

**CITY OF NEW BERLIN**  
**PROCEEDINGS OF THE PLAN COMMISSION**  
Monday, June 6, 2011

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*Please note: Minutes are unofficial until approved by the Plan Commission at the next regularly scheduled meeting.*

**PUBLIC HEARING(S)**

- [\(7\)AB RZ-11-05 Irgens Development Partners, LLC - Approximately 4700 S. Sovereign Drive - Rezone from R-4, C-2 and O-2 to R-4, C-2 & O-2 to field delineate the wetlands.](#)

Public Hearing called to order 6:02 P.M.

Public Hearing adjourned 6:13 P.M.

- [\(7\)AB RZ-11-06 Irgens Development Partners, LLC – 16000 W. Beloit Road – Rezone from B-4 to O-2.](#)

Public Hearing called to order at 6:13 P.M.

Public Hearing adjourned at 6:15 PM.

- [\(6\)JT RZ-11-04 Demlang Builders - 13665 Foxwood Drive - Rezone from R4.5 and C-2 to R-4.5 and C-2 to field delineate the wetlands.](#)

Public Hearing called to order at 6:15 P.M.

Public Hearing adjourned at 6:18 P.M.

- [\(7\)JT RZ-11-07 Tri-County Roofing -18500 W. National Avenue - Rezone from R-1/R-2 to B-2 and C-2 to remove the Residential District and Field Delineate the wetlands.](#)

Public Hearing called to order at 6:18 P.M.

Public Hearing adjourned at 6:24 P.M.

- [\(1\)JT CU-11-01 Speedway - 14001 W. Greenfield Avenue - Underground Tank Replacement.](#)

Public Hearing called to order at 6:24 P.M.

Public Hearing adjourned at 6:29 P.M.

- [\(7\)JT CU-11-02 Vinton - 20640 W. Lawnsdale Road -Temporary Batch Plant.](#)

Public Hearing called to order at 6:29 P.M.

Public Hearing adjourned at 6:37 P.M.

- [\( \)GK PG-353 & 741 Section 235-26\(G\) Subdivision Code Amendment.](#)

Public Hearing called to order at 6:37 P.M.

Public Hearing adjourned at 6:43 P.M.

## PRIVILEGE OF THE FLOOR

### CALL TO ORDER

Mayor Chiovatero called the Plan Commission meeting to order at 6:53 P.M.

### ROLL CALL; DECLARATION OF QUORUM

Present were Ament, Chiovatero, Wick, Felda, Groeschel, Broge. Also present were City Attorney Mark Blum, Associate Planner Jessica Titel, Associate Planner Amy Bennett, Traffic Engineer Tammy Simonson, Storm Water Engineer Nicole Hewitt. Groeschel excused at 8:00 P.M.

### APPROVAL OF MINUTES

Motion by Ms. Broge to approve the May 2, 2011 Plan Commission Minutes. Seconded by Alderman Ament.  
**Motion Passed 6 to 0.**

### PLAN COMMISSION SECRETARY'S REPORT

No Report

### **NEW BUSINESS**

- [\(7\)AB RZ-11-05 Irgens Development Partners, LLC - Approximately 4700 S. Sovereign Drive - Rezone from R-4, C-2 and O-2 to R-4, C-2 & O-2 to field delineate the wetlands.](#)

Motion by Mr. Wick to recommend to Common Council adoption of an ordinance that approves (7)AB RZ-11-05 Irgens Development Partners, LLC - Approximately 4700 S. Sovereign Drive - Rezone from R-4, C-2 and O-2 to R-4, C-2 & O-2 to field delineate the wetlands. Seconded by Ms. Groeschel.

**Motion Passed 6 to 0.**

- [\(7\)AB RZ-11-06 Irgens Development Partners, LLC – 16000 W. Beloit Road – Rezone from B-4 to O-2.](#)

Motion by Ms. Broge to recommend to Common Council adoption of an ordinance to approve (7)AB RZ-11-06 Irgens Development Partners, LLC – 16000 W. Beloit Road – Rezone from B-4 to O-2. Seconded by Alderman Ament.

**Motion Passed 6 to 0.**

- [\(7\)JT RZ-11-07 Tri-County Roofing -18500 W. National Avenue - Rezone from R-1/R-2 to B-2 and C-2 to remove the Residential District and Field Delineate the wetlands.](#)

Motion by Alderman Ament to recommend to Common Council adoption of an ordinance that approves (7)JT RZ-11-07 Tri-County Roofing -18500 W. National Avenue - Rezone from R-1/R-2 to B-2 and C-2 to remove the Residential District and Field Delineate the wetlands. Seconded by Mr. Felda.

**Motion Passed 6 to 0.**

- [\(6\)JT RZ-11-04 Demlang Builders - 13665 Foxwood Drive - Rezone from R4.5 and C-2 to R-4.5 and C-2 to field delineate the wetlands.](#)

Motion by Ms. Broge to recommend to Common Council adoption of an ordinance that approves (6)JT RZ-11-04 Demlang Builders - 13665 Foxwood Drive - Rezone from R4.5 and C-2 to R-4.5 and C-2 to field delineate the wetlands. Seconded by Ms. Groeschel.

**Motion Passed 6 to 0.**

- [\(1\)JT CU-11-01 Speedway - 14001 W. Greenfield Avenue - Underground Tank Replacement.](#)

Motion by Mr. Felda to approve (1)JT CU-11-01 Speedway - 14001 W. Greenfield Avenue - Underground Tank

Replacement subject to the application, plans on file and staff's conditions. Seconded by Mr. Wick.

**Motion Passed 6 to 0.**

- [\(7\)JT CU-11-02 Vinton - 20640 W. Lawnsdale Road -Temporary Batch Plant.](#)

Motion by Ms. Broge to approve (7)JT CU-11-02 Vinton - 20640 W. Lawnsdale Road -Temporary Batch Plant subject to the application, plans on file and staff's conditions. Seconded by Ms. Groeschel. Motion carried unanimously. Seconded by Ms. Groeschel.

**Motion Passed 6 to 0.**

- [\( \)GK PG-353 & 741 Section 235-26\(G\) Subdivision Code Amendment.](#)

Motion by Alderman Ament to recommend to Common Council the adoption of an ordinance that amends Section 235-26G Subdivision Code. This section would be repealed and recreated with the following proposed language:

New lots within existing residential subdivisions shall be prohibited under any of the following circumstances:

- 1) When the new lot area is less than the average area of the existing lots within the subdivision, excluding unbuildable lot; or
- 2) When the new lot width is less than the average width of the existing lots within the subdivision, excluding unbuildable lots; or
- 3) The new lot does not meet the requirements of Section 275-33.

Seconded by Mr. Wick.

**Motion Passed 6 to 0.**

- [\(7\)AB LD-11-02 Irgens Development Partners, LLC – NE 1/4 SEC. 27 - 4855 S. Moorland Road – One-Lot Land Division.](#)

Motion by Alderman Ament to approve (7)AB LD-11-02 Irgens Development Partners, LLC – NE 1/4 SEC. 27 - 4855 S. Moorland Road – One-Lot Land Division subject to the application, plans on file and staff's conditions.

Seconded by Ms. Groeschel.

**Motion Passed 6 to 0.**

- [\(5\)AB SG-11-16 Educators Credit Union – 15350 W. Howard Avenue – Monument Sign Waiver.](#)

Motion by Alderman Ament to approve (5)AB SG-11-16 Educators Credit Union – 15350 W. Howard Avenue – Monument Sign Waiver subject to the application, plans on file and staff's conditions.

Seconded by Ms. Broge.

**Motion Passed 5 to 1 with Mr. Wick opposing.**

- [\(4\)JT UA-11-22 Hastings Air Energy Control - 5555 W. Westridge Drive - Building Addition.](#)

Motion by Mr. Felda to approve (4)JT UA-11-22 Hastings Air Energy Control - 5555 W. Westridge Drive - Building addition and site modifications, along with Waiver Requests #1 and #2 subject to the application, plans on file and staff's conditions.

Seconded by Ms. Groeschel.

**Motion Passed 6 to 0.**

- [\(7\)JT LD-11-03 Tri-County Roofing - NE 1/4 SEC. 28 - 18500 W. National Avenue - One-Lot Certified Survey Map.](#)

Motion by Alderman Ament to recommend to Common Council approval (7)JT LD-11-03 Tri-County Roofing - NE

1/4 SEC. 28 - 18500 W. National Avenue - One-Lot Certified Survey Map subject to the application, plans on file and staff's conditions.

Seconded by Ms. Broge.

**Motion Passed 6 to 0.**

- [\(2\)JT UA-11-24 Children of America - 3333 S. Sunny Slope Road - Playground and Parking Waiver.](#)

Motion by Mr. Felda to approve (2)JT UA-11-24 Children of America - 3333 S. Sunny Slope Road - Playground and Parking Waiver subject to the application, plans on file and staff's conditions.

Seconded by Alderman Ament.

**Motion Passed 6 to 0.**

- [\(7\)AB UA-09-69 Holy Apostle Church - 16000 W. National Avenue - Landscape Buffer Waiver and Written Agreement with Neighboring Property Owner.](#)

Motion by Ms. Broge to approve (7)AB UA-09-69 Holy Apostle Church - 16000 W. National Avenue - Landscape Buffer Waiver and Written Agreement with Neighboring Property Owner subject to the application, plans on file and staff's conditions.

Seconded by Ms. Groeschel.

**Motion Passed 6 to 0.**

- [\(2\)JT UA-11-30 Cleveland Pub -14000 W. Cleveland Avenue - Plan of Operation Amendment.](#)

Motion by Ms. Broge to approve (2)JT UA-11-30 Cleveland Pub -14000 W. Cleveland Avenue - Plan of Operation Amendment subject to the application, plans on file and staff's conditions.

Seconded by Alderman Ament.

Motion by Alderman Ament to amend the motion to allow music between 9:00 P.M.-1:00 A.M.

Seconded by Ms. Broge.

**Motion Passed 3 to 2 with Jack F. Chiovatero, Ms. Broge opposing.**

Motion by Alderman Ament to amend the motion to re-evaluate the plan of operation in one year.

Seconded by Mr. Wick.

**Motion Passed 5 to 0.**

Upon voting, original motion as amended passes unanimously.

- [\(7\)AB UA-10-20 Joe Wieneke – 18200 W. Lynette Lane – Grading and Filling. \(Tabled 7/7/10, 7/12/10, 8/2/10\)](#)

Motion by Mr. Wick to deny without prejudice (7)AB UA-10-20 Joe Wieneke – 18200 W. Lynette Lane – Grading and Filling based on staff's reasons.

Seconded by Mr. Felda.

**Motion Passed 5 to 0.**

## **COMMUNICATIONS**

- [Communication To: Plan Commission](#)  
[Communication From: Greg Kessler, Director of Community Development](#)  
[RE: Planning Commissioners Journal, Spring 2011](#)

Plan Commissioners acknowledged receipt of the communication.

- Communication To: Plan Commission

Communication From: Greg Kessler, Director of Community Development  
RE: The Commissioner, Spring 2011

Plan Commissioners acknowledged receipt of the communication.

**ADJOURN**

Motion by Ms. Broge to adjourn the Plan Commission Meeting at 8:30 P.M. Seconded by Mr. Wick.  
**Motion Passed 5 to 0.**

Respectfully Submitted