

Please note: Minutes are unofficial until approved by the Plan Commission at the next regularly scheduled meeting.

NEW BERLIN PLAN COMMISSION

JANUARY 7, 2008

MINUTES

PRIVILEGE OF THE FLOOR

The Plan Commission Meeting was called to order by Mayor Chiovaturo at 6:00 P.M.

In attendance were Mayor Chiovaturo, Mr. Sisson, Mr. Gihring, Alderman Ament, Ms. Groeschel, and Ms. Broge. Also present were Greg Kessler, Director of Community Development; Nikki Jones, Planning Services Manager; Jessica Titel, Associate Planner; and Mark Blum, City Attorney. Mr. Felda was excused.

Motion by Mr. Sisson to approve the Plan Commission Minutes of December 3, 2007. Seconded by Alderman Ament. Motion carried unanimously.

PLAN COMMISSION SECRETARY'S REPORT - none

NEW BUSINESS

1. (4)NJ R-15-07 Rinderle Tire – 13300 W. College Ave. – Rezone from B-4 to B-3. (Public Hearing 12/3/07)

Motion by Ms. Broge to recommend to Common Council adoption of an ordinance that approves the rezoning of the property located at 13300 W. College Avenue from B-4 to B-3 to remove the B-4 Zoning District.

Seconded by Mr. Sisson. Motion carried unanimously.

2. (2)NJ U-92-07 National Regency – 13750 W. National Ave. – Expansion – 153 Units Within Three Separate Wings.

Motion by Mr. Sisson to approve the request for Use, Site and Architectural approval for an additional 153 independent and supportive care residences to be added to the National Regency campus located at 13750 W. National Avenue, along with a parking waiver request subject to the application, plans on file, and the following conditions:

Waiver Request: Some interior parking stalls are shown on plans as 18' x 9' and 17'x9'. Applicant requests a waiver from the Plan Commission that allows for the approval of parking stalls that are less than the City's Parking Development Standards for the underground parking stalls. Documentation will be provided at the meeting.

- 1) Plan of Operation

- a) The additional 153 units are broken down into 33 – 1 bedroom units and 120 – 2 bedroom units.
 - b) Applicant will be providing 161 underground parking spaces.
 - c) Total number of employees is approximately 79 with the maximum number of 21 employees per shift on weekdays from 6 AM to 6 PM.
 - d) All signage both temporary and permanent shall require a sign application, to be filed and approved by DCD prior to installation.
 - e) Dumpsters shall be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Zoning Ordinance.
 - f) Approval of the landscaping plan and payment of all sureties and any tree replacement fees are required prior to issuance of Zoning Permit. Landscape plans shall meet all the requirements of Article VIII Section 275-53 through 275-56 of the Municipal Ordinance in its entirety. A registered landscape architect shall stamp plans. Landscape plan shall be approved and signed by the Department of Community Development prior to installation of any materials.
 - g) Any building that will accommodate a food service or food preparation tenant requires an Outside Grease Trap Tank and an MMSD Sampling Manhole designed and installed to the City Developer's Handbook Requirements.
 - h) Please follow/use the City of New Berlin Developer's Handbook for all design criteria concerning grading, utilities and transportation requirements as well as all construction plan sets.
- 2) Transportation
- a) Interior parking stalls are shown as 18' x 9'. Some have obstructions, foundation bump-outs, doors, columns, etc. which limit their size. Applicant shall request a waiver from Plan Commission that allows for the approval of parking stalls that are less than the City's Parking Development Standards.
 - b) Lighting plan does not follow City standards. See Zoning Code §275-60 I. The development light levels can be higher than the requirements for average foot-candles, but must be equal to or lower than the average-to-minimum and maximum-to-minimum ratios in the zoning code. Check that calculation points on the property are in the on-site parking, circulation and pedestrian areas (Zoning Code §275-60 I). Lighting for the southern building shall be reviewed at the time of Use, Site, and Architecture review for that particular building.
- 3) Engineering
- a) Applicant shall provide detailed information about the proposed courtyard on the West side of the additions.
 - b) Each of the three wings is labeled as part of Phase IV. Applicant shall submit a phasing plan with the building permit for the first building. The Southwest addition shall not be built until the northwest addition has been completed, since the only existing underground garage access would be blocked when the Southwest addition is under construction.
 - c) Applicant shall submit revised large scale building plans showing the proposed underground parking in more detail.

- d) The site grading plan still shows a garage door elevation along the North side of the Northwest addition. Applicant shall eliminate the door from the plans since there is no longer a door there. Also, the site utility plan still shows an existing storm manhole rim in front of where the garage door was going to be, with a rim elevation of 854.75'. It appears this should be raised about 1' since there is no door there anymore. The grading plan does not show an elevation or contour that low.
 - e) The existing storm manhole South of the Southwest addition should be lowered from 865.75' on the site utility plan to about 862.5', according to the proposed contour on the grading plan. There should be erosion control placed around the storm manholes South of the Southwest addition (storm inlet # 210).
 - f) Provide a storm drainage map showing all the areas draining to each storm sewer line. Provide storm sewer sizing calculations.
 - g) Applicant shall verify if employees will park underground.
 - h) Applicant shall verify that they submitted the revised water main easements when location was moved.
 - i) Applicant shall abide by all conditions of the original Developer's Agreement.
 - j) A plat of survey stakeout for the addition, stamped by an RLS, is required to be submitted with the building permit application.
 - k) Prior to issuance of the building permit, an erosion control permit is required and silt fence shall be in place.
- 4) Storm Water
- a) At the Northeast site, silt fence extends past project limits, please revise.
 - b) Silt fence shall be provided along curb line for the Northwest and Southwest sites. The inlet protection should not be the only source of protection.
 - c) Consider a tracking pad for the Northwest and Southwest sites to prevent tracking on the access roads.
 - d) Add inlet protection to the Site Erosion Control Construction Sequence list in item number 1.
 - e) Construction sequencing plan is required. Please submit one with your revised plan set.
- 5) Inspection
- a) Building plans shall be signed and stamped by a licensed architect or professional engineer per Wisconsin Enrolled Commercial Building Code. (Comm 61.31 Plans)
 - b) Building plans shall be approved by the State of Wisconsin Dept. of Commerce Safety and Buildings Division per Wisconsin Enrolled Commercial Building Code. (Comm 61.70 Certified municipalities and counties.)
 - c) Apply and obtain appropriate building, plumbing and electrical permits.
 - d) Erosion control shall be approved, permitted, installed and inspected prior to commencement of site work or issuance of any building permits.

- e) Site erosion control plan does not show any silt fencing between Northwest addition and Southwest addition and the back of curb for interior roadways. These roadways should be protected.
 - f) Sidepath lighting along Sunny Slope Road is located on both sides of sidepath and not uniformly placed. Normally the poles would be between curb and sidepath. Light placement along Fieldpointe Drive is correct. Please coordinate with staff on any revisions to this lighting plan. Any lighting in the right-of-way shall be the approved City spec Lumec fixture. If the light is located on the National Regency property and outside of the right-of-way, then the City approved Sternberg fixture may be utilized.
 - g) Each wing will be required to pass final inspection in whole prior to any occupancy of that wing.
- 6) Fire
- a) Applicant shall address all fire department concerns that were in a letter dated December 26, 2007.
 - b) Buildings must meet all applicable building and fire codes. The building shall be fully sprinkled. Only one fire department connection (FDC) will be approved.
 - c) During construction there will be no parking in Fire Lanes.
 - d) Per NFPA 1 29-2.3.1 a water supply for fire protection either temporary or permanent shall be made available as soon as combustible materials arrive on site.
 - e) Per NFPA 1 29-2.3.2 where underground water mains and hydrants are to be provided, they shall be installed, completed, and in service prior to construction work.
 - f) Intelligent alarm system required.
 - g) Knox Box required.
 - h) Yard Hydrant required.
- Seconded by Alderman Ament. Motion carried unanimously.
3. (4)JT U-94-07 Wisconsin Corporate Central Credit Union – 6262 S. Lowell Pl. – Garage Addition.

Motion by Alderman Ament to approve the Use, Site and Architecture for the addition of a 24' x 44' accessory building on the property located at 6262 S. Lowell Place subject to the application, plans on file, and the following conditions:

- 1) The accessory building shall be used and constructed as described in the submitted plan of operation.
- 2) No trees shall be removed with the construction of the accessory building.
- 3) Applicant shall address all grading concerns prior to the issuance of the zoning permit.
- 4) Maximum slopes against foundations of any structure shall not exceed three to one (3:1).
- 5) Building plans shall be signed and stamped by a licensed architect or professional engineer per Wisconsin Enrolled Commercial Building Code. (Comm 61.31 Plans)

- 6) Building plans shall be approved by the City of New Berlin Department of Community Development Inspection Division per the State of Wisconsin Dept. of Commerce Safety and Buildings Division and the Wisconsin Enrolled Commercial Building Code. (Comm 61.70 Certified municipalities and counties.)
- 7) Apply and obtain appropriate building, plumbing and electrical permits.
- 8) Erosion control shall be approved, permitted, installed and inspected prior to any commencement of site work or issuance of any building permits.

Seconded by Ms. Broge. Motion carried unanimously.

4. (4)JT RO-16-06 Epic Med Spa – 3610 Michelle Witmer Memorial Dr. – Plan of Operation Amendment.

Motion by Alderman Ament to approve the request to modify the plan of operation for Epic Med Spa to include the application of permanent cosmetics within the B-2/PUD, City Center PUD Village District, at 3610 Michelle Witmer Memorial Drive. Material that has been supplied by the applicant has been reviewed and accepted, specifically the Plan of Operation and the description of the method of service and the way it is applied, and has been found that per Ordinance #2122 that this use for permanent cosmetics would be considered a service establishment under that Ordinance, and further find that this particular process does not constitute a tattoo service as otherwise provided in Section 275-70 based upon the materials supplied by the applicant, subject to the application, plans on file and the following conditions:

- 1) Plan Commission approval on 1/7/08 amends the Plan of Operation submitted on 5/17/06 to include the application of permanent cosmetics.
- 2) Applicant shall adhere to all rationale outlined in the attached letter from Mr. Erchull which includes the application of tattoos for cosmetic purposes only.
- 3) Applicant shall provide a copy of all state licenses relating to the application of permanent cosmetics prior to the issuance of amended Zoning Permit #RO-16-06.

Seconded by Ms. Groeschel. Motion carried unanimously.

Motion by Mr. Sisson to adjourn the Plan Commission meeting at 6:37 P.M.
Seconded by Ms. Broge. Motion carried unanimously.