

City of New Berlin Plan Commission Meeting November 14, 2022

The Following Items Will Be Acted on Tonight:

Agenda Items

Call to order; Pledge of Allegiance

Roll Call and Declaration of Quorum

**Approval of August 15, 2022 &
October 3, 2022 Minutes**

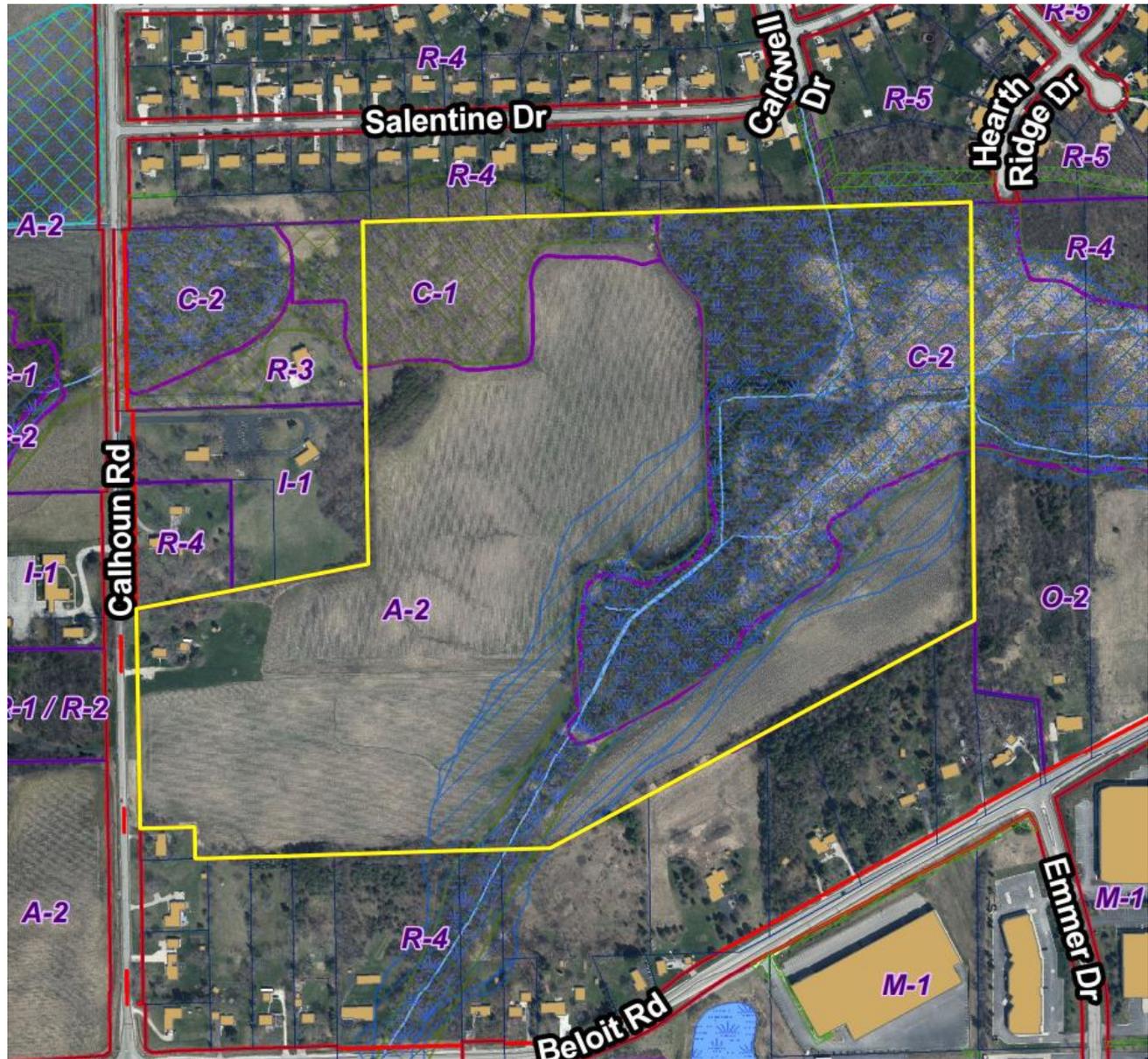
Plan Commission Secretary's Report

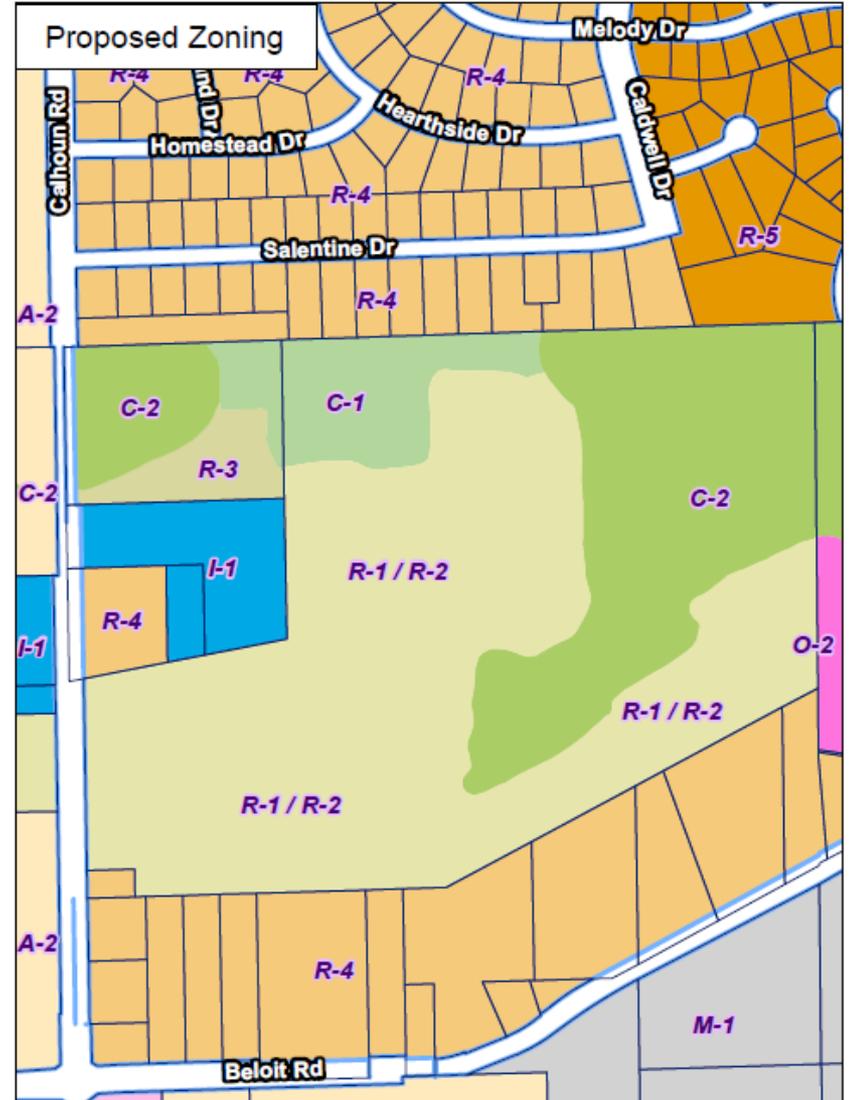
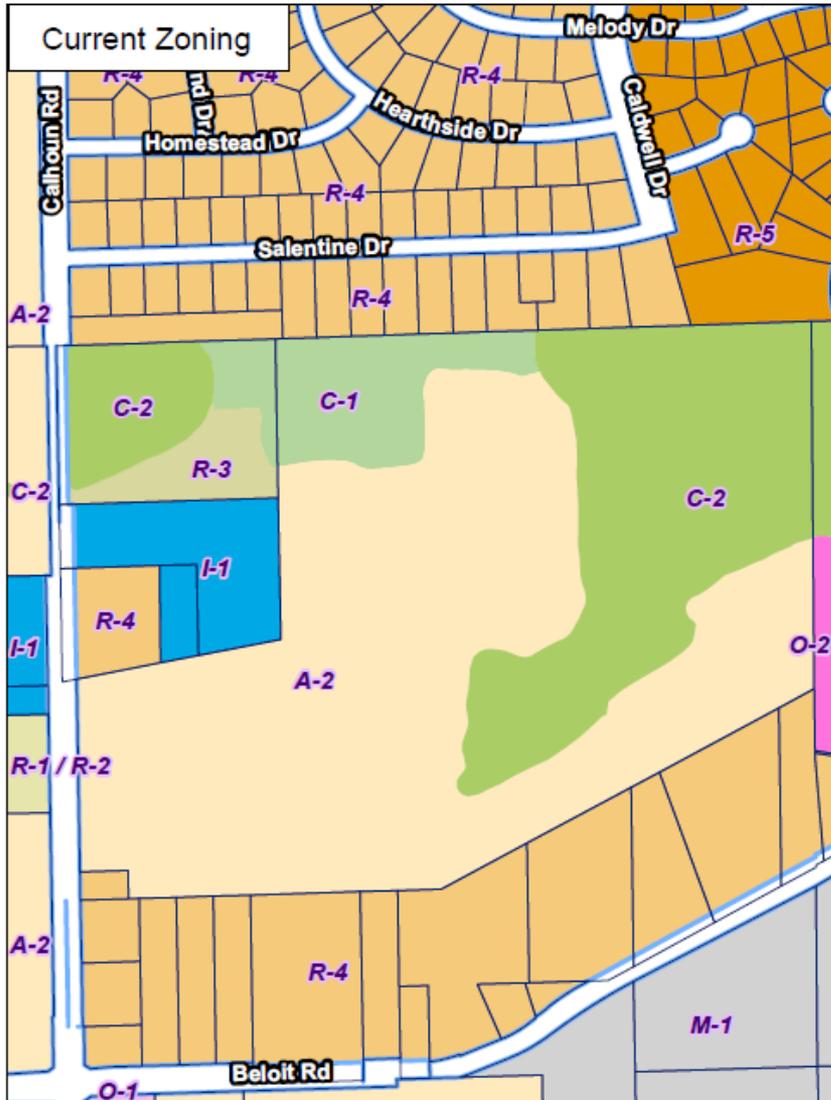
Plan Commission Agenda

Public Hearing

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

CU-2202306 Bluewater Plumbing - 21515 W. Greenfield Avenue – Conditional Use Approval to reoccupy the existing building for a plumbing Company in the O-1 Zoning District. (PUBLIC HEARING 6:01 PM)

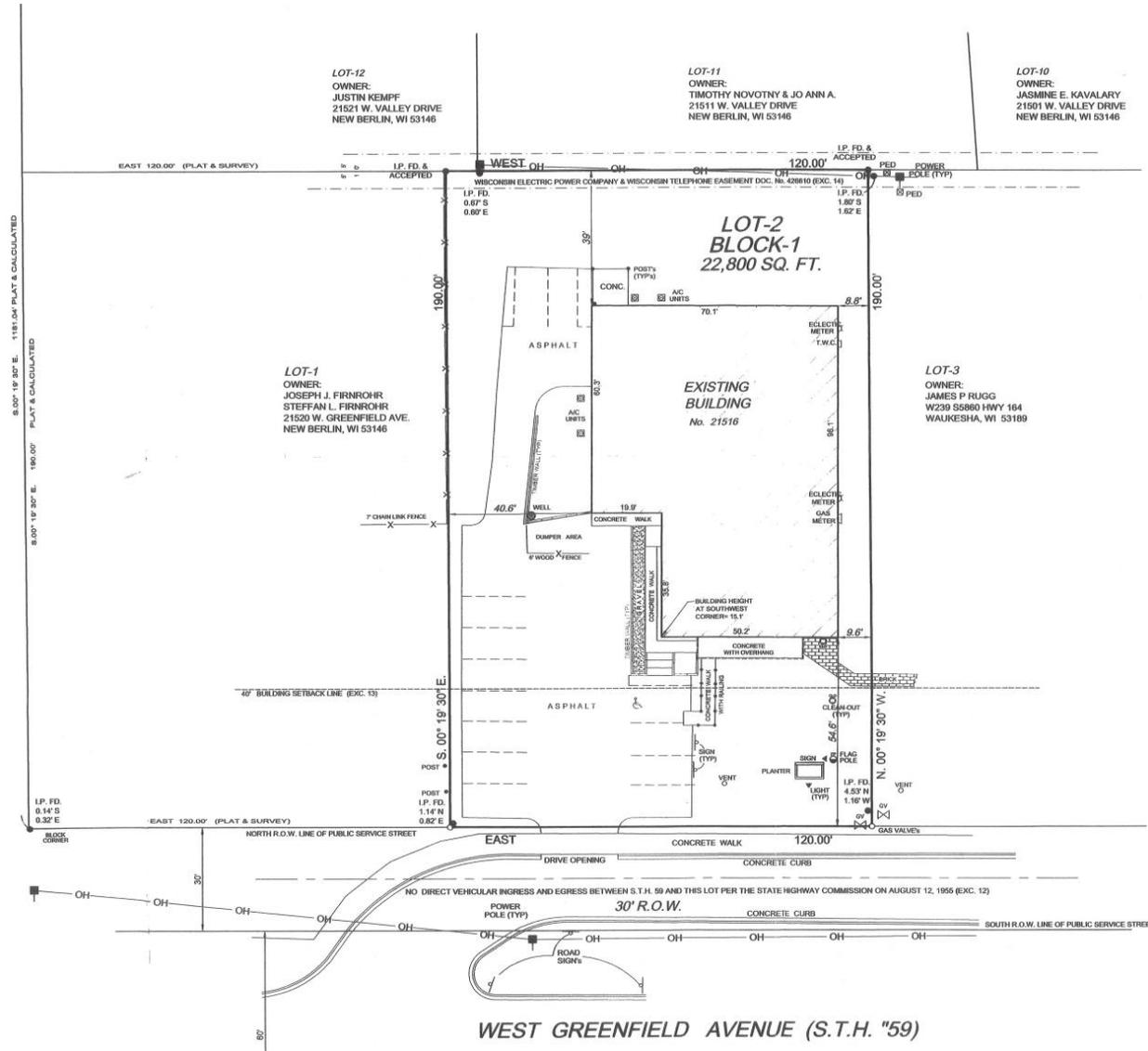


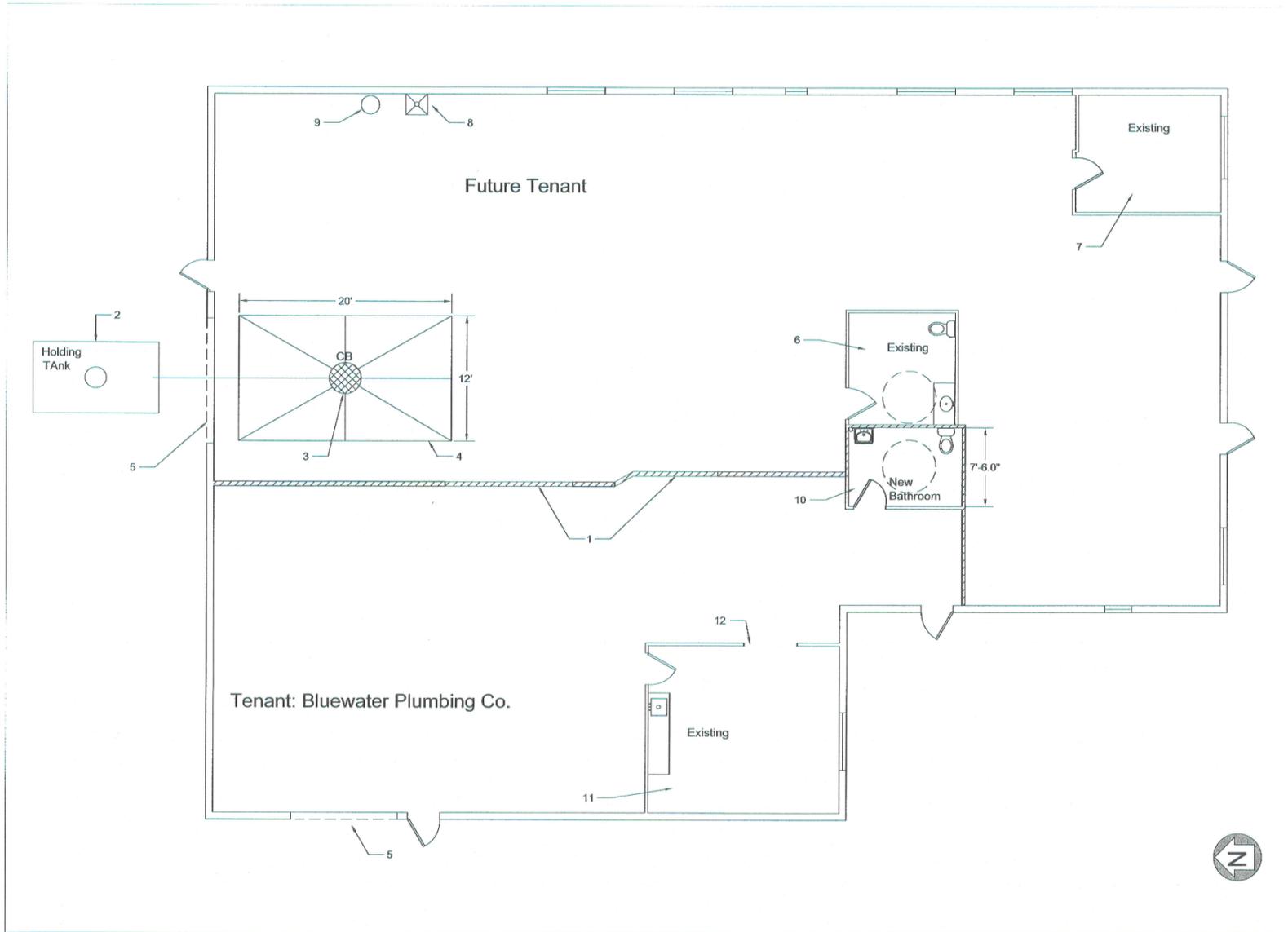






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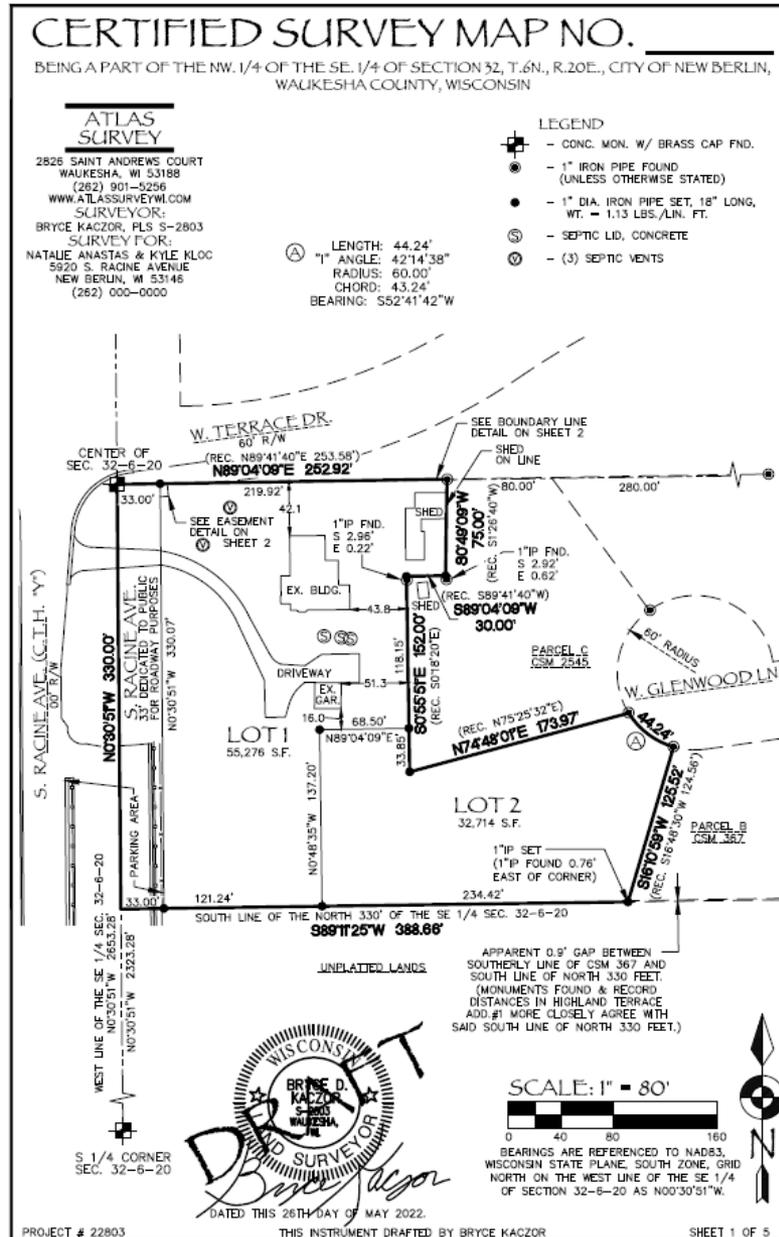


Plan Commission Agenda

Continued Business

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





Plan Commission Agenda

New Business

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

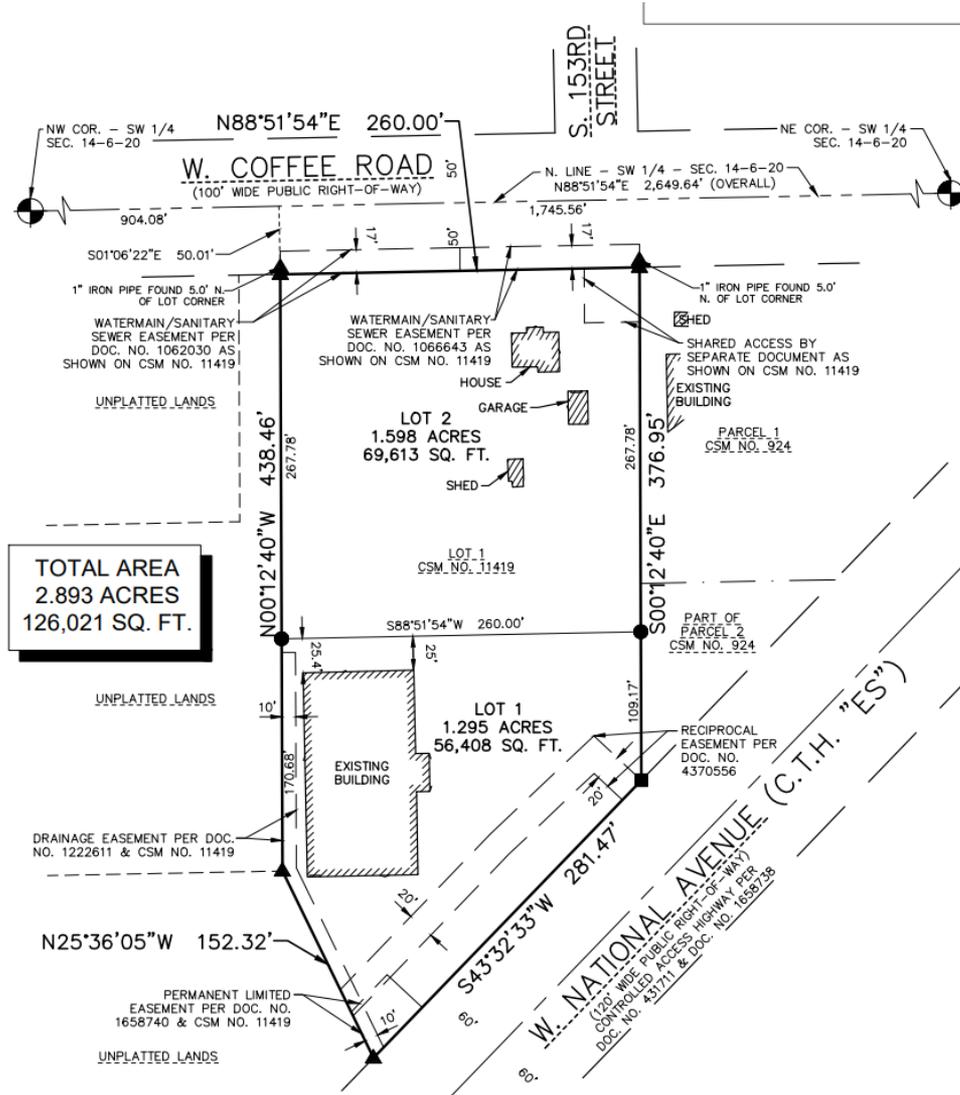
SP-2202325 Ryan Janssen with Ryan's Buying LLC – 4908 S. Calhoun Road (Tax key #: 1258.999) – Autumn Trace Conceptual Subdivision (Plan Commission Site Walk 10/27/2022 4:00 PM)

PK-2200053 Malone Park - Approval of the Design for Malone Park

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



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

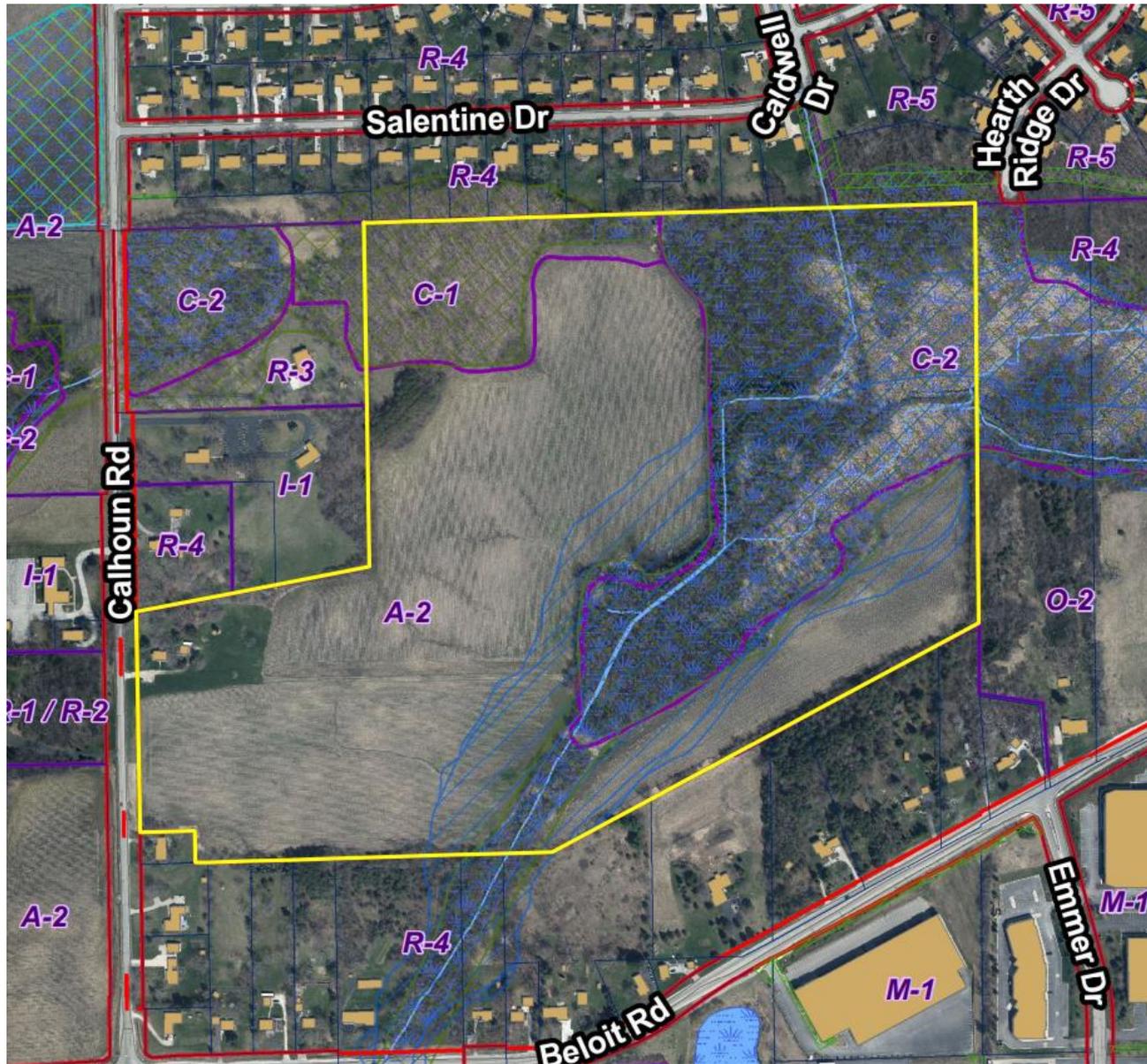


TOTAL AREA
2.893 ACRES
126,021 SQ. FT.

LEGEND

● - 3/4" x 18" REBAR SET

DRAFTED BY: RYAN WILGREEN, PLS



Voluntary Sketch Plan

ADJUSTED TRACT ACREAGE				
DESCRIPTION	Total Area (acres)	Adjustment Factor (deduction)	Adjusted Total Area Deduction (acres)	ADJUSTED TRACT ACREAGE (acres)
CALHOUN RD.	88.40			
- Wetlands (outside Floodway)	8.77	-0.95	-8.33	
- Floodway	21.78	-1.00	-21.78	
- Floodplain	5.97	-0.50	-2.99	
- Steep Slopes (>20%)	0.12	-0.80	-0.10	
- Moderately Steep Slopes (15%-20%)	0.68	-0.60	-0.41	
TOTAL ADJUSTED TRACT ACREAGE				54.79
Required conservation area (75% of adjusted)				41.10
LOT COUNT BASED ON ADJUSTED TRACT ACREAGE				11

DEVELOPMENT SUMMARY

- Total Gross Area: 88.4 ac
- Proposed Zoning: R-1/R-2 Conservation Subdivision
- Proposed Development: 22 lots
- CONSERVATION AREA
 - Total Common Area (CL 1 & CL 2) = 54.35 ac (61.5%)
 - Easement on Lot 11 = 4.87 ac
 - Total Conservation Area = 59.22 ac (67% of site)
 - Code requirement = 41.1 ac (16.44 ac in Outlot)
- Road Length:
 - Dual Entry Boulevard (6 lots) = 710'
 - Cul-de-sac Road (15 lots) = 1,100'

Per 275-33-D (12)(a) The subdivision must include at least 75% of the adjusted tract acreage as conservation area.
 Conservation area shall not be used for residential lots, except 70% of the area may be 10 acre or larger "conservation lots".

DENSITY CALCULATION

Description	Total Area (acres)	Allowable Lots	Notes
TOTAL AREA "4908 S CALHOUN RD"	88.395	17.68	Total area excludes the Calhoun Road right-of-way
LARGE TRACT DENSITY BONUS (88.395 acres - 50 acres)	38.395	3.84	Large Tract density bonus applies to tracts >50 acres in size, calculated as 1 additional lot for every 10 acres of total tract acreage above 50 acres in the R-1/R-2 District. The 27.8 acres of Wetlands on the site are given to be part of the first 50 acr
TOTAL CONSERVATION SUBDIVISION APPLICATION	88.395	21.52	Maximum # of possible lots in the conservation subdivision.

PROPOSED ZONING

R1/R2 ZONING REQUIREMENTS per Table 275-33-2

Conservation Subdivision	Lot Area* (s.f.)	Lot Width** (ft)	Lot Depth (ft)	Front & Rear (ft)	Side (ft)	Wetland (ft)
R-1/R-2	20,000 or 32,670	110 or 130	None	40	15	30

* Minimum Lot Area may be 20,000 s.f. when septic system is located entirely off-lot.
 Minimum Lot Area when septic system is located on-lot is 32,670 s.f.
 ** Minimum lot width of 110' applies to homes with front loaded garages; Minimum Lot Width of 130' applies to homes with side loaded garages.

ADDITIONAL DESIGN STANDARDS per 275-33

- Conservation Area Buffer: Existing Road = 100'; Exterior Boundary = 50'
- Conservation Area:
 - Includes Secondary Environmental Corridor, Floodplain and Wetland
 - No less than 30% of adjusted tract acreage shall be for common use
 - May be located on lots that are 10 acres or larger.

PROPOSED SITE PLAN
Autumn Trace Conservation Subdivision
 4908 S. Calhoun Road, City of New Berlin, WI



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 10/27/2022 4:00 PM

October 27, 2022 Site Walk



October 27, 2022 Site Walk





DENSITY – Yield Plan Approach

17.71 lots	(88.57 ac. / 5 ac. min lot size)
+ 3.86 lots	<u>*Large Tract Density Bonus (88.57 ac. - 50 ac. = 38.57 ac. / 10 ac.)</u>
21.57 lots	Maximum # of possible lots (round up to 22 lots)

*A Large Tract Density Bonus may be applied, per §275-331(2) of the Zoning Code:

*“Larger tracts. A density bonus may be granted by the Common Council for conservation subdivision applications involving tracts greater than 50 acres in area at the following rate: **one additional dwelling unit for every 10 acres of total tract acreage above 50 acres in the R-1/R-2 District**”*

88.57 total acres / 22 lots = 1 lot per 4.03 acres

The City’s goal is to preserve large tracts of connected open space.



CONSERVATION AREA

Total acreage: 88.57 acres

Adjusted Tract Acreage: 54.96 acres

Required Conservation Area*: **41.22 acres** (75% of the adjusted tract acreage)

Provided Conservation Area**: **59.22 acres**

Applicant is providing 18 acres of conservation area above the minimum code requirement.

Description	Total Area (acres)	Adjustment Factor (deduction)	Adjusted Total Area Deduction (acres)	Adjusted Tract Acreage (acres)
4980 S Calhoun Road	88.57			
-Wetlands (outside of Floodway)	8.77	-0.95	8.33	
-Floodway	21.78	-1.00	21.78	
-Floodplain	5.97	-0.50	2.99	
-Steep Slopes >20%	0.12	-0.80	0.10	
-Moderately Steep Slopes 15-20%	0.68	-0.60	0.41	
Total Adjusted Tract Acreage				54.96
Required Conservation Area (75% of Adjusted Tract Acreage)				41.22

Conservation Area	Acres
Outlot 1	3.76
Outlot 2	50.59
Easement on Lot 11	4.87
Provided Conservation Area	59.22

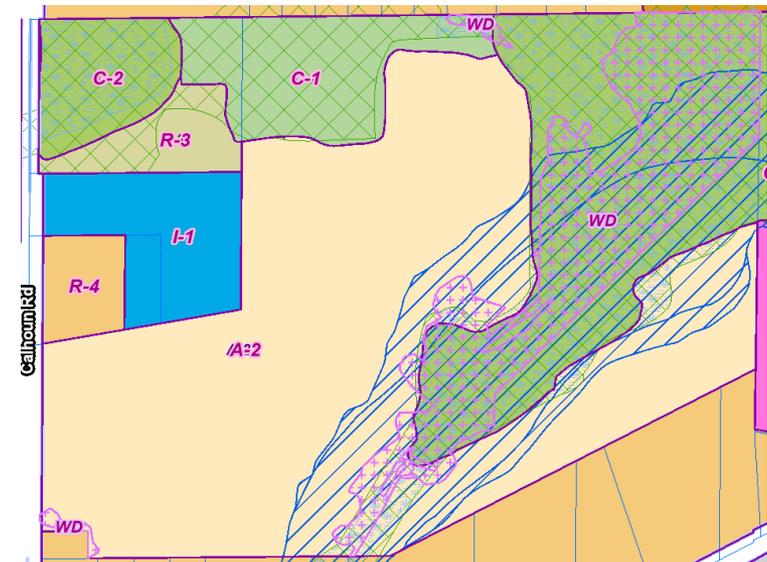
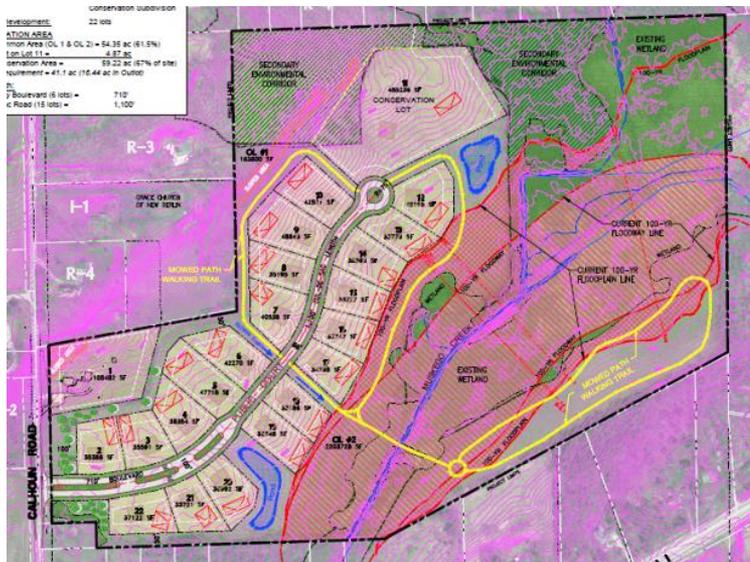
*§275-33D(12)(a): The subdivision must include at least **75% of the adjusted tract acreage** as conservation area. Conservation area shall not be used for residential lots, except as provided below.

**§275-33D(12)(b): Large "conservancy lots" of at least 10 acres may, in the aggregate, occupy up to 80% of the conservation area, with the remainder of the conservation area restricted from development by way of conveyance to a homeowners' association, land trust, or to the City by way of a conservation easement. However, the conservation area within each conservancy lot remains subject to the standards for conservation area in §275-41 herein.

ENVIRONMENTAL FEATURES

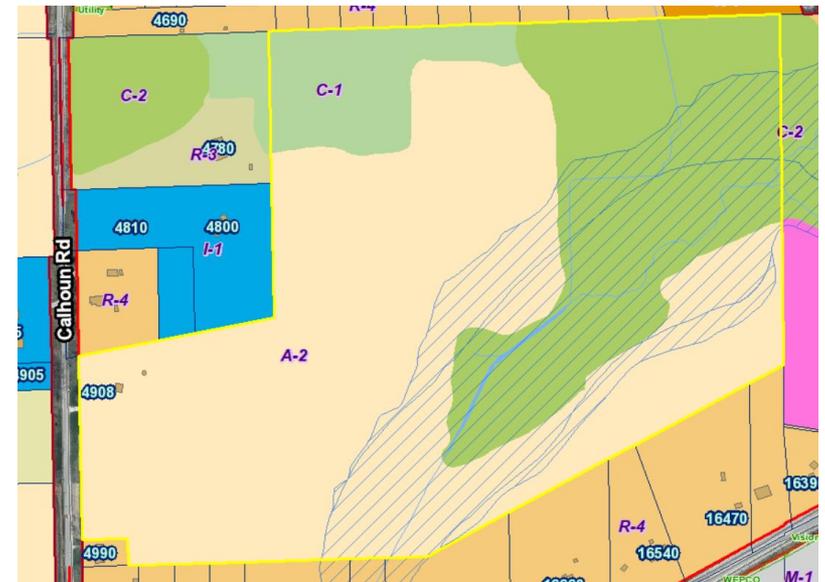
§235-40B(1): **“Conservation areas shall include all wetlands, one-hundred-year floodplains, and slopes exceeding 20%, plus those parts of the remaining buildable areas with the highest resource significance. In conventional subdivisions, conservation areas may be located within individual lots. In conservation subdivisions, conservation areas shall be located outside individual lots, in common areas owned and maintained by a homeowners' association, on areas donated to land trusts or to a level of government, or in non-common open space.”**

- Wetlands – Outlot 2
- Floodplain – Outlot 2
- Steep Slopes – Outlot 1
- Secondary Environmental Corridor (SEC) – Outlot 1, Outlot 2, large conservancy lot (Lot 11)
 - *SEC will not be located on any of the platted lots, with the exception of the large conservancy lot (Lot 11)



FLOODPLAIN AND DOWNSTREAM IMPACTS

- Wetlands – Outlot 2
 - Wetlands have been registered on City's Zoning Map
 - No wetlands will be filled as part of this project
 - Minimum 30' wetland setback for new homes
- Floodplain – Outlot 2
 - No development will occur in the Floodplain
- Stormwater management will be contained onsite (2 ponds are proposed)
 - Per City Ordinance and MMSD regulations, developer required to improve today's conditions by reducing flows from the site (Proposed 100 year peak flows will match existing 10 year peak flows)
 - Stormwater will be further reviewed upon submission of the Preliminary Plat





CONSERVATION EASEMENT

Per §275-33D(12) of the Zoning Code, a Conservation Easement will be used on the proposed outlots and 10 acre conservancy lot.

Please refer to:

- §275-41B(3): Conservation area use and design standards
- §275-41B(4)(a): *“The conservation area that is required to be reserved and created through the subdivision process shall be subject to permanent conservation easements prohibiting future development and defining the range of permitted activities.”*
- §275-41B(5)(a): *“Permanent protection. All conservation areas shall be permanently restricted from future subdivision and development. Under no circumstances shall any development be permitted in the open space at any time, except for those uses listed in §275-41B.”*

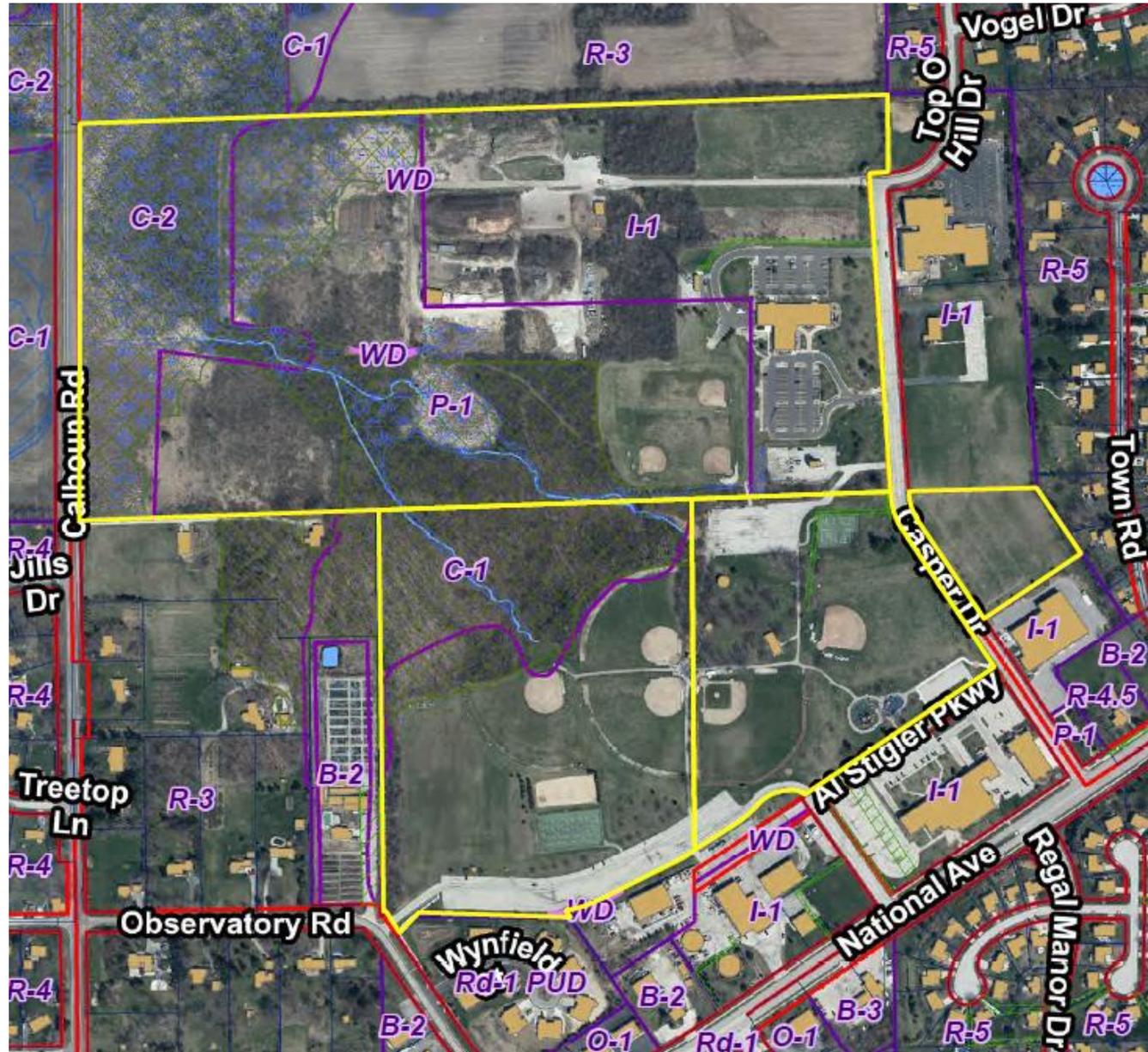
The 59.22 acres of provided Conservation Area are contained on Outlot 1, Outlot 2, and a portion of Lot 11. These 59.22 acres contain all of the wetlands, floodplain, SEC, and SEC on Lot 11, and will be permanently protected via the Conservation Easement.

INTERSECTIONS AND ACCESS

§275-33F(3) of the Zoning Code requires two access points for the proposed 22 lots: *“New intersections with existing public roads shall be minimized. Although two separate accessways into and out of subdivisions containing more than 25 dwellings are generally required for safety, proposals for more than two entrances onto public roads shall be discouraged if they would unnecessarily disrupt traffic flow. **Any individual cul-de-sac (public or private) within the residential development shall have no more than 15 units that have exclusive frontage along said cul-de-sac.** A public cul-de-sac shall serve at least a minimum of five units that have exclusive frontage along the cul-de-sac.”*

- Applicant is proposing a **boulevard entrance to allow for 2-way emergency traffic** on either side of the boulevard, spanning the **first 6 lots of the subdivision** closest to Calhoun Road. The remaining 15 lots would have exclusive entrance off the cul-de-sac, per the above referenced code section.
- The entrance is located as far south on the property as the site allows for safer exit and entry onto Calhoun Road at the base of the hill.

Acceleration/Deceleration lanes and a bypass lane are required.



EXISTING STRUCTURES

Shelter #1/Restroom (east)



Gazebo (north)

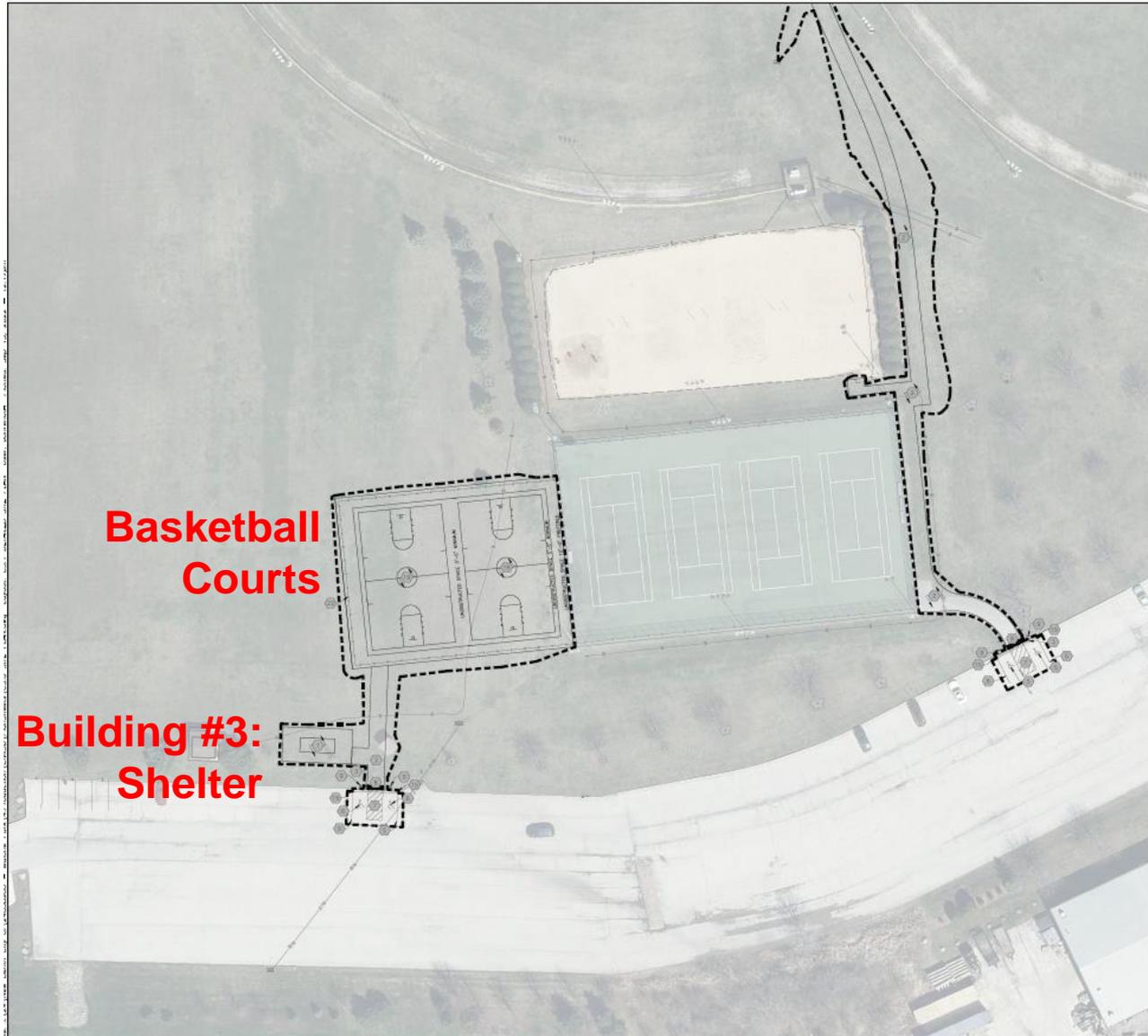


Shelter #2 (west)

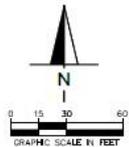
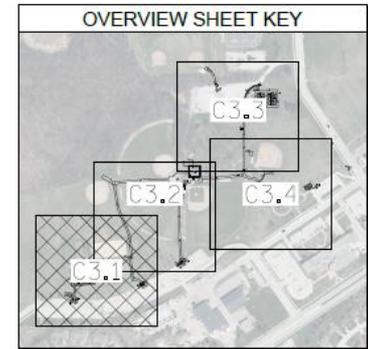


Concession (south)



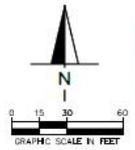
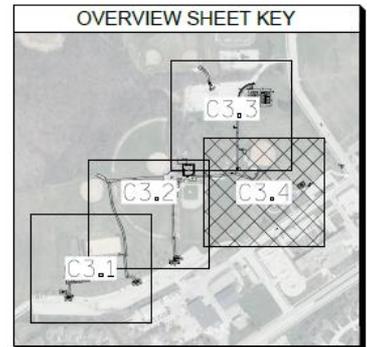


KEY NOTES	
①	PROPOSED BUILDING (SEE ARCHITECTURAL PLANS FOR DESIGN)
②	ASPHALT PATH
③	CONCRETE CURBS AND GUTTER
④	CONCRETE SIDEWALK
⑤	1" W/RE PAINTED STRIKE TYP.
⑥	ADA PAVED/ST MARKING
⑦	ADA UNDOING ZONE
⑧	CURB RAMP (SEE DETAILS)
⑨	ACCESSIBLE PARKING SIGN (SEE DETAILS)
⑩	ASPHALT PAVEMENT
⑪	LANDSCAPE AREA (SEE LANDSCAPE PLANS FOR DETAILS)
⑫	ASPHALT PAVEMENT
⑬	PEDESTRIAN CROSSWALK STRIPING
⑭	"NO MOTOR VEHICLES" SIGN
⑮	CONNECT TO EXISTING PAVEMENT, SIDEWALK, CURB ETC. TYP.
⑯	2" CONCRETE CURB (SHAW)
⑰	CONCRETE DRAINAGE PAN
⑱	PROPOSED REBAR SHALE COURTS
⑲	PROPOSED BASKETBALL COURTS
Ⓜ	METAL FENCING (4 FEET)
Ⓝ	METAL FENCING (6 FEET)
Ⓞ	METAL FENCING (8 FEET)
Ⓟ	REDUCE ELECTRICAL
Ⓠ	3" TROUGH UNDER PATHWAY FOR UTILITIES
Ⓡ	LIMITS OF DISTURBANCE

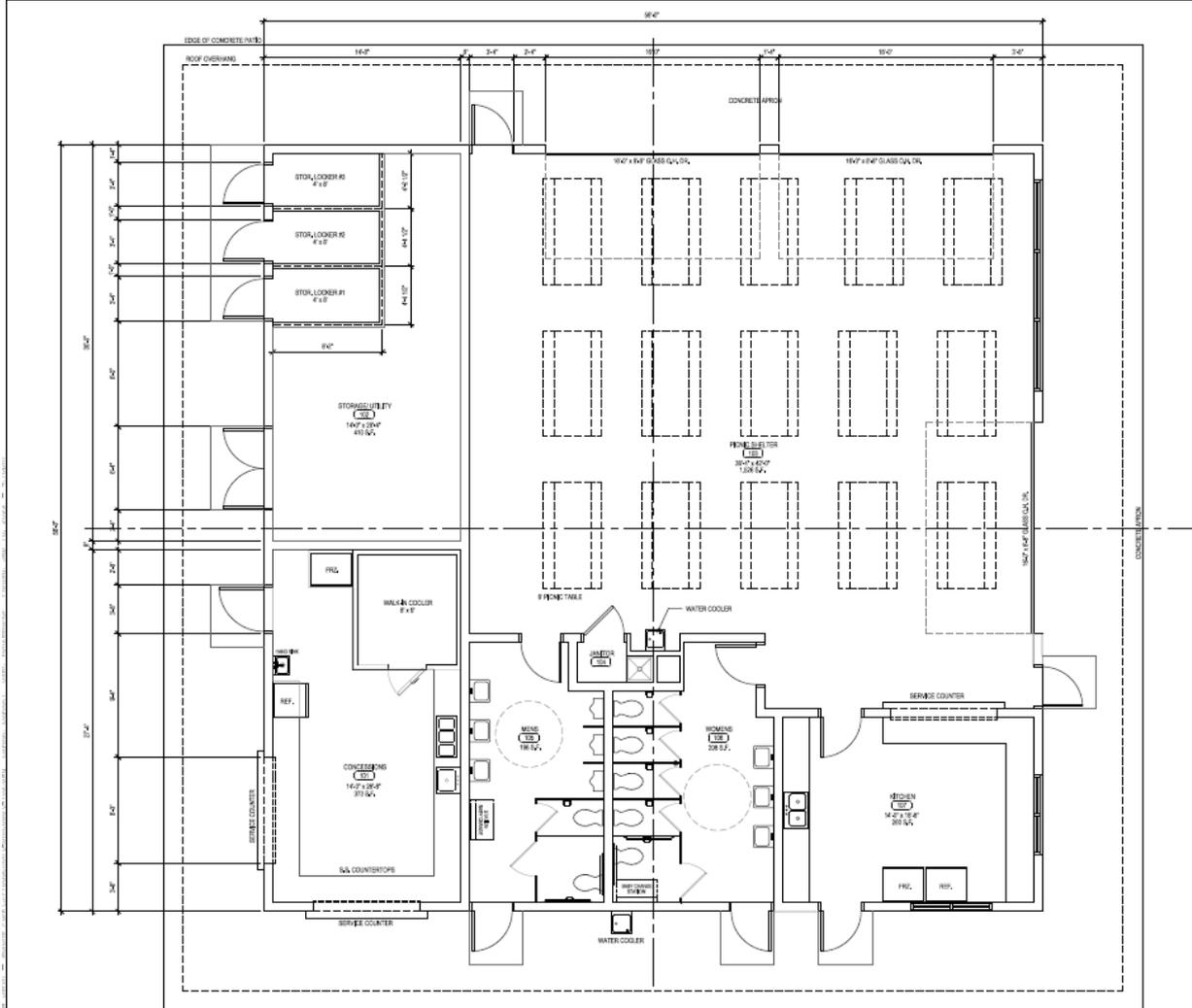




KEY NOTES	
①	PROPOSED BUILDING (SEE ARCHITECTURAL PLANS FOR DESIGN)
②	ASPHALT PATH
③	CONCRETE CURBS AND GUTTERS
④	CONCRETE SIDEWALK
⑤	4" ACI PAINTED STRIPE TYP.
⑥	ADA PAVEMENT MARKING
⑦	ADA UNLOADING ZONE
⑧	CURB RAMP (SEE DETAILS)
⑨	ACCESSIBLE PARKING SIGN (SEE DETAILS)
⑩	ASPHALT PAVEMENT
⑪	LANDSCAPE AREA (SEE LANDSCAPE PLANS FOR DETAILS)
⑫	ASPHALT PAVEMENT
⑬	VEHICLEWAY CROSSWALK STRIPING
⑭	TWO MOTOR VEHICLE SIGN
⑮	CONNECT TO EXISTING PAVEMENT: SIDEWALK, CURB ETC. TYP.
⑯	2" CONCRETE CURB GRADE
⑰	CONCRETE SIDEWALK PAV.
⑱	PROPOSED HURDLE BALL COURTS
⑲	PROPOSED HURDLE BALL COURTS
⑳	METAL FENCING (4 FEET)
㉑	METAL FENCING (6 FEET)
㉒	METAL FENCING (8 FEET)
㉓	VEHICLE ELECTRICAL
㉔	2" TROUGH UNDER PATHWAY FOR UTILITIES
㉕	LIMITS OF DISTURBANCE



Building #1: Concessions/Restrooms/Shelter/Storage



BUILDING CODE SUMMARY:

BASED UPON 2018 IRC

CITY OF NEW BERLIN - MALONE PARK PICNIC PAVILION

1 OCCUPANCY: M-F (RECREATION - WITH SHELTER & CONCESSIONS)

2 CONSTRUCTION CLASSIFICATION:
 A. CONSTRUCTION TYPE: TYPE VB
 B. TOTAL BUILDING AREA = 3,384 SQ. FT.

(NONSPRINKLERED BUILDING)

CONSTR. TYPE	FLOOR AREA, SQ. FT.	ACT. NO. OF STORIES	NONSPRINKLERED BUILDING ALLOWABLE AREA (A), SQ. FT.	TOTAL ACTUAL BUILDING AREA
VB	1 STORY	1 STORY	3,384 SQ. FT.	3,384 SQ. FT.

C. FIRE PROTECTION: (D-WHITER 8)

1. AN AUTOMATIC FIRE ALARM SYSTEM IS NOT REQUIRED SINCE THE BUILDING AREA DOES NOT EXCEED 12,000 SQ. FT. AND THE OCCUPANT LOAD DOES NOT EXCEED 300 PEOPLE AND THE FIRE ALARM IS NOT LOCATED ON A FLOOR OTHER THAN THE LEVEL OF EXIT ENCLOSURES, PER SEC. 907.5.2(2).

D. BUILDING ELEMENTS SHALL HAVE FIRE RESISTANCE RATINGS AS SPECIFIED IN TABLE 601.

TYPE	TYPE RB
1. STRUCTURAL FRAME	= 1 HR.
2. BEARING WALLS (EXTERIOR & INTERIOR)	= 1 HR.
3. NONBEARING WALLS & PARTITIONS	= 1 HR.
4. FLOOR/CEILING CONSTRUCTION	= 1 HR.
5. ROOF CONSTRUCTION	= 1 HR.

E. EGRESS AND ACCESS REQUIREMENTS:

A. OCCUPANT LOAD (TABLE 1004.2)

USE CATEGORY	SQ. ACTUAL	MIN. FACTOR	OCC. LOAD	NO. OF EXITS REQ'D.
1. CONCESSIONS (M-F)	288 SQ. FT.	300 SQ. FT.	1 PERSON	1
2. STORAGE (M-F)	231 SQ. FT.	300 SQ. FT.	1 PERSON	1
3. MEN (M-F) RESTROOMS	128 SQ. FT.	300 SQ. FT.	15 PERSONS	2
4. WOMEN (M-F) RESTROOMS	128 SQ. FT.	300 SQ. FT.	15 PERSONS	2
TOTAL OCCUPANT LOAD			34 PERSONS	2

B. WHERE MORE THAN ONE MEANS OF EGRESS IS REQUIRED BY SECTION 1006.2 OR 1006.3 EACH ACCESSIBLE PORTION OF THE SPACE SHALL BE SERVED BY NOT LESS THAN TWO ACCESSIBLE MEANS OF EGRESS. (PER SEC. 1006.1)

C. EACH REQUIRED ACCESSIBLE MEANS OF EGRESS SHALL BE CONTIGUOUS TO A PUBLIC WAY. (PER SEC. 1006.2)

D. SPACES ARE ALLOWED ONE EXIT OR EXIT ACCESS WHERE OCCUPANT LOADS ARE LESS THAN THE FOLLOWING: GROUP 'A' OCCUPANCIES: 40 PERSONS (PER SEC. & TABLE 1006.2.1)

E. MAX TRAVEL DISTANCE TO EXIT (NONSPRINKLERED BLDG.) - 200 FT. IN GROUP 'A' (TABLE 1017.2)

F. THE COMMON PATH OF EGRESS TRAVEL IN GROUP 'A' OCCUPANCIES SHALL NOT EXCEED 75 FT. (PER SEC. & TABLE 1006.2.1)

G. IN GROUP 'A' OCCUPANCIES DEAD END CORRIDORS SHALL NOT EXCEED 30 FT. (PER SEC. 1026.4)

H. EXITS SHALL DISCHARGE DIRECTLY TO THE EXTERIOR OF THE BUILDING. THE EXIT DISCHARGE SHALL BE AT GRADE OR SHALL PROVIDE DIRECT ACCESS TO GRADE. (PER SECTION 1026.1)

IV. ACCESSIBILITY:
 A. AT LEAST ONE ACCESSIBLE ROUTE SHALL CONNECT ACCESSIBLE BUILDINGS, ACCESSIBLE FACILITIES, ACCESSIBLE ELEMENTS AND ACCESSIBLE SPACES THAT ARE ON THE SAME SITE. (PER SEC. 1104.2)

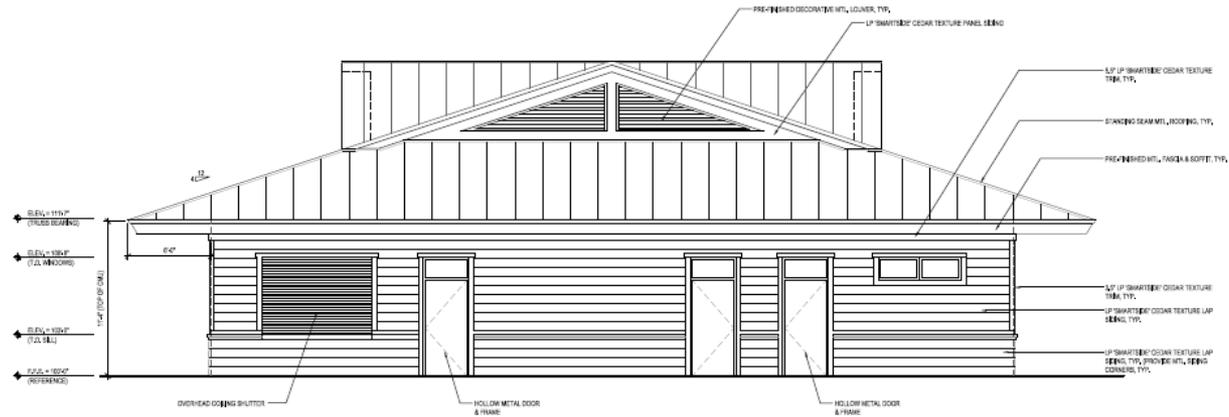
B. AT LEAST 80% OF ALL PUBLIC ENTRANCES SHALL BE ACCESSIBLE. (SEC. 1105.1)

V. REQUIRED PLUMBING FIXTURES: (TABLE 2902.1)

OCCUPANCY	NO. OF REQUIRED WATER CLOSETS:		NO. OF REQUIRED LAVATORIES:	DRINKING FACILITIES:
	MEN	WOMEN		
GROUP M-F	1 PER 125	1 PER 85	1 PER 200	1 PER 500
	1 REQUIRED + 3 URINALS	1 PROVIDED	2 PROVIDED OR 1 PER TENANT	1 PROVIDED PER TENANT



Building #1: Concessions/Restrooms/Shelter/Storage



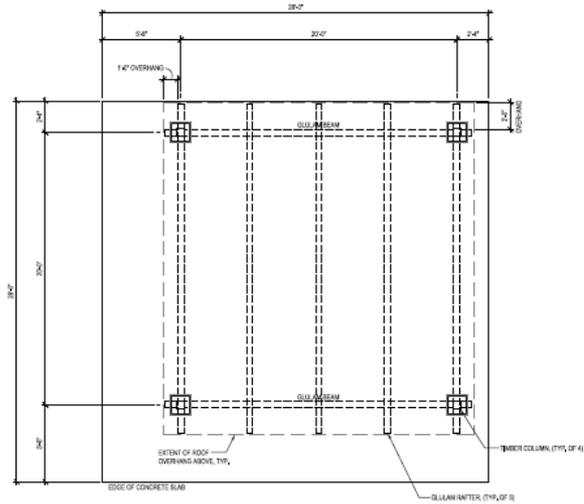
1 PICNIC PAVILION - SOUTH EXTERIOR ELEVATION
SCALE: 1/4" = 1'-0"



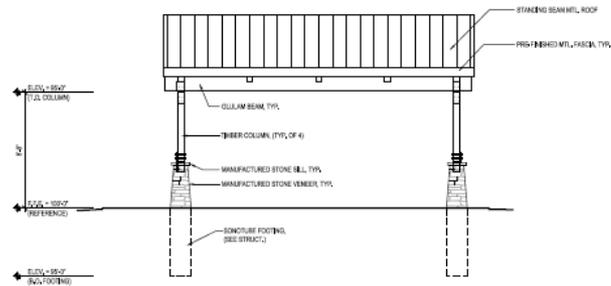
2 CONCESSIONS BUILDING - WEST EXTERIOR ELEVATION
SCALE: 1/4" = 1'-0"

Date: _____
 Revision: _____
 19

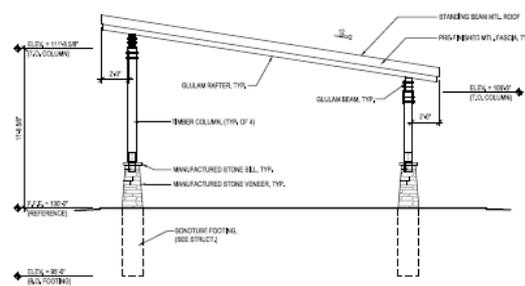
Building #3: Shelter



1 SHELTER FLOOR PLAN
A103 SCALE: 1/8"=1'-0"



2 SHELTER - SOUTH ELEVATION
A103 SCALE: 1/8"=1'-0"



3 SHELTER - WEST ELEVATION
A103 SCALE: 1/8"=1'-0"



Next Steps

- **Public Participation**
- **Public Hearing held before the Plan Commission**
- **Plan Commission adopt the 2023 Park and Open Space Plan via Resolution**
- **Common Council adopt the 2023 Park and Open Space Plan via Ordinance**

Recommendations of the 2017 Park and Open Space that were completed:

***Biwer Park* - Basketball Court Replacement. Playground Replacement.**

***City Center Plaza* - Acquired 1.36 acres of land for a Special Use Park. Creation of an urban park within the City Center that includes a seating area with pergola, concessions and restroom facility, and an ice rink.**

***Historic Park* - Parking Lot Replacement.**

***Lions Park* - Basketball Court Replacement. Parking Lot Replacements (east and north).**

***Park Signage* - Park system signage replacement.**

***Quarry Park* - Sale of park to residential developer for use as a single-family subdivision.**

***Regal Park* - Basketball Court Replacement.**

***Section 35* - Acquired 39.14 acres of land for a Community Park. Development of a gravel parking lot, six soccer fields and associated stormwater management. Constructed a portion of the multi-use trail from Sunny Slope Road. Constructed sidepaths along Sunny Slope Road.**

Additional accomplishments that were completed:

Biwer Park - Shelter Improvements. Trail Improvements.

Buena Park - Ball diamond fencing improvements. Parking Lot Replacement. Structure Replacements. Trail Improvements.

Calhoun Park - Ball diamond fencing improvements. Electronic Scoreboard. Shelter Improvements.

Hickory Grove Park - Playground removal.

High Grove Park - Shelter Improvements.

Historic Park - Barn improvements. Garage addition and improvements. Log cabin improvements. Museum Renovations and Addition. New Gazebo. Old mailroom remodeled.

Lions Park - Playground Replacement (includes a wheelchair accessible swing). Pond Shoreline Restoration. Shelter Improvements. Trail Improvements.

Malone Park - Lighting replacement for basketball, volleyball and tennis courts.

New Berlin Activity and Recreation Center - Acquired 25,000 square feet of the former Walmart Building for a Special Use Park. Renovations and Addition.

Valley View Park - Disc golf basket replacement. Shelter Improvements.

Weatherstone Park - Shelter Improvements.