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STATE OF WISCONSIN WAUKESHA COUNTY VILLAGE OF ELM GROVE

ORDINANCE 2026-05

THE VILLAGE OF ELM GROVE CODE OF ORDINANCES

Review and act on Ordinance 2026-05 to rezone an approximate 3.44-acre site at 800 Wall Street (Tax Key 1105997) to the Rm-3 Multiple-Family Residential District from the I-1 Institutional District, consistent with recent amendments to the Zoning Ordinance establishing the Rm-3 District as the appropriate district for the existing community-based residential facility (CBRF) and residential care apartment complex (RCAC) use

THE VILLAGE BOARD OF THE VILLAGE OF ELM GROVE DO ORDAIN AS FOLLOWS:

Section 1:

WHEREAS, The Board of Trustees approved Ordinances 2026-01 and 2026-02 on February 24, 2026; and,

WHEREAS, Ordinance 2026-01 established the Rm-3 Multiple-Family Residential District to accommodate community-based residential facilities (CBRFs) and residential care apartment complexes (RCACs), as defined in Wis. Stat. ch. 50, as permitted uses, providing supervised residential care, supportive services, or assisted living for eligible residents; and,

WHEREAS, Ordinance 2026-02 amended the I-1 Institutional District to remove CBRFs and RCACs as a conditional use; and,

WHEREAS, the property at 800 Wall Street, owned by ELM GROVE ALF, LLC, is currently zoned I-1 Institutional and has residential units that meet the definition of a CBRF or RCAC; and,

WHEREAS, to ensure the property’s use as a CBRF and RCAC facility is permitted by the Village’s Zoning Ordinance, the Board of Trustees desire to rezone the property to Rm-3 Multiple-Family Residential; and,

WHEREAS, the proposed rezoning is consistent with the goals, objectives, policies, programs, and initiatives of the Board of Trustees; and,

WHEREAS, the property owner, ELM GROVE ALF, LLC, and properties within 100 feet of 800 Wall Street, were notified of a public hearing before the Board of Trustees to be held on this ordinance on March 24, 2026; and,

WHEREAS, the Plan Commission considered the ordinance to rezone the property at 800 Wall Street at its meeting held on March 2, 2026; and,

WHEREAS, a public hearing was held before the Board of Trustees on March 24, 2026;

NOW, THEREFORE, the Board of Trustees of the Village of Elm Grove do ordain as follows:

Land described as the following:

PARCEL 1 CERT SURV 5703 VOL 46/187 REC AS DOC# 1513698 PT NW1/4 & NE1/4 & SE1/4 SEC 25 T7N R20E
:: DOC# 3963363 & DOC# 4185891

52 All said lands lying and being in the Village of Elm Grove, County of Waukesha, State of Wisconsin.

53

54 Is hereby rezoned from the I-1 Institutional District to the Rm-3 Multiple-Family Residential District.

55

56 **Section 2:** This ordinance shall take effect and be in full force from and after its passage and publication by
57 posting.

58 Passed and approved this _____ day of _____, 20_____.

59

60 VILLAGE OF ELM GROVE

61

62

63 By: _____

64 Jim Koleski, Village President

65 ATTEST:

66 _____

67 Crystal Turner, Village Clerk/Deputy Treasurer

