

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

NEW BERLIN PLAN COMMISSION

MAY 7, 2007

MINUTES

PRIVILEGE OF THE FLOOR

The Plan Commission Meeting was called to order by Mayor Chiovero at 5:37 P.M.

In attendance were Mayor Chiovero, 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; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; Eric Nitschke, Storm Water Engineer; Mark Blum, City Attorney. Mr. Felda was excused.

Motion by Mr. Sisson to approve the Plan Commission minutes of April 2, 2007. Seconded by Alderman Ament. Motion carried unanimously.

PLAN COMMISSION SECRETARY'S REPORT -

Mr. Kessler summarized the Board of Appeals decision to deny the appeal concerning the Deer Creek Inn & Conference Center at their April 12, 2007 meeting. Copies of the decision was distributed to the Plan Commissioners for their reference.

Mr. Kessler reported that the Plan Commission is required to adopt the SEWRPC Transportation Plan 2035 as part of our Comprehensive Planning process. A summary document will be prepared as to what it contains and how it relates to New Berlin. Plan Commissioners should look for that information in their upcoming packets. A copy of the entire document is also available for review on the City website.

CONTINUED BUSINESS

1. (5)NJ U-10-07 City Center Building A – 15205-15233 W. National Ave. – New Retail Building. (Tabled 4/2/07)

Motion by Ms. Groeschel to remove this item from the table. Seconded by Alderman Ament. Motion carried unanimously.

Motion by Ms. Groeschel to approve the request for Use, Site & Architectural Approval for construction of City Center Building "A", a multi-tenant retail building, subject to the application, plans on file, final Architectural Review Committee approval, and satisfaction of the following conditions:

- 1) Plan of Operation
 - a) Prior to occupancy of building "A", all site improvements in this phase, including all parking, curb and gutter, landscaping, colored concrete areas and storm sewer shall be completed. This includes any refinements to the entire parking lot.
 - b) This application is only for the "shell" of building "A". No tenant floor plans or plan of operations have been identified within this application.

- c) Each tenant shall be required to obtain a re-occupancy permit prior to building permits being issued. All future tenants will have to provide a Plan of Operation that shall state the number of employees in the largest shift as required by §275-24C(2)(d). Future tenants shall be reviewed on a case-by-case basis for parking and may be denied for lack of parking. Applicant shall submit the parking analysis and it shall be reviewed by the Transportation Engineer prior to the issuance of the Zoning Permit.
 - d) The City of New Berlin installed stamped concrete in the terrace area along Library Lane in front of this property. The applicant shall be responsible for repairing and replacement resulting from damage to the stamped concrete or curb and gutter areas during construction.
 - e) The applicant has indicated some slight modifications to the stamped concrete areas. All future crosswalks and paved plaza areas shall incorporate approved decorative paving colors and materials and shall match existing paving treatments. The applicant shall install concrete treatments and planters in areas identified on the plans prior to the issuance of the occupancy permit.
 - f) Applicant shall coordinate with City Staff on the design of a City Center entryway monument sign and install it in the median along Michelle Witmer Memorial Drive.
 - g) Applicant shall coordinate with City Staff to design a City Center entryway monument sign and install them at the entry points to the parking lot. Applicant shall update plan sheet AO.2 and the gateway elevation.
 - h) Applicant shall enhance the landscape plan and provide colored renderings in the areas where the gas meters will be located.
- 2) Architectural Plans
- a) Prior to the City signing the Zoning Permit, the applicant shall obtain final approval by the Architectural Review Committee. The Committee discussed several items that shall be addressed on the plans. Applicant may need to attend an additional Architectural Review Committee (ARC) meeting prior to the Plan Commission meeting and respond to any comments made during the meeting. Revised plans shall be submitted and reviewed by the ARC prior to the issuance of the Zoning Permit.
 - b) Prior to issuance of the Zoning Permit, approval of the exterior architecture and materials for construction by the Architectural Review Committee.
 - i. Applicant shall explore some options with City Staff to “dress up” the dumpster enclosure side that faces the plaza between buildings “A” and “B”. Some options include adding art work/bulletin boards to the north elevation or a trellis over the top prior to the issuance of the Zoning Permit.
 - ii. Applicant shall explore flaring at the edges at the top of towers as shown in the original submittal for this project.
 - iii. Applicant shall submit a side elevation that shows the parapet walls and the side of the arched areas.
 - iv. Applicant shall provide any additional building material samples that might be used on this building.
 - v. Applicant shall install additional ground trees and plantings in front of the building and along pedestrian areas to define the edge of the parking areas and enhance the overall pedestrian appeal of the site.
 - vi. Applicant shall add a direct and useable pedestrian connection (stairway) from the second floor (National Avenue) tenant space to the paved plaza areas to the east of the building.

- vii. Applicant shall explore adding a trellis to the west wall elevation. Additional windows have been added since the first plan set; however the trellis would soften this wall.
 - viii. Applicant shall verify the awning height and indicate that they provide some shelter to pedestrians.
 - c) Applicant shall submit line of sight drawings from National Avenue in order to be able to determine if the roof top units can be seen. It appears that a parapet wall may be necessary to allow for screening. Indicate what types of materials could be used for the parapet wall.
 - d) The building front elevations (along National Avenue and the parking area) windows shall not be blocked or opaque, and shall allow pedestrians to see into the store or display windows as recommended by the City Center Development Plan. Street level retail buildings are to have a minimum of 60% glazing facing the street, or its pedestrian walkway or plaza. If any future tenants require glass to be glazed, the re-occupancy application shall address this issue on the building elevations and shall indicate the percent of glass to be blocked. Floor plans shall also indicate what type of activity is occurring in the building to warrant the glazing.
- 3) Site Plan.
- a) The building owner/developer shall purchase and install benches along the sidepaths along National Avenue and Michelle Witmer Memorial Drive at locations approved by DCD staff as required by the City Center Development Plan. Applicant shall identify locations on the site plan. Applicant shall also purchase and install outside tables for any new restaurant users in this building in the plaza areas. Applicant shall follow specs outlined in the City Center Design Guidelines.
 - b) Coordinated bike stands, trash receptacles, architecturally integrated newspaper racks, planters, site furnishings such as tables and chairs shall be provided by the developer in front of the building and in the plaza areas to provide places where people can sit and relax. Applicant shall identify amenity locations on the site plan. Site furniture choices shall be coordinated with the overall streetscaping guidelines.
 - c) Applicant shall provide all digital information to the City to aid in an overall 3-D rendered site model and site elevations.
- 4) Landscaping
- a) Applicant, based on the final architecture for Building "A", shall work with Staff to add additional plantings around the base of the building along National Avenue if necessary where brick (retaining walls) is currently exposed. Planters may be used around the window areas.
- 5) Engineering.
- a) The plans do not represent what is actually constructed in the field.
 - b) Spot elevations shall be submitted to verify that water drains from the southwest curb to the nearest inlet.
 - c) Drainage from the swale along the west side of the property shall be picked up before it dumps into the ROW.
 - d) The landscaping plan calls for pine trees to be planted in the swale on the west side of the property. Please revise plans.
 - e) Applicant shall show on the plans how the storm sewer on the west side of the building discharges.
 - f) Applicant shall show on plans where drainage off of National Avenue shall be accounted for. An inlet should pick up the flow before it drains across the sidewalk area.
 - g) Downspout connections to the storm sewer system shall be clearly defined.

- h) The sidewalk area at the Southeast corner of Building "A" scales only about 3' wide. The original plans indicate it was about 5'. Building size shall accommodate at least a 5' sidewalk.
 - i) The proposed contours do not match the elevation views for proposed ground grades around Building "A". The elevation view shows the building on the North side of the building close to 915' (first floor grade), yet the grading plan shows 911'. Along the West side of the building, the proposed contours show around 911' or 912' near the front, yet the elevation view shows no exposure (915'). Plan shall be revised.
 - j) Grading plans shall be revised with old gravel drives, power poles and overhead lines, old houses and sidewalks that no longer exist being removed to make it more legible.
 - k) The proposed utility plan shall be separate from the grading plan.
 - l) The grading plan proposed contours shall be corrected to reflect site plan changes in the southwest corner. Applicant shall show existing spot grades for parking lot, especially in the dumpster pad area.
 - m) Recent City topographical maps show a swale was constructed along the West lot line. At the Southwest corner of the building, the dirt grade shall be raised higher than the lower floor level to keep water in the ditch, or a catch basin constructed, or ditch grades changed. Please submit revised plans.
 - n) Storm sewer/trench drains shall be required along the North side of Building "A". Storm sewer details shall be shown.
 - o) The developer shall replace the vertical faced curb at the driveway curb opening in National Ave. where the construction access was for City Center in front of building A.
- 6) Utility
- a) Multi-tenant buildings require that a Water Meter Room be provided at the Building Water Service piping entrance. This room shall not be combined with any other utilities such as electrical, which can lead to space concerns. The Meter Room:
 - i. Shall be large enough to accommodate work on the meters;
 - ii. Shall not be obstructed with water softeners, vacuum cleaners, garbage cans, cleaning-janitorial supply storage or work area, etc;
 - iii. Shall have adequate heating, lighting and floor drain;
 - iv. Shall have outside direct access or access via public hallway; and
 - v. Shall be locked with an access key provided to Water Utility Division. Consult directly with the Water Utility at (262) 786-7211 for other requirements.
 - b) 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.
 - c) Pay Water Impact Fees and pay Sanitary Sewer Impact Fees based upon equivalent domestic water meter size required for each building for domestic service, including lawn sprinkling meter capacity (if and when installed), in accordance with City Code in effect at time of Permit Application(s).
 - d) Applicant shall coordinate with the Utility Department on the following items:
 - i. The sewer lateral (6" x 11.8' deep) indicated may have been abandoned when the existing home was removed. Applicant shall field verify.

- ii. City sewer maps show 2 sanitary sewer manholes (O7Q143008 and O7Q143007) between the proposed building and National Avenue. The plans show there is one sanitary manhole and one water manhole. Applicant shall field verify.
- 7) General
- a) All signage will be under a separate sign application.
 - b) Building plans shall be signed and stamped by a licensed architect or professional engineer per Wisconsin Enrolled Commercial Building Code. (Comm 61.31 Plans)
 - c) 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.)
 - d) Apply and obtain appropriate building, plumbing and electrical permits.
 - e) Erosion control shall be approved, permitted, installed and inspected prior to any commencement of site work or issuance of any building permits.
 - f) Care will need to be exercised with regard to the sight lines for any equipment or backside of parapet walls at roof of one story section of building. May be visible to traffic on National Avenue.
 - g) Applicant shall submit a construction phasing plan that addresses restrictions on construction parking, traffic and material staging so that any or all do not interfere with existing structures and tenant businesses prior to the issuance of the Zoning Permit.
 - h) Building shell and common areas shall obtain final inspections prior to any tenant spaces receiving certificates of occupancy.
 - i) Buildings must meet all applicable building and fire codes.
 - i. Buildings to be fully sprinkled.
 - ii. FDC to be changed to 5" storz.
 - iii. Fire hydrants are required within 150' of hydrant connection.
 - iv. Fire alarm required.
 - j) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code. No outside storage shall be permitted on the lot.
 - k) Fully sprinkled building. Sprinkler system to be monitored. Fire Department sprinkler connection shall be near an accessible location approved by the Fire Department.
 - l) Knox box required.
- 8) Developer may want to consider the addition of small food vending carts in the plaza areas or along the street edge to help add some economic and social viability to the spaces.
- 9) Outstanding Issues:
- a) All items outlined in the letter dated May 3, 2007 from Gregory Kessler including:
 - i. The entire parking lot shall be repaved. This includes repairing all pot holes, damaged curb areas, paving and re-striping the parking stalls and walkways prior to the issuance of the Zoning Permit for Building "A". The pot hole filling is only a temporary fix and the City understands that the paving will occur by May 31, 2007 or sooner if the ground saturation conditions improve. The Zoning Permit will not be issued for Building "A" until the parking lot is paved.
 - ii. All crosswalks shall be paved in the appropriate style, color and materials as was approved by the Plan Commission for the overall site plan.

- iii. Once IHOP receives their occupancy permit, an update to the parking analysis is required that includes the IHOP calculations for the first few weeks. This shall be concluded prior to the issuance of the any re-occupancy permits for Building "A". This will help staff gauge how the parking spaces are being utilized.
- iv. Applicant shall provide a plan indicating how they plan to screen the black membrane on the back of the parapet walls for Building "C" and "D" prior to the issuance of the Zoning Permit for Building "A". Staff suggested during the Architectural Review Committee (ARC) meeting that the walls be refaced with brick "brick-like or EFIS" panel system to match the real brick on the building to the satisfaction of the ARC.
- v. All views along National Avenue and the parking lot shall include the same options for screening the sides and back of all parapet walls. The parapets on this building will need to be thicker on the corner towers and rounded section so people can not see behind the face. This may require a deeper return.
- vi. Please submit a 3-D model or line of site drawing to ensure that the backs of the rounded parapets from National Avenue are not visible. Please submit a 3-D perspective of what a person driving along National Avenue would see when driving past the northwest tower.
- b) Revised Architecture
 - i. Piers/columns need to have relief at corner towers and between windows up to corbelled cornice. Panels in between need to be recessed ~2-3".
 - ii. Window on west elevation at the northwest corner should be lower to match the southwest corner window.
 - iii. Lights on the building appear to be a smaller green fixture. They shall be black to match the other buildings.
 - iv. Awnings and metal standing seam roofs shall match Building "B".
 - v. Applicant shall include the stairs on the revised plans as well as any railings and their associated colors.
- c) All paving and patio areas/plaza areas shall be installed prior to the occupancy of the shell for building "A".
- 10) Overall Site Issues
 - a) Site Landscaping
 - i. Numerous trees were noticed to have been planted with the burlap and rope still in place around the root ball and not removed, which is a violation of Section 275-56 of the City's Zoning Code. Landscaper shall rectify this situation prior to the issuance of the Zoning permit for Building "A". In addition, any dead trees shall be replaced. Landscape plan shall be revised.
 - ii. Applicant shall explore if the white rock mulch in the landscaping beds can be replaced with an alternative groundcover.
 - iii. Please see to it that all landscaping and grading for the site associated with Buildings "B", "C" and "D" is completed prior to the re-inspection date of June 30, 2007. Areas of concern existing along Michelle Witmer Drive near Building "C" and the associated terrace areas and plaza, some landscape islands and areas near the parking along Library Lane.
 - iv. Applicant shall inspect the silt fence and ensure that it is up per the approved Erosion Control plans.
 - b) Site Issues

- i. General site clean up of the construction debris around the site. Please see to it that the site is cleaned up of debris and construction materials.
- ii. The decorative crosswalks shall be installed when the final lift is put on. The applicant should consider another color and pattern to replace what is there and be used on the new crosswalks. Perhaps a darker color with more texture or with real brick pavers with concrete edge. It appears the initial cross walk has faded considerably since it was installed last year.
- iii. Mail boxes shall be built into a decorative enclosure in the future for the remainder of City Center.
- iv. Each plaza/patio area shall have tables, chairs, and umbrellas (at least four (4) sets on each patio) along with benches and planters and/or table and chairs for the benefit of all users and tenants. These shall be installed independent of the tenant, but can be adjusted per tenant needs prior to the issuance of the Zoning Permit for Building "A".
- v. Possible additional signage along National Avenue and Michelle Witmer Drive should be considered.
- vi. City staff with the assistance of PDI will be giving alternate plant selections for some of the planting beds, free standing planters and tree cutout areas. These shall be incorporated into the revised plans. Revised plant selections shall be included into the revised plans.
- vii. An "Entryway Treatment Plan" shall be submitted on how you intend to landscape/hardscape the two entry points along Library Lane to your development and ways to screen the utility boxes. As you recall, the retaining wall and Arborvitae that area installed in front of the utility boxes were not part of an approved plan. Each entryway should have "way-finding" signage, sign kiosk and/or "shared parking signage" in addition to landscaping/hardscaping.
- viii. All inlets on site shall be cleaned out and new fabric installed where necessary. Please discuss locations with Jessica Schmidt and Eric Nitschke prior to work. This shall be completed in conjunction with site paving.

Seconded by Ms. Broge. Motion carried unanimously.

NEW BUSINESS

2. (1)TK U-13-07 Highland Memorial Park – 14875 W. Greenfield Ave. – Garden of the Apostles Columbarium.

Motion by Alderman Ament to table the request to replace an existing statue with a new columbarium for the entombment of 1,040 cremated remains on the property located at 14875 West Greenfield Avenue per the applicants request.

Seconded by Ms. Broge. Motion carried unanimously.

3. (5)AB U-14-07 Sprint – 12700 W. Beloit Rd. – Change Number of Antenna from Nine to Twelve and Install a 11.5 x 20' Enclosure to House Equipment.

Motion by Alderman Ament to table the request for Use, Site and Architectural Approval for Sprint to co-locate 12 antennas at 125' to the existing 495' guyed tower and erect a new equipment shelter at the WVCY transmission station located at 12700 West Beloit Road per the applicants request.

Seconded by Ms. Broge. Motion carried unanimously.

4. ()NJ PG-227 Extraterritorial Plat – Paul T. and Kathryn S. Klein, Town of Waukesha.

Motion by Alderman Ament to recommend to Common Council no objection to the Paul T. and Kathryn S. Klein Extraterritorial Plat for the Town of Waukesha with the following comment:

- 1) The four lots on this CSM are proposed to range from 1.46 acres to 14.00 acres. However, the City of New Berlin requires a minimum of 5 acre lots in areas not serviced by sewer.

Seconded by Mr. Gihring. Motion carried unanimously.

5. (5)AB CU-1-06 Beloit Auto Plaza – 12401 W. Beloit Road – One-Year Extension of Conditional Use Permit.

Motion by Mr. Gihring to approve a one-year conditional use permit extension for Beloit Auto Plaza located at 12401 W. Beloit Road.

Seconded by Ms. Groeschel. Motion carried unanimously.

6. (3)NJ U-16-07 Thomas Cotey – 1435 S. Calhoun Road – Legal Non-Conforming Single-Family Home.

Motion by Ms. Groeschel to approve the request for Use Approval to allow Mr. Cotey to construct an addition to his legal non-conforming single-family home on his property located at 1435 S. Calhoun Road subject to the application, plans on file and the following:

- 1) The Architecture Review Committee will require revised building elevations to better identify building materials and colors.
- 2) Applicant shall provide the Building Inspection Division with a legal description and survey for current lot of 155' by 85'.
- 3) Applicant shall work with the Transportation Division Engineer to properly locate the driveway during the building permit review.
- 4) Applicant shall comply with all Staff conditions for Building Permit #26224.
- 5) This home is located in a single-family district and shall follow all uses outlined within Section 275-33C

Seconded by Ms. Broge. Motion carried unanimously.

INTERVIEWS

7. PG-516(a) Consultant Interviews/Presentations to the Plan Commission re: 2020 Comprehensive Plan.

Interviews were held for the three applicants listed below:

6:15 P.M.	HNTB
7:00 P.M.	Crispell-Snyder
7:45 P.M.	Planning and Design Institute, Inc.

Interviews of each applicant included answering the following questions within their presentation to the Plan Commission and answering questions afterwards:

1. Who will the coordinating contact be with your firm for this project and what experience does that person have in the area of smart growth planning and in coordinating a major project such as this?
2. What have you learned from other smart growth plans you have prepared that would be of assistance in performing this project?
3. What experience do you have developing plans on the neighborhood level and what opportunities and challenges do planning on that level represent?
4. What role does natural resource conservation play in developing a comprehensive plan and does that represent a challenge or opportunity from your perspective?
5. Recognizing that planning is a dynamic process how would you account for the evolution of the community in the preparation of the plan?
6. Please provide the total number of public, staff, Plan Commission and steering committee meetings included in your proposal.
7. What is your present and committed workload? How does it fit into the workload associated with this project?
8. Please provide the total number of hours your firm is allocating to this project?
9. Please explain your understanding of and project approach to updating the City's Storm Water Management Plan and elaborate on how this update is going to be incorporated in the Comprehensive Plan.

Plan Commissioners were asked to submit their input to staff. A recommendation from staff will be presented at the next scheduled Plan Commission meeting, and any comments and concerns from Plan Commissioners will be discussed.

COMMUNICATIONS

8. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: WAPA March Case Law Update, March 21, 2007

Plan Commissioners acknowledged receipt of this communication.

9. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: WAPA Legislative Update by Lisa MacKinnon, 1000 Friends of Wisconsin, March 19, 2007.

Plan Commissioners acknowledged receipt of this communication.

10. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: SEWRPC Transportation Plan (PG-968)

Mr. Kessler referred to his comments from the Secretary's Report earlier in the meeting.

11. Communication To: Plan Commission
Communication From: Tony Kim, Associate Planner
RE: APA National Conference

Mr. Kim summarized the opportunities presented during his attendance at the 99th Annual American Planning Association National Conference in Philadelphia, Pennsylvania.

12. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: Planning Commissioners Journal, Spring 2007
Plan Commissioners acknowledged receipt of this communication.

Motion by Mr. Sisson to adjourn the Plan Commission meeting at 9:30 P.M. Seconded by Ms. Broge. Motion carried unanimously.