

# Minutes

## NEW BERLIN PLAN COMMISSION

NOVEMBER 20, 2000

The Plan Commission meeting of November 20, 2000 was called to order by Mayor Gatzke at 7:05 P.M.

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

Secretary's Report - Mr. Lake reported on the schedule for the completion of Chapter 17 and 18. It is expected that Chapter 17 and 18 to be final by the week of December 25<sup>th</sup>. Review of these final chapters would be January 8, 2001 for Plan Commission and January 9, 2001 for Common Council to set a public hearing for January 23, 2001.

### NEW BUSINESS

4. Pro Health Care PUD - 13700-13900 W. National Avenue and 13755 Fieldpointe Drive.

Discussion to modify PUD Ordinance for principal uses under "Essential Services" to include "only buildings that are used to support uses proposed within the district".

Motion by Mr. Christel to recommend to Council approval of the request by Pro Health Care, Inc. to rezone the area north of Fieldpointe Drive to P-1/PUD and the area to the south of Fieldpointe Drive to I-1/PUD, subject to the application, plans on file, and the following:

- 1) Use, Site and Architectural approval required for any future improvements to this property.
- 2) Grading/filling as part of future improvements shall be performed by ProHealth Care, Inc per a grading plan submitted to the City.
- 3) Sewer and water plans for future improvements to be approved by all regulating authorities.
- 4) As this area develops, the existing and proposed residential and/or office buildings land coverage may not exceed 50 percent of Area 2, and a minimum of open space requirement of 30 percent of Area 2 will be maintained, and in no case shall the independent living apartments, or their equivalent, exceed 14 units per acre of Area 2 in total.
- 5) All plans for the improvements to the public way are to be approved and completed prior to building permits being issued.
- 6) Conformance to and participation in Regional Stormwater Management Plan required.

Seconded by Mr. Barnes. Motion carried unanimously.

5. Zoning and Subdivision Code Update With Consultant

Consultants present were Mr. Chris Duerksen and Ms. Wendy Moeller from Clarion Associates and LLC McBride Dale Clarion.

Mr. Duerksen revisited the schedule for the project indicating the draft of the entire ordinance would be presented by the end of next month and the adoption process will get underway and perhaps be completed in February.

Mr. Duerksen highlighted the major changes in Chapter 17.08, saying that all development standards are now in one spot and paging through the code to find them is no longer required. Minor changes were made in the site plan review principles. Major changes include natural resource protection, landscape and buffering, public facilities. Significant changes were also made in architectural design standards, offstreet parking and loading performance standards, and staff is also making some changes to the sign ordinance for your review.

Mr. Teclaw discussed the new chapter being considered on economic hardship and taking standard. He expressed that it introduced an element of subjectivity and potentially makes things less clear. Mr. Duerksen said that this chapter allows for an administrative process that gives relief from overly strict regulations. It follows the U.S. Constitution and hopefully this provision will be beneficial to both the land owners, developers, and the City .

Mr. Duerksen said there are a number of provisions in other areas of this ordinance where modification of standards are introduced. It has been decided that these modifications will be determined by the Plan Commission.

#### **ADDENDUM ITEM**

6. Waiver of the City of New Berlin Right of First Refusal, New Berlin Industrial Park.

Jim Voelz of the Redmond Company is seeking to purchase the ABB Property at 16250 W. Glendale Drive.

Motion by Mr. Barnes to recommend Council to waive the City of New Berlin Right of First Refusal for the New Berlin Industrial Park.

Seconded by Mr. Christel. Motion carried unanimously.

Motion by Alderman Kaminski to adjourn the Plan Commission meeting at 8:00 P.M. Seconded by Mr. Chase. Motion carried unanimously.