

## NEW BERLIN PLAN COMMISSION

JUNE 28, 1999

### Minutes

The Plan Commission meeting of June 28, 1999 was called to order by Mayor Gatzke at 6:05 P.M.

In attendance were Mayor Gatzke, Mr. Chase, Alderman Kaminski, Mr. O'Neil. Also present was Mark Lake, Assistant Director of Planning, Olofu Agbaji, Planning Administrator. Mr. Barnes arrived at 7:30 P.M. Mr. Christel and Mr. Felda were excused.

Motion by Alderman Kaminski to approve the Plan Commission Minutes of June 7, 1999. Seconded by Mr. O'Neill. Motion carried unanimously.

#### SPECIAL PRESENTATION

##### 5. PG-764 Impact Fee Study

Tim Barbeau from R A Smith & Assoc. and Carla Ballweg from Virchow, Krause gave a brief presentation outlining the process followed for the Impact Fee Study. There is a schedule indicating what the single family, multi family, industrial and retail fees are going to be for the various impact fees developed. Following the schedule are assumptions made in developing those fees.

The Impact Fee Document will be finalized and voted on along with the schedule at the July 12, 1999 Plan Commission meeting and July 13, 1999 Common Council meeting.

#### CONTINUED ITEMS

6. (6) R-2-99 Woodridge Community Church – 13800 W. Howard – Rezone from R-4.5 to I-1. (Tabled 6/7/99)

Motion by Mr. O'Neil to table the request by Woodridge Community Church to conditionally rezone the property located at 13800 W. Howard from R-4.5 to I-1 for the following reasons:

- 1) Wetland delineation required for suspected wetlands identified on NRCS map and SEWRPC Stormwater map.
- 2) Razing permits required for all buildings to be removed as part of development.
- 3) Use Approval and building permits for the renovation and occupancy of the existing homestead required.
- 4) Sewer and water hookups to be sized for ultimate build-out.
- 5) Detention pond to be built in first phase of development.
- 6) Parking lots to be fully curbed unless Engineering Department determines sheet drainage required. Those areas not used for sheet drainage are to be curbed.
- 7) Use approval for each phase of the church expansion required.

- 8) Preliminary and Final Subdivision Plat approval required for lands not being rezoned for church use.
- 9) Clean-up and removal of junk and trash on entire property required in first phase of development.

Seconded by Alderman Kaminski. Motion carried unanimously.

7. (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. (Tabled 5/3/99, 6/7/99)

Motion by Alderman Kaminski to conditionally approve the request by Jerry Bourquin/The Preserve at Deer Creek for senior apartment/multi family located at 14300 W. Howard Avenue subject to:

- 1) Stormwater Management Plan to be approved by the City of New Berlin Engineering Department.
- 2) Building stake-out survey required for building permit.
- 3) Detailed Grading Plan to be approved by the City of New Berlin Engineering Department. Plan does not address the floodplain in the area. Grading Plan still includes the three duplex buildings located on the westside of the 147th Street.
- 4) Developer's Agreement for the utilities and the extensions of 147th Street and Wilbur Drive required. Sewer and water plans to be approved by all regulating authorities.
- 5) Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the lot.
- 6) Building must meet all applicable building and fire codes.
- 7) Approval by the Architectural Control Committee of the Plan Commission for all elevations and materials required. Detailed elevations of the Day Care Center required.
- 8) 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 (brick with cedar gates), and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 9) All utilities to be fed (both on-site and off-site) underground.
- 10) Revised detailed road plans are required. Road plans address roads within the project area, plans for the extension of 147th Street from National Av. to be approved prior to obtaining a building permit.
- 11) No Condominiums will be allowed on the westside of 147th Street. Revised plans for the condominiums required. Plans to date have not shown what will actually be proposed. Building pads shown represent pads which will allow for single-family residential attached homes separated by 30'. Please note, dimensions are to be eave to eave of each building, all porches and other amenities are included in the 30' open space required between buildings.
- 12) Trail to extend all along Deer Creek to Wilbur Drive.

13) Detailed plans for the bridge features required as part of the overall development. (The extension of Wilbur Drive and Bike/pedestrian bridge.)

14) 5' concrete sidewalk required along both sides of 147th Street.

15) Dedication/permanent easement of Deer Creek Drainage area required.

Seconded by Mr. O'Neil. Motion fails for lack of majority with Mr. Chase and Mr. O'Neil voting No and Alderman Kaminski and Mayor Gatzke voting Yes.

8. (2) U-79-98 Michels Pipeline – Approx. 16450 W. Rogers – Multi-Tenant Building.

Motion by Mr. Chase to conditionally approve the request by Michels Pipeline for a multi-tenant building located at approximately 16450 W. Rogers subject to:

1) Applicant must address all Engineering Department concerns as it pertains to grading, drainage and stormwater management prior to Building Permit being issued.

2) Architectural approval by Architectural Control Committee is required. Must submit exterior architecture material samples prior to Building Permit.

3) Approval of the submitted landscaping and Lighting plan by the Planning Department prior to Building Permit.

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

5) Dumpster location to be shown on plans. 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.

6) The building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

7) Building must meet all applicable Building Inspection and fire codes. Building addition must be fully sprinklered per City of New Berlin Fire Department.

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

#### **NEW BUSINESS**

9. (3) U-35-99 Darryl & Diane Vanselow – 21490 W. Lincoln Ave. – Continue Wood Processing and Storage Activity in Floor Area of Abandoned Sand Pit.

Motion by Mr. O'Neil to conditionally approve the request by Darryl & Diane Vanselow to continue wood processing and storage activity in the floor area of abandoned sand pit located at 21490 W. Lincoln Avenue subject to:

1) Double permit fees (Any and all fees for permits required)

- 2) This approval does not authorize any work other than what is specifically described in the application and plans, and as modified by the conditions of this permit. If you wish to alter the project or permit conditions, you must first obtain written approval from the Plan Commission.
- 3) This permit does not give authorization for the processing of pre-pressured timber on this site. The only wood permitted to be processed on this site is natural (virgin) wood.
- 4) Plan for the disposal of woodchips and sandust required. This approval does not authorize filling on this property. No filling is allowed in the floodplain. A separate permit is required for filling.
- 5) Section 10.06 of the Municipal Statutes states that "no materials such as old iron, glass or bottles, wood, and other discarded manufactured articles or scrap shall be stored for a period exceeding 30 days." The accumulation of miscellaneous junk and scrap, including all abandoned and inoperable vehicles and abandoned trailer, tires and miscellaneous metal scraps located on your property is in violation of this section of the Code. The entire property must be cleared of all junk and trash prior to obtaining the Zoning Permit or by June 30, 1999.
- 6) Storage and processing of wood must be kept a minimum of 100 feet from the floodplain.
- 7) No parking or cuing of trucks along Lincoln Avenue. All truck traffic must be contained within the site.
- 8) Access to the site must be secured to prevent off hour activity and illegal dumping.

Seconded by Alderman Kaminski. Motion carried unanimously.

10. (7) U-36-99 George Webb- 3632-3636 S. Moorland Road – 24 hour restaurant.

Motion by Mr. O'Neil to conditionally approve the request by George Webb for a 24 hour restaurant located at 3632-3636 S. Moorland Road subject to:

- 1) A single address for this property must be obtained from the Engineering Department prior to occupancy.
- 2) Address the concerns raised by the New Berlin Fire Department regarding provisions for grease trap and sampling manhole or existing sewer.
- 3) Exhaust hood needs separate review and permit.
- 4) A separate sign application and permit is required and can be obtained from the Planning Department. The proposed sign must meet the overall coordinated sign standard of the Kohl's Shopping Center and the City of New Berlin.
- 5) The building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 6) Building must meet all applicable Building Inspection and fire codes. Fire Extinguishers are required. Building must be fully sprinklered.
- 7) Permits from Building Inspection and Zoning required for all internal modifications or demolition work.
- 8) No outside storage shall be permitted on the premises.

9) Dumpster must be properly screened from the street and public view in accordance with The City of New Berlin Municipal Code Section 17.1304 (14). Dumpsters and recycling containers must be located within a dumpster enclosure.

Seconded by Alderman Kaminski. Motion carried unanimously.

11. (2) U-37-99 Gleichman Sumner Co. – 16150 W. Lincoln Avenue – Multi tenant bldg.

Motion by Mr. Chase to conditionally approve the request by Gleichman Sumner Co. for a multi tenant building located at 16150 W. Lincoln Avenue subject to:

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

2) Building must meet all applicable Building Inspection and fire codes. The City of New Berlin Fire Department as determined by the tenants reoccupying the building might require that the building be sprinklered. Fire extinguishers required. State of Wisconsin and local fire prevention bureau approval required.

3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.

4) 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. The dumpsters and recyclable waste dumpsters must be placed within an enclosure.

5) No outside storage shall be permitted on the lot.

6) Parking lot must be resealed and re-stripped by October 1, 1999.

7) Submittal of a detailed landscape plan drawn to scale by a professional landscape architect as stipulated by the City of New Berlin Municipal Ordinance Section 17.1308 in its entirety. Plans must be submitted to the Planning Department by July 28, 1999 and installed on October 1, 1999.

8) All additional occupants will be required to apply for reoccupancy prior to signing a lease. This will be reviewed based on the availability of parking as dictated by their use.

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

12. (4) U-38-99 Towne Corporate Park, Lot 34 – 16055-17255 W. Stratton Dr. – Construct a 121,056 Sq. Ft. Multi-Tenant Building.

Motion by Mr. Chase to conditionally approve the request by Towne Corporate Park to construct a 121,056 sq. ft. multi-tenant building located at 16055-17255 W. Stratton Drive subject to:

1) Preservation of the treeline on the southern lotline required. Plan as submitted does not address this treeline.

2) Building architecture and materials to be approved by the Architectural Control Subcommittee. Architecture does not address the I-43 frontage. Windows required on southern elevation.

3) Revised Landscaping Plan required, plan to include a minimum of one street tree per every 30' of public ROW. Plan does not show any landscaping along Interstate 43. Significant landscaping required to shield dock doors from I-43.

4) Plan has parking stalls at 9'x20', and the two-way aisle at 25'. §17.0403 only requires 9'x19' and a 24' two-way aisle.

5) Per the Towne Developer's agreement, a minimum of 30% green space is required on the property. Calculations showing this project meets or exceeds the Towne Developer's Agreement required.

6) Building stakeout survey required for building permit.

7) Sign permit required under separate application.

8) Each tenant will require a separate use approval from the Plan Commission. Use will be based, in part, on available parking as each tenant applies for occupation.

9) Building must meet all applicable building and fire codes. Fire Hydrant required within 150' of building sprinkler connection, Knox Box required and building must be fully sprinklered.

10) Temporary access to Beloit road required prior to building permit or early start being issued.

11) Satisfy the concerns of the Engineering Department as they pertain to the grading, stormwater, retaining walls and catch basins.

12) Curbs shall not extend past the ROW line.

13) All parking and drive areas to be fully curbed unless Engineering Department allows a change for sheet drainage.

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

15) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code § 17.1304(14). Enclosure must match exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.

16) Mechanicals to be properly screened from view.

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

13. (2) U-39-99 Kopp Brothers Sheet Metal, 2355 S. 170 Street – 1,848 sq. ft. addition.

Motion by Mr. Chase to table the request by Kopp Brothers Sheet Metal for a 1,848 sq. ft. addition for the following reasons:

1) Submittal of a revised site plan that shows the existing open/ green space around this property. The submitted plans does not identify open/ green space. The property does not meet the 25% green space requirement as stipulated by § 17.0319 (8) of the Zoning Ordinance. 10,890 ft<sup>2</sup> required for this development, but only 10,539 ft<sup>2</sup> has been identified.

2) Approval of the submitted landscaping plan by the Planning Department prior to installation.

3) Submittal of a revised plan that address the parking configuration at this site. The front parking area does not meet the City of New Berlin parking standards as stipulated in § 17.0403. This section requires a

minimum of 9' x 19, parking stall dimension and a total of 37' for one tier of spaces plus maneuvering lane based on a 60° parking. Plans shows 10' x 18' parking stalls and only 27.5' for maneuvering.

4) Per § 10.06 of the Municipal Statutes, accumulation of junk and trash constitutes a nuisance. Please see that the pallets, discarded machinery, metal scraps and miscellaneous junk and trash in the rear of the building are removed by July 16, 1999.

5) No outside storage shall be permitted on the lot. The semi-trailer behind the building must be removed by July 16, 1999 or prior to Building Permit being issued

6) Dumpster location to be shown on plans. 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.

7) The building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

8) Building must meet all applicable Building Inspection and fire codes. Building addition must be fully sprinklered per City of New Berlin Fire Department.

9) Permits from Building Inspection and Zoning required for addition, all internal modifications or demolition work.

Seconded by Alderman Kaminski. Motion carried unanimously.

14. (4) U-40-99 POW/CNC, 18340 W. National Avenue – Exterior alterations.

Motion by Mr. Chase to approve the request by POW/CNC for exterior alterations at 18340 W. National Avenue subject to:

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

2) Building must meet all applicable Building Inspection and fire codes. All necessary permits to be secured prior to any construction.

3) No outside storage shall be permitted on the lot. Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code § 17.1304(14).

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

15. (2) LD-7-98(F99) Gerald & Wendi Demshar – 14825 W. Cleveland Avenue, SW ¼ Sec 11, final land division.

Motion by Mr. O'Neil to recommend to Council approval of the request by Gerald & Wendi Demshar for a final land division located at 14825 W. Cleveland Avenue SW ¼ Sec 11 subject to:

1) Access (culvert) permit required from the City of New Berlin - Engineering Department before any building permit will be issued.

2) Correct Plan Commission Secretary's name to Steven K. Hoese.

3) Existing storage sheds are to be removed. Per. §17.0503(1)(a)(1) of the City of New Berlin municipal code, accessory buildings are only allowed if there is currently a principle dwelling on the property, and they must meet the proper setbacks.

4) Payment of \$1000.00 in Public Site, Open Space and Trail fees required before the City will sign the Final CSM.

5) Applicant to sign before the City of New Berlin will sign the final CSM.

Seconded by Mr. Chase. Motion carried unanimously.

16. (4) U-41-99 The Highlands, 12445 Macalister Way, clubhouse.

Motion by Mr. O'Neil to conditionally approve the request by The Highlands for a clubhouse located at 12445 Macalister Way subject to:

1) The submitted plans must be able to adequately address the following concerns raised by the City of New Berlin Engineering Department regarding the pool and clubhouse:

a) Is it necessary for the pool deck to be only 5 feet from the main driveway?

b) The height of the wall is 2 feet and located only 5' from the drive. Is this adequate for clear zone?

c) Revised grading plan required.

2) The City of New Berlin Fire Department has recommended the installation of an alarm system.

3) A separate sign application is required from the Planning Department for any signage at this site including "The Highlands" wall sign shown on map A5.1 in the submitted plans.

Seconded by Alderman Kaminski. Motion carried unanimously.

17. (1) LD-3-99 Heather Griggs, 1505 S. Arcadian, NW1/4 SEC 1, Preliminary land division.

Motion by Mr. Chase to recommend to Council denial of the request by Heather Griggs for a preliminary land division located at 1505 S. Arcadian, NW ¼ Sec 1 based on the following:

1) This land division does not fit in with the fabric of the neighborhood.

2) The land division would create two lots; Lot two @ 33,260 sq. ft. would be considerably less than the average lot size of the area @ 45,068 sq. ft.; and lot one @ 20,001 sq. ft. would be the smallest interior lot in the Arcadian Hills Subdivision.

3) There is no sewer lateral to the proposed lot 1.

4) Topography and tree coverage would limit the development of the property.

5) Future application will be accepted without prejudice if it includes parcel to the West. Combined application to allow for no more than three lots substantially divided equally.

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

18. (5) R-3-99 The Preserve at Weatherstone Meadows, 4177 S. Sunnyslope Road, PUD Condominiums.

Motion by Alderman Kaminski to recommend to Council approval of the PUD and table the use, site, and architecture of the request by The Preserve at Weatherstone Meadows for a 36-unit condominium development located at 4177 S. Sunnyslope Road subject to:

- 1) Divided entrance to be extended further west to satisfy the emergency access requirement.
- 2) Reconfiguration of buildings 30, and 11 or 12 to allow for an openspace corridor required.
- 3) Southwestern pedestrian trail to connect regional trail and golf course required.
- 4) Extensive engineering concerns dealing with drainage to be addressed.
- 5) The City of New Berlin Architectural Review Committee must approve building materials and exterior architecture. Revised plans elevations and rendering required.
- 6) Landscaping plan, which addresses species, sizes and quantities of trees and shrubs required.
- 7) Sewer and water plans to be approved by all regulating authorities.
- 8) Buildings must meet all applicable building and fire codes.
- 9) Adherence to §17.1308(10) Woodland Preservation required. Tree inventory required to determine compliance.
- 10) PUD document which satisfies the conditions of per §17.0329 required.
- 11) Payment of \$1,000/building in Public Site, Open Space and Trail Fees required.
- 12) Entrance monumentation plan required.

Seconded by Mr. Chase. Motion carried unanimously.

19. (3) R-4-99 Deer Creek Hotel & Conference Center, 1405-1501 S. Moorland Road, PUD, Hotel and conference center.

Motion by Alderman Kaminski to conceptually approve the request by Dave Koscielniak/TDI Associates, Inc. to rezone the property located at 1405/1501 S. Moorland Road from RM-1 Multi-Family Residential to B-4 Automobile Oriented Business District for use as a hotel and convention center subject to:

- 1) Site and Architecture to be thoroughly reviewed with the Use Approval application.
- 2) County Access Permit required for access to Moorland Rd.
- 3) State Access Permit required for access to Greenfield Av.
- 4) Adherence to 17.1308 (10) Woodland Preservation restrictions required.
- 5) Floodplain and Wetland work requires DNR and Corps of Engineers permits. A plan for the enhancement of this reach of the Deer Creek's stormwater management plan required .

- 6) View-shed analysis required for use approval.
- 7) Each tenant will require a separate use approval from the Plan Commission. Use will be based, in part, on available parking as each tenant applies for occupation.
- 8) Building must meet all applicable State and local building and fire codes.
- 9) 25% open space required within development.
- 10) Building to be setback from adjacent structures a minimum of one foot for each foot of height.
- 11) Detailed traffic study for the potential impact to Moorland Rd. and Greenfield Av. required.
- 12) All aboveground utilities located within the ROW to be buried. Burial to extend at a minimum; from intersection to Southeast lot-line from intersection to West side of Deer Creek drainage area.
- 13) All utilities to be fed underground.
- 14) Conformance to the roadside edge plan required. Plan to include: sidewalks, sidewalk lighting and street trees.
- 15) Sewer and water plans to be approved by all regulating authorities.
- 16) Building is to be no higher than 10 floors plus mechanicals.

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

20. (3) R-2-98 Asia House Restaurant, 20355 W. Greenfield Avenue, Request to remove lands rezoned for restaurant use at Southeast corner of Johnson and Greenfield due to alternate construction and remodeling of facility on National Avenue.

Motion by Mr. Chase to recommend to Council to repeal Ordinance #2038 which is a special consideration rezoning to B-2 lands for use at the Asia House Restaurant located at 20300 W. Greenfield Avenue.

Seconded by Mr. Barnes. Motion carried unanimously.

21. (3) LD-4-99 Jacob's Ridge Condominiums, SE ¼ SEC. 4, 17720 W. Lincoln Avenue. – One-lot land division, preliminary and final.

Motion by Mr. Barnes to recommend to Council approval of the request by Jacob's Ridge Condominiums for a one-lot land division, preliminary and final located at 17720 W. Lincoln Avenue, SE ¼ SEC 4 subject to:

- 1) Length and tie to wetlands required.
- 2) Wetland Preservation Restrictions to be labeled on the face of the CSM.
- 3) Payment of \$1000.00 in Public Site, Open Space and Trail fees required before the City will sign the Final CSM.
- 4) Applicant to sign before the City of New Berlin will sign the final CSM.

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

**STAFF APPROVED**

22. (2) SIGN – Stonegate Apartments – 13301 W. National Ave. – Monument Sign.

The request by Stonegate Apartments for a monument sign located at 13301 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) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 2) The wall sign shall not exceed 32 square feet (4' x 8').
- 3) Payment of \$14.00 for wall sign fee: (32 sq. ft x \$2 per Sq. ft. \$64.00- \$50 application fee = \$14.00.)
- 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) The ground sign must be located outside of the vision triangle of the entry way to the apartments and National Avenue.
- 6) The sign must be located outside of the Ultimate right-of-way of National Avenue.
- 7) Per City Center design and guideline, a six-foot wide concrete sidewalk/sidepath is required along National Avenue. Path must be one foot from the ultimate right-of-way of National Avenue.
- 8) All masonry work on the sign must match the apartment buildings.
- 9) Electrical Permit is required from the Building Inspection and Zoning Department.
- 10) Address plaque is required on monument base.
- 11) The temporary sign must come down upon erection of the permanent monument sign.

23. (1) SIGN – Waterford Square – 14001 Sunnyslope Road, entrance sign.

The request by Waterford Square for an entrance sign located at 14001 Sunnyslope 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) Section 17.0710 (2) of the City of New Berlin Zoning Code states that, "exterior lighting fixtures shall be oriented so that the lighting element (or a transparent shield) does not throw rays onto neighboring properties. Light rays should include cutoffs to make sure that the light does not extend beyond sign square footage and shall not be directed into street right-of-way or upward into the atmosphere. Lights shall be soldered to make sure that they can not be twisted or turned to face traffic.
- 2) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 3) The monument sign shall not exceed 21 square feet (5.25' x 4').

4) Payment of \$34.00 for wall sign fee: (21 sq. ft x 2 Sides x \$2 per Sq. ft. \$84.00 - \$50 application fee = \$34.00.)

5) 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."

6) The sign must be located outside of the Ultimate right-of-way of Sunny Slope Road.

7) All masonry work on the sign must match the Condominiums exterior brick/ masonry work.

8) Electrical Permit is required from the Building Inspection and Zoning Department.

9) Address plaque with the address of either the clubhouse or main office is required on monument base.

10) The temporary sales ground sign must come down upon erection of the permanent monument sign.

24. (4) SIGN – Kelly Pointe – 12725 Greenbriar Lane , entrance sign.

The request by Kelly Pointe for an entrance sign located at 12725 Greenbriar Lane 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) Section 17.0710 (2) of the City of New Berlin Zoning Code states that, "exterior lighting fixtures shall be oriented so that the lighting element (or a transparent shield) does not throw rays onto neighboring properties." Light rays should include cutoffs to make sure that the light does not extend beyond sign square footage and shall not be directed into street right-of-way or upward into the atmosphere. Lights shall be soldered to make sure that they can not be twisted or turned to face traffic.

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

3) The wall sign shall not exceed 22.75 square feet (6.5' x 3.5').

4) There is no outstanding sign fee.

5) 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."

6) The sign must be located outside of the Ultimate right-of-way of Lowel Place.

7) All masonry work on the sign must match the existing architecture.

8) Electrical Permit is required from the Building Inspection and Zoning Department.

9) The temporary marketing sign must come down upon erection of the permanent monument sign.

25. (2) SIGN – Lenox Square – 14200 W. Cleveland Avenue, entrance sign.

The request by Lenox Square for an entrance sign located at 14200 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) Section 17.0710 (2) of the City of New Berlin Zoning Code states that, "exterior lighting fixtures shall be oriented so that the lighting element (or a transparent shield) does not throw rays onto neighboring properties. Light rays should include cutoffs to make sure that the light does not extend beyond sign square footage and shall not be directed into street right-of-way or upward into the atmosphere. Lights shall be soldered to make sure that they can not be twisted or turned to face traffic.
- 2) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 3) The wall sign shall not exceed 12.5 square feet (2.5' x 5').
- 4) There is no outstanding sign fee.
- 5) 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."
- 6) The sign must be located outside of the Ultimate right-of-way of Cleveland Avenue.
- 7) All stucco work on the sign must match the apartment buildings.
- 8) Electrical Permit is required from the Building Inspection and Zoning Department.
- 9) The temporary sign must come down upon erection of the permanent monument sign.
- 10) The No Dumping Sign must be removed.

## **ZONING PERMITS**

### **26. (2) RO-25-99 Wild Promotions – 2875 S. 171 St. – Office and Warehouse Space.**

The request by Wild Promotions for office and warehouse space located at 2875 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) The building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 2) Building must meet all applicable Building Inspection and fire codes. Fire Extinguishers are required.
- 3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.
- 4) No outside storage shall be permitted on the premises. This includes the empty soda and crates in the rear of the building.
- 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) Modifications to add loading dock to this facility must get a building permit form Building Inspection and Zoning.

### **27. (2) RO-26-99 U. S. Web – 2875 S. 171 St. – Office for Internet Consultation.**

The request by U.S. Web for an office for internet consultation located at 2875 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) The building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 2) Building must meet all applicable Building Inspection and fire codes. Fire Extinguishers are required.
- 3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.
- 4) No outside storage shall be permitted on the premises. This includes the empty soda and crates in the rear of the building.
- 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.

28. (3) RO-27-99 Hetzel-Sanfilippo, Inc. – 2691 S. Calhoun – Commercial Subcontractor for Steel Stud and Drywall Work.

The request by Hetzel-Sanfilippo, Inc. for commercial subcontractor of steel stud and drywall work located at 2691 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 building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 2) Building must meet all applicable Building Inspection and fire codes. Fire Extinguishers are required.
- 3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.
- 3) 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. The dumpsters and recyclable waste dumpsters must be placed within an enclosure.
- 4) No outside storage shall be permitted on the lot. All vehicles used for this business must be stored within the building.

29. (2) RO-28-99 Rocket Business Services – 16150 W. Lincoln Ave. – Business Support Company Providing Various Business Services on Request.

The request by Rocket Business Services for a business support company providing various business services on request 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 Inspection and fire codes. Fire Extinguishers are required. Building must be fully sprinklered. State of Wisconsin and local fire prevention bureau approval required.
- 3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.

4) 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. The dumpsters and recyclable waste dumpsters must be placed within and enclosure.

5) No outside storage shall be permitted on the lot.

30. (2) RO-29-99 J. W. Winco, Inc. – 2471 S. 170 St. – Storage of Exhibition Crates and Miscellaneous Machine Parts.

The request by J. W. Winco, Inc. for storage of exhibition crates and miscellaneous machine parts located at 2471 S. 170 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 Inspection and fire codes. Fire Extinguishers are required.

3) Permits from Building Inspection and Zoning 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.

6) The parking lot must be resealed and re-stripped and the holes must be filled by July 16, 1999. The speed bump on the front drive along 171st Street must be repaired as well.

7) Fence along the property line must be either repaired or replaced.

8) Wooden crates and table must be removed by July 16, 1999.

31. (7) RO-30-99 Preferred Industrial Supply Co. – 2731 S. Calhoun – Sales and Distribution of Industrial Cutting Tools.

The request by Preferred Industrial Supply Co. for sales and distribution of industrial cutting tools located at 2731 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 building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

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

3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.

3) 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. The dumpsters and recyclable waste dumpsters must be placed within and enclosure.

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

32. (3) RO-31-99 Herff Jones Photography – 2695 S. Calhoun Rd. – Provides Photographic Services to 200+ Schools in Southeastern Wisconsin.

The request by Herff Jones Photography to provide photographic services to 200+ schools in Southeastern Wisconsin 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 Inspection and fire codes. Fire Extinguishers are required.
- 3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.
- 3) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). The dumpsters and recyclable waste dumpsters must be placed within and enclosure.
- 4) No outside storage shall be permitted on the lot.
- 5) Yellow trailer in the rear must be removed by July 2, 1999.

33. (1) RO-32-99 Edward Jones – 12430 W. National Avenue – Financial planning – modify interior walls.

The request by Edward Jones to modify interior walls for financial planning located at 12430 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) 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. Relocation of sprinkler heads will be necessary. Local fire prevention bureau plan approvals are required before permit is issued.
- 3) Permits from Building Inspection are required for internal modifications or demolition work.
- 4) No outside storage shall be permitted on the premises. This includes removal of the trailer in the rear of the building.
- 5) Dumpster must be properly screened from the street and public view in accordance with The City of New Berlin Municipal Code Section 17.1304(14). This should include recycling containers as well.

34. (2) RO-33-99 R.A.S. Appliance Services, Inc. – 16685 W. Victor Rd. – Warehouse for New Appliances.

The request by R.A.S. Appliance Services, Inc. for a warehouse for new appliances located at 16685 W. Victor 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 Inspection and fire codes. Fire Extinguishers are required.
- 3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.

3) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). The dumpsters and recyclable waste dumpsters must be placed within an enclosure. Dumpsters must be properly screened by July 2, 1999.

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

5) Barrels and pallets in the rear of the building must be removed by July 2, 1999.

6) Blue and white trailer in the rear of the building must be removed or stored within the building by July 2, 1999.

35. (2) RO-34-99 Hoffman Management, 3060 S. Calhoun – Interior alterations to existing suite.

The request by Hoffman Management for interior alterations to the existing suite located at 3060 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 building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

2) Building must meet all applicable Building Inspection and fire codes. Fire Extinguishers are required. Local fire prevention plan approval is required.

3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.

3) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14). The dumpsters and recyclable waste dumpsters must be placed within an enclosure. Dumpsters must be properly screened by July 2.

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

5) Per section 10.06 (m) of the State Statutes, "accumulation of Junk and trash" constitutes as any rubbish, ashes, paper, dirt, discarded stones or bricks, tin cans, boxes, barrels, discarded wood and lumber, brush and any form of discarded vegetation, foundry sand and industrial waste of any kind or description. The pallets, garbage bags, and other materials located behind the Ford tenant is in violation of this ordinance. Please see that these items are removed by June 25, 1999 at which time another inspection will be made of the property.

36. (7) RO-36-99 New Berlin Chamber of Commerce, 2860 S. 171<sup>st</sup> Street, Office Space.

The request by New Berlin Chamber of Commerce for office space located at 2860 S. 171<sup>st</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 Inspection and fire codes. Fire Extinguishers are required. Local fire prevention plan approval is required.

3) Permits from Building Inspection and Zoning required for internal modifications or demolition work.

3) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14).

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

37. (2) RO-39-99 TRIAD II, 16205 W. Rogers Drive, Occupy building for producing alcohol prep pads.

The request by TRIAD II to occupy building for producing alcohol prep pads located at 16205 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) Installation of the two Isopropanol storage tanks will require a public hearing. The public hearing is scheduled for August 2, 1999.

2) According to the FEMA Map of March 18, 1987, Panel Number 550487 0002 C, the proposed improvements on this property appear to be within "Zone B" (500 year Floodplain) and other portions are within Zone B and A7 (100 year Floodplain). The City of New Berlin Zoning Ordinance Section 17.0328 states that, " Accessory use structures can be considered conditional uses provided that all structures, when permitted, are not designed for human occupancy, have a low flood damage potential, are constructed and placed to provide minimum obstruction to flood flows, are firmly anchored to prevent them from floating away and restricting bridge openings, and have all service facilities at an elevation at least two feet above the 100 year recurrence interval floodplain.

3) Submittal of MSDS sheets to the City of New Berlin Planning Department for this business.

4) Due to the volatile nature of the Isopropanol tanks, all portions of the tank must be above the 500-year recurring flood interval. According to the FIS for Deer Creek that correlates with the FEMA Map Panel Number 550487 0002 C, the tanks need to be built at or above 846.75 feet.

5) Plat of Survey of pad and tanks showing proposed improvements outside of 500-year floodplain required. Re-certification of elevations after installation as built is also required.

6) Tanks must be installed by certified installer and meet all setback requirement of the M-2 district.

7) Local permits and Planning Commission review through Fire Department.

8) Must meet requirements of ILHR 10 per City of New Berlin Fire Department.

9) Resolution of any outstanding OSHA violations.

10) All junk and trash must be removed from the property as this is in violation of section 10.06 of the Wisconsin State Statutes. This should include all garbage, pallets and any other miscellaneous items on this property.

11) The help wanted sign located along Rogers Drive must be removed June 23, 1999.

12) Permits are required from the Building, Inspection, and Zoning.

13) Building to meet all applicable building and fire codes.

14) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property.

15) Parking spaces and aisles shall meet all Zoning Code and any ADA requirements.

16) Dumpster location to be shown on plans. 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). 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.

## **COMMUNICATIONS**

Communication To: Plan Commission

Communication From: Robert Sigrist, Director of Buildings, Inspections & Zoning

RE: Valley Sand & Gravel (CU-4-99), 6401 S. Racine Avenue.

Plan Commissioners acknowledged communication and it will be kept on file in the Planning Department.

39. Communication To: Plan Commission

Communication From: Robert Sigrist, Director of Buildings, Inspections & Zoning.

RE: Parking Problems at Sanctuary of Woodshire Apartments. (S-139-94) 2200 S. Moorland Road.

Plan Commissioners acknowledged communication and it will be kept on file in the Planning Department.

40. Communication To: Plan Commission

Communication From: Olofu Agbaji, Planning Administrator

RE: Letter from Steve Young, c/o Hardees located at 15600 W. National Avenue

Plan Commission advised that Hardees will not be allowed to keep the paint and need to take whatever steps needed to remove it. It was discussed that perhaps they need to contact a restoration expert or commercial architect.

Plan Commissioners had concerns about the need for upgrading landscaping.

## **ADDENDUM ITEM**

U-18-99 Denco Manufacturing Co. – 2300 S. 179 St. – Clarification on Item #1, Sub. b.

Motion by Mr. Chase to modify Item #1, Sub. b adding " or fees in the amount of \$9,863.00 in lieu of on site detention will be paid to the City of New Berlin."

Seconded by Alderman Kaminski. Motion carried unanimously.

Motion by Mr. Chase to adjourn the Plan Commission Meeting at 8:30 P.M. Seconded by Mr. O'Neil. Motion carried unanimously.