

JOINT MEETING WITH NEW BERLIN PLAN COMMISSION, BOARD OF PUBLIC WORKS, UTILITY COMMITTEE, AND GROWTH & DEVELOPMENT MANAGEMENT PLAN SUBCOMMITTEE

**NEW BERLIN CITY HALL COUNCIL CHAMBERS
JUNE 5, 2000**

Minutes

The joint meeting was called to order by Mayor Gatzke at 6:30 P.M.

In attendance were Mayor Gatzke, Mr. Christel, Mr. Chase, Alderman Kaminski, Mr. Barnes. Mr. O'Neil and Mr. Felda were excused. Also present were members of the Utility Committee, Alderman Patzer, Alderman Wysocki, Board of Public Works, and Growth & Development Management Plan Subcommittee members. Mark Lake, Assistant Director of Planning, Greg Kessler, Associate Planner, Olofu Agbaji, Planning Administrator, Tony Kim, Planning Tech were also present.

Special Presentation – Water Utility Consultant

Mr. Greg Bolin, Water Department, Ruekert & Mielke Engineers and Dr. John Jansen, Aquifer Science & Technology Division, Ruekert & Mielke conducted a presentation entitled Water System Update and Planning for the Future.

Mr. Bolin went over historical data of the water system in the City. Various wells within the City were discussed. Most recently Ruekert & Mielke completed an updated water supply facility study showing an increase in the number of customers and demand can be expected. Mr. Bolin talked about the basis for that finding. Graphic representation showed the supply and demand. Water sources were also discussed.

Dr. Jansen talked about concerns and issues relative to ground water quality. Long term sustainability of wells and aquifers and wellhead protection were several topics of the presentation.

A brief question and answer period took place.

Meeting adjourned at 7:00 P.M.

NEW BERLIN PLAN COMMISSION AGENDA

JUNE 5, 2000

Minutes

The Plan Commission meeting was called to order by Mayor Gatzke at 7:17 P.M.

In attendance were Mayor Gatzke, Mr. Christel, Mr. Chase, Alderman Kaminski, Mr. Barnes, Mr. Felda. Mark Lake, Assistant Director of Planning, Greg Kessler, Associate Planner, Olofu Agbaji, Planning Administrator, Tony Kim, Planning Tech were also present. Mr. O'Neil was excused.

Motion by Mr. Christel to approve the Plan Commission Minutes of May 1, 2000. Seconded by Mr. Barnes. Motion carried unanimously.

Plan Commission Secretary's Report - none

REFERRAL FROM COUNCIL

5. (3) R-1-00 Raven Golf Services – 19410 Cleveland Avenue, Rezone to PUD.

Discussion centered on whether the use of this site is most appropriate under P-1 or under a PUD.

Motion by Mr. Christel to recommend to Council approval of the initial request by Raven Golf Services, Inc. to rezone the property located at 19410 Cleveland Avenue from A-2 Agricultural and Rural Holding District to P-1 Park subject to the application, plans on file and the following:

- 1) Conditional use, site and architectural approval required.
- 2) A land division reflecting actual lands being rezoned required prior to signing of ordinance.
- 3) Cross easements to Deer Haven Golf Course required for use approval.
- 4) Coordination with Don Reed of the Southeastern Wisconsin Planning Commission (SEWRPC) on using any identified environmental corridors.
- 5) Landscaping Plan to be submitted as part of the use application to address the protection of any identified wetlands and lands to the east and west by errant golf balls.
- 6) Access Permit from the Waukesha County DOT required for use approval.
- 7) Revised "detailed" grading plan required for use approval. Facility may need to be lowered to allow for proper integration with parking lot to the east.

Seconded by Mr. Chase. Motion carried unanimously.

6. () PG-768 Accessory Building Ordinance.

Motion by Mr. Chase to recommend to Council to: 1) amend the Zoning Ordinance to allow residential properties with an area of two (2) to five (5) acres the ability to construct accessory buildings up to 1.15 percent of the total lot area with residential properties over five (5) acres in size being allowed a maximum of three (3) accessory buildings with a 2,500 square feet maximum, 2) amend the Zoning Ordinance to give the Plan Commission the authority to review and approve accessory building uses in accordance with the City's Zoning Ordinance, 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, 4) recommend to Common Council the amendment of Chapter 14 (Building Codes) to allow wood frame accessory buildings over 720 square feet with a minimum setback of 30' from the principal residence, and 5) allow the Zoning Administrator to review and approve agricultural buildings demonstrating agricultural use, and subject to the plans on file and the following:

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

- 1) Properties less than two (2) acres in size will be allowed a maximum of 840 square feet and up to two (2) accessory buildings. The following scale for maximum allowable square footages of accessory buildings per property will apply:

Lot Area Maximum Allowable Sq. Footage Maximum # of Buildings

2 Acres 1,000 2
2.5 Acres 1,250 3
3 Acres 1,500 3
3.5 Acres 1,750 3
4 Acres 2,000 3
4.5 Acres 2,250 3
5 Acres 2,500* 3*

* Unless demonstrated agricultural use as determined by Zoning Administrator

2) Residential properties greater than five (5) acres in size are allowed a maximum of three (3) accessory buildings with a maximum square footage of 2,500.

3) Properties over five (5) acres in size that have a demonstrated agricultural use as determined by the City of New Berlin's Zoning Administrator would be exempt from this ordinance.

4) Accessory buildings within agricultural or residential zoning can only be used for storage and demonstrated agricultural purposes, and not home occupation, commercial storage, or business occupation.

5) 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.

6) 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.

7) 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 buildings exceeding 35 feet shall provide one (1) additional foot of required front, side, and rear yard for each one (1) foot over 35 feet.

8) 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.

9) 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 buildings exceeding 35 feet shall provide one (1) additional foot of required front, side, and rear yard for each one (1) foot over 35 feet.

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

11) The Zoning Administrator shall regulate the architecture of agricultural use accessory buildings only under Section 17.1305 (4) of the City's Zoning Ordinance.

12) Allow 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 is impractical to build an attached garage.

Seconded by Mr. Christel. Motion carried unanimously.

CONTINUED ITEMS

7. (3) LD-4-00 Raven Golf Services – 19410 W. Cleveland Ave., SE ¼ Sec. 8. – One-Lot Preliminary.(Tabled 5/1/00)

Motion by Mr. Barnes to recommend to Council approval of the request by Raven Golf Services for a one lot preliminary land division located at 19410 W. Cleveland Avenue SE ¼ Sec. 8 subject to the application, plans on file, and the following:

- 1) Proper zoning along with its associated, conditional use, site and architectural approval required.
- 2) All wetlands and environmental corridors required to be field delineated, surveyed and labeled on the face of the CSM. Coordination with Don Reed of the Southeastern Wisconsin Planning Commission (SEWRPC) on using any identified environmental corridors.
- 3) Landscaping Plan to be submitted as part of the use application to address the protection of any identified wetlands and lands to the east and west by errant golf balls.
- 4) Access Permit from the Waukesha County DOT required.
- 5) Cross access easements with Deer Haven Golf Course may be required.
- 6) Revised "detailed" grading plan required. Facility may need to be lowered to allow for proper integration with parking lot to the east.

Seconded by Mr. Christel. Motion carried unanimously.

8. (7) LD-2-99 Hidden Creek Business Center aka The Preserve – Approx. 16600 Coffee Rd. – Nw ¼ Sec. 15 – Preliminary Four-Lot Land Division (Tabled 5/1/00)

NO ACTION.

9. (7) U-58-99 Hardee's – 15600 W. National – Paint Exterior of Building.(Tabled 9/13/99, Denied 4/3/00)

NO ACTION.

10. (3) RO-16-00 Fischer Enterprises – 17935 W. Lincoln Ave. – Tool & Equipment Sales and Demo, Storage of Miscellaneous Tools & Equipment, Occasional Clean-up of Equipment or Autos Before Delivery. – Reconsideration - (Denied 5/1/00)

Motion by Mayor Gatzke for reconsideration. Seconded by Alderman Kaminski. Motion carried unanimously.

Motion by Mr. Christel to deny the request to sign the State of Wisconsin Motor Vehicle Application and to approve the proposed reoccupancy of the existing multi-tenant building located at 17935 W. Lincoln Avenue to be used for vehicle and equipment preparation work, specialized service truck outfitting, and tool sales and demonstrations and subject to the application, plans on file, and the following:

- 1) No outside storage of vehicles or equipment will be allowed on this property.

- 2) The City cannot sign the Motor Vehicle Dealer Application since it is not in accordance with the local zoning regulations. Automobile sales are not a permitted use in the M-1 District.
- 3) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 4) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 5) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 6) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).

Seconded by Mr. Barnes. Motion carried unanimously.

NEW BUSINESS

11. (1) U-28-00 Voice Stream Wireless – 1855 S. Sunnyslope – Construct Cellular Wireless System.

Motion by Mr. Barnes to approve the request by Voice Stream Wireless to construct a cellular antenna array and enclosure located at 1855 S. Sunnyslope Road subject to:

- 1) Site and array must meet the conditions of §17.0503(3) of the City of New Berlin Municipal Code.
- 2) All structural plans used for the building permit to be stamped by a Wisconsin architect and/or engineer.
- 3) Cabinet enclosure required to be screened from the public, landscape plan with plant key and plant specifications to be reviewed and approved by the Planning Department prior to installation.
- 4) Barbed wire capped enclosures are not allowed. Fence to be installed without barbed wire on top.
- 5) Permits are required from the Building, Inspections and Zoning Department. Cabinet enclosure must meet all applicable building and fire codes. Site must be maintained per § 14.25 of the Non-residential Property Maintenance Code.
- 6) Coordinated access with WEPCO required. Easement for coordinated access to be on file.
- 7) Approval of drainage, grading, and overall site plans by the Engineering Department required prior to issuance of Building Permit.

Seconded by Mr. Christel. Motion carried unanimously.

12. (5) U-31-00 La Chocolatte – 13855 W. Beloit Rd. – Home Occupation – Candy Making.

Motion by Mr. Christel to approve the request by La Chocolatte for a home occupation for candy making located at 13855 W. Beloit Road subject to:

- 1) Home Occupation shall be conducted in accordance with Section 17.0503 (5) of the City of New Berlin Zoning Ordinance in its entirety.

- 2) 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.
- 3) Home Occupation shall meet all applicable building and fire code safety requirements.
- 4) An Occupancy Permit is required from Building Inspection and Zoning Department. All conditions must be met prior to issuance of an Occupancy Permit.
- 5) Business will be strictly wholesale, sole proprietorship run by owners only. No non-resident employees. No outside storage. 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.
- 6) No customer visits to the residence and limited deliveries related to this business are allowed.

Seconded by Mr. Barnes. Motion carried unanimously.

13. (7) U-32-00 Kendall Breunig – 4370-4372 S. Rose Court – Architectural approval for a duplex.

Motion by Mr. Chase to approve the request by Kendall Breunig for architectural approval for a duplex located at 4370-4372 S. Rose Court subject to:

- 1) Submittal of a survey done by a certified land surveyor or engineer will be required prior to issuance of a Building Permit.
- 2) Rear deck setback violates the 5' elevation change and any deck over 4' from grade requires 40' minimum rear yard setback. Plans only show 37' feet. Building should be moved forward 3' to meet this requirement.
- 3) The front elevation of the building should be bricked with knee-high brick band extended along both sides of the building. Color and material to be approved by Architectural Review Committee prior to issuance of Building Permit.
- 4) Applicant will be required to abide by all subdivision deed restrictions, covenants and developers agreements.

Seconded by Alderman Kaminski. Motion carried unanimously.

14. (2) U-33-00 Magnatek – 16555 W. Ryerson Road – 10' x 10' metal building addition.

Motion by Mr. Chase to approve the request by Magnatek for a 10' x 10' metal building addition located at 16555 W. Ryerson Road subject to:

- 1) The parking area abutting the proposed structure must be restriped to one-way diagonal parking with a minimum of 14' driving and maneuvering lane as required by code.
- 2) Proposed addition must match the material, color and style of the existing building.
- 3) Stake out survey of the building is required with building permit application.
- 4) Building plans must be stamped by a Wisconsin Registered Architect prior to issuance of a Building Permit.

5) Building must meet all applicable building and fire codes. Fire Extinguishers are required. Building must be fully sprinklered.

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

7) Remove junk and trash to include but not limited to pallets.

Seconded by Mr. Christel. Motion carried unanimously.

15. (2) U-34-00 Megal Development – 16920 W. Cleveland Avenue – Exterior modifications.

Motion by Mr. Christel to approve the request by Megal Development for exterior modifications located at 16920 W. Cleveland Avenue subject to:

1) Proposed addition must match the material, color and style of the existing building.

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

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

4) Plans must be stamped by a professional Engineer registered in Wisconsin.

5) State of Wisconsin and local Fire Prevention Bureau Plan approval required prior to issuance of Building Permit. Sprinkler alterations may be necessary if determined by the City of New Berlin Fire Department. Fire extinguishers are required.

Seconded by Mr. Barnes. Motion carried unanimously.

16. (3) U-36-00 Absolutely Nails Salon – 16445 W. Greenfield Avenue – Parking lot expansion.

Motion by Mr. Barnes to table the request by Absolutely Nails Salon for a parking lot expansion located at 16445 W. Greenfield Avenue for the following reasons:

1) Submittal of a revised site plan that addresses the following concerns raised by the Engineering Department:

a) No grading plan submitted to show how parking would be constructed. Plan does not show ditch along alley or how to install culvert under access drives. Engineering would like to see detailed grading plans that show existing and proposed grades especially around the existing fieldstone retaining wall along the West lot line, they would also like to see more grades in existing parking lot, especially around the access points to the alley.

b) No sump pump/ downspout discharge within 10 feet of alley.

c) Per the Jurisdictional Highway Plan, the Ultimate Right-of-way of Greenfield Avenue is 130'. If measured from center of Greenfield Avenue, the property line will be 65' not 55' as depicted in your plan.

2) Overall parking configuration and design must meet the requirements stipulated in § 17.0403 of the Zoning Ordinance in its' entirety. Please see that you obtain a copy of this section of the ordinance to

enable you meet these requirements. Assuming State D.O.T. allows access to Greenfield Avenue, it will be right turn in only, which will eliminate any traffic egress onto Greenfield Avenue.

3) Submittal of proposed elevation, architectural rendering, material samples or design for the proposed overhead shelter for receiving shipments is required.

4) Submittal of a detailed landscaping plan prepared by a professional landscape architect for the entire site that will address effective parking lot screening as outlined in § 17.1308 of the Zoning Ordinance in its' entirety. Detailed landscaping plan for the entire site to include plant species, keys, botanical nomenclature and dbh sizes. Landscaping plan must be approved by the Planning Department prior to installation. Plan must show 25% green space as required by code.

5) No outside storage will be permitted on the property.

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

7) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). Location of dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.

8) Applicant must meet all outstanding conditions of the Zoning Permit granted on 11/22/96 as it relates to paving of the lot and landscaping. Parking lot and all paved area must be a minimum of 5' from all interior lot lines.

Seconded by Mr. Felda. Motion carried unanimously.

17. (7) U-37-00 McDonalds – 3680 S. Moorland Road – Paint exterior of building.

Motion by Alderman Kaminski to deny the request by McDonalds to paint exterior of building located at 3680 S. Moorland Road based on the following:

1) Per the recommendation of the Architectural Review Committee, the proposed exterior alteration contradicts the architectural review principles, criteria, and review guidelines set forth in § 17.1305 of the City of New Berlin Zoning Ordinance. The standards in questions include:

a) Appearance. No building shall be permitted the design or exterior appearance of which is of such unorthodox or abnormal appearance in relation to its surrounding as to be unsightly or offensive to generally accepted taste and community standards.

b) Colors. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing neighborhood buildings.

2) The original brick has been painted over with tan paint without Plan Commission approval. Staff is unable to locate any Use Approval issued for this change in exterior architecture. If you have such approval on file, please make a copy available to enable staff update our records.

3) Per the Commercial Center Design and Guideline, a six-foot wide concrete sidewalk/ sidepath is required along Moorland Road. Street treatment includes, streetlights, benches and the re-modification of

the existing ground/ pole sign to a monument base. Path design, location and construction must be reviewed and approved by the City of New Berlin Engineering Department and installed within one year of issuance of this approval.

Seconded by Mr. Christel. Motion carried unanimously.

18. (2) U-38-00 McDonalds – 17155 W. Cleveland Avenue – Paint exterior of building.

Motion by Alderman Kaminski to deny the request by McDonalds to paint exterior of building located at 17155 W. Cleveland Avenue based on the following:

1) Per the recommendation of the Architectural Review Committee, the proposed exterior alteration contradicts the architectural review principles, criteria, and review guidelines set forth in § 17.1305 of the City of New Berlin Zoning Ordinance. The standards in questions include:

a) Appearance. No building shall be permitted the design or exterior appearance of which is of such unorthodox or abnormal appearance in relation to its surrounding as to be unsightly or offensive to generally accepted taste and community standards.

b) Colors. Since the selection of building colors has a significant aesthetic and visual impact upon the public and neighboring properties, color shall be selected in general harmony with the existing neighborhood buildings.

Seconded by Mr. Christel. Motion carried unanimously.

19. (3) LD-5-00 Carr, Kulkoski & Stuller, S.C. – 16869 W. Greenfield Ave. – NW ¼ Sec. 3 – One-Lot Preliminary and Final Land Division.

Motion by Mr. Christel to recommend to Council approval of the request by Carr, Kulkowski & Stuller, S.C. for a one lot preliminary and final land division located at 16869 W. Greenfield Avenue, NW ¼ Sec. 3 subject to:

1) Remove temporary limited easement from the final CSM. Easement for Greenfield Avenue reconstruction only.

2) Primary access to 16869 W. Greenfield Avenue shall be from 169th Street. Access to Greenfield Avenue will be restricted to a point, which would allow for a common access between both 16813 and 16869 W. Greenfield Avenue properties.

3) Cross-access easements required between parcels.

4) Surveyor's signature and seal, required on all pages of the final CSM.

5) All owners as of the date of signing, to sign prior to City signing the final CSM.

Seconded by Mr. Barnes. Motion carried unanimously.

20. (4) R-4-00 HCLC Primary Care Center – 12555 W. Janesville Rd. – Rezone from B-2 to I-1 – Facility for Child Care Ministry & Christian Education.

Motion by Alderman Kaminski to recommend to Council approval of the request by HCLC Primary Care Center to rezone the property located at 12555 W. Janesville Road from B-2 General Services and Business District to I-1 Institutional District subject to:

- 1) Per §17.0314 (1)(o) of the City of New Berlin Municipal Code, a day care center is a principle use allowed within the B-2 district.
- 2) An application for use approval of HCLC Primary Care Center is required.
- 3) Per the City of New Berlin Fire Department:
 - a) Current sprinkler system to be attached to city water system.
 - b) Fire hydrant required within 50' of Fire Department Connection
 - c) Adherence to fire alarm system and smoke detector system requirements provided by Comm. 60.36.
 - d) Adherence to day care center ingress and egress requirements provided by Comm. 60.31.
- 4) Ingress and egress to property limited to Lowell Place, new driveway configuration required.
- 5) Permits are required from the Building, Inspections and Zoning Department for any internal modifications. Building must meet all applicable building and fire codes. Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code.
- 6) Dumpster enclosure required dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code § 17.1304(14). Enclosure must match or enhance the exterior of the principle building, and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 7) Contingent on agreement for payment in lieu of taxes.

Seconded by Mr. Barnes. Motion carried unanimously.

21. (1) RO-18-00 Lasting Memories – 14017 W. Greenfield Ave. – Photography.

Motion by Mr. Barnes to table the request by Lasting Memories for photography located at 14017 W. Greenfield Avenue per applicants request. Seconded by Mr. Felda. Motion carried unanimously.

22. (2) U-30-00 Market Day – 16500 W. Glendale Dr. – 28 Additional Parking Spaces.

Motion by Mr. Felda to table the request by Market Day for 28 additional parking spaces located at 16500 W. Glendale Drive for the following reasons:

- 1) Submittal of an alternative site and parking layout that meets all the code requirements. Applicant should explore other solutions by creating an alternative analysis that takes the parking lot reconfiguration in to account.
- 2) Final application should include detailed plan of operation and a request for the expansion of business that requires additional parking for 12 trucks as stipulated in § 17.1300 of the Zoning Ordinance.

3) Per § 17.0320 (8) "the sum total of all buildings, accessory structures, surface parking and loading areas, driveways, outside storage areas shall occupy not more than 75% of the lot area in an M-2 district. Building shall occupy not more than 50% of the lot area. Pedestrian walkways, landscaping areas and other open space shall occupy a minimum of 25% of the lot". The current layout fails to meet the required 25% open space per above section of the Zoning Ordinance.

4) Site inspection revealed that the paved area currently encroaches into the 5' setback as required by § 17.0403 (6) of the Zoning Ordinance. Area has been paved to the easterly lot-line thereby reducing the 25% open space.

5) Landscaping islands are required. Overall parking configuration and design must meet the requirements stipulated in § 17.0403 of the Zoning Ordinance in its' entirety.

6) Per § 17.0403 (9) "all parking areas, except in agricultural districts, and single-family and two-family districts, adjoining a residential use or public right-of-way shall be screened from such use by an earth berm, a solid wall, fence, evergreen planting of equivalent density or other effective means.

7) Submittal of a detailed landscaping plan prepared by a professional landscape architect that will effectively screen the parking lot and also address all the above conditions.

Seconded by Mr. Barnes. Motion carried unanimously.

STAFF APPROVED

23. (4) U-35-00 Louis Fennig – 5090 S. Small Road – New residence.

The request by Louis Fennig for a new residence located at 5090 S. Small Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

1) A Razing Permit must be obtained from Building Inspections and Zoning Department for the existing building upon the issuance of a Certificate of Occupancy. The existing principle structure must be razed 60 days from the date a Certificate of Occupancy is issued.

2) Waukesha County Department of Health approval for a septic system or Permit for a new system is required prior to issuance of Building Permit.

24. (4) SIGN – Wisconsin Corporate Central Credit Union – 6262 S. Lowell Pl. – Monument Sign.

The request by Wisconsin Corporate Central Credit Union for a monument sign located at 6262 S. Lowell Place has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

2) The overall height of the sign must not exceed 4 feet.

3) The sign shall not exceed 4.67' x 2.3' (10.7 square feet)

4) The monument base must match the exterior of the principal building.

5) Signs must be turned off outside of normal business hours.

6) An Electrical Permit is required from the Building Inspection and Zoning Department for the external lighting.

25. (2) SIGN – Jacobus Energy – 16735 W. Cleveland Ave. – Change of Face.

The request by Jacobus Energy for a sign face change located at 16735 W. Cleveland Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

2) Payment of \$52.72 outstanding sign fee per calculations below

Wall Sign: $29' 4" \times 1' 9" = 51.36 \text{ sq.ft.} \times \$2.00 = \$52.72$
Less \$50.00 application fee = \$52.72

3) The channel lettering shall not exceed 29'4" x 1'9" (51.36 square feet)

4) Signs must be turned off outside of normal business hours.

5) An Electrical Permit is required from the Building Inspection and Zoning Department for the internal lighting.

26. (2) SIGN – Wells Fargo – 16001 W. Cleveland – Name Change on Pole Signs and Wall Signs.

The request by Wells Fargo for a name change on pole signs and wall signs located at 16001 W. Cleveland Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

2) Signs must be located outside the right-of-way of Cleveland Avenue.

Payment of \$184.24 outstanding sign fee per calculations below
Ground Sign: $6' 8" \times 4' 1" = 27.21 \text{ sq.ft.} \times \$2.00 = \$54.42 \times 2 \text{ sides} = \108.84
Less \$50.00 application fee = \$58.84

3) The overall height of the ground sign shall not exceed 6 feet.

4) The ground sign shall not exceed 6'8" x 4'1" (27.21 square feet)

5) Signs must be turned off outside of normal business hours.

6) An Electrical Permit is required from the Building Inspection and Zoning Department for the external lighting.

27. (4) SIGN – Rico's Family Pizza – 19400 W. College – Name Change on Remaining Sign.

The request by Rico's Family Pizza for a name change on remaining sign located at 19400 W. College Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

2) Signs must be located outside the right-of-way of College Avenue.

3) Payment of \$14.00 outstanding sign fee per calculations below

8' x 2' = 16 sq. ft x 2 sides = 32 sq. ft.

32 sq. ft. x \$2.00/sq. ft. = \$64.00

Less \$50.00 application fee = \$14.00

4) The sign shall not exceed 8' x 2' (32 square feet) per face.

5) Signs must be turned off outside of normal business hours.

6) An Electrical Permit is required from the Building Inspection and Zoning Department for the external lighting.

Motion by Mr. Christel to approve the above staff approved items. Seconded by Mr. Barnes. Motion carried unanimously.

ZONING PERMITS

28. (2) RO-17-00 Great Western Toy – 2738 S. 163 St. – Storage of Stuffed Animals for Vending Machines.

The request by Great Western Toy for storage of stuffed animals for vending machines located at 2700-2738 S. 163 Street has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

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

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

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

5) Outside storage of company vehicles is limited to two (2) vehicles.

29. (2) RO-19-00 Q-Nails – 3644 S. Moorland Road – Nail manicure salon

The request by Q-Nails for a nail manicure salon located at 3644 S. Moorland Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

- 2) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
 - 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
 - 4) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).
 - 5) No outside storage will be permitted on the property.
30. (2) RO-20-00 Lens Best Laboratory – 15779-15781 W. Ryerson Road – Optical Laboratory.

The request by Lens Best Laboratory for an optical laboratory located at 15779-15781 W. Ryerson Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

- 1) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 2) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 3) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).
- 4) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.

31. (1) RO-21-00 After School Inc. – 2300 S. Sunnyslope Road – Summer day camp for children ages 5-12.

The request by After School Inc. for a summer day camp for children ages 5-12 located at 2300 S. Sunnyslope Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

- 1) This reoccupancy is only for use from June 5th through August 11th , 2000.
- 2) Submittal of an application for a temporary sign permit for at the above address.
- 3) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 4) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 5) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).
- 6) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.

32. (2) RO-22-00 Total Lighting Sales – 16334 W. Glendale Ave. – Lighting Brokers.

The request by Total Lighting Sales for lighting brokers located at 16334 W. Glendale Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

- 1) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
 - 2) No outside storage of vehicles or equipment will be permitted on the property.
 - 3) A separate application is required from the Department of Community Development for any signs on this property.
 - 4) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
 - 5) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).
 - 6) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
33. (4) RO-23-00 GMR Marketing – 16055 Stratton Dr. – Fulfillment Warehouse.

The request by GMR Marketing for a fulfillment warehouse located at 16055 Stratton Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

34. (2) RO-24-00 Great Lakes Tops – 2350 Commerce – Counter Top Manufacturing.

The request by Great Lakes Tops for counter top manufacturing located at 2350 Commerce has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

- 1) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 2) A separate application is required from the Department of Community Development for any signs on this property.
- 3) No outside storage will be permitted on the property.
- 4) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

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

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

35. (5) RO-25-00 United Internists – 14555 National Ave. – Medical Office.

The request by United Internists for a medical office located at 14555 National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

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

3) A separate application is required from the Department of Community Development for any signs on this property.

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

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

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

36. (4) RO-26-00 Rico's Family Pizza – 19400 W. College Ave. – Food Service.

The request by Rico's Family Pizza for food service located at 19400 W. College Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the Building Permit and the plans on file and the following:

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

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

3) A separate application is required from the Department of Community Development for any signs on this property.

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

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

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

COMMUNICATIONS

42. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Community Development

RE: Zoning News, April 2000, "Ponca City Turns to the Judge" by Larry Lawbon

Plan Commissioners acknowledged receipt of this communication.

43. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Community Development

RE: Letter to Steven Hoese from State of Wisconsin DNR regarding John C. Blott Dam, Field File 67.22, Jewel Creek (Calhoun Creek), Floodplain Mapping, Cities of New Berlin and Muskego, Waukesha County. Ordinance adoption notice.

This letter supplies information on the Blott Dam and how it will be reconfigured and the changes to the floodplain in the area. Notice of appeal rights are given.

44. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Community Development

RE: Memo dated April 28, 2000 from Thomas P. Hammersley regarding SW ¼ Sec. 13 – 3461 S. Long Acre Drive, Two-lot preliminary land division.(LD-10-99).

Mr. Hammersley is asking that we choose a configuration which will work. The sewer service area and National Manor are still under consideration which will result in factors relating to the Hammersley project.

45. Communication To: Plan Commission

Communication From: Bob Sigrist, Director of Buildings, Inspections & Zonings

RE: Building Permit Application for Dean Beres, 13551 W. National Avenue.

This communication relates to the building permit for the indicated property and how the revision to the Zoning Code regarding accessory buildings will take care of Mr. Beres needs.

46. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Community Development

RE: "Impartiality in Zoning Decision Making", The Municipality, May 2000.

Plan Commissioners acknowledged receipt of this communication.

47. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Community Development

RE: Planning Commission Journal, Spring 2000.

Plan Commissioners acknowledged receipt of this communication.

Motion by Mr. Chase to adjourn the Plan Commission meeting at 9:45 P.M. Seconded by Alderman Kaminski. Motion carried unanimously.