



Plan Commission Meeting Agenda

November 7, 2024 - 6:00 PM
Council Chambers
3805 S. Casper Drive

Published 10/30/2024

AGENDA

1. **PUBLIC HEARING(S)**
2. **PRIVILEGE OF THE FLOOR**
3. **CALL TO ORDER, PLEDGE OF ALLEGIANCE**
4. **ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE**
5. **APPROVAL OF MINUTES**
 - A. October 7, 2024 Meeting Minutes
6. **PLAN COMMISSION SECRETARY'S REPORT**
7. **CONTINUED BUSINESS**
8. **NEW BUSINESS**
 - A. (7) KW CP-2401974 Sherri Meyer on behalf of Holy Apostles Congregation - 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) - Request to amend the Future Land Use Map within the City's Comprehensive Plan from Suburban Commercial Institutional. (Public Hearing 10/7/2024).
 - B. (7) KW RZ-2401975 Sherri Meyer on behalf of Holy Apostles Congregation - 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) - Request to rezone from B-2 to I-1. (Public Hearing 10/7/2024).
 - C. (7) KW LD-2401976 Sherri Meyer on behalf of Holy Apostles Congregation - 15856 W. National Avenue (Tax Key #: 1212-993) and 16000 W. National Avenue (Tax Key #: 1212-991-002) - 1-Lot CSM.
9. **PENDING**
10. **COMMUNICATIONS**
11. **ADJOURN**

Additional Information

- The agenda packet with supplemental information related to the agenda items is available online at www.NewBerlinWi.gov. Once finalized by the governing body, approved meeting minutes are also posted online.
- The governing body may consider agenda items out of order
- Members, and potentially a quorum of other governmental bodies of the municipality, may be present at the meeting to gather information. No action will be taken by any governmental body other than the one referenced in this notice.
- With reasonable notice, accommodations will be provided under the Americans with Disabilities Act to meet the needs of individuals with disabilities through appropriate aids and services. For more information or to request assistance, please contact the Office of the City Clerk at (262) 786-8610.



Plan Commission MEETING MINUTES

October 7, 2024 - 6:00 PM
Council Chambers
3805 S. Casper Drive

Please note: Minutes are unofficial until approved at the next scheduled meeting.

MINUTES

1. PUBLIC HEARING(S)

- A.** (7) KW CP-2401974 & RZ-2401975 Sherri Meyer on behalf of Holy Apostles Congregation - 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) - Request to amend the Future Land Use Map within the City's Comprehensive Plan from Suburban Commercial Institutional and rezone from B-2 to I-1. (Joint Public Hearing 6:00 PM)

Nikki Jones introduced the Public Hearing Item to the Plan Commission.

Mayor Ament asked if there were any questions for clarification. Travis Gensch (3746 S. 159th Street) was inquiring as to the impact of the surrounding homes. City Attorney Blum shared that the meeting was for informational purposes and no action was to be taken on the item at the meeting.

Mayor Ament asked if there was anyone wishing to speak in favor of the public hearing. There were none.

Mayor Ament asked if there was anyone wishing to speak in opposition of the public hearing. There were none.

Mayor Ament asked if there were questions and/or comments from Plan Commissioners. There were none.

Public Hearing was closed at 6:11PM.

2. PRIVILEGE OF THE FLOOR

None

3. CALL TO ORDER, PLEDGE OF ALLEGIANCE

Mayor Ament called the meeting to order at 6:13PM and led the Pledge of Allegiance.

4. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

Community Relations Specialist Joelle Erickson took the roll call as follows:

Present: Commissioner Schulpus, Commissioner Anderson, Commissioner Rafel, Alderperson Stribl, Commissioner McGrath, Mayor Ament

Excused: Commissioner Brian Felda

Staff Present: Deputy Director of Community Development Nikki Jones, Principal Planner Kelly Wall, Director of Community Development Greg Kessler, Community Relations Specialist Joelle Erickson, City Attorney Mark Blum

5. APPROVAL OF MINUTES

- A.** August 19, 2024 Meeting Minutes

MOTION: Motion to Approve Minutes

VOTE: Motion by: Commissioner McGrath

Second by: Commissioner Rafel
Motion Passes 5-0*

*Commissioner Anderson abstained from voting as he was not in attendance at the August 19, 2024 Plan Commission meeting.

6. PLAN COMMISSION SECRETARY'S REPORT

None

7. CONTINUED BUSINESS

- A.** (5) NJ UA-2400449 Austin Workman with Workman Enterprises LLC - 19000 W. Lincoln Avenue (Tax Key #'s: 1172-994, 1172-998-003, 1172-998 and 1167-996-001) - Request to amend the approved architecture - Use, Site and Architecture to construct a 4,896 sq. ft. office building and outdoor storage areas. (Approved 6/3/2024)

MOTION: Motion to Approve as Presented with Waiver

VOTE: Motion by: Alderman Stribl
Second by: Commissioner Schulpus
Motion Passes 6-0

8. NEW BUSINESS

- A.** (3) KH UA-2402027 Stephen Adamczyk with Adamczyk Heating - 16551 W. Greenfield Avenue (Tax Key #: 1162.153) - Use, Site and Architecture approval for Adamczyk Heating.

MOTION: Motion to Approve As Presented

VOTE: Motion by: Commissioner Anderson
Second by: Commissioner Schulpus
Motion Passes 6-0

- B.** (1) GK/NJ UA-2402003 Nicholas Wimmer on behalf of Wimmer Communities – 1640 S. Moorland Road – Use, Site and Architectural approval for a mixed use conceptual neighborhood development plan that includes approximately 19,600 sq. ft. of retail development and approximately 361 residential units developed as *'The Conservancy'*, a market rate apartment community featuring a clubhouse and pool as well as many other amenities.

Mark Wimmer presented the Plan Commission with information pertaining to construction at 1640 S. Moorland Road. Conceptual review for discussion only. No action was taken.

9. PENDING

None

10. COMMUNICATIONS

- A.** Memo RE: 2025 Plan Commission Meeting Dates

11. ADJOURN

MOTION: Motion to Adjourn at 7:19PM

VOTE: Motion by: Alderman Stribl
Second by: Commissioner Rafel
Motion Passes 6-0

*Respectfully Submitted,
Joelle Erickson, Community Relations Specialist*

STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT:	Sherri Meyer on behalf of Holy Apostles Congregation / 2030 Comprehensive Plan Amendments
LOCATION:	15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002)
CURRENT FUTURE LAND USE:	Suburban Commercial
PROPOSED FUTURE LAND USE:	Institutional
CURRENT ZONING:	B-2 (General Retail Sales and Service District)
REQUEST:	A request to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 - Land Use) for the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) from Suburban Commercial to Institutional.
D.R.C. RECOMMENDATION:	Recommend to Plan Commission adoption of Resolution # 2024-25 that approves the amendments to the 2030 Comprehensive Plan for the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) from Suburban Commercial to Institutional and forward to the Common Council for their review and approval by Ordinance.

Background:

1. The applicant has simultaneously applied for Rezoning (see file #: RZ-2401975) and 1-Lot CSM (see file #: LD-2401976). Action for these applications is anticipated for the November 7, 2024 Plan Commission meeting.
 - a. This request is consistent with the proposed rezoning of the property to I-1 (Institutional District).
2. A 1-Lot CSM was approved in 2010 to combine 16000 W. National Avenue, 15850 W. National Avenue, and portions of land from 16040 and 16060 W. National Avenue. However, portions of the Zoning and Future Land Use were not changed at that time. Thus, this Comprehensive Plan Amendment and Rezoning application (See File #: RZ-2401975) include both the property at 15856 W. National Avenue and a portion of the property located at 16000 W. National Avenue.

Rationale:

CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes

1. **Chapter 15: Neighborhood E: National Avenue East Corridor:** Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

Vision:

- National Avenue should be an exemplary model of a suburban commercial corridor. Vehicular and pedestrian traffic should coexist in a safe and efficient manner through prominent pedestrian facilities and managed vehicular access. Utilities should be relocated or placed underground whenever feasible to de-emphasize their visual prominence. Public streetscape improvements should be coordinated with private landscaping and site design. Commercial development will be focused at nodes along the corridor to minimize the “strip” appearance.

Development Policies:

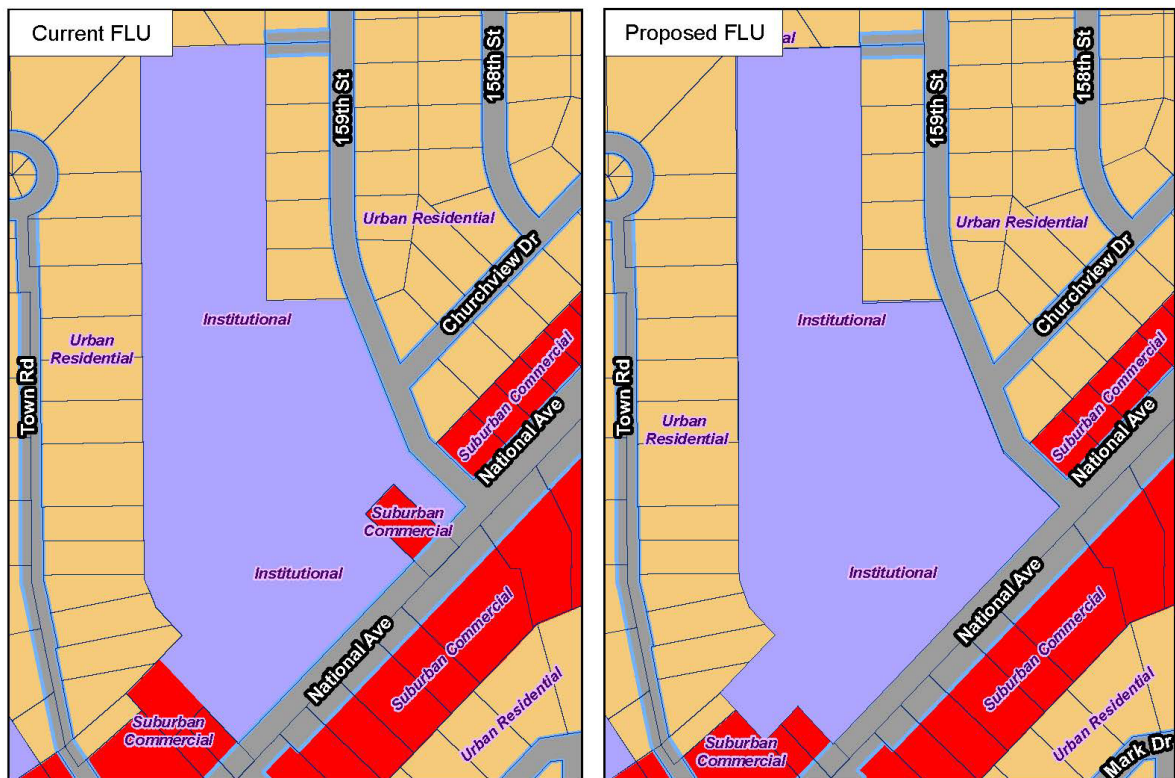
- Encourage parcel assemblages and cross-access/shared-access points to create a more cohesive development area.

Land Use:

Future Land Use Map: Suburban Commercial (Existing) / Institutional (Proposed)

2. Chapter 10: Land Use:

- 2030 Future Land Use Map: Suburban Commercial
- Proposed Future Land Use Map Suggestion: Institutional



3. Chapter 22: Implementation: Yes, this request meets the intent of this Chapter.

Amending the Plan

- This Plan is intended to be changed and revised over time. The City's values, goals, and capabilities may change as New Berlin grows, and the Plan must be amended to reflect those changes. The Plan should be reviewed and amended at least once every year. Suggestions for amendments can be brought forward by City staff, officials, and/or residents, and should be consistent with the overall vision of the Plan. Proposed amendments could originate in any of the following way:
 - Amendments proposed as corrections of clerical or administrative errors, mapping errors,

and updated data for text, tables, and maps. Such amendments would be drafted by City staff.

- Amendments proposed as a result of discussions between officials and citizens.
- Amendments proposed as a result of recommendations discussed during a City planning process.
- When a change is proposed, it should follow this general procedure:
 - Recommendation by the Plan Commission to conduct a review process for the proposed amendment.
 - Facilitation of public hearings as required by applicable Wisconsin State Statutes and/or ordinances.
 - Recommendation from the Plan Commission to the Common Council.
 - Consideration and decisions by the Common Council.

Plan Element Consistency

- As future amendments and updates are made, consistency between the Plan elements must be ensured.
The applicant has submitted requests to the City to amend the Comprehensive Plan / Future Land Use Map and rezone the property, so the request meets the consistency requirements.

D.R.C. RECOMMENDATION:

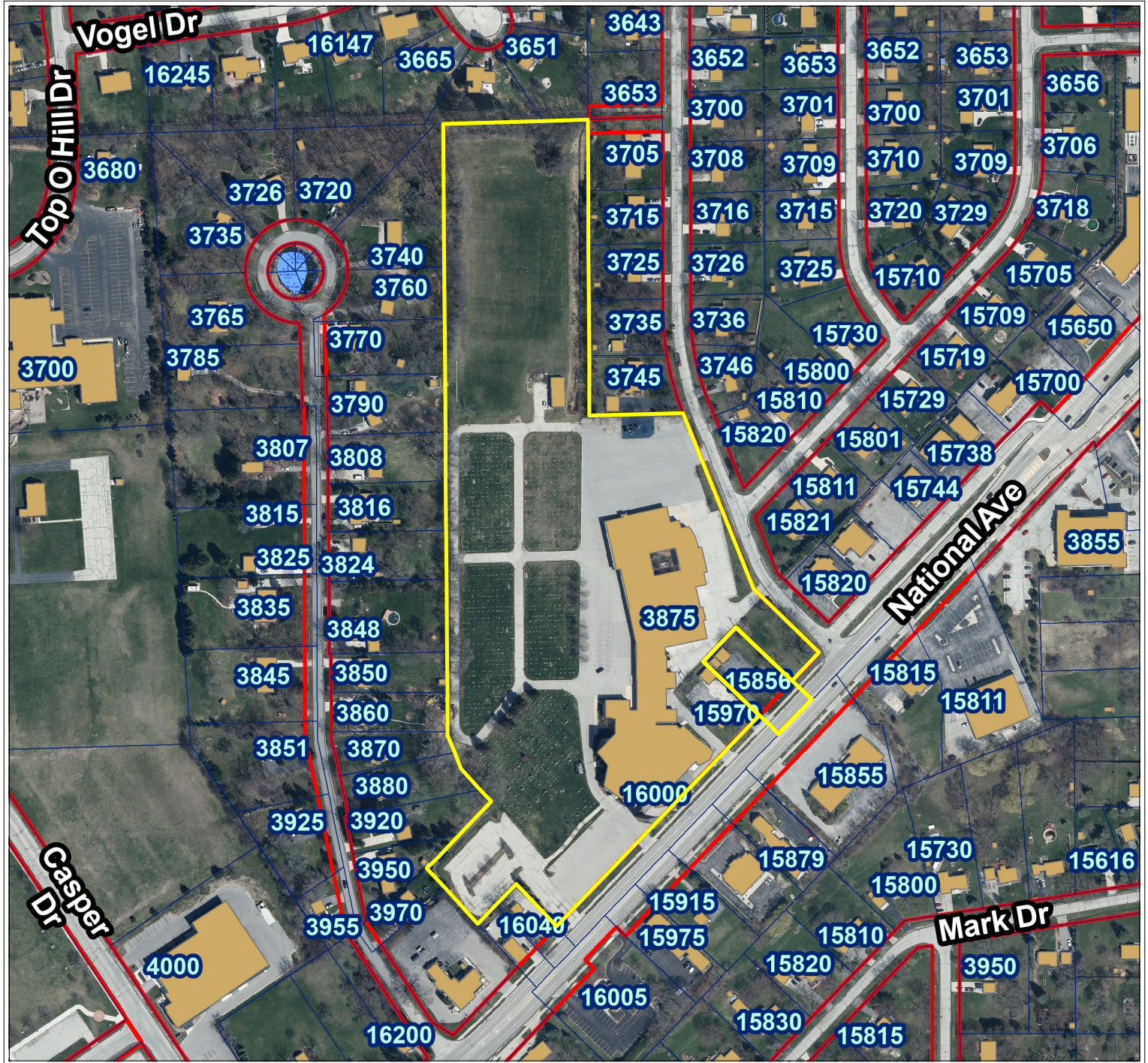
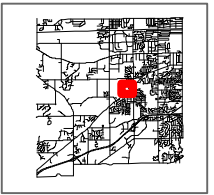
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Attachments:

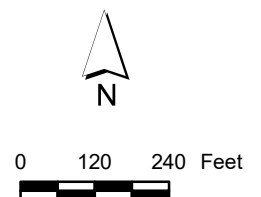
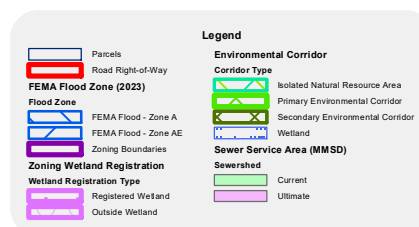
Location Map
Future Land Use Comparison Map
Rezoning Comparison Map
CSM

Draft Chapter 10 – Land Use Plan – Revised FLU Map
Draft Resolution # 2024-25
Draft Ordinance # 2699

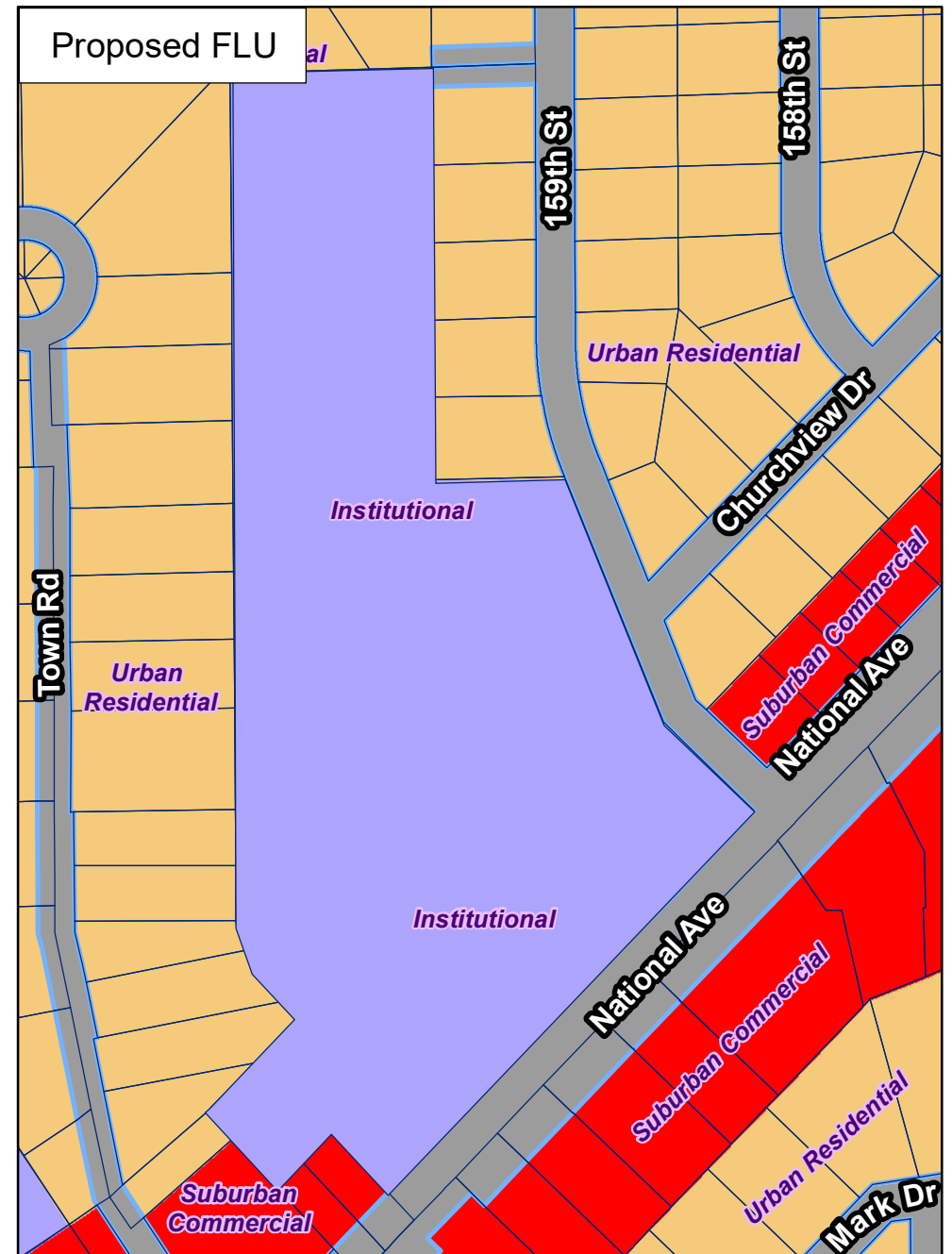
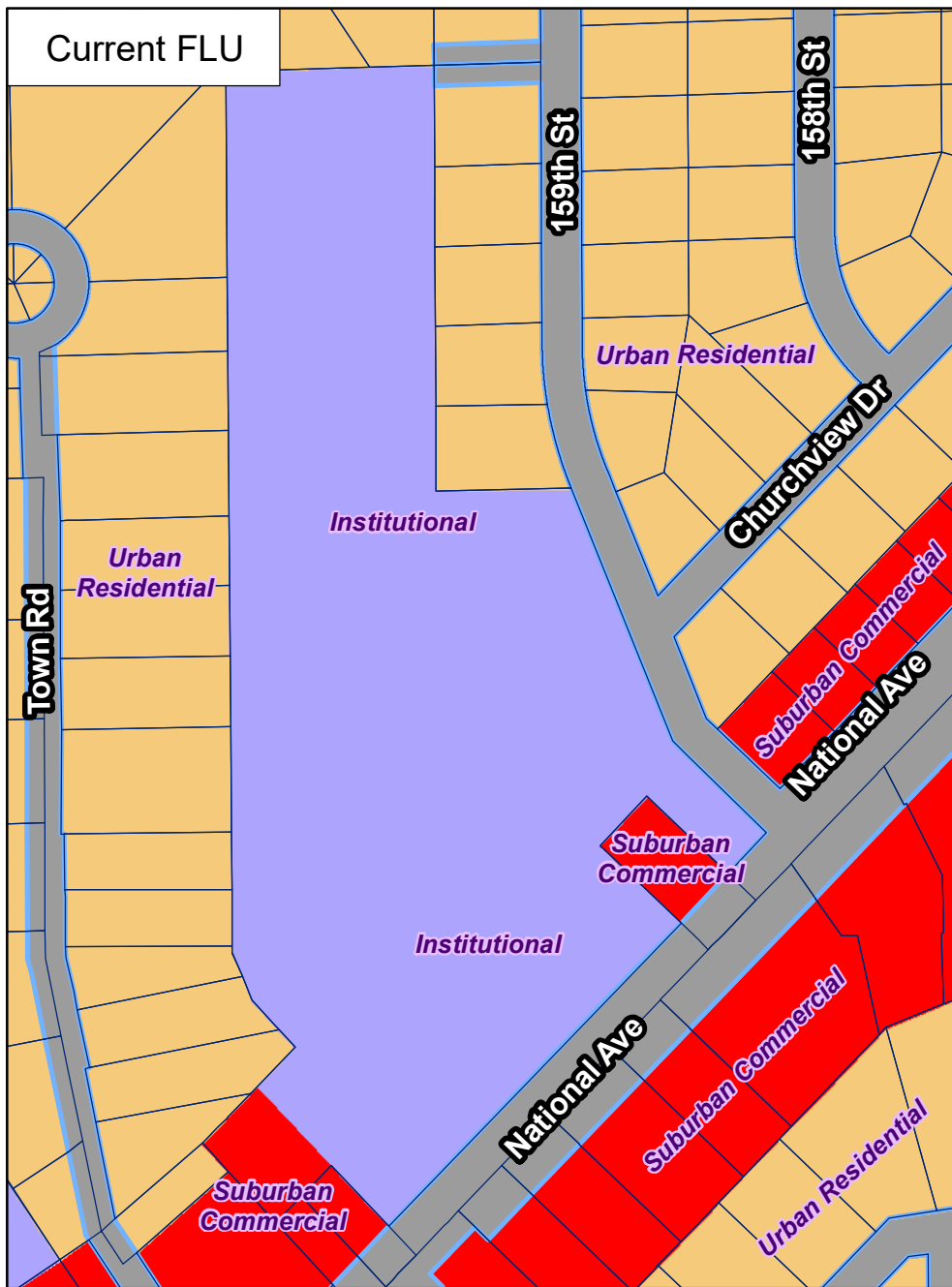
CP-2401974 / RZ-2401975 / LD-2401976
 Holy Apostles
 15856 W. National Ave & 16000 W. National Ave



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

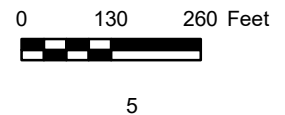
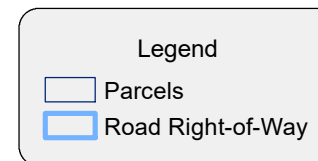


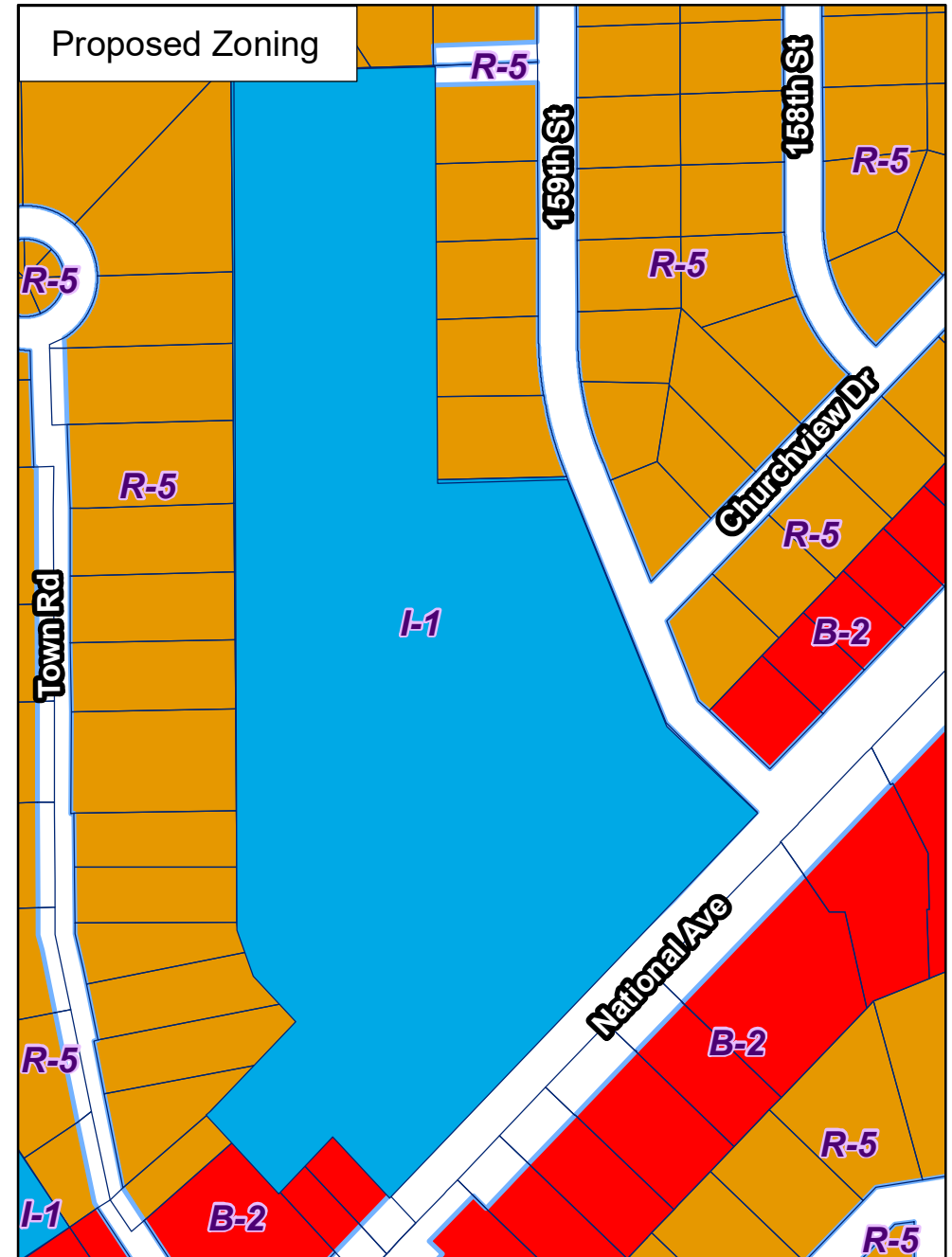
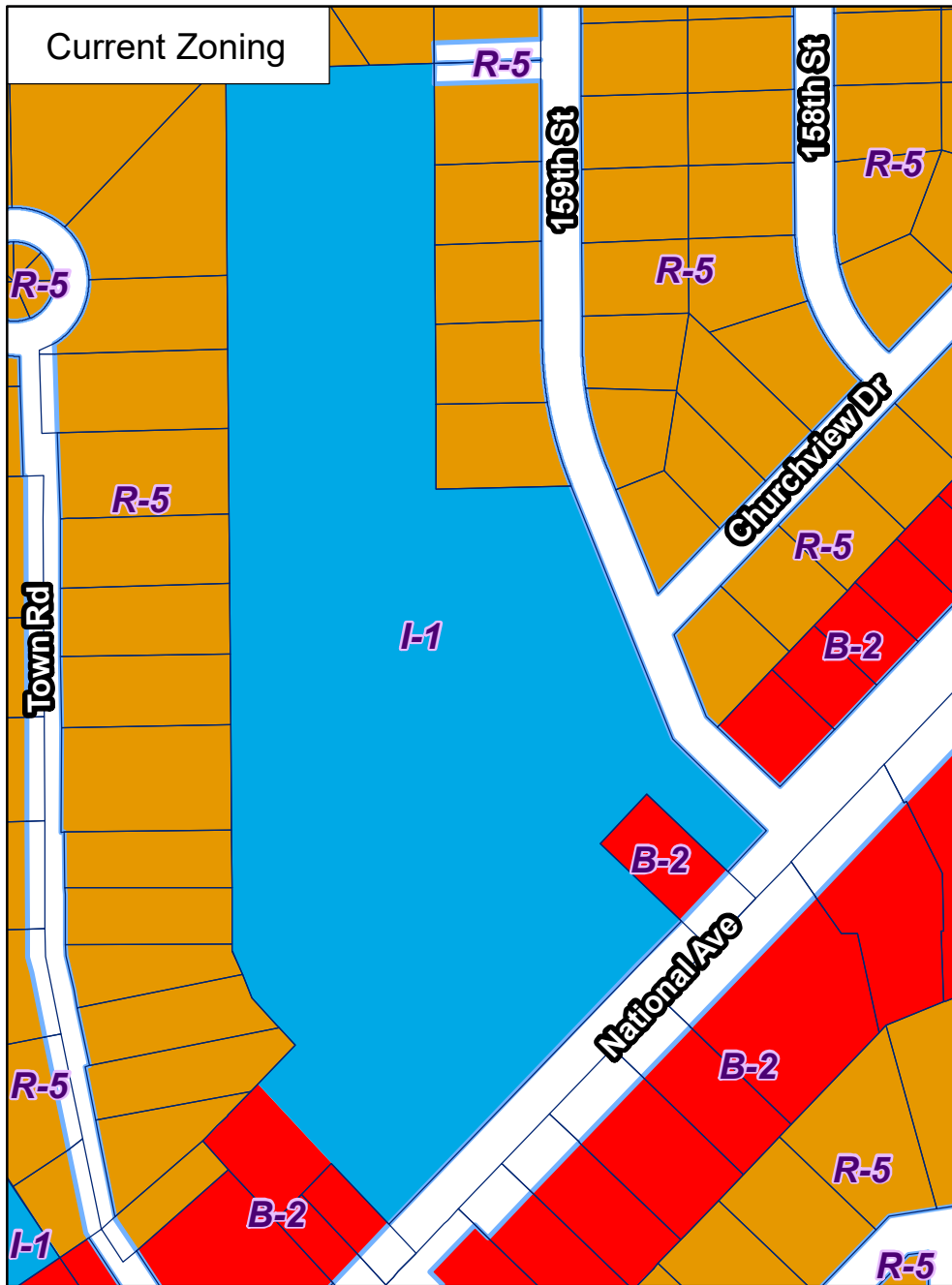
The information and depictions herein have been produced using data available through photogrammetric means by the City of New Berlin. The informations and depictions herein are for informational purposes and the City of New Berlin specifically disclaims accuracy in this reproduction and specifically 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.



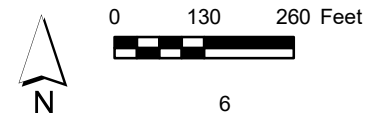
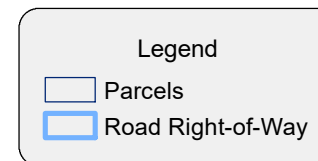
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CP-2401974
Holy Apostles
15856 W National Ave

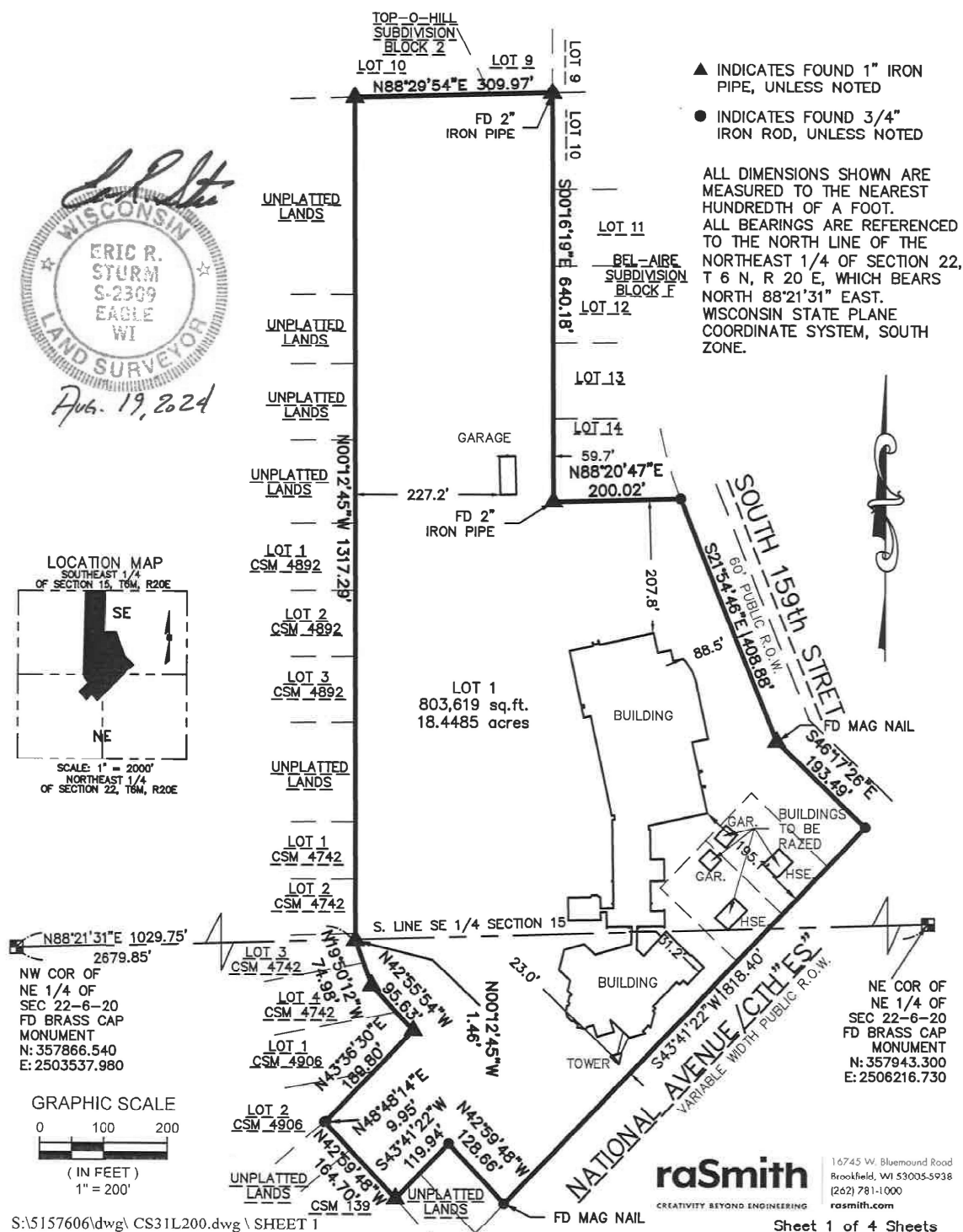




RZ-2401975
Holy Apostles
15856 W National Ave



Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
 :SS
WAUKESHA COUNTY }

I, Eric R. Sturm, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, bounded and described as follows:

COMMENCING at the Northwest corner of the Northeast 1/4 of Section 22; thence North 88°21'31" East along the North line of said 1/4 Section 1029.75 feet to a point in the East line of Certified Survey Map No. 4742 and the point of beginning of lands to be described; thence North 00°12'45" West along said East line and its extension and the East line of Certified Survey Map No. 4892 and its extension 1317.29 feet to a point in the South line of Lot 10, Block 2, in Top-O-Hill Subdivision; thence North 88°29'54" East along said South line and its extension 309.97 feet to a point in the West line of Block F in Bel-Aire Subdivision; thence South 00°16'19" East along said West line 640.18 feet to the Southwest corner of Lot 14 in said Block F; thence North 88°20'47" East along the South line of said Lot 14 for a distance of 200.02 feet to a point in the West line of South 159th Street; thence South 21°54'46" East along said West line 408.88 feet to a point; thence South 46°17'26" East continuing along said West line 193.49 feet to a point in the Northerly line of National Avenue (C.T.H. ES); thence South 43°41'22" West along said Northerly line 818.40 feet to a point; thence North 42°59'48" West 128.66 feet to a point; thence South 43°41'22" West 119.94 feet to a point in the Easterly line of Certified Survey Map No. 139; thence North 42°59'48" West along said Easterly line and its extension 164.70 feet to a point in the Southeasterly line of Certified Survey Map No. 4906; thence North 48°48'14" East along said Southeasterly line 9.95 feet to a point; thence North 43°36'30" East along said Southeasterly line 189.80 feet to the most Easterly corner of Lot 1 of said Certified Survey Map; thence North 42°55'54" West along the Northeasterly line of said Certified Survey Map and its extension and the Easterly line of Certified Survey Map No. 4742 and its extension 95.63 feet to a point; thence North 19°50'12" West along the Easterly line of Certified Survey Map No. 4742 a distance of 74.98 feet to a point; thence North 00°12'45" West along said Easterly line 1.46 feet to the point of beginning.

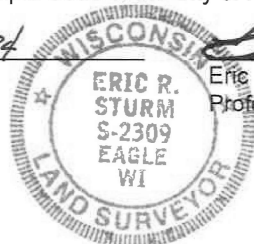
Containing 803,619 square feet or 18.4485 acres, more or less of land.

THAT I have made this survey, land division and map by the direction of HOLY APOSTLES CONGREGATION, 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 provisions of Chapter 236 of the Wisconsin State Statutes and Chapter 235 of the Municipal Code of the City of New Berlin in surveying, dividing and mapping the same.

August 19, 2024
DATE



Eric R. Sturm (SEAL)
Eric R. Sturm
Professional Land Surveyor S-2309

raSmith
CREATIVITY BEYOND ENGINEERING

16745 W Bluemound Road
Brockfield, WI 53005-5938
(262) 781-1000
rasmith.com

CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE

HOLY APOSTLES CONGREGATION, as owners, certify that they caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and City of New Berlin.

HOLY APOSTLES CONGREGATION, also certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of New Berlin

WITNESS the hand and seal of HOLY APOSTLES CONGREGATION, this _____ day of

_____, 2024.

STATE OF WISCONSIN }
 :SS
_____ COUNTY }

PERSONALLY came before me this _____ day of _____, 2024,

_____ and acknowledged that they executed the foregoing instrument.

_____(SEAL)
Notary Public, State of Wisconsin
My commission expires
My commission is permanent.



CERTIFIED SURVEY MAP NO. _____

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COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of New Berlin on this _____ day of _____, 2024. All conditions of approval have been met as of this _____ day of _____, 2024.

David Ament, Mayor

Rubina R. Medina, Clerk

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of New Berlin on this _____ day of _____, 2024.

David Ament, Mayor/Chairperson

Nikki Jones, Secretary



This instrument was drafted by Eric R. Sturm,
Professional Land Surveyor S-2309

CHAPTER 10: LAND USE PLAN

Revisions approved by Council on 6/11/2024 via Ordinance # 2694.



LAND USE PLANNING IN RELATION TO STATE STATUTES

Section 62.23 of the Wisconsin Statutes grants cities and villages the authority to prepare and adopt local master plans or plan elements. In 1999, the Wisconsin Legislature enacted legislation that greatly expanded the significance of comprehensive plans within the State. The law, referred to as Wisconsin's "Smart Growth" law, provides a new framework for the development, adoption, and implementation of comprehensive plans by various units of government. The law, set forth in Section 66.1001 of the Wisconsin Statutes, requires that the administration of zoning, subdivision, and official mapping ordinances be consistent with a community's adopted comprehensive plan beginning on January 1, 2010.

In Waukesha County, 27 of the 37 cities, villages, and towns opted to participate in the Waukesha County Comprehensive Plan process. The process was led by County staff with assistance from the Southeastern Wisconsin Regional Planning Commission (SEWRPC) and Waukesha County UW-Extension staff. The City of New Berlin selected to establish its own, more tailored Comprehensive Plan in lieu of participating through the County.

Several of the nine comprehensive planning elements required by Section 66.1001 of the Statutes must be updated or addressed to bring existing land use or master plans into compliance with the requirements of the comprehensive planning legislation. This chapter provides the full Land Use Element for the City of New Berlin. Additional information regarding existing and future land uses can be found in each individual neighborhood chapter.

EXISTING LAND USES

Reviewing past and existing land use trends can aid in planning for the types of uses that are in demand. Figure 10.1 illustrates the land use trends for the City of New Berlin from 1990 to 2020. The existing land use map shown in Figure 10.2 is based on City assessment data from 2020 using Market Drive software produced by Assessment Technologies LLC. The map illustrates a high amount of single-family residential land with supporting industrial/manufacturing and commercial uses. Other land uses include agricultural, exempt, forest lands, multi-family residential, recreation, and undeveloped. Wetlands and woodlands are also identified.

	1990			1995			2000			2020		
	Acres	% Dev.	% Total	Acres	% Dev.	% Total	Acres	% Dev.	% Total	Acres	% Dev.	% Total
Residential (1)(4)	6,227	62.0%	26.4%	6,563	59.9%	27.8%	6,782	58.3%	28.7%	13,574	69.1%	59.8%
Commercial (1)(4)	364	3.6%	1.5%	397	3.6%	1.7%	466	4.0%	2.0%	2,652	13.5%	11.7%
Industrial/Manufacturing (1)(4)	586	5.8%	2.5%	614	5.6%	2.6%	763	6.6%	3.2%	655	3.3%	2.9%
Transp./Common/Utilities (1)	2,061	20.5%	8.7%	2,549	23.3%	10.8%	2,681	23.0%	11.4%			0.0%
Government/Institutional /Exempt (1)(4)	422	4.2%	1.8%	434	4.0%	1.8%	473	4.1%	2.0%	1,139	5.8%	5.0%
Recreational (1)(2)(4)	384	3.8%	1.6%	406	3.7%	1.7%	470	4.0%	2.0%	1,633	8.3%	7.2%
Urban Subtotal(4)	10,044	100.0%	42.6%	10,963	100%	46.5%	11,635	100.0%	49.3%	19,653	100.0%	86.6%
Agricultural (4)	6,817	50.3%	28.9%	6,277	49.7%	26.6%	5,124	42.8%	21.7%	1,804	59.2%	7.9%
Natural Resources Areas	3,734	27.6%	15.8%	3,508	27.8%	14.9%	3,567	29.8%	15.1%			
Wetlands	2,323	17.1%	9.8%	2,269	18.0%	9.6%	2,301	19.2%	9.8%			
Woodlands/Forests(4)	1,283	9.5%	5.4%	1,130	8.9%	4.8%	1,154	9.6%	4.9%	224	7.4%	1.0%
Surface Water	128	0.9%	0.5%	109	0.9%	0.5%	112	0.9%	0.5%			
Other (4)	2,997	22.1%	12.7%	2,845	22.5%	12.1%	3,268	27.3%	13.9%			
Undeveloped Land(4)										1,018	33.4%	4.5%
Nonurban Subtotal(4)	13,548	100%	57.4%	12,630	100.0%	53.5%	11,959	100.0%	50.7%	3,046	100.0%	13.4%
Total	23,592		100.0%	23,593		100.0%	23,594			22,699		100.0%

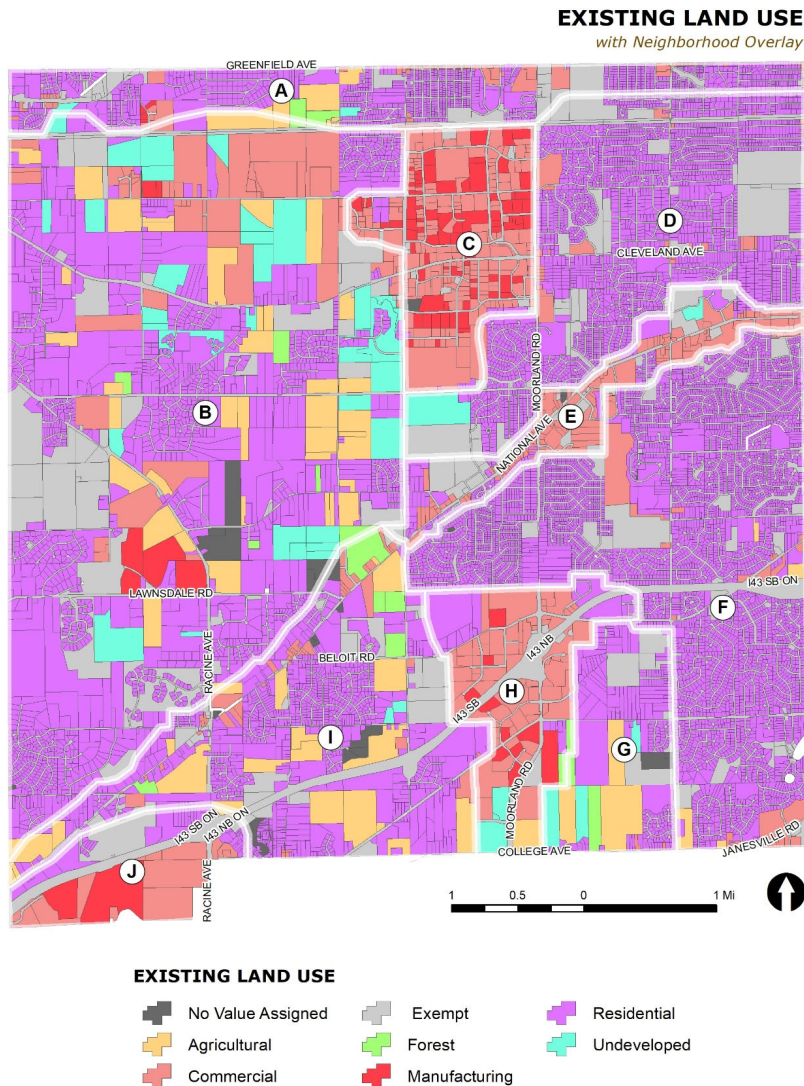
SEWRPC & City of New Berlin Assessment Data -Market Drive software produced by Assessment Technologies LLC

1- Includes off-street parking areas.
2- Includes intensively used area of public and non-public recreation sites.
3- Includes extractive, landfills and unused land.
4- For the 2020 values, the City Assessor is using new software that does not calculate the information in the same way. The calculations are a bit different. The categories were matched as closely as possible.
The predominate property type is used in this table. Wetlands, woodlands/forests and surface water were not calculated separately. We also did not differentiate between urban and non-urban for 2020.

Figure 10.1. City of New Berlin Land Use Trends

Source: SEWRPC & City of New Berlin Assessment Data

In 2020, the primary urban use within New Berlin consisted of residential land at approximately 13,574 acres, or 59.8% of the total area of New Berlin. This was an increase of 6,792 acres from 2000.



March 2024

COMPREHENSIVE PLAN 2030
City of New Berlin, Wisconsin

Figure 10.2. Existing Land Use Map of the City of New Berlin.

Even though the amount of agricultural land in the City has been decreasing over time, agricultural land still plays a significant role in New Berlin. Most new subdivisions built since 2015 have been conservation style subdivisions with an overall density of one home per 5 acres, in addition to 50 to 75 percent open space. The City has continued to monitor the subdivision ordinances every few years to ensure that we are continuing to preserve open spaces, wetlands and woodlands.

Based upon survey work conducted by the Department of Community Development in 2008, this decrease can be attributed to market forces that have resulted in less overall income being derived from farming, multiple property ownerships creating smaller, less contiguous farmland acreages, and a general lack of interest in farming. Surveying large property owners whose current existing land use is agriculture, in 1999, 95% and in 2007, 91% of those surveyed identified that farming was not their main occupation. The Department mailed out 123 surveys representing 155 tracts of agricultural or undeveloped lands of 15 acres in size or larger. There was a 44% response rate to the 2008 survey. See Appendix F for both the survey results and the summary power point presentation that was presented at the Farmland & Open Space Landowners Focus Group meeting on July 9, 2008.

In order to continue forth with farmland preservation efforts, the Department of Community Development must continually look for economically viable ways of purchasing agriculture conservation easements through grant funding. Additionally, the Department should utilize its conservation subdivision regulations to plan for and permit farming as open space use. Planning for farms in conservation subdivisions could take place through the platting process by designing lot layouts, access, and other elements to accommodate farming as an open space use. The Department is also encouraged to continue promoting other agricultural preservation mechanisms to property owners such as easement dedications and / or purchase of development rights (PDR).

Other significant trends noted in the table have been the growth in commercial and industrial/manufacturing land use. This growth was planned for and is on track with the various development policies within each Neighborhood. This would include some growth in South Moorland Road Corridor, City Center and Moorland Road and Beloit Road.

LAND USE POLICIES

Several key policies were developed during the 2001 Growth and Development Master Plan (GDMP) process in order to guide the demographic and economic forces shaping the community. These policies have been carried forward and will continue to help guide the City's land use planning efforts.

Although the Land Use Plan is ultimately organized around creating distinct neighborhoods and business centers, the following policies shall apply city-wide:

Policy 1: Managed Growth

Ensure that growth in New Berlin is affirmatively and responsibly managed based on available public services and suitability of the land for development.

Policy 2: Urban Boundaries

Maintain cohesive urban boundaries conducive to service delivery that support implementation of the adopted future land use plan.

Policy 3: Compatible Land Uses

Promote an orderly and compatible pattern of land uses avoiding "hodge-podge" development patterns. Provide appropriate transitions and buffers when differing uses are adjacent to one another.

Policy 4: Infrastructure

Utilize the provision of infrastructure in supporting and influencing growth in areas most suitable to accommodate growth.

Policy 5: Neighborhood Preservation

Preserve existing neighborhoods and encourage compatible infill development. (Infill development generally refers to either construction on vacant parcels in existing developed areas, or replacement of obsolete or dilapidated structures with new buildings.)

Policy 6: Rural Character

Preserve the existing character of the remaining rural areas in New Berlin.

Policy 7: Urban and Rural Distinction

Preserve and reinforce the distinction between urban and rural areas in New Berlin.

Policy 8: Open Space

Preserve open space throughout the city through both public and private development. Focus preservation efforts in environmentally sensitive areas, areas with recreational and trail opportunities, areas serving as buffers between different land uses, and neighborhood open space. Work to remove regulatory barriers that will reinforce that farming and/or large-scale gardening can remain a viable land use while respecting and preserving private property rights.

Policy 9: Development Quality

Require new development to meet sound planning and engineering standards with regard to sustainable architecture, site planning, and stormwater management.

These principles create an overall policy framework for the city.

LAND USE PLAN

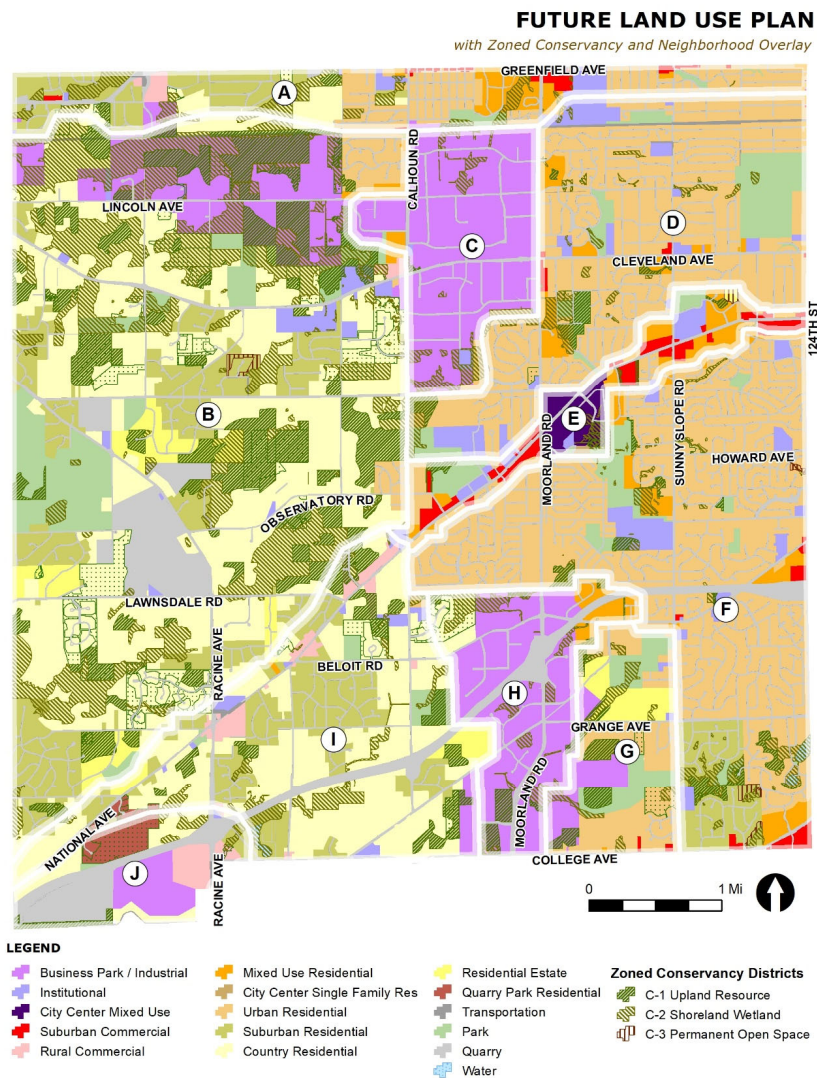
The City of New Berlin Land Use Plan is intended to provide a guide for development, redevelopment, and preservation over the next ten (10) years and will need to be re-evaluated during 2021 and again near the year 2030. The Land Use Plan is based on standards that reflect the desires of community residents, committee members, elected officials and proven principles in community development, environmental preservation, and residential development. As part of the Land Use Plan, several factors have been explored related to the growth of the built environment:

- **Social factors** include those which give or maintain character (i.e. gathering areas, civic identity, and the “city living with a touch of country” feeling).
- **Economic factors** include the creation of jobs, balance of municipal expenses and revenue, and land value influenced by natural amenities and water quality.
- **Physical factors** include the character of the land (i.e. how it appears, areas that are preserved, what types of development are allowed, and where development is located).

The Land Use Plan cannot be successfully implemented by looking only at the physical attributes of growth. Diverse and healthy communities grow in all three areas, and a balance should be achieved to provide a quality environment for residents and business owners.

This Land Use Plan provides flexible recommendations and categories to provide long-range guidance to decision-makers. It recognizes that the City Zoning Map exists as a mechanism for property-specific recommendations. The purpose of the Land Use Plan is to serve as a link between the Land Use Policies and the development regulations. The City should explore implementing a form-based code versus continuing the use the traditional zoning ordinance (Euclidean Zoning) in order to implement infill and/or redevelopment opportunities.

When considering the proposed land uses for any particular parcel of property, the Land Use Policies must be considered in addition to the requirements of the entire Comprehensive Plan. The Land Use Plan Map, shown in Figure 10.3, identifies the future land use districts within the City of New Berlin.



March 2024

COMPREHENSIVE PLAN 2030
City of New Berlin, Wisconsin

Commented [KW1]: Update to reflect action on application CP-2401974

Figure 10.3. Future Land Use Map for the City of New Berlin.

Section 34 – 35 – South Moorland Road Corridor

Section 35 is an area that is envisioned to be a mix of business park industrial, office, retail, residential, and passive and active park uses. In order to implement the conceptual neighborhood plan, the City has created three new zoning districts specifically for this geographic area. They include a new R-6 (Section 35 Low-Density Single-Family Residential), M-3 (Section 34 & 35 Business Park Development District) and P-2 (Section 35 Park Complex District) as further described below. The map below (Figure 10.4) identifies the Future Land Use and Zoning Code Section 275-13.1(H)(4), Figure I-1, identifies the designated zoning districts. All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions.

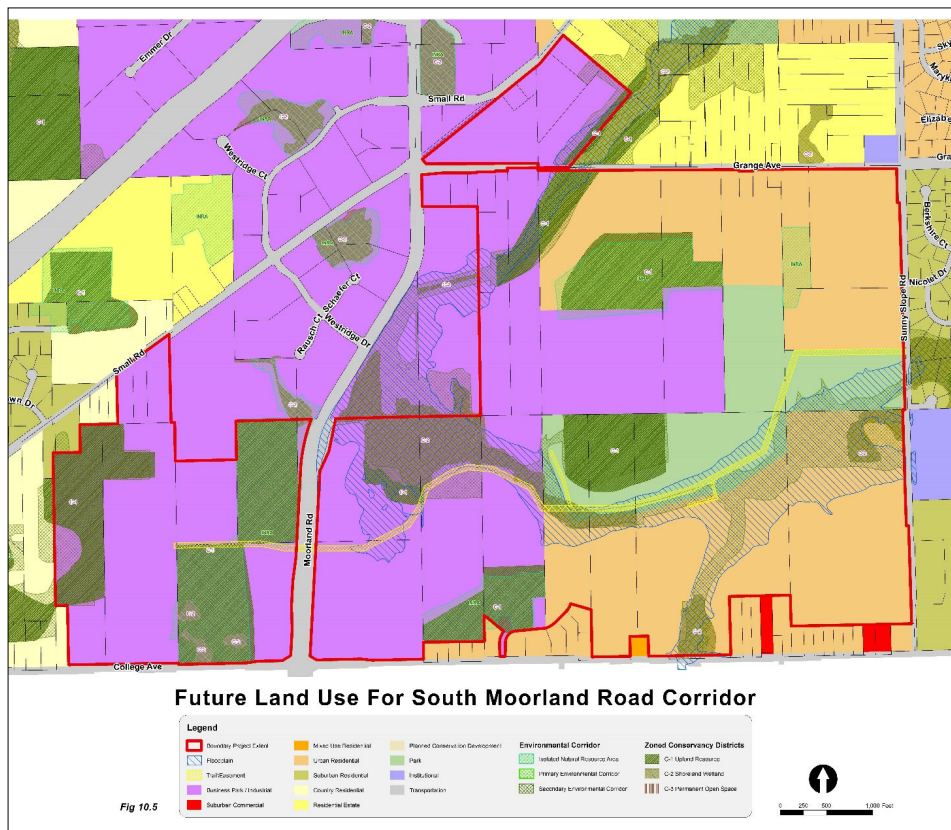


Figure 10.4 Future Land Use Map for South Moorland Road Corridor.

Northwest Section 2 –North Moorland Road Corridor (Southeast corner of Moorland Road and Greenfield Avenue)

The Department of Community Development has been going through the process of analyzing the area now referred to as the North Moorland Road Corridor. This area is generally bounded by Moorland Road to the West, the Highland Memorial Park Cemetery and Walmart development to the East, Greenfield Avenue to the North and the New Berlin Recreational Trail to the South (Figure 10.5-1). In order to guide the City in land use and zoning decisions it is best to understand the impact new developments will have on the School District, traffic patterns, stormwater and environmental features. Development policies were added within Chapter 11 – Neighborhood A (Greenfield Avenue Corridor) to guide any future development requests.



of the Zoning Code). The R-6 Low-Density Single-Family Residential District is intended to provide for single-family residential development within Sections 34 and 35 with a minimum lot sizes similar to those in the above zoning districts and served by public sanitary sewer and water facilities. The Plan Commission and Common Council may approve smaller lot sizes pursuant to the city's zoning and subdivision codes and the vision for Neighborhood "G", in order to protect environmental features such as woodlands and tree lines, provide for additional tree protection and/or avoid steep topography. All lots shall adhere to the City's adopted zoning and subdivision codes. Per Zoning Code Section §275-13.1 (H) (4), "All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions."

Urban Residential districts include neighborhood parks and green spaces that provide amenities to local residents and are encouraged to provide links with the City's existing parks and recreation. Developers should incorporate the protection of environmentally sensitive areas, including the floodplain, into the development to create unique neighborhoods while protecting the natural environment. The number of cul-de-sacs should be minimized, emphasizing loop street layouts or multiple connections through and between subdivisions.

The Urban Residential areas also offer a continuing opportunity for more affordable housing to serve workers in the City's growing business parks. For example, housing on ¼ acre lots can help to retain and increase the diversity of the City's housing stock to allow for more personal housing options. The Community Development Authority (CDA) (formerly the New Berlin Housing Authority) is using tax credits and rent assistance to ensure a continued supply of affordable senior housing and apartments.

The City has worked closely over the past few years with Bank Five Nine to create a home loan grant program for first time home buyers. The program is funded by the Housing Trust Fund, which was created via Ordinance #: 2491, an ordinance to create a Housing Trust Fund for the City of New Berlin. The Common Council approved the transfer of Seventy Five Thousand Dollars (\$75,000.00) into the Fund. The City is able to provide qualified applicants with a \$2,500 grant to first time home buyers to pay for down payment and closing costs associated with buying their own home. The bank may match that request up to \$2,500 and will assist the City in reviewing the requests. The City has created a home loan grant application which is located on the City's website.

Certain institutional uses that can be compatible with residential uses, such as schools and neighborhood scale churches may be appropriate after careful site plan review.

Suburban Residential

The Suburban Residential designation reflects the rural setting of the existing residential areas on the western half of the City. Lots in this category are generally located in existing subdivisions

that have already been developed at higher densities than the surrounding Country Residential area. The Suburban Residential areas are typically served by private on-site sewerage disposal systems and private wells. On average, lots are 35,000 square feet in this district. New development may occur as infill development, but are not expansions to the existing subdivisions. Infill development is the development of vacant lots within existing subdivisions.

The corresponding zoning district is:

- R-3 (Suburban Single- Family Residential) which has a not-to-exceed density of 2.0 dwelling units per net residential acre. This District is intended to be used for residentially platted lots already existing at this density range. As stated previously, Suburban Residential lots are served by private on-site sewerage disposal systems and private wells.

Residential Estate

Residential Estate is similar to the Country Residential category except for that it has a gross density not-to-exceed one dwelling unit per two acres. While agricultural uses are encouraged to remain as long as the owners wish to operate farms, this designation provides an opportunity for the City to allow this area to develop, but maintain a sense of rural character. Before this land use category is implemented in this area, provisions for public sewer and water facilities must be made.

The preservation of the character of these areas should be accomplished through the use of clustering homes to help preserve the visual character but also to preserve larger open space areas for use as active or passive recreation or agriculture. Establishing open space areas which include streams, wetlands, woodlands, floodplains should be given high priority along with establishing greater setbacks from these resources.

The corresponding zoning district is:

- R-2E (Conservation Estate Single- Family Residential) which has a not-to-exceed density of 1.0 dwelling units per two acres. Homes within this District are intended to be served by public sanitary sewer and water facilities. Density bonuses are allowed pursuant to the City's zoning code.

Country Residential

Country Residential encompasses most of the area in the western portion of the City. These areas include various sizes and price ranges of homes with the primary land use being single-family detached homes. The average density of this area is envisioned to be a gross density of one dwelling unit per five acres.

Lot clustering that maintains an overall low density, while preserving substantial open space is encouraged in these areas. Country Residential Communities will be planned to include parks

and green space or preserve agricultural land. This will provide amenities to local residents and work toward providing a link with the City's existing parks and recreation system. Developers should incorporate the protection of environmentally sensitive areas, including the floodplain, into the development to create unique neighborhoods while protecting the natural environment.

The corresponding zoning district is:

- R-1/R-2 (Rural Conservation Single-Family Residential) which has a not-to-exceed gross density of 1.0 dwelling unit five acres. Country Residential lots are served by private on-site sewerage disposal systems and private wells. Density bonuses are allowed pursuant to the City's Zoning Code.

There are also a large number of farm operations that exist in this area and the protection and preservation of these uses is integral to this land use. Some on-site sales of products are appropriate including small farm markets, landscape materials, and locally grown food. Artisan farming, flea markets, hobby farming and other activities that promote the continuation of farming should be encouraged and regulatory barriers prohibiting these activities should be removed. In order to prevent excessive nuisances from occurring as a result from any of these associated farming related commercial activities, they should be regulated in their size, intensity and traffic impacts to prevent the proliferation of Rural Commercial Services in areas not designated as commercial.

Quarry Park Residential

Quarry Park Residential encompasses the properties within Quarry Park Subdivision, which is an 18-lot single-family residential conservation subdivision. The density is one dwelling unit per 6.6 acres.

The corresponding zoning district is:

- R-7 (Quarry Park Low-Density Single-Family Residential District) which is intended to provide for no more than 27 single-family residential lots which shall collectively be considered a residential community governed through a homeowners association and which is served by a community wide on-site sewage disposal system and private wells to be maintained solely by the homeowners association and/or the homeowners in the subdivision. A developer agreement shall be in place.

Mixed Use Residential

The Mixed Use Residential designation applies to several areas where more intense business uses meet single-family residential uses. The purpose of Mixed Use Residential is to provide a district for land uses and development that combine characteristics from other districts. There are several land uses that can occur in mixed use areas, including low-density multi-family, senior housing,

duplexes, condominiums, or institutional uses. Development approval for these uses requires a review to determine compatibility with surrounding land uses, particularly the residential neighborhoods.

The corresponding residential zoning districts are:

- Rd-1 (Two-Family Residential District) is intended to provide for two-family residential development, at densities not to exceed 4.8 dwelling units per net residential acre, served by public sanitary sewer and water facilities.
- Rm-1 (Multiple-Family Residential District) is intended to provide for multiple-family residential development served by municipal sewer and water facilities at densities not to exceed those established within the Zoning Code. New lands to be placed in the Rm-1 District by rezoning petition shall be located not closer than 120 feet to an existing single-family residential subdivision. Net density calculations shall include the area of land upon which the dwelling units are proposed to be located and including common open space and associated facilities on the tract of land zoned Rm-1, excluding rights-of-way of publicly dedicated streets and private streets.
- I-1 (Institutional District) is intended to provide areas for public or private institutions or organizations housing social, educational, religious, or governmental activities.
- Zoning Code Section 275-41B(1) provides for elderly housing and assisted-living facilities. The density of an elderly housing development shall not exceed the densities established within the Zoning Code.
- A PUD could be considered when a mix of multi-family and retail/office uses are being proposed in order to accommodate creative site design. PUD's are not to be used for solely single-family residential.

Business Park / Industrial

Business Park / Industrial encompass a mixture of office, industrial, retail, commercial and service uses in a development with substantial landscaping and open space to create an attractive image. New industrial and office growth is encouraged to occur in these large developments so traffic impacts on surrounding uses can be minimized & managed and infrastructure can be provided.

The Business Park / Industrial land use is placed in areas where there will be a minimal impact on residential uses and the natural environment. In addition, Business Parks parcels are generally located near major transportation corridors that can accommodate the truck and automobile traffic generated by such developments.

The corresponding zoning districts are:

- O-1 (Office and Business Service District) is intended to provide for individual or attractive groupings of office and financial service uses in aesthetically pleasing structures on lots with ample open space.
- O-2 (Business Park Development District) is intended to provide for the development of an attractive grouping of buildings limited to light industrial uses, offices, corporate headquarters, and support facilities in a parklike setting. The district is further intended to promote the provision of ample off-street parking and loading areas, open space, and landscape planting screens or buffer yards in areas adjacent to residential areas.
- O-3 (Transitional Office District) is intended to provide for low-intensity uses that serve as a transitional use between residential uses and districts and higher-intensity uses, including office, commercial and industrial uses. The district is also intended to accommodate areas where many residential homes are being converted to nonresidential uses such as business, medical, and professional offices. The O-3 District provides regulations that limit parking in side and rear yards, landscaping, architectural preservation of the existing residential character, and small-scale structures that blend in with the surrounding community while providing necessary services to the citizens of New Berlin.
- M-1 (Light Manufacturing District) is intended to provide for a range of light manufacturing and industrial uses. The M-1 Light Manufacturing District is also intended to provide for manufacturing and industrial development of a more-restrictive nature. The district is further intended to be used where the relative proximity to other uses requires more-restrictive regulation.
- M-2 (General Industrial District) is intended to provide for manufacturing and industrial development of a less-restrictive nature than in the M-1 Light Manufacturing District in areas where the relationship to surrounding land use would create fewer problems of compatibility. This district is further intended to allow, where properly screened, outside storage of vehicles, equipment, machinery, and inventory.
- M-3 (Section 34-35 Business Park Development District) is unique to the South Moorland Road Corridor Area, a specific geographic area in the City (see §275-13.1H(4) Figure I-1 of the Zoning Code). The M-3 Section 34-35 Business Park Development District is intended for light manufacturing, office, retail and business uses. The M-3 Section 34-35 Business Park Development District is also intended to provide a broader mix of allowable uses including retail establishments within Sections 34 and 35 of the City to support both the business and residential development. The District is further intended to promote open space, intense vertical landscape, planting screens, buffer yards and preservation of existing environmental features (trees, wetlands, floodplain, rock outcroppings, steep slopes and viewsheds). Per Zoning Code Section §275-13.1(H)(4), "All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions."

City Center – Mixed Use

The City Center designation recognizes the substantial planning and investment being made in the commercial core at National Avenue, immediately east of Moorland Road. While the City

Center is a part of the suburban business center corridor, the unique qualities desired by the City for this area merit special attention. The pedestrian orientation, distinctive streetscape, and the mixture of uses create the potential for this to become a unique area of the city. There are several land uses that can occur within the mixed use areas, including single-family residential, duplex residential, condominiums, townhomes, apartments, office, commercial, and institutional. Development approval for all of these uses requires a review to determine compatibility with surrounding land uses, particularly the adjacent residential neighborhoods.

Refer to the City Center PUD Ordinance #2526 and associated zoning map for a list of appropriate uses for this area.

City Center – Single-Family

The City-Center – Single-Family designation reflects the modern form of the residential subdivision with lots ranging in size from one to four dwelling units per acre, depending on underlying zoning and surrounding development patterns. While these communities may include various sizes and price ranges of homes, the primary land use is single-family detached homes. Attached single-family housing may be considered as a transitional use between lower density residential uses and non-residential development and highway corridors.

The corresponding zoning district is:

- R-4.5 (Medium-Density Single-Family Residential) which has a not-to-exceed density of 2.9 dwelling units per net residential acre, served by public sanitary sewer and water facilities.

Suburban Commercial

Suburban Commercial areas include the commercial areas of New Berlin primarily along National Avenue east of Calhoun Road. While these areas focus on retail sales and personal services, some office space and low-density multi-family housing is intermixed only when commercial development is incorporated on the first floor and residential is planned above. Net density not to exceed those established within Zoning Code Section 275-33(8): Rm-1, Multiple Family Residential District and Section 275-41B(1): Elderly housing and assisted-living facilities. The geographic boundaries of Suburban Commercial areas should be controlled to limit expansion of commercial development and the increasing number of vacant buildings, and at the same time provide flexibility to accommodate changes in the market.

Developers will be encouraged to establish creative commercial centers that do not place emphasis on the parking areas, but on the commercial uses themselves. This can be accomplished by placing some parking to the side or behind buildings and utilizing internal landscaping throughout the parking areas. Signage and lighting should be placed and designed to ensure visibility without being excessive.

Unique to the intersection located at the southeast corner of Moorland Road and Greenfield Avenue, the City has established parameters for planning of this area in order to ensure that it develops uniformly. Chapter 11: Neighborhood A - Greenfield Avenue lays out specific policies to help ensure the cohesive development. This area is intended for retail and commercial uses located on the corner then transitioning to the south to allow for commercial retail and/or office on the first floor with residential integrated above. The far southern end of the parcel could be developed as low-density multi-family residential as defined above in this section.

The corresponding zoning districts are:

- B-1 (Shopping Center District) is intended to provide for neighborhood and community shopping centers with groupings of retail and customer service establishments to serve both the citizens of New Berlin, the surrounding region, and businesses. Hotels and regional uses are also appropriate in this district when planned appropriately in relation to traffic and landscaping. This district is intended to accommodate the requirement of on-site parking and loading facilities; landscape planting screens in areas adjacent to nonbusiness development or other incompatible uses; and a partially pedestrian-oriented shopping environment. Uses in this district are intended to be compatible with the character of the adjacent residential areas served.
- B-2 (General Retail Sales and Service District) is intended to accommodate a broad range of retail sales and service uses. The district is also intended to provide for the orderly and attractive development and grouping in appropriate and convenient locations for small-lot business activities of a general nature. The district is further intended to promote the provision of ample off-street parking and loading areas; landscape planting screens in areas adjacent to nonbusiness development or other incompatible uses; and development in character with the adjacent land uses.

Rural Commercial

Rural Commercial areas should maintain the “rural theme” in designing retail-oriented developments that include farm implement sales, produce markets, feed and seed stores, etc. to help support the agricultural environment but, may also include small-scale office-oriented uses. In addition, convenience retail uses may be appropriate in these areas to serve the day-to-day needs of residents, thus minimizing the necessity of driving for convenience goods.

Rural Commercial should be located primarily along National Avenue west of Calhoun Road. These uses should be located in enclosed structures. Where outdoor storage and sales are necessary, they should be located in the side or rear yards. Landscaping and screening should be used to minimize the transition from agricultural and rural residential uses to these commercial developments. Lighting should be carefully evaluated. Rural commercial architectural design standards should be adhered to. The Rural Commercial Design Guide shall be used to aid development. As properties apply for rezoning requests in these areas, the B-3 and B-5 Districts shall be considered to be more suitable than the B-2 District.

The corresponding zoning districts are:

- B-2 (General Retail Sales and Service) which is intended to accommodate a broad range of retail sales and service uses and provide for orderly and attractive development and grouping in appropriate and convenient locations for small lot business activities of a general nature. The minimum lot size for this district is 40,000 square feet.
- B-3 (General Bulk Sales) which is intended to accommodate the needs of the agricultural community for the western portion of the community without detracting from the character of the area. This district allows for outdoor storage, outdoor sales and automotive sales, service and repair. The minimum lot size for this district is 3 acres.
- B-5 (Rural Commercial District) which is intended to accommodate the needs of the agricultural community with a range of retail sales and service uses. The uses of these areas are intended to provide convenience for farms and the growing residential uses in the western area. The minimum lot size for this district is 40,000 square feet.

Institutional

Institutional uses encompass the main City Government facilities around City Hall, as well as schools, churches, and other nonprofits. Regarding church uses, these institutions have been classified into two types: Neighborhood Scale and Community Scale. Neighborhood scale churches are defined as a place of gathering for religious observance, ministry, and fellowship & related social events and may include classrooms for periodic religious instruction, kitchen, meeting area principally for members and administrative offices. These facilities are identified as those with a total building footprint of less than 14,999 square feet. Community scale churches are defined as a place of gathering for religious observance, ministry, and fellowship & related social events and may include classrooms for periodic religious instruction, and administrative offices. These facilities are identified as those with a total building footprint greater than 15,000 square feet or which have accessory uses, which include, but are not limited to uses such as banquet facilities, day school, day care facilities, retail stores, restaurant, workout centers / club, gymnasium, health care facilities, assisted living facilities, library, and café.

Parks

The City wishes to acquire and maintain parks and open space that are consistent with the adopted park and open space plan to encourage private preservation of open space and environmental areas, and to encourage the use of creative development alternatives (i.e. Conservation subdivisions to create neighborhood open space).

The corresponding zoning districts are:

- P-1 (Park and Recreation District) is intended to provide areas where open space and outdoor recreational needs of the citizens can be met without the undue disturbance of

natural resources and adjacent uses. When applied to privately owned recreational lands, this district is intended to avoid the conversion of such lands to other urban uses without adequate public review and approval. The district should be used for areas designated as parks in the adopted New Berlin Comprehensive Plan.

- P-2 (Section 35 Park Complex District) is unique to the South Moorland Road Corridor Area, a specific geographic area in the City (see §275-13.1H(4) Figure I-1 of the Zoning Code). The P-2 Section 35 Park Complex District is intended to provide an area for a regional amenity that would provide tournament, practice and game space for baseball, softball and/or soccer. The District will also incorporate neighborhood park elements for neighboring residents. The complex will provide a buffer between the residential and business park land uses and may be expanded to create additional meaningful passive recreational opportunities and utilize the City's utility easement / public trail to create more of a linear parkway. Uses may include, but are not limited to, passive recreational trails, fishing ponds, winter sports activities, snowshoeing, cross country skiing, sledding, nature trails, bird watching and interpretive exercise trails. Per Zoning Code Section §275-13.1 (H) (4), "All projects that require rezoning within this respective area shall be rezoned in accordance with Zoning Code Figure I-1 and future Plan Commission and Common Council actions."

In addition, the City's *Park and Open Space Plan* identifies the need to acquire additional Community Parkland to account for the City's land area and population growth. Such Community Parkland shall incorporate an active park complex to address the City's need for additional ball fields and courts, as outlined in the *Park and Open Space Plan*, as well as passive park uses year-round. Linear parkways, which preserve open space, and provide connectivity within this area should be developed. The linear parkways could be integrated with the floodplain and creek areas.

Quarry

Quarries involve the mining and processing of minerals. They typically include both underground and surface mining activities. While they are typically located in rural areas, they can also create substantial land use impacts. A few of these quarry properties are actively being mined for non-metallic mineral resources (i.e. sand & gravel). As such, they are required to have a City approved Reclamation Plan pursuant to NR 135 and the City's zoning ordinance. The Reclamation Plan is required to identify post-mining land uses in addition to the "means & methods" for reclaiming the site. During the planning horizon for this Plan, it is anticipated that two of these quarries will transition and be reclaimed into their approved post-mining land uses. Specifically, the New Valley Sand & Gravel Quarry (identified in Neighborhood "J" has been identified as a future business park and the Kohler Pit has the following approved post-mining land uses – rural commercial, agriculture and aquaculture (both in recreational & commercial formats). Kohler Ridge Subdivision was approved by the Common Council in, 2016. The subdivision encompasses a portion of the former Kohler Sand & Gravel Mine and resulted in the complete restoration of approximately 65 acres of formerly mined land.

Conservancy Areas

C-1 Upland Resource Conservancy Zoning

The purpose of this district is to prevent the destruction of valuable natural and man-made resources and, in particular, woodlands, wetlands, wildlife habitat areas, perennial and intermittent streams, major lakes, floodlands and shorelands, significant water recharge and discharge areas, prairies, recreational and scenic areas, natural scientific areas, areas with poor soils or high groundwater, and areas of steep slopes, including primary environmental corridor, secondary environmental corridor and isolated natural resource areas. It should be noted that the City has established a new policy that states no "new" lands should be placed into this category and rather the use of "conservation easements" shall become the norm for preserving and protecting these natural resource assets.

C-2 Shoreland-Wetland Conservancy Zoning

The purpose of this district is to preserve, protect, and enhance the ponds, streams, and wetland areas of the City. The preservation, protection, and enhancement of these areas will serve to maintain safe and healthful conditions; maintain and improve water quality, both ground and surface; prevent flood damage; control stormwater runoff; protect stream banks from erosion; protect groundwater recharge and discharge areas; protect wildlife habitat; protect native plant communities; avoid the location of structures on soils which are generally not suitable for use; and protect the water-based recreation resources of the City.

C-3 Permanent Open Space/Conservation Zoning

The Permanent Open Space/Conservation Lands District is intended to serve as a preservation district to maintain lands that have been permanently designated as open space or conservation lands. This District serves as a more definitive designation of open space and conservation lands as an alternative to deed restrictions and easements. This District should be utilized for developments where potential development densities have been transferred to another area of the property or to another site within New Berlin; developments that will have open space permanently preserved; and other similar conservation and preservation practices that will contribute to the unique character of New Berlin.

Environmental Corridors

Environmental Corridors are shown on the City's Map of Potential Conservation Lands. The City clearly recognizes the importance of these natural resource assets and will continue to use "conservation easements" for their protection. The City will also continue to follow SEWRPC guidelines for preserving, protecting and managing development within these corridor areas. See Appendix J for SEWRPC's publication entitled "Environmental Corridors – Lifelines of the Natural Resource Base". The City will continue to use SEWRPC's Environmental Corridor Maps as a resource as amended.

Map of Potential Conservation Areas

The Map of Potential Conservation Lands for the City of New Berlin consists of wetlands; woodlands; Butler's Garter Snake habitat; Water; Slope; environmental corridors; and scenic vistas. This map should be used as a resource in addition to, but not limited to, other maps such as the future land use, zoning and FEMA FIRM maps for all land use decisions. These environmental features should be incorporated into all development proposals, as applicable.

LAND USE PLANNING IN WAUKESHA COUNTY

Under Wisconsin State Statutes, counties are required to incorporate into the county development plan all master plans that have been duly adopted by incorporated cities and villages under the State of Wisconsin City Planning Enabling Act. However, the Statutes do not provide direction as to resolving conflicts between county adopted land use objectives and local master plans. To address this issue, the Waukesha County Comprehensive Plan Advisory Committee determined specific approaches to be implemented during the County Plan process. The following County approaches are those which apply directly to New Berlin's Comprehensive Plan:

- All duly adopted local land use plans, whether prepared by incorporated cities and villages or by towns, would be reviewed for consistency with the County development objectives and standards approved by the Advisory Committee, as presented in Chapter 2 of this Plan. All inconsistencies would be identified and described.
- Municipalities will prepare preliminary land use plans in a manner consistent with the Advisory Committee approved development objectives and standards. Following review of local land use plans, inconsistencies with the development objectives were identified for the municipalities and adjustments were requested.
- The compiled preliminary County land use plan would be provided to all cities, villages, and towns in the County for review and comment.

Resulting from these approaches is the County land use element provided in the Waukesha County Comprehensive Plan. Due to the fact that the County is required to incorporate local master plans into its overall plan, New Berlin residents and property owners should first look to its own Comprehensive Plan for guiding objectives and policies. The Waukesha County Plan shall serve as a seamless overview of planning efforts county-wide.

LAND USE PLANNING IN THE REGION

The regional land use plan sets forth the fundamental concepts that are recommended to guide the development of the seven-county southeastern Wisconsin region. The most recent version of the plan, entitled "SEWRPC Planning Report No. 55: A Regional Land Use Plan and Transportation Plan for Southeastern Wisconsin: 2050, was adopted by SEWRPC in July 2016. This plan is intended to guide land use development and redevelopment through the year 2050.

Vision 2050 replaces the Vision 2035 plans. It should be noted that the SEWRPC plans are advisory only. Refer to the SEWRPC VISION 2050 plan for the most updated information related to their regional planning efforts and recommendations. The report is available on the SEWRPC website www.sewrpc.org.

DRAFT

RESOLUTION NUMBER # 2024-25

**A Resolution adopting the amendments to the City's 2030 Comprehensive Plan
Chapter 10: Land Use**

WHEREAS, Section 66.1001(4) of the Wisconsin Statutes, establish the required procedure for a local government to adopt a comprehensive plan and Section 66.1001(2) identifies the required elements of a comprehensive plan; and

WHEREAS, The planning process was open to the public and numerous efforts were made to assure the broadest participation to establish the goals and elements considered for and contained within the comprehensive plan in compliance with Section 66.1001 of the Wisconsin State Statutes, and

WHEREAS, The City of New Berlin prepared and followed a Public Participation Plan that was adopted by the Plan Commission on September 10, 2007 and the Common Council on September 25, 2007 a copy of which is on file in the Department of Community Development.

WHEREAS, the City of New Berlin Plan Commission has the authority to adopt the Comprehensive Plan and associated amendments as necessary by resolution and also to recommend that the Common Council adopt the comprehensive plan and associated amendments as necessary via Ordinance; and

WHEREAS, the City of New Berlin prepared the "City of New Berlin 2020 Comprehensive Plan", which is on file with the Department of Community Development and available on the City's website www.newberlin.org, containing all maps and other descriptive materials, to be the comprehensive plan for the City; and

WHEREAS, that the Plan Commission of the City of New Berlin adopted the City of New Berlin 2020 Comprehensive Plan as the City's comprehensive plan via Resolution No. 09-02 on November 2nd, 2009, and the Common Council adopted the Comprehensive Plan via Ordinance # 2422 on December 8th, 2009; and has been amended from time to time; and

WHEREAS, development within the City should be monitored on an ongoing basis, and compared to the City goals and objectives outlined throughout the Plan to ensure that current policies are achieving the intended results. Comprehensive Plan Chapter 22, Implementation states, *"This Plan is intended to be changed and revised over time. The City's values, goals, and capabilities may change as New Berlin grows, and the Plan must be amended to reflect those changes. The Plan should be reviewed and amended at least once every year."* This project includes an overall general update to the Comprehensive Plan.

WHEREAS, Department of Community Development Staff, working at the request Terri Engsberg on behalf of Holy Apostles Congregation, have prepared amendments to the Future Land Use Map within the City's adopted 2030 Comprehensive Plan Chapter 10: Land Use are now completed and need to be incorporated into the City's adopted Comprehensive Plan.

WHEREAS, the Future Land Use Map amendments requested by Sherri Meyer on behalf of Holy Apostles Congregation are for the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #:1212-991-001) to amend the Future Land Use from Suburban Commercial to Institutional. It is necessary to incorporate these Future Land Use Map amendments into the City's adopted 2030 Comprehensive Plan Chapter 10: Land Use. A copy 2030 Comprehensive Plan Chapter 10 along with the map is attached as Exhibit A. Amendments to an adopted comprehensive plan pursuant to WI State Statute 66.1001 require a Class I notification along with a public hearing.

WHEREAS, the Plan Commission reviewed and approved the proposed amendments to 2030 Comprehensive Plan Chapter 10: Land Use, on November 7, 2024 following approximately three months of public comment from the date of the public notice; and

WHEREAS, the City has duly noticed a public hearing on the aforementioned comprehensive plan amendments and the Plan Commission held the public hearing on October 7, 2024.

WHEREAS, the Plan Commission of the City of New Berlin by a ~~x-x~~ vote of the Commissioners present and voting recorded in its official minutes, adopted Resolution # 2024-25 recommended approval of this comprehensive plan amendment on November 7, 2024.

NOW, THEREFORE, BE IT RESOLVED, that the Plan Commission of the City of New Berlin hereby accepts and adopts the attached City of New Berlin 2030 Comprehensive Plan amendments to the 2030 Comprehensive Plan Chapter 10: Land Use, recognizing that the Common Council must also adopt the Comprehensive Plan amendments via Ordinance for it to become effective; and

BE IT FURTHER RESOLVED that the Plan Commission does hereby recommend that the Common Council adopt Ordinance No. 2024-25, which will constitute its adoption of the Comprehensive Plan amendments.

Passed and adopted by the Plan Commission on this 12th day of November, 2024.

APPROVED:

David A. Ament, Mayor

Certified/Countersigned:

Nikki Jones
Plan Commission Secretary

ORDINANCE NO. 2699

An ordinance to adopt the amendments to the City's Comprehensive Plan to incorporate the necessary General Amendments and Future Land Use Map Amendments into the City's adopted 2030 Comprehensive Plan, Chapter 10: Land Use and Chapter 15: "Neighborhood E" National Avenue East Corridor.

The Common Council of the City of New Berlin do ordain as follows:

SECTION I

Pursuant to section 62.23(2) and (3) of the Wisconsin Statutes, the City of New Berlin, is authorized to prepare and adopt a comprehensive plan as defined in section 66.1001(1)(a) and 66.1001(2) of the Wisconsin Statutes.

SECTION II

The Common Council of the City of New Berlin, Wisconsin, has adopted written procedures designed to foster public participation in every stage of the preparation of a comprehensive plan as required by Section 66.1001(4)(a) of the Wisconsin Statutes.

SECTION III

The Plan Commission of the City of New Berlin by a majority vote of the Commission members present and voting as recorded in its official minutes and adopted Resolution # 2024-25 on November 12, 2024 recommending to the Common Council the adoption of the ordinance that approves the general amendments and Future Land Use amendments to the City's adopted 2030 Comprehensive Plan Chapter 10: Land Use, a copy of the chapter is attached as Exhibit A, containing amendments to the elements specified in section 66.1001(2) of the Wisconsin Statutes.

More specifically, the Future Land Use Map amendments requested by Sherri Meyer on behalf of Holy Apostles Congregation, to amend the Future Land Use for the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) from Suburban Commercial to Institutional.

SECTION IV

The City held public hearings on October 7, 2024 on these Comprehensive Plan amendments, in compliance with the requirements of Section 66.1001(4)(d) of the Wisconsin Statutes.

SECTION V

The Common Council of the City of New Berlin, Wisconsin, does, by enactment of this ordinance, formally adopt the document entitled, "**General Amendments and Future Land Use Map Amendments into the City's adopted 2030 Comprehensive Plan Chapter 10: Land Use**" which is attached hereto as Exhibit A pursuant to section 66.1001(4)(c) of the Wisconsin Statutes.

SECTION VI

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

SECTION VII

This ordinance shall take effect upon passage and publication as approved by law.

SECTION VIII

The several sections of this ordinance are declared to be severable. If any section shall be declared by decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other portions of the ordinance.

PASSED AND ADOPTED by the Common Council this 12th day of November, 2024.

APPROVED:

David A. Ament, Mayor

Countersigned:

Rubina Medina, City Clerk

STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT: Sherri Meyer on behalf of Holy Apostles Congregation / Rezoning

LOCATION: 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002)

REQUEST: Request to rezone the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) from B-2 to I-1.

D.R.C. RECOMMENDATION: Recommend to Common Council adoption of Ordinance # 2700 that approves the rezoning of the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) from B-2 to I-1.

DETAILS IN ATTACHED STAFF REPORT:

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

Meeting of November 7, 2024

Sherri Meyer on behalf of Holy Apostles Congregation / Rezoning
15856 W. National Avenue (Tax Key #: 1212-993) and
a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002)

DATE STAFF REPORT PREPARED: October 15, 2024

APPLICANT / OWNER(S): Sherri Meyer on behalf of Holy Apostles Congregation / Holy Apostles Congregation

REQUEST / DESCRIPTION OF PROJECT: The applicant is requesting to rezone the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) from B-2 to I-1.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 8/20/2024

DATE OF COMPLETENESS DETERMINATION: 8/21/2024

PRE-APPLICATION CONFERENCE HELD: No

Date(s) of Meeting(s): N/A – Various emails.

Site Visit(s): 9/10/2024

CONCEPTUAL PLAN: A 1-Lot CSM has been submitted. (See File # LD-2401976)

SIZE OF DEVELOPMENT / PARCEL(S):

Parcel 1 (16000 W. National Avenue / Tax Key #: 1212-991-002): 18.02 acres

Parcel 2 (15856 W. National Avenue / Tax Key #: 1212-993): 0.53 (0.39 acres excl. ROW)

CURRENT ZONING: B-2 (General Retail Sales and Service District)

CURRENT LAND USE: Commercial / Vacant

PROPOSED ZONING: I-1 (Institutional)

PROPOSED LAND USE: Church/Institutional

PROPOSED LOT SIZE(S): 18.4485 acres (See File # LD-2401976)

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

<i>North:</i>	Zoning: R-5 (Medium-Density Single-Family Residential District)	Land Use: Single-Family Residential
<i>South:</i>	Zoning: B-2 (General Retail Sales and Service District)	Land Use: Commercial
<i>East:</i>	Zoning: B-2 (General Retail Sales and Service District)	Land Use: Commercial

West: Zoning: B-2 (General Retail Sales and Service District) Land Use: Commercial

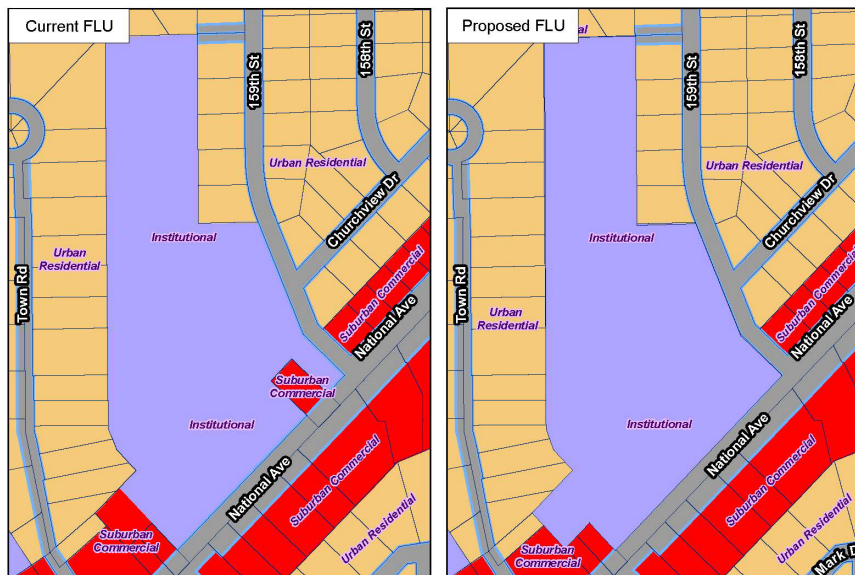
CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes, the request meets the intent of this Chapter.

Chapter 15: Neighborhood “E”: National Avenue East Corridor: Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

Vision:

- *National Avenue should be an exemplary model of a suburban commercial corridor. Vehicular and pedestrian traffic should coexist in a safe and efficient manner through prominent pedestrian facilities and managed vehicular access. Utilities should be relocated or placed underground whenever feasible to de-emphasize their visual prominence. Public streetscape improvements should be coordinated with private landscaping and site design. Commercial development will be focused at nodes along the corridor to minimize the “strip” appearance.*
- **Land Use:**
 - *Future Land Use Map: Suburban Commercial*
 - *2030 Future Land Use Map Suggestion: Institutional (See File #: CP-2401974)*



ZONING CODE (Chapter 275): Yes, this request meets the requirements of Section 275-36B(1) of the Zoning Code.

DEVELOPMENT CODE (CHAPTER 235): N/A

REZONING REQUIRED: Yes

CONDITIONAL USE REQUIRED: No

PUBLIC HEARING REQUIRED: Yes, held on 10/7/2024.

USE / SITE / ARCHITECTURAL REVIEW:

Use Approval Required: No

Site Plan Required: Yes, see attached CSM.

Architectural Review Required: No

PROPOSED ARCHITECTURE: N/A

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: No

Wetland On Property: No

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

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: The site is relatively flat.

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: No impact. No changes proposed at this time.

STORMWATER MANAGEMENT / DRAINAGE PLAN: 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: Yes

Basin Capacity Available: Yes

Adequate Linkage: Yes

Onsite System Required: No

WATER USAGE CALC.: No increase.

TRAFFIC IMPACT: No increase.

SCHOOL DISTRICT IMPACT: N/A

Notice Sent to Affected School District(s): No

PREVIOUS ACTION:

12/7/1964	Plan Commission approval of church.
3/31/1997	Plan Commission approval of an addition and renovation of existing areas.
7/7/1997	Plan Commission approval of a garage building for maintenance equipment.
10/12/2010	Common Council approval of a 1-Lot CSM to combine the properties at 16000 W. National Avenue and the former 15850 W. National Avenue.
6/6/2011	Plan Commission approval for a waiver for a 15' buffer adjacent to a commercial use and additional parking via agreement with adjacent property.
2/15/2017	Architectural Review Committee approved a 400 square foot chapel addition.

12/4/2017	Plan Commission approval of a cemetery expansion.
3/20/2018	Architectural Review Committee approved a 9,466 square foot addition.
11/6/2023	Plan Commission approval of rezoning, Comprehensive Plan Amendment, and a 1-Lot CSM.
11/14/2023	Common Council approval of rezoning, Comprehensive Plan Amendment, and a 1-Lot CSM.
10/7/2024	Joint Public Hearing held for Rezoning and Comprehensive Plan Amendment applications (see file #s: CP-2401974 & RZ-2401975).

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

1. The rezoning must meet the following criteria outlined in New Berlin Municipal Code Chapter 275-22 (F):

- a. *The proposed rezoning is consistent with the Comprehensive Plan and the stated purposes of Chapter 275;*

The Future Land Use map identifies the area as Suburban Commercial. The applicant has filed a separate application for a Comprehensive Plan Amendment (See File #: CP-2401974) to amend the Future Land Use Map within the City's Comprehensive Plan (Chapter 10 – Land) from Suburban Commercial to Institutional.

- b. *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 rezoning is compliant. This property is currently served by public sanitary sewer and water facilities.

- c. *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 rezoning is compliant.

- d. *The proposed development has taken into account impacts on surrounding properties or the natural environment, including air, water, noise, storm water management, soils, wildlife, and vegetation;*

Yes, the proposed rezoning is compliant. Any future development shall require a separate application to be filed with the Department of Community Development.

- e. *The land proposal for rezoning is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas;*

Yes, the proposed rezoning is compliant.

- f. *The proposed rezoning will not be used to legitimize, or "spot zone," a nonconforming use or structure; and*

No, it will not be a spot zoning. It will be consistent with the Future Land Use Map within the Comprehensive Plan, as proposed to be amended with application # CP-2401974.

- g. *The proposed rezoning is the minimum action necessary to accomplish the intent of the petition, and an administrative modification, variance, or conditional use permit could not be used to achieve the same result.*

Yes, the proposed rezoning is the minimum action necessary to accomplish the intent of the petition.

2. The applicant has simultaneously applied for a Comprehensive Plan Amendment (See File #: CP-2401974) and 1-Lot CSM (See File #: LD-2401976). Action for these applications is anticipated for the November 7, 2024 Plan Commission meeting.

D.R.C. RECOMMENDATION:

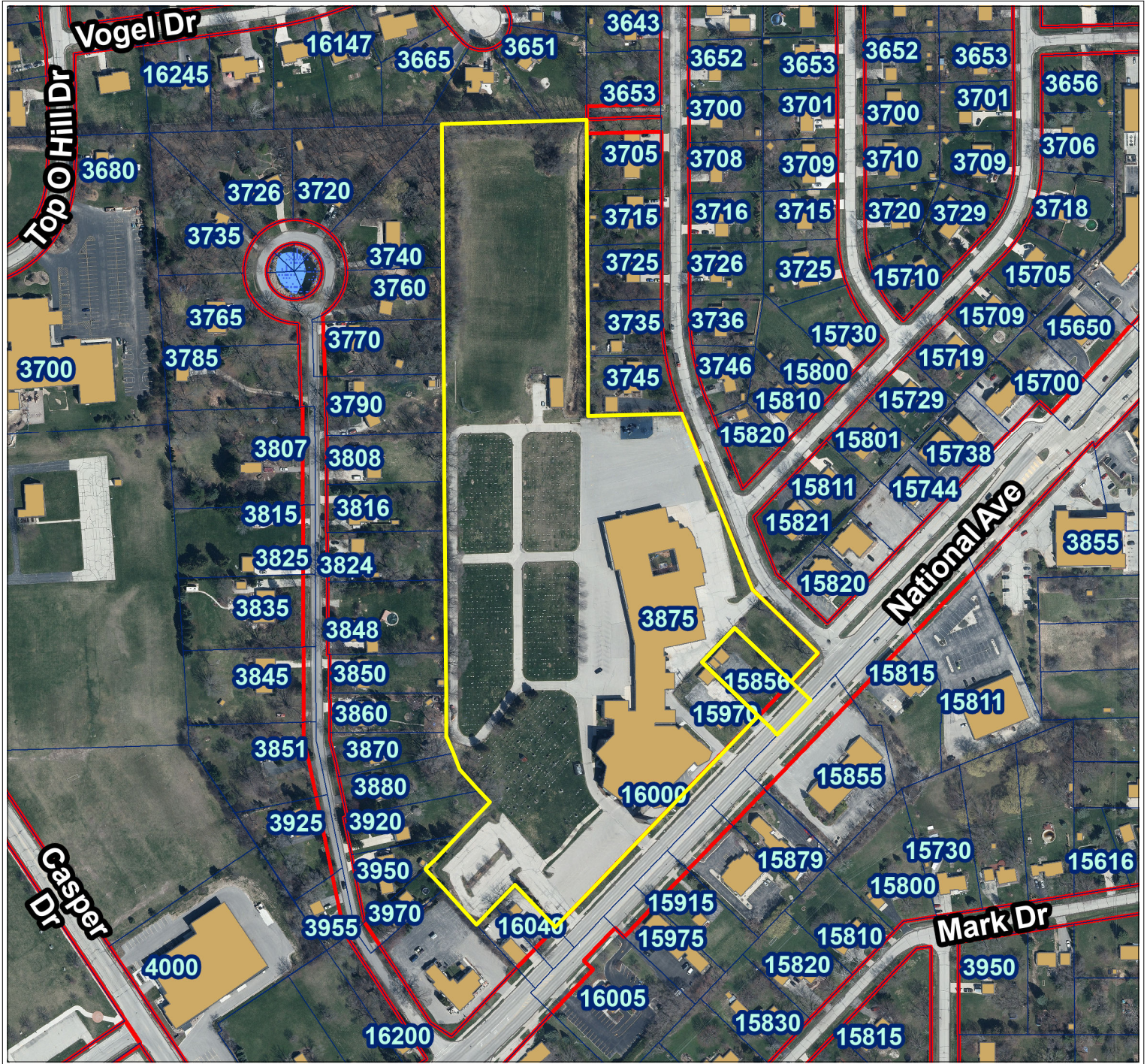
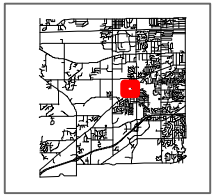
Recommend to Common Council adoption of Ordinance # 2700 that approves the rezoning of the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002) from B-2 to I-1. **See Executive Summary.**

ATTACHMENTS:

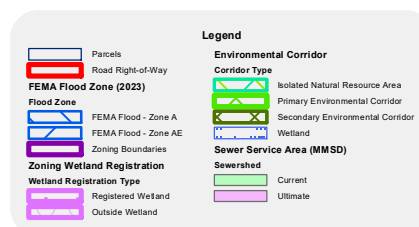
Location Map
Zoning Comparison Map
CSM

Draft Ordinance # 2700

CP-2401974 / RZ-2401975 / LD-2401976
Holy Apostles
15856 W. National Ave & 16000 W. National Ave



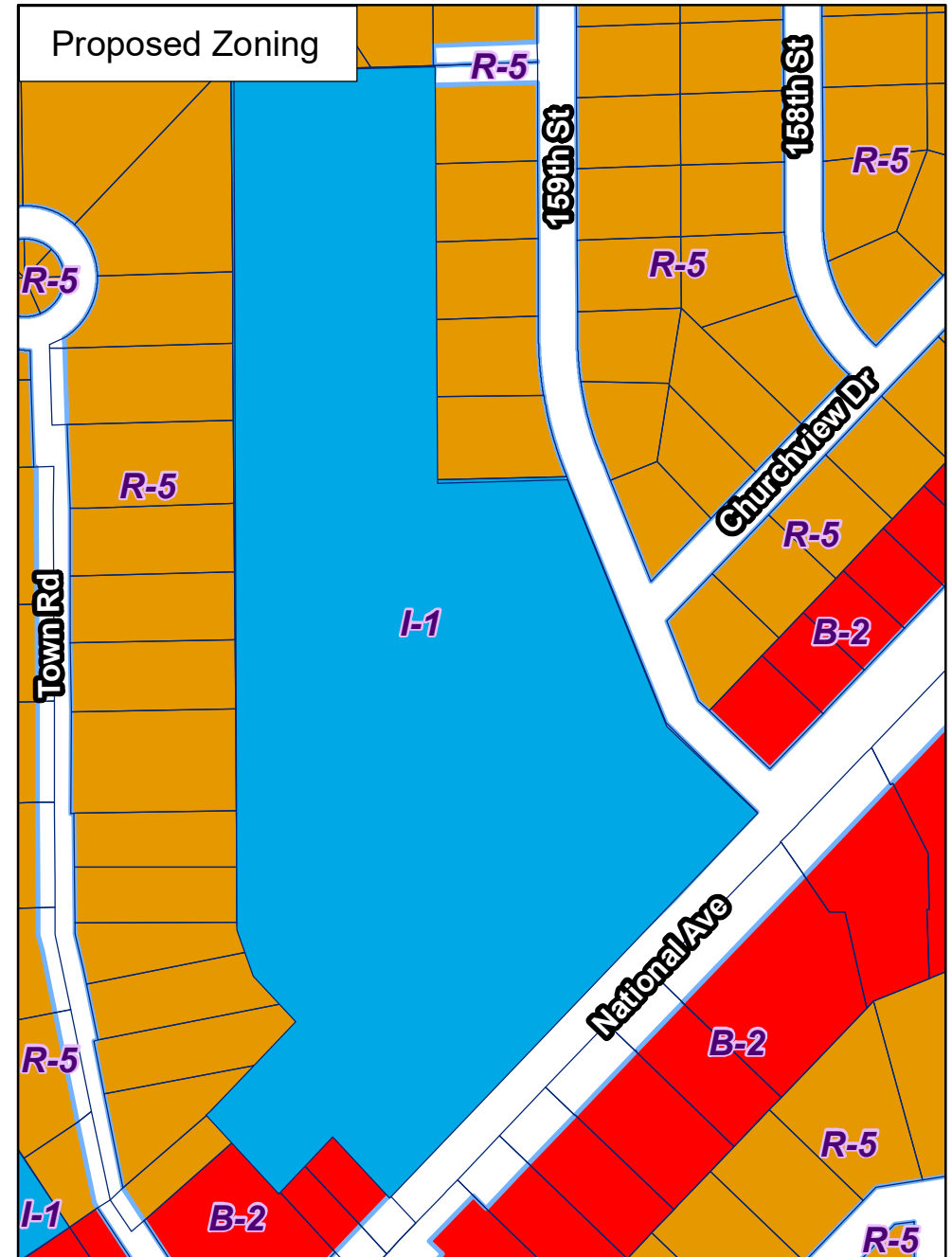
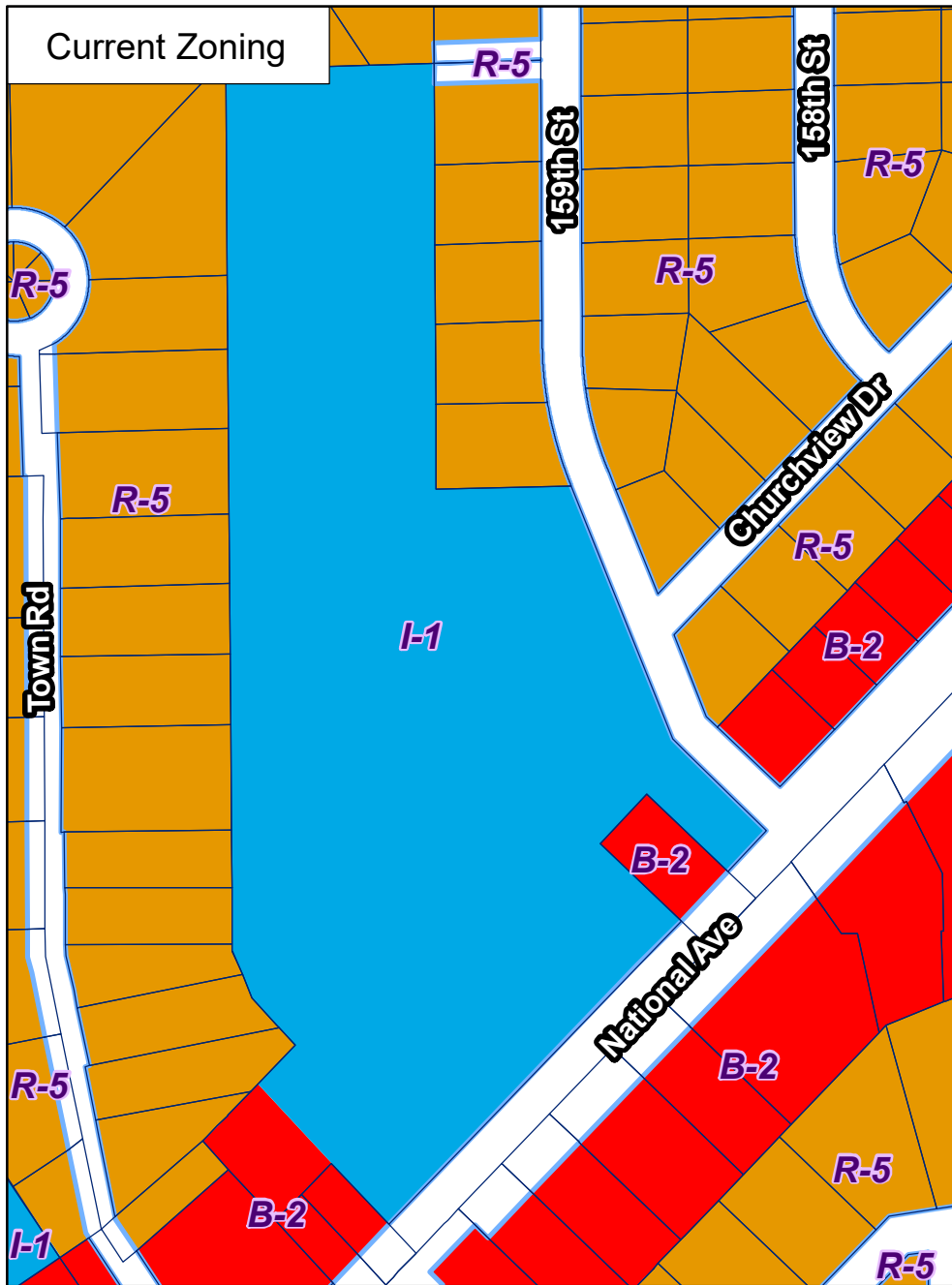
City of New Berlin
Department of Community Development
3805 S Casper Dr.
New Berlin WI 53151
(262) 797-2445
www.newberlin.org



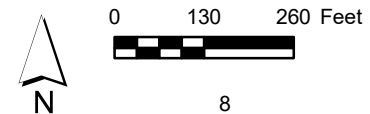
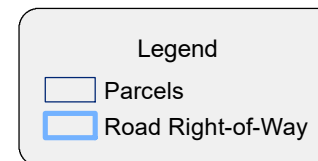
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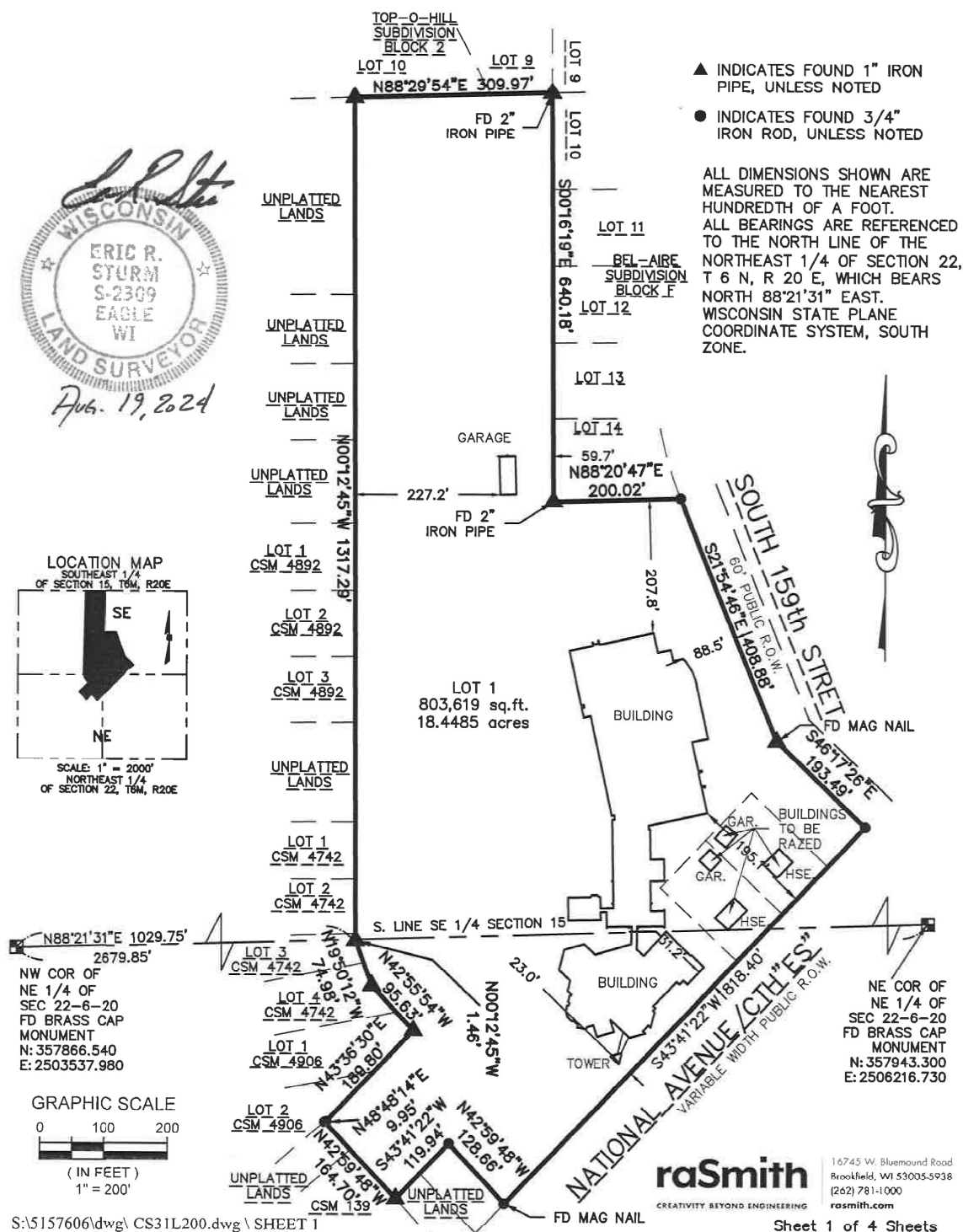
The information and depictions herein have been produced using data available through photogrammetric means by the City of New Berlin. The information and depictions herein are for informational purposes and the City of New Berlin specifically disclaims accuracy in this reproduction and specifically 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.



RZ-2401975
Holy Apostles
15856 W National Ave



Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
 :SS
WAUKESHA COUNTY }

I, Eric R. Sturm, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, bounded and described as follows:

COMMENCING at the Northwest corner of the Northeast 1/4 of Section 22; thence North 88°21'31" East along the North line of said 1/4 Section 1029.75 feet to a point in the East line of Certified Survey Map No. 4742 and the point of beginning of lands to be described; thence North 00°12'45" West along said East line and its extension and the East line of Certified Survey Map No. 4892 and its extension 1317.29 feet to a point in the South line of Lot 10, Block 2, in Top-O-Hill Subdivision; thence North 88°29'54" East along said South line and its extension 309.97 feet to a point in the West line of Block F in Bel-Aire Subdivision; thence South 00°16'19" East along said West line 640.18 feet to the Southwest corner of Lot 14 in said Block F; thence North 88°20'47" East along the South line of said Lot 14 for a distance of 200.02 feet to a point in the West line of South 159th Street; thence South 21°54'46" East along said West line 408.88 feet to a point; thence South 46°17'26" East continuing along said West line 193.49 feet to a point in the Northerly line of National Avenue (C.T.H. ES); thence South 43°41'22" West along said Northerly line 818.40 feet to a point; thence North 42°59'48" West 128.66 feet to a point; thence South 43°41'22" West 119.94 feet to a point in the Easterly line of Certified Survey Map No. 139; thence North 42°59'48" West along said Easterly line and its extension 164.70 feet to a point in the Southeasterly line of Certified Survey Map No. 4906; thence North 48°48'14" East along said Southeasterly line 9.95 feet to a point; thence North 43°36'30" East along said Southeasterly line 189.80 feet to the most Easterly corner of Lot 1 of said Certified Survey Map; thence North 42°55'54" West along the Northeasterly line of said Certified Survey Map and its extension and the Easterly line of Certified Survey Map No. 4742 and its extension 95.63 feet to a point; thence North 19°50'12" West along the Easterly line of Certified Survey Map No. 4742 a distance of 74.98 feet to a point; thence North 00°12'45" West along said Easterly line 1.46 feet to the point of beginning.

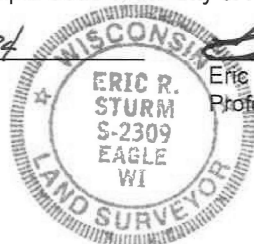
Containing 803,619 square feet or 18.4485 acres, more or less of land.

THAT I have made this survey, land division and map by the direction of HOLY APOSTLES CONGREGATION, 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 provisions of Chapter 236 of the Wisconsin State Statutes and Chapter 235 of the Municipal Code of the City of New Berlin in surveying, dividing and mapping the same.

August 19, 2024
DATE



Eric R. Sturm (SEAL)
Eric R. Sturm
Professional Land Surveyor S-2309

raSmith
CREATIVITY BEYOND ENGINEERING

16745 W Bluemound Road
Brockfield, WI 53005-5938
(262) 781-1000
rasmith.com

CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE

HOLY APOSTLES CONGREGATION, as owners, certify that they caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and City of New Berlin.

HOLY APOSTLES CONGREGATION, also certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of New Berlin

WITNESS the hand and seal of HOLY APOSTLES CONGREGATION, this _____ day of

_____, 2024.

STATE OF WISCONSIN }
 :SS
_____ COUNTY }

PERSONALLY came before me this _____ day of _____, 2024,

_____ and acknowledged that they executed the foregoing instrument.

_____(SEAL)

Notary Public, State of Wisconsin
My commission expires
My commission is permanent.



CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of New Berlin on this _____ day of _____, 2024. All conditions of approval have been met as of this _____ day of _____, 2024.

David Ament, Mayor

Rubina R. Medina, Clerk

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of New Berlin on this _____ day of _____, 2024.

David Ament, Mayor/Chairperson

Nikki Jones, Secretary



This instrument was drafted by Eric R. Sturm,
Professional Land Surveyor S-2309

ORDINANCE NO. 2700

Ordinance to rezone from B-2 (General Retail Sales and Service District) to I-1 (Institutional District)

The Common Council of the City of New Berlin do ordain as follows:

SECTION I

The City of New Berlin, having received a petition from Terri Engsberg on behalf of Holy Apostles Congregation to rezone the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #:1212-991-002) from B-2 to I-1:

EXISTING LEGAL DESCRIPTIONS:**15856 W. National Avenue (Tax Key #: 1212-993)**

PT SE.25 SEC 15 & NE.25 SEC 22 T6N R20E COM AT NE COR, TH W 922 FT, TH S 44 DGR 37' W 22 FT /BGN, TH N 45 DGR 23' W 227 FT, TH N 44 DGR 37' E 102 FT, TH S 45 DGR 23' E 227 FT, TH S 44 DGR 37' W 102 FT/BGN R728/193 EXC HWY R1282 I666 DOC #4197084 03/23/2016 COR DOC #4203776 04/29/2016

16000 W. National Avenue (Tax Key #: 1212-991-002)

LOT 1 CSM #12508 VOL 130/69 REC AS DOC #4746276 REDIV LOT 1 CSM #10851 VOL 105/181 REC AS DOC #3821403 & LANDS BEING PT NE1/4 NW1/4 OF NE1/4 OF SEC 22 & PT SW1/4 SE1/4 OF SE1/4 OF SEC 15 T6N R20E

LANDS TO BE REZONED FROM B-2 to I-1:**15856 W. National Avenue (Tax Key #: 1212-993)**

That part of the Southeast 1/4 of Section 15 and the Northeast 1/4 of Section 22, Township 6 North, Range 20 East, in the City of New Berlin, County of Waukesha, State of Wisconsin, more particularly described as follows:

Commencing at the Northeast corner of the Northeast 1/4 of Section 22, running thence West along the North line of said 1/4 Section 922.0 feet to a point in the center line of Highway 15, thence South 44°37' West along the center line of said Highway 22.0 feet to the place of beginning of this parcel of land, thence North 45°23' West and at right angles to the center line of said Highway 227.0 feet to a point, thence North 44°37' East and parallel to the center line of said Highway 102.0 feet to a point, thence South 45°23' East 227.0 feet to a point in the center line of said Highway, thence South 44°37' West along the center line of said highway 102.0 feet to the place of beginning.

Excepting therefrom that part of the Northeast 1/4 of Section 22 and the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, described as follows: Commencing at the Southeast corner of the Southeast 1/4 of said Section 15; thence South 88°20'37" West 919.00 feet along the South line of the Southeast 1/4 of said Section 15 to the point of beginning; thence South 43°35'24" West 26.34 feet along the centerline of CTH "ES" (National Avenue); thence North 42°52'13" West 60.11 feet; thence North 43°35'24" East 100.33 feet; thence South 46°24'56" East 60.00 feet; thence South 43°35'24" West 77.70 feet to the point of beginning.

Said land contains 17,022 square feet or 0.39 acres.

A Portion of 16000 W. National Avenue (Tax Key #: 1212-991-002)

Part of Lot 1 of Certified Survey Map No. 12508, recorded in Waukesha county Register of Deeds in book

130, Pages 69-72 as Document No. 4746276, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said 1/4 Section; thence North 88°21'31" East along the North line of said 1/4 Section a distance of 1029.75 feet to a point in the Easterly line of Certified Survey Map No. 4742; thence South 00°12'45" East along said Easterly line 1.46 feet to a point; thence South 19°50'12" East along said Easterly line 74.98 feet to a point; thence South 42°55'54" East along said Easterly line and the extension of the Easterly line of Certified Survey Map No. 4906 a distance of 95.63 feet to a point; thence South 43°36'30" West along said Easterly line 79.80 feet to the point of beginning of lands to be described; thence South 42°59'48" East 163.97 feet to a point; thence South 43°41'22" West 119.94 feet to a point; thence North 42°59'48" West 164.70 feet to a point in the Easterly line of Certified Survey Map No. 4906; thence North 48°48'14" East along said Easterly line 9.95 feet to a point; thence North 43°36'30" East along said Easterly line 110.00 feet to the point of beginning.

Said land contains 19,629 square feet or 0.4506 acres.

SECTION II

The matter came before the City Plan Commission which held a public hearing on the proposed rezoning on October 7, 2024 and recommended approval of said rezoning on November 7, 2024 subject to the application, plans on file, and an ordinance approved by the City Attorney, and the matter having been considered and the rezoning approved on November 12, 2024 by the Common Council.

SECTION III

The Common Council of the City of New Berlin does hereby approve the rezoning of the lands in the above-described property from B-2 to I-1 subject to the application and plans on file.

The Mayor and City Clerk are authorized to execute this Ordinance No. 2700 on behalf of the City of New Berlin.

SECTION IV

The several sections of this ordinance are declared to be severable. If any section shall be declared by decision of a court of competent jurisdiction to be invalid, such decision shall not affect the validity of other portions of the ordinance.

SECTION V

All ordinances or parts of ordinances contravening the terms and conditions of this ordinance are hereby to that extent repealed.

SECTION VI

This ordinance shall take effect upon passage and publication of a summary notice as required by law, and the City Clerk shall so amend the Code of Ordinances and zoning map of the City of New Berlin, and shall indicate the date and number of this amending ordinance therein.

PASSED AND ADOPTED by the Common Council this 12th day of November 2024.

APPROVED:

Countersigned:

David A. Ament, Mayor

Rubina Medina, City Clerk

DRAFT

STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT: Sherri Meyer on behalf of Holy Apostles Congregation / 1-Lot Certified Survey Map

LOCATION: 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002)

REQUEST: Approval of a 1-Lot Certified Survey Map

REVIEW SCHEDULE:

CSM Received:	8/20/2024
Completeness Determination:	8/20/2024
90-day time limit expires:	11/18/2024
Final Common Council Action:	11/12/2024

D.R.C. RECOMMENDATION: Recommend to Common Council approval of a 1-Lot Certified Survey Map for the properties located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002), 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.
5. Approval of the Comprehensive Plan Amendment (see file #: CP-2401974) and Rezoning (see file #: RZ-2401975) is required prior to action on the Certified Survey Map.
6. Applicant shall dedicate the appropriate right-of-way to Waukesha County.

DETAILS IN ATTACHED STAFF REPORT:

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

Meeting of November 7, 2024

Sherri Meyer on behalf of Holy Apostles Congregation / 1-Lot Certified Survey Map
15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000
W. National Avenue (Tax Key #: 1212-991-002)

DATE STAFF REPORT PREPARED: October 11, 2024

APPLICANT / OWNER(S): Sherri Meyer on behalf of Holy Apostles Congregation / Holy Apostles Congregation

REQUEST / DESCRIPTION OF PROJECT: Approval of the 1-Lot Certified Survey Map for the property located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002).

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 8/20/2024

DATE OF COMPLETENESS DETERMINATION: 8/21/2024

PRE-APPLICATION CONFERENCE HELD: No

Date(s) of Meeting(s): Various calls and emails

Site Visit(s): 9/10/2024

CONCEPTUAL PLAN: Yes

SIZE OF DEVELOPMENT / PARCEL(S):

Parcel 1 (16000 W. National Avenue / Tax Key #: 1212-991-002): 18.02 acres

Parcel 2 (15856 W. National Avenue / Tax Key #: 1212-993): 0.53 (0.39 acres excl. ROW)

CURRENT ZONING: B-2 (General Retail Sales and Service District) & I-1 (Institutional)

CURRENT LAND USE: Institutional / Vacant / Commercial

PROPOSED ZONING: I-1 (Institutional)

PROPOSED LAND USE: Church/Institutional

PROPOSED LOT SIZE(S): 18.4485 acres

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

North: Zoning: R-5 (Medium-Density Single-Family Residential District)

Land Use: Single-Family Residential

South: Zoning: B-2 (General Retail Sales and Service District)

Land Use: Commercial

East: Zoning: B-2 (General Retail Sales and Service District)

Land Use: Commercial

West: Zoning: B-2 (General Retail Sales and Service District)

Land Use: Commercial

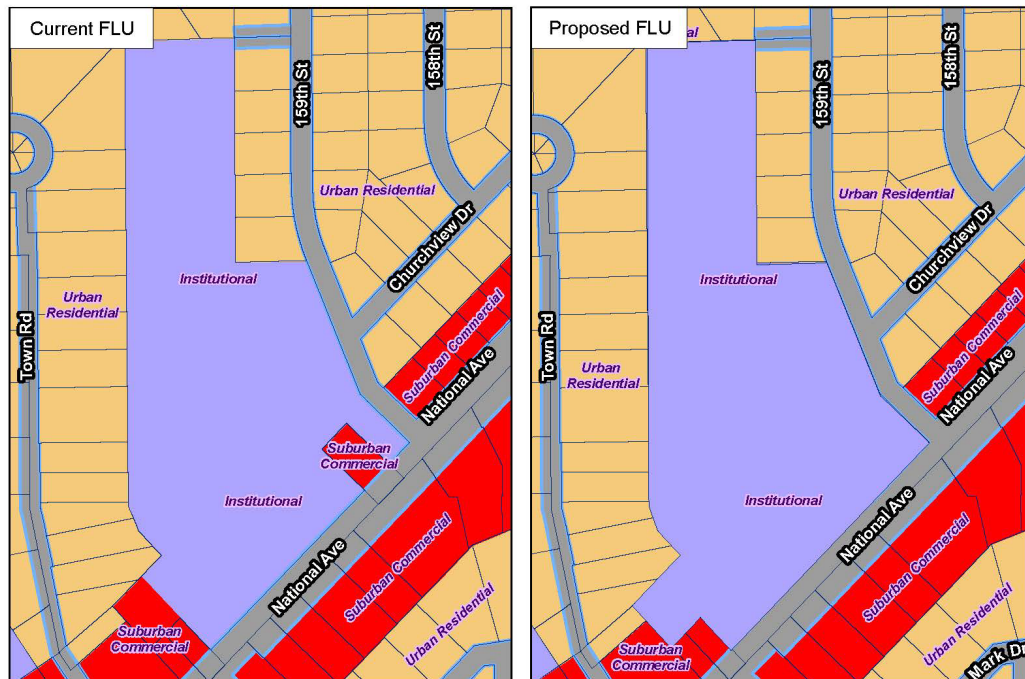
CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes, the request meets the intent of this Chapter.

Chapter 15: Neighborhood “E”: National Avenue East Corridor: Yes, this submittal meets the intent of this Chapter.

Planning Context / Vision / Development Policies:

Vision:

- *National Avenue should be an exemplary model of a suburban commercial corridor. Vehicular and pedestrian traffic should coexist in a safe and efficient manner through prominent pedestrian facilities and managed vehicular access. Utilities should be relocated or placed underground whenever feasible to de-emphasize their visual prominence. Public streetscape improvements should be coordinated with private landscaping and site design. Commercial development will be focused at nodes along the corridor to minimize the “strip” appearance.*
- **Land Use:**
 - *Future Land Use Map: Suburban Commercial*
 - *2030 Future Land Use Map Suggestion: Institutional (See File #: CP-2401974)*



ZONING CODE (Chapter 275): Yes, this request meets the requirements of Section 275-36B(1) of the Zoning Code.

DEVELOPMENT CODE (CHAPTER 235): N/A

REZONING REQUIRED: See file # RZ-2401975.

CONDITIONAL USE REQUIRED: No

PUBLIC HEARING REQUIRED: A joint public hearing was held on October 7, 2024 for the Comprehensive Plan Amendment (see file #: CP-2401974) and Rezoning (File # RZ-2401975).

USE / SITE / ARCHITECTURAL REVIEW:

Use Approval Required: No

Site Plan Required: Yes, see attached CSM.

Architectural Review Required: No

PROPOSED ARCHITECTURE: N/A

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: No

Wetland On Property: No

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

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: The site is relatively flat.

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: No impact. No changes proposed at this time.

STORMWATER MANAGEMENT / DRAINAGE PLAN: 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: Yes

Basin Capacity Available: Yes

Adequate Linkage: Yes

Onsite System Required: No

WATER USAGE CALC.: No increase.

TRAFFIC IMPACT: No increase.

SCHOOL DISTRICT IMPACT: N/A

Notice Sent to Affected School District(s): No

PREVIOUS ACTION:

12/7/1964 Plan Commission approval of church.

3/31/1997 Plan Commission approval of an addition and renovation of existing areas.

7/7/1997 Plan Commission approval of a garage building for maintenance equipment.

10/12/2010 Common Council approval of a 1-Lot CSM to combine the properties at 16000 W.

6/6/2011 National Avenue and the former 15850 W. National Avenue.
Plan Commission approval for a waiver for a 15' buffer adjacent to a commercial use and additional parking via agreement with adjacent property.

2/15/2017 Architectural Review Committee approved a 400 square foot chapel addition.

12/4/2017 Plan Commission approval of a cemetery expansion.

3/20/2018 Architectural Review Committee approved a 9,466 square foot addition.

10/2/2023 Joint Public Hearing held for Rezoning and Comprehensive Plan Amendment applications (see file #s: CP-2301585 & RZ-2301586).

11/6/2023 Plan Commission approval of rezoning, Comprehensive Plan Amendment, and a 1-Lot CSM (see file #s: CP-2301585 & RZ-2301586).

11/14/2023 Common Council approval of rezoning, Comprehensive Plan Amendment, and a 1-Lot CSM (see file #s: CP-2301585 & RZ-2301586).

10/7/2024 Joint Public Hearing held for Rezoning and Comprehensive Plan Amendment applications (see file #s: CP-2401974 & RZ-2401975). These applications are associated with this CSM.

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

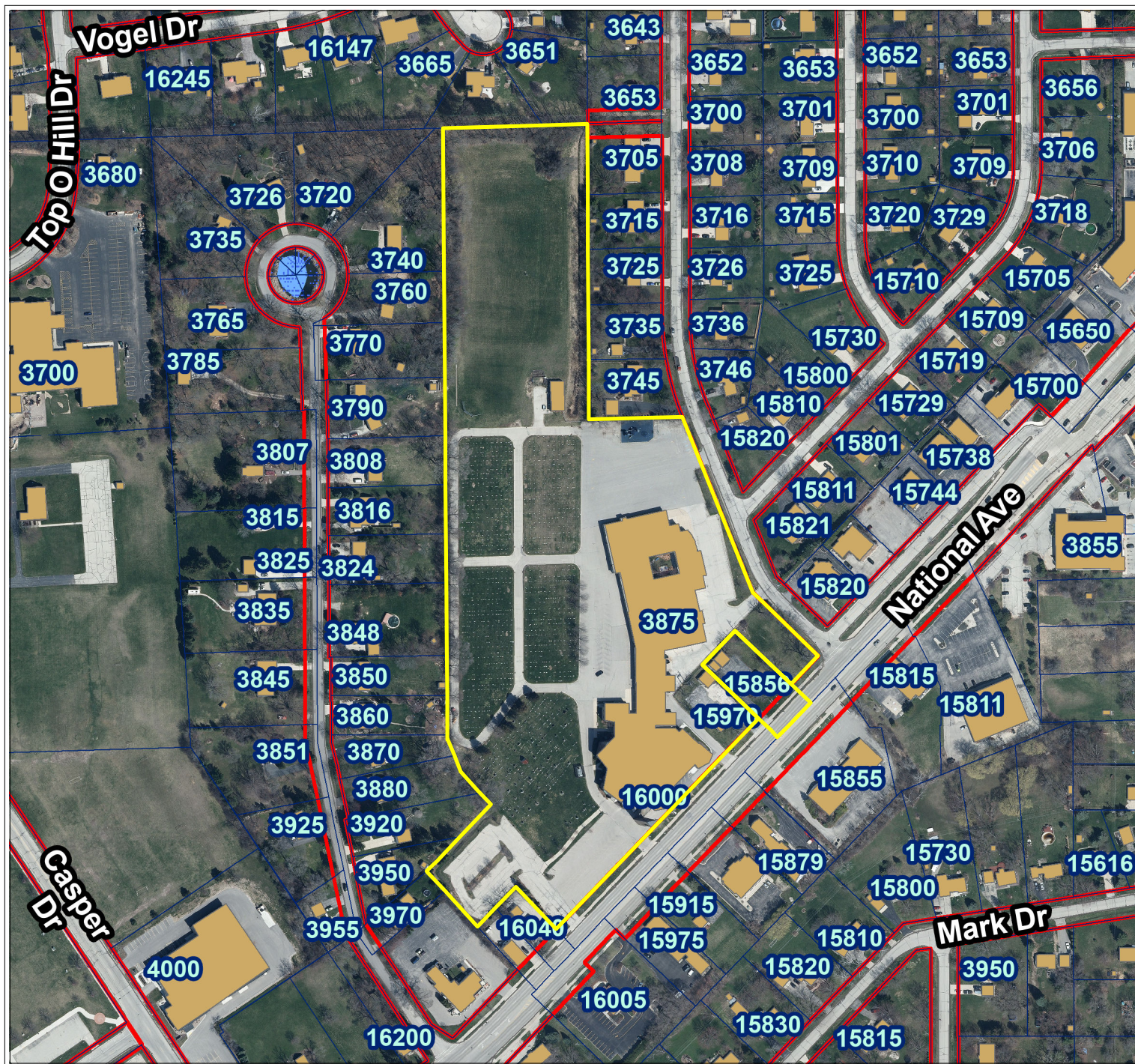
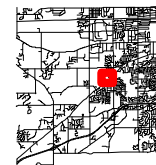
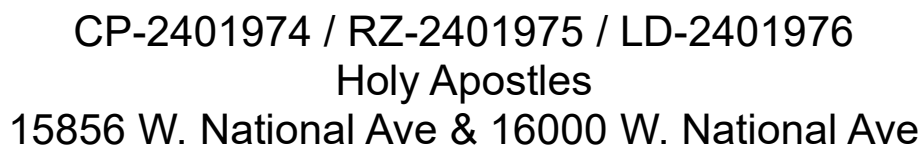
1. The applicant has simultaneously applied for a Comprehensive Plan Amendment (see file #: CP-2401974) and Rezoning (see file #: RZ-2401975). Action for these applications is anticipated for the November 7, 2024 Plan Commission meeting.
2. Per §275-36D, the minimum lot area is 40,000 square feet and the minimum lot width is 200' in the I-1 District.

D.R.C. RECOMMENDATION:

Recommend to Common Council approval of a 1-Lot Certified Survey Map for the properties located at 15856 W. National Avenue (Tax Key #: 1212-993) and a portion of the property located at 16000 W. National Avenue (Tax Key #: 1212-991-002), subject to the application, plans on file and the following conditions: **See Executive Summary.**

ATTACHMENTS:

Location Map
CSM



Legend

Parcels

- Red outline: Road Right-of-Way

FEMA Flood Zone (2023)

- Blue outline: Flood Zone
- Light blue: FEMA Flood - Zone A
- Dark blue: FEMA Flood - Zone AE
- Dark blue outline: Zoning Boundaries

Zoning Wetland Registration

- Light green: Wetland Registration
- Light green outline: Registered Wetland
- Light green outline: Outside Wetland

Environmental Corridor

Corridor Type

- Green: Isolated Natural Resource Area
- Light green: Primary Environmental Corridor
- Dark green: Secondary Environmental Corridor
- Dark green outline: Wetland

Sewer Service Area (MMSD)

Seweraged

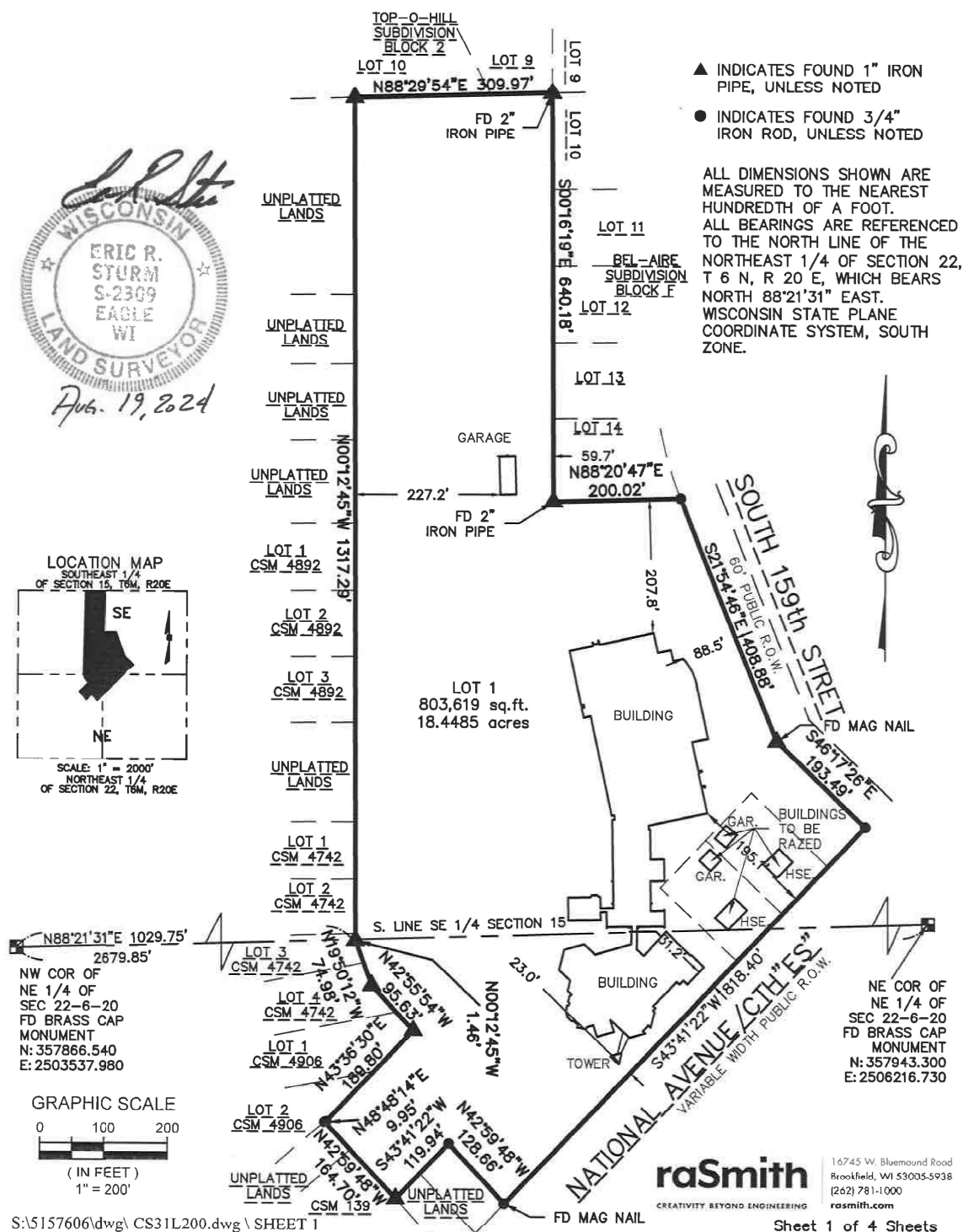
- Light green: Current
- Light green outline: Ultimate



0 120 240 Feet

The information and depictions herein have been produced using data available through photogrammetric means by the City of New Berlin. The information 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.

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.



CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN }
 :SS
WAUKESHA COUNTY }

I, Eric R. Sturm, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided, and mapped Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin, bounded and described as follows:

COMMENCING at the Northwest corner of the Northeast 1/4 of Section 22; thence North 88°21'31" East along the North line of said 1/4 Section 1029.75 feet to a point in the East line of Certified Survey Map No. 4742 and the point of beginning of lands to be described; thence North 00°12'45" West along said East line and its extension and the East line of Certified Survey Map No. 4892 and its extension 1317.29 feet to a point in the South line of Lot 10, Block 2, in Top-O-Hill Subdivision; thence North 88°29'54" East along said South line and its extension 309.97 feet to a point in the West line of Block F in Bel-Aire Subdivision; thence South 00°16'19" East along said West line 640.18 feet to the Southwest corner of Lot 14 in said Block F; thence North 88°20'47" East along the South line of said Lot 14 for a distance of 200.02 feet to a point in the West line of South 159th Street; thence South 21°54'46" East along said West line 408.88 feet to a point; thence South 46°17'26" East continuing along said West line 193.49 feet to a point in the Northerly line of National Avenue (C.T.H. ES); thence South 43°41'22" West along said Northerly line 818.40 feet to a point; thence North 42°59'48" West 128.66 feet to a point; thence South 43°41'22" West 119.94 feet to a point in the Easterly line of Certified Survey Map No. 139; thence North 42°59'48" West along said Easterly line and its extension 164.70 feet to a point in the Southeasterly line of Certified Survey Map No. 4906; thence North 48°48'14" East along said Southeasterly line 9.95 feet to a point; thence North 43°36'30" East along said Southeasterly line 189.80 feet to the most Easterly corner of Lot 1 of said Certified Survey Map; thence North 42°55'54" West along the Northeasterly line of said Certified Survey Map and its extension and the Easterly line of Certified Survey Map No. 4742 and its extension 95.63 feet to a point; thence North 19°50'12" West along the Easterly line of Certified Survey Map No. 4742 a distance of 74.98 feet to a point; thence North 00°12'45" West along said Easterly line 1.46 feet to the point of beginning.

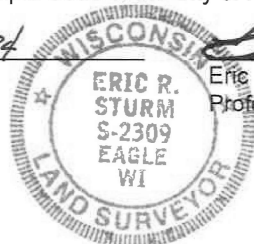
Containing 803,619 square feet or 18.4485 acres, more or less of land.

THAT I have made this survey, land division and map by the direction of HOLY APOSTLES CONGREGATION, 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 provisions of Chapter 236 of the Wisconsin State Statutes and Chapter 235 of the Municipal Code of the City of New Berlin in surveying, dividing and mapping the same.

August 19, 2024
DATE



Eric R. Sturm (SEAL)
Eric R. Sturm
Professional Land Surveyor S-2309

raSmith
CREATIVITY BEYOND ENGINEERING

16745 W Bluemound Road
Brockfield, WI 53005-5938
(262) 781-1000
rasmith.com

CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE

HOLY APOSTLES CONGREGATION, as owners, certify that they caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance with the provisions of Chapter 236 of the Wisconsin Statutes and City of New Berlin.

HOLY APOSTLES CONGREGATION, also certify that this map is required by S.236.10 or 236.12 to be submitted to the following for approval or objection: City of New Berlin

WITNESS the hand and seal of HOLY APOSTLES CONGREGATION, this _____ day of

_____, 2024.

STATE OF WISCONSIN }
 :SS
_____ COUNTY }

PERSONALLY came before me this _____ day of _____, 2024,

_____ and acknowledged that they executed the foregoing instrument.

_____(SEAL)
Notary Public, State of Wisconsin
My commission expires
My commission is permanent.



CERTIFIED SURVEY MAP NO. _____

Lot 1 of Certified Survey Map No. 10851, recorded in Waukesha county Register of Deeds in book 105, Pages 181-184 as Document No. 3821403 and lands, being part of the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 22 and the Southwest 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 15, Township 6 North, Range 20 East, in the City of New Berlin, Waukesha County, Wisconsin.

COMMON COUNCIL APPROVAL

APPROVED by the Common Council of the City of New Berlin on this _____ day of _____, 2024. All conditions of approval have been met as of this _____ day of _____, 2024.

David Ament, Mayor

Rubina R. Medina, Clerk

PLANNING COMMISSION APPROVAL

APPROVED by the Planning Commission of the City of New Berlin on this _____ day of _____, 2024.

David Ament, Mayor/Chairperson

Nikki Jones, Secretary



This instrument was drafted by Eric R. Sturm,
Professional Land Surveyor S-2309