

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

PUBLIC HEARING

6:00 P.M. (7)NJ R-7-03 Poplar Creek Development – 3095 - 3111 S. Calhoun Rd.
– Rezone from A-1, A-2, O-2, C-2 to R-1/R-2, O-2, C-2.

NEW BERLIN PLAN COMMISSION

NEW BERLIN CITY HALL COUNCIL CHAMBERS

OCTOBER 6, 2003

MINUTES

The public hearing relative to the request by Matthew L. Kiefert c/o Poplar Creek Development to rezone from A-1 Agricultural, A-2 Agricultural and Rural Holding District, O-2 Business Park Development District, and C-2 Shoreland Wetland District to R-1/R-2 Rural Estate Single-Family Residential, O-2 Business Park Development District, and C-2 Shoreland Wetland District for the property known as 3095 and 3111 S. Calhoun Road was called to order by Mayor Wysocki at 6:01 P.M.

In attendance were Mayor Wysocki, Alderman Ament, Mr. Gihring, Mr. Teclaw, Mr. Barnes, Mr. Sisson. Also present were Greg Kessler, Director of Community Development, David Haines, Planning Services Manager, Olofu Agbaji, Associate Planner, Nikki Jones, Associate Planner, Ben McKay, Planning Tech, Sara Puls, Planning Tech. Mr. Felda was excused.

Mr. Haines 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.

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

Mayor Wysocki asked if there was any questions for purpose of clarification?

Len Jaworski, Chairman for the Trustees of Bethel Hill Church - The way this print stands now, there would be a road coming onto Stigler right at the bottom of the hill. As people come up Stigler Road to turn into the church, we have a hard enough time making a left hand turn into the parking lot because we can't see traffic coming up the hill the

other way. That is going to increase if that road stays as on this print with the road coming out at the bottom of the hill opposite the direction that the people are coming to the church. I am in agreement with a cul-de-sac being there and no road coming out to Stigler.

Dennis Goratowski , 3145 S. Calhoun Road - One of my biggest concerns was in the environmental corridor, who is going to have the responsibility of maintaining the creek. Right now as it stands, nobody is and there are many fallen trees and branches on the other side that obviously belong to someone else and one of my biggest concerns is who is going to maintain that, if anybody. One of the biggest problems we have had is water. A lot of times that creek fills up with water and backs up into our yards and with the exception of this year. One of the concerns I have is I know they plan on putting ponds for holding water but I don't know about any improvements planned for the creek. We should consider what this is going to do to this creek, is it going to be maintained, are we going to have to worry about heavy rainfall and water in our basement. This is a personal concern because, obviously we live in that area.

One of the other concerns I have is the traffic on Calhoun at certain times of the day. Sometimes it takes five minutes or longer to get out of our driveway. I am wondering what this is going to do to that road coming off of Calhoun. My suggestion is to leave one single road and not a thoroughfare off of Stigler. I think there is some concerns with Stigler Road and traffic and it is something that the city needs to take a look at and address to see what measures can be taken. I am neither in favor or against this rezoning as long as everything is maintained I guess it is not a problem.

David Seeger, 2925 S. Stigler Road – You said the field just South of the subdivision wasn't going to be farmland anymore. Are they just going to let that grow into a field or what are they going to do with it? The applicant said the plan is to plant prairie grass in that area.

Dennis Jesse, 3940 S. Elm Drive – I have heard it suggested here that they are talking about building retention ponds to hold water so it wouldn't impact Poplar Creek watershed. As a farmer, I totally object to anymore retention ponds within the whole Waukesha County, the reason being because of the geese they attract do nothing but destroy, ravage and just chew up all kinds of crops that we plant to grow for food. If you go by the library, on Beloit Road where that detention pond was built or anyplace else that you see water standing, its full of geese. Last fall we got special permission through the police department to get licensed hunters with special permits from the city, written permission from the land owner, north of Cleveland Avenue, West of Wehr Road where we had an area we planted that was being chewed up by geese. A special guy comes down from Waupan, Federal Water Commission to give us the ok to shoot the geese. That would have kept them off the Wehr Road field except by the time we went through all the red tape, the combines ran out of soy bean fields, so the geese followed the combines. We can't follow the geese, so we are still back to the same old problem. One more retention pond in Waukesha County is totally unacceptable. If there is a way to not impact Poplar Creek Watershed without building retention ponds, I wouldn't be

standing, but I don't believe there is.

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

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

Letter of opposition dated October 6, 2003 from John Modlinski, 18160 W. Willow Road on file in Planning.

Emily Erickson, 18040 Crabtree Lane – I am not in favor of the rezoning as it is being proposed for this development known as 3095 and 3111 S. Calhoun Road. First of all I do not understand why to remove C-2 existing zoning on the North end which is South of Cleveland to accommodate Lots 5, 6, 7, 8, and 9 and also wanting to remove the C-2 existing zoning near the Southwest end which is east of Stigler which is currently a heavily wooded low area and proposing to replace it with R-1/R-2 zoning. I believe the zoning map was just updated in 1999 so it is not outdated, plus I am surprised that a C-2 zoning, a wetland district would even be changed.

Secondly, I am opposed to any access road off Stigler whether it be an access road off Stigler to accommodate this new development or having a road running through Calhoun to Stigler. This would make it a public road and this would be very damaging to both the homes in this development and to the residents on Stigler. With the grade of the hill, Stigler is a challenging road in winter weather to maneuver going up and at times sliding down. It does not need anymore traffic than it already gets.

My third concern is the water table. When we had the public hearing in March 2002 the Greek Orthodox Church wanted to rezone the 14 acre parcel further north on Stigler and Cleveland for their large complex with a recreation center and health club. Several Thornapple Hill residents expressed concern as to what effect this would have on the water table in this area especially since another large church was planning to build on the 26 acre site across the street at 17700 W. Cleveland. Now with this proposed development we are looking at the introduction of 19 new wells in this area. This is going to be a high end subdivision with a minimum 2,200 sq. ft. for a ranch and 2,800 for a two story which will mean a minimum 2 ½ baths, whirlpool tubs which use more water than regular tubs and probably in-ground sprinkling systems so it would not be exaggerating to say the water consumption from this subdivision is also going to be on the high end.

Finally, I am concerned about the rear portion of the 3111 Calhoun land that backs up to Stigler. Two major gas lines run through this property. A large portion of this land is very low. Having lived across the street from this parcel for over 30 years and noticing the ground stays wet well into the spring and for a long period of time after a heavy rain, I do not feel one retention pond is going to be sufficient to take care of the run off that will occur during peak wet conditions. Careful consideration should be given to this rezoning and I certainly hope this does not get approval from the Planning Department,

Planning Commission, or the Common Council in the way it is being proposed now.

David Seeger, 2925 S. Stigler Road – I have some reservations about the Poplar Creek development. The floodplain on the northern end of the new site addition seems to be awfully close to the new homes. As you have pictured on your plans, some of that floodplain would go into homeowners backyard. In times of heavy rain or the spring snow melt, I wonder how many of these homeowners would like to see their backyards flooded. This could be a potential mess especially since Cleveland Avenue rises a number of feet above the homes over there. Roads leading out of the subdivision should be located further south. There is too much congestion coming out of Thornapple Hill and the church. There is a potential for some automobile accidents.

Finally, to the Plan Commission and the City Council, I wonder if you really realize what a mess you are making of this parcel of land between Stigler Road and Calhoun Road. You have the new church going up across Cleveland Avenue, you have the subdivision coming in and then you have the possibility of the new Greek Orthodox Church being built some time. Between the two churches and the traffic in the area, this is going to create some real problems, not only traffic but as I suggested, water problems too.

Dennis Jesse, 3940 S. Elm Drive – On top of what the lady and gentleman ahead of me just talked about, I know their concerns and agree with them completely and their opposition goes on the same line as mine. One gentleman spoke of how the water comes up in his backyard during high water falls and snow melts. When the Stigler property gets sold, what is going to come up for those 80 or so acres? There is a lot of property in that area that is more than likely to be sold. What's going to happen to Poplar Creek Watershed when all of that land is developed? How far west down Coffee Road is there open land which can be bought up by big developers while the people in the Poplar Creek Watershed suffer from their gain. For forty seven years I have lived at the same address, I've never had a flood but I pay for floodplain insurance and it is going to get worse if you keep on taking aeriatible land and put in asphalt streets, driveways, rooftops, etc where it comes into a watershed. I can't agree with developing like that at all. I am in full opposition.

Robert Latus, 18165 W. Willow Road – I am opposed to the danger of traffic by Stigler Road entrance. The other concern is the water table. The homes need adequate water.

? 3180 S. Glen Echo Lane - There are two artesian wells in that area. There is one across Calhoun Road and one in the woods South of Cleveland Road. What's going to happen to those wells if they put that subdivision in? I would like to have some consideration for those artesian wells so they will not be affected.

Bill Stock, 3950 S. Johns Drive – We have had discussions in this very room about the problems with the floodplain designation for the Observatory Heights Subdivision as well as some other homes that are impacted by the Poplar Creek Watershed. I just think that putting in paved roads and 2,000 sq. ft. minimum shingled roofs is taking away from what is already poor soil to begin with, a lot of clay with poor drainage but you're

making it even worse and compounding the problem. Some of my neighbors have stated that Observatory Heights subdivision has not experienced a flood in forty or more years. I can't say that it has never been close. I think that development such as this would certainly make it much more precarious in terms of the potential for flooding in that area. It certainly is not going to alleviate what is already a problem. The problem doesn't manifest itself downstream, it's going to manifest itself further upstream or to the south and impact that subdivision as well as other homes in that area and for that reason I am opposed to this. I think we ought to clean up our mess first before we add to and compound the problem and I think we should concentrate on cleaning up some of the problems here in the Poplar Creek area and the floodplain designation that some homeowners are subjected to before we discuss development with could only compound that problem.

Jeff Olson, 18180 W. Willow Road – I oppose that subdivision from the standpoint of the access road and the water problem.

Kathy Goldman, 3950 S. Elm Drive - Several people have been up here giving background information of Observatory Heights Subdivision and how the possibly of development of this land might impact us. We are fighting right now just to get ourselves out of the floodplain and it is very important that what happens in this subdivision does not put us at risk of being further in the floodplain. We are trying to get NR30 permit to start doing some work on Poplar Creek . Like Mr. Stock said, let's try to fix what we can before we go and make a new mess. Please keep this in consideration .

Vern Bentley – 3450 S. Johnson Road - There was a lot of discussion about the road coming in from Calhoun but if it is going to cross wetlands, it may be a problem. I understand there are a number of entrances that could be used. The road connecting to Stigler was also not popular. These issues should be clarified before the project is approved. Some of the residents questioned prairie grass. Some prefer having corn or soy beans.

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

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

Alderman Ament – Questioned request for C-1 on staff report, not seeing any on the property. Ms. Jones said that is in error. Alderman Ament asked what percent of this parcel needs to be in conservancy or open space for this to be a conservation subdivision? Ms. Jones said 50% . Alderman Ament said when I look at this plan the way it is set up, correct me if I'm wrong, I'm looking at 109.5 acres. I did take out the office area, but I'm still looking at approximately 50 acres. I'm only seeing what is left to be about 28 acres to be set aside for open space. I don't see that we have 50% in open space. The other question I have is are we eliminating C-2 as part of the overall acreage that is considered for the open space. Ms Jones said that the C-2 is included. Alderman Ament said so we are looking at the remainder of the parcel which is about 104.11 acres, other

than the O-2. I'm getting that from Page 2 of the staff report. Ms. Jones said that is correct. Alderman Ament said, so they need to have about 52 acres in open space. I'm not coming out with that number. Ms. Jones said that it is just conceptual. Alderman Ament said that is part of my question, if they are understanding that so they know what they are in for as this progresses. Also several people have mentioned and I would like to thank McClure Engineering for being involved in the public meeting we had on Monday. It helped the neighbors understand what is involved but again one of the major issues was the cul-de-sac on the road where it would come onto Stigler. I am wondering what problems the staff sees in doing that. I know one of them may be the two accesses or ambulance access situation for this new development. To make it two entrances, they would need to make it both Stigler and Calhoun. Is that what the city is suggesting? Ms. Jones said not at this time. We will wait to see their subdivision plans. Alderman Ament asked, do we see any problems with Thornapple having one entrance from a planning standpoint. Ms. Jones said they are in the process right now of doing a traffic impact study for this area and I am hoping that will answer some of these questions. Alderman Ament said in looking at the sample subdivision layout map on Page 11 of the staff report I see a road going through the floodfringe and then even through the floodway. I am concerned about that and wondering why they cannot use the old farm road instead of going through the floodfringe and floodway. That road may not be wide enough but I would think that we could avoid building a road that could cause problems upstream of this development.

Dennis Jesse, 3940 S. Elm Drive - If you are talking about that mud road that goes West from Calhoun between the two properties, the Elger home and the other home that belongs to the other gentlemen that spoke tonight, to my knowledge that is only ingress/egress from Calhoun to the original Stigler homestead buildings. It is not a street of any nature.

Alderman Ament – Can we look at that as a possible road since there are culverts already there and it would allow us to avoid us going through the floodfringe and floodway that is south of that. That may be an alternative where we won't have to cause any problems in the flood areas. Mr. Jesse said you would be impacting three properties to do so. The Stigler land, the homeowner to the south, and the Elger property. Alderman Ament said when I am looking at these maps that we have here they are showing, particularly the southwest corner of this development, a C-2 in a mitten shape arrangement, but if you look at the layout maps it looks like they have been delineated to those small sections. Ms. Jones said right, based on the wetland delineation they have been discovered there. Alderman Ament said that map is showing the proposed is other than those areas that are still there. That whole area would be R1/R2 then? Ms. Jones said correct. Alderman Ament said I am concerned that if we somewhere down the line I am assuming that is what they want to use as part of their holding space and might be rezoned to C-3. Ms. Jones said, potentially yes.

Dennis Goratowski, 3145 S. Calhoun – Going back to that dirt road, that old farm road. It has culverts in but one of the problems with the culverts is a couple times a year we have to call the city to clean them out because they get clogged. Ninety percent of the

time my wife and I spend every couple weekends down there pulling out logs, etc. If you are considering using that road, which might not be a bad idea, it would have to be completely redone.

Alderman Ament – Looking at the environmental impact on the report, it shows that this has not been done yet. Is that something we are going to be able to have before we actually get into the rezoning during a Plan Commission meeting? Ms. Jones said traditionally it is done during the subdivision plat. Alderman Ament said so we probably still won't see that until the final stages of the subdivision.

Alderman Ament – Looking at the stormwater management, we are looking at the possibility of one or more ponds in this area if it is rezoned. Again the question goes back to the question of C-2. If a pond is built there, is that pond area part of the 50% open space? Can it be used for the common space? Ms. Jones said yes.

Alderman Ament – An article in the paper not too long ago made me check with the school district to find that that school is basically full, meaning what used to be Cleveland Heights is now Poplar Creek. They did not have a serious problem other than they would probably have to redistrict that school. Also when I look at these maps, I realize this is just a conceptual and maybe this is just a common for the developer but something that I think we need to watch closely is Lots 11 and 12. They are both substantially in the floodfringe, especially Lot 11. As you look at Lots 5 and 6, there is a major part of that that goes right up to the cul-de-sac that would be along the floodway and as this progresses, we are going to probably be concerned with this. As someone mentioned, I did look at this water usage of 13,000 gallons per day and it does give me some concern in the area. Has there been any evaluation done of what affect that would have on the water table in this general area, obviously west of there and primarily for Thornapple. Mr. Jones said we may have consultants work on that.

Alderman Ament – My understanding is that A-1 is to remain agriculture and A-2 was to be a holding area. Staff needs to better explain this to me.

Mayor Wysocki – Just for purposes of clarification, the proposal here deals with an entire acreage of 109.5 acres. There are 20 lots proposed at one and one half acre so the total development as far as residential goes is 30 acres, leaving an open space of 77.1 acres so that is more than 50% of the entire parcel. The purpose of the public hearing was to add additional information. Are there any more questions from the Commissioners.

Mr. Gihring – Why can't the area in the southwest portion that is currently zoned C-2 right now be used for lots rather than trying to crowd all the lots up against the area where the creek runs through by the flood areas. Ms. Jones said there are a large amount of trees in that area. Mr. Gihring said it looked like they reassessed the C-2 down to two tiny areas. The developer said the woods should be left alone. Mr. Gihring said I guess my question then is why has the C-2 changed from a large area down to two little tiny spots? Ms. Jones said it is still an environmental corridor which we are not going to do anything in. Mr. Gihring said maybe it should be zoned C-1 instead of taking it out of C-

2.

Mr. Teclaw – I agree with the comments made by Dennis Jesse and Bill Stock. Elevation wise, how far down stream is that subdivision and could it have an upstream impact. Mr. Nitschke, Division Engineer/Stormwater said we just had a meeting with SEWRPC on this exact topic and in that meeting the elevation difference is significant enough where to do something downstream you are not going to have an impact on the upstream area in a positive or negative way. Something that is so minute that we could spend a lot of money trying to do something as far as stormwater management facility with perhaps miniscule results. Mr. Teclaw asked do you know approximately just height wise? Mr. Nitschke said I don't recall offhand what the height elevation was. Mayor Wysocki said if this goes through, we will have these details in terms of any kind of proposal for development on this. It is clear from our policy that any impact relative to water, each site has to treat its own storm water issues. Mr. Nitschke said the 100 year flood elevation at the downstream and Coffee, which is south of here was right at the invert of the culvert crossing Coffee so they were not creating a tail water condition. As far as some of the storm water questions that came up, we do have a storm water ordinance and a storm water management plan that are in effect. The developer will be required to follow them.

Mr. Teclaw – I also had a question about the wetland delineation. It looks like the C-2 delineation that has occurred there is so fragmented. We see, when there is a creek bed running through an area, a solid line representing the actual creek itself. The way those areas are shown, it almost looks like there isn't a creek going through there. I assume there is an actual creek that goes with that winding area of floodplain. Ms. Jones said there is a creek there but the way the delineation took place as indicated in your staff report, there are nineteen separate areas that they were portaging from. Mr. Teclaw asked if it might have been so dry that there was no water there. It seems unlikely that you have a stream going through there that would be delineated like that. Ms. Jones said the delineation was done in April and May this year.

Mr. Teclaw - Where the C-2 areas are being shrunk down they coincide with the environmental corridors and contain woodlands. I applaud the developer for what appears to be a true effort to stay outside of those sensitive natural areas. This is a development that seems to be following some of those dividing guidelines, trying to stay away from those features of the conservation subdivision. I too believe that these areas should be preserved and rezoned into a category of preservation, most appropriate C-3. I also agree that instead of that roadway shown coming onto Calhoun traversing such a long expansive floodway and floodfringe, going straight across at the narrowest point would make more sense. Another thought is would it be possible to bring a street in from the west, cul-de-sac it and bring another street in from Calhoun and cul-de-sac it vs. having an entire thoroughfare. Mayor Wysocki said those are issues that would come through later with the design layout.

Mayor Wysocki asked Plan Commissioners for further questions for the purpose of clarification, seeing none.

Mayor Wysocki closed the public hearing at 6:56 P.M.

NEW BERLIN PLAN COMMISSION
NEW BERLIN CITY HALL COUNCIL CHAMBERS

OCTOBER 6, 2003

MINUTES

Privilege of the Floor

The Plan Commission meeting of October 6, 2003 was called to order by Mayor Wysocki at 7:13 P.M.

In attendance were Mayor Wysocki, Alderman Ament, Mr. Gihring, Mr. Teclaw, Mr. Barnes, Mr. Sisson. Also present were Greg Kessler, Director of Community Development, David Haines, Planning Services Manager, Olofu Agbaji, Associate Planner, Nikki Jones, Associate Planner, Ben McKay, Planning Tech, Sara Puls, Planning Tech. Mr. Felda was excused.

Motion by Alderman Ament to approve the Plan Commission Minutes of September 8, 2003. Seconded by Mr. Sisson. Motion carried unanimously.

Plan Commission Secretary's Report – Mr. Haines referred to the copy each of the Commissioners received of the new Plan Commission By-Laws indicating the addition of privilege of the floor.

CONTINUED ITEMS

5. (5)DH U-59-03 New Berlin Public Library – 15051 W. Main Street – Library (Tabled 9/24/03)

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

Motion by Alderman Ament to approve the use, site, and architecture for the New Berlin Public Library located at 15051 W. Main Street subject to:

- 1) Stormwater, drainage and grading
 - a) The applicant has submitted stormwater management plans. The plans have addressed the previous concerns from staff. Minor technical adjustments may be needed upon more thorough review by staff.
 - b) Plan Commission waives the requirement that slopes be no steeper than 1:3 as required by 275-56C(12). The slopes on the eastern and southern corners of the building shall be no steeper than 1:4.

- 2) Resolution of parking, loading and access issues as previously identified by staff.
- 3) Resolution of landscaping issues as previously identified by staff.
- 4) The applicant, staff and other developers shall coordinate the placement of lighting. This may impact the placement and intensity of on-site lighting for the library site.
- 5) The construction building plans shall show the height of the mechanical equipment within the mechanical building. As required by §275-56G(1)(b)[3] the height of the mechanical equipment cannot exceed the height of the building wall.
- 6) Resolution of other concerns as identified by staff.

Seconded by Mr. Teclaw. Motion carried unanimously.

6. (7) OA LD-7-03 Kelvin Sandel – 18790 W. Cleveland Ave. – Sw ¼ Sec. 9 – Two-Lot Land Division. (Tabled 9/8/03)

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

Motion by Mr. Gihring to recommend to Council approval of the request by Kelvin Sandel for a two-lot land division located at 18790 W. Cleveland Avenue, SW ¼ Sec. 9 subject to:

- 1) Correct all drafting errors and ambiguities as identified by staff.
- 2) All signatures & notaries must be in place, signed, stamped and dated prior to the City's signature being applied.
- 3) Provide documentation from Waukesha County of the Ultimate right of way for Cleveland Avenue. Dedication of ultimate right-of-way required.
- 4) Show and label all conservancies, flood plain w/elevation and wetlands on the CSM with dimensions.
- 5) A 66' right-of-way ingress/ egress easement, not 60' is required by the city engineer for rural cross sections.

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

7. (2)OA R-10-00 Moorland Road PUD – 2762-2900 S. Moorland Rd. – request for extension. (Tabled 9/8/03)

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

Motion by Mr. Barnes to recommend to Council approval of the request for a 12 month extension of the Moorland Road PUD Ordinance #2165 to expire on December 11, 2004.

Seconded by Mr. Sisson. Motion carried unanimously.

8. (7)BM SG-22-03 Car X – 15650 W. National Ave. – Monument and Wall Sign.
(Tabled 7/7/03)

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

Motion by Mr. Sisson to approve the request by Car X for a monument and wall sign located at 15650 W. National Avenue subject to:

- 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 275-61 New Berlin Municipal Code.
- 2) The overall internally illuminated monument sign shall not exceed 7'0" in height, 8'0" in width, and shall be located outside of the ultimate right of way of National Avenue.
- 3) The internally illuminated monument sign face shall not exceed:
4'0" in height x 8'0" in width = 32 square feet in area
The sign face shall read "CarX Auto Service" in black on a yellow background.
The sign face shall also include a changeable reader board not to exceed:
1'5" in height x 8'0" in width = 11.36 square feet in area
- 4) The monument sign base shall not exceed 3'0" in height, 8'0" in width, and shall be constructed of masonry to match the exterior architecture of the building.
- 5) The non-illuminated wall sign shall not exceed:
CarX: 5'01/4" in height x 14'51/4" in width = 52 square feet
Auto Service: 1'0" in height x 8'8" in width = 8.66 square feet
The overall non-illuminated wall sign shall not exceed 60.66 square feet in area and shall read "CarX Auto Service" in Black individual channel letters.
- 6) The monument sign face shall be internally illuminated and turned off outside normal business hours. The wall sign face shall not be illuminated.
- 7) A payment of \$298.98 is required per calculations below:
Monument Sign Face: (4'0" x 8'0") = 32sq.ft. x 2 sides = 64sq.ft. x \$3.00/sq.ft. = \$192.00
Wall Sign Face: (5'01/4" x 14'51/4") = 52sq.ft. x 1 side = 52sq.ft. x \$3.00/sq.ft. = \$156.00
Wall Sign Face: (1'0" x 8'8") = 8.66sq.ft. x 1 side = 8.66sq.ft. x \$3.00/sq.ft. = \$25.98
Less Application Fee: (\$75.00) = \$298.98

Seconded by Alderman Ament. Motion carried unanimously.

NEW BUSINESS

9. (4) NJ R-2-03 The Conservancy – 13150 W. Janesville Rd. – Rezone from R-3 Suburban Single Family, B-3 General Bulk Sales District, C-1 Upland Resource Conservancy and C-2 Shoreland Wetland to R-3/PUD Single Family Planned Unit Development, R-3 Suburban Single Family, C-2 Shoreland Wetland, C-3 Permanent Open Space Conservation, and I-1/PUD Institutional Planned Unit Development.

Motion by Mr. Barnes to recommend to Council approval of the request by MLG Development (The Conservancy) to rezone the property located at 13150 W. Janesville Road from R-3, B-3, C-1 and C-2 to R-3/PUD, R-3, C-2, and I-1/PUD.

Seconded by Mr. Sisson.

Motion by Mr. Teclaw not to rezone C-1 areas. Seconded by Alderman Ament. Motion fails based on a tie vote with Alderman Ament, Mr. Teclaw, Mr. Gihring voting Yes, Mr. Sisson, Mayor Wysocki, Mr. Barnes voting No.

Upon voting original motion passes with Mayor Wysocki, Mr. Gihring, Alderman Ament, Mr. Sisson, Mr. Barnes voting Yes, Mr. Teclaw voting No.

10. (5)NJ LD-8-03 New Berlin City Center – 15155 W. National Ave. – SW ¼ SEC. 14 – One-Lot Land Division.

Motion by Mr. Sisson to recommend to Council approval of the request by Sigma Development (New Berlin City Center) for a one-lot land division located at 15155 W. National Avenue, SW ¼ Sec 14 subject to:

- 1) Applicant shall correct all drafting errors and ambiguities as identified by staff on the face of the CSM including the following:
 - a) Show the existing 20' pedestrian easement along road reservation.
 - b) Show the road reservation on plans and show possible extension of Main Street.
 - c) The dashed line marked 33' east of West line shall be corrected.
 - d) Applicant is required to show the easement for any public facilities on the property.
- 2) Outlot 1, which contains the stormwater ponds shall be owned by an association of property owners within City Center.
- 3) A Developer's Agreement for the extension of main Street and public utility is required before a building permit for Lot 1 shall be issued.
- 4) All costs, including land dedication, for the extension of Main Street into Lot 1 for access to un-platted lands to the south shall not be at the expense of the City.
- 5) All owners and surveyor must sign prior to City signing the CSM. Surveyor Stamp required.

Seconded by Mr. Barnes. Motion carried unanimously.

11. (7)OALD-9-03 Moorland Road Investments LLC – 2879 Acredale Rd. – Sw ¼ Sec. 11 - Two-Lot Land Division.

Motion by Mr. Barnes to recommend to Council approval of the request by Richard Casper (Moorland Road Investments LLC) for a two-lot land division located at 2879 Acredale Road, SW ¼ Sec. 11 subject to:

- 1) The city of New Berlin and Waukesha County DOT must resolve any access restrictions, conditions to Moorland Road prior to city signing the CSM. All PUD participants shall be put on notice and will be required to contribute to discussions on the final layout of the access point on Moorland Road and how the frontage Road will take shape to provide access for the entire O-3 zoned parcels. This may involve cost sharing by other owners, and possibly a developer's agreement.
- 2) Correct all drafting errors and ambiguities as identified by staff.
- 3) All signatures & notaries must be in place, signed, stamped and dated prior to the City's signature being applied.
- 4) Provide documentation from Waukesha County of the Ultimate right of way for Moorland Road. Dedication of the entire 65' ultimate right-of-way required.
- 5) Legal description must include the vacated Dakota Street along the southerly boarder.

Seconded by Alderman Ament. Motion carried unanimously.

12. (5)OAR-8-03 Elmwood School Parcel – 5150 S. Sunny Slope Rd. – Rezone from I-1 to R-4.

Motion by Alderman Ament to forward to Council to request a public hearing be set for November 3, 2003 relative to the petition to rezone the property located at 5150 S. Sunny Slope Road from I-1 to R-4.

Seconded by Mr. Sisson. Motion carried unanimously.

13. (5)OAS-164-03 Jahnke & Jahnke Subdivision – 4320 S. Moorland Rd. – Preliminary Five-Lot Subdivision.

Motion by Mr. Barnes to table the request by Jahnke & Jahnke for a preliminary five-lot subdivision located at 4320 S. Moorland Road to allow applicant to submit revised plans.

Seconded by Alderman Ament. Motion carried unanimously.

14. (7)TKSG-58-03 Nature's Nook Garden & Floral – 16980 W. National Ave. – New Sign Face.

Motion by Mr. Sisson to deny without prejudice the request by Nature's Nook Garden & Floral for a new sign face located at 16980 W. National Avenue based on the following:

- 1) §275-61(B)(1) of the New Berlin Zoning Code states that "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 chapter."
- 2) §275-61(I)(1)(c) which states that "All new signs and or replacement 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 .Arterials include Calhoun Road, Cleveland Avenue, Greenfield Avenue, Lincoln Avenue, Moorland Road and National Avenue. Monument signs are also required within the New Berlin Industrial Parks."
- 3) Applicant shall be required to set up a meeting with the Alderman of the District and staff to discuss possible time extensions to conform to the current Zoning Ordinance and sign standards by Friday October 9, 2003.

Seconded by Mr. Barnes. Motion carried unanimously.

15. (1)SP SG-55-03 Mitchell Bank – 12400 W. National Ave. – One Monument Sign and Two Wall Signs.

Motion by Mr. Teclaw to table the request by Mitchell Bank for a second wall sign on the east elevation located at 12400 W. National Avenue for the following reasons:

- 1) Section 275-61 of the New Berlin Code states: "Individual businesses within shopping and retail centers are permitted a wall sign in addition to the master identification monument sign."
- 2) Staff has issued permits for the three-sided monument sign and the allowed wall sign on the south elevation.
- 3) A number of other businesses in multi-tenant retail / commercial developments in New Berlin have two frontages but have been granted Sign Permits for only one wall sign on the main store frontage.

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

16. (5)SP SG-62-03 Bank One – 15525 W. National Ave. – Monument Sign and Wall Sign.

Motion by Alderman Ament to table the request by Bank One for a monument and wall sign located at 15525 W. National Avenue for the following reasons:

- 1) The overall signage at this property fails to meet Section 275.61 of the New Berlin Municipal Code. Staff also has questions as to the choice of doing a master identification sign with only the Bank One logo when there appears to be three other tenants in the building who will be without signage after the non-conforming reader-board ground sign is removed.
- 2) The building owners shall purchase and install City Center style lighting, as well as bike-stands, benches, trash receptacles and architecturally integrated newspaper racks, along National at locations approved by DCD staff as recommended by the City Center Development.
- 3) Staff needs to meet with a bank representative to discuss these issues prior to issuance of a permit. Bank One representatives have failed to reply to correspondence from staff through the sign company regarding setting up a meeting time.

Seconded by Mr. Sisson. Motion carried unanimously.

17. (7)BM U-55-03 Letterhead Press – 16800 W. Ryerson Rd. – Request for use approval to change building to multi-tenant use, Parking Lot Upgrade, and Metal Panel on Building to be Repainted.

Motion by Alderman Ament to approve the request by Letterhead Press to change the building located at 16800 W. Ryerson Road to multi-tenant use, parking lot upgrade, and metal panel on building to be repainted subject to:

- 1) The building at 16800 West Ryerson Road shall be permitted multi-tenant status. Letterhead Press shall occupy 75,000sq.ft. of the building. The remaining 131,628sq.ft. shall consist of a second tenant bay.
- 2) All future tenants of this building shall be required to apply for and receive approval from the Plan Commission prior to signing a lease or occupying the building.
- 3) At such time as a prospective tenant applies for Plan Commission approval to occupy the second tenant bay detailed floor plans of the second tenant bay shall be submitted with the application.
- 4) The parking lot shall be repaved and re-stripped in two stages. The front lot shall be repaved and re-stripped by May 1, 2004. The rear lot shall be repaved and re-stripped by September 11, 2004. Parking stalls shall measure 9' x 19' and meet all requirements of Article VIII Chapter 275-57 of the Municipal Code in its entirety.
- 5) The metal panel portion of the building façade shall be repainted to match the current color by November 4, 2004.
- 6) Existing landscaping shall be trimmed and maintained per Article VIII Chapter 275-56 of the Municipal Code.
- 7) A Knox box is required for the building. Depending on the nature of the second tenant a listing of chemicals, MSDS sheets, and sprinkler calculations may be required at time of Re-Occupancy application.
- 8) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the Municipal Code.

- 9) Outside storage of a 28' truck for Letterhead Press shall be permitted behind the building and out of public view. No other outside storage of junk or materials shall be permitted. The pallets, miscellaneous wood, tires and trash on the Northwest corner of the parking lot shall be removed by October 20, 2003.
- 10) Employee and customer parking must be contained on site.
- 11) All open permits for this property shall be addressed prior to occupancy of the second tenant bay.
- 12) Building plans shall be stamped and signed by a registered architect or engineer (Comm 61.20 Responsibilities).
- 13) Building plans shall be approved by the New Berlin Department of Community Development Inspection Division per Wisconsin Dept. of Commerce (Comm 61.70 Certified municipalities and Counties. (5)(c) 3.
- 14) Apply and obtain appropriate building, plumbing, and electrical permits as needed.

Seconded by Mr. Barnes. 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 Mr. Sisson to approve consent agenda items #18-23. Seconded by Mr. Barnes. Motion carried unanimously.

ZONING PERMITS

18. (6)SP RO-31-03 Envy, Inc. – 3550 S. Moorland Rd. – Full Service Salon.

The request by Envy, Inc. for a full service salon located at 3550 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) Building plans shall be stamped and signed by a registered architect or engineer (Comm 61.20 Responsibilities).
- 2) Building plans shall be approved by the Department of Community Development Inspection Division per Wisconsin Dept. of Commerce (Comm 61.70 Certified municipalities and counties (5)(c) 3).
- 3) Apply for and obtain appropriate building, plumbing, and electrical permits.
- 4) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
- 5) Per Article VIII Chapter 275-61 of the municipal code all signage for this property shall require submittal of a separate Sign Permit Application.
- 6) Employee and customer parking must be contained on site.

- 7) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications. All outstanding permits for this property shall be satisfied prior to the issuance of any new building, plumbing, or electrical permits.
 - 8) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
 - 9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
19. (3)SP RO-32-03 Bartman & Sons – 2624 S. 162 St. – Wholesale Distributor of Cigarettes, Tobacco, Candy, Juice, Snacks, Etc.

The request by Bartman & Sons – 2624 S. 162 St. for wholesale distributor of cigarettes, tobacco, candy, juice, snacks, etc. located at 2624 S. 162nd Street 5. (3)SP RO-32-03 Bartman & Sons – 2624 S. 162 St. – Wholesale Distributor of Cigarettes, Tobacco, Candy, Juice, Snacks, Etc.

- 1) Inspections for numerous open permits for the entire property must be scheduled and completed so that they can be cleared up and closed out. All open permits open on the date of this permit shall be inspected and closed out by April 23, 2004 or prior to issuance of any further Re-occupancy Permits.
 - 2) Apply for and obtain appropriate building, plumbing, and electrical permits.
 - 3) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
 - 4) Per Article VIII Chapter 275-61 of the municipal code all signage for this property shall require submittal of a separate Sign Permit Application.
 - 5) Employee and customer parking must be contained on site.
 - 6) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications. All outstanding permits for this property shall be satisfied prior to the issuance of any new building, plumbing, or electrical permits.
 - 7) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
 - 8) Building must meet all applicable building and fire codes; sprinkler head relocation may be necessary. Fire Extinguishers are required.
20. (2)SRO-33-03 New Berlin X-Press Instant Printing – 3628 S. Moorland Rd. – Printing Business.

The request by New Berlin X-Press Instant Printing for a printing business located at 3628 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) Inspections for open permits across all tenant bays on the property shall be scheduled and completed, by December 31, 2003.
 - 2) Building plans shall be stamped and signed by a registered architect or engineer (Comm 61.20 Responsibilities)
 - 3) Building plans shall be approved by the New Berlin Department of Community Development Inspection Division per Wisconsin Dept. of Commerce (Comm 61.70 Certified municipalities and counties (5)(c)3.)
 - 4) Apply for and obtain appropriate building, plumbing, and electrical permits.
 - 5) Area is to be fully sprinklered.
Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
 - 6) Per Article VIII Chapter 275-61 of the municipal code all signage for this property shall require submittal of a separate Sign Permit Application.
Employee and customer parking must be contained on site.
 - 7) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications. All outstanding permits for this property shall be satisfied prior to the issuance of any new building, plumbing, or electrical permits.
 - 8) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
 - 9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
21. (3)SP RO-34-03 Probalance, Inc. – 2440 S. 179th St. – Administrative Office, Receiving Orders, Boxing Inventory, and Sending.

The request by Probalance, Inc. for an administrative office, receiving orders, boxing inventory, and sending located at 2440 S. 279th 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) Apply for and obtain appropriate building, plumbing, and electrical permits.
- 2) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
- 3) Per Article VIII Chapter 275-61 of the municipal code all signage for this property shall require submittal of a separate Sign Permit Application.
- 4) Employee and customer parking must be contained on site.
- 5) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications. All outstanding permits for this property shall be satisfied prior to the issuance of any new building, plumbing, or electrical permits.
- 6) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.

- 7) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
22. (7)SP RO-35-03 Central Office Systems, 15791-93 W. Ryerson Avenue – Sell and service copiers, fax, printers. Showroom to demonstrate equipment.

The request by Central Office Systems to sell and service copiers, fax, printers at 15791-93 W. Ryerson 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) The multi-tenant reader-board ground signs are no longer in compliance with the New Berlin Code Chapter 275-61. Both ground signs on at this property shall be removed, and plans for new conforming monument signs for each building of the development shall be submitted, by October 31, 2003.
 - 2) Building plans shall be stamped and signed by a registered architect or engineer.
 - 3) Building plans shall be approved by the New Berlin Department of community Development Inspection Division per Wisconsin Dept. of commerce (Comm 61.70 Certified municipalities and counties (5)(c)3.)
 - 4) Designated accessible restrooms are required.
 - 5) Apply for and obtain appropriate building, plumbing, and electrical permits.
 - 6) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
 - 7) Per Article VIII Chapter 275-61 of the municipal code all signage for this property shall require submittal of a separate Sign Permit Application.
 - 8) Employee and customer parking must be contained on site.
 - 9) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications. All outstanding permits for this property shall be satisfied prior to the issuance of any new building, plumbing, or electrical permits.
 - 10) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
 - 11) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
23. (7)SP RO-36-03 Badgerland Fireplace, Inc., 2736 S. 163 Street – Fireplace Sales, Installation to Contractors, and Some Retail.

The request by Badgerland Fireplace, Inc. for fireplace sales, installations to contractors, and some retail located at 2736 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) At the time of the occupancy inspection a building manager or representatives of other businesses on the property shall be present to allow an inspector into the appropriate tenant bays so that inspections for open permits throughout the property can be completed.
- 2) Interior alteration plans shall be reviewed by the Department of Community Development Inspection Division.
- 3) Apply for and obtain appropriate building, plumbing, and electrical permits as required.
- 4) Dumpsters must be properly screened from the street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
- 5) Per Article VIII Chapter 275-61 of the municipal code all signage for this property shall require submittal of a separate Sign Permit Application.
- 6) Employee and customer parking must be contained on site.
- 7) Permits are required from the Building, Inspection, and Zoning Departments for any interior and exterior alterations or modifications. All outstanding permits for this property shall be satisfied prior to the issuance of any new building, plumbing, or electrical permits.
- 8) Building must be maintained per Chapter 201 of the Non-residential Property Maintenance Code.
- 9) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

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 Mr. Sisson to approve consent agenda items #24-36, 38, 39.
Seconded by Mr. Barnes. Motion carried unanimously.

STAFF APPROVED

24. (3) SP SG-42-03 Press & Promo, Inc. – 12940 W. National Ave. – Temporary Banner.

The request by Press & Promo, Inc. for a temporary banner located at 12940 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) A plan for dumpster screening shall be submitted to the New Berlin Department of Community Development by August 29, 2003.
- 2) Plans for a new monument sign and new wall signage shall be submitted to the New Berlin Department of Community Development by August 29, 2003.
- 3) The non-conforming pole sign with the temporary pillow banner face shall be removed and replaced with a monument sign by September 29, 2003.

- 4) Per Article VIII Chapter 275-61 of the municipal code all signage for this property shall require submittal of a separate Sign Permit Application.
 - 5) The dimensions of the temporary non-illuminated pillow banner sign face shall not exceed:(8'0'' in length x 4'0' in height) = 32 square feet in area
 - 6) The temporary non-illuminated pillow banner sign face shall read "NEW HOME OF PRESS & PROMO SOLUTIONS THAT BUILD BUSINESS" in red letters on a white background.
 - 7) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
 - 8) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
25. (7)SP SG-53-03 City of New Berlin Police Dept. – 16300 W. National Ave. – Six Temporary Signs for Harley Kick-Off Party.

The request by City of New Belrin Police Dept. for six temporary signs for Harley Kick-Off Party located at 16300 W. National Avneue 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) New Berlin's Kick Off Party signs shall be installed at the following locations:
Moorland Road & I-43, Moorland Road & Greenfield Avenue, Cleveland Avenue & 124th Street, National Avenue & 124th Street, Calhoun Road & Greenfield Avenue, Racine Avenue & Ann Louise Drive.
 - 2) 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 Article VIII Chapter 275-61 of the City of New Berlin Municipal Code.
 - 3) The Kick Off Party sign face dimensions shall not exceed:
4'0'' in height x 4'0'' width = 16 square feet in area
 - 4) The temporary festival sign face shall read "NEW BERLIN'S KICK-OFF PARTY In honor of Harley-Davidson's 100th Anniversary FRIDAY, AUGUST 22nd 5-10pm at Malone Park NB Police vs. NB Fire Kickball game 5-7 pm Music by the SWEET TARTS 6:30-10pm " in red and black lettering on a white background
 - 5) The Kick Off Party Signs shall be removed by August 25, 2003.
 - 6) The Kick Off Party Sign faces shall not be illuminated.
 - 7) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
 - 8) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
26. (4)SP SG-54-03 Kat's Café – 19680 W. National Ave. – Ground Sign.

The request by Kat's Café for a ground sign located at 19680 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) The applicant does not have a permit for the sign that reads "NOW SERVING SIT DOWN BREAKFAST EVERYDAY 7:00am TO 12 NOON Join Us" and is therefore in violation of Section 275-61 of the New Berlin Code. Applicant shall apply for and receive a permit, or remove the sign, by September 9, 2003.
 - 2) The applicant does not have a sign permit for the sign that reads "KAT'S CAFÉ' AND PIZZA" and is therefore in violation of Section 275-71 of the New Berlin Code. This sign shall be removed by September 9, 2003 or prior to issuance of ground sign permit.
 - 3) The ground sign faces shall read "Kat's Café" in dark green lettering on a white background on the right side of the sign and "BREAKFAST~LUNCH~DINNER DINE IN OR TAKE OUT" in white letters on a green band at the bottom of the sign. There shall be a fork, knife, and spoon on a green and white checkered background on the left side.
 - 4) The ground sign faces shall not exceed:
5'0" in length x 4'0" in height = 20 square feet
 - 5) 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 275-61 New Berlin Municipal Code.
 - 6) A payment of \$45.00 is due per the following calculations:
Monument Sign Face: 20 square feet x 2 sides x \$3/square foot = \$120.00
Less application fee (\$75): \$45
 - 7) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
 - 8) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
27. (3)TKSG-57-03 Double Gee Inc. – 16461 W. Greenfield Avenue – Banner.

The request by Double Gee Inc. for a banner located at 16461 W. Greenfield 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) The Harley Davidson Banner shall be removed by September 2, 2003, and shall not exceed 15' x 3' (45 square feet).
- 2) The Karaoke and Friday Fish Fry banners shall be removed by Tuesday September 30, 2003 at which time a final inspection shall be made.
- 3) A sign permit application with plans for a permanent sign that meets the requirements of the New Berlin Zoning Ordinance shall be submitted to the Planning Department by Friday October 31, 2003.

- 4) 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 275-61 New Berlin Municipal Code.
28. (7)SP SG-59-03 Letterhead Press – 16800 W. Ryerson Rd. – Monument Sign and Shipping and Receiving Sign Replacement.

The request by Letterhead Press for a monument sign and shipping and receiving sign replacement located at 16800 W. Ryerson 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) The brick monument sign base façade shall be installed by May 14, 2004.
 - 2) Approved arborvitae dumpster and recycling trailer screening shall be installed by September 22, 2003.
 - 3) A light shall be evenly diffused through the sign faces when illuminated.
 - 4) At such time that a second tenant occupies the building the monument sign faces shall be changed to allow equal space for that tenant.
 - 5) The replacement monument sign faces shall read “Letterhead Press, Inc.” in black lettering on a white background with a blue globe logo on the left side of the sign face. The monument sign faces shall not exceed:
6’6” in length x 2’6” in height = 16.25 square feet
 - 6) The replacement directional sign faces shall read “shipping” and “receiving” in white lettering on a dark brown background. The directional sign faces shall not exceed:
4’6” in length x 1’3” in height = 6 square feet x 2 signs = 12 square feet
 - 7) 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 275-61 New Berlin Municipal Code.
 - 8) A payment of \$58.50 is due per the following calculations:
Monument Sign Face: 16.25 square feet x 2 sides x \$3/square foot = \$97.50
Directional Sign Faces: 12 square feet x \$3/square foot = \$36.00
Less application fee (\$75): \$58.50
 - 9) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
 - 10) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
29. (4)SP SG-60-03 U. S. Cellular – 15460 W. Beloit Rd. – Wall Sign.

The request by U. S. Celular for a wall sign located at 15460 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) The wall sign face shall read “U.S. Cellular” in channel letters with white acrylic faces with bronze trim caps and bronze returns. Raceways shall be of Grenadier Gold.
 - 2) The wall sign on the north side of the building shall not exceed:
10’4” in length x 3’0” in height = 31 square feet
 - 3) Building façade shall be returned to original condition prior to installation of the new U.S. Cellular sign.
 - 4) 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 275-61 New Berlin Municipal Code and the Westridge TIF District Sign Standard for Moorland Commons.
 - 5) A payment of \$0 is due per the following calculations:
Wall Sign Face: 23.7 square feet x \$/square foot = \$71.10
Less application fee (\$75): \$0
 - 6) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
 - 7) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
30. (4)SP SG-61-03 UMISCO, Inc. – 5135 S. Towne Dr. – Monument Sign.

The request by UMISCO, Inc. for a monument sign located at 5135 S. Towne 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) The monument sign face for UMISCO shall read “UMISCO INC.” in white lettering on a red background.
 - 2) The monument sign face for UMISCO shall not exceed:
8’0” in length x 1’0” in height = 8 square feet
 - 3) 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 275-61 New Berlin Municipal Code.
 - 4) A payment of \$45.00 is due per the following calculations:
Monument Sign Face: 8 square feet x 2 sides x \$3/square foot = \$48.00
Double Fee: \$48.00
Less double application fee (\$150): \$0
 - 5) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
 - 6) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
31. (3)SP SG-63-03 Calhoun Station – 1849 S. Calhoun Rd. – Two Wall Signs.

The request by Calhoun Station for two wall signs located at 1849 S. Calhoun 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) Old signage for the Irish Spring House shall be removed from the premises prior to installation of the new Calhoun Station signs.
 - 2) The east-side wall sign shall be externally illuminated with two double spotlights with 100watt bulbs (total of 400 watts) directed at sign and turned off outside of business hours. Per Section 275-61 of the New Berlin Code “No sign shall be lighted in such a way as to cause glare or impair driver visibility upon public ways of adjacent properties.”
 - 3) The east-side wall sign faces shall read “ESTABLISHED 2003” in black lettering, “CALHOUN STATION” in white lettering on a red oval background, “EATS AND DRINKS” on a pale yellow flag across the red oval, “Serving Lunch & Dinner” in dark blue letters with yellow edging, and “Meeting & Gathering Facility Available” in black lettering with white edging, all on a light blue and white swirl background. The sign shall have a black steam engine in the center and the whole sign face shall be edged in dark blue.
 - 4) The east-side wall sign faces shall not exceed:
4’0” in length x 6’0” in height = 24 square feet
 - 5) The south-side non-illuminated wall sign face shall read “CALHOUN STATION” in white lettering on a red oval, “EATS AND DRINKS” in black lettering on a pale yellow flag across the red oval, “Established 2003” in black lettering under the yellow flag, and have a black steam engine in the center.
 - 6) The south-side non-illuminated wall sign face shall not exceed:
7’0” in length x 3’0” in height = 21 square feet
 - 7) 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 275-61 New Berlin Municipal Code.
 - 8) A payment of \$132.00 is due per the following calculations:
East-Side Sign Face: 24 square feet x 2 sides x \$3/square foot = \$144.00
South-Side Sign Face: 21 square feet x \$3/square foot = \$63.00
Less application fee (\$75): \$132.00
 - 9) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
 - 10) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
32. (1)SP SG-64-03 Press & Promo, Inc. – 12940 W. National Ave. – Updating Monument Sign.

The request by Press & Promo, Inc. for updating a monument sign located at 12940 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) All signs shall be internally-illuminated and turned off outside of normal business hours.
 - 2) The wall sign faces shall read "BUSINESS PRINTING" in yellow lettering on a blue background. There shall be a blue and gold "P/P" Press & Promo blue and gold logo on the right side on a white background.
 - 3) The wall sign faces shall not exceed:
8'0" in length x 3'0" in height = 24 square feet
 - 4) The monument sign faces shall read "PRESS" in white lettering on gold and "PROMO" in white lettering on blue, with the "P/P" Press & Promo blue and gold logo in the center. Underneath, the sign shall read "Solutions That Build Business" in blue lettering on a white background.
 - 5) The two-sided monument sign face shall not exceed:
8'0" in length x 4'0" in height = 32 square feet
 - 6) The overall height of the monument sign shall not exceed 8'0" and shall have the address on the base.
 - 7) 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 275-61 New Berlin Municipal Code.
 - 8) A payment of \$22.00 is due per the following calculations:
Wall Sign Face: 24 square feet x \$3/square foot = \$72.00
Monument Sign Face: 32 square feet x 2 sides x \$3/square foot = \$192.00
Sub Total: \$264.00
Less application fee (\$75): \$189.00
Less additional pre-payment(167.00): \$22
33. (3)SP SG-68-03 Vivace Salon & Spa – 2725 S. Calhoun Rd. – Banner.

The request by Vivace Salon & Spa for a banner located at 2725 S. Calhoun 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) The temporary banner currently installed at Vivace Salon & Spa is not permitted and must be removed prior to issuance of a sign permit or a double fee will be assessed per Section 275-61 of the New Berlin Code.
- 2) Per Section 275-61 of the New Berlin Code the temporary banner shall be displayed for thirty days. The banner shall be removed by October 16, 2003.
- 3) The small temporary signs are in the ultimate right of way and therefore are in violation of New Berlin Code Section 275-61. They must be removed prior to issuance of a sign permit.
- 4) Per Permit #RO-23-03

“If and when a sign permit is applied for, prior to approval, the existing ground sign for Parkland Plaza shall be removed and replaced with a monument sign to meet the requirements of 275-61 of the Code of New Berlin.”

“If and when a sign permit is applied for, prior to approval there must be a meeting between the president of the Parkland Plaza condominium association and the New Berlin Planning Department to address the issues of the new monument sign and overall signage, as well as updating of the landscaping for the multi-tenant building.”

- 5) The temporary banner face shall read “VIVACE Salon & Spa HAIR MASSAGE SKIN CARE NAILS 262-784-3295” in black lettering on a white background. The temporary banner face shall not exceed: 6’0” in length x 3’0” in height = 18 square feet
 - 6) 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 275-61 New Berlin Municipal Code.
 - 7) A payment of \$0 is due per the following calculations:
East-Side Sign Face: 18 square feet x 1 sides x \$3/square foot = \$54.00
Less application fee (\$75): \$0
 - 8) Building Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code.
 - 9) Electrical Permits are required per Article III Section 275-25 of the City of New Berlin Municipal Code
34. (3)TKU-49-03 Bethel Assembly of God Church – 17770 W. Cleveland Ave. – Camp Out.

The request by Bethel Assembly of God Church for camp out located at 17770 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) The campout shall take place between 4:00 p.m. September 19, 2003 and 2:00 p.m. September 21, 2003.
- 2) The campout shall be limited to 50 campers with no greater than 6 campers to every leader.
- 3) All debris, materials, vehicles, and equipment related to the campout shall be cleared by the end of the day September 21, 2003.
- 4) The campout and campfire locations shall be restricted to the locations shown on the site plan submitted to the Department of Community Development August 14, 2003.
- 5) Activities shall follow the plan of operation submitted to the Department of Community Development on August 14, 2003.

- 6) Outdoor storage has not been permitted for this property. Bethel Assembly of God shall remove the trailer with "Krause Electric" painted on the side, the boat, the dog kennel, the plastic tanks, the snowplow, and a second trailer from the property by October 15, 2003.
 - 7) Overnight outside parking for 6 vehicles for campout leaders shall be permitted on the property between 4:00 p.m. September 19, 2003 and 2:00 p.m. September 21, 2003. Parking on Cleveland Avenue shall be prohibited.
 - 8) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
 - 9) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.
 - 10) Building must meet all applicable building and fire codes. Fire Extinguishers are required.
35. (3)TKU-51-03 Ihn Plumbing – 17300 W. Cleveland Ave. – Paint Building.

The request by Ihn Plumbing for painting the building located at 17300 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) The exterior of the building was painted without a permit. Per Article X Chapter 275-68(B)(3) a double fee shall be assessed for painting the exterior of a commercial/industrial building without a permit. Ihn plumbing shall pay an additional \$300.00 by October 7, 2003 or prior to issuance of zoning permit.
 - 2) All outstanding zoning code violations and prior permit conditions of approval shall be resolved.
36. (5)TKU-52-03 Robert Kahle – 15055 W. National Avenue – Christmas Tree sales.

The request by Robert Kahle for christmas tree sales located at 15055 W. National Avenue has been reviewed and conditionally staff approved by the New Berlin Plan Commission subject to the application, the plans on file and the following:

- 1) Approval will be granted for a one-year period. Applicant will be required to reapply to the Plan Commission for additional years if they want to continue this business at this location.
- 2) Tree display shall be restricted to the area of the parking lot identified on the plan. Tree display shall be restricted to the area in front of the building and just west of the vacant building and must be a minimum of 5 feet from the lot line. Customer parking will be restricted to one row of parking to the east of the vacant building next to the tree storage.

- 3) Applicant must submit a lighting scheme for the tree display to the Planning Department prior to the commencement of sales. Electrical permit is required from the Building Inspection and Zoning Department. Lighting of trees must be shielded so as not to spill onto the public right-of-way.
 - 4) Applicant must provide portable bathroom with chemical toilets from a licensed distributor during duration of sales. The portable bathroom shall be emptied weekly.
 - 5) This probationary approval will be granted for a period starting the day after Thanksgiving, November 27th, 2003 through Christmas Eve, December 24th 2003. This site must be cleared of all Christmas trees and debris by the end of the day on December 30th, 2003.
 - 6) Hours of operation will be limited to 9 AM to 8 PM or as approved by the Plan Commission for the duration of the season.
 - 7) The Christmas trees and parking areas shall be located as shown on the site plan submitted to the City of New Berlin Department of Community Development.
 - 8) All necessary permits required by the Building, Inspection, and Zoning Departments shall be obtained prior to commencement of any activity at this site. All outstanding permits for this property shall be satisfied prior to the issuance of any new Building, Plumbing or Electrical Permits.
 - 9) Any signage will require a sign permit.
37. (3)TKU-53-03 Irish Spring House – 1849 S. Calhoun Rd. – Repaint Building.

Motion by Alderman Ament to approve the request by Irish Spring House to repaint the building located at 1849 S. Calhoun 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) The building was painted without a permit and therefore a double fee was charged. Plan Commission directed a \$300.00 refund be given to applicant.
- 2) Applicant shall submit color swatches with the paint color #'s for the tan siding color and the green trim.
- 3) Applicant shall submit an overall site plan showing the location of adequate parking on the site by May 31,2004. Applicant shall be required to repave, re-stripe and repair the existing pavement according to approved submitted site plan by September 30, 2004.
- 4) Prior to the Irish Spring House name being changed to Calhoun Station, applicant shall be required to submit a letter to the Planning Department stating that only the name of the business is changing and that the use of the business shall remain the same.

Seconded by Mr. Teclaw. Motion carried unanimously.

38. (1)BM U-56-03 Haybalers – 13327 W. Greenfield Ave. – Corn Roast in Parking Lot – August 30-31, 2003.

The request by Haybalers for a corn roast in the parking lot located at 13327 W. Greenfield 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) Hours of operation for the corn roast shall be limited to 10:00 a.m. thru 10:00 p.m. August 30 and 31, 2003.
- 2) Any temporary signage for the corn roast shall require submittal of a separate sign application with the Department of Community Development prior to installation.
- 3) All debris, materials, vehicles, and equipment resulting from the corn roast shall be removed by September 1, 2003.
- 4) The corn roast shall be restricted to the location within the parking lot shown on site plans submitted to the Department of Community Development August 28, 2003. The corn roast area is to be roped off from the rest of the parking lot.
- 5) Overnight storage of equipment associated with the corn roast shall be permitted for August 30 and 31 2003. No other overnight storage of equipment, vehicles, or materials shall be allowed on the property.
- 6) Permits are required from the Building, Inspection, and Zoning Departments for all interior and exterior alterations or modifications.
- 7) Building must be maintained per Chapter 201 of the City of New Berlin Municipal Code.
- 8) Building must meet all applicable building and fire codes. Fire Extinguishers are required.

39. (7)TKU-57-03 Area Rental – 16205 W. Rogers Dr. – Harley Event Parking.

The request by Area Rental for Harley event parking located at 16205 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) The applicant has requested and is approved for only 55 spaces to temporarily park vehicles during the Harley Davidson 100th Anniversary event. Any more parking spaces would be a violation of this Zoning Permit. The Police Department has been notified of the approval for only 55 spaces.
- 2) The business shall be required to provide traffic directors throughout the duration of the events.
- 3) Applicant and business shall be required to provide proper traffic controlling measures like the orange fencing, cones, lighting etc.
- 4) No off premise signs shall be allowed.
- 5) Applicant and business shall be required to restore the site to the condition that it was in prior to the event parking.
- 6) Employee and customer parking must be contained on the site.

COMMUNICATIONS

40. Communication To: Plan Commission
 Communication From: David Haines, Planning Services Manager
 RE: Memo from Bob Sigrist, Manager of Inspection Services dated September 2,
 2003 regarding U-55-02 Postler Landscape Supply, 16370 W. Small Road.

Plan Commissioners acknowledged receipt of this communication.

Motion by Alderman Ament to adjourn the Plan Commission meeting at 9:59 P.M.
Seconded by Mr. Sisson. Motion carried unanimously.