

Minutes

PUBLIC HEARINGS

6:00 P.M. (5) R-3-02 Holiday Inn Express Hotel & Suites – City of New Berlin Department of Community Development – 15451 W. Beloit Rd. – Rezone from B-4/R-4 to B-1, O-1, or O-2.

NEW BERLIN PLAN COMMISSION

NEW BERLIN CITY HALL COUNCIL CHAMBERS MARCH 4, 2002

The public hearing relative to the request by City of New Berlin to rezone the property known as 15451 Beloit Road from B-4/R-4 to B-1, O-1, or O-2 Commercial District was called to order by Mayor Wysocki at 6:08 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament, Mr. Felda. Also present were Greg Kessler, Director of Community Development, Mark C. Lake, Director of Planning, Olofu Agbaji, Associate Planner, Dave Haines, Associate Planner/Mapping Coordinator, Nikki Jones, Associate Planner.

Mr. Lake read the public hearing notice and stated there was proof of publication.

Mayor Wysocki explained the procedure for a public hearing saying that he would ask for questions of clarification and then ask three times for anyone wishing to speak in favor of the application and then three times for anyone wishing to speak in opposition of the application.

Mr. Lake gave a brief presentation describing the request and showing maps indicating the location.

Mayor Wysocki asked for questions for clarification?

Arlene Reed, 16450 W. Coffee Road - If the building is already there, why are we rezoning now? Wasn't it done before the building was approved? Mr. Lake said we need to do it to make the property a legal conforming use. Our current code does not include a B-4 district but it does include an O-1 or O-2 district. We need to put the appropriate zoning to the parcel.

Mayor Wysocki asked for further questions for clarification, seeing none.

Mayor Wysocki asked if there was anyone wishing to speak in favor, seeing none.

Mayor Wysocki asked if there was anyone wishing to speak in opposition, seeing none.

Mayor Wysocki asked Plan Commissioners for questions for the purpose of clarification, seeing none.

Mayor Wysocki closed the public hearing at 6:12 P.M.

6:01 P.M. (3) R-2-02 St. Constantine & Helen Greek Orthodox Church – 17955 W. Cleveland Ave. – Rezone from R-2 to I-1.

NEW BERLIN PLAN COMMISSION

NEW BERLIN CITY HALL COUNCIL CHAMBERS MARCH 4, 2002

The public hearing relative to the request by Constantine George Pappas c/o St. Constantine & Helen Greek Orthodox Church to rezone the property known as 17955 W. Cleveland Avenue from R-2 Rural Estate Single Family Residential District to I-1, Institutional District was called to order by Mayor Wysocki at 6:12 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament, Mr. Felda. Also present were Greg Kessler, Director of Community Development, Mark C.

Mr. Lake read the public hearing notice and stated there was proof of publication.

Mayor Wysocki explained the procedure for a public hearing saying that he would ask for questions of clarification and then ask three times for anyone wishing to speak in favor of the application and then three times for anyone wishing to speak in opposition of the application.

Mr. Lake gave a brief presentation describing the request and showing maps indicating the location. John Demetropoulos, Parish Council President for Sts. Constantine and Helen Greek Orthodox Church and Constantine Pappas, architect for the project also described the proposal. A report on a traffic study was given and a representative from Jahnke and Jahnke addressed civil engineering aspects of the site.

Mayor Wysocki asked for questions for clarification?

Pauline Jaske, 3275 Johnson Road - Who gave you permission to use the Bethel Hill parking lot? I am on the Council at Bethel Hill and that has not come before us to address. Our parking lot only has room for our guests. How much frontage do you have on Cleveland Avenue?

It looks like about 420 feet before the vision corner at Stigler Road. On the southerly property line they have 617 feet with 150 taken out for a gas company substation so that would give you about 470. Ms. Jaske referred to the certified survey and referring to the Northeast corner there is a section cut out and I wonder if that is a part of the rezoning. That parcel belongs to the gas company. Ms. Jaske asked have you received permission from the County to have an access on County D? We went to the County last Thursday and at that point in time they agreed to let us have access. Did you get that in writing? No, we have not submitted a final report yet. I would suggest you get that in writing because my understanding is you need 600 feet to get one access and if there is a side road, ingress and egress will be beyond that side road which would be Stigler. Ms. Jaske asked about the activities planned there. Are they to be on the 14 acres? Or is that on the 26 acres? That would be the 26 acres. Ms. Jaske asked about parking for soccer and baseball games, etc. I have seen other areas used for games such as here where the parking lot was absolutely jammed and people were parking everywhere, the parking was totally inadequate. I would be concerned about that. On the traffic study, I noticed that you only did westbound in the evening. My biggest concern is the eastbound between 7:15 - 7:45 when we already have a serious problem with the high school traffic.

The traffic study has to be approved by the City and County. The traffic engineer reported that the volumes are highest out there from 5:00 to 6:00 in the afternoon. In addition we analyzed the worst case hour for the church would also be 5:00 to 6:00 PM, not in the morning from 7:00 to 8:00. We did traffic counts from 4:00 to 6:00 P.M. during the week both eastbound and westbound.

Ms. Jaske said I have some serious concerns about the traffic and I believe a stop light is needed for the high school. The traffic engineer said it is not even close to being enough traffic to warrant that. Ms. Jaske said I am not concerned about Sunday morning services, but I think the issue we are missing is the potential for activities on the ball field and soccer field. I think this needs to be considered more thoroughly.

Mike Tomsak, 18255 W. Willow Road - You said you added in the traffic on Stigler Road and then the proposed additional traffic from the church on Stigler Road and it was still considered at a low level. The traffic engineer said yes, based on standards set by the American Planning Association. Looking at it from a street capacity standpoint, it is not anywhere near high level. Then you look at it in more of a conservative analysis, which looks at it from a residential standpoint, is it based on a quiet street, low or high volume. Stigler Road is borderline between low and medium volume. There is nothing that would require widening or modification of the street. Mr. Tomsak asked about such times when clumping of cars would take place at peak hours. Would that fall in low, high or medium usage at those times? On a Sunday, it would be low usage. Since most of the church traffic would be traveling to and from the East so we expect a very small volume to use Stigler. The benefit would be that there is not a lot of commercial development on Cleveland. On Sunday when church lets out, there will be a five car wait at some time but will

dissipate in our study in an acceptable level of delay.

Rhoda Flagg, 3180 S. Thornapple Lane- What sewer, septic, and water considerations have been studied. Has there been perc tests and will this impact on future sewer and water in this subdivision? We have tested on the property and there are areas on the property where a mound system can be developed. We will not be disturbing the grading to the South and water resources are there to support this project. Mayor Wysocki said the property is outside the MMSD Sewer Service area and we would not be able to provide service to them.

Mike Schober - Cleveland Avenue - I know Bethel Hill had the area tested for well system and it was susceptible to mound systems so it can be done. This relates to whether or not this proposal enhances the opportunity for sewer installation in this area. I think a lot of the neighbors are concerned if this church is developed it is going to somehow make sewers get there earlier. From my discussion with the City staff, this has absolutely no impact on accelerating the time period during which it will take sewers to get there. Mr. Lake said the property is located West of Poplar Creek which is generally the dividing line MMSD so this area would not be served by any MMSD.

John Modlinski, 18160 W. Willow Road - For purpose of clarification, how does the size the the proposed church compare with Bethel Assembly of God Church. Mr. Lake said that is comparable churches, just different denominations. Does the church include a school? It has school facilities in the second phase. We have preschool on Mondays and Tuesdays in the evenings and bible study on Tuesday and Thursday afternoons. Sunday school is during church service which runs 10:00 A.M. to noon. Mr. Modlinski said the other concern I have is the congregational traffic throughout the day. Personal in the office consists of two people. I am sure there will probably be a volunteer there also. I don't foresee any traffic during the day. Day care has not been approved. Mr. Modlinski said the concern I have is that we have a lot of pedestrian traffic along Cleveland Avenue. I think we should look at there safety. This is a very busy area.

Don Schambow, 18045 W. Crabtree Lane - I have lived on well systems more than half of my life. When my well pumps dry because there is now two churches and two schools in the area, who's going to provide me with my water? I would like that in writing.

Roy Hammond, 18315 Thornapple Lane - This community has one way in and one way out. We are a very tight community. We don't want a lot of noise, and we don't want any water problems. I've seen a lot of flooding across Calhoun Road to the East where the homes between Coffee Road and Cleveland had water up to their back doors. After the water does run off their property, it's going to go down to Poplar Creek. What is it going to do to the water table as to the Southeast across Calhoun. It has a problem now, I think the City knows that.

John Modlinski, 18160 W. Willow Road - Judging from the size of the parish and assuming it will have a school building and assuming it will have a sprinkler system in the building, can they do that with well water? Mr. Lake said yes.

Constantine George, 1313 S. 72 St. West Allis - I have a question about the traffic concerns Pauline Jaske spoke of earlier.

Pauline Jaske , 3275 Johnson Road - Anyone who knows me knows I like good planning. If we had some better planning we wouldn't have the road issues we have now such as Hwy 164. My concern is not for the traffic you will create in the next year, but the traffic you will create five or ten years from now when you develop your ongoing activities. I would not be that concerned about a church itself with 450 members. The problem with traffic studies is that they address what's going on right now, they don't account for what's going to happen in the future. That is my concern. When you put in ball fields, etc. it will add a lot of traffic. I know for a fact that widening Cleveland Avenue is not even on the 2010 list and it is a long, long way off. I am concerned about that traffic and the safety of our high school students. The problem is 7:00 a.m. getting out on Johnson Road, with Bielinski adding that subdivision at Hwy 164 & D that traffic coming East in the morning is just terrible, and you have to take you life in your hands. I am most concerned about the activities going on at the church such as weddings, etc. and the traffic they will create.

Constantine George - 1313 S. 72 St. West Allis - I want to clarify that we are not asking for soccer fields at this time, so we can address that when that request is made. I can understand why some of the residents are bringing up concerns about traffic. The reason why the residents live in New Berlin is because it is a nice place to live, there are a few people like us that would like to join you here. We think it is a great place too. The other thing I want to clarify is the size of the dance classes. They only have 10 or 20 people including the instructors. The grade school attendance average is 60 students. I wanted to clarify that in case people were assuming larger attendance numbers.

Debbie Olson, 18180 W. Willow Road - My question is in concern to future growth of both parishes. My concern is not immediate but we all know that down the road all churches grow at least 10 %.

Mark Demetropoulos, 19830 Tribly Ct. Brookfield - We did a study over the past 10 years and we have found about 16% growth over the period of 1991 to 2001. We took that calculation with baptisms and deaths and total members.

John Modlinski, 18160 W. Willow Road - How many visitors or guests do you have during the church festival? Presently it is very hard to calculate because we have not counted heads. We are not a large festival. Guessing, I would say we might have up to 300 - 500 on the grounds at one time. They come and go. During slow times there might only be 50 people. Mr. Modlinski said there is a potential for a larger crowd. They would need to put another entrance off of Stigler Road. Being a resident of Thornapple Hill, in the past I remember having to come to meetings addressing issues of the want to put Stigler Road through to Coffee Road. This would create an extreme hazard to our neighborhood. Not only to the potential traffic for people trying to avoid Calhoun Road traffic but also the fact of people taking the short cut. If you look at the hill on top of Bethel Hill, that would create an extreme hazard because you can't see over that hill.

Monica Latus, 18165 W. Willow Road- My question is in regard to the runoff. I realize they have tried to provide a retention pond and drainage that would direct the waterflow in that direction. However, as we all know, if that always happened there would not be flooding. Is it acceptable for that water that leaves the retention or does not make it into the retention pond to flow into the creek? Representative from Jahnke and Jahnke said that those regulations would be met. We will be getting a permit from the DNR for any grading activity and for the stormwater discharge. The northeast corner of that property is 10-15 ft. lower at the gas company than properties on the West side of Stigler Road.

Pauline Jaske, 3275 S. Johnson Road - Have you done any studies about the water usage, have you talked to SEWRPC about the impact on our water table. Have you estimated your usage? Constantine Pappas, the architect said we have not conducted any studies yet. As this project develops and it gets off the ground, there are many issues to address. Ms. Jaske asked the planners if you were to rezone this, what is the land use plan for the property East. Is that agriculture? Mr. Lake said the property to the East is zoned A-2. Our Master Plan calls for it to be residential.

Shelly Congomi, 18265 W. Thornapple Lane - I have a question regarding the church festival. Will the festival take place on the parking space grounds? Mr. Demetropoulos answered we are looking to put our festival with permission, to have part of our 26 acres be part of the festival grounds so that parking can be on the church grounds. In answer to your question, the festival will be held East of the church and parking will be off of Cleveland Avenue on our grounds. Ms. Congomi asked what streets would parking be allowed. Mr. Demetropoulos said we don't know since we are not at that stage yet. I would think that you wouldn't want any parking on Cleveland or Stigler. Any other festival parking questions would be too far ahead to tell.

Vernon Bentley, 3450 S. Johnson Road - I would like to ask staff if you done any study for the water? Mr. Lake said no we have not, MMSD looks at churches and equivalent facilities as generally using 20 gallons per employee per hour. Mr. Lake said that if they look at it as if people are using the water at church, they are not using it at home. Mr. Bentley said according the church on fourth of their members live in the city of New Berlin, Brookfield, West Allis, Waukesha, Franklin, Elm Grove, and Greenfield. The other three quarters of their parish live in Milwaukee. How does

that effect us with them taking water out of our well. People who would normally be using water from all these other municipalities, now they would be using our water. Mr. Lake said that because this is well and septic, the water that is drawn out of the well, would go back in as part of the septic system. As far as the traffic goes, there will be people coming from seven communities. The library said that the traffic is already so bad on Cleveland that it is one of the reasons to move. You have had the Police Dept., a representative from the bus company, the County Supervisor, Alderman Ament, Tony representing the school board, Bob Haines from traffic coming in telling us we have a bad problem with traffic and that is right down the road from where this church will be.

Another question I had is about the height restrictions. Mr. Lake said there is no height restriction in the residential area other than 35 feet. This is not a residential area, it is an institutional area which has a 45 ft. height restriction to the main point of the building. Mr. Bentley asked why does the industrial park on Moorland and Cleveland have a height restriction of 25 - 55 ft. and yet the buildings both East and West of Moorland are at 25 ft. because of the Acredale Subdivision. Here you are going to put 59' right next door. Mr. Lake said the proposed plan is asking for a larger building and Plan Commissioners will answer that question when they vote on it and listen to the rest of the people who want to speak. The plan has to be reviewed by staff and Plan Commission.

John Campbell, 18045 W. Crabtree - I understand that I can use the water that comes out of the septic system and runoff from two large buildings and two large parking lots and the driveways that are used to get to them but it will all run into the creek and that water cannot be brought back to use.

Secondly, if we are going to confine this festival to their grounds, then why didn't one of the gentlemen who spoke earlier say that they send out crews as far as two blocks away from their festival to clean up. Two blocks covers most of our subdivision. Mr. Demetropoulos said our church is located in the heart of Wauwatosa. We are surrounded by residential homes. We do this as a good neighbor to go clean up.

Lisa Tomsak, 18255 W. Willow Road - From what I heard a traffic study was done from 8:30 to 9:30 on Sunday. These being your peak hours, do we know what Bethel's peak hours are because they should not let out at the same time. Church times and rush hour times were discussed along with Sunday school hours, day care hours, etc.

Susan Della, 18285 W. Crabtree - I feel that there are several environmental issues or concerns that are not set before us. What are the increased taxes going to be to a widow who is trying to live in her home in a community that has pretty high taxes. If we look at the highway which will probably be insufficient with the churches, if we look at the water runoff, police and fire service, what does this mean to my taxes. Mayor Wysocki said that the stormwater runoff and the environmental issues are covered with our recently passed stormwater ordinance. No matter what development we have here, it would have to meet the standards that are in place. Ms. Della said that this church will have a big effect on water runoff and on my bill that I get from the City. Mayor Wysocki said that they would be paying on a proportion basis.

Dorothy Hammond, 18315 W. Thornapple Lane - Does the church pay property taxes? Was there an impact study done? Mayor Wysocki said the church does not pay property tax. Ms. Hammond asked what does that do to my taxes? We have now three churches in the same area that will not be paying property taxes. Mayor Wysocki said the churches are tax exempt, however there are storm water fees and they will be paying upon the basis of their area. We have never required a payment in lieu of taxes. If they decide to pay of the part of the tax rate that reflects city services that is something that would come from them, it is not required from the City. Ms. Hammond asked was there an environmental study done on this or would there be in the future and not just for this church but for the other church also. Mayor Wysocki said the major environmental efforts will come if anything would be developed here. There are standards that they would have to meet. Tree issues, water run off, water quality, would all be considered. Ms. Hammond asked if the festival would have rides. No. What is the festival that you are having, what kind of activities would there be? Mr. Demetropoulos said presently we have a food fest. We have games for the children. We have no rides now. In the future, I can not say. Ms. Hammond said tome there is an awful lot in the future that might be happening

to my area that nobody is going to be up front with now.

Patty Warner, 3055 Stigler Road - I live almost across the street from the property. I would like to know about the parish activity hall being open until 1:00 A.M. on weekends. What is this activity hall going to have, catering, etc? Is there going to be alcohol sold there? Is there going to be a liquor permit needed? I am concerned because at 1:00 in the morning I am usually in bed and I really don't want to have every weekend being interrupted by people leaving a wedding at night. Mr. Demetropoulos said it's kind of hard to project. Looking at what we have now, our parties are very orderly if they are held on the grounds. Hopefully they will be as orderly as they are now. Our purpose is to be a good neighbor, not to have wild parties. We have strict guidelines for the people who rent our hall for weddings and baptisms, etc. We have a business to run in that regard and we are strict but up front with the people. Ms. Warner asked will there be things like live entertainment? There could be. We have live entertainment now and we may in our new location. Ms. Warner asked is the building on this whole plot of land going to be all at the same time. Mr. Demetropoulos said it depends on the money situation. Once we are rezoned, it may take two or three or four years before we consider breaking ground. Depending on our fund raising efforts we would like to building everything at one time, but we would have to see.

Susan Della, 18285 W. Crabtree Lane - I have an issue about Stigler Rd, that enters our subdivision. I have lived in that subdivision since 1969 and over the years whether it was weather related, accident, fire, we had a problem getting in and out of the subdivision. Like with the snowstorm last weekend, clearing out and being able to get in and out is a concern. My concern is having the church right there makes a potential of not being able to get in and out, not having one single route to get out of that subdivision.

Mr. Demetropoulos said that depending on what the City says we have made alternative plans on Stigler to have that entrance only for emergency vehicles. That was part of the presentation you may have heard earlier. If the City requires that we have an entrance on Stigler, then we are going to follow their rules. We would be willing not to have an entrance on Stigler. Ms. Della said I don't see how it would be possible not to have an entrance on Stigler with the size of what you are intending to building, with the festival and church and community center. I don't see how it cannot happen in the future as your potential grows. Mayor Wysocki said it is up to the City Planners.

Vernon Bentley, 3450 S. Johnson Road - Is there any possibility that at a later date you would want to use any of this land for senior condos? We have had this happen in the City. Mr. Demetropoulos said as this point I cannot answer that.

Mayor Wysocki asked three times for further questions for clarification, seeing none.

Mayor Wysocki asked if there was anyone wishing to speak in favor.

George Konstantalin, 7969 S. Forest Meadows Drive, Franklin - We have a lot of friends that live in New Berlin. The proposed plan for the church has been in the planning stages for about three years and for the most part everybody that we have spoken with has had nothing but good things to say about the whole plan. I really think that if you look at the overall scope of things, we are not looking to do anything but good for the community. We expect to be good neighbors and we expect our neighbors to be good to us. We will do anything to make sure that is the case.

Constantine Dacolius, 1171 W. Westward Drive - Six years I was president of the parish council and we were investigating a community and because of the young children we needed to protect we came here.

Fr. Ted Trifon - I have been Pastor of St. Helen for the last 20 years. I came from a small parish to the South. I speak as a special father of this christian family not only for the parishioner adults, but for the children. We are expanding and growing in spirituality and community activities. We are looking for a better future for our children, therefore we come here to find a place for our children to play, socialize, learn, and grow.

Georgia Konstantalin, 7969 S. Forest Meadows Drive, Franklin - I think that having this church in New Berlin will be a benefit to the community. Just as Fr. Trifon said,

the children are confined in the small classrooms and by putting up a beautiful educational facility, I think it will allow the children to have room to listen and learn better.

Mayor Wysocki asked if there was anyone else wishing to speak in favor.

Pastor David York, Crossroads Community Church - As a pastor in the City I would like to say we would welcome you, it is a great honor for a full congregation to consider a move to our City and I trust things will work out for you.

Mike Schober, 16845 W. Cleveland - I attended the neighborhood meeting and it was a session similar to any neighborhood meeting and repeated in some respects here tonight. There are neighbors who have concerns and those are real concerns that have to be addressed. Some were supportive and some were antagonistic to the point of being boisterous in their opposition. Some expressed concerns and we may hear them again tonight. Things such as we don't want you in our neighborhood, you aren't telling us everything about your plan, we want you somewhere else. Those concerns we can't resolve nor can you. But there are some concerns based on incorrect perceptions. It has been indicated by the traffic engineers that the impact of this use has a minimal impact on the road.

It is up to the City if they want an entrance on Stigler. We heard the neighbors concerns about the entrance on Stigler. Some of those concerns may be based on perception. It is important to note that this is one step in the process. Even if the property is rezoned, it still must go through some significant critical analyse. If there is ever going to be a festival, it has to get a permit from the City. The water run off is going to require a substantial amount of study, the DNR is going to have to be satisfied and the City has fairly stringent criteria for this. The building plans, although they are conceptual, when they actually are worked out in detail, they have to come back to Plan Commission to be reviewed. There is still more to do, all of which is intended to assure that this is done right and notations can be placed upon it. Lastly for those who say that they are not contributing to the runoff problems, that is not correct. All of our houses do create those problems. The storm water runoff standards will have to be met. The problems we live with now were caused because development was allowed without those standards. The standards are stringent, the uses proposed are not extraordinary, my guess is that there will not be any huge inconveniences with the festival being held largely on the East side of the building. This is a community. It is not just a place to go home and go to bed. There has to be some things to keep us together, that allow us to function as a unit. We have differences and we all do things differently. This is an ethnic church and they have their own traditions. It seems that there should be enough room here for all of us particularly if there is no objective reason.

Yoga Menenditus, 14768 W. Hidden Creek - I am here to say what we are trying to do is build a church for our children, for our grandchildren. I have a grandchild and I would like her to have something special, for my kids and everybody's kids too. We love our neighbors. I understand the traffic you are talking about but soon everybody will have this. If we work together, we can work it out. This is a church, God's house. We are building a house of God for everybody, not just for the Greeks. Everybody is welcome to pray there.

Chris Jeefus, 12229 W. Deerborn Avenue, Wauwatosa - I grew up in a Greek Orthodox Church. My parents were immigrants. I am the first generation here. I am very fortunate as an individual. It really annoys me to hear comments from the back row. I hold one thing dear to me, that is my cross, my family, my Grandmother in Greece. We are talking about water, she drinks whatever comes down the mountain. I am very fortunate to have a family, because most kids nowadays don't go to church. We are people with faith that one day we will actually know the true meaning of life because I don't think anyone really knows it yet. We are still searching. It has to start with everybody. It just can't start with me, it can't start with my Mom, it can't start with the neighbor, it has to be everybody joining hands and become one. Sure we have problems but we can work them out. The world will progress in the year 2002 and I would like my ethnic background, my child, my child's child, everyone here to progress forward.

Hristut Mihus, 3156 S.29th Street, Milwaukee - I am 22 years old. I've grown up in the church. I hope in the future when this gets built that I can go there and that my best friend can come from the church, I can hang out with him, and the people I

know and love here are at the church and I hope it will keep going on for me and new members and anyone else coming to our church.

Panagiotis Mihos, 340 S. Howell Drive, South Milwaukee - I can't wait for the church to be built so I can buy a house next to it. Church means a lot to our people.

Dr. Even Christodoulou, 2538 Brittany Lane, East Troy - I moved to Milwaukee back in 1994, now I live in East Troy. It is a pleasure to be in a community that I can associate with people in my culture. Our religion existed over 2000 years and we are good hard working citizens. I would hope to be asked to this community.

Mayor Wysocki asked three times if there was anyone else wishing to speak in favor, seeing none.

Mayor Wysocki asked if there was anyone wishing to speak in opposition.

Lori Grasser, 18045 W. Thornapple Lane - I am opposed to the requested rezoning and development of the Greek Orthodox Church and cultural center on 14 acres located at Stigler and Cleveland. This is area is currently trying to support two schools, a church, a day care facility, a shooting range, football field, soccer fields, baseball fields, two golf ranges, a golf course all in proximity to subdivisions and an apartment complex. The traffic is already becoming unmanageable as discussed earlier and this does not include the recently approved Lutheran Church or the Greek Orthodox Church. I remind the Council that Bethel Hill Lutheran Church development intends to ultimately increase membership upwards of over 1,000 members. We are already looking at an Elmbrook situation. Elmbrook started small as well. I would suggest to you that cumulatively speaking with the development of all three churches, this is what this community is looking at. The area simply cannot support what this church is requesting, that includes seating plans of 500. Based on their presentation, we are being asked to support traffic, noise, air and water and light pollution that will be generated by this development between the potential hours of operation of 7:30 a.m. until 1:30 a.m. Monday thru Sunday. The entrance utilization of Stigler is intrusive to the existing community. The proposed berm does not satisfy the intrusion. The recreation center for use by the community with perhaps good intentions, only brings business to a residential area. If I wanted to live near Bally's, I would move near a business zoned area.

The presentation to the neighborhood recently by the team representing the Greek Church development did not satisfy some of the questions relative to the development of the remaining 26 acres to the East. As I said, at that meeting and again tonight plans for those 26 acres were simply not known. We know the church development is looking to have festivals. Having grown up near the Greek Orthodox Church in Wauwatosa on 92nd Street, it is absolutely unacceptable to me to allow this type of activity in this area. Again, that festival started small as well. There was traffic, parking on residents lawns without permission, festival goers did unimaginable things on the property of people who lived in the area and I would add that there were behaviors that required police intervention. I submit that no parking signs will not deter the above mentioned. I have first experience with this. I would offer to the Greek Church that they consider an area to hold festivals not in a residential area, but at Malone Park or downtown cumulatively for all of the Greek culture to enjoy. This would not be intrusive to a residential area.

I would like to note that my definition of community is inclusive with creatures already existing in this area. I was extremely disappointed in having sent a letter to the Greek Church representatives well in advance of their presentation requesting their consideration of the environmental impact to the area was not addressed at all at their first meeting or this meeting. This shows to me little or no respect to the other community existing in this area now, that being the animals and the beauty of the natural world. I continually hear community, I continually hear leaving something for children and their grandchildren. I submit to you, we are leaving nothing to our children if we don't leave something natural. I would remind this council that the area we are discussing was meant to be a preserved in former Master Plans. Speaking proactively, I requested at the informational meeting that the church consider moving their complex further East from the existing neighborhood. I would request consideration for the development of a woodland that is currently in its infancy on the fourteen acres as an environmental corridor. This would not only provide the environmental improvement but would distance the development from the current community and show good faith toward the environment.

We do not want sewers and water in this area. This development may lead to that. We do not want cement in place of open fields and trees. We do not want traffic and we do not want any access to Stigler Road for traffic because we do not want Stigler to ultimately be extended through to Coffee Road. This has been voted down twice by those residents. We anticipate this would be ultimately be a request from the church or from the Planning Commission as required to handle the traffic off of Cleveland. Our life style including our children and our grandchildren would be severely negatively impacted if this rezoning and development is approved. I can fully appreciate the Greek culture and I respect it. I do not, however, agree with this particular development. We do not have all of our facts on the table at this time. I respectfully ask the Council to vote no to this rezoning request.

Arlene Reed, 16450 W. Coffee Road - I certainly don't want to see this church built. Number One, how many churches do we need in New Berlin. We can't stand the traffic over there. We are always having problems with the High School. Stigler Road would come down to Coffee Road, there is no way you are going to stop that from happening. I've been here long enough that I know New Berlin does this sort of thing. It's going to come over onto Coffee Road and they might have gotten in and out of the subdivision there in eight seconds but I have to tell you that very often I can't get out of my own driveway in a minute and a half and I'm on Coffee, one road this side of them. We don't need any more tax exempt property over there. That is suppose to be a rural community with housing on five acre lots so that we protect the water and sewer systems. We aren't going to protect anything if we let this go through. Please, do not pass this.

Emily Erickson, 18480 W. Crabtree - I am very much opposed to the rezoning of this fourteen acres for much of the same reasons and concerns that people ahead of me have expressed. There currently is approximately 125 member church with about a 50 car parking lot on the top of Stigler Road. In January 2000 the Common Council rezoned a 26 acre parcel almost directly across the street from this parcel of land for a 1,000 member church and I would guess about a 500 car parking lot. Now the Planning Commission is being asked to rezone this fourteen acre parcel to accommodate a 450 member church with a possible 250+ car parking lot. Yikes! Why in the world do we need three churches sitting one on top of another in relatively the same amount of space and using the same stretch of road? Why do we want potential heavy traffic saturation not only on Sundays, but several days during the week to accommodate the list of activities I'm sure both of these churches intend to have. My main concern for the rezoning for this church is the impact this will have on our subdivision. Thornapple is a 79 home subdivision with one ingress, egress dead-end road, Stigler. I feel rezoning this property will destroy this special environment this subdivision currently enjoys. This will happen the very second the zoning is changed. The very second the zoning is changed the damage will already have been done. We will loose the privacy, the character, the serenity, the safety, the peace of mind, and the quality of life that this unique subdivision, a jewel on the West side of New Berlin has enjoyed from its very beginning. How long do you think it will take before huge pressure will be put on the City to extend Stigler Road south to Coffee to free up the traffic. What a nightmare that would be for the residents, especially those on Stigler who now only see traffic going by to serve the subdivision as opposed to seeing traffic go by 24 hours a day, seven days a week to service the public.

In addition to traffic saturation and possible road extension, there are other concerns such as road widening, and the safety of residents living on Stigler from a huge volume of traffic coming through. Most of the houses are set close to the road plus the safety concern of two gas lines running on both sides of the road. Wisconsin Natural Gas has a line running on the East side of Stigler and the ANR Cross Country Gas Line with a 45 foot easement runs on the West side of Stigler. Also a concern, how long after this 14 acre parcel is rezoned will the church come back and want to rezone the 26 acres they own. In closing I would like to say please, please do not rezone this parcel. Do not take away the quality of life this subdivision has and would like to continue to enjoy.

Robert Prowls, 17145 W. Salentine - I would the Alderman of my district, Alderman Ament to vote against this rezoning. As a person who has moved here and lived in New Berlin a little over ten years, when I got here my taxes were 2,400.00, this past year they were 3,300.00. If we keep rezoning properties to tax exempt status, my taxes will be 4,300.00 in the very near future. The unanimous offer to pay the small amount of the police and fire protection goes no where near towards what would be earned by these properties under regular taxes and goes along way toward raising

our taxes even further. Another thing, I would ask each one of the Aldermen to go park across the street on Barker Road from the church that's located at Davidson and Barker and look at the absolute chaos that comes along on Sunday in that area from one single church. If you are going to put three churches on the same corner, you will get the same exact thing. The other thing I would ask the board to consider is unintended consequences which happens a lot. Oops, we forgot about that and all of a sudden we have things that the people in the area brought up but were not considered at the time. I would ask you to keep in mind that the taxpayers are paying way more than we need to pay in taxes and the taxpayers need to get some consideration in this issue.

As a final note, I was at home watching this on TV and felt compelled to come down after seeing and hearing what I heard. In response to Attorney Schobers statement saying that statements made by the type of people in the City of New Berlin. I take personal offense at that statement. The statements and concerns the people are bringing up here have nothing to do with the fact that these people are Greek, Italian, whatever they may be. They are legitimate concerns about peoples neighborhoods, the taxes, traffic, their children, etc. For you to sit up here and make statements and insinuations about the people in the City of New Berlin including myself, I take offense at that.

John Modlinski, 18160 W. Willow Road - To rehash everything we have said, I urge you all to vote no for this rezoning.

Mike Tomsak, 18255 W. Willow Road - I'd like to first say that I sympathize with the Greek Orthodox Church. I want the same thing for my children that you do and I'm sure everyone else does also. I understand that you heritage is very important to you and I understand how you are outgrowing your current church. I understand the fact that you want to build somewhere else that's bigger. Personally I am against doing that right at the base of a residential area. I have no problem with a Greek Orthodox Church going up in New Berlin. I think there are other places that may be better suited along say, Moorland Road south or other places where land could be purchased where the roads already support this kind of an infrastructure and there is already sewer, etc.

The traffic situation has been beat to death here pretty much. The traffic study showed the impact on Stigler Road would be minimal. Many of the church members would be coming from the East, therefore turning right and only an additional eight seconds would be added on to the wait time to get out. I am not a traffic expert, I can only express my opinion. I do believe, in the future as the membership of this church grows and membership of the church across the street grows, more of these members will be moving further out west. Obviously they are moving out this way now and will be moving out toward Waukesha and beyond in years to come. Those people will be turning left, not right.

I have a set of petitions here from residents from the subdivision as well as residents from other subdivisions in areas of New Berlin. I have 84 signatures from homeowners in Thornapple Hill subdivision and 72 other residents around New Berlin.

Jeff Olson, 18180 W. Willow Road - I would like to see you vote no to the rezoning. Please leave it residential.

Debbie Olson, 18180 W. Willow Road - I am in opposition to the rezoning of this land. I want it to continue to stay residential 5 acre parcels.

Lisa Tomsak, 18255 W. Willow Road - Please leave this property residential. The concern is not the fact that it is going to be a church that is being brought into the neighborhood. The fact is that it is going to be development that should not be there. We are already getting more than we can handle, with the other churches. I think it is best we leave it residential.

Roy Mullehan, 3225 S. Willow Road - I have lived here 12 years. You have very impressive credentials and I admire you gentlemen. I think 20 to 30 years ago Sundays meant more. Not as many people go to church now. There was more back then. That might be a good thing in this situation but its still just a bad location. I'd like to say to the Aldermen, whether you have made up your mind one way or another, I'd like you to just think hard about that stretch of road on Cleveland with

two churches across the street from each other. Think about the rush hour traffic. I just think this is a bad idea and I ask you to vote no.

Susan Della, 18285 W. Crabtree Lane - I am in opposition of the rezoning. I believe that many of this room are Christians and we do not oppose church or God. I have children and grandchildren in that area and they have seen the wildlife, they have seen trees grow from little on. They have seen an Oak tree that has grown from a small little twig to a huge tree that you can't even put your arms around. All those things will be destroyed with the parking that is proposed for that area. I don't think that you want, on a Sunday, to have your children enjoy that facility that replaces the area of environment that our children have enjoyed everyday of the week to be taken away from them every day of the future.

Michaela Modlinski, 18160 W. Willow Road - I've lived at this location for approximately 23 years. I have raised my children in this subdivision. It is a very close knit subdivision. The thing that we have liked and the reason that we came to this area is because of the security there in raising our children knowing that we are not going to have a car come running down the street and running down one of our kids. Our kids played in the street as do the kids from the new families that have since moved in. I ask that you vote no against this.

Jason Thorson, 18225 W. Thornapple Lane - I just moved into the area last year. My wife and I plan on raising a family in this subdivision. We liked the fact that it is a small area and there is not a whole lot of traffic. We were turned off by other areas that have high levels of traffic. I am not against the Greek Church but I am against it in this area.

Rhoda Flagg, 3180 W. Thornapple Lane - I just wish we could keep our neighborhood quiet and residential. I have been here since 1964 and that is the reason we moved out there, because we wanted a quiet place to live. I wish you luck in finding some other place.

Monica Latus, 18165 W. Willow Road - I would like to stress that I feel nothing against the church or the culture, only the location. I certainly hope the church will be able to build their dream church, however, with the church across the road and Cleveland being a two lane road, this is just not a good site. I hope they reconsider and find a better area.

Mary Hiebl, 20160 W. National Avenue - I should have asked this question earlier, but how long has this been zoned residential or agricultural and if it originally was intended as residential or agricultural, are we in rezoning it to institutional, misrepresenting them to the people who purchase lots there that what they thought they were buying into they are no longer are buying into. I think that needs to be a consideration as the Commission is considering. I am in opposition to this for that reason.

Vernon Bentley, 3450 S. Johnson Road - Over development in New Berlin has created flooding, storm water problems and water shortages last year. I believe the city received 700 calls for a \$5.00 charge and the people are now going to have to pay for storm water management because they believed that they don't have a problem. Everyone in the community has a responsibility to solve these problems. Traffic, water and flooding have been a problem for several years. We have a beautiful community and you want to move in and enjoy it but there are too many unknowns. There are traffic concerns and there should really be a water study. There is going to be a major change to the residential area and berms will not hide a 59 ft. structure. The church wants to move here because of the beautiful area and it is beautiful because of the way the residents in the city planned it as residential. Attorney Schober said that we should take care of our objective concerns before the zoning is changed. I am not in favor of this.

Sebastian Caravella, 3155 S. Willow Road - This is not personal or religious but I am opposed to the church. I moved in about 9 months ago and part of the reason we love it is because it is so open with the fields around. I would like to keep it that way. I am not involved in politics, but if this passes, it is something that will make me get very involved.

David Seeger, 2925 S. Stigler Road - I am definitely against the church coming in here. For one thing I see a tremendous amount of traffic on both Cleveland and

Stigler Road. Stigler Road is going to have to be widened in order to accommodate the traffic and I don't know if the property will be taken out of the landowners or the church side, but either way, I'm not in favor of widening the road and having increased traffic and a good possibility of having the road extended to Coffee Road. I've lived in New Berlin for 30 years and I love the peace and quiet out there. I like the idea of looking across the road into the open field and seeing an occasional deer running across the field, geese, and other wildlife. I don't want the extra traffic, I don't want the extra pollution, and I don't want the added water problems. I am thoroughly against the church coming in here.

Roy Hammond, 18315 Thornapple Lane - I moved into New Berlin area 29 years ago. I came out of the big city known as Milwaukee. I moved there to get away from the chaos. I found this place out here. I moved into it and raised my children. I see the neighborhood come and go with people. I've seen children raised, I see children playing all over the place, I see ladies and gentlemen walking their dogs and their little ones. I just don't believe this area can handle all this, just like everybody else says. I've heard remarks insinuating that we don't really care about the Greek Orthodox people, that is not true. That is the furthest thing from my mind. This has to do with all the residents of New Berlin because if it can happen in Thornapple Hill, it can happen in numerous other sections of the community. I welcome the Greek Orthodox Church to New Berlin. I would be glad to see them come, but I would hope that they would try to find a more suitable area. I don't know exactly where it would be, I have a few ideas myself but it is not my decision. I hope that we can all live in harmony and that is the way it should be. Let's try to work together on this.

Mayor Wysocki asked three times if there was anyone else wishing to speak in opposition, seeing none.

Mayor Wysocki asked the Plan Commissioners for questions for the purpose of clarification.

Alderman Ament - I have a lot of concerns, many of them have been brought up already. I am looking at the sheet that was handed out at the meeting I could not attend because of the Council meeting that same night. I am looking at the page where it says parish activity hall and it shows seating for 500 persons and on the next page it addresses the parish activity center and says it will be used for affairs such as wedding receptions, baptism receptions, church social events, community events, etc. These events generally will take place from approximately 5:00p.m. to 1:00 a.m. Recreation hours of operation will be from 7:30p.m. to 10:00p.m. Monday - Friday.

The 5:00 p.m. to 1:00 p.m. is probably going to be a serious problem in that neighborhood. I just can't see that use in that neighborhood. Relating this all to the Master Plan and what this Master Plan has told those people in that area over the years. I also have a serious concern about the water study. I don't know how we could possibly make a decision on this with type of a water study. They are mentioning that there are five employees but that doesn't account for the all the visitors, all the people there for all the activities we heard about. That study in my mind is meaningless. I am also looking at the parking stalls here. When you relate 250 parking stalls to the number of people that will be there for just one event it means as they have said that they will have to use another church facility just for the additional parking. This doesn't take into account any growth. That is assuming that church will have the same amount of people going in and out of it as it does in its present location.

The septic and well are another major item. When we were talking about the issue of sewer capacity in the Northwest sewer area, it was indicated that the City may have to supply to sewer to anyone who needs it according to State Statutes, is that correct?

Attorney Schober said I don't believe that is a correct statement as you generalized it. Take for example, Westbrook area. That is an area where the minority of the people in the northwest corner of the city wanted sewer. They did a referendum vote on it and the majority said no. Sewer was not provided. The comment I made in this particular situation is that this is different. If you have municipal sewers and introduce water, it ends up in Lake Michigan or the Gulf of Mexico by the Fox River or Mississippi River System. Here the water taken from the ground will go back into the ground.

Alderman Ament - To alleviate some of the concerns, if somewhere down the road the church decided or something happened where their septic or holding tank wasn't able to handle it, they could not require by State Statutes that the city supply them with sewer service?

Attorney Schober - No, not as I see it.

Alderman Ament - So that is somewhat less of a concern. What about water? Is it possible if their well or the wells in that area had problems, could the State or County require water service to be brought to the area.

Mr. Lake - Potentially the State could get involved but they generally don't. Water is 700' to the East of this property. This property could be tied to the City water service.

Alderman Ament - I also have a concern with the traffic. Most of these things have been pretty much covered. Pauline Jaske mentioned that the County would not allow the entrance and entrance and exit on Cleveland Avenue. There would be no alternative but to go in and out on Stigler. That would pose a serious problem.

Mr. Lake - The County and City would require access to the less traveled road. In this case, the County, as far as I can tell from the traffic engineer, is looking at the fact they could have two churches, they may say that the less traveled would be the intersection created on Stigler . It would be better to have a controlled access at some other point other than Stigler Road. We are going to be getting the traffic report and letter from the County on Friday.

Alderman Ament - If this were the only church

NEW BERLIN PLAN COMMISSION AGENDA

NEW BERLIN CITY HALL COUNCIL CHAMBERS MARCH 4, 2002

The Plan Commission meeting of March 4, 2002 was called to order by Mayor Wysocki at 9:34 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament, Mr. Felda. Also present were Greg Kessler, Director of Community Development, Mark C. Lake, Director of Planning, Olofu Agbaji, Associate Planner, Dave Haines, Associate Planner/Mapping Coordinator, Nikki Jones, Associate Planner.

Motion by Alderman Ament to approve the Plan Commission Minutes of February 4, 2002. Seconded by Mr. Barnes. Motion passes with Mr. Felda abstaining.

Plan Commission Secretary's Report - The Plan Commission Meeting scheduled for July 8 is changed to July 1, 2002.

CONTINUED ITEMS

5. PG-293 - Bike and Pedestrian Facilities Plan Revision

Mr. Haines reported on the Bike and Pedestrian Facilities Plan Revision. Examples of recreational trails and sidepaths were shown. Neighborhood links, shoulder facilities, bike routes were also described. The Alternative Transportation Committee has formed recommendations for future bike and pedestrian facilities. Mayor Wysocki discussed the loss of shared revenues and the revenue adjustment bill by the Governor and the possibility of the cap on spending so it will be difficult to implement such recommendations in the near future. Mr. Lake said it is possible for developers to be responsible for major linkages. Funds are available from impact fees, public site and open space and trail fees required to be spend on trail acquisition and upkeep and maintenance.

Motion by Mr. Barnes to table the Bike and Pedestrian Facilities Plan. Seconded by Mr. Felda. Motion carried unanimously.

6. () City of New Berlin Plan Commission Bylaws

a) Resolution

Motion by Mr. Barnes to adopt the Resolution to the City of New Berlin Plan Commission Bylaws. Seconded by Mr. Teclaw. Motion carried unanimously.

7. (2) CU-12-01 U. S. Cellular – 13620 W. Fieldpointe Dr. – 180' Wireless Communication Facility and a New Equipment Shelter. (Deferred 1/7/02, 2/4/02)

Motion by Alderman Ament to remove this item from the table. Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Mr. Barnes to withdraw this item from the agenda per the applicants request. Seconded by Mr. Teclaw. Motion carried unanimously.

8. (1) CU-11-01 – U.S. Cellular - 12800 W. National Ave. – 70' Stealth Flagpole Tower and a 12' x 20' Equipment Shelter. (Deferred 1/7/02, 2/4/02)

Motion by Alderman Ament to remove this item from the table. Seconded by Mr. Teclaw. Motion carried unanimously.

Motion by Mr. Graber to withdraw this item from the agenda per the applicants request. Seconded by Alderman Ament. Motion carried unanimously.

9. (4) S-158-01 Historic Gopher Hills - 5775 S. Racine Ave. - Conceptual subdivision.(Tabled 7/9/01, Deferred 2/4/02)

Motion by Mayor Wysocki to deny without prejudice and refund the application cost for 30 lots for the Historic Gopher Hills conceptual subdivision located at 5775 S. Racine Avenue based on the following:

1) Conceptual plan fails to meet the basic requirements of a Conservation Subdivision;

a) Development occurring within the sensitive areas of the property along the north slope, and within the naturally wooded areas,

b) Common open space not contiguous to all individual lots, Lots 1-4, 6,7 are isolated and not connected to the required open space. Minimum Open Space required for this development as a Conservation Subdivision is 35.5 acres.

c) Minimum density required is 5:1, which would allow for only 17 lots if 60% of the development (or 42.9 acres) is in common open space.

d) Wetlands and Isolated Natural Areas not field identified or field delineated for inclusion in the design of the development.

e) Minimum lot width at setback is 150'. Lots 17, 18, 24, and 25 are substandard

f) Steep slope may preclude development of a number of lots. Wooded areas and areas with steep slopes need to be 25% wider, and will make septic placement and lot grading very challenging.

g) Development requires rezoning to R-2, Suburban Single-Family Residential.

Seconded by Mr. Barnes. Motion carried unanimously.

10. (7) S-160-01 Rogers/Thomson/Polzin Lands – 5265 S. Racine Ave. - 60-Lot Subdivision. (Deferred 2/4/02)

Motion by Mr. Barnes to remove this item from the table. Seconded by Mr. Felda. Motion carried unanimously.

Motion by Mayor Wysocki to recommend to Council denial without prejudice of the request by Rogers/Thomson/Polzin Lands for a 60 lot conservation subdivision located at 5265 S. Racine Avenue based on the following:

1) Application fails to meet the overall West side density requirements of the updated Master Plan agreed upon and approved by this Plan Commission as of August 24, 2001.

2) Under Municipal Code 275-13(E)(1) the Plan Commission may exercise its judgment according to that plan, therefore, apply the code as it currently exists.

Seconded by Alderman Ament. Motion passes with Mayor Wysocki, Mr. Gihring, Alderman Ament, Mr. Felda, Mr. Teclaw voting Yes and Mr. Graber, Mr. Barnes voting No.

11. (5) LD-14-01 Honeyager - 3949 S. Sunny Slope Rd. - SE 1/4 Sec. 14 - Three lot final land division. (Deferred 2/4/02)

Motion by Alderman Ament to table the request by Honeyager for a three lot final land division located at 3949 S. Sunnyslope Road, SE 1/4 Sec. 14 to wait for action by Council on the preliminary land division.

Seconded by Mr. Graber. Motion carried unanimously.

NEW BUSINESS

12. (5) U-1-02 United States Cellular Corp. – 12660 Beloit Rd. – Installation of PCS Antennas and Placement of Equipment Cabinets Enclosed Into a Shelter. WVCY Towers.

Motion by Alderman Ament to approve the request by United States Cellular Corp. to co-locate antenna arrays on the existing 498 feet guyed tower and install a 10' x 20' equipment cabinet at 12660 Beloit Road subject to:

1) Applicant shall be required to meet all the conditions of approval for U-88-01 approved by Plan Commission on December 3, 2002. The conditions include:

a) Proposed fence shall be constructed without barbed wire on top. Vinyl slats shall not be used on the fence as a screening mechanism.

b) Entire site clean up is required prior to issuance of Zoning Permit. Site clean up shall include the removal of the semi-trailer in the rear of the building, removal of all the discarded tower parts and the abandoned cable reels.

c) There is no approval on file for the existing fence in front of the building, East of the driveway. This shall be removed or applied for along with the application for Cellular One co-location.

d) Submitted landscaping plan must be approved by the Department of Community Development (Planning) prior to installation. A signed copy must be in your possession prior to commencement of any landscaping work.

Seconded by Mr. Barnes. Motion carried unanimously.

13. (4) U-2-02 GMR Marketing - 5000 S. Towne Drive - Trash enclosure and smoking shelter.

Motion by Mr. Barnes to approve the request by GMR Marketing for a trash enclosure and separate smoking shelter located at 5000 S. Towne Drive subject to:

1) Applicant will be required to meet all the outstanding conditions of approval of Zoning Permits #U-19-00 approved by Plan Commission on 4/3/00, as it relates to the site:

Condition #10 states, "All aboveground utilities, both onsite and offsite required to be

buried per the requirement of the TIF District."

2) The Department of Community Development shall approve landscaping plan and all necessary sureties shall be posted prior to installation. Installation shall be in early spring of 2002. Landscaping plan shall be revised to include 5 White or Colorado Blue Spruce plants around the electric transformer and generator. Additional planting shall be added to the South side of the access drive to screen the dumpster enclosure.

3) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Building plans must be stamped by a Wisconsin Registered P. E. or Architect prior to issuance of a Building Permit.

4) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code. Building must meet all applicable building and fire codes.

Seconded by Mr. Graber. Motion carried unanimously.

14. (3) U-3-02 Wisconsin Glacier Springs Bottling LLC - 2244 S. Calhoun Road - Silo Storage Tank

Motion by Alderman Ament to approve the request by Wisconsin Glacier Springs Bottling LLC for a silo storage tank located at 2244 S. Calhoun Road subject to:

1) A revised landscaping plan for the entire site shall be submitted to the Department of Community Development (Planning) prior to issuance of Zoning Permit. Landscaping plan shall be approved prior to installation on or by May 31, 2002.

2) Revised site plan shall show the number of parking stalls adjusted from angle to parallel parking to accommodate semi-tanker parking during water delivery. Plan shall also show all parking stalls and the designated area for parking and storage of vehicles and other items on site.

3) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Detailed engineering for footings (support) of base required for Building Permit.

4) Building must be maintained per Chapter 201 of the New Berlin Municipal Code. Building must meet all applicable building and fire codes. Collision protection required around base of tank.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Chapter 275-56 (G). Location of dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match or enhance the exterior architecture of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.

6) A general site cleanup shall be required for this site. All junk and trash and discarded boxes and material shall be removed from this site.

Seconded by Mr. Teclaw. Motion carried unanimously.

15. (5) U-4-02 Walgreens – 3855 S Moorland Rd – Remove Bartletts and Goodyear and Replace with Walgreens.

Motion by Alderman Ament to approve the request by Walgreens to remove Bartletts and Goodyear and replace with Walgreens at 3855 S. Moorland Road subject to:

1) All aboveground utilities both on-site and off-site to be fed underground to included, but not limited to WEPCO, Ameritech, Time Warner, and other telecommunications lines.

2) Building foundation shall be adjusted to be 26 feet from the rear setback.

(Southern lot line)

3) A revised detailed Landscaping Plan is required per section 275-56 of the New Berlin Zoning Ordinance. Plan should be coordinated with National Avenue plans. Schedule of size and species of landscaping materials required for all areas of the development along roadways both internal and external and landscaping islands. Mechanical screening needs to be addressed within the Landscape Plan. Installation Bond and Maintenance Bond required prior to approval of and installation of landscaping materials.

4) Building architecture and materials to be approved by the Architectural Control Subcommittee prior to issuance of Zoning Permit. Clean up West elevation including, but not limited to matching brick on permanent walls surrounding trash, recycling, etc. enclosures. Wood doors shall be stained and sealed to match brick.

5) Per Section 275-56 (G) of the New Berlin Zoning Ordinance, dumpsters must be properly screened from the street and public view. Location of dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match or enhance exterior of the principle building, and must be built to accommodate both solid as well as recyclable waste dumpsters.

6) The building is required to be fully sprinklered. Alarm system required. A yard fire hydrant is required within 150' of all Fire Department connections. Knox box required. Applicant shall submit State of Wisconsin and Local Fire Prevention Bureau Plan Approvals. Above ground storage tanks at Goodyear shall be removed by a certified remover. Submittal of the Phase I Environmental Analysis for City records. Building must be maintained per Chapter 201 of the New Berlin Municipal Code. No outside storage shall be permitted on the lot.

7) Installation of street lighting and trees along the entire road frontage (South Moorland Road and West National Avenue) including Associated Bank frontage is required. Revised lighting Plan required.

8) Building permits are required for the Walgreens store. Razing permits are required from for Goodyear and Bartlett's Restaurant.

9) A monument sign shall be required as part of this development. Monument sign base shall be constructed of the same material as the principle building. The location of the monument base shall be approved by the Department of Community Development (Planning) prior to installation. Signage requires a separate permit. Sign Permit shall be secured prior to the erection of any signage.

10) Applicant shall pay all appropriate sewer and water impact fees prior to issuance of building permit.

11) Applicant shall meet all conditions identified by Engineering Staff include:

a) Applicant shall follow City of New Berlin Storm Water Ordinance in its entirety, including the submittal of a fee in lieu of detention as approved by the City Engineer.

b) Applicant shall revive approval of drainage, grading, and overall site plans by the Engineering Department required prior to issuance of Zoning Permit.

c) The Engineering Division will require upsizing of the 12" storm sewer connecting to the 42" diameter on Moorland Road.

d) Submittal of a Traffic Study shall be required. This study shall include ingress and egress options for the Walgreen's development. The County has stated it will allow for a "right in only" at the first entrance on Moorland Road off of National Avenue to Associated Bank and Walgreen's.

e) The applicant shall, Subject to Waukesha County DOT approval, abandon the four existing sanitary sewer laterals at that main at

National Avenue and Moorland Road pavements as well as the two water laterals and curb stop.

f) The applicant is required to have a stakeout survey stamped by a Registered Land Surveyor (RLS).

Seconded by Mr. Teclaw. Motion carried unanimously.

16. (4) U-5-02 Gencap Westridge I, LLC – 5455 S Westridge Dr – Gencap bought building from Subro Audit for multiple tenant use.

Motion by Alderman Ament to approve the request by Gencap Westridge I, LLC for multiple tenant use at 5455 S. Westridge Drive subject to:

- 1) All new tenants shall be required to apply for Reoccupancy and receive a Zoning Permit prior to occupying the building. Prospective tenants will be review on a case-by-case basis and could be denied subject to the availability of parking spaces.
- 2) Any new sign for this site shall require a separate application and approval from the Department of Community Development (Planning) prior to installation. A new sign face shall be required for the existing monument sign. Sign shall identify the name of the building or shall be divided between the tenants of the building.
- 3) Building must be maintained per Chapter 201 City of New Berlin Municipal Code.
- 4) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 5) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 6) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Chapter 275-56(G).
- 7) No outside storage will be permitted on the property unless identified prior to Plan Commission approval.

Seconded by Mr. Graber. Motion carried unanimously.

17. (3) U-6-02 Spincraft – 2455 Commerce Dr. – Raise roof 5' vertically for new heat treating furnace.

Motion by Alderman Ament to approve the request by Spincraft to raise the roof 5' vertically for new heat treating furnace located at 2455 Commerce Drive subject to:

- 1) New raised roof section to match color and architecture of existing raised roof section.
- 2) Applicant shall remove all the illegal banners and signage on the façade of the building by March 4, 2002 or prior to issuance of Zoning Permit. The banners are in violation of Chapter 275-61(1) of the City of New Berlin Municipal Code.
- 3) Building & HVAC Permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.
- 4) Building plans must be stamped by a Wisconsin registered architect or professional engineer prior to issuance of a Building Permit.
- 5) A revised landscaping plan for the entire site shall be submitted to the Department of Community Development (Planning) prior to issuance of Zoning Permit. Landscaping plan shall be approved prior to installation on or by May 31, 2002.
- 6) Building must meet all applicable building and fire code

7) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.

Seconded by Mr. Barnes. Motion carried unanimously.

18. (5) U-7-02 New Berlin Dental – 4020 S Church Dr – 864 sq. ft. Building Addition

Motion by Mr. Teclaw to approve the request by New Berlin Dental for a 864 sq. ft. building addition located at 4020 S. Church Drive subject to:

- 1) Submittal of a detailed revised grading plan that shows spot grades around the property is required. This should be shown at a larger scale. Plan should also address the slope along the side drives in relation to adjoining properties. Grading and drainage plans must be worked out and approved by the Department of Community Development (Engineering) prior to issuance of Building Permit.
- 2) Proposed addition must match the material, color and style of the existing building.
- 3) Building addition including eaves shall meet the setback requirements. Eaves shall be a minimum of 25' from the rear property line.
- 4) A revised landscaping plan for the entire site shall be submitted to the Department of Community Development (Planning) prior to issuance of Zoning Permit. Landscaping plan shall be approved prior to installation on or by May 31, 2002. Landscaping buffer shall be extended to screen the incompatible residential use from the office building. Applicant shall be required to submit a revised landscaping plan that adequately addresses the screening of the residential portion.
- 5) A tree inventory of the property shall be required. Applicant shall be required to document the trees and provide a replacement schedule as outlined in Chapter 275-54 of the City of New Berlin Municipal Code.
- 6) Applicant shall be required to submit a parking adjustment petition that will meet the parking requirement of the building occupants and customers. The rear parking area and the access driveway shall be revised according to reflect this petition in an effort to minimize the overall impervious area and to save as much matured tree as possible.
- 7) Building plans must be stamped by a Wisconsin Registered Architect prior to issuance of a Building Permit. Energy and heat loss calculations required for Building Permits.
- 8) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.
- 9) Building must meet all applicable building and fire codes.

Seconded by Mr. Gihring. Motion carried unanimously.

19. (1) U-8-02 Educators Credit Union Leasing Dept. – 14019 W Greenfield Ave – Leasing Dept for credit union

Motion by Alderman Ament to approve the request by Educators Credit Union Leasing Dept for a leasing department for credit union located at 14019 W. Greenfield Avenue subject to:

- 1) Approval shall be granted for an Automobile Leasing Office for administrative operations only. This will expressly prohibit the outside and or indoor storage or display of vehicles for lease/ sale. There shall be no overnight storage of vehicles at this location.
- 2) Applicant shall be required to submit state requirement for 8' wide access door to the leasing office otherwise exterior façade and doors shall match that of the adjacent bank.

3) Applicant shall be required to apply for and receive a Sign Permit from the Department of Community Development (Planning) prior to occupancy. Sign shall meet the requirements of the coordinated sign standard for Greenfield Plaza. All tenants at this complex shall be required to have signage by April 1, 2002.

4) All outstanding landscaping and site requirements shall be resolved prior to issuance of Building Permit for this project.

Seconded by Mr. Barnes. Motion carried unanimously.

20. (7) U-9-02 Wisconsin Electric-Wisconsin Gas - 3630 Cari-Adam Drive - Attach a 12 ft. antenna to existing communication tower at the 220+ level.

Motion by Mr. Barnes to approve the request by Wisconsin Electric-Wisconsin Gas to attach a 12 ft. antenna to existing communication tower at the 220 ft. level located at 3630 Cari-Adam Drive subject to:

1) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Added wind load and attachment point plans must be stamped by a Wisconsin Registered Engineer prior to issuance of a Building Permit.

2) Building must meet all applicable building and fire code.

3) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.

Seconded by Mr. Gihring. Motion carried unanimously.

21. (3) U-12-02 Señor Luna - 1901 S. Calhoun Road - 2nd Floor Apartment, new windows, new small deck (west side), new external staircase (west side).

Motion by Alderman Ament to approve the request by Señor Luna for 2nd floor apartment new windows, new small deck (west side), and new external staircase (west side) located at 1901 S. Calhoun Road subject to:

1) Señor Luna's proprietor or a designated manager shall occupy the living quarters. This space shall not be rented out as a commercial property.

2) Applicant shall be required to replace all dead trees and shrubs along the westerly property line.

3) Relocate sump pump to North side of building.

4) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.

5) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code. Building must meet all applicable building and fire codes.

6) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Chapter 275-56 (G).

7) A general site cleanup shall be required for this site. All junk and trash and discarded boxes and material shall be removed from this site.

Seconded by Mr. Graber. Motion carried unanimously.

CONSENT AGENDA (One motion and second will approve all of the following items listed. Any item may be pulled from the list and handled separately.)

Motion by Alderman Ament to approve items 22 - 28. Seconded by Mr. Barnes. Motion carried unanimously.

ZONING PERMITS

22. (2) RO-1-02 EC-Infotech, LLC – 15350 W. National Ave. – Office.

The request by EC Infotech, LLC for an office located at 15350 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) No future sign permits will be issued for sign face changes as the existing ground signs have become legal non-conforming. Any further changes to the sign will be a violation of Chapter 275-61 of the City of New Berlin Municipal Code. A monument sign shall be required per Section 17.08 Sec. (10) of the New Berlin Zoning Ordinance.
- 2) No outside storage will be permitted on the property.
- 3) Employee and customer parking must be contained on this site.
- 4) Dumpsters must be properly screened from the street and public view in accordance with Chapter 275-56(G) of the City of New Berlin Municipal Code.
- 5) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 6) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

23. (7) RO-2-02 Milwaukee Direct Marketing, Inc. – 15787-93 W. Ryerson Rd. – Production of Mail Pieces and Storage and Offices.

The request by Milwaukee Direct Marketing, Inc. for production of mail pieces, storage and offices located at 15787-93 W. Ryerson Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) No future sign permits will be issued for sign face changes as the existing ground signs have become legal non-conforming. Any further changes to the sign will be a violation of Chapter 275-61 of the City of New Berlin Municipal Code. A monument sign shall be required per Chapter 275-61 of the City of New Berlin Municipal Code.
- 2) No outside storage will be permitted on the property.
- 3) Employee and customer parking must be contained on this site.
- 4) Dumpsters must be properly screened from the street and public view in accordance with Chapter 275-56(G) of the City of New Berlin Municipal Code.
- 5) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 6) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

24. (4) RO-3-02 AutoKraft LLC – 18730 W. College Ave. – Automotive Repair Facility.

The request by AutoKraft LLC for an automotive repair facility located at 18730 W. College Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) No outside storage of items, merchandise, junk, material, or vehicles shall be permitted on the property. The two semi-truck trailers located behind the building, the water heater, and concrete bases for the light pole, and the truck for sale shall be removed by March 1, 2002 at which time a site inspection shall be made. Failure to comply could lead legal action outlined in Article X Section 275-68 of the New Berlin Municipal Ordinance.

2) The parking and landscaping plan shall be approved by Department of Community Development (Planning) staff and shall be installed by July 8, 2002 at which time a site inspection shall be made.

3) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance. The dumpster enclosure shall be constructed by July 8, 2002 at which time a site inspection shall be made.

4) Applicant shall not operate an automotive body repair shop.

5) All signs for this business require a Sign Permit prior to display and shall conform to Article VIII Section 275-61 of the New Berlin Municipal Ordinance. If a sign is displayed before a Sign Permit is issued, the applicant shall pay twice the normal amount for the Sign Permit.

6) Employee and customer parking must be contained on this site.

7) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.

8) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.

9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

25. (7) RO-5-02 Lionel Train Club, Inc. – 2721 S. Calhoun – Train Club House.

The request by Lionel Train Club, Inc. for a train club house located at 2721 S. Calhoun Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) The parking lot shall be re-stripped and resealed by June 3, 2002. An inspection of the property shall be conducted on said date.

2) No future sign permits will be issued, as the existing multi-tenant reader board is legal non-conforming. Any further changes to the sign will be a violation of Article VIII Section 275-61 of the New Berlin Municipal Ordinance. A monument sign shall be required and shall be in compliance Article VIII Section 275-61 of the New Berlin Municipal Ordinance.

3) Employee and customer parking shall be restricted to the rear portion of the parking. Parking for club meetings shall be limited in number and time to 50 cars or fewer and shall be held after 5:00PM on weekdays and business hours on weekends as stated in the letter on file in the Department of Community Development (Planning) from the Parkland Plaza Condominium Association.

4) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.

5) No outside storage of items, merchandise, junk, material, or vehicles shall be permitted on the property.

6) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.

7) Building must be maintained per Chapter 201 of the City of New Berlin Municipal

Code.

8) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

26. (7) RO-6-02 Sax Arts & Crafts - 2725 S. Moorland Road - Office for marketing, sales, and mail order.

The request by Sax Arts & Crafts for an office for marketing, sales, and mail order located at 2725 S. Moorland Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) Employee and customer parking must be contained on this site and to the allotted 30 parking stalls at 2855 South Moorland Road designated in a letter submitted by applicant on February 8, 2002. All future tenants of this building shall apply for and receive approval from the Plan Commission prior to signing a lease or occupying the building. Prospective tenants will be reviewed on an individual basis and could be denied due to limited to parking.

2) All signs for this business require a Sign Permit prior to display and shall conform to Article VIII Section 275-61 of the New Berlin Municipal Ordinance. If a sign is displayed before a Sign Permit is issued, the applicant shall pay twice the normal amount for the Sign Permit.

3) No outside storage of items, merchandise, junk, or materials shall be permitted on the property. The parking of two company vans shall be allowed.

4) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.

5) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.

6) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.

7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

27. (7) RO-7-02 Nexgen LLC - 2738 S. 163 Street - Selling, distributing, marketing, aircraft parts

The request by Nexgen LLC for selling, distributing, marketing, aircraft parts located at 2738 S. 163 Street has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) No outside storage of items, merchandise, junk, material, or vehicles shall be permitted on the property. The boat on the trailer and the trailer in the southerly parking stalls shall be removed by April 1, 2002.

2) The two existing multi-tenant ground signs shall be removed by June 1, 2003, as required by Article VIII Section 275-61 of the New Berlin Zoning Ordinance at which time a submittal of an application for a monument sign shall be made to the Department of Community Development (Planning).

3) Employee and customer parking shall be contained onsite.

4) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.

5) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.

6) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.

7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

28. (7) RO-8-02 WI Fireplace Systems – 2885 James Dr. – Business & Warehouse operations for fabricated fireplaces, inserts, etc.

The request by WI Fireplace Systems for a business and warehouse operation for fabricated fireplaces, inserts, etc. located at 2885 James Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All signs for this business require a Sign Permit prior to display and shall conform to Article VIII Section 275-61 of the New Berlin Municipal Ordinance. At the time of application a monument sign shall be required and shall meet the provisions of by Article VIII Section 275-61 of the New Berlin Zoning Ordinance. If a sign is displayed before a Sign Permit is issued, the applicant shall pay twice the normal amount for the Sign Permit.

2) No outside storage of items, merchandise, junk, or material shall be permitted on the property. The parking of 15 company trucks shall be permitted in the northwest 15 stalls on the site.

3) Employee and customer parking shall be contained onsite.

4) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.

5) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.

6) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.

7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

CONSENT AGENDA (One motion and second will approve all of the following items listed. Any item may be pulled from the list and handled separately.)

Motion by Mr. Barnes to approve items 29-36. Seconded by Mr. Graber. Motion carried unanimously.

STAFF APPROVED

29. (5) SG-1-02 Hair & Body Solutions – 15440 W. Beloit Rd. – Wall Sign.

The request by Hair & Body Solutions for a wall sign located at 15440 W. Beloit Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Chapter 275-61 of the New Berlin Municipal Ordinance and the Moorland Commons of Westridge Overall Coordinated Sign Plan.

2) The wall sign shall be constructed of white plexiglas acrylic #7328 faces, 313 Duranodic Bronze returns, 313 Duranodic Bronze trim caps, and Matthews Nunance Grenadier Gold 34C-3D raceways.

3) The wall sign shall not exceed 2'0" in height and shall not exceed 16'0" in width.

4) The wall sign copy shall be 30 square feet in area, the copy shall have white plexiglas acrylic #7328 faces and 313 Duranodic Bronze trim caps, and shall read "Hair and Body Solution."

5) The wall sign shall be internally illuminated with 13 mm 6500 Snow White 60 mA transformers and shall be turned off outside normal business hours.

6) No payment is required per the calculations below:

Wall Sign Face: 1'2" x 16'0" = 18.6 sq.ft. x 1 side = 18.6 sq.ft. x \$3.00/sq.ft. = \$55.80

Less Application Fee (\$75.00): \$0.00

7) Building Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

8) Electrical Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

30. (4) SG-2-02 Motion Fitness & Racquet Club – 14999 W. Beloit Rd. – Two Temporary Signs.

The request by Motion Fitness & Racquet Club for two temporary signs located at 14999 W. Beloit Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Chapter 275-61 of the City of New Berlin Municipal Code.

2) The temporary development sign shall not exceed 4'0" in height and 8'0" in width, shall be located outside the right of way of Beloit Road, and shall read "Future Home of Motion Fitness & Racquet Club – Opening Fall of 2002 – Venture Development – General Contractor – 262-524-6000 – Eppstein Uhen."

3) The temporary development sign shall be removed at the end of construction or by January 31st, 2003 which ever comes sooner.

4) The temporary construction sign shall not exceed 4'0" in height and 8'0" in width, shall be located outside the right of way of Beloit Road, and shall read, "Venture Development – General Contractor – 547-3131." All subcontractors and lending/financial partners shall be listed on this sign.

5) The temporary construction sign shall be removed at the end of construction or by January 31st, 2003 which ever comes sooner.

6) A payment of \$117.00 is required per calculations below:

Temporary Development Sign Face: 4'0" x 8'0" = 32 sq.ft. x 1 side = 32 sq.ft. x \$3.00/sq.ft. = \$96.00

Temporary Construction Sign Face: 4'0" x 8'0" = 32 sq.ft. x 1 side = 32 sq.ft. x \$3.00/sq.ft. = \$96.00

Less Application fee (\$75.00) = \$117.00

7) Building Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

8) Electrical Permits are required per Chapter 275-25 of the City of New Berlin

Municipal Code.

31. (7) SG-3-02 InfraSource – 2936 S. 166 St. – Name Change.

The request by InfraSource for a sign name change located at 2936 S. 166 Street has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Chapter 275-61 of the City of New Berlin Municipal Code.

2) The overall externally illuminated monument sign face shall not exceed 32 square feet in area, the monument sign copy shall not exceed 1'6" in height and 6'0" in width, shall be black and gold on a white background, and shall read "InfraSource."

3) The non-illuminated monument sign shall not exceed 16 square feet, shall be black, gold, and blue on a white background shall read, "InfraSource – Training – Center."

4) The monument sign face shall be externally illuminated and shall be turned off outside normal business hours.

5) The monument sign shall not be illuminated in any way.

6) No payment is required per calculations below:

Monument Sign Faces: (2'0" x 7'0") + (2'0" x 4'0") = 22 sq.ft. x 1 side = 22 sq.ft. x \$3.00/sq.ft. = \$66.00

Less Application Fee (\$75.00) = \$0.00

7) Building Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

8) Electrical Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

32. (2) SG-4-02 New Berlin Auto Body II, LLC – 14750 W. National Ave. – Sign Cabinet.

The request by New Berlin Auto Body II, LLC for a sign cabinet located at 14750 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Chapter 275-61 of the New Berlin Municipal Ordinance.

2) Applicant shall be required to install all architectural enhancements per Sign Permit #S-61-01 approved by Plan Commission on 11/05/01 and signed on 11/02/01.

3) Exposed wooden portion of sign cabinet shall be painted.

4) The monument sign face shall not be internally illuminated, and all lighting fixtures on the inside of the cabinet shall be removed.

5) The monument sign shall be externally illuminated and shall be turned off outside normal business hours. The external illumination shall require an Electrical Permit per Chapter 275-25 of the City of New Berlin Municipal Code.

6) The monument sign face shall not exceed 4'0" in height and 8'0" in width and shall read "New Berlin – Auto Body Collision- & - Office Center – Since 1960" on a red plexiglas face in gold letters.

7) No payment is required per calculations below:

Fees Paid on Sign Permit #S-61-01

8) Building Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

9) Electrical Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

33. (4) SG-5-02 Global Fasteners & Supply/GF&D – 5500 S. Westridge Dr. – After-the-Fact Change Face.

The request by Global Fasteners & Supply/GF&D for a sign face change located at 5500 S. Westridge Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Article VIII Section 275-61 of the New Berlin Municipal Ordinance.

2) Failure to obtain your Sign Permit shall be considered a continuation of the violation letter sent 01/10/02 and could lead to legal action per Article X Section 275-68 of the New Berlin Municipal Ordinance.

3) The monument sign face shall not exceed 4'0" in height and 8'0" in width and shall read "Global - Fastener & Supply, Inc. – GF&D – Systems, Inc." on an beige background in burgundy, green, and black letters.

4) The monument sign face shall not be internally illuminated.

5) A payment of \$117.00 is required per calculations below:

Monument Sign Face: 4'0" x 8'0" = 32sq.ft. x 2 sides = 64sq.ft. x \$3.00/sq.ft. = \$192.00

Less Application Fee (\$75.00): \$117.00

6) Building Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

7) Electrical Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.

34. (3) SG-6-02 Harmonics Ltd. – 17300 W. Cleveland Ave. – Face Change.

The request by Harmonics Ltd. for a sign face change located at 17300 W. Cleveland Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Article VIII Section 275-61 of the New Berlin Municipal Ordinance.

2) The monument sign face shall not exceed 1'0" in height and 8'0" in width and shall read "Harmonics Limited" on a white background in black letters.

3) The monument sign face shall be internally illuminated.

4) No payment is required per calculations below:

Monument Sign Face: 1'0" x 8'0" = 8 sq.ft. x 2 sides = 16 sq.ft. x \$3.00/sq.ft. = \$48.00

Less Application Fee (\$75.00): \$0.00

5) *Building Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.*

6) *Electrical Permits are required per Chapter 275-25 of the City of New Berlin Municipal Code.*

35. (3) SG-7-02 Jiffy Stop - 17201 W. Greenfield Avenue - Modify existing pylon sign to a monument sign. Cut sign pole and re-weld to bring into compliance.

The request by Jiffy Stop to modify an existing pylon sign to a monument sign and to cut sign pole and re-weld to bring into compliance located at 17201 W. Greenfield Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Article VIII Section 275-61 of the New Berlin Municipal Ordinance.

2) The two lottery signs, the two copy signs, the price sign, and the Jiffy Stop directional sign shall be removed by March 1, 2002 or prior to the issuance of the Sign Permit.

3) The landscaping surrounding the base of the sign shall be replaced/redone by July 8, 2002.

4) The fence shall be repaired on a date set by the Department of Building, Inspection, and Zoning or by the City Attorney.

5) The monument sign shall not exceed 8'0" in height, shall not exceed 5'0" in width, and shall be located behind the ultimate right of way of Greenfield Avenue and the ultimate right of way of Calhoun Road.

6) The monument base shall not exceed 2'0" in height, shall not exceed 5'6" in width, and shall be constructed of brick that matches the primary building.

7) The monument sign face shall not exceed 6'0" in height and 5'0" in width and shall read "Jiffy Stop – Car Wash & Cigarette Emporium" on a red, white, and blue background in white letters.

8) The monument sign shall be internally illuminated.

9) A payment of \$105.00 is required per calculations below:

Monument Sign Face: 6'0" x 5'0" = 30 sq.ft. x 2 sides = 60 sq.ft. x \$3.00/sq.ft. = \$180.00

Less Application Fee (\$75.00): \$105.00

10) *Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.*

11) *-Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.*

36. (7) SG-8-02 Dakota Intertek Corp. 16600 W. National Avenue - Replace existing 3'x6' board sign to new 3'x6' internally illuminated sign.

The request by Dakota Intertek Corp. to replace an existing 3'x6' board sign to a new 3'x6' internally illuminated sign located at 16600 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Article VIII Section 275-61 of the New Berlin Municipal Ordinance.

2) The monument sign shall not exceed 8'0" in height, shall not exceed 6'6" in width, and shall be located behind the ultimate right of way of National Avenue.

3) The monument base shall not exceed 3'0" in height, shall not exceed 6'6" in width, and shall be constructed of brick that matches the primary building.

4) The monument sign face shall not exceed 3'0" in height and 6'0" in width and shall read "Dakota Intertek Corp – Dakota Environmental – 16600 West National Ave. – 1-800-533-6327" on a green background in white letters.

5) The monument sign shall be internally illuminated.

6) A payment of \$33.00 is required per calculations below:

*Monument Sign Face: 6'0" x 3'0" = 18 sq.ft. x 2 sides = 36 sq.ft. x
\$3.00/sq.ft. = \$108.00*

Less Application Fee (\$75.00): \$33.00

7) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.

8) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.

CONSENT AGENDA (One motion and second will deny all of the following inactive items listed. Any item may be pulled from the list and handled separately.)

37. (3) SG-32-01 John Spitz – 18005-25 W. Lincoln Ave. – Monument Sign. (Tabled 8/6/01)

Motion by Alderman Ament to deny the above inactive item based on the following:

1) Item has been on the pending list for 6 months or longer with no contact from the applicant.

2) Staff has sent a 30 day notice and the applicant failed to respond.

Seconded by Mr. Barnes. Motion carried unanimously.

38. (3) RO-35-01 Capitol Pavers, Inc. – 18005 W. Lincoln Ave. – Office and Warehouse for Storage of Tools and Equipment Used in Concrete Paving and Road Building. (Tabled 8/6/01)

Motion by Alderman Ament to deny the above inactive item based on the following:

1) Item has been on the pending list for 6 months or longer with no contact from the applicant.

2) Staff has sent a 30 day notice and the applicant failed to respond.

Seconded by Mr. Barnes. Motion carried unanimously.

39. (2) U-5-01 Ameritech - 2075 S. Moorland Rd. - Remote Telephone Equipment Vault for DSL Service.

Motion by Alderman Ament to deny the above inactive item based on the following:

1) Item has been on the pending list for 6 months or longer with no contact from the applicant.

2) Staff has sent a 30 day notice and the applicant failed to respond.

Seconded by Mr. Barnes. Motion carried unanimously.

COMMUNICATIONS:

45. Communication To: Plan Commission

Communication From: Greg Kessler, Director of Community Development

RE: "Ten Principles for Reinventing America's Suburban Strips", Urban Land Institute

Plan Commissioners acknowledged receipt of this communication.

46. Communication To: Plan Commission

Communication From: Greg Kessler, Director of Community Development

RE: Planning Commissioners Journal, Winter 2002.

Plan Commissioners acknowledged receipt of this communication and requested web links for this and other resources be added to the Planning web page.

47. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

RE: Referral by Bob Sigrist, Director of Buildings, Inspections and Zoning, of Building Permit Application dated 2-8-02 – Driveway in Floodfringe.

Waiver not granted by New Berlin Fire Department and a staff report will be presented to the Plan Commissioners at the next meeting.

Motion by Mr. Felda to adjourn the Plan Commission meeting at 12:15 A.M. Seconded by Mr. Gihring. Motion carried unanimously.