

# Village of Hales Corners

5635 S. New Berlin Road  
Hales Corners, WI 53130  
Phone: (414) 529-6161  
Fax: (414) 529-6179  
www.halescorners.org



James R. Ryan Municipal Building

**PLAN COMMISSION**  
**Meeting Agenda/Notice**  
**September 21, 2020 (Monday) - 6:30 PM**

Notice is hereby given that the Plan Commission of the Village of Hales Corners will meet at the above date and time, at the James R. Ryan Municipal Building (5635 S. New Berlin Rd).

Notice is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This would constitute a meeting of the Village Board per State *ex rel. Badke v. Greendale Village Board* even though the Village Board will not take formal action at this meeting.

Discussion and possible action by Commission on agenda items.

- 1.0 Roll Call
- 2.0 Approval of Minutes- August 17, 2020
- 3.0 **Site Plan Review** – Alyson Dudek International Ice Center – referred from August 17, 2020 Plan Commission for re-review and approval.
- 4.0 **Site Plan Review - Chick Fun Inc.**, 5301 S. 108<sup>th</sup> St.- Sign review
- 5.0 Adjournment

Lizbet Gutierrez  
Lizbet Gutierrez, Administrative Services Specialist  
September 11, 2020

Note: Upon reasonable notice, efforts will be made to accommodate the needs of individuals with disabilities through appropriate aids and services by contacting the Clerk’s Office, 414-529-6161.

The meeting was called to order at 6:30 p.m. by Chair D. Besson.

**1.0 Roll Call** – Present: Chair D. Besson; Commissioners T. Accetta, S. Bigler, A. Fritz, C. Stipe, K. Meleski- Remote call-in. Commissioner W. Banach, absent and excused. Also in attendance, Village Trustees R. Brinkmeier & D. Schwartz. Staff: Village Planner B. Block (via teleconference), Village Administrator S. Kulik, Village Administrative Services Specialist L. Gutierrez. Audience 29.

**2.0 Minutes of June 15, 2020-** Motion (Fritz, Accetta) to approve the minutes; Roll Call Vote: Ayes: Bigler, Accetta, Stipe, Fritz, Meleski, Besson. Motion passes 6-0-1.

**3.0 Site Plan Review- Dittus-Plath 6088 S. 92<sup>nd</sup> Street-accessory structure 1,361.25 square feet, R-3, residential zoning.**  
B. Bowman with *Joseph Douglas Homes Remodeling* spoke on behalf of Dittus-Plath petitioners. M. and R. Dittus-Plath present via telephone. Village Planner B. Block addressed the Commission and read the staff report. Chairman D. Besson inquired if there will be any residential use, kitchen or bathroom in the structure. M. Bowman stated that there will not be any restroom or kitchen facilities, only have electricity in the accessory building

**Motion (Bigler, Meleski)** to approve the accessory building as presented, subject to a deed restriction that the accessory facility not be used for residential purposes; Roll Call Vote: Ayes: Bigler, Accetta, Stipe, Fritz, Meleski, Besson. Motion passes 6-0-1.

**4.0 Site Plan Review- Clifford’s Supper Club -10418 W. Forest Home Ave, temporary outdoor area- B-1 Business Shopping Center Zoning**  
Attorney Brian Randall, Davis & Kuelthau SC, spoke on behalf of Steve & Elaine Cannistra, owners of the Clifford’s Supper Club. B. Randall Ryan addressed the Commission for the proposal of a temporary use for an outdoor area “art patio” currently utilized as a pop up art area and dining for carryout and express menu options. The area includes eighteen (18) foot illuminated art that is requested to be lighted from 6pm to midnight through October 31, 2020. B. Randall addressed the alternative site proposed by the Village Board at a meeting held on June 12, 2020 which applicant feels is even greater risk as it is in the parking / stacking pattern for patrons entering from Scharles Avenue to the restaurant as well as the banquet area currently not frequently used which would require art studio attendees to walk the perimeter of the restaurant to use restroom facilities. B. Randall commented that he did not feel that the site plan was the appropriate request for the temporary use as requested.

Village Planner, B. Block addressed the Commission and read the staff report. He presented issues for consideration. He further responded to the requirement for a comprehensive site plan that was triggered by the expanded use of the facility as required under Chapter 8.

D. Besson question regarding staffing levels for the restaurant relative to the parking requirements. B. Randall commented that approximately a dozen employees presently are working during operation hours.

S. Bigler commented that he had reviewed the submission from the applicant relative to other municipalities which allow the outdoor seating and reported he had visited the sites and all had

one unique site condition in that the areas were completed enclosed which was not what has been proposed by the applicant.

K. Meleski questions regarding date the display and outdoor area where in place. Representatives of the Cannistra family commented that June 11, 2020 was the date which it began to be constructed. K. Meleski expressed concern over barricade plan presented which allows for many entrance and egress points and presented a safety concern. D. Besson concurred. C. Stipe commented that people go in and out of vehicles too and common sense should be applied and that he felt the design was adequate.

**Motion (Accetta, Stipe)** to approve temporary use application subject to the following conditions:

1. The hours of operation for the outdoor area “art studio” shall be the same as the restaurant hours of operation; and
2. The hours of operation for the lighting structures shall begin at 6:00 p.m. and shall end at the same hours of operation as the restaurant ending hour; and
3. The lighting structures shall be no higher than the current eighteen (18) feet; and
4. The outdoor area “art studio” shall be enhanced to provide barriers between the currently placed panels and concrete barriers to address entrance and egress to the outdoor area “art studio” from one (1) location nearest to the front entrance of the restaurant; and
5. Best efforts shall be pursued to secure a lease with the State of Wisconsin and / or the Village of Hales Corners for the parking spaces currently located on State and / or Village right of way; and
6. A comprehensive site plan must be submitted to and be acceptable to the Village Planner; and
7. The outdoor area “art studio” and lighting structures are allowed until October 31, 2020 and all materials and structures related to the outdoor area “art studio” and lighting structures must be removed from the premises in a reasonable time.

**Motion to amend original motion (Besson, Meleski)** to remove the approval of light structures as they do not meet the definition of a minor structure as defined by the Village Code in Chapter 8-16-1 (85). Roll Call: Ayes: Besson, Meleski, Nay: Bigler, Acetta, Stipe, Fritz. Motion fails: 2-4-1.

**Roll Call On original motion:** Ayes: Bigler, Acetta, Stipe, Fritz. Nays: Besson, Meleski. Motion passes 4-2-1.

**5.0 Request for extension of site plan review - Alyson Dudek International Ice Center- Friends of the Hales Corners Park - 5765 S. New Berlin Rd.**

D. Schwartz, President of the Friends of the Hales Corners Park, requested to extend site plan approval of Alyson Dudek International Ice Center. D. Besson recommended he submit the site plans for the plan commission board to review in order to grant the extension if approved by board. Application was withdrawn. No action was taken.

**6.0 Site Plan Review- Farkus, 9655 W. Edgerton Ave- Roof mounted solar panel installation -**

Brian Edwards from *Current Electric* spoke on behalf of petitioner Robert Farkus and presented project. D. Besson commented on the planners’ report which stated that there are no issues for this project relative to the zoning code. A. Fritz inquired if the main panel, solar edge, and the Tesla equipment would be mounted on the roof. B. Edwards stated that the solar equipment will be contained in the building except for the utility disconnect and meter pedestal which will be outside.

**Motion (Stipe, Accetta)** to approve proposed roof mounted solar panel installation; Roll Call Vote: Ayes: Bigler, Accetta, Stipe, Fritz, Meleski, Besson. Motion passes 6-0-1.

**7.0 Adjournment-Motion (Stipe, Fritz)** to adjourn meeting at 8:42 p.m.; Roll Call Vote: Ayes: Bigler, Accetta, Stipe, Fritz, Meleski, Besson. Motion passes 6-0-1.

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Lizbet Gutierrez, Administrative Services Specialist

DRAFT

02.14.17

## Village of Hales Corners

5635 S. New Berlin Rd, Hales Corners, WI 53130

### Plan Commission Application

**Unless otherwise noted all Plan Commission meetings will be held the 3<sup>rd</sup> Monday of each month at 6:30pm at Hales Corners Village Hall.**

**All applications are due 45 days prior to the Plan Commission meeting.**

**NOTE:** It is the responsibility of any person/firm that is considering submitting an application for the Plan Commission agenda to contact the Planning Department at 414-529-6162 prior to any submittal.

**APPLICANT**

Name Donald G Schwartz  
 Company Friends of Hales Corners Park  
 Address 5011 S. 121<sup>st</sup> Street Pool  
 City Hales Corners State WI Zip 53130  
 Telephone 414-418-8299  
 Fax N/A  
 Email donaldschwartz@gmail.com

**PROPERTY INFORMATION**

Property Address 5675 S. New Berlin Road  
 Tax Key Number \_\_\_\_\_  
 Current Zoning P-1  
 Property Owner Milwaukee County Parks  
 Property Owner's Address 9480 Watermain Plank  
Road. Wauwatosa, WI  
 Existing Use of Property Park 53213

Project Name/New Company Name (if applicable)  
The Alyson Padak International Ice Center + Holtz Family Shelter

**APPLICANT IS REPRESENTED BY**

Name Kristian Vaughn  
 Company GRAEF  
 Address One Honey Creek Corporate Center  
625 South 84th Street Suite 401  
 City Milwaukee State WI Zip 53214  
 Telephone 414-259-1500 -1469  
 Fax 414-259-0037  
 Email Kristian.Vaughn@graef-usa.com

**(APPLICATION TYPE - CHECK ALL THAT APPLY)**

- Site Plan Review-\$200
- Temporary Use-\$200
- Conditional Use Permit - \$200
- Sign Plan Review (w/electronic message board) - \$1.50/sf (\$50min)
- Zoning Code or Map Change/Amendment -\$300
- Planned Unit Development/Amendment -\$200
- Special Meeting-\$200
- Preliminary Subdivision Plat/CSM/Land Use -\$125
- Filing Fee-\$400/Final Subdivision Plat-\$200
- Certified Survey Map -\$125
- House or Building Moving Approval-\$200
- Storm Water Management Application - TBD by DPW
- Bed & Breakfast Conditional Use Permit -\$200

Note: Representative's address will be used for all official correspondence.

Please refer to our Zoning Code-Chapter 8 of the Village Municipal Code for more details.

Please see reverse side for detailed submittal requirements.

**STATEMENT OF PROJECT INTENT AND DESCRIPTION OF PROPOSAL:** Details of proposal, anticipated impact on surrounding properties and neighbors, plan of operation, hours of operation, frequency of deliveries to site, number of employees, description of any interior/exterior modifications or additions to be made to property, any outside storage (dumpsters, trucks, materials for sale, etc.), number of employees per shift, number of parking stalls, and any other information that is available. PLEASE EXPLAIN IN DETAIL: (attach additional sheets if necessary or provide a detailed cover letter explaining the proposal)

By signing this application I hereby acknowledge the application fees shall be paid at the time of submittal which are **NON-REFUNDABLE** and that any further fees, costs or charges incurred by the Village shall be the responsibility of the applicant. If such fees are not paid they will go through the tax roll process and have the potential be placed on the property taxes for that year.

Signature Donald G. Schwartz Date: May 2, 2017

<b>For Office Use Only:</b>	Plan Commission Date: <u>6/19/17</u>	Village Board Action: <input type="checkbox"/> Approve <input type="checkbox"/> Deny <input type="checkbox"/> Other
Date Submitted: <u>5/2/17</u>	Public Hearing Date: _____	Date: _____
Amount Paid: <u>\$200</u>	Plan Commission Action: _____	Zoning Amendment Publication Date: _____
Accepted By: <u>[Signature]</u>	Publication Notice Date: _____	



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## MEMORANDUM

**TO:** Plan Commission  
Village of Hales Corners

Copies to: Robert G. Ruesch, Village President  
Sandra M. Kulik, Village Administrator/Clerk  
Michael J. Martin, Director of Public Works  
Donald G. Schwartz, Friends of Hales Corners Park & Pool (Applicant)

**FROM:** GRAEF  
Kristian Vaughn

**DATE:** May 26, 2017

**SUBJECT:** Site Plan Review for Alyson Dudek International Ice Center at 5765 S. New Berlin Road in Hales Corners Park

### A. PURPOSE

- 1) Consider for approval the Site Plan Review Request of Donald G. Schwartz of the Friends of Hales Corners Park & Pool of PO Box 7, Hales Corners, WI 53130 (Applicant) for a Site Plan Review on parcel 657-9993-011 to construct the Alyson Dudek International Ice Center in Hales Corners Park that will include a park pavilion and ice rink.

### B. BACKGROUND

Donald G. Schwartz of the Friends of Hales Corners Park & Pool of PO Box 7, Hales Corners, WI 53130 (Applicant) submitted a Plan Commission Application for a Site Plan Review to construct the Alyson Dudek International Ice Center (ice rink) and Holz Family Shelter (park pavilion) on parcel 657-9993-011 in Hales Corners Park. The project will occur on the northeastern side of the Park adjacent to the existing parking lot along S. New Berlin Road. The project will include the construction of a park pavilion, ice rink, and sidewalks.

The project will be integrated into the existing landscape and topography of Hales Corners Park. The park pavilion will be connected to the existing parking lot by a new sidewalk. The park pavilion will include seating space with picnic tables, a concessions area, mechanical and storage rooms, and men's and women's restrooms. The park pavilion will measure 20 feet by 49 feet for a total of 980 square feet. A portion of the existing walking path that passes through the project site will be reconstructed to provide access between the existing parking lot, proposed park pavilion, and proposed ice rink. The ice rink will measure 120 feet by 70 feet for a total of 8,400 square feet. Bench seating will be provided on the east and west sides of the ice rink for spectators. A light pole will be installed on the east side of the ice rink to allow for night skating. The construction of the park pavilion and utilities will require the removal of a series of trees at the project site, but the losses will be minimized through the strategic removal of only

those trees that directly impede project construction. Sheet C-2 of the Engineering Drawings provides details about tree preservation and protection at the project site during construction.

The park pavilion and ice rink will be new amenities in Hales Corners Park. The park pavilion will be open to the public year-round, whereas the ice rink will only be available during the winter months. The addition of the ice rink will provide attraction to and activation of the Park during the winter months. The construction of the park pavilion and ice rink will replace the temporary ice rink that has been available in the park for the past few years. If needed, the Friends of Hales Corners Park and Pool (the Friends) may provide volunteers for staff support. To date, volunteers have not regularly staffed the existing temporary ice rink; it is expected that the new park pavilion and ice rink will be able to operate largely in the same way in the future. Rentals, programming, and concessions will be coordinated between the Friends and Milwaukee County Parks Department.

With respect to intergovernmental cooperation and coordination, this project has been reviewed by Milwaukee County. In October 2014, Friends of Hales Corners Park and Pool and Milwaukee County signed a Development and Management Agreement for the ice rink and park pavilion. In April 2017, the project received site plan approval from Milwaukee County Parks.

The following documents were submitted by Donald G. Schwartz of the Friends of Hales Corners Park & Pool (Applicant) as part of the Plan Commission Application:

- a. Plan Commission Application (1 sheet, dated May 2, 2017, as prepared by Donald G. Schwartz)
- b. Project Letter (3 sheets, dated May 2, 2017, as prepared by Donald G. Schwartz)
- c. Architectural and Engineering Drawings – 24"x36" Set (12 sheets, dated March 31, 2017, as prepared by Plunkett Raysich Architects, LLP)
- d. Architectural Renderings – 30"x42" Set (5 sheets, dated 2014, as prepared by Plunkett Raysich Architects, LLP)

*Note: The Architectural Renderings conceptually depict the site configuration and massing of the park pavilion and ice rink. As the project has been revised since 2014, select characteristics of the renderings have been modified. The Architectural and Engineering Drawings should be used for decision making, while the Architectural Renderings should be used to conceptually understand the site plan.*

### **C. COMPLIANCE WITH ZONING CODE §8-3-14 "P-1 PARKS AND INSTITUTIONAL"**

As the project site is located within Hales Corners Park and is currently zoned P-1 "Parks and Institutional," the park pavilion and ice rink are permitted as "public recreation" uses.

The physical characteristics and dimensions of the park pavilion and ice rink are compliant with the standards for maximum building height, minimum building site area, and front, side, and rear yards.

The construction of the park pavilion and ice rink are appropriate uses and compliant with Code requirements in the P-1 District.

**D. COMPLIANCE WITH ZONING CODE §8-13-5 "SITE PLAN APPROVAL"**

The Applicant provided a complete submittal for review that included a project letter, site plan, lighting plan, and accompanying architectural and engineering drawings. The Applicant's submittal satisfied the requirements in §8-13-5 and is compliant. The following discussion topics are of note:

*§8-13-5(g)(9) Off-Street Parking:* Hales Corners Park currently provides parking in two lots: one off of S. New Berlin Road and one off of W. Godsell Avenue. These existing lots will provide ample parking for ice rink patrons. No additional parking is needed.

*§8-13-5(g)(10)(c) Type, Size, and Location of Signs:* Sheet 400 of the Architectural Drawings indicates that two wall signs will be constructed on the east and south faces of the park pavilion. The eastern sign will state, "The Holz Family Pavilion at Alyson Dudek International Ice Center" (with a sign face area of 19.5 square feet). The southern sign will state, "Alyson Dudek International Ice Center" (with a sign face area of 10.5 square feet). The total accumulated sign area of both signs will be approximately 30 square feet. Zoning Code §8-9-9(g)(2) states that a club or other government use is allowed "One (1) building sign not exceeding forty (40) square feet in area." While two signs are proposed for the park pavilion, the total accumulated sign area for both signs is less than 40 square feet. As the signs will be attached directly to the façade of the park pavilion, it is recommended that the requirement in §8-9-9(g)(2) for only one building sign be waived to allow for the two proposed wall signs at the proposed total accumulated sign area of approximately 30 square feet.

*§8-13-5(g)(18) Landscape Plan:* As the park pavilion will be located within an existing stand of trees, additional landscaping is not required. Additionally, as the ice rink will be a facility that is assembled and disassembled each season, landscaping around its perimeter is not necessary. With respect to the proposed tree removal around the park pavilion, Sheet C-2 of the Engineering Drawings provides details about tree preservation and protection during construction.



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## G. RECOMMENDATION

Based upon the review of submitted materials, it is recommended that:

- 1) The Plan Commission **APPROVE** the Site Plan Review Request of Donald G. Schwartz of the Friends of Hales Corners Park & Pool of PO Box 7, Hales Corners, WI 53130 (Applicant) for a Site Plan Review on parcel 657-9993-011 to construct the Alyson Dudek International Ice Center in Hales Corners Park that will include a park pavilion and ice rink **with the following recommendation:**
  - a. It is recommended that the requirement in §8-9-9(g)(2) for only one allowable building sign be waived to allow for the two proposed wall signs on the eastern and southern façades of the park pavilion at the proposed total accumulated sign area of approximately 30 square feet.



May 2, 2017

Kristian Vaughn  
Planner  
GRAEF  
125 South 84<sup>th</sup> Street, Suite 401  
Milwaukee, WI 53214

Dear Kristian:

In support of our application below are the answers to the questions you posed regarding the Alyson Dudek International Ice Center.

**A. Facility Operations & Maintenance**

**(i) Rink: Hours of Operation, Rentals & Programming, Staffing**

The rink is open from 9:00 am to 9:00 pm daily. Rentals and programming are not applicable at this time. Staffing has been done by volunteers and for the three years that the temporary Alyson Dudek International Ice Center was open there was no daily staffing. We anticipate the same in the new location. Open and free skating is the attraction.

**(ii) Pavilion & Concessions: Hours of Operation, Rentals & Programming, Staffing**

This will be determined on as needed basis and coordinated with the Milwaukee County Parks Department.

**B. Current Status of Fundraising & Timeline for Future Efforts (If presenting the dollar amount of funds raised makes the Friends uncomfortable, you could present a percent complete, instead.)**

Final construction bids are due on May 19, 2017. As of this writing the Friends believe we are currently short of funds between \$50,000 to \$100,000.

**C. Prior Approval with Milwaukee County and the Signing of the Development and Management Agreement**

On April 11, 2017 Final Approval was given. The development agreement is being tweaked as of this writing.

**D. Bidding Process and Construction Timeline**

Not set as of May 2, 2017

round. The Holz Family Shelter would be located north of the parking lot and near the children's play equipment, kiddie pool and Ice Center, making it easier for skaters to get to the rink. The Holz Family Shelter, which will feature two restrooms, a concession stand and storage, would help service the needs of the Park's users year-round. Picnic tables will be located in the shelter for skaters to warm up and rest and the heated restrooms will be very welcome on cold, damp days and nights for skaters and park patrons.

The addition of the Holz Family Shelter will increase the Park's visibility and attendance. We believe that the Holz Family Shelter will be a unique community addition to Hales Corners Park and promote it as a destination within the Milwaukee County Parks system.

The Friends' is a well-established, non-profit organization with a solid, 14 year record of working successfully with the Milwaukee County Parks Department on projects within Hales Corners Park. The Friends' has a history of service to the people of southwestern Milwaukee County with a strong desire to continue to improve the offerings and amenities of Hales Corners Park. The Friends' members have the dedication, professional expertise and commitment to develop and maintain its projects and will work with Milwaukee County Parks Department to develop a plan for revenue sharing of Holz Family Shelter rental fees and long-term maintenance of the Holz Family Shelter. Development of the Ice Center and Holz Family Shelter by the Friends, in partnership with Milwaukee County, would greatly benefit both organizations and the members of the public. It is important to note that this project has been possible through the joint efforts of a public/private partnership that includes foundations, businesses, other non-profit organizations, Milwaukee County and the Village of Hales Corners.

If you have any other questions, please let me know. Thank you.

Very truly yours,



Donald G. Schwartz

President

[donaldschwartz@gmail.com](mailto:donaldschwartz@gmail.com)

- E. As the Friends are respected in the community, it would also be beneficial to reiterate how the Ice Center will be a part of the organization's larger efforts in Hales Corners Park. The relationship between the Friends, the Village, and the County is a valuable public/private partnership.**

Established in 2003, the Friends of Hales Corners Park & Pool is recognized by the IRS as a 501(c)3 charitable organization. Our mission is to keep Hales Corners Park & Pool open and operating and to continue to develop an outdoor recreational environment for residents in the Village and surrounding communities to enjoy. All of our amenities are open to the public and we primarily serve residents located in southeastern Milwaukee and Waukesha counties in the communities of Hales Corners, Greenfield, Greendale, Franklin, Muskego, New Berlin and West Allis, Wisconsin.

The Ice Center is named in honor of Alyson Dudek, a lifetime resident of Hales Corners. She and her teammates won the Bronze Medal in short track speed skating at the Winter Olympic Games in 2010 in Vancouver and she was also a member of the 2014 U.S. Winter Olympic team. She is also now in training for the Olympic trials for the 2018 winter games in South Korea.

The Alyson Dudek International Ice Center and Holz Family Shelter would offer a free, healthy, family-oriented outdoor winter activity to residents in Hales Corners and the surrounding communities. In the Milwaukee area, there are a limited number of outdoor venues where people can skate on sunny winter days or under the sparkling lights on mild winter nights. Of the available rinks, most are situated on lakes and lagoons, and those venues often are closed because they are unsafe due to thin ice. Parents and public health officials are also concerned about a lack of physical activity in today's youth and are always seeking activities to get kids away from the computer and video games and participating in fun, physical activities. The temporary version of the ice rink has become a venue to encourage active healthier kids, provide affordable family fun, create community camaraderie, and has been a great place for recreational skating for people of all ages and abilities. It will also be way of acknowledging Aly's Olympic achievement, perhaps even inspiring young future Olympians. This facility will join other community treasures in the Park, including the Hales Corners Pool and kiddy pool, the Veterans Memorial, Jake's Climbing Rock, tennis, volleyball and basketball courts, picnic areas, and softball fields, making the park a destination for year-round recreation activities. The Park attracts thousands of residents year-round.

The long-term benefit of the Alyson Dudek International Ice Center and Holz Family Shelter would include sustaining and improving the existing amenities and facilities in Hales Corners Park and the surrounding area while offering healthy, family-oriented outdoor activity to residents in Hales Corners and the surrounding communities.

Hales Corners Park and its pool building consistently serve as the site for community events, fundraising activities and private parties. These events attract participants from not just southeastern Milwaukee County but throughout the entire state. The Park is often the home of many community-based festivities, including the July 4th celebration and fireworks, the Firecracker 4 Run hosted by the Badgerland Striders, the Hales Corners Lions' Club Harvest Fest and Pumpkin Carving Contest, and the annual National Night Out. The park is also host to numerous league and school-based athletic events, including softball and soccer games, volleyball leagues and high school cross-country races. In November the park serves as the course location for the Wisconsin State Cyclocross Championship bike races. The Pool Building, located at the south end of the park, is not open year-round and the park does not have an outdoor or similar structure in the park for family picnics or other events that is available year-

# Village of Hales Corners

5635 S. New Berlin Rd, Hales Corners, WI 53130  
414-529-6161

## Plan Commission Application

Unless otherwise noted all Plan Commission meetings will be held the 3<sup>rd</sup> Monday of each month at 6:30pm at Hales Corners Village Hall.

All applications need to be complete and are due with payment 45 days prior to the Plan Commission meeting.

### APPLICANT

Name Xiameng Lin  
Company Chick Fun Inc.  
Address 11404 W Parnell Ave Hales Corners  
City Hales Corners State WI Zip 53130  
Telephone 347-602-2811  
Fax \_\_\_\_\_  
Email arriverdore@hotmail.com  
Project Name/New Company Name (if applicable) \_\_\_\_\_

### PROPERTY INFORMATION

Property Address 5301 F.S 108th St  
Tax Key Number \_\_\_\_\_  
Current Zoning \_\_\_\_\_  
Property Owner Hales Corners Plaza LLC  
Property Owner's Address 1900 W Bluemound Rd Brookfield WI 53045  
Existing Use of Property \_\_\_\_\_

### (APPLICATION TYPE - CHECK ALL THAT APPLY)

- Site Plan Review-\$200
- Temporary Use-\$200
- Conditional Use Permit - \$425
- Sign Plan Review (w/electronic message board) - \$1 50/sf (\$60min)
- Zoning Code or Map Change/Amendment -\$425
- Planned Unit Development/Amendment -\$425
- Special Meeting-\$200
- Preliminary Subdivision Plat/CSM/Land Use -\$425
- Filing Fee-\$400/Final Subdivision Plat-\$425
- Certified Survey Map -\$425
- House or Building Moving Approval-\$200
- Storm Water Management Application - TBD by DPW
- Bed & Breakfast Conditional Use Permit -\$425

### APPLICANT IS REPRESENTED BY

Name Brad H  
Company Innovative Signs  
Address 21795 Dural Road  
City Waukesha State WI Zip 53186  
Telephone 262-432-1350  
Fax 262-432-1351  
Email brad@innovative-signs.com

Note: Representative's address will be used for all official correspondence

Please reference our Zoning Code-Chapter 8 of the Village Municipal Code for more details.

Please see reverse side for detailed submittal requirements.

**STATEMENT OF PROJECT INTENT AND DESCRIPTION OF PROPOSAL:** Details of proposal, anticipated impact on surrounding properties and neighbors, plan of operation, hours of operation, frequency of deliveries to site, number of employees, description of any interior/exterior modifications or additions to be made to property, any outside storage (dumpsters, trucks, materials for sale, etc.), number of employees per shift, number of parking stalls, and any other information that is available. PLEASE EXPLAIN IN DETAIL: (attach additional sheets if necessary or provide a detailed cover letter explaining the proposal)

By signing this application I hereby acknowledge the application fees shall be paid at the time of submittal which are **NON-REFUNDABLE** and that any further fees, costs or charges incurred by the Village shall be the responsibility of the applicant. If such fees are not paid they will have the potential to be placed on the property taxes for that year. If applicant is different from property owner, property owner signature is required.

Applicant Signature [Signature] Date: 7-13-2020 Property Owner [Signature] Date: 7-20-20

by: MIS Management USA, LLC "Agent"

For Office Use Only:	Plan Commission Date: _____	Village Board Action: <input type="checkbox"/> Approve <input type="checkbox"/> Deny <input type="checkbox"/> Other
Date Submitted: _____	Public Hearing Date: _____	Date: _____
Amount Paid: _____	Plan Commission Action: _____	
Accepted By: _____	Publication Notice Date: _____	Zoning Amendment Publication Date: _____
Revision Date 4/17/19		

**Village of Hales Corners  
Plan Commission  
414-529-6161  
5635 S. New Berlin Rd., Hales Corners, WI. 53130**

**AGREEMENT FOR CHARGE BACK OF PLANNING AND DEVELOPMENT  
CONSULTING FEES**

Village of Hales Corners Resolution 16-57, A Resolution Authorizing Certain Officials to Execute an Agreement for Ongoing Planning and Development Services with Graef-USA, Inc., was adopted on September 12, 2016. The Resolution authorizes on-going planning and development services with Graef-USA, Inc., a professional engineering consulting company. Professional charges incurred with Graef-USA, Inc. on behalf of a **Plan Commission applicant's application or proposal** (to be submitted at time of Charge Back form submittal) to the Village of Hales Corners will be the responsibility of the applicant and/or property owner(s) for the cost of the services, in addition to the stated Plan Commission application fee.

**A signed Charge Back Agreement form by the property owner or applicant is required prior to being placed on a Plan Commission meeting agenda.** Graef-USA, Inc. will invoice the Village of Hales Corners, and subsequently the charges will be invoiced to you as the applicant. Failure to pay for charges incurred and invoiced to you per this agreement, may result in delays or no action regarding your application or proposal. The Village may follow any other legal means to collect the amount owed. The application fee is non-refundable.

**(A) Professional Fees Charge Back**

Whenever the Village incurs professional fees in considering certified survey map(s), subdivision plat(s), re-zoning petition(s), conditional use permit petition(s), site development applications(s), and/or other petition(s) related to the development of land in the Village, the Village shall charge the professional charges incurred by the Village to such applicant/property owner(s) pursuant to Wis. Stat. S 66.0627(4).

**(B) Time to Pay.** The Village shall give the applicant/property owner(s) billed for current services as provided for herein notice that they shall have a specified period of time not more than thirty (30) days to pay. Said notice shall include an itemized statement of the professional services fees being charged. Any disputed charges shall be submitted in writing to the Village Administrator. The Village may follow any other legal means to collect the amount owed. Additionally, the Village may charge all delinquent amounts, together with any interest and penalties, against the property on the tax roll as provided by law.

I, the undersigned, hereby acknowledge that I have read this agreement and I shall be responsible for the fees incurred by the Village and, in the event I fail to timely pay such charges, the Village can assess them against my property as a special charge together with any accrued interest.

by: MLG Management USA, LLC "Agent"

Property Owner Signature \*Required: Gary Knowski

Printed Name: GARY KNOWSKI

Applicant's Signature (If not Property Owner): Xia Meng Lin

Printed Name: XIA MENG LIN

Date: 7-14-2020

Footnote: Wisconsin Statute 66.0628  
Fees imposed by a political subdivision.

(1) In this section:

(a) "Political subdivision" means a city, village, town, or county.

(b) "Reasonable relationship" means that the cost charged by a political subdivision for a service provided to a person may not exceed the political subdivision's reasonable direct costs that are associated with any activity undertaken by the political subdivision that is related to the fee.

(2) Any fee that is imposed by a political subdivision shall bear a reasonable relationship to the service for which the fee is imposed.

(3) If a political subdivision enters into a contract to purchase engineering, legal, or other professional services from another person and the political subdivision passes along the cost for such professional services to another person under a separate contract between the political subdivision and that person, the rate charged that other person for the professional services may not exceed the rate customarily paid for similar services by the political subdivision.



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## MEMORANDUM

**TO:** Plan Commission  
Village of Hales Corners

**FROM:** GRAEF  
Ben Block

**DATE:** September 10, 2020

**SUBJECT:** Consider for approval the Plan Commission Application for Site Plan Review of new signage for Chick Fun.

### A. PURPOSE

- 1) Consider for approval the Plan Commission Application for Site Plan Review of new signage for Chick Fun, located at 5301 South 108<sup>th</sup> Street, Hales Corners, 53130 WI.

### B. BACKGROUND

Xiaming Lin (Applicant) submitted a Plan Commission Application for Site Plan Review to install new signage for their property located at 5301 South 108<sup>th</sup> Street. There are two signs proposed, both designed the same, for the west and east sides of the building, which face the parking lot and South 108<sup>th</sup> Street respectively. The proposed signage would be illuminated at night featuring internal white LEDs.

The property is zoned B-1, Shopping Center District.

### C. COMPLIANCE OF THE PROPOSED SIGNAGE

#### Amount of Signage:

Chick Fun is one of four business located in a multi-tenant building with individual entrances. The amount of signage allowed for such businesses is defined by Sec. 8-9-9(c):

*Allowed: One monument sign no exceeding forty square feet in area, no greater than eight feet in height. Four building signs, one per tenant, not exceeding forty square feet per sign.*

There are two signs proposed for Chick Fun, despite the limit of one building sign per tenant outlined by Sec. 8-9-9(c). It should be noted that each of the other three businesses within the multi-tenant building site have two building signs each (for both the west and east sides of the building). Considering these existing conditions, the Plan Commission might consider waiving the limitations of one building sign per tenant for this location, as permitted by Sec. 8-9-13 of the Code.



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Size of Signage:

The proposed signs for Chick Fun are 40 square feet each. This size is compliant with the size requirements for building signs, as defined by Sec. 8-9-9(c).

Illumination:

The proposed signage for Chick Fun will be illuminated using white internal LEDs. No lighting plan was submitted with this application. It is recommended that the Plan Commission confirm that these internal LEDs can be adjusted after installation in case of obtrusive lighting conditions.

**D. ISSUES FOR CONSIDERATION**

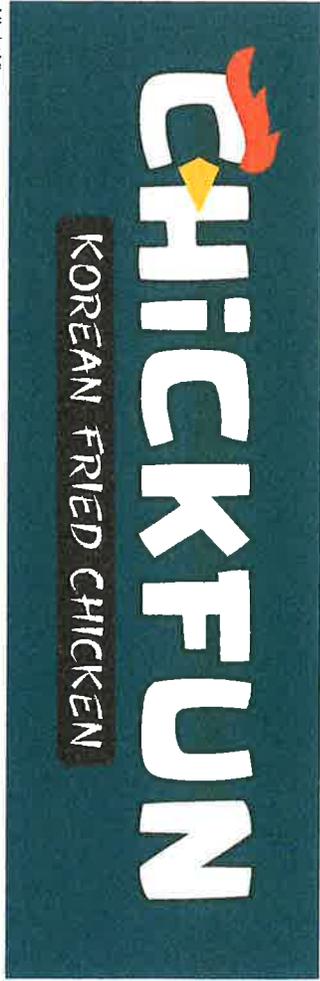
Amount of Signage: The Code does not allow for more than one building sign for multi-tenant business sites that contain 4 units with individual entrances.

Illumination of Signage: The proposed signage will feature internal illumination using LEDS, which requires specific approval of the Plan Commission.

*Section 8-9-13 of the Code indicates that the Plan Commission may waive or modify any of the provisions contained within the Chapter 9: Signs & Billboards.*



EAST



Night View



Client: Chick-fun  
Hales Corners  
EST./ORD #  
EST - 5402

Size: See Above  
Quantity:  1  2  3  4  5  88

Sides:  S/S  D/S  
Materials & Specs: Channel Set  
Raceway And Flush Mounted Cabinet  
White LED Lit  
Raceway To Match Building

Colors:  Red Translucent  
 Deep Yellow Translucent  
 Opaque Black  
 White Faces  
 Black Trim and Returns

Project Manager: Brad H.  
Designer - Date: Nick Mason  
6-25-2020

www.Innovative-Signs.com

Aug 17

**SIGN**  
(Application)

**VILLAGE OF HALES CORNERS**  
5635 S. New Berlin Road  
Hales Corners, WI 53130  
P:414-529-6161/F:414-529-6179  
[www.halescorners.org](http://www.halescorners.org)

Permit No. \_\_\_\_\_

Tax Key: \_\_\_\_\_  
\*\*\*PLEASE PRINT

<b>Building Address:</b> 5301 South 108th St.	<b>Business Name:</b> Chick Fun
<b>Contractor :</b> Innovative Signs Inc.	<b>Tenant Contact:</b> Xiameng Lin
<b>Address/City/State/Zip</b> 21795 Doral Rd Suite B Waukesha WI 53186	<b>Phone No.</b> 347-602-2811
<b>Email</b> brad@innovative-signs.com	<b>Email</b> arrivewhere@hotmail.com
<b>Phone No.</b> 262-432-1330	<b>Property Owner Name/Phone:</b> Hales Corners Plaza LLC Agent: GARY KNOWSKI 262-364-553

**ZONING:** \_\_\_\_\_  
**NUMBER & TYPE OF EXISTING SIGNS IF ANY:** \_\_\_\_\_

**SIGN IS:**  Temporary -14 days (\$30) **DATES:** \_\_\_\_\_

Proposed Square Footage of Signage (cannot exceed 35 square feet in area): \_\_\_\_\_  
Type of Material (submit scale colored drawing/photo): \_\_\_\_\_  
Location of Signage (Building or Site): \_\_\_\_\_

**Permanent (\$1.50 per sq. ft. of area NOTE: Round SF up to next whole number -\$60 minimum)**  
\$ 60.00

Proposed Square Footage of Signage: 40 each  
Type of Material (submit scale colored drawing/photo): Aluminum and acrylic  
Location of Signage (Building or Site): East elevation and West elevation South end of building  
Number of existing Signs: NO Total Square Footage: \_\_\_\_\_  
Type of Sign (circle): Monument / Building / Pylon / Other: NO  
Height to top of sign: 140" Height to lower edge of sign: 100"

Is the sign illuminated (circle) YES / NO -----If so, Electrical permit is required.

It is hereby agreed between the undersigned and the Village of Hales Corners that all work performed as herein described shall be completed in strict compliance with the Village of Hales Corners Municipal Code and all laws of the State of Wisconsin relating to such work. Furthermore, by signing this application, or by authorizing an agent to sign this application, the owner/tenant acknowledges that an inspection or inspections of the work herein described are required and consents to the entry onto the subject property by an employee of the Village of Hales Corners to perform all necessary inspections. Said inspection(s) shall only be made at reasonable times and by appointment or notice. **Complete all areas on application.**

Applicant's Signature: \_\_\_\_\_ Date: 6/29/2020

Property Owner Signature (Required if different from Applicant): \_\_\_\_\_ Date: 6-26-20  
*MLG Management USA LLC Agent*

**FOR OFFICE USE ONLY** Approved By: \_\_\_\_\_ Date: \_\_\_\_\_  
Issued By: \_\_\_\_\_ Date: \_\_\_\_\_