

Minutes

PUBLIC HEARINGS

6:00 P.M. (5) R-5-01 National Energy Properties – Trombo – 14775 W. National Ave. – Rezone Rm-1 to B-2 for Dunkin Donuts, Baskin Robins, and Togo's Restaurant.

NEW BERLIN PLAN COMMISSION

NEW BERLIN CITY HALL COUNCIL CHAMBERS

NOVEMBER 5, 2001

The public hearing relative to the request by Cary Uretz/George Ruff , c/o National Energy Properties to rezone the property known as 14775 W. National Avenue from Rm-1 Multi Family Residential to B-2 General Retail Sales and Service District was called to order by Mayor Wysocki at 6:03 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Felda, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament. Also present were Mark C. Lake, Director of Planning, Olofu Agbaji, Planning Administrator.

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. Mr. Ruff, applicant for National Energy Products also described the proposal.

Mayor Wysocki asked for questions for clarification, seeing none.

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

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

Mary Ann Hill - 14771 W. Hidden Creek Ct. - I am here representing owner of Hidden Creek Apartments who opposes any change to business use for the property located at 14775 W. National Avenue.

Michelle Jashinsky - 14825 W. Janice Court - There is a subdivision located directly North of that property across National Avenue. It is already being extremely impacted by construction. To the East of us they are putting several businesses in that location. We are gradually becoming sandwiched between all these commercial uses. If the City is going to continue to develop in this manner, the citizens on Janice Court have a proposal that the City purchase that entire cul-de-sac so that it can continue to be developed as business. If we are going to continue to live in a residential neighborhood, I think the City needs to seriously consider that we are taxpayers as well as landowners. Pictures were shown of the view from the back of this residents property.

Jocelyn DeCloux - 14815 W. Janice Court - We have way too much traffic already. The headlights, and even with a fence, will still be seen especially with three different businesses. It will be morning, noon, and night. We live there, we don't just work there from 8-4. We have to live here with businesses all around us. Especially with what is going on at New Berlin Auto Body. I am totally opposed.

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

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

Mr. Gihring - It is possible to combine the driveways in front of the entire building? Mr. Lake said it is County jurisdiction.

Mr. Felda - What are the hours of the operation. The applicant said 5:00 a.m. to 12:00 p.m. M-Th, and 5:00 a.m. to 1:00 a.m. Friday-Sunday.

Mr. Teclaw asked Mr. Lake to comment on the portion under previous action on the staff report that indicated the Plan Commission tabled the request by Auto Zone to rezone the property to commercial. Mr. Lake said the way they were designing the buildings, the parking lot would have been on the Hidden Creek side. There was also problems with architecture and signage, therefore, it was tabled.

Mr. Teclaw asked about stormwater management. Mr. Lake said they could possibly tie into the National Avenue sewer, however, they may be required to create an onsite detention system or contribute to a regional system. This is the rezoning part of the proposal so when it comes to use, site, and architecture, we will have the specifics for stormwater management.

Mr. Teclaw asked if there was any kind of Master Plan for this parcel. Mr. Graber said that at the time the Hidden Creek project was proposed, this parcel as well as the parcel that became Culvers was slated to be expansions of the multi-family development. With the change of zoning that Culvers has experienced, I don't know how feasible it would be to just incorporate this one parcel into that overall plan. There was a plan that included both of those parcels at that time when Hidden Creek was constructed.

Alderman Ament - On the future land use map I see it shows urban residential. What can go there, if this rezoning is not approved. Mr. Lake said since the property is currently zoned Rm-1, you can put in a multi-family zoning, duplex, transitional use as a buffer. Multi-family and commercial uses are considered the same level because of the amount of traffic.

Mr. Teclaw asked Ms. Hill if there was a particular reason for her opposition.

Ms. Hill said we have had a lot of problems with Culvers already. We have traffic going through Hidden Creek, we are cleaning up debris from Culvers all the time, there is a noise factor from the drive thru.

Mr. Teclaw asked the applicant about the drive thru windows and the busy traffic hours in relation to the time they would be open. The applicant said that these restaurants would be serving breakfast, lunch and snacks in the form of ice cream. Dunkin Donuts is primarily coffee and donuts. Togo's is basically sub sandwiches that is usually a lunch item. Baskin Robins is a family ice cream shop and we expect that to have business anywhere between lunch and early evening.

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

Mayor Wysocki closed the public hearing at 6:26 P.M.

6:01 P.M. (7) R-9-00 Crestview Place - 16850 W. Observatory - Rezone from O-1 to Rm-1/PUD for Seven Multi-Family Buildings. (Tabled 10/2/00, 2/5/01) - Revised plans.

NEW BERLIN PLAN COMMISSION

NEW BERLIN CITY HALL COUNCIL CHAMBERS

NOVEMBER 5, 2001

The public hearing relative to the request by David Koscielniak , c/o Crestview Place to rezone the property known as 16850 W. Observatory Road from O-1 Office and Business Service District to Rm-1/PUD Multi-Family Residential District was called to order by Mayor Wysocki at 6:26 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Felda, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament. Also present were Mark C. Lake, Director of Planning, Olofu Agbaji, Planning Administrator.

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. Mr. Koscielniak gave some additional information about the project highlighting how it fits with the future land use plan.

Mayor Wysocki asked for questions for clarification.

Vernon Bentley - 3450 S. Johnson Road - 48 units that all have two car garages, that makes 96 vehicles. The traffic study says that there is 6.7 trips per day, per vehicle. People are having concerns now that they are not getting out onto National Avenue. Calhoun Road will probably be put on a five year plan to get a stop light. When people move into these \$170,000 units, will they be bothered by the smell of fermenting wood chips from Action Nursery? What about the City salt supply? What about the water usage? You have Hales Corners Lutheran Church, etc. Is anybody adding up these developments to determine how much water they will use? What is the actual acreage being proposed? Mr. Lake said 7.76 acres.

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

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

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

Paul Pinzuti - 16855 Observatory Road - I can't figure out why the City would even consider having this parcel be rezoned when it has been zoned for business all these years. It would be like taking our lots and trying to get them rezoned for multi-family because we could not sell them for business. The parcels are zoned and that is what they should be left as. If they can't sell it, they will have to sit on it awhile. Just like the rest of us. I have parcels for over 20 years. What I am saying we have been trying to develop this project here all the way around with the exception of the City Center, there are trucks that come out of our place, the trucking company right next door. I can't imagine having multi-family across the street from us. The first thing these people are going to say after they buy these \$170,000 condos is, that guy has all kinds of trucks, the lights are shining in my window, etc. That parcel is not designed for that, I can't imagine where they are coming from. Is it because that's all we have left over on this western end of the city? It comes down to the dollars and cents. It's not feasible unless they put in so many buildings and jam them into 7 acres. Just leave it alone. If you can't sell it for a business, then sit on it. Especially on a corner, that's all we need is to have another 90 cars a day moving around on Observatory Road which is a very narrow road. We would have a major traffic problem. That parcel of land is zoned for business, please leave it at that. There is a business to the East, there is a business to the West and there isn't anything around there that is residential unless you go around the curve on Observatory Road. There isn't

anyone going to oppose it, because there isn't anyone who lives close to it. Please keep it as zoned business, not any kind of multi-family.

Nelson Maier - 16625 W. Somerland Court - I strongly oppose the rezoning for a number of reasons. The core objection is I believe going with a high density of housing in that area will affect the value of houses on Somerland Court, Rose Court, and the whole area. A lot of money has been put into the houses and property and we don't want to see our property decreased just so some developer can make a buck. In all due respect, that is their business. I'd like to see the Planning Committee and the City Council maintain the same density and the same aesthetics as those houses that have been developed over the last couple of years if they have to change it to residential. If you look around New Berlin, most of the houses are on quarter acres lots, some less, some more. We look at New Berlin as an upscaled community. That is one of the reasons we moved here. I didn't want multi family junk. We moved into New Berlin because we thought it was an upscaled community and put our house where I thought I knew what kind of neighbors we would have. I am really disappointed to see that you are even considering putting in this low cost housing. I think it is going to impact on the services, just this last summer we had a big water crisis. If there is a problem with the services in the City well before we start jamming more housing in, I think we need to solve the problems with the fundamental infrastructure of the community before we move ahead and start creating problems for you and your neighbors. I do believe there is going to be a traffic problem there also. I believe that it just does not belong there. This is not the right time. If it has to be developed, there might be some solutions. Thinner density might be an answer, however it is not profitable. Profitable for who? What is in the best interest for the community?

Profitable for him or me. I asked him if he was going to live there. Oh no, none of these gentlemen are going to live there. They are just going to put that in, take what they can get and run. I can see that if this property is rezoned for multi-family low income housing, you can see it coming right down West on National Avenue, into the nursery, moving that ghetto further West. I strongly oppose to this rezoning.

Resident, 16687 Somerland Court - I remember four years ago when that property was developed, the man wanted to develop more than the five lots that were in there and at that time we did not allow him to put in more than five, then all of a sudden we are saying that the density doesn't matter. Now we can have 40 families in seven acres. I certainly question this. If this goes through, other property between there and Calhoun is obviously going to be valuable property. I can see Natures Nook selling for a big buck to put in apartments. What is the quality of New Berlin?

George Weber - 16685 W. Somerland Court - I also oppose the rezoning of that property for the same reason as my neighbors. About three years ago we came here. That is why we built in New Berlin, to keep our property values and our neighborhood upscale. I strongly oppose the rezoning.

Scott Siebers - 16553 W. Crescent Drive - I oppose the rezoning because of the high population density within that property. Also, with the possibilities of lack of infrastructure there, with the overcrowding of roads, and safety of pedestrians. Water issues also come into play. I am trying to get some consistency to what we want there. It seems like a nice plan, but they are not going to live there. We will be left to interact with this property. It's too hopscotching around, there has to be some kind of consistency. We need to put something there that will bridge this gap that is there now. Again, we need to avoid mass population at that intersection because there will be children going home from school down sidewalks. Next we will need stop lights and it will be like Hwy. 100. It will get out of control so we need some consistency. We need to look at the full picture of what is there.

Karen Truebanbach - 16700 W. Observatory - I am opposed to it mainly because of the additional cars, people, water usage. I remember last summer we had a water ban and our grass was dormant. I don't want to have this many more people so close to our water flow to our home and I don't want a stop light on our corner. I may not object to possibly one level units in that area. Something that looks similar to ours.

Vern Bentley - 3450 S. Johnson Road - Mainly it is the water and traffic issue. Right now, does the City have any plans for lights on either one of those corners; Observatory and Calhoun, Observatory and National? Perhaps they should be considered before the development goes in so we know where we are at.

Mary Hiebl - 20160 W. National Avenue - I am not going to go into detail about all the things that have been said tonight but I would like to add my two cents and agree with those who are in opposition. I would like to reiterate that I am extremely concerned about the water issues, the high density, the traffic problems, the inconsistency with existing zoning. One of the amenities that the gentlemen spoke of was the sidewalks that were going to go through on Observatory. I wonder if that would be a problem or an amenity.

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

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

Alderman Ament - I also have a problem with the water issue. To add to that, the traffic. I can see that these people living in these condos that wanted to go East in the morning would probably prefer to go out on Observatory and Calhoun. I see several problems there. I see lots of traffic going through a narrow residential area on Observatory. I know because that is my district. I have gotten probably a half dozen calls so far on the traffic coming over the hill by Observatory on Calhoun Road and how dangerous it already is. You start adding a lot of traffic, that would be a concern to me. I do appreciate the fact that they did do some changes on here taking into account the concerns of the people at the meeting last week, but there are other things that will come up once these people start moving here, they already mentioned that the City Garage could be a problem. The salt building and piles of old lawn mowers, wood chips, needs to be taken into account that this is across the street. These people are going to come in here and decide that they need all this stuff changed. I think it's going to be a problem putting a residential in the middle of businesses. A city garage is probably not the most pleasant thing to have in your back yard. If sidewalks go down Observatory, who would be responsible for maintaining them? I would like to see something looked at as far as this traffic flow.

Mr. Teclaw - Mr. Teclaw said I do agree that it is the piece along National Avenue that seems to create the majority of hodgepodge. Is it possible that this could go through without including that parcel? It could remain as a business parcel and diminish the density. Mr. Lake said I wouldn't recommend that it come through as a separate project. Mr. Teclaw had discussion about #2 and #5 on the findings on the staff report relating to the 80/20 issue.

Mayor Wysocki asked Mr. Gihring about the property in relation to the new Park & Open Space Plan. Mr. Gihring said he didn't recall seeing anything about this particular piece of property. Mayor Wysocki asked Mr. Lake about the portion in the staff report that mentions the revision of the land use map plan that does identify this property as mixed use residential. In the mixed residential, did we envision this type of proposal? Mr. Lake went back to the history of the site and explained that a traditional neighborhood type mixed with commercial and multi family would be acceptable.

Mr. Teclaw - If this were to go through and it was determined that traffic lights were needed, would we have the ability to ask the developer to contribute to those costs. Mr. Lake said Yes. Mr. Teclaw had discussion with #7, 8, 9 on the findings on the staff report relating to infrastructure, demand and capacity, water capabilities.

Mr. Graber - This area does drain up toward from this site in a northeasterly direction. There is a buried pipe underneath that park area but is probably undersized for the size for the ultimate size of this site. Some detention facility on here would probably be necessary without doing significant regrading in the park. The regional pond is generally in the area by the gazebo. It is something that is in for DNR permitting now. It is included in our CIP Program once we do require those permits.

Mayor Wysocki - This is to an Rm-1/PUD so therefore, for this zoning to take place, it will have to meet all these requirements.

Bob Williams, TDI Associates - I would like to offer some clarifications to some of the questions that were asked. Mr. Williams also went over the history of the property in relation to the Master Plan. Mr. Williams mentioned the comments about 48 cars in the morning and 52 cars in the evening. That is the peak hours and does not include the other times during the day. We are doing some other things about the water. We are bringing the water to our project and bringing it all the way around and back out to National so we have a loop. Our development plans fully acknowledge the fact that we are going to widen Observatory including sidewalks. Developers agreements will require the condos to be owner occupied. There will also be an agreement to work with the city, granting an easement or sell the land so the driveway that the city uses can stay. We have developed a plan with duplexes that will sell for \$230,000 to \$270,000 to buffer the bigger buildings from the neighbors.

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

NEW BERLIN PLAN COMMISSION MINUTES

NEW BERLIN CITY HALL COUNCIL CHAMBERS

NOVEMBER 5, 2001

The Plan Commission meeting of November 5, 2001 was called to order by Mayor Wysocki at 7:25 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Felda, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament. Also present were Mark C. Lake, Director of Planning, Olofu Agbaji, Planning Administrator.

Motion by Mr. Barnes to approve the Plan Commission Minutes of October 15, 2001. Seconded by Alderman Ament. Motion carried unanimously.

Plan Commission Secretary's Report - none

REFERRAL FROM COUNCIL

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

Motion by Mr. Graber to recommend to Council approval of the request by William and Kathryn Stoffers for a two lot preliminary land division located at 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) 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.
- 4) 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.

5) 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.

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

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

Motion by Alderman Ament to recommend to Council denial of the request by William and Kathryn Stoffers for a two lot preliminary land division located at 16540 W. Beloit Road for the following reasons:

1. Does not meet requirements of R-4 zoning.
2. Does not meet Master Plan.
3. Land Use Map Inconsistent.

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

CONTINUED ITEMS

(1) SIGN – Sanctuary of Woodshire Development Co. LLC – 2143 S. Clubhouse Dr. – Monument Sign – Revised Plans.

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

Motion by Mr. Barnes to approve the request by Sanctuary of Woodshire Development Co. LLC for two monument signs and an entrance architectural enhancement located at 2143 Clubhouse Drive subject to:

1) Submittal of a revised sign plan drawn to scale that shows the dimensions of the monument base and the sign face. Revised plan must also show the material for construction of the proposed sign face and the monument base. Monument base shall be constructed of the same field stone material as that used in the main entrance and also incorporated into the landscaping.

2) The City of New Berlin Zoning Ordinance section 17.08 (10) (I) (2) states that "Only two signs may be permitted per business." The proposed signs will bring the total number of signs on this property to three. The Plan Commission as part of the overall entrance improvement can approve the channel lettering.

3) The monument signs facing Moorland Road shall be relocated outside to County vision corner as agreed upon by the Development Review Committee and the applicant and per revised plans dated 2-26-01.

4) All temporary development signs for the Sanctuary of Woodshire shall be removed 10 working days after the installation of these signs or by April 30, 2002 whichever is earlier.

5) Applicant shall be required to pay all outstanding sign fees prior to issuance of a Sign Permit. No construction or installation shall commence without a Sign Permit.

Seconded by Alderman Ament. Motion carried unanimously.

(5) U-7-01 Metricom, Inc. - 12660 W. Beloit Rd. - Co-Locate 8 Panel Antennas on an Existing Tower. (Tabled 3/5/01)

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

Motion by Mr. Felda to deny the request by Metricom, Inc. to co-locate 8 panel antennas on an existing tower located at 12660 W. Beloit Road for the following reason:

1. Applicant failed to respond to letter dated September 26, 2001 regarding denial of project due to inactivity.

Seconded by Mr. Barnes. Motion carried unanimously.

(3) CU-7 -00 Tee It Up Golf Range - 20101 W. Cleveland Ave. - Miniature 18-Hole Golf Course. (Tabled 11/6/00)

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

Motion by Mr. Barnes to recommend to Council denial of the request by Tee It Up Golf Range for a miniature 18 hole golf course located at 20101 W. Cleveland Avenue for the following reason:

- 1) Applicant failed to respond to letter dated September 26, 2001 regarding denial of project due to inactivity.

Seconded by Alderman Ament. Motion carried unanimously.

(4) CU-6-00 Unisite, Inc. - 13300 W. College Ave. - Monopole Antenna Structure. (N/A 11/6/00)

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

Motion by Mr. Barnes to recommend to Council denial of the request by Unisite, Inc. for a monopole antenna structure located at 13300 W. College Avenue for the following reasons:

1. Applicant failed to respond to letter dated September 26, 2001 regarding denial of project due to inactivity.

Seconded by Mr. Gihring. Motion carried unanimously.

(5) SG-6-01 SIGN - Deer Creek Village - 147th & National - 8' x 10' Temporary Development Sign. (Tabled 3/5/01)

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

Motion by Alderman Ament to deny the request by Deer Creek Village for a 8' x 10' temporary Development Sign located at 147th & National for the following reasons:

1) Per § 17.0813 (12), of the New Berlin Zoning Ordinance if the sign is displayed before a permit is issued a double fee shall be assessed. As this is an after the fact application, double the application fee penalty shall be assessed.

2) Per §17.0805 (4), of the New Berlin Zoning Ordinance , "one sign at the entrance to the development is allowed for the purpose of designating a new building or development, or for the promotion of a subdivision for a limited period of time provided that the sign shall not exceed 32 square feet in area."

3) Per §17.0803 (1), of the New Berlin Zoning Ordinance, "No sign shall be constructed, erected, or maintained anywhere in the City which shall be nearer to the traveled portion of a street or highway than the base setback line (ultimate right-of-way).

4) Per §17.0803 (1), of the New Berlin Zoning Ordinance, "No sign shall identify, or direct attention to a business activity, or enterprise that is not located on the same premises as the sign." Off premise signs are prohibited in the City of New Berlin.

5) Applicant failed to submit a site plan showing the location of the sign and its placement outside the vision triangle and ultimate right-of-way of National Avenue.

Seconded by Mr. Barnes. Motion carried unanimously.

(5) SG-55-01 Deer Creek Village – 3601 S. 147th St. – Monument Sign (Tabled 10/1/01)

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

Motion by Mr. Graber to approve the request by Deer Creek Village for a 30 sq. ft. permanent real estate development sign located at 3601 S. 147th Street subject to:

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) An existing 8'x10' temporary development sign exists in the public right of way at the intersection of National Avenue and 147th Street, this sign shall be removed before the erection of the Permanent Real Estate Development Sign.

3) The sign shall not exceed 30 square feet in area, and shall not exceed 6'3" in height or exceed 12'9" in width and shall be located outside the right of way of South 147th Street.

4) The sign copy shall not exceed 15 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. 147th Street – Senior Independent Apartments."

5) Sign shall not be illuminated internally or externally.

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

Sign Face: 3'9" x 8'0" = 30 sq.ft. x 1 side = 30 sq.ft. x \$3.00/sq.ft. = \$90.00. Less Application fee (\$75.00) = \$15.00

Seconded by Alderman Ament. Motion carried unanimously.

(4) CU-8-01 Trees on the Move – 5611 S. Calhoun Rd. – New Tanks. (Tabled 10/1/01)

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

Motion by Alderman Ament to recommend to Council approval of the request by Trees on the Move to install a 550 gallon above ground diesel fuel tank located at 5611 S. Calhoun Road subject to:

1) Per §17.03(1)(C)(2) Double permit fees required.

2) Per §17.01(11) and Wis. Stats. 62.23 a Zoning Permit shall be required for the Coast Guard helicopter and memorial. The helicopter and memorial are in violation of §17.10(2) "Use, re-use, Structure, or sign Without Permit or approval," Failure to secure a Zoning Permit within 60 days of the signing of the Conditional Use Permit shall result in the City of New Berlin issuing a citation and may result in the City of New Berlin seeking remedies as identified in §17.10(3).

3) Per §17.08(10)(B)(1) a Sign Permit shall be required for the existing advertising panel truck, located on the edge of the freeway. The truck and sign are in violation of §17.10(2) "Use, re-use, Structure, or sign Without Permit or approval," Failure to secure a sign Permit within 30 days of the signing of the Conditional Use Permit shall result in the City of New Berlin issuing a citation and may result in the City of New Berlin seeking remedies as identified in §17.10(3).

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. Permits required from Buildings, Inspection, and Zoning Dept, and the Fire Department.

5) Payment of any and/or all outstanding fees, assessments, or personal property taxes required prior to Conditional Use Permit being issued.

Seconded by Mr. Teclaw. Motion carried unanimously.

(4) CU-9-01 Trees on the Move – 5611 S. Calhoun Rd. – New Tanks. (Tabled 10/1/01)

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

Motion by Alderman Ament to recommend to Council approval of the request by Trees on the Move to install a 550 gallon above ground diesel fuel tank located at 5611 S. Calhoun Road subject to:

1) Per §17.03(1)(C)(2) Double permit fees required.

2) Per §17.01(11) and Wis. Stats. 62.23 a Zoning Permit shall be required for the Coast Guard helicopter and memorial. The helicopter and memorial are in violation of §17.10(2) "Use, re-use, Structure, or sign Without Permit or approval," Failure to secure a Zoning Permit within 60 days of the signing of the Conditional Use Permit shall result in the City of New Berlin issuing a citation and may result in the City of New Berlin seeking remedies as identified in §17.10(3).

3) Per §17.08(10)(B)(1) a Sign Permit shall be required for the existing advertising panel truck, located on the edge of the freeway. The truck and sign are in violation of §17.10(2) "Use, re-use, Structure, or sign Without Permit or approval," Failure to secure a sign Permit within 30 days of the signing of the Conditional Use Permit shall result in the City of New Berlin issuing a citation and may result in the City of New Berlin seeking remedies as identified in §17.10(3).

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. Permits required from Buildings, Inspection, and Zoning Dept, and the Fire Department.

5) Payment of any and/or all outstanding fees, assessments, or personal property taxes required prior to Conditional Use Permit being issued.

Seconded by Mr. Teclaw. Motion carried unanimously.

(5) U-65-01 Vision Development LLC – 14650 & 14780 W. Wilbur – Two Four-Family Buildings w/Two-Car Garage for Each Unit – Condo Ownership. (Tabled 10/1/01)

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

Motion by Alderman Ament to defer to December 3, 2001 the request by Vision Development LLC for use, site and architectural approval of two four-family buildings with two-car garage for each unit located at 14650 & 14780 W. Wilbur Drive based on the following:

1) Applicant is required to submit alternative building footprint/ layouts that provides adequate setbacks from all identified environmental corridor which include; wetlands, floodplain & floodway and the ordinary high water mark of Deer Creek. The alignment of the building fails to conform to wetland and rear yard setback requirements. Revised plans shall address also the size of the building shell.

2) Revised grading plan shall incorporate an alternative building footprint that fits within the building envelope. Master grading plan for the Preserve at Deer Creek shows a 90' building shell. Proposed shell is 108' x 75'.

3) Revised plans shall show building #1 (West 4 family) at least 50' from high water mark of drainage tributary to Deer Creek at the rear of the building. Existing floodplain of 869.2 is approximately 10' from back of building #2. Basement will have to be elevated at least 2' 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.

4) Driveway access agreement is required. West drive side entry garage, driveway for building #1 is within the sanitary sewer easement, hold harmless agreement required.

5) Proposes Building #2 deck must be outside of 10' wetland setback. Building plans does not reflect this. Plans show Building #2 decks built within 10' of wetlands.

6) 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').

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

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

9) Building must meet all applicable building and fire codes. Future basement bedrooms are required to have two exits. Building must be fully sprinklered. Fire alarm system and a knox boxes are required.

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

11) Payment of \$17,100.80 (\$2137.40 per unit) in Public Site, Open Space and Trail Fees is required prior to issuance of Building Permit unless letter to waive fees has been submitted.

12) Plans does not designate responsible party for maintenance of the pond. This shall be resolved prior to issuance of Zoning Permit. Affidavit of correction required for revised easement.

13) Unit dumpsters required to be stored within garage at all times unless during collection periods.

14) Payment of any, and/ or all outstanding fees, assessments, or personal property taxes required prior to issuance of Zoning Permit.

Seconded by Mr. Graber. Motion carried unanimously.

(3) U-44-00 J R Plumbing - 16817 W. Greenfield Ave. - First Floor Addition to Existing Building. - Revised Plans (Tabled 7/10/00, 7/9/01, 8/6/01)

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

Motion by Mr. Barnes to approve the request by J R Plumbing for a first floor addition to an existing building located at 16817 W. Greenfield Avenue subject to:

1) Per recommendation of the Architectural Review Committee, the building exterior shall be constructed of other materials such as brick. Revised material must complement the new building to the West. Approval of the exterior architecture and building material is required prior to issuance of Zoning Permit.

2) Applicant shall be required to obtain a legal street vacation of 168th Street prior to issuance of Building Permit.

3) Final approved stamped grading, utility and drainage plan for the entire site by Engineering is required prior to issuance of a Zoning Permit. Plan shall address the proposed drainage swale and sidepath easement on the soon to be vacated 168th Street to ensure that it meets the Storm-water Management Plan. No on or off-site drainage impact computations or analysis submitted.

4) Applicant shall be required to execute a hold harmless agreement for any improvements within the utility and drainage easements prior to issuance of Building Permit. All improvements shall be approved by Department of Community Development prior to installation.

5) All mechanicals including air conditioning units and other roof top units must be properly labeled and screened on the revised site/ landscaping plan. Units must be incorporated into the design of the building elevation or if on the ground, appropriately landscaped for screening from public view.

6) No outside storage shall be permitted on this property. All materials and equipment for this business and other tenants shall be stored inside the building. Failure to store material and equipment inside principle structure will result in the city issuing a citation and/ or seeking remedies as identified in § 17.10 (3) of the Zoning Ordinance.

7) Replacement of all mature trees removed per § 17.1308 (10) of the Zoning Ordinance, Woodland Preservation Schedule. Submittal of a detailed tree removal and replacement schedule to the Department of Community Development (Planning) prior to issuance of Zoning Permit. Schedule must meet the

requirements of section 17.08 (3) (B) (6) of the Zoning Ordinance in its entirety. Replacement trees shall be identified on the revised landscaping plan.

8) Submittal of a revised landscaping plan that meets the requirements of section 17.08 (5) and reflects staff's recommendation will be required prior to issuance of a Zoning Permit. Revised plan must include plant keys with number of plants, botanical names and sizes. The area abutting the residential property on the East shall be appropriately screen as required by § 17.08 (5). A minimum of 6' arborvitae shall be utilized.

9) All future tenants of this building will be required to apply for and receive approval from the Plan Commission prior to signing a lease or occupying the building. Prospective tenants will be reviewed on an individual basis and could be denied subject to the availability of parking.

10) Submittal of an overall site lighting plan with location and height of fixtures and intensity of illumination that meets the Zoning Code specification is required.

11) 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 on the revised plan 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.

12) Building must be fully sprinklered and must meet all applicable building and fire code. Fire extinguishers are required.

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

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

15) Payment of any, and/or all outstanding fees, assessments, or personal property taxes required prior to issuance of Zoning Permit.

Seconded by Mr. Graber. Motion carried unanimously.

NEW BUSINESS

16) () PG-818 Parade of Homes Report - Tony Kim, Planning Tech gave a report on the 2001 Parade of Homes. The homes were located in Windemere Subdivision in the Town of Richfield and Lilly Creek Subdivision in the City of Menomonee Falls. Home and lot sizes, prices, and trends were included in the report.

17. () PG-293 - Alternative Transportation Committee - Plan Review

Motion by Mr. Graber to defer this item to December 3, 2001. Seconded by Mr. Teclaw. Motion carried unanimously.

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

Motion by Mr. Barnes to recommend to Council denial of the request by Sports & Fitness Traders to rezone the property located at 17400 W. National Avenue from O-1/R-3 to B-2 for the following reasons:

- 1) Proposed use not consistent with the Rural Commercial classification of the Master Plan.
- 2) Rural Commercial classification as identified in the Master Plan requires rezoning to B-5, Rural Commercial District, not B-2, General Retail Sales and Service District.
- 3) Property currently not served by public water and sanitary sewer. Development requires a utility extension to be reviewed and approved by the City of New Berlin, SEWRPC and MMSD.
- 4) The existing R-3, Low-Density Single-Family Residential classified land is currently encumbered by Wetlands as identified by the Natural Resources Conservation Service (NRCS). Property requires a field delineation of the Wetlands prior to any rezoning action by the Plan Commission.

Seconded by Alderman Ament. Motion carried unanimously.

19. (3) U-69-01 Star Line Trucking – 18480 W Lincoln Ave.-Outside storage of landscaping materials

Motion by Mr. Graber to table the request by Star Line Trucking for outside storage of landscaping materials located at 18480 W. Lincoln Avenue per the applicants request.

Seconded by Alderman Ament. Motion carried unanimously.

20. (7) U-71-01 Heritage Funeral Home – 16860 – 16880 W. National Ave. – Funeral Home.

Motion by Mr. Barnes to approve the request by Heritage Funeral Home for a funeral home located at 16860-16880 W. National Avenue subject to:

- 1) A complete "Stamped Approved" set of plans required prior to Zoning Permit being issued. Stamped Approved plans include any revised Landscaping/Site/Grading; Utility; Lighting; and State of Wisconsin approved Building Plans. Any changes or revisions to "Stamped Approved" set of plans require resubmittal to the Planning Department for review and approval by the Development Review Committee (four sets required)
- 2) Revised Landscaping Plan showing onsite mechanicals, and 2-1/2" d.b.h. deciduous street trees (within ROW) at 40' intervals. Installation Bond and Maintenance Bond required prior to approval of and installation of landscaping materials.
- 3) Approval of drainage, grading, and overall site plans by the Engineering Department required prior to issuance of Zoning Permit.
- 4) Lighting Plan required prior to issuance of Zoning Permit.
- 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. Architecture and materials of enclosure must match or enhance the exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 6) Building architecture and materials to be approved by the Architectural Control Subcommittee prior to issuance of Zoning Permit.
- 7) Building stakeout survey required for building permit.

8) 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.

9) All parking and driving lane areas to be fully curbed.

10) Building must meet all applicable building and fire codes. Building to be fully sprinklered. Fire Hydrant is required within 50 feet of the City of New Berlin Fire Department connections. Fire extinguishers required. Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot.

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

12) Payment of any and/or all outstanding fees, assessments, or personal property taxes required prior to Zoning Permit being issued.

Seconded by Mr. Felda. Motion carried unanimously.

21. (7) U-73-01 Paul Owen – 4380 S. Longview Dr. – Home Occupation – Wedding Photography Office.

Motion by Alderman Ament to approve the request by Paul Owen for a home occupation - wedding photography office located at 4380 S. Longview Drive subject to:

1) Home Occupation shall be conducted in accordance with Section 17.05 (3) (G) (4) of the City of New Berlin Zoning Ordinance in its entirety, including:

a) Every Home occupation shall be subject to periodic, unannounced inspection by the Zoning Administrator in response to complaints or to ensure compliance with this ordinance.

b) Home Occupation shall meet all applicable building and fire code safety requirements.

c) An Occupancy Permit is required from Building Inspection and Zoning Department. All conditions must be met prior to issuance of an Occupancy Permit.

2) The home occupation shall not be operated as a photographic studio.

3) No outside storage is permitted for this business. No home occupation nor any storage of goods, materials, or products connected with a home occupation shall be allowed in any accessory building or detached garage.

4) All vehicular parking for both the residence and the home occupation shall be located on the premises.

5) Parcel deliveries shall be conducted between the hours of 8:00 AM and 8:00 PM.

6) Business hours are limited to 5:00 AM to 7:00 PM from Sundays through Saturdays.

Seconded by Mr. Gihring. Motion carried unanimously.

22. (3) U-74-01 Arcadian Substation – 20840 W. Lincoln Ave. – Attach Antenna to Existing Communication Tower.

Motion by Mr. Graber to approve the request by Arcadian Substation to attach antenna to existing communication tower located at 20840 W. Lincoln Avenue subject to:

- 1) Installation must meet all applicable building and fire codes.
- 2) Permits are required from the Buildings, Inspections and Zoning Department.

Seconded by Mr. Teclaw. Motion carried unanimously.

23. (4) U-78-01 Moorland Road Golf Center – 5900 S. Moorland Rd. – Sell Christmas Trees, Wreaths, and Christmas Related Items

Motion by Alderman Ament to approve the request by Moorland Road Golf Center to sell christmas trees, wreaths, and Christmas related items located at 5900 S. Moorland Road 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 continue this operation.

2) Tree display shall be restricted to the area of the parking lot identified on the plan.

3) Lighting Plan required if applicant intends to use more than the existing parking lot lights. Lighting plan will require approval by the Department of Community Development (Planning) prior to installation.

4) This season approval will be granted for period starting the day after Thanksgiving, November 23rd, 2001 through Christmas eve, December 24th, 2001. The site must be cleared of all Christmas trees and debris by the end of day of December 26th, 2001.

5) Hours of operation will be limited to 10:00 AM to 8:00 PM or as approved by the Plan Commission for the duration of the season.

6) Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot.

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

8) No signage for this operation. Applicant shall be required to utilize the changeable reader board.

Seconded by Mr. Gihring. Motion carried unanimously.

24. (2) LD-9-01 Harold Zastrow – 2513 S. Brookland Rd. – Ne ¼ Sec. 11 – One-Lot Preliminary Land Division.

Motion by Mr. Gihring to recommend to Council approval of the request by Harold Zastrow for a one lot preliminary land division located at 2513 S. Brookland Road subject to:

1) Both lots shall meet the minimum requirements of §17.04(2)(4) R-4 Low-Density Single-Family Residential District in its entirety.

2) Property will require substantial amounts of fill to bring up the pad height of the new home. Drainage swales will be required on each side of the home, and swales shall be constructed a minimum of five feet from each lot line.

3) Access permits required from the City of New Berlin Engineering Department prior to signing the final CSM.

4) Building permits required from Building, Inspection and Zoning Department for any future home.

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

Seconded by Mr. Graber. Motion carried unanimously.

25. (4) LD-10-01 T.D.B. LLC – 5055-5155 S. Emmer Dr. – Ne ¼ Sec. 27 – Two-Lot Preliminary and Final Land Division.

Motion by Mr. Barnes to recommend to Council approval of the request by T.D.B. LLC for a two lot preliminary and final land division located at 5055-5155 S. Emmer Drive subject to:

1) Both lots shall meet the minimum requirements of §17.04(4)(4)(4) M-1 Light Industrial District in its entirety.

2) Building permits required from Building, Inspection and Zoning Department for all internal improvements. Reoccupancy permits required for all new tenants.

3) A monument sign is required for each building.

4) No off-site parking, or off-site staging of vehicles is allowed. Tenant occupancy shall be limited to available parking as identified and approved during the initial use approval. Semi-truck staging, which impacts the amount of available parking, will limit use of buildings to that allowed by code for each particular use.

5) Payment of \$1,906.00 in Public Site, Open Space and Trail Fees required prior to the City signing the final CSM.

Seconded by Alderman Ament. Motion carried unanimously.

26. (2) SG-67-01 Four Steps Inc. - 2425 S. 162nd Street - New panels in existing sign frame.

Motion by Mr. Barnes to deny without prejudice the request by Four Steps Inc. for new panels in an existing sign frame located at 2425 S. 162nd Street for the following reasons:

1) Section 17.08 (10)(E)(1) of the New Berlin Zoning Ordinance states, "Signs lawfully existing at the time of the adoption or amendment of this Zoning Ordinance may be continued although the use, size, or location does not conform with the provisions of this Ordinance. However, it shall be deemed a nonconforming use or structure; and the provision of Section 17.06 of this Ordinance shall apply to specific nonconforming rights. Any legal nonconforming sign hereafter relocated, moved, damaged, reconstructed, extended, enlarged, changed (including changing the sign face), altered, or modified shall be made to comply with the provision of this Ordinance."

2) Section 17.08 (10)(I)(1)(c)(i) of the New Berlin Zoning Ordinance states, "All new signs and/or replacement of existing signs located along arterial 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." To come into compliance the nonconforming structure shall be replaced with a monument sign.

3) Section 17.08 (10)(I)(1)(d)(iii) of the New Berlin Zoning Ordinance states, "Monument signs shall not exceed 32 square feet in area." The three proposed sign faces with an overall total of 70 square feet will exceed the allowed 32 square feet.

Seconded by Alderman Ament. Motion carried unanimously.

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

Motion by Mr. Gihring to approve consent agenda items #27, 28,29. Seconded by Mr. Ament. Motion carried unanimously

ZONING PERMITS

27. (3) RO-43-01 Renew Office Interiors – 2658 S. 162 St. – Storage of "Pre-Owned" Office Furniture.

The request by Renew Office Interiors for storage of pre-owned office furniture located at 2658 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) A payment of \$75.00 in outstanding application fees is required prior to the issuance of the Occupancy Permit.
- 2) The parking lot shall be restriped by December 3, 2001.
- 3) The two existing ground signs shall be removed by June 1, 2002 by which time a submittal of an application for a monument sign shall be made to the Department of Community Development (Planning).
- 4) Employee and customer parking must be contained on this site.
- 5) No outside storage of vehicles, equipment, or materials will be permitted on the property.
- 6) 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).
- 7) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 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.
- 10) Sign Permits are required for all signs on the premises.

28. (3) RO-48-01 Edward Jones Co. – 17039 W Greenfield Ave- Financial advising offices.

The request by Edward Jones Co. for financial advising offices located at 17039 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) An address/monument sign shall be submitted to the Department of Community Development (Planning) by October 29, 2001, or prior to issuance of the Sign Permit. The proposed monument sign shall meet the requirement of Section 17.08 Sec.(10) in its entirety.

2) The Overall Coordinated Sign Standard shall be approved by the Department of Community Development (Planning) prior to issuance of the Sign Permit.

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

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

5) 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).

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.

29. (3) RO-50-01 Durovy Engineering – 1790 S. Johnson Rd. – Machine Repair Work.

The request by Durovy Engineering for machine repair work at 1790 S. Johnson 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) The Hal's Harley Davidson logos must be removed by November 5, 2001. A separate application is required from the Planning Department for any signs or banners for this business.

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) No outside storage of materials, vehicles, equipment, or products will be permitted on this site.

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.

STAFF APPROVED

Motion by Mr. Barnes to approve consent agenda items #30-43. Seconded by Mr. Barnes. Motion carried unanimously.

30. (7) SG-63-01 Pallupa Chair LLC – 17390 W. National Ave. – Ground Sign.

The request by Pallupa Chair LLC for a ground sign located at 17390 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

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

2) The ground sign shall not exceed 8'0" in length, shall not exceed 8'0" in width, and shall be located outside the ultimate right of way of National Avenue.

3) The ground sign shall not exceed 32 square feet in area and shall read "Pallupa Chair – Casual Wood Furniture and More – 262-787-0177 – Hours 9AM – 5:30PM – Evenings & Weekends – By Appointment Only – w.pallupachair.com."

4) The signs shall not be illuminated.

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

Ground Sign Face: 8'0" x 4'0" = 32 sq.ft. x 1 side = 32 sq.ft. x \$3.00/sq.ft. = \$96.00. Less Application fee (\$75.00) = \$21.00

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

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

31. (3) SG-64-01 Emerald Isle – 17035-17047 Greenfield Ave. – Wall Sign.

The request by Emerald Isle for a wall sign located at 17035-17047 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) as well as the Emerald Isle Overall Coordinated Sign Standard.

2) The "Edward Jones" wall sign shall not exceed 13 square feet, the "LMC" wall sign shall not exceed 3 square feet, and the Emerald Isle" wall sign shall not exceed 9 square feet.

3) The wall signs shall be constructed Duranodic Bronze."

4) The monument base incorporate the mail boxes, shall be constructed of masonry that shall be the same color as the principal building, and shall be 3'0" in height. The required address plaque or numerals shall be mounted to both sides of the base.

5) The signs shall not be illuminated.

6) No fee is required per calculations below:

Wall Sign Face: (1'3" x 10'11")+(2'7" x 1'3")+(7'4" + 1'3") = 25 sq.ft. x 1 side = 25 sq.ft. x \$3.00/sq.ft. = \$75.00

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

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.

32. (3) SG-65-01 Raven Golf Services, Inc. – 19300 W. Cleveland Ave. – Monument Sign.

The request by Raven Golf Services, Inc. for a monument sign located at 19300 W. Cleveland Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

1) 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) Address numerals or an address plaque shall be installed on the monument base.

3) The sign shall not exceed 30 square feet in area, and shall not exceed 8'0" in height.

4) The sign copy shall be black on a monument base that shall be constructed of brick that matches the principal buildings and shall read "Raven – Golf Driving Range – Test Center."

5) The changeable copyreader board shall not exceed 1.7 square feet.

6) The sign will be located outside the ultimate right of way of Cleveland Avenue.

7) Sign shall not be illuminated internally or externally.

8) A payment of \$105.00 is required per calculations below:

Monument Sign Face: 5'0" x 6'0" = 30 sq.ft. x 2 sides = 60 sq.ft. x \$3.00/sq.ft. = \$180.00

Less Application fee (\$75.00) = \$105.00

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

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

33. (2) SG-66-01 New Berlin Auto Body II, Inc. – 14750 W. National Ave. – Monument Sign.

The request by New Berlin Auto Body II, Inc. for a monument sign located at 14750 W. National Aveune 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) of the New Berlin Municipal Code.

2) Address numerals or an address plaque shall be installed on the monument base.

- 3) The sign shall not exceed 32 square feet in area, and shall not exceed 8'0" in height, nor shall it exceed 11'0 in width.
 - 4) The sign copy shall be burnt sienna and shall read "New Berlin - Auto Body - Collision Center – Since 1960."
 - 5) The monument base shall be not exceed 3'0" in height and shall be constructed of brick that matches the principal building.
 - 6) The sign will be located outside the ultimate right of way of National Avenue.
 - 7) Sign shall not be illuminated internally or externally.
 - 8) A payment of \$39.00 is required per calculations below:

 Monument Sign Face: 8'0" x 4'0" = 32 sq.ft. x 2 sides = 64 sq.ft. x \$3.00/sq.ft. = \$192.00. Less Application Fee (\$153.00) = \$39.00
 - 9) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
 - 10) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
34. (2) SG-68-01 Lincoln State Bank – 14100 W. National Ave. – Replace Sign Face.

The request by Lincoln State Bank to replace the sign face located at 14100 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

- 1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Section 275.03(10) of the New Berlin Municipal Code.
- 2) The sign shall not exceed 8'0" in height, shall not exceed 8'0" in width, and shall be located outside the ultimate right of way of National Avenue.
- 3) The sign face shall not exceed 32 square feet and the sign copy shall be white blue background that shall read "Lincoln State Bank - Community Bank Group – Link Financial Group - TYME."
- 4) The monument base shall be lowered to 3'9" in height and shall be constructed of fieldstone.
- 5) Sign shall be internally illuminated.
- 6) A payment of \$117.00 is required per calculations below:

 Monument Sign Face: 8'0" x 4'0" = 32 sq.ft. x 2 sides = 64 sq.ft. x \$3.00/sq.ft. = \$192.00

 Less Application fee (\$75.00) = \$117.00
- 7) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
- 8) Electrical Permits are required for the internal illumination per Section 275.03(6) of the City of New Berlin Municipal Code.

35. (4) SG-73-01 Color Graphic Systems – 5770 S. Westridge Dr. – Monument Sign and Temporary Sign.

The request by Color Graphic Systems for a monument sign and temporary sign located at 5770 S. Westridge Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

MONUMENT SIGN:

- 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) City of New Berlin Municipal Ordinance and the Westridge TIF Coordinated Sign Standard.
- 2) The sign shall not exceed 8'0" in height and shall not exceed 8'0" in length and shall be located outside the right of way of Westridge Drive.
- 3) The sign copy shall be 32 square feet in area and shall read "CGS - Color Graphic Systems - Center."
- 4) The monument base shall not exceed 34 inches in height, shall be masonry painted to match the primary building, and shall have the required TIF plaque mounted to both sides of the base.
- 5) The sign shall not be internally or externally illuminated.
- 6) A payment of \$117.00 is required per calculations below:

Monument Sign Face: 8'0" x 4'0" = 32 sq.ft. x 2 sides = 64 sq.ft. x \$3.00/sq.ft. = \$192.00

Less Application fee (\$75.00) = \$117.00
- 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.

TEMPORARY SIGN:

- 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 shall not exceed 38" in height and shall not exceed 36" in length and shall be located outside the right of way of Westridge Drive.
- 3) The sign copy shall be 10 square feet in area and shall read "New Home – Of – CGS – Color Graphic Systems – 5786 S. Westridge Drive – New Berlin, WI 53151."
- 4) The sign shall not be illuminated.
- 5) A payment of \$0.00 is required per calculations below:

Ground Sign Face: 3'2" x 3'2" = 10 sq.ft. x 1 side = 10 sq.ft. x \$3.00/sq.ft. = \$30.00

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

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

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

36. (5) SG-76-01 Moorland Commons – 15300 W. Beloit Rd. – 8' x 4' Temporary Job Site Sign.

The request by Moorland Commons for a temporary job site sign located at 15300 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) 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 following conditions from Zoning Permit #RO-45-01 must be met by dates listed below or the Sign Permit shall be considered expired and invalid:

3) A final 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.

4) 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.

5) The temporary construction/development sign shall not exceed 32 square feet in area, nor shall it exceed 8' in height or 8' in length.

6) The sign shall be removed following the completion of the construction project.

7) The sign shall not be illuminated.

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

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

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

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

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

37. (5) SG-77-01 Moorland Commons – 15440 W. Beloit Rd. – 8' x 4' Temporary Job Site Sign.

The request by Moorland Commons for a temporary job site sign 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) 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 following conditions from Zoning Permit #RO-45-01 must be met by dates listed below or the Sign Permit shall be considered expired and invalid:

3) A final 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.

4) 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.

5) The temporary construction/development sign shall not exceed 32 square feet in area, nor shall it exceed 8' in height or 8' in length.

6) The sign shall be removed following the completion of the construction project.

7) The sign shall not be illuminated.

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

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

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

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

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

38. (4) SG-78-01 In Pro Corp. – 5120-5160 Emmer Dr. – Monument Sign.

The request by In Pro Corp for a monument site sign located at 5120-5160 Emmer Dr. 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) of the New Berlin Zoning Ordinance as well as the Westridge TIF Sign Standard for Towne Corporate Park.

2) A revised rendering indicating that the monument base shall have a 24" band of coarses painted the lighter color of the primary building and a beveled concrete base shall be submitted by November 5, 2001 or prior to the issuance of the Sign Permit.

3) The monument sign shall not exceed 7'0" in height and 8'0" in length and shall be located outside the right of way of Emmer Drive.

4) The monument sign face shall not exceed 32 square feet in area and shall read "InPro Corporation – Interior and Exterior Architectural Products – IPC Door and Wall Protection Systems – Clickeze Cubicle Tracking and Curtains – Joint Master USA Architectural Joint Systems - Distribution" in black, blue, and red on white background.

5) The monument base shall be constructed of masonry that shall be the same color as the principal building, and shall be 3'0" in height. The required Westridge TIF address plaque shall be mounted to both sides of the base.

6) The monument sign shall be internally illuminated.

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

Monument Sign Face: 4'0" x 8'0" = 32 sq.ft. x 2 sides = 64 sq.ft. x \$3.00/sq.ft. = \$192.00. Less Application fee (\$75.00) = \$117.00

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

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

39. (4) SG-79-01 ABB – 5000-5050 Emmer Dr. – Monument Sign.

The request by ABB for a monument sign located at 5000-5050 Emmer Dr. 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) of the New Berlin Zoning Ordinance as well as the Westridge TIF Sign Standard for Towne Corporate Park.

2) A revised rendering indicating that the monument shall have a 16", 8" to each side, wider course of block at the base that shall be the darker color of the primary building and a 24" band of coarses painted the lighter color of the primary building shall be submitted by November 5, 2001 or prior to the issuance of the Sign Permit.

3) The illegal "ABB" banner shall be removed by November 5, 2001 or prior to the issuance of the Sign Permit.

4) The monument sign shall not exceed 7'0" in height and 8'0" in width and shall be located outside the right of way of Emmer Drive.

5) A white lexan face shall be inserted into the 2'0" x 8'0" tenant spaces. All future tenant sign faces where possible shall have reverse coloring and a Sign Permit shall be applied for and received for all future tenant face changes.

6) The monument sign face shall not exceed 16 square feet and shall read "ABB" in red on white background.

7) The monument base shall be constructed of masonry that shall be the same color as the principal building, and shall be 3'0" in height. The required Westridge TIF address plaque shall be mounted to both sides of the base.

8) The monument sign shall be internally illuminated.

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

Monument Sign Face: 2'0" x 8'0" = 16 sq.ft. x 2 sides = 32 sq.ft. x \$3.00/sq.ft. = \$96.00. Less Application fee (\$75.00) = \$21.00

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

11) Electrical Permits are required for the internal illumination per Section 275.03(6) of the City of New Berlin Municipal Code.

40. (4) SG-80-01 Flexcon Co. – 5330-5348 Emmer Dr. – Monument Sign.

The request by Flexcon Co. a monument sign located at 5330-5348 Emmer Dr. 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) of the New Berlin Zoning Ordinance as well as the Westridge TIF Sign Standard for Towne Corporate Park.

2) A revised rendering indicating that the monument base shall have a 24" band of coarses painted the lighter color of the primary building and a beveled concrete base shall be submitted by November 5, 2001 or prior to the issuance of the Sign Permit.

3) A revised site plan indicating that the monument sign shall be located in the landscaping island shall be submitted by November 5, 2001 or prior to the issuance of the Sign Permit.

4) The monument sign shall not exceed 7'0" in height and 8'0" in width and shall be located outside the right of way of Towne Drive.

5) A lexan face shall be inserted into the 1'0" x 8'0" tenant spaces. All future tenant sign faces where possible shall have reverse coloring and a Sign Permit shall be applied for and received for all future tenant face changes.

6) The monument sign face shall not exceed 16 square feet and shall read "Flexcon" in black on white background.

7) The monument base shall be constructed of masonry that shall be the same color as the principal building, and shall be 3'0" in height. The required Westridge TIF address plaque shall be mounted to both sides of the base.

8) The monument sign shall be internally illuminated.

9) No fee is required per calculations below:

Monument Sign Face: 1'6" x 8'0" = 12 sq.ft. x 2 sides = 24 sq.ft. x \$3.00/sq.ft. = \$72.00. Less Application fee (\$75.00) = \$0.00

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

11) Electrical Permits are required for the internal illumination per Section 275.03(6) of the City of New Berlin Municipal Code.

41. (4) SG-81-01 Midwest Visual – 5300-5328 Towne Dr. – Monument Sign.

The request by Midwest Visual for a monument sign located at 5300-5328 Towne Dr. 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) of the New Berlin Zoning Ordinance as well as the Westridge TIF Sign Standard for Towne Corporate Park.
- 2) A revised rendering indicating that the monument shall have a beveled base that shall be the darker color of the primary building and a 24" band of coarses painted the lighter color of the primary building shall be submitted by November 5, 2001 or prior to the issuance of the Sign Permit.
- 3) The monument sign shall not exceed 7'0" in height and 8'0" in length and shall be located outside the right of way of Emmer Drive.
- 4) A white lexan face shall be inserted into the 2'0" x 8'0" tenant spaces. All future tenant sign faces shall have a white background and a Sign Permit shall be applied for and received for all future tenant face changes.
- 5) The monument sign face shall not exceed 16 square feet in area and shall read "MCSi – Media Consultants – System Integrators" in blue on a white background.
- 6) The monument base shall be constructed of masonry that shall be the same color as the principal building, and shall be 3'0" in height. The required Westridge TIF address plaque shall be mounted to both sides of the base.
- 7) The monument sign shall be internally illuminated.
- 8) A payment of \$21.00 is required per calculations below:

Monument Sign Face: 2'0" x 8'0" = 16 sq.ft. x 2 sides = 32 sq.ft. x \$3.00/sq.ft. = \$96.00. Less Application fee (\$75.00) = \$21.00

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

10) Electrical Permits are required for the internal illumination per Section 275.03(6) of the City of New Berlin Municipal Code.

42. (4) SG-82-01 London Litho – 5125-5165 Towne Dr. – Monument Sign.

The request by London Litho for a monument job site sign located at 5125-5165 Towne Dr. 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) of the New Berlin Zoning Ordinance as well as the Westridge TIF Sign Standard for Towne Corporate Park.

2) A revised rendering indicating that the monument shall have a 16", 8" to each side, wider course of block at the base that shall be the darker color of the primary building and a 24" band of courses painted the lighter color of the primary building shall be submitted by November 5, 2001 or prior to the issuance of the Sign Permit.

3) The monument sign shall not exceed 7'0" in height and 8'0" in width and shall be located outside the right of way of Towne Drive.

4) A white lexan face shall be inserted into the 1'0" x 8'0" tenant spaces. All future tenant sign faces where possible shall have reverse coloring and a Sign Permit shall be applied for and received for all future tenant face changes.

5) The monument sign face shall not exceed 12 square feet and shall read "London Litho" in black on white background.

6) The monument base shall be constructed of masonry that shall be the same color as the principal building, and shall be 3'0" in height. The required Westridge TIF address plaque shall be mounted to both sides of the base.

7) The monument sign shall be internally illuminated.

8) No fee is required per calculations below:

Monument Sign Face: 1'6" x 8'0" = 12 sq.ft. x 2 sides = 24 sq.ft. x \$3.00/sq.ft. = \$72.00. Less Application Fee (\$75.00) = \$0.00

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

10) Electrical Permits are required for the internal illumination per Section 275.03(6) of the City of New Berlin Municipal Code.

43. (4) U-68-01 Douglas Henderson/Honeyager Realtors- 18585 W National Ave.-Reside and trim existing buildings.

The request by Douglas Henderson/Honeyager Realtors to reside and trim existing buildings at 18585 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) Permits will be required from the Building, Inspection, and Zoning Departments for any structural alteration or modification to the building.

2) Commercial 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.

COMMUNICATIONS:

45. Communication To: Plan Commission

Communication From: Greg Kessler, Director of Community Development

Re: "Approaches to Fiscal Impact Analyses", Public Investment, September 2001.

Plan Commissioners acknowledged receipt of the communication.

46. Communication To: Plan Commission

Communication From: Greg Kessler, Director of Community Development

Re: "City Streamlines Customer Service", Imaging Notes, September/October 2001.

Plan Commission acknowledged receipt of the communication.

47. Communication To: Plan Commission

Communication From: Mark C. Lake, Director of Planning

RE: "Symposium: Putting the Future in Planning" APA Journal, Autumn 2001.

Plan Commission acknowledged receipt of the communication.

Motion by Alderman Ament to adjourn the meeting at 9:38 P.M. Seconded by Mr. Teclaw. Motion carried unanimously.