

PUBLIC HEARING

6:00 P.M. (1) CU-11-01 – U.S. Cellular - 12800 W. National Ave. – 70’
Stealth Flagpole Tower and a 12’ x 20’ Equipment Shelter.

NEW BERLIN PLAN COMMISSION

NEW BERLIN CITY HALL COUNCIL CHAMBERS

DECEMBER 3, 2001

MINUTES

The public hearing relative to the request by Yvonne Murray, c/o U. S. Cellular for a Conditional Use Approval for a 70' stealth flagpole tower and a 12' x 20' equipment shelter at 12800 W. National Avenue was called to order by Mayor Wysocki at 6:03 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament. Also present were Greg Kessler, Director of Community Development, Olofu Agbaji, Planning Administrator. Mr. Felda was excused.

Mr. Kessler read the public hearing notice and stated there was proof of publication.

Mayor Wysocki explained the procedure for a public hearing saying that he would ask for questions of clarification and then ask three times for anyone wishing to speak in favor of the application and then three times for anyone wishing to speak in opposition of the application.

Mr. Agbaji gave a brief presentation describing the request and showing maps indicating the location.

Mayor Wysocki asked for questions for clarification.

George Domin, 12720 W. Manitoba Avenue - I am here to find out what the purpose of this flagpole shelter is.

Mr. Agbaji explained it is an antenna for U.S. Cellular and it is in the form of a flagpole. Just down the street there is one like it at Blue Cross/Blue Shield, the old Jumbo Sports. The building will be to house the equipment.

Mayor Wysocki asked for further questions for clarification three times, seeing none.

Mayor Wysocki asked if there was anyone wishing to speak in favor.

Mike Bieniek, 655 First Bank Dr, Paletene, IL - I am here representing U.S. Cellular on both the public hearings tonight. Our primary interest is in the second location. We would like to have the first location tabled while we get the second one worked out. Those are our intentions.

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

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

Mayor Wysocki asked Plan Commissioners for questions for the propose of clarification.

Mr. Barnes - Typically when we have the cell towers we have the requirement of co-locating. Does the stealth format eliminate the possibility to have another company co-locate on that tower?

Mr. Agbaji answered Yes, in this case, because it is only 70' tall.

Alderman Ament - The pictures do not show the utility building or fencing. How will it be screened?

Mayor Wysocki asked the height of the building.

The applicant said the building is approximately 11' tall.

Mr. Gihring - Is anything else going to be attached to the pole in the future?

The applicant said that any other equipment would be put up through the interior of the pole. The only possibility of any attachments would be another equipment shelter for any co-location on the tower.

Mayor Wysocki asked for further questions from Commissioners, seeing none.

Mayor Wysocki called the public hearing closed at 6:12 P.M.

PUBLIC HEARING

6:01 P.M. (2) CU-12-01 U. S. Cellular – 13620 W. Fieldpointe Dr. – 180’
Wireless Communication Facility and a New Equipment Shelter.

NEW BERLIN PLAN COMMISSION

NEW BERLIN CITY HALL COUNCIL CHAMBERS

DECEMBER 3, 2001

MINUTES

The public hearing relative to the request by Yvonne Murray, c/o U. S. Cellular for a Conditional Use Approval for a 180' wireless communication facility and an equipment shelter at 13620 W. Fieldpointe Drive was called to order by Mayor Wysocki at 6:13 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament. Also present were Greg Kessler, Director of Community Development, Olofu Agbaji, Planning Administrator. Mr. Felda was excused.

Mr. Kessler read the public hearing notice and stated there was proof of publication.

Mayor Wysocki explained the procedure for a public hearing saying that he would ask for questions of clarification and then ask three times for anyone wishing to speak in favor of the application and then three times for anyone wishing to speak in opposition of the application.

Mr. Agbaji gave a brief presentation describing the request and showing maps indicating the location.

Mike Bieniek, representative for U.S.Cellular offered additional information about the project.

Mayor Wysocki asked for questions for clarification.

Gary Koth - 13584 W. Fountain Court - Is a light required on top of the tower?

Mr. Bieniek - In most cases FAA does not mandate a tower but there is no 100% guarantee.

Dan Evans, 13320 Fountain Drive - I am understanding correctly that this has to be approved, that we have no choice?

Mayor Wysocki - There is an overriding federal jurisdiction, however there is an alternative site discussed at the previous public hearing. The federal government has laid out a plan that indicates any municipality has very limited powers deciding if a tower will be allowed in a community. They do allow for some latitude on placement of the tower, that is the purpose of our public hearing. Since the rules of the telecommunications act was passed some time ago, there are, under Sec. 704 of the 1996 Act, that does not give us a lot of latitude.

Mr. Evans - Is it the intention for each community to have a certain number of towers?

Mayor Wysocki - It isn't a question of how many, it is the coverage area. That is to say, we have to provide the opportunity to allow for this personal wireless service to be provided.

Mr. Evans - The spot where this tower is suppose to go is a mile out of Milwaukee county. We are servicing Milwaukee County.

Andrew Flowers, a representative from U.S. Cellular talked about the map showing the tower is to service the New Berlin area. It was explained as a circular coverage.

Mayor Wysocki asked three times for further questions of clarification, seeing none.

Mayor Wysocki asked if there was anyone wishing to speak in favor of the proposal.

Dick Rogers, Verizon Wireless - In conjunction with the application from U.S. Cellular, we have indicated to Mr. Lake we would like to co-locate.

Mayor Wysocki asked if there was anyone wishing to speak in favor of the proposal three times, seeing none.

Mayor Wysocki asked if there was anyone wishing to speak in opposition of the proposal.

Gary Koth - 13584 W. Fountain Court - If you go back to the picture of the site you will see where I live so obviously I have a lot of interest in this. When your business plan came out, we were told there was going to be a park in this location. Now there is going to be a big cell tower, not exactly what we had in mind when we supported the development for the health facility. When we went to the information meeting we were told by Mr. Lake that they tried four or five other places and no one wanted it so we have to put this thing somewhere. That has to be the worst reason for putting it here. How do you think that makes us feel? Like second class citizens. We were also told we could have several smaller ones or one big one. Again, for those of us who live there that makes us feel even worse. I believe they belong in commercial areas. In my opinion, its about money. If you look up the Parks & Recreation web page for their mission statement, it mentions the park system. I can't imagine anyones definition of a park would be a cell tower. We have been told in recent times that you want to listen to the citizens more. The citizens that live in this community don't want this tower here. I think there are a lot of private of people who would love to have the money and put it on their land. In my mind, this is about the City collecting money. I feel this is a fairness issue. I am very concerned what this will do to my property value. I hope you will listen to us and reconsider.

Dan Evans, 13320 Fountain Drive - I live in the same complex. The people that live in the Fountain Square Condominium project have that cesspool that gets all the debri from upstream and we have to clean it. We bought there so it is our responsibly. I don't think this has to be our responsibility too. I would hope you people would help us out this time because we certainly do a lot for the city with what we do with the runoff of all the water. I can't understand why this location is so important. What about on top of the water towers or power lines. There are many places where additions can be put on as far as I'm concerned and I just feel that the people that live in the Fountain Square Condominium project do a lot for the city and I would like to see the city do something for us this time.

Jim Lamont, 13576 W. Fountain Court - My understanding that when the park was given to the city, it was for recreational purposes. I also understood that there was naming rights tied to it and the park, therefore, was named ProHealth Park. How do we consider the use of a tower in a park plan being consistent with the basis in which the land was given to the city in the first place?

Mayor Wysocki said that in the agreement there were certain allowed uses beyond specific recreational uses.

Mayor Wysocki asked three more times for anyone wishing to speak in opposition, hearing none.

Mayor Wysocki asked Plan Commissioners for questions.

Mr. Teclaw - Was this discussed at any point during the application process with ProHealth Care that this would be considered at this location or was this, in fact, designated for park space?

Mr. Kessler said this application has not been brought to the attention of the representative of ProHealth Care. Mayor Wysocki said I am not aware that this was a stipulated use within the donation of the land but again I must say it is not a prohibited use.

Mr. Gihring - The Park and Rec Commission are going to go back and ask that the park be relayed out and try to find a different location for the tower that is further to the West and South. We decided to attach some conditions if they were to locate the tower in the park.

Mayor Wysocki said the issue of locating on a water tower or power lines goes back to coverage of each tower. One of the things that caused this attraction was the fact of having a potential of six locators so that is six less independent towers that have to go up.

Mr. Teclaw - Are there other anticipated inviting structures under consideration in the park. What about lighting of soccer fields or ball diamonds. Mr. Gihring said no lighting was proposed for the park other than along the trail. Mr. Teclaw asked if other sites were investigated. Mr. Bieniek said our alternative was the bank location.

Mr. Graber - If someone was of the opinion that putting single towers up at a lower height might be preferable than collocating on one tower, what height of a stealth tower would we be looking at if everyone would want their own tower. Are we still in the same 70-90' range, with half a dozen opposed to one. Mr. Bieniek said that is impossible to speculate on, you would have to have the carriers here representing their interest.

Mayor Wysocki asked Plan Commissioners for further questions, seeing none.

Mayor Wysocki closed the public hearing at 6:53 P.M.

NEW BERLIN PLAN COMMISSION
NEW BERLIN CITY HALL COUNCIL CHAMBERS

DECEMBER 3, 2001

MINUTES

The Plan Commission meeting of December 3, 2001 was called to order by Mayor Wysocki at 6:43 P.M.

In attendance were Mayor Wysocki, Mr. Graber, Mr. Barnes, Mr. Gihring, Mr. Teclaw, Alderman Ament. Also present were Greg Kessler, Director of Community Development, Olofu Agbaji, Planning Administrator. Mr. Felda was excused.

Motion by Mr. Barnes to approve the Plan Commission Minutes of November 5, 2001. Seconded by Mr. Gihring. Motion carried unanimously.

Plan Commission Secretary's Report - Mr. Kessler reminded the Plan Commissioners that there will be one Plan Commission meeting per month in the following year, but called their attention to the January schedule which does call for a special meeting on the 14th.

SPECIAL PRESENTATION

5. () Towers - Mark C. Lake, Director of Planning

Deferred to 1/7/02.

REFERRAL FROM COUNCIL

6. () Development Code Chapter 18 (235) and Zoning Code Chapter 17 (275) -
3:1 Density vs. 5:1 Density.

Motion by Mr. Teclaw to recommend to Council to have the density remain as 5:1. Seconded by Alderman Ament.

Motion carries with Mayor Wysocki, Mr. Gihring, Alderman Ament, Mr. Teclaw voting Yes and Mr. Graber, Mr. Barnes voting No.

CONTINUED ITEMS

7. (5) U-65-01 Vision Development LLC – 14650 & 14780 W. Wilbur – Two

Four-Family Buildings w/Two-Car Garage for Each Unit – Condo
Ownership. (Tabled 10/1/01, Deferred 11/5/01)

Motion by Mr. Graber to remove this item from the table. Seconded by Alderman Ament. Motion carried unanimously.

Motion by Mr. Graber to separate the discussion and motion for Building #1 and Building #2. Seconded by Mr. Teclaw. Motion carried unanimously.

Motion by Alderman Ament to defer the request by Vision Development LLC for a four family building (Building #1) with two car garage located at 14650 & 14780 W. Wilbur based on the following:

- 1) Building foundation to be located a minimum of 50' from established ordinary high water mark.
- 2) Shift building West approx. 6 feet. Sanitary sewer easement required to be located on revised site plan and stake out survey. Lower top of proposed retaining wall from 877.0' to 875.5'/876'.
- 3) Lower first floor of building from 880.27' to 878.8' to match the master grading plan. The garage slab shall be 877.4', and the basement shall not be less than 869.9. Lowest yard grade shall be 873.0. Hold harmless agreement required.
- 4) Proposed driveway shall be a minimum of 45' from side lot line. Hold harmless agreement required.
- 5) Curb and sidewalk required to be extended west to the end of the proposed driveway. Temporary culver under driveway required.
- 6) Sanitary sewer lateral required.
- 7) Stakeout survey will be required for buildings.
- 8) Architectural Review Committee review and approval of the exterior architecture and materials for construction shall be required prior to issuance of building permit.
- 9) Building plans must be stamped by a Wisconsin Registered Architect.
- 10) Building must meet all applicable building and fire codes. Future basement bedrooms are required to have two exits. Building must be fully sprinklered. Fire alarm system and a building knox box is required. Hydrant to be located with 150' of building riser.
- 11) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction.
- 12) Payment of \$2137.40 per unit in Public Site, Open Space and Trail Fees is required prior to issuance of Building Permit.
- 13) Plans does not designate responsible party for maintenance of the pond. This shall be resolved prior to issuance of Zoning Permit. Affidavit of correction required for revised easement.
- 14) Unit dumpsters required to be stored within garage at all times unless during collection periods.
- 15) Payment of any, and/ or all outstanding fees, assessments, or personal property taxes required prior to issuance of Zoning Permit.

Seconded by Mayor Wysocki. Motion carried unanimously.

Motion by Mr. Graber to defer the request by Vision Development LLC for a four family building (Building #2) with two car garage located at 14650 & 14780 W. Wilbur based on the following:

- 1) Adjust building size and location to meet all required setbacks (25' front)
- 2) Wetland re-staking required. Site review shows grading/filling within the established wetland. Mapping doesn't reflect field staking. No fill allowed in wetland/floodplain.
- 3) Applicant is required to submit alternative building footprint/ layouts that provides adequate setbacks from all identified environmental corridor which including wetlands. The alignment of the building fails to conform to wetland and rear yard setback requirements. Revised plans shall address also the size of the building shell.
- 4) Revised grading plan shall incorporate an alternative building footprint that fits within the building envelope. Master grading plan for the Preserve at Deer Creek shows a 90' building shell. Proposed shell is 108' x 112'.
- 5) Proposes Building #2 deck must be outside of 10' wetland setback. Building plans does not reflect this. Plans show Building #2 decks built within 10' setback of the wetlands.
- 6) Proposed building elevation of 880.27 shall be lowered to 879.2. Garage slab shall be 877.85. Basement floor shall not be less than 870.4
- 7) Stakeout survey will be required for buildings.
- 8) Architectural Review Committee review and approval of the exterior architecture and materials for construction shall be required prior to issuance of building permit.
- 9) Building plans must be stamped by a Wisconsin Registered Architect.
- 10) Building must meet all applicable building and fire codes. Future basement bedrooms are required to have two exits. Building must be fully sprinklered. Fire alarm system and a building knox box is required. Hydrant to be located with 150' of building riser.
- 11) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction.
- 12) Payment of \$2137.40 per unit in Public Site, Open Space and Trail Fees is required prior to issuance of Building Permit.
- 13) Plans does not designate responsible party for maintenance of the pond. This shall be resolved prior to issuance of Zoning Permit. Affidavit of correction required for revised easement.
- 14) Unit dumpsters required to be stored within garage at all times unless during collection periods.
- 15) Payment of any, and/ or all outstanding fees, assessments, or personal property taxes required prior to issuance of Zoning Permit.

Seconded by Alderman Ament. Motion carried unaimously.

8. () PG-293 - Alternative Transportation Committee - Plan Review (Deferred 11/5/01)

The Alternative Transportation Committee report was presented to the Plan Commissioners for their review prior to the adoption of a similar document in the future.

9. () Tans Drive and Crowbar Road - Wisconsin Rustic Road Status. (Tabled 10/15/01)

Motion by Mr. Gihring to recommend to Council approval of the adoption of the resolution dealing with the recommendation for a Rustic Road designation of Tans Drive.

Seconded by Alderman Ament.

Motion passes with Mayor Wysocki, Mr. Gihring, Alderman Ament, Mr. Teclaw, Mr. Barnes voting Yes and Mr. Graber voting No.

10. (2) CU-4-01 Area Rental & Sales Co. LLC - 16205 W. Rogers - Propane Tank Replacement. (Tabled 5/7/01)

Motion by Mr. Graber to remove this item from the table. Seconded by Alderman Ament. Motion carried unanimously

Motion by Mr. Graber to recommend to Council approval of the request by Area Rental & Sales Co. LLC for a propane tank located at 16205 W. Rogers subject to:

- 1) All customer and employee parking shall be contained on site. Parking of vehicles, equipment and trucks on the lawn or on the public street shall not be permitted. Outdoor display of equipment or merchandise shall not be permitted.
- 2) Approval of the City of New Berlin Fire Department is required prior to issuance of Building Permit for the propane tanks.
- 3) No automobile service and repairs is permitted on this business. For this to occur, applicant shall be required to apply for and receive approval from the Plan Commission and the City of New Berlin Fire Department.
- 4) Landscaping screening shall be enhanced with 8 additional plants as agreed upon with staff. Installed landscaping will be inspected in May to ensure that the outdoor storage area is significantly screened from public view.

Seconded by Alderman Ament. Motion carried unanimously.

NEW BUSINESS

11. () PG-619 I-94 & Calhoun Road Interchange Resolution.

Motion by Mr. Barnes to recommend to Council approval of the adoption of the resolution in support of the I-94 & Calhoun Road interchange.

Seconded by Mr. Graber. Motion carried unanimously.

12. (5) R-5-01 National Energy Properties – Trombo – 14775 W. National Ave. – Rezone Rm-1 to B-2 for Dunkin Donuts, Baskin Robins, and Togo's Restaurant. (Public Hearing 11/5/01)

Neighborhood petitions against the proposal on file in Planning Dept.

Motion by Alderman Ament to recommend to Council denial of the request by National Energy Properties to rezone the property located at 14775 W. National Avenue from Rm-1 to B-2 for the following reasons:

- 1) Submittal of a detailed traffic impact analysis for the proposed development at this location. This analysis shall take the Preserve at Deer Creek Planned Unit Development and the proposed City Center Development into account.
- 2) Access permits required from Waukesha County Department of Transportation.
- 3) A tree inventory of the property shall be required. Applicant shall be required to retain the services of a certified arborist to document the trees and provide a replacement schedule as outlined in Section 17.08 (3) (B) of the City of New Berlin Zoning Ordinance.
- 4) Adequate facilities for storm water management required.
- 5) Applicant shall be required to resolve the existing grading and drainage problems at this site with the Department of Community Development (Engineering).
- 6) Incompatible with GDMP.

Seconded by Mr. Barnes. Motion carried unanimously.

13. (7) R-9-00 Crestview Place - 16850 W. Observatory - Rezone from O-1 to Rm-1/PUD for Seven Multi-Family Buildings. (Tabled 10/2/00, 2/5/01) - Revised plans. (Public Hearing 11/5/01)

Motion by Alderman Ament to recommend to Council denial of the request by Crestview Place to rezone the property located at 16850 W. Observatory Road from O-1 to Rm-1/PUD for the following reasons:

- 1) The Department of Community Development, Plan Commission and Common Council have determined that there are enough multi-family units; either zoned, planned, under construction, or recently built and no new multi-family rezoning requests should be granted until more single-family detached developments are planned and/or built.

- 2) The New Berlin Center Master Plan (1977) proposed the subject property should be used for City Park expansion.
- 3) Densities of existing multi-family projects approved over the last few years have not been greater than roughly 5.5 units/acre. A density of 5.5 units/acre would allow for a maximum of 38 units. Revised plan as submitted is 6.98 acres and includes four 8-unit and four 2-unit or 40 units.

Seconded by Mr. Gihring. Motion carried unanimously.

14. (6) LD-8-01 Michael Kolupar – Nw ¼ Sec. 24 – 13725 W. Howard – Final Two-Lot Land Division

Motion by Alderman Ament to recommend to Council approval of the request by Michael Kolupar for a final two-lot land division located at NW 1/4 Sec. 24, 13725 W. Howard subject to:

- 1) A deed restriction, and revised label on the face of the CSM, requiring “Kolupar Lane shall be dedicated and extended (constructed to City of New Berlin standards) to the Southern extent of Lot 2 prior to any building permits for Lot 2 being granted”. Access permits required from the City of New Berlin-Engineering Department.
- 2) Existing home (13725 W. Howard Av) fronting on existing private road will require an address change to Kolupar Lane.
- 3) Existing shed, located on lot 2, shall be removed within one year of the signing of this CSM. Removal requirement shall be waived when, and only when, a building permit for lot 2 has been applied for and granted.
- 4) Clean up any drafting errors as may be required prior to signing of the final CSM.
- 4) Payment of \$2,137.60 in Public Site, Open Space and Trail Fees required prior to the City signing the final CSM.

Seconded by Mr. Graber. Motion carried unanimously.

15. (4) LD-12-01 Richard A. Gaggioli PE – 5239 S. Guerin Pass – One-Lot Preliminary Land Division

Motion by Alderman Ament to recommend to Council approval of the request by Richard A. Gaggioli PE for a one-lot preliminary land division located at 5239 S. Guerin Pass subject to:

- 1) Both lots shall meet the minimum requirements of §17.04(2)(5) R-4.5 Medium-Density Single-Family Residential District in its entirety.
- 2) Common access agreement required for ingress & egress of lot 1 (12).
- 3) The garage for the future principle residence on lot 2 (vacant lot 11) shall be restricted to the southern lot line.

- 4) Front setback of lot 2 (vacant lot 11) shall be measured by drawing an arc (with a radius of 140' and centered on a point in Guerin Pass) from the northeastern corner of existing principle residence within lot 10 to the south, to the northeastern corner of the existing principle residence located on lot 1 (lot 12).
- 5) Payment of \$2,137.60 in Public Site, Open Space and Trail Fees required prior to the City signing the final CSM.

Seconded by Mr. Gihring. Motion passes with Mayor Wysocki, Mr. Gihring, Alderman Ament, Mr. Teclaw, Mr. Barnes voting Yes and Mr. Graber voting No.

16. (5) LD-11-01 The Preserve at Deer Creek Phase II – 14301 W. Howard Ave. – Ne ¼ Sec. 23 – Four-Lot Preliminary Land Division

Motion by Mr. Barnes to recommend to Council approval of The Preserve at Deer Creek Phase II for a four-lot preliminary land division located at 14301 W. Howard Avenue for the purpose of discussion.

Seconded by Mr. Teclaw.

Motion by Alderman Ament to table the request for The Preserve at Deer Creek Phase II for a four-lot preliminary land division located at 14301 W. Howard Avenue, NE 1/4 Sec. 23 subject to:

- 1) All lots shall meet the minimum requirements of Rd-1/PUD Preserve at Deer Creek Two-Family Residential Condominium District (Ordinance #2094) in its entirety.
- 2) All identified wetlands shall be properly labeled on the face of the CSM and recorded within the CSM via metes and bounds description.
- 3) Urban cross-section required within development.
- 4) All easements requested/granted to the City are to be at no cost to the City.
- 5) Detailed Stormwater Management Plan required. Plan should include Honeyager Development, Farrell Developments and the properties to the east. Outlots/easements may be required for stormwater detention facilities.
- 6) Length bearing and tie to all wetlands and easements (public and private) required.
- 7) Final CSM shall include all setbacks established within PUD.
- 8) Detailed road/infrastructure/grading plans to be reviewed and approved by the Engineering Department prior to writing of the developer's agreement.
- 9) Sewer and water plans to be approved by all regulating authorities.
- 10) Sanitary sewer and water main extensions shall both utilize the future Spruce Road connection. Existing sanitary sewer located within 30' easement to be abandoned.
- 11) Existing 30' wide sanitary sewer drainage easement to be vacated.

- 12) Developer's Agreement for all public improvements required. Agreement to be approved by the Board of Public Works and Common Council. Approval of all surety instruments required prior to the City signing the final Plat.
- 13) An executed Developer's Agreement is required prior to clearing, grubbing, grading and/or utility/infrastructure work commencing.
- 14) Urban cross-section required within development and Howard Ave.
- 15) Adherence to §17.1308(10) Woodland Preservation required. Tree inventory of existing trees greater than 4" DBH (diameter at breast height) required.
- 16) Landscaping plan, which addresses species, sizes and quantities of trees and shrubs required for Use Site and Architecture approval. Coniferous trees to be a minimum of 6' in height. Deciduous trees to be a minimum of 3-1/2" D.B.H. Ornamental trees to be a minimum of 2-1/2" D.B.H.
- 17) Access permits required from the City of New Berlin Engineering Department for the extension of Howard Avenue
- 18) Change the Plan Commission Secretary's name to Mark C. Lake
- 19) All owners as of the date of signing, to sign prior to City signing the final CSM.
- 20) Surveyor's signature and seal required on all pages of the Final CSM.
- 21) Payment of \$6,412.80 in Public Site, Open Space and Trail Fees required prior to the City signing the final CSM.

Seconded by Mr. Teclaw. Motion carried unanimously.

17. (1) U-76-01 James E. Yuenkel – 13923 W. Greenfield Ave. – Add Parking Lot to West Side of Lot.

Motion by Alderman Ament to approve the request by James E. Yuenkel to add a parking lot to the west side of lot located at 13923 W. Greenfield Avenue subject to:

- 1) Approval of this project will be subject to the successful acquisition of the excess ROW from the State Department of Transportation.
- 2) Submittal of a revised site plan drawn to scale that meets the 9' x 19' minimum parking stall dimension and a 13' driving isle. Paved area shall be setback a minimum of 10' from the ROW as required by § 17.08 (6) (7) (f) of the City of New Berlin Zoning Ordinance. Revise plan must be approved by the Department of Community Development (Planning) prior to issuance of Zoning Permit.
- 3) Applicant shall be required to finish painting the exterior façade of the building along Greenfield Avenue by May 31, 2002.
- 4) Access, grading and drainage approval is required from the Department of Community Development (Engineering) prior to commencement of any site work.

- 5) Applicant will be required to dedicate an ADA van accessible stall. ADA stall shall be a minimum of 16' wide. Building must meet ALL applicable commercial codes including all stairs and ADA accessibility requirements.
- 6) Per Section 17.08 (10) (I) (1) (c), "All new signs and replacement signs of existing signs located along arterials or major thoroughfares shall be placed on a monument base constructed of the same material and color or shall enhance the exterior architecture of the principal building. Major arterials shall include Calhoun Road, Cleveland Avenue, Greenfield Avenue, Lincoln Avenue, Moorland Road, and National Avenue". Please see that plan for a monument sign along Greenfield Avenue is submitted to the Department of Community Development by December 28, 2001. All signs must be brought to compliance with the Sign Code.
- 7) Dumpster must be properly screened from the street and public view in accordance Section 17.08 (5) (G) of the City of New Berlin Zoning Ordinance. Enclosure must match exterior of the principal building, and must be built to accommodate both solid as well as recyclable waste dumpsters. Location of dumpster enclosure and its material for construction shall be identified on the revised plans.
- 8) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.

Seconded by Mr. Graber. Motion carried unanimously.

18. (3) U-79-01 Citgo Gas Station – 16401 W. Greenfield Ave. – Replace Old Garbage Pad Shelter.

Motion by Mr. Teclaw to approve the request by Citgo Gas Station to replace an old garbage pad shelter located at 16401 W. Greenfield Avenue subject to:

- 1) Dumpster enclosure must be a minimum of 5' from the property line. The existing slab must be moved or saw-cut to meet the required setback.
- 2) The monitoring shed shall be removed if no longer in use by the monitoring agency.
- 3) The canopy and pumps at this service station have been changed without Plan Commission approval as required by § 17.03 (5) (A) of the City of New Berlin Zoning Ordinance. This is a violation of the above section of the ordinance and must be resolved prior to issuance of this Zoning Permit.
- 4) Per § 17.05 (2) (C) (9), outside display of merchandise is a permitted accessory use, but must not exceed five (5) percent of the gross floor area of the store or 500 square feet, whichever is less. Please ensure that all outside display of items, merchandise is limited to the square footage allowed by code and shall be contained within limits of the canopy.

Seconded by Alderman Ament. Motion carried unanimously.

19. (1) U-80-01 World Harvest Prayer Church – 2015 S. Sunnyslope – Church Services.

Motion by Alderman Ament to approve the request by World Harvest Prayer Church for church services located at 2015 S. Sunnyslope Road subject to:

- 1) The recycled asphalt/ shingles spread next to the parking lot has been installed without Plan Commission approval as required by § 17.03 (5) (A) of the City of New Berlin Zoning Ordinance. Please see that the asphalt is removed and the lawn area restored or an application for a parking lot expansion is submitted to the Department of Community Development (Planning).
- 2) Hours of operation will be limited to 8:30 AM to 1:00 PM or as approved by the Plan Commission.

Seconded by Mr. Gihring. Motion carried unanimously.

20. (7) U-81-01 Southwest Metal Finishing – 16775 W. Dakota – Parking Lot Addition and General Site Improvements.

Motion by Mr. Barnes to approve the request by Southwest Metal Finishing for a parking lot addition and general site improvements located at 16775 W. Dakota subject to:

- 1) Applicant shall be required to field stake the existing wetland on the property and have it surveyed prior to issuance of Zoning Permit. All grading and earth moving shall be kept a minimum of 10' from the delineated wetland boundary. Erosion control silt fence shall be installed a minimum of 10' from the staked out wetland boundary.
- 2) Parking stalls shall be a minimum of 9' x 19' with a minimum of 24' driving/ maneuvering isles.
- 3) Applicant will be required to meet the City of New Berlin Storm Water Management Plan in its entirety. The detention pond computation must be approved by the Department of Community Development (Engineering) prior to issuance of Zoning Permit.
- 4) Site grading and drainage must be approved by the Department of Community Development (Engineering) prior to issuance of Zoning Permit.
- 5) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site. Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 6) Dust collection unit must meet the 15' side yard setback required by code or moved to South of the Building.

Seconded by Alderman Ament. Motion carried unanimously.

21. (5) U-82-01 Insty Prints - 16145 W. National Avenue - Copy and Duplicating Office.

Motion by Mr. Graber to approve the request by Insty Prints for a copy and duplicating office located at 16145 W. National Avenue subject to:

- 1) Applicant will be required to incorporate the West National Avenue Redevelopment Plan design and guidelines for street edge, lighting, pedestrian pathways signage and landscaping. Per Section 17.08 (10) (I) (1) (c) of the Zoning Ordinance, applicant will be required to install a monument sign for this business. Please see that an application for a monument sign is submitted by January 7, 2002.
- 2) Architectural Review Committee recommends the removal of the rooftop sign as this is a violation of the Sign Code. Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code. This will require building exterior update and paint touch-up.
- 3) All parking stalls in front of the building that encroach into National Avenue ROW shall be eliminated and restored to grass. Parking shall meet the requirements of § 17.08 (6) (A) (3) of the Zoning Ordinance in its entirety. All paved area along National Avenue shall be setback a minimum of 10' as required by Code. The paved parking area shall be restored to landscaping. Landscaping is not permitted within the ROW.
- 4) The residential portion of this property is an accessory use to the existing business and can only be occupied by the proprietor or a designated employee (manager). This unit can not be leased out as a commercial rental property.
- 5) Applicant will be required to connect to municipal water or install a meter on the existing private well as a result of this change in use. Please contact the Utility Department (Water) at 262-786-7086 for more information.
- 6) Per Section 17.08 (5) (G) of the New Berlin Zoning Ordinance, dumpsters must be properly screened from the street and public view. 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 enhance exterior of the principle building, and must be built to accommodate both solid as well as recyclable waste dumpsters.
- 7) If and when the additional parking stalls to the South become necessary, applicant will be required to submit a grading plan for review and approval prior to construction.

Seconded by Alderman Ament. Motion carried unanimously.

22. (5) U-83-01 Rick and Jane Yocum – 3925 S. Sunnyslope – Home Occupation - Beauty Salon.

Motion by Alderman Ament to approve for the purpose of discussion, the request by Rick and Jane Yocum for a home occupation, beauty salon located at 3925 S. Sunnyslope Road.

Seconded by Mr. Teclaw.

Motion by Mayor Wysocki to defer the request by Rick and Jane Yocum for a home occupation, beauty salon located at 3925 S. Sunnyslope Road for the following reasons:

- 1) Home Occupation shall be conducted in accordance with Section 17.05 (3) (G) (4) of the City of New Berlin Zoning Ordinance in its entirety, including:
 - a) Every Home occupation shall be subject to periodic, unannounced inspection by the Zoning Administrator in response to complaints or to ensure compliance with this ordinance.
 - b) Home Occupation shall meet all applicable building and fire code safety requirements.
 - c) An Occupancy Permit is required from Building Inspection and Zoning Department. All conditions must be met prior to issuance of an Occupancy Permit. Please display this Occupancy Permit in a visible location within your business premises.
 - d) No more than one nonresident employee shall be employed by a home occupation.
 - e) No sign shall be allowed for this business.
- 2) Parking lot shall be screened with landscaping planting from the public view per condition of approval by Plan Commission on 9-19-1994. A landscaping plan shall be submitted to the Department of Community Development (Planning) for review and approval prior to Occupancy. Landscaping shall be installed by June 30, 2001.
- 3) The total area devoted to this Home Occupation shall not exceed 20% of the building area.
- 4) No outside storage is permitted for this business. No home occupation nor any storage of goods, materials, or products connected with a home occupation shall be allowed in any accessory building or detached garage.
- 5) All vehicular parking for both the residence and the home occupation shall be located on the premises. Parking lot shall not be stripped.
- 6) Parcel deliveries shall be conducted between the hours of 8:00 AM and 8:00 PM.
- 7) Business hours are limited to:
Monday – Thursday: 8:00 AM to 8:00 PM
Friday & Saturdays: 8:00 AM to 4:00 PM
- 8) Staff directed to contact the neighbors to inform them of the expansion.

Seconded by Alderman Ament. Motion carried unanimously.

23. (1) U-85-01 Educators Credit Union – 14019 W. Greenfield Ave. – Credit Union.

Motion by Alderman Ament to approve the request by Educators Credit Union for a credit union located at 14019 W. Greenfield Avenue subject to:

- 1) Applicant shall be required to apply for and receive a Sign Permit from the Department of Community Development (Planning) prior to occupancy. Sign shall meet the requirements of the coordinated sign standard for Greenfield Plaza. All tenants at this complex shall be required to have signage by January 7, 2002.
- 2) Submittal of an overall site lighting plan with location and height of fixtures and intensity of illumination that meets the Zoning Code requirements.
- 3) All outstanding landscaping and site requirements shall be resolved prior to issuance of Building Permit for this project.

Seconded by Mr. Graber. Motion carried unanimously.

24. (4) U-86-01 New Berlin Business Center – 15525 W. Grange – Multi-Tenant Office and Office/Warehouse.

Motion by Mr. Gihring to remove this item from the agenda at the request of the applicant.

Seconded by Mr. Barnes. Motion carried unanimously.

25. (7) U-87-01 Yaskawa Electric America – 3100 S. 166 St. – Multi-Tenant Building.

Motion by Alderman Ament to approve the request by Yaskawa Electric America for a multi tenant building located at 3100 S. 166 Street subject to:

- 1) Any new sign for this site shall require a separate application and approval from the Department of Community Development (Planning) prior to installation.
- 2) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 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) No outside storage will be permitted on the property unless identified prior to Plan Commission approval.

Seconded by Mr. Teclaw. Motion carried unanimously.

26. (5) SG-75-01 National Auto Body Sales, Inc. – 16405 W. National Ave. –

Monument and Wall Sign.

Motion by Alderman Ament to table the request by National Auto Body Sales, Inc. for a monument and wall sign located at 16405 W. National Avenue for the following reasons:

- 1) Per Section 17.08 Sec.(10)(I)(1)(a), “Wall signs and building signs...shall not exceed one square foot in area for every linear foot of building face width on which it is mounted.” The proposed wall sign is 240 square feet which exceeds the maximum of 120 square feet for 120 feet of building face width. A revised rendering shall be submitted by December 28, 2001.
- 2) Per Section 17.08 Sec.(10)(I)(1)(c), “All new signs and replacement signs of existing signs located along arterials or major thoroughfares shall be placed on a monument base constructed of the same material and color or shall enhance the exterior architecture of the principal building. Major arterials shall include Calhoun Road, Cleveland Avenue, Greenfield Avenue, Lincoln Avenue, Moorland Road, and National Avenue.” As the existing wall sign is being replaced a monument sign is required to be installed. A revised rendering indicating material, colors, dimensions, and planter shall be submitted by December 28, 2001.
- 3) Per Section 17.08 Sec.(10)(I)(2)(a), “Only 2 signs may be permitted per business. Owners may elect for them to be any combination of wall signs, grounds signs, or monument signs, not exceeding a total of 2, and approved by the Plan Commission.” Applicant shall be required to remove the painted wall sign on the east façade of the building and the DuPont Paint sign located on the north façade by December 28, 2001 or prior to the issuance of the Sign Permit.

Seconded by Mr. Graber. Motion carried unanimously.

27. (1) SG-86-01 Kittenwood of New Berlin – 1405 S. Moorland – Temporary 4’ x 8’ “For Rent” Sign.

Motion by Alderman Ament to deny the request by Kittenwood of New Berlin for a temporary 4' x 8' "For Rent" sign located at 1405 S. Moorland Road based on the following:

- 1) Pre Section 17.08 Sec. (10)(B)(1), “No sign shall hereafter be located, erected, moved, reconstructed, extended, enlarged, converted or structurally altered, nor shall the face of a sign be changed without a Sign Permit and conforming with the provisions of this Ordinance. No Sign Permit shall be issued to a business or a property that does not have a Zoning Permit.” Kittenwood of New Berlin Apartments and Brookfield Creeks Apartments do not have Zoning Permits for this site; therefore a Sign Permit cannot be issued.

- 2) Per Section 17.08 Sec.(10) (E)(4)(d), “No sign shall identify, or direct attention to a business, activity, or enterprise that is not located on the same premises as the sign. Off premise signs are prohibited in the City of New Berlin.” This sign is directing attention to the Kittenwood of New Berlin Apartments and the Brookfield Creeks Apartments. This sign shall be removed by December 7, 2001.
- 3) This letter shall serve as a notice of said violation and shall be forwarded to the Zoning Administrator for further actions. Please see that the above sign is removed by December 7, 2001 at which time a final inspection shall be conducted.

Seconded by Mr. Graber. Motion carried unanimously.

CONSENT AGENDA (One motion and second will approve all of the following items listed. Any item may be pulled from the list and handled separately.)

Motion by Alderman Ament to approve Items 28 -30. Seconded by Mr. Gihring. Motion carried unanimously.

ZONING PERMITS

28. (7) RO-49-01 Bowling Equipment & Supply Corp. – 2728 S. 163 St. - Distribute Parts & Maintenance Supplies for the Bowling Industry.

The request by Bowling Equipment & Supply Corp. to distribute parts and maintenance supplies for the bowling industry at 2728 S. 163 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) All signs erected without a permit on this property and the adjoining property to the North shall be removed or applied for by November 5, 2001 at which time a follow up inspection shall be conducted. In specific, these signs include two wall signs stating “P & H Institute” and “Morris Material Handling – P&H Training” and the two tenant reader boards.
- 2) Submittal of a monument sign plan shall be submitted to the Department of Community Development (Planning). The proposed monument sign shall meet the requirement of Section 17.08 Sec.(10) in its entirety.
- 3) Dumpsters must be properly screened from the street and public view in accordance with the City of New Berlin Zoning Ordinance Chapter 17.08 Sec.(5)(G)(2).
- 4) Employee and customer parking must be contained on this site.
- 5) A separate application is required from the Planning Department for any signs or banners for this business.
- 6) No outside storage will be permitted on this property.
- 7) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.

- 8) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
 - 9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
29. (3) RO-51-01 Sid Did It, Inc. – 16216 W. Rogers Dr. – Automotive Detailing – Retail.

The request by Sid Did It, Inc. for retail automotive detailing located at 16216 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) A double fee shall be assessed as the building was occupied prior to the issuance of an Occupancy Permit.
 - 2) No future sign permits will be issued for sign face changes as the existing ground sign has become legal non-conforming. Any further changes to the sign will be a violation of Section 17.08 Sec. (10) of the New Berlin Zoning Ordinance. A monument sign shall be required per Section 17.08 Sec. (10) of the New Berlin Zoning Ordinance.
 - 3) The re-occupancy shall not be operated as an automotive repair shop or a full body paint service. On site automotive repair and full body paint services shall be prohibited.
 - 4) No outside storage will be permitted on the property.
 - 5) Employee and customer parking must be contained on this site.
 - 6) Dumpsters must be properly screened from the street and public view in accordance with Chapter 17.08 Sec. (5)(G)(2) of the City of New Berlin Zoning Ordinance.
 - 7) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
 - 8) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
 - 9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
30. (3) RO-52-01 Swiss-Tek Coatings – 16616 W. Rogers Dr. – Treatment of Cutting Tools and Wear Parts.

The request by Swiss-Tek Coatings for treatment of cutting tools and wear parts located at 16616 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) A double fee shall be assessed as the building was occupied prior to the issuance of a Zoning Permit.

- 2) No future sign permits will be issued for sign face changes, as the existing ground sign has become legal non-conforming. Any further changes to the sign will be a violation of Section 17.08 Sec. (10) of the New Berlin Zoning Ordinance. A monument sign shall be required per Section 17.08 Sec. (10) of the New Berlin Zoning Ordinance.
- 3) Permits must be obtained from Building Inspection for the interior modifications to the tenant space.
- 4) No outside storage of vehicles, equipment, or materials will be permitted on the property.
- 5) Employee and customer parking must be contained on this site.
- 6) Dumpsters must be properly screened from the street and public view in accordance with Chapter 17.08 Sec. (5)(G)(2) of the City of New Berlin Zoning Ordinance.
- 7) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 8) Building must be maintained per Section 14.25 of the Non-residential Property Maintenance Code.
- 9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

Motion by Mr. Barnes to waive the first condition (double permit fee).
Seconded by Alderman Ament. Motion carried unanimously.

STAFF APPROVED

Motion by Alderman Ament to approve Items 31 - 40. Seconded by Mr. Graber. Motion carried unanimously.

31. (5) SG-69-01 Goodyear – 3855 S. Moorland – Wall and Monument Sign.

The request by Goodyear for a wall and monument sign located at 3855 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) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Section 275.03(10) New Berlin Municipal Ordinance.
- 2) The monument sign shall not exceed 8'0" in height and shall not exceed 5'4" in length and shall be located outside the ultimate right of way of Moorland Road.
- 3) The monument sign copy shall be 16 square feet in area and shall be yellow on a blue background that shall read "Goodyear – Gemini – Automotive Care."
- 4) The changeable reader board shall be five lines with 4" high copy and shall not exceed 16 square feet in area.

- 5) The monument base shall be constructed of masonry that shall be brick to match the principal building. The required address numerals shall be mounted to the base.
 - 6) The wall sign addition shall be added just below the existing "Goodyear" wall sign, shall not exceed 15 square feet in area, and shall read "Gemini – Automotive Care."
 - 7) The signs will be internally illuminated and shall be turned off outside normal business hours.
 - 8) A payment of \$162.00 is required per calculations below:
Monument Sign Face: 6'1 1/4" x 5'4" = 32 sq.ft. x 2 sides = 64 sq.ft. x \$3.00/sq.ft. = \$192.00
Wall Sign Face: 7'6 x 1'11" = 15sq.ft. x 1 side = 15sq.ft. x \$3.00/sq.ft. = \$45.00
Less Application fee (\$75.00) = \$162.00
 - 9) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
 - 10) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
32. (5) SG-70-01 Michaels – 15500 W. Beloit Rd. – Banner.

The request by Michaels for a banner located at 15500 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:

- 1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Section 275.03(10).
- 2) Before erection of the temporary banner the existing temporary development sign shall be brought down.
- 3) The owner of any sign shall keep it in good maintenance and repair. The neon in the Michael's wall sign has begun to burn out and shall be restored by November 5, 2001.
- 4) The temporary banner shall be granted for a period of thirty days and shall have an expiration date of November 10, 2001.
- 5) The sign shall not exceed 20 square feet in area, and shall not exceed 2'0" in height, nor shall it exceed 10'0 in width.
- 6) The sign shall not be illuminated.
- 7) No payment is required per calculations below:
Temporary Banner Face: 2'0" x 10'0" = 20 sq.ft. x 1 sides = 20 sq.ft. x \$3.00/sq.ft. = \$60.00
Less Application Fee (\$75.00) = \$0.00
- 8) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
- 9) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.

33. (5) SG-71-01 Forest Pointe – 4773 Forest Point Blvd. – Monument Sign.

The request by Forest Pointe for a monument sign located at 4773 Forest Point Blvd. 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) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Section 275.03(10) as well as the Westridge TIF Coordinated Sign Standard.
- 2) The sign shall be mounted tightly to the base, a gap between the base and the sign shall not be allowed.
- 3) The sign shall not exceed 7'0" in height and shall not exceed 7'0" in length and shall be located outside the right of way of Forest Point Boulevard.
- 4) The sign copy shall be 28 square feet in area and shall be white on a green background that shall read "Forest Point at Westridge."
- 5) The monument base shall be constructed of masonry that shall be the same color as the principal buildings. The required Westridge TIF address plaque shall be mounted to the base.
- 6) The sign shall not be illuminated.
- 7) A payment of \$9.00 is required per calculations below:
- 8) Monument Sign Face: 4'0" x 7'0" = 28 sq.ft. x 1 side = 28 sq.ft. x \$3.00/sq.ft. = \$84.00
Less Application fee (\$75.00) = \$9.00
- 9) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
- 10) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.

34. (4) SG-72-01 American Superconductor – 15775 W. Schaeffer Ct. – Monument Sign.

The request by American Superconductor for a monument sign located at 15775 W. Schaeffer Court 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) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Section 275.03(10) as well as the Westridge TIF Coordinated Sign Standard.
- 2) The sign shall not exceed 7'0" in height and shall not exceed 8'0" in length and shall be located outside the right of way of Schaeffer Court.
- 3) The sign copy shall be 32 square feet in area and shall be blue and gray on a white background that shall read "American Superconductor - Revolutionizing the Way the World Uses Electricity."

- 4) The monument base shall be constructed of masonry that shall be painted the same color as the principal building. The required Westridge TIF address plaque shall be mounted to the base.
 - 5) The external fixture used for illumination of the sign shall be mounted on a permanent unmovable base and the neck soldered so as to prevent the fixtures from being tampered with or redirected.
 - 6) A payment of \$21.00 is required per calculations below:
Ground Sign Face: 4'0" x 8'0" = 32 sq.ft. x 1 side = 32 sq.ft. x \$3.00/sq.ft. = \$96.00
Less Application fee (\$75.00) = \$21.00
 - 7) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
 - 8) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
35. (3) SG-74-01 Anchor Bank – 15600 W. Cleveland Ave. – Monument Sign and Wall Sign.

The request by Anchor Bank for a monument and wall sign located at 15600 W. Cleveland Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Section 275.03(10) of the City of New Berlin Municipal Ordinance.
- 2) The monument sign shall not exceed 4'6 3/4" in height and 8'0" in width and shall be located outside the ultimate right of way of Cleveland Avenue and the ultimate right of way of Lincoln Avenue.
- 3) The monument sign face shall not exceed 17 square feet in area and shall read "Anchor Bank - TYME" in blue on a tan background.
- 4) The monument base shall be constructed of masonry that shall be brick that matches the principal building, and shall be 2'0" in height. The required address numerals shall be mounted to both sides of the base.
- 5) The monument sign shall be internally illuminated.
- 6) The wall sign shall not exceed 43.5 square feet and shall read "Anchor Bank."
- 7) The directional sign shall not exceed 6 square feet and shall read "Drive-Up" on side one and "Drive-Up – Parking" on side two.
- 8) A payment of \$97.50 is required per calculations below:
Monument Sign Face: 2'1 3/4" x 7'10" = 17 sq.ft. x 1 sides = 17 sq.ft. x \$3.00/sq.ft. = \$21.00
Wall Sign: 16'5 7/8" x 2'7 5/8" = 43.5 sq.ft. x 3.00/sq.ft. = \$130.50
Less Application fee (\$75.00) = \$97.50
- 9) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.

- 10) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
36. (5) SG-83-01 The Crossings – 13700 W. Beloit Rd. – Temporary Marketing Sign.

The request by The Crossings for a temporary marketing sign located at 13700 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:

- 1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Section 275.03(10) of the New Berlin Zoning Ordinance.
 - 2) A temporary development sign is allowed for the promotion of a subdivision for a limited period of time. The Sign Permit shall be considered invalid and expired on November 5, 2004 at which time the temporary development sign shall be removed or upon erection of a permanent real estate development sign.
 - 3) The temporary development sign shall not exceed 6'3" in height and 8'0" in length and shall be located outside the right of way of Beloit Road.
 - 4) The temporary development face shall not exceed 32 square feet in area and shall read "The Crossings – Single Family Homesites – A Thomson Corporation Development – For Information Call – 262-784-6500."
 - 5) No payment is required per calculations below:
 - 6) Temporary Development Sign Face: 4'0" x 8'0" = 32 sq.ft. x 1 side = 32 sq.ft. x \$3.00/sq.ft. = \$96.00
Less Application fee (\$75.00) = \$0.00
 - 7) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
 - 8) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
37. (7) SG-84-01 Raab Mech. – 16665 Victor – Monument Sign.

The request by Raab Mech. for a monument sign located at 16665 Victor Road has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) All future modifications, including face changes, structural alterations, conversions, extensions, relocations, and additional signs must be applied for and receive a Sign Permit, and must meet the provisions of the Section 275.03(10) of the New Berlin Zoning Ordinance.
- 2) The monument sign shall not exceed 6'0" in height and 8'0" in width and shall be located outside the right of way of Victor Road.

- 3) The overall monument sign face shall not exceed 32 square feet in area, each tenant face shall be 11.3 square feet in area, each tenant face shall read “Speedy Metals – Your Small Order Specialists” and “RAS Appliance Services, Inc.,” and the top panel of the sign shall be 8 square feet and shall read “Brittany Business Center.”
 - 4) Electric White Panel shall be inserted into the 17” x 48” future tenant spaces.
 - 5) The monument base shall be constructed of masonry that is painted to match the principal building, and shall not exceed 2’0” in height.
 - 6) No payment is required per calculations below:
Monument Sign Face: $2(4'0" \times 1'5") + (1'0" \times 8'0") = 19.3 \text{ sq.ft.} \times 1 \text{ side}$
 $= 19.3 \text{ sq.ft.} \times \$3.00/\text{sq.ft.} = \$57.90$
Less Application fee (\$75.00) = \$0.00
 - 7) Building Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
 - 8) Electrical Permits are required per Section 275.03(6) of the City of New Berlin Municipal Code.
38. (7) U-75-01 Alside Supply – 2917-37 S. 166 St. – 60’ x 14’ x 8’ Fencing for Storage of Outside Storage.

The request by Alside Supply for 60' x 14' x 8' fencing for storage of outside storage located at 2917-37 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) No barbed wire shall be installed on top of the fence.
 - 2) No vinyl slats shall be installed on the fence.
 - 3) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.
 - 4) Outside storage shall be restricted to bulk insulation only.
39. (7) U-77-01 New Berlin West High School – 18695 W. Cleveland Ave. – Build Baseball Dugouts and Storage Shed.

The request by New Berlin West High School to build baseball dugouts and a storage shed located at 18695 W. Cleveland Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) Applicant shall be required to clean up the site and remove all the discarded fence material on the property prior to issuance of Building Permit. All fence materials including scrap aluminum located West of the access drive and around the soccer field shall be removed from site.
- 2) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.

- 3) As built grading and drainage facility and mitigate any grading and drainage impediments resulting from those as built.
40. (5) U-84-01 Michael's – 15500 Beloit Rd. – Storage Shed for Seasonal and/or Promotional Merchandise – One-Time Only.

The request by Michael's for a storage shed for seasonal and/or promotional merchandise located at 15500 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:

- 1) Approval shall be granted for a period of 30 days to expire on January 3rd, 2001 at which time the container shall be removed from the premises.
- 2) Installation of outdoor entrance rubbish containers in front of the store is required. Please see that the containers match those outside of the Target store and are installed by December 4th, 2001.
- 3) All necessary permits must be obtained from the Building Inspection and Zoning Department prior to commencement of any construction at this site.

COMMUNICATIONS:

51. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: Eilert Tool Co., Inc. - 2500 S. 162 Street, New Berlin

Plan Commissioners acknowledged receipt of this communication.

52. Communication To: Plan Commission
Communication From: Dave Haines, Associate Planner/Mapping Coordinator
RE: "Keep County Information Compatible", GeoWorld, October 2001

Plan Commission acknowledged receipt of this communication.

53. Communication To: Plan Commission
Communication From: Mark C. Lake, Director of Planning (Paul Gihring)
RE: "Parks as Lungs", The Environmental Magazine, Nov/Dec 2001.

Mr. Kessler noted that New Berlin has done an urban ecological analysis which is on file.

54. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: "Beyond Euclid: Integrating Zoning and Physical Design", Zoning News, October 2001.

Mr. Kessler talked of how zoning and physical design come together.

55. Communication To: Plan Commission
Communication From: Mark C. Lake, Director of Planning
RE: 2002 Plan Commission Meeting Schedule

Mr. Kessler asked Commissioners to review schedule and report any dates that they know of where they would not be able to attend.

Motion by Mr. Graber to adjourn the meeting at 8:30 P.M. Seconded by Mr. Teclaw. Motion carried unanimously.