

## **Minutes**

### **PUBLIC HEARINGS**

7:00 P.M. (3) CU-2-01 Ojibwa Bowhunters of Milwaukee, Inc. - 3045 S. Johnson - Harley Davidson Festival Camping for Approximately One Week.

### **NEW BERLIN PLAN COMMISSION**

### **NEW BERLIN CITY HALL COUNCIL CHAMBERS**

**MAY 7, 2001**

The public hearing relative to the request by Todd Szmania, c/o Ojibwa Bowhunters of Milwaukee, Inc. for a Conditional Use Approval to allow Harley Davidson Festival camping at Ojibwa grounds at 3045 S. Johnson Road from September 1 to September 3, 2001 was called to order by Mayor Wysocki at 7:00 P.M.

In attendance were Mayor Wysocki, Mr. Chase, Mr. Felda, Alderman Ament, Mr. Barnes, Mr. Teclaw. Also present were Greg Kessler, Director of Community Development, Mark C. Lake, Director of Planning, Olofu Agbaji, Planning Administrator. Mr. Christel was excused.

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

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

Rochelle Pritzl - 3105 S. Johnson Road - I am a neighbor to the Ojibwa archery range and have been there for over 20 years. There is some confusion as to the length of the festival, is it two days or one week? Mr. Lake said the dates are August 26 - Sept. 8, 2001. That is two weeks.

Todd Szmania - 16301 W. Vogel Drive - The people we are thinking of having there are from Germany. It is Labor Day weekend when the festival is taking place and they will never be able to find hotels in the Milwaukee area. What we assume is that after the three day weekend, hotels will open up and they will probably go there to stay. The extra dates are just to cover us in case. Since they are coming from Germany, they will be staying more than three days.

Mayor Wysocki said that since you are asking for two weeks on your application, it could potentially be two weeks.

Mr. Lake said the application says the festival will be taking place over the Labor Day weekend, Sept. 1-3. Staff blocked off the extra time for travel allowance to and from Germany.

Mayor Wysocki said that peoples expectations have to be that anywhere in that period of time, this activity that you are applying for could take place.

Charles Smith - 19711 W. Pinecrest Lane - What are the requirements for facilities? Will there be porta-johns? Is there a limitation as to how many people can be there?

Mr. Lake said that they will be required to provide porta-johns if the existing facilities on the property do not accommodate. The request is for up to 50 people from Germany. There is no provision in the code for

this and staff felt that a conditional use permit would allow the City of New Berlin to regulate what they do. During the last Harley Davidson festival that was held, people stayed in residents backyards and as long as facilities are provided, the city cannot prohibit that by code.

Mayor Wysock recapped the limitations saying that Ojibwa indicated they are expecting 50 people, they would be supplying chemical toilets, and the time frame allowance is for clearing of the site.

Pauline Jaske - 3275 S. Johnson Road - I have some concerns on what the limitations might be on what they might be doing there as far as activities. Will they be riding their motorcycles in and out, and what hours will they be restricted to? When Ojibwa has their annual party, our property is almost in their backyard, and I have to close all the windows and have had to call the police in the previous years because it was noisy. I am concerned about what kind of party this will be. Who is going to foot the bill for the expense for extra police patrol?

Mayor Wysocki said that Yes, motorcycles will be in and out. Mr. Lake said we do not regulate hours of operation for motorcycles or automobiles in the City of New Berlin. Mayor Wysocki said, so it is a possibility that motorcycles could be coming in and out at all hours. Ms. Jaske asked about a code or ordinance in New Berlin for noise decibels on vehicles. Mr. Lake said the decibel requirement does not apply to vehicles. Jeff Chase said I am not aware of anything in our code but there may be a requirement in the Motor Vehicle Code.

Seeing no further questions, Mayor Wysocki ended the questions for clarification and asked if there was anyone wishing to speak in favor.

Todd Szmania - 16301 W. Vogel Drive - These people don't have any place to stay. They have a chance to come here and probably generate some money to the people in New Berlin who run businesses. We are trying to be good neighbors and will try to keep the noise down. I think it will be minimum. I don't feel that bikers will be there except for morning and evening hours. There is a lot of festivities in Milwaukee that they will be attending.

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

Mayor Wysocki asked for anyone wishing to speak in opposition.

Rochelle Pritzl - 3105 S. Johnson Road - I have been a neighbor to the Ojibwa Archery Range ever since we have lived there. We have gotten along very well with the people but this is one time that I have to object to the noise of having 50 motorcycles going up and down the street. I just don't feel this is appropriate and I don't think this is the occasion where they should be doing this. I wouldn't even object if it were for one evening but for more than a week, I feel it is too much to expect from the neighbors.

Pauline Jaske - 3275 S. Johnson Road - My objection is that there is no definite time frame for when they will be coming and going. We don't know about their activities. I have also talked with Elaine Kraut who sent you a letter stating her concerns. I have lived on Johnson Road since 1965 and in that time they have had a number of problems but it hasn't been as bad lately since the police have been protecting the grounds. We are concerned about the liability issues. I am also concerned about the time frame. If they were here during the daytime, the noise wouldn't be quite so much but if they are at activities downtown at the lakefront and coming home here at 12:00 or 1:00 in the morning, that is a concern. I am not a partyer myself.

Peg Bently - 3450 S. Johnson Road - We did not receive a notice, we read about it in the New Berlin Citizen. I think notices should be sent out further. Ojibwa had their annual parties many times in the past. They are very loud with their boom boxes, yelling and screaming way after 2:00 a.m. We can hear it to the end of Johnson Road. If they would come in and quietly go to bed at 10:00 or 11:00 it wouldn't be bad. If they are going to be doing this for two weeks, I object.

Mary Hiebl - 20160 W. National Avenue - I live on National Avenue where there are many motorcycles. There was just a lot of them this weekend with the Mustang Shelly event. I have been on National Avenue since 1993 and in that time only once have I seen a policeman stop a motorcycle for terrible noise. If there were some way the noise could be controlled. It is very intrusive. Motorcycles seem to take pride in being very loud. I am concerned about the people who live near Ojibwa because I experience this every weekend. The noise is my objection.

Paul Gallagher - 2175 S. East Lane - I am the third district alderman and that is in my area. I don't have a problem with camping. I think that is a great idea there but the noise is a problem especially after the last few weekends with Hal's having their parties which were absolutely horrendous. You could hear these things from a mile away. If we are going to have the same kind of noise out there that we have had the last two weekends in a row, I absolutely cannot go along with it.

Charles Smith - 19711 W. Pinecrest Lane - I think that the theme here is about the noise pollution. I know it is heresay to talk about Harley. I have known people who worked at Harley for 16 years and it's a great company but it seems that they like to rev it up and make it sound as loud as possible. I live 2 1/2 miles from Moorland Road and Saturday it sounded like they were in my backyard. This is not about ordinances, it is about the police force enforcing the motor vehicle laws that we have. If I were to drive my car with that kind of noise and that kind of acceleration, the police would have something to say. You can't possibly be making that kind of noise without accelerating to 50 miles per hour down Moorland Road. I moved out here to get away from the noise of the city. There are places where there would be ordinances regarding noise, I don't care if it's a boom box, a lawnmower, or what it is. The outboard motor industry has restricted the noise levels on outboard marine motors. They will pull up and you can't even hear them. For some reason the noise is ok because it's a Harley.

Vernon Bentley - 3450 S. Johnson Road - Last fall we were having a small bon fire at my son's house on Wehr Road which is not very far from Ojibwa and my son did have a boom box and we did shut it down at 10:00. The police came and said one more time and we will ticket you for it. That was at 10:00 on a Saturday night.

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

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

Mr. Teclaw - I would like to ask Todd if he could contact these people and see if there would be any way to have hours to satisfy them. Perhaps a clause could be added saying that if it got too loud, they would need to shut down at a certain time. I think this could be a real neat event putting myself in the shoes of somebody coming over from Germany, having an opportunity to attend an international Harley festival but certainly you can't ignore the rights of the adjacent property owners. In looking through the staff summary report, it looks like there are property owners who are located very close and others that may have a peripheral concern about the noise.

Mr. Szmania suggested that keeping the speed slow may cut back on noise. Signs on the driveway to keep the speed down to 25 mph may help. We are trying to be good neighbors. As to a time frame, they may be coming home as late as 1:00 a.m. We could close our gate at a certain time, but then we are defeating the purpose of having people stay there. If they come from Germany, they may want to see what the night life is like in our pubs. Bars close at 2:00 a.m. in Milwaukee.

Mayor Wysocki said we have to recognize that we are not going to be able to control those things and in all probability with the festivities planned, there will be late activities and we don't want to make false promises.

Mr. Lake read the letter in opposition addressed to Plan Commission from Elaine Kraut.

Alderman Ament said I think we would all like to give this to them and not have too many restrictions, making New Berlin a free place. However, on the other hand we have a lot of neighbors that are concerned or expecting to have a problem. Todd, if we let this happen, what kind of guarantees can you give the neighbors.

Mr. Szmania said he could not give guarantees that they are not going to make any noise. You know from Harely festivals in the past that they are driving all over making noise. Noise is definitely going to be an issue so I can't make any guarantees. Ojibwa will do their best to keep that noise down to a minimum.

Alderman Ament asked for clarification of the three days to one week to two weeks. You're saying that it is only going to be for three days, other than the clean up.

Mr. Szmania said we don't really know what to expect. I see these people staying there for the weekend when reservations in town are all taken up. I can't see anybody camping there for a whole week. Again, we want the permit to address the possibility.

Alderman Ament asked how the trespassing concerns are to be addressed.

Mr. Szmania said he didn't know how the people from Germany would even know there was a quarry there. It is not visible from the East where they would be coming in. We are not even using the back 20 acres of our property which is adjacent to that area. That is all wooded and lowland and the higher ground is toward the East and central. To the West and South is where the quarry is.

Mr. Teclaw said I agree with what has been stated as far as when there is a Harley fest, everybody hears Harleys. Not that anyones life should be infringed upon as a neighbor, and I hope there is a way that you could appease the neighbors a little bit more whether by further defining the number of days, doing some kind of noise test, further establishing speed limits, and if it was to be approved, cautioning the people coming in that their stay is somewhat dependent on the noise level being managed at a low level acceptable to the neighbors. I do know that with certain other city events the essence of it is that if the neighbors complain too much, then they close them down early. That will be difficult to do if they are from Germany, but the idea of being a good neighbor and respecting each others rights makes a lot of sense and I am wondering if this could be done by you going back to these people and having some further conversation.

Mr. Szmania said he would be willing to entertain any suggestions they have but you really can't eliminate the events that they may attend that last past midnight. I think most of the traffic will be done before that time but there will be bikes after that time.

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

Mayor Wysocki called the public hearing closed at 7:40 P.M.

## **PUBLIC HEARINGS**

7:01 P.M. (7) CU-3-01 Eisenhower High School - 4333 S. Sunnyslope - Replace an Existing Light Pole with a New Communications Pole/Light Monopole of 126.6'.

### **NEW BERLIN PLAN COMMISSION**

### **NEW BERLIN CITY HALL COUNCIL CHAMBERS**

**MAY 7, 2001**

The public hearing relative to the request by Ron Zechel, c/o Eisenhower High School for a conditional use approval to allow for the replacement of an existing light pole with a new communications pole/light monopole of 126.6' located at 4333 S. Sunnyslope Road was called to order by Mayor Wysocki at 7:40 P.M.

In attendance were Mayor Wysocki, Mr. Chase, Mr. Felda, Alderman Ament, Mr. Barnes, Mr. Teclaw. Also present were Greg Kessler, Director of Community Development, Mark C. Lake, Director of Planning, Olofu Agbaji, Planning Administrator. Mr. Christel was excused.

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

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

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

Mayor Wysocki asked three times if there were any questions for the purpose of clarifications, seeing none.

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

Terry Bushane - U.S. Cellular - 2885 S. 166<sup>th</sup> Street - This specific array replaces an existing pole while it will improve wireless coverage in the immediate area and generate some substantial income to the school district while allowing a potential location for additional carriers.

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

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

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

Alderman Ament asked if this will be a better lighting situation for the field also. Mr. Bushane said they were working with the school system and are going to take out the existing lights and put them on the new pole. Alderman Ament asked about the substantial income mentioned earlier. Is the school district aware of this and approves of it? Mr. Bushane said this has been negotiated with the school district and they have fully approved this sight and this proposal.

Mr. Teclaw said that one of the findings states that additional arrays in other parts of the city are still required. Mr. Lake that this is only part of the many that will be coming through. They already have a tower on Sunnyslope Road just South of Greenfield Avenue so they are filling up the City.

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

Mayor Wysocki called the public hearing closed at 7:45 P.M.

## **PUBLIC HEARINGS**

7:02 P.M. (2) CU-4-01 Area Rental & Sales Co. LLC - 16205 W. Rogers - New Propane Tank Placement.

## **NEW BERLIN PLAN COMMISSION**

## NEW BERLIN CITY HALL COUNCIL CHAMBERS

MAY 7, 2001

The public hearing relative to the request by Tom Marquardt, c/o Area Rental & Sales Co. LLC for a conditional use approval to allow for a propane tank placement located at 16205 W. Rogers Drive was called to order by Mayor Wysocki at 7:45 P.M.

In attendance were Mayor Wysocki, Mr. Chase, Mr. Felda, Alderman Ament, Mr. Barnes, Mr. Teclaw. Also present were Greg Kessler, Director of Community Development, Mark C. Lake, Director of Planning, Olofu Agbaji, Planning Administrator. Mr. Christel was excused.

Mr. Lake read the public hearing notice and stated there was proof of publication. Mr. Lake indicated a communication in objection on file.

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 if there were any questions for the purpose of clarification.

Barbara Krueger - 2550 S. Brookside - We are one of the neighbors and I am wondering where they are planning on locating the propane tank on the property. What are the rules governing propane tanks.

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

Charles Smith - 19711 W. Pinecrest Lane - Mark says we have several of these in the City, what is the size of these? Mr. Lake said 500 or 1,000 gallons. So we have gone through this process before? Yes. Is the appropriate trained personnel certified? Yes, our Fire Department is certified. We have above argon tanks, propane tanks, hydrogen tanks, oxygen tanks.

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

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

Pat McClose -16205 W. Rogers - I wanted to let you know that we need that tank.

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

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

Barbara Krueger - 2550 S. Brookside - We are the neighbors to the South and we are concerned with the way the property is being taken care of now. We worry if it is going to be taken care of in this same manner when there is a propane tank on it. There is everything laying outside the building, equipment up and down the street, trucks on the road, rental trucks parked in front, piles of wire laying around and it is just a mess. I am wondering if they don't take care of things the way they are, will they take care of propane correctly.

Mayor Wysocki asked if Ms. Kruegers was one of the signatures on the letter received in opposition. Ms. Krueger said it was not. Mayor Wysocki asked if her concerns were taken care of, would she agree to the propane tank. Ms. Krueger said she would.

Andrea Frank - 21420 W. Orchard - I have some concerns about the installation. Is there any information available on how many and how often the propane trucks would be coming onto the site to fill this tank and what route they would be taking? Mr. Lake answered that it is an approved use within the M-2 Industrial Zone. Ms. Frank asked is there any information as to how frequently such as daily, weekly, monthly. Was any information given on how often the propane storage system would be inspected? Mr. Lake said the State of Wisconsin and New Berlin Fire Department would regulate that. Ms. Frank said my concern is the proximity to the residential area, a park, and the recreational trail. I have some concerns in the event of a leak. I understand that these propane accidents are not common but when I looked on the web site for EPA installations, 5% have some kind of incident in the last three years. We are not talking one in ten thousand, we are not talking one in one hundred. We are talking five in one hundred. Now a 5% potential chance of an incident is not that big unless you are the person who lives there and perhaps are a parent of a child who is playing in the park nearby.

I know a thousand gallon tank isn't the biggest propane installation that a party can have, but I am not sure that it is clear that in the event of a propane incident, how big of an evacuation zone there would be. Has there been any information provided about that? I would urge the City any time they approve or deny a conditional use permit for a propane installation, information on the event of an emergency on residential areas nearby should be crucial. One of the things I find when looking at propane accidents in the State is a lot of them occur during the time the propane tanks are being filled. There are things call drive-aways where a propane truck leaves a hose attached and drives away or the truck backs up into a propane installation. That is human error and it just happens but it is very dangerous when it does happen. With a propane installation, typically there are safety precautions that are set up, often times requiring concrete barriers and that sort of thing to make it safer. So I do have some concerns because it is in a residential area and there is an unknown impact on the area. Thank you.

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

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

Alderman Ament asked Mark, has New Berlin ever had any propane spills or leaks in the past? Mr. Lake said not that I know of but I can ask Chief Schultz. Alderman Ament said so generally we do police these situations. Mr. Lake said the Fire Department is responsible for insuring that safety regulations are followed and they are licensed by the State and as far as I know, we have not had any problems.

Mayor Wysocki asked Mark, how big is the propane tank located at Blair Hardware? Mark said 500 gallon. There are several tanks like AGA and several others that have 40,000, 20,000 gallon tanks, 50 feet tall that our Fire Department is responsible for inspecting just like the one in question. Mayor Wysocki said that because the address at Rogers, I would have to make an assumption that whatever supply truck comes in there will probably be on the major thoroughfares into the industrial park and not going through residential areas. Mr. Lake said there is no direct connection to any residential property without going across the railroad tracks at either Moorland Road or Calhoun Road.

Mr. Teclaw said there are obviously some safety concerns. Is this something that would be fenced in. Mr. Lake said Yes. Mr. Teclaw asked is there any other safety measures that can be done? Mr. Lake said that whatever the State law and our Fire Department requires, will be done. Mr. Teclaw asked if the Fire Department has commented on this request at this point. Mr. Lake said their comments basically said there were other problems on the site dealing with the storage of vehicles which we will address later.

Mr. Felda asked what complaints were on file saying that this area was not appealing to the eye or haphazardly taken care of. Mr. Lake said that would be dealt with later.

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

Mayor Wysocki called the public hearing closed at 8:05 P.M.

**NEW BERLIN PLAN COMMISSION**

**NEW BERLIN CITY HALL COUNCIL CHAMBERS**

**MAY 7, 2001**

**MINUTES**

The Plan Commission meeting of May 7, 2001 was called to order by Mayor Wysocki at 8:05 P.M.

In attendance were Mayor Wysocki, Mr. Chase, Mr. Felda, Alderman Ament, Mr. Barnes, Mr. Teclaw. Also present were Greg Kessler, Director of Community Development, Mark C. Lake, Director of Planning, Olofu Agbaji, Planning Administrator. Mr. Christel was excused.

Motion by Mr. Barnes to table the approval of Plan Commission Minutes of April 2, 2001. Seconded by Mr. Felda. Motion carried unanimously.

Plan Commission Secretary's Report - Mr. Lake welcomed the new Mayor and Plan Commission Chairman, Ted Wysocki. Aldermanic Representative, Mr. Dave Ament and Mr. Brian Teclaw were welcomed as new members of the Plan Commission.

**SPECIAL PRESENTATION**

5. Department of Community Development Annual Report

Mr. Greg Kessler, Director of Community Development gave a brief report describing what the annual report is and what information it provides. Project highlights for 2000/2001 that are currently before the Department is included in the annual report and the application matrix gives a breakdown on the number and types of permits processed.

6. Department of Community Development Year End Development/Statistical Report

Mr. Greg Kessler, Director of Community Development explained the Year End Development/Statistical Report as being a breakdown using our assessment records using new census figures. Mr. Kessler said this report is on the Community Development website.

**CONTINUED ITEMS**

7. (4) R-1-01 Motion Health & Wellness Center - 14985 W. Beloit Rd. - Rezone A-2 to O-2 - Wellness Center - Revised Plans.

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

Motion by Mayor Wysocki to table the request by Motion Health & Wellness Center to rezone the property at 14985 W. Beloit Road from A-2 to O-2.

A representative of the applicant acknowledged tabling of this item. The representative indicated the site plans are now in order, however, Mayor Wysocki said many concerned parties were not present because they were informed that there would be no discussion tonight as the applicant had originally requested tabling.

Seconded by Mr. Barnes. Motion carried unanimously.

8. (3) U-50-99 Jacob's Ridge Condominiums – 17720 W. Lincoln Avenue – 88 Units of Condominiums. (Tabled 8/2/99) - Revised Plans

No Action.

9. (1) U-109-00 Milwaukee SMSA Limited Partnership (Ameritech) - 1711 S. Sunnyslope - Installation of a Telecommunication's Array on an Existing Tower and Construction of an 11.5' x 20' Equipment Structure. (Tabled 2/5/01)

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

A representative of the applicant spoke briefly indicating his desire to move ahead with this project now that one of the alternatives has been chosen. Mr. Chase spoke regarding engineering concerns on grading and drainage on the property. Mr. Lake spoke regarding lot size and screening.

Motion by Mr. Chase to approve the request by Milwaukee SMSA Limited Partnership to install a telecommunication's Array on an existing tower and construction of an 11.5' x 20' equipment structure located at 1711 S. Sunnyslope Road subject to:

1. Option #2 has been chosen as the preferred alternative. Applicant shall be required to work with the adjoining neighbors to the North and West on the proper screening of the equipment shelter.
2. Site grading and drainage plan must be approved by the Department of Community Development (Engineering) prior to issuance of Building Permit.
3. There shall be no fence around the equipment cabinet.
4. Submittal of a detailed revised landscaping plan for this site that meets the requirement of Sec. 27.08(5) of the Zoning Ordinance. Plans must include plant species, keys, botanical nomenclature and dbh sizes. Landscaping plan must be approved by the Department of Community Development (Planning) prior to installation. Landscaping to be completed within 30 days of the erection and operation of the antenna array.

Seconded by Mr. Felda.

Mr. Barnes expressed concern on conditions being met and the lack of communication with the neighbors regarding landscaping and screening.

Motion by Mr. Teclaw to table the request by Milwaukee SMSA Limited Partnership to install a telecommunication's array on an existing tower and construction of an 11.5' x 20' equipment structure located at 1711 S. Sunnyslope Road subject to:

- 1) Option #2 has been chosen as the preferred alternative. Applicant shall be required to work with the adjoining neighbors to the North and West on the proper screening of the equipment shelter.
- 2) Site grading and drainage plan must be approved by the Department of Community Development (Engineering) prior to issuance of Building Permit.
- 3) There shall be no fence around the equipment cabinet.
- 4) Submittal of a detailed revised landscaping plan for this site that meets the requirement of Sec. 27.08(5) of the Zoning Ordinance. Plans must include plant species, keys, botanical nomenclature and

dbh sizes. Landscaping plan must be approved by the Department of Community Development (Planning) prior to installation. Landscaping to be completed within 30 days of the erection and operation of the antenna array.

Seconded by Mr. Chase. Motion carried unanimously.

## **NEW BUSINESS**

10. PG-900 VIC Contract - Requested action on VIC Contract.

Motion by Mr. Barnes to recommend to Council approval of the contract with Visual Interactive Communications Group for up to \$35,000.00.

Seconded by Mr. Chase. Motion carried unanimously.

11. (2) U-19-01 ABB - 16250 W. Glendale Drive - 156,030 sq. ft. addition for office and manufacturing.

Withdrawn per applicants request.

12. (5) U-20-01 Gregory Kuzniewski - 5490 S. Greentree Dr. - Install an Above-Ground Pool on Side Yard.

Motion by Mr. Chase to approve the request by Gregory Kuzniewski to install an above ground pool on side yard located at 5490 S. Greentree Drive subject to:

1) A front yard setback variance will be required from the Board of Appeals to locate the pool within the required 50 feet.

2) Detailed grades for the Engineering Department requires pool and swale area. Overall grading concerns must be resolved with the Engineering Department prior to issuance of Building Permit.

3) Applicant will be required to significantly increase the landscaping along Grange Avenue to screen this side from view on the public street.

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

5) Plumbing and Electrical Permits are required from Building, Inspections and Zoning Department.

Seconded by Alderman Ament. Motion carried unanimously.

13. (7) U-21-01 Kendall Breunig - 4335-4337 S. Rose Ct. - Duplex.

Motion by Mr. Barnes to deny without prejudice the request by Kendall Breunig for a duplex located at 4335-4337 S. Rose Ct. for the following reasons:

1) Alternative building footprint/ layouts shall be submitted that provides adequate backyard for both units. The alignment of the building fails to conform to rear yard setback requirements. The backyard of the proposed duplex faces a side lot line with only 15' setback. Rear yard setback requirement is 40'. Revised plans shall address also the size of the building shell. Front of building to be perpendicular to radii of cul de sac and Rose Ct.

2) Submittal of a revised elevation that addresses the following recommendation of the Architectural Review Committee is required prior to issuance of Building Permit:

a) All the brick treatment shall have a consistent termination scheme around the front and sides of the building. The brick treatment shall be extended along the southwest elevation of the garage, both sides of the den on 4337 Rose Court and the side of the master bedroom on 4335 Rose Court.

b) The height of the brick shall also be consistent along the elevation of the building. The window in the laundry room of 4335 Rose Court shall be of the same size as the master bedroom of 4337 Rose Court to match the ledge and brick height of the dinette elevation.

3) All impervious surfaces to drain to Rose Court.

Plan Commissioners and applicant discussed building size and lot configuration and agreed an alternative analysis is needed.

Seconded by Mr. Chase. Motion carried unanimously.

14. (3) CU-2-01 Ojibwa Bowhunters of Milwaukee, Inc. - 3045 S. Johnson - Harley Davidson Festival Camping for Approximately One Week.

Motion by Mr. Chase to approve the request by Ojibwa Bowhunters of Milwaukee, Inc. for a Harley Davidson Festival Camping for approximately one week located at 3045 S. Johnson subject to:

1) Approval will be granted for 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 have such event in future.

2) Approval will be granted for 14 days, starting on August 26<sup>th</sup> to September 8<sup>th</sup>, 2001, at which time the site must be cleared of all campers and bathroom facilities.

3) Applicant shall be required to inform guest of the limits of property thereby not allowing any trespassing on neighboring private property.

4) Applicant shall be required to provide portable bathrooms with chemical toilets from a licensed distributor during the duration of the camping. The portable bathroom shall be serviced according to health regulations.

Seconded by Mr. Barnes

Mr. Teclaw said this could be a great event but cooperation will be needed with the neighbors. Mr. Chase asked about legislation to regulate this type of event. Mr. Lake said that more of this is to come with the Harley anniversary approaching and permits with conditions will enable us to ensure that regulations will be followed.

Motion carried with Mr. Chase, Mr. Felda, Mr. Teclaw, Mr. Barnes voting Yes and Alderman Ament, Mayor Wysocki voting No.

15. (7) CU-3-01 Eisenhower High School - 4333 S. Sunnyslope - Replace an Existing Light Pole with a New Communications Pole/Light Monopole of 126.6'.

Motion by Mr. Chase to approve the request by Eisenhower High School to replace an existing light pole with a new communications pole/light monopole of 126.6' located at 4333 S. Sunnyslope subject to:

1) Siting of tower and antenna must satisfy the requirements of §17.05(2)(C)(16) of the City of New Berlin Municipal Code (2001 revision) including:

(A) Documentation that there is a need for tower space in the area of the proposed tower shall be provided with the Use Approval Application. New towers shall not be constructed except upon a showing of significant need. The applicant shall have the burden of proving significant need by a preponderance of the evidence. In considering whether a significant need is present, consideration of factors, including but not limited to those, which follow, should occur:

1. The proposed tower will replace an existing similar (i.e., height and other characteristics) tower in the City that has been or will be removed.

2. The proposed additional antennas cannot be placed on existing towers.

3. Existing towers in the City cannot be re-engineered to accommodate additional antennas.

4. Existing towers cannot be extended (meeting all the requirements of the ordinance) to accommodate additional antennas.

5. Another communication technology in lieu of towers with antennas is not available.

6. A site containing an existing tower cannot accommodate an additional tower.

7. A new tower application shall demonstrate need for a minimum of two antennas.

2) Use Approval application for second carrier shall be filed prior to Occupancy Permit being granted.

3) Two towers shall be simultaneously built to provide for symmetry in design.

4) Enclosure(s) shall be made of similar materials or enhance the principle structure. Review and approval of enclosure by the Architectural Control Committee required.

5) Tower and antenna shall be painted to reduce its visual impact. Review and approval of antenna painting scheme by the Architectural Control Committee required.

6) Building permit to be stamped by a Wisconsin architect and/or engineer.

7) Existing lighting tower to be removed to allow new tower to be located as close to original location as possible.

8) Approval of drainage, grading, and overall site plans by the Engineering Department required prior to issuance of Building Permit.

9) Permits are required from the Building, Inspections and Zoning Department. Cabinet enclosure must meet all applicable building and fire codes. Site must be maintained per § 14.25 of the Non-residential Property Maintenance Code.

10) Signed lease for U.S. Cellular array and tower/equipment site lease to be negotiated and approved by the Department of Community Development and City Attorney to ensure uniform community leasing standards are met. Signed lease to be on file prior to occupancy permits being issued.

11) Subsequent leases for future co-locators to be negotiated and approved by the Department of Community Development and City Attorney to ensure uniform community leasing standards are met. Signed lease(s) to be on file prior to occupancy permits being issued.

12) Subsequent future co-locators are required to submit an application and follow §17.05(5) of the City of New Berlin Municipal Code for Zoning Permits.

Seconded by Mr. Felda. Motion carried unanimously.

16. (2) CU-4-01 Area Rental & Sales Co. LLC - 15205 W. Rogers - Propane Tank Replacement.

Motion by Mr. Barnes to table until July 9, 2001 the request by Area Rental & Sales Co.LLC for a propane tank replacement located at 15205 W. Rogers for the following reasons:

1) Applicant will be required to meet all the outstanding conditions of approval of Zoning Permit # U-77-99 approved by the Plan Commission on January 10, 2000. These conditions include the creation of a fenced outdoor storage area of 8" crushed stone with berm and significant landscape screening to house all the equipment on site. Failure to meet the conditions of approval of your Zoning Permit is a violation of your Use Approval per § 17.010 (2) (4) of the City of New Berlin Zoning Ordinance.

2) This letter shall serve as a notice of said violation and shall be forwarded to the Zoning Administrator for further actions. Please see that the entire property is brought to compliance and cleaned by July 9, 2001 at which time a final inspection shall be conducted.

3) All customer and employee parking shall be contained on site. Parking of vehicles, equipment and trucks on the lawn or on the public street shall not be permitted.

4) Approval of the City of New Berlin Fire Department is required prior to issuance of Building Permit.

Seconded by Mr. Chase. Motion carried unanimously.

17. (3) LD-3-01 Joyce & Bruce Boehlen - Nw 1/4 Sec. 7 - 21655 W. Lincoln Ave. - Two-Lot Preliminary Land Division.

Motion by Mr. Chase to recommend to Council denial without prejudice of the request by Joyce & Bruce Boehlen for a two-lot preliminary land division located at 21655 W. Lincoln Avenue NW 1/4 Sec. 7 based on the following:

1) Per City of New Berlin Municipal Code Section §17.04(2)(B)(1) "...The district is intended to provide for detached single-family residences and limited agricultural uses, at densities not to exceed 0.2 or 1 residential unit per 5 gross acres for conventional single-family detached development, ... not served by public sanitary sewer or water facilities."

2) Ordinance change accommodating land divisions of less than 5 acres required.

Seconded by Alderman Ament. Motion carried unanimously.

18. (7) LD-2-00 Brian Felda - 3280 S. Wehr Rd. - Ne 1/4 Sec. 17 - Final Two-Lot Land Division.

Motion by Mr. Chase to recommend to Council approval of the request by Brian Felda for a final two lot land division located at 3280 S. Wehr Road, NE 1/4 Sec. 17 subject to:

- 1) Deed restriction on western two lots (parcels 1 and 2) to read "New septic field required on parcel 1 (middle lot) prior to building permits being issued on parcel 2 (western lot). Septic field of existing home intended to be used for newly created parcel 2.
- 2) Public Site and Trail Fees of \$2,000 required prior to the City of New Berlin signing the final CSM.
- 3) Owner and Surveyor required to sign prior to the City signing the Final CSM.
- 4) Parcel 2 and 3 Driveways with T-turnarounds are required.
- 5) Driveways to be located to minimize sight distance problems.
- 6) Grading/drainage plan to be approved by Engineering prior to building permits being issued. Drainage swale shall be constructed to City standards prior to building permits being issued. A 30' drainage easement is required.

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

19. (3) LD-10-00 Anders Lewis - 2880 S. Amor - SW 1/4 Sec. 7 - Final land division.

Motion by Alderman Ament to recommend to Council approval of the request by Anders Lewis for a final land division located at 2880 W. Amor, SW 1/4 Sec. 7 subject to:

- 1) Public Site and Trail Fees of \$2,137.60 required prior to the City of New Berlin signing the Final CSM.
- 2) Owner and Surveyor required to sign prior to the City signing the Final CSM.

Seconded by Mr. Barnes. Motion carried unanimously.

20. (6) U-22-01 Schlueter's Trucking - 3825 S. 124<sup>th</sup> St. - Trucking Business.

Discussion on the standards established in the home occupation section of the code. Mr. Schlueter described his trucking business and indicated that he has no intention of increasing the size of his business.

Mr. Teclaw questioned the possibility of building the garage first and then perhaps a different look could be taken at this request. Mr. Lake said it would be up to the Plan Commissions interpretation of the definition of an aesthetic nuisance.

Commissioners discussed the requirements of the code for attached and detached additions to buildings, allowance for out buildings, and what is allowed based on the size of the property. Mayor Wysocki expressed concern that even if the proposal meets the codes, it is in a residential area and would have to meet residential criteria. Alderman Ament questioned if there were any other similar businesses in this area. Mr. Lake indicated that there were several such as a garden center and an orchard. Alderman Chiovatero discussed neighborhood opposition.

Mr. Teclaw suggested that conditions be created by staff that would bring this request into compliance with city code. Things would need to be written in to eliminate the gray areas related to nuisance, noise, and up keep of the property to provide a level of assurance.

Motion by Alderman Ament to deny the request by Schleuter's Trucking for a trucking business as a home occupation located at 3825 S. 124<sup>th</sup> Street based on the following:

1) Home occupation fails to meet the standards established by §17.05(3)(G)(4)(a)

#### 4. Home Occupations

Home Occupations may be allowed as accessory uses in any agricultural or residential district, provided they comply with the following standards:

##### a. General Regulations

1. Home occupations shall be allowed only after Plan Commission review and approval in accordance with the procedures set forth in Chapter 17.03 of this Ordinance.

2. The total area devoted to a home occupation shall not exceed 20 percent of the building area of the principal dwelling unit.

3. A home occupation shall produce no offensive noise, vibration, dust, odors, smoke, heat, pollution, glare, or radio, electrical, or television interference or otherwise produce a nuisance as determined by the Plan Commission.

4. No materials that decompose by detonation shall be allowed in conjunction with a home occupation.

5. No home occupation shall be allowed which changes the outside appearance of the dwelling or is visible from the street.

6. Materials used in or produced by a home occupation may not be stored or displayed outside the dwelling without Plan Commission approval.

7. No more than one nonresident employee shall be employed by a home occupation.

8. Retail and wholesale sales shall be prohibited except for the retail or wholesale sales of products or goods produced or fabricated on the premises as a result of the home occupation.

9. The applicant shall demonstrate that there is sufficient off-street parking available to the home occupation. All vehicular parking for both the residence and the home occupation shall be located on the premises.

10. A home occupation shall be carried on wholly within the principal dwelling. No home occupation, or any storage of goods, materials, or products connected with a home occupation shall be allowed in any accessory building or detached garage.

11. Home occupation uses shall meet all applicable fire and building code safety requirements.

12. No home occupation involving visits to the site of the home occupation by customers or the loading or unloading of business-oriented material shall be operated between the hours of 8:00 p.m. and 8:00 a.m.

2) Home occupation fails to meet the standards established by §17.05(3)(G)(4)(b)(17) per items 2, 3, 5, and 12 above.

##### b. Prohibited Home Occupations

The following uses are prohibited as home occupations:

17. Any other home occupations not meeting the criteria established by this Ordinance.

a. Aesthetic Nuisances, such as; Home landscape management, trucking, or plowing businesses within a residential district, which in addition to personal vehicles, cannot accommodate the storage of vehicles or equipment in the industry standard 3- car garage.

Seconded by Mr. Barnes. Motion fails for tie vote.

Motion by Mr. Chase to approve the request by Schlueter's Trucking for a trucking business as a home occupation located at 3825 S. 124<sup>th</sup> Street subject to:

1) The appropriate restrictions as the code identifies for home occupations be developed by the Planning Department.

Seconded by Mr. Felda.

Alderman Chiovatero felt that the neighbors should have some input on this.

Mr. Lake said that if it is the desire for the Plan Commission to approve this request, I would recommend the item be deferred to enable the staff to develop the appropriate conditions.

Motion by Alderman Ament to table the request by Schlueter's Trucking for a trucking business located at 3825 S. 124<sup>th</sup> Street until the June 4, 2001 Plan Commission meeting.

Seconded by Mr. Teclaw. Motion carried unanimously.

21. (3) U-23-01 McCloud Construction - 17500 W. Liberty Lane - office.

Motion by Mr. Chase to approve the request by McCloud Construction for an office located at 17500 W. Liberty Lane subject to:

1) Submittal and approval of a revised grading plan that shows finish contours and grades shall be submitted prior to signing of the Zoning Permit.

2) A revised site plan shall be submitted and approved that shows the resolution of the conflict with the site grading plan, the absence of fill along the West side of the proposed building, and showing the new building addition located at least 25' from the west lot line.

3) A revised utility plan shall be submitted identifying how the addition will be served by Public Sanitary Service is required prior to signing of the Zoning Permit.

4) Stormwater Management Plan update required; to reflect that the existing pond matches the originally designed pond.

5) A storm sewer plan showing the drainage being re-routed around proposed addition not under the building shall be submitted prior to signing of the Zoning Permit.

6) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

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

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

9) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).

Seconded by Mr. Felda. Motion carried unanimously.

22. (2) RO-16-01 All Day Shoes - 14029 W. Greenfield Ave. - Retail Shoes -

Withdrawn per applicants request.

23. (7) SIGN - Goodyear - 3855 S. Moorland Road - Reface existing pylon sign, install one 3' x 10' below existing Goodyear signage.

Motion by Mr. Chase to deny the request by Goodyear to reface existing pylon sign, install one 3' x 10' below existing Goodyear signage located at 3855 S. Moorland Road based on the following:

1) Submittal of a scaled, color drawing indicating the dimensions, the materials, type of illumination and the method of construction and attachment must be submitted to the Department of Community Development prior to any construction or issuance of the Sign Permit.

2) Section 17.08 (10)(l)(c) of the New Berlin Zoning Ordinance states that "All new and or replacement of existing signs located along arterials or major thoroughfares shall be placed on a monument base constructed of the same material and color or shall enhance the exterior architecture of the principal building." Arterials include Moorland Road.

3) The new and existing wall sign must also conform to Section 17.08 (10)(l)(1)(c) of the New Berlin Zoning Ordinance which states that the wall sign "shall not exceed one square foot in area for every one linear foot of building face width on which it is mounted." The existing wall face is 48 feet in width, allowing for a total allowable square footage of the wall sign to not exceed 48 square feet. The current wall sign is  $18' \times 1.5' = 27$  square feet, the proposed wall sign addition is  $10' \times 3' = 30$  square feet

4) Old plus the addition  $30+27 = 57$  square feet.  $57-48 = 9$  square feet over.

Seconded by Mr. Felda. Motion carried unanimously.

24. (3) SIGN - Greenfield Enterprises - 17035 W Greenfield Ave - Exterior signs next to tenants door.

Withdrawn per applicants request.

25. (4) SIGN - Beechwood Distributors - 5350 S. Emmer Dr. - Monument Sign and Wall Sign.

The request by Beechwood Distributors for a monument sign and wall sign located at 5350 S. Emmer Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) Submittal of a scaled, color wall sign drawing shall be submitted prior to issuance of the sign permit. All directional signs are also considered signs and must also be applied for.

2) The base of the monument sign shall match or enhance the exterior material and architecture of the building and all signs must conform to the sign standards set forth by the Towne Park Business District

Sign Standards. The monument base shall also have the approved Towne Park Business Park address plaque.

- 3) The sign shall be located outside the ultimate right of way of Emmer Drive.
- 4) The wall sign shall not exceed 260 square feet.
- 5) The monument sign shall not exceed: 4' x 8 (32 sq. ft.)
- 6) Payment shall be calculated when the scaled drawings along with any directional sign drawings have been submitted.
- 7) Installation and maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 8) An electrical permit is required from the Building Inspection and Zoning Department for the internal lighting.
- 9) Signs must be turned off outside of normal business hours.

## **ZONING PERMITS**

26. (4) RO-14-01 Depuy Orthopedics, Inc. - 16540 W. Rogers Dr. - Receive and Ship Orthopedics Surgery Implements and Devices.

The request by Depuy Orthopedics, Inc. to receive and ship orthopedics surgery implements and devices at 16540 W. Rogers Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) Per recommendation of the Architectural Review Committee, the proposed overhead door on the West elevation shall be painted to blend with the exterior of the building.
- 2) Applicant will also be required to significantly update the existing landscape along the front of the building to help screen the proposed door. Screening plan shall be approved by staff and installed by May 3, 2001.
- 3) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).
- 4) Employee and customer parking must be contained on this site.
- 5) No outside storage of vehicles or equipment will be permitted on the property.
- 6) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 7) A separate application is required from the Planning Department for any sign for this business.
- 8) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

27. (2) RO-15-01 Four Steps, Inc./Top Floor Technologies - 2425 S. 162 St. - Represents and Sells Industrial Advertising.

The request by Four Steps, Inc./Top Floor Technologies to represent and sell industrial advertising located at 2425 S. 162 Street has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) Employee and customer parking must be contained on this site.
- 2) A separate application is required from the Planning Department for any sign or banners for this business.
- 3) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).
- 4) No outside storage of vehicles or equipment will be permitted on the property.
- 5) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 6) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

28. (2) RO-18-01 Artech Exhibits - 2885 S. James Dr. - Administrative Offices.

The request by Artech Exhibits for administrative offices located at 2885 S. James Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) Employee and customer parking must be contained on this site.
- 2) A separate application is required from the Planning Department for any sign or banners for this business. Any signage for this site must also meet the Greenfield Plaza Uniform Sign Standards.
- 3) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).
- 4) No outside storage of vehicles or equipment will be permitted on the property.
- 5) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 6) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

29. (3) RO-19-01 Triad Disposables, Inc. - 2405 Calhoun Rd. - Packages Products for Use in the Pharmaceutical Industry.

The request by Triad Disposabales, Inc. for packaging products for use in the pharmaceutical industry located at 2405 Calhoun Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) Submittal of a detailed updated landscaping plan that meets the requirements of section 17.08 (5) and reflects existing conditions is required by June 29, 2001. Applicant will be required to meet all the requirements of the above section of the Zoning Ordinance in its entirety. Revised plan must include the vacated residential area along Calhoun Road.
- 2) The parking lot shall be re-sealed and re-stripped by Friday, June 29, 2001.
- 3) All existing signs on the site including the Sax signs and real estate signs shall be removed by June 29<sup>th</sup>, 2001. Any future signs/banners for this business shall require a separate application from the Planning Department.
- 4) Applicant will be required to clean up the entire site of all junk and trash May 7, 2001. Junk and trash includes all the palettes within the paved area in the rear of the building.
- 5) The access culvert and driveway previously used by the residential parcel on Calhoun Road shall be removed by June 29,2001.
- 6) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.08 (5) (G).
- 7) The well on the site shall be properly abandoned and capped.
- 8) Employee and customer parking must be contained on this site.
- 9) No outside storage of vehicles or equipment will be permitted on the property.
- 10) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 11) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 12) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

#### **STAFF APPROVED**

30. (2) U-17-01 Jasper Engine - 2965 S. Moorland Rd. - Loading Dock Enclosure.

The request by Jasper Engine for a loading dock enclosure located at 2965 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) Per recommendation of the Architectural Review Committee, all loading docks enclosure in the rear of the building shall be painted to match the exterior of existing building.
- 2) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.
- 3) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

31. (2) U-18-01 Industrial Towel and Uniform - 2885 James Street - Modify existing dock doors.

The request by Industrial Towel and Uniform to modify existing dock doors located at 2885 James 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 recommendation of the Architectural Review Committee, the brick exterior around the docks shall be maintained to match the exterior of the building.
- 2) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.
- 3) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

32. (4) SIGN - The Tool House, Inc. - 5205-5215 S. Emmer Dr. - Monument Sign.

The request by The Tool House, Inc. for a monument sign located at 5205-5215 S. Emmer Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) The base of the monument sign shall incorporate a color scheme (both red and gray) that matches or enhances the exterior material, architecture and color of the building and the sign must conform to the sign standards set forth by the Towne Park Business District Sign Standards. The monument base shall also have the approved Towne Park Business Park address plaque.
- 2) Submittal of new color drawings showing the location of the address plaque with both addresses on the middle of the monument base, and the color scheme incorporating both the gray and the red colors of the building.
- 3) The sign shall be located outside the ultimate right of way of Emmer Drive.
- 4) The face of the monument sign shall not exceed 32 square feet.
- 5) The base of the monument sign shall not exceed 3 feet.
- 6) Payment of \$51.00 outstanding sign fee.
- 7) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 8) An Electrical Permit is required from the Building Inspection and Zoning Department for the internal lighting.
- 9) Signs must be turned off outside of normal business hours.

33. (4) SIGN - Moorland Road Golf Center - 5900 S. Moorland Rd. - "Now Open" Banner.

The request by Moorland Road Golf Center for a "Now Open" banner 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) Per §17.08(10)(J) of the New Berlin Zoning Ordinance temporary signs "shall not be granted for a period of more than 30 days in any 365-day period". The temporary "Now Open " banner shall be removed by Wednesday, May 2, 2001.

2) The sign shall not exceed 32 square feet.

3) The sign shall not be illuminated in any way.

4) Payment of \$15.00 outstanding sign fee.

5) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.

## **COMMUNICATIONS**

34. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

Re: New Berlin Public Library

Plan Commissioners acknowledged receipt of communication.

35. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

Re: "Home Depot Creates Urban Model Store", New Urban News, April/May 2001

Plan Commission acknowledged receipt of communication.

36. Communication To: Plan Commission

Communication From: Mayor Wysocki

Re: Appointment of Vice Chairman

Doug Barnes will serve as Plan Commission Vice Chairman.

37. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

RE: Letter from Elaine Kraut dated April 23, 2001 regarding Ojibwa Bowhunters (CU-2-01)

This item was discussed earlier on the agenda and will be kept on file in the Planning Department.

38. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

Re: Letter from Valerie J. Buttweiler, Whyte Hirschboeck Dudek S.C. dated May 1, 2001 regarding Nextel Communications, 16310 W. Small Road, U-25-01.

Plan Commission acknowledged the receipt of this communication.

Motion by Alderman Ament to adjourn the Plan Commission meeting at 10:47 P.M. Seconded by Mr. Teclaw. Motion carried unanimously.