

NEW BERLIN PLAN COMMISSION

October 4, 1999

Minutes

The Plan Commission meeting of October 4, 1999 was called to order by Mr. Felda at 7:00 PM.

In attendance were Mr. Chase, Alderman Kaminski, Mr. O'Neil, Mr. Barnes, Mr. Felda. Also present were Steven K. Hoese, Director of Planning, Mark C. Lake Assistant Director of Planning, Olofu Agbaji, Planning Administrator. Mr. Christel was excused and Mayor Gatzke arrived from another meeting shortly after roll call.

Motion by Alderman Kaminski to approve the Plan Commission minutes of September 13, 1999. Seconded by Mr. Barnes. Motion carried unanimously.

Plan Commission Secretary's Report - Commercial Center Review with a potential Focus Committee presentation will be held at the October 18, 1999 at 6:00 P.M. meeting. The next current Plan Commission Meeting is November 8, 1999 at 7:00 P.M.

REFERRAL FROM COMMON COUNCIL

5. Johnson Quarry Park Acquisition.

Paul Leuthold, Director of Parks & Recreation gave a short description of the proposed park land acquisition.

Motion by Mr. Barnes to recommend to Council approval of Johnson Quarry Park acquisitions.

Seconded by Mr. Felda. Motion carried unanimously.

REFERRAL FROM PARK & REC

6. (4) S-136-94 (F96) High Grove Subdivision – Neighborhood Park Plan.

Paul Leuthold, Director of Parks & Recreation gave a short description of the proposed High Grove Subdivision Neighborhood Park Plan .

Motion by Mr. O'Neil to approve the High Grove Subdivision Neighborhood Park Plan based on the understanding that the Park and Recreation Commission has taken the environmental, grading, erosion control and drainage issues into account when designing this park plan.

Seconded by Alderman Kaminski. Motion carried unanimously.

CONTINUED ITEMS

7. (2) U-48-99 Sells Printing Co. – 16000 W. Rogers Dr. – Warehouse addition.(Deferred 9/13/99)

Motion by Mr. Chase to approve the request by Sells Printing Co. for a warehouse addition located at 16000 W. Rogers Drive subject to:

1) Engineering Department approval of storm water computations as well as plans that 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 and approved prior to issuance of building permits.

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

3) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.

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

8. (4) U-9-99 – GS Hydraulics – 5055 S. Towne Dr. – office, warehouse, assembly, shipping, and receiving. (Deferred 9/13/99)

Motion by Mr. Felda to approve the request of GS Hydraulics for office, warehouse, assembly, shipping and receiving located at 5055 S. Towne Drive subject to:

1) Purchase of Towne Drive Outlot from Town Corporate Park required.

2) Internal curbs to stop at ROW.

3) If necessary to retain the trees, a CMU keystone retaining wall or boulder wall would be required on street side and/or parking lot side in attempt to get project to meet city guidelines.

4) Drainage pond computations required.

5) All roof drains to drain onto grassy (or treed) area surrounding building to minimize pond usage and to allow for infiltration.

6) Hydrant to be located within 150' of building riser.

7) Landscape plan should take into account the replacement of trees required per Woodland Preservation Ordinance Sec. 17.1308(10).

8) Driveway to be located within an 80' road reservation, and located so as to allow for and tie in with future expansion of building as well as the ultimate future development of the lands to the North and East. Centerline of driveway/reservation to be located approximately 55' north of present designed location to allow for proper setbacks based on future addition.

9) Sanitary sewer may need to be located so as to allow for division of land to the North. Sewer and water main to be extended to outside the ROW at a point where a road reservation is located, approximately 55' North of present driveway design location.

10) Approval of drainage, grading, utility and overall site plans by the Engineering Department is required prior to issuance of Building Permit.

11) Submittal of building material samples for City of New Berlin Architectural Review Committee approval.

12) Submittal and approval of a revised landscaping plan prepared by a registered landscape architect. Plan to include plant keys, number and sizes. Landscape plan to take into account the preservation and the replacement of the existing trees per Woodland Preservation Ordinance Sec. 17.1308(10).

13) Development subject to the terms and conditions as the Towne Corporate Park Developer's Agreement and Deed Restrictions

14) Lighting Plan to incorporate Towne Corporate Park lot and building fixtures.

15) 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.

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

9. (6) S-149-97 – Hidden Creek - 12501 W. Howard – Revised preliminary plat.(Deferred 9/13/99)

John Vidas – 3990 S. Stonewood Road – My property adjoins the southern half of this subdivision. Last night all the neighbors had a meeting along with Alderman Chiovatero. We discussed our concerns with this development. We understand development is going to happen in New Berlin but we would like to see this southern part of this development not be developed. We think this is prime wooded area with a creek running through it that should be maintained. The neighbors are willing to put forth some money to try to purchase this property, however we would like to get some help from the City. There would need to be negotiations with the developer. Tabling this item tonight would give us more time to reach a reasonable number for this property and then turn it over to the City for the conservancy.

Don Murn spoke on behalf of the developer discussing his understanding of the conditions for tabling. This interest to purchase the parcel to preserve it could have been done a long time ago. Now that the wolves are at the door the neighbors want to purchase it but we are not interested in selling.

Motion by Mr. Chase to table the request by Hidden Creek for a revised preliminary plat located at 12501 W. Howard for the following reasons:

1) Subdivision name similar to Hidden Creek Apartments. Name change required. A Road named Hidden Creek Court already in use.

2) Ultimate ROW of 124th Street is 120', 60' not 50' is required to be dedicated. Adjustments to lots 6, 7, and 8 required Court "B" bulb may need to move west.

3) Satisfy detailed Engineering Department concerns as they relate to the grading onsite. Plans and calculations for all detention or retention areas required. Detailed grading plans required. Proposed building elevations unknown.

4) Tree Preservation Easement required on all but the front 110' of lots 12-19. Tree Preservation Easement Restrictions similar to Wetland Preservation Restrictions to be created and placed on the face of the plat.

- 5) More detailed Conservancy Area Restrictions required. Restrictions as listed in report by Mr. Gary S. Casper required to be placed on the face of the plat. The Butler's Garter Snake Document prepared by Mr. Gary S. Casper is to attached to each deed in proposed subdivision.
- 6) 25' Tree Preservation Easement required along the southern lotline of lot 18.
- 7) Vision Corner Easement required on lot 9.
- 8) New homes on lots 12-19 will be deed restricted to front entry only, and driveways are to be preplanned and oriented to the south side of the building envelope.
- 9) Letters of Approval from Waukesha County Park and Land Use, Wisconsin DNR, and SEWRPC required prior to preliminary Plat approval
- 10) Land to be fully improved and accepted by the City of New Berlin prior to acceptance of Final Subdivision application.
- 11) A common fence (i.e. Split-rail type) and/or landscaping treatment required along Howard Avenue and Sunny Slope Road. Treatment(s) to be installed prior to the city signing the final Plat.
- 12) Subdivision Monument sign to be included in fencing/landscaping plan and constructed prior to city signing the final plat.
- 13) Developer's agreement for the construction of the improvements required.
- 14) 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.
- 15) Adherence to 17.1308(10) Woodland Preservation required. Detailed tree replacement plan required.
- 16) Water main loop in 124th Street required. Connection from water main at Howard Avenue to W. Weatherstone Blvd. within 124th Street required.
- 17) Due to the topographic relief of most of the lots, exposed basements will be required. Lot owners to be informed (deed restrictions) that slopes need to be preserved. Utility laterals are to be preplanned and developer will be required to have common utility corridors. Retaining walls to be shown on final plat and be pre-approved as part of the construction plan.
- 18) Length, bearing and tie to all easements required on final plat.
- 19) All utilities to be front loaded.
- 20) Acceleration and deceleration lanes required on Howard Av.
- 21) Payment of \$1000.00/lot in Public Site, Open Space and Trail Fees to be paid before City will sign the final plat.

Seconded by Alderman Kaminski. Motion carried unanimously.

10. (7) S-146-96 Rustic Ridge – Coffee Rd. & Johnson Rd. – Redivision of Lot #4, Lot #2, and Lots #19 and #20 – Preliminary and Final Land Division. (Tabled 6/7/99)

No Action – Recommendation by Staff to Table.

11. (1) LD-3-99 Heather Griggs – 1505 S. Arcadian Dr., NW1/4 SEC. 1 – Preliminary Land Division (Referred from 9/13/99 PC Mtg.)

Motion by Alderman Kaminski to recommend to Council the request by Heather Griggs for approval a preliminary land division located at 1505 S. Arcadian Drive, NW ¼ SEC. 1 subject to:

1) Buyer of lots be made aware of restrictions and limitations on property and placed on the face of the Plat - five year restriction for connection to sanitary sewer, drainage problems on property and roadside drainage, specific type of house plans needed to accommodate size of lot.

2) Ultimate right-of-way (ROW) of Meadow Lane and Arcadian Drive is 60'. Dedication of an additional 5' on both Arcadian Drive and Meadow Lane is required to bring ROW from 50' to 60'.

A resident from 14320 W. Meadow Lane spoke. She indicated that when she and her husband bought the land and built their home 49 years ago, they were told that the land could not be divided for 20 years and after that ¾ of the people in the Arcadian Hills area had to agree that the lots could be divided. If one person does it, everyone will and there will be one house on top of another.

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

NEW BUSINESS

12. (7) RO-56-99 Pro-Tech Mechanical – 16800 W. National – Heating Shop.

Motion by Mr. Barnes to table the request by Pro-Tech Mechanical for a heating shop located at 16800 W. National Avenue for the following reasons:

1) This business is proposing to park up to eight vans on the lot. City of New Berlin Zoning Code a B-2 Zoning (General Retail Sales and Services District) requires that, "all storage and parking of vehicles and equipment, other than required customer and employee off-street parking, shall be inside except the outside parking of two vehicles in accordance with the type and size limitations of Section 17.0407 of the Zoning Ordinance."

2) Submittal of parking plan which shows adequate parking for this site. The parking must be striped so that staff is able to calculate parking at this site. 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.

3) The signage at this site must be updated to meet City of New Berlin Sign Code and National Avenue Commercial Center design and guidelines. Monument signs must have a monument base and the sign shall meet the height and size requirement, including an address plaque. A separate application is required from the Planning Department to obtain a Sign Permit prior to installation of any sign at this site.

4) 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 or compliment exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.

5) 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 an old heater, green garbage with junk and trash in it, and a blue bin should be stored within an enclosure along with the dumpster containers.

Seconded by Alderman Kaminski. Motion carried unanimously.

13. (7) U-61-99 K-Mart – 15333 W. National Ave. – Relocate Existing Double Fire Exits.

Motion by Mr. Barnes to approve the request by K-Mart to relocate existing double fire exits located at 15333 W. National Avenue subject to:

- 1) Approval of City of New Berlin Fire Department is required for this project.
- 2) Permits must be obtained from Building Inspection and Zoning Department for all interior and exterior alterations.
- 3) The City of New Berlin Sign Ordinance allows only two signs per property and the installation of one temporary banner for a maximum of 30 days in any given year. All sales and promotional banners installed at this site without a Sign Permit constitutes a violation of the above Ordinance and must be removed immediately.
- 4) 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 including a masonry or brick base monument sign.
- 5) A 6' concrete sidewalk will be required along National Avenue. 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 Mr. Felda. Motion carried unanimously.

14. (2) SIGN – Tekra – 16700 W. Lincoln Ave. – Two-Sided Ground Sign

The request by Tekra for a two sided ground sign located at 16700 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 ground sign shall not exceed 23.2 square feet (48" x 70").
- 3) Payment of \$42.80 for the ground sign:
 $48" \times 70" = 23.2 \text{ sq. ft.} \times \$2.00 / \text{sq. ft.} = \$46.40 \times \$2 \text{ sides} = \$92.80 - \$50 \text{ application fee} = \$42.80.$
- 4) Sign must be installed outside the Ultimate Right-of-way of Lincoln Avenue.
- 5) Sign must be located outside of the 20' drainage easement.
- 6) Current sign must come down upon erection of this new sign for Tekra.

15. (3) CU-14-99 New Berlin Jiffy Stop – 17201 W. Greenfield Ave. – Conceptual Review for Renovation: Two Fueling Islands, Four Dispensers, Canopy and Glass.

Motion by Mr. Chase to deny the request by New Berlin Jiffy Stop for conceptual review for renovation for two fueling islands, four dispensers, canopy and glass located at 17201 W. Greenfield Avenue based on the following:

1) Per 17.0403 (11)(b) Retail sales and customer service uses require one (1) space for each 150 sq. ft. of gross floor area, plus one (1) space for each 200 sq. ft. of gross storage area. Existing configuration requires 10 parking stalls. There are currently no parking areas striped on the property. Plan would have to show that existing parking needs were met before any expansion in use could be considered.

2) No parking along building will be allowed. Two-way traffic requires 24' of width. Plan show two 9'x18' stalls (should be 9'x19') which take up part of the two-way traffic pattern leaving just 17' at the narrowest spot for two-way traffic. Plan showing how traffic is proposed to traverse the site is required before any expansion of use could even be considered.

3) Detailed plans for the alteration of the existing islands and canopy required before any expansion of use could be considered.

4) Relocation plan for pole sign and is reconfiguration to a monument sign required before any expansion of use could be considered.

5) Proof of satisfaction of 25% greenspace requirement required before any expansion of use could be considered.

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 or compliment materials used in the exterior of building, and must be built to accommodate both solid as well as recyclable waste dumpsters.

Seconded by Alderman Kaminski. Motion carried unanimously.

16. (1) U-62-99 St. Francis – 14135 W. Greenfield Ave. – Generator.

Motion by Mr. Felda to approve the request by St. Francis for a generator located at 14135 W. Greenfield Avenue subject to:

1) Submittal of a revised sound performance measurement conducted at the location of the generator is required. This must take the expected reverberation from the building into account. Noise level not to exceed that allowed by Sec. 17.0706 of the Zoning Ordinance at the property line 18 feet away. Sound deadening shall be required to muffle the sound of the diesel generator. Placement of sound absorbing tiles on the South face of the building may be required. This must be approved by the Planning Department prior to installation.

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

3) Notice of generator tests is required. All neighbors within 300 feet must be aware of the schedule.

4) Submittal of a detailed landscaping plan that meets the requirement stipulated in Sec. 17.1308 in its entirety.

5) The current ground sign fails to meet the requirements of § 17.0800 of the City of New Berlin Zoning Ordinance. The ground sign must be replaced with a monument sign that meets the Sign Code.

6) All dumpsters at this complex must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14).

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

17. (2) U-63-99 Hal's Harley Davidson – 1915 S. Moorland Road – Full service dealership.

Motion by Mr. Barnes to approve the request by Hal's Harley Davidson for use and architecture of a full service dealership located at 1915 S. Moorland Road.

Seconded by Mr. Felda. Motion carried unanimously.

Motion by Mr. Barnes to accept the terrace parking lot with greenspace and landscape spaces as meeting the 50' front greenspace requirement outlined in the Zoning Code.

Seconded by Mr. Felda. Motion carried unanimously.

Motion by Mr. Chase to table the request by Hal's Harley Davidson for site approval for a full service dealership located at 1915 S. Moorland Road for the following reasons:

1) Satisfy the following concerns raised by Engineering Department as they pertain to overall site drainage, slopes and stormwater management. Submittal of a revised plan that shows proposed grades is required.

a) Submittal of plans that show storm water computations and how the proposed 120 feet storm sewer run around the building will work. The existing storm sewer is filled with water with very little cover.

b) There is a 14-foot drop from Moorland Road to the proposed addition. Plans do not show retaining wall.

c) Detention will be necessary for this site and amount of site improvements proposed.

d) Erosion control plan required.

2) Parking lot as proposed encroaches into the 50 feet required front yard setback.

3) All outside storage at this site must be properly screened from public view.

4) Submittal of a detailed description of the exterior architecture required. Applicant is also required to submit material samples of proposed addition.

5) The City of New Berlin Architectural Review Committee must approve building material and exterior architecture prior to issuance of Building Permit.

6) Approval of the submitted landscaping and Lighting plan by the Planning Department prior to installation.

7) Plan Commission will allow terracing of parking allowing green spaces large enough for plantings (at least 5-10 feet).

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

18. (3) SIGN – Milwaukee Journal – 2130 S. Danny Road – 30 sq. ft. ground sign, single sided, non-illuminated.

Motion by Alderman Kaminski to table the request by Milwaukee Journal for a 30 sq. ft. ground sign, single sided, non-illuminated sign located at 2130 S. Danny Road for the following reasons:

- 1) The Milwaukee Journal must obtain their occupancy permit from the Building Inspection and Zoning Department and all violations must be corrected before a sign permit will be issued.
- 2) Resolve any outstanding conditions set forth in their Use Approval.

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

19. (7) SIGN – Asia House Restaurant – 16150 W. National Avenue – Double sided ground sign with changeable letter board.

Motion by Alderman Kaminski to table the request by Asia House Restaurant for a double sided ground sign with changeable letter board located at 16150 W. National Avenue for the following reasons:

- 1) Submittal of a Certified Survey Map prepared and stamped by a professional engineer.
- 2) Submittal of a revised landscaping plan with accurate measurements and measurable scales. Plan should include parking and driving aisles.
- 3) Resolve any outstanding conditions set forth in the Use Approval (U-97-98)

Seconded by Mr. Barnes. Motion carried unanimously.

20. (4) SIGN - Towne Corp. Park – Double Sided Monument sign located at 16001 W. Beloit Road and Single Sided Monument sign located at 16301 W. Beloit Road.

The request by Towne Corp. Park for a Double Sided Monument sign located at 16001 W. Beloit Road and Single Sided Monument sign located at 16301 W. Beloit 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:

Double Sided Monument Sign at 16001 W. Beloit Road:

- 1) Sign must be located no closer than 100 feet to the centerline of Beloit Road.
- 2) Payment of a \$14.00 outstanding fee per calculations below:
 $3' \times 6' = 18 \text{ sq. ft.} \times 2 \text{ sides} = 32 \text{ sq. ft.} \times \$2.00 / \text{sq. ft.} = \$64.00 \text{ less } \$50.00 \text{ application fee} = \$14.00.$
- 3) The Monument sign shall not exceed 18 square feet (3' x 6').
- 4) The Town Corporate Park in Westridge Coordinated Sign Standard must be created and adopted before any Sign Permit will be issued within Towne Corporate Park.
- 5) Electrical Permit is required from the Building Inspection and Zoning Department.

- 6) Date on the monument sign should reflect the date of the first grand opening or first occupancy.
- 7) The address above is for the location of the Sign only. This is not part of the approved signage.
- 8) Sign must be installed outside the Ultimate Right-of-way of Beloit Road and must not be in the vision clearance triangle.
- 9) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 10) Towne Corporate Park indemnifies and holds the City of New Berlin harmless for the presence of this sign within the right-of-way.
- 11) Towne Corporate Park is responsible for all maintenance of this sign. If signs require reconstruction, relocation, or removal for public purposes, this will be at the expense of Towne Corporate Park, not the City of New Berlin.

Single Sided Monument Sign located at 16301 W. Beloit Road:

- 1) Payment of a \$32.00 outstanding fee per calculations below:

$$3' \times 6' = 18 \text{ sq. ft.} \times 1 \text{ side} = 18 \text{ sq. ft.} \times \$2.00 / \text{sq. ft.} = \$32.00$$

- 2) The Monument sign shall not exceed 18 square feet (3' x 6').
- 3) The Town Corporate Park in Westridge Coordinated Sign Standard must be created and adopted before any Sign Permit will be issued within Towne Corporate Park.
- 4) Electrical Permit is required from the Building Inspection and Zoning Department. The lighting fixtures must be soldered to prevent tampering. Lighting must also be shielded form vehicle and pedestrian traffic.
- 5) Date on the monument sign should reflect the date of the first grand opening or first occupancy.
- 6) The address above is for the location of the Sign only. This is not part of the approved signage.
- 7) Sign must be installed outside the Ultimate Right-of-way of Beloit Road and must not be in the vision clearance triangle.
- 8) Installation and Maintenance per Section 17.0800 of the Municipal Zoning Ordinance.
- 9) Towne Corporate Park indemnifies and holds the City of New Berlin harmless for the presence of this sign within the right-of-way.
- 10) Towne Corporate Park is responsible for all maintenance of this sign. If signs require reconstruction, relocation, or removal for public purposes, this will be at the expense of Towne Corporate Park, not the City of New Berlin.

21. (4) LD-8-99 Phillip Janoska – NW ¼ Sec 36 - Grange/Nicole/Edgewood – Preliminary land division.

Motion by Mr. Chase to recommend to Council approval of the request by Phillip Janoska for a preliminary land division located at ~13725 W. Grange Avenue – NW ¼ Sec. 36 subject to:

- 1) All access to lot 1 will be from Nicolet Drive or Edgewood Avenue, no access to Grange Avenue from lot 1 will be granted.
- 2) 15' Drainage easement required along eastern lotline of lot 3.
- 3) Lot fronting Edgewood Ave and Nicolet Drive required to adhere to Deed Restrictions of Highgrove Subdivision Addition #1.
- 4) Per Developer's Agreement for Highgrove Addition #1, all connection charges for Edgewood Avenue lots to be collected by the City of New Berlin and turned over to the Developer prior to the City signing the final CSM.
- 5) Payment of \$1000.00/new lot in Public Site, Open Space and Trail fees required before the City will sign the Final CSM.

Seconded by Mr. Felda. Motion carried unanimously.

22. (2) U-64-99 Betters Evergreens – 14901 W. National Ave. – Christmas Tree Sales

Motion by Mr. Barnes to approve the request by Betters Evergreens for Christmas tree sales at 14901 W. National Avenue subject to:

- 1) Applicant must submit a lighting scheme for the tree display to the Planning Department by October 22, 1999. Electrical Permit is required from the Building Inspection and Zoning Department. Lighting of trees must be shielded so as not to spill onto the public right-of-way.
- 2) Tree display shall be restricted to the area East of the vacant building and must be a minimum of 5 feet from the lot line. Customer parking will be restricted to one row parking next to the trees.
- 3) Approval will be granted for one-year probationary period subject to the result and outcome of the operation at this location. Applicant will be required to reapply to the Plan Commission for additional years if they want to continue this business.
- 4) Approval will be granted for 30 days, starting on November 25th to December 25th, 1999, at which time the site must be cleared of all Christmas trees and debris.
- 5) Hours of operation will be limited to 9 AM to 8 PM or as approved by the Plan Commission for the duration of the season.
- 6) Applicant must submit written verification that allows employees and customers to use the restroom at any of the adjoining businesses to the Planning Department by October 22, 1999. If this is not possible, applicant must provide portable bathroom with chemical toilets from a licensed distributor during duration of sales. The portable bathroom shall be emptied weekly.

Seconded by Mr. Felda. Motion carried unanimously.

23. (2) U-60-99 TDS Metrocom-New Berlin Hub Site – 2885 S. 166 St. – Telecommunication Switching Facility.

Motion by Mr. Barnes to approve the request by TDS Metrocom-New Berlin Hub Site for a telecommunication switching facility located at 2885 S. 166 Street subject to:

- 1) The area around the southwest corner of the property currently identified as gravel must be maintained as green/ open space. This area abuts a primary environmental corridor and must not be disturbed. If this area has been improved, it must be restored.
- 2) No outside storage shall be permitted on the lot. The bulk metal storage container must be removed from this site prior to issuance of an Occupancy Permit.
- 3) Landscaping along the rear of the building must be updated and incorporated with the restoration of the open space around the southwest corner of the property.
- 4) City of New Berlin Fire Department approval required prior to the installation of the fuel tank. Building must meet all applicable building and fire codes; building must be fully sprinklered.
- 5) All necessary and additional permits must be obtained from the Building Inspection and Zoning Department. (including Electrical Permits)
- 6) Dumpster must be properly screened from the street and public view in accordance with New Berlin Municipal Code Section 17.1304(14).

Seconded by Mr. Felda. Motion carried unanimously.

STAFF APPROVED

24. (2) SIGN – Waukesha Medical Centers – 13800 W. National Avenue – Double faced, internally illuminated, monument sign.

The request by Waukesha Medical Centers for a double faced, internally illuminated, monument sign located at 13800 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 ground sign on National Avenue shall not exceed 26.25 square feet (5' x 5'3").
- 3) The ground sign on Sunny Slope Road shall not exceed 26.25 square feet (5'3" x 5').
- 4) Payment of \$160.00 for the ground signs:
 $5' \times 5'3" = 26.25 \text{ sq. ft.} \times \$2.00 / \text{sq. ft.} = \$52.50 \times \$2 \text{ sides} = \$105.00 - \$50 \text{ application fee} = \$55.00.$
 $5' \times 5'3" = 26.25 \text{ sq. ft.} \times \$2 / \text{sq. ft.} = \$52.50 \times \$2 \text{ sides} = \$105.00$
- 5) Sign must be installed outside the Ultimate Right-of-way of National Avenue and Sunny Slope Road.
- 6) Address plaque and numbers shall be complementary to the sign face and base. Submittal of a plan for the plaque shall be submitted to the City of New Berlin Planning Department for approval before the plaque is installed.
- 7) Temporary Construction signs must come down upon erection of this new sign for Waukesha Medical Centers.

8) 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. 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.

ZONING PERMITS

25. (2) RO-53-99 O.H.M. of Lincoln, Inc. – 16602 W. Rogers Drive - Administrative Offices and Warehouse.

The request by O.H.M. of Lincoln, Inc. for administrative offices and warehouse located at 16602 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) 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.
- 4) Parking spaces and aisles shall meet all Zoning Code and ADA requirements.
- 5) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14). General clean up of dumpster area in the rear of the building.
- 6) Trailer in rear shall be removed upon occupancy.

26. (2) RO-54-99 TDS Metrocom-New Berlin Hub Site – 2885 S. 166 St. – Telecommunication Switching Facility.

The request by TDS Metrocom-New Berlin Hub Site for a telecommunication switching facility located at 2885 S. 166 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.
- 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).
- 5) General clean up of rear lot when project is complete.

27. (2) RO-55-99 Industrial Drives and Control, Inc. – 16600 West Rogers Drive - Office use and life assembly.

The request by Industrial Drives and Control, Inc. for office use and lift assembly located at 16600 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) 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.
- 4) Parking spaces and aisles shall meet all Zoning Code and ADA requirements.
- 5) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14). General clean up of dumpster area in the rear of the building.
- 6) Trailer in the rear parking lot shall be removed upon occupancy.

28. (2) RO-57-99 Rotaform LLC – 17055 W. Victor Road – Office.

The request by Rotaform for a office located at 17055 W. Victor 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 reoccupancy permit is for office use only. A full Use Approval will be required prior to the change in use from office to industrial. Applicant must be aware that this process must be completed before machines and equipment are moved here.
- 2) Install sampling man hole if one is not existing to monitor industrial waste.
- 3) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. No outside storage will be permitted on the property.
- 4) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
- 5) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 6) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).

29. (2) RO-58-99 Top Shelf Custom Cabinetry – 16208 W. Rogers Drive – Design and construct custom cabinets.

The request by Top Shelf Custom Cabinetry to design and construct custom cabinets located at 16208 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) 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) Permits are needed from the Building Inspection and Zoning Department for the wiring and machines in the cabinet area and separate ventilation permits are needed for the cabinet shop area.
 - 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 and exterior alterations or modifications.
 - 5) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Municipal Code Section 17.1304 (14).
 - 6) General clean up of rear lot when project is complete. This would include the pallets in the rear of the building.
30. (2) RO-59-99 Minneapolis/Chicago Project - 2400 S. Commerce, Suite 100 - Office for 8-10 employees to plan route for fiber optic cable.

The request by Minneapolis/Chicago Project for an office for 8-10 employees to plan route for fiber optic cable located at 2400 S. Commerce, Suite 100 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. Outside storage shall be permitted within the fenced area of the property only.
- 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) 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).
- 5) Repair the crack at the end of the driveway before the end of the construction season.

COMMUNICATIONS

31. Communication To: Plan Commission

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

RE: Letter from Milo Pinkerton, MSP Real Estate, Inc. dated September 13, 1999 regarding Deer Creek Village Request.

This item is referred to Staff and Park & Rec. Dept.

32. Communication To: Plan Commission

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

RE: Letter to Editor from Brian R. Riordan dated August 24, 1999.

This communication is Brian Riordan's representation of Mero Susnar and Westridge.

33. Communication To: Plan Commission

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

RE: Central Air Conditioning Compressor Locations

Motion by Mr. Barnes to refer Bob Sigrist to use Section 17.0603 Non-Conforming Structures and Replacement. If a legally located central air conditioning compressor is being replaced with something of similar size on the same site, such replacement may be provided for at the same location consistent with this Section of the Code.

Seconded by Mr. Felda. Motion carried unanimously.

34. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Planning

RE: Trends, Cycles & Patterns, Fall 1999, What is Happening to Our Suburbs?, by Peter T. Dyke, AICP

Mr. Hoese briefly explained that the communication was distributed to help update the Commissioners on some of the current trends.

35. Communication To: Plan Commission

Communication From Steven K. Hoese, Director of Planning

RE: Trends, Cycles & Patterns, Fall 1999, Are Our Communities Unique Anymore? By Drew Petterson, AICP

Mr. Hoese said the article emphasized that cities and suburban areas need to take a serious look at their design review process to include site plan review, design guidelines, design review ordinances, historic district review, overlay zoning districts, control special use permits and performance standards for design quality and sign control.

Mr. Hoese also added that he was happy to report that New Berlin scores highly on most of these.

36. Communication To: Plan Commission

Communication From: Steven K. Hoese, Director of Planning

RE: Trends, Cycles & Patterns, Fall 1999, Stop That Noise by Theodore R. Johnson, AICP

Mr. Hoese said this communication is a very brief design primer about the effects of sound levels and how walls, berms, etc. impact these levels.

Motion by Mr. Chase to adjourn the Plan Commission meeting at 9:30 P.M. Seconded by Mr. O'Neil. Motion carried unanimously.