



Minutes
City of Burlington Plan Commission
August 14 2018, 6:30 p.m.

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

APPROVAL OF MINUTES

Alderman Preusker moved, and Alderman Grandi seconded to approve the minutes of July 10, 2018. All were in favor and the motion carried.

LETTERS & COMMUNICATIONS

None

CITIZEN COMMENTS

Barb Bakshis, Fox River State Bank, stated there is an economic limit to what can be financed when purchasing old buildings in the downtown area. It is a challenge to bring the buildings up to code since there are so many restrictions in the historic district, as a result the city could see more empty buildings.

OLD BUSINESS

A. Consideration to recommend approval to the Common Council of a Certified Survey Map 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.

- Mayor Hefty opened this item for discussion.
- Tanya Fonesca, Graef, explained the applicant proposes to move the lot line and purchase more land for the development extension to the south, in order to meet the dimensions and requirements.
- Alderman Preusker asked if the size and number of stalls are not what the city requires. Ms. Fonesca replied the city has a larger and higher requirement than most communities, but there is a balance with the shared parking lot.
- Alderman Grandi asked Carina Walters, City Administrator, maybe the Certified Survey Map could be on the Committee of the Whole and Common Council meeting the same night, so it does not delay the project. Ms. Walters responded that is a possibility.
- There were no further comments.

Alderman Grandi moved, and Commissioner Gardner seconded to approve the Certified Survey Map.

All were in favor and the motion carried.

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.

- Mayor Hefty opened the Public Hearing at 6:37 pm.
- There were no comments.

Alderman Preusker moved, and Alderman Grandi seconded to close the Public Hearing at 6:38 pm.

All were in favor and the motion carried.

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 side of the building, and to 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.

- Mayor Hefty opened this item for discussion.
- Alderman Grandi stated the landscape had decreased significantly more than originally presented, from 25% to 18%. Ms. Fonesca explained there was a change in the Site Plan with one retail business and two restaurant occupants, which needed more space. Ms. Fonesca stated since it was an improvement to the property, it was appropriate to reduce the landscaping. Gregory Guidry, Building Inspector, commented that there is still landscape around the perimeter that is not part of the calculation.
- Alderman Grandi questioned if there was a visual of the final look. Mike Colombo, JTS Architects, stated the brick color will match the surrounding buildings as requested. Alderman Preusker asked if there could be a gable roof. Ms. Fonesca commented at the June 12, 2018 meeting the Commissioners had not requested a gable roof. Mr. Colombo responded this design is the same as most communities, as well as the grouping of tenants and material used.
- Alderman Grandi stated on Graef's review it states that signage beyond 8 square feet should be considered, and asked what the maximum size was. Ms. Fonesca answered the building will be viewed from three sides, and needed signs in the rear of the building. Mr. Guidry replied it is 1.40 square feet per 1 linear foot of exterior storefront wall width. Mr. Colombo explained since there is an angled street there are many areas to see the building from. Alderman Preusker stated this community has been waiting a long time for something like this and would like to see a gable roof, since this location is an entry way into the city. Alderman Preusker further stated he would like to see landscape incorporated by the patio. Mr. Colombo replied that a gable roof cannot hide the rooftop units, and that is not an attractive look. Mr. Colombo explained once the patio, landscape, and umbrellas are added it will improve the look. Ms. Walters commented this building will probably be complimentary to the other strip mall with Jimmy Johns, Great Clips, Athletico Physical Therapy, and AT&T. Andrew Goodman, JTS Architects, stated they have accomplished the building wrap around concept

previously requested by the Plan Commission. Mr. Guidry mentioned that Kapur & Associates and the Fire Department give a conditional approval.

- There were no further comments.

Alderman Preusker moved, and Alderman Grandi seconded to approve the Conditional Use and Site Plan for a multi-tenant commercial building.

All were in favor and the motion carried.

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.

- Mayor Hefty opened the Public Hearing at 6:57 p.m.
- There were no comments.

Alderman Preusker moved, and Commissioner Gardner seconded to close the Public Hearing at 6:58 p.m.

All were in favor and the motion carried.

B. Consideration to approve a Conditional Use and Site Plan application for property located at 616 Droster Avenue to allow for a cold storage building for storage of heating, ventilation, and air conditioning (HVAC) units.

- Mayor Hefty opened this item for discussion.
- Ms. Fonesca explained a formal Site Plan for the cold storage building is required to be submitted and reviewed by staff, since it is lacking the lighting improvements and clarification of the apron for the driveway. Commissioner Gardner stated he would like to see detailed plans to make an accurate decision. Mr. Guidry explained this project has been delayed for about three months, and the applicant was hoping to be taken off the agenda after the packets were sent out. Mr. Guidry also explained plans will need to be submitted before approval by staff. Alderman Preusker stated he would like to see the final building plans. Steve Hanson, owner, stated he has hired a structural engineer to work on submitting the plans. Mr. Hanson explained it will be a steel pole building with four overhead doors, steel siding, and steel roof to match the existing building.
- There were no further comments.

Commissioner Gardner moved, and Alderman Preusker seconded to table the Conditional Use and Site Plan until detailed plans are submitted.

All were in favor and the motion carried.

C. Consideration to recommend approval of a Preliminary Plat for Stonegate Subdivision, Addition II, subject to Graef's August 7, 2018, Kapur & Associates' June 28, 2018, and Fire Department's August 6, 2018 memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Ms. Fonesca, explained Phase I has 63 single-family homes, and now an additional 30 lots in Phase II is proposed to be developed. The Preliminary Plat has to have approval prior to the Final Plat, which has more detail. Ms. Fonesca stated in her report on page 2 that states "lots 83-94", should read "83-93". Alderman Preusker asked why there are 93 lots and only 63 homes. Ms. Fonesca answered that Phase I has 63 homes, and now Phase II will be 30 homes. Alderman Preusker was questioning what kind of protection the city has for unimproved roads and other infrastructure, and what the policy is for having no parks. Ms. Walters responded staff is working on a developer's agreement requiring a letter of credit, issued by the bank, which outlines the infrastructure for assurances that the city receives the money to finish roads or other issues if there are problems. Ms. Fonesca explained there are few options regarding the parks: ask the developer to dedicate a smaller site, or a payment in lieu of, which could be used to purchase additional park plans or maintenance. Ms. Walters stated the payment could also be placed in the park development fund for the Park Board. Mr. Guidry questioned if a park could be privately owned by a Home Owners Association. Ms. Fonesca replied, they could be, but was not sure on the city's park regulations. Alderman Preusker commented he felt we should revisit the park regulations such as payment in lieu of, ordinances, and policies. Alderman Preusker further mentioned that sometimes a Home Owners Association dissolves and then the city has no recourse of action. Ms. Walters stated staff recommends approval for the Preliminary Plat, but there will be more information provided prior to a final approval. Alderman Preusker asked what size the lots are. Ms. Fonesca replied the building areas are consistently sized, and the lots are anywhere from 10,000 to 57,000 square feet.
- There were no further comments.

Alderman Grandi moved, and Commissioner Gardner seconded to approve the Preliminary Plat.

Randy Rosenmerkel, 2240 Stonegate Road, President of Home Owners Association (HOA), clarified this is Phase III and not Phase II. Ms. Fonesca corrected Mr. Rosenmerkel that there was an original Phase with 30 lots, Phase I with 33 lots and now Phase II with 30 lots. Mr. Rosenmerkel explained he would like the new owners to stay within the HOA Covenants so the subdivision does not look like a junkyard over the years, and have matching light poles and mailboxes. Mr. Rosenmerkel stated the parks could be maintained with the association fees. Mr. Rosenmerkel commented there have been issues with final grading and suggested putting up a bond to be able to have recourse.

All were in favor and the motion carried.

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.

- Mayor Hefty opened the Public Hearing at 7:26 p.m.
- Ms. Fonesca explained the Historic Preservation Commissioners approved to demolish the building since the structural integrity is no longer there, and use the outdoor space for Mercantile Hall and 164 E. Washington Street. Shad Branen, owner, stated the two contractors and a structural engineer who reviewed the building said the rear was destroyed by the fire and the front was not worthwhile, so he wanted to expand the rear to use as a green space and courtyard.
- There were no further comments.

Alderman Preusker moved, and Alderman Grandi seconded to close the Public Hearing at 7:30 p.m.

All were in favor and the motion carried.

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, memorandum to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Commissioner Gardner stated he is excited and welcomes the addition, and likes the creativity of reusing the brick. Alderman Pruesker commented how Lake Geneva has a few little gardens, and this will be just like one of these beautiful gardens. Alderman Grandi stated he agrees, and is also excited for the 164 E. Washington Street project.
- Mayor Hefty thanked Mr. Branen Ms. Lynch, and Stephanie Heft in creating the plans.
- There were no further comments.

Commissioner Gardner moved, and Alderman Preusker seconded to approve the Conditional Use and Site Plan.

All were in favor and the motion carried.

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).

- Mayor Hefty opened the Public Hearing at 7:32 p.m.
- There were no comments.

Alderman Grandi moved, and Commissioner Gardner seconded to close the Public Hearing at 7:33 p.m.

All were in favor and the motion carried.

G. Consideration to approve a Conditional Use application from Wendy Lynch for property located at 164 E. Washington Street to use a 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.

- Mayor Hefty opened this item for discussion.
- Stephanie Heft, on behalf of Wendy Lynch, explained the upstairs will be a 1 bedroom unit and 1 bathroom unit. The first floor space will be used for showers, dinner parties, and more, which will have access to the green space and an indoor/outdoor bar. Commissioner Gardner asked what the timeline was for completion. Ms. Heft replied the green space will be completed before the end of the year.
- Alderman Preusker stated he likes the VRBO concept, but asked if all lodging was to be licensed with the State for taxes purposes. Alderman Grandi responded our duty was just to inform the owner that a license is needed by the State. Alderman Preusker commented he feels the project should be put on hold until they receive the VRBO license. Ms. Walters stated staff recommends moving forward, and the license is something that can be obtained in the future. Alderman Preusker stated he would approve, provided the owner provides the license from the State prior to opening the business. Commissioner Gardner replied that he is sure the owner will obtain any license that is required. Commissioner Gardner mentioned that this topic is starting to drift away from the Conditional Use that is on the agenda.
- There were no further comments.

Commissioner Gardner moved, and Alderman Preusker seconded to approve the VRBO suites.

All were in favor and the motion carried.

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.

- Mayor Hefty opened the Public Hearing at 7:47 p.m.
- Susan Myres, owner, explained currently she has a shop in Lake Geneva and wanted to expand and come to Burlington. Ms. Myres stated she uses recycled parts to create home décor, and teaches class. Ms. Myres further stated the fire inspection is up to code.
- There were no further comments.

Alderman Grandi moved, and Commissioner Gardner seconded to close the Public Hearing at 7:49 p.m.

All were in favor and the motion carried.

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.

- Mayor Hefty opened this item for discussion.
- Gregory Guidry, Building Inspector, stated the Fire Department approves.
- There were no further comments.

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

All were in favor and the motion carried.

ADJOURNMENT

Alderman Preusker moved, and Commissioner Gardner seconded to adjourn the meeting at 7:51 p.m.

All were in favor and the motion carried.

Recording Secretary
Kristine Anderson
Administrative Assistant