



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, April 10, 2017
7:00 PM
Christine Nuernberg Hall

Agenda

1) Call to Order, Roll Call

- a) Minutes from March 13, 2017

2) Regular Business

- a) Simon & Bianca Meester. The applicant is seeking approval for an accessory structure greater than 1,000 s.q. ft. for a horse barn for the property located at 5980 W. Chapel Hill Road.
- b) Highlander Estates, Phase III. The applicant is seeking development agreement and fill permit for Phase III (Addition 2) consisting of 45 lots of the 111 lot single family subdivision, Highlander Estates, located immediately south of Brighton Ridge and Knightsbridge subdivisions between Swan and Wauwatosa Roads,
- c) MSI General for Riteway Bus, LLC. The applicant is seeking site plan amendment approval to remove the bypass lanes on the south side of Donges Bay Road for the property located at 6926 W. Donges Bay Road.
- d) Vogel Real Estate, LLC for Gateway Plastics. The applicant is seeking building and site plan amendment approval for a 70,000 s.q. ft addition at 5650 W. County Line Road (Gateway Plastics).
- e) Marvin C. Bynum for Rick O'Malley Revocable Trust. The applicant is seeking site plan approval for the Trees for Less nursery and landscape contractor business at 11710 N. Wasaukee Road. The applicant is also requesting certified survey map approval along with 11550 N. Wasaukee Road and 30 acres immediately to the north.

3) Announcements

The next meeting is May 8, 2017

4) Adjourn

Dated: **April 5, 2017**

/s/ Dan Abendroth, Chairman

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, March 13, 2017
7:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:

Chairman Dan Abendroth
Alderman Robert Strzelczyk
Commissioner Martin Choren
Commissioner John Mason
Commissioner Brian Parrish
Commissioner Rebecca Schaefer
Commissioner Rick Lemke

a) Approval of Minutes from February 13, 2017

1) Planning Commission - Regular Meeting - Feb 13, 2017 7:00 PM

RESULT:	ACCEPTED [UNANIMOUS]
MOVER:	John Mason, Commissioner
SECONDER:	Robert Strzelczyk, Alderman
AYES:	Abendroth, Strzelczyk, Choren, Mason, Parrish, R. Schaefer, Lemke
ABSENT:	J. Schaefer
EXCUSED:	Stoker, Hawley

2) Consent

- a) Walter Buildings for Brandon and Rachel Goldbeck. The applicant is seeking approval for an accessory structure greater than 1,000 s.q. ft. For a pole barn located at 14018 N. Davis Road.

Attachment: PC Minutes 03.13.17 (2265 : Minutes from March 13, 2017)

RESULT:	APPROVED [UNANIMOUS]
AYES:	Abendroth, Strzelczyk, Choren, Mason, Parrish, R. Schaefer, Lemke
ABSENT:	J. Schaefer
EXCUSED:	Stoker, Hawley

- b) Carl Dobberfuhl. The applicant is seeking approval for an accessory structure greater than 1,000 s.q. ft. for a machine shed located at 11206 W. Highland Road.
- c) Eric Neumann for Vogel Real Estate, LLC. The applicant is seeking certified survey map approval for the parcel located immediately west of 5650 W. County Line Road and 5650 W. County Line Road.

Action

Ald. Strzelczyk made a motion to approve the consent agenda (items #2a,2b,2c,)
Commissioner Mason seconded the motion.

Commissioner Mason asked for confirmation that the accessory buildings are to be used for agricultural items only.

Asst. Dir. Zader confirmed this as accurate.

Action

A voice vote was called; all voted aye (7-0)

3) Regular Business

- a) Dermond Property Investment. The applicant is seeking building plan amendment approval for the revised north building elevation for the property located at 1130 N. Buntrock Avenue.

Asst. Dir. Zader stated that the applicant was in front of the Planning Commission in January for the approval to remove 13 specimen trees along the north elevation which was approved. There was a concern about the architecture on the north elevation when it was originally approved. When the north elevation was approved it did not have the amount of brick desired but it was approved since it was to be less visible from public view. The Planning Commission approved the specimen tree removal with a condition that the landscaping plan and the north elevation plan be reviewed again for approval by the Planning Commission.

Asst. Dir. Zader showed renderings of the north elevation. There is fiber cement siding along the entire length of the facade which steps down with cast stone at the bottom. Staff has worked with the applicant and there have been a few different iterations. Staff prefers the version with more cast stone and brick and less fiber cement siding. The cast stone along the bottom runs linear to the fiber cement; there is no stepping of it and it runs the entire length of the north elevation. The only modification that staff would like to have implemented is the double white band at the base of the building be extended across the entire north and east elevation. There is not a landscape plan yet as staff has been working with the owner of the parcel to the north on a preliminary site plan which may provide for additional greenspace and should be before the Planning Commission soon. There may be some opportunities to

have some larger trees right on the property line. This is still being worked out. Staff does recommend approval of the building changes and the landscaping plan will be brought back at a later date.

The applicant, Ms. Nora Precor stated that her architect was not present. She had reasons that she liked the white band how it was shown on the rendering (not all the way across).

Commissioner Choren stated he agrees with the double line being added. He does not feel that the line needs to continue all the way across, he feels it breaks up the façade.

Action

Commissioner Parrish made a motion to approve per staff recommendations.
Commissioner Becky Schaefer seconded the motion.

Ald. Strzelczyk recommended that the Commission discuss the design issue further. He stated that he is flexible but he does feel that it divides the façade nicely. He asked staff to comment on why they feel strongly about the line continuing all the way across the facade.

Asst. Dir Zader stated that staff feels the break between that vertical element and the cast stone runs nicely across except for that one space. Staff feels that it should be continual across the entire elevation. He stated that a single line would look fine there as well.

Commissioner Choren clarified that he likes the double line but only where it is shown, he does not feel it needs to be continual.

He made a motion that a second white line above the cast stone only above the dark siding be added and not continuous around the elevation; as submitted by the applicant.

Commissioner Parrish withdrew his motion.
Commissioner Becky Schaefer accepted and seconded the withdrawal.

Ald. Strzelczyk seconded the motion made by Commissioner Choren to approval as submitted by the applicant.

Ald. Strzelczyk stated that he would like to see some specimen trees along the north lot line on the revised landscape plan; specifically something that could be preserved going into the future.

Asst. Dir. Zader commented that it will depend on how much room there actually is there. The City Forester will work with the applicant to suggest appropriate species. He stated that there is a significant drop off there and the grade change is being worked out. The other property owners of neighboring parcels are also working on landscape plans for that entire area. The timing is good that both are going on at the same time.

Action

A voice vote was called; all voted aye (7-0)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Martin Choren, Commissioner
SECONDER:	Robert Strzelczyk, Alderman
AYES:	Abendroth, Strzelczyk, Choren, Mason, Parrish, R. Schaefer, Lemke
ABSENT:	J. Schaefer
EXCUSED:	Stoker, Hawley

4) Announcements

5) Adjourn

Action

Commissioner Mason made a motion to adjourn

Commissioner Lemke seconded the motion.

A voice vote was called; all voted aye (7-0)

Meeting concluded at 7:15 p.m.



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

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Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 10, 2017
SUBJECT: Simon & Bianca Meester. The applicant is seeking approval for an accessory structure greater than 1,000 s.q. ft. for a horse barn for the property located at 5980 W. Chapel Hill Road.

Applicant:	Simon & Bianca Meester
Status of Applicant:	Owner
Requested:	Construction of an accessory structure in excess of 1,000 square feet.
Existing Zoning:	R-1B (Residential 2.5 Acre)
Land Use Plan:	Rural Residential
Lot size:	3 Acres
Location:	5980 W. Chapel Hill Road
Tax Key:	#14-011-11-003.00
District:	#1

Background:

The applicant is requesting Planning Commission approval for a 1,152 square foot horse barn at 5980 W Chapel Hill Road. Per Section 58-235 (b)(f) of the zoning code, Planning Commission approval is required because the structure exceeds 1,000 square feet.

Accessory Structure:

The applicant is looking to construct a horse barn that includes two horse stalls, a tack room, and hay storage. Based on the size of the lot, two horses are permitted per the code. The structure is shown to be located 96 feet from both the east and west property line. Since the building contains horses a 100 foot offset is required. On March 16, 2017, the applicant was granted a variance by the Board of Appeals that permits the reduced offset (see attached minutes).

The proposed structure is designed with metal wall panels and a steel roof with a cupola (see attached elevations). There are three Dutch doors on the south elevation and an overhead door on the north elevation. Overall height of the building is shown at 15 feet. The design and materials of the building is consistent with other agricultural buildings approved by the Planning Commission in the past.

Staff Recommendation:

Since the proposed structure is consistent with prior approvals of agricultural structures and appears to be harmonious with the surrounding area, Planning Staff recommends approval based on the following condition(s):

1. The structure shall be used for the boarding of two horses and associated equipment.
2. Any proposed lighting for the building shall be approved by staff.

3. Final staff review and approval of site, floor and elevation plans.

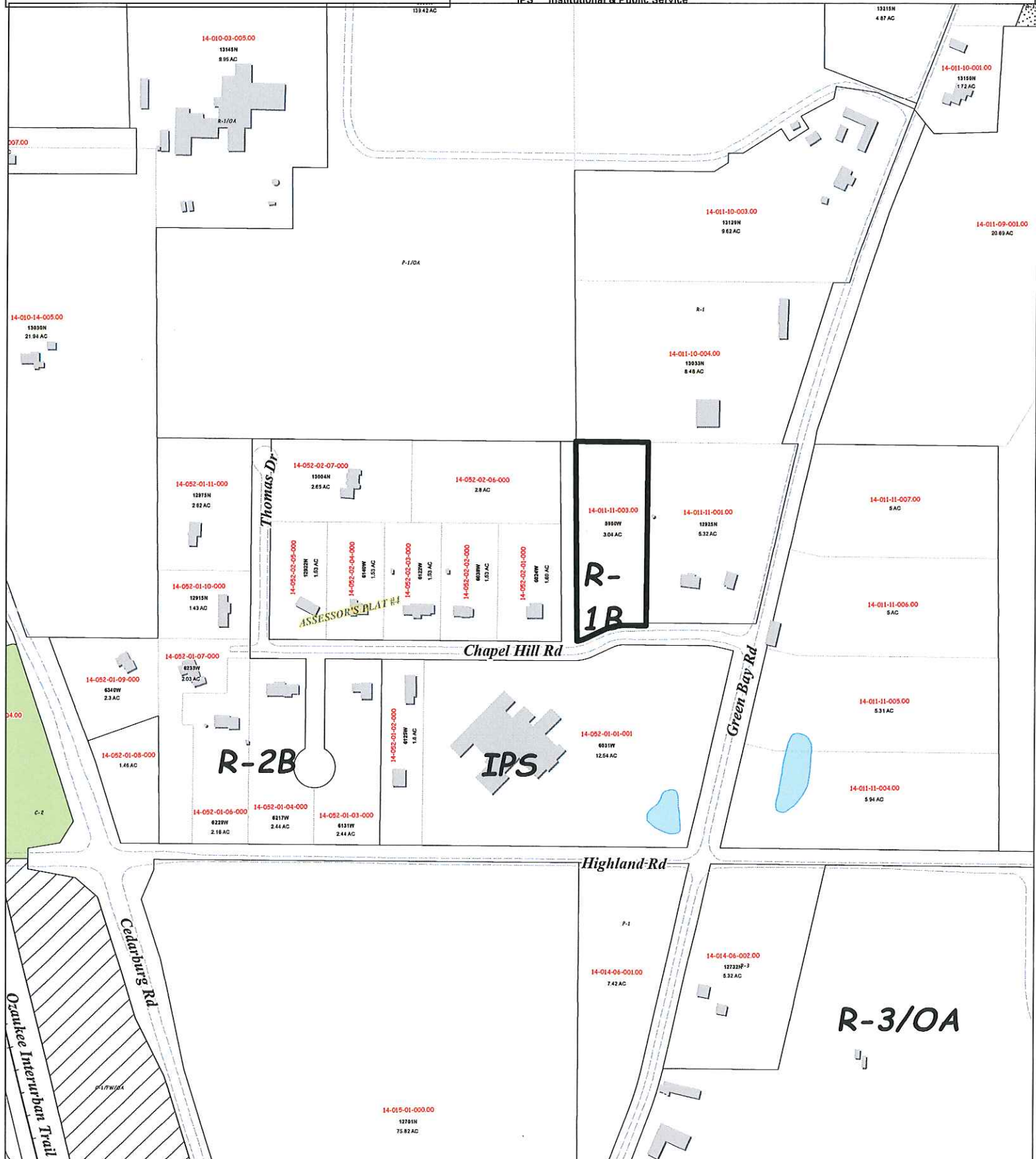
Attachments:

Packet (PDF)

Item 2 - Simon Meester

B-1 Neighborhood Business
 B-2 Community Business
 B-3 Office & Service Business
 B-4 Business Park
 B-5 Light Industrial
 B-6 Rural Industrial
 B-7 Rural Business
 C-1 Shoreland/Wetland Conservancy
 C-2 General Conservancy
 CGO Central Growth Overlay
 FFO Flood Fringe Overlay
 FW Floodway
 IPS Institutional & Public Service

P-1 Park & Recreation
 R-1 Single-Family Residential (5 Ac. Min.)
 R-1B Single-Family Residential (2.5 Ac. Min.)
 R-2 Single-Family Residential (1.5 Ac. Min.)
 R-2B Single-Family Residential (1.0 Ac. Min.)
 R-3 Single-Family Residential (3/4 Ac. Min.)
 R-5 Single-Family Residential (1/2 Ac. Min.)
 R-6 Single-Family Residential (4 du/Ac)
 RM Multi-Family Residential
 TC Town Center
 TDR Transfer of Development Rights



Simon & Bianca Meester
5980 West Chapel Hill Rd
Mequon, WI 53097
262-302 4002
440-381 4360
440-600 4822

To the Planning Commission,

The plan is to build a 32'x36' barn with 2 horse stalls (2 times 12'x12'), a tack room (12'x24'), hay storage (12'x24'), and an 8'x36 overhang, with a west and east property line offset of 96' (approved by the Board of Appeals on 3/16/2017), a north offset of 254', and a south offset of 307'. The barn measures a total of 1152sf, including overhang (864sf excluding overhang). It has an 8'x8' overhead door, an 8'x10' sliding door, and three 4'x7' Dutch doors.

Supplier:
DIY Pole Barns
9232 Hogpath Road
Arcanum, Ohio 45304,
(937) 547 9100

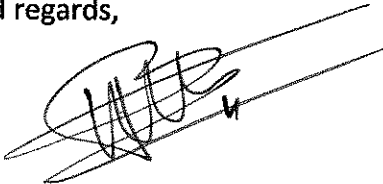
Contact person: John Wise; jwise@diypolebarns.com

Builder: to be decided

We would like to apologize for not being present at this meeting. We only learned about the April 10th planning commission meeting on March 17th, one day after the Board of Appeals approved our variance. At that time, we already had booked our overseas Spring Break vacation.

I added as many details as I felt relevant. Please feel free to contact us by phone (440-600 4822) during the meeting or after. Our email address is biancabmeester@gmail.com.

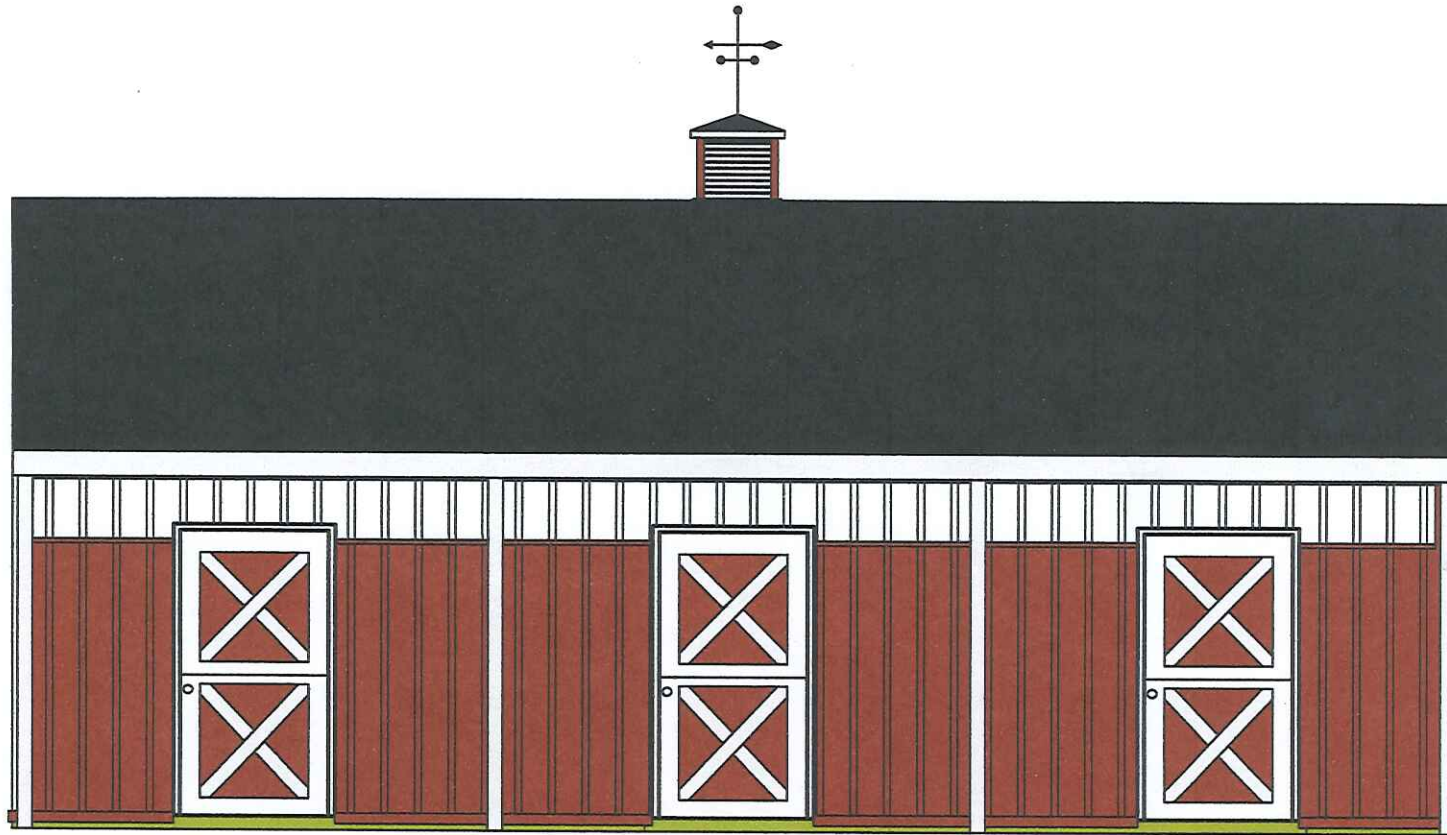
Kind regards,

A handwritten signature in black ink, appearing to be 'SB' or similar initials, written over two horizontal lines.

Simon & Bianca Meester

Attachment: Packet (2234 : Simon & Bianca Meester)

SOUTH SIDE-EAVE SIDE 2 ELEVATION


 steel
 roofing

 metal siding
 + trim

 wooden double
 doors + trim

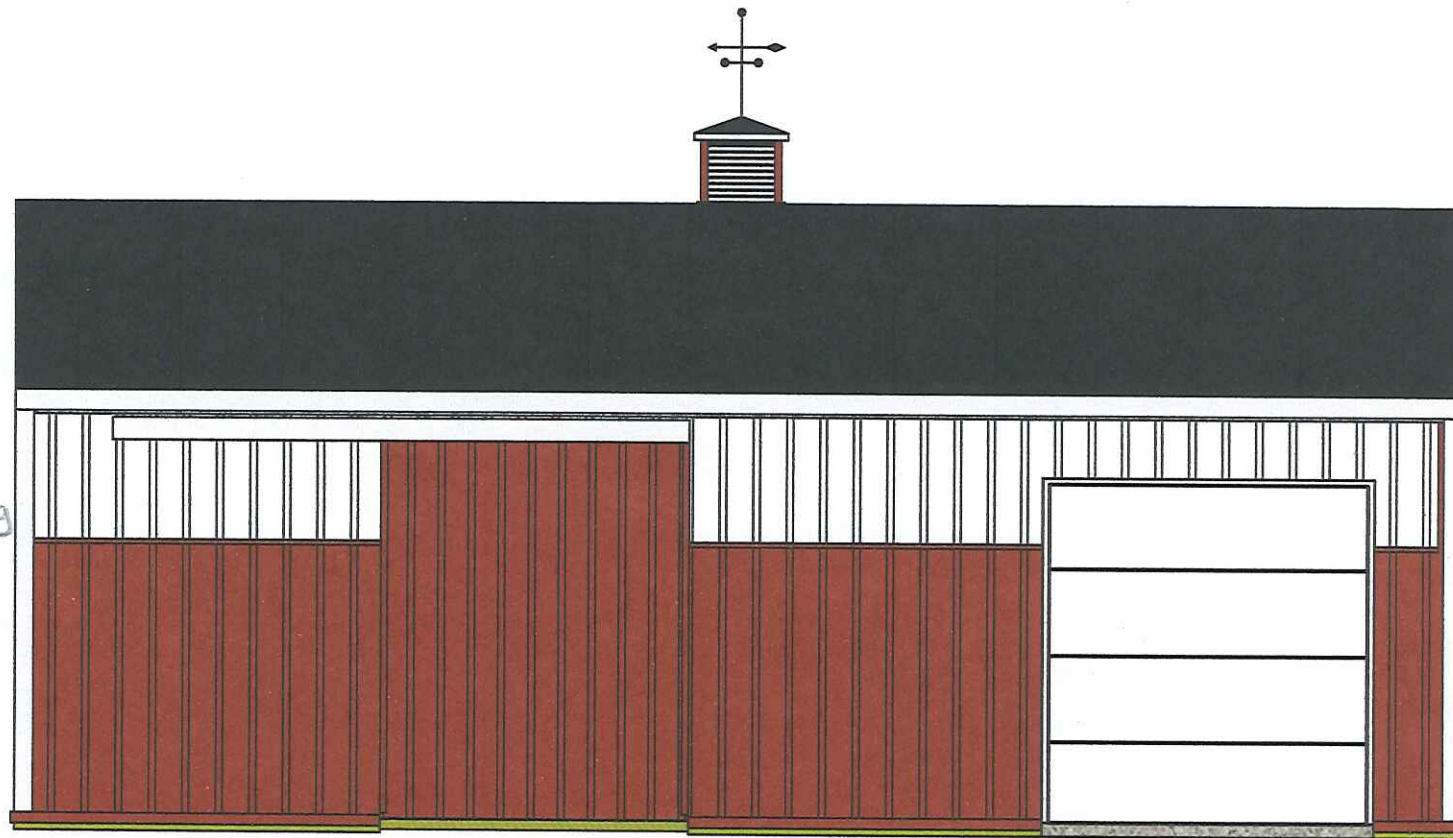
gravel floor

Attachment: Packet (2234 : Simon & Bianca Meester)



NORTH SIDE-EAVE SIDE 1 ELEVATION

Construction
Maestro[®]
Estimating Software
Pole Barns, Garages & Decks

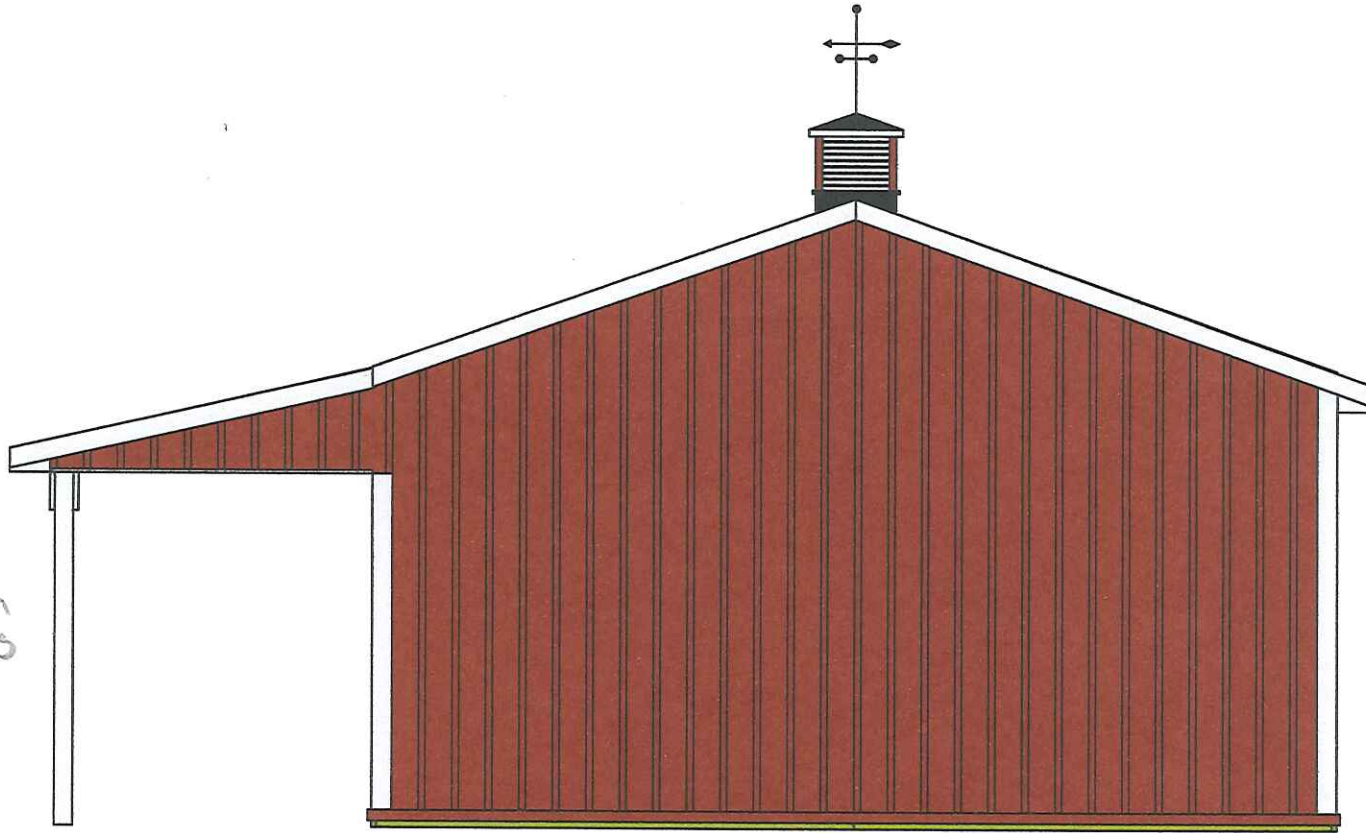


Attachment: Packet (2234 : Simon & Bianca Meester)



EAST SIDE-GABLE SIDE 2 ELEVATION

Construction
Maestro®
Estimating Software
Pole Barns, Garages & Decks



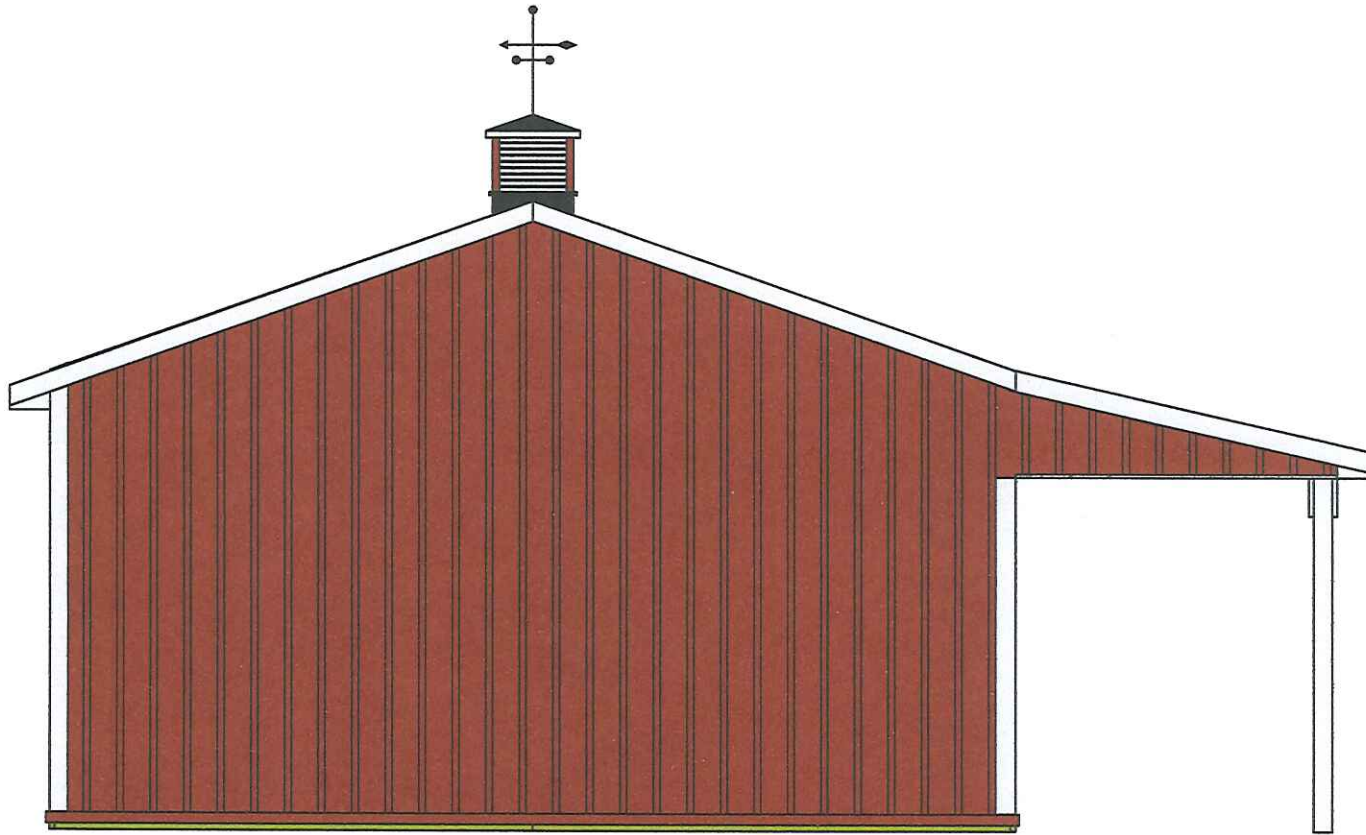
wooden
overhang posts

Attachment: Packet (2234 : Simon & Bianca Meester)

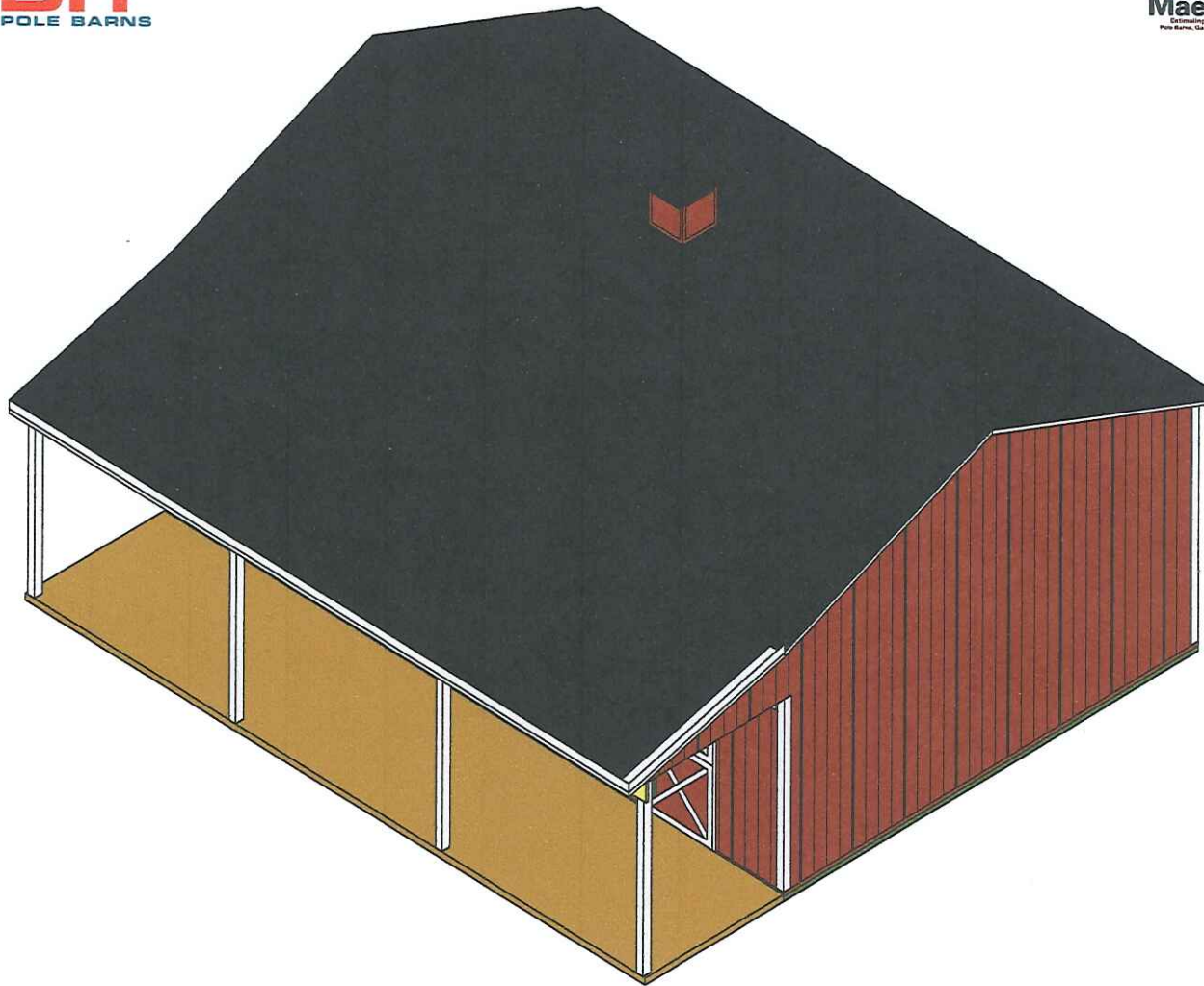


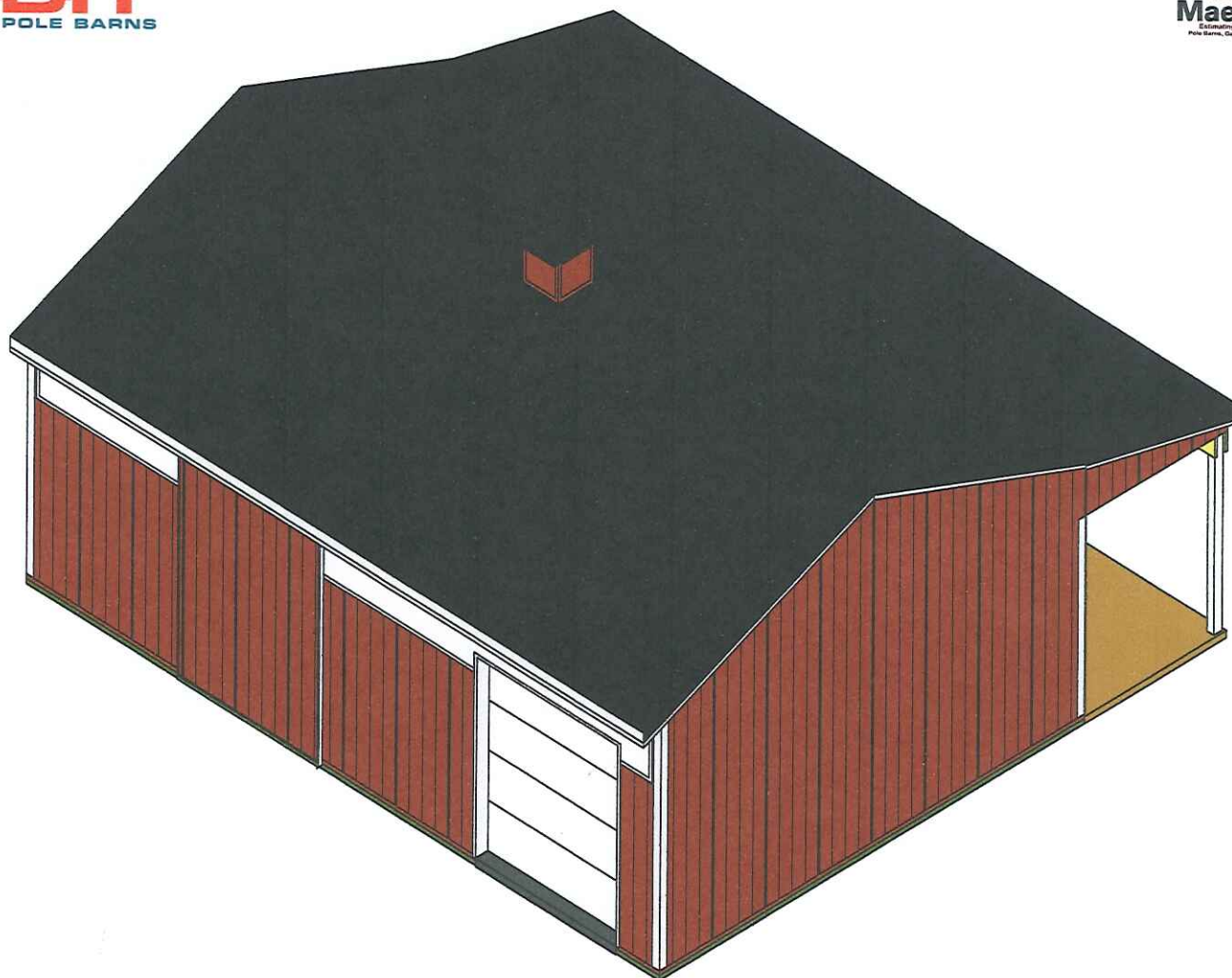
WEST SIDE-GABLE SIDE 1 ELEVATION

Construction
Maestro®
Estimating Software
Pole Barns, Garages & Decks



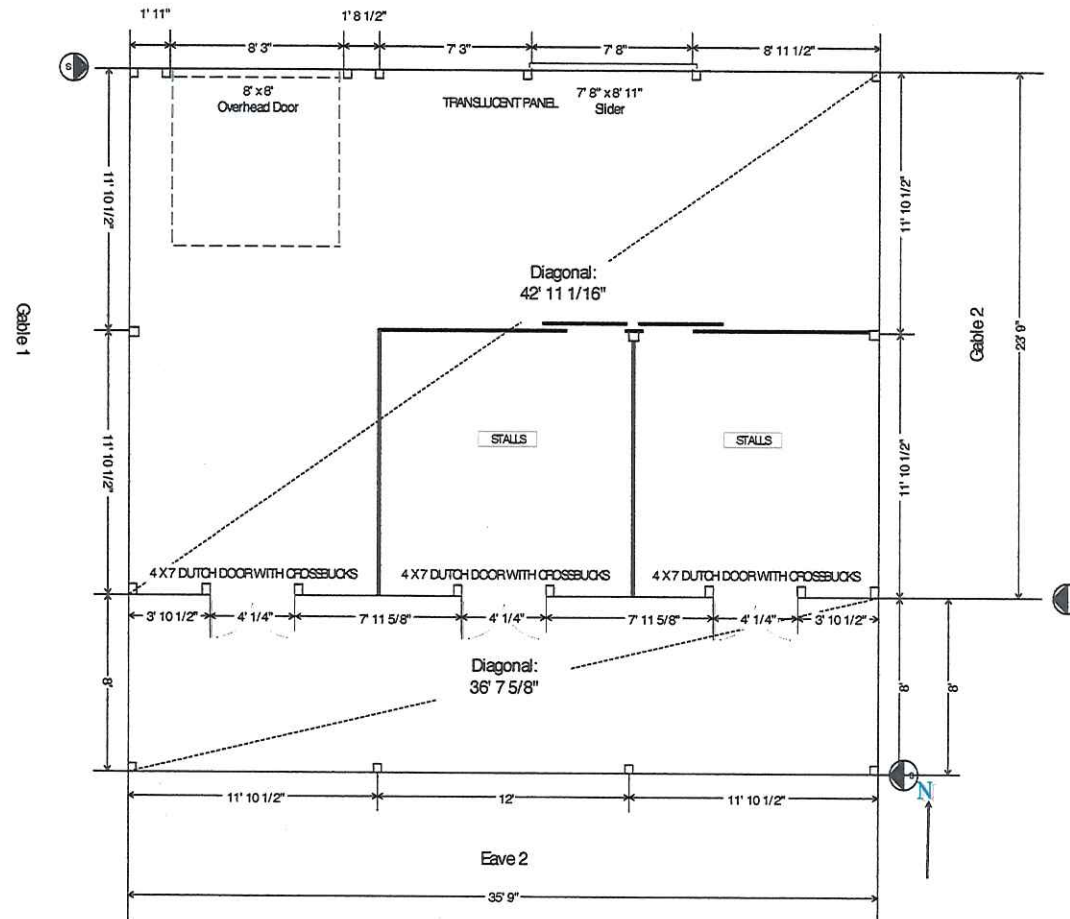
Attachment: Packet (2234 : Simon & Bianca Meester)







POLE LAYOUT
Residential Use, 984 sq. ft.
Eave 1





GABLE2 LEFT PORCH SECTION

ROOF LAYER 1:
7/16 IN. X 4 FT. X 8 FT. ORIENTED STRAND BOARD
ROOF LAYER 2:
#15 FELT PAPER
ROOF LAYER 3:
BLACK G-RIB #1 STEEL PANEL

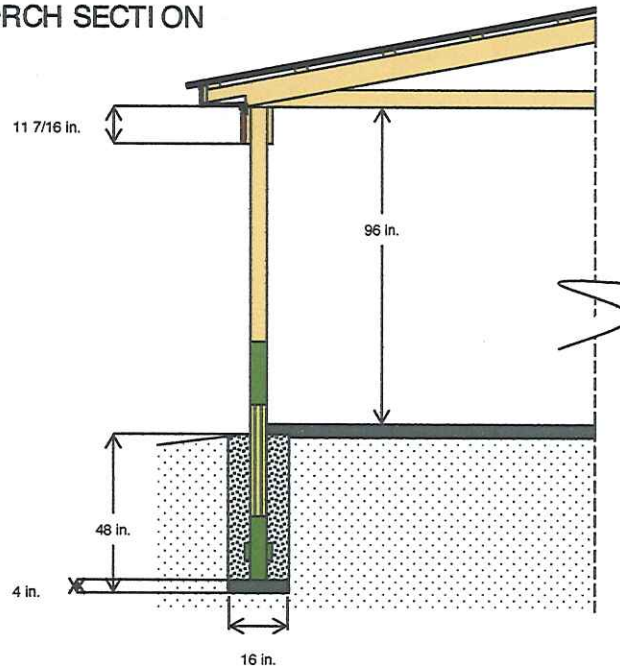
FURLINS:
2 X 4 CONSTRUCTION GRADE FASTENED LAYING FLAT
SUB FACIA:
2 X 6 CONSTRUCTION GRADE
FACIA COVERING: WHITE STEEL 1 1/2 IN. X 5 1/2 IN.
ANGLE 6 X 10 FT 0 IN
UNDEREAVE:
WHITE CENTER VENT PERFORATED G-RIB 36 IN X 1 FT
0 IN

EXTERIOR CARRIER:
CONSTRUCTION GRADE 2 X 12
INTERIOR CARRIER:
CONSTRUCTION GRADE 2 X 12
EXTERIOR WALL GIRTS:
CONSTRUCTION GRADE 2 X 6
WALL LAYER 1:
RED G-RIB #1 STEEL PANEL

EXTERIOR SKIRT BOARD:
TREATED 2 X 8

SIDING BEGINS 2 7/8 IN. BELOW THE TOP OF SKIRT
BOARD

EARTH GRADE BEGINS 7 IN. BELOW THE TOP OF SKIRT
BOARD



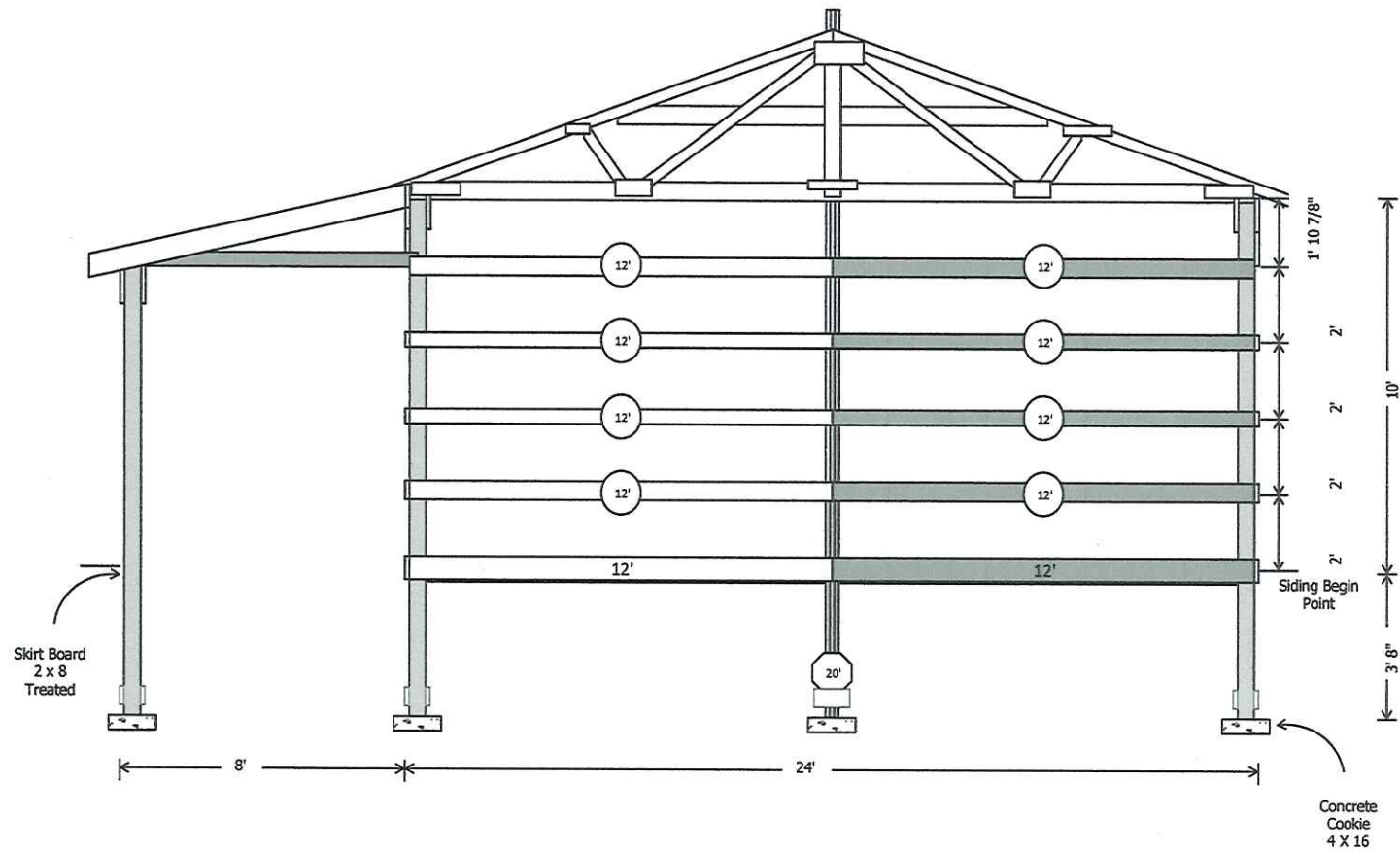
2.5/12 PITCH CONSTRUCTION GRADE 2 X 8 RAFTER
SYSTEM
HEEL HEIGHT: 7 7/16 IN.
RAFTER SPACING: 48 IN. O.C.
2 X 6 CEILING JOISTS ON THE END WALLS ONLY, HAS
OPEN CEILING

INTERIOR FINISHED FLOOR HT. WILL BE 4 IN. BELOW
THE TOP OF THE SKIRT BOARD
4 IN. CONCRETE FLOOR W/STRUCTURAL STRENGTH -
3500 P.S.I.
UNDISTURBED SOIL OR COMPACTED SAND FILL
BACKFILL HOLE WITH SAND/GRAVEL FILL & COMPACT
PIER FOOTING: PRECAST 5000 P.S.I. 15 IN. X WIDE 4
IN. THICK CONCRETE PAD

DIY DOES NOT PROVIDE CONCRETE FLOOR.
SOIL BEARING PRESSURE IS ASSUMED.



EAST SIDE-GABLE SIDE 2 WALL GIRT VIEW



Attachment: Packet (2234 : Simon & Bianca Meester)

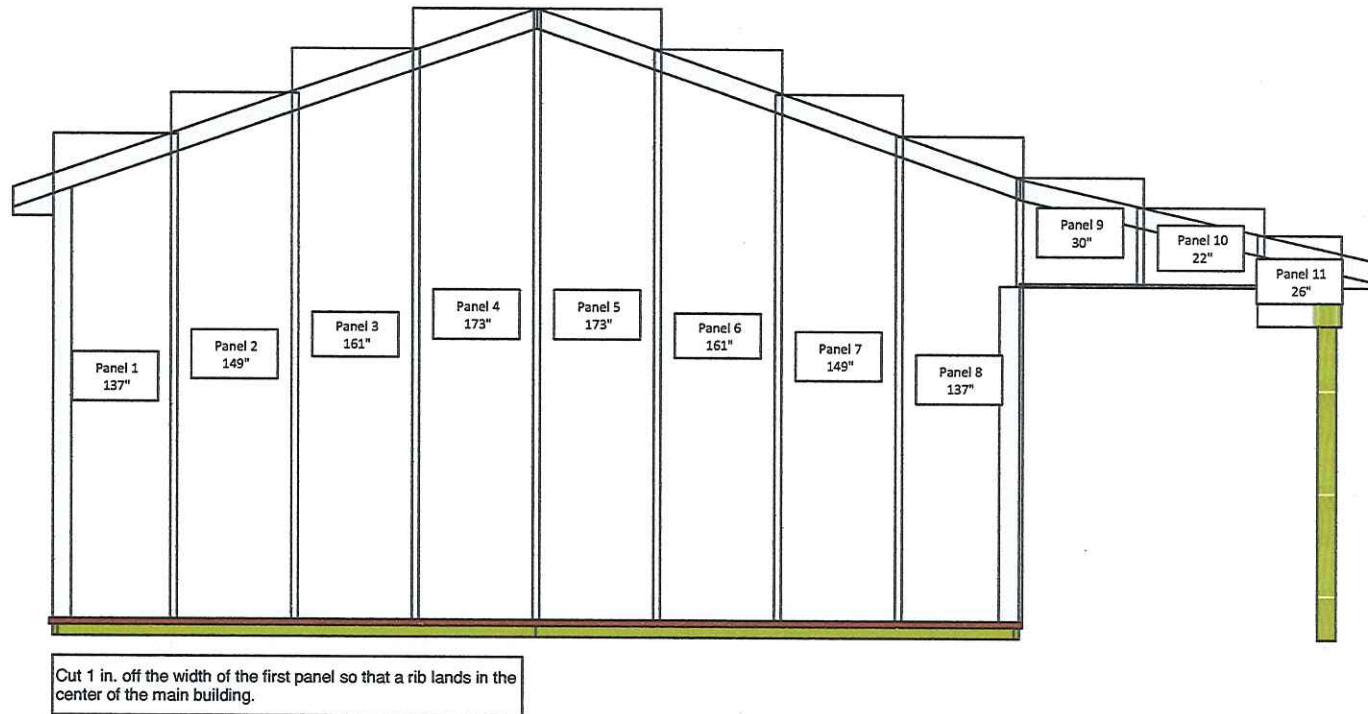
Construction
Maestro®
Estimating Software
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WEST SIDE-GABLE SIDE 1 STEEL WALL LAYOUT

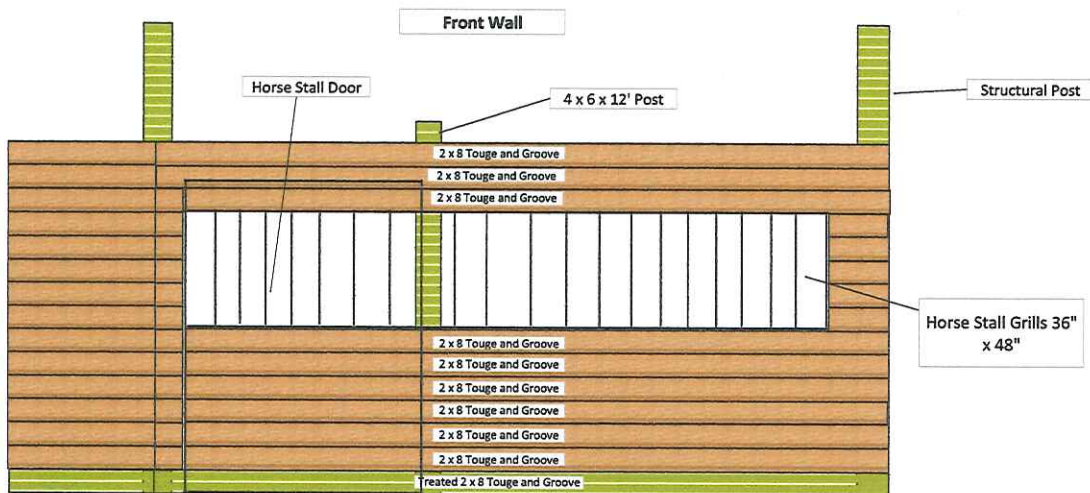
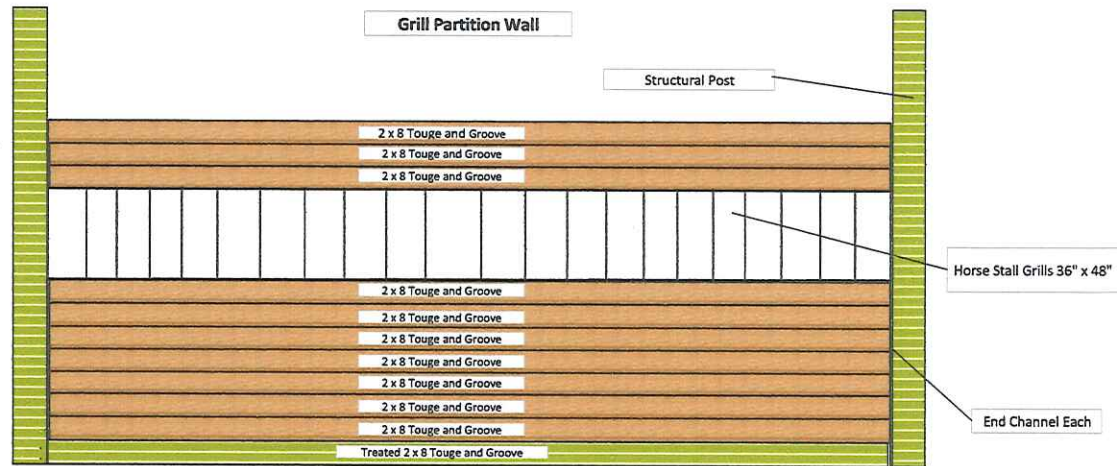
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Example Of Horse Stalls



HORSE STALL DETAIL



Example Of Two Horse Stalls Side By Side



14195 BEECHWOOD TRAIL • NEW BERLIN • WISCONSIN 53151
(262)366-5749 • fax (262)797-8329

PLAT OF SURVEY

N 89°06'09" E 228.93'

PREPARED FOR:

LOCATION:

LEGAL DESCRIPTION:

JOSEPH DOUGLAS HOMES/SHAO
CHAPEL HILL ROAD, CITY OF MEQUON

JANUARY 25, 2016 (PRE-DRAW, NOT STAKED)
STAKED 2/23/16
PARCEL 2, CERTIFIED SHIREY MAP NO. 3098, A DIVISION OF LOT 1 AND VACATED CROSSROADS DRIVE IN ASSESSOR'S PLAT NO. 4, MEQUON, BEING A PLAT OF PARCELS OF LAND LYING IN THE SE 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 10, AND OF LANDS IN THE SW 1/4 OF THE SW 1/4 OF SECTION 11, ALL IN TOWN 9 NORTH, RANGE 21 EAST IN THE CITY OF MEQUON, OCAUKES COUNTY, WI.

NOTE: PIPES SET ARE 1"X18"
IRON PIPE, WT=1.13 LBS/FT.

**BENCHMARK: CONC. MONUMENT AT
SE COR. SE 1/4 SEC 10-9-21
EL=700.19**

OZK-1076



SCALE: 1"=50'
LOT SIZE=132,356 S.F.

BEARINGS REFER TO
CERTIFIED SURVEY
MAP NO. 3098.

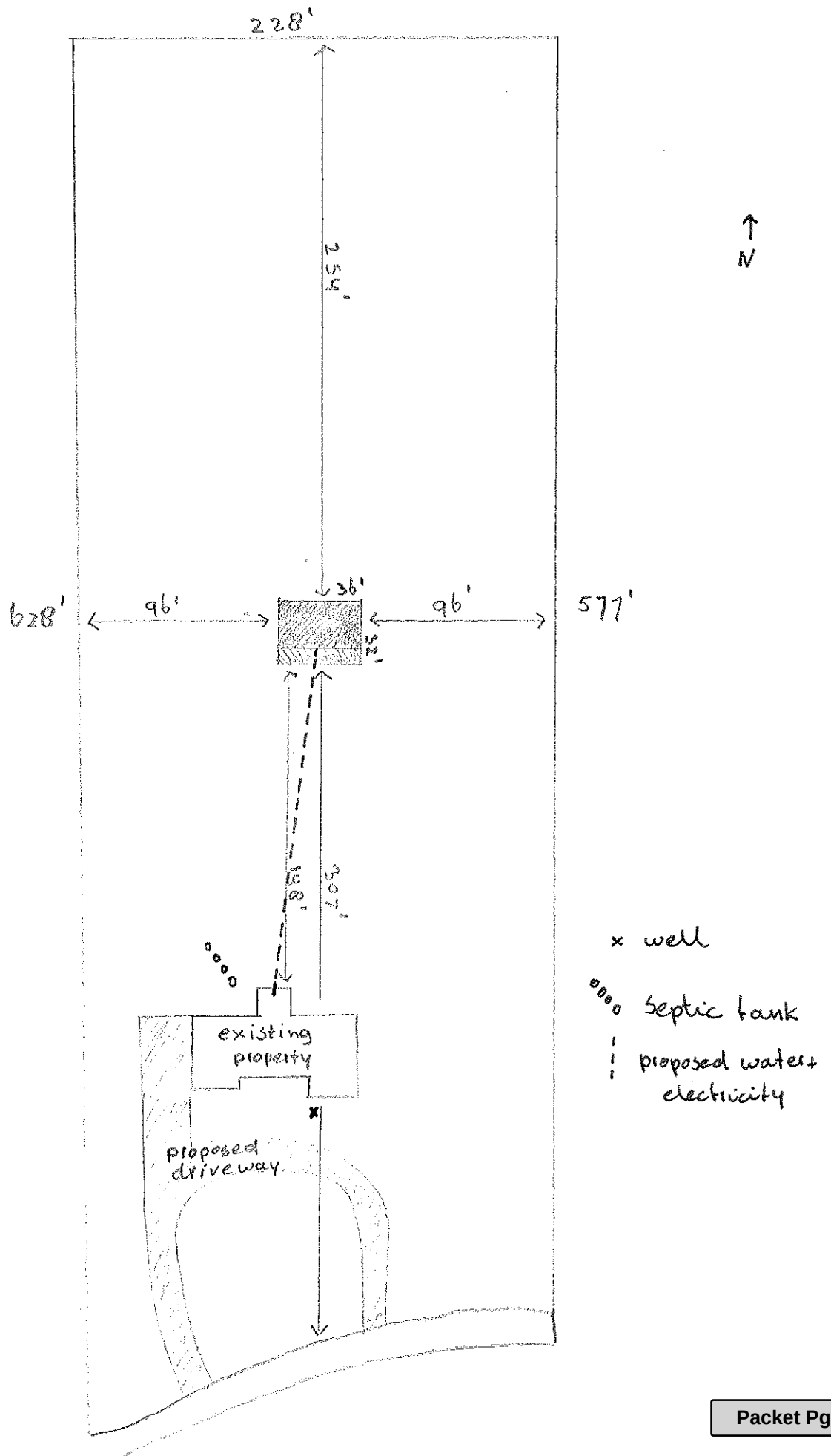
CROSSROADS DRIVE (UNIMPROVED)
(60')

S 01°00'42" E 577.44

CHAPEL HILL ROAD

Packet Pg. 23

Attachment: Packet (2234 : Simon & Bianca Meester)



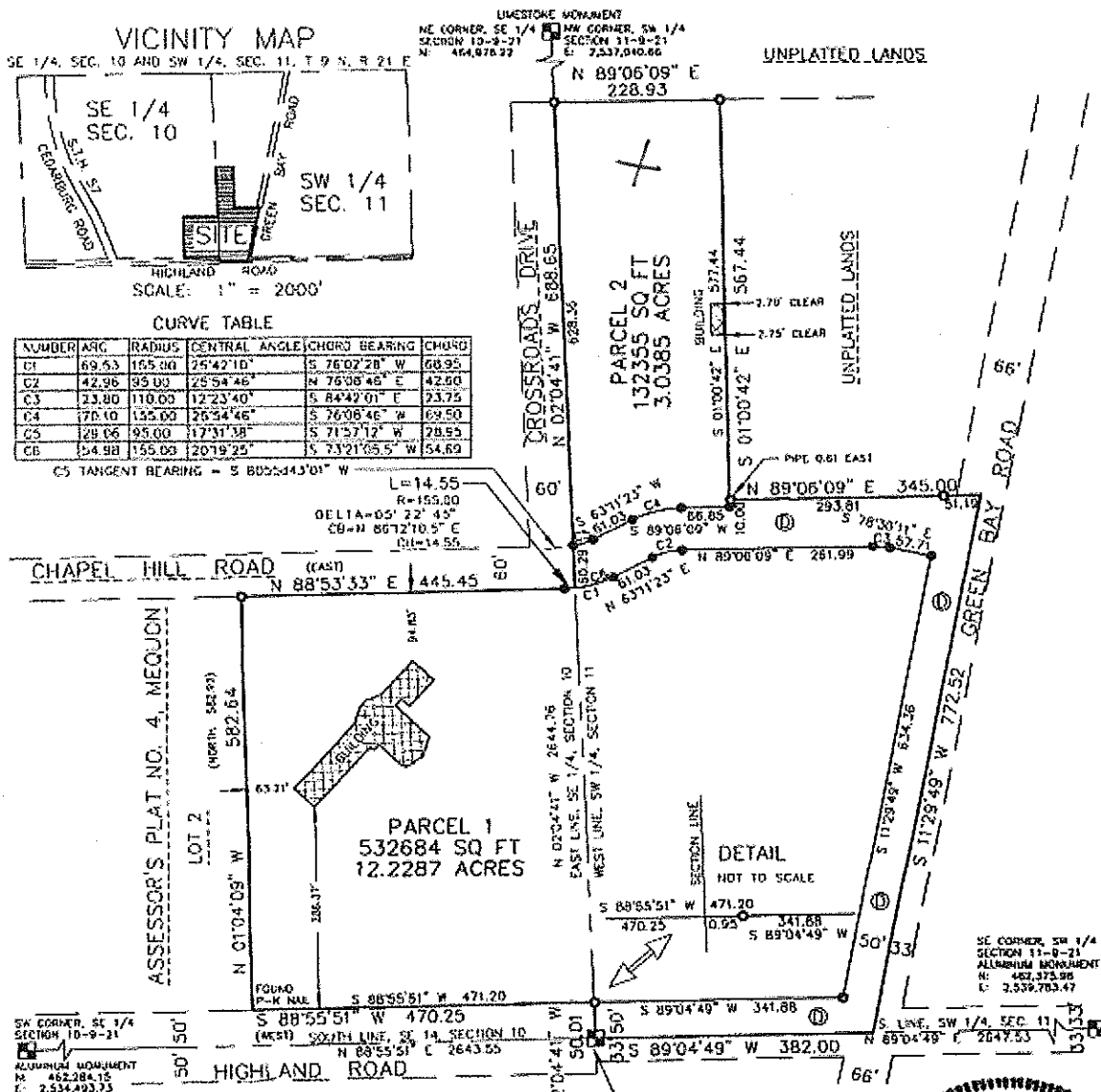
616329

3098

VOL. 22 PAGE 59

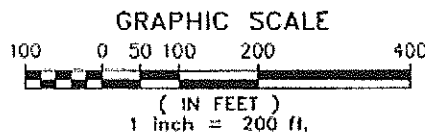
CERTIFIED SURVEY MAP NO.

A DIVISION OF LOT 1 AND VACATED CROSSROADS DRIVE IN ASSESSOR'S PLAT NO. 4, MEQUON, BEING A PLAT OF PARCELS OF LAND LYING IN THE SE 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 10, AND OF LANDS IN THE SW 1/4 OF THE SW 1/4 OF SECTION 11, ALL IN TOWN 9 NORTH, RANGE 21 EAST IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

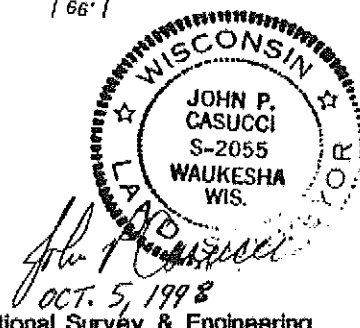


- private well
- septic tank

- INDICATES 1" DIA. IRON PIPE SET, 24" LONG, WEIGHING 1.13 LBS. PER LINEAL FOOT
- ◊ INDICATES FOUND 1" DIA. IRON PIPE
- Ⓢ DEDICATED TO THE PUBLIC
- PARENTHESES INDICATE RECORDED DIMENSION



BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN COORDINATE SYSTEM, SOUTH ZONE (NAD'27). THE SOUTH LINE OF THE SE 1/4 OF SECTION 10 HAS A BEARING OF N 88°55'51" E.



National Survey & Engineering

SURVEY NO. 158405-MHK
Telephone 414-781-1000
Facsimile 414-781-8468
18745 W. Bluemound Road
Suite 200
Brookfield, WI 53005-4838
www.nse.com

Attachment: Packet (2234 : Simon & Bianca Meester)

CITY OF MEQUON BOARD OF APPEALS

In re the application of Simon and Bianca Meester
for a variance from §§ 58-235(b)(2)f of the
Mequon Municipal Code for the Property located
at 5980 W. Chapel Hill Road, Mequon, Wisconsin

FINDINGS OF FACT
AND DECISION

This matter came before the City of Mequon Board of Appeals on March 16, 2017, at 7:10 pm in the City of Mequon Christine Nuernberg Hall – Common Council Chambers following due notice by publication and first class mail to the Applicant. Members present were Chairperson Reitz and members Levin, Massey, Ashmore and Larson.

This application is a request for a variance from the provisions of section 58-235(b)(2)f of the Mequon Municipal Code. Specifically, this application seeks a variance from the regulations establishing a minimum lot line setback of 100 feet for any building that houses domestic livestock. The Applicant, Simon and Bianca Meester (hereinafter the “Applicant”), appeared in person and Bianca Meester was sworn on oath and gave testimony in this matter. The City Department of Community Development, Inspections Division appeared by Building Inspections Supervisor Paul Launer, who was also sworn on oath and gave testimony. Based upon the testimony presented, the Board of Zoning Appeals makes the following findings and decision:

1. The subject property (the “Property”) is located at 5980 W. Chapel Hill Road, Mequon, WI 53097, which is within a R-1B Rural Residential Detached zoning district.

2. The Property is owned by the Applicant who resides in the single family residence on the Property.

3. The property is surrounded by a platted road and similar lots to the west, a county park to the north, a large residential lot to the east and a road and church to the south.

4. The property is a long and narrow lot containing approximately 3.2 acres.

5. Agricultural uses, including keeping of horses, are allowed under the R-1B zoning classification.

6. The Applicant has sought a building permit to construct a stable for the Applicants' horses.

7. The City's Inspections Department denied the requested permit because the proposed stable encroached within the 100-foot lot line setback required under Mequon Code § 58-235(b)(2)f for structures housing livestock in a R-1B zoning district by being located 96-feet from both the east and west lot line.

8. The applicant identifies three hardships that form the basis of his request. First, the design of stables, based upon best practices for horse care, is in 12-foot increments. Designing a stable small compromises the health of horses. Second, turning the stable 90° would require removing the overhang which is required to protect the horses from the elements. Third, the Applicant identifies aesthetics of looking at the side of the building if it was rotated.

9. Aesthetics is not a hardship, nor does it justify granting of a variance.

10. While the design of stables, in itself, is not a hardship, when combined with the narrow nature of the lot a hardship is created in that a stable that provides a healthy environment for horses cannot be created without a variance.

11. The hardship was not self-created by the Applicant.

12. The purpose of the setback requirement is to promote the public's interest in minimizing the disturbances (noise, smells, etc.) of keeping livestock on neighboring residences.

13. The variance requested relates to the east and west property lines. To the east, the existing residence is a significant distance away from the lot line based upon that lot's frontage upon Green Bay Road. To the west, there is an unimproved platted road between the Property and the next lot, thereby creating additional separation.

14. The requested variance is therefore is not contrary to the purpose of the regulation and it does not create a substantial detriment to the adjacent properties. Complying with the required setback in this case is unnecessarily burdensome.

16. Based upon the foregoing, the Applicants' request for a variance from the provisions of Mequon Code § 58-235(b)(2)f to allow for the construction of a 36' x 32' stable that is 96-feet from the east and west property lines is hereby GRANTED.

Dated at Mequon, Wisconsin, this 31st day of March, 2017.

CITY OF MEQUON BOARD OF APPEALS


Rose Reitz, Chairperson

Attachment: Packet (2234 : Simon & Bianca Meester)



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

www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: October 10, 2013
SUBJECT: Highlander Estates, Phase III. The applicant is seeking development agreement and fill permit for Phase III (Addition 2) consisting of 45 lots of the 111 lot single family subdivision, Highlander Estates, located immediately south of Brighton Ridge and Knightsbridge subdivisions between Swan and Wauwatosa Roads,

Applicant: Neumann Companies
Status of Applicant: Owner
Requested Action: Development Agreement Phase III
Fill Permit

Existing Zoning: R-3 (Single Family 1 Acre)
CGO (Central Growth Overlay)
R-4 (Single Family ¾ Acre)

Lot size: 112.7 Acres
Location: Lands immediately south of Brighton Ridge and Knightsbridge Subdivisions between Swan and Wauwatosa Roads.
Tax Key: #14-028-07-001.00
District: #4

Background: The applicant is requesting development agreement for Phase III of the Highlander Estates subdivision immediately south of Brighton Ridge and Knightsbridge Subdivisions between Swan and Wauwatosa Road. The third phase will include the remaining 45 of the 111 in the subdivision (see attached plat). The preliminary plat for the development was approved in April of 2015.

Development Agreement:

Please see attached draft development agreement for Phase III authored by Planning and Engineering staff to address the necessary improvements for the development. The development agreement provides the opportunity to construct two (2) model dwellings prior to final plat approval with the understanding that the unit can't be sold or title transferred until the associated plat is recorded. The development agreement requires that all amenities located in Phase III that are required as part of the approved open space plan, be constructed prior to final plat approval.

Engineering Report:

Kristen Lundeen, Director of Public Works/City Engineer, has reviewed the application and has the following comments:

The developer has submitted a grading plan and an erosion control plan as part of their construction plan submittal and it is currently under review by the Engineering Department. Access to the site will be provided via Swan Road. An erosion control permit is also required prior to commencement of any onsite grading.

The developer has submitted preliminary fill calculations as part of their plan submittal and has applied for a fill permit. The developer requests authorization to haul 29,000 cubic yards of material to the site. The material is required to grade the roadway base course and to backfill the utility trenches. Issuance of a fill permit would be subject to the below conditions:

- Engineering Department approval of the completed grading plan.
- Permittee must notify the Engineering Department before starting any land disturbing activity and again not more than five days after project completion.
- Filling must be complete on or before the date specified by the City on the permit. Requests for extensions must be made in writing.
- Permittee shall keep a copy of the permit on site at all times.
- The City or the Wisconsin Department of Natural Resources (WDNR) may revoke the fill permit for non-compliance.
- The City Engineer reserves the right to stop work, amend or alter construction measures.
- All material shall be hauled in from Swan Road. Hauling on Knightsbridge Drive and the Highlander Estates Phases 1 and 2 roadways is not permitted.

Planning Staff Recommendation:

Planning Staff recommends **approval** of the development agreement subject to the following conditions:

- Common Council approval of the Development Agreement.
- Connection to public water and sanitary sewer. The applicant shall obtain the necessary approval and permits for the installation of the sanitary sewer and water main from the various regulatory agencies. Water main shall be located within the roadway footprint.
- Cross connection or extension of water and sanitary sewer service to the adjacent properties.
- Public sanitary sewer connection must be made.
- Adherence to the Wauwatosa Road Sanitary Sewer Extension special assessment.
- Engineering Department review and approval of grading, drainage, stormwater management, erosion control and sewer plans in conformance to City ordinances and the Standard Specifications for Land Development.
- Execution of a Water Service Agreement between the applicant and the Water Utility, subject to applicable fees. The mainline water main shall meet Water Utility standards for ISO recommended fire flows of 2500 gpm.
- Easements over existing and proposed drainageways with supporting declaration language requiring Home Owners Association maintenance.
- Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
- 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 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).

- . Legal documents requiring the Home Owners Association to maintain public sidewalk, bike and pedestrian trails within the common open space, wetland buffers, and stormwater facilities.
- . Public road design standards shall be subject to the review and approval of Engineering and the Fire Departments.
- . Fire Department approval of the number and location of fire hydrants.
- . The development and subsequent building construction shall be subject to WDNR review and approval regarding the wetland buffer.
- . Permittee must notify the Engineering Department before starting any land disturbing activity and again not more than five days after project completion.
- . Filling must be complete on or before the date specified by the City on the permit. Requests for extensions must be made in writing.
- . Permittee shall keep a copy of the fill permit on site at all times.
- . The City Engineer reserves the right to stop work, amend or alter construction measures.
- . The City or the Wisconsin Department of Natural Resources (WDNR) may revoke the fill permit for non-compliance.
- . All material shall be hauled in from Swan Road. Hauling on the Knightsbridge Drive and the Highlander Estates Phases 1 and 2 roadways is prohibited.

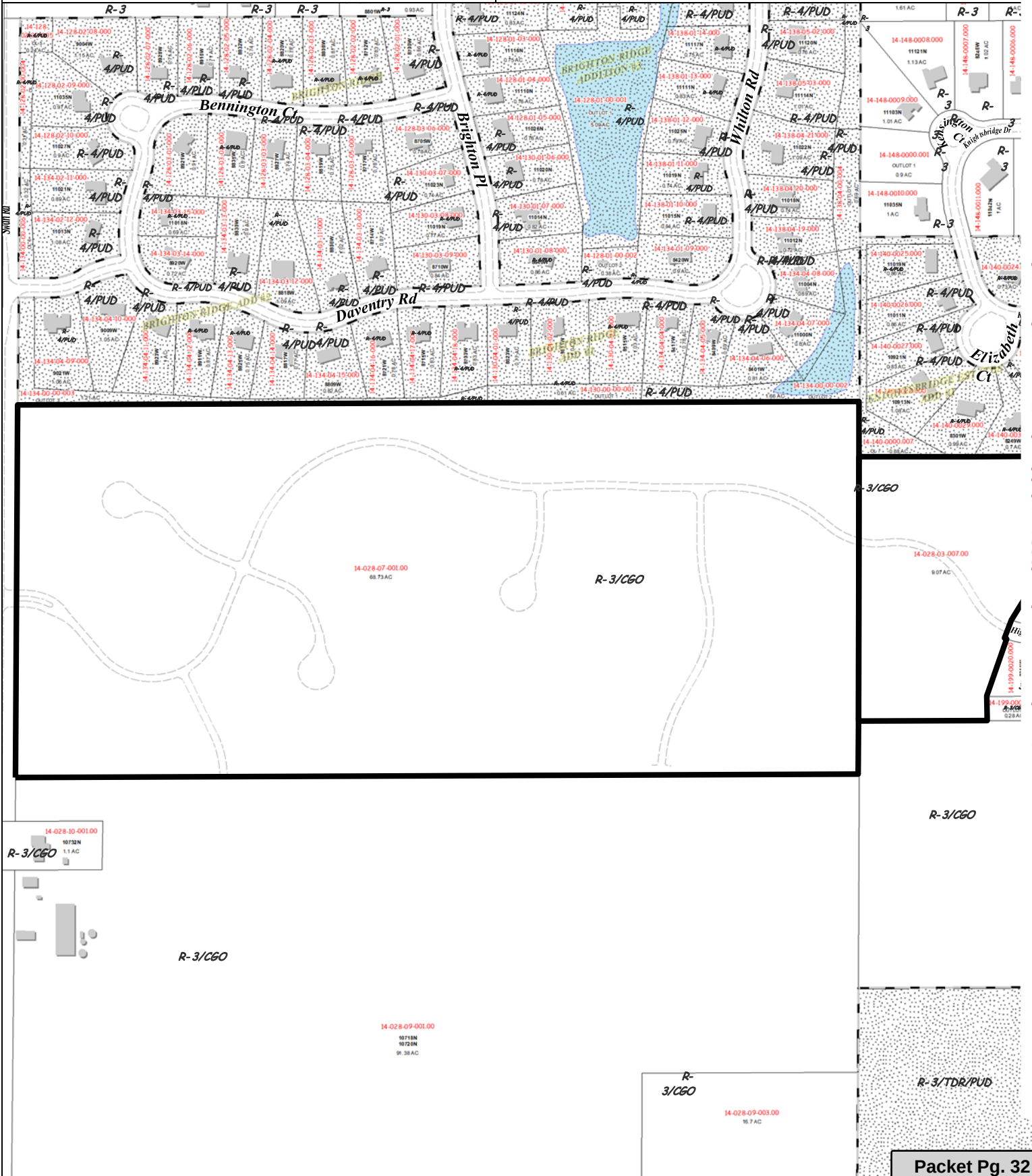
Attachments:

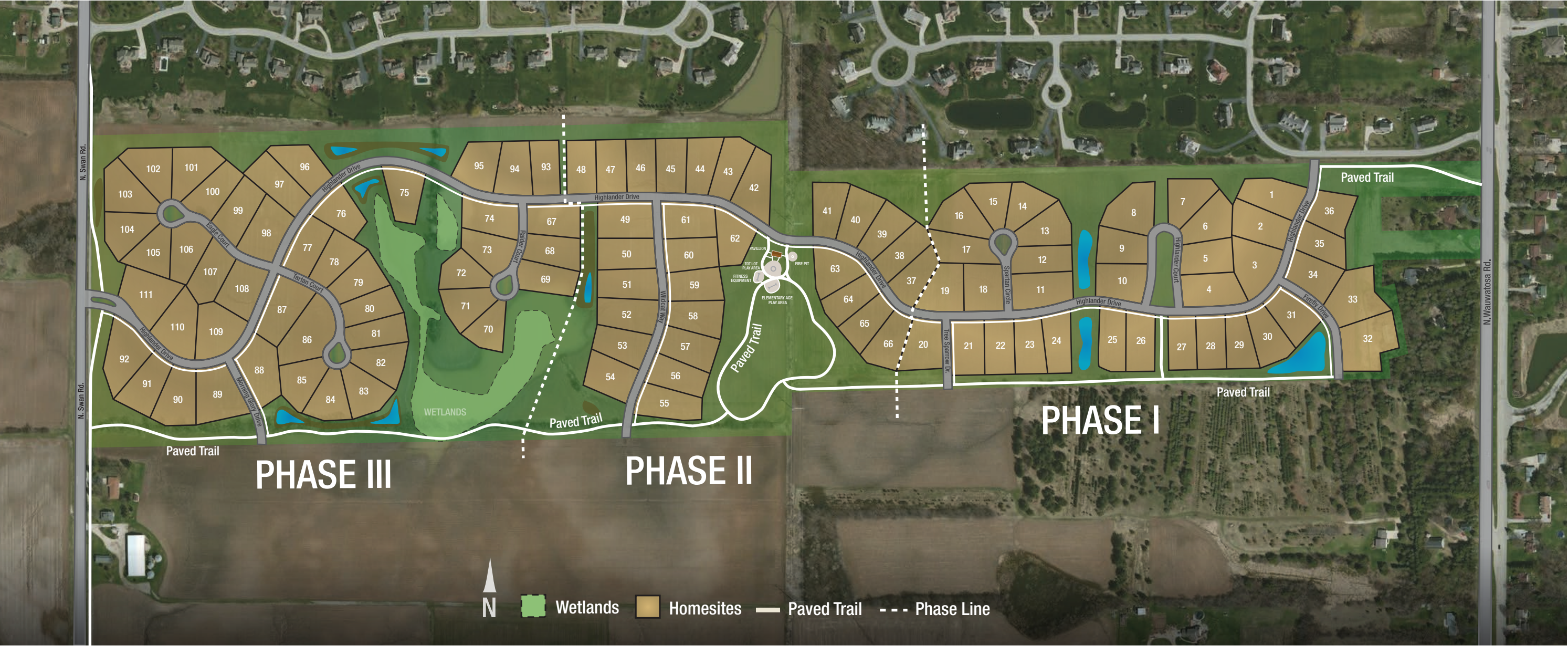
Packet (PDF)

Item # 3 - Highlander Estates

AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	OA	Agricultural Overlay
A-2	General Agricultural	PUD	Planned Unit Development
B-1	Neighborhood Business	P-1	Park & Recreation
B-2	Community Business	R-1	Single-Family Residential (5
Ac. Min.) B-3	Office & Service Business	R-1B	Single-Family Residential (2.5
Ac. Min.) B-4	Business Park	R-2	Single-Family Residential (2.0
Ac. Min.)			
B-5	Light Industrial	R-2B	Single-Family Residential (1.5 Ac. Min.)
B-6	Rural Industrial	R-3	Single-Family Residential (1.0 Ac. Min.)
B-7	Rural Business	R-4	Single-Family Residential (3/4 Ac.
Min.) C-1	Shoreland/Wetland Conservancy	R-5	Single-Family Residential (1/2 Ac.
Min.) C-2	General Conservancy		Single-Family Residential (4
du(Ac)			
CGO	Central Growth Overlay	RM	Multi-Family Residential
FFO	Flood Fringe Overlay	TC	Town Center

2.b.a





DEVELOPMENT AGREEMENT

Highlander Estates Addition No.2

Articles of agreement made and entered into this ____ day of _____, 2017, by and between Highlander Estates, LLC, hereinafter called the Developer, and the City of Mequon, a municipal corporation of Ozaukee County, Wisconsin, hereinafter called the City.

WITNESSETH:

WHEREAS, the Developer desires to improve and develop certain lands located in:

See Exhibit A

And as described on attached Exhibit A (the "Development"), and for that purpose requires the installation of certain public improvements; and

WHEREAS, the City Engineer's report, attached hereto as Exhibit B, identifying the public improvements and other terms and conditions necessary to this Development (the "Improvements"), and

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

WHEREAS, the Public Works schedule and budget of the City does not now include installation of the said improvements for the said Development, and normally there would be a considerable delay in the installation of said improvements unless the instant agreement were entered into; and

WHEREAS, the City believes that the orderly, planned development of said lands will best promote the health, safety and general welfare of the community.

NOW, THEREFORE, in consideration of the payment of One Dollar (\$1.00) and other good and valuable consideration to each in hand paid by the other, receipt of which is hereby acknowledged, and in consideration of the various approvals granted by the City, and in obedience to the conditions imposed upon said approvals, and the mutual covenants herein contained, the parties agree:

1. The area to be improved shall consist of that area designated in Exhibit A in the proposed development plan granted preliminary plat approval by the Planning Commission.
2. Preliminary plat approval was granted by the Planning Commission on April 13, 2015.
3. The Improvements shall be as described on Exhibit B.
4. The Developer will, at its expense, have plans and specifications prepared for the aforesaid Improvements and such plans and specifications shall be submitted to the City Engineer for approval. The plans and specifications to be submitted are indicated in Exhibit C.
5. The Developer will contract for and have constructed, at its expense, all of the Improvements. The City, as a condition of final certification by the City Engineer, and approval and acceptance of dedication of the Improvements by the City, will require that copies of lien waivers from all

contractors and/or material suppliers performing work or supplying materials for the installation of the Improvements be filed with the City.

6. The Developer will pay for all reasonable costs incurred by the City, or its consultant in the review of the engineering plans, landscaping plans, inspection of the construction and/or installation of the Improvements, installation of street signs, review of record drawings for City files, and any other costs that may be incurred by the City in the installation of the Improvements for this Development. The Developer will pay the costs above enumerated within thirty (30) days after being billed by the City. Billing will be made periodically and/or monthly as the improvements are completed and as costs are incurred. Full cost will include labor, equipment, materials, engineering, inspection and overhead costs incidental to said work. Past due amounts on invoices generated by the City are subject to a one and one-half (1.5) percent per month charge, computed from the date of the original invoice.
7. All dedicated Improvements shall be warranted against defects due to faulty materials or workmanship which appear within one (1) year from the date of acceptance of dedication by the City, and Developer shall assign to the City applicable contractor warranties for the Improvements. If any defect should appear during this warranty period, the City shall first seek to enforce any applicable contractor warranty; however, Developer hereby guarantees the Improvements and shall indemnify the City to the extent of any default or failure of any contractor to honor the warranty. Each repair or replacement performed pursuant to this paragraph shall be guaranteed for one (1) year from the completion thereof.
8. Upon certification by the City Engineer that all of the Improvements have been satisfactorily constructed, installed or escrowed in accordance with City of Mequon Zoning Code, inspected and found to be in compliance with City requirements and with the following conditions as described below, and that all other requirements of this agreement have been complied with, Final Plat approval will be granted by the Common Council.
 - A. The City Engineer shall only recommend Final Subdivision Plat approval to the Planning Commission and Common Council upon certification that:
 - i. All of the Improvements have been satisfactorily constructed or installed, completed and approved.
 - ii. In the event that installation of the final asphalt surface course, street trees, open space landscaping and/or minimal site restoration as contemplated in Developer's plans approved by the City cannot be completed due to weather conditions at the time in which Developer wishes to obtain Final Plat approval, the City may, in its sole discretion, accept from Developer a Letter of credit in form approved by the City Attorney and in an amount determined by the City Engineer to provide appropriate security to ensure installation is completed within 14 months from Final Plat approval.
 - B. The Department of Community Development shall schedule Final Subdivision Plat recommendation before the Planning Commission and Common Council only upon certification by the City Engineer that all the improvements have been constructed, installed and approved.
9. No special assessments, other than the Wauwatosa Road Sewer Assessment, are contemplated in connection with the Development.
10. The following special provisions shall apply:
 - A. Easements are to be provided on the plat for the use of WE Energies, AT&T, Cable T.V. and other utilities for provision of services to the subdivision. The Developer shall provide proof of payment in full for installation of the utilities prior to Final Plat approval.

- B. Underground utility installations shall be made without any street pavement removal, unless otherwise specifically approved by the City Engineer.
 - C. A building permit may be issued for 2 principal structures (model) prior to the Final Plat being approved and recorded. The building permit for the model home shall not be issued until the binder course is installed. The Developer agrees and understands that the transfer of title to any lot/residence in this development may not occur until after final certification by the City Engineer that the terms of this agreement have been complied with and the final subdivision plat is approved and recorded.
 - D. Subject to Section 5 above, the title to the sanitary sewer system, water main, streets and all other Improvements and the land on which they stand, unless located within a dedicated public easement, shall be dedicated and given in fee simple by the Developer to the City upon recording the Final Plat, as provided by State Statutes, and without recourse, and free and clear of all encumbrances and with access provided from a dedicated street, where necessary. Title to the fire protection and water supply facilities shall be given to the City of Mequon.
 - E. The Improvements shall be constructed in strict accordance with the requirements of the City and the City Engineer or his authorized representative, or as directed by said City Engineer; and shall be under and subject to constant inspection by the City Engineer or representative.
 - F. The Developer agrees that it shall be fully responsible for the Improvements for the Development and appurtenances thereto during the period of the construction of the Improvements, and until certification by the City Engineer, approval of the Improvements, and acceptance of dedication by the City, any damage as may occur to these facilities during this period shall be replaced or repaired by the Developer.
 - G. Excess topsoil shall only be removed from the subdivision 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.
 - H. The covenants, conditions and restrictions recorded against the property described on Exhibit A shall prohibit future property owners from removing any berms, landscaping or amenities installed on this Development as a condition of landscaping, open space, grading or drainage plans, and from placement of 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, without express written consent from the City Engineer and by action of the Planning Commission. Developer shall amend the recorded document to include Addition No.2 into the Highlander Estates subdivision.
 - I. The Developer, its successors and assigns along with individual future lot owners are hereby notified that "impact" fees will be assessed by the City against the Developer and/or lot owners, pursuant to the requirements of Sections 58-138 et seq. of the Mequon Code of Ordinances, which payment is due prior to obtaining a building permit. The parties understand and acknowledge at this time that the City retains full right and authority 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, such that the resultant impact fee amounts in effect from time to time may differ from the impact fee assessment which is currently in effect as of the date of this agreement, and that such modifications and amendments are not susceptible of determination at this time.
11. The Developer shall not be released or discharged from the obligations assumed 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.

12. The Developer hereby agrees that the costs and value of said improvements will become an integral value of the abutting lots and that no future lot assessment will be made on behalf of the Developer.
13. Provisions of this agreement which may specify design criteria for required improvements are subject to change by the City Engineer, upon written notice to Developer and based on changes in applicable codes or regulations, for the purpose of reflecting the most up-to-date design standards for required improvements. The design standards in effect at the preliminary approval shall apply to all improvements for a period of two years.
14. Developer shall indemnify, defend, and hold the City and its officers harmless from, penalties, fines, costs, or loss (including reasonable fees for attorneys, consultants, and experts) 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 Subdivision 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 all 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 on or under the real property, whether in the soil, groundwater, air or any other receptor. The City agrees that it will immediately notify Developer of the discovery of any contamination or of any facts or circumstances that reasonably indicate that such contamination may exist in or on the real property. The City also agrees that following notification to Developer that contamination may exist, the City shall make all reasonable accommodations to allow 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.
15. Execution of this agreement shall be accepted by the City as adequate provision for improvements within the meaning of Section 236.13(2) of the Wisconsin Statutes.
16. This agreement shall be binding upon the heirs, successors, executors and assigns of the parties hereto.
17. If the final plat conforms substantially to the preliminary plat as approved, including any conditions of that approval and to local plans and ordinances adopted as authorized by law, it is entitled to approval. If the final plat is not submitted within 24 months of satisfaction of the last required condition of approval of the preliminary plat, any approving authority may refuse to approve the final plat. The final plat may, if permitted by the approving authority, constitute only that portion of the approved preliminary plat, which the Developer proposes to record at that time. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as 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.
18. It is understood that this Development Agreement may need to be amended to cover changes to the standards regarding landscaping, stewardship plans, stormwater management, grading and/or other plans.
19. In accordance with section 58-635(3)(e), if the Developer fails to commence construction within two (2) years of development agreement approval, then the development agreement shall become null and void.

CITY OF MEQUON**OWNER**

Highlander Estates, LLC

By _____
Dan Abendroth, MayorBy: Neumann Developments, Inc.
its Sole MemberBy _____
Caroline Fochs, City ClerkBy: _____
Matthew Neumann
CEOSTATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2017, the above named Mayor and City Clerk, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

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

STATE OF WISCONSIN)
)SS
WAUKESHA COUNTY)

Personally came before me, this ____ day of _____, 2017, the above named Matthew Neumann, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Waukesha County, Wisconsin
My Commission (expires) (is) _____

Approved by: _____
City Attorney

Attachment: Packet (2221 : Highlander Estates, Phase III)

EXHIBIT A
DEVELOPMENT AGREEMENT

Development Title – Highlander Estates Addition No.2

DESCRIPTION OF AREA INCORPORATED IN THE SAID DEVELOPMENT:

Highlander Estates Subdivision, Addition No.2

All that part of the Southeast 1/4 of the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 of Section 28, Town 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin.

Attachment: Packet (2221 : Highlander Estates, Phase III)

EXHIBIT B
CITY OF MEQUON
WISCONSIN
* * * * *

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TERMS AND CONDITIONS INCORPORATED INTO DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF MEQUON AND HIGHLANDER ESTATES, LLC

The proposed development plans granted concept approval and preliminary plat approval by the Planning Commission have been reviewed by the Engineering Division and this report is hereby submitted in accordance with the procedural requirements established by the Common Council.

Notwithstanding anything herein to the contrary, the parties acknowledge that the Developer intends to complete the improvements necessary prior to construction of principal structures, and other improvements may be constructed and obligations may be performed by Developer, as indicated below, by requiring its lot purchasers to so perform in the lot purchasers' contracts or declaration of restrictions.

The following public works improvements and conditions are necessary:

1. Sanitary Sewer System

- a. Installation of a sanitary sewer system designed to meet the ultimate needs of this development, in accordance with the City's sanitary sewer system plan. Installation of one sewer lateral from the sanitary sewer main to the limits of the sanitary sewer utility easement or, road right-of-way.
- b. Sanitary sewer plans/profile shall conform to the City's Standard Specifications for Land Development, Standard Specifications for Sewer and Water Construction in Wisconsin and additional requirements of the Milwaukee Metropolitan Sewerage District (MMSD) shall apply.
- c. The City shall approve all sanitary sewer lateral locations.
- d. Connection to the existing sanitary sewer shall be done in accordance with the City's specifications.
- e. The lateral locations shall not deviate from the approved plan unless approved by the City.
- f. 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.
- g. Easements shall be provided to adjacent single family lots for access for potential future connection.
- h. The Developer shall be responsible for costs, based on the levied special assessment, as determined by the City of Mequon Common Council at the time of installation, associated with the sanitary sewer trunk line extension along Wauwatosa Road.

2. Water Supply System

- a. Installation of a water supply and distribution system for the proposed Development with mains, hydrants, valves and laterals for each lot. The plans, specifications and installation shall be in accordance with the City Standard Specifications for Land Development, latest edition.
- b. The City shall review and approve all water main plans to be installed in a City road right-of-way or easement.
- c. Connection to the City of Mequon water system shall be in accordance with the City of Mequon Standard Specifications for Land Development, latest edition and be subject to a Water Services Agreement.
- d. The City will determine the lateral locations to avoid removal of any specimen trees; the City shall approve all lateral locations.
- e. 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.
- f. Easements shall be provided to adjacent single family lots for access for potential future connection.
- g. The mainline water main shall meet Water Utility standards for ISO recommended fire flows of 2500 gpm, which may require 12" pipe for the dead end main.

3. Fire Protection Water Supply

- a. The water for fire protection will be supplied to the Development water system through the City of Mequon Water System.
- b. All fire hydrant locations shall be approved by the City's Fire Chief.

4. Grading and Drainage Plan

- a. The Developer shall submit a master site grading plan. The master grading plan shall indicate which lots are designed for the following; full exposure, partial exposure, and lots that are limited to front load entry garage only. The Developer shall grade the site in conformance with the approved grading and drainage plan. The future owners/builders who construct the principal building shall be responsible for siting the principal building, rough and fine grading the building pad to comply with the master grading plan.
- b. The Master Grading/Drainage/Storm Sewer and Erosion Control Plans shall comply with the requirements of the City's Standard Specifications for Land Development, latest edition.
- c. Grading and drainage plan showing 2' contours for both existing and proposed grades, City approved building pad grades, culverts or storm sewers. Cross-section and profiles of all drainage ways and erosion protection as required, must be indicated on the plans and detailed.
- d. Site grading plan showing only minimum setback and offset dimensions, and City approved building grades.
- e. Erosion Control Plan for land disturbing activities showing existing contours at least 200' into adjacent parcels. This plan will show location and dimension of all construction site management measures to control erosion and sedimentation.

- f. 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.
- g. The grading plan shall include minimum elevations for proposed top of principal building foundation wall based on proposed building envelopes shown on the approved specimen tree plan and City approved finished yard grades.
- h. Grading and filling shall be kept to a minimum, including in individual building envelopes.
- i. The Developer is responsible for top-soiling, seeding and mulching, as required to all exposed ground surfaces to prevent erosion, including disturbance by utility contractors.

5. Storm Drainage System

- a. Drainage System Plan showing all tributary areas to the proposed subdivision drainage system and downstream analysis. Included on the system plan should be all proposed and existing drainage structures in the drainage system area.
- b. Drainage easements must be shown by dimension and detailed cross-section.
- c. Installation and construction of a complete storm drainage system, including culverts, storm sewer, and open ditches as required to adequately drain the surface water from and through the Development. Erosion protection and minimum velocity design shall be provided for in the storm drainage system design. All areas adjacent to existing and proposed roadways shall be restored to conform with the approved roadway cross-section.
- d. The storm water facilities shall be installed before the impervious surface.
- e. Additional considerations will be required on all ditch slopes exceeding five percent (5%). All roadside ditches or drainage easements shall have a minimum one percent (1%) slope. Areas less than one percent (1%) will require further analysis.
- f. The Development will be required to provide on-site stormwater detention and demonstrate to the City Engineer that the Development shall comply with the City's stormwater ordinance and MMSD Chapter 13 rules and regulations.
- g. The Developer shall submit hydrologic calculations for the 2, 10 and 100 year development conditions.
- h. The Developer shall provide hydraulic calculations showing pond discharge rates under proposed conditions. Under proposed conditions, the retention pond must demonstrate that the 2, 10 and 100 year discharge rate will be less than pre-settlement conditions.
- i. All sump pump discharge pipes shall discharge 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 in accordance with the City's Standard Specifications for Land development, latest edition.
- j. Submittal, at the time of architectural review and approval, of a sump pump discharge and roof drainage plan in accordance with Storm Water management Plan approved by the City Engineer.
- k. Drainage Easements must be shown by dimension and detailed cross-section.

- l. 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 shall be used and kept current during all phases of construction.
- m. Detention Basin/Pond Maintenance Agreement:

The Developer shall design and construct storm water facilities, including detention and/or retention pond(s), in accordance with the approved storm water drainage plan such that they are adequate to accommodate expected surface water flow within and through the Development, in accordance with applicable City ordinances, Chapter 13 of the Milwaukee Metropolitan Sewerage District rules, and the regulations of WDNR, as may be applicable. Thereafter, it shall be the responsibility of the Developer and/or its successors and assigns, as provided below, that such storm water facilities shall be maintained to meet or exceed the standards to which they were constructed, such that in the future, they continue to accommodate the maximum potential volumes of flow through and within the development, and meet applicable performance standards for storage and release.

Accordingly, the following requirements are applicable to this Development and conditions of approval of the preliminary plat and the development agreement, pertaining to detention basin/pond maintenance.

- i. All stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be maintained and cared for by the Developer and subsequently, at such time as the Developer passes control of the stormwater elements of the Development and responsibility for maintenance thereof to the Home Owners Association they shall be maintained in accordance with this Section 5.g.
- ii. In order that the perpetual care and maintenance of all stormwater drainage and storage facilities shall be provided for, the Developer shall create or cause to be created an entity (the Subdivision Homeowners Association) with a perpetual existence under the laws of the State of Wisconsin for the express purpose, *inter alia*, of assuming all responsibility in connection with the perpetual maintenance of the stormwater facilities. Developer shall provide by contract, declaration of covenants, deed provision, or otherwise that all lot owners in the subdivision development, including Developer, shall be members of the Association solely by virtue of being a lot owner, and shall be jointly responsible for its obligations, which obligations shall be assessable as against such members. If, as contemplated by the parties, any portions of the Development in or on which is located stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be conveyed to other assigns and/or successors in interest, then Developer shall provide by contract, declaration of covenants, deed provision, or otherwise that such other assigns and/or successors in interest shall assume all responsibility in connection with the perpetual maintenance of those stormwater facilities. The Developer shall have no further responsibility for such maintenance, only after arms length sale of the lots by the Developer, conveyance of outlots and/or common areas to the Subdivision Homeowners Association or other good faith grantees, and acceptance of dedication of the Improvements by the City.
- iii. The following minimum standards for future care and maintenance of the stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be adhered to by Developer and Developer's assigns and successors in interest:
 - A. Provide normal and customary cleaning and maintenance to the detention basin(s), and pond(s) located in this Development including, but not be limited to, weed and algae control, dam stabilization, emergency overflow, outlet structure (including trash rack), dredging and biological control.

- B. As necessary, dredging of the storm water facilities shall require permits and approvals under Section 30.20 Wisconsin Statutes, to remove materials from the bed of a pond ultimately connected to Lake Michigan from the Wisconsin Department of Natural Resources (WDNR).
- C. Make chemical treatments as necessary, in keeping with the regulatory requirement(s) that the application of EPA/State Registered Chemicals to detention basins/ponds or lakes is regulated by the WDNR. With few exceptions, a permit must be filed with, and approved by the WDNR, prior to chemical treatment. In certain circumstances, a representative of the WDNR will monitor or supervise the chemical treatment. Contact the WDNR for additional information.
- D. The detention basin(s)/pond(s) 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 be responsible to recertify the detention basin(s)/pond(s) as a condition of transferring ownership to the Homeowners Association, but in no event shall such recertification occur later than five years after the approval of the Final Plat.
- E. The detention basin(s), pond(s) certification shall be submitted with an as-built record drawing.
- F. The detention basin(s)/pond(s) 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 Homeowners Association, and any other assigns and successors in interest of 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 burrowings
 - 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
- iv. To guarantee performance of all of the foregoing obligations concerning the private stormwater drainage and storage facilities, including detention basin(s)/pond(s), the developer shall, in accordance with City ordinance 58-677(b), 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).

- v. Not less than ninety days prior to the final expiration of the Developer's LOC obligations, or at such time as the Developer shall convey the outlot(s) or common area(a) in or on which are located the stormwater drainage and storage facilities, including detention basin(s)/pond(s), to the Subdivision Homeowners Association or other assigns or successors in interest, whichever is later, the Developer shall have the detention basin(s)/pond(s) recertified in accordance with d. and e. above.
- vi. 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 herein), the Subdivision Homeowners Association, or any other assigns or successors in interest, shall fail to maintain the stormwater drainage and storage facilities, including detention basin(s)/pond(s), the City, at its option, may give the Developer, the Subdivision Homeowners Association or other assigns or successors in interest, as may be interested, written notice requiring any or all of them within thirty (30) days thereafter, 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 thereof, including administrative charges, to the Developer, and/or to the Subdivision Homeowners Association, and/or other assigns and successors in interest, by drawing upon the LOC, and/or by imposing such charge as a special charge for services pursuant to §66.0627, Wisconsin Statutes, and if not promptly paid by the party to whom the charges were invoiced, as a lien and special tax on the property(ies).
- vii. The City Engineer has the authority to stop work, amend, or alter remediation measures to the detention basin/ponds. Failure to comply will result in the issuance of a municipal citation by a forfeiture as prescribed by law, or may be addressed in an action for injunction, mandatory injunction, or any combination of remedies. Each day a violation exists shall constitute a separate offense.
- viii. Upon 75% (or fewer) of the lots within this Development being sold, the lots in Addition No.2 shall be added to the existing Homeowners Association.
- ix. This agreement and all of its covenants are and shall be covenants running with the land, and shall encumber the Development, and shall be binding on the heirs, personal representatives, successors and assigns of the parties hereto. This agreement shall be recorded with the Ozaukee County Register of Deeds office. The Development covenants and restrictions shall include this language and not by reference.

6. Erosion and Run-off Control

- a. Installation and construction of improvements in the proposed Development shall be done in conformance with the City in cooperation with the Ozaukee County Land Conservation Guidelines (SCS) and Department of Natural Resources "Wisconsin Construction Site Best Management Practice Handbook," latest edition, requirements, with respect to erosion and sedimentation control. Temporary stormwater quality measures during construction activities shall include, as a minimum, the installation of silt fence and temporary sediment basins.
- 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 designated agent. The City may request temporary mulching if ground is exposed for more than 7 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 what situation is appropriate for sod and will determine 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. Excavated soil shall not be allowed to be piled near the drainage system. A topsoil stockpile area shall be identified and used, complete with appropriate erosion control measures.
- e. The surface of exposed bare soils shall be protected by mulches or by temporary annual grasses, or erosion matting.
- f. The Developer will periodically inspect and maintain any measures utilized above. All erosion control devices shall be inspected after each rain event.

7. Streets

- a. The road design standards shall be subject to the review and approval by the City Engineer and Fire Chief. The roads, whether public or private, shall be constructed in compliance with the City Standard Specifications for Land Development, latest edition, unless otherwise approved by the City.
- b. Private access roads/driveways shall be approved by the City Engineer and Fire Chief.
- c. Construction of a twelve (12) inch road base consisting of twelve (12) inches of one and one-quarter inch (1 1/4") crushed stone base course for all new streets. The initial surface shall consist of three inches (3") of bituminous binder course. The roads shall be constructed to the City's typical cross-section and in accordance with the City's standard specifications for land development.
- d. In developments with sanitary sewer the final one and one-half inch (1 1/2") asphalt surface course shall be applied following the construction of the binder course.
- e. Should the money in the account be inadequate to defray the cost of surfacing to include inspection, shouldering, road failures, base repairs and defects and utility adjustments, the Developer shall make up any shortage of funds.
- f. All cross connections are required to be constructed in each phase, with a temporary turnaround constructed until the adjacent property develops. The developer or Homeowner's Association shall remove and restore the temporary turnaround at the time the connection is constructed.
- g. The roadside sidewalk shall be installed at the time of roadway construction, prior to final plat and shall be maintained by the homeowner or homeowners association. This maintenance will include snow and ice removal.
- h. The Developer shall provide to the City a performance bond, Letter of Credit or Cash Bond, in a form approved by the City Attorney subject to prior review and approval by the City, to provide security for compensation to the City for wear and tear and accelerated deterioration of City streets as a result of infrastructure improvement associated with the hauling of stone and asphalt attributable to the approved Development.

Prior to commencement of any construction activity, the Developer shall establish with the City a performance bond, Letter of Credit or Cash Bond, in a form approved by the City Attorney, for road damage, in the amount equal to \$1,000 per residential lot in the proposed Development. Should the proposed development be approved as a phased Development, the performance bond and evaluation process shall be established prior to commencement of each phase of Development. Prior to the commencement of any construction activity, the following provisions shall be complied with:

- i. 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 or Public Works Director.
- ii. Prior to commencement of construction, 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.
- iii. 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.
- iv. Prior to the City acceptance of the Improvements, the Developer will repair the road or pay to the City for the Dollar amount for the estimated repairs.

The road account and road evaluation is only applicable to that portion of the approved haul route that lies within the corporate limits of the City.

8. Landscaping and Open Spaces

- a. A street tree plan shall be subject to the review and approval of the Tree Board and Planning Commission. The species and installation of street trees shall conform to the street tree ordinance.
- b. Landscape plans for the open space, public street cul-de-sac, and detention pond buffering shall be designed by a licensed landscape architect and shall be reviewed and approved by City staff. The City may have a licensed landscape architect review the submitted landscape plans.
- c. Signage and entryway landscape plans shall be reviewed and approved by City staff.
- d. A letter of credit issued by a local bank on the US Chamber of Commerce model form or reasonable equivalent, and subject to prior review and approval by the City Attorney, equal to 25% of the landscape and hardscape amenities contract cost to insure that all private open space landscaping that dies within three (3) years of installation will be replaced by the Developer.
- e. A performance bond equal to 25 percent of the installation costs of the street trees is required to ensure that all street trees that die within the first 14 months will be replaced by the developer.
- f. Any required pedestrian paths shall be installed and shall be maintained by the developer or home owners association. Pedestrian and bike path plans shall address the public use of the paths and maintenance and shall be subject to the review and approval of the City Engineering Department. A ten (10) foot wide pedestrian and bike path easement shall provide for public access. An eight (8) foot wide path shall be designed and constructed in accordance with the Department of Transportation (DOT) Bike Path Facilities Handbook.

9. Miscellaneous

- a. The Developer shall be responsible for maintaining and repairing all damage done to City streets as a result of excessive hauling operations and Development construction pursuant to section 7(f) above.
- b. The Developer shall be responsible for the material and installation of street name signs and regulatory/public safety signs (speed limit, stop sign, etc).
- c. All construction shall conform to the "Standard and Specifications for Development Construction in the City of Mequon," latest edition.
- d. Wetland Boundaries shall be identified and marked in the field and verified by the Wisconsin Department of Natural Resources. 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.
- e. The City Engineer may make changes to the approved plans and specifications for any of the improvements covered under this agreement which are necessary to correct oversights, omissions, and 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 as changed entirely at its expense without any claim for reimbursement.
- f. Submittal and Planning Commission approval of the appropriate stewardship plan preservation easement, maintenance agreement and street tree landscape plan, if applicable.
- g. Submittal of underground utility easements.
- h. All sanitary, drainage, water and other utility easements must be shown on the plat. 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 required at the time of final plat approval and approved by the City.
- i. Submittal of proposed driveway culvert size plan where applicable.
- j. Developer shall be responsible for the cost of installation of one We-Energies standard street light mounted on a wooden pole, or may provide upgraded street light and mounting, as shall be approved by the City, at the main entrance to the Development. The City Public Works Department shall arrange for the installation permit and coordinate the installation. Developer shall pay for labor and materials within 30 days after being invoiced. After acceptance of dedication of the Improvements by the City, the City shall assume responsibility for the monthly energy costs and future maintenance for the street light

10. Special Provisions

- a. The development process shall strictly conform to the conditions of approval of the Preliminary Plat and other approvals, and as set forth in the Development Agreement. Request for final plat approval is subject to Engineering Department certification that all improvements required to be installed have been completed and approved, and as to the Improvements, approval and acceptance of their dedication by the City.

The remainder of this page is intentionally left blank.

EXHIBIT C

CITY OF MEQUON
WISCONSIN

* * * * *

ENGINEERING DEPARTMENT
DEVELOPMENT AGREEMENTDevelopment Title **Highlander Estates Addition No.2**

As a condition of final plat approval, the Developer, in accordance with the requirements of Section 58-640 of the Mequon Code of Ordinances will make payment in full of the following sewer connection charge: \$9,000 (45 lots @ \$200 per lot). This charge will only be applied if the Development is required to install a public sanitary sewerage system.

In addition, the Developer shall provide a lot pipe guarantee in the form of a Letter of Credit or Cash Bond in accordance with this agreement. The Developer shall provide a financial guarantee in the amount of \$4,500, which is equivalent to \$100 per lot. The financial guarantee is subject to release upon receipt by the City of a lot pipe certification stamped and signed by a professional land surveyor, registered in the State of Wisconsin.

Attachment: Packet (2221 : Highlander Estates, Phase III)



11333 N. Cedarburg Road, 60W
Mequon, Wisconsin 53092
(262) 242-3100

2.b.a

Permit No. _____
Date Filed _____
Exp. Date _____
Fees Paid _____

Engineering Department
Permit Application for Filling, Spoil Removal, Pond & Berm Construction or Grading
PLEASE PRINT CLEARLY

AGENT / CONTACT NAME: KEVIN ANDERSON PHONE #: 262-542-9200

PROPERTY OWNER NAME: HIGHLANDER ESTATES, LLC PHONE #: 262-542-9200

AGENT OR OWNER CONTACT ADDRESS: N27 W24025 PAUL CT., Suite 100
PEWAUKEE, WI 53072

LOCATION OR ADDRESS OF WORK SITE: WESTERN EXTENSION TO SWAN ROAD

Or: DESCRIPTION N.W. & N.E 1/4 SECTION 28 T9N, R 21 E

TAX KEY NO. 140280700100

SUBDIVISION HIGHLANDER ESTATES LOT _____ BLOCK _____

ESTIMATED DATE OF COMPLETION: _____

REASON FOR FILL/REMOVAL/EXCAVATION CONSTRUCTION OF ADDITION No. 2
OF HIGHLANDER ESTATES

Name of contact other than applicant: _____ PHONE #: _____

FEE COMPUTATION

TOTAL CUBIC YARDS TO BE DEPOSITED/REMOVED/EXCAVATED 29,000 C.Y.

(Over 1000 cubic yards requires Planning Commission approval)

(Berms greater than 4 1/2' in height requires Planning Commission approval)

(Separate application to the next available Planning Commission meeting is necessary)

\$60.00 – 0 – 250 C.Y.

\$120.00 – 250 C.Y. – 1,000 C.Y.

\$240.00 – 1,001 C.Y. – 5,000 C.Y.

\$360.00 – 5,001 C.Y. – 10,000 C.Y.

\$480.00 – OVER 10,001 C.Y. ★

SIGNED: Kevin Anderson
OWNER / AGENT KEVIN ANDERSON

DATE: 3/8/17

ADDRESS N27 W24025 PAUL CT., #100

CITY PEWAUKEE STATE WI ZIP 53072



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

www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 10, 2017
SUBJECT: MSI General for Riteway Bus, LLC. The applicant is seeking site plan amendment approval to remove the bypass lanes on the south side of Donges Bay Road for the property located at 6926 W. Donges Bay Road.

Applicant:	MSI General Ben Freeland
Status of Applicant:	Agent
Requested Action:	Site Plan Amendment
Proposed Use:	Transportation Terminal
Existing Zoning:	B-5 (Industrial)
Land Use Plan:	Industrial
Lot size:	3 Acres
Location:	6926 W. Donges Bay Road
Tax Key:	#14-027-12-000.00
District:	#4

Background:

In February, the Planning Commission approved a conditional use grant (CUG) for Go Riteway to operate a transportation terminal at 6926 West Donges Bay Road. As a condition of approval, the applicant was required to install a right turn (deceleration) lane, acceleration lane and associated bypass lanes. With existing traffic volumes on Donges Bay Road, Staff recommended the installation of a deceleration lane to serve as a right turn lane and matching acceleration lane on the north side of the road for westbound traffic. In addition, a bypass lane was required to be installed on the south side of the road for eastbound traffic, per City of Mequon standards.

The applicant is requesting elimination of the requirement for the bypass lanes along the south side of the road. The applicant provided supporting traffic study indicating that the bypass lanes are not warranted. The applicant indicated that it would route bus traffic to enter the site westbound, utilizing the proposed turn lane. In addition, the applicant is willing to install a “No Left Turn for Buses” sign for eastbound traffic, prohibiting the turning movement.

Staff Recommendation:

Staff recommends approval of the site plan amendment based on the following condition(s):

1. Restriction of the bus turning movements; all buses must enter the site westbound.
2. Installation of a “No Left Turn for Buses” sign for eastbound traffic.

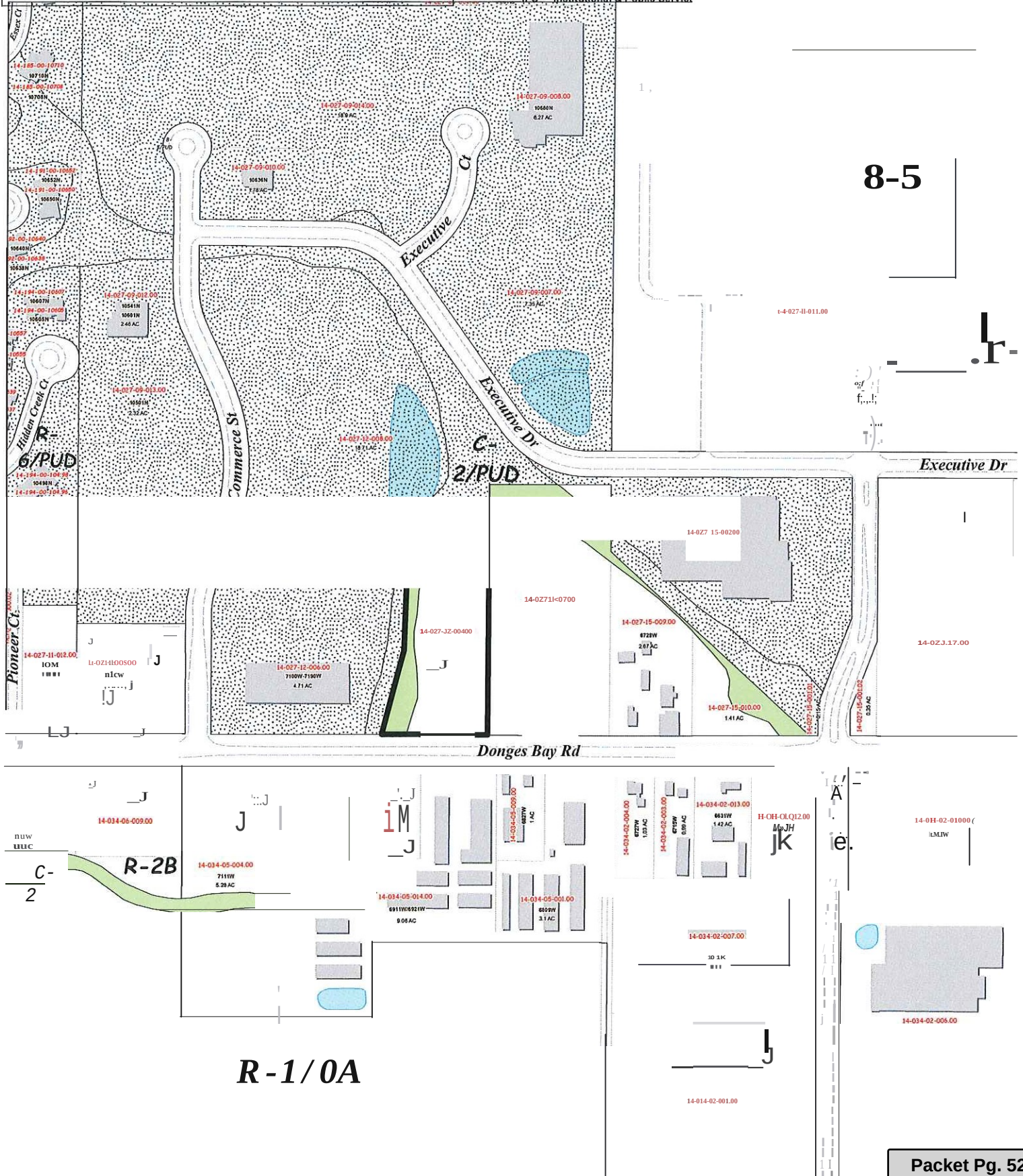
Attachments:
Packet (PDF)

Item 4- MSI General for Riteway Bus LLC

AC Arrival Corridor
A-1 Agricultural Preserve
A-2 General Agricultural
B-1 Neighborhood Business
B-2 Community Business
B-3 Office & Service Business
B-4 Business Park
B-5 Light Industrial
B-6 Rural Industrial
B-7 Rural Business
C-1 Shoreland/Wetland Conservancy
C-2 General Conservancy
CGO Central Growth Overlay
FFO Flood Fringe Overlay
FW Floodway
IPS Institutional & Public Service

LTD Limited Use
OA Agricultural Overlay
PUD Planned Unit Development Overlay
P-1 Park & Recreation
R-1 Single-Family Residential (5Ac. Min.)
R-18 Single-Family Residential (26 Ac.Min.)
R-2 Single-Family Residential (20 Ac.Min.)
R-28 Single-Family Residential (15 Ac.Min.)
R-3 Single-Family Residential (10 Ac. Min.)
R-4 Single-Family Residential (314 Ac.Min.)
R-5 Single-Family Residential (112 Ac. Min.)
R-6 Single-Family Residential (4 du/Ac)
RM Multi-Family Residential
TC Town Center
TOR Transfer of Development Rights

2.c.a



8-5

Attachment: Packet (2222 : MSI General for Riteway Bus, LLC)



March 28, 2017

Kristen Lundeen
City of Mequon
Director of Public Works/City Engineer
11333 N. Cedarburg Road
Mequon, WI 53092

RE: Go Riteway - Acceleration and Deceleration Lane Proposal

The Go Riteway development located at 6926 West Donges Bay Road was previously approved by Plan Commission with the condition of adding an acceleration, deceleration and bypass lane. Go Riteway expressed a concern for the necessity of the additional work and as a result engaged Pinnacle Engineering Group to perform a traffic study.

Pinnacle Engineering Group conducted a traffic study and gathered pertinent information from Go Riteway regarding the number and timing of buses which will be utilizing this parking lot. Based on the traffic study and Go Riteway information, it is proposed to construct an acceleration lane and a deceleration lane for the development. This will allow buses to exit the main lane of traffic to decelerate and turn into the parking lot and allow buses additional space to accelerate to join the traffic lane. The standard detail for the City of Mequon shows an option for a bypass lane. Pinnacle Engineering does not deem the bypass lane necessary per the traffic study. Go Riteway has agreed to install a no left turn sign for eastbound buses to avoid any confusion with drivers as they come back to the facility and avoid any left turns.

We understand that this proposal needs to go back to Plan Commission for approval. Pinnacle Engineering Group is requesting to be placed on the agenda for the next available Plan Commission meeting, following MSI's application for a minor request submitted on March 13th.

Please review the enclosed traffic study and additional exhibits and contact me with any questions.

Thank you,

Aaron E. Koch, P.E.
Senior Project Manager

Attachment: Packet (2222 : MSI General for Riteway Bus, LLC)



MEMO

TO: BEN FREELAND
MSI GENERAL

FROM: AARON KOCH
PINNACLE ENGINEERING GROUP

RE: GO RITEWAY
DONGES BAY ROAD, MEQUON

DATE: 3-2-17

Ben,

We have reviewed the traffic condition on Donges Bay road to determine if the proposed Go Riteway facility will have a significant impact on existing traffic patterns. The proposed facility will house 40 buses per day. The City is requesting that accel/decel lands and a bypass be installed on Donges Bay road at the location of the proposed driveway. The owner has provided the following information for bus departures and arrivals to the site:

Morning Routes

- 5:45am to 6:45am - We have 40 buses leaving the lot. They stagger leaving because all the routes start at different times.
- 8:45am to 9:30am - We usually have about 30 buses coming back to the lot. We only have 30 coming back usually because we have a few people with home bus privilege and there are mid day charters that people do.

Afternoon Routes

- 2:00pm to 2:45pm - We have 30 buses leaving the lot.
- 4:30 to 5:15pm - We have 35 usually coming back to the lot. The other 5 buses are usually doing some sort of after school athletic charter so they come back about 7:00pm to 7:30pm.

Based on this data, the critical period to study is the 4:30-5:15pm arrival time. While the morning arrival time is well outside the typical peak rush hour, this time period will also be observed. Any stacking of vehicle for departures will be on the site for which there is ample room to stage the busses.

Pinnacle Engineering performed a traffic count on February 23, 2017 from 4:15 to 5:30 pm examining the total traffic in both the eastbound and west bound directions and the gaps in the west bound traffic. A subsequent count was performed on March 3rd from 8:30 to 9:45 am, observing the same. The number of gaps are key to determine if a bypass lane is needed for busses that are eastbound turning north into the driveway and are waiting for a gap in west bound traffic. A gap was considered to be an 8-10 second window in which a bus could make a left turn from a cold stop to safely enter the driveway without slowing oncoming west bound traffic. The counts were taken during the owner's time frame for arrival plus 15 minutes before and after. The following table summarizes the traffic counts:

Attachment: Packet (2222 : MSI General for Riteway Bus, LLC)

AM Vehicle & Gap Counts

Time Period	West Bound Vehicle Count	Gaps in West Bound Traffic	East Bound Vehicle Count
8:30 – 8:45am	18	93	75
8:45 – 9:00am	39	90	68
9:00 – 9:15am	23	98	33
9:15 – 9:30am	25	89	42
9:30 – 9:45am	21	93	31
Totals	126	463	249

PM Vehicle & Gap Counts

Time Period	West Bound Vehicle Count	Gaps in West Bound Traffic	East Bound Vehicle Count
4:15 - 4:30pm	87	85	43
4:30 - 4:45pm	124	71	41
4:45 - 5:00pm	104	69	52
5:00 – 5:15pm	111	71	42
5:15 – 5:30pm	97	93	61
Totals	523	389	239

A review of the AM data indicates that there are 277 gaps in the west bound traffic from 8:45 to 9:30pm (the time when busses are returning to the property) that would allow a bus to safely make a left turn. The split of busses retuning to the property from west versus east is somewhat arbitrary, however this property is located in the southwestern quadrant of the service area. Even though Donges Bay Road does not cross the river to the east, it is likely that more busses would arrive from the east (westbound). There was only 1 bus counted currently travelling eastbound in both the AM and PM times. This is not anticipated to change significantly with the change in the location of the facility. For the sake of this calculation, a very conservative 70-30 split is assumed, meaning that approximately 9 busses will be eastbound and making a left turn from Donges Bay to the property. This equates to one bus every 5.0 minutes. The gap ratio is approximately 30 gaps available for every bus. Note also that the west bound traffic is very low at this time, about 1 car every 35 seconds on average.

A review of the PM data indicates that there are 211 gaps in the west bound traffic from 4:30 to 5:15pm (the time when busses are returning to the property) that would allow a bus to safely make a left turn. Using the same 70-30 split on return route direction, approximately 11 busses will be eastbound and making a left turn from Donges Bay to the property. This equates to one bus every 4.1 minutes. The gap ratio is approximately 19 gaps available for every bus. Note also that the in the PM the east bound traffic is very low, about 1 car every 20 seconds on average.

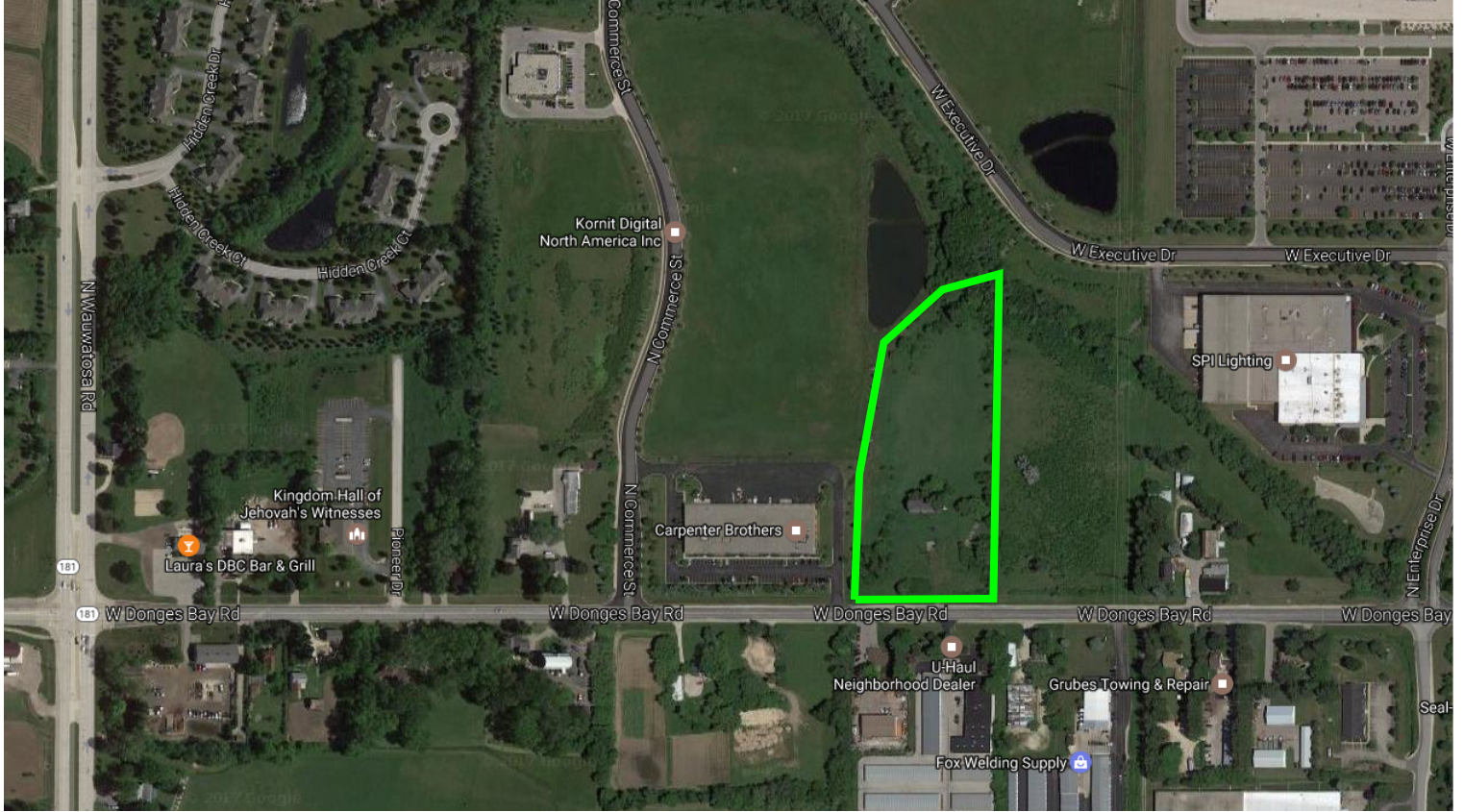
In summary:

- There will be a low number of busses actually making a left turn which is likely overestimated in the numbers provided.
- There is an abundance of available gaps to make a left turn in in both the AM and PM return times
- There is a low volume of eastbound traffic that could potentially be delayed by a left turn
- There is a low volume of westbound traffic that could potentially cause a left tuning vehicle to stop (especially in the am)

Based on this data, it does not appear that the traffic generated by the proposed development would have a significant impact on traffic as it relates to potential delays for traffic in the area.

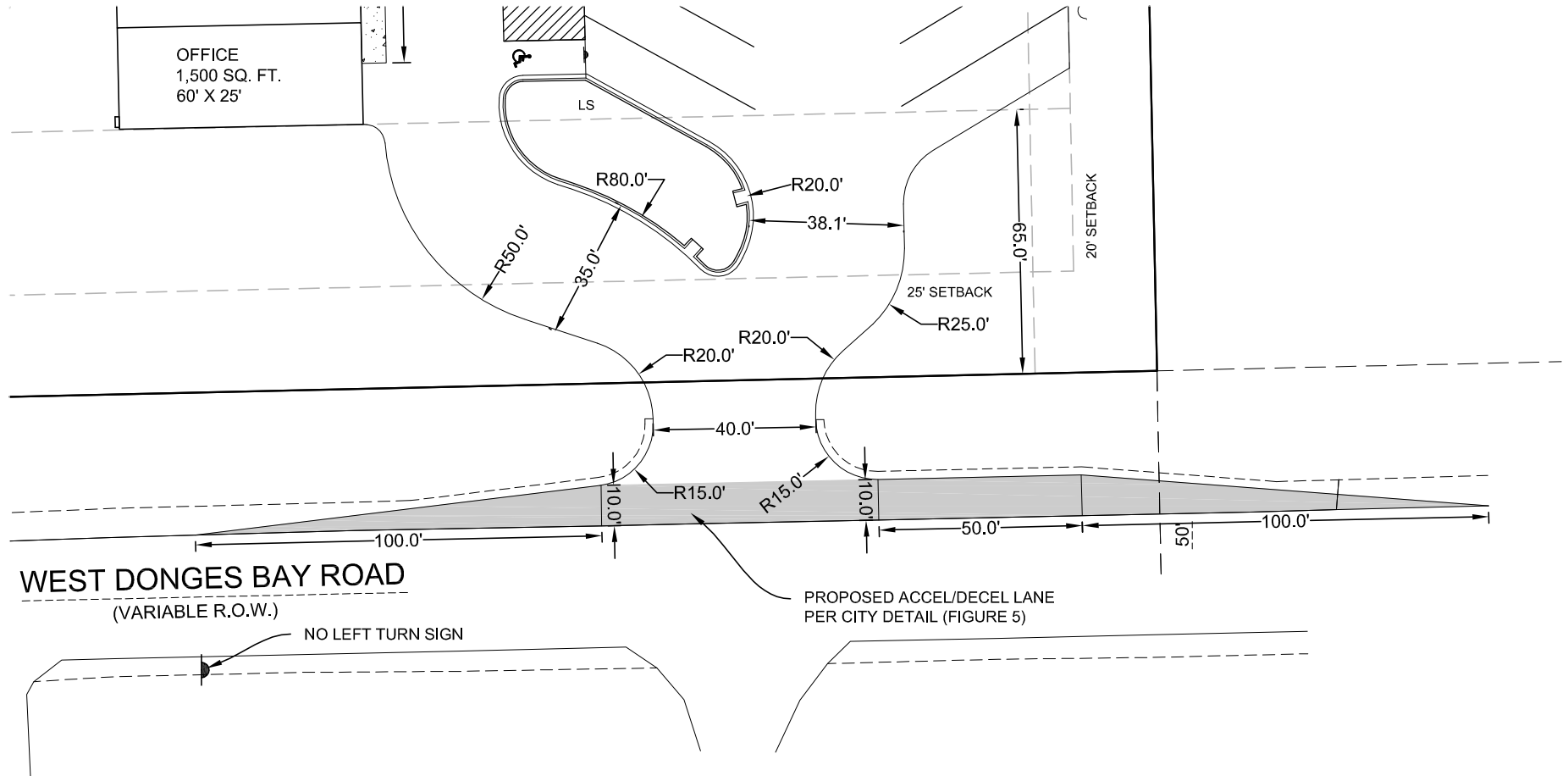
Please call me if you have any questions or would like to discuss this further. Thank you.

Go Riteway Proposed Site



Attachment: Packet (2222 : MSI General for Riteway Bus, LLC)





Attachment: Packet (2222 : MSI General for Riteway Bus, LLC)



GO RITEWAY - ACCELERATION/DECELERATION LANES

PINNACLE ENGINEERING GROUP

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005 | WWW.PINNACLE-ENGR.COM | 262-754-8888 |

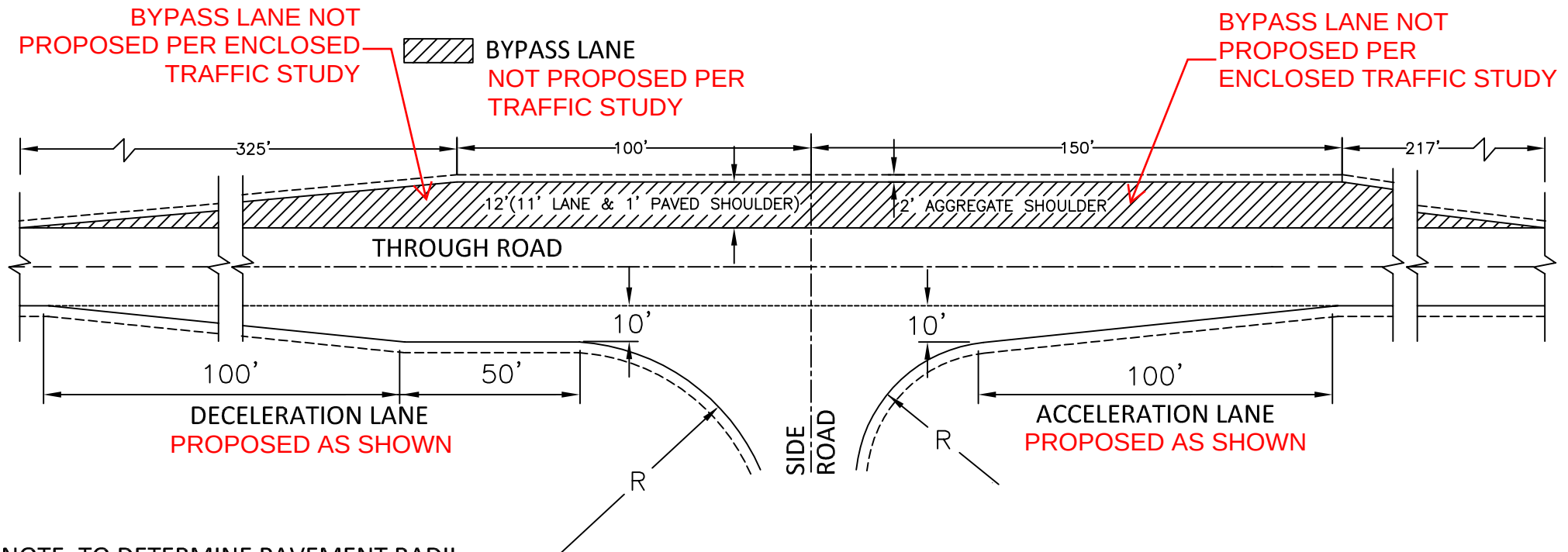
03/28/17

PLAN | DESIGN | DELIVE

PEG JOB#872.00

CITY OF MEQUON STANDARD DETAIL
FIGURE 5

ACCELERATION/DECELERATION & BYPASS LANES



NOTE: TO DETERMINE PAVEMENT RADII,
SEE FACILITIES DEVELOPMENT MANUAL,
CHAPTER 16, FIGURE S.D.D. 9 A 1-11a.



MSI GENERAL CORPORATION
P.O. BOX. 7
OCONOMOWOC, WI 53066
PHONE: 262-367-3661
FAX: 262-367-7390

WWW.MSIGENERAL.COM
SINGLE SOURCE RESPONSIBILITY™

REVISIONS:

1	2017-03-23 SWMP COMMENTS
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PROJECT ADDRESS:

PROJECT NAME
Go Riteway
STREET ADDRESS
6926 W. Donges Bay Road
CITY / STATE / ZIP
Mequon WI 53092

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE MSI GENERAL MASTER SPECIFICATION

Date: 2-17-17
Drawn By: PEG

Sheet Title:
GRADING PLAN

Sheet Number:

C-103

Project Number:

4422

LEGEND

PROPOSED CONCRETE FLARED END SECTION

PROPOSED OUTLET STRUCTURE

PROPOSED STORM SEWER

PROPOSED UNDERDRAIN

PROPOSED SAN CLEANOUT

PROPOSED SAN LATERAL

PROPOSED WATER SERVICE

EXISTING CONTOUR

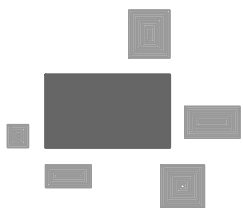
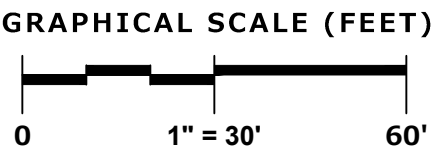
PROPOSED CONTOUR

SPOT ELEVATION

GRASS

PAVEMENT

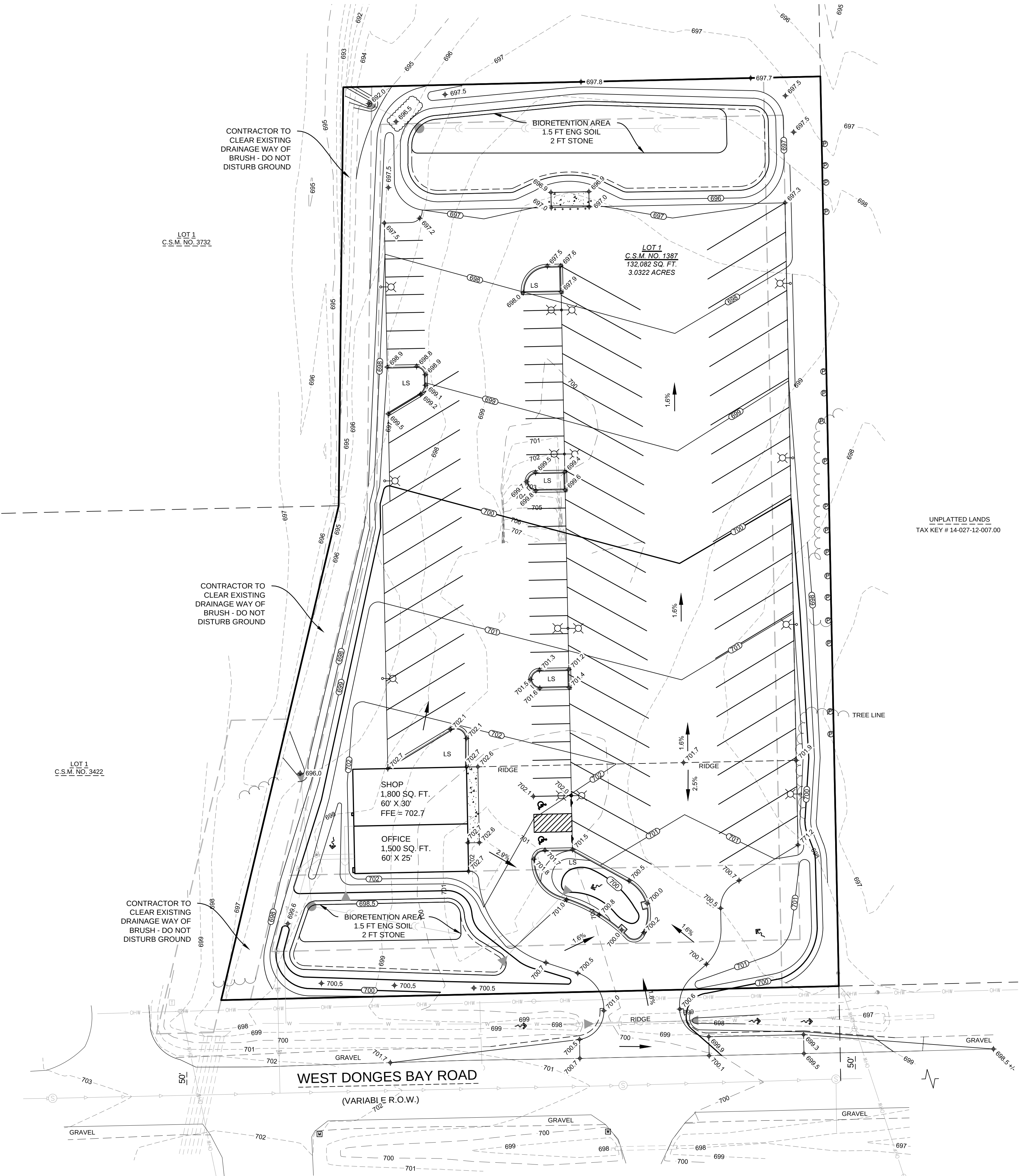
DIRECTION OF SURFACE FLOW

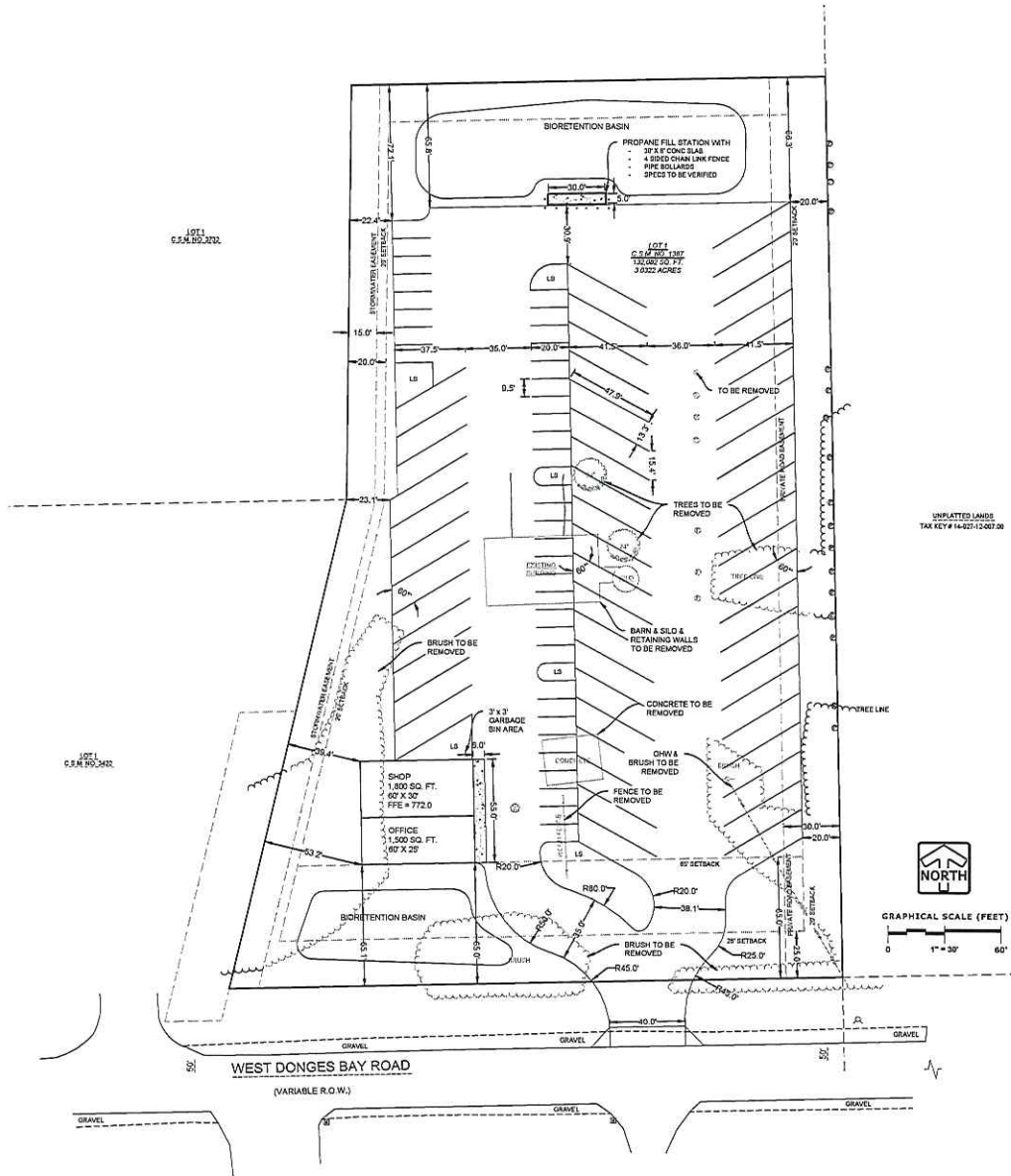


PINNACLE ENGINEERING GROUP
ENGINEERING | NATURAL RESOURCES | SURVEYING

PLAN | DESIGN | DELIVER
www.pinnacle-engr.com

WISCONSIN OFFICE:
15850 W. BLUEMOUND ROAD
BROOKFIELD, WI 53005
(262) 754-8888
CHICAGO | MILWAUKEE | NATIONWIDE





LEGEND

- PROPOSED CONCRETE PLANK END SECTION
- PROPOSED OUTLET STRUCTURE
- PROPOSED STORM SEWER
- PROPOSED UNDERDRAIN
- EXISTING CONTOUR
- PROPOSED CONTOUR
- SPOT ELEVATION
- DIRECTION OF SURFACE FLOW

SITE DATA	
SITE AREA	132,082 SQ. FT. = 3.03 AC.
BUILDING AREA	3,300 SQ. FT.
ASPHALT & CONC. AREA	75,888 SQ. FT.
TOTAL HARDSCAPE AREA	79,188 SQ. FT. (max. 79,249.2 SQ. FT.)
GREEN SPACE AREA	52,894 SQ. FT. = 40.0% (MIN. 52,832.8 SQ. FT. REQUIRED)
PARKING	
BUSSES (LARGE SIZE)	51
BUSSES (SMALL SIZE)	3
AUTO	37

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PROJECT ADDRESS:

PROJECT NAME
Go Riteway
STREET ADDRESS
6925 W. Donges Bay Road
CITY / STATE / ZIP
Mequon WI 53092

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE MSI GENERAL MASTER SPECIFICATION

Date: 01-10-17
Drawn By: PEG
Sheet Title: PRELIMINARY SITE PLAN
Sheet Number: C-101
Project Number: P11825
p11825

MANAGERS

ENGINEERS

CONTRACTORS

ARCHITECTS



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

www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 10, 2017
SUBJECT: Vogel Real Estate, LLC for Gateway Plastics. The applicant is seeking building and site plan amendment approval for a 70,000 s.q. ft addition at 5650 W. County Line Road (Gateway Plastics).

Applicant: MSI General
Eric Newmann, Vogel Real Estate
Status of Applicant: Agent
Requested: Building and Site Plan Amendment
Existing Use: Industrial
Existing Zoning: B-5 (Light Industrial)
FFO (Flood Fringe Overlay)
Land Use Plan: Industrial
Lot size: 26 Acres
Location: 5850 W. County Line Road
Tax Key: #14-035-11-005.00
District: #4

Background:

The applicant is requesting building and site plan approval for a 70,000 square foot addition for Gateway Plastics located at 5850 W County Line Road. There are two separate 35,000 square foot additions located on the west elevation of the building that will be used for production and warehouse space. The Planning Commission approved a certified survey map at its previous meeting to allow for the expansion of the building by providing additional area to comply with setbacks and green space ratios.

Site Plan:

The proposed site plan shows the two additions on the west side of the building. The building is shown to be offset 60 feet from the property line in order to be classified as an unlimited area building per the building code. Based on the approved CSM, the plan does comply with the green space and floor area ratios. The only other change to the site is the addition of an access road on the west side of the building. The access road will be used for the servicing of equipment that is located on the west side of the building. The roadway will also be used as the access point for the parcel to the west when it is developed. Since the addition will only add a minimal amount of new employees to the site, which can be accommodated by existing spaces, no additional parking is being proposed at this time.

The plan also shows the addition of a cooling tower on the west side of the building north of the most southern addition. The applicant states that the tower will be located in an area that will be shielded by the new addition and the existing building and does not feel additional screening is required. While staff agrees that the location of the tower does preclude the need for a structure

enclosing the tower, additional landscaping shall be required to screen the view from the west (see landscape plan).

Building Plan:

The design of the addition will include precast panels and aluminum windows that match the existing building. The applicant intends on reusing some of the panels that will be removed on the existing building to accommodate the addition. The plan shows the construction of a number of new roof top mechanical units. Screening of the units are required if they are visible from public view.

Landscaping Plan:

The landscaping plan shows additional trees and shrubs around the new storm water pond, on the west side of the proposed road, and on the west elevation of the additions. A number of existing trees being impacted by the addition are show to be relocated to the west of the new driveway. Staff does recommend addition plantings to help better screen the cooling tower and along the south side of the north addition.

Lighting Plan:

The lighting plan shows LED wall packs being added along the west elevation of the building. The submitted cut sheet does not state whether the wall packs are classified as full cutoff per the lighting code. The applicant shall provide documentation to show the wall packs are in compliance with full cutoff requirement. Staff is also concerned with the number of fixtures being proposed. While the primary function of the wall packs is security, staff feels the number of luminaires is excessive. In the past, staff has received complaints from neighbors to the north and west regarding the light levels from fixtures of the building. Staff recommends that the number of wall packs along the west elevation be reduced from thirteen to nine.

Correspondence:

Staff has received correspondence from District Alderman Wirth that summarizes complaints he has received from residents in the area. The majority of the complaints revolve around truck traffic on County Line Road. According to the applicant, the additions to the building will not result in any additional truck traffic to the site. With regard to decreasing the speed limit or the need for a traffic study please see Engineering comments below.

Engineering Report:

Kristen Lundeen, Director of Public Work/City Engineer, reviewed the application and has the following comments:

The site access will remain primarily off of the existing driveways on County Line Road and Riebs Lane. The applicant proposes the installation of a second access to the west of the structure. It will initially be used as a construction entrance and will eventually be restricted for scheduled maintenance. The applicant indicates that it will include a gate post to physically restrict access.

As the development will add more than 0.5 acres of impervious surface, City ordinances require a stormwater management plan (SWMP) for the site. A SWMP was submitted and is currently under review. Land disturbance exceeds one acre, therefore a City erosion control permit and WDNR WRAPP are required.

With respect to a traffic study, the proposed additions will not result in additional truck traffic, and therefore do not meet the warrants for a traffic study. Gateway Plastics has installed many traffic calming measures over the past several years, including the installation of a railroad spur

intended to reduce the truck traffic to the site. If the Planning Commission desires a traffic study, it should consider requiring an analysis of all of the commercial uses on Riebs Lane. However, as all of the uses are permitted and along public roadways which do not prohibit truck traffic, staff is not in favor of the requirement.

While staff is not supportive of reducing the speed limit along this section of County Line Road, Planning Commission, the residents or the alderman may request that the issue be reviewed at a Public Safety meeting.

Staff recommends **approval** of the building and site plan based on the following conditions:

1. Staff review and approval of final site, floor, elevation, landscaping and lighting plans.
2. All ground mounted and roof top mechanicals shall be screened from public view.
3. Additional landscaping shall be provided along the south elevation of the north addition and around the cooling tower.
4. Wall packs shall be mounted at a maximum height of 20 feet.
5. Wall packs shall be classified as full cutoff or dark skies friendly.
6. The number of wall packs along the west elevation shall be reduced from twelve to eight.
7. The CSM shall be recorded prior to submittal of a building permit for the addition.
8. Review and approval of a storm water management plan in conformance with City ordinances, MMSD Chapter 13 and WDNR 151/NR216.
9. The applicant shall obtain an erosion control permit from the Engineering Department, subject to applicable fees, prior to the issuance of a building permit.
10. The applicant shall provide a copy of the WDNR WRAPP for the site prior to the issuance of a building permit.
11. Upon completion of the building additions, the applicant shall install a gate on the service driveway to restrict general access.
12. Modifications to the public utilities are subject to the review and approval of the Village of Brown Deer.
13. 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 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).

Attachments:

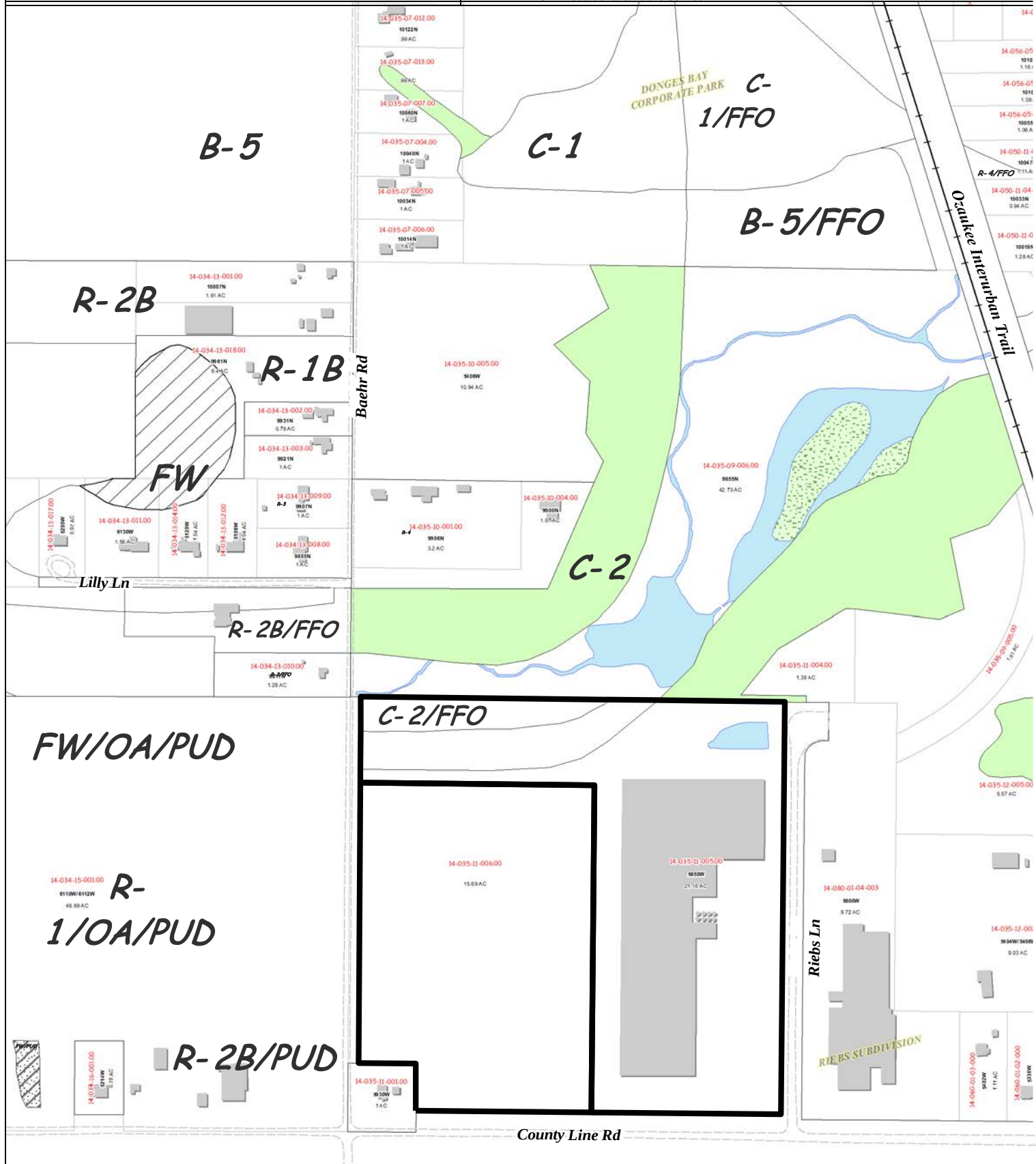
Packet_Gateway (PDF)

Item 5 -Vogel Real Estate for Gateway Plastics

AC Arrival Corridor
A-1 Agricultural Preserve
A-2 General Agricultural
B-1 Neighborhood Business
B-2 Community Business
B-3 Office & Service Business
B-4 Business Park
B-5 Light Industrial
B-6 Rural Industrial
B-7 Rural Business
C-1 Shoreland/Wetland Conservancy
C-2 General Conservancy
CGO Central Growth Overlay
FFO Flood Fringe Overlay
FW Floodway
IPS Institutional & Public Service

LTD Limited Use
OA Agricultural Overlay
PUD Planned Unit Development Overlay
P-1 Park & Recreation
R-1 Single-Family Residential (5 Ac. Min.)
R-1B Single-Family Residential (2.5 Ac. Min.)
R-2 Single-Family Residential (2.0 Ac. Min.)
R-2B Single-Family Residential (1.5 Ac. Min.)
R-3 Single-Family Residential (1.0 Ac. Min.)
R-4 Single-Family Residential (3/4 Ac. Min.)
R-5 Single-Family Residential (1/2 Ac. Min.)
R-6 Single-Family Residential (4 du/Ac)
RM Multi-Family Residential
TC Town Center
TDR Transfer of Development Rights

2.d.a



Attachment: Packet Gateway (2223 : Vogel Real Estate, LLC for Gateway Plastics)

March 8, 2017

Mr. Jac Zader, Planner
City of Mequon
11333 N. Cedarburg Road
Mequon, WI 53092-1930

RE: Gateway Plastics Additions
Plan Commission Submittal & Project Narrative

Dear Jac:

Pursuant to our various meetings and discussions, we are pleased to provide to you the application and plans for the additions to Gateway Plastics plant and warehouse. As we have shared with you prior, Gateway Plastics will be adding two (2) approximately 35,000 sq.ft. additions to their plant and their warehouse as needed for continued growth of their business. These additions will match architecturally to the existing building in every manner including the reuse of the panels on the west wall of the warehouse.

As you know, the CSM has been modified and submitted to the City of Mequon for the March plan commission agenda to adjust the property boundaries to allow these additions to have the necessary floor area ratios and green space ratios required to meet the City of Mequon code. Our site plan indicates the various ratios and percentages of those items.

Also attached to this plan are the site lighting plan which copies the existing lighting spacing but upgrades to an LED fixture, a landscape plan and the remaining architectural plans required. As mentioned, we will match materials exactly so we will provide photographs and any needed samples, if you so require, for this submittal or as a prop brought to the Plan Commission Meeting on April 10th.

Review of the site plan will note the changes to the site which include the addition of a construction access road that will eventually become an equipment/maintenance road that will be only used by the Owner for necessary maintenance to the building. It is the Owner's intent to provide a gate post along County Line Road to prohibit traffic from entering this roadway unless it is a scheduled maintenance situation. This site plan showing the road, also shows the modifications of the storm sewer system and rerouting of the water lines around the building to allow for the expansions to occur. We have also provided necessary storm water management details for the new impervious surface added to the site, as the original pond design does not meet the current stormwater codes. We ask for Engineering's review of these plans at this time so we can confirm that they are correct and prepare for beginning sitework on this project soon after the Plan Commission Meeting date as it is critical to Gateway to be started and in this building before the end of the year.

Attachment: Packet_Gateway (2223 : Vogel Real Estate, LLC for Gateway Plastics)

Gateway Plastics Addition
Proposal #11867

We have provided a landscape plan which relocates plants and trees along the west elevation as best we can with the changes to the site, the new location of the utility line feeding the building and the propensity for landscaping to grow in the area of the extremely large electrical service feeders. Please note it has been Gateway's experience that plants located near the main electric service feeds along the property line have perished after a year due to those intense loads.

The building will be heated and cooled with rooftop units matching the existing type and size that are currently on the building. We will locate these as far into the building as possible but like the remaining building and provided no screening for those.

Finally, the building plan shows an additional chiller tower which will be located between the two (2) building additions in the courtyard area created by them. It is our opinion that between the two (2) buildings size and mass, the height of the chiller tower and the landscaping, that no additional screening would be required.

This addition will generate a minimal number of added employees, and the analysis of the current parking counts and spots available on site is more than adequate to handle any added employees as well as shift change situations. The hours of operation of this facility will remain as is, which is 24/7, 364 days a year.

We ask for your review of these plans and application, as well as this summary letter and reply back to us with any comments or corrections needed, as well as any additional information that you would require so we can maintain the April 10th Plan Commission Agenda date as it is critical to receive these approvals and begin this project in April in order to meet the Owner's needs for equipment and space. We thank you for the efforts to this point and look forward to a successful review and building process again in the City of Mequon.

Most sincerely,

MSI GENERAL CORPORATION

Eric J. Neumann
Vice President – Project Executive

EJN:kf

c: Bill Vogel
Stan Nielson
Pete Anderson
Ken Krahe

Encls.

Gateway Plastics Addition
Proposal #11867

PROJECT NARATIVE ADDENDUM 4/3/17 –

Please note at the current time the facility has rented additional warehouse space to keep up with the production of the building. This has caused an artificial increase in truck traffic to use the off-site warehouse, based on how the loads get transferred. By adding the 35,000sf of warehouse space this double handling will be ended and traffic should decrease.

As with the plant expansion, Gateway is replacing larger equipment capable of doing multiple products with smaller presses to do the same work. This is a economic decision based on repair and upkeep costs for the presses vs. the older larger presses.

Please also note we have removed 4 LED wall packs from the south and north walls of the addition.

Project Name

Gateway Plastics

Project Address

5650 W. County Line Road

Mequon, WI 53092

Project Data	
Existing Building First Floor Area	266,400 SQ/FT
Proposed Addition Area	69,840 SQ/FT
Overall Building Area with Addition	336,240 SQ/FT
Existing Building Use	
F-1 Moderate Hazard Factory	
S-1 Moderate Hazard Storage	
B Business	
Proposed Addition Use	
F-1 Moderate Hazard Factory	
S-1 Moderate Hazard Storage	
Existing Building Construction Type	
IIB	
Proposed Addition Construction Type	
IIB	
Unlimited Area Building Per 2009 IBC Section 507	
Site Area	
1,122,337 SQ/FT (25.76 Acres)	
Total Building Area	
336,240 SQ/FT (FAR 29.9%)	
Total Hard Surface Area	
541,608 SQ/FT	
(Including Building)	
Green Space Area	
580,729 SQ/FT (Green Space 51.7%)	
Existing Parking Stalls	
148 Standard / 6 Accessible	
Maximum Employee Count on	
Back to Back Work Shifts	
90 Employees = 90 Stalls Required	
No Proposed Additional Parking Stalls	

Architects Seal

Engineers Seal

60
YEARS
OF
DESIGN
EXCELLENCE



SHEET INDEX		REVISIONS																											
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0-001	COVER SHEET																												
C-101	SITE PLAN																												
C-102	GRADING PLAN																												
C-103	SITE UTILITY PLAN																												
C-104	SITE EROSION CONTROL																												
E-100	SITE PHOTOGRAPHIC PLAN																												
L-100	LANDSCAPE PLAN																												
A-100	OVERALL FLOOR PLAN																												
A-101	DEMOLITION FLOOR PLAN																												
A-102	ADDITION FLOOR PLANS																												
A-103	ADDITION ROOF PLANS																												
A-201	EXTERIOR ELEVATIONS																												



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PLAN COMMISSION 03.10.17

PROJECT ADDRESS:

PROJECT NAME
Gateway Plastics Addition
STREET ADDRESS
5650 W. County Line Road
CITY/STATE / ZIP
Mequon, WI 53092

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE MSI GENERAL MASTER SPECIFICATION

Date: 03.10.17
Sheet Title: COVER SHEET
Sheet Number: G-001
Project Number: P11867
Drawn By: PAA



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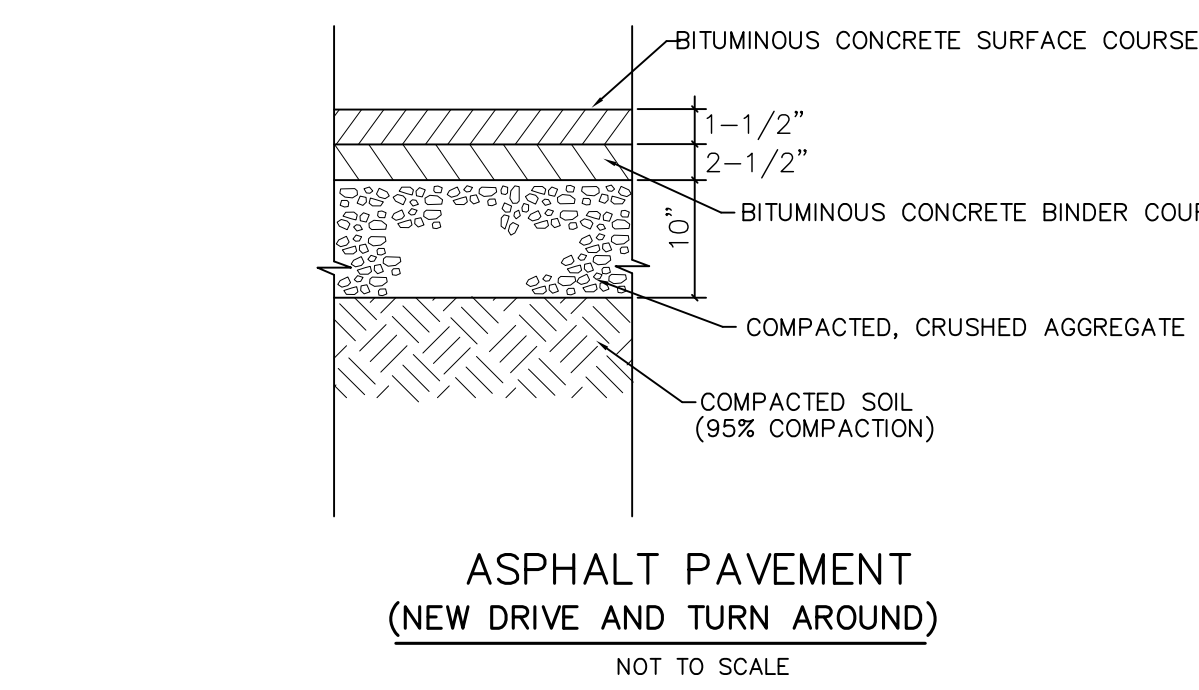
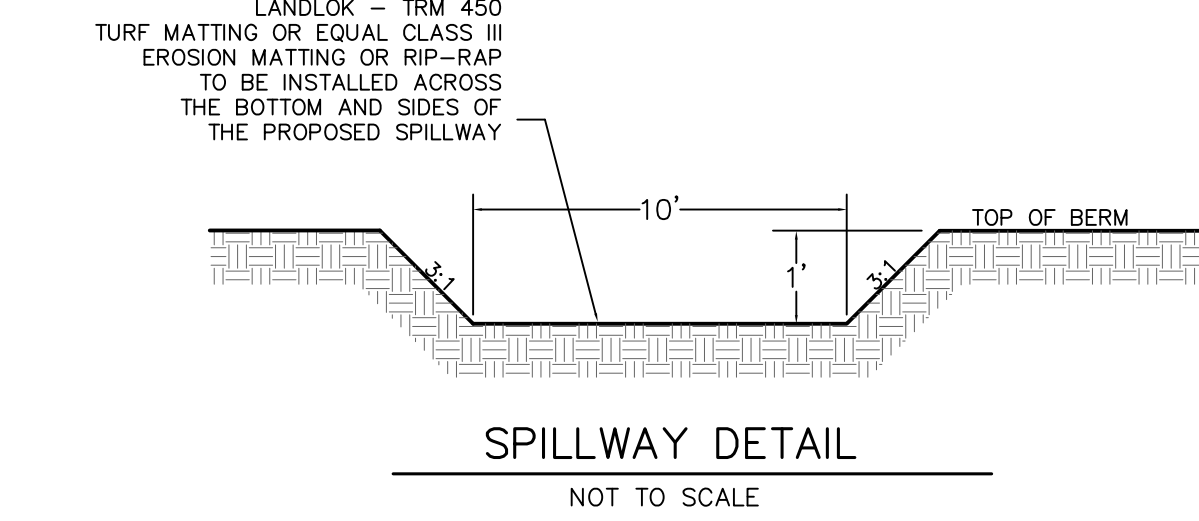
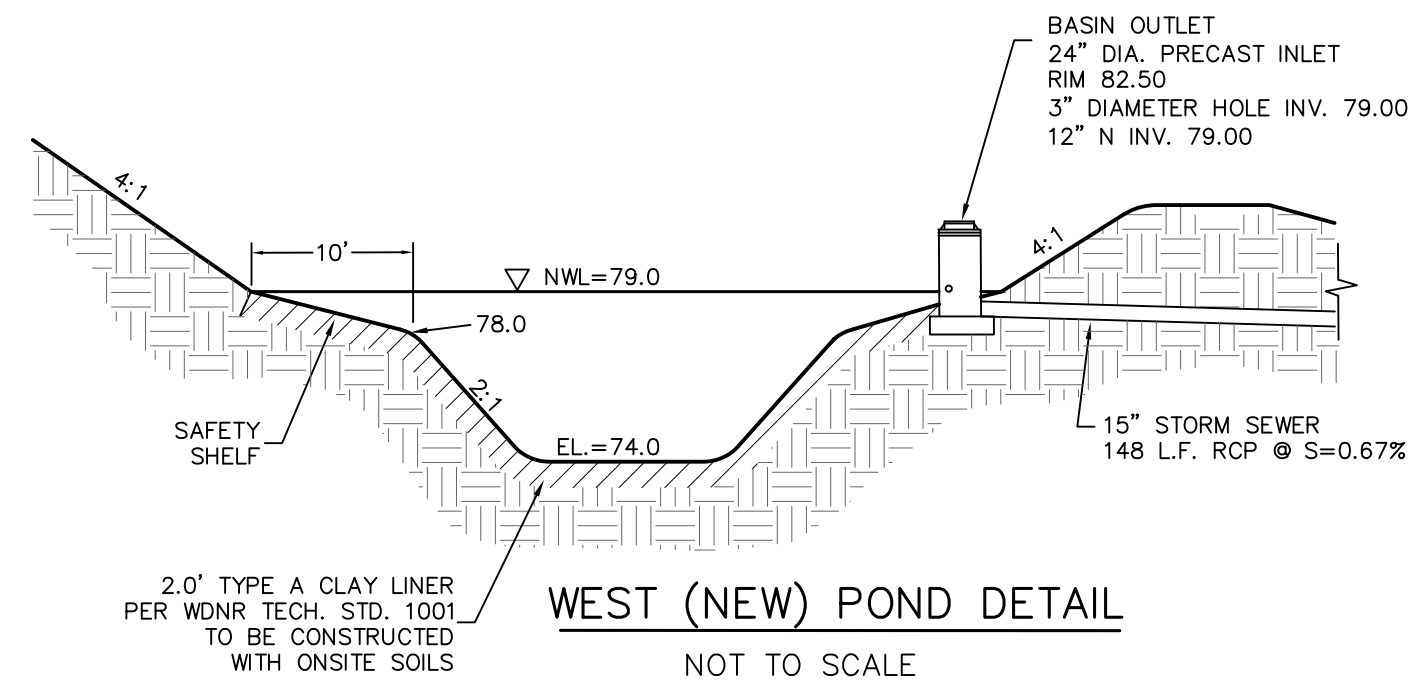
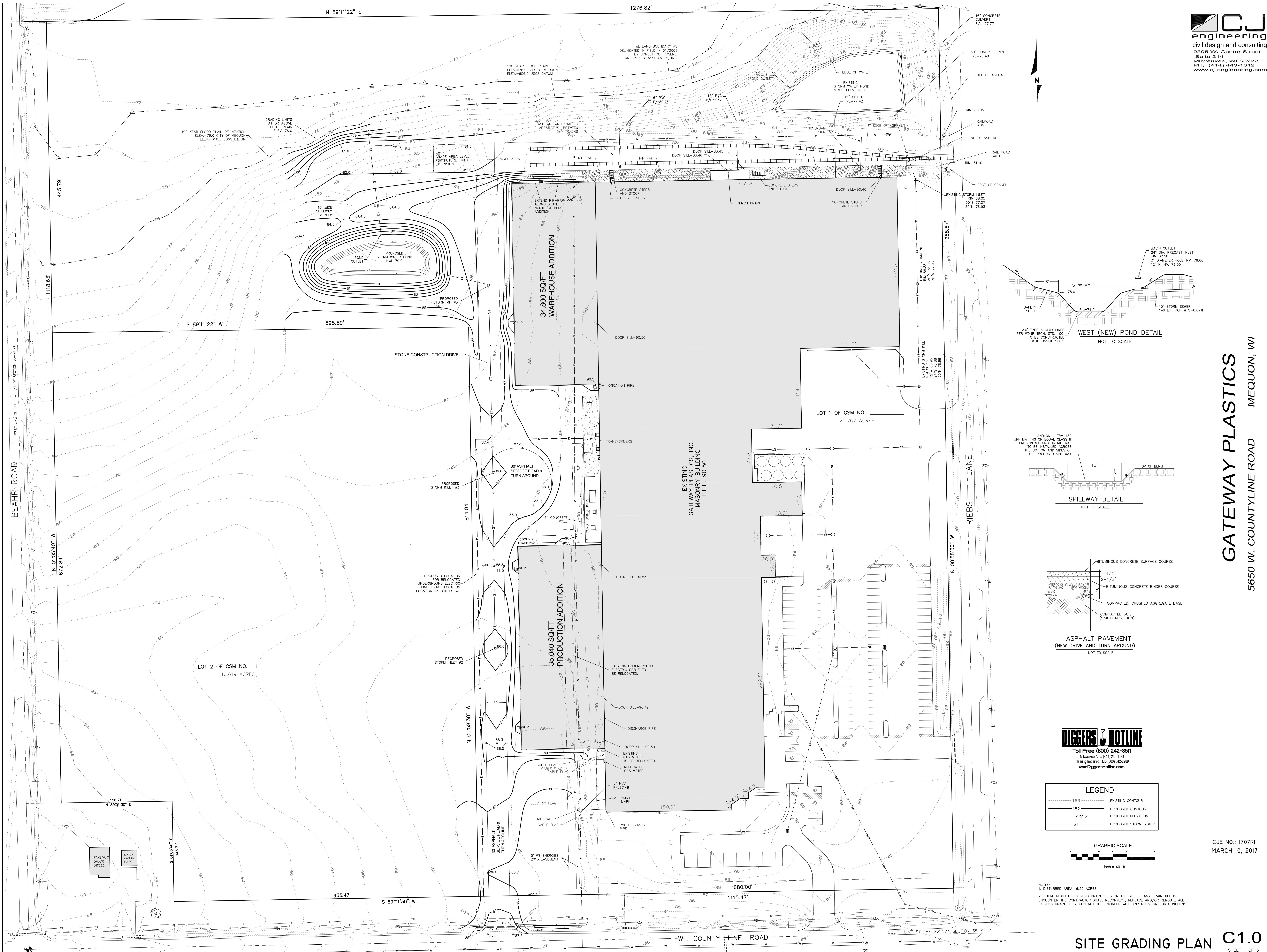
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P11867

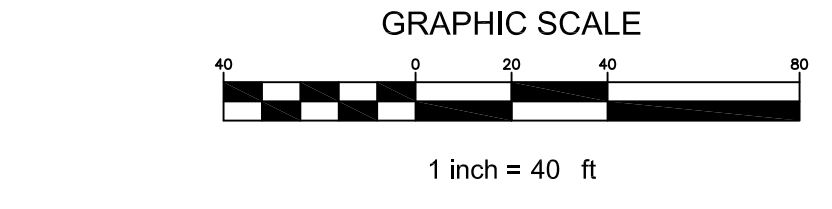
ARCHITECTS





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LEGEND	
153	EXISTING CONTOUR
152	PROPOSED CONTOUR
x151.5	PROPOSED ELEVATION
ST	PROPOSED STORM SEWER



NOTES:
1. DISTURBED AREA: 6.25 ACRES
2. THERE MAY BE EXISTING DRAIN TILES ON THE SITE. IF ANY DRAIN TILE IS ENCOUNTERED THE CONTRACTOR SHALL RECONNECT, REPLACE AND/OR REROUTE ALL EXISTING DRAIN TILES. CONTACT THE ENGINEER WITH ANY QUESTIONS OR CONCERNS.





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🌐 www.nelsonlandscape.com

Sheet Title:

LANDSCAPE PLAN-
WAREHOUSE ADDITION

Project:

GATEWAY PLASTICS

5650 W. COUNTY LINE RD.
MEQUON, WI

Client:

GATEWAY PLASTICS

5650 W. COUNTY LINE RD.
MEQUON, WI

Plan Notes:

Designed By: C. J. N.

Drawn By: C. J. N.

Date: 3-08-17

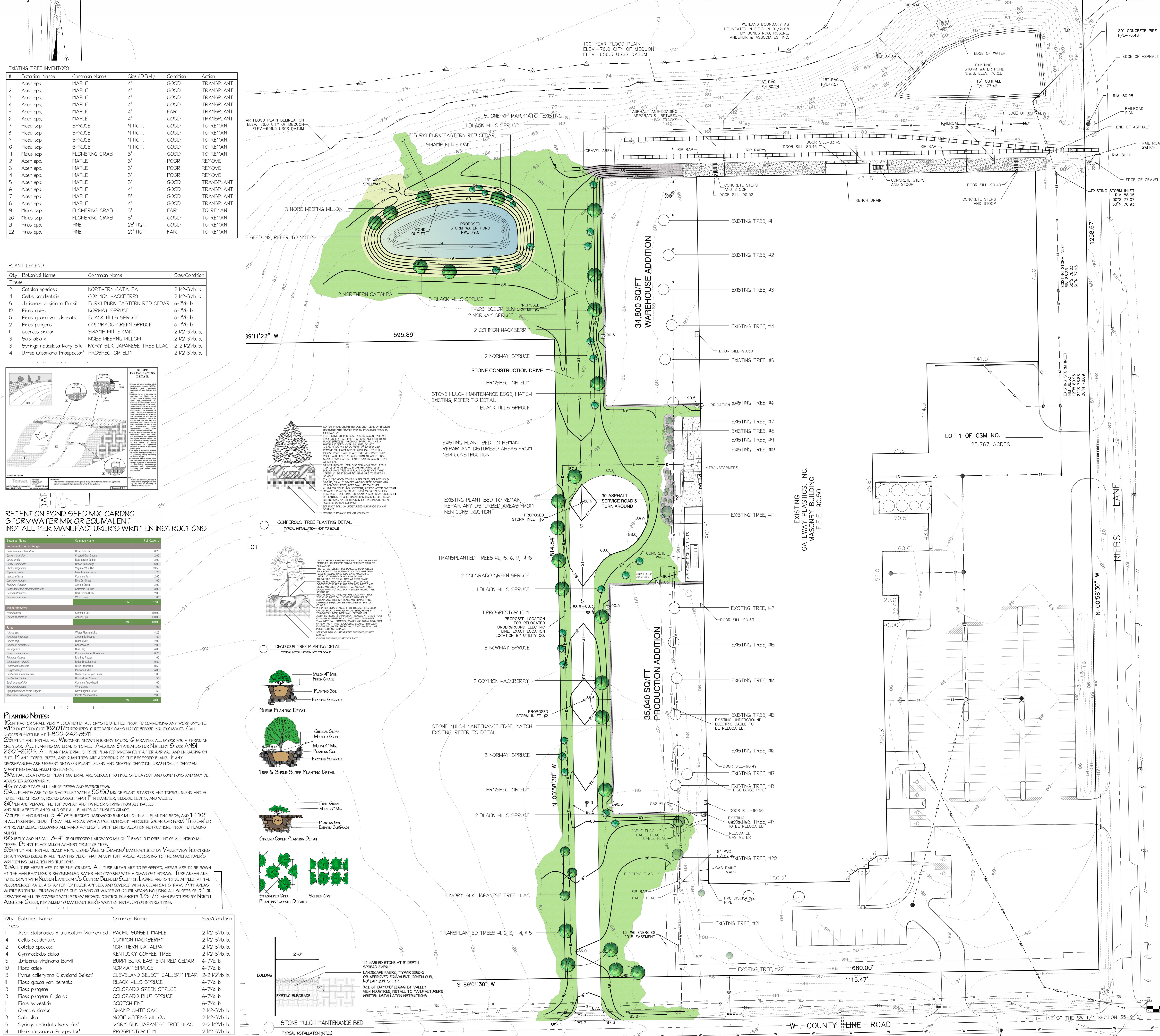
Revisions: 3-09-17

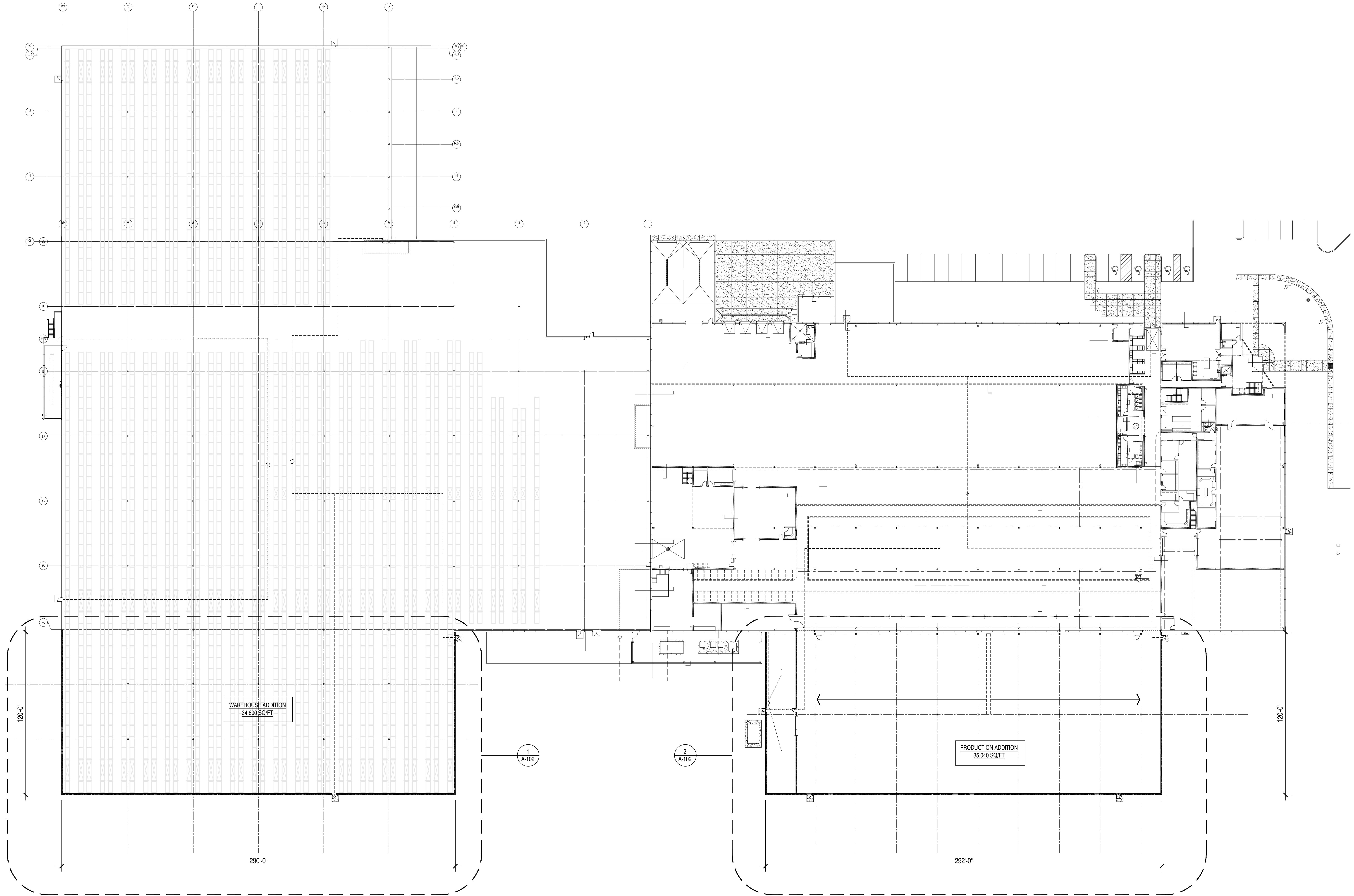
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This plan is subject to final on-site conditions and may be modified to account for unforeseen obstacles, other changes, or site modifications that were not made known at the time of preparation dated on this plan.





REFERENCE KEYNOTES	Division 01- General
	104 PRECAST LIME CONCRETE
Division 02- Site	371 1/4" x 1/4" x 1/4" ASPHALT OVER # 5 STONE BASE(2015.0200)
	402 1/2" x 1/2" x 1/2" ASPHALT OVER # 5 STONE BASE(2015.0200)
	371 1/2" ASPHALT OVER # 5 STONE BASE(2015.0200)
	402 ASPHALT OVER # 5 STONE BASE(2015.0200)
Division 03- Concrete	CONCRETE OVERBROW, W/2" FILL(2015.0200)
	104 PRECAST LIME CONCRETE
	402 POLISHED CONCRETE FLOOR W/ 4" STONE & 2" FILL(2015.0200)
	402 POLISHED CONCRETE FLOOR W/ 4" STONE & 2" FILL(2015.0200)
	402 POLISHED CONCRETE FLOOR W/ 4" STONE & 2" FILL(2015.0200)
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Division 04- Masonry	1" STANDARD CONCRETE MASONRY (UNIT/DOOR)
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Division 09- Finishes	1" STANDARD CONCRETE MASONRY (UNIT/DOOR)
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Division 10- Misc	1" STANDARD CONCRETE MASONRY (UNIT/DOOR)
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PLAN COMMISSION 03.10.17		

PROJECT ADDRESS:
PROJECT NAME
Gateway Plastics Addition
5650 W. County Line Road
CITY
Mequon, WI 53092

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE MSI GENERAL MASTER SPECIFICATION

Date: 03.10.17
Sheet Title: OVERALL FLOOR PLAN
Sheet Number: A-100
Project Number: P11867

Drawn By: PAA



MSI
GENERAL

WWW.MSIGENERAL.COM
SINGLE SOURCE RESPONSIBILITY™

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76	PLAN COMMISSION 03.10.17

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE MSI GENERAL MASTER SPECIFICATION

Date: 03.10.17
 Drawn By: PAA
 Sheet Title:
DEMOLITION PLAN
 Sheet Number:
A-101
 Project Number:
P11867

P11867

ARCHITECTS . CONTRACTORS . ENGINEERS . MANAGERS

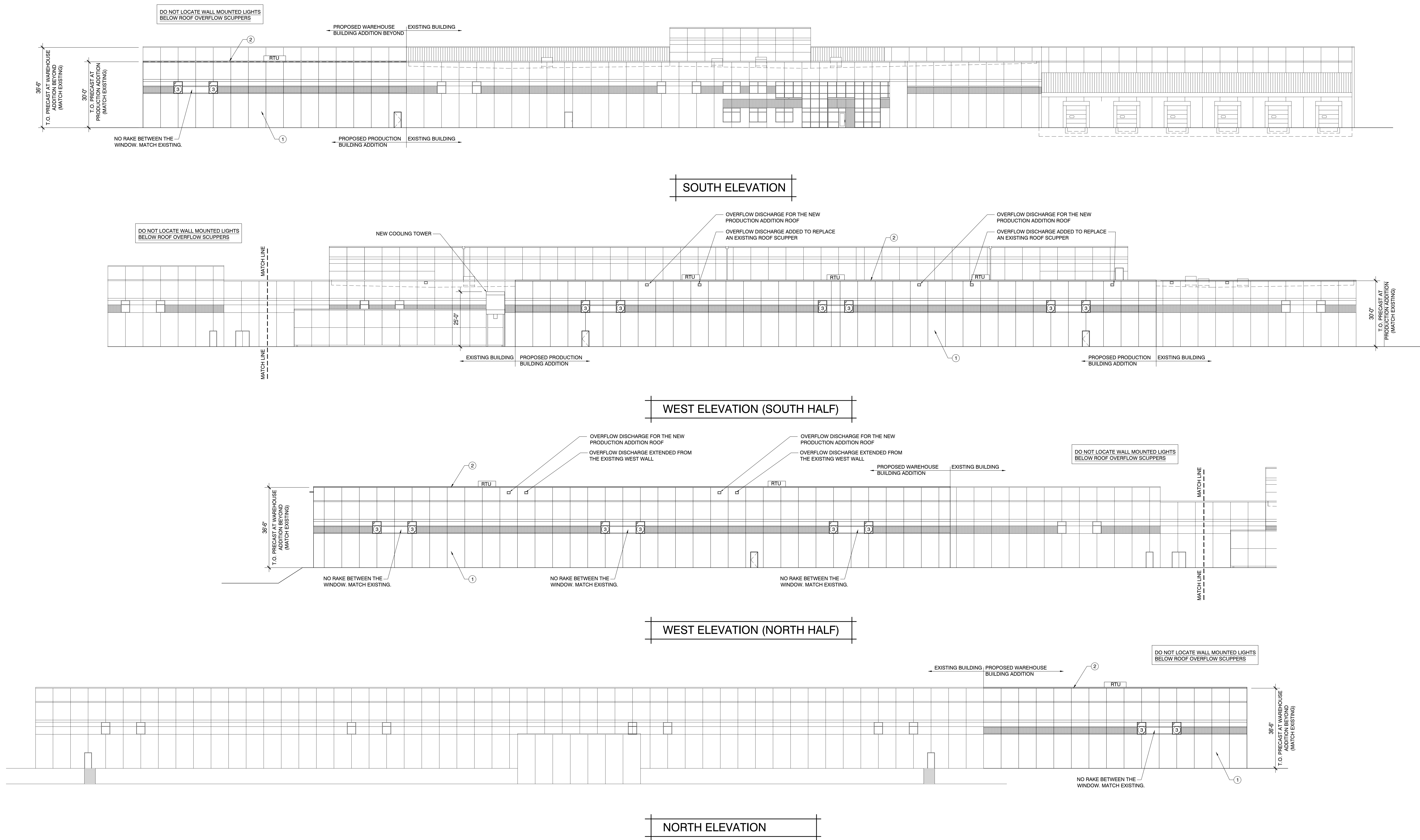
- ① NEW 16" x 12" HOOK OPENING IN THE EXISTING PRECAST WALL W/ 2X12 STEEL TRUSSES INSTALLED AT THE HEAD AND JAMBS
- ② 8" THICK LOAD BEARING PRECAST CONCRETE WALL TO FOLLOW THE SLOPE OF THE ROOF DECK
- ③ 8-0" 4X8 CMU WALL INSTALLED OVER THICKENED SLAB
- ④ 4'-0" WIDE OPENING IN THE BOTTOM OF "C" WALL PRECAST CONCRETE FLOOR TO PASS THROUGH THE OPENING
- ⑤ FACE OF NEW BUILDING COLUMN IS TO BE HELD 12" OFF OF THE FACE OF THE EXISTING EXTERIOR WALL IN THE PRODUCTION ADDITION
- ⑥ 10' ON TOP RUNNING CROWN WITH HOOK HEIGHT TO MATCH EXISTING
- ⑦ 9'-0" 5'-0" CONCRETE SLAB WITH FULL FLOORING AND FOUNDATION
- ⑧ 48" HIGH X 8" O CONCRETE FILLED STEEL (PIPE BOLLARD) (PAINTED)
- ⑨ 4'-0" LONG MODULAR PRE-FABRICATED TRUSS DRAIN WITH STEEL GRATE SURFLO AND INSTALLED BY THE PLUMBING PRIOR TO THE FLOOR POUR
- ⑩ INSTALL PIPES TO SUMP PUMP LOCATION
- ⑪ SUMP PUMP PIPED OVERHEAD INTO THE EXISTING BUILDING

$$1/16'' = 1'-0''$$



ALL WORK TO BE COMPLETED AS SHOWN, AND
ACCORDANCE WITH THE LATEST EDITION OF THE
MSI GENERAL MASTER SPECIFICATION

$$1/16'' = 1'-0''$$
[illegible]



ELEVATION NOTES

- ALL MATERIALS TO MATCH EXISTING
- 1 EXPOSED AGGREGATE INSULATED PRECAST WALL PANEL. COLOR, TEXTURE, HORIZONTAL REVEAL & HORIZONTAL RAKED BAND TO MATCH EXISTING.
 - 2 PREFINISHED METAL GRAVEL STOP TO MATCH EXISTING IN PROFILE, HEIGHT AND COLOR.
 - 3 THERMALLY BROKEN ANODIZED ALUMINUM GLAZING FRAMES W/ 1" TINTED INSULATED GLASS. ENTIRE SYSTEM TO MATCH EXISTING



MSI GENERAL CORPORATION
P.O. BOX. 7
OCONOMOWOC, WI 53066
PHONE: 262-367-3661
FAX: 262-367-7390

WWW.MSIGENERAL.COM
SINGLE SOURCE RESPONSIBILITY™

REVISIONS:

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PLAN COMMISSION 03.10.17

PROJECT ADDRESS:

PROJECT NAME
Gateway Plastics Addition
STREET ADDRESS
5650 W. County Line Road
CITY/STATE / ZIP
Mequon, WI 53092

ALL WORK TO BE COMPLETED AS SHOWN, AND IN ACCORDANCE WITH THE LATEST EDITION OF THE MSI GENERAL MASTER SPECIFICATION

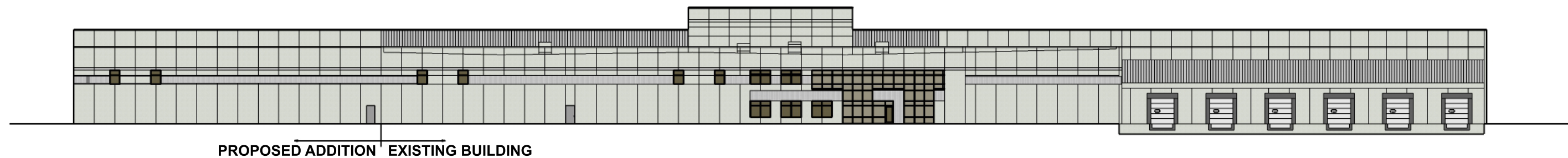
Date: 03.10.17
Sheet Title: EXTERIOR ELEVATIONS
Sheet Number: A-201
Project Number: P11867

Drawn By: PAA

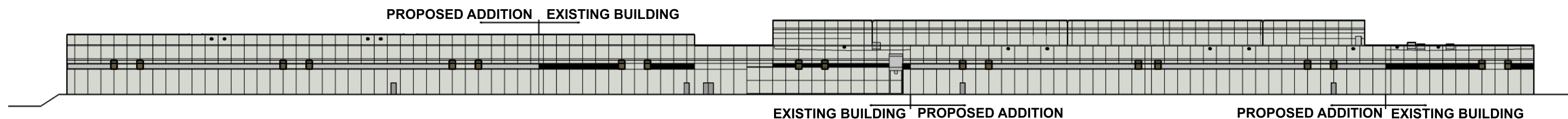
Project Number: P11867

Project Number: P11867

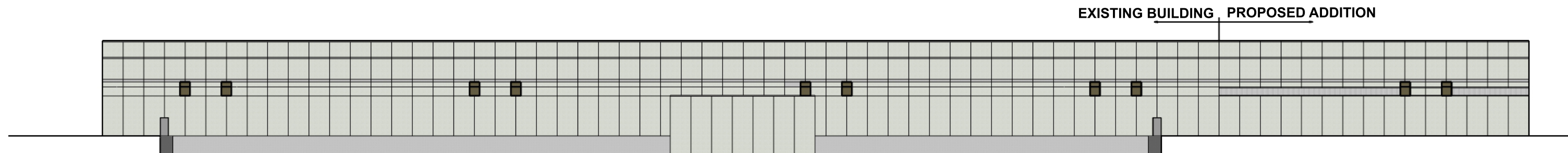
ELEVATIONS 1/16"=1'-0"



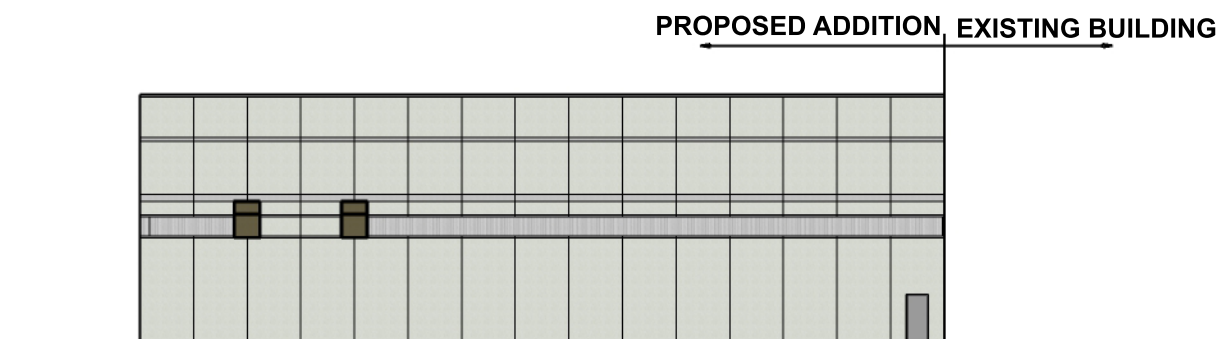
SOUTH ELEVATION



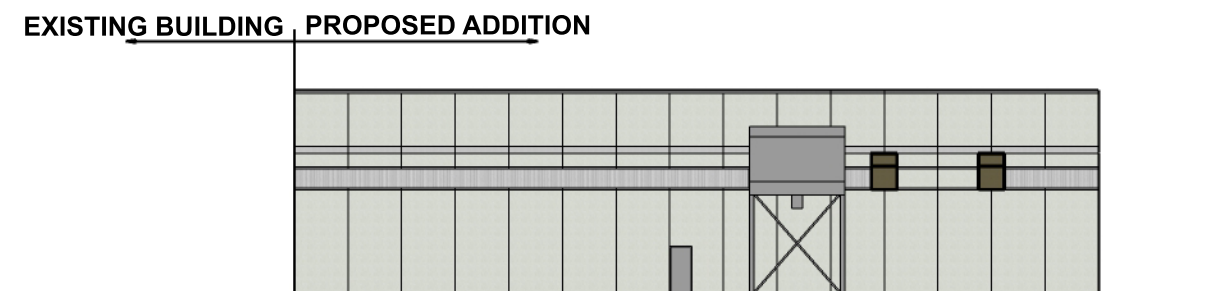
WEST ELEVATION



NORTH ELEVATION



**SOUTH ELEVATION
OF WAREHOUSE ADDITION**



**NORTH ELEVATION
OF PRODUCTION ADDITION**

ELEVATION SCALES VARY
REFER TO A-201 FOR MATERIAL DESIGNATIONS
AND ROOF TOP UNIT LOCAITONS



EXISTING WEST WALL



EXISTING SOUTHWEST CORNER



EXISTING SOUTH WALL



EXISTING NORTHWEST CORNER

Community Feedback

From: John Wirth
Sent: Monday, March 20, 2017 11:11 PM
To: Kimberly Tollefson
Cc: Jac Zader; Kristen Lundeen
Subject: RE: Gateway Plastics

Kim:

The comments I have received are:

1. There is too much traffic on County Line Road. There is too much semi traffic on County Line Road.
2. There is too much traffic coming off of Riebs Lane.
3. There should be a traffic study for the area for West County Line Road from Highway 57 to the business location.
4. The trucks run 24/7. This is unfair to the people who live on or next to County Line Road.
5. If the speed limit could be reduced to 25 MPH it would help. The vibration from the road vibrates the windows and light fixtures in our home.
6. Not only are there 17 homes on or next to County Line Road in Mequon (10 fronting the road) affected by these all night trucks, but there are homes all along the south side of the road.
7. Is this going to result in more train traffic?
8. The neighbors and constituents on County Line Rd have been completely disregarded. This is a quality of life issue.

Some of these comments have been by phone call. A couple of others by email. I have heard some of these same comments in the past.

John



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

www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 10, 2017
SUBJECT: Marvin C. Bynum for Rick O'Malley Revocable Trust. The applicant is seeking site plan approval for the Trees for Less nursery and landscape contractor business at 11710 N. Wasaukee Road. The applicant is also requesting certified survey map approval along with 11550 N. Wasaukee Road and 30 acres immediately to the north.

Applicant:	Richard O'Malley
Status of Applicant:	Owner
Requested:	Site Plan Certified Survey Map
Existing Zoning:	R-1 (Rural Residential) OA (Agricultural Overlay)
Existing Land Use Plan:	Rural Residential
Lot size:	70.8 Acres
Location:	11550 and 11710 N. Wasaukee Road and 30 acres immediately to the north.
Tax Key:	#14-019-09-014.00 & #14-019-09-005.00
District:	#3

Background: The applicant is requesting site plan approval for the Trees for Less nursery and landscape contractor business at 11710 N Wausaukee Road. The applicant is also requesting certified survey map approval, along with the two adjacent parcels, in order to reconfigure each of the parcels size and area. The CSM does not create any additional lots. The Planning Commission approved the conditional use grant for the landscape contractor business in December of 2016.

Site Plan Approval:

The applicant has submitted two site plans for review. The first site plan matches the existing site conditions with the addition of trees along the south property line. This site plan will be in effect until December of 2018. Starting in 2019, the mulch storage area will be relocated to the front portion of the site and all operations taking place at the rear of the site will cease. Other than the mulch storage area, the only other improvement shown in the new location is a 144 square foot sales shed. There will also be a land swap that will occur between the parties that will place the existing buildings on the land owned by Matt O'Malley (see below). Staff understands that all three parties are in agreement with this plan.

Certified Survey Map:

The proposed CSM shows the three existing parcels being modified in size and shape. Lots 1 and 3 have the most significant changes to their existing boundaries. Lot 1 is now shown to go to further to the north and not as far west and Lot 2 extends further south and incorporates the

existing buildings that are currently being used for the mulch operations. There is an easement that provides access to Wausaukee Road to Lot 2 through Lot 1. There is also a road reservation that allows access to Lot 2 from Ashbury Woods Court. Lot 3 only shows a minor change along the east property line. The proposed CSM complies with all requirements of the R-1 zoning district.

Staff Recommendation:

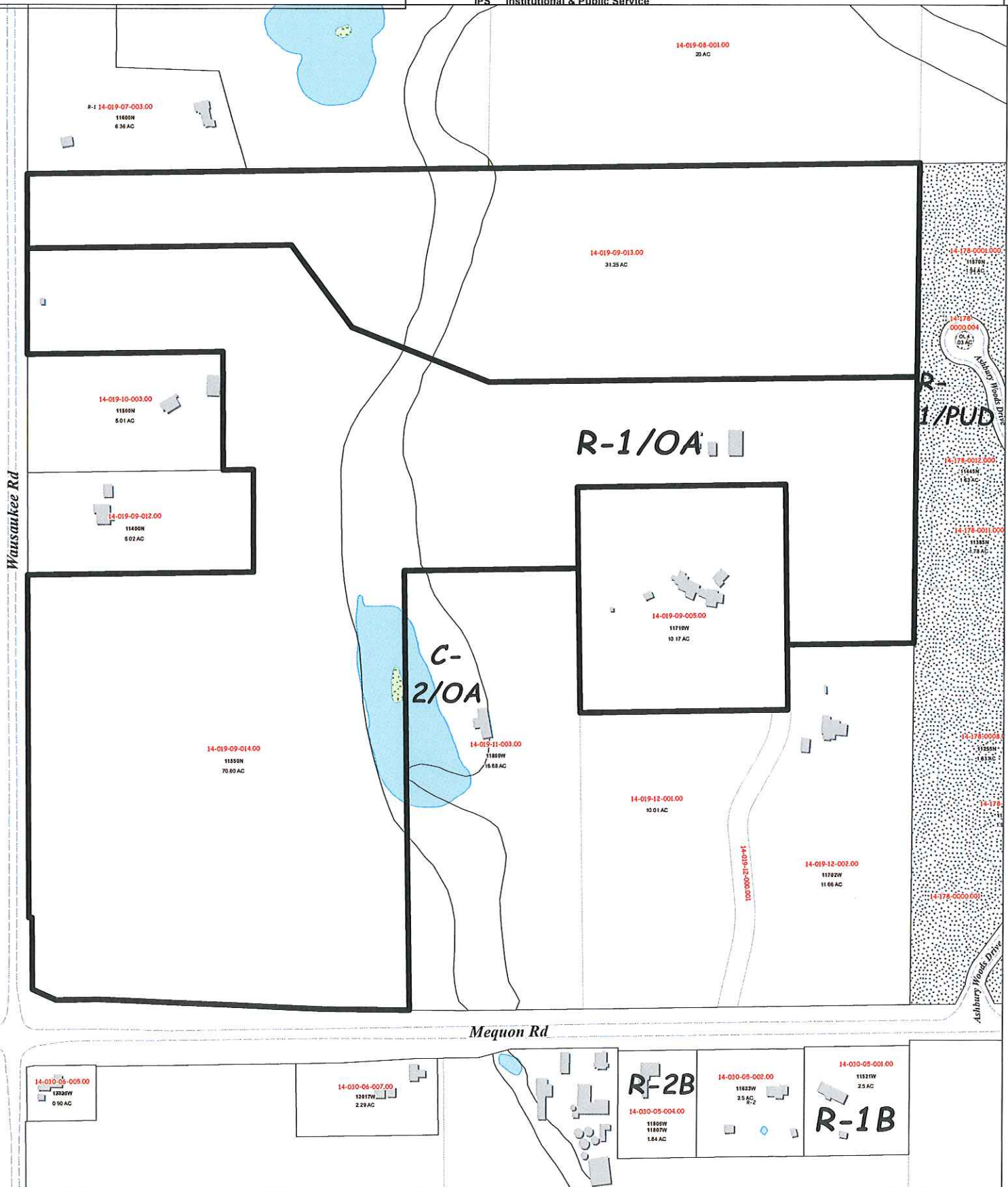
Planning staff recommends approval of the certified survey map and site plan subject to the following condition(s):

1. The current location for the landscape contractor business shall remain until December of 2018.
2. All requirements of the landscape contractor CUG remain in effect.
3. The applicant shall make any technical corrections to the final CSM.
4. Final staff review and approval of CSM
5. The applicant shall submit an electronic file of the CSM to the City in a format compatible with AutoCADD 2000 dwg or dxf State Plane Coordinate System Wisconsin South Zone NAD 1927.
6. The sale of Christmas trees is permitted subject to staff approval on annual basis as a temporary use.

Item 6 - Marvin Bynum

B-1 Neighborhood Business
 B-2 Community Business
 B-3 Office & Service Business
 B-4 Business Park
 B-5 Light Industrial
 B-6 Rural Industrial
 B-7 Rural Business
 C-1 Shoreland/Wetland Conservancy
 C-2 General Conservancy
 CGO Central Growth Overlay
 FFO Flood Fringe Overlay
 FW Floodway
 IPS Institutional & Public Service

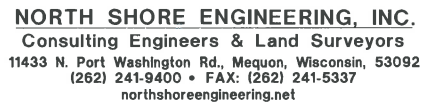
P-1 Park & Recreation
 R-1 Single-Family Residential (5 Ac. Min.)
 R-1B Single-Family Residential (2.5 Ac. Min.)
 R-2 Single-Family Residential (2.0 Ac. Min.)
 R-2B Single-Family Residential (1.5 Ac. Min.)
 R-3 Single-Family Residential (1.0 Ac. Min.)
 R-4 Single-Family Residential (3/4 Ac. Min.)
 R-5 Single-Family Residential (1/2 Ac. Min.)
 R-6 Single-Family Residential (4 du/Ac)
 RM Multi-Family Residential
 TC Town Center
 TDR Transfer of Development Rights



Based on recent discussions with Trees for Less' neighbors, we are presenting two site plans for the Planning Commission's consideration. The first site plan depicts the conditions that we expect to be present on the Trees for Less parcel and surrounding parcels from the current date through December 31, 2018. During this period, Trees for Less and two of its neighbors intend to create a new certified survey map, the central intention of which is to consolidate Trees for Less' operations closer to Wasaukee Road. That consolidation is expected to be completed by December 31, 2018. From recording of the new CSM until December 31, 2018, Trees for Less intends to lease from its neighbor the eastern portion of the current Trees for Less parcel.

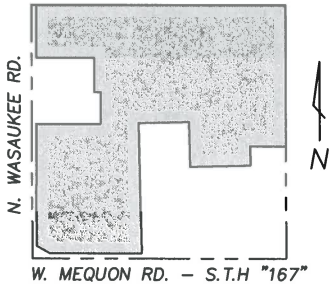
The second site plan depicts the conditions that we expect to be present on the Trees for Less parcel and surrounding parcels as of January 1, 2019. By such date, the CSM reconfiguring the Trees for Less and neighboring parcels is expected to have been completed, as will the consolidation of Trees for Less' operations to the newly created Trees for Less parcel adjacent to Wasaukee Road (identified as "Lot 1 C.S.M. ???").

A REDIVISION OF LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. 3852 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 3570,
BEING A PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



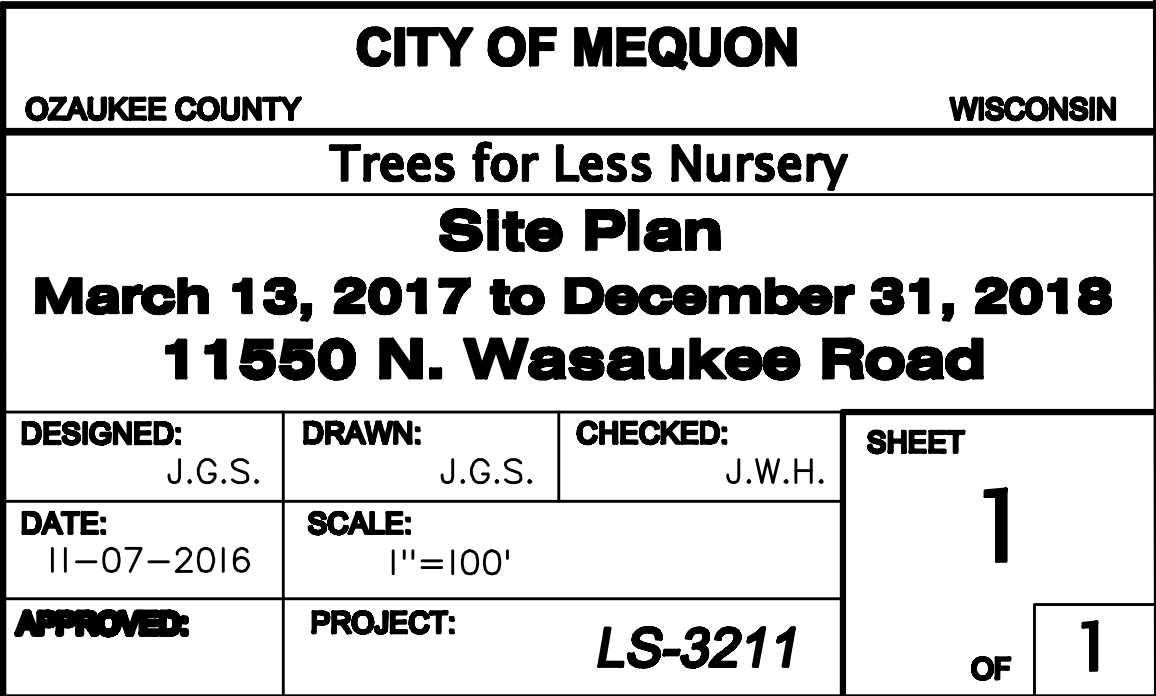
- - DENOTES 1.315"X18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)
● - DENOTES 1.3" STEEL PIPE (FOUND)
⦿ - REBAR (FOUND)

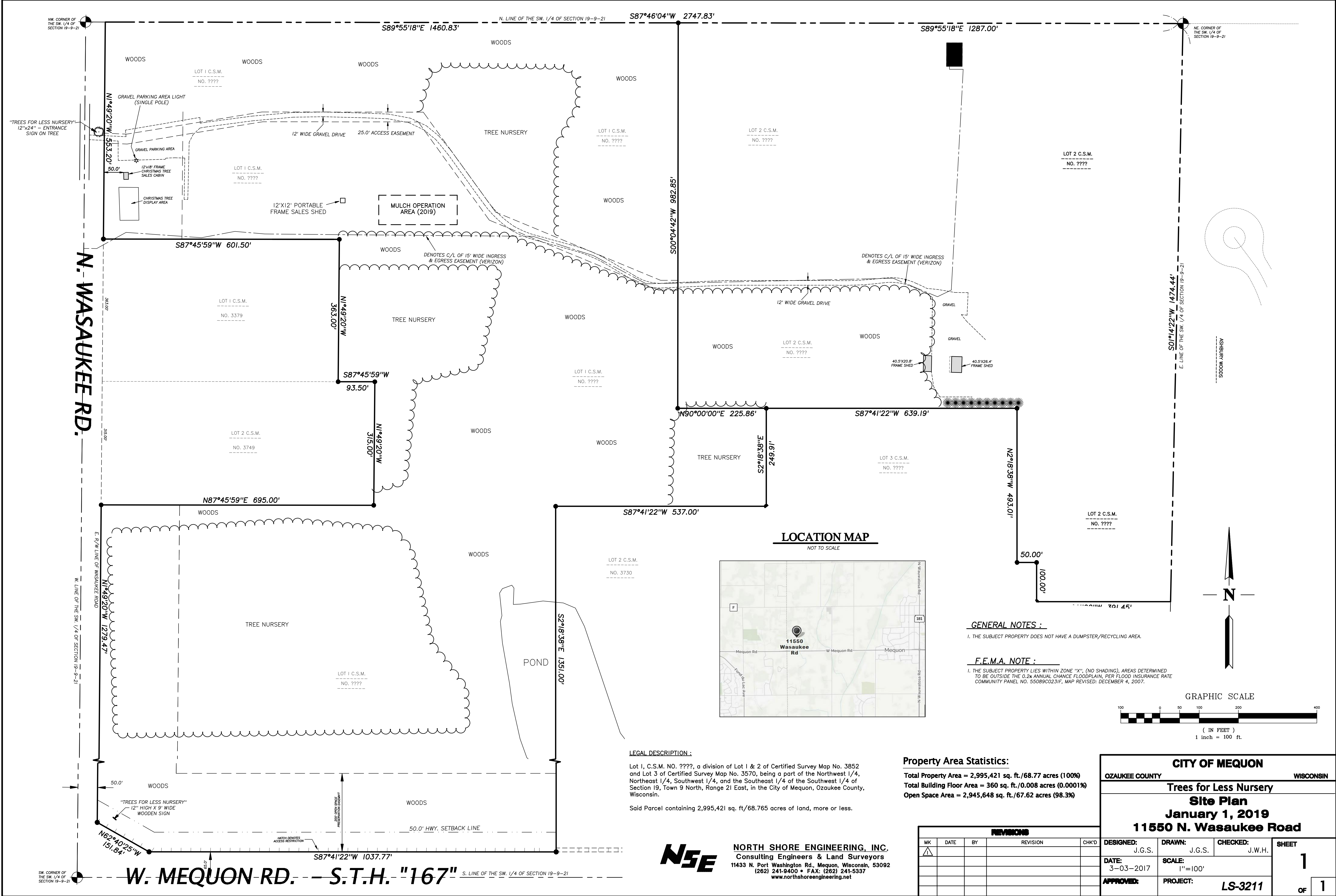
ALL BEARINGS REFERENCED TO GRID
NORTH OF THE WISCONSIN STATE
PLANE COORDINATE SYSTEM, SOUTH ZONE
(SOUTH LINE OF THE SW. 1/4 OF SECTION
19-9-21 WHICH BEARS S87°41'22"W)



SW. 1/4 SEC. 19-9-21
(SCALE 1"=2000')



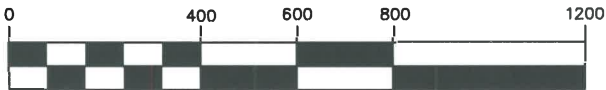




NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
www.northshoreengineering.net

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. 3852 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 3570,
BEING A PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



SCALE 1" = 400'

NSE

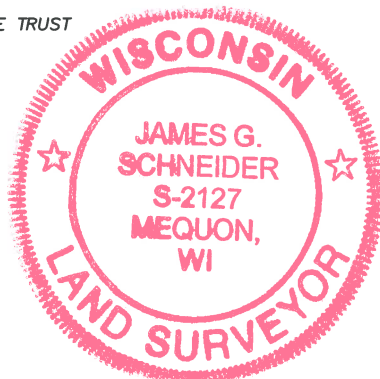
NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
northshoreengineering.net

OWNERS:

RICHARD S. O'MALLEY REVOCABLE TRUST
11550 N. WASAUKEE RD.
MEQUON, WI. 53092

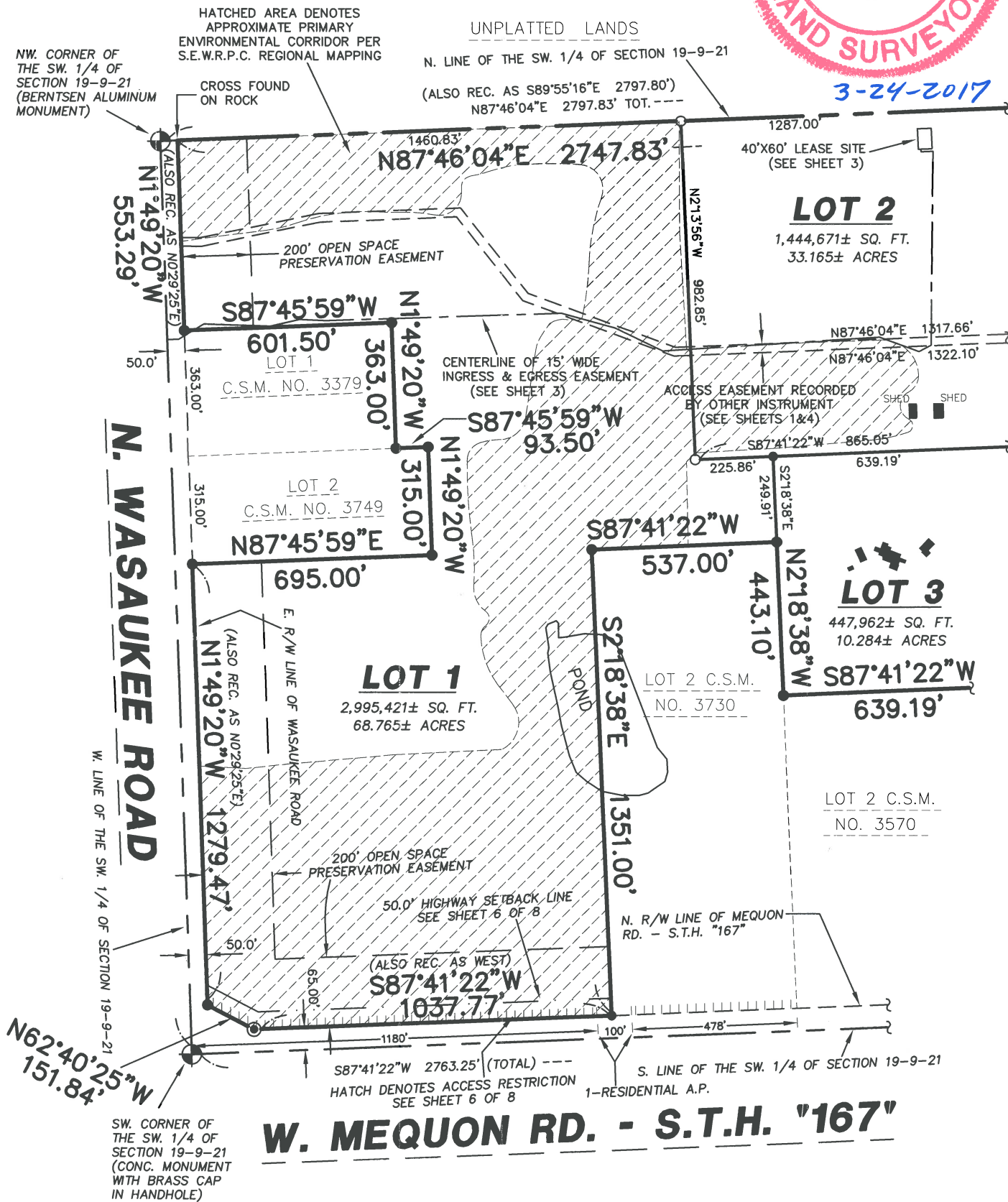
RICHARD O'MALLEY ESTATE
REDUCTION TRUST NO. 1
11710 W. MEQUON RD.
MEQUON, WI. 53097

O'MALLEY FAMILY, LLC
316 E. SILVER SPRING DR.
MILWAUKEE, WI. 53217



3-24-2017

Attachment: Packet (2269 : Marvin C, Bynum for Rick O'Malley Revocable Trust.)



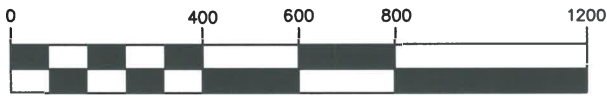
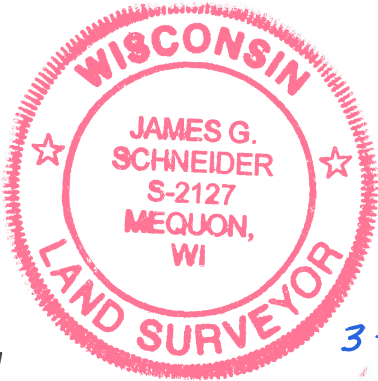
CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. 3852 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 3570,
BEING A PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

VERIZON EASEMENT EXHIBIT

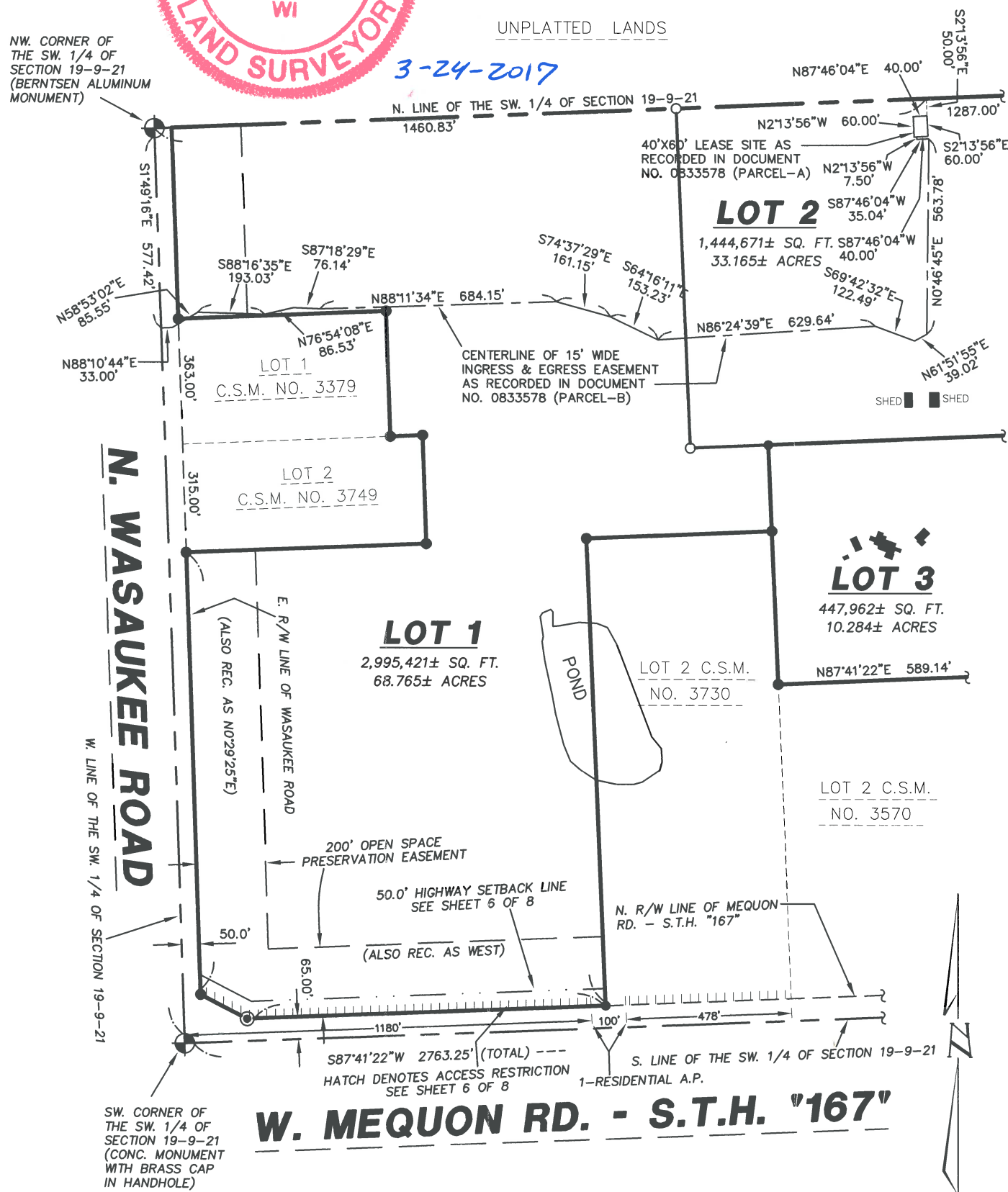


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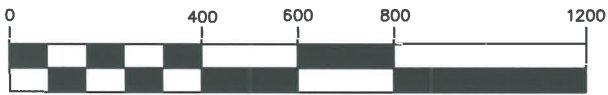
SCALE 1" = 400'

Attachment: Packet (2269 : Marvin C, Bynum for Rick O'Malley Revocable Trust.)



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BEING A PART OF THE NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



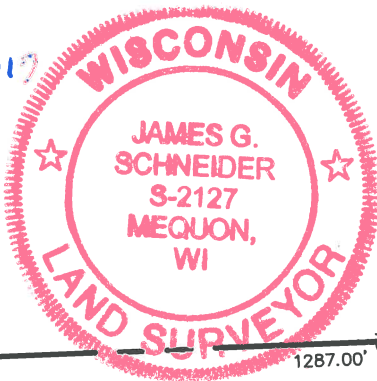
SCALE 1" = 400'

ACCESS EASEMENT EXHIBIT

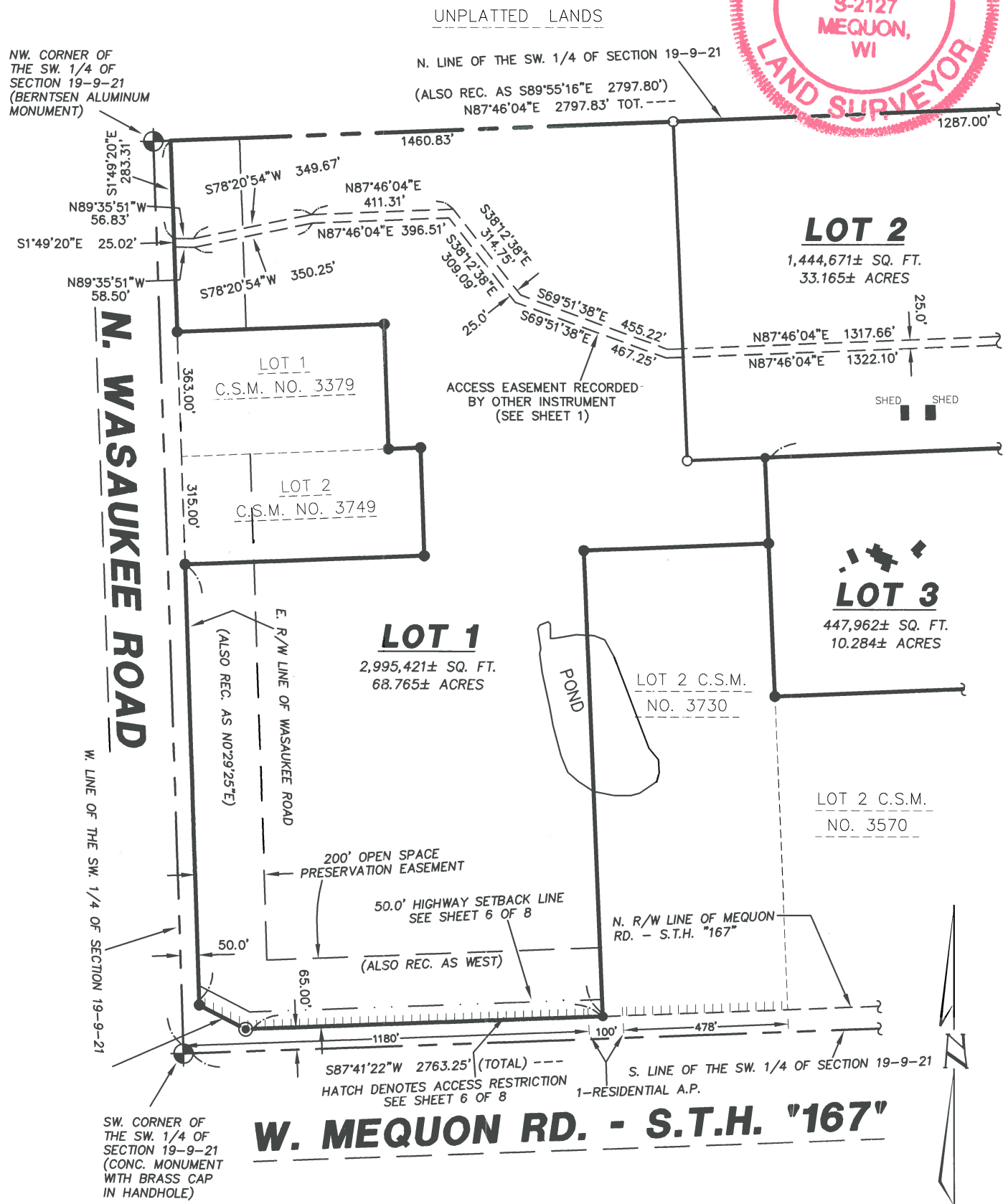


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11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
northshoreengineering.net

3-24-2017



Attachment: Packet (2269 : Marvin C, Bynum for Rick O'Malley Revocable Trust.)



CERTIFIED SURVEY MAP NO. _____

A DIVISION OF LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. 3852 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 3570, BEING A PART OF THE NORTHWEST ¼, NORTHEAST ¼, SOUTHWEST ¼ AND THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 19, 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 following parcel of land:

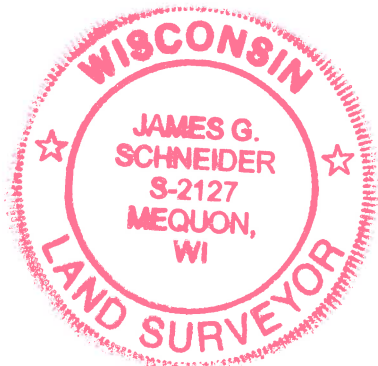
A division of Lots 1 & 2 of Certified Survey Map No. 3852 and Lot 3 of Certified Survey Map No. 3570, being a part of the Northwest ¼, Northeast ¼, Southwest ¼ and Southeast ¼ of the Southwest ¼ of Section 19, Town 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said Southwest ¼ Section; thence S1°04'23"E (also recorded as S1°13'45"W, 1474.59 feet) along the East line of said ¼ Section, 1474.44 feet to the Northeast corner of Lot 2 of Certified Survey Map No. 1701; thence S87°41'22"W (also recorded as West, 391.56 feet) along the North line of said Lot 2, 391.45 feet to the Northwest corner of said Lot 2, said point also being on the East line of Lot 3 of Certified Survey Map No. 3570; thence S2°18'38"E along the East line of said Lot 3, 199.99 feet to the Southeast corner of said Lot 3; thence S87°41'22"W along the South line of said Lot 3, 639.19 feet to the Southwest corner of said Lot 3; thence N2°18'38"W along the West line of Lot 3 of Certified Survey Map No. 3570, 443.10 feet to the Northeast corner of Lot 2 of Certified Survey Map No. 3730; thence S87°41'22"W along the North line of Lot 2 of Certified Survey Map No. 3730, 537.00 feet to the Northwest corner of Lot 2 of Certified Survey Map No. 3730, thence S2°18'38"E along the West line of Lot 2 of Certified Survey Map No. 3730, 1351.00 feet to a point in the North right-of-way line of W. Mequon Road (S.T.H. "167"), said point also being the Southwest corner of said Lot 2 of Certified Survey Map No. 3730; thence S87°41'22"W (also recorded as West) along said North right-of-way line, 1037.77 feet; thence N62°40'25"W along said North right-of-way line, 151.84 feet to a point in the East right of way line of Wasaukee Road; thence N1°49'20"W (also recorded as N0°29'25"E) along said East right-of-way line, 1279.47 feet to the Southwest corner of Lot 2 of Certified Survey Map No. 3749; thence N87°45'59"E along the South line of Lot 2 of Certified Survey Map No. 3749, 695.00 feet to the Southeast corner of Lot 2 of Certified Survey Map No. 3749; thence N1°49'20"W along the East line of Lot 2 of Certified Survey Map No. 3749, 315.00 feet to the Northeast corner of Lot 2 of Certified Survey Map No. 3749; thence S87°45'59"W along the North line of Lot 2 of Certified Survey Map No. 3749, 93.50 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 3379; thence N1°49'20"W along the East line of Lot 1 of Certified Survey Map No. 3379, 363.00 feet to the Northeast corner of Lot 1 of Certified Survey Map No. 3379; thence S87°45'59"W along the North line of Lot 1 of Certified Survey Map No. 3379, 601.50 feet to a point in the East right of way line of Wasaukee Road, said point also being the Northwest corner of Lot 1 of Certified Survey Map No. 3379; thence N1°49'20"W (also recorded as N0°29'25"E) along said East right-of-way line, 553.29 feet to a point in the North line of said ¼ Section; thence N87°46'04"E (also recorded as S89°55'16"E) along the North line of said ¼ Section, 2747.83 feet to the point of commencement,

Said parcel containing 112.21 acres of land, more or less.

(Surveyor's Certificate continues on next sheet)

This instrument drafted by James G. Schneider



3-24-2017

Attachment: Packet (2269 : Marvin C, Bynum for Rick O'Malley Revocable Trust.)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. 3852 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 3570, BEING A PART OF THE NORTHWEST ¼, NORTHEAST ¼, SOUTHWEST ¼ AND THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE (Continued)

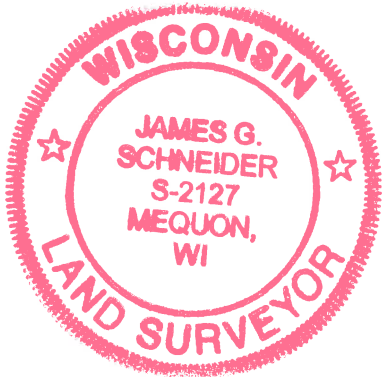
THAT I have made such survey, land division and plat at the direction of Richard S. O'Malley Revocable Trust, Richard O'Malley Estate Reduction Trust No 1 & O'Malley LLC, OWNERS of said lands.

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 the provisions of Chapter 236.34 of the Wisconsin Statutes and the regulations of the City of Mequon.

James G. Schneider, P.L.S., 2127

3-24-2017



HIGHWAY SETBACK RESTRICTION:

"No improvements or structures are allowed between the right-of-way line and the highway setback line. Improvements and structures include, but are not limited to, signs, parking areas, driveways, wells, septic systems, drainage facilities, buildings and retaining walls. It is expressly intended that this restriction is for the benefit of the public as provided in section 236.293, Wisconsin Statutes, and shall be enforceable by the Wisconsin Department of Transportation or its assigns. Contact the Wisconsin Department of Transportation for more information. The phone number may be obtained by contacting the County Highway Department."

ACCESS RESTRICTION:

"All lots and blocks are hereby restricted so that no owner, possessor, user licensee or other person may have any right of direct vehicular ingress from or egress to any highway lying within the right-of-way of S.T.H. "167"; it is expressly intended that this restriction constitute a restriction for the benefit of the public as provided in s. 236.293, Stats., and shall be enforceable by the department or its assigns. Any access shall be allowed only by special exception. Any access allowed by special exception shall be confirmed and granted only through the driveway permitting process and all permits are revocable."

This instrument drafted by James G. Schneider

Attachment: Packet (2269 : Marvin C, Bynum for Rick O'Malley Revocable Trust.)

Attachment: Packet (2269 : Marvin C, Bynum for Rick O'Malley Revocable Trust.)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. 3852 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 3570, BEING A PART OF THE NORTHWEST ¼, NORTHEAST ¼, SOUTHWEST ¼ AND THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE (#1)

I, Richard S. O'Malley, as Trustee of the Richard S. O'Malley 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 Richard S. O'Malley

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____
Richard S. O'Malley, to me known to be the persons who executed the foregoing certificate and acknowledged the same.

Notary Public My Commission expires _____

OWNER'S CERTIFICATE (#2)

I, Peter S. O'Malley, as Trustee of the Richard O'Malley Estate Reduction Trust No. 1, 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 Peter S. O'Malley

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____
Peter S. O'Malley, to me known to be the persons who executed the foregoing certificate and acknowledged the same.

Notary Public My Commission expires _____

This instrument drafted by James G. Schneider

3-24-2017



Attachment: Packet (2269 : Marvin C, Bynum for Rick O'Malley Revocable Trust.)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF LOTS 1 & 2 OF CERTIFIED SURVEY MAP NO. 3852 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 3570, BEING A PART OF THE NORTHWEST ¼, NORTHEAST ¼, SOUTHWEST ¼ AND THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

CORPORATE OWNER’S CERTIFICATE (#3)

I, Matthew O’Malley (Managing Member) of O’Malley Family LLC, 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 the hand and seal of said OWNERS on this _____ day of _____, 20__.

Witness Matthew O’Malley (Managing Member)

STATE OF WISCONSIN)
OZAUKEE COUNTY)^{ss}

PERSONALLY came before me on this _____ day of _____, 20__ the above named Matthew O’Malley to me known to be the person who executed the foregoing certificate and acknowledged the same.

Notary Public My Commission expires _____

CITY OF MEQUON PLAN COMMISSION APPROVAL

APPROVED by the City of Mequon Plan Commission on this _____ day of _____ 20__.

Chairman Secretary

This instrument was drafted by James G. Schneider

3-24-2017

