

NEW BERLIN COMMUNITY DEVELOPMENT AUTHORITY MINUTES
AUGUST 2, 2007

PUBLIC HEARING

7:30 A.M.(3)AB R-9-07 Fed Ex – 16555 W. Rogers Dr. – Rezone from M-2/SPO and C-2 to M-2/SPO and C-2 – Wetland Delineation.

The public hearing relative to the request by Daniel Muething c/o FedEx for a rezoning at 16555 W. Rogers Drive from M-2/SPO and C-2 to M-2/SPO and C-2 – Wetland Delineation was called to order by Mayor Chiovero at 7:32 A.M.

In attendance were Mayor Chiovero, Alderman Ken Harenda, Donald Vaclav, John Fillar, Ted Anderson, Alderman Thomas Augustine, and Marta Broge. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; and City Attorney Blum.

Mayor Chiovero explained the procedure for a public hearing saying that he would ask for questions for 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.

Ms. Jones read the public hearing notice and stated there was proof of publication.

Ms. Bennett gave a brief presentation describing the request and showed maps indicating the location.

Mayor Chiovero asked three times if there were any comments or questions for the purpose of clarification, seeing none.

Mayor Chiovero asked if there was anyone wishing to speak in favor of this project?

Johnathan Rader, representative of FedEx, explained the reason for his request is that his company is rapidly expanding with a 200% growth since 2004. More employees are hired along with the expansion making additional parking necessary.

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

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

Mayor Chiovero asked for comments or questions from the Committee members?

Mr. Fillar – Can we interpret the letter from DNR as an approval?

Ms. Bennett – Correct. DNR does not object to the delineation in the report.

Alderman Harenda – Was the previous delineation based on the aerial photos?

Ms. Bennett – Correct.

Alderman Harenda – Is the area that comes between the building and parking lot a drainage ditch?

Ms. Bennett – Yes.

Mayor Chiovero asked for further comments or questions from the Committee members, seeing none.

Mayor Chiovero closed the public hearing at 8:40 A.M.

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The Community Development Authority Meeting was called to order by Mayor Chiovaturo at 7:40 A.M.

Motion by Mr. Vaclav to approve the CDA minutes of June 7, 2007. Seconded by Alderman Harenda. Motion passes with Mr. Fillar abstaining.

COMMUNITY DEVELOPMENT AUTHORITY SECRETARY'S REPORT

Mr. Kessler reported that a Comprehensive Plan Scope summary will be presented in September.

CONTINUED BUSINESS

1. Mill Valley Redevelopment Update – Joe Eberle (PG-926)

Mr. Kessler reported that we have received a letter from the City of Muskego for which we have prepared a response. The next update would be presented at a night meeting as suggested by Alderman Harenda.

NEW BUSINESS

2. (3)AB R-9-07 Fed Ex – 16555 W. Rogers Dr. – Rezone from M-2/SPO and C-2 to M-2/SPO and C-2 – Wetland Delineation.

Motion by Alderman Harenda to recommend to Common Council adoption of an ordinance that approves the rezoning of property located at 16555 W. Rogers Drive from M-2/SPO and C-2 to M-2/SPO and C-2 to field delineate the wetlands.

Seconded by Mr. Vaclav. Motion carried unanimously.

3. (3)AB U-30-07 Fed Ex - 16555 W. Rogers Dr. – Parking Lot Expansion.

Motion by Mr. Anderson to approve the request for site plan approval for a parking lot expansion, along with the waivers, located at 16555 W. Rogers Drive, subject to the application, plans on file and the following conditions:

Waiver Request: Applicant has requested a waiver from Section 275-57A(7)(e) that requires no more than 70% of parking spaces may be permitted in the front yard of the M-1 and M-2 Districts. See attached letter.

Waiver Request: Applicant has requested a waiver from SPO Ordinance #2294, Section 3 Articles 3 & 5 that requires exterior lighting to have luminaries with flat clear lenses and the height of exterior pole mounting fixtures shall not exceed 20 feet. See attached letter.

Waiver Request: Applicant has requested a waiver from Section 275-35D(6)(b) that prohibits grading within 10' of wetland. See attached letter.

Waiver Request: Applicant has requested a waiver from Section 275-60I(4) that requires minimum lighting standards for parking areas. See attached letter.

Waiver Request: Applicant has requested a waiver from Section 275-57A(7)(c)[2] that requires parking areas and aisles in all other districts to be paved with an asphalt or concrete surface. Letter to be handed out at August 2, 2007 CDA meeting.

1) General:

- a) All DNR and Army Corp of Engineer permits shall be approved and copies submitted to the Department of Community Development prior to issuance of the Zoning Permit.
- b) Approval of the landscaping plan and payment of all sureties are required prior to issuance of Zoning Permit. Landscape plan shall meet all the requirements of Ordinance 2294, Section III, 3. Landscape Standards. A registered Landscape Architect shall stamp plans.
- c) Landscape Plan shall be approved and signed by the Department of Community Development prior to installation of any materials.
- d) Applicant shall submit the appropriate financial surety to guarantee that the required paving shall be completed by June 1, 2008, if not completed in 2007.

2) Engineering:

- a) Wetland boundary shall be clearly identified on construction plans.

- 3) Transportation:
 - a) The proposed pedestrian sidewalk illumination levels shall be increased from the employee lot, to meet the City's Zoning Code requirements.
- 4) Storm Water:
 - a) Applicant shall address all storm water concerns in letter dated July 27, 2007 prior to issuance of the Zoning Permit.

Seconded by Mr. Fillar. Motion carried unanimously.

- 4. (3)AB U-39-07 Verizon – 2600 S. Calhoun Road – Equipment Shelter and Installation of Antennas.

Motion by Alderman Harenda to table the request for use, site and architectural approval for Verizon to co-locate nine (9) antennas at 100' to the existing 180' lattice tower and erect a 11.5' x 20' new equipment shelter, along with the waiver, at 2600 S. Calhoun per the applicants request.

Seconded by Alderman Augustine. Motion carried unanimously.

- 5. New Berlin Community Development Authority Financial Statements – September 30, 2006 – Virchow Krause & Company. (PG-963)

Motion by Mr. Vaclav to accept the September 30, 2006 Financial Statements from Virchow Krause & Company.

Seconded by Mr. Anderson. Motion carried unanimously.

- 6. Pinewood Creek Project – Compliance Certificate (PG-631-5)

Motion by Mr. Fillar to accept the Compliance Certificate from the Pinewood Creek Project.

Seconded by Alderman Harenda. Motion carried unanimously.

ADJOURNMENT

Motion by Mr. Fillar to adjourn the CDA meeting at 8:03 A.M. Seconded by Ms. Broge. Motion carried unanimously.