

Town of Burke
Plan Commission Minutes
March 14, 2012
5:30 p.m.

Members Present: Robert Hess, Acting Chairperson; Christie Legler; Joan Stoflet; Marv Urban and George Walsh. Excused: Mike Vraniak. Others Present: Brenda Ayers, Clerk/Treasurer. See attached list for other interested parties in attendance.

1. The meeting was called to order at 5:30 p.m. by Hess.
2. Discuss/possible action concerning a rezone and CSM petition submitted by Stroud, Willink & Howard, LLC agent for Mart Enterprises, LLC to create a one acre lot and rezone the newly created lot from A-1 to C-2 from an existing 45.96 acre parcel currently zoned A-1, for the purpose of future expansion of a business operated on an adjoining property, parcel located on South Thompson Road, Sun Prairie, WI (parcel number 0810-122-9681-0). Joseph Bartol, attorney for Duane Nolden (Prairie Power Center), explained that Prairie Power Center is interested in purchasing the one acre lot from Mart Enterprises for the purpose future expansion or a possible new business. Bartol further explained that the property is currently farmed and will continue to be farmed until it is developed.

The petitioner agreed to limit his use of the property to 28 allowable uses in the Dane County Ordinances which was outlined in the application. The Plan Commission recommended removing seven of those items.

Motion: Hess/Urban to recommend approval of the rezone and CSM to the Town Board with the following contingencies 1) the applicant receives approval from the City of Sun Prairie 2) the property is limited to the following land uses from the application (copy attached) as revised by the Plan Commission: a. Retail service uses including, but not limited to, grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size; c. Warehousing and storage incidental to a permitted use on the premises; d. Medical, dental and veterinary clinics; e. Banks, offices, office buildings and condominium office buildings; g. Bakeries, printing plants, laundries and dry cleaning plants; h. Distribution centers and wholesale businesses; i. Woodworking shops, machine shops, manufacturing and assembly plants; j. Bicycle sales and service; k. Rental businesses; l. Sales and repair of lawn and garden equipment; n. Off-site parking of motor vehicles as provided in section 10.18(3) (c) of Dane County Ordinances; p. Major repairs to motor vehicles; q. Sales of new and used motor vehicles; r. Sales of new and used contractor's machinery and equipment; s. Repairs, storage and service of contractor's machinery and equipment; t. Rental and leasing of motor vehicles, contractor's machinery and equipment; w. Parking or storing of motor vehicles; x. Warehouses; y. Mini-warehouses; z. General, mechanical and landscape contracting businesses and building used in connection with such activity; aa. Storage of construction equipment necessary for the operation of a general mechanical or landscaping contracting business. Motion carried.

3. Update on the DeForest ETZ. Hess reported that the Town recently discovered that the Village approved variances in the ETZ area. Under current Village Code, the Town and ETZ do not have formal review authority for variances. The Town

has provided the Village with recommended revisions to the code granting the Town more authority. The Burke ETZ is meeting jointly with the Vienna ETZ on April 24 to discuss code amendments.

4. Approval of minutes from January 11, 2012. Motion: Walsh/Stoflet to approve the minutes as presented. Motion carried.
5. Adjourn. Motion: Hess/Walsh to adjourn. Meeting adjourned at 6:08 p.m. Motion carried.

Brenda Ayers
Clerk/Treasurer
4/6/2012

- (3) **Central Star Communications, Inc.** Central Star Communications, Inc. owns the adjoining parcel described as Lot 2 of CSM No. 10689 identified in the attached Exhibit. This parcel is currently zoned C-2 and is used for agricultural purposes. This parcel also contains a radio tower. This parcel is not currently subject to any other uses.
- (4) **Brooks Inc.** Brooks Inc. owns the adjoining parcel west of the property and identified as "Lands" on the attached Exhibit. This parcel is currently zoned C-2 and is used for agricultural purposes. This parcel is not currently subject to any other uses.

C. Proposed Uses of the Re-zoned Area.

Upon the closing of the real estate transaction pending between Owner and Applicant for the sale of the Property, Applicant intends to hold the Property, as re-zoned, for potential future expansion of the business operated on the adjoining property zoned C-2, by Prairie Power Center.

Until expansion of Prairie Power Center becomes necessary or desirable, Applicant intends to continue to lease the land to the local farmer who presently uses the Property for agricultural purposes. Should expansion of Prairie Power Center become necessary or desirable, Applicant specifically intends to use the Property to potentially construct additional business facilities, including but not limited to an additional or larger showroom, an additional or larger service area, and/or additional parking.

Applicant agrees to limit his use of the Property to the following permitted land uses:

- a. Retail service uses including, but not limited to, grocery stores, drugstores, hardware stores, appliance and furniture stores, barbershops and beauty shops without limitation as to size.
- ~~b. Self-service laundries and dry-cleaning establishments.~~ removed By Plan Commission 3-14-12
- c. Warehousing and storage incidental to a permitted use on the premises.
- d. Medical, dental and veterinary clinics.
- e. Banks, offices, office buildings and condominium office buildings.
- ~~f. Utility services.~~ removed by Plan Commission 3-14-12
- g. Bakeries, printing plants, laundries, dry cleaning plants.
- h. Distribution centers and wholesale businesses.
- i. Woodworking shops, machine shops, manufacturing and assembly plants.
- j. Bicycle sales and service.
- k. Rental businesses.
- l. Sales and repair of lawn and garden equipment.
- ~~m. Marinas.~~ Removed by Plan Commission 3-14-12
- n. Off-site parking of motor vehicles as provided in section 10.18(3)(c) of Dane County Ordinances.
- ~~o. Crematoriums.~~ removed by Plan Commission 3-14-12

- p. Major repairs to motor vehicles.
- q. Sales of new and used motor vehicles.
- r. Sales of new and used contractor's machinery and equipment.
- s. Repairs, storage and service of contractor's machinery and equipment.
- t. Rental and leasing of motor vehicles, contractor's machinery and equipment.
- ~~u. Auxiliary or supplemental electric generating stations.~~ removed by Plan Commission 3-14-12
- ~~v. Fertilizer mixing or blending plants.~~ removed by Plan Commission 3-14-12
- w. Parking or storing of motor vehicles.
- x. Warehouses.
- y. Mini-warehouses.
- z. General, mechanical and landscape contracting businesses and buildings used in connection with such activity.
- aa. Storage of construction equipment necessary for the operation of a general, mechanical or landscape contracting business.
- ~~bb. Outside storage of materials or supplies used by a contractor in fulfilling his or her contracts and not offered for sale to a user or consumer.~~ removed by Plan Commission 3-14-12

D. Time Schedule for Development.

The real estate transaction pending between Owner and Applicant for the sale of the Property is expected to close by August 2012. Upon the closing of this transaction, Applicant intends to continue to lease the Property to the local farmer who presently uses the land for agricultural purposes, or to another interested party if the present lessee does not wish to continue to lease the land.

The adjoining property to the west is used for the operation of Prairie Power Center. In the next couple of years, expansion of Prairie Power Center may become necessary or desirable in which case the Property would be developed to compliment Prairie Power Center business. Such facilities include, but are not limited to, an additional or larger showroom, an additional or larger service area, and/or additional parking.