



AGENDA
PLAN COMMISSION
Tuesday, November 12, 2019 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
Mattea Chamberlin, Student Representative

1. Call to Order
2. Roll Call
3. Approval of the minutes of August 13, 2019
4. Letters and Communications: None
5. Citizen Comments
6. Old Business: None
7. New Business:
 - A. Public Hearing to hear public comments regarding a Conditional Use application from Sharon Johannesen for property located at 496 S. Pine Street, to use as a metal machining and fabrication business.
 - B. Consideration to approve a Conditional Use and Site Plan application from Precision Parts and Fabrication, LLC for property located at 496 S. Pine Street to use as a metal machining and fabrication business, subject to Graef's and Burlington Fire Department's memorandums to the Plan Commission.
 - C. Consideration to approve a Site Plan application from Echo Lake Foods for property located at 316 W. Grove Street to construct a 450 square foot switchgear building, subject to Graef's, Kapur & Associates' and Burlington Fire Department's memorandums to the Plan Commission.
 - D. Consideration to recommend approval to the Common Council of a Rezone Map Amendment application from David Stauffacher for property located at 416 E. Jefferson Street to rezone the property from B-2, Central Business District to Rd-2, Two-Family Residential District, subject to Graef's memorandum to the Plan Commission.

- E. Consideration to approve a variance to Ch. 315-27C, pursuant Wisconsin Statutes 62.23(7)(e)(1), for Jeremy and Yvonne Bauman to use the vacant parcel at 216 N. Pine Street as a private parking lot.

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
August 13, 2019, 6:30 p.m.

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

APPROVAL OF MINUTES

Commissioner Redman moved, and Alderman Preusker seconded to approve the minutes of July 9, 2019. All were in favor and the motion carried.

LETTERS & COMMUNICATIONS

None

CITIZEN COMMENTS

None

OLD BUSINESS

None

NEW BUSINESS

A. Public Hearing to hear public comments regarding a Conditional Use application from WM Kenosha Racine, Inc. for property located at 400 S. Pine Street to store trucks and supplies in order to operate a lawn care business.

- Mayor Hefty opened the Public Hearing at 6:33 p.m.
- Mary Anders, 409 S. Pine Street, stated she would like to know if the front of the building will stay clean and crisp as it is, and that all construction vehicles will be in back so it doesn't affect her property value of it becoming a junk yard.
- There were no further comments.

Alderman Grandi moved, and Commissioner Gardner seconded to close the Public Hearing at 6:34 p.m.

All were in favor and the motion carried.

B. Consideration to approve a Conditional Use and Site Plan application from WM Kenosha Racine, Inc. for property located at 400 S. Pine Street to store trucks and supplies in order to operate a lawn care business, subject to Graef's, Kapur & Associates', and Fire Department's memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Tanya Fonseca, Graef, explained the trucks will be kept in back. Ms. Fonseca recommended that the landscape and overall appearance meet the conforming requirements, add screening to the fence, and the parking area be paved within one year.
- Alderman Preusker stated it is a high traffic area and a highly visible corner coming from the south, and was concerned with the kicking of dust from all the gravel in the rear. Alderman Preusker asked if the ordinance for paving the lot was for aesthetics, or because of chemicals being used. Ms. Fonseca responded because the asphalt is giving the City would like to see the condition of the lot kept up, but is not a disturbance since it is only resurfacing. Ms. Fonseca stated this is a change of use, thus requires the lot to be paved.
- Brad Lois, Bear Realty, explained Weed Man Lawn Care is a new tenant with a 5-year lease who would like to make improvements to the property. Mr. Lois stated the full intention is to have the front of the building look appealing with some landscaping, fresh paint, and signage. Brandon Burns, Weed Man representative, explained the trucks will be kept in the rear of the building and the products will be stored inside.
- Commissioner Redman questioned since the vehicles would be stored outside overnight, is there consideration to replacing the driveway approach up to the fencing. Mr. Burns replied yes, that is something that could be done. The Commissioners agreed that the paving of the back lot within one year should not be waived. Commissioner Gardner stated the ordinance for paving is set in place for a reason. Mr. Burns asked how many stalls are required to be paved. Ms. Fonseca answered it is usually be based upon the square footage, but since there are no customers, it is based on the number of employees, with a minimum of 6 stalls. Commissioner Redman stated that he would like to see the screening for the fence, replace the approach, and asphalt the triangular surface or landscape it.
- There were no further comments.

Commissioner Redman moved, and Alderman Grandi seconded to approve the Conditional Use and Site Plan contingent they add screen to the fence, pave the approach off of Robert Street, pave 6 stalls for employees inside the fenced area within one year, and review the Conditional Use in one year.

All were in favor and the motion carried.

C. Consideration to approve a Site Plan application from Jason Pyne for property located at Lynch Way and Buckley Street to construct a new facility for a dialysis clinic, subject to Graef's, Kapur & Associates', and Fire Department's memorandums to the Plan Commission.

- Mayor Hefty opened this item for discussion.
- Ms. Fonseca explained there is enough space to build on that meet all the guidelines. The lights require clarification, and which days of the week of operation. The 40 parking stalls is a little below the requirement, but there are more ADA stalls than what is required. However,

with the City not wanting to overbuild parking lots, there can be an exception to have less stalls since there are multiple clinics regionally.

- Kurt Clapbridge, realtor, and Jason Pyne, lead architect, explained all patients get delivered by van or dropped off. Mr. Pyne stated the parking requirement can be less if there is more storage for the company, which there is.
- Alderman Preusker asked if the landscape is in front for the patients viewing. Mr. Pyne replied no, the windows would have to be so high for the cabinets underneath, but it is more for natural light. Mr. Pyne stated landscape is towards the street though. Mr. Pyne commented the hours are Monday thru Friday 6 am – 5 pm, with a possibility of expanding to Saturday hours, 6 am – 5 pm.
- Mayor Hefty questioned if there is an area where family members can sit with the patient like they do at cancer facilities. Mr. Pyne answered there is a big waiting room for the family, but not next to the patient.
- There were no further comments.

Commissioner Redman moved, and Alderman Preusker seconded to approve the Site Plan as presented in the packet.

All were in favor and the motion carried.

D. Consideration to recommend approval to the Common Council to amend Chapter 315-74, Signs in the Historic Preservation Overlay (HPO) District if the Code.

- Mayor Hefty opened this item for discussion.
- Ms. Fonseca explained the Historic Preservation Commission (HPC) have been working on code revisions to clarify sign requirements for applicants. Some of the decisions made were: allow a maximum of 4 signs instead of 3; have vinyl signage counted towards the number of signs; corner signs to be the same size or smaller than front façade signage; hours of operation shall not be included as signage; and alleyway signage for deliveries were added. Ms. Fonseca stated the codes have not been revised since it was created.
- Megan Watkins, Assistant City Administrator/Zoning Administrator, questioned if the ordinance covers signs put in the windows, but not attached. Ms. Fonseca replied yes there is language stating signs visible will be counted as a sign. Ms. Watkins stated there are a number of businesses that have signs hanging, not touching the window, and asked the Commissioners if the businesses should be given time to comply or be grandfathered in. Alderman Preusker responded the owners should be informed they are not compliant, and hopefully they will volunteer to become compliant. Ms. Watkins clarified only the business signs are not compliant, but advertising signs would be okay to have.

- Alderman Grandi questioned if the ordinance can be changed so that HPC does not have flexibility to override a City ordinance regarding painted walls. Ms. Fonseca answered they have the same discretion for being flexible like Plan Commission does with parking.
- There were no further comments.

Alderman Grandi moved, and Alderman Preusker seconded to approve Chapter 315-74 HPO sign amendment.

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



PLAN COMMISSION

ITEM NUMBER: 7A

DATE: November 12, 2019

SUBJECT: A Public Hearing for a Conditional Use application at 496 S. Pine Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

A Public Hearing has been scheduled to hear comments and concerns from the public regarding a Conditional Use application from Sharon Johanesen of Precision Parts and Fabrication, LLC, for property located at 496 S. Pine Street. The applicant is proposing to use the existing building for a metal machining and fabrication business.

ZONING:

This parcel is zoned M-1, Central Business District.

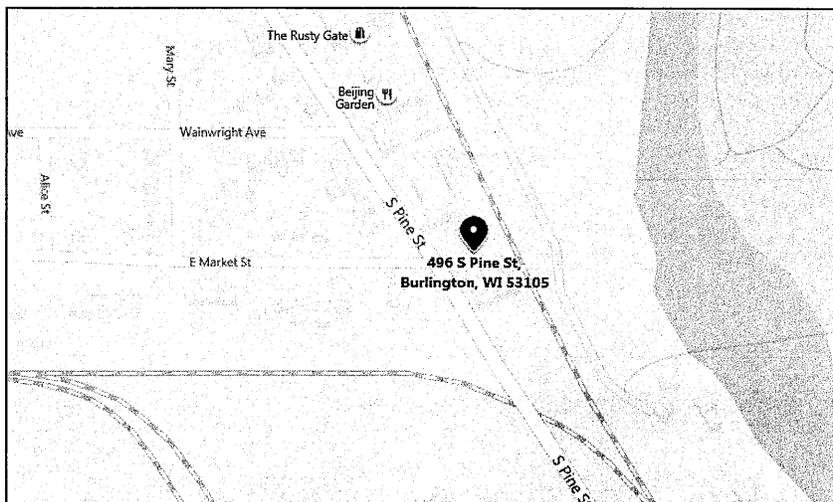
RECOMMENDATION:

N/A

TIMING/IMPLEMENTATION:

This item is for a Public Hearing at the November 12, 2019 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: Matthew Rijkse
Applicant: Sharon Johanesen
Location: 496 S. Pine Street
Zoning: M-1, Light Manufacturing District
Use: To operate a metal machining and fabrication 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, NOVEMBER 12, 2019 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, 21st day of October, 2019.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
October 24th and October 31st, 2019



PLAN COMMISSION

ITEM NUMBER: 7B

DATE: November 12, 2019

SUBJECT: Consideration to approve a Conditional Use and Site Plan application at 496 S. Pine Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Conditional Use and Site Plan application from Sharon Johanesen, for property located at 496 S. Pine Street. The applicant is proposing to use the existing building for a metal machining and fabrication business. The parking lot to the south of the building will have 13 stalls painted. The facility would operate from 7 am-5 pm from Monday to Friday, and from 7 am-noon on Saturday and Sunday, with 7-10 employees. The applicant proposes no changes to the existing building. The Conditional approval have the following conditions:

- The applicant confirms there are no changes proposed to the exterior lighting.
- The applicant confirms that no more than 4 company vehicles will be parked outside.
- The Site Plan is revised to show 1 ADA van-accessible parking space.
- The Site Plan is revised to include parking lot interior landscaping. As manufacturing uses typically involve larger trucks and more loading space in their parking lots, the quality of interior landscaping is threatened. Instead of requiring this parking lot landscaping to be located on the interior of the lot, it might be advantageous to require that the landscaping be placed on the perimeter of the lot to both provide a bufferyard, as well as to encourage the long-lasting quality of the landscaping.

ZONING:

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

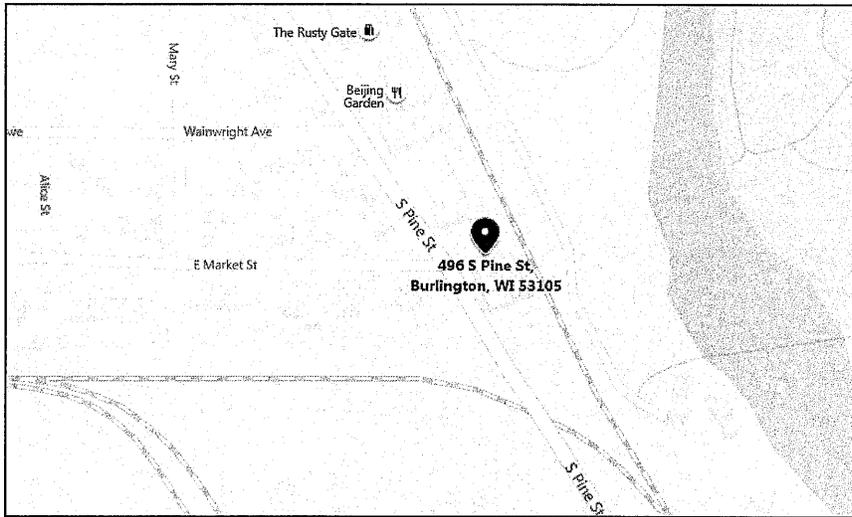
RECOMMENDATION:

Graef and the Burlington Fire Department recommend a conditional approval of this Conditional Use and Site Plan, subject to items listed in the November 5, 2019 memorandums.

TIMING/IMPLEMENTATION:

This item is for consideration at the November 12, 2019 Plan Commission meeting. No further action is necessary.

MAP:





collaborāte / formulāte / innovāte

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Tanya Fonseca, AICP

DATE: November 5, 2019

SUBJECT: Review of Conditional Use and Site Plan Application for Precision Parts and Fabrication, located at 496 S. Pine Street.

A. PURPOSE

- 1) Consider for approval a Conditional Use and Site Plan Approval Application from Sharon Johansen for parcel 206-03-19-32-181-000 located at 496 S. Pine Street in Burlington, WI 53105 to locate a metal machining and fabrication facility within the existing building.

B. RECOMMENDATION

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

- 1) **CONDITIONAL APPROVAL** of approval a Conditional Use and Site Plan Approval Application from Sharon Johansen for parcel 206-03-19-32-181-000 located at 496 S. Pine Street in Burlington, WI 53105, with the following conditions:
 - a. The Applicant confirms there are no changes proposed to the exterior lighting in accordance with §315-30(H);
 - b. The Applicant confirms that no more than 4 company vehicles will be parked outside to satisfy the parking requirements of Chapter 315 Table 5;
 - c. The Site Plan is revised to show 1 ADA van-accessible space in accordance with Chapter 315 Table 4; and,
 - d. The Site Plan is revised to include parking lot interior landscaping in accordance with §315-48(D) OR in accordance with the landscaping requirements as modified by the Plan Commission.

C. BACKGROUND

Sharon Johansen of Precision Parts and Fabrication, LLC (Applicant) submitted a Conditional Use and Site Plan Approval Application for parcel 206-03-19-32-181-000 located at 496 S. Pine Street in Burlington, WI 53105 to locate a metal machining and fabrication facility within the existing building. No changes are proposed to the existing building. The parking lot to the south of the building will have 13 stalls painted. The facility would operate from 7am to 5pm from Monday to Friday, and from 7am to noon on Saturday and Sunday. The facility will have 7-10 employees.



Parcel 206-03-19-32-181-000 is zoned M-1 “Light Manufacturing District.” The property to the north is zoned B-1 “Neighborhood Business District”, the properties to the west are zoned a variety of residential districts, and the property to the south is zoned I-1 “Institutional District.” To the east are floodways and the Fox River.

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

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

The proposed metal machining and fabrication facility is an acceptable conditional use in the M-1 District per §315-30(C)(20).

No changes are proposed to the existing building.

The Applicant should confirm that there are no proposed changes to the exterior lighting. If changes are proposed, then a lighting plan need be submitted per §315-30(H).

E. COMPLIANCE WITH BURLINGTON ZONING CODE §315-48 “PARKING REQUIREMENTS” & §315-49 “DRIVEWAYS”

The Applicant proposed to stripe 14 parking stalls on the southern portion of the property. Chapter 315 Table 5 indicates that heavy manufacturing uses require 1 space per employee, plus 1 space per company vehicle, plus 1 space per 5,000 square feet of visitor parking. The Application indicates that 7-10 employees will be employed at this business. The Applicant should confirm that the amount of company vehicles that will be parked on site does not exceed 4.

The Site Plan does not indicate that any of the parking stalls will be ADA compliant. Per Chapter 315 Table 4, there will need to be 1 ADA van-accessible space.

The Site Plan does not indicate any landscape areas within the parking lot. Per §315-48(D), all public off-street parking areas that serve 10 vehicles or more that are being constructed or redesigned must have evenly dispersed landscape areas within the interior of the parking lot. The landscape area must total no less than 5% of the surfaced area.

F. COMPLIANCE WITH BURLINGTON ZONING CODE §315-137 “SITE PLANS”

The Applicant’s materials are compliant with the requirements in §315-137.

G. COMPLIANCE WITH BURLINGTON ZONING CODE §315-130 “CONDITIONAL USE PERMITS”

The Applicant’s materials are compliant with the requirements in §315-130.

**H. COMPLIANCE WITH BURLINGTON ZONING CODE §315-52 “LANDSCAPING” & §315-138
“LANDSCAPING PLAN”**

The Site Plan does not show any landscaping enhancements on the property. The southern portion of the property is adjacent to a property zoned I-1 “Institutional District”. Per Chapter 315 Table 7, a level-2 bufferyard would be required at this portion of the property, though the Application falls within one of the exceptions listed under §315-52(2) and does not trigger the requirement for installing this bufferyard.

I. ADDITIONAL LANDSCAPING CONSIDERATIONS

Considering the requirement for interior landscaping, the lack of a bufferyard to the south, and the proposed use for the property, it might make sense for a hybrid-solution to be proposed. As manufacturing uses typically involve larger trucks and more loading space in their parking lots, the quality of interior landscaping is threatened by these conditions. Instead of requiring this parking lot landscaping to be located on the interior of the lot, it might be advantageous to require that the landscaping be placed on the perimeter of the lot to both provide a de facto bufferyard as well as to encourage the long-lasting quality of the landscaping.



MEMORANDUM

TO: Plan Commission
City of Burlington

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

DATE: November 5, 2019

SUBJECT: Review of Conditional Use and Site Plan Application for property located at 496 S. Pine Street, Burlington, to operate a metal machining and fabrication business.

A. PURPOSE

1) Consider for approval the Conditional Use and Site Plan Application for property located at 496 S. Pine Street, Burlington, to operate a metal machining and fabrication business.

B. BACKGROUND

Sharon Johnson (Applicant) submitted a Conditional Use and Site Plan Application on October 9, 2019 to operate a metal machining and fabrication business at 496 S. Pine Street, Burlington.

C. REVIEW OF COMPLIANCE WITH LOCAL AND 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 this application based on the following:

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



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 10/9/19 PM
Received by MW

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 Sharon Johansen (Executive Manager)
Phone No. (262) 342-5199 (work) - 847-420-323-8641
Applicant's Address 31229 73rd St Salem WI 53108
Applicant's Email Address Sherry@precisionpartsandfab.com
Owner of the site Matthew Rijkse
Phone No. 1-920-334-4512
Owner's address 420 English Settlement Rd Burlington WI 53105

DESCRIPTION OF THE SUBJECT SITE

Business name Precision Parts and Fabrication LLC
Address 496 S. Pine St Burlington WI 53105
Or if no address exists: Parcel Identification No. _____
Existing Zoning classification M-1 Conditional Uses
Description of the proposed use Metal Machining + fabrication
Number of employees / Hours of operation 7-10 employees 7:00 am - 5:00 pm M-F
7:00 am - 12:00 pm Sat.

**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:

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>Sharon L. Johansen</u> (Signature)	<u>Sharon L. Johansen</u> (Print)
Owner	<u>Matthew Rijkse</u> (Signature)	<u>Matthew Rijkse</u> (Print)
Date:	<u>10/7/19</u>	Date application Filed: <u>10/7/19</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]
(Signature)

Date: 10/9/19



CITY OF BURLINGTON

Planning & Zoning
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

OFFICE USE ONLY	
DATE FILED:	<u>10/9/17</u>
RECEIVED BY:	<u>MW</u>
AMT. PAID:	<u>500</u>

SITE PLAN APPROVAL APPLICATION

APPLICATION FEE: \$500 Deposit +/- Actual Cost

Per Section §315-137, no person shall commence any use or erect any structure, with the exception of single-family and two-family dwellings, without first obtaining the approval of the Plan Commission of a detailed site plan(s) as set forth in this section. The Plan Commission shall review the site, natural resource features of the site, site intensity of use, building location, density of dwelling units, floor area, impervious surface area, existing and proposed structures, architectural plans, neighboring uses, potential impacts upon neighboring uses, utilization of landscaping and open space, off-street parking and loading areas, driveway locations, loading and unloading in the case of commercial and industrial uses, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

View specific Site Plan requirements online at <https://ecode360.com/9753926>

Applicant Information

Property Address 4196 S. Pine St Burlington WI 53105
Applicant Name Sharm Johnson
Applicant Address 31229 73rd St Salem WI 53168
Applicant Email Sherry@precisionpartsandfab.com Phone Number ~~262~~ 262-3425199

Owner Name Matthew Rytiso - Precision Parts & Fabrication
Owner Address 4120 English Settlement Rd Burlington WI 53105
Owner Email matrytiso@me.com Phone Number _____

Architect/Contractor/Designer Name N/A
Architect/Contractor/Designer Email _____ Phone Number _____

Type of Construction: New _____ Addition _____ Remodel _____ Existing building
Type of Development: Commercial Industrial _____ Residential _____
Type of Business (if applicable) _____

Description of the Project: metal machining and fabrication

Engineering

- Storm water management provisions provided? YES / NO
- Estimated Traffic impacts: _____
- WDNR Notice of Intent required? (Land disturbance more than 1 acre)? YES / NO
- Watermain extension required? YES / NO
- Sanitary sewer extension required? YES / NO
- Is a Chapter 30 Permit (wetland/waterway) required? YES / NO

Water/Sewer Utilities

If an existing structure please circle the following:

N/A

- Will existing sewer & water connections be used? YES / NO
- Will your project require the installation of a grease interceptor? YES / NO

If the development is Commercial or Industrial, please provide the following:

- Water service size requirement: _____
- Estimated daily water usage in gallons per day: _____
- Estimated maximum water flow in gallons per minute: _____
- Number of bathrooms: _____
- Brief description of process (if Industrial): _____

If the development is a multi-family dwelling, please provide the following:

- Number of units: _____
- Number of bedrooms in each unit: _____
- Water service size requirement: _____

Police Department

- Will construction affect street usage such as parking or intersections? YES / NO N/A
- Will additional security and surveillance be required? YES / NO
- What are the hours of operation? 7am - 5pm M-F, 7am - 12pm Sat.
- Are you selling or serving alcohol and/or tobacco products? no

Fire Department

- Square footage of building(s): ~~N/A~~ 10,000 sq. ft.
- Number of Floors: one
- Occupant Load: _____
- Description of business model and/or process: Custom Stainless Steel fabrication
- Occupancy Type(s): *If mixed use indicate all occupancy type areas. Refer to chart below:*

Detailed Site Plan must include the following information:

Please check each item to ensure you include the required information

- | | |
|---|--|
| <input checked="" type="checkbox"/> Project title and date | <input checked="" type="checkbox"/> Location and purpose of each building |
| <input checked="" type="checkbox"/> Owner's/developer's name/address | <input type="checkbox"/> Development staging that is planned <i>NA</i> |
| <input type="checkbox"/> Architect's name/ address <i>NA</i> | <input type="checkbox"/> Existing and proposed topography <i>NA</i> |
| <input checked="" type="checkbox"/> Scale and north arrow | <input type="checkbox"/> Grading plan and soil data may be requested <i>NA</i> |
| <input checked="" type="checkbox"/> Property boundaries and dimensions | <input checked="" type="checkbox"/> Building and yard setbacks |
| <input checked="" type="checkbox"/> Abutting property zoning | <input checked="" type="checkbox"/> Existing and proposed street names (if applicable) |
| <input type="checkbox"/> Off-street parking spaces & handicap parking | <input type="checkbox"/> Driveway locations of adjoining properties |
| <input type="checkbox"/> Density of residential units <i>NA</i> <i>Stalls not striped</i> | <input type="checkbox"/> Existing/proposed right-of-way or reservations <i>NA</i> |
| <input type="checkbox"/> Landscape plan and greenspace | <input type="checkbox"/> Easements for access (if applicable) <i>NA</i> |
| <input checked="" type="checkbox"/> Signs – type, size and locations | <input type="checkbox"/> Ingress/egress and highway access (with dimensions) |
| <input type="checkbox"/> Building height and dimensions | <input type="checkbox"/> Pedestrian sidewalks and walkways <i>NA</i> |
| <input type="checkbox"/> Elevations of new structures <i>NA</i> | <input type="checkbox"/> Environmental corridors/natural resource features <i>NA</i> |
| <input type="checkbox"/> New building materials <i>NA</i> | <input type="checkbox"/> Bufferyards <i>NA</i> |
| <input checked="" type="checkbox"/> Outdoor lighting plan and photometrics | <input type="checkbox"/> Existing/proposed sanitary sewer and water mains <i>NA</i> |
| <input type="checkbox"/> Handicap accessibility | <input type="checkbox"/> Existing/proposed storm sewers <i>NA</i> |
| <input checked="" type="checkbox"/> Fencing, screening and dumpster locations | <input type="checkbox"/> Stormwater management plan <i>NA</i> |
| <input type="checkbox"/> Fire lanes | <input type="checkbox"/> Erosion control plan <i>NA</i> |

Please complete the following questions:

Building & Zoning Department

- Current Zoning District: ~~A-2/A~~ M-1, Light Manufacturing
- Permitted Use? YES / NO Conditional Use? YES / NO
- Is a Rezone required? YES / NO If Yes, Proposed Zoning: _____
- Is a Land Division required? YES / NO
- Is property in the Historic District? YES / NO
- Will there be signage? YES / NO What type (mounted, freestanding): Wall Sign-existing
- What kind of noise or level of noise will the property have? N/A
- Hours of operation 7am - 5pm M-F, 7am - 12pm Saturday

Occupancy Category	NFPA 101/5000 (Occupancy Type)	IBC (Group)	Examples
Assembly	Assembly	A-1	Fixed seating, production/viewing
		A-2	Restaurants, Nightclubs
		A-3	Other assembly (gyms, museums)
		A-4	Arenas, pools
		A-5	Bleachers, grandstands
Business	Business	B	Offices, dentists' offices, city halls
Educational	Educational	E	Schools ≤ grade 12
Industrial	Industrial	F-1	Factories with moderate hazards
		F-2	Factories with low hazard (bricks, glass)
Storage	Storage	S-1	Storage with moderate hazards (furniture)
		S-2	Storage with low hazards (canned goods)
High Hazard	Occupancy Type + hazardous contents requirements	H-1	Detonation hazard (explosives)
		H-2	Accelerated burning hazard (flamm. Gasses)
		H-3	Supported combustion hazard (flamm. Solids)
		H-4	Health hazards
		H-5	Semiconductor fabrications
Medical Care/Institutional	Healthcare (4+ patients)	I-2 (>5 patients)	Inpatient (24 hr) care, nursing homes
Board & Care	Residential Board & Care (4+ persons)	I-1 (>16 persons)	Personal care services and lodging
Day-Care	Day-Care (4+ clients)	I-4 (>5 persons)	Care and supervision (≥24 hr)
Detention & Correctional	Detention & Correctional (1+ persons)	I-3 (>5 persons)	Occupants under restraint or security
Mercantile	Mercantile	M	Display, sale of goods (retail)
Residential	Hotel & Dormitories	R-1	Hotels, Motels (transient use)
		R-2	Dormitories
			Apartments
		R-3	Boarding
		R-4 (5-16 persons)	Board & Care, rehab facilities
Special Structures	Occupancy Type + Special Structure provisions	Group U	Towers, tanks

Owner: Matthew Rijkse
(Print)

Date: 10/9/19

Owner: *[Signature]*
(Signature)

Applicant: Sharon Johannesen
(Print)

Date: 10/9/19

Applicant: *[Signature]*
(Signature)

Zoning Administrator: *[Signature]*
(Signature)

Date: 10/9/19

496 S. Pine Street Precision Parts & Fabrication

BURLINGTON WHOLESALE GROCERY
BURLINGTON, WISCONSIN.

SHEET 1 OF 2

SEE SHEET 2 FOR TITLE DESCRIPTION

SCALE 1" = 40'

BEARINGS RELATE TO S. PINE ST. USED AS N. 32°40' W.

- ⊙ = COUNTY MONUMENT FOUND.
- ⊙ = IRON PIPE FOUND.
- ⊙ = IRON PIPE SET.
- ⊙ = RAILROAD SPIKE

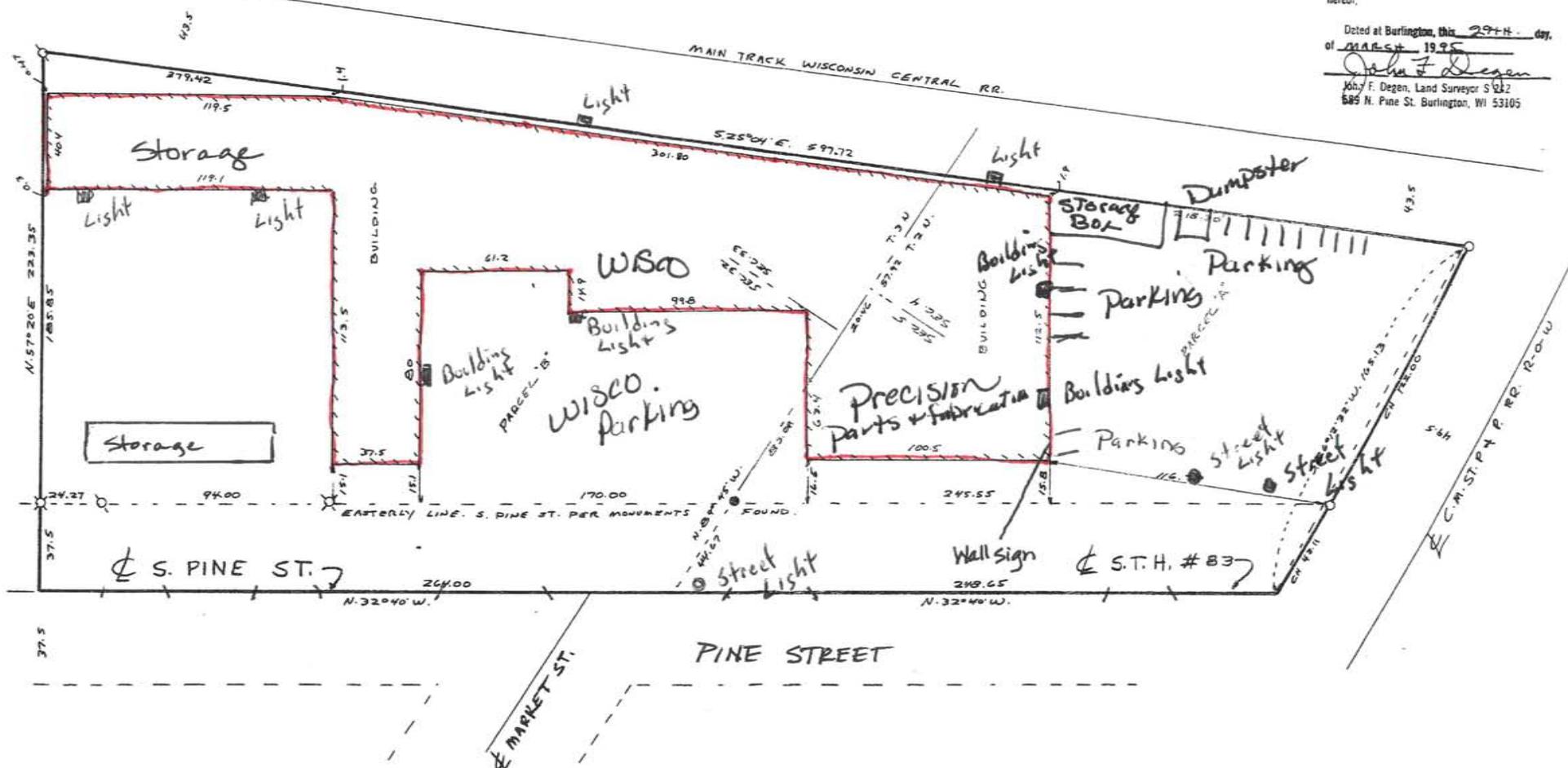
PLANE COUNTY SURVEYOR
ANNIS W. STEPHAN
FILE NO. 31952 DATE: 5/11/95
Joseph W. Sauer
DEPUTY FOR RECORDS

I have surveyed the above-described property, and the map hereon is a true representation thereof and shows the size and location of the property; its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements and roadways and visible encroachments, if any.

This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or guarantee the title thereto, within one year from date hereof.

Dated at Burlington, this 29th day of March, 1995
John F. Degen
John F. Degen, Land Surveyor S 422
585 N. Pine St. Burlington, WI 53105

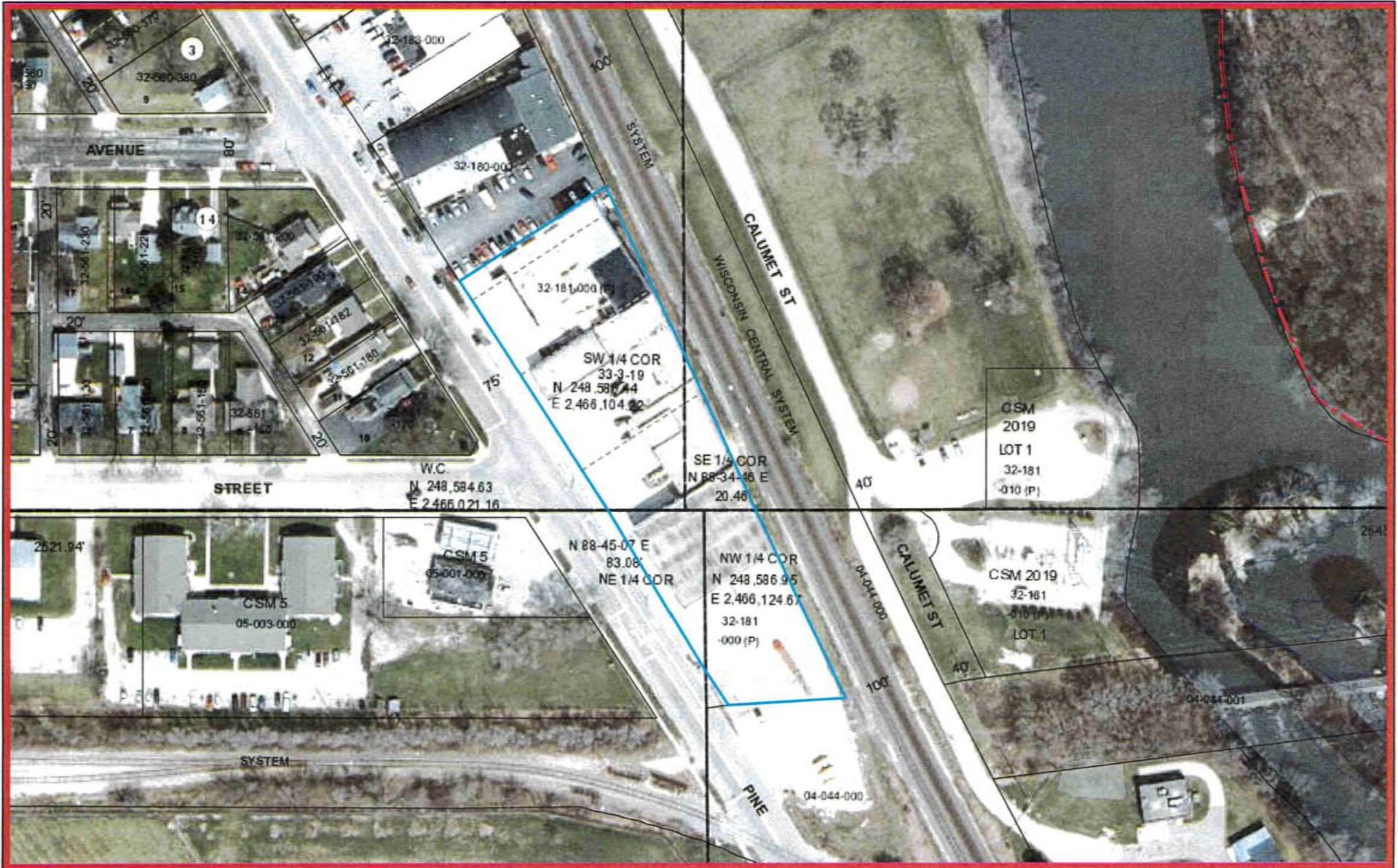
B-1 Zoning



PPF Holdings, LLC

October 9, 2019

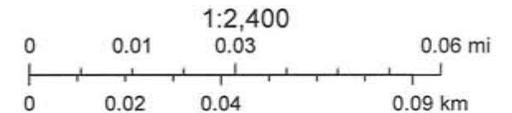
ArcGIS WebMap



October 9, 2019

- Quarter Quarter Section
- Tax Parcels
- Quarter Section
- Parcel Tie Lines
- Sections
- Municipal Boundaries

- Water lines
- 2015 Spring Aerial
- Waterbody
- Red: Band_1
- Green: Band_2
- Blue: Band_3



Racine County, SEWRPC, Sources: Esri, HERE, Garmin, Intermap, Increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN,

Google Maps 571 S Pine St



Image capture: Oct 2018 © 2019 Google

Burlington, Wisconsin

Google

Street View - Oct 2018

Google Maps 571 S Pine St

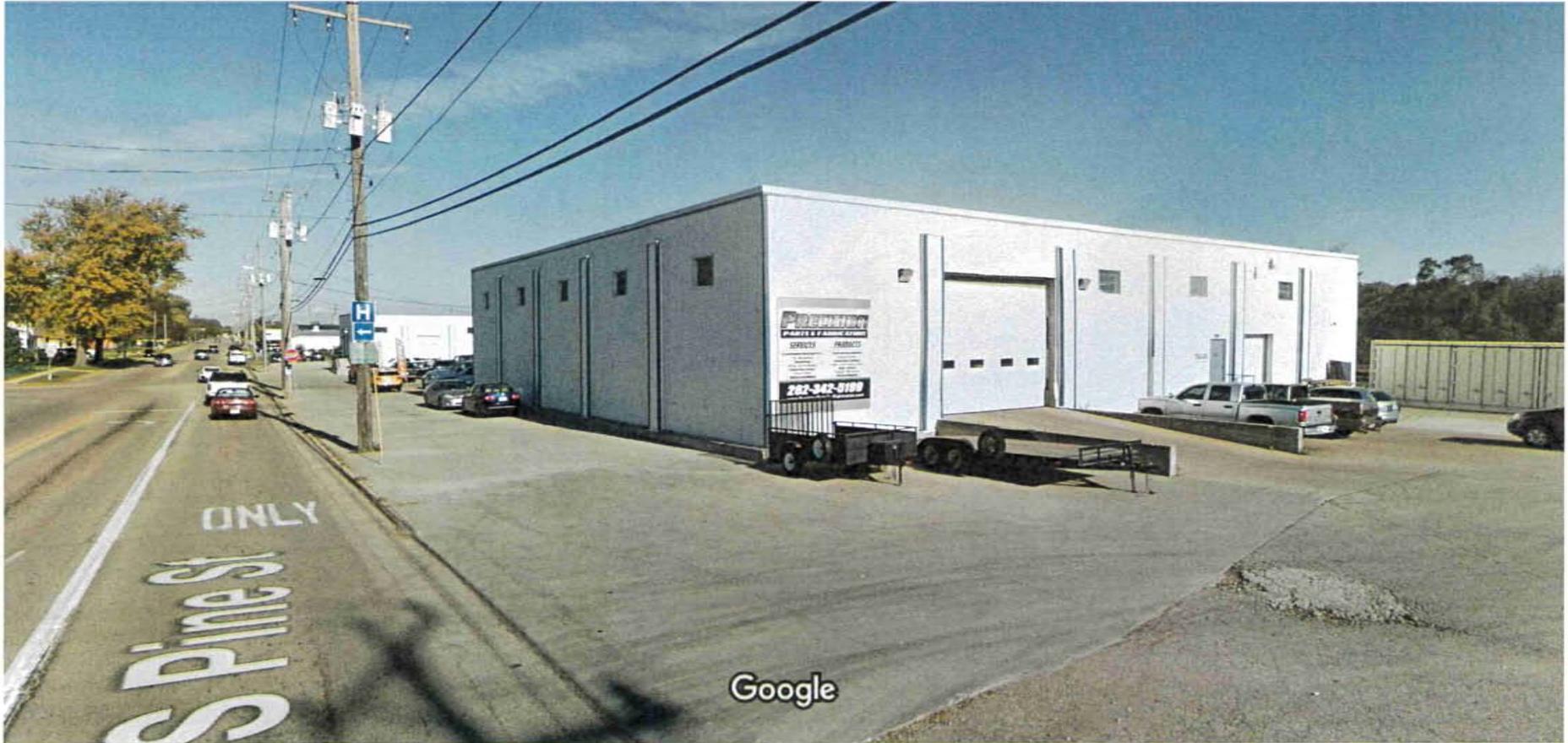


Image capture: Oct 2018 © 2019 Google

Burlington, Wisconsin

Google

Street View - Oct 2018



PLAN COMMISSION

ITEM NUMBER: 7C

DATE: November 12, 2019

SUBJECT: Consideration to approve a Site Plan application at 316 W. Grove Street.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

This item is to consider approving a Site Plan application from Echo Lake Foods, for property located at 316 W. Grove Street. The applicant proposes to construct a 450 square foot masonry building to house electrical equipment. The proposed building to house electrical equipment is an appropriate structure which meet the requirements, and materials used are compliant. The application does not indicate that any exterior lighting will be provided for the building. The use of the proposed accessory building has no parking requirements, or trigger any additional landscaping.

ZONING:

The parcel is zoned M-4, Manufacturing District.

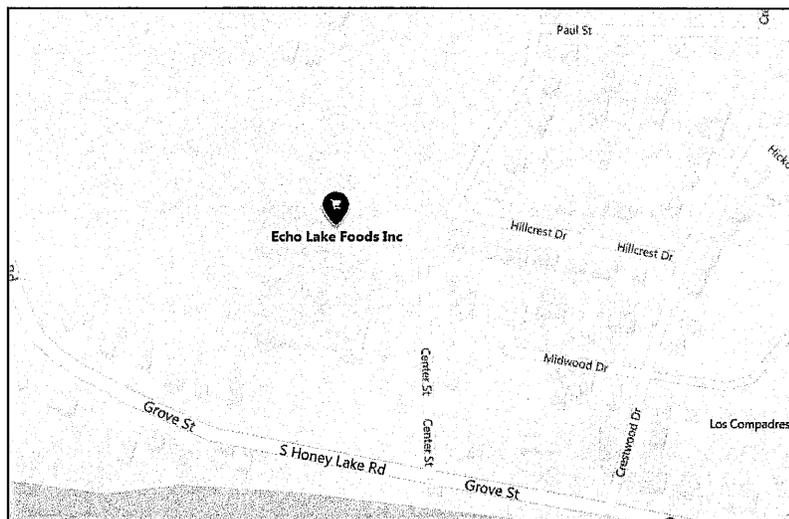
RECOMMENDATION:

Graef recommends approval of this Site Plan, subject to items listed in the November 5, 2019 memorandum. Also attached are Kapur & Associates' October 28, 2019 and Burlington Fire Departments' November 5, 2019 memorandums.

TIMING/IMPLEMENTATION:

This item is for consideration at the November 12, 2019 Plan Commission meeting. No further action is necessary.

MAP:





collaborāte / formulāte / innovāte

MEMORANDUM

TO: Plan Commission
City of Burlington

FROM: GRAEF
Tanya Fonseca, AICP

DATE: November 5, 2019

SUBJECT: Review of Site Plan for Echo Lake Foods, facility located at 316 W. Grove Street and headquarters located at 316 W. Grove Street, Burlington, WI 53105.

A. PURPOSE

- 1) Consider for approval a Site Plan Application from Echo Lake Foods for a 450 SF masonry building to house electrical equipment located on parcel 206-03-19-29-009-000, property address 316 W. Grove Street, Burlington, WI 53105.

B. RECOMMENDATION

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

- 1) **APPROVAL** of a Site Plan Application from Echo Lake Foods for a 450 SF masonry building to house electrical equipment located on parcel 206-03-19-29-009-000, property address 316 W. Grove Street, Burlington, WI 53105.

C. BACKGROUND

Echo Lakes Food submitted a Site Plan Approval Application to construct a 450 SF masonry building to house electrical equipment for the property located at 316 W. Grove Street. The property is zoned M-4 "Manufacturing District."

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

D. COMPLIANCE WITH BURLINGTON ZONING CODE §315-33 M-4 "MANUFACTURING DISTRICT"

The proposed building to house electrical equipment is an appropriate accessory use per §315-33(B).

The proposed accessory building meets the bulk requirements and setback requirements for the M-4 District.

The Application does not indicate that any exterior lighting will be provided for the building.



collaborāte / formulāte / innovāte

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

The use for the proposed accessory building has no parking requirements.

F. COMPLIANCE WITH BURLINGTON ZONING CODE §315-137 “SITE PLANS”

The Applicant’s materials are compliant with the requirements in §315-137.

**G. COMPLIANCE WITH BURLINGTON ZONING CODE §315-52 “LANDSCAPING” & §315-138
“LANDSCAPING PLAN”**

The proposed accessory building does not trigger any additional landscaping requirements.

Memo to the City of Burlington

To: Kristine Anderson, Plan Commission **Date:** October 28, 2019

From: Naomi Rauch

CC: Gary Kitelinger – Echo Lake Foods
Joel Nelson – 4th Dimension Design Inc.
Carina Walters, Megan Watkins, Gregory Guidry, Peter Riggs, Tanya Fonseca, Greg Governatori

Subject: 316 W. Grove Street, Echo Lake Foods Switchgear Building

BACKGROUND AND REQUEST:

A site plan approval application was submitted October 15, 2019 for the construction of 1066 sq.ft. impervious surface including a 440 sq.ft. structure and associated stoops and concrete pads at 316 W. Grove Street. The proposed improvements do not include any site grading or utilities.

The following plans were submitted for review:

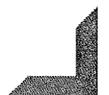
- Echo Lake Foods Proposed Switchgear Building, prepared by 4th Dimension Design Inc. T1.1, C1.1, A1.1-A1.4, S2.1 dated October 09, 2019.

Comments:

The proposed switchback building and associated impervious surface, by itself, does not exceed the limits to require water quantity (detention) and water quality (infiltration and TSS removal) standards. A pending site plan application, filed 7/12/19, for the same property includes the proposal of a maintenance garage and north parking lots that, by itself, does exceed the impervious surface threshold requiring that both water quality and water quantity standards must be addressed. The impervious surfaces proposed by the construction of the switchback building will be included in the water quantity and water quality calculations of the pending site plan application for the maintenance garage and north parking lots. The existing Echo lake foods facility has storm water management facilities in place for the switch gear building, however the cumulative impacts of the full future improvements will require inclusion of the switch gear buildings.

The plans have been reviewed for conformance with generally accepted engineering practices and City of Burlington policies. Although the material has been reviewed, the applicant 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.





MEMORANDUM

TO: Plan Commission
City of Burlington

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

DATE: November 5, 2019

SUBJECT: Review of Site Plan Application for property located at 316 W. Grove Street, Burlington, to construct a 15 foot by 30 foot switchgear building.

A. PURPOSE

1) Consider for approval the Site Plan Application for property located at 316 W. Grove Street, Burlington, to construct a 15 foot by 30 foot switchgear building.

B. BACKGROUND

Joel Nelson (Applicant) submitted a Conditional Use and Site Plan Application on October 15, 2019 to construct a 15 foot by 30 foot switchgear building at 316 W. Grove Street, Burlington.

C. REVIEW OF COMPLIANCE WITH LOCAL AND 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 this application based on the following:

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



Planning & Zoning
300 N. Pine Street, Burlington, WI, 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

OFFICE USE ONLY
DATE FILED: 10/15/19
RECEIVED BY: KA
AMT. PAID: 500

SITE PLAN APPROVAL APPLICATION

APPLICATION FEE: \$500 Deposit +/- Actual Cost

Per Section §315-137, no person shall commence any use or erect any structure, with the exception of single-family and two-family dwellings, without first obtaining the approval of the Plan Commission of a detailed site plan(s) as set forth in this section. The Plan Commission shall review the site, natural resource features of the site, site intensity of use, building location, density of dwelling units, floor area, impervious surface area, existing and proposed structures, architectural plans, neighboring uses, potential impacts upon neighboring uses, utilization of landscaping and open space, off-street parking and loading areas, driveway locations, loading and unloading in the case of commercial and industrial uses, highway access, traffic generation and circulation, drainage, sewerage and water systems, and the proposed operation.

View specific Site Plan requirements online at <https://ecode360.com/9753926>

Applicant Information

Property Address 316 W. GROVE ST. BURLINGTON, WI 53105
Applicant Name ECHO LAKE FOODS
Applicant Address 316 W. GROVE ST. BURLINGTON, WI 53105
Applicant Email gkitelinger@echolakefoods.com Phone Number 262-939-9206

Owner Name ECHO LAKE FOODS
Owner Address 316 W. GROVE ST.
Owner Email gkitelinger@echolakefoods.com Phone Number 262-939-9206

Architect/Contractor/Designer Name JOEL NELSON
Architect/Contractor/Designer Email joel.nelson@4dd.com Phone Number 262-896-6500

Type of Construction: New Addition Remodel
Type of Development: Commercial Industrial Residential
Type of Business (if applicable) FOOD PRODUCTION

Description of the Project: 450 sq. MASONRY BUILDING TO HOUSE ELECTRICAL EQUIPMENT

Detailed Site Plan must include the following information:

Please check each item to ensure you include the required information

- | | |
|--|--|
| <input checked="" type="checkbox"/> Project title and date | <input checked="" type="checkbox"/> Location and purpose of each building |
| <input checked="" type="checkbox"/> Owner's/developer's name/address | <input type="checkbox"/> Development staging that is planned |
| <input checked="" type="checkbox"/> Architect's name/ address | <input type="checkbox"/> Existing and proposed topography |
| <input checked="" type="checkbox"/> Scale and north arrow | <input type="checkbox"/> Grading plan and soil data may be requested |
| <input checked="" type="checkbox"/> Property boundaries and dimensions | <input type="checkbox"/> Building and yard setbacks |
| <input checked="" type="checkbox"/> Abutting property zoning | <input type="checkbox"/> Existing and proposed street names (if applicable) |
| <input type="checkbox"/> Off-street parking spaces & handicap parking | <input type="checkbox"/> Driveway locations of adjoining properties |
| <input type="checkbox"/> Density of residential units | <input type="checkbox"/> Existing/proposed right-of-way or reservations |
| <input type="checkbox"/> Landscape plan and greenspace | <input type="checkbox"/> Easements for access (if applicable) |
| <input type="checkbox"/> Signs – type, size and locations | <input type="checkbox"/> Ingress/egress and highway access (with dimensions) |
| <input checked="" type="checkbox"/> Building height and dimensions | <input type="checkbox"/> Pedestrian sidewalks and walkways |
| <input checked="" type="checkbox"/> Elevations of new structures | <input type="checkbox"/> Environmental corridors/natural resource features |
| <input checked="" type="checkbox"/> New building materials | <input type="checkbox"/> Bufferyards |
| <input type="checkbox"/> Outdoor lighting plan and photometrics | <input type="checkbox"/> Existing/proposed sanitary sewer and water mains |
| <input type="checkbox"/> Handicap accessibility | <input type="checkbox"/> Existing/proposed storm sewers |
| <input type="checkbox"/> Fencing, screening and dumpster locations | <input type="checkbox"/> Stormwater management plan |
| <input type="checkbox"/> Fire lanes | <input type="checkbox"/> Erosion control plan |

Please complete the following questions:

Building & Zoning Department

- Current Zoning District: M-4
- Permitted Use? YES / NO Conditional Use? YES / NO
- Is a Rezone required? YES / NO If Yes, Proposed Zoning: _____
- Is a Land Division required? YES / NO
- Is property in the Historic District? YES / NO
- Will there be signage? YES / NO What type (mounted, freestanding): _____
- What kind of noise or level of noise will the property have? Minimal
- Hours of operation 24/7

Engineering

- Storm water management provisions provided? YES / NO
- Estimated Traffic impacts: _____
- WDNR Notice of Intent required? (Land disturbance more than 1 acre)? YES / NO
- Watermain extension required? YES / NO
- Sanitary sewer extension required? YES / NO
- Is a Chapter 30 Permit (wetland/waterway) required? YES / NO

Water/Sewer Utilities

If an existing structure please circle the following:

- Will existing sewer & water connections be used? YES / NO
- Will your project require the installation of a grease interceptor? YES / NO

If the development is Commercial or Industrial, please provide the following:

- Water service size requirement: N/A
- Estimated daily water usage in gallons per day: N/A
- Estimated maximum water flow in gallons per minute: N/A
- Number of bathrooms: N/A
- Brief description of process (if Industrial): N/A

If the development is a multi-family dwelling, please provide the following:

- Number of units: N/A
- Number of bedrooms in each unit: N/A
- Water service size requirement: N/A

Police Department

- Will construction affect street usage such as parking or intersections? YES / NO
- Will additional security and surveillance be required? YES / NO
- What are the hours of operation? 24/7
- Are you selling or serving alcohol and/or tobacco products? No

Fire Department

- Square footage of building(s): 450 SF
- Number of Floors: 1
- Occupant Load: 0
- Description of business model and/or process: ELECTRICAL EQUIPMENT BEING HAUSED
- Occupancy Type(s): *If mixed use indicate all occupancy type areas. Refer to chart below:*
0

Occupancy Category	NFPA 101/5000 (Occupancy Type)	IBC (Group)	Examples
Assembly	Assembly	A-1	Fixed seating, production/viewing
		A-2	Restaurants, Nightclubs
		A-3	Other assembly (gyms, museums)
		A-4	Arenas, pools
		A-5	Bleachers, grandstands
Business	Business	B	Offices, dentists' offices, city halls
Educational	Educational	E	Schools < grade 12
Industrial	Industrial	F-1	Factories with moderate hazards
		F-2	Factories with low hazard (bricks, glass)
Storage	Storage	S-1	Storage with moderate hazards (furniture)
		S-2	Storage with low hazards (canned goods)
High Hazard	Occupancy Type + hazardous contents requirements	H-1	Detonation hazard (explosives)
		H-2	Accelerated burning hazard (flamm. Gasses)
		H-3	Supported combustion hazard (flamm. Solids)
		H-4	Health hazards
		H-5	Semiconductor fabrications
Medical Care/Institutional	Healthcare (4+ patients)	I-2 (>5 patients)	Inpatient (24 hr) care, nursing homes
Board & Care	Residential Board & Care (4+ persons)	I-1 (>16 persons)	Personal care services and lodging
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Mercantile	Mercantile	M	Display, sale of goods (retail)
Residential	Hotel & Dormitories	R-1	Hotels, Motels (transient use)
		R-2	Dormitories
		R-3	Apartments
		R-4 (5-16 persons)	Board & Care, rehab facilities
Special Structures	Occupancy Type + Special Structure provisions	Group U	Towers, tanks

Owner: ECAD LAKE FOODS
(Print)

Date: _____

Owner: _____
(Signature)

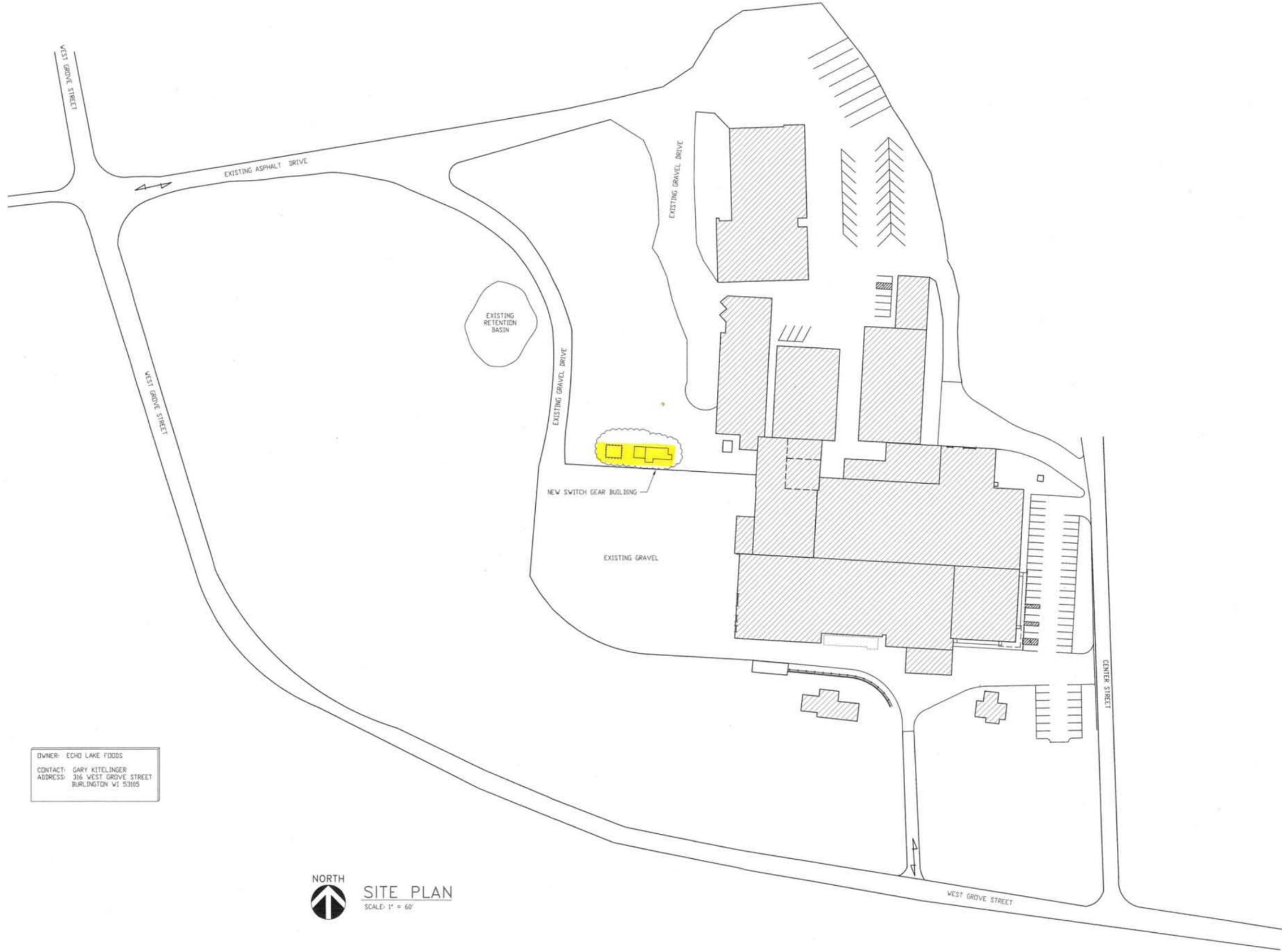
Applicant: GARY KITECINGER
(Print)

Date: 10/15/19

Applicant: [Signature] (AGENT)
(Signature)

Zoning Administrator: [Signature]
(Signature)

Date: 10/15/19



OWNER: ECHO LAKE FOODS
 CONTACT: GARY KITELINGER
 ADDRESS: 316 WEST GROVE STREET
 BURLINGTON WI 53105



SITE PLAN
 SCALE: 1" = 60'

FOR CONSTRUCTION 10/09/2019

REV.	DATE	DESCRIPTION

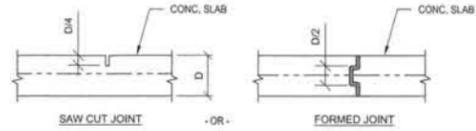
DATE: 10/09/2019
 BY: JN/CP
 SCALE: 1"=60'
 SITE PLAN

DRAWING NO:
C1.1

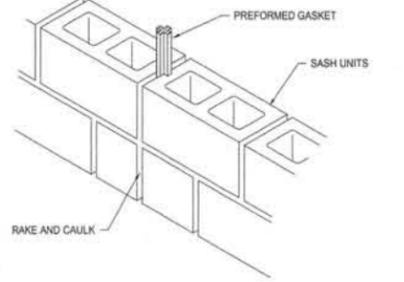
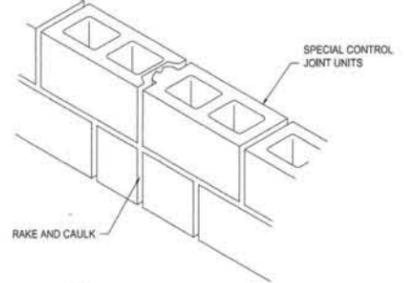
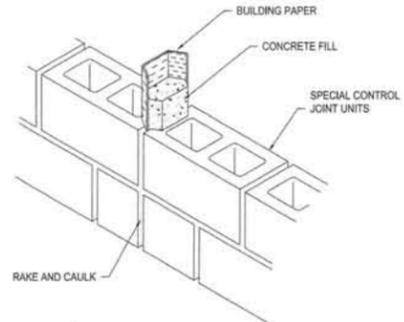
ECHO LAKE FOODS
 PROPOSED SWITCH GEAR BUILDING
 316 WEST GROVE STREET
 BURLINGTON, WI 53105



4th DIMENSION DESIGN, INC.
 817 Venture Court
 Waukesha, Wisconsin 53189
 PHONE: (262) 896-6500
 FAX: (262) 896-6505
 www.4DD.com

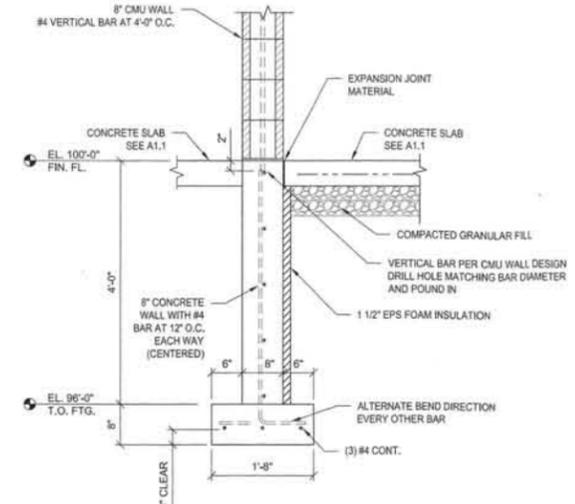


1
S2.1 **SLAB CONTROL JOINT**
SCALE: NONE

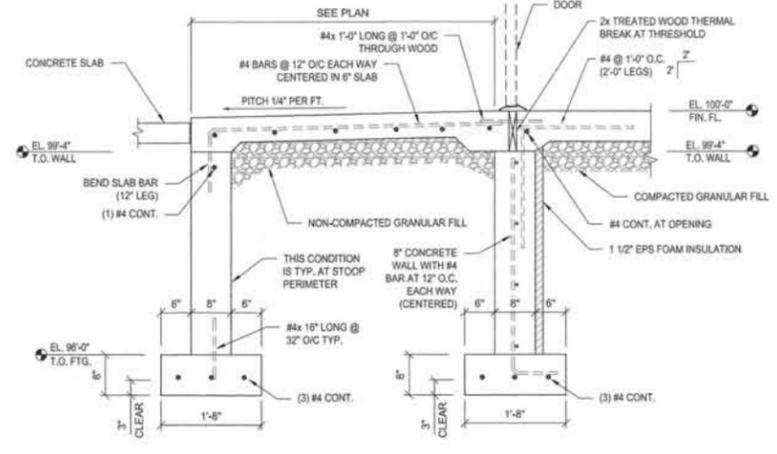


CMU CONTROL JOINT OPTIONS
SEE ELEVATIONS FOR LOCATIONS

4
S2.1 **DETAIL**
SCALE: NONE



2
S2.1 **DETAIL**
SCALE: 3/4" = 1'-0"



3
S2.1 **DETAIL**
SCALE: 3/4" = 1'-0"

FOR CONSTRUCTION 10/09/2019

REV.	DATE:	DESCRIPTION

DATE: 10/09/2019
BY: JN/CP
SCALE: 3/4" = 1'

FOUNDATION DETAILS

DRAWING NO:
S2.1

4th DIMENSION DESIGN, INC.
817 Venture Court
Waukesha, Wisconsin 53189
PHONE: (262) 896-6500
FAX: (262) 896-6505
www.4DD.com



ECHO LAKE FOODS
PROPOSED SWITCH GEAR BUILDING
316 WEST GROVE STREET
BURLINGTON, WI 53105



PLAN COMMISSION

ITEM NUMBER: 7D

DATE: November 12, 2019

SUBJECT: Consideration to recommend approval of a Rezone Map Amendment request at 416 E. Jefferson Street from B-2 District to Rd-2 District.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

PROJECT/SCOPE:

This item is to consider recommending approval of a Rezone Map Amendment request from David Stauffacher for property at 416 E. Jefferson Street. The applicant is requesting to rezone the property from B-2, Central Business District to Rd-2, Two-Family Residential District. The land use of the property is a single-family home. The property owner would like to rezone the property to a residential zoning district. This reflects the use of the property, and additionally makes selling the property more readily accessible (banks do not like to lend to properties with misaligned zoning). The surrounding residential properties in this district are zoned Rd-2, Two-Family Residence District. A single-family use of this district is a conditional use. Following the rezoning, one of the following will be required:

- a. Existing or new property owners (the property will soon be on the market) will need to apply for a conditional use of the property.
- or -
- b. City of Burlington to amend the zoning district to allow single-family residences as a permitted use.

ZONING:

The parcel is currently zoned B-2, Central Business District. The applicant is requesting to rezone to Rd-2, Two-Family Residential District.

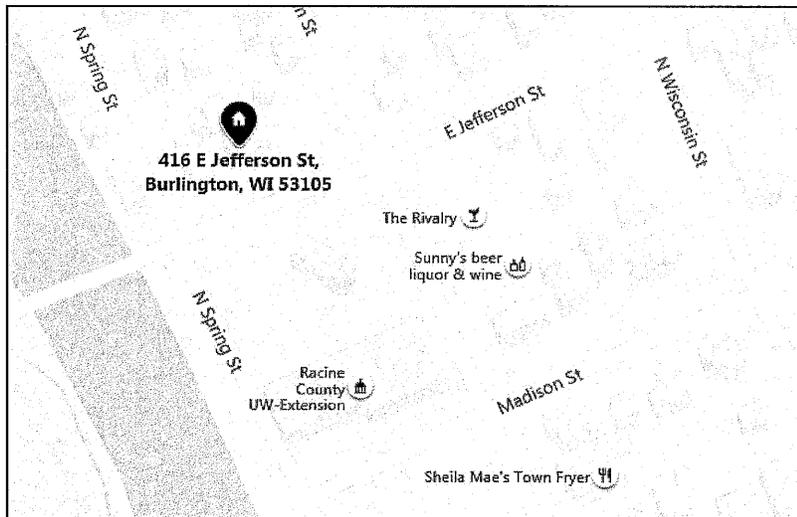
RECOMMENDATION:

Graef recommends approval of this Rezone Map Amendment, subject to items listed in the November 5, 2019 memorandum.

TIMING/IMPLEMENTATION:

This item is for recommendation to the Council at the November 12, 2019 Plan Commission, is scheduled for the November 19, 2019 Committee of the Whole meeting and with a Public Hearing the same night and at the December 3, 2019 Common Council meeting for final 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
Tanya Fonseca, AICP

DATE: November 5, 2019

SUBJECT: Review of Petition for Rezoning Map Amendment for 416 E. Jefferson Street, Burlington, WI
from B-2 Central Business District to Rd-2 Two Family Residence District

A. PURPOSE

- 1) Consider for approval a Petition for Rezoning Map Amendment from David C. Stauffacher of 424 E. Jefferson Street, Burlington, WI 53105 for parcel 206-03-19-32-401-230 located at 416 E. Jefferson Street to be rezoned to Rd-2 Two Family Residence District from B-2 Central Business District.

B. RECOMMENDATION

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

- 1) **APPROVAL** of a Petition for a Rezoning Map Amendment Application from David C. Stauffacher for parcel 206-03-19-32-401-230 located at 416 E. Jefferson Street to be rezoned to Rd-2 Two Family Residence District from B-2 Central Business District.

Following the rezoning, one of the following will be required:

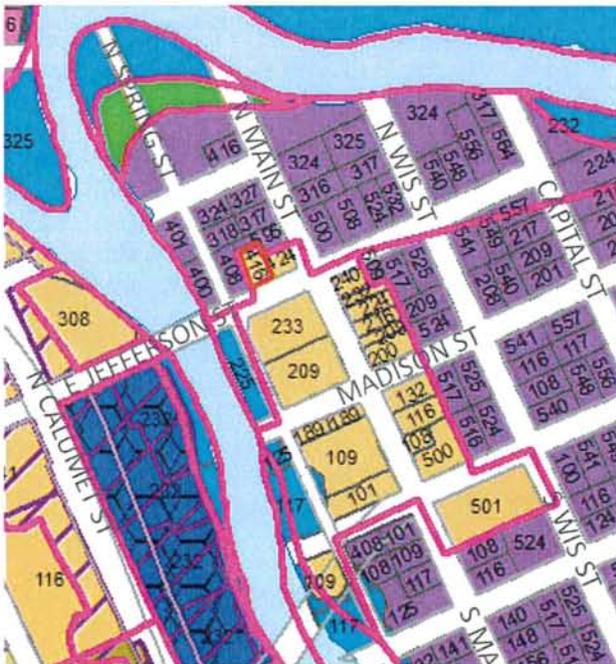
- a. Existing or new property owners (the property will soon be on the market) will need to apply for a conditional use of the property (single-family residences are a conditional use of the Rd-2 Two Family Residence District, or
- b. City of Burlington to amend the zoning district to allow single family residences as a permitted use

C. BACKGROUND

Applicant David C. Stauffacher is petitioning the City for a Rezoning Map Amendment for his property at 416 E. Jefferson Street. This property is currently zoned B-2 Central Business District. The land use of the property is a single-family home. The property owner would like to rezone the property to a residential zoning district. This reflects the use of the property, and additionally makes selling the property more readily accessible (banks do not like to lend to properties with misaligned zoning).

Initially the request was for the Rs-3 Single Family Residence District given the conditions of the lot and structure on it. The surrounding residential properties in this district are zoned Rd-2 Two Family Residence District. Although this property under consideration for rezoning is a single-family property, it is preferred to avoid spot zoning, where a property differs from a surrounding zoning district. For ease of zoning administration, it is preferred that the property be rezoned as Rd-2 Two Family Residence District. A single-family use of this district is a conditional use. The recommendation above lists two possibilities, where the property be provided a conditional use permit, and/or, the City amends the Rd-2 zoning district to allow single family uses as a permitted use (and perhaps review other residential districts for potential conflicts issues for future revisions). Rezoning this property as residential is consistent with the Future Land Use Plan for the City, which indicates this use as medium density residential.

It is recommended that the City revise this district in the future to be inclusive of single family homes as a permitted use and potentially be renamed from Rd-2 Two Family Residence District to Rd-2 One & Two Family Residence District (or it be combined with another existing zoning district). Although duplexes exist in Burlington, the City's neighborhoods as built do not necessitate any districts that are Two Family alone. A formal survey has not been conducted; however it is understood that there are in fact single-family homes in the existing Rd-2 Two Family Residence Districts in Burlington.



City of Burlington Zoning Map:
https://www.burlington-wi.gov/DocumentCenter/View/2518/ZoningMap_p_36x48--020719?bidId=



Racine County Mapbook:
<http://arcgis.racinecounty.com/MapBook/>



CITY OF BURLINGTON

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

For Office Use Only	
Petition No.	_____
Date Filed	<u>10/18/19</u>
Date Received (\$500)	<u>10/17/19</u>
Zoning Administrator	<u>KA</u> (initials)

ZONING FORM NO. 2
PETITION FOR REZONING MAP AMENDMENT

TO THE COMMON COUNCIL OF THE CITY OF BURLINGTON, WISCONSIN:

I, the undersigned, being owner/owner's agent of all the area herein described, hereby petition the Common Council of the City of Burlington, Wisconsin, to rezone and make appropriate a zoning map amendment to the following described property from B-2 District to Rd - Q District:

Address of Property: 416 E Jefferson St. Acres: _____

Legal Description of Property (attach additional sheets if needed): SEE ATTACHED

I have requested this rezoning for the purpose of: residential use.

Please find the following items attached:

Plot Plan drawn to a scale of one inch equals one hundred (100) feet showing the area to be rezoned, its location, its dimensions, the location and classification of adjacent zoning districts, and the location and existing use of all properties within two hundred (200) feet of the area proposed to be rezoned.

Owners' Names and Addresses of all properties lying within two hundred (200) feet of the area proposed to be rezoned.

Additional Information required by the Plan Commission or Common Council.

I have certified that all the above statements submitted herewith are true and correct to the best of my knowledge and belief.

PROPERTY OWNER:

Name DAVID C. STAUFFACHER
Address 454 E. JEFFERSON AV
BURLINGTON, WI 53105
(City) (State) (Zip)
Telephone No. 262-763-8805
Date 10/18/19

OWNER'S AGENT:

Name SAME
Address _____
(City) (State) (Zip)
Telephone No. _____
Date _____

More information maybe requested by the Plan Commission and/or Common Council if deemed necessary to properly evaluate your request. The lack of information requested by this form may be sufficient cause to deny the petition. If you have any question regarding the procedure, please contact the Zoning Administrator.

**NOTICE OF PUBLIC HEARING
FOR AMENDING THE ZONING MAP**

TO WHOM IT MAY CONCERN:

NOTICE is hereby given that the Common Council of the City of Burlington proposes to amend Chapter 315 of the Municipal Code, Zoning Map, as it pertains to:

Owner: David Stauffacher
Applicant: David Stauffacher
Applicant Address: 424 E. Jefferson Street, Burlington, WI 53105
Location of Request: **416 E. Jefferson Street**
Existing Zoning: B-2, Central Business District
Proposed Zoning: Rd-2, Two-Family Residential
Proposed Use: To use the property for residential use

NOTICE IS FURTHER GIVEN that a Public Hearing on the above matter will be held by the Common Council in the City Council Chambers, in the City of Burlington located at 224 E. Jefferson Street on:

**TUESDAY, NOVEMBER 19, 2019 DURING THE MEETING OF THE COMMON COUNCIL
SCHEDULED TO BEGIN AT 6:30 P.M. OR SHORTLY THEREAFTER**

To hear any persons objecting to, or in support thereof, on the above mentioned matter.

CITY OF BURLINGTON

Dated at Burlington, Wisconsin, this 28th day October, 2019.

Diahnn Halbach, City Clerk

Published in the Burlington Standard Press
October 31st and November 7th, 2019

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP BY REZONING 416 E. JEFFERSON STREET FROM B-2, CENTRAL BUSINESS DISTRICT TO RD-2, TWO-FAMILY RESIDENTIAL DISTRICT

WHEREAS, David Stauffacher, owner, requests property located at 416 E. Jefferson Street, as described in Attachment "A" to be rezoned to Rd-2, Two-Family Residential, in order to use the property for residential use; and,

WHEREAS, this request was heard at, and recommended for approval by the Plan Commission at their November 12, 2019 meeting; and,

WHEREAS, a public hearing was held regarding this matter at the Common Council's November 19, 2019 meeting.

NOW THEREFORE BE IT ORDAINED that the Common Council of the City of Burlington, Racine County and Walworth County, State of Wisconsin does as follows:

Section 1. The district map of the City of Burlington, as it is incorporated by reference and made part of the City Zoning Ordinance, is hereby amended and changed in relation to the zoning classification of land more particularly described as follows:

Owner:	David Stauffacher
Applicant:	David Stauffacher
Location of Request:	416 E. Jefferson Street
Existing Zoning:	B-2, Central Business District
Proposed Zoning:	Rd-2, Two-Family Residential District
Proposed Use:	To use the property for residential use

Section 2. The district map in all other respects shall remain the same.

Section 3. This ordinance shall take effect upon its passage and publication as provided by law.

NOW THEREFORE BE IT FURTHER ORDAINED that the City Clerk shall provide a copy of this ordinance to Planning and Development Director, Julie Anderson, of Racine County Planning and Development, located at 14200 Washington Ave., Sturtevant, WI 53177.

Introduced: November 19, 2019
Adopted: _____, 2019

Jeannie Hefty, Mayor

Attest:

Diahn Halbach, City Clerk

ATTACHMENT A

Legal Description

206-03-19-32-401-230

416 E. JEFFERSON STREET

THE EASTERLY 35 FEET OF LOT 7, THE SOUTHERLY 33 FEET OF THE EASTERLY 35 FEET OF LOT 6, THE WESTERLY 29 FEET OF LOT 8 AND THE SOUTHERLY 33 FEET OF THE WESTERLY 29 FEET OF LOT 5, BLOCK 35, ORIGINAL PLAT OF BURLINGTON, ACCORDING TO THE RECORDED PLAT THEREOF. SAID LAND BEING IN THE CITY OF BURLINGTON, COUNTY OF RACINE AND STATE FO WISCONSIN.



PLAN COMMISSION

ITEM NUMBER: 7E

DATE: November 12, 2019

SUBJECT: Consideration to approve a variance to Ch. 315-27C, pursuant Wisconsin Statutes 62.23(7)(e)(1), for Jeremy and Yvonne Bauman to use the vacant parcel at 216 N. Pine Street as a private parking lot.

SUBMITTED BY: Megan Watkins, Assistant City Administrator/Zoning Administrator

HISTORY

On October 2, 2019, Jeremy and Yvonne Bauman, owners of Bubba's Brickyard restaurant and bar, purchased a vacant lot at 216 N. Pine Street, directly across the street from their business. The City was made aware of their intention to use the lot as a private parking lot. On August 19, 2019, staff sent the Bauman's information via email that per, Ch. 315-27C, the lot could not be used for a private parking lot without a primary structure on the same lot. The Bauman's still proceeded with the purchase of the lot. On October 17, 2019, Zoning Administrator Megan Watkins sent a Notice of Violation to the owners of 216 N. Pine Street, outlining the violation of allowing parking in the vacant lot. The owners were given thirty days, or until November 20, 2019, to cease parking on the lot. This letter is attached for your convenience.

On October 31, 2019, Yvonne Bauman submitted via email a letter from Jeremy Bauman appealing the Notice of Violation to allow for a parking lot without a primary structure on the lot. The Bauman's further request, should a variance be granted, that the City allow parking on the lot until they make improvements to the lot, as required by our ordinances for parking lots.

POWER OF THE PLAN COMMISSION

Wisconsin State Statute Section 62.23(7)(e)(1) provides for the creation of a Zoning Board of Appeals. The last sentence of that statute, however states as follows: "*Nothing in this subdivision shall preclude the granting of special exceptions by the city plan commission or the common council in accordance with the zoning regulations adopted pursuant to this section which were in effect on July 7, 1973 or adopted after that date*".

In short, the Plan Commission itself can allow deviations, or "variances" if you will, from the provisions of the Zoning Code. And no showing of any hardship, or meeting any of the other rigorous requirements for a variance from the ZBA, is then needed.

PARKING STUDY

In late 2016, Staff worked with Andy Miller of Carl Walker, Inc., who conducted (i) an on-line survey with 422 respondents, (ii) conducted field observations during morning, lunch and dinner hours, (iii) met with the Chamber of Commerce and Common Council members outlining their observed parking challenges and (iv) held a public forum to present initial field observations, data collection and where possible, a summary of survey results.

In summary, Andy Miller made the following observations and recommendations:

- The City has ample amounts of free parking (i) on-street, (ii) in 5 strategically located public off-street surface lots, and (iii) in the Parking Deck.
- The City also has a significant amount of private off-street parking lots, which are restricted for use by individual businesses and not open to the general public.

A copy of this study is attached for your convenience.

PLAN COMMISSION OPTIONS AND CONSIDERATIONS:

Proposed Option 1.

The Plan Commission may approve a variance to Ch. 315-27C to allow for a private parking lot without a primary structure on the same lot at 216 N. Pine Street.

If a variance is approved, the following staff recommendations should be considered:

1. Require Site Plan approval that provides for pavement of asphalt or concrete, lighting, landscaping, curb and gutter, permanent marking of parking stalls and ADA compliance, per Ch. 315-48.
2. Limit such use to a term of five years, with parking on the lot no longer allowed unless the Plan Commission and/or Common Council renews the term.
3. Parking to cease on the lot until the lot is improved per Ch. 315-48, as stated in Item 1.

Proposed Option 2.

The Plan Commission may deny a variance to Ch. 315-27C and require prevention mechanisms to prohibit parking on the lot at 216 N. Pine Street.

Proposed Option 3.

The Plan Commission may refer this item to the Common Council for consideration.

STAFF & PLANNER RECOMMENDATION:

City Staff, as well as the City Planner, do not wish to formally make a recommendation at this time, however; would have you strongly consider the parking study recommendations from the 2016 report conducted by Andy Miller of Carl Walker, Inc. Additionally, staff would like the Plan Commission to note that this block could be redeveloped in the future and has been evaluated by developers in the past. Further, approval of this variance would set a precedent for off-site private parking lots without primary structures on the same lot. At this time, staff could only find two off-site private parking lots within the city boundaries, 1) 133 W. Washington Street, used for Plymouth Church across the street and approved in 1974, and 2) 148 N. Pine Street, adjacent Napoli's restaurant and approved in 2005. It should be noted that the owners of 148 N. Pine Street were required to combine this lot with 132 N. Pine Street when the parking lot was approved. Current records indicate that a combination has not occurred; however, staff will be reaching out to the owners to ensure this is taken care of per the requirements in 2005.

ZONING:

This parcel is zoned B-2, Central Business District

TIMING/IMPLEMENTATION:

This item is for discussion and possible action at the November 12, 2019 Plan Commission meeting.

10/28/19

Jeremy Bauman dba Bubba's Brickyard
217 N. Pine St
Burlington, WI 53105

City of Burlington
300 N Pine St
Burlington, WI 53105

RE: Parking at 216 N Pine St.

Dear City Council Members and Plan Commission,

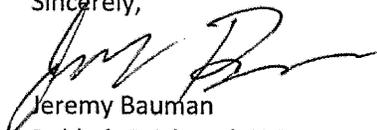
This letter is our request to appeal the letter from Megan E. Watkins dated October 17, 2019 citing the violation of Municipal code Ch. 315-27. We are in the process of getting a current survey, site plans and asking the Plan Commission for a variance to the zoning of said parcel of property. I have sent letters to all the property owners with abutting properties for their approval of the variance.

The use of this vacant lot that has been an eyesore for the community for the last 14 years minimally would give our business the additional space for parking that would be needed in order to grow and become a profitable business to the Burlington area. Besides just having the usual upstairs bar and grill business, we have a banquet space that can hold 200 people and has not only helped our business but brings additional revenue to the city of Burlington hotels, restaurants and businesses.

I am attaching pictures that we took of the lot as it currently is and was used for the Spooky City event while we were not even open yet.

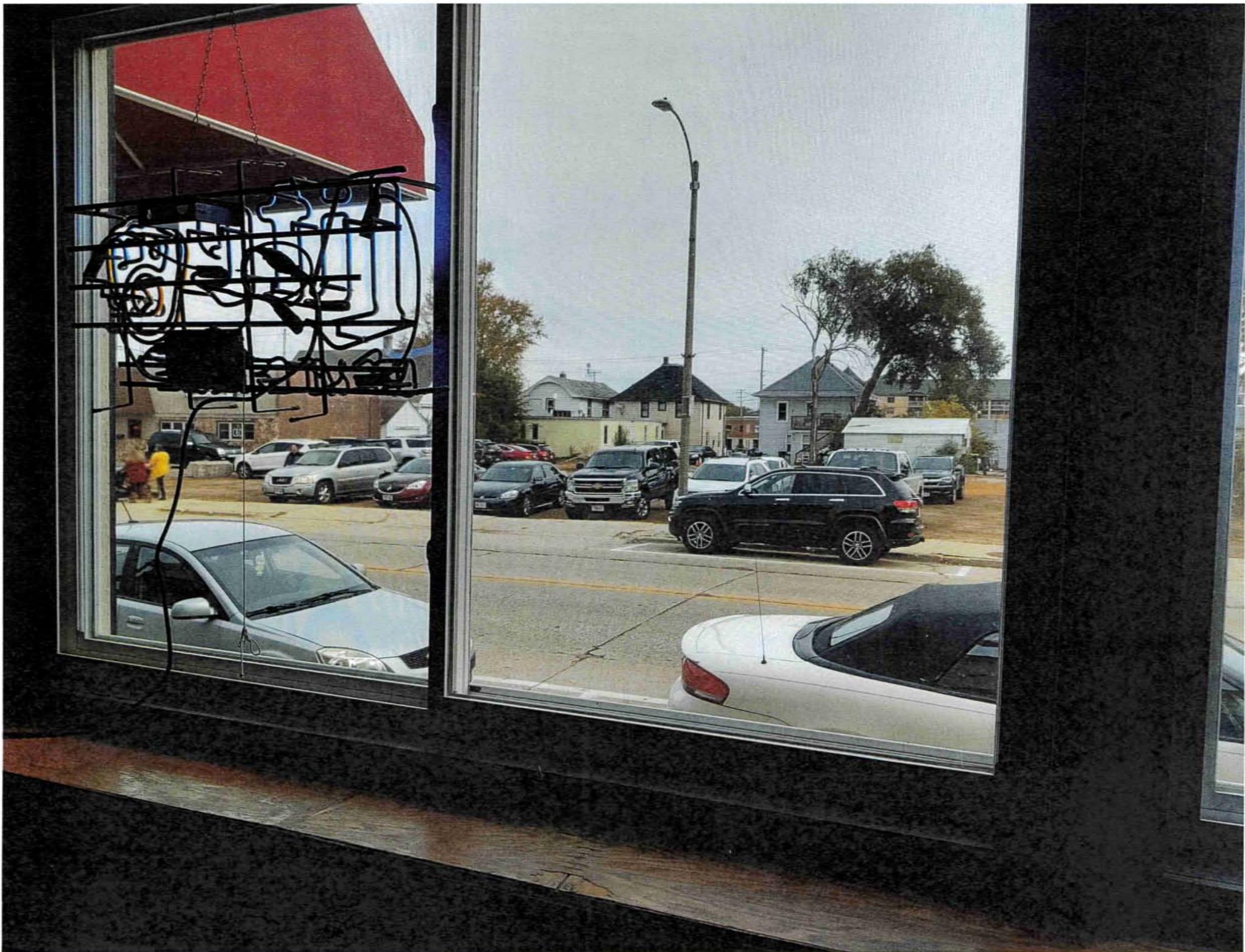
We are asking to be able to continue to use the vacant lot for parking until we have the approvals that are needed to improve the parcel.

Sincerely,



Jeremy Bauman
Bubba's Brickyard, LLC









CITY OF BURLINGTON

300 N. Pine Street, Burlington, WI 53105
(262) 342-1161 – (262) 763-3474 fax
www.burlington-wi.gov

October 17, 2019

Jeremy Bauman
Bubbas Brickyard LLC
809 Echo Drive
Burlington, WI 53105

RE: Parking at 216 N. Pine Street

Dear Mr. Bauman,

On October 11, 12 and 13, 2019, it was documented by the Burlington Police Department that vehicles have been parked on the vacant lot at 216 N. Pine Street, which is a violation of City Ordinance. Per Chapter 315-27C of the Municipal Code, off-street parking areas are an allowed accessory use only with a primary use. Per definition in the Municipal Code, an “accessory use” is a “facility, structure, building or use which is subordinate to the principal use of a structure, land, property or water and located on the same lot or parcel, serving a purpose customarily incidental to the principal use or the principal structure”.

As this is a vacant lot without a principal structure, it is with written order that parking on the lot must cease within 30 days of receipt of this letter, no later than November 20, 2019. It is recommended to barricade the parcel or post “No Parking” signage on this parcel to deter further parking. Failure to remediate this violation by the above deadline may result in possible fines or citations.

Per Chapter 315-104, you may appeal this order to the Plan Commission. Such appeal shall be provided in writing and filed in the office of the Zoning Administrator, 300 N. Pine Street, within 30 days after the date of this written order. Additionally, this item was discussed during the October 15, 2019 Common Council closed session in which some Council members recommended for you to appeal.

As the City has reached out to you before, we will continue to assist in this process. Regardless, until an appeal occurs and/or is granted, a cease in parking on the vacant lot will be in effect beginning November 20, 2019. Thank you for your attention to this matter. I encourage you to contact me with any questions at 262.342.1168, mwatkins@burlington-wi.gov or by seeing me at City Hall, 300 N. Pine Street.

Sincerely,

Megan E. Watkins
Assistant City Administrator/Zoning Administrator
City of Burlington

- Gift stores
- Grocery stores
- Hardware stores
- Hobby and craft stores
- Jewelry stores
- Lodges
- Meat markets
- Medical clinics
- Municipal-owned parking structures, garages and parking lots
- Music stores
- Newspaper and magazine stores
- Optical stores
- Packaged beverage stores
- Paint, glass and wallpaper stores
- Professional offices
- Public utility offices
- Publishing houses
- Radio and television stores
- Restaurants
- Self-service laundries and dry-cleaning establishments
- Shoe stores and leather goods stores
- Soda fountain
- Sporting goods stores
- Stationery stores
- Supermarkets
- Tanning salons, fitness centers, massage parlors and bathhouses
- Theaters
- Tobacco stores
- Variety stores
- Vegetable stores

315-27

C. Permitted accessory uses.

[Amended 6-1-1993 by Ord. No. 1438(10); 3-18-2003 by Ord. No. 1716(30)]

(1) Garages for storage of vehicles used in conjunction with the operation of the business or for occupants of the premises.

(2) Off-street parking areas (see Article V).

(3) Essential services.

D. Conditional uses (see § 315-130).

(1) Residential quarters for the owner, proprietor, commercial tenant, employee or caretaker located in the same building as the business.
[Added 6-1-1993 by Ord. No. 1438(10)]

(2) Rental efficiency, one-bedroom apartments, and two-bedroom apartments on a non-ground level, provided there shall be a minimum floor area of 350 square feet for an efficiency apartment, 450 square feet for a one-bedroom apartment, and 650 square feet for a two-bedroom apartment.
[Added 6-1-1993 by Ord. No. 1438(10)]

City of Burlington, WI
Tuesday, October 1, 2019

Chapter 315. Zoning

Article XIV. Definitions

§ 315-140. Word usage and definitions.

[Amended 1-2-1991 by Ord. No. 1326(33); 10-1-1991 by Ord. No. 1349(19); 10-1-1991 by Ord. No. 1350(20); 12-3-1991 by Ord. No. 1365(33); 12-3-1991 by Ord. No. 1366(34); 9-1-1992 by Ord. No. 1399(11); 10-6-1992 by Ord. No. 1403(14); 3-2-1993 by Ord. No. 1415(30); 4-7-1993 by Ord. No. 1421(37); 11-2-1993 by Ord. No. 1451(24); 4-6-1994 by Ord. No. 1467(40); 10-3-1995 by Ord. No. 1509(8); 10-3-1995 by Ord. No. 1510(7); 3-5-1996 by Ord. No. 1525(31); 5-6-1997 by Ord. No. 1553(2); 4-8-1998 by Ord. No. 1579(30); 12-1-1998 by Ord. No. 1594(13); 10-5-1999 by Ord. No. 1607(11); 12-7-1999 by Ord. No. 1611(13); 5-1-2001 by Ord. No. 1654(2); 11-19-2002 by Ord. No. 1702(16); 12-17-2002 by Ord. No. 1708(22); 3-18-2003 by Ord. No. 1716(30); 5-6-2003 by Ord. No. 1721(1); 11-18-2003 by Ord. No. 1740(20); 2-7-2006 by Ord. No. 1790(14); 11-9-2006 by Ord. No. 1808(12); 10-17-2006 by Ord. No. 1811(15); 3-6-2012 by Ord. No. 1943(20)]

Unless specifically defined, words and phrases in this chapter shall have their common law meanings and shall be applied in accordance with their common usage. Words used in the present tense include the future; the singular number includes the plural, and the plural number includes the singular. The word "may" is permissive; "shall" is mandatory and is not discretionary.

ACCESSORY USE OR STRUCTURE

A facility, structure, building or use which is subordinate to the principal use of a structure, land, property or water and located on the same lot or parcel, serving a purpose customarily incidental to the principal use or the principal structure.

ADT

Average daily traffic; the average total number of vehicles traversing a street on a typical day.

ADULT FAMILY HOME

A private residence for three or four adults, or more adults if all of the adults are siblings, each of whom has a developmental disability, or a place where three or four adults who are not related to the operator reside and receive care that may include up to seven hours of nursing care per week, and as further defined in § 50.01(1), Wis. Stats., and as licensed by the state pursuant to § 50.033, Wis. Stats.

ALLEY

A special public right-of-way affording only secondary access to abutting properties.

ALTERNATIVE TOWER STRUCTURE

An existing man-made structure which is used as an alternative to a tower and to which an antenna and/or an antenna support structure is attached.

AMUSEMENT GAME

A machine or device which, whether mechanical, electrical, or electronic, shall be ready for play by the insertion of currency, a coin, token or similar object and may be operated by the public for use as a game, entertainment, amusement, or skill, and for the playing of which a fee is charged. An amusement game does not include a vending machine in which gaming or amusement features are not incorporated, nor does the term include any mechanical musical devices.

City of Burlington, WI
Tuesday, October 1, 2019

Chapter 315. Zoning

Article VI. Modifications

§ 315-54. Yards.

The yard requirements stipulated elsewhere in this chapter may be modified as follows:

- A. Uncovered stairs, landings, and fire escapes may project into any yard but not to exceed six feet and not closer than three feet to any lot line.
- B. Architectural projections, such as chimneys, flues, sills, eaves, belt courses, and ornaments, may project into any required yard, but such projection shall not exceed one foot.^[1]

[1] *Editor's Note: The original paragraphs regarding residential fences, security fences and decorative fences which immediately followed this subsection have been moved to § 315-51.*

- C. Accessory uses and detached accessory structures:

[Amended 8-20-2002 by Ord. No. 1698(12); 8-5-2003 by Ord. No. 1729(9)]

- (1) Are permitted in the rear yard only in all residential districts; accessory uses and detached accessory structures may be permitted by the Plan Commission to be placed in side yards in the A-1, B-1, B-2, B-2A, B-3, I-1, M-1, M-2, M-3, M-4, P-1, PUD (nonresidential) and Q-1 Districts under site plan review (see § 315-137, Site plans) but shall not be allowed to be placed closer to a lot line than the minimum required side yard of the zoning district within which such accessory uses and detached accessory structures are placed;
[Amended 11-9-2006 by Ord. No. 1812(16)]
- (2) May be permitted by the Plan Commission to be placed within street yards in the M-2 and Q-1 Districts under site plan review (see § 315-137, Site plans) (unless prohibited by existing deed restrictions or protective covenants) but shall not be allowed to be placed closer to a street right-of-way line than the minimum required building setback of the zoning district within which such accessory uses and detached accessory structures are placed;
- (3) Shall not be closer than five feet to the principal structure;
- (4) Shall not exceed the height of the principal structure or 25 feet, whichever is less, in all residential districts and in the B-1, B-2, B-2A, B-3, I-1, M-1, M-2, M-3, M-4, PUD (nonresidential) and Q-1 Districts shall not exceed the maximum height limitations of the zoning district within which such accessory uses and detached accessory structures are placed;
[Amended 11-9-2006 by Ord. No. 1812(16); 6-7-2011 by Ord. No. 1925(2)]
- (5) Shall not occupy more than 20% of the existing rear yard area in all districts except in the B-1, B-2, B-2A, B-3, I-1, M-1, M-2, M-3, M-4, PUD (nonresidential) and Q-1 Districts where such accessory uses and detached accessory structures shall not occupy more than 50% of the rear yard area or side yard area; and

[Amended 11-9-2006 by Ord. No. 1812(16)]

- (6) Shall not be closer than three feet to any lot line nor 10 feet to any alley line in all residential districts, except in residential districts the required ten-foot setback from the alley line may be reduced to the average of the setback of the abutting structures on each side, but in no case less than five feet.

315-54

[Amended 6-3-2008 by Ord. No. 1861(3)]

- D. Off-street parking is permitted in all yards of all districts but shall not be closer than eight feet to a street right-of-way line and four feet to other property lines. Parking lots located within the B-2 Central Business District are exempt from this requirement in accordance with § 315-48.

[Amended 10-1-1991 by Ord. No. 1352(22)] *See definition of "Yard"*

- E. Essential services, utilities, and electric power and communication transmission lines are exempt from the yard and distance requirements of this chapter.
- F. Landscaping and vegetation are exempt from the yard requirements of this chapter.

An authorization granted by the Zoning Board of Appeals to construct, maintain or alter a building or structure in a manner that deviates from the dimensional standards of this chapter.

VIOLATION

See Chapter 119, Floodplains, for definition.

WALL

An upright surface of a building or structure (not including fences) serving to enclose, divide, support, or protect the building. Such upright surface shall be the furthest extension of the building's edges and include overhangs covering a boardwalk, false roofs, and unenclosed porches.

WETLAND

An area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

YARD

An open space on the same lot with a structure, unoccupied and unobstructed from the ground upward except for vegetation. The street and rear yards extend the full width of the lot.

YARD, FRONT

A yard extending along the full length of the front lot line between the side lot lines.

YARD, SHORE

A yard extending across the full width or depth of a lot, the depth of which shall be the minimum horizontal distance between a line intersecting both side lot lines at the same angle and containing the point of the one-hundred-year-recurrence-interval floodplain or ordinary high-water mark of a pond, stream, lake, or wetland nearest the principal structure and a line parallel thereto containing the point of the principal structure nearest the one-hundred-year-recurrence-interval floodplain or high-water line.

ZONING ADMINISTRATOR

The Zoning Administrator of the City of Burlington, Racine and Walworth Counties, Wisconsin.

ZONING LOT

A single tract of land located within a single block which is designated by its owner or developer as a tract to be used, developed, or built upon as a unit, under single ownership or control. Therefore, a zoning lot may or may not coincide with a lot of record.

Chapter 315. Zoning

Article V. Traffic, Loading, Parking, Access, Fences and Landscaping

§ 315-48. Parking requirements.

[Amended 10-1-1991 by Ord. No. 1352(22); 2-4-1992 by Ord. No. 1373(42); 10-3-1995 by Ord. No. 1510(7)]

In all districts, except the B-2 Central Business District and the I-1 Institutional District, and in connection with every use there shall be provided, at the time any use or building is erected, enlarged, extended, structurally altered, or increased, off-street parking stalls for all vehicles in accordance with the following:

A. Adequate access.

- (1) Adequate access to a public street shall be provided for each parking space.
- (2) Driveways shall be a minimum of:
 - (a) Twelve feet wide for one- and two-family dwellings.
 - (b) Twenty-four feet wide for all other uses. This minimum width for all other uses may be reduced to 14 feet where the drive is to accommodate one-way exit vehicle flow only.
- (3) Each required off-street parking space shall open directly onto an aisle or driveway that is wide enough to provide safe and efficient means of vehicular access to the parking space.

B. Minimum parking space size. The size of each parking space shall be not less than 180 square feet nor less than nine feet in width, exclusive of the space required for ingress and egress.

C. Location of off-street parking area. Any building hereafter erected or expanded where the total floor area is increased more than 10% shall be provided with the required off-street parking spaces within the property line limits of the property being served or within the limits of a common parking lot serving one or more buildings.

D. Minimum required parking lot setbacks, landscaping, and plans.

- (1) Minimum required setback for off-street parking areas abutting a public street right-of-way line. No off-street parking area shall be closer than eight feet to a public street right-of-way line. The area between the parking lot and the adjacent street right-of-way shall consist of landscaping meeting the requirements of this chapter.
- (2) Minimum required setbacks for off-street parking areas. Except in cases where greater restrictions apply, as set forth in Subsection D(3) below, no off-street parking area or associated driveway serving more than five vehicles shall be closer than eight feet to a side or rear lot line of an abutting lot or parcel. The area between the parking lot and the lot or parcel line shall consist of landscaping meeting the requirements of this chapter.
- (3) Minimum required setbacks for off-street parking areas abutting residential districts. No off-street parking area or associated driveway serving more than five vehicles shall be closer than 10 feet to a side or rear lot line of an abutting residential district. The area between the parking lot and the lot or parcel line shall be screened from such district by a solid wall, solid fence and/or coniferous plantings of an equivalent solid visual density or other effective means deemed adequate by the Plan Commission and shall be built and maintained at a minimum height of six feet.^[1]

[1] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)

- (4) Minimum distance of truck parking from any residential zoning district. No truck parking of Class 7 trucks (26,001 to 33,000 pounds gross vehicle weight) or greater shall be allowed within 150 feet of any residential zoning district.
- (5) Minimum required landscaped area and landscaping within off-street parking lots. All public off-street parking areas which serve 10 vehicles or more and are created, redesigned and/or rebuilt subsequent to the adoption of this chapter shall be provided with evenly dispersed landscape areas within the interior of such off-street parking areas. Landscape area shall total not less than 5% of the surfaced area (inclusive of both parking stalls and associated drives). Perimeter landscaped areas adjacent to the off-street parking lot shall not be included in the aforementioned required 5%. The minimum size of each such required landscape area in the off-street parking lot shall not be less than 100 square feet in area nor not less than nine feet in width or length. Canopy trees shall be provided at the rate of one tree for each 15 off-street parking spaces (or fraction thereof) within the interior of the off-street parking area. The preservation of existing canopy trees in the parking area may be included in the calculation of the required minimum landscape area.
- (6) Minimum landscaping requirements to be met. All landscape plant materials required by this chapter shall meet the following minimum requirements:
 - (a) General plant material standards. See § 315-138I of this chapter.^[2]

[2] Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II)

- (b) Minimum size standards for required plant materials. All required new landscape plant material shall be, at the time of installation, those minimum sizes as set forth in the following table:

Plant Material Type	Minimum Required Size of Plants
Canopy trees	
Single stem	3-inch caliper
Multi-stem clump	12 feet tall
Coniferous trees	6 feet tall
Understory trees	1.5-inch caliper
Shrubs	2 feet tall

E. Off-street parking area surfacing.^[3]

- (1) All open, off-street parking and loading spaces in all zoning districts except the A-1, Rs-1, Rs-2, Rs-3, Rd-1 and Rd-2 Districts shall be improved with pavement of either asphalt or concrete. Stormwater drainage facilities shall be as required and approved by the City Engineer.
- (2) The Zoning Administrator shall notify the owner of any parcel which is not in conformance with this Subsection E pursuant to § 315-127E, and within four

months of said notification the owner shall comply with the requirements.

- (3) Any property owner notified to comply with this Subsection E may petition the Zoning Board of Appeals pursuant to Article X of this chapter.
 - (4) The provisions of Article VIII of this chapter shall not permit the continuing lawful nonconforming use of the parcel or portion of a parcel of land not in conformity with the requirements of this Subsection E after the expiration of the four months following notification to correct by the Zoning Administrator.
- [3] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
- F. Concrete curb and gutter required for all off-street parking areas and associated drives. Concrete curb and gutter meeting City specifications shall be required for all off-street parking areas serving more than 10 vehicles in all zoning districts except the A-1, Rs-1, Rs-2, Rs-3, Rd-1 and Rd-2 Districts. This requirement shall also apply to the expansion of any existing off-street parking lot where the number of off-street parking spaces is increased by 20 spaces or more.
 - G. Permanent marking of off-street parking stalls. All off-street parking areas serving five or more vehicles shall have all parking stalls permanently marked by painted lines or other approved material, and said marking shall be maintained so as to be legible at all times.
 - H. Parking spaces for use by persons with disabilities. All open, off-street parking areas shall provide parking spaces for persons with disabilities meeting all applicable Americans with Disabilities Act (ADA) Guidelines for Buildings and Facilities as documented in the Federal Register, Volume 56, No. 144, July 26, 1991, as amended. Unless conflicting with the above specified Americans with Disabilities Act (ADA) Guidelines for Buildings and Facilities requirements, as amended, the following standards are applicable:
 - (1) Minimum required number of accessible off-street parking spaces for use by persons with disabilities. Table 4 shall apply.^[4] The minimum required number of accessible off-street parking spaces for use by persons with disabilities shall be considered as a part of the total off-street parking spaces required.

[4] *Editor's Note: Table 4 is included at the end of this chapter.*
 - (2) Minimum dimensions for off-street parking spaces provided for use by persons with disabilities. The minimum dimensions for all parking spaces provided for use by persons with disabilities shall be 14 feet wide by 20 feet long for automobiles and 17 feet wide by 20 feet long for vans. The minimum access aisles for such spaces shall be 60 inches for automobile spaces and 96 inches for van spaces.^[5]

[5] *Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. II).*
 - (3) Distance to facility entrances for the location of off-street parking for persons with disabilities. Off-street parking spaces provided for the use of persons with disabilities shall be located as close as possible to an entrance which allows such persons to enter and leave the parking area without assistance.
 - (4) Signage of off-street parking spaces serving persons with disabilities. 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. Such signs shall comply with the requirements of the aforementioned Americans with Disabilities Act (ADA) Guidelines for Buildings and Facilities, as amended, and with §§ 346.50, 346.503 and 346.505, Wis. Stats., as amended.
 - I. Minimum number of off-street parking spaces and on-site queuing required for use types. The minimum number of off-street parking spaces accessory to designated uses (except for a specific use which has a special ordinance with requirements for off-street parking, in which event the special ordinance shall apply, such as for a PUD Planned Unit Development Overlay District or as a condition of the granting of a conditional use permit) shall be provided as set forth in Table 5.^[6]

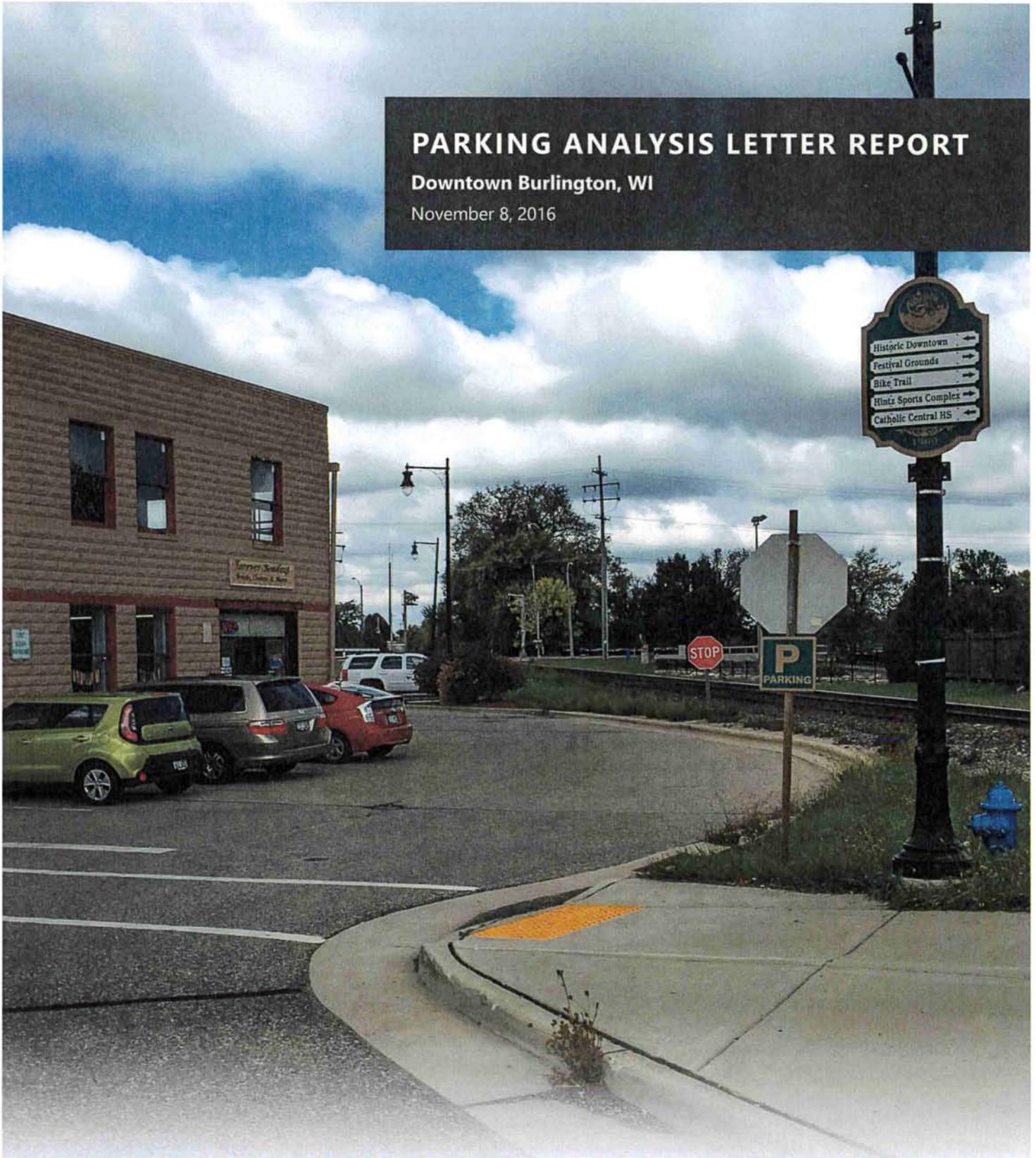
[6] *Editor's Note: Table 5 is included at the end of this chapter.*
 - J. Uses not listed in Table 5 and other uses. Parking spaces for permitted uses not listed in Table 5 shall be provided in accordance with requirements designated by the Plan Commission upon recommendation of the City Planner. In the case of conditional uses, parking spaces for conditional uses not listed in Table 5 shall be provided in accordance with requirements designated by the Plan Commission upon recommendation of the City Planner and as may be required by the Common Council. The off-street parking and/or queuing provisions for a use which is deemed similar by the Plan Commission to a use not listed in Table 5 may be applied by the Plan Commission upon recommendation of the City Planner.
 - K. Employee parking. Parking spaces required on an employee basis, as set forth in Table 5, shall be based on the average number of employees on duty or residing, or both, on the premises at any one time.
 - L. Off-street parking requirements for mixed or combined uses located within the same building or on the same lot or parcel. Combinations of any of the uses set forth in Table 5 shall provide the total number of off-street parking stalls and/or queuing space required for each individual use.
 - M. Minimum width of off-street parking rows and aisles. The design of all off-street parking regulated by this chapter shall be in conformance with the requirements set forth in the following table:

Type of Row	Minimum Width of Off-Street Parking Rows and Aisles (feet)			
	Parallel	Angle of Spaces		
		45°	60°	90°
Single row and aisle	20	35	40	45
Double row and aisle	28	60	62	65

PARKING ANALYSIS LETTER REPORT

Downtown Burlington, WI

November 8, 2016



Carl Walker

Ideas for parking. SOLUTIONS FOR PEOPLE.

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EXECUTIVE SUMMARY

Based upon our direct field observations and the results of the online parking survey, we believe the overall parking supply in downtown Burlington is adequate. The downtown area has ample amounts of free parking on-street; in five (5) strategically located public off-street surface lots; and in the Downtown Burlington Parking Deck. The downtown area also has a significant amount of private off-street parking lots, most of which are restricted for use by individual businesses and not open to the general public.

While overall parking supply in the downtown area appears to be adequate, the supply of public parking is not being managed as effectively as it should be due to a lack of parking enforcement. City staff verified that the previous "meter maid" position has not been filled since 2012, when the position was eliminated for budgetary reasons. The result of this lack of parking enforcement is an over consumption of on-street parking and an under-utilization of off-street public parking facilities by downtown employees and business owners.

As the online survey results clearly verify, customers and visitors to downtown prefer to park on-street as their primary parking choice. However, because there has been virtually no enforcement of the two-hour on-street time restrictions since 2012, downtown employees and business owners are consuming on-street parking that is intended for customers and visitors. Based on our findings and observations, our primary recommendation for improving the downtown parking situation is for the City to re-institute parking enforcement of the two-hour time limits on-street.

In making this recommendation, it is important to understand that the approach to parking enforcement does not need to be draconian or overbearing. Rather, we believe a part-time person performing enforcement on random weekdays every month would be sufficient to alter behaviors over time to gain better compliance and to move employees and owners into off-street public parking facilities. Additional primary recommendations to improve the downtown parking experience are listed below and discussed in greater detail in the body of this report:

- Improve information messaging and communications about available public parking options on the City's website; with an improved parking map; and with enhanced signage.
- Respond to the request of Pine Street businesses by instituting a two-hour time limit in the Livery Lot. This is a small, but busy parking lot that serves a number of businesses and it should be utilized for turnover parking – not storage parking.
- Consider lighting upgrades and the introduction of DVR security cameras in the Downtown Burlington Parking Deck to improve security. Night time security concerns were expressed by a number of business owners that we spoke with, and at the Open Forum held September 29, 2016.
- Work with private lot owners and businesses to encourage the use of private off-street lots for public parking after normal business hours to increase the supply of parking for evening dining and entertainment venues.

INTRODUCTION & METHODOLOGY

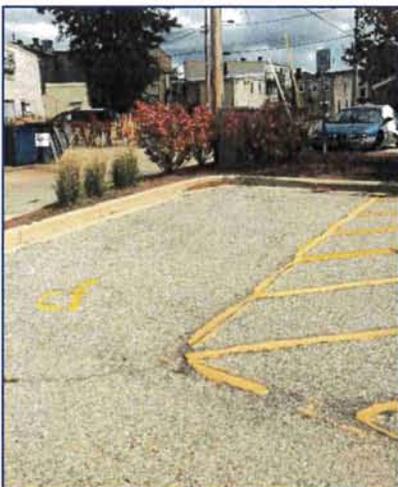
Carl Walker, Inc. was contacted by the City of Burlington and requested to perform a “snap shot” analysis of the downtown parking situation. Our project approach included a review of the City’s website and public information materials relative to downtown parking; the completion of an online parking survey that was used to gather information on the public’s perceptions and attitudes regarding downtown parking conditions; and a three-day site observation visit conducted by Carl Walker senior project manager Andrew W. Miller, AICP. The site visit included direct field observations of daytime and evening parking conditions and meetings with key staff and downtown stakeholders. An Open Forum was also conducted on the evening of Sept. 29, 2016. This letter report summarizes our findings and recommendations based upon direct field observations and the results of the online survey and stakeholder outreach efforts.

SUMMARY OF FIELD OBSERVATIONS

General Observations & Conditions

On-street parking in downtown Burlington consists primarily of free, two-hour time limited parking, with a number of strategically located short-term 15-minute parking spaces intended for quick stops and parcel loading/unloading. The City also has five off-street public parking lots and a parking structure that are strategically located throughout the downtown area and which have no time restrictions. All municipal parking is free. In addition to the municipal parking facilities that are open to the general public, the downtown area has a number of private lots that are reserved for use by private businesses and not necessarily available to the general public.

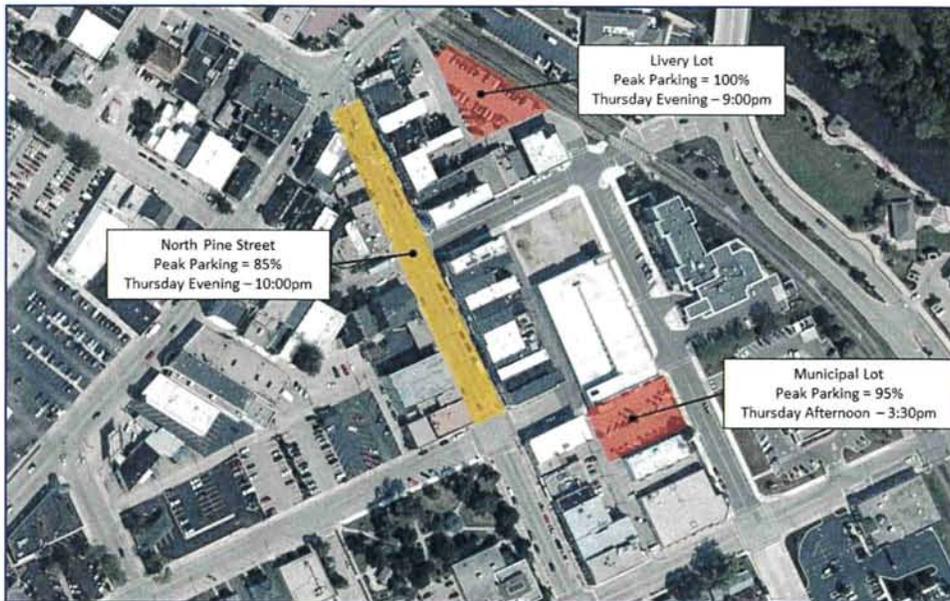
We observed the physical conditions of all the public and private lots to be generally clean and free of trash and debris. The public surface lots were observed to be generally well maintained, however it does appear that the line striping in all of the surface lots is beginning to fade to the point where seal coating and re-striping should be considered in the near future.



Observed Parking Utilization – On-Street and in Municipal Lots

We observed parking occupancies and utilization Wednesday, Sept. 28 during the day; Thursday, Sept. 29 during the day and evening; and Friday, September 30th during the day. In general, for most periods of time we observed ample parking availability on-street and in most of the public off-street lots. The only municipal lot to reach capacity during the daytime was the surface lot next to the municipal parking structure. This lot appeared to be used primarily by City and Police employees.

During the day we observed ample parking availability on-street and in the Livery lot, even during lunch hours. The Livery lot did fill to 100% capacity Thursday evening at 9:00pm. North Pine Street was observed to be well parked during the daytime and evening observation periods, but there was always a small cushion of spaces open – even during the evening periods. The peak occupancy observed on North Pine Street occurred at 10:00pm Thursday, with an occupancy rate of 85% of total supply. The “Heat Map” below illustrates the peak parking conditions observed.



Observed Parking Utilization – Downtown Burlington Parking Deck

We observed ample parking availability in the municipal parking structure at all times during our field observations. In fact, at no time did we observe parking occupancies above 30% to 40% of total supply. The rooftop parking areas of the parking structure were completely wide open at all observation periods. We further noticed that the hotel reserved parking area at the ground level along Dodge street was never full, even during overnight periods. Our observations indicate that the hotel parking inside the parking deck is only needed during sell-out or over-booked situations. As the photos on the following page clearly illustrate, the rooftop parking areas in the parking structure are rarely, if ever parked due to the lack of deck staining evidence.

Lack of Staining Evidence on Rooftop Decks



Drip Stains from Cars Parking in Deck



Typical Observation of Parking Deck Occupancy

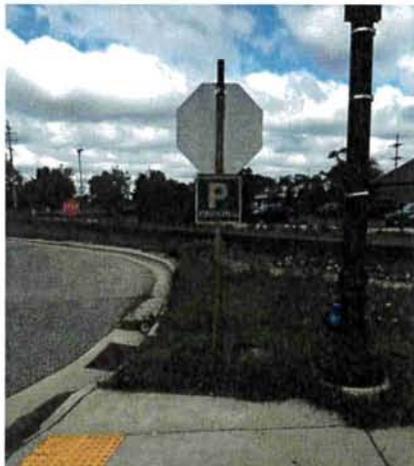


Parking Lot Signage

Most of the municipal surface lots have identification signage that is branded with the "Chocolate City" logo and which communicate parking regulations and time limits. The Downtown Burlington Parking Deck also has clear identification signage. To compliment the parking lot signage and to direct parkers to the municipal lots, the City has also developed a custom parking "P" directional sign that is based on the colors of the City logo. While we commend the effort placed in developing and installing the existing signage, we observed that some lots do not have identification signage (Livery lot), and the sign colors tend to blend in with landscaping and do not provide sufficient contrast – they get lost in the background.

The photos below demonstrate existing signage conditions. The photos on the following page include examples of more simple and effective parking identification lot signage options; and the final photos in this section provide possible examples of low cost banner signs the City may wish to consider. In particular, we believe the Livery could benefit from better directional signage to guide customers to this rather "invisible" parking location.

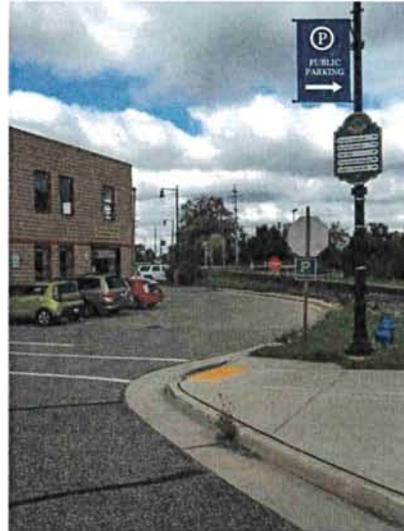
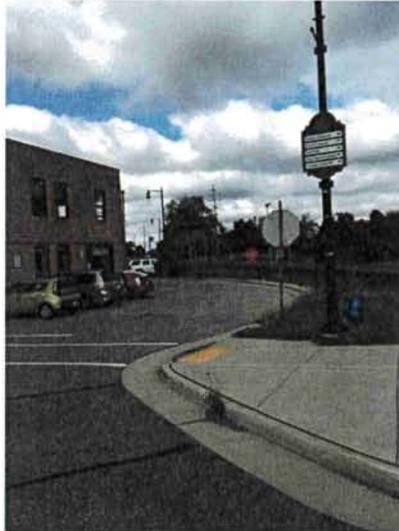
Existing Municipal Lot Signage



Examples of Simple but Effective Municipal Parking Lot Signage



Examples of Possible Low Cost Directional Signage for Burlington Public Lots



Private Restricted Use Parking Lots

There are quite a number of private restricted use surface parking lots in downtown Burlington that represent a significant amount of surface parking. Most of the private lots are signed to prohibit parking by the general public under risk of ticketing or towing. Most signs are worded to prevent general public parking at all times. The exception to this pattern is the Commerce Building parking lot located across Milwaukee Avenue from Fred's Burgers. The Commerce Building lot is specifically signed to allow general public parking after 7:00pm.

The photos below show the Commerce Building parking signage compared against other (typical) private lots that do not allow for after-hours public parking. We have also included examples of private lot signs from other downtowns that allow for shared parking in the evenings to support the evening bar/restaurant patrons. To the extent possible, we would encourage the City and/or the downtown merchant association to approach private lot owners to encourage them to re-sign their lots to specifically allow for open public parking during evening hours.

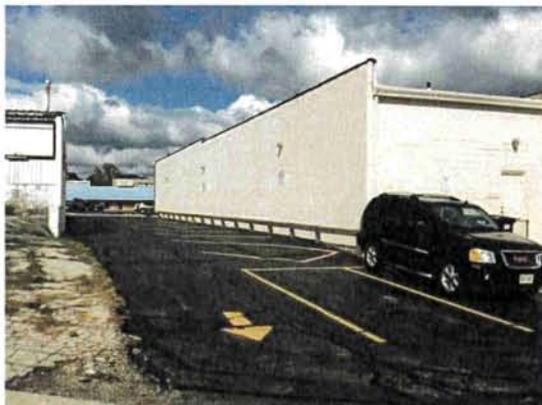
Existing Shared Parking Signage at the Commerce Building Private Lot



Examples of Other Private Lot Signs That Allow Shared Evening Parking



Downtown Burlington Private Lots That Do Not Allow Shared Parking



SUMMARY OF STAKEHOLDER OUTREACH

Stakeholder Interviews

Our site visit included a project kickoff meeting with senior City staff to include the Mayor, City Administrator, Fire Chief, Police Chief, Building Inspector and other administrative staff. We also scheduled "Office Hours" appointments on Thursday, September 29th and Friday September 30th where key stakeholders and interested individuals could schedule one-on-one 45 minute interviews with the parking consultant. A total of ten (10) interview sessions were scheduled over the two-day period. Interestingly, we experienced two "no-shows", and did not have any other individuals scheduled for one-on-one sessions.

Public Forum

An open public forum was conducted from 6:30 to 8:00pm on Thursday evening September 29th in Council Chambers. Two downtown merchants/business owners attended the session, along with two members of the local press/media. Despite the low attendance, the session went until 8:00pm with good discussion and information sharing. While there were a number of points discussed regarding specific parking issues, the overall theme coming out of the session was acknowledgement that parking enforcement of the two-hour time limits on-street is not being performed and that employees and business owners were parking in prime customer spots for extended periods. In summary, the fact that so few people showed up for the individual sessions and the open forum would indicate that the downtown parking situation is not as much of a "hot button" issue as some may believe. The results of the online survey also seem to confirm that parking is not a major negative issue for downtown at this time.

Results of Online Survey

The City of Burlington hosted an online survey through Survey Monkey that was open to the public from September 9th to September 30th, 2016. A total of 422 completed responses were received. Of the 422 total completed survey responses, nearly 60% of respondents identified themselves as visitors or customers; 6.4% identified themselves as residents of downtown; 13% identified as Employees; and 10% (rounded) identified themselves as business or property owners. The following pages contain a summary report of graphs that show the core survey results.

A summary of key findings include the following take aways:

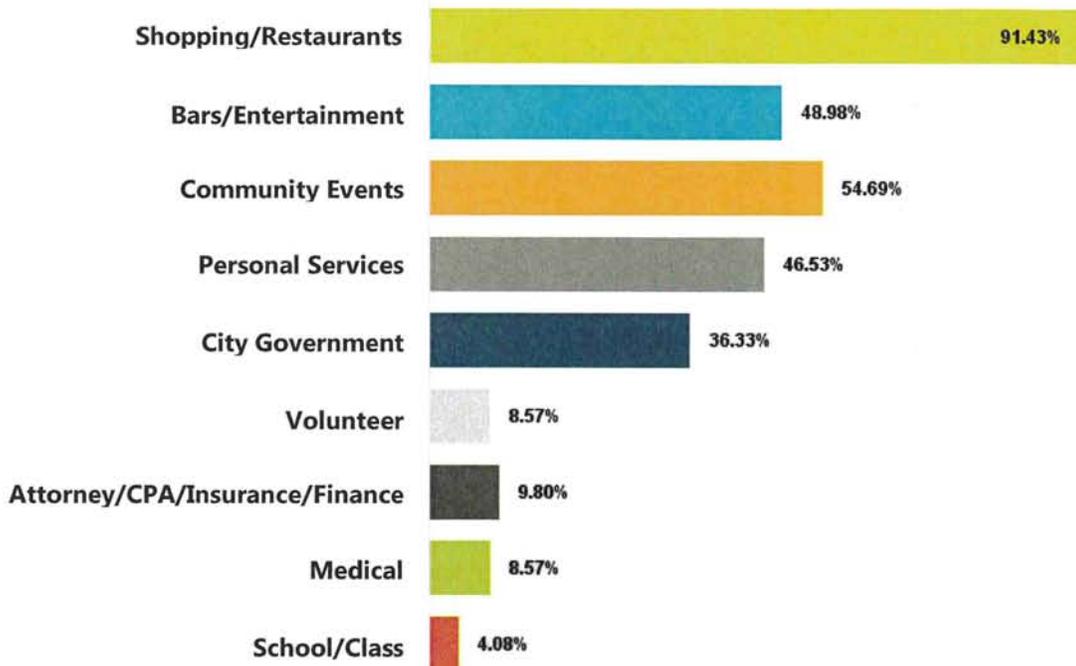
- Shopping, dining and evening entertainment are the primary reasons people visit downtown
- Customers and visitors clearly prefer to park on-street and close to their destination
- Most respondents indicated they have little to no problems finding a parking space (88%)
- Survey respondents overwhelmingly indicated they are unwilling to pay to park (91%)
- The vast majority of respondents believe parking supply is adequate (87%)
- On average, 17% of employees and business owners admit to parking on-street
- Customers indicate a greater willingness to walk compared to employees and owners
- The majority of customers have no experience with parking enforcement (60.47%)
- Slightly over 40% of business and property owners consider enforcement to be inconsistent
- The majority of all respondents rate the overall parking experience to be average to excellent

Total Completed Survey Responses = 422

Breakdown of Survey Respondents

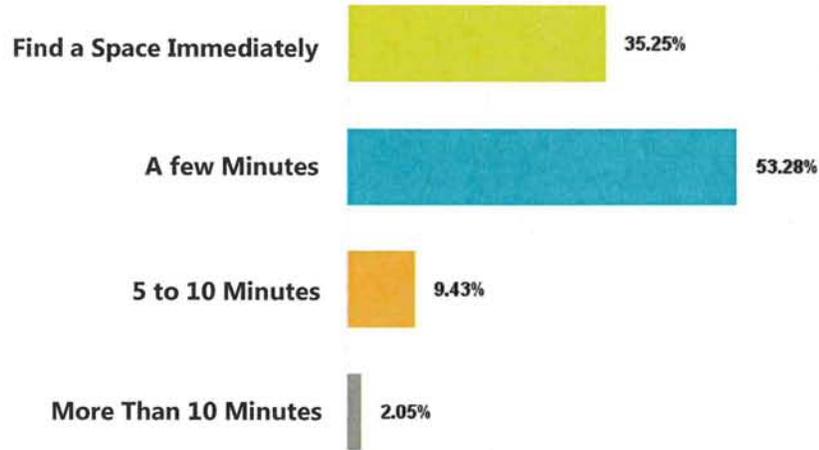


Why do you visit downtown Burlington?

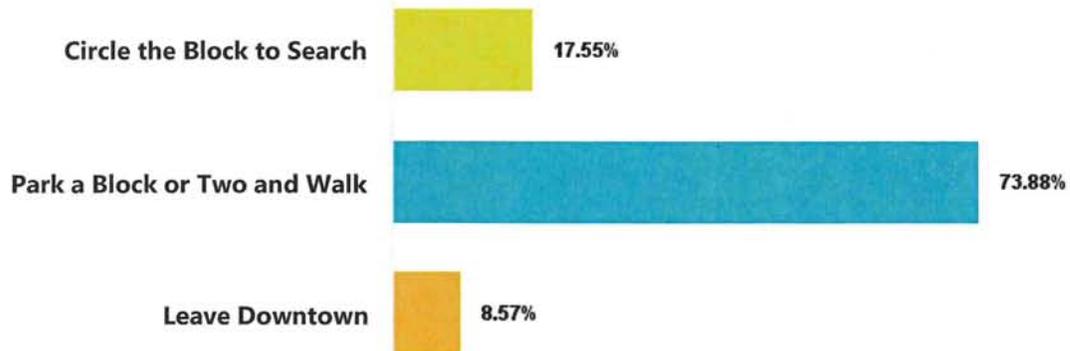


Summary of Customer Responses

How much time does it take on average to find a parking space?



If parking is not available in front of my destination I will:

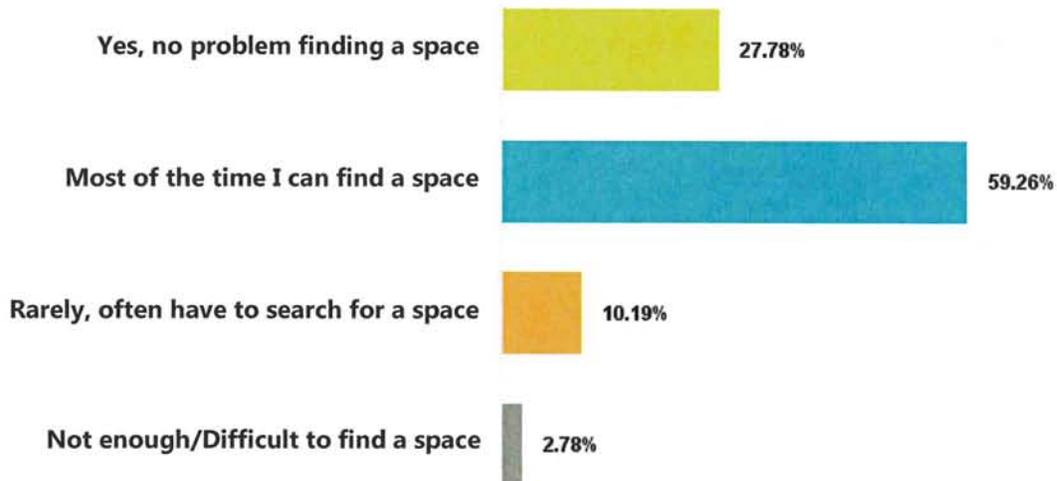


Summary of Customer Responses

Would you be willing to pay to park?

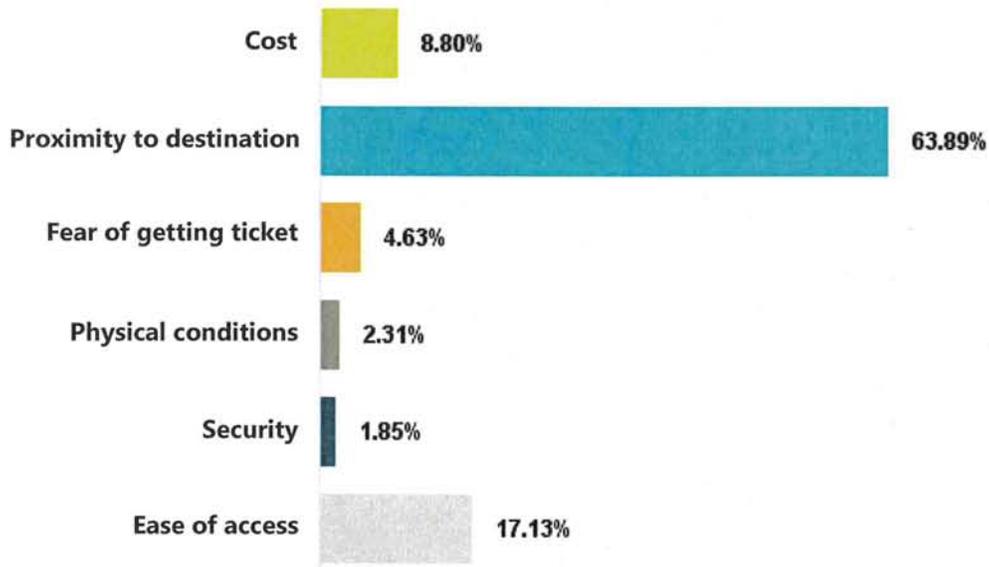


In general, do you consider the parking supply downtown to be adequate?

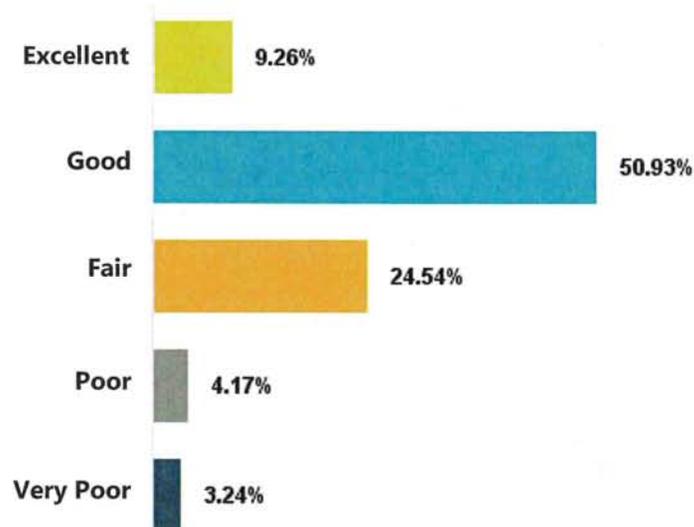


Summary of Customer Responses

What factor is most important to you when deciding where to park?

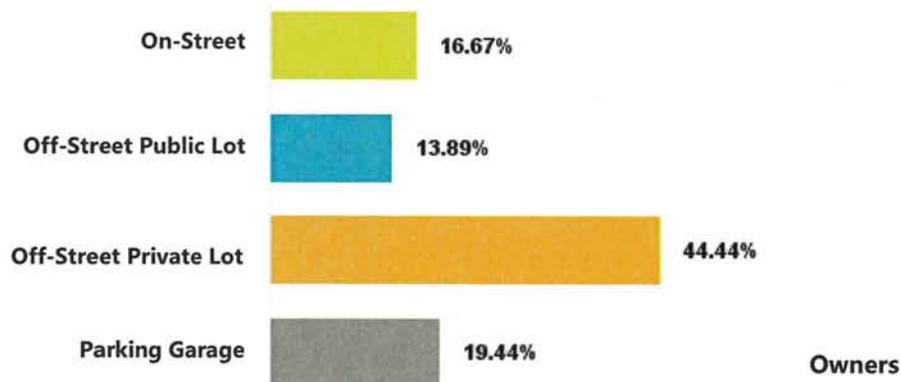
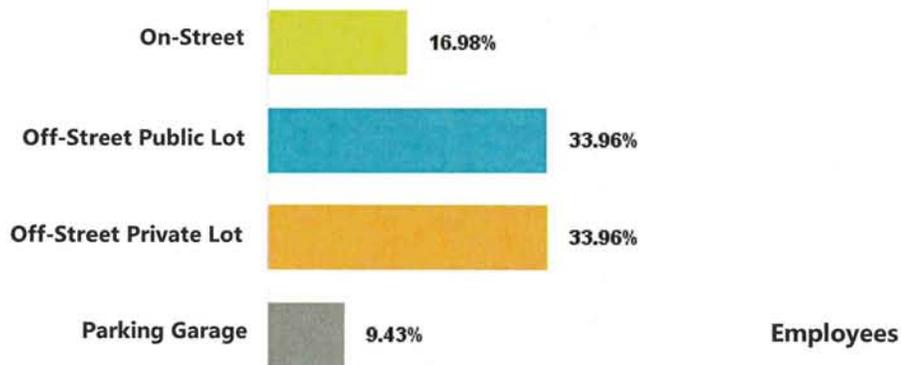
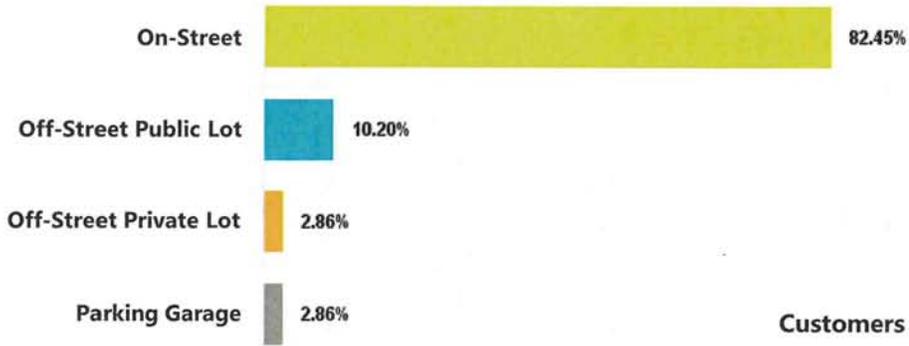


How would you rate the quality and clarity of downtown parking signage?



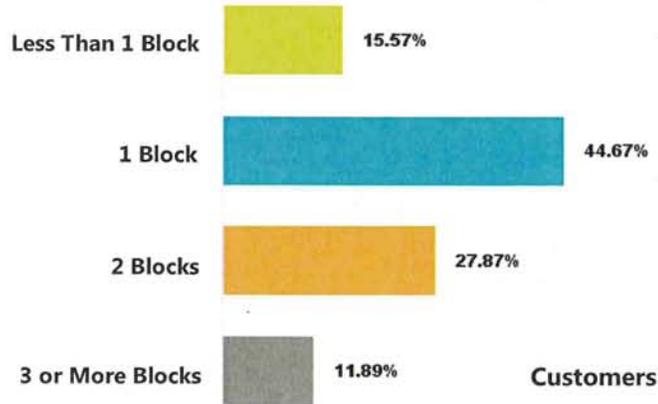
Parking Preferences by User Group

When visiting downtown, where do you typically park?

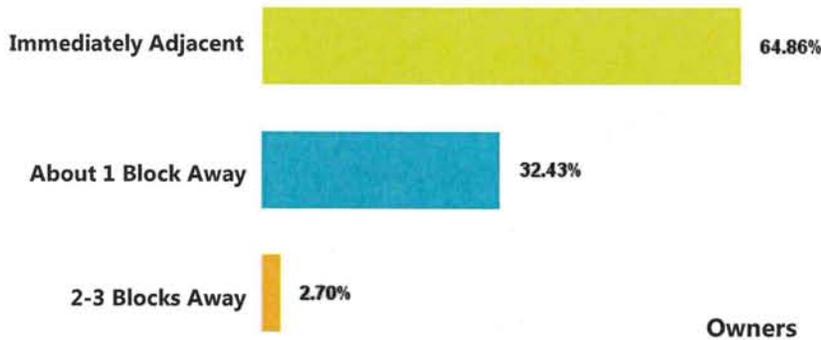
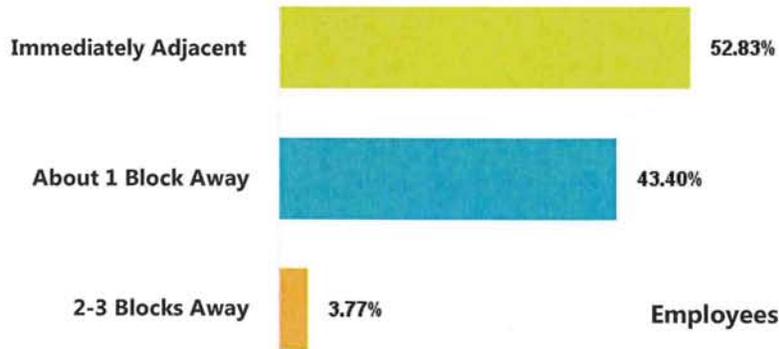


Parking Attitudes & Perceptions by User Group

How far are you willing to walk from your parking space to your destination?

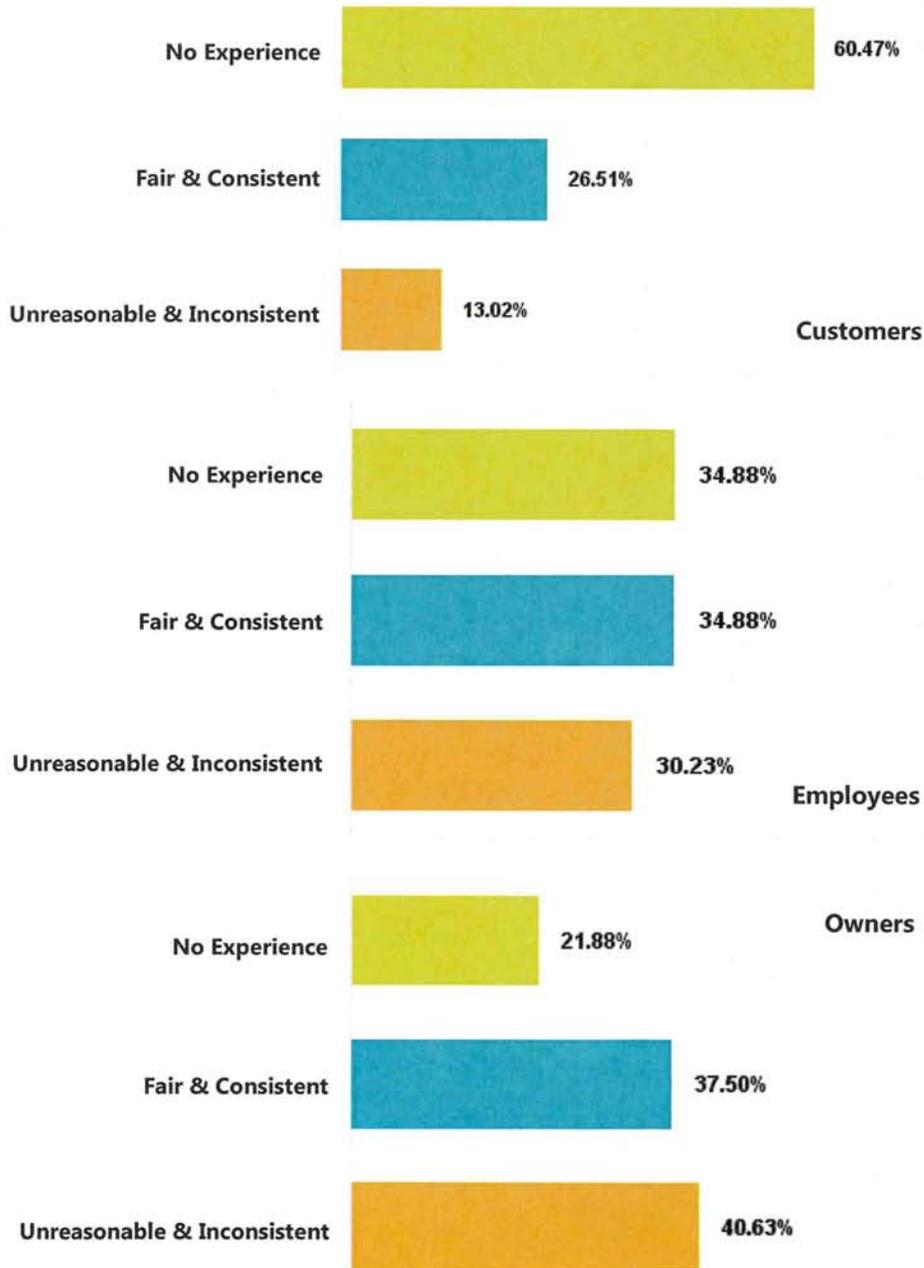


How far is your parking from your place of business?



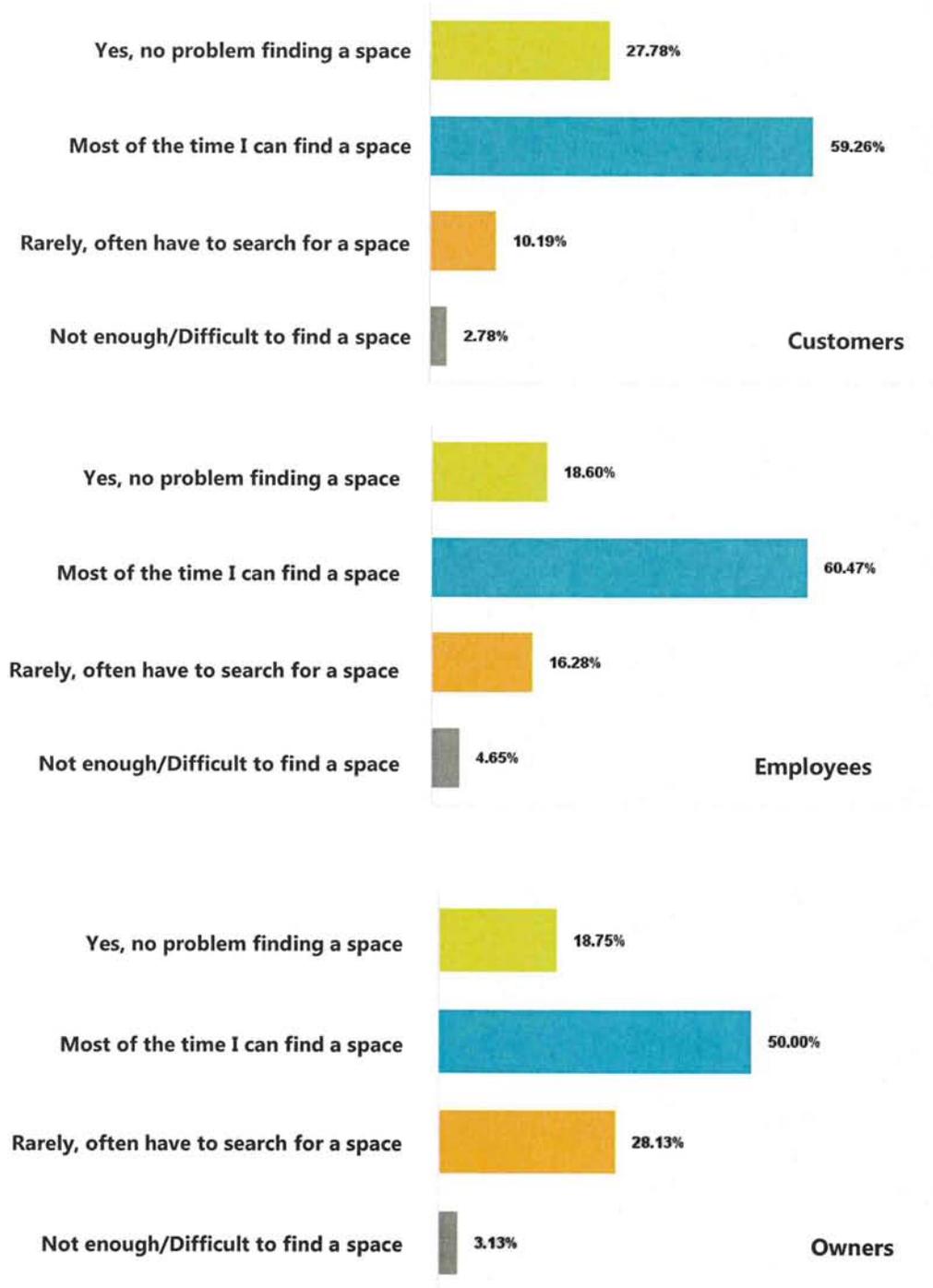
Parking Attitudes & Perceptions by User Group

I would describe enforcement of on-street regulations as:



Parking Attitudes & Perceptions by User Group

In general, do you consider the parking supply downtown to be adequate?



Parking Attitudes & Perceptions by User Group

Overall, how would you rate the parking in downtown Burlington?

