

## **Minutes**

### **PUBLIC HEARING**

6:00 P.M. (4) CU-6-02 GCG/Marcus Retail Buildings –

15531 W. Rock Ridge Rd. – Retail Buildings.

### **NEW BERLIN PLAN COMMISSION**

#### **NEW BERLIN CITY HALL COUNCIL CHAMBERS AUGUST 5, 2002**

The public hearing relative to the request by Sig Strautmanis/Eric Neumann c/o GCG/Marcus Retail Buildings for a Conditional Use Permit that would include the request for two retail buildings and a restaurant with a drive thru within the M-1 Light Manufacturing district to be located on the Marcus Theater property (Ridge Cinema) at 5200 S. Moorland Road was called to order at 6:03 P.M.

It is at the request of the applicant that the public hearing not be held at this time.

The Plan Commission of August 5, 2002 was called to order by Mayor Wysocki at 6:05 P.M.

In attendance were Mayor Wysocki, Mr. Barnes, Mr. Gihring, Mr. Graber, Mr. Teclaw, Alderman Ament. Also present were Greg Kessler, Director of Community Development, Mark C. Lake, Director of Planning, David Haines, Associate Planner, Olofu Agbaji, Associate Planner, Nikki Jones, Associate Planner. Mr. Felda arrived at 7:06 P.M.

Motion by Alderman Ament to approve the Plan Commission Minutes of June 3, 2002 and July 8, 2002. Seconded by Mr. Graber. Motion carried unanimously.

Plan Commission Secretary's Report - none

### **SPECIAL PRESENTATION**

PG-345 Park & Open Space Plan – Presentation by Mark Schroeder and

SEWRPC.

Mark Schroeder, Director of Streets, Parks, & Recreation and Robby Robinson from SEWRPC gave a presentation on the Park & Open Space Plan.

Motion by Mr. Barnes to approve the Resolution to adopt the Park and Open Space Plan for the City of New Berlin:2020 as part of the City of New Berlin Master Plan.

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

Motion by Mr. Barnes to recommend to Council approval of the Resolution recommending the City of New Berlin Common Council to endorse the Park and Open Space Plan for the City of New Berlin:2020.

Seconded by Mr. Gihring. Motion passes with Mayor Wysocki, Mr. Gihring, Mr. Graber, Mr Barnes voting

Yes and Alderman Ament and Mr. Teclaw voting No.

Friendly amendment to add "Plan" to the second and third paragraphs of second Resolution.

### **CONTINUED ITEMS**

6. (2) R-7-02 Fountain Square Natural Area – 2951 S. 132 St. – Rezone from P-1 to C-3 – Public Hearing held 7-8-02.

Motion by Mr. Barnes to recommend to Council, approval of the request to rezone the property located at 2951 S. 132<sup>nd</sup> Street from P-1 Park District to C-3 Permanent Open Space/Conservation District and update the Zoning Map for the City of New Berlin subject to the application, plans on file, and the following:

1) Ordinance to be approved as to form by the City Attorney prior to signature.

Seconded by Mr. Teclaw. 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 and 7-8-02)

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

Motion by Mr. Gihring to approve the request by U.S. Cellular to install up to a 180' telecommunications tower, its associated equipment, and a new U.S. Cellular antenna array at 1820 S. Johnson Road subject to the application, plans on file, and the following:

1) Tower shall be designed to accommodate at least four carriers in its 180' configuration. A copy of the structural analysis shall be on file prior to building permits being issued.

2) Topographic survey required prior to building permits being issued. Proposed lease site and all lands within 15' of fence enclosure appear to be located within the 100-year recurring interval floodplain (832 ft. MSL).

3) Stakeout survey required prior to building permits being issued. Proposed lease site does not meet the minimum setback requirement of 30' away from the shoreland/wetland boundary (edge of 100-year recurring interval floodplain).

4) Submittal of a revised building plan showing an expandable structure & pad to accommodate future tenants (a minimum of four) at this site. Structure to have "buff" colored brick exterior with a pitched roof. Applicant shall be required to submit material samples prior to building permits being issued. Review and approval of equipment enclosure by the Architectural Control Committee required. All structural plans used for the building permit to be stamped by a Wisconsin architect and/or engineer.

5) Submittal of a Landscaping Plan, prepared by a professional landscape architect with plant key & specifications meeting the conditions of NBMC 275-56 required prior to building permits being issued. Installation and Maintenance Bonds required.

6) "Second" semi trailer, used for storage of equipment for Sy Sod, shall be removed from site prior to building permits being issued. On 3-1-99, Plan Commission approved one semi trailer for use by Sy Sod.

7) Approval of drainage, grading, and overall site plans by the Engineering Department required prior to

issuance of Building Permit.

8) Barbed wire capped enclosures are not allowed. Fence (if required) should be installed without barbed wire on top unless City Attorney recommends requirement be waived for security purposes.

9) All utilities both on-site and off-site to be fed underground.

10) Permits are required from the Building, Inspections and Zoning Department. Building must meet all applicable building and fire codes. Site must be maintained per Chapter 201 of the City of New Berlin Municipal Code.

11) Each additional co-locator shall be required to apply for and receive a separate Zoning Permit for any proposed arrays, or equipment.

12) Any change the U.S. Cellular array, as proposed with this application, shall require a separate Zoning Permit.

13) Copy of Lease Agreement shall be on file

Seconded by Mr. Felda. Motion carried unanimously.

8. (6) CU-3-02 AAT Communications – 13825 W. National Ave. – 170' Self-Supporting (Monopole) Telecommunications Tower. (Tabled 7-8-02)

Item remains on table per applicants request.

9. (4) CU-5-02 AAT Communications – 14700 W. College Ave. – 180' Self-Supporting Monopole Telecommunications Tower – Public Hearing held 7-8-02.

Motion by Mr. Barnes to table per the applicants request, the request by AAT Communications for a 180' self-supporting monopole telecommunications tower located at 14700 W. College Avenue.

Seconded by Alderman Ament. Motion carried unanimously.

10. (4) U-21-02 – J. Craig Bolan – 6245 Linnie Lac Place -- New Residence with Detached Garage. (Tabled 4/22/02)

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

Motion by Mr. Barnes to approve the request by J. Craig Bolan for a new residence with detached garage located at 6245 Linnie Lac Place subject to the application, plans on file, and the following:

1) Front of building shall be setback a minimum of 50' from the centerline of Linnie Lac Place.

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

Seconded by Mr. Gihring. Motion carried unanimously.

11. (4) U-30-02 R. J. Schinner Co., Inc. – 5355 S. Emmer Dr. – New Wholesale Distributing

Business/Building. (Tabled 7-8-02)

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

Motion by Alderman Ament to deny without prejudice the request by R. J. Schinner Co., Inc. for a new wholesale distributing business/building located at 5355 S. Emmer Drive based on the following:

1) Following the meeting with staff on May 28<sup>th</sup>, 2002, the 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.

12. ( ) PG-380 Waukesha County Cooperative Land Development Planning Proposal – Resolution.

Plan Commission recommended that after Plan Commission reviews all necessary documents and resolutions, a full discussion occur at the September Plan Commission meeting.

#### **NEW BUSINESS**

13. (5) R-8-02 Hickory Hills – 14602 W. Beloit Rd. – Rezone from I-1 to Rm-1. Set Public Hearing.

Motion by Mayor Wysocki to recommend to Council to set a public hearing date for September 9, 2002 before Plan Commission.

Seconded by Mr. Gihring. Motion carried unanimously.

14. (3) U-38-02 AccuCheck Inc. - 13719 W. Greenfield Avenue - Pre-employment screening firm.

Motion by Alderman Ament to approve the request by AccuCheck Inc. for a pre-employment screening firm located at 13719 W. Greenfield Avenue subject to the application, the plans on file and the following:

1) Applicant is required to install a private well water meter in accordance with current City of New Berlin Utility Department requirements or connect to city water by September 9, 2002 and pay the deferred impact fee for water hookup.

2) A final inspection by the Building Inspections and Zoning Department will be required. Applicant shall be required to obtain a Certificate of Occupancy for the commercial building before any business can commence at this site.

3) Submittal of a revised landscaping plan that meets the requirements of Article VIII Section 275-56 of the City of New Berlin Municipal Code and reflects staff's recommendation will be required prior to issuance of a Zoning Permit. Landscaping plan shall be submitted to the Department of Community Development (Planning) by August 21, 2002, or prior to the issuance of the Occupancy Permit. Landscaping shall be installed per approved plan by September 30, 2002.

4) City of New Berlin Fire Department requires fire extinguishers. Building must meet all applicable building and fire codes.

Seconded by Mr. Graber. Motion carried unanimously.

15. (2) U-41-02 Cingular Wireless – 15345 W. Coffee Rd. – Outside Fuel Storage Vault for a New Fuel Tank.

Motion by Mr. Felda to approve the request by Cingular Wireless to replace the existing above ground fuel tank at the Cingular Wireless switching facility located at 15345 W. Coffee Road subject to the application, plans on file, and the following:

- 1) No additional antenna arrays shall be installed on the tower as part of this project. Tower shall not be reconfigured or modified without approval of the Plan Commission.
- 2) All barbed wire and slats on chain link fence shall be removed by September 9, 2002. Vinyl slats and barbed wires are not permitted. Screening shall be accomplished by a masonry/ brick enclosure or landscaping.
- 3) Submittal of a sound performance measurement conducted at the location of the generator is required. This must take the expected reverberation from the building into account. Noise level shall not exceed that allowed by Article III § 275-60 (E) of the City of New Berlin Municipal Code at the northerly and easterly property lines. Sound deadening mechanism shall be required to muffle the sound of the generator. Staff must be present at the initial testing of the generator. Applicant shall be required to submit a sound attenuation certification to this effect. Occupancy Permit will not be issued until this condition is satisfied.
- 4) Applicant is required to notify all neighbors within 300 feet of the generation test schedule. Copy of such notice must be submitted to the Planning Department prior to initial testing of the unit.
- 5) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
- 6) A separate application and permit is required from the City of New Berlin Fire Department for the removal and installation of the above ground fuel storage tank. Building must meet all applicable building and fire codes.

Seconded by Mr. Barnes. Motion carried unanimously.

16. (7) U-45-02 U. S. Cellular – 2885 S. 166<sup>th</sup> St. – Addition of Two New Condenser Units to Existing HVAC System.

The request by U. S. Cellular for the addition of two new condenser units to existing HVAC System located at 2885 S. 166<sup>th</sup> Street has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plan on file and the following:

- 1) No outside storage of items, merchandise, junk, or material shall be permitted on the property. Removal of the extra generators on wheels, metal scrapes, pallets, and extra equipment within the fenced in enclosure by September 3, 2002.
- 2) The existing dumpster enclosure needs to be repaired and the dumpsters shall be stored within the dumpster enclosure.
- 3) Building and Electrical Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.

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

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

17. (6) U-47-02 St. Elizabeth Ann Seton Parish - 12700 W. Howard Avenue - Replace wood siding with brick and maintenance free siding and replace existing storage sheds with new facility.

Motion by Mr. Barnes to approve the request by Elizabeth Ann Seton Parish to replace wood siding with brick and maintenance free siding and replace existing storage sheds with a new facility at 12700 W. Howard Avenue subject to the application, plans on file, and the following conditions:

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

2) 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.

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

4) All signs will require a separate application and Permit from the Department of Community Development (Planning) prior to installation.

Seconded by Alderman Ament. Motion carried unanimously.

18. (4) U-48-02 U.S. Cellular - 20015 W. National Avenue - Add 6 additional antennas on existing 120' monopole.

Motion by Alderman Ament to approve the request by U. S. Cellular to add 6 additional antennas on an existing 120' monopole located at 20015 W. National Avenue subject to the application, plans on file, and the following:

1) Siting of antenna shall satisfy the requirements of §275-41(C)(16), Telecommunications Structures, of the City of New Berlin Municipal Code.

2) A copy of a current structural analysis report shall be on file prior to building permits being issued.

3) Submittal of a revised site plan showing the location of the existing fence and the new fence that shall be extended to enclose the entire tower and its associated equipment buildings. The fence should be constructed of the same green coated cyclone fence to secure the perimeter. No barded wire on the fence unless City Attorney recommends for security purposes.

4) Site clean up shall include the removal of all extra cable to the rear of the existing tower and other extraneous tower apparatus.

Seconded by Mr. Graber. Motion carried unanimously.

19. (1) U-49-02 U. S. Cellular - 1710 S. Sunny Slope Road - Add 6 additional antennas on existing 160' monopole.

Motion by Alderman Ament to approve the request by U. S. Cellular to add 6 additional antennas on the existing 160' monopole located at 1710 S. Sunny Slope Road subject to the application, plans on file and the

following:

- 1) Siting of antenna shall satisfy the requirements of §275-41(C)(16), Telecommunications Structures, of the City of New Berlin Municipal Code.
- 2) A copy of a current structural analysis report shall be on file prior to building permits being issued.
- 3) An updated landscaping plan is required per Chapter 275-56 of the New Berlin Zoning Ordinance. Schedule of size and species of landscaping materials required for all areas of the development along roadways both internal and external and landscaping islands.
- 4) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Occupancy Permit is required.
- 5) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.

Seconded by Mr. Barnes. Motion carried unanimously.

20. (4) U-50-02 McDonald's – 4889 S. Moorland Rd. – Quick Service Restaurant with Drive Thru.

Motion by Alderman Ament to table the request by McDonald's for a quick service restaurant with drive thru located at 4889 S. Moorland Road subject to the application, the plans on file and the following:

- 1) A traffic analysis report is needed at this time to determine what must be done now and to determine McDonald's share in the ultimate plan. No detailed traffic analysis was submitted with this project. This area was included in a traffic report done at the time Target was built. McDonald's may need to construct a second left turn lane for eastbound traffic on Beloit turning north onto Moorland Road now or may need a bond for their share of future construction costs. A bypass lane along the north side of Beloit Road needs to be constructed.
- 2) The plan shows the existing ROW of Beloit Road at 100' wide. It appears it would be difficult to fit another lane onto Beloit without additional ROW. A traffic analysis shall determine if additional ROW is required.
- 3) Proposed access drive onto Beloit Road is not on McDonald's property. Is this proposed to be a public or private road? A CSM or other legal document is required to show common ingress and egress easement prior to any approval. Will Waukesha County require parcels to south of McDonald's (1257.985, 1257.986, 1257.987, 1257.988, 1257.989, 1257.989.001) to all access here? Show how the parcels to south would connect through the McDonald's site. Access road must also be approved by Waukesha County Highway Department prior to any approvals.
- 4) Proposed access drive does not appear adequate. 38' radius around outside of curb (west) is too sharp (trucks would cut corner). Incoming lanes should be 16' wide not 12'.
- 5) The proposed traffic pattern is not acceptable. All drive-thru customers would have to circle the building, twice. Is there any other McDonald's in the Milwaukee area with this situation? The building and site needs to be redesigned to address this. It may not be possible for the front of McDonald's to face Moorland Road. Why are there 2 lanes to the order board?
- 6) The internal maneuvering lanes and turning radii is insufficient for delivery trucks on-site.
- 7) Parking as shown is not adequate. Article VIII Section 275-57 of the New Berlin Municipal Ordinance requires 1 parking stall for every 50 square feet of restaurant space (85, not 51 as proposed) or 1 for every 2 seats (# of seats and tables not shown on plans), whichever is greater. This is in addition to the number of

employees at peak hours. Applicant shall be required to submit revised plans that show the maximum seating capacity of this facility and adequate parking that meets the code requirements.

8) City will require sidewalk along Beloit Road and Moorland Road to be built by the developer.

9) The Storm Water Division Engineer recommends the permanent regional pond structure be built now on the north side of Beloit Road in accordance with the Westridge Stormwater Management Plan. The lands north of Beloit Road are part of the same lot with the same tax key number and under the same ownership.

10) The Stormwater report submitted for McDonalds by National Survey states "the temporary pond will be removed and filled in once the regional facility is completed." It does not state if McDonald's will help pay for or help build the regional pond. If the Plan Commission decides to allow a temporary pond on the south side of Beloit Road it will probably be with the condition that McDonald's pay for their part of the pond now (0.36 ac-ft. x± \$25,000 per ac-ft.) or bond for later cost. If there are other lots to the south and west that will be built on before the Regional pond is constructed, perhaps just 1 temporary pond should be built for everything.

11) The proposed detention pond does not work and it may not be possible for it to be revised to work. Storm sewer entering pond surcharges even in 2-year storm. Also, overland flows from proposed parking will not reach the pond. Storm sewer needs to be designed for a 100-year storm if overland flows can not be worked out by raising all building and lot grades or using 1.5' high curb, etc. Proposed steel cage to prevent blockage at detention fall structure is not acceptable. Use standard submerged inlet. Also, part of the proposed pond is on the neighbor's property -no easement has been presented.

12) Existing overhead power poles and all utilities along Beloit Road are to be converted to underground use along McDonald's frontage by the developer.

13) Exterior architecture must be approved by Architectural Review Committee prior to issuance of Building Permit. Applicant shall be required to address the blank southerly drive-through wall with architectural articulations, 3D indentation or any other method. Revised alternatives, 11" x 17" colored elevations and material samples are required. Elevation shall match the color of proposed bricks as close as possible.

14) All mechanicals including air-conditioning units and other rooftop mechanical units must be properly labeled and screened on a revised site plan and approved by Department of Community Development (Planning) prior to issuance of Building Permit. Units must be incorporated into the design of the building elevation or if on the ground, appropriately screened with landscaping from public view.

15) The lighting plan show up to 13 foot candles of illumination proposed at lot lines. Per Article VIII Section 275-60 (I) of the New Berlin Municipal Ordinance, intensity of illumination shall not exceed 0.5 footcandles at the property line. Also, entire site seems very bright (up to 42.4 foot-candles in places). This exceeds City standards. Poles shall be 20' on a 3' base. Light shall not spill outside of the parcel and shall not cause glare on public right of way. Fixtures shall be recessed to contain light.

16) Erosion control plan needs to include silt fence along Moorland Road. A stoned staging area is needed, also an area for job shacks, construction parking.

17) Proposed dumpster is 1" from south lot line. Dumpster and all paved areas shall be a minimum of 5' from all property lines.

18) The City of New Berlin Fire Department requires the building be fully sprinklered. Building must meet all applicable building and fire codes. A fire hydrant is required within 150' of sprinkler connection.

Seconded by Mr. Teclaw. Motion carried unanimously.

21. (4) SG-48-02 McDonald's – 4889 S. Moorland Rd. – Monument and Wall Sign.

Motion by Mr. Graber to refer this item to staff. Seconded by Alderman Ament. Motion carried unanimously.

22. (5) U-51-02 U. S. Cellular - 4333 S. Sunny Slope Road - Antenna addition to existing telecommunication facilities.

Motion by Alderman Ament to approve the request by U. S. Cellular for an antenna addition to existing telecommunication facilities located at 4333 S. Sunny Slope Road subject to the application, the plans on file, and the following:

- 1) Siting of antenna shall satisfy the requirements of §275-41(C)(16), Telecommunications Structures, of the City of New Berlin Municipal Code.
- 2) A copy of a current structural analysis report shall be on file prior to building permits being issued.
- 3) At some point when an additional carrier pursues this location, and the towers are at capacity U.S. Cellular will have to relocate their antennas onto a single antenna array or potentially re-negotiate their lease with the School District to have a second carrier on this tower.
- 4) Copy of School District lease shall be on file prior to building permits being issued.
- 5) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Occupancy Permit is required.
- 6) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.

Seconded by Mr. Graber. Motion carried unanimously.

23. (4) U-52-01 U.S. Cellular - 16314 W. Small Road - Antenna addition to existing telecommunication facilities.

Motion by Mr. Teclaw to approve the request by U. S. Cellular for an antenna addition to existing telecommunication facilities located at 16314 W. Small Road subject to the application, plans on file and the following:

- 1) Siting of antenna shall satisfy the requirements of §275-41(C)(16), Telecommunications Structures, of the City of New Berlin Municipal Code.
- 2) A copy of a current structural analysis report shall be on file prior to building permits being issued. The report on file demonstrates that the tower will not withstand the 3 additional antennas @ 50' or the 9 existing antennas that are currently at 108'. The new report shall identify the new antennas at 90' and the existing 9 antennas at 108'.
- 3) At some point when an additional carrier pursues this location, and the tower is at capacity U.S. Cellular will have to relocate their antennas onto a single antenna array or rebuild the tower to allow more carriers.
- 4) Copy of lease shall be on file prior to building permits being issued.
- 5) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to

commencement of any construction at this site. Occupancy Permit is required.

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

Seconded by Mr. Felda. Motion carried unanimously.

24. (2) U-53-02 Servicemaster - 2215 S. 162 Street - Build-Out New Offices.

Motion by Alderman Ament to approve the request by Servicemaster for build-out new offices located at 2215 S. 162 Street subject to the application, the plans on file and the following:

1) Architectural Review Committee requires that the new windows match the existing windows. All bricks from the new window shall be used in filling the window on the South elevation.

2) Landscaping shall be installed per approved plan by September 30, 2002. New pavement/ parking shall match the existing grades of the rear half of the parking area.

3) Signage for this business is not part of this approval. Applicant shall be required to file a separate application for a Sign Permit.

4) City of New Berlin Fire Department requires buildings to be fully sprinklered if applicant intends to park vehicles are parked within building. If parking will be done outside, applicant shall submit parking and screening plan.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Article III Chapter 275(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.

Seconded by Mr. Teclaw. Motion carried unanimously.

25. (5) U-92-01 Farrell – 14201 W. Farrell – Use, Site, and Architectural Review of Duplexes.

Motion by Alderman Ament to deny without prejudice the request for Farrell Meadows for 17 Rd-1/PUD Single-Family attached residential buildings at 14201 W. Farrell Drive for the following reasons:

1) City of New Berlin denied Ordinance #2167 on June 11, 2002.

2) New Berlin Municipal Code (NBMC) Table 275-33-1 identifies “Two-family Dwellings w/ attached garage” as a Prohibited Use within the R-4.5 Residential District.

Seconded by Mr. Gihring. Motion carried unanimously.

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

Motion by Alderman Ament to approve Items 26 - 28 on the consent agenda. Seconded by Mr. Graber. Motion carried unanimously.

## **ZONING PERMITS**

26. (7) RO-40-02 Schober, Schober & Mitchell, S.C. – 16845 W. Cleveland Ave. – Office Expansion.

The request by Schober, Schober & Mitchell, S.C. for an office expansion located at 16845 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) Applicant shall be required to apply for a monument sign as stipulated in Article XI Section 275-61 of the City of New Berlin Municipal Ordinance. Application and plans shall be submitted to the Department of Community Development (Planning) to convert, or replace, the existing multi tenant pole sign located on West Cleveland Avenue with a monument sign by July 19 2002. The monument sign shall be no taller than 8'0", shall identify no more than four tenants, and be located outside of the ultimate right of way of Cleveland Avenue.
- 2) Windows shall replace the existing overhead opening doors on the south side of the building. The new windows shall match existing windows on the south side of the building.
- 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.

27. (7) RO-42-02 Restaurant Technologies – 16695 Victor Rd. – Warehouse for Equipment and Bulk Cooking.

The request by Restaurant Technologies for a warehouse for equipment and bulk cooking located at 16695 Victor 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) Outside storage for Restaurant Technologies, Inc. shall be limited to the three vehicles on the list submitted to the Department of Community Development (Planning) on 06/19/02, and shall be stored in parking stalls designated to Restaurant Technologies, Inc. Any additional equipment, merchandise, trailers, or vehicles shall not be stored on the premises. Any future increase in outside storage for Restaurant Technologies shall go before plan commission.
- 2) Bulk cooking oil shall not be stored in vehicles kept outside overnight.
- 3) The pallets, trailers, junk and vehicles being stored on the south parking lot shall be removed by August 5, 2002 at which time a final site inspection will be made.
- 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. Dumpsters must be enclosed by September 5, 2002 at which time a final site inspection will be made.

- 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.
28. (3) RO-44-02 ATM Corporation – 2440-2450 S. Commerce – Light Manufacturing and Assembly of Test Sieves and Sieve Shakers.

The request by ATM Corporation for light manufacturing and assembly of test sieves and sieve shakers located at 2440-2450 S. Commerce 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) Carlson Kane Incorporated is currently a tenant operating illegally within the building without a Zoning Permit. Carlson Kane Incorporated is required to apply for a Re-occupancy Permit by August 5, 2002 at which time the case will be forwarded to the Zoning Administrator for further action.
- 2) The wall sign reading “2460 – Carlson Kane Incorporated – Interior Contractors” and “Waukesha Specialties & Fabricators” shall be removed by August 5, 2002, and the building elevation restored to match the rest of the building. This may require painting of the entire front façade of the building.
- 3) 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 19, 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.
- 4) Overgrown shrubs and weeds on the northern side of the property shall be pruned and groomed. The landscaping on the property shall be updated and properly maintained.
- 5) 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. Dumpsters shall be stored within the designated enclosure at all times.
- 6) No outside storage of vehicles, items, merchandise, junk, or material shall be permitted on the property. No parking of vehicles shall be allowed along the rear gravel area of the site.
- 7) Employee and customer parking must be contained on site.
- 8) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications.
- 9) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
- 10) 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 items 29-36 on the consent agenda. Seconded by Mr. Teclaw.  
Motion carried unanimously.

### **STAFF APPROVED**

29. (5) U-46-02 Eisenhower High School - 4333 S. Sunny Slope Road - Soccer concession stand.

The request by Eisenhower High School for a soccer concession stand located at 4333 S. Sunny Slope Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) All necessary permits are required by the Building, Inspection, and Zoning Departments shall be obtained prior to commencement of any construction at this site.
- 2) The concession stand shall not exceed 16' wide, 24' deep, and 9' high. Construction materials, building plans and the floor plan shall match those on file with the Department of Community Development (Planning).
- 3) Over grown weeds and brush surrounding the parking lots, existing buildings and the tennis courts shall be removed by September 9, 2002.
- 4) The Building Inspection Department requires that building plans be stamped by a professional architect or engineer prior to the issuance of Building Permit.
- 5) All changes related to Use, Site and Architecture shall require Plan Commission approval prior to any changes.
- 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. (1) SG-42-02 Educator's Credit Union Auto & Lease – 14021 Greenfield Ave. – Face Change.

The request by Educator's Credit Union Auto & Lease for a sign face change located at 14021 Greenfield Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) The property owner and Management of Greenfield Plaza shall be required to meet with staff and update the Coordinated/ Uniform Sign Standard for the plaza to meet the requirement of the Sign Code. A new sign standard shall be in place by September 9, 2002 or prior to issuance of any permits for this plaza.
- 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 of the New Berlin Municipal Ordinance and the coordinated sign standard for Greenfield plaza.
- 3) The wall sign shall not exceed 1'6" in height, shall not exceed 20'1" in width, shall not exceed 30.12 square feet in area, and shall read "ECU AUTO LEASE". An "&" shall not be included in the wall sign.
- 4) The wall sign channel letters shall have red plexiglas faces with gold trim cap. All letters shall be mounted to Matthews Lowell #35B-2T raceways painted to match the exterior of the building.

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

6) A payment of \$15.36 is required per calculations below:

Wall Sign Face: (1'6"x20'1") = 30.12sq.ft. x 1 side = 30.12sq.ft. x \$3.00/sq.ft. = \$90.36

Less Application Fee (\$75.00) = \$15.36

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

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

31. (5) SG-43-02 Walgreens –3855 S. Moorland Rd. – Temporary Sign.

The request by Walgreens for a temporary sign located at 3855 S. Moorland Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All subcontractors and lending/financial partners shall be located on the same sign. No other temporary construction/development Sign Permits shall be issued.

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 construction 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 Moorland Road.

4) The overall temporary development sign face shall not exceed 32 square feet in area, the sign copy shall not exceed 4'0" in height and 8'0" in width, and shall read: "Coming Soon! – One Hour Photo Lab - Walgreens – The Pharmacy America Trusts – Low Prescription Prices – Home, Health, Beauty Needs – Drive Thru Pharmacy - Visit Our Website at [www. Walgreens .com](http://www.Walgreens.com)" in white and red on a blue, white, gold, and red background

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

6) The temporary development face shall not be illuminated.

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

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

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

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

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

32. (3) SG-44-02 Sharpe Fabrication, Inc. – 2550 S. 170<sup>th</sup> St. – Monument Sign.

The request by Sharpe Fabrication, Inc. for a monument sign located at 2550 S. 170<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) The monument sign shall be internally illuminated and shall be turned off outside normal business hours.
- 2) No Sign permits for wall signs shall be granted until such time a monument sign is applied for and approved. All signs, sign face changes, and banners for this business require a Sign Permit prior to display and shall conform to Article VIII Chapter 275-61 of the New Berlin Municipal Ordinance. If a sign is displayed before a Sign Permit is issued, the applicant shall pay twice the normal amount for the Sign Permit.
- 3) Submittal of a color rendering to the Department of Community Development (planning) of the monument sign is required prior to the issuance of a Sign Permit.
- 4) The existing wall sign reading "Milwaukee Machine & Engineering" shall be removed before the issuance of a Sign Permit for the proposed monument sign.
- 5) No outside storage of items, merchandise, junk, material, or vehicles shall be permitted on the property.
- 6) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Chapter 275-56 of the New Berlin Municipal Code.
- 7) 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.
- 8) The overall internally illuminated monument sign shall not exceed 7'0" in height, shall not exceed 9'0" in width, and shall be located behind the ultimate right of way of South 170<sup>th</sup> Street.
- 9) The internally illuminated monument sign face shall not exceed 3'6" in height, shall not exceed 8'0" in width, shall not exceed 28 square feet in area, and shall read "Sharpe Products – Pipe & Tube Bending Specialists – Architectural Handrails – Components – (262) 754-0369 – www.sharpeproducts.com".
- 10) The monument base shall not exceed 3'0" in height, shall not exceed 9'0" in width, and shall be constructed of masonry painted to match the exterior architecture of the building.
- 11) A payment of \$93.00 is required per calculations below:

Monument Sign Face: (3'6" x 8'0") = 28.0 sq.ft. x 2 sides = 56.0 sq.ft. x \$3.00/sq.ft. = \$168.00

Less Application Fee (\$75.00) = \$93.00.

- 12) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
  - 13) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
33. (7) SG-45-02 Ark-Les – 16955 W. Ryerson – Monument Sign.

The request by Ark-Les for a monument sign located at 16955 W. Ryerson Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) 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 Internally illuminated monument sign shall not exceed 4'1" in height, shall not exceed 7'0" in width, and shall be located behind the ultimate right of way of West Ryerson Road.
- 3) The Internally illuminated monument sign face shall not exceed 2'1" in height, shall not exceed 7'0" in width, shall not exceed 14'6" square feet in area, and shall read "Ark-Les – Custom Products Corporation" in green and black on a white background.
- 4) The monument base shall not exceed 2'0" in height, shall not exceed 7'0" in width, and shall be constructed of masonry painted to match the exterior architecture of the building.
- 5) The monument sign shall be internally illuminated and shall be turned off outside normal business hours.
- 6) A payment of \$12.60 is required per calculations below:  
 Monument Sign Face: (2'1" x 7'0") = 14.6 sq.ft. x 2 sides = 29.2 sq.ft. x \$3.00/sq.ft. = \$87.60  
 Less Application Fee (\$75.00) = \$12.60.
- 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.

34. (3) SG-46-02 Capitol Pavers – 18005 W. Lincoln Ave. – Monument Sign.

The request by Capitol Pavers for a monument sign located at 18005 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) 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 including lowering the overall height of the monument sign to 8'0".
- 2) The overall monument sign shall not exceed 10'8" in height, shall not exceed 5'0" in width, and shall be located outside the ultimate right of way of Lincoln Avenue.
- 3) The landscaping along Lincoln Avenue shall be updated and groomed. All overgrown bushes and shrubs shall be trimmed and maintained.
- 4) The monument sign face shall not exceed 8'0" in height, shall not exceed 4'0" in width, shall not exceed 32 square feet in area, and shall read "CPI – Capitol Pavers Inc. – Concrete Paving Contractors – Office/Yard – Contractors Adjustment Company LLC – Independent Trucking Equipment – 18005 – 25 W. Lincoln Ave." in white on a black background.
- 5) The monument base shall not exceed 0'8" in height, shall not exceed 5'0" 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 sign face.

6) The monument sign and wall sign shall not be illuminated.

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

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

Less Application Fee (\$75.00) = \$117.00.

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.

35. (2) SG-47-02 Famous Footwear – 14075 W. National Ave. – Wall Sign – Face Change.

The request by Famous Footwear for a wall sign face change located at 14075 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) 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.

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

4) The overall monument sign shall not exceed 7'0" in height, shall not exceed 10'2" in width, and shall be located behind the ultimate right of way of National Avenue.

5) The monument sign face shall not exceed 3'4" in height, shall not exceed 9'2" in width, shall not exceed 30.23 square feet in area, and shall read "Famous Footwear" in white on a black background.

6) The monument base shall not exceed 2'8" in height, shall not exceed 9'6" 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.

7) The wall sign reading "Famous Footwear" shall not exceed 10'6" in height, and shall not exceed 15'5 1/4" in width. The wall sign face shall not exceed 5'3" in height and 13'7 3/4" in width, shall not exceed 83 square feet in area, and shall read "Famous Footwear" in white Plexiglas channel letters on a black background.

8) The wall sign reading "Sparkle Cleaners" shall not exceed 2'6" in height and 13'10" in width. The wall sign face shall not exceed 1'8" in height and 12'6" in width, shall not exceed 21 square feet in area, and shall read Sparkle Cleaners in white Plexiglas channel letters on a black background.

9) The monument sign and wall signs shall be internally illuminated, and shall be turned off outside of normal business hours.

10) A payment of \$417.87 is required per calculations below:

Monument Sign Face: (3'4" x 9'2") = 30.23 sq.ft. x 2 sides = 60.46 sq.ft. x \$3.00/sq.ft. = \$181.38

Wall Sign Face:  $(5'3'' \times 13'73/4'') = 83\text{sq.ft.} \times 1 \text{ side} = 83\text{sq.ft.} \times \$3.00/\text{sq.ft.} = \$249.00$

Wall Sign Face:  $(1'8'' \times 12'6'') = 20.83\text{sq.ft.} \times 1 \text{ side} = 20.83\text{sq.ft.} \times \$3.00/\text{sq.ft.} = \$62.49$

Less Application Fee (\$75.00) = \$417.87

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

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

36. (4) SG-49-02 Hastings Air Energy Control – 5555 Westridge Dr. – Sign Face Change.

The request by Hastings Air Energy Control for a sign face change located at 555 Westridge Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

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

2) No outside storage of items, merchandise, junk, or materials shall be permitted on the property.

3) The overall non-illuminated monument sign shall not exceed 6'9" in height, shall not exceed 7'6" in width, and shall be located behind the ultimate right of way of South Westridge Road.

4) The non-illuminated monument sign face shall not exceed 3'9" in height, shall not exceed 7'6" in width, shall not exceed 28.125 square feet in area, and shall read "HASTINGS AIR-ENERGY CONTROL – Air Quality Management Systems Since 1969" in blue and black on a grey background with a blue border.

5) The monument sign shall not be illuminated.

6) A payment of \$93.75 is required per calculations below:

Monument Sign Face:  $(3'9'' \times 7'6'') = 28.125 \text{ sq.ft.} \times 2 \text{ sides} = 56.25 \text{ sq.ft.} \times \$3.00/\text{sq.ft.} = \$168.75$

Less Application Fee (\$75.00) = \$93.75.

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.

Motion by Mr. Teclaw to adjourn the meeting at 8:20 P.M. Seconded by Alderman Ament. Motion carried unanimously.