



Minutes
City of Burlington Plan Commission
November 11, 2014, 6:30 p.m.

Mayor Robert Miller called the Plan Commission meeting to order at 6:30 p.m. Roll call: Alderman Tom Vos; Alderman Ruth Dawidziak; Commissioners Darrel Eisenhardt; John Lynch and Chris Reesman were present. Commissioner Mike Deans was excused. Student representative Kylie Dawley was present.

Mayor Miller introduced the new Burlington High School Student Representative, Kylie Dawley, and explained that she can ask any question, but is not allowed to vote. Kylie will sit on the Commission until May, 2015.

APPROVAL OF MINUTES

Commissioner Eisenhardt moved, and Commissioner Lynch seconded to approve the minutes of October 14, 2014. All were in favor, and the motion carried.

LETTERS & COMMUNICATIONS

None

CITIZEN COMMENTS

Cathy Hartzell, 964 Cedar Drive, stated according to the newspaper the Women's Resource Center might come to Burlington. Cathy Hartzell had a packet containing a letter from the Transitional Living Center, list of supporters and a story of a woman seeking shelter from an abusive situation for the Commissioners to review. Mayor Miller stated that no plans or paperwork have been submitted to the City. If the City receives anything, there will be a public hearing in which the citizens can voice their opinions. Administrator Lahner stated if any official paperwork is submitted on time, it may be presented at the December 9, 2014 meeting.

PUBLIC HEARINGS

A. A Public Hearing to hear public comments regarding the proposed project plan creation of boundaries for Tax Incremental District No. 5.

- Mayor Miller opened the Public Hearing at 6:36 p.m.
- There were no comments.

Alderman Dawidziak moved, and Alderman Vos seconded to close the Public Hearing at 6:37 p.m. All were in favor and the motion carried.

OLD BUSINESS

None

NEW BUSINESS

A. Consideration to approve Resolution 20 “Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 5, City of Burlington, Wisconsin”.

- Mayor Miller opened this item for discussion.
- Administrator Lahner stated this is the next step in creating the TIF District No. 5. Resolution 20 is designed to fund water and sewer infrastructures, road improvements, bike trails and other various improvements for the Aurora Medical Complex project. The Joint Review Board will review and officially approve or deny the TIF District.
- There were no further comments.

Alderman Vos moved, Commissioner Reesman seconded to approve Resolution 20 “Designating Proposed Boundaries and Approving a Project Plan for Tax Incremental District No. 5. All were in favor and the motion carried.

B. Consideration to recommend approval to the Common Council of an Extraterritorial Certified Survey Map for Charles and Cathy Naber for property located at 6320 McHenry Street in the Town of Burlington.

- Mayor Miller opened this item for discussion.
- There were no comments.

Alderman Vos moved, and Commissioner Lynch seconded to approve the Extraterritorial Certified Survey Map for property located at 6320 McHenry Street in the Town of Burlington. All were in favor and the motion carried.

C. Consideration to recommend approval to the Common Council of a Certified Survey Map application from HGA, on behalf of Aurora Health Care, for property located at 1062 Spring Valley Road, subject to Patrick Meehan’s October 29, 2014 and Kapur & Associates’ November 11, 2014 memorandums to the Plan Commission.

- Mayor Miller open this item for discussion.
- Administrator Lahner stated the representatives from Aurora and Boldt are present, ready to answer any questions and provide information regarding the Aurora project. Mayor Miller stated they will be able to provide information later on with the Site Plan.
- Jeremy Knopow, 1009 Spring Valley Road, questioned if there were two access choices on the certified survey map, why was Spring Valley Road chosen over Hwy 36. Administrator Lahner stated there are jurisdictional transfers of the access rights between the local communities and the DOT. The DOT retained the right of access and also has deed

restrictions. Administrator Lahner stated in previous conversations with the developer and DOT, they indicated there was a grant of access rights on Hwy 36. The City encouraged Aurora to revise the plans for access onto Hwy 36, which they did. Elena Spiegelhoff, 5523 Spring Valley Road, questioned how the DOT can say yes to two entries on Spring Valley Road when they originally said the access would be on Hwy 36. Administrator Lahner replied the DOT went with the access restrictions that exist on the plat maps. The City recommended the access on Hwy 36 and the DOT confirmed it. Administrator Lahner stated when the City reviewed the plans and had conversations with the DOT, the DOT stated the access could not be on Hwy 36 like originally decided.

- Melinda Mitchell, 1364 Spring Valley Road, questioned if the new plan would remove the entrances on Spring Valley Road and be switched over to Hwy 36. Mayor Miller stated that will be answered later tonight.
- There were no further comments.

Commissioner Eisenhardt moved, and Commissioner Lynch seconded to recommend a conditional approval of a Certified Survey Map for property located at 1062 Spring Valley Road, subject to Patrick Meehan's October 29, 2014 and Kapur & Associates' November 11, 2014 memorandums to the Plan Commission as follows:

- Section 278-39(A)(1) of Chapter 278 requires that ". . . other features pertinent to proper land division" (such as wetlands) be indicated on the Certified Survey Map. In this respect, only the northern approximate two-thirds of the subject property has its wetland areas delineated on Sheet 2 of the proposed Certified Survey Map.
- Since the subject property is currently being proposed for the development of a medical complex and a detailed grading plan has been submitted by the applicant with the proposed Site Plan for the proposed development, it is recommended that the Plan Commission and Common Council waive the requirement of Section 278-39(A)(5), that the contour lines be removed from Sheet 2 of the proposed Certified Survey Map, and that a revised and re-dated Sheet 2 of the proposed Certified Survey Map shall be submitted to the City staff for review for compliance.
- Section 278-39(A)(6) of Chapter 278 requires the date of the Certified Survey Map be indicated. Each sheet of the proposed Certified Survey Map shall be labeled with the same date and a revised dated Certified Survey Map shall be submitted to the City staff for review for compliance. The property description, acreage and boundary were found to be correct and meet the requirements for a survey map.

All were in favor and the motion carried.

D. Consideration to recommend approval to the Common Council of a rezone application from HGA, on behalf of Aurora Health Care, for property located at 1062 Spring Valley Road, to rezone the property from B-1, Neighborhood Business District to B-1 with a Planned Unit Development Overlay, subject to Patrick Meehan's October 29, 2014 memorandum to the Plan Commission.

- Mayor Miller open this item for discussion.

- There were no comments.

Commissioner Lynch moved, and Commissioner Reesman seconded to recommend approval of a rezone from B-1, Neighborhood Business District to B-1 with a Planned Unit Development Overlay, subject to Patrick Meehan's October 29, 2014 memorandum to the Plan Commission.

All were in favor and the motion carried.

E. Consideration to approve a Site Plan application from HGA, for property located at 1062 Spring Valley Road to construct a medical professional office building and ambulatory care center, subject to Patrick Meehan's October 29, 2014 and Kapur & Associates' November 11, 2014 memorandums to the Plan Commission.

- Mayor Miller opened this item for discussion.
- Jim Kleinfeldt from The Boldt Company and Scott Lindvall from HGA gave a presentation explaining the Aurora Medical Complex building is being constructed for an ambulatory care center for out-patients with services including physician office space, imaging, rehabilitation care, oncology, day surgery, lab and pharmacy. The existing Aurora Health Care will remain at its current location. The construction is to begin in the spring of 2015 and occupancy in 2016. Jim Kleinfeldt and Scott Lindvall also commented there will be two entrances off of Spring Valley Road to help with the flow of traffic.
- Alderman Dawidziak questioned what type of landscaping there would be. Jim Kleinfeldt stated there will be extensive landscaping around the property and following the wetlands. Patrick Meehan stated the landscaping they will be providing is twice as much as what the City requires.
- Alderman Vos inquired if the lighting will dim at night for the residents. Troy Stegge from HGA stated the lights are shed down for specific areas where residents will not have a strong glare. Patrick Meehan claimed the height of the lights are lower than the code requirement so there will be no glare. Commissioner Lynch clarified the Aurora Medical Complex building is proposed to be about 700 feet in from Spring Valley Road. Melinda Mitchell stated she is concerned the bright lights will still shine into the residents' homes. Alderman Vos stated that this is not a 24 hour facility.
- Melinda Mitchell commented if the main entrance is on Spring Valley Road, the road will need to be widened. Elena Spiegelhoff stated with the bike trail that goes through the middle of the two entrances on Spring Valley Road it is unsafe for bikers. Jack Sommers, 1091 Spring Valley Road, stated the snow blows from the west causing extremely deep drifts making it dangerous to enter on Spring Valley Road. He suggested the entrance should be on Hwy 36 to avoid a hazard for the numerous bikers and the lights glaring into the homes. Ray Leffelman, 5617 Spring Valley Road, agreed that the access should not be allowed on Spring Valley Road to disrupt the homeowners' lifestyles. Melinda Mitchell questioned if Aurora would pay for the salt needed to make the roads safe since Racine County does not provide adequate salt or plow the roads as often as they should. Eric Burkman, 1589 Spring Valley Road, replied that Spring Valley Road does not get enough sun to melt the ice. Bill

Henningfield, 1391 Spring Valley Road, stated the corner of Spring Valley Road and Hwy 36 has a big slope with curves at the intersection that become extremely icy. He also questioned if the State can lower the speed limit to allow another access. Stacey Howe, 7007 McHenry Street, questioned if the roads are widened on Spring Valley Road, will the neighbors' yards be taken away and will Aurora buy out the properties. Mike Connor from Aurora stated neighbors had been bought out to allow broader communities to benefit from this service.

- Eric Burkman suggested a bypass to State Street would be a better access point than Spring Valley Road. Steve Fisco from Graef Site Engineer stated traffic counts were surveyed in late June of 2014 and additional surveys within the last few weeks. Jim Kleinfeldt responded the traffic impact analysis was reviewed by engineers and the traffic study showed an average of 2,700 cars traveled on Spring Valley Road per day. The engineers are looking into the possibilities regarding the curves and access areas. Jeremy Knopow stated if the access was on Hwy 36 there would be room to widen the road. He also questioned why the series of deed transfers limit to only one access point. Jim Kleinfeldt stated the DOT prefers to have a connector street compared to a major road entrance. Alderman Reesman stated the DOT is extremely strict and will only allow one access. Jack Sommers was concerned since the Aurora Medical Complex is not providing a lunch facility that fast food restaurants will start developing.
- Melinda Mitchell questioned how many locations were researched. Mike Connor replied that numerous sights including the old K-Mart, Hwy 50, Route 12 and many more were taken into consideration. Jim Kleinfeldt stated the wetlands dictated where the facility was going and this was the only location that met the criteria and will also serve Walworth County residents. Paul Hoffmann, 1378 Spring Valley Road, stated the City cannot dictate to Walworth County where the sewers are being put in, when the neighbors do not even have City water. Paul Thomsen, 5000 Thomsen Road, stated the Plan Commission can vote no and require a different access. Mayor Miller stated the DOT have restrictions on State Street and Hwy 36 allowing for only one access.
- Elena Spiegelhoff inquired what the next phase for Aurora is. Jim Kleinfeldt responded the area is a buildable outlot and Aurora is reserving the developing rights since it is a potential building sight, but there are no plans to build.
- There were no further comments.

Mayor Miller motioned to recommend a conditional approval of a Site Plan application, subject to Patrick Meehan's October 29, 2014 and Kapur & Associates' November 11, 2014 memorandums to the Plan Commission as follows:

- The "Architectural Site Plan: Sheet A001" (1 Sheet, as prepared by Hammel, Green and Abrahamson, Inc., dated October 22, 2014) indicates in the lower right hand corner of that drawing for a portion of the subject property:
 - POTENTIAL FUTURE EXPANSION SHOWN DASHED-- MAXIMUM 4 STORIES MAXIMUM BUILDING HEIGHT 65'-0".
The maximum building height allowed in the B-1 District is 60 feet and NOT 65 feet. It is recommended that a revised Site Plan shall be submitted to the City staff for review for compliance.

- Section 315-48(A) of the City Zoning Ordinance requires the minimum driveway width to serve the proposed use is 24 feet. The applicant proposes two driveways, each 30 feet in width and 36 to 40 +/- feet in width for their intersections with the Spring Valley Road right-of-way. The proposed Site Plan meets the above requirement; however, it is recommended that the locations, widths, and designs of these two driveways be reviewed by the City Engineer. A detailed improvement plan for access points on both Hwy 36 and Spring Valley Road shall be submitted for review for compliance.
- Section 315-48(B) of the City Zoning Ordinance requires that no off-street parking space be less than 9 feet in width and 180 square feet in area. The proposed Site Plan proposed parking spaces which are 9 feet in width and only 19 feet in length with an area of only 171 square feet do NOT meet this requirement. Therefore, it is recommended that the Site Plan and other affected drawings be modified accordingly and resubmitted to the City staff for review for compliance.
- Section 315-48(M) of the City Zoning Ordinance requires a double row and aisle of 90 degree parking spaces shall be a minimum of 65 feet in width. The proposed Site Plan proposed double row and aisle of 90 degree parking spaces are only 63 feet in width and NOT 65 feet in width which do NOT meet this requirement. Therefore, it is recommended that the Site Plan and other affected drawings be modified accordingly and resubmitted to the City staff for review for compliance.
- Section 315-48(G) of the City Zoning Ordinance requires that all off-street parking areas serving five (5) 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. This requirement shall be met prior to the issuance of an Occupancy Permit.
- Section 315-48(H) and Table 4 of the City Zoning Ordinance requires each parking lot which has 201 to 300 parking spaces (such as the applicant proposed west parking lot), a minimum total of 7 off-street parking spaces is needed to accommodate persons with disabilities. The 231-space west parking lot is proposed to have only 4 spaces to serve persons with disabilities. There is a shortfall of 3 spaces to accommodate persons with disabilities and, the west parking lot does NOT meet this requirement. Therefore, it is recommended that the Site Plan and other affected drawings be modified accordingly and resubmitted to the City staff for review for compliance.
- Section 315-46(A)(2) of the City Zoning Ordinance requires a triangle vision clearance, no obstructions (such as structures, signs, uses, parking, or vegetation) shall be permitted. The proposed signage is located within the sight vision triangle of this intersection and does not meet the requirements. In addition, the only landscaping proposed at the base of the freestanding sign is seed lawn which does not meet the requirements of Section 315-71(C). If a freestanding sign is installed, the requirements shall be met. A revised Landscape Plan shall be submitted to the City staff for review for compliance with the requirements prior to the issuance of a Sign Permit. The maximum height allowed of the free standing is 15 feet. Data

and drawings shall be submitted to the City for compliance meeting this requirement.

- Section 315-26(M) of the City Zoning Ordinance indicates a number of requirements for outdoor storage. If in the future the subject property changes for outdoor storage, the requirements shall be met.
- Section 315-26(O) indicates all garbage cans, trash dumpsters, trash containers, and other storage devices shall be closed containers with lids and shall be suitably screened from public view consisting of an enclosure with sight proof fencing (wood or masonry) or landscaping of an adequate height. Fencing and landscaping for such areas shall be maintained in good condition and kept litter-free. All garbage cans, trash containers, and other garbage storage devices shall be emptied and the contents thereof properly disposed of not less than once every seven days. No trash dumpster or other trash or waste receptacle shall be permitted in any off-street parking space or drive. All trash dumpsters and garbage receptacles shall be placed upon a paved slab. All trash dumpster and garbage receptacle areas shall be of an adequate size to accommodate the storage of materials to be recycled. A building permit shall be required for the construction of any garbage, trash, waste, or dumpster enclosure.
- Section 315-64(D) of the City Zoning Ordinance, on site directional signs cannot exceed three square feet in area and 48 inches in height. However, no such signage is indicated in the application. If such signs are installed they shall meet the requirements. The proposed wall sign for the east side of the building (facing Spring Valley Road) is proposed to be 411+/- square feet in area. According to Section 315-71(D) of the City Zoning Ordinance, the total maximum allowable wall sign area is 200 square feet and thus does NOT meet this requirement. A revised drawing showing a sign area not exceeding 200 square feet needs to be submitted to the City for review. The proposed wall sign for the north side of the building (facing STH 36) consist of two signs. The large proposed "Aurora Health Care" sign is proposed to be 224+/- square feet in area and the small proposed "Aurora Health Care" sign is proposed to be 75+/- square feet in area. The total wall sign area of both wall signs is 299+/- square feet in area. According to Section 315-71(D) of the City Zoning Ordinance, the total maximum allowable wall sign area is 200 square feet and the two proposed wall signs do NOT meet this requirement. A revised drawing pertaining to the two proposed wall signs for the east and north building elevations showing total sign area not exceeding 200 square feet needs to be submitted to the City for review for compliance with these requirements prior to the issuance of a Sign Permit.
- The proposed landscape plan shall be submitted with the site plan review application for Plan Commission review and approval prior to an Occupancy Permit. The plans shall meet the requirements set forth in Section 315-318 of the City Zoning Ordinance. Detailed grading plans and review of existing and proposed location of public sanitary sewer, water supply facilities, storm water drainage facilities and private utilities or other easements shall be deferred to the City Engineer.

- A general summary of the estimated value of structures and site improvement costs, including landscaping and special features, and a general outline of the organizational structure of a property owner's or management's association shall be submitted to the City by the applicant.
- According to Section 315-43(K)(2)(a) of the City Zoning Ordinance the plans submitted with the PUD application need not necessarily be completely detailed at the time of rezoning, provided that they have sufficient detail to satisfy the Common Council as to the general character, scope, and appearance of the proposed development. Such preliminary plan shall designate the pattern of proposed streets and the size and arrangement of individual buildings and building sites. The approval of such preliminary plan shall be conditioned upon the subsequent submittal and approval of more specific and detailed plans as each stage of development progresses. The proposed plans submitted appear to have this level of detail and meet the requirements of “general plans”.
- According to Section 315-43(K)(2)(b) of the City Zoning Ordinance the plans submitted for detailed approval shall be sufficiently precise and all items that are required to be identified by the Common Council shall be presented. **A letter of credit for all improvements shall be submitted before final approval is given.** The proposed plans submitted appear to have this level of detail so as to meet the requirements of “detailed plans”.
- According to Section 315-43(I)(1, (2), and (40)(b) of the City Zoning Ordinance, the City Plan Commission and City Common Council shall consider that the petitioners for the proposed Planned Unit Development Overlay District have indicated that they intend to begin the development of the PUD within nine months following the approval of the petition. The proposed Planned Unit Development Overlay District is consistent in all respects and is in conformity with the adopted Master Plan and Neighborhood Plan. In a case of a proposed commercial Planned Unit Development Overlay District, the economic practicality of the proposed development shall be justified. The proposed development will be adequately served by off-street parking and truck service facilities. The proposed development shall be adequately provided with fire and police protection, street maintenance and maintenance of public areas. The locations of entrances and exits have been designated to prevent unnecessary interference with the safe and efficient movement of traffic on surrounding streets. The landscaping, control of lighting, and general site development will result in an attractive and harmonious service area compatible with and not adversely affecting the property values of the surrounding neighborhood.

All were in favor and the motion carried.

ADJOURNMENT

Commissioner Lynch moved, and Commissioner Eisenhardt seconded to adjourn the meeting at 7:35 p.m. *All were in favor and the motion carried.*

Kristine Anderson

Recording Secretary
Kristine Anderson
Administrative Assistant