

NEW BERLIN PLAN COMMISSION

September 13, 1999

Minutes

The Plan Commission meeting of September 13, 1999 was called to order by Mayor Gatzke at 7:07 P.M.

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

Motion by Mr. Felda to approve the Plan Commission Minutes of August 2, 1999. Seconded by Mr. Barnes. Motion passes with Mr. Christel voting present.

4. Plan Commission Secretary's Report

Mr. Lake announced that Monday, September 27, 1999 there will be a public hearing at 7:00 P.M. for the Moorland Road/National Avenue Commercial Center.

The November 1, 1999 Plan Commission Meeting is moved to November 8, 1999 at 7:00 P.M.

CONTINUED ITEMS

5. (2) CU-9-99 TRIAD II – 16205 W. Rogers Dr. – Two Isopropanol Tanks in Floodplain.(Tabled 8/2/99)

Motion by Mr. Felda to recommend to Council approval of the request by TRIAD II for two isopropanol tanks in floodplain located at 16205 W. Rogers Drive subject to:

1) Submittal of a certified survey plat map of pad and tanks done by a professional engineer showing proposed improvements outside of the 500-year floodplain. Re-certification of as-built elevations after installation is required.

2) Submittal of a letter to the City of New Berlin Planning Department that documents what changes the company has undertaken to improve the problems that the company had experienced in the past.

3) The City of New Berlin Fire Department has the authority to inspect the property at any time that the business is operating and that any refusal to allow inspection would be grounds for the revocation of the conditional use permit.

4) Submittal of a plan of operation, which should include ignition sources, a layout of the entire building, indicates where the storage of chemicals and finished products will be located.

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

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

7) Submittal of MSDS sheet to the City of New Berlin Planning Department is required for this business.

8) Resolution of any and all outstanding violations, including OSHA violations. Updates kept on file.

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

10) 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.

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

Seconded by Alderman Kaminski.

Friendly amendment by Mr. Christel to add:

12) Any leaks which breach designed containment system would result in immediate revocation of Conditional Use Permit.

Amendment seconded by Mr. Barnes.

Motion by Mr. Felda to approve the motion as amended. Seconded by Mr. Barnes. Motion carried unanimously.

NEW BUSINESS

6. (3) U-52-99 Senor Luna – 1901 S. Calhoun Rd. – Deck Addition.

Motion by Mr. Barnes to approve the request by Senor Luna for a deck addition located at 1901 S. Calhoun Road subject to:

1) Building Permit will not be issued until all the conditions of approval of U-71-98 granted by the Plan Commission on 10/5/98 are met. These conditions include;

2) Installation of the approved landscaping plan by September 30th, 1999.

3) Submittal of a "Setback letter" as stipulated by Sec. 17.0603 (4).

4) Submittal of a revised landscaping/ parking lot plan to the Planning Department, showing the 25' landscape buffer on the western property line.

5) Payment of outstanding \$60.00 for copies of plans made for this submission.

6) Removal of the illegal temporary help wanted sign in front of the building by September 13, 1999.

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

8) Building must meet all applicable Building and Fire codes. Fire Extinguishers are required.

Seconded by Mr. Christel. Motion carried unanimously.

7. (4) SIGN – Citizens Bank of Mukwonago – 5450 S. Moorland Rd. - One Vinyl Window Graphics "Citizens Bank of Mukwonago: New Berlin Office" wall sign (North elevation) and one "Citizen Bank of

Mukwonago Training Center" (South elevation), Two S/F Neon Tower Signs (recessed area with window over it).

Motion by Mr. Felda to deny the request by Citizens Bank of Mukwonago for one vinyl window graphics "Citizen Bank of Mukwonago: New Berlin Office" wall sign (North elevation and one "Citizen Bank of Mukwonago Training Center" (South elevation), Two S/F Neon Tower Signs (recessed area with window over it) located at 5450 S. Moorland Road based on the following:

- 1) The City of New Berlin Sign code allows for two signs per site. Section 17.0806 (7) of the Zoning Ordinance states that, "the total number of signs per premise shall be limited to two.
- 2) The Planning Department has approved two signs for this site. One monument sign and one wall sign for the tower facing Moorland Road.

Seconded by Mr. Chase. Motion carried unanimously.

8. (2) U-48-99 Sells Printing Co. – 16000 W. Rogers Dr. – Warehouse addition.

Motion by Mr. Chase to defer to the October 4, 1999 Plan Commission Meeting the request by Sells Printing Co. for a warehouse addition located at 16000 W. Rogers Drive for the following reasons:

- 1) Submittal of plans that show storm water calculations and computations as well as plans to enlarge the current detention/ retention pond in the rear of the property to compensate for the increase in impervious area. These items must be submitted to the City of New Berlin Engineering Department before any building permits will be issued.
- 2) The detention pond located in front of the property must also be cleared and restored to its original state.
- 3) Submittal of a revised site plan that show the parking stalls in the rear of the building and how it accommodates truck maneuvering including radii templates. Parking of vehicles at this site and the extension of the gravel maneuvering area did not receive Plan Commission approval. If you have such approval on file please make it available to the Planning Department.
- 4) The help wanted sign located on Rogers Drive must be removed by September 17, 1999.
- 5) No outside storage shall be permitted on the lot.
- 6) Building must meet all applicable building and fire codes; building must be fully sprinklered. State of Wisconsin and local fire prevention bureau approval required.
- 7) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14).
- 8) Applicant in conjunction with Hal's Harley Davidson and Schmidt Engineering should explore the possibility of re-establishing public access through Reservoir Lane to Rogers Drive to convey egress traffic through a controlled intersection.

Seconded by Alderman Kaminski. Motion carried unanimously.

9. (7) U-55-99 Larsen Brothers Funeral Home – 15250 W. National Ave. – Preparatory and Garage Area.

Motion by Mr. Chase to approve the request by Larsen Brothers Funeral Home for a preparatory and garage area located at 15250 W. National Avenue subject to:

1) Applicant should explore the possibility of acquiring more land to ensure a practical long-term overall development plan for this area. This should take the on-going National Avenue and Moorland Road Commercial Center design standards and guidelines into consideration.

2) Incorporate the National Avenue Alternative Transportation and the National Avenue and Moorland Road Commercial Center (City Center) Development design and guidelines for street edge, lighting, pedestrian pathways and landscaping requirements and include the following:

3) An 8' verge next to the curb that will contain a row of trees 30' on center.

a) A sidewalk (6').

b) Sidewalk lights.

c) Masonry or brick monument sign with address plaque.

4) A 6' concrete sidewalk will be required along National Avenue and Coffee Road. Maintenance of sidewalk will be the responsibility of the property owner. Maintenance includes, but is not limited to the following: snow removal, ice removal, keeping clean of debris, etc.

Seconded by Alderman Kaminski. Motion passes with Mr. Chase voting present.

10. (7) U-53-99 D & L Grading, Inc. 1820 S. Johnson Road – Above ground diesel fuel tank.

Motion by Mr. Felda to approve the request by D & L Grading, Inc. for an above ground diesel fuel tank located at 1820 S. Johnson Road subject to:

1) The installation of the 1,000-gallon double-walled, above ground diesel fuel tank should be installed at or above the 500-year recurring interval floodplain line. It should be placed at or above 832.5' M.S.L. to be considered above the 500-year recurring interval flood plain line.

2) The application shows the tank to be located at or above 834.5 +/-'. Location and elevation to be certified by a registered land surveyor.

3) Minimum of a 6' high fence required with gate per state of Wisconsin Code.

4) Tank shall be reviewed under separate permit through the City of New Berlin Fire Department.

5) Must meet all applicable State and City fire codes.

6) Submittal of a revised elevation and grading plans that show the existing and proposed grades and elevation of the tank to the Engineering Department and the Planning Department. Building permits will not be issued until these plans have been submitted.

7) This business is subject to unannounced inspections by the Zoning/Planning Administrator in response to complaints or to ensure compliance with the conditions of approval.

8) Tank to be located a minimum of 50' from the ordinary high water mark of Poplar Creek and its tributaries.

Seconded By Mr. Barnes. Motion carried unanimously.

11. (2) U-56-99 – Badger Pattern Works – 2525 S. 162nd St. – Connect two existing facilities.

Motion by Alderman Kaminski to amend condition #3 to eliminate "The applicant should make every effort to meet the 25% green space requirement" and add "The applicant shall not create additional impervious surface on lot."

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

Motion by Alderman Kaminski to approve the request by Badger Pattern Works to connect two existing facilities located at 2525 S. 162nd Street subject to:

1) Submittal of an overall landscaping plan done by a registered landscape architect for the entire site with existing and proposed plantings. Submitted plans must show plant key showing tree types and sizes.

2) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property. This would include the pallets and the pile of dirt in the parking lot. These items should be removed as soon as possible.

3) The proposed plan fails to meet the open space and asphalt requirements of the City of New Berlin Zoning Ordinance. The applicant is proposing 80% coverage, including removing some asphalt to create some green space. The code allows for 75% coverage and 25% open space. The applicant shall not create additional impervious surface on lot.

4) The use of the property located at 2450 S. 162nd Street for parking overflow will be allowed on the condition those prospective tenants be carefully reviewed during their reoccupancy process. Tenants will be allowed based on the availability of on-site parking at this site.

5) Building must meet all applicable state and municipal building and fire codes. Must meet the following conditions required by the City of New Berlin Fire Department:

a) Each building has its own sprinkler system. Both systems will have to be combined with only one Fire Department connection.

b) Fire hydrant will be required in the rear of the building.

c) Alarm system for the new building must be interconnected.

6) Dumpsters must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.01304(14).

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

12. (4) U-9-99 – GS Hydraulics – 5055 S. Towne Dr. – office, warehouse, assembly, shipping, and receiving.

Motion by Mr. Barnes to defer until the October 4, 1999 Plan Commission Meeting the request by GS Hydraulics for two separate concrete masonry buildings located at 5055 S. Towne Drive for the following reasons:

- 1) Outcome of the meeting with adjoining property owners as it relates to an ultimate development plan for the overall area.
- 2) Approval of drainage, grading, utility and overall site plans by the Engineering Department is required prior to issuance of Building Permit.
- 3) Submittal of building material samples for City of New Berlin Architectural Review Committee approval.
- 4) Submittal and approval of a revised landscaping plan prepared by a registered landscape architect including plant keys and sizes is required. Overall parking and site lighting plan is also required.
- 5) Permits are required from the Building, Inspections and Zoning Department. Building must meet all applicable building and fire codes. Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code.
- 6) 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.

Seconded by Mr Felda. Motion carries unanimously.

13. (6) S-149-97 – Hidden Creek - 12501 W. Howard – Revised preliminary plat.

Motion by Mr. Felda to defer to October 4, 1999 Plan Commission meeting the Hidden Creek preliminary plan located at 12501 W. Howard for the following reasons:

- 1) Satisfy detailed Engineering Department concerns as they relate to the grading onsite.
- 2) Land to be fully improved and accepted by the City of New Berlin prior to acceptance of Final Subdivision application.
- 3) Developer's agreement for the construction of the improvements required.
- 4) Construction/grading of any of the wooded lots would be limited to the building envelope only. Building envelopes be staked out at the time of the building permit and protected by fence. Deed restriction to require front entry garages on southern cul-de-sac.
- 5) Subdivision name similar to Hidden Creek Apartments. Name change required. Road name Hidden Creek Court already in use.
- 6) WETLAND PRESERVATION RESTRICTION:
 - a) Those areas of land which are identified as Wetland Preservation Areas on this Subdivision Plat shall be subject to 17.0326 - C-2 Shoreland Wetland District of the City of New Berlin Municipal Code and the following restrictions:
 - b) Grading and filling shall be prohibited unless specifically authorized by the City of New Berlin, and if applicable, the Wisconsin Department of Natural Resources, and the U.S. Army Corps of Engineers.
 - c) The removal of topsoil or other earthen materials shall be prohibited.

d) The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., shall be prohibited with the exception of dead, diseased or dying vegetation at the discretion of the landowner, or silviculture thinning upon the recommendation of a forester or naturalist and the City of New Berlin.

e) The introduction of plant material not indigenous to the existing environment of the Wetland Preservation Area shall be prohibited. F)

f) Ponds may be permitted subject to the approval of the City of New Berlin, and if applicable, the Wisconsin DNR and or the U.S. Army Corps of Engineers.

g) Constructions of buildings is prohibited.

h) All Buildings are to stay a minimum of 10ft. from the Wetland Preservation Area.

i) Modify to include Butlers Garden Snake conditions.

7) Adherence to 17.1308(10) Woodland Preservation required.

8) Water main loop in 124th Street required. Connection from water main at Howard Avenue to W. Wheatherstone Blvd. within 124th Street required.

9) Due to the topographic relief of most of the lots, exposed basements will be required. Lot owners would be informed that slopes need to be preserved. Driveways and utility laterals are preplanned and developer will have utility corridors. Retaining walls will need to be shown on final plat and be pre-approved as part of the construction plan.

10) Length, bearing and tie to all easements required on final plat.

11) Payment of \$1000.00/lot in Public Site, Open Space and Trail Fees to be paid before City will sign the final plat.

12) Deed restriction submitted to include the special design construction and grading restrictions and retaining walls.

13) All utilities to be front loaded.

14) Acceleration and deceleration lanes required on Howard Av.

15) Move southern bulb south approximately 100'.

16) Adjust lots along Howard Av so lot 1 has a minimum 140' depth (~6-7').

17) Need approval of all agencies: SEWRPC, DNR, Waukesha Co.

Seconded by Mr. Barnes. Motion carried unanimously.

14. (4) LD-7-99 – Carmen Roman Gumieny - 21951 W. Lawnsdale Rd. NW ¼ SEC 30 - Final Land Division.

Motion by Alderman Kaminski to recommend to Council approval of the request by Carmen Roman Gumieny for a final land division located at 21951 W. Lawnsdale Road NW ¼ SEC 30 subject to:

- 1) Waukesha County Access Permit required for Lot 1. (WDOT letter on file)
- 2) Principle dwelling on lot 1 (future) to be located a minimum of 50' from pond. 50' lot setback to be labeled on the face of the CSM.
- 3) Drafting error 56.94' (dimension from center of easement to eastern lot corner along Lawnsdale Road) to be corrected before the City of New Berlin will sign the final CSM.
- 4) Payment of \$1000.00 in Public Site, Open Space and Trail fees required before the City will sign the Final CSM.

Seconded by Mr. Chase. Motion carried unanimously.

15. (2) U-57-99 – Ideal Sales – 17155 W. Glendale – Storage and distribution of non-hazardous safety products.

Motion by Mr. Christel to approve the request by Ideal Sales to change the current single tenant building located at 17155 W. Glendale Drive to a multi-tenant office and warehouse building subject to:

- 1) This building has recently become a multi-tenant building but has not received a Use Approval for this change in use. Each individual tenant must apply to the Planning Department for a Reoccupancy Permit, and occupancy will be reviewed based on availability of parking.
- 2) Submittal of a detailed landscaping plan drawn by a registered landscape architect as stipulated by the City of New Berlin Municipal Ordinance Section 17.1308 in its entirety is required. Plans must be submitted to the Planning Department by September 30, 1999.
- 3) No outside storage shall be permitted on the lot.
- 4) Resolve any fire and safety issues including updating of sprinkler system coverage throughout the building. State of Wisconsin and local fire prevention bureau approval required.
- 5) 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
- 6) Parking lot must be striped by October 13, 1999.
- 7) Disclosure be sent by certified mail to Ideal Sales informing them of past existence of leachate.

Seconded by Mr. Barnes. Motion carried unanimously.

16. (7) U-58-99 Hardee's – 15600 W. National – Paint Exterior of Building.

Mayor Gatzke said the Plan Commission would supply Hardee's with a list of qualified experts who they may use to give an opinion (at Hardee's cost) as to whether or not and the reasons why the paint on the exterior of the building can or cannot be removed.

Motion by Mr. Barnes to table the request by Hardee's to paint exterior of building located at 15600 W. National Avenue for the following reasons:

1) The applicant must make every effort to retain the services and written opinion of various professional paint removers and building restoration experts as it relates to the removal of the paint. This should be done to restore the building to a finish as close to the original brick as possible or an expert opinion to the contrary must be rendered.

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

Seconded by Mr. Felda. Motion carried unanimously.

17. () PG-227 Extraterritorial Plat – Illing & Illing Partnership – Se ¼ and Ne ¼ Sec. 24, Waukesha, Wis.

Motion to Common Council by Mr. Felda of no serious objection to the request by Illing & Illing Partnership for an extraterritorial Plat located in SE ¼ and NE ¼ SEC. 24, Waukesha, Wisconsin with the following comments:

1) Owners to sign before the City of New Berlin will sign the Final CSM.

Seconded by Mr. Barnes. Motion carried unanimously.

18. (3) U-59-99 Schmidt Engineering & Equipment – 1905 S. Moorland Road – Office Addition.

Motion by Mr. Christel to approve the request by Schmidt Engineering & Equipment for an office addition located at 1905 S. Moorland Road subject to:

1) Reconfiguration of parking stalls to meet the code required dimensions of 9' X 19', and all two-way maneuvering lanes must be a minimum of 24' in width.

2) Approval of drainage plans and utility placement by the Engineering Department is required prior to issuance of Building Permit.

3) Submittal of building material samples is required to obtain City of New Berlin Architectural Review Committee approval for material and exterior architecture.

4) The illegal "Job Opening" sign posted along Moorland Road must be removed immediately or apply for a changeable reader board to be attached to the existing sign.

5) Submittal of a revised landscaping plan prepared by a professional landscape architect including plant keys and sizes prior to the issuance of a Building Permit. Planning approval of landscaping and lighting plan required prior to installation.

6) Permits are required from the Building, Inspections and Zoning Department. Building must meet all applicable building and fire codes. Building must be maintained per § 14.25 of the Non-residential Property Maintenance Code.

7) 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.

8) Applicant in conjunction with Hal's Harley Davidson and Sell's Printing should explore the possibility of re-establishing public access through Reservoir Lane to Rogers Drive to convey egress traffic through a controlled intersection.

9) All onsite storage areas to be screened from the public right-of-way.

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

STAFF APPROVED

19. (3) SIGN – Arrowhead Tool & Die – 15905 W. Lincoln Avenue – Wall Sign. (Tabled 8/2/99)

The request by Arrowhead Tool & Die for a wall sign located at 15905 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) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 2) The non-illuminated channel lettering on the building overhang shall not exceed 13 square feet (8" x19.5').
- 3) There is no outstanding sign fee.
- 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) Electrical Permit is required from the Building Inspection and Zoning Department.
- 6) Signs must be turned off outside of normal business hours.
- 7) Sign shall not exceed more than 12 inches outside of building wall surface.

20. (7) SIGN - New Berlin Chiropractic – 15800 W. National Avenue – Temporary Banner.

The request by New Berlin Chiropractic for a temporary banner located at 15800 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) Per the new City Center design and guideline, a monument sign with matching base constructed of principle building materials with address plaque will be required. A separate Sign Permit is required form the Planning Department. A sidewalk will be required in the future per City Center design and guidelines. A plan for the monument sign shall be submitted to the City of New Berlin Planning Department by September 1, 1999.
- 2) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 3) The temporary banner sign shall not exceed 2' x 10' (20 sq. ft.).
- 4) There is no outstanding fee for this temporary banner sign.

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 shall come down thirty days from the day it is erected.

7) Removal of the existing Pet Country Sign as soon as possible.

21. (4) SIGN – Citizens Bank of Mukwonago – 5450 S. Moorland Rd. – : Install One Monument Sign Constructed of Masonry Block to Match the Building and One Wall Sign (West Elevation) for Citizens Bank of Mukwonago: New Berlin Office and Several Directional Signs and Tyme Machine Sign on Machine.

The request by Citizens Bank of Mukwonago for one monument sign constructed of masonry block to match the building and one wall sign (West Elevation) for Citizens Bank of Mukwonago: New Berlin Office and Several Directional Signs and Tyme Machine located at 5450 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) Total payment is \$242.37.

3) Payment of \$50.00 for wall sign fee: 50 sq. ft. x \$2 = \$100.00 - \$50 application fee = \$50.00.

4) Payment of \$11.50 for the "New Berlin Office" wall sign fee: 5.75 sq. ft. x \$2 per sq. ft. = 11.50.

5) Payment of \$112.00 for monument sign fee: 24.5 sq. ft. x \$2 per square fee x 2 sides = \$98.00

6) Payment of \$14.25 for the wall sign for the Tyme Machine. Sign is only on the side of the machine facing Small Road.

7) Payment of \$68.62 for the six directional signs.

8) The wall sign (on tower) shall not exceed 5' x 10' (50 square feet).

9) The "New Berlin Office" wall sign (west elevation) shall not exceed 1' x 5.75' (5.75 sq. ft.).

10) Wall sign shall not exceed more than 12 inches outside of building wall surface.

11) The Tyme Machine wall sign shall not exceed 4.75' x 1.5' (7.125 square feet). This is a one sided sign.

12) The monument sign shall not exceed 4' x 7'1" (28 square feet).

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

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

15) These will be the only signs for this site. The code allows for two signs per site. Section 17.0806 (7) of the Zoning Ordinance states that, "the total number of signs per premise shall be limited to two.

22. (1) SIGN - Play & Learn Nursery Center – 2300 S. Sunnyslope Road – 3' x 5' ground sign.

The request by Play & Learn Nursery Center for a 3' x 5' ground sign located at 2300 S. 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) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 2) The wall sign shall not exceed 15 square feet (3' x 5').
- 3) Payment of a \$10.00 outstanding fee per calculations below:

$3' \times 5' = 15 \text{ sq. ft.} \times 2 \text{ sides} = 30 \text{ sq. ft.} \times \$2.00 / \text{sq. ft.} = \$60.00 \text{ less } \$50.00 \text{ application fee} = \10.00

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) Sign must be installed outside the Ultimate Right-of-way of Sunny Slope Road and must not be in the vision clearance triangle.

23. (1) SIGN – Ron Paddock – 13975 Paddock Parkway – Canterbury Subdivision Sign.

The request by Ron Paddock for a Canterbury Subdivision Sign located at 13975 Paddock Parkway 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 monument sign shall not exceed 31.5 square feet (7' x 4'6").
- 3) There is no outstanding sign fee.

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) Sign must be installed outside the Ultimate Right-of-way of Sunny Slope Road and Paddock Parkway.

6) The sign shall be located outside of the vision triangle between Sunny Slope and Paddock Parkway.

7) Any temporary signs at the site must come down upon erection of the monument sign.

24. (6) SIGN – Sewerfest – 12400 W. Coldspring Rd. – Temporary 8' x 4' Wooden Sign.

The request by Sewerfest for a temporary 8' x 4' wooden sign located at 12400 W. Coldspring 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 temporary ground sign shall not exceed 32 square feet (4' x 8').

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

$$4' \times 8' = 32 \text{ sq. ft.} \times \$2 \text{ per square foot} = \$64.00 \text{ less } \$50.00 \text{ application fee} = \$14.00$$

4) This temporary church festival sign permit will have a one-time review next year a month before the sign is to be erected. This review is to ensure that there are no problems with the sign. If after the one-year review there are no problems the temporary church sign permit may be renewed each year by writing and submitting a letter to the City of New Berlin Planning Department. This letter must state the date when the sign will be erected and the day it shall come down. All the same conditions will apply each year.

5) Sign must be installed outside the Ultimate Right-of-way of Cold Spring Road and 124th Street.

6) Sign may be erected thirty days prior to the festival date and must come down the day after the festival.

25. (6) SIGN – Blue Cross/Blue Shield – 12695 W. National Ave. – 4' x 8' Temporary Construction Sign.

The request by Blue Cross/Blue Shield for a 4' x 8' temporary construction sign located at 12695 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 temporary ground sign shall not exceed 32 square feet (4' x 8').

3) There is no outstanding sign fee.

$$4' \times 8' = 32 \text{ sq. ft.} \times \$2.00 / \text{sq. ft.} = \$64.00 \times \$2 \text{ penalty fee} = \$128.00$$

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) Sign must be installed outside the Ultimate Right-of-way of National Avenue

6) Sign must come down upon erection of permanent sign for Blue Cross Blue Shield or as soon as the

26. (7) SIGN- George Webb – 3632 Moorland Rd. – 24" x 16.5' illuminated sign.

The request by George Webb for a 24" x 16.5' illuminated sign located at 3632 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) Sign shall meet all conditions of the New Berlin Plaza Uniform Sign Standards Specifications for Tenant Signs.

3) The illuminated channel lettering on the building overhang shall not exceed 34 square feet (24" x 17').

$$4) \text{ Payment of } \$18.00 \text{ for wall sign fee: } 34 \text{ sq. ft.} \times \$2 = \$68.00 - \$50 \text{ application fee} = \$18.00.$$

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

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

7) Sign shall not exceed more than 12 inches outside of building wall surface.

27. (3) SIGN – Wild Promotions – 2875 S. 171st St. – Wall sign.

The request by Wild Promotions for a wall sign located at 2875 S. 171st 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) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.

2) The internally illuminated wall sign shall not exceed 12.57 square feet (35" x50").

3) Sign shall not exceed more than 12 inches outside of building wall surface.

4) There is no outstanding sign fee.

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

6) This is one of two signs allowed for this site. Any additional signs will be required to complement this sign in design.

ZONING PERMITS

28. (6) RO-43-99 Blue Cross/Blue Shield – 12695 W. National Ave. – Office Building.

The request by Blue Cross/Blue Shield for an office building located at 12695 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) Approval and installation of the submitted overall site and landscaping plans prior to occupancy of building. The plans must meet the new National Avenue Corridor Alternative Transportation design and guidelines as it relates to sidewalk/ sidepath construction and lighting, street trees and lighting, parking lot lighting, signage and overall street edge treatments. The concrete sidewalk including concrete approach to connect to existing Milwaukee Medical Clinic sidewalk.

2) The signage at this site must be updated to meet City of New Berlin Sign Code and National Avenue Commercial Center design and guidelines. The existing monument sign will have to be replaced with a monument base and sign that meets the height and size requirements, including an address plaque. The wall sign will have to be removed. A separate application is required from the Planning Department to obtain a Sign Permit prior to installation of any sign at this site.

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

4) Parking lot must be resealed and re-stripped by November 8, 1999. Parking stalls and aisles must meet all Zoning Code and ADA requirements.

5) General clean up of site will be required. Areas that need attention include:

- a) Restoration of the retention and detention pond to its original state
- b) Cut cattails
- c) Remove dead and diseased trees from property
- d) Landscaping islands must be
- 6) State of Wisconsin alteration plan approvals are required.
- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 8) Permits are required from the Building, Inspection, and Zoning Department for all interior alterations or modifications.
- 9) 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.

29. (6) RO-44-99 TCF Bank – 13995 W. National Avenue – Bank in Jewel Osco.

The request by TCF Bank for a bank at Jewel Osco located at 13995 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) Must meet all conditions set for Use Approval U-35-98 for Jewel Osco Grocery Store.
- 2) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property.
- 3) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 4) Permits are required from the Building, Inspection, and Zoning Departments for all interior alterations or modifications.
- 5) Parking spaces and aisles shall meet all Zoning Code and ADA requirements.
- 6) 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.

30. (2) RO-45-99 Ideal Sales, Inc. – 17155 W. Glendale – Storage & Distribution of Safety Products (Non-Hazardous).

The request by Ideal Sales, Inc. for storage and distribution of safety products (non-hazardous) located at 17155 W. Glendale 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) Outside parking of vehicles shall be limited to four to six vans at night.
- 2) Trucks must be screened from the right-of-way of Glendale Drive.
- 3) According to the Municipal Code of the City of New Berlin Section 11.07 Noxious Weeds are not allowed on any property. Submittal of and approval of an approved landscaping plan to the City of New Berlin Planning Department by August 30, 1999.
- 4) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property. This would include the pallets and the pile of dirt in the parking lot. These items should be removed as soon as possible.
- 5) Please see that the semi-trailer is removed from the property as soon as the move is finished. An inspection will be made to ensure that the truck is not left on the property for any duration of time.
- 6) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 7) Permits are required from the Building, Inspection, and Zoning Departments for all interior alterations or modifications.
- 8) Parking spaces and aisles shall meet all Zoning Code and ADA requirements.
- 9) 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).

31. (2) RO-46-99 Sentinel Printing & Binding Co. – 16233 W. Ryerson Rd. – Warehouse.

The request by Sentinel Printing & Binding Co. for a warehouse located at 16233 W. Ryerson 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) Submittal of detailed floor plans of where new tenant will be located in the building.
- 2) Speak with the Inspection Department regarding the certified letter that was sent to you on April 16, 1999. There are outstanding conditions that have not been met yet.
- 3) The Ford pick up truck must be screened from the right-of-way of Ryerson Road and taken home in the evenings.
- 4) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property. This would include the pallets and the pile of dirt in the parking lot. These items should be removed as soon as possible.
- 5) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 6) Permits are required from the Building, Inspection, and Zoning Departments for all interior or exterior extensive alterations or modifications.
- 7) Parking spaces and aisles shall meet all Zoning Code and ADA requirements.
- 8) 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.

32. (2) RO-47-99 – New Berlin First Source Center – 2383 S. 162 St. – HR First inside of New Berlin First Source Center.

The request by New Berlin First Source Center for HR First inside of New Berlin First Source Center located at 2383 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) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property. This would include the pallets in the rear of the building.
- 2) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 4) Parking spaces and aisles shall meet all Zoning Code and ADA requirements.
- 5) 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).
- 6) If any alterations are planned permits and drawings are required.

33. (2) RO-48-99 – Arrowhead Tool and Die, Inc. – 15905 W. Lincoln Ave. – Warehouse for manufacturing of tools, dies, and molds.

The request by Arrowhead Tool and Die, Inc. for a warehouse for manufacturing of tools, dies, and molds located at 15905 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) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property.
- 2) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior alterations or modifications.
- 4) Parking lot to be resurfaced and re-stripped by September 30, 1999. Assume that no significant change in the grading.
- 5) Permits are required for new floor drain.
- 6) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).

34. (2) RO-49-99 – Sidex Corporation of WI, Inc. – 3050 S. Calhoun – Window Manufacturing Warehouse.

The request by Sidex Corporation of WI, Inc. for a window manufacturing warehouse located at 3050 S. Calhoun 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) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property.
- 2) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior alterations or modifications.
- 4) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).

35. (2) RO-50-99 Schroeder Moving Systems – 2654 S. 162 St. – Cold Storage of Medical and Robotic Equipment.

The request by Schroeder Moving Systems for cold storage of medical and robotic equipment located at 2654 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) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property.
- 2) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 3) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.

36. (3) RO-51-99 Columbia Pipe & Supply Co. – 2300 S. 170th St. – Hard goods distribution company selling PVF, plumbing and HVAC to contractors and industry.

The request by Columbia Pipe & Supply Co. for hard goods distribution company selling PVF, plumbing and HVAC to contractors and industry located at 2300 S. 170th St. 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) This permit does not include the installation of a swing gate, the extension of the culvert along Lincoln Avenue, and the storage of material outside the building. No outside storage will be permitted on the property.
- 2) Submittal of a detailed landscaping plan prepared by a professional landscape architect with plant keys showing the number, location and sizes of proposed plantings.
- 3) Applicant must make every effort to limit access onto Lincoln Avenue. If and when applicant decides to undergo any extensive alteration or modification, alternative plans that addresses the access onto Lincoln Avenue will be required.
- 4) Parking must be resealed and re-stripped by September 30, 1999.

5) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. General clean up of site and removal of barrels and pallets in the rear of the building is required.

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

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

8) 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.

37. (2) RO-52-99 Badger Pattern Works – 2450 S. 162nd St. – Rental Property –warehouse.

The request by Badger Pattern Works for rental property and warehouse located at 2450 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) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property.

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

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

4) General maintenance of the building including painting and repairing of trim of building.

5) Reseal and re-stripe parking lot by September 30, 1999.

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

COMMUNICATIONS

38. Communication To: Plan Commission

Communication From: Richard A. Lehmann

RE: Impact Fee : Law Amendments

Plan Commissioners acknowledged receipt of communication.

39. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Planning

RE: "So What Does Del Monte Dunes Mean?" Planning & Law, June 1999

Plan Commissioners acknowledged receipt of communication.

40. Communication To: Plan Commission

Communication From: Ron Retherford, 4615 S. Raven Lane, New Berlin, WI

RE: Building Height Restrictions

Communication on file in Planning Dept.

41. Communication To: Plan Commission

Communication From: Nikki Jones, Planning Department

RE: Fence Code Information – PG-741 Zoning Ordinance Revision

It was the consensus of the Plan Commission to include wrought iron, ornamental aluminum and commercial PVC (Brand Names and Grades) fencing as a low maintenance material in our Fence Code when it is updated.

42. Communication To: Plan Communication

Communication From: Mark Lake

RE: Letter from Dennis Kasian regarding reconsideration of conditions of approval for Green Acres Lawnsdale Farm, 20205 W. Lawnsdale U-12-99

Mark Lake explained that Mr. Kasian is now requesting seasonal retail sales to occur in the pole building previously approved for storage for his wholesale business. Mr. Kasian gave a description of his operation. It was the consensus of the Plan Commission to allow Mr. Kasian to upgrade to a commercial pole building and allow staff to sign the building permit.

43. Communication To: Plan Commission

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

RE: Letter to William Bowers dated August 10, 1999 regarding 1999 Population and Trends.

Population trend is declining but still above 1%.

44. Communication To: Plan Commission

Communication From: Tai Hyon Yun, J.K. Lee Black Belt Academy

RE: 14204 W. National Avenue

Motion by Mr. Christel to recommend staff draft a letter regarding the use as a Black Belt Academy at 14204 W. National Avenue.

Seconded by Mr. Barnes. Motion carried unanimously.

45. Communication To: Plan Commission

Communication From: Resource & Land Use Planning Committee Focus New Berlin

RE: Town of Richfield Cluster Housing and Ordinance

Plan Commissioners acknowledged receipt of the communication.

46. Communication To: Plan Commission

Communication From: Mayor Gatzke

RE: Letter from Kenneth Matheson, New Berlin Industrial Association dated August 25,

1999 regarding Kopp Brothers, 2355 S. 170th Street.

Kenneth Matheson, representative of New Berlin Industrial Association voiced his concerns regarding green space, the newly added addition and employee parking at Kopp Brothers located at 2355 S. 170th Street.

Mayor Gatzke said a formalized response will be forwarded.

47. Communication To: Plan Commission

Communication From: Mark Lake, Assistant Director of Planning

RE: Lighting at Waukesha Medical Systems, 13900 W. National Avenue (U-96-98)

Mr. Lake explained that Waukesha Medical Systems had a question as to if the Plan Commission will require them to put in the same lights on their property as Jewel Osco which are also the same as the ones to be put up and down National Avenue or if they will be allowed to have the lighting that would match their architecture.

It was the consensus of the Plan Commission that the lighting along the sidewalk needs to be like the National Avenue lighting and their desired lights to match their architecture can go in the parking lot.

48. Communication To: Plan Commission

Communication From: Alderman Kaminski

RE: Request for reconsideration of previous Plan Commission action for Heather Griggs land division (LD-3-99).

Heather Griggs requested reconsideration of the recommendation of denial from the previous Plan Commission Meeting. Ms. Griggs addressed the conditions of the previous denial.

Motion by Mr. Chase to place this item on the October 4, 1999 Plan Commission meeting agenda. Seconded by Alderman Kaminski. Motion carried unanimously.

49. Communication To: Plan Commission

Communication From: City Attorney Paul F. Reilly

RE: His letter to Common Council dated August 25, 1999.

Informative memo showing how the Plan Commission represents democracy.

50. Communication To: Plan Commission

Communication From: Mayor James Gatzke

RE: Packet from Focus New Berlin Resource and Land Use Planning Committee: Housing Committee.

Plan Commissioners acknowledged receipt of this communication.

51. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Planning

RE: Memo from Herb Eggie referring to Rules of Procedure for Task Force and memo from Steve Hoese.

Mr. Herb Eggie spoke about the Task Force. Mr. Eggie explained how important the task force is as a committee to review the Master Plan Land Use, Zoning Code and the conflicts within those documents. He expressed his concern about lack rules on how the committee should operate. Mr. Eggie spoke in disagreement on comments made by Steve Hoese regarding the procedure of placing things on the agenda and method of choosing a chairman. Mr. Eggie indicated they should have a chairman of our own to be elected from our own members who would be impartial. He asked the Plan Commission to clarify these things by their next meeting scheduled on September 20, 1999.

Mayor Gatzke said he would respond to the issues raised by Mr. Eggie before their next meeting and asked that the Plan Commissioners give him input on this issue that they would like him to include in this response.

Motion by Mr. Chase to adjourn the meeting at 9:31 P.M. Seconded by Mr. O'Neil. Motion carried unanimously.