

**NEW BERLIN PLAN COMMISSION  
MARCH 7, 2011  
MINUTES**

**PRIVILEGE OF THE FLOOR**

The Plan Commission Meeting was called to order by Mayor Chiovatero at 6:05 P.M.

In attendance were Mayor Chiovatero, Alderman Ament, Mr. Wick, Mr. Christel, Ms. Broge, Ms. Groeschel, and Mr. Felda. Also present was Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tammy Simonson, Transportation Engineer; and Mark Blum, City Attorney.

Motion by Alderman Ament to approve the Plan Commission Minutes from February 7, 2011. Seconded by Mr. Christel. Motion passes with Ms. Groeschel voting present.

Motion by Mr. Christel to approve the Plan Commission Minutes from February 17, 2011 as amended changing the word “attract” to “detract” on Page 5. Seconded by Mr. Wick. Motion passes with Ms. Broge and Ms. Groeschel voting present.

**PLAN COMMISSION SECRETARY’S REPORT**

Written comments from the City Center Open House held on February 24, 2011 were distributed to Plan Commissioners.

A Special Plan Commission Meeting for City Center is scheduled for March 21, 2011 from 4:00 P.M. – 8:00 P.M. in the Common Council Chambers.

**CONTINUED BUSINESS**

2. (5) NJ UA-11-10 Dennis Kasian – Preserve at Deer Creek - 14300 W. Howard Avenue - PC  
Interpretation of PUD Ord. # 2094

Motion by Ms. Broge to support the interpretation to allow single-family condominiums under the Ordinance #2094, Section Rd-1/PUD (1) (d) for areas 3 and 6 “Any other use that the Plan Commission finds will be similar in nature, operation, and function to uses allowed within the district,” subject to the application, plans on file and the following reasons for approval:

- 1) Ordinance #2094, Section Rd-1/PUD (1) (d) for area 6 already allows for the following principal use;
  - a) Two-family dwellings with attached garages;

- 2) Under the Rd-1 Section of Table 275-33-1, Single-family detached dwellings with attached garages are listed as a “Principal Use.” Principle use is defined as: “The main use of land or buildings as distinguished from a subordinate or accessory use. A principle use is specifically authorized as a use-by-right in a particular zoning district and may be operated after securing the necessary building permit, zoning permit or use approval when in compliance with all other regulations of this chapter.”
- 3) The Plat for this development included one lot that was identified as “future single-family residential.”
- 4) Development for Area 6 would still be limited to not exceed 72 units.

Seconded by Ms. Groeschel. Motion carried unanimously.

3. GK/NJ PG-830(15)/PG-516 Comprehensive Plan – Review, discuss, and possibly forward a request to the Common Council to set a Public Hearing date before the Plan Commission meeting for the City Center Planned Unit Development Revision & 2020 Comprehensive Plan amendments to Chapter 10, Land Use and Chapter 15 - Neighborhood E – National Avenue East Corridor.

Ms. Jones recapped the summary of proposed changes. Reference was made to Chapter 10 and Chapter 15 of the Comprehensive Plan. Ms. Jones went over these chapters indicating proposed changes on the overhead screen and asked Plan Commissioners for suggested edits. No edits were made.

Summary of discussion continued as follows:

Alderman Ament felt that any additional residential housing should be taken out of the PUD and the areas should be used for retail, offices, educational facilities or park land. There were no housing components in the sample communities he had mentioned in the past. The PUD does not spell out what should be where and gives too much flexibility. Some communities have developed with a historical small retail theme. Our City is not consistent with a big City feeling. Characteristics of the City Center have to fit into the Community.

Mr. Christel said he could not support no housing. He felt there was no natural geographic or historic element to develop a destination, so we need to find the highest and best use for the area. Mr. Christel suggested letting the market economic forces develop it. He referred to ideas from the PC Journal, and said many of these ideas such as the Farmer’s Market need to be kick started with the City making the investment. The Developer is not going to foot the bill.

Mayor Chiovarero said we already have a lot of Retail in Sendik’s Plaza and Pick ‘n Save Plaza, and another retail center may not be sustained with architecture, infrastructure, etc. being so costly. He felt we should not be limited to Retail, and perhaps Mixed-Use should be considered.

Ms. Broge said that we don’t need any more apartments or Multi-Family buildings in the area under discussion. She felt that when people think of City Center, they think of Retail. We need to determine exactly what we want in this area, put it on paper, and keep trying.

Mr. Wick felt that Zoning in the PUD should be market driven for those who can best utilize the land. The Consultants had good ideas when they said Commercial should be along National Avenue, further back should be Office, etc. and further back yet should be Residential. We should not force a use to locate further back, if it

is better suited in another location.

Ms. Groeschel said we need to have plans in place to aim toward the grand scale in making an identity. We need to start with baby steps.

Mr. Felda said City Center has to be attractive for Developers to come in. They don't want to foot the whole bill. The City needs to look at grants or matching government funds through the federal government. We need to be patient with the idea that it will work.

Mr. Kessler encouraged the Plan Commissioners to review the Open House comments and the historic presentation and City Center Focus meeting summary minutes on the City Website in preparation for the next Special Plan Commission Meeting scheduled for March 21, 2011.

## **NEW BUSINESS**

### 4. (7) AB UA-11-11 Benjamin Burris – 3955 S. Town Road – Second Story Addition.

Motion by Mr. Christel to approve the Use and Site for the construction of a building addition onto a legal non-conforming single-family home located at 3955 S. Town Road subject to the application, plans on file and the following conditions:

- 1) Architecture of proposed addition shall match the architecture of the existing structure and shall be reviewed by Inspection Services Division at the time of building permit.
- 2) The addition shall be constructed in the location depicted on the plans on file.
- 3) Maintain all existing grading and drainage patterns throughout both the rear yard and side yard areas.
- 4) Match the existing yard grade and elevation.
- 5) Apply and obtain appropriate building, plumbing and electrical permits.
- 6) The addition shall meet all requirements of the 2009 State of Wisconsin Uniform Dwelling Code Comm. 21 through 23. This will be reviewed at time of building permit.
- 7) Building plans submitted shall be to scale ¼" = 1'-0".

Seconded by Mr. Felda. Motion carried unanimously.

## **COMMUNICATION**

5. Communication To: Plan Commission  
Communication From: Greg Kessler, Director of Community Development  
RE: Planning Commissioners Journal, Winter 2011

Plan Commissioners acknowledged receipt of this communication.

## **ADJOURN**

Motion by Alderman Ament to adjourn the Plan Commission Meeting at 7:47 P.M. Seconded by Mr. Christel. Motion carried unanimously.

