

PUBLIC HEARING

6:01 P.M. DH PG-629 Well Head Protection Ordinance

**NEW BERLIN PLAN COMMISSION
NEW BERLIN CITY HALL COUNCIL CHAMBERS
December 2, 2002**

Minutes

The public hearing relative to the request by City of New Berlin to amend the Zoning Ordinance to create a Wellhead Protection Overlay District and delineate the districts for Well #10 and #11 was called to order at 6:05 P.M.

In attendance were Mayor Wysocki, Mr. Gihring, Alderman Ament, Mr. Felda, Mr. Barnes, Mr. Teclaw. Also present were Greg Kessler, Director of Community Development, David Haines, Olofu Agbaji, Nikki Jones. Mr. Graber was excused.

Mr. Haines gave a brief presentation describing the request and said that copies of the Well Head Protection Overlay District and Delineation Districts and maps are also available for review in the Dept. of Community Development.

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

Mayor Wysocki asked for any questions for clarification.

Norbert Kowalkowski, 3845 S. Court, Milwaukee - I was wondering about the well in Valley View Park. Will I be affected by these regulations at 5321 S. Sunny Slope Rd?

Mr. Haines said Well #10 is where the water tower is. Well #11 is the one off Janesville Road. The one in Valley View Park is Well #8. You would be in the area of Well #11.

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

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

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

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

Mr. Gihring - Will we eventually have wellhead protection for all the other city wells too? We are just doing these two right now, but what about the rest of them?

Mr. Haines - If the City constructs any new wells, it is required by the DNR. The older wells are usually done by Utilities. A wellhead protection plan could be done by Water Utility or Community Development.

Mr. Teclaw - Who did the determination of these zones?

Mr. Haines - Reukert/Mielke did both based on well water. Position and orientation of the water table

and type of soil, pumping capacity, etc. are all factors.

Alderman Ament - There was a public hearing back on August 8, 2000. Is there some reason why it wasn't done then?

Mr. Haines - I don't know the full history but that public hearing was for wells we had at that time, now we are adding Well#11. Something was lost in converting from the old code format to the new code format. Ordinances can be created in several ways and this is the basic standards recommended by State code. Several other communities have done more detailed standards. Our method works very well with our process and our zoning code.

Mr. Teclaw- Who would make the determination if and when we would consider this for additional wells?

Mr. Haines - Plan Commission would have to create the district.

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

Mayor Wysocki closed the public hearing at 6:24 P.M.

Minutes

The Plan Commission meeting of December 2, 2002 was called to order at 6:25 P.M. by Mayor Wysocki.

In attendance were Mayor Wysocki, Mr. Gihring, Alderman Ament, Mr. Felda, Mr. Barnes, Mr. Teclaw. Also present were Greg Kessler, Director of Community Development, David Haines, Olofu Agbaji, Nikki Jones. Mr. Graber was excused.

Motion by Alderman Ament to approve the Plan Commission Minutes of November 4, 2002. Seconded by Mr. Teclaw. Motion carried unanimously.

Plan Commission Secretary's Report - none

CONTINUED ITEMS

5. (7)OA R-1-02 Southwest Metal Finishing – City of New Berlin Department of Community Development – 16775 W. Dakota St. – Rezone from M-1/C-2 to M-1/C-2 – Survey Delineation of C-2 Conservancy Boundary. (Tabled 2/4/02, Public Hearing 11/4/02)

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

Mr. Gihring. Motion carried unanimously.

Motion by Mr. Barnes to recommend to Common Council to approve the request to rezone the delineated and surveyed C-2, Wetland District boundary located at 16775 West Dakota Street, adopt this C-2 Wetland District boundary and update the Zoning Map accordingly.

Seconded by Mr. Gihring. Motion carried unanimously.

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

(Tabled 7-8-02, 8-5-02)

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

Motion by Mr. Felda to deny the request by AAT Communications to install up to a 170' freestanding telecommunications tower with up to 6 antenna arrays, its 31' x 40' fenced associated equipment and enclosure, and add a new TeleCorp PCS antenna array at the 170' level located at 13825 W. National Avenue based on the following reasons:

- 1) Both office and commercial properties are owned and operated by Casio Music. Parking usage and calculations overlap onto both properties. If applicant desires to separate this parcel, a letter to that effect from the property owner will be required and both parcels shall be required to meet the parking requirements respectively.
- 2) The current plan removes at least six parking spaces, not including spaces that would need to be utilized to meet the landscaping requirements, from an already nonconforming parking lot configuration with no plan for their replacement. It also does not take into account the parking necessary for the tower workers, and Mopsy's Golf Range. This would be an expansion of the a non-conforming use under NBMC Chapter 275-48A.
- 3) NBMC Chapter 275-34D(4) requires a minimum of 25% open space on all commercial properties. Green space calculations were not included with this submittal, however this property is almost entirely paved.
- 4) This site has several non-conformities including, but not limited to, the existing parking along National Avenue that is located within the Ultimate Right-of-Way of National Avenue, inadequate green space requirements, and inadequate parking spaces based on the need for this office building.
- 5) A landscaping plan has not be submitted as required per section NBMC Chapter 275-41 which requires at minimum for all towers over 50' in height, the tower base, accessory building, anchor points, and parking area shall be screened with a four-foot (at the time of planting) evergreen hedge consistent with the landscaping requirements for nonresidential properties. One was not submitted; instead the applicant is proposing to use a wooden fence to screen the equipment building. Height of the fence is not supplied. Fences are required to follow section 275-42(G)(3) in its entirety.
- 6) The applicant has shown a 20' wide access easement on the Cascio Music property. Applicant not submitted a letter signed by the owner providing access to the parcel. Access then should be limited to these properties.
- 7) The applicant has not shown that additional antennas cannot be placed on existing towers; existing towers cannot be re-engineer to accommodate addition antennas; existing towers cannot be extended to accommodate additional antennas; other communication technology in lieu of towers with antennas is not available; and a site containing an existing tower cannot accommodate an additoal tower as required by section 275-41D(16)(i)
- 8) The applicant has not shown, through preponderance of evidence, that modifications or upgrades to adjacent SunCom (f.k.a TeleCorp PCS) sites would reduce the need for the current siting. SunCom has an unoccupied but approved site 4000 feet east of the proposed tower. Applicant has shown a coverage map of 4- 80' towers located within the same region and their effects on coverage, but has not shown potential locations that are the least intrusive.
- 9) The applicant has not shown, that a 170' monopole located 140' from the ROW of National

Avenue, 16' from a one-story office building, 60' from a 1-1/2 story Cascio Music Store, or 170' from the National Manor Senior Apartments complex is the least intrusive means of providing coverage in the area; and the applicant has not proposed any resolution or mitigation, as required by section 275-24C(2)k, the aesthetic affect upon the area.

10) A variance has not been granted for the equipment building to be located within the required setback. The building is located only seven feet from the property line.

11) The office building is located within the fall zone, this is not permitted under section 275-41C(16)(a).

Seconded by Alderman Ament. Motion carried unanimously.

7. (5)DH U-44-02 The Preserve at Deer Creek – 4285 S. Sunny Slope Rd. – Nine-Hole Golf Course and Club House. (Tabled 9/9/02, 11/4/02)

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

Discussion followed concerning follow-up on unfinished conditions.

Motion by Mr. Barnes to approve the use and architecture but to table the site requested by Dennis Kasian for a 9-hole "Preserve at Deer Creek" golf course and clubhouse at 14300 W. Howard Avenue until grading and stormwater plans are revised.

Mr. Haines said he was not sure we can separate those because the zoning permit and building permit would be based on the use, site, and architecture. Plan Commissioners then contemplated approving the use, site, and architecture of the clubhouse only and table the course. More discussion formed around the need for adequate stormwater and grading plans.

The City Attorney, Mark Blum indicated his concern was that the permit would be for the entire parcel and you are considering approving a portion of this so we would need to be very specific just what part you are approving. You don't want to end up with an approved area turning into an island. My recommendation to you is not to parcel this out in pieces for purposes of issuing a zoning permit for some and not the balance.

Motion withdrawn by Mr. Barnes.

Motion by Alderman Ament to table the request by Dennis Kasian for a 9-hole "Preserve at Deer Creek" golf course and clubhouse at 14300 W. Howard Avenue for the following reasons with a minimum of Item 1 and 2 being completed before returning to the agenda:

1) Grading Plans:

a) Staff is unable to determine the affect the grading of the land may have on adjoining property owners. A hold harmless agreement with the City concerning drainage of water from your property onto neighboring properties is required prior to issuance of Zoning Permit.

b) One-foot as-built elevations certified by a registered engineering are required prior to issuance of the Occupancy Permit.

c) Upon staff review of the as-built elevations, the applicant shall mitigate any drainage concerns

prior to issuance of the Occupancy Permit.

2) Stormwater plans shall be revised to the satisfaction of the Stormwater Engineer prior to issuance of the Zoning Permit.

3) Utility Plans:

a) Connection to City water will be required if the private well serving the clubhouse fails.

b) A meter is required on the private well serving the clubhouse meeting City requirements.

4) Landscaping Plan: Plan Commission approves the landscaping plan as submitted and in accordance with §275-52C waives all landscaping requirements that conflict with the approved landscaping plan.

5) General Development:

a) A permit for the razing of all existing buildings shall be obtained prior to issuance of the Zoning Permit.

b) Fire protection issues will be addressed with Fire Department and Department of Community Development.

c) An executed Developers Agreement is required prior to public utility or infrastructure work commencing.

d) A pedestrian easement and construction of a recreational trail is required as shown in the Alternative Transportation Facility Plan and the 1997 Deer Creek Master Plan.

Seconded by Mr. Teclaw. Motion carried unanimously.

8. (4)OA U-40-02 New Berlin Technology Center – 5660 S. Moorland Rd. – Office/Warehouse.(Tabled 7-8-02, 11/4/02)

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

Motion by Mr. Gihring to approve the request by New Berlin Technology Center for the construction of five (Buildings A-E only) spec office/warehouse buildings located at 5660 S. Moorland Road subject to:

1) Adherence to Article VIII, §275-54 Natural Resource Protection is required. Tree inventory of existing trees greater than 4" (wooded area around buildings F-G) is required prior to issuance of Zoning Permit. Please submit a replacement schedule for the tree survey provide to staff on November 13, 2002. Development of buildings F & G will be subject to the requirements of the above sections of the Code.

2) Payment of \$ 5,278.14 in Public Sites, Open Space and Trail fee shall be made by November 29th, 2002 as required by condition #10 of approval granted by Common Council on 10/18/02 for LD-3-02.

3) Conditioned on obtaining DNR and all regulating authorities permits for creek, wetland and

floodplain crossings.

4) All topsoil removal, grading, cuts and fills on both North and South of the creek, wetland and floodplain shall be approved and supervised by the Department of Community Development (Engineering). Earth moving shall be kept to a maximum of 90 days at which time all stock piles shall be seeded and stabilized with proper erosion control measures at the perimeters according.

5) Plan of Operation

a) Plan Commission and staff review and commentary is required on proposed Plan of Operation.

b) An executed developers agreement is required prior to cleaning, grubbing, grading and/or utility/infrastructure work commencing.

c) Per Article VIII, §275-24 All future tenants shall be required to apply for and receive a Zoning Permit from the Department of Community Development prior to leasing or occupying space within this development. All future tenants will be reviewed on a case-by-case basis for adequacy of parking and may be denied for lack of parking.

6) Architectural Plan

a) Exterior architecture must be approved by the Architectural Review Committee prior to issuance of Building Permit.

b) 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.

7) Site Plan

a) Revised plans must show construction Limits of Disturbance (LOD) as required by Article VIII, §275-54 (A) of the City of New Berlin Municipal Ordinance.

b) A plat of survey stamped by a Wisconsin Registered Land Surveyor, is required for each building permit, tying down proposed buildings to lot lines.

c) Buffer requirements to the residential lands East of this area must be provided as required by Article VIII, §275-57 of the City of New Berlin Municipal Ordinance in its entirety.

d) All delineated and identified wetlands shall be tied down on the CSM. Legal description of the delineated wetlands on this property shall be provided to the Department of Community Development for proper zoning as required by Article VIII, §275-37 (B) (4) in its entirety.

e) Public utility easements for sanitary sewer and water will be required on the CSM.

f) An ingress-egress easement for a possible future road connection through parcel to east to Grange Avenue shall be shown on the CSM.

g) An access permit will be required from the Waukesha County DOT for the connection to Moorland

Road prior to issuance of Building Permit.

h) Submittal of an overall site lighting plan with location and height of fixtures and intensity of illumination that meets Section 275-60(I) the Zoning Code requirements.

8) Landscaping Plan

a) Overall landscaping plan must be approved by the Department of Community Development (Planning) prior to installation. All landscaping sureties shall be provided prior to issuance of Building Permit. Landscaping sureties shall be coordinated with staff during overall approval and tied to each individual Building Permit.

9) Stormwater

a) Applicant shall be required to meet the MMSD Chapter 13 and the City of New Berlin Stormwater Ordinance in its entirety. Site drainage, grading and stormwater plans must be approved by the Stormwater Engineer prior to issuance of Zoning Permit.

b) A revised erosion control plan is required. A temporary sedimentation pond is required for the south ½ of this project. A long tracking pad is needed at the Moorland Road access. Is the drop inlet fabric barrier (detail 02841) being used at all catch basins? Typically, basin fabric is installed in the frame (GFT-403 or equivalent) at all catch basins. An erosion control permit must be applied for and all ponds and erosion control must be in place before building construction begins.

10) General Engineering

a) The first floor grade for building A must be raised from 861.15' to 862.6'.

b) Submittal of a revised grading and drainage plan at the access on Moorland Road is required prior to issuance of Building Permit.

c) Review comments regarding proposed lift station, sanitary sewer, force main and water main have already been sent to developer. Water main must be looped. Sanitary sewer will be oversized because proposed interceptor runs through this site. MMSD and Wisconsin DNR approvals are required before utility construction begins.

d) The construction plans must be revised to show a proposed 12" diameter sanitary sewer interceptor (of equal hydraulic capacity of existing sewer under Moorland Road) to the East lot line.

e) The proposed looped water main run along the North sides of buildings A & B is running along a proposed 3:1 slope area. City of New Berlin standards say ground slopes within easements shall not exceed 4:1 transversely or 10% longitudinally. Revise plans. Water may be able to be moved closer to the buildings if it helps but there appears to be no easy solution .

f) Apparently you are proposing boring under the creek and installing water and sanitary sewer force main in the same trench. Detailed plan and profile utility plans will be required.

11) Signage for this development will require a separate application, review and Permit from the Department of Community Development (Planning) prior to installation. An Overall Coordinated Sign Standard shall be established and approved by the City of New Berlin Plan Commission as outlined in Article VIII Section 275-61.

12) Per the City of New Berlin Fire Department the building is required to be fully sprinklered. Alarm

system required. A fire hydrant is required within 150' of sprinkler system fire department connections. Knox box required. Applicant is required to submit State of Wisconsin and Local Fire Prevention Bureau Plan Approvals.

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

9. DH PG-723 Tower Moratorium (Public Hearing 9/9/02, Tabled 10/8/02)

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

Motion by Alderman Ament to recommend to Council approval of the adoption of an ordinance for a six month moratorium on new communication facilities.

Seconded by Mr. Barnes. Motion carried unanimously.

NEW BUSINESS

10. (3)NJ U-84-02 House Doctors Handyman Services – 1540 S. 167th St. – Office for Handyman Service.

Withdrawn at the request of the applicant.

11. (7)OA U-86-02 Mike Hegan's Field of Dreams – 16701 W. Cleveland Ave. – Batting Cage Complex.

Motion by Alderman Ament to approve the request by Mike Hegan's Field of Dreams for a batting cage complex located at 16701 W. Cleveland Avenue subject to:

1) Plan of Operation:

a) 3 Batting Cages and 3 batting tunnels for baseball lessons.

b) Video arcade with 25-50 games.

c) Concession area for refreshments

d) Hours of operation: 11:00 AM till 9:00 PM

e) 8-10 total employees – max of three at the same time.

2) Site Plan:

a) Submittal of a revised site/ landscaping plan that meets Section 275-57 of the City of New Berlin Municipal Ordinance is required by December 2, 2002 or prior to issuance of Zoning Permit. Revised plans must show the elimination of the motorcycle parking stalls and new 9' x 19 stalls. Entire parking lot shall be restirped.

b) Per Section 275-56 (G) of the New Berlin Zoning Ordinance, dumpsters must be properly screened from the street and public view. Dumpsters must be kept within the designated enclosure

at all times.

3) Architectural Plan:

a) Per recommendation of the Architectural Review Committee, applicant shall be required to paint the entire front elevation of the building the same color to eliminate the Hal's Harley wall sign shadow on the building. If the applicant desires to paint the building a different color, a Use Approval will be required from the Plan Commission for the alternate color scheme.

4) Landscaping Plan:

a) Submittal of a revised detailed Landscaping/ Site Plan is required set forth in Article VIII sections 275-53 through 275-56 of the New Berlin Zoning Ordinance prior to issuance of zoning permit. Revised plan shall address the pruning, updating and enhancement of the existing landscaping for this property.

b) Parking lot screening shall also be addressed in the revised landscaping/ site plan.

Seconded by Mr. Barnes. Motion carried unanimously.

12. (2)OA U-87-02 Always 99 Cents – 3550-3656 S. Moorland Rd. – General Merchandise Promotional Store.

Motion by Alderman Ament to approve the request for Always 99 Cents general merchandise promotional store located at 3550-3656 S. Moorland Road subject to:

1) The application is incomplete.

a) A traffic impact analysis has not been submitted – see condition 2d

b) The site plan inadequate for review – see condition 3b, and 3c.

c) The architectural plan is inadequate for review – see condition 4a, 4b, and 4c.

d) The landscaping plan is inadequate for review – see condition 5a and 5b.

2) Plan of Operation

a) The Plan of Operation states there will be 60 employees, 15 are full-time and 40 are part-time, the Plan shall state what the other 5 employees are.

b) The Plan of Operation shall state the number of employees in the largest shift as required by §275-24C(2)(d).

c) The expected opening date of the store shall be submitted as required by §275-24C(2)(j).

d) A traffic impact analysis shall be submitted as required by §275-58C.

e) The front windows shall not be blocked, and shall allow pedestrians to see into the store or display windows as recommended by the City Center Development Plan.

f) Banners on City Center lighting shall be required depicting each season. Banners displaying an

event or sale at any of the stores within the Plaza are permitted only for 7 continuous days no more than two times a year.

3) Site Plan

- a) The Limits of Disturbance (LOD) boundary shall be shown on the site plan as required by §275-54A.
- b) The building owner shall purchase and install benches along the sidepaths along National and Moorland at locations approved by DCD staff as recommended by the City Center Development Plan.
- c) The building owners shall purchase and install City Center style lighting along National and Moorland at locations approved by DCD staff as recommended by the City Center Development Plan.
- d) Bike stands, benches, trash receptacles and architecturally integrated newspaper racks shall be purchased and installed by the building owner and shown on the site plan as recommended by the City Center Development Plan.

4) Landscaping Plan

- a) A landscaping plan meeting all the requirements of §275-56 shall be submitted.
- b) The Limits of Disturbance (LOD) boundary shall be shown on the landscaping plan as required by §275-54A.
- c) The landscaping plan shall include landscaping along the edge of the parking area as recommended by the City Center Development Plan.

Seconded by Mr. Felda. Motion passes with Mr. Barnes abstaining.

13. (7)NJ LD-4-02 Ruby, Inc. – Approx. 2955 S. Country Ln. – SW ¼ Sec. 8 - Two-Lot Final Land Division.

Motion by Mr. Barnes to recommend to Council approval of the request by Ruby, Inc. for a two lot final land division located at approx. 2955 S. Country Land SW 1/4 Sec. 8 subject to:

- 1) Wetland preservation restrictions are to be shown on the face of the CSM. Silt fence required along wetland boundary prior to any construction.
- 2) Applicant shall show the distance to the wetland from a property pipe along common lot line. This shall be shown on the face of the CSM.
- 3) As part of normal building permit, applicant shall be required to demonstrate proof of perk, identify location of perk, and the City must receive sanitary approvals from Waukesha County prior to any building permits being issued.
- 4) Applicant shall be required to drill a well prior to building permits being issued.
- 5) Applicant shall remove setbacks from the face of the CSM prior to City signing the CSM.

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

7) Applicant shall show both the City of New Berlin vision triangle and the Waukesha County vision triangle on the face of the plat to ensure that driveway is located outside the vision triangle.

8) Payment of \$4,275.20 in Public Site, Open Space & Trail fees required before the City will sign the CSM.

9) The City shall initiate a rezoning of the lands shown as wetlands on the CSM.

Seconded by Mr. Felda.

Motion by Mr. Teclaw to table the request by Ruby, Inc. for a two lot final land division located at approx. 2955 S. Country Lane, SW 1/4 Sec. 8 to allow the City Attorney to review the situation of the wetland included in areas of the land being divided in regard to the Zoning Code, Section 275-44(G)(1).

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

14. (7)NJ R-9-02 Crestview Place – 16850 & 16860 W. Observatory Rd. – Rezone property from O-1 to B-2 and RM-1/PUD.

Motion by Alderman Ament to forward to Common Council to request a Public Hearing be set for January 6, 2003 before the Plan Commission regarding the request to rezone the property located at 16850 W. Observatory Road from O-1 to B-2 and rezone the property located at 16860 W. Observatory Road from O-1 to Rm-1/PUD.

Seconded by Mr. Teclaw. Motion carried unanimously

15. () PG-654 Application Process, Handouts, Checklist and Requirements

Copies of the newest application handouts and checklists were distributed to the Plan Commissioners for their information. Mr. Haines summarized the process in which these forms are used and asked Commissioners to submit any questions or comments they may have.

16. () PG-741 Chapter 235 & 275 Appendixes

Copies of Appendix A, B, and C for Chapters 235 and 275 were distributed to Plan Commissioners. These will be distributed with copies of the Code.

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 #17 and #18. Seconded by Mr. Teclaw. Motion carried unanimously.

ZONING PERMITS

17. (7)BM RO-59-02 PSA Laboratory Furniture – 2732 S. 163 St. – Office.

The request by PSA Laboratory Furniture for an office located at 2732 S. 163 Street has been

reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) Per condition 2 of zoning permit #RO-07-02 and condition 1 of sign permit "The two existing multi tenant ground signs shall be removed by June 1, 2003, as required by Article VIII Section 275-61 of the New Berlin Zoning Ordinance at which time a submittal of an application for a monument sign shall be made to the Department of Community Development (planning)."

2) Per Article VIII Chapter 275-61(B)(1) of the City of New Berlin Municipal Code "No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered, nor shall the face of a sign be changed without a sign permit and conforming with the provisions of this chapter." PSA Laboratory Furniture shall apply for a Temporary Sign Face Change by December 2, 2002.

Per Article X Chapter 275-68 of the City of New Berlin Municipal code "A double fee shall be charged if work is started before a permit is applied for, or issued, or if a building is occupied prior to the issuance of an occupancy permit. Such double fee shall not release the applicant from full compliance with this chapter nor from prosecution for violation of this chapter."

3) The parking lot shall be resealed and re-stripped by June 1, 2003.

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

5) No outside storage of vehicles, items, 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. All outstanding permits for this property shall be satisfied prior to the issuance of any new building, plumbing, or electrical permits.

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.

18. (5) RO-62-02 Affiliated Dermatologists, SC - 14555 W. National Avenue - Dermatology Services.

The request by Affiliated Dermatologists, SC located at 14555 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) 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.

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

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

4) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications. All outstanding permits for this property shall be satisfied prior to

the issuance of any new building, plumbing, or electrical permits.

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

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

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

Motion by Mr. Barnes to approve the consent agenda items #20, 23-31. Seconded by Mr. Teclaw.
Motion carried unanimously.

STAFF APPROVED

19. (4)OA U-78-02 Steepleview, Inc., 12451 W. Janesville Road - Temporary request is to use the structure for a combination residential leasing and construction office. Intended use for the property is to develop a senior living facility in connection with the Churches primary school operation.

The request by Steepleview, Inc. to use the existing vacant non-conforming building located at 12451 W. Janesville Road as a temporary leasing and construction office 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 is required to demonstrate that the use of the building will not interfere with the construction of the detention facility for Steepleview Senior facility. Applicant is required to submit a revised site plan showing the location of the existing building superimposed on the Steepleview Senior facility site/ grading plan prior to issuance of Certificate of Occupancy.

2) An inspection is required by the Building, Inspection, and Zoning Departments. All outstanding permits for this property shall be satisfied prior to the issuance of any new Building, Plumbing or Electrical Permits.

3) The construction trailer parked East of the building must be removed by November 27, 2002.

4) Building shall not be used as a residence.

5) Applicant shall be required to file for razing permits for all other structures on this parcel prior to issuance of Certificate of Occupancy.

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.

Motion by Alderman Ament to approve the request by Steepleview, Inc. to use the existing vacant non-conforming building located at 12451 W. Janesville Road as a temporary leasing and construction office subject to the application, the plans on file and the following:

1) Applicant is required to demonstrate that the use of the building will not interfere with the construction of the detention facility for Steepleview Senior facility. Applicant is required to submit a revised site plan showing the location of the existing building superimposed on the Steepleview Senior facility site/ grading plan prior to issuance of Certificate of Occupancy.

2) An inspection is required by the Building, Inspection, and Zoning Departments. All outstanding permits for this property shall be satisfied prior to the issuance of any new Building, Plumbing or Electrical Permits.

3) The construction trailer parked East of the building must be removed by November 27, 2002.

4) Building shall not be used as a residence.

5) Applicant shall be required to file for razing permits for all other structures on this parcel prior to issuance of Certificate of Occupancy.

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.

Seconded by Mr. Barnes. Motion carried unanimously.

20. (5)NJ U-81-02 Robert Kahle – 15055 W. National Ave. – Christmas Tree Sales.

The request by Robert Kahle for Christmas Tree Sales located at 15055 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) Approval will be granted for a one-year probationary period subject to the result and outcome of the operation at this location. Applicant will be required to reapply to the Plan Commission for additional years if they want to continue this business at this location.

2) Tree display shall be restricted to the area of the parking lot identified on the plan. Tree display shall be restricted to the area in front of the building and just west of the vacant building and must be a minimum of 5 feet from the lot line. Customer parking will be restricted to one row of parking to the east of the vacant building next to the tree storage.

3) Applicant must submit a lighting scheme for the tree display to the Planning Department prior to the commencement of sales. Electrical permit is required from the Building Inspection and Zoning Department. Lighting of trees must be shielded so as not to spill onto the public right-of-way.

4) Applicant must provide portable bathroom with chemical toilets from a licensed distributor during duration of sales. The portable bathroom shall be emptied weekly.

5) This probationary approval will be granted for a period starting the day after Thanksgiving, November 29th, 2002 through Christmas Eve, December 24th 2002. This site must be cleared of all Christmas trees and debris by the end of the day on December 30th, 2002.

6) Hours of operation will be limited to 9 AM to 8 PM or as approved by the Plan Commission for the duration of the season.

7) The Christmas trees and parking areas shall be located as shown on the site plan submitted to the City of New Berlin Department of Community Development (planning) on October 7, 2002.

8) All necessary permits required by the Building, Inspection, and Zoning Departments shall be obtained prior to commencement of any activity at this site. All outstanding permits for this property

shall be satisfied prior to the issuance of any new Building, Plumbing or Electrical Permits.

9) Any signage will require a sign permit.

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

11) Building must meet all applicable building and fire codes.

21. (7) U-82-02 New Berlin West High School Baseball Boosters – 18695 Cleveland Ave. – Scorer's Booth and Storage for Baseball Team at New Berlin West High School.

The request by New Berlin West High School Baseball Boosters for a Scorer's Booth and Storage for Baseball Team at New Berlin West High School located at 18695 Cleveland Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) All necessary permits required by the Building, Inspection, and Zoning Departments shall be obtained prior to commencement of any construction at this site. All outstanding permits for this property shall be satisfied prior to the issuance of any new Building, Plumbing or Electrical Permits.

2) The scorers booth/storage building shall be located as shown on the site plan submitted to the City of New Berlin Department of Community Development (planning) October 11, 2002. The scorers booth/storage building dimensions and construction materials shall be as shown per plans submitted to the City of New Berlin Department of Community Development (planning) October 11, 2002.

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

4) Building must meet all applicable building and fire codes.

Motion by Alderman Ament to approve the request by New Berlin West High School Baseball Boosters for a Scorer's Booth and Storage for Baseball Team at New Berlin West High School located at 18695 Cleveland Avenue subject to the application, the plans on file and the following:

1) All necessary permits required by the Building, Inspection, and Zoning Departments shall be obtained prior to commencement of any construction at this site. All outstanding permits for this property shall be satisfied prior to the issuance of any new Building, Plumbing or Electrical Permits.

2) The scorers booth/storage building shall be located as shown on the site plan submitted to the City of New Berlin Department of Community Development (planning) October 11, 2002. The scorers booth/storage building dimensions and construction materials shall be as shown per plans submitted to the City of New Berlin Department of Community Development (planning) October 11, 2002.

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

4) Building must meet all applicable building and fire codes.

Seconded by Mr. Teclaw. Motion carried unanimously.

22. (7)OA U-83-02 Poplar Creek Tree Farm – 3895 S. Woelfel Rd. – Choose and Cut Christmas

Trees.

The request by Poplar Creek Tree Farm to choose and cut Christmas Trees located at 3895 S. Woelfel 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) Since this is a commercial operation, applicant is required to pay the outstanding permit application fee of \$100.00 prior to issuance of the Zoning Permit.
- 2) Approval will be granted for a one-year probationary period subject to the result and outcome of the operation at this location. Applicant will be required to reapply to the Plan Commission for additional years if they want to continue this business at this location. This probationary approval will be granted for a period starting the day after Thanksgiving, November 29th, 2002 through Christmas Eve, December 24th 2002. This site must be cleared of all cut trees, wreaths, garland and debris by the end of the day on December 30th, 2002.
- 3) Culvert permit is required for the proposed driveway access on Woelfel Road.
- 4) The parking area shall be located as shown on the site plan submitted to the City of New Berlin Department of Community Development (planning) on October 10, 2002. Parking on Woelfel Road not permitted.
- 5) If site is to be lighted, applicant must submit a lighting scheme for the parking area to the Planning Department prior to the commencement of sales. Electrical permit is required from the Building Inspection and Zoning Department. Lighting must be shielded so as not to spill onto the public right-of-way.
- 6) Applicant must provide portable bathroom with chemical toilets from a licensed distributor during duration of sales. The portable bathroom shall be emptied weekly.
- 7) Hours of operation will be limited to 9 AM to 8 PM or as approved by the Plan Commission for the duration of the season.
- 8) All necessary permits required by the Building, Inspection, and Zoning Departments shall be obtained prior to commencement of any activity at this site. All outstanding permits for this property shall be satisfied prior to the issuance of any new Building, Plumbing or Electrical Permits.
- 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.

Motion by Alderman Ament to amend Condition #1 to refund \$150.00 and charge \$100.00 temporary use fee only and to add Condition #8 to read, An application for additional years must be submitted to the Department of Community Development (planning) prior to September 21, 2003. Any application for Christmas Tree sales is submitted to the Department of Community Development (planning) after September 21, 2003, it shall only be issued a temporary permit.

Seconded by Mr. Teclaw. Motion passes unanimously.

23. (7)OA U-85-02 Verizon Wireless Personal Communications – 15725 W. Ryerson Rd. – Temporary Emergency Generator.

The request by Verizon Wireless Personal Communications for a temporary emergency generator

located at 15725 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) This permit is for the installation of the temporary emergency generator only. A Use Approval application is required for all other exterior building and site alteration.
 - 2) Emergency generator must meet all the requirements of Article VII Section 275-60 (E) in its entirety.
 - 3) All necessary permits required by the Building, Inspection, and Zoning Departments shall be obtained prior to commencement of any construction at this site. All outstanding permits for this property shall be satisfied prior to the issuance of any new Building, Plumbing or Electrical Permits.
 - 4) The temporary emergency generator shall be placed on the paved area immediately adjacent to the east exterior of the building located at 15725 West Ryerson Road per the plans submitted to the City of New Berlin Department of Community Development (planning) on October 22, 2002.
 - 5) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
 - 6) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
24. (5) SG-75-02 Tobin Jewelers – 15441 W. National – Wall Sign.

The request by Tobin Jewelers for a wall sign located at 15441 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) The Property Management of Moorland Square shall be required to meet with City of New Berlin Department of Community Development (planning) staff and update the Coordinated/ Uniform Sign Standard for Moorland Square to meet the requirement of the Sign Code. A new sign standard shall be in place by December 20, 2002 or prior to issuance of any further permits for Moorland Square.
- 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 current coordinated sign standard for Moorland Square.
- 3) The wall sign shall use channel letters, shall not exceed 1'6" in height, shall not exceed 14'0" in width, shall not exceed 21 square feet in area, and shall read "Jewelers". The existing Tobin channel letter wall sign shall be reused. The full wall sign shall read "Tobin Jewelers".
- 4) Per the current Moorland square sign standards the wall sign channel letters shall have #2793 red finish Plexiglas faces with gold trim cap and white returns. The existing "Tobin" wall sign channel letter faces shall be replaced with #2793 red finish Plexiglas faces, the existing red trim caps shall be replaced with gold trim caps, and the white returns shall be retained. A revised sign plan showing these changes shall be submitted to the City of New Berlin Department of Community Development (planning) by November 4, 2002. The channel letters shall be mounted directly on the front façade 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 \$00.00 is required per calculations below

Wall Sign Face: (1'6"x14'0") = 21sq.ft. x 1 side = 21sq.ft. x \$3.00/sq.ft. = \$63.00
Less Application Fee (\$75.00) = \$00.00

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.

25. (7)BM SG-76-02 Poplar Creek Tree Farm – 3895 S. Woelfel Rd. – Ground Sign.

The request by Poplar Creek Tree Farm for a ground sign located at 3895 S. Woelfel Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) A zoning permit for Poplar Creek Tree Farms shall be issued before the issuance of a sign permit for Poplar Creek Tree Farm. The sign permit for Poplar Creek Tree Farm shall be valid only for the one year probationary period per condition #2 of zoning permit #U-83-02. If the City of New Berlin Plan Commission approves additional years of operation to Poplar Creek Tree Farm per condition #2 of zoning permit #U-83-02, the sign permit shall remain valid for those years.

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 Article VIII Chapter 275-61 of the City of New Berlin Municipal Code.

3) The overall non-illuminated ground sign shall not exceed 8'0" in height and 5'8" in width, and the sign shall be installed behind the ultimate right of way of South Woelfel Road.

4) The non-illuminated ground sign face shall not exceed 3'0" in height and 5'0" in width, shall not exceed 15 square feet and shall read: "Poplar Creek – Tree Farm – Choose and Cut Christmas Trees" in green and red on a white background.

5) The non-illuminated Ground sign face shall not be illuminated.

6) A payment of \$15.00 is required per calculations below:

Temporary Development Sign Face: (3'0" x 5'0") = 15sq.ft. x 2 side = 30sq.ft. x \$3.00/sq.ft. = \$90.00
Less Application Fee (\$75.00) = \$15.00

26. (4)BM SG-77-02 Steepleview, Inc., 12451 W. Janesville Road - Pre-Construction Sign.

The request by Steepleview, Inc. for a pre-construction sign located at 12451 W. Janesville 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) Per Article X Chapter 275-68(B)(3) of the City of New Berlin Municipal Code "A double fee shall be charged if work is started before a permit is applied for or issued, or if a building is occupied prior to the issuance of an occupancy permit. Such double fee shall not release the applicant from full compliance with this chapter nor from prosecution for violation of this chapter." A payment of

\$384.00 is required prior to the issuance of a 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 Article VIII Chapter 275-61 of the City of New Berlin Municipal Code.

3) The overall non-illuminated temporary sign shall not exceed a maximum of 8'0" in height and 8'0" in width, and the sign shall be installed behind the ultimate right of way of West Janesville Road.

4) The non-illuminated temporary sign face shall not exceed 4'0" in height and 8'0" in width, shall not exceed 32 square feet and shall read: "Steeple View – A Christen Senior Community – www.steepleview.com - 414-529-8866 – Pre-Construction Reservations Available Now" in white on a blue background.

5) The non-illuminated temporary sign shall be removed upon the erection of a permanent monument sign.

6) The non-illuminated temporary sign face shall not be illuminated.

7) A payment of \$384.00 is required per calculations below:

Temporary Development Sign Face: (4'0" x 8'0") = 32sq.ft. x 2 side =64sq.ft. x \$3.00/sq.ft. = \$192.00

Double Fee: \$192.00 x 2 = \$384.00 + \$75.00 = 459.00

Less Application Fee: (\$75.00) = \$384.00

27. (2)BM SG-78-02 Fast Track – 15400 W. National Ave. –Face Change.

The request by Fast Track for a sign face change located at 15400 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 Code.

2) A detailed description of materials used in construction of the monument sign base by November 22, 2002.

3) The gate on the dumpster enclosure shall be fixed by December 2, 2002. All over grown weeds and vegetation surrounding the dumpster enclosure shall be removed by December 2, 2002. The shrubs in the front of the property shall be properly pruned and maintained by December 2, 2002.

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

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

6) The monument sign face shall not exceed 2'6" in height, shall not exceed 8'0" in width, shall not exceed 20 square feet in area, and shall read "Fast Track – Lubricant Specialists – Featuring Mobil Products" in white, black, blue, and red on a red, black, blue, and white background.

7) The monument base shall not exceed 3'0" in height, shall be constructed of split face brick to match the exterior architecture of the building, and shall have address numerals adhered to both sides of the base. The monument base shall be installed by May 1, 2003.

8) The wall sign face shall not exceed 1'10", shall not exceed 10'6" in width, and shall not exceed 17.63 square feet in area. The wall sign shall read "Fast Track " in individual red channel letters, and "Lubricant Specialists" in white on a black background in a cabinet.

9) The directional sign faces shall not exceed 2'0" in height, shall not exceed 3'0" in width, shall not exceed 6 square feet in area and shall be located behind the ultimate right of way of National Avenue. The directional signs shall read, "enter" and "exit" in white on a black background.

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

11) A payment of \$133.89 is required prior to the issuance of a sign permit.

Monument Sign Face (2'6" x 8'0") = 20 sqft. x 2 = 40 sqft. x \$3.00/sqft. = \$120.00

Wall Sign Face (1'10" x 10'6") = 17.63 sqft. x 1 = 17.63 sqft. x \$3.00/sqft. = \$52.89

Directional sign Faces (2'0" x 3'0") = 6 sqft. x 2 = 12 sqft. x \$3.00/sqft. = \$36.00
Less \$75.00 application fee = \$133.89

28. (5) SG-79-02 Allstate – 15440 Beloit Rd., Ste. 500 – Wall Sign.

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

1) 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 and the Westridge TIF District Overall Coordinated Signs Standard for Moorland Commons.

2) A letter from the E.J. Plesko Company stating specific landscaping improvements, timeline for installation of landscaping improvements and sketch showing location of landscaping improvements for the building located at 15440 West Beloit Road shall be submitted to the City of New Berlin Department of Community Development (planning) by November 4, 2002.

3) 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.

4) The wall sign shall not exceed 2'0" in height, shall not exceed 9'6" in width. The wall sign copy shall be 19 square feet in area, shall have white Plexiglas acrylic #7328 faces, and shall read "Allstate."

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: 2'0" x 9'6" = 19 sq.ft. x 1 side = 19 sq.ft. x \$3.00/sq.ft. = \$57.00
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.

29. (3)BM SG-80-02 Advantech Mfg. Inc. - 2440 S. Commerce Drive - Two Signs, (1) one at 2450 is two sided illuminated, 2460 is single sided illuminated, both with masonry base, both located at drive entry. First sign is for Advantech, second is currently for lease. Upon sign installation, landscaping will be installed at 2450 to partially shield parking sign.

The request by Advantech Mfg. Inc. for two signs located at 2440 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) 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 condition #6 of Zoning Permit #RO-44-02 "No outside storage of vehicles, items, merchandise, junk, or material shall be permitted on the property." Junk stored in the northeast parking lot shall be removed by November 25, 2002.

3) The temporary sign reading "Advan Tech Manufacturing 2450 S. Commerce" shall be removed by November 25, 2002 or prior to the issuance of a sign permit for the internally illuminated monument signs.

4) The overall double sided internally illuminated monument sign shall not exceed 4'6" in height, shall not exceed 5'0" in width, and shall be located behind the ultimate right of way of South Commerce Drive.

5) The double sided internally illuminated monument sign face shall not exceed 3'0" in height, shall not exceed 5'0" in width, shall not exceed 15'0" square feet in area, and shall read "Advan Tech Manufacturing Inc." in blue on a white background.

6) The monument base shall not exceed 1'6" in height, shall not exceed 4'0" in width, and shall be constructed of masonry to match the exterior architecture of the building. Prior to the issuance of a sign permit an alternative material for the construction of the monument sign base shall be approved by the Department of Community Development (planning).

7) The single sided internally illuminated monument sign shall not exceed 4'6" in height, shall not exceed 5'0" in width, and shall be located behind the ultimate right of way of South Commerce Drive.

8) The single sided internally illuminated monument sign face shall not exceed 3'0" in height, shall not exceed 5'0" in width, and shall not exceed 15 square feet. A revised color rendering of the sign face shall be submitted to the Department of Community Development (planning) prior to the installation of the sign face.

9) The monument sign base shall not exceed 1'6" in height, shall not exceed 4'0" in width, and shall be constructed of masonry to match the exterior architecture of the building. Prior to the issuance of

a sign permit an alternative material for the construction of the monument sign base shall be approved by the Department of Community Development (planning).

10) The monument signs shall be internally illuminated and shall be turned off outside normal business hours.

11) A payment of \$60.00 is required per calculations below:

Double Sided Monument Sign Face: (3'0" x 5'0") = 15 sq.ft. x 2 sides = 30 sq.ft. x \$3.00/sq.ft. = \$90.00

Single Sided Monument Sign Face: (3'0" x 5'0") = 15 sq.ft. x 1 side = 15 sq.ft. x \$3.00/sq.ft. = \$45.00
Less Application Fee (\$75.00) = \$60.00

30. (3)BM SG-81-02 Antonio's Ristorante Italiano – 17001 W. Greenfield Ave. – Monument Sign.

The request by Antonio's Ristorante Italiano for a monument sign located at 17001 W. Greenfield Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

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

2) The wall sign reading "Steve Wades" shall be removed by January 6, 2003 or prior to the issuance of a sign permit for the internally illuminated monument signs.

3) The access from the side parking lot to the rear alley shall be removed by January 6, 2003.

4) Applicant will be required to submit a revised updated landscaping plan that shows the replacement of shrubs removed as a result of the connection to municipal water and the elimination of the access to the alley by January 6, 2003.

5) The overall internally illuminated monument sign shall not exceed 6'2" in height, shall not exceed 7'6" in width, and shall be located behind the ultimate right of way of West Greenfield Avenue.

6) The internally illuminated monument sign face shall not exceed 3'8" in height, shall not exceed 6'2" in width, shall not exceed 22.18 square feet in area, and shall read "Antonino's Ristorante Siciliano" in green and white on a white and black background.

7) The monument base shall not exceed 2'6" in height, shall not exceed 7'6" 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 \$58.08 is required per calculations below:

Monument Sign Face: (3'8" x 6'2") = 22.18 sq.ft. x 2 sides = 44.36 sq.ft. x \$3.00/sq.ft. = \$133.08
Less Application Fee (\$75.00) = \$58.08

31. (4) U-89-02 Moorland Road Golf Center - 5900 S. Moorland Rd. - Sell Christmas Trees,

Wreaths, and Christmas related items from current sales building and parking lot.

The request by Moorland Road Golf Center to sell Christmas Trees, Wreaths, and Christmas related items from the current sales building and parking lot located at 5900 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) Approval will be granted for a one-year probationary period subject to the result and outcome of the operation at this location. Applicant will be required to reapply to the Plan Commission for additional years if they want to continue this business at this location.
- 2) Tree display shall be restricted to the area of the parking lot identified on the plan.
- 3) Lighting Plan required if applicant intends to use more than the existing parking lot lights. Lighting plan will require approval by the Department of Community Development (planning) prior to installation.
- 4) This probationary approval will be granted for a period starting the day after Thanksgiving, November 29th, 2002 through Christmas Eve, December 24th 2002. This site must be cleared of all Christmas trees and debris by the end of the day on December 30th, 2002.
- 5) Hours of operation will be limited to 10:00 AM to 8:00 PM or as approved by the Plan Commission for the duration of the season.
- 6) The Christmas trees and parking areas shall be located as shown on the site plan submitted to the City of New Berlin Department of Community Development (planning).
- 7) No signage for this application. Applicant shall be required to utilize the changeable reader board.
- 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.

Motion by Mr. Barnes to reconsider. Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Mr. Gihring to eliminate Condition #7. Seconded by Mr. Felda. Motion passes unanimously.

COMMUNICATIONS

35. Communication To: Plan Commission

Communication From: Greg Kessler, Director of Community Development

RE: "Safety by Design", Chicago Tribune, October 27, 2002

Plan Commissioners acknowledged receipt of this communication.

36. Communication To: Plan Commission

Communication From: Olofu Agbaji, Associate Planner

RE: Letter from Linda Glembocki dated November 4, 2002 Steepleview, Inc. 12451 W. Janesville Road (R-3-01)

Letter on file in the Planning Department.

37. Communication To: Plan Commission

Communication From: Greg Kessler, Director of Community Development

RE: Letter from Village of Hales Corners regarding Steepleview, Inc. 12451 W Janesville Road (R-3-01)

Letter on file in the Planning Department.

Motion by Mr. Barnes to adjourn the Plan Commission meeting at 10:59 P.M. Seconded by Alderman Ament. Motion carried unanimously.