

# **Minutes**

## **NEW BERLIN PLAN COMMISSION**

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

**OCTOBER 15, 2001**

The Plan Commission meeting was called to order at 6:07 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Felda, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament. Also present were Greg Kessler, Director of Community Development, Mark Lake, Director of Planning, Tony Kim, Planning Tech.

Motion by Mr. Barnes to approve the Plan Commission Minutes of October 1, 2001. Seconded by Alderman Ament. Motion carried unanimously

Plan Commission Secretary's Report -

- a. Information was presented on the Request for Qualifications for the Transportation Element of the Master Plan.
- b. A Utility Presentation will be given at a future date dealing with water related issues.
- c. A reminder that Plan Commission meetings will be held on the first Monday of the month at 6:00 P.M.

### **REFERAL FROM COMMON COUNCIL**

5. Resolution 01-27 with recommended changes.

No Action

### **CONTINUED ITEMS**

6. (4) R-3-01 Hales Corners Lutheran Church – Senior Residence – 12455 W. Janesville Rd. – Senior Residence for Non-Assisted Care. (Deferred 9/10/01, 10/1/01)

Motion by Mr. Barnes to recommend to Council approval of the request by Hales Corners Lutheran Church to rezone the property located at 12455 and 12555 W. Janesville Road from I-1 Institutional District and B-2 General Retail Sales and Service District to Steeple View Mixed Use Rm-1/I-1/PUD District, subject to the application, plans on file, and the following:

- a. Dedication of the Ultimate Right of Way of Janesville Road shall be required prior to final approval of this PUD.
- b. A metes and bounds legal description of the outside boundary of the Rm-1/I-1/PUD property is required as an attachment to the PUD document.
- c. Applicant shall be required to apply for and receive a Zoning Permit following a Use, Site and Architectural review and approval by the Plan Commission for this

project. Use, site and Architectural Approval and Development Agreement are required prior to any clearing, grubbing, grading or change in use of the Rm-1/ I-1/ PUD parcel.

Seconded by Mr. Gihring. Motion carried unanimously.

7. (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, Deferred 10/1/01)

Motion by Mayor Wysocki to limit the height of buildings to 1-1/2 stories. Seconded by Alderman Ament. Motion fails with Alderman Ament, Mr. Teclaw, Mayor Wysocki voting Yes and Mr. Graber, Mr. Gihring, Mr. Barnes, Mr. Felda voting No.

Motion by Mayor Wysocki to remove item #12 found in the staff report. Seconded by Mr. Teclaw.

Motion by Mr. Teclaw to allow the individuals representing the group of people that live nearby to speak on the subject. Seconded by Alderman Ament. Motion carried unanimously.

Ken Price, 2761 S. Acredale Road, Terry Reeves, 2810 S. Moorland Road, and Ron Hlavinka, 2879 S. Acredale spoke about the height of buildings in the area.

Motion by Alderman Ament to amend Mayor Wysocki's motion above to indicate on #12 on the staff report that the maximum building height within the O-3 district be 25 feet matching the existing residential buildings of the R-5 district to the East. Seconded by Mr. Teclaw. Motion carries with Alderman Ament, Mayor Wysocki, Mr. Graber, Mr. Teclaw voting Yes and Mr. Barnes, Mr. Felda, Mr. Gihring voting No.

Mayor Wysocki for the record clarified that the request is to change to O-3, not O-1.

Motion by Alderman Ament to change the ordinance under O-3/PUD the wording, surrounding community, to residential neighborhood. Seconded by Mr. Gihring. Motion carried unanimously.

Motion by Alderman Ament to recommend to Council approval of the request by Hlavinka, Radmer, Petrauski for PUD rezoning for a residentially scaled mixed-use PUD at 2762-2900 Moorland Road subject to:

- a. Metes and bound legal descriptions for each of the sub-districts required. Descriptions shall be incorporated within the final PUD.
- b. Draft PUD to be reviewed and approved by City Attorney.
- c. Waukesha County DOT Access Permits required for any additional access points required as part of the Use, Site and Architectural approval process.
- d. The minimum lot width of Acredale Road lots (R-4.5/PUD District) 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.

- e. 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. Maximum building height shall maintain the heights of the existing structures to the East.
- f. I-1/PUD District to include all setbacks for the existing Applewood property.
- g. 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.
- h. Conformance to, and participation in, the Regional Storm Water Management Plan Required.

Seconded by Mr. Teclaw. Motion carried unanimously.

8. (6) LD-8-01 Michael Kolupar – 13725 W. Howard – Nw ¼ Sec. 24 – Two-Lot Land Division. (Deferred 10/1/01)

Motion by Mr. Barnes to recommend to Council approval of the request by Michael Kolupar for a two lot land division located at 13725 W. Howard Avenue subject to:

- a. All lots shall meet the minimum requirements of §17.04(2)(5) R-4.5 Medium-Density Single-Family Residential District in its entirety.
- b. Detailed road/infrastructure/stormwater/grading plans for the extension of Kolupar Lane to be approved by all regulating authorities prior to development of Parcel #2.
- c. Sewer and water plans for the extension of Kolupar Lane to be approved by all regulating authorities prior to the development of Parcel #2.
- d. Developer's Agreement for the extension of Kolupar Lane required for the development of Parcel #2.
- e. All non-city owned utilities, to include but not limited to; cable, telecommunication, electric, gas, etc., required to be provided underground.
- f. Any future development or land division of Parcel #2 would require review and approval by Plan Commission and Common Council.
- g. All homes fronting on existing private road will require address changes to Kolupar Lane if road is extended as part of the development of Parcel #2.
- h. Existing shed shall be removed within one year of the City signing the Final CSM unless principle building is build on Parcel #2.
- i. Payment of \$2,137.60 in Public Site, Open Space and Trail Fees required prior to the City signing the final CSM.
- j. Seconded by Mr. Graber. Motion carried unanimously.

9. (7) U-66-01 G. E. Properties – 15718 W. National Ave. – Reface Entire Building w/Commercial Brick Veneer, New Vestibule. (Tabled 10/1/01, Deferred 10/1/01)

Motion by Alderman Ament for use, site, and architectural approval of the request by G.E. Properties to reoccupy and construct a second story addition to the existing building located at 15718 W. National Avenue subject to:

- 1) Landscaping to be properly installed and maintained. Landscaping installation Bond and Maintenance Bond required.
- 2) Building must meet all applicable building and fire codes. Fire extinguishers required.
- 3) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code. Location of Dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match or enhance the exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 4) Grading Plans for the expanded parking lots must meet all the development requirements of the Engineering Department.
- 5) Fence shall be made of low-maintenance materials.
- 6) Applicant shall be required to address the parking availability and reconfiguration. This shall include the overall circulation and traffic flow as it relates to possible connection with the office building to the West. Parking must also take the future vacation of the access road into consideration as recommended by the West National Avenue Redevelopment Plan.
- 7) A monument sign shall be required as part of this development. Monument sign base shall be constructed of the same material as the principle building. The location of the monument base shall be approved by the Department of Community Development (Planning) prior to installation. Signage requires a separate permit. Sign Permit shall be secured prior to the erection of any signage.
- 8) Applicant shall also be required to provide a buffer between the residential properties as required by § 17.08 (5) (F) of the City of New Berlin Zoning Ordinance. A minimum of 15 landscaping/ buffer yard is required. Per recommendation of the West National Avenue Redevelopment Plan, applicant shall be required to install a neighborly fence to screen their more intensive office use from the single-family use. 10' landscaping easement to be on file and required prior to building permit being issued for the property to the North.
- 9) 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 § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot.

Seconded by Mr. Teclaw. Motion carried unanimously.

10. ( ) Tans Drive and Crowbar Road - Wisconsin Rustic Road Status.

Motion by Mr. Barnes to table Tans Drive and Crowbar Road Rustic Road Status to allow staff to prepare a report and presentation outlining the requirements for a Rustic Road designation. Seconded by Mr. Felda. Motion carried unanimously.

## **NEW BUSINESS**

11. (1) 1803 & 1811 S. 124<sup>TH</sup> STREET - Petition to Vacate Alley.

Motion by Mr. Graber to forward the petition to vacate the alley at 1803 & 1811 S. 124<sup>th</sup> Street to the Board of Public Works. Seconded by Mr. Barnes. Motion carried unanimously.

12. (2) U-72-01 Pepsi America - 2255 S. 162nd Street - Interior - construction of vending machine maintenance and parts are in existing warehouse. Exterior - expansion of parking lot including fencing area to be built.

Motion by Mr. Barnes to approve the request by Pepsi America to re-occupy an existing M-1 structure, provide minor ingress and egress modifications and create a secure truck parking area at 2255 S. 162<sup>nd</sup> Street subject to:

- 1) Building permits required for all interior work.
- 2) Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot unless included in plan of operation at time of issuance of Zoning Permit. Building to be repainted, paint chips required to be approved by the Architectural Control Committee prior to commencement of painting.
- 3) Final disposition of unused overhead door on west end of the south side of the building required. Elevations required.
- 4) Landscaping to be properly maintained, to include, but not limited to proper pruning and ground cover maintenance.
- 5) Building must meet all applicable building and fire codes. Relocation of sprinklers may be required.
- 6) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code. Location of Dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match or enhance the exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 7) Grading Plan for the expanded parking lot must meet all the development requirements of the Engineering Department.
- 8) Chain link fence shall not include barbed wire.

9) Signage requires a separate permit. Sign Permit shall be secured prior to the erection of any signage.

Seconded by Alderman Ament. Motion carried unanimously.

13. (4) U-70-01 Rexnord Corp. – 5555 S. Moorland Rd. – Replace Four Windows and Remodel 2,600 Sq. Ft. of Internal Storage Space Into Offices.

Motion by Alderman Ament to approve the request by Rexnord Corp. to replace four windows and remodel 2,600 sq. ft. of internal storage space into offices located at 5555 S. Moorland Road subject to:

1) Building permits required for all interior work.

2) Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot unless included in plan of operation at time of issuance of Zoning Permit.

3) Building must meet all applicable building and fire codes. Sprinklers may require relocation.

4) Fire Hydrant is required within 150 feet of the City of New Berlin Fire Department connections.

5) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code. Location of Dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.

Seconded by Mr. Barnes. Motion carried unanimously.

## **COMMUNICATIONS**

14. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

RE: Memo dated October 8, 2001 regarding Rustic Road Status

Plan Commissioners acknowledged receipt of this communication.

15. Communication To: Plan Commission

Communication From: Nikki Jones, Associate Planner

RE: "Largest Milwaukee - Area Chamber of Commerce", The Business Journal, September 21, 2001.

Plan Commissioners acknowledged receipt of this communication.

Motion by Alderman Ament to adjourn the Plan Commission meeting at 8:06 P.M. Seconded by Mr. Teclaw. Motion carried unanimously.