

Plan Commission Meeting Agenda



November 3, 2025 - 6:00 PM
Council Chambers
3805 S. Casper Drive

Published: 10.23.25

AGENDA

1. PUBLIC HEARING(S)

- A. (7) NJ CU-2501911 Michelle Stafford with Stafford Chiropractic - 16646 W. National Avenue (Tax Key #: 1238.999.005) - Stafford Chiropractic to re-occupy a portion of the existing space in the building. (Public Hearing 6:00 PM)

2. PRIVILEGE OF THE FLOOR

Each speaker is limited to 3 minutes. The session will conclude at 6:30 PM.

3. CALL TO ORDER, PLEDGE OF ALLEGIANCE

4. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

5. APPROVAL OF MINUTES

- A. 10/6/2025 Meeting Minutes

6. PLAN COMMISSION SECRETARY'S REPORT

7. CONTINUED BUSINESS

8. NEW BUSINESS

- A. (3) NJ RZ-2501502 Theodore Balistreri with PLM - 21040 W. Lincoln Avenue (Tax Key #: 1176.993) - Rezone from B-2 & C-2 to M-1 & C-2. (Public Hearing 10/6/2025)
- B. (7) NJ CU-2501911 Michelle Stafford with Stafford Chiropractic - 16646 W. National Avenue (Tax Key #: 1238.999.005) - Stafford Chiropractic to re-occupy a portion of the existing space in the building. (Public Hearing 6:00 PM)
- C. (6) NJ SG-2501927 Nick Beyersdorff with Bauer Sign & Lighting - 14000 W Euclid Avenue (Tax Key #: 1201.998.001) - Hoover Elementary School - Sign Waiver Request.

9. PENDING

10. COMMUNICATIONS

- A. 2026 Plan Commission Meeting Dates

11. ADJOURN

Additional Information

- The agenda packet, including supplemental information related to agenda items, is available online at www.NewBerlinWI.gov. Once finalized by the governing body, approved meeting minutes will also be posted online.
- Agenda items may be taken out of order at the governing body's discretion.
- Members, and possibly a quorum, of other municipal governmental bodies may attend this meeting to gather information. However, no action will be taken by any governmental body other than the one referenced in this notice.

- Accommodations will be provided under the Americans with Disabilities Act (ADA) to meet the needs of individuals with disabilities. If you require assistance or appropriate aids and services, please contact the Office of the City Clerk at (262) 786-8610 with reasonable notice.

STAFF REPORT

EXECUTIVE SUMMARY

APPLICANT/PROJECT: Michelle Stafford / Stafford Chiropractic Re-Occupancy

LOCATION: 16646 W. National Avenue (Tax Key #: 1238.999.005)

REQUEST: Conditional Use Permit for Stafford Chiropractic to reoccupy a portion of the existing building located at 16646 W. National Avenue.

D.R.C. RECOMMENDATION: Public Hearing and possible action to approve a Conditional Use Permit for Stafford Chiropractic to reoccupy a portion of the existing building located at 16646 W. National Avenue, subject to the application, plans on file and the following conditions of approval:

1. In a traditional situation, the re-occupancy application would be handled administratively. However, veterinary clinic uses are a conditional use in the O-1 District. The applicant is required to follow the Conditional Use process.
2. This request is consistent with Section 275-35B(1) of the Zoning Code. Medical office is an approved use in the O-1 Zoning District. Veterinary services are conditional uses in the O-1 zoning district. This will not be a full veterinary clinic but rather a chiropractic office whereby animals will be treated too. See the applicant's plan of operation for additional details.
3. Re-occupancy will require Public Hearing and approval from the Plan Commission for Conditional Use Permit to re-occupy the existing building.
4. Plan of operation shall be consistent with plans on file. Applicant is requesting to reoccupy a portion of the existing building as a chiropractic office that also treats animals.
 - a. Hours of operation: 9:00 AM to 6:30 PM Monday – Friday, or by appointment.
 - b. Number of employees: 1
5. No other outdoor storage of materials permitted for this business. Dumpsters shall be properly screened from street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
6. A site visit will be performed after issuance of the Zoning Permit. Per Section 275-53B(1)(11) All existing nonconformities and outstanding code violations shall be identified, resolved, and remedied by the deadline dates.
7. This application does not include any interior or exterior building modifications. Separate applications and permits are required for any modifications.
8. Building shall be fully accessible from the parking lot to the interior elements (SPS 363.1101 and ICC/ANSI A117.1).
9. An occupancy inspection of the facility will be required by the City of New Berlin Building Inspection Division and Fire Department. Please be sure to schedule your fire inspection with your occupancy inspection.
10. Inspection Comments:
 - a. A re-occupancy Inspection (building and fire) of the facility will be required by the

City of New Berlin Inspection Division. This inspection is separate from the building permit inspections.

- b. Remodeling: Any alterations shall require that the building plans be signed and stamped by a licensed architect or professional engineer per the Wisconsin Enrolled Commercial Building Code (SPS 361.31). Apply and obtain appropriate building, electric, plumbing and fire department permits.
- c. All EXIT signs and emergency lighting must be functional. Upgrading exit signs to units with emergency lighting required.
- d. Sprinkler system and fire extinguishers must have proof of yearly maintenance.
- e. Apply and obtain appropriate building, electric, plumbing and fire department permits.
- f. Building shall meet all applicable building and fire codes.
- g. Violations shall be corrected within 10 business days per the fire inspector, Re-inspection required.

11. Fire Comments:

- a. Maintain fire sprinkler coverage throughout.
- b. Key for Knox box is required.
- c. Provide fire extinguishers every 75' of travel.
- d. Maintain egress/emergency lighting throughout.
- e. Name and address on front and rear where applicable.

DETAILS IN ATTACHED STAFF REPORT

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

Meeting of November 3, 2025

Michelle Stafford / Stafford Chiropractic Re-occupancy
16646 W. National Avenue (Tax Key #: 1238.999.005)

DATE STAFF REPORT: 10/10/2025

APPLICANT / OWNER(S): Michelle Stafford with Stafford Chiropractic / Arian LLC

REQUEST / DESCRIPTION OF PROJECT: Conditional Use Permit for Stafford Chiropractic to reoccupy a portion of the existing building located at 16646 W. National Avenue.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 9/18/2025

DATE OF COMPLETENESS DETERMINATION: 9/18/2025

Application Check List Enclosed: N

PRE-APPLICATION CONFERENCE HELD: Yes

CONCEPTUAL PLAN: N/A

Recommendations Y / N / Other: Not applicable

SIZE OF DEVELOPMENT / PARCEL (S): Parcel Size: 1.08 Acres

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

CURRENT LAND USE: Office

PROPOSED ZONING: N/A

PROPOSED LOT SIZE (S): N/A

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

<i>(North)</i>	<i>Zoning: Rd-1PUD</i>	<i>Land Use: Condos (Crestview Place Condos)</i>
<i>(South)</i>	<i>Zoning: Rd-1</i>	<i>Land Use: Condos (Summerland Court Condos)</i>
<i>(East)</i>	<i>Zoning: B-2</i>	<i>Land Use: Commercial (JB's T-shirts)</i>
<i>(West)</i>	<i>Zoning: B-2</i>	<i>Land Use: Commercial (Vacant)</i>

CONFORMANCE WITH MASTER PLAN AND MUNICIPAL CODE: Yes

Chapter 15: Neighborhood E – National Avenue East Corridor:

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.

Development Policies:

- Create flexible but predictable compatibility standards for new construction and

redevelopment related to site planning, building design and materials, landscaping (including maintenance provisions), access, signage, and other features creating potential land use impacts. Emphasize building and parking orientation, with more uniform setbacks and at least some parking encouraged on the side or to the rear of buildings.

Land use:

- Future Land Use Map: Suburban Commercial

ZONING CODE (CHAPTER 275):

Yes, this request is consistent with Section 275-35B(1) of the Zoning Code. Medical office is an approved use in the O-1 Zoning District. Veterinary is a conditional use in the O-1 zoning district. This will not be a full veterinary clinic rather a chiropractic office whereby animals will be treated too.

DEVELOPMENT CODE (CHAPTER 235): N/A

PUBLIC HEARING REQUIRED: Yes

USE / SITE / ARCHITECTURAL REVIEW:

Conditional Use Approval Required: Yes

Site Plan Required: Yes

Architectural Review Required: No

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

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: No

Wetlands on Property: No

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

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: The property slopes to the southeast.

ALTERNATIVE TRANSPORTATION PLAN: No improvements identified.

PARK & OPEN SPACE PLAN: No improvements identified.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): N/A

Woodland, Tree, and Vegetation Protection: N/A

Wildlife Habitat Protection: N/A

Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: N/A

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

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: Yes

Sewershed Capacity Available: Yes

Adequate Linkage: Yes

Onsite System Required: No

WATER USAGE CALCULATION: Similar to previous uses and other existing tenants.

TRAFFIC IMPACT: Similar to previous uses and other existing tenants.

SCHOOL DISTRICT IMPACT: N/A

PREVIOUS ACTION:

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

1. In a traditional situation, the re-occupancy application would be handled administratively. However, veterinary clinic uses are a conditional use in the O-1 District. The applicant is required to follow the Conditional Use process.
2. This request is consistent with Section 275-35B(1) of the Zoning Code. Medical office is an approved use in the O-1 Zoning District. Veterinary services are a conditional use in the O-1 zoning district. This will not be a full veterinary clinic but rather a chiropractic office whereby animals will be treated too. See the applicant's plan of operation for additional details.
3. Re-occupancy will require Public Hearing and approval from the Plan Commission for Conditional Use Permit to re-occupy the existing building.
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- e. Apply and obtain appropriate building, electric, plumbing and fire department permits.
- f. Building shall meet all applicable building and fire codes.
- g. Violations shall be corrected within 10 business days per the fire inspector, Re-inspection required.

11. Fire Comments:

- a. Maintain fire sprinkler coverage throughout.
- b. Key for Knox box is required.
- c. Provide fire extinguishers every 75' of travel.
- d. Maintain egress/emergency lighting throughout.
- e. Name and address on front and rear where applicable.

12. Per Section 275-27C. Approval criteria: *“The Plan Commission of the City of New Berlin will grant approval of conditional use permits only if it finds that the proposed use complies with all relevant regulations set forth in this chapter, including, but not limited to, § 275-41, Use-specific regulations, and Article VIII, General Development Regulations. Per § 66.1001(2m)(b), Wis. Stats., a conditional use does not need to be consistent with the City's Comprehensive Plan.”*

(1) *Approval of a conditional use. Recommendations and decisions on conditional uses should be based on consideration of the following criteria:*

- (a) *Whether the proposed use corrects an error or meets the challenge of some changing condition, trend, or fact;*
- (b) *Whether the proposed use is consistent with the health, safety, or general welfare of the general public;*
- (c) *Whether the proposed use will protect the natural environment, including, but not limited to air, water, storm water management, wildlife, and vegetation.*
- (d) *Public hearing testimony that is based upon facts and/or observed conditions can be considered substantial evidence.*
- (e) *The purpose and intent of the various sections of this chapter, as well as the permitted uses, along with the Comprehensive Plan, shall be considered in determining whether a particular conditional use is compatible with surrounding properties.*
- (f) *With regard to the Agricultural (A-1 and A-2) and Rural Conservation Single-Family Residential (R-1/R-2) zoning districts, any conditional use must be compatible with the rustic and rural lifestyle of these districts.*
- (g) *The uses, values, and enjoyment of other City property and the neighborhood for purposes already permitted shall not be substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.*

(2) *Changes to the use. In acting on a conditional use, the Plan Commission/CDA shall consider the stated purpose of the proposed use and shall approve the petition only if it finds that the applicant has provided substantial evidence as that term is defined in Wis. Stats. § 62.23(7) that the use will meet the following criteria for approval:*

- (a) *Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing*

development;

Yes, the proposed request is compliant.

- (b) *Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of the City to provide them;*

Yes, the proposed request is compliant.

- (c) *The proposed development has taken into account impacts on surrounding properties or the natural environment, including traffic, air, water, noise, stormwater management, soils, wildlife, and vegetation;*

Yes, the proposed request is compliant.

- (d) *The land is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas; and*

Yes, the proposed request is compliant.

- (e) *The proposed use will not be used to legitimize a nonconforming use or structure*

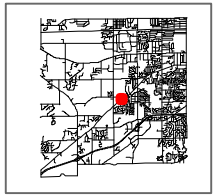
Yes, the proposed request is compliant.

D.R.C. RECOMMENDATION:

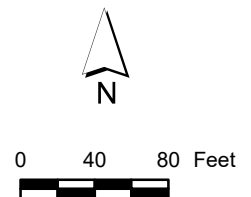
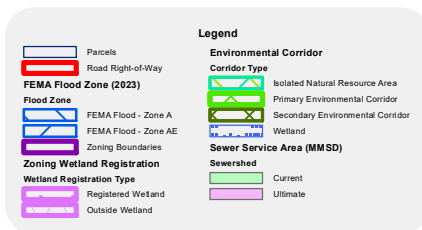
Public Hearing and possible action to approve a Conditional Use Permit for Stafford Chiropractic to reoccupy a portion of the existing building located at 16646 W. National Avenue, subject to the application, plans on file and the following conditions of approval:
SEE EXECUTIVE SUMMARY.

Attachments:

Location Map
Plan of Operation



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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Stafford Chiropractic and Animal Cracker

Office hours are 9-6:30 Monday – Friday or by appointment

I have been a chiropractor in Wisconsin since 1999 and have been in New Berlin since 2006. I treat humans and animals presently. Primarily humans, Thursdays are dedicated to the animals.

I offer spinal manipulations to all ages. I also offer adjunctive therapies. Intersegmental traction, electrical muscle stimulation, heat, cold, exercise rehabilitation, cupping, dry needling, class IV cold laser, compression therapy, blading, taping, DOT exams and testing. I have a website; staffordchiro.net that patients can access me from by email or text. I am in most insurance plans and people can choose to have a cash plan. I treat anything from sports injuries, seniors, infants, wellness patients, weekend warriors, auto accidents, workers comp, disc related issues, arthritis, headaches, neck pain, shoulder and knee conditions.

The animal part of my business is dedicated to Thursday and sometimes Saturdays or by appointment. I offer an initial neuromusculoskeletal exam and manipulation if warranted. I also offer animal exercise and rehab and Class IV cold laser. Each of the services have been taken at an accredited post grad school and I am certified to practice in the state of Wisconsin. If a condition is out of my scope of treatment I refer out to veterinarians. I see each client independently and do not allow other animals to come into the building at the same time. I also do not see humans at the same time to decrease risk of any altercations. The owners are instructed to text me when they arrive and I will let them know that it is clear to enter. The animals are to remain on leash until in the exam room.

Dr Michelle Stafford

2623661790

drmichelle1169@gmail.com

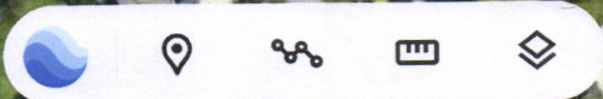
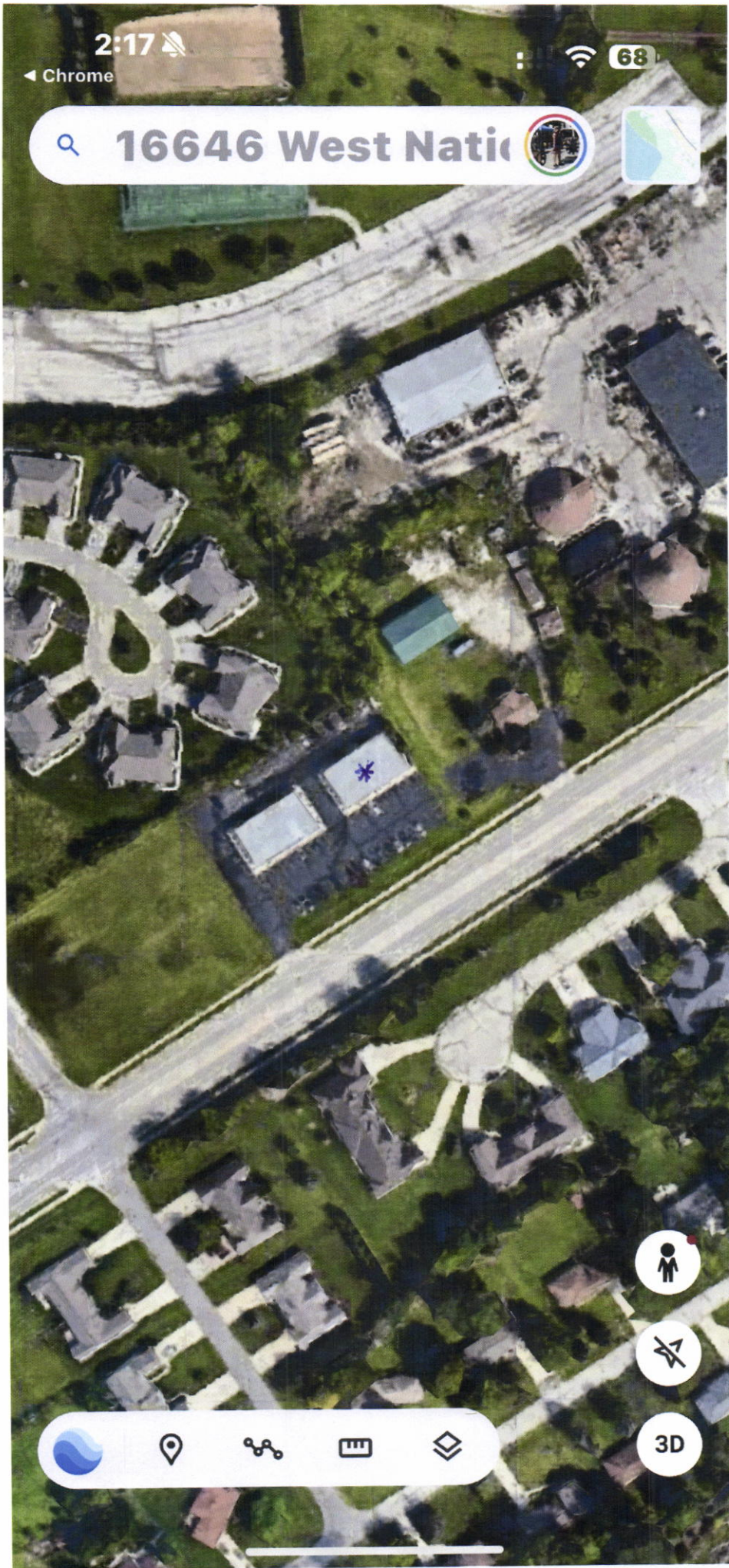
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16646 West Natic



16646 W National Ave



New Berlin, WI 53151

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Stafford Chiropractic

5.0 ★★★★★

Chiropractor



Directions



Start



Directory



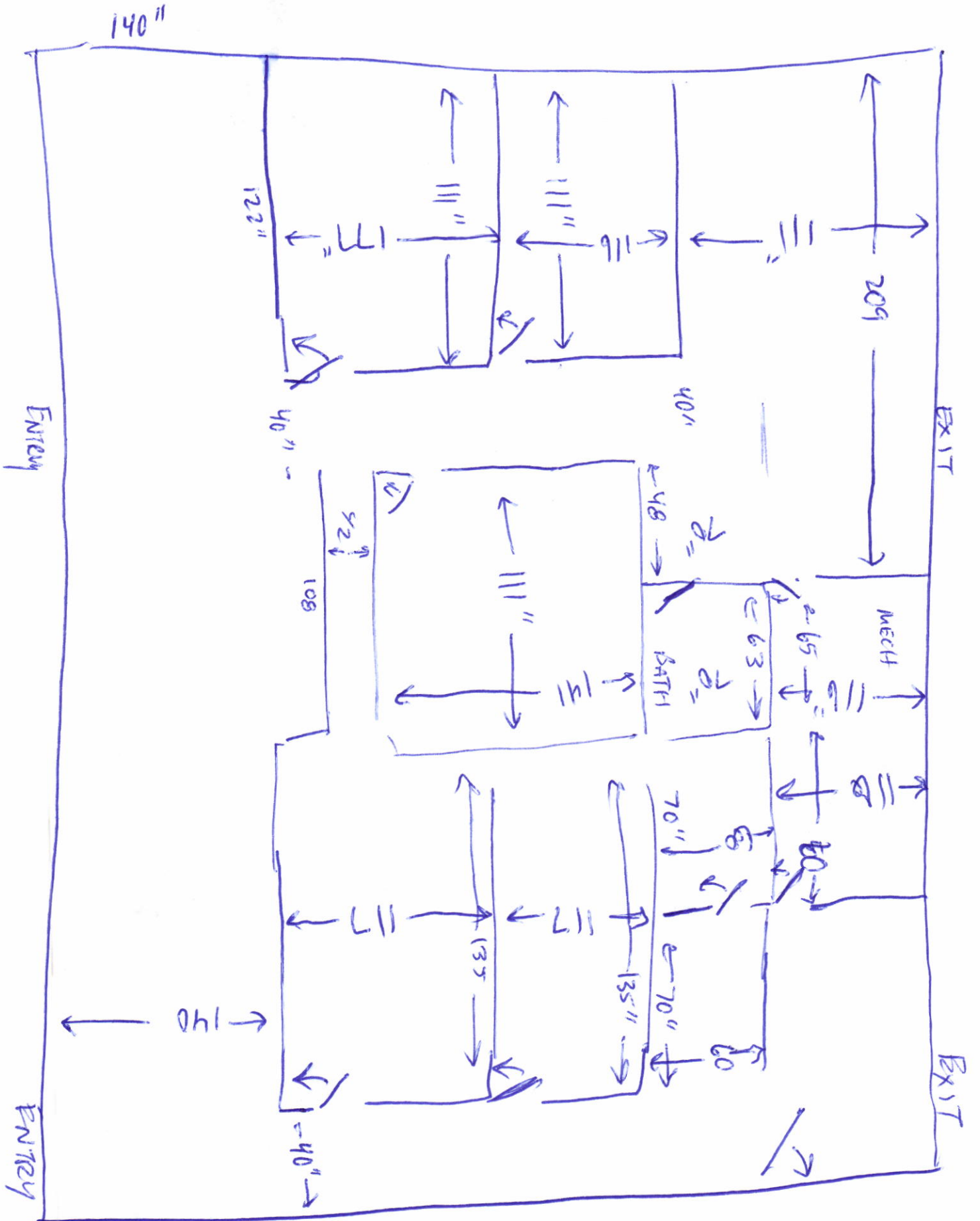


16646 W National Ave

16646 W National Ave, New Berlin, WI 53151







Plan Commission MEETING MINUTES



October 6, 2025 - 6:00 PM
Council Chambers
3805 S. Casper Drive

MINUTES

1. PUBLIC HEARING(S)

Mayor Ament read the order of business for the Public Hearing.

- A. (3) NJ RZ-2501502 Theodore Balistreri with PLM - 21040 W. Lincoln Avenue (Tax Key #: 1176.993) - Rezone from B-2 & C-2 to M-1 & C-2.

Greg Kessler read the public notice for the item, and Kristen Hogan presented the proposal. Mayor Ament opened the public hearing and asked if anyone wished to ask questions for clarification.

A resident from 21220 W. Lincoln Avenue inquired about the proposal at the location. Greg Kessler clarified that the matter before the Commission was a rezoning request only and that what had been presented was a conceptual plan. He noted there is no formal development application for the property at this time.

A resident of 21150 W. Cleveland Avenue, who owns property directly across from the site, expressed concern about the potential impact on his property. He stated that he had previously attempted to rezone his property to allow for a side-by-side ranch and was denied by the City. Greg Kessler responded that he did not recall that specific conversation but stated that each proposal submitted to the Department is evaluated in accordance with the City's Comprehensive Plan and applicable zoning regulations.

Mayor Ament then asked whether anyone wished to speak in favor of the request; none did. He then asked if anyone wished to speak **in** opposition.

Residents from 21220 W. Lincoln Avenue and 21150 W. Cleveland Avenue both spoke in opposition to the rezoning.

Mayor Ament asked the Commissioners if they had any questions or comments. Hearing none, the Mayor closed the public hearing.

2. PRIVILEGE OF THE FLOOR

Each speaker is limited to 3 minutes. The session will conclude at 6:30 PM.

3. CALL TO ORDER, PLEDGE OF ALLEGIANCE

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

4. ROLL CALL; DECLARATION OF QUORUM; PUBLIC NOTICE

City Clerk Rubina R. Medina took the roll call as follows:

Present: Commissioner Felda, Commissioner Anderson, Commissioner Rafel, Mayor Ament,

Commissioner Gardner
Excused: Commissioner Scott Schulpius, Alderperson Joseph Stribl

Staff Present: Mayor Dave Ament, City Attorney Mark Blum, City Clerk Rubina R. Medina

The City Clerk confirmed that a quorum was present and that the meeting was properly posted in compliance with the open meetings law.

5. APPROVAL OF MINUTES

A. August 13, 2025 Meeting Minutes

MOTION: Motion to Approve

VOTE: Motion by: Commissioner Anderson
Second by: Commissioner Rafel
Motion Passed 4-0 with Brian Felda abstaining.

6. PLAN COMMISSION SECRETARY'S REPORT

No report.

7. CONTINUED BUSINESS

8. NEW BUSINESS

A.

Discussion and possible recommendation to the Common Council to approve Ordinance # 2713, an ordinance to amend the Zoning Code, as outlined in the staff report DCD1-2501043 Zoning Code Updates. (Public Hearing 8/13/2025)

MOTION: Motion to Table

VOTE: Motion by: Mayor Ament
Second by: Commissioner Rafel
Motion Passed 5-0

B.

Discussion and possible recommendation to the Common Council to approve Ordinance # 2714, an ordinance to rezone from A-1 to R-1/R-2, as outlined in the staff report (7) KH RZ-2501137 John Jewell - Tax Key #: 1213.9964 (northeast of the intersection at Coffee Road and Woelfel Road) (Public Hearing 8/13/2025)

MOTION: Motion to Approve

VOTE: Motion by: Commissioner Anderson
Second by: Commissioner Rafel
Motion Passed 5-0

- C.** Discussion and possible recommendation to the Common Council to approve (7) KH LD-2501138 John Jewell - Tax Key #: 1213.9964 (northeast of the intersection at Coffee Road and Woelfel Road) - 3-Lot Certified Survey Map.

MOTION: Motion to Approve

VOTE: Motion by: Commissioner Felda
Second by: Commissioner Gardner
Motion Passed 5-0

- D.** Discussion and possible action to recommend to Common Council approval of (1) KH LD-2501457 Yoni Zvi - 15201 W. Greenfield Avenue (Tax Key #: 1158.998) & 15205 W. Greenfield Avenue (Tax Key #: 1158.999.001) - 2-Lot Certified Survey Map.

MOTION: Motion to Approve

VOTE: Motion by: Commissioner Rafel
Second by: Commissioner Anderson
Motion Passed 5-0

- E.** (3) NJ UA-2501629 Ted and Hunter Larson with Greenfield Professional Building Concept - 21477 W. Greenfield Avenue (Tax Key #: 1174.983) - Conceptual Use, Site and Architecture for an office building.

No Motion.

9. PENDING

10. COMMUNICATIONS

None.

11. ADJOURN

MOTION: Motion to Adjourn at 6:25 PM

VOTE: Motion by: Commissioner Rafel
Second by: Commissioner Gardner
Motion Passed 5-0

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

STAFF REPORT EXECUTIVE SUMMARY

APPLICANT/PROJECT: Ted Balistreri with PLM III, LLC / Rezoning

LOCATION: 21040 W. Lincoln Avenue (Tax Key #: 1176.993)

REQUEST: Request to rezone the property located at 21040 W. Lincoln Avenue (Tax Key #: 1176.993) from B-2 & C-2 to M-1 & C-2.

D.R.C. RECOMMENDATION: Recommend to Common Council adoption of Ordinance # 2715 that approves the rezoning of the property located at 21040 W. Lincoln Avenue (Tax Key #: 1176.993) from B-2 & C-2 to M-1 & C-2.

DETAILS IN ATTACHED STAFF REPORT:

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

Meeting of November 3, 2025

Ted Balistreri with PLM III, LLC / Rezoning
21040 W. Lincoln Avenue (Tax Key #: 1176.993)

DATE STAFF REPORT PREPARED: August 29, 2025

APPLICANT / OWNER(S): Ted Balistreri with PLM III, LLC / Matthew Geier

REQUEST / DESCRIPTION OF PROJECT: The applicant is requesting to rezone the property located at 21040 W. Lincoln Avenue (Tax Key #: 1176.993) from B-2 & C-2 to M-1 & C-2.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 6/30/2025

DATE OF COMPLETENESS DETERMINATION: 8/15/2025

PRE-APPLICATION CONFERENCE HELD: Yes

Date(s) of Meeting(s): 8/15/2025

Staff Site Visit: 9/12/2025

CONCEPTUAL PLAN: Yes

SIZE OF DEVELOPMENT / PARCEL(S): 33.88 acres

CURRENT ZONING: B-2 (General Retail & Service District) & C-2 (Shoreland Wetland Holding District)

CURRENT LAND USE: Agricultural & farmhouse.

PROPOSED ZONING: M-1 (Light Industrial District) & C-2 (Shoreland Wetland Holding District)

PROPOSED LAND USE: Light Industrial

PROPOSED LOT SIZES: N/A

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

North: Zoning: C-1 & C-2

Land Use: American Transmission Co, LLC -Substation

South: Zoning: A-2 & C-2

Land Use: Single-Family Residential / Vacant

East: Zoning: I-1 & C-2

Land Use: American Transmission Co, LLC -Substation

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

Land Use: Single-Family Residential & Agricultural

CONFORMANCE WITH COMPREHENSIVE PLAN AND MUNICIPAL CODE: Yes

Chapter 12: Neighborhood B: West Lincoln Avenue & Western Area: Yes, the concepts meet the intent of this Chapter.

Vision:

- *The area of New Berlin generally west of Calhoun Road should be a regional model of rural development. Any development shall occur as a mix of conservation development, farms, large areas of preserved open spaces, rural trails and facilities, and small-scale neighborhood-oriented retail. Development in this area will incorporate environmental protection as a basic value, including its importance as an aquifer recharge area.*

Development Policies:

- *Public sanitary sewer service shall not be extended into this area, with the exception of parcels designated to be within the Urban Service Area Boundary as amended by the City.*
- *While agricultural uses are encouraged to remain, it is recognized that the area may develop for residential conservation subdivisions. Residential uses shall be permitted and accommodated pursuant to these policies. As agricultural lands transition to residential developments, the subdivision design should incorporate farming and agriculture uses as viable open space options.*
- *Where development may occur, encourage rural open space subdivisions that preserve the rural character and sensitive natural areas. Regulations have been developed that require open spaces to be incorporated into these subdivisions, while allowing smaller lots to be clustered on lands most suited for development. Areas that are environmentally sensitive such as wetlands and recharge areas shall be established as priority areas for open space preservation.*
- *The allowable base density, before incentives or bonuses, is one dwelling unit per five acres for new developments, with a requirement that an applicant demonstrate the capability of providing private on-site wastewater treatments systems that satisfy County and State regulations. Applicants should refer to the City Zoning and Development Code for regulations relating to this standard.*
- *While it is recognized that State regulations for private on-site sewage treatment systems may evolve over time, it is the policy of the City of New Berlin that these possible changes do not affect this maximum allowable density.*
- *Explore and implement amenities that are consistent with a rural theme, such as equestrian facilities, trails, bed and breakfasts, nature preserves, parks, community gardens, agricultural businesses, and others.*

Land Use

- *Future Land Use Map: Business Park / Industrial*

ZONING CODE (Chapter 275): The lots meet the requirements in §275-35B(4).

DEVELOPMENT CODE (CHAPTER 235): N/A

REZONING REQUIRED: Yes

CONDITIONAL USE REQUIRED: No

PUBLIC HEARING REQUIRED: Yes, held on October 6, 2025.

USE / SITE / ARCHITECTURAL REVIEW:

Use Approval Required: No, concept plan submitted.

Site Plan Required: No, concept plan submitted.

Architectural Review Required: No

PROPOSED ARCHITECTURE: N/A

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: Yes, Primary Environmental Corridor.

Wetland On Property: Wetlands have been registered on the City's Zoning Map. Wetlands were field delineated by Evergreen Consultants LLC in August 2025.

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

NRCS Map Classification: Not Inventoried

Floodplain: Yes

Topography / Geologic: Site is relatively flat and slopes away from Lincoln Avenue towards the north.

BIKE & PEDESTRIAN FACILITIES PLAN: No improvements

PARK & OPEN SPACE PLAN: No improvements.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): N/A

Wildlife Habitat Protection: N/A

Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: Wetlands have been registered on the City's Zoning Map. Wetlands were field delineated by Evergreen Consultants LLC in August 2025.

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: No

Basin Capacity Available: N/A

Adequate Linkage: N/A

Onsite System Required: Yes

WATER USAGE CALC.: Will be determined at the time of building permit.

TRAFFIC IMPACT: Will be determined at the time of Use, Site and Architecture approval for any future users.

SCHOOL DISTRICT IMPACT: N/A

PREVIOUS ACTION:

Over the years the property had a farm house and the accessory building was used to board horses.

6/4/1998 Zoning Permit issued for a screen and haul topsoil operation.

R-5-02 Registered wetlands.

2/27/2002 U-13-02 for a commercial pole barn. Permit was never issued.

10/6/2025 Plan Commission held a public hearing to rezone the property from B-2 & C-2 to M-1 & C-2.

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

1. The rezoning must meet the following criteria outlined in §275-22(F):

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

The rezoning request is consistent with the Future Land Use Map in the City's Comprehensive Plan, which identifies this area as Business Park Industrial.

- 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 not 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 development 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.

- 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 spot zoning and will be consistent with the Comprehensive Plan.

- 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.

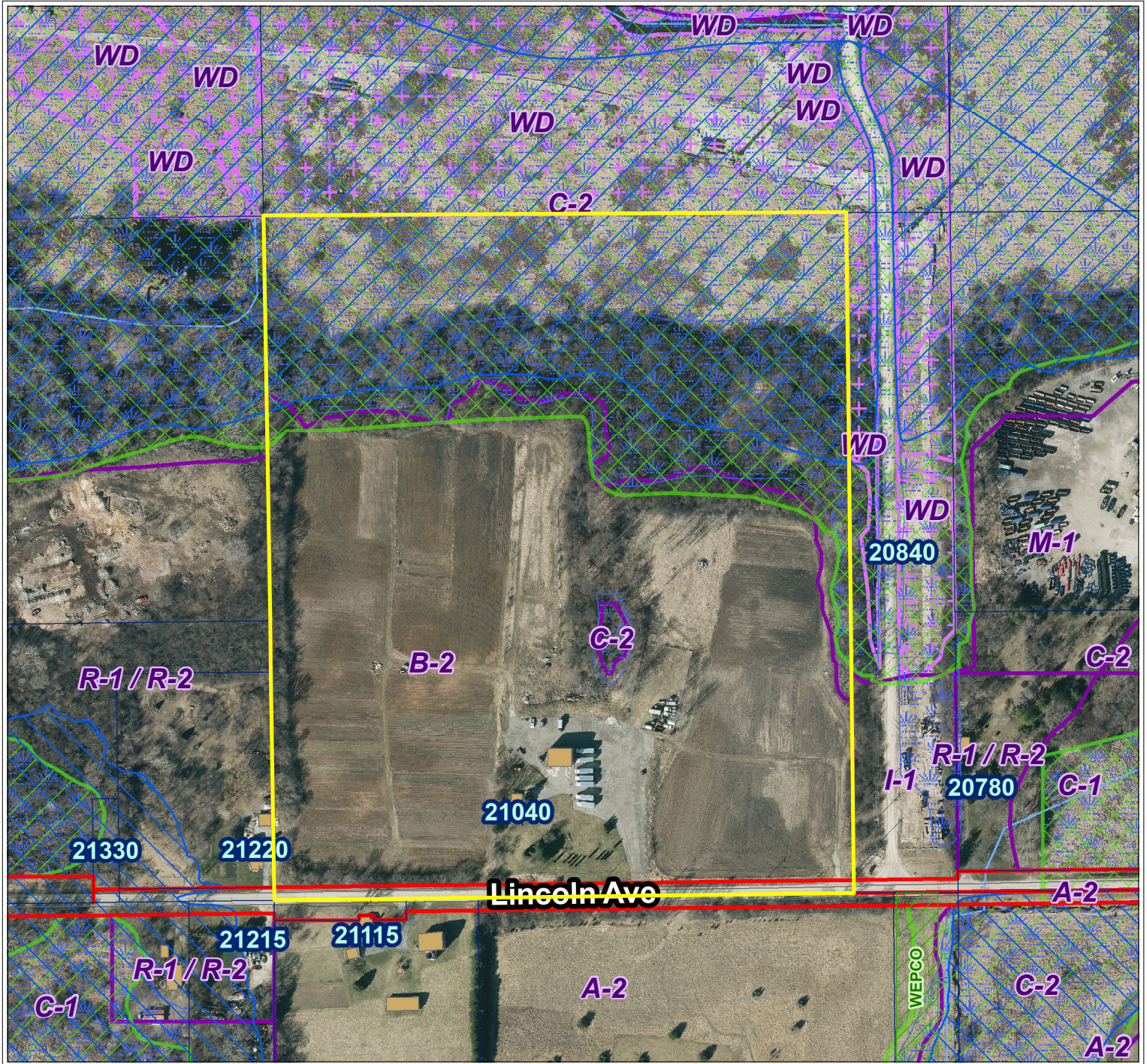
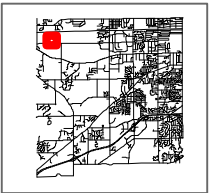
2. Wetlands have been registered on the City's Zoning Map. Wetlands were field delineated by Evergreen Consultants LLC in August 2025.
3. Conservation Easement may be required with future Use Approval or CSM applications.
4. The City currently doesn't have any active re-occupancy permits on file for this property. There appears to be an illegal business operation at this location. A letter will be sent from Code Compliance.

D.R.C. RECOMMENDATION:

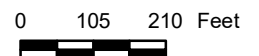
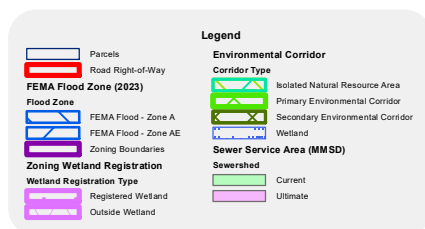
Recommend to Common Council adoption of Ordinance # 2715 that approves the rezoning of the property located at 21040 W. Lincoln Avenue (Tax Key #: 1176.993) from B-2 & C-2 to M-1 & C-2. **See Executive Summary.**

ATTACHMENTS:

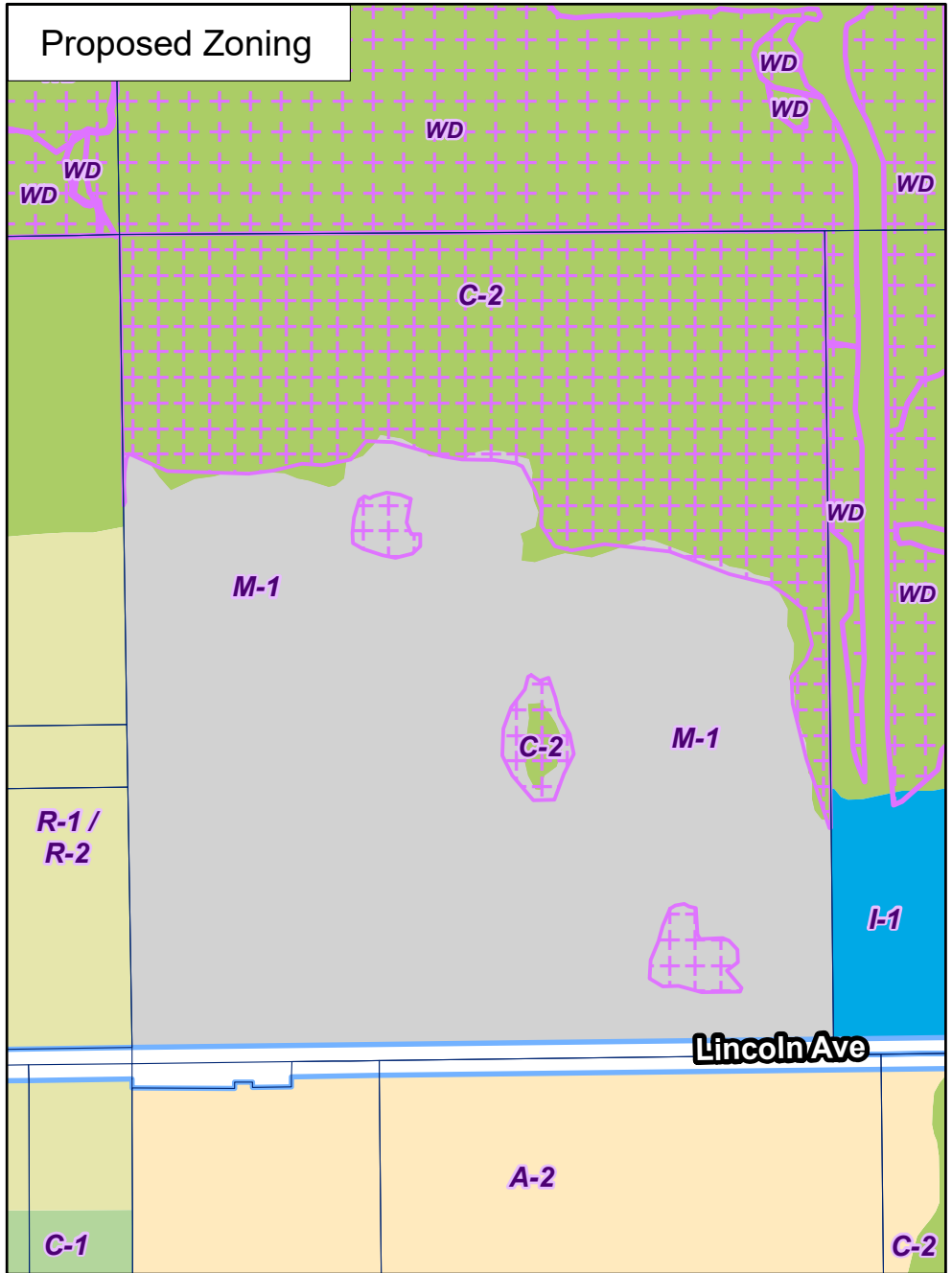
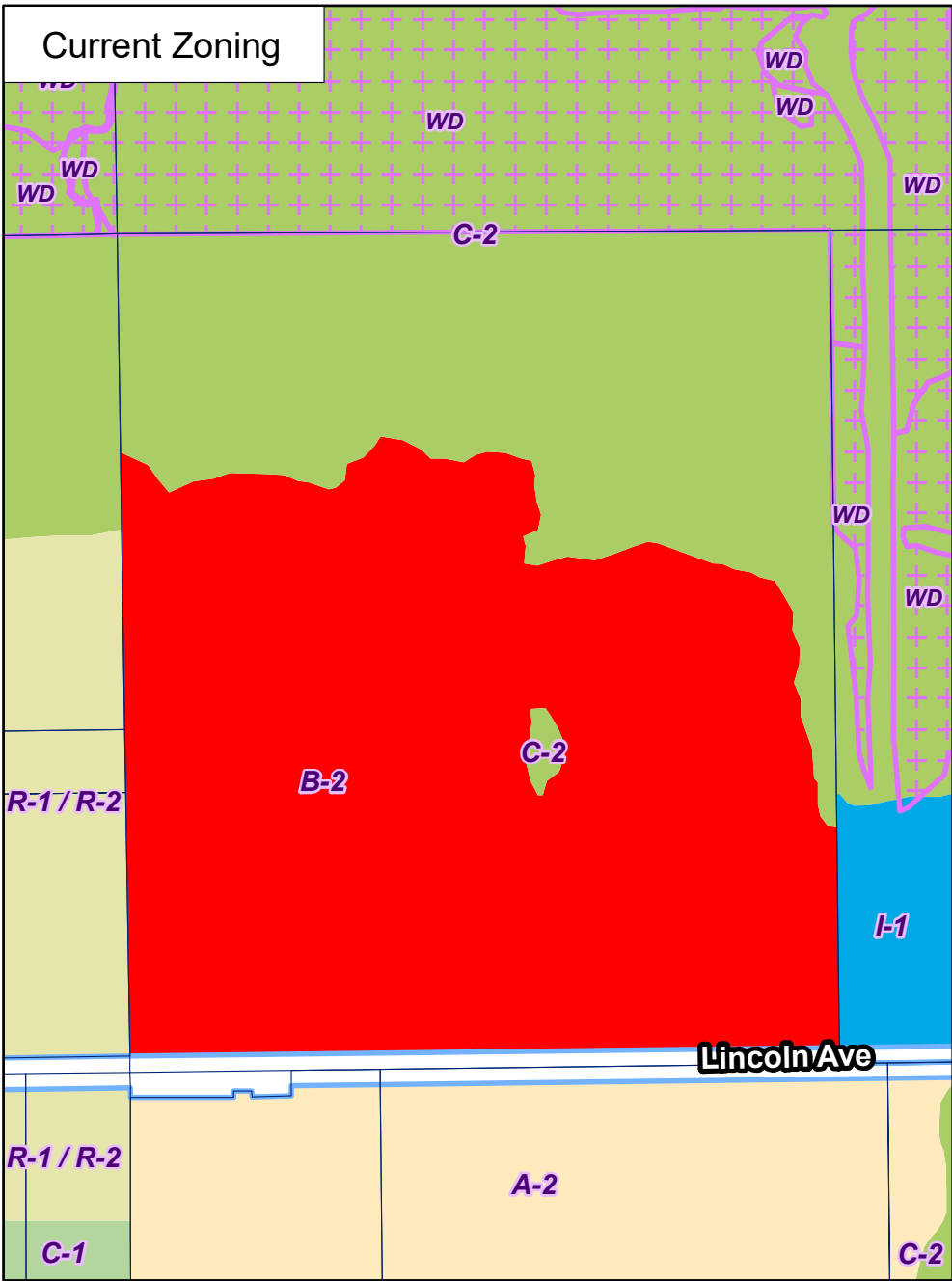
Location Map
Zoning Comparison Map
Plan of Operation Letter
Concept Plan



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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RZ-2501502
PLM III LLC
21040 W Lincoln Ave

Legend

- Parcel
- Wetland Registration Type
- Registered Wetland

0 130 260 Feet

 N
 7

Rezoning Application Description
New Berlin Contractor Services Development

(Applicant: PLM III, LLC)
21040 W Lincoln Ave
New Berlin, WI 53146

Planning Commission Submittal: August 18, 2025

Tax Bill Legal Description: SW1/4 OF SE1/4 SEC 6 T6N R20E : EX E 200 FT DESC IN DOC #0503740

This project is being undertaken to rezone a 33.24 acres property from B-2/C-2 to M-1/C-2, for a property located on the north side and west end of Lincoln Avenue, just east of Springdale Road. The existing B-2 zoning of this property is an “island” of B-2 zoning in this stretch of land along the north side of Lincoln Avenue, between 179th Street to the east and Springdale Road to the west. The majority of the developable land along the north side of Lincoln Avenue in this area is currently zoned M-1. The purpose of this rezoning is to change the zoning of this property to bring it into alignment with the zoning of the adjacent properties to the east, along the north side of Lincoln Avenue.

In addition, the current New Berlin Comprehensive Plan shows the majority of the developable land in this area, along the north side of Lincoln Avenue, as being Business Park / Industrial use. The rezoning of this property will bring it into alignment with the zoning of the other commercial/industrial properties to the east and will also make it consistent with the intended future land use as shown in the current Comprehensive Plan.

The developer is aware that the site may not currently be served by public water and sewer but does not anticipate those services will be necessary for the intended future use of the property. West Lincoln Avenue is already a paved public road and natural gas and electrical service are already available at this property. There will not be an unreasonable burden to the City to provide services, such as sewer, water, electric, natural gas, schools, police, fire protection or transportation. Similar uses on adjacent parcels are already operating with the infrastructure that already exists along West Lincoln Avenue, and we intend to operate this site in a similar manner.

The developer is aware that there are environmentally sensitive areas on the perimeter of this property that are currently zoned C-2 Conservancy and is not requesting that those perimeter C-2 zoned areas be changed. During the future Use Approval process, we will provide the

necessary engineering documents to show that sensitive areas are protected as required by the City of New Berlin and Department of Natural Resources (DNR) technical standards and requirements. If any mitigation becomes necessary at a later date, it will be done in accordance with the required technical standards and will be approved by all authorities that have jurisdiction, including the City of New Berlin and the DNR. Soil erosion will be minimized through appropriate best practices and technical standard requirements, as will be demonstrated with engineering documents during a future Use Approval application process.

Finally, while no end-users (lessees) have been identified for the property at this time, the intended use of the property for contractor service offices, which will also likely include appropriately screened contractor yards for construction vehicles, equipment and inventory, is consistent with neighboring M-1 zoned properties and the Comprehensive Plan. Zoning this property to M-1 is the appropriate level of action to bring it into alignment with the Comprehensive Plan and surrounding uses and zoning. The proposed use is consistent with the other users along West Lincoln Avenue and the approved uses in the M-1 zoning district. The developer realizes that a future submittal to the City of New Berlin Planning Commission will be required for Use Approval to show the future site development and building architecture plans.

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www.pinnacle-engr.com

C.S.M. NO 2712
TAX KEY: 1176997
GRAPHICAL SCALE (FEET)
0 1" = 60' 120'

LANDS

UNPLATTED LANDS
TAX KEY #NBC 117

SUBJECT TO FUTURE APPROVALS UNDER TREE ORDINANCE

SUBJECT TO FUTURE WETLAND FILL PERMIT APPLICATION

FUTURE CHAINLINK SCREENING / SECURITY FENCE

TAX KEY #NBC 1175990

TREELINE

APPROXIMATE STORM WATER POND 1

APPROXIMATE STORM WATER POND 2

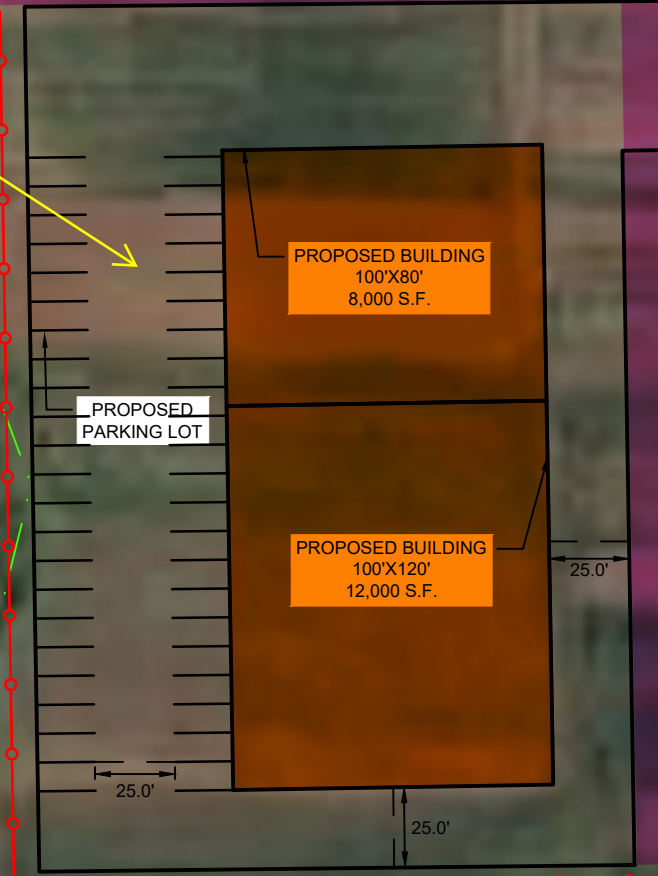
TAX KEY #NBC 1175989001

TENANT 1

DEVELOPMENT AREA

DEVELOPMENT AREA

LOT 1
C.S.M. NO. 5880



FUTURE TENANT 3

POSSIBLE FUTURE BUILDING

UNPLATTED LANDS

FUTURE TENANT 2

SUBJECT TO FUTURE WETLAND FILL PERMIT APPLICATION

TAX KEY #NBC 1176997

TAX KEY #NBC 1175989

EXISTING STRUCTURES TO REMAIN FOR FUTURE USE (SUBJECT TO PERMITS AND APPROVALS)

SCREENING / LANDSCAPING. DRIVEWAY AND ACCESS GATE LOCATIONS T.B.D.

S89°17'19"W 1117.96'

S00°41'07"E 1313.2'

N00°53'56"W 1320.63'

WEST LINCOLN AVENUE

PLAN | DESIGN | DELIVER
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PINNACLE ENGINEERING GROUP
ENGINEERING | NATURAL RESOURCES | SURVEYING

WISCONSIN OFFICE:
20725 WATERTOWN ROAD, SUITE 100
BROOKFIELD, WI 53186
(262) 754-8888
CHICAGO | MILWAUKEE | NATIONWIDE

WEST LINCOLN INDUSTRIAL

NEW BERLIN, WI

CONCEPT PLAN

REVISIONS

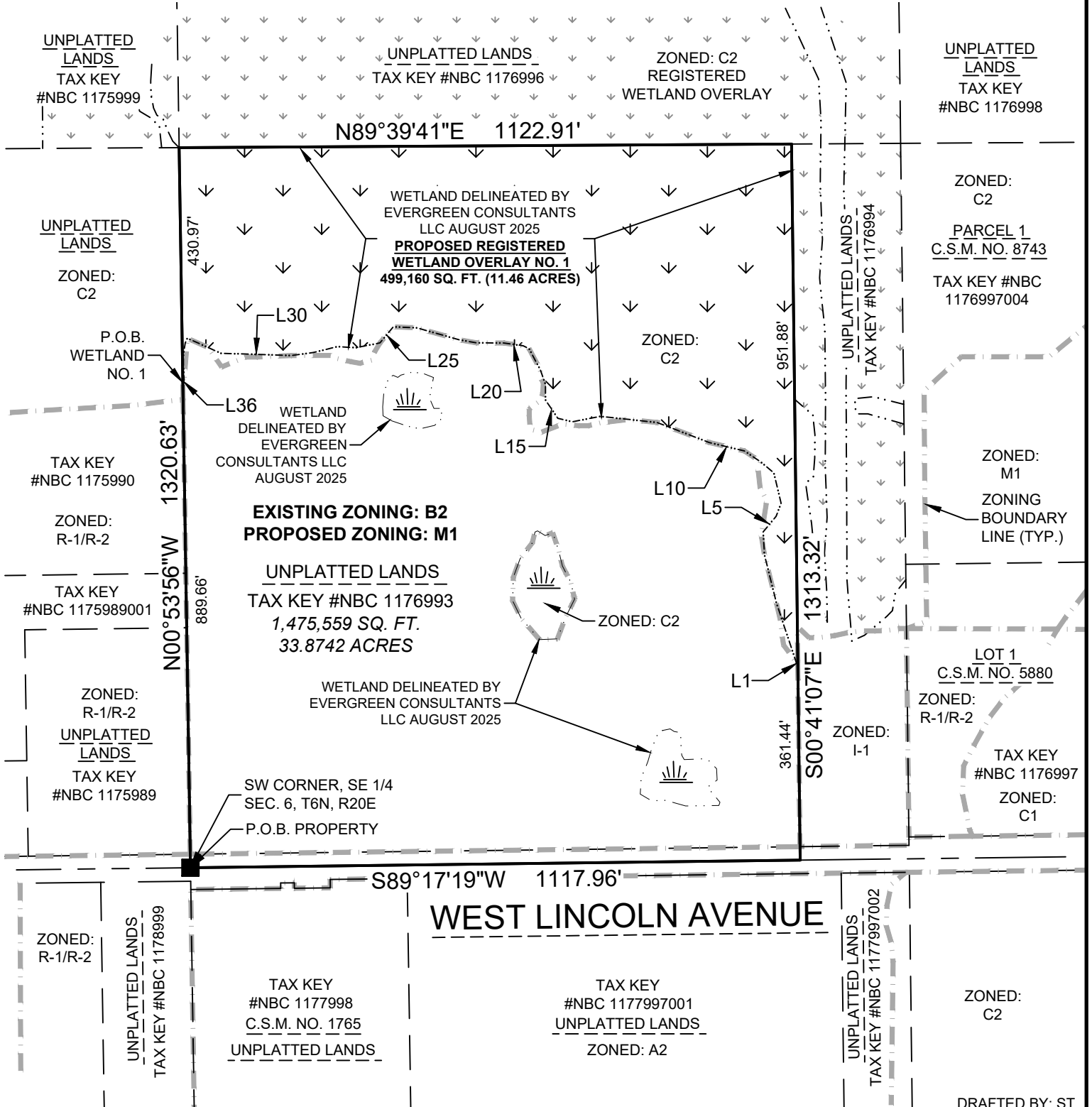
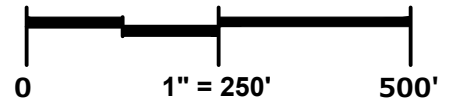
NO.	DATE	DESCRIPTION

REG. JOB NO. 6669.00
REG. PM. JLL
START DATE 9-2-25
SCALE 1"=60'

SHEET
X-1.0
X-1.0



GRAPHICAL SCALE (FEET)



DRAFTED BY: ST

EXHIBIT

SHEET 1 OF 9

08/29/2025

PINNACLE ENGINEERING GROUP

PLAN | DESIGN | DELIVER

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186

WWW.PINNACLE-ENGR.COM

PEG JOB # 6649.00
Page 30 of 55

STAFF REPORT

EXECUTIVE SUMMARY

APPLICANT/PROJECT: Michelle Stafford / Stafford Chiropractic Re-Occupancy

LOCATION: 16646 W. National Avenue (Tax Key #: 1238.999.005)

REQUEST: Conditional Use Permit for Stafford Chiropractic to reoccupy a portion of the existing building located at 16646 W. National Avenue.

D.R.C. RECOMMENDATION: Public Hearing and possible action to approve a Conditional Use Permit for Stafford Chiropractic to reoccupy a portion of the existing building located at 16646 W. National Avenue, subject to the application, plans on file and the following conditions of approval:

1. In a traditional situation, the re-occupancy application would be handled administratively. However, veterinary clinic uses are a conditional use in the O-1 District. The applicant is required to follow the Conditional Use process.
2. This request is consistent with Section 275-35B(1) of the Zoning Code. Medical office is an approved use in the O-1 Zoning District. Veterinary services are conditional uses in the O-1 zoning district. This will not be a full veterinary clinic but rather a chiropractic office whereby animals will be treated too. See the applicant's plan of operation for additional details.
3. Re-occupancy will require Public Hearing and approval from the Plan Commission for Conditional Use Permit to re-occupy the existing building.
4. Plan of operation shall be consistent with plans on file. Applicant is requesting to reoccupy a portion of the existing building as a chiropractic office that also treats animals.
 - a. Hours of operation: 9:00 AM to 6:30 PM Monday – Friday, or by appointment.
 - b. Number of employees: 1
5. No other outdoor storage of materials permitted for this business. Dumpsters shall be properly screened from street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
6. A site visit will be performed after issuance of the Zoning Permit. Per Section 275-53B(1)(11) All existing nonconformities and outstanding code violations shall be identified, resolved, and remedied by the deadline dates.
7. This application does not include any interior or exterior building modifications. Separate applications and permits are required for any modifications.
8. Building shall be fully accessible from the parking lot to the interior elements (SPS 363.1101 and ICC/ANSI A117.1).
9. An occupancy inspection of the facility will be required by the City of New Berlin Building Inspection Division and Fire Department. Please be sure to schedule your fire inspection with your occupancy inspection.
10. Inspection Comments:
 - a. A re-occupancy Inspection (building and fire) of the facility will be required by the

City of New Berlin Inspection Division. This inspection is separate from the building permit inspections.

- b. Remodeling: Any alterations shall require that the building plans be signed and stamped by a licensed architect or professional engineer per the Wisconsin Enrolled Commercial Building Code (SPS 361.31). Apply and obtain appropriate building, electric, plumbing and fire department permits.
- c. All EXIT signs and emergency lighting must be functional. Upgrading exit signs to units with emergency lighting required.
- d. Sprinkler system and fire extinguishers must have proof of yearly maintenance.
- e. Apply and obtain appropriate building, electric, plumbing and fire department permits.
- f. Building shall meet all applicable building and fire codes.
- g. Violations shall be corrected within 10 business days per the fire inspector, Re-inspection required.

11. Fire Comments:

- a. Maintain fire sprinkler coverage throughout.
- b. Key for Knox box is required.
- c. Provide fire extinguishers every 75' of travel.
- d. Maintain egress/emergency lighting throughout.
- e. Name and address on front and rear where applicable.

DETAILS IN ATTACHED STAFF REPORT

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

Meeting of November 3, 2025

Michelle Stafford / Stafford Chiropractic Re-occupancy
16646 W. National Avenue (Tax Key #: 1238.999.005)

DATE STAFF REPORT: 10/10/2025

APPLICANT / OWNER(S): Michelle Stafford with Stafford Chiropractic / Arian LLC

REQUEST / DESCRIPTION OF PROJECT: Conditional Use Permit for Stafford Chiropractic to reoccupy a portion of the existing building located at 16646 W. National Avenue.

DATE OF APPLICATION / DATE FILED WITH CITY CLERK: 9/18/2025

DATE OF COMPLETENESS DETERMINATION: 9/18/2025

Application Check List Enclosed: N

PRE-APPLICATION CONFERENCE HELD: Yes

CONCEPTUAL PLAN: N/A

Recommendations Y / N / Other: Not applicable

SIZE OF DEVELOPMENT / PARCEL (S): Parcel Size: 1.08 Acres

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

CURRENT LAND USE: Office

PROPOSED ZONING: N/A

PROPOSED LOT SIZE (S): N/A

PROPOSED DENSITY: N/A

ADJACENT ZONING AND LAND USE:

<i>(North)</i>	<i>Zoning: Rd-1PUD</i>	<i>Land Use: Condos (Crestview Place Condos)</i>
<i>(South)</i>	<i>Zoning: Rd-1</i>	<i>Land Use: Condos (Summerland Court Condos)</i>
<i>(East)</i>	<i>Zoning: B-2</i>	<i>Land Use: Commercial (JB's T-shirts)</i>
<i>(West)</i>	<i>Zoning: B-2</i>	<i>Land Use: Commercial (Vacant)</i>

CONFORMANCE WITH MASTER PLAN AND MUNICIPAL CODE: Yes

Chapter 15: Neighborhood E – National Avenue East Corridor:

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.

Development Policies:

- Create flexible but predictable compatibility standards for new construction and

redevelopment related to site planning, building design and materials, landscaping (including maintenance provisions), access, signage, and other features creating potential land use impacts. Emphasize building and parking orientation, with more uniform setbacks and at least some parking encouraged on the side or to the rear of buildings.

Land use:

- Future Land Use Map: Suburban Commercial

ZONING CODE (CHAPTER 275):

Yes, this request is consistent with Section 275-35B(1) of the Zoning Code. Medical office is an approved use in the O-1 Zoning District. Veterinary is a conditional use in the O-1 zoning district. This will not be a full veterinary clinic rather a chiropractic office whereby animals will be treated too.

DEVELOPMENT CODE (CHAPTER 235): N/A

PUBLIC HEARING REQUIRED: Yes

USE / SITE / ARCHITECTURAL REVIEW:

Conditional Use Approval Required: Yes

Site Plan Required: Yes

Architectural Review Required: No

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

UNIQUE SITE CHARACTERISTICS:

Environmental Corridor: No

Wetlands on Property: No

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

NRCS Map Classification: Not Inventoried

Floodplain: No

Topography / Geologic: The property slopes to the southeast.

ALTERNATIVE TRANSPORTATION PLAN: No improvements identified.

PARK & OPEN SPACE PLAN: No improvements identified.

NATURAL RESOURCES PROTECTION:

Limits of Disturbance (LOD): N/A

Woodland, Tree, and Vegetation Protection: N/A

Wildlife Habitat Protection: N/A

Wildlife Management Plan: N/A

ENVIRONMENTAL IMPACT: N/A

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

SANITARY SEWER PROVISION:

Within Current Sewer Service Area: Yes

Sewershed Capacity Available: Yes

Adequate Linkage: Yes

Onsite System Required: No

WATER USAGE CALCULATION: Similar to previous uses and other existing tenants.

TRAFFIC IMPACT: Similar to previous uses and other existing tenants.

SCHOOL DISTRICT IMPACT: N/A

PREVIOUS ACTION:

CONSISTENCY WITH PREVIOUS ACTION: Yes

FINDINGS:

1. In a traditional situation, the re-occupancy application would be handled administratively. However, veterinary clinic uses are a conditional use in the O-1 District. The applicant is required to follow the Conditional Use process.
2. This request is consistent with Section 275-35B(1) of the Zoning Code. Medical office is an approved use in the O-1 Zoning District. Veterinary services are a conditional use in the O-1 zoning district. This will not be a full veterinary clinic but rather a chiropractic office whereby animals will be treated too. See the applicant's plan of operation for additional details.
3. Re-occupancy will require Public Hearing and approval from the Plan Commission for Conditional Use Permit to re-occupy the existing building.
4. Plan of operation shall be consistent with plans on file. Applicant is requesting to reoccupy a portion of the existing building as a chiropractic office that also treats animals.
 - a. Hours of operation: 9:00 AM to 6:30 PM Monday – Friday, or by appointment.
 - b. Number of employees: 1
5. No other outdoor storage of materials permitted for this business. Dumpsters shall be properly screened from street and public view in accordance with Article VIII Section 275-56 of the New Berlin Municipal Ordinance.
6. A site visit will be performed after issuance of the Zoning Permit. Per Section 275-53B(1)(11) All existing nonconformities and outstanding code violations shall be identified, resolved, and remedied by the deadline dates.
7. This application does not include any interior or exterior building modifications. Separate applications and permits are required for any modifications.
8. Building shall be fully accessible from the parking lot to the interior elements (SPS 363.1101 and ICC/ANSI A117.1).
9. An occupancy inspection of the facility will be required by the City of New Berlin Building Inspection Division and Fire Department. Please be sure to schedule your fire inspection with your occupancy inspection.
10. Inspection Comments:
 - a. A re-occupancy Inspection (building and fire) of the facility will be required by the City of New Berlin Inspection Division. This inspection is separate from the building permit inspections.
 - b. Remodeling: Any alterations shall require that the building plans be signed and stamped by a licensed architect or professional engineer per the Wisconsin Enrolled Commercial Building Code (SPS 361.31). Apply and obtain appropriate building, electric, plumbing and fire department permits.
 - c. All EXIT signs and emergency lighting must be functional. Upgrading exit signs to units with emergency lighting required.
 - d. Sprinkler system and fire extinguishers must have proof of yearly maintenance.

- e. Apply and obtain appropriate building, electric, plumbing and fire department permits.
- f. Building shall meet all applicable building and fire codes.
- g. Violations shall be corrected within 10 business days per the fire inspector, Re-inspection required.

11. Fire Comments:

- a. Maintain fire sprinkler coverage throughout.
- b. Key for Knox box is required.
- c. Provide fire extinguishers every 75' of travel.
- d. Maintain egress/emergency lighting throughout.
- e. Name and address on front and rear where applicable.

12. Per Section 275-27C. Approval criteria: *“The Plan Commission of the City of New Berlin will grant approval of conditional use permits only if it finds that the proposed use complies with all relevant regulations set forth in this chapter, including, but not limited to, § 275-41, Use-specific regulations, and Article VIII, General Development Regulations. Per § 66.1001(2m)(b), Wis. Stats., a conditional use does not need to be consistent with the City's Comprehensive Plan.”*

(1) *Approval of a conditional use. Recommendations and decisions on conditional uses should be based on consideration of the following criteria:*

- (a) *Whether the proposed use corrects an error or meets the challenge of some changing condition, trend, or fact;*
- (b) *Whether the proposed use is consistent with the health, safety, or general welfare of the general public;*
- (c) *Whether the proposed use will protect the natural environment, including, but not limited to air, water, storm water management, wildlife, and vegetation.*
- (d) *Public hearing testimony that is based upon facts and/or observed conditions can be considered substantial evidence.*
- (e) *The purpose and intent of the various sections of this chapter, as well as the permitted uses, along with the Comprehensive Plan, shall be considered in determining whether a particular conditional use is compatible with surrounding properties.*
- (f) *With regard to the Agricultural (A-1 and A-2) and Rural Conservation Single-Family Residential (R-1/R-2) zoning districts, any conditional use must be compatible with the rustic and rural lifestyle of these districts.*
- (g) *The uses, values, and enjoyment of other City property and the neighborhood for purposes already permitted shall not be substantially impaired or diminished by the establishment, maintenance or operation of the conditional use.*

(2) *Changes to the use. In acting on a conditional use, the Plan Commission/CDA shall consider the stated purpose of the proposed use and shall approve the petition only if it finds that the applicant has provided substantial evidence as that term is defined in Wis. Stats. § 62.23(7) that the use will meet the following criteria for approval:*

- (a) *Adequate public facilities and services (including sewage and waste disposal, water, gas, electricity, schools, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing*

development;

Yes, the proposed request is compliant.

- (b) *Provision of public facilities to accommodate development will not place an unreasonable burden on the ability of the City to provide them;*

Yes, the proposed request is compliant.

- (c) *The proposed development has taken into account impacts on surrounding properties or the natural environment, including traffic, air, water, noise, stormwater management, soils, wildlife, and vegetation;*

Yes, the proposed request is compliant.

- (d) *The land is suitable for development and will not cause unreasonable soil erosion or have an unreasonable adverse effect on rare or irreplaceable natural areas; and*

Yes, the proposed request is compliant.

- (e) *The proposed use will not be used to legitimize a nonconforming use or structure*

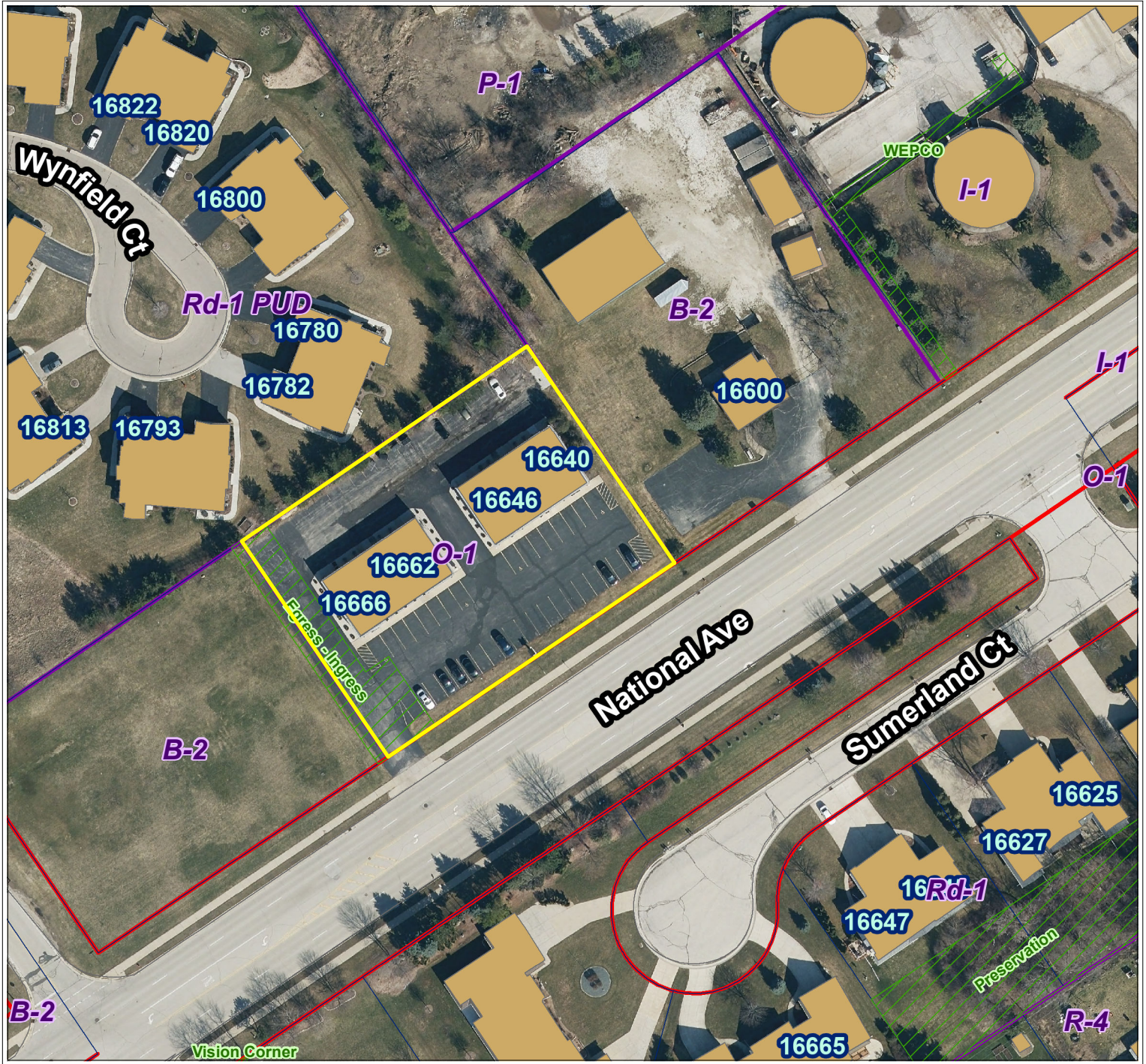
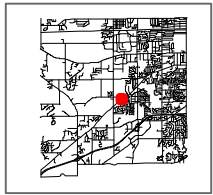
Yes, the proposed request is compliant.

D.R.C. RECOMMENDATION:

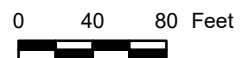
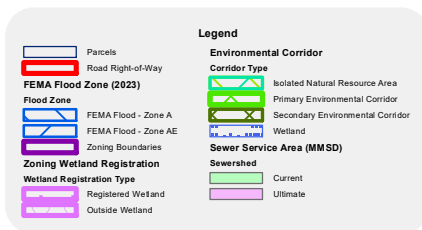
Public Hearing and possible action to approve a Conditional Use Permit for Stafford Chiropractic to reoccupy a portion of the existing building located at 16646 W. National Avenue, subject to the application, plans on file and the following conditions of approval:
SEE EXECUTIVE SUMMARY.

Attachments:

Location Map
Plan of Operation



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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Stafford Chiropractic and Animal Cracker

Office hours are 9-6:30 Monday – Friday or by appointment

I have been a chiropractor in Wisconsin since 1999 and have been in New Berlin since 2006. I treat humans and animals presently. Primarily humans, Thursdays are dedicated to the animals.

I offer spinal manipulations to all ages. I also offer adjunctive therapies. Intersegmental traction, electrical muscle stimulation, heat, cold, exercise rehabilitation, cupping, dry needling, class IV cold laser, compression therapy, blading, taping, DOT exams and testing. I have a website; staffordchiro.net that patients can access me from by email or text. I am in most insurance plans and people can choose to have a cash plan. I treat anything from sports injuries, seniors, infants, wellness patients, weekend warriors, auto accidents, workers comp, disc related issues, arthritis, headaches, neck pain, shoulder and knee conditions.

The animal part of my business is dedicated to Thursday and sometimes Saturdays or by appointment. I offer an initial neuromusculoskeletal exam and manipulation if warranted. I also offer animal exercise and rehab and Class IV cold laser. Each of the services have been taken at an accredited post grad school and I am certified to practice in the state of Wisconsin. If a condition is out of my scope of treatment I refer out to veterinarians. I see each client independently and do not allow other animals to come into the building at the same time. I also do not see humans at the same time to decrease risk of any altercations. The owners are instructed to text me when they arrive and I will let them know that it is clear to enter. The animals are to remain on leash until in the exam room.

Dr Michelle Stafford

2623661790

drmichelle1169@gmail.com

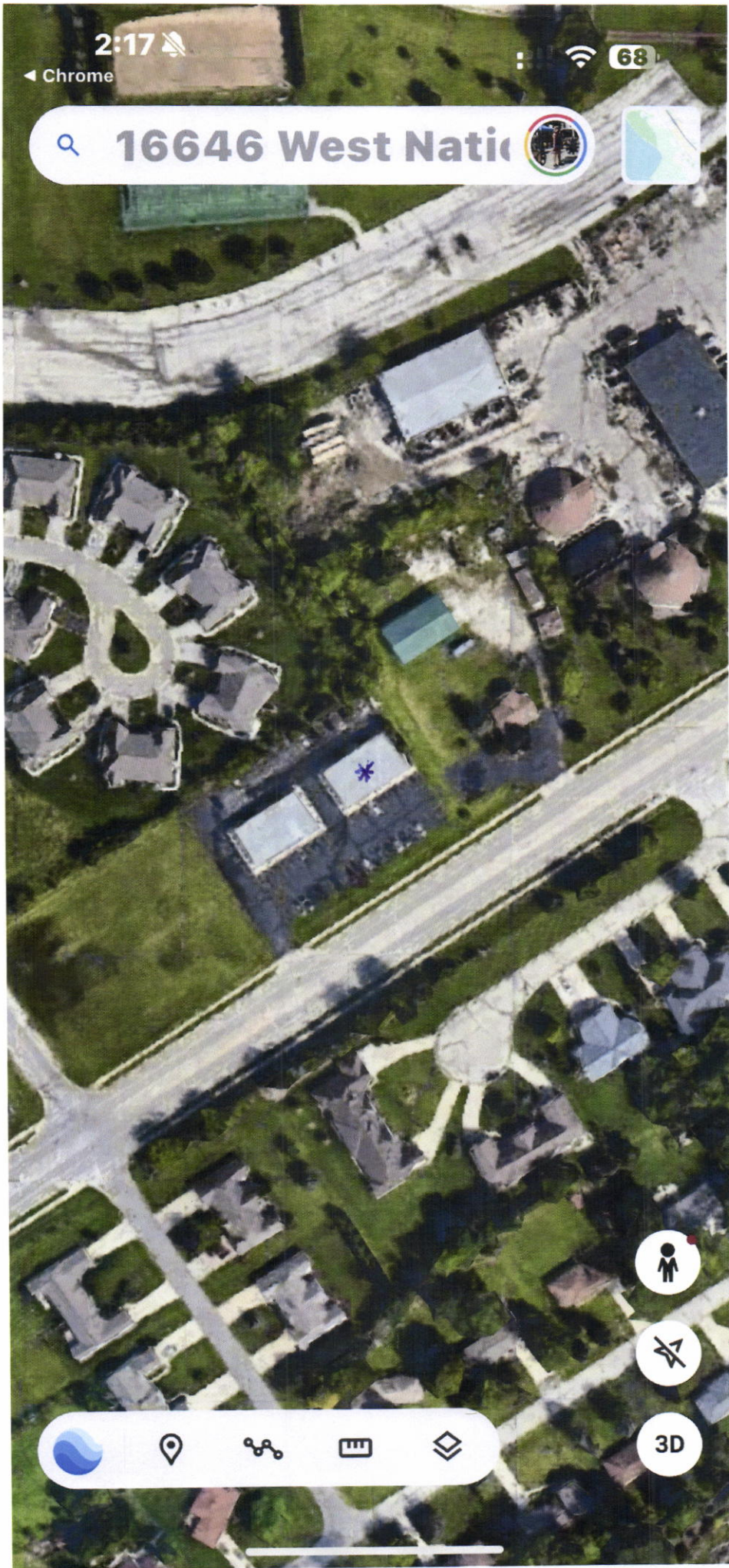
2:17

Chrome

68



16646 West Natic



3D



16646 W National Ave



New Berlin, WI 53151

1 min

Stafford Chiropractic

5.0 ★★★★★

Chiropractor



Directions



Start



Directory



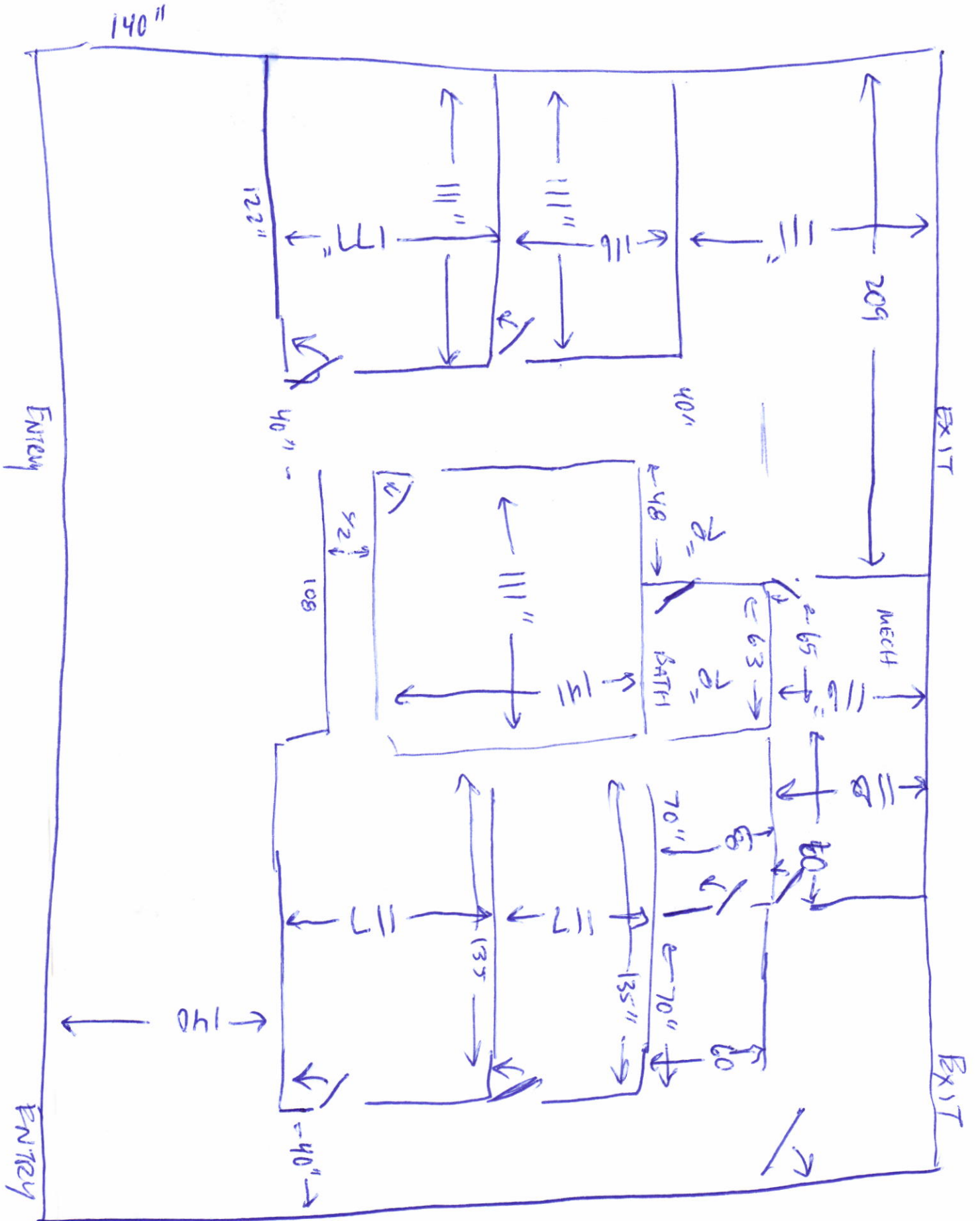


16646 W National Ave

16646 W National Ave, New Berlin, WI 53151







STAFF REPORT

EXECUTIVE SUMMARY

APPLICANT/PROJECT: Nick Beyersdorff with Bauer Sign & Lighting / Hoover Elementary School Sign Replacement

LOCATION: 12705 W. Euclid Avenue

REQUEST #1: Approval of Waiver Request #1 for Hoover Elementary School located at 12705 W. Euclid Avenue.

D.R.C RECOMMENDATION #1: Recommend denial of the Waiver Request #1 for Hoover Elementary School located at 12705 W. Euclid Avenue, subject to the application, plans on file and the following reasons:

WAIVER REQUEST #1: Applicant is requesting a waiver from §275-61(1)(g)[7]: *A sign containing an EMC shall not be located closer than 100 feet from a residentially zoned property. The distance shall be calculated as the shortest measurable distance between the face of the sign to the edge of the residential zoning district, in a straight line without regard to intervening structures. Right-of-way is not included and shall be subtracted from this measurement.*

1. The applicant is proposing to replace the existing ground sign with a monument sign that includes an EMC (electronic message center). Applicant's letter and proposal are attached.
 - a. They have included images of older signs in the city that were approved prior to the City's ordinance changes, where EMC's were previously allowed within 100 feet of a residentially zoned property, excluding the right-of-way.
 - b. Waiver Request #1: The proposed EMC sign is located approximately 9 feet from a residentially zoned property, excluding the ROW. The code requires EMC's to be located a minimum of 100 feet from a residentially zoned property, excluding the ROW. Request #1 would require a waiver of 91' from the City's code requirement to locate this sign 9' from the north property line.
2. Pursuant to §275-61D(5): *An applicant may appeal a decision made by staff to the Plan Commission (where applicable) for determination. An additional review fee as determined by the Director shall be required for any sign application that is forwarded to the Plan Commission (where applicable) for review.*
3. Pursuant to §275-61D(6): *An applicant may request a waiver from the Plan Commission or Community Development Authority (where applicable) for the requirements set forth in this section.*

--- OR ---

REQUEST #2: Approval of Waiver Request #2 for Hoover Elementary School located at 12705 W. Euclid Avenue.

D.R.C RECOMMENDATION #2: Recommend denial of Waiver Request #2 for Hoover Elementary School located at 12705 W. Euclid Avenue, subject to the application, plans on file and the following reasons:

WAIVER REQUEST #2: Applicant is requesting a waiver from §275-61I(1)(g) *Electronic message centers (EMCs) and changeable message signs. EMCs or changeable message signs may be erected as part of ground and monument signs and shall meet the requirements for those sign types.*

1. The applicant is proposing to replace the existing ground sign with a monument sign, as well as two new wall EMC's (electronic message centers). Applicant's letter and proposal are attached.
 - a. Waiver Request #2: The proposed (2) wall signs include EMC's. Per Zoning Code §275-61I(1)(g). *EMCs or changeable message signs may be erected as part of ground and monument signs and shall meet the requirements for those sign types.* EMC's are not allowed as part of a wall sign. Request #3 would require the Plan Commission to allow (2) EMC wall signs.
2. Pursuant to §275-61D(5): *An applicant may appeal a decision made by staff to the Plan Commission (where applicable) for determination. An additional review fee as determined by the Director shall be required for any sign application that is forwarded to the Plan Commission (where applicable) for review.*
3. Pursuant to §275-61D(6): *An applicant may request a waiver from the Plan Commission or Community Development Authority (where applicable) for the requirements set forth in this section.*

--- OR ---

REQUEST #3: Approval of a new monument sign with an EMC for Hoover Elementary School located at 12705 W. Euclid Avenue.

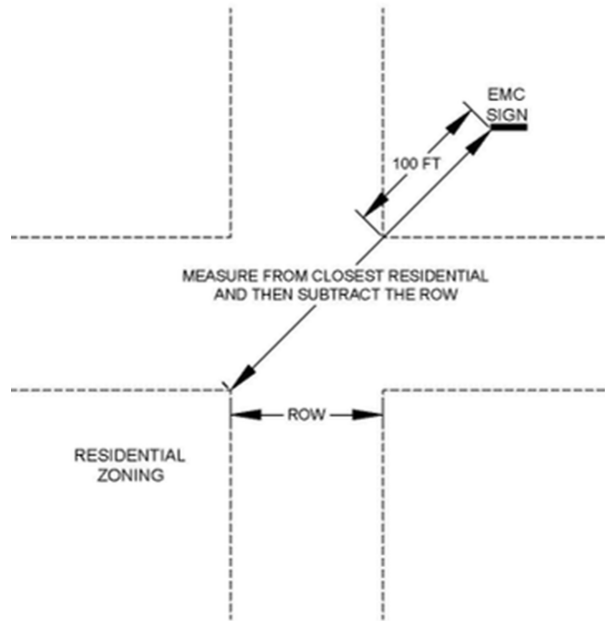
D.R.C RECOMMENDATION #3: Recommend approval of a new monument sign with an EMC for Hoover Elementary School located at 12705 W. Euclid Avenue, subject to the application, plans on file and the following reasons:

1. The applicant is proposing to replace the existing ground sign with a monument sign that includes an EMC (electronic message center). Applicant's letter and proposal are attached.
 - a. This sign does not require any waivers and can be approved administratively.

Background:

1. Plan Commission approved the school building in 1962. The school was constructed in 1965, with a building addition in 1968.
2. The current sign located at the corner of Euclid Avenue and Russel Road was approved on 6/9/1998.
3. Per §275-52C, Waivers/modifications:
 - (1) *The Plan Commission may waive or modify any or all of the other requirements of this article if it determines that:*
 - (a) *The site or activity in question will have no appreciable off-site impact;*
 - (b) *Compliance with the requirement(s) is impractical or impossible due to site conditions or other circumstances beyond the control of the applicant; or*
 - (c) *The specific requirement is not necessary for a particular site to ensure compliance with the requirements of this chapter.*
4. *Per §275-61I(1)(g) Electronic message centers (EMCs) and changeable message signs. EMCs or changeable message signs may be erected as part of ground and monument signs and shall meet the requirements for those sign types.*
 - [1] *The sign area for EMCs or changeable message signs shall be included in the total permitted sign area allowed and shall not exceed 50% of the total sign area. The maximum size for an EMC or changeable message sign is 24 square feet.*
 - [2] *The changeable message portion of the sign must occupy a secondary position to the name of the business, development and/or tenant.*
 - [3] *An EMC may display static images only. No blinking, flashing, moving, scrolling or animated messages permitted. A message/image on an EMC shall not flash, scroll, twirl or otherwise move when changing.*
 - [4] *Text or images, or any portions thereof, on an EMC may change up to, but not more frequently than, once every eight seconds.*
 - [5] *Illumination. The maximum illumination of any electronic message or manual changeable message sign shall not exceed 15 footcandles when measured with a light meter held perpendicular to the sign at a distance of 24 inches.*
 - [6] *Each sign shall be placed in such a manner so as to not interfere with, confuse or present any hazard to traffic or pedestrians. This determination is in the reasonable discretion of the Plan Commission.*
 - [7] *A sign containing an EMC shall not be located closer than 100 feet from a residentially zoned property. The distance shall be calculated as the shortest measurable distance between the face of the sign to the edge of the residential zoning district, in a straight line without regard to intervening structures. Right-of-way is not included and shall be subtracted from this measurement.*

**Figure VIII-12
EMC Distance Measurement**



Attachments:

Location Map

Existing Sign & Location

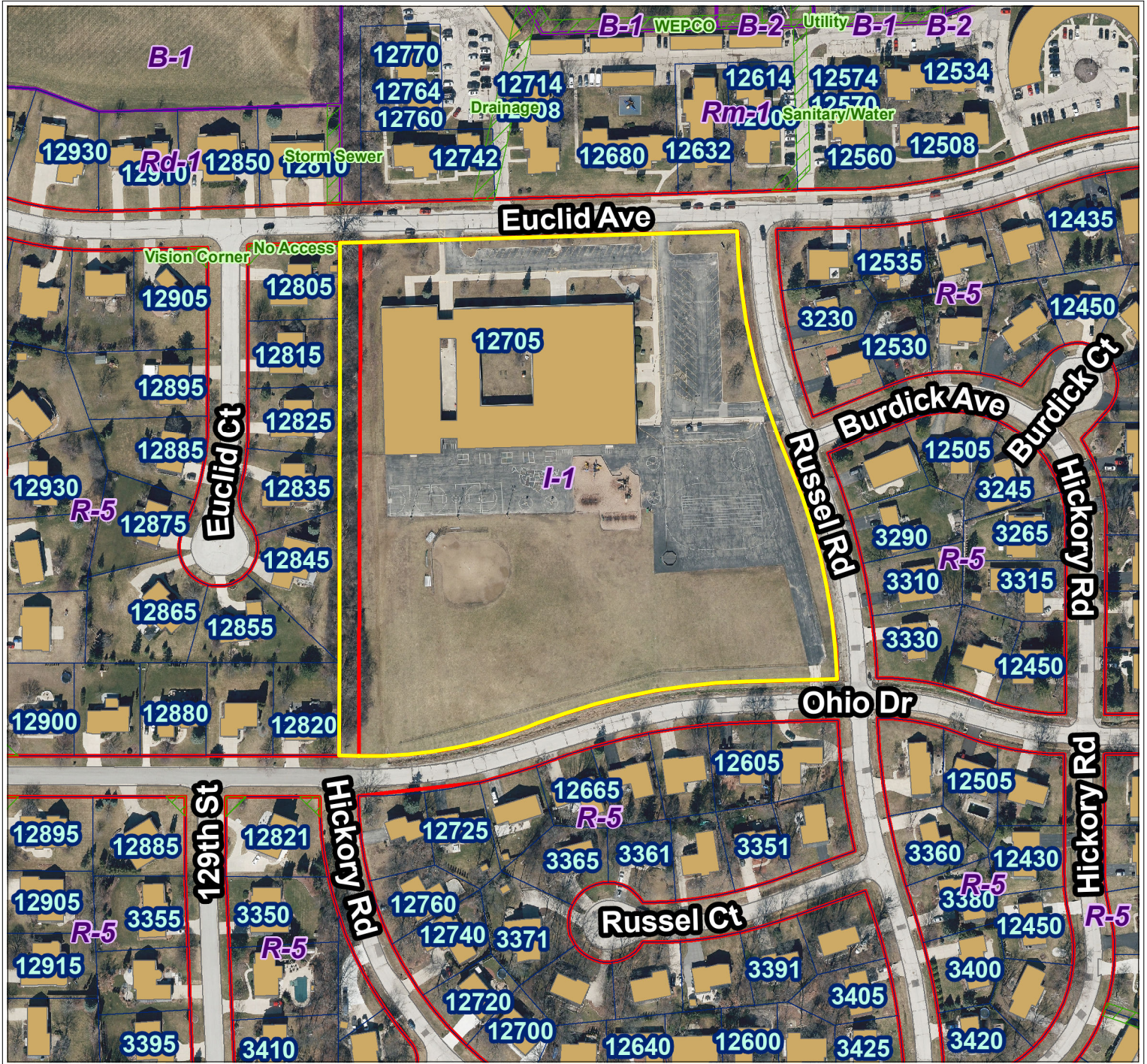
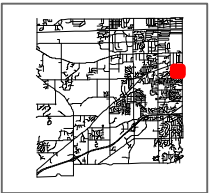
Plans – Request #1 - Proposed Sign & Location

Plans – Request #2 - Proposed Sign & Location

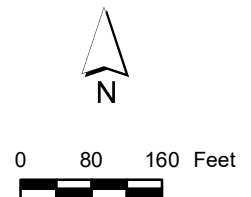
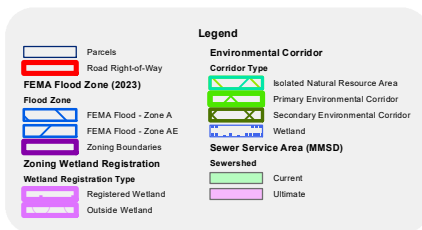
Plans – Request #3 - Proposed Sign & Location

Map – 100' EMC Setback and 30' Vision Triangle

SG-2501927
Hoover Elementary School
12705 W Euclid Ave.



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

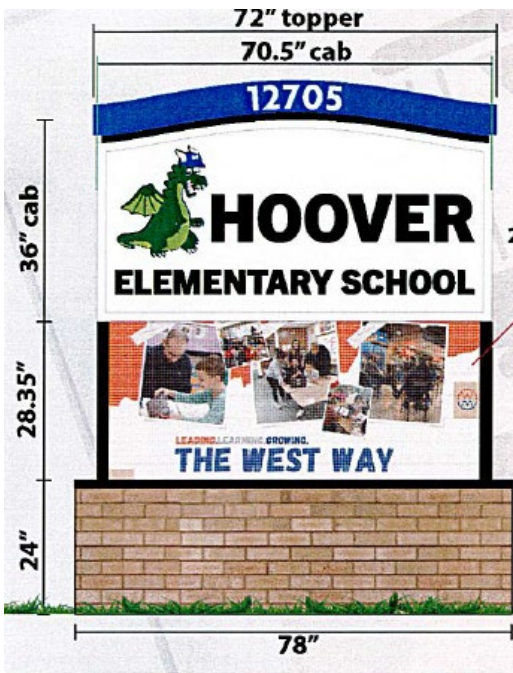


The information and depictions herein have been produced using data available through photogrammetric means by the City of New Berlin. The informations and depictions herein are for informational purposes and the City of New Berlin specifically disclaims accuracy in this reproduction and specifically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

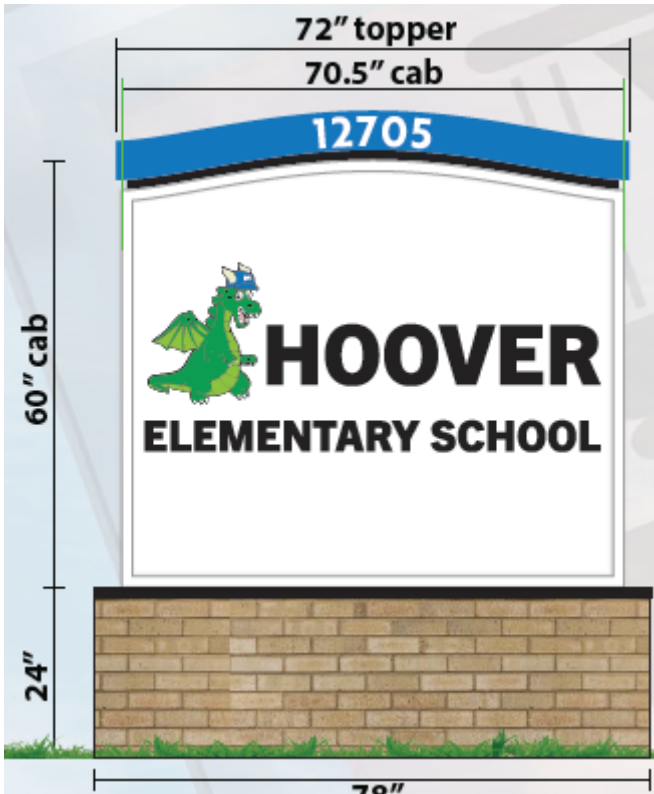
Existing Sign & Location



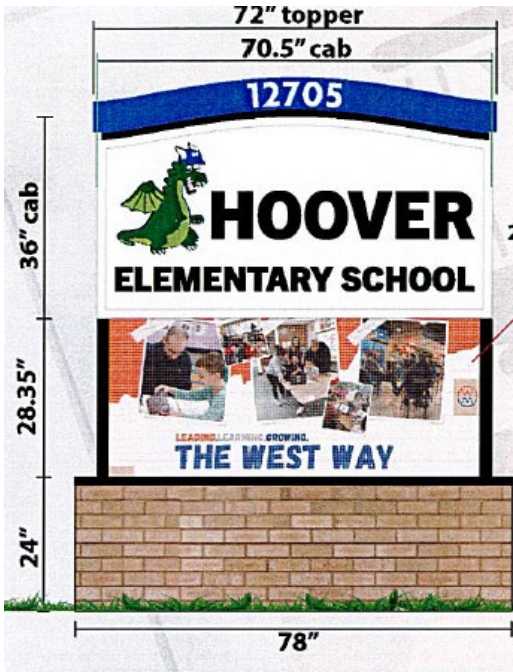
Request #1 - Proposed Sign & Location



Request #2 - Proposed Sign & Location



Request #3 - Proposed Sign & Location



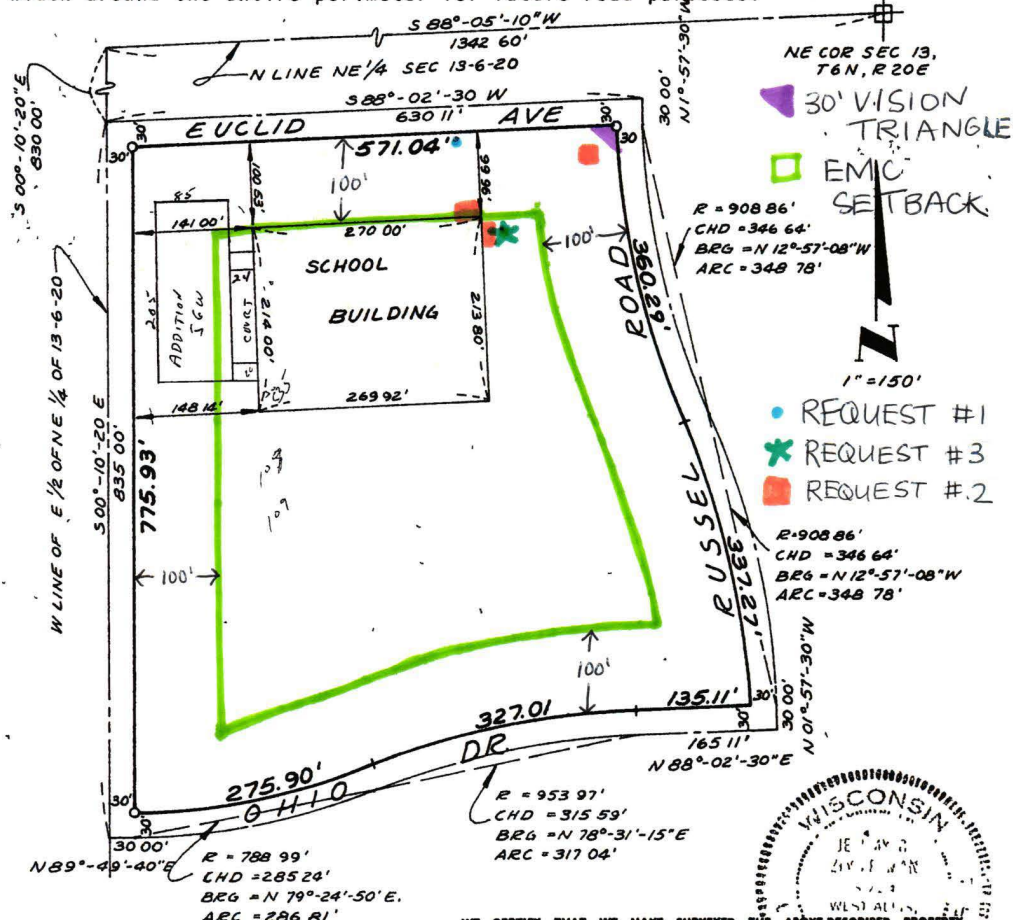
Map - 100' EMC Setback and 30' Vision Triangle

PLAT OF SURVEY

1201.998.001

LOCATION: 12705 Euclid

LEGAL DESCRIPTION: All that part of the N.E. 1/4 of Sec. 13, T6N, R20E, City of New Berlin, Waukesha County, Wis. bounded and described as follows: Commencing at the N.E. corner of Sec. 13; thence S. 88° 05' 10" W, along the N. line of said sec., 1342.60 ft. to the 1/8 corner; thence S. 00° 10' 20" E, along the W. line of E. 1/2 of said 1/4 Sec. 830 ft. to the place of beginning of the parcel hereinafter described; thence continuing S. 00° 10' 20" E, along said 1/8 line, 835.00 ft.; thence N. 89° 49' 40" E, perpendicular to said 1/8 line, 30.00 ft. to the P.C. of a curve; thence N.E.'ly, 286.81 ft. along the arc of said curve, radius of 788.99 ft., center of which lies to the N. and a chord bearing N. 79° 24' 50" E, 285.24 ft. to a P.R.C.; thence N.E.'ly, 317.04 ft. along the arc of a curve, radius of 953.97 ft., center of which lies to the S. and a chord bearing N. 78° 31' 15" E, 315.59 ft. to the P.T. of said curve; thence N. 88° 02' 30" E, 165.11 ft.; thence N. 1° 57' 30" W, 30.00 ft. to the P.C. of a curve; thence N.W.'ly, 348.78 ft. along the arc of said curve, radius of 908.86 ft., center of which lies to the W. and a chord bearing N. 12° 57' 08" W, 346.64 ft. to a P.R.C. thence N.W.'ly 348.78 ft. along the arc of a curve, radius of 908.86 ft., center of which lies to the E. and a chord bearing N. 12° 57' 08" W, 346.64 ft. to the P.T. of said curve; thence N. 1° 57' 30" W, 30.00 ft., thence S. 88° 02' 30" W, 630.11 ft. to the place of beginning. Reserving therefrom a strip of land 30 ft. in width around the entire perimeter for future road purposes.



- REQUEST #1
- ✱ REQUEST #3
- REQUEST #2



WE CERTIFY THAT WE HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY AND THAT THE ABOVE PLAT IS AN ACCURATE SURVEY AND A TRUE REPRESENTATION THEREOF AND CORRECTLY SHOWS THE EXTERIOR BOUNDARY LINES AND LOCATION OF BUILDINGS AND OTHER IMPROVEMENTS ON SAID PROPERTY AND THE CORRECT MEASUREMENTS THEREOF

J. C. ZIMMERMAN ENGINEERING CORP.
 CIVIL ENGINEERS AND SURVEYORS
 11121 W OKLAHOMA AVE WEST ALLIS 19, WIS
 LINCOLN 8-5840

SIGNED *Jeremy C. Zimmerman*
JEREMY C. ZIMMERMAN
 REGISTERED LAND SURVEYOR - 5764



Department of Community Development

Planning Department
City of New Berlin
3805 S. Casper Drive
New Berlin, WI. 53151-3097
Phone: (262) 797-2445
Fax: (262) 780-4612

MEMO TO: David Ament, Mayor
Plan Commissioners

MEMO FROM: Greg Kessler, Director of Community Development

MEMO RE: 2026 Plan Commission Meeting Schedule

January 7

February 2

March 2

April 15 – 3rd Wednesday of the Month, due to the Election.

May 4

June 1

July 15 – City Hall will be closed July 4th in observance of Independence Day.

August 19 – 3rd Wednesday of the Month, due to the Election.

October 5

November 17 – Third Tuesday of the Month, following the Election.

December 7

January 13, 2027 – Please note that this is a Wednesday due to New Years.

*** Meetings in bold italics are modified and do not occur on the first Monday of the Month.*