

# Minutes

## NEW BERLIN PLAN COMMISSION

### NEW BERLIN CITY HALL COUNCIL CHAMBERS

JULY 8, 2002

#### PUBLIC HEARING

6:00 P.M. (2)R-7-02 Fountain Square Natural Area – 2951 S. 132 St. – Rezone from P-1 to C-3.

The public hearing relative to Fountain Square Natural Area was called to order by Mayor Wysocki at 6:00 P.M.

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

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

Mr. Lake explained parcel 1 of CSM 5499 is the parcel that is the wooded parcel in the subdivision to the north with the Fountain Square Condominium Development to the west. The area that abuts up against the pond and the condos on the west side is the area that will be discussed this evening. This is a P-1 area, but there are things can occur within a park; the change to C-3 can restrict the uses down to nothing. It will be labeled as conservation lands with no active park uses other than nature trails and passive uses.

Mayor Wysocki asked if there were any questions for purposes of clarification from anyone?

Harold Nelson – 2855 S. 132 St. – We met with the Fountain Square people. They were at my place with other neighbors here tonight. We all have the same feeling. One of my questions is how this was misconstrued during a phone conversation from the number that you have there, that this was all taken care of. This is how it was related to some of the people, and I came early with concerns. It should never have been said that way; it should have been that this was an open meeting and neighbors may speak on this subject.

Mayor Wysocki asked if there were any other questions for purposes of clarification either in favor of or opposed to?

Richard Rys – 2854 S. 133 St. – Mr. Rys' property is adjacent to the north of the property to be rezoned. Once this would be rezoned to C-3 under the definitions that are currently stated, will this be a permanent situation where no one could come and change this paragraph definition, or add or subtract from the actual definition that is stated today?

The City Attorney responded, the definition of the zoning once it has been changed could be amended at some later time. The Council could do that after noticing a public hearing.

Mayor Wysocki stated there is an agreement on this parcel besides this rezoning.

Mr. Lake stated when property gets dedicated to the City, it is a requirement of the dedication for public open space and the City can do with it what it chooses. The property was dedicated so that neighbors would get relief from the intensive development of the condos, that is why the P-1 area is as it exists today and was preserved. The only way we can protect this property is by rezoning it. The other thing we can do is deed restrict it, and there currently are no deed restrictions on the property. Mr. Lake stated the Aldermen can do what they want with parkland, but the best way of taking care of that would be to rezone it so that is not accessible or usable. The C-3 District is permanently designated as open space for conservation land.

Mayor Wysocki asked if there were any questions for purposes of clarification?

Mayor Wysocki asked if there was anyone wishing to speak in favor of the rezoning of the Fountain Square Natural Area from P-1 Park District to C-3 Permanent Open Space Conservation Land?

Harold Nelson – 2855 S. 132 St. – Most of the people that are here would be in favor of the C-3 going through. He stated there were approximately 40-50 neighbors present.

The following people are in favor of the rezoning to C-3:

Craig Seefeld – 3004 S. 132 St.

Barb Kensche – 2964 S. 132 St.

Kathy Voegtline – 2756 S. 132 St.

Bryan Steffan – 2855 S. 133 St.

William Pautz - 13544 W. Fountain Ct.

Ruth Cutsforth – 2944 S. 132 St.

Cherie Pautz – 13544 W. Fountain Ct.

Rich Rys – 2854 S. 133 St.

Jean Luczka – 2835 S. 132 St.

Nebojsa Rajnovic – 2825 S. 132 St.

Rosann Owens – 2920 S. 132 St.

Jan Owens - 2920 S. 132 St.

Lewis Blasi – 13542 W. Fountain Ct.

Tom Hansburg – 2882 S. 132 St.

Patti Hansburg – 2882 S. 132 St.

Doug Saldenberg – 13532 Fountain Ct.

LaVerne Krueger – 13554 W. Fountain Ct.

Earl Leigeb – 14250 W. Lenox Dr.

Donald Wierkiewicz – 13540 W. Fountain Ct.

Patricia Blasi – 13542 W. Fountain Sq.

Robert Kensche – 2964 S. 132 St.

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

Mayor Wysocki asked if there was anyone wishing to speak in opposition to the rezoning?

Mr. Gihring asked if the extension on the north end was included as a part of the rezoning?

Mr. Lake responded it is not included. At some time in the future we may need to add that. We will have to work with Park & Rec., to see which lands they are looking more for preservation and conservation lands. This area would be a candidate because it is within the 133<sup>rd</sup> St. tributary to the Root River.

Mr. Teclaw looked at this district and felt there were not a lot of things under the C-3 District that could occur. Under the C-3 District where it talks about open space and conservation, it does indicate there are some principal uses within the district. Whoever would own that should be able to do the following: silviculture, essential services, hunting and fishing. Mr. Teclaw wondered whether these things were put in there as a matter of not being cleaned up, or if they were intended to be there. There are about 15 or 20 things that are categorized as conditional or principal uses in this district.

Mr. Lake responded, as it relates to this specific site, you could do things listed. C-3 was created as part of the Conservation Subdivision so it has to be somewhat broad. Mr. Lake referred to "utilities". Right now they are listed as Conditional Uses. The only Principal Uses within this C-3 District are permanent open space, passive parks and recreation district, and recreational trails. Silviculture, raising of wild crops, and maintenance of agricultural have no relation to this property because this is a fully-treed property. This specifically relates to how it is being used in public use. In public use it says that essential services are accessory, but there is no principal use other than parks, so there are no essential services.

Mr. Teclaw wondered if these things probably wouldn't or couldn't occur, whereas if they are principal uses, it becomes a matter of a right to it.

Mr. Lake stated on this property rezoning it to C-3, the limited uses are passive parks, permanent open space, and recreational trails. Silviculture is a principal use in all the districts. This happens to be City-owned land. If we remove that, the Park & Recreational Commission would not be able to take out any of the bad trees that could potentially kill the whole crop. By taking out what principal uses would be approved or not, this would have to be turned into a PUD. If it was left as P-1, there would be no protection.

Mr. Teclaw stated he was in agreement to putting this land into preservation. He realized how many uses there are in the C-3 Zoning District, which some of them are principal.

Mr. Lake stated it came out of the Conservation Subdivision and all those are appropriate for it. Back in the mid-90's, we wanted to create a Wildlife Preservation District, but it could not be defined. C-3 is very narrow in the fact that it is being described as a Conservation District. The City will not want to harvest all the trees. There are some principal uses, but they have no relation to this as public because this is not agricultural land, but public property. Mr. Lake agreed there should be something done with the utilities as a Conditional Use

Alderman Ament questioned if there were any plans for trails? Mr. Lake responded there is a minor trail through it, but no established City of New Berlin Park & Recreational Trails or none planned.

This item will be taken up at the next Plan Commission Meeting as a recommendation to Council.

Public Hearing closed at 6:26 P.M.

#### PUBLIC HEARING

6:27 P.M. (4) CU-5-02 AAT Communications – 14700 W. College Ave. – 180' Self-Support Monopole Communications Tower.

The Public Hearing relative to AAT Communications was called to order by Mayor Wysocki at 6:27 P.M. In attendance were Mayor Wysocki, Mr. Barnes, Mr. Teclaw, Alderman Ament, Mr. Graber, and Mr. Gihring. Also present was Greg Kessler, Director of Community Development, Mark C. Lake, Director of Planning, Nikki L. Jones, Associate Planner, and Olofu O. Agbaji, Associate Planner. Excused was Mr. Felda.

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

Mr. Lake explained where the property is located. Tess Corners is west of this property. This property is located across the street from the School Bus property in the City of Muskego. There are some wetlands in the area that need to be field delineated along the western side of the property. It is set back the minimum distance away from the residential property to the east. It is roughly 200' north of College Ave.

Mayor Wysocki asked if there were any questions for purposes of clarification?

Diana Olp – 14580 W. College Ave. – Ms. Olp lives adjacent to this property. What other sites or options are possible? Are there any public lands available. What area is the gap in service for. Is there really a gap in service that we have to put up another tower? Is the gap in service for New Berlin or Muskego? Can they prove that gap in service without question to us? Does Conditional Use mean that it is temporary or would it be permanent? Ms. Olp stated that she thinks this is an eyesore.

Mr. Lake stated there were not any other options identified. These questions that have been brought up are identified as findings on the Staff Report. The applicant needs to meet a number of issues as it relates to the Municipal Code. We need to identify if there is a gap within the system. They need to identify whether or not there is another tower within the area. They need to identify that this is the least restrictive means of advancing their system. This seems to be filling the gap for the City of Muskego not the City of New Berlin because there is nothing within a square mile on College Ave.

Mayor Wysocki asked if there were any other questions for purposes of clarification?

Mayor Wysocki asked if there was anyone wishing to speak in favor of this Conditional Use Site and Architectural Approval?

Robert Bokowski – 115 S. 84<sup>th</sup> St., Milwaukee, WI – On behalf of TeleCorp. –

SunCom has an interest on co-locating on this tower along with the other tower site that will be brought up this evening later on National Ave. We would be more than happy to bring an Engineer in with an explanation of why there is a gap, and how big that gap is. There are two other companies that have interest in this location. The tower on the Muskego site is not structurally capable of having any more co-locations on the tower. The tower would have to be rebuilt, but the City of Muskego would not be inclined to have it rebuilt. There are a number of sites that were handpicked by Telecorp and worked with for many months. This particular site is the best site for Telecorp and potentially other companies.

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

John Nicholds – AAT Communications, 260 Regency Ct., Ste. 150 – We have identified this site as a multiple tenant site. We would be happy to field any questions you may have.

Mayor Wysocki asked if there was anyone else wishing to speak in favor of the Conditional Use, Site, and Architectural Approval?

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

Diane Olp – 14580 W. College Ave. – We have lived at our address for nine years. During that time, Muskego put up the tower across from us and we had no ability to put input into it; it was just erected. We spent a great deal of times as well as dollars to camouflage our property so that we did not have to look at what is across the street from us, i.e., the tower and the bus company. It is an eye sore to look at the tower because they did little if any landscaping. We chose this area and this property because it is a rural area. We understand that our property could be sold for homes, but homes are a lot more appealing to look at than the tower. We do have children and there are concerns about that, and there are other children on this side. What other areas are available, what will this do to our property value. I wouldn't want to buy a property with a tower out the front door and a tower out the back door. I know it is just one property that we are talking about, but I think another area should be looked at. If the tower would be forced on us, maybe it should be located on the north side of the creek which would make a little bit less visible or 660' back further so that it wouldn't be near anybody's back door. I would be curious to see reports on a regular basis to see what is put out. Cellular is a product of our society, but we do need to consider other things. We do not get any financial gain from this and we would be the ones that would have to look at it. It is a daily reminder of a miserable view

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

Jim Bestel – 14350 W. College Ave. – It is set back 200' off of College. The property right next to where this tower is going is 650' long. From College Ave. north to Grange, there are no homes. There is a water tower on Sunny Slope, there is school property, and there are gravel pits on Racine Ave which are high points in the City. Nobody has come up with any alternative sites. There are 6 buildings which are going to be 100 sq. ft. This will be looking like a prison. Someone should rethink this

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

Alderman Ament – On the Plan Commission Staff Report under Current Land Use on the first page where it says Type, Site, and LDSC #. What does that mean?

Mark Lake responded, record-keeping wise for the City, GIS Maps, the Assessor's Office is starting to use the Land Based Classification System. LDSC is one level below an SIC Code in terms of where information was gathered. It is a description by Land Based Classification System of what is on the property.

Alderman Ament questioned under Findings is "through preponderance of evidence" legal jargon?

Mr. Lake stated this phrase means they need to show why they need to be there. If they cannot prove it, there is no reason for us to approve it.

Alderman Ament questioned #9 under Findings. If they can prove that they have this hole, even if we deny it, that is when the Federal Government could come in and say they have to relocate. Is that correct?

Mr. Lake responded, not necessarily. A question that comes up more and more is what determines significant gap? Different courts have been saying that in order to use significant gap, you must determine that there is a complete significant gap and that nobody can provide service within that area. Generally speaking, if nobody can provide service in that area and someone wants to come in to put a tower in, then the tower should take care of that significant gap. Just because one person is on a tower and there is not enough room to build another tower, that doesn't mean that we have to allow somebody else to come in. The gap has been covered; we are not denying you because you are you. We are denying you because there is no more room. #9 states that they haven't shown that re-alignment and they have to engineer their system in order to meet our needs. Our needs say we don't need any additional towers. If they prove to the City that they cannot do anything engineering-wise, cannot change the technology, there are no towers in the

area, and they would not be updating another tower, then we may consider this. There are more issues here and we should take 6 months to look at this.

Mr. Teclaw questioned how the area was decided upon? It appears that there is quite a vast amount of land. It looks as if the tower was placed in a C-2 zone. Mr. Teclaw wondered what category this falls into under the tables in the Zoning District. Are we lumping this into utilities, or are we saying towers are a Conditional Use in all zoning districts?

Mr. Lake stated the location straddles the C-2 line. This line has not been field-delineated. Where the location is on their survey, the tower would be outside the woods. Before we would allow anything to occur on that property, the property would have to be field-delineated and make sure they were outside the area. There needs to be some vagueness cleared up regarding towers.

Mr. Teclaw questioned if the tower would be allowed in the C-2 District?

Mr. Lake responded, no.

Mr. Teclaw questioned if that siting is in a floodplain?

Mr. Lake responded it is shown on the edge of the floodplain. There is more information that needs to be added to this file.

Public Hearing closed at 6:45 P.M.

The Plan Commission Meeting of July 8, 2002, was called to order by Mayor Wysocki at 7:00 P.M.

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

Motion by Mr. Barnes to approve the Plan Commission Minutes of June 10, 2002. Seconded by Mr. Graber. Motion passes, with Mayor Wysocki, Mr. Barnes, Mr. Teclaw, Alderman Ament, and Mr. Graber voting "yes", and Mr. Gihring voting "present".

1. Plan Commission Secretary's Report

a) Discussion on Tower Moratorium

Mr. Lake referred to the Communication from the City of Mequon.

CONTINUED ITEMS

2. PG-293 - Bike and Pedestrian Facilities Plan Revision (Tabled 6/10/02)

Motion by Mr. Barnes to remove the Bike and Pedestrian Facilities Plan Revision from the table. Seconded by Mr. Graber. Motion carried unanimously.

Motion by Mr. Barnes to adopt a resolution #PC-1-06 which would amend and revise the 1999 Bike and Pedestrian Facilities Plan as contained in the document dated June 2002 to provide for safe, convenient, and a pleasant alternative mode of transportation for bicyclists and pedestrians within the community. This Plan is available in the City of New Berlin Planning Department. Seconded by Mr. Gihring. Motion passes, with Mayor Wysocki, Mr. Gihring, Mr. Graber, Mr. Teclaw, and Mr. Barnes voting "yes" and Alderman Ament voting "no".

6. PG-516(2of11) - Economic Development Plan (Tabled 6/10/02)

Motion by Alderman Ament to remove the Economic Development Plan review from the table. Seconded by Mr. Graber. Motion carried unanimously.

Motion by Mr. Barnes to adopt a resolution #PC-1-05 which would amend the New Berlin Economic Development and Revitalization Plan with the Amendments per the document dated May 2002. Seconded by Mr. Gihring. Motion carried unanimously.

7. (3) CU-2-02 U. S. Cellular – 1820 S. Johnson Rd. – Install a New 120'- 180'

Communications Monopole. (Tabled 6/3/02)

Motion by Mr. Graber to remove the request by U. S. Cellular to Install A New 120' x 180' Communications Monopole at 1820 S. Johnson Rd., from the table. Seconded by Alderman Ament. Motion carried unanimously.

Motion by Mr. Barnes to table the U. S. Cellular request to Install a New 120' x 180' Communications Monopole at 1820 S. Johnson Rd., to allow the applicant to come back with the following:

- 1) Plat of survey which shows that his property is out of Floodplain, out of the C-1 area, to show that there is the setback from floodplain, and also to show the need for coverage

Seconded by Alderman Ament. Motion carried unanimously.

8. (3) R-4-99 Deer Creek Hotel & Conference Center- 1401 S. Moorland Road

Letter dated June 25, 2002 from Donald R. Kitten requesting a two-year extension for Deer Creek Inn & Conference Center Planned Unit Development Overlay District Ordinance No. 2128

Motion by Mr. Barnes to recommend to Council a Two-Year Extension for Deer Creek Inn & Conference Center Planned Unit Development Overlay District, Ordinance No. 2128 from the date of expiration of the Ordinance, 1401 S. Moorland Rd. Seconded by Mr. Graber. Motion carried unanimously.

#### NEW BUSINESS

9. Tower Moratorium ( Request Council set a Public Hearing)

Motion by Alderman Ament to request that Council set a public hearing date for a Moratorium on Wireless Telecommunication Towers and set a public hearing date. Seconded by Mr. Teclaw. Motion carried unanimously.

10. (6) CU-3-02 AAT Communications – 13825 W. National Ave. – 170'

Telecommunications Monopole. (Public Hearing June 3, 2002)

Motion by Mr. Barnes to table the AAT Communications request for a 170' Telecommunications Monopole, located at 13825 W. National Ave., per the applicant's request. Seconded by Mr. Graber. Motion carried unanimously.

11. (3) R-5-02 Robert Rainek and Jeanne Welsch – 21040 W. Lincoln Ave. – Rezone from B-2 to A-2, C-1, and C-2. (Public Hearing June 3, 2002)

Motion by Mr. Graber to table the request to rezone the property located at 21040 W. Lincoln Ave. from B-2/C-2 to A-2/C-2/C-1 for Robert Raineck and Jeanne Welsch, subject to the following:

- 1) The revised site and elevation plans were submitted June 24, 2002, which was after the submittal cut off date for the July 8<sup>th</sup> meeting. Plans will be routed and reviewed for the August 5, 2002 Plan Commission Meeting.
- 2) Applicant will be required to have the wetland field staked by a Certified Wetland Ecologist or Biologist (SEWRPC) and a revised survey submitted by Friday, July 19, 2002, or prior to the agenda review meeting for the August 5, 2002 Plan Commission Meeting.

Seconded by Mr. Barnes. Motion carried unanimously.

12. (3) R-6-02 Caroline Rosenbaum – 21220 W. Lincoln Ave. – Rezone from R-1

Rural Estate Single-Family Residential to B-5 Rural Commercial District. (Public Hearing June 3, 2002)

Motion by Alderman Ament to recommend to Council denial of the Caroline Rosenbaum request to Rezone the property located at 21220 W. Lincoln Ave. from R-1 to B-5, without prejudice, subject to the application, plans on file, and the following:

- 1) The proposed rezoning to a Rural Commercial District is inconsistent with the Country Residential District, which this parcel is identified as in the Master Plan and the GDMP Update to the 2020 Plan. The Country Residential areas allow for an average 5-acre density requirement. The proposed rezoning to a Rural Commercial District will allow for many additional principal uses, which are not consistent with the Country Residential Land Use Classification
  - 2) The proposed B-5, Rural Commercial District, rezoning request by the applicant as identified in section 275-34(B)(4) of the City of New Berlin Municipal Code does not provide for single-family residential quarters.
  - 3) The proposed B-5, Rural Commercial District, rezoning requested by the applicant as identified in section 275-34(B)(4) of the City of New Berlin Municipal Code does not identify dog kennels as a principal use within this district. Also, the current zoning district R-1/R-2, Single-Family Residential District does not identify dog kennels as a principal use within this district.
  - 4) The applicant is already running a dog kennel for rescued dogs at her home. There are currently 5 kennels on the property. It also appears that two of the kennels are located on a portion of the neighbor's property to the east. If Plan Commission were to deny this rezoning request, a violation letter regarding this matter, would be sent to the property owner. Per the City of New Berlin Municipal Code Section 152-10(E). No person shall keep more than four dogs over five months of age upon any premises with any residential district within the city as hereinafter defined, except in a dog pound established under this section.

Seconded by Mr. Graber. Motion carried unanimously.

13. (4) U-30-02 R. J. Schinner Co., Inc.- 5355 S. Emmer Drive - New wholesale distributing business/building.

Motion by Alderman Ament to table the request for Use, Site, and Architectural Approval to construct a 81,000 square foot office and warehouse facility at 5355 S. Emmer Ct., for R. J. Schinner Co., Inc., subject to the application, plans on file, and the following:

- 1) Following the meeting with staff on May 28<sup>th</sup>, 2002, applicant withdrew the application for a two-lot land division with the understanding that a new set of plans that address the entire parcel will be submitted for review. To date, no such plan has been submitted. The revised plans will help resolve the building location as it relates to aesthetics, access, overall site grading and drainage.

Seconded by Mr. Graber. Motion carried unanimously.

14. (3) U-34-02 WI Textile Graphics – 17020 W. Rogers Dr – Change to multi-tenant building.

Motion by Alderman Ament to approve the request for a multi-tenant building and for WI Textile Graphics to reoccupy the existing office and warehouse facility located at 17020 W. Rogers Dr., subject to the application, plans on file and the following:

- 1) Applicant shall meet all outstanding conditions of Zoning Permit # RO-15-02 approved by Plan Commission on April 1, 2002. Failure to meet conditions of a Zoning Permit is a violation of the City of New Berlin Municipal Code subject to citation or forfeitures. Please see that the following conditions are properly addressed by August 5, 2002:
  1. A monument sign will be required per Article VIII Section 275-61 of the New Berlin Municipal Ordinance. Applicant shall be required to submit an application for a monument sign by August 5, 2002. A landscaping/parking plan indicating increased screening to the north and west property lines, 9'0" x 19'0" parking stalls, and the location of the vehicles, trailers and skid loaders shall be submitted to the Department of Community Development (Planning) by March 22, 2002, or prior to the issuance of the Occupancy Permit. Landscaping shall be installed per approved plan by July 31, 2002.
  3. The truck maneuvering area on the North end of the building shall be paved and striped by July 31, 2002. All parking area shall be re-striped to meet the requirements of §17.043 of The New Berlin Zoning Ordinance. Prior to re-striping and re-paving, a detailed site plan must be submitted showing the stall measurements and the layout of the lot and parking.
  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. Location of dumpster enclosure must be clearly designated on the landscaping/parking plan 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.
- 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) A set listing of equipment and trucks for each of the three

tenants shall be required.  
Seconded by Mr. Teclaw. Motion carried unanimously.

15. (3) U-35-02 Burlington Heating & A/C, LLC - 1740 S. Calhoun Road - Replace siding, changing out windows and doors.

Motion by Alderman Ament to allow for the Exterior Architectural Alteration to the Existing Office Facility located at 1740 S. Calhoun Rd., for Burlington Heating & A/C, LLC, subject to the application, plans on file, and the following conditions:

- 1) Prior to Building Permits being issued.
- 2) The applicant shall combine all lots.
- 3) Prior to issuance of the Zoning Permit, approval of the exterior architecture and materials for construction by the Architectural Review Committee is required.
- 4) Burlington Heating & A/C shall be required to meet all outstanding conditions of Sign Permit #SG-19-02 approved by Plan Commission on May 6, 2002. The monument sign shall be considered a temporary sign and shall require the execution of a Hold Harmless agreement to keep it within the right-of-way of Calhoun Road. Agreement shall be executed with the Department of Community Development (Planning) by July 22, 2002. If any site improvement is done, the sign will have to be relocated to meet the required setback.
- 5) A revised site plan (preferably a CSM) showing all property lines and dimensions, building setbacks, 9' x 19' parking stalls, sign, and the proposed dumpster enclosure shall be submitted to the Department of Community Development (Planning) by July 22, 2002. Landscaping shall be installed per approved plan by August 22, 2002. Revised plans shall also address the two-access point on Calhoun Road. A new culvert will be required along Roosevelt Avenue.
- 6) 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. Location of dumpster enclosure must be clearly designated on the landscaping/parking plan 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.
- 7) No storage of junked or inoperable vehicles shall be allowed on site. All inoperable vehicles and junk and trash shall be removed by July 8, 2002.
- 8) All the wall advertisement/signs on the building shall be removed by July 8, 2002. They are not permitted.

Seconded by Mr. Teclaw. Motion carried unanimously.

16. (4) U-39-02 - James Matthews -21700 W. National Avenue - Accessory Building.

Motion by Mr. Barnes to approve the James Matthew request to Construct a 1,500 Sq. Ft. Accessory Building at 21700 W. National Ave., subject to the application, plans on file, and the following conditions:

- 1) A revised site plan shall be submitted prior to issuance of the Zoning Permit. Revised plans shall show the location of the existing and proposed driveway and shall show all existing trees in relation to the proposed garage. Building shall be rotated 90° to have the door facing the home.
- 2) Approval shall be granted for a personal accessory building only. This property and structure shall not be used for any commercial operation.
- 3) This building shall be the only detached accessory structure on this parcel as it meets the 1,500 square foot maximum allowed by code. All other structures shall be removed before a Building Permit is issued.
- 4) All trees removed for the placement of this building shall be replanted on site to provide additional screening from the public right-of-way.
- 5) Erosion Control required.

Mr. Teclaw was excused at 9:07 and returned at 9:30 P.M.

Seconded by Mr. Graber. Motion passes, with Mr. Barnes, Mr. Gihring, Mayor Wysocki, Mr. Graber, and Alderman Ament voting "yes".

17. (4) U-40-02 - New Berlin Technology Center - 5660 S. Moorland Road - office/warehouse.

Motion by Mr. Barnes to table the request for Use, Site, and Architecture Approval for the Construction of Seven Spec Office/Warehouse Buildings for New Berlin Technology Center, located at 5660 S. Moorland Rd., subject to the application, plans on file, and the following:

- 1) A land division will be required to establish a developable parcel of land and separate the existing residential uses from the proposed industrial and office development.
- 2) An executed Developer's Agreement is required prior to clearing, grubbing, grading and/or utility/infrastructure work commencing. Public utility easements for sanitary sewer and water will be required.
- 3) Applicant shall be required to have a biologist field stake and delineate the existing wetland on the property and provide a survey of the wetland to the Department of Community Development.
- 4) Urban cross-section required within development.
- 5) Adherence to Sec. 17.08(3) Natural Resource Protection required. Tree inventory of existing trees greater than 4" DBH (diameter at breast height) required.
- 6) Access permits required from the Waukesha County Department of Transportation for the connection to Moorland Rd.

- 7) Water system requires looping to provide adequate supply. Some main sizes must be changed.
- 8) Need detail of retention facility to ensure on-site storm sewer can be built in conformance with New Berlin's storm sewer design standards. Storm sewer computations not provided. Applicant will be required to meet the City of New Berlin Storm Water Management Plan in its entirety.
- 9) County access permit and detailed plans not provided. Access permits required from the Waukesha County Department of Transportation for the connection to Moorland Rd.
- 10) Sanitary sewer system not in conformance with New Berlin's Master plan for ultimate service to region. Temporary lift station must be relocated and designed to New Berlin standards.
- 11) Conditioned on obtaining DNR permits for creek crossings.

Seconded by Alderman Ament. Motion carried unanimously.

18. (7) U-43-02 Metro Construction LLC – 3547 S. Vogel Ln. – Side-Yard Pool.

Motion by Alderman Ament to approve the request to install a 21' diameter, 52" above ground swimming pool in the architectural side/rear yard of a residential structure located at 3547 South Vogel Lane for Metro Construction LLC, subject to the application, plans on file, and the following conditions:

- 1) A front yard setback variance will be required from the Board of Appeals to locate the pool within the required 40' setback along Top-O-Hill Drive as well as the 25' rear setback.
- 2) Detailed grades for the Engineering Department required for the pool. Overall grading concerns must be resolved with the Engineering Department prior to issuance of Building Permit.
- 3) Applicant will be required to significantly increase the Landscaping along Top-O-Hill Drive screen this side from view on the public street.
- 4) All necessary permits must be obtained from the Building, Inspections, and Zoning Department prior to commencement of any construction at this site.
- 5) Plumbing and Electrical Permits may be required from the Building, Inspections, and Zoning Department

Seconded by Mr. Graber. Motion carried unanimously.

19. (5) U-44-02 The Preserve at Deer Creek – Golf Course and Club House - 4285 S. Sunny Slope Rd. – Nine-Hole Golf Course and Club House.

Motion by Alderman Ament to table the request for Use, Site, and Architectural Approval for a New 9-Hole "Preserve at Deer Creek" Golf Course, and its 4,200 Sq. Ft. Clubhouse and Support Facilities at 14300 W. Howard Ave., subject to the application, plans on file, and the following:

- 1) Following a development meeting on June 27, 2002, the applicant will be furnished with the list of outstanding issues identified by the Department of Community Development.
- 2) Clubhouse Architecture to be reviewed and approved by Architectural Control Committee prior to building permit being issued.
- 3) Detailed Stormwater Management Plan required. Plan should address how condo developments plan to drain through golf course.
- 4) Detailed road/infrastructure/grading plans to be reviewed and approved by the Engineering Department prior to Zoning Permit being issued.
- 5) Sewer and water plans to be approved by all regulating authorities
- 6) Existing sanitary sewer located within 30' easement shall be abandoned. Sanitary sewer and water main extensions for adjacent condo development shall both utilize the future Spruce Road connection instead of the golf course
- 7) Existing 30' wide sanitary sewer drainage easement to be vacated
- 8) Developer's Agreement for any public improvements required. Agreement to be approved by the Board of Public Works and Common Council.
- 9) A Zoning Permit is required prior to clearing, grubbing, grading for clubhouse.
- 10) An executed Developer's Agreement is required prior to utility/infrastructure work commencing.

Seconded by Mr. Gihring. Motion carried unanimously.

20. (4) CU-6-02 GCG/Marcus Retail Buildings – 15531 W. Rock Ridge Rd. – Retail Buildings. - Plan Commission set public hearing for August 5, 2002.

Motion by Alderman Ament to set a Public Hearing at 6:00 P.M. on August 5, 2002. Seconded by Mr. Graber. Motion carried unanimously.

21. (3) RO-39-02 Ojibwa Ready Mix – 17020 W. Rogers Dr. – Commercial Office.

Motion by Alderman Ament to approve the request for Use Approval for Ojibwa Ready Mix to reoccupy the existing office and warehouse facility located at 17020 West Rogers Drive subject to the application, plans on file and the following:

- 1) Applicant shall meet all outstanding conditions of Zoning Permit # RO-15-02 approved by Plan Commission on April 1, 2002. Failure to meet conditions of a Zoning Permit is a violation of the City of New Berlin Municipal Code subject to citation or forfeitures. Please see that the following conditions are properly addressed by August 5, 2002:
  1. A monument sign will be required per Article VIII Section 275-61 of the New Berlin Municipal Ordinance. Applicant shall be required to submit an application for a monument sign by August 5, 2002.
  2. A landscaping/parking plan indicating increased screening to the north and west property lines, 9'0" x 19'0" parking stalls, and the location of the vehicles, trailers and skid loaders shall be submitted to the Department of Community Development (Planning) by March 22, 2002, or prior to the issuance of the Occupancy Permit. Landscaping shall be installed per approved plan by July 31, 2002.
  3. The truck maneuvering area on the North end of the building shall be paved and striped by July 31, 2002. All parking area shall be re-striped to meet the requirements of §17.043 of

The New Berlin Zoning Ordinance. Prior to re-striping and re-paving, a detailed site plan must be submitted showing the stall measurements and the layout of the lot and parking.

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. Location of dumpster enclosure must be clearly designated on the landscaping/parking plan 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.
- 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) A set listing of equipment and trucks for each of the three tenants shall be required.

Seconded by Mr. Teclaw. Motion carried unanimously.

22. (3) SG-33-02 Pepsi Americas – 2255 S. 162 St. – Wall Sign.

Motion by Mr. Barnes to deny the request for one internally illuminated Wall Sign for Pepsi America located at 2255 South 162<sup>nd</sup> St., subject to the application, plans on file, and the following:

- 1) Article VIII, Section 275-61 (l)(a) of the City of New Berlin Municipal Ordinance states that "...individual channel lettering shall be preferred over cabinet sign on brick buildings". Applicant has also elected to install a monument sign in place of this wall sign.

Seconded by Mr. Graber. Motion carried unanimously.

23. ( ) PG-380 - Waukesha County Cooperative Land Development Planning Proposal. Commissioners to review this proposal for purposes of further discussion and possible resolution. This item will be placed on the August 5, 2002 Plan Commission Agenda.

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 from Items #24–32. Seconded by Mr. Gihring. Motion carried unanimously.

#### ZONING PERMITS

24. (3) RO-31-02 Velvac, Inc. – 2405 S. Calhoun Rd. – Office and Warehouse Operation.

The request by Velvac, Inc. for an office and warehouse operation located at 2405 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) Failure to comply with the landscaping plan submitted on April 29, 2002 shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections,

and Zoning for legal action. This shall act as notice of said violation. The following shall constitute compliance with the landscape plan submitted on April 29, 2002:

- 2) The parking lot shall be resealed and re-stripped by July 8, 2002.
- 3) The well on the site shall be properly abandoned and capped by July 8, 2002.
- 4) The access culvert and the driveway previously used by the residential parcel on Calhoun Road shall be removed by July 8, 2002.
- 5) The junk and trash on the residential parcel on Calhoun Road shall be removed by July 8, 2002.
- 6) The landscaping shall be installed by July 31, 2002.
- 7) An application for a dumpster enclosure for the two dumpsters on site shall be submitted to the Department of Community Development (Planning) by July 8, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation. 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.
- 8) The base of the monument sign shall be installed and landscaping around the base of the signs shall be pruned by July 8, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation. All modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance.
- 9) No outside storage of items, merchandise, junk, material, or vehicles shall be permitted on the property.
- 10) Employee and customer parking must be contained on site.
- 11) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.
- 12) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
- 13) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

25. (3) RO-32-02 Voice Stream PCS II Corp. – 16291 W. Lincoln Ave. – Storage of Antenna Site Components.

The request by Voice Stream PCS II Corp. for storage of antenna site components located at 16291 W. Lincoln 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, or material shall be permitted on the property. The antenna components located outside 16291 West Lincoln Avenue shall be removed, the pallets located behind 16335 West Lincoln Avenue, and the trailer located behind 16331 West Lincoln Avenue shall be removed by May 17, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation.
- 2) The multi-tenant reader board located at the northeast entrance to the site is legal non-conforming and the faces have been changed multiple times. This sign shall have an expiration date of June 1, 2003 at which time a master identification monument sign shall be applied for and submitted to the Department of Community Development (Planning). All modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance.

- 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.
- 4) Employee and customer parking must be contained on site.
- 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 Non-residential Property Maintenance Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

26. (7) RO-33-02 Kyssco, Inc. – 16608 W. Rogers Dr. - Delivery and Storage of Florals and Christmas Merchandise.

The request by Kyssco, Inc. for delivery and storage of florals and Christmas merchandise located at 16608 W. Rogers 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) No Zoning Permits are on file for Greenridge Landscaping located at 16600 West Rogers Drive. Greenridge Landscaping shall apply for and receive approval for a re-occupancy Use Approval to the Department of Community Development (Planning) by May 31, 2002. A detailed list of equipment to be stored on site and a scalable site plan designating the exact locations of where equipment is to be stored shall be submitted with the application. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation. The tenant shall be held responsible for any legal actions.
- 2) No outside storage of items, merchandise, junk, or material shall be permitted on the property. The snow plows, junk and trash, soil pile, bags of planting material, piles of material, and any other material in the rear of tenant spaces 16600 West Rogers Drive, 16620 West Rogers Drive, 16610 West Rogers Drive, and on the general site shall be removed by May 31, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation. The tenant(s) shall be held responsible for any legal actions.
- 3) The multi-tenant reader board located along Rogers Drive shall be removed by June 3, 2002. All modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation.
- 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) Employee and customer parking must be contained on site.
- 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 Non-residential Property Maintenance Code.
- 8) Building must meet all applicable building and fire codes. Fire extinguishers are required.

27. (4) RO-34-02 Hastings Air Energy Control – 5555 S. Westridge – Distributor for Industrial Air Cleaning Devices.

The request by Hastings Air Energy Control for distributor of industrial air cleaning devices located at 5555 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) No outside storage of items, merchandise, junk, or material shall be permitted on the property.
- 2) The sign for Nelson Sales Corporation shall be removed by May 31, 2002. All modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance.
- 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.
- 4) Employee and customer parking must be contained on site.
- 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 Non-residential Property Maintenance Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

28. (3) RO-35-02 Harmonics, Ltd. – 2345 S. Commerce Dr. – Virtual Manufacturer of Electronic Filters and Plans to Use the Premises for Warehousing, Light Assembly, and Office.

The request by Harmonics, Ltd. for virtual manufacturer of electronic filters and plans to use the premises for warehousing, light assembly, and office located at 2345 S. Commerce 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) The multi-tenant reader board located at the northeast entrance to the site is legal non-conforming and the faces have been changed multiple times. This sign shall have an expiration date of June 1, 2003 at which time a master identification monument sign shall be applied for and submitted to the Department of Community Development (Planning). All modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance.
- 2) No outside storage of items, merchandise, junk, or material shall be permitted on the property.
- 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.
- 4) Employee and customer parking must be contained on site.
- 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 Non-residential Property Maintenance Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

29. (4) RO-36-02 Canyon Coffee – 15440 W Beloit Rd. – Coffee shop in retail outlet

The request by Canyon Coffee for a coffee shop 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 modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance and the Westridge TIF District Overall Coordinated Sign Standard for Moorland Commons.
- 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) No outside storage of items, merchandise, junk, or material 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) 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 Non-residential Property Maintenance Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

30. (3) RO-37-02 - Greenridge, Inc. - 16600 W. Rogers Drive - Operation office for landscaping maintenance.

The request by Greenridge, Inc. for an operation office for landscaping maintenance located at 16600 W. Rogers 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) Outside storage of items shall be permitted for Greenridge Landscaping per the items list submitted to the Department of Community Development (Planning) on 05/22/02, and shall be stored in parking stalls designated to Greenridge Landscaping. Any additional equipment shall be applied for and approved by Plan Commission.
- 2) The multi-tenant reader board located along Rogers Drive shall be removed by June 3, 2002. All modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation.
- 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.
- 4) Employee and customer parking must be contained on site.
- 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 Non-residential Property Maintenance Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

31. (3) RO-38-02 - Pepsi Americas - 2255 S. 162<sup>nd</sup> Street - Sales, repair service, warehouse.

Withdrawn.

32. (2) RO-41-02 NROC – Clinical Research – 13700 W. National Ave. #229 – Medical Office

The request by Clinical Research for a medical office located at 13700 W. National Avenue #229 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) Two temporary signs advertising the daycare have been erected on the property without Sign Permits. The temporary signs advertising the daycare shall be taken down by June 28, 2002 per Article VIII, Chapter 275-61 of the New Berlin Municipal Code.
- 2) All modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance.
- 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.
- 4) No outside storage of items, merchandise, junk, or material shall be permitted on the property.
- 5) Employee and customer parking must be contained on site.
- 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 Non-residential Property Maintenance Code.
- 8) 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 #33-49.

Seconded by Mr. Barnes. Motion carried unanimously.

#### STAFF APPROVED

33. (7) U-31-02 Tri County Roofing - 18500 W. National Avenue - Remove overhead door, frame in, and finish off with OSB and siding.

The request by Tri County Roofing to remove an overhead door, frame in, and finish off with OSB and siding located at 18500 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) Final approval of the exterior façade by Architecture Control Committee is required prior to issuance of Zoning Permit.
- 2) Operation of a car dealership at this location in conjunction with the Tri County Roofing shall cease following the termination of the dealership's lease. Tri County Roofing will then be the sole tenant of this commercial building.
- 3) No outside storage of items, merchandise, junk, or material shall be permitted on the property.
- 4) Employee and customer parking must be contained on site.
- 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 Non-residential Property Maintenance Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

34. (7) U-32-02 Bricklayer & Allied Craftworkers of Wisconsin - 17125 W. Cleveland Avenue - Interior renovation and changing the side entry overhead door to a member entrance.

The request by Bricklayer & Allied Craftworkers of Wisconsin for interior renovation and changing the side entry overhead door to a member entrance located at 17125 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) Final approval of the exterior façade by Architecture Control Committee is required prior to issuance of Zoning Permit.
- 2) Submittal of a revised landscaping-screening plan that will address the screening of the existing loading dock and overhead doors East of the proposed entryway. The landscaping-screening plan shall be approved prior to issuance of Zoning Permit.
- 3) Applicant shall be required to install the monument base for the approved sign by August 5, 2002.
- 4) 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.
- 5) No outside storage of items, merchandise, junk, or material shall be permitted on the property.
- 6) Employee and customer parking must be contained on 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 Non-residential Property Maintenance Code.
- 9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

35. (4) U-33-02 Susan K. Stupar - 13670 W. Deer Park Drive - Retaining Wall

The request by Susan K. Stupar for a retaining wall located at 13670 W. Deer Park 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) The face of the proposed wall shall stay within 7' of the rear of the house within the identified critical areas.
- 2) The face of the proposed wall shall stay a minimum of 3' from the identified wetland boundaries.
- 3) Applicant shall stay away from all wetland boundaries during construction.

36. (5) U-37-02 Helena Ewer - 4868 S. Hawthorne Drive - home occupation - X-Ray copying for attorneys.

The request by Helena Ewer for a home occupation for X-Ray copying for attorneys located at 4868 S. Hawthorne 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) Home Occupation shall be conducted in accordance with Chapter 275-42(G)(4) of the City of New Berlin Zoning Ordinance in its entirety, including:

- 2) Every Home occupation shall be subject to periodic, unannounced inspection by the Zoning Administrator in response to complaints or to ensure compliance with this ordinance.
- 3) Home Occupation shall meet all applicable building and fire code safety requirements.
- 4) An Occupancy Permit is required from Building Inspection and Zoning Department. All conditions must be met prior to issuance of an Occupancy Permit.
- 5) Business shall be strictly sole proprietorship. Only one non-resident employee shall be permitted to work at this location.
- 6) No outside storage shall be permitted for this business. No home occupation nor any storage of goods, materials, or products connected with a home occupation shall be allowed in any accessory building or detached garage.
- 7) Customer visits to the residence and deliveries related to this business shall not be allowed.
- 8) No Sign Permits shall be issued as such no sign is allowed for this business.

37. (4) SG-29-02 Wam Comm – 15460 W. Beloit Rd. – Wall Sign.

The request by Wam Comm for a wall sign located at 15460 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 Section 275-61 of the New Berlin Municipal Code and the Westridge TIF District Overall Coordinated Signs Standard for Moorland Commons.
- 2) The wall sign shall be constructed of white Plexiglas acrylic #7328 faces, 313 Duranodic Bronze returns, 313 Duranodic Bronze trim caps, and Matthews Nuance Grenadier Gold 34C-3D raceways.
- 3) The wall sign shall not exceed 2'0" in height, shall not exceed 15'0" in width
- 4) The wall sign copy shall be 17.5 square feet in area, shall have white Plexiglas acrylic #7328 faces, and shall read "WamComm - Cellular."
- 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 \$0.00 is required per calculations below:  
 Wall Sign Face: 9'0" x 2'10" = 17.50 sq.ft. x 1 side = 17.5 sq.ft. x \$3.00/sq.ft. = \$52.50  
 Less Application Fee (\$75.00) = \$0.00
- 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.

38. (4) SG-30-02 Holiday Inn Express Hotel & Suites - 15451 W. Beloit Road - 3' x 10' "Now Open" Banner.

The request by Holiday Inn Express Hotel & Suites for a 3' x 10' "Now Open" Banner 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 275-61 New Berlin Municipal Ordinance.
- 2) Per 275-61(J) of the New Berlin Municipal Ordinance temporary signs "shall not be granted for a period of more than 30 days in any 365-day period". The temporary "Hotel - Now Open" banner shall be removed by May 30, 2002.
- 3) The sign shall not be illuminated in any way.

- 4) A payment of \$15.00 is required per calculations below:  
Temporary Banner Sign: (10' x 3') = 30 sq. ft. x \$3.00/sq.ft. = \$90.00  
Less Application fee (\$75.00) = \$15.00
- 5) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
- 6) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.

39 (3) SG-31-02 Velvac, Inc. - 2405 S. Calhoun Road - Monument Sign.

The request by Velvac, Inc. for a monument sign located at 2405 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) Failure to comply with the landscaping plan submitted on April 29, 2002 shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation. The following shall constitute compliance with the landscape plan submitted on April 29, 2002:
  - 2) The parking lot shall be resealed and re-stripped by July 8, 2002.
  - 3) The well on the site shall be properly abandoned and capped by July 8, 2002.
  - 4) The access culvert and the driveway previously used by the residential parcel on Calhoun Road shall be removed by July 8, 2002.
  - 5) The junk and trash on the residential parcel on Calhoun Road shall be removed by July 8, 2002.
  - 6) The landscaping shall be installed by July 31, 2002.
- 7) An application for a dumpster enclosure for the two dumpsters on site shall be submitted to the Department of Community Development (Planning) by July 8, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation. 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.
- 8) The base of the monument sign shall be installed and landscaping around the base of the signs shall be pruned by July 8, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation. All modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signage must be applied for and receive a Sign Permit, and must meet the provisions of Article XI Section 275-61 of the New Berlin Municipal Ordinance. 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.
- 9) The overall monument sign shall not exceed 4'6" in height, shall not exceed 12'1" in width, and shall be located behind the ultimate right of way of Calhoun Road.
- 10) The monument sign face shall not exceed 2'6" in height, shall not exceed 12'1" in width, shall not exceed 30.3 square feet in area, and shall read "Velvac – Quality Driven Vehicle Components Since 1934" in black and red on a white background.
- 11) The monument base shall not exceed 2'0" in height and 12'1" in width, and address numerals shall be installed on both sides of the monument base.
- 12) The monument sign shall be internally illuminated and shall be turned off outside normal business hours.
- 13) A payment of \$201.75 is required per calculations below:  
Monument Sign Face: (2'6" x 12'1") = 30.3 sq.ft. x 2 sides = 60.6 sq.ft. x \$3.00/sq.ft. = \$181.00  
Less Application Fee (\$75.00) = \$100.87  
Double Fee: 2 x \$100.87 = \$201.75

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

40. (7) SG-32-02 Insty-Prints, LLC – 16145 W. National Ave. – Monument Sign.

The request by Insty-Prints, LLC for a monument sign located at 16145 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) Per Condition of Approval #3 of Zoning Permit #U-82-01 approved by Plan Commission on 12/03/01, "All parking stalls in front of the building that encroach into National Avenue ROW shall be eliminated and restored to grass. Parking shall meet the requirements of Section 17.08(6)(A)(3) of the Zoning Ordinance in its entirety. All paved area along National Avenue shall be setback a minimum of 10' as required by Code. The paved parking area shall be restored to landscaping. Landscaping is not permitted in the ROW." Asphalt shall be removed from the ROW and restored to grass and landscaped not placed in the ROW shall be installed by August 2, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Zoning and Inspection for possible legal action. This shall act as notice of said violation.
- 2) 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.
- 3) The overall monument sign shall not exceed 6'0" in height, shall not exceed 10'0" in width, and shall be located behind the ultimate right of way of Calhoun Road.
- 4) The monument sign face shall not exceed 3'0" in height, shall not exceed 10'0" in width, shall not exceed 30.0 square feet in area, and shall read "Insty-Prints" in black on a white background.
- 5) The monument base shall not exceed 3'0" in height and 10'0" in width, shall be constructed of brick that matches the principal structure, and address numerals shall be installed on the monument base.
- 6) The monument sign shall be internally illuminated and shall be turned off outside normal business hours.
- 7) A payment of \$15.00 is required per calculations below:  
 Monument Sign Face: (3'0" x 10'0") = 30.0 sq.ft. x 1 side = 30.0 sq.ft. x \$3.00/sq.ft. = \$90.00  
 Less Application Fee (\$75.00) = \$15.00
- 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.

41. (3) SG-33-02 Pepsi Americas – 2255 S. 162 St. – Monument Sign.

The request by Pepsi Americas for a monument sign located at 2255 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) Per the Condition #6 of Zoning Permit #U-72-01 approved on October 15, 2001, Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code. Location of dumpster enclosure must be clearly designated and the materials for the construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match or enhance the exterior of the building and be built accommodate both solid as well as recyclable waste dumpsters. An application for a dumpster enclosure for the two dumpsters on site shall be submitted to

the Department of Community Development (Planning) by July 8, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Inspections, and Zoning for legal action. This shall act as notice of said violation.

- 2) Pending a decision by Plan Commission on July 8, 2002: The cabinet wall sign shall be removed and the façade shall be restored to its original condition by July 12, 2002.
  - 3) 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.
  - 4) The overall monument sign shall not exceed 4'0" in height, shall not exceed 6'0" in width, and shall be located behind the ultimate right of way of South 162<sup>nd</sup> Street.
  - 5) The monument sign face shall not exceed 2'0" in height, shall not exceed 6'0" in width, shall not exceed 12 square feet in area, and shall read "Pepsi" in white, blue, and red on a blue background.
  - 6) The monument base shall not exceed 2'0" in height, shall not exceed 6'0" in width, shall be constructed of fieldstone to match the exterior architecture of the building, and address numerals 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) No payment is required per calculations below:  
Monument Sign Face: (206" x 6'0") = 12.0 sq.ft. x 2 sides = 24.0 sq.ft. x \$3.00/sq.ft. = \$72.00  
Less Application Fee (\$75.00) = \$0.00
  - 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.
42. (5) SG-34-02 Heritage at Deer Creek – 3585 S. 147<sup>th</sup> St. – Temporary Construction Sign.

The request by Heritage at Deer Creek for a temporary construction sign located at 3585 S. 147<sup>th</sup> 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) A revised color rendering shall be submitted to the Department of Community Development (Planning) by June 14, 2002, or prior to the issuance of the Sign Permit.
- 2) 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.
- 3) The temporary development sign shall not exceed a maximum of 14'0" in height and 8'0" in width, and shall be located behind the ultimate right of way of 147 Street.
- 4) The overall temporary development sign face shall not exceed 48 square feet in area, the sign copy shall not exceed 6'0" in height, shall not exceed 8'0" in width, and shall read: "Opening Summer 2002 – Heritage at Deer Creek – Assisted Living & Memory Care Community – 30 Assisted Living Apartments – 16 Memory Care Suites – For Information Call – 262-789-6600."
- 5) The temporary development sign shall be removed by **September 1, 2002**, or shall be removed following completion of the construction project.
- 6) The temporary development face shall not be illuminated.
- 7) No payment is required per calculations below:  
Temporary Development Sign Face: (6'0" x 8'0") = 48sq.ft. x 1 side = 48sq.ft. x \$3.00/sq.ft. = \$144.00  
Less Application Fee (\$75.00) = \$69.00  
A refund will be issued in the amount of \$123.00 at the next scheduled Common Council Meeting.

- 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.

43. (4) SG-35-02 Postler Landscape Supply – 16370 W. Small Rd. – 4' x 4' Ground Sign.

The request by Postler Landscape Supply for a 4' x 4' ground sign located at 16370 W. Small 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 275-61 New Berlin Municipal Ordinance.
- 2) The overall ground sign shall not exceed 5'0" in height, shall not exceed 4'0" in width, and shall be located behind the ultimate right of way of Small Road.
- 3) The ground sign face shall not exceed 4'0" in height, shall not exceed 4'0" in width, shall not exceed 16.0 square feet in area, and shall read "Postler – Landscape Supply – Bark · Stone · Mulch – Hours – 7-7 Mon-Fri – 7-5 Saturday" in green and red on a white background.
- 4) The ground sign shall not be illuminated in any way.
- 5) No payment is required per calculations below:
- 6) Ground Sign Face: (4'0" x 4'0") = 16 sq.ft. x 1 side = 16.0 sq.ft. x \$3.00/sq.ft. = \$48.00  
Less Application Fee (\$75.00) = \$0.00
- 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.

44. (7) SG-36-02 Southwest Metal Finishing – 2795 S. 166 St. – Monument Sign.

The request by Southwest Metal Finishing for a monument sign located at 2795 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) The existing landscaping shall not be removed to accommodate the monument sign. If it becomes necessary to remove the tree where sign is proposed to be located, the tree shall be relocated on site, and a Department of Community Development (Planning) staff member shall be present at the time of tree relocation. Tree location shall be performed prior to issuance of the Sign Permit or any construction on the site.
- 2) A revised and updated landscaping plan shall be submitted to the Department of Community Development (Planning) by May 31<sup>st</sup>, 2002, or prior to the issuance of the Sign Permit.
- 3) Prior to issuance of Building Permits, applicant shall be required to fulfill the following conditions of approval from Zoning Permit # U-94-01 approved on 01-07-02 by Plan Commission:
  - Per Condition #1, "Applicant shall be required to address the on-site employee parking to meet code requirements...Applicant shall be required to submit an optional plan which includes the number of employees per shift to enable staff to calculate the minimum parking requirement for this building addition."
  - Per Condition #4, "All lots are required to be combined under on tax key."
  - Per Condition #6, "All unused water services must be abandoned at the main. All unused sanitary sewer laterals and sampling manholes must be abandoned prior to the issuance of the Occupancy Permits.'
  - Per Condition #7, "Applicant will be required to meet the City of New Berlin Storm Water Management Plan in its entirety. Applicant shall submit downspout and storm

sewer plan for proposed building. Plans must show which way the drainage is proposed to flow. Site grading and drainage must be worked out with the Engineering Department.”

Per Condition #8, “No on street truck maneuvering shall be allowed on 167<sup>th</sup> Street. All truck staging and maneuvering shall be contained on site.”

Per Condition #9, “Existing culverts shall be removed. Permits are required for new culvers at the time of Building Permits.”

- 4) 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.
  - 5) The overall monument sign shall not exceed 5’6” in height, shall not exceed 10’0” in width, and shall be located behind the ultimate right of way of 166<sup>th</sup> Street.
  - 6) The monument sign face shall not exceed 3’0” in height, shall not exceed 10’0” in width, shall not exceed 30 square feet in area, and shall read “Southwest – Metal Finishing - 2795” in black, blue, and gray on a white background.
  - 7) The monument base shall not exceed 2’0” in height, shall not exceed 10’0” in width, and shall be constructed of masonry to match the exterior architecture of the building.
  - 8) The monument sign shall be internally illuminated and shall be turned off outside normal business hours.
  - 9) A payment of \$105.00 is required per calculations below  
Monument Sign Face: (3’0” x 10’0”) = 30.0 sq.ft. x 2 sides = 60.0 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.
45. (7) SG-37-02 Southwest Metal Finishing – 16675 W. Dakota – Monument Sign.

The request by Southwest Metal Finishing for a monument sign located at 16675 W. Dakota 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) Per Condition of Approval #3 of Zoning Permit #U-82-01 approved by Plan Commission on 12/03/01, “All parking stalls in front of the building that encroach into National Avenue ROW shall be eliminated and restored to grass. Parking shall meet the requirements of Section 17.08(6)(A)(3) of the Zoning Ordinance in its entirety. All paved area along National Avenue shall be setback a minimum of 10’ as required by Code. The paved parking area shall be restored to landscaping. Landscaping is not permitted in the ROW.” Asphalt shall be removed from the ROW and restored to grass and landscaped not placed in the ROW shall be installed by August 2, 2002. Failure to comply shall be considered a violation and shall be forwarded to the Director of Buildings, Zoning and Inspection for possible legal action. This shall act as notice of said violation.
- 2) 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.
- 3) The overall monument sign shall not exceed 6’0” in height, shall not exceed 10’0” in width, and shall be located behind the ultimate right of way of Calhoun Road.
- 4) The monument sign face shall not exceed 3’0” in height, shall not exceed 10’0” in width, shall not exceed 30.0 square feet in area, and shall read “Insty-Prints” in black on a white background.

- 5) The monument base shall not exceed 3'0" in height and 10'0" in width, shall be constructed of brick that matches the principal structure, and address numerals shall be installed on the monument base.
  - 6) The monument sign shall be internally illuminated and shall be turned off outside normal business hours.
  - 7) A payment of \$15.00 is required per calculations below:  
 Monument Sign Face: (3'0" x 10'0") = 30.0 sq.ft. x 1 side = 30.0 sq.ft. x \$3.00/sq.ft. = \$90.00  
 Less Application Fee (\$75.00) = \$15.00
  - 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.
46. (7) SG-38-02 Tri County Roofing – 18500 W. National Ave. – Monument Sign.

The request by Tri County Roofing for a monument sign located at 18500 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 275-61 of the New Berlin Municipal Ordinance.
  - 2) The overall monument sign shall not exceed 6'0" in height, shall not exceed 8'0" in width, and shall be located behind the ultimate right of way of National Avenue.
  - 3) The monument sign face shall not exceed 4'0" in height, shall not exceed 8'0" in width, shall not exceed 32 square feet in area, and shall read "Tri County Roofing – 679-6100" in blue on a white background.
  - 4) The monument base shall not exceed 2'0" in height, shall not exceed 8'0" in width, shall be constructed of masonry to match the exterior architecture of the building, and shall have address numerals adhered to both sides of the base.
  - 5) The wall sign including the Tri-County logo shall not exceed 1'2" in height, shall not exceed 15'0" in width, shall not exceed 17.5 square feet in area, and shall read "Tri County Roofing" in blue.
  - 6) The monument sign and wall sign shall not be illuminated.
  - 7) A payment of \$169.50 is required per calculations below
  - 8) Monument Sign Face: (4'0" x 8'0") = 32.0 sq.ft. x 2 sides = 64.0 sq.ft. x \$3.00/sq.ft. = \$192.00  
 Wall Sign Face: (1'2"x15'0") = 17.5sq.ft. x 1 side = 17.5sq.ft. x \$3.00/sq.ft. = \$52.50  
 Less Application Fee (\$75.00) = \$169.50.
  - 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.
47. (4) SG-39-02 MCSI Midwest Visual Communications - 5300 S. Emmer Drive -Shipping & Receiving Signs

The request by MCSI Midwest Visual Communications for shipping and receiving signs located at 5300 S. Emmer 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) Per Condition #3 of Zoning Permit #RO-44-01, "Dumpsters must be screened from the street and public in accordance with the City of New Berlin Zoning Ordinance Article VIII – Chapter 275-56(G)(2)." The dumpsters shall be placed inside by June 14, 2002.

- 2) Per Condition #7 of Zoning Permit #RO-44-01, "Building must be maintained per chapter 201 of the Non-residential Property Maintenance Code. This code states, "All exterior property areas shall be maintained in a clean and sanitary condition and free from any accumulation of rubbish, trash, garbage or other noxious or offensive materials. Any storage, collection and disposal of refuse shall be in accordance with this and all other regulations." The pallets stored in the rear of the building shall be removed by June 14, 2002.
- 3) Submittal of a color rendering to the department of community development (planning) is required prior to the installation or issuance of a sign permit.
- 4) 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 City of New Berlin Municipal Code.
- 5) The Non-Illuminated Directional sign shall not exceed a maximum of 8'0" in height and 8'0" in width, and the sign shall be behind the ultimate right of way of Emmer Drive.
- 6) The overall non-illuminated directional sign face shall not exceed 6 square feet in area, the sign copy shall not exceed 2'0" in height and 3'0" in width, and shall read: "Shipping Receiving" in black and red on a white background. No logo or company name shall be advertised on the directional sign.
- 7) The directional sign face shall not be illuminated.
- 8) No payment is required per calculations below:  
Directional Sign Face: (2'0" x 3'0") = 6sq.ft. x 1 side = 6sq.ft. x \$3.00/sq.ft. = \$18.00  
Less Application Fee (\$75.00) = \$0.00
- 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.

48. (4) SG-40-02 Canyon Coffee – 15440 W Beloit Rd – Coffee shop wall sign

The request by Canyon Coffee 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 Section 275.03(10) New Berlin Municipal Code and the Westridge TIF District Overall Coordinated Signs Standard for Moorland Commons.
- 2) The individual channel letters and cabinet shall be constructed of white Plexiglas acrylic #7328 faces, 313 Duranodic Bronze returns, 313 Duranodic Bronze trim caps, and Matthews Nuance Grenadier Gold 34C-3D raceways.
- 3) The wall sign shall not exceed 3'0" in height, shall not exceed 6'8" in width, and shall not exceed 18.6 square feet.
- 4) The individual channel letters shall not exceed 2'4" in height, shall not exceed 6'8" in width, shall not exceed 15.3 square feet, and shall read "Canyon".
- 5) The cabinet shall not exceed 0'6" in height, shall not exceed 6'8" in width, shall not exceed 3.3 square feet, and shall read "Coffee".
- 6) 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.
- 7) A payment of \$0.00 is required per calculations below:  
Wall Sign Face: 3'0" x 6'8" = 18.60 sq.ft. x 1 side = 18.60 sq.ft. x \$3.00/sq.ft. = \$55.80  
Less Application Fee (\$75.00) = \$0.00
- 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.
49. (4) SG-41-02 - Stars - 19400 W. College Avenue - 8' x 2' double sided pole sign.

The request by Stars for a 8' x 2' double sided pole sign located at 19400 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) The existing pole sign shall be shortened to 8'0" in height or less and converted to a ground sign by June 17, 2003. The ground sign base shall not exceed 2'0" in height and shall be constructed of brick to match the exterior architecture of the building.
- 2) The overall ground sign shall not exceed 8'0" in height, shall not exceed 8'0" in width, and shall be located outside the ultimate right of way of Collage Avenue.
- 3) The sign face shall not exceed 2'0" in height, shall not exceed 8'0" in width, shall not exceed 16 square feet in area, and shall read "Stars – Great Food! – 262-679-7900" in white on a purple background. The sign face shall be made of Plexiglas.
- 4) 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 of the New Berlin Municipal Ordinance.
- 5) The sign face shall be internally illuminated, and shall be turned off outside of normal business hours.
- 6) A payment of \$21.00 is required per calculations below  
Sign Face: (2'0" x 8'0") = 16.0 sq.ft. x 2 sides = 32.0 sq.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.

## COMMUNICATIONS

56. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

RE: Letter from Waukesha County dated May 20, 2002 regarding Child Fatality Review Task Force

Plan Commission acknowledged receipt of this communication.

57. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

RE: Memo from Mayor Wysocki dated June 4, 2002 regarding Alternative Transportation Committee Appointees

Plan Commission acknowledged receipt of this communication.

58. Communication To: Plan Commission

Communication From : Olofu Agbaji, Associate Planner

RE: Letter dated June 25, 2002 from Stepping Stones Child Development Center regarding rummage sale.

Plan Commission acknowledged receipt of this communication.

Motion by Mr. Teclaw to adjourn the July 8, 2002 Plan Commission Meeting at 10:30 P. M.  
Seconded by Mr. Graber. Motion carried unanimously.

