

# Minutes

## NEW BERLIN PLAN COMMISSION

### NW BERLIN CITY HALL COUNCIL CHAMBERS MAY 6, 2002

#### PUBLIC HEARING

6:00 P. M. (3) CU-1-02 Wisconsin Electric Power Co. – 1900 S. Springdale Rd. – Gas Regulator Station.

The public hearing relative to the request by Christopher Little c/o Wisconsin Electric Power Co. for a Conditional Use Permit for a Natural Gas Regulator Station Building located at 1900 S. Springdale Road was called to order by Mayor Wysocki at 6:03 P.M.

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

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 three times for questions for clarification, seeing none.

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

Chris Little - WE Energies, I am in favor of the proposal. I am the applicant. The engineer for the project would be willing to answer any questions anyone may have.

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

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

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

Mr. Teclaw asked about the exact location of the structure on the property. Mr. Lake referred to the maps identifying the location as South of the existing electrical substation, North of the New Berlin Recreation Trail, behind the trail parking area.

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

Mayor Wysocki closed the public hearing at 6:08 P.M.

#### PUBLIC HEARING

6:01 P.M. (3) CU-2-02 U. S. Cellular – 1820 S. Johnson Rd. – Install a New 120'

Communications Monopole to be Extended up 180'.

The public hearing relative to the request by Ton Zechel c/o U. S. Cellular for a Conditional Use to install a 120' Communications Monopole located at 1820 S. Johnson Road was called to order by Mayor Wysocki at 6:08 P.M.

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

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 as being on the Eastern side of the existing gravel parking lot. Structure to be located 35' from any wetland and 50' from the ordinary high water mark of the Poplar Creek floodplain.

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

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

Ron Zechel , U.S. Cellular - I have been before this council before and one of the reasons I would like to make myself available here is I have some background on towers. When I first started doing towers, I worked for PrimeCo. They negotiated agreements with WEBCO for transmission lines of 25 or more. We looked into a possible arrangement with WEBCO to co-locate on their towers, however, our legal department advised against it. We are trying to put a system in place for the long term, say 30 years or more. After a year and a half of searching for a spot to co-locate, we were unable to make an arrangement to co-locate. The proposed area is a low lying area where there won't be a lot of construction. The Planners have asked to make this pole expandable for future use so we proposed a pole up to 120' expandable to 180'. This could handle four or five additional carriers, possibly five or six. This provides a service area that is very critical for us.

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

Mayor Wysocki asked three times for anyone wishing to speak in opposition, seeing none.

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

Alderman Ament - Questioned #1 on the staff report recommendation. Mr. Lake explained that if the City of New Berlin were to consider a co-location or new tower in the City, it must meet those conditions according to our code. Alderman Ament also asked clarification of #1 in the Findings Section. Service utilities are Conditional Uses in all districts. Rezoning to I-1 is not necessary, but may be cleared up at a later date by a City-wide rezoning.

Mr. Gihring - Is this the same tower proposed for ProHealth Care Park? Mr. Lake said Yes. What kind of proof do you have that they cannot locate on some other tower in that area. Mr. Lake said our Code says that if there is a tower built to accommodate cellular arrays available, they must be on that tower, if possible. We, as the Plan Commission, have the right to ask them to prove they meet Sec. 275-41(16)(i) and have no

other ability to put it anywhere else. Just because they have not been able to successfully negotiate with ATC or WEPCO (WE Energies) means we can say no, until they do.

Mr. Teclaw - Questioned areas of conservancy. Mr. Lake identified these areas.

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

Mayor Wysocki closed the public hearing at 6:25 P.M.

## **NEW BERLIN PLAN COMMISSION**

### **NEW BERLIN CITY HALL COUNCIL CHAMBERS MAY 6, 2002**

The Plan Commission of May 6, 2002 was called to order by Mayor Wysocki at 6:25 P.M.

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

Motion by Alderman Ament to approve the Plan Commission Minutes of April 22, 2002. Seconded by Mr. Barnes. Motion carried unanimously.

Plan Commission Secretary's Report

- Deer Creek Corridor – History presented by Mark Lake.
- Mayor's Citizen Appointment to Plan Commission - Previously taken care of.

### **SPECIAL PRESENTATIONS**

5. ( ) UWM Students - Industrial Park Design Guidelines

Several students from UWM presented different aspects of our industrial park design and outlined ways to modernize and revitalize the industrial park to keep it competitive now and into the future.

Motion by Alderman Ament to send a "thank-you" to the students and their Professor for their efforts. Seconded by Mr. Barnes. Motion carried unanimously.

6. ( ) PG-345 Park & Open Space - Revised Draft for SEWRPC Community Assistance Planning Report No. 66(3rd Edition) - A Park and Open Space Plan for the City of New Berlin:2020

Members of SEWRPC and Mark Schroeder, Director of Parks and Recreation and members of the Park & Recreation Commission gave a report along with a power point presentation outlining the Park and Open Space Plan for the City of New Berlin:2020.

This plan was presented to the Park & Recreation Commission on several occasions and adopted on March 18, 2002 and will be going to the Common Council for their adoption also.

7. (2) U-20-02 City of New Berlin, ProHealth Care Park, 2950 S. Sunny Slope Road - Park Master Plan for ProHealth Care Park.

Mark Schroeder, Director of Parks & Recreation gave an update on their proposed application for a Park Master Plan for ProHealth Care Park. Mr. Schroeder gave the background and history of the proposed park site and talked about site information and the master planning process for the park.

Mr. Schroeder reported that right now they are in the process of working on the design, planning and engineering documents for Phase I construction. Those would again be reviewed with the City staff at that time. We are also working with the DNR for permits. If all this falls in place, we are looking at possible construction of Phase I yet this year and depending upon funding, we would look at the future phases to take place over the next three years.

## **CONTINUED ITEMS**

8. ( ) PG-350 Boundary Agreement - Town of Brookfield (Tabled 5/1/00)

Motion by Alderman Ament to drop this item from the agenda. Seconded by Mr. Gihring. Motion carried unanimously.

9. (2) U-65-01 Vision Development LLC – 14650 & 14780 W. Wilbur Drive –

Four Family Condo With two car garage. (Tabled 4-1-02)

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

Motion by Mr. Barnes to approve the request by Vision Development LLC to develop a four-family condominium building (Bldg. #2) with two car garages for each unit within the Preserve at Deer Creek PUD located at 14650 & 14780 W. Wilbur Drive subject to:

1) Correct address for building number 2 shall be 14651-14657 West Wilbur Drive.

2) Execution of hold Harmless Agreement is required by owner. East side and back of building is very close to floodplain; basement is below detention pond level during 100-year storm conditions. City recommends incorporating flood-proofing techniques as in building #1.

3) Sumps are to discharge to floodplain, wetlands, or storm sewer if available, but not onto ground at front of building or into Wilbur Drive pavement.

4) Architectural Review Committee review and approval of the exterior architecture and materials for construction shall be required prior to issuance of Zoning Permit. The meter room shown on the easterly entrance of the right ½ of building front should be balanced by adding storage room on left ½ of building.

Seconded by Mr. Teclaw. Motion carried unanimously.

10. (4) U-17-02 Hales Corners Lutheran Primary School – 12555 W. Janesville Rd. – Building Addition. (Deferred 4-1-02)

Motion by Mr. Gihring to approve the request by Hales Corners Lutheran Primary School for a 9,000 square foot building addition located at 12555 W. Janesville Road subject to:

1) Applicant shall be required to submit revised site plan and or CSM showing the location of the underground high pressure oil pipeline that runs along the East lot line. This shall be accompanied by all the easement documents stipulating setback requirements from the pipeline company as this may affect location

of building or the pond.

2) Grading and drainage plans must be worked out and approved by the Department of Community Development (Engineering). Revised computation and storm water management report shall be required for all revision to the detention ponds.

3) Applicant shall be required to meet the requirements of the City of New Berlin Storm Water Management Ordinance in conjunction with MMSD Chapter 13 requirements.

4) Access drive on Lowell Place must be kept at least 5' from south lot line as required by code, unless perpetual access and grading easement in a form suitable to the city Attorney is executed between HCLC and WCCCU.

5) Curb and gutter is required for all drives and parking lots (except drive for fire access around south side of Steepleview Apartments).

6) Move sanitary sewer connection to 5' west of manhole and plug east side of manhole.

7) The proposed 7' high retaining wall on the east side of the senior apartment building shall be divided into two tiered walls.

Seconded by Mr. Barnes. Motion carried unanimously.

11. (5) U-18-02 Steepleview – 12455 W. Janesville Rd. – Senior Residence. (Deferred 4-1-02)

Motion by Alderman Ament to approve the request by Steepleview for a senior residence located at 12455 W. Janesville Road subject to:

1) Applicant shall be required to submit revised site plan and or CSM showing the location of the underground high pressure oil pipeline that runs along the East lot line. This shall be accompanied by all the easement documents stipulating setback requirements from the pipeline company as this may affect location of building or the pond.

2) Grading and drainage plans must be worked out and approved by the Department of Community Development (Engineering). Revised computation and storm water management report shall be required for all revision to the detention ponds.

3) Applicant shall be required to meet the requirements of the City of New Berlin Storm Water Management Ordinance in conjunction with MMSD Chapter 13 requirements.

4) Access drive on Lowell Place must be kept at least 5' from south lot line as required by code, unless perpetual access and grading easement in a form suitable to the city Attorney is executed between HCLC and WCCCU.

5) Curb and gutter is required for all drives and parking lots (except drive for fire access around south side of Steepleview Apartments).

6) The grading plan and the building elevation must match. Revise the grading plan to show grades 2'± higher than 1st floor elevation against the outside wall of the proposed addition as the building elevations show. Show all existing and proposed culverts and elevations on the grading plan.

7) Move sanitary sewer connection to 5' west of manhole and plug east side of manhole.

8) The proposed 7' high retaining wall on the east side of the senior apartment building shall be divided into two tiered walls.

9) Landscaping Plan, Tree Replacement Schedule, and appropriate bonds are required prior to issuance of Building Permit.

Seconded by Mr. Gihring. Motion carried unanimously.

12. (2) U-19-02 Mark Benson – 14700 W. National Ave. – Collect and Sell Antique Firearms. (Deferred 4-1-02)

Motion by Alderman Ament to deny the request by Mark Benson to collect and sell antique firearms at 14700 W. National Avenue based on the following:

1) There is no Zoning Permit or approval on file that shows when Mark Benson's Chiropractic office started operation at this location. Expansion/ extension of use or operation without approval from the Plan Commission is a violation of Chapter 275-24 of the City of New Berlin Municipal Code. If the applicant is in possession of such approval, it should be forwarded to the Department of Community Development by May 20, 2002.

2) The proposed use for firearms sale is not accessory to the current use as a medical office. This is incompatible with the existing use.

3) Firearm sale is permitted as a "Service Commercial Use" within the B-2 zoned district in the City of New Berlin. Applicant will be required to apply for and obtain a Conditional Use Approval (Public Hearing required) from the City of New Berlin Plan Commission prior to operating such a business at a location dedicated for the sale of fire arms.

4) Per table 275-34-1 of the City of New Berlin Municipal Code, medical and dental offices are not permitted within a B-2 zoned district. The current use of this facility, as a medical office is legal non-conforming and must meet the requirements of Article VII of the City of New Berlin Municipal Code as it relates to the expansion of a nonconforming use in its entirety.

Seconded by Mr. Teclaw. Motion carried unanimously.

13. (5) LD-14-01 Honeyager - 3949 S. Sunnyslope Rd. - SE 1/4 Sec. 14 - Three Lot Final Land Division. (Deferred 2/4/02, Tabled 3/4/02) – Referral from Council.

Motion by Mr. Barnes to recommend to Council approval of the request by Honeyager for a three lot final land division located at 3949 S. Sunny Slope Road subject to:

1) Clean up any drafting errors identified by staff, including but not limited to; incorrect signature page format (missing information, spelling errors), Alignment of lots north of Howard Avenue, and lot 2 western lot line incorrectly dimensioned @203.81', should be 173.81'.

2) Length bearing and tie to all wetlands and easements (public and private) required.

3) All owners as of the date of signing, to sign prior to City signing the final CSM.

- 4) Surveyor's signature and seal required on all pages of the Final CSM.
- 5) Payment of \$4,275.2 in Public Site, Open Space and Trail Fees required prior to signing the Final CSM.

Seconded by Mr. Gihring. Motion carried unanimously.

14. (5) LD-16-01 Honeyager/Farrell Land Division – 3949 S. Sunny Slope – Ne ¼ Sec. 23 – Final Land Division.

Motion by Mr. Barnes to recommend to Council approval of the request by Honeyager/Farrell Land Division final land division located at 3949 S. Sunny Slope Road subject to:

- 1) Clean Up any drafting errors identified by staff.
- 2) Honeyager Lane and Farrell Drive (extended) shall be "Dedicated to the City of New Berlin for public road purposes."
- 3) Length bearing and tie to all wetlands and easements (public and private) required.
- 4) All owners, as of the date of signing, shall sign prior to City signing the final CSM. Parcel 1 requires transfer of land from KASCO. Copy of transfer, Deed or the Additional of KASCO signatures required prior to City signing the final CSM.
- 5) Surveyor's signature and seal required on all pages of the Final CSM.
- 6) Payment of \$2,137.6 in Public Site, Open Space and Trail Fees required prior to signing the Final CSM.
- 7) CSM identified with the creation of Parcel #1 needs to be recorded prior to this CSM being recorded.

Seconded by Alderman Ament. Motion carried unanimously.

15. (5) R-9-99 Farrell Meadows - 14201 W. Farrell - PUD - 12 Duplex homes. – Referral from Council.

Motion by Mr. Gihring to recommend to Council adoption of Ordinance #2167 referring to the request by Farrell Meadows to rezone the property located at 14201 W. Farrell Drive from R-4.5 to Rd-1/C-2/PUD.

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

16. (5) R-10-99 Honeyager - 14101 W. Howard - PUD - 16 Duplex homes. Referral from Council.

Motion by Mr. Gihring to recommend to Council adoption of Ordinance #2166 referring to the request by Honeyager to rezone the property located at 14101 W. Howard Avenue from R-4.5 to Rd-1/C-2/PUD.

Seconded by Mr. Barnes. Motion carried unanimously.

17. (6) S-161-01 Diamond Estates – 13251 W. Coldspring – Eight-Lot Subdivision. (Deferred on 1-7-02)

Motion by Alderman Ament to recommend to Council denial without prejudice the request by Diamond Estates for an eight-lot subdivision located at 13251 W. Coldspring based on the following:

1) Diamond Estates Subdivision is located within Basin NB 3. Milwaukee Metropolitan Sewerage District and the City of New Berlin Engineering Department have determined that there is no available sanitary sewer capacity in Basin NB3 to allow for a Sanitary Sewer Extension to serve Diamond Estates Subdivision.

2) Not consistent with Master Plan or Development Code. Development in the Urban Residential Area of the City requires public utilities which are not available at this time.

3) Subdivision does not take into account location of existing buildings on property.

Seconded by Mr. Teclaw. Motion carried unanimously.

## **NEW BUSINESS**

18. (3) R-6-02 Caroline Rosenbaum – 21220 W. Lincoln Ave. – Commercial Dog Kennel for Rescue Dogs. (Send to Common Council for Public Hearing)

Motion by Alderman Ament to forward to Common Council to set a public hearing date to be held before the Plan Commission on June 3, 2002 relative to the request to rezone the property located at 21220 W. Lincoln Avenue from R-2 to B-5.

Seconded by Mayor Wysocki. Motion carried unanimously.

19. (3) U-22-02 Capitol Pavers, Inc. – 18025 W. Lincoln Ave. – CPI Concrete Paving Contractor.

Motion by Mr. Barnes to approve the request by Capitol Pavers, Inc. for a multi tenant building and to reoccupy the existing office and warehouse facility located at 18005 W. Lincoln Avenue subject to:

1) There is no Sign Permit on file for the existing illegal multi-tenant monument sign at this location. Applicant is required to apply for and receive a Sign Permit that meets the requirements of Chapter 275-61 of the City of New Berlin Municipal Code in its entirety by May 20, 2002. This letter shall serve as a notice of the above violation and failure to apply for a Sign Permit on May 20, 2002 will result in legal enforcement by the Director of Building Inspection and Zoning.

2) All future tenants are required to apply for and receive a Zoning Permit from the Plan Commission prior to occupying space within the building.

3) The landscaping along Lincoln Avenue shall be update and groomed. All overgrown bushes and shrubs shall be trimmed and maintained.

4) All outstanding violations at this site shall be corrected prior to issuance of Zoning Permit. The illegal stockpile of soil in violation of May 6, 1985 PC Approval is still unresolved. A timeline indicating the required amount of time to remove soil stockpile shall be submitted to the Department of Community Development by May 20, 2002.

5) Submittal of grading plans showing existing and proposed grades. Proposed grades must match those existing prior to of May 6, 1985. No grading and earth moving within the floodplain and C-1/ C-2 Conservancy Districts.

6) A set listing of equipment and trucks for each of the three tenants shall be required.

7) Outstanding violation to be resolved.

Motion fails for lack of second.

Motion by Mr. Gihring to approve the request by Capitol Pavers, Inc. for a multi tenant building and to reoccupy the existing office and warehouse facility located at 18005 W. Lincoln Avenue subject to:

- 1) There is no Sign Permit on file for the existing illegal multi-tenant monument sign at this location. Applicant is required to apply for and receive a Sign Permit that meets the requirements of Chapter 275-61 of the City of New Berlin Municipal Code in its entirety by May 20, 2002. This letter shall serve as a notice of the above violation and failure to apply for a Sign Permit on May 20, 2002 will result in legal enforcement by the Director of Building Inspection and Zoning.
- 2) All future tenants are required to apply for and receive a Zoning Permit from the Plan Commission prior to occupying space within the building.
- 3) The landscaping along Lincoln Avenue shall be update and groomed. All overgrown bushes and shrubs shall be trimmed and maintained.
- 4) Submittal of grading plans showing existing and proposed grades. Proposed grades must match those existing prior to of May 6, 1985. No grading and earth moving within the floodplain and C-1/ C-2 Conservancy Districts.
- 5) A set listing of equipment and trucks for each of the three tenants shall be required.
- 6) Resolve cold storage use with Fire Department prior to issuance of zoning permit.
- 7) Follow proper erosion control measures and work with the Engineering Department to reduce on site run off.

Seconded by Alderman Ament. Motion carried unanimously.

20. (1) LD-1-02 Heather Griggs – 1505 S. Arcadian – Nw ¼ Sec. 1 – One-Lot Land Division.

Motion by Alderman Ament to recommend to Council approval of the request by Heather Griggs for a one-lot final land division located at 1505 S. Arcadian subject to:

- 1) Approval of grading, drainage and stormwater plans drawn with USGS Datum shall be required prior to building permits being issued.
- 2) Applicant shall be required to construct a stormwater management facility in the area to control for drainage and for storm water management prior to building permits being issued.
- 3) As part of a normal building permit, applicant shall be required to extend Sanitary Sewer to this parcel and shall be required to drill a well.
- 4) Ultimate right-of-way (ROW) of Meadow Lane and Arcadian Drive is 60'. Dedication of an additional 5' on both Arcadian Drive and Meadow Lane shall require bringing the ROW from 50' to 60'. An additional 5' protective berm beyond ditch for a total of 10' additional right-of-way and/or drainage easement is needed.
- 5) Applicant's Maximum Limit of Disturbance (LOD) may disturb no more than 60% of total gross area of the area to be developed, including driveways per Section 275-54(A)(3) of the Municipal Ordinance.

6) Owner must sign prior to City signing the final CSM.

7) Payment of \$2,137.60 in Public Site, and Open Space & Trail Fees required prior to the City signing the Final CSM.

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

Motion by Mr. Gihring to recommend to Council denial of the request by Heather Griggs for a one-lot final land division located at 1505 S. Arcadian based on the following:

1) This land division does not fit in with the fabric of the neighborhood.

2) The land division would create two lots; Lot 2 @ 31,258 sq. ft. would be considerably less than the average lot size of the area @ 45,068 sq. ft.; and lot one @ 22,000 sq. ft. would be the smallest interior lot in the Arcadian Hills Subdivision.

3) There is no existing sewer lateral to the proposed lot 1.

4) Topography and tree coverage would limit the development of the property.

5) Future application will be accepted without prejudice if it includes parcel to the West. Combined application to allow for no more than three lots substantially divided equally.

6) Zoning Ordinance does not reflect the existing Arcadian Hills Subdivision dynamics as they relate to size, density, and coverage.

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

21. (6) U-23-02 SunCom Wireless (TeleCorp) Realty) - 12695 National Avenue - Install a wireless facility on an existing Voice Stream stealth flagpole.

Motion by Alderman Ament to approve the request by SunCom Wireless to install a wireless facility within an existing VoiceStream stealth flagpole located at 12695 National Avenue subject to:

1) Installation of telecommunications antenna facility and equipment cabinet to follow Section 275-41(C)(16) of the City of New Berlin Municipal Code.

2) The City of New Berlin has determined that this tower is a temporary tower until such time as a permanent facility is sited. If it has been determined that an existing or future/new antennas or towers have the ability to be engineered or oriented, which, renders this site obsolete, antenna shall be removed within 60 days of the antenna becoming operational on the future site.

3) Applicant shall repair broken enclosure gate upon installation of new wireless antenna and clean up the site in general.

4) If flag is to be flown at night, flag must be illuminated.

Seconded by Mr. Teclaw. Motion carried unanimously.

22. (3) RO-17-02 Independent Truck – 18025 W. Lincoln Ave. – Trucking Company. (Capitol Pavers Bldg.)

Motion by Mr. Barnes to approve the request by Independent Truck for a trucking company located at 18025 W. Lincoln Avenue subject to:

- 1) There is no Sign Permit on file for the existing illegal multi-tenant monument sign at this location. Applicant is required to apply for and receive a Sign Permit that meets the requirements of Chapter 275-61 of the City of New Berlin Municipal Code in its entirety by May 20, 2002. This letter shall serve as a notice of the above violation and failure to apply for a Sign Permit on May 20, 2002 will result in legal enforcement by the Director of Building Inspection and Zoning.
- 2) All future tenants are required to apply for and receive a Zoning Permit from the Plan Commission prior to occupying space within the building.
- 3) The landscaping along Lincoln Avenue shall be update and groomed. All overgrown bushes and shrubs shall be trimmed and maintained.
- 4) Submittal of grading plans showing existing and proposed grades. Proposed grades must match those existing prior to of May 6, 1985. No grading and earth moving within the floodplain and C-1/ C-2 Conservancy Districts.
- 5) A set listing of equipment and trucks for each of the three tenants shall be required.
- 6) Resolve cold storage use with Fire Department prior to issuance of zoning permit.
- 7) Follow proper erosion control measures and work with the Engineering Department to reduce on site run off.

Seconded by Mr. Teclaw. Motion carried unanimously.

23. (3) RO-18-02 Contractor's Adjustment Co. – 18025 W. Lincoln Ave. – Office for Credit Consulting Firm. (Capitol Pavers Bldg.)

Motion by Mr. Barnes to approve the request by Contractor's Adjustment Co. for an office for a credit consulting firm located at 18025 W. Lincoln Avenue subject to:

- 1) There is no Sign Permit on file for the existing illegal multi-tenant monument sign at this location. Applicant is required to apply for and receive a Sign Permit that meets the requirements of Chapter 275-61 of the City of New Berlin Municipal Code in its entirety by May 20, 2002. This letter shall serve as a notice of the above violation and failure to apply for a Sign Permit on May 20, 2002 will result in legal enforcement by the Director of Building Inspection and Zoning.
- 2) All future tenants are required to apply for and receive a Zoning Permit from the Plan Commission prior to occupying space within the building.
- 3) The landscaping along Lincoln Avenue shall be update and groomed. All overgrown bushes and shrubs shall be trimmed and maintained.
- 4) Submittal of grading plans showing existing and proposed grades. Proposed grades must match those existing prior to of May 6, 1985. No grading and earth moving within the floodplain and C-1/ C-2 Conservancy Districts.

- 5) A set listing of equipment and trucks for each of the three tenants shall be required.
- 6) Resolve cold storage use with Fire Department prior to issuance of zoning permit.
- 7) Follow proper erosion control measures and work with the Engineering Department to reduce on site run off.

Seconded by Alderman Ament. 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 Mr. Barnes to approve Consent Agenda Items 24 - 26. Seconded by Alderman Ament. Motion carried unanimously.

### **ZONING PERMITS**

24. (2) RO-19-02 TD Painting Unlimited LLC – 2601 S. Sunny Slope Rd. – Office.

The request by TD Painting Unlimited LLC for an office located at 2601 S. Sunny Slope 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 property shall not be used for a contracting office or a construction sales office.
- 2) Employee and customer parking must be contained on this site. Parking lot shall be removed from city right-of-way by July 1, 2002 at which time a site inspection shall be made.
- 3) No outside storage of items, merchandise, junk, material, or vehicles shall be permitted on the property.
- 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) All signs and sign faces 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) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.
- 7) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 8) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

25. (3) RO-20-01 Soft-Lite LLC – 2642 S. 162 St. – Storage, Distribution, and Sale of Vinyl Replacement Windows and Doors and Related Products.

The request by Soft-Lite LLC for storage, distribution, and sale of vinyl replacement windows and doors and related products located at 2642 S. 162 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) The two existing ground signs shall be removed by June 1, 2002, by which time a submittal of an

application for a monument sign shall be made to the Department of Community Development (Planning).

2) Storage of one vehicle in front of tenant space will be permitted on site. Outdoor storage of material and other equipment shall not be permitted on this site. The materials stored outside 2604-2606 South 162<sup>nd</sup> Street shall be removed by April 18, 2002, or prior to the issuance of the Occupancy Permit. This shall be considered a second notice of violation as the applicant's representative, Gary Knowski, met with Department of Community Development (Planning) staff on October 5, 2001 and was once before informed of materials stored on site in front of 2604-2606 South 162<sup>nd</sup> Street. Failure to comply or a third notice shall constitute legal action.

3) A separate application is required from the Department of Community Development (Planning) for any signs or banners for this business. The logos for TDS Metricom on the doors of 2604-2606 South 162<sup>nd</sup> Street shall be removed by April 18, 2002, or prior to the issuance of the Occupancy Permit.

4) Employee and customer parking must be contained on site.

5) Dumpsters must be properly screened from the street and public view in accordance with Chapter 17.08 Sec. (5)(G)(2) of the City of New Berlin Zoning Ordinance.

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 Section 14.25 of the Non-residential Property Maintenance Code.

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

26. (5) RO-21-02 Wireless & More – 15440 Beloit Rd. – Sell Cell Phones & Service.

The request by Wireless & More to sell cell phones and service located at 15440 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) A separate application is required from the Department of Community Development (Planning) for any signs or banners for this business. A sign application that meets Chapter 275-61 of the City of New Berlin Municipal Code and the Westridge TIF District Overall Coordinated Sign Standard for Moorland Commons must be submitted to the Department of Community Development (Planning) by June 1, 2002.

2) Employee and customer parking must be in compliance with the Operation and Easement Agreement Between Target and EJP Moorland Commons, LLC and Westridge Development Properties, LLC.

3) Outside storage of equipment or materials will not be permitted on this site.

4) Dumpsters must be properly screened from the street and public view in accordance with Chapter 275-56 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 Section 201 of the Non-residential Property Maintenance 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 Alderman Ament to approve Consent Agenda Items 27-35. Seconded by Mr. Teclaw. Motion carried unanimously.

### **STAFF APPROVED**

27. (4) U-24-02 Kiwanis Club of Muskego – 15555 W. Beloit Rd. – Sell Trees from Rear of Snowmobile Trailer from 8:00 to 12:00 Saturday April 27, 2002. Rain date May 4, 2002.

The request by Kiwanis Club of Muskego to sell trees from the rear of a snowmobile trailer from 8:00 to 12:00 Saturday April 27, 2002 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) This Zoning Permit is issued as a temporary use approval at this location. Approval will be granted for a one-year probationary sale date of April 27<sup>th</sup>, 2002 and a rain date of May 4<sup>th</sup>, 2002. Applicant will be required to reapply to the Plan Commission for future sales and a decision will be made following an evaluation of the outcome of this sale.
- 2) The illegal Pepsi trailer parked along Beloit Road and all banners on the site is a violation of the City of New Berlin Municipal Code shall be removed by April 16, 2002, at which time a site inspection shall be conducted. This shall act as a notice of said violation. A copy of this permit has been forwarded to the Zoning Administrator for further action.
- 3) The site must be cleared of all debris, materials, vehicles, signage and equipment by the end of the day on April 27<sup>th</sup> and/ or May 4<sup>th</sup>, 2002.
- 4) Hours of operation shall be limited to 8:00AM-12:00PM.
- 5) The car and trailer for the tree sale shall be restricted to the West corner of the gas station next to the dumpster enclosure
- 6) Approval shall also be granted for a 4'0" x 8'0" temporary signage to be located on site behind the ultimate right of ways of Moorland and Beloit Roads. The signage shall be erected on April 20<sup>th</sup>, 2002 and shall be removed by the end of the day on April 27<sup>th</sup>, 2002 and May 4<sup>th</sup>, 2002 for the rain date. The portable sign shall not be illuminated internally or externally.
- 7) Signage shall be erected in the median to direct traffic for the tree sale. The signage shall be removed by the end of the day on April 27<sup>th</sup>, 2002 and/ or on May 4<sup>th</sup>, 2002.
- 8) Volunteers shall park off site at the Park and Ride lot to allow for adequate room on site for the trailer, customers and gas station traffic to be contained on this site.
- 9) No outside storage of equipment, vehicles, or materials will be permitted on the property.
- 10) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 11) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.

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

28. (5) SG-15-02 U. S. Bank – 15305 W. National Ave. – Face Change.

The request by U.S. Bank for a sign face change located at 15305 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 5'1" in height, shall not exceed 9'0" in width, and shall be located behind the ultimate right of National Avenue.
- 3) The monument sign face shall not exceed 3'1" in height and 9'0" in width and shall read, "us bank – Five Star Service Guaranteed" on a navy background in red and white letters.
- 4) The monument base shall be faced in brick that shall match the primary building and shall have address numerals applied to both sides of the monument base.
- 5) The wall sign shall not exceed 10'0" in width, shall not exceed 5'0" in height, and shall read, "us bank – Five Star Service Guaranteed" on a navy background in red and white letters.
- 6) The monument sign and wall sign shall be internally illuminated and shall be turned off outside normal business hours.
- 7) The addition of a TYME logo to the sign face was discussed via phone with the applicant on 03/19/02 and was declined. A TYME logo cabinet or add-on shall not be permitted. The TYME logo must be incorporated into the sign face, and shall require a separate face change application to the Department of Community Development (Planning).

8) A payment of \$241.50 is required per calculations below:

Monument Sign Face: 3'1" x 9'0" = 27.75sq.ft. x 2 sides = 55.5sq.ft. x \$3.00/sq.ft. = \$166.50

Wall Sign Face: 10'0" x 5'0" = 50sq.ft. x \$3.00/sq.ft. = \$150.00

Less Application Fee (\$75.00): \$241.50

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

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

29. (5) SG-16-02 Hair and Body Solutions – 15440 W. Beloit Rd. – Temporary Sign – Vinyl Banner.

The request by Hair and Body Solutions for a temporary sign - vinyl banner 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 Article VIII Chapter 275-61 of the New Berlin Municipal Ordinance.

2) The temporary banner shall be displayed from April 1<sup>st</sup> – April 30<sup>th</sup>, 2002. Any further display shall be considered a violation of Article VIII Chapter 275-61 of the New Berlin Municipal Ordinance.

3) The temporary banner shall be located on the south side of the property placed on two stakes, and shall be located behind the ultimate right of way of Beloit Road.

4) The temporary banner face shall not exceed 3'0" in height and 8'0" in width and shall read, "Hair and Body Solutions – Hair – Massages – Facials – Nails – Open April 1<sup>st</sup> Call Today – 262-780-2900" on a white background in red letters.

5) The temporary banner shall not be illuminated

6) No payment is required per calculation below:

Temporary Sign Face: 3'0" x 8'0" = 24sq.ft. x 1 side = 24sq.ft. x \$3.00/sq.ft. = \$72.00

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

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

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

30. (1) SG-17-02 Educators Credit Union - 14021 Greenfield Avenue - One set of face-lit letters and logo 18" tall.

The request by Educators Credit Union for one set of face-lit letters and logo 18" tall located at 14021 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 Section 275-61 New Berlin Municipal Ordinance and the Greenfield Plaza Uniform Sign Standards.

2) The wall sign shall be constructed of red Plexiglas acrylic faces, white vinyl #230-30, black vinyl #230-22, gold trim caps, and Matthews #35B-2T raceways.

3) The wall sign shall not exceed 1'6" in height and shall not exceed 28'10 ½" in width.

4) The wall sign copy including the Educator's Credit Union corporate logo shall be 43.3 square feet in area, copy shall have re Plexiglas acrylic faces, and shall read "Educator's Credit Union."

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) A payment of \$54.90 is required per calculations below:

Wall Sign Face:  $1'6" \times 28'10 \frac{1}{2}" = 43.3 \text{ sq.ft.} \times 1 \text{ side} = 43.3 \text{sq.ft.} \times \$3.00/\text{sq.ft.} = \$129.90$

Less Application Fee (\$75.00) = \$54.90

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.

31. (2) SG-18-02 Mobil - 15550 W. National Avenue - Remove one (1) existing sign due to widening of roads and install one (1) existing sign due to widening of roads and install one (1) new monument sign per drawing.

The request by Mobil to remove one existing sign and install one existing sign due to widening of roads and install one new monument sign located at 15550 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 Section 275.03 (10) of the City of New Berlin Municipal Code.

2) The overall monument sign shall not exceed 8'0" in height, shall not exceed 4'8" in width, and shall be located behind the ultimate right of way of National Avenue and Moorland Road.

3) The monument sign face shall not exceed 2'5 5/8" in height, shall not exceed 4'8" in width, shall not exceed 11.5 square feet in area, and shall read "Mobil" in red, white, and blue on a white background.

4) The pricing sign face shall not exceed 4'3" in height, shall not exceed 4'8" in width, and shall not exceed 19.8 square feet.

5) The monument base shall not exceed 1'3 3/8" in height and 4'8" in width, and address numerals shall be installed on both sides of the monument base.

6) The monument sign shall be internally illuminated and shall be turned off outside normal business hours.

7) A payment of \$89.80 is required per calculations below:

Monument Sign Face:  $(2'5 \frac{5}{8}" \times 4'8") = 11.5 \text{ sq.ft.} \times 2 \text{ sides} = 23.0 \text{sq.ft.} \times \$3.00/\text{sq.ft.} = \$46.00$

Pricing Sign Face:  $(4'3" \times 4'8") = 19.8 \text{ sq.ft.} \times 2 \text{ sides} = 39.6 \text{sq.ft.} \times \$3.00/\text{sq.ft.} = \$118.80$

Less Application Fee (\$75.00) = \$89.80

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

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

32. (3) SG-19-02 Burlington Heating & A/C, LLC - 1748 S. Calhoun Road - Sign face change.

*The request by Burlington Heating & A/C, LLC for a sign face change located at 1748 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) 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 Section 275.03 (10) of the City of New Berlin Municipal Code.
- 2) Failure to obtain the Sign Permit shall be considered a continuation of the violation letter sent 03/21/02 and could lead to legal action per Article X Section 275-68 of the New Berlin Municipal Ordinance.
- 3) The overall sign face shall not exceed 25.3 square feet in area, the sign copy shall not exceed 3'2" in height and 4'0" in width, shall be red and blue on a white background, and shall read "Burlington – Heating and Air Conditioning – 786-2000."
- 4) The sign face shall be internally illuminated and shall be turned off outside normal business hours.
- 5) A payment of \$76.80 is required per calculations below:

Sign Face: (3'2" x 8'0") = 25.3sq.ft. x 2 sides = 50.6sq.ft. x \$3.00/sq.ft. = \$151.80

Less Application Fee (\$75.00) = \$80.00

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

33. (3) SG-20-02 Chucks Service Phillips 66 - 17145 W. Greenfield Avenue - RE-install signage that was removed for road construction.

The request by Chucks Service Phillips 66 to re-install signage that was removed for road construction located at 17145 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 Section 275.03 (10) of the City of New Berlin Municipal Code.
- 2) The overall monument sign shall not exceed 7'11" in height, shall not exceed 10'5 ¼" in width, and shall be located behind the ultimate right of way of Greenfield Avenue.
- 3) The monument sign face shall not exceed 5'2 ¼" in height, shall not exceed 5'2 ¼" in width, shall not exceed 27.5 square feet in area, and shall read "Phillips 66" in red, white, and black on a black background.
- 4) The pricing sign face shall not exceed 3'9" in height, shall not exceed 5'4" in width, and shall not exceed 16.8 square feet.
- 5) The changeable copy reader sign face shall not exceed 0'9" in height, shall not exceed 5'4" in width, and shall not exceed 4.0 square feet
- 6) The monument base shall not exceed 2'8" in height and 10'5 ¼" in width, and address numerals or plaque shall be installed on both sides of the monument base.

7) *The monument sign shall be internally illuminated and shall be turned off outside normal business hours.*

8) *A payment of \$214.80 is required per calculations below:*

*Monument Sign Face: (3'9" x 5'4") = 27.5 sq.ft. x 2 sides = 55.0sq.ft. x \$3.00/sq.ft. = \$165.00*

*Pricing Sign Face: (3'9"x 5'4") = 16.8 sq.ft. x 2 sides = 33.6sq.ft. x \$3.00/sq.ft. = \$100.80*

*Changeable Copy Face: (0'9" x 5'4") = 4.0 x 2 sides = 8.0sq.ft. x \$3.00/sq.ft. = \$24.00*

*Less Application Fee (\$75.00) = \$214.80*

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

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

34. (7) *SG-21-02 Heritage Funeral Home - 16880 W. National Avenue - 4' x 8' temporary construction sign.*

*The request by Heritage Funeral Home for a 4' x 8' temporary construction sign located at 16880 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 Section 275.03 (10) of the City of New Berlin Municipal Code.*

2) *Failure to meet the above condition and failure to obtain the Sign Permit shall be considered a continuation of the violation letter sent 03/21/02 and could lead to legal action per Article X Section 275-68 of the New Berlin Municipal Ordinance.*

3) *The overall temporary development sign face shall not exceed 32 square feet in area, the sign copy shall not exceed 8'0" in height and 4'0" in width, shall be tan, brown, and black on a white background, and shall read "Heritage – Funeral Home - & Cremation Services – Serving New Berlin and the – Surrounding Area – 262-901-1140 – Family Owned and Operated – Miller – Architectural Services – Contractor Management – Design and Build – For More Information Call Russ Karasch at 262-521-4109."*

4) *The temporary development sign shall be removed by November 1, 2002, or shall be removed following completion of the construction project.*

5) *The temporary development face shall be not be illuminated.*

6) *A payment of \$21.00 is required per calculations below:*

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

*Less Application Fee (\$75.00) = \$21.00*

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.*

35. (4) SG-22-02 Holiday Inn Express – 15451 W Beloit Rd. – Install 2 signs.

The request by Holiday Inn Express to install two signs located at 15451 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 Section 275.03 (10) of the New Berlin Municipal Code and the Westridge TIF Coordinated Sign Standard.

2) A monument base for an architectural enhancement or a development sign must be constructed by May 6, 2003. Applicant shall be required to apply for either an architectural enhancement or development sign by May 6, 2003. The monument base shall be constructed of brick that matches the principal building and the required Westridge address plaques shall be mounted to both sides of the base as required by the Westridge TIF Coordinated Sign Standard and Section 275.03 (10) of the New Berlin Municipal Ordinance.

3) The overall wall signs shall not exceed 7'11" in height, shall not exceed 11'5" in width, and shall be located behind the ultimate right of way of Beloit Road and Interstate-43.

4) The wall sign face shall not exceed 7'11" in height, shall not exceed 11'5" in width, shall not exceed 62.3 square feet in area, and shall read "Holiday Inn – Express ® - Hotel & Suites" in red, orange, white, and blue copy.

5) The wall signs shall be internally illuminated and shall be turned off outside normal business hours.

6) A payment of \$298.80 is required per calculations below:

Wall Signs:  $2((3'6" \times 2'3") + (2'0" \times 11'5") + (1'5" \times 11'5") + (1'4" \times 11'5")) = 62.3\text{sq.ft.} \times 2 \text{ signs} = 124.6\text{sq.ft.} \times \$3.00/\text{sq.ft.} = \$373.80$

Less Application Fee (\$75.00) = \$298.80

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 second will deny all of the following inactive items Listed. Any item may be pulled from the list and handled separately.)

36. (3) U-69-01 Star Line Trucking – 18480 W. Lincoln Ave. – Outside storage of landscaping materials. (Tabled 11-5-01)

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

Motion by Mr. Gihring to deny the request by Star Line Trucking for outside storage of landscaping materials located at 1848 W. Lincoln Avenue based on the following:

1) Outstanding zoning code violations currently exist.

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

3) *Staff has sent a 30 day notice and the applicant did not respond.*

*Seconded by Mr. Barnes. Motion carried unanimously.*

## **COMMUNICATIONS**

41. *Communication To: Plan Commission*

*Communication From: Greg Kessler, Director of Community Development*

*RE: "Accepting the Challenge: The Rebirth of America's Downtowns". - National League of Cities.*

*Plan Commissioners acknowledged receipt of this communication.*

42. *Communication To: Plan Commission*

*Communication From: Robert A. Sigrist, Director of Buildings, Inspections & Zoning*

*RE: Detached Garage Building Permit at 6180 Racine Place*

*Motion by Alderman Ament to recommend to Buildings, Inspections & Zoning approval of the building permit for the detached garage at 6180 Racine Place.*

*Seconded by Mr. Teclaw. Motion carried unanimously.*

*Motion by Alderman Ament to adjourn the Plan Commission Meeting at 10:40 P.M. Seconded by Mr. Teclaw. Motion carried unanimously.*