

**NEW BERLIN COMMUNITY DEVELOPMENT AUTHORITY
MINUTES
JANUARY 22, 2009**

The Community Development Authority Meeting was called to order by Mayor Chiovatero at 6:04 P.M.

In attendance were Mayor Chiovatero, Alderman Ken Harenda, Donald Vaclav, John Fillar, Ted Anderson, Alderman Poshepny, and Marta Broge. Also present were Greg Kessler, Director of Community Development; Amy Bennett, Associate Planner; and City Attorney Mark Blum.

Motion by Alderman Poshepny to approve the CDA minutes of September 11, 2008. Seconded by Mr. Fillar. Motion carried unanimously.

COMMUNITY DEVELOPMENT AUTHORITY SECRETARY'S REPORT - On January 28, 2009 from 6:00 P.M. – 8:00 P.M. an Open House will be held at the New Berlin Public Library for the presentation of the Mill Valley Redevelopment Plan in conjunction with Neighborhood "J" Comprehensive Plan Meeting.

CONTINUED BUSINESS

1. Mill Valley Redevelopment Plan Presentation (Joe Eberle) (PG-926)

Previous to this meeting all Committee Members were supplied with a CD copy of the Redevelopment Plan.

Mr. Kessler gave a brief summary of the history of this project. This information is also available on the City's website. www.newberlin.org

Mr. Joe Eberle and Mr. Jon Cameron from Ruekert & Mielke presented the Redevelopment Plan. Mr. Eberle summarized the report and Mr. Cameron went over the financial aspects of the plan.

Mr. Eberle showed the aerial photograph outlining the area of study. He outlined the scope of the project beginning in 2006 and listed the major things that Ruekert & Mielke were asked to look at in behalf of the City. The primary consultant for this project was Ruekert & Mielke, and in addition Shreiber & Anderson from Madison assisted in land use plan issues, Traffic Impact & Analysis worked on the traffic study, STS dealt with the environmental issues, and Taurean Group looked at the market analysis portion of this project.

Ruekert & Mielke excavated ninety-four test pits and found no impediment environmentally or structurally to the development of this site. The recommended land use is for the site to be redeveloped as a long-range job center similar to the Westridge Business Park and planned as an attractive destination that is compatible with the area's natural resource and land use patterns.

The market analysis showed that the potential estimated value of development in the study area is in excess of \$150 million. The design guidelines were presented through concept plans showing what the area may look like when fully developed.

Sanitary Sewer service and water supply was determined to be most cost-effective if provided through the City of Muskego sanitary sewerage system. This is predicated, however, on the ability of the City of New Berlin and the City of Muskego to reach a suitable intermunicipal agreement for service. The preliminary storm water management plan for the Mill Valley Project focused on eco-friendly or green storm water design including infiltration basins, rain gardens, bio-retention swales and infiltration trenches.

A preliminary traffic and transportation analysis was preformed. If the proposed development plan is modified from what was assumed in the TIA or the proposed development is delayed until late 2009 or

2010, it is recommended that the TIA be updated with current traffic counts, current WisDOT interchange improvement plans and current land use/development plans at the time the proposed development is expected to move forward to construction.

The total capital costs for the Mill Valley Project are estimated at \$25.4 million. Of this total, it is recommended that \$12.7 million or 50 percent, would be allocated to the developer. The remaining \$12.7 million, or 50 percent, would be borne by the City. It is anticipated that the City would create a tax incremental finance district to assist in funding the City's portion of the development costs. It is projected that the TID would pay off all outstanding debt within 13 years based upon a ten year build-out of the development.

Mr. Eberle offered recommendations for consideration by the City and asked for questions from the Committee.

Committee members commented that the school tax money that comes from this property goes to the City of Muskego and we should address the fact that the City of Muskego is the primary financial beneficiary and approach Muskego and ask them to try to put some money into this project.

Committee members questioned the timing of the project. Mr. Eberle explained that what is going on out there now has been approved and they can continue to do that for twenty or more years. It will depend on when the developer is prepared to move forward. He did not anticipate it for at least three years.

Committee members asked what decisions the CDA will be making in the process. City Attorney Blum explained that assuming we have a developer that is prepared to move forward, the next step would be for this plan to be reviewed by this body and a recommendation be made, but there are land use issues and agreement with the City of Muskego as to the possible extension of sewer which would require a municipal agreement dealt with by the Common Council. If a TID District is to be undertaken, there would have to be a process here at the City to determine if we want to do that. If they do, there is another step beyond this body where there would be a group committee established with a representative to the County. There would be a study on that level on the TID district. There is the infrastructure piece to deal with the utilities of the development, a land use piece, and a financial piece. Each one of those would have to be successfully negotiated to get to the point of being able to move forward.

Mayor Chiovero asked that the Public Comment Sheets from the January 28th Open House be passed onto the CDA as an agenda item on the February Meeting.

NEW BUSINESS

2. (3)AB U-70-08 Pegasus Auto Racing Supplies, Inc. – 2475 S. 179th St. – 9,200 Sq. Ft. Warehouse Addition and Additional Paving.

Motion by Mr. Anderson to approve the Use, Site and Architectural approval to construct a building addition and parking lot expansion, along with the Waiver #1 only, located at 2475 S. 179th Street, subject to the application, plans on file and the following conditions:

Waiver #1: Applicant is requesting a waiver from the New Berlin Industrial Park Redevelopment Plan, Design Guidelines Section (d) which requires "No building facade may extend no longer than 40 feet without the use of piers or setbacks to break up the monotonous length of the wall." The waiver would be for the new west elevation of the proposed addition to not install these architectural enhancements. The west elevation is considered the back of the building and has minimum visual exposure to the public from 179th Street. See applicant's letter attached.

Waiver #2: Applicant is requesting a waiver for Lighting requirements under Section 275-60I which requires all designated areas on approved site plans for vehicular parking, loading or circulation and used for any such purpose after sunset shall provide artificial illumination in such areas. See applicant's letter attached.

- 1) General:
 - a) Plan of operation shall be consistent with submitted plans on file.

- i) The Pegasus hours of operation are Monday through Friday: 8:00 AM to 6:00 PM for telephone orders. The showroom hours are from 9:00 AM to 5:00 PM weekdays and 9:00 AM to 1:00 PM on Saturdays.
 - ii) There are 15 employees.
 - b) Architecture Review Committee shall review and approve the building addition architecture.
 - i) Per the New Berlin Industrial Park Redevelopment Plan, Design Guidelines Section (d) No building façade may extend longer than 40 feet without the use of piers, or building setbacks, to breakup the monotonous length of the wall. Applicant shall revise south and west elevations to add at least one of these features unless Waiver #1 is granted.
 - ii) All new roof-top equipment requiring a Zoning Permit must be screened from view if the equipment can be seen from the centerline of the public right-of-way in the front of the property, or placed in an area of the building as not to be seen. Roof-top screening must be compatible and complementary to the building's architecture.
 - c) No outside displays or storage shall be allowed on site.
 - d) Dumpsters shall be properly screened from the street and public view in accordance with Section 275-56 of the Zoning Code.
 - e) Employee and customer parking shall be contained on site.
 - f) Any signage shall require a separate application and issuance of a Sign Permit prior to fabrication and installation.
 - g) All parking, circulation and pedestrian areas are required to be lit per the Zoning Code Section 275-60 I and the New Berlin Industrial Park Redevelopment Plan. A revised lighting plan shall be submitted prior to issuance of the Zoning Permit if lighting Waiver #2 is not granted.
 - h) Any existing trees to be removed shall be relocated or replaced under Section 275-54B(6).
 - i) Proposed parking lot stalls shall be 9' x 19'. A revised plan shall be submitted prior to issuance of the Zoning Permit.
 - 2) Engineering:
 - a) The proposed slopes from pavement to sediment pond are at 3.5 to 1. It appears these slopes are closer to 3:1. A 3:1 slope may be allowed as long as bottom of ditch is centered on Pegasus property, not at common lot line with neighbor. However, plans show proposed 6% slope for proposed parking lot, which is fairly steep. Be careful that paving contractor does not flatten slope out by raising grades at edge of pavement which would increase slope to pond making it steeper than 3:1. A retaining wall would then need to be constructed at edge of pavement.
 - 3) Storm water:
 - a) A storm water maintenance agreement shall be required. A recorded copy shall be submitted prior to issuance of the Zoning Permit.
 - 4) Building Inspections:
 - a) Building plans shall be signed and stamped by a licensed architect or professional engineer per Wisconsin Commercial Building Code (Comm 61.31 Plans).
 - b) Building plans shall be approved by the State of Wisconsin Dept. of Commerce Safety and Buildings Division per Wisconsin Commercial Building Code (Comm 61.70).
 - c) Apply and obtain appropriate building, plumbing and electrical permits.
 - d) The building shall be fully accessible from the parking lot to the interior elements (Comm 63.1101 and ICC/ANSI A117.1).
 - e) Erosion control shall be approved, permitted, installed and inspected prior to any commencement of site work or issuance of any building permits. Grading plan shall be updated to reflect erosion control features.
 - 5) Fire Department:
 - a) Fully Sprinkle.
 - b) Monitor Fire Flow.

Seconded by Mr. Fillar. Motion passes with Mayor Chiovatero, Alderman Harenda, Mr. Vaclav, Mr. Fillar, Mr. Anderson voting Yes, and Ms. Broge voting No.

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

Motion by Alderman Harenda to accept the Pinewood Creek Compliance Certificate. Seconded by Mr. Vaclav. Motion carried unanimously.

COMMUNICATION

4. Communication To: CDA Members
Communication From: Greg Kessler, Director of Community Development
RE: 2009 CDA Meeting Schedule (PG-818)

CDA Members acknowledged receipt of this communication.

ADJOURNMENT

Motion by Mr. Fillar to adjourn the CDA meeting at 7:32 P.M. Seconded by Ms. Broge. Motion carried unanimously.