



**CITY OF NEW BERLIN
PLAN COMMISSION MEETING
Monday, December 5, 2022
6:00 PM
Council Chambers
3805 S. Casper Drive**

AGENDA

PUBLIC HEARING(S)

PRIVILEGE OF THE FLOOR

CALL TO ORDER; PLEDGE OF ALLEGIANCE

ROLL CALL; DECLARATION OF QUORUM

APPROVAL OF MINUTES

1. November 14, 2022 Plan Commission Meeting Minutes

PLAN COMMISSION SECRETARY'S REPORT

CONTINUED BUSINESS

NEW BUSINESS

2. (3) NJ CU-2202306 Bluewater Plumbing - 21516 W. Greenfield Ave. - Conditional Use Approval to reoccupy the existing building for a Plumbing Company in the O-1 Zoning District. (PUBLIC HEARING 6:01 PM)
3. (2) NJ UA-2202320 SilverStar Carwash – 15300 W. National Avenue (Tax Key #: 1207-997-002) – Use, Site and Architectural Approval for a carwash.
4. (7) KH LD-2202296 Pinnacle Engineering on behalf of Rob DuCharme - 19455 W. Observatory Road - 2-Lot Certified Survey Map

PENDING

5. (7) KH RZ-2202324 Ryan Janssen with Ryan's Buying LLC - 4908 S. Calhoun Road (Tax Key #: 1258.999) - Rezone from A-2, C-1 & C-2 to R-1/R-2, C-1 & C-2. (PUBLIC HEARING 6:00 PM)
6. (2) NJ LD-2202321 Dave Herbeck with Oshkosh AAP, LLC on behalf of SilverStar Car Wash - 15300 W. National Avenue (Tax Key #: 1207-997-002) - 1-Lot Certified Survey Map.

COMMUNICATIONS

ADJOURN

PLEASE NOTE:

- ✓ It is possible that action will be taken on any of the items on the agenda and that the agenda may be discussed in any order. It is also possible that members of and possible a quorum of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice.
- ✓ Also, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact City Clerk Rubina R. Medina (262) 786-8610.



**CITY OF NEW BERLIN
PLAN COMMISSION - MINUTES
Monday, November 14, 2022**

Regular Meeting

Council Chambers

6:00 PM

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

All votes were taken via a voice roll call vote.

PUBLIC HEARING(S)

ITEM: (7) KH RZ-2202324 Ryan Janssen with Ryan's Buying LLC - 4908 S. Calhoun Road (Tax Key #: 1258.999) - Rezone from A-2, C-1 & C-2 to R-1/R-2, C-1 & C-2. (PUBLIC HEARING 6:00 PM)

City Clerk Rubina Medina reviewed the procedures to be conducted as this meeting was the first meeting held in-person since the Covid-19 pandemic.

Mayor Ament read the rules for the public hearing and called the public hearing to order at 6:05PM.

Greg Kessler read the Public Hearing Notice and Kristen Hogan gave a brief presentation to the Commission.

Mayor Ament asked if there were any citizens in attendance that had questions for clarification.

The following citizens had questions for Staff:

1. Andrew Cook, 16300 W. Beloit Road
2. Eric Stoffers, 16540 W. Beloit Road
3. Gary Polson, 17030 W. Beloit Road
4. John Detert, 18750 W. Observatory Road
5. Larry Kapke, 4510 S. Calhoun Road
6. Robert Milling, 16685 W. Salentine Drive
7. Edward Belter, 4670 S. Hearth Ridge Drive
8. Tom Potts, 4665 S. Hearth Ridge Drive
9. Alderwoman Charlotte Kroupa, 4440 S. Hiview Court
10. Mary Hiebl, 20160 W. National Avenue
11. Landon Valenta, 17585 W. National Avenue
12. Connie Rockey, 4600 S. Hearth Ridge Drive

Mayor Ament asked if any citizens in attendance wished to speak in favor of the application.

The following citizen spoke in favor:

1. Ryan Janssen with Ryan's Buying LLC, 4908 S. Calhoun Road

Mayor Ament asked if any citizens in attendance wished to speak in opposition of the application.

The following citizens spoke in opposition:

1. Andrew Cook, 16300 W. Beloit Road
2. Edward Belter, 4670 S. Hearth Ridge Drive
3. Larry Kapke, 4510 S. Calhoun Road
4. Landon Valenta, 17585 W. National Avenue
5. Anna, 16300 W. Beloit Road

Mayor Ament asked the Commissioners if they had any questions for clarification and/or comments. Commissioners did not have any questions or comments.

ITEM: (3) NJ CU-2202306 Bluewater Plumbing - 21516 W. Greenfield Ave. - Conditional Use Approval to reoccupy the existing building for a Plumbing Company in the O-1 Zoning District. (PUBLIC HEARING 6:01 PM)

Greg Kessler read the Public Hearing Notice and Nikki Jones gave a brief presentation to the Commission.

Mayor Ament asked if there were any citizens in attendance that had questions for clarification. There were none.

Mayor Ament asked if any citizens in attendance wished to speak in favor of the application.

The following citizen spoke in favor of the application:

1. Jeff, Bluewater Plumbing, 21516 W. Greenfield Avenue

Mayor Ament asked if any citizens in attendance wished to speak in opposition of the application. There were none.

The Public Hearings adjourned at 7:43PM.

PRIVILEGE OF THE FLOOR

Mayor Ament asked if there was anyone in attendance that wanted to take part in Privilege of the Floor. There were none.

CALL TO ORDER; PLEDGE OF ALLEGIANCE

Mayor Ament called the Plan Commission meeting to order at 7:45PM.

ROLL CALL; DECLARATION OF QUORUM

Present: Mayor Ament, Commissioners Felda, McGrath, Rafel

Excused: Ald. Stribl, Commissioners Biller & Anderson

Staff Present: Director of Community Development Greg Kessler, Deputy Director of Community Development Nikki Jones, Principal Planner Kelly Wall, City Engineer Tammy Simonson, City Attorney Mark Blum, City Clerk Rubina Medina, Deputy City Clerk Megan Godshall

APPROVAL OF MINUTES

ITEM: August 15, 2022 Plan Commission Meeting Minutes

MOTION: To approve the August 15, 2022 Plan Commission Meeting Minutes

VOTE: Motion by: Felda
Second by: McGrath
Motion Passed: 4-0

ITEM: October 3, 2022 Plan Commission Meeting Minutes

MOTION: To approve the October 3, 2022 Plan Commission Meeting Minutes

VOTE: Motion by: Rafel
Second by: Mayor Ament
Motion Passed: 4-0

PLAN COMMISSION SECRETARY'S REPORT

No Report

CONTINUED BUSINESS

ITEM: (4) KW LD-2201280 Mellisa Hayes on behalf of Kyle Kloc and Natalie Anastas - 5920 S. Racine Avenue - 2-Lot Certified Survey Map. (Tabled 7/11/2022)

Motion by Commissioner Felda to remove item from the table. Motion seconded by Commissioner Rafel and motion passed 4-0.

Kelly Wall gave a brief introduction to the Commission and provided staff's recommendation.

MOTION: Motion to approve the 2-Lot Certified Survey Map for 5920 S. Racine Avenue.

VOTE: Motion by: Felda
Second by: Rafel
Motion Passed: 4-0

NEW BUSINESS

ITEM: (2) NJ LD-2202321 Dave Herbeck with Oshkosh AAP, LLC on behalf of SilverStar Car Wash - 15300 W. National Avenue (Tax Key #: 1207-997-002) - 1-Lot Certified Survey Map.

Motion by Mayor Ament to table this time. Motion seconded by Commissioner Rafel and motion passed 4-0.

ITEM: (7) KH SP-2202325 Ryan Janssen with Ryan's Buying LLC - 4908 S. Calhoun Road (Tax Key #: 1258.999) - Autumn Trace Conceptual Subdivision (Plan Commission Site Walk 10/27/22 4:00PM)

Kristen Hogan gave a brief presentation to the Commissioners.

No Action.

ITEM: (7) KH PK-2200053 Malone Park - Approval of the Design for Malone Park

MOTION: **Motion to approve the Approval of the Design for Malone Park.**

VOTE: Motion by: Rafel
Second by: Felda
Motion Passed: 4-0

ITEM: KH CP-2200141 2023 Park and Open Space Plan - Update and recommend to Common Council to set a public hearing date for February 6, 2023.

This item will be on the December Plan Commission agenda.

PENDING

COMMUNICATIONS

ADJOURN

Motion by Commissioner Rafel to adjourn at 8:24PM. Motion seconded by Commissioner McGrath. Motion Passed 4-0.

*Respectfully Submitted,
Rubina R. Medina, City Clerk*

STAFF REPORT

EXECUTIVE SUMMARY

APPLICANT/PROJECT: Jeff DeBacco / Bluewater Plumbing Co. Re-Occupancy

LOCATION: 21516 W. Greenfield Avenue (Tax Key #: 1174.002)

REQUEST: Conditional Use Permit for Bluewater Plumbing Co. to reoccupy the existing building located at 21516 W. Greenfield Avenue.

D.R.C. RECOMMENDATION: Approval of the Conditional Use Permit for Bluewater Plumbing Co. to reoccupy the existing building, located at 21516 W. Greenfield Avenue, subject to the application, plans on file and the following conditions of approval:

1. Plan of operation shall be consistent with plans on file. Applicant is requesting to reoccupy the existing building as plumbing contractor business.

- a. Hours of operation: 7:00 AM to 5:00 PM Monday – Friday.
- b. Number of employees: 7; however please see Condition # 1(c)(ii) for additional information for onsite employees.
- c. Per Plan of Operation Letter:
 - i. The employees will work out in the field off-site, occasionally dropping off or picking up materials at the shop.
 - ii. In the office there will be one office manager on-site most of the day and one estimator. The estimator will be around the premise about half of the time and the remainder out in the field.
 - iii. No vehicles will be parked on site overnight, all trucks are brought home with the employees
 - iv. No materials will be stored outside the building.
- d. Per Zoning Code 275-35C, Table 275-35-1, *outdoor storage is prohibited in the O-1 Zoning District*. No outdoor storage of materials permitted for this business. Dumpsters shall be properly screened from street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
- e. A site visit will be performed after issuance of the Zoning Permit. Per Section 275-53B(1)(11) All existing nonconformities and outstanding code violations shall be identified, resolved, and remedied by the deadline dates.
- f. This application does not include any interior or exterior building modifications. Separate applications and permits are required for any modifications.
- g. Building shall be fully accessible from the parking lot to the interior elements (SPS 363.1101 and ICC/ANSI A117.1).
- h. All permanent and temporary signs require a Sign Application to be filed prior to installation.

2. Inspection:

- a. A re-occupancy Inspection (building and fire) of the facility will be required by the City of New Berlin Inspection Division. This inspection is separate from the building permit inspections.
 - b. State approval for the holding tank and catch basin is required.
 - c. Remodeling: Any alterations shall require that the building plans be signed and stamped by a licensed architect or professional engineer per the Wisconsin Enrolled Commercial Building Code (SPS 361.31). Apply and obtain appropriate building, electric, plumbing and fire department permits.
 - d. All EXIT signs and emergency lighting must be functional. Upgrading exit signs to units with emergency lighting required.
 - e. Sprinkler system and fire extinguishers must have proof of yearly maintenance.
 - f. Apply and obtain appropriate building, electric, plumbing and fire department permits.
 - g. Building shall meet all applicable building and fire codes.
 - h. Violations shall be corrected within 10 business days per the fire inspector, Re-inspection required.
- 3. Fire:**
- a. Maintain fire sprinkler coverage throughout.
 - b. Key for Knox box is required.
 - c. Provide fire extinguishers every 75' of travel.
 - d. Maintain egress/emergency lighting throughout.
 - e. Name and address on front and rear where applicable.
- 4. Engineering:**
- a. The impervious surface expansion area does not meet Zoning Code Section 275-57 for parking or drive aisle dimensions. A detailed parking plan meeting Zoning Code Section 275-57 is required to park any more than 10 vehicles on the property.
 - b. Approval of this Conditional Use permit does not approve an additional 2nd tenant. A separate application and additional parking plan would be required.
 - c. No parking is allowed on the Greenfield Avenue frontage road. All employee and customer parking shall be contained on-site.

DETAILS IN ATTACHED STAFF REPORT

CITY OF NEW BERLIN
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLAN COMMISSION STAFF REPORT

Meeting of December 5, 2022

Jeff DeBacco / Bluewater Plumbing Co.
21516 W. Greenfield Avenue

DATE STAFF REPORT: 10/13/2022; Updated on 11/18/2022

APPLICANT / OWNER(S): Jeff DeBacco / Pipe and Pen Development, LLC

REQUEST / DESCRIPTION OF PROJECT: Conditional Use Permit for Bluewater Plumbing Co. to reoccupy the existing building at 21516 W. Greenfield Avenue (Tax Key #: 1174.002).

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 9/30/2022

DATE OF COMPLETENESS DETERMINATION: 10/5/2022

Application Check List Enclosed: N

PRE-APPLICATION CONFERENCE HELD: N

CONCEPTUAL PLAN: N/A

Recommendations Y / N / Other: Not applicable

SIZE OF DEVELOPMENT / PARCEL (S): Parcel Size: 0.52 Acres

CURRENT ZONING: O-1, Office and Business Service District

CURRENT LAND USE: Office

PROPOSED ZONING: N/A

PROPOSED LOT SIZE (S): N/A

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

(North)	Zoning: R-4	Land Use: Single-Family Residential District
(South)	Zoning: O-1	Land Use: Office
(East)	Zoning: O-1	Land Use: Office
(West)	Zoning: O-1	Land Use: Office (Liberty Supply Inc.)

CONFORMANCE WITH MASTER PLAN AND MUNICIPAL CODE: Yes

Chapter 11: Neighborhood "A": Greenfield Avenue: Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

Vision:

- *Greenfield Avenue will be a mixed commercial and residential corridor, and shall act as a gateway to the northern area of New Berlin. The eastern half of the corridor should foster a more urban mix of uses, while the western half should encourage a mix of rural commercial, residential, and environmental features.*

Development Policies:

- *Create development standards for site layout, building character, and landscaping that are suitable for new development along the corridor.*
- *Tighten nonconforming lot, structure, and use standards, and require compliance with landscaping regulations. Phase out nonconforming commercial uses over time.*

Land Use:

- *Future Land Use Map: Suburban Commercial*

ZONING CODE (CHAPTER 275): Yes, this request is consistent with Section 275-35B(1) of the Zoning Code. Contracting and construction sales services is a commercial use in the B-2 zoning district, and therefore is a conditional use in the O-1 zoning district.

DEVELOPMENT CODE (CHAPTER 235): N/A

PUBLIC HEARING REQUIRED: Yes, a public hearing was held on November 14, 2022.

USE / SITE / ARCHITECTURAL REVIEW:

Conditional Use Approval Required: Yes

Site Plan Required: Yes

Architectural Review Required: No

PROPOSED ARCHITECTURE: No changes are being proposed at this time.

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: No

Wetlands on Property: No

Conservancy Districts (C-1, C-2): No

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: The property slopes slightly to the west.

ALTERNATIVE TRANSPORTATION PLAN: No improvements identified.

PARK & OPEN SPACE PLAN: No improvements identified.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): N/A

Woodland, Tree, and Vegetation Protection: N/A

Wildlife Habitat Protection: N/A

Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: N/A

STORM WATER MANAGEMENT / DRAINAGE PLAN: Applicant is required to adhere to all City of New Berlin codes, ordinances and plans regarding storm water conveyance and maintenance and/or as identified by the Department of Community Development.

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: No

Sewershed Capacity Available: N/A

Adequate Linkage: N/A

Onsite System Required: Yes

WATER USAGE CALCULATION: Similar to previous uses.

TRAFFIC IMPACT: Similar to previous uses.

SCHOOL DISTRICT IMPACT: N/A

PREVIOUS ACTION:

08/17/1972	Office and shop for Underwater World (Project #: UA-0040312)
11/05/1973	Office and shop for Statewide Lighting, Inc. (Project #: UA-0040313)
04/18/2017	Re-occupancy for Central 1 Security (Project #: RO-1700605)
11/14/2022	Plan Commission held a public hearing.

CONSISTENCY WITH PREVIOUS ACTION: Yes.

FINDINGS:

1. In a traditional situation, the re-occupancy application would be handled administratively. However, since contracting and construction sales services is a commercial use in the B-2 zoning district, it is considered a Conditional Use in the O-1 District. The applicant is required to follow the Conditional Use process.
2. Re-occupancy will require a Public Hearing and approval from the Plan Commission for Conditional Use Permit to re-occupy the existing building.
3. Plan of operation shall be consistent with plans on file. Applicant is requesting to reoccupy the existing building as plumbing contractor business.
 - a. Hours of operation: 7:00 AM to 5:00 PM Monday – Friday.
 - b. Number of employees: 7; however please see Finding # 3(c)(ii) for additional information for onsite employees.
 - c. Per Plan of Operation Letter:
 - i. The employees will work out in the field off-site, occasionally dropping off or picking up materials at the shop.
 - ii. In the office there will be one office manager on-site most of the day and one estimator. The estimator will be around the premise about half of the time and the remainder out in the field.
 - iii. No vehicles will be parked on site overnight, all trucks are brought home with the employees
 - iv. No materials will be stored outside the building.
4. No other outdoor storage of materials permitted for this business. Dumpsters shall be properly screened from street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.

**Department of
Community Development**

5. A site visit will be performed after issuance of the Zoning Permit. Per Section 275-53B(1)(11) All existing nonconformities and outstanding code violations shall be identified, resolved, and remedied by the deadline dates.
6. This application does not include any exterior building modifications. Separate applications and permits are required for any modifications.
7. Building shall be fully accessible from the parking lot to the interior elements (SPS 363.1101 and ICC/ANSI A117.1).
8. Inspection Comments:
 - a. A re-occupancy Inspection (building and fire) of the facility will be required by the City of New Berlin Inspection Division. This inspection is separate from the building permit inspections.
 - b. Building permit # 2202104 has been issued for the interior remodeling of the building and will require individual inspections (Building, plumbing and electrical).
 - c. State approval for the holding tank and catch basin is required.
 - d. Remodeling: Any alterations shall require that the building plans be signed and stamped by a licensed architect or professional engineer per the Wisconsin Enrolled Commercial Building Code (SPS 361.31). Apply and obtain appropriate building, electric, plumbing and fire department permits.
 - e. All EXIT signs and emergency lighting must be functional. Upgrading exit signs to units with emergency lighting required.
 - f. Sprinkler system and fire extinguishers must have proof of yearly maintenance.
 - g. Apply and obtain appropriate building, electric, plumbing and fire department permits.
 - h. Building shall meet all applicable building and fire codes.
 - i. Violations shall be corrected within 10 business days per the fire inspector, Re-inspection required.
9. Fire Comments:
 - a. Maintain fire sprinkler coverage throughout.
 - b. Key for Knox box is required.
 - c. Provide fire extinguishers every 75' of travel.
 - d. Maintain egress/emergency lighting throughout.
 - e. Name and address on front and rear where applicable.
10. Engineering Comments:
 - a. A previous re-occupancy permit File #: RO-1700693 for Central One Security included a 2,106 square feet impervious surface expansion to the north of the building. "Central One" had 12 employees. Note this was a previous tenant.
 - b. The impervious surface expansion area does not meet Zoning Code Section 275-57 for parking or drive aisle dimensions. A detailed parking plan meeting Zoning Code Section 275-57 is required to park any more than 10 vehicles on the property.
 - c. Approval of this Conditional Use permit does not approve an additional 2nd tenant. A separate application and additional parking plan would be required.
 - d. No parking is allowed on the Greenfield Avenue frontage road. All employee and customer parking shall be contained on-site.
11. Per Section 275-27C. Approval criteria: *"The Plan Commission of the City of New Berlin will grant approval of conditional use permits only if it finds that the proposed use complies with all*

**Department of
Community Development**

relevant regulations set forth in this chapter, including, but not limited to, § 275-41, Use-specific regulations, and Article VIII, General Development Regulations. Per § 66.1001(2m)(b), Wis. Stats., a conditional use does not need to be consistent with the City's Comprehensive Plan."

- (1) *Approval of a conditional use. Recommendations and decisions on conditional uses should be based on consideration of the following criteria:*
- (a) *Whether the proposed use corrects an error or meets the challenge of some changing condition, trend, or fact;*
 - (b) *Whether the proposed use is consistent with the health, safety, or general welfare of the general public;*
 - (c) *Whether the proposed use will protect the natural environment, including, but not limited to air, water, storm water management, wildlife, and vegetation.*
- (2) *Changes to the use. In acting on a conditional use, the Plan Commission/CDA shall consider the stated purpose of the proposed use and shall approve the petition only if it finds that the applicant has provided substantial evidence as that term is defined in Wis. Stats. § 62.23(7) that the use will meet the following criteria for approval:*
- (a) *Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;*
Yes, the proposed request is compliant.
 - (b) *Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of the City to provide them;*
Yes, the proposed request is compliant.
 - (c) *The proposed development has taken into account impacts on surrounding properties or the natural environment, including traffic, air, water, noise, stormwater management, soils, wildlife, and vegetation;*
Yes, the proposed request is compliant.
 - (d) *The land is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas; and*
Yes, the proposed request is compliant.
 - (e) *The proposed use will not be used to legitimize a nonconforming use or structure*
Yes, the proposed request is compliant. A previous business was a security company at this location. They had a similar plan of operation.

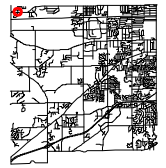
D.R.C. RECOMMENDATION:

Approval of the Conditional Use Permit for Bluewater Plumbing Co. to reoccupy the existing building, located at 21516 W. Greenfield Avenue, subject to the application, plans on file and the following conditions of approval: See executive summary.

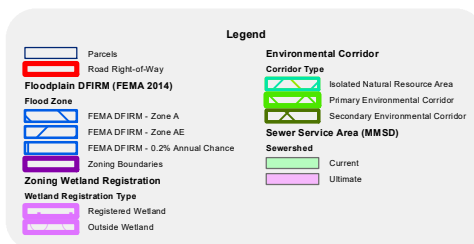
Attachments:

Location Map
Plan of Operation
Plans

CU-2202306
Bluewater Plumbing
21516 W. Greenfield Ave.



City of New Berlin
Department of Community Development
3805 S Casper Dr.
New Berlin WI 53151
(262) 797-2445
www.newberlin.org



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From: jdebacco@wi.rr.com <jdebacco@wi.rr.com>
Sent: Thursday, September 8, 2022 8:02 AM
To: Jones, Nikki <njones@newberlin.org>
Subject: RE: BP 2202104 21516 W. Greenfield Avenue

[EXTERNAL EMAIL] DO NOT CLICK links or open attachments unless you know the content is safe.

Good Morning Nikiki

Listed below is a short description of the operations of the (2) tenants at 21516 W Greenfield Ave. The building is currently set up for (2) tenants with (2) gas meters, (2) electric meters, etc.

Tenant: Bluewater Plumbing Co.

Bluewater Plumbing Co. has 10 employees', all the employees will work out in the field off site, occasionally dropping off or picking up material at the shop. In the office there will be (1) office manager on site most of the day and (1) estimator, the estimator will be around the premise about half the time and the remainder out in the field. No vehicles will be parked on site overnight, all trucks are brought home with the employees. No materials will be stored outside of building.

Possible Tenant: Automotive Finish Solution

Automotive Finish Solution will have 1-3 employees. They are a car detailing company that will be cleaning, waxing and washing cars. There may at times be 1 or 2 cars parked outside overnight

Let me know if anything else is needed

Thank you,

Jeff DeBacco

Bluewater Plumbing Co.
W258S7655 Prairieside Ct.
Waukesha, WI 53189

Jeff@BluewaterPlumbingCo.com
C: 262-613-8880



Bluewater Plumbing Co.

From: Jones, Nikki <njones@newberlin.org>
Sent: Wednesday, September 7, 2022 2:06 PM
To: jdebacco@wi.rr.com
Cc: Krentz, Steve <skrentz@newberlin.org>; Wall, Kelly <kwall@newberlin.org>; Hogan, Kristen

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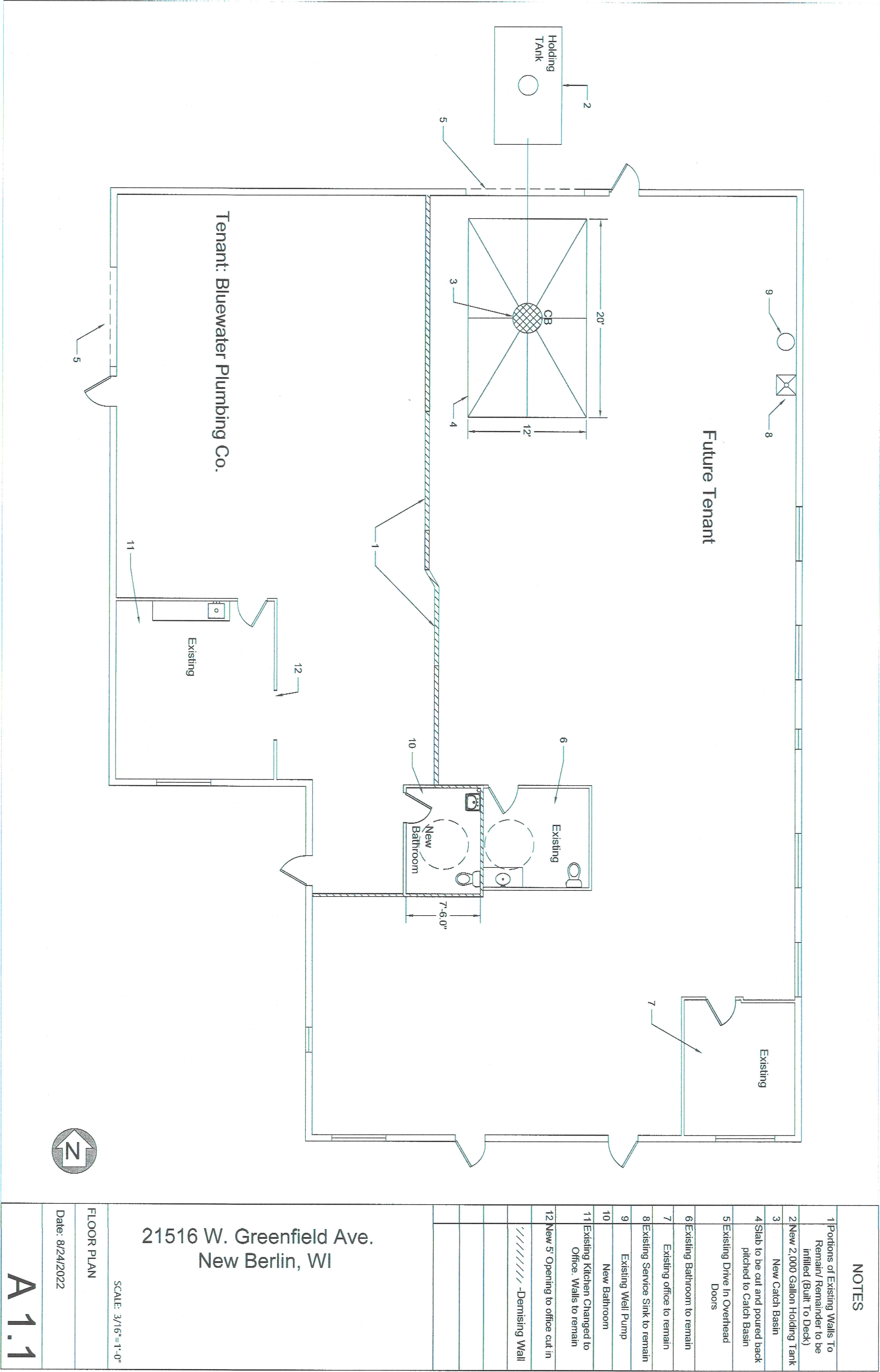
JEFF DEBACCO
21516 W. GREENFIELD AVE.
NEW BERLIN, WI 53146

REVISION	DATE
REV 1	8.1.2022

DATE:	8.1.2022
DRAWN BY:	-
FLOOR PLAN	



A1.1



STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT: Robert Gosse with The Sigma Group / Silverstar Carwash

LOCATION: 15300 W. National Ave. (Tax Key #: 1207997002)

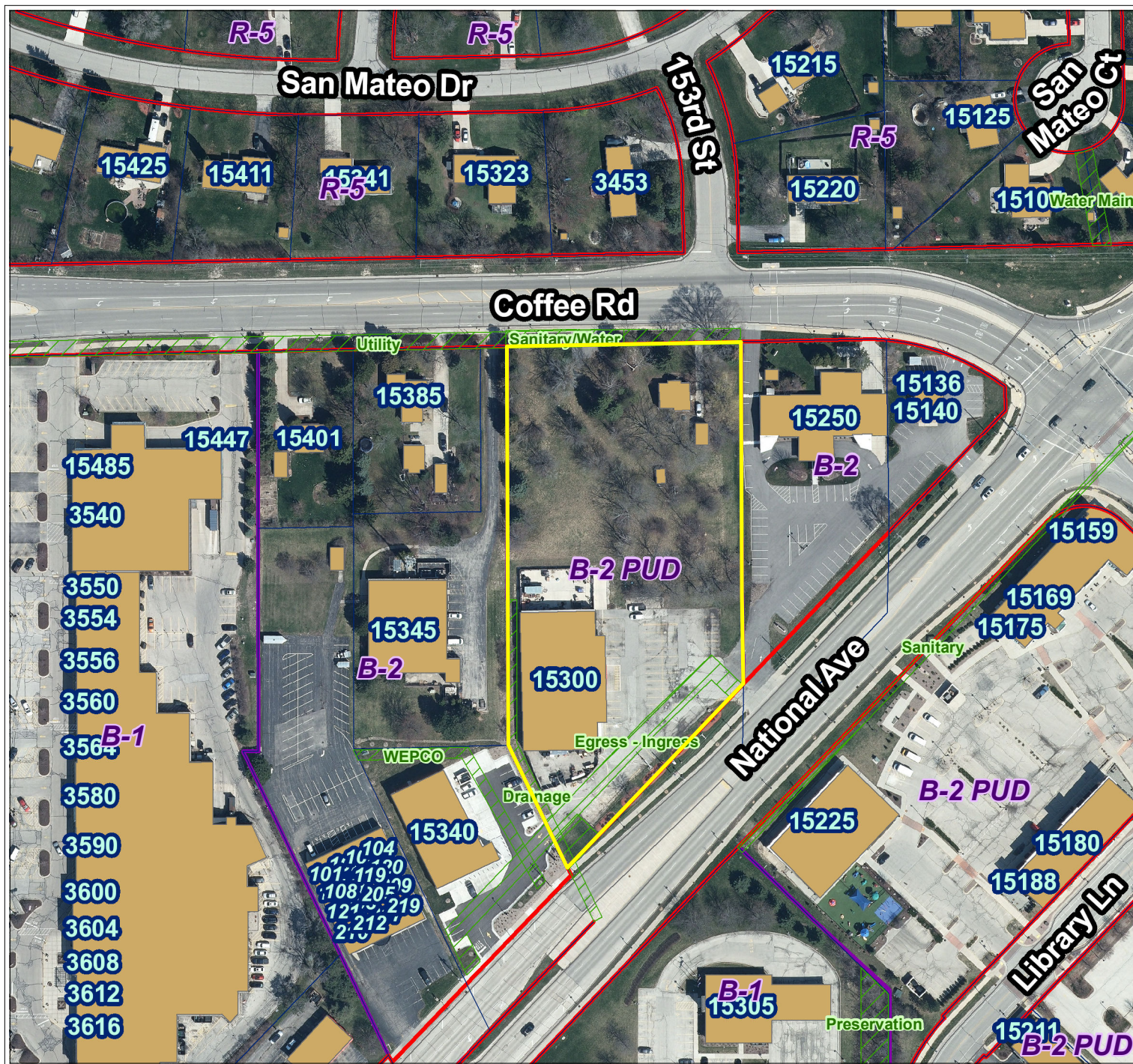
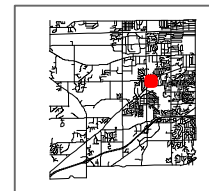
REQUEST: Use, Site and Architecture approval for a Silverstar Carwash located at 15300 W. National Ave (Tax Key #: 1207997002).

D.R.C. RECOMMENDATION: Recommend tabling the Use, Site and Architecture request for Silverstar Carwash located at 15300 W. National Avenue, subject to the application, plans on file and the following reasons:

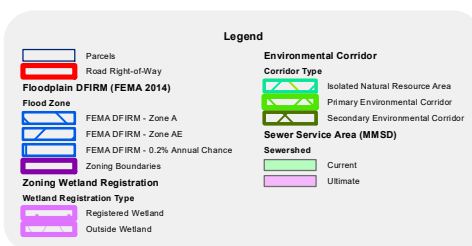
1. Staff is looking for additional information outlined in a letter dated 11/23/2022.
2. Staff is also looking to set up a neighborhood meeting with the Alderman of the district to discuss the project.

Attachments:
Location Map

UA-2202320
Silverstar Carwash
15300 W. National Avenue



City of New Berlin
Department of Community Development
3805 S Casper Dr.
New Berlin WI 53151
(262) 797-2445
www.newberlin.org



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STAFF REPORT

EXECUTIVE SUMMARY

APPLICANT/PROJECT: Pinnacle Engineering on behalf of Rob DuCharme / 2-Lot Certified Survey Map

LOCATION: 19455 W. Observatory Road

REQUEST: Approval of a 2-Lot Certified Survey Map

REVIEW SCHEDULE:

CSM Received:	10/19/2022
Completeness Determination:	10/19/2022
90-day time limit expires:	1/17/2023
Final Common Council Action:	12/13/2022

D.R.C. RECOMMENDATION: Recommend to Common Council approval of the 2-Lot Certified Survey Map for the property located at 19455 W. Observatory Road subject to the application, plans on file and the following conditions:

1. Applicant shall correct all drafting errors and requested changes identified by Staff on the final CSM prior to the City signing.
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. The CSM shall be recorded with Waukesha County Register of Deeds prior to the issuance of any new zoning or building permits.
4. Applicant and/or property owner shall apply for and obtain appropriate building, plumbing and electrical permits prior to any construction on any parcel.

DETAILS IN ATTACHED STAFF REPORT

CITY OF NEW BERLIN
DEPARTMENT OF COMMUNITY DEVELOPMENT
PLAN COMMISSION STAFF REPORT

Meeting of December 5, 2022

Pinnacle Engineering on behalf of Rob DuCharme / 2-Lot Certified Survey Map
19455 W. Observatory Road

DATE STAFF REPORT CREATED: November 7, 2022

APPLICANT / OWNER(S): Pinnacle Engineering / Rob DuCharme

REQUEST / DESCRIPTION OF PROJECT: Approval of the 2-Lot Certified Survey Map for the property located at 19455 W. Observatory Road.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 10/19/2022

DATE OF COMPLETENESS DETERMINATION: 10/19/2022

PRE-APPLICATION CONFERENCE HELD: Yes

Date(s) of Meeting(s): 5/25/18, 11/19/20, 8/30/22

Site Visit(s): 11/17/22

CONCEPTUAL PLAN: Yes, a CSM has been submitted.

SIZE OF DEVELOPMENT / PARCEL(S): 46.15 acres

CURRENT ZONING: R-1/R-2 (Rural Conservation Single-Family Residential District) & C-1 (Upland Resource Conservancy District)

CURRENT LAND USE: Single-Family Residential

PROPOSED ZONING: N/A

PROPOSED LAND USE: Single-Family Residential

PROPOSED LOT SIZE: Lot #1: 5.0 acres, Lot #2: 40.3377 acres

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

North: Zoning: A-2 & C-2

Land Use: Single-Family Residential/Farmland

South: Zoning: R-1/R-2 & C-1

Land Use: Single-Family Residential/Farmland

East: Zoning: R-1/R-2

Land Use: Single-Family Residential

West: Zoning: R-1/R-2 & Q-1 PUD

Land Use: Single-Family Residential/Commercial

CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes

Chapter 12: Neighborhood “B”: West Lincoln Avenue & Western Area: Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

Vision:

- *The area of New Berlin generally west of Calhoun Road should be a regional model of rural development. Any development shall occur as a mix of conservation development, farms, large areas of preserved open spaces, rural trails and facilities, and small-scale neighborhood-oriented retail.*

Development Policies:

- *While agricultural uses are encouraged to remain, it is recognized that the area may develop for residential conservation subdivisions. Residential uses shall be permitted and accommodated pursuant to these policies. As agricultural lands transition to residential developments, the subdivision design should incorporate farming and agriculture uses as viable open space options.*

Land use:

- *Future Land Use Map: Country Residential*

ZONING CODE (Chapter 275): Yes, this request meets the requirements of Section 275-33B(1) of the Zoning Code.

DEVELOPMENT CODE (CHAPTER 235): N/A

PUBLIC HEARING REQUIRED: No

CONDITIONAL USE REQUIRED: No

USE / SITE / ARCHITECTURAL REVIEW:

Use Approval Required: No

Site Plan Required: Yes, a Certified Survey Map was submitted.

Architectural Review Required: No

PROPOSED ARCHITECTURE: N/A

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: Yes, Secondary Environmental Corridor.

Wetland On Property: Wetlands have been registered on the City's Zoning Map, see file #: WD-2202295. Wetlands were field delineated by Eric Parker, as assured delineator with Hartland Ecological Group, Inc. on June 16, 2022.

Conservancy Districts (C-1, C-2): C-1

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: The site slopes from west to east.

BIKE & PEDESTRIAN FACILITIES PLAN: No improvements identified.

PARK & OPEN SPACE PLAN: No improvements identified.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): N/A

Woodland, Tree, and Vegetation Protection: N/A

Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: Wetlands have been registered on the City's Zoning Map, see file #: WD-2202295. Wetlands were field delineated by Eric Parker, as assured delineator with Hartland Ecological Group, Inc. on June 16, 2022.

STORM WATER MANAGEMENT / DRAINAGE: Applicant is required to adhere to all City of New Berlin Codes, Ordinances and Plans regarding storm water conveyance and maintenance as identified by the Department of Community Development.

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: No

Sewer Shed Capacity Available: N/A

Adequate Linkage: N/A

Onsite System Required: Yes

WATER USAGE CALC.: No increase.

TRAFFIC IMPACT: No increase.

SCHOOL DISTRICT IMPACT: N/A

Notice Sent to Affected School District(s): No

PREVIOUS ACTION:

1971 Existing home built.

CONSISTENCY WITH PREVIOUS ACTION: N/A

FINDINGS:

1. Per Section 275-33D of the Zoning Code, the minimum lot area is 5 acres and the minimum lot width is 200' in the R-1/R-2 District. The proposed lots meet the minimum lot dimensions.
2. The applicant intends to keep the existing home on Lot 1.
3. Wetlands have been registered on the City's Zoning Map, see file #: WD-2202295. Wetlands were field delineated by Eric Parker, as assured delineator with Hartland Ecological Group, Inc. on June 16, 2022.

D.R.C. RECOMMENDATION:

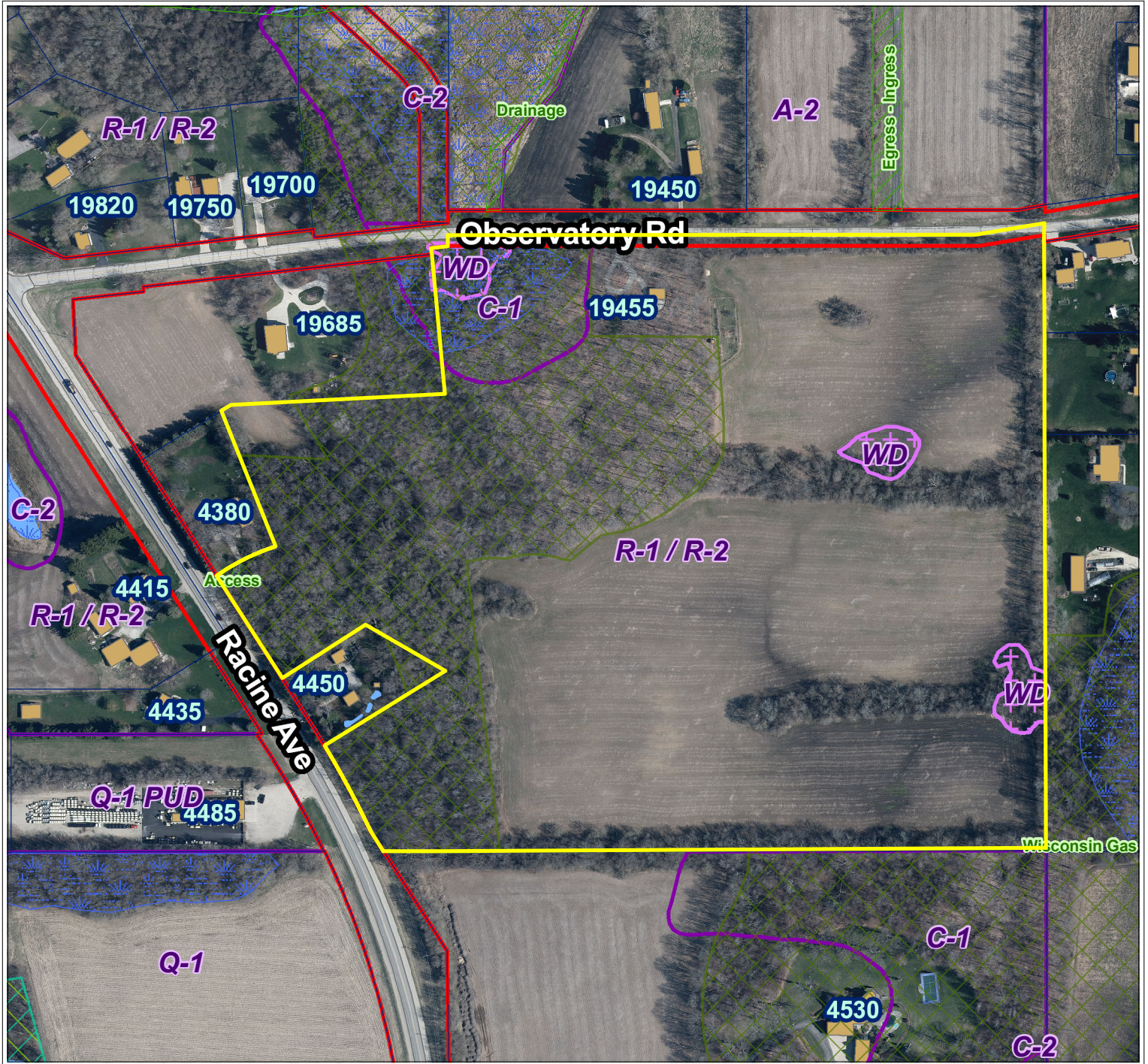
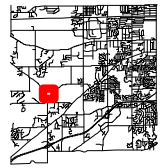
Recommend to Common Council approval of the 2-Lot Certified Survey Map for the property located at 19455 W. Observatory Road subject to the application, plans on file and the following conditions:
See Executive Summary.

ATTACHMENTS:

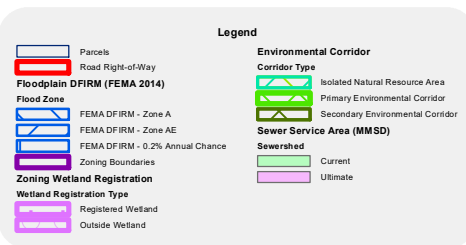
Location Map

CSM

LD-2202296
DuCharme 2-Lot CSM
19455 W. Observatory Road



City of New Berlin
Department of Community Development
3805 S Casper Dr.
New Berlin WI 53151
(262) 797-2445
www.newberlin.org

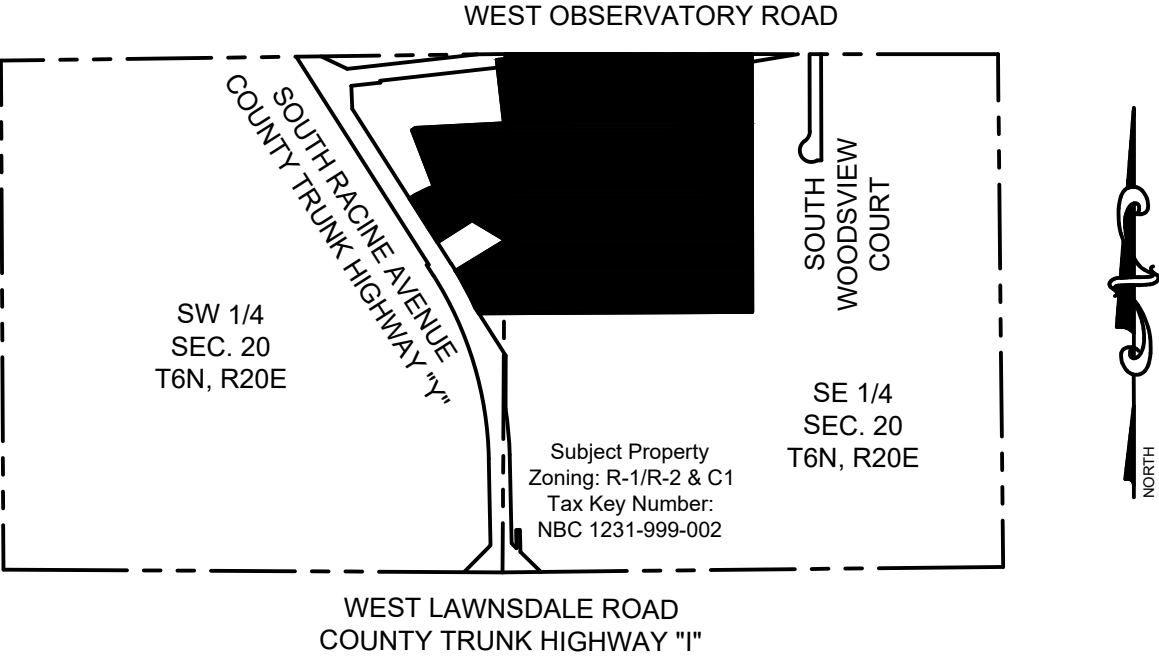


The information and depictions herein have been produced using data available through photogrammetric means by the City of New Berlin. The informations and depictions herein are for informational purposes and the City of New Berlin specifically disclaims accuracy in this reproduction and specifically admonishes and advises that any and all depiction, measurements, distances depicted herein and as to which specific or precise accuracy is required should be determined by procurement of certified maps, surveys, plats, Flood Insurance Studies, or other official means.

CERTIFIED SURVEY MAP
NO. _____

Being all of the Northwest 1/4 of the Southeast 1/4
and a part of the Northeast 1/4 of the Southwest 1/4
of Section 20, Township 6 North, Range 20 East, City
of New Berlin, Waukesha County, Wisconsin

VICINITY SKETCH
SCALE 1"=1000'

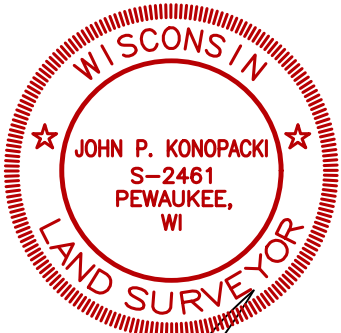


NOTES:

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT. at all interior lot corners.
- Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1983/2011). The north line of the Southeast 1/4 of Section 20, Township 6 North, Range 20 East has a bearing of N89°58'24"W.
- Flood Zone Classification: The property lies within Zone "X" of the Flood Insurance Rate Map Community Panel No. 55133C0333G AND 55133C0334G with an effective date of NOVEMBER 5, 2014. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
- WETLANDS DELINEATED BY HEARTLAND ECOLOGICAL GROUP INC. JUNE 2022.
- SECONDARY ENVIRONMENTAL CORRIDOR PER HEARTLAND ECOLOGICAL GROUP INC. JULY 2022.
- RIGHT OF WAY OF COUNTY TRUNK HIGHWAY "Y" BASED ON PLAT OF RIGHT OF WAY PROJECT SO355(I) 474429.
- DRIVEWAY NOTE: A 24 foot wide driveway shall be allowed on Lot 2 of this Certified Survey Map per Waukesha County Access Permit No. _____. The driveway can serve up to two residential lots. The driveway is to be centered in a 30 foot wide Driveway Easement if lots are developed off Racine Avenue.

Prepared for:
Robert D. Ducharme and Jeanette T.
Ducharme Revocable Trust of 2022
19455 W. Observatory Road
New Berlin, WI 53151

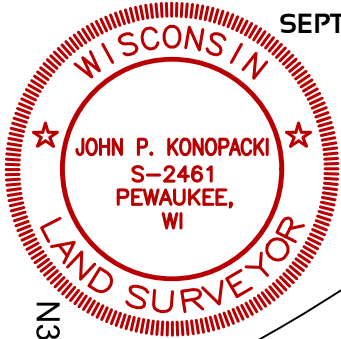
Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888



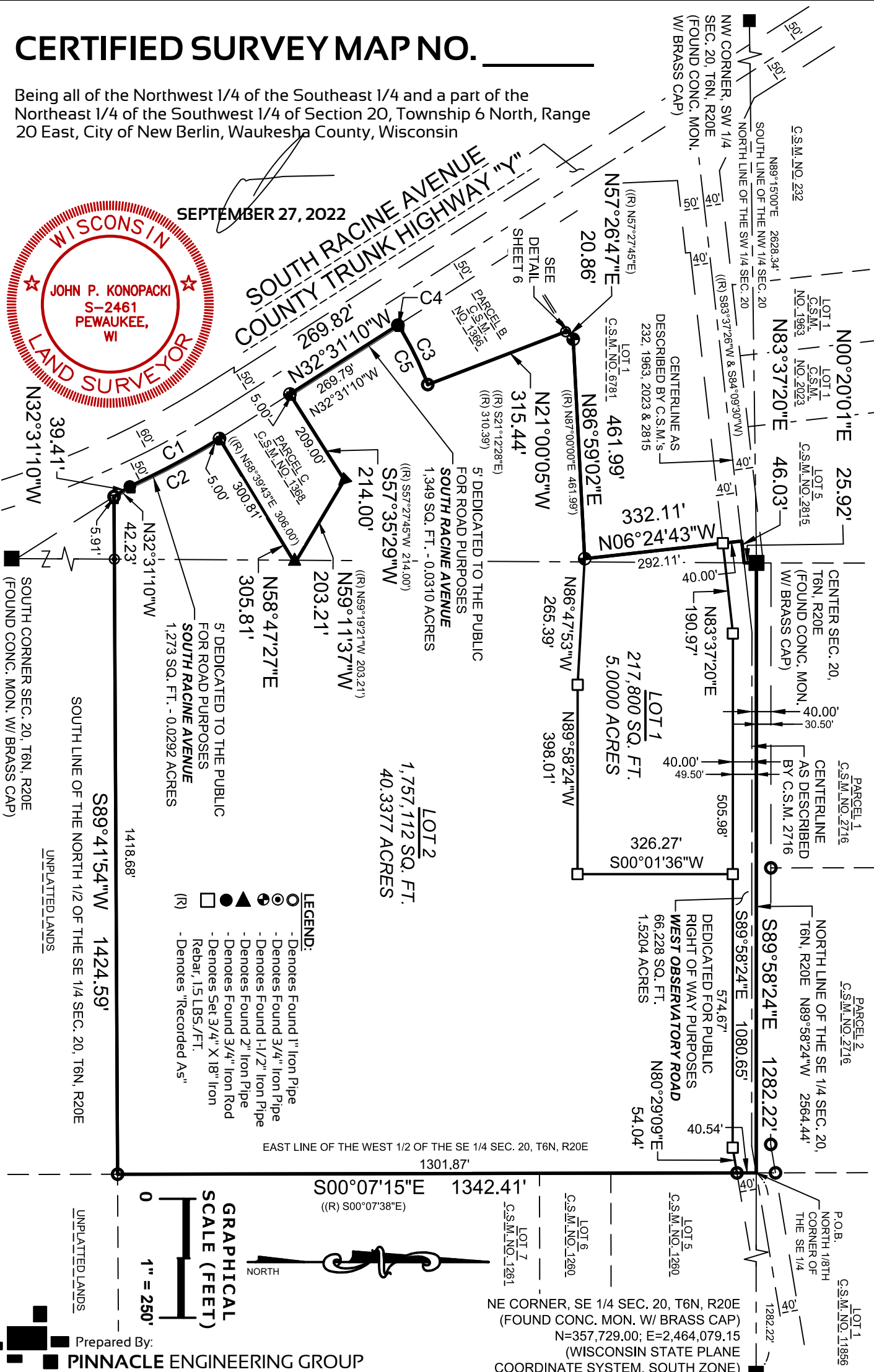
SEPTEMBER 27, 2022

CERTIFIED SURVEY MAP NO. _____

Being all of the Northwest 1/4 of the Southeast 1/4 and a part of the
Northeast 1/4 of the Southwest 1/4 of Section 20, Township 6 North, Range
20 East, City of New Berlin, Waukesha County, Wisconsin



SEPTEMBER 27, 2022



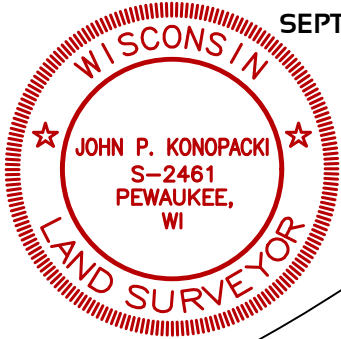
Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

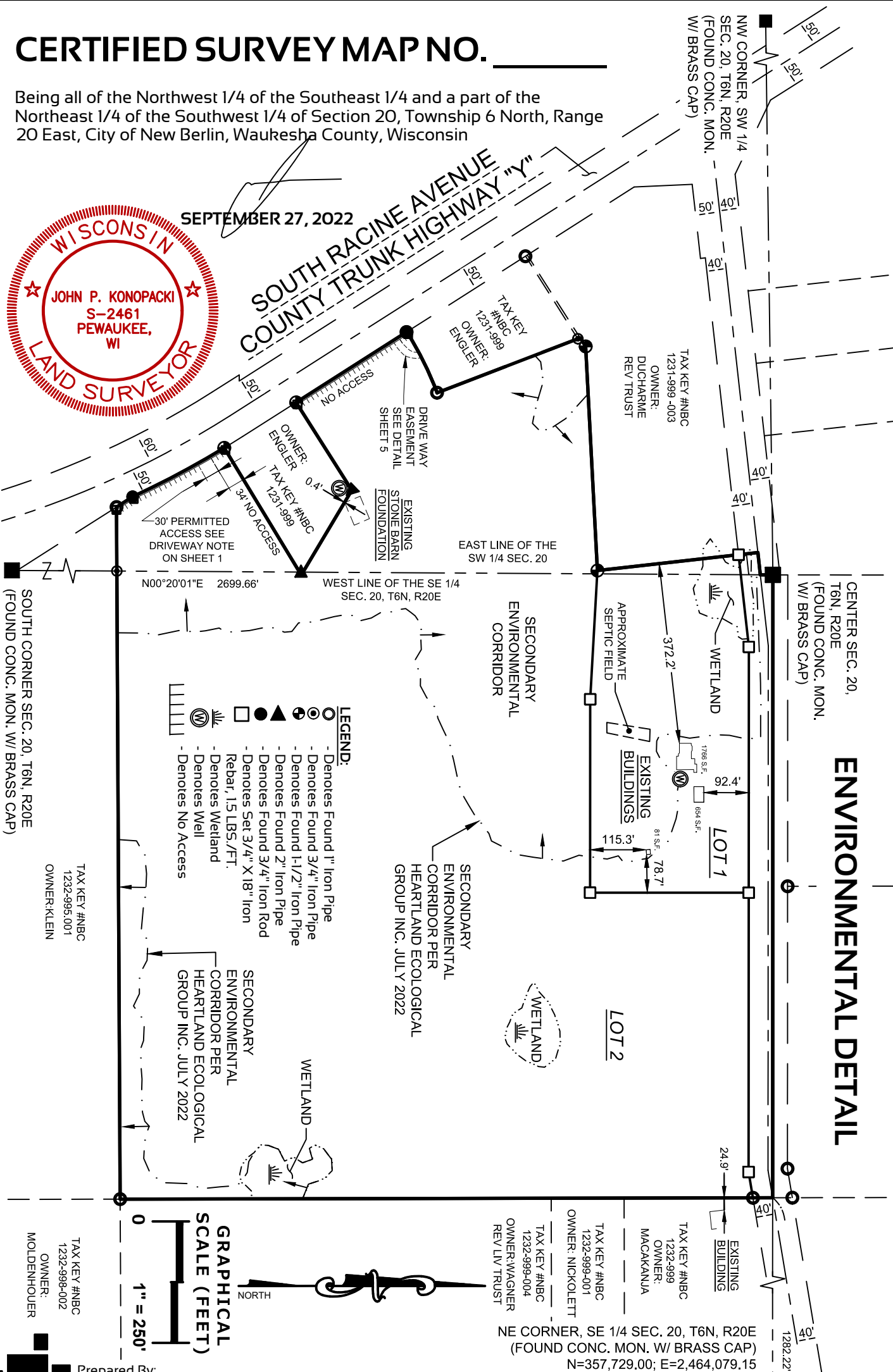
PEG JOB#2184.00
SHEET 2 OF 6

CERTIFIED SURVEY MAP NO. _____

Being all of the Northwest 1/4 of the Southeast 1/4 and a part of the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 6 North, Range 20 East, City of New Berlin, Waukesha County, Wisconsin

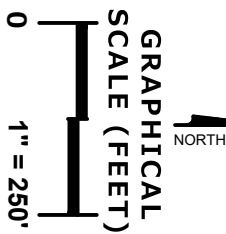


SEPTEMBER 27, 2022



ENVIRONMENTAL DETAIL

- LEGEND:**
- Denotes Found 1" Iron Pipe
 - Denotes Found 3/4" Iron Pipe
 - Denotes Found 1-1/2" Iron Pipe
 - Denotes Found 2" Iron Pipe
 - Denotes Found 3/4" Iron Rod
 - Denotes Set 3/4" X 18" Iron Rebar, 15 LBS./FT.
 - Denotes Wetland
 - Denotes Well
 - Denotes No Access
- SECONDARY ENVIRONMENTAL CORRIDOR PER HEARTLAND ECOLOGICAL GROUP INC. JULY 2022**



Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

TAX KEY #NBC
1232-999-001
OWNER: NICKOLETT

TAX KEY #NBC
1232-999-004
OWNER: WAGNER
REV LIV TRUST

TAX KEY #NBC
1232-999-003
OWNER: DUCHARME
REV TRUST

TAX KEY #NBC
1232-999-001
OWNER: MACAKANJUA

TAX KEY #NBC
1232-999-002
OWNER: MOLDENHOUER

NE CORNER, SE 1/4 SEC. 20, T6N, R20E
(FOUND CONC. MON. W/ BRASS CAP)
N=357,729.00; E=2,464,079.15
(WISCONSIN STATE PLANE
COORDINATE SYSTEM, SOUTH ZONE)

CERTIFIED SURVEY MAP NO. _____

Being all of the Northwest 1/4 of the Southeast 1/4 and a part of the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 6 North, Range 20 East, City of New Berlin, Waukesha County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided all of the Northwest 1/4 of the Southeast 1/4 and a part of the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 6 North, Range 20 East, City of New Berlin, Waukesha County, Wisconsin, described as follows:

Commencing at the northeast corner of the Southeast 1/4 of said Section 20;
Thence North 89°58'24" West along the north line of said Southeast 1/4, 1282.22 feet to the Point of Beginning;

Thence South 00°07'15" East along the east line of the West 1/2 of said Southeast 1/4, also being the west line of Certified Survey Map No. 1260 and Certified Survey Map No. 1261, 1342.41 feet;
Thence South 89°41'54" West along the south line of the North 1/2 of said Southeast 1/4, 1424.59 feet to the east right of way line of South Racine Avenue - County Trunk Highway "Y";
Thence North 32°31'10" West along said east right of way line, 39.41 feet to a point on a curve;
Thence northwesterly 213.76 feet along the arc of said curve to the left and said east right of way line, whose radius is 1960.08 feet and whose chord bears North 28°05'31" West, 213.65 feet to the monumented line of Certified Survey Map No. 1368;
Thence North 58°47'27" East along the monumented line of said Certified Survey Map, 305.81 feet;
Thence North 59°11'37" West along the monumented line of said Certified Survey Map No. 203.21 feet;
Thence South 57°35'29" West along the monumented line of said Certified Survey Map, 214.00 feet to the aforesaid east right of way line of South Racine Avenue;
Thence North 32°31'10" West along said right of way line, 269.82 feet to Certified Survey Map No. 1366 and a point on a curve;
Thence northeasterly 140.23 feet along the arc of said curve and said Certified Survey Map, whose radius is 680.88 feet and whose chord bears North 63°32'57" East, 139.98 feet to the monumented southeast corner of said Certified Survey Map;
Thence North 21°00'05" West along the monumented east line of said Certified Survey Map and then continuing, 315.44 feet to Certified Survey Map No. 6781;
Thence North 57°26'47" East along said Certified Survey Map No. 6781, 20.86 feet;
Thence North 86°59'02" East along the monumented line of Certified Survey Map No. 6781, 461.99 feet;
Thence North 06°24'43" West along said Certified Survey Map, 332.11 feet to the centerline of West observatory Road as recorded by Certified Survey Map No. 2815;
Thence North 83°37'20" East along said centerline, 46.03 feet to the east line of the Southwest 1/4 of said Section 20;
Thence North 00°20'01" East along said east line, 25.92 feet to the Center of Section 20;
Thence South 89°58'24" East along the aforesaid north line of the Southeast 1/4, 1282.22 feet to the Point of Beginning.

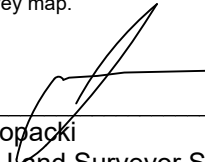
Dedicating the Northerly and westerly portion of subject property as graphically shown for public right of way purposes.

Containing 2,043,762 square feet (46.9183 acres) of land Gross and 1,974,912 square feet (45.3377 acres) of land Net, more or less.

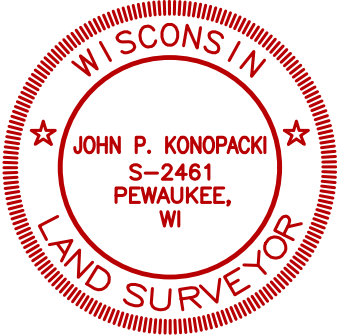
That I have made such survey, land division and map by the direction of ROBERT D. DUCHARME AND JEANETTE T. DUCHARME REVOCABLE TRUST OF 2002, owners of said land.

That such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the City of New Berlin Land Division Ordinance in surveying, mapping and dividing the land within the certified survey map.



John P. Konopacki
Professional Land Surveyor S-2461



Date: SEPTEMBER 27, 2022

CURVE TABLE							
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH	TANGENT IN	TANGENT OUT
C1	213.76'	1960.08'	006°14'54"	N28°05'31"W	213.65'	N24°58'04"W	N31°12'58"W
(RECORDED)		(1960.08')					
C2	213.97'	1965.08'	006°14'19"	N28°05'48"W	213.86'	N24°58'39"W	N31°12'58"W
C3	140.23'	680.88'	011°48'01"	N63°32'57"E	139.98'	N57°38'56"E	N69°26'57"E
(RECORDED)	(140.00')	(680.88')		(N63°21'11"E)	(139.76')		
C4	5.00'	680.88'	000°25'15"	N57°51'34"E	5.00'	N57°38'56"E	N58°04'11"E
C5	135.23'	680.88'	011°22'46"	N63°45'34"E	135.01'	N58°04'11"E	N69°26'57"E

CERTIFIED SURVEY MAP NO. _____

Being all of the Northwest 1/4 of the Southeast 1/4 and a part of the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 6 North, Range 20 East, City of New Berlin, Waukesha County, Wisconsin

OWNER'S CERTIFICATE OF DEDICATION

ROBERT D. DUCHARME AND JEANETTE T. DUCHARME REVOCABLE TRUST OF 2002, as owner, hereby certifies that it caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the requirements of the City of New Berlin.

ROBERT D. DUCHARME AND JEANETTE T. DUCHARME REVOCABLE TRUST OF 2002, as owner, does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

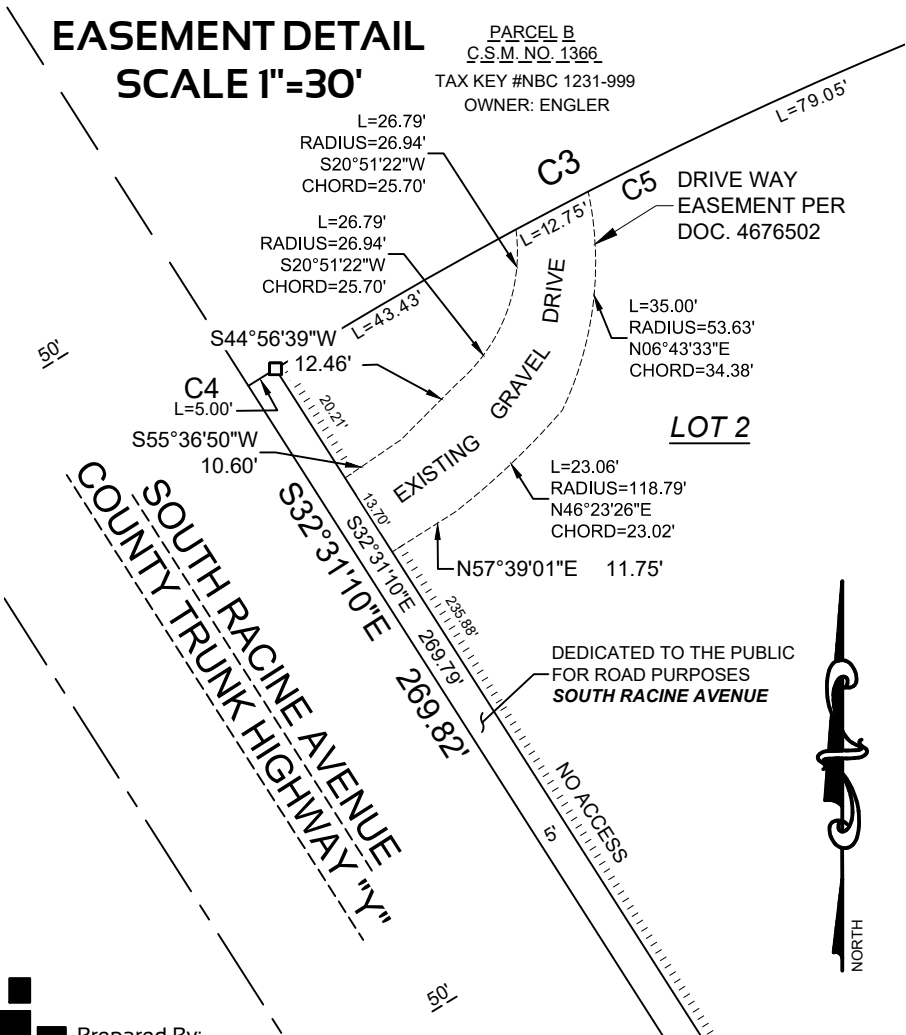
- 1. City of New Berlin

Date TRUSTEE

STATE OF WISCONSIN)
_____) COUNTY) SS

Personally came before me this _____ day of _____, 2022, _____, TRUSTEE, of the ROBERT D. DUCHARME AND JEANETTE T. DUCHARME REVOCABLE TRUST OF 2002, to me known to be the person who executed the foregoing instrument and acknowledged the same.

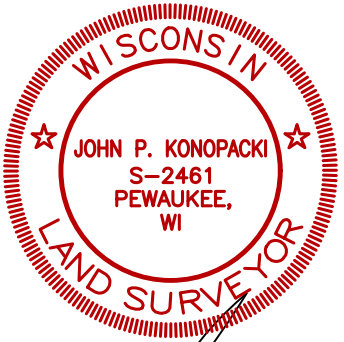
Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____



NOTE:
||||| - Denotes No Access.

The existing driveway can serve up to two residential lots. One lot is Parcel B of Certified Survey Map No. 1366 and the second lot will be on Lot 2 of this Certified Survey Map.

LEGEND:
□ - Denotes Set 3/4" X 18" Iron Rebar, 1.5 LBS./FT.



SEPTEMBER 27, 2022

Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2184.00
SHEET 5 OF 6

CERTIFIED SURVEY MAP NO. _____

Being all of the Northwest 1/4 of the Southeast 1/4 and a part of the Northeast 1/4 of the Southwest 1/4 of Section 20, Township 6 North, Range 20 East, City of New Berlin, Waukesha County, Wisconsin

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the City of New Berlin on this _____ day of _____, 2022.

Date
David Ament, Chairman

Date
Nikki Jones, Secretary

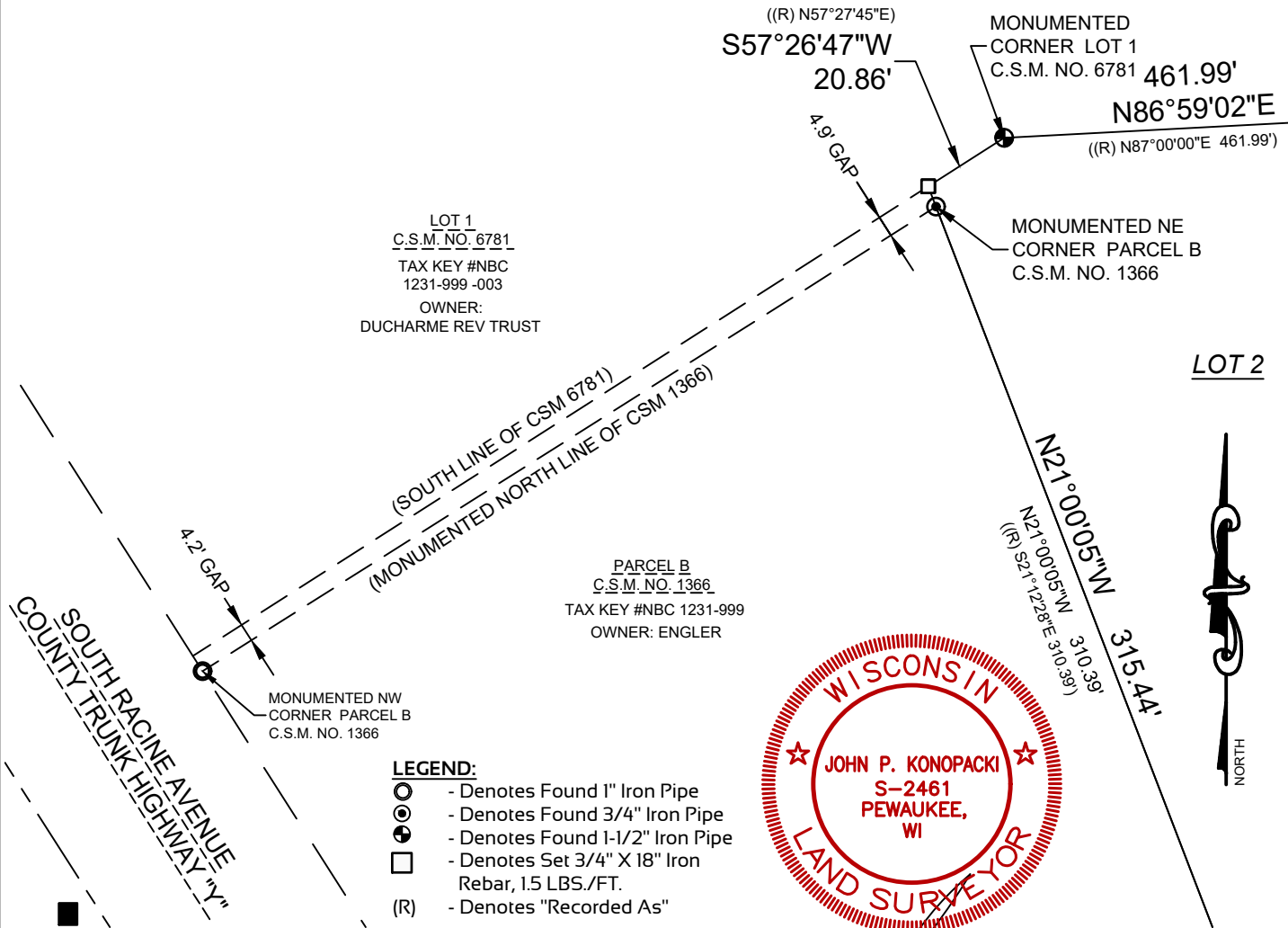
COMMON COUNCIL APPROVAL

Approved by the Common Council of the City of New Berlin, Wisconsin, on this _____ day of _____, 2022.

Date
David Ament, Mayor

Date
Rubina R. Medina, City Clerk

DETAIL
SCALE 1"=40'



Prepared By:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

SEPTEMBER 27, 2022

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#2184.00
SHEET 6 OF 6