parcel containing the Fox River Plaza shopping center. The Certified Survey Map submitted with this Application is compliant with the requirements of this section.

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

The proposed land consolidation would create a larger Lot 1 within the B-1 District. This enlarged Lot 1 and reduced Lot 2 will be compliant with the dimensional requirements of this section.

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

The proposed site plan is compliant with the majority of the provisions outlined in this section of the Zoning Code, with the exception of the minimum landscape ratio. The proposed development will have a landscape ratio of approximately 18%, whereas the Zoning Code requires a minimum ratio of 25%.

As this element is not compliant with the Zoning Code, we recommend the Plan Commission approve the landscape plan as a Conditional Use. This element will be discussed in more detail in the section below that covers each Conditional Use.

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

The site plan included with this Application indicates that parking space dimensions will be 9' by 18', which will not be compliant with the minimum parking space size as prescribed by this section of the Zoning Code: *"The size of each parking space shall not be less than 180 square feet nor less than nine feet in width, exclusive of the space required for ingress and egress."*

It should be noted that the industry standard minimum size for parking spaces is 9' by 18'. A smaller minimum size for parking spaces is beneficial to the well-being of the community, as it unlocks a greater portion of land to be developed for more productive uses.

As the parking space dimensions are not compliant with this section of the Zoning Code, it is our recommendation that the Plan Commission allow the proposed parking spaces as a Conditional Use given the dimensional circumstances of the project.

H. CONDITIONAL USES

Below are the Conditional Uses that are requested as part of this Application.

I. Conditional Uses: Drive-through (Drive-in Establishments)

Burlington Zoning Code §315-26(D)(15) indicates that drive-in establishments serving food or beverages for consumption are Conditional Uses within the B-1 District, pending approval by the Plan Commission.

The Applicant's submitted materials comply with the requirements for Conditional Use Permits as outlined by §315-130.

It is our opinion that the proposed drive-through would be consistent and appropriate with the surrounding context. The Site Plan indicates that there will be adequate access and circulation for both parking and entering/exiting the proposed drive-through lane.

Considering the neighboring uses of the adjacent properties (all zoned B-1), it is our opinion that no major grievance will be incurred by the proposed drive-through lane, and the Plan Commission should allow for the drive-through as a Conditional Use.

II. Conditional Uses: Outdoor Seating

Burlington Zoning Code §315-26(D)(37) indicates that outside seating for restaurants is a Conditional Use within the B-1 District, pending approval by the Plan Commission.

The Applicant's submitted materials comply with the requirements for Conditional Use Permits as outlined by §315-130.

It is our opinion that the proposed outside seating for restaurants would be consistent and appropriate with the surrounding context, as well as enhance the quality of the proposed development.

Considering the above, we recommend that the Plan Commission allow for outdoor seating as a Conditional Use.

III. Conditional Uses: Parking

Considering the potential future uses of the three tenant spaces, the property will undoubtedly be under-parked with respect to the parking requirements outlined in §315(48)(I). According to calculations based on potential future uses provided by the Applicant, the City would require 96 parking stalls, while there will only be 35 parking stalls provided.

It should be noted that the Applicant has established an easement that covers the adjacent parking stalls within the Fox River Plaza, which allows perpetual non-exclusive use to the occupants, tenants, employees, agents, and customers of the proposed multi-tenant building.

Considering that these parking spaces are rarely fully occupied, it is our opinion that this parking easement will provide adequate space for parking for the proposed multi-tenant building.

Additional parking considerations include the details from likely national retailers, who frequently have their models for parking requirements determined through their market research and lessons learned from having multiple locations. Per one of these retailers, the most desirable parking ratio for a restaurant of this model is 10 stalls/1000 SF (the City's code requires 20 stalls/1000 SF). Staff are taking this into consideration.

It should be noted that the Applicant has plans to connect the Fox River Parking lot with the adjacent Kohl's Department Store parking lot, which will provide greater flexibility in response to parking demand.

Considering the above, we recommend that the Plan Commission allow for a parking allowance as a Conditional Use.

IV. *Conditional Uses: Landscaping*

Burlington Zoning Code §315-26(l)(1) indicates that the minimum landscapes surface ratio (LSR) shall be 25%.

The Site Plan submitted with this Application indicates that the LSR will be 18%, which is moderately less than the required ratio. Considering the size of the parcel, this difference of 7% equates to an area of 2512 square feet, roughly the size of 14 parking stalls.

When viewing the nature of the site as it presently exists, the new landscaping proposed in this Application would be a significant improvement. Though this standard of "better-than-before" is not one the City should routinely employ, it is a consideration for this instance as the constraints of the site are such that meeting the landscape requirements is a major challenge.

Considering the above, we recommend that the Plan Commission allow for a landscaping allowance as a Conditional Use.

V. *Conditional Uses: Wall Signage*

As future tenants have yet to be secured, the materials submitted with this Application do not indicate the final location, quantity, or type of proposed signage. The materials submitted with this Application do indicate that each of the three tenants will have a sign on the northwest and southeast sides of the building, and that there will be one wall sign on the northeast and southwest sides of the building.

The signage requirements outlined in §315(71)(D) limit the maximum total sign area for wall signs to 1.40 square feet per 1 linear foot of exterior storefront wall width for buildings within the B-1 District. Per the materials submitted with this Application, the proposed signage will conform with this dimensional requirement.

The signage requirements outlined in §315(71)(D) also restrict the wall signage for exterior walls

that do not face onto a public street to allow for one wall sign not exceeding eight square feet. The proposed signage for this development will not be compliant with this provision.

In reviewing the configuration of the site, which encourages access from the front, rear, and sides of the building, it is appropriate for the multi-tenant building to have additional signage that is beyond eight square-feet in area on the exterior walls that do not face a public street.

Considering the above, we recommend that the Plan Commission grant an allowance for additional wall signage as a Conditional Use.



To: Kristine Anderson

Date: August 9, 2018

From: Gary R. Splinter

CC: Carina Walters, Megan Watkins, Gregory Guidry, Greg Governatori

Subject: Fox River Plaza LLC CSM Review

The below comments have been addressed.

BACKGROUND AND REQUEST: We have completed a review of a Certified Survey Map prepared by Donald C. Chaput of Chaput Land Surveys. Our review was conducted to determine compliance with Chapter 236 of the Wisconsin State Statutes, Chapter 278 of the City of Burlington Municipal Code and good surveying practices. The Certified Survey Map dated May 25, 2018 was reviewed.

RTM Engineering has submitted a site plan for approval for the development and therefore we would recommend waiving City CSM requirements 278-39 subsections 5, and 9. All items that are addressed during the site plan review.

CSM COMMENTS:

We offer the following comments:

- ~~As per 278-39 (2) List or show setbacks or building lines.~~
- ~~As per 278-39 (8) List Subdivider.~~
- ~~As per 236.20 (2b) Please list the dimensions as Outside Diameter of monumentation.~~
- ~~As per 236.20 (2f) Seal and sign each sheet on the final copy.~~
- ~~On line 15 of the Surveyor's Certificate the bearing South is not capitalized.~~

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

Please contact me if you have any questions or comments pertaining to this project at (262) 758-6011 or gsplinter@kapurinc.com.



CITY OF BURLINGTON

Fire Department

165 W. Washington Street, Burlington, WI 53105
(262) 763-7842 – (262) 767-8602 fax
www.burlington-wi.gov

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: City of Burlington Fire Department
Alan Babe, Fire Chief
Wes Miner, Fire Inspector

DATE: June 26, 2018

SUBJECT: Certified Survey Map Amendment – 1054 Milwaukee Ave.

A. PURPOSE

Review Certified Survey Map from GMX Real Estate Group, LLC for the property located at 1054 Milwaukee Ave.

B. RECOMMENDATION

Based upon the review of the submitted materials, the City of Burlington Fire Department has no comments regarding the subject matter.



CITY OF BURLINGTON

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

APPLICATION FOR CERTIFIED SURVEY MAP REVIEW

REVIEW: \$500.00 Deposit +/- Actual Cost

FOR OFFICE USE ONLY
DATE FILED: 6/11/18
RECEIVED BY: [Signature]
AMT. PAID: 500

APPLICANT: GMX Real Estate Group, LLC

ADDRESS: 3000 Dundee Road #408, Northbrook, IL 60062 PHONE NO. (312) 607-6418 FAX NO. (847) 480-0033

OWNER: Fox River Plaza, LLC

ADDRESS: 11518 N. Port Washington Road, Suite 103, Mequon, WI 53092 PHONE NO. (414) 803-3112 FAX NO.

SITE ADDRESS: 1054 Milwaukee Avenue, Burlington, WI 53105

PROPOSED USE: Proposed +/- 6,200 sf Outlot Bldg (Restaurants, Retail &/or Service-Related Prospective Tenants)

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

LOCATION 1/4 of section SW 28, T 3, N, R 19, E, City of Burlington

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

Subdivider is to submit 27 copies and one original certified survey map (CSM) with this application.

Review fee must be submitted with application.

Survey performed and map prepared by WI Registered Land Surveyor.

(Each Sheet (singled sided) must be signed, sealed and dated by the Surveyor.)

PARCEL LOCATION

Describe all monuments used for determining the location of the parcel and show by bearing and distance their relationship to the surveyed parcel and indicate whether such monuments were found or placed. (Including monuments from adjoining and section split.)

The location of the certified survey map shall be indicated by bearing and distance from a boundary line of a quarter section, recorded private claim or federal reservation in which the subdivision is located. Include a north arrow on each sheet with details.

PREPARATION

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

MAP AND ENGINEERING INFORMATION

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

Property Owner:

Joe Devorkin

Print

Signature



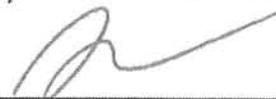
Date: 06-05-2018

Applicant:

Andrew S. Goodman

Print

Signature



Date: 06-05-2018

Zoning Administrator:

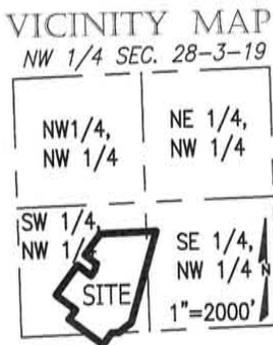
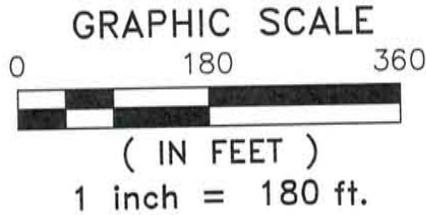
Signature

Date:

CERTIFIED SURVEY MAP NO. _____

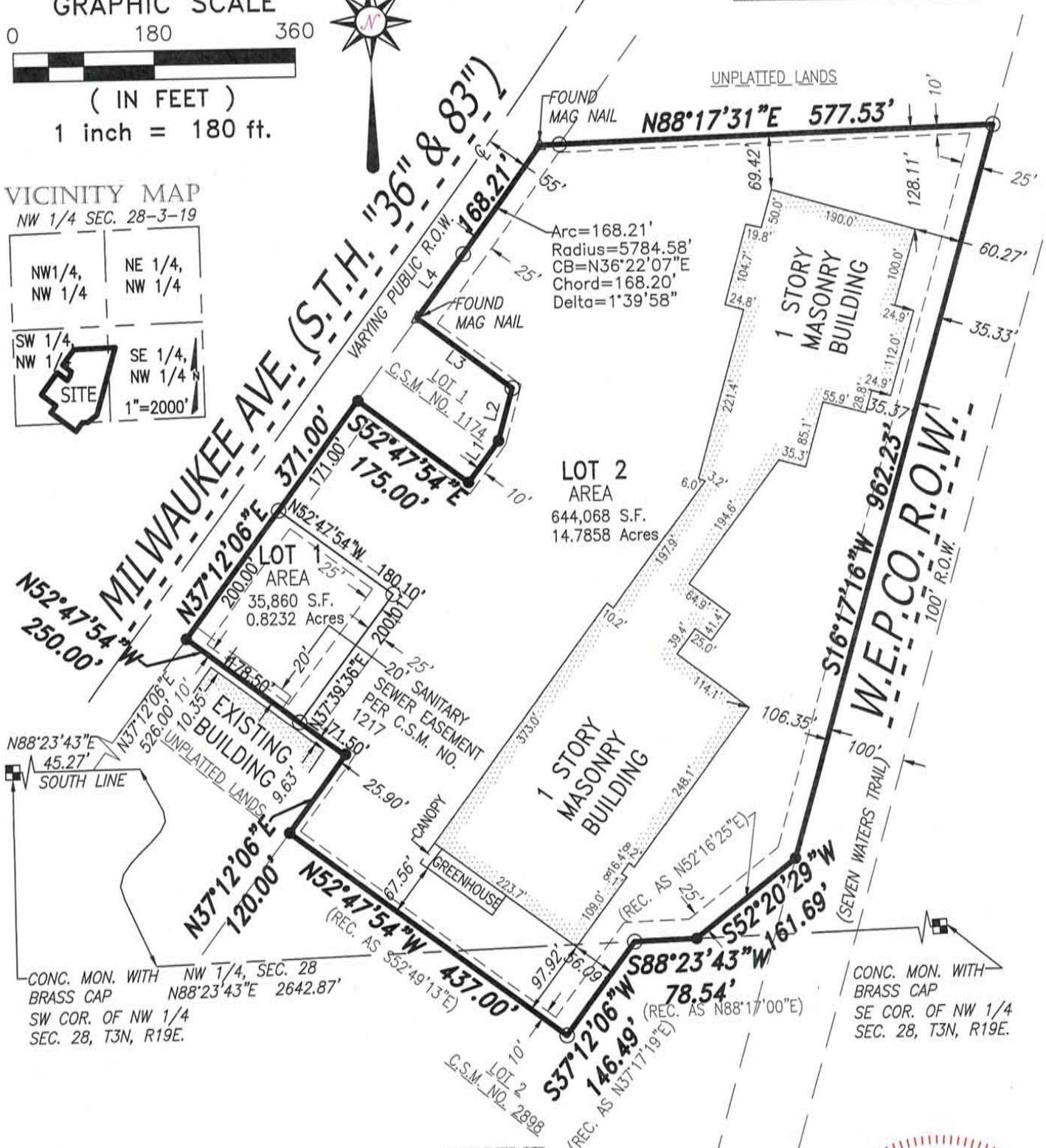
A redivision of Lots 1 and 2 of Certified Survey Map No. 1217, recorded in Volume 3 of Certified Survey Maps, on pages 557-558, in the office of the Register of Deeds of Racine County, and unplatted lands all lying in the Southwest 1/4 of the Northwest 1/4, the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 28, Township 3 North, Range 19 East, in the City of Burlington, Racine County, Wisconsin.

Owner : Fox River Plaza, LLC
 11518 N. Port Washington Rd.
 Suite 103
 Mequon, WI 53092



NOTE:
 -Lot 1 is prohibited from direct vehicle ingress and egress with S.T.H. "36" & "83"

LINE	BEARING	DISTANCE
L1	N37°12'06"E	65.00'
L2	N15°46'13"E	68.42'
L3	N52°47'54"W	150.00'
L4	N37°12'06"E	100.00'



CONC. MON. WITH BRASS CAP
 NW COR. OF NW 1/4 SEC. 28, T3N, R19E.
 N88°23'43"E 2642.87'

CONC. MON. WITH BRASS CAP
 SE COR. OF NW 1/4 SEC. 28, T3N, R19E.
 N88°17'00"E

LEGEND

- Indicates set 1 3/8" OD iron pipe, 18" in length, 1.13 lbs. per lineal foot.
- Indicates found 1 3/8" OD iron pipe

Zoning: B-1
 Front Setback: 25 feet
 Side Setback: 10 feet
 Rear Setback: 25 feet



CHAPUT
LAND SURVEYS
 234 W. Florida Street
 Milwaukee, WI 53204
 414-224-8068
 www.chaputlandsurveys.com

CERTIFIED SURVEY MAP NO. _____

A redivision of Lots 1 and 2 of Certified Survey Map No. 1217, recorded in Volume 3 of Certified Survey Maps, on pages 557-558, in the office of the Register of Deeds of Racine County, and unplatted lands all lying in the Southwest 1/4 of the Northwest 1/4, the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Southwest 1/4 of Section 28, Township 3 North, Range 19 East, in the City of Burlington, Racine County, Wisconsin.

CORPORATE OWNER'S CERTIFICATE

Fox River Plaza, LLC, limited liability company duly organized and existing under and by virtue of the laws of the State of , as owner, certifies that said corporation caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the City of Burlington Code of Ordinances.

This agreement shall be binding on the undersigned and assigns.

In Witness Where of, the Fox River Plaza, LLC has caused these presents to be signed by Joseph Devorkin, its member, at _____, _____, this day of _____, 2018.

In the presence of:

Fox River Plaza, LLC

Joseph Devorkin, Member

STATE OF WISCONSIN)
): SS
RACINE COUNTY)

Personally came before me this ____ day of _____, 2018, Joseph Devorkin, of the above named corporation, to me known as the persons who executed the foregoing instrument, and to me known to be a member of the corporation, and acknowledged that they executed the foregoing instrument as such officers as the deed of the corporation, by its authority.

(Notary Seal)

Notary Public State of Wisconsin
My commission expires,
My commission is permanent.

COMMON COUNCIL RESOLUTION

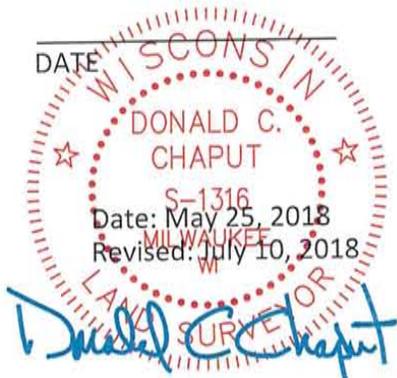
Resolved, that this "Certified Survey Map", in the City of Burlington, is hereby approved by the Common Council, dated this ____ day of _____, 2018

DATE

(name)

I hereby certify that the foregoing is a copy of a resolution adopted by the Common Council of the City of Burlington

(name)



RESOLUTION NO. -----
Introduced by: Committee of the Whole

**A RESOLUTION APPROVING A CERTIFIED SURVEY MAP IN THE CITY OF BURLINGTON
FOR PROPERTY LOCATED AT 1054 MILWAUKEE AVENUE**

WHEREAS, the Plan Commission of the City of Burlington has reviewed a Certified Survey Map (CSM) for property described as:

COMMENCING AT THE SOUTHWEST CORNER OF THE NORHTWEST ¼ OF SAID SECTION 28: THENCE NORTH 88°23'43" EAST ALONG THE SOUTH LINE OF SAID ¼ SECTION 45.27 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF MILWAUKEE AVENUE; THENCE NORTH 37°12'06" EAST ALONG SAID SOUTHEASTERLY LINE 526.00 FEET TO THE POINT OF BEGINNING OF LANDS HEREINAFTER DESCRIBED; THENCE CONTINUING ALONG SAID SOUTHEASTERLY LINE NORTH 37°12'06" EAST 371.00 FEET TO A POINT; THENCE SOUTH 52°47'54" EAST ALONG THE SOUTHEASTERLY LINE OF LOT 1, CERTIFIED SURVEY MAP NO.1174 A DISTANCE OF 175.00 FEET; THENCE NORTH 37°12'06" EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 65.00 FEET TO A POINT; THENCE NORTH 15°46'13" EAST ALONG THE SOUTHEASTERLY LINE OF SAID LOT, 68.42 FEET TO A POINT; THENCE NORTH 52°47'54" WEST ALONG THE NORTHEASTERLY LINE OF SAID LOT, 150.00 FEET TO A POINT ON THE SOUTHEASTERLY LINE OF MILWAUKEE AVENUE; THENCE NORTH 37°12'06" EAST ALONG SAID SOUTHEASTERLY LINE 100.00 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ALONG THE ARC OF A CURVE AND SAID SOUTHEATERLY LINE 168.21 FEET, WHOSE RADIUS IS 578.58, WHOSE CENTER LIES TO THE NORTHWEST AND WHOSE CHORD BEARS NORTH 36°22'07" EAST 168.20 FEET TO A POINT; THENCE NORTH 88°17'31" EAST 577.53 FEET TO A POINT ON THE WESTERLY LINE OF THE WISCONSIN ELECTRIC POWER COMPANY RIGHT-OF-WAY; THENCE SOUTH 16°17'16" WEST ALONG SAID WESTERLY LINE 962.23 FEET TO A POINT; THENCE SOUTH 52°20'29" WEST ALONG THE NORTHERLY LINE OF LOT 2, CERTIFIED SURVEY MAP NO. 2898, A DISTANCE OF A 161.69 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST ¼ OF SECTION 28; THENCE SOUTH 88°23'43" WEST ALONG SAID SOUTH LINE AND NORTHERLY LINE OF SAID LOT, 78.54 FEET TO A POINT; THENCE SOUTH 37°12'06" WEST ALONG THE NORTHERLY LINE OF SAID LOT, 146.49 FEET TO A POINT; THENCE NORTH 52°47'54" WEST ALONG THE NORTHERLY LINE OF SAID LOT, 473.00 FEET TO A POINT; THENCE NORTH 37°12'06" EAST 120.00 FEET TO A POINT; THENCE NORTH 52°47'54" WEST 250.00 FEET TO A POINT OF BEGINNING.

TAX PARCEL ID: 206-03-19-28-021-010
1054 Milwaukee Avenue
CONTAINING 679,928 SQUARE FEET (15.6090 ACRES)

WHEREAS, at their August 14, 2018 meeting, the Plan Commission did recommend approval of the CSM.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Burlington, Racine County, State of Wisconsin, that the attached CSM prepared on May 25, 2018 by Donald C. Chaput, WLS, is hereby approved.

BE IT FURTHER RESOLVED that the City Clerk record said CSM with the Racine County Register of Deeds and provide a copy of the recorded CSM to the Planning and Development Director, Julie Anderson, of Racine County Planning and Development, located at 14200 Washington Ave., Sturtevant, WI 53177.

Introduced: August 21, 2018
Adopted: _____, 2018

Jeannie Hefty, Mayor

Attest:

Diahnn Halbach, City Clerk



DATE: August 14, 2018

SUBJECT: A Public Hearing for a Conditional Use application at 1054 Milwaukee Avenue.

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 GMX Real Estate Group, LLC, for property located at 1054 Milwaukee Avenue. The applicant is proposing to allow for:

- drive-thru window
- two outdoor seating areas
- a reduced landscape ratio requirement
- a reduced parking ratio requirement
- signage on four sides of building

The drive-thru window and two outdoor seating areas were approved at the June 12, 2018 meeting. Also, the reduced landscape and parking ratio requirements were discussed, but no motion was made.

ZONING:

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

RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the August 14, 2018 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: Fox River Plaza, LLC
Applicant: Andrew Goodman of GMX Real Estate Group, LLC
Location: 1054 Milwaukee Avenue
Zoning: B-1, Neighborhood Business District
Use: To allow for:

- drive-thru window
- two outdoor seating areas
- a reduced landscape ratio requirement
- a reduced parking ratio requirement
- signage on four sides of building

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, AUGUST 14, 2018 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 July, 2018.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
July 26th, 2018 and August 2nd, 2018



PLAN COMMISSION

ITEM NUMBER: 6C

DATE: August 14, 2018

SUBJECT: Consideration to approve a Conditional Use and Site Plan application at 1054 Milwaukee Avenue

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use and Site Plan application from GMX Real Estate Group, LLC for property located at 1054 Milwaukee Avenue. The applicant is proposing to allow for a drive-thru window with dedicated drive-up lane, two outdoor patios for potential restaurant occupant, parking allowance, landscaping allowance, signage allowance, and construct a 6,200 square foot multi-tenant commercial building with space for three tenants. The future uses, presently undefined, will consist of restaurants, retail, and service. These uses will have hours of operation ranging from 5 am to 10 pm.

The development will consist of demolition and removal of the currently closed Heavenly Cup Coffee Hut. The applicant has established an easement that covers the adjacent parking stalls within the Fox River Plaza, which will provide adequate space for parking for the proposed multi-tenant building. The applicant has plans to connect the Fox River Plaza lot with the adjacent Kohl's Department Store parking lot, which will provide greater flexibility in response to parking demand. The parking dimensions will be 9' by 18', allowing for a greater portion for land to be developed. The Site Plan indicates that there will be adequate access and circulation for both parking and entering/exiting the proposed drive-through lane. The Site Plan indicates that the landscape surface ratio will be 18% instead of 25%. The constraints of this site are such that meeting the landscape requirements is a major challenge. The difference is 7%, which equates to an area of 2512 square feet, roughly the size of 14 parking stalls. This new landscaping would be a significant improvement.

Each of the three tenants will have a sign on the northwest and southeast sides of the building, and there will be one wall sign on the northeast and southwest sides of the building. The proposed signage will conform to the dimensional requirement. This site encourages access from the front, rear, and sides of the building, thus appropriate to have additional signage beyond the 8 square-foot in area that do not face a public street.

The drive-thru window and two outdoor seating areas were approved at the June 12, 2018 meeting. Also, the reduced landscape and parking ratio requirements were discussed, but no motion was made.

ZONING:

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

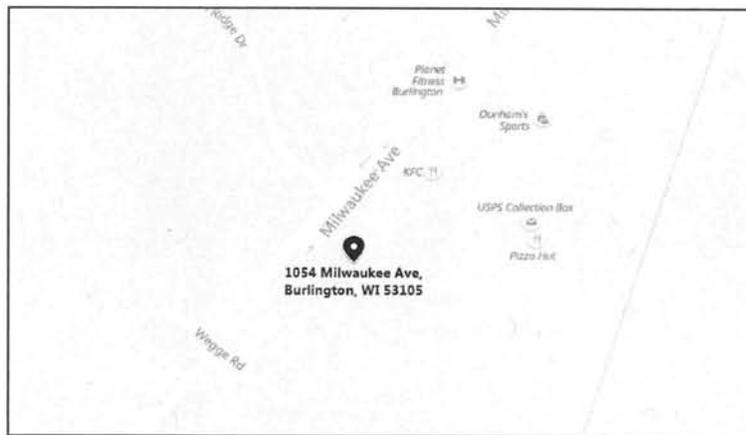
RECOMMENDATION:

Graef recommends approval of this Conditional Use and Site Plan, subject to items listed in the August 7, 2018 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the August 14, 2018 Plan Commission meeting. No further action is necessary.

MAP:





collaborāte / formulāte / innovāte

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Ben Block
Tanya Fonseca, AICP

DATE: August 7, 2018

SUBJECT: Review of an Application for a Certified Survey Map Review, a Site Plan Approval Application, and an Application for a Conditional Use Permit for a Proposed Outlot Development in the Fox River Plaza.

A. PURPOSE

- 1) Consider for approval an Application for a Certified Survey Map Review of the re-division of Lots 1 and 2 of CSM No. 1217.
- 2) Consider for approval a Site Plan Approval Application for a multi-tenant commercial building; and,
- 3) Consider for approval an Application for a Conditional Use Permit for the following:
 - a. A drive-through window with dedicated drive-up lane.
 - b. Two outdoor patios for potential restaurant user occupant(s).
 - c. An allowance for the amount of parking spaces provided.
 - d. An allowance for the amount of landscaping provided.
 - e. An allowance for the amount of signage allowed.

B. RECOMMENDATION

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

- a. An Application for a Certified Survey Map Review of the re-division of Lots 1 and 2;
- b. A Site Plan Approval Application for a multi-tenant commercial building; and,
- c. An Application for a Conditional Use Permit for a drive-through, outdoor seating, parking allowance, landscaping allowance, and signage allowance at the proposed multi-tenant commercial building in the Fox River Plaza.

C. BACKGROUND

GMX Real Estate Group, LLC (Applicant) submitted an Application for Certified Survey Map Review, a Site Plan Approval Application, and an Application for a Conditional Use Permit for a proposed outlot development in the Fox River Plaza at 1054 Milwaukee Avenue, Burlington WI 53105. The property is

located on parcel 206-03-19-28-021-010. The property is zoned "B-1 Neighborhood Business District," as are all of the properties that surround it.

The outlot development will consist of an approximately 6,200 square-foot commercial building with space for three tenants. The future uses, presently undefined, will consist of restaurants, retail, and service. These uses will have hours of operation ranging from 5am to 10pm.

D. COMPLIANCE WITH ZONING CODE §278 "SUBDIVISION OF LAND"

The proposed land revision creates a larger Lot 1 (the Lot that contains this proposed development) and a smaller Lot 2 – the primary parcel containing the Fox River Plaza shopping center. The Certified Survey Map submitted with this Application is compliant with the requirements of this section.

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

The proposed land consolidation would create a larger Lot 1 within the B-1 District. This enlarged Lot 1 and reduced Lot 2 will be compliant with the dimensional requirements of this section.

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

The proposed site plan is compliant with the majority of the provisions outlined in this section of the Zoning Code, with the exception of the minimum landscape ratio. The proposed development will have a landscape ratio of approximately 18%, whereas the Zoning Code requires a minimum ratio of 25%.

As this element is not compliant with the Zoning Code, we recommend the Plan Commission approve the landscape plan as a Conditional Use. This element will be discussed in more detail in the section below that covers each Conditional Use.

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

The site plan included with this Application indicates that parking space dimensions will be 9' by 18', which will not be compliant with the minimum parking space size as prescribed by this section of the Zoning Code: *"The size of each parking space shall not be less than 180 square feet nor less than nine feet in width, exclusive of the space required for ingress and egress."*

It should be noted that the industry standard minimum size for parking spaces is 9' by 18'. A smaller minimum size for parking spaces is beneficial to the well-being of the community, as it unlocks a greater portion of land to be developed for more productive uses.

As the parking space dimensions are not compliant with this section of the Zoning Code, it is our recommendation that the Plan Commission allow the proposed parking spaces as a Conditional Use given the dimensional circumstances of the project.

H. CONDITIONAL USES

Below are the Conditional Uses that are requested as part of this Application.

I. Conditional Uses: Drive-through (Drive-in Establishments)

Burlington Zoning Code §315-26(D)(15) indicates that drive-in establishments serving food or beverages for consumption are Conditional Uses within the B-1 District, pending approval by the Plan Commission.

The Applicant's submitted materials comply with the requirements for Conditional Use Permits as outlined by §315-130.

It is our opinion that the proposed drive-through would be consistent and appropriate with the surrounding context. The Site Plan indicates that there will be adequate access and circulation for both parking and entering/exiting the proposed drive-through lane.

Considering the neighboring uses of the adjacent properties (all zoned B-1), it is our opinion that no major grievance will be incurred by the proposed drive-through lane, and the Plan Commission should allow for the drive-through as a Conditional Use.

II. Conditional Uses: Outdoor Seating

Burlington Zoning Code §315-26(D)(37) indicates that outside seating for restaurants is a Conditional Use within the B-1 District, pending approval by the Plan Commission.

The Applicant's submitted materials comply with the requirements for Conditional Use Permits as outlined by §315-130.

It is our opinion that the proposed outside seating for restaurants would be consistent and appropriate with the surrounding context, as well as enhance the quality of the proposed development.

Considering the above, we recommend that the Plan Commission allow for outdoor seating as a Conditional Use.

III. Conditional Uses: Parking

Considering the potential future uses of the three tenant spaces, the property will undoubtedly be under-parked with respect to the parking requirements outlined in §315(48)(I). According to calculations based on potential future uses provided by the Applicant, the City would require 96 parking stalls, while there will only be 35 parking stalls provided.

It should be noted that the Applicant has established an easement that covers the adjacent parking stalls within the Fox River Plaza, which allows perpetual non-exclusive use to the occupants, tenants, employees, agents, and customers of the proposed multi-tenant building.

Considering that these parking spaces are rarely fully occupied, it is our opinion that this parking easement will provide adequate space for parking for the proposed multi-tenant building.

Additional parking considerations include the details from likely national retailers, who frequently have their models for parking requirements determined through their market research and lessons learned from having multiple locations. Per one of these retailers, the most desirable parking ratio for a restaurant of this model is 10 stalls/1000 SF (the City's code requires 20 stalls/1000 SF). Staff are taking this into consideration.

It should be noted that the Applicant has plans to connect the Fox River Parking lot with the adjacent Kohl's Department Store parking lot, which will provide greater flexibility in response to parking demand.

Considering the above, we recommend that the Plan Commission allow for a parking allowance as a Conditional Use.

IV. *Conditional Uses: Landscaping*

Burlington Zoning Code §315-26(l)(1) indicates that the minimum landscapes surface ratio (LSR) shall be 25%.

The Site Plan submitted with this Application indicates that the LSR will be 18%, which is moderately less than the required ratio. Considering the size of the parcel, this difference of 7% equates to an area of 2512 square feet, roughly the size of 14 parking stalls.

When viewing the nature of the site as it presently exists, the new landscaping proposed in this Application would be a significant improvement. Though this standard of "better-than-before" is not one the City should routinely employ, it is a consideration for this instance as the constraints of the site are such that meeting the landscape requirements is a major challenge.

Considering the above, we recommend that the Plan Commission allow for a landscaping allowance as a Conditional Use.

V. *Conditional Uses: Wall Signage*

As future tenants have yet to be secured, the materials submitted with this Application do not indicate the final location, quantity, or type of proposed signage. The materials submitted with this Application do indicate that each of the three tenants will have a sign on the northwest and southeast sides of the building, and that there will be one wall sign on the northeast and southwest sides of the building.

The signage requirements outlined in §315(71)(D) limit the maximum total sign area for wall signs to 1.40 square feet per 1 linear foot of exterior storefront wall width for buildings within the B-1 District. Per the materials submitted with this Application, the proposed signage will conform with this dimensional requirement.

The signage requirements outlined in §315(71)(D) also restrict the wall signage for exterior walls

that do not face onto a public street to allow for one wall sign not exceeding eight square feet. The proposed signage for this development will not be compliant with this provision.

In reviewing the configuration of the site, which encourages access from the front, rear, and sides of the building, it is appropriate for the multi-tenant building to have additional signage that is beyond eight square-feet in area on the exterior walls that do not face a public street.

Considering the above, we recommend that the Plan Commission grant an allowance for additional wall signage as a Conditional Use.



To: Kristine Anderson **Date:** July 25, 2018
From: Burak Kicikoglu, Greg Governatori
CC: Carina Walters, Megan Watkins, Gregory Guidry, Peter Riggs, Tanya Fonseca
Subject: Engineering review of Fox River Plaza – Plans Dated 7-11-2018

We have completed our review of the construction plans prepared by RTM Engineering Consultants, and JTS Architects, July 11th, 2018. The review was conducted to determine compliance with the City of Burlington Municipal Code and good engineering practices.

BACKGROUND AND REQUEST: The project proposes development of 6200 SF commercial building to the west corner, parcel 1, of existing Fox River Plaza. The development will consist of demolition and removal of the currently closed Heavenly Cup Coffee Hut.

The following plans were submitted for review as part of the site plan application:

- Preliminary Site, Utility, Grading & Erosion, Lighting, and Architectural Plans dated 7/11/18

REVIEW COMMENTS:

General:

- Construction details and typical sections such as; typical silt fence detail, tracking pad detail, curb and gutter details, light pole details, detectable warning surface detail, etc. are still missing and they shall be incorporated into plan set.
- Plan cover page states final engineering plan while the actual pages states preliminary. This discrepancy should be corrected.
- City ordinance requires minimum parking size of each parking space be not less than 180 square feet nor less than nine feet in width. The east and west parking bays do not meet this requirement with 9' x 18' deep stalls. Also, one handicap stall is required to be accessible and requires a minimum of nine-foot stall width in addition to the eight foot access path.
- All parking spaces provided for the use of disabled persons shall be marked by a sign which includes the international symbol for barrier-free environments and a statement informing the public that the parking space is reserved for use by disabled persons. Required signage, barrier-free environment and detailed access ramp shall be provided accordingly.

- 20' dimension call out at the East corner of northeast parking lot should be removed from the plan.
- Plan detail shows different hatch styles for concrete sidewalk and concrete pavement. However, actual plan does not differentiate these areas with given associated styles. Either given details should be used on the plan or be removed to prevent confusion.
- Concrete curb and gutter sizes shall be called on site plan. Also, transition grades from 6" curb to grade elevation in front of the building shall be incorporated into the plan.
- The existing sanitary sewer service lateral for the Heavenly Cup coffee hut is required to be removed and capped at the property line. The service lateral connects near the Manhole in the Milwaukee Avenue Right-of way
- Existing sanitary sewer and watermain sizes are not shown on the plan, it is recommended they are provide for evaluation purposes of the proposed connections.
- Our review did not consider lighting, noise or zoning issues related to the proposed construction and we defer to the city planning and zoning for comment. Any and all site planning and zoning portions of this project (including lighting, use, noise and all other planning-related issues) are deferred to the City Planner for review and comment. All proposed architectural plans shall be reviewed by the City Building Inspector for compliance with all Building Codes.

RECOMMENDATION: We recommend approval of the submitted site plan.

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 at (262) 758-6025, bkicikoglu@kapurinc.com or Greg Governatori at (262) 758-6010, ggovernatori@kapurinc.com



MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: City of Burlington Fire Department
Alan Babe, Fire Chief
Wes Miner, Fire Inspector

DATE: August 6, 2018

SUBJECT: Review of Conditional Use Application and Site Plan Approval Application for construction of a building at 1054 Milwaukee Ave, Burlington, WI. 53105.

A. PURPOSE

1) Consider for approval the Conditional Use Application and Site Plan Approval Application for construction of a 6,155 square foot building at 1054 Milwaukee Ave, Burlington, WI. 53105.

B. BACKGROUND

Andrew Goodman (Applicant) of GMX Real Estate Group, LLC submitted a Site Plan Approval Application and an Application for a Conditional Use Permit for a proposed 6,155 square-foot commercial building with space for three tenants at 1054 Milwaukee Avenue, Burlington WI 53105.

C. REVIEW OF COMPLIANCE WITH BURLINGTON CODE CHAPTER 155. FIRE PREVENTION, PROTECTION AND CONTROL

Submitted documents align with local codes.

D. REVIEW OF COMPLIANCE WITH STATE FIRE CODE

Submitted documents align with state codes.

E. RECOMMENDATION

Based upon the review of the submitted materials, we recommend that the Plan Commission recommend to the Common Council the **CONDITIONAL APPROVAL** of the Site Plan Approval Application and an Application for a Conditional Use Permit for a proposed 6,200 square-foot commercial building with space for three tenants at 1054 Milwaukee Avenue, Burlington WI 53105, based on the following:

- 1) The owner ensures all work conforms to local and state code.



CITY OF BURLINGTON

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

**APPLICATION FOR A CONDITIONAL
USE PERMIT**

<i>FOR OFFICIAL USE ONLY</i>	
Date Filed	_____
Received by	_____

Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant GMX Real Estate Group, LLC
Phone No. (312) 607-6418 (Andrew Goodman)

Applicant's Address 3000 Dundee Road, #408, Northbrook, IL 60062

Applicant's Email Address asg@gmxre.com

Owner of the site Fox River Plaza, LLC

Phone No. (414) 803-3112 (Joe Devorkin)

Owner's address 11518 N. Port Washington Road, Suite 103, Meghan, W 513092

DESCRIPTION OF THE SUBJECT SITE

Business name Proposed +/- 6,155 sf Commercial Bldg. (Restaurants, Retail & Service)

Address 1054 Milwaukee Avenue, Burlington, WI 53105 (Fox River Plaza)

Or if no address exists: Parcel Identification No. _____

Existing Zoning classification B-1

Description of the proposed use see above

Number of employees / Hours of operation multiple businesses/typical hours 5 am - 10 pm

**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

Reason for requesting a Conditional Use:

Anchor-occupant to have a drive-thru window with dedicated drive-up lane. Also proposing two outdoor patios for two end-cap restaurant user occupant(s).

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 _____ (Signature)	Andrew S. Goodman (Print)
Owner _____ (Signature)	Joe Devorkin (Print)
Date: <u>7/5/2018</u>	Date application Filed: <u>7/5/2018</u>

- 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: _____



CITY OF BURLINGTON

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:	_____
RECEIVED BY:	_____
	(Initials)
AMT. PAID:	_____

APPLICANT: GMX Real Estate Group, LLC

ADDRESS: 3000 Dundee Road #408, Northbrook, IL 60062 **PHONE NO.** (312) 607-6418

E-MAIL ADDRESS: asg@gmxre.com

OWNER: Fox River Plaza, LLC

ADDRESS: 11518 N. Port Washington Road, Suite 103, Meghan, WI 53092 **PHONE NO.** (414) 803-3112

SITE ADDRESS: 1054 Milwaukee Avenue, Burlington WI 53105 (Fox River Plaza)

PROPOSED USE: +/- 6,155 sf Commercial Bldg. **PRESENT ZONING:** B-1

LEGAL DESCRIPTION: Lot 2 of Map-No. 217 recorded 3/5/87 in Volume 3 of certified survey-maps at Page 557 as Document No. 1221599 recorded in office of the register of Deeds for Racine County, WI
(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. ALL ABUTTING PROPERTY B-1
- General description of building materials, façade and roof detail. ON EXTERIOR ELEVATIONS
- Setback lines indicated.
- Easements for access, if any.
- 100-year floodplain identification. SEE ATTACHED FEMA FIRM MAP
- Existing and proposed topography show at a contour interval of not less than two feet, indicating proposed grade and location of improvements. SEE CIVIL DWGS
- Signage and outdoor lighting – proposed location and details.

SEE MONUMENT SIGN ELEVATION

- Total number of employees: TBD and Hours of operation TBD.
- Total no. of parking spaced noted. No. of parking spaces provided: SEE PLAN Calculations used to arrive at the no. of spaces: SEE PLAN.
- Type, size and location of all structures with all building dimensions shown. SEE CIVIL DWGS
- Locate existing and general location of proposed sanitary sewers, storm sewers and water-mains.
- Locate any proposed stormwater management facilities, including detention/retention areas. The City of Burlington has a stormwater ordinance in effect. SEE CIVIL DWGS
- Note location, extent and type of proposed landscaping and landscaping plantings and buffers to adjacent property, including fencing or other screening. SEE LANDSCAPE DWGS
- Note, location of pedestrian sidewalks and walkways.
- Graphic outline of any development staging that is planned. SEE CIVIL DWGS
- Driveway locations and sizes.
- Handicap accessibility.
- N.A. List environmental concerns, i.e. odor, smoke, noise.

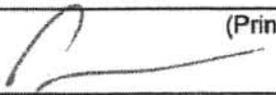
***Site Plan Note:**

Our proposed site plan includes +/- 43 on-site parking stalls with access to +/- 144 parking stalls immediately south of the subject lot and +/- 51 parking stalls immediately east of the subject lot. Per code, +/- 100 parking stalls could be required to accommodate our site plan with two restaurant users which assumes 20/1,000 SF for restaurant parking. More typically, quick-serve restaurants require 10/1,000 SF.

Owner: Joe Devorkin (Print) Date: 5-18-18

Owner:  (Signature)

Applicant: Andrew S. Goodman (Print) Date: 5/18/18

Applicant:  (Signature)

Zoning Administrator: _____ (Signature) Date: _____

FINAL ENGINEERING PLANS

FOR

GMX BURLINGTON

LOT 1 - C.S.M. NO. 1217

1054-1066 MILWAUKEE AVE
BURLINGTON, WI

SYMBOL AND LINE LEGEND

EXISTING / PROPOSED		EXISTING / PROPOSED	
	VALVE VAULT		WATERMAIN PIPE
	WATER B-BOX		STORM SEWER PIPE
	WATER VALVE BOX		STORM UNDERDRAIN
	FIRE HYDRANT		SANITARY SEWER PIPE
	WELL HEAD		IRRIGATION SLEEVE/PIPING
	FIRE DEPARTMENT CONNECTION		ELECTRICAL DUCT BANK
	STORM INLET		NATURAL GAS LINE
	STORM MANHOLE		COMMUNICATIONS LINE
	CATCH BASIN		CHILLED WATER SUPPLY
	STORM CLEANOUT		CHILLED WATER RETURN
	DOWNSPOUT		TELEVISION CABLE
	FLARED END SECTION		UNDERGROUND WIRE
	SANITARY MANHOLE		TELEPHONE CABLE
	SANITARY CLEANOUT		FIBER OPTIC CABLE
	LIGHT POLE		AERIAL WIRES
	TELEPHONE MANHOLE		CONSTRUCTION LIMITS
	POWER POLE		PROPERTY LINE
	GAS VALVE		EASEMENT LINE
	GAS METER		VENT LINE
	HAND HOLE		HIGH WATER LINE
	MAIL BOX		NORMAL WATER LINE
	ELECTRICAL MANHOLE		CHAIN LINK FENCE
	CABLE TV PEDESTAL		BARBED-WIRE FENCE
	TELEPHONE PEDESTAL		WOODEN FENCE
	TRAFFIC OR STREET SIGN		SILT FENCE
	SOIL BORING		DECIDUOUS TREE
	SPOT ELEVATION		SHRUB OR BUSH
	SURFACE FLOW		EVERGREEN TREE
	100-YEAR OVERFLOW		

OWNER / DEVELOPER

GMX REAL ESTATE GROUP, LLC
3000 DUNDEE ROAD, SUITE 408
NORTHBROOK, IL 60062
CONTACT: ANDREW GOODMAN
PH: 847-680-8600

BENCHMARK

SOURCE BENCHMARK: (NAVD 88)
CONC. REFERENCE BENCHMARK WITH MONUMENT NW. COR. OF SW 1/4 SEC. 28, T3N,
R19E. ELEVATION=797.92

SITE BENCHMARK:
NW FLANGE BOLT ON HYDRANT LOCATED ALONG MILWAUKEE AVE NEAREST TO SITE
ENTRANCE. ELEVATION=792.87

DUTY TO INDEMNIFY

THE CONTRACTOR SHALL DEFEND, INDEMNIFY, KEEP AND SAVE HARMLESS THE MUNICIPALITY, OWNER, AND ENGINEER, AND THEIR RESPECTIVE BOARD MEMBERS, REPRESENTATIVES, AGENTS AND EMPLOYEES, IN BOTH INDIVIDUAL AND OFFICIAL CAPACITIES, AGAINST ALL SUITS, CLAIMS, DAMAGES, LOSSES AND EXPENSES, INCLUDING ATTORNEY'S FEES, CAUSED BY, GROWING OUT OF, OR INCIDENTAL TO, THE PERFORMANCE OF THE WORK UNDER THE CONTRACT BY THE CONTRACTOR OR ITS SUBCONTRACTORS TO THE FULL EXTENT AS ALLOWED BY THE LAWS OF THE STATE OF ILLINOIS AND NOT BEYOND ANY EXTENT WHICH WOULD RENDER THESE PROVISIONS VOID OR UNENFORCEABLE. THIS OBLIGATION INCLUDES BUT IS NOT LIMITED TO, THE ILLINOIS LAWS REGARDING STRUCTURAL WORK (IL REV. STAT. CH. 48, PAR.60 AT SEQ.), AND REGARDING THE PROTECTION OF ADJACENT LANDOWNERS (IL REV. STAT. CH.17 1/2 PAR.51 ET. SEQ.). IN THE EVENT OF ANY SUCH INJURY (INCLUDING DEATH) OR LOSS OR DAMAGE, OR CLAIMS THEREFORE, THE CONTRACTOR SHALL GIVE PROMPT NOTICE TO THE OWNER.

NOTES

- SITE ACCESS CONTROL INCLUDING SAFETY FENCES AND TRAFFIC CONTROL, ALL CONSTRUCTION MEANS AND METHODS, AND SITE SAFETY ARE THE SOLE RESPONSIBILITY OF THE CONTRACTOR.
- THE CONTRACTORS SHALL NOTIFY ALL UTILITY COMPANIES FOR FIELD LOCATIONS OF THEIR FACILITIES PRIOR TO BEGINNING CONSTRUCTION. THE CONTRACTOR WILL BE RESPONSIBLE FOR THE MAINTENANCE AND PRESERVATION OF THESE FACILITIES. ALL UTILITIES SHOWN IN THE PLANS ARE FROM RECORDS OR FIELD OBSERVABLE IN FORMATION LOCATED BY SURVEYOR. ANY UTILITY LOCATIONS SHOWN SHALL BE VERIFIED BY THE CONTRACTOR IN THE FIELD.

Sheet List Table

Sheet Number	Sheet Title
C0	TITLESHEET
C1	PRELIMINARY SITE PLAN
C2	PRELIMINARY UTILITY PLAN
C3	PRELIMINARY GRADING AND EROSION PLAN
E1.0	LIGHTING PHOTOMETRICS PLAN

LOCATION MAP



No.	DATE	DESCRIPTION
	7/11/18	PRELIMINARY ENGINEERING



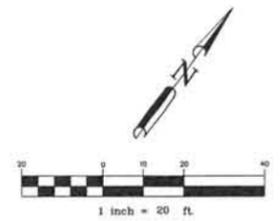
SHEET NAME
TITLESHEET

PROJECT NAME
**GMX BURLINGTON
BURLINGTON, WI**
1054-1066 MILWAUKEE AVE
BURLINGTON, WI

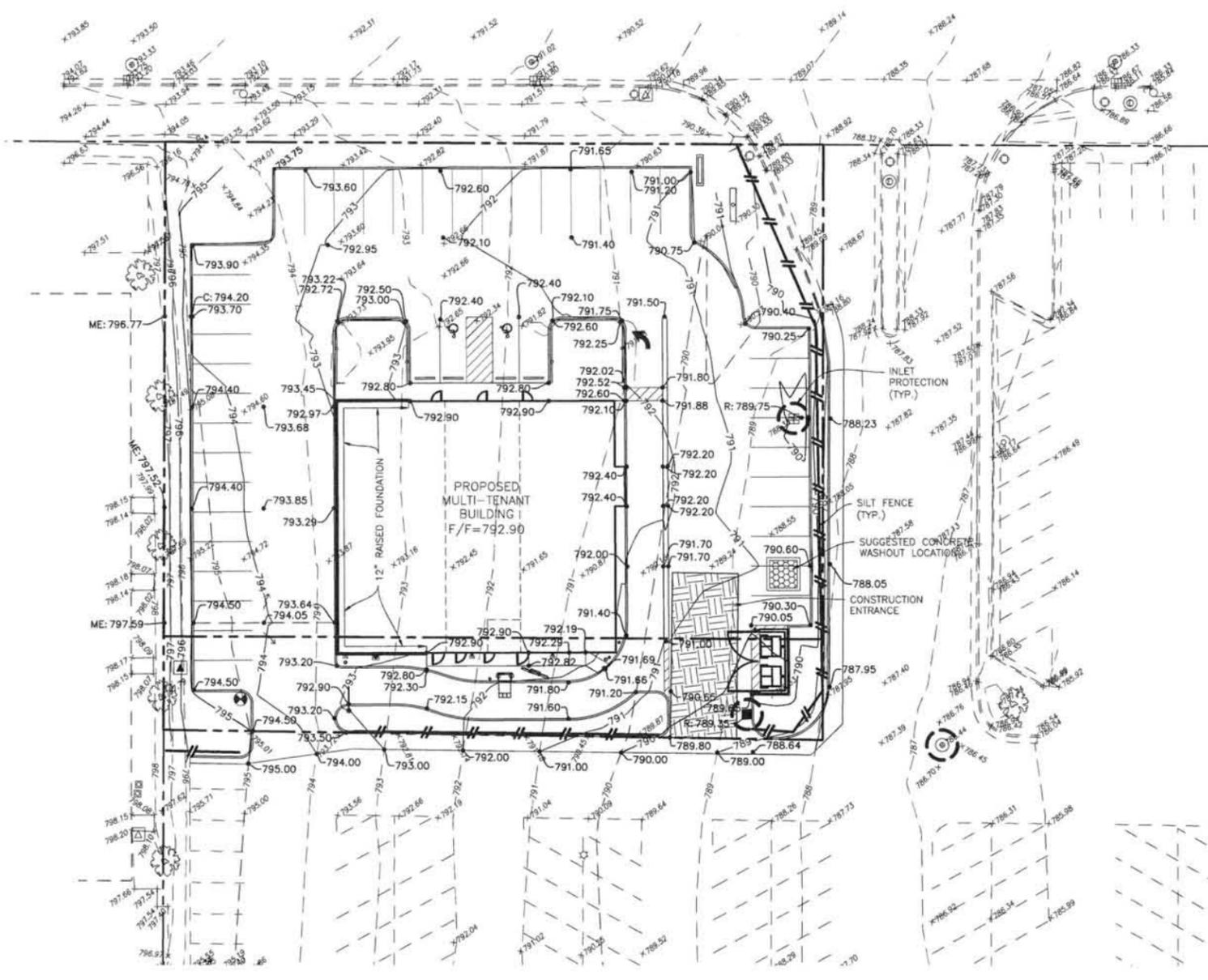
PROJECT No.
18.GMX.C03
SHEET No.
C0
OF 4 SHEETS



Know what's below.
Call before you dig.



MILWAUKEE AVENUE
"36" & "83"



LEGEND

- 50' X 20' CONSTRUCTION ENTRANCE
- SILT FENCE
- CONCRETE WASHOUT FACILITY
- INLET PROTECTION
- EXISTING GRADE
- PROPOSED GRADE

GRADING NOTES:

1. PROPOSED ELEVATIONS SHOWN ON PROPOSED CURB LINES ARE FLOW LINE ELEVATIONS UNLESS NOTED OTHERWISE. ADD 0.50' TO OBTAIN TOP OF CURB ELEVATIONS. HOWEVER, PLEASE KEEP IN MIND THAT ALL CURBS ARE NOT 0.50' TALL. PAY CLOSE ATTENTION TO ALL CURB TRANSITIONS. IN THESE AREAS THE CURB HEIGHTS ARE VARIABLE.
2. A CONSTANT SLOPE SHALL BE MAINTAINED BETWEEN SPOT GRADES.
3. RIM GRADES ALONG CURBS ARE FLOW LINE ELEVATIONS.
4. TOPOGRAPHIC SURVEY PREPARED BY CHAPUT LAND SURVEYS, LLC., DATED MAY 11, 2018.
5. HANDICAP SPACES SHALL NOT EXCEED 2% SLOPE IN ALL DIRECTIONS.
6. SIDEWALK TO BE USED AS A HANDICAP ACCESSIBLE ROUTE, SHALL HAVE A MAXIMUM CROSS SLOPE OF 2% AND A MAXIMUM LONGITUDINAL SLOPE OF 5%.

SOIL EROSION AND SEDIMENT CONTROL NOTES:

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED PRIOR TO CONSTRUCTION.
2. INLET PROTECTION SHALL BE INSTALLED AT EACH DRAINAGE STRUCTURE THAT ACCEPTS WATER ONCE THAT STRUCTURE IS ABLE TO RECEIVE WATER.
3. ALL ROADS INCLUDING ADJACENT ROADWAYS, SWALES, DRAINAGE STRUCTURES, MANHOLES AND PIPES MUST BE KEPT CLEAN AND FREE OF DIRT, SILT AND DEBRIS AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR FIELD ADJUSTING THE LOCATION OF THE EROSION MEASURES TO ACCOMMODATE CONSTRUCTION ACTIVITIES. RELOCATED MEASURES SHALL BE PLACED TO PREVENT SILT FROM RUNNING OFF THE SITE OR INTO FINISHED GRADED AREAS. MEASURES SHALL BE RELOCATED BACK TO ORIGINAL LOCATION AS NECESSARY AFTER CONSTRUCTION ACTIVITY IN THE EFFECTED AREA IS COMPLETED.
5. AFTER PERMANENT GROUND COVER IS ESTABLISHED THROUGHOUT THE SITE, THE ACCUMULATED SEDIMENT SHALL BE REMOVED FROM COLLECTION AREAS, AND ALL STORM SEWER PIPES AND STRUCTURES.
6. SEE LANDSCAPE PLANS FOR PERMANENT VEGETATION REQUIREMENTS.
7. TEMPORARY STOCKPILE SHALL BE SEEDDED IF UNDISTURBED FOR MORE THAN 14 DAYS.
8. ALL ACCESS TO AND FROM THE CONSTRUCTION SITE IS RESTRICTED TO THE CONSTRUCTION ENTRANCE.
9. ALL TEMPORARY AND PERMANENT EROSION AND SEDIMENT CONTROL PRACTICES MUST BE MAINTAINED AND REPAIRED AS NEEDED TO ASSURE EFFECTIVE PERFORMANCE OF THEIR INTENDED FUNCTION.
10. MAJOR AMENDMENTS OF THE SITE DEVELOPMENT OR EROSION AND SEDIMENTATION CONTROL PLANS SHALL BE SUBMITTED TO THE DEPARTMENT OF COMMUNITY DEVELOPMENT TO BE APPROVED IN THE SAME MANNER AS THE ORIGINAL PLANS.
11. ANY SEDIMENT REACHING A PUBLIC OR PRIVATE ROAD SHALL BE REMOVED BY SHOVELING OR STREET CLEANING (NOT FLUSHING) BEFORE THE END OF EACH WORKDAY AND TRANSPORTED TO A CONTROLLED SEDIMENT DISPOSAL.
12. ALL TEMPORARY EROSION AND SEDIMENT CONTROL MEASURES SHALL BE DISPOSED OF WITHIN 30 DAYS AFTER THE FINAL SITE STABILIZATION IS ACHIEVED WITH PERMANENT SOIL STABILIZATION MEASURES.
13. DISTURBED AREAS SHALL BE STABILIZED WITH TEMPORARY OR PERMANENT MEASURES WITHIN 7 CALENDAR DAYS FOLLOWING THE END OF ACTIVE DISTURBANCE OR REDISTURBANCE.
14. IF DEWATERING DEVICES ARE USED, DISCHARGE LOCATIONS SHALL BE PROTECTED FROM EROSION. ALL PUMPED DISCHARGES SHALL BE ROUTED THROUGH APPROPRIATELY DESIGNED SEDIMENT TRAPS OR BASINS.
15. THE CONTRACTOR SHALL TAKE THE NECESSARY STEPS TO CONTROL WASTE SUCH AS DISCARDED BUILDING MATERIALS, CONCRETE TRUCK WASHOUT, CHEMICALS, LITTER AND SANITARY WASTE AT THE CONSTRUCTION SITE THAT MAY CAUSE ADVERSE IMPACTS TO WATER QUALITY.
16. ALL STORM SEWER FRAMES AND GRATES/LIDS SHALL BE MARKED WITH "DUMP NO WASTE" AND "DRAINS TO CREEK".
17. A NOTICE OF INTENT MUST BE SUBMITTED TO THE NPDES PERMITTING AUTHORITY AND POSTMARKED AT LEAST 30 DAYS BEFORE COMMENCEMENT OF ANY WORK ON-SITE FOR ALL CONSTRUCTION SITES OVER AN ACRE, INCLUDED IN THE NOI SHALL BE THE STORMWATER POLLUTION PREVENTION PLAN (SWPPP), WHICH INCLUDES THE APPROPRIATE BMP'S TO MINIMIZE THE DISCHARGE OF POLLUTANTS FROM THE CONSTRUCTION SITE.
18. AN INCIDENT OF NON-COMPLIANCE (ION) MUST BE COMPLETED AND SUBMITTED TO WDNR IF, AT ANY TIME, AN EROSION OR SEDIMENT CONTROL DEVICES FAILS.
19. A NOTICE OF TERMINATION (NOT) MUST BE COMPLETED AND SUBMITTED TO THE WDNR WHEN ALL PERMANENT EROSION CONTROL MEASURES ARE IN PLACE WITH A 70% ESTABLISHMENT OF VEGETATION.
20. CONTRACTOR TO INCLUDE MIN. 3" RIP RAP AT BUILDING'S ABOVE GROUND PRIMARY STORM PIPE POINT OF DISCHARGE.

CONSTRUCTION SEQUENCE AND RESPONSIBLE CONTRACTOR	CONTRACTOR			
	GRADING CONTRACTOR	UNDERGROUND CONTRACTOR	PAVING CONTRACTOR	LANDSCAPE CONTRACTOR
1. INSTALL SEDIMENT CONTROL MEASURES -DITCH CHECKS -EROSION CONTROL FENCE -SEDIMENT BASIN -STABILIZED CONSTRUCTION ENTRANCE -TEMPORARY SWALES -SPECIFIED STORM SEWER LINES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. GRADE SITE/STOCKPILE TOPSOIL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. INSTALL STORMWATER MANAGEMENT MEASURES -STORM SEWER -SEDIMENT TRAP (INLET PROTECTION) -DITCH/SWALES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. TEMPORARY VEGETATIVE STABILIZATION -CONTROL MEASURES -TEMPORARY SEEDING -DITCH/SWALES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
5. INSTALL ROAD SUBGRADE -AGGREGATE COVER	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. SITE CONSTRUCTION WORK -CURB AND CUTTER -PAVING (WALKS & BIKEPATHS)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. VEGETATIVE COVER ON ALL AREAS TO BE EXPOSED LONGER THAN 60 DAYS -TEMPORARY SEEDING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. SURFACE ROADS -PAVING	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. PERMANENT VEGETATIVE STABILIZATION OF ALL EXPOSED AREAS -PERMANENT SEEDING -SODDING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. INSTALL PERMANENT LANDSCAPING	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. PERFORM CONTINUING MAINTENANCE	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

601 E. Approach Rd., Ste. 200, Schaumburg, IL 60193 T: 847.758.4180 www.rtmconsultants.com

PRELIMINARY GRADING AND EROSION PLAN

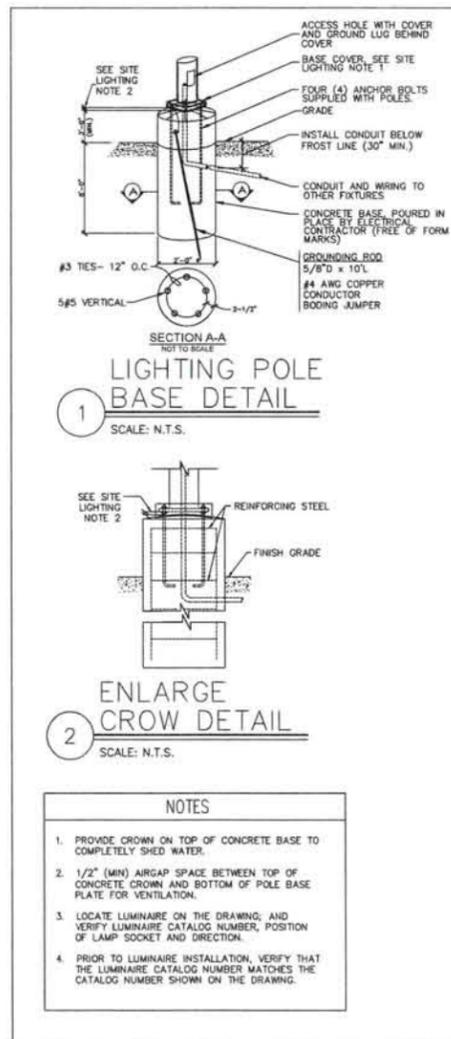
SHEET NAME: **GMX BURLINGTON**
PROJECT NAME: **1054-1066 MILWAUKEE AVE BURLINGTON, WI**

PROJECT No. **18.GMX.C03**
SHEET No. **C3**
OF 4 SHEETS

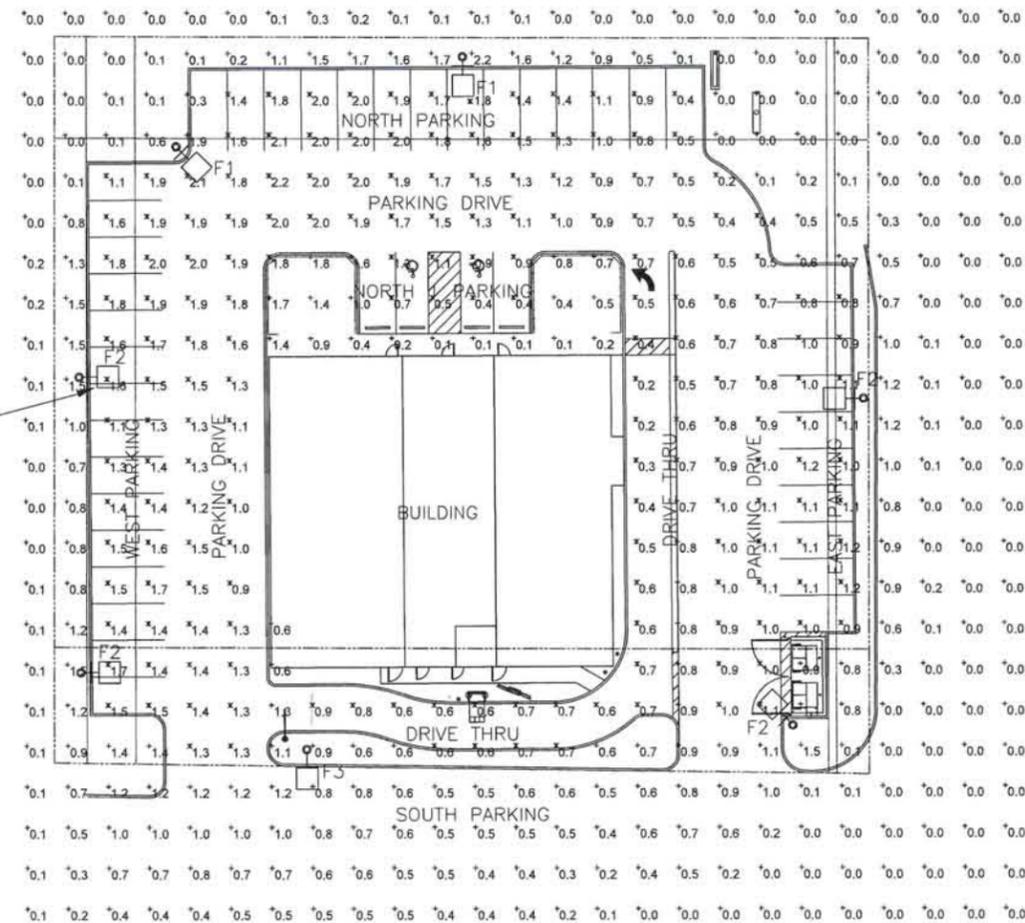
NO.	DATE	DESCRIPTION
1	7/17/18	PRELIMINARY ENGINEERING

PARKING AREA STATISTICS					
Description	Avg	Max	Min	Max/Min	Avg/Min
DRIVE THRU	0.6fc	1.0fc	0.2fc	5.0:1	3.0:1
ALL SITE	0.7fc	2.2fc	0.0fc	N/A	N/A
NORTH PARKING1	0.8fc	1.3fc	0.4fc	3.3:1	2.0:1
NORTH PARKING	1.5fc	2.1fc	0.4fc	5.3:1	3.8:1
EAST PARKING	1.1fc	1.2fc	0.9fc	1.3:1	1.2:1
PARKING DRIVE	1.2fc	2.1fc	0.5fc	4.2:1	2.4:1
WEST PARKING	1.6fc	2.0fc	1.1fc	1.8:1	1.5:1

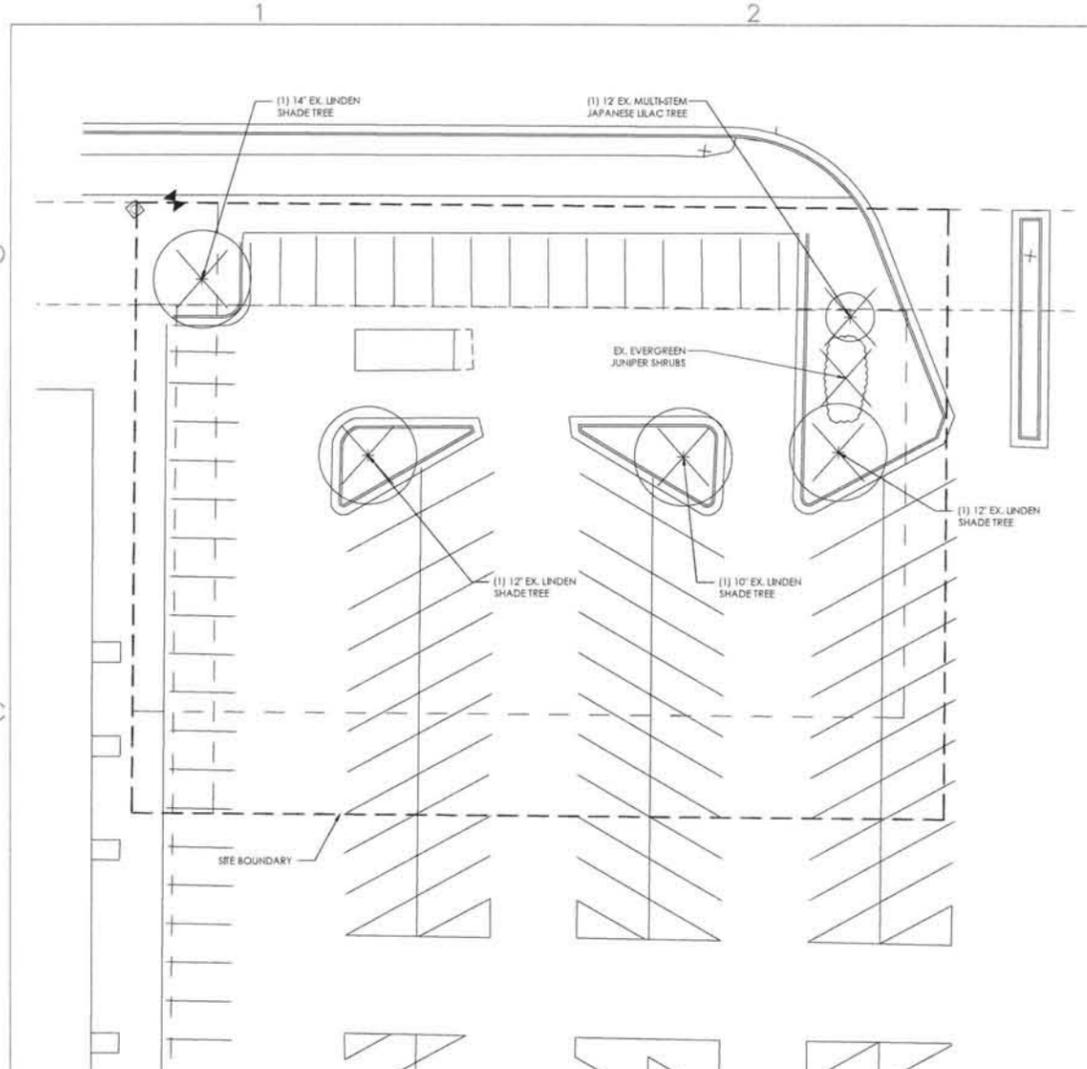
LIGHTING FIXTURE SCHEDULE								
FIXTURE TAG	SYMBOL	MANUFACTURER	MODEL NUMBER	LAMPS	VOLTAGE	WATTAGE	MOUNTING	NOTES
F1	☉	PHILLIPS	ECF-4-75LA-4853-NW ECOFORM (PROVIDE POLE AND HEAD SAMPLE OF BLACK AND BRONZE COLORS FROM THE MANUFACTURER FOR OWNER FINAL SELECTION)	LED 9086Lm/EACH 4000K-70CRI	208V	77.4W	POLE	(1) POLE LIGHT, 20FT POLE, WITH 1 POLE HEAD, DRILLING PATTERN AS REQUIRED BY POLE HEAD, BLACK OR BRONZE IN COLOR AS SELECTED BY OWNER (PROVIDE MANUFACTURER COLOR SAMPLE). PROVIDE 20FT POLE WITH VIBRATION DAMPERS AND GROUND LUG CONNECTION. POLE SHALL WITHSTAND WEIGHT AND E.P.A FOR 90M WIND. POLE REQUIRE IN-LINE FUSING
F2	☉	PHILLIPS	ECF-4-55LA-3253-NW ECOFORM-IS (PROVIDE POLE AND HEAD SAMPLE OF BLACK AND BRONZE COLORS FROM THE MANUFACTURER FOR OWNER FINAL SELECTION)	LED 6294Lm/EACH 4000K-70CRI	208V	51.6	POLE	(1) POLE LIGHT, 20FT POLE, WITH 1 POLE HEADS, DRILLING PATTERN AS REQUIRED BY POLE HEAD, BLACK OR BRONZE IN COLOR AS SELECTED BY OWNER (PROVIDE MANUFACTURER COLOR SAMPLE). PROVIDE 20FT POLE WITH VIBRATION DAMPERS AND GROUND LUG CONNECTION. POLE SHALL WITHSTAND WEIGHT AND E.P.A FOR 90M WIND. POLE REQUIRE IN-LINE FUSING
F3	☉	PHILLIPS	ECF-5-70LA-3270-NW ECOFORM (PROVIDE POLE AND HEAD SAMPLE OF BLACK AND BRONZE COLORS FROM THE MANUFACTURER FOR OWNER FINAL SELECTION)	LED 7421Lm/EACH 4000K-70CRI	208V	69.2	POLE	(1) POLE LIGHT, 20FT POLE, WITH 1 POLE HEADS, DRILLING PATTERN AS REQUIRED BY POLE HEAD, BLACK OR BRONZE IN COLOR AS SELECTED BY OWNER (PROVIDE MANUFACTURER COLOR SAMPLE). PROVIDE 20FT POLE WITH VIBRATION DAMPERS AND GROUND LUG CONNECTION. POLE SHALL WITHSTAND WEIGHT AND E.P.A FOR 90M WIND. POLE REQUIRE IN-LINE FUSING



POLE MOUNTED LIGHT FIXTURE AT 23ft(TYPICAL).

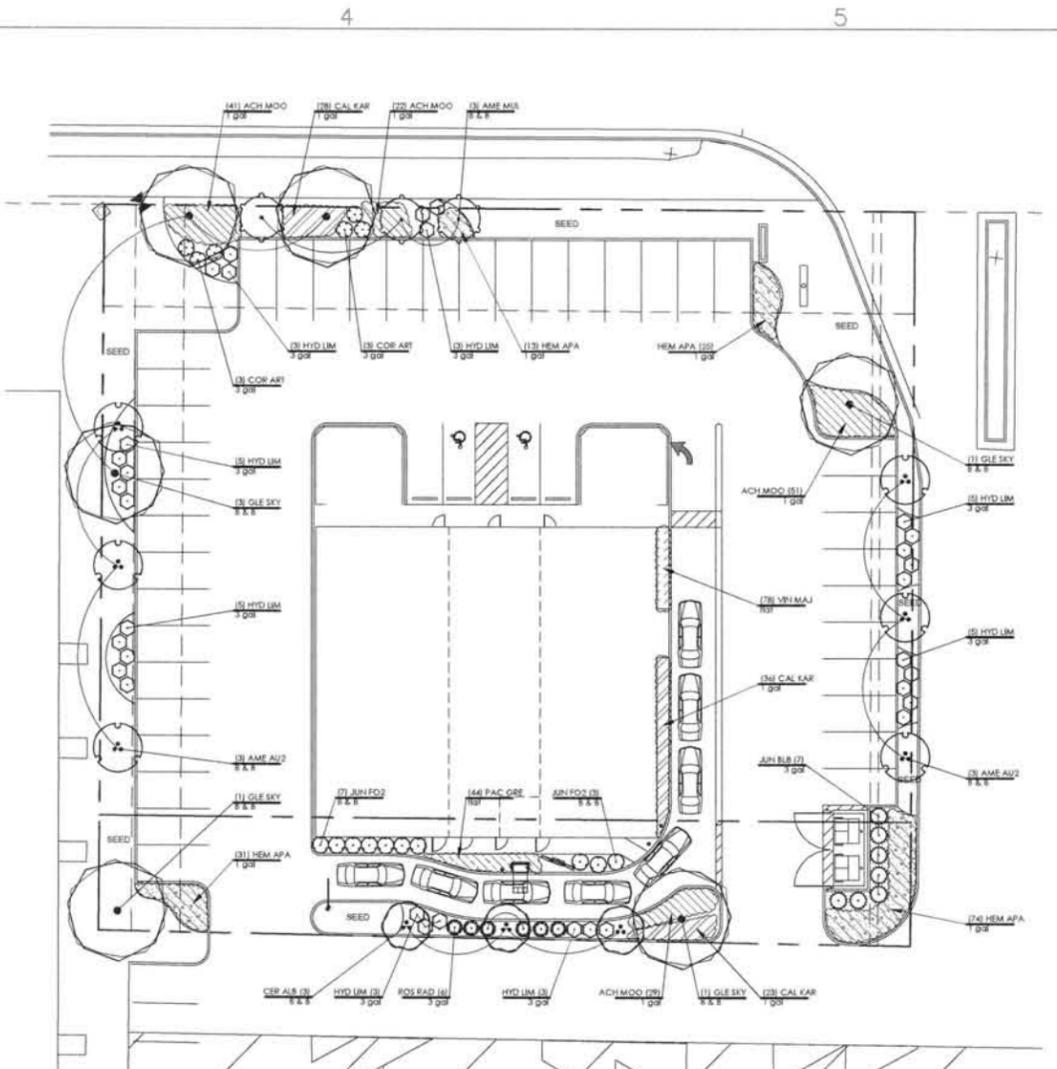


1 SITE PLAN - PHOTOMETRIC
1" = 20'-0"



EXISTING SITE PLAN

NOTE: ALL LANDSCAPE WITHIN SITE BOUNDARY TO BE REMOVED.



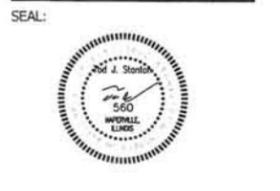
PROPOSED SITE PLAN

	Types of Plants Required	Minimum Quantity of Each Plant Type Required Per 100 feet of Bufferyard Length	Property Boundary Length (feet)	Types of Plants Provided
Northwest Yard	Canopy/Shade Trees	0.7	200	2
	Understory Trees	1.4		3
	Shrubs	5.6		12
Northeast Yard	Canopy/Shade Trees	0.7	180.604	1
	Understory Trees	1.4		3
	Shrubs	5.6		10
Southeast Yard	Canopy/Shade Trees	0.7	200	2
	Understory Trees	1.4		3
	Shrubs	5.6		12
Southwest Yard	Canopy/Shade Trees	0.7	178.375	1
	Understory Trees	1.4		3
	Shrubs	5.6		10

PLANT SCHEDULE

TREES	BOTANICAL NAME / COMMON NAME	CONT	CAL	SIZE	QTY
AME MUL	Amelanchier canadensis / Shadblow Serviceberry Multiflora	8 & B		5' H.	3
AME AU2	Amelanchier canadensis 'Autumn Brilliance' / Autumn Brilliance Serviceberry	8 & B	3' Cal		6
CER ALB	Cercis canadensis 'Alba' / White Eastern Red Bud	8 & B	3' Cal		3
GLE SKY	Gleditsia triacanthos 'Skyline' / Skyline Honey Locust	8 & B	3' Cal		6
SHRUBS	BOTANICAL NAME / COMMON NAME	CONT	SEE		QTY
COR ART	Cornus sericea 'Arlic Fire' / Arlic Fire Dogwood	3 gal	24" H		6
HYD LIM	Hydrangea paniculata 'Limelight' TM / Limelight Hydrangea	3 gal	24" H		32
JUN FO2	Juniperus chinensis 'Sea Green' / Sea Green Juniper	8 & B	24" H		10
JUN BL8	Juniperus virginiana 'Blue Mountain' / Blue Mountain Juniper	3 gal	36" H.		7
ROS RAD	Rosa x 'Knockout' TM / Rose	3 gal	24" H.		6
GROUND COVERS	BOTANICAL NAME / COMMON NAME	CONT	SPACING		QTY
ACH MOO	Achillea x 'Moonshine' / Moonshine Yarrow	1 gal	24" o.c.		143
CAL KAR	Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass	1 gal	24" o.c.		87
HEM APA	Hemerocallis x 'Chicago Apache' / Chicago Apache Daylily	1 gal	24" o.c.		143
PAC GRE	Pachysandra terminalis 'Green Carpet' / Japanese Spurge	1 gal	18" o.c.		44
VIN MAJ	Vinca major / Periwinkle	1 gal	12" o.c.		78
SEED	Bluegrass, Rye and Fescue Blend with Blanket	3,800 sf			

REV.	COMMENT	DATE
1	COMMENT REVIEW	6/8/18
2	COMMENT REVIEW	7/11/18

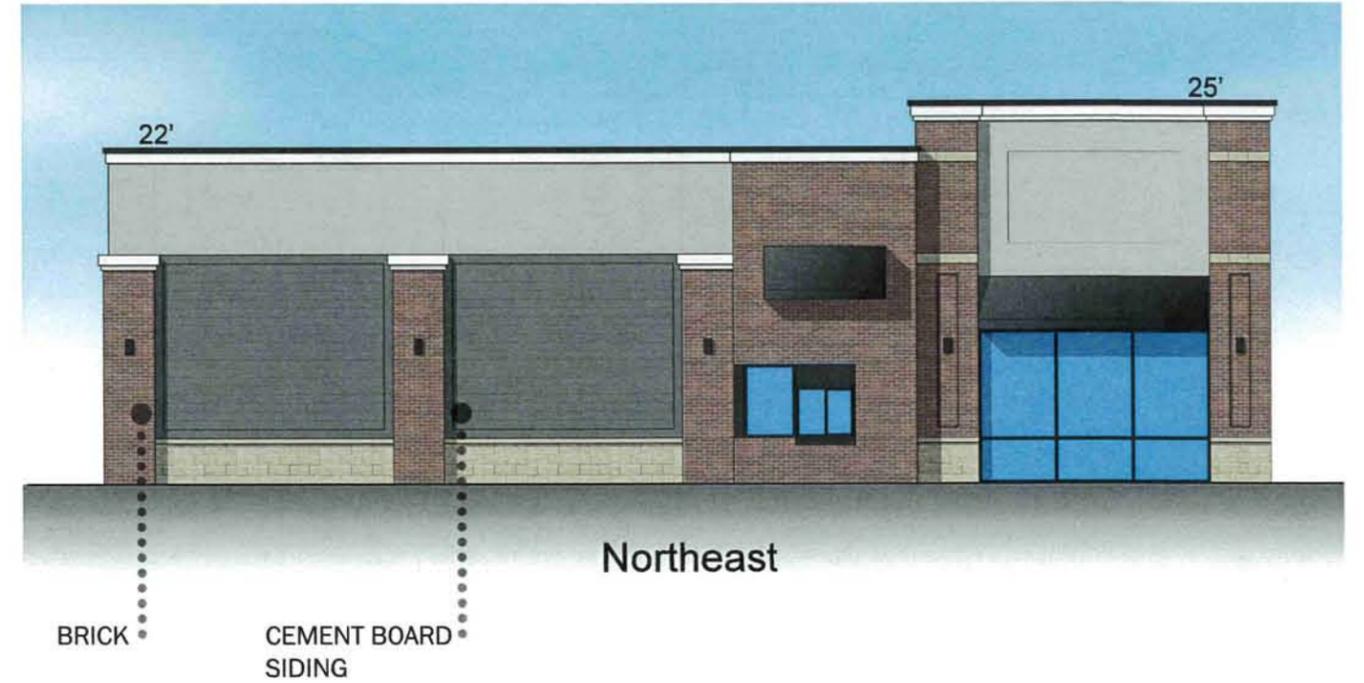
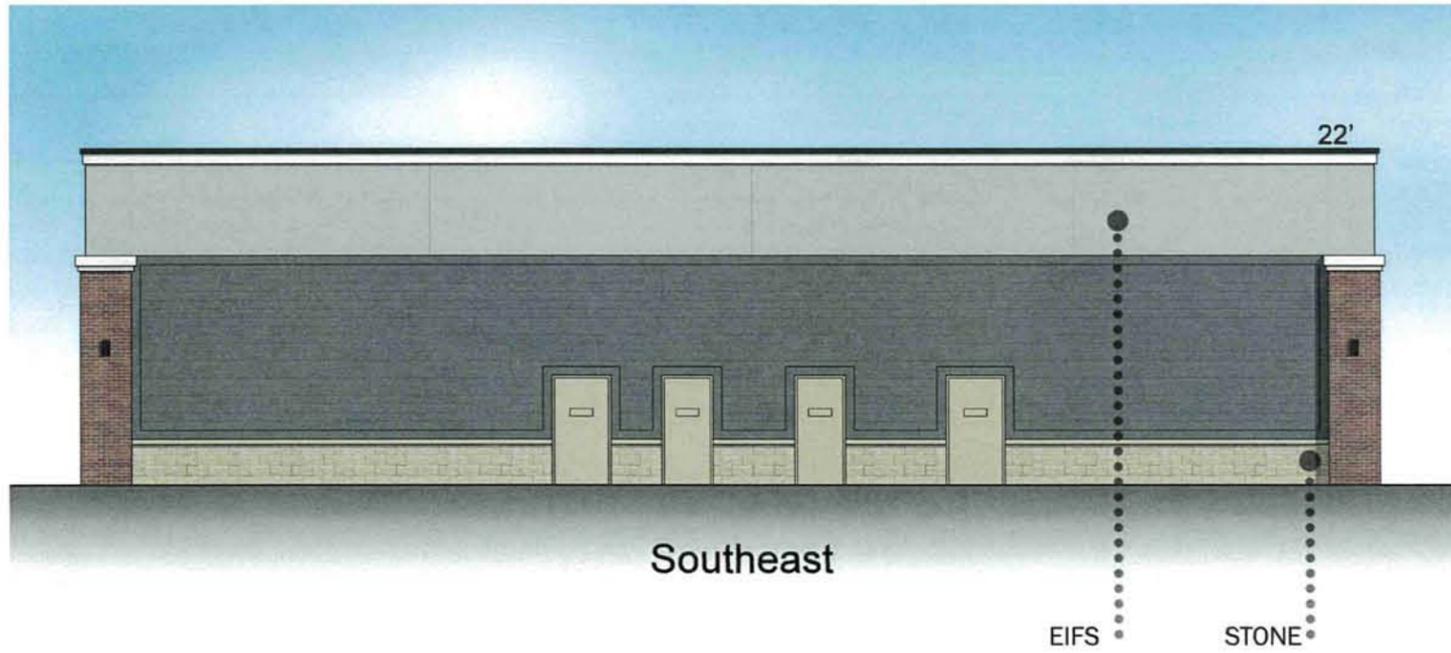


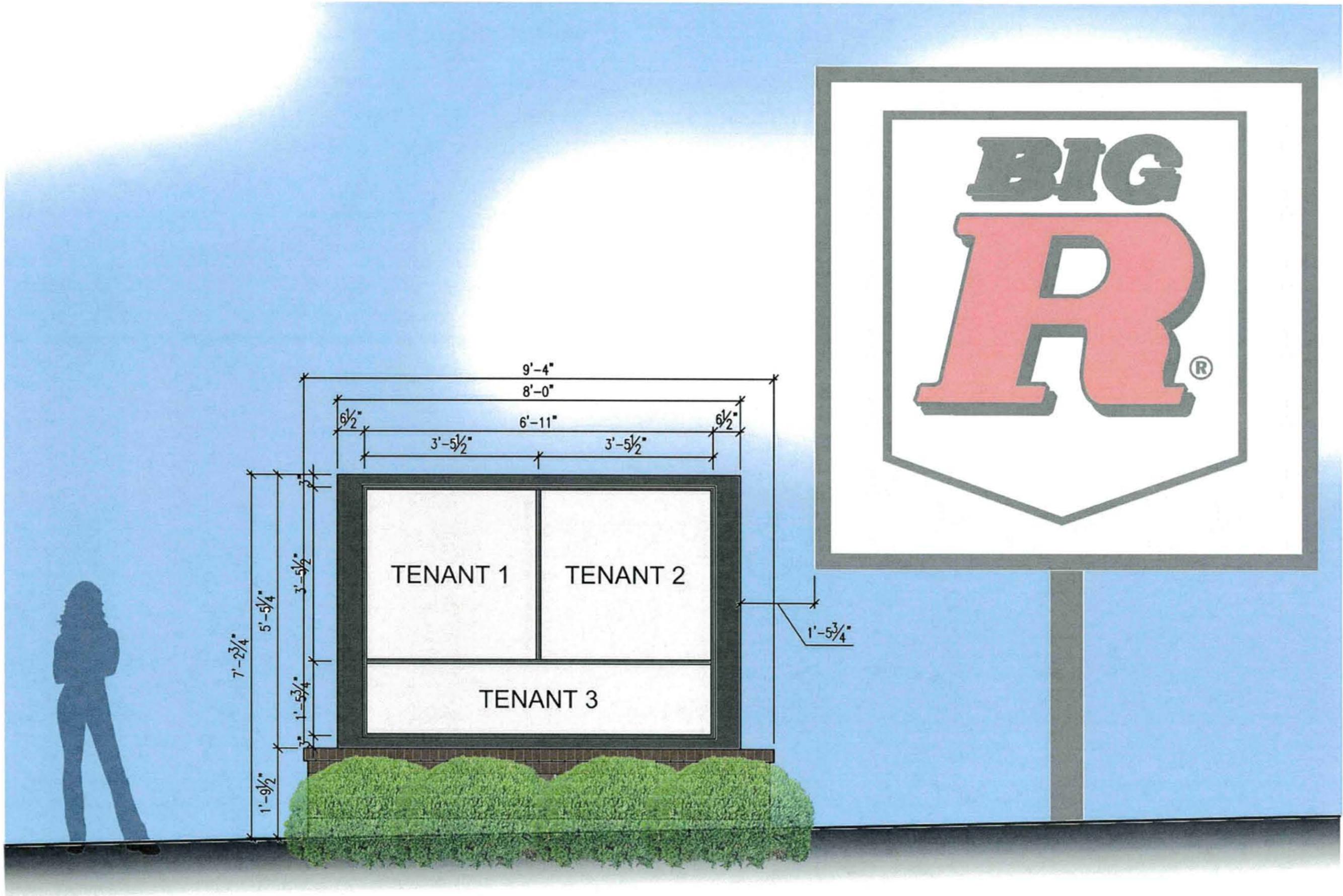
DATE: 5/15/2018
JOB NO.: 18-378N
DRAWN BY: CE
CHECKED BY: TS

DRAWING TITLE:
LANDSCAPE PLAN

SHEET NO.:
LP-100









PLAN COMMISSION

ITEM NUMBER: 7A

DATE: August 14, 2018

SUBJECT: A Public Hearing for a Conditional Use application at 616 Droster Avenue.

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 Square One Investments, for property located at 616 Droster Avenue. The applicant is proposing to allow for a cold storage building for storage of heating, ventilation, and air conditioning (HVAC) units. The proposed cold storage and warehouse would allow for the expansion of the existing business operations for Square One Heating & Cooling, LLC.

ZONING:

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

RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the August 14, 2018 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: Steve Hansen
Applicant: Square One Investments
Location: 616 Droster Avenue
Zoning: B-1, Neighborhood Business District
Use: To allow for a cold storage building for storage of heating, ventilation, and air conditioning (HVAC) units

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, AUGUST 14, 2018 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 July, 2018.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
July 26th and August 2nd, 2018



PLAN COMMISSION

ITEM NUMBER: 7B

DATE: August 14, 2018

SUBJECT: Consideration to approve a Conditional Use and Site Plan application at 616 Droster Avenue.

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use and Site Plan application from Square One Investments, for property located at 616 Droster Avenue. The applicant is proposing to allow for a cold storage building for storage of heating, ventilation, and air conditioning (HVAC) units. The proposed cold storage and warehouse would allow for the expansion of the existing business operations for Square One Heating & Cooling, LLC, and is approximately 4,950 square feet. The handwritten note on the photometric plans read "Square One – Not Accurate!!" shall be clarified before the Plan Commission makes an approval.

These operations include the warehousing and sales of electric apparatus and equipment, namely HVAC supplies; thus, the proposed cold storage and warehouse use is compliant. The Site Plan submitted indicates a proposed addition of a wooden fence with electric gate, though no details regarding the dimensions of the fence or gate are provided. The applicant shall provide dimensional details for the wooden fence and detailed plans for the electric gate. The proposed development is compliant with the parking requirements. The applicant has indicated the site will be 45% green space, which will satisfy the landscape surface ratio requirements.

ZONING:

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

RECOMMENDATION:

Graef recommends a conditional approval of this Conditional Use and Site Plan, subject to items listed in the August 7, 2018, Kapur's June 28, 2018, and Fire Department's August 6, 2018 memorandums.

TIMING/IMPLEMENTATION:

This item is for consideration at the August 14, 2018 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

collaborāte / formulāte / innovāte

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Ben Block
Tanya Fonseca, AICP

DATE: August 7, 2018

SUBJECT: Review of a Site Plan Approval Application and an Application for a Conditional Use Permit for 616 Droster Avenue.

A. PURPOSE

Consider for approval a Site Plan Approval Application and an Application for a Conditional Use Permit for cold storage and a warehouse at 616 Droster Avenue.

B. RECOMMENDATION

Based upon the review of the submitted materials, GRAEF recommends the following:

1. The Plan Commission recommend to the Common Council the **CONDITIONAL APPROVAL** of the Site Plan Approval Application for 616 Droster Avenue, pending:
 - a. the submission of additional details regarding the proposed fence and electric gate;
 - b. the clarification of the handwritten note on the photometric plan; and,
2. The Plan Commission recommend to the Common Council the **APPROVAL** of the Application for a Conditional Use Permit for cold storage and a warehouse at 616 Droster Avenue.

C. BACKGROUND

Steven Hanson of Square One Heating & Cooling, LLC (Applicant) submitted a Site Plan Approval Application and an Application for a Conditional Use Permit for cold storage and a warehouse at 616 Droster Avenue. The property is zoned "B-1 Neighborhood Business District."

The following materials were submitted:

- a. Site Plan Approval Application
- b. Application for a Conditional Use Permit
- c. Plat of Survey, with landscaping notes
- d. Shed construction plans
- e. Photometric plan and lighting cut sheets

D. COMPLIANCE WITH ZONING CODE §315-26 “B-1 NEIGHBORHOOD BUSINESS DISTRICT”*I. Site Plan*

The proposed development is compliant with the dimensional standards outlined in this section of the Zoning Code.

It should be noted that the photometric plan submitted with this Application has a handwritten note on it that reads “Square One – Not Accurate!!” This note should be clarified before the Plan Commission makes a recommendation for approval.

II. Conditional Use

The parcel is zoned “B-1 Neighborhood Business District,” which includes the following conditional use:

(28) Warehousing and retail/wholesale sales of electric apparatus and equipment.

The proposed cold storage and warehouse would allow for the expansion of the existing business operations for Square One Heating & Cooling, LLC. These operations include the warehousing and sales of electric apparatus and equipment, namely HVAC supplies; thus, the proposed cold storage and warehouse use is compliant with this section of the Zoning Code.

E. COMPLIANCE WITH ZONING CODE §315-130 “CONDITIONAL USE PERMIT”

This section of the Zoning Code outlines the rationale for granting conditional uses, such that proposed conditional uses “are found not to be hazardous, harmful, offensive, or otherwise adverse to the environment or the value of the neighborhood or the community.”

The proposed business operations associated with this conditional use would be conducted between 7am and 5pm Monday through Friday, and would be operated by 16 employees. Considering the adjacent uses, the addition of cold storage and a warehouse would not pose any adverse effects on the neighborhood.

F. COMPLIANCE WITH ZONING CODE §315-51 “FENCES”

The site plan submitted with this Application indicates a proposed addition of a wooden fence with electric gate, though no details regarding the dimensions of the fence or gate are provided.

In addition to providing dimensional details regarding the proposed wooden fence, the Applicant should provide detailed plans for the electric gate so that the City Engineer can ensure it is compliant. The submittal of additional details regarding both the proposed fence and the wooden gate should be conditions for the approval of this Application.

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

The proposed development is compliant with the parking requirements outlined in this section of the Zoning Code. 27 spaces will be provided (2 of which are ADA accessible). Square One Heating & Cooling, LLC provides HVAC contracting services, and Table 5 of this section indicates that the parking requirements for contractor shops are the following: 1 space per 1,000 SF + 1 space per company vehicle. The proposed development has a total area of approximately 10,000 SF and 8 company vehicles, which would require 18 spaces. With 27 spaces provided, the proposed development is compliant with this section of the code.

Table 4 of this section indicates the amount of ADA accessible parking spaces that are required based on the total number of spaces. With a requirement of 18 total spaces, the proposed development needs only 1 van-accessible parking space. The proposed development indicates there will be two van-accessible parking spaces, and is thus compliant.

G. COMPLIANCE WITH ZONING CODE §315-138 "LANDSCAPE REQUIREMENTS"

Though no formal landscape plan was submitted, the site plan indicates which portions of the site will have grass, trees, and other landscape features to satisfy the requirements of this section. The Applicant has indicated that the site will be 45% green space, which will satisfy the Landscape Surface Ratio requirements for the "B-1 Neighborhood Business District."

To: Kristine Anderson **Date:** June 28, 2018
From: Burak Kicikoglu, P.E.
CC: Carina Walters, Megan Watkins, Gregory Guidry, Peter Riggs, Tanya Fonseca,
Greg Governatori
Subject: Engineering review of 616 Droster Avenue – Plans Dated 4-3-2018

We have completed our review of the construction plans for proposed building which will be added on North corner of Parcel B at existing 616 Droster Avenue Parcel. The review was conducted to determine compliance with the City of Burlington Municipal Code and good engineering practices.

BACKGROUND AND REQUEST: The project proposes development of 4950 SF building to the north corner, parcel B, of existing Square One Heating & Cooling, LLC building.

The following plans were submitted for review as part of the site plan application:

- Preliminary Site Plan dated 4/3/18

REVIEW COMMENTS:

General:

- The proposed site plan requires additional information in order to evaluate grading, storm water runoff, paving limits and erosion control. A site grading plan, erosion control plan, and project details plan needs to be prepared showing proposed contour lines, grading limits, erosion control, paving limits, proposed building elevations, and associated details for review.
- No new utilities are proposed as part of this work, It is assumed existing sewer and water facilities will remain unchanged.

RECOMMENDATION: We recommend the applicant provide a site grading, paving and erosion control plans for review.

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 at (262) 758-6025, bkicikoglu@kapurinc.com or Greg Governatori at (262) 758-6010, ggovernatori@kapurinc.com



Fire Department

165 W. Washington Street, Burlington, WI 53105
(262) 763-7842 – (262) 767-8602 fax
www.burlington-wi.gov

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: City of Burlington Fire Department
Alan Babe, Fire Chief
Wes Miner, Fire Inspector

DATE: August 6, 2018

SUBJECT: Review of Site Plan Approval Application and Conditional Use Application for construction of a storage building at 616 Droster Ave, Square One Investments.

A. PURPOSE

Consider for approval the Site Plan Approval Application and Conditional Use Application for construction of a storage building at 616 Droster Ave, Square One Investments.

B. BACKGROUND

Square One Investments (Applicant) submitted a Site Plan Approval Application and Conditional Use Application to propose construction of a 4,950 Square Foot, S-1 Moderate Hazard Storage Occupancy at 616 Droster Ave, Square One Investments.

C. REVIEW OF COMPLIANCE WITH BURLINGTON CODE CHAPTER 155. FIRE PREVENTION, PROTECTION AND CONTROL

No information was submitted regarding the intended use of the storage building. If material or product is stored over 12 feet in height, it will be considered "High Piled Storage" triggering City of Burlington Municipal Code 155-40 "HIGH-PILED COMBUSTIBLE STORAGE".

D. REVIEW OF COMPLIANCE WITH INTERNATIONAL FIRE CODE

City of Burlington Municipal Code 155-40 "HIGH-PILED COMBUSTIBLE STORAGE", adopts the requirements of Chapter 23 of the International Fire Code.

- *2302.1 Definitions:*
 - *HIGH-PILED COMBUSTIBLE STORAGE. Storage of combustible materials in closely packed piles or combustible materials on pallets, in racks or on shelves where the top of storage is greater than 12 feet (3658 mm) in height. When required by the fire code official, high-piled combustible storage also includes certain high-hazard commodities, such as rubber tires, Group A plastics, flammable liquids, idle pallets and similar commodities, where the top of storage is greater than 6 feet (1829 mm) in height.*
- *2303.1 Classification of Commodities. Commodities shall be classified as Class I, II, III, IV or high hazard in accordance with this section. Materials listed within each commodity classification are assumed to be unmodified for improved combustibility characteristics. Use of flame-retarding modifiers or the physical form of the material could change the classification. See Section 2303.7 for classification of Group A, B and C plastics.*
- *2303.2 Class I Commodities. Class I commodities are essentially noncombustible products on wooden or nonexpanded polyethylene solid deck pallets, in ordinary corrugated cartons with or without single-thickness dividers, or in ordinary paper wrappings with or without pallets. Class I commodities are allowed to contain a limited amount of Group A plastics in accordance with Section 2303.7.4.*
- *2306.1 General. Fire protection and life safety features for high-piled storage areas shall be in accordance with Sections 2306.2 through 2306.10.*
- *2306.2 Extent and Type of Protection. Where required by Table 2306.2, fire detection systems, smoke and heat removal, draft curtains and automatic sprinkler design densities shall extend the lesser of 15 feet (4572 mm) beyond the high-piled storage area or to a permanent partition. Where portions of high-piled storage areas have different fire protection requirements because of commodity, method of storage or storage height, the fire protection features required by Table 2306.2 within this area shall be based on the most restrictive design requirements.*

HIGH-PILED COMBUSTIBLE STORAGE

TABLE 2306.2
GENERAL FIRE PROTECTION AND LIFE SAFETY REQUIREMENTS

COMMODITY CLASS	SIZE OF HIGH-PILED STORAGE AREA* (square feet) (see Sections 2306.2 and 2306.4)	ALL STORAGE AREAS (See Sections 2306, 2307 and 2308) ^b					SOLID-PILED STORAGE, SHELF STORAGE AND PALLETIZED STORAGE (see Section 2307.3)		
		Automatic fire-extinguishing system (see Section 2306.4)	Fire detection system (see Section 2306.5)	Building access (see Section 2306.6)	Smoke and heat removal (see Section 2306.7)	Draft curtains (see Section 2306.7)	Maximum pile dimension ^c (feet)	Maximum permissible storage height ^d (feet)	Maximum pile volume (cubic feet)
	0-500	Not Required ^e	Not Required	Not Required ^f	Not Required	Not Required	Not Required	Not Required	Not Required
	501-2,500	Not Required ^e	Yes ^g	Not Required ^f	Not Required	Not Required	100	40	100,000
	2,501-12,000 Public accessible	Yes	Not Required	Not Required ^f	Not Required	Not Required	100	40	400,000
	2,501-12,000 Nonpublic accessible (Option 1)	Yes	Not Required	Not Required ^f	Not Required	Not Required	100	40	400,000
I-IV	2,501-12,000 Nonpublic accessible (Option 2)	Not Required ^e	Yes	Yes	Yes ^g	Yes ^g	100	30 ^h	200,000
	12,001-20,000	Yes	Not Required	Yes	Yes ^g	Not Required	100	40	400,000
	20,001-500,000	Yes	Not Required	Yes	Yes ^g	Not Required	100	40	400,000
	Greater than 500,000 ⁱ	Yes	Not Required	Yes	Yes ^g	Not Required	100	40	400,000

E. RECOMMENDATION

Based upon the review of the submitted materials, we recommend that the Plan Commission recommend to the Common Council the **CONDITIONAL APPROVAL** of the Site Plan Approval Application and Conditional Use Application to propose construction of a 4,950 Square Foot, S-1 Moderate Hazard Storage Occupancy at 616 Droster Ave, Square One Investments based on the following:

- 1) The owner provides documentation from a competent design professional that the intended use of the building and commodities being stored, are in compliance with local code and state code.



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

**APPLICATION FOR A CONDITIONAL
USE PERMIT**

FOR OFFICIAL USE ONLY

Date Filed 6/15/18
Received by KA

Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant Square One Heating + Cooling - Steve Hansen
Phone No. 763-7000
Applicant's Address 350 Coyote Tr, Burlington
Applicant's Email Address Steve@SquareOneHvac.com
Owner of the site Steve Hansen
Phone No. 262 206 6346
Owner's address 350 Coyote Tr, Burlington

DESCRIPTION OF THE SUBJECT SITE

Business name Square One Heating
Address 616 Droster Ave
Or if no address exists: Parcel Identification No. _____
Existing Zoning classification B-1
Description of the proposed use Warehouse / Cold Storage
Number of employees / Hours of operation 14 7-5

**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.



CITY OF BURLINGTON

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: 4/4/18
RECEIVED BY: KA (Initials)
AMT. PAID: 500

APPLICANT: Square One Investments
ADDRESS: 616 Droster Ave PHONE NO. 763-7000
E-MAIL ADDRESS: Steve@SquareOneHvac.com
OWNER: Steve Hansen
ADDRESS: 350 Coyote trail ; Burlington PHONE NO. 262.206.6346
SITE ADDRESS: 616 Droster Ave
PROPOSED USE: Cold Storage/warehouse 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. *Will provide once project is approved*
- Property boundaries and dimensions. *Survey*
- Abutting property zoning classifications. *Survey*
- General description of building materials, façade and roof detail. *Floorplan*
- Setback lines indicated. *Survey*
- Easements for access, if any. *none*
- 100-year floodplain identification. *Survey*
- 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. *no Signage, Schneider Electric quote*

- Total number of employees: 16 and Hours of operation M-F 7:00-5:00.
- Total no. of parking spaced noted. No. of parking spaces provided: 27. Calculations used to arrive at the no. of spaces: 18 (2 ADA). 1 Space Per 1,000 SF 10,000 SF requires 10 Spaces
1 Space Per Company Vehicle = 8
- Type, size and location of all structures with all building dimensions shown. On Survey
- Locate existing and general location of proposed sanitary sewers, storm sewers and water-mains. Survey
- None Locate any proposed stormwater management facilities, including detention/retention areas. The City of Burlington has a stormwater ordinance in effect. 45% green Space
- Note location, extent and type of proposed landscaping and landscaping plantings and buffers to adjacent property, including fencing or other screening. Closest residential is 100+ Yards away
- Note, location of pedestrian sidewalks and walkways. On Survey
- None Graphic outline of any development staging that is planned. none
- Driveway locations and sizes. On Survey
- Handicap accessibility. On Survey
- List environmental concerns, i.e. odor, smoke, noise. none

Owner: Steve Hansen Lee Schroeder Date: 4/4/18
 (Print) (Signature)

Owner: [Signature] [Signature]
 (Signature)

Applicant: Steve Hansen Lee Schroeder Date: 4/4/18
 (Print) (Signature)

Applicant: [Signature] [Signature]
 (Signature)

Zoning Administrator: _____ Date: _____
 (Signature)



Date: Jul 6, 2018 9:40:21 AM
 Store: BURLINGTON
 2100 MILWAUKEE AVENUE
 BURLINGTON, WI 53105-9499
 Ph: 262-767-0857



Design #: 321255624628

Estimated price: \$38,521.81 *

*Today's estimated price, future pricing may go up or down. Tax, labor, and delivery not included.

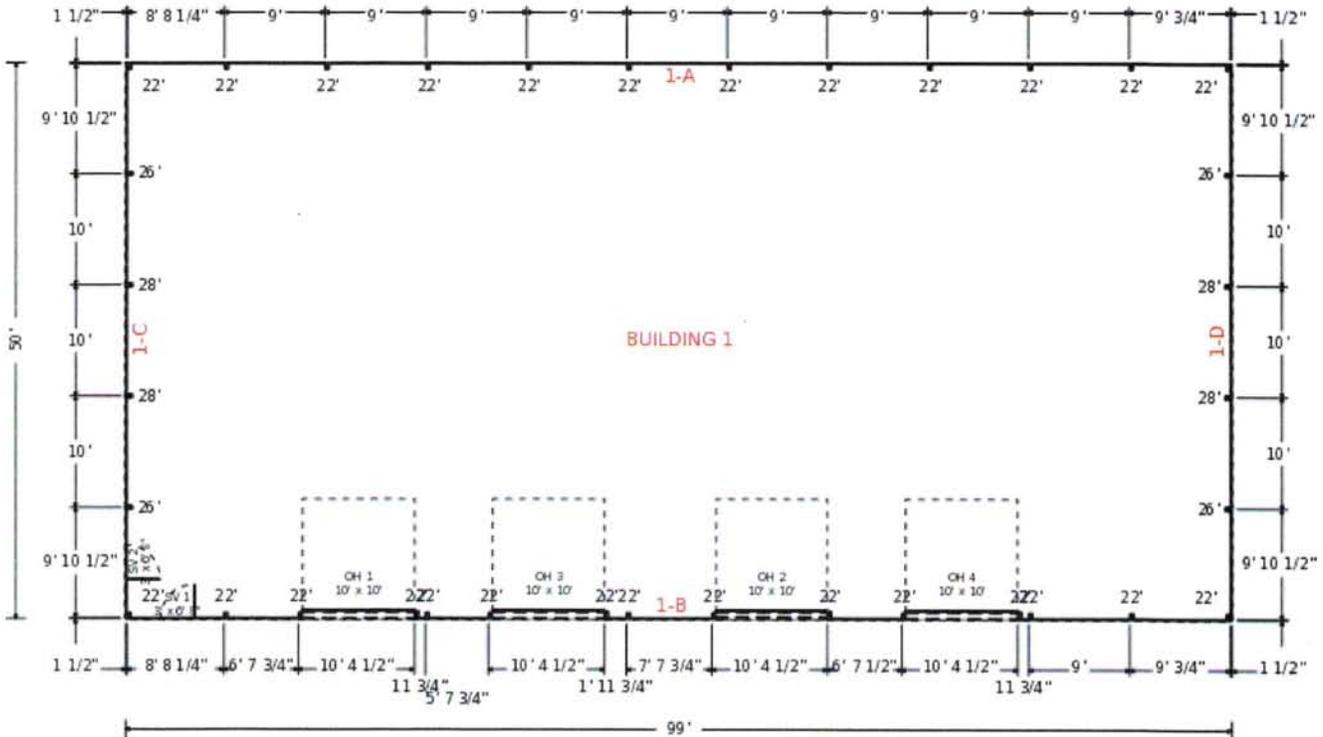
How to purchase at the store

1. Take this packet to any Menards store.
2. Have a building materials team member enter the design number into The Post Frame Request Form on the Midwest Manufacturing website.
3. Apply the design to System V to create the material list.
4. Take the SOC to the register and pay.

How to recall and purchase a saved design at home

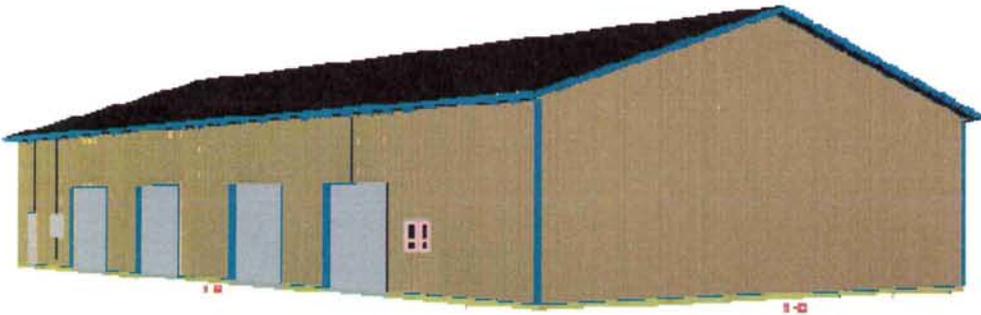
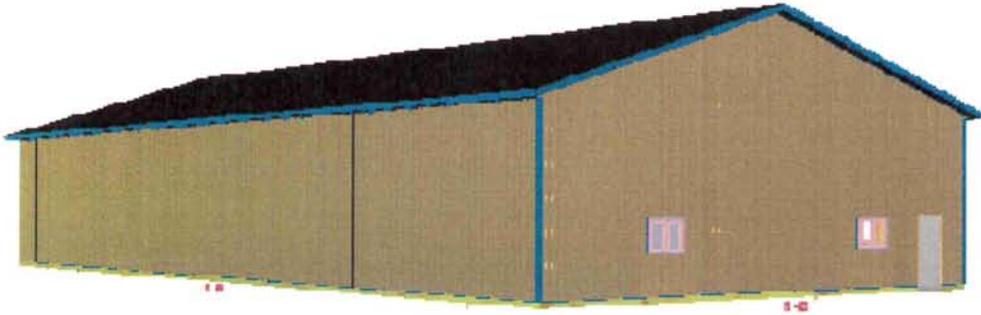
1. Go to Menards.com.
2. Log into your account.
3. Go to Saved Designs under the Welcome Login menu.
4. Select the saved design to load back into the estimator.
5. Add your building to the cart and purchase.

FLOOR PLAN





Elevation Views



PREMIUM
PRO-SNAP

POST-FRAME BUILDINGS

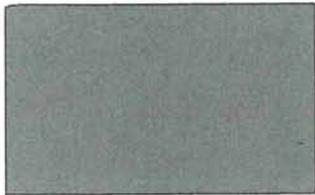
PREMIUM
PRO-RIB

Commercial Suburban Agricultural

BRITE WHITE



PINEWOOD



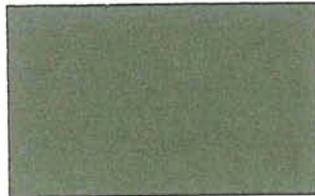
BRONZE



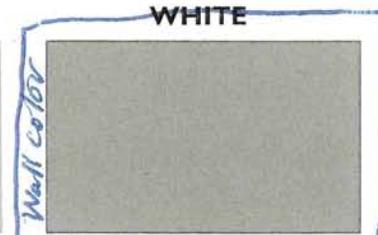
ASH GRAY



BRITE RED



SAGE



WHITE



BEIGE



BURNISHED SLATE



LIGHT GRAY



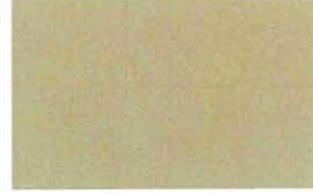
RED



EMERALD GREEN



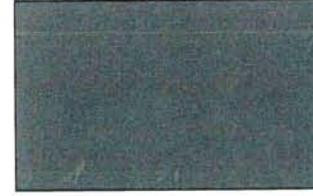
PRAIRIE WHEAT



TAN



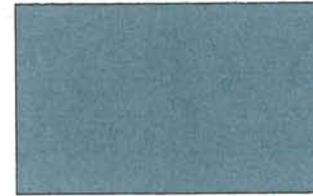
BROWN



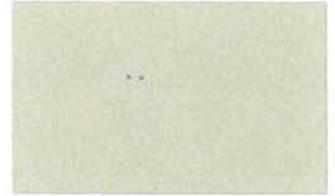
CHARCOAL GRAY



COLONIAL RED



SLATE BLUE



LIGHT STONE



CHOCOLATE



BLACK



MIDNIGHT GRAY



BURGUNDY



OCEAN BLUE



*COPPER COLORED
*Only Available in Premium Products

MENARDS

offers the **BEST CHOICE** of Steel Building Panels for the post frame industry; plus the largest selection of Soffit, Fascia, Gutter, Vents, Trim, Trim Coil and Custom Bent Trim.

Note: Color Chips show approximate tone. Color of actual product may vary.
Final color approval should be made with actual material. Samples are available at www.menards.com



Congratulations, you have taken the first step towards making your new post frame building a reality!

- You have selected Menards to provide you with superior products produced by Midwest Manufacturing that will meet your needs. For a more detailed look at these premium products select one of the links below or visit us on the web at www.midwestmanufacturing.com.

Premium Steel Panels - Pro-Rib and Premium Pro-Rib steel panels are your best options for steel panels in the market.

- Steel Panels are Grade 80 (full hard steel).
- Prepainted zinc phosphate coating for superior paint paint adhesion - available in multiple colors.
- Pro-Rib features a limited 40 year paint warranty.
- Premium Pro-Rib has a limited lifetime paint warranty.
- All painted panels are ENERGY STAR rated, using a Cool Chemistry paint system.
- Pro-Rib and Premium Pro-Rib panels are UL Certified for Wind Uplift UL 580, Fire Resistance UL 790, Impact Resistance of Roof UL 2218.
- Pro-Rib and Premium Pro-Rib panels are IRC and IBC compliant.

Engineered Trusses - Post frame trusses are specifically engineered to meet your application and geographic location.

- All Midwest Manufacturing trusses can be supplied with engineered sealed prints.
- TPI approved and third party inspected.

Laminated Columns - Designed to replace standard treated posts as vertical supports in Post Frame Construction.

- Columns 20' or less are treated full length.
- Lifetime Warranty against rot and decay.
- Columns over 20' in length are reinforced with 20 gauge stainless steel plates at each splice location.
- Lower portion of columns treated for in ground use.
- Rivet Clinch Nails provide superior holding power.
- Columns provide superior truss to pole connection.

Pressure Treated Lumber - All treated post and grade board used in your building will safely and effectively resist decay.

- Treated to AWPA compliance.
- Post and grade board offer a lifetime warranty against rotting and decay.

*Delivery charge is not included in price. Items ordered to complete your building from vendors other than Midwest Manufacturing are not available for pickup from the plant.



Building Information

1. Building Use:	Code Exempt
2. Width:	50 ft
3. Length:	99 ft
4. Inside Clear Height:	16 ft
5. Floor Finish:	Concrete
6. Floor Thickness:	4 in
7. Post Foundation:	Post Embedded
8. Post Embedment Depth:	4 ft
9. Footing Pad Size:	14 in x 4 in

Wall Information

1. Post Type:	Columns
2. Post Spacing:	9 ft
3. Girt Type:	Flat
4. Exterior Wall Panel:	Pro-Rib
5. Exterior Wall Color:	Beige
6. Trim Color:	Ocean Blue
7. Sidewall A Eave Light:	None
8. Wall Fastener Type:	Screws
9. Sidewall B eave light:	None
10. Wall Fastener Location:	In the Flat
11. Wall Fastener Color:	Use Colored
12. Bottom Trim:	Yes
13. Gradeboard Type:	2x8 Treated Gradeboard

Interior Finish

1. Wall Insulation Type:	Condensation Blanket
2. Wall Liner Type:	None
3. Roof Insulation:	Yes

Roof Information

1. Pitch:	4/12
2. Truss Spacing:	9 ft
3. Heel Height:	10 in
4. Roof Type:	Pro-Rib
5. Roof Color:	Burnished Slate
6. Ridge Options:	Universal Ridge Cap
7. Roof Fastener Type:	Screws
8. Roof Fastener Location:	On the Rib
9. Roof Fastener Color:	Use Colored
10. Endwall Overhangs:	1 ft
11. Sidewall Overhangs:	1 ft
12. Fascia Size:	6 in Fascia
13. Soffit Color:	Burnished Slate
14. Skylight Size:	None
15. Ridge Vent Quantity:	None
16. Ceiling Liner Type:	None
17. Purlin Placement:	On Edge
18. Ceiling Insulation Type:	None

Accessories

1. Outside Closure Strip:	Standard
2. Inside Closure Strip:	Standard
3. Gable Vent Type:	None
4. Cupola Size:	None
5. Gutters:	Yes
6. Gutters Color:	Ocean Blue
7. End Cap:	No
8. Mini Print:	Email Only



Doors & Windows

Name	Size	Wall
Window	48"x36"	1-B
Overhead Door	10' x 10'	1-B
Overhead Door	10' x 10'	1-B
Overhead Door	10' x 10'	1-B
Window	48"x36"	1-B
Overhead Door	10' x 10'	1-B
Service Door	36"x80"	1-B
Window	48"x36"	1-C
Window	48"x36"	1-C
Service Door	36"x80"	1-C

Floor type (concrete, dirt, gravel) is NOT included in estimated price. The floor type is used in the calculation of materials needed. Labor, foundation, steel beams, paint, electrical, heating, plumbing, and delivery are also NOT included in estimated price. This is an estimate. It is only for general price information. This is not an offer and there can be no legally binding contract between the parties based on this estimate. The prices stated herein are subject to change depending upon the market conditions. The prices stated on this estimate are not firm for any time period unless specifically written otherwise on this form. The availability of materials is subject to inventory conditions. MENARDS IS NOT RESPONSIBLE FOR ANY LOSS INCURRED BY THE GUEST WHO RELIES ON PRICES SET FORTH HEREIN OR ON THE AVAILABILITY OF ANY MATERIALS STATED HEREIN. All information on this form, other than price, has been provided by the guest and Menards is not responsible for any errors in the information on this estimate, including but not limited to quantity, dimension and quality. Please examine this estimate carefully. MENARDS MAKES NO REPRESENTATIONS, ORAL, WRITTEN OR OTHERWISE THAT THE MATERIALS LISTED ARE SUITABLE FOR ANY PURPOSE BEING CONSIDERED BY THE GUEST. BECAUSE OF WIDE VARIATIONS IN CODES, THERE ARE NO REPRESENTATIONS THAT THE MATERIALS LISTED HEREIN MEET YOUR CODE REQUIREMENTS. THE PLANS AND/OR DESIGNS PROVIDED ARE NOT ENGINEERED. LOCAL CODE OR ZONING REGULATIONS MAY REQUIRE SUCH STRUCTURES TO BE PROFESSIONALLY ENGINEERED AND CERTIFIED PRIOR TO CONSTRUCTION.



PLAN COMMISSION

ITEM NUMBER: 7C

DATE: August 14, 2018

SUBJECT: Consideration to recommend approval of a Preliminary Plat for Stonegate Subdivision Addition II.

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

This item is to consider recommending approval of a Preliminary Plat from MC Home Builders, LLC for the Glen at Stonegate, Addition II. This preliminary plat serves as an addition to The Glen at Stonegate. The subdivision currently has 63 single-family lots. This preliminary plat proposes 30 additional single-family lots. These proposed residential lots range in size from 11,094 square feet to 56,989 square feet. The larger proposed lots contain primary environmental corridor, wetlands, and a drainage easement. There is one outlot in this proposed addition. This outlot is 124,210 square feet in size, located in the southeast corner of the proposed addition, and consists of a stormwater pond, wetland, environmental corridor, and a drainage easement.

ZONING:

The parcel is zoned Rs-2, Single-Family Residential District.

RECOMMENDATION:

Graef recommends approval of this Preliminary Plat, subject to items listed in the August 8, 2018 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the August 14, 2018 Plan Commission meeting and will be placed on the August 21, 2018 Committee of the Whole and September 4, 2018 Common Council meeting for consideration.



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MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Tanya Fonseca, AICP

DATE: August 8, 2018

SUBJECT: Review of a Preliminary Plat of the Glen at Stonegate Addition No. II.

A. PURPOSE

- 1) Consider for approval the Preliminary Plan of The Glen at Stonegate Addition No. II, as submitted by MC Home Builders LLC of 5008 Green Bay Road, Kenosha, WI 53144.

B. RECOMMENDATION

Based upon the review of the submitted materials, GRAEF recommends that the Plan Commission **APPROVE** the following:

- a. The preliminary plat of The Glen at Stonegate Addition No. II.

C. BACKGROUND

MC Home Builders LLC (Applicant) submitted a preliminary plat for the Glen at Stonegate Addition No. II. The property is on parcel 206-03-19-22-009-000 located at 2500 S. Teut Road. The property is currently owned by Birchwood Realty LLC, of 1280 Serena Lane, Burlington, WI 53105. The 22.8-acre parcel is zoned "Rs-2 Single Family Residence District," as are all the properties that surround it.

This preliminary plat serves as an addition to The Glen at Stonegate. The subdivision currently has 63 single-family lots. This preliminary plat proposes 30 additional single-family lots. These proposed residential lots range in size from 11,094 square feet to 56,989 square feet. The larger proposed lots contain primary environmental corridor, wetlands, and a drainage easement. There is one outlet in this proposed addition. This outlet is 124,210 square feet in size, located in the southeast corner of the proposed addition, and consists of a stormwater pond, wetland, environmental corridor, and a drainage easement.

D. COMPLIANCE WITH ZONING CODE §278-17 "PRELIMINARY PLAT REVIEW"

The Applicant's materials comply with the provisions enumerated in §278-17 "Preliminary Plat Review." Preliminary plat review is required before the Applicant submits the final plat for approval by the Plan Commission.

E. COMPLIANCE WITH ZONING CODE §278-18 “PRELIMINARY PLAT APPROVAL”

The Applicant’s materials comply with the provisions enumerated in §278-18 “Preliminary Plat Approval.” Preliminary plat review is required before the Applicant submits the final plat for approval by the Plan Commission. As outlined in the Zoning Code, “[t]he preliminary plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the final plat, which will be subject to further consideration by the City Plan Commission at the time of its submission.”

F. COMPLIANCE WITH ZONING CODE §315-17 “RS-2 SINGLE-FAMILY RESIDENCE DISTRICT”

The proposed lots are zoned “Rs-2 Single-Family Residence District.” This district allows for single-family residential development served by municipal sewer and water facilities. The density is not to exceed 3.9 dwelling units per net acre. Permitted accessory uses in this district include private garages and carports, gardening, tool and storage sheds, and home occupations. Lots shall have a minimum of 11,000 square feet in area and shall not be less than 70 feet in width. Streetyard setbacks are a minimum of 25 feet from the right-of-way of all public streets, a minimum sideyard setback of 8 feet on a side, and not less than 20 feet total for both side yards. Rear yards setbacks shall be at least 25 feet. These dimensions define the building envelop for each lot. Review of each lot in relation to these setbacks.

Additional consideration must be given to the wetland areas that are present on some of the residential lots – particularly lots 83 -94, and 70 and 71, as these may impinge on the development area for these lots. For this reason, consideration should be given to adjusting the lot lines for lots 89-93 to limit impacts to lot 89, which contains two zones of delineated wetlands. If this is deemed unnecessary or undesirable, the presence of the wetlands, and limitations on building principal and accessory structures should be clearly communicated to prospective buyers in order to limit issues with future development of these lots.

G. COMPLIANCE WITH ARTICLE IV. “PRELIMINARY PLAT”

The Applicant’s materials comply with the provisions enumerated in Article IV. “Preliminary Plat.” The City Engineer’s report should be referred to for additional comment on these requirements as they relate to site development, civil engineering, and extensions/connections to the public utilities.

H. COMPLIANCE WITH ARTICLE VII. “DESIGN STANDARDS”

§278-43. Street arrangement.

§278-45. Streets, alleys, and pedestrianways.

§278-46. Street intersections.

§278-47. Blocks.

The Applicant’s materials comply with the provisions enumerated in §278-43, -45, -46, and -47. Given that this is an addition to an existing subdivision, the street arrangement will be consistent and extended

from the existing street layout. This includes the extension of sidewalks throughout the proposed addition.

§278-48. Lots.

The Applicant's design generally with the provisions enumerated in §278-48 "Lots." As discussed above in Section F., some lots may have development limitations due to the delineated wetlands. Per §278-48(G), corner lots shall have an extra width of 10 feet to permit adequate building setbacks from side streets. In this case, this impacts lots 88 and 89. Given that lots 88 and 89 lots exceed the minimum of 70 feet in width (both are 95.10 feet wide and 226.76 feet deep), these are wide enough, however with the wetlands, and the narrower nature of the lots in comparison to the adjacent lots, consideration may be given to reconfiguring these lots to give these corner lots a slightly larger building envelope, akin to the other lots in the subdivision.

I. COMPLIANCE WITH ARTICLE VIII. "REQUIRED IMPROVEMENTS"

§278-57. Sidewalks.

This review of the preliminary plat assumes the extension of sidewalks throughout the proposed addition.

To: Kristine Anderson **Date:** July 11, 2018
From: Gary R. Splinter
CC: Carina Walters, Megan Watkins, Gregory Guidry, Greg Governatori
Subject: The Glen at Stonegate Addition No. II, Preliminary Plat Review

BACKGROUND AND REQUEST: We have completed a review of the preliminary plat prepared by Donald C. Chaput of Chaput Land Surveys. Our review was conducted to determine compliance with Chapter 236 of the Wisconsin State Statutes, Chapter 278 of the City of Burlington Municipal Code and good surveying practices. The subdivision plat dated July 3, 2018 was reviewed.

The preliminary grading appears was performed in part of the initial development and therefore we would recommend waiving the City preliminary plat requirements 278-24 subsections (B, C, D, F, H, and Q) regarding grading, sewers and contours. All items that will be addressed during the final subdivision plan review.

COMMENTS:

- **As per 278-23 (5) Please show the address of the owner.**
- **As per 236.20 (3)(a) Please list the Section in the preamble below the subdivision name.**
- **As per 236.20 (4)(b) Please label the all proposed roadways as "Dedicated to Public".**

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

Please contact me if you have any questions or comments pertaining to this project at (262) 758-6011 or gsplinter@kapurinc.com.



CITY OF BURLINGTON

Fire Department

165 W. Washington Street, Burlington, WI 53105
(262) 763-7842 – (262) 767-8602 fax
www.burlington-wi.gov

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: City of Burlington Fire Department
Alan Babe, Fire Chief
Wes Miner, Fire Inspector

DATE: August 6, 2018

SUBJECT: Preliminary Site Plan for Stonegate Subdivision, Addition II

A. PURPOSE

Review a Preliminary Site Plan for Stonegate Subdivision, Addition II

B. RECOMMENDATION

Based upon the review of the submitted materials, the City of Burlington Fire Department has no comments regarding the subject matter.

PRELIMINARY PLAT OF THE GLEN AT STONEGATE ADDITION NO. II

Part of the Northeast 1/4, Southeast 1/4, Southwest 1/4, and Northwest 1/4 of the Northwest 1/4, Township 3 North, Range 19 East, in the City of Burlington, Racine County, Wisconsin.

OWNER:
BIRCHWOOD REALTY LLC

SUBDIVIDER:
MC HOME BUILDERS LLC
5008 Green Bay Road,
Kenosha, WI 53144



NOTES:

- 1.) Bearings referenced to the West line of the Northwest 1/4 of Section 22-3-19, Wisconsin State Plane Coordinate System, South Zone Grid, published by S.E.W.R.P.C. as N01°56'41"W.
- 2.) Land included in this plat will be purchased by MC HOME BUILDERS LLC after City of Burlington approvals have been obtained.
- 3.) Existing zoning RS-2 (Single Family Residence District).
Street yard setback: 25 feet
Side yard setback: 8 feet
Rear yard setback: 25 feet
Maximum height: 35 feet
Minimum land area: 11,000 square feet
- 4.) Lots 64-70 will have no vehicular access to Teut Road.
- 5.) Right of way width on the westerly side of Teut Road as shown per found monumentation and record information.
- 6.) Owner's of record BIRCHWOOD REALTY LLC
- 7.) Lots containing wetland areas to have deed restrictions to be determined by the City of Burlington.

Wisconsin D.O.T. Notes:

1."All lots and blocks are hereby restricted so that no owner, possessor, user, licensee, or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of USH/STH 36 and 83 it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in s.236.293, Wisconsin Statutes and shall be enforceable by the department."

2. 50' Highway Setback - "Highway Setbacks: this restriction is for the benefit of the public as provided in section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation."

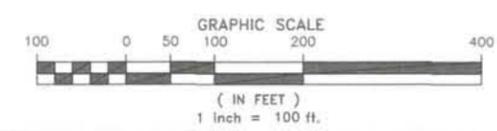


LEGEND

- () RECORD DIMENSIONS
- ACCESS RESTRICTION SEE NOTES
- PRIMARY ENVIRONMENTAL CORRIDOR AS FIELD DELINEATED BY BONESTROO ROSENE ANDERLIK AND ASSOCIATES JANUARY-2006
- WETLANDS AS FIELD DELINEATED BY STANTEC JUNE 2018

I Donald C. Chaput, Professional Land Surveyor do hereby certify that this Preliminary Plat is a correct representation of all existing land divisions and features, and that I to the best of my professional knowledge and belief have fully complied with the provisions of the subdivision and platting municipal codes of the City of Burlington and Chapter 235 of the Wisconsin State Statutes.

Date: July 3, 2018



REQUIRED SETBACKS	
SETBACK	DISTANCE (FT)
STREET	25
REAR	25
SIDE	8 MIN 20 TOTAL

CHAPUT LAND SURVEYS
234 W. Florida Street
Milwaukee, WI 53204
414-224-8068
www.chaputlandsurveys.com

Date	Revision description

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

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CHAPUT LAND SURVEYS



PLAN COMMISSION

ITEM NUMBER: 7D

DATE: August 14, 2018

SUBJECT: A Public Hearing for a Conditional Use application at 413 N. 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 Wendy Lynch, for property located at 413 N. Pine Street. The applicant is proposing to allow for outdoor seating and new construction of an outdoor space to replace the existing building that is unsalvageable. This property is the former Schuette Daniels building that had severe fire damage. The applicant proposes to deconstruct the remains of the original building, yet salvage many of the cream city bricks to use on-site for the proposal future use. The new construction will consist of a one-story brick wall with an iron gateway, leading to an outdoor area covered by a wooden pergola, measuring 50' by 20'. Although, removal of the downtown structure is not preferred, the unique circumstances of the situation and the evaluation of the structure lead the property owner to the following use. The proposed use as an outdoor seating is a conditional use. A Site Plan and Conditional Use will need to be approved by the Plan Commission prior to the deconstruction. The Urb Garden will be a conditional use to serve as a useable outdoor space to support both the Mercantile Hall (425 N. Pine Street) and the Jivilee (164 E. Washington Street). There are 9 employees, and the hours for the space can vary between 8 am and 11 pm.

The Certificate of Appropriateness (COA) was presented at the Historic Preservation Commission meeting on July 26, 2018 meeting for approval. The COA was approved to demolish the building, install a gated entry, and create a useable outdoor are in the rear of the building, subject to Plan Commission approval.

ZONING:

The parcel is currently zoned B-2, Central Business District.

RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the August 14, 2018 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-2, Central 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: Shad Branen
Applicant: Wendy Lynch
Location: 413 N. Pine Street
Zoning: B-2, Central Business District
Use: To be used as an outdoor seating area

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, AUGUST 14, 2018 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 August, 2018.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
July 26th, 2018 and August 2nd, 2018



PLAN COMMISSION

ITEM NUMBER: 7E

DATE: August 14, 2018

SUBJECT: Consideration to approve a Conditional Use and Site Plan application at 413 N. Pine Street.

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use and Site Plan application from Wendy Lynch, for property located at 413 N. Pine Street. The applicant is proposing to allow for outdoor seating and new construction of an outdoor space to replace the existing building that is unsalvageable. This property is the former Schuette Daniels building that had severe fire damage. The applicant proposes to deconstruct the remains of the original building, yet salvage many of the cream city bricks to use on-site for the proposal future use. The new construction will consist of a one-story brick wall with an iron gateway, leading to an outdoor area covered by a wooden pergola, measuring 50' by 20'. Although, removal of the downtown structure is not preferred, the unique circumstances of the situation and the evaluation of the structure lead the property owner to the proposed use. The proposed use as an outdoor seating is a conditional use. A Site Plan and Conditional Use will need to be approved by the Plan Commission prior to the deconstruction. The Urb Garden will be a conditional use to serve as a useable outdoor space to support both the Mercantile Hall (425 N. Pine Street) and the Jivilee (164 E. Washington Street). The use of the space will be dependent on private rentals, and occasionally may be used for public events (with the gate open). There are 9 employees, and the hours for the space can vary between 8 am and 11 pm.

The Certificate of Appropriateness (COA) was presented at the Historic Preservation Commission meeting on July 26, 2018 meeting for approval. The COA was approved to demolish the building, install a gated entry, and create a useable outdoor are in the rear of the building, subject to Plan Commission approval.

ZONING:

The parcel is zoned B-2, Central Business District.

RECOMMENDATION:

Graef recommends approval of this Conditional Use and Site Plan, subject to items listed in the August 7, 2018 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the August 14, 2018 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

FROM: GRAEF
Tanya Fonseca, AICP
Ben Block

DATE: August 7, 2018

SUBJECT: Review of a Site Plan and Conditional Use Permit for the “Urb Garden” outdoor space at 413 N. Pine Street.

A. PURPOSE

1. Consider for approval a Site Plan Approval Application from Wendy Lynch (Applicant) for new improvements to replace the existing building at 413 N. Pine Street.
2. Consider for approval a Conditional Use Permit Application from Wendy Lynch (Applicant) for an outdoor seating area at 413 N. Pine Street, associated with 425 N. Pine Street (Mercantile Hall) and 164 E. Washington Street (Jivilee).

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 Wendy Lynch for 413 N. Pine Street.
- b. and, **APPROVAL** of a Conditional Use Permit Application from Wendy Lynch for 413 N. Pine Street.

C. BACKGROUND

Wendy Lynch (Applicant) submitted an Application for a Certificate of Appropriateness to the Historic Preservation Commission for new construction of an outdoor space to replace the existing building at 413 N. Pine Street that was extensively damaged by a fire. The existing structure itself – known as the Charles Keuper Block – was built in 1895 in a commercial vernacular of cream city brick. The building is part of the larger Burlington Downtown Historic District, which holds the state and national designation (<https://www.wisconsinhistory.org/Records/Property/HI12124>).

The Applicant has had the existing building evaluated and it has been determined to be unsalvageable. The Applicant proposes to deconstruct the remains of the original building, yet salvage many of the cream city bricks to use on-site for the proposed future use. The new construction will consist of a one-story brick wall with an iron gateway, leading to an outdoor area covered by a wooden pergola, measuring 50’x20’. Although removal of a downtown structure is not preferred, the unique circumstances of the situation and the evaluation of the structure lead the property owner to the following proposed use. The City of Burlington’s Historic Preservation Commission reviewed and

approved the Applicant's applicant for a Certificate of Appropriateness to deconstruct the building and invest in the proposed improvements on July 26, 2018.

The proposed use as an outdoor seating area is a conditional use within the B-2 Central Business District [§315-27 (D) (31)]. Approval of the proposed Site Plan and a Conditional Use Permit by the Plan Commission are necessary before the existing structure can be deconstructed for new improvements to be made on the property. The neighboring uses (Jivilee at 164 E. Washington Street or the Mercantile Hall at 425 N. Pine Street) will serve as the principal use of which the Urb Garden will be a conditional use (as an outdoor eating establishment). The Conditional Use Permit should be granted on the condition that the neighboring principal uses continue – if the principal uses should change, then the Conditional Use Permit should be reconsidered, and possibly rescinded. It should be noted that the Applicant also has plans to improve the adjacent property located at 164 E. Washington Street (to be the future home for the business "Jivilee"). The Urb Garden will serve as a useable outdoor space to support both the Mercantile Hall and the Jivilee.

The Applicant submitted the following materials:

- a. Site Plan Approval Application (2 sheets, prepared by Wendy Lynch, dated July 20, 2018)
- b. Conditional Use Permit Application (2 sheets, prepared by Wendy Lynch, dated July 20, 2018)
- c. Project and material description (3 sheets)
- d. Photos of site (2 photos)
- e. Site plan hand sketch on a Plat of Survey (1 sheet)
- f. Project elevations (1 sheet)

D. COMPLIANCE WITH BURLINGTON ZONING CODE §315-27 B-2 "CENTRAL BUSINESS DISTRICT"

The proposed outdoor seating area is an allowable conditional use, pursuant to §315-27(D)(31). The Conditional Use Permit should be granted on the condition that the neighboring principal uses continue – if the principal uses should change, then the Conditional Use Permit should be reconsidered, and possibly rescinded. The neighboring uses (Jivilee at 164 E. Washington Street or the Mercantile Hall at 425 N. Pine Street) will serve as the principal use of which the Urb Garden will be a conditional use (as an outdoor eating establishment). The use of the space will be dependent on private event rentals, and occasionally may be used for public events (with the gate open). There are 9 event employees, and the hours for the space can vary between 8am and 11pm.

E. TYPE AND CHARACTER OF RENOVATIONS

The proposed outdoor space will be architecturally consistent and historically compatible with the surrounding context, and will advance the visions and goals of the Historic Preservation Overlay District and the Downtown Strategic Planning and Economic Development. Many of the existing materials that are salvageable will be reused in the new construction. The replacement of the existing burned-out building will enhance the streetscape. The use of the property as an outdoor space that supports the surrounding wedding-support functions will both improve the pedestrian experience and heighten the coherence of this portion of the Overlay District.

F. REVIEW OF PROPOSED RENOVATIONS WITH HISTORIC PRESERVATION ORDINANCES & GUIDELINES*I. City of Burlington Zoning Code Section 315-139 "Certificate of Appropriateness"*

City of Burlington Zoning Code Section 315-139 "Certificate of appropriateness" enumerates nine (9) required pieces of information, documents, or exhibits that need to be provided by an applicant. These materials are integrated into the "Application for the Certificate of Appropriateness" to create a check list and ensure that each applicant submits the appropriate materials.

The Applicant has provided adequate descriptions of the proposed structures, however, to be evaluated with respect to the Certificate of Appropriateness. Additional information will need to be submitted for the acquisition of a building permit, and the approvals of the site plan and conditional use permit. After Plan Commission approval, an update of the application will be shared with Historic Plan Commission at the August 23, 2018 meeting.

II. "Burlington Historic Downtown Main Street District: Design Quality – Standards Guidelines"

The "Burlington Historic Downtown Main Street District: Design Quality – Standards Guidelines" describe the preferred technical characteristics of contextually-appropriate historic preservation renovations. A building owner that follows these guidelines may increase the likelihood of approval of his or her project, as the Historic Preservation Commission uses the guidelines to determine compliance. The primary objective of the guidelines is to preserve the traditional façade of the storefronts through the regulation of materials, colors, and construction and renovation techniques. Specifically, an assessment of an applicant's proposed renovations considers:

- a. Historically appropriate design themes,
- b. Contextual sensitivity of renovations in relation to surrounding buildings, and
- c. Simple and unobtrusive storefront materials that maintain the building's original appearance.

With respect to these considerations, the proposed new construction is compliant. The Applicant proposes to reuse existing cream city brick in the partial wall, and proposes to reintroduce the "1875" sign in the lower right corner of the wall. The proposed gates are black wrought iron, which is an historically appropriate design material as identified by the Standards Guidelines.

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

There are no off-street parking requirements for this downtown property.

H. 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."

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

The Standards Guidelines also include considerations for new construction and infill structures. These considerations include ensuring the appropriate use of infill structures to enhance the streetscape and maintain the rhythm of building facades. The proposed Urb Garden is compatible with the neighboring buildings and the entire streetscape. It should be noted, however, that the proposed outdoor space will not reinstate the two-story building that had established a consistent rhythm with the adjoining building facades. Though this is not ideal, the proposed outdoor space has a relatively narrow façade, such that the "two-story gap" will not dominate the streetscape. Considering the present nature of the burned-out existing building, the proposed Urb Garden will be a major improvement and contribution to the streetscape.

It should further be noted that future infill redevelopment of the site as a two-story building is highly encouraged. The proposed use of this site does not limit the future redevelopment of the site, should the current or any future property owner be interested.



MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: City of Burlington Fire Department
Alan Babe, Fire Chief
Wes Miner, Fire Inspector

DATE: August 6, 2018

SUBJECT: Review of Conditional Use Application for a change of use at 413 N. Pine Street, Burlington, WI. 53105.

A. PURPOSE

Consider for approval the Conditional Use Application for a change of use at 413 N. Pine Street, Burlington, WI. 53105.

B. BACKGROUND

Wendy & Andrew Lynch (Applicants) submitted a Conditional Use Application for a proposed change of use regarding the commercial building at 413 N. Pine Street, Burlington, WI. 53105.

C. REVIEW OF COMPLIANCE WITH BURLINGTON CODE CHAPTER 155. FIRE PREVENTION, PROTECTION AND CONTROL

No concerns at time of review.

D. REVIEW OF COMPLIANCE WITH STATE FIRE CODE

No concerns at time of review.

E. RECOMMENDATION

Based upon the review of the submitted materials, we recommend that the Plan Commission recommend to the Common Council the **CONDITIONAL APPROVAL** of the Conditional Use Application at 413 N. Pine Street, Burlington, WI. 53105, based on the following:

- 1) The owner ensures all work conforms to local and state code.



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

**APPLICATION FOR A ZONING PERMIT,
CERTIFICATE OF COMPLIANCE,
OR
CONDITIONAL USE PERMIT**

FOR OFFICE USE ONLY	
PERMIT NO. (not C.U.)	_____
AMOUNT PAID \$	_____
DATE FILED	<u>7/20/18</u>
DATE PUBLISHED	_____
PUBLIC HEARING DATE:	_____
RECEIVED BY:	<u>MA</u>

- Zoning Permit - \$25.00 Joint Zoning/Certificate of Compliance - \$35.00
- Certificate of Compliance - \$15.00 Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant Wendy + Andrew Lynch
Phone No. 262 806 2629 Fax No. _____

Applicant's Address 132 Duane Street Burlington, WI 53105
Owner of the site Shad Branxton
Phone No. 262 210 1362 Fax No. _____

Owner's address 1464 Devon Rd Burlington, WI 53105
Architect / Professional Engineer _____

Architect / Professional Engineer Address _____
Contractor RIGGS
Contractor's Address 725 Shiloh Ct. Burlington, WI 53105

DESCRIPTION OF THE SUBJECT SITE

Address 413 N. Pine Street, Burlington, WI 53105
Or if no address exists: Parcel Identification No. _____
Existing Zoning classification _____

Description of existing use Abandoned; formerly retail, furniture store and connected to and formerly part of 425 N. Pine St.

Description of the proposed use Outdoor seating, dining, and event space as an extension of Mercantile Hall (future) Jivilee

Number of employees / Hours of operation 9 employees; Hours: 8am - 11pm

**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):

Looking to bring an outdoor dining and event space to Burlington, as an extension to Mercantile Hall and Jivilee.

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 <u>[Signature]</u> (Signature)	<u>7-19-18</u> (Print)
Owner <u>[Signature]</u> (Signature)	<u>Shel Branch</u> (Print)
Date: <u>7-19-18</u>	Date application Filed: _____

- Applications will not be processed without the property owner's signature.
- Permit may be revoked without notice if misrepresentation of any of the above information or attachments is found to exist.
- Permit is Null and Void if issued in error. It is understood that any permits issued on this application will not grant any right or privilege to erect any structure or to use any premises for any purpose that is prohibited by the Zoning Ordinance or any other state or local laws.
- Changes in the plans or specifications submitted in the original application shall not be made without prior written approval of the Zoning Administrator.

Zoning Administrator: _____
(Signature)

Date: _____



CITY OF BURLINGTON

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:	<u>7/20/18</u>
RECEIVED BY:	<u>KA</u> (Initials)
AMT. PAID:	_____

APPLICANT: Wendy and Andrew Lynch

ADDRESS: 132 Duane Street, Burlington **PHONE NO.** 262.806.2629 **FAX NO.** _____

OWNER: Shad Branen

ADDRESS: 1464 Devon Road, Burlington **PHONE NO.** _____ **FAX NO.** _____

SITE ADDRESS: 413 N. Pine Street

PROPOSED USE: Outdoor seating **PRESENT ZONING:** B-2/HPO

LEGAL DESCRIPTION: Attached on site plan
(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.
- n/a Architect's and/or engineer's name and address noted.
- Property boundaries and dimensions.
- B-2 Abutting property zoning classifications.
- General description of building materials, façade and roof detail.
- Setback lines indicated.
- n/a Easements for access, if any.
- _____ 100-year floodplain identification.
- n/a 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: 9 and Hours of operation 8 am to 11 pm.

- n/a Total no. of parking spaced noted. No. of parking spaces provided: _____. Calculations used to arrive at the no. of spaces: _____.
- x Type, size and location of all structures with all building dimensions shown.
- n/a Locate existing and general location of proposed sanitary sewers, storm sewers and watermains.
- n/a Locate any proposed stormwater management facilities, including detention/retention areas. The City of Burlington has a stormwater ordinance in effect.
- x Note location, extent and type of proposed landscaping and landscaping plantings and buffers to adjacent property, including fencing or other screening.
- x Note, location of pedestrian sidewalks and walkways.
- n/a Graphic outline of any development staging that is planned.
- n/a Driveway locations and sizes.
- x Handicap accessibility.
- _____ List environmental concerns, i.e. odor, smoke, noise.

Owner: Shad Branen

 (Print)

Date: 7/20/18

Owner: _____

 (Signature)

Applicant: Wendy and Andrew Lynch

 (Print)

Date: 7/20/18

Applicant: _____

 (Signature)

Zoning Administrator: _____

 (Signature)

Date: _____

THE URB GARDEN

- What are the uses for The Urb Garden?

- Most common: extension of Mercantile Hall to be used for wedding ceremonies, outdoor cocktail space, and/or social functions.

- Occasionally: Pop-up dinners, community events, beer garden.

- Seasonally: Monday – Friday outdoor lunch area (utilizing outside food professionals who utilize an outdoor grill and/or prep kitchens, both which can be found in Mercantile Hall and Jivilee).

- Will we need a liquor license for The Urb Garden?

- No, we are hoping to request an extension of Mercantile Hall's license to extend to the adjacent to-be-developed patio area (like John's, Charcoal Grill, etc.).

- It will be a secure area with an entrance to the front, and a fence to the back.

- How high will the wall be that faces Pine Street?

- We are interested in salvaging the cream city brick and utilizing that as the base of the wall, which will be approximately 4' high. The wrought iron gates will be extra wide to allow visibility to the area when not being used for a wedding ceremony. The reason for this is to maintain the character of the previous building, as well as limit street and pedestrian noise.

- Describe the pergola in The Urb Garden:

- 50' long x 20' wide, crafted of Montana cedar and stained natural to show its original color.

- Electrical considerations:

- Mounted conduits on the brick wall of Mercantile Hall that faces The Urb Garden, and the exterior wall of Jivilee that faces The Urb Garden.

- Additional conduits will be fed prior to the concrete pour so that there are accessible electrical conduits available at the pergola structure's posts.

- What type of ground surface will it have?

- We are pursuing quotes for 2 different surfaces: concrete and crushed granite.

- Will there be heating elements within The Urb Garden?

- To ensure we maximize our seasons and if economics support it, we are looking to install heating elements under the concrete pour if we move forward with that as the solution.

- We will also utilize mobile gas heaters in the chilly months.

- What type of lighting will be used?

- Entrance: Gas light suspended via wrought iron over the wrought iron gates.

- Pergola: We will have commercial grade café lights strung from the pergola.

- Do we anticipate serving food in The Urb Garden?

- Yes. In conjunction with an outside caterer, much like the arrangement at Mercantile Hall, we are looking to bring in pop-up dinners, possibly Monday-Friday outdoor lunch and dinner dining, and food served when events are occurring at either Mercantile Hall or Jivilee.

- What type of cooking process will be utilized outdoors?

- Caterers and/or licensed food professionals would be allowed to use an outdoor grill. All other items would be brought in just like they do for Mercantile Hall (hot/cold boxes).

- When The Urb Garden is reserved in conjunction with Mercantile Hall or Jivilee, they will have access to a prep kitchen in both spaces.

- How late will guests be allowed to use The Urb Garden and remain outside?

- 11pm

- Will there be a sound system?

- Yes, there will be outdoor speakers, as well as the option to feature live music.

Outdoor Seating 413 N. Pine Street WIN Media, LLC

2015-03-19-32-400-940

2015-03-19-32-400-950

PLAT OF SURVEY -OF-

PARCEL 1:
BEGIN AT THE NORTHEAST CORNER OF LOT 3, BLOCK 28 OF THE ORIGINAL PLAT OF BURLINGTON; RUN THENCE SOUTHERLY ALONG THE WEST LINE OF PINE STREET 64 FEET; THENCE WESTERLY PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 3, 118 FEET; THENCE NORTHERLY PARALLEL WITH PINE STREET 64 FEET; THENCE EASTERLY ALONG THE NORTHERLY LINE OF SAID LOT 3, 118 FEET TO THE PLACE OF BEGINNING. ALSO THE RIGHT OF WAY IN COMMON WITH OTHERS OVER A STRIP OF LAND 10 FEET IN WIDTH EXTENDING SOUTHERLY TO WASHINGTON STREET; SAID STRIP OF LAND BEING THE WESTERLY 10 FEET OF THE EASTERLY 118 FEET OF LOTS 3 AND 8, BLOCK 28, ORIGINAL PLAT. ALSO EXCEPTING AND RESERVING THE RIGHT TO BUILD ONTO THE SOUTHERLY WALL OF THE STONE BUILDING NOW BEING ERRECTED ON ABOVE DESCRIBED LAND SAID LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

PARCEL 2:
THAT PART OF LOTS 3 AND 8, BLOCK 28, ORIGINAL PLAT OF BURLINGTON, ACCORDING TO THE RECORDED PLAT THEREOF, BOUNDED AS FOLLOWS: BEGINNING AT A POINT ON THE WESTERLY LINE OF PINE STREET 64 FEET SOUTHEASTERLY OF THE NORTHEAST CORNER OF SAID LOT 3; RUN THENCE SOUTHEASTERLY AND ALONG SAID WESTERLY LINE OF PINE STREET TO A POINT WHICH LIES 22 FEET SOUTHEASTERLY OF THE NORTHEAST CORNER OF SAID LOT 8; RUN THENCE SOUTHWESTERLY PARALLEL WITH THE NORTHERLY LINE OF LOT 8 TO THE NORTHWESTERLY CORNER OF LAND HERETOFORE CONVEYED BY LOUISE KEUPER TO WILLIAM R. DEVOR; THENCE SOUTHWESTERLY PARALLEL WITH PINE STREET TO THE NORTHERLY LINE OF WASHINGTON STREET; THENCE SOUTHWESTERLY ALONG SAID NORTHERLY LINE OF WASHINGTON STREET TO A POINT WHICH IS 118 FEET SOUTHWESTERLY OF THE SOUTHEASTERLY CORNER OF SAID LOT 8; THENCE NORTHWESTERLY PARALLEL WITH THE WESTERLY LINE OF PINE STREET TO A POINT WHICH IS 64 FEET SOUTHEASTERLY OF NORTHERLY LINE OF SAID LOT 3; THENCE NORTHEASTERLY PARALLEL WITH THE NORTHERLY LINE OF SAID LOT 3, 118 FEET TO THE PLACE OF BEGINNING, TOGETHER WITH THE RIGHT TO BUILD ONTO THE SOUTHERLY WALL OF THE BUILDING NOW OWNED BY THE KEUPER COMPANY AS RESERVED IN DEED 154 OF DECEMBER 14, 1940, RACINE COUNTY REGISTRY AND SUBJECT TO THE EASEMENT GRANTED TO SAID KEUPER COMPANY IN SAID DEED ACROSS THE WESTERLY 10 FEET OF THE EASTERLY 118 FEET OF SAID LOTS 3 AND 8, BLOCK 28, AFORESAID. SAID LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE OF WISCONSIN.

SURVEY FOR SHAD BRANNEN
SURVEY LOCATION: 413 N PINE STREET

NOTE: REFER TO A CURRENT TITLE REPORT FOR EASEMENTS AND RESTRICTIONS WHICH MAY AFFECT THE USE OF THIS SITE.

NOTE: DUE TO LACK OF FOUND DOCUMENTATION AND VAGUENESS OF PLAT, ACCEDED NORTH BUILDING LINE AS NORTH PROPERTY LINE OF PARCEL 1.

NOTE: BEARINGS HEREON RELATE TO THE WESTERLY LINE OF N. PINE STREET ASSUMED BEARING SOUTH 89°00'00" EAST.

Racine County Surveyor

File #: 81059 Date: 2/29/16

Deputy For Records

WROUGHT IRON GATE WITH CREAM CITY BRICK WALL

PERGOLA 50' X 20' MONTANA CEDAR STAINED NATURAL

MERCANTILE HALL

ENTRANCE DOORS TO EVENT FACILITIES THAT BOOKEND PROPERTY

THE URB GARDEN

FUTURE HOME OF JIVILEE



LEGEND

- ⊗ FOUND CONCRETE FOUNDATION WITH REBAR CAR
- FOUND WOOD WALL
- SET WOOD WALL
- ⊙ SET WOOD WALL
- ⊕ FOUND FOUNDATION
- ⊖ RECORDED

This survey is made for the job of the project shown on the subject and shall not constitute a warranty or guarantee of the accuracy of the information shown on this plat. The surveyor is not responsible for the accuracy of the information shown on this plat.

DRAWN BY:	DW	DATE:	APRIL 10, 2015
CHECKED BY:	TW/DW	DRAWING NO.:	889201
JOB NO.:	8892	SHEET:	1 OF 1

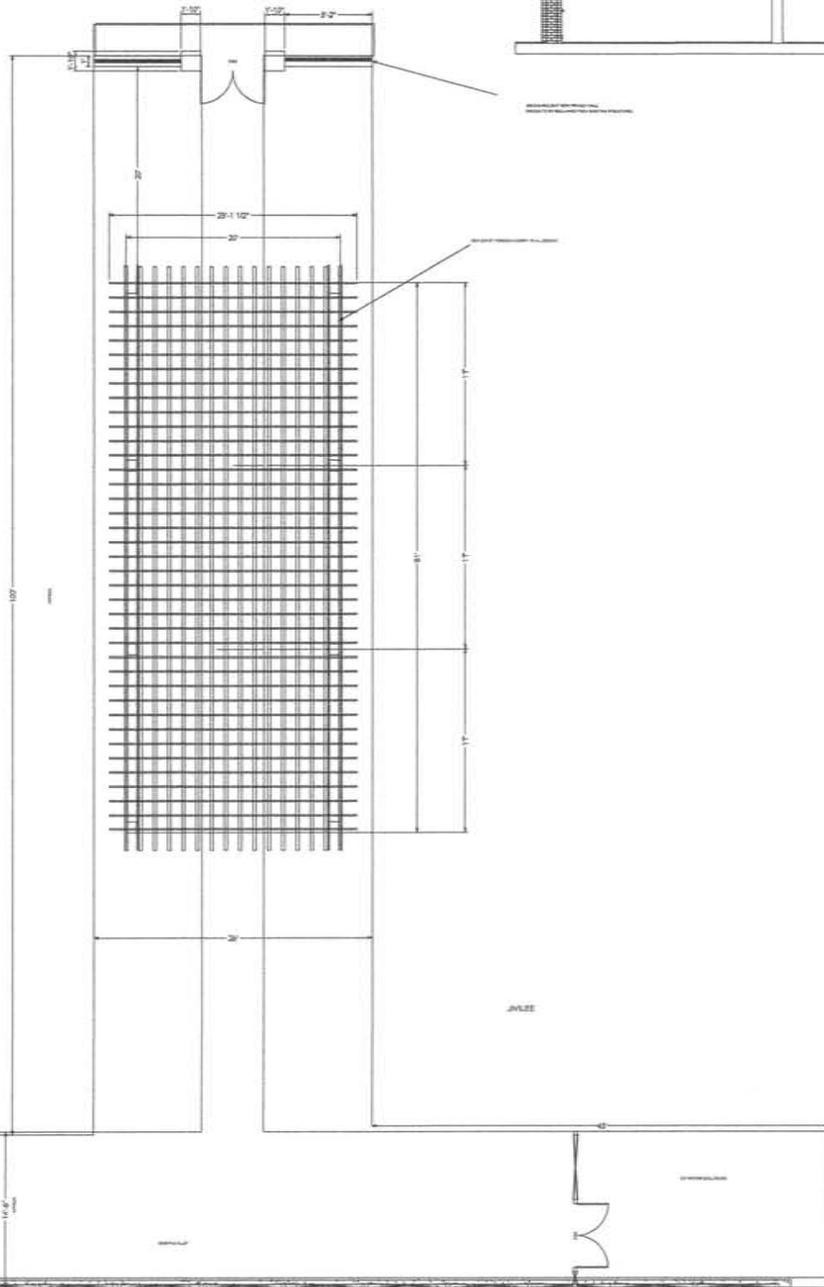


B.W. SURVEYING, INC.

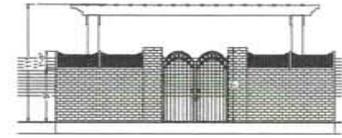
412 N. PINE STREET
BURLINGTON, WI 53105
(262)-767-0225



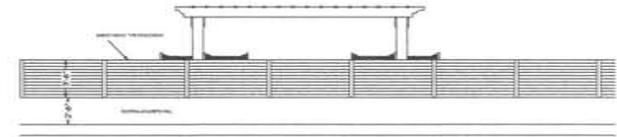
ROBERT J. WETZEL
5-1778



RIGHT ELEVATION (VIEWED FROM MERCANTILE)



FRONT ELEVATION (PINE STREET)



REAR ELEVATION

OVERHEAD VIEW

NOTE: THIS DOCUMENT IS NO WAY REPRESENTS AN ENGINEER DESIGN AND IS ONLY TO BE USED AS A GUIDE LINE. THE OWNER/CLIENT OF THE PROJECT MUST ASSURE ALL LIABILITY FOR THE INTEGRITY AND ENGINEERING OF THIS PROJECT TO THE ARCHITECT. THE ARCHITECT IS RESPONSIBLE FOR THE PARTICIPATION OF ALL MEMBERS ON THE PLAN.

PROJECT:
URS BAROCH COURTYARD
ALLEY FRONT
INDUSTRIAL STREET

mailto:info@urscorp.com
020210-2463

INDUSTRIAL STREET

DATE:

7/20/18

SCALE:

1/8"=1'

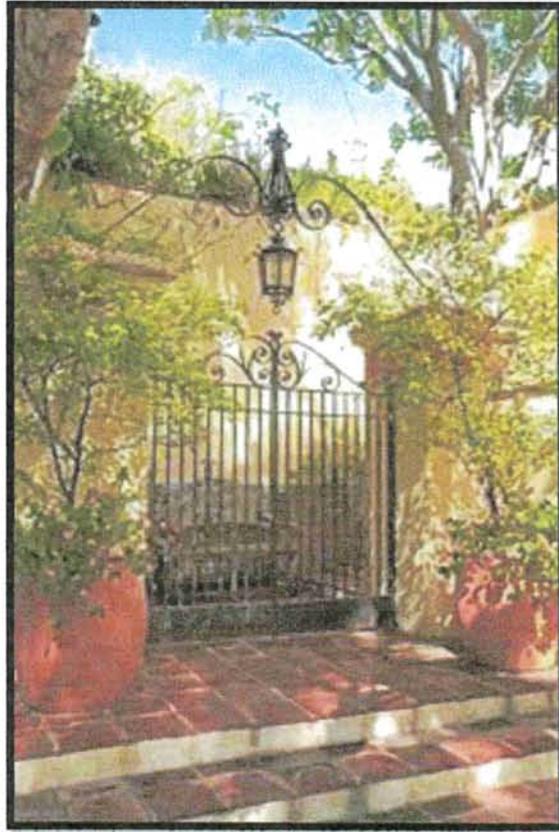
SHEET:

P.2

THE
URB
GARDEN

413 N PINE STREET
BURLINGTON, WI 53105

THE URB GARDEN VISION BOARD



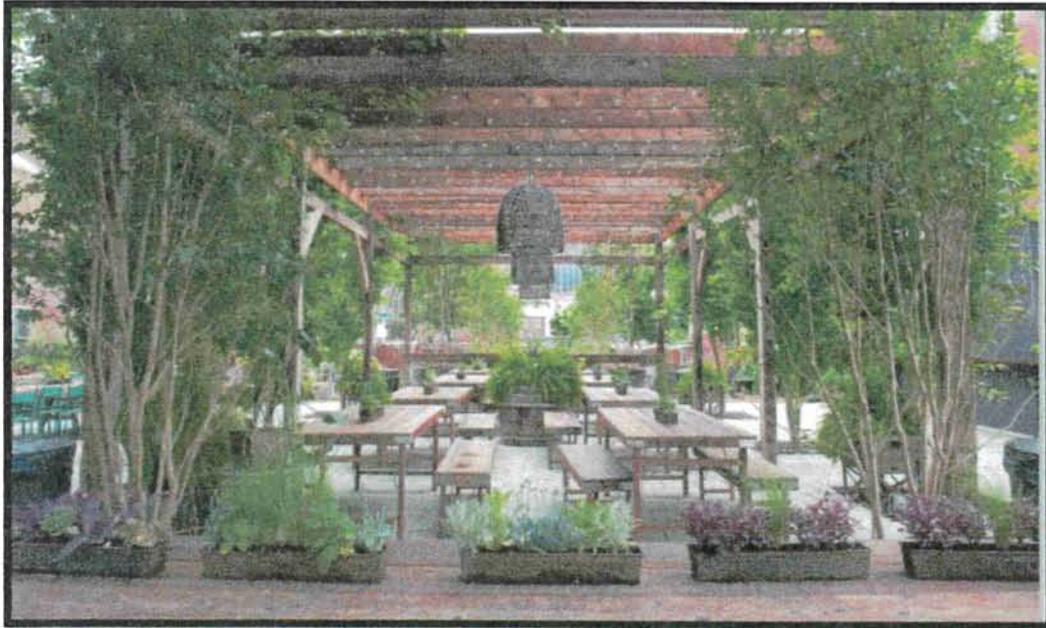
FINDINGS & RECOMMENDATION:

- Building façade is not able to be salvaged
- Recommendation is to remove the building entirely for public safety, utilize cream city brick to create a partial wall on Pine Street side, and feature a wrought iron gate entrance with suspended gas light.
- We intend to salvage the 1875 sign from the top of the damaged building and retain the corbels as well, to utilize them (if they're able to be saved) in the design of the entrance
- Drawing below of intended transformation utilizing salvaged cream city brick, 1875 sign (in bottom right corner), adding black wrought iron gates and suspended gas light over gates.



Transform the remaining space between the Mercantile building and Jivilee / Flippy's buildings to create a usable outdoor area for both Mercantile Hall and Jivilee.

Create a wooden pergola to block sight lines to the upstairs apartment tenants while warming the space and adding dimension and character.

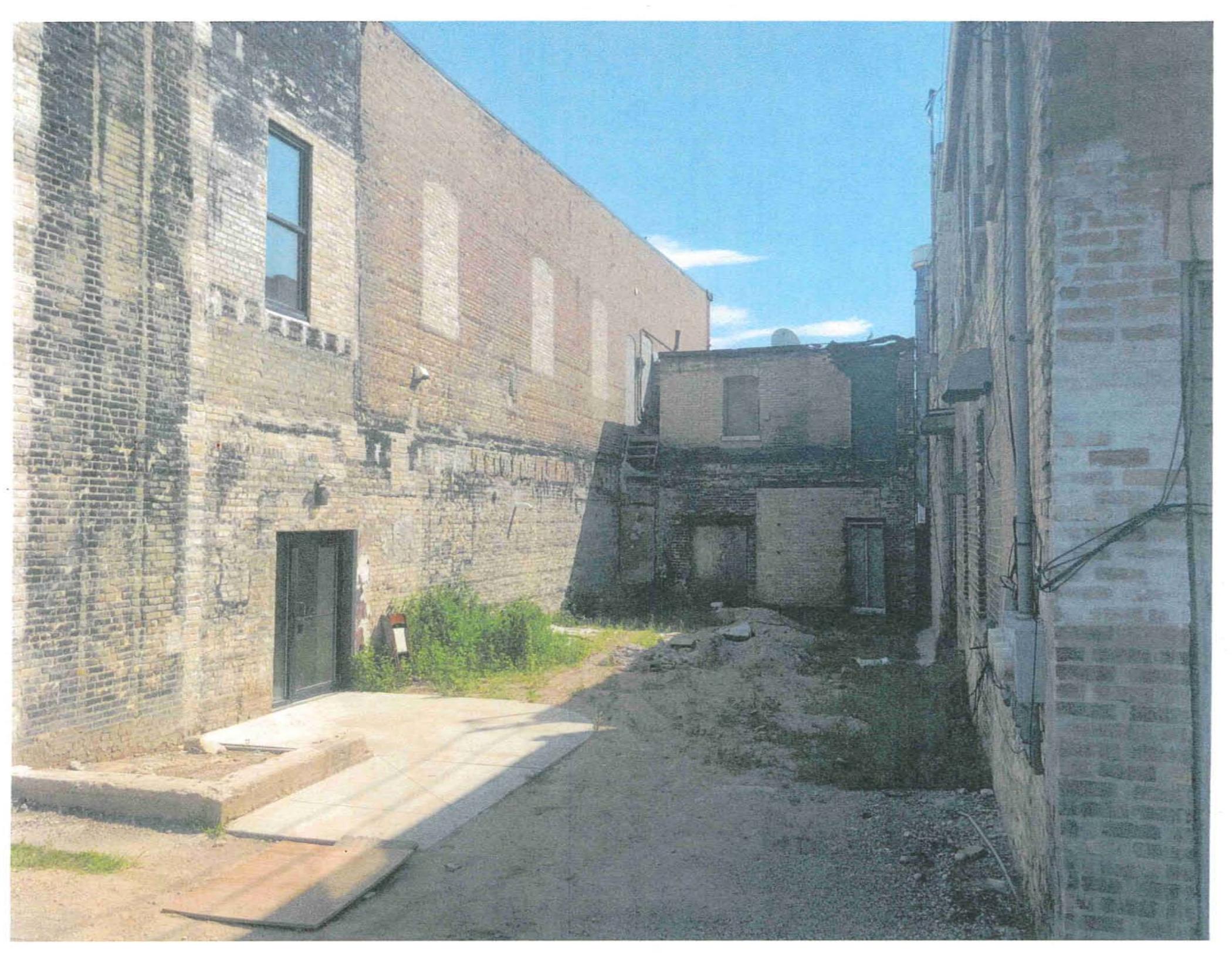


Pergola Specs:

- Constructed of Montana Cedar
- Size: 32' x 20'
- 8x8 stained posts retaining natural cedar color

1895









PLAN COMMISSION

ITEM NUMBER: 7F

DATE: August 14, 2018

SUBJECT: A Public Hearing for a Conditional Use application at 164 E. Washington 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 Wendy Lynch, for property located at 164 E. Washington Street. The applicant is proposing to allow for VRBO (“Vacation-Rentals-by-Owner”) apartment rentals on the 2nd floor. The building was recently used as a laundromat, and the proposed improvements would prepare the building for its future use as a wedding-support venue with an indoor/outdoor bar and VRBO apartment suites. These suites are proposed to be in two existing apartments in this structure.

ZONING:

The parcel is currently zoned B-2, Central Business District.

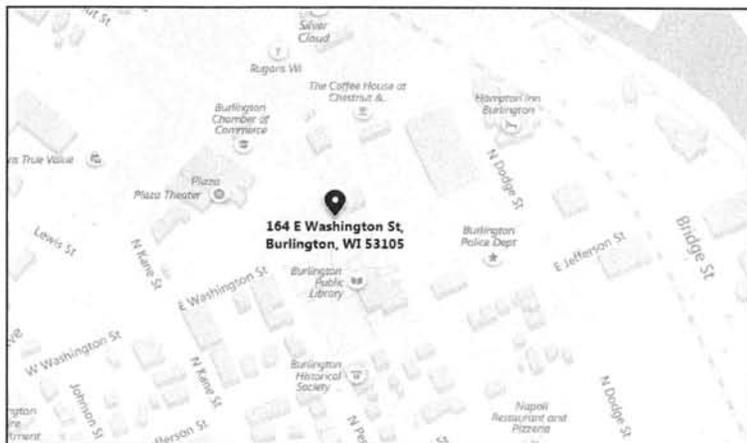
RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the August 14, 2018 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-2, Central 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: Wendy Lynch
Applicant: Wendy Lynch
Location: 164 E. Washington Street
Zoning: B-2, Central Business District
Use: To use the second-story as Vacation Rentals by Owner (VRBO) suites

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, AUGUST 14, 2018 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, 31st day of July, 2018.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
August 2nd, 2018 and August 9th, 2018



PLAN COMMISSION

ITEM NUMBER: 7G

DATE: August 14, 2018

SUBJECT: Consideration to approve a Conditional Use and application at 164 E. Washington Street

SUBMITTED BY: Gregory Guidry, Building Inspector and Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use application from Wendy Lynch for property located at 164 E. Washington Street. The applicant is proposing to allow for VRBO (“Vacation-Rentals-by-Owner”) apartment rentals on the 2nd floor. The building was recently used as a laundromat, and the proposed improvements would prepare the building for its future use as a wedding-support venue with an indoor/outdoor bar and VRBO apartment suites. These suites are proposed to be in two existing apartments in this structure.

ZONING:

The parcel is zoned B-2, Central Business District.

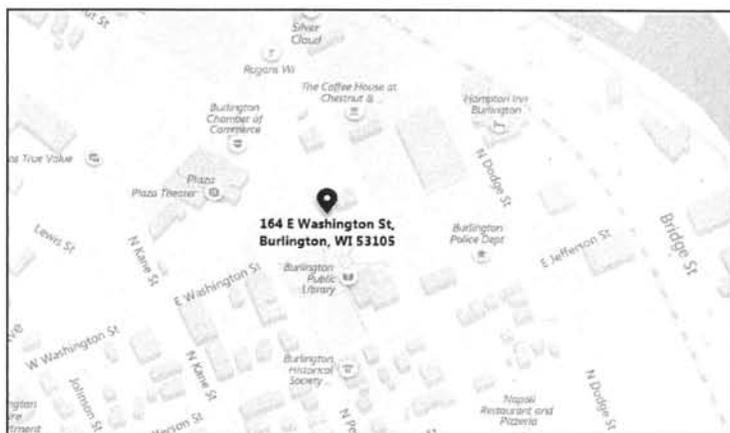
RECOMMENDATION:

Graef recommends approval of this Conditional Use, subject to items listed in the August 7, 2018 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the August 14, 2018 Plan Commission meeting. No further action is necessary.

MAP:





collaborāte / formulāte / innovāte

MEMORANDUM

TO: Planning Commission
City of Burlington

FROM: GRAEF
Tanya Fonseca, AICP
Ben Block

DATE: August 7, 2018

SUBJECT: Review of a Conditional Use Permit Application for 164 E. Washington Street.

A. PURPOSE

1. Consider for approval a Conditional Use Permit Application from Wendy Lynch (Applicant) for VRBO ("Vacation-Rentals-By-Owner") apartment rentals on the 2nd floor of 164 E. Washington Street.

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 Conditional Use Permit Application from Wendy Lynch for 164 E. Washington Street.

C. BACKGROUND

Wendy Lynch (Applicant) submitted an Application for a Conditional Use Permit for 164 E. Washington Street. The building has until recently been used as a laundromat, and the proposed improvements would prepare the building for its future use as a wedding-support venue with an indoor/outdoor bar and VRBO apartment suites ("Vacation-Rental-By-Owner"). These suites are proposed to be located in two existing apartments in this structure.

The proposed improvements include the following:

- A. New black paint above and below standard windows and below the large front-windows.
- B. A new awning above large front-windows.
- C. A new door for caterer entrance on the side of the building.
- D. Two new doors for main entrances on the front of the building.
- E. New signage to reflect the new use.
- F. An indoor/outdoor bar to the rear of the building.

- G. Window boxes below second-story standard windows on the side and rear of the building.
- H. Light fixtures over the main entrances.
- I. Light fixture next to the new door for caterer entrance.
- J. Light fixtures on the back of the building.
- K. A second-floor fire escape solution to accommodate a second form of egress.
- L. New windows on the side of the building (same style as existing windows).

Each of these elements will be evaluated below in accordance with the *Burlington Historic Downtown Main Street District: Design Quality – Standard Guidelines*, as well as the district standards as contained in the Burlington Zoning Code.

The Applicant submitted the following materials:

- a. Conditional Use Permit Application (2 sheets, prepared by Andrew Lynch, dated July 30, 2018)
- b. Sign Permit Application (6 pages, prepared by Wendy Lynch, dated July 6, 2018) – *informational only, already reviewed by the Historic Preservation Commission on July 26, 2018*
- c. Application for the Certificate of Appropriateness (18 pages, prepared by Wendy Lynch, dated July 2, 2018) – *informational only, already reviewed by the Historic Preservation Commission on July 26, 2018*

D. COMPLIANCE WITH BURLINGTON ZONING CODE §315-27 B-2 “CENTRAL BUSINESS DISTRICT”

The two proposed VRBO apartments are an allowable conditional use, pursuant to §315-27(D)(5) – Motels, hotels, and apartment hotels. Hours of operation of the apartments will be 24 hours – rentals will vary just as any other guest room that would be operated at a hotel or bed and breakfast. Jivilee itself will have 9 employees. Hours and days of operation will vary, but fall within 10am-12am, 7 days a week, depending on the event rentals.

F. 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.”

E. TYPE AND CHARACTER OF RENOVATIONS

A. New Black Paint

The Applicant proposes to use Best Black Paint by Benjamin Moore to add color to the window trims, concrete headers, awning, and doors. This proposed color is compatible with the historic period of the building, and is compatible with the surrounding context. The items that are proposed to be painted black will help accentuate the architectural elements of the building in line with the desires of the *Design Quality – Standard Guidelines*.

B. New Awning

The Applicant proposes to add a new awning above the existing large front-windows. The awning will span all three main window lines, and feature black decorative corbels and a metal or copper roof. The awning will feature the same paint color as the window trims, concrete headers, and doors. The proposed awning is compatible with the existing building façade, and is compatible with the surrounding context. The addition of an awning will be consistent with the desires of the *Design Quality – Standard Guidelines*. ***Submittal and review of information regarding the proposed awnings will reviewed by the Historic Preservation Commission on August 23, 2018.***

C. New Door (side of building)

The Applicant proposes to replace the existing side entry to the building with a new door, to be used as a caterer entrance. The proposed door is compatible with the other architectural elements of the building, and is compatible with the surrounding context.

D. New Doors (main entrance)

The Applicant proposes to replace two existing doors on the front of the building. The eastern front door will be replaced with a replica of the style found on the 1895 building located at 413 N Pine Street (immediately adjacent to the property). This door is compatible with the architectural elements of the building, and is compatible with the surrounding context. The western front door will be replaced with a door of a similar style that features large glass panes. Through this door will be visible an inside stairwell that leads to the upstairs VBRO (“Vacation Rentals By Owner” – www.vrbo.com) suites. This door is also compatible with the architectural elements of the building, as well as the surrounding context.

E. New Signage

The Applicant proposes to replace the existing blade sign with a new steel frame blade sign. The proposed sign will be tinted either with a blue background and black text, or a white background and black text. It is our opinion that the white background and black text would be a more compatible color palette, though both options would be compatible with the goals of the Historic Preservation Overlay District.¹

The Applicant proposes to light the sign from within, which is prohibited by §315-74(D):

No internally illuminated signs, including but not limited to electronic messaging signs, shall be installed in the HPO Historic Preservation Overlay District.

Though internally lit signs are prohibited by this section of the Code, the Historic Plan Commission might find that the Code was written prior to the development of illumination methods that may be acceptable and appropriate for the Historic Preservation Overlay District.

¹ Within the City of Burlington Historic Preservation Overlay District, a palette of colors is preferred. It is available for consultation on-line: <<http://www.burlington-wi.gov/index.aspx?nid=384>>.

To acquire a sign permit and a certificate of Appropriateness, the Applicant should submit additional materials that demonstrate the quality and character of the internally lit sign – ***the submittal and review of information regarding the illumination of this sign will reviewed by the Historic Preservation Commission on August 23, 2018.***

F. Indoor/Outdoor Bar

The Applicant proposes to create an indoor/outdoor bar at the rear of the building. This space will connect to the proposed improvements to 413 N Pine Street (the Urb Garden) to allow for social integration between the two properties. The elements of this indoor/outdoor bar include black paint on the trim of windows and door frame, existing brick under the bar, a granite bar top (black), and a glass entry door with a black frame. Though these architectural elements are perhaps inconsistent with the historical period of the building, their location on the rear of the building will not disrupt the street façade or compatibility with the surrounding context. The color and style of the proposed indoor/outdoor bar will be consistent with the character of the rest of the improvements, and are compatible with the building.

G. Window Boxes

The Applicant proposes to install 7 window boxes beneath the second-story windows that align the western and northern sides of the building. If granted permission, the Applicant also proposes to install 2 window boxes beneath the second-story windows that align the northern side of the Flippy's building. If permission is not granted, then free-standing metal frames will be installed to support the growth of plants and greenery. The submitted materials suggest that these window boxes will be constructed from a black metal, and that their design will be consistent and compatible with the surrounding and proposed architectural features.

H. Light Fixtures (front)

The Applicant proposes to install light fixtures on the front entries of the building. Renderings of these proposed fixtures are missing from the Application – ***submittal and review of information regarding these fixtures will reviewed by the Historic Preservation Commission on August 23, 2018.***

I. Light Fixture (side)

The Applicant proposes to install a light fixture on the side entries of the building. The proposed fixture is a mounted wall lantern, constructed of black metal. This light fixture are consistent with the Design Standard Guidelines and compatible with the surrounding architectural features.

J. Light Fixtures (back)

The Applicant proposes to install light fixtures on the back entries of the building. The proposed fixtures are mounted wall over lights, constructed of black metal, that will provide lighting for the indoor/outdoor bar. These light fixtures are consistent with the Design Standard Guidelines and compatible with the surrounding architectural features.

K. A Second-Story Fire Escape

In anticipation of the need for a second form of egress from the second-story suites, the Applicant proposes to install a second-story fire escape on the western side of the building. This fire escape will be painted black. This fire-escape will be compatible with the surrounding context, as many nearby properties have second-story fire escapes on the sides and rears of the buildings.

L. New Windows to the Side

The Applicant includes a note on the proposed design for the western side of the building that indicates new windows will be installed to replace the existing first-story windows. This note indicates that new windows will be of the same style as existing windows. The Applicant should submit renderings of the new windows so that the Historic Preservation Commission can confirm that these windows will be acceptable – ***submittal and review of information regarding these windows will reviewed by the Historic Preservation Commission on August 23, 2018.***

F. REVIEW OF PROPOSED RENOVATIONS WITH HISTORIC PRESERVATION ORDINANCES & GUIDELINES

The regulation of the appropriateness of renovations to historical buildings within the Burlington Historic Downtown Main Street District falls under the purview of City of Burlington Zoning Code Section §315-139 “Certificate of appropriateness” and the “Burlington Historic Downtown Main Street District: Design Quality – Standards Guidelines.”

I. City of Burlington Zoning Code Section §315-139 “Certificate of appropriateness”

City of Burlington Zoning Code Section §315-139 “Certificate of appropriateness” enumerates nine (9) required pieces of information, documents, or exhibits that need to be provided by an applicant. These materials are integrated into the “Application for the Certificate of Appropriateness” to create a checklist and ensure that each applicant submits the appropriate materials.

With the exception of a few missing pieces of information (detailed renderings of the replacement windows and front-entry light fixtures), the Applicant has satisfied the requirements of the City of Burlington Zoning Code Section §315-139 and is in compliance. Approval should be conditioned on the submittal and approval of these missing pieces of information.

II. “Burlington Historic Downtown Main Street District: Design Quality – Standards Guidelines”

The “Burlington Historic Downtown Main Street District: Design Quality – Standards Guidelines” describe the preferred technical characteristics of contextually-appropriate historic preservation renovations. A building owner that follows these guidelines may increase the likelihood of approval of their project, as the Historic Preservation Commission uses the guidelines to determine compliance. The primary objective of the guidelines is to preserve the traditional façade of the storefronts through the regulation of materials, colors, and construction and renovation techniques. Specifically, an assessment of an applicant’s proposed renovations considers:

- a. Historically appropriate design themes,
- b. Contextual sensitivity of renovations in relation to surrounding buildings, and
- c. Simple and unobtrusive storefront materials that maintain the building's original appearance.

The proposed improvements will satisfy the conditions outlined above and advance the goals of the Historic Preservation Overlay District.

III. City of Burlington Zoning Code Section §315-74 "Signs in HPO Historic Preservation Overlay District"

The proposed sign is compliant with all of the provisions outlined in this section of the zoning code, with the exception of the provision regulating internally lit signs (as outlined above). Approval of the Sign Permit Application and Application for a Certificate of Appropriateness will be conditioned on the submittal of additional details regarding the illumination of this sign.



MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: City of Burlington Fire Department
Alan Babe, Fire Chief
Wes Miner, Fire Inspector

DATE: August 6, 2018

SUBJECT: Review of Conditional Use Application for change of use and occupancy classification at 164 E. Washington Street

A. PURPOSE

Consider for approval the Conditional Use Application for change of use and occupancy classification at 164 E. Washington Street.

B. BACKGROUND

Wendy & Andrew Lynch (Applicants) submitted a Conditional Use Application for a proposed change of use and change of occupancy classification at 164 E. Washington Street. Currently the occupancy is mixed use with Industrial F-1 on the main floor and Residential R-2 on the second floor. The proposed project will change the occupancy classification to Assembly A-2 on the first floor and to Residential R-1 on the second floor.

C. REVIEW OF COMPLIANCE WITH STATE AND LOCAL CODE

The submitted project will require the addition of a fire suppression system and fire alarm system.

D. RECOMMENDATION

Based upon the review of the submitted materials, we recommend that the Plan Commission recommend to the Common Council the **CONDITIONAL APPROVAL** of the Conditional Use Application for change of use and occupancy classification at 164 E. Washington Street, based on the following:

- 1) The owner ensures all work conforms to local and state code.



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

FOR OFFICIAL USE ONLY	
Date Filed	7/30/18
Received by	KA

APPLICATION FOR A CONDITIONAL
USE PERMIT

Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant Andrew Lynch

Phone No. 262-806-2740

Applicant's Address 132 Duane St. Burlington WI 53105

Applicant's Email Address andrew@mercantilehall.com

Owner of the site Andrew Lynch

Phone No. 262-806-2740

Owner's address 132 Duane St. Burlington WI 53105

DESCRIPTION OF THE SUBJECT SITE

Business name Jivilee

Address 164 E. Washington, Burlington WI

Or if no address exists: Parcel Identification No. _____

Existing Zoning classification B-2

Description of the proposed use Apartments or VRBO on 2nd floor; Meeting & Event space on 1st floor

Number of employees / Hours of operation 9 emp. 10a-12a 7/wk

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.

JIVILEE

- What will Jivilee be once completed?

- Social event space suitable for smaller events and meetings on the main floor, and 2 guest suites on the 2nd floor.

- Available to those who reserve Mercantile Hall as an extended space. When renting all 3 spaces, guests will transition from one area to the next, having access to additional restrooms, the indoor/outdoor bar, and The Urb Garden.

- Will we need a liquor license for Jivilee?

- We will pursue a beer and wine license only at this time.

- Will guests be able to take their drink outside to The Urb Garden if they bought it at Jivilee?

Yes, they can purchase drinks at the indoor/outdoor bar and enjoy them inside or outdoors (**if** they rent both areas together). The outdoor area will be entirely enclosed with gates on the front and a fence to the back.

- Will you be making food inside Jivilee?

- No, it will be much like Mercantile Hall with a prep kitchen only. We will have a handwashing station per health regulations. Outside food professionals will be able to serve premade food utilizing the prep kitchen.

- Where will the garbage dumpsters be located?

- On the exterior wall facing the Chase Parking lot, as they are now.

- What is the reason for the indoor/outdoor bar?

- Bring the 2 areas (Jivilee and The Urb Garden) together for a really enjoyable experience.



PLAN COMMISSION

ITEM NUMBER: 7H

DATE: August 14, 2018

SUBJECT: A Public Hearing for a Conditional Use application at 448 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 Susan Myres, for property located at 448 S. Pine Street. The applicant is proposing to operate a retail shop, art studio, and classes. The Rusty Gate will have three employees, and will be open 2-4 weekends per month, with additional monthly painting demonstrations.

ZONING:

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

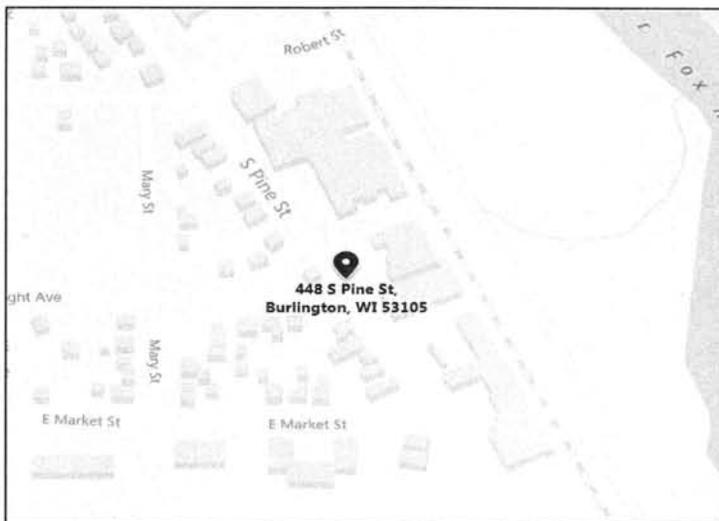
RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the August 14, 2018 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
M-1, Light Manufacturing District

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Plan Commission of the City of Burlington, Racine County, Wisconsin, will conduct a hearing to discuss the proposed Conditional Use Permit for:

Owner: Richard Colano
Applicant: Susan Myers
Location: 448 S. Pine Street
Zoning: M-1, Light Manufacturing District
Use: To operate an art, painting studio, and retail business

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, AUGUST 14, 2018 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, 24th day of July, 2018.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
July 26th and August 2nd, 2018



PLAN COMMISSION

ITEM NUMBER: 7I

DATE: August 14, 2018

SUBJECT: Consideration to approve a Conditional Use and application at 448 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 Susan Myres of The Rusty Gate for property located at 448 S. Pine Street. The applicant is proposing to operate a retail shop, art studio, and classes. The Rusty Gate will have three employees, and will be open 2-4 weekends per month, with additional monthly painting demonstrations.

ZONING:

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

RECOMMENDATION:

Graef recommend approval of this Conditional Use, subject to items listed in the August 7, 2018 memorandum.

TIMING/IMPLEMENTATION:

This item is for consideration at the August 14, 2018 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

collaborāte / formulāte / innovāte

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Ben Block
Tanya Fonseca, AICP

DATE: August 7, 2018

SUBJECT: Review of an Application for a Conditional Use Permit for a retail shop, art studio, and classes at 448 S. Pine Street, Burlington, WI 53105.

A. PURPOSE

- 1) Consider for approval an Application for a Conditional Use Permit from Susan Myres for a retail shop, art studio, and classes at 448 S. Pine Street.

B. RECOMMENDATION

Based upon the review of the submitted materials, GRAEF recommends that the Plan Commission recommend to the Common Council the **APPROVAL** of the Application for a Conditional Use Permit for a retail shop, art studio, and classes at 448 S. Pine Street, Burlington, WI 53105.

C. BACKGROUND

Susan Myres (Applicant) submitted an Application for a Conditional Use Permit to operate a business called The Rusty Gate that will feature a retail shop, an art studio, and classes at 448 S. Pine Street. The Rusty Gate will have three employees, and will be open 2-4 weekends / month, with additional monthly painting demonstrations. The existing zoning classification of the target property is "M-1 Light Manufacturing District."

The following materials were submitted:

- a. Application for a Conditional Use Permit (3 pages, dated 7/23/18)
- b. A site plan (1 page, undated)

D. COMPLIANCE WITH BURLINGTON ZONING CODE §315-30 "M-1 LIGHT MANUFACTURING DISTRICT"

The proposed uses involved with The Rusty Gate fall under the category of "retail stores and services," which is identified as conditional uses within the M-1 District per §315-30 C(13). The materials submitted with this Application indicate that the existing building located at 448 S. Pine Street will remain unchanged. As there are no proposed changes to the building or site configuration, the dimensional requirements of the M-1 District need not be evaluated.

The proposed uses involved with The Rusty Gate are compliant with this section of the Burlington Zoning Code.

E. COMPLIANCE WITH BURLINGTON ZONING CODE §315-130 “CONDITIONAL USE PERMIT”

The Applicant’s materials comply with the pertinent provisions enumerated in §315-130 (A) “Application for conditional use permit.”

F. COMPLIANCE WITH BURLINGTON ZONING CODE §315-48 “PARKING REQUIREMENTS”

Though the site plan submitted with this Application does not indicate where parking stalls will be located, the proposed operations of the Rusty Gate are not intensive enough to cause any concern with the amount of available parking. The Rusty Gate will operate mostly on weekends, and there are enough adjacent parking stalls and street parking to accommodate the employees and customers. Additionally, as the building has not been “erected, enlarged, extended, structurally altered, or increased,” the granting of the Conditional Use Permit is not beholden to the parking requirements outlined under §315-48.



CITY OF BURLINGTON

Fire Department

165 W. Washington Street, Burlington, WI 53105
(262) 763-7842 – (262) 767-8602 fax
www.burlington-wi.gov

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: City of Burlington Fire Department
Alan Babe, Fire Chief
Wes Miner, Fire Inspector

DATE: August 6, 2018

SUBJECT: Review of Conditional Use Application for a new business at 448 S. Pine Street, Burlington, WI. 53105.

A. PURPOSE

Consider for approval the Conditional Use Application for a new business at 448 S. Pine Street, Burlington, WI. 53105.

B. BACKGROUND

Susan Myres (Applicant) submitted a Conditional Use Application for a proposed change of use regarding the commercial building at 448 S. Pine Street, Burlington, WI. 53105.

C. REVIEW OF COMPLIANCE WITH BURLINGTON CODE CHAPTER 155. FIRE PREVENTION, PROTECTION AND CONTROL

No concerns at time of review.

D. REVIEW OF COMPLIANCE WITH STATE FIRE CODE

No concerns at time of review.

E. RECOMMENDATION

Based upon the review of the submitted materials, we recommend that the Plan Commission recommend to the Common Council the **CONDITIONAL APPROVAL** of the Conditional Use Application at 448 S. Pine Street, Burlington, WI. 53105, based on the following:

- 1) The owner ensures all work conforms to local and state code.



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

**APPLICATION FOR A CONDITIONAL
USE PERMIT**

FOR OFFICIAL USE ONLY	
Date Filed	7/23/18
Received by	KW

Conditional Use Permit - \$500 Deposit +/- Actual cost

Instructions: Applications are to be filed with the Zoning Administrator, who shall refuse applications that are not complete or that are not legible.

NAMES AND ADDRESSES

Applicant Susan Myres

Phone No. 847-275-3845

Applicant's Address 15510 38th st Kenosha WI 53144

Applicant's Email Address susanmyres1@gmail.com

Owner of the site Richard Colano

Phone No. 262-210-9797

Owner's address 440 S Pine St, Burlington WI 53105

DESCRIPTION OF THE SUBJECT SITE

Business name The Rusty Gate

Address 448 S Pine St

Or if no address exists: Parcel Identification No. _____

Existing Zoning classification M1

Description of the proposed use Retail shop, art studio and classes

Number of employees / Hours of operation 3 employees open 2-4 weekends / month plus monthly painting demonstrations and classes for various arts and crafts projects

**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

Reason for requesting a Conditional Use:

I request a conditional use permit for the operation of an art and painting studio and occasional retail shop in the proposed location.

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 Susan Myres Digitally signed by Susan Myres
Date: 2018.07.23 15:13:59 -05'00'
(Signature)

Susan Myres
(Print)

Owner _____
(Signature)

(Print)

Date: 7/23/18

Date application Filed: 7/23/18

- 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: _____

TENANT # 8
(NOT IN SCOPE OF WORK)
3365.9 SQ FT

TENANT # 9
(NOT IN SCOPE OF WORK)
3534.1 SQ FT

TENANT # 10
(NOT IN SCOPE OF WORK)
3381.7 SQ FT

(NOT IN SCOPE OF WORK)
2184.4 SQ FT

TENANT # 3
TENANT # 10

TENANT # 10
TENANT # 6

COMMON AREA
378.1 SQ FT

TENANT # 6
LOVE INC.
DONATION CENTER
6909.3 SQ FT
454 S. PINE

TENANT # 6
TENANT # 5

EXIST. CURVES FOR WOMEN
TENANT # 4
LOVE INC.
USED BOOK STORE
2374.2 SQ FT
446 S. PINE

REMOVE WALLS
NEW EXPOSURE

TENANT # 5
LOVE INC.
FURNITURE STORE
2060.6 SQ FT
448 S. PINE

TENANT # 7
LOVE INC.
KIDS STORE
2015.2 SQ FT
442 S. PINE

TENANT # 7
COMMON
COMMON
TENANT # 4

TENANT # 4
TENANT # 5

TENANT # 7