



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, May 14, 2018
6:00 PM
Christine Nuernberg Hall

Agenda

1) Call to Order, Roll Call

- a) Approval of Minutes from April 9, 2018

2) Consent/Public Hearing

- a) Brian and Carly Borchert. The applicant is seeking conditional use grant approval for a guest house for the property located at 8110 W. Bonniwell Road.

3) Consent/Regular Business

- a) Ranch Court, LLC. The applicant is seeking landscape plan approval for the approved single-family residential development located at 2100 W. Ranch Court.
- b) Edge Consulting Engineers, Inc. for Ozaukee County. The applicant is seeking building and site plan amendment to allow for construction of a 160' tall communications tower to replace an existing 152' tall tower for the property located at 6333 W. Bonniwell Road (Mee-Kwon Park).

4) Regular Business

- a) Shawn Kison for Kapco Park. The applicant is seeking site plan amendment approval to allow for extended hours for the baseball park located on Concordia University campus.
- b) John Mikkelson for Granville Estates. The applicant is seeking preliminary plat and development agreement approval for a proposed 7-lot development for 40 acre property located immediately south of 14013 N. Granville Road (Granville Estates).

5) Policy

- a) An Ordinance Amending Chapter 58 of the Mequon Municipal Code as it Relates to Filling, Excavating and Berms. **Recommended by Planning Commission on May 14, 2018; First Reading at Common Council June 12, 2018; Second Reading July 10, 2018.**

6) Announcements

The next meeting is Monday, June 11th at 6:00 pm.

7) Adjourn

Dated: May 14, 2018

/s/ Dan Abendroth, Chairman

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

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

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



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: May 14, 2018
SUBJECT: PLANNING COMMISSION MEETING MINUTES

Memorandum

Attached please find the City of Mequon Planning Commission Meeting Minutes of April 9, 2018 for your review.

Attachments:
04.09.18 Minutes_DRAFT (PDF)



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 9, 2018
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:

Chairman Dan Abendroth
Commissioner Martin Choren
Commissioner Brian Parrish
Commissioner John Stoker
Commissioner James Schaefer
Alternate Alderman John Wirth
Commissioner Rick Lemke
Alternate Stephanie Hawley

a) Approval of Minutes from March 12, 2018

Action:

Commissioner Stoker made a motion to approve the March 12, 2018 meeting minutes.
Commissioner Hawley seconded the motion.
A voice vote was taken; vote passed (8-0).

2) Consent

- a) Ralph & Judith Morello. The applicant is seeking certified survey map approval to reconfigure the lots for the properties located at 10050 & 10052 N. Range Line Road.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Wirth, Alderman
SECONDER:	Brian Parrish, Commissioner
AYES:	Abendroth, Choren, Parrish, Stoker, J. Schaefer, Wirth, Lemke, Hawley

- b) Carol Krigbaum for Adam Kuhn. The applicant is seeking final condominium plat approval to allow for the conversion of a duplex to a 2-unit condominium for the property located at 10410-10412 N. Magnolia Drive.

Attachment: 04.09.18 Minutes_DRAFT (3223 : Planning Commission Minutes from April 9, 2018)

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Wirth, Alternate Alderman
SECONDER:	Brian Parrish, Commissioner
AYES:	Abendroth, Choren, Parrish, Stoker, J. Schaefer, Wirth, Lemke, Hawley

Action:

Ald. Wirth made a motion to approve the consent items for Morello and Kuhn.
 Commissioner Parrish seconded the motion.
A voice vote was taken; vote passed (8-0).

3) Public Hearing

- a) Gregory Thompson. The applicant is seeking conditional use grant, building and site plan and certified survey map approval to allow for storage uses within the storage units for a proposed development (StorageShop USA) for the property located at 5717 W. Donges Bay Road (located in the Donges Bay Corporate Park).

Action:

Commissioner Stoker made a motion to open a public hearing.
 Commissioner Choren seconded the motion.
A voice vote was taken; vote passed (8-0).

A resident asked if the buildings will be used for storage and if there will be a fence.

Mayor Abendroth answered that the buildings will be duplex condominiums that can be used for offices or storage and that the staff report will give more information.

Commissioner Stoker made a motion to close the public hearing.
 Ald. Wirth seconded the motion.
A voice vote was taken; vote passed (8-0).

City Planner Vang stated that this item was tabled from last month and that the applicant is seeking certified survey map, building and site plan and conditional use grant approval. The conditional use grant approve will allow for warehousing for storage for each unit. The CSM will create three lots with a total of 63.08 acres. Staff is supportive of the CSM as it meets all of the requirements of the B-5 zoning district. The revised site plan shows four buildings which is a reduction from the original plan of five buildings to avoid a requirement of a storm water management plan. Engineering is available for further questions regarding that issue. There is room and a desire from the applicant for expansion on the site if a storm water management plan is completed for the entire business park. There will be two units per building for a total of 8 units with two parking stalls per unit. Parking is determined based on use and due to the uses for each unit being unknown that will be determined on a case by case basis.

The applicant met with Commissioner Jim Schaefer regarding the design of the buildings and the revised plans were shown. Staff does have additional recommendations regarding the design that all front elevations have a different alternative material incorporated into the

gable section; a full cedar shake siding to break it apart from the rest of the façade. A horizontal band to differentiate the gable from the rest of the building is also recommended. The brick is being extended to the height of the overhead doors. The elevation facing Baldev Court has a bump out added which will be brick on the exterior. Staff recommends that this gable also be an alternative material with a horizontal band. Staff recommends awnings above each door of each building. The applicant added a door on the front façade and has asked to have it also on the Baldev Court side as well. Staff is supportive of this request. Staff recommends that all the windows be the same size.

Staff had recommended cedar shake look alike or cedar pattern siding material for the gables. The applicant is requesting that the Commission consider a vertical siding instead. Planner Vang showed examples of the two options.

The lighting and landscaping plans remain the same. The applicant will need to submit an updated lighting plan to reflect the correct number of lights (8 wall packs and 8 lights). He will also need to submit cut sheets for the proposed lighting.

As indicated on the previous landscape plan, a street tree will be removed. There is a dense landscaping buffer between the applicant's property and the residential properties to the west. Staff is requesting that the species and type be shown on a revised landscaping plan to determine if additional screening is required.

The conditional use grant (CUG) is being requested to allow for storage for all of the units. It is unknown at this time what users will be in each unit so the CUG will cover all the units for storage and the individual users will not need to apply for a CUG individually. The applicant stated that based on his other locations that about 18% of the units are used for storage. There may be other uses in the B-5 zoning district that may also require a CUG. Staff contacted other communities that have a StorageShop facility located in their communities and there were no reports of complaints or problems associated with this business.

Staff recommends approval of the CSM, the building and site plan subject to the changes in the staff report and the CUG subject to the conditions in the staff report. One of the conditions is that there will not be outdoor storage allowed.

The applicant, Gregory Thompson, stated that the parking is not an issue and 2 stalls per unit are sufficient. The landscape plan will be updated by the landscape architect. He explained that this is flex space that allows extra storage or additional office spaces. He feels this is a nice fit on a parcel that has been sitting vacant for a long time.

Commissioner Jim Schaefer stated that he did meet with the applicant and worked on the building design and staff is recommending hardiplank shingles and the applicant suggested vertical siding. He stated that he prefers shingles except he does not recommend Louisiana Pacific brand as it is staggered on the bottom and looks rustic. Another brand is preferred. The applicant stated he prefers board and batten as it is more durable.

Commissioner Jim Schafer stated that he and Commissioner Choren did not like the idea of awnings over the doors as recommended by staff. He feels that look messy and it is not needed.

Action

Commissioner Stoker made a motion to approve per staff's recommendations excluding the awnings and allowing the applicant to use board and batten instead of hardi shingle.

Commissioner Jim Schaefer seconded the motion.

A voice vote was taken; vote passed (8-0).

4) Regular Business

- a) MSI General for Charter Manufacturing Company. The applicant is seeking building and site plan approval for a 7,565 sq. ft. building for the property located at 1212 W. Glen Oaks Lane.

Planner Vang stated that the proposed building will replace the building damaged by fire. The new building will be slightly reduced in size from 7,878 sq. ft. to 7,565 sq. ft. They are removing a parking area that was directly east of the building. The parking ratio based on the use calculates to 38 stalls and with the removal of the parking area they are proposing 33 parking stalls; so a parking waiver is required. The applicant has indicated that they have approximately 12 employees at full staff with occasional events with up to 25 people. Staff is supportive of the parking waiver based on these numbers. In addition, the site does have room to expand parking if the demand changes in the future.

The proposed building replicates the previous building with similar columns, dormers and roof lines. There are aluminum clad windows on all elevations. They are proposing a second entrance on the south elevation and two doors on the north elevation. The overall building height is 32 feet which meets the requirements. They are proposing two wall mounted accent lights on the east elevation and as a condition of approval the applicant will need to submit dispersion plans and cut sheets.

There are some changes to the landscape plan including the expansion of the driveway to the north. This will require the removal of existing birch trees which will be replaced with four serviceberry trees. Ash trees on the east side of the property will be removed and replaced with four new street trees. There will be additional landscaping to cap the southeast corner of the property as well as additional landscaping at the base of the west elevation. Staff is recommending the addition of three street trees along the existing sidewalk to be placed every 30 feet apart as well as all trees on this site must have a minimum of a 3" caliber. The applicant is proposing a retaining wall to the north of the new drive which will need to be approved by staff. Staff does recommend approval based on the conditions listed in the staff report.

The applicant, John Knutson and Jim Olson from MSI General, stated that they agree with all the comments from staff and they are working to address all the conditions required.

Mayor Abendroth stated that the city is glad they are rebuilding and that the proposed building looks very nice.

Action

Ald, Wirth made a motion to approve per conditions listed in the staff report.

Commissioner Choren seconded the motion.

A voice vote was taken; vote passed (8-0).

- b) Shawn Kison for Kapco Park. The applicant is seeking building and site plan amendment approval to allow for extended hours from May 28th through August 20th for the baseball park located on Concordia University campus at 12800 N. Lake Shore. **CANCELLED**
- c) John Franceshi for the PJJ Group. The applicant is seeking building and site plan amendment approval for exterior renovations for the property located at 10620 N. Port Washington Road (Marathon building).

Planner Vang stated that this building is known as the Marathon Building and she reminded the Commission that in January the Commission gave building amendment approval for the building directly to the east for Guo Medical. The applicant is proposing replacing the existing materials with a burgundy brick. The rest of the building will be an earth tone siding (Coble Stone color) which also matches the surrounding buildings. The Guo Medical building was required to have the slope surface under the windows match the siding color and the same requirement will be made for this building. The roof will be a charcoal black color. Staff recommends approval based on the conditions in the report.

The applicant stated that the building was built in 1984 and it is somewhat dated so they wanted to update it and make it appear more classical and timeless and so that it better fits in with the surrounding area.

Commissioner Jim Schaefer stated that he likes the addition of the brick as there is not any on the existing building. He stated that Hardiplank does not hold up the slopes and suggested that the applicant use standard seam in that area.

Action

Commissioner Parrish made a motion to approve per staff's conditions.

Commissioner Stoker seconded the motion.

A voice vote was taken; vote passed (8-0).

5) Policy

- a) Chapter 58 of the Zoning Code as it relates to Off Street Parking Requirements.

Asst. Dir. Zader stated that staff is in the beginning stages of looking at modifications for the off street parking requirements. The last changes made to the parking requirements was prior to 2001 and since then there has been a lot of changes to the commercial market place as well as work place patterns of behavior and automobile usage. The current code allows the Planning Commission to require less or more parking than the code dictates and staff feels that more precise land use categories would be helpful in guiding applicants and developers in the future to better understand what the code is going to require as part of the process. In

addition to updating the use classifications, other metrics are being looked at such setbacks, landscaping and physical dimensions. Some examples of the different waivers (based on setbacks, offsets, number of required stalls and stall and aisle dimensions) that have been approved over the years are included in the staff report. The method in which the required parking is calculated will also be reviewed. Asst. Dir. Zader stated that staff will continue to work through the various categories and will bring updated examples to show the Commission.

Ald. Wirth stated that he feels that because the stall size of 9 ft is approved almost uniformly, the 10 ft. option should be removed. He also stated that the interior lot landscaping is a great concept when it works but in reality it does not usually work and is a cost without much benefit. He feels that it looks silly on smaller properties and that often the landscaping is not maintained in the parking lots and looks crummy when it is dead or run over.

Asst. Dir. Zader stated that staff will continue to work on this.

b) An Ordinance Amending Chapter 58 of the Mequon Municipal Code as it Relates to Filling, Excavating and Berms.

Asst. Engineer Henk stated that this is a revision to Section 673, 564 and 603 that all relate to filling, excavating and berms. The changes to all three sections essentially move the language from the ordinance into the standard specifications for land development, specifically Chapter 7. Included in the packet are the revised clean ordinance language, the marked up version of Chapter 7, the revised permit and permit instructions. This whole packet went to the Public Works Committee last month and was reviewed in depth to ensure the regulations were still in place and that they were not duplicated in multiple locations.

Ald. Wirth asked what the benefit is of taking them out of the ordinance and not maintain the regulations in the ordinance.

Asst. Eng. Henk responded that the main reason is for clarity as there were many duplications. She explained that the regulations are still in the ordinance but the specifics of the ordinance; the details, are moved to the Standard Specifications for Land Development. It is very cumbersome to have it all as an ordinance as the Standard Specifications for Land Development is almost 200 pages. Having it as a standard specification gives staff the ability to make changes as needed without going through the ordinance changing process. She explained that the policy related items are still in the ordinance. The details of what needs to be done have been moved to the land development specifications.

There was discussion regarding the fill permit process and the justification for fill permits and grading plans needing to go to Planning Commission.

Asst. Eng. Henk explained that regardless of the amount of fill that the engineering review process is the same to ensure that the drainage works and grading works.

Ald. Wirth asked if there is a way to craft the ordinance to satisfy concerns at staff level approval without making it normal procedure for approval from the Commission.

Commissioner Stoker feels that because grading plans are required that approval at the engineering staff level should be sufficient and it is not necessary for approval from the Commission.

Commissioner Parrish stated that he does not feel that it is acceptable to take away the homeowners rights to voice concern about neighbors grading plans.

Action

Ald. Wirth made a motion to table this issue.

Commissioner Parrish seconded the motion.

A voice vote was taken; vote passed (8-0).

6) Announcements

Action

Ald. Wirth made a motion to adjourn the meeting.

Commissioner Choren seconded the motion.

A voice vote was taken; vote passed (8-0).

7) Adjourn

Respectfully Submitted,

Jac Zader

TO: Planning Commission
FROM: PA PHOUALA VANG, PLANNER
DATE: May 14, 2018
SUBJECT: Brain and Carly Borchert. The applicant is seeking conditional use grant approval for a guest house for the property located at 8110 W. Bonniwell Road.

Applicant:	Brian and Carly Borchert
Status of Applicant:	Owner
Requested:	Conditional Use Grant
Existing Use:	Single Family with Accessory Structure
Existing Zoning:	R-1 (Rural Residential Detached)
Land Use Plan:	Residential – 5 acres
Lot size:	5.5 acres
Location:	8110 W. Bonniwell Road
Tax Key:	#14-004-15-001.00
District:	#1

Background: The applicant requests a conditional use grant for a guesthouse at 8110 N Bonniwell Road. The property has an existing detached structure which was used as a stable with an attached living quarter. The applicant wants to upgrade and renovate that living space into a home office and guesthouse. Guesthouses are allowed as a conditional use in the R-1 District within a detached accessory building for use by temporary guests of the residents and shall have no kitchen facilities.

Site Plan:

The existing detached structure is located northwest of the existing house. The detached structure is 28.8 feet from the west property line and approximately 63 feet from the north property line. The proposed guesthouse is approximately 500-600 square feet and is the southwest section of the detached structure.

Conditional Use Grant Findings:

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

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

There are no public health or safety issues with the building. The plans show an existing stove to remain. Kitchen facilities are not permitted in guesthouses. Staff will add as a condition of approval that no kitchen facilities are allowed and the existing stove shall be removed and confirmed by an inspection by the Inspections Division.

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

The use of the guesthouse for income generation is prohibited per the Zoning Code. The proposed use should not have any impact on the value of surrounding properties since it currently exists as a single family dwelling.

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

The parcel is zoned R-1 rural residential detached (5 acre minimum) and is 5.5 acres. The surrounding properties are zoned R-1 and OA agricultural overlay. Planning staff believes the proposal will be harmonious with the surrounding uses.

Staff Recommendation:

Planning staff recommends approval of the conditional use grant based on the following condition(s):

1. Planning staff review and approval of final floor plans prior to the issuance of permits.
2. Any changes to the terms of this Conditional Use Permit shall require the approval of the Planning Commission.
3. The guesthouse shall not be used as an income generating property.
4. The guesthouse shall have no kitchen facility. The existing stove shall be removed and confirmed by an inspection by the Inspections Division.

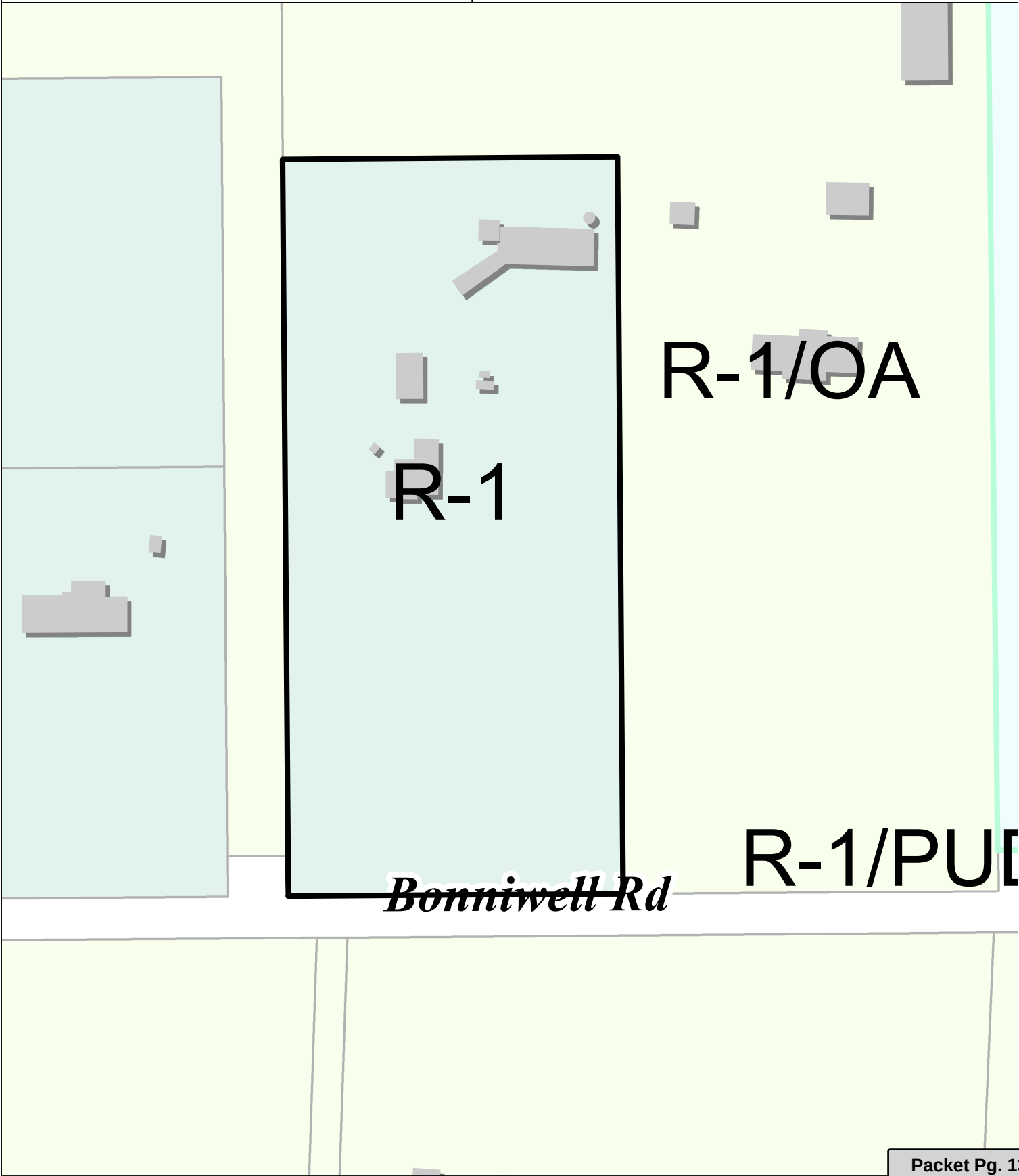
Attachments:

Packet_05.14.18 (PDF)

Brian & Carly Borchert

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

2.a.a



Attachment: Packet_05.14.18 (3217 : Brian & Carly Borchert)

BRIAN AND CARLY BORCHERT

8110 W. Bonniwell Road | (414) 267-7801 | brianborchert@gmail.com

April 5, 2018

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

Dear City of Mequon Planning Commission:

Please accept this narrative in accompaniment with our Conditional Use Application dated April 5, 2018. The renovation project we seek to complete is to create a mixed home office and guest quarters space in an existing outbuilding on our property that we casually call the "bunkhouse."

We both primarily work from home as salaried employees and neither of us operate our own business. The space would primarily be used for us as a work space. In addition, from time to time we would like to offer our out of town guests the option to stay in the building as private guest quarters.

Sincerely,



Brian and Carly Borchert

Bonniwell Renovation



Project Narrative:

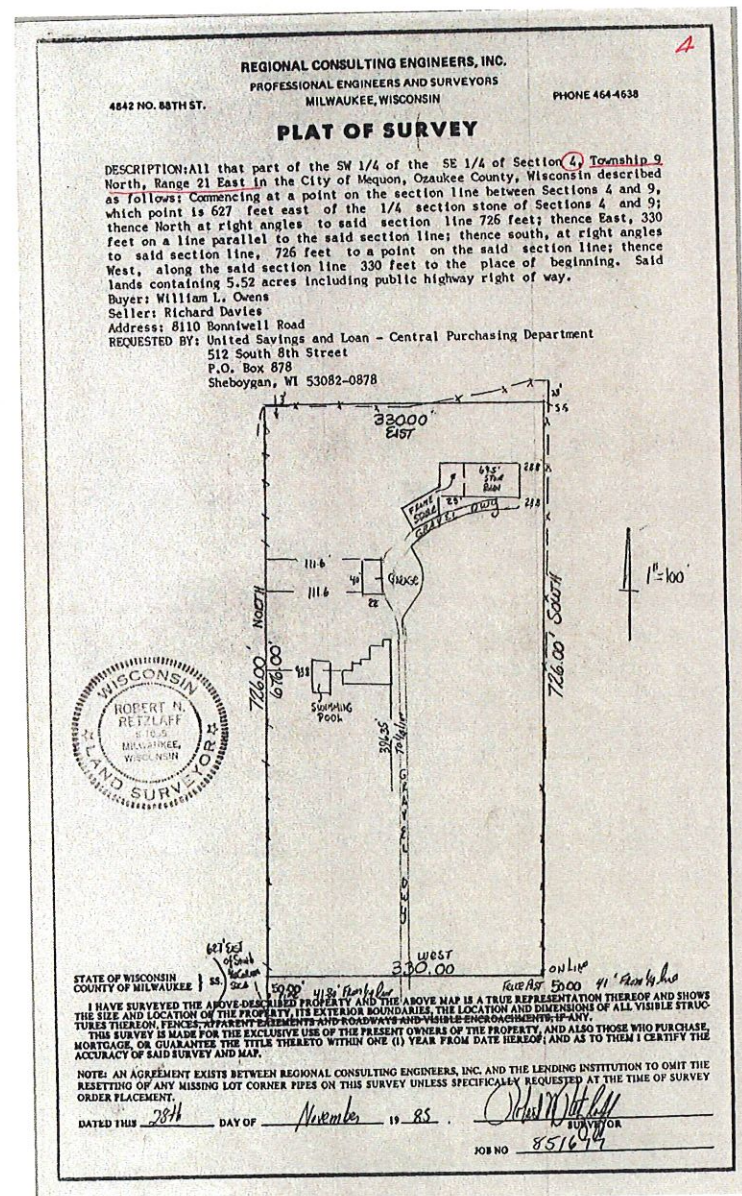
This is an existing residential property. Property was formerly of agrarian use, at some point in the past it became a primarily residential use.

Zoning and Code Data:

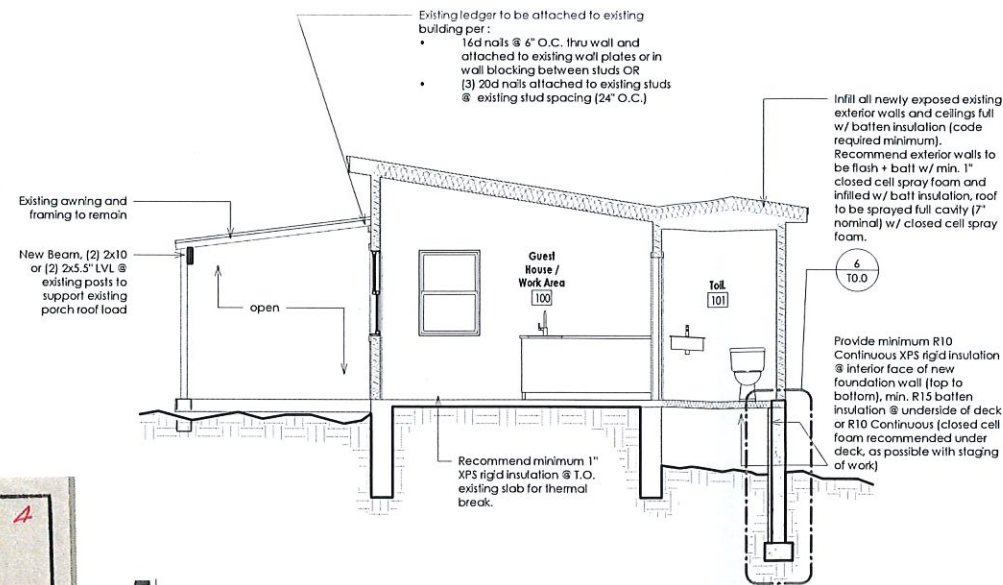
Project Zoning: R-1

Sheet List:

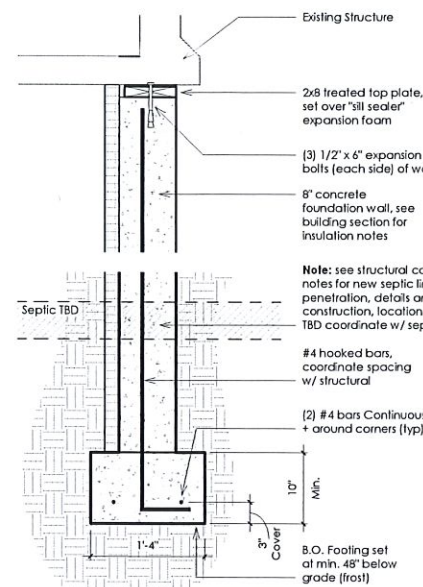
Sheet Number	Sheet Name	Current Revision	Current Revision Date
T.O.	Renovation Sheet		
A2.0	Revisions + Photos		



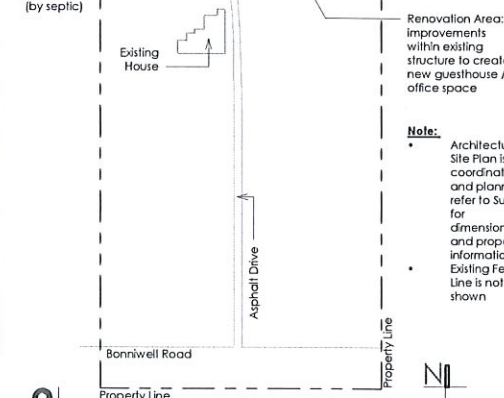
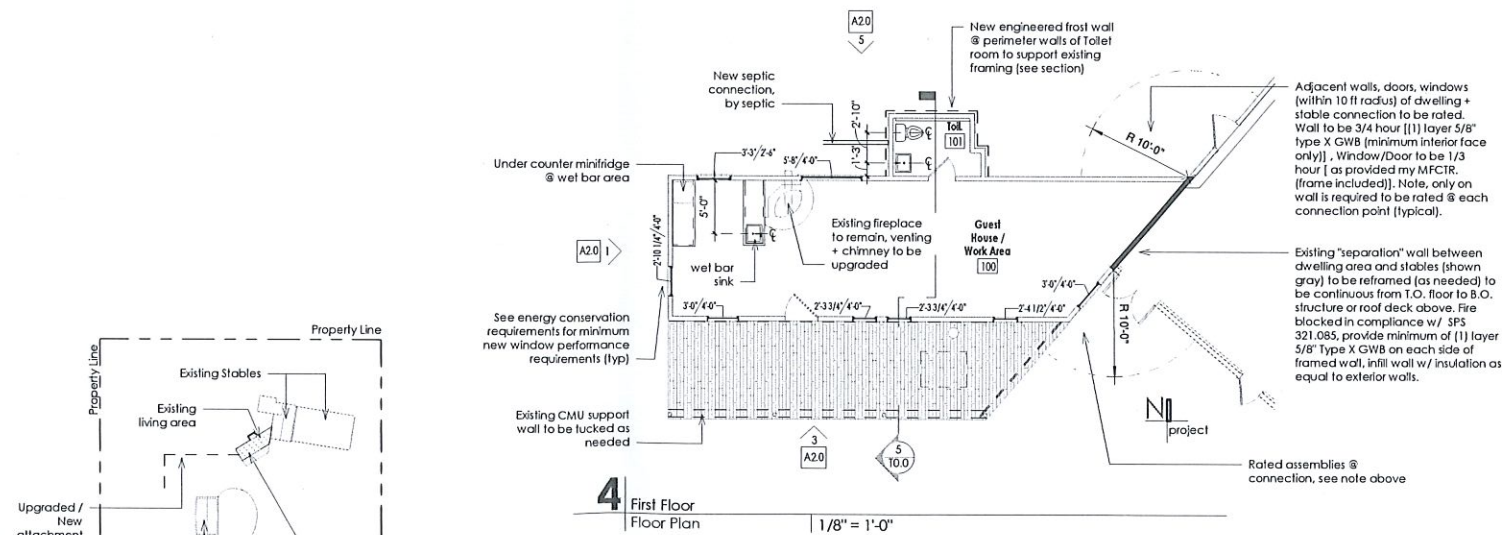
1 Plat
survey (others) | 1" = 100'-0"



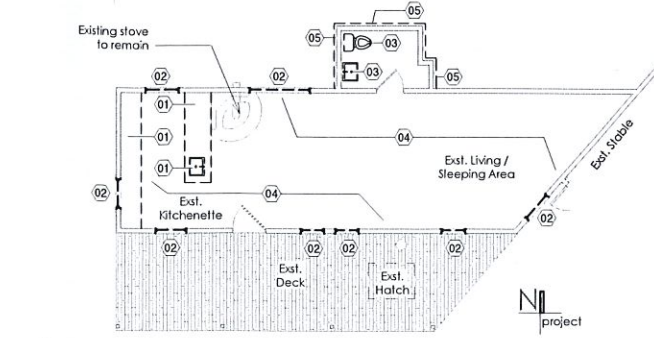
5 Section 1
Building Section | 1/4" = 1'-0"



6 Typ. Foundation
Structural - Foundation | 1" = 1'-0"



2 Site
Architectural Site Plan | 1" = 100'-0"



3 First Floor
Demolition Plan | 1/8" = 1'-0"

Wisconsin Residential (UDC-SPS 322) Energy Conservation Minimum Requirements New + Existing assemblies:

- All existing ceiling, wall + ceiling cavities:**
- When exposed, existing wall and ceiling cavities are to be filled with new battens insulation (maximum R value possible per cavity depth). Where no existing cavity is exposed, no requirements.
- SPS Table 322.31 - 1: Insulation and Fenestration by Component (zone 1 - Milwaukee County)**
- Fenestration: Maximum U Factor 0.35
 - Skylight: Maximum U Factor 0.60
 - Ceiling: Minimum R-49 * (see notes below)
 - Ceilings w/ Attic Spaces [SPS 322.32(1)]: Min R-38 (note that R-38 must extend continuously above top plate @ eaves, attic access doors must be weather stripped and provide equal R value as adjacent ceiling)
 - Ceilings w/ NO Attic Spaces [SPS 322.32(2)]: Min R-49, R-30 allowed where insufficient space exists for R-49 AND area < 500 SF
 - Wood Framed Wall: Minimum R20 (battens) or Minimum R13 (battens) AND R5 (continuous)
 - Mass Wall: Provide Min R15 OR Min R19 if more than 50% of the insulation is on the interior of the mass wall.
 - Floor: Min R30 (or insulation sufficient to fill framing cavity with minimum R19) - note that floor insulation must be applied to maintain contact w/ subfloor above [SPS 322.32(5)]
 - Basement Walls: Min R15 (Continuous @ interior or exterior face of wall) OR R-19 cavity insulation @ interior face of wall. Note R13 cavity insulation is acceptable if a continuous Min R5 insulation is also provided @ exterior face of wall.
 - Crawl Space: Min R10 (Continuous @ interior or exterior face of wall) OR R-15 cavity insulation is @ interior face.
 - Heated Slab (note: 'Heated' slabs are slabs in contact or with integrated hot water or forced air mechanical systems): Min R10 continuous under slab. Min R15 @ slab edge where slab is less than 12" below grade. Slab edge insulation shall extend downward for a minimum of 48 inches OR downward to the bottom edge of the slab and extended to the interior or exterior for a minimum distance of 48 inches.
 - Unheated Slab: which is less than 12 inches below grade: Min. R10 continuous under slab, turned up @ perimeter.
- SPS 322.32 Special Insulation Requirements (edited)**
- Overhang Joist Spaces: [SPS 322.32(8)]: that extend beyond face of exterior wall shall be insulated with on R-30 or higher that completely fills the cavity including over the top of the exterior wall supporting joists (assuming T.O. wall is not insulated from the interior.
- Air / Vapor Barriers:**
- Provide Minimum 6 Mil Poly Vapor Barrier @ inside (warm) face of all exterior walls and ceilings.
 - Provide Minimum 10 Mil Poly Vapor Barrier @ underside of all new interior slab faces.
 - Provide continuous Air Barriers @ all exterior wall faces
- Insulation Requirement General Notes:**
- General: Information shown is for reference, and is not exhaustive. Contact architect with any concerns or questions.
 - Steel Framing: Additional insulation requirements for Steel Framing are not included.
 - Fenestration / Doors: Specific and detailed fenestration and door requirements are not included.
 - Mechanical Equipment Performance Assumptions: Information shown is based on 'high efficiency' mechanical equipment as specified by SPS 322. If lower efficiency units are to be provided, contractor to inform owner regarding additional requirements.

Architecture

Solid State Architecture

Jeffrey P. Folsad
jpf@solid-state-arch.com
414.231.3801
1422 North 4th Street
Milwaukee, WI 53212
www.solid-state-arch.com

Structural

Blodgett Engineering

Michael Blodgett
blodgetteng@wi.rr.com
262.293.9923
W169 N10815 Redwood Lane
Germanstown, WI 53022

Owner

Brian + Carly Borchert
brianborcher1@gmail.com
414.267.7801
8110 W. Bonniwell Road
Mequon, WI 53097

Project General Notes

Letter	Note
a	Contractor shall have visited the site of work and become familiar with existing conditions prior to submitting a proposal. Claims for additional compensation due to unfamiliarity with existing conditions will not be considered.
b	Prior to any excavations, GC to contact digger's hotline (800-242-8511) and coordinate marking of all site and site adjacent utilities.
c	Dimensions from existing conditions are from face of finished wall to face of finished wall (Nominal).
d	Dimensions from new work is from face of framing to face of framing.
e	The project shall be kept clean and orderly. Coordinate regular debris removal with all trades. No burning of any materials is permitted.
f	Coordinate all portions of the work as described in the contract documents. Notify the owner in writing for resolution of all discrepancies prior to construction.
g	Contractor and subcontractors are responsible for obtaining current contract documents prior to commencement of work.
h	Refer to MEP trade drawings (by MEP designer or MEP design/build contractor) for design and scope of MEP work. Any MEP items or scope shown on architectural drawings are for design intention only. MEP designers or MEP design/build contractors are ultimately responsible to design and document code approved MEP work and coordinate final approvals from the owner and all relevant municipalities.

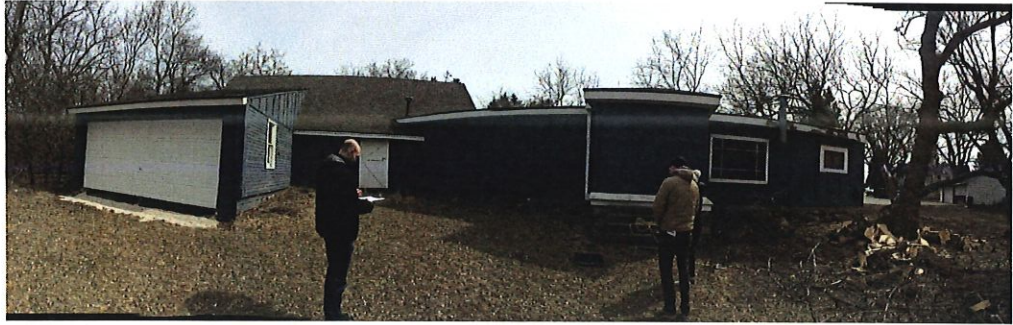
Demolition General Notes

Letter	Note
a	The contractors are responsible for the removal of all demolition and construction debris generated from the work, taking care to prevent overloading of floor assembly and protection of adjacent existing construction.
b	Refer to plumbing, HVAC and Electrical plans for additional demolition items and notes. GC is to coordinate work with MEP requirements and MEP Design Build Contractors. MEP work and MEP demolition is not shown on architectural drawings.
c	All copper and scrap materials removed during demolition are to be turned over to owner after removal.
d	Verify exact composition of existing walls to be removed.
e	Shore all bearing elements as required.
f	Notify architect immediately if any asbestos or asbestos suspected materials are uncovered on site.

Demolition Keyed Notes

Tag	Text
01	Remove existing kitchen millwork and plumbing
02	Remove existing window, prepare opening for new window, same size, type
03	Remove existing plumbing fixture
04	Prepare existing concrete subfloor for new finishes
05	Remove existing under deck supports in preparation for new/repared frost wall, shore as needed

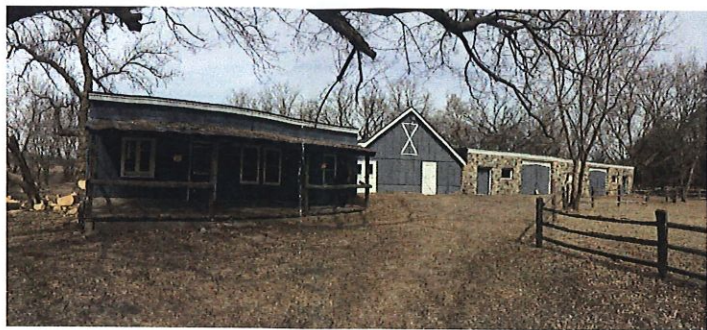
COPYRIGHT SOLID STATE ARCHITECTURE. ALL RIGHTS RESERVED. THIS DRAWING AND/OR CONTENT IS NOT TO BE REPRODUCED, CHANGED, COPIED OR ASSIGNED TO ANY THIRD PARTY IN ANY FORM OR MANNER WITHOUT FIRST OBTAINING THE EXPRESSED WRITTEN CONSENT OF SOLID STATE ARCHITECTURE. THE USER AGREES TO INDEMNIFY AND HOLD THE ARCHITECT HARMLESS FROM ANY DAMAGES, LIABILITY, OR COST, INCLUDING ATTORNEY'S FEES AND COSTS OF DEFENSE RESULTING FROM ANY CHANGES OR MODIFICATIONS MADE BY ANYONE OTHER THAN THE ARCHITECT. THE OWNER OR OWNER'S AGENT SHALL ALSO HOLD HARMLESS THE ARCHITECT FROM ANY REUSE OF THE DRAWINGS OR DATA WITHOUT THE SECURING WRITTEN CONSENT OF THE ARCHITECT.



10 North West Facade (full)
Existing Photos nts



7 South Facade (full)
Existing Photos nts



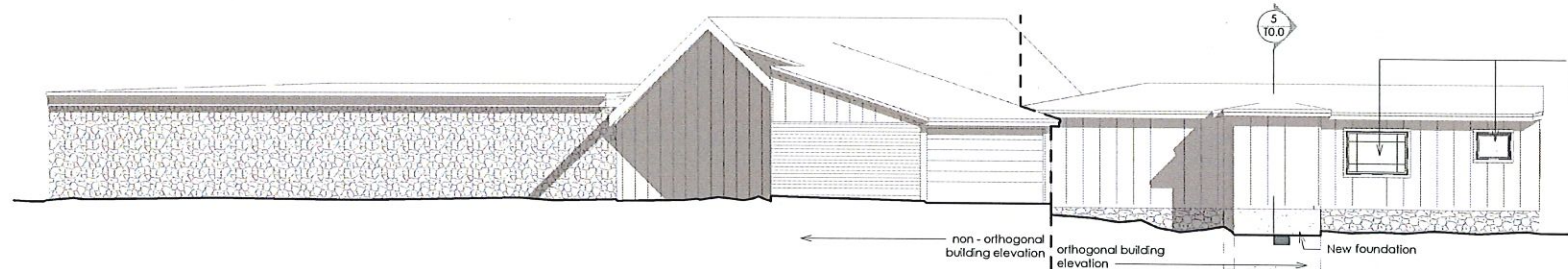
8 Renovation South (partial)
Existing Photos nts



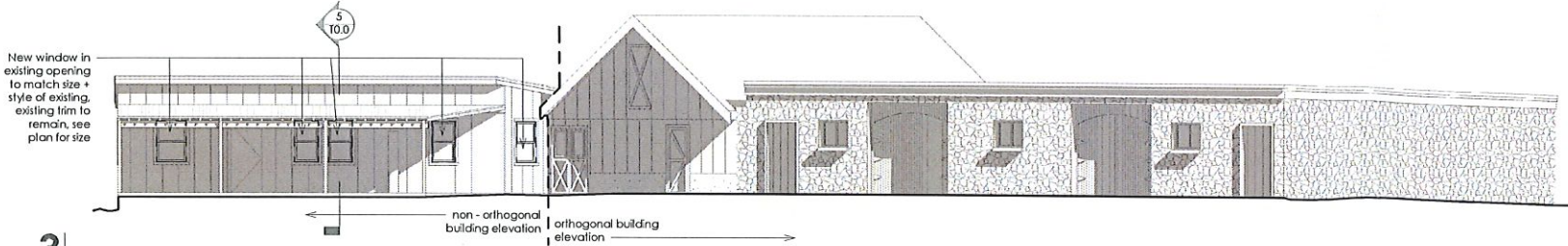
11 Reno North West (partial)
Existing Photos nts



9 Reno South West (partial)
Existing Photos nts



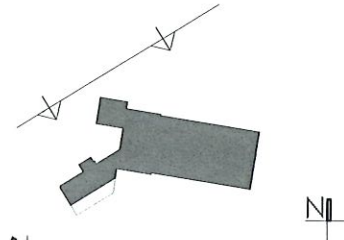
5 North Building Elevation
1/8" = 1'-0"



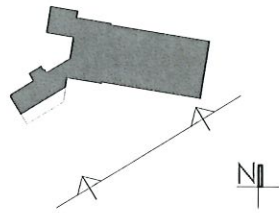
3 South Building Elevation
1/8" = 1'-0"



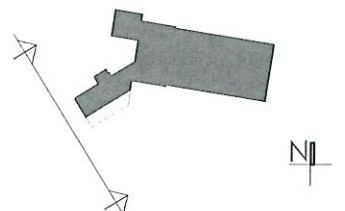
1 West Building Elevation
1/8" = 1'-0"



6 North Elevation Elevation Key
nts



4 South Elevation Elevation Key
nts



2 West Elevation Elevation Key
nts

CONDITIONAL USE GRANT

Articles of Agreement made and entered into this 14th day of May 2018, by and between Brian and Carly Borchert, property owners and the City of Mequon Planning Commission.

Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located at 8110 E Bonniwell, Section 4, Range 21 East, in Township 9 North, Ozaukee County, State of Wisconsin, further described as follows:

LEGAL DESCRIPTION

Exhibit A

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

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

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

GRANTED by action of the Planning Commission of the City of Mequon this 18th day of May 2018.

Dan Abendroth, Mayor, Planning Commission Chairperson

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)
Personally came before me, this ____ day of _____, 2018, 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 _____, 2018, 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.:
140041500100

Attachment: Packet_05.14.18 (3217 : Brian & Carly Borchert)

Conditional Use Grant

The **CONDITIONS** of this Grant are:

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

Conditions on the Operations:

- a. Hours of operation: N/A
- b. Performance standards relating to parking, noise, vibration, odor, smoke, dust, and light: As per City ordinance and as further designated under letter (e.) below.
- c. Water supply requirements:
Private well
- d. Provisions for sewage disposal:
Private disposal.
- e. Other:
 - Any substantiated material problems with noise, traffic circulation, parking, unenclosed storage, lighting, maintenance, health, and safety, etc. will be the responsibility of the operator and / or owner to correct. Failure to correct the problem in a timely manner may result in the partial or complete revocation of this grant.

9. Conditions of the structures:

- a. Site Plan: As per attached Exhibit B
- b. Landscaping Plan: N/A
- c. Elevations: As attached Exhibit A
- d. Floor Plan: As per attached Exhibit B
- e. Exterior lighting of the building: N/A
- f. Fence / Wall / Dumpster plan details: N/A
- g. Sign location, size, and design (including lighting and landscaping): NA
- h. Other:
 - The living accommodations shall not be used for income production.
 - There shall be no kitchen facilities in the guesthouse.

OWNER(S):

By: _____

Acknowledgment

STATE OF WISCONSIN)
)SS
_____COUNTY)

Personally came before me, this ____ day of _____, 2018, the above named, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Attachment: Packet_05.14.18 (3217 : Brian & Carly Borchert)

Conditional Use Grant

Notary Public

My Commission (expires) _____

This document drafted by the City of Mequon.

Attachment: Packet_05.14.18 (3217 : Brian & Carly Borchert)



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: PA PHOUALA VANG, PLANNER
DATE: May 14, 2018
SUBJECT: Ranch Court, LLC. The applicant is seeking landscape plan approval for the approved single-family residential development located at 2100 W. Ranch Court.

Applicant:	Ranch Court, LLC.
Status of Applicant:	Owner
Requested:	Street Tree Plan Landscape Plan
Existing Zoning:	C-2 (General Conservancy) OA (Agricultural Overlay) FW (Floodway) FFO (Flood Fringe Overlay) C-1 (Critical Environmental) R-4 (Single Family ¾ Acre)
Lot size:	21.87 Acres
Location:	2100 W. Ranch Road
Tax Key:	#15-019-08-002.00
District:	#2

Background: The applicant is requesting street tree and landscape plan approval for the development located at 2100 W Ranch Road. The preliminary plat, development agreement and conditional use grant were approved at the Planning Commission meeting on December 4, 2017.

Street Tree Plan:

The plan calls for a total of 20 street trees, a mix of swamp white oak, prairie expedition elm and Turkish filbert, along the road right-of-way on the south side of Ranch Road and along the proposed cul-de-sac.

Tree Board Recommendation:

The Tree Board recommended **approval** of the street tree plan at its meeting on January 31, 2018.

Landscape Plan:

The plan includes details related to an entry pillar with address signs at the entrance to the development. Any proposed subdivision sign will require sign permit approval. White pines are proposed along the east property line of Outlot 1 to screen the development from the existing single-family and along a portion of the west property line of Outlot 1 to screen the wetlands.

Planning Staff Recommendation:

Planning Staff recommends **approval** of the street tree and landscape plan, subject to the following conditions:

1. Staff review of final street tree and landscape plans.
2. Sign permit approval is required for all new signage.
3. All trees shall have minimum 3” caliber.

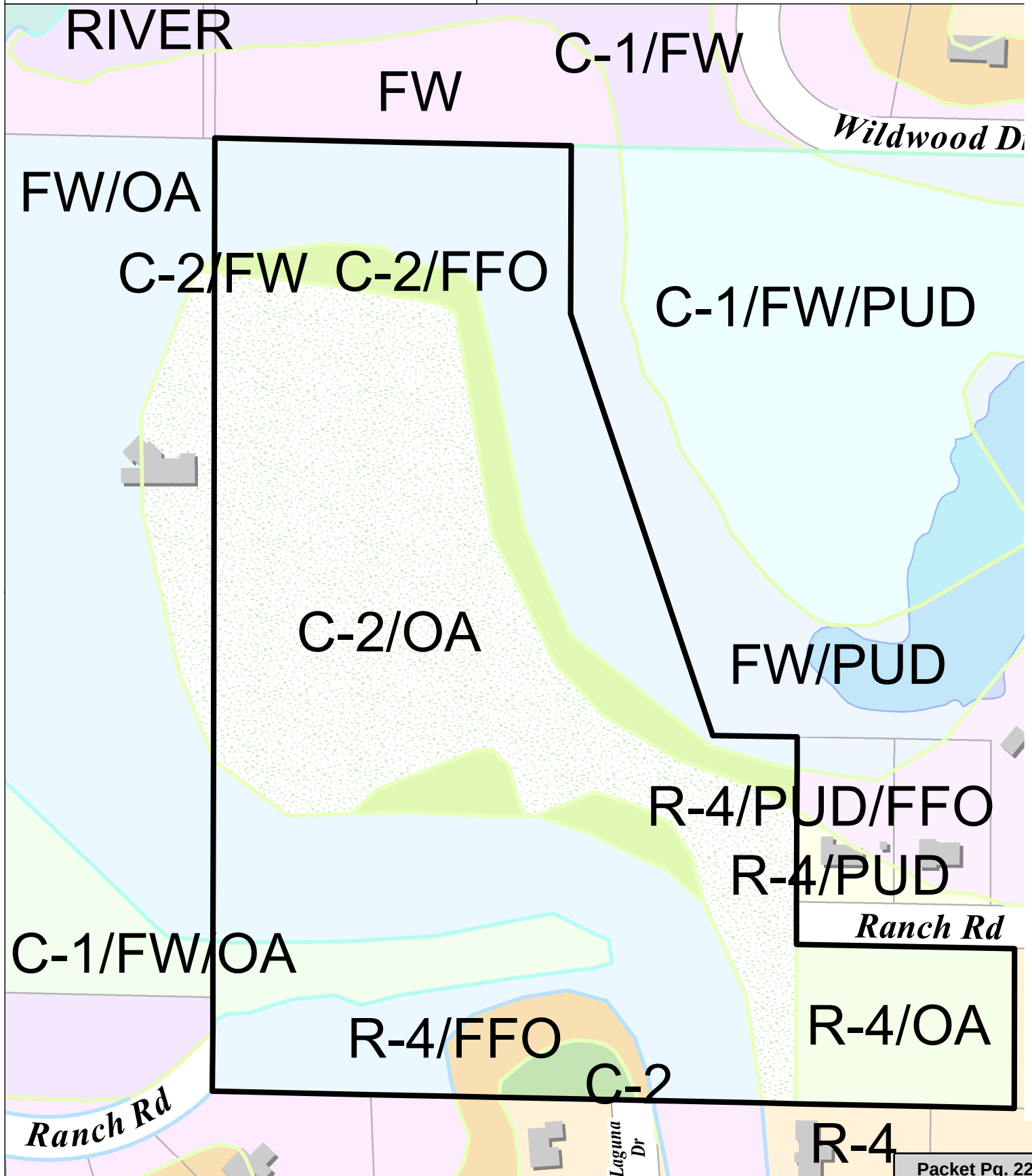
Attachments:

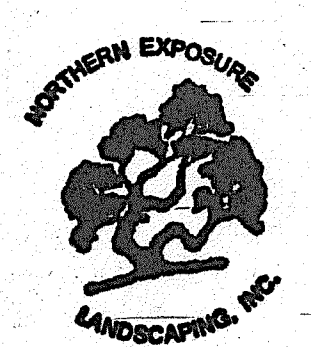
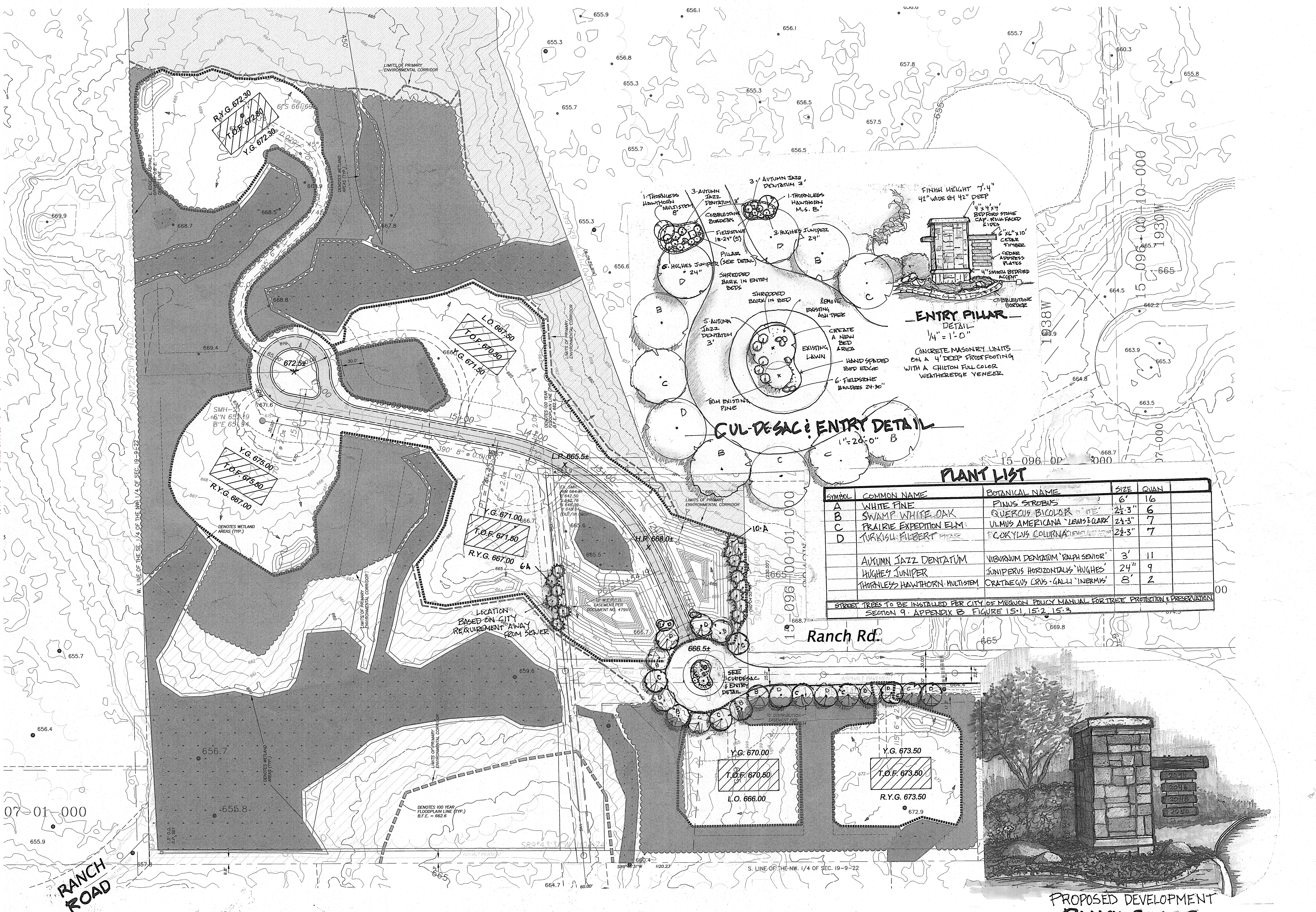
Packet_05.14.18 (PDF)

Ranch Court, LLC

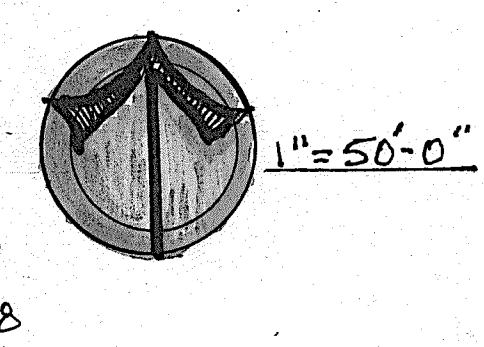
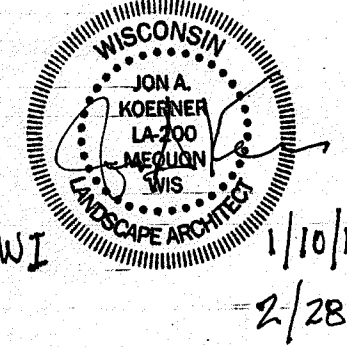
AC Arrival Corridor
 A-1 Agricultural Preserve
 A-2 General Agricultural
 B-1 Neighborhood Business
 B-2 Community Business
 B-3 Office & Service Business
 B-4 Business Park
 B-5 Light Industrial
 B-6 Rural Industrial
 B-7 Rural Business
 C-1 Shoreland/Wetland Conservancy
 C-2 General Conservancy
 CGO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

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





**NORTHERN EXPOSURE
LANDSCAPING, INC.**
9850 N. WISAUKEE ROAD, MEQUON, WI
262.242.3877 • F 262.242.3878



**PROPOSED DEVELOPMENT
RANCH COURT**
**RANCH ROAD & N. LAGUNA DRIVE
MEQUON, WI** RANCH COURT LLC



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

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: PA PHOUALA VANG, PLANNER
DATE: May 14, 2018
SUBJECT: Edge Consulting Engineers, Inc. for Ozaukee County. The applicant is seeking building and site plan amendment to allow for construction of a 160' tall communications tower to replace an existing 152' tall tower for the property located at 6333 W. Bonniwell Road (Mee-Kwon Park).

Applicant: Edge Consulting Engineers, Inc.
Arlen Ostreng
Status of Applicant: Agent
Requested: Building and Site Plan Amendment
Existing Use: Park
Existing Zoning: P-1/OA
C-2/OA
C-1
Land Use Plan: Park
Location: 6333 W. Bonniwell Road
Tax Key: #14-010-01-000.00
District: #1

Background: The applicant requests building and site plan approval for a new public safety telecommunication tower located at 6333 W Bonniwell Road. As part of upgrading the County's public safety communications system, a 160' tower is proposed at Mee-Kwon Park. A letter from Harris Corporation, the company tasked with designing and upgrading Ozaukee County's public safety communication system, states that the existing Mee-Kwon communication tower was constructed under a previous structural standard, which no longer meets "Public Safety" grade structural standards at which communication sites are evaluated. Alternate tower locations were investigated, but had similar issues with not fulfilling the "Public Safety" grade. In addition, the site was chosen for the new tower because it was a viable location (requires line of site) for the network which supports the dispatching and first responder communications centralized at the Justice Center at 1201 Spring Street in Port Washington. The new tower will continue to service one cell carrier.

Building and Site Plan:

The site has an existing fenced enclosure and 152' tower. The plan shows the proposed tower in the same general area, southeast of the existing compound. The construction of the tower will require the removal of a tree. The City Forester has been to the site and found no issues with the proposed removal. The P-1 district requires a minimum setback of 80 feet from the public street and a minimum 30 feet offset from the side and rear lot line. The proposed tower meets the setbacks. The proposed tower will be enclosed by a wood fence. Fence details shall be submitted for staff review and approval.

Construction of the tower and commission of the system will begin Summer 2018. Once the system is up, a period of testing will follow with installation of mobile radios in police and fire vehicles scheduled for July 2019. Staff will add as a condition of approval that the existing tower be removed no later than December 31, 2019 with an option for a six month extension if requested by Ozaukee County in order to complete the transition.

Staff Recommendation:

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

1. Staff review and approval of final site plans.
2. The existing tower shall be removed no later than December 31, 2019. A six month extension may be requested by Ozaukee County if the transition to the new system has not been completed.
3. Staff review and approval of enclosure.

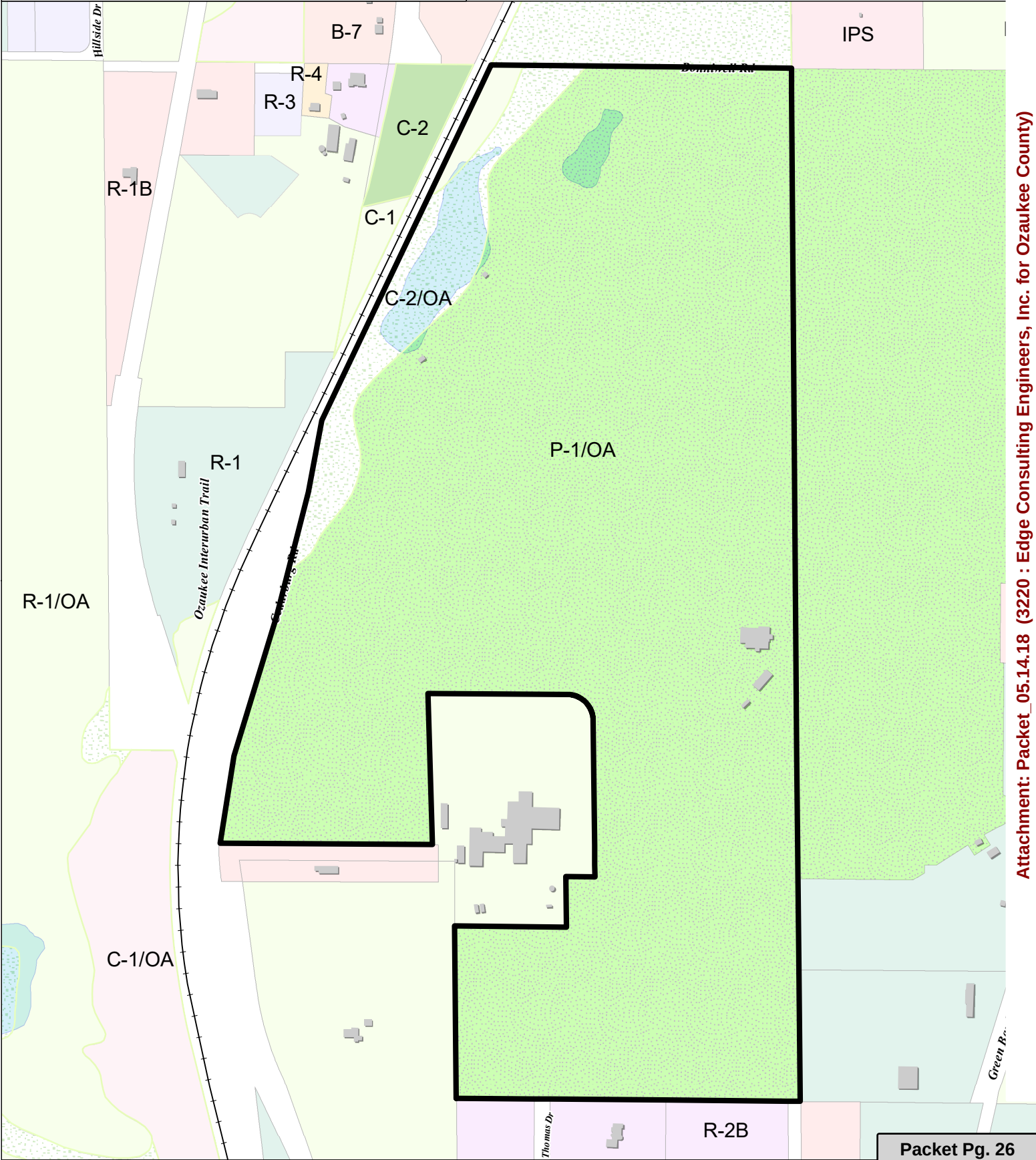
Attachments:

Packet_05.14.18 (PDF)

Arlen Ostreng for Ozaukee County

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

3.b.a



Attachment: Packet_05.14.18 (3220 : Edge Consulting Engineers, Inc. for Ozaukee County)



HARRIS CORPORATION

Karl Ryan
Program Manager Public Safety & Professional
Communications

200 Hawthorne Ave SE
Suite B-250
Salem, OR 97301

May 4th, 2018

Pa Phouala Vang
Planner
City of Mequon

Subject: Ozaukee Co Proposed Tower Replacement, Mee-Kwon Park

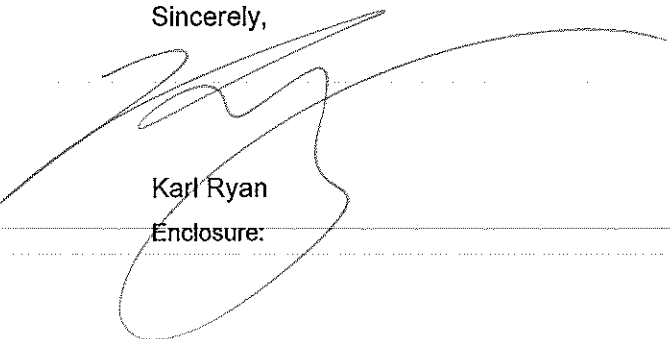
Harris Corporation has been tasked with the design and upgrade to Ozaukee County's public safety communication system. As such, the scope of designing the system involved the evaluation of existing communication sites for microwave/network backhaul, capacity to accommodate additional antennas and the future transition of operations from the legacy system to the new system.

The Mee-Kwon Park communication site is one of the locations reviewed as part of the Harris scope and found to require a tower replacement. The tower itself was constructed under a previous structural standard, and as such no longer meets the "Public Safety" grade structural standard at which communication sites are evaluated. Alternate tower locations were investigated, but had similar issues with design standards not fulfilling the "Public Safety" grade and requiring enhancements or replacement.

In conjunction with the structural evaluation for the proposed additional tower loading, we evaluated for a new microwave backhaul. The Ozaukee Co system will utilize a hub and spoke style network to support the dispatching and first responder communications, centralized at the Justice Center communication site located at the Sheriff's office 1201 Spring St. The radio traffic will be backhauled on a network which requires line of sight to the tower at the Justice Center communication site. The 9-mile path was evaluated and found to be viable from the proposed location. In reviewing alternate locations, the path becomes problematic with the elevation increase as you move towards Grafton and in some locations a Water tower in Grafton impeded the path preventing the contractual requirement of 99.999% reliability.

It is Harris's conclusion that the proposed placement of the Mee-Kwon Park tower is the best solution for Ozaukee Co, given the technical requirements of design, the structural need to meet Public Safety grade, and facilities an ideal transition from the existing tower after the implementation and phase-in of the new system.

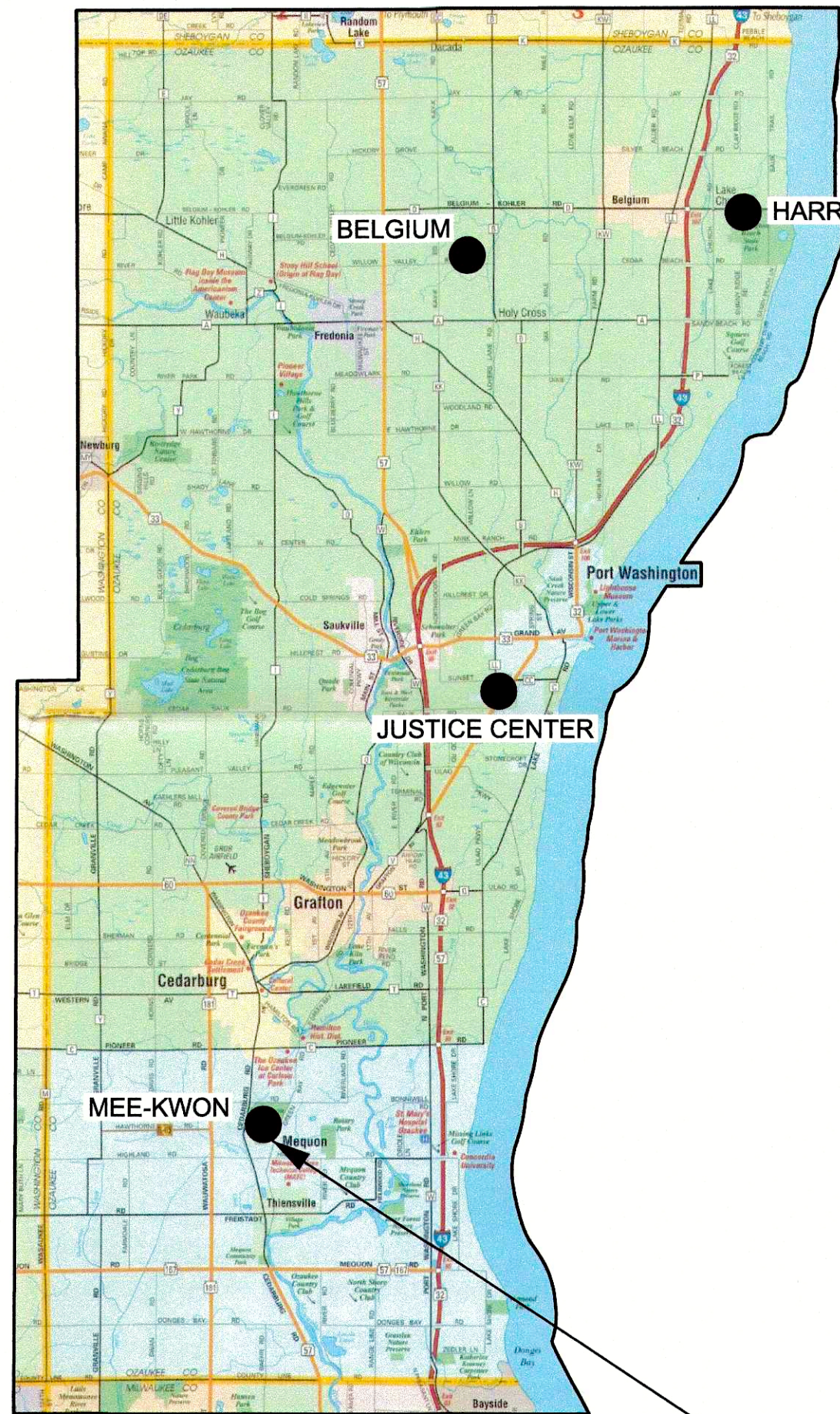
Sincerely,



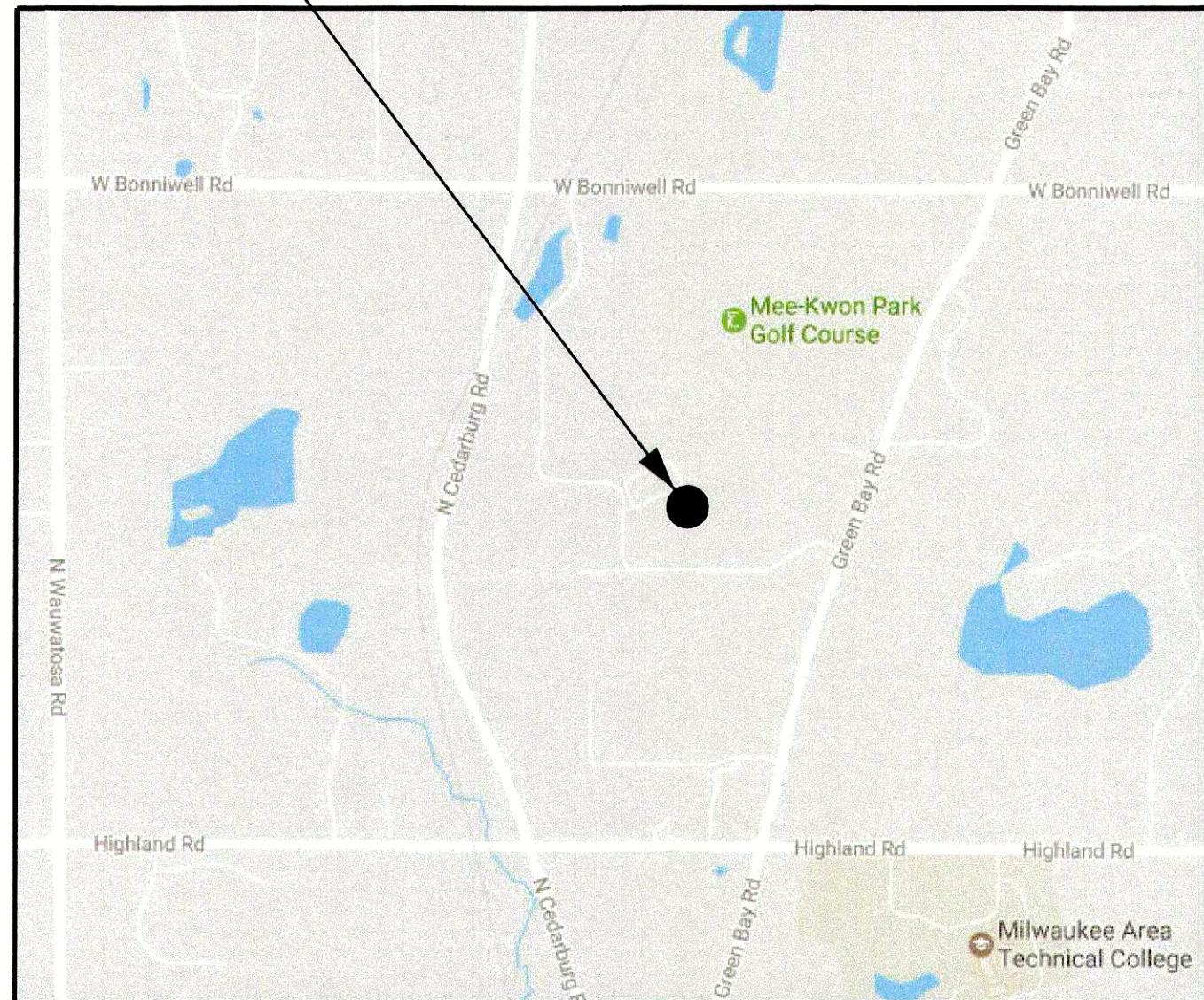
Karl Ryan

Enclosure:

Attachment: Packet_05.14.18 (3220 : Edge Consulting Engineers, Inc. for Ozaukee County)



SITE LOCATION



SITE LOCATION MAP

SCALE: NTS



MEE-KWON TOWER
OZAUKEE COUNTY
MEQUON, WISCONSIN

PROJECT DIRECTORY:

ENGINEER:
EDGE CONSULTING ENGINEERS, INC.
624 WATER STREET
PRAIRIE DU SAC, WI 53578
CONTACT: ARLEN OSTRENG
PHONE: (608) 644-1449

OWNER:
OZAUKEE COUNTY
1201 SOUTH SPRING STREET
PORT WASHINGTON, WI, 53074
CONTACT: SHAWN ANDERSON
PHONE: (262) 284-8485

OWNER'S REPRESENTATIVE:
BUCHHOLTZ CSM LLC
623 MCKINLEY AVE.
LAKE VILLA, IL 60046
CONTACT: DENNIS BUCHHOLTZ
PHONE: (847) 204-5335

RADIO SYSTEM VENDOR:
HARRIS CORPORAION
221 JEFFERSON RIDGE PARKWAY
LYNCHBURG, VA 24501-6952
CONTACT: KARL RYAN
PHONE: (503) 551-4223

PROJECT INFO:

SITE LOCATION:
MEE-KWON PARK GOLF COURSE
6333 W. BONNIWELL RD.
MEQUON, WI 53097

PROPERTY OWNER:
OZAUKEE COUNTY - PLANNING AND PARKS DEPT
121 W. MAIN ST.
PORT WASHINGTON, WI 53074

TOWER OWNER:
OZAUKEE COUNTY
1201 S. SPRING ST.
PORT WASHINGTON, WI 53074

TOWER INFORMATION:
- TOWER BASE - (PER MAPPING)
LAT: 43°-15'-31.1" N (NAD83)
LONG: 87°-59'-04.4" W
GROUND ELEVATION: 804.88' (NAVD88)

PLSS LOCATION:
PART OF THE SE 1/4 OF THE NE 1/4
SEC 10, T09N, R21E,
CITY OF MEQUON
OZAUKEE COUNTY
WISCONSIN

PARCEL ID: 45255-140100100000

SHEET INDEX:

NO.:	PAGE TITLE
G-001	COVER SHEET
C-100	EXHIBIT SITE PLAN
C-101	OVERALL SITE PLAN
C-102	COMPOUND PLAN
T-201	TOWER LOADING / ELEVATION



TO OBTAIN LOCATION OF
PARTICIPANTS' UNDERGROUND
FACILITIES BEFORE YOU
DIG IN WISCONSIN

CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE

FAX A LOCATE 1-800-338-3860
TDD(FOR HEARING IMPAIRED) 1-800-542-2289

WIS. STATUTE 182.0175 (1974)
REQUIRES MIN. OF 3 WORK DAYS
NOTICE BEFORE YOU EXCAVATE.

ENGINEER SEAL:



I HEREBY CERTIFY THAT THIS PLAN SET WAS PREPARED BY
ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A
DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF
THE STATE OF WISCONSIN.

SIGNATURE:

DATE: 5-3-2018



MEE-KWON TOWER
OZAUKEE COUNTY
MEQUON, WISCONSIN
COVER SHEET

REVISIONS:	
MARK	DESCRIPTION

ISSUE DATE: 08/02/2017
SET TYPE: PR
GRAPHIC SCALE: 0.083' / in.
DRAWN BY: AMF
CHECKED BY: AJO
PLOT DATE: 4/3/2018
PROJECT NUMBER: 15206
FILE NAME: G-001.dgn

SHEET IDENTIFICATION: G-001



K:\15200\15206\CAD\PRP\PlotC-100.dgn



Edge
Consulting Engineers, Inc.
624 Water Street
Poulsbo, WA 98267
608.644.1449 voice
608.644.1549 fax
www.edgeconsult.com

MEE-KWON TOWER
OZAUKEE COUNTY
MEQUON, WISCONSIN

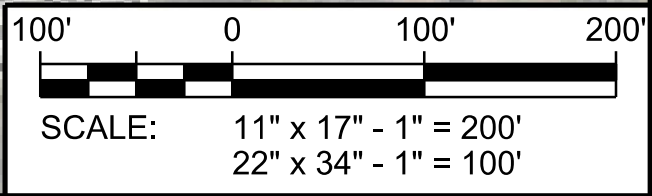
EXHIBIT SITE PLAN

REVISIONS:	
DATE:	DESCRIPTION:

MARK:	
DATE:	

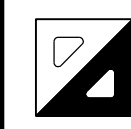
ISSUE DATE:	08/02/2017
SET TYPE:	PR
GRAPHIC SCALE:	100,000' / in.
DRAWN BY:	AMF
CHECKED BY:	AJO
PLOT DATE:	4/3/2018
PROJECT NUMBER:	15206
FILE NAME:	C-100.dgn

SHEET IDENTIFICATION:
C-100





K:\152001\15206\CAD\PRP\PlanC-101.dgn



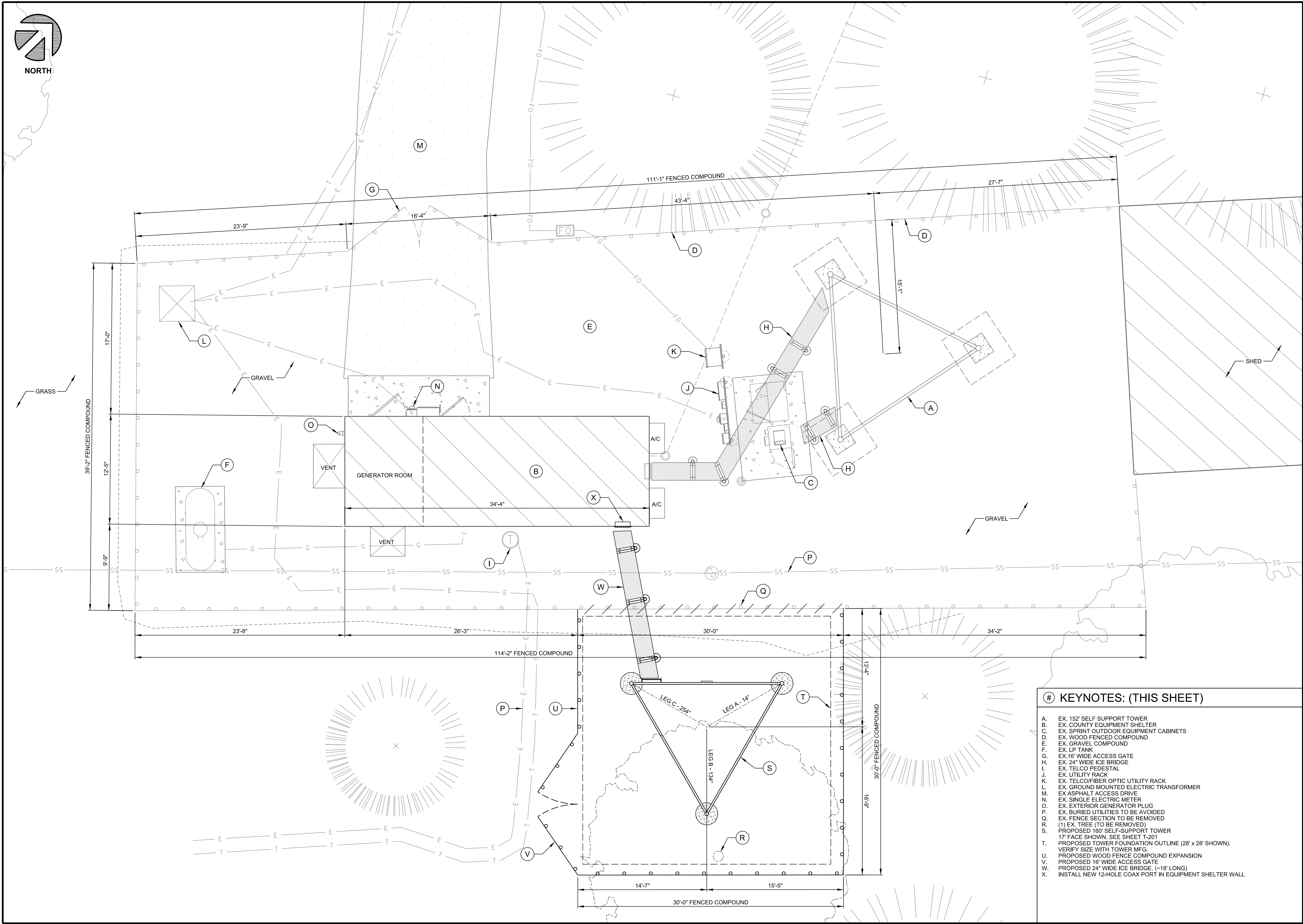
Edge
Consulting Engineers, Inc.
624 Water Street
Poulsboe, WA 98260
360.644.1449 voice
360.644.1549 fax
www.edgeconsult.com

MEE-KWON TOWER
OZAUKEE COUNTY
MEQUON, WISCONSIN

OVERALL SITE PLAN

REVISIONS:		DESCRIPTION:	
MARK	DATE		

K:\152001\152006\CAD\PR\PlanC-102.dgn



KEYNOTES: (THIS SHEET)

- A. EX. 152' SELF SUPPORT TOWER
- B. EX. COUNTY EQUIPMENT SHELTER
- C. EX. SPRINT OUTDOOR EQUIPMENT CABINETS
- D. EX. WOOD FENCED COMPOUND
- E. EX. GRAVEL COMPOUND
- F. EX. LP TANK
- G. EX. 16" WIDE ACCESS GATE
- H. EX. 24" WIDE ICE BRIDGE
- I. EX. TELCO PEDESTAL
- J. EX. UTILITY RACK
- K. EX. TELCO/FIBER OPTIC UTILITY RACK
- L. EX. GROUND MOUNTED ELECTRIC TRANSFORMER
- M. EX. ASPHALT ACCESS DRIVE
- N. EX. SINGLE ELECTRIC METER
- O. EX. EXTERIOR GENERATOR PLUG
- P. EX. BURIED UTILITIES TO BE AVOIDED
- Q. EX. FENCE SECTION TO BE REMOVED
- R. (1) EX. TREE (TO BE REMOVED)
- S. PROPOSED 180' SELF-SUPPORT TOWER
- T. 17' FACE SHOWN, SEE SHEET T-201
- U. PROPOSED TOWER FOUNDATION OUTLINE (28' x 28' SHOWN). VERIFY SIZE WITH TOWER MFG.
- V. PROPOSED WOOD FENCE COMPOUND EXPANSION
- W. PROPOSED 18" WIDE ACCESS GATE
- X. PROPOSED 24" WIDE ICE BRIDGE (-18' LONG)
- Y. INSTALL NEW 12-HOLE COAX PORT IN EQUIPMENT SHELTER WALL

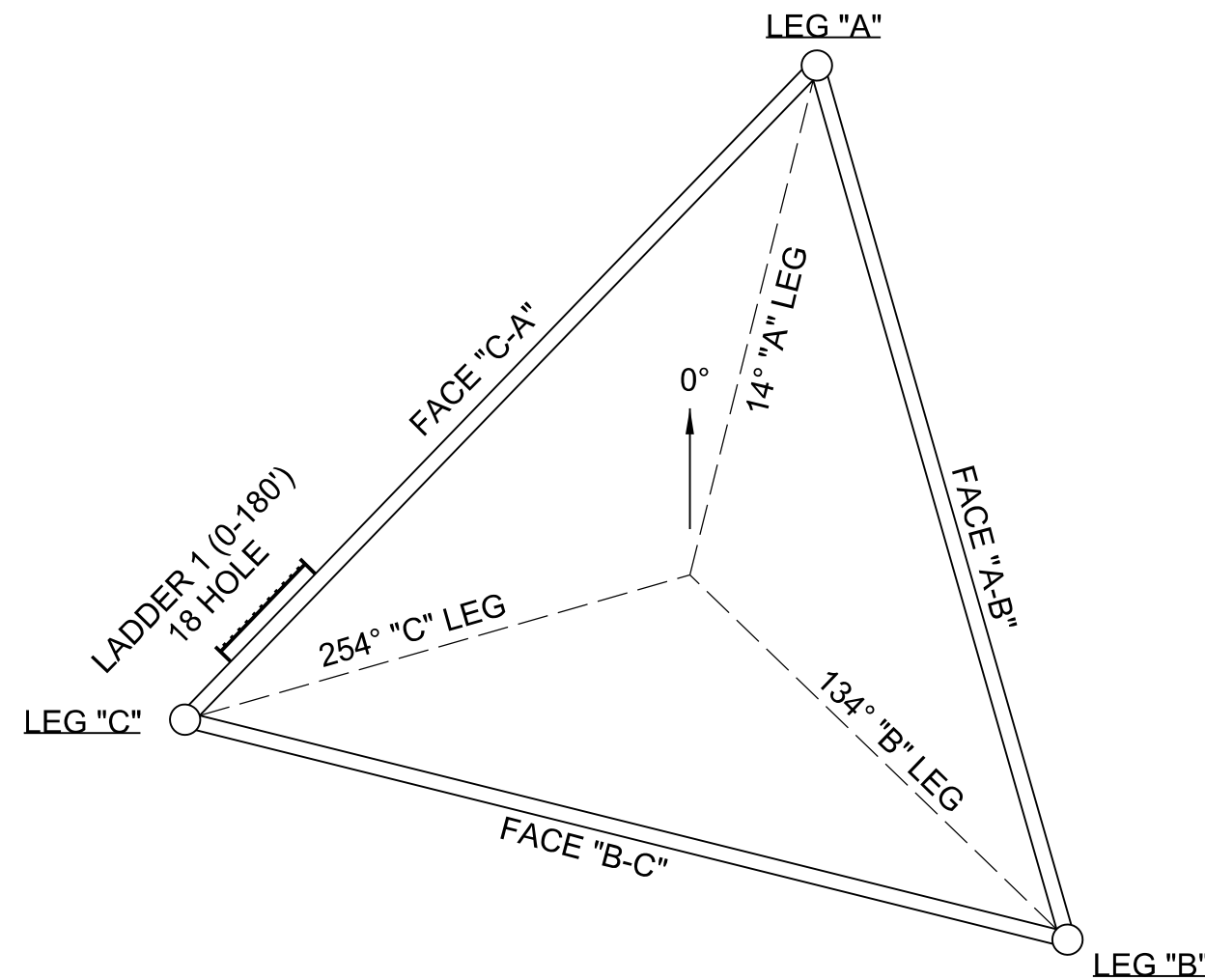
MEE-KWON TOWER
OZAUKEE COUNTY
MEQUON, WISCONSIN
COMPOUND PLAN

REVISIONS:	
MARK:	DESCRIPTION:

ISSUE DATE:	08/02/2017
SET TYPE:	PR
GRAPHIC SCALE:	5,000' / in.
DRAWN BY:	AMF
CHECKED BY:	AJO
PLOT DATE:	4/3/2018
PROJECT NUMBER:	15206
FILE NAME:	C-102.dgn

SHEET
IDENTIFICATION:
C-102

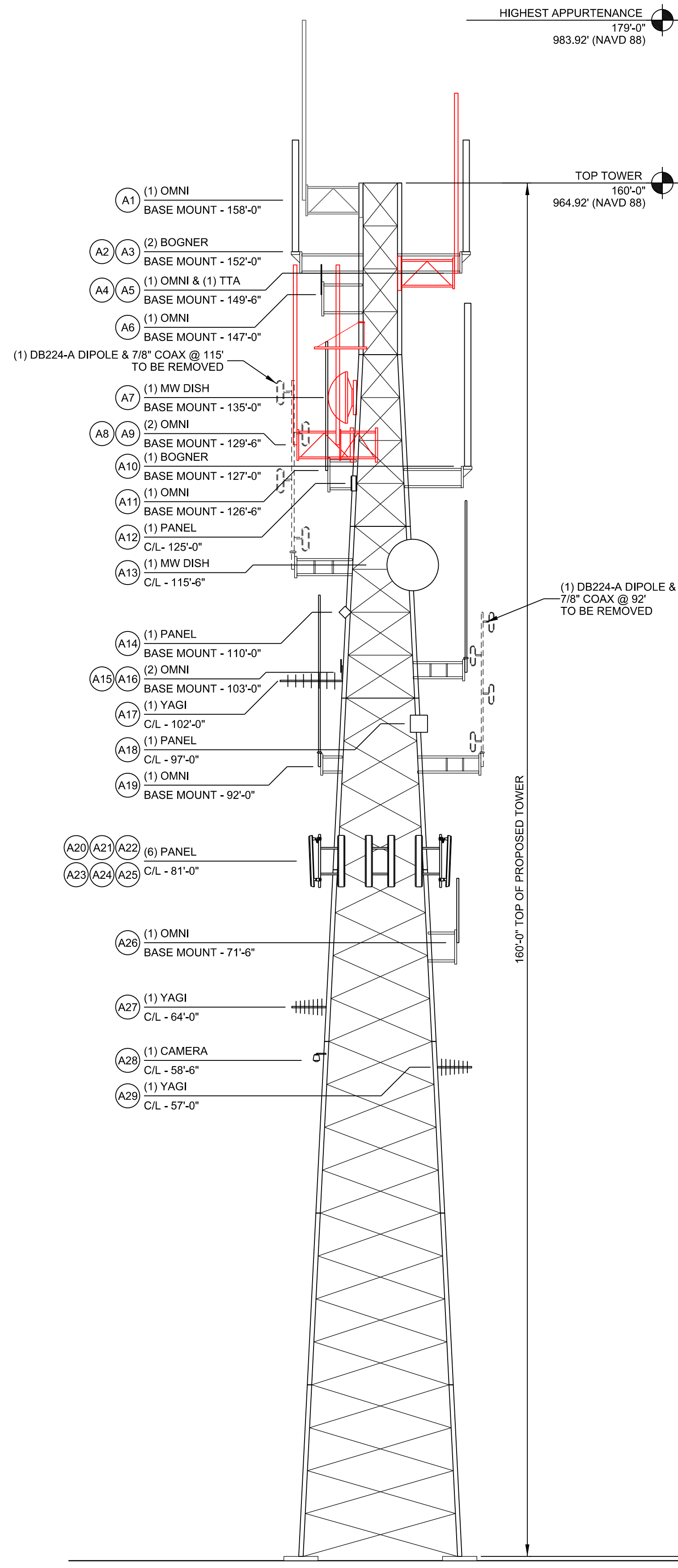
Edge
Consulting Engineers, Inc.
624 Water Street
P.O. Box 1449
Mequon, WI 53078
608.644.1549
www.edgeconsult.com



B TOWER LOADING LEGEND

ANTENNA ID	ANTENNA TYPE	ANTENNA MODEL, DESCRIPTION & (QTY)	TOWER LEG	ANTENNA MOUNT	MOUNTING HEIGHT	C/L HEIGHT	C/L ELEV. (NAVD 88)	ANTENNA AZIMUTH	TILT (+/-)	TX LINE SIZE	COLOR CODING	FREQUENCY (MHz)	ERP (dBm)	USE OWNER	NOTES
1	Omni	(1) Sinclair SC412-HF2LDF 251.5" long, 5" dia, 79lbs	A	6' Bogner Mount	158	168.5	973.4			(1) 7/8"				Ozaukee Co.	Future
2	Bogner	(1) RFS BMR10 156" long, 6.6" dia, 55lbs	B & C	(2) 6' Stand-Off Bogner Leg Mounts	152.0	158.5	963.4			(1) 1-5/8"	(2) Red	824-894		Ozaukee Co.	
3	Bogner	(1) RFS BMR10 156" long, 6.6" dia, 55lbs	A & B	(2) 6' Stand-Off Bogner Leg Mounts	152.0	158.5	963.4			(1) 1-5/8"	(1) Red	824-894		Ozaukee Co.	
4	Omni	(1) Sinclair SC412-HF2LDF 251.5" long, 5" dia, 79lbs	A	6' Bogner Mount	149.5	160.0	964.9			(1) 7/8"				Ozaukee Co.	Proposed Rx Antenna
5	TTA	Combilent TTA CP00732	A	Mount to A3 Antenna Mount	149.5	149.5	954.4			(1) 1/2"				Ozaukee Co.	Proposed Rx TTA
6	Omni	(1) Omni 42" long, 0.5" dia.	C	3' Stand-Off Leg Mount	147.0	148.8	953.7			(1) 1/2"				Ozaukee Co.	
7	MW Dish	(1) Andrew PAR6-65-P7A 76.3" dia, 216 lbs	A	Leg Mount 4.5" OD x 60" Mast	135	135	939.92	28.4		(1) EW63		6425-7125		Ozaukee Co.	Proposed & Install Ice Shield Link to Justice Center
8	Omni	(1) Sinclair SC412-HF2LDF 251.5" long, 5" dia, 79lbs	B	6' Bogner Mount	129.5	140.0	944.9	210		(1) 1 5/8"				Ozaukee Co.	Proposed Tx Antenna
9	Omni	(1) Sinclair SC412-HF2LDF 251.5" long, 5" dia, 79lbs	C	6' Bogner Mount	129.5	140.0	944.9	210		(1) 1 5/8"				Ozaukee Co.	Proposed Tx Antenna
10	Bogner	(1) RFS BMR12 240" long, 6.6" dia, 92lbs	A & C	(2) 6' Stand-Off Bogner Leg Mounts	127.0	137.0	941.9			(1) 1/2"		824-894		Ozaukee Co.	
11	Omni	(1) RFS PD620-3 180" long, 53 lbs	C	4' Stand-Off Leg Mount	126.5	134.0	938.9			(1) 1/2"		150-159		Ozaukee Co.	
12	Panel	(1) dbSpectra TTA ATS8TMA10 21.25" long, 9" dia, 25lbs	C	Leg Mount	125.0	125.0	929.9			(1) 7/8" & (1) 1/2"		806-816		Ozaukee Co.	
13	MW Dish	(1) Andrew PAR6-65-P7A 76.3" dia, 216 lbs	A	Leg Mount 4.5" OD x 60" Mast	115.5	115.5	920.4	~ 30		(1) EW63		6425-7125		Ozaukee Co.	
14	Panel	(1) Airmux - 400 12" x 12" square	A	Leg Mount	110.0	110.0	914.9			(1) 1/4"				Ozaukee Co.	WiFi Antenna
15	Omni	(1) Omni w/ Comm Box 18" long, Box = 13" x 6" x 4"	B	3' Stand-Off Leg Mount	103.0	103.8	908.7			(3) 1/4"				Ozaukee Co.	
16	Omni	(1) CommScope ASP705K 222" long, 22 lbs	B	7' Stand-Off Leg Mount	103.0	112.3	917.2			(1) 7/8"		155-165		Ozaukee Co.	
17	Yagi	(1) Andrew DB230-2A 78" long x 84" tall, 27lbs	C	Leg Mount	102.0	102.0	906.9			(1) 1/2"				Ozaukee Co.	
18	Panel	(1) MT-20004 Panel 24" x 24" square	B	Leg Mount	97.0	97.0	901.9			(1) 1/2"				Ozaukee Co.	WiFi Antenna
19	Omni	(1) CommScope ASP705K 222" long, 22 lbs	A	2'-6" Stand-Off Leg Mount	92.0	101.3	906.2			(1) 7/8"		450-470		Ozaukee Co.	
20-25	Panel	(3) KMW ET-X-WM-16-65-8P & (2) KMW ET-X-TS-70-16-62-18-IR-RD & (1) Andrew SBCHH-1D90B	A,B,C	(3) 15' T-Frame Sector Mounts	81.0	81.0	885.9	0, 120, 240		(3) 7/8" Hybrid		800		Sprint	(7) RRRhs & (6) Fiber/Power Junction Boxes Installed
26	Omni	(1) RFS PD201-1 108" long, 1.5" dia, 4lbs	B	3'-4" Stand-Off Leg Mount	71.5	76.0	880.9			(1) 1/4"		406-426		Ozaukee Co.	
27	Yagi	(1) Yagi 36" long	A	Leg Mount	64.0	64.0	868.9			(1) 1/4"				Ozaukee Co.	
28	Camera	(1) Surveillance Camera	C	Leg Mount	58.5	58.5	863.4			(2) 1/4"				Ozaukee Co.	
29	Yagi	(1) Yagi 36" long	A	Leg Mount	57.0	57.0	861.9			(1) 1/4"				Ozaukee Co.	

1. ALL DIMENSIONS ARE REFERENCE FROM THE TOP OF CONCRETE FOUNDATION.
2. EXISTING TOWER TAG INFO: ROHN SSV, MANUFACTURED 8-27-1991, SITE: MEQUON SITE, DRAWING NO.: 0911480, CUSTOMER FILE: 26717PH



6 TOWER PROFILE (ELEVATION)



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: May 14, 2018
SUBJECT: Shawn Kison for Kapco Park. The applicant is seeking site plan amendment approval to allow for extended hours for the baseball park located on Concordia University campus.

Applicant:	Shawn Kison
Status of Applicant:	Agents
Requested:	Site Plan Amendment
Existing Use:	University
Existing Zoning:	IPS, C-2
Land Use Plan:	Instructional
Lot size:	126 Acres
Location:	12800 N. Lakeshore Drive
Tax Key:	#15-008-09-001.00
District:	#5

Background: The applicant requests site plan amendment for the baseball stadium on the campus of Concordia University located at 12800 N Lakeshore Drive. The project, which was approved by the Planning Commission in December of 2009, included seating for 1,122 persons, concession stands, restrooms, a press box and outdoor lighting. The Planning Commission approved the original site plan amendment on December 7, 2009. Several of the neighbors appealed the decision and on April 22, 2010, the Board of Appeals upheld the Planning Commission's decision and added a condition that all future amendments be reviewed by the Common Council. As part of the approval, the Planning Commission and Common Council placed several conditions regarding the use of the facility in order to mitigate its impact on the surrounding neighborhood. The applicant is requesting to amend the condition that prohibits no ninth inning from starting after 9:00 PM and no extra inning starting after 11:00 PM.

Site Plan Amendment

Currently, there is a condition that prohibits no ninth inning from starting after 9:00 PM and no extra inning starting after 11:00 PM. The applicant is requesting that the requirement which prohibits no new ninth inning from starting after 9:00 PM be removed. The applicant is also requesting that that no new inning would be allowed to start after midnight and in no case will the lights be on past 12:15 AM. The new extended time frame would be limited to a maximum of five games per season. All other games would follow the current condition that no extra inning could start after 11:00 PM.

Kapco Field is entering its sixth season and during this time frame, six games have been impacted by the time deadline with no more than three in any given year. This equates to an occurrence rate of approximately three percent. The applicant states that based on the tight league schedule and travel demands it has been difficult to reschedule these games. The request for up to five games per years gives them the flexibility in the event there is a preponderance of

extra-inning games. Based on the last six years it is likely that the extended hours will only be needed one or two times per year.

The applicant has submitted detailed information regarding the usage of the lighting since 2014. The data shows that approximately 75% of the time the lights are turned off prior to 11:00 PM. It also shows that on average one game a year is postponed due to time constraints. Staff has monitored the sound and light levels periodically over the last six years and has not detected any violations. While the lights are able to be seen by surrounding properties, there is no light dispersion off the Concordia property.

In addition to the impact of the lights, sound impact was a concern at the time of the original approval. The applicant states that over the past six years, games that have gone into extra innings and have approached the 11:00 PM deadline have seen the fan base decline as the game goes on. The only significant sounds from the game at this time come from the PA system. Because of this, staff does recommend that after 11:00 PM, the use of the PA system is limited to player introductions only.

Staff Recommendation:

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

1. Common Council approval of the site plan amendment.
2. No new inning shall start after 11:00 PM and the lights shall be off by 11:15 PM with the exception of five games per year which may be extended so that no new inning shall start after 12:00 AM
3. For games that are allowed to extend to 12:00 AM the lights shall be turned off by 12:15 AM.
4. The use of the Public Address system after 11:00 PM shall be limited to player introductions only.

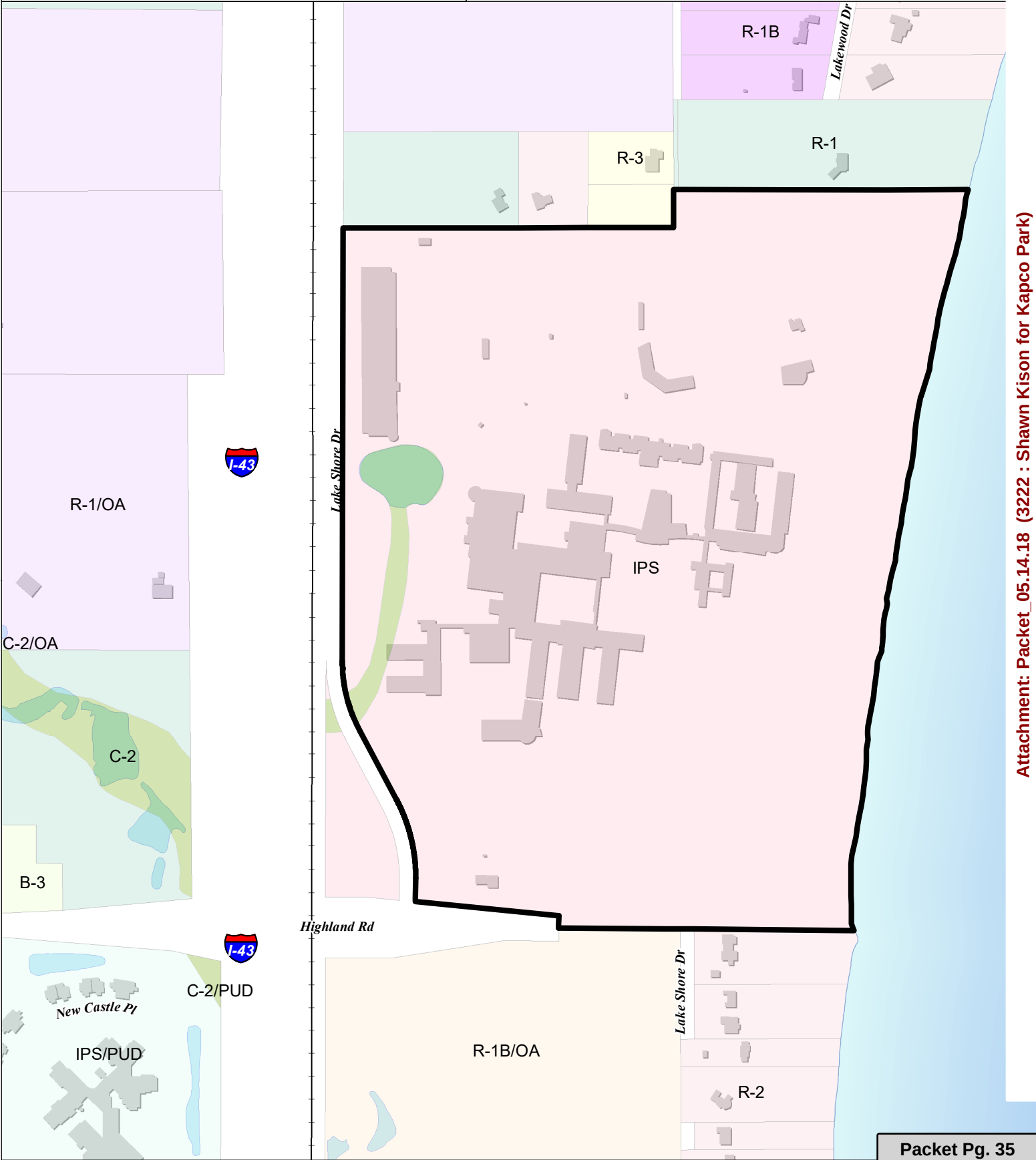
Attachments:

Packet_05.14.18 (PDF)

Concordia University

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

4.a.a



8/9/12

Average sound level @ light pole closest to 3rd base line: 61db

Average sound level @ light pole closest to 3rd base line: 60db

Average sound level @ Lakewood cul-de-sac: 57db

Average sound level @ Lakewood cul-de-sac: 49db

No light trespass on to neighboring properties was found

6/22/13

6:50 PM

49 dBa @ Lakewood cul-de-sac

52 dBa @ 12750 N Lakeshore Dr

65 dBa @ 3rd base line outfield

67 dBa @ center field outfield

82 dBa@ under speaker

8:00 PM

47 dBa @ Lakewood cul-de-sac

49 dBa @ 12750 N Lakeshore Dr

63 dBa @ 3rd base line outfield

62 dBa @ center field outfield

80 dBa@ under speaker

No light trespass on to neighboring properties was found

6/11/14

62 dBa @ 180 feet from the left field foul pole

54 dBa @ same location when no audio or announcer was in use

58 dBa @ Lakewood cul-de-sac

67 dBa 200 feet west of left field foul pole location impacted in part by highway noise

No light trespass on to neighboring properties was found

Lakeshore Chinooks
Shawn Kison
983 Badger Circle
Grafton, WI 53024

March 9, 2018

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

To Whom It May Concern-

The Lakeshore Chinooks Baseball Team would ask that for the 2018 season and seasons beyond, our curfew be extended during our summer season, ranging from approximately May 28 through August 20. By extending the curfew, it will allow the Chinooks an opportunity to finish games that may go into extra innings or have been lengthened due to weather situations.

Currently, the lights at Kapco Park are scheduled for a hard shutoff each game night at 11:15p (meaning they will go off regardless of what is happening on the field or at the stadium as they are controlled by a company in Iowa). Over the past six years and 200+ games, our games have made it to 11:15p only six times. As noted by these numbers, it is very infrequent that we go past the current curfew. However, when we have hit curfew, it has proven challenging to re-schedule the remainder of the game due to the tight schedule the league keeps and travel concerns with the away team.

Throughout our initial six seasons, the Chinooks have been good stewards of the lighting at Kapco Park. When a game concludes, we take 45-60 minutes to clear the stadium of the fans, feed the team, and then clean-up any trash. Upon finishing, a call is made to have the lights turned off immediately. Our intention is to have the lights turned off as soon as they are determined to not be needed each night.

The Chinooks would ask that our games have the opportunity to be played until 12:00a with a hard shutoff of the lights at 12:15a – a one hour extension of our current curfew. Also, I would ask that the late curfew apply to *no more* than five (5) games each season.

Thank you for the consideration and for being fans of Lakeshore Chinooks baseball these past six years. We look forward to our continued supportive relationship with the City of Mequon for years to come.

Regards-



Shawn Kison
General Manager, Lakeshore Chinooks

Away	Home	Date	Time	Result	Boxscore
Eau Claire	Lakeshore	Mon, Jun 4	6:52 PM	2-1	final 
Eau Claire	Lakeshore	Tue, Jun 5	6:42 PM	1-2	final 
Battle Crk	Lakeshore	Wed, Jun 6	6:34 PM	11-4	final 
Battle Crk	Lakeshore	Thu, Jun 7	6:35 PM	4-5	final 
Battle Crk	Lakeshore	Fri, Jun 8	7:00 PM	2-7	final 
La Crosse	Lakeshore	Mon, Jun 11	6:38 PM	6-1	final 
La Crosse	Lakeshore	Tue, Jun 12	6:36 PM	3-2	final 
Green Bay	Lakeshore	Wed, Jun 13	6:35 PM	0-1	final 
Green Bay	Lakeshore	Thu, Jun 14	6:35 PM	3-1	final 
Green Bay	Lakeshore	Fri, Jun 15	7:05 PM	12-4	final 
Wisconsin	Lakeshore	Wed, Jun 20	6:35 PM	15-11	final 
Madison	Lakeshore	Thu, Jun 21	7:05 PM	4-6	final 
Madison	Lakeshore	Fri, Jun 22	7:05 PM	5-0	final 
Wis Rapids	Lakeshore	Thu, Jun 28	6:35 PM	1-9	final 
Wis Rapids	Lakeshore	Fri, Jun 29	7:05 PM	7-5	final 
Wis Rapids	Lakeshore	Sat, Jun 30	3:05 PM	8-10	final 
Wisconsin	Lakeshore	Sun, Jul 1	1:40 PM	6-4	final 
Wisconsin	Lakeshore	Mon, Jul 2	6:35 PM	1-8	final 
La Crosse	Lakeshore	Thu, Jul 5	6:36 PM	7-0	final 
La Crosse	Lakeshore	Fri, Jul 6	7:03 PM	7-8	final 
La Crosse	Lakeshore	Sat, Jul 7	6:35 PM	1-3	final 
Green Bay	Lakeshore	Wed, Jul 11	6:35 PM	4-9	final 
Eau Claire	Lakeshore	Fri, Jul 13	7:03 PM	2-10	final 
Eau Claire	Lakeshore	Sat, Jul 14	3:05 PM	6-3	final 
Eau Claire	Lakeshore	Sun, Jul 15	5:07 PM	2-9	final 
Battle Crk	Lakeshore	Wed, Jul 18	6:38 PM	2-1	final 
Battle Crk	Lakeshore	Thu, Jul 19	6:37 PM	2-8	final 
Green Bay	Lakeshore	Sun, Jul 22	5:04 PM	2-4	final 
Wis Rapids	Lakeshore	Sun, Jul 29	5:07 PM	2-4	final 
Wis Rapids	Lakeshore	Mon, Jul 30	6:37 PM	2-7	final 
Wisconsin	Lakeshore	Thu, Aug 2	6:37 PM	3-1	final 
Wisconsin	Lakeshore	Fri, Aug 3	7:00 PM	5-1	final 
Madison	Lakeshore	Tue, Aug 7	7:06 PM	7-4	final 
Madison	Lakeshore	Wed, Aug 8	7:02 PM	4-5	final 
Madison	Lakeshore	Thu, Aug 9	6:36 PM	3-0	final 

Away	Home	Date	Time	Result	Boxscore
Wis Rapids	Lakeshore	Thu, May 30	6:35 PM	8-10	final 
Green Bay	Lakeshore	Fri, May 31	7:05 PM	1-0	final 
Eau Claire	Lakeshore	Tue, Jun 4	6:35 PM	0-3	final 
Eau Claire	Lakeshore	Wed, Jun 5	6:35 PM	0-1	final 
La Crosse	Lakeshore	Thu, Jun 6	6:35 PM	2-4	final 
La Crosse	Lakeshore	Fri, Jun 7	7:05 PM	3-5	final 
Madison	Lakeshore	Mon, Jun 10	6:35 PM	5-4	final 
Madison	Lakeshore	Tue, Jun 11	6:35 PM	1-2	final 
Battle Crk	Lakeshore	Fri, Jun 14	7:05 PM	2-9	final 
Battle Crk	Lakeshore	Sat, Jun 15	6:35 PM	8-7	final 
Battle Crk	Lakeshore	Sun, Jun 16	5:05 PM	2-13	final 
Green Bay	Lakeshore	Mon, Jun 17	6:35 PM	2-3	final 
Battle Crk	Lakeshore	Wed, Jun 19	6:35 PM	5-2	final 
Battle Crk	Lakeshore	Thu, Jun 20	6:35 PM	2-10	final 
Madison	Lakeshore	Sat, Jun 22	6:35 PM	Postponed to: Jul 12, 05:30 PM	
Green Bay	Lakeshore	Sat, Jun 29	4:05 PM	5-6	final 
Green Bay	Lakeshore	Sun, Jun 30	5:05 PM	3-1	final 
Green Bay	Lakeshore	Mon, Jul 1	6:35 PM	4-0	final 
La Crosse	Lakeshore	Mon, Jul 8	6:35 PM	1-2	final 
La Crosse	Lakeshore	Tue, Jul 9	6:35 PM	9-10	final 
Eau Claire	Lakeshore	Wed, Jul 10	6:35 PM	2-1	final 
Eau Claire	Lakeshore	Thu, Jul 11	6:35 PM	0-7	final 
Madison	Lakeshore	Fri, Jul 12	5:30 PM	5-4	final 
Madison	Lakeshore	Fri, Jul 12	7:33 PM	7-1	final 
Madison	Lakeshore	Sat, Jul 13	6:35 PM	0-3	final 
Wisconsin	Lakeshore	Mon, Jul 15	6:35 PM	4-5	final 
Wisconsin	Lakeshore	Tue, Jul 16	6:35 PM	2-7	final 
Wis Rapids	Lakeshore	Sun, Jul 21	5:05 PM	Postponed to: Jul 26, 04:05 PM	
Wis Rapids	Lakeshore	Fri, Jul 26	4:05 PM	2-7	final 
Wis Rapids	Lakeshore	Fri, Jul 26	7:05 PM	8-4	final 
Wis Rapids	Lakeshore	Sat, Jul 27	6:35 PM	6-7	final 
Waterloo	Lakeshore	Sun, Jul 28	5:05 PM	4-12	final 
Waterloo	Lakeshore	Tue, Jul 30	6:35 PM	Postponed to: Aug 06, 06:05 PM	
Rochester	Lakeshore	Wed, Jul 31	6:35 PM	4-8	final 
Rochester	Lakeshore	Thu, Aug 1	6:37 PM	5-4	final 
Wisconsin	Lakeshore	Fri, Aug 2	7:05 PM	6-0	final 
Wisconsin	Lakeshore	Sat, Aug 3	6:35 PM	2-9	final 
Waterloo	Lakeshore	Tue, Aug 6	6:05 PM	5-1	final 

Away	Home	Date	Time	Result	Boxscore
Mankato	Lakeshore	Thu, May 29	6:48 PM	2-4	final 
Mankato	Lakeshore	Fri, May 30	7:09 PM	1-3	final 
Wisconsin	Lakeshore	Wed, Jun 4	6:39 PM	4-7	final 
Wisconsin	Lakeshore	Thu, Jun 5	6:37 PM	4-1	final 
Wis Rapids	Lakeshore	Fri, Jun 6	7:06 PM	1-2	final 
Wis Rapids	Lakeshore	Sat, Jun 7	6:44 PM	2-4	final 
Madison	Lakeshore	Wed, Jun 11	6:35 PM	Postponed to: Jun 16, 04:00 PM	
Kenosha	Lakeshore	Thu, Jun 12	6:36 PM	4-1	final 
Kenosha	Lakeshore	Fri, Jun 13	7:07 PM	3-0	final 
La Crosse	Lakeshore	Sat, Jun 14	6:35 PM	4-1	final 
La Crosse	Lakeshore	Sun, Jun 15	5:09 PM	4-5	final 
Madison	Lakeshore	Mon, Jun 16	4:02 PM	4-5	final 
Madison	Lakeshore	Mon, Jun 16	6:46 PM	0-2	final 
Kalamazoo	Lakeshore	Sun, Jun 22	5:05 PM	2-5	final 
Kalamazoo	Lakeshore	Mon, Jun 23	6:35 PM	Postponed to: Aug 02, 03:30 PM	
Battle Crk	Lakeshore	Tue, Jun 24	6:35 PM	0-9	final 
Battle Crk	Lakeshore	Wed, Jun 25	6:37 PM	3-6	final 
Eau Claire	Lakeshore	Thu, Jun 26	6:35 PM	Suspended	
Eau Claire	Lakeshore	Fri, Jun 27	4:00 PM	9-2	final 
Eau Claire	Lakeshore	Fri, Jun 27	7:04 PM	4-9	final 
Madison	Lakeshore	Sun, Jun 29	5:07 PM	3-14	final 
Kenosha	Lakeshore	Mon, Jun 30	12:03 PM	4-5	final 
Green Bay	Lakeshore	Sun, Jul 6	5:05 PM	3-8	final 
Green Bay	Lakeshore	Mon, Jul 7	6:37 PM	4-5	final 
Battle Crk	Lakeshore	Tue, Jul 8	6:37 PM	5-11	final 
Battle Crk	Lakeshore	Wed, Jul 9	6:35 PM	2-3	final 
La Crosse	Lakeshore	Thu, Jul 10	6:45 PM	2-3	final 
La Crosse	Lakeshore	Fri, Jul 11	7:06 PM	Suspended due to darkness	
Wis Rapids	Lakeshore	Tue, Jul 15	6:37 PM	0-2	final 
Wis Rapids	Lakeshore	Wed, Jul 16	6:35 PM	8-2	final 
Green Bay	Lakeshore	Thu, Jul 17	6:36 PM	0-3	final 
Green Bay	Lakeshore	Fri, Jul 18	7:05 PM	0-4	final 
La Crosse	Lakeshore	Sat, Jul 19	6:05 PM	4-5	final 
Madison	Lakeshore	Thu, Jul 24	6:41 PM	3-13	final 
Kenosha	Lakeshore	Wed, Jul 30	6:35 PM	3-2	final 
Kalamazoo	Lakeshore	Sat, Aug 2	3:33 PM	4-7	final 
Kalamazoo	Lakeshore	Sat, Aug 2	6:34 PM	1-0	final 
Kalamazoo	Lakeshore	Sun, Aug 3	5:04 PM	1-4	final 
Wisconsin	Lakeshore	Mon, Aug 4	6:37 PM	1-2	final 
Wisconsin	Lakeshore	Wed, Aug 6	6:35 PM	1-2	final 

Away	Home	Date	Time	Result	Boxscore
Kenosha	Lakeshore	Thu, May 28	6:35 PM	9-0	final GL
Green Bay	Lakeshore	Sat, May 30	6:35 PM	12-7	final GL
Green Bay	Lakeshore	Sun, May 31	5:05 PM	1-3	final GL
Madison	Lakeshore	Mon, Jun 1	11:35 AM	0-1	final GL
Madison	Lakeshore	Tue, Jun 2	6:35 PM	7-6	final GL
Battle Crk	Lakeshore	Fri, Jun 5	6:35 PM	Suspended due to darkness	
Battle Crk	Lakeshore	Sat, Jun 6	5:00 PM	5-4	final GL
Battle Crk	Lakeshore	Sat, Jun 6	6:35 PM	0-1	final GL
Wisconsin	Lakeshore	Sun, Jun 7	5:05 PM	2-6	final GL
Wisconsin	Lakeshore	Mon, Jun 8	6:35 PM	3-4	final GL
La Crosse	Lakeshore	Sat, Jun 13	6:35 PM	3-7	final GL
La Crosse	Lakeshore	Sun, Jun 14	5:05 PM	Postponed to: Jul 09, 04:30 PM	
Wis Rapids	Lakeshore	Mon, Jun 15	6:35 PM	Suspended due to darkness	
Wis Rapids	Lakeshore	Tue, Jun 16	5:15 PM	11-7	final GL
Wis Rapids	Lakeshore	Tue, Jun 16	6:35 PM	0-3	final GL
Green Bay	Lakeshore	Fri, Jun 19	6:35 PM	2-5	final GL
Green Bay	Lakeshore	Sat, Jun 20	6:35 PM	6-2	final GL
Wis Rapids	Lakeshore	Sun, Jun 21	5:05 PM	8-12	final GL
Wis Rapids	Lakeshore	Mon, Jun 22	6:35 PM	4-16	final GL
Mankato	Lakeshore	Thu, Jun 25	6:35 PM	4-5	final GL
Mankato	Lakeshore	Fri, Jun 26	6:35 PM	5-1	final GL
Kenosha	Lakeshore	Tue, Jun 30	11:35 AM	6-1	final GL
Wisconsin	Lakeshore	Wed, Jul 1	6:35 PM	3-0	final GL
Wisconsin	Lakeshore	Thu, Jul 2	6:35 PM	3-1	final GL
Kenosha	Lakeshore	Wed, Jul 8	6:35 PM	8-7	final GL
La Crosse	Lakeshore	Thu, Jul 9	4:30 PM	9-1	final GL
La Crosse	Lakeshore	Thu, Jul 9	6:35 PM	9-5	final GL
La Crosse	Lakeshore	Fri, Jul 10	6:35 PM	2-3	final GL
Eau Claire	Lakeshore	Mon, Jul 13	6:35 PM	Postponed to: Jul 19, 03:05 PM	
Kalamazoo	Lakeshore	Tue, Jul 14	6:35 PM	4-2	final GL
Kalamazoo	Lakeshore	Wed, Jul 15	6:35 PM	0-12	final GL
Eau Claire	Lakeshore	Sun, Jul 19	3:05 PM	0-7	final GL
Eau Claire	Lakeshore	Sun, Jul 19	5:05 PM	10-4	final GL
Madison	Lakeshore	Sat, Jul 25	6:35 PM	2-3	final GL
Madison	Lakeshore	Sun, Jul 26	5:05 PM	1-2	final GL
Kenosha	Lakeshore	Wed, Jul 29	6:35 PM	5-7	final GL
Battle Crk	Lakeshore	Mon, Aug 3	6:35 PM	4-3	final GL
Battle Crk	Lakeshore	Wed, Aug 5	6:35 PM	0-2	final GL
Kalamazoo	Lakeshore	Sat, Aug 8	6:35 PM	3-4	final GL
Kalamazoo	Lakeshore	Sun, Aug 9	5:05 PM	6-2	final GL

Away	Home	Date	Time	Result	Boxscore
Green Bay	Lakeshore	Sat, Jun 4	6:35 PM	1-2	final 
Rockford	Lakeshore	Tue, Jun 7	11:35 AM	3-6	final 
Madison	Lakeshore	Wed, Jun 8	6:35 PM	2-1	final 
Waterloo	Lakeshore	Fri, Jun 10	6:35 PM	7-6	final 
Waterloo	Lakeshore	Sat, Jun 11	6:35 PM	7-5	final 
Battle Crk	Lakeshore	Sun, Jun 12	5:05 PM	2-0	final 
Battle Crk	Lakeshore	Mon, Jun 13	6:35 PM	1-2	final 
Rockford	Lakeshore	Thu, Jun 16	6:35 PM	3-4	final 
Rockford	Lakeshore	Fri, Jun 17	6:35 PM	10-5	final 
Wisconsin	Lakeshore	Sat, Jun 18	6:35 PM	1-0	final 
Wisconsin	Lakeshore	Sun, Jun 19	1:35 PM	3-2	final 
Kenosha	Lakeshore	Mon, Jun 20	11:35 AM	8-10	final 
Kenosha	Lakeshore	Thu, Jun 23	6:35 PM	1-7	final 
Kenosha	Lakeshore	Fri, Jun 24	6:35 PM	2-1	final 
Wis Rapids	Lakeshore	Sat, Jun 25	6:35 PM	3-2	final 
Wis Rapids	Lakeshore	Sun, Jun 26	5:05 PM	2-6	final 
Madison	Lakeshore	Mon, Jun 27	6:35 PM	6-2	final 
Madison	Lakeshore	Tue, Jun 28	6:35 PM	7-5	final 
Madison	Lakeshore	Fri, Jul 1	6:35 PM	3-14	final 
Wisconsin	Lakeshore	Wed, Jul 6	6:35 PM	4-10	final 
Wisconsin	Lakeshore	Thu, Jul 7	6:35 PM	10-9	final 
Green Bay	Lakeshore	Sun, Jul 10	5:05 PM	2-3	final 
Rockford	Lakeshore	Wed, Jul 13	6:35 PM	2-1	final 
La Crosse	Lakeshore	Sat, Jul 16	6:35 PM	3-4	final 
La Crosse	Lakeshore	Sun, Jul 17	1:35 PM	4-1	final 
Kalamazoo	Lakeshore	Sat, Jul 23	6:35 PM	Suspended due to rain	
Kalamazoo	Lakeshore	Sun, Jul 24	3:00 PM	3-2	final 
Kalamazoo	Lakeshore	Sun, Jul 24	5:05 PM	2-9	final 
Kalamazoo	Lakeshore	Sat, Jul 30	6:35 PM	Suspended due to darkness	
Kalamazoo	Lakeshore	Sat, Jul 30	6:35 PM	6-7	final 
Kalamazoo	Lakeshore	Sun, Jul 31	5:05 PM	3-4	final 
Kenosha	Lakeshore	Mon, Aug 1	6:35 PM	5-10	final 
Wis Rapids	Lakeshore	Tue, Aug 2	6:35 PM	0-4	final 
Wis Rapids	Lakeshore	Wed, Aug 3	6:35 PM	5-4	final 
Green Bay	Lakeshore	Sat, Aug 6	6:35 PM	3-5	final 
Battle Crk	Lakeshore	Mon, Aug 8	6:35 PM	4-8	final 
Battle Crk	Lakeshore	Wed, Aug 10	6:35 PM	Postponed to: Aug 11, 07:05 PM	
Battle Crk	Lakeshore	Thu, Aug 11	7:05 PM	5-6	final 
Green Bay	Lakeshore	Sat, Aug 13	6:15 PM	3-5	final 

Away	Home	Date	Time	Result	Boxscore
Wis Rapids	Lakeshore	Sat, Jun 3	6:37 PM	7-2	final 
Wis Rapids	Lakeshore	Sun, Jun 4	5:07 PM	17-5	final 
Kenosha	Lakeshore	Mon, Jun 5	11:34 AM	3-2	final 
Green Bay	Lakeshore	Sat, Jun 10	6:38 PM	9-6	final 
Fond du Lac	Lakeshore	Sun, Jun 11	5:06 PM	4-5	final 
Fond du Lac	Lakeshore	Sun, Jun 18	1:36 PM	12-5	final 
Kenosha	Lakeshore	Tue, Jun 20	11:36 AM	3-4	final 
Battle Crk	Lakeshore	Wed, Jun 21	6:34 PM	6-12	final 
Battle Crk	Lakeshore	Thu, Jun 22	6:35 PM	Suspended due to rain	
Madison	Lakeshore	Fri, Jun 23	6:35 PM	5-2	final 
Madison	Lakeshore	Sat, Jun 24	6:36 PM	6-2	final 
Green Bay	Lakeshore	Mon, Jun 26	6:35 PM	4-3	final 
Kalamazoo	Lakeshore	Thu, Jun 29	6:35 PM	3-5	final 
Kalamazoo	Lakeshore	Fri, Jun 30	6:36 PM	0-1	final 
Rockford	Lakeshore	Sun, Jul 2	1:51 PM	1-16	final 
Rockford	Lakeshore	Wed, Jul 5	6:37 PM	6-21	final 
Wis Rapids	Lakeshore	Fri, Jul 7	6:36 PM	3-2	final 
Wis Rapids	Lakeshore	Sat, Jul 8	6:35 PM	7-8	final 
Green Bay	Lakeshore	Sun, Jul 9	5:06 PM	4-2	final 
Wisconsin	Lakeshore	Tue, Jul 11	6:36 PM	4-9	final 
Wisconsin	Lakeshore	Wed, Jul 12	6:35 PM	2-10	final 
Madison	Lakeshore	Fri, Jul 14	6:36 PM	10-0	final 
Green Bay	Lakeshore	Sat, Jul 15	6:36 PM	2-3	final 
Fond du Lac	Lakeshore	Thu, Jul 20	6:34 PM	3-9	final 
Rockford	Lakeshore	Sat, Jul 22	6:36 PM	3-2	final 
Kalamazoo	Lakeshore	Mon, Jul 24	6:35 PM	1-2	final 
Kalamazoo	Lakeshore	Tue, Jul 25	6:35 PM	1-6	final 
Kenosha	Lakeshore	Wed, Jul 26	6:56 PM	10-7	final 
Rockford	Lakeshore	Thu, Jul 27	6:35 PM	1-4	final 
Fond du Lac	Lakeshore	Mon, Jul 31	6:36 PM	8-4	final 
Kenosha	Lakeshore	Thu, Aug 3	6:36 PM	2-5	final 
Madison	Lakeshore	Sun, Aug 6	5:07 PM	2-3	final 
Wisconsin	Lakeshore	Mon, Aug 7	6:37 PM	5-7	final 
Wisconsin	Lakeshore	Wed, Aug 9	6:35 PM	9-18	final 
Battle Crk	Lakeshore	Thu, Aug 10	3:30 PM	11-1	final 
Battle Crk	Lakeshore	Thu, Aug 10	7:07 PM	4-2	final 
Battle Crk	Lakeshore	Fri, Aug 11	6:36 PM	5-4	final 

Concordia Baseball Time Limits

	Deadline to start Ninth Inning	Deadline to start extra inning	Lights turned off	PA System Limits
Current Requirement	10:00 PM	11:00 PM	No specific timeframe depends on game finish	None
Proposed Requirement	None	11:00 PM except for up to 5 games a year then 12:00 AM	11:15 except for up to five games a year then 12:15 AM	After 11:00 PM player introductions only

Attachment: Packet_05.14.18 (3222 : Shawn Kison for Kapco Park)



11333 N. Cedarburg Rd 60W
 Mequon, WI 53092-1930
 Phone (262) 236-2902
 Fax (262) 242-9655
 Web www.ci.mequon.wi.us

DEPARTMENT OF COMMUNITY DEVELOPMENT

June 10, 2010

Allen J. Prochnow
 12800 N Lakeshore Drive
 Mequon, WI 53092

Re: Site Plan Amendment

Dear Mr. Prochnow,

At their June 7, 2010 meeting, the Planning Commission took the following action regarding the site plan amendment for the baseball facility for the property located at 12800 North Lake Shore Drive.

Approve the site plan amendment based on the following condition(s):

1. Common Council approval of the site plan amendment condition related to the use of the facility.
2. Lights shall be turned off by 11 p.m. or one half hour after a game if extra innings are required.
3. At least 51% of the use of the field shall be by Concordia students or participants in intercollegiate events in which Concordia teams or students may participate.

At their June 8, 2010 meeting, the Common Council took the following action regarding the site plan amendment for the baseball facility for the property located at 12800 North Lake Shore Drive.

Approve the site plan amendment based on the following condition(s):

1. Use of lights for Concordia practices and intramural sports shall be limited to 9:00 pm.
2. Non- Concordia events shall not be scheduled to start after 7:05 pm.
3. No 9th inning shall start after 10:00 pm, and no new innings shall start after 11:00 pm.
4. No more than 45 events not involving Concordia shall be night time uses that use lights or the PA system.
5. A no right turn sign onto Lakeshore Drive shall be installed.
6. If the Common Council restrictions are overturned by the Board of Appeals, then the restrictions that existed per the Planning Commission action on 12.07.09 shall be in effect.
7. Staff shall check light and sound levels at least once a year for compliance with the Planning Commission approval.

All previously conditions that have not been modified or deleted remain in effect which includes the following:

1. Engineering Department review and approval of grading, drainage, stormwater management and sewer plans.
2. Planning staff review and approval of final site, building and lighting plans prior to the issuance of permits.
3. The public address system shall not exceed 65 dBA at the property line.
4. The applicant shall submit a storm water management report for review and approval.
5. The applicant shall submit a grading, drainage and erosion control plan for review and approval.
6. The applicant shall submit sanitary sewer and water main plans for review and approval.
7. The proposed stadium shall be connected to the sanitary sewer system and water main as directed by the City.
8. Compliance with all issues identified in site compliance inspection dated November 23, 2009 prior to issuance of a building permit.
9. At least 51% of the use of the field shall be by Concordia students or participants in intercollegiate events in which Concordia teams or students may participate.

If you have any questions, please let me know.

Sincerely,

Jac Zader, Assistant Director
Community Development and Planning Department

Public Feedback

Hi Dan,

Please vote NO to extending the hours of the ball park in Mequon. I have lived next door to the campus for over 40 years. The baseball park has been irritating the last few years...lighting, loud music extending the hours will only make things worse. Most irritating is the loud music and lighting, when there is no game and when clean up is going on. The people doing the clean up evidently take it upon themselves to play loud music to clean by. MOST IRRITATING! Many times the lights are on and loud music is playing even if there is no game...they are on during rain storms! There is no reason that this should be going on before and after games ..(who is in charge of the loud speaker?). Extending the hours will make this worse!

Thank you,
A concerned Mequon resident,
13212 N. Lake Shore dr.
Diane Huebner

Dear Mayor Abendroth,

We are contacting you regarding the April 9th meeting in which Kapco Park is requesting extended hours for some of their games.

We live within "earshot" of Concordia (.5 miles) and can hear the pre-game concerts (we could sing along), the PA system, the musical interludes, the crowd noise and see the light pollution whenever the Lakeshore Chinooks play baseball. Therefore, we are asking that you vote against any extension that will further aggravate an already intrusive nuisance.

There is no valid reason for these games to last 5 hours. A concerned neighbor did the research and found the following:

Average Baseball Game Length

Source	Type	Game Length
MLB.COM	Majors	2hrs 58min to 3hrs 5min
NCAA.COM	College	3hrs 19min
MILB.com	Pacific Coast	2hr 45min
	Eastern	2hr 41min
	Southern	2hr 39 min
	Texas	2hr 50min

Little League (6 innings) 2hrs

Note: Major League Farm Teams use timing clocks to speed up games As you can see, existing regulations should be sufficient.

The original agreement, published after our argument before the Board of Appeals, was more generous than we had anticipated. If anything, it should not be extended, and the existing provisions should be better enforced.

Respectfully
Dan & Mary Bradley
344 West Bonniwell Rd.
Mequon, Wi
262-243-5698

Hello Mr Mayor Abendroth,

I'm writing in lieu of attending the May 9th meeting regarding the Chinook's curfew extension request. My husband and I live in the neighborhood north of their playing field and have toddlers and preschool aged children. The PA sound system and crowd noise is already surprisingly intrusive despite our heavily wooded lot. Call me a negative Nancy, but we would like to humbly request no increase in noise or extension of hours into the late afternoon/evening be passed. Thank you.

13451 N Lakewood Drive
Rebecca and Matthew Czerniak

Hello Dan,

I cannot make the meeting Monday, but I wanted to voice my opposition to the request. I am concerned about the stadium (PA) noise and the late night fan traffic on Lake Shore. I hope you remember coming to my house regarding the PA volume a couple years ago. The noise problem continues, depending on the wind direction.

Thank you for your consideration,
Phil Koepke
12700 n lake shore dr.
Sent from my iPad

Attachment: Packet_05.14.18 (3222 : Shawn Kison for Kapco Park)



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: May 14, 2018
SUBJECT: John Mikkelson for Granville Estates. The applicant is seeking preliminary plat and development agreement approval for a proposed 7-lot development for 40 acre property located immediately south of 14013 N. Granville Road (Granville Estates).

Applicant:	John Mikkelson Lee Doerr
Status of Applicant:	Agent
Requested:	Preliminary Plat Development Agreement
Existing Use:	Vacant
Existing Zoning:	R-1 (Single Family 5 Acre) C-2 (General Conservancy) OA (Agricultural Overlay)
Land Use Plan:	Residential 5 Acre Critical Environmental
Lot size:	40.2 Acres
Location:	Immediately south of 14013 N Granville Road
Tax Key:	#14-006-13-002.00
District:	#1

Background: The applicant is requesting preliminary plat and development agreement approval for a 7 lot subdivision development on 40.2 acres of land located immediately south of 14013 N Granville Road. The plan proposes lots ranging from 5.01 – 8.05 acres in size served by a public road from Granville Road. The parcel is zoned R-1 (Residential 5 Acre) which permits single family lots of five acres and larger.

Preliminary Plat:

The preliminary plat shows a seven lot development served by a new public road that connects with Granville Road. Two of the lots do not have direct access to the proposed road which will require private driveway access easements. All of the lots comply with the five acre minimum and the 300 foot average lot width. The plat shows two storm water detention facilities located on lots six and seven. The location of ponds on private lots will require a storm water access easement. The ponds will also be required to be located out of the wetland setback.

The proposed development shows the inclusion of a public road that terminates in a cul de sac. When reviewing new development proposals, staff evaluates whether there is an opportunity to connect the development to an adjacent parcel. In this case, there is a parcel to the west which is approximately 70 acres in size and currently being farmed. The adjacent parcel has approximately 790 feet of frontage along Bonniwell Road but the majority of the land is wetland and floodplain. There is currently a 10 foot driveway that accesses the property which is

sandwiched between the wetlands. The applicant states that they are trying to create a small seven lot neighborhood and do not want to provide a connection to the neighboring subdivision. There is no immediate development plans for the neighboring parcel and there is an opportunity to gain access to the parcel from the west.

The plans show a 100 foot landscape easement along Granville Road that will serve to create a natural uniform look along the Granville Road frontage. The area within the delineated wetland will remain undisturbed. A landscape plan will be required as prior to final plat approval.

Site Conditions:

The City Forester, Mike Gies, has walked the site to identify specimen trees and has determined that there are no specimen trees being impacted by the development. There are wetlands located on the southeast portion of the site. The current wetland delineation is over five years old and is no longer valid. An updated delineation with concurrence by the DNR will be required as a condition of approval.

Development Agreement:

Please see attached draft development agreement authored by Planning and Engineering staff to address the necessary improvements for the development. The development agreement provides the opportunity to construct one (1) model dwelling prior to final plat approval with the understanding that the unit can't be sold or title transferred until the associated plat is recorded.

Engineering Report:

Bridget Henk, Assistant City Engineer, has reviewed the application and has the following comments:

The conceptual plan details seven lots on a public roadway. The roadway includes an entrance island, cul de sac, and acceleration and deceleration lanes. The development is also required to include a bypass lane on the east side of Granville Road. All roadway features are required to conform to the Standard Specifications for Land Development. The proposed plan does not include a bypass lane and the island in the cul de sac is required to be tear drop shaped.

The preliminary plat shows that lots 3 and 5 do not have direct frontage on the cul de sac and would rely on an easement for access to the road. The preliminary plat does not indicate whether the access would be shared between lots. Staff is concerned that there is a potential for six driveways to be off the cul de sac. As a condition of approval staff will require that the driveway locations of all lots and any applicable shared access easements shall be reviewed and approved by the Engineering Division. Driveway locations and easements shall be indicated on the final plat.

There are wetlands on the site and the delineations are required to be provided as a part of the application. Any filling or disturbance of the wetlands is subject to WDNR approval.

The site is not located within the City's sewer service area, and therefore is not required to connect to public sewer nor water.

Fire cisterns are required for fire protection of the site per the Standard Specifications for Land Development. The Fire Chief has indicated that a fee in lieu of the installation of a fire cistern(s) would be acceptable. This type of fee has been accepted by the City in the past, the requirements of which are outlined in the Development Agreement.

A stormwater management plan (SWMP) is required for the site. Any development increasing impervious surfaces by more than 0.5 acres require a SWMP that meet the City of Mequon, MMSD and WDNR criteria. The concept plan includes two ponds, which indicates the intent for stormwater management on site.

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

Staff Recommendation:

Planning staff recommends approval of the preliminary plat, development agreement and conditional use grant subject to the following condition(s):

1. The applicant shall provide an updated wetland delineation with concurrence from the DNR. Any changes to the preliminary plat related to modifications of the proposed wetland boundary will require Planning Commission approval.
2. All buildings shall maintain a minimum building setback of 30' from the public road right-of-way and a minimum 20' offset from the side and rear property lines, with increased offsets on lots adjacent to wetlands as required by the Department of Natural Resources (DNR).
3. The development shall comply with preliminary plat, development agreement, and final plat requirements.
4. Architectural design of residential buildings shall comply with the Architectural Board's publication entitled "Guidelines for Residential Structures" and are subject to the Architectural Review Board.
5. Street trees are subject to the approval of the Tree Board and Planning Commission.
6. Street lighting, if proposed, is subject to the approval of the Planning Commission.
7. Entryway signage and landscaping is subject to the approval of staff.
8. The final road design shall be subject to the review and approval of Engineering and the Fire Departments, in accordance with the Standard Specifications for Land Development.
9. Fire Department approval of the number and location of fire cisterns. Alternatively, a fee in lieu of fire cistern(s) could be accommodated through the Development Agreement.
10. The applicant shall submit an electronic file for the proposed preliminary plat in a format compatible with AutoCAD 2000 dwg or dxf in Wisconsin State Plane Coordinate system. South Zone (NAD 27).
11. Engineering Department review and approval of grading, drainage, storm water management, and erosion control plans in conformance to City ordinances and the Standard Specifications for Land Development.
12. A bypass lane is required on Granville Road.
13. Approval of a storm water management plan for the site in conformance to City ordinances and MMSD Chapter 13, including execution of a Storm Water Facilities Maintenance and Easement Agreement.
14. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
15. Application for and approval of a City filling and excavating permit.
16. Driveway locations of all lots and/or shared access easements shall be reviewed and approved by the Engineering Division. The locations and easements shall be shown on the final plat.
17. Easements shall be over existing and proposed drainage ways with supporting declaration language requiring Home Owners Association maintenance.
18. As a condition of approval and issuance of the permit, the city engineer will require in accordance with City ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow / letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).

Attachments:

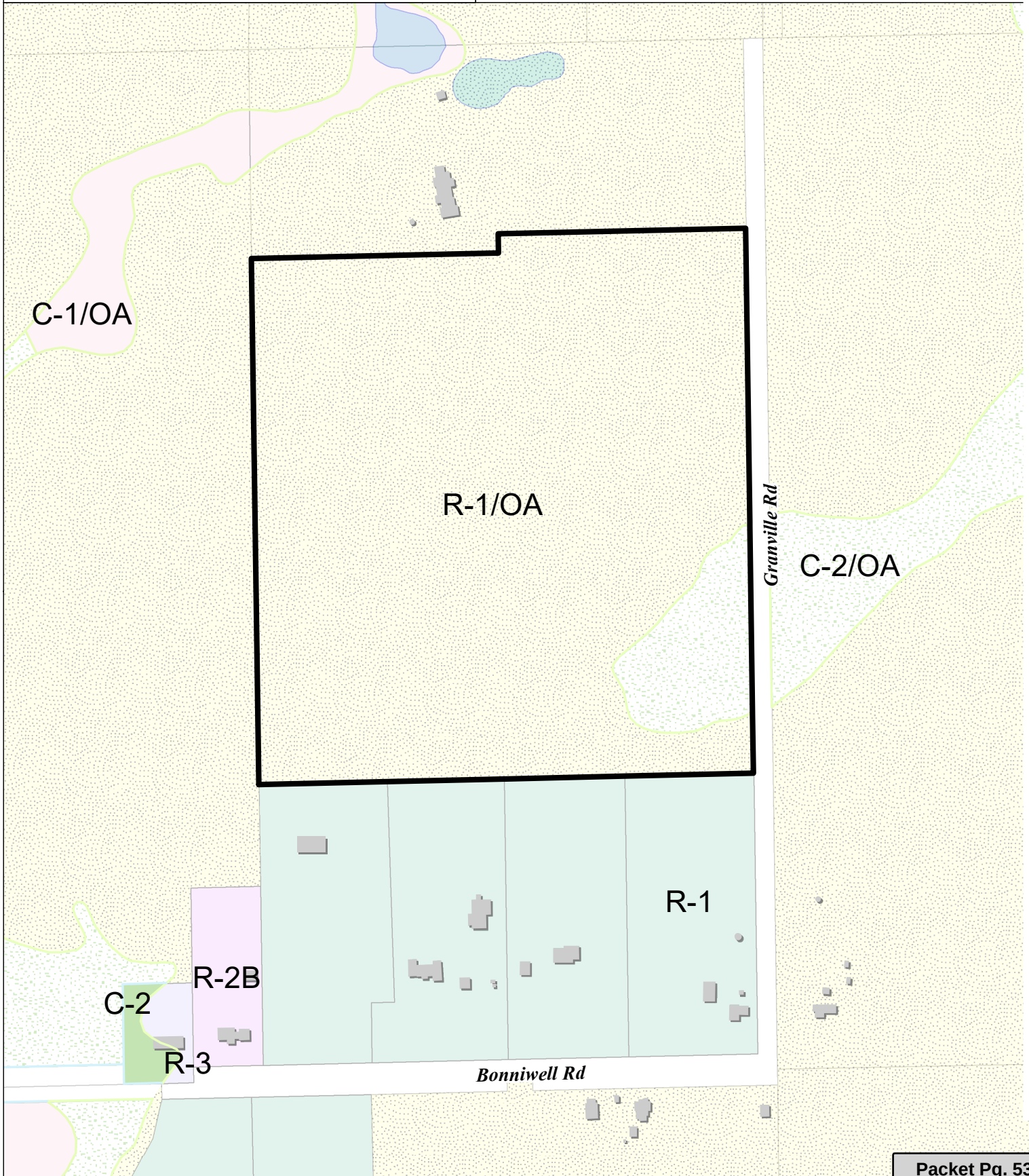
Packet_05.14.18 (PDF)

John Mikkelson for Granville Estates

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

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

4.b.a



Attachment: Packet 05.14.18 (3221 : John Mikkelson for Granville Estates)

PRELIMINARY PLAT

"GRANVILLE ESTATES"

PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE SOUTHEAST 1/4, OF SECTION 6, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

LEGEND :

- 680'----- DENOTES EXISTING MAJOR CONTOURS
- 681'----- DENOTES EXISTING MINOR CONTOURS
- DENOTES U.S.D.A. SOIL BOUNDARY
- DENOTES BUILDING SETBACK LINES
- DENOTES WETLAND LIMITS LINE
- DENOTES WETLAND LIMITS LINE
- DENOTES WETLAND AREAS
- 9-B-8 DENOTES 2006 SOIL BORING LOCATION
- 1.0% DENOTES PROPOSED ROAD PROFILE SLOPE

NOTES :

- ALL BEARINGS ARE REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
- STORM WATER POND SIZES AND LOCATIONS MAY VARY PENDING OUTCOME OF STORM WATER CALCULATIONS.
- LOTS IN THIS DEVELOPMENT WILL USE ON-SITE SOIL ASSORPTION SANITARY SEWERAGE DISPOSAL SYSTEMS AND PRIVATE WELLS.
- UNLESS NOTED OTHERWISE BUILDING SETBACKS ARE AS FOLLOWS:
FRONT YARD = 30.0'
SIDE YARD = 30.0'
REAR YARD = 30.0'

APPROVING AGENCIES :

CITY OF MEQUON

OBJECTING AGENCIES :

DEPARTMENT OF ADMINISTRATION

SUBDIVIDER :

JAMES G. SCHNEIDER
C/O JOHN MIKKELSON
14331 N. PORT WASHINGTON ROAD
MEQUON, WI 53092
(262) 241-9400

SUPERVISOR :

JAMES G. SCHNEIDER
NORTH SHORE ENGINEERING, INC.
14331 N. PORT WASHINGTON ROAD
MEQUON, WI 53092
(262) 241-9400

EXISTING ZONING :

EXISTING ZONING : R-1/OA

F.E.M.A. NOTE :

1. THE SUBJECT PROPERTY LIES WITHIN ZONE "X". AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN, AS DETERMINED BY FLOOD INSURANCE RATE MAP COMMUNITY PANEL NO. 55089C 0168 F. MAP REVISED: DECEMBER 4, 2007.

SOILS LEGEND :

<u>SYMBOL</u>	<u>NAME</u>	<u>Slopes</u>
As	Ashkum silt loam	---
MHA	Mequon silt loam	1-3%
OUB2	Ozaukee silty loam	2-5%
OUB2	Ozaukee silty loam	2-6% eroded
OUC2	Ozaukee silty loam	6-12% eroded

Property Statistics:

Total Property Area = 40.20 acres (1.00%)
Granville Court Dedication Area = 1.25 acres (3.11%)
Average Lot Area = 5.56 acres x 7 = 38.95 acres (96.89%)

LEGAL DESCRIPTION:

Lot 2 of Certified Survey Map No. 3647, as recorded at the Ozaukee County Register of Deeds on 02/20/2007, as Document No. 0857445, being a part of the Southeast 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 6, Township 9 North, Range 21 East, City of Mequon, Ozaukee County, Wisconsin.

SURVEY CERTIFICATE

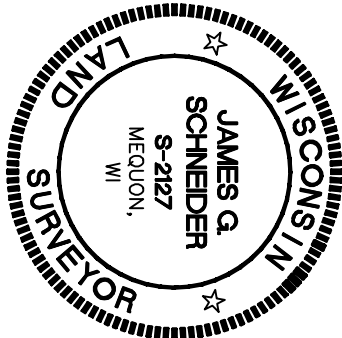
I have surveyed the above described property and the above map is a true representation thereof and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements, roadways, and visible encroachments, if any.

This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or guarantee the title thereto within one (1) year from date hereof.

4-05-2018

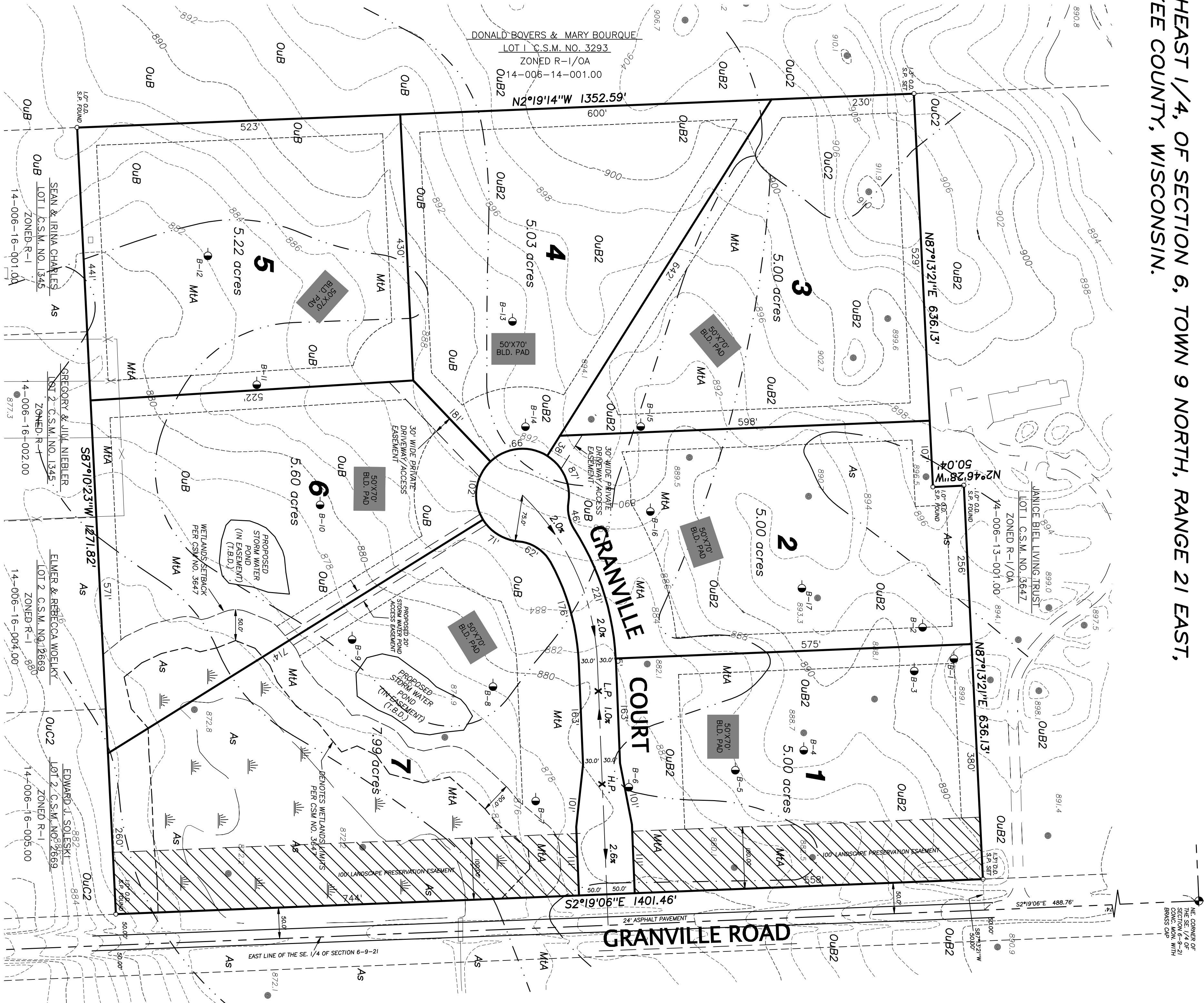
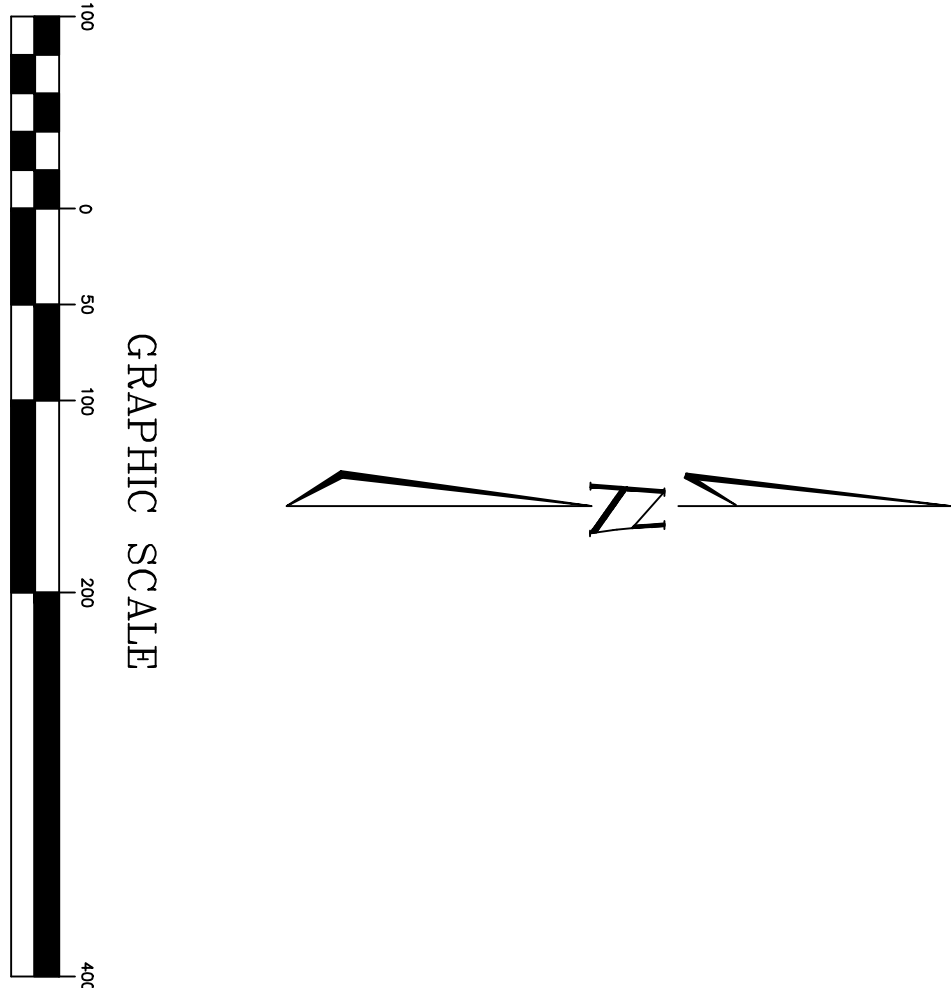
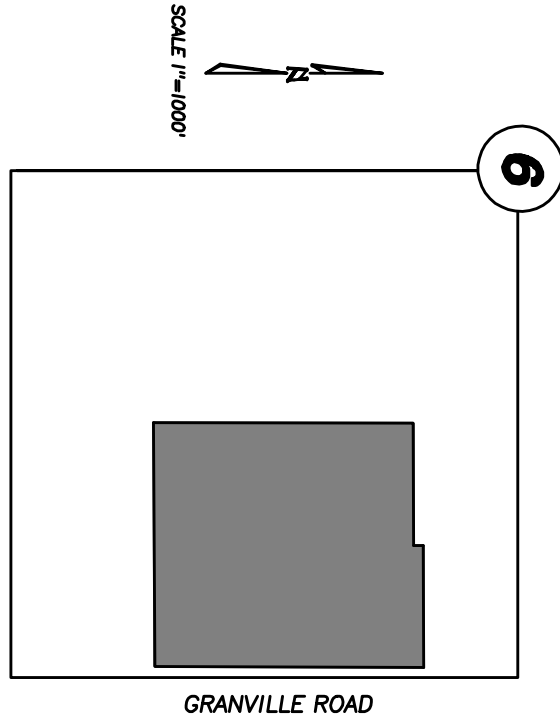
Date

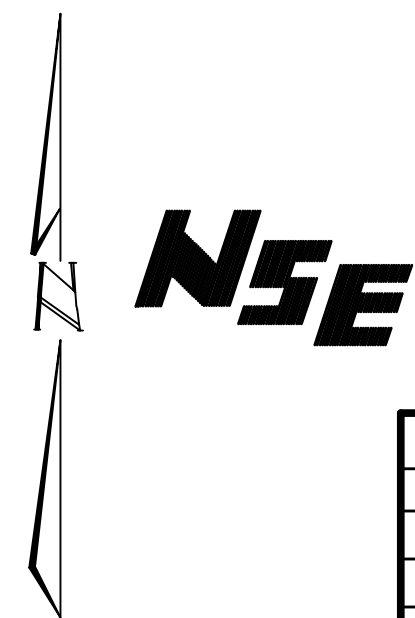
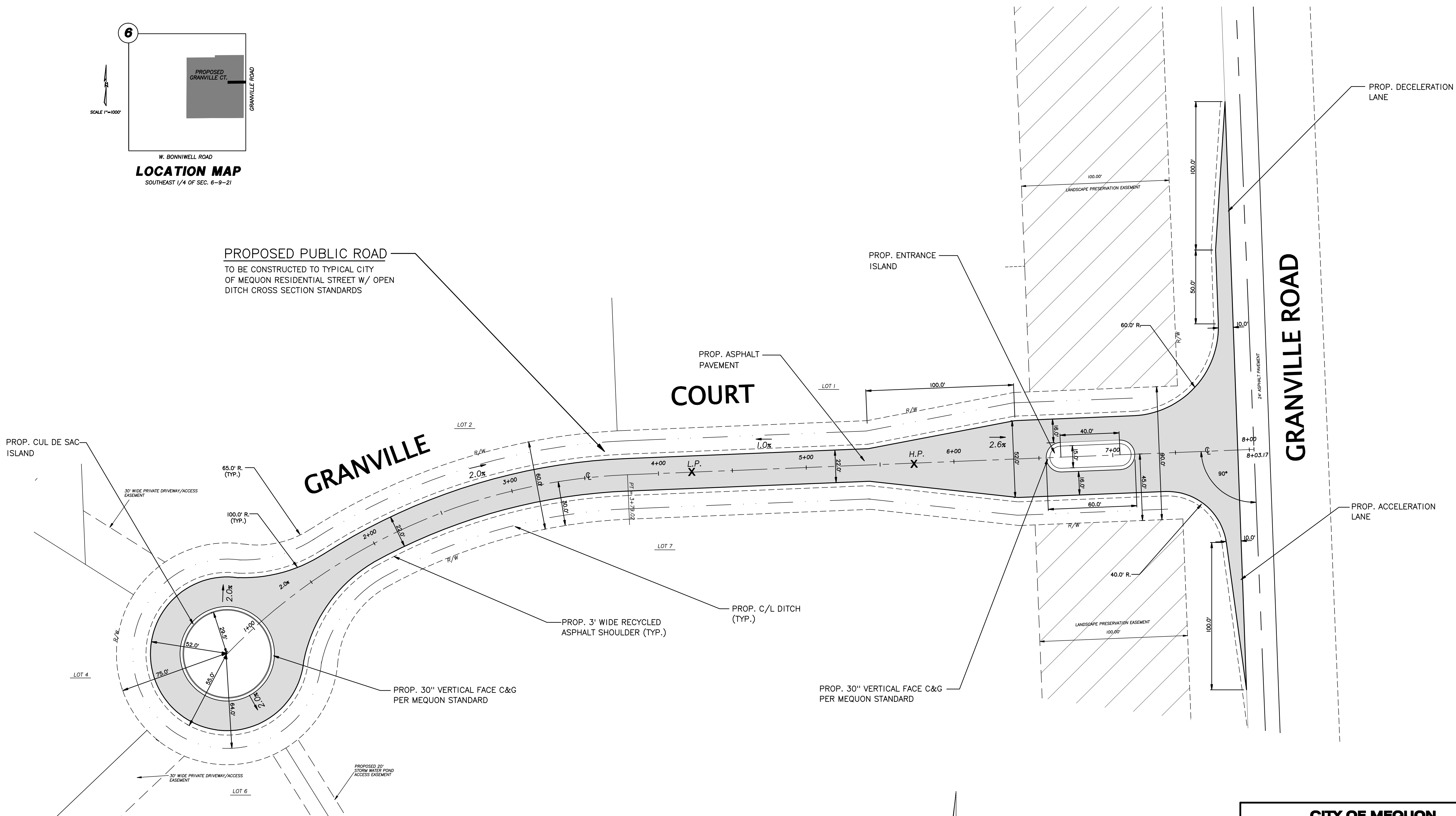
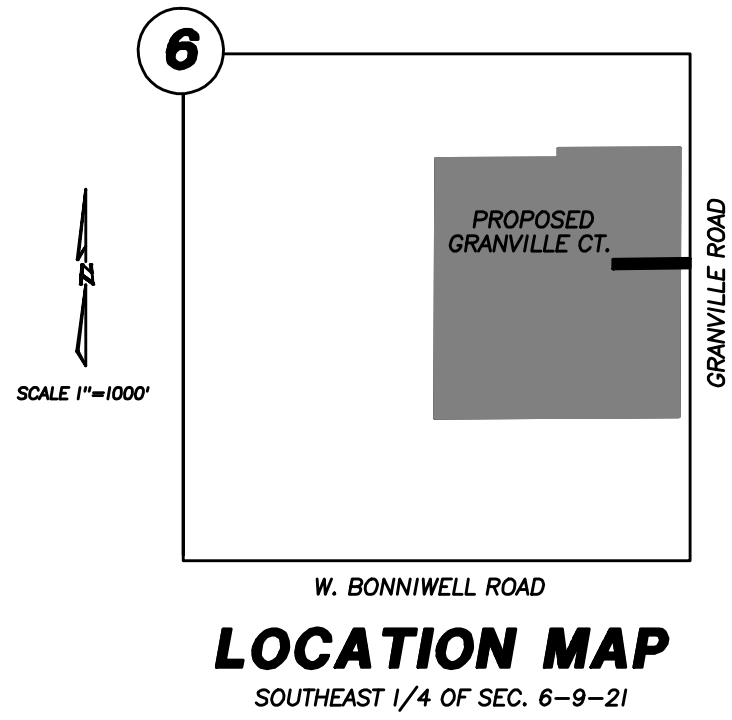
James G. Schneider
Surveyor - S-2127



LOCATION MAP

SOUTHEAST 1/4 OF SEC. 6-9-21





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

REVISIONS				
MK	DATE	BY	REVISION	CHK'D
△				

CITY OF MEQUON			
OZAUKEE COUNTY		WISCONSIN	
PROPOSED ROAD & INTERSECTION PLAN			
GRANVILLE ESTATES			
DESIGNED: J.W.H.	DRAWN: J.M.B.	CHECKED: J.G.S.	SHEET R-1
DATE: 5/8/2018	SCALE: 1 INCH = 30 FEET		OF 1
APPROVED:	PROJECT: LS-4274		

DEVELOPMENT AGREEMENT

Granville Estates

Articles of agreement made and entered into this ___ day of ____ 2018, by and between ____, hereinafter called the Developer, and the City of Mequon, a municipal corporation of Ozaukee County, Wisconsin, hereinafter called the City.

WITNESSETH:

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

See Exhibit A

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

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

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

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

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

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

1. The area to be improved shall consist of that area designated in Exhibit A as Granville Estates in the proposed development plan granted preliminary plat approval by the Planning Commission.
2. Preliminary plat approval was granted by the Planning Commission on ____.
3. The Improvements shall be as described on Exhibit B.
4. The Developer will, at its expense, have plans and specifications prepared for the aforesaid Improvements and such plans and specifications shall be submitted to the City Engineer for approval. The plans and specifications to be submitted are indicated in Exhibit B.
5. The Developer will contract for and have constructed, at its expense, all of the Improvements. The City, as a condition of final plat, will require that copies of lien waivers from all contractors and/or material suppliers performing work or supplying materials for the installation of the Improvements be filed with the City.
6. The Developer will pay for all reasonable costs incurred by the City, or its consultant in the review of the engineering plans, landscaping plans, inspection of the construction and/or installation of the

Improvements, installation of street signs, review of record drawings for City files, and any other costs that may be incurred by the City in the installation of the Improvements for this Development. The Developer will pay the costs above enumerated within thirty (30) days after being billed by the City. Billing will be made periodically and/or monthly as the improvements are completed and as costs are incurred. Full cost will include labor, equipment, materials, engineering, inspection and overhead costs incidental to said work. Past due amounts on invoices generated by the City are subject to a one and one-half (1.5) percent per month charge, computed from the date of the original invoice.

7. Upon verification by the City Engineer that all of the Improvements have been satisfactorily constructed, installed or escrowed in accordance with City of Mequon Zoning Code, inspected and found to be in compliance with City requirements and with the following conditions as described below, and that all other requirements of this agreement have been complied with, Final Plat approval will be granted by the Common Council.
 - A. The City Engineer shall only recommend Final Subdivision Plat approval to the Planning Commission and Common Council upon certification that:
 - i. All of the Improvements have been satisfactorily constructed or installed, completed and approved; and
 - ii. Letter(s) of credit in form approved by the City Attorney or, with City Engineer approval, of Letter(s) of Credit established for the installation of the street trees, open space landscaping and minimal site restoration as contemplated in Developer's plans approved by the City.
 - B. The Department of Community Development shall schedule Final Subdivision Plat recommendation before the Planning Commission and Common Council only upon certification by the City Engineer that all the improvements have been constructed, installed and approved.
8. No special assessments are contemplated in connection with the Development.
9. The following special provisions shall apply:
 - A. Easements are to be provided on the plat for the use of WE Energies, AT&T, Cable T.V. and other utilities for provision of services to the subdivision. The Developer shall provide proof of payment in full for installation of the utilities prior to Final Plat approval.
 - B. Underground utility installations shall be made without any street pavement removal, unless otherwise specifically approved by the City Engineer.
 - C. A building permit may be issued for 1 principal structure in Granville Estates prior to the Final Plat being approved and recorded. The Developer agrees and understands that the transfer of title to any lot/residence in this development may not occur until after final certification by the City Engineer that the terms of this agreement have been complied with and the final subdivision plat is approved and recorded.
 - D. The Improvements shall be constructed in strict accordance with the requirements of the City and the City Engineer or his authorized representative, or as directed by said City Engineer; and shall be under and subject to constant inspection by the City Engineer or representative.
 - E. The Developer agrees that it shall be fully responsible for the Improvements for the Development and appurtenances thereto during the period of the construction of the Improvements, and until verification by the City Engineer, approval of the Improvements, any

damage as may occur to these facilities during this period shall be replaced or repaired by the Developer.

- F. Excess topsoil shall only be removed from the subdivision Development by means of end-loading (no screening allowed on site) and trucking from the site. The Developer shall not disrupt topsoil where it is unnecessary, and the final arbiter of necessity shall be the City.
 - G. The covenants, conditions and restrictions recorded against the property described on Exhibit A shall prohibit future property owners from removing any berms, landscaping or amenities installed on this Development as a condition of landscaping, open space, grading or drainage plans, and from placement of landscape features, berms or plantings which disrupt flow of run-off in drainage ways or courses approved as a condition of the grading and drainage plans, without express written consent from the City Engineer and by action of the Planning Commission.
 - H. The Developer, its successors and assigns along with individual future lot owners are hereby notified that "impact" fees will be assessed by the City against the Developer and/or lot owners, pursuant to the requirements of Sections 58-138 et seq. of the Mequon Code of Ordinances, which payment is due prior to obtaining a building permit. The parties understand and acknowledge at this time that the City retains full right and authority to amend and modify its impact fee ordinance, the methodology by which impact fees are calculated or the numerical component values of the impact fee calculation in the future, such that the resultant impact fee amounts in effect from time to time may differ from the impact fee assessment which is currently in effect as of the date of this agreement, and that such modifications and amendments are not susceptible of determination at this time.
10. The Developer shall not be released or discharged from the obligations assumed under this agreement until final inspection and verification of all the Improvements has been made by the City Engineer in writing, and the Improvements have been approved by the City.
 11. The Developer hereby agrees that the costs and value of said Improvements will become an integral value of the abutting lots and that no future lot assessment will be made on behalf of the Developer.
 12. Provisions of this agreement which may specify design criteria for required Improvements are subject to change by the City Engineer, upon written notice to Developer and based on changes in applicable codes or regulations, for the purpose of reflecting the most up-to-date design standards for required improvements. The design standards in effect at the preliminary approval shall apply to all Improvements for a period of two years.
 13. Developer shall indemnify, defend, and hold the City and its officers harmless from, penalties, fines, costs, or loss (including reasonable fees for attorneys, consultants, and experts) that arise as a result of the presence or suspected presence in or on the real property dedicated or conveyed to the City by, under, pursuant to, or in connection with the Subdivision Plat or this Agreement including, but not limited to street rights of way, of any toxic or hazardous substances arising from any activity occurring prior to the acceptance of dedication of all Improvements. Without limiting the generality of the foregoing, the indemnification by Developer shall include costs incurred in connection with any site investigation or any remedial, removal, or restoration work required by any local, state, or federal agencies because of the presence or suspected presence of toxic or hazardous substances on or under the real property, whether in the soil, groundwater, air or any other receptor. The City agrees that it will immediately notify Developer of the discovery of any contamination or of any facts or circumstances that reasonably indicate that such contamination may exist in or on the real property. The City also agrees that following notification to Developer that contamination may exist, the City shall make all reasonable accommodations to allow Developer to examine the real property and conduct such clean-up operations as may be required by appropriate local, state, or federal agencies to comply with applicable laws.

14. Execution of this agreement shall be accepted by the City as adequate provision for improvements within the meaning of Section 236.13(2) of the Wisconsin Statutes.
15. This agreement shall be binding upon the heirs, successors, executors and assigns of the parties hereto.
16. If the final plat conforms substantially to the preliminary plat as approved, including any conditions of that approval and to local plans and ordinances adopted as authorized by law, it is entitled to approval. If the final plat is not submitted within 24 months of satisfaction of the last required condition of approval of the preliminary plat, any approving authority may refuse to approve the final plat. The final plat may, if permitted by the approving authority, constitute only that portion of the approved preliminary plat, which the Developer proposes to record at that time. The Preliminary Plat shall be deemed an expression of approval or conditional approval of the layout submitted as a guide to the preparation of the Final Plat which will be subject to further consideration by the Planning Commission at the time of its submission.
17. It is understood that this Development Agreement may need to be amended to cover changes to the standards regarding landscaping, stewardship plans, stormwater management, grading and/or other plans.
18. In accordance with section 58-635(3)(e), if the Developer fails to commence construction within two (2) years of development agreement approval, then the development agreement shall become null and void.

CITY OF MEQUON

OWNER

By _____
Dan Abendroth, Mayor

By _____

By _____
Caroline Fochs, City Clerk

STATE OF WISCONSIN)
)SS
 OZAUKEE COUNTY)

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

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

STATE OF WISCONSIN)
)SS
 OZAUKEE COUNTY)

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

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

Approved by : _____
Brian Sajdak, City Attorney

Attachment: Packet_05.14.18 (3221 : John Mikkelsen for Granville Estates)

EXHIBIT A
DEVELOPMENT AGREEMENT

Development Title – **Granville Estates**

DESCRIPTION OF AREA INCORPORATED IN THE SAID DEVELOPMENT:

LEGAL DESCRIPTION:

Lot 2 of Certified Survey Map 3647, as recorded at the Ozaukee County Register of Deeds on 02/2077, as Document No 0857445, being a part of the Southeast $\frac{1}{4}$ and Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 6, Township 9 North, Range 21 East, City of Mequon, Ozaukee County, Wisconsin.

Attachment: Packet_05.14.18 (3221 : John Mikkelsen for Granville Estates)

EXHIBIT B
CITY OF MEQUON
WISCONSIN
* * * * *

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

TERMS AND CONDITIONS INCORPORATED INTO DEVELOPMENT AGREEMENT BY AND
BETWEEN THE CITY OF MEQUON AND [REDACTED]

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

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

The following public works improvements and conditions are necessary:

1. Sanitary Sewer System

- a. Developments covered by this agreement require a Private On-Site Waste Treatment System (POWTS).
- b. A plan of the subdivision shall include the location of soil boring and designated area for the POWTS.

2. Water Supply System

- a. The proposed development is not located within the municipal water service boundary.
- b. The lots in the subdivision will be developed with private wells in accordance with NR812 and permitted through the WDNR.
- c. The private wells shall be installed and maintained by the respective property owner.
- d. Through the permitting process, the well digger must follow proper procedures with respect to the draw down effect on adjacent wells.

3. Fire Protection Water Supply

- a. The Developer and City shall establish an escrow fund which shall be in the total amount of \$50,000 when fully funded ("Escrow"). The Escrow shall be used for the installation of a fire cistern at the Subdivision or as the City may otherwise decide to use the Escrow for fire protection purposes for the Subdivision. The Escrow shall be funded as follows: at such time as the owner of a lot in the Subdivision applies for a building permit, in addition to all other fees and costs that are due, the owner shall pay \$7,142.86 to the City ("Fire Protection Fee"). The Fire Protection Fee shall be deposited into the Escrow. When the Escrow is fully funded, the City may withdraw the funds from the Escrow and use the funds for a cistern or for other fire protection for the Subdivision in the City's discretion.

4. Grading

- a. The Developer shall submit a master site grading plan. The Developer shall grade the site in conformance with the approved grading and drainage plan. The future owners/builders who construct the principal building shall be responsible for siting the principal building, rough and fine grading the building pad to comply with the master grading plan.
- b. The Master Grading/Drainage/Storm Sewer and Erosion Control Plans shall comply with the requirements of the City's Standard Specifications for Land Development, latest edition.
- c. Grading and drainage plan showing 2' contours for both existing and proposed grades, City approved building pad grades, culverts or storm sewers. Cross-section and profiles of all drainage ways and erosion protection as required, must be indicated on the plans and detailed.
- d. Site grading plan showing only minimum setback and offset dimensions, and City approved building grades.
- e. Rough grade as necessary to establish lot grades in accordance with future building grades, topsoiling, seeding and mulching as required, to all exposed ground surfaces to prevent erosion.
- f. The grading plan shall include minimum elevations for proposed top of principal building foundation wall based on proposed building envelopes shown on the approved specimen tree plan and City approved finished yard grades.
- g. Grading and filling shall be in accordance with the master grading plan and fill permit, including in individual building envelopes.
- h. The Developer is responsible for topsoiling, seeding and mulching, as required to all exposed ground surfaces to prevent erosion, including disturbance by utility contractors.

5. Storm Drainage System

- a. Drainage System Plan showing all tributary areas to the proposed subdivision drainage system and downstream analysis. Included on the system plan should be all proposed and existing drainage structures in the drainage system area.
- b. Drainage easements must be shown by dimension and detailed cross-section.
- c. Installation and construction of a complete storm drainage system, including culverts, storm sewer, and open ditches as required to adequately drain the surface water from and through the Development. Erosion protection and minimum velocity design shall be provided for in the storm drainage system design. All areas adjacent to existing and proposed roadways shall be restored to conform with the approved roadway cross-section.
- d. The storm water facilities shall be installed before the impervious surface.
- e. Additional considerations will be required on all ditch slopes exceeding five percent (5%). All roadside ditches or drainage easements shall have a minimum one percent (1%) slope. Areas less than one percent (1%) will require further analysis.
- f. The Development will be required to provide on-site stormwater detention and demonstrate to the City Engineer that the Development shall comply with the City's stormwater ordinance and MMSD Chapter 13 rules and regulations.

- g. The Developer shall submit hydrologic calculations for the 2, 10 and 100 year development conditions.
- h. The Developer shall provide hydraulic calculations showing pond discharge rates under proposed conditions. Under proposed conditions, the retention pond must demonstrate that the 2, 10 and 100 year discharge rate will be less than pre-settlement conditions.
- i. All sump pump discharge pipes shall discharge to the roadside drainage ditch. The discharge location shall be at the top of the ditch or as approved by the City Engineer or his/her designee. Where a storm sewer or roadside drainage ditch is unavailable, the sump pump discharge may be made to an approved drainage facility only with the approval of the City Engineer or his/her designee.
- j. Stormwater Best Management Practices Maintenance Agreement:

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

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

- i. All stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be maintained and cared for by the Developer and subsequently, at such time as the Developer passes control of the stormwater elements of the Development and responsibility for maintenance thereof to the homeowners association they shall be maintained in accordance with this Section 5. g.
- ii. In order that the perpetual care and maintenance of all stormwater drainage and storage facilities shall be provided for, the Developer shall create or cause to be created an entity (the Subdivision Homeowners Association) with a perpetual existence under the laws of the State of Wisconsin for the express purpose, *inter alia*, of assuming all responsibility in connection with the perpetual maintenance of the stormwater facilities. Developer shall provide by contract, declaration of covenants, deed provision, or otherwise that all lot owners in the subdivision development, including Developer, shall be members of the Association solely by virtue of being a lot owner, and shall be jointly responsible for its obligations, which obligations shall be assessable as against such members. If, as contemplated by the parties, any portions of the Development in or on which is located stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be conveyed to other assigns and/or successors in interest, then Developer shall provide by contract, declaration of covenants, deed provision, or otherwise that such other assigns and/or successors in interest shall assume all responsibility in connection with the perpetual maintenance of those stormwater facilities. The Developer shall have no further responsibility for such maintenance, only after arms length sale of the lots by the Developer, conveyance of outlots and/or common areas to the Subdivision Homeowners Association or other good faith grantees, and acceptance of dedication of the Improvements by the City.

iii. The following minimum standards for future care and maintenance of the stormwater drainage and storage facilities, including detention basin(s)/pond(s), shall be adhered to by Developer and Developer's assigns and successors in interest:

- A. Provide normal and customary cleaning and maintenance to the detention basin(s), and pond(s) located in this Development including, but not be limited to, weed and algae control, dam stabilization, emergency overflow, outlet structure (including trash rack), dredging and biological control.
- B. As necessary, dredging of the storm water detention facilities shall require permits and approvals under Section 30.20 Wisconsin Statutes, to remove materials from the bed of a pond ultimately connected to a navigable waterway from the Wisconsin Department of Natural Resources (WDNR).
- C. Make chemical treatments as necessary, in keeping with the regulatory requirement(s) that the application of EPA/State Registered Chemicals to detention basins/ponds or lakes is regulated by the WDNR. With few exceptions, a permit must be filed with, and approved by the WDNR, prior to chemical treatment. In certain circumstances, a representative of the WDNR will monitor or supervise the chemical treatment. Contact the WDNR for additional information.
- D. The detention basin(s)/pond(s) and other storm water facilities shall be certified by a licensed professional engineer or land surveyor as a condition of Final Plat approval. To assure compliance with the approved plans, the Developer shall be responsible to recertify the detention basin(s)/pond(s) as a condition of transferring ownership to the Homeowners Association, but in no event shall such recertification occur later than five years after the approval of the Final Plat.
- E. The detention basin(s), pond(s) certification shall be submitted with an as-built record drawing.
- F. The detention basin(s)/pond(s) shall be inspected in compliance with the Inspection Report Form supplied by the City. Any deficiencies shall be corrected immediately. A copy of the report form, including but not limited to photographs or diagrams of the deficiency and corrections with the certification shall be provided to the Homeowners Association, and any other assigns and successors in interest of Developer, and shall be promptly submitted to the City Engineer for review and approval. Specific areas shall include, but not be limited to:
 - Bio-retention facility
 - Pond containment berms are stable and free of animal burrowings
 - Detention storage volume
 - Erosion
 - Vegetative cover
 - Sediment accumulation
 - Trash rack/culvert functions
 - Outlet flow
 - High water level
 - Water surface elevation at time of survey
 - Normal pond water level
 - Emergency overflow

- iv. To guarantee performance of all of the foregoing obligations concerning the private stormwater drainage and storage facilities, including detention basin(s)/pond(s), the developer shall, in accordance with City ordinance 58-677(b), deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow / letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).
- v. Not less than ninety days prior to the final expiration of the Developer's financial guarantee obligations, or at such time as the Developer shall convey the outlot(s) or common area(a) in or on which are located the stormwater drainage and storage facilities, including detention basin(s)/pond(s), to the Subdivision Homeowners Association or other assigns or successors in interest, whichever is later, the Developer shall have the detention basin(s)/pond(s) recertified in accordance with d. and e. above.
- vi. At any time in the future, if, in the opinion of the City, either the Developer (in keeping with the limitations upon its responsibility as expressed herein), the Subdivision Homeowners Association, or any other assigns or successors in interest, shall fail to maintain the stormwater drainage and storage facilities, including detention basin(s)/pond(s), the City, at its option, may give the Developer, the Subdivision Homeowners Association or other assigns or successors in interest, as may be interested, written notice requiring any or all of them within thirty (30) days thereafter, to cure the failure and to maintain and to provide the required care. If the notified party fails to comply with the demands of the notice, the City shall have the right, but not the obligation, to perform the work necessary to correct the deficiency, and to charge the cost thereof, including administrative charges, to the Developer, and/or to the Subdivision Homeowners Association, and/or other assigns and successors in interest, by drawing upon the LOC, and/or by imposing such charge as a special charge for services pursuant to §66.0627, Wisconsin Statutes, and if not promptly paid by the party to whom the charges were invoiced, as a lien and special tax on the property(ies).
- vii. The City Engineer has the authority to stop work, amend, or alter remediation measures to the detention basin/ponds. Failure to comply will result in the issuance of a municipal citation by a forfeiture as prescribed by law, or may be addressed in an action for injunction, mandatory injunction, or any combination of remedies. Each day a violation exists shall constitute a separate offense.
- viii. Upon 75% (or fewer) of the lots within this Development being sold, a Homeowners Association shall be created.
- ix. This agreement and all of its covenants are and shall be covenants running with the land, and shall encumber the Development, and shall be binding on the heirs, personal representatives, successors and assigns of the parties hereto. This agreement shall be recorded with the Ozaukee County Register of Deeds office. The Development covenants and restrictions shall include this language and not by reference.

6. Erosion and Run-off Control

- a. Installation and construction of improvements in the proposed Development shall be done in conformance with the City in cooperation with the Ozaukee County Land Conservation Guidelines (SCS) and Department of Natural Resources "Wisconsin Construction Site Best Management Practice Handbook," latest edition, requirements, with respect to erosion and

sedimentation control. Temporary stormwater quality measures during construction activities shall include, as a minimum, the installation of silt fence and temporary sediment basins.

- b. The Developer shall install the drainage system, including roads (unpaved, but with gravel surface), first. The swale and ditches shall be sodded or planted with fast growing grasses immediately after grade certification by the City or designated agent. The City may request temporary mulching if ground is exposed for more than 7 days. Straw, hay bales, check dams or silt fences shall be placed in the drainage system as sediment traps in accordance with established Best Management practices. The City will decide what situation is appropriate for sod and will determine the sediment trap method to be used.
- c. The Developer may not commence land disturbing activities until all erosion control measures are installed and approved by the City. An erosion control permit must be approved which requires the Developer to construct in conformance with the City's erosion control ordinance.
- d. Excavated soil shall not be allowed to be piled near the drainage system. A topsoil stockpile area shall be identified and used, complete with appropriate erosion control measures.
- e. The surface of exposed bare soils shall be protected by mulches or by temporary annual grasses, or erosion matting.
- f. The Developer will periodically inspect and maintain any measures utilized above. All erosion control devices shall be inspected after each rain event.

7. Streets

- a. The road design standards shall be subject to the review and approval by the City Engineer and Fire Chief. The roads, whether public or private, shall be constructed in compliance with the City Standard Specifications for Land Development, latest edition, unless otherwise approved by the City.
- b. Private access roads/driveways shall be approved by the City Engineer and Fire Chief.
- c. Construction of a twelve (12) inch road base consisting of seven (7) inches of one and one-quarter inch (1 1/4") crushed stone base course and five (5) inches of 3/4" T.B. for all new streets. The initial surface shall consist of three inches (3") of bituminous binder course. The roads shall be constructed to the City's typical cross-section and in accordance with the City's standard specifications for land development.
- d. In developments with sanitary sewer the final one and one-half inch (1 1/2") asphalt surface course shall be applied following the construction of the binder course.
- e. The Developer shall provide to the City a Letter of Credit issued by a local bank on the US Chamber of Commerce model form or reasonable equivalent, and subject to prior review and approval by the City, to provide security for compensation to the City for wear and tear and accelerated deterioration of City streets as a result of infrastructure improvement associated with the hauling of stone and asphalt attributable to the approved Development.

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

- i. The Developer shall meet with City Engineering and Public Works staff to identify and agree to a specific "haul" route for all construction equipment and material supplies

associated with the Development. The Developer shall agree to confine the movement of its construction equipment to the approved route unless approved otherwise by the City Engineer or Public Works Director.

- ii. Prior to commencement of construction, the City shall videotape and perform a road evaluation of the agreed to haul route. This evaluation, known as a service condition rating or SCR, shall be used as the base line for establishing the level of damage that occurs as a result of the Development.
- iii. At the conclusion of the construction activity and prior to the recording of the final plat, the City will again videotape and perform a post development SCR of the Developer's "haul" route.
- iv. Prior to the City acceptance of the Improvements, the Developer will repair the road or pay to the City for the Dollar amount for the estimated repairs.

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

8. Landscaping and Open Spaces

- a. A street tree plan shall be subject to the review and approval of the Tree Board and Planning Commission. The species and installation of street trees shall conform to the street tree ordinance.
- b. Landscape plans for the open space, berms and within the Outlot shall be designed by a licensed landscape architect and shall be reviewed and approved by City staff. The City may have a licensed landscape architect review the submitted landscape plans.
- c. Signage and entryway landscape plans shall be reviewed and approved by City staff.
- d. A landscaping Letter of Credit issued by a local bank on the US Chamber of Commerce model form or reasonable equivalent, and subject to prior review and approval by the City, equal to 125% of the improvement costs for installation of landscaping and hardscape amenities shall be provided to the City.
- e. A Letter of Credit issued by a local bank on the US Chamber of Commerce model form or reasonable equivalent, and subject to prior review and approval by the City, equal to 25% of the landscape and hardscape amenities contract cost to insure that landscaping that dies within three (3) years of installation will be replaced by the Developer.
- f. A performance bond equal to 25 percent of the installation costs of the street trees is required to ensure that all street trees that die within the first 14 months will be replaced by the developer.
- f. Any required pedestrian paths shall be installed and shall be maintained by the developer or home owners association. Pedestrian and bike path plans shall address the public use of the paths and maintenance and shall be subject to the review and approval of the City Engineering Department. A ten (10) foot wide pedestrian and bike path easement shall provide for public access. An eight (8) foot wide path shall be designed and constructed in accordance with the Department of Transportation (DOT) Bike Path Facilities Handbook.

9. Miscellaneous

- a. The Developer shall be responsible for maintaining and repairing all damage done to City streets as a result of excessive hauling operations and Development construction pursuant to section 7(f) above.
- b. The Developer shall be financially responsible for the material and installation of street signs. The City shall install said signs and invoice Developer, which shall be paid within thirty (30) days of invoice.
- c. All construction shall conform to the "Standard and Specifications for Development Construction in the City of Mequon," latest edition.
- d. Wetland Boundaries shall be identified and marked in the field and verified by the Wisconsin Department of Natural Resources. The wetlands and setbacks shall be identified on the plat. Wetland boundary markers shall be maintained and setbacks observed during all phases of land disturbance and construction.
- e. The City Engineer may make changes to the approved plans and specifications for any of the improvements covered under this agreement which are necessary to correct oversights, omissions, and errors to compensate for changing site conditions, or to complete fully the work in accordance with sound engineering practice. The Developer shall perform the work as changed entirely at its expense without any claim for reimbursement.
- f. Submittal of underground utility easements.
- g. All sanitary, drainage, water and other utility easements must be shown on the plat. All sanitary, water and drainage easements must be prepared separately for each lot or parcel and recorded at the Developer's expense. These documents shall be required at the time of final plat approval and approved by the City.
- h. Submittal of proposed driveway culvert size plan where applicable.

10. Special Provisions

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

The remainder of this page is intentionally left blank.

EXHIBIT C

CITY OF MEQUON
WISCONSIN

* * * * *

ENGINEERING DEPARTMENT
DEVELOPMENT AGREEMENTDevelopment Title Granville Estates

In addition, the Developer shall provide a lot pipe guarantee in the form of a Letter of Credit or Cash Bond in accordance with this agreement. The Developer shall provide a financial guarantee in the amount of \$700, which is equivalent to \$100 per lot. The financial guarantee is subject to release upon receipt by the City of a lot pipe certification stamped and signed by a professional land surveyor, registered in the State of Wisconsin.

Attachment: Packet_05.14.18 (3221 : John Mikkelsen for Granville Estates)



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

www.ci.mequon.wi.us

Office of Planning Commission

TO: Planning Commission
FROM: Bridget Henk, Assistant City Engineer
DATE: May 14, 2018
SUBJECT: An Ordinance Amending Chapter 58 of the Mequon Municipal Code as it Relates to Filling, Excavating and Berms

Background

Requirements for filling, excavating and berms appear in the City of Mequon Code of Ordinances in Sections 58-8, 58-564 and Section 58-603. Staff proposes that Section 58-8 include definitions for Aesthetic and Recreational Ponds, Fill, and Excavation and Section 58-603 refer to the Standard Specifications, to avoid the duplication in language. Staff also proposes a simplification of Section 58-564, leaving only the governing language and moving the detailed requirements to the Standard Specifications.

The Engineering Division fully reviewed the fill permit process and revised the permit application, permit instructions, ordinance Section 58-564, ordinance Section 58-603 and the Standard Specifications for Land Development. The enforcement remains largely the same, with an administrative relocation of the language. The ordinance language was also updated to be more uniform with other Chapter 58 sections.

At the April 9, 2018 meeting, Planning Commission indicated that staff should evaluate whether 1,000 cubic yards was an appropriate threshold for Planning Commission review.

Analysis

The revisions to Section 58-603 exempts projects that have previously been reviewed and approved by Planning Commission for filling and excavation. Sites that would still require Planning Commission approval would include single family homes that deviate from the Master Grading Plan or that were not a part of a Master Grading Plan.

Requiring planning commission review for the single family lots would allow for neighbors to be notified that filling would be occurring in their neighborhood for a single family home. Without planning commission review no notifications would be sent.

Staff looked into the options for planning commission review and evaluated whether other communities used a ratio or volume to trigger reviews. Many local communities do not require Planning Commission review for filling and excavation.

Fiscal Impact

There is no fiscal impact of the text amendment, permit application, or the Standard Specifications for Land Development.

Recommendation

Staff recommends that the Planning Commission favorably endorse and the Common Council approve the ordinance amending Chapters 58 of the Mequon Municipal Code as it relates to Filling, Excavating and Berms.

The approval of the Standard Specifications for Land Development would be reviewed by the Public Works Committee concurrent to the ordinance approval process.

Attachments:

Fill Permit App - 2018 revision (PDF)

Permit Instructions (PDF)

Sec._58_8.____Definitions (PDF)

Sec._58_564 - final (PDF)

Sec._58_603 - final (PDF)

Standard Specifications Chapter 7 (PDF)

COMMON COUNCIL
OF THE
CITY OF MEQUON

An Ordinance Amending Chapter 58 of the Mequon Municipal Code as it Relates to Filling,
Excavating and Berms

WHEREAS, the Common Council previously adopted Chapter 58 of the Mequon Municipal Code which includes regulations concerning filling excavating and berms; and

WHEREAS, the Planning Commission and the Common Council desire for the City of Mequon regulations concerning filing, excavating and berms be consistent with other Chapter 58 regulations; and

WHEREAS, the regulation of filling, excavating and berms is reasonable and necessary to protect the health, safety and welfare of the residents and the Community;

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

SECTION I

Section 58-8, Section 58-564 and Section 58-603 of the Mequon Municipal Code is hereby amended to read as follows (NOTE: Added text is underlined; Deleted text is ~~struck through~~):

Sec. 58-8. - Definitions.

Aesthetic or Recreational Pond means a manmade body of water designed for aesthetic ornamentation, such as an architectural feature or in a recreational capacity, and not otherwise regulated by Section 58 Article VIII. - Erosion and Stormwater Runoff Control.

Fill means material placed on a property such as earth, stones, or sand that modifies the existing elevation. For purposes of a fill permit, fill does not include mulch.

Excavating means the removal of material from a property that that modifies the existing elevation

Sec. 58-564. - Landscaping, Screening, Berming and Ponds

- (i) *Berm requirements.* The construction of earth berms shall require a Filling, Excavation and Berms Permit and shall comply with the City of Mequon Standard Specifications for Land Development in effect at the time of Filling, Excavation and Berms Permit application or unless otherwise agreed to by the applicant. ~~be~~

permitted subject to the following:

- (1) — ~~The berm shall not exceed 4½ feet in vertical height, shall be located at least ten feet from a side or rear lot line and five feet from the road right of way. The offset requirements from a side or rear lot line may be waived in the case of the joint construction of a berm by adjacent property owners.~~
 - (2) — ~~An earth berm exceeding 4½ feet in vertical height shall be permitted only after approval of the planning commission, or park board if the berm is proposed within a City owned park or preserve, as to the height and location and landscaping of the berm. Neighbors adjacent to and across the street from the proposed berm shall be notified of the proposal prior to review by the planning commission, or park board if appropriate.~~
 - (3) — ~~All berms shall be constructed such that the width of the base of the berm shall be no less than three times the vertical height of a berm. The vertical height of a berm shall be measured from an average of the existing ground grades on either side of the berm.~~
 - (4) — ~~A cover growth of city approved plant material or mulching containing no noxious weeds shall be immediately established over the entire berm to prevent erosion or unsightly conditions.~~
 - (5) — ~~In addition to a cover growth of plant material, all berms shall have landscape plantings spaced randomly to help visually break up the continuous line of the berm. Berm and landscape plans for commercial, multi-family, condominium and subdivision development shall be approved by the planning commission. Berm plans for single-family residential lots shall be approved by the building inspector. Berm plans proposed within a city owned park or preserve shall be approved by the park board.~~
 - (6) — ~~If the construction of a berm requires more than 250 cubic yards of fill to be brought to the site, a filling permit shall be obtained from the city engineering department.~~
 - (7) — ~~Ground covers used in lieu of grass in whole or in part shall be planted in such a manner as to present a finished appearance and provide reasonably complete coverage within three months after planting.~~
- (j) Aesthetic and recreational pond requirements. The construction of new aesthetic or recreational ponds or enlargement of existing aesthetic or recreational ponds require a Filling, Excavation and Berms Permit and shall comply with the City of Mequon Standard Specifications for Land Development in effect at the time of Filling, Excavation and Berms Permit application or unless otherwise agreed to by the applicant. ~~shall be subject to the following:~~ Note: Pond standards shall be periodically reviewed by the public safety committee to determine what, if any, amendments are necessary.
- (1) — ~~The property owner shall submit a pond plan that identifies maximum pond~~

~~size, maintenance plan, pond depth, and pond overflow point for engineering department review and approval.~~

- ~~(2) — A four-foot-wide safety shelf with a depth of 12 inches shall be constructed.~~
- ~~(3) — The pond shall be lined with materials to avoid slippage.~~
- ~~(4) — The pond shall be set back no less than 30 feet from the property line.~~
- ~~(5) — The pond slope shall be no steeper than five feet horizontal to one foot vertical.~~

Sec. 58-603. - Filling, ~~and~~ excavating and berms

No person, firm or corporation shall transfer to dump or place upon any lands, public or private, solid fill within the limits of the City of Mequon without first obtaining a filling permit in compliance with engineering department policies and specifications. ~~Filling and excavation~~ Permits shall be in compliance with article VIII. The construction of berms, earth moving, grading and filling ~~for single-family residential lots and residential subdivisions~~ shall comply with the following.

- (1) Land disturbing activities relating to land divisions or commercial developments that have received Planning Commission approval may be approved at a staff level.
- (2) Lot grading plans associated with residential home construction that have excavation and fill volumes fewer than 1,000 cubic yards and are reviewed by the City Engineer with the building permit process are exempt.
- (3) The City Engineer or assigned designee may waive the permit requirement at his/her discretion wherein the permit application seeks approval for less than twenty-five (25) cubic yards of fill and the City Engineer or assigned designee is reasonably satisfied that there is no significant likelihood of adverse impact on drainage affecting adjoining properties.
- ~~(4)~~(4) The construction of berms, earth moving, grading, land disturbing activities and filling shall comply with article VIII of this Code, erosion and stormwater run-off control regulations.
- ~~(5)~~(2) All land disturbing activities shall comply with the city "City of Mequon Standard Specifications for Land Development, in effect at the time of permit application or unless otherwise agreed to by the applicant. Seventh Edition, December, 2002, or any amendment or revision thereof approved by the common council.
- ~~(3)~~ — All land disturbing activities shall comply with the Stormwater Management Technical Standards developed by the Wisconsin department of natural resources.
- ~~(6)~~(4) A permittee under this section shall notify the engineering department before starting any land disturbing activity and again not more than five days after the

project is complete to allow the engineering staff sufficient time for coordination of the effort and inspection.

- ~~(5) — A permittee under this section shall obtain a Wisconsin department of natural resources (WDNR) grading permit, Wis. Stats. § 30.19(1)(c) for the grading of slopes of a waterway.~~
- ~~(6) — A permittee under this section shall file a notice of intent (NOI), which falls under the general construction site stormwater discharge permit. follow WDNR submittal process and procedures.~~
- ~~(7) — The NOI must be filed with the stormwater section located in Madison. Disturbing one or more acres requires submittal of NOI WDNR Form #3400-161 (compliance with NR 216).~~
- ~~(8) — If waters of the state are involved, a chapter 30~~
~~<https://library.municode.com/wi/mequon/codes/code_of_ordinances?nodeId=PTI-ICOOR_CH30FIPRPR> permit is required from the WDNR, Form #3500-53.~~
- ~~(9) — The permit applicant shall notify the Water Management Specialist at the WDNR.~~
- ~~(10) — The applicant is responsible for obtaining any permit or approval required for the project by local zoning ordinances, WDNR, or by the U.S. Corps of Engineers before starting the project.~~
- ~~(7)(11) The applicant must complete and file with the city a land disturbing Filling, Excavating and Berms permit and erosion control plan and application. Plans must be submitted in compliance with the "City of Mequon Standard Specifications for Land Development", latest edition. City of Mequon's standard specifications for land development.~~
- ~~(12) — Plans shall be submitted and approved by the engineering department once the appropriate WDNR permits have been obtained. Plans shall be submitted on a plat of survey, subdivision grading and drainage plan or landscape plan. Plans shall include the following:~~
 - ~~Footprint of residence~~
 - ~~Property lines~~
 - ~~Contour lines at two-foot minimum~~
 - ~~Location of the berm/land disturbing activity with setbacks, offsets, height, and width~~
 - ~~Type of landscaping and cover to be planted~~
 - ~~Cross section of berm with slopes~~
 - ~~Scale, north arrow, date~~
 - ~~Name of the person who prepared or obtained the information~~

Significant tree and vegetation removal

- ~~(8)(13)~~ Construction of a berm requiring more than 250 cubic yards of fill, either brought on to the site or from excavating or grading the site, shall require a filling permit from the engineering department. Land disturbing activities/berms that require between 250 to 1,000 cubic yards of fill shall be approved by staff. Berms/land disturbing activities involving construction in excess of 1,000 cubic yards shall submit a plan to the Planning Commission for review and approval. A berm exceeding four and a half (4.5) feet in vertical height shall be permitted only after approval by the Planning Commission as to the height, location, and landscaping of the berm.
- (14) — The berm shall not exceed 4½ feet in vertical height. The toe of the berm shall be located at least ten feet from a side or rear lot line and five feet from the road right of way. The offset requirements from a side or rear lot line may be waived in the case of the joint construction of a berm by adjacent property owners.
- (15) — Any berm in excess of 4½ feet, but not more than six feet, may be permitted to within five feet of a street right of way provided the side facing the street line is attractively landscaped. Such berm shall be attractively landscaped and that shall be subject to approval by the department of community development.
- (16) — A berm exceeding six feet in vertical height shall be permitted only after approval by the planning commission as to the height, location, and landscaping of the berm. Neighbors adjacent to and across the street from the proposed berm shall be notified of the proposal prior to review by the planning commission.
- (17) — All berms shall be constructed such that the width of the base of the berm, measured from toe to toe, shall be no less than three times the vertical height of the berm. The vertical height of the berm shall be measured from an average of the existing undisturbed ground surfaces at the toe on either side of the berm.
- (18) — A cover growth of plant material or mulching, containing no noxious weeds, shall be immediately established over the entire land disturbed area to prevent erosion or unsightly conditions.
- (19) — In addition to a cover growth of plant material, all berms/land disturbing activities shall have landscape plantings spaced randomly to help visually break up the continuous line of the berm. City approval of landscaping plans for berms less than six feet is not required.
- (20) — Ground covers used in lieu of grass, in whole or in part, shall be planted in such a manner as to present a finished appearance and provide reasonable complete coverage within three months after planting.
- (21) — No berm/land disturbing activity shall be permitted that by reason of noise, dust, odor, appearance, or other objectionable factors creates a nuisance or a substantial adverse effect upon the property value or reasonable enjoyment of surrounding property.

- ~~(22) The construction of the berm shall not adversely affect drainage of surrounding properties.~~
- ~~(9)(23)~~ The applicant must complete the land disturbing project as described on or before a date specified by the city. The applicant may not begin or continue construction of the land disturbing activity after this date unless the city and/or WDNR grants a new permit extension in writing.
- ~~(10)(24)~~ A permit does not authorize any work other than what was described in the application and approved plan.
- ~~(11)(25)~~ The applicant must allow the free and unlimited access to the project site at any time to any city or state employee who is investigating the project's construction, operation or maintenance.
- ~~(12)(26)~~ The acceptance of the permit and commencement of land disturbing activities signify that the applicant has read, understands, and agrees to follow the conditions of the permit.
- ~~(13)(27)~~ The applicant must keep a copy of the permit and approved plans at the project site at all times until the project is complete.
- ~~(14)(28)~~ The city or WDNR may modify or revoke the permit if the project is not completed according to the terms of the permit, or if the city or WDNR determine the activity is detrimental to the public interest.
- (15) The applicant shall contact the City of Mequon Engineering Division within 5 days of completion for closure inspection. Final documentation of permitted activities to be provided to the City no more than 10 days after final completion.
- ~~(29) Single family residential subdivision restrictions may be more restrictive. If a single family residential subdivision has restrictions on the construction of berms, the subdivision must approve or conditionally approve the berm plan and acknowledge their approval to the engineering department prior to any city approval. The City of Mequon does not enforce single family residential subdivision covenants and restrictions regarding the construction, landscaping, or maintenance of berms.~~
- ~~(30) The aforementioned requirements shall also apply to modifications to any existing berms.~~
- ~~(16)(31)~~ The city engineer has the authority to stop work, amend, or alter any measures in the construction. Any person violating any of the provisions of this section shall be subject to a forfeiture as provided in chapter 2
<https://library.municode.com/wi/mequon/codes/code_of_ordinances?nodeId=PTII_COOR_CH2AD> of this Code of Ordinances, and the city may recover all
attorneys' fees, court costs, and other expenses associated with enforcement of this
section, including sampling and monitoring expenses. Each day a violation exists
shall constitute a separate offense. ~~of the berm. Failure to comply will result in the~~

~~issuance of a municipal citation in an amount not less than \$30.00, nor more than \$500.00, and the costs to prosecute for each violation. Each day a violation exists shall constitute a separate offense.~~

SECTION II

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

SECTION III

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

SECTION IV

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

Approved by: Dan Abendroth, Mayor

Date Approved: May 14, 2018

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on May 14, 2018.

Caroline Fochs, City Clerk

Published: _____

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

Engineering Division
Permit Application for Filling, Excavating and Berms

PLEASE PRINT CLEARLY

Agent / Contact Name: _____ Phone #: _____

Property Owner Name: _____ Phone #: _____

Agent Or Owner Contact Address: _____

Location Or Address Of Work Site: _____

Or: Description _____ 1/4 Section _____ T9n, R _____ E

Tax Key No. _____

Subdivision _____ Lot _____ Block _____

Estimated Date Of Completion: _____

Reason For Fill/Removal/Excavation _____

Name Of Contact Other Than Applicant: _____ Phone #: _____

FEE COMPUTATION

\$60.00 – 0 – 250 C.Y.

\$120.00 – 250 C.Y. – 1,000 C.Y. Total Fee \$ _____

Total Cubic Yards To Be Deposited/Removed/Excavated _____ C.Y.*

*Over 1000 cubic yards and Berms greater than 4½- feet in height requires Planning Commission approval. Separate application to the next available Planning Commission meeting is necessary. When Planning Commission review is required, the Filling, Excavating and Berm Permit fee is waived. Planning Commission review fees would be required.

SIGNED: _____ DATE: _____

Department of Community Development Approval _____ Date _____
Engineering Division Approval _____ Date _____



11333 N. Cedarburg Rd 60W
Mequon, WI 53092-1930
Phone (262) 236-2936
Fax (262) 242-9655

FILLING, EXCAVATING AND BERMS PERMIT INSTRUCTIONS

The filling of land is regulated by the City of Mequon Code of Ordinances Sections 58-598/606, Engineering Requirements and Sections 58-671/677, Erosion and Storm Water Runoff. A filling permit shall be necessary under most circumstances.

1. Apply for Filling, Excavation and Berms Permit

Application form filled out and submitted by owner or agent. Applicant provides necessary information, plat of survey or diagram of proposed plan, and fee. Reference Chapter 7 of the Standard Specifications for Land Development for specific requirements for the plans.

The request for filling will be referred to the Department of Community Development for Planning Commission review and approval if amount of fill or earth moving exceeds 1000 cubic yards or if the height of a berm is greater than 4.5 feet. A Planning Commission Application is required.

2. Staff and Planning Commission Review

Staff conducts an on-site inspection and/or reviews stormwater drainage and topographic maps, DNR Wetland Inventory maps, flood plain maps and as-built record drawings for potential conflict with city utilities.

For projects requiring Planning Commission approval

Staff prepares a report of the findings for Planning Commission consideration of the project. At the Planning Commission meeting approval, conditional approval, tabling, or denial will be evaluated. Staff prepares and provides applicant with a letter with approval, applicable conditions, or denial. Once the conditions are met and the permit is approved, a copy of permit will be forwarded to Building Inspection and address file.

For projects not requiring Planning Commission approval

Staff prepares and provides applicant with a letter with approval, applicable conditions, or denial. Once the conditions are met and the permit is approved, a copy of permit will be forwarded to Building Inspection and address file.

3. Inspections

Staff conducts periodic inspections depending upon the amount of fill requested or type of grading work.

4. Permit Closure

Permit closure inspections. Inspection shall indicate that the amount of fill or excavation was placed in accordance with the permit. Contact the City of Mequon Engineering Division within 5 days of completion for closure inspection. Final documentation of permitted activities to be provided to the City no more than 10 days after final completion. Permit is closures are based on the following:

- A. 0-250 C.Y. – Visual inspection by City Staff
- B. 251-1,000 C.Y. –Material volume certification (i.e. truck tickets) provided by the applicant and reviewed by City staff
- C. Greater Than 1,001 C.Y. – Record drawings prepared by a Registered Land Surveyor in the State of Wisconsin. Drawings shall conform to the standard specifications for Land Development Grading Record Drawings (Section 8.4).

Sec. 58-8. - Definitions.

Aesthetic or Recreational Pond means a manmade body of water designed for aesthetic ornamentation, such as an architectural feature or in a recreational capacity, and not otherwise regulated by Section 58 Article VIII. – Erosion and Stormwater Runoff Control.

Fill means material placed on a property such as earth, stones, or sand that modifies the existing elevation. For purposes of a fill permit, fill does not include mulch.

Excavating means the removal of material from a property that that modifies the existing elevation

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

- (a) *Street trees* . The developer shall provide for the planting or retention of street trees on both sides of all new roadways and, where deemed appropriate by the planning commission for aesthetic purposes, along existing roadways adjacent to the development. Such trees shall have an average trunk dimension of three inches at a point six inches above the grade. To insure proper planting and growth, the trees shall be balled, burlapped and staked in accordance with city specifications. Such trees shall be provided at a rate of not less than one tree every 30 feet of new roadway frontage and located within the road right-of-way at a point two feet from the right-of-way line unless otherwise required by the planning commission. The species of trees shall be subject to planning commission approval and should be selected from an established list of street trees supplied by the Mequon tree board. Planting of native species shall be encouraged. The city reserves the right to retain the services of a qualified consultant to verify proper installation and health of required landscaping.
- (b) *Retention of existing trees* . See tree preservation regulations in Chapter 84 and the City of Mequon Policy Manual for Tree Protection and Preservation.
- (c) *Parking lot landscaping*. Off street parking lots with more than ten stalls shall have at least ten percent of the interior parking area landscaped. The species of landscape plantings are subject to planning commission approval, or park board approval if the landscaping is to be located within a public park or preserve.
- (d) *Parking lot shading*. Landscaping in and around parking lots shall be designed, planted and maintained so that a minimum of 30 percent of the parking area will be shaded during summer growth within ten years of planting.
- (e) *Screening*. The following requirements apply:
 - (1) Every development shall provide sufficient screening to shield adjacent properties from any adverse external effects of that development and/or to shield the development from the negative impacts of adjacent uses, streets or railroads.
 - (2) Where a non-residential or multifamily residential site adjoins a single-family residential site, a solid wall or fence, vine covered fence or compact vegetative screen not less than 4½ nor more than six feet in height, shall be located adjoining the property line except in a required front yard.
 - (3) In non-residential or multifamily residential developments a landscaping area at least 25 feet in depth between the abutting ultimate road right-of-way and parking/driveway areas will be planted with materials suitable for screening or ornamenting the site, whichever is appropriate.
 - (4) A compact landscaping hedgerow or undulating berm, not more than three feet in height, shall be located directly adjacent to commercial and multi-family residential parking and driveway areas facing public roads. Hedges shall be a minimum of two feet in height when measured immediately after planting and shall be maintained so as to form a continuous, unbroken, solid, visual screen within a maximum of one year after time of planting. This landscaping buffer is intended to screen the view of parked cars and asphalt from pedestrian and motorist view.
 - (5) Dumpsters shall be located and screened in accordance with city approval.
- (f) *Landscaping standards*. The following standards apply to commercial or multi-family residential sites.
 - (1) The undeveloped area of any commercial or multi-family residential site (exclusive of areas under roof or pavement) shall be landscaped with approved living trees, shrubs, vines, flowers, grass and ground covers and may include water bodies, crushed rock, sand, wood chips, landscaping furniture and ornamental pieces.
 - (2) At least one tree and two shrubs shall be planted for each 1,000 square feet or portion thereof of the area to be landscaped. Each required tree shall have an initial caliper of no less than two inches and a height of at least seven feet.

- (3) No tree as measured from its center shall be located within five feet of a vehicular accessway, bike trail or public sidewalk or within ten feet of a street light, stop sign, fire hydrant, street sign or directional sign.
- (4) All landscaping material located within a sight distance triangle shall be two feet or less in height or have a clearance of eight feet beneath the lowest branch or projection.
- (5) No permanent impervious surfacing or sub-surfacing shall be located around the base of any tree or shrub which may impede growth of said plant.
- (6) Landscaping plans for development proposals shall be designed and stamped by a licensed landscaped architect. This requirement may be waived for minor alteration or improvement plans that, in the discretion of the department of community development, do not require the services of such a professional.

Additionally, the department of community development and/or planning commission may require the applicant to pay an additional administrative fee for the city to contract with a landscape architect to review and comment on the applicant's proposed landscape plan.

- (g) *Landscaping installation.* All landscaping shall be installed in a sound workmanship manner and according to accepted good planting procedures with quality plant materials. A qualified representative of the city shall inspect all landscaping and no certificates of occupancy or similar authorization will be issued unless the landscaping meets the requirements herein provided or the appropriate escrow is established in compliance with section 58-110 for future installation of the required landscaping.
- (h) *Landscaping maintenance.* The owner and/or agent, if any, shall be jointly and severably responsible for the maintenance of all landscaping in good condition so as to present a healthy, neat and orderly appearance that shall be kept free from refuse and debris. All landscaping areas shall be provided with a readily available water supply. The developer or property owner of an industrial, institutional, park, commercial or multi-family residential site shall promptly replace any landscaping which has died or is damaged beyond repair. The replacement planting shall be the same size and quality as in the approved landscaping plan. The site's landscaping shall be maintained perpetually in accordance with the approved landscaping plan on file in the department of community development or department of parks. The planning commission shall require the developer to establish an escrow account equal to 25 percent of the initial landscape contract cost to insure that landscaping that dies within three years of planting will be replaced by the developer. Note: This escrow amount is in addition to the escrow account required by section 58-110, and will be returned after three years.
- (i) *Berm requirements.* The construction of earth berms shall require a Filling, Excavation and Berms Permit and shall comply with the City of Mequon Standard Specifications for Land Development in effect at the time of Filling, Excavation and Berms Permit application or unless otherwise agreed to by the applicant.
- (j) *Aesthetic and recreational pond requirements.* The construction of new aesthetic or recreational ponds or enlargement of existing aesthetic or recreational ponds require a Filling, Excavation and Berms Permit and shall comply with the City of Mequon Standard Specifications for Land Development in effect at the time of Filling, Excavation and Berms Permit application or unless otherwise agreed to by the applicant.

(Code 1957, § 3.14(3); Ord. No. 96-878, 5-14-1996; Ord. No. 97-910, 2-11-1997; Ord. No. 98-952, 7-14-1998; Ord. No. 2007-1202, § IV, 6-12-2007; Ord. No. 2008-1238, § I, 4-8-2008)

Sec. 58-603. – Filling, excavating, and berms

No person, firm or corporation shall transfer to dump or place upon any lands, public or private, solid fill within the limits of the City of Mequon without first obtaining a filling permit in compliance with engineering department policies and specifications. Permits shall be in compliance with article VIII. The construction of berms, earth moving, grading and filling shall comply with the following.

- (1) Land disturbing activities relating to land divisions or commercial developments that have received Planning Commission approval on the filling, excavating and berms are exempt from the requirements of Section 58-603.
- (2) Lot grading plans associated with residential home construction that have excavation and fill volumes fewer than 1,000 cubic yards and are reviewed by the City Engineer with the building permit process are exempt.
- (3) The City Engineer or assigned designee may waive the permit requirement at his/ her discretion wherein the permit application seeks approval for less than twenty-five (25) cubic yards of fill and the City Engineer or assigned designee is reasonably satisfied that there is no significant likelihood of adverse impact on drainage affecting adjoining properties.
- (4) The construction of berms, earth moving, grading, land disturbing activities and filling shall comply with article VIII of this Code, erosion and stormwater run-off control regulations.
- (5) All land disturbing activities shall comply with the City of Mequon Standard Specifications for Land Development in effect at the time of permit application or unless otherwise agreed to by the applicant.
- (6) A permittee under this section shall notify the engineering department before starting any land disturbing activity and again not more than five days after the project is complete to allow the engineering staff sufficient time for coordination of the effort and inspection.
- (7) The applicant must complete and file with the city a Filling, Excavating and Berms permit and erosion control plan and application. Plans must be submitted in compliance with the "City of Mequon Standard Specifications for Land Development, latest edition
- (8) Berms/land disturbing activities involving construction in excess of 1,000 cubic yards shall submit a plan to the Planning Commission for review and approval. A berm exceeding four and a half (4.5) feet in vertical height shall be permitted only after approval by the Planning Commission as to the height, location, and landscaping of the berm.
- (9) The applicant must complete the land disturbing project as described on or before a date specified by the city. The applicant may not begin or continue construction of the land disturbing activity after this date unless the city and/or WDNR grants a new permit extension in writing.
- (10) A permit does not authorize any work other than what was described in the application and approved plan.
- (11) The applicant must allow the free and unlimited access to the project site at any time to any city or state employee who is investigating the project's construction, operation or maintenance.
- (12) The acceptance of the permit and commencement of land disturbing activities signify that the applicant has read, understands, and agrees to follow the conditions of the permit.
- (13) The applicant must keep a copy of the permit and approved plans at the project site at all times until the project is complete.
- (14) The city or WDNR may modify or revoke the permit if the project is not completed according to the terms of the permit, or if the city or WDNR determine the activity is detrimental to the public interest.

- (15) The applicant shall contact the City of Mequon Engineering Division within 5 days of completion for closure inspection. Final documentation of permitted activities to be provided to the City no more than 10 days after final completion.
- (16) The city engineer has the authority to stop work, amend, or alter any measures. Any person violating any of the provisions of this section shall be subject to a forfeiture as provided in chapter 2 of this Code of Ordinances, and the city may recover all attorneys' fees, court costs, and other expenses associated with enforcement of this section, including sampling and monitoring expenses. Each day a violation exists shall constitute a separate offense.

(Code 1957, § 3.12(6); Ord. No. 97-913, 4-8-1997; Ord. No. 2004-1117, § I, 12-20-2004; Ord. No. 2008-1238, § I, 4-8-2008)

CHAPTER 7

FILLING, EXCAVATING, AND BERMS

7.0 GENERAL

- 7.0.1 No person, firm or corporation shall transfer to dump or place upon any lands, public or private, solid fill within the limits of the City of Mequon without first obtaining a permit in compliance with Engineering Division policies and specifications. Filling and excavation shall be in compliance with article VIII, Section 58-671 to 58-678, of the Mequon Code of Ordinances.
- 7.0.2 Preservation of topography. No change in topography of any land shall be permitted which would result in increasing any portion of the slope to a ratio steeper than one and one-half (1½) feet horizontal to one (1) foot vertical within a distance of five (5) feet from an adjoining property line, except with the written consent of the abutting property owner(s) and approval by the city engineer.

7.1 LAND DISTURBING ACTIVITIES

- 7.1.1 The construction of berms, earth moving, grading, land disturbing activities and filling shall comply with article VIII, Section 58-674, erosion and storm water run-off control regulation.
- 7.1.2 The applicant must complete and file with the City an Erosion Control Permit Application, a Application for Filling, Excavating, Berm Construction or Grading, and provide construction plans.
- 7.1.3 Plans must be submitted in compliance with the City of Mequon's Standard Specifications for Land Development – Chapter 2.
- 7.1.4 An application which limits fill to less than one-thousand (1,000) cubic yards may be approved by staff. Land disturbing activities requiring fill in excess of 1,000 cubic yards shall submit a plan to the Planning Commission for review and approval.
- 7.1.5 The city engineer may waive the permit requirement at his/ her discretion wherein the permit application seeks approval for less than twenty-five (25) cubic yards of fill and the city engineer is reasonably satisfied that there is no significant likelihood of adverse impact on drainage affecting adjoining properties.
- 7.1.6 All land disturbing activities shall comply with the Storm Water Management Technical Standards developed by the Wisconsin Department of Natural Resources.
- 7.1.7 A permittee under this section shall file a Water Resources Application for Project Permit (WRAPP) and shall follow the WDNR submittal process and procedures.

- 7.1.8 The applicant is responsible for obtaining any permit or approval required for the project by local zoning ordinances, WDNR, or by the U.S. Corps of Engineers before starting the project.
- 7.1.9 A permittee under this section shall notify the Engineering Division before starting any land disturbing activity and again not more than five days after the project is complete.
- 7.1.10 Permit closure inspections. shall indicate that the amount of fill or excavation was placed in accordance with the permit. Contact the City of Mequon Engineering Division within 5 days of completion for closure inspection. Final documentation of permitted activities to be provided to the City no more than 10 days after final completion. Permit is closures are based on the following:
- A. 0-250 C.Y. – Visual inspection by City Staff
 - B. 251-1,000 C.Y. –Material volume certification (i.e. truck tickets) provided by the applicant and reviewed by City staff
 - C. Greater Than 1,001 C.Y. – Record drawings prepared by a Registered Land Surveyor in the State of Wisconsin. Drawings shall conform to the standard specifications for Land Development Grading Record Drawings (Section 8.4).

7.2 **BERMS**

- 7.2.1 Construction of a berm(s) shall require an Filling, Excavating, Berm Construction or Grading Permit from the Engineering Division. The City's Landscape Architect consultant may also be required to review more extensive plans.
- 7.2.2 No berm/land disturbing activity shall be permitted that by reason of noise, dust, odor, appearance, or other objectionable factors, creates a nuisance or a substantial adverse effect upon the property value or reasonable enjoyment of surrounding property.
- 7.2.3 The construction of the berm shall not adversely affect drainage of surrounding properties.
- 7.2.4 Single family residential subdivision restrictions may be more restrictive. If a single family residential subdivision has restrictions on the construction of berms, the subdivision must approve or conditionally approve the berm plan and acknowledge their approval to the engineering department prior to any city approval. The City of Mequon does not enforce single family residential subdivision covenants and restrictions regarding the construction, landscaping, or maintenance of berms.
- 7.2.5 Berm requirements shall also apply to modifications to any existing berms.
- 7.2.6 The construction of earth berms shall be permitted subject to the following:
- A. Berm(s) shall not exceed four and one-half (4½) feet in vertical height. The nearest toe of the berm shall be located at least ten feet from a side or rear lot line and five feet from the road right-of-way. The offset requirements from a side or rear lot line

may be waived in the case of the joint construction of a berm by adjacent property owners. An earth berm exceeding four and one-half (4½) feet in vertical height shall be permitted only after approval of the Planning Commission.

- B. All berms shall be constructed such that the width of the base of the berm shall be no less than three times the vertical height of a berm. The vertical height of a berm shall be measured from an average of the existing ground grades on either side of the berm.
- C. All berms shall be constructed such that the side-slopes shall be graded no steeper than four (4) feet horizontal to one (1) foot vertical. The vertical height of a berm shall be measured from an average of the adjacent preconstruction ground elevations on either side of the berm to the top of the berm. Berms shall also be designed to provide a natural appearance, with a serpentine and undulating grade.
- D. A cover growth of City approved plant material or mulching, containing no noxious weeds, shall be immediately established over the entire land disturbed area to prevent erosion or unsightly conditions.
 - 1. Ground covers shall be planted and spaced to result in total coverage of the majority of the required landscape area within three (3) months. Ground cover plants other than grasses must be at least the four (4) inch pot size and must be planted at a rate of one per twelve (12) inches on center, in triangular spacing.
 - 2. Landscape plantings shall be spaced randomly to help visually break up the continuous line of the berm.
 - 3. Prairie Landscaping. The use of prairie, wet meadow sedge, wildflower and tall grass prairie ground covers on berms shall require a narrative that includes:
 - 1. The seed source
 - 2. The seed mixture
 - 3. The proposed nurse crop
 - 4. The planting time line
 - 5. The maintenance requirements for years 1-5.

7.3 RECREATIONAL AND AESTHETIC PONDS

- 7.3.1 Construction of a recreational or aesthetic pond shall require a permit from the Engineering Division.
- 7.3.2 The property owner shall submit a pond plan that identifies maximum pond size, maintenance plan, pond depth, and pond overflow point, placement of excavated material, erosion control devices and final grading for Engineering Division review and approval.
- 7.3.3 For ponds that serve as a storm-water management facility the design shall follow MMSD, WDNR and City of Mequon standards.
- 7.3.4 The construction of new recreational or aesthetic ponds or enlargement of existing recreational or aesthetic ponds shall be subject to the following:

- A. A minimum four (4) foot wide safety shelf with a maximum depth of twelve (12) inches shall be constructed.
- B. The slopes leading to the pond edge shall be landscaped with materials which provide adequate traction for foot traffic, avoiding slippage above the permanent waterline.
- C. The pond buffer shall be set back no less than thirty (30) feet from the property line. The high watermark of a pond may not fall within a (periphery) bufferyard. The Planning Commission has the authority to require reasonable conditions including increased set-backs. The set-back requirements may be reduced or waived by staff or the Planning Commission in the case of the joint construction of a pond by adjacent property owners.
- D. The outside pond slope shall be no steeper than five (5) feet horizontal to one (1) foot vertical above the permanent water surface level and three feet horizontal to one foot vertical below the safety shelf.
- E. The area of the pond at the ordinary high water mark shall be no greater than twenty percent (20%) of the total lot area.
- F. All detention/retention ponds shall have a buffer and landscape plan.

7.4 RETAINING WALLS

- 7.4.1 Retaining walls are structures that are constructed to support almost vertical (steeper than 70 degrees) or vertical slopes of earth masses.
- 7.4.2 The construction of retaining walls shall be subject to the following:
 - A. Retaining walls shall have a minimum offset of three (3) feet from an adjoining lot line and five (5) feet from a street right-of-way or the fall height of the wall whichever is greater. This offset may be increased by the city engineer if the physical conditions of a property, such as drainage or trees, require a larger offset.
 - B. Retaining walls in excess of 3 feet in height require retaining wall design and certification by a State of Wisconsin Professional Structural Engineer.