

# Minutes

**6:00 P.M. PUBLIC HEARING- CU-5-99 Milwaukee SMSA Limited Partnership – 2620 S. Calhoun Rd. – Cellular Antenna on Water Tower.**

**CITY OF NEW BERLIN  
PUBLIC HEARING  
MAY 3, 1999**

The public hearing relative to the request by James H. Gormley c/o SMSA Limited Partnership for a conditional use approval for a cellular antenna on the water tower located at 2620 S. Calhoun Road was called to order by Mayor Gatzke at 6:08 P.M.

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

Mr. Lake 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 if there was anyone wishing to speak in favor.

James Gormley, Foley & Lardner, 777 E. Wisconsin Avenue, Milwaukee - I represent SMSA Limited Partnership. You have before you, our plan of operation for the tower. As it is noted, we are going on a water tower which already has an existing cellular facility at the top. There will be an equipment enclosure constructed to match the existing masonry screen wall on the parcel. We have received the staff's recommendation and we will be able to comply with all the items. We may need some guidance from the Plan Commission on fencing or landscaping.

Mayor Gatzke asked three times if there was anyone else wishing to speak in favor, seeing none.

Mayor Gatzke asked if there was anyone wishing to speak in opposition three times, seeing none.

Mayor Gatzke asked for any questions or comments.

Hearing no questions or comments Mayor Gatzke called the public hearing closed at 6:12 P.M.

**6:01 P.M. PUBLIC HEARING- CU-4-99 New Valley Sand & Gravel Co. – S63 W19750 Racine Avenue (6401 S. Racine Ave) - Ready Mix Concrete Production.**

**CITY OF NEW BERLIN  
PUBLIC HEARING  
MAY 3, 1999**

The public hearing relative to the request by Michael T. King c/o New Valley Sand & Gravel Co. for a conditional use approval for a Ready-Mix Concrete Production located at S63 W19750 Racine Avenue (6401 S. Racine Ave) was called to order by Mayor Gatzke at 6:12 P.M.

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

Mr. Lake 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 if there was anyone wishing to speak in favor.

John Carter, - I am the Attorney representing Valley Sand & Gravel. I was on vacation for the last two weeks and just got back today. We did not get the letter dated April 22, 1999 sent to Mr. King. We did not get any of the data, which was apparently sent to him. It was sent to some address we are not familiar with. It was addressed to 9401 Racine Avenue but on the application on the permit the address is S63 W19750 (6401 S. Racine Ave). The parenthesis address is for filing only but we have a Muskego address. We are not prepared to respond.

Mayor Gatzke asked three times if there was anyone else wishing to speak in favor, seeing none.

Mayor Gatzke asked if there was anyone wishing to speak in opposition three times, seeing none.

Mayor Gatzke asked for any questions or comments.

Hearing no questions or comments Mayor Gatzke called the public hearing closed at 6:17 P.M.

#### **NEW BERLIN PLAN COMMISSION MAY 3, 1999**

The Plan Commission meeting of May 3, 1999 was called to order by Mayor Gatzke at 6:17 P.M.

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

Motion by Mr. O'Neil to approve the Plan Commission Minutes of April 12, 1999. Seconded by Alderman Kaminski. Motion carried unanimously.

#### **4. Plan Commission Secretary's Report**

The GDMP Meeting Scheduled for June 28 that has been changed to July 12. The July 12 current Plan Commission Meeting is then rescheduled for June 28.

#### **CONTINUED ITEMS**

#### **5. (4) U-34-98 Just Matty's – 14460 W. College – Revised Plans**

Motion by Mr. Chase to approve the request by Just Matty's for a 400 sq. ft. outdoor patio located at 14460 W. College Avenue subject to:

1) Brick fence (patio enclosure) to be approved by the Architectural Control Committee of the Plan Commission.

2) Based on the plans presented and the addition of a 400 sq. ft. patio, site will require a minimum of 39 parking stalls. No offsite parking will be allowed. Plan Commission reserves the right to limit the use of new patio because of noncompliance with section 17.0403 of the City of New Berlin Municipal Code.

3) Hours of operation of the Patio area will be limited to 11:00 AM to 12:00AM daily. Plan Commission reserves the right to regulate the outside hours and noise levels.

Seconded by Alderman Kaminski. Motion carried unanimously.

6. PG-629 Well Head Protection Overlay Ordinance.

Motion by Mr. O'Neil to remove this item from the table. Seconded by Alderman Kaminski. Motion carried unanimously.

Motion by Alderman Kaminski to recommend to Council to have the City Attorney draft the Wellhead Protection Overlay Ordinance. Seconded by Mr. Chase. Motion carried unanimously.

7. (2) U-9-99 Milwaukee Tool & Machine Co. – 17145 Victor Rd. – 6,000 Sq. Ft. Addition to Existing 16,320 Sq. Ft. Building.

Motion by Mr. Chase to table the request by Milwaukee Tool & Machine Co. to construct a 6,000 sq. ft. addition at the existing facility located at 17145 W. Victor Road for the following reasons:

1) Approval of the revised drainage and grading plan that submitted on 4/7/99 by the Engineering Department prior to Building Permit being issued.

2) Due to the extent of the proposed development, a detention pond is required under the city's current storm water management standards.

3) The City of New Berlin Architectural Review Committee must approve building material and exterior architecture.

4) Submittal of an overall landscaping plan done by a professional landscape architect for the entire site with existing and proposed plantings. This should include a detailed schedule of plant keys, dimensions and planting scheme, method and timetable.

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

6) Building addition must meet all applicable building and fire codes; building must be fully sprinklered. State of Wisconsin and local fire prevention bureau approval required.

7) All dumpsters and recyclable waste dumpsters outside their enclosure must be placed with the enclosure. If enclosure can not accommodate the number of dumpsters on your property, it must be expanded to accommodate both solid as well as recyclable waste dumpsters.

8) SEWRPC Stormwater Management Plan review required.

Seconded by Alderman Kaminski. Motion carried unanimously.

## **NEW BUSINESS**

8. (5) U-19-99 The Preserve at Deer Creek – Senior Apartment/Multi Family – 14300 W. Howard Avenue – Senior housing, independent and assisted living, daycare facility with a residential character.

The applicant gave a brief presentation explaining the project.

Motion by Mr. Chase to table the request by The Preserve at Deer Creek for site and architecture and approval of the use as a senior multifamily/assisted care facility and daycare center at 14300 W. Howard Avenue for the following reasons:

- 1) Stormwater Management Plan to be approved by the City of New Berlin Engineering Department. Building located within the required 50' setback of Deer Creek. 50' setback measurement to be taken from the ordinary high-water mark of Deer Creek (top of bank).
- 2) Building stake-out survey required for building permit.
- 3) Stormwater Management Plan to be reviewed by the Southeastern Wisconsin Regional Planning Commission for its potential regional impacts.
- 4) Detailed Grading Plan to be submitted and approved by the City of New Berlin Engineering Department. Plan does not address the floodplain in the area.
- 5) Developer's Agreement for the utilities and the extensions of 147th Street and Wilbur Drive required.
- 6) Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot.
- 7) Building must meet all applicable building and fire codes.
- 8) Approval Architectural Control Committee of the Plan Commission required. Building to be more substantially bricked. Roof feature needs work.
- 9) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code § 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.
- 10) All utilities to be fed underground.
- 11) Lighting Plan required, plan should incorporate all lighted portions of the site.
- 12) Revised Landscaping Plan required. Plan should include species, size, and quantity of all trees, shrubs and plantings.
- 13) No Condominiums will be allowed on the West side of 147th Street.
- 14) Detailed Road Plans are required.
- 15) Revised plans for the condominiums required. Plan shows a condo too close to Wilbur Drive. Plan does not address the expansion of the Well #2 reservoir.

16) Trail to extend all along the East side of Deer Creek to Wilbur Drive.

17) Detailed plans for the bridge features required. (extension of Wilbur Drive and Bike/pedestrian bridge.)

18) 5' concrete sidewalk required along both sides of 147th Street. Revised site plans required.

19) Dedication of Deer Creek Drainage area required.

Seconded by Mr. O'Neil. Motion carried unanimously.

9. (4) U-17-99 G.P.D. Development – 16105 W. Beloit Rd. – New National Headquarters.

Motion by Alderman Kaminski to approve the request by G.P.D. Development. for use, site and architecture for a 172,000 sq. ft. office and warehouse facility located at 16105 W. Beloit Road subject to:

1) Building architecture and materials to be approved by the Architectural Control Subcommittee.

2) Building stakeout survey required for building permit.

3) Sign permit required under separate application.

4) Temporary access to Beloit road required prior to building permit or early start being issued. Existing culvert located near West End of site along Beloit Road.

5) Satisfy the concerns of the Engineering Department as they pertain to the grading, stormwater, and catchbasins. Coordinated Stormwater Management Plan for these northerly four building are required.

6) City of New Berlin parking stalls are only required to be 9'x19' with two-way drives of 24' not 9'x18' as proposed in some areas.

7) Curbs shall not extend past the ROW line.

8) All parking and drive areas to be fully curbed unless Engineering Department allows a change for sheet drainage. Curbs not required in truck areas.

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

10) Building must meet all applicable building and fire codes. Building must be fully sprinklered.

11) Fire Hydrant is required within 150 feet of the City of New Berlin Fire Department connections.

12) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code § 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.

13) North side truck dock (and dumpster location) to be more substantially screened from Beloit Road.

14) Mechanicals to be properly screened from view. Revised elevations, which include the mechanicals, required.

15) Revised Landscaping Plan required plan as submitted rely on a substantial amount of "Ex. Vegetation to Remain." Not all vegetation is of the necessary size or caliper and plan may need to be augmented. A revised Landscaping Plan showing the newly added vegetation will be required if any trees are removed for utilities, temporary accesses or stormwater management.

16) A 25' landscape buffer is required along the west side to shelter the existing single-family residential land use. Any removal of the trees for utilities, grading, etc. will required replacement. May want to move roadway east to accommodate.

17) Use of Towne Corporate Park designated lighting fixtures required.

Mr. Chase commented on stormwater concerns. Mayor Gatzke advised Planning Staff to send a letter indicating that necessary calculations must be provided to show the City that the detention facilities will be adequate.

Seconded by Mr. Christel. Motion passes with Mr. O'Neil, Alderman Kaminski, Mr. Felda, Mr. Christel, Mayor Gatzke voting Yes and Mr. Chase voting No.

10. (4) CU-4-99 New Valley Sand & Gravel Co. -- S63 W19750 Racine Avenue (6401 S. Racine Ave) - Ready Mix Concrete Production.

Motion by Mr. Chase to table the request by New Valley Sand & Gravel Co. for ready mix concrete production at S63 W19750 Racine Avenue (6401 S. Racine Ave) for the following reasons:

1) Submittal of a revised site plan drawn to scale with as built grades and topos showing every structure on site. Submitted plans must meet all Plan Commission conditions of approval and Zoning Ordinance requirements. Bonding or some other financial guarantee of a sufficient amount in the opinion of the City Engineer may be required.

2) Hours of operation of 6AM to 6PM do not address weekday and weekend hours. This will not be acceptable. Hours of operation should reflect that of the entire facility including all days of the week and weekend hours.

3) A revised restoration plan shall be submitted showing proposed grades, all waterways, no quarrying within 200 feet of any public ROW. This plan must show the sizes and heights of slopes and proposed berms.

4) Aerial topos are to be submitted every two years. We would need and as built aerial topo for this project.

Seconded by Alderman Kaminski. Motion carried unanimously.

11. (5) S-154-99 Evergreen – 12900 Peachtree Ln. – Preliminary Subdivision Plat.

Motion by Mr. Chase to table the request by Michael Schiltz for preliminary plat for Evergreen subdivision for the following reasons:

1) A new name for the subdivision must be used. Evergreen used in Town of Delafield.

2) Plat as submitted shows a large amount of buildable area, buildable area would have to be modified to take into account the wooded area and grading concerns. Construction/grading of any of the wooded lots would have to be limited to the preplanned/deed restricted building envelope only.

3) Letter of no objection from the State of Wisconsin DOA required.

4) Unconditional letter of no objection from Waukesha County Department of Parks and Land Use required.

5) No construction, clearing, and/or grubbing allowed until the Common Council grants preliminary subdivision approval.

6) Adherence to 17.1308(10) woodland preservation required.

7) Satisfaction of the many concerns of the Engineering Department dealing with storm sewers, the detention pond, sanitary sewers, grading, etc. All concerns to be worked out with the City of New Berlin – Engineering Department.

8) Length bearing and tie to all easements required.

9) City of New Berlin Park and Rec. Department is looking for some land dedication for a "tot-lot" of ~ 1-2 acres in lieu of open space fees. If dedication is not made, payment of \$1,000.00/lot in Public Site, Open Space and Trail Fees to be paid before the City of New Berlin will sign the final plat.

10) Schedule:

March 29, 1999 – Plat Received

June 7, 1999 – Plan Commission date for final action

June 22, 1999 – Common Council date for final action

Seconded by Mr. O'Neil. Motion carried unanimously.

12. (4) U-20-99 Walter Nowicki – 5850 S. Timber Ridge Ct. – Swimming Pool in East Side Yard

Motion by Alderman Kaminski to approve the request by Walter Nowicki for a swimming pool in the East side yard at 5850 S. Timber Ridge Ct. subject to:

1) All Building Permit requirements to be met. Principle residence not built to the approved permit satisfaction of discrepancies required.

2) Plumbing and Electrical Permits are required from Building, Inspections and Zoning Department.

3) Overall grading concerns must be resolved with the Engineering Department prior to Building Permits being issued. Walls may need to be 5'-6' rather than 4' high as shown in the elevation. The wall should also be extended along the westerly lot line.

4) This project will be subject to scheduled inspections at designated stages of construction to ensure compliance with the conditions of approval. Unless approval is given the project will not be allowed to proceed to the next phase. If there is any violation, corrective measures will be taken to bring them to compliance.

5) No fill, construction or disturbance will be allowed within the C-2 Shoreland Wetland District.

6) Owner is notified that in 90 days from this date (May 3, 1999) the City has the authority to come out and investigate whether the drive is or is not in proper location in relation to the City code. If it is not in proper location according to the City code, we have the capacity to issue a citation with a per day fine.

Seconded by Mr. Christel. Motion passes with Mr. O'Neil, Alderman Kaminski, Mr. Felda, Mr. Christel, Mayor Gatzke voting Yes and Mr. Chase voting No.

13. (4) U-21-99 Waukesha County Department of Administration – 19885 W. National Ave. – Replace Existing 80' Tower with a 180' Lattice Radio Tower and Equipment Cabinet.

Motion by Mr. Chase to approve the request by Waukesha County Department of Administration to replace an existing 80' tower with a 180' lattice radio tower and equipment cabinet located at 19885 W. National Avenue subject to:

- 1) Relocation of existing facilities (as needed) required.
- 2) Tower to be constructed to allow for multiple carriers.
- 3) Tower plan and shelter plans to be stamped by an engineer registered in Wisconsin.
- 4) Location of tower and support equipment to allow for expansion of Fire Station #3.
- 5) Submittal of a landscaping plan (for shelter screening) with plant key and plant specifications to be approved by the Planning Department and installed within 30 days of completion of tower and shelter. If shelter required to be fenced in, cedar fencing required.
- 6) Each additional co-locator will require separate Use Approval for the installation of arrays, multipliers, or building equipment. If there are any additional users of tower, City is to receive part of the rent.
- 7) Building Permits required for all construction.
- 8) Lease Agreement with the County reviewed by the City Attorney.
- 9) Confirmation of location of nonconflict with existing septic systems.

Seconded by Mr. Christel. Motion carried unanimously.

14. (2) CU-5-99 Milwaukee SMSA Limited Partnership – 2620 S. Calhoun Rd. – Cellular Antenna on Water Tower.

Motion by Mr. O'Neil to recommend to Council approval of the request by Milwaukee SMSA Limited Partnership for a cellular antenna on a water tower located at 2620 S. Calhoun Road subject to:

- 1) Approved PSI prefabricated 12' x 27' building plans and/or manufacturer's specifications for review and approval by the Planning Department and the Architectural Control Committee of the Plan Commission. Building to match existing structure.
- 2) All structural Plans to be stamped by a Wisconsin architect and/or engineer.
- 3) Landscape Plan with plan key and plant specifications to be reviewed and approved by the Planning Department. No fence required.

- 4) Review and approval of the City of New Berlin – Water Utility required.
- 5) Antenna arrays require a 3' access tub extension, certification by a structural engineer approved by the City of New Berlin – Water utility required.
- 6) Elevations don't match Keyed plan notes. Elevation shows a 12' building elevation note say 10' and keyed plan notes say 11'. Fence measures to 5' but keyed plan notes say 7'
- 7) Approved lease required to be on file prior to any building permits being granted.

Seconded by Mr. Chase. Motion carried unanimously.

15 (4) U-22-99 Roy & Roxanne Clemence – 12960 W. Hawthorne Ln. – Build a Deck within the C-1 Zoning.

Discussion about the size of the lot, moving the house up on the lot and requesting a variance, two or three car garage to fit into the neighborhood, neighborhood standards for resale value, how close is building allowed to conservancy, how property became conservancy, etc.

Motion by Mr. Chase to end debate. Seconded by Mr. Felda. Motion to end debate carried unanimously.

Motion by Mr. Chase to table the request by Roy & Roxanne Clemence to build a deck within the C-1 Zoning at 12960 W. Hawthorne Lane for the following reasons:

- 1) The City of New Berlin Zoning Ordinance does not identify or allow any accessory or conditional uses within the C-1 district.
- 2) A deck is considered part of the principle structure as interpreted by the building code. It is not an accessory structure.
- 3) The final plat for the Woodfield Park Subdivision approved in 1992 shows 115' rear yard setback measured from the front property line specifically for lots 76-79. This was to preserve the secondary environmental corridor along the rear of the properties. This request goes against the conditions of approval of the subdivision.
- 4) Per Engineering Department, based on the submitted scaled drawings, from plot and building elevations, and the 115' setback, the proposed house may not fit on this lot without the attached deck.
- 5) Extensive reconfiguration and redesigning will be required to make the building fit within the approved building pad.
- 6) If the house is moved forward and building configuration not changed, a sideyard variance from the Board of Appeals is required.

Seconded by Mr. Christel. Motion carried unanimously.

16. (4) U-23-99 Moorland Road Golf Center – 5900 S. Moorland Rd. – Golf Practice Facility and Miniature Golf Course.

Motion by Mr. Chase to approve the request by Moorland Road Golf Center for a golf practice facility and miniature golf course located at 5900 S. Moorland Road subject to:

- 1) Stormwater Management Plan to be approved by the City of New Berlin Engineering Department prior to a Building Permit being issued.
- 2) Stormwater Management Plan to be reviewed by the Southeastern Wisconsin Regional Planning Commission for its potential regional impacts.
- 3) Final Grading Plan to be approved by the City of New Berlin Engineering Department.
- 4) Waukesha County access permit for a Moorland Road Culvert required.
- 5) Rezoning of non-conservancy lands from A-1 Agricultural District to P-1 Park District required.
- 6) Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot.
- 7) Building must meet all applicable building and fire codes.
- 8) All structures (Clubhouse, Maintenance Building, Golfer Shelter and Shed) to be approved by the Architectural Control Committee of the Plan Commission.
- 9) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code § 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.
- 10) All utilities to be fed underground.

Seconded by Mr. O'Neil. Motion carried unanimously.

17. (4) R-1-99 Moorland Road Golf Center – 5900 S. Moorland Rd. – Rezone from A-1 to P-1.

Motion by Mr. Chase to recommend to Council approval of the request by Moorland Road Golf Center to rezone the property at 5900 S. Moorland Road from A-1 to P-1 subject to:

- 1) Use/site and architectural approval required.
- 2) Coordination with Don Reed of the Southeastern Wisconsin Planning Commission (SEWRPC) on using the secondary environmental corridor required.
- 3) Landscaping Plan in use application to address the protection of the wetlands and land to the south by errant golf balls through natural means, not by netting. Coordination with Don Reed of SEWRPC on the proper retrieval of balls required.
- 4) Stormwater Management Plan to be reviewed by the Southeastern Wisconsin Regional Planning Commission for its potential regional impacts.
- 5) Access Permit from the Waukesha County DOT required.
- 6) Zoning to be coincident with lease as a golf complex. If use ceases for a period of 12 months, zoning reverts to A-1

Seconded by Mr. Christel. Motion carried unanimously.

18. (2) U-24-99 New Berlin Water Utility, Well #3, Rogers Dr. Pumpstation – 16100 W. Rogers Dr. – Modifications to Existing Structure.

Motion by Mr. Chase to approve the request by New Berlin Water Utility for modifications to existing structure located at 16100 W. Rogers Drive subject to:

- 1) Permits are required from the Building, Inspections and Zoning Department for overall addition and all internal modifications.
- 2) The City of New Berlin Architectural Review Committee must approve building material and exterior architecture.
- 3) Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot.

Seconded by Mr. O'Neil. Motion carried unanimously.

19. (6) U-25-99 New Berlin Water Utility, Well #4, Green Ridge Pumphouse – 12400 W. Crawford Dr. – Addition and Restoration of Existing Structure.

Motion by Mr. Chase to approve the request by New Berlin Water Utility for an addition and restoration of existing structure located at 12400 W. Crawford Drive subject to:

- 1) Permits are required from the Building, Inspections and Zoning Department for overall addition and all internal modifications.
- 2) The City of New Berlin Architectural Review Committee must approve building material and exterior architecture.
- 3) Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot.
- 4) Variance required from Zoning Board of Appeals for Building Setback and Vision Corner.

Seconded by Mr. O'Neil. Motion carried unanimously.

**STAFF APPROVED**

20. (2) SIGN – Sentry Insurance – 2665 S. Moorland Road – Re-configure existing road pylon sign.

The request by Sentry Insurance to reconfigure the existing road pylon sign located at 2665 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) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 2) The ground signboard shall not exceed 5' x 6' (30 square feet). The individual tenant spaces shall not exceed 10"x70".

3) Payment of \$70.00 for ground sign fee: (30 sq. ft. x \$2 x 2 sides = \$120.00- \$50 application fee = \$70.00.)

4) Section 17.0802 of the Zoning Ordinance states that, "any sign hereafter constructed, erected, relocated, moved, damaged, reconstructed, extended, enlarged, changed (including changing the sign face), altered, or modified requires review and approval of Plan Commission."

5) Each tenant that you add to the signboard must apply to plan commission to be added to the sign. This is the only sign allowed for this property.

6) The Sylvan Learning Center Sign located on Moorland Road must be removed before sign permits will be issued.

7) The temporary MSI construction sign and other temporary signs (Real Estate Signs) shall be removed within six months or upon erection of permanent signs, whichever is soonest.

#### 21. (2) SIGN – M & I Bank – 15300 W. Howard – Temporary Banner Sign

The request by M& I Bank for a temporary banner sign located at 15300 W. Howard 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) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.

2) The temporary banner sign shall not exceed 2' x 10' (20 sq. ft.).

(20 sq. ft. x \$2 per sq. ft = \$40.00 - \$50 application fee received = \$0.)

3) Section 17.0802 of the Zoning Ordinance states that, "any sign hereafter constructed, erected, relocated, moved, damaged, reconstructed, extended, enlarged, changed (including changing the sign face), altered, or modified requires review and approval of Plan Commission."

4) The sign shall come down thirty days from the day it was erected. The sign will be erected

#### **ZONING PERMITS**

22. (2) RO-7-99 Park Crest Center II – 2665 S. Moorland Rd. – Converting a Medical Office to an Insurance Office.

The request by Park Crest Center II to convert a medical office to an insurance office located at 2665 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 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 from Building Inspection are required for internal modifications.

4) No outside storage shall be permitted on the premises.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). This should include recycling containers as well.

6) The Sylvan Learning Center Sign located on Moorland Road must be removed before occupancy.

7) Submittal of and approval of an overall coordinated sign plan that will accommodate tenants with building at full occupancy.

8) The temporary MSI construction sign and other temporary signs (Real Estate Signs) shall be removed within six months or upon erection of permanent signs, whichever is soonest.

23. (2) RO-8-99 Colonial/Penn Mutual Life Insurance Co. – 2665 S. Moorland – Sales Office for Insurance Co.

The request by Colonial/Penn Mutual Life Insurance Co. for a sales office for an insurance company located at 2665 S. Moorland 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 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 from Building Inspection are required for internal modifications.

4) No outside storage shall be permitted on the premises.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). This should include recycling containers as well.

6) The Sylvan Learning Center Sign located on Moorland Road must be removed before occupancy.

7) Submittal of and approval of an overall coordinated sign plan that will accommodate tenants with building at full occupancy.

8) The temporary MSI construction sign and other temporary signs (Real Estate Signs) shall be removed within six months or upon erection of permanent signs, whichever is soonest.

24. (2) RO-10-99 Landmark Credit Union Offices – 2775 S. Moorland Rd. – Offices.

The request by Landmark Credit Union Offices for the location of offices at 2775 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 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. Sprinkler head relocation may be necessary.

3) Permits from Building Inspection are required for internal modifications.

4) Per Building, Inspection and Zoning Department, light fixture wattage and switching diagrams and charts are required as part of the energy conservation requirements.

4) No outside storage shall be permitted on the premises.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). This should include recycling containers as well.

6) A new sign application with an updated sign plan for the overall building occupants must be filed and submitted to the Planning Department by May 5, 1999 according to the City of New Berlin Zoning Code section 17.0803 and 17.080.

25. (2) RO-11-99 Old Republic – 16150 W. Lincoln Avenue – Record and film storage.

The request by Old Republic for record and film storage located at 16150 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) The 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 from Building Inspection are required for internal modifications. Building Permit required for dismissing wall.

4) No outside storage shall be permitted on the premises.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). This should include recycling containers as well.

6) A Use Site and Architectural approval is required for any exterior modification alterations.

7) Use Approval will be required to convert the building from single tenant to multi-tenant prior to approving any future occupants. Submittal of an overall plan for the building, which shows the individual tenant spaces, landscaping plans, and parking plans.

8) The building must be brought up to City of New Berlin Zoning Code standards. The New Berlin Zoning Ordinance section 17.0403 (7) states that parking areas and aisles in all districts shall be paved with asphalt or concrete surface. The parking lot shall be paved and re-stripped by June 1, 1999.

26. (2) RO-12-99 Flexon Casters – 2415 S. 170<sup>th</sup> Street – Warehouse and sales office.

The request by Flexon Casters for a warehouse and sales office located at 2415 S. 170<sup>th</sup> 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 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 from Building Inspection are required for internal modifications or demolition work.

4) No outside storage shall be permitted on the premises.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). This should include recycling containers as well. A fenced enclosure shall be erected by May 28, 1999.

6) The current sign in front of the building shall be removed upon erection of the new one.

7) The parking lot shall be re-stripped by May 28, 1999.

27. (3) RO-13-99 Northbrook Central Publishing – 21420 W. Greenfield Avenue – Magazine publisher.

The request by Northbrook Central Publishing for a magazine publisher located at 21420 W. Greenfield Avenue has been reviewed and Conditionally Staff Approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) The 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 from Building Inspections are required for internal modifications. Building Permit required for dismissal of wall.

4) No outside storage shall be permitted on the premises. All construction bins and wood stored outside must be removed by April 30.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). This should include recycling containers as well.

6) Submittal of an overall parking plan and landscaping plan should be submitted to the Planning Department by April 30, 1999.

7) A current parking agreement between the two properties should be submitted to the planning Department by April 30. This agreement should be signed by both property owners.

28. (2) RO-14-99 Sells Printing – 2228-32 S. 162 St. – Offline Mailing Operation

The request by Sells Printing for an offline mailing operation located at 2228-32 S. 162 Street has been reviewed and Conditionally Staff Approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

1) The 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 from Building Inspection are required for internal modifications.

4) No outside storage shall be permitted on the premises.

5) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). This should include recycling containers as well.

## **COMMUNICATIONS**

29. Communication To: Plan Commission

Communication From: City Clerk Bill Bowers dated April 8, 1999.

RE: Campaign Signs

Mr. Bowers said that campaign signs are recently becoming a headache for myself and for the Police Department. Current law says they have to be on private property which means they have to be out of the right-of-way. A lot of these signs are illegally placed.

My recommendation would be that you recommend to Council that political signs be allowed to be placed in the right-of-way as long as they are a set distance from the edge of the road so I can tell the candidates exactly where signs can be placed so these signs will be consistent throughout the City. Also add that Police have the right to remove any signs creating a safety hazard.

The other option would be for me to go to Engineering and Planning and request that they supply a map showing right-of-ways that I can give to candidates. We had three Police Officers pulled off of patrol on election day to measure signs from the right-of-way in reply to calls we received. It should not be necessary for our Police Force to spend their time this way.

Mayor Gatzke suggested that if there is to be an ordinance written it might include requiring candidates for office have written permission from landowners to place signs on their property and establish a firm footage from the edge of the road and no signs be allowed on public property.

Motion by Mr. Christel to recommend to Council to have an ordinance drafted relating to the location of election signs. Seconded by Mr. Felda. Motion carried unanimously.

30. Communication To: Plan Commission

Communication From: Linda Richter, 15225 Elmont Lane, New Berlin, WI 53151

RE: Campaign Signs

This communication relates to the same as No. 29 above.

31. Communication To: Plan Commission

Communication From: Mayor Gatzke

RE: Appointment of Vice Chairman

Mr. Christel is reappointed as Vice Chairman of the Plan Commission for May 5, 1999 to May 6, 2000.

32. Communication To: Plan Commission

Communication From: Plan Commissioner O'Neil

RE: Applewood Senior Homes Addition, Revised Site Plan/Status of Applewood 2900 S Moorland Road CU-10-98

Different site plans were presented showing the status of Applewood.

33. Communication To: Plan Commission

Communication From: Brian R. Riordan

RE: Plesko involvement in the commercial site at Westridge

This item will be discussed at a later date.

34. Communication To: Plan Commission

Communication From: Robert P. Biebel, Chief Environmental Engineer, SEWRPC

RE: Milwaukee Tool & Machine Co., 17145 Victor Road (U-9-99)

This communication is the response from our letter to SEWRPC.

35. Communication To: Plan Commission

Communication From: Robert P. Biebel, Chief Environmental Engineer, SEWRPC

Denco Mfg., 2300 S. 179 Street (U-18-99)

This communication is the response from our letter to SEWRPC.

Motion to adjourn the Plan Commission Meeting at 8:31 P.M. Seconded by Mr. O'Neil. Motion carried unanimously.