

NEW BERLIN PLAN COMMISSION

March 27, 2000

Minutes

The Plan Commission of March 27, 2000 was called to order by Mayor Gatzke at 7:00 P.M.

In attendance was Mayor Gatzke, Alderman Kaminski, Mr. Chase, Mr. Felda. Also present was Mr. Hoese, Director of Community Development, Mr. Lake, Assistant Director of Planning, Greg Kessler, Associate Planner. Mr. Christel, Mr. O'Neil, Mr. Barnes were excused.

NEW BUSINESS

3. 2700 – 2880 S. Moorland Road Redevelopment

Alderman Wysocki and Mr. Lake gave an update on the neighborhood meeting where possible changes that need to occur along 2700 – 2880 S. Moorland Road and the residents concerns were discussed. It was the consensus of the neighborhood that the Plan Commission consider resources to allow potential uses for office commercial as needed but still insure the integrity of adjoining properties.

Motion by Alderman Kaminski to have staff prepare a plan for the area between 2700-2880 S. Moorland based on what was heard from the neighborhood for review by Plan Commission and Council.

Seconded by Mr. Felda. Motion carried unanimously.

4. National Avenue Sidepaths Update

Consultants have been hired. The Project Manager for New Berlin is James Haggerty with team members from the Planning Department. More details will follow at a later date.

5. West National Avenue Presentation by Consultants

John Stockham and Linda Horvath, the City's consultants from SmithGroup JJR, Madison presented a series of alternatives related to land use, redevelopment strategies, transportation concepts, and pedestrian and bicycle improvements.

Mr. Stockman began by reporting on the technical studies being done. The first study is site and structural inventory. He summarized that the area that was found most difficult in terms of site and structural conditions would be the North side of W. National Avenue where the frontage street is located. Redevelopment options are broader on the South side of National Avenue and West of the church.

The second technical study that is being conducted is the market study. Assessments were made to find out what uses in the area have the greatest market demand, and in summary, there seems to be a strong market for professional offices, convenience service businesses, and a challenging market for mixed uses that involve a combination of first level retail, second level residential.

The third technical study being conducted is a transportation study. This is being done jointly with EarthTech Engineering and we are waiting for their recommendation before completing this component of the study.

The consultants went over the mid-project concept alternative review handout and collected information from the Plan Commissioners as to how to focus for the remainder of the study. Land use alternative strategies, transportation concepts, and pedestrian and bicycle improvements were discussed.

Mr. Stockman said they will be putting together a preliminary report including alternatives which will be done in the next couple of weeks and another public neighborhood meeting will be held. After that meeting, a final report will be compiled.

6. Zoning Code Discussion

Mr. Kessler made reference to the chart GDMP-New Berlin Code Drafting Assignments and Timeline. Mr. Hoese asked the Commissioners to try to get comments back to Staff within the next two weeks. We will put all those comments together and from those comments at the April 24th Plan Commission meeting, make a consensus on the changes, if any, that we wish to make.

The consensus of the Commissioners was to invite the GDMP Committee to continue on a voluntary status to give us their input as the Code is reviewed.

7. Accessory Building Ordinance

Motion by Mr. Felda to recommend to Council to amend the Zoning Ordinance to adopt a sliding scale for larger accessory buildings as the lots increase in size to a maximum of 1,200 square feet, 2) amend the Zoning Ordinance to allow residential lots five (5) acres in size or greater to have a second detached garage not to exceed 1,200 square feet, 3) amend the Zoning Ordinance to give the Plan Commission the authority to permit existing houses, traditional homesteads, or remnant farmhouses the opportunity to build a 720 square foot accessory building in lieu of the 120 square foot accessory building when there is a finding that it is impractical to build an attached garage, and 4) recommend to Common Council to amend Chapter 14 (Building Codes) to allow wood frame accessory buildings over 720 square feet, but not to exceed 1,200 square feet per the sliding scale in the Zoning Ordinance, subject to increasing the setback from principal residences and subject to the plans on file and the following:

New ordinance to be written to include the following, but not limited to:

1. The square footage may be increased by the following schedule: for lots under 0.9 acres in size, allow one 720 square foot accessory building and one 120 square foot accessory building. For properties one (1) acre in size and to 4.9 acres, the landowner may have the option to increase their 720 square foot accessory building by 120 square foot increments for each additional acre of land owned (i.e. 1.0-1.9 acres = 840 s.f., 2.0-2.9 acres = 960 s.f., 3.0-3.9 acres = 1,080 s.f., and 4.0-4.9 acres = 1,200 s.f.). Height for the accessory buildings will be a maximum of 15 feet. Waiver by Zoning Administrator if higher pitch is required to match exterior of principle residence.

Properties larger than five (5) acres in size will be allowed one additional 1,200 square foot accessory structure. Properties over five (5) acres in size may have one 120 square foot accessory building, one 1,200 square foot accessory building, and one additional 1,200 square foot accessory building (no more than three (3) accessory buildings will be allowed on properties greater than five (5) acres in size.

2. Accessory building can only be used for storage and agricultural purposes, and not home occupation, commercial storage, or business occupation.

3. Accessory buildings may be made from either masonry or wood frame materials, subject to the following: a) accessory buildings built from masonry must be at least 10 feet from a principal residence and b) accessory buildings over 720 square feet built from wood frame construction must be either an addition to the principal residence or be at least 30 feet from principal residence. Accessory buildings more than 120 square feet in area must be located at least 10 feet from any other accessory building or structure.

4. Pole structures will not allowed.

5. All accessory buildings shall meet all the front, side, and rear yard setback requirements for the district. There shall be a 5 foot rear and side setback for all buildings 120 square feet or less.

6. Section 17.0303 (7) (a) of the Zoning Ordinance shall continue to read "No farm buildings or parts of farm buildings shall exceed 60 feet in height. Accessory buildings and structures exceeding 35 feet shall provide one (1) additional foot of required front, side, and rear yard for each one (1) foot over 35 feet.

7. Section 17.0303 (7) (c) of the Zoning Ordinance shall read "No accessory building or structure shall exceed 15 feet in height". Waiver by Zoning Administrator if higher pitch is required to match exterior of principle residence.

8. Section 17.0304 (7) (a) of the Zoning Ordinance shall continue to read "No farm buildings or parts of farm buildings shall exceed 60 feet in height. Accessory buildings and structures exceeding 35 feet shall provide one (1) additional foot of required front, side, and rear yard for each one (1) foot over 35 feet.

9. Section 17.0503(1) (c) 1 of the Zoning Ordinance shall read "Accessory buildings more than 720 square feet in area may be made from masonry construction with a 10 foot setback from the principal residence. Wood frame construction may be used provided that there is a minimum of a 30 foot setback from the principal residence".

The Building Inspector may grant a waiver from the requirement that an accessory building be located at least 10 feet (masonry structures only) from a principal building and permit such accessory building within five (5) feet of the principal structure. Such waiver shall only be granted when the accessory building is not designed or intended to store or contain any flammable liquid or vehicles or equipment containing flammable liquids; or where the accessory building is constructed with a fire wall as if it were attached to the principal building. The Building Inspector shall consider the health, safety, general welfare, and aesthetics of the proposed construction before granting such a waiver.

10. Section 17.0503(1)(h) of the Zoning Ordinance shall read "Properties zoned residential one acre in size and up to 4.9 acres in size are allowed to have one 120 square foot accessory structure and one 720 accessory structure. The landowner will have the option of applying the following sliding scale: The square footage may be increased by the following schedule: for lots over 1 acre allow one 120 square foot accessory building, one 720 square foot accessory building which can increase by 120 square feet for each additional acre of land (i.e. 2 acres = 960 s.f., 3 acres = 1,080 s.f., 4 acres = 1,200 s.f.).

11. Section 17.0503(1)(i) of the Zoning Ordinance shall read "Properties zoned residential one acre in size and up to 4.9 acres in size are allowed to have one 120 square foot accessory structure and one 720 accessory structure. The landowner will have the option of applying the following sliding scale: The square footage may be increased by the following schedule: for lots over 1 acre allow one 120 square foot accessory building, one 720 square foot accessory building

which can increase by 120 square feet for each additional acre of land (i.e. 2 acres = 960 s.f., 3 acres = 1,080 s.f., 4 acres = 1,200 s.f.).

The maximum allowable square footage for any accessory structure on 4.9 acres or less is 1,080 square feet. Properties with no accessory structures currently built, are allowed to initially construct one (1) accessory structure that will be subject to the sliding scale and (1) 120 square foot accessory structure.

12. Properties that do not have an attached garage or cannot feasibly build an attached garage may substitute their 120 square foot accessory building for a 720 square foot accessory building subject to the sliding scale.

13. Properties over five (5) acres in size will be allowed a maximum of three (3) accessory buildings.

14. The Plan Commission will have the authority to review and approve accessory building uses in accordance with the City's Zoning Ordinance.

Seconded by Mr. Chase. Discussion. The Commissioners asked that the acreage limits for each size building be made clear, 1 acre means 1.0 acre or more, 2 acres means 2.0 acres or more, etc.

Motion carried unanimously.

COMMUNICATIONS

8. Communication To: Plan Commission

Communication From: Greg Kessler, Associate Planner

Re: Rural Residential Development Potential

Western Portion of New Berlin

Southeastern Wisconsin Regional Planning Commission reviewed the Draft Rural Development & Cluster Development as proposed by GDMP consultants and as modified by the Committee and Plan Commission. SEWRPC concluded that the plan would be consistent with the adopted Regional, County, & City Master Plans and would meet the 5 acre overall density requirement.

Motion by Mr. Chase to adjourn the Plan Commission meeting. Seconded by Mr. Alderman Kaminski. Motion carried unanimously.