

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

PUBLIC HEARINGS

6:00 P.M. (7)AB R-13-06 Holly & Joseph Wieneke – 18200 W. Lynette Ln. – Rezone from R-1/R-2, C-1, C-2 to R-1/R-2, C-1, C-2 – Wetland Delineation.

NEW BERLIN PLAN COMMISSION

DECEMBER 4, 2006

MINUTES

The Public Hearing relative to the request by Holly & Joseph Wieneke for a rezoning at 18200 W. Lynette Lane from R-1/R-2, C-1 and C-2 to R-1/R-2, C-1 and C-2 to field delineate the wetlands was called to order by Mayor Chiovarero at 6:08 P.M.

In attendance were Mayor Chiovarero, Mr. Sisson, Mr. Gihring, and Mr. Felda. Also present were Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; Jessica Schmidt, Code Compliance Specialist; Eric Nitschke, Storm Water Engineer; Mark Blum, City Attorney. Ms. Broge was excused. Alderman Ament did not participate in this hearing.

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

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

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

Mayor Chiovarero asked for comments or questions for the purpose of clarification.

Vernon Bentley, 3450 S. Johnson Road – I was involved when the present house was built there. After that property was built on, there were a lot of water problems that existed because of the building on that particular property, or else it was because of the existing land. I believe the present home was built into the water table. They had to change the design of the basement, going extra high. I believe there are two sump pumps that run continuously. The owner always complained because they would burn out. Swales were put in to divert the water around the home because they thought this was part of the problem. They have had ditch problems, and they have had culvert problems. Will this wetland delineation make the new lot buildable?

Ms. Bennett – I will show you the map again. This is the existing C-2 area and this is the proposed C-2 area. There is not much change, basically it is everything east of the existing gas pipeline. Based on soil information that was submitted to us with this application, the location of a potential home, if the land division is approved, would be in the area to the west of the lot.

Mr. Bentley – One of the reasons I am asking this is because most of the water problems come from the west and they end up on the east. We already have problems with the home that is there.

A quick example is a situation in my own neighborhood in the Rustic Ridge Subdivision. The

second house from Johnson Road was also built into a water table or something similar, because this home owner has sump pumps running constantly into the ditch. This created a problem for the neighbor on the corner. Because of the problem for this neighbor on the corner, they re-graded the lot three different times and finally had to put in inverts, which I imagine was a cost to the City and to the homeowner. We still have problems in that particular area.

Is this land division and delineation in question going to create more problems that at a later time, we as residents, will have to pay for as a storm water problem? I know the delineation is one little area, but the reason there is water there is caused by a problem further to the west.

I don't know if you have any control over this or not, but when they dug the basement for the existing home, they dug into the water table which is what created all this water that comes into the sump pumps that makes water run down into the wetland that you are trying to delineate. At the time when we had all these problems, which should be documented at City Hall by a former Engineer, Jeff Chase, we asked Jeff what the City's responsibility was at that time. His answer was, buyer beware. If this new home buyer/builder builds on this property and ends up going into the water table or creating more water problems, and we know the past because of the other issue, is the City responsible for any of this because of the approval of this delineation or land division?

City Attorney Blum – In my opinion, the delineation is for the purpose of identifying wetlands as we define them in the code. That then carries with it restrictions with respect to building and use of those lands. It is not intended to deal with subterranean water flows and the impact that those may have on the actual construction that may be taking place outside of those wetlands. I don't see that the City's approval for legislative action in allowing for this rezoning would result in liability to the City that someone might raise as a result of having constructed a residence or the structure out side of it and somehow then experiencing flooding.

Ms. Jones – When a building permit is reviewed for this lot, the grading will be looked at to make sure it does not negatively impact off-site drainage. That is something that staff will be looking at.

Mr. Bentley – Is there going to be any kind of storm water plan on this property? If the land division goes through, another house going on this property may create a lot more storm water problems that we as residents may end up having to pay for. Can you show me on the map again where you are delineating this?

Ms. Bennett – The green area is the existing C-2 zoning district, and this is the proposed line for the wetland. (referred to map).

Mr. Bentley – Can you show me where the Alternative Transportation Plan shows where the trails go through there? I know the trail goes through the east side of the lot. I was wondering if it would be affected by the delineation?

Ms. Bennett – On the CSM you will see that there is 30 ft. to be dedicated along the east property line.

Mr. Bentley – That would be dedicated by the developer?

Ms. Bennett – Correct.

Mr. Bentley – I believe, if my memory is right, it actually circles around and comes out at a different place on that parcel when it gets to Coffee Road.

Mayor Chiovatero – This is just a wetland delineation. The delineation would have no affect on the trail, nor would the trail have any affect on the delineation.

Mr. Bentley – I just thought I should bring up about the existing residence. The property does have water problems. If you want to delineate the wetlands, that is fine, but the wetlands may have to be there as part of the problems that the rest of the property creates.

Mayor Chiovatero asked for further comments or questions for the purpose of clarification?

Joe Wieneke, 18200 W. Lynette Lane – I own the property at 18200 W. Lynette Lane. I would like to clarify the water problems that the previous gentlemen referred to. I spoke to the builder of the building on the property about the problems when we purchased the property. The sump pump was continually kicking on. What had happened was the foundation person he used in 1998 put a forma footing in, which is basically a drain around the footings, without a drain coming out of the forma footing so all the water was collecting in the forma footing, thus filling up the crock pot. What we have done to rectify that problem was put a block on the bottom of the crock to raise it up. Now the sump pump kicks on once or twice a day. That is a lot different from what he was stating.

Vernon Bentley, 3450 S. Johnson Road – Can you make part of your presentation what came out of the study on the delineation? Was there a study done?

Ms. Bennett – There was a report that was submitted by a consultant that Mr. Wieneke hired, and there is also a concurrence letter from the DNR and Army Corp.

Mr. Bentley – Is there any presentation on what they found?

Ms. Bennett – You can take a look. We can make a copy of the report for you tomorrow. I don't have any slides with the information that was on the report.

Mr. Bentley – That would have been nice to have tonight for the public hearing.

Ms. Bennett – What information, in particular, are you looking for? We have the report here, all the Commissioners have a copy.

Mr. Bentley – I know there is a method as to how they do it. They go in there and check to see whether it has been wet. They can tell by the ground, even if we have had a dry season.

Ms. Bennett – (Read aloud the conclusion of the report)

Mr. Bentley – When was this done? What was the date?

Ms. Bennett – June 20, 2006.

Mr. Bentley – The reason I am asking this is because I have a low area on my own land where I have water. I haven't had any water there for the last four years, and this year I have had a pond all year long.

Mayor Chiovatero asked three times for further comments or questions for the purpose of clarification, seeing none.

Mayor Chiovatero asked three times if there was anyone wishing to speak in favor of this application, seeing none.

Mayor Chiovero asked if there was anyone wishing to speak in opposition of this application?

Vernon Bentley, 3450 S. Johnson Road – I am not in favor of it because I go back to when this was originally 27 acres and it was unbuildable for anyone. Since then they put in a house across the street which has a few problems, then they put in the existing residence on this property which has been nothing but problems. I am afraid we will end up with the same problems again by putting another home on that property. I am not in favor of it.

Mayor Chiovero asked three times if there was anyone else wishing to speak in opposition of this application?

Mayor Chiovero asked for comments or questions from the Commissioners, seeing none.

Mayor Chiovero closed the public hearing at 6:30 P.M.

6:01 P.M. (5)AB CU-8-06 Well No. 5 Filter Building Addition – 3900 S. Moorland Rd. – Building Addition.

NEW BERLIN PLAN COMMISSION

DECEMBER 4, 2006

MINUTES

The public hearing relative to the request by Scott D. Osborn, Ruekert/Mielke Inc. and the City of New Berlin Utility Department for a conditional use for Well No. 5 Building Addition at 3900 S. Moorland Road was called to order by Mayor Chiovarero at 6:30 P.M.

In attendance were Mayor Chiovarero, Mr. Sisson, Mr. Gihring, Alderman Ament, and Mr. Felda. Also present were Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; Jessica Schmidt, Code Compliance Specialist; Eric Nitschke, Storm Water Engineer; Mark Blum, City Attorney. Ms. Broge was excused.

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

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

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

Mayor Chiovarero asked three times for comments or questions for the purpose of clarification, seeing none.

Mayor Chiovarero asked three times if there was anyone wishing to speak in favor of this application, seeing none.

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

Mayor Chiovarero asked for comments or questions from the Commissioners.

Alderman Ament – They are requesting two waivers, one for lighting and one for landscaping, but on Page 3 of the staff report under Findings (e), it talks about setbacks. Will this require a waiver also, or will the building meet the setbacks?

Ms. Bennett – They will meet the setbacks.

Mayor Chiovarero asked for further comments or questions from the Commissioners, seeing none.

Mayor Chiovarero closed the public hearing at 6:35 P.M.

6:02 P.M. (4)GK R-14-06 Willow Tree Center – 16060 W. Rausch Ct. – Rezone from A-2, A-1, C-1, C-2 to R-1/R-2,M-1,C-1,C-2.

NEW BERLIN PLAN COMMISSION

DECEMBER 4, 2006

MINUTES

The Public Hearing relative to the request by Michael DeMichelle for Willow Tree Development LLC for a rezoning at 16060 W. Rausch Ct. from A-2, A-1, C-1, C-2 to R-1/R-2,M-1,C-1,C-2 was called to order by Mayor Chiovatero at 6:35 P.M.

In attendance were Mayor Chiovatero, Mr. Sisson, Mr. Gihring, Alderman Ament, and Mr. Felda. Also present were Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; Jessica Schmidt, Code Compliance Specialist; Eric Nitschke, Storm Water Engineer; Mark Blum, City Attorney. Ms. Broge was excused.

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

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

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

Mayor Chiovatero asked for comments or questions for the purpose of clarification.

Vernon Bentley, 3450 S. Johnson Road – Are the rest of the businesses in the area on well and septic?

Ms. Jones - The current sewer service boundary is indicated by the yellow line on the map. These businesses in the park are served with sewer and water. (Showed location on map). The sewer and water dead ends at the cul-de-sac. This property would be located in the Ultimate Sewer Service Area. The timing is not right for this business to have sewer and water, so they will be proceeding with septic and well.

Mr. Bentley – Is the sewer and water in the 2020 plan?

Ms. Jones – This would be an area where the City would need to adjust the boundary in order to bring it into the Current Sewer Service Area. They will be allocating service for that area, but it would have to be manually amended or adjusted at the time when we discuss the 2020 Plan, which the City has not done yet.

Mr. Bentley – The reason I asked, is usually when these developments come in, they are developer driven and that forces sewer and water and it sometimes affects the neighbors.

Mayor Chiovatero asked for further comments or questions for the purpose of clarification, seeing none.

Mayor Chiovatero asked if anyone wishes to speak in favor of the application?

Michael DeMichelle, 2060 N. Humboldt – I am with Willow Tree Development. I am here to speak in favor of this project for a number of reasons, but briefly I will just say that we have worked with staff on this and the City has guided us in this location. This is one of the few areas in the City that is Master Planned future land use for Industrial. It is unique that this particular parcel worked out as an extension of the Westridge Business Park.

Mayor Chiovatero asked if anyone else wishes to speak in favor of the application, seeing none.

Mayor Chiovatero asked if anyone wishes to speak in opposition of the application?

Jim Loduca, 5665 S. Westridge Drive – The proposed rezoning completely surrounds our building. Our concern is for the traffic leaving Rausch Ct. from such a major development. We all feel that Westridge Business Park was not set up for such a major annexation as this with that many employees and that many trucks trying to use that little cul-de-sac. The traffic can't go through the residential piece on Small Road and will need to go out on Moorland Road.

I am also the secretary of the Westridge Business Park Assoc. and we will be addressing this Wednesday with our members at our annual meeting. This amount of traffic would flow into the park and have a major impact on all of our businesses.

Ms. Jones – If you look on our maps, this was always intended to have a business park extension that would head out toward College Avenue and meet up with the development that is going on in Muskego. Mr. Nitschke, Storm Water Engineer, is here helping to cover for Ron Schildt on some of the traffic issues. They are continuing to look at various options. They have been in discussions with the two tenants in the park, and they have been looking at some options. The County is also looking to be more open on this project as far as some of their access rights that they grant.

Mr. Nitschke – The TIA is currently being updated because of the concerns raised from the abutting property owners. There are other options being analyzed by Traffic Analysis and Design. They are a consultant for the Willow Tree Center Development. Staff is waiting for those results. There are other access points that are being looked at.

Jeff Held, 5725 S. Westridge Drive – I am the president of New Berlin Plastics. Rausch Ct. does not actually access this property so it would need to be extended. That would seem to indicate that when Westridge Business Park was originally developed, while the long range plan may have been for this property to be commercial, it wasn't incorporated into the original Westridge Park. The proposed long term development is almost 700,000 sq. ft. of distribution facility which would ultimately generate a tremendous amount of traffic.

Mayor Chiovatero asked three times if anyone else wishes to speak in opposition of the application, seeing none.

Mayor Chiovatero asked for comments or questions from the Commissioners.

Alderman Ament – Looking at the colored maps that show the proposed zoning, is Lot #4 the one that would remain C-1?

Ms. Jones – That is correct. The C-2 that you see on this map still exists on this parcel. There has been no change to the C-1 parcel. The C-2 still exists in that area.

Alderman Ament – Would that stay C-1 or would that be dedicated as conservation easement?

Ms. Jones – At this point in time, the applicant isn't changing this parcel at all. The C-1 and the C-2 are going to remain the same, so I don't believe we will be doing a conservation easement at

this time.

Alderman Ament – You are saying that is not part of the rezoning?

Ms. Jones – It is part of the whole application because this property is all one area. When we do the land division, it needs to be included in our description. The boundary is not changing on this property.

Alderman Ament – Will that at some point then?

Ms. Jones – To do something different on Lot #4, the applicant would have to come back for a brand new land division at that time. If they wanted to do any building there, which we are not anticipating at this point because the future land use plan calls for this to remain an upland environmental corridor type area.

Alderman Ament – There is a section that seems to be off the property, do they own that as well. It is a pie shape.

Ms. Jones – I believe that is in right-of-way. The applicant is here tonight and can verify that.

Mr. DeMichelle – All of the property is owned by one farmer. There is an existing access point that he has been using all the years that he has owned it to get to the other land. We would need an easement or agreement to continue to use that access point.

Alderman Ament – Would that be approximately where it shows on the map?

Mr. DeMichelle - It is exactly where is shows on the map.

Ms. Jones - They are showing the 40 ft. access easement on the north side of Lot #4. They don't plan on any activity on Lot #3 at this time. Their concept plan only shows a building and associated parking on Lot #2 for this time period.

Alderman Ament – I am sure, if we talk about buffers for the residential area, it would be at the time of use approval review?

Ms. Jones – Correct. At the time of use approval, we would discuss appropriate buffers. Adjacent to this land, there is a large area that is farmed, there is a single family home to the west, and this property will be consistent and zoned single-family residential as well. (Ms. Jones indicated areas on map)

Alderman Ament – Will we address that at the time of use approval review?

Ms. Jones – Correct. When they come for their use approval for their actual building and bring all of those plans in, we would be double checking the buffers at that time.

Mayor Chiovatero asked for further comments or questions from the Commissioners, seeing none.

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

6:03 P.M. (2)AB R-15-06 Sunny Slope Retail – 14151 W. National Ave. – Rezone from Rm-1 to B-2.

NEW BERLIN PLAN COMMISSION

DECEMBER 4, 2006

MINUTES

The Public Hearing relative to the request by Brian Kliesmet/Brad Knab with LA, Inc. and Mr. John Lubotsky for a rezoning at 14151 W. National Avenue from Rm-1 to B-2 was called to order by Mayor Chiovatero at 6:53 P.M.

In attendance were Mayor Chiovatero, Mr. Sisson, Mr. Gihring, Alderman Ament, and Mr. Felda. Also present were Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; Jessica Schmidt, Code Compliance Specialist; Eric Nitschke, Storm Water Engineer; Mark Blum, City Attorney. Ms. Broge was excused.

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

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

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

Mayor Chiovatero asked for comments or questions for the purpose of clarification.

Ned Sahar, 12645 Scarborough Ct. – I am one of the owners of the adjacent Village Glen Apartments. I would like to get a sense of what is planned in terms of landscaping and a buffer around the storm water pond.

Ms. Bennett – When the retail development comes forward for the use approval, the Plan Commission will be looking at the landscaping and the setbacks for that structure. The building is going to be placed quite close to the gas station. The pond will be located here, landscaping, and then parking. (Ms. Bennett referred to map) This will give you just a general idea, as that is a separate application from this. There are buffer requirements in our code that apply to property adjacent to a multi-family district.

Mr. Sahar – How large will the storm water pond actually be?

Ms. Bennett – I don't have any specifics on that tonight. We are discussing the rezoning for this property tonight, and that would be taken up at the time of use approval review.

Mr. Sahar – I think you may have indicated there may be landscaping around the pond?

Ms. Bennett – Correct.

Mr. Sahar – Is the main purpose of the pond to address some of the water settling in that area?

Ms. Bennett – Correct.

Mr. Nitschke – The main purpose of the pond is to fulfill the storm water requirements that the proposed development will have. A secondary purpose for the pond is to address some of the drainage concerns in the area, one of which you stated, that is a natural low spot right now. That is part of the reason the pond is being proposed where it is.

Mayor Chiovarero asked three times if there were any further questions or comments for clarification, seeing none.

Mayor Chiovarero asked three times if there was anyone wishing to speak in favor of this application, seeing none.

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

Mayor Chiovarero asked for comments or questions from the Commissioners.

Alderman Ament – Looking at the colored picture on the back of the staff report, on the upper picture where it shows it is now Rm-1, the lot to the north of it is already B-2. What kind of issues are we going to have as far as a buffering. The Rm-1 was intended to be part of the buffering between business and single-family residential. It seems like there is already no buffer between the residential and the property directly on National Avenue. This would take away from that. Is that an issue for us as far as creating some kind of buffer? I am concerned about the reason we have the Rm-1 there in the first place. It looks like it was designed to be part of the natural buffer for Glen Park Court. That section will be gone now.

Ms. Bennett – If you remember last year, the parcel to the east was Rm-1 as well and that was rezoned last year by the Plan Commission to B-2 for Sunny Slope Retail. To comment on the buffer, there is still a buffer requirement in our code for retail to multi-family. If it is a building over 5,000 sq. ft, the buffer is 15 feet. The building, as proposed, will be over 10,000 sq. ft. The pond is to be located here, some parking, and then the landscaping buffer along here. The proposed building for Sunny Slope Retail is going to be to the north closer to the gas station. (Ms. Bennett referred to map)

Alderman Ament – The reason for the Rm-1 that is existing there now, is to serve as a buffer between the B-2 and the single-family residential. It looks like it was originally intended to be part of that buffer. Now we would include that in the B-2. I am concerned that we might be working against our own original Master Plan by taking away some more of the buffer from the residents on Glen Park Ct. to the west. What kind of buffer would there have to be between a residential and a B-2?

Ms. Bennett – If the building is over 5,000 sq. ft. and it is adjacent to a single-family, the buffer would need to be 25 feet. If it is adjacent to a multi-family, it is 15 feet. If they come in with Phase II at some point in the future, there would have to be a 25 ft. buffer along the west property line.

Alderman Ament – This is a change from our Master Plan? The staff report says it is consistent with the Master Plan.

Ms. Bennett – The future land use map identifies it as mixed use residential.

Alderman Ament – In January when this comes back to Plan Commission the only issue I will have with this is the area to the west where those residents live. It seems to me like this was originally intended to help buffer those single family residents from the B-2.

Ms. Bennett – We have had a lot of discussion about how this corner should be developed. Part

of our discussions over time has been about coordinated development, and we are finally getting there with these two properties.

Alderman Ament – I remember that. When they come in for Use, Site, and Architecture review, I would hope that the area along the west side is seriously addressed. That is a nice, quiet residential area and it needs a good buffer.

Mr. Felda - Do we require a fence around the pond for liability purposes?

Mr. Nitschke – We do not require fences to be around ponds. Our ponds are designed according to our Developer's Handbook, which has specific design standards as laid out by Wisconsin DNR. In those design standards there are safety components. We require the developers to adhere to those. A fence is to their own discretion.

Mayor Chiovatere asked for further comments or questions from the Commissioners, seeing none.

Mayor Chiovatere closed the public hearing at 7:07 P.M.

6:04 P.M. (4)TK CU-9-06 Schrader House – 21160 Edinborough Drive. – Construct a Single Family Home within the C-1 Zoning District.

NEW BERLIN PLAN COMMISSION

DECEMBER 4, 2006

MINUTES

The public hearing relative to the request by David Moore with Moore Designs, Inc. for a conditional use for the Schrader Home to be constructed within the C-1 Zoning District at 21160 Edinborough Drive was called to order by Mayor Chiovarero at 7:07 P.M.

In attendance were Mayor Chiovarero, Mr. Sisson, Mr. Gihring, Alderman Ament, and Mr. Felda. Also present were Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; Jessica Schmidt, Code Compliance Specialist; Eric Nitschke, Storm Water Engineer; Mark Blum, City Attorney. Ms. Broge was excused.

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

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

Mr. Kim gave a brief presentation describing the request and showed maps indicating the location.

Mayor Chiovarero asked three times for comments or questions for the purpose of clarification, seeing none.

Mayor Chiovarero asked if there was anyone wishing to speak in favor of this application?

David Schrader, 2115 S. Parkside Drive – I am the owner and perspective builder of this new home. Our current home at 2115 S. Parkside Drive is in a heavily wooded area in Woodshire Subdivision. We have lived there for the last fifteen years. I can show you pictures of the home to show you how well it is maintained. The driveway as proposed... (moved away from microphone). We did not pay a premium for this wooded lot to come in and cut the trees down. The reason we bought the lot was because it is wooded.

Mayor Chiovarero asked three times if there was anyone else wishing to speak in favor of this application, seeing none.

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

Mayor Chiovarero asked for comments or questions from the Commissioners?

Alderman Ament – There is reference on Item 2 on the staff report saying that the survey shows 33,000 sq. ft. of disturbance, and it also says that will be corrected.

Mr. Kim – The applicant has turned in a revised survey tonight which staff will review to make sure the condition of being 25,000 sq. ft. is being met.

Alderman Ament – When you look at the square footage of the home, the driveway, the walkways, and the septic, it may be hard to fit that in the 25,000 sq. ft. Once that is done, is it noticed as a deed restriction on the CSM?

Mr. Kim – It is noted on their plat of survey. Later, if they wanted to put in a pool, for instance, they would still be required to stay under 25,000 sq. ft.

Mayor Chiovatero asked for further comments or questions from the Commissioners, seeing none.

Mayor Chiovatero closed the public hearing at 7:15 P.M.

NEW BERLIN PLAN COMMISSION

DECEMBER 4, 2006

MINUTES

PRIVILEGE OF THE FLOOR

The Plan Commission Meeting was called to order by Mayor Chiovero at 7:30 P.M.

In attendance were Mayor Chiovero, Mr. Sisson, Mr. Gihring, Alderman Ament, and Mr. Felda. Also present were Nikki Jones, Planning Services Manager; Amy Bennett, Associate Planner; Tony Kim, Associate Planner; Jessica Schmidt, Code Compliance Specialist; Eric Nitschke, Storm Water Engineer; Mark Blum, City Attorney. Ms. Broge was excused. Mr. Barnes has resigned.

Motion by Mr. Sisson to approve the Plan Commission minutes of November 6, 2006. Seconded by Mr. Gihring. Motion passes with Alderman Ament voting present.

PLAN COMMISSION SECRETARY'S REPORT - none

CONTINUED BUSINESS

1. (2)TK U-21-04 National Regency New Berlin Expansion III – Modification – 13750 W. National Ave. – Senior Building – Modification to Original Plans. (Tabled 11/6/06)

Item remains tabled per applicant's request.

NEW BUSINESS

2. (7)AB R-13-06 Holly & Joseph Wieneke – 18200 W. Lynette Ln. – Rezone from R-1/R-2, C-1 and C-2 to R-1/R-2, C-1 and C-2 – Wetland Delineation.

Motion by Mr. Gihring to recommend to Common Council adoption of an ordinance that approves the rezoning of the property located at approximately 18200 W. Lynette Lane from R-1/R-2, C-1 and C-2 to R-1/R-2, C-1 and C-2 to field delineate the wetlands.

Seconded by Mr. Felda. Motion passes with Alderman Ament voting present.

3. (7)AB LD-13-06 Holly & Joseph Wieneke – 18200 W. Lynette Ln. – NW ¼ Sec. 16 – Two-Lot Land Division.

Motion by Mr. Felda to recommend to Common Council approval of the 2-lot Certified Survey Map for the property located at 18200 W. Lynette Lane Street subject to the application, plans on file and following conditions:

1. General:

- a) Applicant shall correct all drafting errors identified by Staff prior to signing the final CSM.
- b) Area to be dedicated to the City of New Berlin for Right-of-Way purposes shall be revised to correctly reflect markings in the field.

- c) Area to be dedicated to the City of New Berlin for Right-of-Way purposes shall be transferred prior to the City signing the CSM via a separate document.
 - d) A DNR Endangered Resources Review shall be applied for and conducted prior to the City signing the CSM to determine whether the Butler's Garter snake or Blanding's turtle habits are an issue for the proposed land division.
 - e) A final copy of the CSM shall be submitted and reviewed prior to City signing. All owners and surveyor must sign prior to City signing the CSM. Surveyor Stamp is required.
 - f) Per Section 275-37B(3)(b), applicant shall work with Staff to create a conservation easement to protect the environmental corridor and the C-1 zoned areas. A document number shall be added to the CSM to reference the conservation easement.
 - 1) Applicant shall have SEWPRC field delineate the existing environmental corridor and verify if there is any additional environmental corridor on the property prior to the City signing the CSM.
 - g) Applicant shall work with staff to create an easement for the Stigler Trail South Phase II identified on the City's Alternative Transportation Plan.
- 2) Engineering:
- a) There is an existing cul-de-sac which has been constructed partially on the applicant's property and partially on the lands of two adjacent parcels as an extension of Lynette Lane, though the cul-de-sac has never been formally dedicated to the City. The City has maintained said roadway since 1970 therefore there are likely prescriptive easement rights for the City in said roadway. The applicant shall dedicate that portion of the cul-de-sac along with appropriate right of way area on lands for which they have title. This may result in the City not having complete right of way around the full cul-de-sac. In the alternative, the existing cul-de-sac shall be abandoned and the right of way restored and a new cul-de-sac constructed pursuant to City specifications completely on the applicant's property.
 - b) There shall be no encroachment, filling, grading, landscaping or placement of any structure in the boundaries of the Wisconsin Gas Company Pipe Line easement. Written permission from the utility describing the proposed/specific actions to be taken inside of the easement boundaries shall be requested by the City of New Berlin prior to any disturbance taking place in the Gas Main Easement. Any disturbance to the landscape must remain a minimum of thirty feet (30.0') from the edge or limits of the Wetlands as shown. "No encroachment" of any type shall be considered into the Wetlands as shown and described on the CSM.
 - c) The test borings for the location of the septic system is shown on the face of the CSM. These areas shall be maintained undisturbed so as to preserve the soils for the septic system requirements by Waukesha County Health Department.

Seconded by Mr. Gihring. Motion passes with Alderman Ament voting present.

4. (4)TK CU-9-06 Schrader House – 21160 Edinborough Drive. – Construct a Single Family Home within the C-1 Zoning District.

Motion by Mr. Sisson to approve the request to construct a single family dwelling within the C-1 Zoning District, subject to the application, plans on file and the following conditions:

- 1) The entire lot is designated as a C-1 Zoning District which will allow a maximum of a twenty-five thousand (25,000) square feet disturbance of a five acre lot (5 acre lot) or greater for the entire site. The driveway, septic system and the house must fit into this restriction as per the Zoning Code. The drip line from the tree canopy around all the disturbed areas has been used for past practices when determining the boundaries of the restrictions. If the lot was five acres (5 acres) or less in size then the Code states "only" a twenty thousand square foot area could be disturbed. The Registered Land Surveyor (RLS) shall show on the face of the Plat of Survey that the maximum twenty-five thousand square foot criterion has been met prior to the issuance of the Zoning permit.
- 2) Currently the Plat of Survey indicates that the lot size is (5.646 acres) and that approximately (33,000 sq. ft.) are being proposed for the disturbed areas. Please show the correct amount of allowable disturbance on the Plat of Survey with calculations as previously done. Show the limits of the tree line, drip line on the Plat of Survey as verification that the maximum twenty-five thousand sq. ft. restriction has been met. This shall be submitted prior to issuance of the Zoning Permit.
- 3) The 25,000 square feet disturbance area shall also affect any future expansion on this site. Pools, sheds, decks, sport courts, detached garages etc..., must all be contained within the 25,000 square feet disturbance area.
- 4) The sump crock shall be allowed to discharge from the back/rear foundation of the house to the thirty-foot (30.0') Drainage Easement all along the "Southeasterly" property line.
- 5) Erosion control shall be installed within 24 hours after beginning the excavating. Grading shall not begin until an erosion control plan has been submitted and approved, and an erosion control permit has been issued.
- 6) The benchmark on the brass cap at the center of Sec. 31-6-20, elevation (977.849) has been verified/confirmed. Please continue to use USGS datum for any communication with the City of New Berlin for any work to be proposed on site including the building permit.
- 7) Please show proposed elevations for the yard grade, garage floor and top of foundation wall. All elevations are to be represented/ shown in USGS datum.
- 8) The only retaining wall (1) to be approved on site is next to the house foundation on the Left Elevation View and shall not exceed a maximum height of four feet (4.0'). All retaining walls shall be of masonry construction.
- 9) When grading next to the house foundation a (3:1) slope can be used. When grading anywhere else on the lot the maximum allowable grading shall not exceed 4:1, (25%) change in gradient.
- 10) A sanitary permit is required from Waukesha County prior to issuance of a Building Permit.
- 11) This application does not cover any buildings or structures. Applicant shall apply and obtain appropriate building, plumbing and electrical permits as required by code.
- 12) Building plans shall be approved by the City of New Berlin Department of Community Development Inspection Division per State of Wisconsin Dept. of Commerce Safety and Buildings Division and the Wisconsin Uniform Dwelling code as part of the building permit process.
- 13) These comments may be repeated on the building permit. At this time these comments do "Not" approve or give permission to grant a building permit.

Seconded by Mr. Gihring. Motion carried unanimously.

5. (6)TK LD-14-06 Thomas Hammersley – 3461 S. Long Acre Dr. – SW ¼ Sec. 13 –

Three-Lot Land Division.

Motion by Alderman Ament to table this item per the applicants request. Seconded by Mr. Sisson. Motion carried unanimously.

6. (4)GK LD-15-06 Willow Tree Center – 16060 W. Rausch Ct. – NE ¼ Sec. 34 – Four-Lot Land Division.

Motion by Alderman Ament to table the four (4) lot Certified Survey Map for the property located at 16060 W. Rausch Court, subject to the application, plans on file and the following reasons:

Note: Plan Commission will need to act on the rezoning prior to any action on this CSM.

The applicant is required to have the zoning in place first (see File: R-14-06).

- 1) Applicant shall correct all drafting errors identified by Staff prior to signing the final CSM.
 - a) Applicant shall correctly label the dedicated 50-foot ROW on Small Road.
 - b) CSM scale to be properly adjusted to be accurate.
 - c) Applicant shall correctly show and identify recorded document number with Waukesha County identifying the 40-foot wide access easement from Moorland Road guaranteeing future access to Lot 3 through Lot 2 and 4.
 - d) Applicant shall correct legal description for Wetland Area #3.
- 2) A final copy of the CSM shall be submitted and reviewed prior to City signing. All owners and surveyor must sign prior to City signing the CSM. Surveyor Stamp is required.
- 3) Any future development shall be required to field delineate all wetlands and work with the City to rezone those areas at that time.
- 4) An access permit / review letter from Waukesha County approving the access from Moorland Road shall be on file with the City of New Berlin prior to any building permits being issued by the City.
- 5) The City's Alternative Transportation Plan indicates the planning for a trail on the south end of parcels 3 & 4. A 25-foot easement shall be shown on the CSM and a trail built to City standards shall be required as part of the Land Division application, and shall be built in conjunction with the development of Lot 2 as part of the use, site & architecture approval/application.
- 6) Ultimate ROW for Small Road is 100-feet (50-feet on each side of the centerline). Existing ROW is 66-feet. The developer shall dedicate the northerly 17-feet along Small Road to the City of New Berlin for public right of way purposes prior to the City signing the CSM.
- 7) A 40-foot wide access easement agreement shall be recorded and identified on the CSM providing access to Lot 3.
- 8) Applicant shall address all engineering & planning concerns outlined in a letter dated November 22, 2006.

Seconded by Mr. Sisson. Motion carried unanimously.

7. (7)JS U-75-06 Jeff Zaremba – 17001 W. Observatory Road – Single Family Home with Detached Garage.

Motion by Mr. Sisson to approve the request for Use Approval to allow Mr. & Mrs. Zaremba to construct a detached accessory structure (garage) on their property located at 17001 W. Observatory Road subject to the application plans on file and the following:

- 1) General

- a) Applicant requests a waiver from Plan Commission from the Zoning Code Chapter 275-33 E. Building Area (1) (d), which states *“An attached garage is required in the residential districts. The attached garage shall have a minimum floor area of 400 square feet.”* The applicant would then be required to construct a detached garage.
 - b) Applicant shall indicate on a site plan submitted to the Building Inspection Department the specific location of the detached garage and the associated setbacks. Locate well on the site plan.
 - c) Applicant shall adhere to Section 275-42 accessory uses and structures.
 - d) Building plans shall be stamped by a registered architect or engineer (Comm. 61.20 responsibilities).
- 2) Building Inspection
- a) Detached garage construction shall comply with the Wisconsin Uniform Building Code.
 - b) Attached garage conversion into residential space shall comply with the Wisconsin Uniform Dwelling code.
 - c) Property is zoned R3 Residential and detached garage meets the required setbacks. All setbacks are measured from overhangs “not” from foundation walls.
 - d) Aerial photo shows other accessory structure or structures on the property. Property is 2.27 acres and is limited by code to 1000 square feet of accessory structure in a total of 2 buildings. The square footage of other structures needs to be confirmed.
 - e) Apply and obtain appropriate building, plumbing and electrical permits.
- 3) Engineering
- a) This is not a fill or landscape permit, slopes are not to exceed 4:1, 25%, anywhere on the lot.
 - b) No additional fill to be brought onto the lot for this project.
 - c) Drainage from this lot shall not adversely effect, impact any adjoining- neighboring lots.
 - d) No filling, grading or landscaping within 10.0’ of any lot line.
 - e) Match the existing yard grade, elevation, around the base of the detached garage addition, +/- 6”, +/- (835.0).
 - f) Do not store any building materials along the Neighboring lot line stay a minimum of 10’ from any lot line with spoil piles and building materials.
 - g) Reuse the existing driveway and culvert. If either the driveway or the culvert are to be moved in the right-of-way then a Permit will be required to do any work in the City’s right-of-way.
 - h) Blend the driveway into the existing driveway prior to/before reaching the right-of-way, the front lot pipe for “Observatory Road”.
 - i) The “new” garage slab shall match the elevation of the existing garage floor.
 - j) The overhead door must face in the “Northerly” direction towards “Observatory Road” or “West”.
- 4) Follow all Fire Department conditions.

Seconded by Mr. Felda. Motion carried unanimously.

Motion by Mr. Sisson to add an amendment to the motion to allow the accessory building to extend into the front yard of the lot as it is consistent with the setback of surrounding properties.

Seconded by Mr. Felda. Upon voting the amended motion carried unanimously.

8. (4)NJ U-79-06 Ridge Cinema – 5200 S. Moorland Rd. – Supplemental Alternative Use.

Motion by Mr. Sisson to approve the modification to the Use, Site, and Architectural Approval for Zoning Permit #: U-75-93 to amend the Plan of Operation to include reoccurring and occasional use of the auditorium space for meeting room rentals for various groups at the Ridge Cinema located at 5200 S. Moorland Road and subject to all other original conditions of approval and the following revised Plan of Operation:

- 1) Plan of Operation (*Amendments*)
 - a) Reoccurring and occasional use of the Ridge Cinema movie theater auditorium space, and occasionally the lobby for meeting space.
 - b) Currently there are two groups that each rent one auditorium from 10 AM to 11 AM to hold church services every Sunday morning. In addition, they currently advertise meeting room space available for a small hourly fee. Past rentals have primarily included businesses that have used the space for staff meetings and /or presentations.
 - c) In the past six months, they have had a total of one rental in addition to the two Sunday morning groups.
 - d) Generally, only one Ridge Cinema employee works during auditorium rentals.
- 2) All meeting rental space events shall occur outside of the general scheduled movie theater times to avoid any parking conflicts.
- 3) No outside signage shall be allowed for these uses as these uses are accessory to the cinema.

Seconded by Mr. Gihring. Motion carried unanimously.

9. (3)NJ LD-16-06 Milham Property , SE1/4 Sec. 7, 20900 W. Cleveland Avenue.

Motion by Mr. Felda to recommend approval of the two (2) lot Certified Survey Map for the property located at 20900 W. Cleveland Avenue, subject to the application, plans on file and the following conditions:

Waiver: The Parks, Recreation & Forestry Department requests that the Plan Commission waive the requirement to conduct the wetland delineation for the park property at this time. The Parks, Recreation & Forestry Commission has no immediate plans to develop the property, and will conduct the wetland delineation at the time the Park Master Development Plan process is initiated.

- 1) Applicant shall correct all drafting errors identified by Staff prior to signing the final CSM.
 - a) Ultimate ROW for CTH D is 130-feet (65-feet on each side of the centerline). Existing ROW is 50-feet (average). The developer shall dedicate the northerly 15-feet along CTH D to Waukesha County for public right of way purposes such that at least 65-feet of ROW exists south of the centerline. The CSM seems to show that 65-feet will be provided, but does not show the existing 50-foot current ROW line and identify the area to be dedicated.
 - b) Applicant shall correctly label the ingress/egress points along Cleveland Avenue for each lot. An access permit / review letter from Waukesha County approving the access points to Cleveland Avenue shall be on file with the City of New Berlin prior to any building permits being issued by the City.
 - c) Driveway permit required at time of permanent driveway construction from Waukesha County.
- 2) A final copy of the CSM shall be submitted and reviewed prior to City signing. All owners and surveyor must sign prior to City signing the CSM. Surveyor Stamp is required.

- 3) Applicant shall field delineate the wetlands on both parcels, unless the Plan Commission grants the waiver to deviate from preparing a wetland delineation at this time. If Plan Commission grants the waiver, a note shall be placed on the face of the CSM stating, "At such time that a park development is planned for Lot #2 and/or prior to the transfer of land to a new lot owner on Lot #1 the owner/applicant shall be required to field delineate all wetlands and work with the City to rezone those areas at that time."
- 4) Please provide official septic/mound information submitted to Waukesha County Department of Environmental Health.
 - a) The vacant parcel to be subdivided is located outside of the MMSD Ultimate Sewer Service Area. The 5-acre parcel (Lot 1) will require a private on-site wastewater treatment system (POWT) meeting the requirements of the Waukesha County Department of Environmental Health and a private water supply well meeting the WDNR requirements.
 - b) If a park were to be developed on Lot #2 with facilities requiring water supply and wastewater treatment, the necessary approvals will be required at the time of development.
- 5) Applicant shall address all engineering & planning concerns outlined in a letter dated December 1, 2006.

Seconded by Mr. Gihring. Motion carried unanimously.

10. (5)AB CU-8-06 Well No. 5 Filter Building Addition – 3900 S. Moorland Rd. – Building Addition.

Motion by Mr. Felda to approve the request for Conditional Use Permit for construction of a New Filter Building and Underground Backwash Tank located at 3900 S. Moorland Road subject to the application, plans on file and the following conditions:

Waiver Request: Applicant is requesting a waiver from Sec. 275-56, Landscaping and Buffering, of the Zoning Code that requires that all non-residential development shall be landscaped in accordance with this section and shall submit a landscaping plan as part of the required site plan. Letter from applicant on file.

Waiver Request: Applicant is requesting a waiver from Sec. 275-60I that requires lighting for all on-site parking, circulation and pedestrian areas. Applicant is only proposing wall packs on the building. Letter from applicant on file.

- 1) Site and Architectural Plans
 - a) The entire building shall be constructed of the same finished materials as required by the Architecture Review Committee. The building will be completely reconstructed.
- 2) Applicant shall follow the City of New Berlin Storm Water Management requirements.
- 3) Applicant shall follow all Fire Department Conditions.
- 4) Engineering
 - a) The entire construction site shall have "Orange Construction" fencing encapsulate the "Limits of Disturbance", L.O.D.
 - b) All erosion control measures as per State of Wisconsin "Technical Standards" shall be in place prior to site disruption and maintained throughout the construction period up to and including site restoration.
 - c) All applicable ADA standards and requirements shall be implemented for the site.
 - d) There shall be stoned pads provided on site for all contractor and delivery vehicles as well as job trailers or visitor parking. Existing paved areas on site can be accessed to meet some of these criterions.

- e) The proposed stoned access from Moorland Road should be lengthened to achieve as close to one hundred feet (100.0') of a cleansing stoned area as possible. Regenerate/Replace the stoned accesses as needed throughout the construction period of the project.
 - f) Moorland Road shall remain open and unimpeded throughout the construction phase of the project.
 - g) There shall be "No" parking of contractor, delivery and construction equipment or vehicles of any type parked or stored on Moorland Road paved surfaces. Waukesha County D.O.T. (Department of Transportation) shall control any and all activities taking place in the Right-of-Way.
 - h) Waukesha County Department of Transportation shall approve any access to Moorland Road right-of-way.
 - i) Drainage from this lot shall not adversely affect or impact any adjoining-neighborhood properties.
 - k) Per Section 275-55, the overflow outfall shall be directed towards Moorland Road.
 - l) Applicant shall address all engineering concerns outlined in letter dated November 21, 2006.
- 5) Transportation –
- a) No lighting plan was submitted. Lighting is required for all on-site parking, circulation and pedestrian areas (Zoning Code §275-60 I). Plan shall show light pole layout with illumination levels and chart with photometric summary information. Applicant is requesting a waiver.
 - b) Curb and gutter shall be used for all parking areas. Show on plans. Drive aisle width is calculated from edge of pavement (not face of curb). Parking stall depth can include curb pan dimension. Please revise plans.
 - c) Drive aisle widths are to be 24-feet wide from edge of pavement to edge of pavement (i.e. do not include curb & gutter in required width). Please revise plans.
- 6) General -
- a) Building plans shall be stamped and signed by a licensed architect or professional engineer per Wisconsin Enrolled Commercial Building Code. (Comm 61.31 Plans)
 - b) Building plans shall be approved by the City of New Berlin Department of Community Development Inspection Division per State of Wisconsin Department of Commerce Safety and Buildings Division and the Wisconsin Enrolled Commercial Building Code.(Comm 61.70 Certified municipalities and counties).
 - c) A stake out survey with dimensions to lot line shall be submitted with building permit application.
 - d) South elevations shall be revised to match floor plan.
 - e) East elevations shall be revised to match floor plan.
 - f) Apply and obtain appropriate building, plumbing and electrical permits.
 - g) Erosion control shall be approved, permitted, installed and inspected prior to any commencement of site work or issuance of any building permits.

Seconded by Mr. Gihring. Motion carried unanimously.

11. (3)TK U-80-06 Iln Plumbinc, Inc. – 17300 W. Cleveland Ave. – Convert Commercial Space into Residential Quarters.

Motion by Mr. Sisson to approve the request to convert the upstairs from commercial space into a residential living quarters located at 17300 West Cleveland Avenue subject to the application, plans on file and the following conditions:

- 1) It appears that there is a lack of green space on the property. Applicant shall work with staff to determine how more green space can be incorporated onto the property. This shall be determined prior to issuance of the Zoning Permit.
- 2) The property owner shall be required to follow Section 275-42.G.1(a) of the New Berlin Zoning Code which states that:
 - a) Residential quarters may be provided for the owner or proprietor of a business located in the B-2 District, provided that the following regulations are met:
 - [1] The accessory dwelling is located in the same building as the business and shall be restricted to the second floor of the structure;
 - [2] The accessory dwelling shall meet all minimum floor area requirements of the Rm-1 Zoning District.
 - [3] Adequate off-street parking for the occupant and visitors is provided as well as access to and from a public roadway; and
 - [4] A sufficient amount of yard space is provided for ordinary outdoor activities.
- 3) Any changes to the exterior of the building will require an application and approval.
- 4) If at any time in the future the applicant or property owner wishes to convert the upstairs residential unit back into a commercial or office use, they will be required to submit an application for change in use at that time.
- 5) Ventilation area is required. The minimum open area to the outdoors shall be 4 percent of the floor area being ventilated.
- 6) Bathrooms shall require operable windows and/or mechanical ventilation. If the applicant is looking at putting in windows, than elevations shall be submitted showing the new revisions.
- 7) Habitable space is required to have natural light by means of exterior glazed openings. There are no windows in the two bedrooms. Plans do not show whether existing windows in other spaces are operable. Please see to it that revised plans are submitted that show the placement of windows for the bedrooms.
- 8) Building plans shall be signed and stamped by a licensed architect or professional engineer per Wisconsin Enrolled Commercial Building Code. (Comm 61.31 Plans)
- 9) 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.) Building is over 100,000 cubic feet.
- 10) There will be a required separation of occupancies complying with the Wisconsin Enrolled Commercial Building Code.
- 11) Apply and obtain appropriate building, plumbing and electrical permits.
- 12) Drainage from this site shall not adversely impact, effect any adjoining- neighboring lots. If downspouts were to be altered at this time or any grading/landscaping were to be done with this application a detailed grading and drainage plan would be requested for approval from the engineering department.

Seconded by Gihring. Motion carried unanimously.

COMMUNICATIONS

12. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: "Planned Unit Development Zoning in Wisconsin", the Municipality, November 2006.

Plan Commissioners acknowledged receipt of this communication.

13. Communication To: Plan Commission
Communication From: Nikki Jones, Planning Services Manager
RE: Planning Commissioners Journal, Fall 2006

Plan Commissioners acknowledged receipt of this communication.

14. Communication To: Plan Commission
Communication From: Nikki Jones, Planning Services Manager
RE: Proclamation from Governor Doyle celebrating October as National Community Planning Month

Ms. Jones said this communication was mentioned at the tour of the City Center and wished to thank everyone who participated in that tour. We would like to plan more of these tours, so watch for details in the future.

15. Communication To: Plan Commission
Communication From: Nikki Jones, Planning Services Manager
RE: 2007 Plan Commission Revised Meeting Schedule (Memo dated November 20, 2006 from Greg Kessler.)

This is the revised 2007 schedule. There was an adjustment to the August meeting. It has been moved to the 13th.

16. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: Letter from Doug Barnes dated November 20, 2006.

This is a letter from Doug Barnes explaining his resignation from the Plan Commission.
We will be looking for a new Commissioner that has an architectural back ground.

17. Communication To: Plan Commission
Communication From: Greg Kessler, Director of Community Development
RE: City Center Design Guidelines - PG-830(13)

The Architectural Review Committee had an opportunity to review these Guidelines. Present at that meeting were representatives from PDI (Planning Design Institute), the consultant for City Center, developer Steve Stewart and his architect, Steve Gartman who has designed Bldgs. B, C & D that are in presently located in the City Center. Ms. Jones said a very good discussion was conducted about the guidelines and things that we will be looking at in the future.

Ms. Jones said that if the Plan Commissioners have any changes to the City Center Design Guidelines, please get these suggestions to staff by December 15, 2006.

Motion by Mr. Sisson to adjourn the Plan Commission meeting at 8:35 P.M. Seconded by Alderman Ament. Motion carried unanimously.