

# Minutes

## PUBLIC HEARING

7:00 P.M. (7) R-4-01 Sports & Fitness Traders – 17400 W. National Ave. – Rezone from O-1/R-3 to B-2

### NEW BERLIN PLAN COMMISSION

### NEW BERLIN CITY HALL COUNCIL CHAMBERS

OCTOBER 1, 2001

The public hearing relative to the request of Lori Kenas c/o Sports & Fitness Traders to rezone the property located at 17400 W. National Avenue from O-1/R-3 Office and Business Service District/Suburban Single-Family Residential District to B-2 General Retail and Service District was called to order by Mayor Wysocki at 7:00 P.M.

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

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

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

Thomas Carignan, representing the applicant gave a short summary describing the proposed project.

Mr. Lake gave a brief presentation describing the request, gave the history of the property and showed maps indicating the location.

Mayor Wysocki asked for questions for clarification.

Vernon Bentley - 3450 S. Johnson Road - Is there going to be sewer and water? Mr. Lake replied that this is in the city sewer service area. Mr. Bentley said I remember the previous person came a couple years ago and he was given the option to put in sewer and water but they would have to pay for it. Mr. Lake said that is true, they wanted to put a lateral off the last manhole and our requirement is that extension of the sanitary sewer is extended to the fullest extent of the property which is required in Chapter 18.

Mr. Bentley asked how far the sewer is extended on National Avenue. Mr. Lake said it stops right at the property line. Mr. Bentley said I thought the sewer was still east of Calhoun Road. Mr. Lake said the boundary line is the western lot line of this property. Mr. Bentley asked how much water will be used. Mr. Lake said it is a regular retail service which is a minimum amount of water. That can be addressed by the Utility Dept.

Mayor Wysocki asked for anyone else wishing to ask questions for the purpose of clarification three times, seeing none.

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

Tom Carignan - S87 W33375 Short Dr. Mukwonago - I am in favor.

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

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

Vernon Bentley - 3450 S. Johnson Road - I think we need more information about the water usage and about the sewer service.

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.

Mayor Wysocki said in the staff report it indicates that it is consistent with the 2010 Growth Development Management Plan Update which it is identified to be rural commercial. In a rural commercial designation, does this B-2 fit? Mr. Lake said the B-2 use in rural development is retail. What they are promoting is outdoor equipment and using the back half of the property as open space to use this equipment would fall into rural or open space type uses.

Mayor Wysocki asked about the parking situation. When you look at this parcel and the number of activities that are slated to go on here, can you make an analysis of the actual site itself in the ability to support parking? Mr. Lake said this is strictly a rezoning application. Mayor Wysocki asked if it would be fair to the applicant who is looking to be doing these activities, if a parking pattern would not fit. Mr. Lake said we are trying to get concerns of the Plan Commission and citizens and put them together and develop a report for the next Plan Commission which would address the issues of whether or not they meet the conditions of rural commercial, whether or not their proposed use has the appropriate amount of parking. Because this is a rezoning request, they are giving us an idea of what can go on here with no guarantee that it ever will. Mayor Wysocki said that I am not sure it is consistent with the GDMP. I think B-5 zoning would be more reflective of what we had in mind. I would be concerned with the nature of the parcel and its odd configuration with any of these activities the applicant is planning relative to the parking difficulties.

Mr. Barnes - The site plan shows seven uses. If #1 is the driving range and the scale is 1"=100' it better be reduced or it is a very short driving range. Mr. Lake said you are right, it is reduced a little bit. #1 is the driving range, #2 is chip and putt, #3 is frisbee golf, #4 is golf hockey, #5 is the retail store, #6 is the parking area which actually goes around #5. Mr. Barnes said it seems like a lot of uses for where you could possibly find parking on the site and I would be skeptical of rezoning this for a specific use and then finding out that this use does not fit on the site.

Mr. Felda - Depending on what the hours are, we do have a concern as far as lighting at night and I would wonder if the neighbors would be informed of this or if this is it tonight. Mr. Lake said this is the public hearing for the rezoning aspect of the project, use approval does not require notice. Mr. Felda asked the applicant if they would be having lights. Mr. Carignan said it wasn't our plan at this point, possibly night road or ice hockey.

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

Mayor Wysocki closed the public hearing at 7:15 P.M.

## **PUBLIC HEARING**

7:01 P.M. (4) CU-8-01 Trees on the Move – 5611 S. Calhoun Rd. – New Tanks.

7:01 P.M. (4) CU-9-01 Trees on the Move – 5611 S. Calhoun Rd. – New Tanks.

**NEW BERLIN PLAN COMMISSION**

**NEW BERLIN CITY HALL COUNCIL CHAMBERS**

**OCTOBER 1, 2001**

The public hearing relative to the request by Steve Ettl, c/o Trees on the Move for a Conditional Use Approval for two new diesel above-ground bulk fuel storage tanks at 5611 S. Calhoun Road was called to order by Mayor Wysocki at 7:15 P.M.

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

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

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

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

Mayor Wysocki asked for questions for clarification.

Dave Meisuer - 12030 W. Ripley - Basically all we would be doing over there would be upgrading the existing and putting in concrete guides, emergency vents, vent whistles, and bringing the tanks up to code. The tanks are already existing.

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

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.

Mr. Barnes - When I hear we are bringing the current tanks up to code, does that mean the current tanks were built without a permit? Mr. Lake said Yes. Mr. Barnes asked how old are the tanks? Mr. Lake said they have been there since the late spring of 1999.

Mayor Wysocki - Apparently there is a violation of our sign code. Does this have to be corrected, regardless of our action tonight? Mr. Lake said Yes.

Mr. Barnes - Didn't we have this condition about a year or two ago when Trees on The Move came for something else? Didn't we tell them that signage violation needed to be eliminated. Mr. Lake said Yes, we did. Mayor Wysocki asked who is in charge of enforcing our code? Mr. Lake said Zoning Administrator and City Attorney.

Mr. Gihring - I also notice something about a helicopter being used for a sign. Is this related to the application? Mr. Lake said it is related to the history of this property as was the last thing Mr. Barnes was talking about. It concerns disregard for the ordinances of the City of New Berlin. We are trying to make sure that if this application is approved, it would bring the property in compliance.

Mr. Felda - So we can have these situations taken care of before we would give them a conditional use approval to install the tanks? Mr. Lake said yes, that is why I recommended deferral so if the applicant wants those tanks, they need to get the proper applications recognized by Plan Commission.

Mayor Wysocki - Have the tanks been inspected by our Fire Dept?

Mr. Lake - They are registered with the State of Wisconsin and the local Fire Marshall is notified.

Mayor Wysocki - I can see the State of Wisconsin having particular codes, but we have our own within our City. I am wondering if that facility was ever really inspected by our Fire Dept. Mr. Lake said the Fire Dept. comments say "OK with Fire Dept., obtain necessary permits and plan review for local program operation". What that says to me is that they are looking at this plan and considering these tanks to be brand new and when they install them, they need to follow the current ordinances.

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

Mayor Wysocki asked for questions, comments in favor or opposed of the second tank installation.

Thomas Carignan - S87 W33375 Short Dr. Mukwonago - I am also in favor of the second tank installation.

Mayor Wysocki asked for further questions, comments in favor or opposed of the second tank installation, seeing none.

Mayor Wysocki called the public hearing closed at 7:24 P.M.

## **PUBLIC HEARING**

7:02 P.M. (3) CU-10-01 Nextel West, Inc. – 2185 S. Danny Rd. – Construct a 120' Monopole Telecommunications Tower and Ancillary Equipment Building.

### **NEW BERLIN PLAN COMMISSION**

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

**OCTOBER 1, 2001**

The public hearing relative to the request by Rodney Carter, c/o Nextel West, Inc. for a conditional use approval to construct a 120' monopole telecommunications tower and ancillary Equipment Building at 2185 S. Danny Road was cancelled by Mayor Wysocki per the applicants request.

### **NEW BERLIN PLAN COMMISSION**

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

**OCTOBER 1, 2001**

### **FOLLOWING PUBLIC HEARINGS**

The Plan Commission meeting of October 1, 2001 was called to order at 7:26 P.M.

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

Motion by Mr. Barnes to approve the Plan Commission Minutes of September 10, 2001. Seconded by Mr. Felda. Motion carried unanimously.

Plan Commission Secretary's Report - Per the recommendation of the Plan Commission, we will have the already scheduled October 15th Plan Commission meeting and then from November 5<sup>th</sup> on, the Plan Commission will meet once a month on the first Monday. Since the GDMP and Chapter 17 & 18 is winding down, we are going back to our regular once a month schedule. It is also the recommendation of the Plan Commission to start the meetings at 6:00 P.M.

## **CONTINUED ITEMS**

5. (4) R-3-01 Hales Corners Lutheran Church – Senior Residence – 12455 W. Janesville Rd. – Senior Residence for Non-Assisted Care. (Deferred 9/10/01)

Motion by Mr. Graber to defer to October 15<sup>th</sup> the request by Hales Corners Lutheran Church to rezone for a senior residence located at 12455 W. Janesville Road per the applicants request.

Seconded by Mr. Felda. Motion carried unanimously.

## **NEW BUSINESS**

6. (2) R-10-00 Moorland Road PUD - 2762-2900 S. Moorland Rd. - Rezoning for a Residentially Scaled Mixed Use - Office/Senior Care Center/Single-Family Residential Development. (Tabled 11/6/00)

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

Motion by Mr. Barnes to defer to October 15, 2001 the Moorland Road PUD rezoning request for a residentially scaled mixed use located at 2840-2900 S. Moorland Road for the following reasons:

- 1) Metes and bound legal descriptions for each of the sub-districts required. Descriptions shall be incorporated within the final PUD.
- 2) Draft PUD to be reviewed and approved by City Attorney.
- 3) R-4.5 lots shall be a minimum of 130' in width and 305' in depth. CSM required for any future land division.
- 4) Waukesha County DOT Access Permits required.
- 5) In the R-4.5/PUD District the minimum lot width of Acredale Road lots shall be 130' x 305' (measured to ROW line) to meet the "Fabric of the Neighborhood" of the Unplatted Acredale Subdivision. CSM Required for any future land division.
- 6) To meet the "Residentially Scaled Office Building" requirement, there shall be minimum landscaped buffer yard of 25' and a minimum building setback of 50' from the rear buffer yard. All parking to be front or side loaded.

7) I-1/PUD District to include all setbacks for the existing Applewood property.

8) Detailed road/infrastructure/storm water/grading/utility plans to be reviewed and approved by all regulating authorities during appropriate Use, Site and Architectural review of the O-3 - Residentially Scaled Office Building District development.

9) Conformance to and participation in Regional Storm Water Management Plan Required.

Seconded by Mr. Gihring. Motion carried unanimously.

7. (4) CU-8-01 Trees on the Move – 5611 S. Calhoun Rd. – New Tanks.

Motion by Mr. Graber to table the request by Trees on the Move for new tanks located at 5611 S. Calhoun Road for the following reasons:

1) Double permit fees required. §17.03(1)(C)(2) "A double fee shall be charged if work is started...before a permit is applied for and issued... Such double fee shall not release the applicant from full compliance with this Ordinance nor from prosecution for violation of this Ordinance." Tank installed in 1999 without Plan Commission review or approval. Fees shall be required prior to issuance of Conditional Use Permit.

2) Wis. Statutes 62.23 Powers and Duties of the City Plan Commission "The council...shall refer to the city plan commission, for its consideration and report...the following matters: The location and architectural design of any public building; the location of any statue or other memorial..." Unless a complete application for a memorial is submitted for review by the Plan Commission by the end of business October 31, 2001, the decommissioned Coast Guard helicopter shall be removed prior to issuance of Conditional Use Permit.

3) Sign compliance §17.08(10)(B)(1) "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 Ordinance. No Sign Permit shall be issued to a business or property that does not have a Zoning Permit." There is an existing panel truck which has advertising on it located on the edge of the freeway, which is in violation of our sign code and must be removed prior to issuance of Conditional Use Permit.

4) Tank, containment system, fire/spill prevention system, shall meet all applicable building and fire codes of the City of New Berlin Fire Department and State of Wisconsin.

5) Building Permits required from Buildings Inspection and Zoning Dept.

Seconded by Mr. Felda. Motion carried unanimously.

8. (4) CU-9-01 Trees on the Move – 5611 S. Calhoun Rd. – New Tanks.

Motion by Mr. Graber to table the request by Trees on the Move for new tanks located at 5611 S. Calhoun Road for the following reasons:

1) Double permit fees required. §17.03(1)(C)(2) "A double fee shall be charged if work is started...before a permit is applied for and issued... Such double fee shall not release the applicant from full compliance with this Ordinance nor from prosecution for violation of this Ordinance." Tank installed in 1999 without Plan Commission review or approval. Fees shall be required prior to issuance of Conditional Use Permit.

2) Wis. Statutes 62.23 Powers and Duties of the City Plan Commission "The council...shall refer to the city plan commission, for its consideration and report...the following matters: The location and

architectural design of any public building; the location of any statue or other memorial..." Unless a complete application for a memorial is submitted for review by the Plan Commission by the end of business October 31, 2001, the decommissioned Coast Guard helicopter shall be removed prior to issuance of Conditional Use Permit.

3) Sign compliance §17.08(10)(B)(1) "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 Ordinance. No Sign Permit shall be issued to a business or property that does not have a Zoning Permit." There is an existing panel truck which has advertising on it located on the edge of the freeway, which is in violation of our sign code and must be removed prior to issuance of Conditional Use Permit.

4) Tank, containment system, fire/spill prevention system, shall meet all applicable building and fire codes of the City of New Berlin Fire Department and State of Wisconsin.

5) Building Permits required from Buildings Inspection and Zoning Dept.

Seconded by Mr. Felda. Motion carried unanimously.

9. (3) CU-10-01 Nextel West, Inc. – 2185 S. Danny Rd. – Construct a 120' Monopole Telecommunications Tower and Ancillary Equipment Building.

Motion by Mr. Barnes to table the request by Nextel West, Inc. to construct a 120' monopole telecommunications tower and ancillary equipment building located at 2185 S. Danny Road per the applicants request

Seconded by Mr. Felda. Motion carried unanimously.

10. (4) LD-6-01 William and Kathryn Stoffers – Nw ¼ Sec. 27 - 16540 W. Beloit Rd. – Two-Lot Preliminary Land Division.

Motion by Mr. Felda to recommend to Council approval of the request by William and Kathryn Stoffers for a two-lot preliminary land division located at NW 1/4 Sec. 27, 16540 W. Beloit Road subject to:

1) Both lots shall meet the minimum requirements of §17.04(2)(5) R-4.5 Medium-Density Single-Family Residential District in its entirety.

2) Ultimate right-of-way of Beloit Road shall be dedicated prior to signing the final CSM. Currently only 33' dedicated, where the Jurisdictional Highway Plan for Waukesha County/City of New Berlin requires 50'.

3) All non-city owned utilities, to include but not limited to; cable, telecommunication, electric, gas, etc., required to be provided underground.

4) Any future development or land division would require review and approval by Plan Commission and Common Council.

5) Payment of \$2137.60 in Public Site, Open Space and Trail Fees required prior to the City signing the final CSM.

6) Access permits required from the Waukesha County Department of Public Works prior to signing the final CSM. Existing drive may be required to be re-aligned to allow for a joint access to Beloit Road.

7) Building permits required from Building, Inspection and Zoning Department for any future home. Future single-family dwelling shall be required to have an exposure along the western/northwestern side.

8) Tree line along the western property line shall be maintained to the greatest extent possible to limit the drainage impacts to the property to the west.

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

11. (6) LD-8-01 Michael Kolupar – 13725 W. Howard – Nw ¼ Sec. 24 – Three-Lot Land Division.

Motion by Mr. Barnes to defer the request by Michael Kolupar for a three lot land division located at 13725 W. Howard, NW 1/4 Sec. 24 for the following reasons:

1) Kolupar Lane shall be extended to the Southern extent of the applicant's property and shall include a provision for the construction of a temporary cul-de-sac either on site or south of the applicant's property. Access permits required from the City of New Berlin-Engineering Department.

2) All lots shall meet the minimum requirements of §17.04(2)(5) R-4.5 Medium-Density Single-Family Residential District in its entirety.

3) Detailed road/infrastructure/stormwater/grading plans for the extension of Kolupar Lane to be approved by all regulating authorities.

4) Sewer and water plans for the extension of Kolupar Lane to be approved by all regulating authorities.

5) Developer's Agreement for the extension of Kolupar Lane required. The City of New Berlin Board of Public Works and Common Council shall approve developer's Agreement prior to signing final CSM.

6) All non-city owned utilities, to include but not limited to; cable, telecommunication, electric, gas, etc., required to be provided underground.

7) Any future development or land division would require review and approval by Plan Commission and Common Council.

8) All homes fronting on existing private road will require address changes to Kolupar Lane.

9) Existing shed shall be removed prior to the City signing the Final CSM.

10) Payment of \$4275.20 in Public Site, Open Space and Trail Fees required prior to the City signing the final CSM.

Seconded by Mr. Felda. Motion carried unanimously.

12. (7) U-57-01 Dance Space LLC – 2720 S. 163 St. – Dance Academy Studio.

Motion by Mr. Felda to approve the request by Dance Space LLC for a dance academy studio located at 2720 S. 163<sup>rd</sup> Street subject to:

1) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

- 2) The address on this building shall be corrected to its proper sequence. Space #2724 shall be switched back to its original position to replace #2728.
- 3) All signs erected without a permit on this property and the adjoining property to the North shall be removed or applied for by November 5, 2001 at which time a follow up inspection shall be conducted.
- 4) Building plans must be stamped by a Wisconsin Registered Architect or Engineer prior to issuance of a Building Permit.
- 5) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 6) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). Solid waste as well as recyclable waste dumpsters must be stored within the designated enclosure.
- 7) Employee and customer parking must be contained on this site.

Seconded by Mr. Gihring. Motion carried unanimously.

13. (7) U-58-01 HNI Companies, Inc. – 16805 W. Cleveland Ave. – 10,120 Sq. Ft. Building Addition to Existing Office Building.

Motion by Mr. Barnes to approve the request by HNI Companies, Inc. for a 10,120 sq. ft. building addition to the existing office building located at 16805 W. Cleveland Avenue subject to:

- 1) Submittal of a revised site plan showing a detention pond as required by condition of approval contained within Zoning Permit # U-31-99 that was granted by Plan Commission on June 7, 1999. Pond shall be sized to accommodate this and the previous impervious area created and shall conform to the entire Stormwater Management Ordinance. No Zoning Permit shall be issued or Building Permit applied for until the approval has been granted by the Department of Community Development (Engineering).
- 2) Applicant shall be required to submit color elevation of the proposed addition along with building materials, doors, and windows, roof samples for Architectural Review and approval.
- 3) Submittal of a color site plan showing green space, parking area, driveway and building footprint is required prior to issuance of Zoning Permit. All air-conditioning units and roof top units must be properly labeled and aesthetically incorporated into the building elevation on the revised site plans. Units must be appropriately screened with landscaping from public view
- 4) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). Location of dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match or enhance the exterior architecture of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 5) Building plans must be stamped by a Wisconsin Registered Architect prior to issuance of a Building Permit.
- 6) Approval of landscaping plan is required prior to issuance of Building Permit. All surety instruments shall be in place prior to final approval of landscaping plan.
- 7) Parcels to be combined.

Seconded by Mr. Barnes. Motion carried unanimously.

14. (3) U-59-01 Greg Marso – 21560 W. Beeheim Rd. – Garage.

Motion by Mr. Gihring to approve the request by Greg Marso for a garage located at 21560 W. Beeheim Road subject to:

- 1) A Razing Permit must be obtained from Building Inspections and Zoning Department for the existing garage upon the issuance of a Certificate of Occupancy. The existing accessory structure (garage) must be razed 30 days from the date a Certificate of Occupancy is issued.
- 2) Prior to issuance of a Zoning Permit, applicant shall be required to close the existing gap in the submitted survey for this parcel.
- 3) Applicant shall be required to provide the Plan Commission and staff with a detailed plan of operation for this property's eventual development to ensure that all non-conformities are properly addressed and eliminated.
- 4) The proposed driveway must be a minimum of five feet from the lot line as determined by a new survey.
- 5) New survey shall show the location of the septic system on this property as well as the location of the future building.
- 6) Approval of the grading and elevation of the proposed garage is required by the Department of Community Development (Engineering) prior to issuance of a Building Permit.

Seconded by Mr. Barnes. Motion carried unanimously.

15. (3) U-60-01 Safety Mart – 17155 W. Glendale Dr. – Retail sales and walk-up window.

Motion by Mr. Gihring to approve the request by Safety Mart for a retail sales and walk-up window located at 17155 W. Glendale Drive subject to:

- 1) Applicant shall provide more detailed plan of operation to staff prior to issuance of Zoning Permit.
- 2) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.
- 3) No outside storage will be permitted on the property.
- 4) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 5) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

Seconded by Mr. Graber. Motion carried unanimously.

16. (2) U-62-01 Exxon – 14001 W. National Ave. – Canopy Painting.

Motion by Mr. Barnes to approve the request by Exxon for canopy painting located at 14001 W. National Avenue subject to:

- 1) Per § 17.0314 (2) (d), outside display of merchandise is a permitted accessory use, but must not exceed five (5) percent of the gross floor area of the store or 500 square feet, whichever is less.
- 2) The fence along the western and southern property lines must be maintained in good repair at all times. The fence shall be repaired so it is straight and plumb by December 31, 2001.
- 3) Illegal banner placed near dumpster enclosure shall be removed by October 15, 2001 per § 17.08 (10) (B) (1). All signs and banners require a separate application and Sign Permit.
- 4) All junk and trash must be cleared from the property per § 10.06 of the City of New Berlin Municipal Ordinance. Particular attention must be paid to the area between the car wash and the southerly lot line. The accumulation of miscellaneous junk and trash constitute a violation of this section of the Ordinance. Please see that the junk and trash on your property is cleaned up by October 15, 2001 at which time another inspection will be made.
- 5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). Location of dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on a plan. At a minimum, enclosure must match or exceed the architectural exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 6) Per the National Avenue Corridor Alternative Transportation Design and Guideline, a six-foot wide concrete sidewalk/ sidepath is required along National Avenue and Moorland Road. Street treatment includes, streetlights, benches and the re-modification of the existing ground/ pole sign to a monument base. Path design, location and construction must be reviewed and approved by the City of New Berlin Engineering Department and installed within one year of issuance of this approval.

Seconded by Mr. Graber. Motion carried unanimously.

17. (3) U-63-01 Citgo – 17200 W. Cleveland Ave. – Canopy & Pump Enhancement.

Motion by Mr. Barnes to approve the request by Citgo for canopy and pump enhancement located at 17200 W. Cleveland Avenue subject to:

- 1) Per § 17.0314 (2) (d), outside display of merchandise is a permitted accessory use, but must not exceed five (5) percent of the gross floor area of the store or 500 square feet, whichever is less. Please ensure that all outside display of items, merchandise is limited to the square footage allowed by code.
- 2) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). Location of dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on a plan. At a minimum, enclosure must match or exceed the architectural exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters. Plans shall be submitted to the Department of Community Development (Planning) by November 5, 2001 or prior to the issuance of the Zoning Permit.
- 3) Parking lot must be repaired and re-stripped in accordance with the plan submitted on April 28, 1999 and per §14.25 of the Property Maintenance Code. Parking lot shall be repaired and re-stripped by May 1, 2002.
- 4) Removal of all junk and trash by November 5, 2001. Per §10.06 of the Municipal Code states that no materials such as old iron, glass or bottles, wood, and other discarded manufactured articles or scrap shall be stored for a period exceeding 30 days. The accumulation of miscellaneous junk and trash,

including fill piles, steel drums and palettes are in violation of this section of the Ordinance. Please see that all the junk and trash on your property is removed by November 5, 2001 or prior to issuance of a Building Permit.

Seconded by Mr. Gihring. Motion carried unanimously.

18. (2) U-64-01 Larsen Brothers Funeral Home – 15250 W. National Ave. - Connect Parking Lot and Construct a Shed.

Motion by Mr. Barnes to table the request by Larsen Brothers Funeral Home to connect parking lot and construct a shed located at 15250 W. National Avenue for the following reasons:

1) Erection of a monument sign as required by condition of approval contained within Zoning Permit # U-55-99 that was granted by Plan Commission on September 13, 1999. Applicant shall be required to apply for and erect a monument sign for the above address by end of construction season. No Zoning Permit shall be issued until the Sign Permit approval has been granted by the Department of Community Development (Planning).

2) Submittal of a revised parking/ site plan that meets the off-street parking, loading and access requirements stipulated in section 17.08 (5) (E) of the City of New Berlin Zoning Ordinance. No Zoning Permit shall be issued until the revised site plan has been reviewed and approved by the Department of Community Development (Planning). Revised plans must meet all the requirements in its entirety and address the following:

a) Larsen Brothers already has less than 25% green space (about 1,000 square feet short of green space requirement). Can not use street ROW for open space calculation. Revised plan to show how applicant will meet the 25% open space requirement.

b) Plans must also incorporate the sidewalk along National Avenue. No snow storage where sidewalk is proposed to be located.

c) 10' parking setback required along National and Coffee Roads. Existing and proposed parking encroaches 3' ± into National Avenue ROW. BOA and County approvals would be necessary. Mrs. Sippy's proposed parking also violates Coffee Road parking setback requirements. If there are permits for these encroachments please make a copy available for our files.

d) Larsen Brothers already violates 5' parking setback along west side lot line. Proposing 7 new parking stalls 2' ± from west side lot line. Maintain existing parking spots at west lot line.

e) Proposed plans show only 60' wide aisle plus 2 rows of parking on Mrs. Sippy's lot, including parking 2' into National Avenue ROW. Lose the five proposed parking spots next to building, move parking 12' further away from National Avenue.

f) Revised plan shall also meet the maneuvering aisle minimum width requirements.

a. Eliminate 2 of the 9 parking stalls along the East side of the lot.

3) City should require curb and gutter and more storm sewer. Too much existing and proposed drainage running through parking lots and draining down driveway into National Avenue. The only existing catch basin formerly at southeast corner of Larsen parking lot, would no longer be effective if drive and parking lot extended. Submittal of a grading and drainage at a scale of 1" – 20' is required. There is a 3' grade drop between Larsen and Mrs. Sippy's parking lots.

4) Per § 17.08 (5) (E) parking lot shall be properly landscaped. Please see that the revised plan meets all the requirements of this section in its entirety.

5) Approval of landscaping plan is required prior to issuance of Building Permit. All surety instruments shall be in place prior to final approval of landscaping plan.

Seconded by Mr. Felda. Motion carried unanimously.

19. (5) U-65-01 Vision Development LLC – 14650 & 14780 W. Wilbur – Two Four-Family Buildings w/Two-Car Garage for Each Unit – Condo Ownership.

Motion by Mr. Barnes to table the request by Vision Development LLC for two four-family buildings with two car garage for each unit located at 14650 & 14780 W. Wilbur for the following reasons:

1) Building #1 (West 4 family) is at least 50' from high water mark of navigable water behind building (could be 45'). Existing floodplain of 869.2 is approximately 10' from back of building #2. Basement bedrooms could be below floodplain level. Basement will require flood proofing above the 100-year recurrence interval flood level of Deer Creek. All electrical fixtures and services shall be at least two feet (2) above the 100-year recurrence interval. Deck posts shall be reinforced with concrete piers.

2) West drive side entry garage, driveway for building #1 within the sanitary sewer easement. Plan does not show any manhole within drive area. Driveway access agreement would be needed. Building #2 side entry garage and drive within normal vision triangle. Drive only 50' from intersection. (this may be difficult to avoid and will require Plan Commission approval).

3) Proposed building grades are not clearly depicted. Grading plan shows 877.5 proposed grade at front. Is this yard grade, garage slab, or first grade 871.5 shown at rear of both buildings. Building plans show 6' grade difference between first floor and rear yard exposure. No cross section of foundation is shown. Need the basement slab, black top grade, garage slab grade and first floor grade. Please address this prior to Building Permit.

4) Pond overflow is 871.0 or higher. Proposed 871.5 exposure for buildings 1 and 2 located about 5'-30' from pond is dangerously low. Use 873-873.5 rear exposure as master grading plan called for. If using 4:1 maximum slope, building 1 must stay at least 8' from pond at southeast corner of building or extend retaining wall. (Building pad 108'-112' wide, only 90' wide shell shown on grading plan. Large 4 family).

5) Grading plan shows back of building #2 10' from wetlands. This is not delineated on the CSM to measure actual distance of building. New Zoning Code standard is 30', not 10' unless approved PUD ordinance takes precedence. Proposes Building #2 is apparently showing that the backs of building will be cut off to fit. Building plans don't reflect this. Plans show decks built within 10' of wetlands. This shall be resolved.

6) No fill allowed in wetland/floodplain. Existing grade of 869.2-869.5 10' from proposed back of building #2. Since city wants rear exposure of building at 873.0, 3.5 foot of drop between building and wetland requires 14' separation or retaining wall. Applicant must demonstrate how wetlands and detention pond will be protected during construction process. Per Section 17.08 (3) (A), Natural Resource Protection: Limit of Disturbance, applicant is required to designate and identify the "limits of disturbance" (LOD) for this development. This shall be identified in the survey, revised site plan and revised landscaping plan. Revised plans must meet all the requirements of this section of the Zoning Ordinance in its entirety.

7) Stakeout survey will be required for buildings. It doesn't appear that the plan takes building overhangs into account (40'8" to building #1 from back of curb. Standard 15.5' behind curb to ROW, plus 25' plus 2' overhang=42.5').

8) Architectural Review Committee review and approval of the exterior architecture and materials for construction shall be required prior to issuance of building permit.

9) Building plans must be stamped by a Wisconsin Registered Architect.

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

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

12) Payment of \$2137.60/unit in Public Site, Open Space and Impact Fees shall be required prior to building permits being issued.

13) Plans does not designate responsible party for maintenance of the pond. This shall be resolved prior to issuance of Building Permit. CSM shows storm drainage maintenance easement limits running through middle of existing pond.

Seconded by Mr. Felda. Motion carried unanimously.

20. (7) U-66-01 G. E. Properties – 15718 W. National Ave. – Reface Entire Building w/Commercial Brick Veneer, New Vestibule.

Motion by Mr. Barnes to defer to the 10-15-01 Plan Commission meeting the request by G.E. Properties to reface entire building with commercial brick veneer and new vestibule located at 15718 W. National Avenue per the applicants request.

Seconded by Mr. Felda. Motion carried unanimously.

21. (5) SG-55-01 Deer Creek Village – 3601 S. 147<sup>th</sup> St. – Monument Sign

Motion by Mr. Graber to table the request by Deer Creek Village for a monument sign located at 3601 S. 147<sup>th</sup> Street for the following reasons:

1) An existing 8'x10' temporary development sign exists in the public right of way. Minutes of the March 5, 2001 Plan Commission allowed staff time to investigate the procedures for temporary residential development signs in the public way. Staff is still investigating and will issue a final report at the November 5<sup>th</sup> Plan Commission meeting.

2) Upon completion of the investigation into the procedures for temporary residential development signs in the public way the Sign Permit shall be issued with these conditions:

a) 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).

b) A revised color scaled rendering shall be submitted to the Department of Community Development (Planning) by November 5, 2001.

c) The sign shall not exceed 30 square feet in area, and shall not exceed 6'3" in height or exceed 12'9" in width.

d) The sign copy shall not exceed 22 square feet and shall be metallic silver and tan on a forest green background with a warm gray border. The copy shall read "Deer Creek – Village – 3601 S. 147<sup>th</sup> Street – Senior Independent Apartments."

e) The sign will be located outside the right of way of South 147<sup>th</sup> Street.

a. Sign shall not be illuminated internally or externally.

Seconded by Mr. Barnes. Motion carried unanimously.

22. (7) SG-59-01 W. A. Roosevelt Co. – 2415 S. 170 St. – Wall Sign.

WITHDRAWN

### **ZONING PERMITS**

23. (4) RO-44-01 MCSI Midwest Visual Communications – 5300 S. Emmer Dr. – Sales, Systems Prefabrication, as well as Technical and Service Support for Installed Visual Communications System.

The request by MCSI Midwest Visual Communications for sales, systems prefabrication, and technical and service support for installed visual communications systems located at 5300 S. Emmer Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

1) Employee and customer parking must be contained on this site. Prospective tenants will be reviewed on an individual basis and could be denied subject to inadequate on-site parking.

2) Submittal of a monument sign plan for this building that meets the Towne Corporate Park Sign Standards shall be submitted to the Department of Community Development (Planning) upon completion of the construction. The proposed monument sign shall meet the requirement of Section 17.08 Sec.(10) in its entirety.

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

4) A separate application is required from the Planning Department for any signs or banners for this business.

5) The 15 vans for outside storage shall be located in the rear of the building, outside of public view from Emmer Drive.

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

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

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

24. (5) RO-45-01 The Hair Solution – 15440 W. Beloit Rd. – Hair Salon w/Spa Services

The request by The Hair Solution for a hair salon w/spa services located at 15440 W. Beloit Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

1) Issuance of the Zoning Permit for Reoccupancy is dependent upon the following conditions:

a) A final Occupancy Permit must be obtained from the Building Inspection and Zoning Department for the building shell prior to the issuance of the Occupancy Permit.

b) A revised floor plan shall be on file in the Department of Community Development (Planning) on December 31, 2001, or prior to the issuance of the Occupancy Permit for The Hair Solution.

c) The number of functional stylist chairs shall be reduced from seven chairs to six chairs.

a. A shared parking agreement is submitted that provides evidence that the parking lot is either large enough to accommodate multiple users or that parking spaces will be shared at specific times of the day. The shared parking agreement must meet all the provisions of Section 17.08 Sec.(6)(A)(8). This shared parking agreement shall be on file in the Department of Community Development (Planning) by December 31, 2001 or prior to the issuance of the Occupancy Permit for The Hair Solution.

e) Material samples shall be submitted for the building canopy by October 15, 2001 or prior to the issuance of the Occupancy Permit or any Sign Permit for the Hair Solution.

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

3) A separate application is required from the Planning Department for any signs (including face changes) or banners for this business.

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

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

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

25. (3) RO-47-01 Joseph Maziasz, Jr. – 16315 Lincoln Ave. – Office and Assembly of Electrical Components.

The request by Joseph Maziasz, Jr. for an office and assembly of electrical components located at 16315 Lincoln Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

1) Section 17.03 Sec.(1) "A double shall be charged if work is started or a sign is installed before a permit is applied for and 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 Ordinance nor from prosecution for violation of this Ordinance." A double fee shall be assessed as the applicant occupied a previous space without a permit being applied for and issued. A payment in the amount \$350.00 is required prior to the release of the Zoning Permit.

2) Employee and customer parking must be contained on this site.

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

4) A separate application is required from the Planning Department for any signs (including face changes) or banners for this business.

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.

Motion by Mr. Barnes to approve the Zoning Permits as recommended by staff. Seconded by Mr. Gihring. Motion carried unanimously.

### **STAFF APPROVED**

26. (3) U-55-01 Chr. Hansen – 16300 W. Lincoln Ave. – Emergency Generator Installation.

The request by Chr. Hansen for emergency generator installation located at 16300 W. Lincoln Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

1. Applicant will be required to apply for a full plan review by the City of New Berlin Fire Department to ensure compliance with state guidelines. Please contact the Fire Chief for submittal requirements and procedure.
2. Building Permit is required from the Building Inspection and Zoning Department for the generator pad.
3. An Electrical Permit is required for the connection of the emergency generator to the system.
4. Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

27. (4) U-56-01 New Berlin Historical Society – 19485 W. National Ave. – Move House.

The request by New Berlin Historical Society to move a house located at 19485 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) Applicant is required to obtain a Building Permit from the Building Inspection and Zoning Department prior to moving and placement of the structure.

2) Permits are required from Waukesha County Highway department if the structure is routed via a county highway.

3) Applicant shall be required to contact the City of New Berlin Police Department and the Highway Department to facilitate the safe transition of the structure.

4) Permits are required from other commissions (such as Landmark Commission, Park & Rec. etc.) within the city depending on the nature of the move.

5) Applicant shall be required to contact and obtain written approval from all above ground utility companies that are identified along the route. (Wisconsin Electric, Ameritech, etc)

6) All wells and septic systems shall be properly abandoned on the vacated site.

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

28. (2) U-61-01 Hickory Grove Center – 2600 S. Sunnyslope Rd. – Replace Existing Building Windows.

The request by Hickory Grove Center to replace existing building windows located at 2600 S. Sunnyslope Road has been reviewed and conditionally staff approve by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

1) Permits are required from the Building, Inspection, and Zoning Departments for any structural alteration or modification to accommodate windows. If windows are replaced with the same size or smaller windows no permit shall be required.

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

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

4) 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).

29. (4) U-67-01 Hyperbaric Services, Inc. – 5135 S. Towne Dr. – Provide Hyperbaric Oxygen Therapy Treatments to Approximately 25 Families.

The request by Hyperbaric Services, Inc. to provide hyperbaric oxygen therapy treatments to approximately 25 families located at 5135 S. Towne 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 parking of the patients and operators of the chamber must be contained on this site.

2) No outside storage of equipment, vehicles, or materials will be permitted on the property.

3) This Zoning Permit is issued as a temporary use approval and shall expire on and no later than Sunday, November 18, 2001.

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

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

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

30. (3) SG-56-01 Steven Wade's Café – 17001 W. Greenfield Ave. – Temporary Ground Sign.

The request by Steven Wade's Café for a temporary ground 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 the Section 275.03(10).

2) Section 17.08 (10) states "All new signs 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 Calhoun Road, Cleveland Avenue, Greenfield Avenue, Lincoln Avenue, Moorland Road and National Avenue. Monument Signs are also required within the New Berlin Industrial Parks." The existing Steven Wade's Café ground sign shall have an expiration date of October 1, 2002 by which time the required monument sign will be applied for and receive a Sign Permit before installation.

3) The sign shall not exceed 12 square feet in area, and shall not exceed 7'0" in height.

4) The sign copy shall be white on a black background and shall read "Steven Wade's – Café – Luncheons & Dinners – 784-0774."

5) The sign will be located outside the ultimate right of way of Greenfield Avenue.

6) Sign shall not be illuminated internally or externally.

7) No fee is required per calculations below:

Ground Sign Face: 4'0" x 3'0" = 12 sq.ft. x 2 sides = 24 sq.ft. x \$3.00/sq.ft. = \$72.00

Less Application fee (\$75.00) = \$0.00

8) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.

9) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.

31. (4) SG-57-01 In Pro Corp. – 5160 Emmer Dr. – Temporary Banner.

The request by In Pro Corp for a temporary banner located at 5160 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) Section 17.08 Sec (10)(J)(1) of the New Berlin Zoning Ordinance states that "Portable sign permits shall not be granted for a period of more than 30 days in any 365-day period," The sign shall be removed on or before Wednesday October 10, 2001.

2) The conditions of In Pro's Zoning Permit (RO-05-01) issued on February 13, 2001 state that "a separate application that meets the sign standards set forth for any signage in Towne Corporate Park is required from the Planning Department for any sign for this business, The required Monument Sign shall be placed on a masonry base that matches or enhances the exterior material and color of the building. Any signage shall be applied for by Wednesday May 9, 2001. An application for the signage requirements shall be filed with the City immediately. This letter shall also serve as a violation letter. Please see that this condition is addressed no later than Monday September 17, 2001.

3) All future modifications, including sign face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for, receive a Sign Permit, and must meet the provisions of Section 275.03(10) of the New Berlin Municipal Code.

- 4) The temporary banner sign shall not exceed 30 square feet.
- 5) The temporary banner sign shall not be illuminated in any sort of way.
- 6) Temporary Banner Sign: 3' x 10' = 30 sq.ft. x \$3.00/sq.ft. = \$90.00

Less Application fee (\$75.00) = \$15.00

32. (2) SG-60-01 Exxon – 14001 W. National Ave. – Monument and Canopy Sign.

The request by Exxon for a monument and canopy sign located at 14001 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) Removal of the illegal wooden structure next to the exit bay door on the West elevation of the car wash by October 15, 2001. The structure was installed without Plan Commission approval.
- 2) Per § 17.08 (10) (B) (1), all signs must be applied for and receive a Sign Permit before installation. The temporary banner placed near the dumpster enclosure shall be removed by October 15, 2001.
- 3) A site plan indicating the final location of the monument sign taking into account vision corner of National Avenue and Sunny Slope Road and the ultimate right of way of National Avenue shall be submitted to the Department of Community Development (Planning) by October 15, 2001 or prior to the issuance of the Sign Permit.
- 4) Per § 17.0314 (2) (d), outside display of merchandise is a permitted accessory use, but must not exceed five (5) percent of the gross floor area of the store or 500 square feet, whichever is less. Please see that all the outside storage at this location does not exceed that allowed by code.
- 5) The fence along the western and southern property lines must be maintained in good repair at all times. The fence shall be repaired so it is straight and plumb by December 31, 2001.
- 6) All temporary gas price signs on the site must be removed within 5 days of construction of this sign.
- 7) The monument base shall not exceed 24" in height and shall have an address plaque or numbers, and shall be constructed of split-faced block or shall be of a material, which matches or enhances existing structure subject to approval by the Department of Community Development (Planning).
- 8) The monument sign copy shall be 58" x 80" and shall not exceed 32 square feet.
- 9) The two lines of changeable reader board shall be 14" x 72" and shall not exceed 8 square feet.
- 10) The price sign for the gasoline and diesel fuel sales shall be 40" x 80" and shall not exceed 20 square feet.
- 11) The overall area of the sign shall not exceed 60 square feet, and the overall height of the sign shall not exceed 8'0".
- 12) The monument sign must be located outside the ultimate right-of-way and vision triangle of Sunny Slope Road and National Avenue.
- 13) The wall sign shall read "Exxon" and shall not exceed 10.5 square feet.

14) Payment of \$423.00 based on calculations below:

Monument Sign: 10'0" x 6'0" = 60 sq.ft. X 2 sides = 120 sq.ft. x \$3.00/sq.ft. = \$360.00

Wall Sign: 1'6" x 7'0" = 10.5 sq.ft. x 1 side = 10.5 sq.ft. x \$3.00/sq.ft. = \$63.00

33. (5) SG-61-01 Foxcroft Apts. – 12665 W. Beloit Rd. – Monument Sign.

The request by Foxcroft Apts. for a monument sign located at 12665 W. Beloit Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

1) Per Section 17.08 Sec.(10) (l) (c) (1) "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 Ordinance." A second temporary development sign was placed at the entrance to the development without a Sign Permit. This sign shall be removed prior to issuance of the Sign Permit.

2) Upon resolution of the above stated violation conditions of the approval shall be:

a) 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).

b) The sign shall not exceed 28 square feet in area, and shall not exceed 4'0" in height.

c) The sign copy shall be black channel letters on a monument base that shall be constructed of brick that matches the principal buildings and shall read "Foxcroft."

d) The sign will be located outside the ultimate right of way of Beloit Road.

e) Sign shall not be illuminated internally or externally.

34. (1) SG-62-01 New Berlin Hills Golf Course – 13175 S. Graham St. – 22" x 30" Ground Sign.

The request by New Berlin Hills Golf Course for a 22" x 30" ground sign located at 13175 S. Graham 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) 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).

2) The sign stating "Welcome – New Berlin Hills – New Berlin Parks System" shall not exceed 21.75 square feet in area. The sign face shall not exceed 4'10" x 4'6" and the overall sign height shall not exceed 7'3" in height.

3) The sign stating "Welcome to – New Berlin Hills G.C. – Gene Park Clubhouse – Dedicated 1999" shall not exceed 4.57 square feet. The sign face shall not exceed 1'10" x 2'6".

4) The sign stating "New Berlin Hills – 18 Hole Public Golf Course" shall not exceed 16.5 square feet. The sign face shall not exceed 6'0" x 2'9" and the overall sign height shall not exceed 7'3" in height.

5) Signs shall not be illuminated internally or externally.

6) No fee is required as fees are waived.

7) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.

8) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.

Motion by Mr. Barnes to approve the Staff Approved items as recommended by staff. Seconded by Mr. Felda. Motion carried unanimously.

Motion by Mr. Barnes to adjourn the Plan Commission meeting at 8:40 P.M. Seconded by Mr. Gihring. Motion carried unanimously.