



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 29, 2024
6:00 PM
Christine Nuernberg Hall

Agenda

1) Call to Order, Roll Call

- a) Approval of Minutes from March 18, 2024

2) Public Hearing/Consent

- a) St. John Properties, Inc. for NA Creative, LLC. The applicant is seeking conditional use grant approval to allow for a photography studio for the property located at 10650 N. Baehr Road.

3) Consent

- 1) Coldwell Banker Realty for Bernita and Henry Hile. The applicant is seeking certifies survey map approval for a 2-lot land division for the property located at 7777 W. Bonniwell Road.

4) Public Hearing

- a) Logic Design & Architecture, Inc. for The TJX Companies, Inc. The applicant is seeking conditional use grant and building and site plan amendment approval for a general merchandise tenant for the property located at 11110 N. Port Washington Road (Sierra)

5) Regular Business

- a) Hahn ACE Hardware. The applicant is seeking building and site plan amendment approval to allow for outdoor display and storage for the property located at 11300 N. Port Washington Road.
- b) RDCycle LLC for BP. The applicant is seeking building and site plan amendment to allow for an accessory structure (textile recycling container) for the property located at 11147 N. Port Washington Road (BP gas station)
- c) RDCycle, LLC for Clark. The applicant is seeking building and site plan amendment approval to allow for an accessory structure (textile recycling container) for the property located at 10355 N. Port Washington Road (Clark gas station).

- d) RDCycle, LLC for Mobil. The applicant is seeking building and site plan amendment approval to allow for an accessory structure (textile recycling container) for the property located at 11210 N. Port Washington Road (Mobil gas station).
- e) HJ Martin and Son, Inc. The applicant is seeking minor request approval to allow for vinyl window coverings for the property located at 10948 N. Port Washington Road (Marshalls).

6) Policy

- 1) Port Washington Road Design Guidelines for Commercial Structures
- 2) Chapter 58-303; Specific Design Guidelines for the Arrival Corridor Zoning District

7) Announcements

The next meeting is Monday, May 20, 2024, at 6:00 p.m.

8) Adjourn

Dated: April 24, 2024

/s/ Andrew Nerbun, Chair

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

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

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



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PLANNING COMMISSION
Regular Meeting
Monday, March 18, 2024
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:

Acting Chairman Alderman Robert Strzelczyk
Alderman Brian Parrish
Commissioner Bruce Barnes
Commissioner Martin Choren
Commissioner Stephanie Hawley
Commissioner John Stoker
Commissioner Nancy Urbani
Commissioner Dan Gentges - **Absent**
Commissioner Rebecca Schaefer - **Absent**

Acting chairman Ald. Strzelczyk called the meeting to order at 6:00 p.m.

a) Approval of Minutes from February 19, 2024

Action

Commissioner Stoker made a motion to approve the meeting minutes from February 19, 2024.
Commissioner Hawley seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	APPROVED [6 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker
ABSENT:	Gentges, Schaefer

Attachment: PC Minutes_03.18.24_DRAFT (9293 : Meeting Minutes from March 18, 2024)

2) Consent Agenda

- a) G3 Development LLC. The applicant is seeking certified survey map approval to allow for a 3-lot land division for the property located at 391 Port Washington Road in the extraterritorial jurisdiction of the Town on Cedarburg.
- b) Ann & Gary Skiff. The applicant is seeking minor request approval to allow for a setback waiver for the property located at 2116 W. Donges Bay Road.

Action

Commissioner Stoker made a motion to approve the consent agenda.

Commission Hawley seconded the motion.

A voice vote was taken; vote passed (7-0)

RESULT:	APPROVED [6 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker
ABSENT:	Gentges, Schaefer

3) Public Hearing/Regular Meeting

- a) Robert Depies for Martin Skills Academy. The applicant is seeking conditional use grant approval for a fitness center for the property located at 6340 W. Donges Bay.

Action

Ald. Parrish made a motion to open a public hearing.

Commission Hawley seconded the motion.

A voice vote was taken; vote passed (7-0)

No public comment.

Action

Ald. Parrish made a motion to close the public hearing.

Commission Choren seconded the motion.

A voice vote was taken; vote passed (7-0)

City Planner Evan Hoier stated that this request is for a fitness center to be located in the business park. It is a skills academy and will mostly consist of 1 on 1 training sessions. The largest class during the week will have up to 12 students and one instructor and there are no concerns regarding parking spaces needed for this use. Staff has included a condition of approval that an updated floorplan be submitted and approved by staff prior to final approval.

The applicant, Chris Martin, introduced himself and stated that the fitness center will be used to train student athletes.

Ald. Strzelczyk made a suggestion that the hours be extended to allow more flexibility for the applicant; and that the CUG reflect the modified hours of 8:00 a.m. to 9:00 p.m.
Staff approved this modification.

Action

Commission Choren made a motion to approve the CUG with the amended operational hours of 8:00 am -9:00 pm.

Commission Hawley seconded the motion.

A voice vote was taken; vote passed (7-0)

RESULT:	APPROVED WITH CONDITIONS [7 TO 0]
MOVER:	Martin Choren, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker, Parrish
ABSENT:	Gentges, Schaefer

4) Regular Business

- a) Karen & Gerald Splittgerber. The applicant is seeking minor request approval to allow for 2 specimen trees to be removed for the property located at 12360 N. Lake Shore Drive.

Planner Hoier stated that this is a constrained site, but the side yard setbacks can be reduced by 75% to an 18.75 foot setback. This is still 50 feet from the Right-of-Way (“ROW”) and 75 feet from the bluff, which does comply with zoning regulations. The applicant did include a report from an engineering consultant stating that the recommended bluff setback be 125 feet.

At the 75 foot bluff setback, the applicant would have a building pad of approximately 11,600 sq.ft. The allowable building pad would be reduced to approximately 8,000 sq. ft. with the 125 foot bluff setback. There is an 18-foot protection zone for the white cedar trees located on site which decreases the width of the buildable pad to around 32 feet.

City Forester, Mike Gies, stated that due to the narrow restrictedness of the lot, he does not believe there is survivability of the white cedar trees. Adding to this is a pre-existing driveway footprint that is roughly within 12-inches of the base of these root zones. Both trees were most likely planted post 1970 as garage screening and both are not in good shape.

In summary, due to the narrowness of the lot, the construction traffic, the pre-existing driveway located so close to the root zone and the fact that the two trees are almost touching, causing defoliation on 2/3 of each side, staff recommends the removal of the trees due to the low chance of their survivability, even with protective zones. Additionally, one of the trees was also previously damaged from a vehicle accident.

Action

Commissioner Stoker made a motion to approve the removal of the two specimen trees subject to staff recommendations.

Commission Hawley seconded the motion.

A voice vote was taken; vote passed (7-0)

RESULT:	APPROVED [7 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker, Parrish
ABSENT:	Gentges, Schaefer

5) Policy

1) Chapter 58, Article XI of the Municipal Code related to Floodplain Zoning

Assistant Director Jac Zader gave an overview of the floodplain zoning changes. He explained that a certain number of items need to be adopted by specific dates in order to stay eligible for the National Flood Insurance Program ("NFIP"). This includes the model ordinance, the updated FEMA maps, flood storage district and maps.

The new FEMA maps must be adopted by July 31, 2024; if this is not done the city will be suspended from the program which would prevent all residents from the city the ability to obtain federally-backed flood insurance.

On March 12, 2024, staff gave a presentation to the Committee of the Whole (video link provided in the staff report) and the Common Council offered some policy direction which was incorporated into the presented model ordinance for the Commission to review and approve so that it can be forwarded to the Council for a first reading in April and a public hearing in May.

The Committee of the Whole approved the following:

1. Adopt the Act 175 Provisions
2. Code language suggested by staff.

Asst. Dir. Zader clarified that the city cannot be less restrictive than the DNR, but the city can be more restrictive. He explained other modifications made to the language in the ordinance.

Ald. Parrish expressed his frustration regarding the rushed timeframe from outside entities to adopt these items and his concern about the affected residents being properly informed of changes that may impact their property. He supports the idea of staff hosting an open house for the residents to have an opportunity to be informed about the changes being made to the floodplain areas.

Asst. Dir. Zader reminded the Commission that it is not required that the city adopt the Maps and ordinance but staff and the Council believe it is the most prudent for the residents to do so.

Ald. Strzelczyk reiterated the sentiments by Ald. Parrish and communicated that the Council feels challenged by these changes and the Council wants to provide the best possible opportunities for the residents.

There was discussion about what the required covered roof area for decks is most appropriate. This item will continue to be discussed and vetted to Common Council.

Ald. Kelly Tolocko spoke about her belief that the city should not adopt the proposed documents until there is confidence that they are correct, and she believes that they need more work.

It was recommended that the city attorney verify whether the residents can keep their current insurance if the city is suspended from the program.

Action

Commissioner Stoker made a motion to recommend this policy item to the Common Council, that the conversation regarding the covered roof square footage continued to be vetted and resolved and that the required NFIP deadlines be met by the city.

Commission Barnes seconded the motion.

A voice vote was taken; vote passed (7-0)

RESULT:	APPROVED AS AMENDED [7 TO 0]
MOVER:	John Stoker, Commissioner
SECONDER:	Bruce Barnes, Commissioner
AYES:	Urbani, Strzelczyk, Barnes, Choren, Hawley, Stoker, Parrish
ABSENT:	Gentges, Schaefer

2) Chapter 58-303: Arrival Corridor specific development and design standards

Tom Zabjek, representing Lakeside Development Company, stated that he is supportive of the modified text amendment as they own property in this area that would be affected by this modification. He reminded the Commission that he received prior approval for a PUD for two 25,000 sq. ft. office buildings for the portion of the property located in front of the Reserve Apartments fronting Mequon Road along with the 2-acre parcel to the west. He reported that there has been no activity or interest in this location for retail or office use. He believes this area is best suited for residential use and they are interested in proposing 40 townhouses in this 4-acre area. Mr. Zabjek wondered if the policy requiring commercial uses could also be considered.

Director Kim Tollefson stated that the substantive change is the option that in the Arrival Corridor zoning district (“AR”), under a PUD process, allowing a development to have more than 16 units per the development site. She clarified that when referring to a “dwelling” in the text language, it refers to the structure itself. There were some intricacies that needed to be corrected from the 2017 text amendment.

Dir. Tollefson explained some of the specifications required and allowed per the text amendment, including some design standards requirements:

- Only 2-story dwellings are allowed.

- Individual front entrances on the ground level.
- Locational limitations.

The overall intent was to achieve less massing, to be less compact and a bit more spaced out in AC. In the AC no more than 16 dwelling units were allowed. The language was cleaned up, but the policy goal intent has not changed. The only modification is that in the Arrival Corridor, someone would have the legal right to ask for more than 16 units per the entire development, but not have more than 16 per building.

The city has the right to deny a PUD without citing justifications. She communicated that the existing technical and design standards have resulted in high-quality, high-value proposed development projects. She reminded the Commission that since 2015, the tax base of this neighborhood has increased by 286%, and only about half of the parcels have developed.

The Commission provided feedback supporting the text amendment modifications and expressed appreciation that staff are proactive in making these proposed changes. They communicated that clearer code standards help to eliminate confusion for developers and both TC and AC zoning districts have achieved much success due to the standards set. Ald. Strzelczyk highlighted that the Council is focused on achieving as much mixed-use as possible for this district, although residential development is very strong right now.

The Commission discussed maintaining the requirement for commercial uses within development in Town Center (75% required) but support less in AC.

An informal vote was taken and the Commission requested staff bring back a percentage change to the required ground level commercial requirement for the Arrival Corridor at the next meeting.

6) Announcements

The next meeting is Monday, April 29, 2024, at 6:00 p.m.

7) Adjourn

Action

Commissioner Stoker made a motion to adjourn the meeting.

Commission Choren seconded the motion.

A voice was taken; vote passed (7-0)

The meeting concluded at 7:27 p.m.

Respectfully Submitted,

Jac Zader



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Department of Community Development

TO: Planning Commission
FROM: EVAN HOIER, ASSOCIATE PLANNER
DATE: April 29, 2024
SUBJECT: St. John Properties, Inc. for NA Creative, LLC. The applicant is seeking conditional use grant approval to allow for a photography studio for the property located at 10650 N. Baehr Road.

Applicant:	St. John Properties, Inc.
Status of Applicant:	Agent
Requested:	Conditional Use Grant
Existing Use:	Multi-tenant
Existing Zoning:	B-5 (Light Industrial)
Lot size:	6.94 Acres
Location:	10650 N. Baehr Road, Suite C
Tax Key Number:	#14-026-10-005.00
District:	#4

Background:

The applicant is seeking a conditional use grant to operate a photography studio within a multi-tenant building located at 10650 N. Baehr Road. The tenant space is approximately 1,500 square feet in size and located within a B-5 Light Industrial district, of which photography studio falls under a conditional use. The applicant initially attempted to negotiate with staff regarding the operations on-site, but staff could not be certain photography operations wouldn't eventually be present on-site, so a conditional use grant was necessary. The applicant indicated through communication with staff that they would not be doing any construction or building on or within the premises.

Conditional Use Grant:

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

1. The proposed use should not endanger the public health, safety or general welfare of the City and the immediate neighborhood.

NA Creative will act as an on-site photography studio by the applicant. NA Creative is a photography business specializing in photographing food products for advertising, menus, and other uses for vendors. All activities will take place within the building and will be private to the interior of the suite. The use should not have a negative impact on the public health, safety, or general welfare.

2. The proposed use should not injure the value of adjoining or abutting property.

The Land Use Plan designates the area as Business Park. Surrounding properties and tenant spaces are zoned the same B-5 as this space. This use is low-intensity and is compatible with surrounding users. The proposed use should not injure the value of adjoining or abutting properties.

3. The proposed use shall be harmonious or compatible with the area in which it is located.

The proposed operations of the use will not be harmful to surrounding users and other tenant spaces. According to the business plan and floor plan received by staff, traffic to the site will be minimal, with only the applicant and their spouse using the space. All clients are online and will not generate additional traffic or the need for additional parking spaces. Hours of operation listed in the business plan are variable, according to the applicant. However, staff recommends parameters around hours of use to ensure no negative impacts to the surrounding area.

Staff Recommendation:

Staff recommends approval of the conditional use grant based on the following conditions:

1. Staff review and approval of final floor plans prior to the issuance of occupancy.
2. Any and all signage shall comply with the City's sign code.
3. Hours of operation will not exceed 7:30am - 9:00pm all days of the week.
4. Signed conditional use grant documents must be submitted and recorded within 180 days of Planning Commission approval.

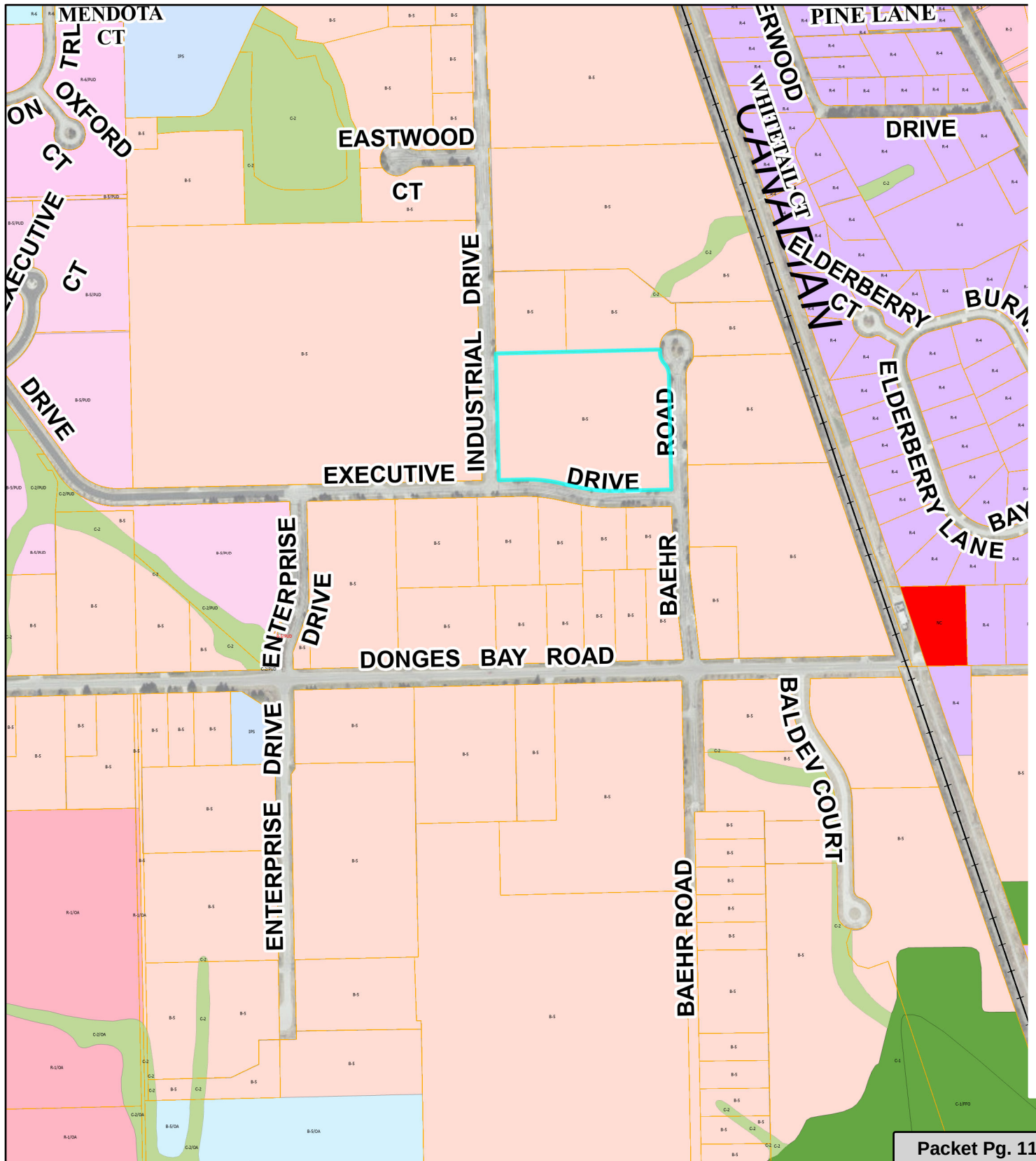
Attachments:

Packet Docs_NA Creative (PDF)

NA CREATIVE CUG

2.a.a

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



Attachment: Packet Docs_NA Creative (9294 : St. John Properties, Inc. for NA Creative, LLC)

10650 N Baehr Rd. Ste. C - NA Creative, LLC

Detailed Description of Business

Description:

NA Creative LLC is a full production photo and video business specializing in food photography and videography. It is run by Nick Anderson, the sole member of this LLC. Nick works directly with clients online to help them grow their businesses and social media platforms with mouth-watering images and video.

Goals:

My goal as a freelance food photographer and videographer is to utilize the warehouse space to grow my business and take on bigger clients with a physically larger space - to use better lighting techniques and have space for new equipment that will help me grow as a creative.

Hours of Operation:

As a creative, the hours I will work in the studio space will vary. When I'm feeling most creative or when there's work to be done is when I'll be in the space. I don't work a typical 9 to 5 and I love that about my job.

My business is not open to the public, it is not seen as a storefront location or business. I don't expect to have anyone in the warehouse space except my wife and I. The work I deliver and perform is strictly online.

Clients:

The clients I work with are all online. I would never host any of my clients in the warehouse space.

Parking:

The only cars that will be parking at the warehouse space will be my wife and I. We will only be taking two parking spaces.

NA Creative, LLC

Single-Member LLC

NA Creative LLC is a business run by the sole member - Nicholas Anderson. NA Creative LLC specializes in food photography and food videography. I help bring your vision and story to life with creative images and videos for you to use on social media and websites.

I operate with 1 employee (myself and only myself). My hours of operation vary. Sometimes later at night when I'm feeling most creative and sometimes during a normal working day.

I don't deliver or sell any physical goods. Everything I do is online. There would never be an instance where I would have customers at my door.

Here is my website if you needed more info about me or my business:

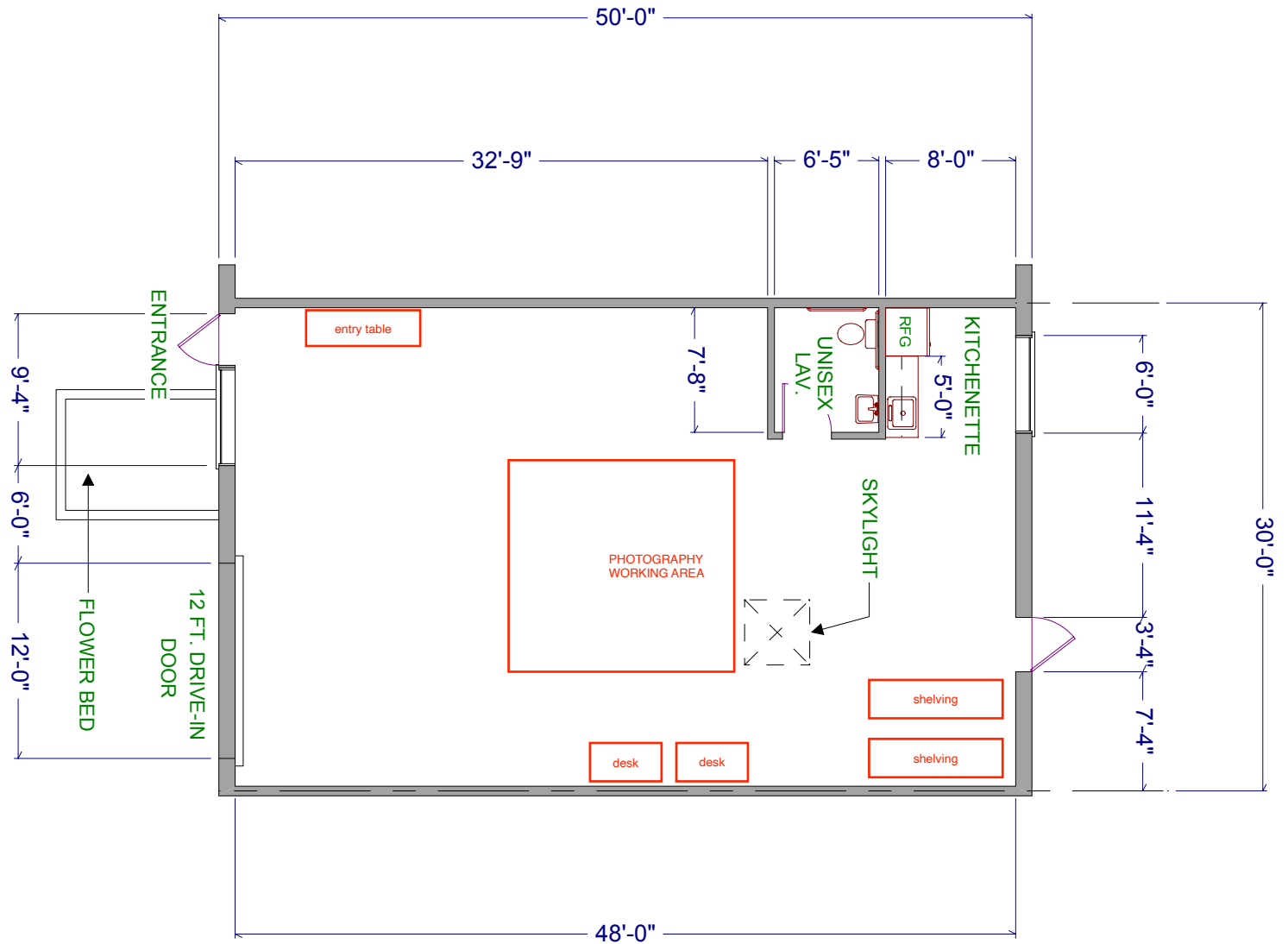
<https://www.nickandersoncreative.com/>

Total SF Available:

1,500 SF

Warehouse: 1,500 SF

Air conditioned warehouse with 16'
clear height and 1 drive-in door



		2.a.a
CONDITIONAL USE GRANT Articles of Agreement made and entered into this 29th day of April, by and between Nicholas Anderson and the City of Mequon Planning Commission. Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located in Section 27, Range 21 East, in Township 9 North, Ozaukee County, State of Wisconsin, further described as follows: LEGAL DESCRIPTION Exhibit A-1 WHEREAS, the Zoning Code and Zoning District Map of the above named municipality, pursuant to State Statues, provide that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the municipality as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and Petition therefore having been made, and public hearing held thereon, and the Planning Commission of the <u>City of Mequon</u> having determined that by reason of the particular nature, character, and circumstances of the proposed use, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Now, therefore, IT IS GRANTED, subject to compliance with the terms and conditions hereinafter stated that the Premises may be used for the purpose of <u>Photography Studio</u>. GRANTED by action of the Planning Commission of the City of Mequon this ____ day of _____2024. _____ Andrew Nerbun, Mayor, Planning Commission Chairperson Acknowledgment: STATE OF WISCONSIN))SS OZAUKEE COUNTY) Personally came before me, this ____ day of _____, 2024, the above named Andrew Nerbun, Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same. _____ Notary Public, Ozaukee County, Wisconsin My Commission (expires) _____ _____ Planning Commission Secretary Acknowledgment: STATE OF WISCONSIN))SS OZAUKEE COUNTY) Personally came before me, this ____ day of _____, 2024, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same. _____ Notary Public, Ozaukee County, Wisconsin My Commission (expires) _____ RETURN TO: City of Mequon 11333 North Cedarburg Road 60W Mequon, WI 53092 PARCEL NO.: _____		

Attachment: Packet Docs_NA Creative (9294 : St. John Properties, Inc. for NA Creative, LLC)

The **CONDITIONS** of this Grant are:

- 1. This grant shall become effective upon the execution and recording by the owners and operators of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
- 2. This grant shall expire and become void unless, pursuant to the building and zoning codes of the City, the approved use is commenced or the building permit is obtained within twelve (12) months of the date of Planning Commission approval noted above, or actual construction is commenced within twelve (12) months of the date on which the building permit was issued.
- 3. This grant is subject to amendment and termination in accordance with the provisions of the Zoning Code of this municipality.
- 4. Construction and operation of the use granted shall be in strict conformity to the approved site, building, and operations plans filed in connection with the Petition for this Grant, and annexed hereto.
- 5. Any of the conditions of this Grant which would normally be the responsibility of tenants of the Premises shall be made a part of their lease by the Owner, which lease shall contain provisions for posting of the pertinent conditions to notify employees thereof.
- 6. This grant shall automatically be null and void if this use is discontinued for a period of twelve (12) months.
- 7. The Grantee and its successors in interest shall hold the City of Mequon harmless from any claims or losses to the City or its residents including reasonable attorney fees arising from or related to use of the facilities.
- 8. Any change to the approved use or change to the building or site plan will require an amendment to the Conditional Use. Minor changes to the building and site plan shall be approved by the Department of Community Development.
- 9. **Conditions on the Operations:**
 - a. Hours of operation:
Monday through Sunday: 7:30am – 9:00pm
Performance standards relating to parking, noise, vibration, odor, smoke, dust, and light: As per City ordinance and as further designated under letter (e.) below.
 - b. Water supply requirements:
Public
 - d. Provisions for sewage disposal:
Public
 - e. Other:
 - If the conditional use shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or if material problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten health or safety or to become a nuisance condition, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, or in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.
 - If, despite efforts to prescribe conditions which render the conditional use harmonious in the surrounding neighborhood, problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten the peace and enjoyment of neighboring properties, or shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or shall threaten health or safety, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, and in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.
- 10. **Conditions of the structures:**
 - a. Site Plan: As per attached Exhibit A
 - b. Landscaping Plan: As per attached Exhibit B.
 - c. Elevations: As per attached Exhibit C.
 - d. Sign: As on file with Community Development Department, City of Mequon
 - e. Floor Plan: As on file with Community Development Department, City of Mequon
 - f. Exterior lighting of the site and building: As per Exhibit A
 - g. Fence / Wall / Dumpster plan details: As per Exhibit A
 - h. The building shall comply with the building code.

11. **Conditions on the site:**
- a. Street access (number, location, design): As per attached Exhibit A

b. Off-Street Parking (location and design including screening thereof): As per attached Exhibit A.

c. Outside storage of materials, products or refuse (location and screening thereof): As per attached Exhibit A

d. Parking, exterior lighting of the site, location design and power:
Any changes subject to Planning Commission approval.

e. Other:

Owner

Acknowledgment:

STATE OF WISCONSIN)SS
OZAUKEE COUNTY)
Personally came before me, this ____ day of _____, 2024, the above named _____, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Ozaukee County, Wisconsin

Receipt of a true Copy of this instrument on behalf of the petitioner acknowledged the _____ day of _____, 2024

DRAFTED BY:

City of Mequon
11333N Cedarburg Road
Mequon, WI 53092
Phone: (262) 236-2904

Attachment: Packet Docs_NA Creative (9294 : St. John Properties, Inc. for NA Creative, LLC)



11333 N. Cedarburg Rd
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Department of Community Development

TO: Planning Commission
FROM: EVAN HOIER, ASSOCIATE PLANNER
DATE: April 29, 2024
SUBJECT: Coldwell Banker Realty for Bernita and Henry Hile. The applicant is seeking certifies survey map approval for a 2-lot land division for the property located at 7777 W. Bonniwell Road.

Applicant:	Bernita & Henry Hile
Status of Applicant:	Owner
Requested:	Certified Survey Map
Existing Use:	Residential
Existing Zoning:	R-1 (5-Acre Residential) OA (Agricultural Overlay)
Lot size:	20.02 Acres
Location:	7777 W. Bonniwell Road
Tax Key Number:	#14-009-01-001.00
District:	#1

Background:

The applicant is seeking approval for a 2-lot certified survey map for the parcel located at 7777 West Bonniwell Road. The land division would create two lots, Lot 1 is 11.00 acres and Lot 2 is 9.02 acres. There are currently no structures on the proposed second lot. The applicant is seeking to create the new Lot 2 from the eastern half of the existing parcel. There are a significant amount of wetlands present on the eastern half of proposed Lot 2.

Site Conditions:

The wetland delineation provided by the applicant recommends a setback from the wetland areas of 50 feet on the east side of Lot 2. Despite these wetland setbacks and the zoning district standards, the site can accommodate a building area of at least 201,158 square feet and dry land access. The proposed Lot 2 can accommodate a reasonably sized dwelling footprint and accessory structure of 40 by 60 feet (see attached staff markup).

District Standards:

Lots 1 and 2 of the proposed certified survey map are consistent with the current zoning designation of R-1, but Lot 2 is not consistent with keeping the agricultural (OA). The minimum acreage required for the overlay is 10 acres, and the proposed lot only has 9.02 acres. The buildings on Lot 1 cover approximately 4,270 square feet (0.9%) of the lot area. There are no current or proposed buildings for Lot 2. Access to both lots will be off West Bonniwell Road to the north.

Engineering Report:

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

Right-of-way was previously dedicated at the ultimate right-of-way width. No additional dedication is required.

Access to Lot 1 is provided through an existing driveway on West Bonniwell Road. No access modifications are proposed in association with the project. Street access to Lot 2 must conform with Sec. 58-442 of the Mequon Code of Ordinances. The west 50 feet of Lot 1 is shown with an access easement for the adjacent lot to the south. The applicant shall provide all used ingress and egress easement declaration documents benefitting the adjacent lot. Easement declaration documents are subject to review by the City attorney.

Wetlands are present on site. A wetland delineation report and concurrence by the WDNR was provided with the CSM application. The wetland protective area is shown on the face of the CSM.

The site is not located within the City's sewer service area, and therefore is not required to connect to public sewer or water. Soil evaluation reports were provided with the application that showed a mound system is feasible. The boring locations are near the property line. The private onsite wastewater treatment system (POWTS) must be contained on Lot 2.

The land division itself does not propose an increase in impervious surface. However, future improvements may trigger the MMSD requirement for green infrastructure. The owner will be required to provide green infrastructure conforming to MMSD Ch. 13 Rules prior to the issuance of a building permit if adding 5,000 sq. ft. or more of impervious area. If green infrastructure is required, the buildings permit is also conditioned upon receipt of a stormwater maintenance and easement agreement and a drainage financial guarantee.

No construction is currently proposed with this application.

Staff Recommendation:

Staff recommends **approval** of the land division subject to the following conditions:

1. Final submittal and recording of the CSM within 180 days of Planning Commission approval.
2. Final staff technical review and approval of CSM. The applicant shall make any technical corrections to the final CSM.
3. The applicant shall provide all used ingress and egress easement declaration documents benefitting the adjacent lot. Easement declaration documents are subject to review by the City attorney.
4. Soil percolation test reports in accordance with Sec. 58-636 of Mequon Code of Ordinances and applicable Wisconsin Administrative Code.
5. The POWTS for Lot 2 must be wholly contained on Lot 2.
6. For home/driveway construction that exceeds 5,000 square feet of impervious area, each individual lot will be required to provide a green infrastructure plan meeting MMSD requirements. Alternatively, the developer could plan for a regional stormwater facility

that meets City ordinances and MMSD Chapter 13. The green infrastructure improvements also require a Stormwater Maintenance and Easement Agreement, subject to City Attorney review and approval, and a drainage financial guarantee.

7. The applicant shall submit an electronic file for the proposed certified survey map in a format compatible with AutoCAD 2015 dwg or dxf in Wisconsin State Plane Coordinate system. South Zone (NAD 83).

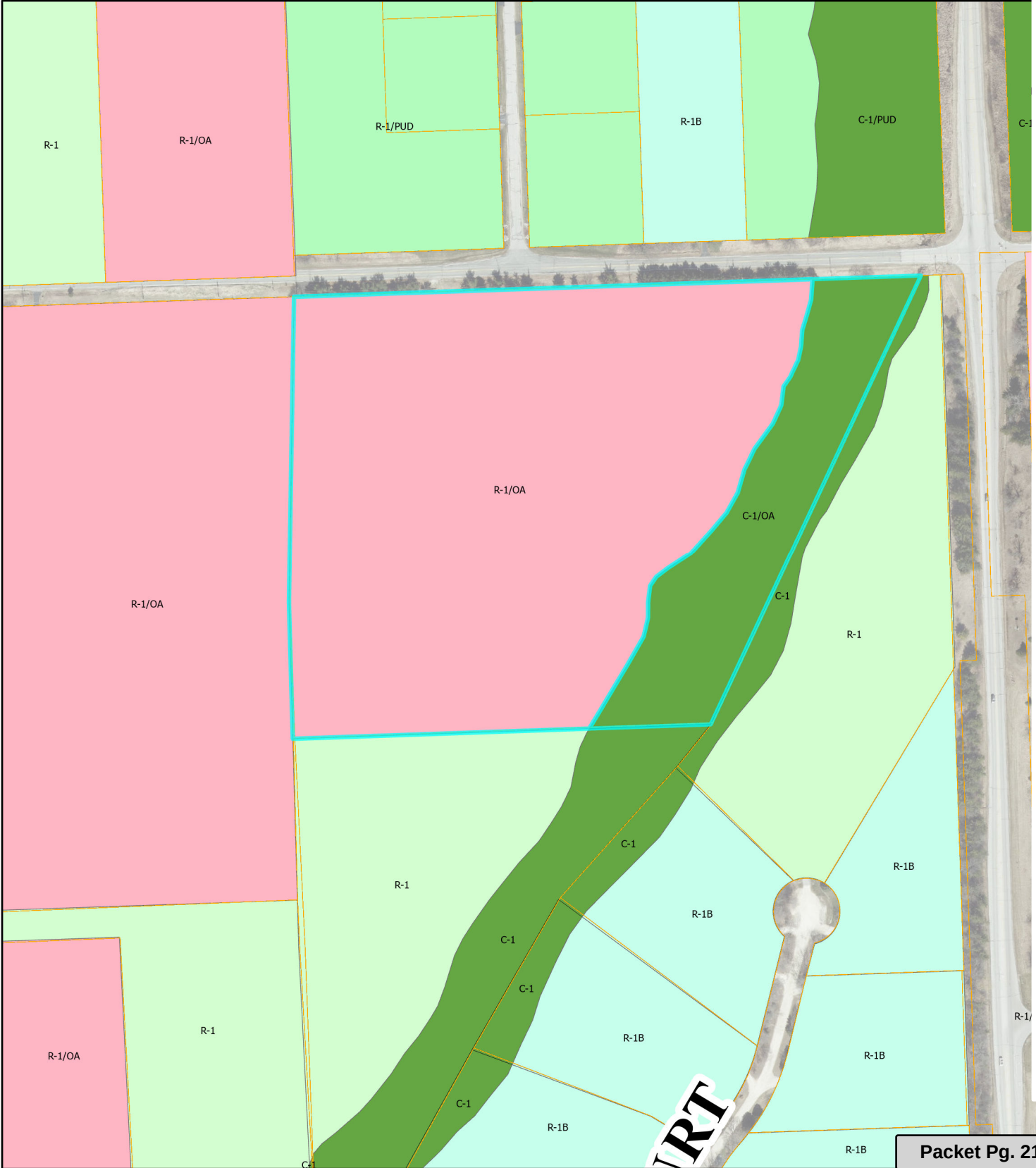
Attachments:

Packet Docs_Hile (PDF)

HILE CSM

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

3.1.a



CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1676, BEING A PART OF CERTIFIED SURVEY MAP NO. 781, AND LANDS IN THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



SCALE 1" = 200'



NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11453 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
www.northshoreengineering.net

OWNERS:
HENRY & BERNITA HILE
7777 W. BONNIWELL RD.
MEQUON, WI, 53097
(414) 350-8218

NOTES:

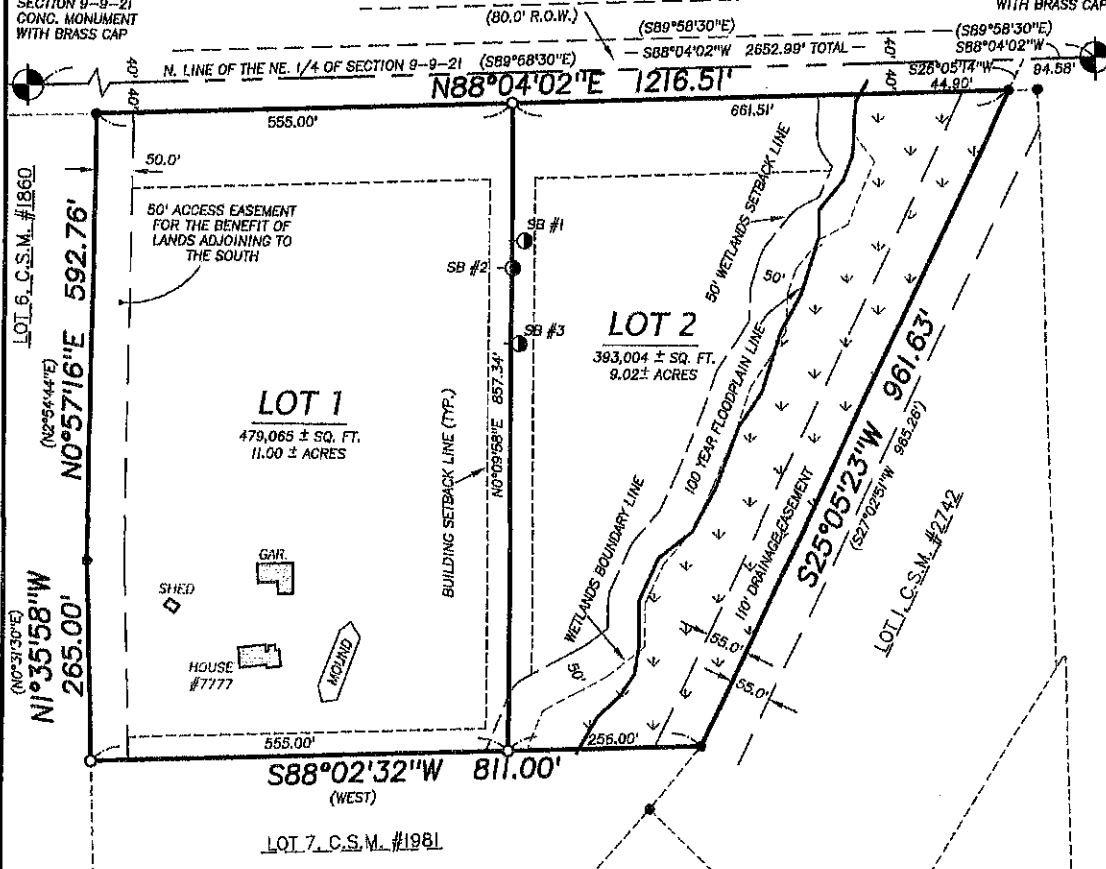
1. THIS PROPERTY IS ALSO SUBJECT TO EASEMENTS OF RECORD.
2. THIS PROPERTY IS PRESENTLY ZONED R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT)

SETBACK NOTE:
FRONT YARD = 100.0'
REAR YARD = 30.0'
SIDE YARD = 30.0'

NW CORNER OF THE NE 1/4 OF SECTION 9-9-21 CONC. MONUMENT WITH BRASS CAP

W. BONNIWELL RD.

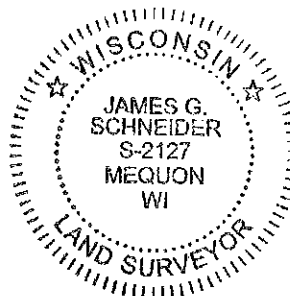
NE CORNER OF THE NE 1/4 OF SECTION 9-9-21 CONC. MONUMENT WITH BRASS CAP



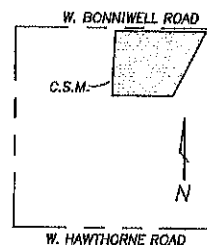
LEGEND

- - DENOTES 1.315"X18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)
- - DENOTES STEEL PIPE (FOUND)
- ⊙ - DENOTES SOIL BORING LOCATION
- () - DENOTES ALSO RECORDED AS

ALL BEARINGS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NORTH LINE OF THE NE 1/4 OF SECTION 9-9-21 WHICH BEARS S88°04'02"W) DATUM NAD-83/2011



2-29-2024



LOCATION MAP

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

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 1 OF 4 SHEETS

CERTIFIED SURVEY MAP NO. _____

A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1676, BEING A PART OF CERTIFIED SURVEY MAP NO. 781, AND LANDS IN THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



SCALE 1" = 200'



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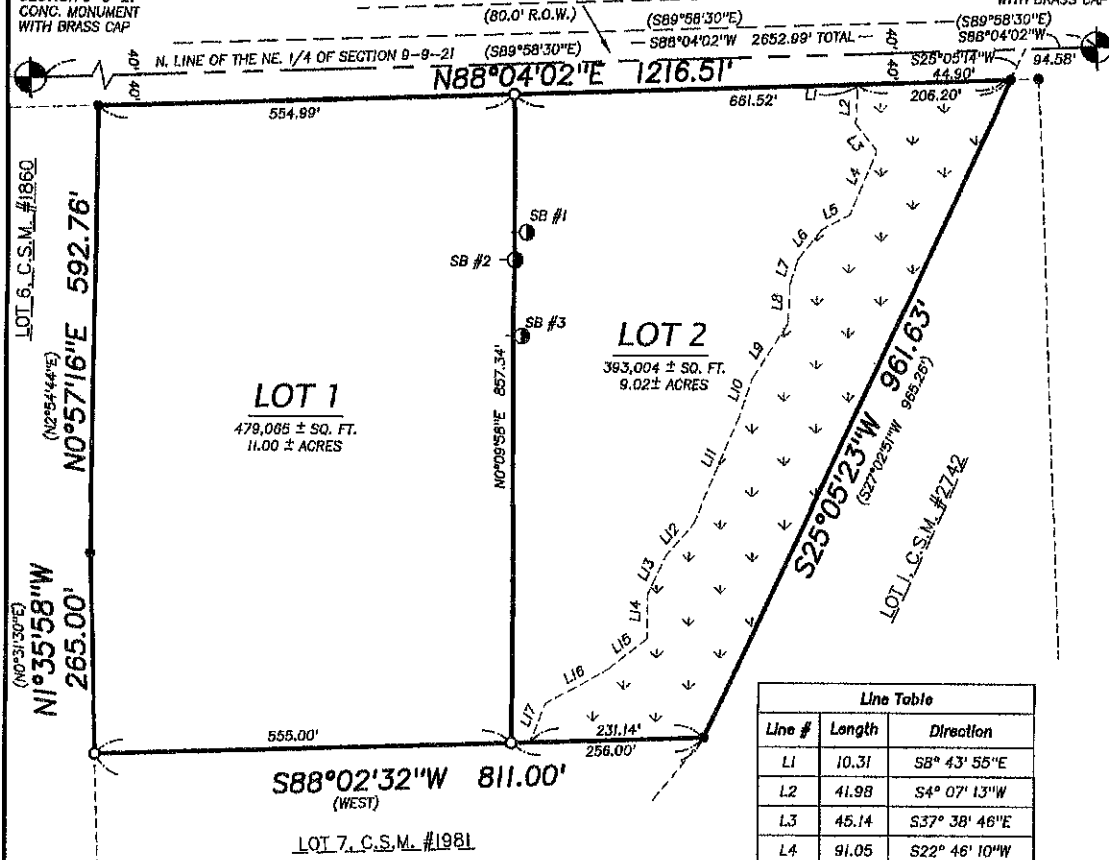
OWNERS:
HENRY & BERNITA HILE
7777 W. BONNIWELL RD.
MEQUON, WI. 53097
(414) 350-8218

WETLAND EXHIBIT

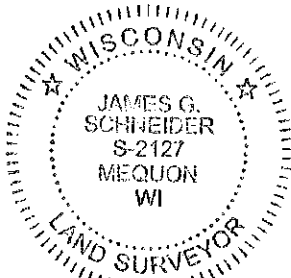
NW. CORNER OF
THE NE. 1/4 OF
SECTION 9-9-21
CONC. MONUMENT
WITH BRASS CAP

W. BONNIWELL RD.

NE. CORNER OF
THE NE. 1/4 OF
SECTION 9-9-21
CONC. MONUMENT
WITH BRASS CAP



Line Table		
Line #	Length	Direction
L1	10.31	S8° 43' 55"E
L2	41.98	S4° 07' 13"W
L3	45.14	S37° 38' 46"E
L4	91.05	S22° 46' 10"W
L5	42.79	S62° 20' 47"W
L6	50.52	S38° 19' 14"W
L7	35.07	S17° 47' 58"W
L8	51.15	S1° 49' 18"W
L9	86.92	S32° 37' 51"W
L10	55.72	S18° 38' 22"W
L11	151.41	S23° 26' 03"W
L12	56.41	S41° 23' 22"W
L13	57.70	S25° 05' 19"W
L14	58.06	S0° 17' 17"W
L15	65.30	S51° 37' 29"W
L16	85.06	S61° 07' 32"W
L17	56.01	S21° 35' 43"W



2-29-2024

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 2 OF 4 SHEETS

Attachment: Packet Docs_Hile (9295 : Coldwell Banker Realty for Bernita and Henry Hile)

CERTIFIED SURVEY MAP NO.

A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1676, BEING A PART OF CERTIFIED SURVEY MAP NO. 781, AND LANDS IN THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 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:

Lot 1 of Certified Survey Map No. 1676, recorded in Volume 12 on Pages 228-229, as Document No. 363464, being a part of Certified Survey Map No. 781, and lands in the Northeast 1/4 and Northwest 1/4 of the Northeast 1/4 of Section 9, in Town 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin.

Said lands containing 20.02 acres of land, more or less.

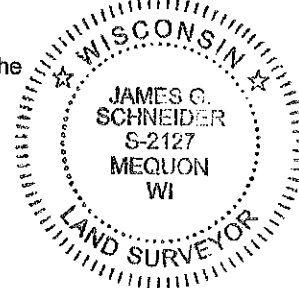
That I have made such survey, land division, and plat at the direction of Henry A. Hile and Bernita K. Hile, OWNERS of said lands.

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 Section 236.34 of the Wisconsin Statutes and the requirements of the City of Mequon in surveying and mapping the same.

James G. Schneider S-2127

2-29-2024

OWNER'S CERTIFICATE

We, Henry A. Hile and Bernita K. Hile, OWNERS, do hereby certify: THAT, We have caused the lands described in the foregoing certificate of James G. Schneider, Surveyor, to be surveyed, divided and mapped.

Witness

Henry A. Hile

Witness

Bernita K. Hile

WITNESS the hand and seal of said OWNERS on this ____ day of _____, 20__.

STATE OF WISCONSIN)
OZAUKEE COUNTY)ss

PERSONALLY came before me on this ____ day of _____, 20__
Henry A. Hile and Bernita K. Hile, to me known to be the persons who executed the foregoing certificate and acknowledged the same.

Notary Public

My Commission expires, _____

This instrument was drafted by James G. Schneider

Sheet 3 of 4 Sheets

Attachment: Packet Docs_Hile (9295 : Coldwell Banker Realty for Bernita and Henry Hile)

CERTIFIED SURVEY MAP NO.

A REDIVISION OF LOT 1 OF CERTIFIED SURVEY MAP NO. 1676, BEING A PART OF CERTIFIED SURVEY MAP NO. 781, AND LANDS IN THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

CONSENT OF MORTGAGEE

BMO HARRIS, existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land does hereby consent to the surveying, dividing and mapping of the land described on this Certified Survey Map and does hereby consent to the above certificate of Henry A. Hile and Bernita K. Hile, OWNERS.

In witness whereof, the said BMO HARRIS has caused these presents to be signed by _____, it's _____ at _____, Wisconsin, this _____ day of _____, 20____.

STATE OF WISCONSIN)
_____ COUNTY)^{ss}

PERSONALLY came before me on this _____ day of _____, 20____ the above named by _____, 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

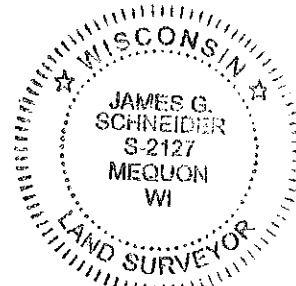
COMMON COUNCIL CERTIFICATE OF APPROVAL

I certify that this Certified Survey Map was approved under Resolution File No. _____, adopted by the Common Council of Mequon on _____.

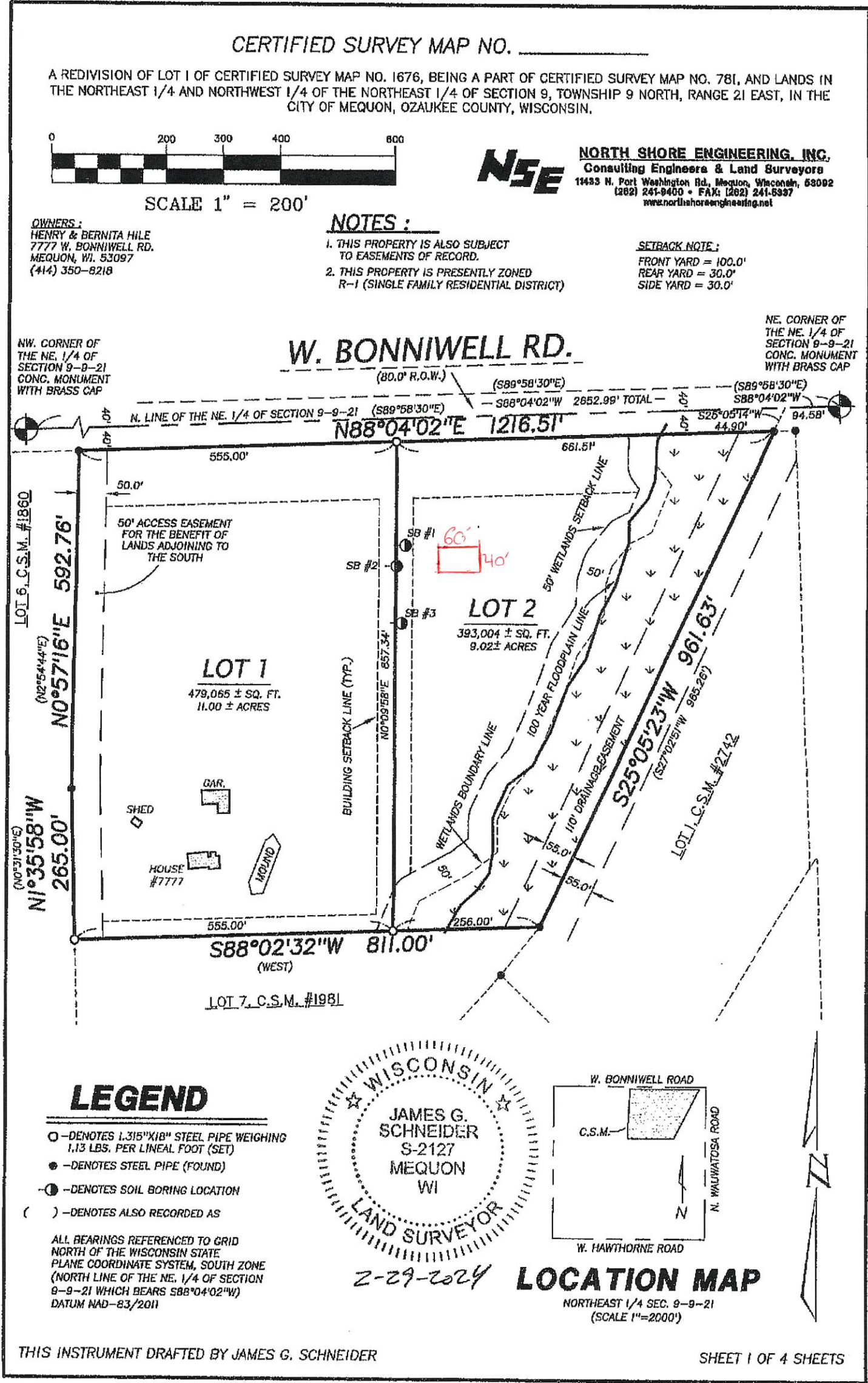
City Clerk Andrew Nerbun, Mayor

This instrument was drafted by James G. Schneider

Sheet 4 of 4 Sheets



2-29-2024



Attachment: Packet Docs_Hile (9295 : Coldwell Banker Realty for Bernita and Henry Hile)



SOIL EVALUATION REPORT

In accordance with SPS 385, Wis. Adm. Code

Attach complete site plan on paper not less than 8 1/2 x 11 inches in size. Plan must include, but not limited to vertical and horizontal reference point (BM), direction and percent slope, scale or dimensions, north arrow, and location and distance to nearest road.

Please print all information.

Personal information you provide may be used for secondary purposes (Privacy Law, s. 15.04(1)(m)).

Property Owner Henry & Bernita Hile		Property Location Govt. Lot NE/NE 1/4 NE 1/4 S 9 T 9 N R 21 E (or) W ☒	
Property Owner's Mailing Address 7777 W Bonniwell Rd.		Site Address or CSM and Lot #: Redivision Lot 1 CSM 1676 Part of CSM #781	
City, State, Zip Mequon WI 53097	Phone Number ()	☒ City ☐ Village ☐ Town	Nearest Road W. Bonniwell

☒ New Construction	Use: ☒ Residential / Number of bedrooms _____	Code derived designflow rate _____ GPD
☐ Replacement	☐ Public or commercial - Describe: _____	Flood Plan elevation if applicable NA ft.
Parent material _____		
General comments and recommendations: Site is suitable for a mound system		

1 Boring #	☐ Boring ☒ Pit	Ground surface elev. 798.88 ft.	Depth to limiting factor 22" in. / elev. 797.05 ft.
-------------------	---	--	---

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate GPD/Ft ²	
									*Eff#1	*Eff#2
1	0-12	10YR 3/3	-	SiL	2Fgr	mJFR	aW	2m-JF	0.6	0.8
2	12-22	10YR 4/3	-	CL	2Fbk	mFR	cW	10F	0.4	0.6
3	22-38	10YR 5/4	C2d 10YR 5/8	SiL	1Fbk/om	mFR	-	-	0	0.2

2 Boring #	☐ Boring ☒ Pit	Ground surface elev. 793.87 ft.	Depth to limiting factor 22" in. / elev. 792.04 ft.
-------------------	---	--	---

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate GPD/Ft ²	
									*Eff#1	*Eff#2
1	0-10	10YR 3/3	-	SiL	2Fgr	mJFR	aW	2m-JF	0.6	0.8
2	10-22	10YR 4/3	-	CL	2Fbk	mFR	cW	10F	0.4	0.6
3	22-37	10YR 5/4	C2d 10YR 5/8	SiL	1Fbk/om	mFR	-	-	0	0.2

CST Name (Please Print) Robert Hilgart	Signature <i>Robert Hilgart</i>	CST Number 226165
Address 1004 Washington St 53024	Date Evaluation Conducted	Telephone Number 262-375-3892

* Effluent #1 = BOD > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

* Effluent #2 = BOD, ≤ 30 mg/L and TSS ≤ 30 mg/L

SBD-8330 (R03/22)

796.36

Page

3.1.a

3

Boring #

☐ Boring
☒ Pit

Ground surface elev. _____ ft.

Depth to limiting factor 18 in. / elev. 794.86 ft.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/Ft ²	
									*Eff#1	*Eff#2
1	0-8	10YR 3/3	-	Sil	2Agf	mofr	ad	2f-5f	0.6	0.8
2	8-18	10YR 4/3	-	brcl	2f-6k	mfr	cw	10f	0.4	0.6
3	18-36	10YR 5/4	C2d 10YR 5/8	Sil	1f-6k/om	mfr	-	-	0	0.2

Boring #

☐ Boring
☐ Pit

Ground surface elev. _____ ft.

Depth to limiting factor _____ in. / elev. _____ ft.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/Ft ²	
									*Eff#1	*Eff#2

Boring #

☐ Boring
☐ Pit

Ground surface elev. _____ ft.

Depth to limiting factor _____ in. / elev. _____ ft.

Horizon	Depth In.	Dominant Color Munsell	Redox Description Qu. Az. Cont. Color	Texture	Structure Gr. Sz. Sh.	Consistence	Boundary	Roots	Soil Application Rate	
									GPD/Ft ²	
									*Eff#1	*Eff#2

* Effluent #1 = BOD > 30 ≤ 220 mg/L and TSS > 30 ≤ 150 mg/L

* Effluent #2 = BOD, ≤ 30 mg/L and TSS ≤ 30 mg/L

Attachment: Packet Docs_Hile (9295 : Coldwell Banker Realty for Bernita and Henry Hile)



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

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 29, 2024
SUBJECT: Logic Design & Architecture, Inc. for The TJX Companies, Inc. The applicant is seeking conditional use grant and building and site plan amendment approval for a general merchandise tenant for the property located at 11110 N. Port Washington Road (Sierra)

Applicant:	Logic Design & Architecture, Inc.
Status of Applicant:	Agent
Requested:	Conditional Use Grant Building & Site Plan Amendment
Existing Use:	Multi-Tenant Retail
Existing Zoning:	B-2 (Retail and Service Business District)
Lot size:	19.41 Acres
Location:	11110 N. Port Washington Road
Tax Key Number:	#15-029-06-010.00
District:	#8

Background:

The applicant is requesting a conditional use grant and building and site plan amendment to operate a general merchandise store (Sierra) in the Pavilions Shopping Center located at 11110 North Port Washington Road. Sierra will occupy 20,080 square feet of the shopping center in the space previously occupied by Bed Bath and Beyond. The Common Council approved a text amendment to allow general merchandise stores in the B-2 zoning district in November of 2013.

Building and Site Plan Amendment:

As the Commissioners may recall, when the Tile Shop was approved in July of 2023, the façade improvements for the entire building were approved. The owner was given until August 1, 2024, to complete the façade modification or prior to occupancy of the tenant space, which ever came first. The proposed building plan shows changes to the approved plan to incorporate corporate branding of the proposed occupant into the design. The applicant is also requesting to delay the completion of the improvements until occupancy, which is scheduled for late fall.

Changes to the approved building façade include painting the facade white, removal of the two awnings, adding accent colors and materials, and increasing the sign façade. The intent of the changes is to incorporate colors and design elements consistent with their corporate brand. The applicant has provided four options with varying degrees of modifications to the approved plan. Their preferred option is on page A2.1-A. While staff understands this desire, the use is located in a multi-tenant, multi-building development which incorporates a number of consistent design elements. After review of the options, staff is supportive of a hybrid of the options presented.

The final design shall incorporate the awnings and grey background shown on A2.1D, the decorative accent material on A2.1B and reduction in the height of the parapet wall. While the parapet wall does a nice job breaking up the length of the façade, staff believes it is too tall. Staff recommends the height of the wall extend no more than three feet above the existing roof line.

Site Compliance:

When modifications were made to other parts of the development, the existing roof was painted or stained black to match the new design elements. Over time this application to the roof has not held up to the elements and has faded significantly in some areas (see pictures). The same treatment of the roof is being proposed for the Sierra section that is not being replaced. While this is beyond the scope of approval for this item, staff will be sending an Order to Correct to the owner to address the issue.

According to the Zoning Code, the following findings shall be considered when analyzing a conditional use grant application:

1. The proposed use should not endanger the public health, safety or general welfare of the city and the immediate neighborhood.

During the approval process for the Tile Shop, which is next to the proposed use, staff identified a concern over the traffic flow in the adjacent parking lot. As part of the approval process for the Tile Shop, a reconfiguration of the entire lot was approved and installed prior to occupancy. This work has greatly improved traffic flow and the safety of the parking lot. Staff believes the proposed use will not endanger the health, safety or general welfare of the neighborhood or the city in general.

2. The proposed use should not injure the value of adjoining or abutting property.

Staff believes the proposed use will continue to stimulate the economic viability of the shopping center and the city in general. The proposed hours of operation are 9:30 a.m. to 9:30 p.m. daily, which is consistent with other businesses in the shopping center. The applicant states that the number of employees will consist of 7-8 full time and 16-17 part time employees. Deliveries will be during the hours of 8 a.m. to 8 p.m. weekdays. Staff does not feel the proposed use will have any impact on the value of surrounding properties.

3. The proposed use shall be harmonious or compatibility with the area in which it is located.

The subject site is located in the B-2 (Community Business) district. General merchandise uses are conditional uses in the B-2 district provided they meet the following conditions:

- The GLA of the use must be between 20,000 and 30,000 square feet.
- The square footage of all uses classified as general merchandise stores shall not exceed 40% of the total GLA of a retail development.
- Floor area dedicated to food related merchandise shall not exceed 5% of the total GLA of the general merchandise store.
- The development in which the use is located shall be located along a secondary arterial and shall abut an interstate highway.
- General Merchandise Stores located in an existing multi-tenant building shall be subject to building and site plan review.

Adjacent uses are also located in B-2 district and include restaurants, retail stores, a grocery store and offices. Sierra and Marshalls are both classified as general merchandise and occupy a total of 44,000 square feet of the Pavilions Shopping Center. This equates to approximately 19% of the retail center being used for general merchandise, which is below the 40% maximum requirement. Planning staff believes that if the conditions of approval listed below and within the attached conditional use grant document are met, the proposal should be harmonious with the surrounding uses.

4. Will be general conformity with the Land Use Plan, Transportation Plan, Environmental Plan, Park and Recreation Plan or other officially adopted plan.

The Land Use Plan map designates the subject site as Community Commercial; the proposal is conforming and is appropriately located on Port Washington Road, the City's major commercial corridor.

Staff Recommendation:

Staff recommends approval of the conditional use grant and building and site plan amendment based on the following condition(s):

1. All storefront windows shall not be covered or obstructed by shelving or merchandise.
2. Staff review and approval of final site, building and lighting prior to issuance of permits. The applicant shall submit such plan within 180 days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.
3. The façade improvements shall incorporate the awnings and grey color on option A2.1D, the decorative accent material on A2.1B and reduction in the height of the parapet wall to three feet.

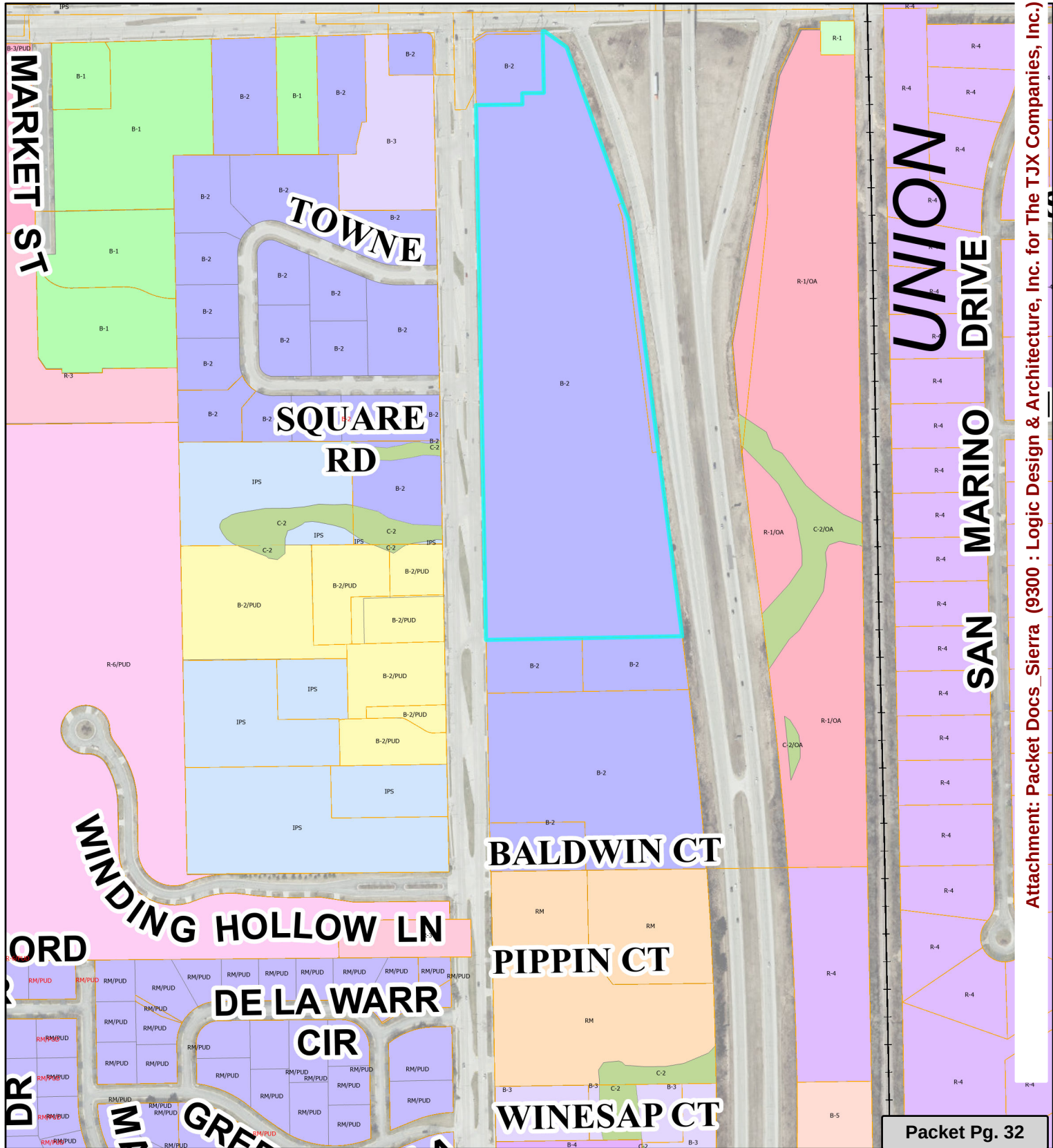
Attachments:

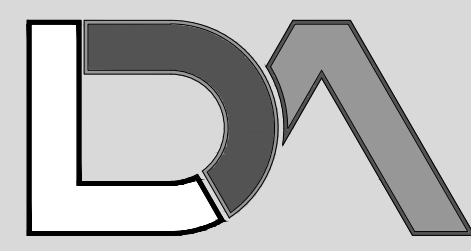
Packet Docs_Sierra (PDF)

SIERRA

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

IPS Institutional & Public Service
 NC Neighborhood Commercial
 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 Ac. Min.)
 R-2B Single-Family Residential (1.5 Ac. Min.)
 R-3 Single-Family Residential (1 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





logic design & architecture, inc.

LogicDA.com | 414.909.0080

Project Manager: TCY
Job Number: 23-199

Consultant

Additional Info

Project Name

Tenant Buildout For: Sierra
Mequon Pavilions
1110 N Port Washington Rd
Mequon, WI 53092

Dates/Revisions
022824 PRELIM. REVIEW
031224 PRELIM. REVIEW
031824 PRELIM. REVIEW
042224 PRELIM. REVIEW

Drawing Title
ELEVATIONS

A21-A

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Attachment: Packet Docs, Sierra (8300) - Logic Design & Architecture, Inc. for The TJX Companies, Inc.

PRELIMINARY -
NOT FOR CONSTRUCTION



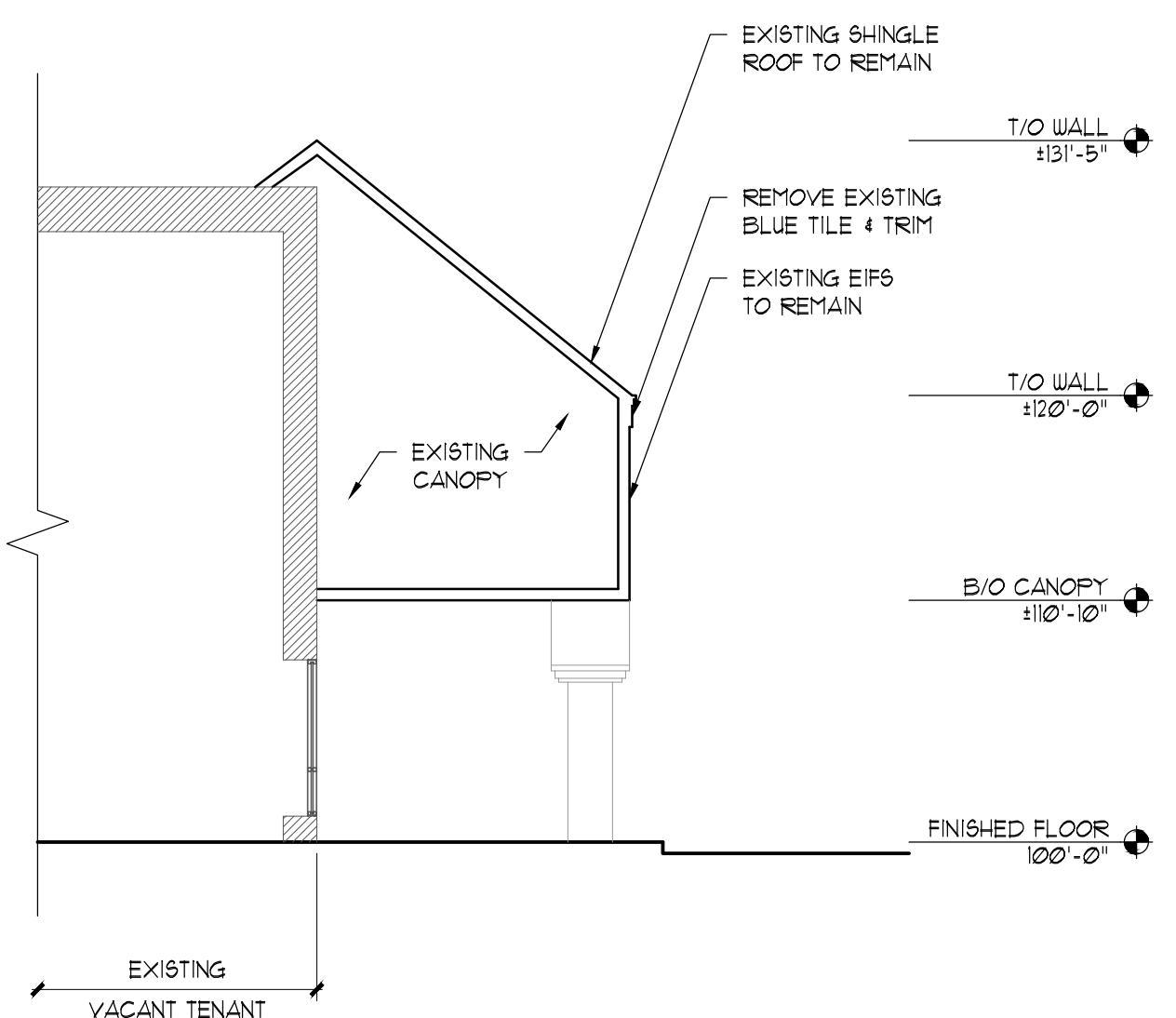
NOT USED

6

PROPOSED LANDLORD FRONT ELEVATION (WEST)

NTS

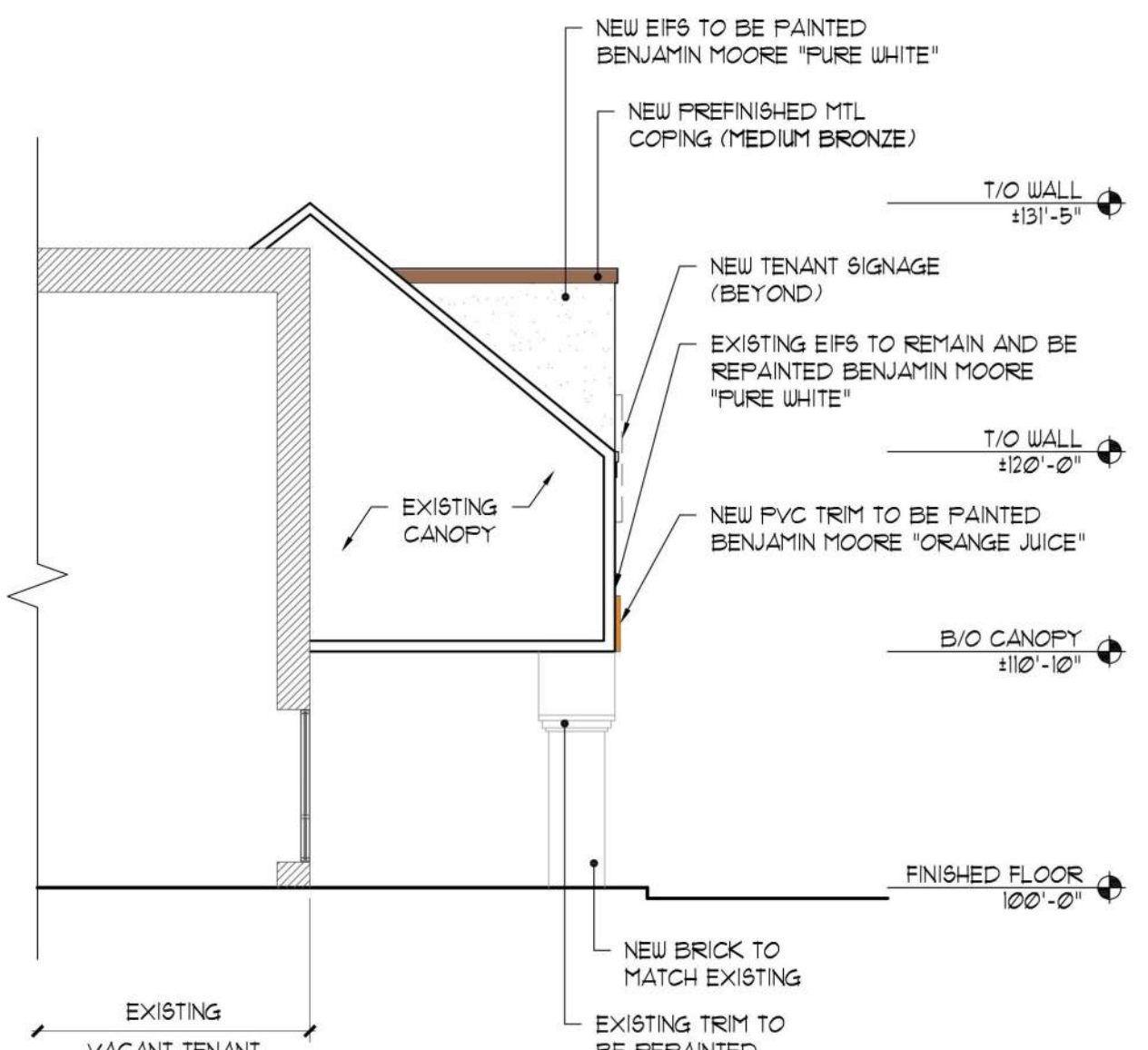
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EXISTING SIDE ELEVATION (NORTH)

1/8" = 1'-0"

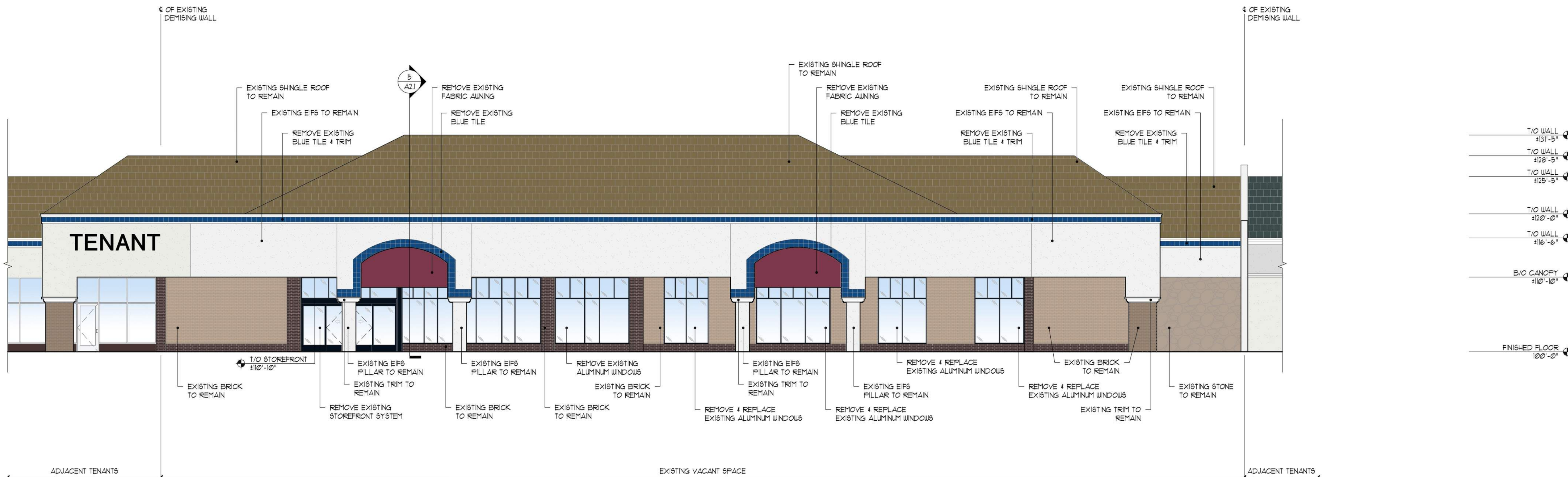
5



PROPOSED SIDE ELEVATION (NORTH)

1/8" = 1'-0"

4



EXISTING FRONT ELEVATION (WEST)

1/8" = 1'-0"

2



PROPOSED FRONT ELEVATION (WEST)

1/8" = 1'-0"

1



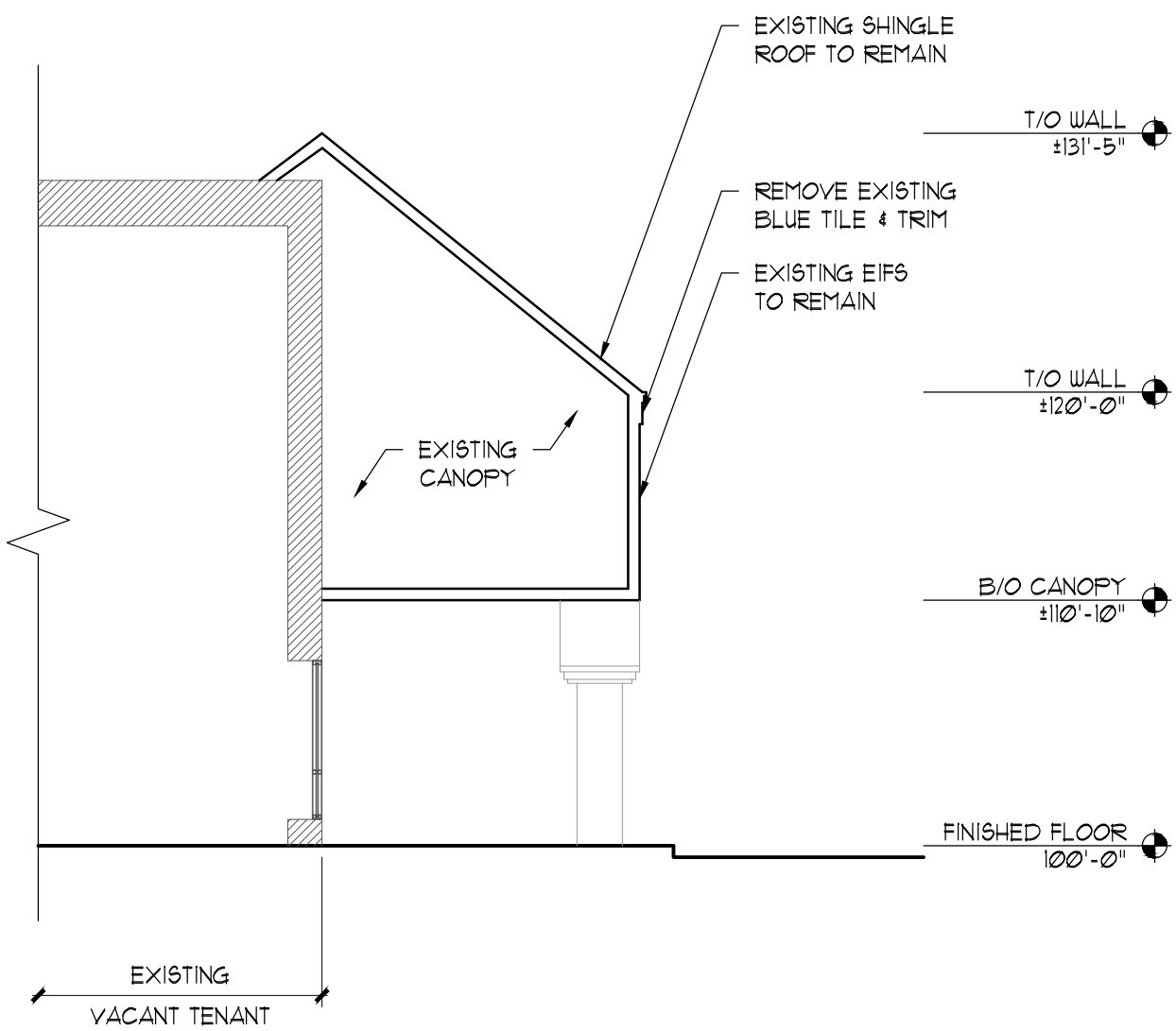
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PROPOSED LANDLORD FRONT ELEVATION (WEST)

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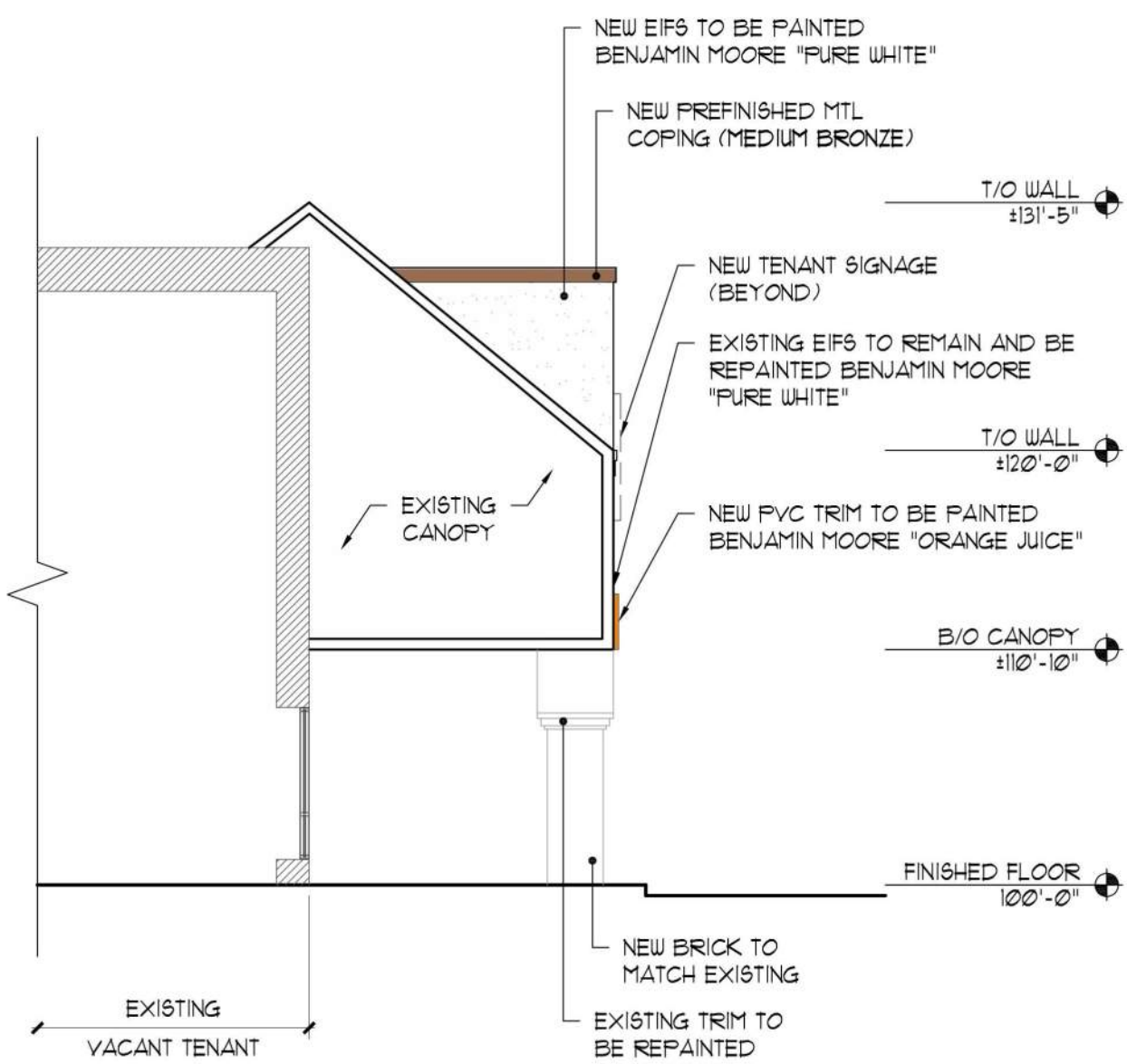
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EXISTING SIDE ELEVATION (NORTH)

1/8" = 1'-0"

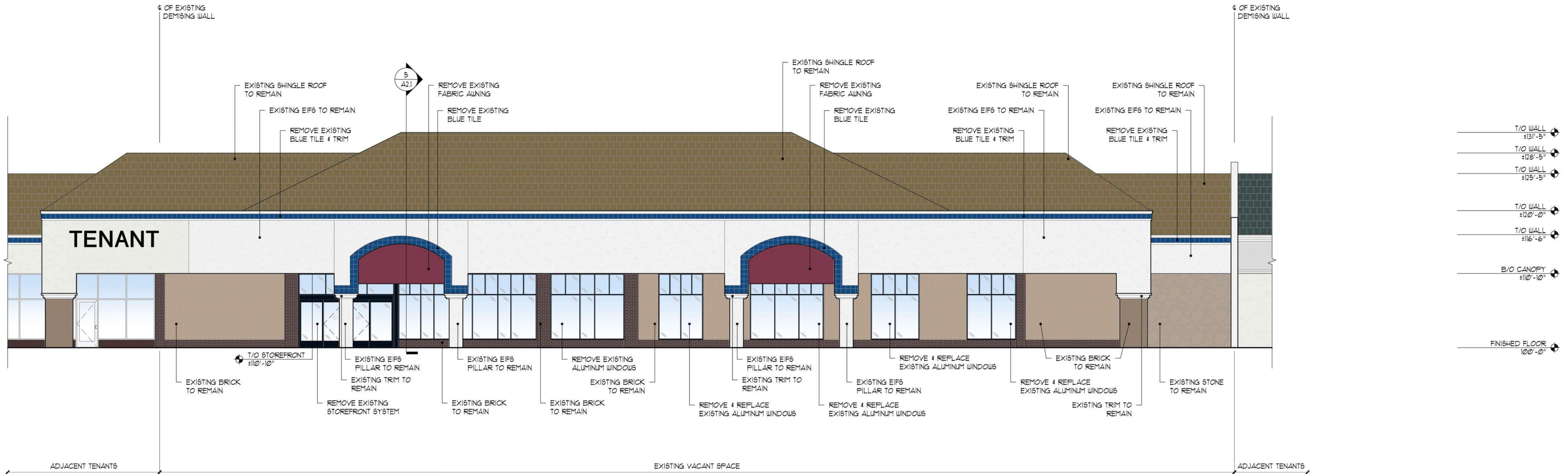
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PROPOSED SIDE ELEVATION (NORTH)

1/8" = 1'-0"

4



EXISTING FRONT ELEVATION (WEST)

1/8" = 1'-0"

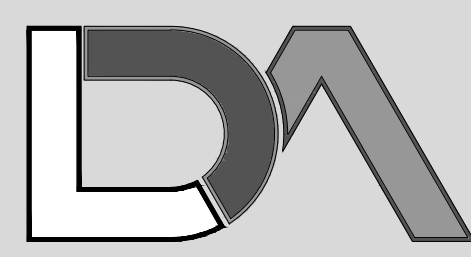
2



PROPOSED FRONT ELEVATION (WEST)

1/8" = 1'-0"

1



logic design & architecture, inc.

LogicDA.com | 414.909.0080

Project Manager: TCY
Job Number: 23-139

Consultant

Additional Info

Project Name

Tenant Buildout For: Sierra

Mequon Pavilions
1110 N Port Washington Rd
Mequon, WI 53092

Dates/Revisions

022624
PRELIM. REVIEW
031224
PRELIM. REVIEW
031824
PRELIM. REVIEW
042224
PRELIM. REVIEW

Drawing Title

ELEVATIONS

A21-B

PRELIMINARY -
NOT FOR CONSTRUCTION

ATTACHMENT: Packet Docs, Sierra (8300 - Logic Design & Architecture, Inc. for The TJX Companies, Inc.)



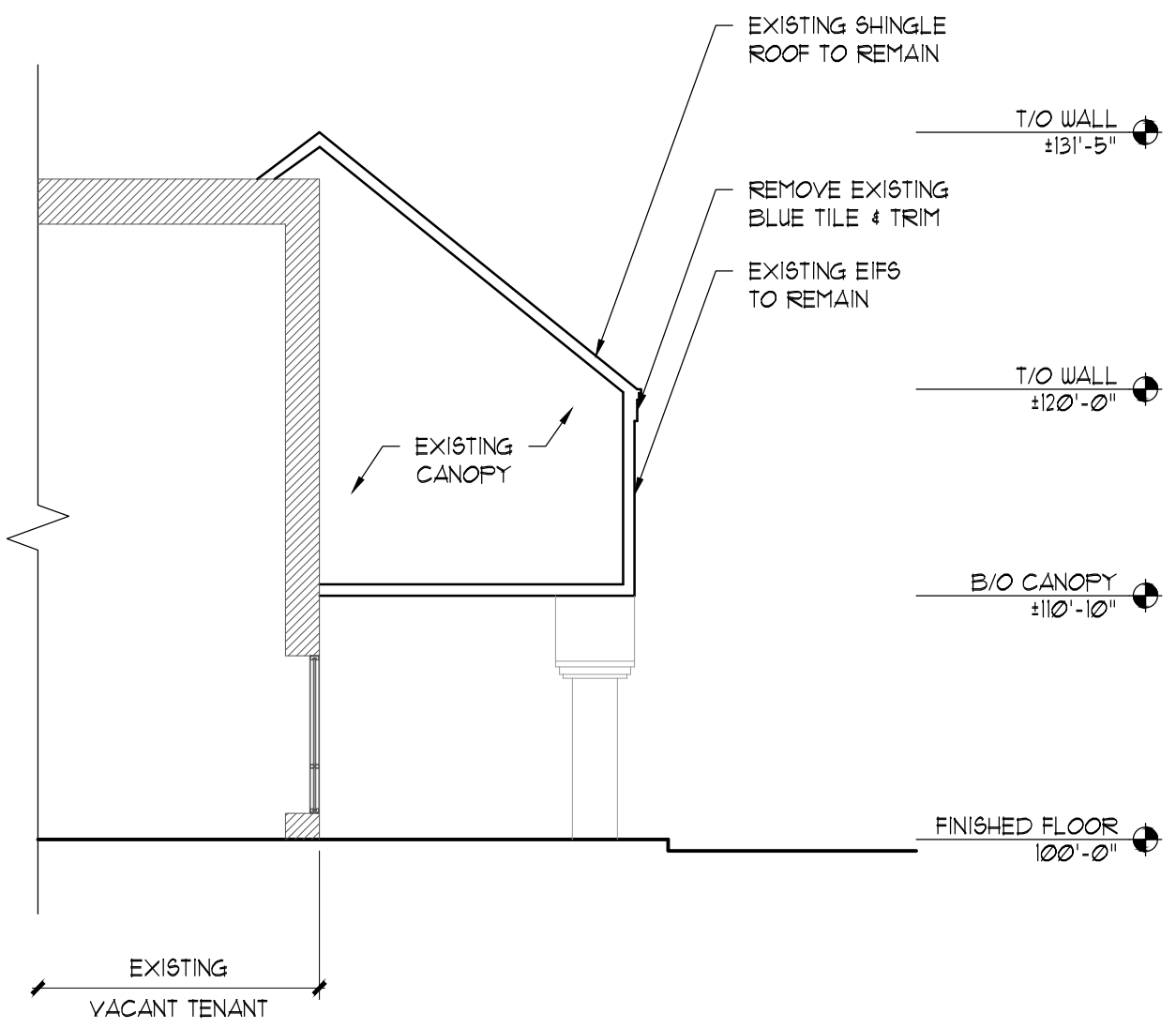
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PROPOSED LANDLORD FRONT ELEVATION (WEST)

NTS

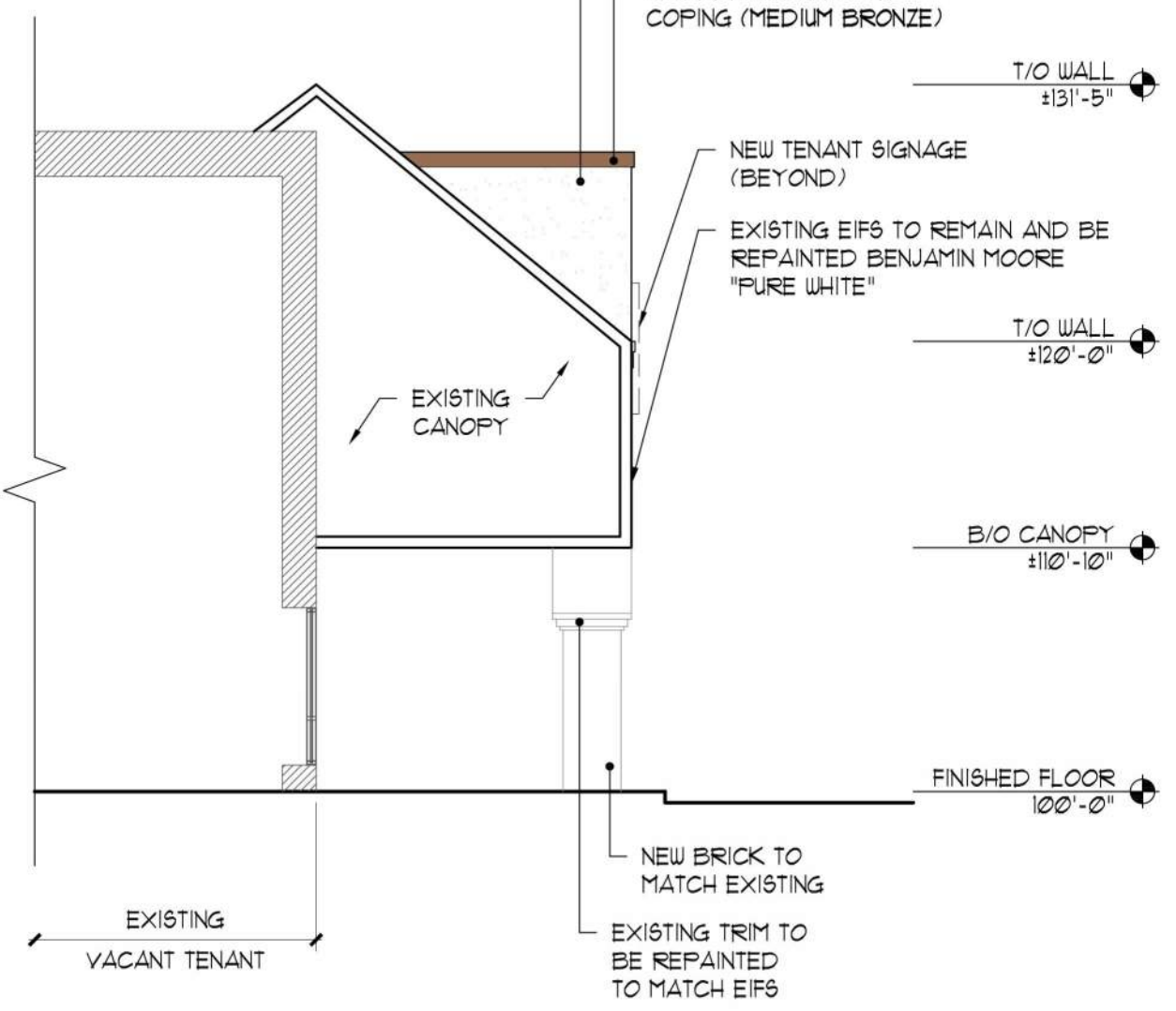
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EXISTING SIDE ELEVATION (NORTH)

1/8" = 1'-0"

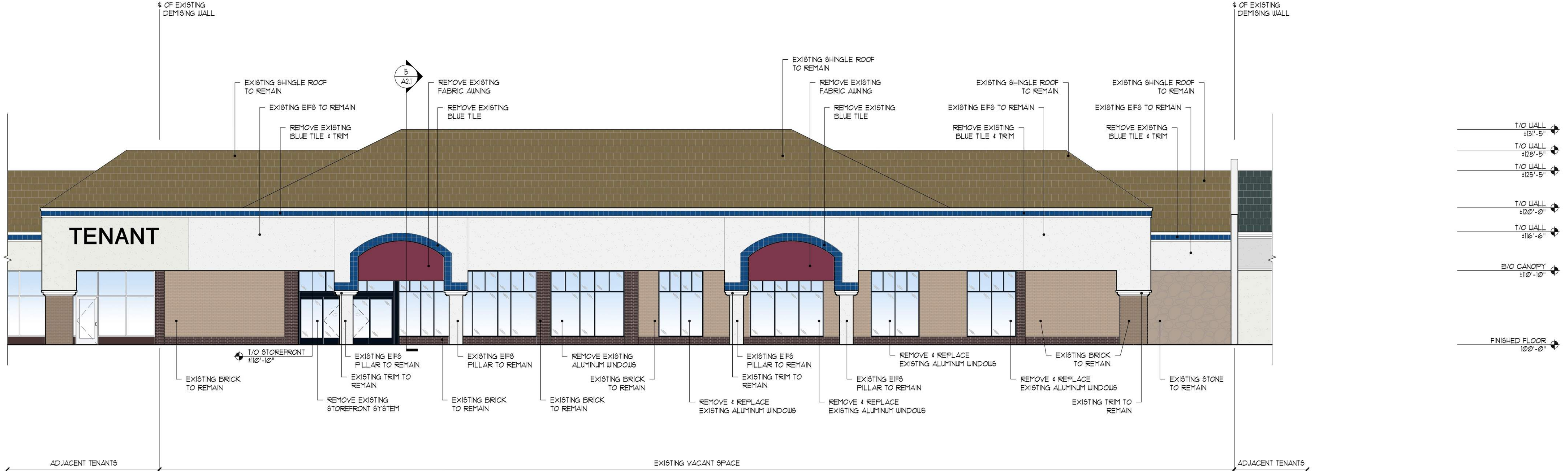
5



PROPOSED SIDE ELEVATION (NORTH)

1/8" = 1'-0"

4



EXISTING FRONT ELEVATION (WEST)

1/8" = 1'-0"

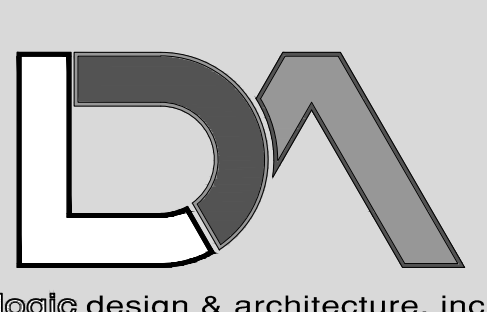
2



PROPOSED FRONT ELEVATION (WEST)

1/8" = 1'-0"

1



Logic Design & Architecture, Inc.

Project Manager: TCY
Job Number: 23-139

Consultant

Additional Info

Project Name

Tenant Buildout For: Sierra

Mequon Pavilions
1110 N Port Washington Rd
Mequon, WI 53092

Dates/Revisions

022824 PRELIM. REVIEW
031224 PRELIM. REVIEW
031824 PRELIM. REVIEW
042224 PRELIM. REVIEW

Drawing Title
ELEVATIONS

A21-C

PRELIMINARY -
NOT FOR CONSTRUCTION

ATTACHMENT: Packet Docs, Sierra (8300) - Logic Design & Architecture, Inc. for The TJX Companies, Inc.)



LogicDA.com : 414.909.008

Project Manager: TCY

Consultant

Additional Info

Project Name	
--------------	--

Tenant Buildout For: Sierra

Mequon Pavilions
11110 N Port Washington Rd
Mequon, WI 53902

Dates/Revisions

02.26.24

PRELIM. REVIEW

03.12.24

PRELIM. REVIEW

03.18.24
PRELIM REVIEWPRELIM. REVIEW
04/22/24

PRELIM. REVIEW

Drawing Title

ELEVATIONS

A2.1-D

- PRELIMINARY -
NOT FOR CONSTRUCTION

Attachment: Packet Docs, Sierra (9300 - Logic Design & Architecture, Inc. for The TJX Companies, Inc.)

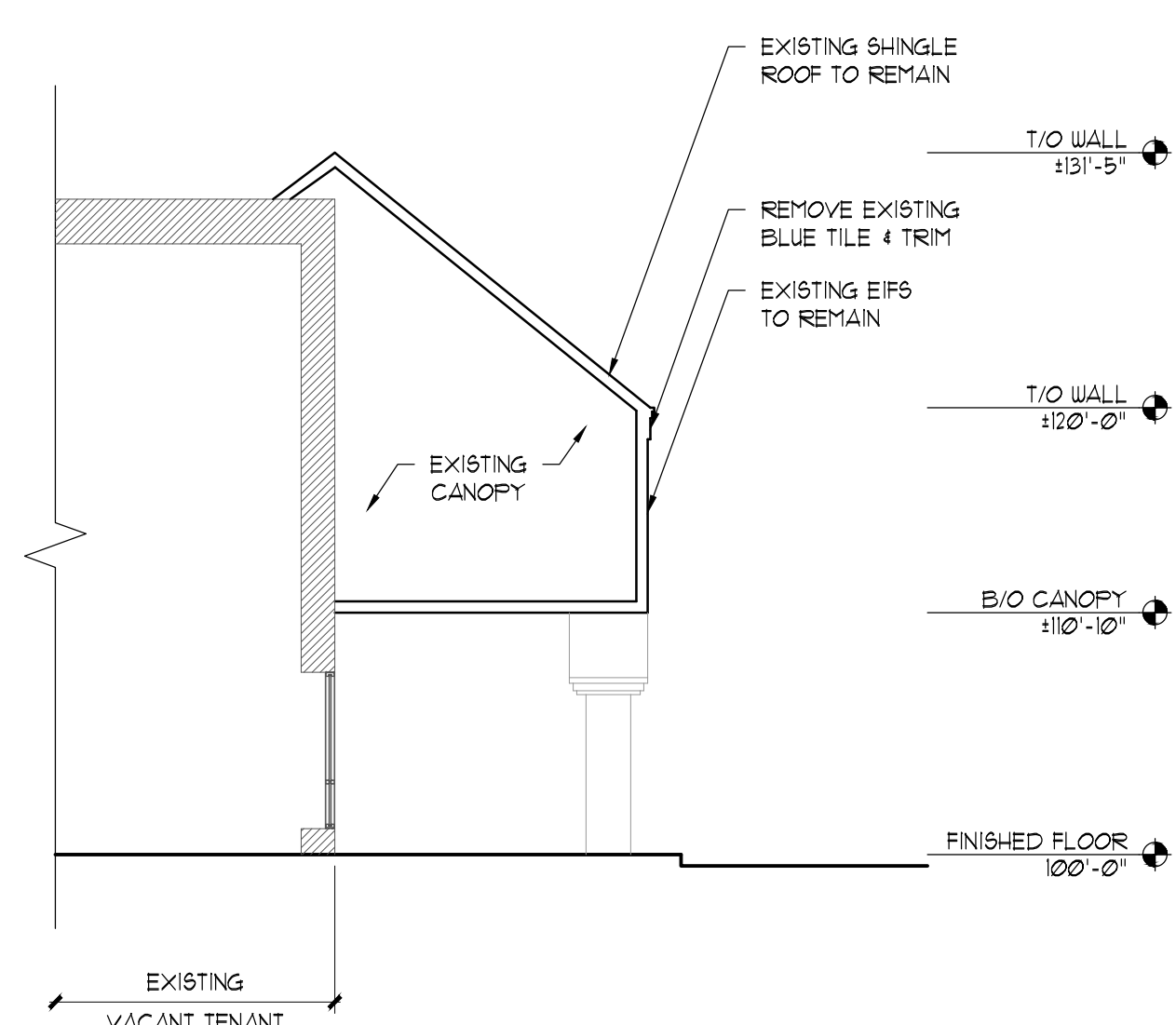


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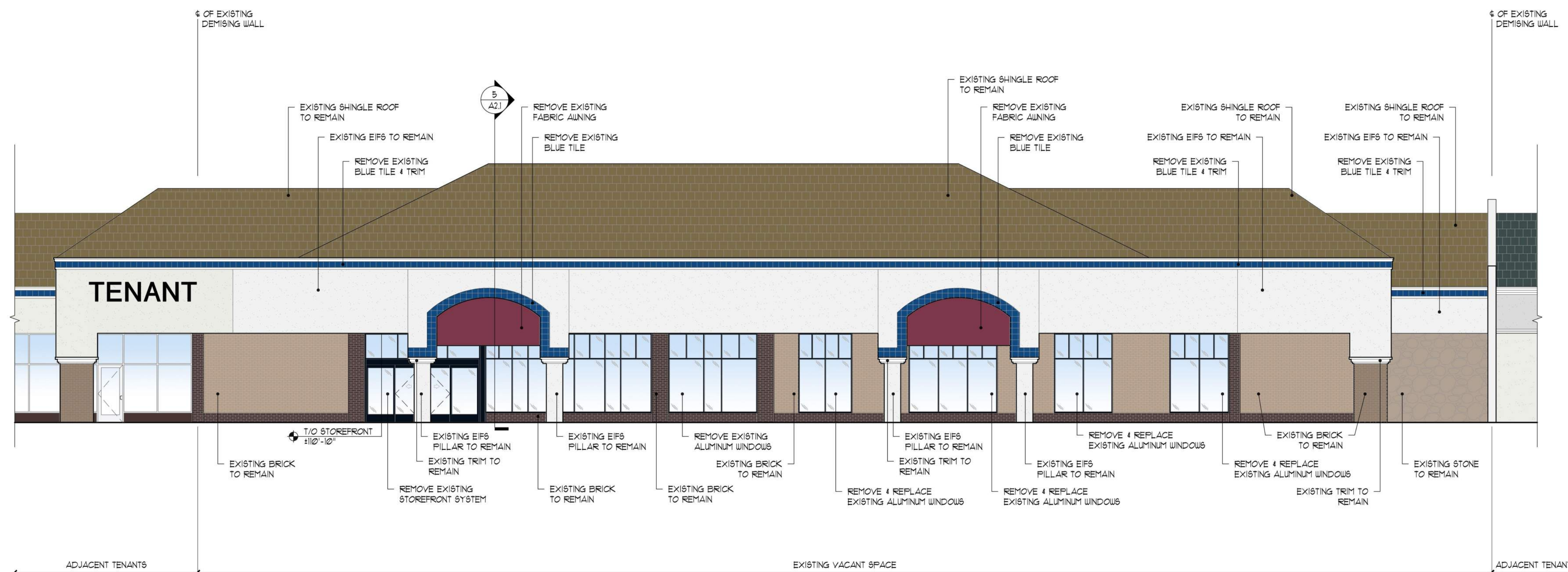
6

PROPOSED LANDLORD FRONT ELEVATION (WEST)

EST)



 T/O WALL
 131'-5"
 T/O WALL
 1128'-5"
 T/O WALL
 1129'-5"
 T/O WALL
 1120'-0"
 T/O WALL
 1116'-6"
 B/O CANOPY
 1101'-10"
 FINISHED FLOOR
 100'-0"



TWO WALL
±131'-5"

TWO WALL
±128'-5"

TWO WALL
±125'-5"

TWO WALL
±120'-0"

TWO WALL
±116'-6"

B/O CANOPY
±110'-10"

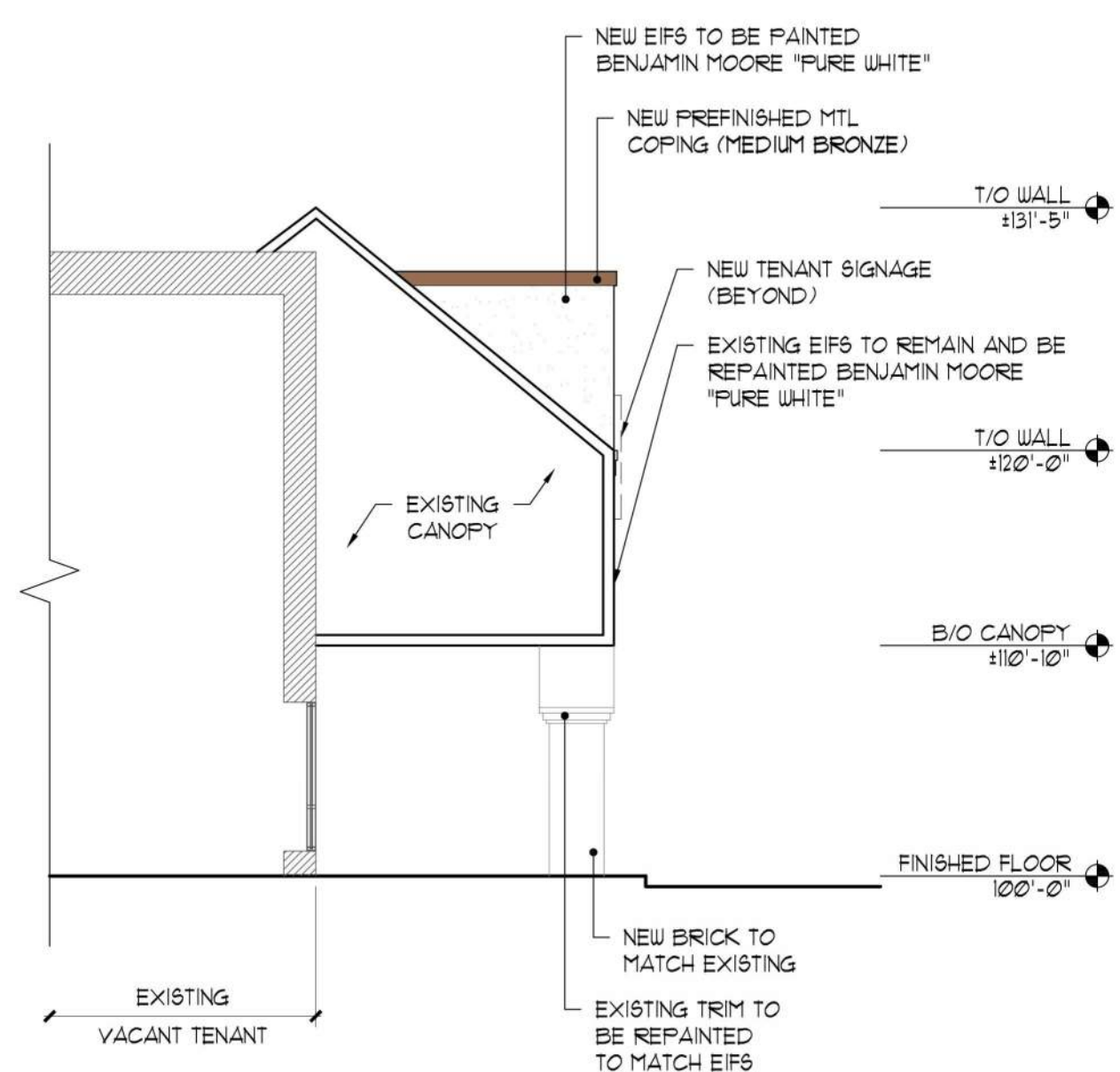
FINISHED FLOOR
100'-0"

EXISTING SIDE ELEVATION (NORTH)

1/8" = 1'-0"

EXISTING FRONT ELEVATION (WEST)

1/8" = 1'-0"



 T/O WALL
 #31'-5"
 T/O WALL
 #28'-5"
 T/O WALL
 #25'-5"
 T/O WALL
 #20'-0"
 T/O WALL
 #16'-6"
 B/O CANOPY
 #10'-10"
 FINISHED FLOOR
 100'-0"



_____ T/O WALL
±13'-5"

_____ T/O WALL
±12'-5"

_____ T/O WALL
±12'-5"

_____ T/O WALL
±12'-0"

_____ T/O WALL
±16'-6"

_____ B/O CANOPY
±10'-10"

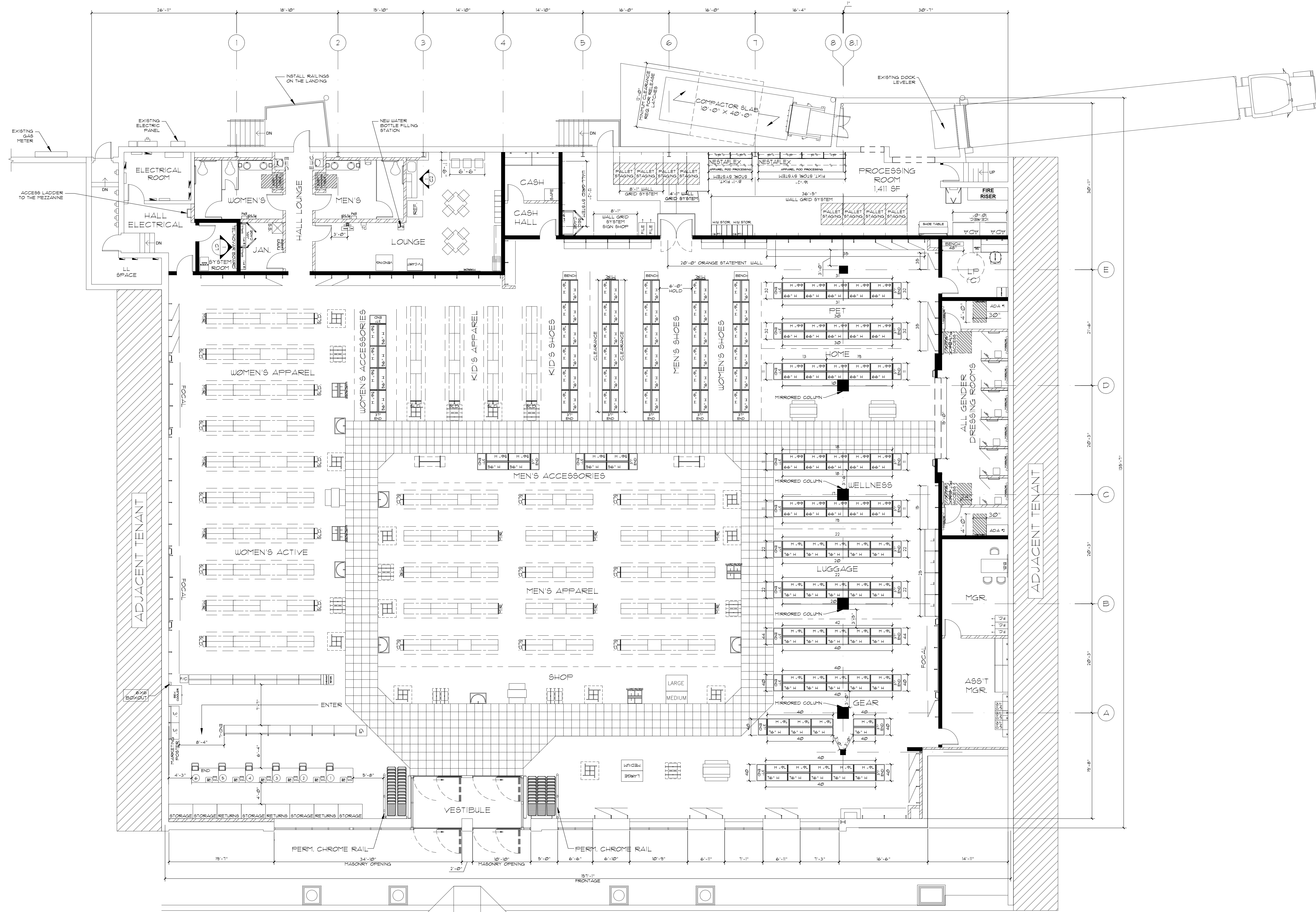
_____ FINISHED FLOOR
100'-0"

PROPOSED SIDE ELEVATION (NORTH)

4

PROPOSED FRONT ELEVATION (WEST)

(WEST)



FIXTURE PLAN
1/8" = 1'-0"



NO.		REVISIONS	DATE	BY
1	PERMIT SET		04/11/24	TY
STORE LOCATION:		PROJECT NAME:		
MEQUON, WI		TENANT BUILDOUT FOR:		
DRAWING DESCRIPTION:		SIERRA		
FIXTURE PLAN		MEQUON PAVILIONS		
		1110 N PORT WASHINGTON RD		
		MEQUON, WI 53150		
STORE TYPE:		STORE NO.		
DB-1180A		186		
				CS
				DRAWING NO.

Sierra - Mequon Pavilions Material Board

EIFS FINISH
 DRYVIT OR EQUAL
 COLOR: BENJAMIN MOORE
 OC-64 "PURE WHITE"

WOOD SLAT
 RESAWN TIMBER CO.
 PREFINISHED ACCOYA
 RAILAY 1C



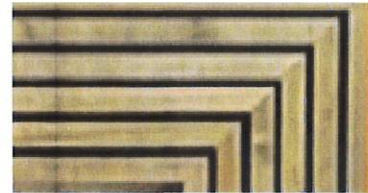
RAILAY 1C

APPLICATION:

- EXTERIOR cladding

FINISH SPECS:

- Finished on face only, sealed back & 2 long edges.
- 1-coat of finish factory applied
- Requires sealing all cuts/ends during install
- <85g/L VOC content



PVC TRIM
 MANUFACTURER: TBD
 COLOR: BENJAMIN MOORE
 #2017-10 "ORANGE JUICE"



Sierra - Mequon Pavilions Material Board

BRICK
COUNTY MATERIALS OR EQUAL
COLOR: TO MATCH EXISTING
BUILDNG



EXISTING BUILDING
LIGHT BROWN BRICK



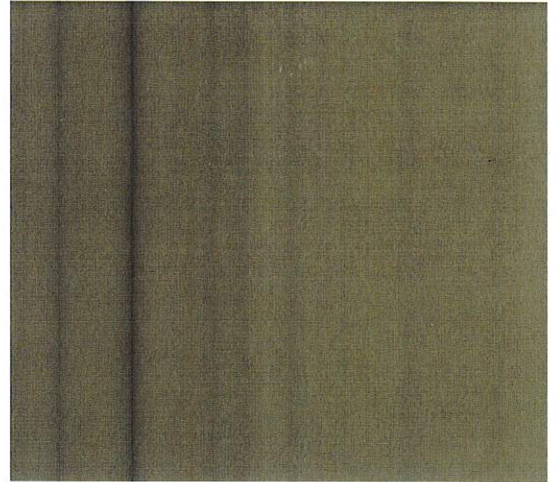
EXISTING BUILDING
DARK BROWN BRICK



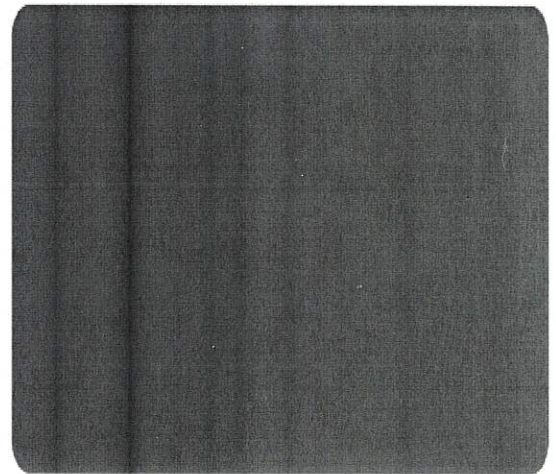
Attachment: Packet Docs_Sierra (9300 : Logic Design & Architecture, Inc. for The TJX Companies, Inc.)

Sierra - Mequon Pavilions Material Board

METAL COPING
PAC-CLAD OR EQUAL
COLOR: "MEDIUM BRONZE"



ALUMINUM STOREFRONT
KAWNEER OR EQUAL
COLOR: CHARCOAL



Attachment: Packet Docs_Sierra (9300 : Logic Design & Architecture, Inc. for The TJX Companies, Inc.)







Attachment: Packet Docs_Sierra (9300 : Logic Design & Architecture, Inc. for The TJX Companies, Inc.)



Mequon Pavilion

Mequon, WI

Facade scope of work:

- EIFS repairs/skim coat or paint to act "like new" refurbished finish
- Remove and/or cover the existing tro blue tile accents
- Remove and replace round awnings , rectangular fabric awnings to match t redeveloped portion of the center
- Introduce new building mounted acce fixtures
- Paint the cement tile roofing to match redeveloped portion of the center
- Paint surfaces utilizing the updated c scheme to match the redeveloped po the center



Attachment: Packet Docs_Sierra (9300 : Logic Design & Architecture, Inc. for The TJX Companies, Inc.)

		4.a.a
CONDITIONAL USE GRANT Articles of Agreement made and entered into this 10th day of February and 12 of May, by and between Centro Bradley SPE1 owners of the property located at 11110 N Port Washington Road and the City of Mequon Planning Commission. Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located in Section 29, Range 22 East, in Township 9 North, Ozaukee County, State of Wisconsin, further described as follows: LEGAL DESCRIPTION Exhibit A-1 WHEREAS, the Zoning Code and Zoning District Map of the above named municipality, pursuant to State Statues, provide that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the municipality as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and Petition therefore having been made, and public hearing held thereon, and the Planning Commission of the <u>City of Mequon</u> having determined that by reason of the particular nature, character, and circumstances of the proposed use, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Now, therefore, IT IS GRANTED, subject to compliance with the terms and conditions hereinafter stated that the Premises may be used for the purpose of <u>a general merchandise store</u>. GRANTED by action of the Planning Commission of the City of Mequon this 29th day of April 2024. ----- Andrew Nerbun, Mayor, Planning Commission Chairperson Acknowledgment: STATE OF WISCONSIN))SS OZAUKEE COUNTY) Personally came before me, this ____ day of _____, 2024, the above named Dan Abendroth, Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same. ----- Notary Public, Ozaukee County, Wisconsin My Commission (expires) _____ ----- Planning Commission Secretary Acknowledgment: STATE OF WISCONSIN))SS OZAUKEE COUNTY) Personally came before me, this ____ day of _____, 2024, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same. ----- Notary Public, Ozaukee County, Wisconsin My Commission (expires) _____		RETURN TO: City of Mequon 11333 North Cedarburg Road 60W Mequon, WI 53092 PARCEL NO.: 150290601000
		Attachment: Packet Docs_Sierra (9300 : Logic Design & Architecture, Inc. for The TJX Companies, Inc.)
		Packet Pg. 46

The **CONDITIONS** of this Grant are:

1. This grant shall become effective upon the execution and recording by the owners and operators of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
2. This grant shall expire and become void unless, pursuant to the building and zoning codes of the City, the approved use is commenced or the building permit is obtained within twelve (12) months of the date of Planning Commission approval noted above, or actual construction is commenced within twelve (12) months of the date on which the building permit was issued.
3. This grant is subject to amendment and termination in accordance with the provisions of the Zoning Code of this municipality.
4. Construction and operation of the use granted shall be in strict conformity to the approved site, building, and operations plans filed in connection with the Petition for this Grant, and annexed hereto.
5. Any of the conditions of this Grant which would normally be the responsibility of tenants of the Premises shall be made a part of their lease by the Owner, which lease shall contain provisions for posting of the pertinent conditions to notify employees thereof.
6. This grant shall automatically be null and void if this use is discontinued for a period of twelve (12) months.
7. The Grantee and its successors in interest shall hold the City of Mequon harmless from any claims or losses to the City or its residents including reasonable attorney fees arising from or related to use of the facilities.
8. Any change to the approved use or change to the building or site plan will require an amendment to the Conditional Use. Minor changes to the building and site plan shall be approved by the Department of Community Development.
9. **Conditions on the Operations:**
 - a. Hours of operation: 9:00 AM to 9:30 PM
Performance standards relating to parking, noise, vibration, odor, smoke, dust, and light: As per City ordinance and as further designated under letter (e.) below.
 - b. Water supply requirements:
City Water
 - d. Provisions for sewage disposal:
Public Sewer
 - e. Other:
 - If the conditional use shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or if material problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten health or safety or to become a nuisance condition, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, or in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.
 - If, despite efforts to prescribe conditions which render the conditional use harmonious in the surrounding neighborhood, problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten the peace and enjoyment of neighboring properties, or shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or shall threaten health or safety, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, and in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.
 - All storefront windows shall not be covered or obstructed by shelving or merchandise.
 - Staff review and approval of final site, building and lighting prior to issuance of permits. The applicant shall submit such plan within 180 days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.
 - The façade improvements shall incorporate the awnings and grey color on option A2.1D, the decorative accent material on A2.1B and reduction in the height of the parapet wall to three feet.
10. **Conditions of the structures:**
 - a. Site Plan: As per attached Exhibit A
 - b. Landscaping Plan: As per attached Exhibit B.
 - c. Elevations: As per attached Exhibit C.

- d. Sign: As on file with Community Development Department, City of Mequon
 - e. Floor Plan: As on file with Community Development Department, City of Mequon
 - f. Exterior lighting of the site and building: As per Exhibit A
 - g. Fence / Wall / Dumpster plan details: As per Exhibit A
 - h. The building shall comply with the building code.
-
- 11. **Conditions on the site:**
 - a. Street access (number, location, design): As per attached Exhibit A
 - b. Off-Street Parking (location and design including screening thereof): As per attached Exhibit A.
 - c. Outside storage of materials, products or refuse (location and screening thereof): As per attached Exhibit A
 - d. Parking, exterior lighting of the site, location design and power:
Any changes subject to Planning Commission approval.
 - e. Other:

Owner

Acknowledgment:

STATE OF WISCONSIN))SS
OZAUKEE COUNTY)
Personally came before me, this ____ day of _____, 2024, the above named _____, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Ozaukee County, Wisconsin

Receipt of a true Copy of this instrument
on behalf of the petitioner acknowledged
the _____ day of _____, 2024

Attachment: Packet Docs_Sierra (9300 : Logic Design & Architecture, Inc. for The TJX Companies, Inc.)



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

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 29, 2024
SUBJECT: Hahn ACE Hardware. The applicant is seeking building and site plan amendment approval to allow for outdoor display and storage for the property located at 11300 N. Port Washington Road.

Applicant:	Hahn Ace Hardware
Status of Applicant:	Owner
Requested:	Building and Site Plan Amendment
Existing Use:	Hardware Store
Existing Zoning:	B-2 (Retail and Service District)
Lot size:	5.37 Acres
Location:	11300 N. Port Washington Road
Tax Key Number:	#15-020-11-010.00
District:	#5

Background:

The applicant is requesting building and site plan amendment for the parcel located at 11300 North Port Washington Road. This is the site of the former Pic N Save which is currently being renovated into a multi-tenant building. Ace Hardware recently moved into 32,000 square feet of the building and opened in mid-April. While the use of a hardware store is permitted in the B-2 zoning district, the applicant is proposing new outdoor storage and a new access door which requires building and site plan amendment.

Building and Site Plan Amendment:

The building and site plan amendment is related to the addition of a 10,000 square foot outdoor storage and garden center in the north parking lot. The proposed plan will be temporary and in use for this summer only. According to the applicant, a permanent outdoor center plan in the same general location will be submitted for approval in fall with construction occurring immediately after. The proposed plan shows the area segregated from the rest of the parking lot with a 38" temporary fence. The area will include a propane tank, outdoor displays and palletized goods and will be accessible from the parking lot as well as the building via a new sliding door. The plan also shows a 20-foot-long asphalt connection from the loading dock to the outdoor storage area. Since the proposed changes to the outdoor storage area are temporary, staff is supportive of the use of a temporary fence around the area provided that its color is compatible to the materials on the building. Staff recommends that the color of the fence be beige or tan to match the building. Staff also recommends that the four parking spaces to the west of the storage area be signed as no parking. Since this portion of the parking area is on the neighboring parcel, the applicant will need permission from the adjacent landowner to prohibit parking in these spots.

The proposed outdoor storage area will eliminate 29 stalls in the existing parking lot. Since the previous use was a grocery store with a much higher parking requirement, the loss of 29 spaces will not have an impact on the parking demand. There will be over 200 parking spaces available in the shopping center with the removal of the 29 spaces.

Since the proposed storage area is meant to be temporary, staff will add a condition that the proposed plan is allowed to remain until April 1, 2025. At such time, the approved permanent plan shall be constructed, or the area shall be reverted back to its current condition.

Site Compliance:

Since the building has been vacant for over 10 years, there are a number of site related items that need to be addressed. Staff has identified the following issues and a timeframe for compliance. These will be added as a condition of approval.

- Missing roof shingles shall be replaced by June 1, 2024.
- All dead and missing landscaping shall be replaced by July 1, 2024
- Existing light poles that are damaged shall be replaced by August 1, 2024

Staff Recommendation:

Planning staff recommends approval of the building and site plan amendment based on the following condition(s):

1. Staff review and approval of final site, building and lighting prior to issuance of permits. The applicant shall submit such plan within 180 days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.
2. The proposed fence color shall be beige or tan and approved by staff.
3. The temporary outdoor storage approval is permitted until April 1, 2025. At such time, an approved permanent outdoor storage plan shall be constructed, or the site shall revert back to a parking lot.
4. The following site compliance items shall be addressed in the timeframe as follows:
 - Missing roof shingles shall be replaced by June 1, 2024.
 - All dead and missing landscaping shall be replaced by July 1, 2024
 - Existing light poles that are damaged shall be replaced by August 1, 2024

Attachments:

Packet Docs_HahnAce (PDF)

Plan of Operation: Hahn Ace Hardware-Temporary Garden Center

Hahn Ace Hardware is seeking approval for a temporary garden center, to be located in the parking lot north of the building for sales of palletized goods, live goods, outdoor décor/furniture, and propane for 2024 only. Hahn Ace Hardware will return to the planning commission in the summer of 2024 to seek approval for a permanent garden center. The permanent garden center will include permanent fencing and masonry, a permanent propane dispensing location, updated lighting and landscaping, screening for product storage, and a greenhouse structure. The addition of the garden center will not have an effect on hours of operation, M-F: 7am-8pm, S: 7am-6pm, and Su: 9am-5pm. Similarly, hours of delivery will remain between 7am and 6pm, and will be delivered to the dock in the northeast corner of the building, as it is today. The total number of employees will change only minimally with the addition of the garden center. However, the relocation of the business to the new building will increase full-time equivalent employees from 17 to 25.

Parking

The temporary garden center will be enclosed with 38" tall decorative, temporary fencing. While the proposed area is larger than needed for 2024, it will ensure pedestrian safety by preventing vehicle traffic near product displays. The temporary garden center will eliminate 29 parking spaces in the north lot, reducing the total number of parking spaces for the building from 245 to 216 total spaces. Average customer transactions per hour in 2023 was 33, with a maximum of 94.

Pallet Goods

Palletized goods for sale will include bagged soils, mulches, and stone. Bagged goods will remain neatly stacked on clearly marked individual pallets. The pallets will be located in the parking spaces located closest to the building to allow for maximum concealment from traffic along N Port Washington Road. Due to the need to receive full truckloads of bagged product, not all palletized goods will fit on display in the garden center. Storage of additional pallet goods will be located to the east of the dumpster enclosure, concealed from view from both N Port Washington Road and I-43.

Other Product Displays

Other product displays in garden center will include patio/outdoor furniture, outdoor power equipment, yard ornaments/statuary, and basket/planter/flower displays.

New Driveway

A new 10' wide driveway would connect the dock area to the garden center. This 20' long and 10' wide asphalt drive would be used strictly for movement of pallet goods, via forklift, from dock area to garden center, increasing both efficiency and safety for forklift operators.

Concrete curbing would be added to this drive and would link with existing curbing in both areas.

Propane Dispensing Station

A 1,000 gallon propane dispensing station would be temporarily located on the east side of the garden center. Although the placement is temporary for the 2024 year, the location and set-up will meet all codes and guidelines, and be completed by our local propane supplier, Boehlke Gas. Propane filling is an important service provided to the community, as the only local business that dispenses propane. We serviced over 3,000 customers in 2023.

Automatic Sliding Entry/Exit Door

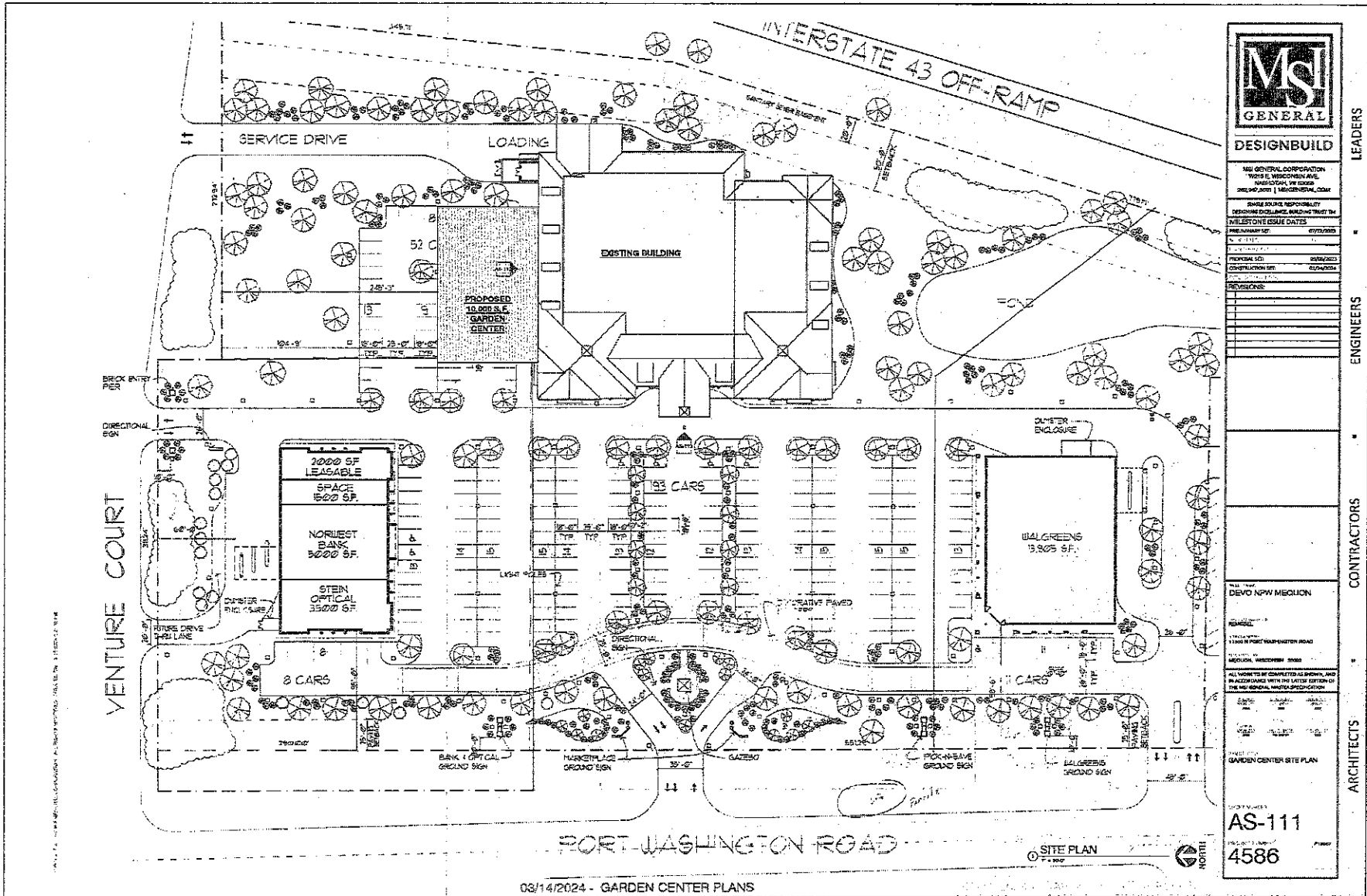
New automatic sliding door added to the northern wall of building to allow for passage between building and garden center. Style and color to be consistent with rest of building. Concrete sidewalk, ramp, and curbing to be added to connect new door to existing sidewalk and pavement. This door will also decrease pedestrian traffic along the east side of the building, where most of the vehicle traffic will be.

Merchandise Display-Front of Building

Small display on east side of building, contained within the front drive thru along the building. Small display that would be less than 24' wide contain only product that could neatly be displayed, such as live goods.

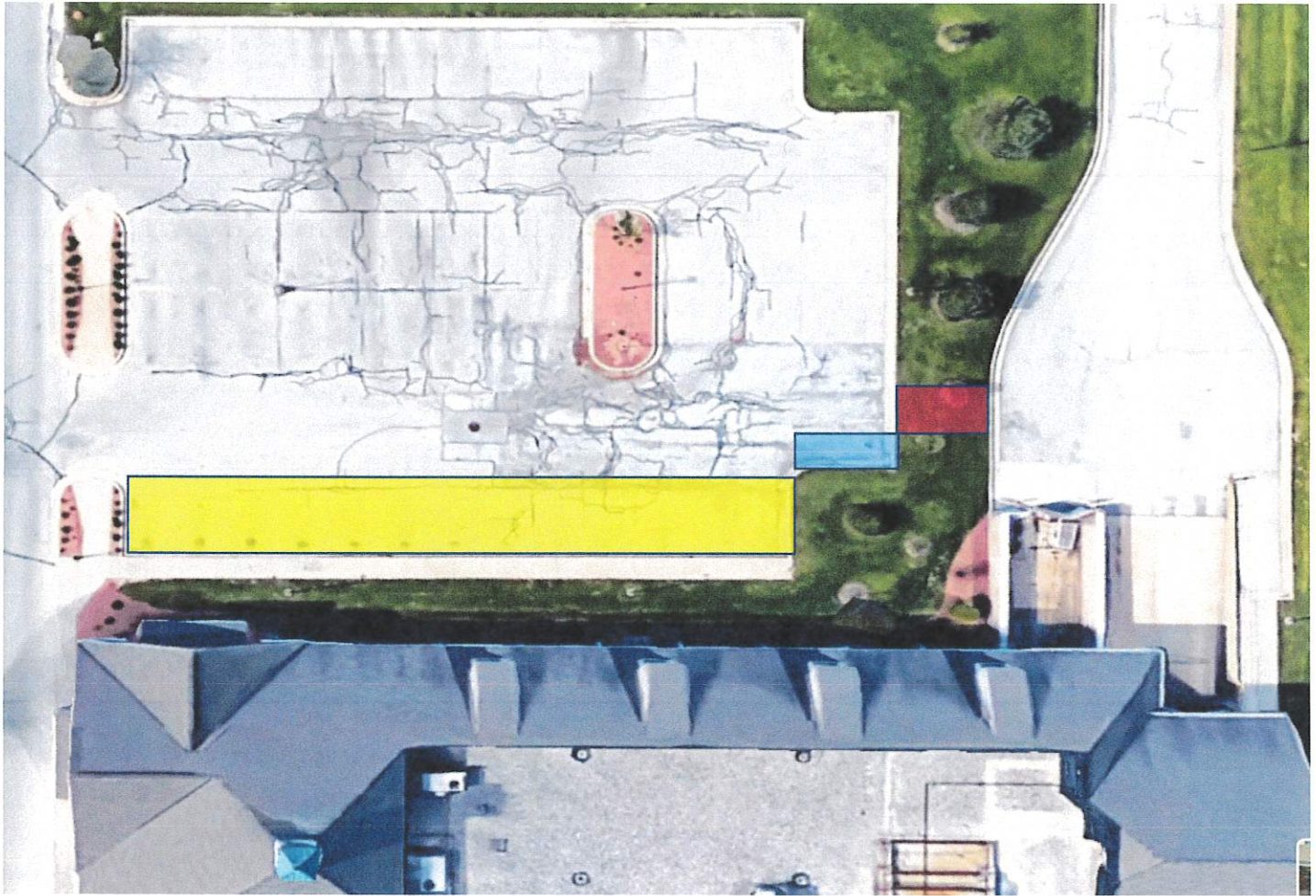
Other Upcoming Improvements to Site

1. Repair/Replace Roof
2. Update landscaping to match plan on file
3. Replacement of parking lot light fixtures



North Parking Lot

- Yellow Area: Pallet Goods, Tractors, and Flower Display
- Blue Area: Temporary propane filling station
- Red Area: Driveway from dock to north parking/display area



Attachment: Packet Docs_HahnAce (9301 : Hahn ACE Hardware)

North Wall Sliding Door

- 12' total opening with double-door opening 6' wide
- Style and color to be consistent with existing entrances
- Concrete walkway and curb added between parking lot and building



Attachment: Packet Docs_HahnAce (9301 : Hahn ACE Hardware)

Temporary Propane Tank Location

- Only propane fill station in the area, with over 3,000 customers in 2023
- Proposed location in first parking spot in row along east side of lot
 - Location would allow for electrical to be run through grass and not parking lot
- Must be located 25' from building
- Temporary crash protection to be installed; Concrete bollards installed in permanent location



Outdoor Merchandise Display Examples

Bagged Goods: Soils, Mulches, and Stone



Outdoor/Patio Furniture



Outdoor Power Equipment



Yard Ornaments/Statuary



Basket & Planter Flower Display



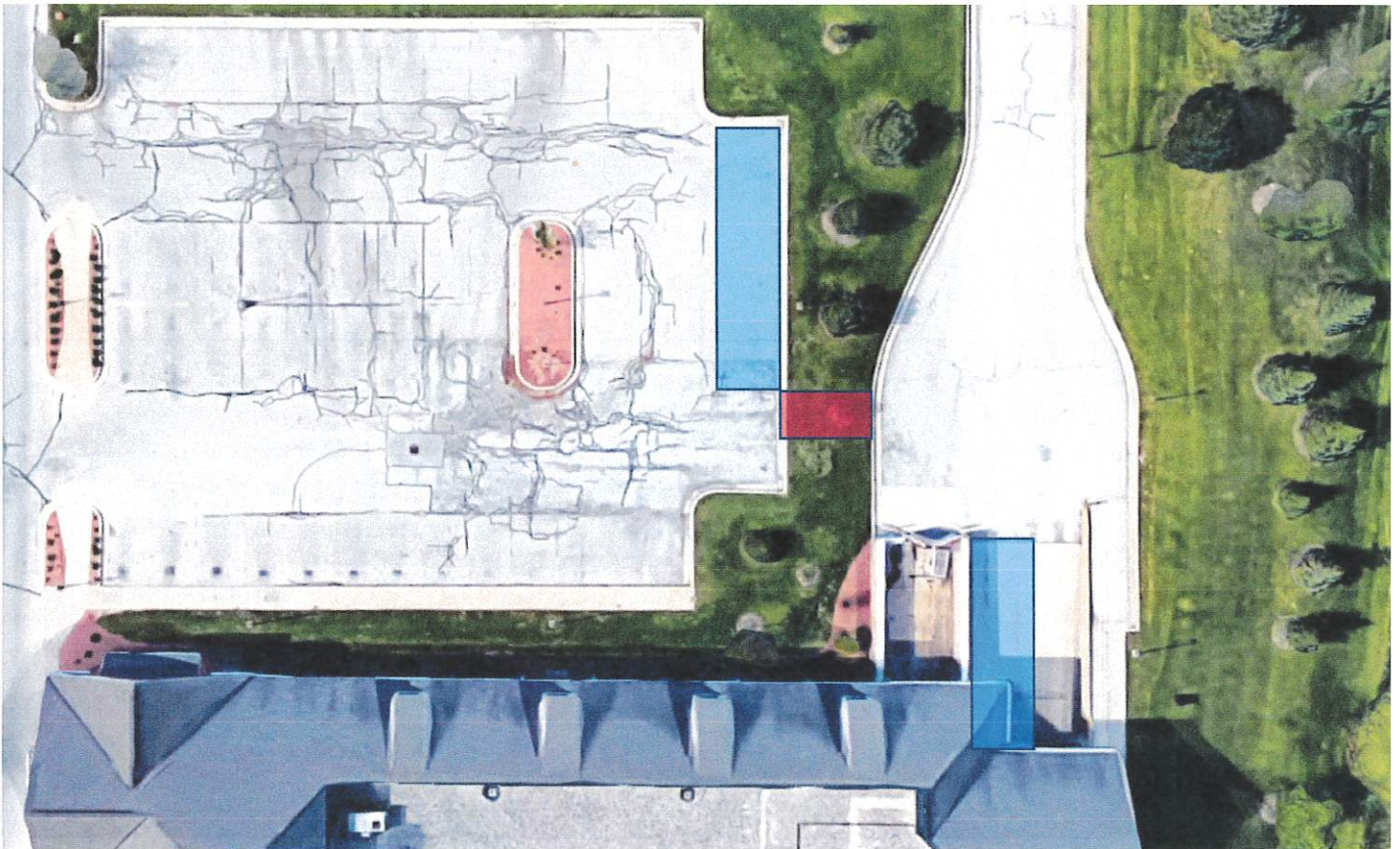
Pallet Goods Storage and Proposed Driveway

- **Pallet Good Storage**

- Neatly wrapped pallets stored in 2nd dock area
- Any additional pallets stored in east spots of parking lot

- **New Driveway**

- New drive would connect dock area and north parking lot for movement of bagged goods by forklift
- Prevent from having to drive forklift around to W Venture Ct and back into parking lot
- Approximately 6' wide by 20' long
- Curb along south side would continue back and new curb would be installed on opposite side connecting the two existing curb



Attachment: Packet Docs_HahnAce (9301 : Hahn ACE Hardware)

Front 'Drive-Thru' Area



Attachment: Packet Docs_HahnAce (9301 : Hahn ACE Hardware)



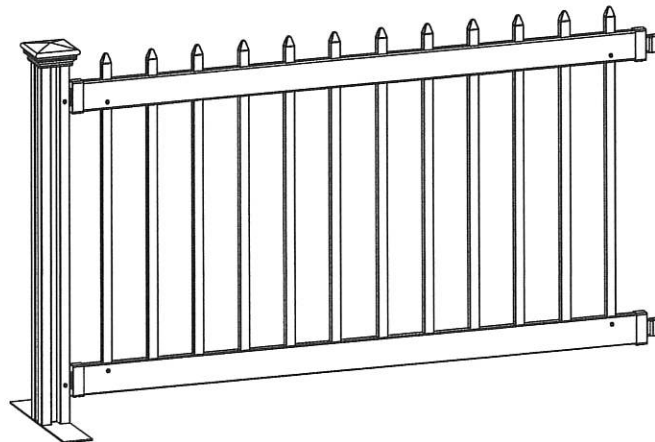
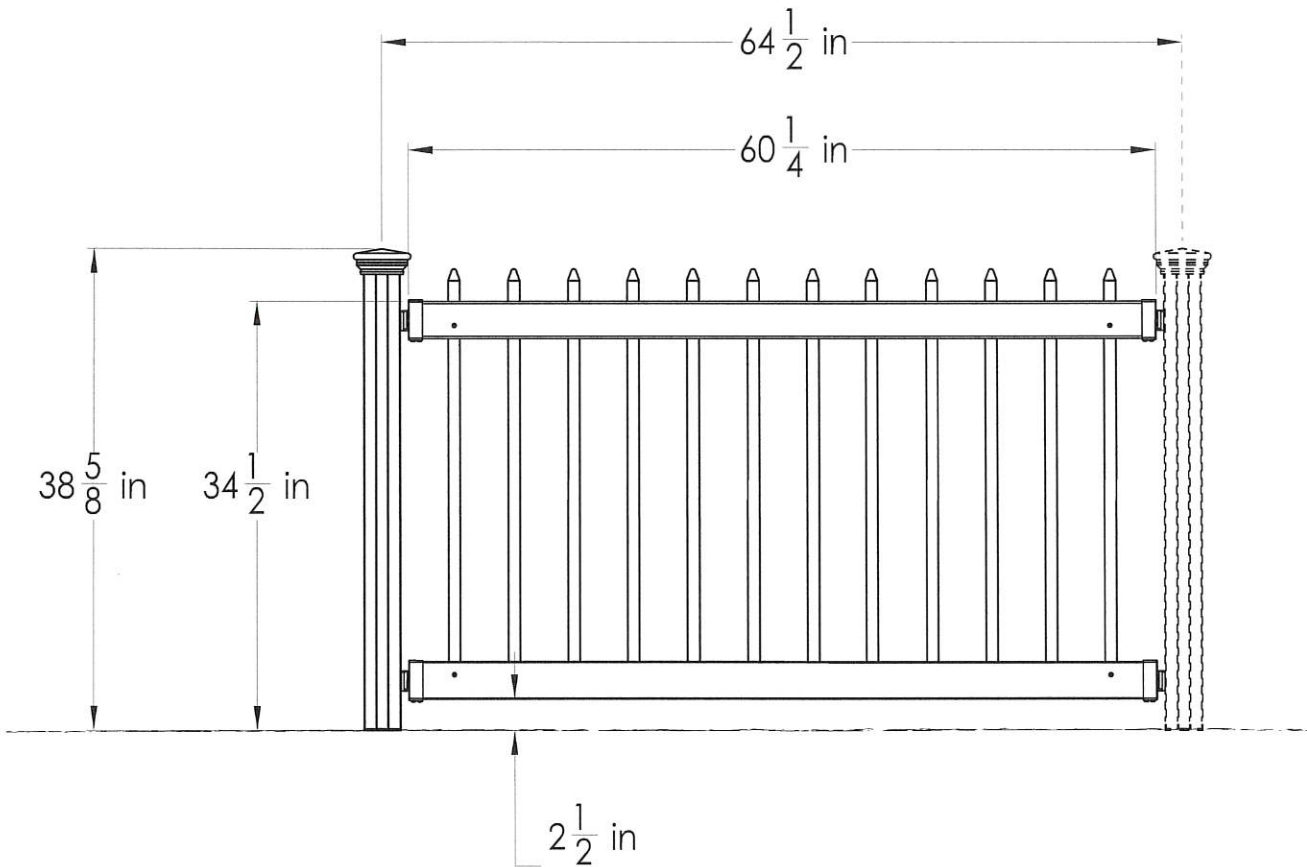
Attachment: Packet Docs_HahnAce (9301 : Hahn ACE Hardware)

Detailed Product Dimensions & Specifications

Kensington Portable Fence Kit (65½" W x 38" H)

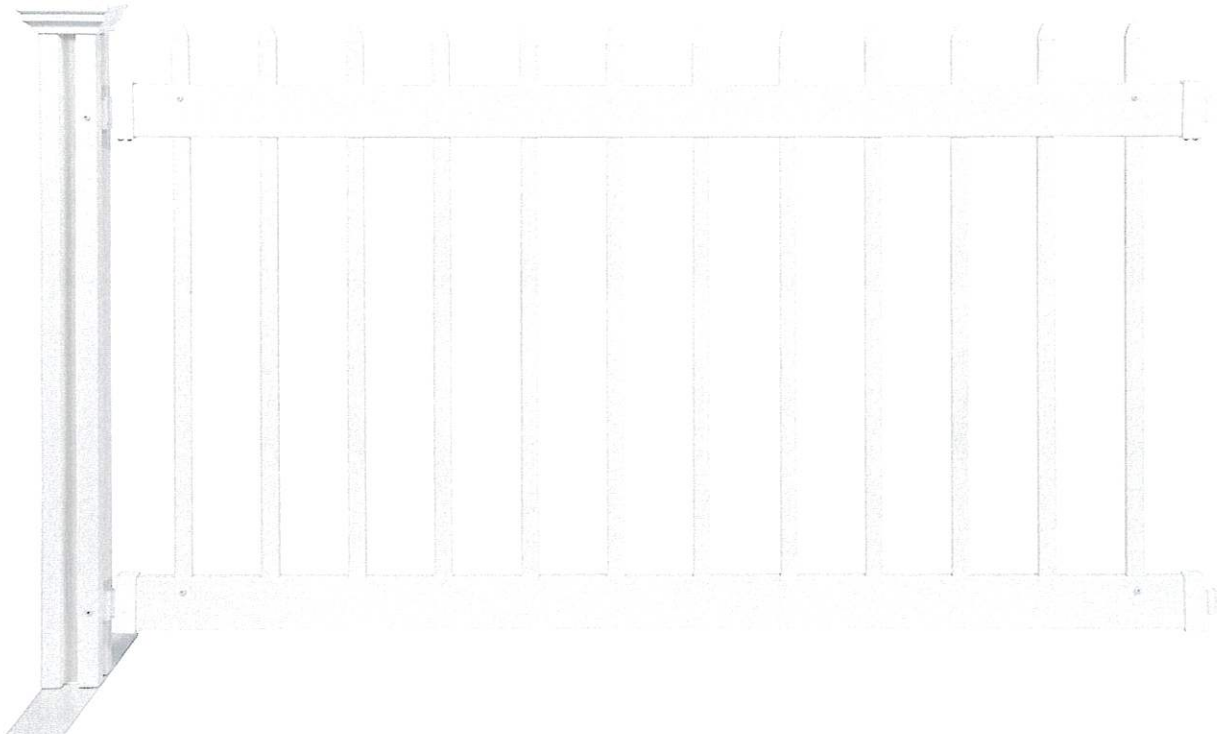
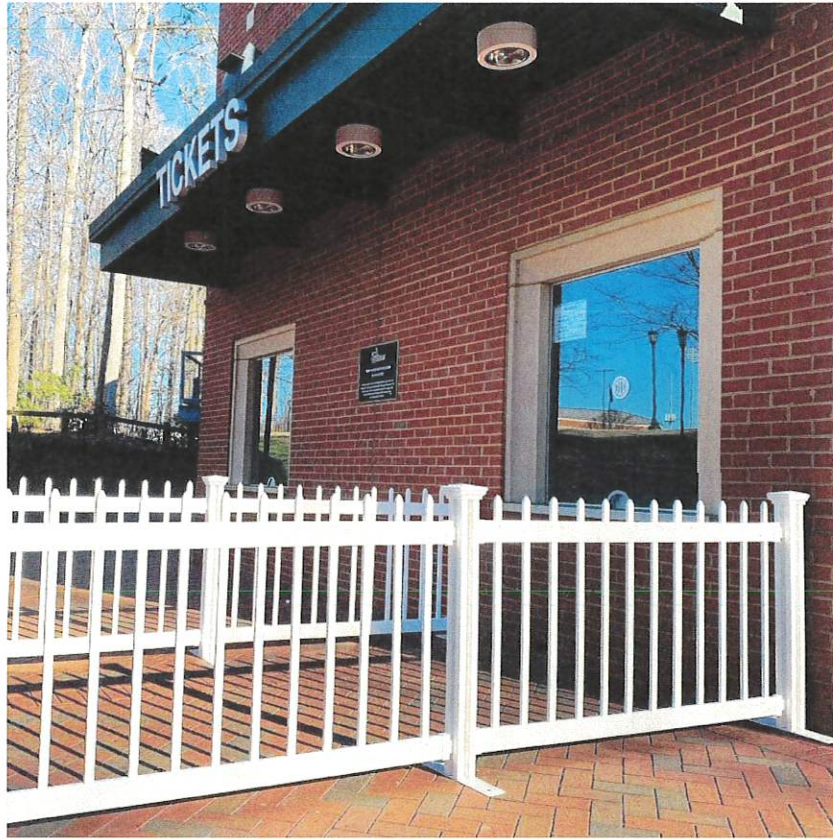


ZIPPITY
Easy Does It!



Attachment: Packet Docs_HahnAce (9301 : Hahn ACE Hardware)

Temporary Fence Images



Outdoor Merchandise Display Examples

Bagged Goods: Soils, Mulches, and Stone



Outdoor/Patio Furniture



Outdoor Power Equipment



Yard Ornaments/Statuary



Basket & Planter Flower Display



Temporary Propane Dispensing Station

- Only propane fill station in the area, with over 3,000 customers in 2023
- Proposed location in first parking spot in row along east side of lot
 - Location would allow for electrical to be run through grass and not parking lot
- Must be located 25' from building
- Temporary crash protection to be installed; Concrete bollards installed in permanent location



WHERE DURABILITY MEETS BEAUTY

DURA-GLIDE® 2000/3000 ALL GLASS SLIDING DOOR

We've combined the beauty of an all glass door with the durability of a Dura-Glide in the Dura-Glide 2000/3000 All Glass Sliding Door Series. This UL listed and ANSI compliant door system is engineered for maximum safety and customization with size and finish options to enhance any exterior or interior application. The all glass design blends effortlessly into building profiles and minimizes sight lines and bulky profiles while maximizing natural light into a building's interior.

Features and Benefits

- **Aesthetically Pleasing** – All glass doors and sidelights blend effortlessly into building profiles.
- **Durable** – UL listed and undergoes life testing to a minimum of 1 million cycles.
- **Quick to Install** – With the pre-assembled header and panel sub-assemblies installation is fast and trouble free.
- **Safety** – Meets ANSI requirements and is UL listed. Optional backup power supply provides continued operation for up to 1.5 hours in the event of power outages or main power failure.
- **Breakout** – For emergency egress, 3000 version allows for full breakout of all door panels at any point of travel. 2000 version features partial breakout in which only the sliding panel can be broken out at any point of travel.

A DIVISION OF:

STANLEY®
Security

DURA-GLIDE™ 2000/3000 ALL GLASS SLIDING DOOR

OPTIONS

- Transoms
- Special Finishes
- Alternate Activation and Safety Options
- Emergency Back Up Power

LOCKING OPTIONS

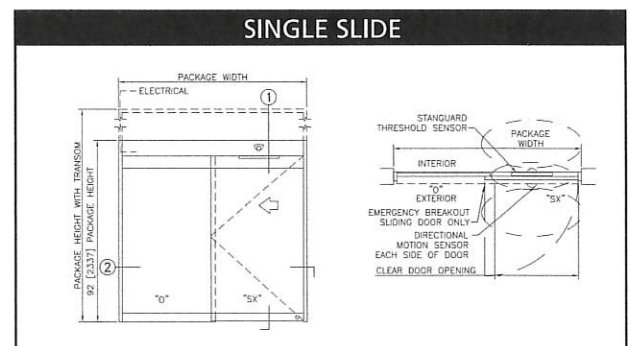
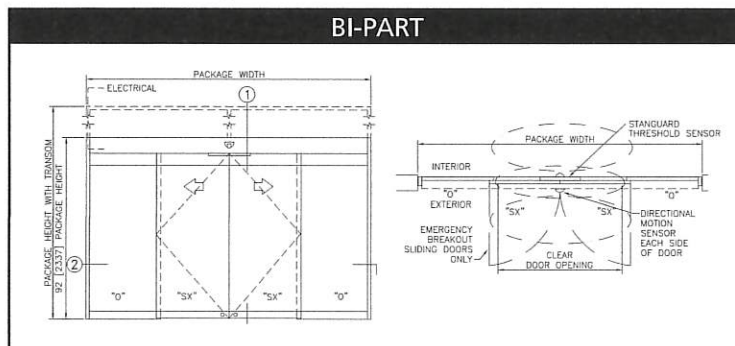
- Single Point Bottom Rail Deadlock(s)
- Electric Solenoid Lock (Fail Safe/Fail Secure)

SPECIFICATIONS

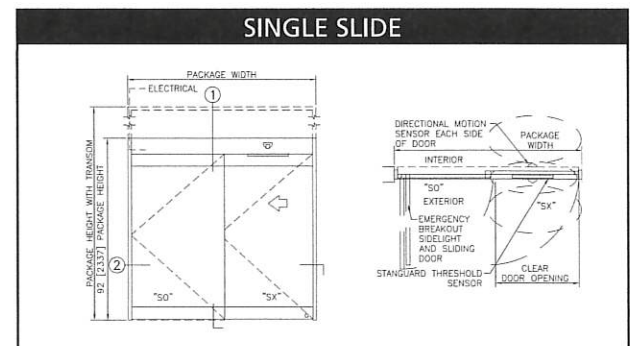
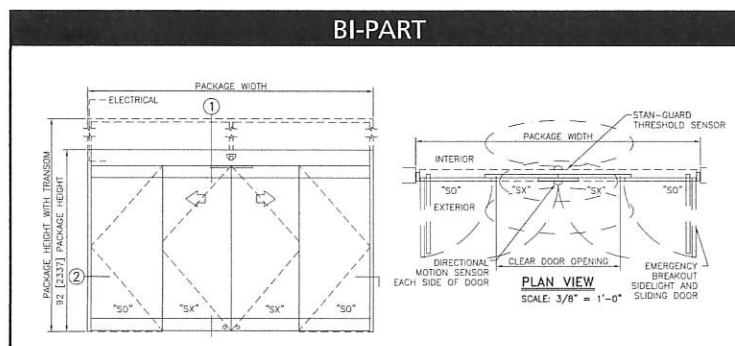
Description	Standard	Optional
Design	Bi-Part or Single Slide	
Breakout	Series 2000 Sliding Panels Only or Series 3000 Full Breakout	
Jamb Dimension	1 3/4" x 4 1/2"	1 3/4" x 6"
Finish	Clear or Dark Bronze	Special Finish Available
Glass	1/2" tempered with polished edges	
Locking	Single Point Bottom Rail Deadlock(s)	Electric Locking
Controls	Rocker Switch	Rotary, Keyed Rotary Controls
Position Switch	Optional, Single or Dual	
Battery Backup	Optional	
Sensors	2 SU-100s / Stanguard	2 Wizards
Transom	Optional	
Threshold	Configurable Options	
Codes	UL, cUL, ANSI 156.10, IBC, NFPA 101	



2000 SERIES (Partial Breakout)



3000 Series (Full Breakout)





11333 N. Cedarburg Rd
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Fax: 262-242-9655

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: EVAN HOIER, ASSOCIATE PLANNER
DATE: April 29, 2024
SUBJECT: RDCycle LLC for BP. The applicant is seeking building and site plan amendment to allow for an accessory structure (textile recycling container) for the property located at 11147 N. Port Washington Road (BP gas station)

Applicant:	RDCycle, LLC
Status of Applicant:	Agent
Requested:	Building and Site Plan Amendment
Existing Zoning:	B-2 (Retail and Service Business District)
Lot size:	.40 Acres
Location:	11147 N. Port Washington Road
Tax Key Number:	#15-030-01-015.00
District:	#6

Background:

The applicant is seeking building and site plan approval for the installation of an accessory structure, a textile recycling receptacle, at the BP gas station located at 11147 North Port Washington Road. The receptacle is currently located on-site (see attached photographs). The applicant was advised by Code Enforcement Officer, Scott Pinzer, that changes to, or the addition of structures, to the approved commercial site plan requires the approval of Planning Commission.

Analysis:

The site is located within the B-2 zoning district. The development has multiple non-conformities to the district standards including front yard setback, side and rear yard offsets, minimum lot size, and minimum average lot width. These non-conformities have been pre-existing and include:

- Lot size under minimum of 2 acres (0.420 acres)
- Offsets under minimum of 20 feet from both south and west lot lines (10 feet both directions)
- Open space percentage less than minimum of 40% (25.5%)
- Average lot width and length less than 150 feet on either axis (127 feet and 137 feet)

The proposed textile recycling receptacle would be an additional structure located on the non-conforming lot and does not relate to the operations of the gas station and convenience store. The applicant proposes the receptacle 121 feet from North Port Washington Road, which is

compliant with setback. However, the proposal also lists the structure 13 feet 6 inches from Mequon Road and 10 feet from the west lot line - both of which violate the required front yard and side yard setbacks. Staff does not support additional waivers to setbacks for accessory structures. In addition, staff finds the receptacles to further the lack of open space and ultimately add clutter on the non-conforming site. Staff also does not support additional structural elements that are not essential to the use's operations.

Staff Recommendation:

Planning staff recommends **denial** of the building and site plan amendment for the installation of textile donation receptacle on-site.

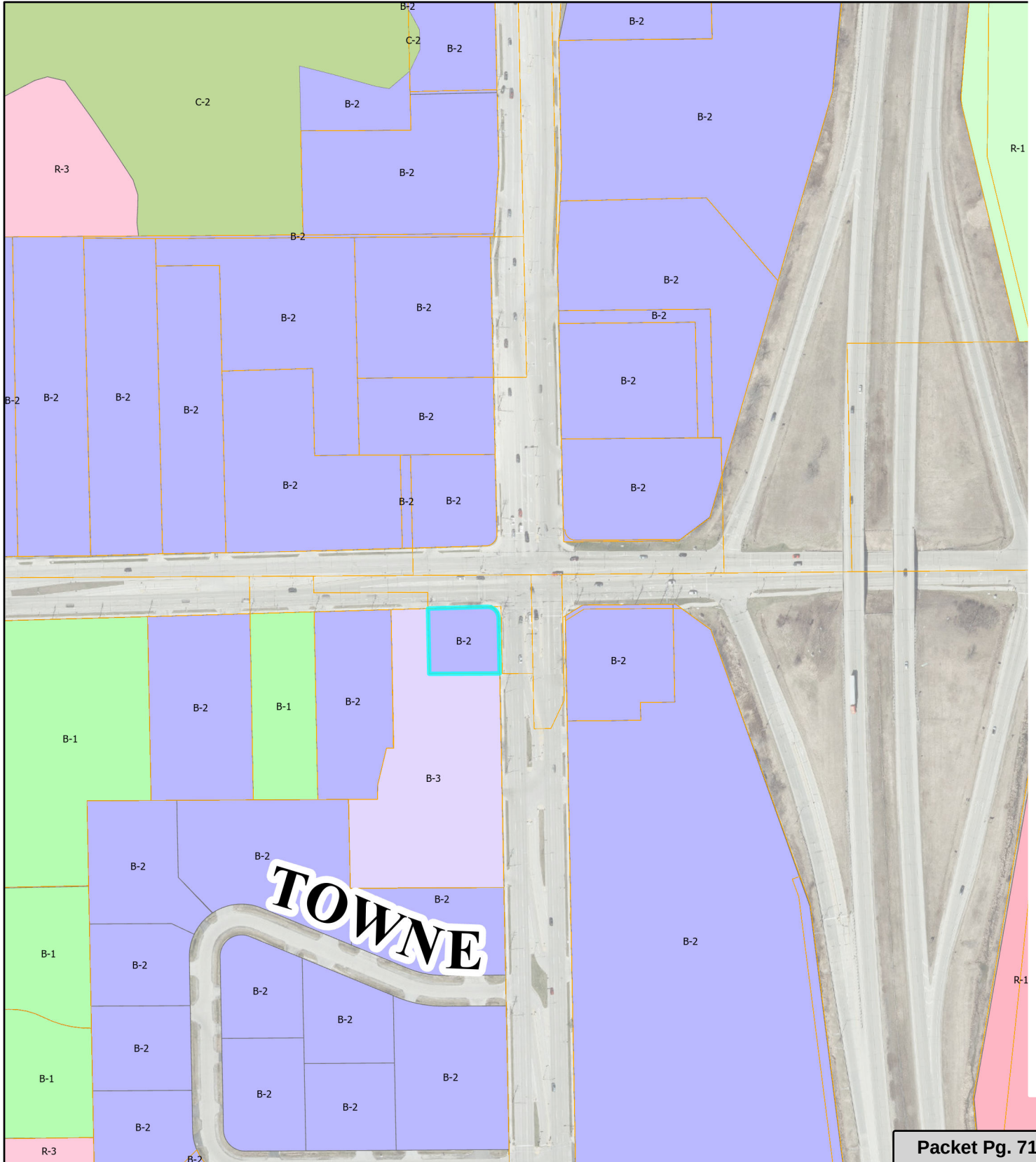
Attachments:

Packet Docs. _BPGas (PDF)

BP TEXTILE RECYCLING

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

5.b.a



Attachment: Packet Docs. _BPGas (9302 : RDCycle LLC for BP)

A. Placing of bin in the north west side of property, next to the light pole. Bin is 3"x3"x6". Bin will be placed roughly location wise in third picture. This is not an actual picture, but figured it would help.

III. Project Description and Business Operations: Explain the overall scope of the project, including all project elements and details of any proposed business and its operations (use separate sheet if appropriate)

Jawaad Ahmad (JBP Mequon LLC) and RDCycle have agreed to partner together to help increase foot traffic to this gas station and increase textile recycling awareness at the same time. A & A Petroleum has allowed RDCycle to place one of its textile recycling containers at the property to do this. RDCycle is a small, locally owned business that prides itself on exceptional service. RDCycle promises to service the bin on a regular schedule at a once a week minimum but is willing to come more if needed. RDCycle, also offers a 24 hour response to anything left outside of the bin, once being notified of the situation. RDCycle takes pride in its image, does its absolute best to keep bin host happy and go above/beyond to make hosts happy.

IV. Basis for Request: Explain why the request should be granted with the respect to the following:

A. Public Health/ Safety

-Our landfills are filling up fast and the Earth is running out of room to store all our garbage. Most people don't know that their gently used, stained and damaged textiles still have life in them. RDCycle is on a mission to keep textiles out of landfills. Not only cutting down on costs for municipalities, but also preserving the Earth for generations to come. Over 18.1 billion pounds of apparel is thrown away annually, 95% of which could be reused or recycled. Over 84% of used textiles went to national landfills in 2020. With the average U.S consumer throwing away approximately 81.5 pounds of clothes annually. In addition, textiles can take up to 200 plus years to decompose in landfills. This is a problem that we must take responsibility and accountability for future generations!

B. Public Interest

-RDCycle has become aware of several posts on social media regarding its mission and to help aid in textile recycling/awareness. We have even seen posts from Mequon citizens that are advertising the location of the bins and trying to get people to know about them. Textile recycling is something that we all need to get behind and honestly it seems like the people of Mequon want a solution! Even in encounters while servicing the bin, people are excited to have a place to conveniently recycle/repurpose their clothing.

C. General Welfare

-RDCycle is no different than any other recycling company such as Johns, GFL and Advanced Disposal. We just specialize in a specific field of recycling. Our well-maintained, visually pleasing containers are no different then the previously mentioned companies dumpsters or

curbside containers. Recycling is not just defined or restricted to trash/plastics. We are just trying to do our part to keep textiles out of the landfills.

Also, we have worked with other cities/municipalities to uphold our Constitutional right to partner/do business with companies that want to get behind textile recycling. Companies like RDCycle have presented this matter going all the way to the Supreme Court. The Supreme Court ruling attached below, in favor of allowing these containers.

Here is the article with the examples of the Supreme Court rulings.

<https://www.daltonomich.com/free-speech-win-donation-bin-operators-usagain-v-crest-hills-illinois/> <<https://protect-us.mimecast.com/s/IBwOCxklB2f14k4Pc8g5FU/>>





11333 N. Cedarburg Rd
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Fax: 262-242-9655

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: EVAN HOIER, ASSOCIATE PLANNER
DATE: January 29, 2024
SUBJECT: RDCycle, LLC for Clark gas station. The applicant is seeking building and site plan amendment approval to allow for an accessory structure (textile recycling container) for the property located at 10355 N. Port Washington Road.

Applicant:	RDCycle, Inc.
Status of Applicant:	Agent
Requested:	Building and Site Plan Amendment
Existing Use:	Gas Station
Existing Zoning:	B-2 (Retail and Service Business District)
Lot size:	.48 Acres
Location:	10355 N. Port Washington Road
Tax Key Number:	#15-031-01-011.00
District:	#7

Background:

The applicant is seeking building and site plan approval for the installation of an accessory structure, textile recycling receptacle, at the Clark gas station at 10355 North Port Washington Road. The receptacle is currently located on the site and the applicant was advised by Code Enforcement Officer, Scott Pinzer, that approval is required for changes to the approved site plan by Planning Commission.

Analysis:

The site is located within the B-2 zoning district. The development has multiple non-conformities to the district standards including front yard setback, side and rear yard offsets, minimum lot size, and minimum lot width. A building and site plan amendment for the site, approved at the July 23, 2018, meeting of Planning Commission, allowed for the following in order to support an addition to the gas station's principal building.

- Offset waiver for the proposed trash enclosure
- Building waiver from the west property line
- Canopy waiver from the east property line
- Sign waiver to allow for three façade mounted signs
- Sign waiver for the freestanding sign
- South property line waiver for a storage shed
- Open Space reduction to 28.2%

The proposed textile recycling receptacle would be an additional structure located on the non-conforming lot and does not relate to the operations of the gas station and convenience store. The applicant proposes the receptacle 56 feet from North Port Washington Road and 44 feet from Donges Bay Road – both of which violate the required front yard setbacks. Staff does not support additional waivers to setbacks for accessory structures. In addition, staff finds the receptacles to further the lack of open space, increase in number of accessory structures and ultimately add clutter on the non-conforming site. Staff also does not support additional structural elements that are not essential to the use's operations.

Please note the site plan provided by the applicant shows the receptacle's location setback 56 feet from the right-of-way on Donges Bay Road and 121 feet from the Clark gas station building, but the dimensions are not scaled accurately on the site plan.

Site Compliance:

Planning staff visited the site on April 19th. Pallets and other refuse was noted near and against the dumpster enclosure on the south lot line. All refuse must be removed pursuant to Section 58-420 of the municipal code, which will be addressed through the City enforcement procedure.

Staff Recommendation:

Planning staff recommends **denial** of the building and site plan amendment for the installation of textile donation receptacle on-site.

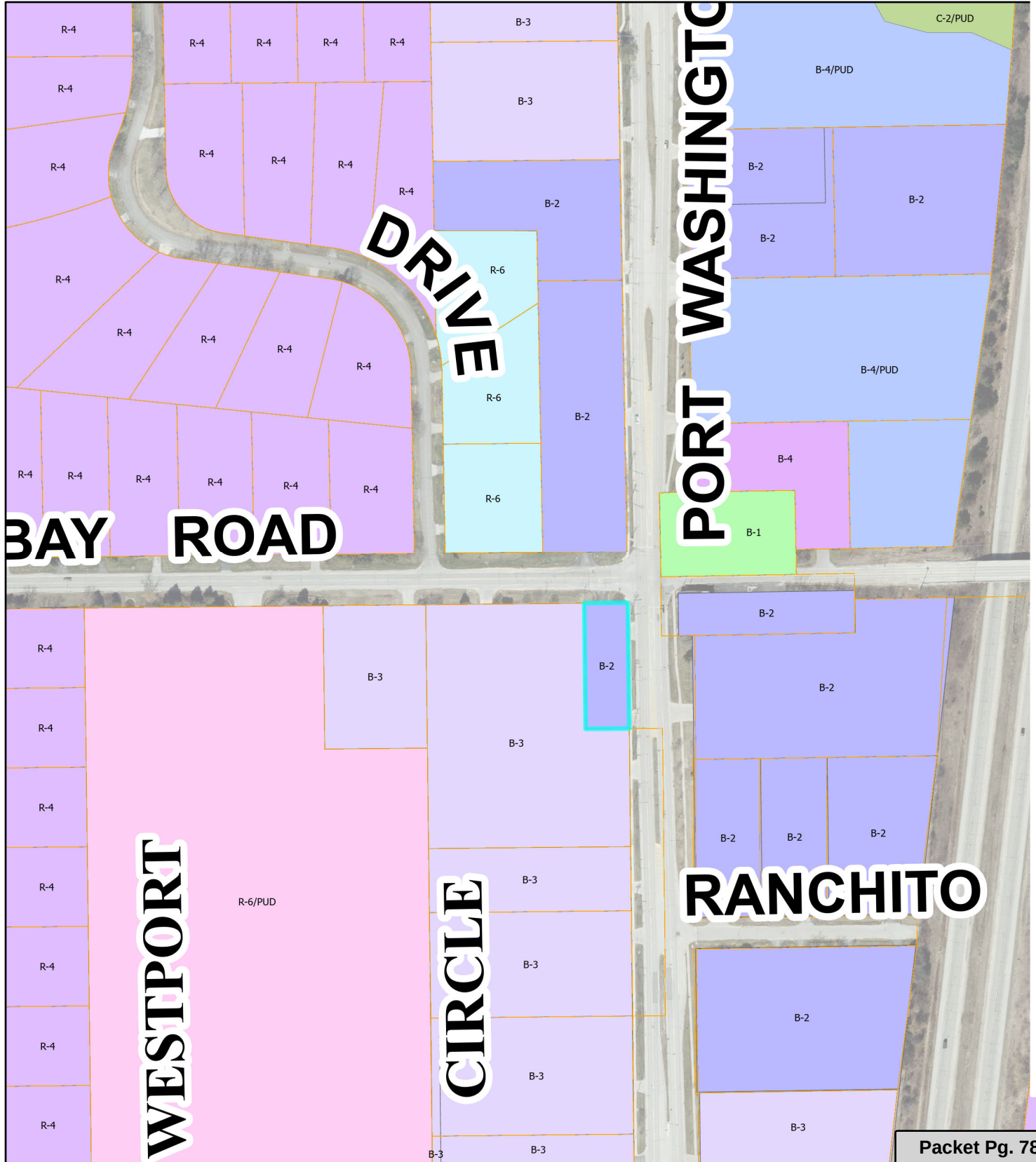
Attachments:

Packet Docs_Clark Gas (PDF)

CLARK GAS TEXTILE RECYCLING

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

5.c.a



Attachment: Packet Docs Clark Gas (9303 : RDCycle, LLC for Clark gas station)

- III. Project Description and Business Operations: Explain the overall scope of the project, including all project elements and details of any proposed business and its operations (use separate sheet if appropriate)

Jawaad Ahmad (A & A Petroleum) and RDCycle have agreed to partner together to help increase foot traffic to this gas station and increase textile recycling awareness at the same time. A & A Petroleum has allowed RDCycle to place one of its textile recycling containers at the property to do this. RDCycle is a small, locally owned business that prides itself on exceptional service. RDCycle promises to service the bin on a regular schedule at a once a week minimum but is willing to come more if needed. RDCycle, also offers a 24 hour response to anything left outside of the bin, once being notified of the situation. RDCycle takes pride in its image, does its absolute best to keep bin host happy and go above/beyond to make hosts happy.

- IV. Basis for Request: Explain why the request should be granted with the respect to the following:

A. Public Health/ Safety

-Our landfills are filling up fast and the Earth is running out of room to store all our garbage. Most people don't know that their gently used, stained and damaged textiles still have life in them. RDCycle is on a mission to keep textiles out of landfills. Not only cutting down on costs for municipalities, but also preserving the Earth for generations to come. Over 18.1 billion pounds of apparel is thrown away annually, 95% of which could be reused or recycled. Over 84% of used textiles went to national landfills in 2020. With the average U.S consumer throwing away approximately 81.5 pounds of clothes annually. In addition, textiles can take up to 200 plus years to decompose in landfills. This is a problem that we must take responsibility and accountability for future generations!

B. Public Interest

-RDCycle has become aware of several posts on social media regarding its mission and to help aid in textile recycling/awareness. We have even seen posts from Mequon citizens that are advertising the location of the bins and trying to get people to know about them. Textile recycling is something that we all need to get behind and honestly it seems like the people of Mequon want a solution! Even in encounters while servicing the bin, people are excited to have a place to conveniently recycle/repurpose their clothing.

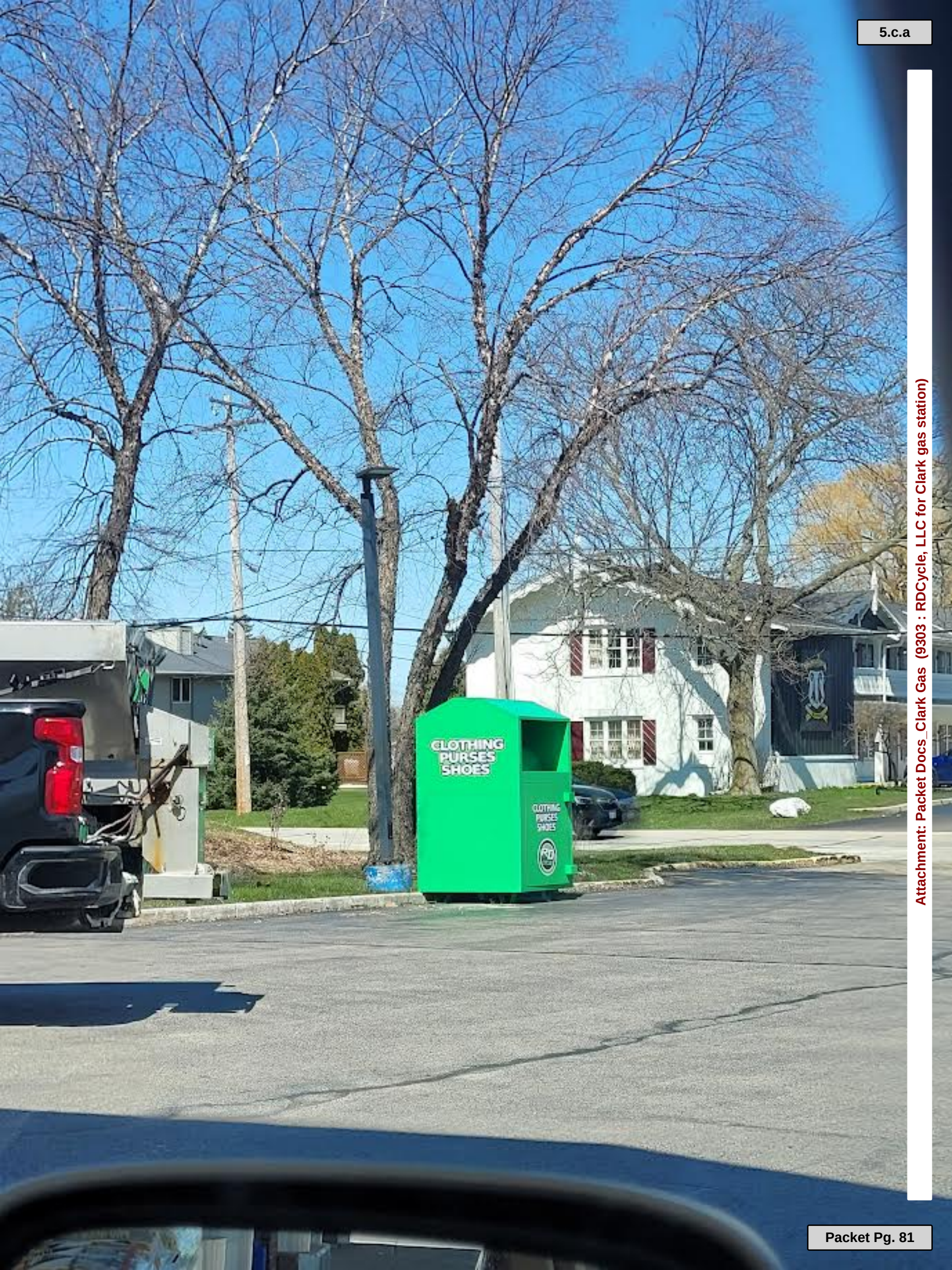
C. General Welfare

-RDCycle is no different than any other recycling company such as Johns, GFL and Advanced Disposal. We just specialize in a specific field of recycling. Our well-maintained, visually pleasing containers are no different then the previously mentioned companies dumpsters or curbside containers. Recycling is not just defined or restricted to trash/plastics. We are just trying to do our part to keep textiles out of the landfills.

Also, we have worked with other cities/municipalities to uphold our Constitutional right to partner/do business with companies that want to get behind textile recycling. Companies like RDCycle have presented this matter going all the way to the Supreme Court. The Supreme Court ruling attached below, in favor of allowing these containers.

Here is the article with the examples of the Supreme Court rulings.

<https://www.daltontomich.com/free-speech-win-donation-bin-operators-usagain-v-crest-hills-illinois/> <<https://protect-us.mimecast.com/s/IBwOCxklB2f14k4Pc8g5FU/>>





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

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: EVAN HOIER, ASSOCIATE PLANNER
DATE: April 29, 2024
SUBJECT: RDCycle, LLC for Mobile gas station. The applicant is seeking building and site plan amendment approval to allow for an accessory structure (textile recycling container) for the property located at 11210 N. Port Washington Road (Mobil gas station).

Applicant:	RDCycle, Inc.
Status of Applicant:	Agent
Requested:	Building and Site Plan Amendment
Existing Use:	Gas Station
Existing Zoning:	B-2 (Retail and Service district)
Lot size:	1.33 Acres
Location:	11210 N. Port Washington Road
Tax Key Number:	#15-020-11-012.00
District:	#5

Background:

The applicant is seeking building and site plan approval for the installation of an accessory structure, a textile recycling receptacle, at the Mobile gas station located at 11210 North Port Washington Road. The receptacle is currently positioned on-site (see attached photographs). The applicant was advised by Code Enforcement Officer, Scott Pinzer, that changes to, or the addition of structures, to the approved commercial site plan requires the approval of Planning Commission.

Analysis:

The site is located within the B-2 zoning district. The development has multiple non-conformities to the district standards including front yard setback and minimum lot size. These non-conformities have been pre-existing and include:

- Lot size under 2 acres (1.34 acres)
- Building setback under 65 foot minimum (55 feet)

The proposed textile recycling receptacle would be an additional structure located on the non-conforming lot and does not relate to the operations of the gas station and convenience store. The applicant proposes the receptacle 32 feet 4 inches from North Port Washington Road and 14 feet from the north lot line – both of which violate the required front yard and side yard setbacks. Staff does not support additional waivers to setbacks for accessory structures. In addition, staff finds the receptacles to increase in number of accessory structures and ultimately add clutter on

the non-conforming site. Staff also does not support additional structural elements that are not essential to the use's operations.

Site Compliance:

Staff visited the site on April 5th and noted that the dumpster on-site was not enclosed and was situated in the yard on the north side of the property. Under Section 58-564, any and all dumpsters shall be located and screened with City approval. This trash receptacle shall be relocated to a location with less public visibility. An enclosure plan shall be submitted to the City for review and approval by June 15, 2024.

Staff Recommendation:

Planning staff recommends denial of the building and site plan amendment for the installation of textile donation receptacle on-site.

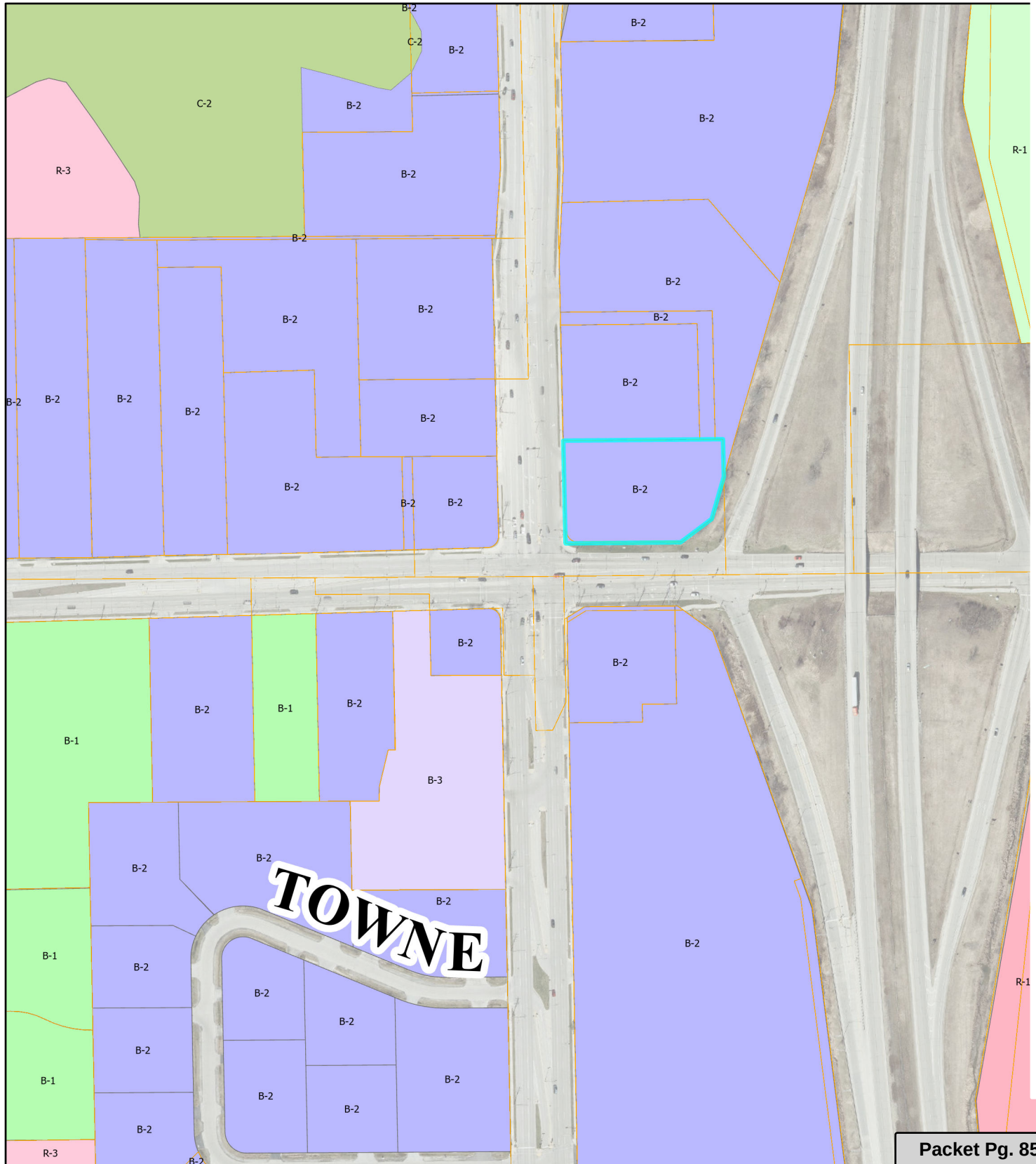
Attachments:

Packet Docs_Mobil (PDF)

MOBIL TEXTILE RECYCLING

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

5.d.a



Attachment: Packet Docs Mobil (9313 : RDCycle, LLC for Mobile gas station)

III. Project Description and Business Operations: Explain the overall scope of the project, including all project elements and details of any proposed business and its operations (use separate sheet if appropriate)

Jawaad Ahmad (JMobil Mequon LLC) and RDCycle have agreed to partner together to help increase foot traffic to this gas station and increase textile recycling awareness at the same time. A & A Petroleum has allowed RDCycle to place one of its textile recycling containers at the property to do this. RDCycle is a small, locally owned business that prides itself on exceptional service. RDCycle promises to service the bin on a regular schedule at a once a week minimum but is willing to come more if needed. RDCycle, also offers a 24 hour response to anything left outside of the bin, once being notified of the situation. RDCycle takes pride in its image, does its absolute best to keep bin host happy and go above/beyond to make hosts happy.

IV. Basis for Request: Explain why the request should be granted with the respect to the following:

A. Public Health/ Safety

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B. Public Interest

-RDCycle has become aware of several posts on social media regarding its mission and to help aid in textile recycling/awareness. We have even seen posts from Mequon citizens that are advertising the location of the bins and trying to get people to know about them. Textile recycling is something that we all need to get behind and honestly it seems like the people of Mequon want a solution! Even in encounters while servicing the bin, people are excited to have a place to conveniently recycle/repurpose their clothing.

C. General Welfare

-RDCycle is no different than any other recycling company such as Johns, GFL and Advanced Disposal. We just specialize in a specific field of recycling. Our well-maintained, visually pleasing containers are no different then the previously mentioned companies dumpsters or curbside containers. Recycling is not just defined or restricted to trash/plastics. We are just trying to do our part to keep textiles out of the landfills.

Also, we have worked with other cities/municipalities to uphold our Constitutional right to partner/do business with companies that want to get behind textile recycling. Companies like

RDCycle have presented this matter going all the way to the Supreme Court. The Supreme Court ruling attached below, in favor of allowing these containers.

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www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: EVAN HOIER, ASSOCIATE PLANNER
DATE: April 29, 2024
SUBJECT: HJ Martin and Son, Inc. The applicant is seeking minor request approval to allow for vinyl window coverings for the property located at 10948 N. Port Washington Road (Marshalls).

Applicant:	HJ Martin and Son, Inc.
Status of Applicant:	Agent
Requested:	Minor Request
Existing Use:	Multi-tenant
Existing Zoning:	B-2 (Retail & Service district)
Lot size:	19.74 Acres
Location:	10984 N. Port Washington Road
Tax Key Number:	#15-029-06-010.00
District:	#8

Background:

The applicant is seeking minor request approval for the installation of blue vinyl on eighteen windows on their façade. The applicant claims that this is to help screen the areas behind their cash register areas from view from the parking lot, which would increase the level of privacy for workers and reduce visibility behind the counter.

Analysis:

Business decals are a permitted sign under Section 62-13 in the City's sign code. However, that section limits the size of the decal to a maximum of two square feet. The installation of this more encompassing window vinyl would violate this section. In addition, the City has an established building design. There is precedent to allow visibility into the building from the exterior and vice versa. Historically, the Planning Commission supports fenestration (any opening) in a building's design for visual interest and provides benefits to the users' within the building such as natural light, comfort and safety. Fenestration also plays an important role in influencing a positive social dynamic of the public space adjacent to the building's exterior. The Pavilions Shopping center is designed to promote pedestrian movement from business to business and maintaining visibility into and out of buildings affects perceptions and how useful and welcoming the space will feel.

Staff Recommendation:

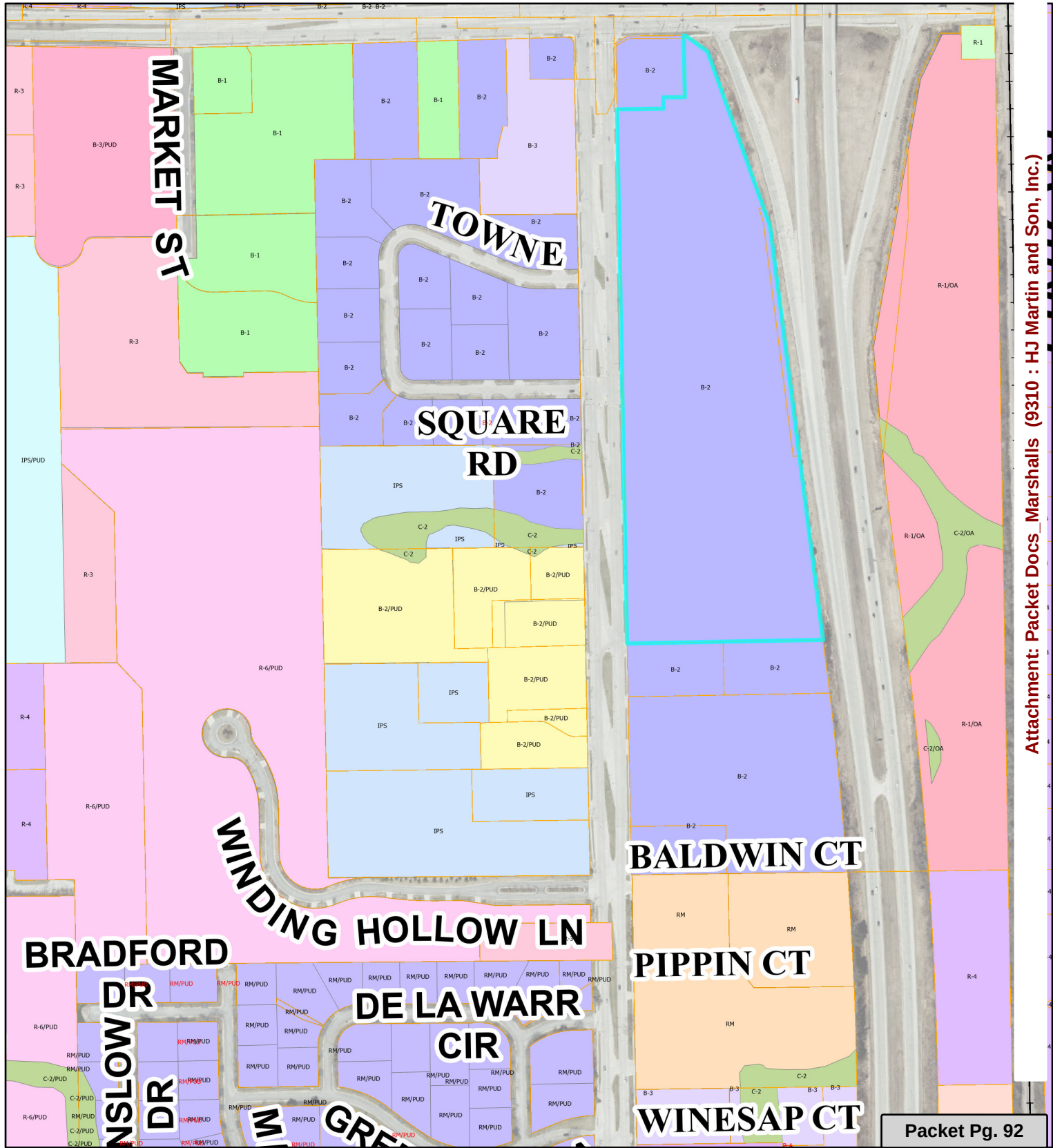
Staff recommends **denial** of the minor request to install window vinyl on the Marshall's façade.

Attachments:
Packet Docs_Marshalls (PDF)

MARSHALL'S MINOR REQUEST

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

5.e.a



Attachment: Packet Docs Marshall's (9310 : HJ Martin and Son, Inc.)







Attachment: Packet Docs_Marshalls (9310 : HJ Martin and Son, Inc.)



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Department of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 29, 2024
SUBJECT: Port Washington Road Design Guidelines for Commercial Structures

Background:

As part of the ongoing efforts to revitalize Port Washington Road, staff is focused on four initiatives in 2024, including the following:

- Port Washington Road Market Analysis
- Port Washington Road Streetscape Plan and Bidding
- Port Washington Road Revised Zoning Districts and Land Use Plan
- Commercial Structure Design Guidelines

Staff was tasked with creating design guidelines for the corridor which spans from County Line Road to Glen Oaks. Currently, Section 58-566 of the zoning code (see attached) regulates architectural requirements for all commercial, industrial, institutional, and multi-family development. These current guidelines are rather general and do not distinguish between different types of uses. The city has established design guidelines for specific areas/districts that include Ulao Creek, Rural Business, and Town Center. These guidelines are adopted within the Zoning Code or by administrative policy.

On February 22, 2024, staff presented a rough draft of the design guidelines for review by the Planning Commission. Since there are very few commercial areas outside of the Port Washington Road Corridor that are not covered by established design guidelines it was decided that the proposed language would apply to all areas not currently covered. Regarding the content itself, overall, the feedback from the Commission regarding the guidelines was positive. As stated at the last meeting, the next step in the process is to evaluate the proposed guidelines against projects recently approved along the Port Washington Road corridor. The images included in the packet are of projects that were recently approved or of existing buildings located along the Port Washington Road corridor. Staff will be prepared to discuss how each of these projects measure up to the proposed guidelines.

History:

In 2018, the Department created an architectural gallery in which 19 projects were showcased. Over 50 members of the City's boards and commission that directly weigh in and act on development projects were invited to participate in the architectural gallery. Eight (14.5%) committee members participated in the event. The following chart ranks the projects located on Port Washington Road by overall design score and identifies the average and mode as well as the highest and lowest score received in any category.

While the responses varied significantly by each participant, there were several general themes that prevailed in the comments including the following:

- Some buildings are boxed shape and architecture of such is boring.
- Flat and mismatched rooflines do not reflect community character.
- Mix, pattern and color of materials appear cheap, inconsistent, or overdone.
- Fenestration is too dark.
- More articulation is needed.

Analysis:

When looking at the recently approved projects, staff believes that overall, the city has done a good job in requiring and maintaining high quality design. When evaluating these projects against the proposed guidelines, staff believes many of the projects comply with several if not most of the proposed guidelines. However, there are some common trends that staff is seeing where approved projects would not have complied with the guidelines or where the city has been inconsistent in requiring certain features including the following:

- Entrances being located facing a public street.
- A higher percentage of glass than what is permitted (40%).
- Articulation in the building is important especially on flat roof buildings.
- Roof forms – depth of parapets, lack of variation in roof heights on flat roofs.
- Roof accents – lack of overhangs and decorative cornices.
- An over reliance on corporate or national branding into the design of the building.

In most of these instances, staff believes that if the guidelines were in place and followed, it would have resulted in a much-improved design.

In reviewing the proposed guidelines, staff has identified two new regulations that should be included in the proposed guidelines. Under Building Placement and Orientation, staff recommends language that requires that front setback be an average of the buildings located on the two adjacent parcels. This would result in a uniform development pattern along the street. Staff also recommends that under the Materials/Details section of the guidelines, language be added to address potential sign bands or locations. This would alleviate potential issues later on in the process related to the appropriate location of signage.

Staff Comment:

Based on feedback from the Planning Commission, staff will further refine the guidelines and present the changes at a future meeting. In addition, staff can develop a visual preference or rating system for the Commission to conduct prior to the next review of the guidelines. This would be similar to the 2018 procedure. Staff is questioning the Commission's interest in doing so.

Attachments:

Portfolio PW Road (PPTX)
 2018 Architectural Gallery Results PW (XLSX)
 Draft Guidleines (DOCX)

CITY OF MEQUON

Development Projects Port Washington Road

Jac Zader

Assistant Director of Community Development



CHILDREN'S MEDICAL CLINIC



ASSOCIATED BANK



FROEDTERT HEALTH CENTER





PNC BANK



NORTHSHORE BANK MIXED USE



KOHLER CREDIT UNION MIXED USE



MIXED USE RETAIL BUILDING



CONCORD DEVELOPMENT





MIXED USE RETAIL



QUINTESSA



LES MOISE



METRO MARKET



LEXINGTON SQUARE



MEDI-SPA



NORTH SHORE BANK NEW



LANDMARK CREDIT UNION



ARBY'S





JILLYS CAR WASH

Project					Responses							
	AVE	MODE	HIGH	LOW	1	2	3	4	5	6	7	8
Newport												
Color	4.25	5	5	3	3	5	5	5	4	3	5	4
Articulation	4	4	5	3	3	4	5	4	3	5	4	4
Materials	4.375	4	5	4	4	5	5	4	4	4	5	4
Glazing Ratio	4.375	4	5	4	4	4	5	4	4	5	5	4
Overall Design	4	4	5	3	3	4	5	4	4	4	4	4
Starbucks												
Color	4.25	4	5	3	4	4	5	5	4	5	4	3
Articulation	3.875	4	5	2	3	4	4	4	4	5	5	2
Materials	4.125	4	5	2	4	5	5	4	4	4	5	2
Glazing Ratio	3.75	4	5	3	4	3	4	3	4	4	5	3
Overall Design	4	4	5	2	4	4	4	4	4	5	5	2
Metro												
Color	3.875	4	5	2	3	4	4	4	4	5	5	2
Articulation	3.75	4	5	2	3	5	3	4	4	4	5	2
Materials	4.125	4	5	2	4	5	4	4	4	5	5	2
Glazing Ratio	4	4	5	3	4	5	3	3	4	4	5	4
Overall Design	3.75	4	5	3	3	4	4	3	4	4	5	3
Taco Bell												
Color	4.125	4	5	3	4	5	5	4	4	3	5	3
Articulation	3.75	4	5	3	3	4	5	4	3	4	4	3
Materials	4	4	5	3	4	4	5	4	4	3	5	3
Glazing Ratio	3.625	4	4	3	4	3	4	3	3	4	4	4
Overall Design	3.75	4	5	3	4	4	5	4	3	3	4	3
Childrens Hospital												
Color	3.5	3	5	1	3	4	4	3	3	5	5	1
Articulation	3.5	4	4	2	4	4	3	4	3	4	4	2
Materials	3.75	4	5	1	4	5	4	4	3	5	4	1
Glazing Ratio	3.375	3	5	2	4	3	3	3	3	5	4	2
Overall Design	3.25	4	4	1	4	4	3	3	3	4	4	1
Mobil												
Color	3.25	3	4	2	3	3	4	3	2	4	4	3
Articulation	2.75	3	4	2	2	3	2	3	2	4	3	3
Materials	3.25	3	4	2	3	4	3	3	2	4	4	3
Glazing Ratio	4	4	5	3	3	4	4	4	3	5	5	4
Overall Design	3.25	3	4	3	3	3	4	3	3	3	4	3
Froedtert												
Color	3.125	4	4	1	3	3	4	4	2	4	4	1
Articulation	3	3	5	1	3	4	3	3	2	5	3	1
Materials	3.25	4	5	1	3	4	5	3	2	4	4	1
Glazing Ratio	4	4	5	2	4	5	5	4	2	5	4	3
Overall Design	3.125	4	4	1	3	4	4	3	2	4	4	1
Lexington Square												
Color	3.5	2	5	2	2	5	5	3	4	4	3	2
Articulation	3.5	4	5	2	2	4	4	3	4	5	3	3
Materials	2.438	1	5	1	2	5	2.5	1	3	4	1	1
Glazing Ratio	2.75	3	4	2	2	3	3	3	3	4	2	2
Overall Design	2.938	2	5	2	2	4	3	2	3.5	5	2	2
PNC												
Color	2.75	4	4	1	4	3	4	3	2	4	1	1
Articulation	3.125	4	5	1	4	5	3	4	1	5	2	1
Materials	3.25	4	5	1	4	5	4	3	2	4	3	1
Glazing Ratio	4	4	5	3	4	4	3	4	4	5	5	3
Overall Design	2.5	4	4	1	4	4	1	3	2	4	1	1

Rating

1-unappealing

5-most appealing

DIVISION 2.

COMMERCIAL, INDUSTRIAL, PARK, INSTITUTIONAL AND MULTI-FAMILY RESIDENTIAL DEVELOPMENT

Sec. 58-566. Architectural requirements and standards.

(a) Criteria and processing requirements. To implement the purposes set forth in section 58-562 and in accordance with the findings represented in this section, the following architectural review criteria and processing requirements are established. The following guidelines do not apply to areas that have existing area specific guidelines including the Ulao Creek, Town Center and Rural Business areas.

- (1) General Architectural Principles. Buildings shall be designed to fit the specific characteristics of the site and the specific needs of the intended users. Buildings should be designed and detailed to human scale. Traditional forms are the primary influence and objective of local architecture. Contemporary architecture may be appropriate provided the architectural standards in section 58-566(a) (2-14) are met.

Building Placement and Orientation. The primary façade and principal entrance of all buildings shall face the public street. Direct access from the public street and sidewalk to the principal entrance is required.

- (a) New infill development adjacent to existing buildings shall be required to utilize an average of the two adjacent buildings for the front setback.
 - (b) Building placement on corner lots shall be located as close to the intersection as allowed by code. The primary façade design shall be continued along each street of the corner lot. No parking, drive aisles or service areas shall be located between the building and the street.
 - (c) The Planning Commission may exempt industrial buildings located in the B-5 zoning district from the requirements of 1 (a).
- (2) Massing/Scale. Buildings shall be designed to be compatible with the massing of adjacent sites. If a proposed structure is larger than the structures on adjoining sites, the building shall be divided into smaller identifiable sections to remain proportionate to the adjacent buildings. In addition, gradual transitions in height up to the maximum height allowed by code may be required when the proposed building is more than 15% above the height of the adjacent building. Building heights on corner lots shall be greater than one story to add mass and visual prominence to the street. One story buildings that are not compatible with the massing of

buildings on adjacent sites may be permitted on substandard lots that do not comply with the minimum acreage requirement and which are not able to conform to other district standards (parking, FAR, etc.)

- (3) **Form/Proportion.** There shall be a clear division between the roof and walls. The base of the building shall be articulated with a horizontal line to create a distinct ground level to the building. The middle of the building shall be articulated by variation of depth through windows and elements to distinguish it from the building's top. The top portion of the building shall include architectural features that create additional, horizontal distinction. The length of the building should be longer than the height of principal façade. The Planning Commission may exempt industrial buildings located in the B-5 zoning district from this requirement.
- (4) **Fenestration/Entries.** Openings shall form a unified composition in proportion to the building elevation. Large, blank walls of more than 25 linear feet that are within public view are prohibited, except for buildings located in the B-5 district. Entries shall be emphasized and clearly visible from the public street, sidewalk and interior parking lot. There shall be a hierarchy of entries through scale, detail features and landscaping. If only one principal entrance is proposed for a building located on a corner lot, staff shall determine which public street the entrance shall face based on the hierarchy of streets unless there is a well-established existing street pattern in the area. Window treatments shall be of clear glass that allows view from the exterior of the building into the interior of the building. Shelving, equipment, storage or similar fixtures shall not block views into and out of the building between 4 and 7 feet above the adjacent grade. Interior service areas, such as bathrooms, utility rooms, shelving and storage are considered back-of-the-house operations and shall be located to the rear or internal side of the development. The back-of-the-house operations doesn't eliminate the requirement for window treatments. The treatment for these areas of the building wall shall use the following alternative window treatments: spandrel glass or a window film.
- (5) **Materials/Details.** Primary building materials shall be constructed from traditional, durable, high-quality materials including brick, wood, cedar shake, masonry panels or stone. Contemporary materials are acceptable if detailed. Secondary materials include cement board, metal, engineered stone, stucco and EIFS. The use of stucco, metal panels or EIFS is limited to no more than 20% of each exterior façade. Prohibited materials include highly reflective and processed materials such as plastic accents. Split face block, pre-cast concrete and decorative concrete block may be permitted in the B-5 district. A variety of textures is encouraged. Arbitrary changes in material or detail that is not in keeping with the building and the painting of masonry materials is prohibited.

The primary façade material (60% minimum) and a limited number of compatible secondary materials (20% maximum) shall be applied consistently and uniformly on all facades of the building.

Roof materials shall be of high-quality asphalt shingles, non-reflective standing seam metal, slate or cedar. Composite slate or cedar may be permitted.

Detail features are intended to contribute to the visual interest and reduce the massing of a building. Visual interest and the reduction of massing shall be included by techniques such as the use of color changes, texture changes, wall offsets, reveals, projections, varying heights, two or more roof planes, dormers and architecturally treated parapet walls.

The design of the building shall incorporate and detail locations for all contemplated wall signage.

Awnings and canopies are encouraged over windows and doors to provide shelter, shade and scale to the façade. Colors of awning and canopies shall compliment the palette of colors for the building and throughout the site.

- (6) Roofs. Acceptable roof forms include hip roofs, gable roofs, shed roofs, and flat roofs. Flat roofs on non-industrial are subject to additional design standards including an undulating roofline, two or more roof planes, cornice elements or integrated and detailed parapets. Roof forms and pitch should be similar to surrounding sites. Large roof overhangs that dominate the building are discouraged. Roof forms should have a minimum of 8/12 or greater unless approved by Planning Commission. Layers of interconnected roofs are required for structures greater than 20,000 square feet. If a long roofline is proposed, then dormers, gables, other projections or variations to add interest and scale are required. Roof elements shall be integrated into the design and not appear to be floating or attached. If a parapet is proposed as part of the design it shall extend the entire of the building or be terminated at a point not visible from public view.
- (7) Colors. Façade colors shall have low reflectance. A limited palette of colors for use throughout the site should provide variety and unity. Black is prohibited as the primary color. Downspouts, utility boxes, grilles and other projections should be a complementary color or the same color as the building wall. Roof colors shall complement the palate of colors for the building and throughout the site. Roof colors darker than the façade and muted earth tones are recommended.

- (8) **Service/Utility Area.** Service and utility areas such as loading docks, storage, dumpsters, mechanical equipment, venting, fans, coolers and HVACs and transformers shall be located away from public view, street, sidewalk or adjacent residential use and shall be screened. Placement of such features in the middle of an open space area or parking lot is prohibited. Screening of service and utility areas shall be provided on all sides with building forms such as walls that coordinate with the building's architecture, materials and color and provide year-round landscaping. Chain link fencing and vinyl slats are prohibited. Doors and gates may utilize a metal or wood material. Rooftop mechanical equipment is allowed when fully screened by the roof or other architectural treatment.
- (9) **Repetition.** The repetition of architectural details and forms shall be provided when integrating two or more buildings on one site and between stories when a building greater than one story is proposed. No building shall be permitted with a design or exterior appearance which is too similar or consistent with an adjacent site unless part of a cohesive planned development.
- (10) **Design of Local and National Franchises.** The design of franchises shall reflect the local architecture in form, color, detail, materials, and massing.
- (11) **Automobile Service and Drive-Through Facilities.** Service stations, convenience stores and buildings with a drive-thru shall be sited to face the street. Pump islands, canopies and drive-thru facilities shall be located to the rear or interior side yard. Openings for car washes, service bays, drive-thru shall be integrated into the principal building design and not directly visible from a public street, sidewalk or adjacent residential use unless highly screened with vegetation. Drive-throughs shall be located at the rear of the site. If located on a corner, the drive-through shall be fully integrated into the design of the building.
- (12) **Accessory Structures and Fences.** Accessory structures such as dumpster enclosures, sheds, canopies for gas pumps, garages, cart corrals, utility buildings or ATMs shall meet the same design standards as the principal structure on the site by repeating the architectural forms, roofs, materials, colors and details. These structures shall appear subordinate to the principle building in size and location. Dumpster enclosures and fences constructed from chain link or barbed wire are prohibited.



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Department of Community Development

TO: Planning Commission
FROM: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: April 29, 2024
SUBJECT: Chapter 58-303; Specific Design Guidelines for the Arrival Corridor Zoning District

Background:

At the March Planning Commission meeting, staff presented a text amendment to clarify residential use terms and the entitlement process. The Planning Commission approved the amendment along with restoring the ability to request a residential development that contains more than 16 total units in the Arrival Corridor zoning district through a Planned Unit Development (PUD). At the meeting, Tom Zabjek, owner of Lakeside Development, raised the question of requiring commercial development as part of residential projects in the Arrival Corridor (AC) zoning district, if the site fronts on Mequon Road. The Planning Commission requested staff consider the policy and return with recommended modifications to the text.

Analysis:

Current Conditions:

There are five parcels zoned AC (either vacant or yet to redevelop), which also front on Mequon totaling 11.60 acres (see attached map). There are 13 sites totaling 10.85 acres in the area zoned Town Center (TC) that are required to provide commercial use. Town Center zoning is distinct from AC in that it is intended to provide greater massing, greater density and a more compact, pedestrian focused user and street elements.

Design Considerations:

Staff evaluated residential development along primary arterials in a variety of cities and settings as well as the design of mixed-use buildings. The most notable design consideration was a purposeful separation between the units on ground level and any commercial use within the building and a purposeful separation between the public street/ sidewalk and the dwelling units. Access from the public street and sidewalk to the commercial entry was direct and access to the residential was indirect and secluded (see attached imagery). Staff recognizes the value in creating privacy as well as alleviating traffic noise and lights. Often, the corner units at ground level were stepped back greater given their exposure to two streets or sidewalks.

Market Considerations:

The other consideration is one of private market interest. There is nothing in the code that prohibits mixed-use buildings and staff are confident that if the market demanded additional services and commercial activity, those will be proposed and welcomed. After consideration of the built conditions in TC and the opportunity for additional commercial use in concentration of where the current commercial activity is located, staff finds greater synergy and alignment with

our original goals in leasing current commercial tenant space and preserving the commercial market demand for location in TC.

Staff also acknowledges that the majority of Mequon Road is zoned and developed as residential, including parcels adjacent to the AC, located on the north side of Mequon Road. If designed and maintained well, meaning both the streetscape and the development, staff believes residential can be well-suited for this portion of Mequon Road.

Staff Summary:

Staff proposes maintaining the commercial use component with the TC zoning and eliminating it for the AC zoning district subject to additional front yard design standards. Should the Planning Commission wish to require non-residential uses, then staff recommends the following:

1. A minimum 1,200 square feet single commercial tenant space at the ground level.
2. Commercial tenant is any permissible commercial use allowed by the AC zoning district use table.

Staff Recommendation:

Planning staff recommends approval of the following text amendment for the Arrival Corridor zoning districts.

Attachments:

- 1_TRACK CHANGES 04.29.2024 (DOCX)
- 2_Photo Examples Res Fronting M Rd (DOCX)
- 3_TCACMap (PDF)

TRACK CHANGES

Sec. 58-303. - Specific development and design standards.

(a) *Purpose.* Specific development and design standards are established to provide supplemental regulations to address unique characteristics of certain land uses.

(b) *Standards.* The uses listed below are subject to the following specific development standards, in addition to all other applicable regulations:

Mixed-use development. A mixed-use development contains residential and non-residential uses authorized in Table 58-301-1 and Table 58-302-1 within a building, or set of buildings on a development site. A mixed-use development shall contain a minimum 30 percent of the development's total square footage as non-residential use(s) and shall contain landscaped and outdoor public spaces for the use of consumers and residents.

Multiple family dwellings, up to 16 units. A development that includes multiple-family dwellings containing more than two units, and up to 16 units, with or without non-residential uses, located in the Town Center or Arrival Corridor district shall comply with the following:

a. The height shall not exceed two and one-half stories.

b. Distinct second story dwelling units shall be prohibited.

c. The placement of dwellings, shall not be located on a lot that abuts Mequon Road, if located on a lot zoned Town Center, that abuts Mequon Road, or Cedarburg Road south of Mequon Road, such dwelling shall be within a mixed-use building as defined in section 58-301(j)(3), general district regulation.

d. The placement of dwellings shall reinforce the street, maximize natural surveillance and visibility and facilitate pedestrian access and circulation.

e. The front façade of the structure shall include one principal entrance and a porch, with a minimum depth of six feet, for each dwelling and shall be placed directly towards the adjacent primary public or private street or front yard as determined by the Department of Community Development.

f. A pedestrian access from the adjacent primary public or private street or front yard to the principal entrance of each dwelling shall be provided and maintained.

g. A landscaped front yard is required for each unit adjacent to the primary adjacent public or private street and shall create and distinguish separate levels of space as follows: a) private yard with installation of a minimum of one tree and partial screening elements for the required principal entrance and porch, b) a semi-private yard that is privately owned but that is not

Commented [KT1]: NEW since March PC Meeting

Commented [KT2]: NEW since March PC Meeting

screened and includes transitional elements blending the public streetscape and the private yard and provides visual cues of entering the private yard. for each unit adjacent to the primary adjacent public or private street or front yard shall provide and maintain a minimum of one tree.

h. Parking between the dwelling and the street shall be prohibited.

i. Vehicular access shall only be from the rear or interior side and shall include below-grade parking and, or an attached garage with a private driveway that can accommodate a minimum of one vehicle.

j. All facades shall create orderly variation, including projections such as balconies, covered patios and bay windows.

Multiple-family dwellings greater than 16 units. Multiple-family dwellings greater than 16 units, with or without non-residential uses, are prohibited in the Arrival Corridor district. Multiple-family dwellings greater than 16 units, may be located in the Town Center district if part of a mixed-use development as defined in section 58-303 Specific development and design standards; however, if located on a lot that abuts Mequon Road, or Cedarburg Road south of Mequon Road, such dwelling shall be within a mixed-use building as defined in section 58-301(j)(3), general district regulation.

Nightclubs. A nightclub is an establishment engaged in the sale of alcoholic beverages for consumption on the premises, including taverns, bars, cocktail lounges and similar uses or a sit-down restaurant which provides more than 50 percent of its service to the sale of alcoholic beverages.

Ornamental metals. Ornamental metals shall be allowed only as accent materials such as grills, railing, panels and gutters.

Painted metal roof. Metal roof shall include copper coated, terne metal or painted metal to resemble weathered copper.

Parking facilities. The design of a parking facility shall not dominate the street frontage or building facade which faces a public street or significant public space. All vehicles shall be screened from view and at least 60 percent of the first floor facade shall be occupied with active uses and shall be designed with architectural detail and windows to create visual interest.

Pet supply stores, pet grooming facilities and pet daycares. The specific requirements are set forth in division 11.

Planned residential development. A development containing any of the following residential dwellings, combination thereof, with or without non-residential uses, may be allowed through application of section 58-331, Planned Unit Development Overlay and subject to each as defined by section 58-303, Specific Development and Design Standards:

a. *Single-family dwellings.* Single-family dwellings, of any number, located in the Town Center or Arrival Corridor districts shall comply with the following:

1. The minimum lot area shall be established by the Council through an approved PUD.
2. The required street frontage shall be a minimum of 36 feet and a maximum of 80 feet.
3. The front yard setback shall be a minimum of ten feet and a maximum of 25 feet from the abutting street.
4. The side and rear yards shall be a minimum of five feet and shall be increased by two for every additional story above the ground floor and increased by one foot for a half-story.
5. The height shall not exceed two and one-half stories and shall be architecturally designed with a gable or hip roof form.
6. The placement of dwellings shall not be located on a lot that abuts Mequon Road.
7. The placement of dwellings shall reinforce the street, maximize natural surveillance and visibility and facilitate pedestrian access and circulation.
8. The front façade of dwellings shall include one principal entrance and a porch, with a minimum depth of six feet, and shall be placed directly towards the adjacent primary public or private street.
9. A pedestrian access from the adjacent primary public or private street to the principal entrance of the dwelling shall be provided and maintained.
10. A landscaped front yard for each unit adjacent to the primary adjacent public or private street shall provide and maintain a minimum of one tree.
11. Parking between the dwelling and the street shall be prohibited.
12. Vehicular access shall only be from the rear and shall include an attached garage and a private driveway that can accommodate a minimum of one vehicle.

b. *Two-family dwellings.* Two-family dwelling, of any number, located in the Town Center or Arrival Corridor districts shall comply with the specific development and design standards listed above for single-family dwellings.

c. *Elderly housing.* Elderly housing, of any number of dwellings, located in the Town Center or Arrival Corridor districts shall comply with the same specific development and design standards as defined in 58-303, Multiple family dwellings.

cd. *Multiple-family dwellings, up to 16 units.*

d. Multiple-family dwellings greater than 16 units. Multiple-family dwellings greater than 16 units are prohibited in the Arrival Corridor district through a PUD. Multiple-family dwellings greater than 16 units, with or without non-residential uses, are prohibited in the Arrival Corridor district. Multiple-family dwellings greater than 16 units, may be located in the Town Center district if part of a mixed-use development as defined in section 58-303 Specific development and design standards; however, if located on a lot that abuts Mequon Road, or Cedarburg Road south of Mequon Road, such dwelling shall be within a mixed-use building as defined in section 58-301(j)(3), general district regulation.

Pre-cast stone. Pre-cast stone shall be allowed in a finish approved by the planning commission.

Rubber as a roof material. Rubber is permitted where not visible from ground level.

a. Single-family dwellings. Single-family dwellings, of any number, located in the Town Center or Arrival Corridor districts shall comply with the following:

1. The minimum lot area shall be established by the Council through an approved PUD.
2. The required street frontage shall be a minimum of 36 feet and a maximum of 80 feet.
3. The front yard setback shall be a minimum of ten feet and a maximum of 25 feet from the abutting street.
4. The side and rear yards shall be a minimum of five feet and shall be increased by two for every additional story above the ground floor and increased by one foot for a half-story.
5. The height shall not exceed two and one-half stories and shall be architecturally designed with a gable or hip roof form.
6. The placement of dwellings shall not be located on a lot that abuts Mequon Road.
7. The placement of dwellings shall reinforce the street, maximize natural surveillance and visibility and facilitate pedestrian access and circulation.
8. The front façade of dwellings shall include one principal entrance and a porch, with a minimum depth of six feet, and shall be placed directly towards the adjacent primary public or private street.
9. A pedestrian access from the adjacent primary public or private street to the principal entrance of the dwelling shall be provided and maintained.
10. A landscaped front yard for each unit adjacent to the primary adjacent public or private street shall provide and maintain a minimum of one tree.
11. Parking between the dwelling and the street shall be prohibited.

12. Vehicular access shall only be from the rear and shall include an attached garage and a private driveway that can accommodate a minimum of one vehicle.

Sit-down restaurants. A sit-down restaurant is engaged in the preparation and retail sale of food and beverages, which is characterized by table service to the customer and is not a delicatessen, fast food or coffee shop. Drive-thru services shall be prohibited.

Town center brewery. A town center brewery is an establishment that produces less than 10,000 barrels of beer on site per year.

Two-family dwellings. Two-family dwelling, of any number, located in the Town Center or Arrival Corridor districts shall comply with the specific development and design standards listed above for single-family dwellings.

Window signs. The size of the sign shall not account for more than 20 percent of the window size.

Mixed Use Examples



Image shows scale of 1,200 and 3,000 square feet ground level commercial in a mixed-use building. There is delineation of entry, architectural distinction of window pattern and the first-floor height.



Image shows projection of commercial space at corner along with varied material, delineated height and clear and direct entry.



Image shows bookend commercial w signage, distinct materials, colors, and larger awnings.

Residential has individual projections and distinct entries with awnings along with semi-private yards between sidewalk and porch.



Image shows distinction of commercial space by projecting the corner of the building towards sidewalk, expanding the patio, direct and clear entry as well as distinct height and larger architectural features such as the columns. The residential floors and entrances are to setback and entries are indirect / subtle.



Images shows distinct corner commercial use and entry as well as height delineation. Portions of the residential are stepped back and include landscape yards as buffers from the sidewalk (public realm).



Image is an excellent example of public v. semi-private v. private space for residential units facing an active public street.



Image shows distinction of ground floor commercial and upper floors residential floors – each level steps back and the ground floor has a heavier roof line.



Image shows distinct corner element and is a good example of separation and distinct transition between public realm v. semi-public space v. private space.

Residential Building Examples

Each of the following images showcases projections and the step back of end or corner units. There are distinct bookend architecture elements through varied height, material, color, window pattern and scale. Transitional space between the public area and private yards are present in each. The greater the volume of traffic on the public street should result in a greater emphasis of the transitional space elements, but that does not necessary mean greater setbacks.













