

Minutes

7:00 P.M. PUBLIC HEARING

(7) CU-5-00 Unisite - 3105 S. Johnson Rd. - 3105 S. Johnson Rd. - Monopole Antenna Structure

CITY OF NEW BERLIN PUBLIC HEARING

OCTOBER 2, 2000

The public hearing relative to the request by Timothy Slatter (Unisite, Inc.) for a conditional use approval for a monopole antenna structure at 3105 S. Johnson Road was called to order by Mayor Gatzke at 7:00 P.M.

In attendance were Mayor Gatzke, Mr. Chase, Mr. O'Neil, Mr. Barnes, Mr. Christel, Mr. Felda, Alderman Kaminski. Also present were Steven K. Hoese, Director of Community Development, Mark C. Lake, Assistant Director of Planning, Olofu Agbaji, Planning Administrator.

Mr. Hoese read the public hearing notice and stated there was proof of publication in the Clerk's office.

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

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

Mayor Gatzke asked for comments or questions for clarification.

Timothy Slatter - 7600 County Line Road, Illinois - Mr. Slatter, Representative of Unisite Inc. along with Jay English, Regular Frequency Engineer with Unisite are requesting a conditional use permit for a wireless telecommunication tower not to exceed 170 feet at 3105 S. Johnson Road. I want to give you some background information on Unisite. Unisite is a wireless tower company. They do not make phones and they do not sell phone service. Their only source of revenue is from leasing tower space to various wireless carriers. Unisite is a wholly owned subsidiary of American Tower and together they are the largest provider of wireless communication structures in the U.S. Unisite is currently conducting a comprehensive radio frequency analysis of the entire Milwaukee market including New Berlin. A handout was provided showing the types of wireless coverage that is provided by various licensed carriers included in the study. Types of coverage within frequency bands was described as indicated in the handout. All of the carriers will be coming for antenna space in the New Berlin area. From the information Unisite took in from this study, they determined where a site could be located which would meet the needs of the various wireless carriers and a site that would be acceptable for the citizens of New Berlin. The site we are proposing tonight meets both those criteria. It will work for the wireless industry and provide coverage for their networks and the site is located in a heavily wooded area, is over 500 feet off of Johnson Road, there is enough ground space for various carriers, and it will not increase any traffic patterns in the area.

Mayor Gatzke asked again for comments or questions for clarification.

Paul Lincoln Scheuble - 19890 W. Julius Heil Drive - One of the requests of the Viking Communication tower that went up not that long ago was for additional space for wireless communications. Wouldn't that tower meet the same needs as the Unisite tower? Mayor Gatzke asked how many tenants could co-locate on this tower. Mr. Slattery said up to four tenants. We did look at the Viking tower and there is room for some additional carriers. Mr. English said the Viking tower is an excellent facility and there is

room for additional carriers on that tower as well. We can put four typical digital data carriers on the site we are proposing and that does not include what we can add to the site in the next generation of wireless data that is coming in. Looking at the Viking site, it would accommodate probably two to four more carriers depending on what type of carrier went on the tower. That would take care of the majority of the carriers that have yet to launch in this area, between the two towers.

Mayor Gatzke asked again for comments or questions for clarification.

Dean Schemmel - 4230 S. Swartz Road - I live next to the Viking tower and went through the ordeal of being initially against it but it did go up and I can now see the need for the tower. From what I understand from talking to the owner of the tower, it is not even 50% utilized at this time. There is also another tower on Beeheim Road behind my house where there is also a lot of room. I was wondering why we need another tower. At the time of the approval of the Viking tower, it was approved with the fact of using the space that we do have now. Mr. Slattery said that the only source of revenue for Unisite is from getting wireless carriers to co-locate on their towers. It is not in the best interest to propose a tower where other co-locaters will be located. If they did not feel there was a demand for the site, they would not invest \$100,000 to build a site that would not be used. We feel there is a demand for the site.

Mayor Gatzke - I think the point of the first two questioners is that the City is not interested in being pin cushioned by hundreds of different towers and what we have established as our policy is that towers that go up will be designed and placed in such a way as to minimize the impact on the City. If there is still room on the Viking tower, that is a concern to me.

Mayor Gatzke asked again for comments or questions for clarification.

Vernon Bently - 3450 S. Johnson Road - Have the neighbors been notified of this public hearing and to what distance were they notified? Mr. Hoese answered that neighbors have been notified within 300 feet of the site. Mr. Bentley said he thought on the western part of the City, it was normally 1,000 feet. In that part of the City 300 feet does not tell very many of the neighbors what is going on. I think there a lot of people in that area that don't know about this tower and I think they should be notified.

Mayor Gatzke asked again for comments or questions for clarification, seeing none.

Mayor Gatzke asked three times for anyone wishing to speak in favor, seeing none.

Mayor Gatzke asked for anyone wishing to speak in opposition.

Mr. Hoese indicated receipt of a letter from Sal Dragotta of Viking Communications to the Plan Commission indicating his opposition to the proposed tower being so close to their tower. The letter is on file and public record.

Mayor Gatzke asked three times for anyone wishing to speak in opposition, seeing none.

Mayor Gatzke asked if there were questions from the Plan Commissioners.

Mayor Gatzke said his only comment was to repeat that the City is very sensitive about the concept of being pin cushioned by cellular antennas. We have spent a significant amount of time negotiating a good agreement with AAT and the concept in negotiating that agreement was that the City wanted planned cellular placement. We recognize that cellular is reality and the facilities have to be put in place. The City of New Berlin wants their cellular structures planned and utilized to their maximum extent with minimum aesthetic drawbacks and we don't want an environment where we have five, six, or seven cellular towers right next to each other just because of lease interests.

Mr. Christel said that he understood that there was about 14 square miles per antenna array. Is that correct? Mr. Slattery said that holds true for cellular but not PCS bands. Depending on the type of carrier and location of tower, you can get anywhere from a mile and a half in an urban environment to almost four miles on a highway environment. With the third generation technology that is coming forward, probably in the first quarter of 2002, that footprint will shrink again down to anywhere from a mile to three miles and that will enable some of the advanced digital products like wireless internet access at higher speeds. It is a trade-off. You get more advanced services but unfortunately, the footprint shrinks because of the type of technology and the necessity to have a clean digital path for the types of data that people will be transmitting back and forth. One of the reasons we design our towers for co-locatability is because we know that the carriers will want to get into certain markets and want to be able to keep them from pin cushioning an entire community. We certainly understand the pin cushioning comment. What we are trying to do in building our towers is insure that when we locate a tower we don't have to turn around two years from now and put another tower two miles from it.

In some cases you will see two or three towers in close proximity of each other and that is typically because the carriers have come to us as a provider and told us that this is a market that they would really like to penetrate as far as a customer base.

Mr. Christel asked if that means there is a three mile range around a tower? Mr. Slattery answered depending on the technology. For a paging tower, they can be spaced 30 miles apart with about 15 miles between each tower for simple paging. Older cellular technology can go between 10-13 miles. PCS comes in and that is shrunk down from anywhere from four to one and a half miles. The biggest problem we have in designing these systems is what we call clutter. Things corresponding with the length of the wave we are trying to correspond with qualifies as clutter. This clutter cuts back on the footprint. We try to overcome this with better elevation of the towers.

Mr. Gatzke said federal regulations have established that communities have limited control over what they can do in respect to cellular site authorization. The FCC and federal legislation that takes away the authority of the local municipality and have caused us to lose local control over how we want our city to look. If we don't want to have our city look like a porcupine, it is critical that local government establish reasonable rules.

Mr. Felda asked what the lighting procedure is on a tower. This tower is about 170' and I know the tower that went up on Swartz Road looks almost like it has a strobe on it and is to the point of being a nuisance. Is your tower going to have something like that? Mr. Slattery said the FAA requirement is that anything over 200 ft. has to be lit. That may change if there is an airport in the area. The tower we are proposing would not be lit.

Mayor Gatzke asked if there were further questions from the Plan Commissioners, seeing none.

Mayor Gatzke called the public hearing closed at 7:26 P.M.

Minutes

NEW BERLIN PLAN COMMISSION

NEW BERLIN CITY HALL COUNCIL CHAMBERS OCTOBER 2, 2000

The Plan Commission meeting of October 2, 2000 was called to order by Mayor Gatzke at 7:27 P.M.

In attendance were Mayor Gatzke, Mr. Chase, Mr. O'Neil, Mr. Barnes, Mr. Christel, Mr. Felda, Alderman Kaminski. Also present were Steven K. Hoese, Director of Community Development, Mark C. Lake, Assistant Director of Planning and Olofu Agbaji, Planning Administrator.

Motion by Mr. Christel to approve the Plan Commission Minutes of September 11, 2000. Seconded by Mr. Barnes. Motion carried unanimously.

Plan Commission Secretary's Report - Mr. Hoese welcomed everyone to the Plan Commission Meeting and identified those present in the room; Plan Commissioners, staff, elected representatives, applicants with items on the agenda, and general public. Mayor Gatzke announced that Time Warner has been informing us that they are having problems with our signal. A wire was cut on National Avenue and those who are having problems watching right now, Time Warner is working on it and guaranteed that the problem will be rectified.

Mr. Hoese reported on the status of electronic reports for the Plan Commissioners. Mr. Hoese also reported that the rural subdivision draft is being assembled and should be to the Commissioners next week. It was the decision that the public hearings scheduled for November 6, 2000 begin at 5:30 P.M.

SPECIAL PRESENTATION - (New Berlin Common Council Members have been invited)

5. U-67-00 New Berlin Energy Park - 6600 W. Crowbar Road

Attorney T. Michael Schober, applicants agent, introduced the people from Midwest Power and gave a brief history of the Midwest Power Company and an explanation of the proposed energy park.

Attny. Schober explained that gas lines and high tension wires are needed in the location where the energy park can be placed and these are in place on the proposed location. The preferred location would be to have the project hidden from view from homes and businesses and Johnson Sand & Gravel Pit supplies a shield of view and berms and plantings would also be used. The financial partner will also play a big role. They require ownership of the path of the gas line. We are three or four of these electrical plants short of having enough electricity to satisfy the peak summer demand so sometime in the next years, something needs to be done and Mr. Schober felt this to be one of the finest sites around the surrounding urban areas for this project. Mr. Schober identified the positive and negative aspects of the proposal and gave ways he believed to be successful ways to deal with the negatives.

William Tyburk, Midwest Power Engineer - Mr. Tyburks topics of discussion included an introduction of who Midwest Power is, why the proposed location makes sense, a project overview to familiarize everyone with the way the facility operates, and benefits to the city.

Mr. Tyburk discussed the growth of demand for electricity and how it relates to Midwest Power. He talked about what type of location is best for the use proposed. Mr. Tyburk gave technical characteristics of the proposal. Size and location of buildings, type of generators and other equipment to be used, operational plans such as hours and days, and interconnection to transmission lines of Wisconsin Electric were described.

Mr. Tyburk expressed the desire to meet all performance standards listed in the Zoning Ordinance Section 17.700 for the City of New Berlin as well as State, Federal, and local regulatory body's approvals.

Robert Vetter, Midwest Regional Manager, RMT - Mr. Vetter addressed the concern that staff, elected officials and citizens have about noise and vibration emission. He assured that all the equipment that is going to be installed on this facility will have sound and vibration dampening features. The sound will be contained within the facility to meet performance standards within the Zoning Ordinance.

Mr. Vetter talked about aesthetics. The project is industrial in nature and vertical and horizontal buffering will be taken advantage of. Conservancy areas will be maintained and a landscaping plan will be incorporated. The rendering of the landscape plan was shown. The storm water management facility was described. A graph showing air emissions was shown and air quality was discussed.

Mr. Vetter explained that the site will be developed consistent with the 20/20 GDMP land use plan. He showed a reclamation plan for the balance of the quarry for the development of the entire site. Mr. Vetter said water consumption will be somewhere between 350 -650 gallons per minute. It was indicated there would be little waste water discharge.

Pat Jurck, Hydrologist, Lane Christianson - Mr. Jurck relayed his experiences with water supply and water resource development. He described the geology of the area and gave projections for drawdown of surrounding areas.

Mr. Vetter continued with highlights and benefits of the proposal and then moved into the question and answer period.

How much water is evaporated in the process?

100%, It is a zero discharge process.

Given the right conditions, can steam cause icing on Interstate 43?

This question probably came from people driving by existing power plants and seeing steam plumes. These plumes probably came from not the stack itself, but the cooling tower. Our cooling tower is never going to operate during the cool months when you can see the plume come off of it. Our cooling tower will only operate when the temperature is above 50 degrees.

Will there be additional power lines added?

We are tying into the existing lines and no new lines will be added. There will be hardware on our site allowing us to connect the generators to the WEPCO system.

Are there additives in the system that cool the generator to prevent corrosion?

Yes. It is a completely self contained system with no discharge or disposal.

What Federal regulations apply to this type of project?

This project will have to file a permit with Federal Energy Regulatory Commission because it will be selling power at wholesale level. The permit requires a simple form to be filled out to allow transactions to be conducted at a wholesale as opposed to a retail level.

Will an environmental impact study be required of this site prior to approval?

In the State of Wisconsin there are two regulatory bodies that govern these types of facilities, the Wisconsin Dept. of Natural Resources, and the Public Service Commission. The Wisconsin Dept. of Natural Resources has jurisdiction over the specific permits such as the air permit, the water supply permit, waste water discharge. Those types of permits are submitted to, reviewed by, and issued by the Dept. of Natural Resources. The parallel governing body in the State of Wisconsin is the Public Service Commission. They take a much broader perspective looking at the development of these types of projects. The Public Service Commission is the regulatory entity in the State of Wisconsin that requires a document called Certificate of Public Convenience and Necessity which is actually an environmental

impact report. The Public Service Commission allows 180 days to review and make a determination for approval.

How much of the water will return to the aquifer?

Most of the water will evaporate through the generation process. Essentially as it evaporates it turns from liquid to gas and eventually returns back to the water cycle.

Natural gas prices have increased significantly due to increased demand due to fueling power generation with gas. Why natural gas? Are we robbing Peter to pay Paul? Won't that increase prices for consumers?

No one can predict the price of natural gas. Natural gas historically lags the price of oil per barrel by about six months and the increased price of natural gas is partially due to satisfy the market for the many projects coming on line. The futures market shown when this project would become operational in 2002 the price of gas is about 50% less than it is today. With respect with utilization of normal resources, Midwest Power is always investigating opportunities in which we can utilize renewable resources. This involves the utilization of landfill gas from projects from previous lifetimes. Unfortunately, the large scale demands that are required for power generation in Wisconsin cannot cost effectively be met by renewable resources.

If the well is built to City standards, would that mean a water tower may be built?

That depends on the needs of the City, but Midwest has no plans for one. Many times when a municipality has a well some kind of tank is needed to maintain the system pressure. Midwest would be willing to drill a well and buy the water from New Berlin or we can do it as we are.

Will the City of Muskego be notified? Will the guarantees promised also apply to the people in Muskego or Vernon?

There will be notices sent out notifying the public hearing and the guarantees will apply to Muskego and Vernon.

Would an energy cell generation plant be used?

Right now the fuel cell technology is making great strides but typically it is for much smaller applications. A good application for a fuel cell would be a facility about the size of City Hall. Fuel cells do not lend themselves to a project of this size.

If you have used waste water, where will it go?

None is proposed.

If there are any excess land on this site after the plant is done, will they be available for other uses?

Recreation uses for unused land will be provided to the City.

Is an average of \$400,000 a year in tax shared revenue in lieu of taxes an adequate amount to cover potential taxpayer expenses?

There is minimal city services required. The schedule of payment for the revenue sharing is legislated. The City should not be short because of this development, Midwest would want to understand and there would be a need for discussion.

The three resources you indicated were needed are attachment to the electric grid, natural gas, and water. Why not locate on Lake Michigan?

There are no gas lines on Lake Michigan and there may not be transmission lines. There are certain transmission lines that the utility want to be tied into.

What is a similar noise source to 60 - 65 decibels?

A semi going down an interstate at 55-65 miles per hour would be about 95 dba. When the compressor on your refrigerator at home kicks in, is about 55 dba. Normal conversational tones is about 60 dba.

Where are you measuring from when you say the sound will not exceed 60-65 decibels?

The parameters are established and designing is done accordingly.

Is this designed to be enlarged in the future?

Our site will be fairly well utilized. One of the factors that limit enlargement is the capacity of the transmission line and that seems to be at its maximum.

Is this facility financed by Midwest or will the City be asked for financial assistance?

This will be 100% financed by Midwest Power. No investment from the City.

Will the water evaporation be a plume?

That is based upon temperature.

Is the guarantee for neighborhood residential wells for the life of the plant? What is the timeframe of the guarantee? Does the guarantee run out?

Once the water requirements are finalized, the next phase is going out and drilling a test well where this amount of water is pumped out of the ground. At that point the drilling company goes out to the individual wells that are within that circle and puts measuring devices in those wells and measures the amount of drawdown and we would guarantee that if anyones well is messed up we would fix it, a bond would be posted. We will need input from the City's Water Department to make sure the type of well we are building meets the specifications of the City.

You have sited the facility to be as low as possible to be hidden from view but the concern is that the stacks will be at ground level and cause a greater amount of emissions.

The air emissions results presented during the presentation was based upon a stack height of 50 feet above the ground surface which we said was 30 feet below Tans Road. That would be 20 feet above the grade level of Tans Road. The mature trees along Tans Road are probably 30 feet high so there will still be a screen and the stack height will be appropriate to meet our emission criteria.

You indicate the laws limit the amount of emissions and hence cap the amount of hours for plant operation but is it true you can purchase unused air pollution credits from other companies and thereby expand the hours of operation?

Emissions will not exceed 249 tons per year of NOx and CO. Each piece of equipment emits so many pounds of NOx and CO per hour. Regulatory authorities divided one number by the other and come up

1200 or 1300 hours per year and that is all we can emit. There is no emissions trading or purchasing of air pollution credits with this operation.

Explain the fairness of the pilot as it declines or depreciates over time?

If the choice is between paying a flat payment vs. front end loading, it would be better to take the front end loading because you would have the additional funds to invest until you reach the point reached the average payment. At some point this plan would be exhausted.

Will this project need any approval from the public service commission?

Yes. An environmental impact report is generated and submitted to the public service commission. This commission is allowed 180 days to review and issue a determination as to whether or not the facility is approved.

If this project is so good, why was the one in Elkhorn turned down?

This was in Edgerton. We don't know the answer.

Is there a danger of local residential natural gas shortages due to the plants consumption?

No. Any major modifications required to the interstate gas pipeline system would be charged to us.

Isn't it true that the power that would be generated by this plan most likely would not be used by New Berlin residents?

The electricity generated by this plant will be delivered through the transmission lines to Arcadian and Pleasant Prairie Substations. The power itself will be purchased by a power broker that will be used to satisfy their customers. Their customers very well could include the utility that services this area.

Is there a similar power plant that is now working that we could see?

Neenah, Menasha, Rockford, Illinois are similar and Omaha, Nebraska has exactly the same. They are peaking plants in Union Grove and Fond du lac and south of Chicago.

Do the regulations mean that you cannot operate on ozone alert days which are typically the most hottest and most humid days of summer?

That type of restriction is not written into the air permit.

Where is this in relationship to the mid-continental divide?

This site is West of that location.

Why would we want city water on the rural side of the City?

If the city wanted it, it would be made available but they don't have to take it.

Will this plant help control electric rates? Based upon the presentation, it seems like an opportunity for higher priced electricity. Is this correct?

Electric rates will go up if the issue is not addressed. The more electricity available, the lower the cost will be.

Are there other means of cooling, for example, a closed loop system?

We need water not necessarily for cooling the equipment. We use radiators for cooling. We use water for water injection. Water is injected into the gas turbine for two reasons. One, it chemically and thermodynamically increases the power output of the gas turbine by about 10% and since these machines are asked to perform peaking power for a relatively short time, it is essentially that we deliver the maximum output to the power customer. The water that is injected into the gas turbine is purified water, it goes up, it is evaporated and turned to steam at 900 degrees and goes up in the air and you don't see it anymore. The other reason we need water is for the cooling tower that is part of our refrigeration system. We would lose up to 20% of the power output if we did not keep these gas turbines cool with cool air. The water that is injected into the gas turbines is about 350 - 400 gallons per minute, the balance 150 to 200 gallons per minute is what goes into the cooling tower.

Why not go into a deep well to avoid the opportunity to effect local wells?

Fracture wells are hard to find, very costly, and can cause higher drawdown.

Alderman Scheuble talked about revenue sharing and asked about the State distributing the funds in the City's best interest. He spoke about the sandstone aquifer and what might happen to the water quality and supply in the area.

Lane Christianson, a highly respected expert, has looked at the issue of wells and well water. We rely on them for their information to make scientific decisions.

Alderman Wysocki asked that Midwest not try to sell the City on the idea that they will solve the electrical problems we are having because they are interruption problems and deferred maintenance problems. He talked about the environmental impact study including any hazardous equipment involved, the investment plan and State Statutes. One of his major concerns was that the changes have not been completed to Chapter 17 and don't know what standards will be changed.

In your original presentation you indicated this plant was for power in Oak Creek and other communities to use as needed. Has that changed?

The particular WEPCO transmission line that we plan on connecting with runs from Pleasant Prairie generating station to the Arcadian substation so any communities that are served off of the Arcadian substation would be potential users of power. We have nothing to do with Oak Creek.

In your original presentation you indicated about 650 gallons per minute of water would be used, 400 gallons of this to be evaporated. What about the other 25%?

Let me go through the numbers again. The gas turbines require 350-400 gallons per minute of demineralized water that gets injected and is evaporated. The balance of the water is for the cooling tower and the bulk of that water goes up as evaporation. Someone asked about this evaporation causing icing and fogging. If we were planning to run that refrigeration system on a cold day there would be a need for fog study that the environmental people would have to make. Effectively all the water we use goes up through evaporation either through the combustion process or the cooling tower. We have designed this to be a zero discharge facility.

Mayor Gatzke thanked Midwest Power for their presentation and announced the public hearing date would be October 31, 2000.

REFERRAL FROM COUNCIL

6. (4) S-157-00 Forest Ridge Condos - 14500 and 14510 W. Beloit - 8 Lot Subdivision (Condominiums).

Motion by Mr. Felda to recommend to Council approval of the request by James Krahn for an 8-lot preliminary plat located at 14500 and 14510 W. Beloit Road subject to:

- 1) Satisfaction of the Conditional Letter of No Objection by Waukesha County Park and Land Use Department required.
- 2) Detailed Stormwater Management Plan required. Plan should include North Oak Estates and the properties to the west. Outlots may be required for stormwater detention ponds.
- 3) Length bearing and tie to all easements (public and private) required.
- 4) Final plat to include all setbacks. 40' setback required along the West lot line and roadway shall be moved East by a minimum of 5'.
- 5) Detailed road/infrastructure/stormwater/grading plans to be reviewed and approved by the Engineering Department prior to writing of the developer's agreement. Water pressure loss calculations required.
- 6) Sewer and water plans to be approved by all regulating authorities.
- 7) Developer's Agreement for all public improvements required. Agreement to be approved by the Board of Public Works and Common Council. Approval of all surety instruments required prior to the City signing the final Plat.
- 8) An executed Developer's Agreement is required prior to clearing, grubbing, grading and/or utility/infrastructure work commencing.
- 9) Urban cross-section required within development and along Beloit Road. Storm sewer required to replace ditch and drain properties behind lots 5 and 6.
- 10) A pedestrian pathway is required along Beloit Road.
- 11) Adherence to §17.1308(10) Woodland Preservation required. Tree inventory of existing trees greater than 4" DBH (diameter at breast height) required. Landscaping plan, which addresses species, sizes and quantities of trees and shrubs required for Use Site and Architecture approval. Coniferous trees to be a minimum of 6' in height. Deciduous trees to be a minimum of 3-1/2" D.B.H. Ornamental trees to be a minimum of 2-1/2" D.B.H.
- 12) Entrance monumentation plan required.
- 13) Satisfaction of any/all Fire Department concerns required. Hydrants to be located within 150' of any building riser. 8-unit buildings to be fully sprinklered. Knox boxes and alarm systems required.
- 14) Access permits required from the City of New Berlin Engineering Department for the extension of Lindenwood Drive and access permits required from the Waukesha County Department of Transportation for the connection to Beloit Road.
- 15) All buildings on the "Tarbox" property are to be razed, razing permits are required.

16) Payment of \$1,000/unit or single-family lot in Public Site, Open Space and Trail Fees required.

17) Schedule:

Plat received August 2, 2000

90-day time limit expires October 31, 2000

PC date for final action October 2, 2000

CC date for final action October 10, 2000

Seconded by Mr. Christel. Motion carried unanimously.

CONTINUED ITEMS

7. (7) U-61-00 Dale Pinkalla - 4350-4352 S. Rose Court - Two Condominiums.

Motion by Alderman Kaminski for reconsideration and to approve the request by Dale Pinkalla for two condominiums located at 4350-4352 S. Rose Court subject to:

1) Very shallow sanitary sewer lateral, 150' long. Builder shall expose existing end of lateral before building grade is set. If reasonable, city may raise grade of building to get gravity flow. The other alternative will be the requirement of hung plumbing and/ or ejector pumps for this duplex. Sewer lateral will need cleanout cover (over 100' long).

2) Owner will need to expose more along the sides of the duplex than the revised elevation submitted on 9/15/200 shows. Exposure should commence at the back of the garage.

3) 2' – 3' high masonry retaining wall will be required behind the duplex. Retaining wall must be kept at least 8' from the detention pond easement.

4) Applicant will be required to abide by all subdivision deed restrictions, covenants and developers agreements.

Seconded by Mr. Barnes. Motion carried unanimously.

8. (3) U-61-98 Robert Dugan - 1521 S. Laurie Lane - Extension of Zoning Permit.

Motion by Mr. Chase to approve the request by Robert Dugan for an extension of the Zoning Permit for moving a home out of the State ROW located at 1521 S. Laurie Lane subject to:

1) Building stake-out survey required.

2) Installation of single-family residential structure to be completed within 90 days.

3) Move principle structure closer to the front setback. Setback of principle structure to be as close to street as septic field and front setbacks will allow.

4) Building Permit for foundation required.

5) Access to 1521 Laurie Lane will be restricted to Laurie Lane and City of New Berlin Access Permit required.

6) Rear yard setback of 15' (as shown) is incorrect, The R-4 Single-Family Residential District requires a 25' rear yard setback. Setbacks are measured to the eave line of the principle building or accessory structure. Drafting changes required on face of plat prior to the City of New Berlin approving a building permit.

7) Driveway to be located no closer than 5' to the northern lot line. A variance from the Board of Appeals required if less is desired.

8) An approved stormwater management plan required. Approval by City Engineer required prior to the issuance of a building permit.

Seconded by Alderman Kaminski. Motion carried unanimously.

9. (3) U-43-00 Carr, Kulkoski, & Stuller, S.C. – 16869 W. Greenfield Ave. – Raze Existing One-Story Wood Frame Building and Build a New 2-Story Masonry Block and Brick Building. (Tabled 7/10/00, N/A 8/7/00)

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

Motion by Mr. Felda to deny the request by Carr, Kulkoski, & Stuller, S.C. to raze existing one-story wood frame building and build a new two story masonry block and brick building located at 16869 W. Greenfield Avenue for the following reasons:

1) Submittal of a revised grading and drainage plan is required. Submittal of drainage and storm water calculation that meets the requirements of the City of New Berlin Storm Water Management Plan. Engineering Department must approve site grading and drainage plan, detention pond design and computation.

2) Submittal of a revised site plan that shows the building meeting the required setbacks for the B-2 district is required. The areaway (window well) encroaches +4' into the front and side setbacks.

3) Parking spaces provided fails to meet the requirement of § 17.0403 (11) (c) which calls for "one (1) space per 333 square feet gross floor area plus one (1) space per employee for the work shift with the largest number of employees". The 29 stalls provided fails to meet the required number of parking stalls per the above section of the Zoning Ordinance.

4) The proposed fence South of the parking lot and detention pond should be extended along the East lot line. Fence should be erected at 4' not 6' as proposed. The screening arborvitae must be a minimum of 6' BB not 4' BB as proposed. Number of plants shall be doubled and staggered along the South and East property lines for enhanced screening from the residentially zoned parcels.

5) Tree sizes must be a minimum of 2^{1/2} inches DBH (minimum of 4' from the ground) not calipers as proposed. Alternative arborvitae specie (Mugo Pine or Juniper) should be use to screen the air conditioning units to provide for diversity. This should also be staggered to provide adequate screening. The revised site/ landscaping plan must address the above concerns.

Seconded by Mr. Barnes.

Amendment by Mayor Gatzke to add:

6) If the applicant wishes, he would be allowed to come back with a modified set of plans within the next 12 months.

The applicant requested the item be tabled. Discussion about parking.

Motion by Mr. Barnes to table the request by Carr, Kulkoski, & Stuller, S.C. to raze existing one-story wood frame building and build a new two story masonry block and brick building located at 16869 W. Greenfield Avenue for the following reasons:

1) Allow applicant to submit revised plans.

2) Submittal of a revised grading and drainage plan is required. Submittal of drainage and storm water calculation that meets the requirements of the City of New Berlin Storm Water Management Plan. Engineering Department must approve site grading and drainage plan, detention pond design and computation.

3) Submittal of a revised site plan that shows the building meeting the required setbacks for the B-2 district is required. The areaway (window well) encroaches +4' into the front and side setbacks.

4) Parking spaces provided fails to meet the requirement of § 17.0403 (11) (c) which calls for "one (1) space per 333 square feet gross floor area plus one (1) space per employee for the work shift with the largest number of employees". The 29 stalls provided fails to meet the required number of parking stalls per the above section of the Zoning Ordinance.

5) The proposed fence South of the parking lot and detention pond should be extended along the East lot line. Fence should be erected at 4' not 6' as proposed. The screening arborvitae must be a minimum of 6' BB not 4' BB as proposed. Number of plants shall be doubled and staggered along the South and East property lines for enhanced screening from the residentially zoned parcels.

6) Tree sizes must be a minimum of 2^{1/2} inches DBH (minimum of 4' from the ground) not calipers as proposed. Alternative arborvitae specie (Mugo Pine or Juniper) should be use to screen the air conditioning units to provide for diversity. This should also be staggered to provide adequate screening. The revised site/ landscaping plan must address the above concerns.

Seconded by Mr. Felda. Motion carried unanimously.

NEW BUSINESS

10. (7) CU-5-00 Unisite - 3105 S. Johnson Rd. - Monopole Antenna Structure.

Motion by Mr. Christel to table per the applicants request the request by Unisite for a monopole antenna structure located at 3105 S. Johnson Road for the following reasons:

1) Siting of antenna has failed to satisfy the requirements of §17.0503(3) of the City of New Berlin Municipal Code including:

a) The proposed tower is not replacing an existing tower.

b) No co-locator has been identified.

c) No proof that existing towers cannot be engineered to accommodate additional antennas.

- d) Existing towers cannot be extended to accommodate additional antennas.
- e) A site containing an existing tower cannot accommodate an additional tower.
- 2) Two towers have been identified as being located within one mile of the proposed monopole.

Seconded by Mr. Felda. Motion carried unanimously.

11. (4) S-130-93 Stormy Acres - 21155 Windsor Drive - Final Land Division - Lot 10.

Motion by Mr. Chase to recommend to Council approval of the request for Stormy Acres final land division, Lot 10 located at 21155 Windsor Drive subject to:

- 1) Owners and Surveyor required to sign the Final CSM before the City will sign the Final CSM.
- 2) Label CSM number (8993) for lot 25 of the Stormy Acres Preliminary Plat, which was approved 5-9-00.
- 3) Must meet all the conditions of Developer's Agreement prior to building permits being issued.
- 4) Public Site, Open Space and Trail Fee waived due to 21.35 acre park dedication.

Seconded by Alderman Kaminski. Motion carried unanimously.

12. (4) S-130-93 Stormy Acres - 20805 W. Windsor Drive/20775 W. Barton Road - Final Land Division - Lot 18.

Motion by Mr. Chase to recommend to Council approval of the request for Stormy Acres final land division, Lot 18 located at 20805 W. Windsor Drive/20775 W. Barton Road subject to:

- 1) Owners and Surveyor required to sign the Final CSM before the City will sign the Final CSM.
- 2) Change Lot 1 to Parcel 1.
- 3) Label CSM number (8952, Parcel 3) for lot 16 of the Stormy Acres Preliminary Plat, which was approved 3-14-00.
- 4) Label "Proposed Road" Windsor Drive.
- 5) Barton Road 33' ROW to be "Dedicated for public Road purposes," and adjust acreage of parcel 1.
- 6) Change signature page, Judy A. Weter, City Clerk. Steven K. Hoese, Secretary, include 2000 dates.
- 7) Must meet all the conditions of Developer's Agreement prior to building permits being issued.
- 8) Public Site, Open Space and Trail Fee waived due to 21.35 acre park dedication.

Seconded by Alderman Kaminski. Motion carried unanimously.

13. (4) S-130-93 Stormy Acres - 20990 Windsor Drive - Final Land Division - Lot 29.

Motion by Mr. Chase to recommend to Council approval of Stormy Acres final land division, Lot 29 located at 20990 Windsor Drive subject to:

- 1) Owners and Surveyor required to sign the Final CSM before the City will sign the Final CSM.
- 2) Label CSM number (9015) for lot 13 of the Stormy Acres Preliminary Plat, which was approved 7-11-00.
- 3) Change signature page, Judy A. Weter, City Clerk. Steven K. Hoese, Secretary.
- 4) Must be recorded after Lot 30 of the Storm Acres Preliminary Plat.
- 5) Must meet all the conditions of Developer's Agreement prior to building permits being issued.
- 6) Public Site, Open Space and Trail Fee waived due to 21.35 acre park dedication.

Seconded by Alderman Kaminski. Motion carried unanimously.

14. (4) S-130-93 Stormy Acres - 20960 Windsor Drive - Final Land Division - Lot 30.

Motion by Mr. Chase to recommend to Council approval of Stormy Acres final land division, Lot 30 located at 20960 Windsor Drive subject to:

- 1) Owners and Surveyor required to sign the Final CSM before the City will sign the Final CSM.
- 2) Label CSM number (9015) for lot 13 of the Stormy Acres Preliminary Plat, which was approved 7-11-00.
- 3) Change signature page, Judy A. Weter, City Clerk. Steven K. Hoese, Secretary.
- 4) Must be recorded before to Lot 29 of the Storm Acres Preliminary Plat.
- 5) Must meet all the conditions of Developer's Agreement prior to building permits being issued.
- 6) Public Site, Open Space and Trail Fee waived due to 21.35 acre park dedication.

Seconded by Alderman Kaminski. Motion carried unanimously.

15. (3) U-69-00 B. B. Service Co. - 20090 W. Lincoln Ave. - Office and Shop.

Motion by Alderman Kaminski to approve the request by B.B. Service Co. for an office and shop located at 20090 W. Lincoln Avenue subject to:

- 1) Proposed building must be move 10' towards the west to provide a 20' side-yard setback along the easterly lot line. Per Section 17.04 all outside storage and parking areas to be approved and a minimum of 5' from side lot lines and 50' from front setback.
- 2) Razing Permit for the existing residential building is required from the Building Inspection and Zoning Department.
- 3) Building architecture to be approved by the Architectural Control Committee.

- 4) Building is required to have Fire Department assisted sprinkler system. Building must meet all applicable building and fire codes.
- 5) Connection to municipal water is required when it becomes available.
- 6) Special conditioned air exhaust system will be required for the proposed shop area. System to be approved by the Building Inspection and Zoning Department.
- 7) Waukesha County Department of Health approval for on site sanitary system required prior to issuance of Building Permit. The existing residential well and septic systems must be abandoned, as they will not be allowed for the proposed building.
- 8) Building plans must be stamped by a Wisconsin Registered Architect prior to issuance of a Building Permit.
- 9) Submittal of a detailed screening plan for the proposed area for outside storage in the rear of the building. Applicant shall utilize landscaping for screening and submit plan prior to issuance of Building Permit .
- 10) 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.
- 11) Number of equipment per Section 17.04 All outside storage of equipment shall be screened from public view by the use of fencing and landscaping. List of equipment shall be limited to the following:

Three pick-up trucks
Two dump trucks
One semi tractor
Three Excavators
One dozer
One skid steer
Four equipment trailers

Seconded by Mr. Chase. Motion carried unanimously.

16. (3) U-70-00 Tee It Up Golf Range - 20101 W. Cleveland Ave. - Miniature 18-Hole Golf Course.

Motion by Alderman Kaminski to set a Public Hearing before the Plan Commission on November 6, 2000.

Seconded by Mr. Christel. Motion carried unanimously.

17. (6) U-71-00 DBA New Berlin Gas - 14001 W. National Ave. - Paint Car Wash, Canopy, Building Band. Paint Pump Islands and Stripe on Top of Pump Building.

Motion by Mr. Chase to approve the request by DBA New Berlin Gas to paint car wash, canopy, building band, pump islands and stripe on top of pump building located at 14001 W. National Avenue subject to:

- 1) Submittal of a revised color scheme for review and approval by the Architectural Review Committee.

2) Removal of the illegal wooden structure next to the exit bay door on the East elevation of the car wash by October 31, 2000. Structure was installed without Plan Commission approval.

3) Per § 17.0314 (2) (d), outside display of merchandise is a permitted accessory use, but must not exceed five (5) percent of the gross floor area of the store or 500 square feet, whichever is less.

4) Installation of a permanent monument and canopy sign by October 16, 2000, upon the expiration of the temporary Sign Permit. Application for a Sign Permit can be obtained from the Planning Department and must receive Plan Commission approval prior to installation.

5) Per condition of your temporary Sign Permit, the signs shall be located outside the ultimate right-of-way of National Avenue and Sunny Slope Road. Please see that the signs are removed from the right-of-way.

6) All junk and trash must be cleared from the property per § 10.06 of the City of New Berlin Municipal Ordinance. Particular attention must be paid to the area between the car wash and the southerly lot line. The accumulation of miscellaneous junk and trash constitute a violation of this section of the Ordinance. Please see that the junk and trash on your property is cleaned up by October 15, 2000 at which time another inspection will be made.

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 a plan. At a minimum, enclosure must match or exceed the architectural exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.

8) Per the National Avenue Corridor Alternative Transportation Design and Guideline, a six-foot wide concrete sidewalk/ sidepath is required along National Avenue and Moorland Road. Street treatment includes, streetlights, benches and the re-modification of the existing ground/ pole sign to a monument base. Path design, location and construction must be reviewed and approved by the City of New Berlin Engineering Department and installed within one year of issuance of this approval

Seconded by Mr. Barnes. Motion carried unanimously.

18. (7) R-9-00 Crestview Place - 16850 W. Observatory - Rezone from O-1 to Rm-1/PUD for Seven Multi-Family Buildings.

Motion by Alderman Kaminski to table per the applicants request the request by Crestview Place to rezone the property located at 16850 W. Observatory for O-1 to Rm-1/PUD for seven multi-family buildings per the applicants request.

Seconded by Mr. Christel. Motion carried unanimously.

19. (4) S-144-94 Westridge Business Park - Lot 30 - 5770 S. Westridge Drive - NE 1/4 Sec 34 - Preliminary and Final Land Division.

Motion by Mr. Chase to recommend to Council approval of the Westridge Business Park, Lot 30, preliminary land division located at 5770 S. Westridge Drive subject to:

1) Owners and Surveyor required to sign the Final CSM before the City will sign the Final CSM.

2) Must meet all the conditions of Developer's Agreement, and pay any special assessments prior to building permits being issued.

3) Public Site, Open Space and Trail Fee of \$2,605.00 due prior to the City signing the final CSM.

Motion by Mr. Chase to amend motion to add:

4) Common lot line on center of easement.

Amendment seconded by Alderman Kaminski.

Motion as amended carried unanimously.

20. (5) U-73-00 Brewers Two - 14901 W. National Avenue - Exterior modifications and interior remodeling.

Motion by Mr. Christel to set a Public Hearing before the Plan Commission on November 6, 2000.

Seconded by Mr. Barnes. Motion carried unanimously.

21. (3) U-74-00 Wenthe Davidson Engineering Co. - 16300 W. Rogers Drive - Office addition.

Motion by Mr. Christel to table per the applicants request the request by Wenthe Davidson Engineering Co. for an office addition located at 16300 W. Rogers Drive.

Seconded by Mr. Barnes. Motion carried unanimously.

22. (5) U-75-00 Shorewest Realty - 3580 S. Moorland Road - 2,000 sq. ft. Office addition.

Motion by Mr. Felda to approve the request by Shorewest Realty for 2,000 sq. ft. office addition located at 3580 S. Moorland Road subject to:

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

2) Building plans must be stamped by a Wisconsin Registered Architect prior to issuance of a Building Permit.

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

4) Submittal of an overall site lighting plan with location and height of fixtures and intensity of illumination that meets the Zoning Code requirements. Plans must be approved by Planning Department prior to issuance of a Building Permit.

5) 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.

6) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). Solid waste as well as recyclable waste dumpsters must stored within the designated enclosure.

Seconded by Mr. Christel. Motion carried unanimously.

23. (2) U-76-00 M & M Bankcorp - 14100 W. National Ave. - Generator Installation.

Motion by Mr. Barnes to approve the request by M & M Bankcorp for generator installation located at 14100 W. National Avenue subject to:

1) Submittal of a revised sound performance measurement conducted at the location of the generator is required. This must take the expected reverberation from the building into account. Noise level not to exceed that allowed by § 17.0706 of the Zoning Ordinance at the northerly property line approximately 220 feet away. Sound deadening mechanism shall be required to muffle the sound of the diesel generator. Staff must be present at the initial testing of the generator.

2) Building and Electrical Permits must be obtained from the Building Inspection and Zoning Department prior to installation.

3) Applicant is required to notify all neighbors within 300 feet of the generation test schedule. Copy of such notice must be submitted to the Planning Department.

4) Brick enclosure with brick precast cap matching the building and add appropriate landscaping.

Seconded by Mr. Christel. Motion carried unanimously.

24. (4) U-77-00 Ameritech - 5535 Berkshire Ct. - Buried Vault to House Telephone Equipment.

Motion by Mr. Chase to approve the request by Ameritech for a buried vault to house telephone equipment located at 5535 Berkshire Ct. subject to:

1) The Development Review Committee would prefer the underground vault be located a minimum of five (5) outside the vision triangle. The easement should be flipped and move five feet southeast to provide for ample space for future public improvement at this intersection.

2) All necessary permits must be obtained from the Building, Inspection, and Zoning Departments prior to commencement of construction.

3) Submittal of a detailed landscaping plan for the entire site is required. Plans should include plant species, keys, botanical nomenclature and dbh sizes. The landscaping plan shall include updated corner treatment that mirrors the subdivision entrance pillars repeated at this corner. This will provide ample screening and reflect an orderly development that compliments the subdivision. Plans must be approved by the Planning Department prior to installation.

Motion by Mr. Chase to amend condition #1 to add, "at least 80' from the centerline of Grange and Sunnyslope Road".

Seconded by Mr. Kaminski. Motion to amend carried unanimously.

Motion as amended carried unanimously.

25. (1) U-78-00 Ameritech - 13915 W. Greenfield - Buried Vault to House Telephone Equipment.

Motion by Mr. Barnes to approve the request by Ameritech for a buried vault to house telephone equipment located at 13915 W. Greenfield Avenue subject to:

1) The Development Review Committee would prefer the underground vault be located a minimum of ten (10) from the property line along the alley. This would require moving the vault 4' 6" westward.

2) Submittal of a detailed landscaping plan for the entire site is required. Plans should include plant species, keys, botanical nomenclature and dbh sizes. Revised plans must extend landscaping to cover the above ground hatch and power pedestal.

3) All necessary permits must be obtained from the Building, Inspection, and Zoning Departments prior to commencement of construction.

Seconded by Felda. Motion carried unanimously.

26. (2) RO-48-00 Airgas & Puritan Medical Products - 2855 S. 163 Street - Medical and industrial gas distributor.

Motion by Alderman Kaminski to table the request by Airgas & Puritan Medical Products for medical and industrial gas distributor located at 2855 S. 163 Street for the following reasons:

1) To allow applicant to submit revised plans showing size and location and of tanks for the containment system.

2) The parking and truck maneuvering area on the site shall be re-paved and re-striped by October 2, 2001. The maneuvering land and parking stall dimensions must meet §17.043 of The New Berlin Zoning Ordinance. Prior to re-striping and re-paving a detailed site plan must be submitted showing the stall measurements and the layout of the lot and parking.

3) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. The exterior of the building shall be painted by May 31, 2001. Prior to re-painting a detailed color elevation showing the exact color scheme of the building must be submitted to the Plan Commission for approval.

4) Submittal of a landscaping / site plan by November 3, 2000.

5) Engineering specifications for the different tanks shall be submitted to the Planning Department prior to the issuance of a Building Permit.

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

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

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

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

10) A separate application is required from the Planning Department for any sign for this business

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

Seconded by Mr. Christel. Motion carried unanimously.

STAFF APPROVED

27. (4) U-68-00 Little Lambs of Peace Preschool - 17651 W. Small Rd. - Preschool Room for 26 Children.

The request by Little Lambs of Peace Preschool located at 17651 W. Small 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 number of children allowed to be enrolled in the classroom will not exceed twenty-six (26) children.
- 2) The illegal banner at the intersection of College Avenue and Small Road must be removed by September 22, 2000.
- 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 4) No outside storage of vehicles or equipment will be permitted on the property.
- 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) Employee and customer parking must be contained on this site.
- 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.

28. (2) U-72-00 Anderson Seal, Inc. - 16555 W. Lincoln Avenue - Tent and band for open house.

The request by Anderson Seal, Inc. for a tent and band for open house located at 16555 W. Lincoln Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) Removal of all the pallets and packing materials stored on designated parking stalls by September 21, 2000. This site does not have approval from the Plan Commission for outside storage.
- 2) The tent shall be located in the designated area marked on the plans and shall not exceed 30' x 30' must be taken down by September 25, 2000.
- 3) Employee, customer and visitor parking must be contained on this site.
- 4) No alcohol will be served on the premises.
- 5) No outside storage of vehicles or equipment 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 Municipal Code Section 17.1304 (14).

29. (4) SIGN – Boise Cascade – 16255 W. Stratton Rd. – One Wall Sign.(Tabled 3/6/00)

The request by Boise Cascade for one wall sign located at 16255 W. Stratton 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 monument base must have the required Westridge Towne Park address plaque.
 - 2) Monument sign must be located outside the right-of-ways of Stratton Drive and Emmer Drive.
 - 3) The overall height of the monument sign shall not exceed 8 feet.
 - 4) The monument sign will not exceed 4' x 8' (32 sq. ft.)
 - 5) The lettering and logo on the wall sign will not exceed 125.25 square feet
 - 6) Payment of \$388.50 outstanding sign fee.
 - 7) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
 - 8) Signs must be turned off outside of normal business hours.
 - 9) An Electrical Permit is required from the Building Inspection and Zoning Department for the internal lighting.
30. (7) SIGN - Q Nails - 3644 S. Moorland Rd. - Wall Sign.

The request by Q-Nails for a wall sign located at 3644 S. Moorland 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 wall sign / channel lettering shall meet the standards set forth by the New Berlin Plaza Sign Standards.
- 2) The wall sign / channel lettering shall not exceed 10' x 1.8' (18 square feet).

31. (3) SIGN - Southwest Metal Finishing - 2445 S. Calhoun Rd. - Double-Face Monument Sign.

The request by Southwest Metal Finishing for a double face monument sign located at 2445 S. Calhoun 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 address numbers shall be placed on the monument base and the monument base shall match the exterior material and color of the principle building.
- 2) The existing monument base shall be removed prior to the installation of the new monument sign.
- 3) Signs must be located outside the right-of-way of Calhoun Road and Liberty Lane.
- 4) Payment of \$70.00 outstanding sign fee.
- 5) The monument sign face will not exceed 10' x 3' (30 sq. ft.)
- 6) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 7) Signs must be turned off outside of normal business hours.

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

32. (2) SIGN - Alan C. Olson - 2880 S. Moorland - Aluminum Ground Sign.

The request by Alan C. Olson for an aluminum ground sign located at 2880 S. Moorland 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) Future tenants will be required to apply for a full Use Approval to the Planning Department prior to occupying the building.
- 2) A site plan must be submitted showing the exact location of the sign prior to the issuance of the sign permit.
- 3) Signs must be located outside the right-of-way of Moorland Road.
- 4) Payment of \$78.00 outstanding sign fee.
- 5) The monument sign face will not exceed 8' x 4' (32 sq. ft.)

33. (2) SIGN - West Allis Savings Bank - 15600 W. Cleveland Avenue - Replace faces on three sided sign

The request by West Allis Savings Bank to replace faces on a three sided sign located at 15600 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) Approval is granted for a temporary face change on the existing pole sign for a period of one (1) year to expire on October 2, 2001. At which time the existing sign will be placed or replaced with a new cabinet sign on a masonry monument base subject to the application, the plans which shall be filed and the approval from staff.
- 2) This approval does not include the replacement of the wall sign. A separate application will be required for a new wall sign.
- 3) Signs must be located outside the right-of-way of Moorland Road and Cleveland Avenue.
- 4) Payment of \$169.60 outstanding sign fee.
- 5) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 6) Signs must be turned off outside of normal business hours.
- 7) An Electrical Permit is required from the Building Inspection and Zoning Department for the internal lighting.

ZONING PERMITS

34. (1) RO-18-00 Lasting Memories – 16662 W. National – Photography. (Tabled 6/5/00)

The request by Lasting Memories to do photography at 16662 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) 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).
- 2) No outside storage of vehicles or equipment will be permitted on the property.
- 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 4) A separate application is required from the Planning Department for any sign for this business
- 5) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 6) Employee and customer parking must be contained on this site.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

35. (7) RO-41-00 School Tradition - 15350 National Ave. - Rm. 103 - Manufacturer's Rep.

The request by School Tradition for Manufacturer's Rep located at 15350 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) The parking area on the North end of the site shall be re-paved and re-stripped by May 31, 2001. The parking lot and stall specifications must meet §17.043 of The New Berlin Zoning Ordinance. Prior to re-stripping and re-paving a detailed site plan must be submitted showing the stall measurements and the layout of the lot and parking.
- 2) No outside storage of vehicles or equipment will be permitted on the property.
- 3) A separate application is required from the Planning Department for any sign 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 Municipal Code Section 17.1304 (14).
- 6) Applicant must also be aware of future National Avenue improvements as it relates to the National Avenue Corridor Alternative Transportation Plans.

36. (7) RO-42-00 OEM Solutions - 15350 National Ave. - Rm. 117 - Manufacturer's Rep.

The request by OEM Solutions for Manufacturer's Rep located at 15350 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) The parking area on the North end of the site shall be re-paved and re-stripped by May 31, 2001. The parking lot and stall specifications must meet §17.043 of The New Berlin Zoning Ordinance. Prior to re-

striping and re-paving a detailed site plan must be submitted showing the stall measurements and the layout of the lot and parking.

- 2) No outside storage of vehicles or equipment will be permitted on the property.
 - 3) A separate application is required from the Planning Department for any sign 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 Municipal Code Section 17.1304 (14).
 - 6) Applicant must also be aware of future National Avenue improvements as it relates to the National Avenue Corridor Alternative Transportation Plans.
37. (2) RO-44-00 Earthlogo.Com - 17020 W. Rogers Dr. - Promotional Products Distributor.

The request by Earthlogo.Com for a promotional products distributor located at 17020 W. Rogers Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file, and the following:

- 1) The truck maneuvering area on the North end of the building shall be paved and striped by October 2, 2001. All parking area shall be re-stiped to meet the rquirments of §17.043 of The New Berlin Zoning Ordinance. Prior to re-striping and re-paving a detailed site plan must be submitted showing the stall measurements and the layout of the lot and parking.
- 2) The exterior of the building shall be painted by May 31, 2001. Prior to re-painting a detailed color elevation showing the exact color scheme of the building must be submitted to the Plan Commission for approval.
- 3) A landscaping / site plan shall be submitted by November 3, 2000.
- 4) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). Location of dumpster enclosure must be clearly designated and the materials for construction including thickness of the concrete slab must be indicated on the plan. Enclosure must match or enhance the exterior architecture of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 5) No outside storage of vehicles or equipment will be permitted on the property.
- 6) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 7) A separate application is required from the Planning Department for any sign for this business
- 8) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 9) Employee and customer parking must be contained on this site.
- 10) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

38. (2) RO-45-00 ABB Automation - 2770 S. 171 St. - Warehouse and Assembly of Parts of Robotic Systems.

The request by ABB Automation for a warehouse and the assembly of parts of robotic systems located at 2770 S. 171 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) Per § 17.1210, a double fee shall be assessed for occupying the building prior to receiving a Zoning Permit. As this is an after the fact application, a payment of \$195.00 must be received prior to issuance of the Certificate of Occupancy.
- 2) No outside storage of vehicles or equipment will be permitted on the property.
- 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 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) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 7) Employee and customer parking must be contained on this site.

39. (3) RO-47-00 Tenor Controls - 2385 S. 179th St. - Sales and Service for Electrical Control Components.

The request by Tenor Controls for sales and service for electrical control components located at 2385 S. 179th 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) The existing multi-tenant sign must be restored by October 31, 2000. A separate application is required from the Planning Department for any sign for this business at this location.
- 2) 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).
- 3) No outside storage of vehicles or equipment will be permitted on the property.
- 4) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 5) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 6) Employee and customer parking must be contained on this site.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

40. (2) RO-49-00 West Shore Industries - 16344 Glendale Drive - Manufacturers of laminated desks, credenzas and conference tables.

The request by West Shore Industries for manufacturing of laminated desks, credenzas and conference tables located at 16344 Glendale Drive has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) Per § 17.1210, a double fee shall be assessed for occupying the building prior to receiving a Zoning Permit. As this is an after the fact application, a payment of \$195.00 must be received by November 3, 2000 or prior to issuance of the Certificate of Occupancy.
- 2) No outside storage of vehicles or equipment will be permitted on the property.
- 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 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) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 7) Employee and customer parking must be contained on this site.

COMMUNICATIONS

42. Communication To: Plan Commission

Communication From: Olofu Agbaji, Planning Administrator

RE: 4370/4372 S. Rose Court, Change in building elevations. (Kendall Breunig U-32-00)

Plan Commissioners recommended referring this item to staff and also copy this communication to Aldermen Kaminski.

43. Communication To: Plan Commission

Communication From: Olofu Agbaji, Planning Administrator

RE: Lens Best Laboratory, 15779 W. Ryerson Road, Zoning Permit Compliance. (RO-20-00)

Plan Commissioners recommended referring this item to staff.

44. Communication To: Plan Commission

Communication From: Mark C. Lake, Assistant Director of Planning

RE: Vacating a Small Portion of the North End of Danny Road following Completion of Road Extension to the West.

Plan Commission recommended referring this item to the Board of Public Works.

45. Communication To: Plan Commission

Communication From: Mark C. Lake, Assistant Director of Planning

RE: Letter dated September 20, 2000 from Frank Dobbs, Voice Stream, regarding reconsideration Plan Commission action of an 80' Stealth Telecommunications Antenna tower located at 12695 W. National Avenue. (CU-4-00)

This request was denied by Common Council.

46. Communication To: Plan Commission

Communication From: Mark C. Lake, Assistant Director of Planning

RE: Communication from David L. Foshey, Industrial Towel and Uniform, 16555 Glendale Avenue, additional overhead door (northeast) to a dock door. (U-51-00)

Referred to staff for approval.

47. Communication To: Plan Commission

Communication From: Olofu Agbaji, Planning Administrator

RE: Letter from Christopher Michels, All-Ways Contractors, Inc., 4800 S. Moorland Road, dated September 26, 2000. (U-56-00)

Referred to staff for approval.

Mr. Chase requested to add the following conditions:

1. Install silt fence between the pile and the North pond.
2. Maintain traffic path.
3. Remove the stone ramp that goes over the curb and make alternative provisions for site access.
4. Repair the fence between the South pile and I43.
5. Grade, seed and mulch the areas on the outside of the silt fence.
6. Correct the inappropriately installed silt fence on the Northeast side.

48. Communication To: Plan Commission

Communication From: Olofu Agbaji, Planning Administrator

RE: Hardee's, 15600 W. National Avenue - status. (U-58-99)

Project is complete.

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