11333 N. Cedarburg Road
Mequon, WI 53092
Phone: 262-236-2904
Fax: 262-242-9655

www.ci.mequon.wi.us

Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, March 20, 2023
6:00 PM
Christine Nuernberg Hall

Agenda

11) Call to Order, Roll Call

a) Approval of Minutes from February 27, 2023

2) Public Hearing

a) Mikkelson Builders for Gino Pak. The applicant is seeking conditional use grant approval to allow for a dwelling unit to be added to the existing residence for the property located at 12875 N. Highgate Court.

b) Gerald Nell, Inc. for Roettgers Company. The applicant is seeking expansion of a non-conforming use and building and site plan amendment approval to allow for a car wash and ancillary facilities for the property located at 11155 N. Wauwatosa Road.

3) Regular Business

a) Arch Solar C&I for Harry and Rose Samson Family Jewish Community Center. The applicant is seeking minor request approval to allow for rooftop solar panels for the property located at 10813 N. Port Washington Road (Gan Ami Preschool).

b) Eastbrook Drive, LLC. The applicant is seeking development agreement and building and site plan approval to allow for 10 side-by-side condominiums for the property located immediately west 11649 N. Port Washington Road.

c) The Green at Mequon. The applicant is seeking final plat, street tree plan and landscape plan approval to allow for a 7-lot conservation subdivision for the property located at the southwest corner of Villa Grove and Freistadt.

d) Swan Ridge Farms. The applicant is seeking preliminary plat, development agreement, open space plan, landscape plan, street tree plan and fill permit for 30,000 C.Y. approval to allow for an 83-lot subdivision for the lands immediately south of and west of 10129 N. Swan Road.

e) Alex Leykin. The applicant is seeking rezoning recommendation to include an agricultural overlay and certified survey map approval to allow for three lots to be combined into 1-lot for the property located at 14207 N. Birchwood Land.

4) Announcements

The next meeting is Monday, April 24, 2023, at 6:00 p.m.

5) Adjourn

Dated: March 17, 2023 /s/ Andrew Nerbun, Chair

Notice is hereby given that a quorum of other governmental bodies may be present at this meeting to present, discuss and/or gather information about a subject over which they have decision-making responsibility, although they will not take formal action thereto at this meeting.

Persons with disabilities requiring accommodations for attendance at this meeting should contact the City Clerk's Office at 262-236-2914, twenty-four (24) hours in advance of the meeting.

Any questions regarding this agenda may be directed to the Department of Community Development's Office at 262-236-2904, Monday through Friday, 8:00 AM – 4:30 PM

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PLANNING COMMISSION
Regular Meeting
Monday, February 27, 2023
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:
Chair Andrew Nerbun
Alderman Brian Parrish
Commissioner Martin Choren
Commissioner Dan Gentges
Commissioner Stephanie Hawley
Commissioner Rick Lemke
Commissioner James Schaefer
Commissioner Rebecca Schaefer
Alternate Gregg Bach
Commissioner John Stoker - **Absent**

Mayor Nerbun called the meeting to order at 6:00 p.m.

a) Approval of Minutes from January 23, 2023

Action
Commissioner Becky Schaefer made a motion to approve the January 23, 2023, meeting minutes.
Commissioner Lemke seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Rick Lemke, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

DRAFT

Attachment: PC Minutes_02.27.23_DRAFT (8266 : Mintues from February 27, 2023)

3) Regular Business

a) Lance Gehrett. The Planning Commission may reconsider its denial of the specimen tree removal and wetland setback request from the Planning Commission meeting on January 23, 2023, for the property located at 12333 N. Lake Shore Drive to remove two specimen trees.

Action
Commissioner Becky Schaefer made a motion to reconsider this item.
Commissioner Lemke seconded the motion.
A voice vote was taken; vote passed (8-0)

Asst. City Eng. Cole McCraw stated that this item is back for reconsideration for removal of two specimen trees for the property located at 12333 N. Lake Shore Drive. He explained that all the previously recommended conditions have been met as part of the resubmitted grading plan and house placement, including meeting the wetland protective area, the elevation of the house as well as some drainage items. The remaining conditions refer to the green infrastructure plan requirements that will be required due to added impervious surface. He mentioned that other grading issues will be addressed as part of the final grading plan at time of building and site plan approval.

City Forester Mike Gies stated that two specimen trees will need to be removed regardless of the position of the house (a 21" white linen and a 25" red oak). With the 50-foot setback being adhered to, of the 31 trees discussed at previous meetings, 11 trees can be preserved but the remainder will need to be removed regardless of the position of the house.

Public Feedback

Kimberly Poms – 12323 N. Lake Shore Drive – she stated she is appreciative that the newly proposed plan meets the setback requirements and will preserve as many trees as possible. She is heartbroken about all the trees lost over the past few years which has caused the water table to rise. She has concerns about the grade changes and how they will affect the water levels. She would like to know what the final basement height and grading plan will be.

Asst. City Eng. McCraw answered that the newly proposed grading plan shows the basement footings will be 2-4 feet below grade. He also gave a general overview of the entire approval process as requested by the Commission. He stated that he is the contact person for this project.

Action
Commissioner Choren made a motion to approve the removal of the two specimen trees per the conditions in the staff report.
Commissioner Lemke seconded the motion.
A voice vote was taken; vote passed (7-1) (No vote: Becky Schaefer)

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RESULT:	**APPROVED [7 TO 1]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Rick Lemke, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer
NAYS:	R. Schaefer
ABSENT:	Stoker

b) Stantec Consulting Services, Inc. for Kellner Highland Property, LLC. The applicant is seeking fill permit approval for 2,835 C.Y. to allow for wetland fill to create three future building pads for the property located at 4550 W. Highland Road.

Asst. City Eng. McCraw stated that this is a request for fill permit approval greater than 1,000 C.Y. for three proposed home building pads for one property located at 4550 W. Highland Road. There are wetlands located at the proposed fill location, however the DNR has deemed them artificial wetlands, so the protections do not apply to this specific pocket of wetlands. He noted that because the proposed pads are all located on one lot, that this is pre-land division and the building pads do not determine exact geometry of a CSM that will be approved at a later date.

Public Feedback

Steve Schroeder – 13255 N. Green Bay Road – he is curious where the access point will be for the fill as well as where the driveway access will be for the proposed new homes. He also inquired about whether there will there be multiple homes built on this property.

Asst. City Eng. McCraw answered that not all the details have been provided as this is not a request for a land division but only for the fill approval. If warranted, a haul route will need to be reviewed and approved to mitigate travel on city streets.

The applicant stated that no haul route is requested as all the fill will come from on the site. The access for the three proposed homes will be from the existing private driveway. This is for future estate planning, and it is pre-land division for the 20-acre lot.

It was stated that the DNR gives the approval to fill wetlands, it is not approved by the city.

Action

Ald. Parrish made a motion to approve the fill permit per the conditions in the staff report and that a haul permit shall be required if the fill needs to be brought to the site.
Commissioner Becky Schaefer seconded the motion.
A voice vote was taken; vote passed (8-0)

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RESULT:	**APPROVED [8 TO 0]**
MOVER:	Brian Parrish, Alternate Alderman
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

c) Ozaukee County Planning and Parks Department. The applicant is seeking fill permit approval to allow for 4,342 C.Y. for construction of stormwater treatment for Mee-Kwon Golf Course, in the area adjacent to the property located at 6333 W. Bonniwell Road.

Asst. City Eng. McCraw stated this is a request for a fill permit exceeding 1,000 C.Y. from Ozaukee County as part of a proposal for a series of small ponds at the Mee Kwon Golf Course related to water quality. He added that the requested tree removal has been confirmed by the City Forester. Staff recommends this request.

The Commission asked for additional explanation of the roadway confusion mentioned in the staff report. A plan was shown of the basins at the curve and staff is recommending signage at this location.

The applicant explained that this project is scheduled to commence in the spring and conclude at the end of the summer. They plan to include highly visual signage and stated they will consider using some boulders there as well.

Action
Commissioner Becky Schaefer made a motion to approve the requested fill request.
Commissioner Lemke seconded the motion.
A voice vote was taken; vote passed (8-0)

Commissioner Choren made a friendly amendment to require a visual or physical barrier as part of the approval.

The friendly approval was accepted and seconded as part of the motion.

RESULT:	**APPROVED WITH CONDITIONS [8 TO 0]**
MOVER:	Rick Lemke, Commissioner
SECONDER:	Rebecca Schaefer, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

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d) City of Mequon. The applicant is seeking building plan approval to allow for a pavilion for the property located at 10103 W. Donges Bay Road (Lemke Park).

City Planner Laurie Miller stated that the City of Mequon is requesting approval for an 810 sq. ft. building at Lemke Park. The building will include a small, covered courtyard, concession area, storage area and restrooms. She explained that due to the Park zoning, only the building is required to be reviewed and approved by the Planning Commission but the other approvals such as lighting, landscaping and signage are to be reviewed and approved by the Park and Open Space Board.

A rendering of the proposed building was shown, and Planner Miller stated that it will be constructed adjacent to the existing pavilion. The façade will be a combination of natural stone and composite siding with a color palette that will match the existing pavilion. The new structure and existing pavilion will be covered with standing seam metal roofing to match each other. Steel doorways will be used throughout the structure except for the aluminum garage doors that open to the concession area. The building meets all setback requirements and staff supports the structure's compatibility to the existing structure and recommends approval.

City Forester Mike Gies answered that 90% of the funding has been obtained mainly from ARPA, as well as from the Park Impact fees and sales of purchased bricks ($50,000). The other funding is from private funding such as Boss Baseball, Cardinal football and United Soccer. He also answered that there will be a mound system and a well.

Action
Commissioner Lemke made a motion to approve the building.
Commissioner Becky Schaefer seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Rick Lemke, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

e) Zimmerman Architectural Studios for Aurora Health Center. The applicant is seeking building and site plan amendment approval to allow for a one-story at approximately 2,700 sq. ft. addition to the existing building for the property located at 6425 W. Mequon Road.

City Planner Miller stated that the existing building and parking setbacks do not conform to the Town Center zoning standards and staff recommends tabling of this item. Staff will work with the applicant to revise the proposal.

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Action
Commissioner Choren made a motion to table the item.
Commissioner Gentges seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**TABLED [8 TO 0]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Dan Gentges, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

f) Bonnilake Real Estate, LLC for Lifespace Communities. The applicant is seeking PUD amendment and concept plan approval to allow for additional carriage homes for the property located at 12500-12700 N. Port Washington Road (Newcastle Place).

Asst. Dir. Zader stated the original plan was approved in 2000 with several conditions for the PUD and how it needed to be built and a condition that it was to be completed within a 10-year period. In 2007 Phase 2 was approved with changes to the makeup and the count of the units which lowered the density and impacted the green space ratio. In 2010 that PUD expired under the code and today there are several changes requested for approval.

He explained there are two phases of the proposal:

- Phase I: This phase will be roughly 13 carriage homes with a few more scattered throughout the site to be constructed at a later date:
  - Requesting Open Space Ratio change from 77% to 60%.
  - Requesting removal of the condition that requires automatic Common Council CUG approval.

Staff is supportive of the requested changes but has added some additional requirements:
  - No specimen tree removal.
  - No building over 2 stories in height allowed.

Public Feedback

Patrick Rochford – 1407 W. River Forest Drive – he supports this proposal and believes New Castle Place is a wonderful neighbor. He appreciates the requirement for no removal of specimen trees, especially the large oak tree. He asked about proposed plans for the wood lot.

The Commission expressed support for the proposed additional carriage homes.

Asst. Dir. Zader answered a question regarding stormwater management from the Commission that this is only a concept plan but there is a proposed pond and retention areas for storm water management.

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The applicant, Fred Bersch, answered the Commission regarding specimen tree removal restrictions that they have added a stronger tree preservation requirement for this specific property due to the staff requirement that no specimen trees be removed. He explained that Phase I has no concerns for the proposed 13 carriage homes but future phases, specifically on the east side, have some tree concerns.

Action
Commissioner Becky Schaefer made a motion to approve per staff conditions.
Ald. Parrish seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Brian Parrish, Alternate Alderman
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

4) Policy

1) **ORDINANCE 2023-1646** - An Ordinance Amending Chapter 58, Section 58-640 of the Mequon Municipal Code, Redefining the Reimbursement Options for Sanitary Sewer Costs.

Dir. Eng. Lundeen stated that there is an existing ordinance that applies to any sanitary sewer utility cost associated with development. The ordinance states that to have any public funds attributed to the project, the project would have to be publicly bid by the City and only move forward for construction after the developer has posted 125% of the construction costs with the city. Although she has never had to exercise this clause since she has been with the city, there are two developments in quick succession which will warrant reimbursement from the city. She is proposing modified language that would offer the city the opportunity to leverage the private development cost efficiency with development to the benefit of the sewer utility. The proposed language would allow the developer to still follow the state bidding requirements but be able to leverage that private process, hopefully to the cost benefit of the utility. The existing language would not be removed, the proposed language would be added as another option. She added that if this is approved it would be recommended that the Water Utility Commission modify the water connection policy language but as it applies to the water utility.

Action
Commissioner Choren made a motion to include the proposed language.
Commissioner Becky Schaefer seconded the motion.
A voice vote was taken; vote passed (8-0)

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RESULT:	**APPROVED [8 TO 0]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Becky Schaefer, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer R. Schaefer
ABSENT:	Stoker

2) An Ordinance Amending Chapter 58, Zoning Code, modifying Table 58-249 regarding setbacks and offsets in the R-2 zoning district.

Asst. Dir. Zader stated that this item came from a recent Board of Appeals case regarding solar panels and front yard setbacks and the question of why the R-2 zoning district is different from most of the other residential zoning districts.

The change would be to the front yard setback to match every other zoning district except R-1, which is 5-acre. The side yard setback will also be modified to 25-feet to match the R-1B zoning district.

He explained that many of the properties zoned R-2 are located along the lake and the river and this allows some of the smaller non-conforming parcels to take advantage of the formula of smaller setbacks.

Action
Commissioner Becky Schaefer made a motion to approve the text amendment.
Commissioner Choren seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

3) An Ordinance Amending Chapter 58, Zoning Code, modifying Section 58-420 (4) regarding turf grass to account for no-mow May.

Asst. Dir. Zader stated this item came from the Public Welfare Committee recommending that the date be changed so that from January to June 1st there shall be no enforcement related to grass length.

The Code Enforcement Officer reported that there were no complaints related to grass length in May of 2022.

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Action
Commissioner Becky Schaefer made a motion to approve the change to the text amendment.
Commissioner Choren seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

4) An Ordinance Amending Chapter 58, Zoning Code, modifying sections 58-301 (9) and 58-302 (9) regarding Building and Site Plan requirements in the Town Center & Arrival Corridor zoning districts.

Asst. Dir. Zader stated that on February 14, 2023, the Common Council approved roughly $5M in funding for the remaining public improvements of the Town Center zoning area. The TIF is within 5 years of its closing date and no money is allowed to be spent after April 2023. He explained that going forward a condition was added for the building and site plan application for the Town Center and Arrival Corridor zoning districts that states that any public improvements that would be needed on a property would need to be done as part of their approval process (includes street trees, benches, on-street parking, etc.) as there is no longer funding for these public improvements. The language is somewhat vague as every street is different in terms of what is allowed at specific locations and staff will determine on a case-by-case basis what is required.

Action
Commissioner Choren made a motion to approve the text amendment.
Commissioner Gentges seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Dan Gentges, Commissioner
AYES:	Nerbun, Choren, Gentges, Hawley, Lemke, Parrish, J. Schaefer, R. Schaefer
ABSENT:	Stoker

5) Approving the Ulao Creek Design Guide related to site design, architecture, signage and public amenities for the Ulao Creek neighborhood

Director Kim Tollefson stated that some of the Commissioners are familiar with the Ulao Creek neighborhood as they have served on the Policy Subcommittee. The entire neighborhood is 750

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acres, with about half of it in critical environmental areas, and four new zoning districts were created for this area. The new zoning districts were approved in January of 2022, and they referenced two items that are now being addressed:

1. The Linear Park: this will be a 10-mile looped linear park. The Parks and Open Space Committee adopted it into their Master Plan.

2. Design Guide: set of specific technical standards required in these zoning districts. Preservation of the rural character is the focused intent behind these guidelines to ensure it is maintained and enhanced as development happens. This includes building massing, open space features and public realm uniformity to guarantee the district is distinct from the commercial corridor south of Highland Road.

She explained that an Ad Hoc Policy Committee had been formed by former Mayor Wirth which was tasked with creating the Design Guide, which addresses such topics as signage, gateway features, and architecture items such as roof forms and building materials.

The Ad Hoc Policy Committee voted to approve the Design Guide on February 7, 2023, but the ultimate approval decision is up to the Planning Commission, this does not get passed to any other board or commission.

There are two maps in the Design Guide that are not yet completed:

1. Map of the linear park
2. Map of Ulao Creek neighborhood which shows all the context.

There was some discussion about how the Design Guide will be used by staff and developers. It was mentioned that changes, approved by the Planning Commission, can be made as needed. There was positive feedback from the Commission that they appreciate the work that went into the creation of this much needed and useful resource. Dir. Tollefson answered that the lighting fixture is still being evaluated to determine what modifications can be made due to some previously mentioned concerns about the illumination and output.

Ald. Parrish commented that he believes that water will be an ongoing issue for developers going forward. He would like to continue the conversation regarding the water policy.

Action
Commissioner Becky Schaefer made a motion to adopt the Design Guide.
Commissioner Gentges seconded the motion.
A voice vote was taken; vote passed (8-0)

6) Announcements

a) Gierach Accessory Structure Approval Conditions Status Update

Asst. City Eng. McCraw stated that there is a memo in the packet regarding two conditions from a previous approval on November 22, 2022. The conditions are exempt from agricultural

Attachment: PC Minutes_02.27.23_DRAFT (8266 : Mintues from February 27, 2023)

properties.

The next meeting is Monday, March 20, 2023 at 6:00 p.m.

5) Adjourn

Action
Commissioner Choren made a motion to adjourn the meeting.
Commissioner Lemke seconded the motion.
A voice vote was taken; vote passed (8-0)

The meeting adjourned at 7:20 p.m.

Respectfully Submitted,

Jac Zader

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www.ci.mequon.wi.us **Department of Community Development**

TO: **Planning Commission**

FROM: **LAURIE MILLER, PLANNER**

DATE: **March 20, 2023**

SUBJECT: **Mikkelson Builders for Gino Pak. The applicant is seeking conditional use grant approval to allow for a dwelling unit to be added to the existing residence for the property located at 12875 N. Highgate Court.**

Applicant:	Mikkelson Builders
Status of Applicant:	Agent
Requested:	Conditional Use Grant
Existing Use:	Single Family Home
Existing Zoning:	R-1 (Rural Residential)
Land Use Plan:	Residential 5-Acre
Lot size:	5 Acres
Location:	12875 N. Highgate Court
Tax Key Number:	#14-167-00-030.00
District:	#1

Background: The applicant requests a conditional use grant for an accessory dwelling unit at 12875 N. Highgate Court. An accessory dwelling unit is an area, attached or contained within a primary dwelling unit, with its own bathroom, kitchen and sleeping area. A kitchen is defined as an area with a sink, a refrigerator and a stove, range, oven or cooktop. The applicant is in the process of constructing a new home and is proposing two guest suites, one which would contain a full kitchen, qualifying the suite as an accessory dwelling unit. The remaining suite will not have a stove, range, oven or cooktop and does not qualify as an accessory dwelling unit. The proposed accessory dwelling unit meets all code requirements and the applicant understands the limitations on the accessory dwelling units occupancy as outlined in Section 58-248(e).

Conditional Use Grant Findings:
According to Section 3.05(1)(b) of the Zoning Code, the following findings shall be considered when analyzing a conditional use grant application:

1. **The proposed use should not endanger the public health, safety or general welfare of the city and the immediate neighborhood.**
   The proposal is subject to the regulations of the Uniform Dwelling Code and will require inspections during the construction process. Staff does not believe there would be any public health or safety issues associated with the additional dwelling.

2. **The proposed use should not injure the value of adjoining or abutting property.**
   The subject site is located in the R-1 (Residential 5 acre) district. Non-income producing dwellings are conditional uses in the R-1 district. The adjacent uses are residential and are

also located in the R-1 district. The proposed dwelling meets the R-1 district requirement.

3. **The proposed use shall be harmonious or compatible with the area in which it is located.**
   The additional dwelling will be located towards the front of the existing building, with no discernible difference from the front that the additional dwelling unit exists. The unit will have an exterior entryway constructed on the west facing façade and an interior common entryway into the primary home. Staff believes the use is harmonious with the surrounding area.

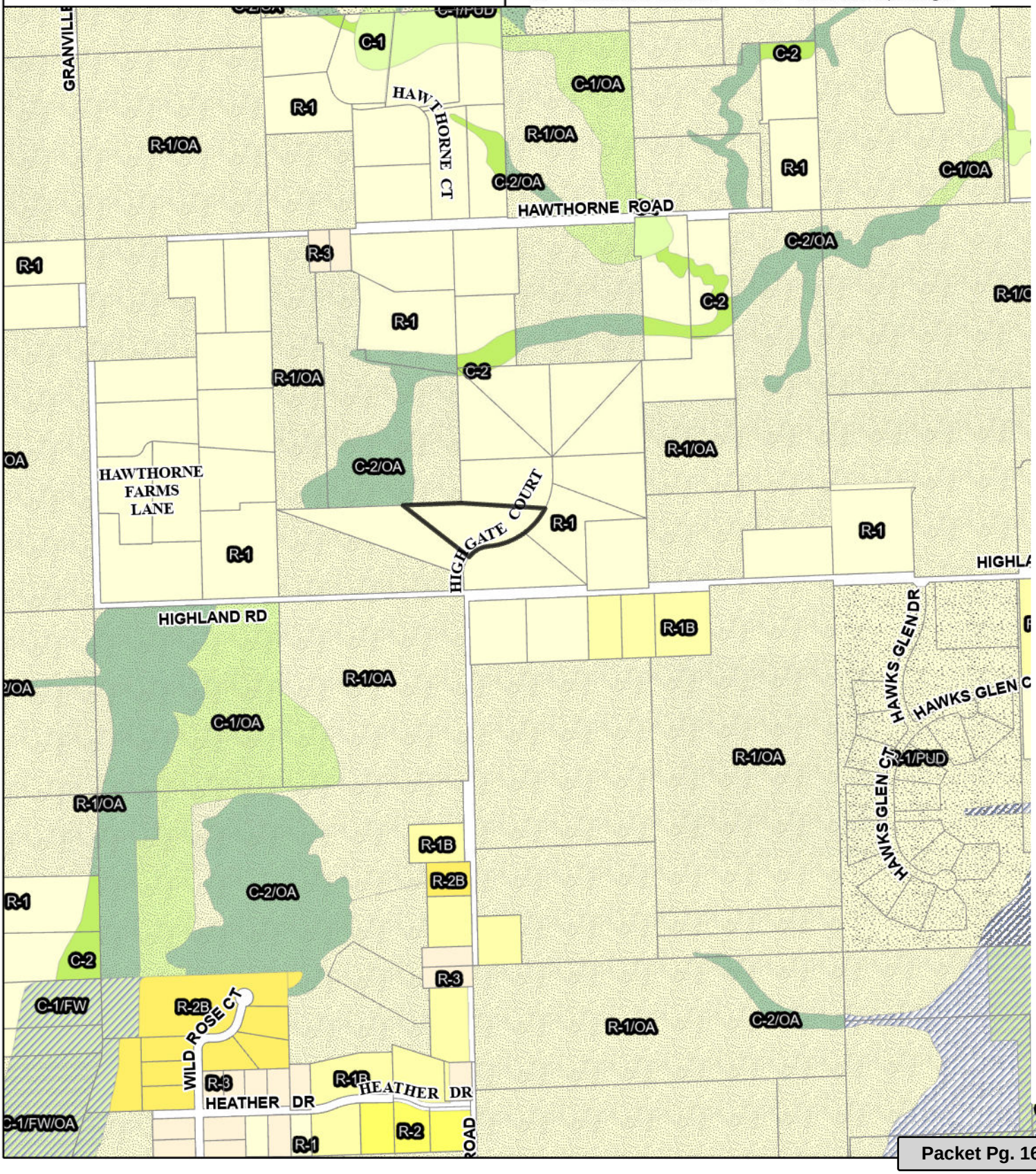
Staff Recommendation:
Since the proposal meets the Zoning Code and Land Use Plan, staff recommends **approval** of the conditional use grant based on the following conditions:

1. The living accommodations shall not be used for income production.
2. The primary dwelling unit must be owner occupied at any time that a person other than the owner or a legal dependent of the owner occupies the accessory dwelling unit.
3. The use of this dwelling is restricted to a family member, blood relative, legal dependent, caretaker or paid servant of the owner of the property.

Attachments:
Map (PDF)
Narrative (PDF)
Plan Set_Packet (PDF)
CUG (PDF)

MIKKELSON BUILDERS- CONDITIONAL USE GRANT

AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family Residential (5 Ac. Min.)
B-4	Business Park	R-1B	Single-Family Residential (2.5 Ac. Min.)
B-5	Light Industrial	R-2	Single-Family Residential (2 Ac. Min.)
B-6	Rural Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-7	Rural Business	R-3	Single-Family Residential (1 Ac. Min.)
C-1	Shoreland/Wetland Conservancy	R-4	Single-Family Residential (3/4 Ac. Min.)
C-2	General Conservancy	R-5	Single-Family Residential (1/2 Ac. Min.)
CGO	Central Growth Overlay	R-6	Single-Family Residential (4 DU/Ac.)
FFO	Flood Fringe Overlay	RM	Multi-Family Residential
FW	Floodway	TC	Town Center
IPS	Institutional & Public Service	TDR	Transfer of Development Rights



Attachment: Map (8269 : Mikkelson Builders for Gino Pak)

Conditional Use Application

12875 N. Highgate Ct., Mequon, WI. 53092

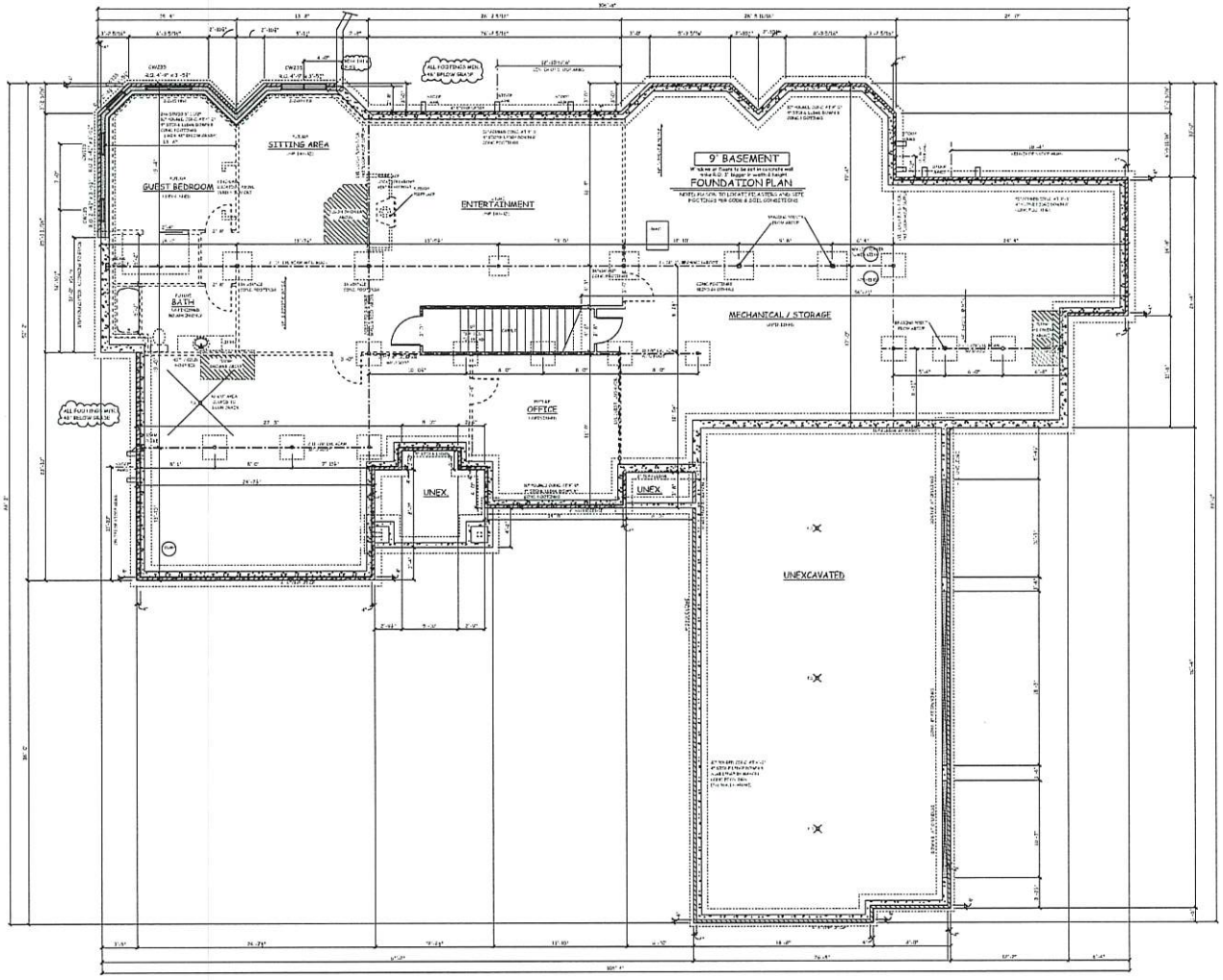
The owners of the home under construction at 12875 N. Highgate Ct. In Mequon are Gino and Sandra Pak. This will be their primary residence once completed. Gino's mom will live in one Guest Suite, while Sandra's mom will live in the other Guest Suite. Neither Suite has a front door, but both have access to the exterior. There will only be one address. The size for each is less than 40% of the home. Both units have access to the primary home.

The homeowners would like to add a stove and vent hood in Guest Suite #1. This suite is not set up for rental property, rather the mother in law would like to cook in her individual suite when desired.

Attachment: Narrative (8269 : Mikkelson Builders for Gino Pak)

Attachment: Plan Set_Packet (8269 : Mikkelson Builders for Gino Pak)

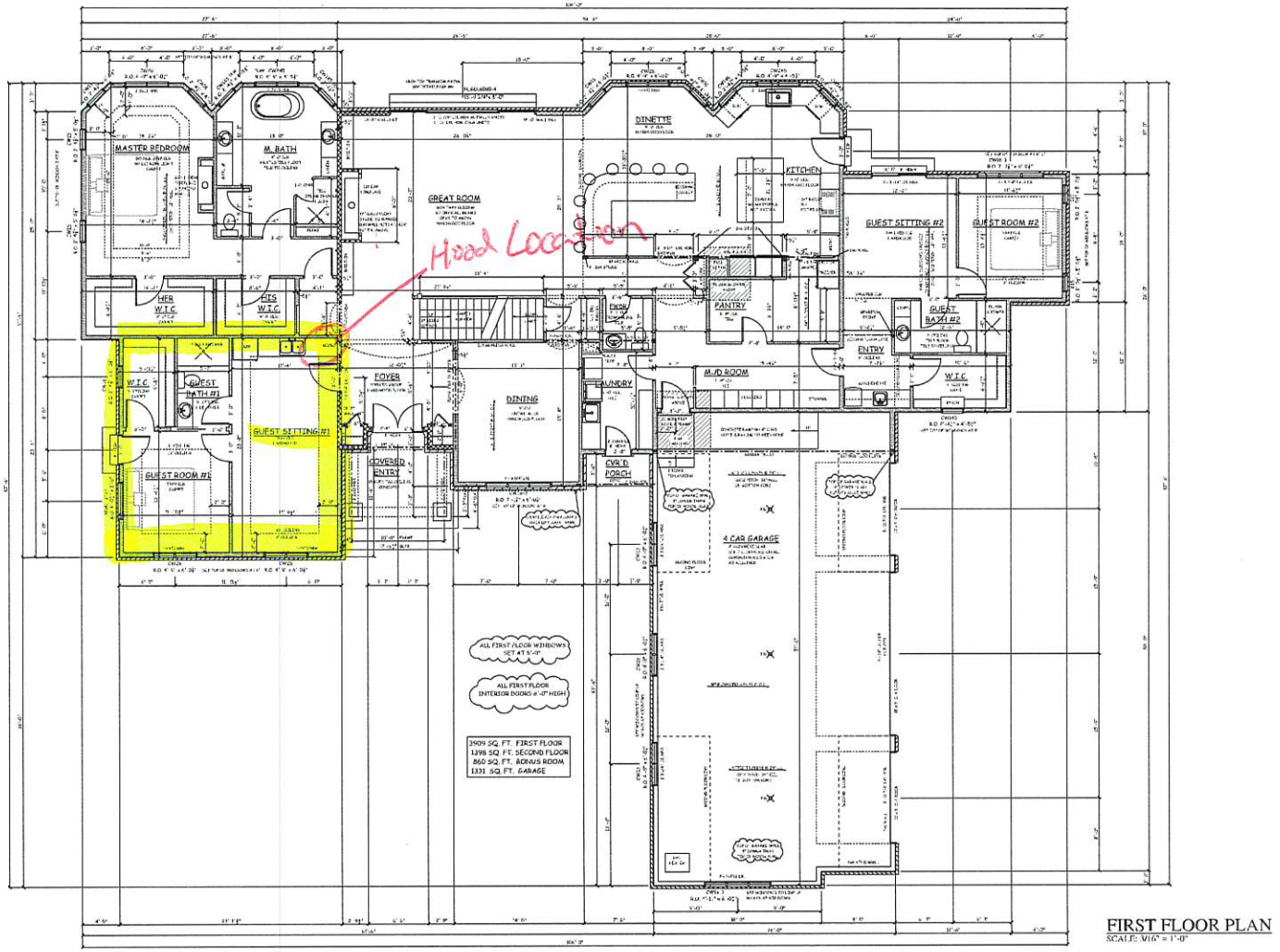
Attachment: Plan Set_Packet (8269 : Mikkelson Builders for Gino Pak)



FOUNDATION PLAN
SCALE: 3/16" = 1'-0"

FINAL PLAN
COPYRIGHT
PROPOSED NEW PROJECT FOR:
GINO PAK RESIDENCE
Drexel BUILDING SUPPLY
DrexelTeam.com
SCALE: 3/16" = 1'-0"
A3
T18-1668

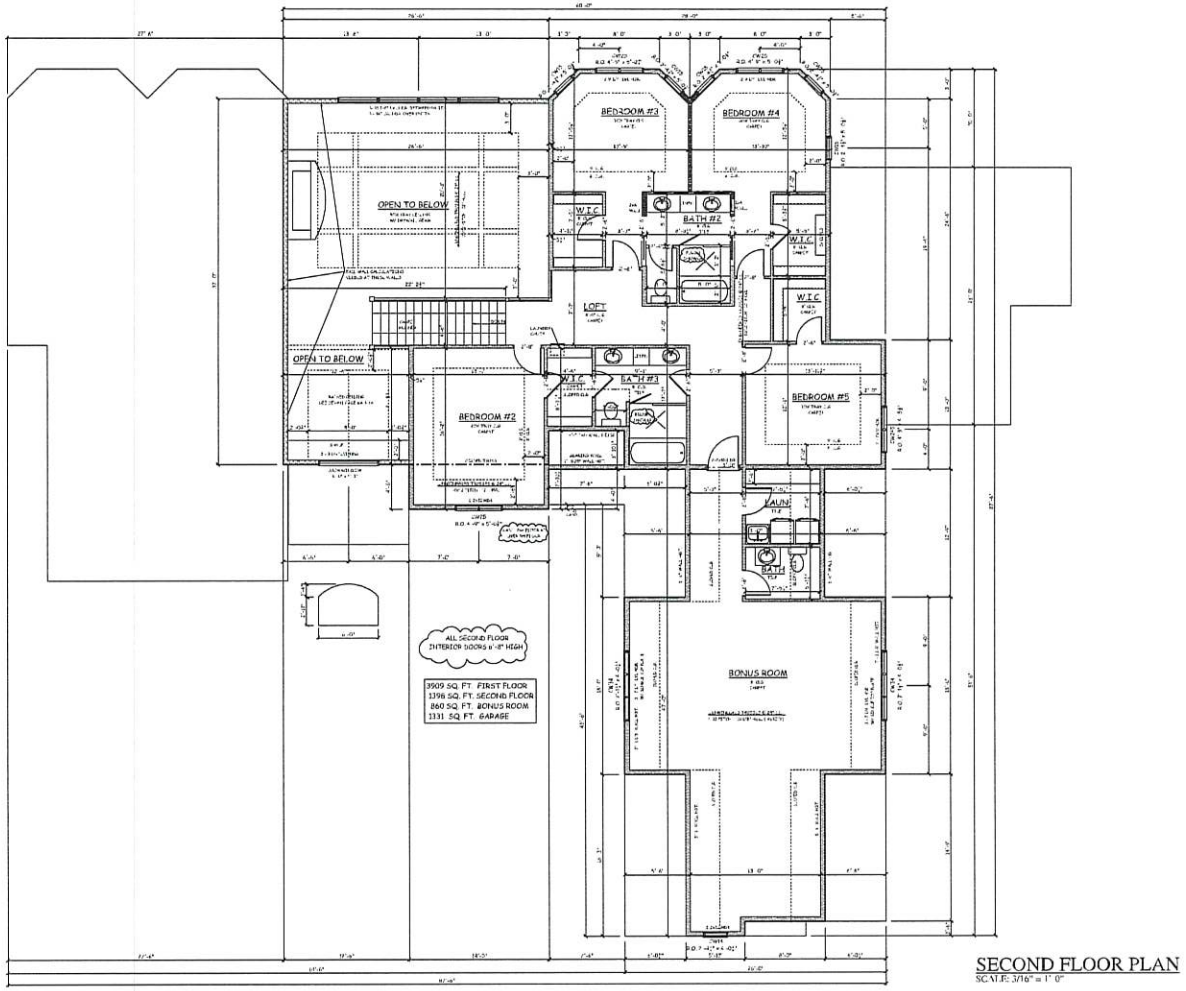
Attachment: Plan Set_Packet (8269 : Mikkelson Builders for Gino Pak)



FIRST FLOOR PLAN
SCALE: 3/16" = 1'-0"

FINAL PLAN
COPYRIGHT
PROPOSED NEW PROJECT FOR:
GINO PAK RESIDENCE
Drexel
BUILDING SUPPLY
DrexelTeam.com
SCALE: 3/16" = 1'-0"
A4
T18-166S

Attachment: Plan Set_Packet (8269 : Mikkelson Builders for Gino Pak)



SECOND FLOOR PLAN
SCALE: 3/16" = 1'-0"

FINAL PLAN
9/2/2020 11/30/2021
9/18/2020 2/1/2022
1/28/2021 5/10/2022
5/13/2021
9/17/2021
11/3/2021
9/17/2020

COPYRIGHT

PROPOSED NEW PROJECT FOR:
GINO PAK RESIDENCE

Drexel BUILDING SUPPLY
DrexelTeam.com

S.A. J.W.
3/16" = 1'-0"
A5
T18-1668

Attachment: Plan Set_Packet (8269 : Mikkelson Builders for Gino Pak)

CONDITIONAL USE GRANT

Articles of Agreement made and entered into this 20th day of March, 2023 by and between Gino Pak, property owner and the City of Mequon Planning Commission.

Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located at 12875 N. Highgate Court, Section 8, Range 21 East, in Township 9 North, Ozaukee County, State of Wisconsin, further described as follows:

RETURN TO:

City of Mequon
11333 North Cedarburg Road 60W
Mequon, WI 53092

PARCEL NO.:
14-167-0003.000

LEGAL DESCRIPTION

Exhibit A-1

WHEREAS, the Zoning Code and Zoning District Map of the above named municipality, pursuant to State Statues, provide that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the municipality as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and

Petition therefore having been made, and public hearing held thereon, and the Planning Commission of the City of Mequon having determined that by reason of the particular nature, character, and circumstances of the proposed use, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance.

Now, therefore, **IT IS GRANTED**, subject to compliance with the terms and conditions hereinafter stated, that the Premises may be used for the purpose of an Accessory Dwelling Unit.

GRANTED by action of the Planning Commission of the City of Mequon this 20th day of March, 2023.

_____
Andrew Nerbun, Mayor, Planning Commission Chairperson

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this _____ day of _____, 2023, the above named Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) _____

_____
Planning Commission Secretary

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this _____ day of _____, 2023, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) _____

Attachment: CUG (8269 : Mikkelson Builders for Gino Pak)

The **CONDITIONS** of this Grant are:

1. This grant shall become effective upon the execution and recording by the owners and operators of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
2. This grant shall expire and become void unless, pursuant to the building and zoning codes of the City, the approved use is commenced or the building permit is obtained within twelve (12) months of the date of Planning Commission approval noted above, or actual construction is commenced within twelve (12) months of the date on which the building permit was issued.
3. This grant shall be void unless, pursuant to the building and Zoning Codes of the City, the approved use is commenced or the building permit is obtained within twelve (12) months of the date of Planning Commission approval noted above.
4. Construction and operation of the use granted shall be in strict conformity to the approved site, building, and operations plans filed in connection with the Petition for this Grant, and annexed hereto.
5. Any of the conditions of this Grant which would normally be the responsibility of tenants of the Premises shall be made a part of their lease by the Owner, which lease shall contain provisions for posting of the pertinent conditions to notify employees thereof.
6. This grant shall automatically be null and void if this use is discontinued for a period of twelve (12) months.
7. The City of Mequon shall be held harmless from any claims or losses to the City or its residents including reasonable attorney fees arising from or related to use of the facilities.

Conditions on the Operations:

a. Hours of operation: N/A

b. Performance standards relating to parking, noise, vibration, odor, smoke, dust, and light: As per City ordinance and as further designated under letter (e.) below.

c. Water supply requirements:

Private well

d. Provisions for sewage disposal:

Private disposal.

e. Other:

Any substantiated material problems with noise, traffic circulation, parking, unenclosed storage, lighting, maintenance, health, and safety, etc. will be the responsibility of the operator and / or owner to correct. Failure to correct the problem in a timely manner may result in the partial or complete revocation of this grant.

The primary dwelling unit must be owner occupied at any time that a person other than the owner or a legal dependent of the owner occupies the accessory dwelling unit. A property shall be deemed to be owner occupied if an owner or in the case of an owner entity, the person who has voting control of the entity, is either registered to vote using that address or claims the property as the person's primary residence for the Wisconsin lottery and gaming credit.

The accessory dwelling unit may only be occupied by a family member, blood relative, legal dependent, caretaker or paid servant of a resident of the primary dwelling unit.

The accessory dwelling unit shall not be used for income production.

The accessory dwelling unit may not have a separate postal address.

9. **Conditions of the structures:**

a. Site Plan: As attached Exhibit A

b. Landscaping Plan: N/A

c. Elevations: As attached Exhibit B

d. Floor Plan: As per attached Exhibit C

e. Exterior lighting of the building: N/A

f. Fence / Wall / Dumpster plan details: N/A

g. Sign location, size, and design (including lighting and landscaping): NA

h. Other:

OWNER(S):

Attachment: CUG (8269 : Mikkelson Builders for Gino Pak)

By:_____

Acknowledgment

STATE OF WISCONSIN)
)SS
_____COUNTY)

Personally came before me, this _____ day of _____, 2023, the above named, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____ My Commission (expires) _____
Notary Public

This document drafted by the City of Mequon.

Attachment: CUG (8269 : Mikkelson Builders for Gino Pak)

11333 N. Cedarburg Rd
Mequon, WI 53092-1930
Phone: 262-236-2902
Fax: 262-242-9655
www.ci.mequon.wi.us
Department of Community Development

TO: **Planning Commission**

FROM: **LAURIE MILLER, PLANNER**

DATE: **March 20, 2023**

SUBJECT: **Gerald Nell, Inc. for Roettgers Company. The applicant is seeking expansion of a non-conforming use and building and site plan amendment approval to allow for a car wash and ancillary facilities for the property located at 11155 N. Wauwatosa Road.**

Applicant:	Roettgers Company
Status of Applicant:	Owner
Requested:	Expansion of a Non-Conforming Use Building and Site Plan Amendment
Existing Use:	Gas Station
Existing Zoning:	B-1 (Neighborhood Business District)
Land Use Plan:	Neighborhood Commercial
Lot size:	0.95 Acres
Location:	11155 N. Wauwatosa Road
Tax Key Number:	#14-028-01-000.00
District:	#4

Background: The applicant is requesting a Conditional Use Grant amendment and building and site plan approval for a car wash at the Mobil automotive service facility located at 11155 N. Wauwatosa Road. The automotive service facility is a nonconforming use. According to Section 58-64, the addition of the car wash would be considered an intensification of a nonconforming use and may be allowed by Planning Commission following a public hearing, provided that the Planning Commission review and determine the following in writing with its approval:

(1) Such enlargement, expansion, or intensification is consistent with the public interest; and
(2) Such enlargement or extension will not have a deleterious effect on property in the surrounding neighborhood due to visual appearance, increased pedestrian or vehicular traffic, noise, smoke, odor, or other similar factors. Furthermore, no such enlargement, expansion, or intensification of a nonconforming use shall be permitted unless all building height, yard, coverage, and off-street parking and other requirements of this chapter for the district in which such use is located are adhered to.

Operations:
Mequon ARC Mobil gas station and convenience store is currently staffed with 1-2 employees per shift. With the addition of the car wash, the owners intend to consistently maintain 2 employees per shift. The proposed hours of operation for the car wash will be the same as the gas station/convenience store and are as follows: 6:00 AM to 9:00 PM Monday through Saturday and 6:00 AM to 8:00 PM on Sundays. Staff recommends that the hours for the car wash be limited to

a start time of no earlier than 7:00 AM as the City has required of Kwik Trip and Jilly's Car Wash.

Building Design:
The car wash is proposed to be 878 sq. ft. (25'-4" x 35'-8") and 19' - 5" tall, approximately three feet shorter than the convenience store. The façade and roof of the car wash will be constructed to match the materials and color of the convenience store's existing façade and roof. The proposed materials include painted brick veneer, sheet metal paneling, and EIFS on the façade and dimensional asphalt shingles on the roof. The north and south elevation will have two glass block windows per elevation. Staff have concerns about the block windows which creates a dated look to the building. Two 10' x 10' polycarbonate overhead doors are proposed for the east and west elevations. The west elevation rendering depicts a 7' tall doorway but details on the type and style of door were not provided.

No roof top or ground mounted mechanicals have been indicated on the plan but, should they be needed, mechanicals must be screened in accordance to Section 58-566.

Signage shown in the rendering are not included in this approval process. Plans for signage shall be submitted for approval through the sign permit process.

Site Plan:
The car wash is proposed to be situated south of the convenience store, approximately 20 feet from the south property line. The proposed location meets all setback and offset requirements. The site plan indicates that vehicles will enter the car wash from the west which will allow vehicles to queue in an area that is not highly visible to both Mequon and Wauwatosa Road. Staff has the following concerns about the queue lane and drive lane behind the convenience store depicted in the site plan:

- The striping of the queue lane along the westside of the property lends to the impression that there is an additional drive lane that allows for cars to drive around the rear of the convenience store and car wash lane. According to a submitted turning radius analysis, any vehicle traveling behind the convenience store for other purposes than the car wash would not be able to make the turn without impeding on the queue lane, causing them to become temporarily trapped should there be two to three cars in the que lane. Staff recommends pavement striping that clearly indicates that only one lane is present and signage near the northwest side of the convenience store to indicate that the lane is for car wash patrons only.
- Staff supports the drive lane behind the convenience store which allows cars to exit the car wash que lane prior to arriving at the kiosk; however, the signage and design of the exit point, located near the southeast corner of the convenience store, is a concern. Staff recommends extending the island eastward by a few feet and adding "Do not enter" signage to discourage drivers from entering this area from the east. This recommendation may provide additional protection for those accessing the parking spaces along the east side of the convenience store.
- The queue lane blocks access to the dumpster enclosure, impacting garbage pickup. The owner must coordinate trash collection with their contractor to avoid conflicts with the car wash queue. The site plan indicates that the existing wood face dumpster enclosure will remain in the southwest corner of the property.

The car wash order kiosk is located directly west of the car wash entry way. A bollard and curbing have been proposed to be located near the queuing line to protect the kiosk from being

hit. The applicant supplied a concept photo for the potential kiosk design. Staff is concerned about the lack of details for the kiosk and the potential need for a kiosk canopy. Staff recommends that the applicant have the details for the kiosk finalized before returning to Planning Commission for building and site plan amendment approval.

New asphalt is proposed to be installed in the car wash's queuing and exit lanes. The plans show that concrete car stoppers, currently being used for edging of the lot, will be replaced with curbing around the entire paved lot. A small area of asphalt east of the car wash will be removed south of the exit lane and replaced with landscaping. Staff analysis of the parking lot revealed degradation of the pavement in other areas of the parking lot not proposed for replacement. Staff recommends replacement of all areas not indicated as "New Pavement" on the attached Pavement Analysis Map as a condition of approval.

Section 58-441 states that convenience stores are required to maintain one space per 150 sq. ft. of gross floor area and may use gasoline pump parking as part of the required parking stalls. The 2,000 sq. ft. convenience store would require 13 parking spaces. The amended site plan shows 18 total parking spaces. This number includes six new parking stalls to be placed on the north side of the paved lot in addition to the four existing parking stalls located on the east side of the convenience store and eight existing pump parking stalls. Staff recommends the removal of four of the six new parking stalls near the intersection of Mequon and Wauwatosa Roads because the site significantly exceeds parking requirements.

A vacuum and tire air pump are currently located near Mequon Road, adjacent to the north portion of the parking lot with no discernable parking space indicated. The proposal indicates that the existing vacuum and air pump will be replaced with two new vacuums/air pump combo units. Details for trash receptacles serving the vacuum area has not been provided. Two of the six proposed new parking spaces will serve the new combo service units. The applicant supplied a concept photo for the potential vacuum and tire air pump combo unit design. Staff is concerned about the lack of details for the unit, given its visibility from the intersection of Mequon and Wauwatosa Road. Due to the unknown final details on the vacuum/air pump units, staff could not complete an analysis on the screening of the units. Staff recommends that the applicant consider alternative locations for the combo units, improved methods of screening should the units remain adjacent to a roadway and finalize the details of the units prior to returning to Planning Commission for building and site plan amendment approval once these details have been finalized.

Landscaping Plan

The landscaping plan shows that the existing landscaping will remain as-is with the exception of adding 10 arborvitae, two trees, and 29 shrubs. The proposed plan does not meet code for required street trees, parking lot landscaping, parking lot shading, and 30 percent open space. While it may be difficult to meet the 30% open space requirement given the existing structures, the applicant has not made any adjustments to the landscaping or site plan to meet the spirit and intent of the open space requirement. The installation of street trees is required.

In addition, staff has concerns about the lack of planned investment in landscaping of the site and the reliance of neighboring properties' landscaping to provide screening and shading. The majority of the plantings being kept as-is are overgrown, in poor condition, or dead (Please see existing landscaping exhibit) and do not reflect the quality of landscaping installed in other properties surrounding the corridor. Trees originating from 6425 W. Mequon Road, the soon to

be Wisconsin Veterinarian Clinic, have been removed to make way for the project yet are shown on the Mobil landscaping plan as a shading element along the west property line. Staff have attached the approved landscaping plan for Wisconsin Veterinarian Clinic to provide Commissioners context to the differing levels of investment and attractiveness between the adjoining properties.

Staff recommends that applicant update the landscaping plan to meet all code requirements and incorporate higher quality landscaping and features to meet the spirit and intent of the 30% open space requirement.

Lighting Plan
The lighting plan indicates that no additional lighting will be installed on site.

Engineering Report:
Cole McCraw, Assistant City Engineer, has reviewed the application and has the following comments:

Both Wauwatosa Road and Mequon Road are under the jurisdiction of the Wisconsin Department of Transportation (WisDOT). No access changes are proposed. The applicant should be aware that a change in use, such as the addition of a car wash, could trigger WisDOT access requirements. The applicant is responsible for confirming whether WisDOT will require any access modifications prior to returning to Planning Commission for final review.

The construction is proposed to take place within the existing footprint of the parking lot, therefore, no wetland impacts or significant earthwork are anticipated. A City erosion control permit may be required prior to construction if over 4,000 square feet of disturbance is anticipated.

The applicant shall submit the total change in impervious surface. The added impervious surface is shown to be less than 5,000 square feet. A green infrastructure plan is required for improvements adding greater than 5,000 square feet of impervious surface by MMSD Rules.

Storm sewer connection to a catch basin in STH-181 is shown on the site plan. The work shall be permitted by WisDOT prior to construction.

The property is currently connected to public sewer but is not connected to public water. Estimated peak sewer flows were not submitted with the application to be evaluated by utility staff. Peak flow calculations are required as a condition of approval. Water connection for the car wash must adhere to the Mequon Water Utility Water Connection Policy.

Compliance with Section 58-64

(1) Is the project consistent with public interest?

The City has three existing car washes, all accessory to gas stations, and one standalone car wash, Jilly's, currently under construction. Three of the car washes are located on Port Washington Road and one is located on the corner of Cedarburg Road and Donges Bay Road. Staff recognizes that adding a car wash to an existing gas station would be consistent with other gas stations in the City and there may be demand for a gas station with car wash facilities to serve residents.

(2) Will the project have a deleterious effect of the surrounding neighborhood? Does the site

comply with B-1 and other code requirements?
The site does not meet the B-1 open space requirements, parking requirements, or several landscaping requirements. It may be difficult to meet the 30% open space requirement given the existing structures; however, the applicant has not made any adjustments to the landscaping or site plan to meet the spirit and intent of the open space requirement.

Staff believes there are too many unknowns, areas of concern, and code compliance issues to determine if the intensification of the non-conforming use will be deleterious to the surrounding neighborhood. Staff is also concerned that the proposed lack of investment in landscaping and additional parking on the north side of the property will not elevate the appearance of the Mequon and Wauwatosa Road Intersection as seen with the Outpost Natural Foods development, reinvestment of the former Worzella building and site, the new Richmond Investment Advisors, the anticipated and upcoming Wisconsin Veterinarian Clinic and potential redevelopment of the Finial property (currently for sale). The intersection and adjacent neighborhoods have seen significant reinvestment by the local, private sector markets. The area serves as a significant transition to areas of new residential development (Central Growth and Heron Pond) and the mixed-use redevelopment of Arrival Corridor, including Somers, Concord Creek to the east and further east as part of substantial, high quality, high value redevelopment within Town Center. Mobil is choosing to invest in their operations at this site which signals their intent to remain long-term within this redeveloping neighborhood.

Summary
The following table outlines deficiencies with the code, areas of concern, and unknown details:

Issue	**Item**
Code compliance	Too many parking spaces proposed for use.
	Street tree requirement.
	Parking lot landscaping requirement.
	Parking lot shading requirement.
	30% open space requirement.
Area of concern	Proposed hours of operation.
	Block windows proposed for south and north elevation of car wash make building appear dated.
	Striping of car wash queue lane gives false impression of an additional drive lane around the building.
	Car wash queue lane blocks garbage enclosure.
	Proposed locations of pavement replacement don't address areas with pavement degradation.
	Location of proposed new parking spaces.
	Much of the existing landscaping the applicant plans to keep is overgrown, in poor condition, or dead and does not reflect the quality of landscaping found in developments surrounding the corridor.
	Landscaping plan includes landscaping originating from other properties as a source of shading.
Unknown detail(s)	Appearance of the west elevation door.
	Dimensions and appearance of the car wash kiosk.

	Dimensions and appearance of the vacuum/air pump combo units.
	Impact of landscaping on the screening of vacuum/air pump combo units.
	Roof top or ground mechanicals are not shown. Screening is required per Section 58-566.

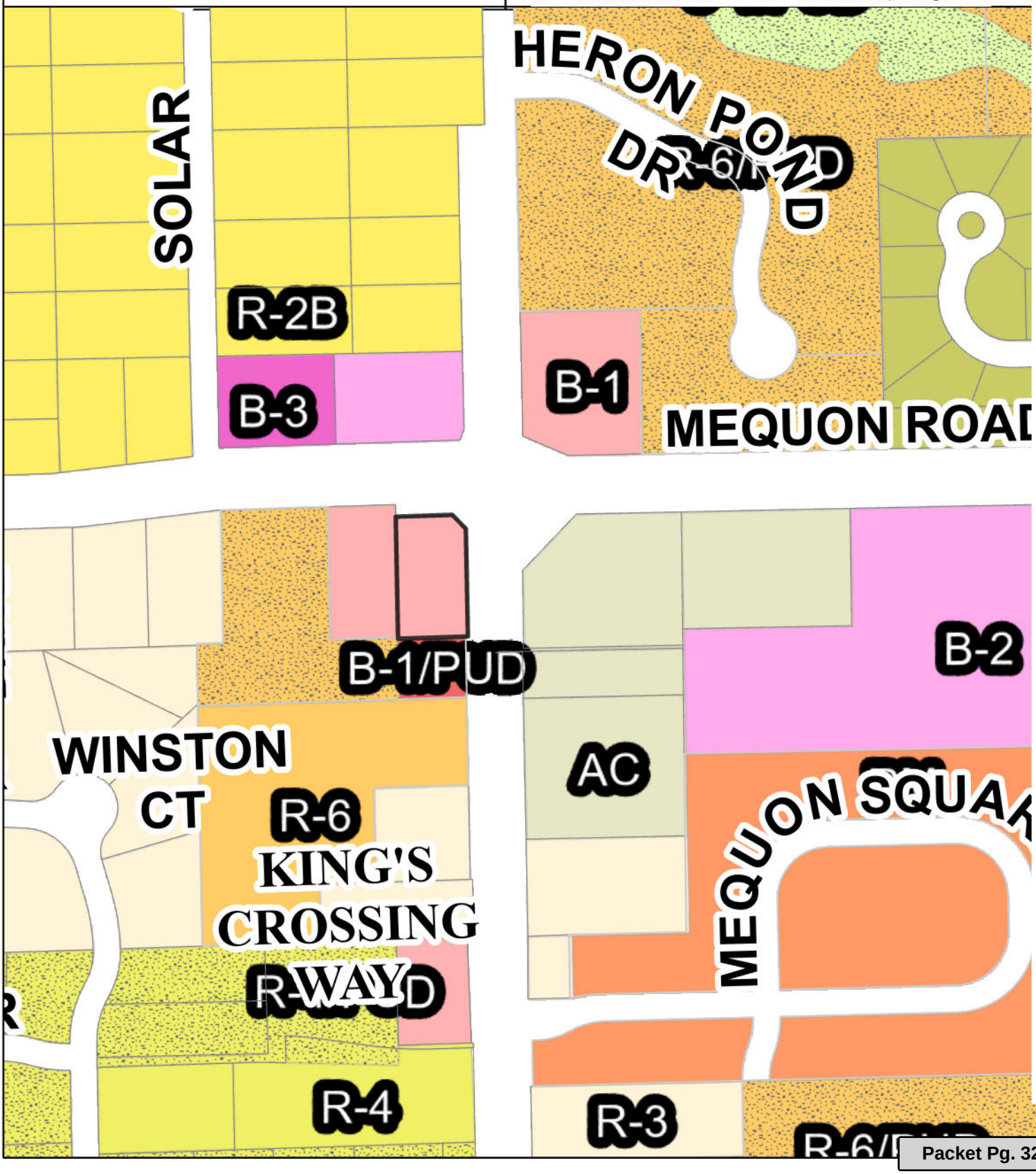
Because the proposed site plan does not meet code requirements, it is not eligible for an intensification of a non-conforming use per Section 58-64 of the Municipal Code.

Staff Recommendation:
Planning staff recommends **tabling** the decision for expansion of the non-conforming use and the building and site plan amendment to allow the applicant additional time to meet the requirements found in Section 58-64 that make them eligible for approval, and address issues identified by staff as shown in the summary table.

Attachments:
Packet Docs_Mobile_03.20.23 (PDF)

GERALD NELL, INC FOR ROETTGERS CO. - EXPANSION OF A NON-CONFORMING USE

AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family Residential (5 Ac. Min.)
B-4	Business Park	R-1B	Single-Family Residential (2.5 Ac. Min.)
B-5	Light Industrial	R-2	Single-Family Residential (2 Ac. Min.)
B-6	Rural Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-7	Rural Business	R-3	Single-Family Residential (1 Ac. Min.)
C-1	Shoreland/Wetland Conservancy	R-4	Single-Family Residential (3/4 Ac. Min.)
C-2	General Conservancy	R-5	Single-Family Residential (1/2 Ac. Min.)
CGO	Central Growth Overlay	R-6	Single-Family Residential (4 DU/Ac.)
FFO	Flood Fringe Overlay	RM	Multi-Family Residential
FW	Floodway	TC	Town Center
IPS	Institutional & Public Service	TDR	Transfer of Development Rights



Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

Roettgers Mobil Mequon

1. Business Narrative

a. Mequon ARC Mobil is a gas station and convenience store that is owned and operated by Roettgers Company, Inc. The gas station component provides customers with a variety of fueling options including gasoline, E-85 and diesel fuel. The convenience store provides a broad range of products and services to its customers including food service, food/drink, and convenience store products. The store is usually staffed between 1-2 employees at a time. The car wash may require an additional person maintaining the average employee count closer to 2 employees at a time. In the future the location will be inclusive of a more robust food service and meal type offerings. The car wash would expand our services to further assist and maintain customer vehicles.

b. Mequon ARC Mobil receives deliveries on a vendor based schedule. Depending on vendor it may be weekly or bi-weekly. Many delivery schedules have been impacted due to COVID or employee shortages. Trash is picked up once per week.

2. Hours of Operation

a. Monday – Saturday -> 6am – 9pm

b. Sunday -> 6am – 8 pm

3. Proposed Hours of Operation of Car Wash

a. Monday – Saturday -> 6am – 9pm

b. Sunday -> 6am – 8 pm

4. Number of Employees

a. 5 Employees

Thank you,

--

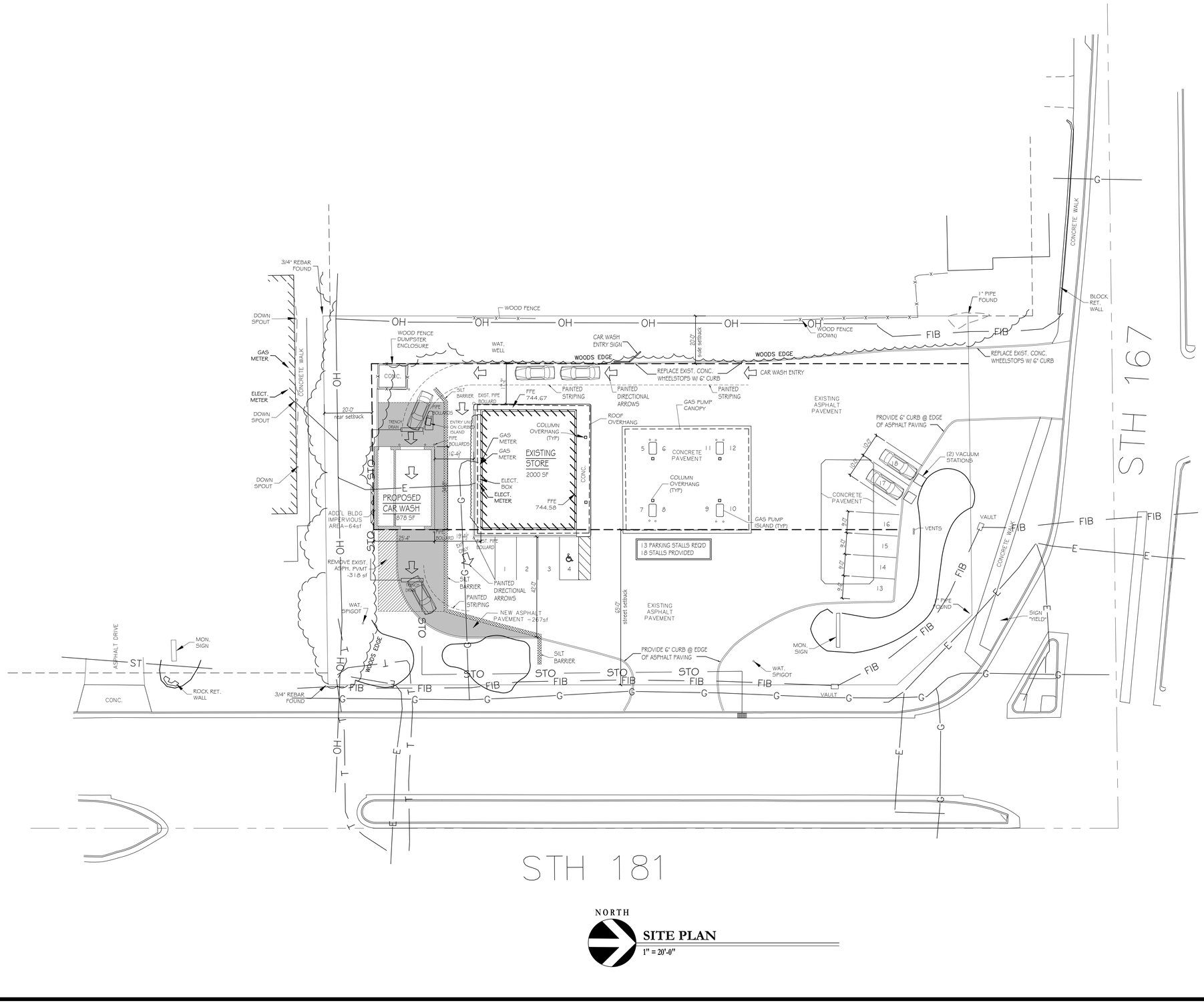
Michael D. Roettgers

Roettgers Company, Inc.

5816 W. Hemlock Street

Milwaukee, WI 53223

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)



NORTH

SITE PLAN

1" = 20'-0"

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REVISIONS

Rev.	Date	Description	By
1			

GERALD NELL INC.
W229 N1680 WESTWOOD DRIVE
WAUKESHA, WI 53186-1152
262-513-3750

CAR WASH BUILDING FOR ROETTGERS MOBIL 11155 WAUWATOSA ROAD MEQUON, WISCONSIN

Drawn By	MF
Date	2-27-23
Scale	1" = 20'-0"
Job Number	
Sheet Name	SITE PLAN
Sheet Number	A1.1
SHEET	OF TOTAL SHEETS

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

PRELIMINARY
NOT FOR CONSTRUCTION

3/4" REBAR FOUND
DOWN SPOUT
DOWN SPOUT
DOWN SPOUT
CONCRETE WALK
OH
WOOD FENCE
WOOD FENCE DUMPSTER ENCLOSURE
CONC.
WAT. WELL
745
WOODS EDGE
WOODS EDGE
SILT BARRIER
EXIST. PIPE BOLLARD
FFE 744.67
PAINTED STRIPING
PAINTED DIRECTIONAL ARROWS
PAINTED STRIPING
PIPE BOLLARDS
ENTRY UNIT ON CURBED ISLAND
PIPE BOLLARDS
744.75 +
744.4 +
FFE=744.83
ROOF OVERHANG
GAS PUMP CANOPY
COLUMN OVERHANG (TYP)
EXISTING STORE
2000 SF
CONC.
744
CONCRETE PAVEMENT
COLUMN OVERHANG (TYP)
H.PT= 745.3
PROPOSED CAR WASH
878 SF
FFE 744.58
GAS PUMP ISLAND (TYP)
ADD'L BLDG IMPERVIOUS AREA=64sf
PIPE BOLLARD
EXIT ONLY
EXIST. PIPE BOLLARD
744
744
REMOVE EXIST. ASPH. PVMT -318 sf
SILT BARRIER
PAINTED DIRECTIONAL ARROWS
PAINTED STRIPING
WAT. SPIGOT
NEW ASPHALT PAVEMENT -267sf
EXISTING ASPHALT PAVEMENT
SILT BARRIER
MON. SIGN
WAT. SPIGOT
ASPHALT DRIVE
ST
743
742
MON. SIGN
ROCK RET. WALL
3/4" REBAR FOUND
CONC.
FIB
T
NORTH
GRADING PLAN
1" = 10'-0"
0 15' 30' 60'

REVISIONS

Rev.	Date	Description	By

GERALD NELL INC.
W229 N1680 WESTWOOD DRIVE
WAUKESHA, WI 53186-1152
262-513-3750

CAR WASH BUILDING FOR ROETTGERS MOBIL
11155 WAUWATOSA ROAD
MEQUON, WISCONSIN

Drawn By	MF
Date	2-27-23
Scale	1" = 10'-0"
Job Number	
Sheet Name	GRADING PLAN
Sheet Number	A1.2

SHEET OF TOTAL SHEETS

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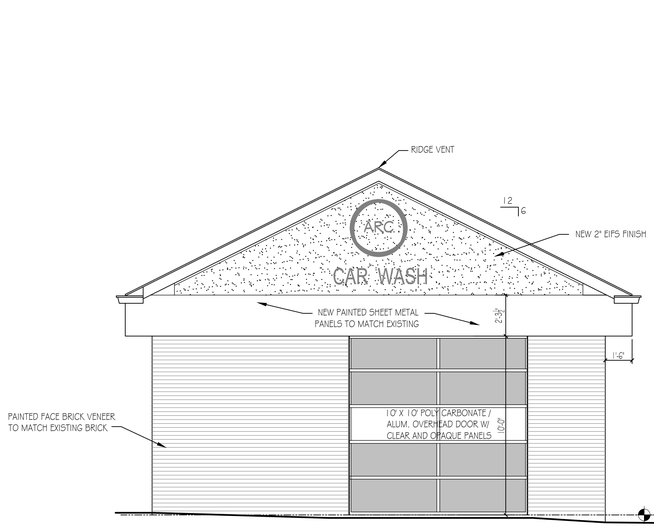
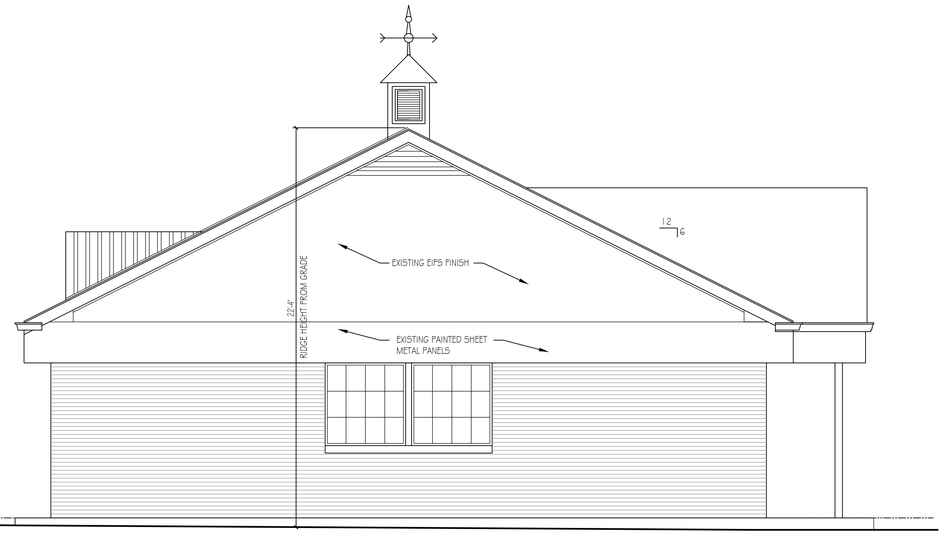
Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)



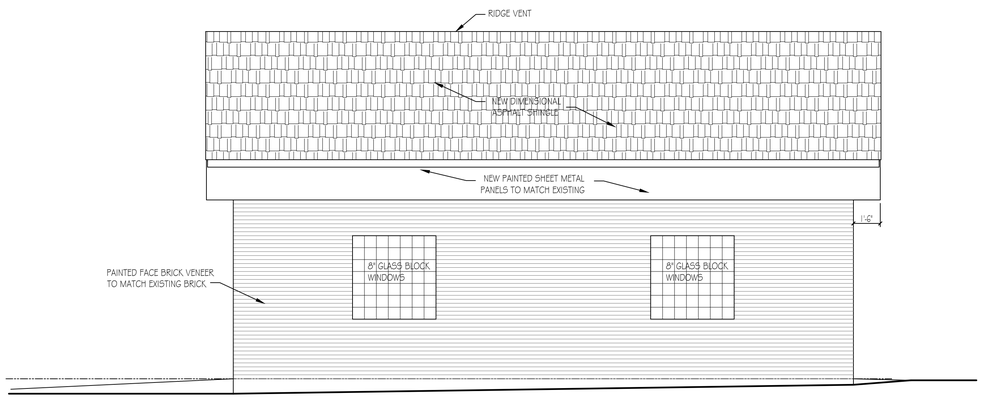
PROPOSED CAR WASH



EXISTING BUILDING

EAST ELEVATION

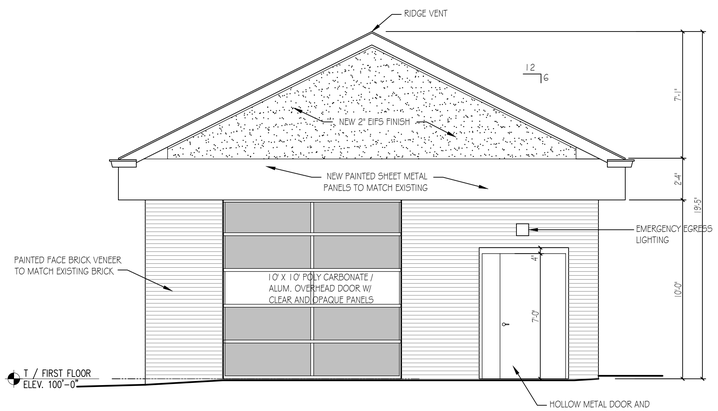
1/4" = 1'-0"



NORTH ELEVATION

1/4" = 1'-0"

SOUTH ELEVATION SIMILAR



WEST ELEVATION

1/4" = 1'-0"

REVISIONS

Rev.	Date	Description	By

GERALD NELL INC.
W229 N1680 WESTWOOD DRIVE
WAUKESHA, WI 53186-1152
262-513-3750

CAR WASH BUILDING FOR ROETTGERS MOBIL 11155 WAUWATOSA ROAD MEQUON, WISCONSIN

Drawn By: MF
Date: 2-27-23
Scale: 1/4" = 1'-0"
Job Number:
Sheet Name: **EXTERIOR ELEVATIONS**
Sheet Number: **A4.1**
SHEET OF TOTAL SHEETS

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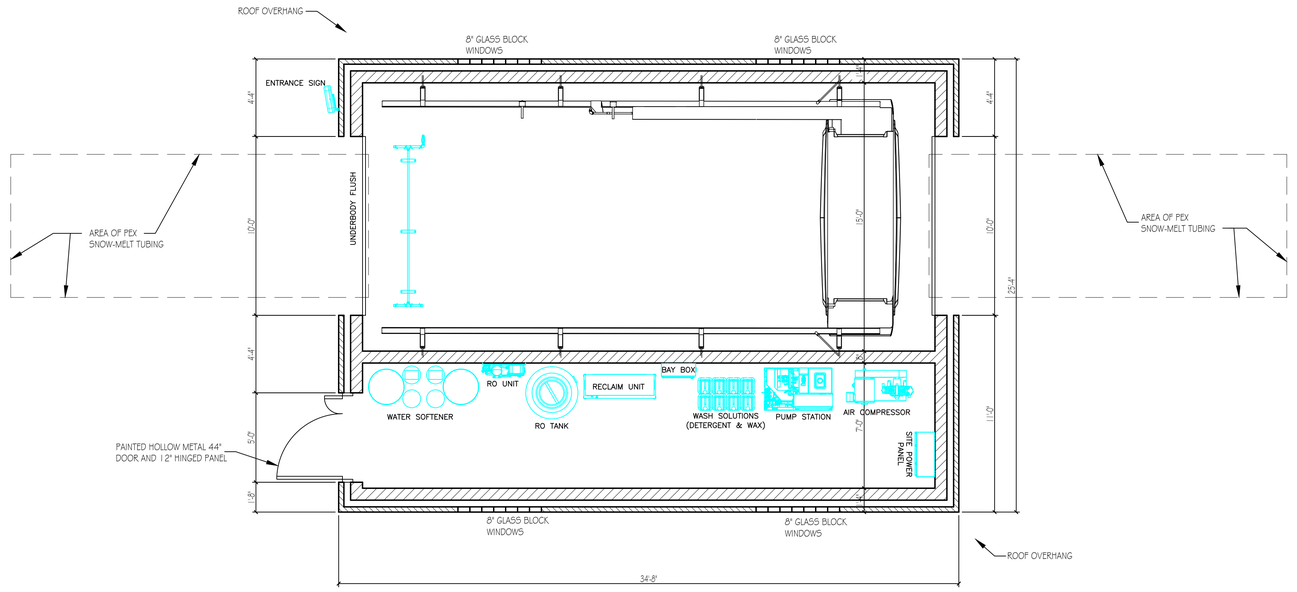

NORTH

FLOOR PLAN

1/4" = 1'-0"

0 1' 2' 4' 8'

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REVISIONS

Rev.	Date	Description	By

GERALD NELL INC.
W229 N1680 WESTWOOD DRIVE
WAUKESHA, WI 53186-1152
262-513-3750

CAR WASH BUILDING FOR ROETTGERS MOBIL
11155 WAUWATOSA ROAD
MEQUON, WISCONSIN

Drawn By	MF
Date	2-27-23
Scale	1/4" = 1'-0"
Job Number	
Sheet Name	FLOOR PLAN
Sheet Number	A2.1

SHEET OF TOTAL SHEETS

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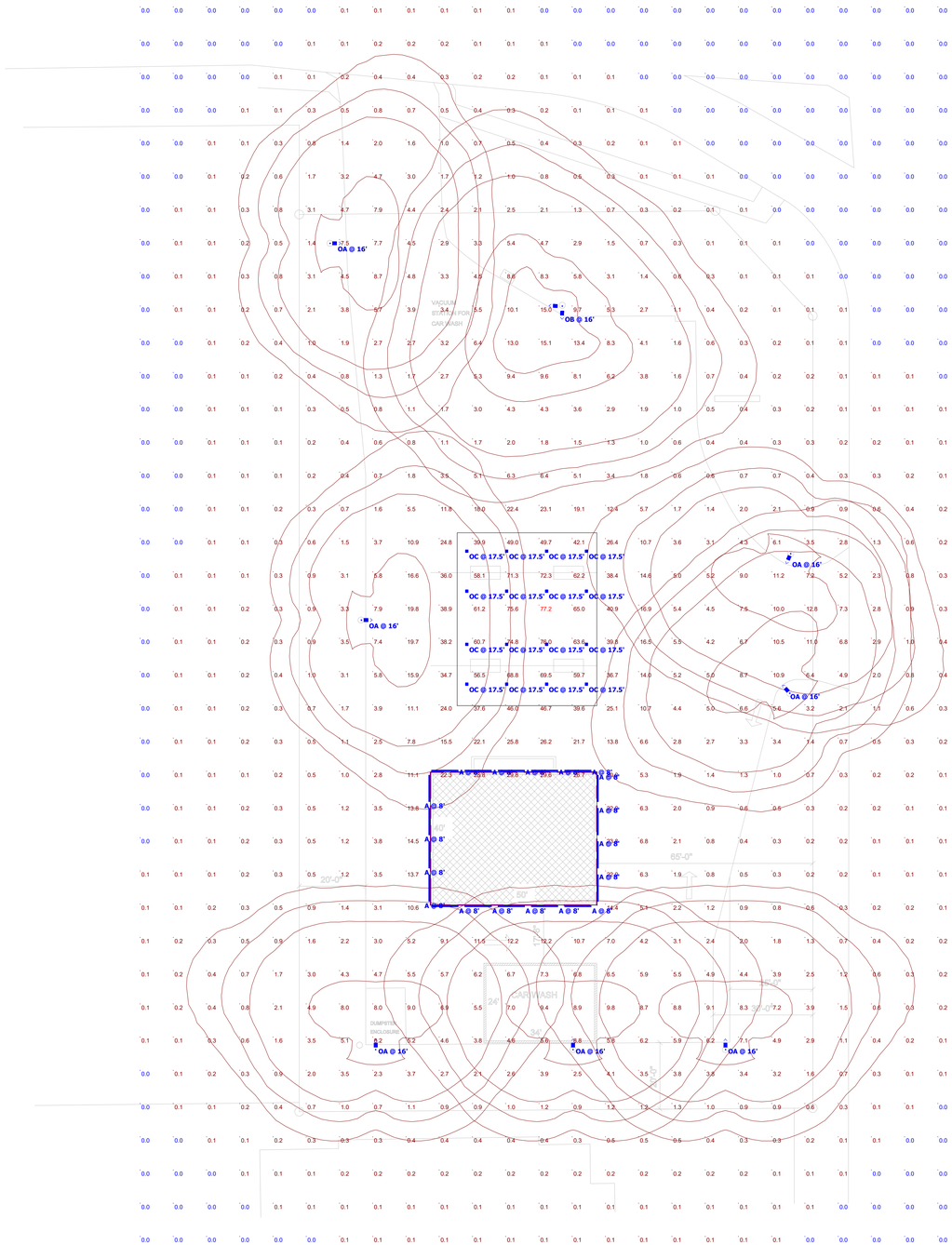

Schedule

Symbol	Label	Quantity	Manufacturer	Catalog Number	Description	Lamp	Number Lamps	Filename	Lumens Per Lamp	Light Loss Factor	Wattage
	OA	7	Lithonia Lighting	ESX1 LED P2 50K R3	Contractor Select ESX LED Area Luminaire Size 1 P2 Lumen Package 5000K CCT Type R3 Distribution		1	ESX1_LED_P2_50K_R3.ies	14128	1	97.59
	OB	1	Lithonia Lighting	ESX1 LED P2 50K R3	Contractor Select ESX LED Area Luminaire Size 1 P2 Lumen Package 5000K CCT Type R3 Distribution		1	ESX1_LED_P2_50K_R3.ies	14128	1	195.18
	OC	16	CREE, INC.	CAN-304-PS-xx-06-E-UL-700-40K or BXCPxA06E-UD7 (700mA)	60 LED 700mA 4000K PETROLEUM SYMMETRIC 304 SERIES CANOPY	SIXTY WHITE LIGHT EMITTING DIODES (LEDS), VERTICAL BASE-UP POSITION.	60	CAN-304-PS-__-06--E-UL-700-40K.IES	226	1	132.5
	A	18	COOPER LIGHTING SOLUTIONS - METALUX (FORMERLY EATON)	SSF-196T12HO	WHITE PAINTED FABRICATED METAL "STRIP" BALLAST HOUSING, OPEN BOTTOM.	ONE F96T12HO LAMP	1	SSF-296T8.IES	7950	1	124.9

Plan View
Scale - 1" = 20ft

CONSTRUCTION DATA

%%UAPPLICABLE CODES

BUILDING CODE: 2009 IBC WITH WISCONSIN MODIFICATIONS
ZONING CODE: — ZONING CODE

%%USITE CRITERIA
ZONING DESIGNATION: —

%%UBUILDING CRITERIA
BUILDING OCCUPANCY
- OCCUPANCY CLASSIFICATION: BUSINESS GROUP B, FACTORY GROUP F-1 AND STORAGE GROUP S-2
- INCIDENTAL USE AREAS: STORAGE 112 IS INCIDENTAL TO THE OFFICE AREA (GROUP B)
- ACCESSORY USE AREAS: OFFICE 110 IS ACCESSORY TO THE WAREHOUSE (GROUP S-1)
- PERCENTAGE OF TOTAL FLOOR AREA: 8%%%
- MOST RESTRICTIVE OCCUPANCY: FACTORY GROUP F-1
- REQUIRED OCCUPANCY SEPARATION: NONE (PER SECTION 508.3)

CONSTRUCTION TYPE: —
NUMBER OF STORIES: —
FIRE PROTECTION: PROVIDED PER NFPA 13 REQUIREMENTS
MAXIMUM BUILDING HEIGHT (PER IBC): —
MAXIMUM ALLOWABLE AREA
- SPRINKLER INCREASE: Is = 3
- WEIGHTED AVERAGE OF WIDTHS: W = ((591 X 30) + (92 X 20)) / 683 = 29.3
- FRONTAGE INCREASE: If = (F / P - 0.25) W / 30 = — X — = —
- TOTAL: Aa = At + [(As)(is)] + [(Ap)(ip)] = — + — + — = — S.F.

BUILDING AREA
- EXISTING BUILDING: — S.F.
- PROPOSED ADDITION: %%U— S.F.
- TOTAL: — S.F.

CLASSIFICATION OF WORK: ADDITION, ALTERATION-LEVEL 2

%%UZONING CRITERIA
GENERAL LOT INFORMATION
- LOT AREA: — ACRES (— S.F.)
- AREA DISTURBED BY CONSTRUCTION: — ACRES (— S.F.)
- AREA OF NEW IMPERVIOUS SURFACE): — ACRES (— S.F.)

BUILDING / PARKING SETBACKS
- STREET YARD: — / —
- SIDE YARD: — / —
- REAR YARD: — / —

MAXIMUM BUILDING HEIGHT: — / —

LOT COVERAGE	%%UACTUAL	%%UREQUIRED
- BUILDING FOOTPRINT		
EXISTING BUILDING:	— S.F.	
PROPOSED ADDITION:	%%U— S.F.	
TOTAL:	— S.F. —%%%	70%%% MAX.
- HARD SURFACE AREA		
EXISTING PAVING:	— S.F.	
PROPOSED PAVING:	%%U— S.F.	
TOTAL:	— S.F. —%%%	
- GREEN SPACE AREA:	— S.F. —%%%	15%%% MIN.

PARKING
- PARKING REQUIRED

1 SPACE FOR EACH EMPLOYEE FOR THE WORK SHIFT WITH THE LARGEST NUMBER OF EMPLOYEES
— EMPLOYEES = — PARKING STALLS REQUIRED
- PARKING PROVIDED
- STANDARD PARKING STALLS: — STALLS
- HANDICAPPED STALLS: %%U— STALLS
- TOTAL: — STALLS

C STORE MEQUON
SITE LIGHTING PLAN

Designer	
Date	12/12/2022
Scale	Not to Scale
Drawing No.	
Summary	

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Neli, Inc. for Roettgers Company)

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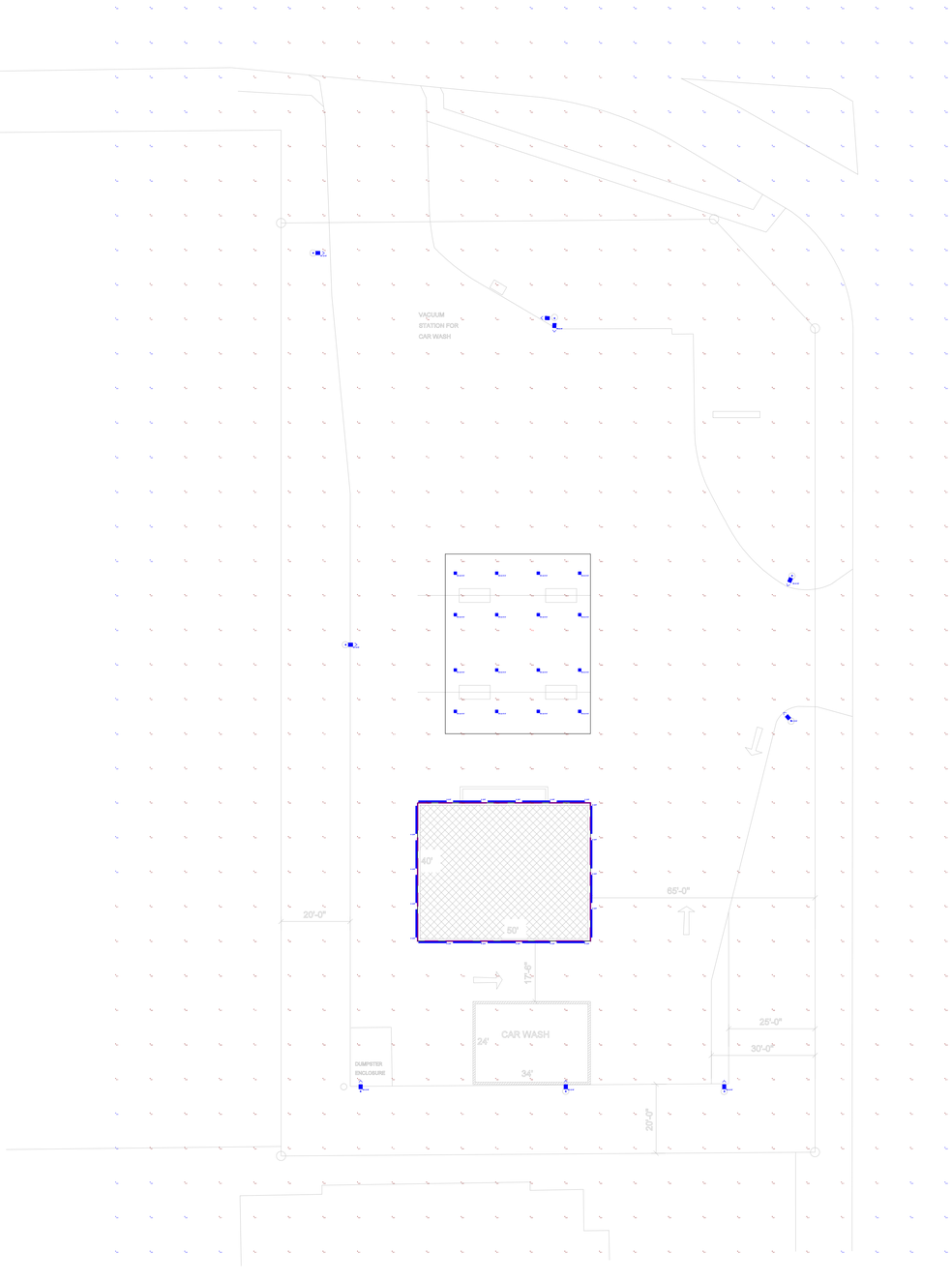
Plan View
Scale - 1" = 20ft



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CONSTRUCTION TYPE: ---
NUMBER OF STORIES: ---
FIRE PROTECTION: PROVIDED PER NFPA 13 REQUIREMENTS
MAXIMUM BUILDING HEIGHT (PER IBC): ---
MAXIMUM ALLOWABLE AREA
- SPRINKLER INCREASE: Is = 3
- WEIGHTED AVERAGE OF WIDTHS: W = [(591 X 30) + (92 X 26)] / 883 = 29.3
- FRONTAGE INCREASE: If = (F/P - 0.25) W/30
= --- X ---
= ---
- TOTAL: Aa = At + [(Ab)(Is)] + [(Af)(If)]
= --- + --- + ---
= --- S.F.

BUILDING AREA
- EXISTING BUILDING: --- S.F.
- PROPOSED ADDITION: %%U--- S.F.
- TOTAL: --- S.F.

CLASSIFICATION OF WORK: ADDITION, ALTERATION-LEVEL 2

%%UZONING CRITERIA
GENERAL LOT INFORMATION
- LOT AREA: --- ACRES (--- S.F.)
- AREA DISTURBED BY CONSTRUCTION: --- ACRES (--- S.F.)
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- STREET YARD: --- / ---
- SIDE YARD: --- / ---
- REAR YARD: --- / ---

MAXIMUM BUILDING HEIGHT: --- / ---

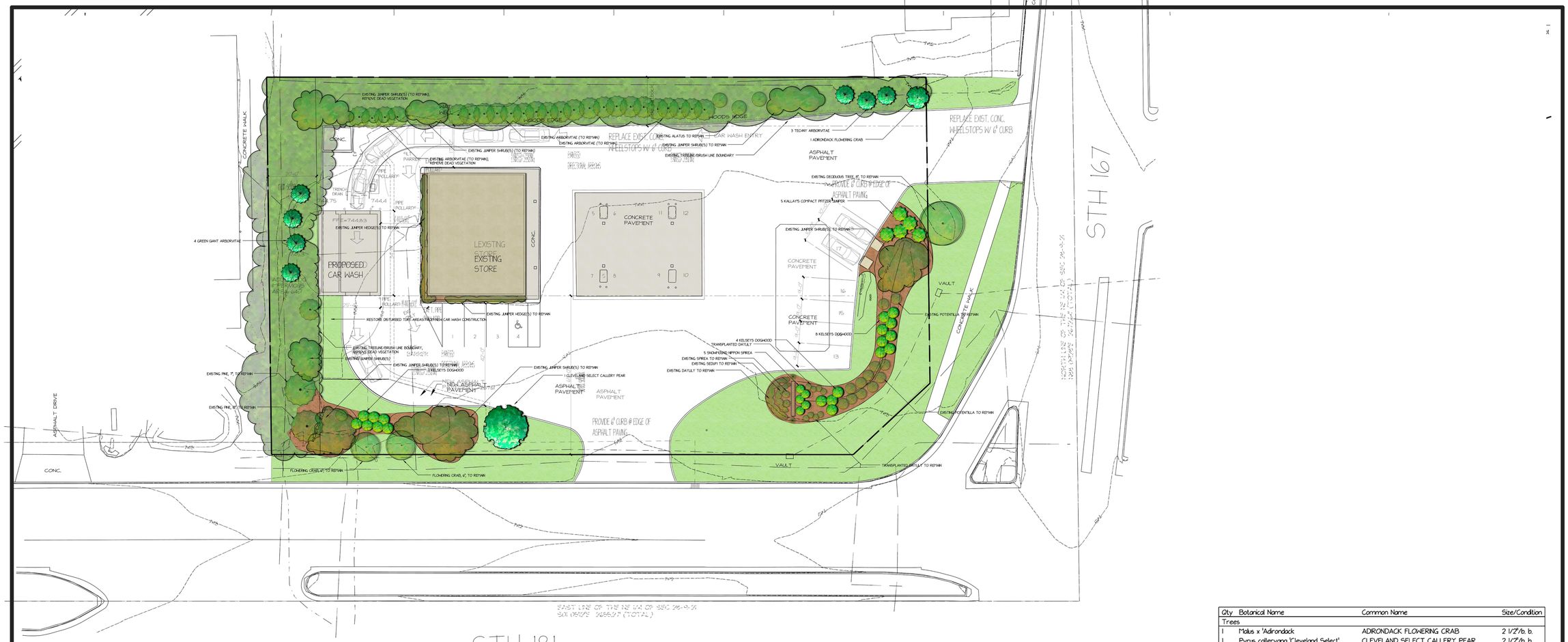
LOT COVERAGE %%UACTUAL %%UREQUIRED
- BUILDING FOOTPRINT
EXISTING BUILDING: --- S.F.
PROPOSED ADDITION: %%U--- S.F.
TOTAL: --- S.F. ---%%% 70%%% MAX.
- HARD SURFACE AREA
EXISTING PAVING: --- S.F.
PROPOSED PAVING: %%U--- S.F.
TOTAL: --- S.F. ---%%%
- GREEN SPACE AREA: --- S.F. ---%%% 15%%% MIN.

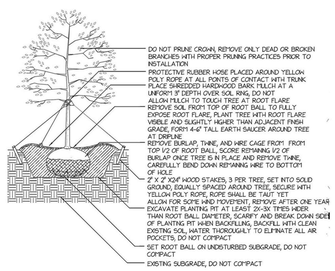
PARKING
- PARKING REQUIRED
1 SPACE FOR EACH EMPLOYEE FOR THE WORK SHIFT WITH THE LARGEST NUMBER OF EMPLOYEES
--- EMPLOYEES = --- PARKING STALLS REQUIRED
- PARKING PROVIDED
STANDARD PARKING STALLS: --- STALLS
HANDICAPPED STALLS: %%U--- STALLS
TOTAL: --- STALLS

C STORE MEQUON
SITE LIGHTING PLAN

Designer	
Date	12/12/2022
Scale	Not to Scale
Drawing No.	
Summary	

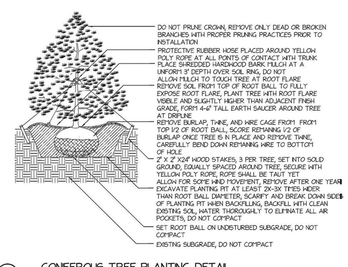
Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)





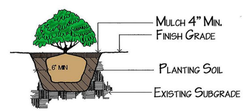
DECIDUOUS TREE PLANTING DETAIL

TYPICAL INSTALLATION- NOT TO SCALE

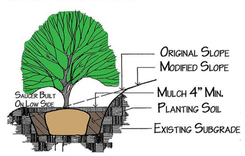


CONIFEROUS TREE PLANTING DETAIL

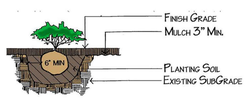
TYPICAL INSTALLATION- NOT TO SCALE



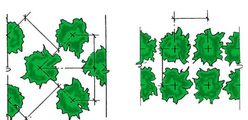
SHRUB PLANTING DETAIL



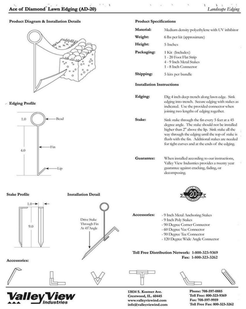
TREE & SHRUB SLOPE PLANTING DETAIL



GROUND COVER PLANTING DETAIL



PLANTING LAYOUT DETAILS

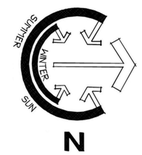


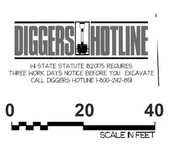
PLANTING NOTES:

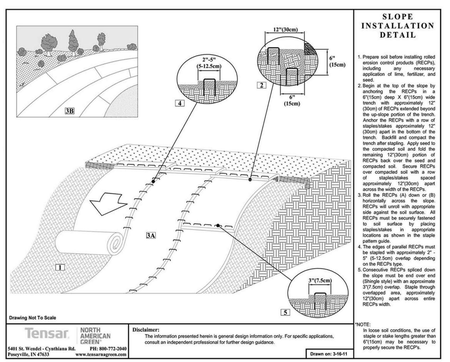
1. CONTRACTOR SHALL VERIFY LOCATION OF ALL ON-SITE UTILITIES PRIOR TO COMMENCING ANY WORK ON-SITE.
2. WI STATE STATUTE 182.0175 REQUIRES THREE WORK DAYS NOTICE BEFORE YOU EXCAVATE. CALL DIGGER'S HOTLINE AT 1-800-242-8511.
3. SUPPLY AND INSTALL ALL WISCONSIN GROWN NURSERY STOCK. GUARANTEE ALL STOCK FOR A PERIOD OF ONE YEAR. ALL PLANTING MATERIAL IS TO MEET AMERICAN STANDARDS FOR NURSERY STOCK ANSI Z60.1-2004. ALL PLANT MATERIAL IS TO BE PLANTED IMMEDIATELY AFTER ARRIVAL AND UNLOADING ON SITE. PLANT TYPES, SIZES, AND QUANTITIES ARE ACCORDING TO THE PROPOSED PLANS. IF ANY DISCREPANCIES ARE PRESENT BETWEEN PLANT LEGEND AND GRAPHIC DEPICTION, GRAPHICALLY DEPICTED QUANTITIES SHALL HOLD PRECEDENCE.
4. ACTUAL LOCATIONS OF PLANT MATERIAL ARE SUBJECT TO FINAL SITE LAYOUT AND CONDITIONS AND MAY BE ADJUSTED ACCORDINGLY.
5. GUY AND STAKE ALL LARGE TREES AND EVERGREENS.
6. ALL PLANTS ARE TO BE BACKFILLED WITH A 50/50 MIX OF PLANT STARTER AND TOPSOIL BLEND AND IS TO BE FREE OF ROOTS, ROOTS LARGER THAN 1" IN DIAMETER, SUBSOIL DEBRIS, AND WEEDS.
7. OPEN AND REMOVE THE TOP BURLAP AND TWINE OR STRING FROM ALL BALLED AND BURLAPPED PLANTS AND SET ALL PLANTS AT FINISHED GRADE.
8. SUPPLY AND INSTALL 3-4" OF SHREDDED HARDWOOD BARK MULCH IN ALL PLANTING BEDS, AND 1-1 1/2" IN ALL PERENNIAL BEDS. TREAT AREAS WITH A PRE-EMERGENT HERBICIDE (GRANULAR FORM) 'TREFLAN' OR APPROVED EQUAL FOLLOWING ALL MANUFACTURER'S WRITTEN INSTALLATION INSTRUCTIONS PRIOR TO PLACING
9. SUPPLY AND INSTALL 3-4" OF SHREDDED HARDWOOD MULCH 1' PAST THE DRIP LINE OF ALL INDIVIDUAL TREES. DO NOT PLACE MULCH AGAINST TRUNK OF TREE.
10. SUPPLY AND INSTALL BLACK VINYL EDGING 'ACE OF DIAMOND' MANUFACTURED BY VALLEYVIEW INDUSTRIES OR APPROVED EQUAL IN ALL PLANTING BEDS THAT ADJOIN TURF AREAS ACCORDING TO THE MANUFACTURER'S WRITTEN INSTALLATION INSTRUCTIONS.
11. ALL TURF AREAS ARE TO BE FINE-GRADED. ALL TURF AREAS ARE TO BE SEEDED, AREAS ARE TO BE SOWN AT THE MANUFACTURER'S RECOMMENDED RATES AND COVERED WITH A CLEAN OAT STRAW. TURF AREAS ARE TO BE SOWN WITH NELSON LANDSCAPE'S CUSTOM BLENDED SEED FOR LAWNS AND IS TO BE APPLIED AT THE RECOMMENDED RATE, A STARTER FERTILIZER APPLIED, AND COVERED WITH A CLEAN OAT STRAW. ANY AREAS WHERE POTENTIAL EROSION EXISTS DUE TO WIND OR WATER OR OTHER MEANS INCLUDING ALL SLOPES OF 3:1 OR GREATER SHALL BE COVERED WITH STRAW EROSION CONTROL BLANKETS 'DS-150' MANUFACTURED BY NORTH AMERICAN GREEN, INSTALLED TO MANUFACTURER'S WRITTEN INSTALLATION INSTRUCTIONS.

Qty	Botanical Name	Common Name	Size/Condition
Trees			
1	Malus x 'Adirondack'	ADIRONDACK FLOWERING CRAB	2 1/2"/b. b.
1	Pyrus calleryana 'Cleveland Select'	CLEVELAND SELECT CALLERY PEAR	2 1/2"/b. b.
6	Thuja occidentalis 'Techny'	TECHNY ARBORVITAE	5'/b. b.
4	Thuja plicata 'Green Giant'	GREEN GIANT ARBORVITAE	6'/b. b.
Shrubs			
19	Cornus stolonifera 'Kelseyi'	KELSEYS DOGWOOD	24" hgt.
5	Juniperus x pfitzeriana 'Kallay's Compact'	KALLAY'S COMPACT PFITZER JUNIPER	24" hgt.
5	Spiraea nipponica 'Snowmound'	SNOWMOUND NIPPON SPIREA	24" hgt.

LANDSCAPE PLAN







NELSON LANDSCAPE INC.

Post Office Box 823
Waukesha, WI 53187-0823
262-549-6111
262-549-9229
www.nelsonlandscape.com

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This plan is subject to final on-site conditions and may be modified to account for unforseen obstacles, other changes, or site modifications that were not made known at the time of preparation dated on this plan.

Prepared by Corey Nelson, ASLA

REVISIONS			
Rev.	Date	Description	By
	1-12-23		c.j.n.
	3-03-23		c.j.n.

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WAUKESHA, WI 53186-1152
262-513-3750

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ROETTGERS GAS STATION
11155 N. WAUWATOSA RD.
MEQUON, WI

Drawn By	c.j.n.
Date	1-09-23
Scale	1"=20'-0"
Job Number	
Sheet Name	LANDSCAPE PLAN
Sheet Number	L1.1

SHEET OF TOTAL SHEETS

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

Example of car wash kiosk

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

Example of vacuum/air pump center

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

AIRLIFT DOORS, INC.

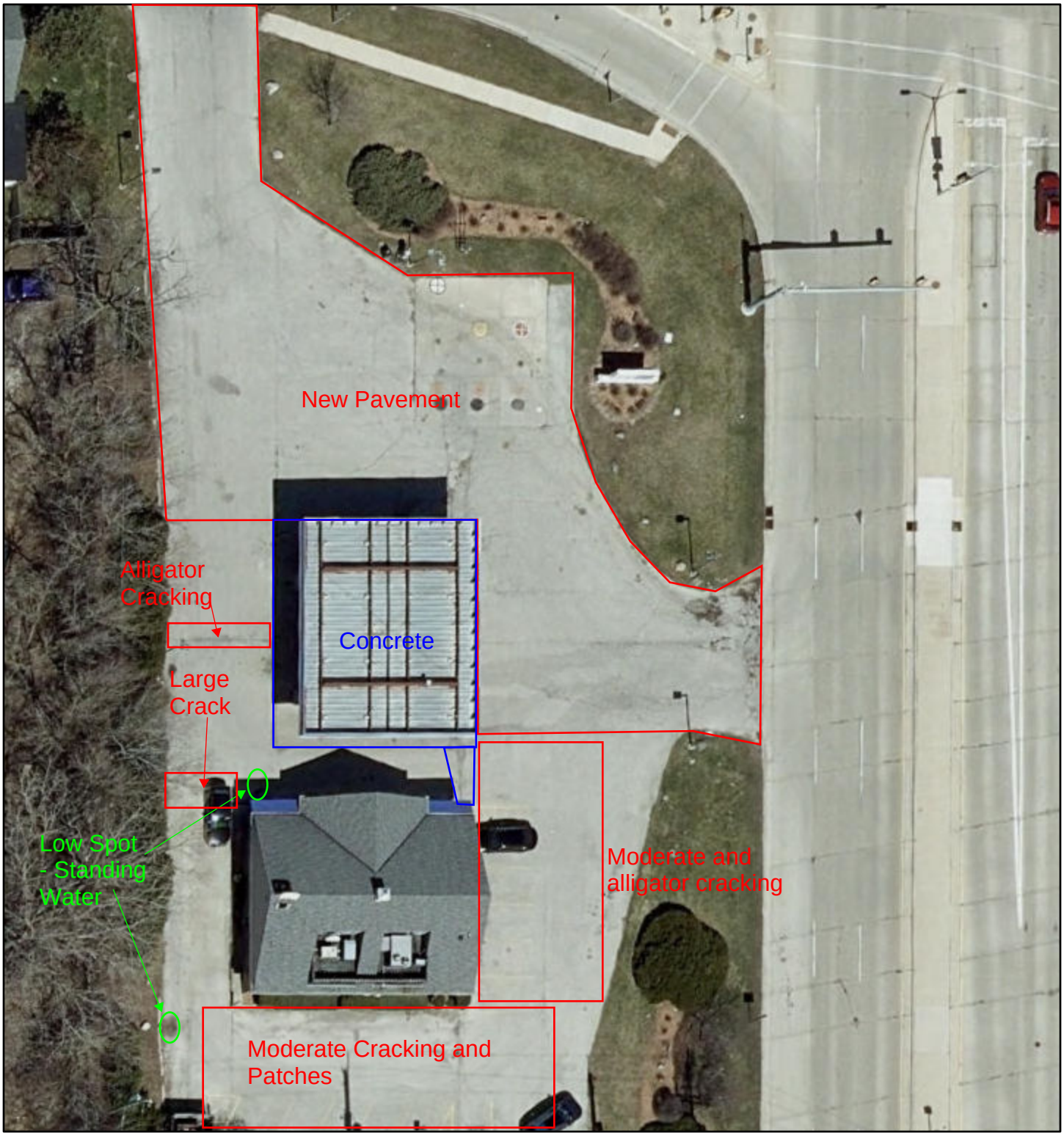
ALASKA POLYCARBONATE DOOR PRODUCT INFORMATION

www.AirliftDoors.com - Call toll free: 1(888)-368-4403 - Fax: 1(612)-588-7660

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

As of 3/10/2023

Pavement Analysis Map



3/10/2023, 3:10:07 PM

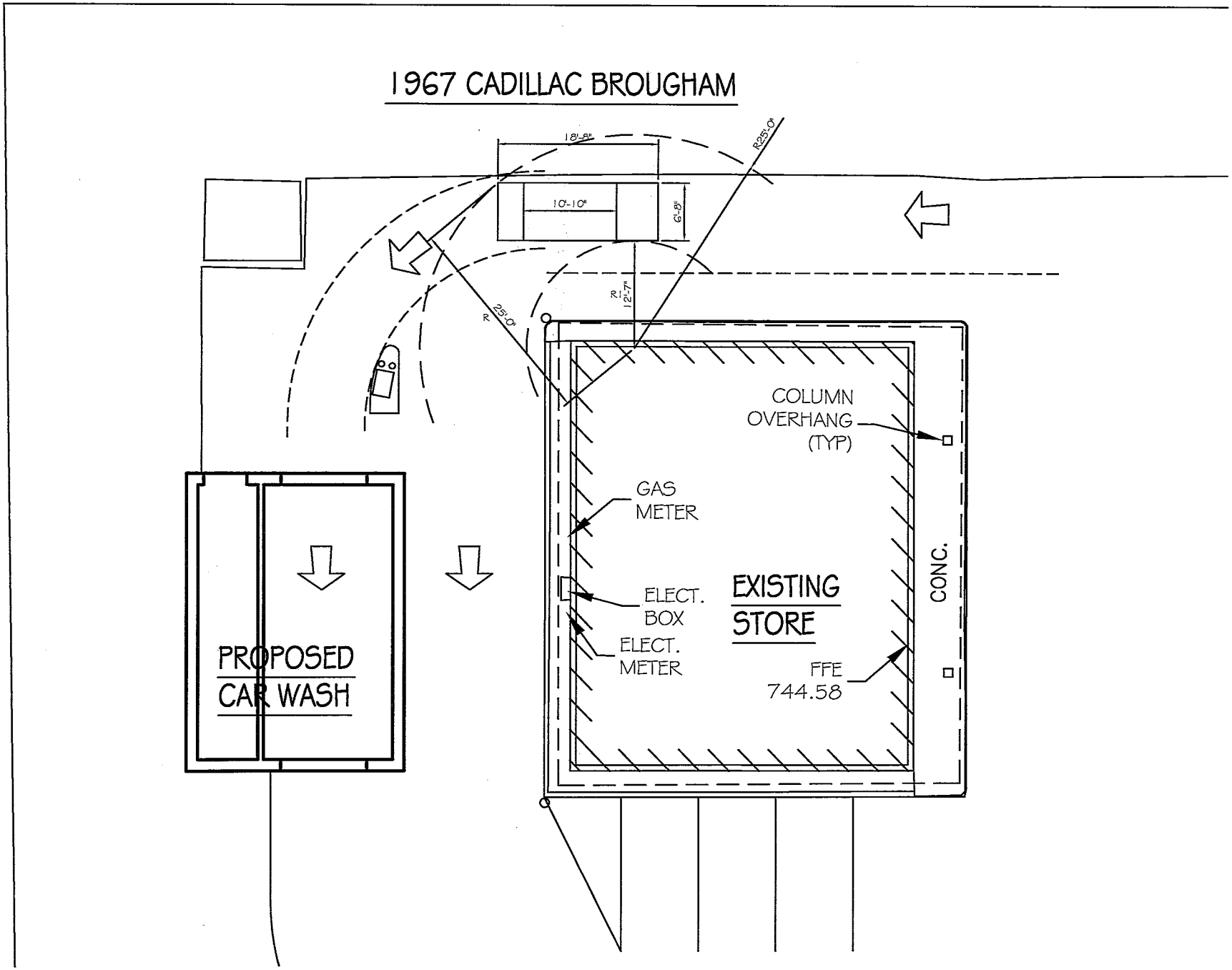
1:564

0 0 0.01 0.01 mi

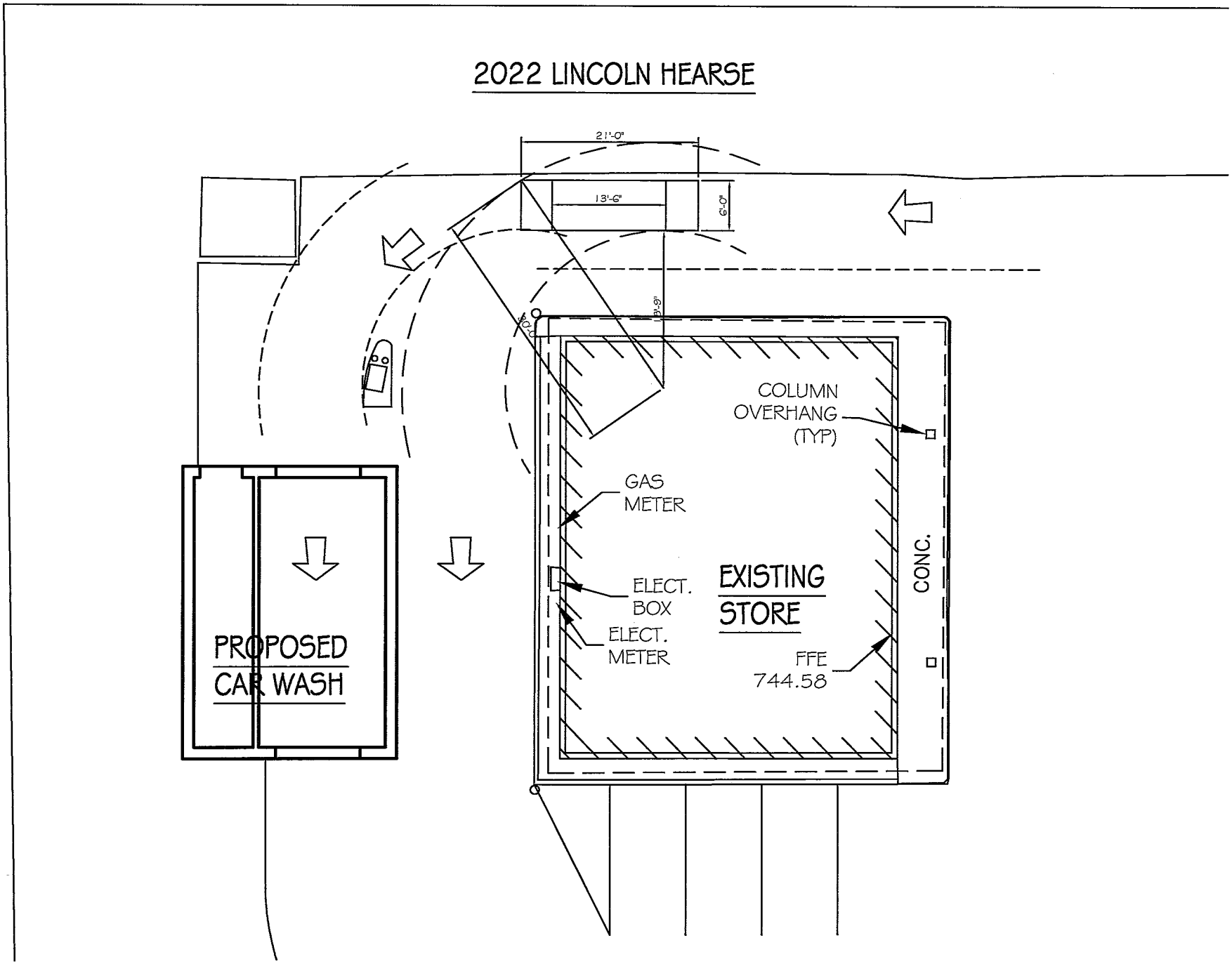
0 0.01 0.01 0.02 km

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

Milwaukee County GIS & Land Information | Source: SOURCES, Esri



Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)



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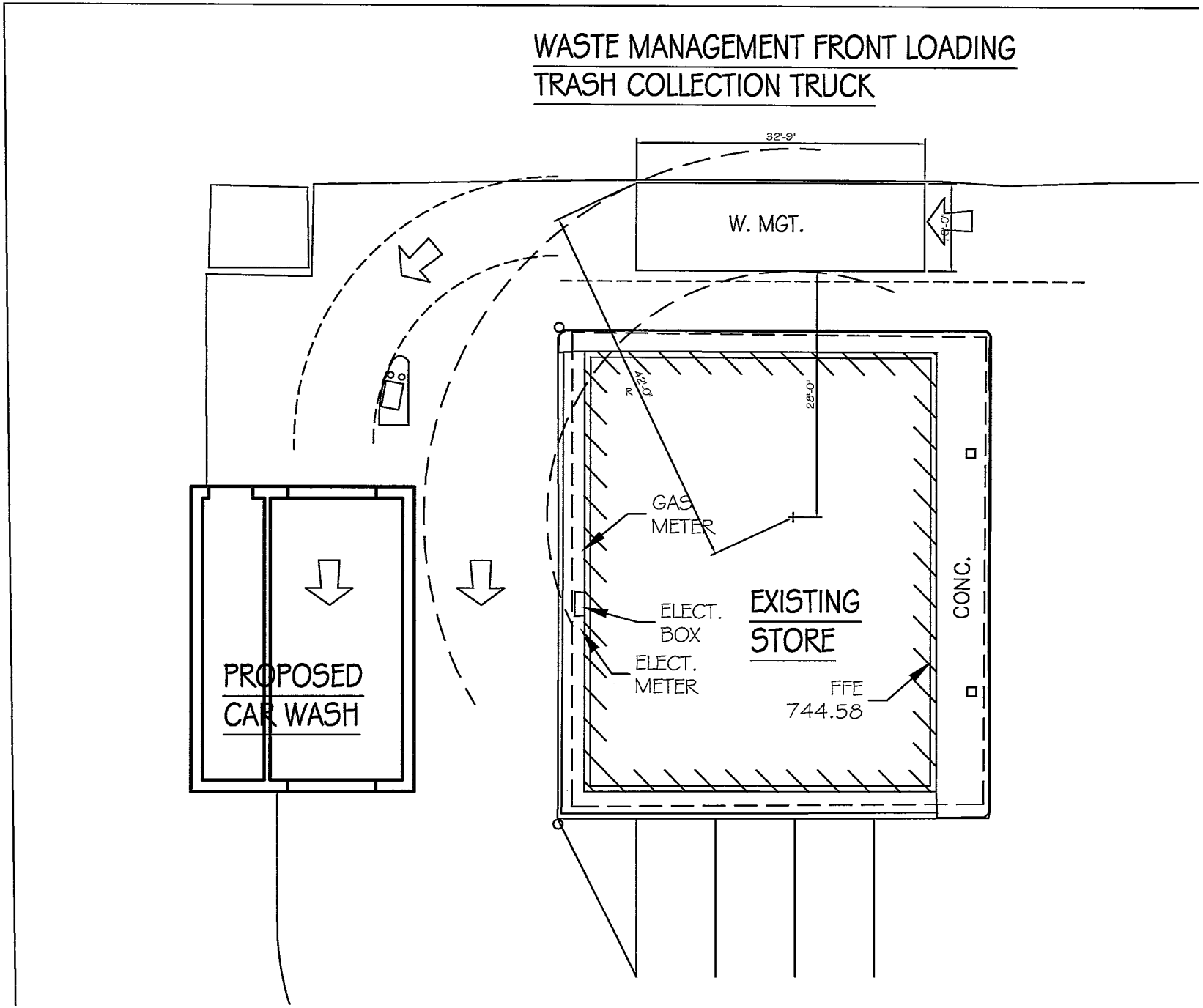
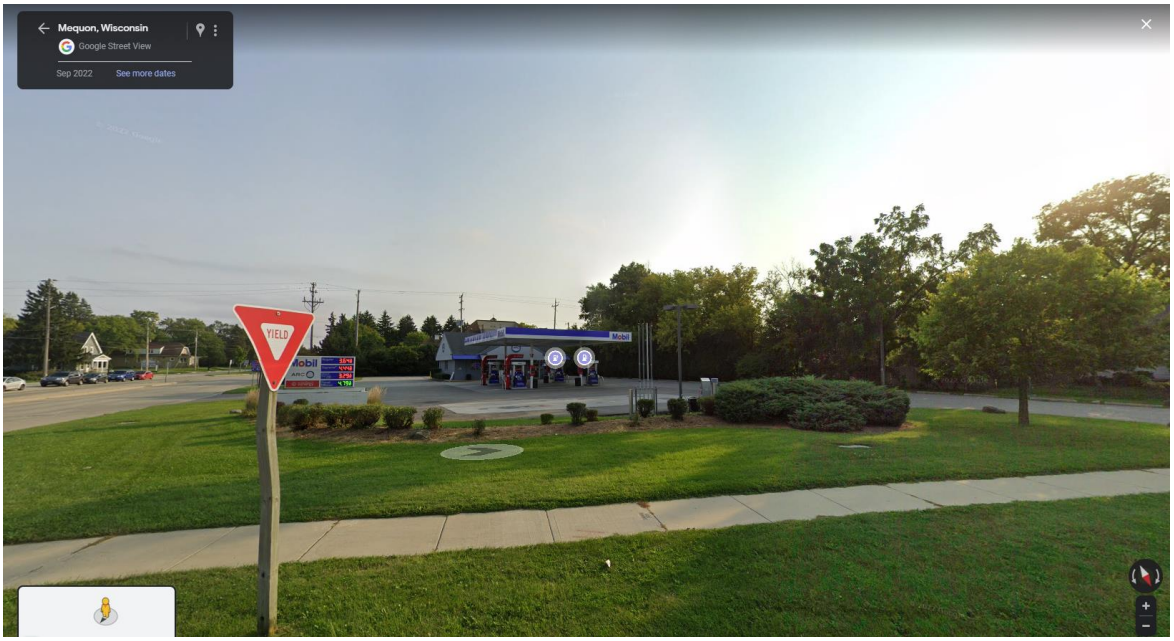


Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

Existing Landscaping (Image taken Fall of 2022)



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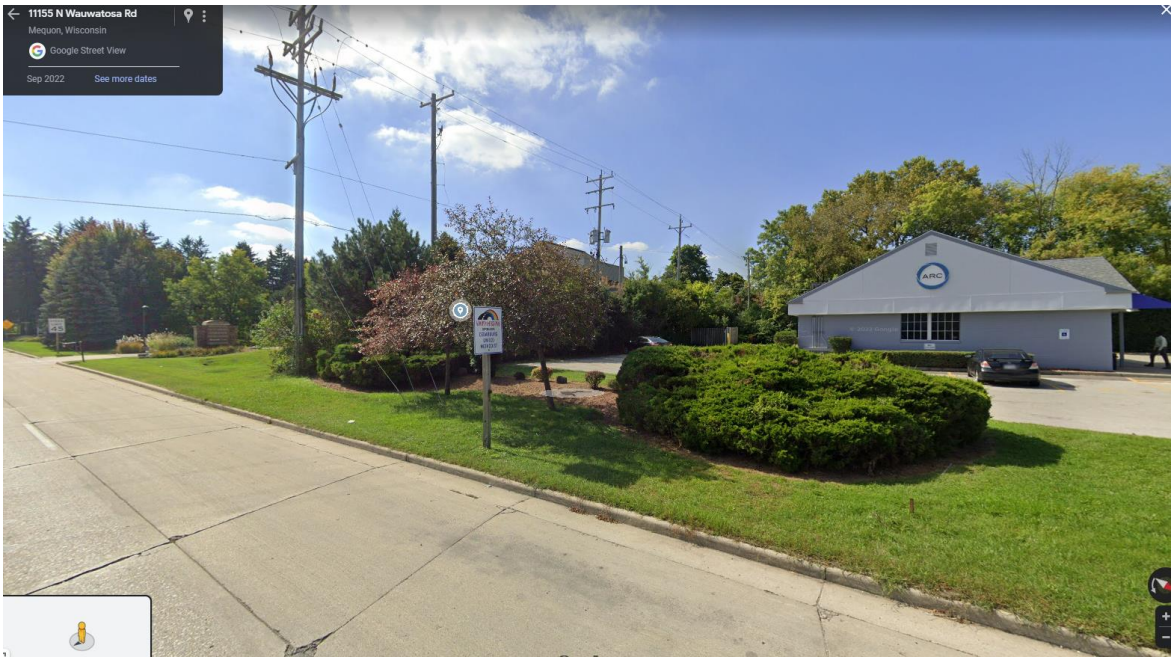
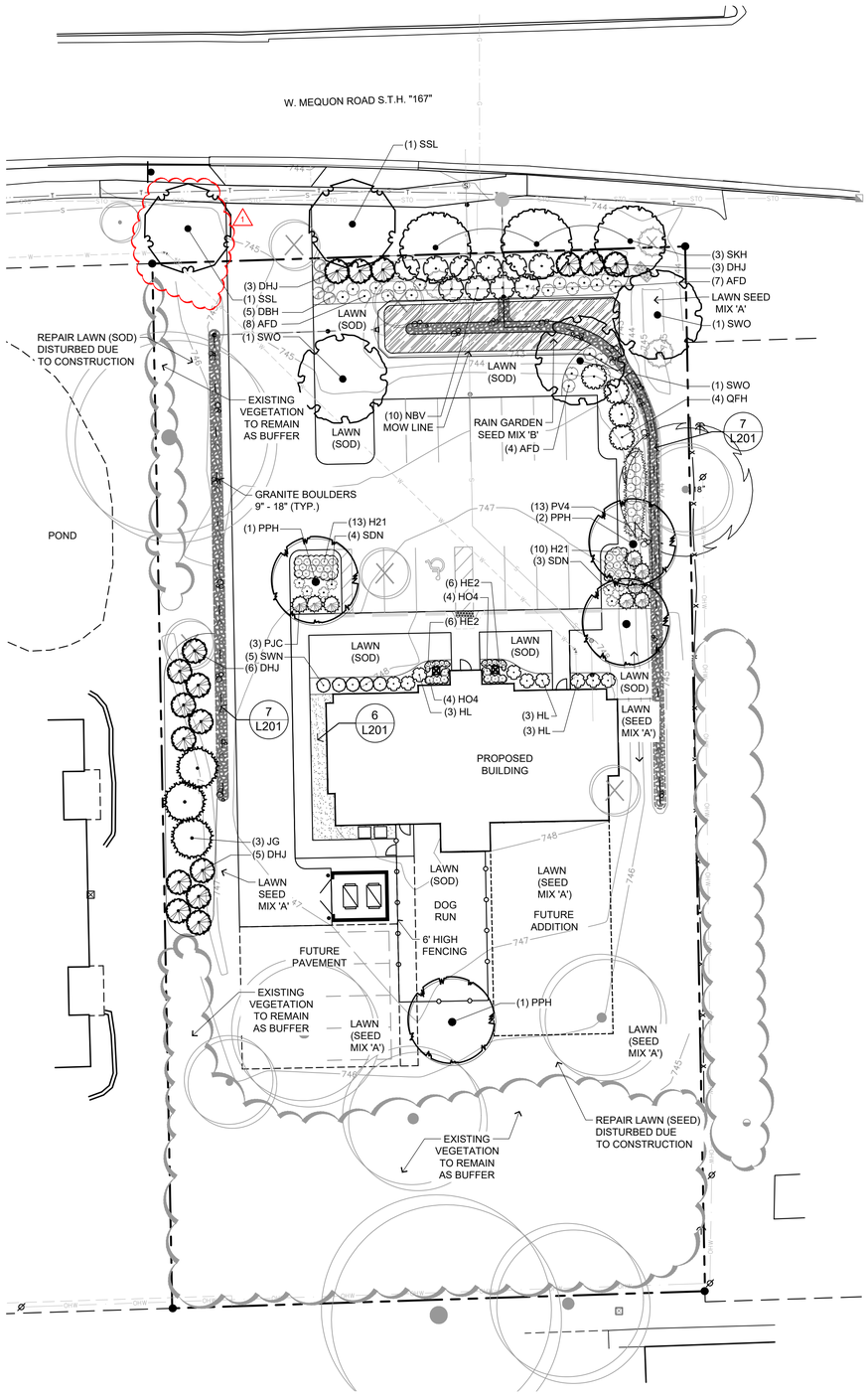


Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)



PLANT SCHEDULE

DECIDUOUS TREES	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
PPH	4	Prairie Pride Hackberry	Celtis occidentalis `Prairie Pride`	2 1/2" CAL	B&B	Full, matching heads
SKH	3	Street Keeper Honey Locust	Gleditsia triacanthos `Draves`	3" CAL	B&B	Full, matching heads
SWO	3	Swamp White Oak	Quercus bicolor	2 1/2" CAL	B&B	Full, matching heads
SSL	2	Sweet Street Linden	Tilia americana `Kromm`	3" CAL	B&B	Full, matching heads

EVERGREEN TREES	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
JG	3	Silver Juniper	Juniperus virginiana `Glauca`	7` HT	B&B	Semi-sheared, fully branched to ground
DHJ	17	Hill Dundee Juniper	Juniperus virginiana `Hillii`	7` HT	B&B	Semi-sheared, fully branched to ground

DECIDUOUS SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
AFD	19	Arctic Fire Dogwood	Cornus sericea `Farrow`	24" HT	CONT.	
SDN	7	Nikko Slender Deutzia	Deutzia gracilis `Nikko`	15" HT	CONT.	
DBH	5	Dwarf Bush Honeysuckle	DierVilla lonicera	15" HT	CONT.	
HL	9	Little Quick Fire Hydrangea	Hydrangea paniculata `Little Quick Fire`	18" HT	CONT.	
QFH	4	Quick Fire Hydrangea	Hydrangea paniculata `Quick Fire`	24" HT	CONT.	
SWN	5	Summer Wine Ninebark	Physocarpus opulifolius `Seward`	24" HT	B&B	
NBV	10	Nannyberry	Viburnum lentago	3` HT	B&B	

EVERGREEN SHRUBS	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
PJC	8	Kallay Compact Pfitzer Juniper	Juniperus chinensis `Kallays Compact`	18"SPD	CONT.	

ORNAMENTAL GRASSES	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
PV4	13	Northwind Switch Grass	Panicum virgatum `Northwind`	1 GAL	POT	30" Spacing

PERENNIALS	QTY	COMMON NAME	BOTANICAL NAME	SIZE	ROOT	REMARKS
H21	23	Stella de Oro Daylily	Hemerocallis x `Stella de Oro`	4 1/2"	POT	18" Spacing
HE2	12	Palace Purple Coral Bells	Heuchera micrantha `Palace Purple`	4 1/2"	POT	15" Spacing
HO4	8	Frances Williams Hosta	Hosta sieboldiana `Frances Williams`	4 1/2"	POT	24" Spacing

KEY

EXISTING TREE TO REMAIN

EXISTING TREE TO BE REMOVED

RAIN GARDEN SEED MIX

GRANITE BOULDERS 9" - 18"

3" - 6" GRANITE COBBLESTONE

CITY OF MEQUON ZONING CODE

Sec. 58-564. Landscaping, screening, berming and ponds

a) Street trees

1 Tree per 30 LF ROW Street frontage = 126 LF
REQUIRED: 5 Trees
PROVIDED: 5 Trees

b) Retention of existing trees
4 Existing trees to remain
9 Existing trees to be removed

c) Parking lot landscaping
Parking lots with more than 10 stalls requires 10% landscaped area
Parking lot area 4,311SF
REQUIRED: 431 SF
PROVIDED: 517 SF

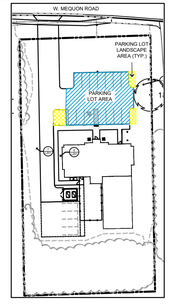
d) Parking lot shading
30% of parking lot area will be shaded within 10 yrs
Proposed and existing trees will provide required shade

e) Screening
Existing vegetation remaining will provide screening on East, West and South
Where existing vegetation is being removed along the west will be replaced with evergreen trees

Parking - 25' landscape area between ROW and parking/driveway
12' screening between parking and ROW. Area limited by retention pond
Dumpster screening provided

f) Landscape Standards 1 tree (2 1/2")and 2 shrubs for each 1000 SF area to be landscaped
Area to be landscaped (Greenspace Area 0.3350 AC.) = 14,593 SF
REQUIRED: 15 trees and 30 shrubs

PARKING LOT LANDSCAPE KEY



NORTH

0 10 20 40
GRAPHIC SCALE

811
Know what's **below.**
Call before you dig.

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DATE	DESCRIPTION
11/01/22	REV 1 – CITY REVIEW COMMENTS 1
11/28/22	REV 3 – CITY REVIEW COMMENTS 2

raSmith
CREATIVITY BEYOND ENGINEERING
16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000
rasmith.com
Brookfield, WI | Milwaukee, WI | Appleton, WI | Madison, WI
Cedarburg, WI | Naperville, IL | Irvine, CA

VETERINARY CLINIC
CITY OF MEQUON, WI

PROPOSED LANDSCAPE PLAN

WISCONSIN NANCY A. MAHLKUCH 1117 WALKERTOWN LANDSCAPE ARCHITECT

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R.A. Smith, Inc.

DATE: 11/15/22
SCALE: 1" = 20'
JOB NO. 3220037
PROJECT MANAGER: CHRIS HITCH, P.E.
DESIGNED BY: NJW
CHECKED BY: CDH

SHEET NUMBER
L100

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Neil, Inc. for Roettgers Company)

Public Feedback

From: mike plambeck <michaelplam@yahoo.com>
Sent: Tuesday, February 21, 2023 3:25 PM
To: Dale Mayr <DMayr@ci.mequon.wi.us>
Subject: Car wash on Wauwatosa

I would stand in opposition to this proposal. That corner is too busy for a car wash. The Port Road car wash at times requires cars waiting in line to back onto Port Road. Cars stopped on Port are then asked to move along by Mequon police. Another concern besides the congestion would be the Finial not knowing what might occupy that building. I feel that this location is not the best choice for a car wash.

thanks...mike plambeck 11316 n solar ave

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

From: Laurie Miller
To: Mark Freding
Subject: RE: Mobil proposal
Date: Wednesday, February 22, 2023 1:02:00 PM
Attachments: image001.png

Hi Mark,

Thank you for talking with me earlier today. I was able to speak with my Community Development Director and it was determined that we would be required to table the proposal due to the property not meeting the minimum parking requirements. Section 58-441 states that convenience stores require one parking space per 150 sq. ft. of gross floor area and may use gasoline pump parking as part of the required parking stalls. It is our understanding that the building has 2,000 sq. ft. of gross floor area and would be required to have a minimum of 13 stalls. It appears that the site is short one stall.

In normal circumstances, this issue would not usually trigger tabling an item; however, the gas station is a nonconforming use and any expansion of a nonconforming use must meet Section 58-64 which requires all building height, yard, coverage, off-street parking and other requirements for the zoning district to be adhered to.

On the bright side, this pause will give your team an opportunity to make the property owner's suggested changes and address staff's concerns and recommendations prior to the Commissioners review. These include the following:

Site Plan

- Removal of the concrete car stops and installation of curbing along the periphery of the parking lot.
- Addition of one parking space.
- No parking space has been indicated for the vacuum.
- How will the car wash queuing line location be established? Through striping? Please note on plans.
- A bollard is being proposed to protect the kiosk from being struck by vehicles; however, staff is concerned about the appearance of the kiosk area and the bollard. Staff recommends that the kiosk area be shown in a rendering and that curbing and a concrete or landscape island be installed here to better protect the kiosk.
- How will the location of the queue lane impact trash pickup?
- Where are deliveries occurring? If they need access to the rear of the building, will delivery trucks be able to make the turn around the building without hitting the car wash or its kiosk? Staff is recommending that a turning radius analysis for vehicles traveling behind the existing store and in the car wash queue. The evaluation should be submitted on a plan sheet using an analysis such as AutoTURN or similar.
- We are missing the calculation in the change of impervious surface.
- There are some dead and overgrown trees along the periphery of the property. How will

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

this be addressed?

Building

- Staff is recommending two windows be installed on both the north and south elevation. The south elevation faces a very attractive commercial building. The south elevation of the car wash will likely be visible to the property to the south and northbound Wauwatosa Road drivers.
- No description of the west doorway was provided.
- Staff recommends that the car wash overhead doors incorporate windows.

Please let me know if you have any questions. I would be happy to sit down with your team to review the project prior to submitting for a future planning commission meeting.

Laurie Miller
Planner
City of Mequon
11333 N. Cedarburg Rd. | Mequon, WI 53092
262-236-2908 | lmiller@ci.mequon.wi.us
City Website

From: Mark Freding <mfreding@geraldnell.com>
Sent: Wednesday, February 22, 2023 11:15 AM
To: David Peterson <dpeterson@geraldnell.com>; Laurie Miller <lmiller@ci.mequon.wi.us>; mroettgers@arch-rci.com
Subject: RE: Mobil proposal

Setbacks are added.

Laurie: a few weeks ago I offered to reprint the colored rendering after I made a few small improvements. You have the pdf showing the changes. Would you like the reprints or should we just bring the update to the meeting?

Thanks,
Mark

From: David Peterson <dpeterson@geraldnell.com>
Sent: Tuesday, February 21, 2023 4:06 PM
To: Laurie Miller <lmiller@ci.mequon.wi.us>; mroettgers@arch-rci.com
Cc: Mark Freding <mfreding@geraldnell.com>
Subject: RE: Mobil proposal

Attachment: Packet Docs_Mobile_03.20.23 (8270 : Gerald Nell, Inc. for Roettgers Company)

11333 N. Cedarburg Rd
Mequon, WI 53092-1930
Phone: 262-236-2902
Fax: 262-242-9655
www.ci.mequon.wi.us
Department of Community Development

TO: **Planning Commission**

FROM: **LAURIE MILLER, PLANNER**

DATE: **March 20, 2023**

SUBJECT: **Arch Solar C&I for Harry and Rose Samson Family Jewish Community Center. The applicant is seeking minor request approval to allow for rooftop solar panels for the property located at 10813 N. Port Washington Road (Gan Ami Preschool).**

Applicant:	Arch Solar C&I
Status of Applicant:	Agent
Requested:	Minor Request
Existing Zoning:	IPS (Institutional and Public Service)
Land Use Plan:	Business Park
Lot size:	1.33 Acres
Location:	10813 N. Port Washington Road
Tax Key Number:	#15-017-10-018.00
District:	#6

Background: The applicant is requesting building and site plan approval for roof top solar panels on the existing Gan Ami Early Childhood Education Center at 10813 N. Port Washington Road. The solar panels will supply approximately 50 percent of the center's annual energy needs.

Wisconsin State Statute 66.401 limits local restrictions on solar developments. Restrictions are only allowed in situations that:

1) Preserve or protect the public health and safety;
2) Do not significantly increase the cost of the system or significantly decrease its efficiency; or,
3) Allow for an alternative system of comparable cost and efficiency.

Building Plan:
The plan proposes the installation of 64 solar panels, covering approximately 1,300 sq. ft. of the roof line. Forty-eight solar panels will be mounted on south facing rooflines and 16 solar panels will be mounted on the east facing roof line. The south facing solar panels would not be visible from Port Washington Road, primarily due to the significant amount of tree coverage located on the Cedarhurst Senior Living Community property. The solar panels on the east facing roof line will be visible from Port Washington Road.

Site Compliance:
Staff identified a portion of the parking lot has been placed approximately 20 feet over the property line and does not meet the 20 feet required setback (Please see attached aerial map of

the property). Staff recommends as a condition of approval that this portion of parking lot be removed, landscaping be restored, and curbing be installed to make a continuous curb line along the drive lane by June 1, 2024.

In addition, staff has noted that the site does not meet Section 58-564 landscaping requirements including street trees, parking lot shading, and landscaping between public roads and parking lots. In staff's opinion, at a minimum street trees and landscaping to screen the parking lot from the public street should be installed by November 1, 2023. In the future, as changes are considered to the site or parking lot, staff will recommend upgrades to the remainder of the parking lot. Staff recommends submission of a landscaping plan that meets current code by July 1, 2023, and approved landscaping installed by November 1, 2023 as a condition of approval.

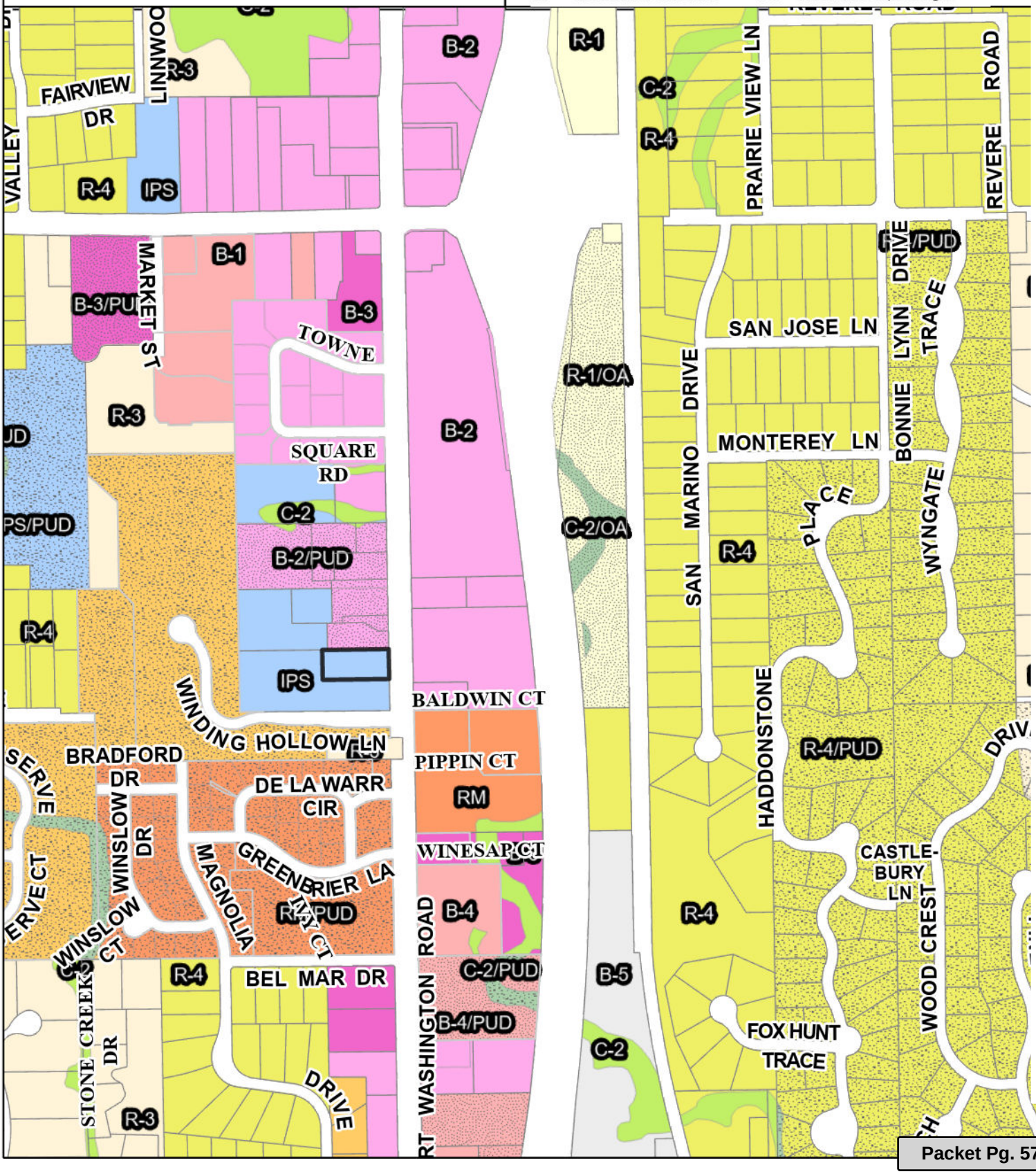
Staff Recommendation:
Planning staff recommends **approval** of the building plan based on the following condition(s):

. Staff review and approval of final plans prior to issuance of building and electrical permits. The applicant shall submit such plan within 180 days of Planning Commission action or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.
. That the portion of the parking lot that exceeds the 20 ft setback requirement shall be removed, landscaping restored, and curbing installed to make a continuous curb line along the drive lane by June 1, 2024.
. That an updated landscaping plan that meets current code shall be submitted to the Department of Community Development for approval by July 1, 2023, and approved landscaping installed by November 1, 2023.

Attachments:
Map (PDF)
Packet Docs_GanAmi_03.20.23 (PDF)

ARCH SOLAR FOR GAN AMI - MINOR REQUEST

AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family Residential (5 Ac. Min.)
B-4	Business Park	R-1B	Single-Family Residential (2.5 Ac. Min.)
B-5	Light Industrial	R-2	Single-Family Residential (2 Ac. Min.)
B-6	Rural Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-7	Rural Business	R-3	Single-Family Residential (1 Ac. Min.)
C-1	Shoreland/Wetland Conservancy	R-4	Single-Family Residential (3/4 Ac. Min.)
C-2	General Conservancy	R-5	Single-Family Residential (1/2 Ac. Min.)
CGO	Central Growth Overlay	R-6	Single-Family Residential (4 DU/Ac.)
FFO	Flood Fringe Overlay	RM	Multi-Family Residential
FW	Floodway	TC	Town Center
IPS	Institutional & Public Service	TDR	Transfer of Development Rights



Attachment: Map (8271 : Arch Solar C&I for Harry and Rose Samson Family Jewish Communicty Center)

Array #:	4	Array Pitch:	26.5°	Azimuth:	91 & 181°	Modules:	64	Array Sqft	1,335

Equipment Location:

Unfused & fused disconnects, PV combiner, and PV inverters 1&2 will be located in the garbage area.

Solar system will be located on the pitched roof sections facing south and east sections using Ironridge racking.

ARCH SOLAR
THE ENERGY EXPERTS

1237 Pilgrim Road
Plymouth WI, 53073

Phone: (920) 893-8388
www.archelec.com

Jewish Community Center
28.8kWdc

Customer: Gan Ami (JCC)
Address: 10813 N Port Washington Rd
City: Mequon
State: WI
Zip Code: 53092
Contact: Jess Vroman
Phone: 414-967-8170
Email: jvroman@jccmilwaukee.org

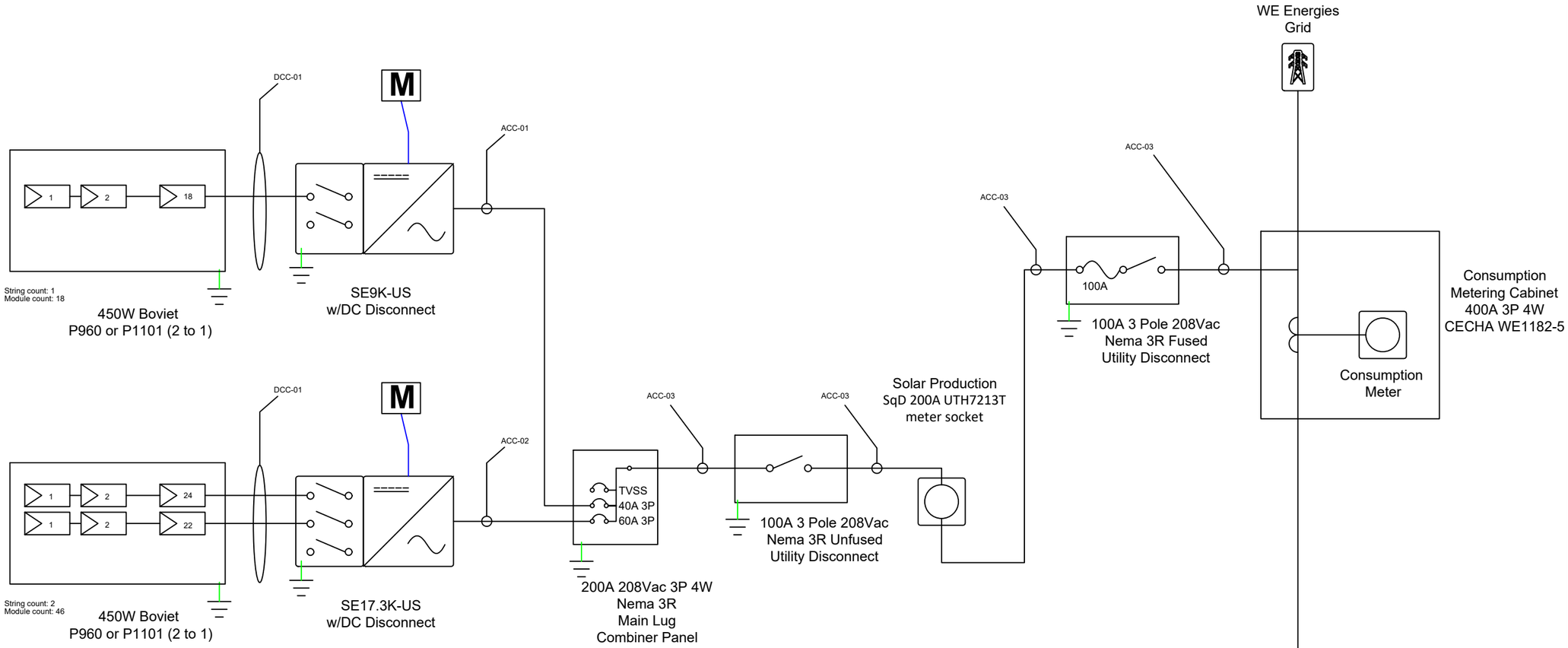
Project Number:	System Size:
22C.040	26.3kWac

Designer: 920.838.0487
Justin Van Camp

Site Plan

Revision: 1 Date: 01.09.23

Attachment: Packet Docs_GanAmi_03.20.23 (8271 : Arch Solar C&I for Harry and Rose Samson Family Jewish Communicty Center)



Conductor Schedule									Conduit Schedule	
ID	Sets	Phase Quantity	Color & Size	Insulation	Material	Voltage Drop	Neutral	Ground	Size	Type
DCC-01	3	2	BR #10 AWG	PV Wire	Cu	2.21 % (200')	-	#6 THWN Cu	Up to Electrician	EMT
ACC-01	1	3	BRB #8 AWG	THWN	Cu	0.05 % (10')	#6 Cu THWN White	#6 Cu THWN	1"	EMT
ACC-02	1	3	BRB #6 AWG	THWN	Cu	0.05 % (10')	#6 Cu THWN White	#6 Cu THWN	1"	EMT
ACC-03	1	3	BRB #3 AWG	THWN	Cu	0.05 % (10')	#6 Cu THWN White	#6 Cu THWN	1.25"	EMT

Module Specifications	
Boviet Solar BVM6612M(S)-HC-BF 450W (Qty: 64)	
STC Rating	450 W
Vmp	40.69 V
Imp	11.06 A
Voc	49.05 V
Isc	11.60 A

Array Specifications				
1 Strings of 18 Mods / 1 Strings of 22 Mods / 2 Strings 24 Mods				
Max DC Power Rating	8.1kW	9.9kW	10.8kW	28.8 kWdc Total
Nominal DC Voltage	400V	400V	400V	
Operating DC Current	20.25A	24.75A	27.0A	
Max DC System Voltage	500V	600V	600V	
DC Short Circuit Current / String	11.60A			

Inverter Specifications			
SolarEdge SE17.3k-US (Qty 1) / SE9k-US (Qty 1)			
Max AC Power Rating	17.3 kW	9 kW	26.3 kW
Max DC Input Voltage	600 V	500 V	
Max DC Input Current	48.25 A	26.5 A	
AC Operating Voltage	208 V	208 V	
Max AC Operating Current	48.25 A	25 A	73.25 A

ARCH SOLAR
THE ENERGY EXPERTS

1237 Pilgrim Road
Plymouth WI, 53073

Phone: (920) 893-8388
www.archelec.com

Jewish Community Center
28.8kWdc

Customer: Gan Ami (JCC)
Address: 10813 N Port Washington Rd
City: Mequon
State: WI
Zip Code: 53092
Contact: Jess Vroman
Phone: 414-967-8170
Email: jvroman@jccmilwaukee.org

Project Number: 22C.040
System Size: 26.3kWac
Designer: Justin Van Camp
920.838.0487

One Line Diagram

Revision: 1
Date: 01.09.23

Attachment: Packet Docs_GanAmi_03.20.23 (8271 : Arch Solar C&I for Harry and Rose Samson Family Jewish Communicty Center)

RIGHT ANGLE *ENGINEERING*

STRUCTURAL CERTIFICATION REPORT

Roof-mounted Solar Panels

January 19, 2023

To: Arch Solar C&I;
2302 Vondron Road
Madison, WI 53718

Re: (Gan Ami) Jewish Community Center
10813 N Port Washington Rd
Mequon, WI 53092

Arch Solar C&I; proposes to install new roof-mounted solar panels at this residence and asked *Right Angle Engineering* to review the existing structure for suitability. This letter summarizes the methods that were used to survey, evaluate, and certify the existing roof framing and the attachment of the new solar panels to it. Pictures and calculations are available on request.

STRUCTURAL DESIGN

Building Code:	International Residential Code 2018
Design Standards:	ASCE 7-16
Snow:	Ground: p_g= 30.0 psf | Flat Roof: p_f= 20.79 psf | Sloped Roof: p_s= 15.07 psf
Wind:	Ultimate Wind Speed = 115.0 mph | Exposure = C
Seismic:	Risk Category = 2 | Seismic Design Category = A | Site Class = D

STRUCTURE

Field Technicians from *Arch Solar C&I;* visited the site and observed the existing structure :

Array Name	Panel Quantity	Roof Framing	Material	Pitch
Array 1	6	Pre-Manufactured Truss | 24" o.c.	Asphalt Shingles	26°
Array 2	12	Pre-Manufactured Truss | 24" o.c.	Asphalt Shingles	26°
Array 3	16	Pre-Manufactured Truss | 24" o.c.	Asphalt Shingles	26°
Array 4	30	Pre-Manufactured Truss | 24" o.c.	Asphalt Shingles	26°

ANCHORAGE

The solar panel anchorage shall be installed according to the manufacturer's most current installation manual. Anchorage shall be staggered to distribute the load evenly to adjacent roof members. The solar panels should be mounted flush to the roof surface.

Array Name	Connection Type	Fastener	Max Anchorage Spacing
Array 1	FlashFoot2	5/16 x 4.75" (2.5" embedment) into roof substructure	72"
Array 2	FlashFoot2	5/16 x 4.75" (2.5" embedment) into roof substructure	72"
Array 3	FlashFoot2	5/16 x 4.75" (2.5" embedment) into roof substructure	72"
Array 4	FlashFoot2	5/16 x 4.75" (2.5" embedment) into roof substructure	72"

Installation Instructions

Solar panels and the equipment shall be installed per the manufacturer's installation specifications. Improper installation will void this certification. Deviations from the approved structural plans (including equipment substitutions) are not allowed without written approval from Right Angle Engineering. Prior to installation, the installer should:

Attachment: Packet Docs_GanAmi_03.20.23 (8271 : Arch Solar C&I for Harry and Rose Samson Family Jewish Communicty Center)

- Confirm that the existing structure matches the information provided in the structural survey, the approved installation plans and this certification.
- Identify discrepancies between this certification and the approved installation plans. If found, then this certification shall govern.
- Identify structural elements that are dangerous (cracked, broken, excessive sag, signs of overstress, rot,decay, fire, water). If found, installation shall cease until those elements are adequately abated and made to comply with the referenced building code.
- Provide fire setbacks and access pathways as required by local ordinances

STRUCTURAL CERTIFICATION

I certify the addition of solar panels on the roof of this structure does not cause the structure to become unsafe or make it generally less compliant with the life-safety requirements of the referenced building code. Based on the evaluation methods described below, for the loads that exist at this site, the existing framing should safely support the new solar panels if they are installed and attached correctly. Electrical design is not included in this certification.

Array Name	Certification Method	Retrofits
Array 1	Prescriptive method International Existing Building code	None required
Array 2	Prescriptive method International Existing Building code	None required
Array 3	Prescriptive method International Existing Building code	None required
Array 4	Prescriptive method International Existing Building code	None required

Regards,

01/19/2023

Robert D. Smythe, P.E.
Right Angle Engineering

Attachment: Packet Docs_GanAmi_03.20.23 (8271 : Arch Solar C&I for Harry and Rose Samson Family Jewish Communicty Center)

Gan Ami Aerial Map

3/16/2023, 12:31:51 PM

1:1,128

0 0.01 0.01 0.02 mi

0 0.01 0.02 0.04 km

Parcels
- Road Reservation
- Road Right-of-Way
- Condominium
- Gap
- Overlap
- Tax Parcel
- Historical Parcel Lines

Local Roads
- Private Road
- Town/Public Road

Highways
- US Highway
- State Highway
- County Road
- Ramp
- Railroad Centerline

Attachment: Packet Docs_GanAmi_03.20.23 (8271 : Arch Solar C&I for Harry and Rose Samson Family Jewish Communicty Center)

Milwaukee County GIS & Land Information | Source: SOURCE, Esri

11333 N. Cedarburg Rd
Mequon, WI 53092-1930
Phone: 262-236-2902
Fax: 262-242-9655

www.ci.mequon.wi.us **Department of Community Development**

TO: **Planning Commission**

FROM: **JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT**

DATE: **March 20, 2023**

SUBJECT: **Eastbrook Drive, LLC. The applicant is seeking development agreement and building and site plan approval to allow for 10 side-by-side condominiums for the property located immediately west 11649 N. Port Washington Road.**

Applicant:	Rory Oppenheimer
Status of Applicant:	Agent
Requested:	Rezoning Recommendation
Existing Zoning:	R-6 (Suburban Residential Attached) B-3 (Office and Service) PUD (Planned Unit Development) LTD (Limited Use Overlay)
Existing Land Use Plan:	Residential Plex Office
Lot size:	2.8 Acres
Location:	Immediately west of 11649 N. Port Washington Road
Tax Key Number:	#15-019-04-012.00
District:	#5

Background:
The applicant is seeking development agreement and building and site plan approval for the property located immediately west of 11649 N Port Washington Road. The overall development contains two multi-tenant commercial buildings as part of Phase I and Phase II of the Lexington Square Office development and Phase III which was approved for 10 plex units in 2022 (see attached Ord. 95-857A, 2018-1518 and 2022-1636).

Site Plan
The site plan shows a total of five buildings with two units in each building on the 2.82-acre lot. The proposed plan is consistent with the approved concept plan and meets the density requirement of the R-6 District, which allows up to four units per acre. The plan complies with all setback and offset requirements dictated in the R-6 zoning district and the approved PUD. The plan shows one access on the north end of the parcel off Eastbrook Drive for Buildings 1 and 2 due to the proximity of the Aster Woods Circle intersection. The sharded driveway for Buildings 3-5 is located on the south end of the parcel off West Eastbrook Drive.

Building Concept Plans:
The applicant has made several changes to the concept plan based on feedback from staff and Planning Commission members including the two architects. The original design (see original rendering) was critiqued for being too dark and having the shed rooflines. The second alternative

(option 2) reflected changes based on these comments. There were concerns expressed at the Common Council about the garages being adjacent to each other and proposed roof lines. The concern was the lack of compatibility with the neighboring Aster Woods and Eastbrook (see pictures) developments. The third option (option 3) reflects these changes. While staff is appreciative of the efforts by the developer to modify the design based on all the feedback, we are concerned that the current design is a step backward from previous designs. Staff believes the space constraints, due to setbacks and easements, of the site make it difficult to incorporate design features of Aster Woods and Eastbrook into the proposed concept plan. As a comparison, Eastbrook and Aster Woods are approximately 90 feet in width while the current design is approximately 70 feet in width. Staff will defer to the Commission on the proposed design options. As a reminder, all plex buildings require Architectural Review Board approval of the final design.

Landscaping Plan:
The landscaping plan includes on site trees and shrubs and foundation plantings. The plan does not address the street frontage along Eastbrook Drive on both the north and south side of the development. The north side of the development shows the removal trees along the Eastbrook Drive to construct the project. Staff will require the installation of street trees in the right of way at 30 feet on center as a condition of approval. There are existing street trees on the south end of the development that were installed as part of a previous phase. Two of the trees have died and were removed and have not been replaced. Staff will require the installation of two new trees to replace the ones that were removed.

Development Agreement:
Please see attached draft development agreement for the project authored by Planning and Engineering staff to address the necessary improvements for the development. The development agreement provides the opportunity to construct one model dwelling (two units) prior to final condominium plat approval with the understanding that the units can't be sold, or title transferred until the associated plat is recorded.

Engineering Report:
Cole McCraw, Assistant City Engineer, has reviewed the application and has the following comments:

Access and other plan comments will be addressed in detail with civil plan review by the engineering division. The alignment of the north driveway is east of the median opening of Aster Wood Circle. The Engineering Division requires a shared access location for the north building that is as far east as practical to avoid the conflict with Aster Woods Circle. The south access point as shown conflicts with the median on West Eastbrook Circle. The proposed drive shall be moved south of the existing Eastbrook Drive median approximately 30 feet south of where it is currently shown on the submitted plans.

No wetlands are indicated on site per the WDNR Surface Water Data Viewer.

The site is located within the City's sewer service area and connection to the public sewer utility is required. Water connection and extension shall conform to the Mequon Water Utility Water Connection Policy.

The site proposes an increase in impervious surface in excess of one-half acre and therefore requires a stormwater management plan (SWMP).

All proposed easement documents for the property and adjacent property must be submitted to the City and are subject to review and approval by the City Attorney.

The site proposes land disturbance in excess of one acre, therefore a City erosion control permit is required. Evidence of the WDNR required WRAPP permit shall also be provided for the site.

Retaining walls in excess of 3 feet in height require retaining wall design and certification by a State of Wisconsin Professional Structural Engineer.

A City Filling, Excavation, and Berms permit, and erosion control permit will be required prior to construction. If the proposed quantity of filling and excavation exceeds 1,000 cubic yards, a minor request should be made at Planning Commission for approval.

Planning staff recommends **approval** of the building and site plan and development agreement based on the following conditions:

1. Common Council action on the Development Agreement.
2. The landscape plan shall be updated to include street trees along Eastbrook Drive on the north and south end of the development.
3. Final Condominium Plat approval by Planning Commission and Common Council.
4. Planning Commission approval of concept plan.
5. Final building plans shall be reviewed and approved by Architectural Review Board.
6. A total of five buildings (2 units per building) are permitted.
7. There shall be no less than 15 feet separation between buildings.
8. All conditions of Ord. 95-257A and 2018-1518 that are not being impacted by the current proposal shall remain in effect.
9. Architectural design of residential buildings shall comply with the Architectural Review Board's "Guidelines for Residential Structures".
10. Any substantial change to the general concept plans illustrated in the attached exhibits shall require the review and approval of the Planning Commission.
11. Engineering Division review and approval of access, grading, drainage, sanitary sewer, watermain, and erosion control plans in conformance to City ordinances and the Standard Specifications for Land Development.
12. Inclusion of a shared access location for the north building that is as far east as practical to avoid the conflict with Aster Woods Circle.
13. The south access point shall be moved south of the existing Eastbrook Drive median approximately 30 feet south of where it is currently shown on the submitted plans.
14. Water connection and extension must conform to the Mequon Water Utility Water Connection Policy.
15. Approval of a storm water management plan for the site in conformance to City ordinances, WDNR and MMSD Chapter 13, including execution of a Storm Water Facilities Maintenance and Easement Agreement.
16. The City Engineer will require in accordance with City ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow / letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the

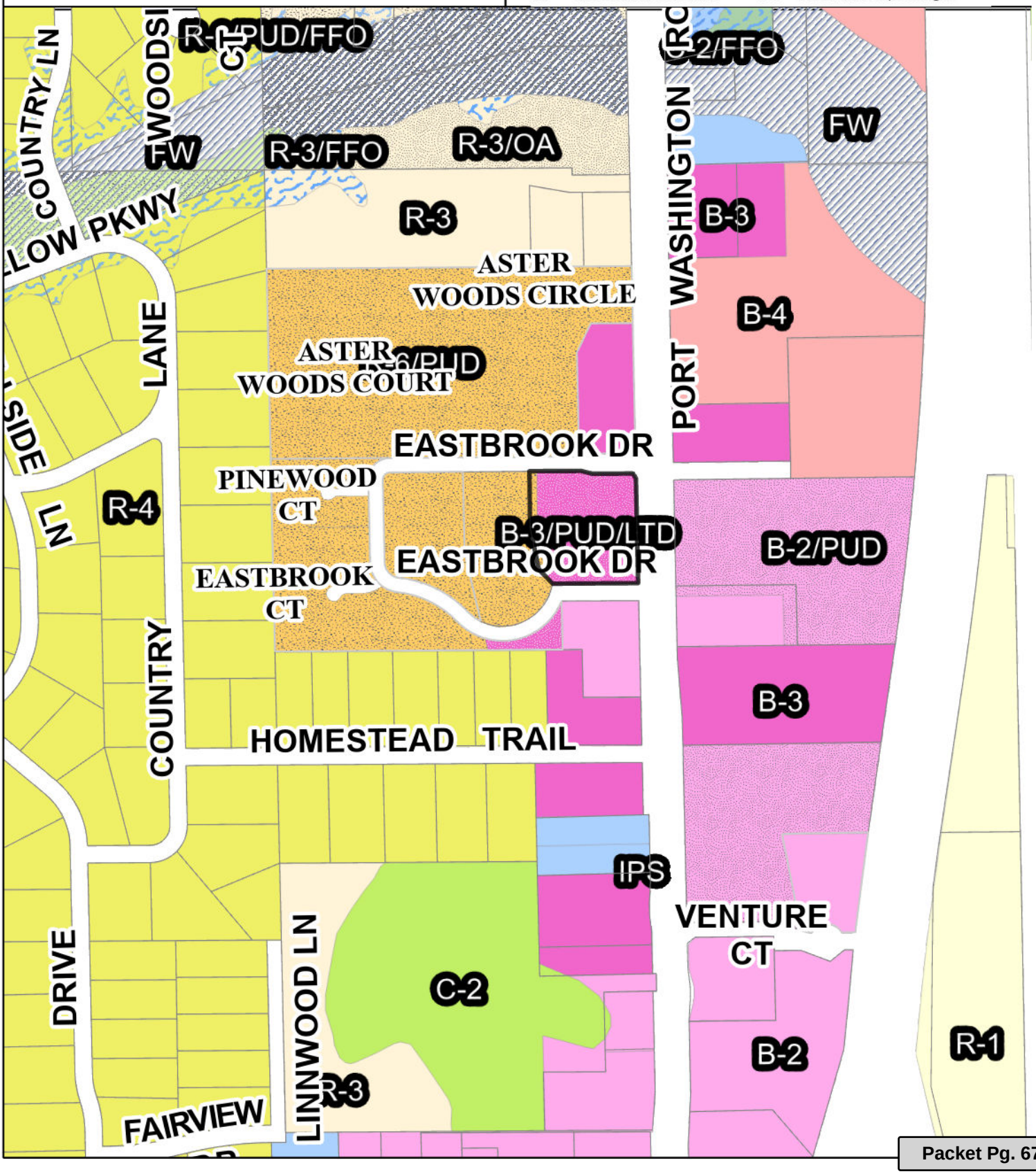
storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).

17. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit, if applicable.
18. Application for and approval of a City Filling and Excavation Permit, if applicable.

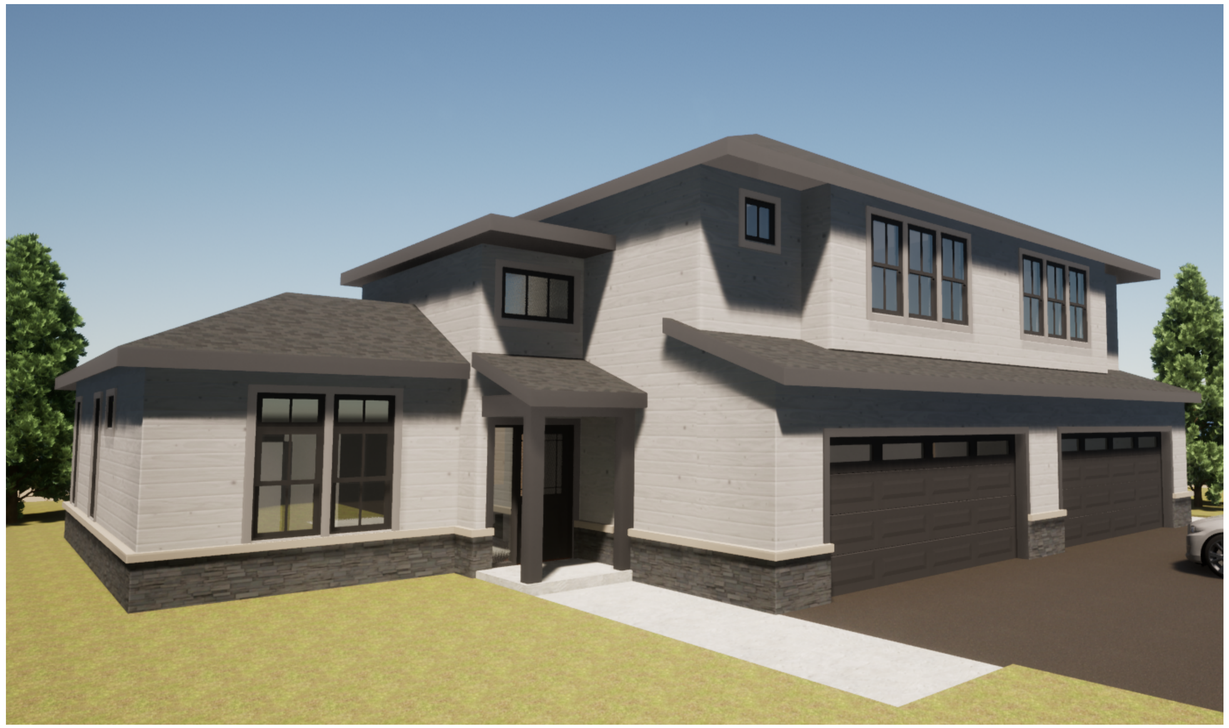
Attachments:
Packet Docs_Eastbrook_03.20.23 (PDF)

EASTBROOK DRIVE, LLC - DEVELOPMENT AGREEMENT

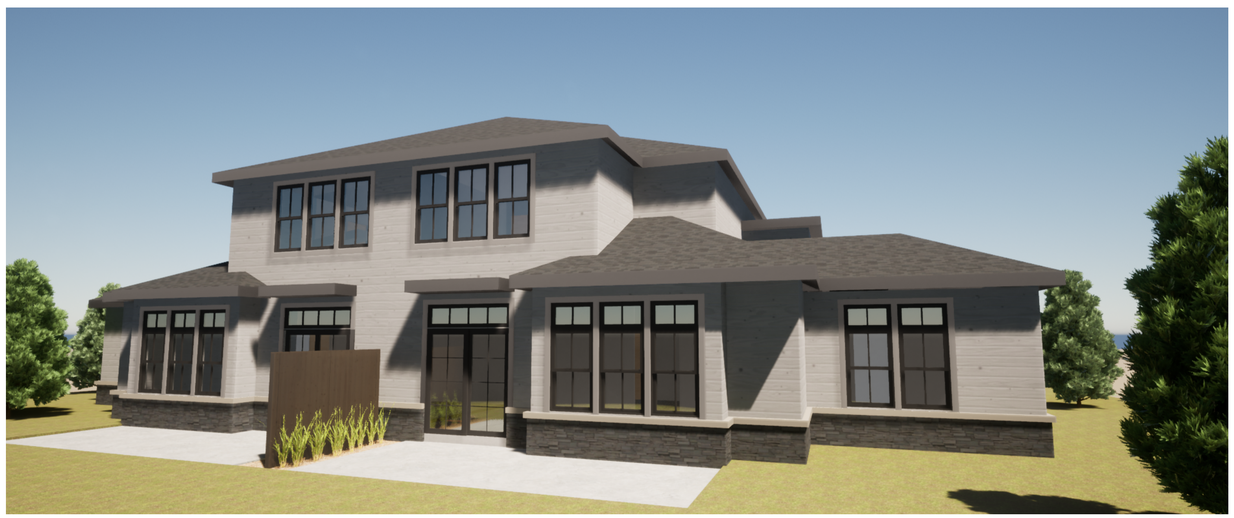
AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family Residential (5 Ac. Min.)
B-4	Business Park	R-1B	Single-Family Residential (2.5 Ac. Min.)
B-5	Light Industrial	R-2	Single-Family Residential (2 Ac. Min.)
B-6	Rural Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-7	Rural Business	R-3	Single-Family Residential (1 Ac. Min.)
C-1	Shoreland/Wetland Conservancy	R-4	Single-Family Residential (3/4 Ac. Min.)
C-2	General Conservancy	R-5	Single-Family Residential (1/2 Ac. Min.)
CGO	Central Growth Overlay	R-6	Single-Family Residential (4 DU/Ac.)
FFO	Flood Fringe Overlay	RM	Multi-Family Residential
FW	Floodway	TC	Town Center
IPS	Institutional & Public Service	TDR	Transfer of Development Rights



Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)



2 G100 FRONT VIEW
SCALE: 1:1.13



3 G100 REAR VIEW
SCALE: 1:1.56

MEQUON DUPLEXES

11649 NORTH PORT WASHINGTON ROAD
MEQUON WI

SHEET INDEX

ID	NAME
G100	COVER SHEET, RENDERINGS
C100	SITE PLAN
C101	GRADING PLAN

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6404 West North Avenue
Milwaukee, Wisconsin 53213
(414) 291-0772 phone
www.galbraithcarnahan.com

CONSULTANTS:

MEQUON DUPLEXES
11649 NORTH PORT WASHINGTON ROAD MEQUON WI

DRAWING ISSUE | DATE
ZONING CHANGE SUBMITTAL | 10-10-22

PROJECT # 22.12

COVER SHEET, RENDERINGS

G100

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Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

Option 2

1 G102 PRAIRIE CLAY - COLOR SCHEME 2

2 G102 SUMMIT BLUE - COLOR SCHEME 3

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DRAWING ISSUE	DATE
PLAN COMMISSION	1-23-23

PROJECT # 22.12

ALTERNATE COLOR SCHEMES

G102

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Option 2

1 G101 QUARY GRAY - COLOR SCHEME 1
SCALE: 1:1.11

3 G101 QUARY GRAY - COLOR SCHEME 1
SCALE: 1:1.11

2 G101 QUARY GRAY - COLOR SCHEME 1
SCALE: 1:1.11

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DRAWING ISSUE	DATE
PLAN COMMISSION	1-23-23

PROJECT # 22.12

PRAIRIE CLAY
COLOR SCHEME

G101

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Option 3
Gable Roof / Separated Garage

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

Eastbrook

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

Aster Woods

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

2 G100 FRONT PERSPECTIVE

1 G100 REAR PERSPECTIVE

ROOF LINE OPTION 1

PLAN COMMISSION SUBMITTAL

MEQUON DUPLEXES

11649 NORTH PORT WASHINGTON ROAD
MEQUON WI

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G101	ROOF LINE OPTION 2
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A102	SECOND FLOOR PLAN
A102	ROOF PLAN
A103	GARAGE PLAN
A200	ELEVATIONS
A201	ELEVATIONS
A202	GARAGE ELEVATIONS
A300	SECTIONS

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DRAWING ISSUE — DATE
PRELIMINARY — 2-28-23

PROJECT # 22.12

COVER SHEET, ROOF LINE OPTION 1

G100

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1 G101 FRONT PERSPECTIVE

2 G101 REAL PERSPECTIVE

ROOF LINE OPTION 2

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DRAWING ISSUE	DATE
PRELIMINARY	2-28-23

PROJECT # 22.12

ROOF LINE OPTION 2

G101

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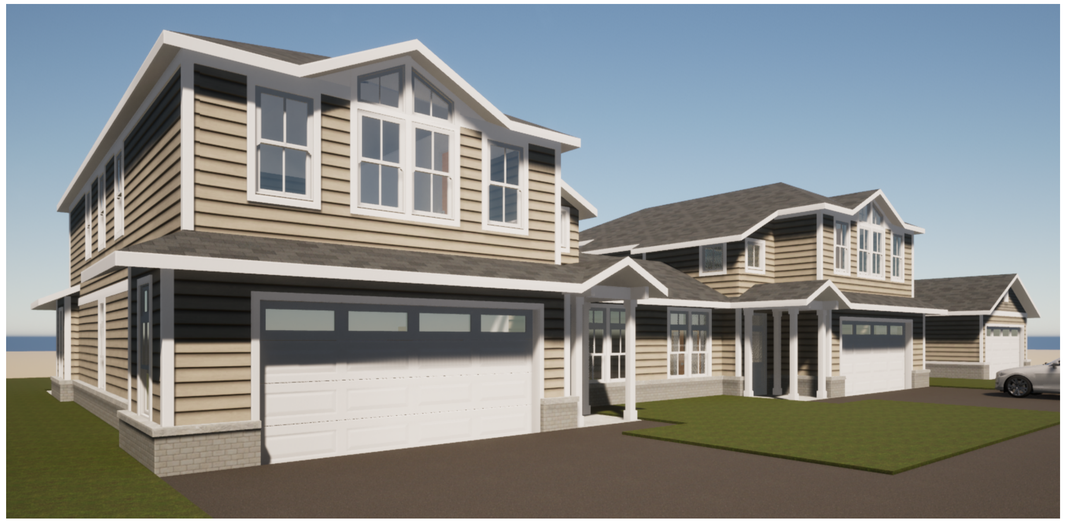
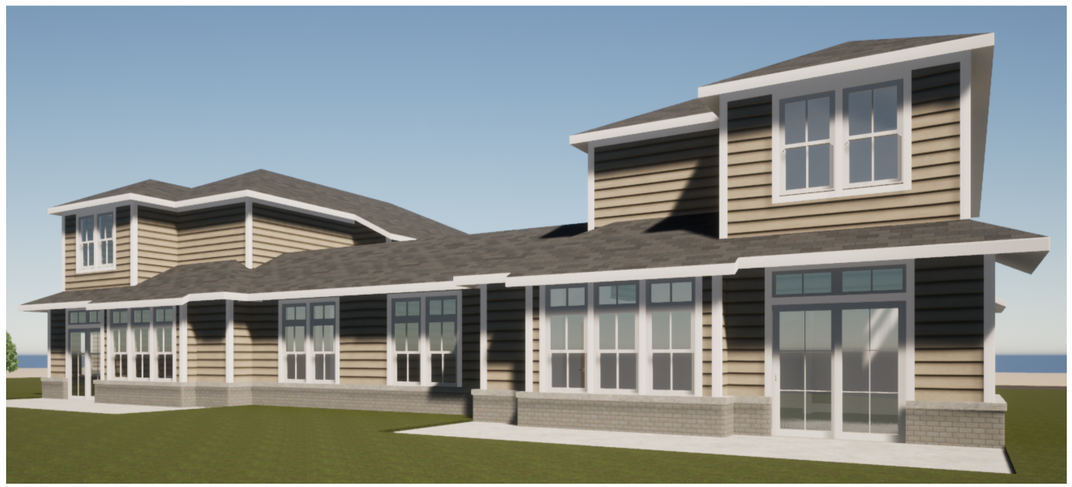
3 G102 FRONT PERSPECTIVE - OPTION 1 W/ BRICK



1 G102 FRONT PERSPECTIVE - OPTION 2 W/ BRICK

4 G102 FRONT PERSPECTIVE - OPTION 1 W/ BRICK



2 G102 REAR PERSPECTIVE - OPTION 2 W/ BRICK

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MEQUON DUPLEXES

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DRAWING ISSUE	DATE
PRELIMINARY	2-28-23

PROJECT # 22.12

BRICK OPTIONS

G102

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LEGEND OF SYMBOLS & ABBREVIATIONS

- SANITARY MANHOLE
- STORM MANHOLE
- STORM INLET
- CLEANOUT
- CATCH BASIN
- LATERAL
- UNKNOWN MANHOLE
- WELL
- HYDRANT
- WATER VALVE
- DOWN SPOUT
- SPRINKLER VALVE
- WATER SHUT OFF
- STANDPIPE
- WATER MANHOLE
- FLOOD LIGHT
- LIGHT POLE
- TRAFFIC SIGNAL
- UTILITY POLE
- GUY WIRE
- SIGN
- MAIL BOX
- FLAG POLE
- BASKETBALL HOOP
- BOLLARD
- CROSS CUT
- IRON PIPE
- IRON REBAR/ROD
- MAG NAIL
- SECTION MONUMENT
- BENCH MARK
- CONIFER TREE
- DECIDUOUS TREE
- BUSH
- WETLAND SYMBOL
- FIBER OPTIC MARKER
- FIBER OPTIC MANHOLE
- TELEPHONE PEDESTAL
- TELEPHONE MANHOLE
- TELEPHONE MARKER
- TRANSFORMER
- ELECTRIC METER
- ELECTRIC MANHOLE
- CABLE TV RISER/BOX
- CABLE TV MANHOLE
- GAS VALVE
- GAS METER
- GAS MARKER
- AIR CONDITIONING UNIT
- VENT
- DIRECTIONAL ARROW
- DUMPSTER
- HANDICAP STALL
- SPOT ELEVATION

CL.	=CENTERLINE
CONC.	=CONCRETE
EL.	=ELEVATION
INV.	=INVERT
MON.	=MONUMENT
P.O.B.	=POINT OF BEGINNING
P.O.C.	=POINT OF COMMENCEMENT
R.O.W	=RIGHT OF WAY
SEC.	=SECTION
SQ. FT.	=SQUARE FEET
W/	=WITH
(R)	=RECORDED AS

- SANITARY SEWER
- STORM SEWER
- WATER MAIN
- FIBER OPTIC LINE
- TELEPHONE LINE
- ELECTRIC LINE
- OVERHEAD WIRES
- CABLE TELEVISION
- GAS MAIN
- WETLANDS
- TREE LINE
- NO ACCESS

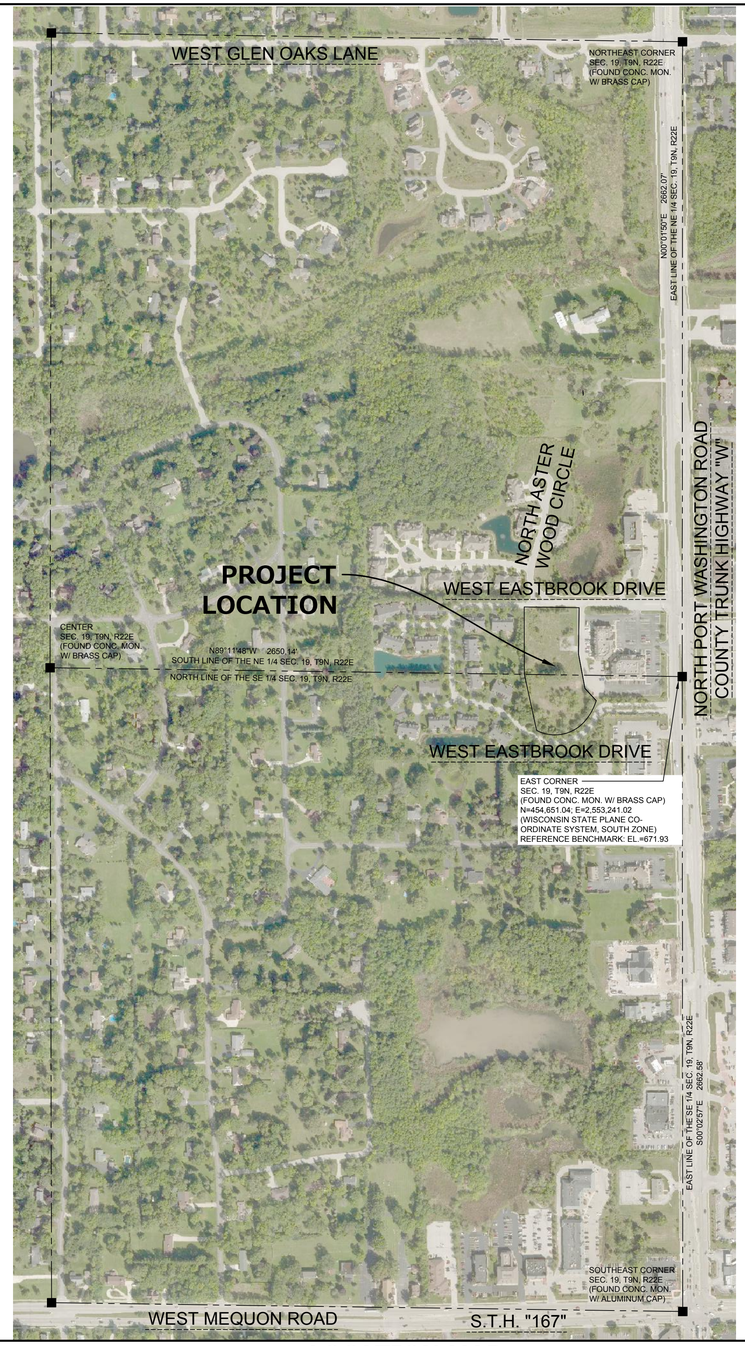
ENGINEERING IMPROVEMENT PLANS
FOR
EASTBROOK PLACE
CITY OF MEQUON, WI
PLANS PREPARED FOR
EASTBROOK DRIVE, LLC
ATTN: RORY OPPENHEIMER
1010 E. LAYTON AVE
MILWAUKEE, WI 53207
PHONE: 414-788-2002

GENERAL NOTES

1. *THE INTENTION OF THE PLANS AND SPECIFICATIONS IS TO SET FORTH PERFORMANCE AND CONSTRUCTION MATERIAL STANDARDS FOR THE PROPER EXECUTION OF WORK. ALL WORKS CONTAINED WITHIN THE PLANS AND SPECIFICATIONS SHALL BE COMPLETED IN ACCORDANCE WITH ALL REQUIREMENTS FROM LOCAL, STATE, FEDERAL OR OTHER GOVERNING AGENCY'S LAWS, REGULATIONS, JURISDICTIONAL ORDINANCES/CODES/RULES/ETC., AND THE OWNER'S DIRECTION.*
2. *THE CONTRACTOR IS RESPONSIBLE TO REVIEW AND UNDERSTAND ALL COMPONENTS OF THE PLANS AND SPECIFICATIONS, INCLUDING FIELD VERIFYING SOIL CONDITIONS, PRIOR TO SUBMISSION OF A BID PROPOSAL.*
3. *THE CONTRACTOR SHALL PROMPTLY REPORT ANY ERRORS OR AMBIGUITIES LEARNED AS PART OF THEIR REVIEW OF PLANS, SPECIFICATIONS, REPORTS AND FIELD INVESTIGATIONS.*
4. *THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE COMPUTATION OF QUANTITIES AND WORK REQUIRED TO COMPLETE THIS PROJECT. THE CONTRACTOR'S BID SHALL BE BASED ON ITS OWN COMPUTATIONS AND IN NO SUCH INSTANCE RELY ON THE ENGINEER'S ESTIMATE.*
5. *QUESTIONS/CLARIFICATIONS WILL BE INTERPRETED BY ENGINEER/OWNER PRIOR TO THE AWARD OF CONTRACT. ENGINEER/OWNER WILL SUBMIT OFFICIAL RESPONSES IN WRITING. INTERPRETATIONS PRESENTED IN OFFICIAL RESPONSES SHALL BE BINDING ON ALL PARTIES ASSOCIATED WITH THE CONTRACT. IN NO WAY SHALL WORD-OF-MOUTH DIALOG CONSTITUTE AN OFFICIAL RESPONSE.*
6. *PRIOR TO START OF WORK, CONTRACTOR SHALL BE COMPLETELY FAMILIAR WITH ALL CONDITIONS OF THE SITE, AND SHALL ACCOUNT FOR CONDITIONS THAT AFFECT, OR MAY AFFECT CONSTRUCTION INCLUDING, BUT NOT LIMITED TO, LIMITATIONS OF WORK ACCESS, SPACE LIMITATIONS, OVERHEAD OBSTRUCTIONS, TRAFFIC PATTERNS, LOCAL REQUIREMENTS, ADJACENT ACTIVITIES, ETC. FAILURE TO CONSIDER SITE CONDITIONS SHALL NOT BE CAUSE FOR CLAIM OF JOB EXTRAS.*
7. *COMMENCEMENT OF CONSTRUCTION SHALL EXPLICITLY CONFIRM THAT THE CONTRACTOR HAS REVIEWED THE PLANS AND SPECIFICATIONS IN ENTIRETY AND CERTIFIES THAT THEIR SUBMITTED BID PROPOSAL CONTAINS PROVISIONS TO COMPLETE THE PROJECT, WITH THE EXCEPTION OF UNFORESEEN FIELD CONDITIONS; ALL APPLICABLE PERMITS HAVE BEEN OBTAINED; AND CONTRACTOR UNDERSTANDS ALL OF THE REQUIREMENTS OF THE PROJECT.*
8. *SHOULD ANY DISCREPANCIES OR CONFLICTS IN THE PLANS OR SPECIFICATIONS BE DISCOVERED AFTER THE AWARD OF CONTRACT, ENGINEER SHALL BE NOTIFIED IN WRITING IMMEDIATELY AND CONSTRUCTION OF ITEMS AFFECTED BY THE DISCREPANCIES/CONFLICTS SHALL NOT COMMENCE, OR CONTINUE, UNTIL A WRITTEN RESPONSE FROM ENGINEER/OWNER IS DISTRIBUTED. IN THE EVENT OF A CONFLICT BETWEEN REFERENCED CODES, STANDARDS, SPECIFICATIONS AND PLANS, THE ONE ESTABLISHING THE MOST STRINGENT REQUIREMENTS SHALL BE FOLLOWED.*
9. *THE CONTRACTOR SHALL, AT ITS OWN EXPENSE, OBTAIN ALL NECESSARY PERMITS AND LICENSES TO COMPLETE THE PROJECT. OBTAINING PERMITS, OR DELAYS, IS NOT CAUSE FOR DELAY OF THE CONTRACT OR SCHEDULE. CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS.*
10. *THE CONTRACTOR SHALL NOTIFY ALL INTERESTED GOVERNING AGENCIES, UTILITY COMPANIES AFFECTED BY THIS CONSTRUCTION PROJECT, AND DIGGER'S HOTLINE IN ADVANCE OF CONSTRUCTION TO COMPLY WITH ALL JURISDICTIONAL ORDINANCES/CODES/RULES/ETC., PERMIT STIPULATIONS, AND OTHER APPLICABLE STANDARDS.*
11. *SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE TO INITIATE, INSTITUTE, ENFORCE, MAINTAIN, AND SUPERVISE ALL SAFETY PRECAUTIONS AND JOB SITE SAFETY PROGRAMS IN CONNECTION WITH THE WORK.*
12. *CONTRACTOR SHALL KEEP THE JOBSITE CLEAN AND ORDERLY AT ALL TIMES. ALL LOCATIONS OF THE SITE SHALL BE KEPT IN A WORKING MANNER SUCH THAT DEBRIS IS REMOVED CONTINUOUSLY AND ALL RESPECTIVE CONTRACTORS OPERATE UNDER GENERAL "GOOD HOUSEKEEPING."*
13. *THE CONTRACTOR SHALL INDEMNIFY THE OWNER, ENGINEER, AND THEIR AGENTS FROM ALL LIABILITY INVOLVED WITH THE CONSTRUCTION, INSTALLATION, AND TESTING OF THE WORK ON THIS PROJECT.*

INDEX OF SHEETS

C-1	COVER SHEET
C-2	EXISTING SITE PLAN
C-3	DEMOLITION PLAN
C-4	PROPOSED SITE PLAN
C-5	GRADING PLAN
C-6	EROSION CONTROL PLAN
C-7	UTILITY PLAN
C-8	SANITARY SEWER PLAN & PROFILES
C-9	WATER MAIN PLAN & PROFILES
C-10	CONSTRUCTION DETAILS
C-11	CONSTRUCTION DETAILS



LOCATION MAP
SCALE: 1" 300'

CIVIL ENGINEERING CONTACTS

ANTHONY S. ZANON, P.E.
20725 WATERTOWN ROAD, SUITE 100
BROOKFIELD, WI 53186
(262) 754-8888

EXPIRATION DATE: JULY 31st, 2024

DIGGERS HOTLINE
Toll Free (800) 242-8511
Milwaukee Area (414) 259-1181
Hearing Impaired TDD (800) 542-2289
www.DiggersHotline.com

PINNACLE ENGINEERING GROUP, LLC
ENGINEER'S LIMITATION

PINNACLE ENGINEERING GROUP, LLC AND THEIR CONSULTANTS DO NOT WARRANT OR GUARANTEE THE ACCURACY AND COMPLETENESS OF THE DELIVERABLES HEREIN BEYOND A REASONABLE DILIGENCE. IF ANY MISTAKES, OMISSIONS, OR DISCREPANCIES ARE FOUND TO EXIST WITHIN THE DELIVERABLES, THE ENGINEER SHALL BE PROMPTLY NOTIFIED PRIOR TO BID SO THAT HE MAY HAVE THE OPPORTUNITY TO TAKE WHATEVER STEPS NECESSARY TO RESOLVE THEM. FAILURE TO PROMPTLY NOTIFY THE ENGINEER OF SUCH CONDITIONS SHALL ABSOLVE THE ENGINEER FROM ANY RESPONSIBILITY FOR THE CONSEQUENCES OF SUCH FAILURE. ACTIONS TAKEN WITHOUT THE KNOWLEDGE AND CONSENT TO THE ENGINEER, OR IN CONTRADICTION TO THE ENGINEER'S DELIVERABLES OR RECOMMENDATIONS, SHALL BECOME THE RESPONSIBILITY NOT OF THE ENGINEER BUT OF THE PARTIES RESPONSIBLE FOR TAKING SUCH ACTION.

FURTHERMORE, PINNACLE ENGINEERING GROUP, LLC IS NOT RESPONSIBLE FOR CONSTRUCTION SAFETY OR THE MEANS AND METHODS OF CONSTRUCTION.

Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The east line of the Northeast 1/4 of Section 19, Township 9 North, Range 22 East has a bearing of N00°01'50"E as shown on Certified Survey Map No. 1989.

REFERENCE BENCHMARK:
CONCRETE MONUMENT WITH BRASS CAP AT EAST CORNER OF SECTION 19, TOWN 9 NORTH, RANGE 22 EAST: N = 454,651.04, E = 2,553,241.02 (WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE), ELEVATION = 671.93 (NATIONAL GEODETIC VERTICAL DATUM OF 1929).

SITE BENCHMARK:
SW FLANGE BOLT OF HYDRANT AT NE CORNER OF WEST EASTBROOK DRIVE AND NORTH ASTER WOOD CIRCLE: ELEVATION = 677.73

LOCATION: LOT 2 CSM NO. 4070
BEING A PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

COVER SHEET

REVISIONS

1	BUILDING FOOTPRINT	03/02/23

PEG JOB No. 1163.00A
PEG PM ASZ
DATE 1/20/23
SCALE 1"=300'

SHEET 1 OF 11

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COVER SHEET

Attachment: Packet Docs. Eastbrook. 03.20.23 (8272 : Eastbrook Drive, LLC)

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LEGAL DESCRIPTION:

Lot Two (2) of Certified Survey Map No. 4070, recorded October 17, 2019 as Document No. 1084344, being a part of Parcel 1 of Certified Survey Map No. 1989, located in the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 9 North, Range 22 East, City of Mequon, Ozaukee County, Wisconsin.

Tax Key Number: 15-019-04-012.00

GENERAL NOTES

1. Survey prepared for: 1520 LLC
2. Field work completed on DECEMBER 7, 2017.
3. Flood Zone Classification: The property lies with in Zone "X" of the Flood Insurance Rate Map Community Panel No. 55089C0256F with an effective date of DECEMBER 4, 2007. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
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LEGEND OF SYMBOLS & ABBREVIATIONS

SANITARY MANHOLE		FIBER OPTIC MARKER	
STORM MANHOLE		FIBER OPTIC MANHOLE	
STORM INLET		TELEPHONE PEDESTAL	
CLEANOUT		TELEPHONE MANHOLE	
CATCH BASIN		TELEPHONE MARKER	
LATERAL		TRANSFORMER	
UNKNOWN MANHOLE		ELECTRIC METER	
WELL		ELECTRIC MANHOLE	
HYDRANT		CABLE TV RISER/BOX	
WATER VALVE		CABLE TV MANHOLE	
DOWN SPOUT		GAS VALVE	
SPRINKLER VALVE		GAS METER	
WATER SHUT OFF		GAS MARKER	
STANDPIPE		AIR CONDITIONING UNIT	
WATER MANHOLE		VENT	
FLOOD LIGHT		DIRECTIONAL ARROW	
LIGHT POLE		DUMPSTER	
TRAFFIC SIGNAL		HANDICAP STALL	
UTILITY POLE		SPOT ELEVATION	
GUY WIRE	CL.	=CENTERLINE	
SIGN	CONC.	=CONCRETE	
MAIL BOX	EL.	=ELEVATION	
FLAG POLE	INV.	=INVERT	
BASKETBALL HOOP	MON.	=MONUMENT	
BOLLARD	P.O.B.	=POINT OF BEGINNING	
CROSS CUT	P.O.C.	=POINT OF COMMENCEMENT	
IRON PIPE	R.O.W	=RIGHT OF WAY	
IRON REBAR/ROD	SEC.	=SECTION	
MAG NAIL	SQ. FT.	=SQUARE FEET	
SECTION MONUMENT	W/	=WITH	
BENCH MARK	(R)	=RECORDED AS	
CONIFER TREE			
DECIDUOUS TREE			
BUSH			
WETLAND SYMBOL			

SANITARY SEWER
STORM SEWER
WATER MAIN
FIBER OPTIC LINE
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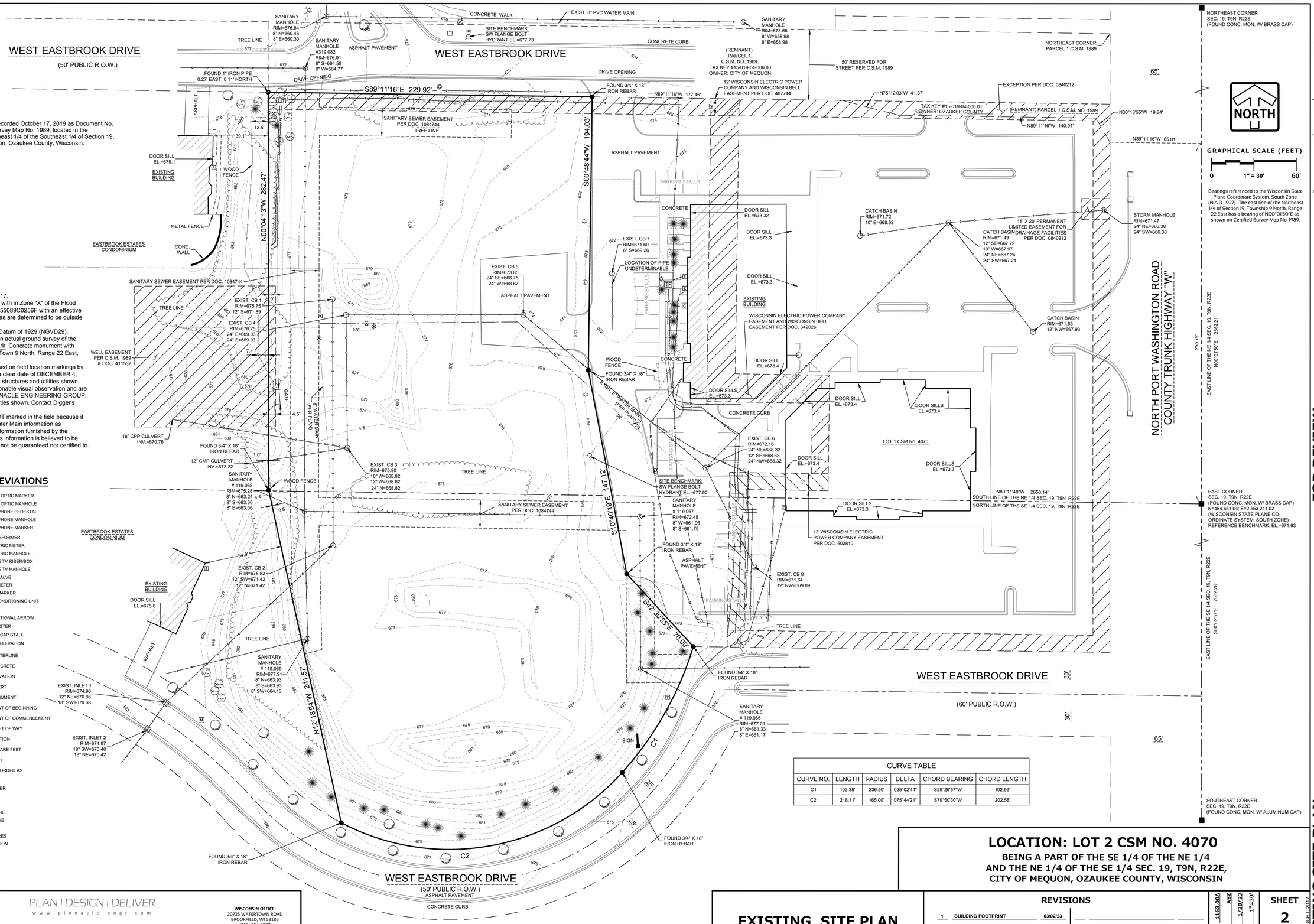
ELECTRIC LINE
OVERHEAD WIRES
CABLE TELEVISION
GAS MAIN
WETLANDS
TREE LINE
NO ACCESS



CURVE TABLE					
CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	103.38'	236.50'	025°02'44"	S29°26'57"W	102.56'
C2	218.11'	165.00'	075°44'21"	S79°50'30"W	202.58'

LOCATION: LOT 2 CSM NO. 4070

BEING A PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

EXISTING SITE PLAN

REVISIONS

1	BUILDING FOOTPRINT	03/02/23

PEG JOB No.: 1163.00A
PEG PM: ASZ
DATE: 1/20/23
SCALE: 1"=30'

SHEET 2 OF 11

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DRAFTED: ST DESIGNED: REVIEWED: JPK

FOR REVIEW
EXISTING SITE PLAN

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Ⓢ	SANITARY MANHOLE	⚠	FIBER OPTIC MARKER
Ⓓ	STORM MANHOLE	Ⓕ	FIBER OPTIC MANHOLE
□	STORM INLET	T	TELEPHONE PEDESTAL
⊠	CLEANOUT	Ⓣ	TELEPHONE MANHOLE
○	CATCH BASIN	⚠	TELEPHONE MARKER
◪	LATERAL	TF	TRANSFORMER
?	UNKNOWN MANHOLE	E	ELECTRIC METER
Ⓦ	WELL	Ⓔ	ELECTRIC MANHOLE
	HYDRANT	E	CABLE TV RISER/BOX
⋈	WATER VALVE	Ⓒ	CABLE TV MANHOLE
	DOWN SPOUT	G	GAS VALVE
⊞	SPRINKLER VALVE	G	GAS METER
	WATER SHUT OFF	⚠	GAS MARKER
	STANDPIPE	A	AIR CONDITIONING UNIT
⊗	WATER MANHOLE	◉	VENT
	FLOOD LIGHT		DIRECTIONAL ARROW
	LIGHT POLE		DUMPSTER
	TRAFFIC SIGNAL	♿	HANDICAP STALL
	UTILITY POLE	+	SPOT ELEVATION
	GUY WIRE		
	SIGN	CL.	=CENTERLINE
M	MAIL BOX	CONC.	=CONCRETE
	FLAG POLE	EL.	=ELEVATION
	BASKETBALL HOOP	INV.	=INVERT
●	BOLLARD	MON.	=MONUMENT
×	CROSS CUT	P.O.B.	=POINT OF BEGINNING
○	IRON PIPE	P.O.C.	=POINT OF COMMENCEMENT
●	IRON REBAR/ROD	R.O.W	=RIGHT OF WAY
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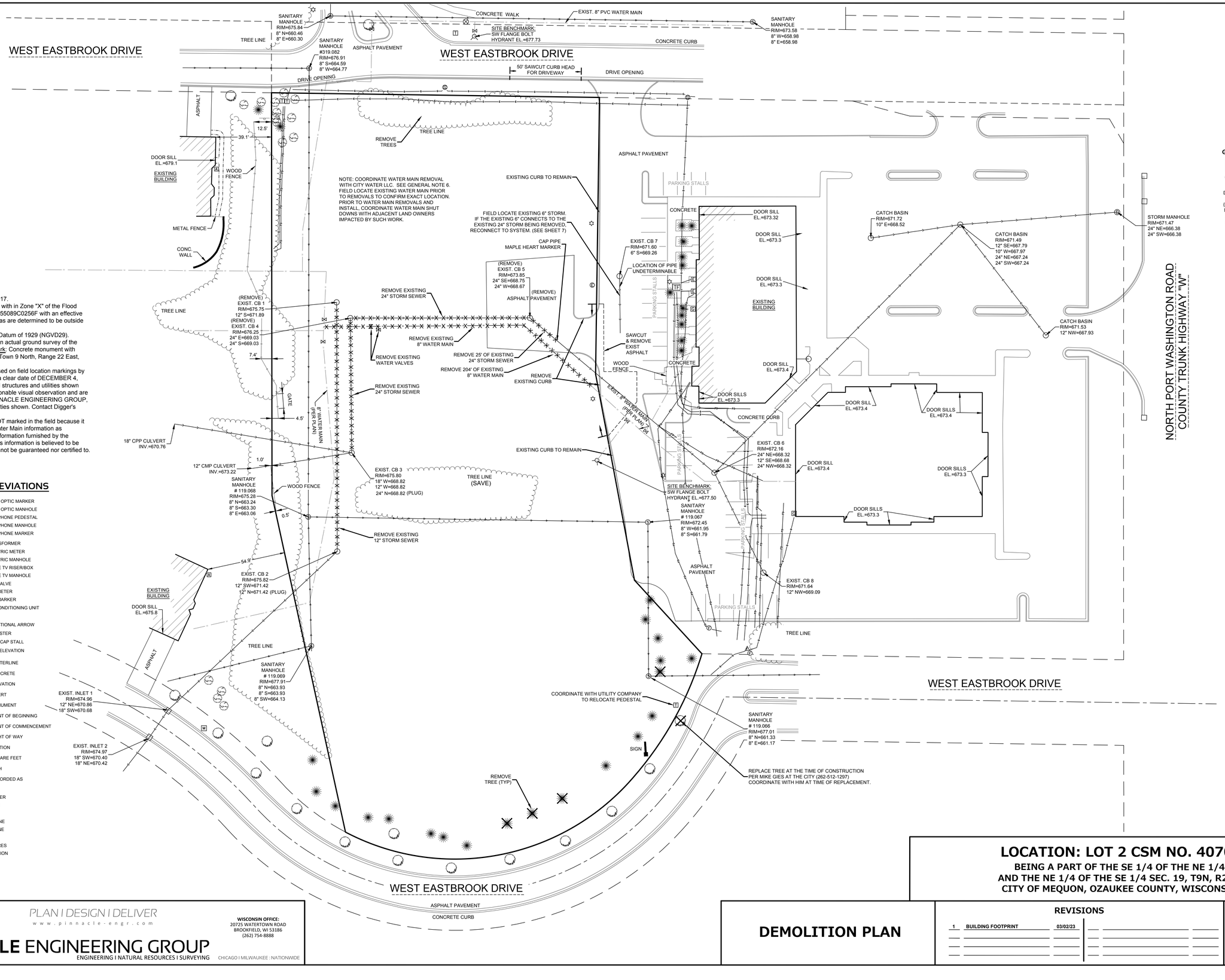
	BENCH MARK	W/	=WITH
	CONIFER TREE	(R)	=RECORDED AS
	DECIDUOUS TREE		
	BUSH		
	WETLAND SYMBOL		

D D	SANITARY SEWER
D D	STORM SEWER
W W	WATER MAIN
FO FO	FIBER OPTIC LINE
T T T	TELEPHONE LINE
E E	ELECTRIC LINE
OHW OHW	OVERHEAD WIRES
CATV CATV	CABLE TELEVISION
G G	GAS MAIN
WET	WETLANDS
	TREE LINE
	NO ACCESS



NORTH

GRAPHICAL SCALE (FEET)

0 1" = 30' 60'

Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The east line of the Northeast 1/4 of Section 19, Township 9 North, Range 22 East has a bearing of N00°01'50"E as shown on Certified Survey Map No. 1989.

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FOR REVIEW

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

DESIGNED: ST
DRAFTED: ST
REVIEWED: JPK

LOCATION: LOT 2 CSM NO. 4070

BEING A PART OF THE SE 1/4 OF THE NE 1/4
AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E,
CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

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BROOKFIELD, WI 53186
(262) 754-8888

DEMOLITION PLAN

REVISIONS

1	BUILDING FOOTPRINT	03/02/23			

PEG JOB No.: 1163.00A
PEG PM: ASZ
DATE: 1/20/23
SCALE: 1"=30'

SHEET 3 OF 11

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DEMOLITION PLAN

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LEGAL DESCRIPTION:

Lot Two (2) of Certified Survey Map No. 4070, recorded October 17, 2019 as Document No. 1084344, being a part of Parcel 1 of Certified Survey Map No. 1989, located in the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 9 North, Range 22 East, City of Mequon, Ozaukee County, Wisconsin.

Tax Key Number: 15-019-04-012.00

GENERAL NOTES

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S	SANITARY MANHOLE		FIBER OPTIC MARKER
D	STORM MANHOLE	F	FIBER OPTIC MANHOLE
	STORM INLET	T	TELEPHONE PEDESTAL
	CLEANOUT	T	TELEPHONE MANHOLE
	CATCH BASIN		TELEPHONE MARKER
	LATERAL	TF	TRANSFORMER
?	UNKNOWN MANHOLE	E	ELECTRIC METER
W	WELL	E	ELECTRIC MANHOLE
	HYDRANT		CABLE TV RISER/BOX
	WATER VALVE	C	CABLE TV MANHOLE
	DOWN SPOUT		GAS VALVE
	SPRINKLER VALVE		GAS METER
	WATER SHUT OFF		GAS MARKER
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	WATER MANHOLE		VENT
	FLOOD LIGHT		DIRECTIONAL ARROW
	LIGHT POLE		DUMPSTER
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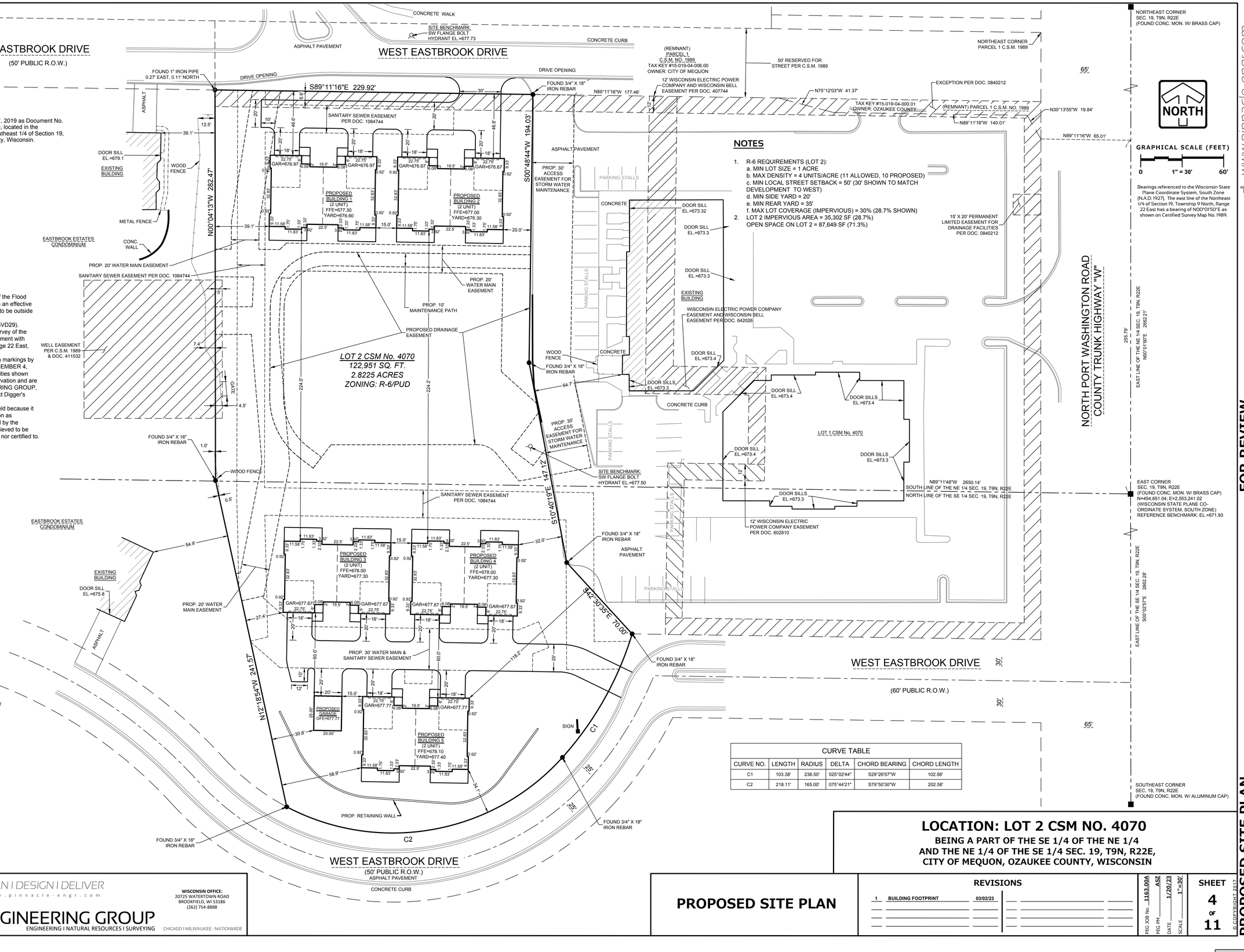

LOCATION: LOT 2 CSM NO. 4070

BEING A PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

PROPOSED SITE PLAN

FOR REVIEW

PROPOSED SITE PLAN

REVISIONS

1	BUILDING FOOTPRINT	03/02/23

PEC JOB No. 1163.00A
DESIGNED: ASZ
DRAFTED: BR
REVIEWED: ASZ
PEC PM: ASZ
DATE: 1/20/23
SCALE: 1"=30'

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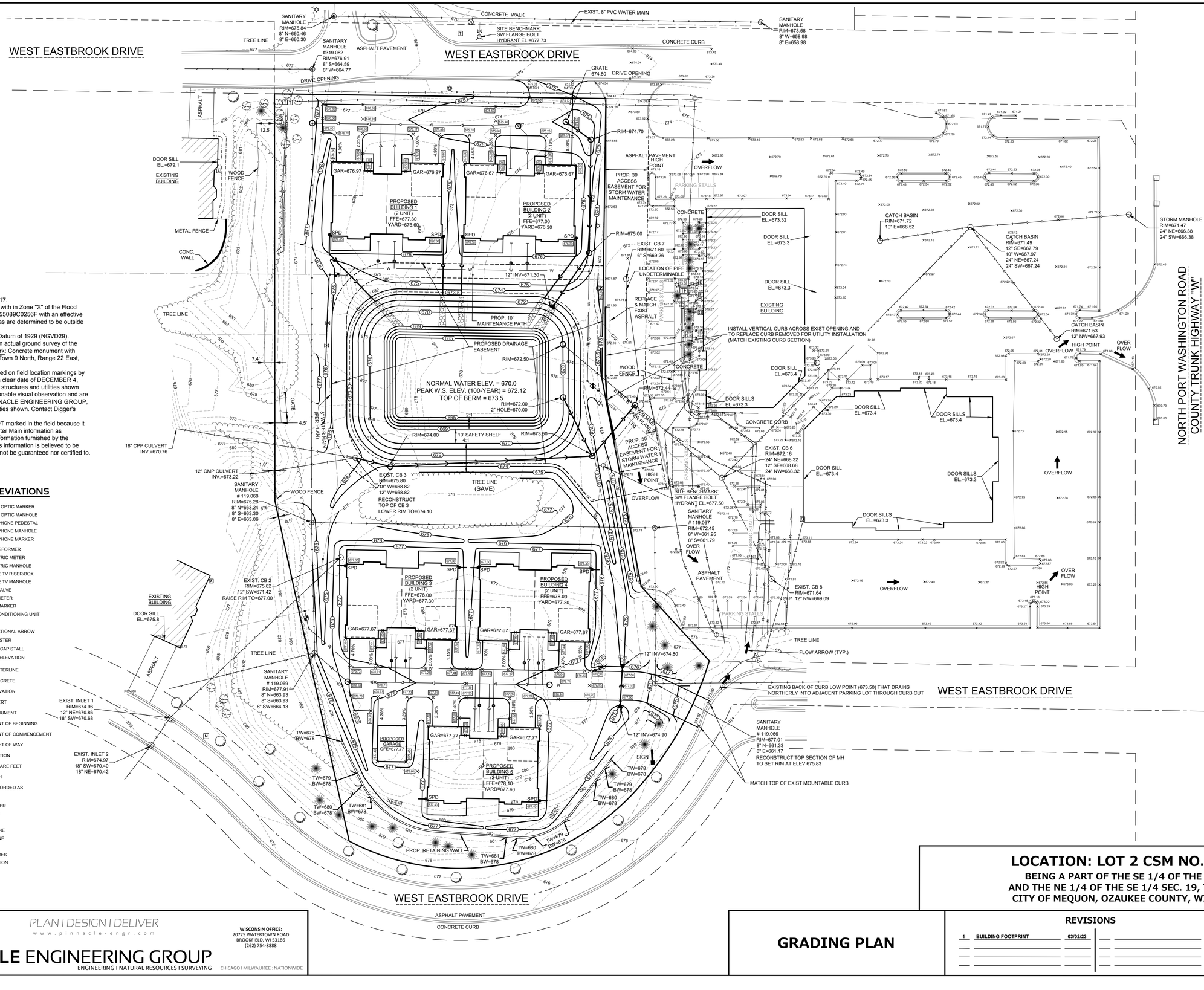

NORTH

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FOR REVIEW

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LOCATION: LOT 2 CSM NO. 4070

BEING A PART OF THE SE 1/4 OF THE NE 1/4
AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E,
CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

DRAFTED: BR DESIGNED: ASZ REVIEWED: ASZ

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GRADING PLAN

REVISIONS				
1	BUILDING FOOTPRINT	03/02/23		

PEG JOB No. 1163.00A
PEG PM ASZ
DATE 1/20/23
SCALE 1"=30'

SHEET 5 OF 11

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GRADING PLAN

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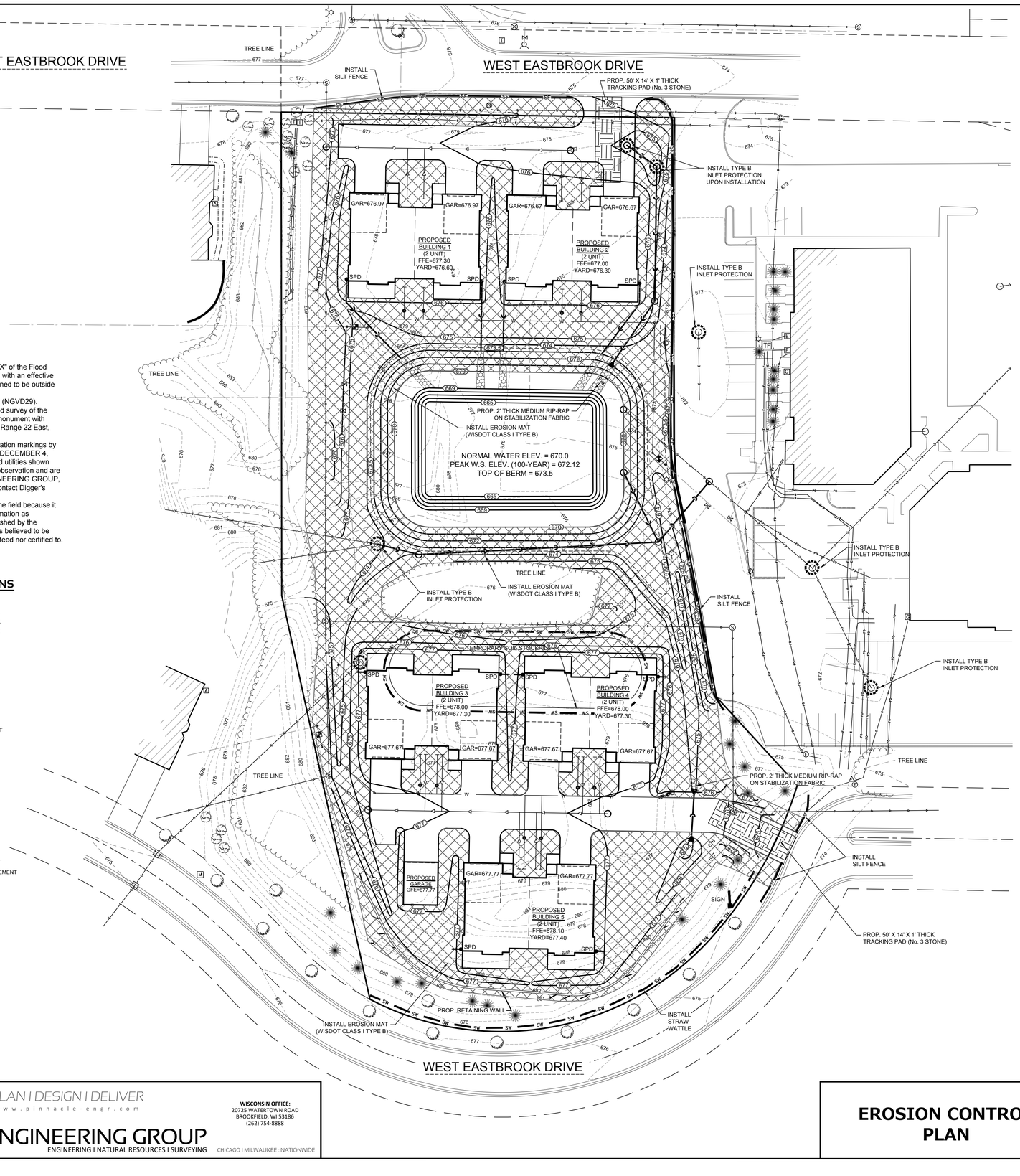

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LEGEND OF SYMBOLS & ABBREVIATIONS

S	SANITARY MANHOLE		FIBER OPTIC MARKER
D	STORM MANHOLE	FO	FIBER OPTIC MANHOLE
	STORM INLET	T	TELEPHONE PEDESTAL
	CLEANOUT	T	TELEPHONE MANHOLE
	CATCH BASIN		TELEPHONE MARKER
	LATERAL	TF	TRANSFORMER
?	UNKNOWN MANHOLE	E	ELECTRIC METER
W	WELL	E	ELECTRIC MANHOLE
	HYDRANT	C	CABLE TV RISER/BOX
	WATER VALVE	C	CABLE TV MANHOLE
	DOWN SPOUT	G	GAS VALVE
	SPRINKLER VALVE	G	GAS METER
	WATER SHUT OFF		GAS MARKER
	STANDPIPE	A	AIR CONDITIONING UNIT
	WATER MANHOLE		VENT
	FLOOD LIGHT		DIRECTIONAL ARROW
	LIGHT POLE		DUMPSTER
	TRAFFIC SIGNAL		HANDICAP STALL
	UTILITY POLE		SPOT ELEVATION
	GUY WIRE		
	SIGN	CL.	=CENTERLINE
M	MAIL BOX	CONC.	=CONCRETE
	FLAG POLE	EL.	=ELEVATION
	BASKETBALL HOOP	INV.	=INVERT
	BOLLARD	MON.	=MONUMENT
	CROSS CUT	P.O.B.	=POINT OF BEGINNING
	IRON PIPE	P.O.C.	=POINT OF COMMENCEMENT
	IRON REBAR/ROD	R.O.W	=RIGHT OF WAY
	MAG NAIL	SEC.	=SECTION
	SECTION MONUMENT	SQ. FT.	=SQUARE FEET
	BENCH MARK	W/	=WITH
	CONIFER TREE	(R)	=RECORDED AS
	DECIDUOUS TREE		
	BUSH		
	WETLAND SYMBOL		

SS	SANITARY SEWER
SD	STORM SEWER
W	WATER MAIN
FO	FIBER OPTIC LINE
T	TELEPHONE LINE
E	ELECTRIC LINE
OHW	OVERHEAD WIRES
CATV	CABLE TELEVISION
G	GAS MAIN
WET	WETLANDS
	TREE LINE
	NO ACCESS

CONSTRUCTION SEQUENCE:

1. INSTALL TRACKING PAD, SILT FENCE, STRAW WATTLE AND INLET PROTECTION FOR EXISTING INLETS THROUGHOUT THE ENTIRE SITE. CONTINUOUS INSPECTION OF EROSION CONTROL MEASURES THROUGHOUT THE PROJECT. THE GRADING CONTRACTOR SHALL INSPECT EROSION AND SEDIMENT CONTROL PRACTICES WEEKLY, AND WITHIN 24 HOURS AFTER EVERY RAIN EVENT THAT PRODUCES 0.5 INCHES OF RAIN OR MORE IN A 24 HOUR PERIOD. WRITTEN DOCUMENTATION OF EACH INSPECTION SHALL BE MAINTAINED AT THE CONSTRUCTION SITE AND SHALL INCLUDE THE TIME, DATE AND LOCATION OF INSPECTION, THE PHASE OF LAND DISTURBANCE AT THE CONSTRUCTION SITE, PERSON CONDUCTING THE INSPECTION, ASSESSMENT OF CONTROL PRACTICES, AND DESCRIPTION OF ANY EROSION OR SEDIMENT CONTROL MEASURE INSTALLATION OR MAINTENANCE PERFORMED IN RESPONSE TO THE INSPECTION.
2. DEMOLITION WORK AND UTILITY RELOCATES.
3. CONSTRUCT STORM WATER POND.
4. ROUGH GRADE SITE AND BEGIN BUILDING CONSTRUCTION.
5. INSTALL UTILITIES.
6. GRADE SITE TO SUBGRADE AND COORDINATE THE ELECTRIC, GAS, CABLE TV AND TELEPHONE INSTALLATION.
7. STONE AND ASPHALT PRIVATE DRIVEWAYS.
8. FINAL GRADE SITE AND RESPREAD TOPSOIL, SEED, FERTILIZE AND STABILIZE ALL DISTURBED AREAS.
9. MAINTAIN EROSION CONTROL MEASURES UNTIL THE SITE IS 80% REVEGETATED. UPON RECEIVING APPROVAL FROM THE CITY OF MEQUON, THE CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL TEMPORARY EROSION CONTROL MEASURES.

ESTIMATED START DATE: MAY 2023
ESTIMATED COMPLETION DATE: SEPTEMBER 2023
ESTIMATED DISTURBED AREA: 2.6 ACRES

GRADING & EROSION CONTROL NOTES:

A. ALL CONSTRUCTION PRACTICES TO COMPLY WITH THE CITY OF MEQUON, WISCONSIN DNR AND THE WISCONSIN DNR TECHNICAL STANDARDS.
B. ALL DISTURBED AREAS ON SITE SHALL BE TOPSOILED (4" THICK), SEEDED AND MULCHED. AREAS SO DESIGNATED SHALL BE TOPSOILED (4" THICK), SEEDED AND STABILIZED WITH EROSION MAT (WISDOT CLASS 1, TYPE B) PER WISCONSIN DNR TECHNICAL STANDARD 1052. SEPTEMBER 15TH IS THE DEADLINE FOR PERMANENT SEED. ANY AREAS EXPOSED AFTER SEPTEMBER 15TH AND BEFORE OCTOBER 15TH SHALL BE TEMPORARY SEEDED WITH WINTER WHEAT AT THE RATE OF 3 LBS/1000 S.F. THIS TEMPORARY COVER SHALL BE FERTILIZED AT SAME RATE & MIXTURE AS PERMANENT SEED. ANY DISTURBED AREAS NOT STABILIZED BY OCTOBER 15TH SHOULD BE STABILIZED BY PLACING TOPSOIL, SEED AND TYPE A SOIL STABILIZER BY NOVEMBER 15TH. THE APPROVED SOIL STABILIZERS ARE IDENTIFIED IN THE WISCONSIN DOT PAL LIST. THE PLACEMENT OF THE SOIL STABILIZER SHALL MEET THE REQUIREMENTS IN THE PAL LIST AND PER WISCONSIN DNR TECHNICAL STANDARD 1050.
C. TEMPORARY STABILIZATION IS REQUIRED FOR ANY AREA LEFT INACTIVE FOR MORE THAN SEVEN DAYS. TOPSOIL AND SPOIL STOCKPILES SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS OF LAYUP USING AGRICULTURAL RYE WITH A SEEDING RATE OF 3 LBS/1000 SQUARE FEET. INSTALL SILT FENCE ON THE DOWNSLOPE SIDE OF THE PILE TO REDUCE SEDIMENT RUNOFF.
D. TREES SHALL ONLY BE REMOVED TO COMPLETE THE GRADING AS SHOWN. NO OTHER TREES SHALL BE REMOVED. COORDINATE TREE REMOVAL WITH THE OWNER PRIOR TO ANY TREE REMOVAL WORK.
E. ALL CONSTRUCTION TRAFFIC IS TO ENTER/EXIT THE SITE OVER THE TRACKING PADS. THE TRACKING PAD IS PER WISCONSIN DNR TECHNICAL STANDARD 1057. ALL PRIVATE AND PUBLIC STREETS ARE TO BE KEPT CLEAN AT ALL TIMES. NO CONSTRUCTION ACCESS FROM ANY OTHER PUBLIC ROADS.
F. THE PERMANENT SEED MIXTURE SHALL BE WISCONSIN DOT SEED MIXTURE NO. 40 AND SOWN AT THE RATE OF 4 LBS/1000 SQ. FT. SEED MIXTURE NO. 40 CONSISTS OF 35% KENTUCKY BLUEGRASS, 20% RED FESCUE, 20% HARD FESCUE AND 25% IMPROVED FINE PERENNIAL RYEGRASS. THE TEMPORARY SEED MIX SHALL BE WINTER WHEAT.
G. FERTILIZE SOIL WITH 10 LBS/1000 SQ. FT. OF 20-0-10 FERTILIZER.
H. ANY DEWATERING THAT MAYBE REQUIRED DUE TO CONSTRUCTION SHALL BE COMPLETED SO THAT THE WATER IS PUMPED INTO A TYPE II GEOTEXTILE BAG ON THE UPSLOPE SIDE OF THE SILT FENCE. THE GEOTEXTILE BAG SHOULD BE PLACED IN A LOCATION THAT ALLOWS THE DISCHARGED WATER TO FLOW OVER A VEGETATIVE COVER. FOLLOW WISCONSIN DNR TECHNICAL STANDARD 1061.
I. ALL BUILDING AND WASTE MATERIAL SHALL BE DISPOSED OF OFF SITE TO PREVENT RUNOFF OF MATERIAL.
J. DUST CONTROL SHOULD BE ADDRESSED PER WISCONSIN DNR TECHNICAL STANDARD 1068. AT A MINIMUM USE WATER. USE POLYMERS, TACKIFIER AND SOIL STABILIZERS IF NEEDED. INSPECT DAILY TO DETERMINE THE NEED TO IMPLEMENT A CONTROL.
K. CONCRETE TRUCKS, IF NEEDED, ARE TO BE WASHED OUT IN PAVEMENT SUB-BASE AREAS.

NORTH

GRAPHICAL SCALE (FEET)

0 1" = 30' 60'

Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D.1927). The east line of the Northeast 1/4 of Section 19, Township 9 North, Range 22 East has a bearing of N00°01'50"E as shown on Certified Survey Map No. 1989.

= WIS DOT CLASS 1, TYPE B EROSION MAT

LOCATION: LOT 2 CSM NO. 4070
BEING A PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

DRAFTED: BR DESIGNED: ASZ REVIEWED: ASZ

PLAN | DESIGN | DELIVER
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PINNACLE ENGINEERING GROUP
ENGINEERING | NATURAL RESOURCES | SURVEYING CHICAGO | MILWAUKEE : NATIONWIDE

WISCONSIN OFFICE:
20725 WATERTOWN ROAD
BROOKFIELD, WI 53186
(262) 754-8888

EROSION CONTROL PLAN

REVISIONS

1	BUILDING FOOTPRINT	03/02/23			

PEG JOB No. 1163.00A
PEG PM ASZ
DATE 1/20/23
SCALE 1"=30'

SHEET 6 OF 11

FOR REVIEW

EROSION CONTROL PLAN

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Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

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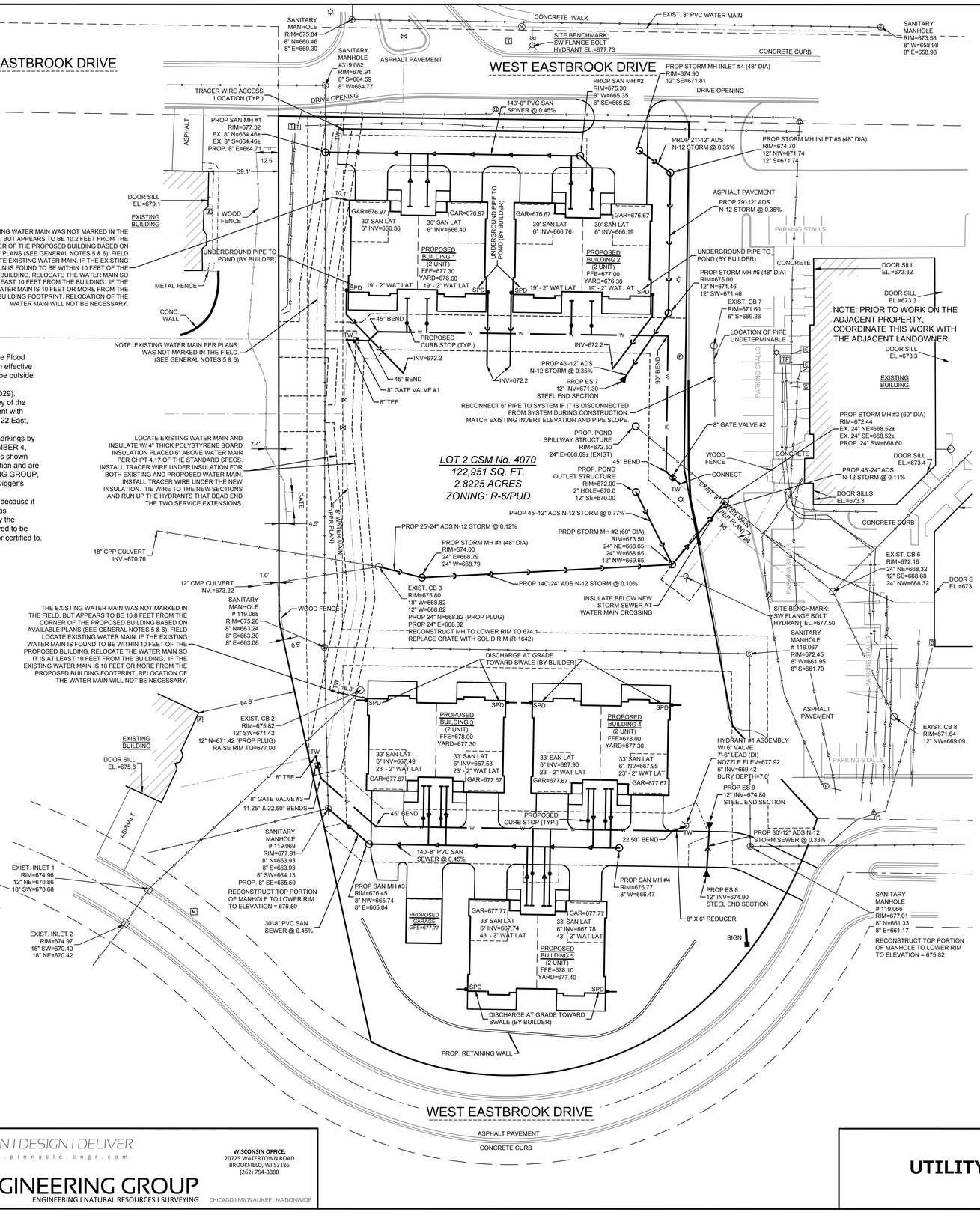

GENERAL NOTES

1. Survey prepared for: 1520 LLC
2. Field work completed on DECEMBER 7, 2017.
3. Flood Zone Classification: The property lies with in Zone "X" of the Flood Insurance Rate Map Community Panel No. 55089C0256F with an effective date of DECEMBER 4, 2007. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
4. Vertical Datum: National Geodetic Vertical Datum of 1929 (NGVD29). Contours are shown at a 1' interval based on actual ground survey of the current ground terrain. Reference Benchmark: Concrete monument with brass cap at the east corner of Section 19, Town 9 North, Range 22 East, Elevation = 671.93.
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SANITARY SEWER	
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TELEPHONE LINE	
ELECTRIC LINE	
OVERHEAD WIRES	
CABLE TELEVISION	
GAS MAIN	
WETLANDS	
TREE LINE	
NO ACCESS	

UTILITY NOTES

GENERAL:

1. WORK PERFORMED AND MATERIALS SUPPLIED SHALL CONFORM TO THE LATEST EDITION OF THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN (STANDARD SPECIFICATIONS) AND THE CITY OF MEQUON'S STANDARD SPECIFICATIONS FOR LAND DEVELOPMENT. ANY ADDITIONAL REQUIREMENTS OF THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT (MMSD) AND WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) SHALL ALSO APPLY.
2. A FULL-TIME INSPECTOR SHALL BE LOCATED AT THE JOB SITE DURING CONSTRUCTION OF THE SANITARY SEWER, WATER MAIN AND LATERALS. THE CONTRACTOR RESPONSIBLE FOR THE CONSTRUCTION OF THE SANITARY SEWER, WATER MAIN AND LATERALS IS ALSO RESPONSIBLE FOR NOTIFYING THE CITY 3 WORKING DAYS PRIOR TO CONSTRUCTION.
3. CONTACT DIGGERS HOTLINE 3 DAYS PRIOR TO BEGINNING WORK. COORDINATE ALL UTILITY WORK WITH THE OWNER PRIOR TO BEGINNING WORK. UTILITY CONTRACTOR IS RESPONSIBLE FOR LEVELING ALL TRENCH SPOIL UNLESS OTHERWISE DIRECTED BY OWNER.
4. BEDDING MATERIAL SHALL BE CRUSHED STONE CHIPS PER STANDARD SPEC SECTION 8.43.2(A). BACKFILL SHALL BE CRUSHED ROAD GRAVEL PER TABLE 39 SECTION 8.43.7. IF AN EXISTING ROADWAY, USE SLURRY BACKFILL PER SECTION 8.43.8. IN AREAS FIVE FEET OUTSIDE OF PAVED AREAS, SPOIL BACKFILL MEETING SECTION 8.43.5 CAN BE USED.
5. THE SANITARY SEWER, WATER MAIN, LATERALS AND STORM SEWER SHALL BE INSTALLED WITH A TRACER WIRE CONSISTING OF AN INSULATED AWS #12 COPPER SOLID CORE WIRE TAPED TO THE LATERAL/MAIN. THIS IS IN ACCORDANCE WITH SPS382.30 11(H). LATERALS SHALL HAVE A TRACER WIRE ATTACHED FROM THE MAINLINE TO A POINT FIVE FEET AWAY FROM THE BUILDING. THE TRACER WIRE SHALL BE DAYLIGHTED AT THIS POINT USING A VALVCO CATHODIC PROTECTION TEST STATION MODEL NO. 253TM301800.1PT.

SANITARY SEWER:

1. SEE CITY OF MEQUON STANDARD SPECIFICATION CHAPTER 4 FOR COMPLETE SANITARY SEWER REQUIREMENTS.
2. SANITARY SEWER PIPE MATERIALS SHALL BE PVC ASTM D-3034 SDR35. JOINTS SHALL BE MADE BY THE USE OF AN ELASTOMERIC SEAL CONFORMING TO ASTM D3212.
3. ALL MANHOLES SHALL BE PRECAST REINFORCED CONCRETE AND HAVE A MINIMUM INSIDE DIAMETER OF 48 INCHES. MINIMUM WALL THICKNESS SHALL BE PER TABLE NO. 1 IN FILE NO. 12 OF THE STANDARD SPECIFICATIONS. PRECAST CONCRETE MANHOLE BASE, BARREL RISERS, CONE SECTION AND ADJUSTING RINGS SHALL MEET THE REQUIREMENTS OF ASTM C-478. MANHOLE EXTERNAL SEALS SHALL BE PROVIDED FOR EACH MANHOLE AND SHALL BE MANUFACTURED BY INFI-SHIELD OR ADAPTOR, INC. MANHOLES SHALL BE CONSTRUCTED PER DRAWING FILE NO. 12 OF THE STANDARD SPECIFICATIONS AND VACUUM TESTED IN ACCORDANCE WITH SECTION 3.7.6 OF THE STANDARD SPECIFICATIONS.
4. MANHOLE RIM ELEVATIONS SHALL BE SET TO 1/8" BELOW FINISHED ASPHALT SURFACE.
5. MANHOLE FRAMES AND COVERS SUPPLIED BY THE CONTRACTOR SHALL BE NEENAH R-1661 WITH MACHINE HORIZONTAL BEARING SURFACES. NO PICK HOLES OR VENT HOLES WILL BE ALLOWED IN THE COVER.
6. A MAXIMUM OF 2' AND A MINIMUM OF 2" OF CHIMNEY SECTION SHALL BE ALLOWED, AS MEASURED FROM THE MANHOLE RIM TO THE PRECAST SECTION OF THE MANHOLE. MANHOLE CHIMNEYS SHALL BE CONSTRUCTED USING HIGH-DENSITY POLYETHYLENE (HDPE) RISER RINGS. THESE SHOULD BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS WITH A BUTYL ROPE SEALANT BETWEEN EACH RING AND BETWEEN THE TOP RING AND THE FRAME.
7. MANHOLES SHALL BE VACUUM TESTED IN ACCORDANCE WITH SECTION 3.7.6 OF THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN, LATEST EDITION.
8. WHEN STARTING THE SEWER PROJECT, THE NEW INCOMING LINE INTO THE EXISTING MANHOLE SHALL BE PLUGGED. EXISTING MANHOLES THAT DO NOT HAVE AN OPENING FOR THE NEW SANITARY SEWER SHALL HAVE AN OPENING CORED FROM THE INSIDE IN THE EXISTING MANHOLE TO ACCOMMODATE THE NEW SANITARY SEWER.
9. LATERALS SHALL BE 6" IN DIAMETER AND INSTALLED AT A QUARTER INCH PER FOOT (2%) GRADIENT. A MAPLEHEART SHALL BE INSTALLED AT THE END OF ALL LATERAL, AND THE TOP 12" SHALL BE PAINTED ORANGE UPON COMPLETION OF THE LATERAL INSTALLATION.
10. ALL LATERALS WITH LESS THAN 6.0' OF COVER MATERIAL, SHALL BE INSULATED WITH 2' X 8' X 2" THICK PLANKS OF STYROFOAM PLASTIC FOAM (DOW CHEMICAL COMPANY "HYBRAND" OR APPROVED EQUIVALENT).
11. PRIOR TO ACCEPTANCE, THE CITY OF MEQUON WILL PERFORM CLOSED CIRCUIT TELEVISION INSPECTION OF ALL SANITARY SEWER MAINS INSTALLED. THE CONTRACTOR SHALL BE REQUIRED TO REPAIR ALL VISIBLE DAMAGE AND LEAKS IN THE SANITARY SEWER MAINS. THIS PROCEDURE IS IN ADDITION TO ANY TESTING REQUIRED BY THE STANDARD SPECIFICATIONS FOR SEWER AND WATER CONSTRUCTION IN WISCONSIN AND/OR MMSD. ALL COSTS ASSOCIATED WITH TELEVISING WILL BE THE RESPONSIBILITY OF THE DEVELOPER.

WATER MAIN:

1. SEE CITY OF MEQUON STANDARD SPECIFICATION CHAPTER 5 FOR COMPLETE WATER MAIN REQUIREMENTS.
2. PIPE MATERIAL SHALL BE POLYVINYL CHLORIDE (PVC) CONFORMING TO AWWA C900 SPECIFICATIONS WITH A CLASS OF DR-18. PIPE SHALL HAVE PUSH-ON JOINTS WITH FLEXIBLE ELASTOMERIC RING GASKET IN ACCORDANCE WITH AWWA D-1869. PVC PIPE SHALL MEET THE REQUIREMENTS OF CHAPTER 8.20.0 OF THE STANDARD SPECIFICATIONS AND SHALL BE BLUE IN COLOR.
3. CONTRACTOR TO INSTALL INSULATED #10 GAUGE SOLID COPPER WIRE ALONG PVC AND HDPE PIPE INSTALLATIONS. TRACER WIRE SHALL CONFORM TO CHAPTER 2.11.0 OF THE STANDARD SPECS. FOR OPEN TRENCH INSTALLATIONS THE WIRE SHOULD BE LAID ALONG THE MAIN ATTACHED WITH TAPE AT 30' INTERVALS.
4. TRACER WIRE SHALL BE RUN UP TO THE SURFACE IN A BOX FOR CONNECTION AND TESTING AT TRACER WIRE ACCESS LOCATIONS.
5. VALVES SHALL BE RESILIENT WEDGE SEAL (R/W), OPEN TO THE LEFT, CONFORMING TO THE REQUIREMENTS OF AWWA C-509, C-515 NOT ALLOWED. VALVES SHALL BE MUELLER MODEL A-2360 OR APPROVED EQUAL. VALVES SHALL HAVE MECHANICAL JOINTS CONFORMING TO AWWA C-111 ON BOTH ENDS, EXCEPT FOR TAPPING VALVES. VALVES SHALL MEET THE REQUIREMENTS OF CHAPTER 8.27.0 OF THE STANDARD SPECIFICATIONS.
6. VALVE BOXES SHALL BE 5¼ INCH DIAMETER, THREE PIECE SCREW TYPE BOX WITH A NUMBER SIX BASE. COVERS SHALL BE MARKED "WATER" AND SHALL BE STAY PUT TYPE, CLOW SERIES F-2494 OR APPROVED EQUAL AND MEET THE REQUIREMENTS OF CHAPTER 8.29.0 OF THE STANDARD SPECIFICATIONS.
7. FIRE HYDRANTS SHALL CONFORM TO AWWA C-502 FOR DRY BARREL FIRE HYDRANTS AND THEY SHALL MEET THE REQUIREMENTS OF CHAPTER 8.26.0 OF THE STANDARD SPECIFICATIONS. FIRE HYDRANTS SHALL BE WATEROUS, OR MUELLER CENTURION BREAK FLANGE TYPE. HYDRANT TEES SHALL BE CLOW F012117 MECHANICAL JOINT ANCHORING TEES OR APPROVED EQUAL.HYDRANT LEADS SHALL BE 6 INCH DI (CLASS 52) PIPE MEETING THE REQUIREMENTS OF AWWA C-900. HYDRANT BRANCH PIPING MATERIAL MEETING THE REQUIREMENTS OF CHAPTER 4.6.3 OF THE STANDARD SPECIFICATIONS. HYDRANTS SHALL HAVE ONE 5 ½ INCH AND TWO 2 ½ INCH NOZZLES. HYDRANTS SHALL OPEN COUNTER CLOCKWISE AND BE PAINTED BRIGHT RED. CRUSHED STONE PER CHAPTER 8.43.6 SHALL BE PLACED BELOW THE BASE TO AT LEAST 6 INCHES ABOVE THE DRAIN HOLE IN THE HYDRANT STEM.
8. WATER LATERALS SHALL BE HDPE, PE 4710, SDR 9 (PRESSURE RATING 200 PSI) MEETING THE REQUIREMENTS OF AWWA C-901. TAPPING SADDLES SHALL BE STAINLESS STEEL AND USED FOR ALL SERVICE TAPS. CORPORATION STOPS SHALL BE MUELLER B-25008, OR APPROVED EQUAL AND MEET THE REQUIREMENTS OF CHAPTER 8.30.0. CURB STOPS SHALL BE MUELLER B-25155, OR APPROVED EQUAL AND MEET THE REQUIREMENTS OF CHAPTER 8.31.0. CURB BOXES SHALL BE FORD MINNEAPOLIS PATTERN BASE, OR APPROVED EQUAL AND MEET THE REQUIREMENTS OF CHAPTER 8.25.0. PIPE STIFFENERS MUST BE USED AT ALL MECHANICAL CONNECTIONS OVER 1 INCH.
9. NO CONCRETE BUTTRESSES SHALL BE USED, ONLY WOOD BLOCKING IS ALLOWED.
10. SEE WATERMAIN JOINT RESTRAINT LENGTHS TABLE ON SHEET 11 FOR RESTRAINT INFORMATION.

STORM SEWER:

1. STORM SEWER SHALL MEET ADS N-12 WITH WT JOINTS.
2. STORM SEWER MANHOLES AND MANHOLE INLETS SHALL BE A MINIMUM 48" DIAMETER PRECAST CONCRETE. 18" SUMPS ON ALL STORM MANHOLES AND MANHOLE INLETS.
3. STORM MANHOLE FRAME AND COVER SHALL BE NEENAH R-1642. STORM MANHOLE INLETS SHALL BE NEENAH R-2501-G. STORM MANHOLE INLETS IN GRASS AREA SHALL BE NEENAH R-2560-E1.
4. END SECTIONS SHALL BE STEEL END SECTIONS (ADS STEEL END SECTION FOR HDPE PIPE OR EQUAL).
5. THE UTILITY CONTRACTOR SHALL INSTALL INLET PROTECTION ON ALL STORM INLETS PER THE DETAILS ON THE PLANS. THE PROTECTION SHALL BE REMOVED AND DISPOSED OF BY THE UTILITY CONTRACTOR UPON THE SITE BEING STABILIZED AND AT THE DIRECTION OF THE OWNER.
6. SUMP PUMP DISCHARGE (SPD) LOCATIONS ARE APPROXIMATE. EXACT SPD LOCATIONS TO BE DETERMINED WHEN BUILDINGS ARE FINALIZED. SPD TO DRAIN TO THE POND OR TO THE BOTTOM OF SWALES.

NORTH

GRAPHICAL SCALE (FEET)

0 1" = 30' 60'

Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The east line of the Northeast 1/4 of Section 19, Township 9 North, Range 22 East has a bearing of N00°01'50"E as shown on Certified Survey Map No. 1989.

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FOR REVIEW

03.20.23 (8272 : Eastbrook Drive, LLC)

Attachment: Packet Docs_Eastbrook 03.20.23 (8272 : Eastbrook Drive, LLC)

LOCATION: LOT 2 CSM NO. 4070

BEING A PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

UTILITY PLAN

REVISIONS		
1	BUILDING FOOTPRINT	03/02/23

PEG JOB No.: 1163.00A | PEG PM: ASZ | DATE: 1/20/23 | SCALE: 1"=30'

SHEET 7 OF 11

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DRAFTED: BR DESIGNED: ASZ REVIEWED: ASZ

PLAN | DESIGN | DELIVER
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ENGINEERING | NATURAL RESOURCES | SURVEYING
CHICAGO | MILWAUKEE : NATIONWIDE

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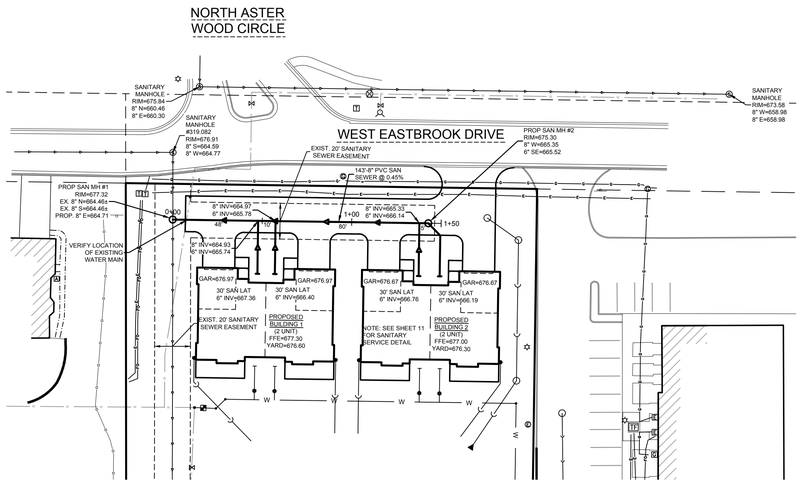

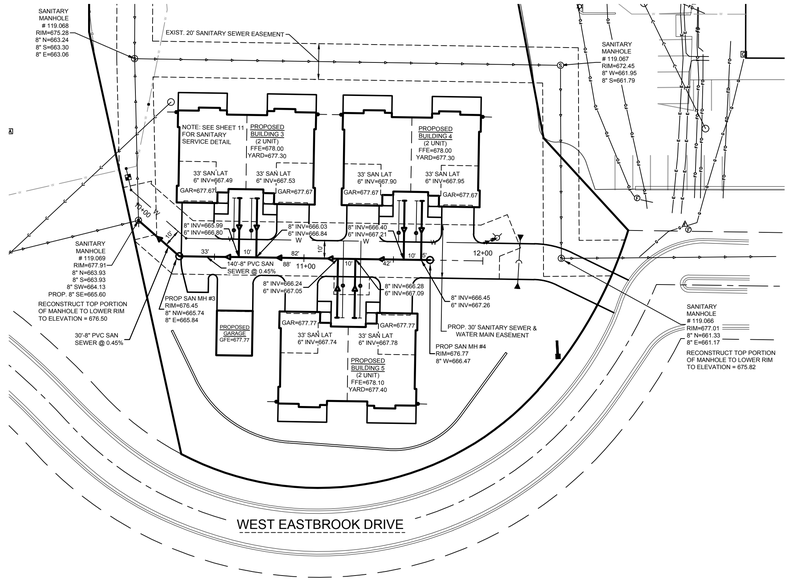

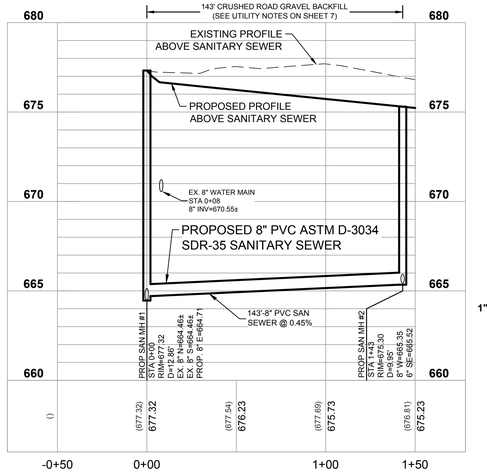

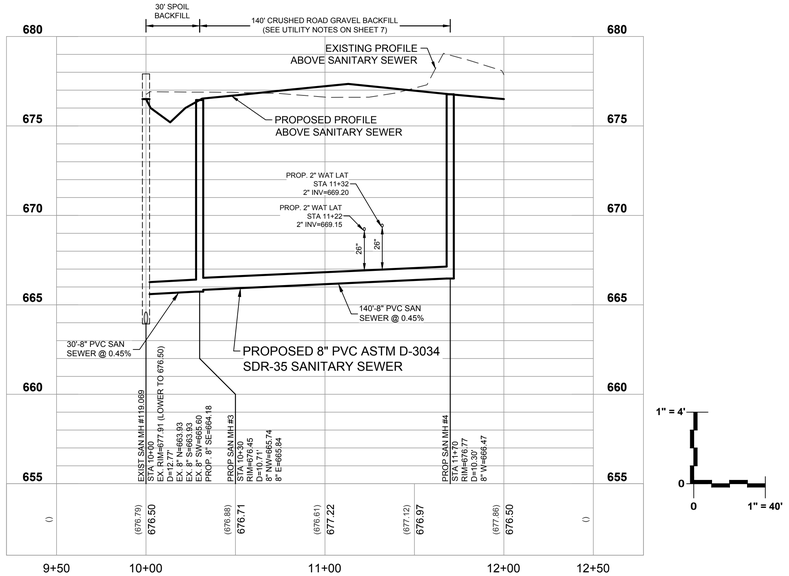

NORTH

GRAPHICAL SCALE (FEET)

0 1" = 40' 80'

Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The east line of the Northeast 1/4 of Section 19, Township 9 North, Range 22 East has a bearing of N00°01'50"E as shown on Cerified Survey Map No. 1989.

GENERAL NOTES

1. Survey prepared for: 1520 LLC
2. Field work completed on DECEMBER 7, 2017.
3. Flood Zone Classification: The property lies with in Zone "X" of the Flood Insurance Rate Map Community Panel No. 55089C0256F with an effective date of DECEMBER 4, 2007. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
4. Vertical Datum: National Geodetic Vertical Datum of 1929 (NGVD29). Contours are shown at a 1' interval based on actual ground survey of the current ground terrain. Reference Benchmark: Concrete monument with brass cap at the east corner of Section 19, Town 9 North, Range 22 East, Elevation = 671.93.
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LEGEND OF SYMBOLS & ABBREVIATIONS

SANITARY MANHOLE	FIBER OPTIC MARKER
STORM MANHOLE	FIBER OPTIC MANHOLE
STORM INLET	TELEPHONE PEDESTAL
CLEANOUT	TELEPHONE MANHOLE
CATCH BASIN	TELEPHONE MARKER
LATERAL	TRANSFORMER
UNKNOWN MANHOLE	ELECTRIC METER
WELL	ELECTRIC MANHOLE
HYDRANT	CABLE TV RISER/BOX
WATER VALVE	CABLE TV MANHOLE
DOWN SPOUT	GAS VALVE
SPRINKLER VALVE	GAS METER
WATER SHUT OFF	GAS MARKER
STANDPIPE	AIR CONDITIONING UNIT
WATER MANHOLE	VENT
FLOOD LIGHT	DIRECTIONAL ARROW
LIGHT POLE	DUMPSTER
TRAFFIC SIGNAL	HANDICAP STALL
UTILITY POLE	SPOT ELEVATION
GUY WIRE	
SIGN	CL. =CENTERLINE
MAIL BOX	CONC. =CONCRETE
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BASKETBALL HOOP	INV. =INVERT
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IRON REBAR/ROD	R.O.W =RIGHT OF WAY
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SECTION MONUMENT	SQ. FT. =SQUARE FEET
BENCH MARK	W/ =WITH
CONIFER TREE	(R) =RECORDED AS
DECIDUOUS TREE	
BUSH	SANITARY SEWER
WETLAND SYMBOL	STORM SEWER
	WATER MAIN
	FIBER OPTIC LINE
	TELEPHONE LINE
	ELECTRIC LINE
	OVERHEAD WIRES
	CABLE TELEVISION
	GAS MAIN
	WETLANDS
	TREE LINE
	NO ACCESS

LOCATION: LOT 2 CSM NO. 4070

BEING A PART OF THE SE 1/4 OF THE NE 1/4
AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E,
CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

SANITARY SEWER PLAN & PROFILES

REVISIONS

1	BUILDING FOOTPRINT	03/02/23			

PEG JOB No. 1163.00A
PEG PM ASZ
DATE 1/20/23
SCALE 1"=40'

SHEET 8 OF 11

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DRAFTED: BR
DESIGNED: ASZ
REVIEWED: ASZ

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ENGINEERING | NATURAL RESOURCES | SURVEYING
CHICAGO | MILWAUKEE : NATIONWIDE
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20725 WATERTOWN ROAD
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Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

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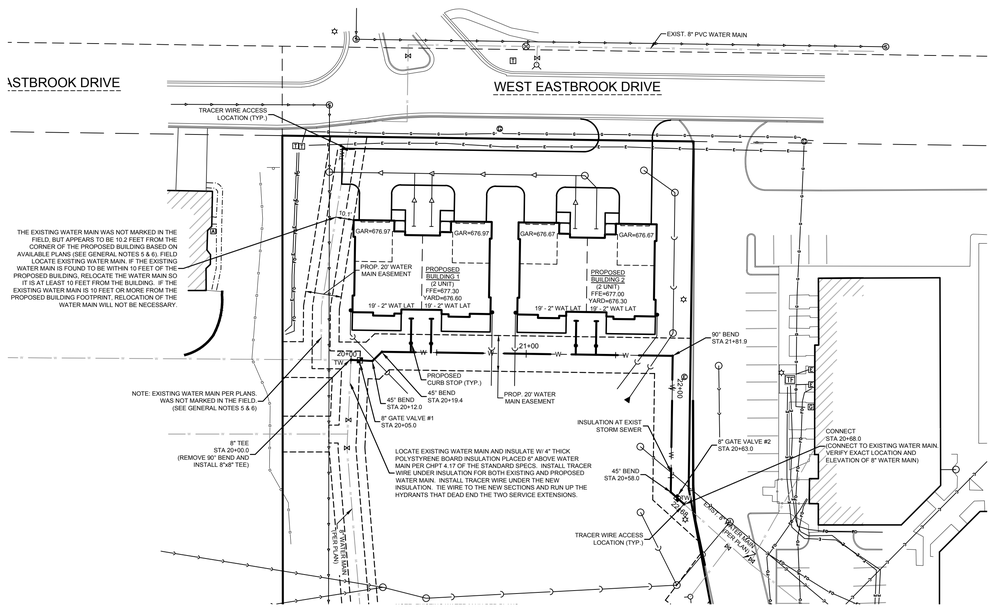
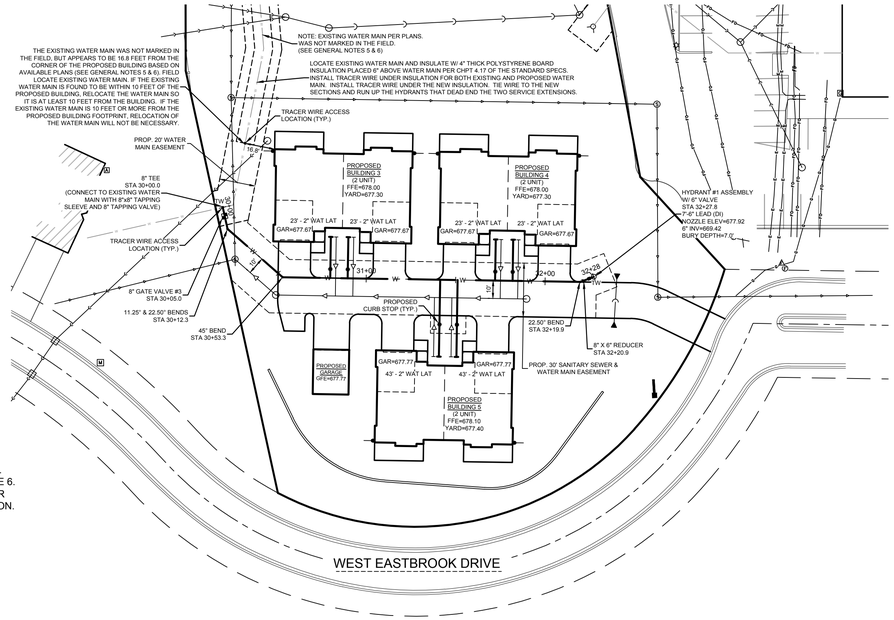
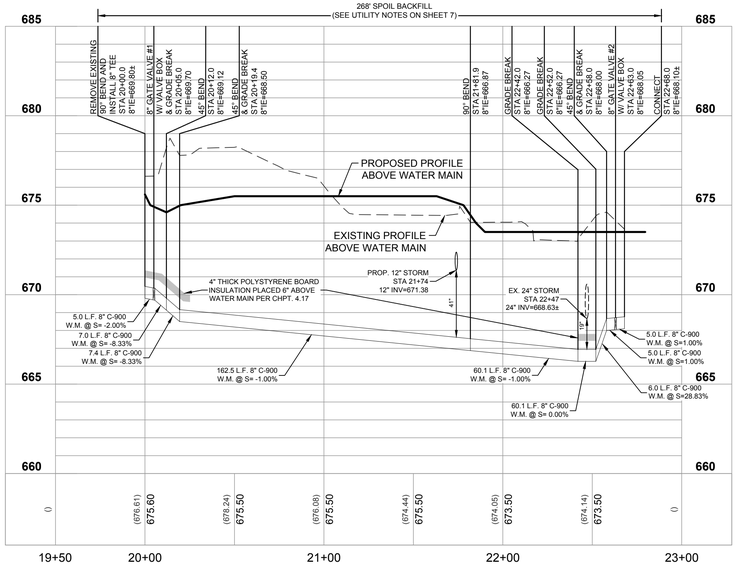
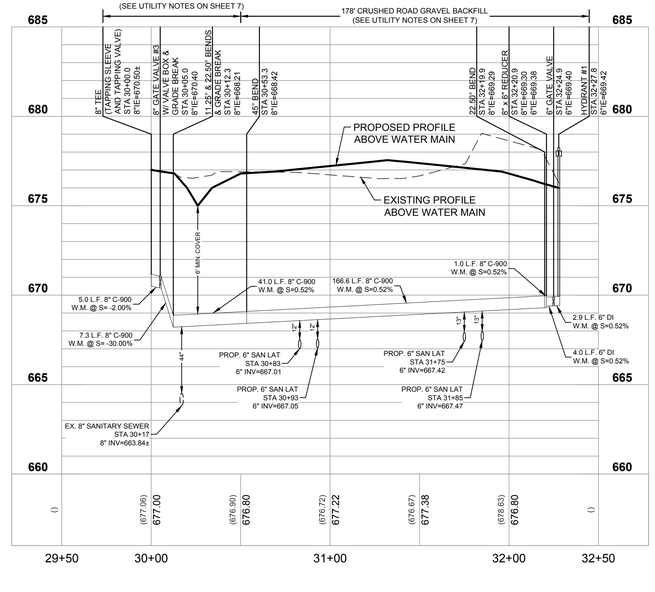
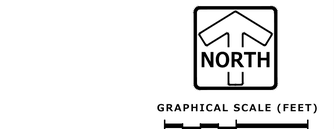


NOTE: COORDINATE WATER MAIN REMOVAL WITH CITY WATER LLC. SEE GENERAL NOTE 6. FIELD LOCATE EXISTING WATER MAIN PRIOR TO REMOVALS TO CONFIRM EXACT LOCATION. PRIOR TO WATER MAIN REMOVALS AND INSTALL, COORDINATE WATER MAIN SHUT DOWNS WITH ADJACENT LAND OWNERS IMPACTED BY SUCH WORK.









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	LATERAL	TF	TRANSFORMER
?	UNKNOWN MANHOLE	E	ELECTRIC METER
W	WELL	E	ELECTRIC MANHOLE
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Attachment: Packet Docs_Eastbrook 03.20.23 (8272 : Eastbrook Drive, LLC)

WATER MAIN PLAN & PROFILES

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DRAFTED: BR DESIGNED: ASZ REVIEWED: ASZ

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WISCONSIN OFFICE:
20725 WATERTOWN ROAD
BROOKFIELD, WI 53186
(262) 754-8888

LOCATION: LOT 2 CSM NO. 4070

BEING A PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

WATER MAIN PLAN & PROFILES

REVISIONS

1	BUILDING FOOTPRINT	03/02/23

PEG JOB No. 1163.00A
PEG PM ASZ
DATE 1/20/23
SCALE 1"=40'

SHEET 9 OF 11

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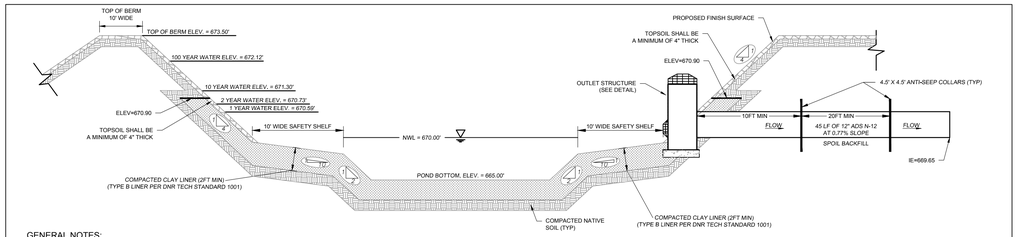
TOP OF BERM
10' WIDE
TOP OF BERM ELEV. = 673.50'
100 YEAR WATER ELEV. = 672.12'
10 YEAR WATER ELEV. = 671.30'
2 YEAR WATER ELEV. = 670.73'
1 YEAR WATER ELEV. = 670.59'
ELEV=670.90
TOPSOIL SHALL BE A MINIMUM OF 4" THICK
10' WIDE SAFETY SHELF
NWL = 670.00'
10' WIDE SAFETY SHELF
POND BOTTOM, ELEV. = 665.00'
COMPACTED CLAY LINER (2FT MIN) (TYPE B LINER PER DNR TECH STANDARD 1001)
COMPACTED NATIVE SOIL (TYP)
PROPOSED FINISH SURFACE
TOPSOIL SHALL BE A MINIMUM OF 4" THICK
ELEV=670.90
OUTLET STRUCTURE (SEE DETAIL)
10'FT MIN
FLOW
20'FT MIN
45 LF OF 12" ADS N-12 AT 0.77% SLOPE
SPOIL BACKFILL
FLOW
4:1
4:1
4:1

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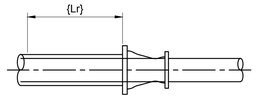
NOTES:

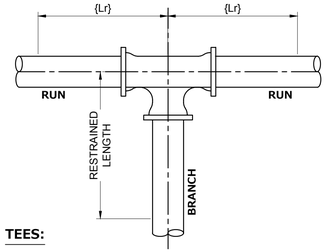
1. **THE LENGTHS OF RESTRAINED OR CONTINUOUS PIPE CALLED OUT IN THE FOLLOWING TABLES ARE FOR INSTALLATION OF MECHANICALLY RESTRAINED FITTINGS AND ARE CALCULATED BASED ON THE FOLLOWING PARAMETERS:**
   - **A) PROPOSED 6" HYDRANT LEAD MATERIAL IS DUCTILE IRON. EXISTING AND PROPOSED MAIN MATERIAL IS PVC.**
   - **B) THE SOIL TYPE IS "CL" W/GRANULAR FILL AS DEFINED BY THE UNIFIED SOIL CLASSIFICATIONS, ASTM STANDARD D 2487.**
   - **C) THE TEST PRESSURE OF THE WATER SYSTEM IS 150 POUNDS PER SQUARE INCH.**
   - **D) THE TRENCH IS TYPE 5, AS PER ANSI/AWWA C150/A21.5, TRENCH CONDITIONS.**
   - **E) THE DEPTH OF COVER IS SIX FEET (6').**
   - **F) THE SAFETY FACTOR SHALL BE 1.5.**
2. **IF THE FIELD CONDITIONS VARY SIGNIFICANTLY FROM THESE PARAMETERS, THE CONTRACTOR SHALL IMMEDIATELY ADVISE CITY OF MEQUON FIELD INSPECTOR. THE CITY OF MEQUON FIELD INSPECTOR WILL ADVISE THE CONTRACTOR OF THE REQUIRED LENGTH OF RESTRAINED PIPE NECESSARY TO MEET THE EXISTING CONDITIONS.**



REDUCERS:

THE MINIMUM LENGTH OF PIPE (Lr) TO BE RESTRAINED ON THE LARGE SIDE OF THE REDUCER SHALL BE DERIVED FROM THE FOLLOWING TABLE.

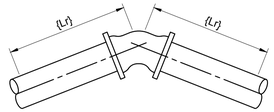
REDUCER SIZE	MINIMUM RESTRAINED LENGTH
8X6	17'



TEES:

THE MINIMUM ATTACHED LENGTH OF PIPE (Lr) TO EXTEND IN EACH DIRECTION ALONG THE RUN OF THE TEE SHALL BE A SOLID PIPE WITHOUT JOINTS, FITTINGS, ETC. THE LENGTH OF THE RESTRAINED BRANCH SHALL BE DERIVED FROM THE FOLLOWING TABLE.

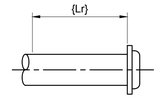
TEE SIZE	MINIMUM ATTACHED LENGTH OF PIPE (Lr)										
	0'	2'	4'	6'	8'	10'	12'	14'	16'	18'	20'
	LENGTH OF RESTRAINED BRANCH										
8X8	40	28	15	3	1	1	1	1	1	1	1



HORIZONTAL BENDS:

THE MINIMUM RESTRAINED LENGTH OF PIPE (Lr) TO EXTEND IN BOTH DIRECTIONS FROM THE BEND SHALL BE DERIVED FROM THE FOLLOWING TABLE.

PIPE SIZE	HORIZONTAL BENDS	HORIZONTAL BENDS	HORIZONTAL BENDS
	11 1/4	22 1/2	45
8"	2'	3'	6'



DEAD ENDS:

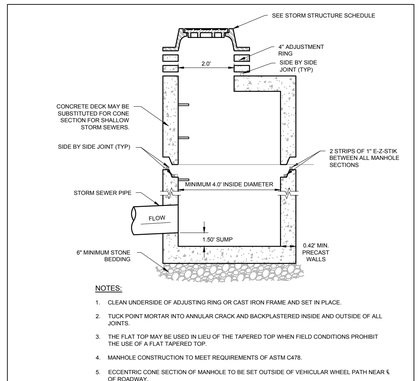
THE MINIMUM LENGTH OF PIPE (Lr) TO BE RESTRAINED ON A DEAD END SHALL BE DERIVED FROM THE FOLLOWING TABLE. ALL VALVES SHALL BE CONSIDERED DEAD ENDS IN BOTH DIRECTIONS.

DEAD END SIZE	MINIMUM RESTRAINED LENGTH
6"	20'
8"	40'

WATERMAIN JOINT RESTRAINT LENGTHS

STORM STRUCTURE SCHEDULE:

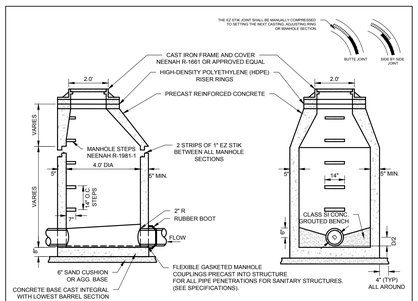
STRUCTURE	SIZE	INLET TYPE
MH 1	48"	R-1642
MH 2	60"	R-1642
MH 3	60"	R-1642
MH INLET 4	48"	R-2501-G
MH INLET 5	48"	R-2501-E1
MH 6	48"	R-1642
EXIST CB 2	---	R-1642
EXIST CB 3	---	R-1642



NOTES:

1. CLEAN UNDERSIDE OF ADJUSTING RING OR CAST IRON FRAME AND SET IN PLACE.
2. TUCK POINT MORTAR INTO ANNULAR CRACK AND BACKPLASTERED INSIDE AND OUTSIDE OF ALL JOINTS.
3. THE FLAT TOP MAY BE USED IN LIEU OF THE TAPERED TOP WHEN FIELD CONDITIONS PROHIBIT THE USE OF A FLAT TAPERED TOP.
4. MANHOLE CONSTRUCTION TO MEET REQUIREMENTS OF ASTM C478.
5. ECCENTRIC CONE SECTION OF MANHOLE TO BE SET OUTSIDE OF VEHICULAR WHEEL PATH NEAR ¢ OF ROADWAY.

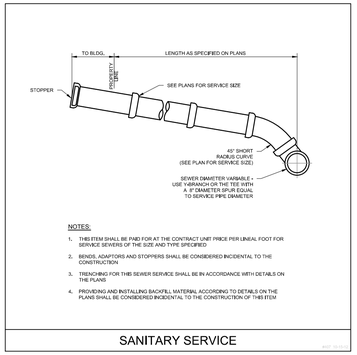
STORM SEWER MANHOLE & STORM MANHOLE INLETS



NOTES:

1. PRECAST CONCRETE MANHOLE BASE, BARREL RISERS, CONE SECTIONS AND ADJUSTING RINGS SHALL MEET THE REQUIREMENTS OF ASTM C-478.
2. MANHOLE SHALL BE CONSTRUCTED PER DRAWING FILE No.12 OF THE STANDARD SPECIFICATIONS AND VACUUM TESTED IN ACCORDANCE WITH SECTION 3.7.6 OF THE STANDARD SPECIFICATIONS.
3. MANHOLE STEPS SHALL NOT BE LOCATED IN CHIMNEY SECTION.
4. A MAXIMUM OF 2" AND A MINIMUM OF 2" OF CHIMNEY SECTION SHALL BE ALLOWED, AS MEASURED FROM THE MANHOLE RIM TO THE PRECAST SECTION OF THE MANHOLE.
5. 1" EZ STIKE BETWEEN ALL ADJUSTMENT RINGS, BETWEEN TOP ADJUSTMENT RINGS AND FRAME.
6. ALL MANHOLE BARREL JOINTS SHALL HAVE MAC WRAP OR APPROVED EQUIVALENT INSTALLED ACCORDING TO MANUFACTURER'S SPECIFICATIONS.
7. ALL MANHOLES SHALL BE CONSTRUCTED WITH AN INFI-SHIELD OR ADAPTOR INC. EXTERNAL SEAL OR APPROVED EQUIVALENT EXTENDING FROM THE FRAME TO CONE AND SHALL BE INSTALLED IN THE PRESENCE OF A CITY INSPECTOR ACCORDING TO MANUFACTURER'S SPECIFICATIONS.

SANITARY MANHOLE



NOTES:

1. THIS ITEM SHALL BE PAID FOR AT THE CONTRACT UNIT PRICE PER LINEAL FOOT FOR SERVICE SEWERS OF THE SIZE AND TYPE SPECIFIED
2. BENDS, ADAPTORS AND STOPPERS SHALL BE CONSIDERED INCIDENTAL TO THE CONSTRUCTION
3. TRENCHING FOR THIS SEWER SERVICE SHALL BE IN ACCORDANCE WITH DETAILS ON THE PLANS
4. PROVIDING AND INSTALLING BACKFILL MATERIAL ACCORDING TO DETAILS ON THE PLANS SHALL BE CONSIDERED INCIDENTAL TO THE CONSTRUCTION OF THIS ITEM

SANITARY SERVICE

DRAFTED: BR DESIGNED: ASZ REVIEWED: ASZ

PLAN I DESIGN I DELIVER
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PINNACLE ENGINEERING GROUP
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CONSTRUCTION DETAILS

REVISIONS

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PEG JOB No.: 1163.00A
PEG PM: ASZ
DATE: 1/20/23
SCALE: N/A

SHEET 11 OF 11

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FOR REVIEW

CONSTRUCTION DETAILS

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LEGAL DESCRIPTION:

Lot Two (2) of Certified Survey Map No. 4070, recorded October 17, 2019 as Document No. 1084344, being a part of Parcel 1 of Certified Survey Map No. 1989, located in the Southeast 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southeast 1/4 of Section 19, Township 9 North, Range 22 East, City of Mequon, Ozaukee County, Wisconsin.

Tax Key Number: 15-019-04-012.00

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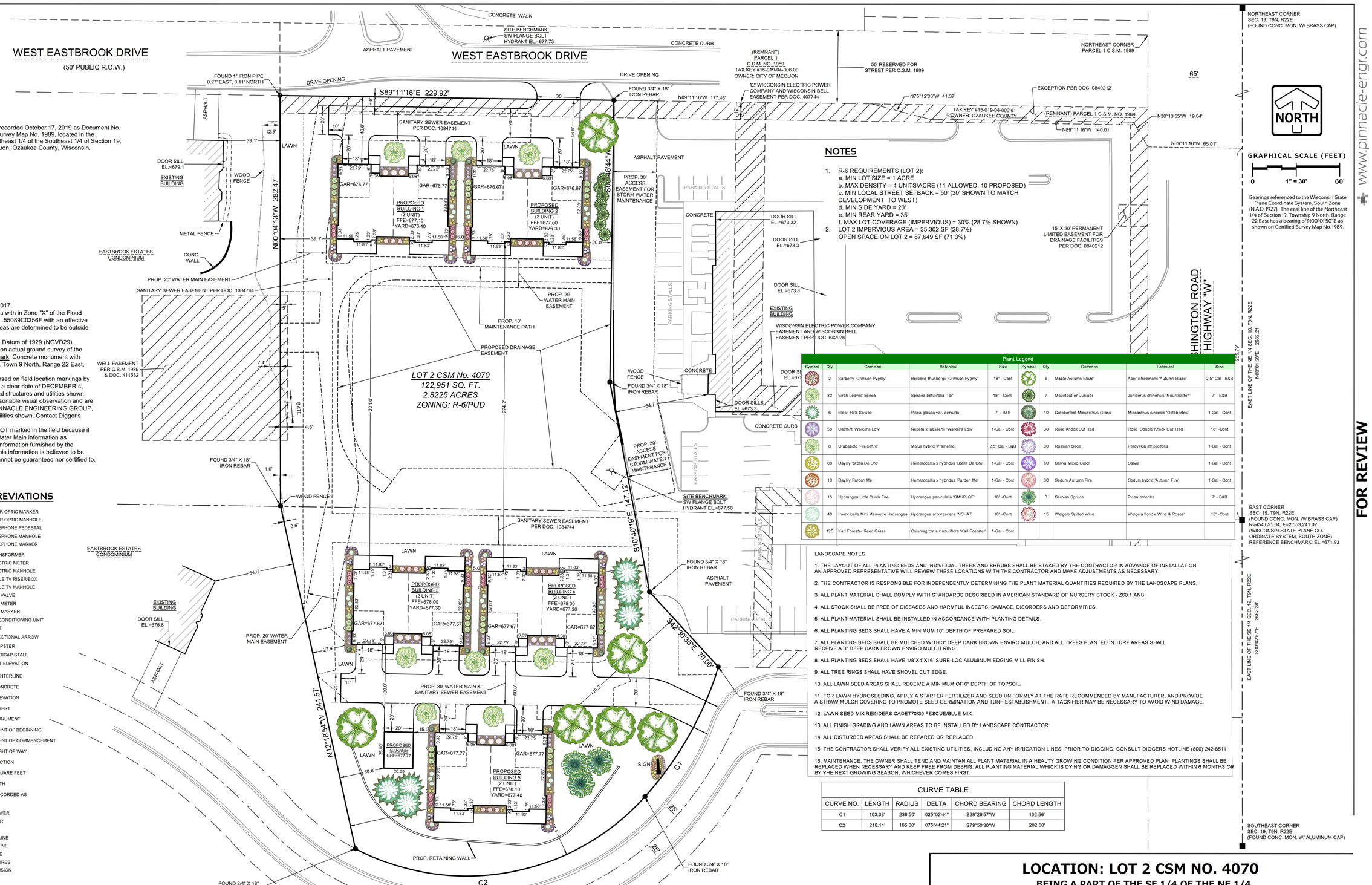
	TREE LINE
	NO ACCESS



NOTES

1. R-6 REQUIREMENTS (LOT 2):
   a. MIN LOT SIZE = 1 ACRE
   b. MAX DENSITY = 4 UNITS/ACRE (11 ALLOWED, 10 PROPOSED)
   c. MIN LOCAL STREET SETBACK = 50' (30' SHOWN TO MATCH DEVELOPMENT TO WEST)
   d. MIN SIDE YARD = 20'
   e. MIN REAR YARD = 35'
   f. MAX LOT COVERAGE (IMPERVIOUS) = 30% (28.7% SHOWN)
2. LOT 2 IMPERVIOUS AREA = 35,302 SF (28.7%)
   OPEN SPACE ON LOT 2 = 87,649 SF (71.3%)

Plant Legend

Symbol	Qty	Common	Botanical	Size	Symbol	Qty	Common	Botanical	Size
	2	Barberry 'Crimson Pygmy'	Berberis thunbergii 'Crimson Pygmy'	18" - Cont		6	Maple Autumn Blaze'	Acer x freemanii 'Autumn Blaze'	2.5" Cal - B&B
	30	Birch Leaved Spirea	Spiraea betulifolia 'Tor'	18" - Cont		7	Mountbatten Juniper	Juniperus chinensis 'Mountbatten'	7' - B&B
	6	Black Hills Spruce	Picea glauca var. densata	7' - B&B		10	Octoberfest Miscanthus Grass	Miscanthus sinensis 'Octoberfest'	1-Gal - Cont
	58	Catmint 'Walker's Low'	Nepeta x faassenii 'Walker's Low'	1-Gal - Cont		30	Rose Knock Out Red	Rosa 'Double Knock Out' Red	18" -Cont
	8	Crabapple 'Prairiefire'	Malus hybrid 'Prairiefire'	2.5" Cal - B&B		30	Russian Sage	Perovskia atriplicifolia	1-Gal - Cont
	68	Daylily 'Stella De Oro'	Hemerocallis x hybridus 'Stella De Oro'	1-Gal - Cont		60	Salvia Mixed Color	Salvia	1-Gal - Cont
	10	Daylily Pardon Me	Hemerocallis x hybridus 'Pardon Me'	1-Gal - Cont		30	Sedum Autumn Fire	Sedum hybrid 'Autumn Fire'	1-Gal - Cont
	15	Hydrangea Little Quick Fire	Hydrangea paniculata 'SMHPLQF'	18" -Cont		3	Serbian Spruce	Picea omorika	7' - B&B
	40	Invincibelle Mini Mauvette Hydrangea	Hydrangea arborescens 'NCHA7'	18" -Cont		15	Weigela Spilled Wine	Weigela florida 'Wine & Roses'	18" -Cont
	126	Karl Forester Reed Grass	Calamagrostis x acutiflora 'Karl Foerster'	1-Gal - Cont					

LANDSCAPE NOTES

1. THE LAYOUT OF ALL PLANTING BEDS AND INDIVIDUAL TREES AND SHRUBS SHALL BE STAKED BY THE CONTRACTOR IN ADVANCE OF INSTALLATION. AN APPROVED REPRESENTATIVE WILL REVIEW THESE LOCATIONS WITH THE CONTRACTOR AND MAKE ADJUSTMENTS AS NECESSARY.
2. THE CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING THE PLANT MATERIAL QUANTITIES REQUIRED BY THE LANDSCAPE PLANS.
3. ALL PLANT MATERIAL SHALL COMPLY WITH STANDARDS DESCRIBED IN AMERICAN STANDARD OF NURSERY STOCK - Z60.1 ANSI.
4. ALL STOCK SHALL BE FREE OF DISEASES AND HARMFUL INSECTS, DAMAGE, DISORDERS AND DEFORMITIES.
5. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH PLANTING DETAILS.
6. ALL PLANTING BEDS SHALL HAVE A MINIMUM 10" DEPTH OF PREPARED SOIL.
7. ALL PLANTING BEDS SHALL BE MULCHED WITH 3" DEEP DARK BROWN ENVIRO MULCH, AND ALL TREES PLANTED IN TURF AREAS SHALL RECEIVE A 3" DEEP DARK BROWN ENVIRO MULCH RING.
8. ALL PLANTING BEDS SHALL HAVE 1/8"X4"X16' SURE-LOC ALUMINUM EDGING MILL FINISH.
9. ALL TREE RINGS SHALL HAVE SHOVEL CUT EDGE.
10. ALL LAWN SEED AREAS SHALL RECEIVE A MINIMUM OF 6" DEPTH OF TOPSOIL.
11. FOR LAWN HYDROSEEDING, APPLY A STARTER FERTILIZER AND SEED UNIFORMLY AT THE RATE RECOMMENDED BY MANUFACTURER, AND PROVIDE A STRAW MULCH COVERING TO PROMOTE SEED GERMINATION AND TURF ESTABLISHMENT. A TACKIFIER MAY BE NECESSARY TO AVOID WIND DAMAGE.
12. LAWN SEED MIX REINDERS CADET70/30 FESCUE/BLUE MIX.
13. ALL FINISH GRADING AND LAWN AREAS TO BE INSTALLED BY LANDSCAPE CONTRACTOR.
14. ALL DISTURBED AREAS SHALL BE REPARED OR REPLACED.
15. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, INCLUDING ANY IRRIGATION LINES, PRIOR TO DIGGING. CONSULT DIGGERS HOTLINE (800) 242-8511.
16. MAINTENANCE, THE OWNER SHALL TEND AND MAINTAN ALL PLANT MATERIAL IN A HEALTY GROWING CONDITION PER APPROVED PLAN. PLANTINGS SHALL BE REPLACED WHEN NECESSARY AND KEEP FREE FROM DEBRIS. ALL PLANTING MATERIAL WHICK IS DYING OR DAMAGGEN SHALL BE REPLACED WITHIN 6 MONTHS OR BY YHE NEXT GROWING SEASON, WHICHEVER COMES FIRST.

CURVE TABLE

CURVE NO.	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	103.38'	236.50'	025°02'44"	S29°26'57"W	102.56'
C2	218.11'	165.00'	075°44'21"	S79°50'30"W	202.58'

EAST CORNER
SEC. 19, T9N, R22E
(FOUND CONC. MON. W/ BRASS CAP)
N=454,651.04; E=2,553,241.02
(WISCONSIN STATE PLANE CO-ORDINATE SYSTEM, SOUTH ZONE)
REFERENCE BENCHMARK: EL.=671.93

EAST LINE OF THE SE 1/4 SEC. 19, T9N, R22E
S00°02'57"E 2662.28'

SOUTHEAST CORNER
SEC. 19, T9N, R22E
(FOUND CONC. MON. W/ ALUMINUM CAP)

LOCATION: LOT 2 CSM NO. 4070

BEING A PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SEC. 19, T9N, R22E, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

PROPOSED LANDSCAPE PLAN

REVISIONS

PEG JOB No. 1163.00A
PEG PM ASZ
DATE 1/20/23
SCALE 1"=30'

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PLAN | DESIGN | DELIVER
www.pinnacle-engr.com
PINNACLE ENGINEERING GROUP
ENGINEERING | NATURAL RESOURCES | SURVEYING
CHICAGO | MILWAUKEE : NATIONWIDE
WISCONSIN OFFICE:
20725 WATERTOWN ROAD
BROOKFIELD, WI 53186
(262) 754-8888

LANDSCAPE PLAN PREPARED BY
NORTHERN EXPOSURE LANDSCAPING
DATE: March 2, 2023

REVIEWED: ASZ
DESIGNED: ASZ
DRAFTED: BR

FOR REVIEW

www.pinnacle-engr.com

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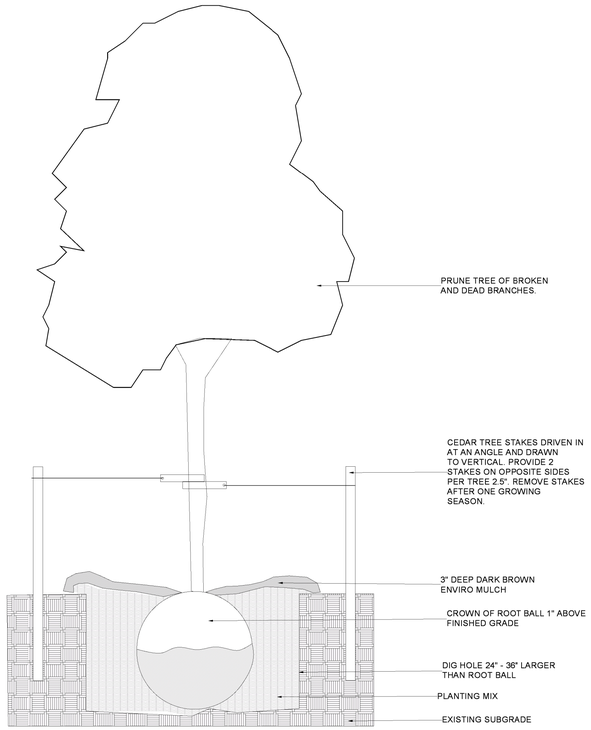
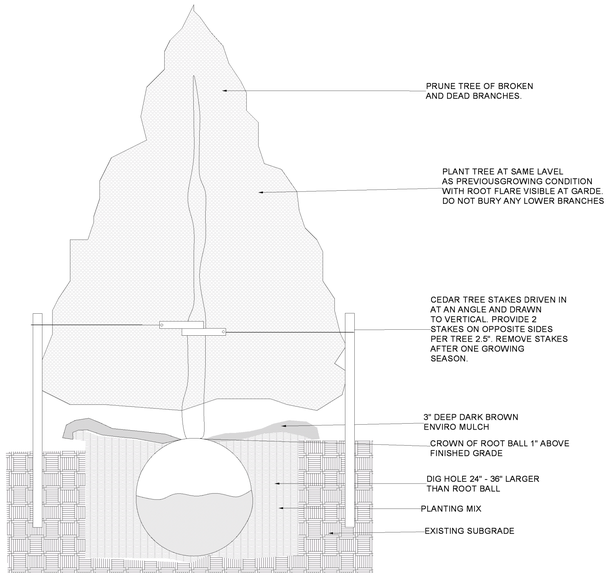


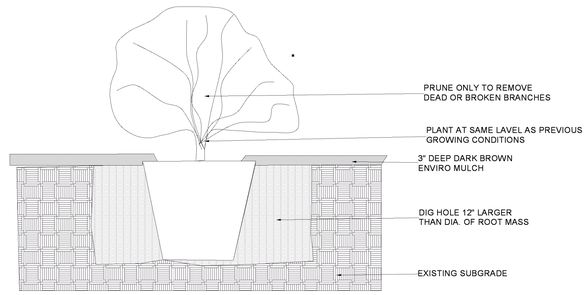
1. DECIDUOUS TREE PLANTING DETAIL

NOT TO SCALE



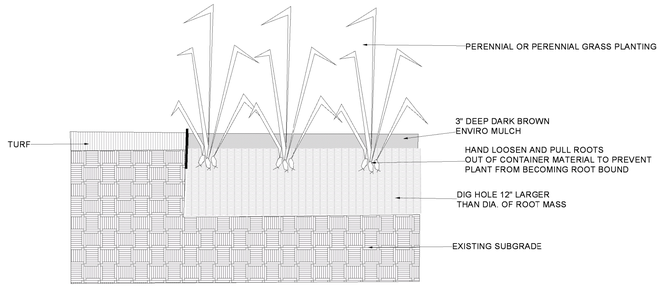
2. EVERGREEN TREE PLANTING DETAIL

NOT TO SCALE



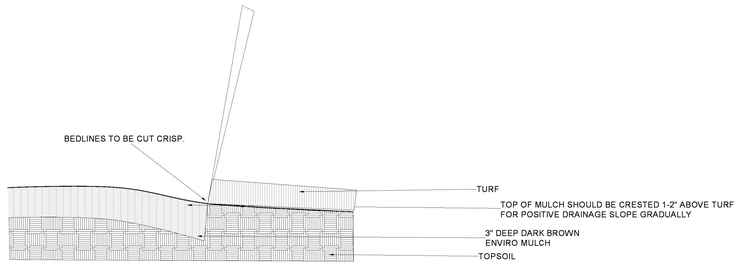
3. DECIDUOUS SHRUB PLANTING DETAIL

NOT TO SCALE

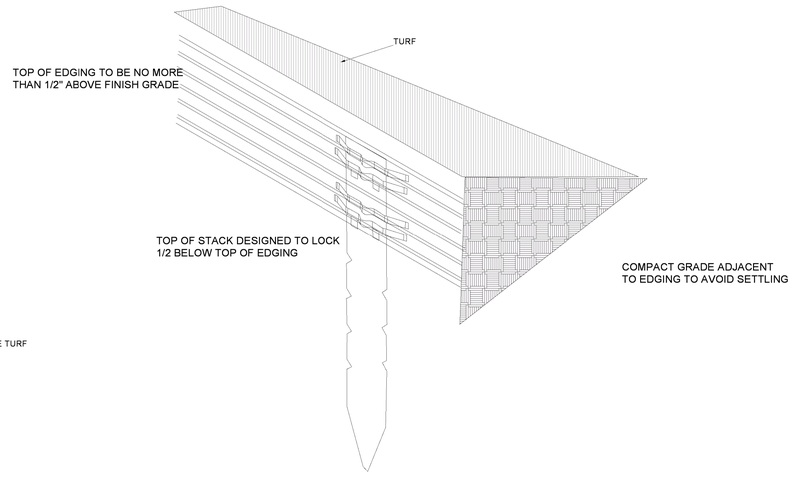


4. PERENNIAL OR PERENNIAL GRASS PLANTING DETAIL

NOT TO SCALE



5. BED EDGE SPADE EDGE DETAIL



6. ALUMINUM LANDSCAPE EDGING DETAIL

NOT TO SCALE

NORTHERN EXPOSURE LANDSCAPING
DATE: March 2, 2023

LOCATION: 11649 NORTH PORT WASHINGTON ROAD

LOT 2 CSM 4070, BEING A PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 OF THE SE 1/4 SEC. 19 T9N, R22E CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

PROPOSED LANDSCAPE DETAILES

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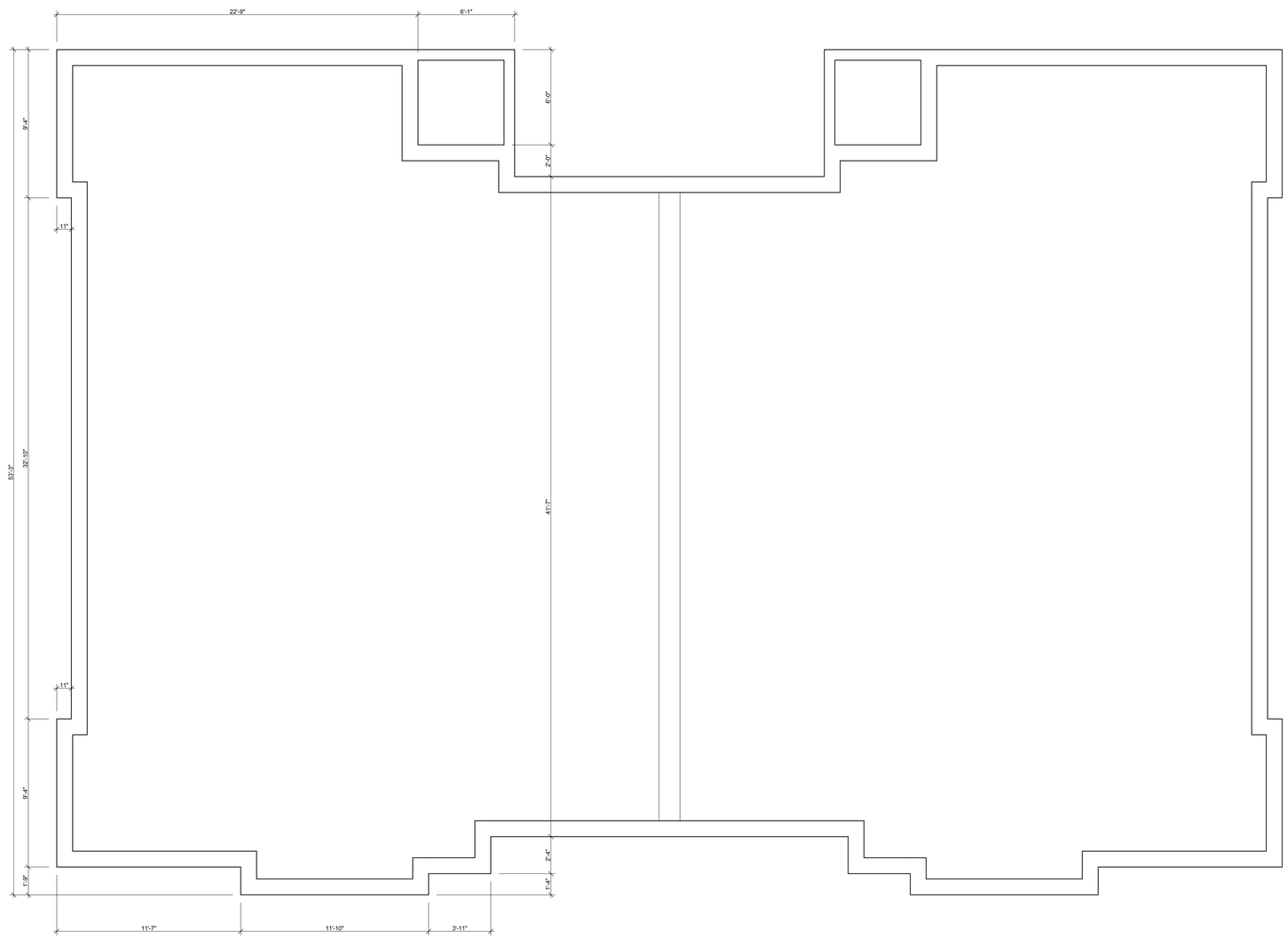

1 A100 FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

GALBRAITH CARNAHAN ARCHITECTS
6404 West North Avenue
Milwaukee, Wisconsin 53213
(414) 291-0772 phone
www.galbraithcarnahan.com

CONSULTANTS:

MEQUON DUPLEXES

11649 NORTH PORT WASHINGTON ROAD MEQUON WI

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PROJECT # 22.12

FOUNDATION PLAN

A100

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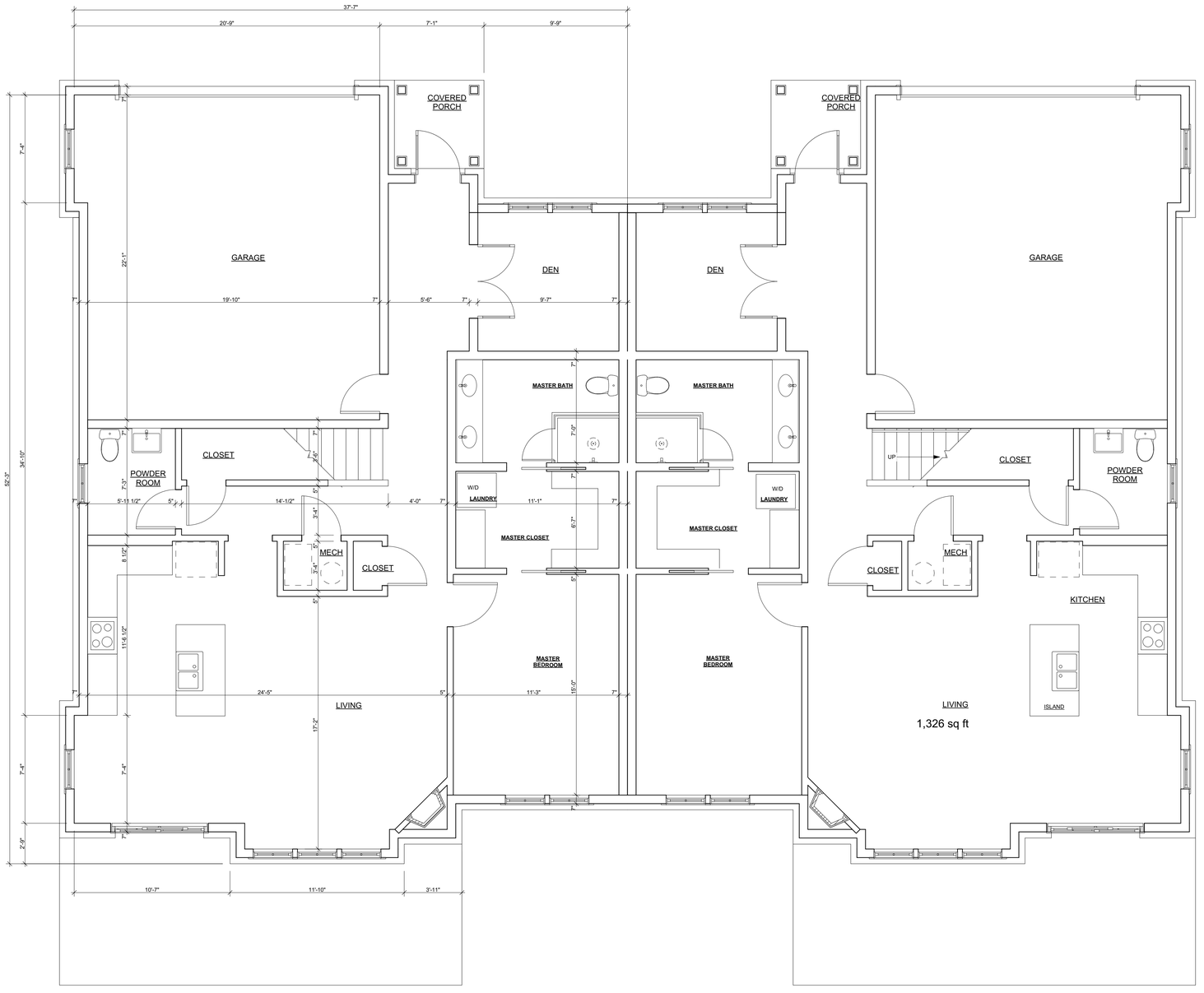

1 A101 FIRST FLOOR PLAN
SCALE: 1/4" = 1'-0"

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FIRST FLOOR PLAN

A101

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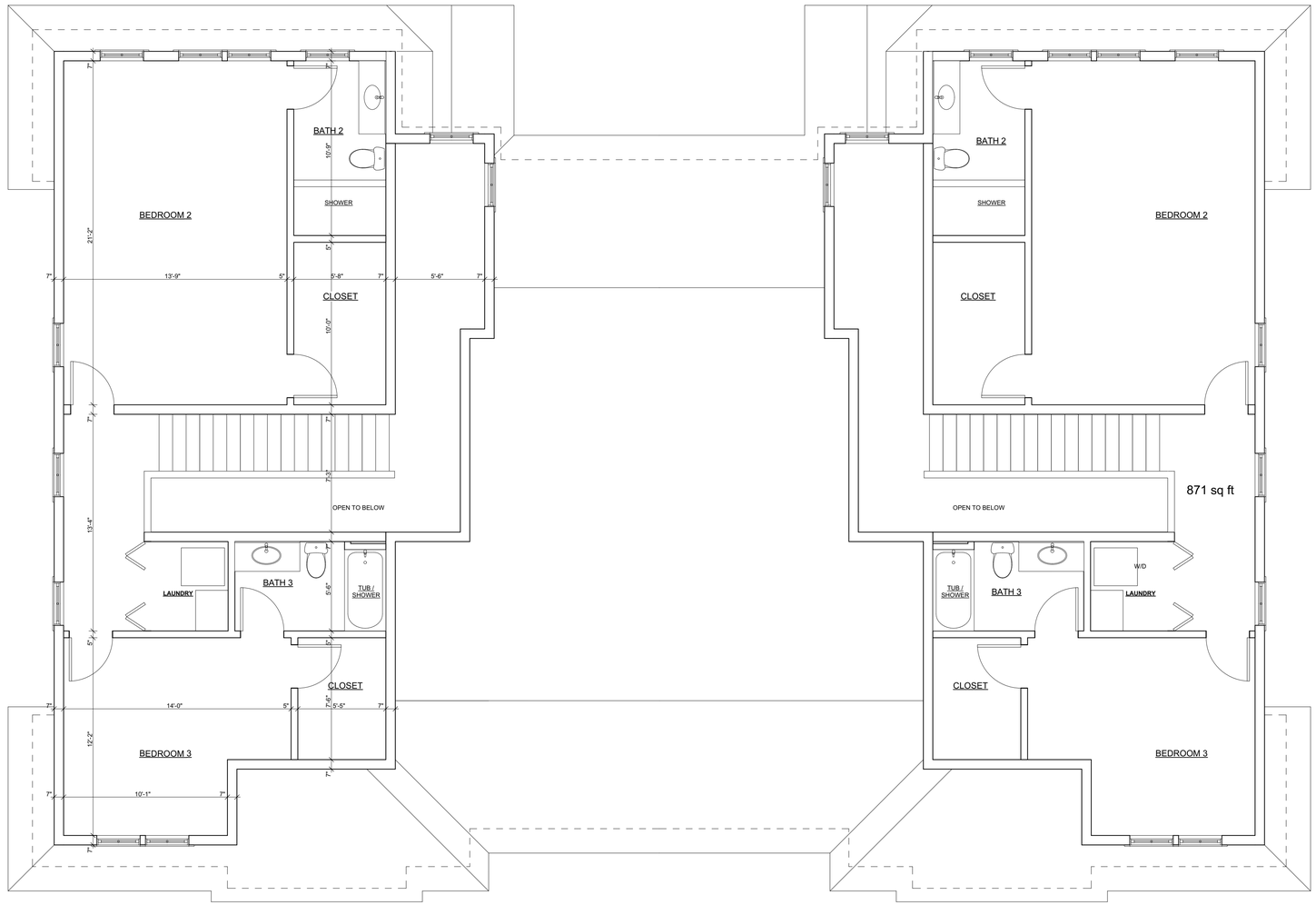

1 A102 SECOND FLOOR PLAN
SCALE: 1/4" = 1'-0"

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SECOND FLOOR PLAN

A102

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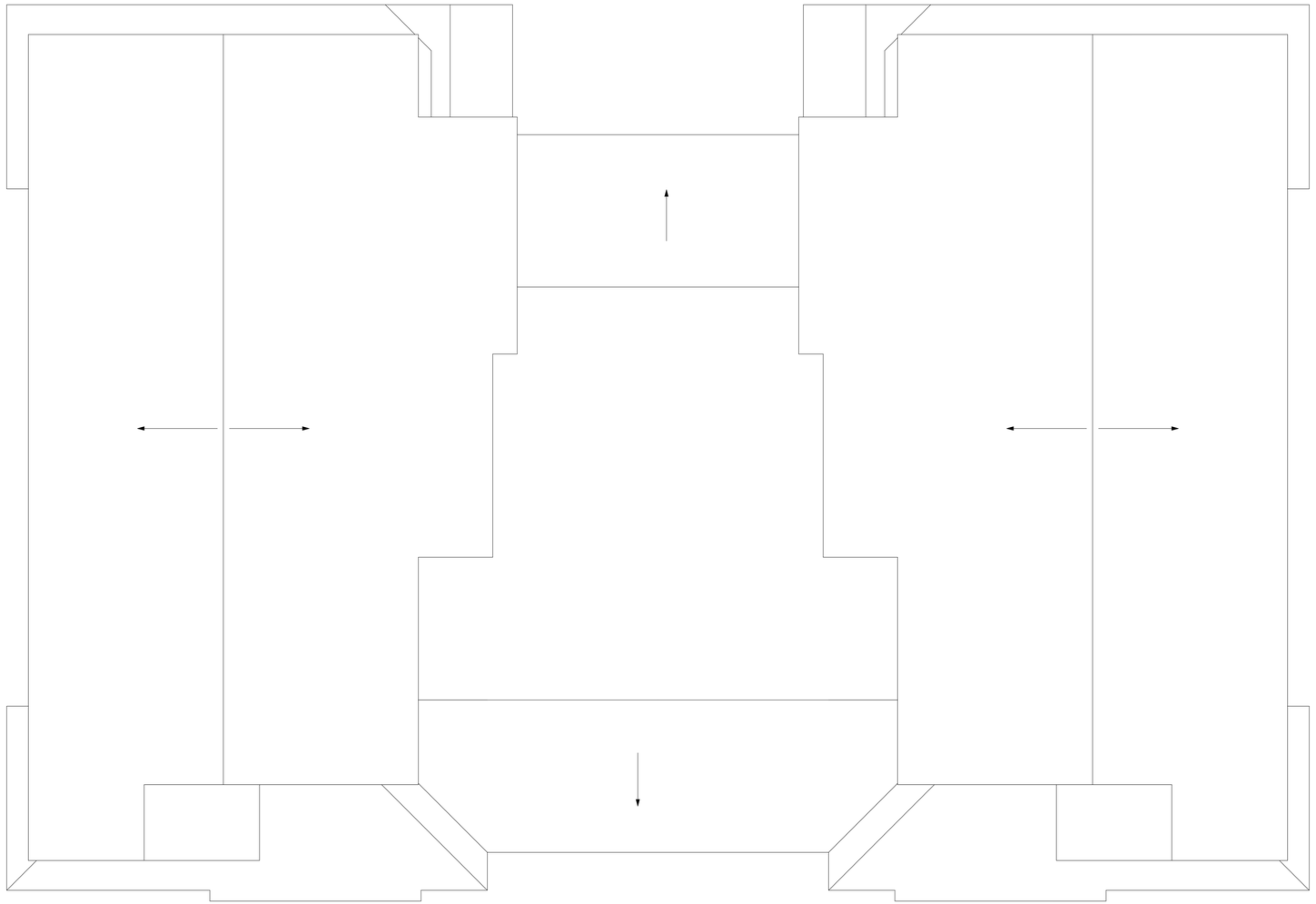

1 A102 TRUSS BRG.
SCALE: 1/4" = 1'-0"

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PRELIMINARY	2-28-23

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ROOF PLAN

A102

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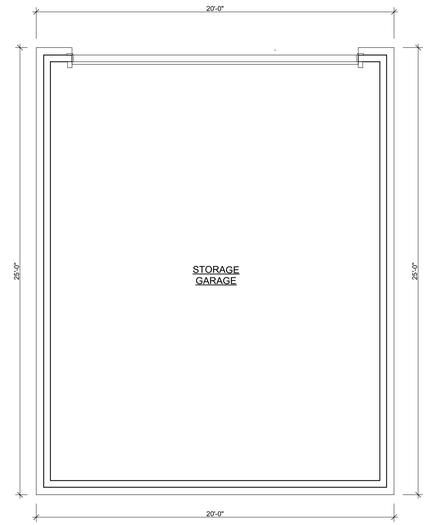

A103 GARAGE FLOOR PLAN
SCALE: 1/4" = 1'-0"

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PROJECT # 22.12

GARAGE PLAN

A103

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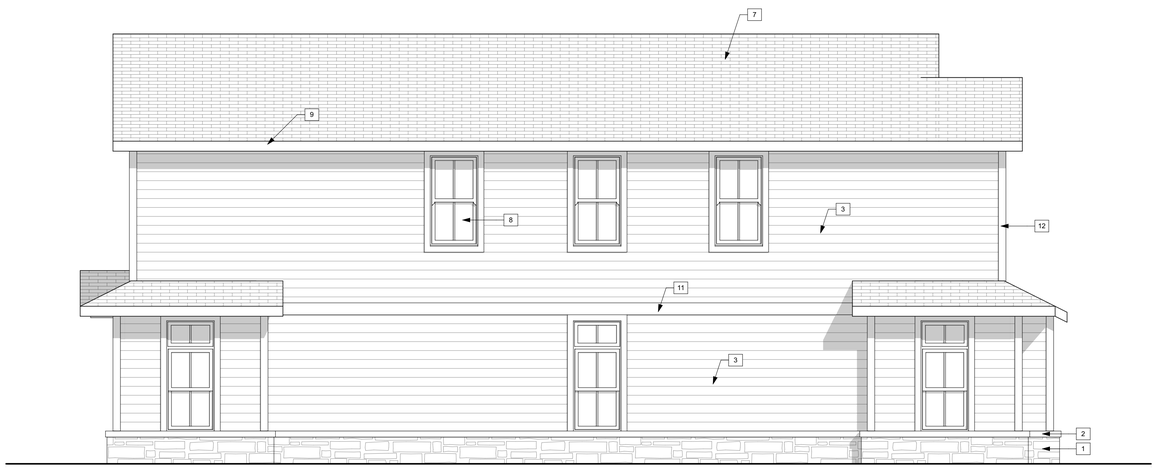
1 A200 FRONT ELEVATION
SCALE: 1/4" = 1'-0"

ELEVATION NOTES

1	STONE VENEEER
2	CUT STONE SILL
3	COMPOSITE 6" LAP SIDING
4	COMPOSITE 4" LAP SIDING
5	INSULATED COMPOSITE OVERHEAD DOOR
6	COMPOSITE WRAPPED POST
7	DIMENSIONAL SHINGLES
8	INSULATED VINYL WINDOW SYSTEM WITH 5/4 X 4 COMPOSITE TRIM
9	PRE-FINISHED ALUMINUM FASCIA AND SOFFIT VENT
10	COMPOSITE LOUVER
11	5/4 X 8 COMPOSITE TRIM BOARD
12	5/4 X 4 COMPOSITE TRIM BOARD



2 A200 RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

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PRELIMINARY | 2-28-23

PROJECT # 22.12

ELEVATIONS

A200

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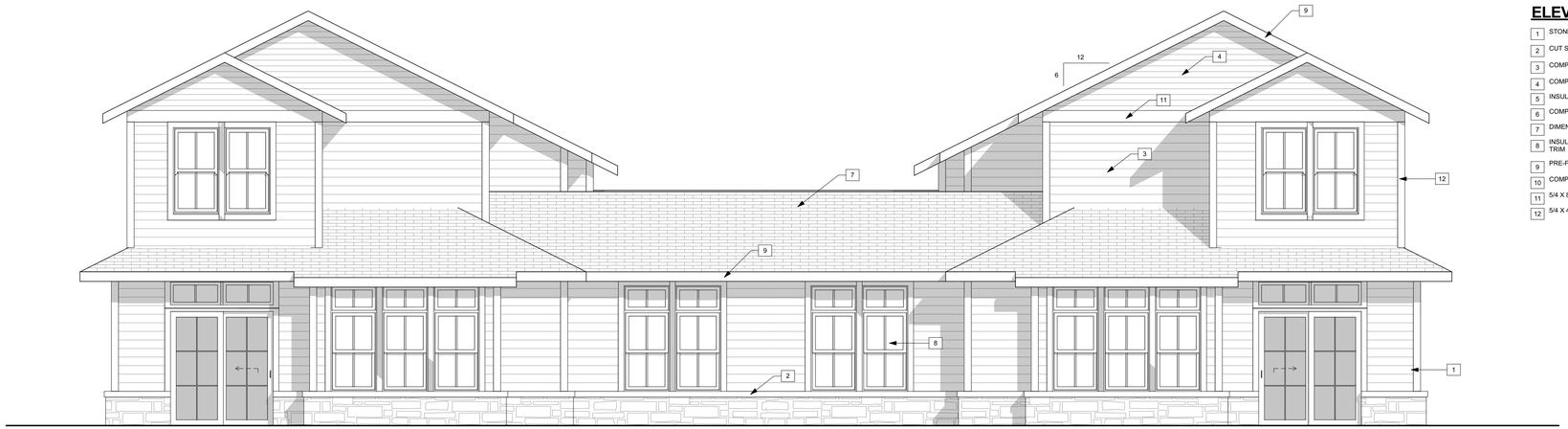

1 A201 REAR ELEVATION
SCALE: 1/4" = 1'-0"

ELEVATION NOTES

1	STONE VENEEER
2	CUT STONE SILL
3	COMPOSITE 6" LAP SIDING
4	COMPOSITE 4" LAP SIDING
5	INSULATED COMPOSITE OVERHEAD DOOR
6	COMPOSITE WRAPPED POST
7	DIMENSIONAL SHINGLES
8	INSULATED VINYL WINDOW SYSTEM WITH 5/4 X 4 COMPOSITE TRIM
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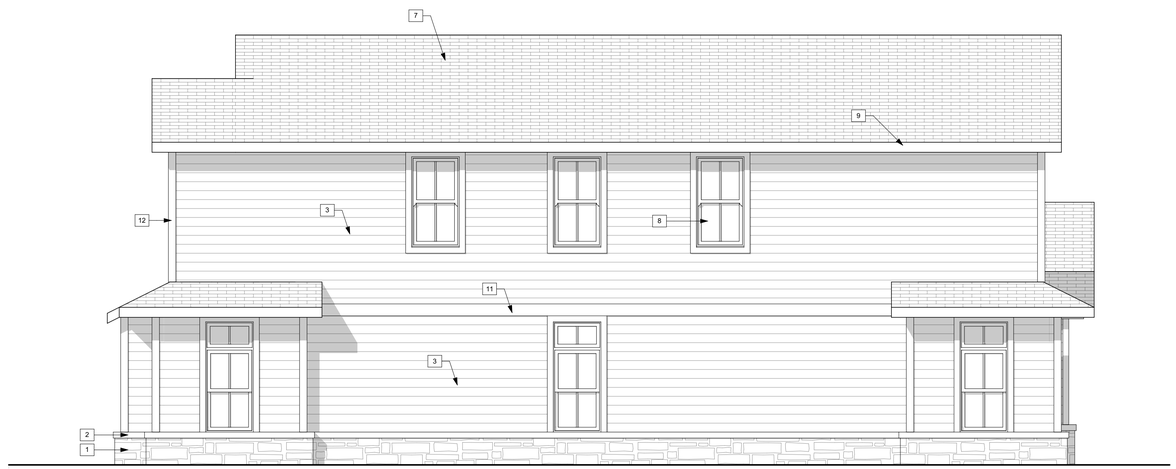
11	5/4 X 8 COMPOSITE TRIM BOARD
12	5/4 X 4 COMPOSITE TRIM BOARD



2 A201 LEFT ELEVATION
SCALE: 1/4" = 1'-0"

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PRELIMINARY	2-28-23

PROJECT # 22.12

ELEVATIONS

A201

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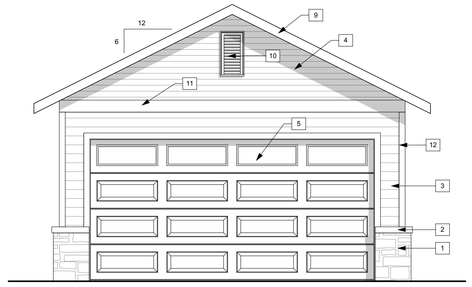
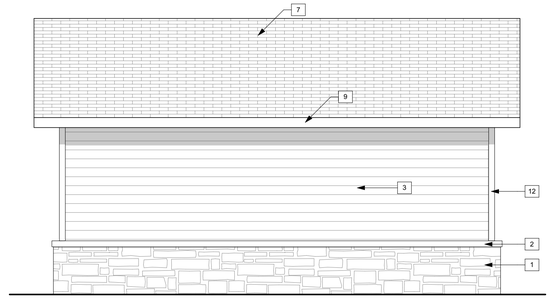


1 A202 GARAGE FRONT ELEVATION
SCALE: 1/4" = 1'-0"



2 A202 GARAGE RIGHT ELEVATION
SCALE: 1/4" = 1'-0"

ELEVATION NOTES

1	STONE VENEEER
2	CUT STONE SILL
3	COMPOSITE 6" LAP SIDING
4	COMPOSITE 4" LAP SIDING
5	INSULATED COMPOSITE OVERHEAD DOOR
6	COMPOSITE WRAPPED POST
7	DIMENSIONAL SHINGLES
8	INSULATED VINYL WINDOW SYSTEM WITH 5/4 X 4 COMPOSITE TRIM
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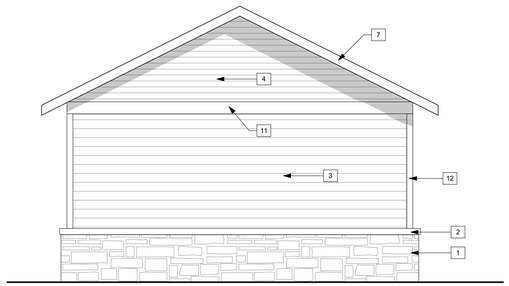
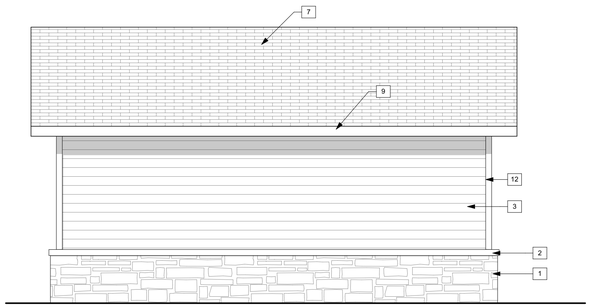
12	5/4 X 4 COMPOSITE TRIM BOARD



3 A202 GARAGE REAR ELEVATION
SCALE: 1/4" = 1'-0"



4 A202 GARAGE LEFT ELEVATION
SCALE: 1/4" = 1'-0"

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PRELIMINARY | 2-28-23

PROJECT # 22.12

GARAGE ELEVATIONS

A202

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Document Number	**DEVELOPMENT AGREEMENT** Document Name	

THIS DEVELOPMENT AGREEMENT ("Agreement") is made as of 02/04/2023, by Eastbrook Drive, LLC (the "Developer") and the City of Mequon, a municipal corporation (the "City").

RECITALS

A. The Developer desires to improve and develop the property described on the attached Exhibit A (the "Property").

B. Wisconsin Statutes Section 236.13(2) and Sections 58-634(c) and 58-637 of the Mequon Code of Ordinances (the "Code") provide that, as a condition of approval, the City shall require that the Developer make and install or have made and installed any reasonably necessary improvements.

C. This Agreement describes the Public Improvements, as defined below, that are necessary to complete the Developer's proposed development on the Property (the "Development"), the Private Improvements, as defined below, and other terms and conditions of the Development.

Recording Data

Name and Return Address

City Engineer
11333 N Cedarburg Road
Mequon, WI 53092

Parcel Identification Number

D. The schedule for the City's Public Works Department, and the City's budget, do not provide for installation of the Public Improvements, and absent this Agreement, there would be a considerable delay in the installation of the Public Improvements.

E. The orderly, planned development of the Development will best promote the health, safety and general welfare of the community.

AGREEMENTS

NOW, THEREFORE, in consideration of the foregoing recitals and the following agreements, and for other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties agree:

1. Improvements. As defined in this Agreement, the following terms and phrases have the following meanings:

"Improvements" means the Private Improvements and the Public Improvements.

"Private Improvements" means all improvements in the Development required by this Agreement other than the Public Improvements.

"Public Improvements" means all public streets, sidewalks, paths and required appurtenances to the foregoing, including without limitation street name signs, regulatory/public safety signs (speed limit signs,

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

stop signs and so forth) and bollards; sanitary sewer facilities and water supply facilities that connect to the public sewer or public water systems, but in each instance only those portions up to and including stubs of laterals; street trees and any required landscaping in rights of way; street trees and other landscaping in easement areas dedicated to the City for that purpose, but only to the extent specified in such easements; items specified in the Plans, as defined below and approved by the City, as Public Improvements; and items specified in the Code or state statues as Public Improvements.

2. Proposed Development Plan. The Development as proposed is depicted on the Developer's proposed development plan.

The proposed development plan was granted approval or conditional approval by the Planning Commission on _____.

PLANS AND SPECIFICATIONS

3. Plans and Specifications. The Developer shall, at its expense, have plans and specifications (collectively, the "Plans") prepared for the Improvements. The Plans shall include those plans that are customary in the industry for similar developments, including a site plan, grading, drainage and erosion control plans, stormwater drainage plans, landscaping and open space plans, street plans, utility plans and construction details, including those construction details described in this Agreement. The Plans shall be subject to review and approval of the City Engineer and any regulatory body or other staff person specified below. The Developer shall not commence the Improvements until the Plans are reviewed and approved.

4. Corrections to Plans. The City Engineer may, at any time prior to Final Plat approval, require changes to approved Plans for any of the Improvements to the extent such changes are necessary to correct oversights, omissions or errors, to compensate for changing site conditions or to complete fully the work in accordance with sound engineering practice. The Developer shall perform the work necessitated by any such change entirely at its expense without any claim for reimbursement.

5. Standards. The Plans and design of the Improvements shall comply with the requirements of the current edition of the City's Standard Specifications for Land Development and all applicable provisions of the Code and state and federal laws (each a "Regulation") in place at the time of preliminary approval of the Plans and design. Additionally, the Plans shall satisfy the requirements set forth below. In the event of a conflict between the Standard Specifications and this Agreement, the terms of this Agreement shall control. In the event of a conflict between any Regulations, the more stringent requirement shall apply unless otherwise addressed within the Regulation.

6. Changes in Regulations. Should any Regulation change within two years of the preliminary approval, the Developer may choose which version of the Regulation to follow if material work on the applicable Improvement has commenced. Where work on an Improvement affected by the changed Regulation has not commenced, the Developer shall comply with the revised Regulation.

7. Grading, Drainage and Erosion Control Plans. The Developer shall submit grading, drainage and erosion control plans that:

(a) Indicate which lots are designed for full exposure and partial exposure and the lots that are limited to front load entry garage only.

(b) Show 2' contours for both existing and proposed grades for building pads and any culverts and storm sewers.

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(c) Indicate and detail the cross-section and profiles of all drainage ways and erosion protection.

(d) Show minimum setback and offset dimensions and building grades approved by the City.

(e) For all land disturbing activities, show existing contours at least 200' into adjacent parcels.

(f) Show the location and dimension of all construction site management measures to control erosion and sedimentation.

(g) Include minimum elevations for the proposed top of principal building foundation walls based on proposed building envelopes shown on the approved specimen tree plan and approved finished yard grades.

8. Stormwater Drainage Plans. The Developer shall submit stormwater drainage plans that:

(a) Provide for a complete storm drainage system, including one or more detention basins and retention ponds, culverts, storm sewer and open ditches that are adequate to accommodate expected surface water flow within and through the Development and drain the surface water from and through the Development in accordance with the Code, Chapter 13 of the Milwaukee Metropolitan Sewerage District ("MMSD") rules, and the regulations of the Wisconsin Department of Natural Resources (the "DNR"), as may be applicable.

(b) Show all tributary areas to the proposed drainage system and downstream analysis, including all proposed and existing drainage structures in the drainage system area.

(c) Show drainage easements by dimension and detailed cross-section.

(d) Provide for erosion protection and minimum velocity design and restoration of all areas adjacent to existing and proposed roadways to conform to the approved roadway cross-section.

(e) Address all ditch slopes exceeding five percent (5%). Any such slope that is greater than 5 percent (5%) may only be approved after review and acceptance by the City Engineer. To the extent any such slope shall be greater than five percent (5%), additional analysis of the velocity of the flow and slope protection shall be provided, and such slope might not be approved.

(f) Show all roadside ditches and drainage easements with a minimum one percent (1%) slope. Any such slope that is less than one percent (1%) may only be approved after review and acceptance by the City Engineer. To the extent any such slope shall be less than one percent (1%), additional analysis of the velocity shall be provided, and such slope might not be approved.

(g) Provide on-site stormwater detention that complies, to the satisfaction of the City Engineer, with the City's stormwater ordinances and MMSD Chapter 13 rules and regulations.

(h) Provide hydrologic calculations for the 2-, 10- and 100-year development conditions.

(i) Provide hydraulic calculations showing pond discharge rates under proposed conditions. Under proposed conditions, a retention pond must demonstrate that the 2-, 10- and 100-year discharge rate will be less than pre-settlement conditions.

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(j) Show all sump pump discharge pipes discharging to a roadside ditch, storm sewer or other location approved by the City. For roadways with an urban section, a sump pump collection system shall be required.

(k) Include, if the storm sewer design includes underground piping, a set of utility plans showing all plan and profile views of sanitary water and storm sewer. Such plan shall be used and kept current during all phases of construction.

9. Landscaping, Open Space and Signage Plans**.**

(a) The Developer shall submit a street tree plan which shall conform to the City's street tree ordinance. The street tree plan shall be subject to review and approval of the Tree Board and Planning Commission.

(b) The Developer shall submit landscape plans for all entryways, open spaces, public street cul-de-sacs and detention basin and retention pond buffers. Such plans shall be designed by a licensed landscape architect and shall be subject to review and approval of the Planning Commission. The City may have a licensed landscape architect review the submitted landscaping and open space plans.

(c) Pedestrian and bike paths may be required by the City. If so, pedestrian and bike path plans shall address the public use of the paths and maintenance. Details of such paths shall be subject to review and approval of the City Engineer. The location and use of such paths shall be subject to review and approval of the Planning Commission. Any public access path shall be subject to a ten foot (10') wide pedestrian and bike path easement. An eight-foot (8') wide path shall be designed and constructed in accordance with the Department of Transportation (DOT) Bike Path Facilities Handbook.

(d) The Developer shall submit signage and entryway plans to the City. Such plans shall be subject to review and approval by the Planning Commission.

10. Street Plans.

(a) The Developer shall submit plans for all public and private roads, driveways and roadside sidewalks (if any). Such plans shall be subject to review and approval by the City Engineer and Fire Chief.

(b) Unless otherwise approved by the City, all public and private streets shall satisfy the following requirements:

(i) All new streets shall be constructed with a twelve-inch (12") road base consisting of twelve inches (12") of one and one-quarter inch (1¼") crushed stone base course. The initial surface shall consist of two and one-half inches (2½") of bituminous binder course. Streets and driveways shall be constructed to the City's typical cross-section. The final one and one-half inch (1½") asphalt surface course shall be applied following the construction of the binder course.

(ii) To the extent the Development will be constructed in phases, the plans shall show all cross connections being constructed in each phase. A temporary turnaround shall be shown on the plans for any street connecting into a future phase and for any street leading to any adjoining property.

(c) The plans shall show street name signs and regulatory/public safety signs (speed limit signs, stop signs and so forth) as required by the City Engineer. Street names shall be approved by the Planning Commission.

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11. Sanitary Sewer System Plans.

The Development will have a public sanitary sewer system. The plans for the system shall:

(a) In addition to the City's Standard Specifications for Land Development, conform to the Standard Specifications for Sewer and Water Construction in Wisconsin and additional requirements of MMSD.

(b) Be designed to meet the ultimate needs of the Development in accordance with the City's sanitary sewer system plan.

(c) Show the installation of one sewer lateral from the sanitary sewer main to the limits of the sanitary sewer utility easement or road right-of-way for each property abutting the sanitary sewer main.

(d) Show all sanitary sewer lateral locations.

(e) Be designed so the public mainline shall meet the City's master plan for the area, in terms of depth and size, and be extended to the adjacent properties.

12. Water System Plans.

(a) Supply System. The plans shall satisfy the following requirements:

(i) The plans shall show a water supply and distribution system for the Development with mains, hydrants, valves and laterals for each lot.

(ii) All water mains to be installed in a City road right-of-way or easement shall be subject to review and approval of the City Engineer.

(iii) The City will determine the lateral locations to avoid removal of any specimen trees. The City shall approve all lateral locations.

(iv) The public mainline shall meet the City's master plan for the area, in terms of depth and size, and be extended to the adjacent properties.

(v) Easements shall be provided to adjacent residentially zoned properties for access for potential future connection.

(vi) The mainline water main shall meet Water Utility standards for ISO recommended fire flows of 2500 gpm, which may require twelve-inch (12") pipe for the dead end main.

(vii) Dead end mains must be terminated with a public hydrant and phasing plans.

(b) Fire Protection.

(i) Water for fire protection will be supplied to the Development water system through the City of Mequon Water System.

(ii) All fire hydrant locations shall be subject to review and approval of the Fire Chief.

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CONSTRUCTION REQUIREMENTS

13. Construction of Improvements. The Developer shall construct or have constructed, at its expense, all of the Improvements.

14. General Standards; Strict Compliance with Plans. All construction shall conform to the City's Standard Specifications for Land Development, latest edition. Construction will strictly conform to the Plans. The City may require the Developer to replace all the Improvements that deviate from the Plans unless the Developer seeks and obtains prior written approval from the City for such deviations.

15. Direction by City Engineer. The Improvements shall be constructed in strict accordance with the requirements and direction of the City and the City Engineer or the City Engineer's authorized representative and shall be under and subject to constant inspection by the City Engineer or the City Engineer's representative.

16. Responsibility for the Improvements. The Developer shall be fully responsible for the Improvements, all appurtenances to the Improvements and the acts and omissions of its contractors, subcontractors, material suppliers, delivery services and agents. The Developer shall repair or replace, at the Developer's cost, any damage that occurs to the Improvements and appurtenances to the Improvements during the period of the construction of the Improvements and until certification by the City Engineer, approval of the Improvements, acceptance of dedication by the City and Final Plat approval.

17. Lien Waivers. As a condition of final certification by the City Engineer, and approval, acceptance and dedication of the Improvements by the City, the Developer shall provide to the City paid receipts and lien waivers from all contractors and material suppliers performing work or supplying materials for the installation of the Improvements.

18. No Lot Assessments for Improvements. The costs and value of the Improvements will become an integral value of the abutting property; therefore, the Developer shall not make any future lot assessment for the Improvements.

19. Additional Grading and Drainage Requirements. The Developer shall (a) rough grade as necessary to establish lot grades in accordance with future building grades, top-soiling, seeding and mulching as required, to all exposed ground surfaces to prevent erosion; (b) keep grading and filling to a minimum, including in individual building envelopes; and (c) spread and maintain topsoil, seed and mulch over all exposed ground surfaces to prevent erosion, including surfaces disturbed by utility contractors.

20. Wetlands. Wetland boundaries shall be identified and marked in the field and verified by the DNR. The wetlands and setbacks shall be identified on the plat. Wetland boundary markers shall be maintained, and setbacks observed, during all phases of land disturbance and construction. No wetland shall be filled without prior approval of the DNR.

21. Additional Erosion and Runoff Control Requirements**.**

(a) With respect to erosion and sedimentation control, the Developer shall install and construct the Improvements in compliance with the requirements of the Ozaukee County Land Conservation Guidelines (SCS) and the DNR's "Wisconsin Construction Site Best Management Practice Handbook," latest edition, requirements. Temporary stormwater quality measures during construction activities shall include, at a minimum, the installation of silt fence and temporary sediment basins.

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(b) The Developer shall install the drainage system, including roads (unpaved, but with gravel surface), first. The swale and ditches shall be sodded or planted with fast growing grasses immediately after grade certification by the City or its designated agent. The City may request temporary mulching if ground is exposed for more than seven days. Straw, hay bales, check dams or silt fences shall be placed in the drainage system as sediment traps in accordance with established best management practices. The City will decide whether sod is appropriate and whether the sediment trap method to be used.

(c) The Developer may not commence land disturbing activities until all erosion control measures are installed and approved by the City. An erosion control permit must be approved which requires the Developer to construct in conformance with the City's erosion control ordinance.

(d) The Developer shall protect all exposed soils with mulches, temporary annual grasses or erosion matting.

(e) The Developer shall not pile or permit excavated soil to be piled near the drainage system. A topsoil stockpile area shall be identified and used, complete with appropriate erosion control measures.

(f) The Developer will periodically inspect the above-described systems and control measures, including after each rain event, and shall promptly maintain, repair and replace them to their originally approved condition.

22. Topsoil. Excess topsoil shall only be removed from the Development by means of end-loading (no screening allowed on site) and trucking from the site. The Developer shall not disrupt topsoil where it is unnecessary, and the final arbiter of necessity shall be the City.

23. Additional Stormwater Drainage Requirements. Stormwater facilities shall be installed before impervious surfaces.

24. Additional Street and Street Signage Requirements.

(a) Prior to the commencement of any construction activity, the Developer shall meet with City Engineering and Public Works staff to identify and agree to a specific "haul" route for all construction equipment and material supplies associated with the Development. The Developer shall agree to confine the movement of its construction equipment to the approved route unless approved otherwise by the City Engineer. The Developer shall provide the Street Wear Financial Guarantee, as defined below. The City shall videotape and perform a road evaluation of the agreed to haul route. This evaluation, known as a service condition rating or "SCR", shall be used as the base line for establishing the level of damage that occurs as a result of the Development. At the conclusion of the construction activity and prior to the recording of the Final Plat, the City will again videotape and perform a post development SCR of the Developer's "haul" route. The road evaluation is only applicable to that portion of the approved haul route that lies within the corporate limits of the City. Prior to the City acceptance of the Public Improvements, the Developer will repair the road or pay to the City the cost, as determined by the City, for the estimated repairs, including without limitation labor, material and costs regularly charged by the City for its staff's time for inspections, shouldering, streets, curbs, gutters, failures, base repairs, defects and utility adjustments.

(b) If the surface course of a street cannot be constructed prior to October 15, the Developer shall provide the Surface Completion Letter of Credit, as defined below.

(c) At the time of any extension of any street in the Development for which a temporary turnaround was constructed, the Developer shall remove the temporary turnaround and restore the area.

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(d) The roadside sidewalk shall be installed at the time of street construction. Until Final Plat approval, the Developer shall maintain (including snow and ice removal) such roadside sidewalks and repair and replace them as necessary.

(e) The Developer shall provide and install street name signs and regulatory/public safety signs required by the Plans in the form required by the City.

25. Additional Utility Requirements.

(a) The Final Plat shall include easements for sanitary, drainage, gas, electric, sewer, water, phone, cable television, internet and other utilities for provision of services to and from the Development.

(b) All sanitary, water and drainage easements must be prepared separately for each lot or parcel and recorded at the Developer's expense. These documents shall be subject to review and approval of the City and shall be required at the time of Final Plat approval.

(c) The Developer shall provide proof of payment in full for installation of all required utilities prior to Final Plat approval.

(d) Underground utility installations shall be subject to review and approval by the City Engineer and shall made without any street pavement removal, unless otherwise specifically approved by the City Engineer.

(a) The Developer and the City shall enter into a Water Services Agreement in form and content customarily required by the City prior to connection to the City's water system.

MODEL HOMES

26. Model Homes.

(a) Subject to satisfaction of all other requirements for a building permit, the City will issue a building permit for __1___ principal structures (2 units) to be used as sales models prior to approval and recording of the Final Plat.

(b) If the Developer is unable, despite reasonable efforts, as determined by the City in its sole discretion, to satisfy the paving requirements of Section 3.6 of the Standard Specifications for Land Development, the City will, upon application of the Developer and satisfaction of all other requirements for a building permit, issue a building permit for one model home prior to the installation of the binder course of asphalt in the adjacent dedicated public road or private access easement. The City shall not issue the building permit for such model home until stone base is installed and such stone base has successfully passed a proof roll. The stone base shall allow, as determined by the City in its sole discretion, access for inspections and emergency personnel. The City may cancel inspections if adequate access is not provided to inspections staff.

(c) The Developer shall not transfer title to any lot containing a model home until the Final Plat is approved and recorded as described below.

ASSOCIATION; COVENANTS, CONDITIONS AND RESTRICTIONS; ONGOING AGREEMENTS

27. The Association. The Developer shall, prior to the sale of any property within the Development, create or cause to be created an entity (the "Association") with a perpetual existence under the laws of the State

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of Wisconsin to control and maintain the common areas and facilities of the Development and to assume the obligations of the Association set forth in this Agreement. The Developer shall provide the City a description of the organization of the proposed Association, together with copies of its governing documents, including all documents governing ownership, maintenance and use restrictions for common facilities or common elements, including commonly owned outlots. Such documents shall be subject to review and approval of the City for consistency with the requirements of this Agreement. The Association shall be operating (with financial subsidization by the Developer, if necessary) before the sale of any part of the Development. All owners of any property in the Development, including the Developer, shall be members of the Association solely by virtue of such ownership and shall be jointly responsible for its obligations, which obligations shall be assessable as against such members. The Association shall have the power and authority to assess property owners for their proportionate share of costs associated with the responsibilities of the Association set forth in this Agreement. The governing documents for the Association shall confer legal authority on the Association to place a lien on the property of any member who falls delinquent in dues or assessments. Such dues and assessments shall be paid with accrued interest before the lien may be lifted. If at any time the Association does not exist or fails to satisfy its obligations, the owners of the Property shall be jointly and severally liable, with rights of contribution, for the Association's responsibilities under this Agreement and all agreements that run with the land that impose responsibilities on the Association.

28. Obligations of the Association. The Association shall be obligated to maintain in good condition and repair, and replace as necessary, all of the following, if any, that are required and approved as part of the Development: (a) roadside sidewalks (including snow and ice removal); (b) pedestrian and bike paths and appurtenances to such paths, including without limitation any signage and bollards; (c) monument and entrance signs; (d) roadside bollards; and (e) all landscaping and related elements (except those on private lots), including street trees, open areas and stormwater facilities. Such obligations shall be memorialized in one or more documents that shall be recorded against the Property, The documents memorializing such obligations shall specify that, if at any time the Association does not exist or fails to satisfy its obligations, all owners of the Property shall be jointly and severally liable, with rights of contribution, for such responsibilities. . The documents memorializing such obligations shall be subject to review and approval of the City, and the provisions requiring the foregoing may not be amended without the prior written approval of the City.

29. Temporary Turnarounds. If any street constructed as part of the Development has a temporary turnaround for any future extension of the street beyond the Development, the Association shall remove such turnaround and restore the area in a manner acceptable to the City at the time the street is extended beyond the Development.

30. Stormwater Best Management Practices Maintenance Agreement. The Developer and the City shall enter into an agreement as described below to ensure that the Development's stormwater facilities are maintained to meet or exceed the standards to which they were constructed so that, in the future, the stormwater facilities continue to accommodate the appropriate volume and manage flow through and within the Development and meet applicable performance standards for storage and release. Accordingly, the following requirements are applicable to the Development:

(a) All stormwater drainage and storage facilities, including detention basins and ponds (whether one or more), shall be maintained and cared for by the Developer until such time as the Developer passes control of the stormwater elements of the Development and responsibility for maintenance of such stormwater elements to the Association, at which time such responsibility shall pass to the Association. In the event that the Developer transfers any portion of the Development prior to the construction, installation and approval of any required stormwater facilities, the Developer shall be released from responsibility for the installation and maintenance of the stormwater facilities only upon the City's approval, in its sole discretion, of the form of the successor in interest's assumption of the Developer's responsibilities under this Agreement; however, the

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transferee shall be jointly and severally responsible with the Developer until the completion of the construction, installation and approval of such facilities.

(b) The following minimum standards for future care and maintenance of the stormwater drainage and storage facilities, including detention basins and ponds (whether one or more), shall be adhered to by Developer and Developer's assigns and successors in interest:

(i) Provide normal and customary cleaning and maintenance to the detention basins and ponds (whether one or more) located in the Development including, but not be limited to, weed and algae control, dam stabilization, emergency overflow, outlet structure (including trash rack), dredging and biological control.

(ii) Dredging of the storm water facilities shall require permits and approvals under Wisconsin Statutes Section 30.20 to remove materials from the bed of a pond ultimately connected to Lake Michigan from the DNR.

(iii) All weed, algae and other biological control utilizing chemical treatments shall be made consistent with the regulatory requirements that apply to the use of EPA/State Registered Chemicals in detention basins and ponds or lakes and regulations of the DNR. With few exceptions, a permit must be filed with, and approved by, the DNR prior to chemical treatment. In certain circumstances, a representative of the DNR will monitor or supervise the chemical treatment. Developer should contact the DNR for additional information.

(iv) All detention basins and ponds shall be certified by a licensed professional engineer or land surveyor as a condition of Final Plat approval. To assure compliance with the approved plans, the Developer shall recertify the detention basins and ponds (whether one or more) as a condition of transferring ownership to the Association, but in no event shall such recertification occur later than five years after the approval of the Final Plat.

(v) Initial certification of the detention basins and pond (whether one or more) shall be submitted with an as-built record drawing.

(vi) All detention basins and ponds shall be inspected in compliance with the inspection report form supplied by the City. Any deficiencies shall be corrected immediately. A copy of the report form, including but not limited to photographs or diagrams of the deficiency and corrections with the certification shall be provided to the Association, and any other assigns and successors in interest of the Developer, and shall be promptly submitted to the City Engineer for review and approval. Specific areas shall include, but not be limited to:

- Bio-retention facility
- Pond containment berms are stable and free of animal burrowing
- Detention storage volume
- Erosion
- Vegetative cover
- Sediment accumulation
- Trash rack/culvert functions
- Outlet flow
- High water level
- Water surface elevation at time of survey
- Normal pond water level

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- Emergency overflow

(vii) To guarantee performance of all of the foregoing obligations concerning the private stormwater drainage and storage facilities, including detention basins and ponds, the Developer shall, in accordance with Section 58-677(b) of the Code, deposit a performance bond, letter of credit or cash deposit (the "Stormwater Guarantee") to guarantee the good faith execution of the approved control plan and any permit conditions. The Stormwater Guarantee shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices. The City will release the portion of the Stormwater Guarantee less any costs incurred by the City to complete installation of the facilities upon submission of a certification in accordance with Section 58-678(h) of the Code.

(viii) Not less than 90 days prior to the final expiration of the Developer's Stormwater Guarantee obligations, or at such time as the Developer shall convey the outlots or common areas in or on which are located the stormwater drainage and storage facilities, including detention basins and ponds, to the Association or other assigns or successors in interest, whichever is later, the Developer shall have the detention basins and ponds recertified as described above.

(ix) At any time in the future, if, in the opinion of the City, either the Developer (in keeping with the limitations upon its responsibility as expressed in this Section), the Association or any other assigns or successors in interest, shall fail to install or maintain the stormwater drainage and storage facilities, including detention basins and ponds, the City, at its option, may give the Developer, the Association or other assigns or successors in interest, as may be interested, written notice requiring any or all of them within 30 days of the date of notice, to cure the failure and to maintain and to provide the required care. If the notified party fails to comply with the demands of the notice, the City shall have the right, but not the obligation, to perform the work necessary to correct the deficiency, and to charge the cost of such work, including administrative charges, to the Developer, the Association or other assigns and successors in interest, or any combination of them, by drawing upon the Stormwater Guarantee and/or by imposing such charge as a special charge for services pursuant to Wisconsin Statutes Section 66.0627. If such charge is not promptly paid by the party to whom the charges were invoiced, the charges shall constitute a lien and special charge on the applicable property (whether one or more). The City may also draw on the Stormwater Guarantee upon the occurrence of an Event of Default, as defined below,

(x) The City Engineer has the authority to stop work, amend or alter remediation measures to the detention basins and ponds. Failure to comply will result in the issuance of a municipal citation with a forfeiture as prescribed by law, an action for injunction or mandatory injunction, or any combination of remedies. Each day a violation exists shall constitute a separate offense.

(xi) The Association shall be responsible for recertifying the detention basins and ponds as and when required under the Code, to correct all deficiencies in such facilities and to comply with all other provisions of the Code related to such facilities.

(xii) The agreement and all of its covenants are and shall be covenants running with the land, and shall encumber the Development, and shall bind the Developer and its heirs, personal representatives, successors and assigns, including without limitation the Association. The agreement shall specifically include this language and shall not be incorporated by reference. The agreement shall be recorded with the Ozaukee County Register of Deeds.

31. Additional Covenants, Conditions and Restrictions. Prior to Final Plat approval, the Developer shall record the following additional covenants, conditions and restrictions against the Property (the "Covenants"). The Covenants shall be subject to review and approval by the City. The Covenants shall:

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(a) Prohibit, without the express written consent from the City Engineer and approval by the Planning Commission, future property owners from (a) removing any berms, landscaping or amenities installed on the Development as a condition of landscaping, open space, grading or drainage plans, and (b) placing landscape features, berms or plantings which disrupt flow of run-off in drainage ways or courses approved as a condition of the grading and drainage plans.

(b) Notify future lot owners of the obligations set forth below.

OBLIGATIONS OF BUILDER/LOT OWNER

32. Compliance with Grading Plan. Any person who constructs a building in the Development shall be responsible for siting the principal building and rough and fine grading the building pad to comply with the master grading plan.

33. Sump Pump Discharge and Roof Drainage Plan. Any person who constructs a building in the Development shall submit, at the time of architectural review and approval, a sump pump discharge and roof drainage plan in accordance with Storm Water Management Plan approved by the City Engineer.

34. Impact Fees. The City will assess impact fees pursuant to Sections 58-138 et seq. of the Code. Such impact fees shall be paid by the Developer or the purchaser of the lot prior to obtaining a building permit. The City retains the right to amend and modify its impact fee ordinance, the methodology by which impact fees are calculated or the numerical component values of the impact fee calculation in the future. The impact fees payable shall be based upon the impact fee calculation in effect at the time of the issuance of any building permit.

35. Sanitary Sewer Laterals. If the Development is served by public sewer, lateral locations shall not deviate from the approved plan unless first approved by the City.

WARRANTIES AND INDEMNIFICATIONS

36. Warranty of the Public Improvements. All of the Public Improvements shall be warranted against defects due to faulty materials or workmanship which appear within one year from the date of the City's acceptance of the dedication, and Developer shall assign to the City applicable contractor warranties for the Public Improvements. If any defect should appear during the warranty period, the City shall first seek to enforce any applicable contractor warranty; however, the Developer guarantees the Public Improvements and shall indemnify the City to the extent of any default or failure of any contractor to honor the warranty. The Developer guaranties each repair or replacement performed pursuant to this paragraph for one year from completion. This warranty survives any provision of this Agreement that purports to discharge or release the Developer.

37. Environmental Indemnification. The Developer shall indemnify, defend and hold the City and its officers harmless from any and all claims, demands, causes of action, losses, damages, and liabilities asserted against the City or its officers, together with related costs and expenses (including reasonable attorneys', consultants' and experts' fees, costs and expenses) that arise as a result of the presence or suspected presence in or on the real property dedicated or conveyed to the City by, under, pursuant to, or in connection with the Final Plat or this Agreement including, but not limited to street rights of way, of any toxic or hazardous substances arising from any activity occurring prior to the acceptance of dedication of the Public Improvements. Without limiting the generality of the foregoing, the indemnification by Developer shall include costs incurred in connection with any site investigation or any remedial, removal or restoration work required by any local, state, or federal agencies because of the presence or suspected presence of toxic or hazardous substances in, on or under the real property, whether in the soil, groundwater, air or any other receptor. The City will notify the Developer of the discovery of any contamination or of any facts or circumstances that reasonably indicate that such contamination may exist in, on or under the real property. Following notification to Developer that contamination

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may exist, the City shall make reasonable accommodations to allow the Developer to examine the real property and conduct such clean-up operations as may be required by appropriate local, state or federal agencies to comply with applicable laws. This indemnification survives any provision of this Agreement that purports to discharge or release the Developer.

38. Claims by Third Parties. The Developer shall indemnify, defend and hold the City and its officers harmless from any and all claims, demands, causes of action, losses, damages, and liabilities asserted against the City or its officers, together with related costs and expenses (including reasonable attorneys', consultants' and experts' fees, costs and expenses) brought in connection with any damage suffered by third parties, including personal injury or property loss, resulting from construction of the Improvements or development of the Development regardless of any asserted negligence of the City asserted in connection with inspection of work performed or materials supplied by or on behalf of the Developer or its contractors, subcontractors or agents. This indemnification survives any provision of this Agreement that purports to discharge or release the Developer.

39. Street Damage. The Developer shall be responsible for all damage done to streets within the City, street landscaping, street trees, curbs, utilities, light poles and other property of the City as a result of construction activities associated with the Development, including without limitation street damage as a result of excessive hauling operations or installation of the Improvements. This covenant survives any provision of this Agreement that purports to discharge or release the Developer.

FINANCIAL OBLIGATIONS

40. Costs Incurred by the City. The Developer will pay all reasonable costs incurred by the City in connection with the Development, including without limitation costs of attorneys, landscape architects, outside engineers and other consultants and costs regularly charged by the City for its staff's time and materials used in (a) reviewing and approving the Plans (including without limitation engineering and landscaping plans), (b) inspecting the construction and/or installation of the Improvements, (c) installing street signs, and (d) reviewing and approving record drawings for City files. The Developer will also pay any other costs that may be incurred by the City in connection with the installation of the Improvements. Costs will include the costs of labor, equipment, materials, engineering, inspection and overhead costs incidental to the Improvements. The City will send invoices for the costs to the Developer periodically, as costs are incurred or as the Improvements are completed. The Developer will pay the City's invoices within 30 days after the date sent by the City. The City may, in its discretion, add a late payment charge of 1.5% per month, computed from the date of the original invoice until paid, for any amount not paid when due.

41. Special Assessments. No special assessments are contemplated in connection with the Development.

42. Streetlights. The Developer shall be responsible for the cost of installation of a WE-Energies LED standard streetlight mounted on a wooden pole or may provide an upgraded bronze FG Smooth pole and rectangular low fixture, as shall be approved by the City, at each main entrance to the Development. The City's Public Works Department shall arrange for the installation permit and coordinate the installation. The Developer shall pay for labor and materials within 30 days after being invoiced. After acceptance of dedication of the Public Improvements by the City, the City shall assume responsibility for the monthly energy costs and future maintenance for the streetlight(s).

43. Landscaping Completion Letter of Credit. If the City agrees to Final Plat approval despite landscaping and/or hardscape amenities, including the installation of required street trees, not being completed (the City shall not be obligated to grant Final Plat approval under such circumstances), the Developer shall provide to the City bids, contracts or other evidence sufficient, in the sole opinion of the City, to demonstrate the cost of completing such work, including the costs of labor and materials. The evidence of cost shall be subject to review

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and approval by the City. The Developer shall, prior to Final Plat approval, provide to the City a letter of credit in an amount equal to 125% of such costs. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer shall pay all costs of completing the work, including with limitation labor, material and costs regularly charged by the City for its staff's time. If the work is not completed to the satisfaction of the City on or before June 30 of the year following Final Plat approval, or upon the occurrence of an Event of Default, as defined below, the City may draw on demand the full amount of the letter of credit to defray the costs of finishing the work. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance, if any, after the work is completed. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

44. Landscaping Survival Letter of Credit. The Developer shall, prior to Final Plat approval, provide to the City a letter of credit in an amount equal to 25% of the costs of labor and materials in installing landscaping and hardscape amenities (excluding street trees and any other landscaping that is a Public Improvement). Such costs shall be determined by the City based on its review of the Developer's contracts and paid receipts. The letter of credit shall insure the cost of labor and materials to replace landscaping that dies within three years of installation. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer or its assign shall pay all costs of replacing any dead or dying landscaping. If the responsible person fails to replace such landscaping within 30 days of demand, or upon the occurrence of an Event of Default, as defined below, the City may replace the landscaping and draw on the letter of credit on demand for the cost of the work, including without limitation labor, material and costs regularly charged by the City for its staff's time. If the letter of credit is inadequate to defray the costs, the Developer shall owe the balance to the City.

45. Street Tree Survival Guarantee. The Developer shall, prior to Final Plat approval, provide to the City a performance bond, letter of credit or cash deposit in an amount equal to 25% of the costs of labor and materials in installing street trees and any other landscaping that is a Public Improvement. Such costs shall be determined by the City based its review of the Developer's contracts and paid receipts or as otherwise required by Wisconsin Statutes Section 236.13. The letter of credit shall insure the cost of labor and materials to replace such landscaping that dies within 14 months of installation. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer or its assign shall pay all costs of replacing any dead or dying landscaping. If the responsible person fails to replace such landscaping within 30 days of demand, or upon the occurrence of an Event of Default, as defined below, the City may replace the landscaping and draw on the letter of credit on demand for the cost of the work, including without limitation labor, material and costs regularly charged by the City for its staff's time. If the letter of credit is inadequate to defray the costs, the Developer shall owe the balance to the City.

46. Surface Completion Letter of Credit. If the surface course of a street cannot be constructed prior to October 15, the Developer shall provide to the City an estimate of the final surface cost, including the costs of inspections, shouldering, streets, curbs, gutters, failures, base repairs, defects and utility adjustments. The estimate shall be subject to review and approval by the City Engineer. The Developer shall, prior to October 15, provide to the City a letter of credit in the amount of the approved estimate. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer shall pay all costs of completing the work. If the work is not completed to the satisfaction of the City on or before June 30 of the immediately following year, or upon the occurrence of an Event of Default, as defined below, the City may draw on demand the full amount of the Surface Completion Letter of Credit to defray the costs of finishing the work, including without limitation labor, material and costs regularly charged by the City for its staff's time. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance, if any, after the work is completed. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

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47. Street Wear Financial Guarantee. Prior to commencement of any construction activity, the Developer shall provide to the City a performance bond, letter of credit or cash deposit in an amount equal to $1,000 per lot or unit in the Development (the "Street Wear Financial Guarantee"). The Street Wear Financial Guarantee is to provide security for compensation to the City for wear and tear and accelerated deterioration of the City's streets as a result of infrastructure improvement associated with the hauling of stone and asphalt attributable to the Development. Wear and tear shall be determined as described above. The form and content of the Street Wear Financial Guarantee shall be acceptable to the City Attorney. If the Street Wear Financial Guarantee is in the form of a letter of credit, the requirements shall be substantially similar to the requirements of other letters of credit provided in this Agreement. If the Developer does not make the repairs as and when required, but in any event on or before the 60th day after written demand from the City, or upon the occurrence of an Event of Default, as defined below, the City may draw on demand the full amount of the Street Wear Financial Guarantee to defray the costs of the street repairs, including without limitation labor, material and costs regularly charged by the City for its staff's time for inspections, shouldering, streets, curbs, gutters, failures, base repairs, defects and utility adjustments. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance, if any, after the work is completed. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

48. Stormwater Guarantee. The Developer shall provide the Stormwater Guarantee, as defined above, prior to the commencement of any construction activities. The form and content of the Stormwater Guarantee shall be acceptable to the City Attorney. If the Stormwater Guarantee is in the form of a letter of credit, the requirements shall be substantially similar to the requirements of other letters of credit provided in this Agreement.

49. Public Sanitary Sewer System Connection Charge. If the Developer is required to connect the Development to the public sanitary sewer system, the Developer shall pay to the City, in accordance with the requirements of Section 58-640 of the Code, a sewer connection charge of $2,000_____ (~~XX~~ 10 lots or units @ $200 per lot or unit) prior to Final Plat approval.

50. Developer's Election. To the extent that any letter of credit required by this Agreement shall be determined to be for a public improvement, as that term is used in Wisconsin Statutes Section 236.13(2)(am), this Agreement constitutes the Developer's election to use a letter of credit under Wisconsin Statutes Section 236.13(2)(am)1m.a.

51. Maintenance of Guarantees. Unless otherwise specified in this Agreement or state statutes, letters of credit and other financial guarantees shall be maintained for the periods required by the Code. The Developer shall provide any renewal of any letter of credit to the City prior to its expiration. Failure to do so shall be an Event of Default without notice.

FINAL PLAT APPROVAL; DEDICATION; RELEASE

52. Final Plat Approval

(a) The Common Council shall grant Final Plat approval upon certification by the City Engineer that (i) all of the Improvements have been satisfactorily inspected by the City Engineer and the Department of Community Development which have found that the Improvements have been satisfactorily constructed, installed and completed in accordance with this Agreement; (ii) the Developer has satisfied its financial obligations, including providing required letters of credit and other guarantees; and (iii) the Developer has satisfied all other requirements of this Agreement and the Development and Final Plat meet the requirements of this Agreement, the Code and applicable state laws.

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(b) The Common Council may, but shall not be required to, grant Final Plat approval despite certain of the Improvements not being completed provided escrows have been established or guarantees provided that are adequate, as determined by the Common Council in its discretion, to ensure completion.

53. Dedication. Title to the Public Improvements, together with the land on which they are located, unless located within a dedicated easement, shall be dedicated and given in fee simple by the Developer to the City upon recording the Final Plat, as provided by Wisconsin law, and without recourse, and free and clear of all liens, claims and encumbrances. The lien waivers required above shall be a condition precedent of recording of the Final Plat. The Public Improvements shall have access from a dedicated street, where necessary.

54. Continuing Obligations through Dedication. The Developer shall not be released or discharged from its obligations under this Agreement until final inspection and certification of all the Improvements has been made by the City Engineer in writing, and the Improvements have been approved and their dedication accepted by the City.

DEFAULTS

55. Events of Default**.** The occurrence of any of the following shall constitute an "Event of Default":

(a) Payments. The Developer fails to pay any amounts payable under this Agreement to the City when due.

(b) Non-Monetary. The Developer fails to observe or perform as and when required or breaches any of the covenants or agreements contained in this Agreement and, except as described below, such failure continues for 15 days after notice from the City of the failure (except as described for letters of credit). The City shall not be required to provide notice, or may shorten or eliminate the 15-day cure period, if the City determines in its discretion that the failure constitutes an imminent danger to health or safety or would constitute such an imminent danger in less than 15 days. The City may, in its sole discretion, provide in the notice for a cure period of longer than 15 days if the City determines that such longer cure period is warranted.

(c) Bankruptcy and Similar Actions. The Developer (i) is liquidated or ceases to exist; (ii) makes a general assignment for the benefit of creditors; (iii) admits in writing its, his or her inability to pay debts as they become due; (iv) files a petition by which it, he or she becomes the subject of bankruptcy or insolvency proceedings; (v) is adjudicated bankrupt or insolvent; (vi) files a petition seeking any reorganization, arrangement, composition, readjustment, liquidation, dissolution or similar relief under any present or future statute, law or regulation; (vii) files an answer admitting or fails to contest the material allegations of a petition against it, him or her in any such proceeding; or (viii) seeks, consents to or acquiesces in the appointment of any trustee, receiver or liquidator for the Developer or the Development.

(d) Creditors' Actions. Any involuntary proceeding is filed against the Developer that seeks any reorganization, bankruptcy, arrangement, composition, readjustments, liquidation, dissolution, receivership or similar relief under any present or future statute, law or regulation that is not dismissed within 30 days of the date filed.

56. Remedies. Upon the occurrence of an Event of Default, without notice other than that required above, the City may exercise any one or more of the following remedies without waiving any rights or remedies available to it:

(a) Immediately suspend performance under this Agreement.

(b) Issue a stop work order.

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(c) Issue citations to the extent the Event of Default constitutes a violation under any provision of the Code for which citations may be issued.

(d) Withdraw or withhold occupancy permits for any structures in the Development.

(e) Commence any legal or administrative action, in law or in equity, which may appear necessary or desirable to enforce performance and observance of any obligation, agreement or covenant of the Developer under this Agreement.

(f) Perform or have performed any work, and have supplied any necessary equipment, goods, materials and services, to complete all or any part of the Developer's work, all at the Developer's cost.

(g) Draw any letter of creditor and exercise the City's remedies under any other financial guarantee.

(h) Exercise all other rights and remedies available to it at law or in equity,

57. Remedies Cumulative. The rights and remedies granted to the City under this Agreement are in addition to and cumulative of any other rights or remedies the City may have under the Code or state law. A delay or failure by the City in exercising any right or remedy shall not operate as a waiver of any such right or remedy or as an acquiescence of any default. No single or partial exercise of any right or remedy shall preclude any other or further exercise of a right or remedy or the exercise of any other right or remedy.

58. Attorneys' Fees. The Developer shall pay the City's costs of enforcement of this Agreement, including reasonable attorneys' fees and costs.

GENERAL PROVISIONS

59. Adequate Provision. Execution of this Agreement shall be accepted by the City as adequate provision for improvements within the meaning of Wisconsin Statutes Sections 236.01 236.13 and 236.45(1).

60. Assignment. No assignment of this Agreement by the Developer shall be effective without the prior written consent of the City, and no assignment without such consent shall relieve the Developer of its obligations under this Agreement.

61. Effect of Acceptance. This Agreement binds and inures to the benefit of the Developer and the City and their respective heirs, legal representatives, successors and assigns. Regardless of who prepared the original draft of this Agreement, both parties have had significant input into its terms and content and, accordingly, no presumption shall be made against the drafter.

62. Modifications. Neither this Agreement nor any provision of this Agreement may be waived, modified, amended, discharged or terminated except by an instrument in writing signed by the party against whom the enforcement of such waiver, modification, amendment, discharge or termination is sought, and then only to the extent set forth in such instrument. No waiver by either party of any failure or refusal to comply with its obligations shall be deemed a waiver of any other or subsequent failure or refusal to so comply.

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63. Partial Invalidity. If any term or provision of this Agreement shall, to any extent, be invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

64. Headings. The headings in this Agreement are for convenience only and do not limit or expand the terms and conditions of this Agreement.

65. Governing Law. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Wisconsin.

66. Requirement to Commence Construction. In accordance with Section 58-635(3)(e) of the Code, if the Developer fails to commence construction within two years of approval of this Agreement, this Agreement shall be null and void.

[SIGNATURE PAGES TO FOLLOW]

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

[CITY SIGNATURE PAGE TO DEVELOPMENT AGREEMENT]

CITY OF MEQUON

By: _____
Andrew Nerbun
Mayor

By: _____
Caroline Fochs
Clerk

STATE OF WISCONSIN)
) SS
OZAUKEE COUNTY)

The foregoing instrument was acknowledged before me on _____ _____, 20___, by Andrew Nerbun, Mayor of the City of Mequon.

_____
Name: _____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) (is) _____

STATE OF WISCONSIN)
) SS
OZAUKEE COUNTY)

The foregoing instrument was acknowledged before me on _____ _____, 20___, by Caroline Fochs, Clerk of the City of Mequon.

_____
Name: _____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) (is) _____

Approved by: _____
Brian C. Sajdak, City Attorney

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[DEVELOPER SIGNATURE PAGE TO DEVELOPMENT AGREEMENT]

_____

By: Rory Oppenheimer
Name: Rory Oppenheimer, Member, Eastbrook, LLC
Title: Member

STATE OF WISCONSIN)
) SS
COUNTY)

The foregoing instrument was acknowledged before me on _____ _____, 20___, by _____, as _____ of _____.

_____
Name: _____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) (is) _____

Drafted by: City of Mequon

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EXHIBIT A
to the
DEVELOPMENT AGREEMENT
BETWEEN THE CITY OF MEQUON AND

Eastbrook Drive, LLC

Legal Description

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

February 14th, 2023

Ms. Kim Tollefson, Dir. of Community Development
11333 N. Cedarburg Road 60W
Mequon, WI 53092-1930

Dear Ms. Tollefson:

I appreciate the opportunity to assist the City of Mequon with landscape architectural review services. The following is a review of the landscape plan submittal for the PUD 10 Townhouse Development W. Eastbrook off Dr. The proposed facility fronts on West Eastbrook Dr.

This is the first review of the plan, dated 2/02/22. The Landscape plan is submitted by Northern Exposure Landscaping & Pinnacle Engineering.

The nature of this review will be to assess the landscape plan for completeness; address appropriateness of design for the West Eastbrook Dr. corridor and how the plant palette addresses the Planning Commission's request for greater buffering/treatments within the City of Mequon. The proposed site use is PUD/R-6. The residential use will be moderately traffic intensive, with two separated points of Ingress/Egress to the site. The proposal is adjacent to one of Mequon's busiest corridors and surrounded by commercial/business uses. This review will be performed considering both the adjacency to the Mequon corridor and the adjacent zoning. Commentary will be generated by applying the existing and the proposed City of Mequon Landscape Codes.

- ***General Overview:***

  - This review pertains to Landscape Plan sheets: PROPOSED LANDSCAPE PLAN & PROPOSED LANDSCAPE DETAILES, both dated 2/2/22.

  - The plans submitted are **NOT** sealed by a Wisconsin RLA, as required by Mequon code.

  - The plan is issued at a 1"=30' scale; the plan sheet is clean and the information is marginally discernible.

    - I am unsure why the Mequon Planning Commission keeps receiving PUD applications that provide LESS LANDSCAPING, than if the use/ density was lowered to meet Mequon Application Standards are applied. It is this reviewer's opinion, the point of the PUD application is to provide an equitable exchange, higher density/use for the developments' increased application of amenities, including landscaping, buffering…ect. Over my 35 years of practice, this how I've seen the PUD process applied throughout North America.

    - The plan provides an attached plant schedule, with: common name, scientific name, of number of plants specified, size specified at planting and the total quantities, as required. Please see the review below for additional commentary of the proposed

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plant palette, sizing requirements and diversity. Please see the notes below, regarding amendments to the plant schedule.

- The plan does not depict ant proposed interior site lighting. The proposal depicts an Entry sign at the southern entrance; although, there is not a sign elevation provided which would allow consideration of opinion to be forwarded.

- The plan fails to provide a Refuse/Recycle area on the submittal. Considering each drive is a dead-end with a hammer head stub for turn around, the turnaround/back-in access will be an impediment. Because of the PUD approach, the increased density creates the small open area in the proposal. Defining how refuse/recycle materials will be handled and screened is an imperative. See the requirements for buffering Refuse/Recycle areas, below.

- The proposal correctly depicts multiple utility easements, ROW's and proposed detention Hydrologic Basin outlots. The current proposal's design has little issue with utilizing these areas for driveways, access points, parking areas <impervious surface>, as well as detention/retention basins; and simultaneously fails to propose a single Buffer treatment/ROW planting. If we can build a street/driveway over it, they can place Buffers and plantings within them, as well.

Proposed Landscape Material Review:

- **Outline of the proposed plant types and quantities found on the plan:**
  - Two Deciduous Tree Species, (Total proposed deciduous trees – 9)
  - Three Evergreen Tree Species, (Total proposed conifer trees – 24)
  - Eight Deciduous Shrub Species, (Total proposed decid. shrubs – 172)
  - Zero Evergreen Shrub Species, (Total proposed conifer shrubs – 0)
  - Four Perennials, Bulbs/corms, Groundcover Species, (Total proposed ground covers/perennials –186)
  - Two Decorative Grass species, (Total proposed grasses – 126)
- The species proposed have the ability to perform in the local soils and are within the prescribed USDA Zone 5a.
- TURF: The plan notes specify Hydroseeding, which is an application process, not a plant seed specification; the Plan fails to provide the following specifics: 1. Specify the proposed turf seed mix to be applied; 2. The rate of: a. Seed application/b. binder mulch/ c. hydrogels to be applied/ d. nurse crop type & seed rate? 3. The plans is required to list the total SQR yards of the turf area. – Recommendation for this site: I would apply sod in the limited areas at the entrance & interior of the proposal; I would employ a turf seed regimen along the south <west of the proposed building>& along west boarder of the site. City of Mequon has a performance-based TURF acceptance policy. Finished grading and topsoil be smooth and ready to accept the seed applications. Any unestablished TURF areas measuring 6"x6", or having thin, unestablished grass density will not be accepted as COMPLETE and will be open to Bond forfeiture consideration, by City Staff.

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➢ *Plant Schedule Comments:*

Amend the following "Proposed Tree sizes":

- Deciduous Trees: The plant schedule only specifies a 2.5" Caliper Deciduous trees. The City of Mequon has **required a minimum of 3.5" caliper trees** @ 16" above the rootball. Proposals within the PWR corridor have typically required 4.0" caliper trees @16" above the rootball. Considering the Minimal proposal of deciduous trees, I recommend the plans to be **Amended and the Plant Schedule revised to reflect the stated calipers.**
    - Also, the City of Mequon planning staff does not differentiate between deciduous trees and ornamental deciduous trees; amend the schedule's Ornamental caliper to a 3.5", or a 4.0" minimum caliper, if Mequon Staff requires the PWR standard to be observed.
- Please see the Planting comments below, this proposal fails to meet multiple buffer requirements, typically provided within PUD developments; but, especially developments adjacent to the PWR ROW; please see the Buffer observations provided below.

➢ *Planting Zone Comments:*

➢ The submittal is organized and provides the following: 1. Street Frontage Zone; 2. Parking Lot Interior Zone; 3. Parking Lot Periphery Buffer; 4. Property Line Buffer Yard; 5. On-Lot Zone; 6. Open Space Zone; 7. Detention Basin; Note: While considering Plant Zone Applications/counts – each plants can only be used 1 time, to meet the listed buffer requirements.

➢ **ROW/Street Frontage Zone**:
West Eastbrook Dr. ROW – STREET TREE Proposal: Code requires 1 approved street tree per each side of/30 feet of CL length; the Port Washington Rd. ROW planting requirement is not addressed. (The plan FAILS to meet the ROW code tree requirements. Action per P & Z/ Mequon Staff).

➢ **Street/Interior Drives Zone**:
- Steet Trees- Interior Drives: Code requires 1 approved street tree per each 30 feet of drive, on each side of the length. The Interior Drive planting requirement is not addressed in this proposal. The primary ingress drive <E/W axis> requires a shade tree to be placed @ 30' intervals <or, arranged in clusters, to meet the required drive buffer density>. Also, the Ingress drive does not include the application of curb & gutter. The turf adjacent to the drives will be adversely impacted, by: incursions by vehicles, snow loading<winter>, salt saturation <winter>, hydrologic loading…ect. The edge of the drive could be addressed with a low profile -mountable curb to help mitigate the above listed impacts. (The plan FAILS to meet the ROW code tree requirements. Action per P & Z/ Mequon Staff)

➢ **Property Line Buffer:** Per the proposed landscape code requirements. The PL edge requires a buffer application of trees and mixed plantings. This proposal fails to address any of the PL or provide a buffer. (Proposal FAILS to meets the PL/ side yard buffer. Action by City Staff/Planning Board.) Action per P & Z/ Mequon Staff.

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- **Foundation Plantings:** The Plan provides foundation planting density at the primary entrance and selectively throughout the proposal. (Proposal meets the intention of Foundation Planting requirements, although considering the prior standards enforced within the PWR corridor, the provided treatment is very Spartan.)

- **Trash Enclosure:** The plan does not depict a Refuse/Recycle station. I defer to City of Mequon Planning Staff to allow a High Density Townhouse development that does not provide a Refuse/Recycle structure/enclosure within the plans. But, considering the lngress drive is not addressed with buffering and considering development's interior drives have only a 4.5' setback off the West Eastbrook ROW, this review recommends a clear explanation of where site refuse & recycling is to be handled on site. This plan may need to be re-submitted to address any exterior bins, the required buffering to mitigate the visual impacts of a "Trash Bin".

  (As long as the enclosure's walls meet the 6' height requirement, the proposal would meet the Trash Enclosure buffering code requirement.

- **Detention Basin Buffer:** The Fails to address the shown Detention Basin. If it proposed or existing, the proposal is placing 10 residential units adjacent to it, the plans must address buffering internally, as-well-as, the external viewshed's being impacted by that structure.
  (The plan does not adequately address the Detention Basin Buffering. Mequon has required a buffer treatment of trees, shrubs and ground covers. The buffers shall measure 30% the length, as it occurs at, the High-water mark of the basin. The minimum depth of the buffer is 20 feet. Existing vegetation counts toward the 30% benchmark; although, I believe the required grading will eradicate the existing vegetation. Please readdress the detention basin buffers after grading is complete.)

❖ *Additional Landscape Observations:*

- Per the City Development Plan landscape guidelines, the City of Mequon has required a higher level of landscape treatments within PUD's to preserve/enhance property values and improve the aesthetic within these concentrated use corridors; these standards have been applied and enforced within Mequon for the last ten years. The proposed landscape plan fails to address the historically required buffering within multiple areas, or, as compared to previous submittals. I would observe, design may wish to consider the existing adjacent uses. IT is my opinion, as a Residential application, the adjacencies are inadequately buffered. This proposal fails to adequately address sight & sound mitigation, or to address noise issues.

- This review recommends that the proposal readdress and provide:

  1. Revise and submit stated Plant size requirements;
  2. Confirm ROW plantings <Street Trees> have been addressed;
  3. The plan provides Buffering along the entirety of the East & West PL;
  4. the proposal fails to address the Detention Basin with buffing.

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5. City Staff shall determine if a refuse & recycle station should be established on-site. I would request City Staff to request how this proposal plans to address visual mitigation of the proposed use with the existing adjacent commercial properties.

And finally, the proposal needs to address the issue of noise mitigation. The current minimalist landscape submittal, fails to meet a number of the City of Mequon's existing and the proposed landscape & buffering codes. There are several actions/decisions to be forwarded by P&Z and, or City Staff. It is this reviewer's opinion this plan should be revised to meet standard buffering within the City of Mequon and for the proposal to mirror the elevated requirements of PUD applications.

I hope planning staff and the commission finds the recommendations and information presented informative and useful.

This concludes the review of the West Eastbrook Dr. PUD Landscape submission.

Sincerely,

M. Terry Higgins, RLA.

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COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2018-1518

An Ordinance Amending the City Zoning Code to Rezone the Property Located at 11649 N. Port Washington Road from B-3 (Office), LTD (Limited Use Overlay) & PUD (Planned Unit Development) to R-6 (Suburban Residential Attached), B-3 (Office), LTD (Limited Use Overlay) & PUD (Planned Unit Development), and Amending the City Land Use Plan from Office to Residential Plex & Office

SECTION I:
Following recommendation of the Planning Commission on the 12th day of March, 2018, and after due notice and hearing by the Common Council of the City of Mequon on the 8th day of May, 2018, Ordinance #95-257A, which created a planned unit development zoning overlay is hereby amended as follows:

Item #3 shall be amended and now read Phase III of this development shall allow for the development of eight (8) residential plex units.

Item #7 shall read the residential development shall comply with the following conditions:

1. There shall be two driveways on the north side of the property to accommodate the three units in the north building.
2. The south access shall be moved further south to eliminate a safety concern with traffic coming from an existing median located on West Eastbrook Drive.
3. Common Council action on the rezoning and Land Use Plan amendment.
4. Lot 1 and Lot 2 shall meet an open space ratio of 34.7% and FAR of 30%.
5. The applicant shall make any technical corrections to the final CSM.
6. The entire property is subject to the City of Mequon Tree Preservation Ordinance.
7. Final staff review and approval of CSM.
8. The applicant shall submit an electronic file for the proposed certified survey map in a format compatible with AutoCAD 2000 dwg or dxf in Wisconsin State Plane Coordinate system. South Zone (NAD 27).
9. Final review and approval of site and architectural design by Planning Commission.
10. Compliance with all requirements of the R-6 District, with the exception of setback waivers granted by the Planning Commission.
11. Final Condominium Plat approval by Planning Commission and Common Council.
12. A total of three buildings (3 units per building for two buildings and 2 units for one building) are permitted.
13. There shall be no less than 30 feet separation between buildings.
14. Architectural design of residential buildings shall comply with the Architectural Review Board's "Guidelines for Residential Structures".
15. Any substantial change to the general concept plans illustrated in the attached exhibits shall require the review and approval of the Planning Commission.

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

16. Engineering Division review and approval of grading, drainage, sanitary sewer, water main, and erosion control plans in conformance to City ordinances and the Standard Specifications for Land Development.
17. Approval of a stormwater management plan for the site in conformance to City ordinances, WDNR and MMSD Chapter 13, including execution of a Storm Water Facilities Maintenance and Easement Agreement.
18. There shall be a median aligned with the existing median at the south access. This driveway shall be stop sign controlled.
19. Connection to the City water and sanitary sewer is required.
20. Application for and approval of a City Filling and Excavating Permit.
21. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
22. The bearings on the CSM shall match the section line bearing.
23. The easements are required to be shown on the CSM including the sanitary sewer, water main, electric, storm and any access easements.
24. Proposed easement should be shown on the CSM and declaration documents recorded at the time of the CSM.
25. Engineering Division technical review and approval of the CSM is required.
26. As a condition of approval and issuance of the permit, the City Engineer will require in accordance with City ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow/letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the stormwater management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the City to complete installation of practices, upon submission of a certification in accordance with 58-678(h).

SECTION II:

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

SECTION III:

This ordinance shall take effect and be in full force upon its passage and the day after publication.

Approved by: Dan Abendroth, Mayor

Date Approved: May 8, 2018

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 8, 2018.

Caroline Fochs, City Clerk

Published: May 15, 2018

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2022-1636

An Ordinance Amending a Planned Unit Development (PUD) to Allow a Total of 10 Units for the Property Located Directly West of 11649 N. Port Washington Road

RECITALS

A. Section 62.23 of the Wisconsin Statues grants the City broad legislative authority to regulate the development of land through zoning.

B. The Common Council previously granted a conditional use permit for an adjacent property and the owner wishes to amend the conditional use to add the subject parcels.

C. The Planning Commission by majority vote, adopted a recommendation to approve the rezoning request on the 21st day of November 2022.

D. Following a public hearing on January 10, 2023, and based upon the information provided by the applicant, the Common Council desires to rezone the subject property by amending the conditional use permit.

BASED UPON THE FOREGOING RECITALS, the Common Council of the City of Mequon, Wisconsin, do ordain as follows:

SECTION I

Following recommendation of the Planning Commission on the 21st day of November 2022, and after due notice and hearing by the Common Council of the City of Mequon on the 10th day of January 2023, Ordinance #95-257A and Ordinance 2018-1518, which created a planned unit development zoning overlay, are hereby amended as follows:

Item #3 is amended to read: Phase III of this development shall allow for the development of ten (10) residential plex units.

Item #7 shall read: The residential development shall comply with the following conditions:

1. There shall be one driveway on the north side of the property to accommodate the four units in the north building.
2. The south access shall be moved further south to eliminate a safety concern with traffic coming from an existing median located on West Eastbrook Drive.
3. Common Council action on the rezoning and Land Use Plan amendment.
4. Lot 1 and Lot 2 shall meet an open space ratio of 34.7% and FAR of 30%.
5. The applicant shall make any technical corrections to the final CSM.

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

6. The entire property is subject to the City of Mequon Tree Preservation Ordinance.
7. Final staff review and approval of CSM.
8. The applicant shall submit an electronic file for the proposed certified survey map in a format compatible with AutoCAD 2000 dwg or dxf in Wisconsin State Plane Coordinate system. South Zone (NAD 27).
9. Final review and approval of site and architectural design by the Planning Commission.
10. Compliance with all requirements of the R-6 Zoning District, and setback waivers granted by the Planning Commission on March 12, 2018, which allows for a 30-foot front setback.
11. Final Condominium Plat approval by the Planning Commission and Common Council.
12. A total of five buildings (2 units for each building) are permitted.
13. There shall be no less than 15 feet separation between buildings.
14. Architectural design of residential buildings shall comply with the Architectural Review Board's "Guidelines for Residential Structures".
15. Any substantial change to the general concept plans illustrated in the attached exhibits shall require the review and approval of the Planning Commission.
16. Engineering Division review and approval of grading, drainage, sanitary sewer, water main, and erosion control plans in conformance to City ordinances and the Standard Specifications for Land Development.
17. Approval of a stormwater management plan for the site in conformance to City ordinances, WDNR and MMSD Chapter 13, including execution of a Storm Water Facilities Maintenance and Easement Agreement.
18. The south access point shall be approximately 50 feet south of the existing Eastbrook median.
19. Connection to the City sanitary sewer is required. Water connection shall adhere to the Mequon Water Utility Water Connection Policy.
20. Application for and approval of a City Filling and Excavating Permit.
21. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
22. As a condition of approval and issuance of the permit, the City Engineer will require in accordance with City Ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow/letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the stormwater management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the City to complete installation of practices, upon submission of a certification in accordance with 58-678(h).

SECTION II

The terms and provision of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

SECTION III

All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION IV

This ordinance shall be in full force and effect upon its passage and on the day after its publication.

_____

Approved by: Andrew Nerbun, Mayor

Date Approved: January 10, 2023

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on January 10, 2023.

_____

Caroline Fochs, City Clerk

Published: January 17, 2023

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE NO. 95-857A

To amend the map portion of the "Development Ordinance of the City of Mequon" (i.e., Chapter 3) and the zoning with respect to a ±6.7 acre site identified as Parcel 1 of Certified Survey Map #1989 (located adjacent to the Eastbrook Estate Condominiums).

WHEREAS since 1993, the development of the subject parcel has been exhaustively reviewed and modified by the property owner to accommodate the ideas and preferences expressed by City planning staff and officials, and refined to decrease the density of use and overall size of the project, and to serve the spirit of zoning standards imposed after the inception of this proposed development plan, and architecturally to more fully harmonize with the surrounding neighborhood and adjacent residential area than such previously proposed plan, and

The current proposal, embodies the attributes of coordinated area site planning which is central to Planned Unit Development districts, in that:

it provides for diversified location of structures thereon, providing an efficient use of development area, yet allowing the enhancement of green space from pre-1993 levels dating back to the inception of this project in 1987;

it provides for efficiency and economy of design and implementation of improvements such as transmission facilities, drainage, water and sewer systems, and private roadways and driveways;

it maintains the spirit of land use density, technical zoning standards, and uses as set forth in the underlying zoning district, and as may be flexibly tailored in accordance with the Planned Unit Development and Conditional Use provisions of the Mequon Code of Ordinances;

NOW THEREFORE, THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION I. Following review and consideration by the Planning Commission on December 4, 1995, and after due notice and hearing by the Common Council of the City of Mequon on the 12th day of December, 1995, the City of Mequon district zoning map is hereby amended to entirely rezone Parcel 1 of certified survey map #1989 [*See Exhibit A*] as B-3 (LTD)(PUD) [*i.e., Office and Service District, limited use retail, planned unit development*] in accordance with attached Exhibits A through J, and subject to the following:

1. The LTD District and its uses shall be allowed only on the first floors of buildings identified as Phases I and II.

2. No LTD District conditional use customer access and/or signage shall be allowed along the south building elevation of Phase I.

3. There shall be no retail uses, including B-3 District retail uses, allowed in Phase III of this development.

4. Hours of operation for Limited Use District (LTD) retail uses shall be in accordance with the Limited Use District regulations except that Sunday hours of operation shall be allowed from 9:00 a.m. to 5:00 p.m., with a maximum of five (5) hours for any one use.

5. Final architectural, landscaping, lighting, and signage plans per Exhibits: B, C, D, E, F, G, H, I, and J, appended hereto shall be deemed approved by this Common Council action. Grading, drainage, erosion control, and other engineering plans are subject to Engineering Department approval.

6. Construction of all phases of this development shall be completed within 70 months of the effective date of this ordinance, or the developer must reapply for development approval for any portion which is incomplete, and shall be subject to contemporary zoning standards for any such remaining incomplete portion. Completion shall be deemed to have occurred as to each building when a permit for its occupancy shall have been issued. Any contiguous time period of more than thirty days during which circumstances beyond the control and not the fault of the developer shall halt construction or preparation therefore, shall not be counted against the 70 month time period.

SECTION II. To the extent that any existing ordinance contravenes any of the terms of this ordinance, this ordinance shall be controlling.

SECTION III. This ordinance shall take effect and be in full force upon its passage and the day after publication.

Approved: _____ returned without signature
James J. Moriarty

Date Approved: _____

This is to certify that the foregoing ordinance was adopted by the Common Council of the City of Mequon, Wisconsin at a meeting held on the 12 day of Dec., 1995.

Louise M. Rzentkowski
Louise M. Rzentkowski, City Clerk

Published: 12/28/95
Republished 1/18/96
Ilene B Browning
at Mequon Dept

095857a/GJF(12-20-95)

Attachment: Packet Docs_Eastbrook_03.20.23 (8272 : Eastbrook Drive, LLC)

11333 N. Cedarburg Rd
Mequon, WI 53092-1930
Phone: 262-236-2902
Fax: 262-242-9655
www.ci.mequon.wi.us
Department of Community Development

TO: **Planning Commission**

FROM: **LAURIE MILLER, PLANNER**

DATE: **March 20, 2023**

SUBJECT: **The Green at Mequon. The applicant is seeking final plat, street tree plan and landscape plan approval to allow for a 7-lot conservation subdivision for the property located at the southwest corner of Villa Grove and Freistadt.**

Applicant:	Michael Perlewitz
Status of Applicant:	Owner
Requested:	Final Plat Street Tree Plan Landscape Plan
Existing Zoning:	R-3 (1-Acre minimum) C-1 (Wetlands) FW (Floodway) PUD (Planned Unit Development)
Lot size:	14.8 Acres
Location:	Southwest Corner of Villa Grove and Freistadt Road
Tax Key Number:	#14-013-12-005.00
District:	#1

Background: The applicant requests final plat, landscaping, and street tree plan approval for a seven-lot subdivision development on 14.8 acres of land located on the southwest Corner of Villa Grove and Friestadt Road. The Planned Unit Development (PUD) rezoning was approved by Planning Commission on November 22, 2022, and by the Common Council on January 11, 2022 (see Ord.#2021-1614). The preliminary plat, development agreement, and specimen tree removal waiver for two white pines on lot 4 were approved on June 27, 2022.

Final Plat:
The developer requests final plat approval for this subdivision, which includes seven single-family lots ranging in size from .58 acres to 1.44 acres and one 6.26-acre outlot on the south end of the parcel which is almost entirely made up of wetlands. Lots six and seven include areas of floodplain. No development shall occur within the floodplain without DNR and FEMA approval. The final plat is consistent with the approved preliminary plat and PUD requirements except for the building setback from the private road. Staff includes a condition of approval that the final plat be amended to show a 30' front setback from the pavement edge of the private road instead of a 11' setback from the private road easement.

Street Tree Plan:
The street tree plan was approved by the Tree Board on February 17, 2023, with the suggested amendment to replace the proposed Northern Catalpa with a Common Hackberry. Installation of

the trees is required prior December 31, 2023. It is the applicant's responsibility to contact the City Forester for final inspection of the installed street trees.

Landscape Plan
The proposed landscape plan meets code and PUD requirements except for the height of the evergreen trees which cannot be less than 7' tall at the time of installation. As a condition on approval, staff requires a letter of credit or escrow for 125% of the cost of the landscaping. The plantings shall also be completed by December 31, 2023.

Engineering Report:
Cole McCraw, Assistant City Engineer, has reviewed the application and has the following comments:

The Developer must fulfill all requirements of the Development Agreement (DA) prior to the recording of the final plat.

The right-of-way along Freistadt Road and Villa Grove Road is shown for dedication at the appropriate width on the submitted plat. This shall be dedicated for public road purposes and accepted by the Common Council with the plat approval.

Per the preliminary plat conditional approval, the access to Lot 1 shall be restricted to the west 45 feet of the lot. Similarly, the access to Lot 7 shall be at least 50 feet from the east lot line. Access restrictions are shown on the submitted final plat.

The wetland protective area setbacks are shown on the final plat document. No impervious surfaces may be installed within the protective area.

The utilities, including sanitary sewer and water main, have been installed and inspected. The storm water conveyance including roadside ditch have been installed and inspected. The storm water facilities have been constructed. Final grading is still needed in the storm water facilities. The facilities will be certified in accordance with Section 58-678 of Mequon Code after final grading. The drainage financial guarantee may be released after certification and acceptance by the City.

Record drawings of the stormwater management, grading, water distribution, and sanitary sewer have been received and comments provided to the developer. Final record submittal, review, and approval for all utilities and mass grading is required prior to recording of the plat.

A punch list will be prepared and submitted to the developer for the roadside ditch and roadway within City right-of-way if any minor adjustments or repairs are required. There are no punch list items for the water distribution system. The applicant shall meet with City field staff to address any remaining punch list items. Mass grading, restoration and submittal of a grading record drawing is required prior to final plat.

The Development Agreement specifies that easements are to be provided on the plat for WE Energies, AT&T, cable TV and other utilities for provision of services in the subdivision. The developer shall provide proof of payment in full for the installation of the utilities prior to final plat recording.

Site Compliance

Staff identified two specimen trees that had been removed without Planning Commission approval in the Fall of 2022. The applicant has an outstanding fine of $4,100. Staff recommends that the final plat not be recorded until the fine has been paid.

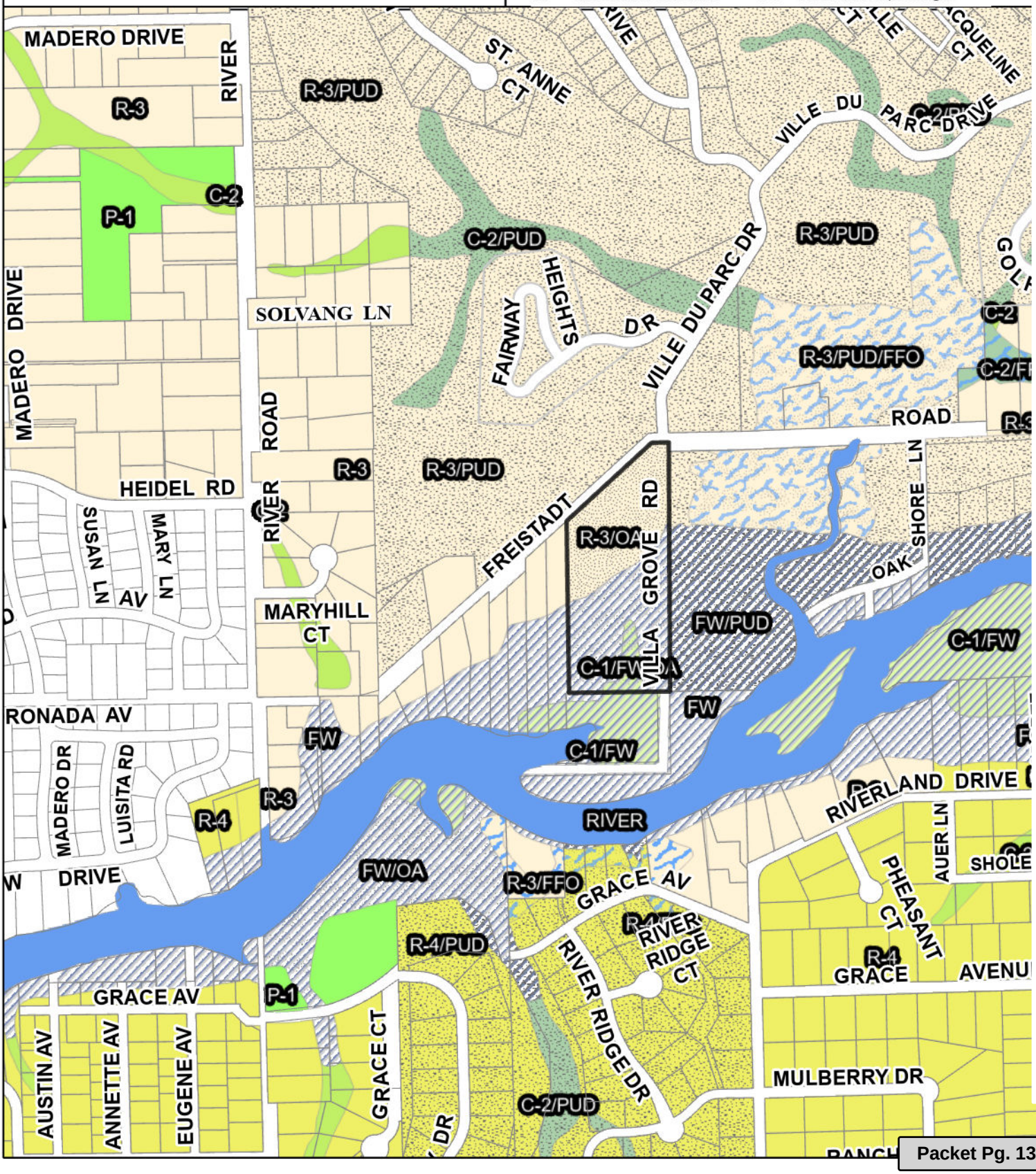
Staff Recommendation:
Staff recommends **approval** of the final plat subject to the following conditions:

1. Final staff technical review and approval of the plat. The applicant shall make any technical corrections to the final plat prior to recording.
2. Common Council approval of the Final Plat and right-of-way dedication.
3. Developer to provide proof of payment in full of the installation of utilities (WE Energies, AT&T, cable TV and others).
4. Final legal documents, including all remaining easements and agreements, are subject to City Attorney review and approval prior to recording.
5. City Engineer certification that the terms of the Development Agreement have been complied with and that the plat is ready for recording. Items include, but may not be limited to the following:
    a. Submittal and acceptance from the City Attorney of the shared access/private road easement.
    b. Submittal and acceptance from the City Attorney of the water distribution easement.
    c. Submittal and acceptance from the City Attorney of the private sanitary sewer facilities.
    d. Submittal and acceptance of the stormwater compliance reports.
    e. Completion of the road surface paving in accordance with the DA.
    f. Record drawing submittal, review, and approval for all public utilities and mass grading prior to the recording of the final plat.
6. Completion of construction punch list items, if any, prior to the recording of the final plat.
7. The final plat shall be amended to show a 30’ setback from the pavement edge of the private road instead of a 11’ setback from the private road easement.
8. The street tree plan shall be revised to replace the Northern Catalpa with a Common Hackberry as required by the Tree Board.
9. The landscaping plan shall be revised to show that evergreen tree sizing will be a minimum of 7’.
10. The applicant shall pay the outstanding fine of $4,100 for the unapproved removal of two specimen trees prior to the recording of the final plat.
11. Street trees and landscaping shall be installed prior to December 31, 2023.
12. Payment of all necessary fees and or escrows, including L.O.C. for landscaping requirements.
13. Architectural design of residential buildings shall comply with the Architectural Board’s publication entitled “Guidelines for Residential Structures” and are subject to the Architectural Review Board.

Attachments:
Packet Docs_03.20.23(PDF)

THE GREEN AT MEQUON - FINAL PLAT, STREET TREE PLAN, LANDSCAPE PLAN

AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family Residential (5 Ac. Min.)
B-4	Business Park	R-1B	Single-Family Residential (2.5 Ac. Min.)
B-5	Light Industrial	R-2	Single-Family Residential (2 Ac. Min.)
B-6	Rural Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-7	Rural Business	R-3	Single-Family Residential (1 Ac. Min.)
C-1	Shoreland/Wetland Conservancy	R-4	Single-Family Residential (3/4 Ac. Min.)
C-2	General Conservancy	R-5	Single-Family Residential (1/2 Ac. Min.)
CGO	Central Growth Overlay	R-6	Single-Family Residential (4 DU/Ac.)
FFO	Flood Fringe Overlay	RM	Multi-Family Residential
FW	Floodway	TC	Town Center
IPS	Institutional & Public Service	TDR	Transfer of Development Rights



Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

"The Green at Mequon"

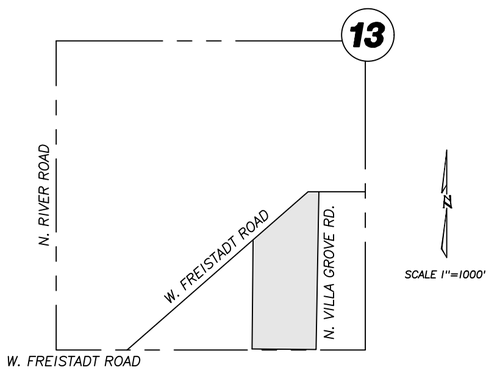
A DIVISION OF PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
www.northshoreengineering.net

WISCONSIN — JAMES G. SCHNEIDER — S-2127 — MEQUON, WI — LAND SURVEYOR

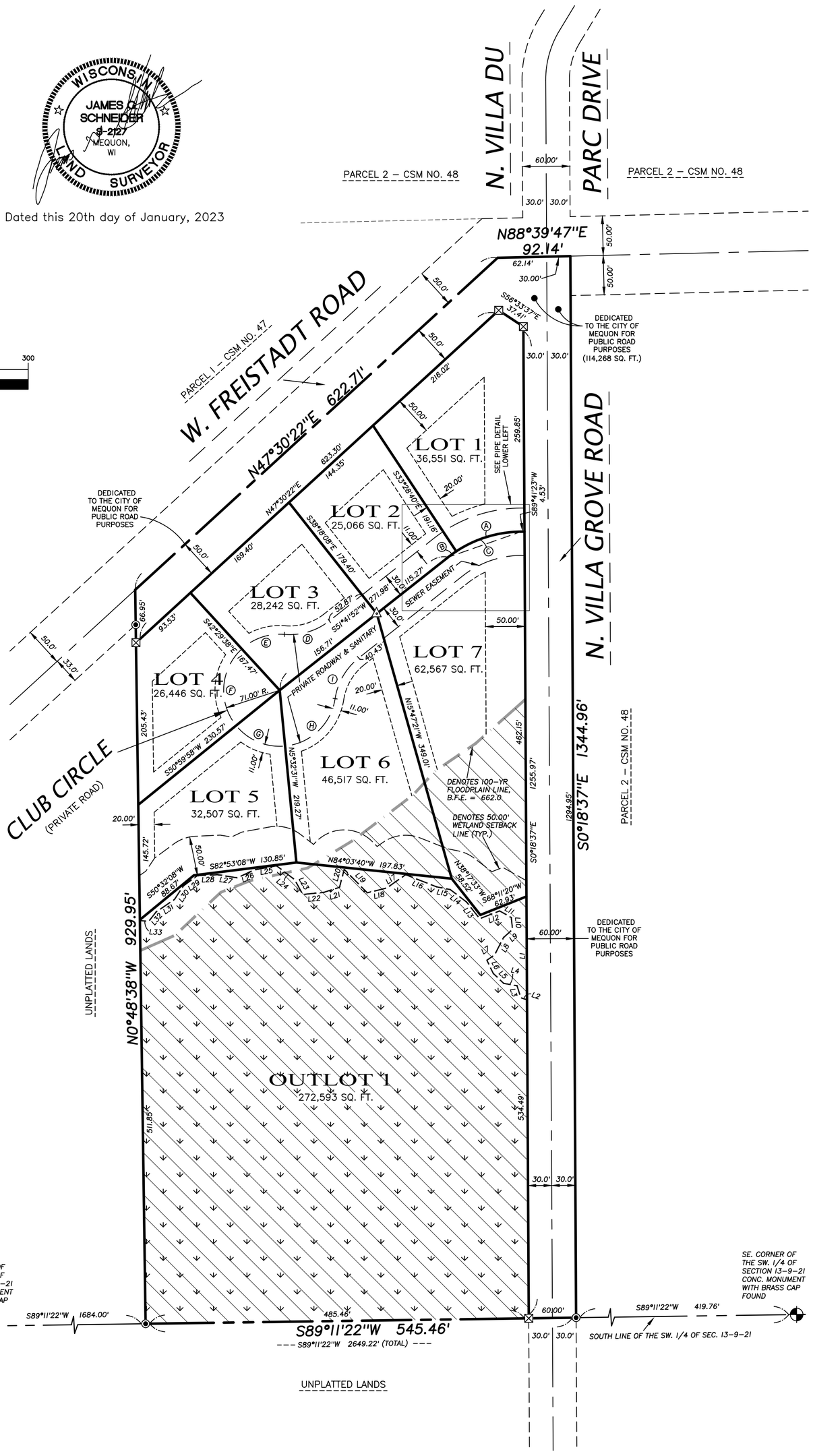
Dated this 20th day of January, 2023

SCALE 1" = 100'



LOCATION MAP

SOUTHWEST 1/4 OF SEC. 13–9–21



WETLAND LINE TABLE		
LINE #	LENGTH	BEARING
L1	131.00'	S0°18'37"E
L2	8.38'	N71°03'58"W
L3	15.86'	N17°06'35"W
L4	17.20'	N79°57'41"W
L5	18.44'	N46°17'57"W
L6	18.49'	N25°38'46"W
L7	11.68'	N56°02'27"E
L8	24.95'	N27°12'07"E
L9	15.21'	N48°18'04"E
L10	15.28'	N5°34'53"W
L11	16.93'	N60°29'31"W
L12	27.23'	S68°56'08"W
L13	26.69'	N38°03'47"W
L14	26.09'	N52°35'26"W
L15	17.74'	N78°42'26"W
L16	42.00'	N68°30'14"W
L17	29.53'	S54°57'36"W
L18	25.29'	S76°18'20"W
L19	41.59'	N44°24'11"W
L20	23.59'	S14°48'49"W
L21	21.24'	S72°18'01"W
L22	26.48'	S84°26'05"W
L23	21.09'	N28°20'02"W
L24	29.13'	N52°26'32"W
L25	28.95'	S79°30'13"W
L26	23.63'	S65°00'55"W
L27	24.65'	N80°49'45"W
L28	26.31'	S87°20'43"W
L29	21.53'	S53°37'20"W
L30	21.04'	S33°45'18"W
L31	27.69'	S55°52'37"W
L32	15.14'	S38°29'19"W
L33	11.31'	N86°38'02"W

LEGEND :

- ◉ – DENOTES 1.315" STEEL PIPE (FOUND)
- ● – DENOTES 1.5" REBAR (FOUND)
- ⊠ – DENOTES 1.270" REBAR WEIGHING 4.303 LBS. PER LINEAL FOOT (SET).
- △ – DENOTES 3/4" REBAR WEIGHING 1.502 LBS. PER LINEAL FOOT (SET).

ALL OTHER LOT AND OUTLOT CORNERS 1.315"X18" STEEL PIPE WEIGHING 1.68 LBS. PER LINEAL FOOT (SET).

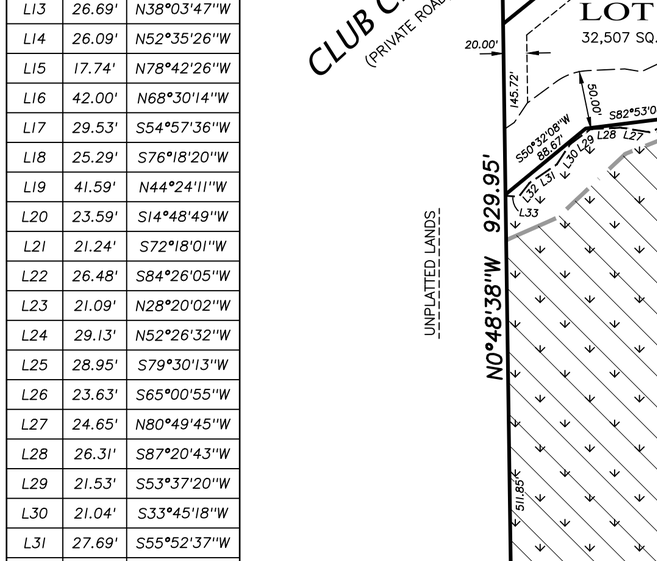
ALL DISTANCES ARE MEASURED TO THE NEAREST ONE HUNDREDTH (0.01') OF A FOOT.

ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE. (NAD 27), THE SOUTH LINE OF THE SW. 1/4 OF SECTION 13–9–21, WHICH BEARS S89°11'22"W

- DENOTES BUILDING SETBACK LINE
- DENOTES WETLAND BOUNDARY
- DENOTES 50' WETLAND SETBACK
- DENOTES 100–YEAR FLOODPLAIN LIMITS
- DENOTES WETLAND AREA
- DENOTES AREA WITHIN THE 100–YEAR FLOODPLAIN

NOTES :

1. INTENDED USE AND OWNERSHIP OF OUTLOT 1 ARE COVERED IN THE DEVELOPMENT AGREEMENT & SUBDIVISION COVENANTS, RECORDED AS SEPARATE DOCUMENTS.
2. WETLANDS DELINEATION WAS COMPLETED BY KRISTI SHERFINSKI OF HELIANTHUS, ON SEPTEMBER 23, 2021, AN ASSURED DELINEATOR.
3. DIRECT VEHICULAR ACCESS TO W. FREISTADT ROAD AND N. VILLA GROVE ROAD IS PROHIBITED FOR THE LOTS IN THIS SUBDIVISION.
4. REFER TO SHEET 2 OF 3 FOR EASEMENTS EXHIBITS.
5. BUILDING SETBACKS ARE AS FOLLOWS:
   - FRONT (ALL LOTS) – 11.00' FROM PRIVATE ROADWAY EASEMENT
   - REAR (LOTS 1–4) – 50.00' FROM W. FREISTADT RD.
   - REAR (LOTS 5–7) – AS SHOWN ON PLAT: 50' WETLAND SETBACK AND/OR 100–YR FLOODPLAIN LINE.
   - SIDE INTERIOR (ALL LOTS) – 20.00'
   - SIDE (LOTS 1 & 7) – 50.00' FROM N. VILLA GROVE RD.



ENTRANCE – LOT CORNER DETAIL:

SCALE 1" = 30'

MAIN CURVE TABLE								
NO.	LOT	ARC	RADIUS	CHORD	BEARING	TAN. BEARING IN	DELTA	TAN. BEARING OUT
A	1	86.83'	150.00'	85.63'	S73°06'21"W	--------	33°10'03"	--------
B	2	12.63'	150.00'	12.63'	S54°06'36"W	--------	4°49'28"	--------
C	7	99.46'	150.00'	97.65'	S70°41'37"W	S89°41'23"W	37°59'31"	S51°41'52"W

PRIVATE ROADWAY & SANITARY SEWER EASEMENT CURVE TABLE						
NO.	LOT	ARC	RADIUS	CHORD	BEARING	DELTA
D	3	60.92'	81.00'	59.49'	S73°14'36"W	43°05'30"
E	3	58.59'	71.00'	56.94'	S71°08'52"W	47°16'59"
F	4	107.20'	71.00'	97.30'	S4°15'10"W	86°30'24"
G	5	70.07'	71.00'	67.26'	S67°16'17"E	56°32'30"
H	6	93.99'	71.00'	87.28'	N46°31'55"E	75°51'06"
I	6	60.92'	81.00'	59.49'	N30°09'07"E	43°05'30"

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

"The Green at Mequon"

A DIVISION OF PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

NORTH SHORE ENGINEERING, INC.
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(262) 241-9400 • FAX: (262) 241-5337
www.northshoreengineering.net

EASEMENT EXHIBIT

LEGEND :

HATCHING DENOTES 20' WIDE PUBLIC WATER MAIN EASEMENT

HATCHING DENOTES VARIABLE WIDTH STORMWATER DRAINAGE AND ACCESS EASEMENT

HATCHING DENOTES 15' WIDE WE–ENERGIES UTILITY EASEMENT

NOTE: SEE SHEET 1 FOR PRIVATE ROADWAY & SANITARY SEWER EASEMENT DETAILS.

WISCONSIN JAMES G. SCHNEIDER S-2127 MEQUON, WI LAND SURVEYOR

Dated this 20th day of January, 2023

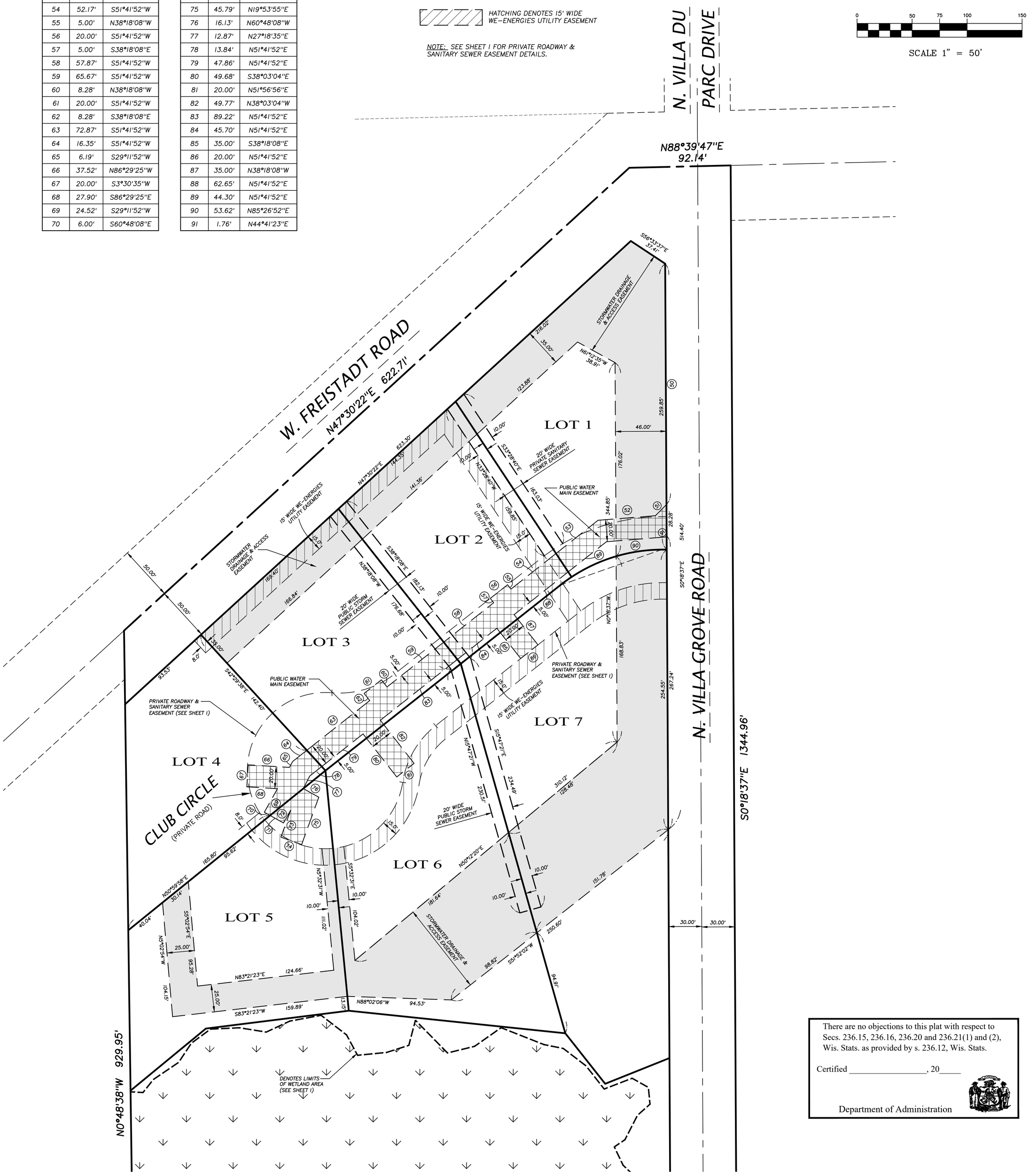
N

0 50 75 100 150

SCALE 1" = 50'

WATER MAIN EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
50	218.88'	S0°18'37"E
51	14.33'	S44°41'23"W
52	52.26'	S85°26'52"W
53	48.68'	S51°41'52"W
54	52.17'	S51°41'52"W
55	5.00'	N38°18'08"W
56	20.00'	S51°41'52"W
57	5.00'	S38°18'08"E
58	57.87'	S51°41'52"W
59	65.67'	S51°41'52"W
60	8.28'	N38°18'08"W
61	20.00'	S51°41'52"W
62	8.28'	S38°18'08"E
63	72.87'	S51°41'52"W
64	16.35'	S51°41'52"W
65	6.19'	S29°11'52"W
66	37.52'	N86°29'25"W
67	20.00'	S3°30'35"W
68	27.90'	S86°29'25"E
69	24.52'	S29°11'52"W
70	6.00'	S60°48'08"E

WATER MAIN EASEMENT LINE TABLE		
LINE #	LENGTH	BEARING
71	14.00'	S60°48'08"E
72	13.37'	N29°11'52"E
73	26.07'	S19°53'55"W
74	20.00'	S70°06'05"E
75	45.79'	N19°53'55"E
76	16.13'	N60°48'08"W
77	12.87'	N27°18'35"E
78	13.84'	N51°41'52"E
79	47.86'	N51°41'52"E
80	49.68'	S38°03'04"E
81	20.00'	N51°56'56"E
82	49.77'	N38°03'04"W
83	89.22'	N51°41'52"E
84	45.70'	N51°41'52"E
85	35.00'	S38°18'08"E
86	20.00'	N51°41'52"E
87	35.00'	N38°18'08"W
88	62.65'	N51°41'52"E
89	44.30'	N51°41'52"E
90	53.62'	N85°26'52"E
91	1.76'	N44°41'23"E



There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

"The Green at Mequon"

A DIVISION OF PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 13, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:
THAT I have surveyed, divided, and mapped the plat of
"THE GREEN AT MEQUON", bounded and described as follows:

That part of the Southeast 1/4 of the Southwest 1/4 of Section 13, Township 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 13; thence S89°11'22"W along the South line of said Southwest 1/4, 419.76 feet to the point of beginning of lands to be described; thence continuing S89°11'22"W along the South line of said Southwest 1/4, 545.46 feet; thence N0°48'38"W at right angles to said South line, 929.95 feet to the center of W. Freistadt Road; thence N47°30'22"E along the center of W. Freistadt Road, 622.71 feet; thence N88°39'47"E along said center of W. Freistadt Road, 92.14 feet to the Northwest Corner of Parcel 2 of Certified Survey Map No. 48, recorded in Volume 1 on page 99 of Certified Survey Maps; thence S0°18'37"E along the West line of said Parcel 2, 1344.96 feet to the point of beginning.

Said Parcel containing 644,757 sq. ft./14.802 acres of land to centerline of road, more or less.

THAT I have made such survey, land division and plat at the direction of THE GREEN AT MEQUON, LLC, owner of said land.

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

THAT I have fully complied with the provisions of Chapter 236 of the Wisconsin State Stautes and the City of Mequon Subdivision Regulations.

James G. Schneider P.L.S No. S-2127

WISCONSIN JAMES G. SCHNEIDER S-2127 MEQUON, WI LAND SURVEYOR

Dated this 20th day of January, 2023

OWNERS CERTIFICATE OF DEDICATION

As owner, I hereby certify that I caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat. I also certify that this plat is required by s. 236.10 or s. 236.12 of the Wisconsin State Statues to be submitted to the following for approval or objection: 1) Department of Administration, 2) City of Mequon.

Witness the hand and seal of said owner this_____ day of _____, 20_____.

BY: THE GREEEN AT MEQUON, LLC

IN THE PRESENCE OF

MICHAEL PERLEWITZ, Single-Member Manager

STATE OF WISCONSIN) SS
OZAUKEE COUNTY)

Personally came before me this_____ day of_____, 20_____, the above named Michael Perlewitz, to me known to be the person who executed the foregoing instrument and acknowledged the same.

CONSENT OF CORPORATE MORTGAGEE

CORNERSTONE COMMUNITY BANK, existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land does hereby consent to the Surveying, Dividing, Mapping and Dedicting of the land described on this plat of "THE GREEN AT MEQUON" and does hereby consent to the above certificate of THE GREEN AT MEQUON, LLC, OWNER.

IN witness whereof, the said CORNERSTONE COMMUNITY BANK has caused these presents to be signed by _____, its _____, at _____, Wisconsin, this _____ day of _____, 20_____.

IN THE PRESENCE OF:

WITNESS *(Signature)*

COUNTY TREASURER'S CERTIFICATE

STATE OF WISCONSIN) SS
OZAUKEE COUNTY)

I, Joshua Morrison, being duly elected, qualified and acting Treasurer of the County of Ozaukee, do hereby certify that the records in my office show no unredeemed tax sales and no unpaid taxes or special assessments as of _____, 20_____, affecting the lands included in the plat of "THE GREEN AT MEQUON".

Dated:_____, 20____. _____
JOSHUA MORRISON, County Treasurer

CITY TREASURER'S CERTIFICATE

STATE OF WISCONSIN) SS
OZAUKEE COUNTY)

I, Jennifer Engroff, Director of finance for the City of Mequon, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this _____ day of _____, 20____, on any of the land included in the plat of "THE GREEN AT MEQUON".

Dated:_____, 20____. _____
JENNIFER ENGROFF, Director of Finance

COMMON COUNCIL RESOLUTION

"Resolved that the plat known as "THE GREEN AT MEQUON" in the City of Mequon which has been filed for approval, be and hereby is approved as required by Chapter 236 of the Wisconsin State Statutes."

APPROVED _____
ANDREW NERBUN, Mayor

I, Caroline Fochs, being the acting Clerk of the City of Mequon, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Common Council of the City of Mequon on the _____ day of _____, 20____.

CAROLINE FOCHS, City Clerk

UTILITY EASEMENT PROVISIONS

An easement for electric, natural gas, and communications service is hereby granted by THE GREEN AT MEQUON, Grantor, to WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC, Wisconsin corporations doing business as We Energies, Grantee, Wisconsin Bell, Inc. d/b/a AT&T Wisconsin, a Wisconsin corporation, Grantee, and TIME WARNER ENTERTAINMENT COMPANY, L.P., Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, theron, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Structures shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis. Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20_____

Department of Administration

NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
www.northshoreengineering.net

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

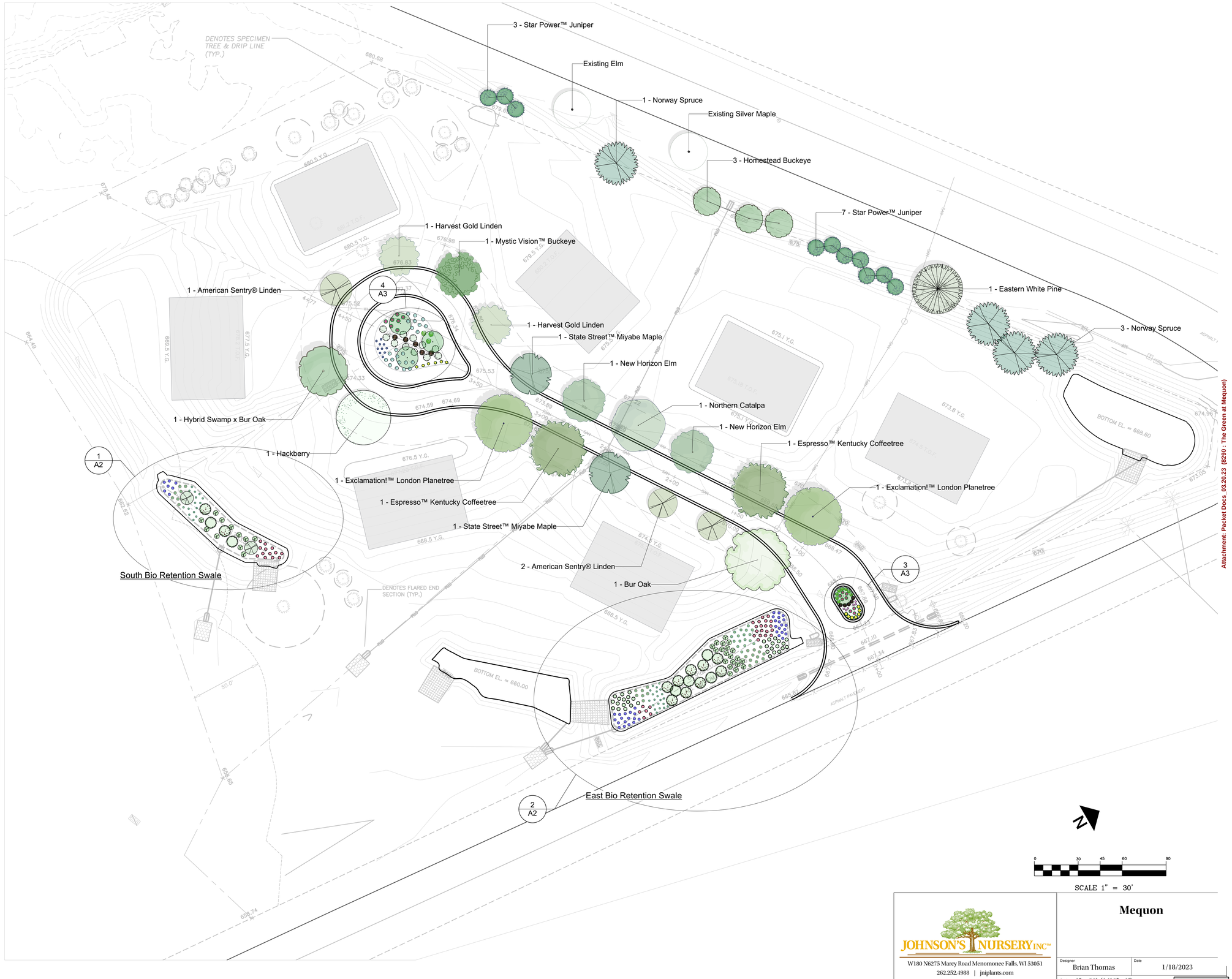
Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

Street Tree Plant List

Image	ID	Qty	Size	Common Name	Latin Name
	THG	2	3" Caliper	Harvest Gold Linden	"Tilia x 'Harvest Gold' PP12,232"
	AMSS	2	3" Caliper	State Street™ Miyabe Maple	Acer miyabei 'State Street'
	AFM	1	3" Caliper	Mystic Vision™ Buckeye	Aesculus flava x glabra 'Deck Select'
	NCC	1	3" Caliper	Northern Catalpa	Catalpa speciosa
	COH	1	3" Caliper	Hackberry	Celtis occidentalis
	GDE	2	3" Caliper	Espresso™ Kentucky Coffeetree	Gymnocladus dioicus 'Espresso-JFS'
	PAP	2	3" Caliper	Exclamation!™ London Planetree	Platanus x acerifolia 'Morton Circle'
	QM	1	3" Caliper	Bur Oak	Quercus macrocarpa
	QMB	1	3" Caliper	Hybrid Swamp x Bur Oak	Quercus x schuettei
	TAM	3	3" Caliper	American Sentry® Linden	Tilia americana 'McKSentry'
	UNH	2	3" Caliper	New Horizon Elm	Ulmus x 'New Horizon'

Perimeter Screen Plant List

Image	ID	Qty	Size	Common Name	Latin Name
	AHB	3	3" Caliper	Homestead Buckeye	Aesculus x 'Homestead'
	JS	10	6-7'	Star Power™ Juniper	Juniperus x 'J.N. Select Blue'
	NS	4	6-7'	Norway Spruce	Picea abies
	WP	1	6-7'	Eastern White Pine	Pinus strobus



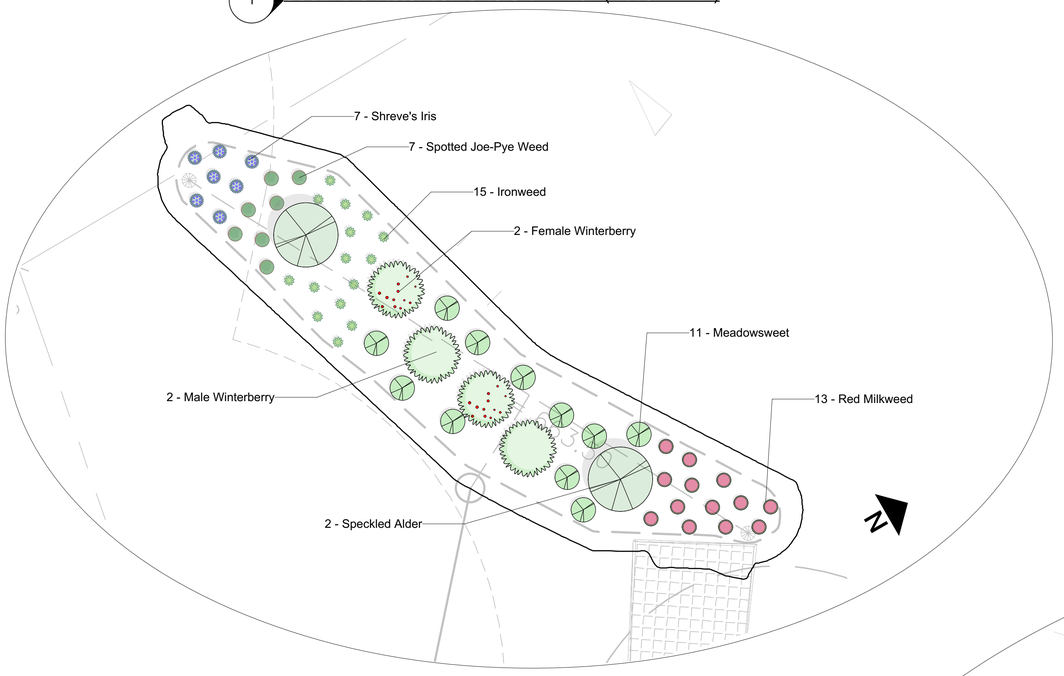
JOHNSON'S NURSERY INC™
W180 N6275 Marcy Road Menomonee Falls, WI 53051
262.252.4988 | jnjplants.com

Mequon

Designer	Date
Brian Thomas	1/18/2023
Scale	1" = 30' (1/30" = 1')

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

1 South Bio Retention Swale 1" = 10' (1/10" = 1")



South Bio Swale Plant List					
Image	ID	Qty	Size	Common Name	Latin Name
	SA	2	#2 Gal.	Speckled Alder	Alnus incana var. rugosa
	RM	13	#1 Gal.	Red Milkweed	Asclepias incarnata
	EM	7	#1 Gal.	Spotted Joe-Pye Weed	Eutrochium maculatum
	FW	2	#2 gal.	Female Winterberry	Ilex verticillata 'Female'
	MW	2	#2 gal.	Male Winterberry	Ilex verticillata 'Male'
	IVS	7	#1 Gal.	Shreve's Iris	Iris virginica var. shrevei
	SAM	11	#2 gal.	Meadowsweet	Spirea alba
	VF	15	#1 gal.	Ironweed	Vernonia fasciculata

2 East Bio Retention Swale 1" = 10' (1/10" = 1")

East Bio Swale Plant List					
Image	ID	Qty	Size	Common Name	Latin Name
	EM	19	#1 Gal.	Spotted Joe-Pye Weed	Eutrochium maculatum
	FW	9	#2 gal.	Female Winterberry	Ilex verticillata 'Female'
	IVS	35	#1 Gal.	Shreve's Iris	Iris virginica var. shrevei
	MW	4	#2 gal.	Male Winterberry	Ilex verticillata 'Male'
	RM	25	#1 Gal.	Red Milkweed	Asclepias incarnata
	SAM	20	#2 gal.	Meadowsweet	Spirea alba
	VF	38	#1 gal.	Ironweed	Vernonia fasciculata
	WT	32	#1 Gal.	White Turtlehead	Chelone glabra

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Mequon

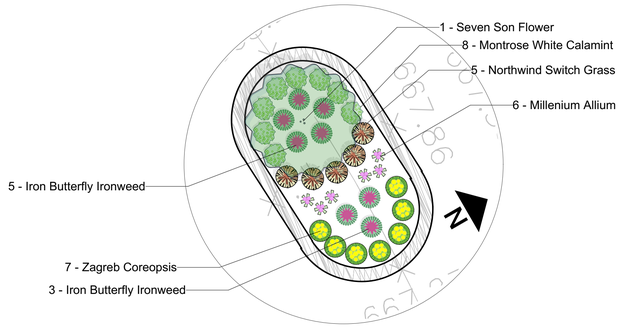
Bio Retention Details
Sheet: A2

Designer	Date
Brian Thomas	1/18/2023

Scale 1" = 10' (1/10" = 1")

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

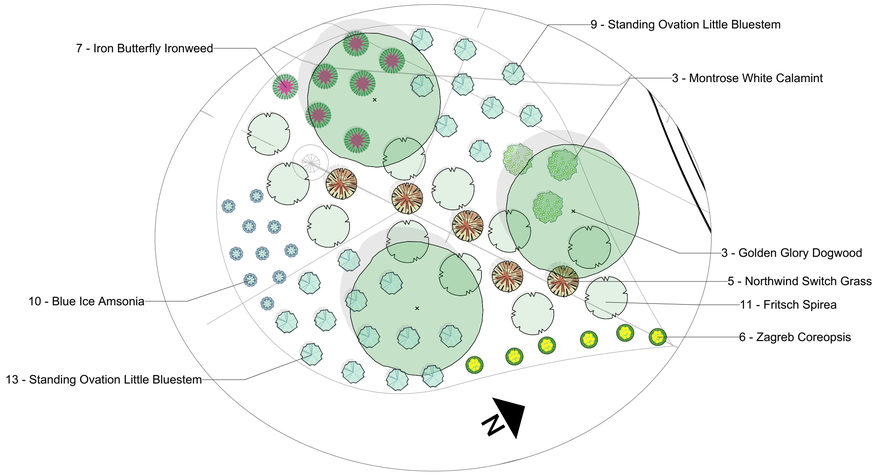
3 Front Entrance Detail
Scale: 1/8" = 1'-0"



Monument Sign Plant List

Image	ID	Qty	Size	Common Name	Latin Name
	MA	6	#1 gal.	Millenium Allium	Allium 'Millenium'
	CNM-1	8	#1 gal.	Montrose White Calamint	Calamintha nepeta 'Montrose White'
	CVZ	7	#1 gal.	Zagreb Coreopsis	Coreopsis vericillata 'Zagreb'
	HMS	1	6-7'	Seven Son Flower	Heptacodium miconioides
	SG-1	5	#1 gal.	Northwind Switch Grass	Panicum virgatum 'Northwind'
	VL	8	#1 gal.	Iron Butterfly Ironweed	Vernonia lettermannii 'Iron Butterfly'

4 Cul De Sac Detail
Scale: 1/8" = 1'-0"



Cul De Sac Plant List

Image	ID	Qty		Common Name	Latin Name
	CDP-1	10	#1 gal.	Blue Ice Amsonia	Amsonia x 'Blue Ice'
	CGG	3	2" Caliper	Golden Glory Dogwood	Cornus mas 'Golden Glory'
	CNM-1	3	#1 gal.	Montrose White Calamint	Calamintha nepeta 'Montrose White'
	CVZ	6	#1 gal.	Zagreb Coreopsis	Coreopsis vericillata 'Zagreb'
	FS	11	#2 gal.	Fritsch Spirea	Spiraea fritschiana
	SG-1	5	#1 gal.	Northwind Switch Grass	Panicum virgatum 'Northwind'
	SSO	22	#1 gal.	Standing Ovation Little Bluestem	Schizachyrium scoparium 'Standing Ovation'
	VL	7	#1 gal.	Iron Butterfly Ironweed	Vernonia lettermannii 'Iron Butterfly'

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Mequon

Island Bed Details
Sheet: A3

Designer: Brian Thomas
Date: 1/18/2023
Scale: 1/8" = 1'-0"

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

February 14th, 2023

Ms. Kim Tollefson, Dir. of Community Development
11333 N. Cedarburg Road 60W
Mequon, WI 53092-1930

Dear Ms. Tollefson:

I appreciate the opportunity to assist the City of Mequon with landscape architectural review services. The following is a review of the landscape plan submittal for Mequon on the Green Subdivision, a 7 lot subdivision.

This is the first review of the plan, dated 2/02/22. The Landscape plan is submitted by Johnson's Nursery. There are no accompanying Civil plans, or a survey of existing conditions.

The nature of this review will be to assess the landscape plan for completeness; address appropriateness of the proposed Street Tree & Buffering design for the subdivision. Landscape plans presented are incomplete in the following areas:

- The proposal fails to provide a Name of the Submission/the proposal
- It is unclear if the plans fails to show existing trees/vegetation. Traditionally, subdivision pans include a conservation/tree preservation assessment that includes an audit/review by the City Arborist.
- The proposal fails to list the "proposed zoning" for the proposal, or the adjacent uses, or zoning.
- The base information <Civil/Survey data> has been severely screened, to the point the data is not legible on the issued plans.
    - It is very hard to discern the proposal's PL; considering the submittal is for a land subdivision, it makes it problematic to provide an accurate opinion of compliance.
- Plan fails to list the name of the adjacent ROW(s) shown.
    - The plan shows an exiting Drive/means egress along the E PL.
    - The plan also shows what appears to be an indication of a second ROW along the N. PL, but the screened data is not legible and there is not enough data to conclude what is going on along the Northern PL: Please fix.

➢ *General Overview:*

❖ This review pertains to Three Landscape Plan sheets: PROPOSED LANDSCAPE PLAN & PROPOSED LANDSCAPE DETAILES, both dated 2/2/22.

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

- The plans submitted are **NOT** sealed by a Wisconsin RLA, as required by Mequon code.

- Sheet 1- The plans is not titled; Sheet 2- Bio-Retention Details Sheet A2; Sheet 3-Island Bed Details Sheet A3

- The Sheet1 is issued at a 1"=30' scale. The plan sheet is clean and because of the screening of the base/survey information, the needed information is marginally discernible. Sheet 2- "Bio Retention Details-Sheet A2" is issued at a 1"=10' scale; sheet 3 – Island Bed Details Sheet A3 is at a 1"=8' scale.

  - Unnamed sheet #1- The plan provides an attached plant schedule, with: common name, scientific name, of number of plants specified, size specified at planting and the total quantities, as required. Please see the review below for additional commentary of the proposed plant palette, sizing requirements and diversity. Please see the notes below, regarding amendments to the plant schedule.

  - The plan does not depict lighting at the subdivision entrance. The proposal depicts a curbed boulevard with a 13'x24' planting area. A proposed entrance sign is not shown to be part of the proposal.

    - The proposal depicts multiple proposed detention Basins and has included bioswale planting plans for two of the areas.

- ***Proposed Landscape Material Review:***

  - **Outline of the proposed plant types and quantities found on Sheet 1:**

    - Twelve Deciduous Tree Species, (Total proposed deciduous trees – 21)
    - Three Evergreen Tree Species, (Total proposed conifer trees – 15)
      - The species proposed have the ability to perform in the local soils and are within the prescribed USDA Zone 5a.

  - **Outline of the proposed plant types and quantities found on Sheet 2:**

    - Four - Deciduous Shrub Species, (Total proposed decid. shrubs – 50)
    - Five - Perennials, Bulbs/corms, Groundcover Species, (Total proposed ground covers/perennials –191)
    - Zero - Decorative Grass species, (Total proposed grasses – 126)
      - The species proposed have the ability to perform in the local soils and are within the prescribed USDA Zone 5a.

  - The proposal fails to provide detail on the establishment of TURF: The plan notes specify Hydroseeding, which is an application process, not a plant seed specification; the Plan fails to provide the following specifics: 1. Specify the proposed turf seed mix to be applied; 2. The rate of: a. Seed application/b. binder mulch/ c. hydrogels to be applied/ d. nurse crop type & seed rate? 3. The plans is required to list the total SQR yards of the turf area. – Recommendation for this site: I would apply sod in the limited areas at the entrance &

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

interior of the proposal; I would employ a turf seed regimen along the south <west of the proposed building>& along west boarder of the site. City of Mequon has a performance-based TURF acceptance policy. Finished grading and topsoil be smooth and ready to accept the seed applications. Any unestablished TURF areas measuring 6"x6", or having thin, unestablished grass density will not be accepted as COMPLETE and will be open to Bond forfeiture consideration, by City Staff.

- **Outline of the proposed plant types and quantities found on Sheet 3:**
  - One Deciduous Tree Species (Total proposed deciduous trees – 1)
  - Two Deciduous Shrub Species, (Total proposed decid. shrubs – 14)
  - Zero Evergreen Shrub Species, (Total proposed conifer shrubs – 0)
  - Four Perennials, Bulbs/corms, Groundcover Species, (Total proposed ground covers/perennials –55)
  - Two Decorative Grass species, (Total proposed grasses – 32)
    - The species proposed have the ability to perform in the local soils and are within the prescribed USDA Zone 5a.

➢ *Plant Schedule Comments:*

Amend the following "Proposed Tree sizes":

- Deciduous Trees: The plant schedule only specifies a 2.5" Caliper Deciduous trees. The City of Mequon has **required a minimum of 3.5" caliper trees** @ 16" above the rootball. Proposals within the PWR corridor have typically required 4.0" caliper trees @16" above the rootball. Considering the Minimal proposal of deciduous trees, I recommend the plans to be **Amended and the Plant Schedule revised to reflect the stated calipers.**
  - Also, the City of Mequon planning staff does not differentiate between deciduous trees and ornamental deciduous trees; amend the schedule's Ornamental caliper to a 3.5", or a 4.0" minimum caliper, if Mequon Staff requires the PWR standard to be observed.
  - Provide notes within the plant schedule. The Seven Son Flower is installed as a shrub or pruned to grow as a small tree. The plant schedule needs to provide clarity/determine which.
- Please see the Planting comments below, this proposal fails to meet multiple buffer requirements, typically provided within Subdivision developments.

➢ *Planting Zone Comments:*

- The submittal is organized and provides the following: 1. Exisitng ROW/ Street Frontage Zone(s); 2. Interior Drive/ROW Street Tree Zone; 3. Property line/Periphery Buffer; 4. Open Space Zone; 5. Detention Basin buffers; Note: While considering Plant Zone Applications/counts – each plants can only be used 1 time, to meet the listed buffer requirements.

- **Exisitng ROW/Street Frontage Zone**:

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

This plan shows what looks like two adjacent ROWs. An East ROW < Exisitng Road> and because of the poor quality of the base data < North ROW "what looks like a ROW"> Neither of the ROWs are identified on the plan by name. Also, the plan fails to provide the infrastructure located within either of the ROWs. This proposal fails to address the Existing ROW Street Tree requirement. The plan should be readdress each existing ROW :Code requires 1 approved street tree per each side of/30 feet of CL length; the UNIDENTIFIED Rd. ROWs planting requirement is not addressed; or the plan's base information failed to show the existing plants within the ROWs (The plan FAILS to meet either of the ROW code tree requirements. Action per P & Z/ Mequon Staff).

- **Proposed Street ROW/Private Development Drivway**:
  - Steet Trees- Interior Drives: Code requires 1 approved street tree per each 30 feet of drive, on each side of the length. Per the plan, the cul-de-sac length is 460 lf. 460 lf/30 lf= 15.33 trees x 2 sides of the proposed street = a minimum of 31 required Street Tres in the proposed ROW. The current plan depicts 18. The row/ drive <E/W axis> requires a shade tree to be placed @ 30' intervals <or, arranged in clusters, to meet the required drive buffer density>. (The plan FAILS to meet the ROW code tree requirements. Action per P & Z/ Mequon Staff)
- **Property Line Buffer:** Per the proposed landscape code requirements. The PL edge requires a buffer application of trees and mixed plantings. Three of the four (S/W/E) property lines do not provide any plantings; with the exception of the North PL, the proposal fails to address PL or provide a buffer. (Proposal FAILS to meets the PL/ side yard buffer. Action by City Staff/Planning Board.) Action per P & Z/ Mequon Staff.
- **Foundation Plantings:** The Plan provides foundation planting density at the primary entrance and selectively throughout the proposal. (Proposal meets the intention of Foundation Planting requirements, although considering the prior standards enforced within the PWR corridor, the provided treatment is very Spartan.)
- **Open Space Zones:** The plan does not propose Outlots or Common Areas. (N/A)
- **Detention Basin(s) Buffer:** The proposal depicts two, grading, highwater elevation, how the basins are being constructed. The plans do indicate two retention swales. I will let the City of Mequon Engineering staff work out how the shown basins will work to meet the hydrology of the site. Although, the proposal provides two details for Bio-Detention Swales, I am unaware of City of Mequon enforcing any BioDetention requirements. But, I would cite the success of any of the proposed plantings are depended on: 1. how Mequon's High clay/High Silt soils are amended and 2. how the Detention basin is designed and built to release the "Retained Water.
  (The plan does not adequately address the Detention Basin Buffering. Mequon has required and enforced that all Detention Basins provide a perimeter buffer treatment of trees, shrubs and ground covers. The buffers shall measure 30% the length, as it occurs at, the High-water mark of the basin. The minimum depth of the buffer requirement is 20 feet. Existing vegetation counts toward the 30% benchmark; although, In this case, this reviewer believes the required grading will eradicate the existing vegetation. Please readdress the detention basin buffers after grading is complete.)

❖ *Additional Landscape Observations:*

- Per the City Development Plan landscape guidelines, the City of Mequon has required a higher level of landscape treatments within Subdivisions and PUD's to preserve/enhance property values and improve the aesthetic within these concentrated uses. The Landscape

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

commentary & review standards have been equally applied and enforced within the City of Mequon, for the last twelve years. The Mequon of the Green proposed landscape plan fails to address the historically required proposed Street Tree density, to address PL/Detention Basin buffering, nor does it address the Existing ROW Street Tree requirements, as compared to previous submittals. I would observe, the design/application may wish to consider the existing adjacent uses; It is this reviews opinion, as a Residential application, the adjacencies are inadequately buffered.

- This review recommends that the proposal readdress and provide:

1. Revise and submit stated Plant size requirements;
2. Confirm Existing ROW plantings <Street Trees> have been addressed;
3. The Plan needs to readdress the Proposed ROW Street Tree Count;
4. The plan should address Buffering along the South, East & West PL;
5. the proposal fails to address the Detention Basin with buffing;
6 Provide how the Turf requirements will be met, the plan shall include the SQYD of seeding required and required seeding/fertilizing/maintenance specifications to establish required coverage for the development stability.

I hope planning staff and the commission finds the recommendations and information presented informative and useful. This concludes the review of this unnamed 7 lot subdivision, on an undefined location of Mequon …Landscape submission.

Sincerely,

M. Terry Higgins, RLA.

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

11333 N. Cedarburg Road
Mequon, Wisconsin 53092
Phone: (262) 236-2940
Fax: (262) 242-9819

Office of Parks/Forestry

On 9/22/2022, (2) unapproved specimen tree removals took place within city road easement. Road easement is 50’ in width, and 17’ from edge of pavement. (1) 27” Bur Oak was illicitly removed, and (1) 14” Black Walnut within this easement, totaling 41 caliper inches. Both removals were marked by flagging ribbon to be preserved. No specimen trees shall be removed from any lot, unless approved by the Planning Commission and with the City Forester's knowledge or his associate in accordance with Chapter 60 of the Tree Preservation Ordinance. Stated by the City of Mequon Tree Preservation Ordinance, it shall be unlawful to remove, injure, destroy, or undertake any procedure that may cause the death or substantial destruction of any specimen tree located anywhere on any land in the City of Mequon without the express written permission of the City Planning Commission. Party (s) responsible for the unapproved removal of the 2 specimen trees will be fined $100.00 per caliper inch for a total of 41 caliper inches. This means party (s) involved will be fined $4,100.

Figures below are photographs of unapproved specimen tree removals.

Figure A – Road easement width of 50’

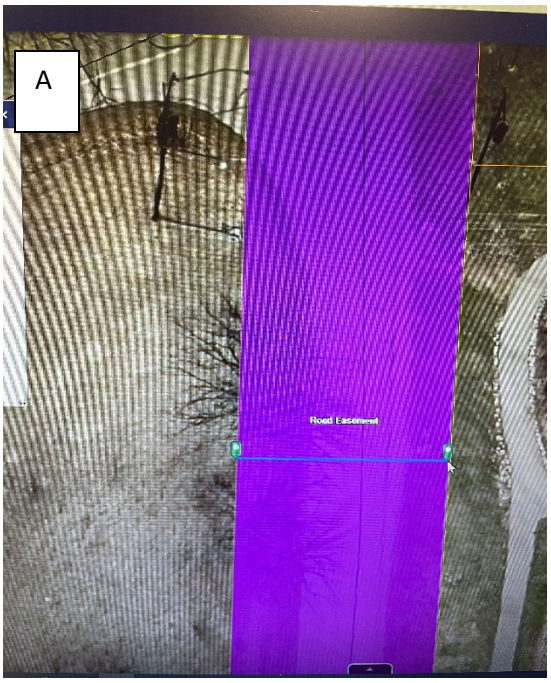
Figure B – Road easement measured 17’ of pavement

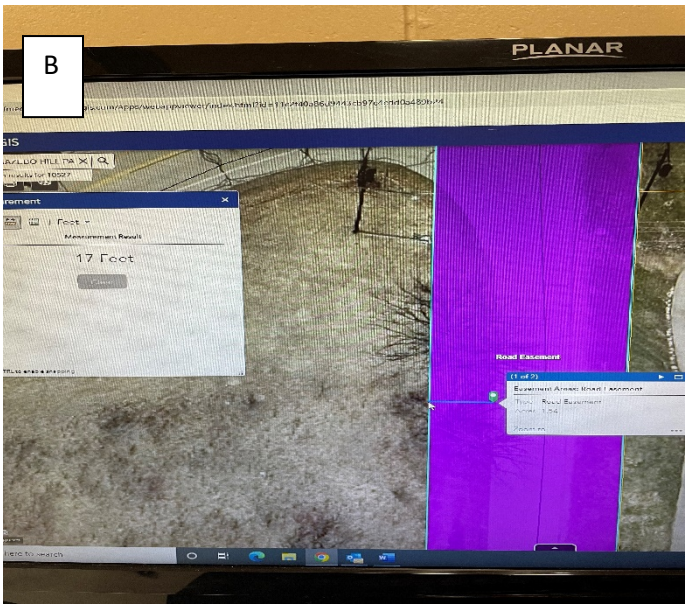
Figure C – Stump of unapproved removal of 14” Black Walnut

Figure D – Stump of unapproved removal of 27” Bur Oak

Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

11333 N. Cedarburg Road
Mequon, Wisconsin 53092
Phone: (262) 236-2940
Fax: (262) 242-9819





Attachment: Packet Docs_03.20.23 (8290 : The Green at Mequon)

11333 N. Cedarburg Rd
Mequon, WI 53092-1930
Phone: 262-236-2902
Fax: 262-242-9655
www.ci.mequon.wi.us
Department of Community Development

TO: **Planning Commission**

FROM: **JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT**

DATE: **March 20, 2023**

SUBJECT: **Swan Ridge Farms. The applicant is seeking preliminary plat, development agreement, open space plan, landscape plan, street tree plan and fill permit for 30,000 C.Y. approval to allow for an 83-lot subdivision for the lands immediately south of and west of 10129 N. Swan Road.**

Applicant:	Point Real Estate
Status of Applicant:	Offer to Purchase
Requested:	Preliminary Plat Development Agreement Fill Permit > than 1,000 C.Y. Street Tree Landscape Plan
Existing Zoning:	R-3 (Suburban Residential Detached) CGA (Central Growth)
Existing Land Use Plan:	Residential 1-1.5 Acre
Lot size:	86 Acres
Location:	Lands immediately south of and west of 10129 N. Swan Road
Tax Key Number:	#14-032-04-000.00
District:	#4

Background: The applicant is requesting open space plan, street tree plan, preliminary plat and development agreement approval for Phase I of Swan Ridge Farms. The first phase consists of 41 of the 83 lots located on 86 acres immediately south of and west of 10129 N Swan Road. The site was rezoned to R-3 (Single Family 1 Acre) with a CGA (Central Growth Area Overlay) on May 10, 2022 (see attached Ord. #2022-1620).

Preliminary Plat:
The attached preliminary plat for the proposed 83-lot development is consistent with concept plan approved as part of the rezoning. The preliminary plat incorporates changes that were required as part of the rezoning and concept plan approval including the following:

- Lots 1, 83, 13,14 are setback 75 feet from Swan Road
- The average lot width is 110 feet.
- The total number of lots has been reduced to 83.

In addition, the preliminary plat complies with the Central Growth Area Overlay requirement that 50% of the lots exceed ½ acre in size. All of the proposed lots are shown to exceed ½ acre. The plat shows 36% of the site as dedicated open space which exceeds the 30% requirement. The plat shows sidewalks on one side of each of the major roads in the subdivision. The sidewalks

connect to the interior asphalt path and to the Huntington Park Subdivision. The front entrance was modified to line up with the access to the Mequon Nature Preserve which is located across the street.

Development Agreement:
Please see attached draft development agreement (DA) for phase I of Swan Ridge Farms (41 lots) authored by Planning and Engineering staff to address the necessary improvements for the development. The phasing plan shows the southern portion of the site being developed in the first phase along with the required stormwater management facilities. All paths and amenities that are shown in phase 1 are required to be installed prior to final plat approval. The development agreement provides the opportunity to construct four (4) model dwellings prior to final plat approval with the understanding that the units can't be sold, or title transferred until the associated plat is recorded.

Open Space and Landscape Plan:
The proposed Open Space and Landscape Plan addresses a majority of the issues identified by city staff and Landscape Consultant Terry Higgins. The plan shows a tot lot, fire pit and open-air shelter in the large outlot at the east end of the development. There is an asphalt path the runs through the development and connects to the adjacent subdivision. The one area that the plan falls short is the screening along Swan Road. The applicant is proposing a mix of 23 trees along the 1,200 feet of Swan Road frontage. Fourteen of these trees are street trees that did not fit along the interior road network (see Street Tree Memo). Based on what has been required for other similar developments, the area should include a mix of approximately 120 evergreen and deciduous trees. Staff includes a condition of approval, review and approval of landscape plan based on this issue being addressed.

Street Tree Plan:
On March 13, 2023, the Tree Board approved the street tree plan for Phase 1 of the Swan Ridge Subdivision (please see attached memo from City Forester, Mike Gies). The plan calls for a total of approximately 398 trees allocated throughout the site. Approximately 85 of the trees will used at other locations on the site based on the inability to locate them along the road network due to spacing constraints. These trees cannot be used as a substitute for other required landscaping and will need to be a minimum of 3" in diameter.

Engineering Report:
Cole McCraw, Assistant City Engineer, has reviewed the application and has the following comments:

Engineering Division will review and approve the individual grading, drainage, erosion control, road, water distribution and sanitary sewer plans in conformance with City ordinances and the latest edition of the Mequon Standard Specifications for Land Development (SSLD).

The applicant is proposing access at two points on Swan Road with the standard entrance islands, located within outlots, as required. Phase one will make a connection to Swan Road and connect to Huntington Park at Huntington Drive. The termini of Migratory Lane shall include a temporary turnaround. These connection requirements are specified within the development agreement. The Swan Road connection is subject to the SSLD requirements for a bypass lane and acceleration-deceleration lanes.

Swan Road has an ultimate right-of-way width of 100 feet. The right-of-way shall be dedicated at this width for public purposes as part of the final plat approval. The dedication is shown on the preliminary plat.

Wetlands are found on the property and are shown on the preliminary plat. Wetland protective areas/setbacks are shown on the preliminary plat. No impervious surface may be proposed within the wetland setback. Two wetland pockets on the property are proposed to be filled. The request for wetland fill was approved by the DNR in April 2022. A wetland delineation report with concurrence by the DNR was submitted with the application. The survey from the wetland delineation, the name of the delineator, the date of delineation, and the date of WDNR concurrence is shown on the preliminary plat.

The property will be served by municipal sanitary sewer and water. The property was added to the sanitary sewer service area in 2022 through a sanitary sewer service area amendment. The amendment was approved by the City of Mequon Sewer Utility District Commission (SUDC), the Milwaukee Metropolitan Sewerage District (MMSD), the Southeastern Regional Planning Commission, and the Wisconsin Department of Natural Resources (DNR). The amendment included a condition requiring the extension of sanitary sewer service to the two adjacent lots on Swan Road. As the Sewer Utility District Commission (SUDC) required the private sewer service as a condition, the phasing will require consideration of an amendment to allow for a letter of credit and easement, as well as payment of sewer capital charges in lieu of installation, pending the construction of Phase 2. Staff's proposed language in Section 11.f. will be considered at the SUDC meeting in April and is required prior to Common Council approval of the development agreement.

Currently, Mequon Water Utility (MWU) does not have facilities at County Line Road and Swan Road, but a second connection with Milwaukee Water Works (MWW) was approved at that location in 2022. Water main will be extended from County Line Road to the north along Swan Road including installation of a municipal meter pit. Water connection and extension shall conform to the MWU Water Connection Policy. An amendment to the Water Connection Policy providing the options for reimbursement of Water Utility costs is being considered at the March 14, 2023, Mequon Municipal Water Utility Commission meeting. Approval of the development agreement is contingent upon approval of the amendment. An easement for water main extension will be required outside of the phase one limits until phase two develops to allow the MWU to extend transmission water main if phase two does not develop.

The site proposes an increase in impervious surface in excess of one-half acre and site disturbance of greater than an acre and therefore requires a stormwater management plan (SWMP). The proposed site will be required to provide stormwater management to meet all current City of Mequon, DNR, and MMSD criteria. The stormwater management improvements are subject to a drainage financial guarantee per Sec. 58-677(b) of City ordinance. Additionally, a stormwater maintenance and easement agreement will be required. The stormwater management facilities are subject to certification in accordance with Sec. 58-677 and 58-678 of City ordinance. The locations of the proposed storm water facilities are shown in the preliminary civil plan and are contained in outlots. The entire property shall be covered under a single storm water management plan and shall be approved prior to phase one construction activities. This is required by the attached DA language under section seven.

A Filling and Excavation permit is required. Planning Commission approval is required for the requested fill quantity of 30,000 cubic yards which will be used for grading on the full property

including within the limits of phase one and two. The work is subject to a haul bond as stated in the development agreement. Haul route and permit approval will be required prior to construction activities.

The improvements propose land disturbance in excess of one acre, therefore a City erosion control permit is required. Evidence of the WDNR required WRAPP permit shall also be provided for the site.

Staff Recommendation:
Planning staff recommends approval of the preliminary plat, development agreement and the minor request for fill quantity exceeding 1,000 cubic yards subject to the following condition(s):

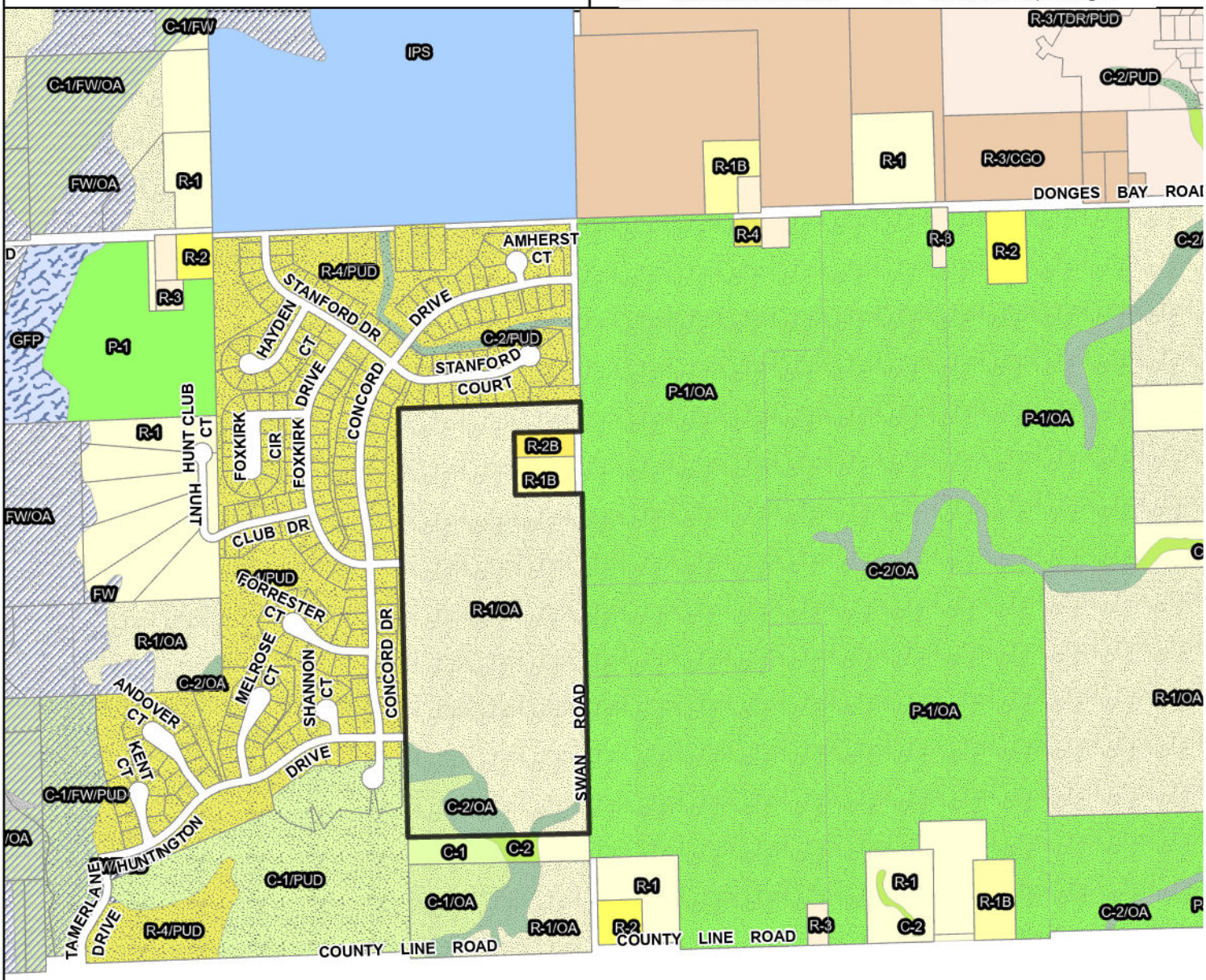
1. Common Council approval of the Development Agreement.
2. The active amenities as shown on the open space plan shall be reviewed and approved by staff.
3. The landscape plan shall be amended to address the street frontage along Swan Road. Staff review and approval of the plan is required.
4. All existing wetlands shall be contained in the outlot.
5. All buildings shall maintain a minimum building setback of 30' from the public road right-of-way and a minimum 15/20' offset from the side and rear property lines. Offsets to wetlands as established by the Department of Natural Resources (DNR).
6. The development shall comply with preliminary plat, development agreement, and final plat requirements.
7. Architectural design of residential buildings shall comply with the Architectural Board's publication entitled "Guidelines for Residential Structures" and are subject to the Architectural Review Board.
8. Pedestrian and bike paths and the necessary easements shall be required in accordance with the approved concept plan. All pedestrian trails shall be located in an outlot with a minimum width of 10 feet. Bike/Ped path shall be constructed in accordance with the WisDOT Bike Path Facilities Handbook and be maintained by the Developer and subsequently the HOA.
9. Street trees are subject to the approval of the Tree Board and Planning Commission.
10. Street lighting, if proposed, is subject to the approval of the Planning Commission.
11. Entryway signage and landscaping is subject to the approval of Planning Commission.
12. The entire property is subject to the City of Mequon Tree Preservation Ordinance and necessary preservation easements, if any.
13. Dedication and acceptance by the Common Council of right-of-way at the width of the ultimate right-of-way along Swan Road as part of the final plat.
14. Engineering Division review and approval of the individual grading, drainage, erosion control, water distribution and sanitary sewer plans in conformance to City ordinances and the SSLD.
15. Street connection to Huntington Drive and Swan Road.
16. Installation of a bypass, acceleration, and deceleration lane on Swan Road in conformance with the SSLD.
17. Water connection and extension along the property line shall conform to the MWU Water Connection Policy, including extension of the water main within Huntington Drive and Foxkirk Drive to a location adjacent to the existing water system within Huntington Park.
18. The portions of the water main that will ultimately serve the Water Utility shall be constructed at the diameter required to serve as the transmission main.

19. Water Utility Commission approval of the amendment to the Water Connection Policy regarding reimbursement.
20. Sewer Utility District Commission approval of the revised language in Section 11.f. of the development agreement.
21. DA language is subject to any clerical, technical and/or legal changes deemed necessary and appropriate by the City Attorney, including the financial guarantee for the sewer extension to adhere with the agreements entered into between the City and the existing adjacent property owners.
22. Approval of a storm water management plan for the site in conformance to City ordinances, DNR regulations, and MMSD Chapter 13, including execution of a Storm Water Management Maintenance and Easement Agreement with maintenance provisions for all proposed Best Management Practices (BMPs). Where applicable, the agreement and easement should include maintenance of yard drains and sump pump discharge.
23. The City Engineer will require in accordance with City ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow / letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).
24. Approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
25. Approval of a City Filling and Excavation Permit.

Attachments:
Packet DOcs_Swan Ridge_03.20.23 (PDF)

SWAN RIDGE FARMS - PRELIM PLAT, DEVELOPMENT AGREEMENT, LANDSCAPE AND OPEN SPACE PLAN

AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family Residential (5 Ac. Min.)
B-4	Business Park	R-1B	Single-Family Residential (2.5 Ac. Min.)
B-5	Light Industrial	R-2	Single-Family Residential (2 Ac. Min.)
B-6	Rural Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-7	Rural Business	R-3	Single-Family Residential (1 Ac. Min.)
C-1	Shoreland/Wetland Conservancy	R-4	Single-Family Residential (3/4 Ac. Min.)
C-2	General Conservancy	R-5	Single-Family Residential (1/2 Ac. Min.)
CGO	Central Growth Overlay	R-6	Single-Family Residential (4 DU/Ac.)
FFO	Flood Fringe Overlay	RM	Multi-Family Residential
FW	Floodway	TC	Town Center
IPS	Institutional & Public Service	TDR	Transfer of Development Rights



Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

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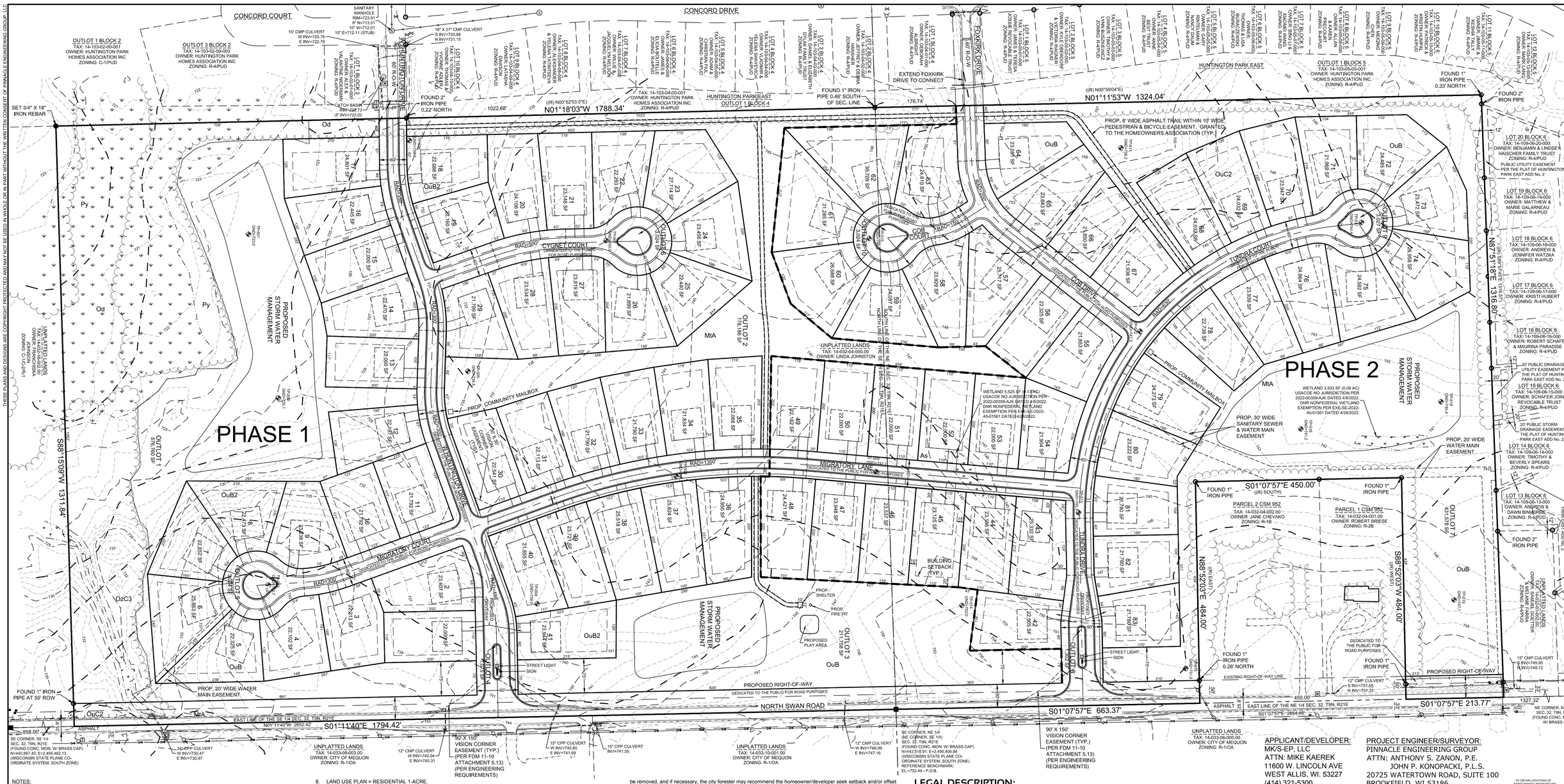
Attachment: Packet DOcs, Swan Ridge, 03.20.23 (8291 : Swan Ridge Farms)


CONCORD COURT
CONCORD DRIVE
HUNTINGTON DRIVE
FOXKIRK DRIVE
EXTEND FOXKIRK DRIVE TO CONNECT
HUNTINGTON PARK EAST
HUNTINGTON PARK EAST ADDN NO. 2
SANITARY MANHOLE RIM=723.91 8" N=713.51 10" W=712.01 10" E=712.11 (STUB)
15" CMP CULVERT W INV=720.76 E INV=722.79
18" X 27" CMP CULVERT S INV=720.88 N INV=721.15
CATCH BASIN RIM=724.77 6" INV=722.02
OUTLOT 1 BLOCK 2 TAX: 14-103-02-00-001 OWNER: HUNTINGTON PARK HOMES ASSOCIATION INC ZONING: C-1/PUD
OUTLOT 3 BLOCK 2 TAX: 14-103-02-00-003 OWNER: HUNTINGTON PARK HOMES ASSOCIATION INC ZONING: R-4/PUD
SET 3/4" X 18" IRON REBAR
FOUND 2" IRON PIPE 0.22' NORTH
(R) N00°52'53.5"E
N01°18'03"W 1788.34'
1022.68'
TAX: 14-103-04-00-001 OWNER: HUNTINGTON PARK HOMES ASSOCIATION INC ZONING: R-4/PUD
FOUND 1" IRON PIPE 0.48' SOUTH OF SEC. LINE
176.74'
(R) N00°59'04"E
N01°11'53"W 1324.04'
FOUND 1" IRON PIPE 0.33' NORTH
FOUND 2" IRON PIPE
PROP. 8' WIDE ASPHALT TRAIL WITHIN 10' WIDE PEDESTRIAN & BICYCLE EASEMENT, GRANTED TO THE HOMEOWNERS ASSOCIATION (TYP.)
PHASE 1
PHASE 2
CYGNET COURT
DEDICATED TO THE PUBLIC FOR ROAD PURPOSES
RAD=300'
RAD=1300'
RAD=15'
RAD=500'
MIGRATORY COURT
MIGRATORY LANE
TUNDRA COURT
TUNDRA DRIVE
COR COURT
OUTLOT 1 576,760 SF
OUTLOT 2 178,189 SF
OUTLOT 3 211,758 SF
OUTLOT 4 199,575 SF
OUTLOT 5 108,084 SF
OUTLOT 6 108,084 SF
OUTLOT 7 431,979 SF
OUTLOT 8 108,084 SF
OUTLOT 9 3,027 SF
PROPOSED STORM WATER MANAGEMENT
PROP. COMMUNITY MAILBOX
PROP. 30' WIDE SANITARY SEWER & WATER MAIN EASEMENT
PROP. 20' WIDE WATER MAIN EASEMENT
PROP. 20' WIDE MAIN EASEMENT
PROP. SHELTER
PROP. FIRE PIT
PROPOSED PLAY AREA
STREET LIGHT SIGN
BUILDING SETBACK (TYP.)
UNPLATTED LANDS TAX: 14-032-04-000.00 OWNER: LINDA JOHNSTON
UNPLATTED LANDS TAX: 14-032-04-002.00 OWNER: JANE CHEVAKO ZONING: R-1B
PARCEL 1 CSM 952 TAX: 14-032-04-001.00 OWNER: ROBERT BRIESE ZONING: R-2B
PARCEL 2 CSM 952 TAX: 14-032-04-002.00 OWNER: JANE CHEVAKO ZONING: R-1B
UNPLATTED LANDS TAX: 14-032-04-000.00 OWNER: FRANCO NISKA ZONING: C-1/C-2/R-1
UNPLATTED LANDS TAX: 14-033-09-003.00 OWNER: CITY OF MEQUON ZONING: R-1/OA
UNPLATTED LANDS TAX: 14-033-10-001.00 OWNER: CITY OF MEQUON ZONING: R-1/OA
UNPLATTED LANDS TAX: 14-033-06-000.00 OWNER: CITY OF MEQUON ZONING: R-1/OA
WETLAND 5,525 SF (LYING USACOE NO JURISDICTION PER 2022-00359-AJK DATED 4/8/2022. DNR NONFEDERAL WETLAND EXEMPTION PER EXE-SE-2022-45-01561 DATED 4/28/2022.
WETLAND 3,933 SF (0.09 AC) USACOE NO JURISDICTION PER 2022-00359-AJK DATED 4/8/2022. DNR NONFEDERAL WETLAND EXEMPTION PER EXE-SE-2022-45-01561 DATED 4/28/2022.
S88°15'09"W 1311.84'
S01°11'40"E 1794.42'
S01°07'57"E 663.37'
S01°07'57"E 450.00'
S01°07'57"E 213.77'
S01°07'57"E 2654.40'
N87°51'18"E 1316.80'
S88°52'03"E 484.00'
N88°52'03"W 484.00'
1327.32'
858.00'
FOUND 1" IRON PIPE AT 50' ROW
FOUND 1" IRON PIPE
FOUND 1" IRON PIPE 0.26' NORTH
EXISTING RIGHT-OF-WAY LINE
PROPOSED RIGHT-OF-WAY
DEDICATED TO THE PUBLIC FOR ROAD PURPOSES
NORTH SWAN ROAD
EAST LINE OF THE SE 1/4 SEC. 32, T9N, R21E
EAST LINE OF THE NE 1/4 SEC. 32, T9N, R21E
ASPHALT
SE CORNER, SE 1/4 SEC. 32, T9N, R21E (FOUND CONC. MON. W/ BRASS CAP) N=440,867.40, E=2,495,462.13 (WISCONSIN STATE PLANE CO-ORDINATE SYSTEM, SOUTH ZONE)
NE CORNER, NE 1/4 SEC. 32, T9N, R21E (FOUND CONC, MON, W/ BRASS CAP)
SE CORNER, NE 1/4 (NE CORNER, SE 1/4) SEC. 32, T9N, R21E (FOUND CONC. MON. W/ BRASS CAP) N=443,518.91, E=2,495,406.84 (WISCONSIN STATE PLANE CO-ORDINATE SYSTEM, SOUTH ZONE) REFERENCE BENCHMARK: EL.=752.49 - P.O.B.
24" CMP CULVERT W INV=730.47 E INV=730.97
12" CMP CULVERT W INV=740.04 E INV=740.31
15" CPP CULVERT W INV=740.80 E INV=741.69
15" CPP CULVERT INV=741.55
12" CMP CULVERT W INV=746.99 E INV=747.16
12" CPP CULVERT W INV=749.95 N INV=749.72
90' X 150' VISION CORNER EASEMENT (TYP.) (PER FDM 11-10 ATTACHMENT 5.13) (PER ENGINEERING REQUIREMENTS)
LOT 20 BLOCK 6 TAX: 14-109-06-20-000 OWNER: BENJAMIN & LINDSEY HAISCHER FAMILY TRUST ZONING: R-4/PUD
LOT 19 BLOCK 6 TAX: 14-109-06-19-000 OWNER: MATTHEW & MARIE GALARNEAU ZONING: R-4/PUD
LOT 18 BLOCK 6 TAX: 14-109-06-18-000 OWNER: ANDREW & JENNIFER WATZKA ZONING: R-4/PUD
LOT 17 BLOCK 6 TAX: 14-109-06-17-000 OWNER: KRISTI HUBERT ZONING: R-4/PUD
LOT 16 BLOCK 6 TAX: 14-109-06-16-000 OWNER: ROBERT SCHAFER & MAURINA PARADISE ZONING: R-4/PUD
LOT 15 BLOCK 6 TAX: 14-109-06-15-000 OWNER: SCHAFER JOINT REVOCABLE TRUST ZONING: R-4/PUD
LOT 14 BLOCK 6 TAX: 14-109-06-14-000 OWNER: TIMOTHY & BEVERLY SPEARS ZONING: R-4/PUD
LOT 13 BLOCK 6 TAX: 14-109-06-13-000 OWNER: ANDREW & DAWN BINKERSTE ZONING: R-4/PUD
20' PUBLIC DRAINAGE & UTILITY EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2
20' PUBLIC STORM DRAINAGE EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2
PUBLIC UTILITY EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2
LOT 1 BLOCK 5 TAX: 14-103-04-51-000 OWNER: KYLE OBERDORFER & VICTORIA WARNER ZONING: R-4/PUD
LOT 2 BLOCK 5 TAX: 14-103-04-52-000 OWNER: TIMOTHY & DEBRA RUTZ ZONING: R-4/PUD
LOT 3 BLOCK 5 TAX: 14-103-04-53-000 OWNER: JANE ZONING: R-4/PUD
LOT 4 BLOCK 5 TAX: 14-103-04-54-000 OWNER: JANE ZONING: R-4/PUD
LOT 5 BLOCK 5 TAX: 14-103-04-55-000 OWNER: MEIDING ZONING: R-4/PUD
LOT 6 BLOCK 5 TAX: 14-103-04-56-000 OWNER: MICHAEL & KAREN ZONING: R-4/PUD
LOT 7 BLOCK 5 TAX: 14-103-04-57-000 OWNER: MICHAEL WANG ZONING: R-4/PUD
LOT 8 BLOCK 5 TAX: 14-103-04-58-000 OWNER: THOMAS & LISA ZONING: R-4/PUD
LOT 9 BLOCK 5 TAX: 14-103-04-59-000 OWNER: RINTEMANN A ZONING: R-4/PUD
LOT 10 BLOCK 5 TAX: 14-103-04-60-000 OWNER: JESSE REVOCABLE TRUST ZONING: R-4/PUD
LOT 11 BLOCK 5 TAX: 14-103-04-61-000 OWNER: TALLE & KRISTIN HUMPAL ZONING: R-4/PUD
LOT 12 BLOCK 5 TAX: 14-103-04-62-000 ZONING: R-4/PUD
LOT 1 BLOCK 4 TAX: 14-103-04-01-000 OWNER: DEBORAH ZONING: R-4/PUD
LOT 2 BLOCK 4 TAX: 14-103-04-02-000 OWNER: JEFFREY & DEBRA ZONING: R-4/PUD
LOT 3 BLOCK 4 TAX: 14-103-04-03-000 OWNER: DANIEL & ELIZABETH DYJAK FAMILY TRUST ZONING: R-4/PUD
LOT 4 BLOCK 4 TAX: 14-103-04-04-000 OWNER: YELENA SHAVEVICH ZONING: R-4/PUD
LOT 5 BLOCK 4 TAX: 14-103-04-05-000 OWNER: ADAM & CHRISTINA FUS ZONING: R-4/PUD
LOT 6 BLOCK 4 TAX: 14-103-04-06-000 OWNER: THOMAS & ELIDA BOITELLE ZONING: R-4/PUD
LOT 7 BLOCK 4 TAX: 14-103-04-07-000 OWNER: WILLIE & JOANNA LATHAM ZONING: R-4/PUD
LOT 8 BLOCK 4 TAX: 14-103-04-08-000 OWNER: ALEX & ZONING: R-4/PUD
LOT 1 BLOCK 3 TAX: 14-103-02-00-001 OWNER: ALEX & ZONING: R-4/PUD
LOT 1 BLOCK 1 TAX: 14-103-02-00-002 OWNER: HUNTINGTON PARK HOMES ASSOCIATION INC ZONING: R-4/PUD
LOT 10 BLOCK 1 TAX: 14-103-02-00-010 OWNER: LATASHA ZONING: R-4/PUD
OUTLOT 1 BLOCK 5 TAX: 14-103-05-00-001 OWNER: HUNTINGTON PARK HOMES ASSOCIATION INC. ZONING: R-4/PUD
OUTLOT 1 BLOCK 4
OUTLOT 1 BLOCK 2
OUTLOT 1 BLOCK 6
OuB
OuB2
OuC2
OzC3
Od
Py
MtA
As
OuA
OzC3
OuB2
OuC2
OuB
OuA
UNPLATTED LANDS TAX: 14-032-04-000.00 OWNER: LINDA JOHNSTON
UNPLATTED LANDS TAX: 14-032-04-000.00 OWNER: FRANCO NISKA ZONING: C-1/C-2/R-1
UNPLATTED LANDS TAX: 14-032-04-002.00 OWNER: JANE CHEVAKO ZONING: R-1B
UNPLATTED LANDS TAX: 14-032-04-001.00 OWNER: ROBERT BRIESE ZONING: R-2B
UNPLATTED LANDS TAX: 14-032-04-000.00 OWNER: RICHARD & JANICE KOSTER ZONING: R-4/PUD
UNPLATTED LANDS TAX: 14-033-09-003.00 OWNER: CITY OF MEQUON ZONING: R-1/OA
UNPLATTED LANDS TAX: 14-033-10-001.00 OWNER: CITY OF MEQUON ZONING: R-1/OA
UNPLATTED LANDS TAX: 14-033-06-000.00 OWNER: CITY OF MEQUON ZONING: R-1/OA
TP-5 GND=723.03
TP-6 GND=722.05
TP-7 GND=722.51
TP-8 GND=722.51
TP-9 GND=722.51
TP-10 GND=722.51
TP-11 GND=722.51
TP-12 GND=722.51
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TP-22 GND=722.51
TP-23 GND=722.51
TP-24 GND=722.51
TP-25 GND=722.51
TP-26 GND=722.51

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NORTH

GRAPHICAL SCALE (FEET)

0 1" = 100' 200'

REFERENCE BEARING: BEARINGS REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (N.A.D. 1983(2011)). THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 21 EAST HAS A BEARING OF S 01°11'40" E.

APPLICANT/DEVELOPER:
MK/S-EP, LLC
ATTN: MIKE KAEREK
11600 W. LINCOLN AVE
WEST ALLIS, WI. 53227
(414) 321-5300

PROJECT ENGINEER/SURVEYOR:
PINNACLE ENGINEERING GROUP
ATTN: ANTHONY S. ZANON, P.E.
JOHN P. KONOPACKI, P.L.S.
20725 WATERTOWN ROAD, SUITE 100
BROOKFIELD, WI 53186
(262) 754-8888

VICINITY MAP
SEC. 32 & 33, T9N, R21E
SCALE: 1" = 2000'

TO OBTAIN LOCATIONS OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN

CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE

WI STATUTE 182.0175(1m) REQUIRES MIN. 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE

MILW. AREA 259-1181

NOTE: The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer and/or Surveyor does not guarantee their exact location or the location of others not shown.
Contact Diggers Hotline, Inc., Etc.

REVIEWED ASZ
DESIGNED ASZ
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SWAN RIDGE FARMS

PART OF THE SE 1/4 OF THE NE 1/4 AND THE NE 1/4 & SE 1/4 OF THE SE 1/4 OF SECTION 32, T9N, R21E, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

PHASING PLAN

REVISIONS

1	ROAD NAME	02-28-23			

PEG JOB No. 2165.00-WI
PEG PM ASZ
START DATE 02-15-23
SCALE 1" = 100'

SHEET C-1 OF C-1

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PHASING PLAN

Z:\PROJECTS\2020\2165.00-WI\CAD\SHEETS\2165.00 PHASING PLAN.DWG

Attachment: Packet DOcs. Swan Ridge. 03.20.23 (8291 : Swan Ridge Farms)

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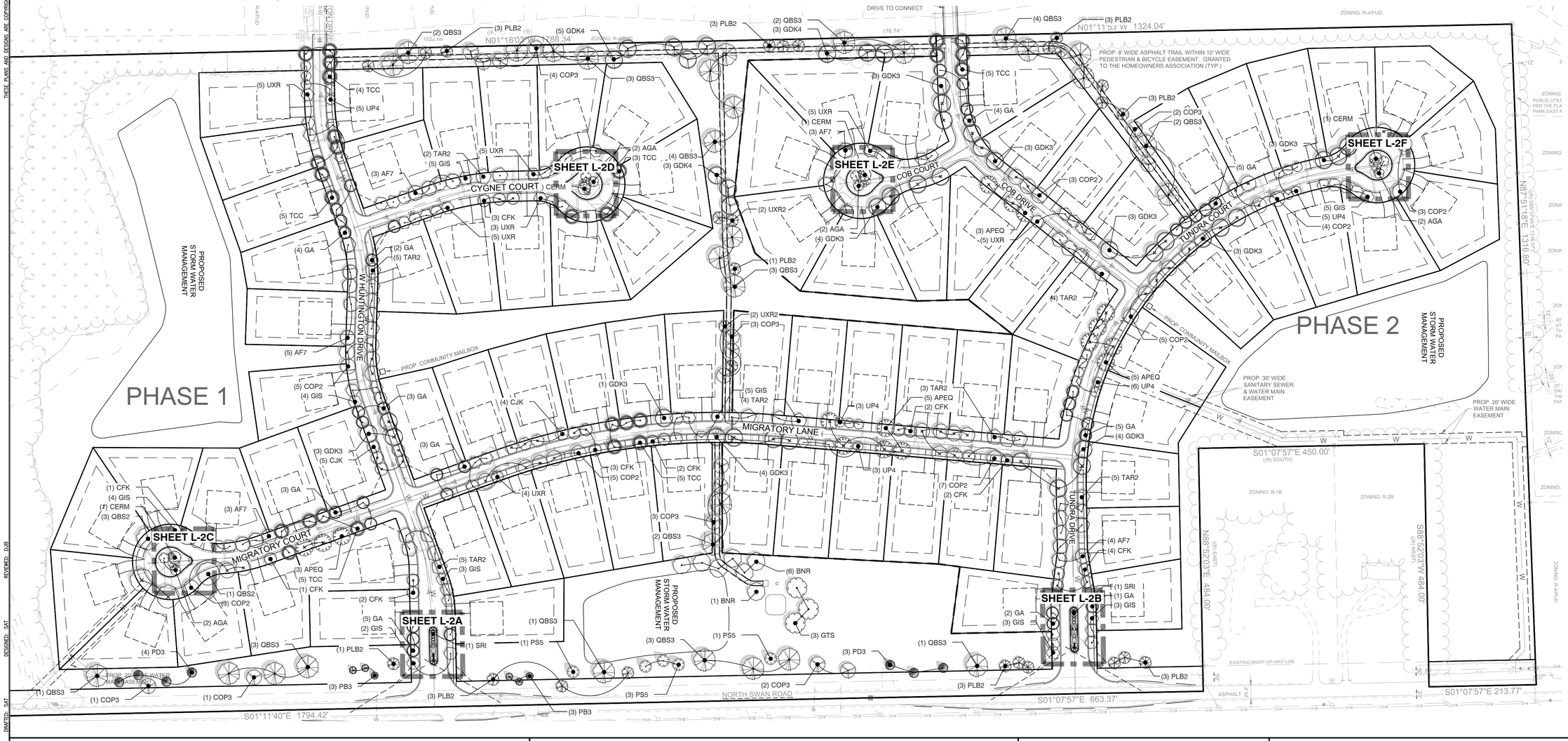
PLANT SCHEDULE

DECIDUOUS TREES	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
BNR	7	Betula nigra	River Birch	2.5" Cal.	55` T x 50` W
GTS	3	Gleditsia triacanthos inermis `Shademaster`	Shademaster Locust	2.5" Cal.	60` T x 50` W
EVERGREEN TREES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**REMARKS**
PB3	6	Pinus cembra `Big Blue`	Big Blue Swiss Stone Pine	7` Ht.	30` T x 20` W
PS5	5	Pinus sylvestris	Scotch Pine	7` Ht.	45` T x 35` W
PD3	7	Pseudotsuga menziesii	Douglas Fir	7` Ht.	60` T x 25` W
ORNAMENTAL TREES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**REMARKS**
AGA	8	Amelanchier x grandiflora `Autumn Brilliance`	Autumn Brilliance Serviceberry	2.5" Cal.	20` T x 20` W
CERM	4	Cercis canadensis	Eastern Redbud Multi-stem	2.5" Cal.	25` T x 25` W
SRI	2	Syringa reticulata `Ivory Silk`	Ivory Silk Tree Lilac	2.5" Cal.	25` T x 15` W
STREET TREES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**REMARKS**
AF7	18	Acer freemanii `Autumn Fantasy`	Autumn Fantasy Maple	3" Cal.	50` T x 40` W
APEQ	16	Acer platanoides `Emerald Queen`	Emerald Queen Maple	3" Cal.	45` T x 40` W
CFK	20	Carpinus caroliniana `JN Strain`	Fire King Musclewood	3" Cal.	30` T x 30` W
COP3	16	Celtis occidentalis `Prairie Pride`	Prairie Pride Hackberry	2.5" Cal.	50` T x 40` W
COP2	35	Celtis occidentalis `Prairie Pride`	Prairie Pride Hackberry	3" Cal.	50` T x 40` W
CJK	9	Cercidiphyllum japonicum	Katsura Tree	3" Cal.	50` T x 28` W
GA	37	Ginkgo biloba 'Autumn Gold'	Autumn Gold Maidenhair Tree	3" Cal.	45`T x 30' W
GIS	34	Gleditsia triacanthos inermis `Skycole`	Skyline Thornless Honey Locust	3" Cal.	40`T x 30`W
GDK4	11	Gymnocladus dioicus	Kentucky Coffee Tree	2.5" Cal.	70` T x 45` W
GDK3	31	Gymnocladus dioicus	Kentucky Coffee Tree	3" Cal.	70` T x 45` W
PLB2	23	Platanus x acerifolia `Bloodgood`	London Plane Tree	2.5" Cal.	50` T x 30` W
QBS3	31	Quercus bicolor	Swamp White Oak	2.5" Cal.	70` T x 55` W
QBS2	4	Quercus bicolor	Swamp White Oak	3" Cal.	70` T x 55` W
TCC	27	Tilia cordata `Chancellor`	Chancellor Linden	3" Cal.	60` T x 40` W
TAR2	28	Tilia x `Redmond`	Redmond Linden	3" Cal.	50` T x 35` W
UP4	22	Ulmus x `New Horizon`	New Horizon Elm	3" Cal.	35` T x 20` W
UXR2	4	Ulmus x `Regal`	Regal Elm	2.5" Cal.	55` T x 30` W
UXR	32	Ulmus x `Regal`	Regal Elm	3" Cal.	55` T x 30` W

DECIDUOUS SHRUBS	QTY	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS
CSB	12	Cornus sericea `Baileyi`	Red Twig Dogwood	5 gal.	8` T x 8` W
EVERGREEN SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**REMARKS**
JM2	24	Juniperus chinensis `Mint Julep`	Mint Julep Juniper	3` Ht.	5` T x 8` W
JC5	7	Juniperus chinensis `Sea Green`	Sea Green Juniper	3` Ht.	5` T x 7` W
JBU	20	Juniperus sabina `Buffalo`	Buffalo Juniper	18" W	1` T x 8` W
ORNAMENTAL GRASSES	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**REMARKS**
PH	18	Panicum virgatum `Heavy Metal`	Blue Switch Grass	1 gal.	4` T x 3` W
SMALL DECIDUOUS SHRUBS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**REMARKS**
HBO	22	Hydrangea paniculata `Bobo`	Bobo Hydrangea	15" Ht.	3` T x 4` W
SO4	6	Syringa x 'SMNJRPI' TM	Bloomerang Dwarf Pink Lilac	3` Ht.	4` T x 3` W
PERENNIALS	**QTY**	**BOTANICAL NAME**	**COMMON NAME**	**SIZE**	**SPACING**	**REMARKS**
PG3	143	Phlox paniculata `Glamour Girl`	Glamour Girl Garden Phlox	4.5" Cont.	24" o.c.	24" T x 24" W

*2.5" CAL TREES SHALL BE LOCATED IN OPEN SPACE AREAS & SWAN ROAD / 3" CAL TREES SHALL BE LOCATED ALONG R.O.W

LANDSCAPE IMPROVEMENT TABLE	REQUIRED	PROVIDED
STREET TREES **R.O.W LINEAR FT = 11,932'** **(EXCLUDING VISION TRIANGLES)** • **TREES 1/30 LF OF RIGHT OF WAY**	**398**	**313 ALONG STREETS** **23 SWAN ROAD** **62 ON WALKING PATHS**



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SWAN RIDGE FARMS

STREET TREE OVERVIEW

REVISIONS

PEG JOB NO. 2165.00-WI
PES PM. ASZ
START DATE 01-20-23
SCALE 1" = 100'

SHEET L-1 L-4

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REVIEWED: DJB
DESIGNED: SAT
DRAFTED: SAT

Z:\PROJECTS\2020\2165.00-WI\CAD\SHEETS\2165.00 STREET TREE1.DWG

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

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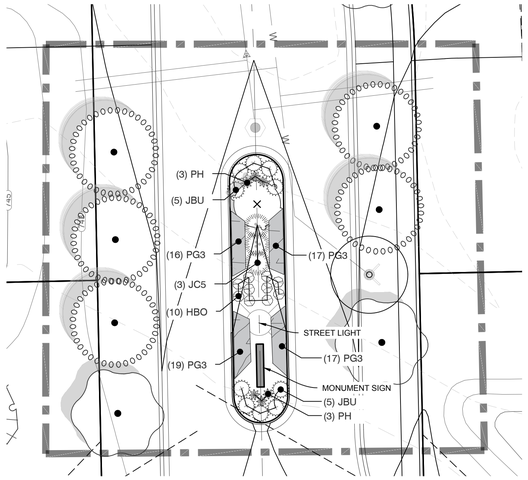
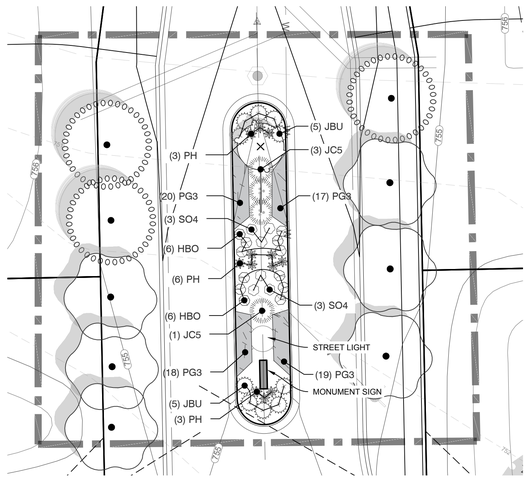


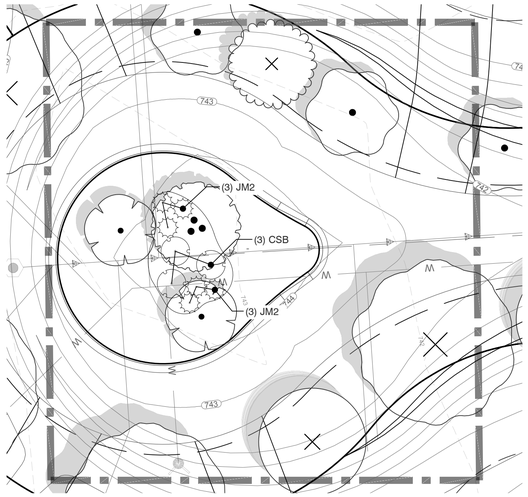
ENLARGEMENT L-2A

SCALE: 1"=20'



ENLARGEMENT L-2B

SCALE: 1"=20'

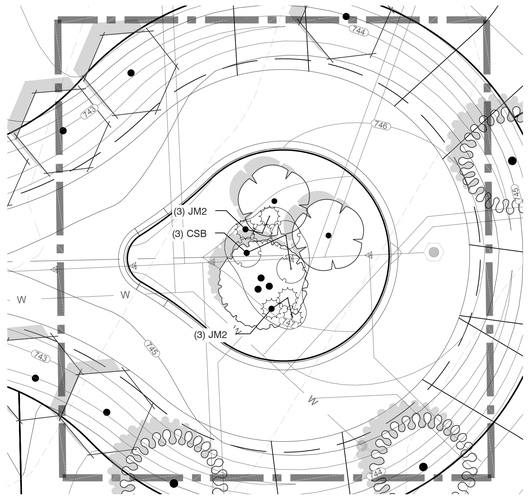


ENLARGEMENT L-2C

SCALE: 1"=20'

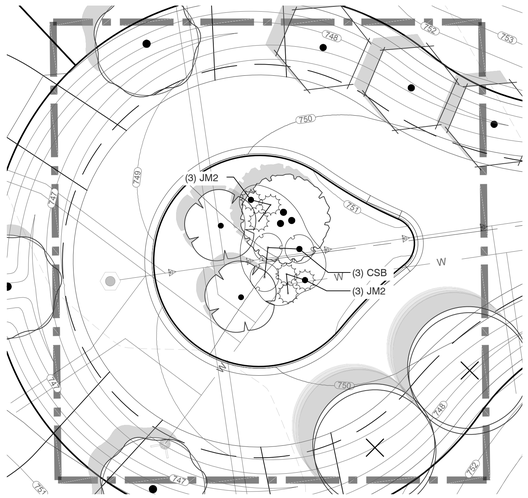
PLANT KEY

DECIDUOUS SHRUBS	BOTANICAL NAME	COMMON NAME
CSB	Cornus sericea `Baileyi`	Red Twig Dogwood
EVERGREEN SHRUBS	**BOTANICAL NAME**	**COMMON NAME**
JM2	Juniperus chinensis `Mint Julep`	Mint Julep Juniper
JC5	Juniperus chinensis `Sea Green`	Sea Green Juniper
JBU	Juniperus sabina `Buffalo`	Buffalo Juniper
ORNAMENTAL GRASSES	**BOTANICAL NAME**	**COMMON NAME**
PH	Panicum virgatum `Heavy Metal`	Blue Switch Grass
SMALL DECIDUOUS SHRUBS	**BOTANICAL NAME**	**COMMON NAME**
HBO	Hydrangea paniculata `Bobo`	Bobo Hydrangea
SO4	Syringa x 'SMNJRPI' TM	Bloomerang Dwarf Pink Lilac
PERENNIALS	**BOTANICAL NAME**	**COMMON NAME**
PG3	Phlox paniculata `Glamour Girl`	Glamour Girl Garden Phlox



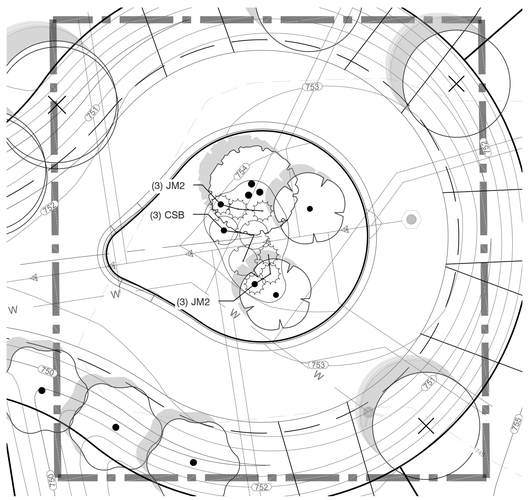
ENLARGEMENT L-2D

SCALE: 1"=20'



ENLARGEMENT L-2E

SCALE: 1"=20'



ENLARGEMENT L-2F

SCALE: 1"=20'

NORTH

GRAPHICAL SCALE (FEET)

0 1" = 20' 40'

REVIEWED: DJB
DESIGNED: SAT
DRAFTED: SAT

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SWAN RIDGE FARMS

LANDSCAPE ENLARGEMENT

REVISIONS

PEG JOB No 2165.00-WI
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 20'

SHEET
L-2
L-4

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Z:\PROJECTS\2020\2165.00-WI\CAD\SHEETS\2165.00 STREET TREE1.DWG

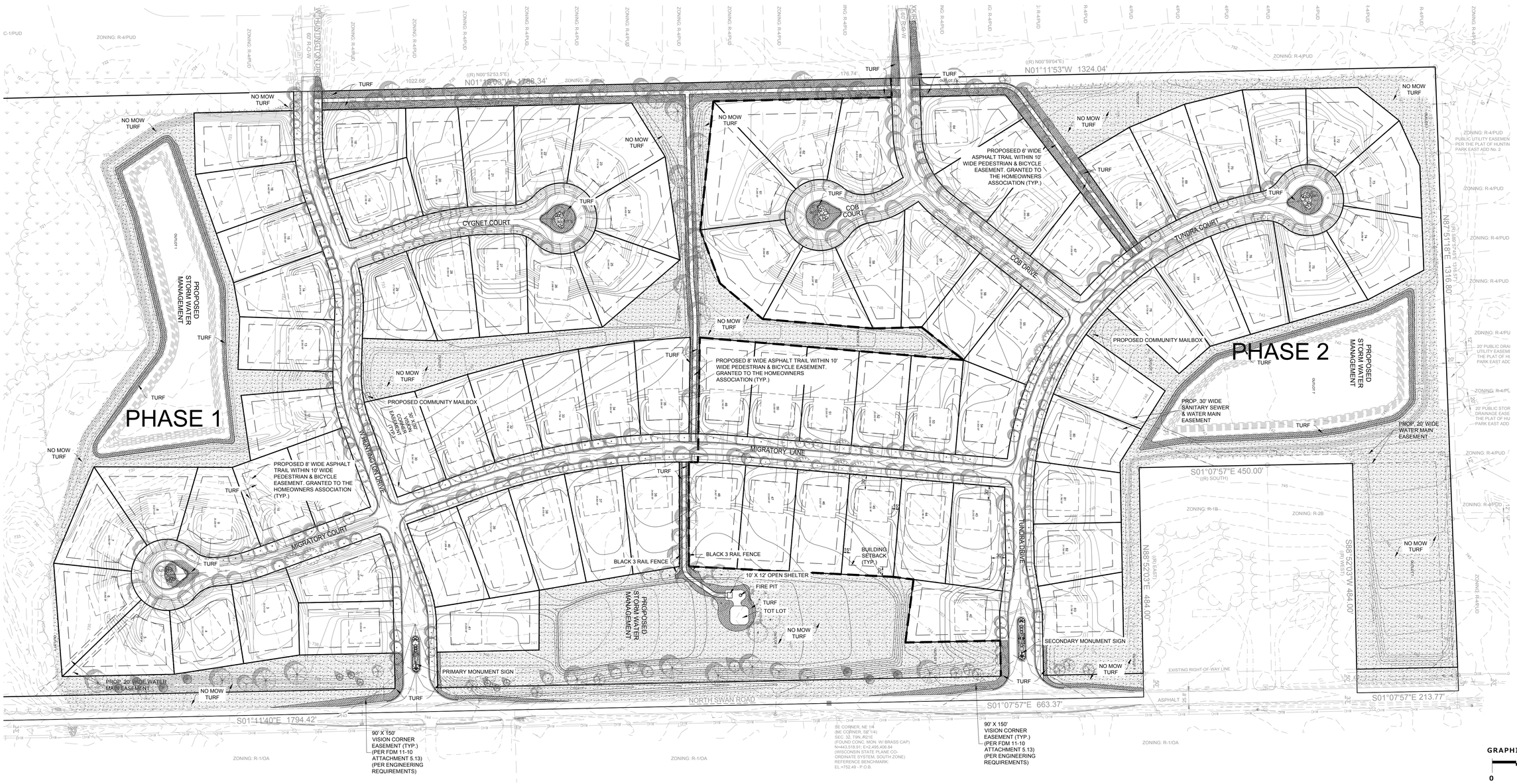
Attachment: Packet DOCs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

SEEDING SCHEDULE

TURF	QTY	BOTANICAL NAME	COMMON NAME
	149,188 sf	Turf Hydroseed	Reinders - Cadet 70/30 Fescue/Blue Mix
	716,227 sf	Turf Seed Low Grow Mix	Reinders - No Mow/Low Grow

OPEN SPACE NOTES:

1. REFER TO CIVIL DRAWINGS FOR DETAILED INFORMATION ON ASPHALT PATHWAY CONSTRUCTION.
2. ALL TURF SEED AREAS SHALL RECEIVE A MINIMUM OF 6" DEPTH OF TOPSOIL. WITH APPROVAL, EXISTING SOIL MAY BE UTILIZED PROVIDED THE PROPER SOIL AMENDMENTS ARE TILLED THOROUGHLY INTO THE TOP 6" OF SOIL AS INDICATED IN THE SOIL PLACEMENT NOTES. REQUIRED AMENDMENTS SHALL BE DETERMINED BASED ON A SOIL ANALYSIS TO BE PERFORMED. ALL TOPSOIL AMENDMENT SHALL BE AGED WEED FREE MANURE OR CLASS 1 ORGANIC MATTER.
3. FOR LAWN SEEDING, APPLY A STARTER FERTILIZER AND SEED UNIFORMLY AT THE RATE RECOMMENDED BY MANUFACTURER, AND PROVIDE A MULCH COVERING THAT IS SUITABLE TO PROMOTE SEED GERMINATION AND TURF ESTABLISHMENT. CONTRACTOR TO PROVIDE FERTILIZER, SEED, AND MULCH SPECIFICATIONS TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO INSTALLATION. EROSION CONTROL MEASURES ARE TO BE INSTALLED IN THOSE AREAS REQUIRING STABILIZATION (SWALES, SLOPES EXCEEDING 1:3, AND THOSE LOCATIONS INDICATED IN CIVIL DRAWINGS).
4. THE CONTRACTOR TO ENSURE A SMOOTH, UNIFORM QUALITY TURF IS ACHIEVED WITH NO BARE SPOTS LARGER THAN 6" X 6". ANY BARE SPOTS LARGER THAN 6" X6" AT THE END OF ESTABLISHMENT PERIOD SHALL BE RESEEDED AT THE CONTRACTORS EXPENSE TO OBTAIN A DENSE, UNIFORM LAWN.
5. MOWING:
   - 5.1. FOR THE REINDERS 70/30 SEEDED AREAS, BEGIN MOWING AS SOON AS TOP GROWTH IS TALL ENOUGH TO CUT.
   - 5.2. REPEAT MOWING TO MAINTAIN SPECIFIED HEIGHT WITHOUT CUTTING MORE THAN 40 PERCENT OF GRASS HEIGHT.
   - 5.3. DO NOT DELAY MOWING UNTIL GRASS BLADES BEND OVER AND BECOME MATTED.
   - 5.4. DO NOT MOW WHEN GRASS IS WET.
   - 5.5. SCHEDULE INITIAL AND SUBSEQUENT MOWINGS TO MAINTAIN A GRASS HEIGHT OF 2-1/2 TO 4 INCHES HIGH.
   - 5.6. MAINTAIN MOWING ON A CONSISTENT SCHEDULE THROUGHOUT THE GROWING SEASON. FREQUENCY OF MOWING SHALL BE DETERMINED BASED ON SEASONAL CONDITIONS AND ON-SITE OBSERVATIONS.
6. TURF POST FERTILIZATION:
   - 6.1. APPLY FERTILIZER AFTER INITIAL MOWING AND WHEN GRASS IS DRY.
   - 6.2. USE FERTILIZER THAT WILL PROVIDE ACTUAL NITROGEN OF AT LEAST 1 POUND PER 1000 SQUARE FEET TO TURF AREA.
7. NO MOW TURF DOES NOT REQUIRE REGULAR MOWING AND SHALL BE MOWED ON A SCHEDULE DETERMINED BY THE HOMEOWNERS ASSOCIATION. mOWING SHALL OCCUR A MINIMUM OF ONCE ANNUALLY.



GRAPHICAL SCALE (FEET)

0 1" = 100' 200'

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SWAN RIDGE FARMS

OPEN SPACE PLAN

REVISIONS

PEG JOB No. 2165.00-WI ASZ
PES PM
START DATE 01-20-23
SCALE 1" = 100'

SHEET L-3 L-4

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OPEN SPACE PLAN

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DRAFTED: SAT DESIGNED: SAT REVIEWED: DJB

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

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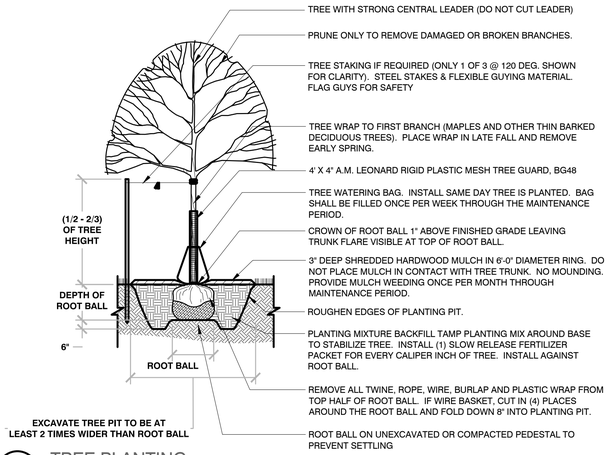
GENERAL PLANTING NOTES

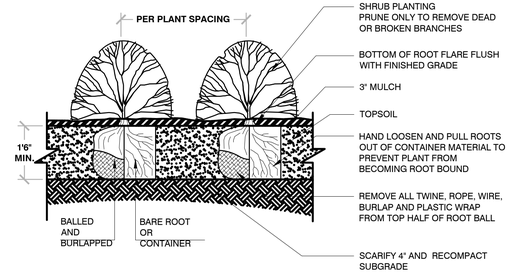
1. THE LAYOUT OF ALL PLANTING BEDS AND INDIVIDUAL TREES AND SHRUBS SHALL BE STAKED BY THE CONTRACTOR IN ADVANCE OF INSTALLATION. FLAGGING, STAKES, OR PAINT MAY BE USED TO DELINEATE LOCATIONS AS SCALED FROM THE PLANS. AN APPROVED REPRESENTATIVE WILL REVIEW THESE LOCATIONS WITH THE CONTRACTOR AND MAKE MINOR ADJUSTMENTS AS NECESSARY. BED LAYOUT SHALL ALSO INCLUDE PERENNIAL GROUPINGS BY SPECIES.
2. THE CONTRACTOR IS RESPONSIBLE FOR INDEPENDENTLY DETERMINING THE PLANT MATERIAL QUANTITIES REQUIRED BY THE LANDSCAPE PLANS. REPORT ANY DISCREPANCIES TO THE LANDSCAPE ARCHITECT.
3. NO PLANT MATERIAL OR PLANT SIZE SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVAL BY THE LANDSCAPE ARCHITECT. ANY CHANGES SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT IN WRITING PRIOR TO INSTALLATION.
4. ALL BNB STOCK SHALL BE NURSERY GROWN IN A CLAY LOAM SOIL FOR A MINIMUM OF THREE GROWING SEASONS WITHIN 200 MILES OF PROJECT LOCATION, IN A ZONE COMPATIBLE WITH USDA HARDINESS ZONE 5A. SEED SHALL BE PROVIDED FROM A NURSERY (WITHIN 200 MILES) WITH A SIMILAR PLANT HARDINESS ZONE AS PROJECT LOCATION. EXISTING SOIL SHALL BE AMENDED PER SOIL ANALYSIS REPORT TO ENSURE A PROPER GROWING MEDIUM IS ACHIEVED.
5. ALL PLANT MATERIAL SHALL COMPLY WITH STANDARDS DESCRIBED IN AMERICAN STANDARD OF NURSERY STOCK - Z60.1 ANSI. LANDSCAPE ARCHITECT OR OWNERS AUTHORIZED REPRESENTATIVE RESERVES THE RIGHT TO INSPECT AND POTENTIALLY REJECT ANY PLANT MATERIAL DEEMED TO NOT MEET THE REQUIRED STANDARDS.
6. ALL STOCK SHALL BE FREE OF DISEASES AND HARMFUL INSECTS, DAMAGE, DISORDERS AND DEFORMITIES.
7. TREES SHALL HAVE SINGLE, STRAIGHT TRUNKS AND WELL BALANCED BRANCH SYSTEMS. MUTLI-STEM TREES SHALL HAVE 3-4 STRAIGHT TRUNKS AND WELL BALANCED BRANCH SYSTEMS. HEIGHT-TO-CALIPER RATIOS SHALL BE CONSISTENT WITH THE LATEST EDITION OF ANSI Z60.1.
8. ROOT SYSTEMS SHALL BE LARGE ENOUGH TO ALLOW FOR FULL RECOVERY OF THE TREE, AND SHALL CONFORM TO STANDARDS AS THEY APPEAR IN THE MOST CURRENT REVISION OF THE AMERICAN ASSOCIATION OF NURSERYMEN'S AMERICAN STANDARD OF NURSERY STOCK ANSI Z60.1.
9. BNB TREES SHALL BE DUG WITH A BALL OF SOIL, NOT SOFT BALLED OR POTTED AND SHALL BE FIRM IN THEIR ROOTBALL. ROOT BALL SHALL BE WRAPPED (WITH BIODEGRADABLE MATERIAL). THE TREE ROOT FLARE, OR COLLAR, SHALL BE AT OR WITHIN THE TOP THREE INCHES OF GRADE.
10. ALL SPRING TREES MUST BE FRESHLY DUG IN THE MOST RECENT SPRING.
11. ALL AUTUMN TREES MUST BE FRESHLY DUG IN THE MOST RECENT AUTUMN.
12. TREES SHALL BE ALIVE, HEALTHY AND APPROPRIATELY MOIST, AT TIME OF DELIVERY. TREES SHALL BE SUBJECT TO INSPECTION FOR CONFORMITY TO SPECIFICATION REQUIREMENTS AND APPROVAL BY THE LANDSCAPE ARCHITECT OR OWNERS REPRESENTATIVE. THE LANDSCAPE ARCHITECT OR OWNERS REPRESENTATIVE RESERVES THE RIGHT TO REJECT ANY TREES THAT DO NOT MEET THE SPECIFICATIONS OR THAT HAVE BEEN DAMAGED DURING SHIPMENT. THE LANDSCAPE INSTALLER MUST RECEIVE APPROVAL FROM LANDSCAPE ARCHITECT FOR ANY SUBSTITUTIONS OR ALTERATIONS.
13. ALL PLANT MATERIAL SHALL BE INSTALLED IN ACCORDANCE WITH PLANTING DETAILS.
14. ALL PLANTING BEDS SHALL HAVE A MINIMUM 10" DEPTH OF PREPARED SOIL. WITH APPROVAL, EXISTING SOIL MAY BE UTILIZED PROVIDED THE PROPER SOIL AMENDMENTS ARE TILLED THOROUGHLY INTO THE TOP 10" OF SOIL. REFER TO SOIL PLACEMENT NOTES.
15. WHILE PLANTING TREES AND SHRUBS, BACKFILL ⅔ OF PLANTING HOLE AND WATER TREE THOROUGHLY BEFORE INSTALLING THE REMAINDER OF SOIL MIXTURE. AFTER ALL SOIL HAS BEEN PLACED INTO THE PLANTING HOLE WATER THOROUGHLY AGAIN.
16. THE CONTRACTOR MUST LABEL ALL TREES WITH THE COMMON AND BOTANICAL NAMES PRIOR TO FINAL INSPECTION.
17. OAK TREES SHALL BE TREATED FOR TWO-LINE CHESTNUT BORER BOTH AT THE TIME OF INSTALLATION AND DURING THE SECOND GROWING SEASON.
18. ALL PLANTING BEDS SHALL BE MULCHED WITH 3" DEEP SHREDDED HARDWOOD MULCH, AND ALL TREES PLANTED IN TURF AREAS SHALL RECEIVE A 3" DEEP SHREDDED HARDWOOD MULCHED RING AS SHOWN IN PLANTING DETAILS.
19. ALL PLANTING BEDS AND TREE RINGS SHALL HAVE A 4" DEEP TRENCHED BED EDGE CREATED BY EITHER A FLAT LANDSCAPE SPADE OR MECHANICAL EDGER. BED EDGES ARE TO BE CUT CLEAN AND SMOOTH AS SHOWN ON LANDSCAPE PLANS WITH A CLEAN DEFINITION BETWEEN TURF AND PLANTING AREAS.
20. ALL FINISH GRADING AREAS TO BE INSTALLED BY LANDSCAPE CONTRACTOR.
21. ALL DISTURBED AREAS WITHIN THE PROJECT SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION.
22. ALL DISTURBED AREAS OUTSIDE THE LIMITS OF WORK SHALL BE RESTORED TO ORIGINAL OR BETTER CONDITION AT NO ADDITIONAL COST TO THE OWNER.
23. THE CONTRACTOR SHALL VERIFY ALL EXISTING UTILITIES, INCLUDING ANY IRRIGATION LINES, PRIOR TO DIGGING. CONSULT DIGGERS HOTLINE.
24. TREES SHALL BE INSTALLED NO CLOSER THAN:
    - -10 FEET FROM ANY FIRE HYDRANT
    - - 7 FEET FROM STORM SEWER, SANITARY SEWER LATERALS, DRIVEWAYS, AND WATER SERVICE
25. THE CONTRACTOR SHALL ENSURE THAT SOIL CONDITIONS AND COMPACTION ARE ADEQUATE TO ALLOW FOR PROPER DRAINAGE AROUND THE CONSTRUCTION SITE. UNDESIRABLE CONDITIONS SHALL BE BROUGHT TO THE ATTENTION OF THE LANDSCAPE ARCHITECT PRIOR TO BEGINNING OF WORK. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO ENSURE PROPER SURFACE AND SUBSURFACE DRAINAGE IN ALL AREAS
26. THE CONTRACTOR IS RESPONSIBLE FOR ALL PERMITS, FEES, AND LICENSES NECESSARY FOR THE INSTALLATION OF THIS PLAN.
27. THE CONTRACTOR IS TO REVIEW ALL SITE ENGINEERING DOCUMENTS PRIOR TO INSTALLATION. ANY CONFLICTS MUST BE REPORTED TO THE LANDSCAPE ARCHITECT. THESE LANDSCAPE DRAWINGS ARE FOR THE INSTALLATION OF PLANT MATERIALS ONLY UNLESS OTHERWISE STATED.
28. THE CONTRACTOR SHALL PROVIDE WATERING AND MAINTENANCE SERVICES FOR A PERIOD OF 60 DAYS TO ENSURE VEGETATIVE ESTABLISHMENT. UPON COMPLETION OF THE PROJECT, CONTRACTOR SHALL SUPPLY THE OWNER IN WRITING WITH ONGOING WATERING AND MAINTENANCE INSTRUCTIONS.
29. PLANT MATERIALS SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR FROM TIME OF OWNER ACCEPTANCE. ONLY ONE REPLACEMENT PER PLANT WILL BE REQUIRED DURING THE WARRANTY PERIOD EXCEPT IN THE EVENT OF FAILURE TO COMPLY WITH THE SPECIFIED REQUIREMENTS.
30. THE CONTRACTOR IS RESPONSIBLE TO CONDUCT A FINAL WALK THROUGH WITH THE LANDSCAPE ARCHITECT AND OR OWNERS REPRESENTATIVE TO ANSWER QUESTIONS, PROVIDE INSTRUCTIONS, AND ENSURE THAT PROJECT REQUIREMENTS HAVE BEEN MET.

SOIL PLACEMENT NOTES

1. LOOSEN SUBGRADE TO A MINIMUM DEPTH INDICATED IN PLANTING NOTES USING A CULTI-MULCHER OR SIMILAR EQUIPMENT, AND REMOVE STONES MEASURING OVER 1-1/2 INCHES IN ANY DIMENSION, STICKS, RUBBISH AND OTHER EXTRANEOUS MATTER. AREAS ADJACENT TO WALKS AND PAVEMENT SHALL BE FREE OF EXCESS STONE AND PAVING MATERIALS SO AS TO PROVIDE AN UNINTERRUPTED CROSS SECTION OF SOIL. INTERNAL PARKING ISLANDS SHALL BE LOOSENED TO A DEPTH OF 30".
2. THOROUGHLY BLEND PLANTING SOIL MIX FOR PLANTING BED AREAS. (1 PART EXISTING SOIL, 1 PART TOPSOIL, 1 PART ORGANIC SOIL AMENDMENT, 2.9 POUNDS PER CUBIC YARD OF 4-4-4 ANALYSIS SLOW-RELEASE FERTILIZER)
3. TREE AND SHRUB HOLES SHALL BE FILLED WITH A PREPARED PLANTING MIXTURE OF 1 PART TOPSOIL, 2 PARTS PLANTING SOIL MIX.
4. SPREAD SOIL AND SOIL AMENDMENTS TO DEPTH INDICATED ON DRAWINGS, BUT NOT LESS THAN REQUIRED TO MEET FINISH GRADES AFTER NATURAL SETTLEMENT. (FINISH GRADE OF PLANTING BEDS SHALL BE 3" BELOW ALL ADJACENT SURFACES. FINISH GRADE OF TURF SEEDING AREAS SHALL BE 1" BELOW ALL ADJACENT HARD SURFACES, WALKS, AND CURBS.)
5. PLACE APPROXIMATELY 1/2 OF TOTAL AMOUNT OF SOIL REQUIRED. WORK INTO TOP OF LOOSENED SUBGRADE TO CREATE A TRANSITION LAYER, THEN PLACE REMAINDER OF THE SOIL. SOIL TRANSITION LAYER SHALL BE TILLED TO A MINIMUM DEPTH OF 6" BELOW THE DEPTH OF NEWLY PLACED SOIL. PARKING LOT ISLANDS SHALL BE CROWNED TO A HEIGHT OF 6" TO PROVIDE PROPER DRAINAGE UNLESS OTHERWISE NOTED.
6. DO NOT SPREAD IF PLANTING SOIL OR SUBGRADE IS FROZEN, MUDDY, OR EXCESSIVELY WET.
7. FINISH GRADING: GRADE SOIL TO A SMOOTH, UNIFORM SURFACE PLANE WITH A LOOSE, UNIFORMLY FINE TEXTURE.
8. ROLL AND RAKE, REMOVE RIDGES, AND FILL DEPRESSIONS TO MEET FINISH GRADES.
9. RESTORE PLANTING BEDS IF ERODED OR OTHERWISE DISTURBED AFTER FINISH GRADING AND BEFORE PLANTING.

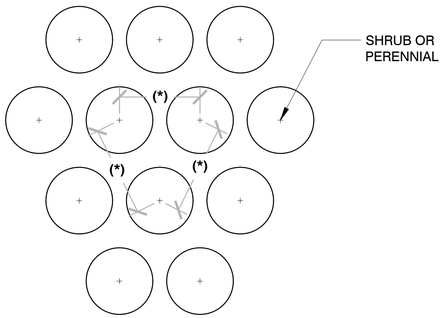


1 TREE PLANTING
1/4" = 1'-0" 329343-01



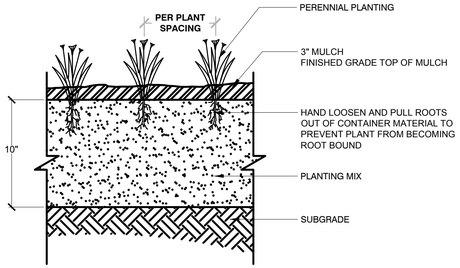
BAREROOT PLANTING NOTES:
1. SOAK ROOTS IN WATER FOR AT LEAST ONE HOUR BUT NOT MORE THAN 24 HOURS PRIOR TO PLANTING.
2. SCARIFY SIDES AND BOTTOMS OF HOLE.
3. PROCEED WITH CORRECTIVE PRUNING OF THE TOP AND BOTTOM ROOTS.
4. TRANSFER PLANT DIRECTLY FROM WATER TO HOLE. SET PLANT SO THE ROOT FLARE IS APPROXIMATELY AT THE FINISHED SOIL ELEVATION. SPREAD ROOTS OUT EVENLY. PLUMB AND IMMEDIATELY BACKFILL WITH PLANTING SOIL MIX.
5. WATER THOROUGHLY WITHIN 2 HOURS TO SETTLE PLANTS AND FILL VOIDS.
6. BACKFILL VOIDS AND WATER SECOND TIME.
7. PLACE MULCH WITHIN 48 HOURS OF THE SECOND WATERING UNLESS SOIL MOISTURE IS EXCESSIVE.

2 SHRUB PLANTING
1/2" = 1'-0" 329333-01



(*) = SPECIFIED PLANT SPACING PER PLANTING LIST

3 PLANT SPACING
3/4" = 1'-0" 3293-02



3 PERENNIAL PLANTING
1" = 1'-0" 3293-01

DRAFTED: SAT
DESIGNED: SAT
REVIEWED: DJB

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

WISCONSIN OFFICE:
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(262) 754-8888
CHICAGO | MILWAUKEE · NATIONWIDE

SWAN RIDGE FARMS

LANDSCAPE NOTES & DETAILS

REVISIONS

PEG JOB No. 2165.00-WI
PEG PM ASZ
START DATE 01-20-23
SCALE VARIES

SHEET L-4
L-4

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LANDSCAPE NOTES & DETAILS

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

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LEGEND

	EXISTING	PROPOSED
SANITARY SEWER MANHOLE	S	
STORM SEWER MANHOLE		
STORM SEWER CATCH BASIN (ROUND CASTING)		
STORM SEWER CATCH BASIN (RECTANGULAR CASTING)		
PRECAST FLARED END SECTION		
CONCRETE HEADWALL		
VALVE BOX		
FIRE HYDRANT		
CLEANOUT		
SANITARY SEWER		
FORCE MAIN		
STORM SEWER		
DRAIN TILE		
WATER MAIN	W	W
FIRE PROTECTION		FP
ELECTRICAL CABLE	E	E
OVERHEAD WIRES	OHW	OHW
GAS MAIN	G	G
TELEPHONE LINE	T	T
UTILITY CROSSING		
CAUTION EXISTING UTILITIES NEARBY		CAUTION
GRANULAR TRENCH BACKFILL		
LIGHTING		
ELECTRICAL TRANSFORMER OR PEDESTAL	TF	
POWER POLE		
POWER POLE WITH LIGHT		
GUY WIRE		
STREET SIGN		
CONTOUR	749	749
SPOT ELEVATION	×(750.00)	+750.00
WETLANDS	WET	
PRIMARY ENVIRONMENTAL CORRIDOR	PEC	
FLOODWAY		
FLOODPLAIN		
HIGH WATER LEVEL (HWL)		
NORMAL WATER LEVEL (NWL)		
DIRECTION OF SURFACE FLOW		GRASS / PAVEMENT
DITCH OR SWALE		
DIVERSION SWALE		
OVERFLOW RELIEF ROUTING		
TREE WITH TRUNK SIZE	6" 6"	
SOIL BORING	B-2 B-3	B-1 B-1
TOPSOIL PROBE		
FENCE LINE, TEMPORARY SILT	SF	SF
FENCE LINE, WIRE	SF	SF
FENCE LINE, CHAIN LINK OR IRON		
FENCE LINE, WOOD OR PLASTIC		
CONCRETE SIDEWALK		
CURB AND GUTTER		
DEPRESSED CURB		
REVERSE PITCH CURB & GUTTER		
EASEMENT LINE		

ABBREVIATIONS

BL	BASE LINE	MH	MANHOLE
BP	BOTTOM OF PIPE	NWL	NORMAL WATER LEVEL
C	LONG CHORD OF CURVE	PC	POINT OF CURVATURE
C & G	CURB AND GUTTER	PT	POINT OF TANGENCY
CB	CATCH BASIN	PVI	POINT OF VERTICAL INTERSECTION
CL	CENTERLINE	R	RADIUS
D	DEGREE OF CURVE	ROW	RIGHT-OF-WAY
EP	EDGE OF PAVEMENT	SAN	SANITARY SEWER
FF	FINISHED FLOOR	ST	STORM SEWER
FG	FINISHED GRADE	T	TANGENCY OF CURVE
FL	FLOW LINE	TB	TOP OF BANK
FP	FLOODPLAIN	TC	TOP OF CURB
FR	FRAME	TF	TOP OF FOUNDATION
FW	FLOODWAY	TP	TOP OF PIPE
FYG	FINISHED YARD GRADE	TS	TOP OF SIDEWALK
HWL	HIGH WATER LEVEL	TW	TOP OF FOUNDATION WALL
INV	INVERT	WM	WATER MAIN
L	LENGTH OF CURVE	Δ	INTERSECTION ANGLE

LOCATION MAP
SCALE: 1" = 500'

PRELIMINARY IMPROVEMENT PLANS
FOR
SWAN RIDGE FARMS
CITY OF MEQUON, OZAUKEE CO., WI

PLANS PREPARED FOR
MK/S-EP, LLC
ATTN: MIKE KAEREK
11600 W. LINCOLN AVE
WEST ALLIS, WI 53227
PHONE: 414-321-5300

INDEX OF SHEETS

C-1	COVER SHEET
C-2	SITE PLAN
C-3	PRELIMINARY SANITARY SEWER SYSTEM MAP
C-4 - C-5	PRELIMINARY WATER MAIN SYSTEM MAPS
C-6 - C-14	PRELIMINARY ROADWAY PLAN & PROFILESS
C-15	PRELIMINARY OVERALL MASTER GRADING PLAN
C-16 - C-21	PRELIMINARY MASTER GRADING PLANS

GENERAL NOTES

1. THE INTENTION OF THE PLANS AND SPECIFICATIONS IS TO SET FORTH PERFORMANCE AND CONSTRUCTION MATERIAL STANDARDS FOR THE PROPER EXECUTION OF WORK. ALL WORKS CONTAINED WITHIN THE PLANS AND SPECIFICATIONS SHALL BE COMPLETED IN ACCORDANCE WITH ALL REQUIREMENTS FROM LOCAL, STATE, FEDERAL OR OTHER GOVERNING AGENCY'S LAWS, REGULATIONS, JURISDICTIONAL ORDINANCES/CODES/RULES/ETC., AND THE OWNER'S DIRECTION.
2. THE CONTRACTOR IS RESPONSIBLE TO REVIEW AND UNDERSTAND ALL COMPONENTS OF THE PLANS AND SPECIFICATIONS, INCLUDING FIELD VERIFYING SOIL CONDITIONS, PRIOR TO SUBMISSION OF A BID PROPOSAL.
3. THE CONTRACTOR SHALL PROMPTLY REPORT ANY ERRORS OR AMBIGUITIES LEARNED AS PART OF THEIR REVIEW OF PLANS, SPECIFICATIONS, REPORTS AND FIELD INVESTIGATIONS.
4. THE CONTRACTOR IS SOLELY RESPONSIBLE FOR THE COMPUTATION OF QUANTITIES AND WORK REQUIRED TO COMPLETE THIS PROJECT. THE CONTRACTOR'S BID SHALL BE BASED ON ITS OWN COMPUTATIONS AND IN NO SUCH INSTANCE RELY ON THE ENGINEER'S ESTIMATE.
5. QUESTIONS/CLARIFICATIONS WILL BE INTERPRETED BY ENGINEER/OWNER PRIOR TO THE AWARD OF CONTRACT. ENGINEER/OWNER WILL SUBMIT OFFICIAL RESPONSES IN WRITING. INTERPRETATIONS PRESENTED IN OFFICIAL RESPONSES SHALL BE BINDING ON ALL PARTIES ASSOCIATED WITH THE CONTRACT. IN NO WAY SHALL WORD-OF-MOUTH DIALOG CONSTITUTE AN OFFICIAL RESPONSE.
6. PRIOR TO START OF WORK, CONTRACTOR SHALL BE COMPLETELY FAMILIAR WITH ALL CONDITIONS OF THE SITE, AND SHALL ACCOUNT FOR CONDITIONS THAT AFFECT, OR MAY AFFECT CONSTRUCTION INCLUDING, BUT NOT LIMITED TO, LIMITATIONS OF WORK ACCESS, SPACE LIMITATIONS, OVERHEAD OBSTRUCTIONS, TRAFFIC PATTERNS, LOCAL REQUIREMENTS, ADJACENT ACTIVITIES, ETC. FAILURE TO CONSIDER SITE CONDITIONS SHALL NOT BE CAUSE FOR CLAIM OF JOB EXTRAS.
7. COMMENCEMENT OF CONSTRUCTION SHALL EXPLICITLY CONFIRM THAT THE CONTRACTOR HAS REVIEWED THE PLANS AND SPECIFICATIONS IN ENTIRETY AND CERTIFIES THAT THEIR SUBMITTED BID PROPOSAL CONTAINS PROVISIONS TO COMPLETE THE PROJECT, WITH THE EXCEPTION OF UNFORESEEN FIELD CONDITIONS; ALL APPLICABLE PERMITS HAVE BEEN OBTAINED; AND CONTRACTOR UNDERSTANDS ALL OF THE REQUIREMENTS OF THE PROJECT.
8. SHOULD ANY DISCREPANCIES OR CONFLICTS IN THE PLANS OR SPECIFICATIONS BE DISCOVERED AFTER THE AWARD OF CONTRACT, ENGINEER SHALL BE NOTIFIED IN WRITING IMMEDIATELY AND CONSTRUCTION OF ITEMS AFFECTED BY THE DISCREPANCIES/CONFLICTS SHALL NOT COMMENCE, OR CONTINUE, UNTIL A WRITTEN RESPONSE FROM ENGINEER/OWNER IS DISTRIBUTED. IN THE EVENT OF A CONFLICT BETWEEN REFERENCED CODES, STANDARDS, SPECIFICATIONS AND PLANS, THE ONE ESTABLISHING THE MOST STRINGENT REQUIREMENTS SHALL BE FOLLOWED.
9. THE CONTRACTOR SHALL, AT ITS OWN EXPENSE, OBTAIN ALL NECESSARY PERMITS AND LICENSES TO COMPLETE THE PROJECT. OBTAINING PERMITS, OR DELAYS, IS NOT CAUSE FOR DELAY OF THE CONTRACT OR SCHEDULE. CONTRACTOR SHALL COMPLY WITH ALL PERMIT REQUIREMENTS.
10. THE CONTRACTOR SHALL NOTIFY ALL INTERESTED GOVERNING AGENCIES, UTILITY COMPANIES AFFECTED BY THIS CONSTRUCTION PROJECT, AND DIGGER'S HOTLINE IN ADVANCE OF CONSTRUCTION TO COMPLY WITH ALL JURISDICTIONAL ORDINANCES/CODES/RULES/ETC., PERMIT STIPULATIONS, AND OTHER APPLICABLE STANDARDS.
11. SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. THE CONTRACTOR SHALL BE RESPONSIBLE TO INITIATE, INSTITUTE, ENFORCE, MAINTAIN, AND SUPERVISE ALL SAFETY PRECAUTIONS AND JOB SITE SAFETY PROGRAMS IN CONNECTION WITH THE WORK.
12. CONTRACTOR SHALL KEEP THE JOBSITE CLEAN AND ORDERLY AT ALL TIMES. ALL LOCATIONS OF THE SITE SHALL BE KEPT IN A WORKING MANNER SUCH THAT DEBRIS IS REMOVED CONTINUOUSLY AND ALL RESPECTIVE CONTRACTORS OPERATE UNDER GENERAL "GOOD HOUSEKEEPING."
13. THE CONTRACTOR SHALL INDEMNIFY THE OWNER, ENGINEER, AND THEIR AGENTS FROM ALL LIABILITY INVOLVED WITH THE CONSTRUCTION, INSTALLATION, AND TESTING OF THE WORK ON THIS PROJECT.

APPLICANT/DEVELOPER	CIVIL ENGINEERING CONTACTS
MK/S-EP, LLC ATTN: MIKE KAEREK 11600 W. LINCOLN AVE WEST ALLIS, WI 53227 PHONE: (414) 321-5300	ANTHONY S. ZANON, P.E. 20725 WATERTOWN ROAD, SUITE 100 BROOKFIELD, WI 53186 (262) 754-8888 EMAIL: tony.zanon@pinnacle-engr.com

DIGGERS HOTLINE
Toll Free (800) 242-8511
Milwaukee Area (414) 259-1181
Hearing Impaired TDD (800) 542-2289
www.DiggersHotline.com

EXPIRATION DATE: JULY 31st, 2024

PINNACLE ENGINEERING GROUP, LLC
ENGINEER'S LIMITATION

PINNACLE ENGINEERING GROUP, LLC AND THEIR CONSULTANTS DO NOT WARRANT OR GUARANTEE THE ACCURACY AND COMPLETENESS OF THE DELIVERABLES HEREIN BEYOND A REASONABLE DILIGENCE. IF ANY MISTAKES, OMISSIONS, OR DISCREPANCIES ARE FOUND TO EXIST WITHIN THE DELIVERABLES, THE ENGINEER SHALL BE PROMPTLY NOTIFIED PRIOR TO BID SO THAT HE MAY HAVE THE OPPORTUNITY TO TAKE WHATEVER STEPS NECESSARY TO RESOLVE THEM. FAILURE TO PROMPTLY NOTIFY THE ENGINEER OF SUCH CONDITIONS SHALL ABSOLVE THE ENGINEER FROM ANY RESPONSIBILITY FOR THE CONSEQUENCES OF SUCH FAILURE. ACTIONS TAKEN WITHOUT THE KNOWLEDGE AND CONSENT TO THE ENGINEER, OR IN CONTRADICTION TO THE ENGINEER'S DELIVERABLES OR RECOMMENDATIONS, SHALL BECOME THE RESPONSIBILITY NOT OF THE ENGINEER BUT OF THE PARTIES RESPONSIBLE FOR TAKING SUCH ACTION.

FURTHERMORE, PINNACLE ENGINEERING GROUP, LLC IS NOT RESPONSIBLE FOR CONSTRUCTION SAFETY OR THE MEANS AND METHODS OF CONSTRUCTION.

PINNACLE ENGINEERING GROUP
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CHICAGO I MILWAUKEE : NATIONWIDE

SWAN RIDGE FARMS
CITY OF MEQUON, OZAUKEE CO., WI

COVER SHEET

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 500'

SHEET
C-1
of
C-21

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PRELIMINARY
COVER SHEET

REVIEWED: ASZ
DESIGNED: ASZ
DRAFTED: BR

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Attachment: Packet DOCs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

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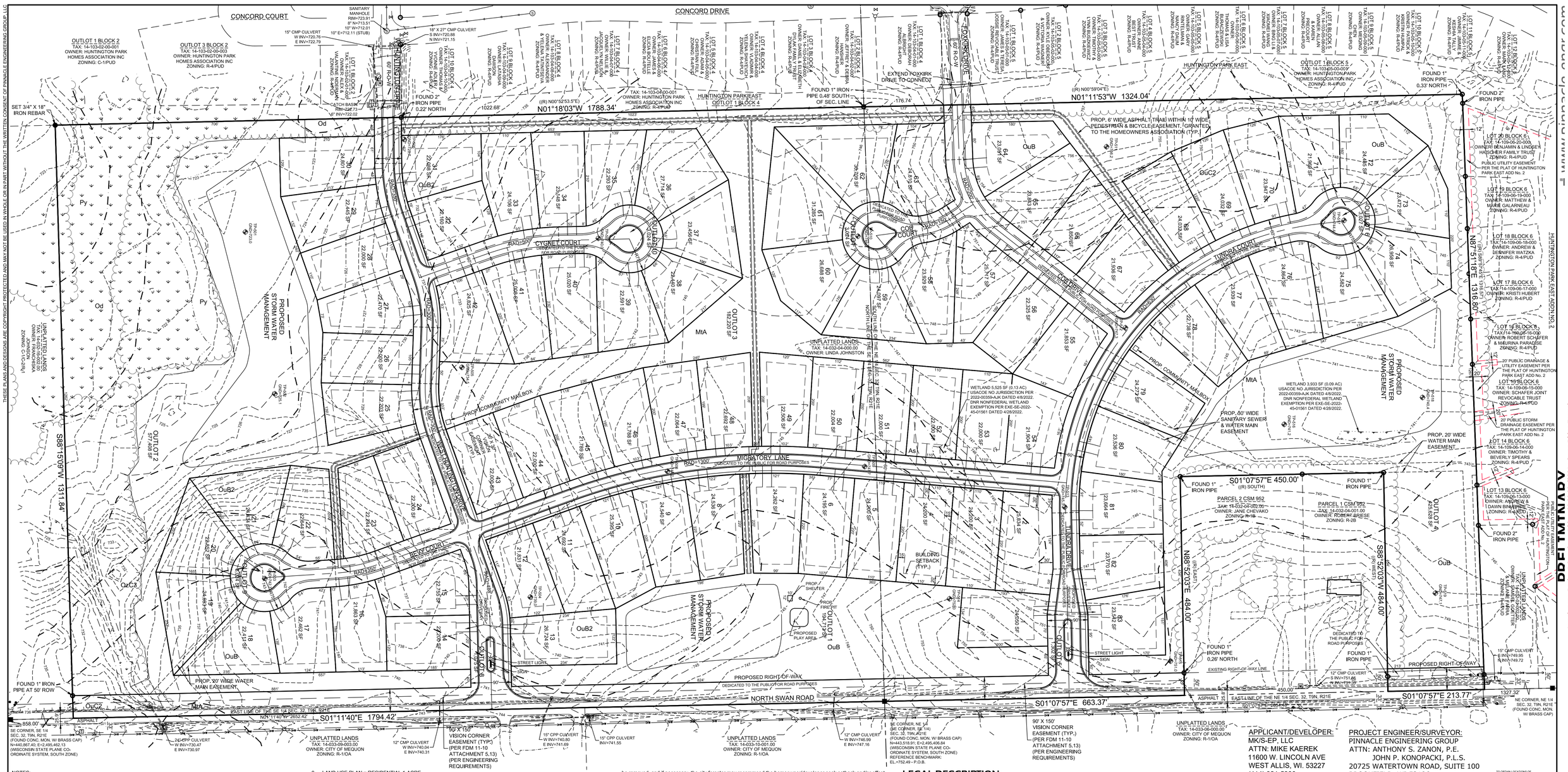

NOTES:

1. FIELD WORK COMPLETED ON JUNE 15, 2022.
2. FLOOD ZONE CLASSIFICATION: THE PROPERTY LIES WITH IN ZONE "X" OF THE FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 55089C0234F WITH AN EFFECTIVE DATE OF DECEMBER 4, 2007. ZONE "X" AREAS ARE DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.
3. GROSS LAND AREA: 3,879,369 SQUARE FEET (89.0581 ACRES).
4. NET LAND AREA LESS NORTH SWAN ROAD DEDICATION: 3,745,800 SQUARE FEET (85.9917 ACRES).
5. VERTICAL DATUM: NORTH AMERICAN VERTICAL DATUM OF 1988 (12), (NAVD88). CONTOURS ARE SHOWN AT A 1' INTERVAL BASED ON ACTUAL GROUND SURVEY OF THE CURRENT GROUND TERRAIN. REFERENCE BENCHMARK: CONCRETE MONUMENT WITH BRASS CAP AT THE SOUTHEAST CORNER OF THE NORTHEAST 1/4 SECTION 32, TOWN 9 NORTH, RANGE 21 EAST, ELEVATION = 752.49.
6. UNDERGROUND UTILITY LOCATIONS SHOWN ARE BASED ON FIELD LOCATION MARKINGS BY DIGGER'S HOTLINE TICKET #20222110347, 20222110382, 20222110410 & 20222111413 WITH A CLEAR DATE OF MAY 20, 2022. THE LOCATION AND SIZE OF UNDERGROUND STRUCTURES AND UTILITIES SHOWN HEREON HAVE BEEN LOCATED BASED ON A REASONABLE VISUAL OBSERVATION AND ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY. PINNACLE ENGINEERING GROUP, LLC. DOES NOT GUARANTEE THE LOCATION OF UTILITIES SHOWN. CONTACT DIGGER'S HOTLINE PRIOR TO THE START OF ANY ACTIVITY.
7. THE PROPERTY IS ZONED R-3 WITH A CENTRAL GROWTH OVERLAY. THE REQUIREMENTS ARE:
   - MINIMUM LOT AREA = 0.5 ACRES
   - MINIMUM AVERAGE LOT WIDTH = 110' (110' WIDTH AT FRONT SETBACK ON CORNER LOTS)
   - STREET SETBACK = 30'
   - SIDE YARD = 15'
   - REAR YARD = 20'
   - SIDE OR REAR SETBACK ABUTTING SUBDIVISION = 30'
   - OUTLOT BUFFER TO ALL EXTERIOR BOUNDARIES = 30'
   - WETLAND PROTECTIVE AREA SETBACK = 50' (PER WDNR NR 151.125(1)(b)
   - MINIMUM 30% COMMON OPEN SPACE. OUTLOTS COUNTING TOWARD OPEN SPACE SHALL NOT BE LESS THAN 5,000 SF. PROPOSED COMMON OPEN SPACE = 36.0% OF NET LAND AREA (INCLUDES OUTLOTS 1 THROUGH 4 MINUS THE TOT LOT AND ASPHALT TRAILS).
8. LAND USE PLAN = RESIDENTIAL 1-ACRE.
9. SOIL TESTING BY CGC INC ON APRIL 26, 2022.
10. VISION CORNER EASEMENT: NO OBSTRUCTIONS GREATER THAN THREE FEET IN HEIGHT (WITH THE EXCEPTIONS OF NECESSARY STREET SIGNS AND PUBLIC UTILITY LINES) ABOVE THE ELEVATION OF THE STREET INTERSECTION SHALL BE PERMITTED WITHIN THE TRIANGULAR SPACE FORMED BY ANY TWO EXISTING OR PROPOSED INTERSECTION LOCAL OR COLLECTER STREET, RIGHT-OF-WAY LINES AND A LINE JOINING POINTS ON SUCH LINES LOCATED A MINIMUM OF 30 FEET FROM THEIR INTERSECTION
11. UTILITY EASEMENTS SHALL BE DETERMINED BY THE UTILITY COMPANIES AND WILL BE SHOWN ON THE FINAL PLAT. ALL UTILITIES WILL BE UNDERGROUND. DRAINAGE EASEMENTS WILL BE DETERMINED BASED ON FINAL CIVIL PLAN APPROVAL AND SHOWN ON THE FINAL PLAT.
12. OUTLOT STATEMENT: EACH INDIVIDUAL LOT OWNER SHALL HAVE AN UNDIVIDABLE FRACTIONAL OWNERSHIP IN OUTLOTS 1 THROUGH 10. OZAUKEE COUNTY AND CITY OF MEQUON SHALL NOT BE LIABLE FOR ANY FEES OR SPECIAL CHARGES IN THE EVENT THEY BECOME THE OWNER OF ANY LOT OR OUTLOT IN THE SUBDIVISION BY REASON OF TAX DELINQUENCY.
13. THE TOT LOT IS A PRIVATE NEIGHBORHOOD AMENITY MAINTAINED BY THE HOMEOWNER'S ASSOCIATION. THERE IS NO OFF-STREET PARKING. THE ASPHALT TRAILS IN THE OUTLOTS ARE PRIVATE, OWNED AND MAINTAINED BY THE HOMEOWNER'S ASSOCIATION.
14. THE PLAT OF SWAN RIDGE FARMS IS SUBJECT TO THE DECLARATION OF TREE PRESERVATION COVENANT, RECORDED BY SEPARATE DOCUMENT, AND THE CITY OF MEQUON TREE PRESERVATION ORDINANCE AND RESTRICTIONS:
   - It shall be unlawful to remove, injure, destroy, or undertake any procedure that may cause the death or substantial destruction of any specimen tree located anywhere on any land in the city without the express written permission of the city forester or his representative. Authorization for removal of any specimen tree located on any land in the city may be granted for dead or dying trees, diseased trees, damaged/injured trees to the extent that it is likely to die or become diseased or where removal will avoid or alleviate unreasonable difficulty or hardship or it constitutes a hazard to persons or property.
   - Documentation requesting removal shall be submitted to the city forester and planning commission as part of a landscape plan that shall provide for tree removal, tree replacement and additional tree planting.
   - If a specimen tree is proposed to be removed in the buildable area on any land in the city, the city forester shall review the site for any alternative building locations in order to preserve the specimen trees. If it is found that construction cannot occur on the platted lot, without removal of the specimen tree, the city forester and planning commission, may allow the tree(s) to be removed, and if necessary, the city forester may recommend the homeowner/developer seek setback and/or offset variances at the board of appeals in order to preserve specimen trees.
   - In the event the tree is unlawfully removed in violation with this subdivision, the forester will direct replacement based upon the replacement value as determined in accordance with the tree preservation guidelines.
15. WETLAND WERE DELINEATED BY VETLAND & WATERWAY CONSULTING, LLC, DAVE MEYER (WDNR ASSURED WETLAND DELINEATION) ON NOVEMBER 13, 2021. SEE NOTES ON PLANS REGARDING US ARMY CORPS OF ENGINEER AND WDNR JURISDICTION ON NORTHERN MOST WETLANDS. WETLAND RESTRICTIONS:
   - Grading and filling shall be prohibited unless specifically authorized by the municipality in which they are located and, if applicable, Ozaukee County, the Wisconsin Department of Natural Resources, and the Army Corps of Engineers.
   - The removal of topsoil or other earthen materials shall be prohibited.
   - The removal or destruction of any native vegetative cover, ie., trees, shrubs, grasses, etc., shall be prohibited, with the exception of the removal of dead, dying or diseased vegetation, non-indigenous species, or noxious weeds (as defined by local ordinance) at the discretion of a forester or naturalist and the approval of Ozaukee County.
   - Grazing by domesticated animals, ie., horses, cows, etc., shall be prohibited.
   - The introduction of plant material not indigenous to the existing environment of the wetland area or primary environmental corridor shall be prohibited.
   - Creation of a mown landscape, gardening, cultivating, or depositing yard waste of any type shall be prohibited.
   - Ponds may be permitted subject to the approval of the municipality in which they are located and, if applicable, the Ozaukee County, the Wisconsin Department of Natural Resources, and the Army Corps of Engineers.
   - Construction of buildings within the wetland boundary is prohibited.
16. PRIMARY ENVIRONMENTAL CORRIDOR (PEC) DELINEATED BY DAVE MEYER OF WETLAND & WATERWAY CONSULTING LLC ON JUNE 10, 2022.
17. ALL RESIDENTIAL BUILDINGS SHALL COMPLY WITH THE CITY "GUIDELINES FOR RESIDENTIAL STRUCTURES" AND ARE SUBJECT TO THE CITY ARCHITECTURAL REVIEW BOARD.
18. ALL LOTS SHALL BE SERVED BY MUNICIPAL SANITARY SEWER SUBJECT TO AN AMENDMENT TO THE CITY OF MEQUON SEWER SERVICE AREA, AND WATER.

LEGAL DESCRIPTION:

Being a part of the Southeast 1/4 of the Northeast 1/4 AND the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 32, Township 9 North, Range 21 East, City of Mequon, Ozaukee County, Wisconsin, described as follows: Beginning at the northeast corner of the Southeast 1/4 of said Section 32; thence South 01°11'40" East along the east line of said Southeast 1/4, 1,794.42 feet; thence South 88°15'09" West, 1311.84 feet to the east line of Huntington Park East, a recorded subdivision; thence North 01°18'03" West along said east line, 1788.34 feet; thence North 01°11'53" West along said east line, 1324.04 feet; thence North 87°51'18" East along a south line of said Huntington Park East and then along the south line of Huntington Park East Addition No. 2, a recorded subdivision, 1316.80 feet to the east line of the Northeast 1/4 of said Section 32; thence South 01°07'57" East along said east line, 213.77 feet; thence South 88°52'03" West and then along the north line of Certified Survey Map No. 952, 484.00 feet; thence South 01°07'57" East along the west line of said Certified Survey Map, 450.00 feet; thence North 88°52'03" East along the south line of said Certified Survey Map, 484.00 feet to the aforesaid east line of the Northeast 1/4; thence South 01°07'57" East along said east line, 663.37 feet to the Point of Beginning.

REFERENCE BEARING: BEARINGS REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (N.A.D. 1983/2011). THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 32, TOWNSHIP 9 NORTH, RANGE 21 EAST HAS A BEARING OF S 01°11'40" E.

APPLICANT/DEVELOPER:
MK/S-EP, LLC
ATTN: MIKE KAEREK
11600 W. LINCOLN AVE
WEST ALLIS, WI. 53227
(414) 321-5300

PROJECT ENGINEER/SURVEYOR:
PINNACLE ENGINEERING GROUP
ATTN: ANTHONY S. ZANON, P.E.
JOHN P. KONOPACKI, P.L.S.
20725 WATERTOWN ROAD, SUITE 100
BROOKFIELD, WI 53186
(262) 754-8888

SOILS ON SITE:
As = Ashkum silt loam (C/D)
MtA = Mequon silt loam (C)
Od = Ogden mucky peat (C/D)
OuB = Ozaukee silt loam (C)
OuB2 = Ozaukee silt loam (C)
OuC2 = Ozaukee silt loam (C)
OzC3 = Ozaukee clay loam (C)
Py = Poygan silty clay loam (C/D)

VICINITY MAP
SEC. 32 & 33, T9N, R21E
SCALE: 1" = 2000'

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TOLL FREE
WIS STATUTE 182.0175(1974) REQUIRES MIN. 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE
MILW. AREA 259-1181

NOTE: The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer and/or Surveyor does not guarantee the location or the location of others not shown. Contact Diggers Hotline, Inc., Etc.

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CITY OF MEQUON, OZAUKEE CO., WI

SITE PLAN

REVISIONS

PEG JOB No. 2165.00 ASZ
PEG PM 01-20-23
START DATE 1" = 100'
SCALE

SHEET
C-2
C-21

SITE PLAN

Z:\PROJECTS\2020\2165.00-WI\CAD\SHEETS\2165.00 SITE PLAN.DWG

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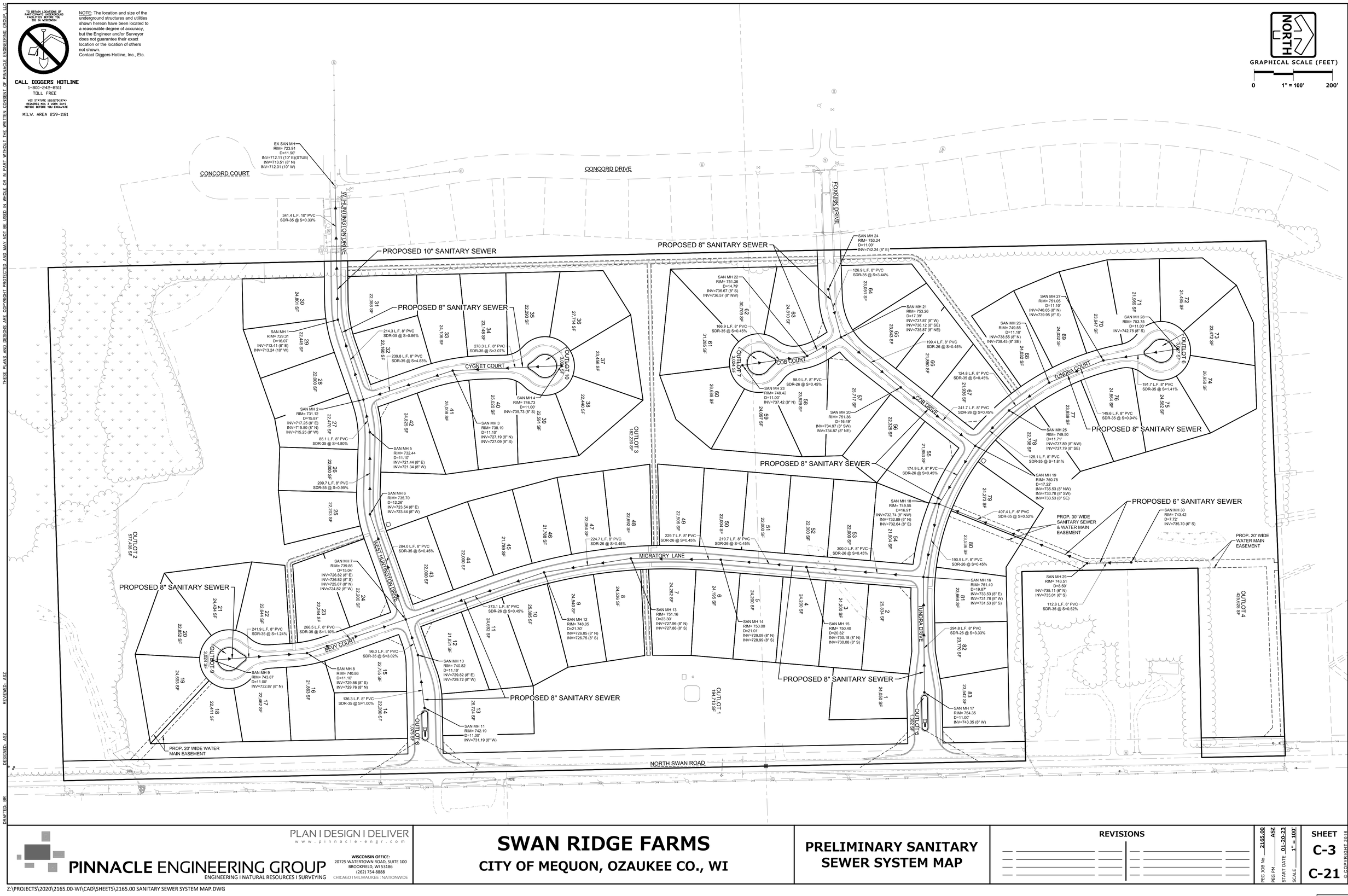
NORTH

GRAPHICAL SCALE (FEET)
0 1" = 100' 200'



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CITY OF MEQUON, OZAUKEE CO., WI

PRELIMINARY SANITARY SEWER SYSTEM MAP

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 100'

SHEET
C-3
C-21

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PRELIMINARY SANITARY SEWER SYSTEM MAP
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Attachment: Packet DOCs, Swan Ridge

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NORTH

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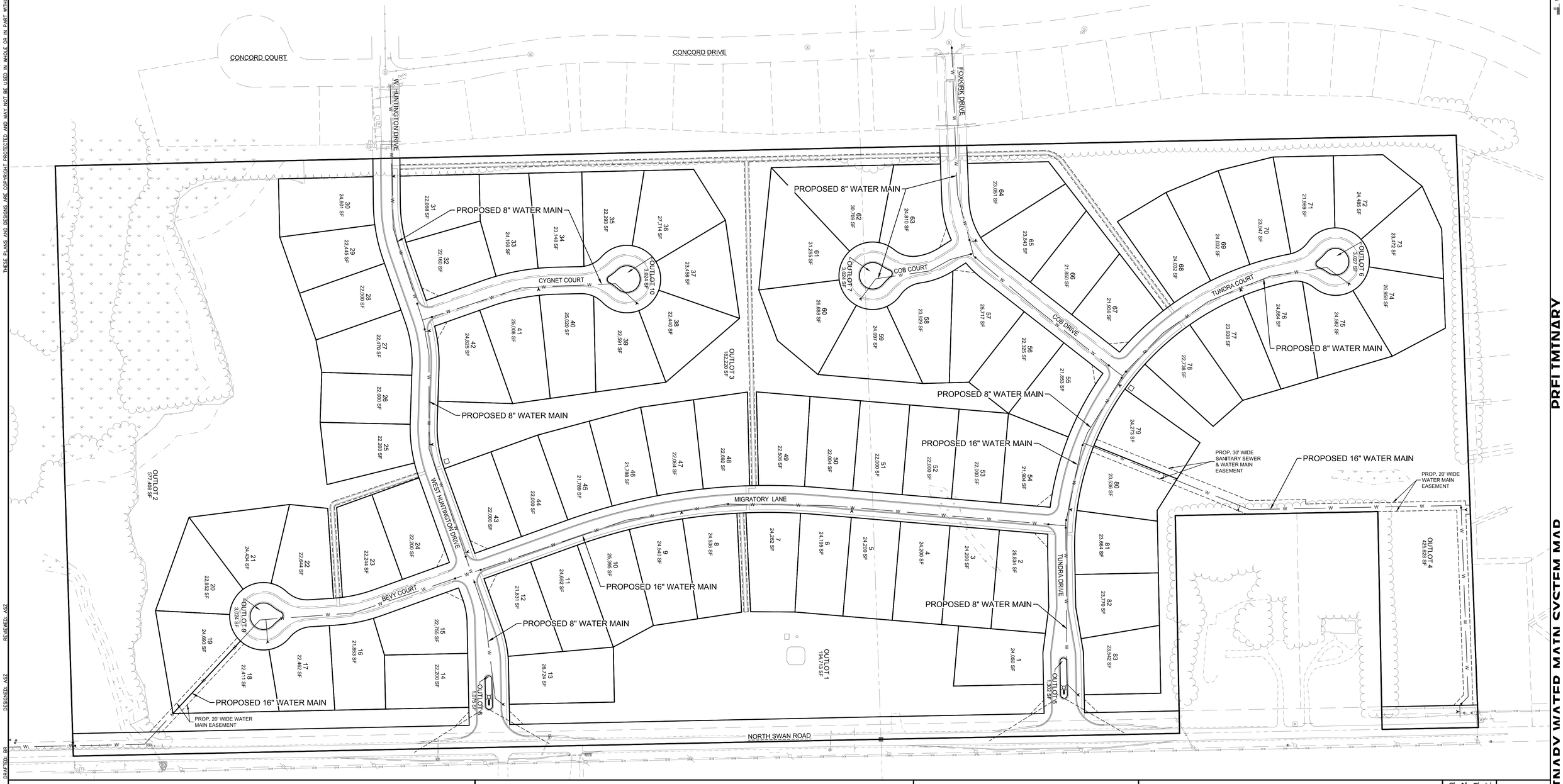

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CITY OF MEQUON, OZAUKEE CO., WI

PRELIMINARY WATER MAIN SYSTEM MAP

REVISIONS

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PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 100'

SHEET
C-4
C-21

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PRELIMINARY WATER MAIN SYSTEM MAP

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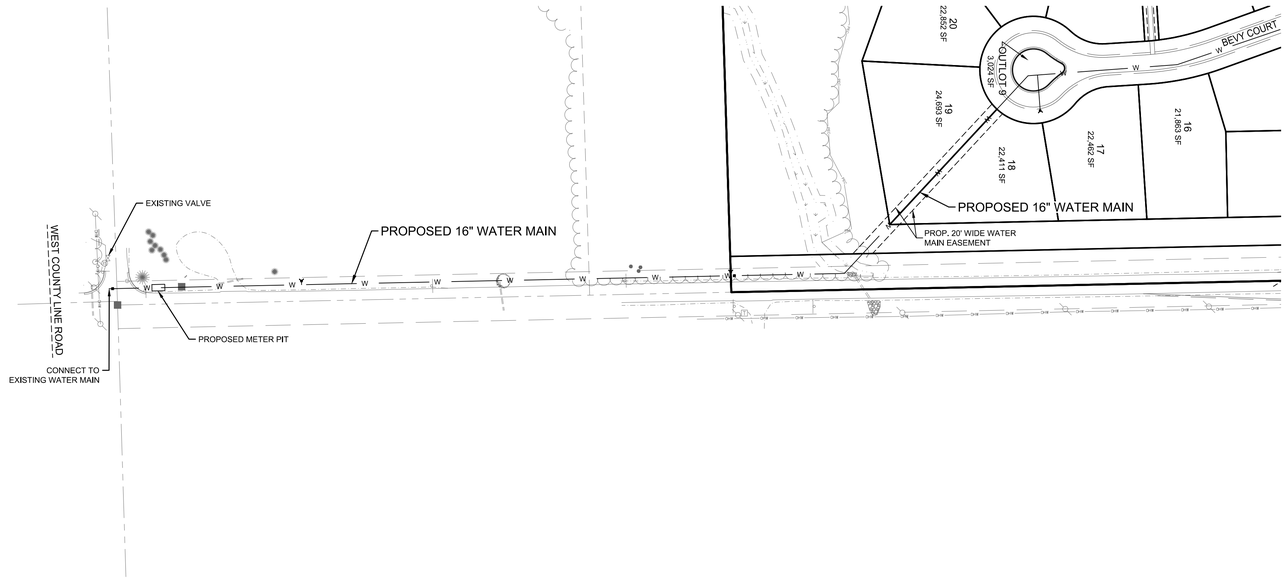

NORTH

GRAPHICAL SCALE (FEET)
0 1" = 100' 200'

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PRELIMINARY WATER MAIN SYSTEM MAP

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PRELIMINARY WATER MAIN SYSTEM MAP

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PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 100'

SHEET
C-5
C-21

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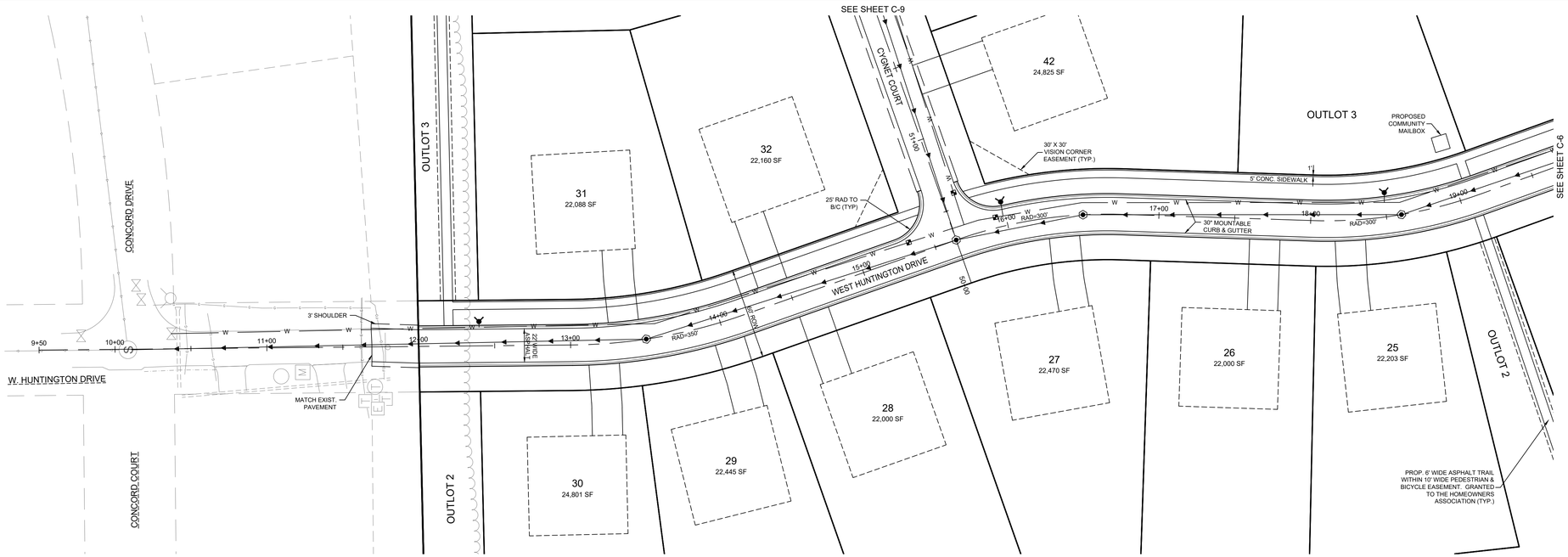

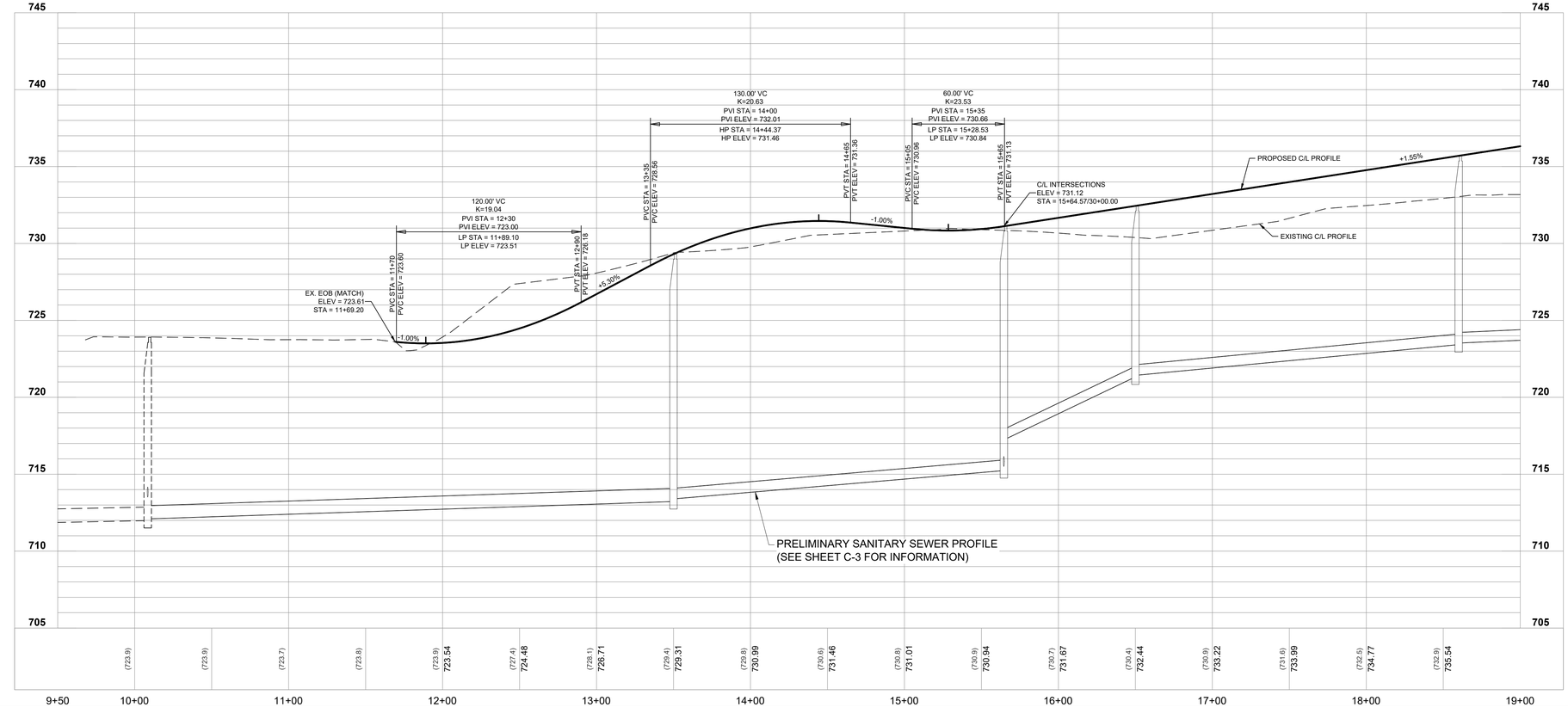

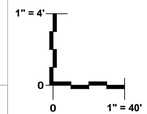

NORTH

GRAPHICAL SCALE (FEET)

0 1" = 40' 80'

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PEG JOB No. 2165.00 ASZ
PEG PM
START DATE 01-20-23
SCALE 1" = 40'

SHEET
C-6
C-21

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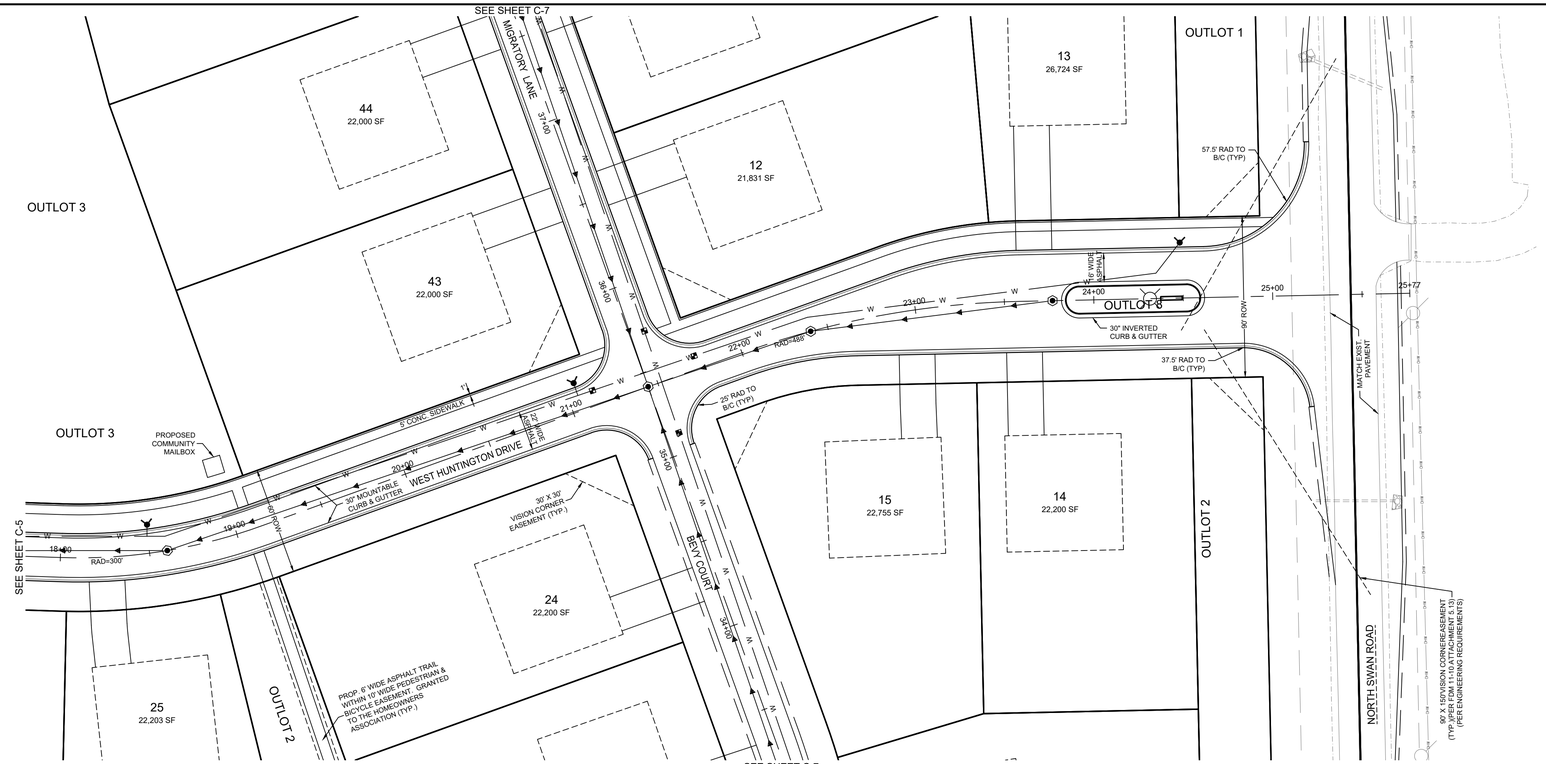

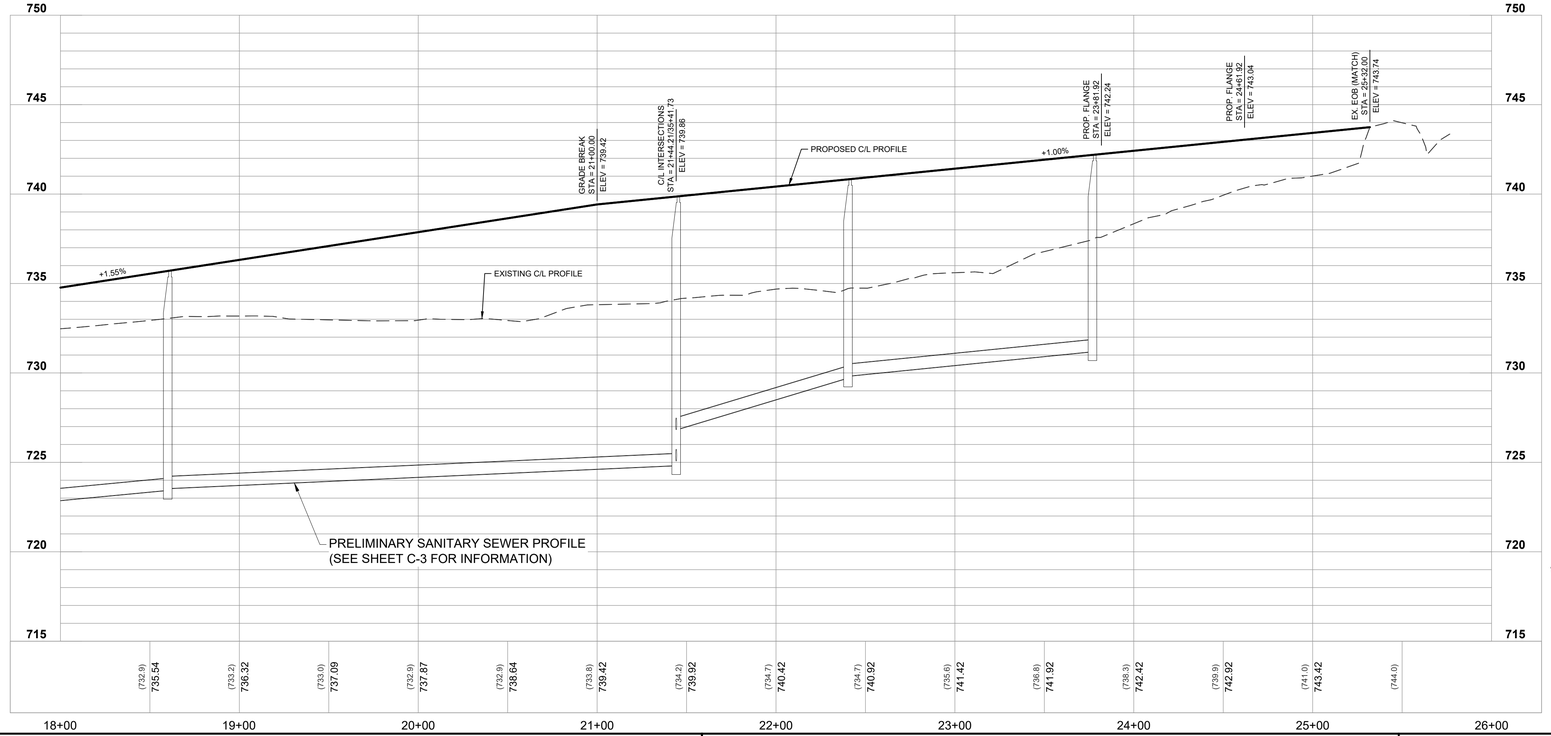

NORTH

GRAPHICAL SCALE (FEET)

0 1" = 40' 80'

1" = 4'

0 1" = 40'

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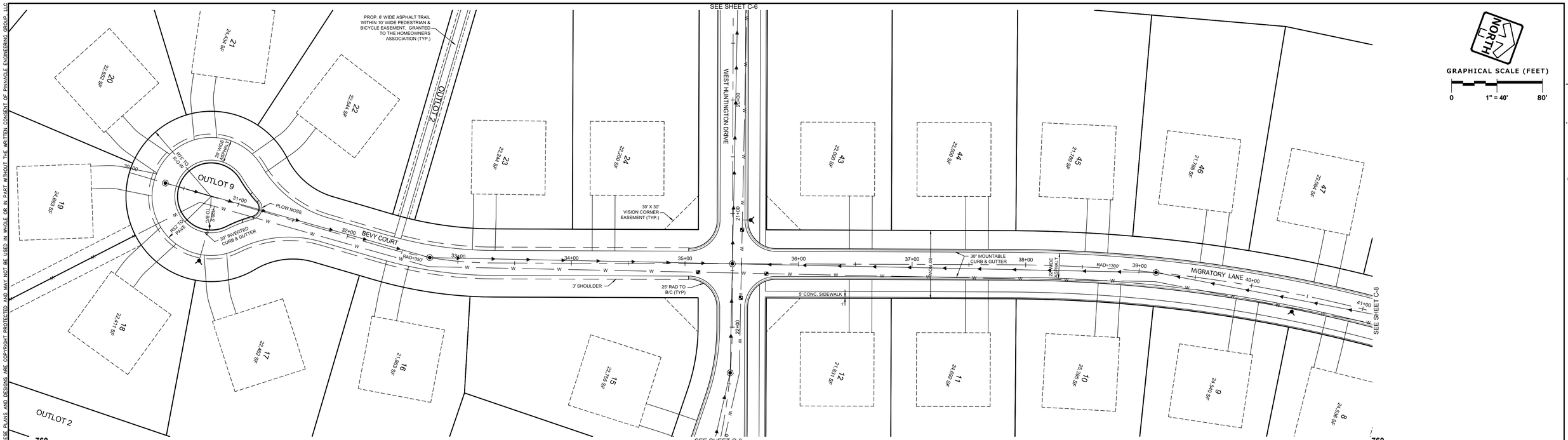

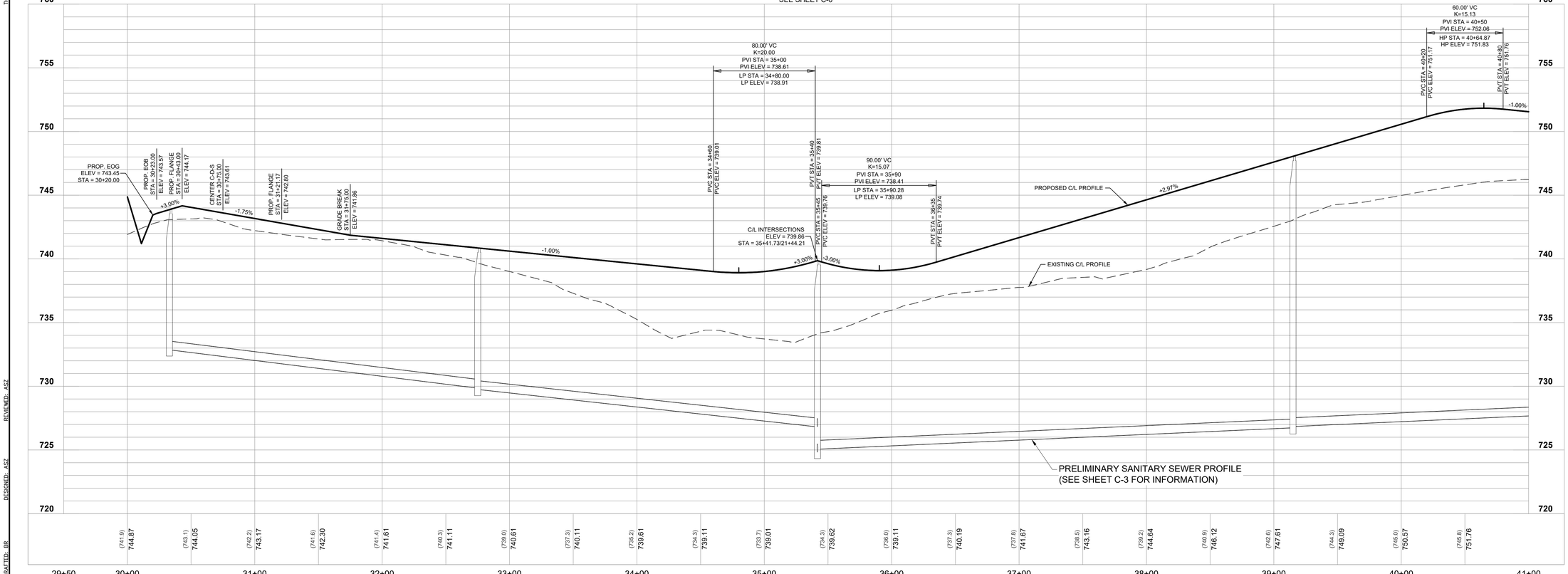

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1" = 4'
0
0 1" = 40'

PRELIMINARY ROADWAY PLAN & PROFILES

PRELIMINARY

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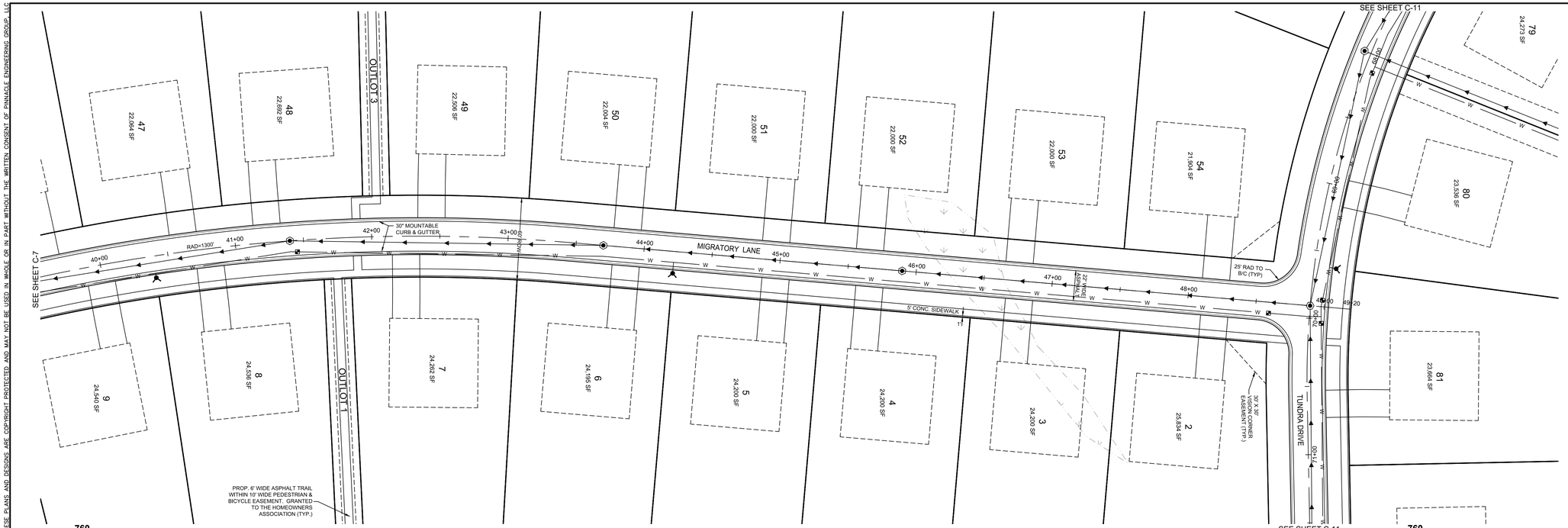

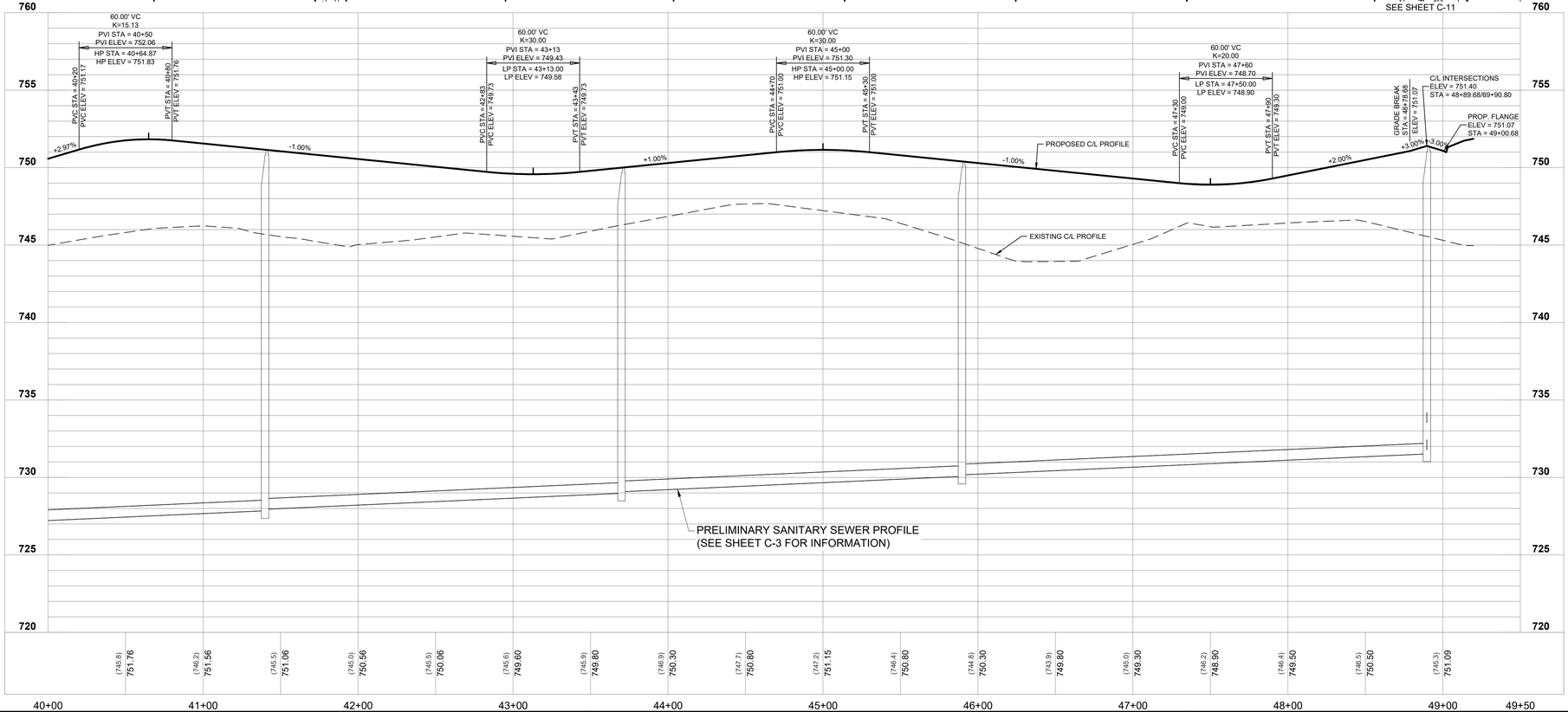

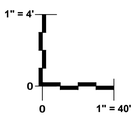

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'

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REVISIONS

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PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 40'

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C-9
C-21

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PRELIMINARY ROADWAY PLAN & PROFILES

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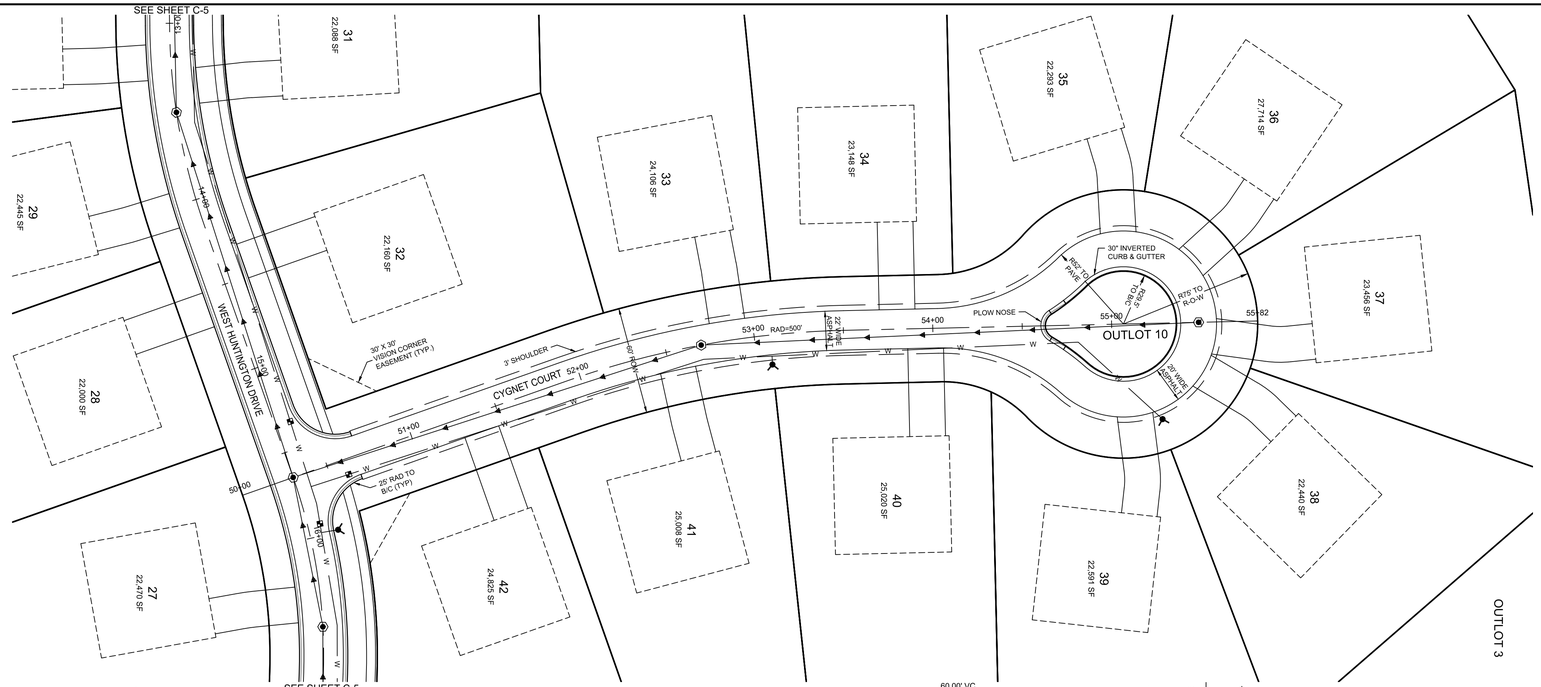

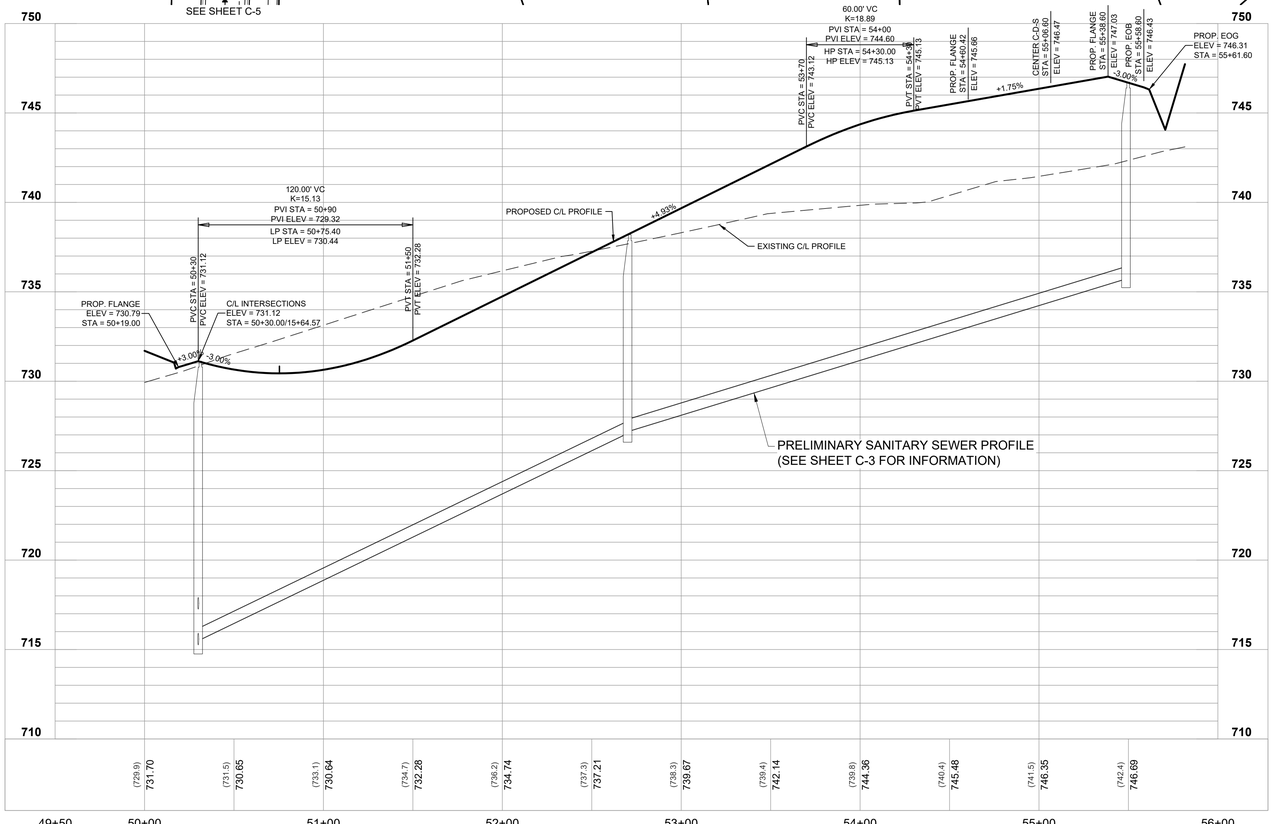

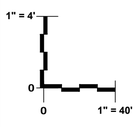

GRAPHICAL SCALE (FEET)

0 1" = 40' 80'

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PRELIMINARY ROADWAY PLAN & PROFILES

Attachment: Packet DOcs. Swan Ridge. 03.20.23 (8291 : Swan Ridge Farms)

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TOLL FREE

WIS STATUTE 182.0175(1974) REQUIRES MIN. 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE

MILW. AREA 259-1181

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SWAN RIDGE FARMS

CITY OF MEQUON, OZAUKEE CO., WI

PRELIMINARY ROADWAY PLAN & PROFILES

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 40'

SHEET
C-10
C-21

Z:\PROJECTS\2020\2165.00-WI\CAD\SHEETS\2165.00 PAVING AND ROADWAY P&P.DWG

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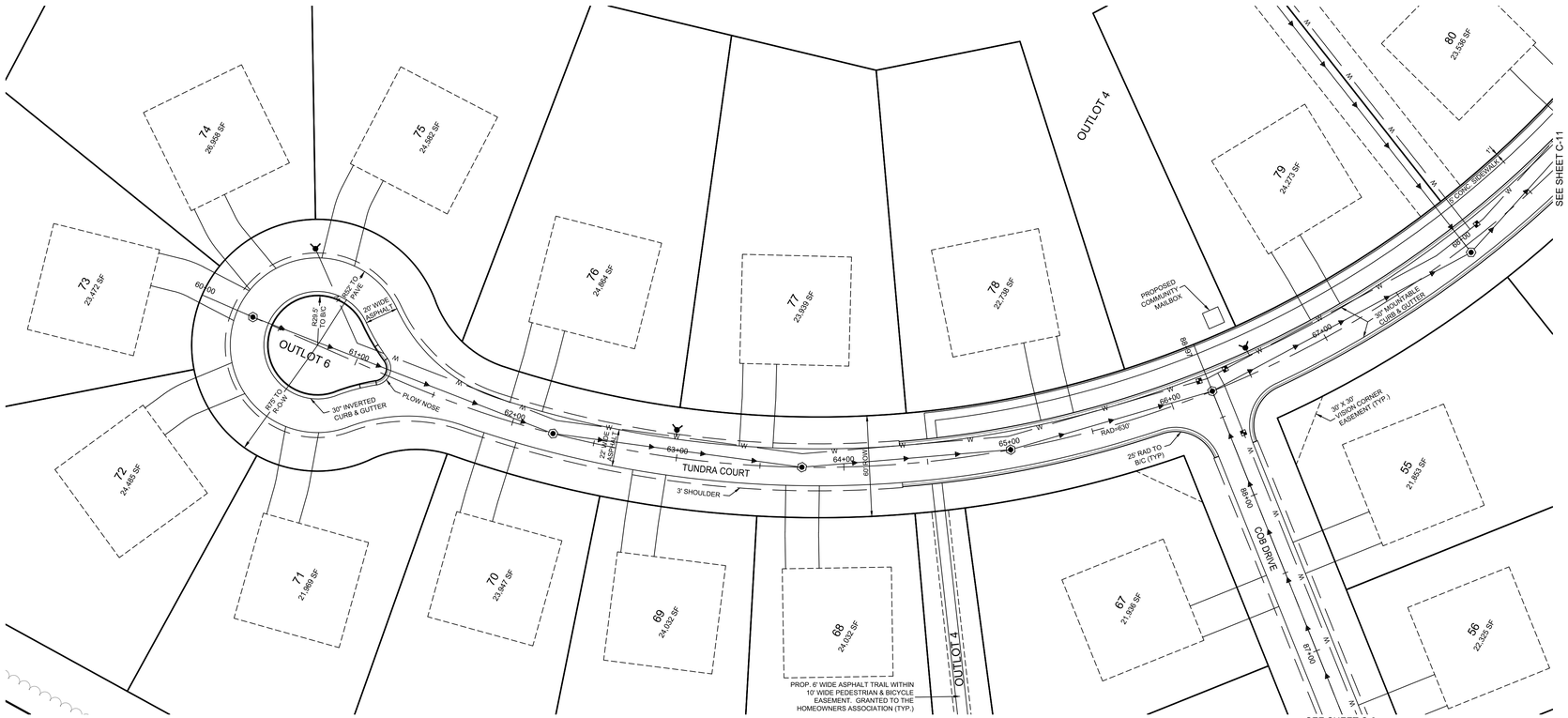
74
25,998 SF
75
24,695 SF
73
23,472 SF
76
24,664 SF
77
23,939 SF
78
22,736 SF
OUTLOT 4
79
24,273 SF
80
23,538 SF
72
24,485 SF
71
21,969 SF
70
23,947 SF
69
24,022 SF
68
24,052 SF
67
21,938 SF
55
21,853 SF
56
22,325 SF
OUTLOT 6
TUNDRA COURT
COBB DRIVE
OUTLOT 4
PROP. 6' WIDE ASPHALT TRAIL WITHIN 10' WIDE PEDESTRIAN & BICYCLE EASEMENT, GRANTED TO THE HOMEOWNERS ASSOCIATION (TYP.)
SEE SHEET C-11
SEE SHEET C-8
PROPOSED COMMUNITY MAILBOX
30' MOUNTABLE CURB & GUTTER
5' CONC. SIDEWALK
30' WIDE ASPHALT
30' INVERTED CURB & GUTTER
PLOW NOSE
3' SHOULDER
25' RAD TO B/C (TYP.)
30' X 30' VISION CORNER EASEMENT (TYP.)
RAD=630'
RAD=630'
60' ROW
22' WIDE ASPHALT
60' ROW
60' ROW
60' ROW

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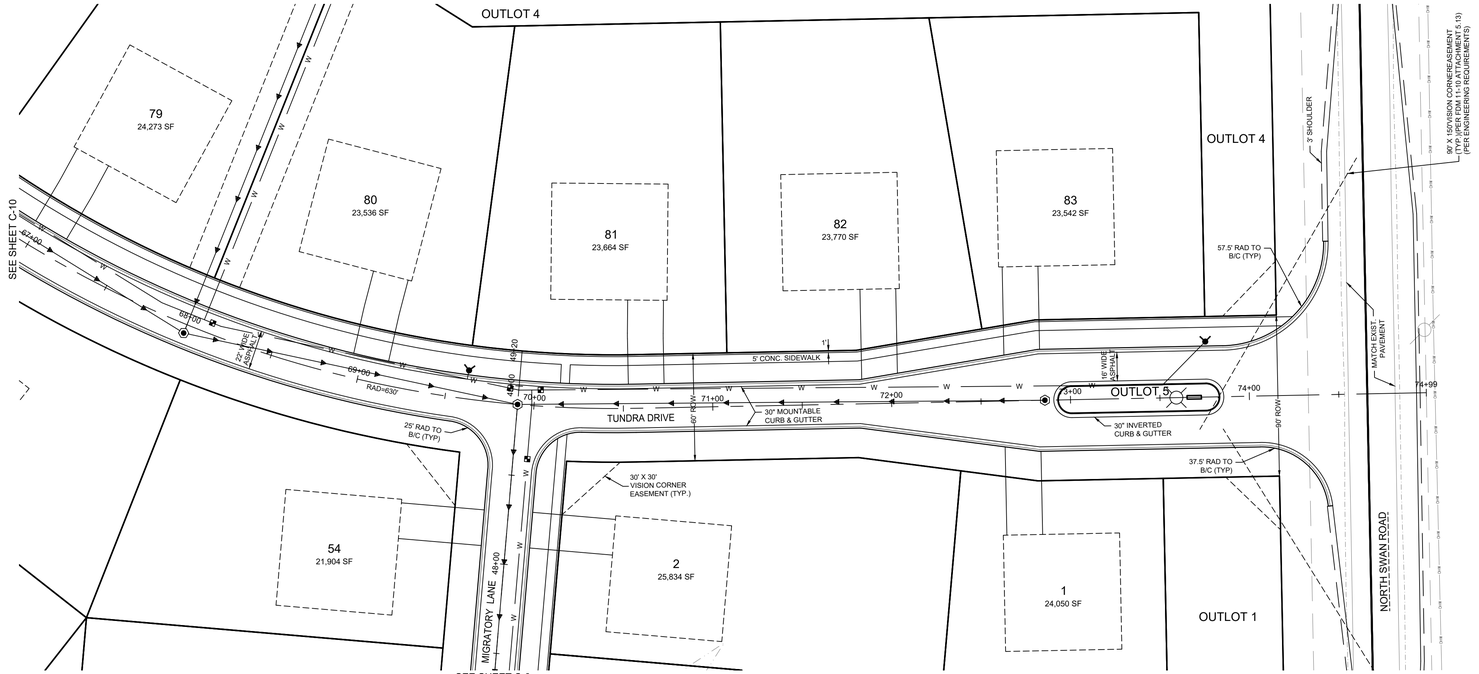

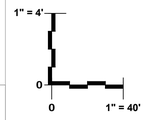

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SWAN RIDGE FARMS

CITY OF MEQUON, OZAUKEE CO., WI

PRELIMINARY ROADWAY PLAN & PROFILES

REVISIONS

PEG JOB No.	2165.00		
PEG PM	ASZ		
START DATE	01-20-23		
SCALE	1" = 40'		

SHEET
C-12
C-21

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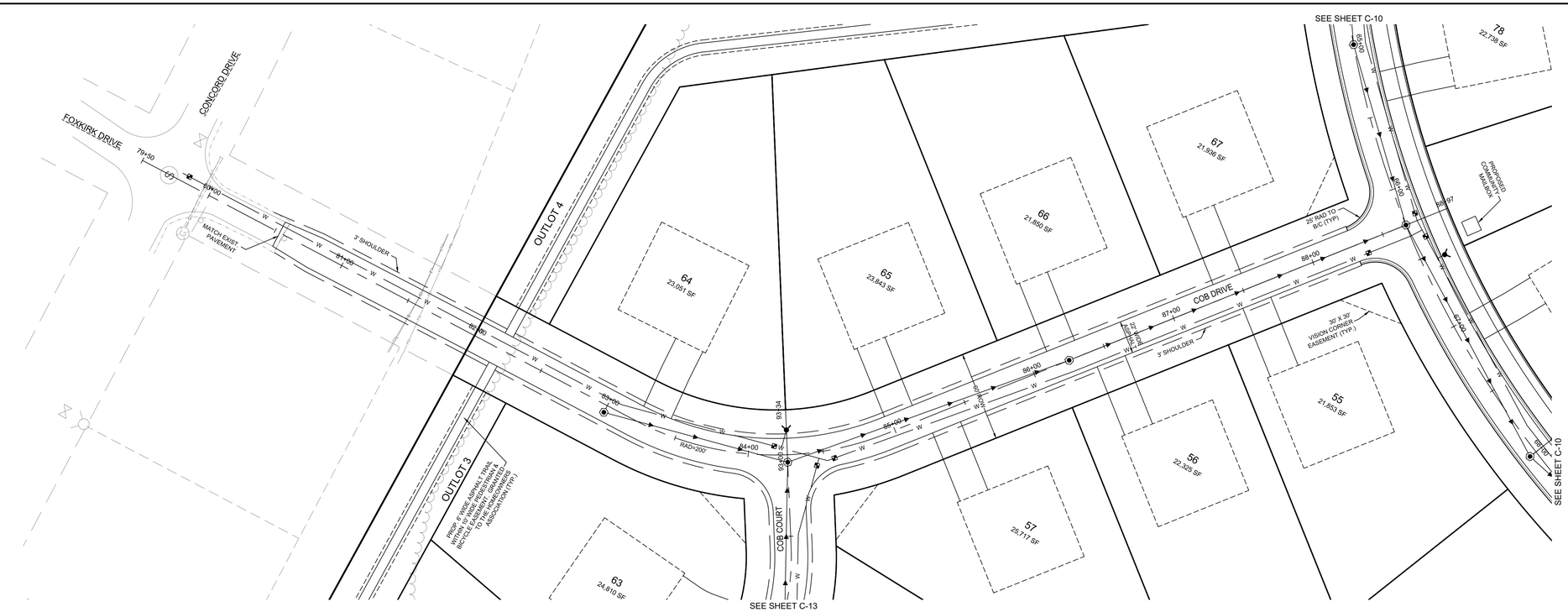

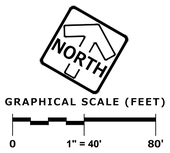

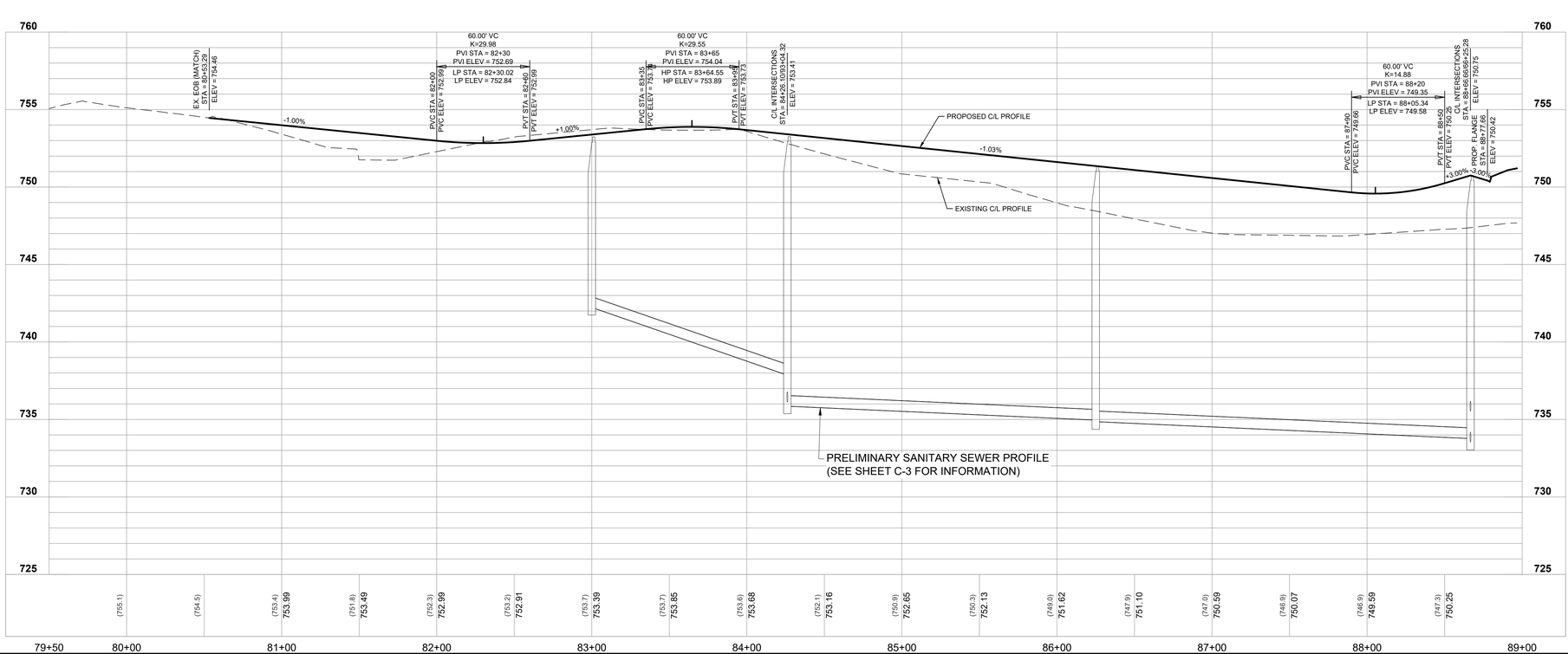

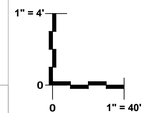

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CITY OF MEQUON, OZAUKEE CO., WI

PRELIMINARY ROADWAY PLAN & PROFILES

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 40'

SHEET
C-13
C-21

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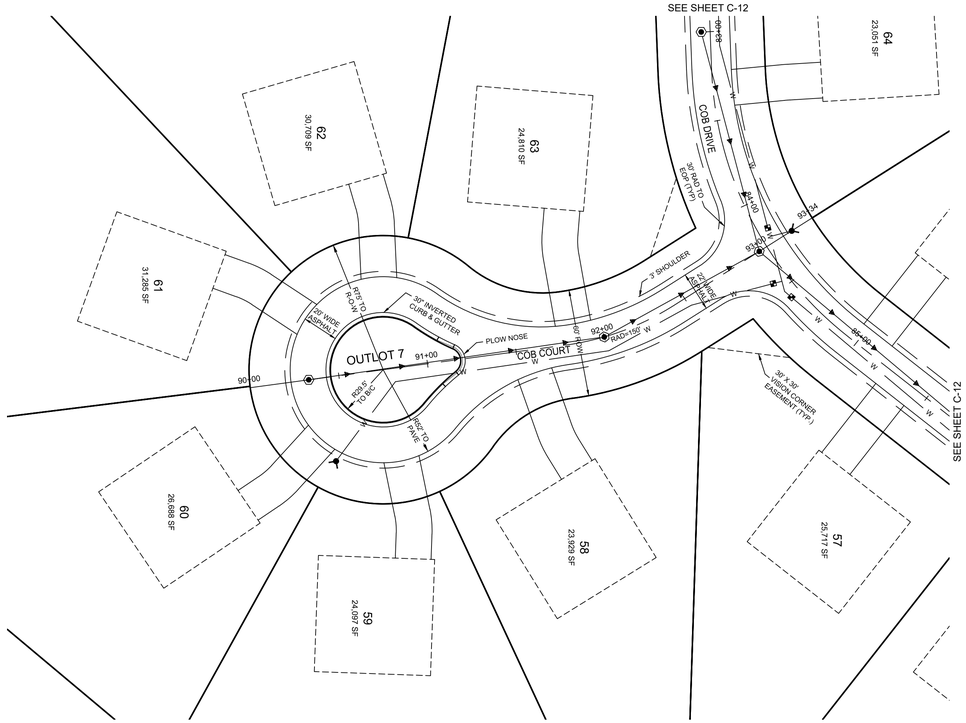

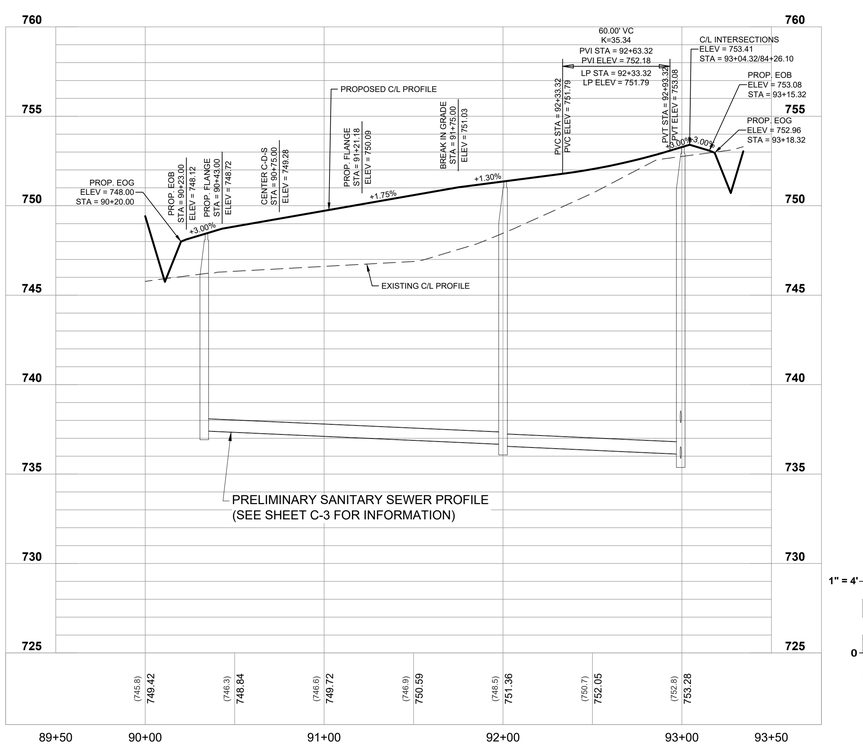

1" = 4'
0
0 1" = 40'

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'

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PRELIMINARY ROADWAY PLAN & PROFILES

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PRELIMINARY ROADWAY PLAN & PROFILES

REVISIONS

PEG JOB No. 2165.00 ASZ
PEG PM 01-20-23
START DATE 1" = 40'
SCALE

SHEET
C-14
C-21

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NORTH

GRAPHICAL SCALE (FEET)
0 1" = 100' 200'

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CONCORD COURT
CONCORD DRIVE
EXTEND FOXKIRK DRIVE TO CONNECT
FOXKIRK DRIVE
W. HUNTINGTON DRIVE
TIMBERLINE TRAIL
MIGRATORY LANE
NORTH SWAN ROAD
PROP. 10' MULTI-USE PATH
PROP. 8' MULTI-USE PATH
PROPOSED STORM WATER MANAGEMENT
OUTLOT 1 194,719 SF
OUTLOT 2 577,408 SF
OUTLOT 3 222,620 SF
OUTLOT 4 140,628 SF
OUTLOT 5 1,683 SF
PROP. COMMUNITY MAILBOX
90' X 150' VISION CORNER EASEMENT (TYP.) (PER FDM 11-10 ATTACHMENT 5.13) (PER ENGINEERING REQUIREMENTS)
PROP. 10' WIDE PATHWAY EASEMENT (TYP.)
PROP. 10' MULTI-USE PATH, WITHIN 10' WIDE PEDESTRIAN/BICYCLE EASEMENT, GRANTED TO THE HOMEOWNERS ASSOCIATION (TYP.)
PUBLIC UTILITY EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2
20' PUBLIC DRAINAGE & UTILITY EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2
20' PUBLIC STORM DRAINAGE EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2
PROP. 30' WIDE SANITARY SEWER & WATER MAIN EASEMENT
PROP. 20' WIDE WATER MAIN EASEMENT

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CITY OF MEQUON, OZAUKEE CO., WI

PRELIMINARY OVERALL MASTER GRADING PLAN

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 100'

SHEET
C-15
C-21

PRELIMINARY OVERALL MASTER GRADING PLAN

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Contact Diggers Hotline, Inc., Etc.

NORTH

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'

PUBLIC UTILITY EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2

20' PUBLIC DRAINAGE & UTILITY EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2

20' PUBLIC STORM DRAINAGE EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2

PUBLIC UTILITY EASEMENT PER THE PLAT OF HUNTINGTON PARK EAST ADD No. 2

OUTLOT 4

OUTLOT 6

PROPOSED STORM WATER MANAGEMENT

NORTH SWAN ROAD

TUNDRA COURT

TP-517 GND=744.4
TP-518 GND=740.4
TP-519 GND=747.1
TP-516 GND=741.2
TP-515 GND=751.0

69	24,032 SF	TOF=753.07	GAR=752.73 YARD=752.40
70	23,947 SF	TOF=755.97	GAR=753.63 YARD=753.30
71	21,969 SF	TOF=755.77	GAR=755.43 YARD=755.10
72	24,485 SF	TOF=756.37	GAR=756.03 YARD=755.70
73	23,472 SF	TOF=756.57	GAR=756.23 YARD=755.90
74	26,958 SF	TOF=756.57	GAR=756.23 YARD=755.90
75	24,582 SF	TOF=755.97	GAR=755.63 YARD=755.30
76	24,864 SF	TOF=755.97	GAR=755.63 YARD=755.30
77	23,939 SF	TOF=755.17	GAR=752.83 YARD=752.50
78	22,738 SF	TOF=752.97	GAR=752.63 YARD=752.30

LOOKOUT=761.70
LOOKOUT=750.90
LOOKOUT=750.3
LOOKOUT=749.30
LOOKOUT=748.50
LOOKOUT=748.30
WALKOUT=747.90

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PRELIMINARY MASTER GRADING PLAN

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 40'

SHEET
C-16
C-21

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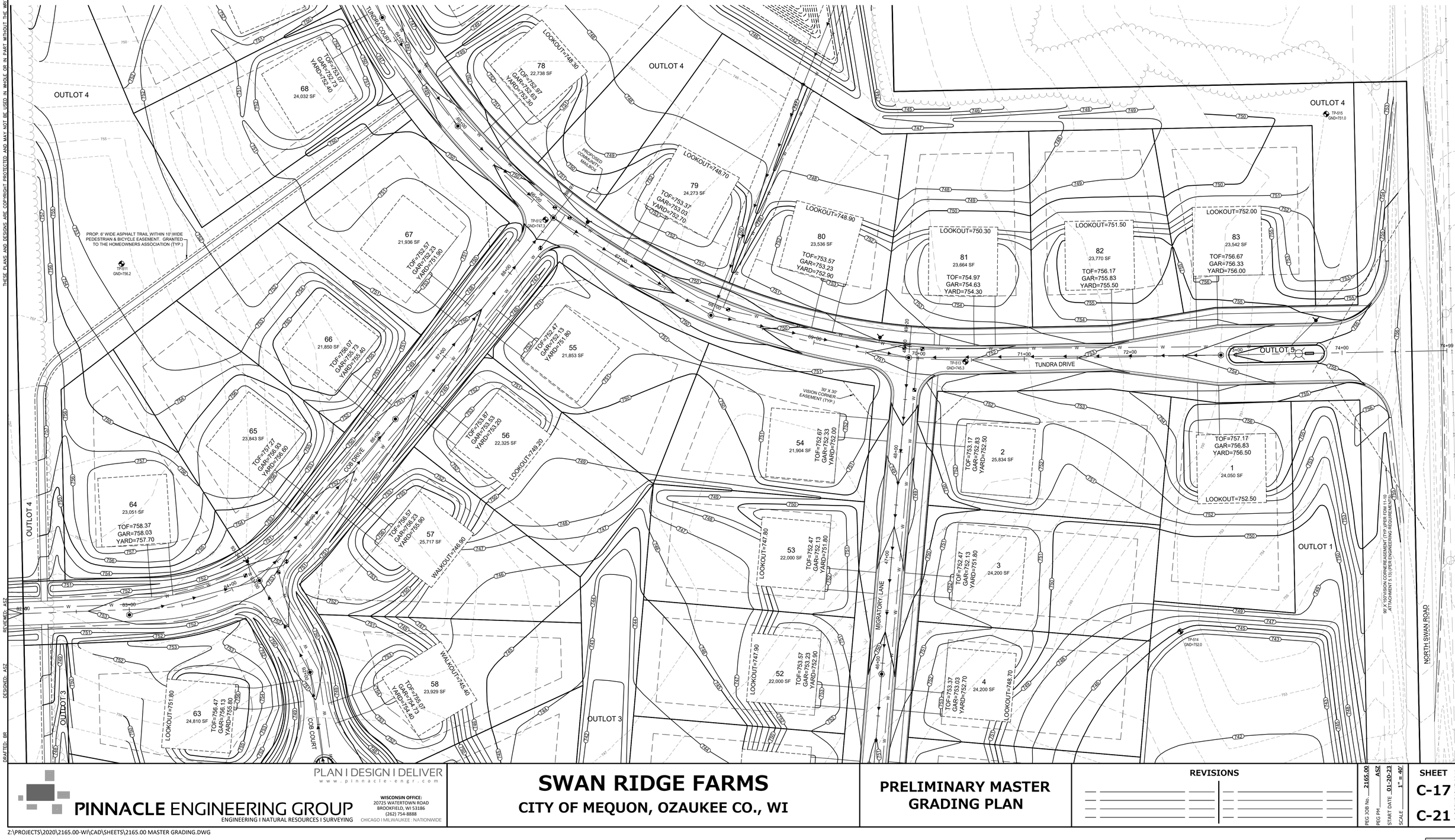
NORTH

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'



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DESIGNED: ASZ
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PRELIMINARY MASTER GRADING PLAN

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 40'

SHEET
C-17
C-21

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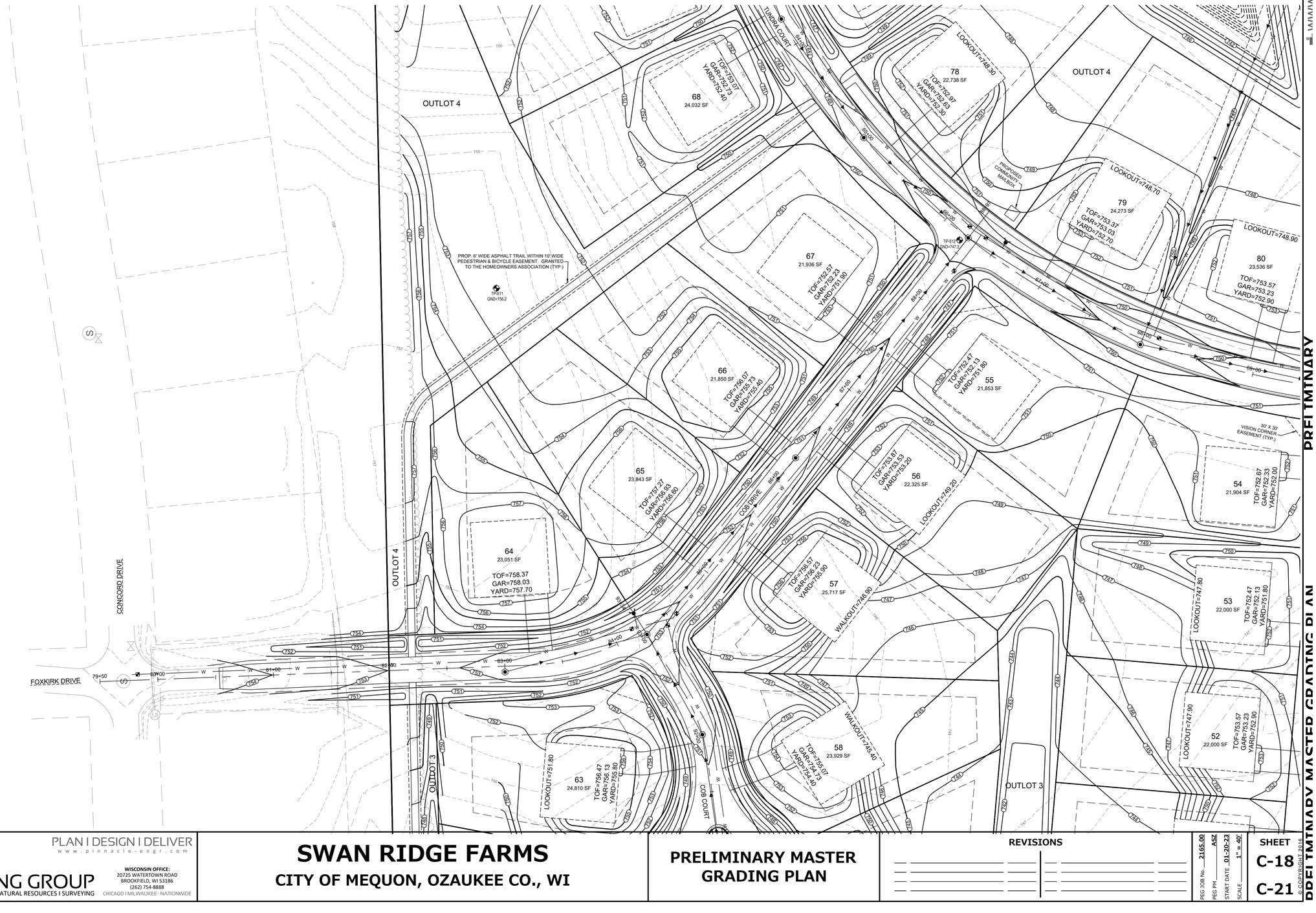
NORTH

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'



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PRELIMINARY MASTER GRADING PLAN

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
START DATE 01-20-23
SCALE 1" = 40'

SHEET
C-18
C-21

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Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

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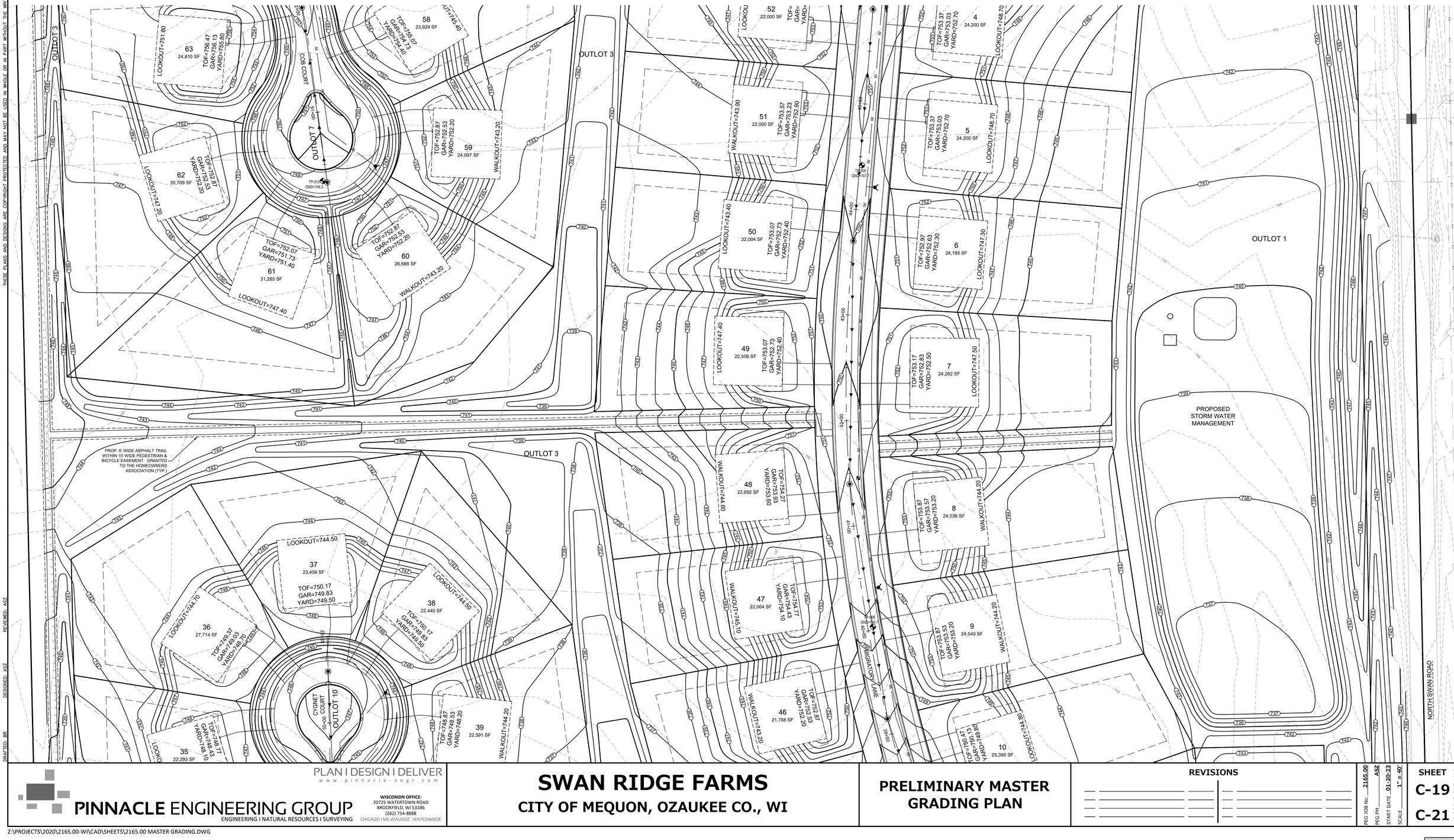
0 1" = 40' 80'



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PEG JOB No.: 2165.00
PEG PM: ASZ
START DATE: 01-20-23
SCALE: 1" = 40'

SHEET
C-19
C-21

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PRELIMINARY MASTER GRADING PLAN

Attachment: Packet DOCs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

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TO OBTAIN LOCATIONS OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN

CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE

WIS STATUTE 182.0175(1974) REQUIRES MIN. 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE

MILW. AREA 259-1181

NOTE: The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer and/or Surveyor does not guarantee their exact location or the location of others not shown.
Contact Diggers Hotline, Inc., Etc.

NORTH

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'

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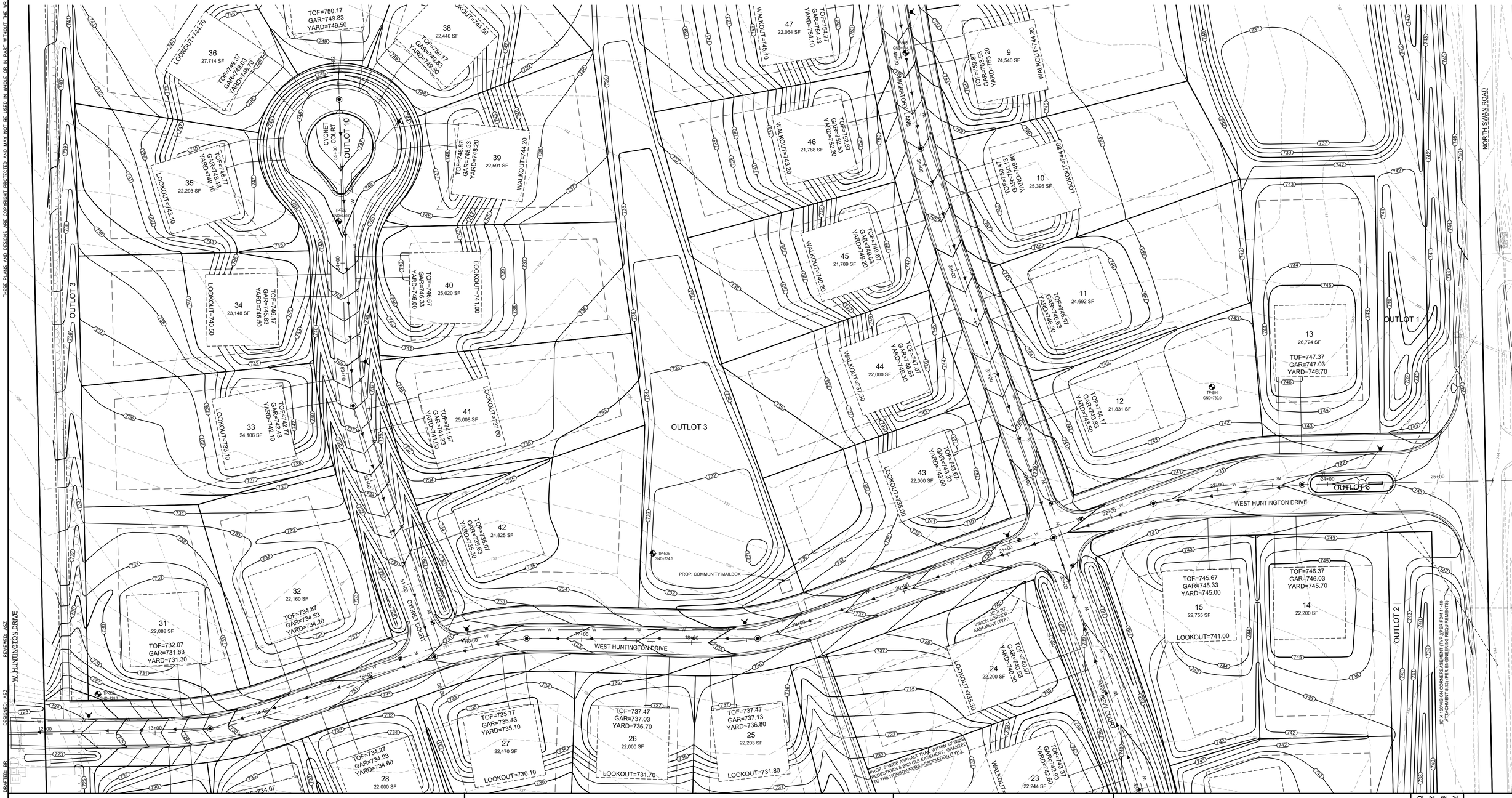

PRELIMINARY MASTER GRADING PLAN

REVIEWED: ASZ
DESIGNED: ASZ
DRAFTED: BR

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

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

SWAN RIDGE FARMS
CITY OF MEQUON, OZAUKEE CO., WI

PRELIMINARY MASTER GRADING PLAN

REVISIONS

PEG JOB No. 2165.00
PEG PM ASZ
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W. HUNTINGTON DRIVE

WEST HUNTINGTON DRIVE

CYONET COURT

BEST COURT

NORTH SWAN ROAD

OUTLOT 2

PROPOSED STORM WATER MANAGEMENT

TP-501 GND=723.0

TP-502 GND=725.1

TP-503 GND=742.7

PROP. 6' WIDE ASPHALT TRAIL WITHIN 10' WIDE PEDESTRIAN & BICYCLE EASEMENT, GRANTED TO THE HOMEOWNERS ASSOCIATION (TYP.)

30' X 150' VISION CORNER EASEMENT (TYP.)

30' X 150' VISION CORNER EASEMENT (TYP.) (PER FDM 11-10 ATTACHMENT 5.13) (PER ENGINEERING REQUIREMENTS)

LOT	AREA	TOF	GAR	YARD	LOOKOUT / WALKOUT
31	22,088 SF	732.07	731.63	731.30	
32	22,160 SF	734.87	734.53	734.20	
30	24,801 SF	731.97	731.63	731.30	
29	22,445 SF	734.07	733.73	733.40	LOOKOUT=729.40
28	22,000 SF	734.27	734.99	734.60	LOOKOUT=730.60
27	22,470 SF	735.77	735.43	735.10	LOOKOUT=730.10
26	22,000 SF	737.47	737.03	736.70	LOOKOUT=731.70
25	22,203 SF	737.47	737.13	736.80	LOOKOUT=731.80
24	22,200 SF	740.87	740.53	740.30	LOOKOUT=735.30
23	22,244 SF	743.37	743.02	742.80	WALKOUT=733.80
22	22,644 SF	741.97	741.63	741.30	WALKOUT=738.30
21	24,434 SF	745.97	745.63	745.30	WALKOUT=738.30
20	22,852 SF	747.07	746.73	746.40	WALKOUT=737.40
19	24,693 SF	746.67	746.33	746.00	WALKOUT=737.00
18	22,411 SF	748.17	747.83	747.50	LOOKOUT=742.50
17	22,462 SF	747.47	747.13	746.80	
16	21,863 SF	745.67	745.33	745.00	
15	22,755 SF		745.33	745.00	LOOKOUT=741.00
14	22,200 SF			745.70	

REVIEWED: ASZ
DESIGNED: ASZ
DRAFTED: BR

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PRELIMINARY

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Document Number	**DEVELOPMENT AGREEMENT FOR SWAN RIDGE FARM** Document Name	

THIS DEVELOPMENT AGREEMENT ("Agreement") is made as of _____, 20__, by MK/S-EP, LLC (the "Developer") and the City of Mequon, a municipal corporation (the "City").

RECITALS

A. The Developer desires to improve and develop the property described on the attached Exhibit A (the "Property").

B. Wisconsin Statutes Section 236.13(2) and Sections 58-634(c) and 58-637 of the Mequon Code of Ordinances (the "Code") provide that, as a condition of approval, the City shall require that the Developer make and install or have made and installed any reasonably necessary improvements.

C. This Agreement describes the Public Improvements, as defined below, that are necessary to complete the Developer's proposed development of Phase 1 of the Property (the "Development"), the Private Improvements, as defined below, and other terms and conditions of the Development.

D. The schedule for the City's Public Works Department, and the City's budget, do not provide for installation of the Public Improvements, and absent this Agreement, there would be a considerable delay in the installation of the Public Improvements.

E. The orderly, planned development of the Development will best promote the health, safety and general welfare of the community.

Recording Data

Name and Return Address

City Engineer
11333 N Cedarburg Road
Mequon, WI 53092

Parcel Identification Number

AGREEMENTS

NOW, THEREFORE, in consideration of the foregoing recitals and the following agreements, and for other good and valuable consideration, the receipt and sufficiency of which the parties acknowledge, the parties agree:

1. Improvements. As defined in this Agreement, the following terms and phrases have the following meanings:

"Improvements" means the Private Improvements and the Public Improvements.

"Private Improvements" means all improvements in the Development required by this Agreement other than the Public Improvements.

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"Public Improvements" means all public streets, sidewalks, paths and required appurtenances to the foregoing, including without limitation street name signs, regulatory/public safety signs (speed limit signs, stop signs and so forth) and bollards; sanitary sewer facilities and water supply facilities that connect to the public sewer or public water systems, but in each instance only those portions up to and including stubs of laterals; storm sewer and sump collection lines; street trees and any required landscaping in rights of way; street trees and other landscaping in easement areas dedicated to the City for that purpose, but only to the extent specified in such easements; items specified in the Plans, as defined below and approved by the City, as Public Improvements; and items specified in the Code or state statues as Public Improvements.

2. Proposed Development Plan. The Development as proposed is depicted on the Developer's proposed development plan. The proposed development plan was granted Preliminary Plat approval by the Planning Commission on _____ , such approval being valid for two years from the approval date provided that construction has been commenced within that time period. The Preliminary Plat is an expression of approval or conditional approval of the layout submitted and is a guide to the preparation of the Final Plat which will be subject to further consideration by the Planning Commission at the time of its submission. Developer intends to develop the Property in accordance with the Swan Ridge Farm Phasing Plan approved by the City as part of the Preliminary Plat approval. The first phase generally consists of the southern half of the Property and includes Lots 1 through 41 and the Outlot areas adjacent to said lots ("Phase 1"). The lot numbers described in this Section 2 refer to those lot numbers shown on the Swan Ridge Farm Preliminary Plat last revised on February 28, 2023.

PLANS AND SPECIFICATIONS

3. Plans and Specifications. The Developer shall, at its expense, have plans and specifications (collectively, the "Plans") prepared for the Improvements. The Plans shall include those plans that are customary in the industry for similar developments, including a site plan, grading, drainage and erosion control plans, stormwater drainage plans, landscaping and open space plans, street plans, utility plans and construction details, including those construction details described in this Agreement. The Plans shall be subject to review and approval of the City Engineer and any regulatory body or other staff person specified below. The Developer shall not commence the Improvements until the Plans are reviewed and approved.

4. Corrections to Plans. The City Engineer may, at any time prior to Final Plat approval, require changes to approved Plans for any of the Improvements to the extent such changes are necessary to correct oversights, omissions or errors, to compensate for changing site conditions or to complete fully the work in accordance with sound engineering practice. The Developer shall perform the work necessitated by any such change entirely at its expense without any claim for reimbursement.

5. Standards. The Plans and design of the Improvements shall comply with the requirements of the current edition of the City's Standard Specifications for Land Development and all applicable provisions of the Code and state and federal laws (each a "Regulation") in place at the time of approval of the Plans and design. Additionally, the Plans shall satisfy the requirements set forth below. In the event of a conflict between the Standard Specifications and this Agreement, the terms of this Agreement shall control. In the event of a conflict between any Regulations, the more stringent requirement shall apply unless otherwise addressed within the Regulation.

6. Changes in Regulations. Should any Regulation change within two years of the approval, the Developer may choose which version of the Regulation to follow if material work on the applicable Improvement has commenced. Where work on an Improvement affected by the changed Regulation has not commenced, the Developer shall comply with the revised Regulation.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

7. Grading, Drainage and Erosion Control Plans. The Developer shall submit grading, drainage and erosion control plans that:

(a) Indicate which lots are designed for full exposure and partial exposure and the lots that are limited to front load entry garage only.

(b) Show 2' contours for both existing and proposed grades for building pads and show any culverts and storm sewers.

(c) Indicate and detail the cross-section and profiles of all drainage ways and erosion protection.

(d) Show minimum setback and offset dimensions and building grades approved by the City.

(e) For all land disturbing activities, show existing contours at least 200' into adjacent parcels.

(f) Show the location and dimension of all construction site management measures to control erosion and sedimentation.

(g) Include minimum elevations for the proposed top of principal building foundation walls based on proposed building envelopes and approved finished yard grades.

(h) The master grading and stormwater management plans for the entire Property shall be submitted to and approved by the City Engineer prior to starting construction of Phase 1.

8. Stormwater Drainage Plans. The Developer shall submit stormwater drainage plans that:

(a) Provide for a complete storm drainage system, including one or more detention basins and/or retention ponds, culverts, storm sewer and open ditches that are adequate to accommodate expected surface water flow within and through the Development and drain the surface water from and through the Development in accordance with the Code, Chapter 13 of the Milwaukee Metropolitan Sewerage District ("MMSD") rules, and the regulations of the Wisconsin Department of Natural Resources (the "DNR"), as may be applicable.

(b) Show all tributary areas to the proposed drainage system and downstream analysis within 1,500 feet of the Property, including all proposed and existing drainage structures in the drainage system area.

(c) Show drainage easements by dimension and detailed cross-section.

(d) Provide for erosion protection through minimum velocity design and restoration of all areas adjacent to existing and proposed roadways to conform to the approved roadway cross-section.

(e) Address erosion control on all ditch invert slopes exceeding five percent (5%). Any such slope that is greater than five percent (5%) may only be approved after review and acceptance by the City Engineer. To the extent any such slope shall be greater than five percent (5%), additional analysis of the velocity of the flow and slope protection shall be provided, and such slope might not be approved.

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(f) All roadside ditches and drainage easements shall be designed with a minimum one percent (1%) slope. Any such slope that is less than one percent (1%) may only be approved after review and acceptance by the City Engineer. To the extent any such slope shall be less than one percent (1%), additional analysis of the velocity shall be provided, and such slope might not be approved.

(g) Provide on-site stormwater management facilities that comply, to the satisfaction of the City Engineer, with the City's stormwater ordinances and MMSD Chapter 13 rules and regulations.

(h) Provide hydrologic calculations for the 2-, 10- and 100-year development conditions.

(i) Provide hydraulic calculations showing pond discharge rates under proposed conditions. Under proposed conditions, a retention pond must demonstrate that the 2-, 10- and 100-year discharge rate will be less than pre-settlement conditions.

(j) Show all sump pump discharge pipes discharging to a roadside ditch, storm sewer or other location approved by the City. For roadways with an urban section, a sump pump collection system shall be required.

(k) If the storm sewer design includes underground piping, prepare a set of utility plans showing all plan and profile views of sanitary sewer, watermain and storm sewer. Such plan shall be used and kept current during all phases of construction.

9. Landscaping, Open Space and Signage Plans**.**

(a) The Developer shall submit a street tree plan which shall conform to the City's street tree ordinance. The street tree plan shall be subject to review and approval of the Tree Board and Planning Commission.

(b) The Developer shall submit landscape plans for all entryways, open spaces, public street cul-de-sac islands and detention basin and retention pond buffers. Such plans shall be designed by a licensed landscape architect and shall be subject to review and approval of the Planning Commission. The City may have a licensed landscape architect review the submitted landscaping and open space plans.

(c) Developer shall plant all street trees between September 1st and October 15th in the year that the Final Plat was approved by Common Council. Dates may be modified at the discretion of the City Forester. Landscaping other that street trees shall be installed prior to Common Council approval of the Final Plat unless the Final Plat is approved in the months of January through April in which case landscaping shall be installed by June 30th of that year.

(d) Pedestrian and bike paths may be required by the City. If so, pedestrian and bike path plans shall address the public use of the paths and maintenance. Details of such paths shall be subject to review and approval of the City Engineer. The location and use of such paths shall be subject to review and approval of the Planning Commission. Any public access path shall be subject to a ten foot (10') wide pedestrian and bike path easement. An eight-foot (8') wide path shall be designed and constructed in accordance with the Department of Transportation (DOT) Bike Path Facilities Handbook.

(e) The Developer shall submit signage and entryway plans to the City. Such plans shall be subject to review and approval by the Planning Commission.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

10. Street Plans.

(a) The Developer shall submit plans for all public roads, driveways and roadside sidewalks. Such plans shall be subject to review and approval by the City Engineer and Fire Chief.

(b) Unless otherwise approved by the City, all public and private streets shall satisfy the following requirements:

(i) All new streets shall be constructed with a twelve-inch (12") road base consisting of twelve inches (12") of one and one-quarter inch (1¼") crushed stone base course. The initial surface shall consist of two and one-half inches (2½") of bituminous binder course. Streets and driveways shall be constructed to the City's typical cross-section. The final one and one-half inch (1½") asphalt surface course shall be constructed within 14 days of the construction of the binder course subject to the requirements of Section 49 of this Agreement.

(ii) To the extent the Development will be constructed in phases, the plans shall show all cross connections being constructed in each phase. A temporary tee turnaround shall be shown on the plans for any street connecting into a future phase and for any street leading to any adjoining property.

(c) The plans shall show street name signs and regulatory/public safety signs (speed limit signs, stop signs and so forth) as required by the City Engineer. Street names shall be approved by the Planning Commission.

(d) The Developer shall provide road connections, within City right-of-way, to the Huntington Park subdivision at West Huntington Drive.

(e) The Developer shall provide a crosswalk from the Development to the Mequon Nature Preserve parking lot. Sidewalk, pavement marking, and signage shall conform to the SSLD and MUTCD.

(f) The Developer shall provide a transition from curb and gutter to match the existing cross section in Huntington Park west of Cygnet Court on W. Huntington Drive and west of Cob Drive on Tundra Court.

11. Sanitary Sewer System Plans. The Development will have a public sanitary sewer system. The plans for the system shall:

(a) Conform to the City's Standard Specifications for Land Development, the Standard Specifications for Sewer and Water Construction in Wisconsin and additional requirements of MMSD.

(b) Be designed to meet the ultimate needs of the Development in accordance with the City's sanitary sewer system plan. The West Trunk Sanitary Sewer System Plan identified additional lift station capacity is necessary to serve the proposed Development. The force main capacity improvements necessary to serve the Development and Huntington Park according to the West Trunk Sanitary Collection System and Lift Station Planning Study prepared by SEH last revised on October 14, 2021, will be designed, constructed and paid for by the Mequon Sewer Utility District.

(c) Show the installation of one sewer lateral from the sanitary sewer main to the limits of the sanitary sewer utility easement or road right-of-way for each property abutting the sanitary sewer main.

(d) Show all sanitary sewer lateral locations.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

(e) Be designed so the public mainline meets the City's master plan for the area, in terms of depth and size, and be extended to the Adjacent Properties.

(f) Provide legal and practical sanitary sewer service to the properties located at 10133 and 10129 North Swan Road ("Adjacent Properties"). Legal and practical sanitary sewer service is defined as:

i. City and regulatory approval of a private sewer service ("Private Sewer Service") to the Adjacent Properties.
ii. Construction of the Private Sewer Service in conformance to Section 4.4 of the Standard Specifications for Land Development, current edition. Based on the requirements of Section 4.4, the Private Sewer Service will be designed to flow by gravity. Provided that the Private Sewer Service meets the requirements of Section 4.4, the City shall not require Developer to increase the depth of the public sanitary sewer system in order to accommodate gravity flow from the basements of the Adjacent Properties.
iii. The Private Sewer Service shall connect to the public sanitary sewer infrastructure within the right-of-way and terminate with a sanitary manhole at the intersection of the property lines of the Adjacent Properties and Outlot 7. The Private Sewer Service shall be constructed within an easement.
iv. A Sanitary Sewer Easement and Declaration Agreement is required for the benefit of the owners of the Adjacent Properties. The easement shall be a minimum of 20 feet wide, centered on the Private Sewer Service and be located either between Lots 78 and 79, between Lots 79 and 80 or between Lots 80 and 81. The easement shall be exclusive of all other infrastructure and impediments, including stormwater management facilities.
v. The Private Sewer Service shall be installed in its entirety at the time of the public sanitary sewer installation and must be functional prior to final plat approval. As the Developer is phasing the public sanitary sewer installation, if the Private Sewer Service is not installed prior to final plat approval for Phase 1, the following conditions must be met:
    1. The Developer shall pay the annual Sewer Tax for the properties located at 10133 and 10129 North Swan Road each year by December 31, effective the date of final plat until the terms of this section are met.
    2. The Developer shall provide to the City an estimate of the public sewer infrastructure costs extending from the Phase 1 limits up to and including the Private Sewer Service, including the costs of inspections, construction, installation, backfill, structures and easements. The estimate shall be subject to review and approval by the City Engineer. The Developer shall, prior to final plat, provide to the City a letter of credit in the amount of 120% the approved estimate. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer shall pay all costs of completing the public sanitary infrastructure and Private Sewer Service work. If the public sanitary infrastructure and Private Sewer Service work is not completed to the satisfaction of the City on or before 14 months after the final plat is recorded, or upon the occurrence of an Event of Default, as defined above, the City may draw on demand the full amount of the Letter of Credit to defray the costs of finishing the work, including without limitation labor, material and costs regularly charged by the City for its staff's

Section 11(f) subject to Mequon SUDC approval

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Section 11(f) subject to Mequon SUDC approval

time. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance to the Developer, if any, after the work is completed. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

3. The Developer shall record the Sanitary Sewer and Easement and Declaration Agreement, subject to City Attorney approval, as outlined in Section 11.(f)iv.
4. The Developer shall record a public sanitary sewer easement, subject to City Attorney approval, for the public sanitary sewer easement from the Phase 1 plat boundary to the Sanitary Sewer Easement and Declaration Agreement. The public sanitary sewer easement shall be a minimum of 20 feet wide and grant the City the ability to fulfill the requirements of Section 11.(f)v.2.
5. Prior to the recording of the final plat for Phase 2, the public sanitary sewer easement shall be vacated.

12. Water System Plans.

(a) Supply System. The plans shall satisfy the following requirements:

(i) The plans shall show a water supply and distribution system for the Development with mains, hydrants, valves and laterals for each lot.

(ii) All water mains to be installed in a City road right-of-way or easement and shall be subject to review and approval of the City Engineer.

(iii) The City will determine the lateral locations to avoid removal of any specimen trees. The City shall approve all lateral locations.

(iv) The public mainline shall meet the City's master plan for the area, in terms of depth and size, and be extended to the adjacent properties as described in this Agreement.

(v) The public mainline shall be extended to the west line of the Property within W. Huntington Drive.

(vi) Developer shall record a watermain and access easement across the remnant parcel of the Development, from the termination of the watermain in Phase 1, along the shortest route to Swan Road. The easement shall grant the Mequon Water Utility the right to install, operate and maintain public water infrastructure within the easement should future phases fail to develop. The easement shall be vacated prior to final platting the second phase and be submitted to the City Engineer for review prior to the approval of the final plat.

(vii) Easements shall be provided to adjacent residentially zoned properties for access for potential future connection.

(viii) The mainline water main shall meet Water Utility standards for ISO recommended fire flows of 2,500 gpm, which may require increasing the pipe size for any dead end mains.

(ix) Dead end mains must be terminated with a public hydrant or blow off assembly.

(x) Developer to connect to existing watermain near the intersection of Swan Road and County Line Road and extend the water transmission main to the northeast corner of the Property in accordance with the following requirements:

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

a. To contract for the design and construct a meter pit, mains, valves, fittings and any and all other facilities necessary to deliver water to serve the lots in the proposed Development, at their cost, in a manner consistent with any and all applicable federal, state and local statutes, regulations and ordinances and complying with the current version of the Mequon Standard Specifications for Land Development and the Mequon Water Utility Water Connection Policy

b. To construct the wholesale water meter pit near the intersection of County Line Road and Swan Road, including connection to Milwaukee Water Works water mains. For the meter pit construction, the Mequon Water Utility will reimburse the Developer the percent difference between the water main diameter for the development demand and for the system demand. For example, if the Development requires 10-inch water main to meet the requirements of the Mequon Water Utility Water Connection Policy, but a 16-inch water main is required for the transmission main, the Mequon Water Utility shall reimburse 37.5% of the water meter pit cost (difference in water main diameter divided by diameter of transmission main).

c. To construct an oversize water main from the meter pit to the northeast corner of the Development so that it can be used as a transmission main for the Water Utility.

d. Any portion of the costs eligible for reimbursement shall be reimbursed in accordance with the Mequon Water Utility Water Connection Policy, payable at the time of final plat.

(b) Fire Protection.

(i) Water for fire protection will be supplied to the Development water system through the City of Mequon Water System.

(ii) All fire hydrant locations shall be subject to review and approval of the Fire Chief.

13. Culverts Plan. The Developer shall submit a proposed driveway culvert size plan. Such plan may be included in one of the other plans.

CONSTRUCTION REQUIREMENTS

14. Construction of Improvements. The Developer shall construct or have constructed, at its expense, all of the Improvements.

15. General Standards; Strict Compliance with Plans. All construction shall conform to the City's Standard Specifications for Land Development, latest edition. Construction will strictly conform to the Plans, including any Plan revisions approved by the City Engineer. The City may require the Developer to replace all the Improvements that deviate from the Plans unless the Developer seeks and obtains prior written approval from the City Engineer for such deviations.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

16. Direction by City Engineer. The Public Improvements shall be constructed in strict accordance with the requirements and direction of the City and the City Engineer or the City Engineer's authorized representative and shall be under and subject to constant inspection by the City Engineer or the City Engineer's representative.

17. Responsibility for the Improvements. The Developer shall be fully responsible for the Improvements, all appurtenances to the Improvements and the acts and omissions of its contractors, subcontractors, material suppliers, delivery services and agents until the final plat for the Development is approved by the City. The Developer shall repair or replace, at the Developer's cost, any damage that occurs to the Improvements and appurtenances to the Improvements during the period of the construction of the Improvements and until certification by the City Engineer, approval of the Improvements, acceptance of dedication by the City and Final Plat approval.

18. Lien Waivers. As a condition of the final written certification of the Improvements by the City Engineer, as described in Section 55(a) of this Agreement, and approval, acceptance and dedication of the Improvements by the City, the Developer shall provide to the City lien waivers from all contractors and material suppliers performing work or supplying materials for the installation of the Improvements.

19. No Lot Assessments for Improvements. The costs and value of the Public Improvements will become an integral value of the abutting property; therefore, the Developer shall not make any assessment on future lots in the Development for the cost of the Public Improvements, except for street trees.

20. Additional Grading and Drainage Requirements. The Developer shall (a) rough grade as necessary to establish lot grades in accordance with the approved interim grading plan, including restoration with topsoil, seed and mulch; (b) keep grading and filling to a minimum, including in individual building envelopes; and (c) spread and maintain topsoil, seed and mulch over all exposed ground surfaces to prevent erosion, including surfaces disturbed by utility contractors.

21. Wetlands. Wetland boundaries shall be identified and marked in the field and verified by the DNR, unless the person delineating the wetlands is a DNR assured delineator. The wetlands and setbacks shall be identified on the preliminary and final plats. Temporary wetland boundary protection shall be maintained, and setbacks observed, during all phases of land disturbance and construction. No wetland shall be filled without prior approval of the DNR.

22. Additional Erosion and Runoff Control Requirements**.**

(a) With respect to erosion and sedimentation control, the Developer shall install and construct the Improvements in compliance with the requirements of the Ozaukee County Land Conservation Guidelines (SCS) and the DNR's "Wisconsin Construction Site Best Management Practice Handbook," latest edition, requirements. Temporary stormwater quality measures during construction activities shall include, at a minimum, the installation of silt fence and temporary sediment basins or permanent stormwater basins.

(b) The Developer shall install the drainage system, including stormwater ponds and temporary and permanent swales, first. The swales shall be planted with fast growing grasses immediately after grade certification by the City or its designated agent. The City may request temporary mulching if disturbed ground is exposed and not actively being graded for more than seven days. Straw, hay bales, check dams or silt fences shall be placed in the drainage system as sediment traps in accordance with established best management practices. The City shall approve the Developer's erosion control plan prior to starting any land disturbing activities.

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(c) The Developer may not commence land disturbing activities until all erosion control measures are installed and approved by the City. An erosion control permit for each phase of construction must be approved which requires the Developer to construct the Development in conformance with the City's erosion control ordinance.

(d) The Developer shall protect all disturbed soils left inactive for more than seven days with mulch, temporary annual grasses, erosion matting or other method in conformance with WDNR Technical Standards and approved by the City.

(e) The Developer shall not pile or permit excavated soil to be piled near the drainage system. A topsoil stockpile area shall be identified and used, complete with appropriate erosion control measures.

(f) The Developer will periodically inspect the above-described systems and erosion control measures, including after each rain event of 0.5" or more, and shall promptly maintain, repair and replace them to their originally approved condition.

23. Topsoil. Excess topsoil shall only be removed from the Development by means of end-loading (no screening allowed on site) and trucking from the site. The Developer shall not disrupt topsoil where it is unnecessary, and the final arbiter of necessity shall be the City.

24. Additional Stormwater Drainage Requirements. Stormwater facilities shall be installed before impervious surfaces.

25. Additional Street and Street Signage Requirements.

(a) Prior to the commencement of any construction activity, the Developer shall meet with City Engineering and Public Works staff to identify and agree to a specific "haul" route for all construction equipment and material supplies associated with the Development. The Developer shall agree to confine the movement of its construction equipment to the approved route unless approved otherwise by the City Engineer. The Developer shall provide the Street Wear Financial Guarantee, as defined in Section 50 below. The City shall videotape and perform a road evaluation of the agreed to haul route. This evaluation, known as a service condition rating or "SCR", shall be used as the base line for determining the level of damage that may occur as a result of constructing the Development. At the conclusion of the construction activity and prior to the recording of the Final Plat, the City will again videotape and perform a post development SCR of the Developer's "haul" route. The road evaluation is only applicable to that portion of the approved haul route that lies within the corporate limits of the City. Prior to the City acceptance of the Public Improvements, the Developer will repair the road or pay to the City the estimated cost, as determined by the City, of the road repairs, including without limitation labor, materials, costs regularly charged by the City for its staff's time for inspections, shouldering, streets, curbs, gutters and base repairs.

(b) If the surface course of a street cannot be constructed prior to October 15, the Developer shall provide the Surface Completion Letter of Credit, as defined below in Section 49.

(c) At the time of any extension of any street in the Development for which a temporary turnaround was constructed, the party causing the street extension shall remove the temporary turnaround and restore the area.

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(d) The roadside sidewalk shall be installed at the time of street construction. The Developer shall maintain (including snow and ice removal) such roadside sidewalks and repair and replace them as necessary until the Final Plat is approved by the City.

(e) The Developer shall provide and install street name signs and regulatory/public safety signs as required by the Plans approved by the City.

26. Additional Utility Requirements.

(a) The Final Plat shall include the reasonably necessary easements for sanitary sewer, watermain, stormwater drainage, gas, electric, phone, cable television, internet and other utilities for provision of services to and from the Development.

(b) All sanitary, water and drainage easement documents must be prepared separately and recorded at the Developer's expense. These documents shall be subject to review and approval of the City and shall be required at the time of Final Plat approval.

(c) The Developer shall provide proof of payment in full, in the form of fully executed lien waivers, for installation of all required utilities prior to Final Plat approval.

(d) Underground utility installations shall be subject to review and approval by the City Engineer and shall be made without any street pavement removal, unless otherwise specifically approved by the City Engineer, which approval shall not be unreasonably withheld, conditioned or delayed.

(e) The Developer and the City Water Utility shall enter into a Water Services Agreement in form and content customarily required by the City prior to connection to the City's water system.

27. Lot Pipe Certification. The Developer shall, prior to Final Plat approval, provide to the City a lot pipe certification stamped and signed by a professional land surveyor, registered in the State of Wisconsin. The form and content of the lot pipe certification shall be acceptable to the City Engineer.

MODEL HOMES

28. Model and Spec Homes.

(a) Subject to satisfaction of all other requirements for a building permit, the City will issue a building permit for four (4) principal structures to be used as sales models or homes initially planned as spec homes prior to approval and recording of the Final Plat.

(b) If the Developer is unable, despite reasonable efforts, as determined by the City in its sole discretion, to satisfy the paving requirements of Section 3.6 of the Standard Specifications for Land Development, the City will, upon application of the Developer and satisfaction of all other requirements for a building permit, issue a building permit for one model or spec home prior to the installation of the binder course of asphalt in the planned adjacent dedicated public road or private access easement. The City shall not issue the building permit for such model or spec home until stone base is installed and such stone base has successfully passed a proof roll. The stone base shall allow, as determined by the City in its sole discretion, access for inspections and emergency personnel. The City may cancel inspections if adequate access is not provided to inspections staff.

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(c) The Developer shall not transfer title to any lot containing a model or spec home until the Final Plat is approved and recorded as described in Section 55 below.

ASSOCIATION; COVENANTS, CONDITIONS AND RESTRICTIONS; ONGOING AGREEMENTS

29. The Association. The Developer shall, prior to the sale of any property within the Development, create or cause to be created an entity (the "Association") with a perpetual existence under the laws of the State of Wisconsin to control and maintain the common areas and facilities of the Development and to assume the obligations of the Association set forth in this Agreement. The Developer shall provide the City a description of the organization of the proposed Association, together with copies of its governing documents, including all documents governing ownership, maintenance and use restrictions for common facilities or common elements, including commonly owned outlots. Such documents shall be subject to review and approval of the City for consistency with the requirements of this Agreement. The Association shall be operating (with financial subsidization by the Developer, if necessary) before the sale of any part of the Development. All owners of any property in the Development, including the Developer, shall be members of the Association solely by virtue of such ownership and shall be jointly responsible for its obligations, which obligations shall be assessable against such members. The Association shall have the power and authority to assess property owners for their proportionate share of costs associated with the responsibilities of the Association set forth in this Agreement. The governing documents for the Association shall confer legal authority on the Association to place a lien on the property of any member who falls delinquent in dues or assessments. Such dues and assessments shall be paid with accrued interest before the lien may be lifted. If at any time the Association does not exist or fails to satisfy its obligations, the owners of the Property shall be jointly and severally liable, with rights of contribution, for the Association's responsibilities under this Agreement and all agreements that run with the land that impose responsibilities on the Association.

30. Obligations of the Association. The Association shall be obligated to maintain in good condition and repair, and replace as necessary, all of the following located in common areas of the Development, if any, that are required and approved as part of the Development: (a) roadside sidewalks, including snow and ice removal, located adjacent to said common areas (Lot owners shall be responsible for clearing snow and ice from sidewalks abutting their lot); (b) pedestrian and bike paths and appurtenances to such paths, including without limitation any signage and bollards; (c) monument and entrance signs; (d) roadside bollards; and (e) all landscaping and related elements (except those on private lots), including all street trees, open areas and stormwater facilities. Such obligations shall be memorialized in one or more documents that shall be recorded against the Property. The documents memorializing such obligations shall specify that, if at any time the Association does not exist or fails to satisfy its obligations, all owners of the Property shall be jointly and severally liable, with rights of contribution, for such responsibilities. The documents memorializing such obligations shall be subject to review and approval of the City, and the provisions requiring the foregoing may not be amended without the prior written approval of the City.

31. Temporary Turnarounds. If any street constructed as part of the Development has a temporary turnaround for any future extension of the street beyond the Development, the party causing the street extension shall remove such turnaround and restore the area in a manner acceptable to the City at the time the street is extended beyond the Development.

32. Stormwater Best Management Practices Maintenance Agreement. The Developer and the City shall enter into an agreement as described below to ensure that the Development's stormwater facilities are maintained to meet or exceed the standards to which they were constructed so that, in the future, the stormwater facilities continue to accommodate the appropriate volume and manage flow through and within the

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Development and meet applicable performance standards for storage and release. Accordingly, the following requirements are applicable to the Development:

(a) All stormwater drainage and storage facilities, including detention basins and ponds (whether one or more), shall be maintained and cared for by the Developer until such time as the Developer passes control of the stormwater elements of the Development and responsibility for maintenance of such stormwater elements to the Association, at which time such responsibility shall pass to the Association. In the event that the Developer transfers any portion of the Development prior to the construction, installation and approval of any required stormwater facilities, the Developer shall be released from responsibility for the installation and maintenance of the stormwater facilities only upon the City's approval, in its sole discretion, of the form of the successor in interest's assumption of the Developer's responsibilities under this Agreement; however, the transferee shall be jointly and severally responsible with the Developer until the completion of the construction, installation and approval of such facilities.

(b) The following minimum standards for future care and maintenance of the stormwater drainage and storage facilities, including detention basins and ponds (whether one or more), shall be adhered to by Developer and Developer's assigns and successors in interest:

(i) Provide normal and customary cleaning and maintenance to the detention basins and ponds (whether one or more) located in the Development including, but not be limited to, weed and algae control, dam stabilization, emergency overflow, outlet structure (including trash rack), dredging and biological control.

(ii) Dredging of the storm water facilities shall require permits and approvals under Wisconsin Statutes Section 30.20 to remove materials from the bed of a pond ultimately connected to Lake Michigan from the DNR.

(iii) All weed, algae and other biological control utilizing chemical treatments shall be made consistent with the regulatory requirements that apply to the use of EPA/State Registered Chemicals in detention basins and ponds or lakes and regulations of the DNR. With few exceptions, a permit must be filed with, and approved by, the DNR prior to chemical treatment. In certain circumstances, a representative of the DNR will monitor or supervise the chemical treatment. Developer should contact the DNR for additional information.

(iv) All detention basins and ponds shall be certified by a licensed professional engineer or land surveyor as a condition of Final Plat approval. To assure compliance with the approved plans, the Developer shall recertify the detention basins and ponds (whether one or more) as a condition of transferring ownership to the Association, but in no event shall such recertification occur later than five years after the approval of the Final Plat.

(v) Initial certification of the detention basins and pond (whether one or more) shall be submitted with an as-built record drawing.

(vi) All detention basins and ponds shall be inspected for compliance using the inspection report form supplied by the City. Any deficiencies shall be corrected immediately. A copy of the report form, including but not limited to photographs or diagrams of the deficiency and corrections with the certification shall be provided to the Association, and any other assigns and successors in interest of the Developer, and shall be promptly submitted to the City Engineer for review and approval. Specific areas of inspection shall include, but not be limited to:

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- Bio-retention facility
- Pond containment berms are stable and free of animal burrowing
- Detention storage volume
- Erosion
- Vegetative cover
- Sediment accumulation
- Trash rack/culvert functions
- Outlet flow
- High water level
- Water surface elevation at time of survey
- Normal pond water level
- Emergency overflow

(vii) To guarantee performance of all of the foregoing obligations concerning the private stormwater drainage and storage facilities, including detention basins and ponds, the Developer shall, in accordance with Section 58-677(b) of the Code, deposit a performance bond, letter of credit or cash deposit (the "Stormwater Guarantee") to guarantee the good faith execution of the approved control plan and any permit conditions. The Stormwater Guarantee shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices. The City will release the portion of the Stormwater Guarantee less any costs incurred by the City to complete installation of the facilities upon submission of a pond certification, further described above and in accordance with Section 58-678(h) of the Code.

(viii) Not less than 90 days prior to the final expiration of the Developer's Stormwater Guarantee obligations, or at such time as the Developer shall convey the outlots or common areas in or on which are located the stormwater drainage and storage facilities, including detention basins and ponds, to the Association or other assigns or successors in interest, whichever is later, the Developer shall have the detention basins and ponds recertified as described above.

(ix) At any time in the future, if, in the opinion of the City, either the Developer (in keeping with the limitations upon its responsibility as expressed in this Section), the Association or any other assigns or successors in interest, shall fail to install or maintain the stormwater drainage and storage facilities, including detention basins and ponds, the City, at its option, may give the Developer, the Association or other assigns or successors in interest, as may be interested, written notice requiring any or all of them within 30 days of the date of notice, to cure the failure and to maintain and to provide the required care. If the notified party fails to comply with the demands of the notice, the City shall have the right, but not the obligation, to perform the work necessary to correct the deficiency, and to charge the cost of such work, including administrative charges, to the Developer, the Association or other assigns and successors in interest, or any combination of them, by drawing upon the Stormwater Guarantee and/or by imposing such charge as a special charge for services pursuant to Wisconsin Statutes Section 66.0627. If such charge is not promptly paid by the party to whom the charges were invoiced, the charges shall constitute a lien and special charge on the applicable property (whether one or more). The City may also draw on the Stormwater Guarantee upon the occurrence of an Event of Default, as defined below,

(x) The City Engineer has the authority to stop work, amend or alter remediation measures to the detention basins and ponds. Failure to comply will result in the issuance of a municipal citation with a forfeiture as prescribed by law, an action for injunction or mandatory injunction, or any combination of remedies. Each day a violation exists shall constitute a separate offense.

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(xi) The Association shall be responsible for recertifying the detention basins and ponds as and when required under the Code, to correct all deficiencies in such facilities and to comply with all other provisions of the Code related to such facilities.

(xii) The Storm Water Best Management Practices Maintenance Agreement ("SW Agreement") and all of its covenants are and shall be covenants running with the land, and shall encumber the Development, and shall bind the Developer and its heirs, successors and assigns, including without limitation the Association. The SW Agreement shall specifically include this language and shall not be incorporated by reference. The SW Agreement shall be recorded with the Ozaukee County Register of Deeds.

33. Additional Covenants, Conditions and Restrictions. Prior to Final Plat approval, the Developer shall record the following additional covenants, conditions and restrictions against the Property (the "Covenants"). The Covenants shall be subject to review and approval by the City. The Covenants shall:

(a) Prohibit, without the express written consent from the City Engineer and approval by the Planning Commission, future property owners from (a) removing any berms, landscaping or amenities installed on the Development as a condition of landscaping, open space, grading or drainage plans, and (b) placing landscape features, berms or plantings which disrupt flow of run-off in drainage ways or courses approved as a condition of the grading and drainage plans.

(b) Notify future lot owners of the obligations set forth below.

OBLIGATIONS OF BUILDER/LOT OWNER

34. Compliance with Grading Plan. Any owner of a lot in the Development who constructs or causes the construction of a building in the Development shall be responsible for siting the principal building and rough and fine grading their lot to comply with the approved master grading plan or an amendment thereto approved by the City Engineer.

35. Sump Pump Discharge and Roof Drainage Plan. Any owner of a lot in the Development who constructs or causes the construction of a building in the Development shall submit, at the time of architectural review and approval, a sump pump discharge and roof drainage plan in accordance with the Storm Water Management Plan approved by the City Engineer.

36. Impact Fees. The City will assess impact fees pursuant to Sections 58-138 et seq. of the Code. Such impact fees shall be paid by the Developer or the owner of the lot prior to obtaining a building permit. The City retains the right to amend and modify its impact fee ordinance, the methodology by which impact fees are calculated or the numerical component values of the impact fee calculation in the future. The impact fees payable shall be based upon the impact fee calculation in effect at the time of the issuance of any building permit.

37. Sanitary Sewer Laterals. If the Development is served by public sewer, lateral locations shall not deviate from the approved plan unless first approved by the City.

38. Private Water. This Section is intentionally left blank.

WARRANTIES AND INDEMNIFICATIONS

39. Warranty of the Public Improvements. All of the Public Improvements shall be warranted against defects due to faulty materials or workmanship which appear within one year from the date of the City's

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acceptance of the dedication ("Warranty Period"), and Developer shall assign to the City applicable contractor warranties for the Public Improvements. If any defect should appear during the Warranty Period, the City shall first seek to enforce any applicable contractor warranty; however, the Developer guarantees the Public Improvements and shall indemnify the City to the extent of any default or failure of any contractor to honor the warranty during the Warranty Period. If repairs or replacements are made during the Warranty Period, the Developer guarantees each repair or replacement performed pursuant to this paragraph for one year from completion of said repair or replacement. This warranty survives any provision of this Agreement that purports to discharge or release the Developer.

40. Environmental Indemnification. The Developer shall indemnify, defend and hold the City and its officers harmless from any and all claims, demands, causes of action, losses, damages, and liabilities asserted against the City or its officers, together with related costs and expenses (including reasonable attorneys', consultants' and experts' fees, costs and expenses) that arise as a result of the presence or suspected presence in or on the real property dedicated or conveyed to the City by, under, pursuant to, or in connection with the Final Plat or this Agreement including, but not limited to street rights of way, of any toxic or hazardous substances arising from any activity occurring prior to the acceptance of dedication of the Public Improvements. Without limiting the generality of the foregoing, the indemnification by Developer shall include costs incurred in connection with any site investigation or any remedial, removal or restoration work required by any local, state, or federal agencies because of the presence or suspected presence of toxic or hazardous substances in, on or under the real property, whether in the soil, groundwater, air or any other receptor. The City will notify the Developer of the discovery of any contamination or of any facts or circumstances that reasonably indicate that such contamination may exist in, on or under the real property. Following notification to Developer that contamination may exist, the City shall make reasonable accommodations to allow the Developer to examine the real property and conduct such clean-up operations as may be required by appropriate local, state or federal agencies to comply with applicable laws. This indemnification survives any provision of this Agreement that purports to discharge or release the Developer.

41. Claims by Third Parties. The Developer shall indemnify, defend and hold the City and its officers harmless from any and all claims, demands, causes of action, losses, damages, and liabilities asserted against the City or its officers, together with related costs and expenses (including reasonable attorneys', consultants' and experts' fees, costs and expenses) brought in connection with any damage suffered by third parties, including personal injury or property loss, resulting from construction of the Improvements or development of the Development regardless of any asserted negligence of the City asserted in connection with inspection of work performed or materials supplied by or on behalf of the Developer or its contractors, subcontractors or agents. This indemnification survives any provision of this Agreement that purports to discharge or release the Developer.

42. Street Damage. The Developer shall be responsible for all damage done to streets within the City, street landscaping, street trees, curbs, utilities, light poles and other property of the City as a result of activities associated with the construction of the Development, including without limitation street damage as a result of excessive hauling operations or installation of the Improvements. This covenant survives any provision of this Agreement that purports to discharge or release the Developer.

FINANCIAL OBLIGATIONS

43. Costs Incurred by the City. The Developer will pay all reasonable costs incurred by the City in connection with the Development, including without limitation costs of attorneys, landscape architects, outside engineers and other consultants and costs regularly charged by the City for its staff's time and materials used in (a) reviewing and approving the Plans (including without limitation engineering and landscaping plans), (b) inspecting the construction and/or installation of the Improvements, (c) installing street signs, (d) reviewing and

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approving record drawings for City files, and (e) any other reasonable costs that may be incurred by the City in connection with the installation of the Improvements including the costs of labor, equipment, materials, engineering, inspection and overhead costs incidental to the Improvements. The City will send invoices for the costs to the Developer periodically, as costs are incurred or as the Improvements are completed. The Developer will pay the City's invoices within 30 days after the date sent by the City. The City may, in its discretion, add a late payment charge of 1.5% per month, computed from the date of the original invoice until paid, for any amount not paid when due.

44. Special Assessments. No special assessments are contemplated in connection with the Development.

45. Streetlights. The Developer shall be responsible for the cost of installation of a WE-Energies LED standard streetlight mounted on a wooden pole or may provide an upgraded bronze FG Smooth pole and rectangular low fixture, as shall be approved by the City, at each main entrance off Swan Road into the Development. The City's Public Works Department shall arrange for the installation permit and coordinate the installation. The Developer shall pay for labor and materials within 30 days after being invoiced. After acceptance of dedication of the Public Improvements by the City, the City shall assume responsibility for the monthly energy costs and future maintenance for the streetlight(s).

46. Landscaping Completion Letter of Credit. If the City agrees to Final Plat approval despite landscaping and/or hardscape amenities, including the installation of required street trees, not being completed (the City shall not be obligated to grant Final Plat approval under such circumstances), the Developer shall provide to the City bids, contracts or other evidence sufficient, in the sole opinion of the City, to demonstrate the cost of completing such work, including the costs of labor and materials. The evidence of cost shall be subject to review and approval by the City. The Developer shall, prior to Final Plat approval, provide to the City a letter of credit in an amount equal to 125% of such costs. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer shall pay all costs of completing the work, including with limitation labor, material and costs regularly charged by the City for its staff's time. If the work is not completed to the satisfaction of the City or prior to Final Plat approval in accordance with section 9 (c), or upon the occurrence of an Event of Default, as defined below, the City may draw on demand the full amount of the letter of credit to defray the costs of finishing the work. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance to the Developer, if any, after the work is completed. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

47. Landscaping Survival Letter of Credit. The Developer shall, prior to Final Plat approval, provide to the City a letter of credit in an amount equal to 25% of the costs of labor and materials in installing landscaping amenities (excluding street trees and any other landscaping that is a Public Improvement). Such costs shall be determined by the City based its review of the Developer's contracts. The letter of credit shall insure the cost of labor and materials to replace landscaping that dies within three years of installation. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer or its assign shall pay all costs of replacing any dead or dying landscaping. If the responsible person fails to replace such landscaping within 30 days of demand, or upon the occurrence of an Event of Default, as defined below, the City may replace the landscaping and draw on the letter of credit on demand for the cost of the work, including without limitation labor, material and costs regularly charged by the City for its staff's time. If the letter of credit is inadequate to defray the costs, the Developer shall owe the balance to the City. The City shall release the letter of credit three years after the installation of the landscaping amenities.

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48. Street Tree Survival Guarantee. The Developer shall, prior to Final Plat approval, provide to the City a performance bond, letter of credit or cash deposit in an amount equal to 25% of the costs of labor and materials in installing street trees and any other landscaping that is a Public Improvement. Such costs shall be determined by the City based its review of the Developer's contracts or as otherwise required by Wisconsin Statutes Section 236.13. The letter of credit shall insure the cost of labor and materials to replace such landscaping that dies within 14 months of installation. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer or its assign shall pay all costs of replacing any dead or dying landscaping. If the responsible person fails to replace such landscaping within 30 days of demand, or upon the occurrence of an Event of Default, as defined below, the City may replace the landscaping and draw on the letter of credit on demand for the cost of the work, including without limitation labor, material and costs regularly charged by the City for its staff's time. If the letter of credit is inadequate to defray the costs, the Developer shall owe the balance to the City. The City shall release the letter of credit 14 months after the installation of the street trees.

49. Surface Completion Letter of Credit. If the surface course of a street cannot be constructed prior to October 15, the Developer shall provide to the City an estimate of the final surface cost, including the costs of inspections, shouldering, streets, curbs, gutters, base repairs, and utility adjustments. The estimate shall be subject to review and approval by the City Engineer. The Developer shall, prior to October 15, provide to the City a letter of credit in the amount of the approved estimate. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer shall pay all costs of completing the surface course paving work. If the surface course paving work is not completed to the satisfaction of the City on or before June 30 of the immediately following year, or upon the occurrence of an Event of Default, as defined below, the City may draw on demand the full amount of the Surface Completion Letter of Credit to defray the costs of finishing the work, including without limitation labor, material and costs regularly charged by the City for its staff's time. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance to the Developer, if any, after the work is completed. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

50. Street Wear Financial Guarantee. Prior to commencement of any construction activity, the Developer shall provide to the City a performance bond, letter of credit or cash deposit in an amount equal to $1,000 per lot or unit in Phase 1 of the Development (the "Street Wear Financial Guarantee"). The Street Wear Financial Guarantee is to provide security for compensation to the City for wear and tear and accelerated deterioration of the City's streets as a result of infrastructure improvement associated with the hauling of stone and asphalt attributable to the construction of the Development. Wear and tear shall be determined as described in Section 25 above. The form and content of the Street Wear Financial Guarantee shall be acceptable to the City Attorney. If the Street Wear Financial Guarantee is in the form of a letter of credit, the requirements shall be substantially similar to the requirements of other letters of credit provided in this Agreement. If the Developer does not make the repairs as and when required, but in any event on or before the 60th day after written demand from the City, weather permitting, or upon the occurrence of an Event of Default, as defined below, the City may draw on demand the full amount of the Street Wear Financial Guarantee to defray the costs of the street repairs, including without limitation labor, material and costs regularly charged by the City for its staff's time for inspections, shouldering, streets, curbs, gutters, base repairs and utility adjustments. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance to the Developer, if any, after the work is completed, but not later than two (2) years after final plat approval. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

51. Stormwater Guarantee. The Developer shall provide the Stormwater Guarantee, as defined in Section 32(b)(vii) above, prior to the commencement of any construction activities. The form and content of the

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Stormwater Guarantee shall be acceptable to the City Attorney. If the Stormwater Guarantee is in the form of a letter of credit, the requirements shall be substantially similar to the requirements of other letters of credit provided in this Agreement.

52. Public Sanitary Sewer System Connection Charge. If the Developer is required to connect the Development to the public sanitary sewer system, the Developer shall pay to the City, in accordance with the requirements of Section 58-640 of the Code, a sewer connection charge of $200 per lot prior to Final Plat approval.

53. Developer's Election. To the extent that any letter of credit required by this Agreement shall be determined to be for a public improvement, as that term is used in Wisconsin Statutes Section 236.13(2)(am), this Agreement constitutes the Developer's election to use a letter of credit under Wisconsin Statutes Section 236.13(2)(am)1m.a.

54. Maintenance of Guarantees. Unless otherwise specified in this Agreement or state statutes, letters of credit and other financial guarantees shall be maintained for the periods required by the Code. The Developer shall provide any renewal of any letter of credit to the City prior to its expiration. Failure to do so shall be an Event of Default without notice.

FINAL PLAT APPROVAL; DEDICATION; RELEASE

55. Final Plat Approval

(a) The Common Council shall grant Final Plat approval upon certification by the City Engineer that (i) all of the Improvements have been satisfactorily inspected by the City Engineer and the Department of Community Development which have found that the Improvements have been satisfactorily constructed, installed and completed in accordance with this Agreement; (ii) the Developer has satisfied its financial obligations, including providing required letters of credit and other guarantees; and (iii) the Developer has satisfied all other requirements of this Agreement and the Development and Final Plat meet the requirements of this Agreement, the Code and applicable state laws.

(b) The Common Council may, but shall not be required to, grant Final Plat approval despite certain Improvements not being completed provided escrows have been established or guarantees provided that are adequate, as determined by the Common Council in its discretion, to ensure completion.

56. Dedication. Title to the Public Improvements, together with the land on which they are located, unless located within a dedicated easement, shall be dedicated and given in fee simple by the Developer to the City upon recording the Final Plat, as provided by Wisconsin law, and without recourse, and free and clear of all liens, claims and encumbrances. The lien waivers required in Section 18 of this Agreement shall be a condition precedent of recording of the Final Plat. The Public Improvements shall have access from a dedicated street, where necessary.

57. Continuing Obligations through Dedication. The Developer shall not be released or discharged from its obligations under this Agreement until final inspection and certification of all the Improvements has been made by the City Engineer in writing, and the Improvements have been approved and their dedication accepted by the City.

DEFAULTS

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58. Events of Default**.** The occurrence of any of the following shall constitute an "Event of Default":

(a) Payments. The Developer fails to pay any amounts payable under this Agreement to the City when due.

(b) Non-Monetary. The Developer fails to observe or perform as and when required or breaches any of the covenants or agreements contained in this Agreement and, except as described below, such failure continues for 15 days after notice from the City of the failure (except as described for letters of credit). The City shall not be required to provide notice, or may shorten or eliminate the 15-day cure period, if the City determines in its discretion that the failure constitutes an imminent danger to health or safety or would constitute such an imminent danger in less than 15 days. The City may, in its sole discretion, provide in the notice for a cure period of longer than 15 days if the City determines that such longer cure period is warranted.

(c) Bankruptcy and Similar Actions. The Developer (i) is liquidated or ceases to exist; (ii) makes a general assignment for the benefit of creditors; (iii) admits in writing its, his or her inability to pay debts as they become due; (iv) files a petition by which it, he or she becomes the subject of bankruptcy or insolvency proceedings; (v) is adjudicated bankrupt or insolvent; (vi) files a petition seeking any reorganization, arrangement, composition, readjustment, liquidation, dissolution or similar relief under any present or future statute, law or regulation; (vii) files an answer admitting or fails to contest the material allegations of a petition against it, him or her in any such proceeding; or (viii) seeks, consents to or acquiesces in the appointment of any trustee, receiver or liquidator for the Developer or the Development.

(d) Creditors' Actions. Any involuntary proceeding is filed against the Developer that seeks any reorganization, bankruptcy, arrangement, composition, readjustments, liquidation, dissolution, receivership or similar relief under any present or future statute, law or regulation that is not dismissed within 30 days of the date filed.

59. Remedies. Upon the occurrence of an Event of Default, without notice other than that required above, the City may exercise any one or more of the following remedies without waiving any rights or remedies available to it:

(a) Immediately suspend performance under this Agreement.

(b) Issue a stop work order.

(c) Issue citations to the extent the Event of Default constitutes a violation under any provision of the Code for which citations may be issued.

(d) Withdraw or withhold occupancy permits for any structures in the Development.

(e) Commence any legal or administrative action, in law or in equity, which may appear necessary or desirable to enforce performance and observance of any obligation, agreement or covenant of the Developer under this Agreement.

(f) Perform or have performed any work, and have supplied any necessary equipment, goods, materials and services, to complete all or any part of the Developer's work, all at the Developer's cost.

(g) Draw any letter of credit and exercise the City's remedies under any other financial guarantee.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

(h) Exercise all other rights and remedies available to it at law or in equity,

60. Remedies Cumulative. The rights and remedies granted to the City under this Agreement are in addition to and cumulative of any other rights or remedies the City may have under the Code or state law. A delay or failure by the City in exercising any right or remedy shall not operate as a waiver of any such right or remedy or as an acquiescence of any default. No single or partial exercise of any right or remedy shall preclude any other or further exercise of a right or remedy or the exercise of any other right or remedy.

61. Attorneys' Fees. The Developer shall pay the City's costs of enforcement of this Agreement, including reasonable attorneys' fees and costs.

GENERAL PROVISIONS

62. Adequate Provision. Execution of this Agreement shall be accepted by the City as adequate provision for improvements within the meaning of Wisconsin Statutes Sections 236.01 236.13 and 236.45(1).

63. Assignment. No assignment of this Agreement by the Developer shall be effective without the prior written consent of the City, and no assignment without such consent shall relieve the Developer of its obligations under this Agreement.

64. Effect of Acceptance. This Agreement binds and inures to the benefit of the Developer and the City and their respective heirs, legal representatives, successors and assigns. Regardless of who prepared the original draft of this Agreement, both parties have had significant input into its terms and content and, accordingly, no presumption shall be made against the drafter.

65. Modifications. Neither this Agreement nor any provision of this Agreement may be waived, modified, amended, discharged or terminated except by an instrument in writing signed by the party against whom the enforcement of such waiver, modification, amendment, discharge or termination is sought, and then only to the extent set forth in such instrument. No waiver by either party of any failure or refusal to comply with its obligations shall be deemed a waiver of any other or subsequent failure or refusal to so comply.

66. Partial Invalidity. If any term or provision of this Agreement shall, to any extent, be invalid or unenforceable, the remainder of this Agreement shall not be affected, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.

67. Headings. The headings in this Agreement are for convenience only and do not limit or expand the terms and conditions of this Agreement.

68. Governing Law. This Agreement shall be governed by and construed in accordance with the internal laws of the State of Wisconsin.

69. Requirement to Commence Construction. In accordance with Section 58-635(3)(e) of the Code, if the Developer fails to commence construction within two years of approval of this Agreement, this Agreement shall be null and void.

[SIGNATURE PAGES TO FOLLOW]

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

[CITY SIGNATURE PAGE TO DEVELOPMENT AGREEMENT]

CITY OF MEQUON

By: _____
Andrew Nerbun
Mayor

By: _____
Caroline Fochs
Clerk

STATE OF WISCONSIN)
) SS
OZAUKEE COUNTY)

The foregoing instrument was acknowledged before me on _____ _____, 20___, by Andrew Nerbun, Mayor of the City of Mequon.

_____
Name: _____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) (is) _____

STATE OF WISCONSIN)
) SS
OZAUKEE COUNTY)

The foregoing instrument was acknowledged before me on _____ _____, 20___, by Caroline Fochs, Clerk of the City of Mequon.

_____
Name: _____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) (is) _____

Approved by: _____
Brian C. Sajdak, City Attorney

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

[DEVELOPER SIGNATURE PAGE TO DEVELOPMENT AGREEMENT]

MK/S-EP, LLC

By: _____
Name: Michael J. Kaerek
Title: Managing Member

STATE OF WISCONSIN)
) SS
COUNTY)

The foregoing instrument was acknowledged before me on _____ _____, 20___, by Michael J. Kaerek, as Managing Member of MK/S-EP, LLC.

_____
Name: _____
Notary Public, Ozaukee County, Wisconsin
My Commission (expires) (is) _____

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1155 Pilgrim Rd.
Plymouth, WI, 53073

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

April 28th, 2022

EXE-SE-2022-46-01561

Linda Johnston
301 S. Emerson Street
Mount Prospect, IL 60056

[sent electronically via email]

RE: Nonfederal Wetland Exemption Determination for an area described as **Wetland A and B** located in the SE ¼ of the NE ¼ section 32 Township 09 North, Range 21 East, City of Mequon, Ozaukee County

Dear Ms. Johnston:

This letter is in response to your request for a nonfederal wetland exemption determination for the above-mentioned wetlands.

According to 281.36 (4n), State Stat., a nonfederal wetland is a wetland that is not federally jurisdictional. Projects impacting nonfederal wetlands in urban areas must be less than 1 acre of total impact, and must be done in compliance with applicable stormwater management zoning ordinances or stormwater Wisconsin Pollution Discharge Elimination System (WPDES) permits to qualify for this exemption (s. 281.36(4n)(b)3, Wis. Stat.). In addition, DNR must also consider whether the nonfederal wetland is a rare and high quality wetland as defined in s 281.36(4n)(a)3, Wis. Stat.

The Department reviewed the following materials to aid in our exemption determination:

- The request narrative including project scope and purpose
- Site location map and photographs that show different angles and views of the wetland
- Botanical survey results
- Wetland delineation information
- U.S. Army Corps of Engineers AJD Document

Below is a summary of our findings:

Request Narrative

According to the request narrative, **Wetland A** (3,933 square feet) and **Wetland B** (5,525 square feet) are the focus of this non-federal wetland exemption request. Wetland A and B are farmed, isolated fresh wet meadow wetlands in an active farm field. The total non-federal wetland impact for this request is 9,458 square feet, on Tax Parcel ID Number: 14-032-04-000.00, in the City of Mequon, Ozaukee County. The wetlands would be impacted for the construction of roads, lots, and stormwater management facilities related to a future residential subdivision on the parcel. Wetland impacts will be less than 10,000 square

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

feet on the parcel (Tax Parcel ID Number: 14-032-04-000.00). A map has been attached to this letter that shows specifically the area of requested wetland impact on the parcel.

Site Location and Photographs
The site is located in the City of Mequon and confirms that the wetlands are located in an **urban area** as defined by s. 281.36(4n) (a)5 Wis. Stats. Photographs show that wetlands A and B are a farmed, fresh wet meadow wetlands with a dominance of ruderal plant species.

Wetland Delineation Information
The wetland delineation shows that wetland A and B are farmed fresh wet meadow wetlands. This information shows that the wetlands are not rare/high quality wetland types as defined by s. 281.36(4n)(a)3 Wis. Stats.

Stormwater Compliance Information
The applicant is responsible for obtaining all other state and/or local stormwater and erosion control approvals as deemed necessary by the applicable officials. The applicant provided general knowledge of these requirements and stated that they will comply with state and local requirements. The documentation demonstrated that the project will be completed in compliance with applicable WPDES stormwater permits and stormwater ordinances adopted under s. 59.693, 60.627, 61.354, or 62.234, Wis. Stats.

U.S. Army Corps of Engineers AJD letter
The AJD letter dated April 8th, 2022 from the U.S. Army Corps of Engineers indicated that wetlands A and B located in the AJD review area are not waters of the United States. Therefore, the areas described as wetland A and B are not federally jurisdictional.

Conclusion:
Based upon the documentation provided above, the proposed project impacting wetland A and B meet the eligibility criteria pursuant to s. 281.36 (4n), State Stats. **You are able to proceed with this project impacting wetland A and B.** Please see the attached figure for reference.

If you have any questions or would like to schedule a meeting to discuss this approval, please call me at (715) 492-0200 or email Ryan.Pappas@wisconsin.gov.

Sincerely,

Ryan Pappas
Water Management Specialist
Wisconsin Department of Natural Resources

CC: USACE Project Manager
Zoning Administrator
Kristin Sherfinski, Helianthus LLC

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

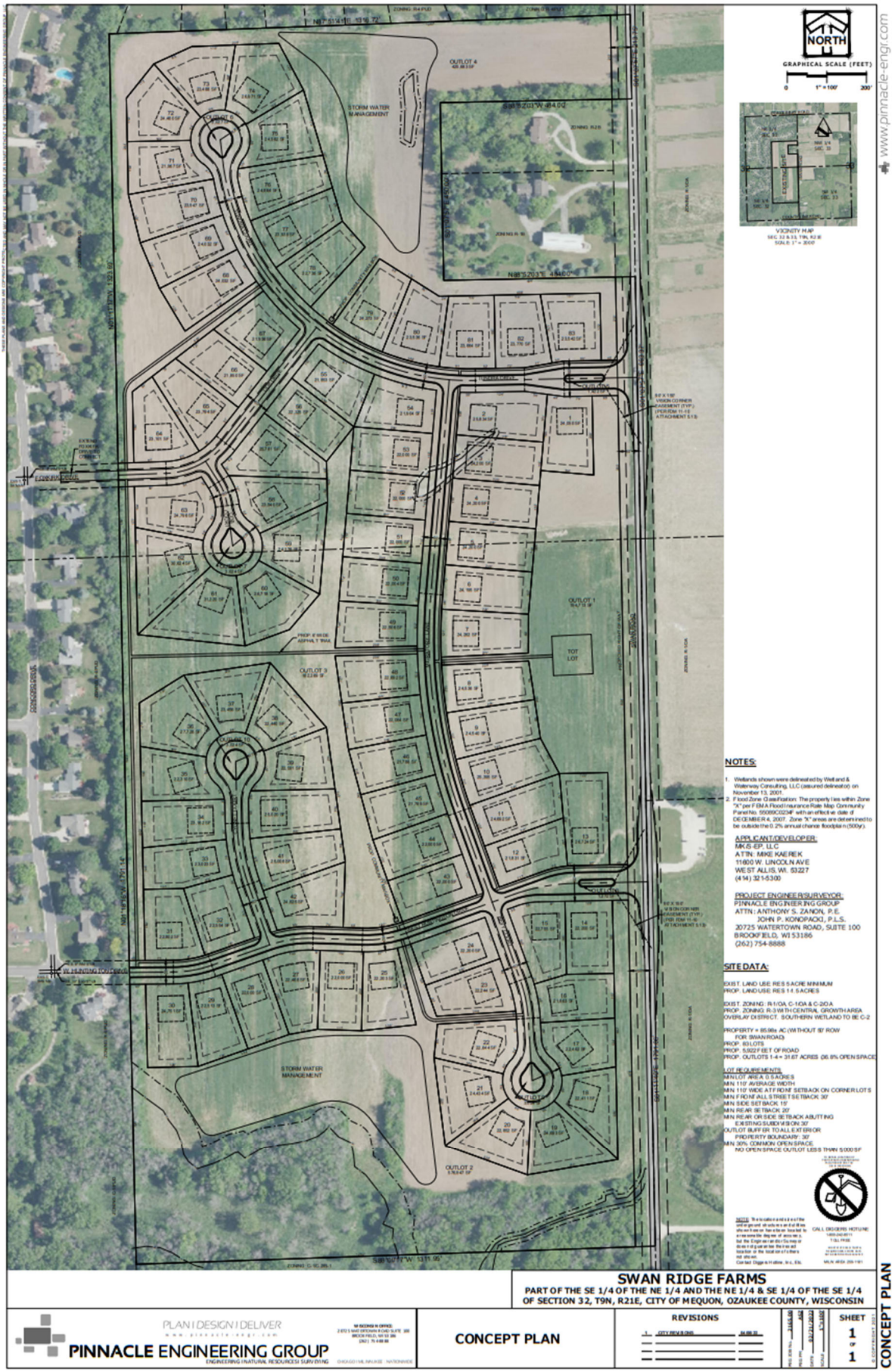
Wetlands A and B were determined to be **exempt** from state wetland regulations.

EXHIBIT

11/15/2021

PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186
WWW.PINNACLE-ENGR.COM
PLAN | DESIGN | DELIVER
PEG JOB#2165.00

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)



Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2022-1620

An Ordinance Amending Chapter 58 of the Mequon Municipal Code to Rezone the 86-Acre Parcel Located on the West Side of Swan Road, North of County Line Road from R-1 (5-Acre) to R-3 (1-Acre) with a CGA (Central Growth Area) Overlay and Amend the City's Land Use Plan Map from Rural Residential to Residential 1-Acre, in Connection with an 83-Lot Single-Family Residential Development

RECITALS

A. Pursuant to section 62.23(3) of the Wisconsin Statues, the City of Mequon, is authorized to prepare and adopt a comprehensive plan, or amendment thereof, as defined in section 66.1001(1)(a) and 66.1001(2) and 66.1001(4)(c) and 66.1001(4)(d).

B. The Planning Commission by majority vote made a recommendation of approval on the 21st day of March 2022.

C. The required due notice and public hearing by the Common Council of the City of Mequon occurred on the 10th day of May 2022.

BASED UPON THE FOREGOING RECITALS, the Common Council of the City of Mequon, Wisconsin, do ordain as follows:

SECTION I

1. The City of Mequon Land Use Plan Map is hereby amended to designate the property illustrated in Exhibit A as “Residential 1-Acre”.

2. The City of Mequon Zoning Map is hereby amended so as to change the zoning classification of the property illustrated in Exhibit B as R-3/CGA subject to the following conditions:

a. Lots 1,13,14, and 83 shall be setback approximately 75 feet from the front parcel line of the subdivision.
b. The concept plan shall only include 83 lots.
c. The average lot width is 110 feet.
d. All buildings shall maintain a minimum building setback of 30’ from the interior public road right-of-way, a minimum 15’ offset from an interior side yard, 30’ offset from the corner side and 20’ rear property lines. Lots that are adjacent to the existing subdivision shall have a 30’ rear offset.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

e. The sidewalk along Huntington Drive shall extend to the open space adjacent to the subdivision and shall connect to the proposed path. The sidewalk along Tundra Drive shall be extended to the proposed community mailbox between lots 76 and 77.

f. An open space plan is required prior to Preliminary Plat and shall address the following:
   i. all common, open space land
   ii. a required 6' asphalt bike and pedestrian path within the open space
   iii. identification of all active and passive recreational features
   iv. required entryway signage and landscaping

g. Pedestrian and bike paths and the necessary easements shall be required in accordance with the approved concept plan.

h. The entire property is subject to the City of Mequon Tree Preservation Ordinance and necessary preservation easements, if any.

i. All roads and bike paths connecting to adjacent sites shall be installed at the time of each associated phase of development.

j. The development shall comply with preliminary plat, development agreement, and final plat requirements.

k. There shall be a permanent open space buffer along the perimeter of this development as illustrated in the attached development concept plan and per Planning Commission action.

l. All residential buildings shall comply with the Architectural Board's publication entitled "Guidelines for Residential Structures" and are subject to the Architectural Review Board.

m. Street trees are subject to the approval of the Tree Board and Planning Commission.

n. Street lighting, if proposed, is subject to the approval of the Planning staff.

o. Legal documents requiring the Homeowners Association maintenance of public sidewalk, bike trails within the common open space, wetland buffers and stormwater facilities.

p. Right-of-way dedication along Swan Road at the width of the ultimate right-of-way, subject to Common Council acceptance, as part of the preliminary plat.

q. Realignment of East Huntington Drive connection with Swan Road south to allow for a crosswalk from the subdivision sidewalk to the Mequon Nature Preserve parking lot.

r. The wetland delineation report with WDNR concurrence should be submitted with the preliminary plat application. The wetland boundaries and protective areas should be shown on the preliminary plat. If wetland fill is proposed, WDNR permitting shall be submitted at the time of preliminary plat.

s. The final civil plans shall provide a transition from curb and gutter to match the existing cross section in Huntington Park west of Cygnet Court on Huntington Drive and west of Cob Court on Tundra Drive.

t. An amendment to the City of Mequon Sewer Service Area to include the

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

property. The conditions for connection require the sewer service area amendment be approved by the following:

i. the City of Mequon Sewer Utility District Commission,
ii. the Milwaukee Metropolitan Sewerage District,
iii. the Southeastern Regional Planning Commission, and the Wisconsin Department of Natural Resources.

u. Connection to public water infrastructure.

SECTION II

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III

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

SECTION IV

This ordinance shall take effect and be in full force upon its passage and the day after its publication.

Approved by: Andrew Nerbun, Mayor

Date Approved: May 10,2022

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 10, 2022.

Caroline Fochs, City Clerk

Published: May 17, 2022

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Wetland & Waterway Consulting, LLC
Dave Meyer
S83 W23915 Artesian Avenue • Big Bend, WI 53103
262-719-4286 • Fax 262-364-2197
E-Mail • *dave@wetlandwi.com*

PRIMARY ENVIRONMENTAL CORRIDOR DELINEATION REPORT

Joe Bukovich, MLG Capital

June 20, 2022

Introduction

Wetland & Waterway Consulting, LLC has conducted a Primary Environmental Corridor (PEC) delineation on property located in Sec.32, T9N, R21E City of Mequon. The delineation was conducted on 6-10-22 at your request.

Investigator

Dave Meyer is an independent environmental consultant providing wetland delineations, environmental permitting services, site assessments, and planning advice. He obtained a master's degree in Natural Resources Management from Southern Illinois University-Carbondale in 1977. Mr. Meyer has held technical and administrative positions in wetland and water resources specialties with the Wisconsin Department of Natural Resources and the U.S. Army Corps of Engineers. He has satisfactorily completed the Reg IV Wetland Delineation training offered by the U.S. Army Corps of Engineers, the Advanced Wetland Delineation training conducted by the University of Wisconsin-LaCrosse in 2002 and 2007, the USACOE/WIDNR 1987 Wetland Delineation Manual Midwest Region Supplement Training in 2009, the USACOE/WIDNR 1987 Wetland Delineation Manual Northcentral/Northeast Region Supplement Training in 2010, the Basic Hydric Soil ID training conducted by the University of Wisconsin-LaCrosse in 2011, SEWRPC's Environmental Corridor Delineation Workshops in 2004 and 2015, and the Wetland Training Institute's Advanced Hydrology for Jurisdictional Determinations in 2016 and the Federal Wetland/Waters Regulatory Policy in 2019. Mr. Meyer is recognized by the Wisconsin Department of Natural Resources as an Assured Delineator.

Methods

The delineation was conducted according to the Southeastern Wisconsin Regional Planning Commission guidelines. Resources utilized in the investigation included the NRCS county soil survey, USGS topographic map, Wisconsin Wetland Inventory map, SEWRPC aerial photos, the SEWRPC Primary Environmental Corridor map, and county plat maps.

A wetland delineation was conducted on this property by Wetland & Waterway Consulting, LLC on 10-30-21. A copy of this report is included for review.

Description of the Site

This vacant site is situated on the northwest corner of the intersection of North Swan Road and West County Line Road in the City of Mequon. The site consists of stands of upland hardwood trees and shrubs, upland meadow, actively cropped fields, hay fields, and wetlands. The PEC delineation only includes the area in the southern-most portion of the site.

The PEC boundary map is attached. The PEC boundary on this property consists of a combination of the wetland lines and the driplines of the forested areas.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Refer to the attached wetland report for information on the soils, vegetation, and hydrology within the flagged wetlands as well as the immediately adjacent upland areas.

All of the SEWRPC-estimated area was included in the PEC as well as additional wooded area in the extreme southeast corner of the parcel.

The soil types mapped within the project boundaries are shown on the attached soil map and are also described in detail.

The Wisconsin Wetland Inventory Map identifies the wetlands within the corridor as a combination of E1Kf, T3/E1K, and E1K complexes.

The attached floodplain map shows no portion of the property within a floodplain.

The SEWRPC Sanitary Sewer Service Area Map identifies the flagged areas as being within the Primary Environmental Corridor.

The SEWRPC Composite Map identifies the PEC as consisting of Wetlands (WT), Intermittent Stream (SO), Wildlife Habitat Medium Value (WM), and Perennial (lake, river, stream) (SP). The field review revealed that the SP feature is not present and also that the Woodland (WO) natural resource base is present within the corridor.

The SEWRPC Wildlife Habitat Map designates the property as consisting of a combination of Class I, Class II, and Class III Wildlife Habitat--High, Medium, and Good Values.

The SEWRPC Land-Use Map designates the PEC as a combination of Wetlands (910) and Woodlands (940).

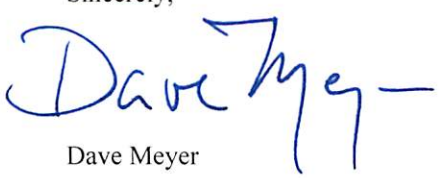
The SEWRPC Primary Environmental Corridor map shows the estimated PEC line in this vicinity.

The vegetation within the upland hardwood forest dripline is described in the upland data points in the wetland report and also includes: common buckthorn (Rhamnus cathartica), black cherry (Prunus serotina), black walnut (Juglans nigra), bur oak (Quercus macrocarpa), American elm (Ulmus americana), green ash (Fraxinus pennsylvanica), hybrid honeysuckle (Lonicera X bella), black raspberry (Rubus occidentalis), riverbank grape (Vitis riparia), burdock (Arctium minus), tall fescue (Festuca arundinacea), Kentucky bluegrass (Poa pratensis), garlic mustard (Alliaria petiolata), prickly ash (Zanthoxlum americanum), dame's rocket (Hesperis matronalis), strawberry (Fragaria virginiana), white avens (Geum canadense), and Canada goldenrod (Solidago canadensis).

Conclusion

The primary environmental corridor boundary staked in the field included all of the estimated area mapped at SEWRPC, as well as additional area in the extreme southeast corner of the parcel. The PEC lines staked in the field and referred to in this report are the best estimate of the corridor boundaries based on the conditions present at the time of the delineation. Concurrence with this corridor line by the Southeastern Wisconsin Regional Planning Commission should be obtained before commencing with development.

Sincerely,



Dave Meyer

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

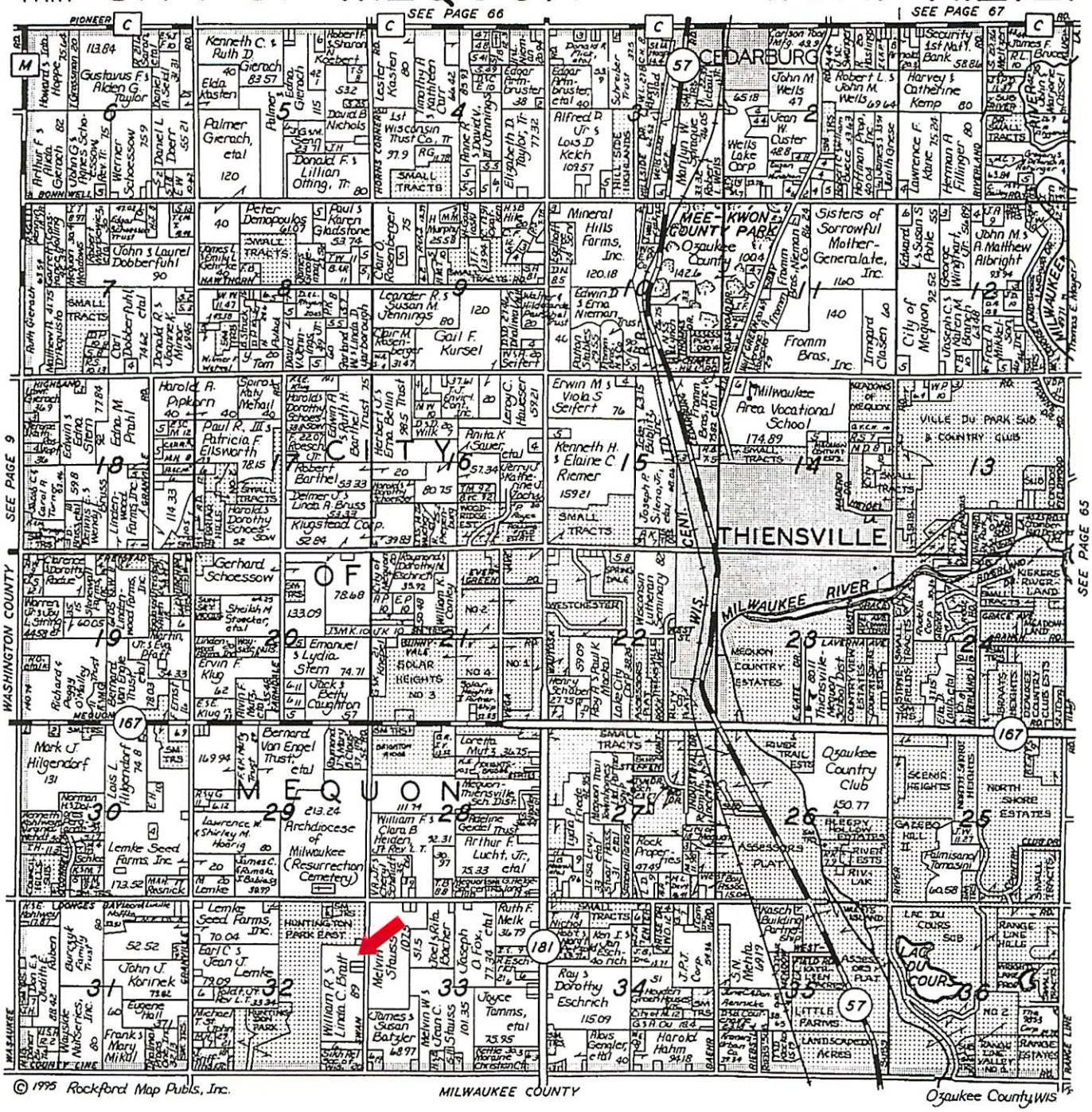
APPENDIX

1. Plat Map
2. Location Map
3. NRCS County Soil Survey Map
4. USGS Topographic Map
5. Flood Zone Map
6. Wisconsin Wetland Inventory Map
7. SEWRPC Sanitary Serwer Service Area Map
8. 1975 SEWRPC Corridor Composite Map
9. SEWRPC Corridor Composite Map Legend
10. 1975 SEWRPC Wildlife Habitat Map
11. 2015 SEWRPC Land-Use Map
12. SEWRPC Primary Environmental Corridor Map
13. Survey Map of the Site with flagged PEC line shown
14. 2021 Wetland Delineation Report

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

64

WEST PART CITY OF MEQUON T. 9N.–R.21E.



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Headache

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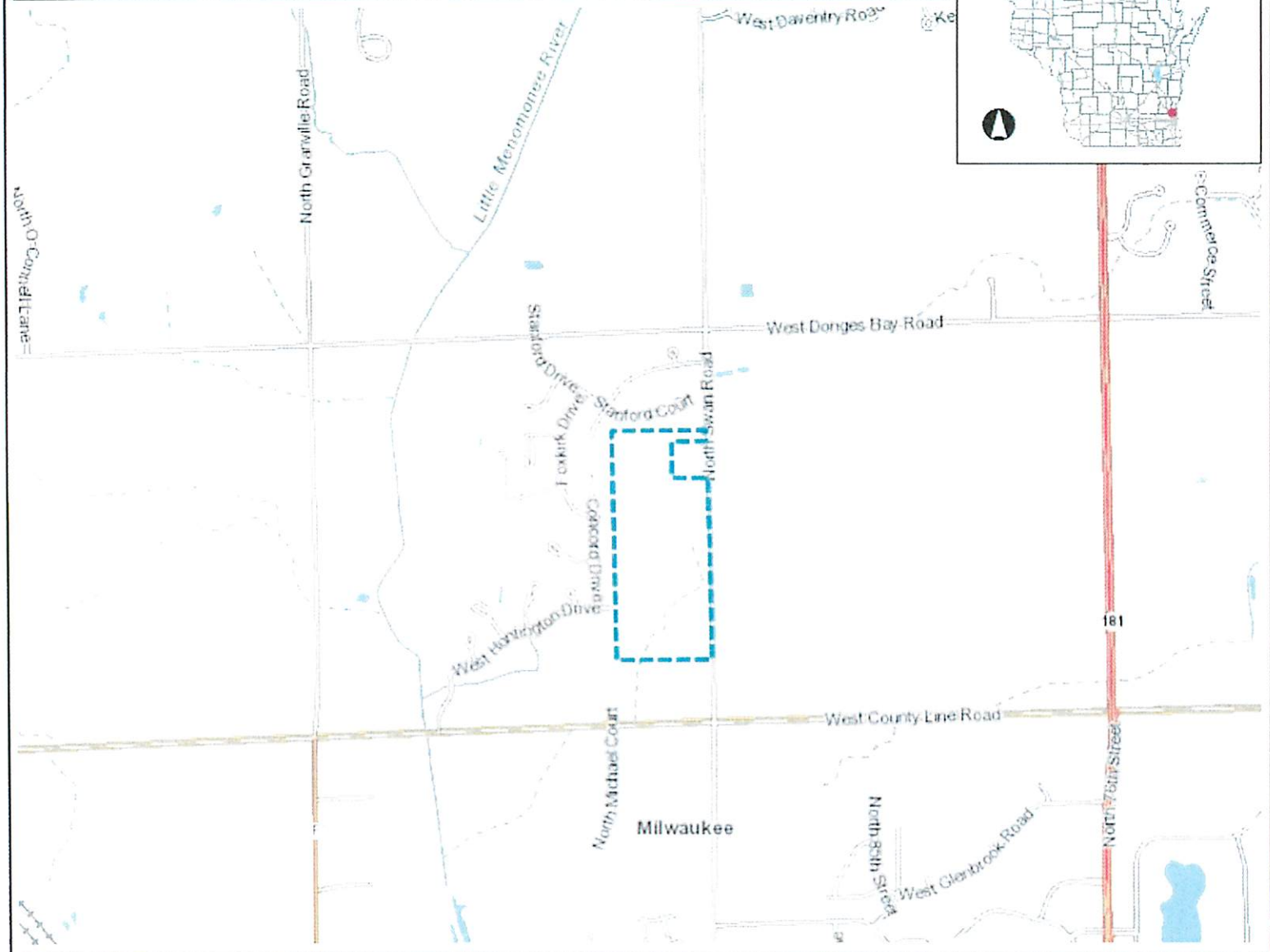
Surface Water Data Viewer Map



Legend

- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

Notes

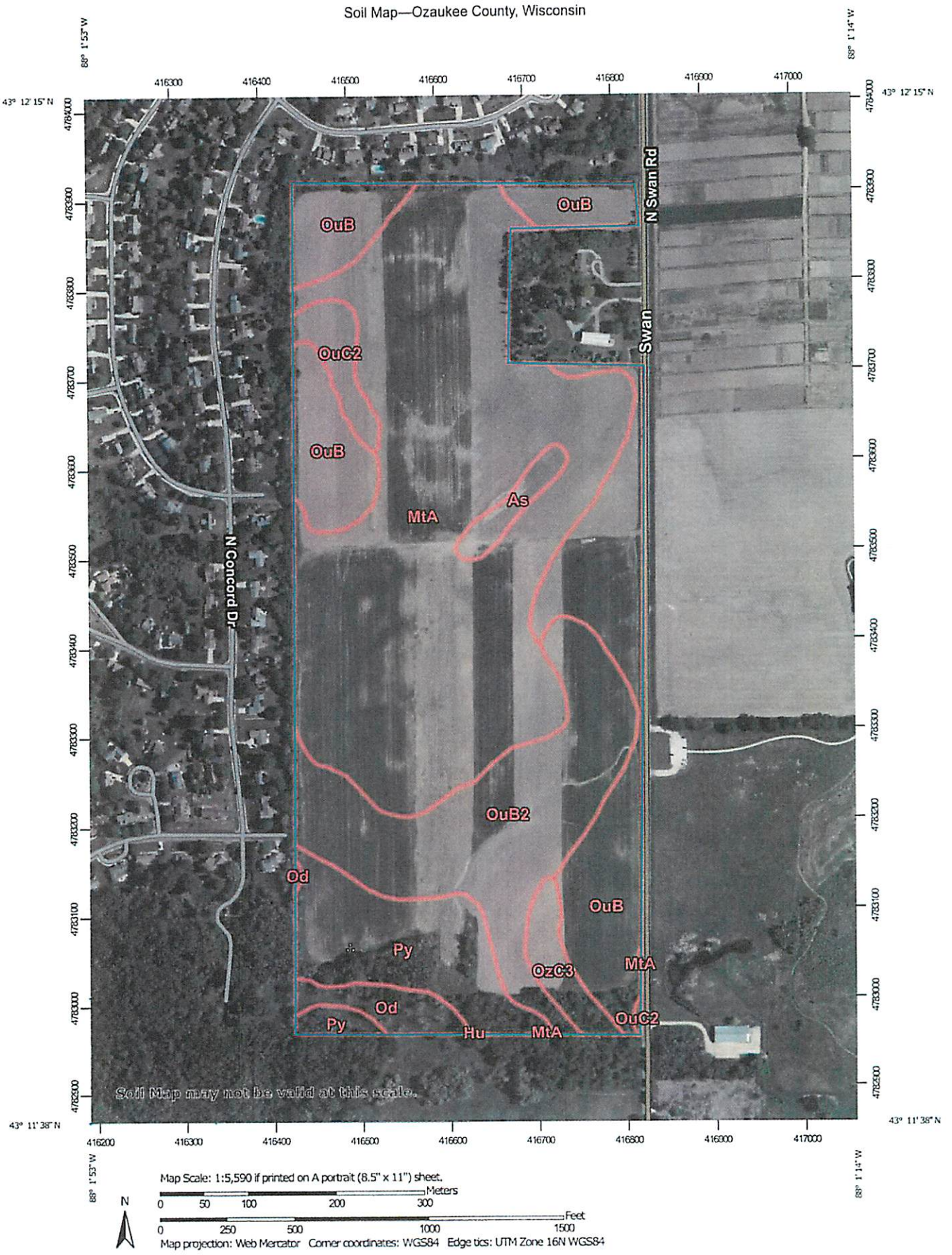
0.8 0 0.38 0.8 Miles

NAD_1983_HARN_Wisconsin_TM

1: 23,760

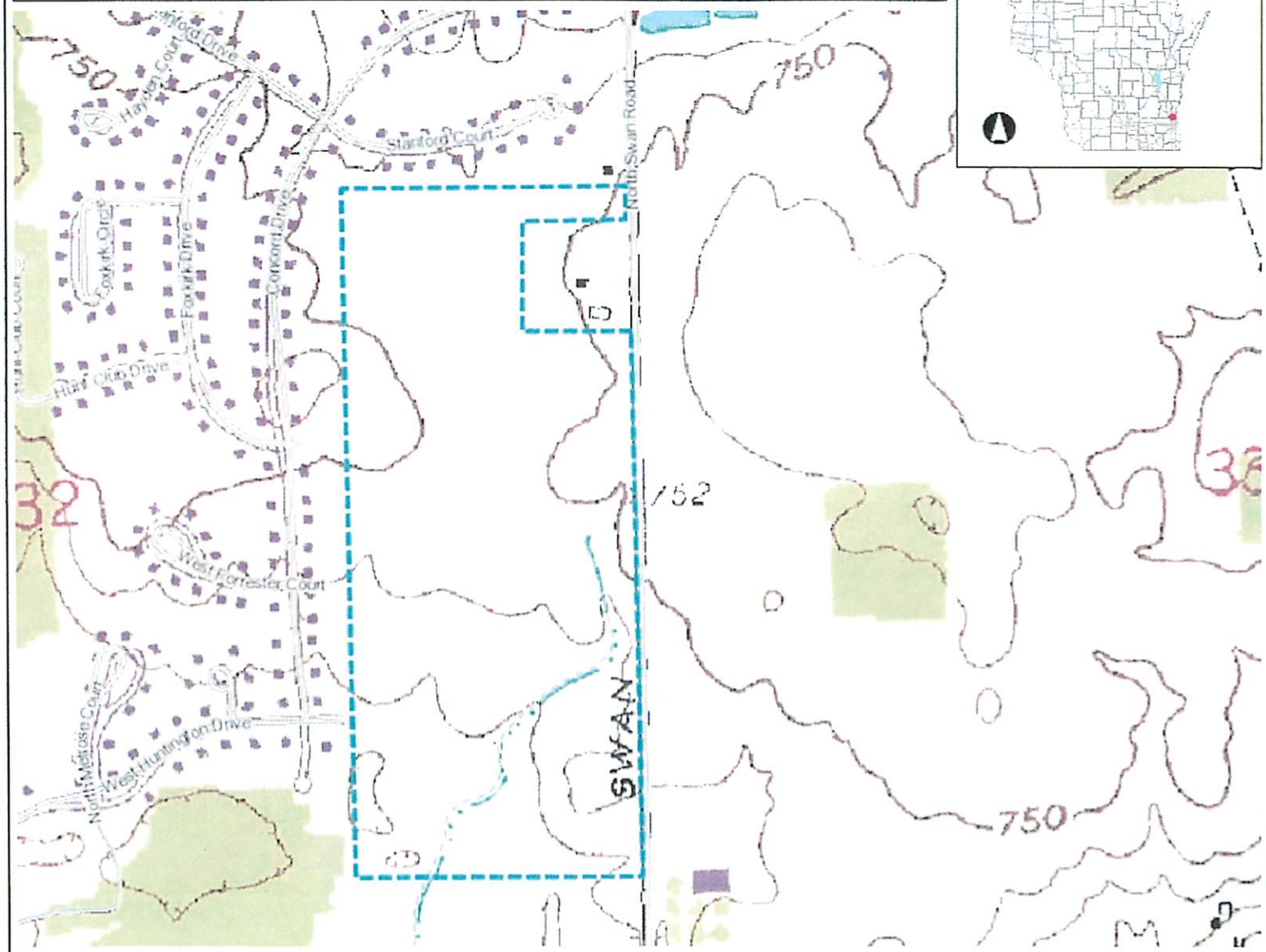
DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: http://dnr.wi.gov/legal/

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)



Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Surface Water Data Viewer Map



Legend

- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water
- 24K USGS Quad Index - Level 7 - 16

Notes

0.3 0 0.13 0.3 Miles

NAD_1983_HARN_Wisconsin_TM

1: 7,920

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Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Shoreland Zoning

6/10/2022, 9:51:38 AM

1:9,028

0 0.05 0.1 0.2 mi

0 0.07 0.15 0.3 km

- Hydro Polyline
- Hydro Polygon
- Wetlands Open Water
- Wetlands Farmed
- Wetlands Regulated
- Wetland Regulated less than 1/4 ac
- Wetland Restoration
- Wetlands Within Shoreland
- Shoreland and Floodplain Zoning

FEMA Floodlines

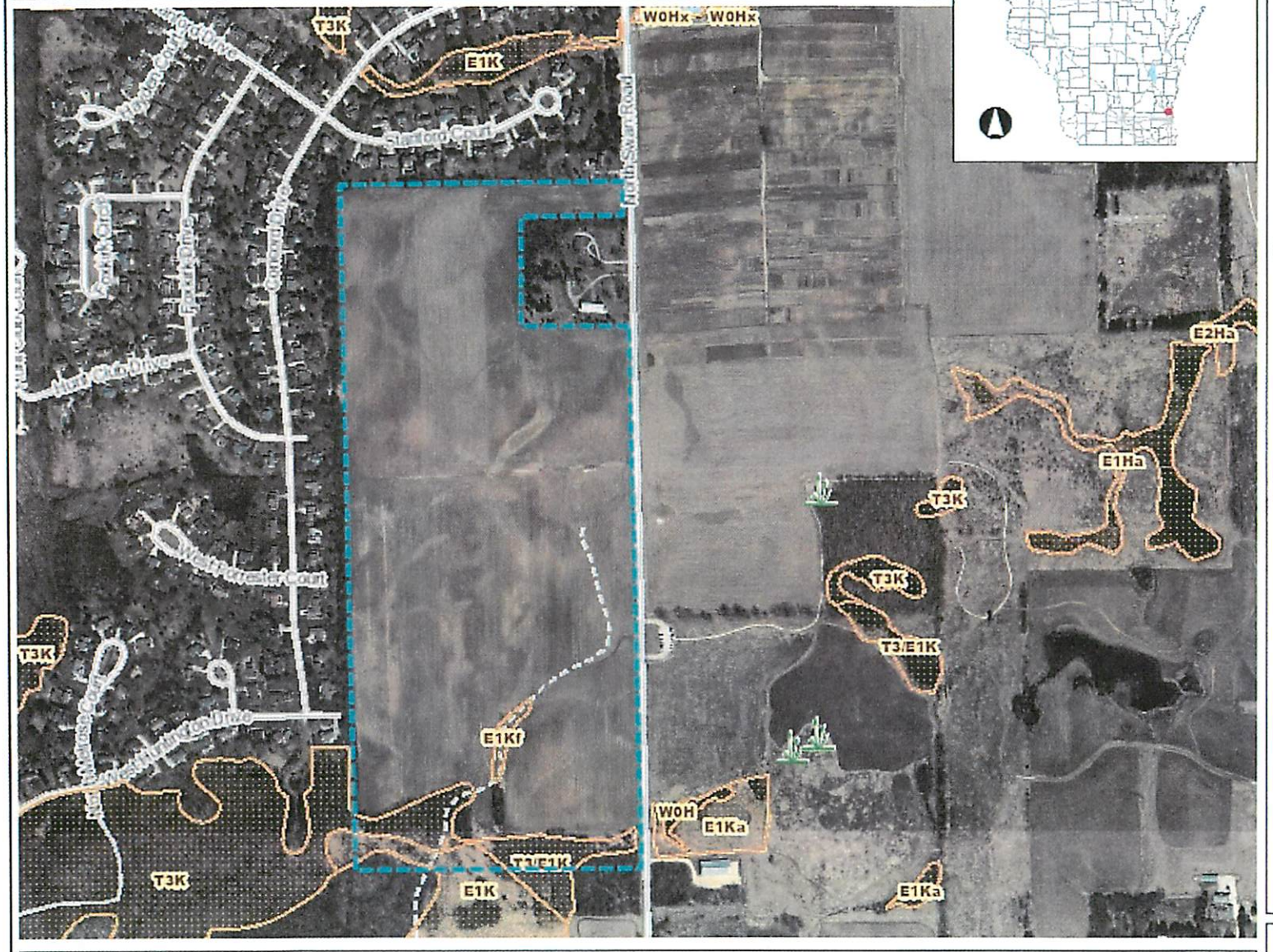
- A - 100 Year Floodplain
- AE - 100 Year Floodplain with BFE
- FLOODWAY

Shoreland and Floodplain Zoning Fill

Ozaukee County Land Information

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Surface Water Data Viewer Map



Legend

- Wetland Class Areas
- Wetland Class Points
  - Dammed pond
  - Excavated pond
  - Filled/drained wetland
  - Wetland too small to delineate
  - Filled excavated pond
- Filled Points
- Wetland Class Areas
- Filled Areas
- Wetland Class Areas
- Wetland Class Points
  - Dammed pond
  - Excavated pond
  - Filled/drained wetland
  - Wetland too small to delineate
  - Filled excavated pond
- Filled Points
- Wetland Class Areas
- Filled Areas
- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams

Notes

0.3 0 0.13 0.3 Miles

NAD_1983_HARN_Wisconsin_TM

1: 7,920

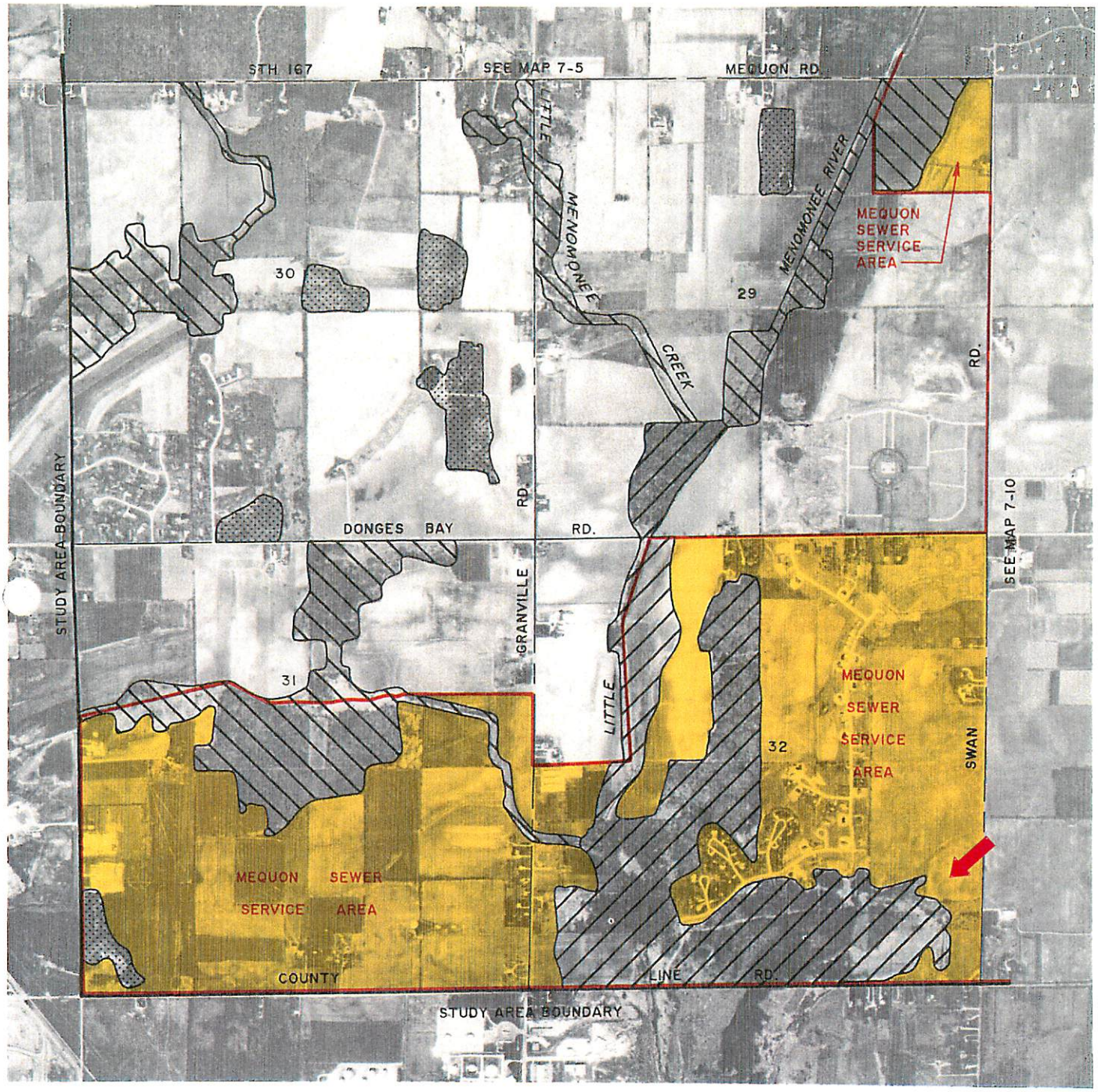
DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: http://dnr.wi.gov/legal/

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Map 7-9

ENVIRONMENTALLY SIGNIFICANT LANDS AND PLANNED SANITARY SEWER SERVICE AREA FOR THE CITY OF MEQUON AND THE VILLAGE OF THIENSVILLE

U. S. Public Land Survey Sections 29, 30, 31, and 32
Township 9 North, Range 21 East



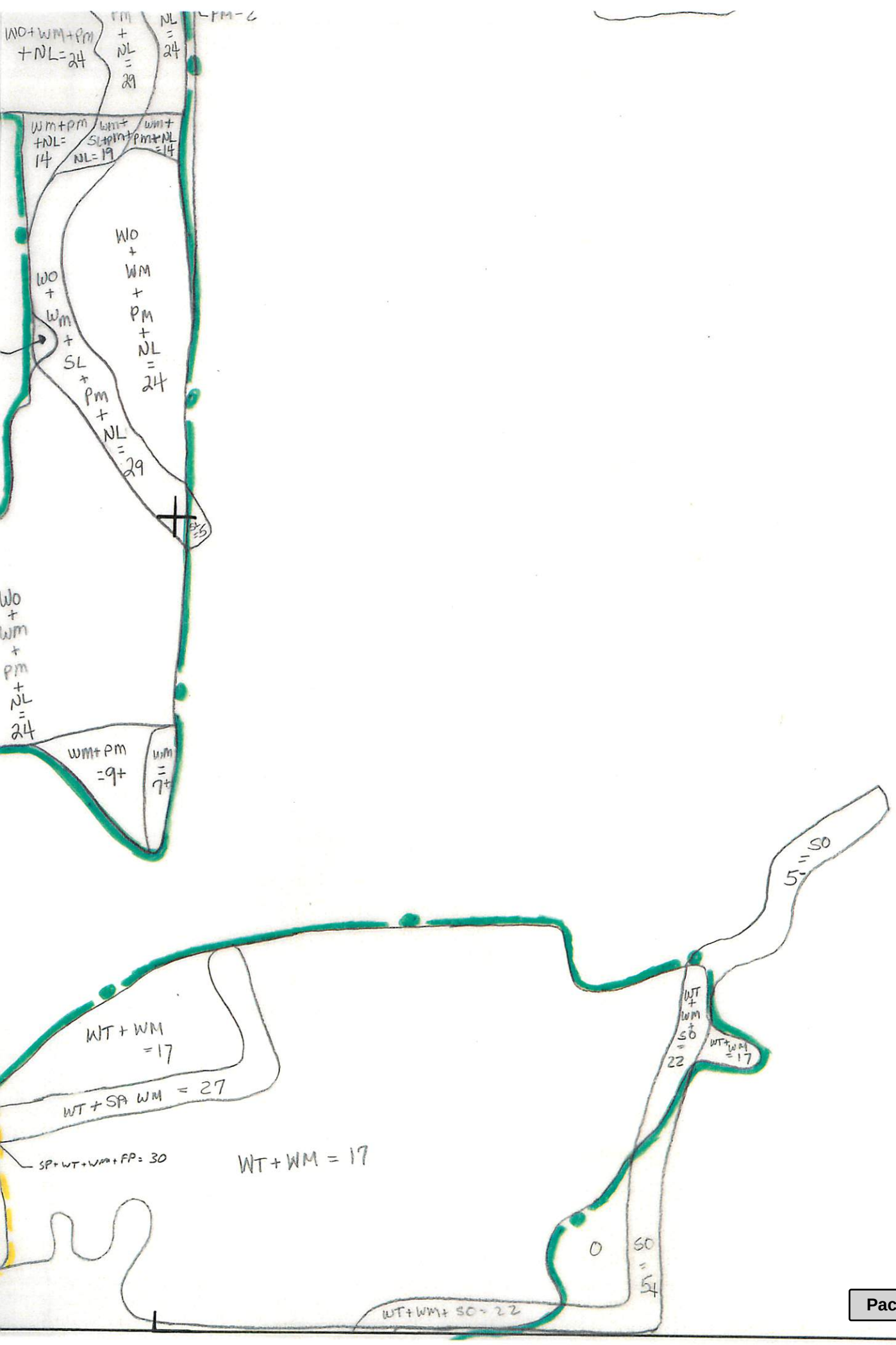
LEGEND

- PRIMARY ENVIRONMENTAL CORRIDOR
- SECONDARY ENVIRONMENTAL CORRIDOR
- ISOLATED NATURAL AREA
- PLANNED SANITARY SEWER SERVICE AREA
- GROSS SANITARY SEWER SERVICE AREA BOUNDARY

GRAPHIC SCALE
0 400 800 1200 FEET

Source: SEWRPC.

Packet Pg. 222
3.d.a
Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)



Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

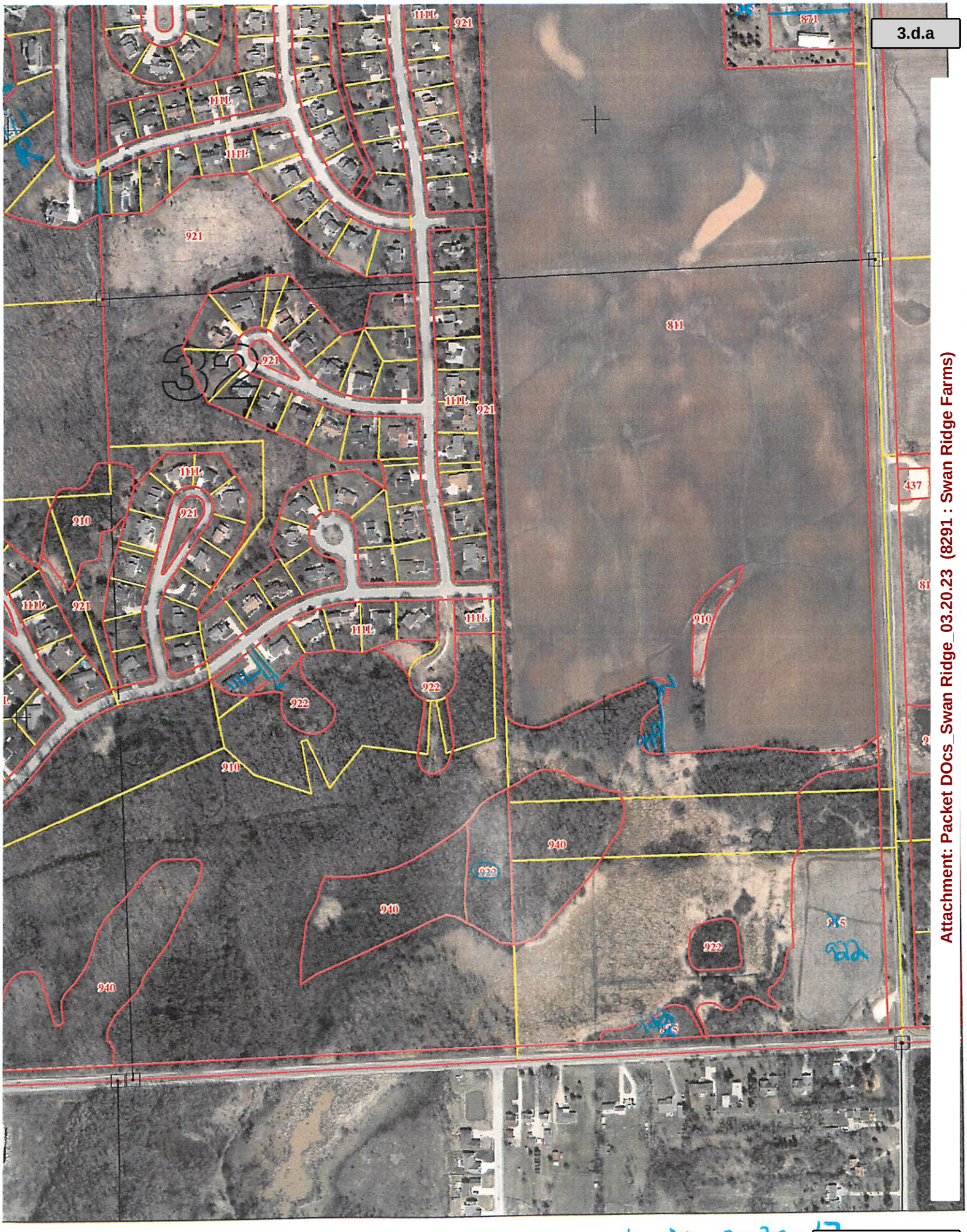
SEWRPC CORRIDOR COMPOSITE MAP LEGEND
CODE LETTERS AND POINT VALUES FOR NATURAL RESOURCE BASE AND NATURAL RESOURCE BASE-RELATED ELEMENTS

NATURAL RESOURCE BASE	CODE	POINT VALUE
Lake		
Major (50 acres or larger)	LA	20
Minor (5 – 49 acres)	LM	20
River or Stream (perennial)	PS	10
Shoreland		
Perennial (lake, river, or stream)	SP	10
Intermittent Stream	SO	5
100-Year Floodland	FP	3
Wetland	WT	10
Wet, Poorly Drained, and Organic Soils	a	a
Woodland	WO	10
Wildlife Habitat		
High Value	WH	10
Medium Value	WM	7
Low Value	WL	5
Steep Slope		
20 Percent or Greater	SS	7
12 Percent to 19 Percent	SL	5
Prairie	PR	10
Natural Resource Base-Related		
Existing Park or Other Open Space Site		
Rural Open Space Site	OS	5
Other Park or Recreation Site	PK	2
Potential Park		
High Value	PH	3
Medium Value	PM	2
Low Value	PL	1
Historic Site		
Structural	HS	1
Other Cultural	HC	1
Archeological	HA	2
Scenic Viewpoint (combined with steep slope)	SV	5
Natural and Scientific Area		
State Scientific Area	SA	15
Natural Area of Statewide or Greater Significance	NS	15
Natural Area of Countywide or Greater Significance	NC	15
Natural Area of Local Significance	NL	5

Source: SEWRPC

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)



Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

LM 2-20-

Regional Map Server

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

LOCATION: NORTH SWAN ROAD
MEQUON, WISCONSIN
TAX KEY NO: 14-032-04-000.00

Primary Environmental Corridor delineated by Wetland & Waterway Consulting, Inc.

GRAPHICAL SCALE (FEET)
0 1" = 250' 500'

NORTH

EXHIBIT

07/22/2022

PINNACLE ENGINEERING GROUP PLAN | DESIGN | DELIVER

Wetland & Waterway Consulting, LLC
Dave Meyer
S83 W23915 Artesian Avenue • Big Bend, WI 53103
262-719-4286 • Fax 262-364-2197
E-Mail • *dave@wetlandwi.com*

11-13-21

Ms. Linda Johnston
301 S. Emerson Street
Mount Prospect, Ill. 60056

Dear Ms. Johnston:

Wetland & Waterway Consulting (WWC) has conducted a wetland delineation on property located in Sec.32, T9N, R21E, City of Mequon, Ozaukee County. The delineation was conducted on 10-30-21 at your request. This site is under consideration for future development; therefore, location of the wetlands prior to construction is necessary. The purpose of the delineation was to identify and flag all wetlands within the boundaries identified on the attached maps.

Investigators

Dave Meyer, lead delineator, is an independent environmental consultant providing wetland delineations, environmental permitting services, site assessments, and planning advice. He obtained a master's degree in Natural Resources Management from Southern Illinois University-Carbondale in 1977. Mr. Meyer has held technical and administrative positions in wetland and water resources specialties with the Wisconsin Department of Natural Resources and the U.S. Army Corps of Engineers. He has satisfactorily completed the Reg IV Wetland Delineation training offered by the U.S. Army Corps of Engineers, the Advanced Wetland Delineation training conducted by the University of Wisconsin-LaCrosse in 2002 and 2007, the USACOE/WIDNR 1987 Wetland Delineation Manual Midwest Region Supplement Training in 2009, the USACOE/WIDNR 1987 Wetland Delineation Manual Northcentral/Northeast Region Supplement Training in 2010, the Basic Hydric Soil ID training conducted by the University of Wisconsin-LaCrosse in 2011, SEWRPC's Environmental Corridor Delineation Workshops in 2004 and 2015, and the Wetland Training Institute's Advanced Hydrology for Jurisdictional Determinations in 2016 and the Federal Wetland/Waters Regulatory Policy in 2019. Mr. Meyer is recognized by the Wisconsin Department of Natural Resources as an Assured Delineator.

Kristi Sherfinski, of Helianthus LLC, has over 17 years of experience delineating wetlands in the Great Lakes Region. She received her initial basic wetland training at the Wetland Training Institute in Hastings, Michigan in 2002. Kristi worked as a project manager and wetland delineator at JFNew & Associates in Grand Haven, Michigan for six years, conducting wetland delineations in Michigan, Indiana, Illinois, and Wisconsin. Kristi then moved to Wisconsin to work for the Southeastern Wisconsin Regional Planning Commission (SEWRPC) with Dr. Donald Reed. At SEWRPC, Kristi updated the Wisconsin Wetland Inventory (WWI) in 2005 and in 2010 for the seven-county area of southeast Wisconsin. Kristi participated in the Advanced Wetland Delineation training in 2006. In 2009, she attended the Wetland Delineation USACE Regional Supplement training session, the Environmental Corridor Delineation Workshop, and the Farm Service Agency (FSA) Slide Review training session. Kristi started her own independent environmental consulting firm in 2018, and became recognized as an Assured Delineator in 2019.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Methods

The site visit was conducted according to the guidelines identified in the U.S. Army Corps of Engineers' 1987 manual and the Midwest Regional Supplement. The plot size used was a 30 foot radius circle for trees, shrub/saplings, and woody vines, and a 5 foot radius circle for herbaceous vegetation.

Sampling points were located in the areas that exhibited wetland characteristics as well as upland characteristics. Data was collected on the vegetation, soils, and hydrology at each sampling point. The wetlands were identified using the technical approach described in the USACOE 1987 Manual. The wetland boundary was flagged using breaks in topography, transitions between hydric and upland vegetation, identification of wetland hydrology, and the presence of hydric soils. Roadside ditches and other drainage ditches internal to the site were identified if they displayed hydric vegetation. Wetland delineators are given latitude to use best professional judgement in applying wetland indicators between adjacent regions. On page 4 of the Midwest Manual and page 5 of the Northcentral/Northeast Manual it states, "Region boundaries are depicted in Figure 1 as sharp lines. However, climatic conditions and the physical and biological characteristics of landscapes do not change abruptly at the boundaries. In reality, regions and subregions often grade into one another in broad transition zones that may be tens or hundreds of miles wide. The lists of wetland indicators presented in these Regional Supplements may differ between adjoining regions or subregions. In transitional areas, the investigator must use experience and good judgment to select the supplement and indicators that are appropriate to the site based on its physical and biological characteristics." Utilizing this guidance and best professional judgement in the Midwest Region, Kentucky bluegrass (Poa pratensis) is treated as a FACU species in roadside ditches and other stormwater conveyance ditches and detention basins internal to a site in order to maintain consistency with the manner in which these features are flagged in the Northcentral/Northeast Region. For those ditches meeting hydric vegetation indicators, flags were placed in the middle of the ditches at their beginning and ending points for the surveyor to locate. If the ditch was very long or had unusual bends or turns in it, additional flags were placed within the central parts of the ditch to assist in its location. The flags were located in the field and a wetland map was produced which identifies all flagged wetland complexes and ditches within the subject boundaries. Refer to the wetland map attached to the end of this report for locations.

In addition, an FSA crop history slide review was undertaken prior to the delineation because the county soil survey shows somewhat poorly drained or poorly drained soils present in farmed areas on the parcel. In preparation for the slide review, the NRCS wetland map, if available, was used to locate mapped areas of Prior Converted "PC", Wetland "W", Farmed Wetland "FW", Non-Wetland "NW", etc. Ten years of imagery were examined and used in the calculation for the number of hits. The review was started by examining a wet year aerial photograph, if present, to show the maximum extent of possible wetlands. Using that potential maximum extent of wetlands as the starting point, the normal years, if present, were then used to determine the more likely location and extent of the wetlands. Wet year signatures, particularly if they showed up on multiple years, were utilized in the field to determine the location of data points to demonstrate potential adjacent upland conditions. All wet signatures, whether they showed up on wet, normal, or dry years, were used to calculate the number of hits. Eight categories of wet signatures have been identified as follows [USDA, NRCS 1998. Wisconsin Wetland Mapping Conventions—WI513.30 (c) Off-site wetland identification tools. (WI-180-V-NFSAM). (3rd ed.) (Amendment WI21)]: 1) Hydrophytic vegetation which is typically seen as a different shade of green, 2) Surface water which usually shows as black or white areas, 3) Drowned-out crops identified as bare soil or mud flats, 4) Color differences that are the result of different planting dates or specific areas of the field that were not farmed in a given year, 5) Inclusionary wet areas that are part of a set-aside program, 6) Areas of greener color that are present in dry years, 7) Crop stress seen as yellow colors or sparse canopy typically seen as light green, and 8) Saturated soil that is visible on infrared (IR) slides or photographs.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Resources utilized in the investigation included the NRCS county soil survey, Wisconsin Wetland Inventory mapping, topo mapping, aerial photos, and county plat mapping. Significant literature consulted includes:

Curtis, John. 1971. The Vegetation of Wisconsin. University of Wisconsin Press, Madison, Wisconsin. 173 pp.

Eggers, Steve and Donald Reed. 2011. Wetland Plants and Plant Communities of Minnesota and Wisconsin – 3rd Edition. St. Paul District, U.S. Army Corps of Engineers, St. Paul, MN 478 pp.

Peterson, Roger and Margaret McKenny. 1968. A Field Guide to Wildflowers of Northeastern and Northcentral North America. Houghton Mifflin Company, Boston, Mass. 420 pp.

Swink, Floyd and Gerould Wilhelm. 1994. Plants of the Chicago Region. The Morton Arboretum, Lisle, Illinois. 921 pp.

Results and Discussion

* This vacant site is situated on the northwest corner of the intersection of North Swan Road and West County Line Road in the City of Mequon. The site consists of stands of upland hardwood trees and shrubs, upland meadow, actively cropped fields, hay fields, and wetlands. The northern portion of the parcel is generally level. The southern portion slopes to the south at grades of between approximately 5% to 15%.

* The growing season remained intact. The soil temperature was taken prior to starting the delineation. At 12 inches, the soil displayed a temperature of 51 degrees Fahrenheit, thereby meeting the required criteria to determine that the 2021 growing season remained intact.

* No records of previous delineations on this site were discovered.

* The soil types mapped within the project boundaries, as well as their detailed descriptions, are included with the soil maps in the Attachments.

* No roadside ditches supporting hydric vegetation are associated with this parcel.

* Ten years of slides were analyzed for the FSA slide review. The results of the slide review are included below in the discussion of the site characteristics.

* The Wisconsin Wetland Inventory map (WWI) shows an E1Kf complex mapped along a portion of an intermittent stream in the southern part of the site. This complex was not found to be present. In addition, the intermittent stream is actually an upland drainageway that serves to remove surficial water flow from the cropped fields. This drainageway emanates from a culvert under North Swan Road. The WWI also shows a wetland including a combination of T3/E1K and E1K complexes in the southern area of the site. This complex was found and flagged. Its configuration differs to some extent form the WWI. Refer to the attached wetland map for the accurate wetland locations.

* The following wetland complexes were flagged and are present on the parcel:

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Wetland A is a farmed wetland that showed wet signatures for 7 out of 10 years on the FSA slide review (DP #1). Soils meet the F3 and A11 indicators. Hydrology indicators present are C9 and D2. Wheat is the dominant vegetation. The presence of a healthy farm crop rather than wetland vegetation, however, is a function of the D2 drought situation that southern Wisconsin has been in for most of 2021. Because of this, a 2 parameter approach of soils and hydrology is used to determined wetlands in farmed areas. This complex meets those parameters. Further, the NRCS wetland map shows that this area is mapped as a wetland "W". Flags were placed around the topo break along the upper edge of the depressional basin which coordinated closely with discernable shifts in vegetation, hydrology, and soils from hydric to upland conditions. This complex is considered "less susceptible" with a protective area of 10% of the average wetland width ranging between not less than 10 feet and not more than 30 feet for impervious surfaces. The adjacent upland data point (DP #2) is located in the adjacent cropped field that has been recently harvested. Soybean stubble is present. Neither soil nor hydrology indicators are present.

Wetland B is a farmed wetland that showed wet signatures for 6 out of 10 years on the FSA slide review (DP #4). Soils meet the F6 indicator. Hydrology indicators present are A2, A3, C9, and D2. This area has been drowned out during the growing season and has a sparse amount of curly dock present. Flags were placed around the topo break along the upper edge of the depressional basin which coordinated closely with discernable shifts in vegetation, hydrology, and soils from hydric to upland conditions. This complex is considered "less susceptible" with a protective area of 10% of the average wetland width ranging between not less than 10 feet and not more than 30 feet for impervious surfaces. The adjacent upland data point (DP #5) is located in the adjacent cropped field planted to winter wheat. Neither soil nor hydrology indicators are present.

Wetland C is a small area of farmed wetland (DP #14) and forested wetland (DP #'s 11 and 13). The farmed wetland was drowned out during the growing season and displayed sparse volunteer vegetation of reed canary grass, bog yellowcress, and American elm. 3% aerial cover of soybeans was also present. Soils meet the A11 indicator and hydrology indicators present are A2, A3, D2, and D5. The forested wetland is dominated by silver maple, black willow, prickly ash, common buckthorn, choke cherry, giant goldenrod, calico aster, and reed canary grass. Soils meet the F3 and F6 indicators and hydrology indicators present are A2, A3, B1, B9, B10, D2, ad D5. Flags were placed around the topo break along the upper edge of the depressional basin which coordinated closely with discernable shifts in vegetation, hydrology, and soils from hydric to upland conditions. This complex is considered "moderately susceptible" with a protective area of 50 feet for impervious surfaces and extends offsite for undetermined distances to the south. The adjacent upland data points are DP #'s 12, 15, and 16. DP #16 is located in the adjacent cropped field that has been recently harvested. Soybean stubble is present. Volunteer vegetation is dominated by Canada thistle and field sow thistle. Neither soil nor hydrology indicators are present. DP #'s 12 and 15 describe stands of upland hardwoods dominated by black walnut, sugar maple, American beech, white oak, common buckthorn, black raspberry, dame's rocket, and wood sedge. Neither soil nor hydrology indicators are present.

Wetland D is a drainageway dominated by reed canary grass (DP #10). Soils meet the F3 indicator and hydrology indicators present are A2, A3, B9, B10, D2, and D5. Flags were placed around the topo break along the upper edge of the depressional channel which coordinated closely with discernable shifts in vegetation, hydrology, and soils from hydric to upland conditions. This complex is considered "less susceptible" with a protective area of 10% of the average wetland width ranging between not less than 10 feet and not more than 30 feet for impervious surfaces and extends offsite for undetermined distances to the south. The adjacent upland data point (DP #9) is dominated by Norway spruce, black walnut, common buckthorn, hybrid honeysuckle, black raspberry, wood sedge, and white avens. Neither soil nor hydrology indicators are present

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Additional Data Points

Four additional data points were located across the site in mapped hydric soil units to demonstrate the absence of wetland characteristics at these locations.

Upland DP #3 is located in the FSA slide review Area B. Wet indicators were present for 3 out of 10 years. This is a recently harvested hay field with sparse volunteer vegetation dominated by Queen Anne's lace and dandelion. While hydrology indicators of C9 and D2 are present, soils are not hydric. This area does not qualify as a wetland.

Upland DP #'s 6, 7, and 8 are located in the FSA slide review Area A. While this area displayed wet indicators for 10 out of 10 years, it is a decidedly upland drainageway. This drainageway is located on a hillslope that starts at a 15% grade on the north end and terminates at a 3% grade on the south end. Dominant vegetation is downy brome, yellow foxtail, Queen Anne's lace, Canada thistle, black raspberry, green ash, reed canary grass, and Canada goldenrod. Neither soil nor hydrology indicators are present.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Precipitation Data

Precipitation data from the websites of the USDA Natural Resource Conservation Service, the National Oceanic and Atmospheric Administration (NOAA), and Germantown WETS station WI3058 was examined. This antecedent data was reviewed and considered while making determinations concerning the presence and/or absence of wetlands during the field investigation.

Because the antecedent precipitation was normal, direct observation of saturated soils, and even the possibility of standing water, was potentially anticipated, although not expected. Other primary indicators as well as the secondary indicators were also searched for.

Note that when a site is delineated in the second half of the month, the current month and the previous 2 months are taken into consideration.

Condition Value Dry = 1 Normal = 2 Wet = 3

	Month	Normal	3 yrs. In 10 less than	3 yrs. In 10 more than	Observed precip.	Condition dry, wet, normal	Condition value	Month weight value	Proc o prev tw colu
current month	October	2.47	1.45	3.00	2.53	normal	2	3	6
1st prior month	September	3.53	2.03	4.35	1.63	dry	1	2	2
2nd prior month	August	4.28	2.98	5.08	7.18	wet	3	1	3
								sum	1

If sum is	
6 - 9	drier than normal
10 - 14	normal
15 - 18	wetter than normal

Conclusion

Antecedent precipitation was normal.

Conclusion

The wetland lines staked in the field and referred to in this report are the best estimate of the wetland boundaries based on the conditions present at the time of delineation. The wetlands identified for this report may be subject to federal regulation under the jurisdiction of the U.S. Army Corps of Engineers, state regulation under the jurisdiction of Wisconsin DNR, and local jurisdiction under your local county, town, city, or village. Because this delineation was conducted by Mr. Meyer, an Assured Delineator, obtaining a concurrence letter from the Wisconsin Department of Natural Resources is not necessary. Concurrence with these wetland lines by the U.S. Army Corps of Engineers is not necessary. If a USACOE permit is being sought for this project, this wetland delineation report will be reviewed during

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

the permit application process. If the USACOE has questions about, or issues with this report, they will not issue their permit(s) until those issues are resolved. Activities affecting wetlands or surface waters may require permits from the U.S. Army Corps of Engineers, the Wisconsin Department of Natural Resources, and local municipal authorities. The client must obtain authorization from all proper regulatory authorities before altering, modifying, or using the property. If the required authorizations are not obtained, Wetland & Waterway Consulting, LLC shall not be liable or responsible for any resulting damages.

Sincerely,

Dave Meyer

Attachments
1. Data points
2. Soil Survey maps
3. Wisconsin Wetland Inventory map
4. USGS topo map
5. Location map
6. Site photographs
7. FSA slide review
8. Wetland boundary map

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

DEPARTMENT OF THE ARMY
ST. PAUL DISTRICT, CORPS OF ENGINEERS
180 FIFTH STREET EAST, SUITE 700
ST. PAUL, MN 55101-1678

April 8, 2022

Regulatory File No. 2022-00359-AJK

Kristi Sherfinski
Helianthus, LLC
1836 W. Fond Du Lac Avenue, Suite 100
Milwaukee, WI 53205

Dear Kristi Sherfinski:

This letter regards an approved jurisdictional determination for the North Swan Road site in Mequon. The project site is in Section 32, Township 9 North, Range 21 East, Ozaukee County, Wisconsin. The review area for our jurisdictional determination is identified on the enclosed figures, labeled 2022-00359-AJK Figures 1-2 of 2.

The review area contains no waters of the United States subject to Corps of Engineers (Corps) jurisdiction. Therefore, you are not required to obtain Department of the Army authorization to discharge dredged or fill material within this area. The rationale for this determination is provided in the enclosed Approved Jurisdictional Determination form. This determination is only valid for the review area described. You are also cautioned that the area of waters described on the enclosed Jurisdictional Determination form is approximate and is not based on a precise delineation of aquatic resources.

If you object to this approved jurisdictional determination, you may request an administrative appeal under Corps regulations at 33 CFR 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and Request for Appeal (RFA) form. If you request to appeal this determination, you must submit a completed RFA form to the Mississippi Valley Division Office at the address shown on the form.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR 331.5, and that it has been received by the Division Office within 60 days of the date of the enclosed NAP. It is not necessary to submit an RFA form to the division office if you do not object to the determination in this letter.

This approved jurisdictional determination may be relied upon for five years from the date of this letter. However, the Corps reserves the right to review and revise the determination in response to changing site conditions, information that was not considered during our initial review, or off-site activities that could indirectly alter the extent of wetlands and other resources on-site. This determination may be renewed at the end of the five year period provided you submit a written request and our staff are able to verify that the limits established during the original determination are still accurate.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Regulatory Branch (File No. 2022-00359-AJK)

If you have any questions, please contact me in our Brookfield office at (651) 290-5729 or anthony.j.kitchen@usace.army.mil. In any correspondence or inquiries, please refer to the Regulatory file number shown above.

Sincerely,

for A.J. Kitchen
Lead Project Manager

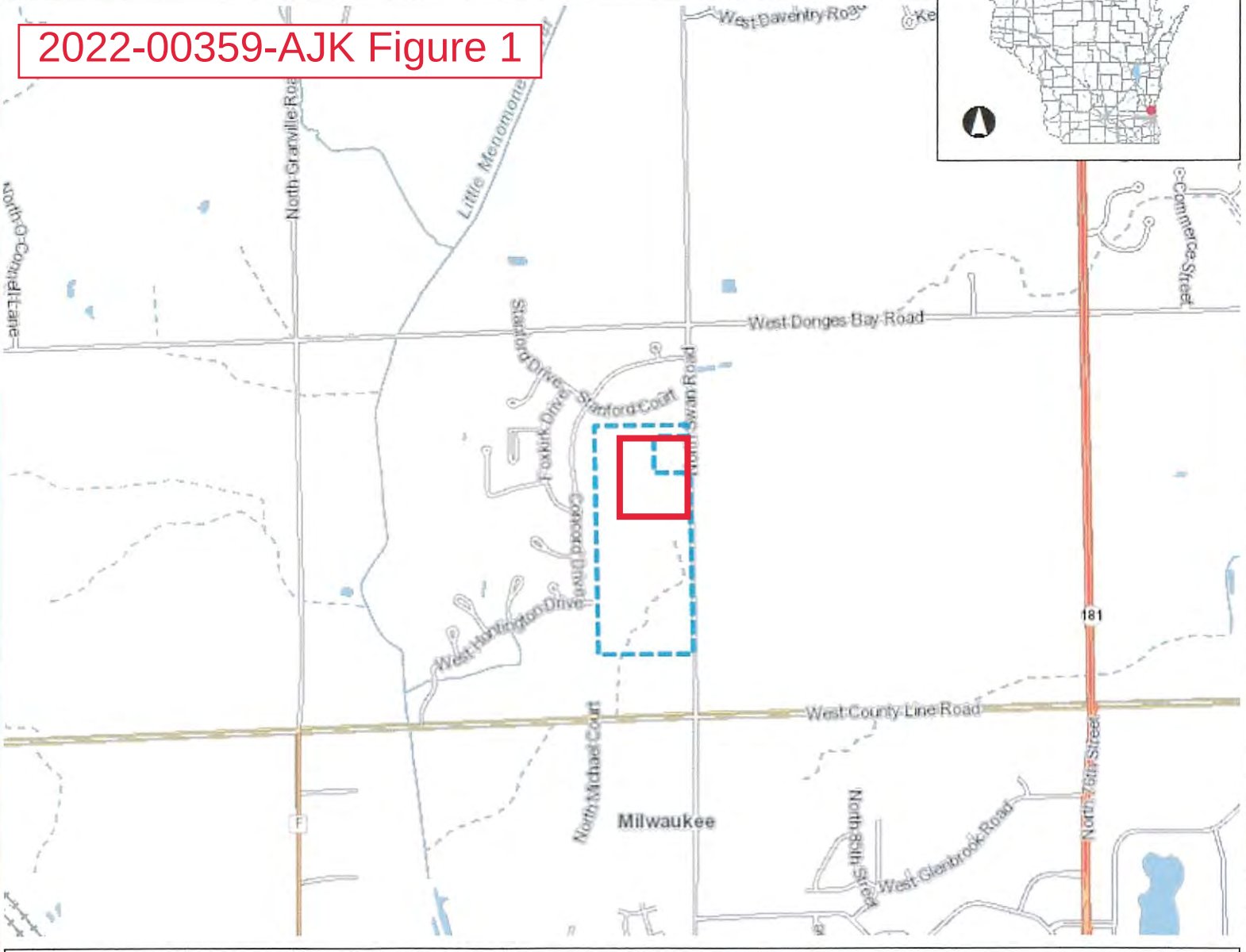
Enclosures

cc: Ryan Pappas, WI DNR

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

Surface Water Data Viewer Map

2022-00359-AJK Figure 1



Legend

- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

Notes

0.8 0 0.38 0.8 Miles

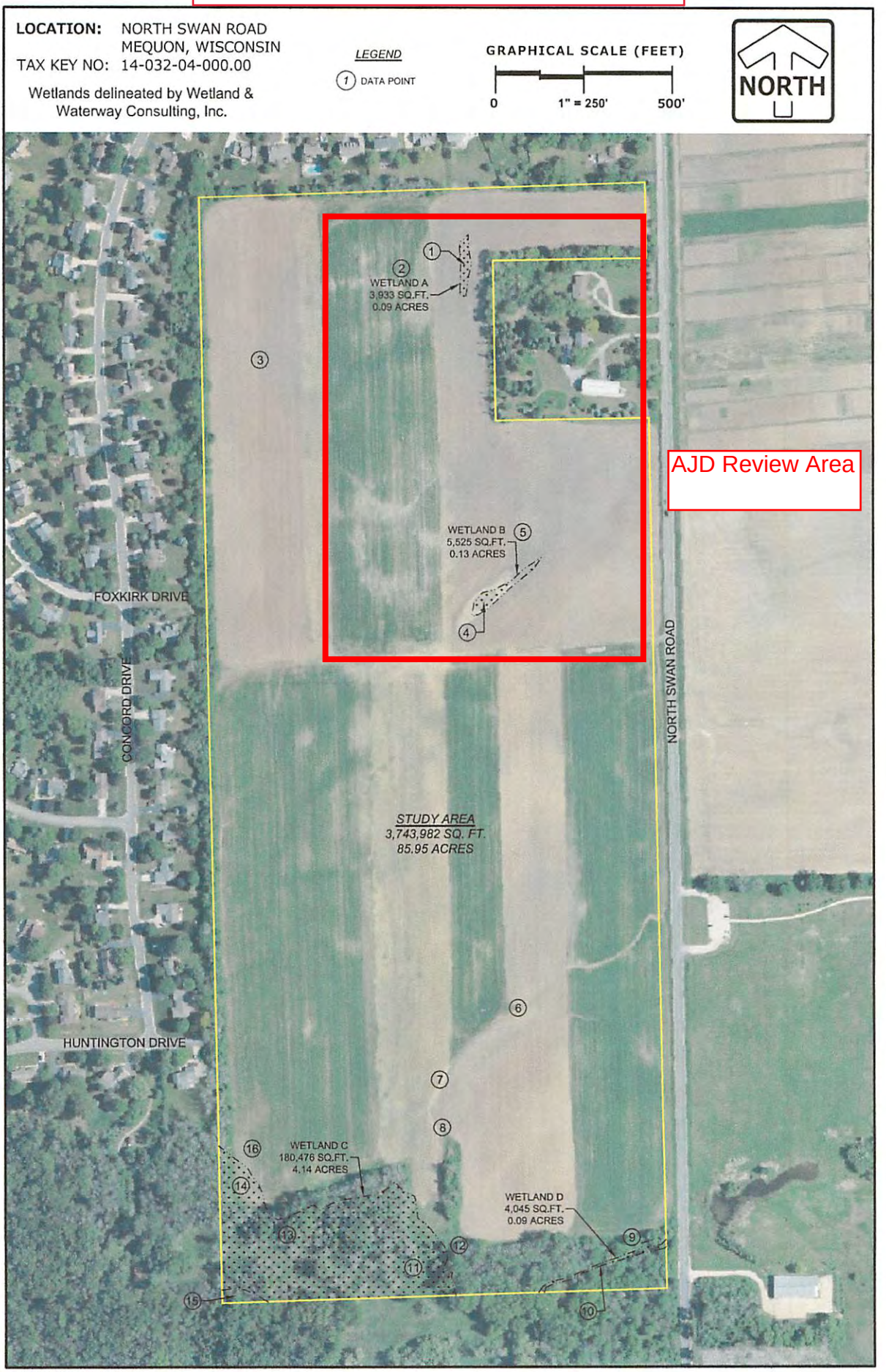
NAD_1983_HARN_Wisconsin_TM

1: 23,760

DISCLAIMER: The information shown on these maps has been obtained from various sources, and are of varying age, reliability and resolution. These maps are not intended to be used for navigation, nor are these maps an authoritative source of information about legal land ownership or public access. No warranty, expressed or implied, is made regarding accuracy, applicability for a particular use, completeness, or legality of the information depicted on this map. For more information, see the DNR Legal Notices web page: http://dnr.wi.gov/legal/

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

2022-00359-AJK Figure 2



EXHIBIT

11/15/2021

PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186
WWW.PINNACLE-ENGR.COM
PLAN | DESIGN | DELIVER
PEG JOB#2

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

APPROVED JURISDICTIONAL DETERMINATION FORM
U.S. Army Corps of Engineers

This form should be completed by following the instructions provided in Section IV of the JD Form Instructional Guidebook.

SECTION I: BACKGROUND INFORMATION

A. REPORT COMPLETION DATE FOR APPROVED JURISDICTIONAL DETERMINATION (JD): April 8, 2022

B. ST PAUL, MN DISTRICT OFFICE, FILE NAME, AND NUMBER: 2022-00359-AJK

C. PROJECT LOCATION AND BACKGROUND INFORMATION:

State: WI County/parish/borough: Ozaukee City: Mequon

Center coordinates of site (lat/long in degree decimal format): Lat. 43.2006° **N**, Long. -88.0256° **W**.

Universal Transverse Mercator: Zone 16N

Name of nearest waterbody: Unnamed to Little Menomonee River

Name of watershed or Hydrologic Unit Code (HUC): Little Menomonee River (040400030402)

☒ Check if map/diagram of review area and/or potential jurisdictional areas is/are available upon request.

☐ Check if other sites (e.g., offsite mitigation sites, disposal sites, etc…) are associated with this action and are recorded on a different JD form.

D. REVIEW PERFORMED FOR SITE EVALUATION (CHECK ALL THAT APPLY):

☒ Office (Desk) Determination. Date: March 14, 2022

☐ Field Determination. Date(s):

SECTION II: SUMMARY OF FINDINGS

A. RHA SECTION 10 DETERMINATION OF JURISDICTION.

There are no "*navigable waters of the U.S.*" within Rivers and Harbors Act (RHA) jurisdiction (as defined by 33 CFR part 329) in the review area.

B. CWA SECTION 404 DETERMINATION OF JURISDICTION.

There are no"*waters of the U.S.*" within Clean Water Act (CWA) jurisdiction (as defined by 33 CFR part 328) in the review area.

1. **Waters of the U.S.:** N/A

2. **Non-regulated waters/wetlands (check if applicable):**[1]

☒ Potentially jurisdictional waters and/or wetlands were assessed within the review area and determined to be not jurisdictional.

Explain: **The review area contains two wetlands, labeled Wetland A (0.09 acre) and Wetland B (0.13 acre). Both of these wetlands are isolated, per review of the November 2021 wetland delineation report by Wetland & Waterway Consulting, which included USGS topography, NRCS hydric soil data, Wisconsin Wetland Inventory, aerial photos, and ground level site photos. Both wetlands are situated in farmed depressions surrounded by upland agriculture. There are no observable inlets or outlets associated with either wetland. A review of recent aerial photos show that there are no downstream connections to another water of the US. The nearest tributary is unnamed to the Little Menomonee River. The USGS topography and EPA's water layer document this tributary beginning about 420 feet south of Wetland B; however, according to recent aerial photos, there is no visible bed and bank until over 1,200 feet south of Wetland B.**

The wetlands do not border, are not neighboring to or contiguous with another water of the US. They are not separated from another water of the US by man-made barriers, dikes or berms. Due to existing and surrounding land use (agricultural development) and proximity to other waters, there are no ecological connections to other wetlands or waters. These aquatic resources do not support a link to interstate or foreign commerce; are not known to be used by interstate or foreign travelers for recreation or other purposes; do not produce fish or shellfish that could be taken and sold in interstate or foreign commerce; and are not known to be used for industrial purposes by industries in interstate commerce. Therefore, the Corps has determined that Wetlands A and B are not regulated by the Corps under Section 404 of the Clean Water Act.

SECTION III: CWA ANALYSIS

A. TNWs AND WETLANDS ADJACENT TO TNWs: N/A

[1] Supporting documentation is presented in Section III.F.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

B. CHARACTERISTICS OF TRIBUTARY (THAT IS NOT A TNW) AND ITS ADJACENT WETLANDS (IF ANY): N/A

C. SIGNIFICANT NEXUS DETERMINATION: N/A

D. DETERMINATIONS OF JURISDICTIONAL FINDINGS. THE SUBJECT WATERS/WETLANDS ARE (CHECK ALL THAT APPLY): N/A

E. ISOLATED [INTERSTATE OR INTRA-STATE] WATERS, INCLUDING ISOLATED WETLANDS, THE USE, DEGRADATION OR DESTRUCTION OF WHICH COULD AFFECT INTERSTATE COMMERCE, INCLUDING ANY SUCH WATERS (CHECK ALL THAT APPLY): N/A

F. NON-JURISDICTIONAL WATERS, INCLUDING WETLANDS (CHECK ALL THAT APPLY):

- ☐ If potential wetlands were assessed within the review area, these areas did not meet the criteria in the 1987 Corps of Engineers Wetland Delineation Manual and/or appropriate Regional Supplements.
- ☒ Review area included isolated waters with no substantial nexus to interstate (or foreign) commerce.
  - ☒ Prior to the Jan 2001 Supreme Court decision in "*SWANCC*," the review area would have been regulated based solely on the "Migratory Bird Rule" (MBR).
- ☐ Waters do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction. Explain:
- ☐ Other (explain, if not covered above):

Provide acreage estimates for non-jurisdictional waters in the review area, where the sole potential basis of jurisdiction is the MBR factors (i.e., presence of migratory birds, presence of endangered species, use of water for irrigated agriculture), using best professional judgment (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☒ Wetlands: 0.22 acres.

Provide acreage estimates for non-jurisdictional waters in the review area that do not meet the "Significant Nexus" standard, where such a finding is required for jurisdiction (check all that apply):

- ☐ Non-wetland waters (i.e., rivers, streams): linear feet, width (ft).
- ☐ Lakes/ponds: acres.
- ☐ Other non-wetland waters: acres. List type of aquatic resource: .
- ☐ Wetlands: acres.

SECTION IV: DATA SOURCES.

A. SUPPORTING DATA. Data reviewed for JD (check all that apply - checked items shall be included in case file and, where checked and requested, appropriately reference sources below):

- ☒ Maps, plans, plots or plat submitted by or on behalf of the applicant/consultant: November 2021 wetland delineation report by Wetland & Waterway Consulting, LLC
- ☐ Data sheets prepared/submitted by or on behalf of the applicant/consultant.
  - ☐ Office concurs with data sheets/delineation report.
  - ☐ Office does not concur with data sheets/delineation report.
- ☐ Data sheets prepared by the Corps:
- ☐ Corps navigable waters' study:
- ☐ U.S. Geological Survey Hydrologic Atlas:
  - ☐ USGS NHD data.
  - ☐ USGS 8 and 12 digit HUC maps.
- ☒ U.S. Geological Survey map(s). Cite scale & quad name: Mequon Quadrangles
- ☒ USDA Natural Resources Conservation Service Soil Survey. Citation: Ozaukee County
- ☐ National wetlands inventory map(s). Cite name:
- ☒ State/Local wetland inventory map(s): Wisconsin Wetland Inventory
- ☐ FEMA/FIRM maps:
- ☐ 100-year Floodplain Elevation is: (National Geodectic Vertical Datum of 1929)
- ☒ Photographs: ☒ Aerial (Name & Date): Google Earth aerial photos (2000-2021)
  or ☒ Other (Name & Date): Ground level site photos from delineation report
- ☐ Previous determination(s). File no. and date of response letter:
- ☐ Applicable/supporting case law:
- ☐ Applicable/supporting scientific literature:
- ☐ Other information (please specify):

B. ADDITIONAL COMMENTS TO SUPPORT JD:

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NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND REQUEST FOR APPEAL

Applicant: Kristi Sherfinski (Helianthus, LLC)	**File No.:** 2022-00359-AJK	**Date:** 4/8/2022

Attached is:		See Section below
	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
	PERMIT DENIAL	C
X	APPROVED JURISDICTIONAL DETERMINATION	D
	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I - The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at http://usace.army.mil/inet/functions/cw/cecwo/reg or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- OBJECT: If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- ACCEPT: If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- APPEAL: If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, yo may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new informatio

- ACCEPT: You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- APPEAL: If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrativ Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be receive by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluat the JD.

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision and/or the appeal process you may contact:

A.J. Kitchen
U.S. Army Corps of Engineers
Brookfield Field Office
250 N. Sunny Slope Road, Ste. 296
Brookfield, WI 53005
(651) 290-5729

If you only have questions regarding the appeal process you ma also contact the Division Engineer through:

Administrative Appeals Review Officer
Mississippi Valley Division
P.O. Box 80 (1400 Walnut Street)
Vicksburg, MS 39181-0080
601-634-5820 FAX: 601-634-5816

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

	Date:	Telephone number:
_____ Signature of appellant or agent.		

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

February 14th, 2023

Kim Tollefson, Dir. of Community Development
11333 N. Cedarburg Road 60W
Mequon, WI 53092-1930

Dear Ms. Tollefson:

I appreciate the opportunity to assist the City of Mequon with landscape architectural review services. The following is the second review of the landscape submittal for the Swan Ridge Farm Subdivision development, located west of North Swan Rd. Although, this the first review of the plans dated 01/20/23. The plans were submitted by Pinnacle Engineering Group.

The plans are not currently stamped by a WI registered LA and the RLA of record is not provided. The nature of this review will be to assess the subdivision landscape plan for completeness; address appropriateness of design for the site/location and how the plant palette addresses the Planning Commission's request for greater buffering/treatments.

- ***General Overview:***

  - This review addresses the three sheet LANDCAPE set, including: L-1, Street Tree Overview; L 2, Landscape Enlargement; L-3, Open Space Plan; L-4, Landscape Notes and Details. All four o the plans are dated January 20th, 2023. Sheets L-1& L-3 are scaled at 1":100'; sheet L-2 is scale at 1":20'. The sheets are legible and the information provided is discernable. Please see th following items this review recommends revision and submittal, including:

  - The submitted plan provides the following eight proposed streets/ROW's:

    - Tundra Drive
    - Tundra Court
    - Cob Drive
    - Cob Court
    - Migratory Lane
    - Bevy Court
    - West Huntington Drive
    - Cygnet Court

The plan provides each ROW its own individual planting plan, at a readable scale. The review of th ROW planting plans is conducted by the City Arborist. This review will focus on the Open Spac plantings, and the City of Mequon's intent to include adequate buffering, including:

- There are four cul-de-sac planters & two boulevard planters <shown on sheet L-2>
  See Sheets L2 & L3 comments and review notes below.

- Sheet L-3 depicts four (4) Out lots; the plans somewhat adequately address the following in thi submittal:
  - North Stormwater Detention Basin Buffer
  - South Stormwater Detention Basin Buffer

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

- The Bike Path planting plan
- Open Area Planting plans

- The LANDSCAPE plans includes a plant schedule, with the following information: 1 symbol, 2. common name, 3. scientific name, 4. size of plant specified at planting, 5. Roc Condition, 6. Planting Notes, 7. Habit Notes, the 8. Quantities of each proposed plant, **Th Plant Schedule** shall be arranged by the following categories: a) Deciduous Trees, b Conifer Trees, c) Deciduous Shrubs, e) Conifer Shrubs, f) Perennials, g) Ornamenta Grasses, h) Vines and i) bulbs/corms/tubers. All plant sizes listed will be per ANSI Z60. American Nursery Standards at planting. All Caliper Diam. listed shall be 16" above th top of rootball, see the notes below for proposed size comments.

- Unfortunately, the L1 Street Tree plans do not show the CIVIL road stationing, a required per the landscape codes; this is how the CONTRACTOR know where to plant th street-trees.

❖ The submittal has addressed the following:

1. Existing Street Frontage ROW Street Tree plan;
2. Detention Basin Buffers;
3. Out-lot Planting Plans;
4. Proposed ROW/Street Planting Plans;
5. Exiting Tree Survey/ Conservation plan.

Please see the Zone Comments Below.

♦ **Outline of the proposed plant types :**

♦ The species proposed have the ability to perform in the local soils. The proposed palettes ar commonly reused throughout Ozaukee Co.

❖ ***TURF / DETENTION BASIN/ BIO-SWALE COVER***

✓ The plan provide thes following notes on sheet L-3.0 : the plan shall indicate what areas are sod and what areas are to be seeded. Also, define the turf area SYD & No-mow turf seeding area SYD. Provide that note on L-3.0. Amend plans to include notes outlining: required time to implement seeding and also specify:

1. type of seed mix, 2. rate of application, 3. fertilizer type, 4. fertilizer application rates, 5. number of total proposed applications <seed & fertilizer>, Define which contractor is responsible for fine grading and define the performance level of the finished surface prior to seeding. 6. The City of Mequon applies a performance criterion for approving TURF acceptance. 7. Add notes that state, The OWNER accepts multiple seeding may be required to meet the performance requirements of turf. 8. Please note on Plans, Failure to meet the TURF performance criteria is grounds for the City Planning & Zoning to withholding permit of occupancy, or action that can include forfeiture of bonding requirements. 9. Failure to implement a site seeding regime, without enough time to establish the nurse crop & the turf seed mix will fail the City of Mequon Turf performance criteria. The City has the right to require the RE-execution of fine grading and turf implementation until the performance standards are met. 10. The OWNER may wish to apply SOD if fine grading is not complete in time to enable a turf establishment by seed.

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➢ *Plant Schedule Comments:*

❖ The plant schedule shall be amended to specify all:

- **All Deciduous trees shall have a minimum 3.5 inch caliper @ 16" above the root ball**
- City of Mequon does not distinguish between Ornamental deciduous trees and deciduous tress t assign size requirements.
- The Conifer tree shall have a minimum 7ft height (to the top lateral branch, not to the top of th central leader) above the rootball.
- The proposed plant palettes are commonly reused throughout Ozaukee Co.
- None of the proposed plants are listed in the 2017 or 2019 Wisconsin NCRS Invasive prohibited c regulated use lists.

Planting Zone Comments:

- The submittal is organized and provides the following: 1. N. Swan Rd. Street Frontage Zon (ROW); 2. Proposed ROW Street Trees; 3. Property Line Buffer; 4. On-Lot Zones; 5. Ope Space Zones; 6. Detention Basin buffers. **Note:** While considering Plant Zon Applications/counts – each plant can only be counted 1 time, to meet a listed buffe requirements.

- **ROW/Street Frontage Zone**:
  N. Swan Rd. ROW – STREET TREE Proposal: Code requires 1 approved street tree per eac side of/30 feet of CL length; the Port Washington Rd. ROW planting requirement is nc addressed. (While this area also falls under the City of Mequon's Arborist's review, I will cit the application has addressed the N. Swan Rd. ROW. Final Action per P & Z/ Mequon Staff)
- **Proposed ROW/Interior Street Zones**:
  Steet Trees- Interior Drives: Code requires 1 approved street tree per each 30 feet of drive, o each side of the length. The submitted plan provides the following eight propose streets/ROW's:

  - Tundra Drive
  - Tundra Court
    - Sheet L2- The number of Tree & Shrub plantings seems to be an appropriate an sustainable design. The proposed plant variation will bring seasonal color an texture variance.
  - Cob Drive
  - Cob Court
    - Sheet L2- The number of Tree & Shrub plantings seems to be an appropriate an sustainable design. The proposed plant variation will bring seasonal color an texture variance.
  - Migratory Lane
  - Bevy Court
    - Sheet L2- The number of Tree & Shrub plantings seems to be an appropriate an sustainable design. The proposed plant variation will bring seasonal color an texture variance.
  - West Huntington Drive
  - Cygnet Court

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- Sheet L2- The number of Tree & Shrub plantings seems to be an appropriate an sustainable design. The proposed plant variation will bring seasonal color an texture variance.

Each ROW should have its own individual planting plan, at a readable scale. (While this are also falls under the City of Mequon's Arborist's review, I will cite the application ha addressed each of the listed ROW's above. Street Tree density appears to approach th requirements. Size of proposed street trees do not meet the City of Mequon requirements. Thi review recommends applying the Size requirements listed above. Final Action per P & Z Mequon Staff).

- **Property Line Buffer:** Per the proposed landscape code requirements. The PL edge requires buffer application of trees and mixed plantings. This proposal fails to address any of the PL o provide a buffer. (Proposal meets the intentions of the PL/ side yard buffers. No Action by Cit Staff/Planning Board.) Action per P & Z/ Mequon Staff.)
- **Detention Basin Buffer:**

The proposed codes require- 2 large canopy Trees / mixed with large Shrubs to be planted pe every 100 LF of WHM <High water mark>. The plan fails to depict any buffering of the tw detention basins. It is recommended this proposal amends the landscape plan to includ detention basin planting requirements, screening requirements. Also, the plan fails to addres the Detention Basin's ground cover/ wetland planting & maintenance.

(The plan adequately addresses Detention Basins Buffering. Mequon has required a buffe treatment of trees, shrubs and ground covers. The buffers shall measure 30% the length, as occurs at, the High-water mark of the basin. The minimum depth of the buffer is 20 fee Existing vegetation counts toward the 30% benchmark; although, I believe the required gradin will eradicate the existing vegetation. Please readdress the detention basin buffers afte grading is complete. This reviewer recommends groupings of locally sources conifer tree would help screen any adverse viewsheds created.)

Comments:

- **Street Frontage /ROW Zone**: North Swan Rd..: Landscape Code requires 1 tree per/30 fee of ROW. (Review per City Arborist)
- The Landscape Plan shall show the road layout stationing on all proposed ROW's. This pla fails to provide the stationing & length of the following proposed roads:
  - Tundra Drive,
  - Tundra Court
  - Cob Drive
  - Cob Court
  - Migratory Lane
  - Bevy Court
  - West Huntington Drive
  - Cygnet Court
- The plan fails to depict which of the existing trees are being removed, and which are will b preserved under the City of Mequon retention/conservation requirements. Is there Preservation Plan generated? will remain and which are being used to meet the street tre

Attachment: Packet DOcs_Swan Ridge_03.20.23 (8291 : Swan Ridge Farms)

requirements. (This plan fails to address the conservation tree Code; that does not mean tha application did not go directly to the Review of the City Arborist)

- ***Observations:***

  - The Swan Ridge Farm Subdivision landscape plan is a very well thought out subdivisio Landscape proposal. With that observed, this review finds the following areas stretching th intent and goals of the Zone Landscaping approach, including:
    - N. Swan Rd ROW Plantings/East PL buffer – Technically these trees are being counte twice to meet BOTH the ROW & PL Treatment requirements,
    - PL buffering along the West PL has minimal Canopy tree/Buffering Treatment. Sinc the adjacencies are existing SF subdivision & proposed SF subdivision, there is low/t none buffer requirement.
    - Open Space- Bike Lane/Walk – see PL buffering along W. PL<above>. Same here, would be nice if the bike/walking path had an application of large canopy tree every100-150', to soften the experience.
  - The Plant Schedule shall be amended, to include:
    1. Per code, all deciduous street trees shall have a minimum of 3.5 - 4 inch caliper trees.
    2. Per code, all conifer street trees shall have a minimum height of 7'.
    3. Provide the S.f. area of the proposed turf. Provide/specify the seed type, fertilizer type rate, nurse crop requirements, performance requirements, overseeding requirements.
  - Please add a note: Per ANSI z 60, the plantings shall meet height equivalency consistent of th stated caliper. Trees selected may meet caliper requirements, but failing to meet heigh requirements, or root ball size requirements will be rejected by the city; Or, Amend th schedule to include the required root ball dimensions, caliper & tree height.

This concludes the review of the SWAN Ridge Farms Subdivision Landscape submission. I hop planning staff and the commission finds the information presented and recommendations useful.

Sincerely,

M. Terry Higgins, RLA.

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11333 N. Cedarburg Rd
Mequon, WI 53092-1930
Phone: 262-236-2902
Fax: 262-242-9655
www.ci.mequon.wi.us
Department of Community Development

TO: **Planning Commission**

FROM: **JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT**

DATE: **March 20, 2023**

SUBJECT: **Alex Leykin. The applicant is seeking rezoning recommendation to include an agricultural overlay and certified survey map approval to allow for three lots to be combined into 1-lot for the property located at 14207 N. Birchwood Land.**

Applicant:	Alex Leykin
Status of Applicant:	Property Owner
Requested:	Rezoning Recommendation Certified Survey Map
Existing Zoning:	R-1 (Rural Residential) C-2 (General Conservancy) OA (Agricultural Overlay)
Land Use Plan:	Rural Residential
Lot size:	19.89 Acres
Location:	14097, 14137, 14207 N. Birchwood Lane
Tax Key Number:	#15-005-03-009.00, #15-005-03-010.00, #15-005-030-11.00
District:	#4

Background:
The applicant is requesting Planning Commission approval for a rezoning recommendation from R-1 (Residential 5 acre) and C-2 (General Conservancy) to R-1 (Residential 5 acre) and C-2 (General Conservancy) with an OA (Agricultural Overlay). The applicant is also requesting a Certified Survey Map to combine the three parcels into one lot. In order to be zoned OA, the parcel needs to be at least 10 acres. The site was originally one large lot and was subdivide into four lots with an outlot. This was approved as part of a PUD (Planned Unit Development) since the proposed lots ranged in size from 2.5 to 3.1 acres. In 2017, the owner rezoned the property to remove the PUD and reconfigured the lots into three 6.5 acres in size. The current request would allow the applicant to construct a structure for agricultural use.

Background: The applicant is requesting Planning Commission approval for a rezoning recommendation from R-1 (Residential 5 acre) and C-2 (General Conservancy) to R-1 (Residential 5 acre) and C-2 (General Conservancy) with an OA (Agricultural Overlay). The applicant is also requesting a Certified Survey Map to combine the three parcels into one lot. In order to be zoned OA, the parcel needs to be at least 10 acres. The site was originally one large lot and was subdivide into four lots with an outlot. This was approved as part of a PUD (Planned Unit Development) since the proposed lots ranged in size from 2.5 to 3.1 acres. In 2017, the owner rezoned the property to remove the PUD and reconfigured the lots into three 6.5 acres in size. The current request would allow the applicant to construct a structure for agricultural use.

Rezoning:
The rezoning would revert the parcel back to the same condition it was in prior to the change in 2010. The applicant states that the desire to rezone the lot is to allow for agricultural uses on the property and construction of an agricultural structure. Any accessory structure over 1,000 square feet will require Planning Commission approval. Since the OA requires 10 acres, the zoning change would not go into effect until the CSM is recorded. Staff will add as a condition of approval the CSM shall be recorded prior to Common Council action on the rezoning.

Certified Survey Map:
The proposed Certified Survey Map shows one lot 19.8 acres in size. The proposed layout conforms to all of the R-1 district requirements. The proposed CSM includes a wetland delineation that was completed over five years ago and is now expired. The updated delineation shall be required as a condition of approval of the CSM.

Engineering Report:
Cole McCraw, Assistant City Engineer, has reviewed the application and has the following comments:

Access to the lot is provided off Birchwood Lane, although no driveways are proposed as a part of the CSM. Right-of-way was previously dedicated at the ultimate right-of-way width. No additional dedication is required with this CSM.

Wetlands are present on site and represented in two categories. A 2018 wetland delineation report was referenced on part of the wetlands indicated on the CSM. The note for those wetlands shall be updated to reference the Wisconsin Department of Natural Resources (DNR) concurrence date and the report with the wetland protective area width shall be submitted to the City.

The wetland limits indicated per CSM #3778 are older than five years old and must be delineated prior to CSM approval. The updated delineation report and concurrence by the DNR shall be submitted to the City. The updated report shall indicate a wetland protective area width.

To the extent that any of the wetland boundaries or wetland protective areas are impacted by the updated wetland delineation, they shall be reflected on the CSM prior to recording.

The site is not located within the City's sewer service area, and therefore is not required to connect to public sewer. If a soil test was not performed to indicate a private onsite wastewater treatment system option, the applicant shall submit a soil test prior to recording of the CSM. Alternatively, it may be noted on the CSM that a soil test was not performed. All land divisions and site improvements shall conform to the Mequon Water Connection Policy. If private sanitary or water service is contemplated, it shall be permitted through Ozaukee County and the WDNR.

The land division itself does not propose an increase in impervious surface. However, future improvements may trigger the MMSD requirement for green infrastructure. The owner will be required to provide green infrastructure conforming to MMSD Chapter 13 Rules prior to the issuance of a building permit if adding 5,000 square feet or more of impervious area. If green infrastructure is required, the buildings permit is also conditioned upon receipt of a stormwater maintenance and easement agreement and a drainage financial guarantee. Improvements that add

greater than ½-acre of new impervious surface are subject to a storm water management plan conforming with MMSD, DNR, and City requirements.

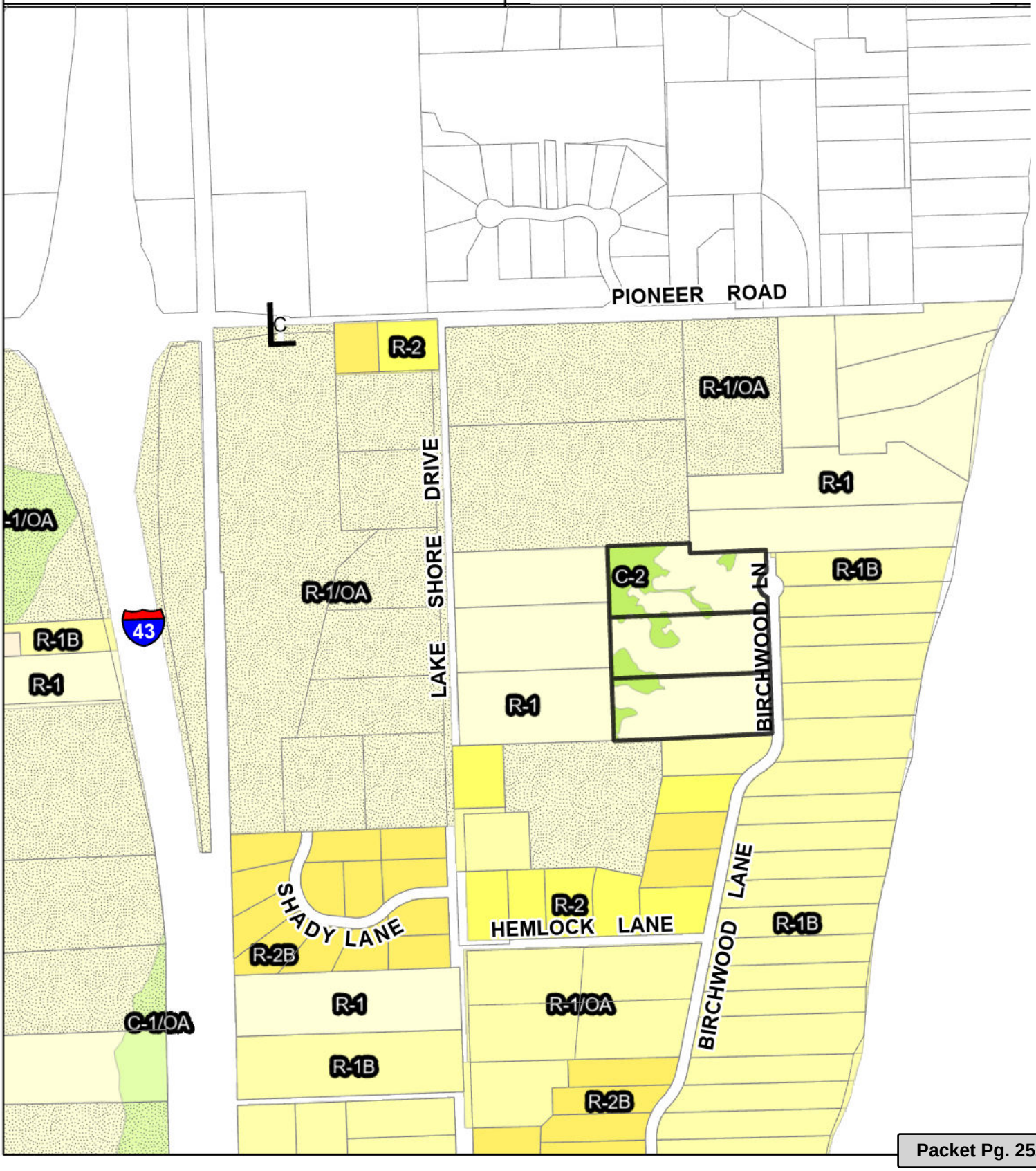
Staff Recommendation:
Planning staff recommends **approval** of the rezoning recommendation and the certified survey map based on the following conditions:

1. Common Council action on the rezoning.
2. The CSM shall be recorded with the Register of Deeds prior to Common Council action on the rezoning.
3. Prior to Common Council action on the rezoning, the applicant shall submit wetland delineation reports for all wetlands on site, including concurrence by the Wisconsin Department of Natural Resources (DNR). The delineation report and DNR concurrence letter shall be submitted to the City. Notations on the face of the CSM shall be revised to "Wetland Delineated By Company Name Date with WDNR Concurrence Date." The appropriate wetland protective area shall be represented on the CSM prior to recording.
4. Final staff technical review and approval of CSM. The applicant shall make any technical corrections to the final CSM.
5. If a soil test was not performed to indicate a private onsite wastewater treatment system option, the applicant shall submit a soil test prior to recording of the CSM. Alternatively, it may be noted on the face of the CSM that a soil test was not performed in conjunction with the CSM.
6. For improvements that exceed 5,000 square feet of new impervious area, a green infrastructure plan meeting City and MMSD requirements must be approved and implemented.
7. The applicant shall submit an electronic file for the proposed certified survey map in a format compatible with AutoCAD 2015 dwg or dxf in Wisconsin State Plane Coordinate system South Zone (NAD 83).

Attachments:
Map (PDF)
Narrative (DOCX)
CSM (PDF)

ALEX LEYKIN - REZONING AND CSM

AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family Residential (5 Ac. Min.)
B-4	Business Park	R-1B	Single-Family Residential (2.5 Ac. Min.)
B-5	Light Industrial	R-2	Single-Family Residential (2 Ac. Min.)
B-6	Rural Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-7	Rural Business	R-3	Single-Family Residential (1 Ac. Min.)
C-1	Shoreland/Wetland Conservancy	R-4	Single-Family Residential (3/4 Ac. Min.)
C-2	General Conservancy	R-5	Single-Family Residential (1/2 Ac. Min.)
CGO	Central Growth Overlay	R-6	Single-Family Residential (4 DU/Ac.)
FFO	Flood Fringe Overlay	RM	Multi-Family Residential
FW	Floodway	TC	Town Center
IPS	Institutional & Public Service	TDR	Transfer of Development Rights



Attachment: Map (8292 : Alex Leykin)

Good morning Jac,

Sorry for a bit of delay. I'm following up on the our conversation regarding the rezoning package I submitted for the next Planning Commission meeting. The reason for changing the lots back to the original 20+ acre single parcel and adding the agricultural overlay is to allow more flexibility for my use of the property. As you may remember, I originally divided the property to facilitate a home construction. This plan has changed since I purchased the property across the street and now plan to build my home there. The subject property purpose will now be undetermined with the exception of being used for other legal purposes such as growing vegetables, hunting, playing with our dogs and storing my property maintenance equipment. Storing equipment will require a pole barn which is only acceptable per city statutes if the property has the agricultural zoning and is large enough for it. Hence the change of zoning and size.

Respectfully,
Alex Leykin – CEO
A+ Mortgage Services, Inc. NMLS #259353
262-679-8500 Office
262-399-5916 Office Direct Line
262-679-8800 Fax
414-403-2114 Mobile
www.trustaplus.com
alex@trustaplus.com
NMLS #264737

Attachment: Narrative (8292 : Alex Leykin)

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. 4043, BEING A PART OF NORTHWEST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

0 200 300 400 600

SCALE 1" = 200'

NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
www.northshoreengineering.net

NOTE:
1. SEE SHEETS 2 & 3 FOR WETLAND EXHIBIT.

(PIONEER ROAD – C.T.H. "C")

NW. CORNER OF THE NE. 1/4 OF SECTION 5-9-22 ALUMINUM MONUMENT

OWNER:
ALEX & ZHANA LEYKIN
2016 REVOCABLE TRUST
14132 N. BIRCHWOOD LANE
MEQUON, WI 53097

WISCONSIN
JAMES G. SCHNEIDER
S-2127
MEQUON
WI
LAND SURVEYOR
2-16-2023

PIONEER RD. – C.T.H. "C"
LAKE SHORE DRIVE
BIRCHWOOD LN.
N

LOCATION MAP
NE. 1/4 SEC. 5-9-22
(SCALE 1"=2000')

LEGEND
- ⊡ –DENOTES 1.3" STEEL PIPE (FOUND)
- ● –DENOTES 5/8" REBAR (FOUND)
- △ –DENOTES SOIL TEST LOCATION

ALL BEARINGS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (WEST LINE OF THE NE. 1/4 OF SECTION 5-9-22 WHICH BEARS S1°57'32"E)

CURVE TABLE					
NO.	ARC	RADIUS	CHORD	BEARING	DELTA
1	173.89'	75.00'	137.48'	N1°57'32"W	132°50'37"

(LAKE SHORE DRIVE) WEST LINE OF THE NE. 1/4 OF SECTION 5-9-22
S1°57'32"E 1265.70' (ALSO REC. AS S0°10'50"E)

LOT 2 C.S.M. NO. 3031
PARCEL 2 C.S.M. NO. 1018
(ALSO REC. AS S0°10'50"E) S1°57'32"E 54.30'
(ALSO REC. AS EAST) N88°13'18"E 874.40'
(ALSO REC. AS EAST) N88°13'18"E 445.60'
(ALSO REC. AS EAST) N88°13'18"E 410.00'
50' WIDE TREE PRESERVATION EASEMENT

WETLANDS (PER C.S.M. NO. 3778)
PARCEL 1 C.S.M. NO. 3033
B-1 B-2 B-3 B-4 B-5 B-6 B-7 B-8 B-9 B-10 B-11

173.89' ① 75.0'
(ALSO REC. AS S0°10'50"E) S1°57'32"E 116.36'
30' 30' 30'

PARCEL 2 C.S.M. NO. 3033
N1°57'32"W 1044.30' (ALSO REC. AS N0°10'50"W)
30.0'

LOT 1
866,773± SQ. FT.
19.899± ACRES

WETLANDS AS FLAGGED BY rdSmith AND FIELD LOCATED ON NOVEMBER 19, 2018

BUILDING SETBACK LINE (TYP.)

S1°57'32"E 736.16' (ALSO REC. AS S0°10'50"E)
BIRCHWOOD LANE

PARCEL 3 C.S.M. NO. 3033

100.0'
30.0'

S88°13'18"W 855.60'
(ALSO REC. AS WEST)

LOT 2 C.S.M. NO. 2150
UNPLATTED LANDS

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

Attachment: CSM (8292 : Alex Leykin)

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. 4043, BEING A PART OF NORTHWEST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

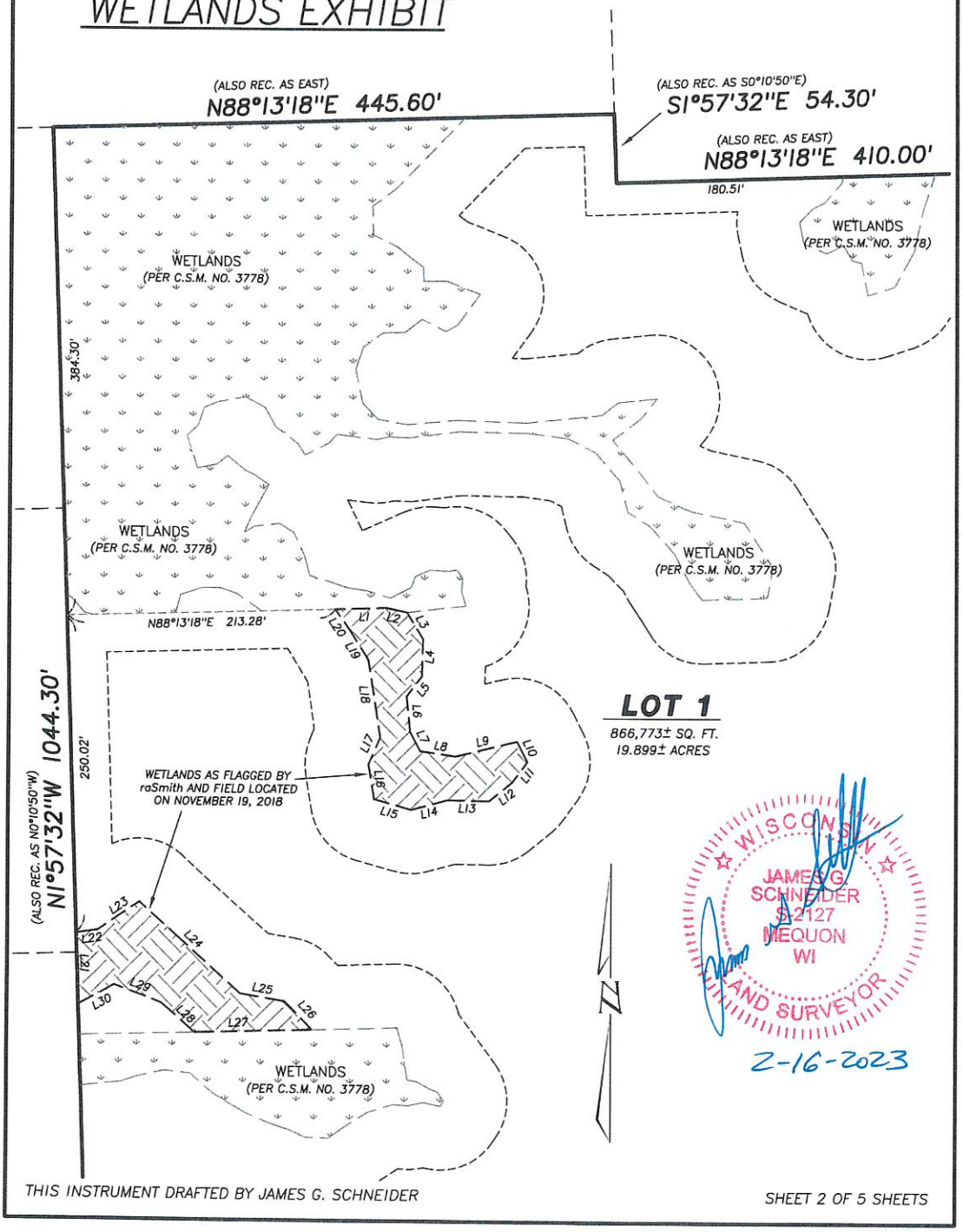
0 100 150 200 300

SCALE 1" = 100'

NOTE:

1. SEE SHEET 3 OF 5 FOR WETLAND LINE TABLE.

WETLANDS EXHIBIT



WISCONSIN
JAMES G. SCHNEIDER
S-2127
MEQUON
WI
LAND SURVEYOR

2-16-2023

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 2 OF 5 SHEETS

Attachment: CSM (8292 : Alex Leykin)

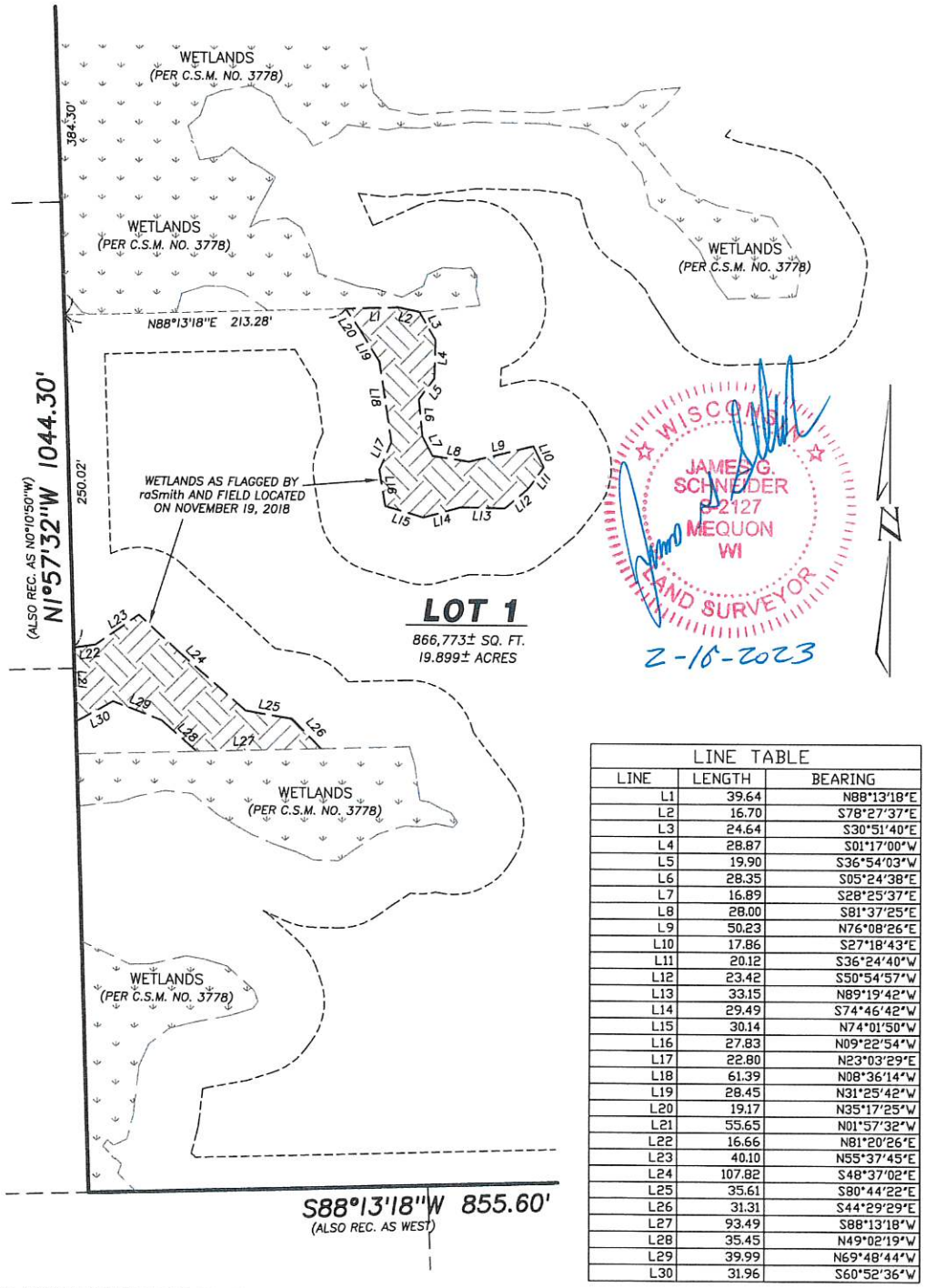
CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. 4043, BEING A PART OF NORTHWEST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

WETLANDS EXHIBIT

0 100 150 200 300

SCALE 1" = 100'



LINE TABLE		
LINE	LENGTH	BEARING
L1	39.64	N88°13'18"E
L2	16.70	S78°27'37"E
L3	24.64	S30°51'40"E
L4	28.87	S01°17'00"W
L5	19.90	S36°54'03"W
L6	28.35	S05°24'38"E
L7	16.89	S28°25'37"E
L8	28.00	S81°37'25"E
L9	50.23	N76°08'26"E
L10	17.86	S27°18'43"E
L11	20.12	S36°24'40"W
L12	23.42	S50°54'57"W
L13	33.15	N89°19'42"W
L14	29.49	S74°46'42"W
L15	30.14	N74°01'50"W
L16	27.83	N09°22'54"W
L17	22.80	N23°03'29"E
L18	61.39	N08°36'14"W
L19	28.45	N31°25'42"W
L20	19.17	N35°17'25"W
L21	55.65	N01°57'32"W
L22	16.66	N81°20'26"E
L23	40.10	N55°37'45"E
L24	107.82	S48°37'02"E
L25	35.61	S80°44'22"E
L26	31.31	S44°29'29"E
L27	93.49	S88°13'18"W
L28	35.45	N49°02'19"W
L29	39.99	N69°48'44"W
L30	31.96	S60°52'36"W

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 3 OF 5 SHEETS

Attachment: CSM (8292 : Alex Leykin)

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. 4043, BEING A PART OF THE NORTHWEST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped the following parcel of land:

A redivision of Lots 1, 2 and 3 of Certified Survey Map No. 4043, being a part of the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 5, Township 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of the Northeast 1/4 of said Section 5; thence S1°57'32"E along the West line of said 1/4 Section, 1265.70 feet to a point in the Westerly extension of the North line of Parcel 1 of Certified Survey Map No. 3033; thence N88°13'18"E along the North line of said Parcel 1, 874.40 feet to the Northwest corner of Lot 3 of Certified Survey Map No. 4043 and the point of beginning of lands to be described; thence continuing N88°13'18"E along the North line of said Lot 3, 445.60 feet to a point in the West line of Lot 2 of Certified Survey Map No. 3031; thence S1°57'32"E along the West line of said Lot 2, 54.30 feet to the Southwest corner of said Lot 2; thence N88°13'18"E along the South line of said Lot 2, 410.00 feet to a point in the West right of way line of Birchwood Lane; thence S1°57'32"E along the West right of way line of Birchwood Lane, 116.36 feet; thence Southeasterly along said West right-of-way line, being the arc of a curve to the left (having a radius of 75.00 feet, whose chord bears S1°57'32"E, 137.48 feet) 173.89 feet to a point; thence S1°57'32"E along said West right of way line, 736.16 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 4043; thence S88°13'18"W along the South line of said Lot 1, 855.60 feet to the Southwest corner of said Lot 1, said point also being the Southeast corner of Parcel 3 of Certified Survey Map No. 3033; thence N1°57'32"W along the West line of Lot 1, 2 and 3 of Certified Survey Map No. 4043 and the East line of Parcels 1, 2 and 3 of Certified Survey Map No. 3033, 1044.30 feet to the point of beginning.

Said lands containing 19.899 acres of land, more or less.

That I have made such survey, land division, and plat at the direction of Alex Leykin and Zhana Leykin 2016 Revocable Trust, OWNER of said lands.

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

That I have complied with Section 236.34 of the Wisconsin Statutes and the requirements of the City of Mequon.

James G. Schneider S-2127

This instrument was drafted by James G. Schneider

Attachment: CSM (8292 : Alex Leykin)

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. 4043, BEING A PART OF THE NORTHWEST 1/4, SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 5, TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

I, Alex Leykin (Trustee) of the Alex Leykin and Zhana Leykin 2016 Revocable Trust, OWNER, do hereby certify: THAT I have caused the lands described in the foregoing certificate of James G. Schneider, Surveyor, to be surveyed, divided and mapped.

_____ _____

Witness Alex Leykin (Trustee)

WITNESS the hand and seal of said OWNER on this _____ day of _____ 20__.

STATE OF WISCONSIN)
OZAUKEE COUNTY)ss

PERSONALLY came before me on this _____ day of _____,20___ Alex Leykin (Trustee) of the Alex Leykin and Zhana Leykin 2016 Revocable Trust, to me known to be the person who executed the foregoing certificate and acknowledged the same.

_____ My Commission expires _____

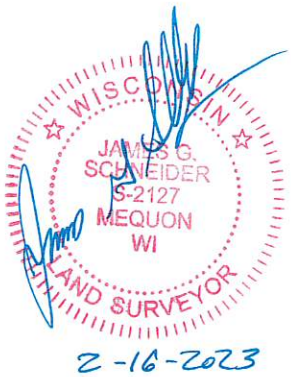
Notary Public

CITY OF MEQUON PLAN COMMISSION APPROVAL

APPROVED by the City of Mequon Plan Commission on this _____ day of _____ 20____.

_____ _____

Chairman Secretary



2-16-2023

This instrument was drafted by James G. Schneider

Sheet 5 of 5 Sheets

Attachment: CSM (8292 : Alex Leykin)