11333 N. Cedarburg Road
Mequon, WI 53092
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www.ci.mequon.wi.us

Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, June 24, 2024
6:00 PM
Christine Nuernberg Hall

Agenda

1) Call to Order, Roll Call

a) Approval of Meeting Minutes from May 20, 2024.

2) Policy

1) Distillery Text Amendments

3) Public Hearing

a) Mawicke & Goisman, S.C. for FT 1, LLC. The applicant is seeking conditional use grant approval to allow for a nightclub for the property located at 11120 N. Weston Drive.

b) Mawicke & Gosiman, S.C. for FT 1, LLC. The applicant is seeking conditional grant use approval to allow for a distillery for the property located at 10090 N. Weston Drive.

4) Regular Business

a) Trinity Lutheran Church. The applicant is seeking building and site plan amendment to allow for a new storage facility for the property located at 10729 W. Freistadt Road.

b) Point Real Estate for Orchards of Mukwonago, LLC. The applicant is seeking preliminary plat, development agreement and fill permit approval to allow for a 17-lot subdivision for the property located on the north side of Donges Bay Road approximately 800' west of Wauwatosa Road. (Burr Oak Reserve).

5) Policy

1) 2025 City of Mequon Community Survey Topics

2) Design Guidelines for Commercial Structures

6) Announcements

The next meeting is Monday, July 22, 2024, at 6:00p.m.

7) Adjourn

Dated: June 19, 2024 /s/ Andrew Nerbun, Chair

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

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

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

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Department of Community Development
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PLANNING COMMISSION
Regular Meeting
Monday, May 20, 2024
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:
Chair Mayor Andrew Nerbun
Alderman Robert Strzelczyk
Commissioner Bruce Barnes
Commissioner Martin Choren
Commissioner Dan Gentges
Commissioner Stephanie Hawley
Commissioner Rebecca Schaefer
Commissioner John Stoker
Commissioner Nancy Urbani

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

a) Approval of Minutes from April 29, 2024.

Action
Commissioner Schaefer made a motion to approve the meeting minutes from April 29. 2024.
Commissioner Hawley seconded the motion.
A *voice vote was taken; vote passed (8-0)*

RESULT:	**APPROVED [8 TO 0]**
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Nerbun, Strzelczyk, Barnes, Choren, Gentges, Hawley, Schaefer, Stoker

DRAFT

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2) Public Hearing

a) Keller, Inc. for G-H Partnership, LLP. The applicant is seeking conditional use grant and building and site plan amendment approval to allow for a veterinary clinic for the property located at 12800 N. Port Washington Road (Ethos-Veterinary Referral Center).

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

Public Comment
Katrina Ghee - 12800 N. Port Washington Road - she is representing G-H Partnership (the property owner) and stated they are supportive of the proposal, and they are looking to close on the deal.

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

Planner Evan Hoier stated the proposed business will be located at the corner of Port Washington Road and Highland Road and the new facility will be approximately 11,000 sq. ft. He explained that the largest shift would have 32 staff and they will offer 24-hour emergency veterinary care services. They proposed 62 parking spaces, but the code only requires 49 and staff recommends decreasing the proposal by 10 parking stalls to 52 to avoid overparking the site.

He stated that the Engineering staff communicated that the access needs to be moved further to the north. Eng. staff offered two options:

1. The building entrance would front on Highland Road.
2. The building would front on Port Washington Road (90 degree flip of the building, staff recommend site plan #3 as shown in the packet).

The Ulao Creek design guidelines emphasize that the building front entrance should front the public street for public access, and access from Port Washington Road would highlight that area. With the building being flipped to accommodate the Port Washington Road front access, the parking lot would become “L’ shaped and causes the dumpster to need to be moved and the open space requirement becomes more difficult to achieve. There is a fenced yard requirement for animals that also needs to be achieved. Staff prefer the option that has the front entrance on Port Washington Road and recommends approval for this site layout. The front and side setbacks may need to be slightly adjusted. Staff commends the applicant for following the Ulao Creek design guidelines and believe that the building will be a nice addition to the neighborhood and that the architecture will compliment the neighboring buildings.

The applicant clarified that the parking requirements proposed are based on their needs for staff and potential customers. They explained that their customers arrive in a rush and need easy, clear and fast access to the facility. They estimate 1,300 customer visits a month and they want to

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ensure the entrance is easily accessed and they want to ensure that there is adequate parking.

City Assistant Engineering Cole McCraw stated that the county will review the proposed staff conditions of the potential acceleration/deceleration/bypass lanes as part of the access permit submittal review.

The Commission suggested more overhang on the entrance so that it is more prominent. It was mentioned that this is the first building that would be seen coming from the highway.

It was commneted that a dog walking area is noted on the southeast portion of the site on packet page 29.

Action
Ald. Strzelczyk made a motion to approve site plan option #3 per staff recommendations and to strike condition #7.
Commissioner Stoker seconded the motion.

There was a short conversation about the requirement regarding the cross access easement. The applicant is not supportive of this recommendation and requested it not be a requirement of approval. Staff also stated that the driveway access should line up with the access of the site across the street on Port Washington Road.

A friendly amendment was made that the applicant, Commission architect and staff work together to finalize minor points of the site and building plan including the sidewalk, the entrance from Port Washington Road and the setbacks.
The friendly amendment was accepted by Commission Stoker.

A *roll call vote was taken; vote passed (8-0)*

RESULT:	**APPROVED WITH CONDITIONS [8 TO 0]**
MOVER:	Robert Strzelczyk, Alderman
SECONDER:	John Stoker, Commissioner
AYES:	Nerbun, Strzelczyk, Barnes, Choren, Gentges, Hawley, Schaefer, Stoker

3) Consent

a) Dan Kahn. The applicant is seeking minor request approval for the removal of one specimen tree located at 3600 W. Candlewick Court.

Mayor Nerbun separated the consent agenda items.

Action
Ald. Strzelczyk made a motion to approve the Consent Agenda item 3(a).
Commissioner Urbani seconded the motion.
A *voice vote was taken; vote passed (8-0)*

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RESULT:	**APPROVED [8 TO 1]**
MOVER:	Robert Strzelczyk, Alderman
SECONDER:	Nancy Urbani, Commissioner
AYES:	Nerbun, Strzelczyk, Choren, Gentges, Hawley, Schaefer, Stoker, Urbani

b) Neumann Development, Inc. for Highland Road, LLC. The applicant is seeking concept plan and preliminary plat approval to allow for a 37-lot subdivision for the property located at 1310 W. Highland Road (Highland Meadows subdivision).

Commissioner Stoker recused himself from this item.

Mayor Nerbun stated that this was approved a year ago and 4 months ago but has come back with very minor changes to the preliminary plat to accommodate side access garages which are required.

Assistant Director Jac Zader stated that they are required to connect to the sanitary sewer service. He also commented that the applicant must match the existing light fixtures in the neighborhood. He further commented that there is a new version of the light fixture that may alleviate some of the current glaring issues.

Action
Ald. Strzelczyk made a motion to approve the item.
Commissioner Hawley seconded the motion.

Asst. Eng. McCraw added that if the applicant plans to phase the development, that an amendment to condition #13 (packet page 62) should be made as part of the approval motion, so that it could be superseded later with a development agreement amendment approval.

The applicant, Brian Lindgrin, explained that there is no change to the 37 proposed lots. He explained that the eastern part of the site needs some fill dirt. If they are able to phase the development, they can use some of the dirt from basement digs as well as bring in additional clean fill. The phasing also spreads out the expenditures for the developer.

An amendment was added to the motion to add clarifying language to condition #13 or as amended with DA approval.
This was accepted by both Commissioners that made the motion.

A *roll call vote was taken; vote passed (8-0)*

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RESULT:	**APPROVED WITH CONDITIONS [8 TO 0]**
MOVER:	Robert Strzelczyk, Alderman
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Nerbun, Strzelczyk, Barnes, Choren, Gentges, Hawley, Schaefer, Urbani
RECUSED:	Stoker

4) Regular Business

a) Ralph and Judith Morello. The applicant is seeking land division consultation for the properties located at 10050 N. Range Line Road, the parcel immediately to the south and 2516 Range Line Terrace.

Public Comment

Laura Rees - 2425 W. Range Line Terrace - does not support this proposal.

Lynn Rix - 2516 W Range Line Terrace - owner of the property to be purchased.

Craig Swan - 2413 W. Range Line Terrace - he represents his street and is opposed to Option B. He believes the proposal conflicts with established Range Line covenants. He is concerned about the existing wetlands and soils. He is worried about the integrity of the neighborhood.

Jan Spero - 2507 W. Range Line Terrace - opposes the proposal. She believes that if a road is put in place that the cul du sac no longer remain in its current state.

Mary Fran Cahill - 2504 W. Range Line Terrace - opposes this proposal as the driveway will be very close to her home.

Michael Rees - 2425 Range Line Terrace - opposes both options.

Robert Madritsch - 2519 W. Range Line Terrace - opposes and stated that this is burdensome to the surrounding neighbors as it was not known that a road could be put in this area. He believes a road would upset the existing wetlands.

John Bonnell - 10056 N. Range Line Road - is opposed and does not wish to speak.

Susie Bratz - 11054 N. Range Line Road - represents herself and surrounding neighbors. She does not want the uniqueness of the neighborhood, the beautiful green spaces, nature, tranquility and privacy, to change by a road being installed. She also has concerns about flooding and drainage.

Pippa Mackett - 10052 N. Range Line Road - opposes but does not wish to speak.

Planner Hoier stated this is a consultation and no formal action will be taken this evening. He explained that the proposed lots are compliant for the zoning. Proposed lot #4 is 2 feet too narrow for the average lot width and an adjustment will need to be made.

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Asst. Eng. McCraw explained that there are currently 5 lots (4 homes) accessed from the private driveway. The existing driveway is too narrow and does not meet the required widths. The applicant did request waivers to both sections of the specifications that dictate the required width for a shared driveway and the one that indicates it would need to meet private roadway standards, which do require a cul du sac. The two options presented and reviewed by staff:

Option A. Access from Range Line Terrace using the existing private driveway (no width increase) and no waivers.

Option B. Access through vacant lot to create a private driveway off of Range Line Terrace, waiver needed.

Staff recommends Option B as it does meet the technical specifications and there are no issues with providing additional access to the existing driveway (which is non-compliant with the specifications) but there are some wetland issues on the other Range Line Terrace property, and it would add a connection to an established subdivision. There are stormwater conditions added and grading plans are required to be reviewed as part of the city building permit approval process.

The decision regarding access is a waiver related to the specifications stated in condition #8, on packet page 82. It states that the applicant needs to either serve the created lots through the access point, as in Option B; or the Planning Commission needs to grant a waiver to those sections of the specifications. He also noted that staff wants the Commission to clarify whether they want the additional width added to the existing driveway should a waiver be granted for Option A to the access point.

Asst. Dir. Zader stated the property owner has certain rights and the applicant is looking for feedback from the Commission on the proposed options.

There was discussion among the Commission regarding the various options. There was consensus that Option B is not favorable and there is not current information whether that option is legal.

Once the two additional parcels are added, this would trigger the existing private driveway to become a private road and need to be widened. Mayor Nerbun stated that road would only need to be widened west of the 4 individual homes.

The applicant, Ralph Morello, stated that there was previous approvals from the Planning Commission that 6 lots could be accessed by the private driveway and easements were filed for 7 lots. He stated that he has recorded documents for all these previous approvals.

Mayor Nerbun stated he feels that the widening of the driveway should be minimized to the area in front of the 4 houses only. There was support from the Commission regarding the minimized widening.

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b) Norr for Brixor SPE 1 LLC. The applicant is seeking building and site plan amendment approval to allow for exterior improvements for the property located at 10930 N. Port Washington Road (Sendik's Food Market).

Asst. Dir. Zader stated there are two issues for the Commission to provide feedback:

1. Staff requests the shopping center section south of Sendik's to be included in the renovations.

2. Most of the proposed materials do match the rest of the shopping development except the introduction of proposed aluminum plank material which is not used anywhere else in the development and staff does not support the use of it behind the Sendik's façade. It is ok to use it underneath the overhang of the windows. Staff recommends the Sendik's façade use a painted efface to match the rest of the development.

He commented that the awnings are included as well as painting of the roof. Staff is supportive of the proposal subject to the two mentioned recommendations.

The Planning Commission discussed the materials previously used, and the materials proposed.

The applicant stated that Sendik's is the anchor of the shopping development and believe that they should be able to be a little distinct than the rest of the shopping center. They believe they should be able to have a few accents that set them apart.

Commissioners provided feedback that they like the proposed materials and agree that Sendik's deserve to be highlighted and to look a little different from the remainder of the shopping center as they are the anchor tenant.

Action
Ald. Strzelczyk made a motion to approve the item removing condition #1.
Commissioner Choren seconded the motion.
A voice vote was taken; vote passed (7-1) (Mayor Nerbun abstained)

RESULT:	**APPROVED WITH CONDITIONS [8 TO 0]**
MOVER:	Robert Strzelczyk, Alderman
SECONDER:	Martin Choren, Commissioner
AYES:	Strzelczyk, Barnes, Choren, Gentges, Hawley, Schaefer, Stoker
ABSTAIN:	Nerbun, Urbani

5) Announcements

The next meeting is Monday, June 24, 2024, at 6:00 p.m.

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6) Adjourn

Action

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

The meeting was adjourned at 7:55 p.m.

Respectfully Submitted,

Jac Zader

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

TO: **Planning Commission**
FROM: **Brian Sajdak, City Attorney**
DATE: **June 24, 2024**
SUBJECT: **Distillery Text Amendments**

Background

The Town Center District allows for a micro-distillery use provided that the distillery provides certain ancillary amenities such as a tasting room, retail sales, etc. The purpose of these ancillary amenities is to avoid having a purely manufacturing use within the TC District, and to also activate the public component of the district to meet the goals of creating an active and pedestrian-focused development.

Foxtown Distillery, who's application is also on this agenda, approached City staff indicating that there were conflicts between the City's requirements for the ancillary amenities and the Federal regulations related to distilled spirits premises. In short, Foxtown indicates that the Federal regulations prohibit them from providing other uses on the same premises that are used for production. To further complicate things, while we were reviewing the issues related to the Federal regulations, the Wisconsin legislature enacted 2023 Wis. Act 73 which made significant changes to the regulation of alcohol production, sales and consumption. After reviewing both the Federal regulations and Act 73, we have prepared the proposed ordinance amendment to harmonize the various regulations to continue to allow for the distillery use within the TC district.

Discussion

The proposed ordinance has four sections. Section I makes an amendment that further defines the scope of the distillery use. As mentioned above, one of the goals is to preserve the active, pedestrian-focused nature of the TC district. A large manufacturing facility with no public access obviously does not accomplish this task. Limiting the total floor area is another method of ensuring that the use to not overtake the district.

Section II is not directly related to the distillery use, although it would apply to the use just as it would all uses in the district. This section further expands on some of the policy choices designed to accomplish the goals of the district. At the same time, it removes some of the specific detailed regulations, allowing Community Development staff to establish the applicable technical standards. This change will allow staff to create and apply the technical standards in a way that adequately addresses the unique challenges of different types of uses, as opposed to the somewhat one-size fits all approach in the current code language.

Finally, sections III and IV are the changes designed to address the conflicts in regulations. These changes effectively retain the requirement for the ancillary amenities, but allows a distillery to meet that requirement by using two different premises within the TC district. The proposed code does add express language that a stand-alone production facility is not allowed.

Attachments:
Micro-Distillery Revisions - Marked-Up Ordinance langauge - For PC packet (DOCX)
Micro-Distillery Revisions - Clean Ordinance langauge - For PC packet (DOCX)

SECTION I

The Food and Beverage section of Table 58-301-1 of the Mequon municipal code is amended to read as follows (NOTE: Deleted text is ~~struck-through~~; Added text is double-underlined):

Town center breweries, micro-distilleries, micro-wineries of 4,000 square feet of gross floor area or less	C	✓

SECTION II

Section 58-301(l) of the Mequon municipal code is amended to read as follows (NOTE: Deleted text is ~~struck-through~~; Added text is double-underlined):

(l) *Building composition*.

(1) *General design.* All buildings shall be designed with four-sided detail, have a distinct base, middle and top and contain features and proportions that are scaled to pedestrians. The base of the building shall be articulated with a horizontal expression line creating a distinct ground level zone of the building. The middle, or mid-section, of the building shall be articulated by surface variations of depth through windows and architectural elements and form an expression line which sets up the building's top. The top portion of the building shall include architectural features of form that provide distinction. In addition to the required windows and principle entrance, the front façade shall include architectural features which emphasize it as the front façade. First floor façades shall maintain open, transparent storefronts and windows subject to technical standards established by the department of community development.

(2) *Floor plan*. The principal operations of any use shall be located in a manner that promotes street level activity and interest and shall serve as the principal features within view from the public to reinforce maximum visibility into and out of the building and tenant space.

Service areas are functions that are permitted only as ancillary operations to the principal use. Service areas shall be limited in scale and location withing the building and tenant space, Service areas, including but not limited to, bathrooms, mechanical and storage rooms, closets, staircases, elevators, hallways, private office space and production areas shall be located to the

Attachment: Micro-Distillery Revisions - Marked-Up Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

interior of the floor plan as defined by staff. The service area functions do not qualify to activate and engage the public.

~~(2)~~(3) *Window area*. Required window areas have the following purpose:

a. Contribute to the overall building composition
b. Enhance curb appeal and neighborhood value
c. Promote natural surveillance
d. Reduce energy consumption through the use of passive solar design
e. Display business products and services

~~Required window areas shall remain transparent with windows that allow two-way views into first floor occupant spaces, working areas, lobbies or pedestrian entrances, as applicable, except for the following permitted window area obstructions.~~

~~1. Window area obstructions. The following are permitted window area obstructions:~~

~~i. Permitted window signage. Window signage is a permitted window area obstruction and shall comply with the following design standards:~~

~~• Window signage shall be limited to 33 percent of each individual window area in the occupant's space.~~

~~• Window signage shall not obstruct more than 30 percent of the window area measured between four and eight feet in height above the adjacent walkway level.~~

~~• The front of the signage shall face the adjacent walkway.~~

~~• Window signage shall be consistent with and relate to the products, services and brand elements of the occupant's use.~~

~~ii. Window shelving. Window shelving located within four feet from the surface of the window is a permitted window area obstruction and shall comply with the following design standards:~~

~~• Window shelving units shall be limited to 33 percent of the use's aggregate window area as defined in section 58-301(t)(2).~~

~~• Window shelving units and product display shall not obstruct more than 30 percent of the window area measured between four and eight feet in height above the adjacent walkway level.~~

Attachment: Micro-Distillery Revisions - Marked-Up Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

- ~~Window shelving units shall be set back eight inches from the surface of the window.~~
- ~~The front of the shelving units and products displayed on shelving shall face the adjacent walkway.~~

~~iii. Enclosed window displays. Enclosed window displays have a full background and sides that completely separate the interior of the store from the display window. Enclosed window displays are permitted window area obstructions and shall comply with the following design standards:~~

- ~~Enclosed window displays shall be limited to 33 percent of the use's aggregate window area as defined in section 58-301(l)(2).~~
- ~~Only one window pane per use shall be permitted as an enclosed window display.~~
- ~~Enclosed window displays shall be internally lit during evening business operating hours. Lighting is subject to the approval of the department of community development.~~
- ~~Enclosed window displays shall have a minimum depth of three feet.~~
- ~~Enclosed window displays shall be designed to relate to the scale of the window area and be consistent with and relate to the products, services and the brand elements of the associated occupant's use.~~
- ~~Displays shall change:~~
  - ~~At a minimum, seasonally, unless approved by the department of community development.~~
  - ~~When products or display elements begin to fade or deteriorate in appearance.~~
  - ~~Enclosed window displays shall be maintained in a clean, clutter free manner.~~
  - ~~All mechanical equipment shall be disguised from public view.~~

~~2. Prohibited window area obstructions. The following window area obstructions and obstructions similar to the following as determined by the planning commission, are prohibited:~~

- ~~Protective grilles~~
- ~~Window bars~~

Attachment: Micro-Distillery Revisions - Marked-Up Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

~~• Metal or similar material roll down screens or gates reflective, dark tinted or frosted glass~~
~~• Materials not otherwise permitted in this section that block visibility through windows into first floor occupant spaces along streets, walkways, plazas or parking areas.~~
~~• Backs of signs or backs of shelving units~~

~~3. Exceptions to window area obstructions. The planning commission may approve window area obstructions of types and amounts not specified in section 58-301(1)(2)a. for first floor windows for the following uses upon finding that strict compliance is impractical under the circumstances and the proposal includes amenities that address the adverse effects, if any, of the exception:~~

~~• Medical and institutional uses~~
~~• Specialty food retailers~~
~~• Theatres~~
~~• Parking garages~~
~~• Others as approved by planning commission~~

~~(3)~~(4) *Primary and secondary materials.* Table 58-301-2, Building Materials in the Town Center District, lists all permitted and not allowed primary and secondary building materials. Primary material shall be applied to at least 80 percent of the opaque portion of the façade which is visible from a public space. Secondary material shall be applied to not more than 20 percent of the opaque portion of the façade which is visible from a public space.

SECTION III

Section 58-303(b) of the Mequon municipal Code relating to specific development standards for micro-distilleries is amended to read as follows (NOTE: Deleted text is ~~struck-through~~; Added text is double-underlined):

Micro-distillery. A micro-distillery ~~is an establishment that produces less than 10,000 gallons of spirits on site per year. Distilleries~~ shall provide the following operations and features:

a. The ~~M~~manufacturing/production/processing~~e~~, bottling~~e~~, packing, ~~and~~ storing~~e~~ and shipping spirits ~~on premise and ship spirits~~ from the bonded premises of the distilled spirits plant.

b. Retail sale of spirits on the general premises of the distilled spirits plant, a separate premises as may be authorized by law that is located within the same zoning district, or both.

Attachment: Micro-Distillery Revisions - Marked-Up Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

c. Consumption of spirits on the general premises of the distilled spirits plant, a separate premises as may be authorized by law that is located within the same zoning district, or both.

d. A ~~T~~tasting room for samples of spirits on the general premises of the distilled spirits plant.

e. Indoor and outdoor event space on the general premises of the distilled spirits plant, a separate premises as may be authorized by law that is located within the same zoning district, or both.

The operations and features associated with the bonded premises of the distilled premises plant ~~section a.~~ listed above~~,~~ shall not exceed 60 percent of the total floor area of the full micro-distillery operations ~~on premise~~within the zoning district. A micro-distillery use which consists solely of manufacturing or production facilities shall not be permitted.

In addition to the required operations and features listed above, a ~~M~~micro-distillery~~ies~~ may provide the following operations:

a. Sit-down restaurant on premises.

b. Delicatessen on premises.

~~c. Similar ancillary uses on premises as approved by the Planning Commission.~~

A ~~M~~micro-distillery~~ies~~ shall not conduct the following operations:

a. Fast food restaurant ~~on premises~~.

b. Drive thru services.

SECTION IV

Section 58-303(c) of the Mequon municipal code is created to read as follows:

(c) *Definitions*. The following words, terms and phrases, when used in this Article IV, shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning:

Attachment: Micro-Distillery Revisions - Marked-Up Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

Micro-distillery. A micro-distillery is a use that includes both the distilling and/or rectifying of less than 10,000 gallons of distilled spirits on site per year, and additional amenities as may be further required by this code. [1]

Footnotes:
--- [1] ---
Federal Law reference— Distilled Spirits Plants - Definitions, 27 C.F.R. § 19.1

Attachment: Micro-Distillery Revisions - Marked-Up Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

SECTION I

The Food and Beverage section of Table 58-301-1 of the Mequon municipal code is amended to read as follows:

Town center breweries, micro-distilleries, micro-wineries of 4,000 square feet of gross floor area or less	C	✓

SECTION II

Section 58-301(l) of the Mequon municipal code is amended to read as follows:

(l) *Building composition*.

(1) *General design.* All buildings shall be designed with four-sided detail, have a distinct base, middle and top and contain features and proportions that are scaled to pedestrians. The base of the building shall be articulated with a horizontal expression line creating a distinct ground level zone of the building. The middle, or mid-section, of the building shall be articulated by surface variations of depth through windows and architectural elements and form an expression line which sets up the building's top. The top portion of the building shall include architectural features of form that provide distinction. In addition to the required windows and principle entrance, the front façade shall include architectural features which emphasize it as the front façade. First floor façades shall maintain open, transparent storefronts and windows subject to technical standards established by the department of community development.

(2) *Floor plan*. The principal operations of any use shall be located in a manner that promotes street level activity and interest and shall serve as the principal features within view from the public to reinforce maximum visibility into and out of the building and tenant space.

Service areas are functions that are permitted only as ancillary operations to the principal use. Service areas shall be limited in scale and location withing the building and tenant space, Service areas, including but not limited to, bathrooms, mechanical and storage rooms, closets, staircases, elevators, hallways, private office space and production areas shall be located to the interior of the floor plan as defined by staff. The service area functions do not qualify to activate and engage the public.

Attachment: Micro-Distillery Revisions - Clean Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

(3) *Window area*. Required window areas have the following purpose:

a. Contribute to the overall building composition
b. Enhance curb appeal and neighborhood value
c. Promote natural surveillance
d. Reduce energy consumption through the use of passive solar design
e. Display business products and services

(4) *Primary and secondary materials*. Table 58-301-2, Building Materials in the Town Center District, lists all permitted and not allowed primary and secondary building materials. Primary material shall be applied to at least 80 percent of the opaque portion of the façade which is visible from a public space. Secondary material shall be applied to not more than 20 percent of the opaque portion of the façade which is visible from a public space.

SECTION III

Section 58-303(b) of the Mequon municipal Code relating to specific development standards for micro-distilleries is amended to read as:

Micro-distillery. A micro-distillery shall provide the following operations and features:

a. The manufacturing/production/processing, bottling, packing, storing and shipping spirits from the bonded premises of the distilled spirits plant.

b. Retail sale of spirits on the general premises of the distilled spirits plant, a separate premises as may be authorized by law that is located within the same zoning district, or both.

c. Consumption of spirits on the general premises of the distilled spirits plant, a separate premises as may be authorized by law that is located within the same zoning district, or both.

d. A tasting room for samples of spirits on the general premises of the distilled spirits plant.

e. Indoor and outdoor event space on the general premises of the distilled spirits plant, a separate premises as may be authorized by law that is located within the same zoning district, or both.

Attachment: Micro-Distillery Revisions - Clean Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

The operations and features associated with the bonded premises of the distilled premises plant listed above shall not exceed 60 percent of the total floor area of the full micro-distillery operations within the zoning district. A micro-distillery use which consists solely of manufacturing or production facilities shall not be permitted.

In addition to the required operations and features listed above, a micro-distillery may provide the following operations:

a. Sit-down restaurant on premises.

b. Delicatessen on premises.

A micro-distillery shall not conduct the following operations:

a. Fast food restaurant.

b. Drive thru services.

SECTION IV

Section 58-303(c) of the Mequon municipal code is created to read as follows:

(c) *Definitions*. The following words, terms and phrases, when used in this Article IV, shall have the meanings ascribed to them below, except where the context clearly indicates a different meaning:

Micro-distillery. A micro-distillery is a use that includes both the distilling and/or rectifying of less than 10,000 gallons of distilled spirits on site per year, and additional amenities as may be further required by this code. [1]

Footnotes:
--- [1] ---
Federal Law reference— Distilled Spirits Plants - Definitions, 27 C.F.R. § 19.1

Attachment: Micro-Distillery Revisions - Clean Ordinance langauge - For PC packet (9478 : Distillery Text Amendments)

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: **June 24, 2024**

SUBJECT: **Mawicke & Goisman, S.C. for FT 1, LLC. The applicant is seeking conditional use grant approval to allow for a nightclub for the property located at 11120 N. Weston Drive.**

Applicant:	Mawicke & Gosiman, S.C.
Status of Applicant:	Agent
Requested:	Conditional Use Grant
Existing Zoning:	TC (Town Center)
Land Use Plan:	Town Center
Location:	11120 N. Weston Drive
Tax Key Number:	#14-027-01-029.00
District:	#4

Background:
The applicant requests conditional use grant approval for a nightclub (bar) at 11120 N Weston Drive. The nightclub will occupy 2,700 square feet in the E1 building of the Foxtown Development, which currently includes a bakery and a butcher shop. The nightclub is proposed in conjunction with the proposed distillery which is also on the Planning Commission agenda. The nightclub will provide spirits for sale from the distillery along with wine, beer and other cocktails. The property is zoned TC, which allows nightclubs as a conditional use.

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

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

The proposed use should not endanger the surrounding area; all activities will take place within the building or on the adjacent patio. The nightclub will be required to meet all state building and health codes and inspected annually.

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

The Land Use Plan designates the site as Town Center. Surrounding properties are zoned Town Center as well. A nightclub can be considered compatible with the Land Use Plan designation and other uses in the area. A total of 12 staff members will be on site during normal business hours. The proposed use has a parking requirement of 39 stalls based on the square

footage and number of staff. The entire site has a parking count of 188 surface stalls as well as a shared parking agreement with other Foxtown parcels which provides ample parking for the use.

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

The proposed activities of the nightclub are compatible with the character of the surrounding area. The proposed hours of operation for the use is from 11:00 AM until midnight during the week and 1:00 AM on the weekends depending on guest volume. This will require a waiver from the Planning Commission (see below). The use is located in the Town Center area which includes other drinking establishments and restaurants including Ruby Tap, Foxtown Brewery and Café Hollander and Good City Brewing. Planning staff believes the proposed use and activities should be harmonious with the surrounding uses provided the hours are revised as stated below.

Extended Hours of Operation:
Section 58.301 (N) (7) states that the hours of operation for commercial uses shall be no later than 11:00 p.m. unless specifically waived by the Planning Commission. The applicant is requesting that the nightclub be open until 1:00 AM. While staff has no issues with the interior restaurant, we do not support the 1:00 AM timeframe for the outdoor dining areas. Typically, the Planning Commission has limited outdoor seating to no later than 11:00 p.m. Staff believes that in order to promote and maintain the vitality of the Town Center area additional hours are warranted and is supportive of extending the nightclub hours proposed with the condition that the outdoor patio closes by 11:00 p.m**.** which will ensure compatibility with neighboring Town Center residential uses.

Floor Plan:
The floor plan shows a bar with ample seating around the perimeter and a space for a future kitchen. Access to existing bathrooms will be provided through an existing hallway. The floor plan also shows an outdoor patio on the east and south side of the tenant space but there are no additional details provided. Staff requires as a condition of approval a detailed open space plan.

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

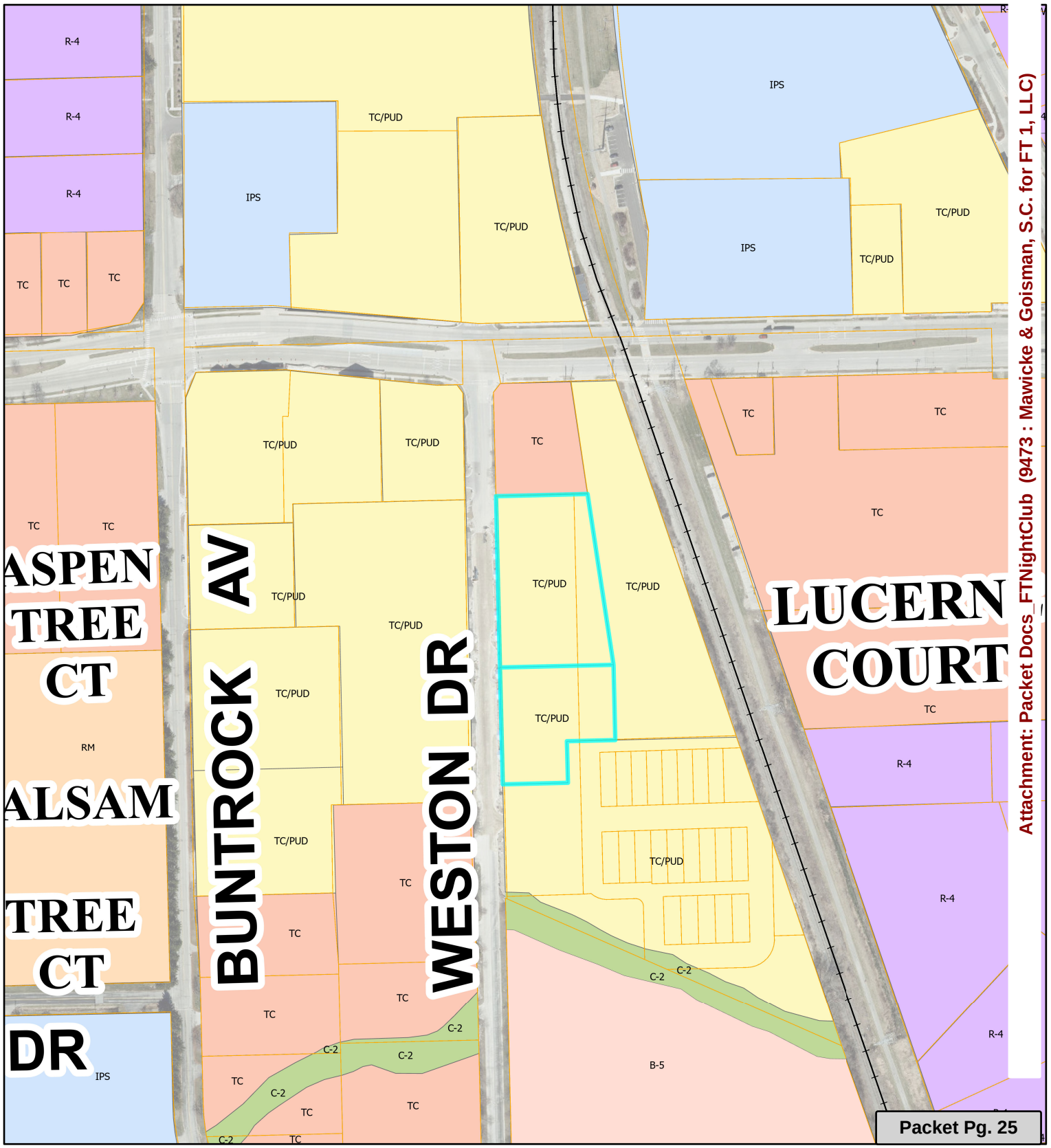
1. The applicant shall submit final floor plans within 180 days of Planning Commission action. Such final floor plans shall be subject to staff review and approval prior to issuance of permits. Approval shall be based on consistency with applicant's application and the requirements of the Planning Commission's approval. If final plans are not submitted within such time period, or the plans are not approved by staff, the plan(s) shall be submitted to Planning Commission for additional review and action and applicant shall be responsible for all city-imposed fees associated with such additional review.
2. The permitted hours of operation shall be from 11:00 AM - 12:00 AM from Sunday through Thursday and 1:00 AM on Friday and Saturday. The outdoor patio hours shall be limited to 11:00 PM daily.
3. Staff review and approval of a plan for the outdoor patio.

Attachments:
Packet Docs_FTNightClub (PDF)

CUG (PDF)

NIGHTCLUB CUG

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



Attachment: Packet Docs_FTNightClub (9473 : Mawicke & Goisman, S.C. for FT 1, LLC)

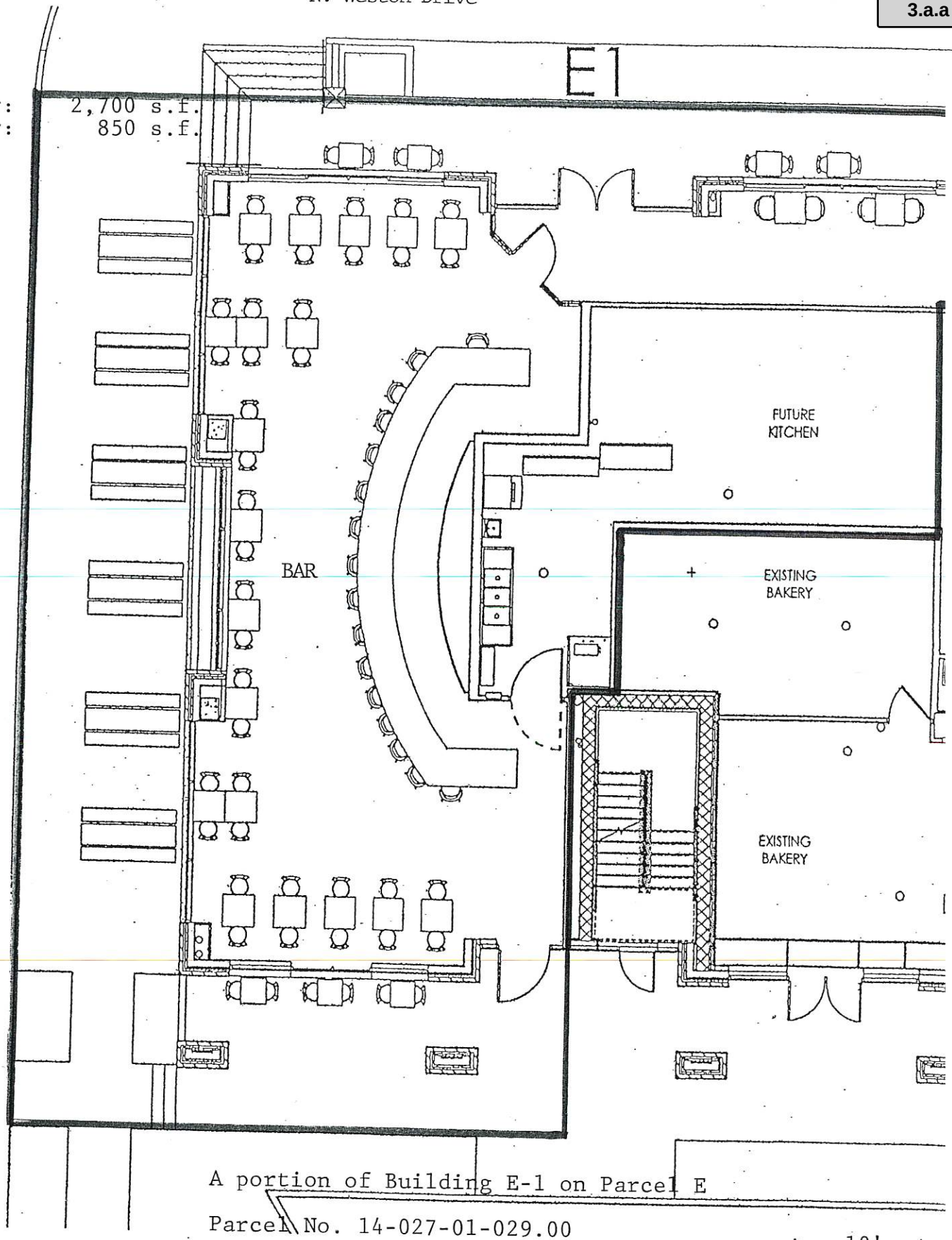
Title Page
Conditional Use Grant Application

Date:	June 4, 2024
Project Address:	11120 N. Weston Drive, Mequon, WI 53092
Legal Description:	See attached; specified portion of Building E-1 on Parcel No. 14-027-01-029.00
Owner Information:	FT 1, LLC Martin W. Meyer, Manager 1509 N. Prospect Avenue Milwaukee, WI 53202 414-224-0600 MMeyer@MawickeLaw.com
Applicant Information:	Same as Owner information
Agent Contact Information:	Martin W. Meyer and Nels Bjorkquist Mawicke & Goisman, s.c. 1509 N. Prospect Avenue Milwaukee, WI 53202 414-224-0600 MMeyer@MawickeLaw.com NB@MawickeLaw.com
Parking Spaces Required and Provided:	Project does not impact existing parking
Height Measurement:	Building already in place; interior ceilings at approximately 11 feet
Proposed Floor Area and Floor Area Ratio:	2700 s.f.; .76 FAR relative to outdoor seating on sidewalk/paved patio
Zoning Conformance Table:	Not applicable as existing building fully complies with all zoning rules re setbacks, height, density, etc.

Attachment: Packet Docs_FTNightClub (9473 : Mawicke & Goisman, S.C. for FT 1, LLC)

N. Weston Drive

Area:
Interior: 2,700 s.f.
Exterior: 850 s.f.



A portion of Building E-1 on Parcel E

Parcel No. 14-027-01-029.00

11120 N. Weston Drive, Mequon, WI 53092

10'

N

Owner: FT 1, LLC
c/o Martin W. Meyer, Manager
1509 N. Prospect Avenue
Milwaukee, WI 53202
414-224-0600

Attachment: Packet Docs_FTNightClub (9473 : Mawicke & Goisman, S.C. for FT 1, LLC)

CONDITIONAL USE GRANT

Articles of Agreement made and entered into this 24th day of June 2024 by and between _____, owner of the property located at 11120 N Weston Drive, and the City of Mequon Planning Commission.

Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located in Section 27, Range 21 East, in Township 9 North, Ozaukee County, State of Wisconsin, further described as follows:

LEGAL DESCRIPTION

Exhibit A-1

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

PARCEL NO.:
140270102900

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 nightclub.

GRANTED by action of the Planning Commission of the City of Mequon this 24h day of June 2024.

_____

Andrew Nerbun Mayor, Planning Commission Chairperson

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2024, the above named, Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

_____

Planning Commission Secretary

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2024, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

Attachment: CUG (9473 : Mawicke & Goisman, S.C. for FT 1, LLC)

The **CONDITIONS** of this Grant are:

1. This grant shall become effective upon the execution and recording by the owners and operators of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.

2. This grant shall expire and become void unless, pursuant to the building and zoning codes of the City, the approved use is commenced or the building permit is obtained within twelve (12) months of the date of Planning Commission approval noted above, or actual construction is commenced within twelve (12) months of the date on which the building permit was issued.

3. This grant is subject to amendment and termination in accordance with the provisions of the Zoning Code of this municipality.

4. Construction and operation of the use granted shall be in strict conformity to the approved site, building, and operations plans filed in connection with the Petition for this Grant, and annexed hereto.

5. Any of the conditions of this Grant which would normally be the responsibility of tenants of the Premises shall be made a part of their lease by the Owner, which lease shall contain provisions for posting of the pertinent conditions to notify employees thereof.

6. This grant shall automatically be null and void if this use is discontinued for a period of twelve (12) months.

7. The Grantee and its successors in interest shall hold the City of Mequon harmless from any claims or losses to the City or its residents including reasonable attorney fees arising from or related to use of the facilities.

8. Any change to the approved use or change to the building or site plan will require an amendment to the Conditional Use. Minor changes to the building and site plan shall be approved by the Department of Community Development.

9. **Conditions on the Operations:**

a. Hours of operation: 11:00 AM to 1:00 weekends and 12:00 Sunday through Thursday. The outdoor Patio 11:00 AM to 11:00 PM

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

b. Water supply requirements:

Public

d. Provisions for sewage disposal:

Public

e. Other:

- If the conditional use shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or if material problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten health or safety or to become a nuisance condition, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, or in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.

- If, despite efforts to prescribe conditions which render the conditional use harmonious in the surrounding neighborhood, problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten the peace and enjoyment of neighboring properties, or shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or shall threaten health or safety, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, and in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.

10. Conditions of the structures:

11. **Conditions on the site:**

a. Street access (number, location, design: As on file with Community Development Department, City of Mequon

b. Off-Street Parking (location and design including screening thereof): As on file with Community Development Department, City of Mequon

c. Floor Plan as Exhibit A

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

e. Other:

Attachment: CUG (9473 : Mawicke & Goisman, S.C. for FT 1, LLC)

The applicant shall submit final floor plans within 180 days of Planning Commission action. Such final floor plans shall be subject to staff review and approval prior to issuance of permits. Approval shall be based on consistency with applicant's application and the requirements of the Planning Commission's approval. If final plans are not submitted within such time period, or the plans are not approved by staff, the plan(s) shall be submitted to Planning Commission for additional review and action and applicant shall be responsible for all city-imposed fees associated with such additional review.

Owner

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this _____ day of _____, 2024, the above named_____, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Ozaukee County, Wisconsin

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

Document drafted by: City of Mequon

Attachment: CUG (9473 : Mawicke & Goisman, S.C. for FT 1, 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: **JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT**

DATE: **June 24, 2024**

SUBJECT: **Mawicke & Gosiman, S.C. for FT 1, LLC. The applicant is seeking conditional grant use approval to allow for a distillery for the property located at 10090 N. Weston Drive.**

Applicant:	Mawicke & Gosiman, S.C.
Status of Applicant:	Agent
Requested:	Conditional Use Grant
Existing Use:	Restaurant
Existing Zoning:	TC (Town Center)
Land Use Plan:	Town Center
Lot size:	2.77 Acres
Location:	11090 N. Weston Drive
Tax Key Number:	#14-027-01-029.00
District:	#4

Background:
The applicant requests conditional use grant for a distillery located in a 3,500 square foot tenant space at 11090 N Weston Drive (Building E2). The three-story building includes commercial spaces on the first floor, offices on the second floor and extended stay suites on the third floor. The Common Council approved a text amendment to allow for distilleries as a conditional use on May 11, 2021. The proposed application is also conditioned upon approval of a text amendment that will be acted upon by the Planning Commission prior to this item on the agenda. The text amendment modifies the language regarding retail sales that adds a provision that ensures compliance with federal law.

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

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

The proposed use of a distillery is licensed and regulated by the State of Wisconsin. The use should not endanger the health and safety of the surrounding neighborhood.

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

The craft distillery is located in the E2 building which currently includes Trailside Bike Shop. There will be two employees handling the function of the distillery. The production hours of the distillery will be from 6:30 AM to 6:00 PM. Classes, tours, tastings and other events will take place at the distillery during production hours and in the evening until 12:00 AM (midnight) Sunday through Thursday and 1:00 AM Friday and Saturday. As with other uses in the Town Center, the outdoor patio hours should be limited to 11:00 PM. The distillery will continue to add to the vitality of the growing Town Center area and should have minimal impact on the value of surrounding properties.

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

The distillery is located within the Town Center zoning district. Micro-distilleries are a conditional use in the district with the following criteria:

Micro-distillery. A *micro-distillery* is an establishment that produces less than 10,000 gallons of spirits on site per year. Distilleries shall provide the following operations and features:

a) Manufacture, bottle, pack and store spirits on premise and ship spirits from premises.
b) Retail sale of spirits on premises.
c) Consumption of spirits on premises.
d) Tasting room for samples on premises.
e) Indoor and outdoor event space on premises.

The operations and features associated with Section A on the list above, shall not exceed 60 percent of the total distillery operations on premise.

Micro-distilleries may provide the following operations:

a) Sit-down restaurant on premises.
b) Delicatessen on premises.
c) Similar ancillary uses on premises as approved by the Planning Commission.

Micro-distilleries shall not conduct the following operations:

a) Fast food restaurant on premises.
b) Drive thru services.

The request complies with most of the criteria listed above. There will be 6,000 gallons of distilled liquor and 4,000 gallons of rectified spirits produced onsite per year. The distillery will offer free samples, indoor and outdoor event space. The applicant will also offer alcohol for sale subject to federal approval. The applicant has a concern that our current ordinance may not comply with federal law with regard to this issue. The proposed text amendment, as discussed above, will address the issue of retail sales on the premise. While this provides the applicant flexibility in the event that they are not allowed retail sales on the premise, to ensure that they will have the ability to sell distilled spirits manufactured at this location, the applicant is also requesting a conditional use grant for a nightclub in the adjacent building (see report).

Based on compliance with the current and proposed requirements for distilleries, staff believes the use will be harmonious and compatible with the surrounding area and will add to the vitality of the Town Center.

Floor Plan:
The floor plan shows manufacturing space, a classroom, a tasting room/retail store and outdoor seating. The floor plan shows that less than 40% of the gross floor plan is related to the productions of spirits which complies with code. The floor plan shows an outdoor patio on the east and north side of the tenant space but there are no additional details provided. Staff will require as a condition of approval a detailed open space plan. Based on discussions with staff, the applicant has modified the floor plan and has relocated the classroom and tasting room to the most prominent locations along the public street and parking area. Staff has also added language to the proposed text amendment that codifies this requirement for all uses in the Town Center zoning district.

Staff recommendation: Staff recommends **approval** of the conditional use grant based on the following condition(s):

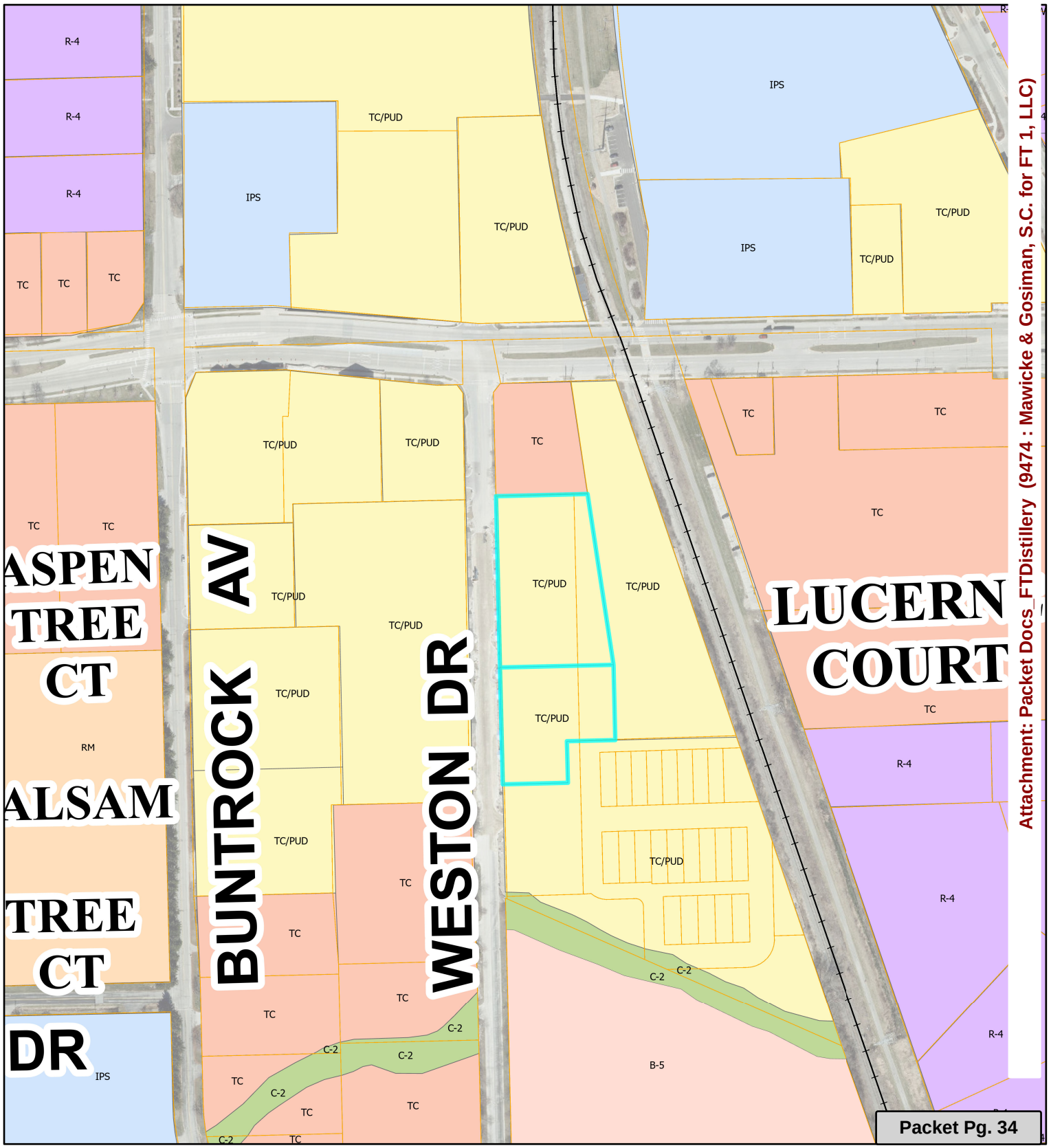
1. The applicant shall submit final plans within 180 days of Planning Commission action. Such final plans shall be subject to staff review and approval prior to issuance of permits. Approval shall be based on consistency with applicant's application and the requirements of the Planning Commission's approval. If final plans are not submitted within such time period, or the plans are not approved by staff, the plan(s) shall be submitted to Planning Commission for additional review and action and applicant shall be responsible for all city-imposed fees associated with such additional review.
2. Staff review and approval of a plan for the outdoor patio.
3. The distillery manufacturing hours are limited to 6:30 AM to 6:00 PM.
   Classes, tours, tastings and other events will take place from 6:30 AM to 12:00 AM (midnight) from Sunday through Thursday and 1:00 AM on Friday and Saturday. The outdoor patio hours shall be limited to 11:00 PM daily.

4. Common Council action of the proposed text amendment regarding retail sales of alcohol.

Attachments:
Packet Docs_FTDistillery (PDF)

DISTILLERY CUG

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



Attachment: Packet Docs_FTDistillery (9474 : Mawicke & Gosiman, S.C. for FT 1, LLC)

ATTACHMENT TO AMENDED PLANNING COMMISSION APPLICATION
OF
FT 1, LLC

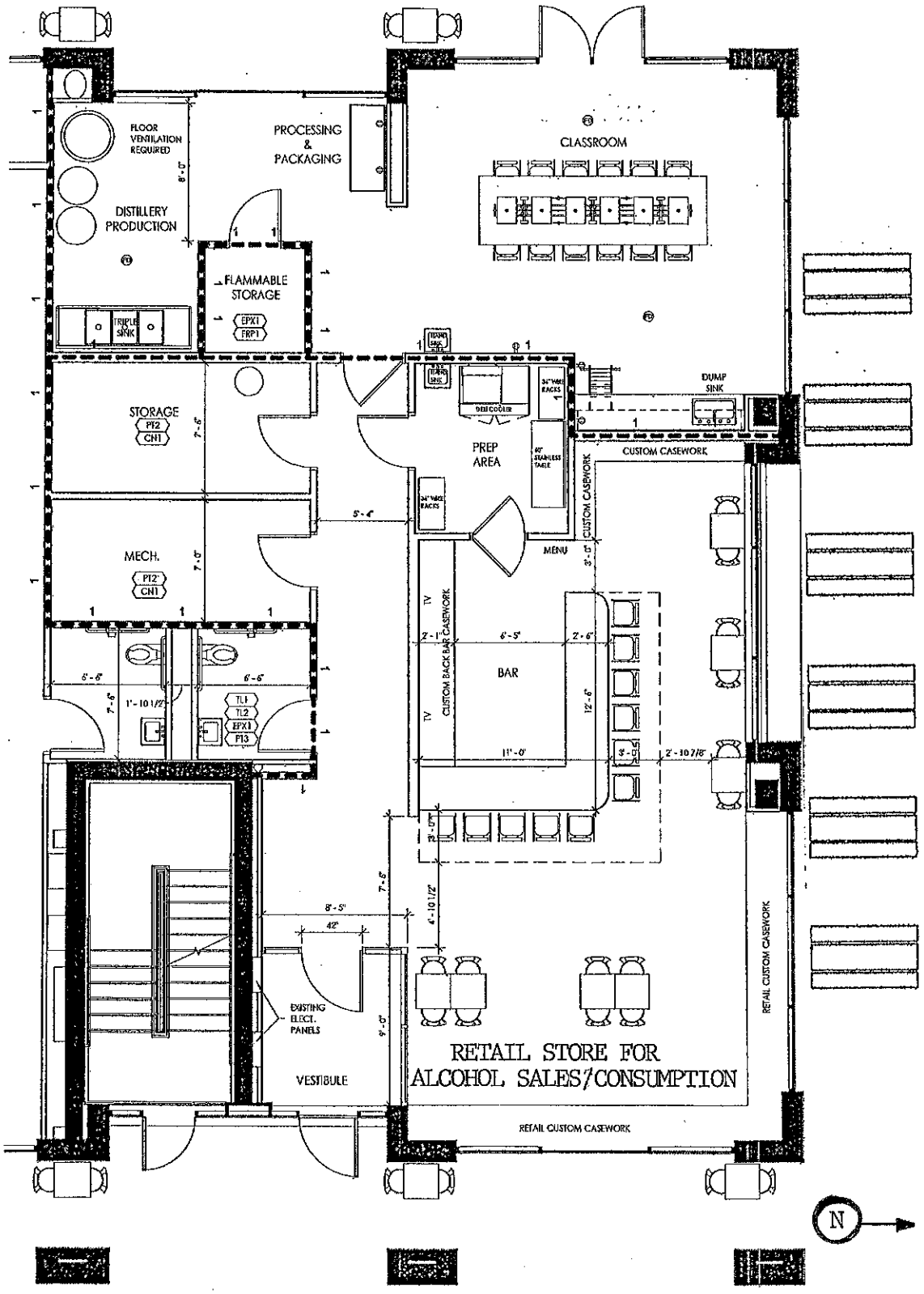
Foxtown Distillery at 11090 N. Weston Drive

The distillery on Parcel E-2 will produce a mix of distilled and rectified spirits. These will include gin, vodka, whiskies such as bourbon and rye, brandy, and liqueurs. The maximum amount of liquor that will be distilled per year is ~6,000 proof gallons. The amount of rectified spirits is planned to be ~4,000 proof gallons per year, making a combined maximum yearly amount of ~10,000 proof gallons. For the distilled spirits, they will be fermented on-site and distilled on a 50 gallon steam-powered still. Aged spirits will be purchased and rectified. Bottling will occur on-site.

The distillery will offer free spirits samples to tour participants as well as retail sales of merchandise. Subject to federal regulatory approval, the distillery's retail store will offer alcohol for sale for consumption on the premises or for customers to enjoy at home. The distillery will also include an educational room for teaching about the separation and flavoring of ethanol, which will produce a maximum of ~200 proof gallons of alcohol per year.

Attachment: Packet Docs_FTDistillery (9474 : Mawicke & Gosiman, S.C. for FT 1, LLC)

Micro-Distillery in Building E2



11090 N. Weston Drive, Mequon, WI 53092

Attachment: Packet Docs_FTDistillery (9474 : Mawicke & Gosiman, S.C. for FT 1, LLC)

CONDITIONAL USE GRANT

Articles of Agreement made and entered into this 24th day of June 2024 by and between _____, owners of the property located at 11090 N Weston Drive, and the City of Mequon Planning Commission.

Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located in Section 27, Range 21 East, in Township 9 North, Ozaukee County, State of Wisconsin, further described as follows:

LEGAL DESCRIPTION

Exhibit A-1

RETURN TO:

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

PARCEL NO.:

140270102900

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 micro-distillery.

GRANTED by action of the Planning Commission of the City of Mequon this 24th day of June 2024.

_____

Andrew Nerbun, Mayor, Planning Commission Chairperson

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2024, the above named Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

_____

Planning Commission Secretary

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2024, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

Attachment: Packet Docs_FTDistillery (9474 : Mawicke & Gosiman, S.C. for FT 1, LLC)

The **CONDITIONS** of this Grant are:

1. This grant shall become effective upon the execution and recording by the owners and operators of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.

2. This grant shall expire and become void unless, pursuant to the building and zoning codes of the City, the approved use is commenced or the building permit is obtained within twelve (12) months of the date of Planning Commission approval noted above, or actual construction is commenced within twelve (12) months of the date on which the building permit was issued.

3. This grant is subject to amendment and termination in accordance with the provisions of the Zoning Code of this municipality.

4. Construction and operation of the use granted shall be in strict conformity to the approved site, building, and operations plans filed in connection with the Petition for this Grant and annexed hereto.

5. Any of the conditions of this Grant which would normally be the responsibility of tenants of the Premises shall be made a part of their lease by the Owner, which lease shall contain provisions for posting of the pertinent conditions to notify employees thereof.

6. This grant shall automatically be null and void if this use is discontinued for a period of twelve (12) months.

7. The Grantee and its successors in interest shall hold the City of Mequon harmless from any claims or losses to the City or its residents including reasonable attorney fees arising from or related to use of the facilities.

8. Any change to the approved use or change to the building or site plan will require an amendment to the Conditional Use. Minor changes to the building and site plan shall be approved by the Department of Community Development.

9. **Conditions on the Operations:**

   a. Hours of operation: Manufacturing – 6:30 AM -6:00 PM, Classes, tours and other events until Midnight during the week and 1:00 AM on Friday and Saturday.

   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:

      City Water

   d. Provisions for sewage disposal:

      City Sewer

e. Other:

- If the conditional use shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or if material problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten health or safety or to become a nuisance condition, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, or in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.

- If, despite efforts to prescribe conditions which render the conditional use harmonious in the surrounding neighborhood, problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten the peace and enjoyment of neighboring properties, or shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or shall threaten health or safety, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, and in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.

10. **Conditions of the structures:**

a. Site Plan: As on file with Community Development Department, City of Mequon

b. Landscaping Plan: As on file with Community Development Department, City of Mequon

c. Elevations: As on file with Community Development Department, City of Mequon

d. Sign: As on file with Community Development Department, City of Mequon

e. Floor Plan: Exhibit B

Attachment: Packet Docs_FTDistillery (9474 : Mawicke & Gosiman, S.C. for FT 1, LLC)

f. Exterior lighting of the site and building: As on file with Community Development Department, City of Mequon

g. Fence / Wall / Dumpster plan details: As on file with Community Development Department, City of Mequon

h. The building shall comply with the building code.

11. **Conditions on the site:**

a. Street access (number, location, design): As on file with Community Development Department, City of Mequon

b. Off-Street Parking (location and design including screening thereof): As on file with Community Development Department, City of Mequon

c. Floor Plan: Exhibit A

d. Parking, exterior lighting of the site, location design and power:

Any changes subject to Planning Commission approval.

e. Other:

- The micro-distillery shall provide the following operations and features:
  a) Manufacture, bottle, pack and store spirits on premise and ship spirits from premises.
  b) Retail sale of spirits on premises in accordance with federal law.
  c) Consumption of spirits on premises.
  d) Tasting room for samples on premises.
  e) Indoor and outdoor event space on premises.

- The operations and features associated with Section A listed above shall not exceed 60 percent of the total distillery operations on premise.

- *Micro-distilleries* may provide the following operations:

  a) Sit-down restaurant on premises.
  b) Delicatessen on premises.
  c) Similar ancillary uses on premises as approved by the Planning Commission.

- *Micro-distilleries* shall not conduct the following operations:
  a) Fast food restaurant on premises.
  b) Drive thru services.

Owner

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2024, the above named_____, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Ozaukee County, Wisconsin

DRAFTED BY:
City of Mequon
11333 N Cedarburg Road
Mequon, WI 53092

Attachment: Packet Docs_FTDistillery (9474 : Mawicke & Gosiman, S.C. for FT 1, 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: **EVAN HOIER, ASSOCIATE PLANNER**

DATE: **June 24, 2024**

SUBJECT: **Trinity Lutheran Church. The applicant is seeking building and site plan amendment to allow for a new storage facility for the property located at 10729 W. Freistadt Road.**

Applicant:	Trinity Lutheran Church
Status of Applicant:	Owner
Requested:	Building and Site Plan Amendment
Existing Use:	Church
Existing Zoning:	IPS (Institutional Public Service)
Lot size:	38.65 Acres
Location:	10729 W. Freistadt Road
Tax Key Number:	#14-019-01-001.00
District:	#3

Background:
The applicant is seeking building and site plan approval for the construction of a 60' x 40' storage building at 10729 W Freistadt Road. The parcel being built on measures 38.65 acres and currently has 23 separate buildings on the lot. The new storage building will be used to house various equipment and machinery that the Freistadt church, school, and historical area require for operations.

Site Analysis:
The applicant provided staff a plat of survey that indicates the proposed storage building west of Church Place in the Trinity Historical Society area. Under Institutional and Public Service (IPS) district standards, garages for storage of vehicles and/or equipment used in conjunction with the operation of a permitted use is a permitted accessory use. The technical requirements can be found below:

	IPS District Standard	**Proposed Storage Structure**
Floor Area Ratio	30% Max	0.6% total for parcel
Minimum Building Setback	60 feet from ROW	60 feet from ROW
Minimum Building Offset	20 feet from side or rear line	320 feet from nearest side
Open Space Ratio	40% Min	83% open space for parcel

The new storage building would be somewhat removed from the other existing structures on the lot, with a tree line separating the proposed building from the existing complex. However, access to the building is not hindered by the tree line. The survey provided by the applicant shows that

the proposed structure will be 63 feet from the closest existing structure. Parking or pavement of any kind is not proposed for the site. No garbage or refuse containers have been proposed for the site. No additional signage has been proposed for the site.

Landscaping Analysis:

There is no additional landscaping proposed for the site.

Section 58-564 of the Code of Ordinances creates standards for the installation of landscaping on commercial, industrial, park, institutional, and multifamily sites. The following standards will be tested for compliance and need with the construction of Trinity's new storage structure:

(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.

Because this new storage structure is interior to the Trinity-Freistadt campus and there are street trees in place along Granville Road and dispersed on Freistadt Road, no additional street trees are necessary.

(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 planting are subject to planning commission approval, or park and open space board approval if the landscaping is to be located within a public park or preserve.

No parking lot is located on-site or proposed with this development.

(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 10 years of planting.

No parking lot is located on-site or proposed with this development.

(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.

Because the property to the east of the new structure is owned by the same owner of the parcel in question, the property to the south is a significant distance away from the new structure, and no other nearby properties have a significant sightline or proximity to the new storage structure, no additional screening should be necessary.

(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 41/2 nor more than 6 feet in height, shall be located adjoining the property line except in a required front yard.

While the property to the south is residential, there are several significant tree lines between the

new structure and these single-family homes. Additional screening would not lead to any significant improvement of screening.

(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.

There are no existing or proposed parking or driveway areas.

(4) A compact landscaping hedgerow or undulating berm, not more than three feet in height. Shall be located directly adjacent to commercial and multifamily residential parking areas 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.

There are no existing or proposed parking or driveway areas.

(5) Dumpsters shall be located and screened in accordance with city approval.

No existing or proposed dumpsters are on-site.

(f) *Landscaping standards.* The following standards apply to commercial or multifamily residential sites.

The site in question is an institutional zoned (IPS) property.

Based on this analysis, further landscaping of the site is not required. Because other structures and buildings on the site do not have landscaping elements surrounding them, requiring that of this proposed storage structure would not be in line with the character of the area and cause the new building to negatively stick out to visitors and passersby.

Building Analysis:
According to the plan set submitted by the applicant, the proposed building is consistent with traditional farmhouse architecture. The building will have rough sawn board and batten siding to give it a more rustic appearance. The doors of the building also are wooden barn doors rather than the typical aluminum options that might be cheaper. Overall, the exterior materials and architecture of the proposed building compliment the aesthetic theme of the Freistadt Historical Society area. The proposed building is 33 feet and 6 ½" in height, which is compliant with the IPS district's maximum height of 42 feet. The applicant has also proposed an additional overhang on the south side of the building measuring 10 feet in height and 60 feet by 10 feet in area. The addition of this overhang would not make the proposed structure noncompliant.

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

Access to the new building will be provided from Church Place. The new building access will

not require acceleration/deceleration or bypass lanes based on the Standard Specifications for Land Development.

The Wisconsin DNR surface water data viewer and aerial photos were used to confirm that wetlands are potentially present on the parcel. The wetlands indicators are significantly outside the proposed work area and will not require a wetland delineation.

The site is not located within the City's sewer service area, and therefore is not required to connect to public sewer or water. If additional sanitary or water service for the building is contemplated, it shall be permitted through Ozaukee County and the WDNR.

The improvements underway with Trinity Lutheran School resulted in additional impervious surface exceeding one-half acre and therefore required a stormwater management plan (SWMP) meeting City, MMSD, and WDNR. The SWMP was approved, and other conditions of approval have been met for the school improvements. The proposed storage shed is outside of the study area of the SWMP for the school improvement, so storm water requirements will be independent of the Trinity Lutheran School improvements.

The shed is proposed to be 60' by 40' which will result in approximately 2,400 square feet of added impervious surface. The improvements will include additional impervious surface for the driveway and walkways. The applicant shall submit a final calculation of added impervious surface. The owner will be required to provide green infrastructure conforming to MMSD Chapter 13 Rules prior to the issuance of a building permit if adding 5,000 square feet or more of impervious area. If green infrastructure is required, the building permit is also conditioned upon receipt of a stormwater maintenance and easement agreement and a drainage financial guarantee.

Minor filling and excavation will be permitted with the building permit. A filling, excavation, and berms permit, and additional Planning Commission approval is required if fill and excavation exceeds 1,000 cubic yards.

If the proposed improvements will disturb an area greater than 4,000 square feet, a City of Mequon Erosion Control Permit will be required. The permit is required prior to the issuance of a building permit.

Recommendation:
Staff recommends **approval** of the building and site plan amendment, subject to the following conditions:

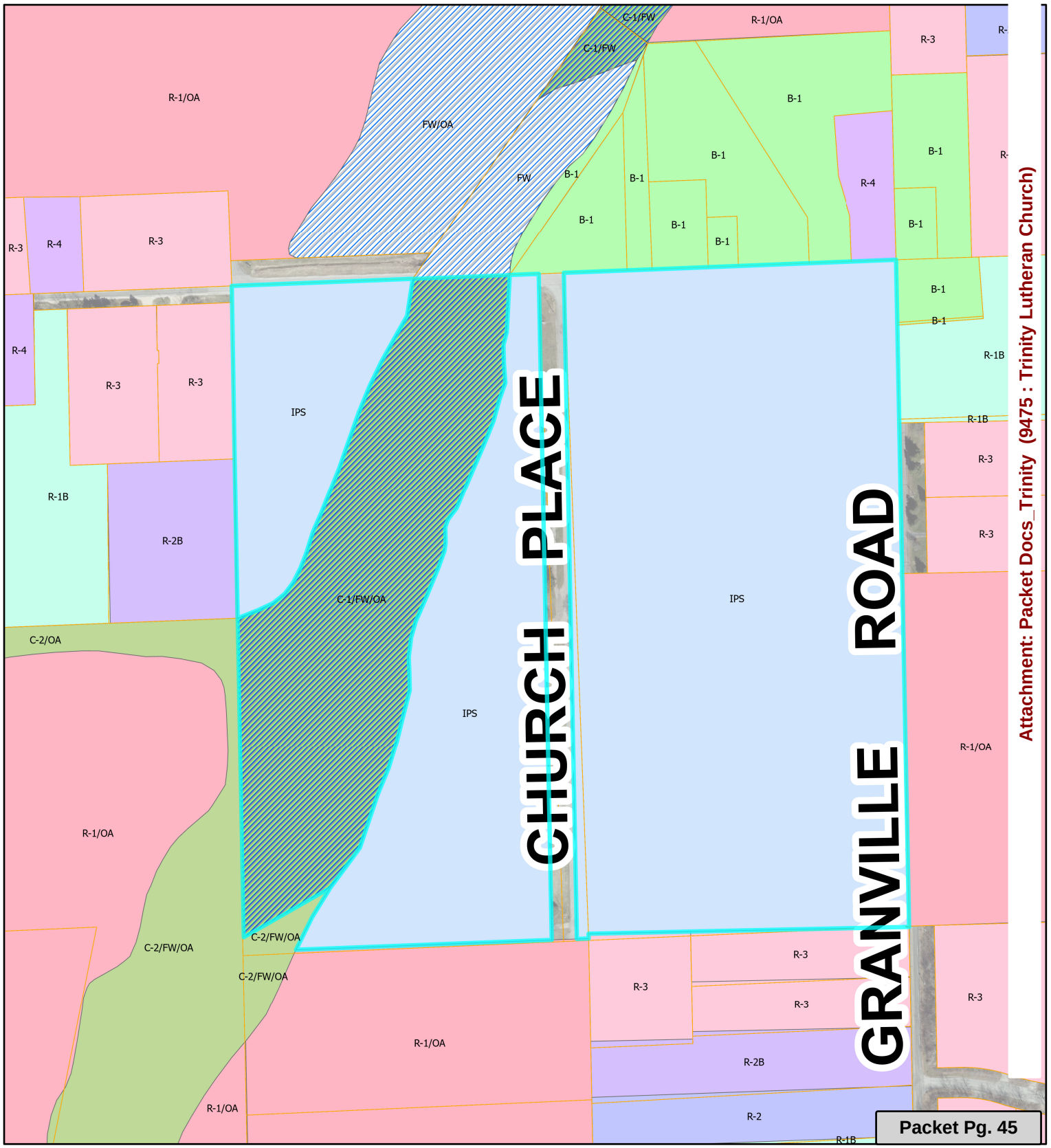
1. Staff review and approval of final site, building, landscaping, and lighting plans prior to issuance of permits. The applicant shall submit such plan within 180 days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.
2. Removal of bridge across creek on the west side of the lot until the issuance of a building permit by the City.
3. Any future parking area will need Planning Commission approval.
4. Applicant shall submit a final calculation of added impervious surface. The owner will be required to provide green infrastructure conforming to MMSD Ch. 13 Rules prior to the issuance of a building permit if adding 5,000 square feet or more of impervious area. If green infrastructure is required, the building permit is also conditioned upon receipt of a stormwater maintenance and easement agreement and a drainage financial guarantee.

5. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit, if applicable. The permit is required prior to the issuance of a building permit.

Attachments:
Packet Docs_Trinity (PDF)

TRINITY STORAGE STRUCTURE BSPA

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



Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)

Owner (s): FREISTADT EV LUTHERAN TRINITY CONGREGATION	Location:
Mailing Address: FREISTADT EV LUTHERAN TRINITY CONGREGATION 10729W FREISTADT ROAD MEQUON, WI 53097 Request Mailing Address Change	School District: 3479 - Mequon-Thiensville School

Tax Parcel ID Number:	Tax District:	Status:
14-019-01-001.00	45255-City of Mequon	Active
Alternate Tax Parcel Number:	**Government Owned:**	**Acres:**
		38.4900

Description - Comments (Please see Documents tab below for related documents. For a complete legal description, see recorded document.):
111/513 C/352-353
NE NE 38.49 ACS
1314 X 50 FT OF BEING CHURCH PLACE
SEC 19 T 9 R 21

Site Address (es): *(Site address may not be verified and could be incorrect. DO NOT use the site address in lieu of legal description.)*
10729W FREISTADT RD Mequon, WI 53097
11856N CHURCH PL Mequon, WI 53097





FUTURE OUTBUILDING FOR:

TRINITY FREISTADT HISTORICAL SOCIETY

10729 WEST FREISTADT ROAD
MEQUON, WI 53097

TABLE OF CONTENTS:

PAGE 1: SITE PLAN, GIS IMAGE & COVER
PAGE 2: FRONT & LEFT ELEVATIONS
PAGE 3: REAR & RIGHT ELEVATIONS
PAGE 4: FOUNDATION PLAN
PAGE 5: FIRST FLOOR PLAN
PAGE 6: SECOND FLOOR PLAN
PAGE 7: SECTION
PAGE 8: ROOF LAYOUT
PAGE 9: NOTES

1ST FLOOR	2400 SQ. FT.
2ND FLOOR	1839 SQ. FT.
TOTAL	4239 SQ. FT.
COVERED PORCH:	600 SQ. FT.

FINAL CONSTRUCTION PLANS

2023 COPYRIGHT
DESIGN 4 STYLE, LLC

Design 4 Style ARCHITECTURE
DREAM • DESIGN • DEVELOP
P: 262.483.6845
E: LISA@DESIGN4STYLE.COM
P: 920.607.2681
E: NATE@DESIGN4STYLE.COM

NOTICE TO CONTRACTORS & SUBTRADES:
ALTHOUGH CARE HAS BEEN TAKEN IN PREPARING THESE PLANS AND SPECIFICATIONS, IT IS THE RESPONSIBILITY OF THE SUBCONTRACTOR OR SUPPLIER TO CONFIRM AND VERIFY ANY AND OWNER IF THERE ARE ANY CONCERNS OR DISCREPANCIES BEFORE CONSTRUCTION OF THESE PLANS.

FINAL PLANS: 4.26.24

REV. FINAL PLANS: 5.13.24

REV. FINAL PLANS: 5.16.24

FUTURE OUTBUILDING OF (BUILDER):
BOB OVERMIER-TRINITY FREISTADT HISTORICAL SOCIETY

ADDRESS:
10729 WEST FREISTADT ROAD
MEQUON, WI 53097

Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)



DOOR INSPIRATION PICTURE #1

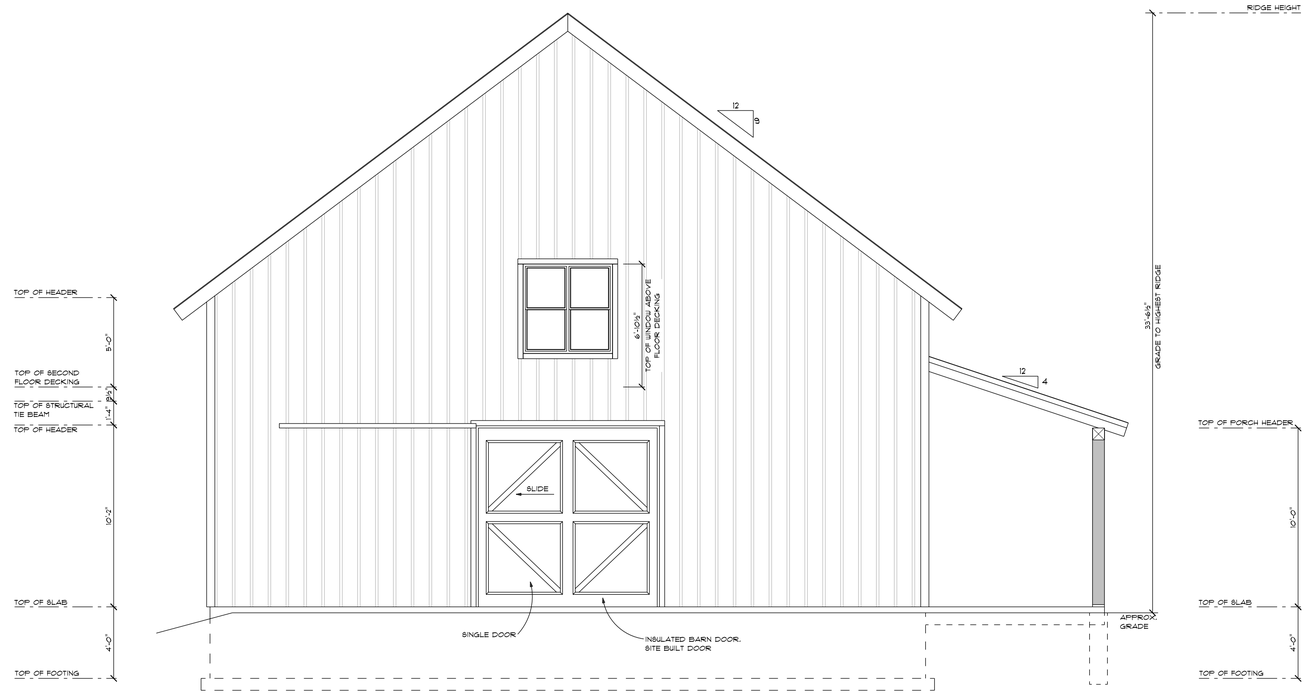


DOOR INSPIRATION PICTURE #2



FRONT ELEVATION

SCALE: 1/4" = 1'-0"



LEFT ELEVATION

SCALE: 1/4" = 1'-0"

EXTERIOR MATERIALS:

SIDING: ROUGH SAWN BOARD & BATTON

CORNER TRIM: 1x6 ROUGH SAWN

FASCIA/SOFFIT: 1x10 & 1x4 ROUGH SAWN FASCIA (SEE ELEVATIONS.)
1x6 T&G CEDAR W/ VENTING PER CODE

ROOFING: METAL ROOFING

OVERHANGS:
EAVE OVERHANGS ARE 2'-0" & 1'-4"
GABLE OVERHANGS ARE 12"
OVERHANGS MEASURE FROM OUTSIDE OF SHEATHING TO OUTSIDE OF FASCIA

5" PRE-FINISHED SEAMLESS ALUMINUM GUTTERS
3"x4" PRE-FINISHED RECTANGULAR DOWNSPOUTS
INCLUDE GUTTER GUARDS

FLASHING: PRE-FINISHED ALUMN. ABOVE ALL TOPS OF WINDOWS/DOOR TRIM, AND ANY MATERIAL THAT PROTRUDES FROM HOUSE AND AT MATERIAL JUNCTIONS.

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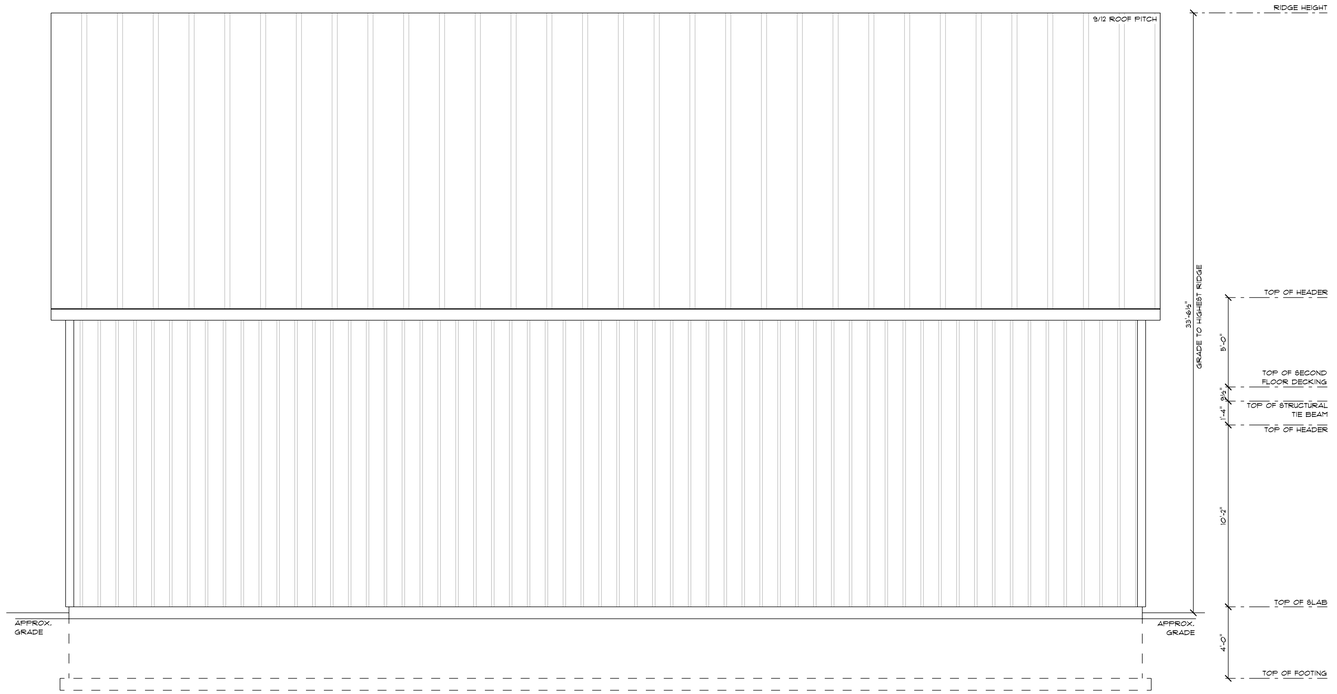
REV. FINAL PLANS: 5.13.24

REV. FINAL PLANS: 5.16.24

FUTURE OWNER/BUILDING OF (BUYER):
BOB OVERMIER-TRINITY FREISTADT HISTORICAL SOCIETY

ADDRESS:
10729 WEST FREISTADT ROAD
MEQUON, WI 53097

Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)



REAR ELEVATION

SCALE: 1/4" = 1'-0"



RIGHT ELEVATION

SCALE: 1/4" = 1'-0"

EXTERIOR MATERIALS:

SIDING: ROUGH SAWN BOARD & BATTON

CORNER TRIM: 1x6 ROUGH SAWN

FASCIA/SOFFIT: 1x10 & 1x4 ROUGH SAWN FASCIA (SEE ELEVATIONS)
1x6 T&G CEDAR W/ VENTING PER CODE

ROOFING: METAL ROOFING

OVERHANGS:
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FINAL PLANS: 4.26.24

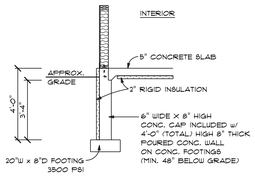
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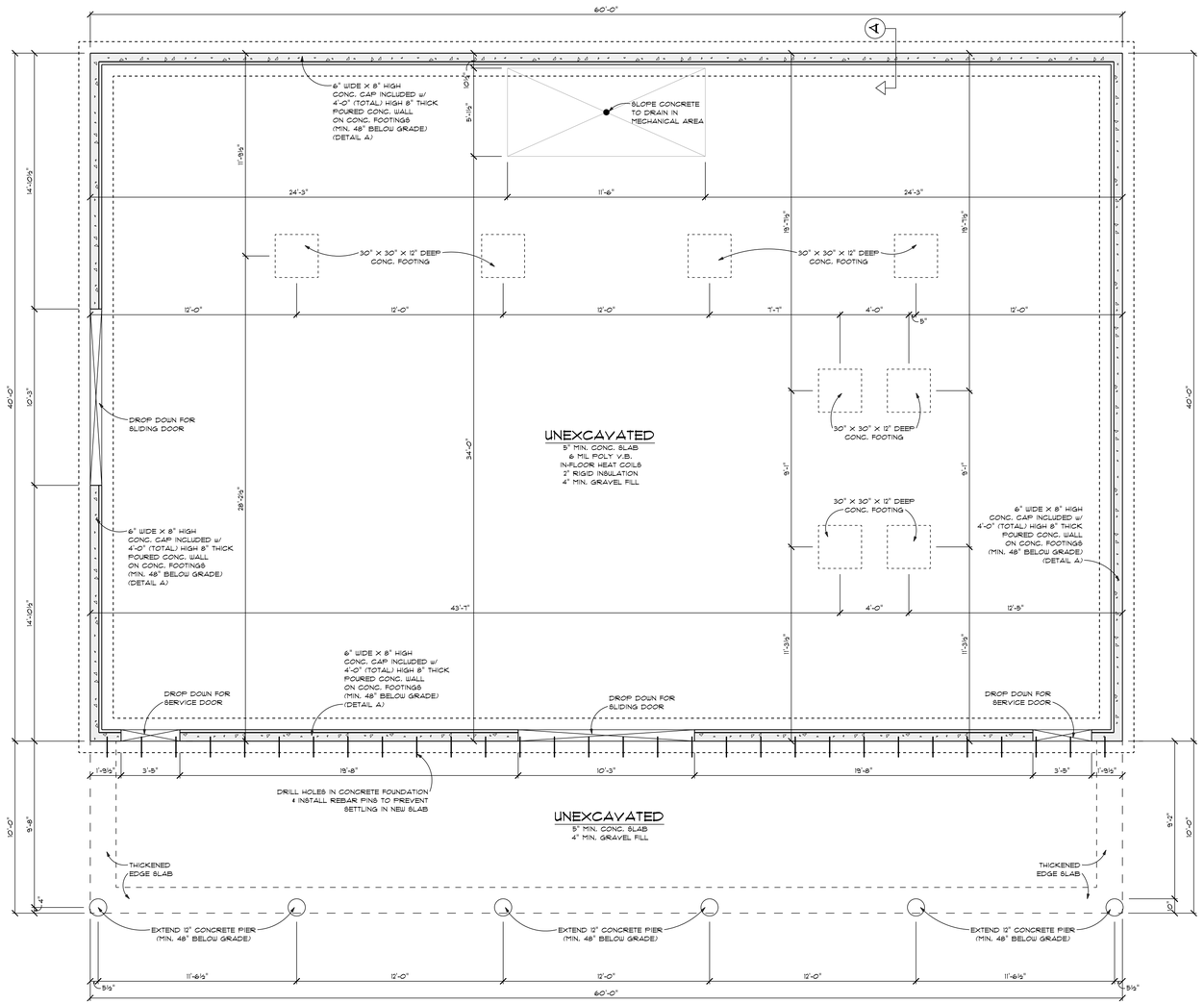
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BOB OVERMIER-TRINITY FREISTADT HISTORICAL SOCIETY

ADDRESS:
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MEQUON, WI 53097

Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)



CONCRETE WALL (A)



FOUNDATION PLAN

SCALE: 1/4" = 1'-0"

NOTES:

2,000 PSF SOIL BEARING CAPACITY USING 90 PCF FOR THE EQUIVALENT FLUID DENSITY, REBAR STRENGTH 60,000 PSI AND CONCRETE STRENGTH 3,000 PSI, FOR HORIZONTAL BAR SPACING USING A UNIFORM DISTANCE THAT MATCHES VERTICAL SPACING IS BEST.

ALL CONCRETE SLABS ARE 3000 PSI

10' TALL WALL (IF APPLICABLE)
Footing - 24" wide x 8" deep w/ keyway

12" thick - 3000 psi concrete, 8' backfill
*4 bar 4 rows horizontal
*4 bar vertical every 6'
Lap length shall be min. 30" at corners.

9' TALL WALL & LESS (IF APPLICABLE)

Footing - 24" wide x 8" deep w/ keyway

10" thick - 3000 psi concrete, 8' backfill
*4 bar 4 rows horizontal (1 within 24" of top of foundation & 1 within 24" of bottom of foundation)
*4 bar vertical every 6'
Lap length shall be min. 30" at corners.

4' FROST WALLS:

Footing - 24" wide x 8" deep w/ keyway

8" thick - 3000 psi concrete (equal backfill)
*4 bar 2 rows horizontal (one top & one bottom)
Lap length shall be min. 30" at corners.

PADS TO INCLUDE (3) #5 (5/8" DIA. REBAR) BOTH DIRECTIONS

NO REBAR IN FOOTINGS UNLESS SOIL CONDITIONS REQUIRED REBAR FOR STRENGTH. VERIFIED BY BUILDER.

AREAS WHERE CONCRETE SLABS BEAR ON THE TOP OF THE WALL SHOULD HAVE A MINIMAL DEPTH OF 4" OF BEARING.

THE WALLS ARE TO BE CURED & BRACED PRIOR TO BACKFILLING FULL HEIGHT OF WALL. BRACING CAN BE ACCOMPLISHED WITH EITHER OF THE FOLLOWING:
1. POURED AND CURED BASEMENT SLAB SUPPORTING THE BASE OF THE WALL.
2. EITHER COMPLETED FLOOR SYSTEM FOR THE FIRST FLOOR (FLOOR JOISTS WITH DECKING OR PRECAST PLANK) OR TEMPORARY BRACING AT 10' INTERVALS SUPPORTING THE TOP OF THE WALL.

1ST FLOOR	2400 SQ. FT.
2ND FLOOR	1839 SQ. FT.
TOTAL	4239 SQ. FT.
COVERED PORCH:	600 SQ. FT.

FINAL CONSTRUCTION PLANS

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FINAL PLANS: 4.26.24

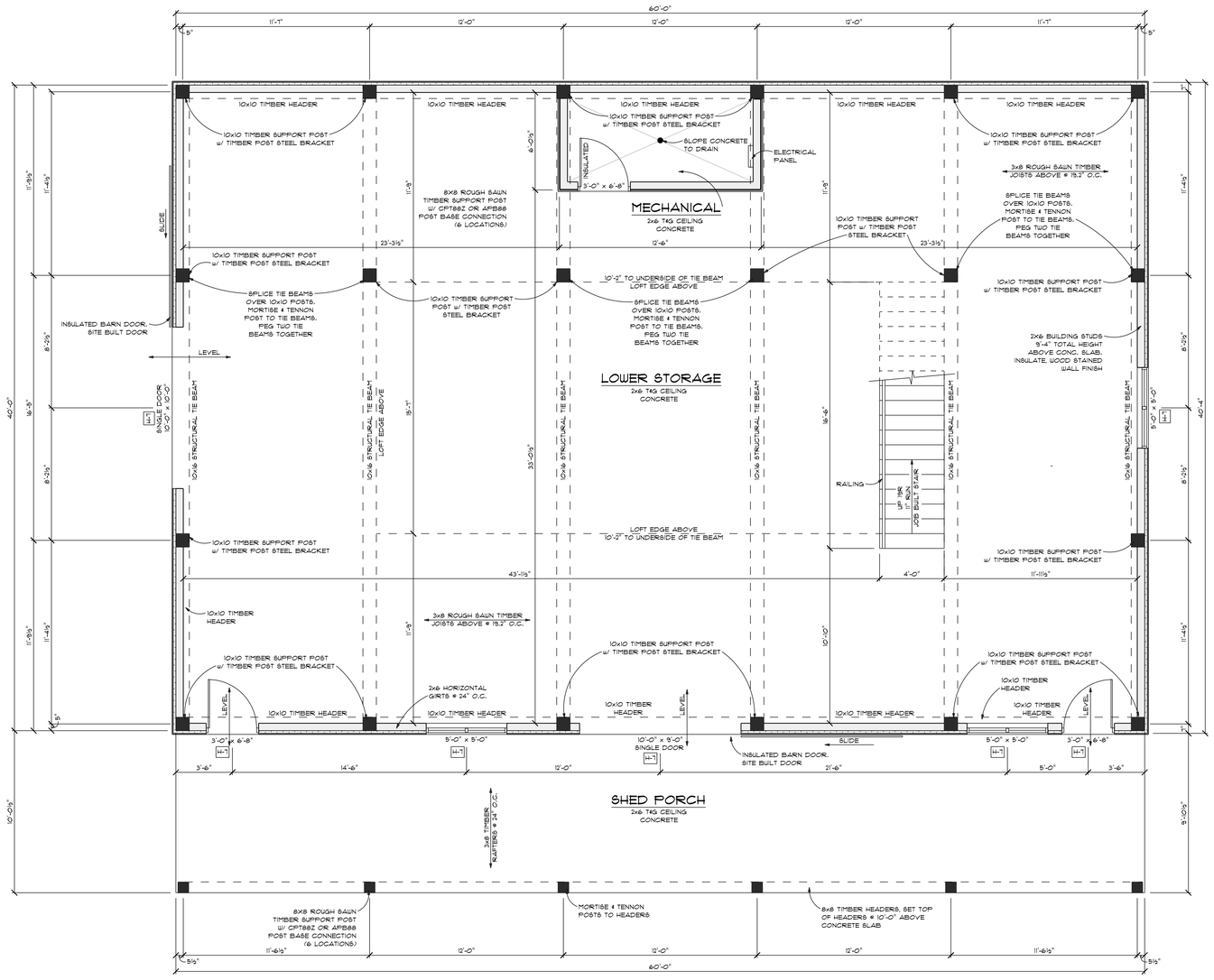
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Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

DN² Design
N6748 South Lane
Johnson Creek, WI 53038
Phone: (507) 259-5045

April 22, 2024

Nate Hayon

Project: Overmier Timber Frame

Dear Mr. Hayon,

At your request I performed an analysis for the Overmier Project. The proposed timber frame is adequate with the following modification.

1. The frames as proposed are adequate for strength for standard loading conditions. The expected live and total load deflections for 10x16 tie beams 2 and 5 are 0.5 and 1.5 inches respectively. For beams 3 and 4 it is 0.25 and 1.1 inches respectively. Both are under the l/360 and L/240 maximums and would be acceptable as shown. This assumes that the beams and posts are made from oak, as you referenced in your original email. Any other wood species would require additional analysis.

Any alterations to the design or alternatives must be reviewed by DN Squared Design before construction. If you have any questions, please feel free to contact me at any time.

Respectfully Submitted,

Steven Doocy

Steven Doocy, P.E.
WI License # 44493

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HEADER SCHEDULE	
H-1	(2) 2X10'S D.F. #2 or BTR
H-2	(2) 2X12'S D.F. #2 or BTR
H-3	(2) 1 3/4" X 9 1/2" LVL 2.0E
H-4	(2) 1 3/4" X 11 7/8" LVL 2.0E
H-5	(3) 1 3/4" X 14" LVL 2.0E
H-6	(3) 1 3/4" X 9 1/2" LVL 2.0E
H-7	10 x 10 TIMBER HEADER
H-8	ENG. BY TRUSS COMPANY

1ST FLOOR	2400 SQ. FT.
2ND FLOOR	1839 SQ. FT.
TOTAL	4239 SQ. FT.
COVERED PORCH:	600 SQ. FT.

FINAL CONSTRUCTION PLANS

2023 COPYRIGHT
DESIGN 4 STYLE, LLC

Design 4 Style ARCHITECTURE
DREAM • DESIGN • DEVELOP
P: 262.483.6845
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P: 920.607.2681
E: NATE@DESIGN4STYLE.COM

NOTICE TO CONTRACTORS & SUBTRADES

ALTHOUGH THESE PLANS HAVE BEEN MADE IN PREPARING THESE PLANS AND SPECIFICATIONS, IT IS THE RESPONSIBILITY OF THE SUBCONTRACTOR OR SUPPLIER TO COORDINATE THEIR WORK WITH OTHER TRADES AND TO CONFIRM AND VERIFY ANY CONCERNS OR DOUBTS REGARDING THE CONSTRUCTION OF THESE PLANS.

FINAL PLANS: 4.26.24

REV. FINAL PLANS: 5.13.24

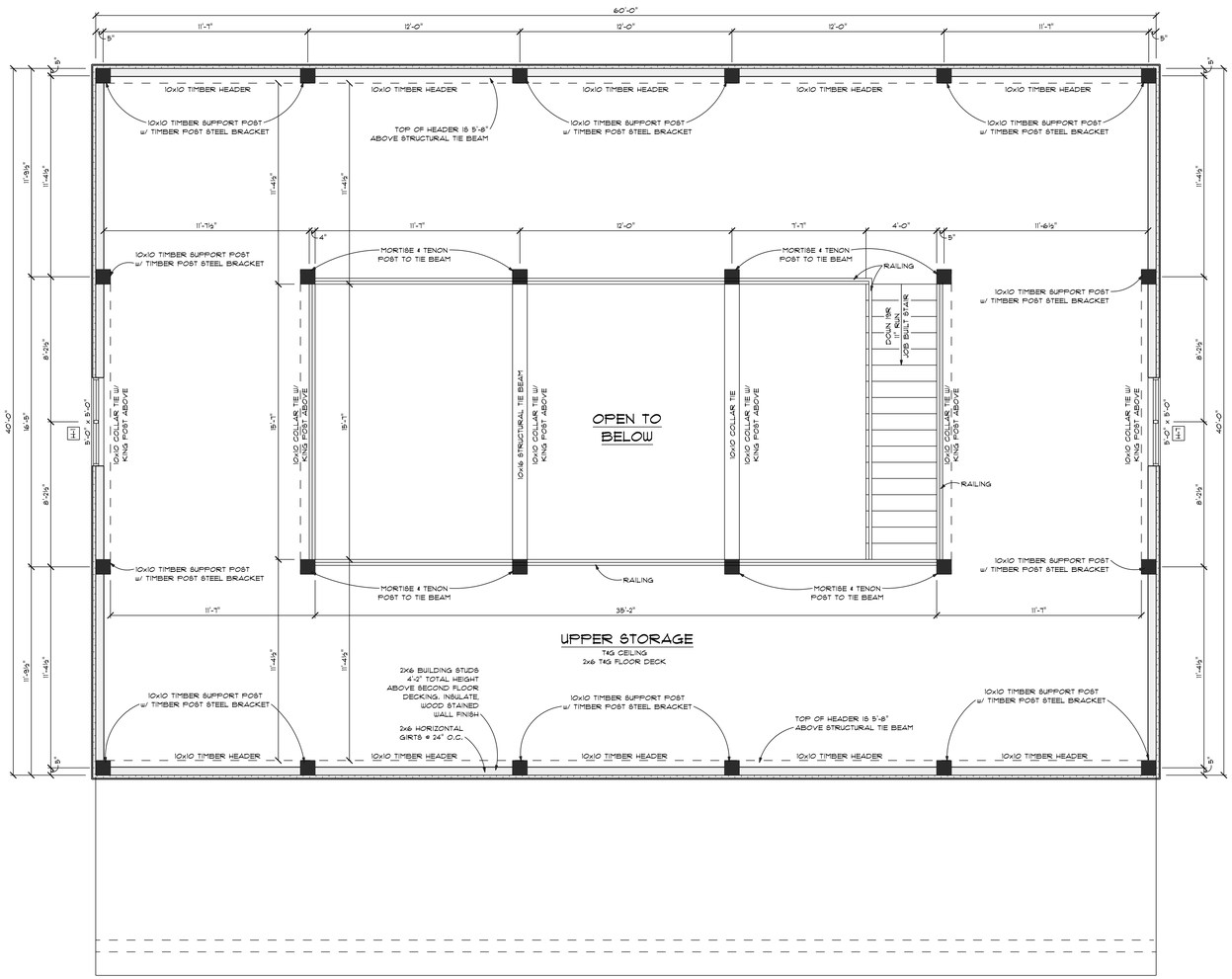
REV. FINAL PLANS: 5.16.24

FUTURE OUTBUILDING OF (BUILDER):
BOB OVERMIER-TRINITY FREISTADT HISTORICAL SOCIETY

ADDRESS:
10729 WEST FREISTADT ROAD
MEQUON, WI 53097

PAGE
5 OF 9

Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)



SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

HEADER SCHEDULE	
H-1	(2) 2X10'S D.F. #2 or BTR
H-2	(2) 2X12'S D.F. #2 or BTR
H-3	(2) 1 3/4" X 9 1/2" LVL 2.0E
H-4	(2) 1 3/4" X 11 7/8" LVL 2.0E
H-5	(3) 1 3/4" X 14" LVL 2.0E
H-6	(3) 1 3/4" X 9 1/2" LVL 2.0E
H-7	10 x 10 TIMBER HEADER
H-8	ENG. BY TRUSS COMPANY

1ST FLOOR	2400 SQ. FT.
2ND FLOOR	1839 SQ. FT.
TOTAL	4239 SQ. FT.
COVERED PORCH:	600 SQ. FT.

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NOTICE TO CONTRACTORS + SUBTRADES

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FINAL PLANS: 4.26.24

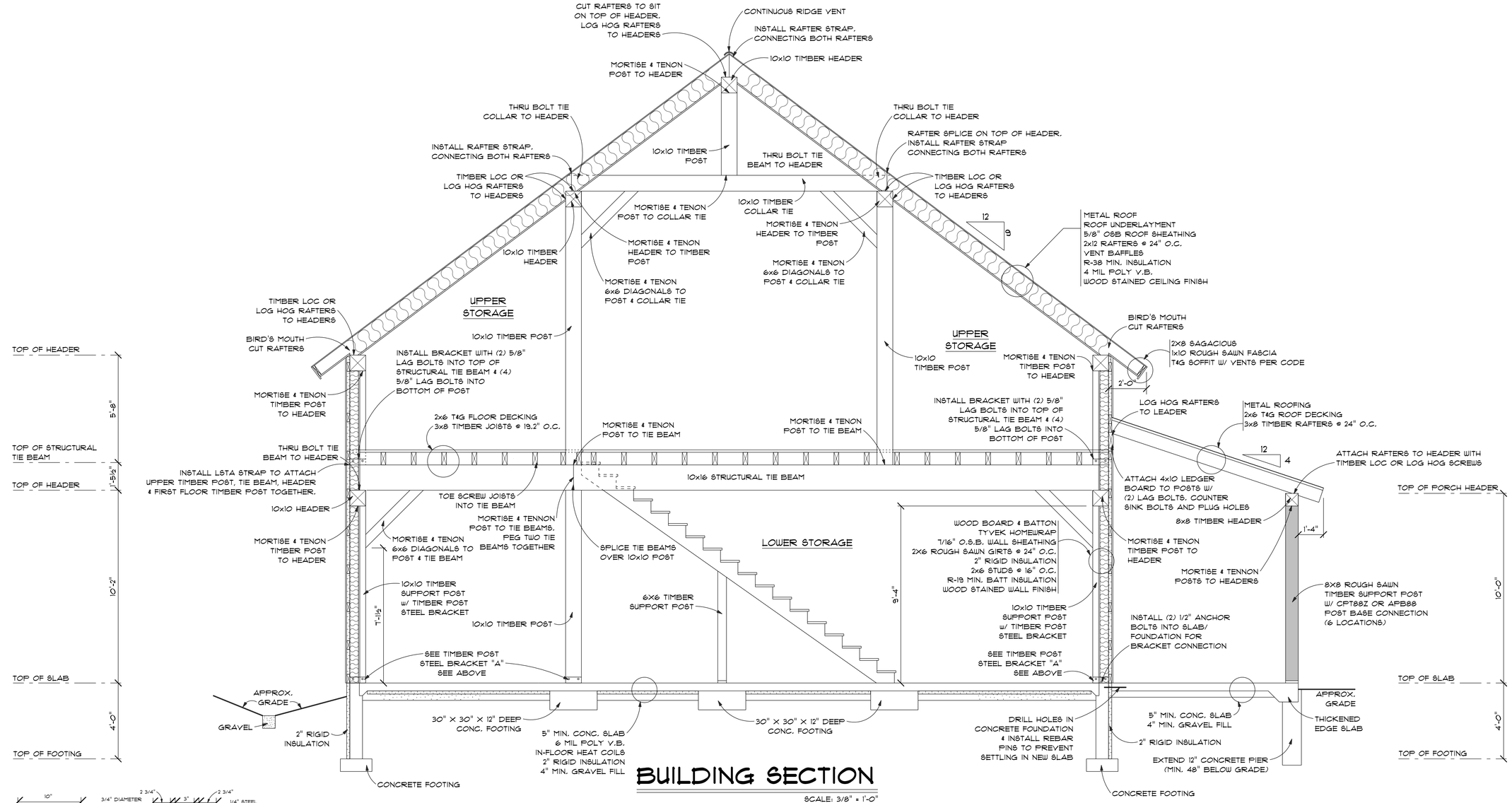
REV. FINAL PLANS: 5.13.24

REV. FINAL PLANS: 5.16.24

FUTURE OUTBUILDING OF: (BUYER)
BOB OVERMIER-TRINITY FREISTADT HISTORICAL SOCIETY

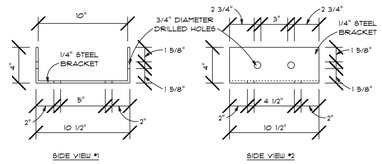
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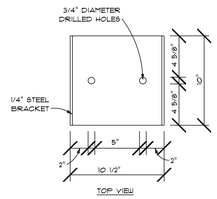
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BUILDING SECTION

SCALE: 3/8" = 1'-0"





TIMBER POST STEEL BRACKET "A"

NOTES:

1. INSTALL 6' OF ICE & WATER SHIELD ABOVE ALL GUTTERS FOLDED ON THE FASCIA, AROUND ALL ROOF PENETRATION, IN SADDLE AREAS, WHERE ALL METAL IS TO BE INSTALLED, AROUND CHIMNEY AND IN THE VALLEYS. ADDITIONAL 6" STRIP OF ICE & WATER BARRIER TO TIE THE GUTTER APRON INTO THE LOWER APPLICATION OF THE ICE & WATER BARRIER.
2. INCLUDE METAL GUTTER APRON
3. INCLUDE 5" PRE-FINISHED SEAMLESS ALUMINUM GUTTER & 3"X4" PRE-FINISHED RECTANGULAR DOWNSPOUTS. INCLUDE BENDS FOR DOWNSPOUTS AROUND STONE BELTLINES. DOWNSPOUTS TO BE HIDDEN IN COLUMNS IF NOTED.
4. INCLUDE CAULK AT TOP PLATES AND EXTERIOR WALLS & AT HOLES AND VOIDS.
5. INCLUDE PRE-FINISHED METAL TIN FLASHING & WALL FLASHING AS REQUIRED.
6. INCLUDE BAFFLE VENTS
6. REFERENCE FOUNDATION PLAN FOR CONCRETE WALL DETAILS: HEIGHT, CURBS, FOOTINGS, REBAR & PSI.
7. INCLUDE FLASHING: PRE-FINISHED ALUMN. ABOVE ALL TOPS OF WINDOWS/DOOR TRIM, AND ANY MATERIAL THAT PROTRUDES FROM HOUSE AND AT MATERIAL JUNCTIONS.

1ST FLOOR	2400 SQ. FT.
2ND FLOOR	1839 SQ. FT.
TOTAL	4239 SQ. FT.
COVERED PORCH:	600 SQ. FT.

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FINAL PLANS: 4.26.24

REV. FINAL PLANS: 5.13.24

REV. FINAL PLANS: 5.16.24

FUTURE OUTBUILDING OF (BOTH):
BOB OVERMIER-TRINITY
FREISTADT HISTORICAL SOCIETY

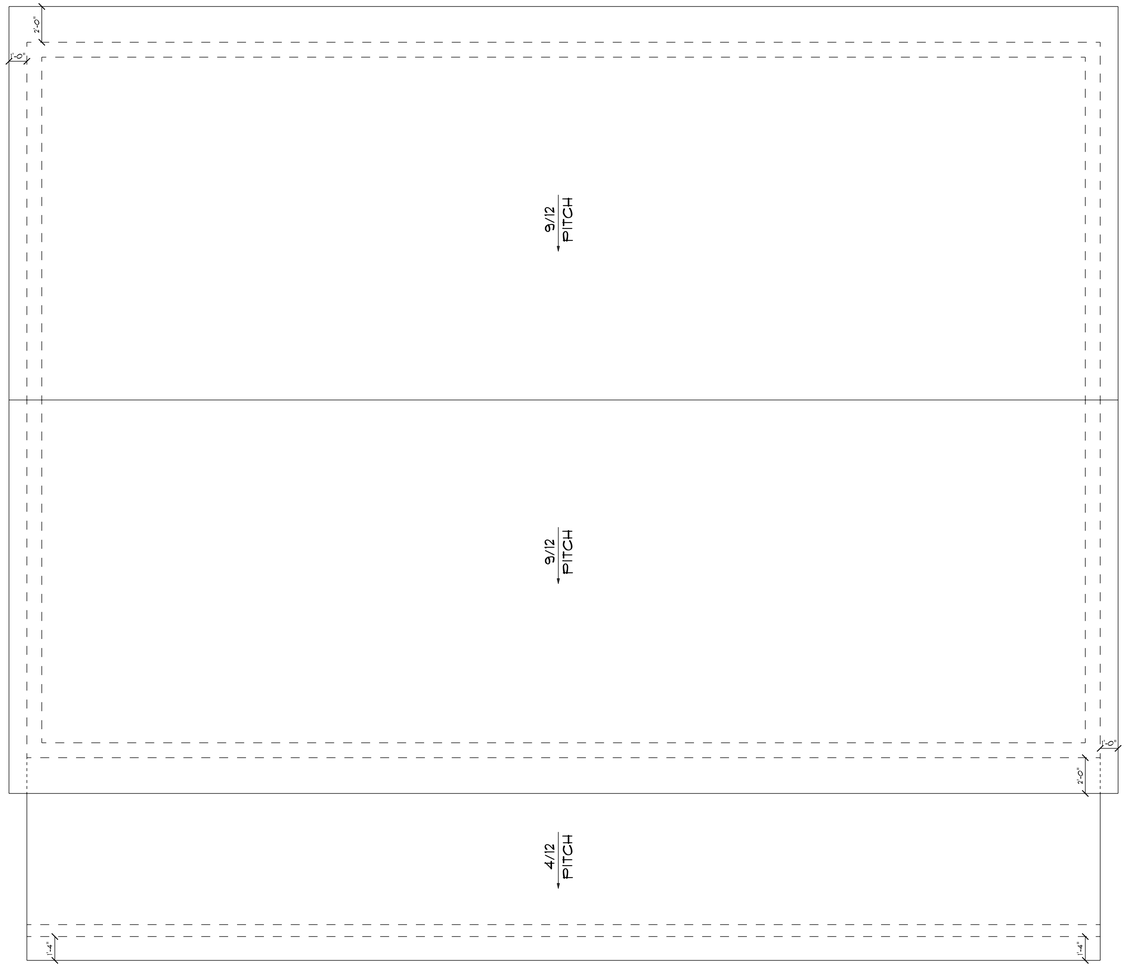
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MEQUON, WI 53097

Attachment: Packet Docs. Trinity (9475 : Trinity Lutheran Church)

OVERHANGS:
OVERHANGS MEASURE FROM OUTSIDE OF SHEATHING TO OUTSIDE OF SUBFASCIA

EAVE OVERHANGS ARE 2'-0" & 1'-4"
GABLE OVERHANGS ARE 1'-0"

5" PRE-FINISHED SEAMLESS ALUMINUM GUTTER
3"X4" PRE-FINISHED RECTANGULAR DOWNSPOUTS
INCLUDE GUTTER GUARDS



ROOF CONCEPT

FOR REFERENCE ONLY

1ST FLOOR	2400 SQ. FT.
2ND FLOOR	1839 SQ. FT.
TOTAL	4239 SQ. FT.
COVERED PORCH:	600 SQ. FT.

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NOTICE TO CONTRACTORS & SUBTRADES

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND SPECIFICATIONS TO BE CORRECT, IT IS THE RESPONSIBILITY OF THE SUBCONTRACTOR OR SUPPLIER TO DOUBLE CHECK ALL DIMENSIONS ON THE PLANS. IF THERE ARE ANY CONCERNS OR DISCREPANCIES, CONTACT US BEFORE CONSTRUCTION OF THESE PLANS.

FINAL PLANS: 4.26.24

REV. FINAL PLANS: 5.13.24

REV. FINAL PLANS: 5.16.24

FUTURE CHURCH BUILDING OF (BUYER):
BOB OVERMIER-TRINITY FREISTADT HISTORICAL SOCIETY

ADDRESS:
10729 WEST FREISTADT ROAD
MEQUON, WI 53097

Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)

GENERAL NOTES:

ALL WORK SHALL BE PERFORMED WITH ALL APPLICABLE WISCONSIN UNIFORM DWELLING CODE (CH. COMM. 20-25) AS WELL AS LOCAL CODES, NATIONAL CODES AND ORDINANCES AND ALL AUTHORITIES HAVING JURISDICTION.

ALL PLUMBING, MECHANICAL AND ELECTRICAL WORK IS FOR REFERENCE ONLY AND IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR, SUBCONTRACTOR TO MAKE SURE PLUMBING, MECHANICAL & ELECTRICAL WORK IS INSTALLED TO CODE.

ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR, SUBCONTRACTOR OR SUPPLIER TO CONTACT GENERAL CONTRACTOR OR OWNER IF THERE ARE ANY CONCERNS OR DISCREPANCIES DURING THE CONSTRUCTION OF THESE PLANS.

LOADS

ROOF DESIGN: LIVE LOAD = 30 PSF (SNOW LOAD)
DEAD LOAD = 20 PSF

REFERENCE UDC SPS 321.02 MAP & REVISE IF NECESSARY

•L/240 LIVE LOAD DEFLECTION

ROOFS SHALL WITHSTAND A PRESSURE OF AT LEAST 20# SQ. FT. ACTING UPWARD NORMAL TO THE ROOF SURFACE.

FLOOR DESIGN: LIVE LOAD = 40 PSF
DEAD LOAD = 12 PSF
+ (6 1/2 PSF ON 1ST FLOOR IF GYPCRETE)

•L/480 LIVE LOAD DEFLECTION

• ANY TILE AREAS SHALL BE DESIGNED FOR AN ADDITIONAL 10 PSF DEAD LOAD L/360 TOTAL LOAD & T/600 LIVE LOAD

DESIGN FLOOR JOISTS TO CARRY WEIGHT OF COUNTERTOPS, STONE WALLS, & OR TILE SHOWERS.

CONCRETE, SOIL & BACKFILL

SOIL TEST ARE RECOMMENDED BEFORE ANY CONSTRUCTION BEGINS.

2,000 PSF SOIL BEARING CAPACITY USING 90 PCF FOR THE EQUIVALENT FLUID DENSITY, REBAR STRENGTH 60,000 PSI AND CONCRETE STRENGTH 4,000 PSI. FOR HORIZONTAL BAR SPACING USING A UNIFORM DISTANCE THAT MATCHES VERTICAL SPACING IS BEST.

AREAS WHERE CONCRETE SLABS BEAR ON THE TOP OF THE WALL SHOULD HAVE A MINIMAL DEPTH OF 4" OF BEARING.

THE WALLS ARE TO BE CURED & BRACED PRIOR TO BACKFILLING FULL HEIGHT OF WALL. BRACING CAN BE ACCOMPLISHED WITH EITHER OF THE FOLLOWING:

1. POURED AND CURED BASEMENT SLAB SUPPORTING THE BASE OF THE WALL.
2. EITHER COMPLETED FLOOR SYSTEM FOR THE FIRST FLOOR (FLOOR JOISTS WITH DECKING OR PRECAST PLANK) OR TEMPORARY BRACING AT 10' INTERVALS SUPPORTING THE TOP OF THE WALL.

REFERENCE FOUNDATION PLAN FOR CONCRETE & REBAR SPECIFICATIONS.

ADD FURRING STRIP IN CONCRETE IF MORE THAN 8" IS EXPOSED & SIDING WILL BE APPLIED.

ADJUST ALL BRICKLEGES AND FOOTINGS WITH GRADE IF IT VARIES FROM PLANS.

STEEL

STRUCTURAL STEEL SHALL CONFORM TO THE FOLLOWING LATEST EDITION:

A. AISC: SPECIFICATION FOR DESIGN, FABRICATION AND ERECTION OF STEEL FOR BUILDINGS.

B. AISC: CODE OF STANDARD PRACTICE FOR STEEL BUILDING AND BRIDGES.

C. AWS: D1.1 STRUCTURAL WELDING CODE - STEEL.

D. AISC: STRUCTURAL STEEL DETAILING MANUAL.

PROVIDE 2 MIL. THICKNESS RED OR GREY OXIDE PRIMER ON ALL STEEL SURFACES UNLESS NOTED.

ALL STEEL EXPOSED TO WEATHER SHALL BE HOT DIPPED GALVANIZED PER ASTM A123 AND FASTENERS HOT DIPPED GALVANIZED PER ASTM A153.

ANCHOR RODS SHALL BE PRESENT WITH TEMPLATES.

CONNECTIONS MAY BE BOLTED OR WIELDED AT THE FABRICATION OPTION: BOLTED CONNECTIONS SHALL BE AS FOLLOWS:

MINIMAL BOLT DIAMETER OF 3/4" UNLESS NOTED

HIGH STRENGTH BOLTS IN SINGLE OR DOUBLE SHEAR UNLESS NOTED.

SIMPLE SHEAR CONNECTIONS SHALL BE CAPABLE OF END ROTATION PER AISC REQUIREMENTS FOR UNRESTRAINED MEMBERS.

THE ERECTION OF ANY STRUCTURAL STEEL MEMBERS SHALL NOT COMMENCE UNTIL ALL THE SUPPORTING CONCRETE/MASONRY ELEMENTS HAVE ATTAINED AT LEAST 75% OF THEIR INTENDED MINIMAL COMPRESSIVE STRENGTH.

GRADE

EROSION CONTROL:
WHERE LAND DISTURBING CONSTRUCTION ACTIVITY IS TO OCCUR EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE EMPLOYED, AS NECESSARY, TO PREVENT OR REDUCE THE POTENTIAL DEPOSITION OF SOIL OR SEDIMENT TO WATERS OF THE STATE AND ADJACENT PROPERTIES.

GRADE:
SLOPE GRADE AWAY FROM DWELLING.

IF ACTUAL GRADE VARIES FROM ARCHITECTURAL PLANS, THE BUYER IS RESPONSIBLE FOR ALL COST INCREASES FROM ADDITIONAL HEIGHT OF FOUNDATION WALLS, FRAMED WALLS, EXTERIOR FACADE MATERIAL, OR ANY ADDITIONAL BUILDING MATERIALS & LABOR.

MISC.

RAILINGS:
INTERIOR AND EXTERIOR RAILINGS ARE FOR REFERENCE ONLY. CONTACT BUILDER FOR RAILING SPECIFICATIONS AND RAIL/SPINDLE DESIGN AND PLACEMENT.

HORIZONTAL RAILING TO BE LOCATED AT LEAST 36" ABOVE TOP OF SURFACE (DECKING OR FINISHED FLOOR). RAILING MUST WITHSTAND 200 LB LOAD IN ANY DIRECTION. RAILING TO BE INSTALLED TO PREVENT PASSAGE OF OBJECTS OVER 4" DIA.

WALLS

SQUASH BLOCKING & STUD COLUMNS BELOW POINT LOADS ARE TO CONTINUE AND TRANSFER LOADS DOWN TO FOUNDATION AND FOOTINGS.

ENGINEERED GLU-LAM COLUMNS, LVL STUDS COLUMNS OR METAL SUPPORT COLUMNS ARE TO BE INCLUDED UNDER ALL POINT LOADS AS REQUIRED BY CALCULATED LOADS. SOME OF THESE LOADS WILL BE SUPPLIED BY TRUSS SUPPLIER AND OR LUMBERYARD AFTER FINAL ENGINEERING IS COMPLETE ON THEIR END. IT IS THE RESPONSIBILITY OF THE GENERAL TO ACQUIRE THESE LOADS & UPDATE DESIGN 4 STYLE LLC SO FINALIZED COLUMN DESIGN CAN BE INCLUDED ON PLANS.

ANY WALL OVER 10'-1 1/8" ARE TO BE L&L STUDS OR ENGINEERED TALL WALL. EXCEPT GARAGE WALLS UP TO 12'-0" BUT VARIED WITH LOADING.

UNLESS OTHERWISE NOTED ALL MEMBERS BEARING ON WOOD MUST BE 1 1/2" MIN.

UNLESS OTHERWISE NOTED ALL MEMBERS BEARING ON CONC. OR MASONRY MUST BE 3" MIN.

ALL FRAMING FOR STUD WALLS AND PLATES IS SPF #2 UNLESS NOTED.
ALL SPACING ON EXTERIOR WALLS IS 16" O.C. UNLESS NOTED.
ALL SPACING ON INTERIOR WALLS IS 16" O.C. UNLESS NOTED.
STUDS SHOULD NOT BE NOTCHED MORE THAN 1/3 OF DEPTH.

WOOD FRAMED WALLS MUST COMPLY WITH WI DEPT OF COMMERCE, CHAPTER 21 COMM TABLE 21.25-A

DIMENSIONS MEASURE TO EXTERIOR OF SHEATHING ON EXTERIOR SIDE OF WALLS AND INTERIOR SIDE OF EXTERIOR STUD ON INTERIOR SIDE. ALL INTERIOR STUDS MEASURE TO THE ROUGH STUD

FRAMER TO INCLUDE BACKERS FOR CROWN MOLDING, WALL PANELING, DECORATIVE BEAMS/TRUSSES AND VERTICAL SIDING IF APPLICABLE.

FIRE BLOCKING:
INCLUDE FIRE BLOCKING @ FLOOR LEVELS, CONNECTIONS BETWEEN CONCEALED VERTICAL & HORIZONTAL SPACES, AT TOP & BOTTOM OF STAIRWAY STRINGERS

HEADERS

REFERENCE FLOOR PLANS FOR HEADER HEIGHTS

ALL HEADER ON EXTERIOR WALLS OR LOAD BEARING WALLS ARE NOTED ON PLAN. ALL HEADERS ARE DROPPED UNLESS NOTED OTHERWISE.

DOUBLE SHOULDER STUDS FOR HEADERS OVER 6' WIDE IN BEARING WALLS.

DOUBLE SHOULDER STUD FOR HEADERS OVER 6' WIDE.

ALL INTERIOR OPENINGS THAT HAVE DROPPED HEADERS ARE TO MATCH HEIGHT OF INTERIOR DOORS. ALL OPENINGS TO HAVE DRYWALL FINISH UNLESS NOTED TO BE CASED.

BUILDER MUST FOLLOW ALL INSTALLATION INSTRUCTIONS PROVIDED BY I-JOIST, LVL, FLOOR TRUSS, TALL WALL OR ROOF TRUSS MFG. REFER TO PRODUCT INSTALLATION GUIDE FOR ALL CONNECTION DETAILS.

ALL HOLES IN HANGERS, ANGLES, BRACKETS, CLIPS, AND TIE DOWNS MUST BE FILLED WITH THE APPROPRIATE FASTENERS PER THE MANUFACTURERS SPECS.

DECAY-RESISTANT MATERIAL

IF THIS PROJECT IS BEING BUILT IN AN AREA WHERE INSECTS SUCH AS TERMITES, BEETLES, OR CARPENTER ANTS ARE KNOWN TO EXIST, BUYER IS RESPONSIBLE TO DETERMINE IF ANY PROTECTIVE MEASURES ARE NEEDED AGAINST SUCH INSECTS.

NO RESPONSIBILITY WILL BE ASSUMED BY DESIGN 4 STYLE LLC FOR VARYING OR UNUSUAL SOIL CONDITIONS AFFECTING FOUNDATION DESIGN. OWNER OR BUILDER TO VERIFY SOIL BEARING CAPACITY AND GRADES AND SHALL INSTALL FOUNDATION IN COMPLIANCE WITH ALL GOVERNING CODES AND ORDINANCES.

ALL UNTREATED WOOD PRODUCTS MUST MAINTAIN A 8" MINIMUM ABOVE GRADE. EXCEPT SIDING MUST MAINTAIN A 6" MINIMUM ABOVE GRADE.

ALL P.T. MATERIAL SPECIFIED ON PLAN IS:
4X4 SYP #2 & BTR .4
6X6 SYP #2 & BTR .6

2X10 SYP #1 & BTR
2X12 SYP #1 & BTR

DECAY RESISTANT WOOD MUST BE USED ON ANY JOISTS LESS THAN 18" FROM EARTH. GIRDERS LESS THAN 12" FROM EARTH.
SILL LESS THAN 8" FROM EARTH.

JOISTS SHALL NOT BE LESS THAN 18" FROM EARTH UNLESS PREVENTIVE DECAY MEASURES ARE TAKEN.

GIRDERS SHALL NOT BE LESS THAN 12" FROM EARTH UNLESS PRESERVATIVE DECAY MEASURES ARE TAKEN.

IF GRADE DROPS BELOW 8" OF THE TOP OF FOUNDATION, THE MASON IS TO PROVIDE FURRING STRIPS IN THE EXTERIOR SIDE OF THE FOUNDATION WALL FOR SIDING ATTACHMENT.

ROOF

ROOF FRAMING MEMBERS & TRUSS MATERIAL IS MADE FROM ENGINEERED GRADED LUMBER.

ROOF FRAMING MEMBERS SPANNING MORE THAN 6' MEASURED FROM THE OUTERMOST EDGE OF THE ROOF SHALL BE PERMANENTLY FASTENED TO THE TOP PLATE OF LOAD BEARING WALLS USING ENGENDERED CLIPS, STRAPS OR HANGERS.

ALL ROOF TRUSSES ARE TO BEAR ON EXTERIOR WALLS. (UNLESS NOTED)

TRUSS MEMBERS SHALL NOT BE CUT, BORED OR NOTCHED ONLY IF NOTCHING OR BORING OF ENGENDERED WOOD PRODUCTS SHALL BE DONE IN ACCORDANCE WITH THE MANUFACTURERs INSTRUCTIONS PROVIDED THOSE INSTRUCTIONS WERE DEVELOPED THROUGH STRUCTURAL ANALYSIS OR PRODUCT TESTING.

BUILDER TO FOLLOW TRUSS MANUFACTURERs TRUSS LAYOUT AND SPECIFICATIONS.

IF HEEL HEIGHT VARIES FROM THE ARCHITECTURAL PLANS, IT IS THE RESPONSIBILITY OF THE TRUSS MFG TO CONTACT DESIGN 4 STYLE LLC SO ANY ACCOMMODATIONS CAN BE MADE IN WINDOW SIZES OR ANY OTHER BUILDING MATERIALS & LABOR AFFECTED BY THIS CHANGE.

COVER ALL ROOF SHEATHING AS SOON AS POSSIBLE WITH ROOFING FELT OR SINGLE UNDERLAYMENT FOR PROTECTION AGAINST EXCESSIVE MOISTURE PRIOR TO ROOFING APPLICATION.

ANY GABLE ROOF OVERHANG OF MORE THAN 12" SHALL BE PROVIDED WITH LADDERS WHICH EXTEND INTO THE STRUCTURE MINIMAL DOUBLE THE DISTANCE OF THE OVERHANG.
THE LADDERS SHALL BE FASTENED AT THE WALL.
THE INTERIOR END OF EACH LADDER SHALL BE ATTACHED TO A RAFTER OR TRUSS WITH A HANGER. THE TOP CHORD OF THE TRUSS IS DROPPED FOR THIS EXTENSION BACK INTO ROOF.

MASONRY

COLD WEATHER WORK: WHEN AMBIENT AIR TEMPERATURE IS BELOW 40 DEG., F. THE COLD WEATHER CONSTRUCTION PROCEDURES UNDER ACI 530.1 SHALL BE FOLLOWED.

CORBELS ARE NOT TO EXCEED 1" AND SHALL BE CONSTRUCTED IN ACCORDANCE WITH ACI .30

TYPES OF MORTAR FOR VARIOUS KINDS OF MASONRY MUST FOLLOW WI DEPT OF COMMERCE, CHAPTER 21 COMM, TABLE 21.26-A

MASONRY OR BRICK VENEER SHALL BE ABOVE ABOVE FINAL EXTERIOR GRADE UNLESS THERE IS THROUGH-WALL FLASHING AT GRADE OR WITHIN 2 COURSES ABOVE GRADE.

VENEERS SHALL BE ANCHORED OR ADHERED IN ACCORDANCE WITH ACI 530 & ACI530.1

ANY WOOD FRAMED WALL WHERE BRICK IS LOCATED, A MIN. 1" AIRSPACE SHALL BE PROVIDED BETWEEN BRICK AND THE WALL SHEATHING UNLESS A MANUFACTURER OFFSET MATERIAL IS USED. ALSO, INSTALL 1 LAYER TAR PAPER AND 1 LAYER TYVEK OVER THE SHEATHING. (TYP.)

VENEER FLASHING SHALL CONSIST OF MATERIALS THAT ARE DURABLE AND PERMANENTLY UV-RESISTANT. FLASHING SHALL BE INSTALLED AT THE BOTTOM OF VENEER AND SHALL EXTEND OVER THE TOP OF THE FOUNDATION AND UP AT LEAST 8" AND BE EMBEDDED IN THE BACKING COURSE.

WEEPHOLES SHALL BE 3/8" MIN. DIA., LOCATED EVERY 2' AND NOT BE PLACED BELOW FINAL GRADE.

1 CORRUGATED TIE EMBEDDED 2" IN JOINT REQUIRED ON EVERY 2 SQ. FT. OF VENEER

REPRESENTS MASONRY VENEER PRODUCT (UNLESS OTHERWISE SPECIFIED)

FIREPLACE, WOOD STOVE & GENERAL CHASE

ALL REFERENCE TO WOOD STOVE, FIREPLACE FLUE, HEARTH, CHIMNEY AND FOOTINGS FOR FIREPLACE ARE FOR SUGGESTED LOCATIONS ONLY, THE CONTRACTOR MUST MAKE SURE THAT WOOD STOVE, FIREPLACE STRUCTURE MEET OR EXCEEDS ALL APPLICABLE BUILDING CODES, NO BUILDING STRUCTURE SHALL REST ON OR BE WITHIN 2" OF WOOD STOVE, FIREPLACE STRUCTURES AND SUCH SPACE MUST BE FIRE STRIPPED WITH NON-COMBUSTIBLE MATERIALS. ALL STOVES AND PIPES MUST BE INSTALLED IN COMPLIANCE WITH MANUFACTURES SPECIFICATIONS.

DUE TO ANY DEVIATION OF THE PLANS, ALL CHIMNEY CHASES SHALL BE FRAMED 2' ABOVE ANY ROOF OR WALL WITHIN 10' OF THE TOP OF THE CHASE OR 3' ABOVE ADJACENT RIDGE LINE.

ANYTIME FIREPLACE IS WOOD BURNING, THE ENTIRE CHIMNEY CHASE MUST BE INSULATED TO PEAK TO PREVENT CONDENSATION AND BACKDRAFTS.

BUILDER SHALL BE RESPONSIBLE FOR PROPER INSTALLATION OF PROPER METAL FLASHING MATERIALS IN ALL LOCATIONS THAT REQUIRE THIS MATERIAL.

BUILDER TO VENT DRYER AND RANGE EXHAUST TO EXTERIOR.

ABBREVIATIONS

A.B.	ANCHOR BOLT	H.D.	HIGH DENSITY
AFF	ABOVE FINISH FLOOR	INSUL.	INSULATION
APPROX.	APPROXIMATELY	L.B.W.	LOAD BEARING WALL
BTR	BETTER	MFG	MANUFACTURER
CAB	CABINET	MIN.	MINIMAL
CANT'ED	CANTILEVER	O.C.	ON CENTER
CATH	CATHEDRAL	O.H.	OVERHEAD
CM	CEILING MOUNT	P.T.	PRESSURE TREATED
CV	CENTRAL VAC OUTLET	REQ'D	REQUIRED
CONC.	CONCRETE	R.O.	ROUGH OPENING
CONV.	CONVENTIONAL	R.S.	ROUGH SAWN
DB	DOORBELL	SH & PL	SHELF AND POLE
DIA.	DIAMETER	SQ	SQUARE
DIM	DIMMER	T.B.	TOWEL BAR
DF	DOUGLAS FIR	TEMP	TEMPERED GLASS
DRWRS	DRAWERS	T.P.	TOILET PAPER HOLDER
DW	DISHWASHER	T.R.	TOWEL RING
EXT.	EXTERIOR	TYP.	TYPICAL
F.G.	FIBERGLASS	V	VOLT
FND	FOUNDATION	VAN.	VANITY
FTG	FOOTING	V.B.	VAPOR BARRIER
G.B.	GRAB BAR	WD	WOOD
G.D.	GARBAGE DISPOSAL	WM	WALL MOUNT

BRACED WALL ENGINEERING

IF A TALL WALL IS CALLED OUT ON THE PLANS, IT IS THE RESPONSIBILITY OF THE TALL WALL SUPPLIER TO DESIGN THAT SECTION OF TALL WALL SECTION FOR BRACED WALL ENGINEERING.

24 CS WSP — NUMBER REPRESENTS: BRACING LENGTH

CS WSP REPRESENTS:
CONTINUOUS SHEATHED WOOD STRUCTURAL PANEL

MIN. BRACED MATERIAL THICKNESS OR SIZE:
3/8" FOR MAX. 16" O.C. STUD SPACING
7/16" FOR MAX. 24" O.C. STUD SPACING.

MIN. FASTENERS:
6d COMMON NAIL OR 8d BOX NAIL (2 1/2" LONG X 0.113" DIA.)
OR 7/16" CROWN 16 GAGE STAPLES, 1 1/4" LONG

MAX. SPACING: 6" EDGES, 12" FIELD (NAILS) 3" EDGES, 8" FIELD (STAPLES)

24 PF — NUMBER REPRESENTS: BRACING LENGTH

PF REPRESENTS:
FIELD PORTAL

MIN. BRACED MATERIAL THICKNESS OR SIZE:
7/16"

MIN. FASTENERS:
FASTEN SHEATHING TO HEADER WITH 8d COMMON OR GALVANIZED BOX NAILS IN 3" GRID PATTERN

HEADER TO JACK-STUD STRAP ON BOTH SIDES OF OPENING OPPOSITE SIDE OF SHEATHING: STRAP CAPACITY SHALL EQUAL 1,000 LBS OR 4,000 LBS. WHEN PONY WALLS PRESENT.

MIN. DBL STUD FRAMING COVERED WITH MIN. 7/16" WOOD STRUCTURAL PANEL SHEATHING WITH 8d COMMON OR GALVANIZED BOX NAILS AT 3" O.C. IN ALL FRAMING (STUDS, BLOCKING AND SILLS) TYP.

MAX. SPACING: 6" EDGES, 12" FIELD (NAILS) 3" EDGES, 6" FIELD (STAPLES)

36 GB — NUMBER REPRESENTS: BRACING LENGTH

GB REPRESENTS:
GYPSUM BOARD (INSTALLED BOTH SIDES OF WALL)

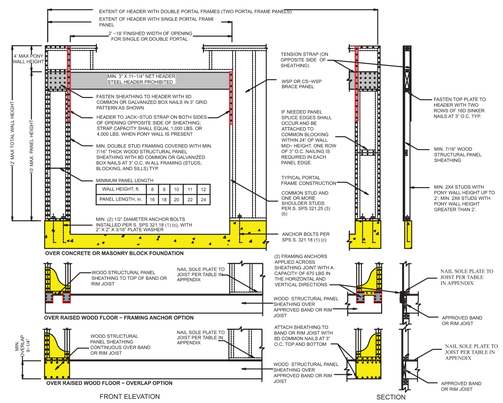
MIN. BRACED MATERIAL THICKNESS OR SIZE:
1/2" FOR MAXIMUM 24" O.C. STUD SPACING

MIN. FASTENERS:
8d COOLER NAILS, OR #6 SCREWS

Published under s. 35.93, Wis. Stats., by the Legislative Reference Bureau.

Figure 321.25–A

METHOD PF – PORTAL FRAME BRACE CONSTRUCTION



Note: Steel headers are permitted if designed by structural analysis.

Note: As shown in the above cross–section, 1/2–inch gypsum wallboard is not required on the interior side of the wall.

(c) *Bracing amount.* Bracing methods and materials complying with Table 321.25–G shall be applied to walls in accordance with all of the following requirements:

1. For the purpose of determining bracing amounts, the outermost extents of the building plan at each floor level shall be circumscribed with a rectangle to define the overall length of each building side as shown in Figure 321.25–B.
2. In no case may the amount of bracing be less than two braced wall panels on walls parallel to each rectangle side for each floor level of the building.
3. Where used, the number of intermittent brace panels applied to walls parallel to each rectangle side shall comply with Table 321.25–I.
4. Where used, the total length of continuous sheathed brace panels applied to walls parallel to each building side shall comply with Table 321.25–J.
5. The location of brace panels applied to walls parallel to each building side shall comply with Figure 321.25–C.
6. Balloon–frame walls may be no longer than 21 feet and shall have a maximum height of two floors unless constructed in accordance with an approved design. Wall framing shall be continuous from the lowest floor to the wall top plate at the roof. All edges of sheathing shall be supported on and fastened to blocking or framing. Braced wall panels may not be required on the balloon–frame wall portion provided the bracing amount and brace spacing requirement are satisfied for the building side. Where brace panels are located on the balloon–frame wall portion, they shall have a height–to–width ratio of not more than 2.5:1.
7. For a gable end wall, if the brace–panel height does not exceed 12 feet at the highest portion and if the 12½–foot and 21–foot spacing requirements in Figure 321.25–C are met, the wall is adequately braced. Where a brace panel exceeds 12 feet in height, it shall have a height–to–width ratio of not more than 2.5:1, and comply with Figure 21.25–C.

Published under s. 35.93, Stats. Updated on the first day of each month. Entire code is always current. The Register date on each page is the date the chapter was last published. Report errors (608) 266–3151. Register September 2014 No. 705

1ST FLOOR	2400 SQ. FT.
2ND FLOOR	1839 SQ. FT.
TOTAL	4239 SQ. FT.
COVERED PORCH:	600 SQ. FT.

FINAL CONSTRUCTION PLANS

2023 COPYRIGHT
DESIGN 4 STYLE, LLC

Design 4 Style ARCHITECTURE
DREAM • DESIGN • DEVELOP
P: 262.483.6845
E: LISA@DESIGN4STYLE.COM
P: 920.607.2681
E: NATE@DESIGN4STYLE.COM

NOTICE TO CONTRACTORS & SUPPLIERS
ALTHOUGH EVERY EFFORT HAS BEEN MADE IN PREPARING THESE PLANS AND CHECKING THEM FOR ACCURACY, IT IS THE RESPONSIBILITY OF THE GENERAL CONTRACTOR, SUBCONTRACTOR OR SUPPLIER TO CONTACT GENERAL CONTRACTOR OR OWNER IF THERE ARE ANY CONCERNS OR DISCREPANCIES DURING THE CONSTRUCTION OF THESE PLANS.

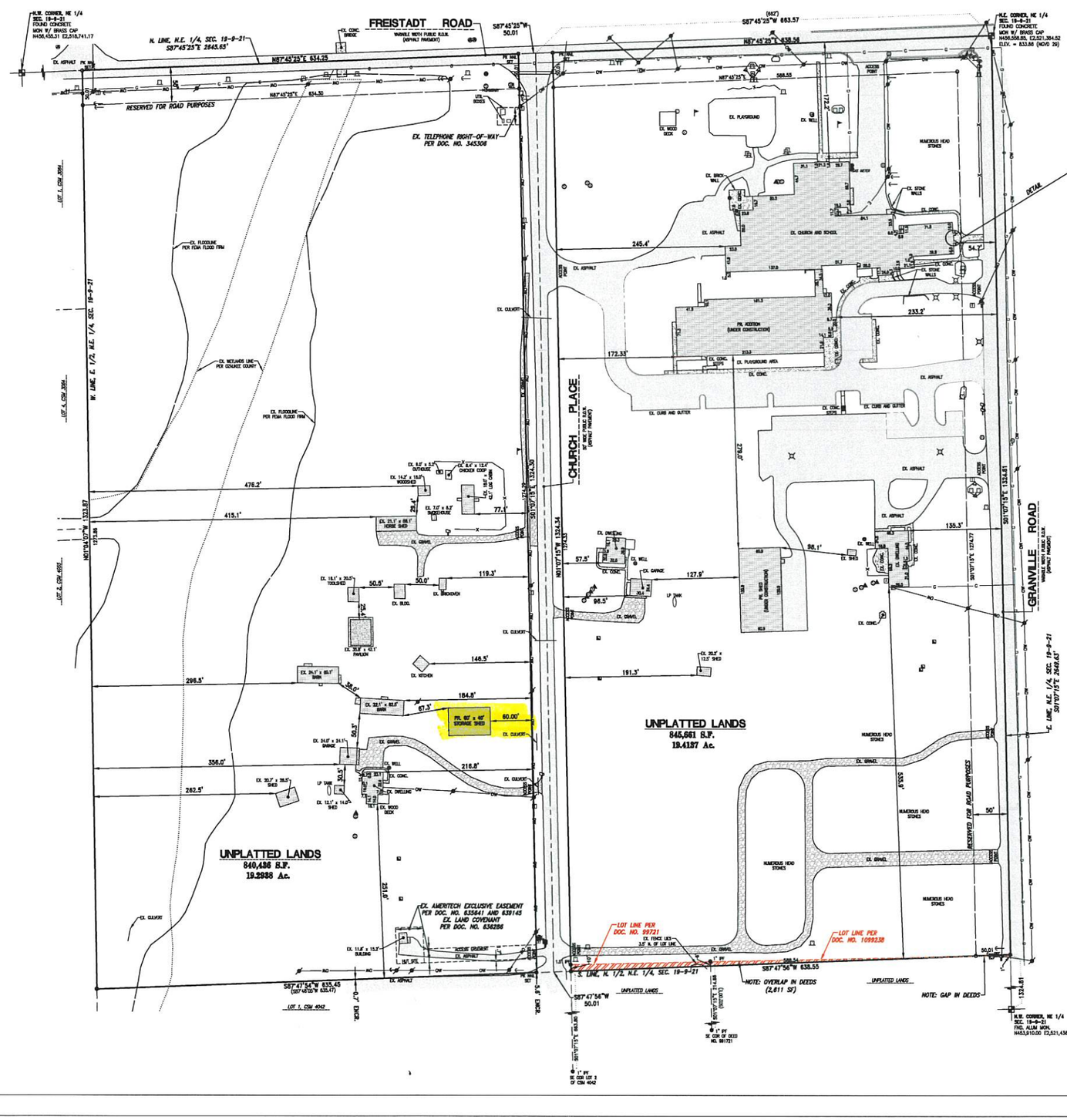
FINAL PLANS: 4.26.24
REV. FINAL PLANS: 5.13.24
REV. FINAL PLANS: 5.16.24

FUTURE OUTBUILDING OF: (BUYER)
BOB OVERMIER-TRINITY FREISTADT HISTORICAL SOCIETY
ADDRESS:
10729 WEST FREISTADT ROAD
MEQUON, WI 53097

PAGE
9 OF 9

Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)

PLAT OF SURVEY



LEGAL DESCRIPTION:

The Northeast One-quarter (1/4) of the Northeast One-quarter (1/4) of Section Nineteen (19), in Township Nine (9) North, Range Twenty-one (21) East, in the City of Mequon, County of Ozaukee, State of Wisconsin, excepting therefrom those lands conveyed to the City of Mequon for highway purposes by instruments recorded in the Register of Deeds office for Ozaukee County on January 27, 1950 in Volume 7 of Miscellaneous at Page 635, as Document No. 100222 and on October 19, 1993 in Volume 850 of Records at Page 204, as Document No. 503013.

Tax Key No: 14-019-01-001.00
Address: 10729 West Freistadt Road, Mequon, WI 53097

NOTE:

- THE GROSS LAND AREA OF THE SUBJECT PARCEL IS 1,688,097 SQUARE FEET OF (38.7075 ACRES) MORE OR LESS.

LEGEND:

- FND. MONUMENT 3/4" REBAR (UNLESS STATED OTHERWISE)
- SET 0.75" REBAR, 18" LONG WEIGHING 1.50 LBS/LIN. FOOT (UNLESS STATED OTHERWISE)
- (662') RECORDED AS
- LIGHT POLE
- POWER POLE
- POWER POLE ANCHOR
- SIGN
- WELL
- MAIL BOX
- STORM MANHOLE
- STORM INLET
- TELEPHONE PEDESTAL
- CABLE PEDESTAL
- ELECTRIC METER
- ELECTRIC OUTLET
- BOLLARD
- CONCRETE LID
- SEPTIC VENT
- PVC PIPE ON MOUND
- FIBER-OPTIC MARKER
- GAS METER
- GAS VALVE
- AIR CONDITIONER
- FENCE LINE
- GAS LINE

SURVEYOR'S CERTIFICATE:

STATE OF WISCONSIN } ss
WAUKESHA COUNTY }

I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THE MAP HEREON 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, FENCES, APPARENT EASEMENTS, AND 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 TITLE THERETO WITHIN ONE YEAR FROM THE DATE HEREOF.

DATED THIS 23th DAY OF MAY 20 24.

TED R. INDERMUEHLE, P.L.S. (S-3119)

WISCONSIN TED R. INDERMUEHLE S-3119 BROOKFIELD, WI LAND SURVEYOR

TRIO ENGINEERING, LLC
4100 N. CALHOUN RD. SUITE 200
BROOKFIELD, WI 53005
PHONE: (262) 790-1480
EMAIL: theteamwithtrio@trioeng.com

PROJECT:
TRINITY LUTHERAN CHURCH OF FREISTADT
CITY OF MEQUON, WISCONSIN

PREPARED FOR:
TRINITY FREISTADT HISTORICAL SOCIETH
N144 W22531 PIONEER ROAD
GERMANTOWN, WI 53022-1004

REVISION HISTORY	
DATE	DESCRIPTION

DATE: MAY 24, 2024

JOB NUMBER: 22-044-1092-01

DESCRIPTION: PLAT OF SURVEY

SHEET 1 OF 1

Attachment: Packet Docs_Trinity (9475 : Trinity Lutheran Church)

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

TO: **Planning Commission**

FROM: **EVAN HOIER, ASSOCIATE PLANNER**

DATE: **June 24, 2024**

SUBJECT: **Point Real Estate for Orchards of Mukwonago, LLC. The applicant is seeking preliminary plat, development agreement and fill permit approval to allow for a 17-lot subdivision for the property located on the north side of Donges Bay Road approximately 800' west of Wauwatosa Road. (Burr Oak Reserve).**

Applicant:	Point Real Estate
Status of Applicant:	Agent
Requested:	Preliminary Plat Development Agreement Fill Permit
Existing Use:	Vacant
Existing Zoning:	R-3 (Residential 1-Acre) TDR PUD (Planned Unit Development)
Lot size:	12.03 Acres
Location:	North side of Donges Bay Road Approximately 800’ west of Wauwatosa Road
Tax Key Number:	#14-028-16-014.00
District:	#4

Background:
The applicant is seeking preliminary plat and development agreement approval for a 17-lot subdivision located on 12.03 acres of land on Donges Bay Road approximately 700 feet west of Wauwatosa Road. The plat results in a density of one (1) unit per 1.41 acres and utilizes five available TDR credits. A concept plan for the subdivision was approved by the Planning Commission on May 23rd, 2022.

Preliminary Plat:
The attached preliminary plat for the proposed 17-lot development is consistent with the concept plan approved by Planning Commission. The preliminary plat incorporates the zoning changes that were required as part of the rezoning and concept plan approval including the following:

- Open space buffer on the west side of lots 2 and 3 of 30 feet.
- Bike/Ped path.
- Extension of sidewalk to the crosswalk on Donges Bay Road.

The preliminary plat shows 17 lots on two curvilinear streets, one continuing North Coneflower Drive south from the Enclave subdivision and the other creating a cul-de-sac on the west side of the Coneflower Drive extension. There is an open space buffer of a total of 30 feet on the west side of Lots 2 and 3, 30 feet on the east side of Lots 13, 14, and 15, and 30 feet on the north side of Lots 5, 6, and 7. The sizes of the proposed lots changed slightly, with the minimum lot size increasing and the maximum lot size decreasing. However, staff believes that these changes are not significant enough to warrant noncompliance with the approved concept plan.

Development Agreement:
Please see attached draft development agreement which Orchards of Mukwonago LLC drafted from a template provided by Planning and Engineering staff to address the necessary improvements for the development. The draft agreement provides for the construction of two (2) model dwellings prior to the approval and recording of the final plat. The developer may not transfer title to any lot containing a model or spec home until the final plat is approved and recorded. The developer must also submit a street tree plan, a landscaping plan, a signage plan, and an open space plan. These will be used to ensure compliance with City ordinances and the approved concept plan for the development.

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

The developer is required to connect for access on the north side of the site at North Coneflower Drive and on West Donges Bay Road on the south side of the site. A crosswalk is shown on West Donges Bay Road which is desirable and should be connected to the off-road path on the south side of the road. The connection with West Donges Bay Road is subject to the Standard Specifications for Land Development requirements for acceleration-deceleration lanes and a bypass lane. The preliminary plat accurately represents the islands at the entrance and cul-de-sac within outlots. The right-of-way for the new street will be dedicated with the final plat and is subject to Common Council approval.

The oak tree at the connection with the Enclave subdivision is shown to be preserved as a specimen tree by adjusting the street and right-of-way alignment around the tree. The tree was originally indicated as a specimen tree when the subdivision concept plan was approved, but has since, according to City forester Mike Gies, been determined to no longer be classified as a specimen tree based on the tree's health. The street, sidewalk, and right of way shall continue straight south from the Enclave V without curving to avoid the tree location.

Sidewalk is proposed through the site including connection to West Donges Bay Road, North Coneflower Drive, and to a trail to the gas main easement on the northwest corner of the site.

Wetlands are shown on the site. The delineation report by an assured delineator was submitted with the application. The wetland protective areas are shown on the preliminary plat.

Storm water management facilities are shown on the concept plan. A storm water management plan will be required and is subject to City and MMSD approval. The City requires a drainage financial guarantee and storm water maintenance and easement agreement in accordance with City ordinance Sec. 58-677 for storm water improvements.

The development will be served by municipal sanitary sewer and water. The site is within the City's sewer service area and is required to connect to the utility. The public sanitary sewer design must adhere to the depth as sizes as identified in the master plan for the Central Growth area. The developer is required to extend the water main along the frontage of the property and adhere to the Water Connection Policy.

Please note that the preliminary plat approval was conditioned upon utility improvements required to serve beyond the development itself. Those conditions are duplicated for this approval and written in as amendments to the template development agreement.

As a condition of the rezoning, City reserves the option to require a sanitary sewer lateral easement between proposed Lots 3 and 4 to allow access for 8000 West Donges Bay Road and between proposed Lots 4 and 5 to allow access for 8010 West Donges Bay Road to the property line.

All easement declaration documents are subject to review and approval by the City Attorney.

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

The application includes a minor request for fill or excavation greater than 1,000 cubic yards. The developer will be required to obtain grading plan approval with the civil plan review.

Staff Recommendation:
Staff recommends **approval** of the preliminary plat and development agreement subject to the following conditions:

1. The Developer shall provide the City with all letters of credit required in the Development Agreement prior to Final Plat approval.
2. The preliminary plat approval will not go into effect until the relinquishment of 5 TDR credits to the City of Mequon takes place.
3. Tree protection measures shall be installed prior to construction in accordance with the City Forester's recommendations.
4. All lots shall maintain a minimum lot size of 14,374.8 feet (0.33 acres). All buildings shall maintain a minimum building setback of 30', a minimum 15' offset from a side lot line, and 20' offset from a rear lot line.
5. Common Council approval of the Development Agreement.
6. Pedestrian and bike paths and the necessary easements shall be required in accordance with the approved concept plan. All pedestrian trails shall be located in an outlot with a minimum width of 10 feet. Bike/Ped paths shall be construction in accordance with the WisDOT Bike Path Facilities Handbook and shall be maintained by the Developer and subsequently the HOA.
7. The development shall comply with preliminary plat, development agreement, and final plat requirements.
8. Street trees are subject to the approval of the Tree Board and Planning Commission.

9. Street lighting, if proposed, is subject to the approval of Planning staff.
10. Entryway signage and landscaping is subject to the approval of Planning staff.
11. All residential buildings shall comply with the Architectural Board's publication titled "Guidelines for Residential Buildings", unless deviations are approved by the Planning Commission, and are subject to the Architectural Review Board's approval.
12. No less than 50% of residential buildings shall present a side loading garage, a courtyard garage entry, or a 15 degree turned garage entry.
13. The road name Coneflower Court currently exists. The Final Plat shall include an updated street name.
14. The development agreement is subject to Common Council approval and City Attorney review.
15. Engineering Division review and approval of the individual grading, drainage, erosion control, water distribution and sanitary sewer plans in conformance to City ordinances and the Standard Specifications for Land Development (SSLD).
16. The street, sidewalk, and right of way shall continue straight south from the Enclave V without curving to avoid the burr oak tree location similar to the concept site plan dated 1/27/2022.
17. Submittal of an updated sanitary sewer flow allocation document for submittal to MMSD.
18. Extension of the sidewalk to crosswalk on West Donges Bay Road and connection to the existing path on the south side of West Donges Bay Road.
19. The development shall connect to public water and sewer with road reparations where existing pavement is impacted as defined by the SSLD.
20. Water main shall be extended along the frontage of the property. Upsized water main and a looped connection to the North Wauwatosa Road and West Donges Bay Road intersection is required. Construction and reimbursement terms for upsizing and the loop are defined through the development agreement and water services agreement. Water connection and extension shall conform to the Mequon Water Connection Policy
21. Sanitary sewer upsizing and minimum depth is required where the sanitary sewer system plan indicates. Construction and reimbursement terms for upsizing are defined in the development agreement and the Mequon Code of Ordinances.
22. Sanitary sewer lateral easements between proposed Lots 3 and 4 and Lots 4 and 5 to the property line. All easement declaration documents are subject to review and approval by the City Attorney.
23. Where wetland fill is proposed, evidence WDNR permitting shall be provided prior to civil plan approval.
24. 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 Management Maintenance and Easement Agreement with maintenance provisions for all proposed Best Management Practices (BMPs). Where applicable, the agreement should include maintenance of yard drains and sump pump discharge.
25. 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

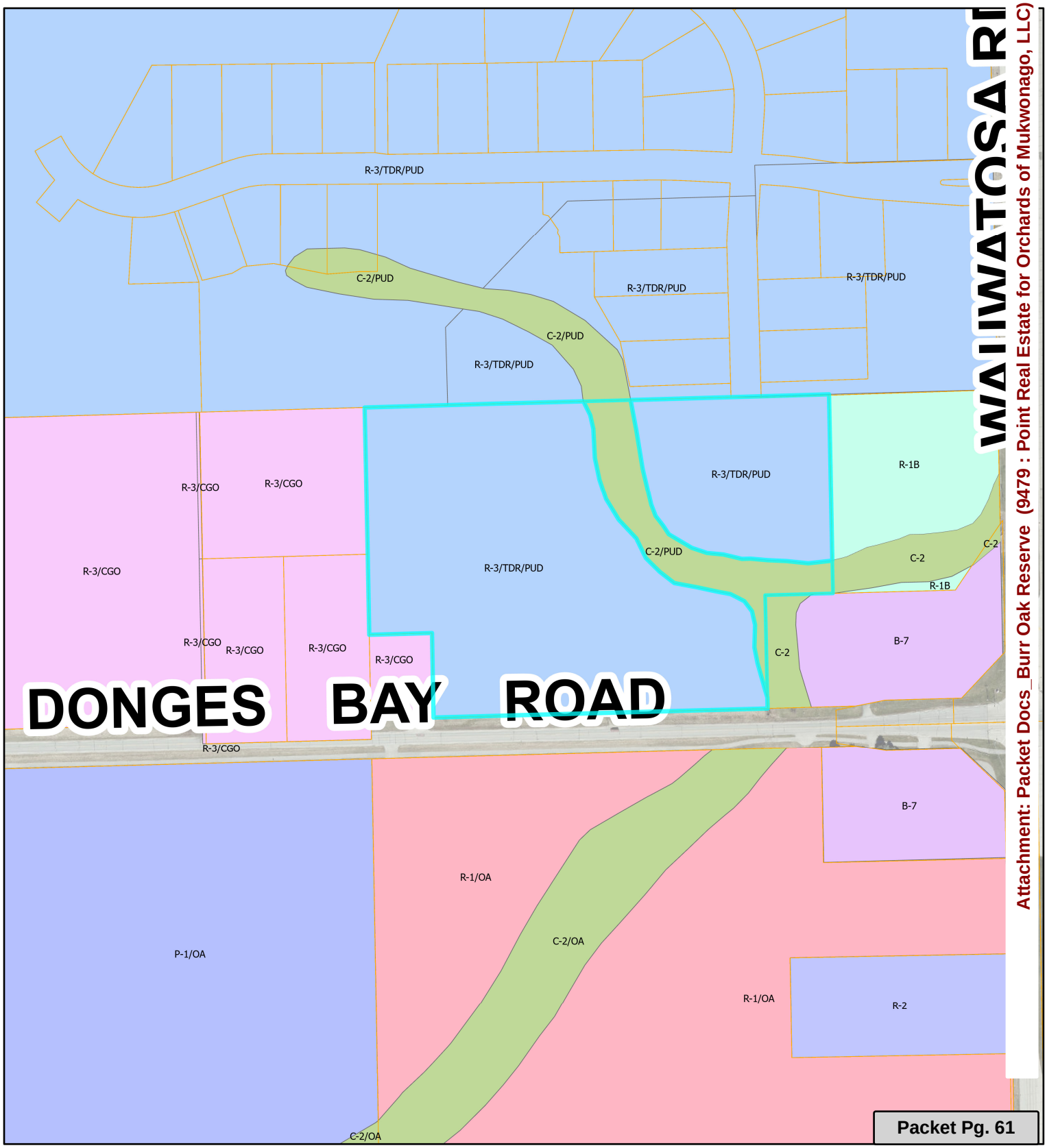
storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).

26. Application for and approval of a City Filling and Excavation Permit, including the street wear bond as defined by the development agreement. The permit is required prior to any site work.
27. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit. The permit is required prior to any site work.

Attachments:
Packet Docs_Burr Oak Reserve (PDF)

BURR OAK RESERVE

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



Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

THESE PLANS AND DESIGNS ARE COPYRIGHT PROTECTED AND MAY NOT BE USED IN WHOLE OR IN PART WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP, LLC

PRELIMINARY PLAT OF
BURR OAK RESERVE

Being Lot 2 of **CERTIFIED SURVEY MAP NO. 3952**, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 9 North, Range 21 East, City of Mequon, Ozaukee County, Wisconsin.

LOT 2
C.S.M. NO. 3723
TAX KEY #
14-028-15-015.00
OWNER: MEQUON I LLC
ZONED: R-3/TDR/PUD

LOT 69
THE ENCLAVE AT MEQUON
PRESERVE V

LOT 66
THE ENCLAVE AT MEQUON
PRESERVE V

ZONED: R-3/TDR/PUD

LOT 68
THE ENCLAVE AT MEQUON
PRESERVE V

LOT 67
THE ENCLAVE AT MEQUON
PRESERVE V

NORTH CONEFLOWER DRIVE
(60' PUBLIC R.O.W.)

EXISTING BUILDING

INLET
RIM=724.58
12" S=721.38
8" W=721.98

INLET
RIM=724.34
15" E=720.99
12" N=721.12

SANITARY MANHOLE
RIM=724.87
8" N=715.79

INLET
RIM=724.48
8" E=721.83
12" S=721.38

INLET
RIM=724.40
12" N=721.25
18" SE=720.68
15" W=721.00

STORM MANHOLE
RIM=723.92
18" NW=720.47
18" E=720.37

CATCH BASIN
RIM=715.49

ASPHALT PAVEMENT

TREE LINE

TAX KEY #
14-210-0000.018
OWNER: MEQUON I LLC

ZONED: R-3/CGO
OUTLOT 18
THE ENCLAVE AT MEQUON
PRESERVE IV

WETLANDS DELINEATED BY
WETLAND & WATERWAY
CONSULTING, LLC.
OCTOBER 22, 2021
23,146 SQ.FT.
0.53 ACRES

((R) N88°23'08"E)
N88°23'06"E 925.97'

ZONED: C-2/PUD

OUTLOT 2
67,569 SF

MILWAUKEE GAS LIGHT
COMPANY PIPE LINE
EASEMENT PER DOC. 148293
AS REFERENCED BY C.S.M.
NO. 3723

PROPOSED TRAIL

PROPOSED
15' X 15'
DRAINAGE
EASEMENT

PROPOSED 10'
WETLAND BUFFER

SITE BENCHMARK:
UPPER NW FLANGE
BOLT HYDRANT
EL.=725.32

NORTH

GRAPHICAL SCALE (FEET)
0 1" = 50' 100'

Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1983/2011). The south line of the Southeast 1/4 of Section 28, Township 9 North, Range 21 East has a bearing of S88°26'40"W.

ZONED: R-3/CGO
UNPLATTED LANDS
TAX KEY #
14-028-15-012.00
OWNER: MUELLER

PROPOSED 20'
SANITARY SEWER
LATERAL EASEMENT

453.20'
((R) N01°10'03"W)
N01°10'05"W

OUTLOT 3
2,923 SF

LOT 2
C.S.M. NO. 3952
524,152 SQ. FT.
12.0329 ACRES

PROPOSED
STORM
SEWER
EASEMENT

S01°07'51"E 397.19'
((R) S01°07'49E)
((R) SOUTH)

LOT 1
C.S.M. NO. 2515
TAX KEY #
14-028-16-008.00
OWNER: HELGELAND
ZONED: R-1B

PROPOSED 30' OPEN
SPACE BUFFER
EASEMENT

TREE LINE

30' DRAINAGE
EASEMENT

SEPTIC MOUND

EXISTING BUILDING

SEPTIC COVER
AND VENTS

OPEN SPACE
BUFFER
EASEMENT

S88°26'40"W 125.00'
((R) S88°26'42"W)

LOT CORNER
FALLS IN TREE

168.00'
((R) N01°10'03"W)
N01°10'05"W

ZONED: R-3/CGO
UNPLATTED LANDS
TAX KEY #
14-028-15-011.00
OWNER: KARK

ZONED: R-3/CGO
TAX KEY #
14-028-16-005.00

PARCEL 1
C.S.M. NO. 1094
OWNER: WISCONSIN
GAS LLC

GRAVEL

PROPOSED
20' STORM
SEWER
EASEMENT

6' WISCONSIN ELECTRIC
POWER COMPANY
EASEMENT PER DOC. 496248

1,181 SF
OUTLOT 1

OUTLOT 2
67,569 SF

PROPOSED 15' X 15'
VISION CORNER
EASEMENT

S88°26'40"W 665.57'
((R) S88°26'42"W)

FIELD
ENTRANCE

EXISTING RIGHT-OF-WAY LINE

12" BURIED
CULVERT

DRIVE OPENING

ASPHALT PAVEMENT

S88°26'40"W 2653.99'
SOUTH LINE OF THE SE 1/4 SEC. 28, T9N, R21E
((R) S88°26'42"W)

SW CORNER, SE 1/4
SEC. 28, T9N, R21E
(FOUND CONC. MON. W/ BRASS CAP)
N=446,253.70; E=2,498,018.70
(WISCONSIN STATE PLANE CO-
ORDINATE SYSTEM, SOUTH ZONE)

ASPHALT PATH

WEST DONGES BAY ROAD
(VARIABLE PUBLIC R.O.W.)

EXISTING RIGHT-OF-WAY LINE

OUTLOT 4
61,201 SF

PROPOSED 10'
WETLAND BUFFER

PROPOSED 20' STORM
SEWER EASEMENT

S01°07'51"E 224.99'
((R) S01°07'49E)

ASPHALT

LOT 1
C.S.M. NO. 3952
TAX KEY #
14-028-16-013.00
OWNER: BUZDUM TRUST
ZONED: B-7

S88°26'40"W 134.99'
((R) S88°26'42"W)

ZONED: C-2

20' X 28' CULVERT
BURIED

42" CULVERT
INV.=710.87

DRIVE OPENING

P.O.B.
RIPRAP

N01°07'51"W 40.00'

336.95'

30" CULVERT
INV.=711.44

CATCH BASIN
RIM=712.79
15" N=712.79

CATCH BASIN
RIM=715.86
15" E=712.11

SE CORNER, SE 1/4
SEC. 28, T9N, R21E
(FOUND CONC. MON. W/ BRASS CAP)
N=446,325.75; E=2,500,671.71
(WISCONSIN STATE PLANE CO-
ORDINATE SYSTEM, SOUTH ZONE)
REFERENCE BENCHMARK:
EL.=717.26
P.O.C.

ASPHALT PATH

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BROOKFIELD, WI 53186
(262) 754-8888
CHICAGO | MILWAUKEE : NATIONWIDE

BURR OAK RESERVE
CITY OF MEQUON

PRELIMINARY PLAT

REVISIONS

PEG JOB No. 221.00A
PEG PM
START DATE 05/14/24
SCALE 1" = 50'
DRAFTED BY: ST

SHEET 1 OF 2

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PRELIMINARY PLAT

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Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

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PRELIMINARY PLAT OF
BURR OAK RESERVE

Being Lot 2 of **CERTIFIED SURVEY MAP NO. 3952**, being a part of the Southeast 1/4 of the Southeast 1/4 of Section 28, Township 9 North, Range 21 East, City of Mequon, Ozaukee County, Wisconsin.

NOTES:

1. Tax Parcel Number: 14-028-16-014.00
2. Gross land area of the subject property is 524,152 square feet (12.0329 acres). Net land area is 447,310 square feet (10.2688 acres).
3. Subdivision contains 17 Lots and 4 Outlots.
4. Vertical Datum: North American Vertical Datum of 1988(12), (NAVD88). Contours are shown at a 1' interval based on actual ground survey of the current ground terrain. Reference Benchmark: Concrete monument with brass cap at the southeast corner of the Southeast 1/4 Section 28, Town 9 North, Range 21 East, Elevation = 717.26.
5. All Lots to be serviced by public sanitary sewer and water main.
6. All streets to be improved with concrete curb and gutter and asphalt pavement.
7. Flood Zone Classification: The property lies with in Zone "X" of the Flood Insurance Rate Map Community Panel No. 55089C0234F with an effective date of FEBRUARY 4, 2007. Zone "X" areas are determined to be outside the 0.2% annual chance floodplain.
8. Drainage and Utility Easements to be determined during site engineering and will be shown on the final plat.
9. Utilities on or above the surface of the surveyed property observed in the process of conducting the fieldwork graphically shown on the survey. Underground utility locations shown are based on field location markings by Digger's Hotline ticket #20221202578 with a clear date of MARCH 18, 2022. The location and size of underground structures and utilities shown hereon have been located based on a reasonable visual observation and are shown for informational purposes only. PINNACLE ENGINEERING GROUP, LLC. does not guarantee the location of utilities shown. Contact Digger's Hotline prior to the start of any activity.
10. Wetlands delineated by Wetland & Waterway Consulting, LLC. OCTOBER 22, 2021.
11. VISION CORNER EASEMENT RESTRICTION: Within the area of the vision corner easement, the height of all plantings, berms, fencing, signs, any other structure shall be limited to 24 inches above the intersection elevation. No access to any roadway shall be permitted over the vision corners from the adjacent lots.
12. Soil Types: MtA, OuB, OuC2, OuD2 & RaA.
13. OUTLOT OWNERSHIP AND PURPOSE: All Outlots of the plat of BURR OAK RESERVE shall be maintained by the BURR OAK RESERVE Homeowners Association. Outlot 1, Outlot 2 and Outlot 3 shall be maintained for open space. Outlot 4 shall be maintained for storm water retention purposes. Each individual lot owner shall have an undividable fractional ownership of the outlots and that Ozaukee County and the City of Mequon shall not be liable for any fees or special assessments in the event Ozaukee County or the City of Mequon should become the owner of any lot in the subdivision by reason of delinquency. The Homeowners Association shall maintain said Outlots in an unobstructed condition so as to maintain their intended purpose. Construction of any building, grading, or filling in said Outlots is prohibited unless approved by the City of Mequon. The Homeowners Association grants to the City the right (but not the responsibility) to enter upon the Outlots in order to inspect, repair, or restore said Outlots to their intended purpose. Expense incurred by the City for said inspection, repair, or restoration of said Outlots may be placed against the tax roll for said association and collected as a special charge by the Village. The developer and all subsequent owners shall transfer to any subsequent purchaser of any buildable lot within the plat of BURR OAK RESERVE an undividable one-seventeenth (1/17th) interest in Outlots 1, 2, 3 & 4. The developer and all subsequent owners warrant and represent that said outlots for assessment purposes will have no value per se, and the 1/17th interest in said outlots would be assessed with each of the buildable lots. In the event that said outlots are not assessed as above, the developer and all subsequent owners warrant and represent that each will pay 1/17th per buildable lot, of the taxes due on said outlots. In the event that these said taxes are not paid, Ozaukee County reserves the right to collect from each and every developer or subsequent owner individually for all taxes due.
14. WETLAND RESTRICTIONS
    - Grading and filling shall be prohibited unless specifically authorized by the municipality in which they are located and, if applicable, Ozaukee County, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
    - The removal of topsoil or other earthen materials shall be prohibited.
    - The removal or destruction of any native vegetative cover, ie., trees, shrubs, grasses, etc., shall be prohibited, with the exception of the removal of dead, dying or diseased vegetation, non-indigenous species or noxious weeds (as defined by local ordinance) at the discretion of a forester or naturalist and the approval of Ozaukee County.
    - Grazing by domesticated animals, ie., horses, cows, etc.., shall be prohibited.
    - The introduction of plant material not indigenous to the existing environment of the wetland area or primary environmental corridor shall be prohibited.
    - Creation of a mown landscape, gardening, cultivating, or depositing yard waste of any type shall be prohibited.
    - Ponds may be permitted subject to the approval of the municipality in which they are located and, if applicable, the Ozaukee County, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.
    - Construction of buildings within the wetland boundary is prohibited.

ZONING:
R-3 / C2 TDR PUD OVERLAY
SINGLE FAMILY SUBURBAN RESIDENTIAL
GENERAL CONSERVANCY
TRANSFER OF DEVELOPMENT RIGHTS
PLANNED UNIT OVERLAY DISTRICT

ZONING REQUIREMENTS:
MIN. STREET SETBACK - 30 FEET
MIN. SIDEYARD - 15 FEET
MIN. REARYARD - 20 FEET
MIN. LOT AREA = 0.33 ACRES (14,375 SQ. FT.)
MIN. LOT WIDTH = 85 FEET

OWNER INFORMATION:
THE ORCHARDS OF MUKWONAGO, LLC
C/O MIKE KAEREK
11600 W. LINCOLN AVENUE
WEST ALLIS, WI 53227
414-321-5300

APPLICANT/AGENT INFORMATION:
POINT REAL ESTATE
C/O JOE BUKOVICH
19000 W. BLUEMOUND ROAD
BROOKFIELD, WI 53045
262-424-5997

Prepared by:
PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD I SUITE 100
BROOKFIELD, WI 53186
OFFICE: (262) 754-8888

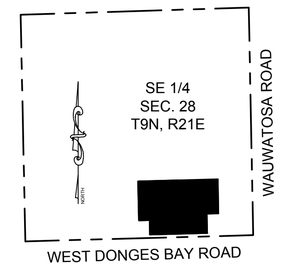
REVIEWING AGENCIES:
- City of Mequon
- Department of Administration

I, John P. Konopacki, Professional Land Surveyor, hereby certify that this survey map is correct to the best of my knowledge and belief with the information provided and complies with requirements of Chapter A-E 7 s.35.93 of the Wisconsin State Statutes.

SIGNED _____ MAY 14, 2024
JOHN P. KONOPACKI, PROFESSIONAL LAND SURVEYOR S-2461

WISCONSIN
JOHN P. KONOPACKI
S-2461
SUMMIT,
WI
LAND SURVEYOR

VICINITY MAP
SCALE 1":1000'



LEGEND OF SYMBOLS & ABBREVIATIONS

SANITARY MANHOLE	FIBER OPTIC MARKER	SIGN			
STORM MANHOLE	FIBER OPTIC MANHOLE/VAULT	MAIL BOX			
STORM INLET	TELEPHONE PEDESTAL	FLAG POLE			
PROP. SAN. MANHOLE	TELEPHONE MANHOLE/VAULT	BASKETBALL HOOP			
CATCH BASIN	TELEPHONE MARKER	BOLLARD			
LATERAL	TRANSFORMER	CROSS CUT			
UNKNOWN MANHOLE	ELECTRIC METER/PEDESTAL	IRON PIPE			
WELL	ELECTRIC MANHOLE/VAULT	IRON REBAR/ROD			
HYDRANT	CABLE TV RISER/BOX CABLE	MAG NAIL			
WATER VALVE	TV MANHOLE/VAULT	SECTION MONUMENT			
DOWN SPOUT	GAS VALVE	BENCH MARK			
SPRINKLER VALVE	GAS METER	CONIFER TREE			
WATER SHUT OFF	GAS MARKER	DECIDUOUS TREE			
STANDPIPE	AIR CONDITIONING UNIT	BUSH			
WATER MANHOLE	VENT	WETLAND SYMBOL			
FLOOD LIGHT	DIRECTIONAL ARROW	CL.	=CENTERLINE		
LIGHT POLE	DUMPSTER	CONC.	=CONCRETE		
TRAFFIC SIGNAL POLE	HANDICAP STALL	EL.	=ELEVATION		
UTILITY POLE	SPOT ELEVATION	EXT.	=EXISTING		
GUY WIRE	SOIL BORING	INV.	=INVERT		
	SANITARY SEWER	MON.	=MONUMENT		
	STORM SEWER	P.O.B.	=POINT OF BEGINNING		
W	WATER MAIN	P.O.C.	=POINT OF COMMENCEMENT		
FO	FIBER OPTIC LINE	R.O.W	=RIGHT OF WAY		
T	TELEPHONE LINE	SEC.	=SECTION		
E	ELECTRIC LINE	SQ. FT.	=SQUARE FEET		
OHW	OVERHEAD WIRES	W/	=WITH		
CATV	CABLE TELEVISION	(R)	=RECORDED AS		
G	GAS MAIN	(D)	=DEEDED AS		
WET	WETLANDS				
	TREE LINE				
	NO ACCESS				

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CHICAGO I MILWAUKEE : NATIONWIDE

BURR OAK RESERVE
CITY OF MEQUON

PRELIMINARY PLAT

REVISIONS

PEG JOB No. 221.00A
PEG PM
START DATE 05/14/24
SCALE 1" = 50'
DRAFTED BY: ST

SHEET 2 OF 2

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PRELIMINARY PLAT

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

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DEVELOPER INFORMATION

THE ORCHARDS OF MUKWONAGO, LLC
C/O MIKE KAEREK
11600 W LINCOLN AVENUE
WEST ALLIS, WI 53227
414-321-5300

SITE DATA TABLE

- ZONING: R-3 W/ CGA + TDR OVERLAY

- PROPERTY AREA: 524,141 SF (12.03 ACRES)
- PROPOSED # OF LOTS: 17
- TOTAL ROAD LENGTH: 1,430 LF

- MAXIMUM LOT SIZE: 23,152 SF (0.53 AC)
- MINIMUM LOT SIZE: 14,817 SF (0.34 AC)
- AVERAGE LOT SIZE: 18,399 SF (0.42 AC)

- SETBACKS:
  - FRONT: 30 FEET
  - SIDE: 15 FEET
  - REAR: 20 FEET
- MIN. LOT SIZE: 0.33 ACRES
- MIN. LOT WIDTH: 85 FEET
- MIN. BUFFER WIDTH: 30 FEET

- OPEN SPACE ACREAGE: 130,404 SF (2.99 AC)
- OPEN SPACE %: 24.9%

BURR OAK ESTATES- CONCEPT SITE PLAN

03/30/2022

PINNACLE ENGINEERING GROUP
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PLAN | DESIGN | DELIVER

PEGJOB# 221 00/

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C.S.M. NO. 3723
TAX KEY #
14-028-14-004.00
OWNER: MEQUON I LLC

LOT 68
THE ENCLAVE AT MEQUON
PRESERVE V

EXISTING
BUILDING

THE ENCLAVE AT MEQUON
PRESERVE V

EXISTING BURR OAK TO REMAIN

TAX KEY #
14-210-0000.018
OWNER: MEQUON I LLC

OUTLOT 18
THE ENCLAVE AT ME
PRESERVE IV

OUTLOT

EXISTING GAS MAIN EASEMENT

UNPLATTED LANDS
TAX KEY #
14-028-15-012.00
OWNER: MUELLER

FYG: 719.1
TW: 719.8

LOT 6
TW: 727.8
FYG: 727.1

10.0' WETLAND
BUFFER

LO = 719.6
LOT 12
TW: 725.3
FYG: 724.6

LOT 13
TW: 724.6
FYG: 723.9

NORTH CONEFLOWER DRIVE

30' OPEN SPACE
BUFFER EASEMENT

LOT 5
TW: 729.2
FYG: 728.5

FYG: 718.7
TW: 719.4

LOT 7
TW: 727.4
FYG: 726.7

LOT 14
TW: 724.6
FYG: 723.9

LOT 1
C.S.M. NO. 2515
TAX KEY #
14-028-16-008.00
OWNER: HELGELAND

R75.0'

R32.0'

20.0' SANITARY
SEWER EASEMENT

20.0'

OUTLOT

LOT 11
TW: 725.3
FYG: 724.6

LOT 10
TW: 722.3
FYG: 721.5

LOT 15
TW: 722.5
FYG: 721.8

2.0' DROP SIDING

LOT 4
TW: 729.2
FYG: 728.5

R100.0'

FYG: 721.7
TW: 722.4

LOT 8
TW: 726.4
FYG: 725.7

RAIN
GARDEN

R65.0'

LOT 3
TW: 727.7
FYG: 727.0

2.0' DROP SIDING

FYG: 719.7
TW: 720.4

LOT 9
60'x60' PAD
TW: 724.4
FYG: 723.7

WEST CONEFLOWER COURT

60.0'
22.0'

30' DRAINAGE
EASEMENT

SEPTIC MOUND

EXISTING
BUILDING

UNPLATTED LANDS
TAX KEY #
14-028-15-011.00
OWNER: KARK

SEPTIC COVER
AND VENTS

LOT 2
TW: 724.5
FYG: 723.8

OUTLOT

LOT 16
60'x60' PAD
TW: 721.0
FYG: 720.3

LOT 1
C.S.M. NO.
TAX KEY
14-028-16-0
OWNER: BUZDL

20.0' STORM SEWER EASEMENT

LOT 1
TW: 724.4
FYG: 723.7

PARCEL 1
C.S.M. NO. 1094
TAX KEY #
14-028-15.00
OWNER: WISCONSIN
GAS LLC

GRAVEL

16.0'
20.0'
16.0'

OUTLOT

NORTH CONEFLOWER DRIVE

LOT 17
60'x60' PAD
TW: 723.4
FYG: 722.7

STORMWATER
POND

20.0' SANITARY
SEWER EASEMENT

15'x15' VISION TRIANGLE

15'x15' VISION TRIANGLE

ADA RAMP

CROSSWALK

WEST DONGES BAY ROAD

SIDEWALK CONNECTION
TO PUBLIC PATH

NORTH

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'

REVIEWED: AEK
DESIGNED: BRP
DRAFTED: BRP

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BURR OAK RESERVE

MEQUON, WISCONSIN

SUBDIVISION OVERVIEW PLAN

REVISIONS

PEG JOB No. 221.00A
PEG PM AEK
START DATE 05/14/24
SCALE 1" = 40'

SHEET
C-1
C-3

SUBDIVISION OVERVIEW PLAN

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Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

OUTLOT

LOT 5
TW: 729.2
FYG: 728.5

LOT 4
TW: 729.2
FYG: 728.5

LOT 3
TW: 727.7
FYG: 727.0

LOT 2
TW: 724.5
FYG: 723.8

LOT 1
TW: 724.4
FYG: 723.7

FYG: 719.1
TW: 719.8
LOT 6
TW: 727.8
FYG: 727.1

FYG: 719.4
TW: 719.4
LOT 7
TW: 727.4
FYG: 726.7

LOT 8
TW: 726.4
FYG: 725.7

FYG: 721.7
TW: 722.4
LOT 9
60'x60' PAD
TW: 724.4
FYG: 723.7

LO = 719.6
LOT 12
TW: 725.3
FYG: 724.6

LOT 13
TW: 724.6
FYG: 723.9

LOT 14
TW: 724.6
FYG: 723.9

LOT 11
TW: 725.3
FYG: 724.6

LOT 10
TW: 722.3
FYG: 721.5

LOT 15
TW: 722.5
FYG: 721.8

LOT 16
60'x60' PAD
TW: 721.0
FYG: 720.3

LOT 17
60'x60' PAD
TW: 723.4
FYG: 722.7

NORTH CONEFLOWER DRIVE

WEST CONEFLOWER COURT

RAIN GARDEN

STORMWATER POND

30' DRAINAGE EASEMENT

GRAVEL

WEST DONGES BAY ROAD

NORTH

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'

PRELIMINARY GRADING PLAN

DRAFTED: BDP
DESIGNED: BDP
REVIEWED: AEK

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BURR OAK RESERVE

MEQUON, WISCONSIN

PRELIMINARY GRADING PLAN

REVISIONS

PEG JOB No. 221.00A
PEG PM AEK
START DATE 05/14/24
SCALE 1" = 40'

SHEET
C-2
C-3

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FOR UTILITY CONSTRUCTION:
PAVEMENT PATCH SHALL INCLUDE
ENTIRE WIDTH OF TRAVEL LANE

WORK IN RIGHT OF WAY PERMIT
REQUIRED FOR UTILITY WORK

NORTH

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'

LEGEND

- SANITARY SEWER MANHOLE
- STORM SEWER MANHOLE
- STORM SEWER CATCH BASIN (ROUND CASTING)
- STORM SEWER CATCH BASIN (RECTANGULAR CASTING)
- PRECAST CONCRETE FLARED END SECTION
- CLEANOUT
- VALVE BOX
- FIRE HYDRANT
- SANITARY SEWER
- STORM SEWER
- W WATER MAIN
- UTILITY CROSSING
- ELECTRICAL CABLE
- GAS MAIN
- TELEPHONE LINE
- OVERHEAD WIRES

OUTLOT
12" CULVERT PIPE
EXISTING GAS MAIN EASEMENT
20.0' SANITARY SEWER EASEMENT
LOT 1 TW: 724.4 FYG: 723.7
LOT 2 TW: 724.5 FYG: 723.8
LOT 3 TW: 727.7 FYG: 727.0
LOT 4 TW: 729.2 FYG: 728.5
LOT 5 TW: 729.2 FYG: 728.5
LOT 6 TW: 727.8 FYG: 727.1
LOT 7 TW: 727.4 FYG: 726.7
LOT 8 TW: 726.4 FYG: 725.7
LOT 9 60'x60' PAD TW: 724.4 FYG: 723.7
LOT 10 TW: 722.3 FYG: 721.5
LOT 11 TW: 725.3 FYG: 724.6
LOT 12 LO = 719.6 TW: 725.3 FYG: 724.6
LOT 13 TW: 724.6 FYG: 723.9
LOT 14 TW: 724.6 FYG: 723.9
LOT 15 TW: 722.5 FYG: 721.8
LOT 16 60'x60' PAD TW: 721.0 FYG: 720.3
LOT 17 60'x60' PAD TW: 723.4 FYG: 722.7
2.0' DROP SIDING
RAIN GARDEN
STORMWATER POND
30' DRAINAGE EASEMENT
20.0' STORM SEWER EASEMENT
REMOVE EXISTING HYDRANT & REDUCER. CONNECT TO & EXISTING 8" MAIN
PROPOSED MANHOLE RIM= 722.50 INV= 709.69 (8")
157.9 LF - 8" @ 0.40%
PROPOSED 8" WATER MAIN
PROPOSED MANHOLE RIM= 719.70 INV= 708.96 (8") INV= 709.06 (8")
99.5 LF - 8" @ 0.40%
12" STORM
PROPOSED MANHOLE RIM= 718.45 INV= 708.46 (8") INV= 708.56 (8")
325.2 LF - 8" @ 0.40%
SECTION OF SEWER TO BE INSULATED
TWIN 42" CULVERT UNDER ROAD
PROPOSED MANHOLE RIM= 720.95 INV= 707.56 (8") INV= 707.66 (8")
115.6 LF - 8" @ 0.40%
PROPOSED MANHOLE RIM= 722.55 INV= 708.12 (8") INV= 708.22 (8")
124.4 LF - 8" @ 0.40%
PROPOSED 8" WATER MAIN
15" STORM
30" STORM
98.0 LF - 8" @ 0.40%
18" STORM
CULVERT TO BE REMOVED
PROPOSED MANHOLE RIM= 720.10 INV= 707.06 (8") INV= 707.16 (8") INV= 707.16 (8")
175.7 LF - 8" @ 0.40%
PROPOSED 16" WATER MAIN (INSTALLED 10' OF R.O.W.)
273.7 LF - 10" @ 0.28%
PROPOSED MANHOLE RIM= 730.20± INV= 707.13 (10")
PROPOSED MANHOLE RIM= 722.50± INV= 706.26 (10") INV= 706.36 (10") INV= 706.36 (8")
EXISTING CULVERT TO BE REMOVED
244.8 LF - 10" @ 0.28%
PROPOSED MANHOLE RIM= 717.80± INV= 705.48 (10") INV= 705.58 (10")
PROPOSED 16" WATER MAIN (INSTALLED 10' OF R.O.W.)
WATER MAIN TO BE OFFSET UNDER 42" CULVERT PIPE
245.0 LF - 10" @ 0.28%
EXISTING PEDESTAL TO BE RELOADED
PROPOSED MANHOLE RIM= 717.70± INV= 704.69 (10") INV= 704.79 (10")
PROPOSED 16" WATER MAIN (INSTALLED 10' OF R.O.W.)
264.2 LF - 10" @ 0.28%
PROPOSED MANHOLE RIM= 718.50± INV= 703.85 (10") INV= 703.95 (10")
BORE WATER MAIN (SHADED)
SANITARY MANHOLE RIM=714.46 10" S=702.81 10" N=702.86
EXISTING SANITARY SEWER
EXISTING SANITARY MANHOLE RIM= 717.00 INV= 703.07 (EX 10") INV= 702.97 (EX 10") INV= 703.07 (PR 10")
71.8 LF - 10" @ 0.28%
SANITARY MANHOLE RIM=716.97 10" SE=702.30 10" N=702.35
PROPOSED MANHOLE RIM= 717.00± INV= 703.27 (10") INV= 703.37 (10")
20.0' SANITARY SEWER EASEMENT
170.8 LF - 10" @ 0.28%
PROPOSED 16" WATER MAIN
BORE WATER MAIN (SHADED)
CONNECT TO EXISTING 16" MAIN

REVIEWED: AEK
DESIGNED: BDP
DRAFTED: BDP

PLAN I DESIGN I DELIVER
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BURR OAK RESERVE

MEQUON, WISCONSIN

PRELIMINARY UTILITY PLAN

REVISIONS

PEG JOB No.: 221.00A
PEG PM: AEK
START DATE: 05/14/24
SCALE: 1" = 40'

SHEET C-3

C-3

PRELIMINARY UTILITY PLAN

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BURR OAK RESERVE HAUL ROUTE MAP



Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

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TO OBTAIN LOCATIONS OF PARTICIPANTS UNDERGROUND FACILITIES BEFORE YOU DIG IN WISCONSIN:

CALL DIGGERS HOTLINE
1-800-242-8511
TOLL FREE
WIS STATUTES 182.0175(1974)
REQUIRES MIN. 3 WORK DAYS NOTICE BEFORE YOU EXCAVATE
MILW. AREA 259-1181

NOTE: The location and size of the underground structures and utilities shown hereon have been located to a reasonable degree of accuracy, but the Engineer and/or Surveyor does not guarantee their exact location or the location of others not shown.
Contact Diggers Hotline, Inc., Etc.

LEGEND

- PROPOSED FLARED END SECTION
- PROPOSED STORM STRUCTURES
- PROPOSED STORM SEWER
- PROPOSED SANITARY SEWER
- PROPOSED WATER MAIN
- EXISTING CONTOUR
- PROPOSED CONTOUR
- PROPOSED SPOT ELEVATION
- PROPOSED RIP-RAP
- PROPOSED TRACKING PAD
- PROPOSED INLET PROTECTION
- PROPOSED SILT FENCE
- STRAW WATTLE
- TEMP. EROSION CONTROL BLANKET S32 (DOT CLASS I, TYPE B)
- CHANNEL EROSION CONTROL BLANKET C32 OR C32BN (DOT CLASS II, TYPE B)
- OVERFLOW SPILLWAY MATTING LANDLOK 450

OUTLOT

TEMP TOPSOIL STOCKPILE FOR PH 1
INCLUDE SF UPON TOPSOIL LAYUP

LOT 5
TW: 729.2
FYG: 728.5

LOT 4
TW: 729.2
FYG: 728.5

LOT 3
TW: 727.7
FYG: 727.0

LOT 2
TW: 724.5
FYG: 723.8

LOT 1
TW: 724.4
FYG: 723.7

LOT 6
TW: 727.8
FYG: 727.1
FYG: 719.1
TW: 719.8

LOT 7
TW: 727.4
FYG: 726.7
FYG: 726.7
TW: 719.4

LOT 8
TW: 726.4
FYG: 725.7

60'x60' PAD
LOT 9
TW: 724.4
FYG: 723.7
FYG: 721.7
TW: 722.4

PHASE I GRADING WORK

WEST CONEFLOWER COURT

30' DROP SIDING

LO = 719.6
LOT 12
TW: 725.3
FYG: 724.6

LOT 11
TW: 725.3
FYG: 724.6

LOT 10
TW: 722.3
FYG: 721.5

PHASE II GRADING WORK

NORTH CONEFLOWER DRIVE

LOT 13
TW: 724.6
FYG: 723.9

LOT 14
TW: 724.6
FYG: 723.9

LOT 15
TW: 722.5
FYG: 721.8

PROPOSED WETLAND CROSSING. PERMITS TO BE OBTAINED PRIOR TO ANY CROSSING WORK (3092 SF WETLAND IMPACT)

RAIN GARDEN

30' DRAINAGE EASEMENT

LOT 16
60'x60' PAD
TW: 721.0
FYG: 720.3

TEMP TOPSOIL STOCKPILE FOR PH 2
INCLUDE SF UPON TOPSOIL LAYUP

LOT 17
60'x60' PAD
TW: 723.4
FYG: 722.7

STORMWATER POND

GRAVEL

WEST DONGES BAY ROAD

NOTES:
1. LEAVE LOT PADS TWO FEET LOW. ROAD IS SHOWN TO FINAL GRADE. ROAD CROSS SECTION IS 14".
2. SEE DETAIL AND NOTES ON SHEET C-2.

NORTH

GRAPHICAL SCALE (FEET)
0 1" = 40' 80'

REVIEWED: AEK
DESIGNED: BDP
DRAFTED: BDP

PLAN I DESIGN I DELIVER
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PINNACLE ENGINEERING GROUP
ENGINEERING I NATURAL RESOURCES I SURVEYING

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BROOKFIELD, WI 53186
(262) 754-8888
CHICAGO I MILWAUKEE : NATIONWIDE

BURR OAK RESERVE

MEQUON, WISCONSIN

FILLING GRADING AND EROSION CONTROL PLAN

REVISIONS

PEG JOB No. 221.00A
PEG PM AEK
START DATE 05/14/24
SCALE 1" = 40'

SHEET
C-1
C-2

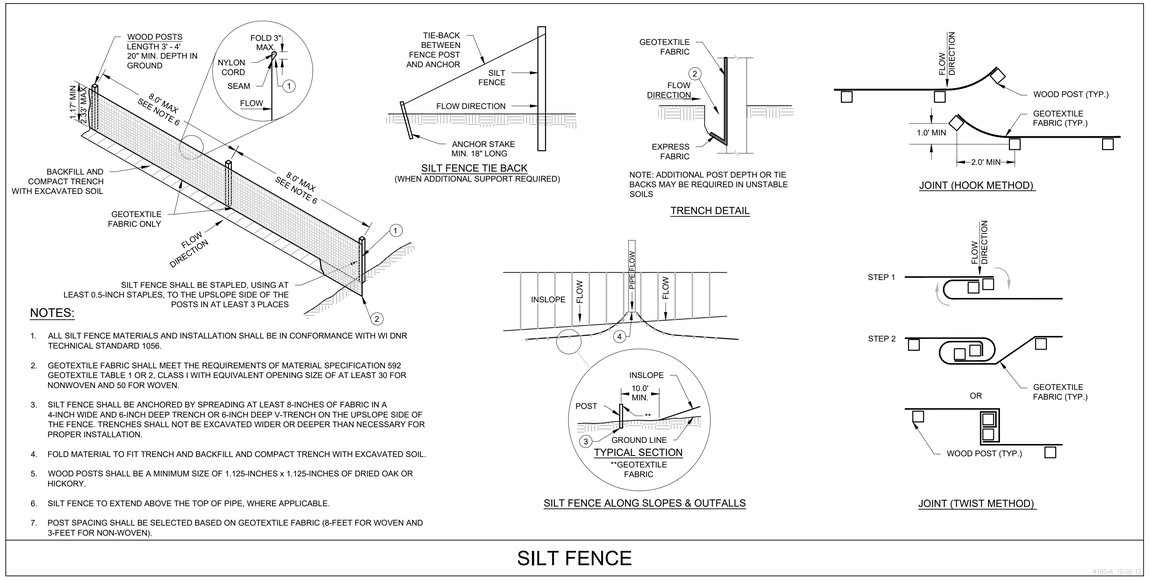
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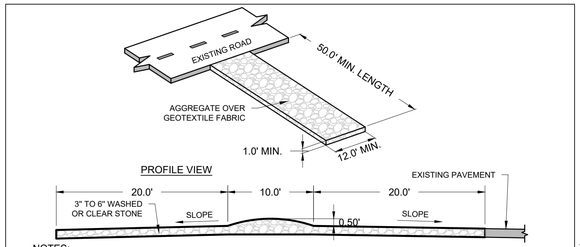
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Z:\PROJECTS\2013\221.00A-WI\CAD\SHEETS\PRELIM\C-1 PRELIMINARY EROSION CONTROL PLAN.DWG

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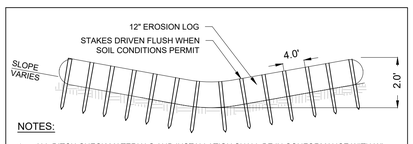


NOTES:

1. ALL TRACKING PAD MATERIALS AND INSTALLATION SHALL BE IN CONFORMANCE WITH WI DNR TECHNICAL STANDARD 1057.
2. TRACKING PADS SHALL BE INSTALLED PRIOR TO ANY TRAFFIC LEAVING THE SITE. CONTRACTOR SHALL VERIFY LOCATION WITH OWNER.
3. THE AGGREGATE FOR TRACKING PADS SHALL BE 3 TO 6 INCH CLEAR OR WASHED STONE. ALL MATERIALS TO BE RETAINED ON A 3-INCH SIEVE
4. THE AGGREGATE SHALL BE PLACED IN A LAYER AT LEAST 12-INCHES THICK. ON SITES WHERE SATURATED CONDITIONS ARE EXPECTED DURING THE LIFE OF THE PAD, THE PAD SHALL BE UNDERLAIN WITH GEOTEXTILE FABRIC WHICH MEETS MATERIAL SPECIFICATION 592 GEOTEXTILE, TABLE 1 OR 2, CLASS I, II OR IV, TO PREVENT MIGRATION OF UNDERLYING SOILS INTO THE STONE LAYER.
5. THE TRACKING PAD SHALL BE THE FULL WIDTH OF THE EGRESS POINT. MINIMUM WIDTH IS 14 FEET FOR ONE-WAY TRAFFIC AND 20 FEET FOR TWO-WAY TRAFFIC, WITH AN ADDITIONAL INCREASE OF 4 FEET FOR TRAILER TRAFFIC. THE TRACKING PAD SHALL BE A MINIMUM 50-FEET LONG.
6. ANY SEDIMENT TRACKED ONTO A PUBLIC OR PRIVATE ROAD SHOULD BE REMOVED BY STREET CLEANING, NOT FLUSHING, AT THE END OF EACH WORKING DAY.
7. TRACKING PADS SHALL, AT A MINIMUM, BE INSPECTED WEEKLY AND WITHIN 24-HOURS AFTER EVERY PRECIPITATION EVENT THAT PRODUCES 0.5-INCHES OF RAIN OR MORE DURING A 24-HOUR PERIOD.
8. THE TRACKING PAD PERFORMANCE SHALL BE MAINTAINED BY SCRAPING OR TOP-DRESSING WITH ADDITIONAL AGGREGATE.

CONSTRUCTION ENTRANCE

#107-NR 10-02-12



NOTES:

1. ALL DITCH CHECK MATERIALS AND INSTALLATION SHALL BE IN CONFORMANCE WITH WI DNR TECHNICAL STANDARD 1062.

STRAW WATTLE DITCH CHECK

#138 05/21/2018

Table 1 – Prescriptive Compliance Area Soil Stabilization

Prescriptive Compliance Areas	Bare Soil	Slope & Channel Management	Periods of Inactivity	Final Grade
Soil stockpiles that will exist for more than 7 days **Utility trench backfills** **Temporary ditches/swales that will exist for more than 7 days** **Permanent ditches/swales** **Small areas – Less than 1 acre and less than 1% of site** **Discrete areas – Less than 1 acre** **Storm water practice side slopes** **Slopes steeper than 20%**	<u>Areas that Do Not Drain to Sediment Basins or Traps</u> Limit the duration of soil exposure to no more than 30 days. <u>Areas that Drain to Sediment Basins or Traps</u> Limit the duration of soil exposure to no more than 90 days. However, use the duration from the soil loss and sediment discharge calculations for the other areas of the site if less than 90 days.	<u>General</u> Design and implement approved soil stabilization practices per DNR technical standards. Refer to WisDOT Slope & Channel Matrices for appropriate slope and slope length conditions. <u>Slopes Steeper than 20%</u> Provide stable diversion of off-site runoff around the slope. Provide slope interruption devices in accordance with Manufactured Perimeter Control & Slope Interruption Products Technical Standard 1071 or equivalent methods to reduce uninterrupted slope length.	<u>Planned Inactivity</u> Stabilize immediately if area will be left inactive for more than 14 days. <u>Unplanned Inactivity</u> Stabilize area immediately if period of inactivity reaches 14 days.	<u>Permanent Features</u> Stabilize area immediately after reaching final grade. <u>Temporary Features</u> Stabilize area immediately after establishment of temporary feature or reaching specified temporary grade.

<u>CONSTRUCTION SEQUENCE</u>:

1. INSTALL PHASE I TRACKING PAD AND SILT FENCE. CONTINUOUS INSPECTION OF PHASE I EROSION CONTROL MEASURES THROUGHOUT THE PROJECT. THE GRADING CONTRACTOR SHALL INSPECT EROSION AND SEDIMENT CONTROL PRACTICES WEEKLY, AND WITHIN 24 HOURS AFTER EVERY RAIN EVENT THAT PRODUCES 0.5 INCHES OF RAIN OR MORE IN A 24 HOUR PERIOD. WRITTEN DOCUMENTATION OF EACH INSPECTION SHALL BE MAINTAINED ONLINE AND/OR AT THE CONSTRUCTION SITE AND SHALL INCLUDE THE TIME, DATE AND LOCATION OF INSPECTION, THE PHASE OF LAND DISTURBANCE AT THE CONSTRUCTION SITE, PERSON CONDUCTING THE INSPECTION, ASSESSMENT OF CONTROL PRACTICES, AND DESCRIPTION OF ANY EROSION OR SEDIMENT CONTROL MEASURE INSTALLATION OR MAINTENANCE PERFORMED IN RESPONSE TO THE INSPECTION.
2. BEGIN PHASE I TREE REMOVAL. STRIP TOPSOIL IN THE PHASE I STORMWATER POND AREA AND ADJACENT FILL AREAS. CONSTRUCT THE PHASE I STORMWATER POND AND PLACE EXCESS SPOIL IN FILL AREAS. IMMEDIATELY RESTORE THE POND AREA. (THE ADJACENT AREAS WILL CONTINUE TO BE GRADED UNTIL THEY REACH SUBGRADE). THE POND AREA SHALL BE COMPLETED PRIOR TO STRIPPING THE REMAINDER OF THE SITE AND ROUGH GRADING. AS-BUILT THE STORM WATER POND TO INSURE THE POND MEETS THE ORIGINAL GRADES.
3. STRIP TOPSOIL IN PHASE I AREAS. SEED AND STABILIZE STOCKPILES WITHIN SEVEN DAYS OF LAYUP.
4. ROUGH GRADE PHASE I INCLUDING STRUCTURAL IMPORT TO BRING SITE TO SUBGRADE.
5. RESPREAD TOPSOIL, SEED, FERTILIZE AND STABILIZE ALL DISTURBED AREAS IN PHASE I.
6. MAINTAIN PHASE I EROSION CONTROL MEASURES UNTIL THE SITE IS 80% REVEGETATED. THE CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL TEMPORARY EROSION CONTROL MEASURES EXCEPT THE TRACKING PAD WHICH WILL BE USED IN PHASE II. RESTORE ANY DISTURBED AREAS DUE TO EROSION CONTROL MEASURE REMOVAL.
7. UPON RECEIPT OF PERMITS TO FILL / CROSS THE WETLAND, INSTALL PHASE II SILT FENCE. CONTINUOUS INSPECTION OF PHASE II EROSION CONTROL MEASURES THROUGHOUT THE PROJECT. THE GRADING CONTRACTOR SHALL INSPECT EROSION AND SEDIMENT CONTROL PRACTICES WEEKLY, AND WITHIN 24 HOURS AFTER EVERY RAIN EVENT THAT PRODUCES 0.5 INCHES OF RAIN OR MORE IN A 24 HOUR PERIOD. WRITTEN DOCUMENTATION OF EACH INSPECTION SHALL BE MAINTAINED ONLINE AND/OR AT THE CONSTRUCTION SITE AND SHALL INCLUDE THE TIME, DATE AND LOCATION OF INSPECTION, THE PHASE OF LAND DISTURBANCE AT THE CONSTRUCTION SITE, PERSON CONDUCTING THE INSPECTION, ASSESSMENT OF CONTROL PRACTICES, AND DESCRIPTION OF ANY EROSION OR SEDIMENT CONTROL MEASURE INSTALLATION OR MAINTENANCE PERFORMED IN RESPONSE TO THE INSPECTION.
8. BEGIN PHASE II TREE REMOVAL. STRIP TOPSOIL IN THE PHASE II RAIN GARDEN AREA AND ADJACENT FILL AREAS. CONSTRUCT THE PHASE II RAIN GARDEN AND PLACE EXCESS SPOIL IN FILL AREAS. IMMEDIATELY RESTORE THE RAIN GARDEN AREA. (THE ADJACENT AREAS WILL CONTINUE TO BE GRADED UNTIL THEY REACH SUBGRADE). THE RAIN GARDEN AREA SHALL BE COMPLETED PRIOR TO STRIPPING THE REMAINDER OF THE SITE AND ROUGH GRADING. AS-BUILT THE RAIN GARDEN TO INSURE THE POND MEETS THE ORIGINAL GRADES.
9. STRIP TOPSOIL IN PHASE II AREAS. SEED AND STABILIZE STOCKPILES WITHIN SEVEN DAYS OF LAYUP.
10. ROUGH GRADE PHASE II, INCLUDING STRUCTURAL IMPORT TO BRING SITE TO SUBGRADE.
11. RESPREAD TOPSOIL, SEED, FERTILIZE AND STABILIZE ALL DISTURBED AREAS IN PHASE II.
12. MAINTAIN PHASE II EROSION CONTROL MEASURES UNTIL THE SITE IS 80% REVEGETATED. THE CONTRACTOR IS TO REMOVE AND DISPOSE OF ALL TEMPORARY EROSION CONTROL MEASURES. RESTORE ANY DISTURBED AREAS DUE TO EROSION CONTROL MEASURE REMOVAL.

ESTIMATED TIMEFRAME: JULY 2024 - OCTOBER 2024
ESTIMATED DISTURBED AREA: 7.1 ACRES (PHASE I), 3.9 ACRES (PHASE II)

<u>GRADING & EROSION CONTROL NOTES</u>:

A. ALL CONSTRUCTION PRACTICES TO COMPLY WITH THE CITY OF MEQUON, WISCONSIN DNR AND THE WISCONSIN DNR TECHNICAL STANDARDS.
B. ALL DISTURBED AREAS ON SITE SHALL BE TOPSOILED (4" THICK), SEEDED AND MULCHED. AREAS SO DESIGNATED SHALL BE TOPSOILED (4" THICK), SEEDED AND STABILIZED WITH EROSION MAT (WISDOT CLASS 1, TYPE B) PER WISCONSIN DNR TECHNICAL STANDARD 1052. AREAS SO DESIGNATED SHALL BE TOPSOILED (4" THICK), SEEDED AND STABILIZED WITH CHANNEL EROSION MAT (WISDOT CLASS II, TYPE B) OR OVERFLOW SPILLWAY TURF REINFORCEMENT MATTING LANDLOK 450 OR EQUAL PER WISCONSIN DNR TECHNICAL STANDARD 1053. SEPTEMBER 15TH IS THE DEADLINE FOR PERMANENT SEED. ANY AREAS EXPOSED AFTER SEPTEMBER 15TH AND BEFORE OCTOBER 15TH SHALL BE TEMPORARY SEEDED WITH WINTER WHEAT AT THE RATE OF 3 LBS/1000 S.F. THIS TEMPORARY COVER SHALL BE FERTILIZED AT SAME RATE & MIXTURE AS PERMANENT SEED. ANY DISTURBED AREAS NOT STABILIZED BY OCTOBER 15TH SHOULD BE STABILIZED BY PLACING TOPSOIL, SEED AND TYPE A SOIL STABILIZER BY NOVEMBER 15TH. THE APPROVED SOIL STABILIZERS ARE IDENTIFIED IN THE WISCONSIN DOT PAL LIST. THE PLACEMENT OF THE SOIL STABILIZER SHALL MEET THE REQUIREMENTS IN THE PAL LIST AND PER WISCONSIN DNR TECHNICAL STANDARD 1050.
C. TEMPORARY STABILIZATION IS REQUIRED FOR ANY AREA LEFT INACTIVE FOR MORE THAN SEVEN DAYS. TOPSOIL AND SPOIL STOCKPILES SHALL BE SEEDED AND MULCHED WITHIN 7 DAYS OF LAYUP USING AGRICULTURAL RYE WITH A SEEDING RATE OF 3 LBS/1000 SQUARE FEET. INSTALL SILT FENCE ON THE DOWNSLOPE SIDE OF THE PILE TO REDUCE SEDIMENT RUNOFF.
D. TREES SHALL ONLY BE REMOVED TO COMPLETE THE INTERIM GRADING AS SHOWN. NO OTHER TREES SHALL BE REMOVED. COORDINATE TREE REMOVAL WITH THE OWNER PRIOR TO ANY TREE REMOVAL WORK.
E. ALL CONSTRUCTION TRAFFIC IS TO ENTER/EXIT THE SITE OVER THE TRACKING PADS FROM WEST DONGES BAY ROAD. THE TRACKING PAD IS PER WISCONSIN DNR TECHNICAL STANDARD 1057. ALL PRIVATE AND PUBLIC STREETS ARE TO BE KEPT CLEAN AT ALL TIMES.
F. THE PERMANENT SEED MIXTURE SHALL BE WISCONSIN DOT SEED MIXTURE NO. 40 AND SOWN AT THE RATE OF 4 LBS/1000 SQ. FT. SEED MIXTURE NO. 40 CONSISTS OF 35% KENTUCKY BLUEGRASS, 20% RED FESCUE, 20% HARD FESCUE AND 25% IMPROVED FINE PERENNIAL RYEGRASS. THE TEMPORARY SEED MIX SHALL BE WINTER WHEAT. FERTILIZE SOIL WITH 10 LBS/1000 SQ. FT. OF 20-0-10 FERTILIZER.
G. ANY DEWATERING THAT MAYBE REQUIRED DUE TO CONSTRUCTION SHALL BE COMPLETED SO THAT THE WATER IS PUMPED INTO A TYPE II GEOTEXTILE BAG ON THE UPSLOPE SIDE OF THE SILT FENCE. THE GEOTEXTILE BAG SHOULD BE PLACED IN A LOCATION THAT ALLOWS THE DISCHARGED WATER TO FLOW OVER A VEGETATIVE COVER, FOLLOW WISCONSIN DNR TECHNICAL STANDARD 1061.
H. ALL BUILDING AND WASTE MATERIAL SHALL BE DISPOSED OF OFF SITE TO PREVENT RUNOFF OF MATERIAL.
I. DUST CONTROL SHOULD BE ADDRESSED PER WISCONSIN DNR TECHNICAL STANDARD 1068. AT A MINIMUM USE WATER. USE POLYMERS, TACKIFIER AND SOIL STABILIZERS IF NEEDED. INSPECT DAILY TO DETERMINE THE NEED TO IMPLEMENT A CONTROL.
J. CONCRETE TRUCKS, IF NEEDED, ARE TO BE WASHED OUT IN PAVEMENT SUB-BASE AREAS.

REVIEWED: AEK
DESIGNED: BDP
DRAFTED: BDP

PLAN | DESIGN | DELIVER
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BURR OAK RESERVE
MEQUON, WISCONSIN

CONSTRUCTION DETAILS

REVISIONS

PEG JOB No. 221.00A
PEG PM AEK
START DATE 05/14/24
SCALE N.T.S.

SHEET
C-2
C-2

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CONSTRUCTION DETAILS

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Z:\PROJECTS\2013\221.00A-WI\CAD\SHEETS\PRELIM\C-2 DETAILS.DWG

Document Number	**DEVELOPMENT AGREEMENT FOR BURR OAK RESERVE** Document Name	Recording Data
		Name and Return Address City Engineer 11333 N Cedarburg Road Mequon, WI 53092
		Parcel Identification Number

THIS DEVELOPMENT AGREEMENT ("Agreement") is made as of _____ ___ , 20____, by The Orchards of Mukwonago, LLC (the "Developer") and the City of Mequon, a municipal corporation (the "City").

RECITALS

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

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

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

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

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

AGREEMENTS

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

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

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

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

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

"Public Improvements" means all public streets, sidewalks, paths and required appurtenances to the foregoing, including without limitation street name signs, regulatory/public safety signs (speed limit signs, stop signs and so forth) and bollards; sanitary sewer facilities and water supply facilities that connect to the public sewer or public water systems, but in each instance only those portions up to and including stubs of laterals; storm sewer and sump collection lines in rights of way; street trees and any required landscaping in rights of way; street trees and other landscaping in easement areas dedicated to the City for that purpose, but only to the extent specified in such easements; items specified in the Plans, as defined below and approved by the City, as Public Improvements; and items specified in the Code or state statues as Public Improvements.

Commented [KL1]: Too broad - maybe enough to add the right-of-way", but I don't want this misconstrued as th sump pump lines.

2. Proposed Development Plan. The Development as proposed is depicted on the Developer's proposed development plan. The proposed development plan was granted Preliminary Plat approval by the Planning Commission on _____, such approval being valid for two years from the approval date, provided that construction has been commenced within that time period. The Preliminary Plat is an expression of approval or conditional approval of the layout submitted and is a guide to the preparation of the Final Plat which will be subject to further consideration by the Planning Commission at the time of its submission.

PLANS AND SPECIFICATIONS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(b) Show all tributary areas to the proposed drainage system and downstream analysis within 1,500 feet of the Property, including all proposed and existing drainage structures in the drainage system area.

Commented [KL2]: Does this meet ordinance?

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

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

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

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

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

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

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

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

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

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

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

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

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

~~(b)~~(c) Developer shall plant all street trees between September 1st and October 15th in the year that the Final Plat was approved by Common Council. Dates may be modified at the discretion of the City Forester. Landscaping other than street trees shall be installed prior to Common Council approval of the Final Plat unless the Final Plat is approved in the months of January through April in which case landscaping shall be installed by June 30th of that year.

Commented [CM3]: Evan please review

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

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

10. Street Plans.

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

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

(i) All new streets shall be constructed with a twelve-inch (12") road base consisting of twelve inches (12") of one and one-quarter inch (1¼") crushed stone base course. The initial asphalt surface

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shall consist of two and one-half inches (2½") of bituminous binder course. Streets ~~and driveways~~ shall be constructed to the City's typical cross-section. The final one and one-half inch (1½") asphalt surface course shall be ~~applied following the construction of the binder course.~~ constructed within 14 days of the construction of the bituminous binder course, subject to the requirements of Section 49 of this Agreement.

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

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

(d) Developer shall ~~provide a crosswalk from the Development to the Mequon Nature Preserve parking lot~~extend a sidewalk ~~to the~~and provide a crosswalk on West Donges Bay Road and connect said sidewalk to the path on the south side of West Donges Bay Road. Sidewalk, pavement marking, and signage shall conform to the Standard Specifications for Land Development, latest edition ("SSLD") and Manual of Uniform Traffic Control Devices ("MUTCD").

~~(c)~~

11. Sanitary Sewer System Plans.

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

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

(b) Be designed to meet the ultimate development needs ~~of the Development in accordance with~~as included in the City's sanitary sewer system plans for future extension. The sanitary sewer extension from Wauwatosa Road to the westerly line of the Property shall be constructed along the north edge of pavement in the westbound lane of West Donges Bay Road. Where impact to the pavement is fully contained within a single lane of the roadway, the pavement patch shall include the entire width of the travel lane (typically 11 to 12 feet) from the edge of pavement to the centerline of the road. Where impact to the pavement includes both lanes, or where the impact crosses over the centerline of the pavement, the pavement patch shall include the entire width of the pavement (typically 22 to 24 feet).

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

(d) Show all sanitary sewer lateral locations.

(e) Be designed so the public mainline ~~shall meet~~meets the City's master plan for the area, in terms of depth and pipe size, and be extended to the adjacent properties. ~~-~~The sanitary sewer extension shall be approximately 1,400 feet of 10-inch diameter sanitary main~~, constructed with a minimum depth of cover of ten feet, with a maximum invert elevation of~~ 707.70 ~~at the proposed intersection of West Donges Bay Road and North Coneflower Drive and a maximum invert elevation of 711.32 at the westerly line of the Property.~~, and shall be constructed in accordance with the Central Growth sewer system plan.

(f) Have a Permit for Utility Work In the Right of Way issued by City Engineering Staff upon review and approval of the Plans.

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Commented [CM5R4]: Check central growth study??

Commented [CM6R4]: Or change to more general la

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(g) Include a summary that describes Contributed Capital to upsize and conform with the Central Growth Plan.

~~(e)~~ Sanitary sewer construction shall conform with Sec. 58-640 of the Code. The Developer shall be responsible for all costs of required sanitary sewer construction sized for the demand of the development. Where the city's sanitary sewer system plan requires the installation of sanitary sewers larger than 12 inches in diameter, the city shall pay the difference in cost between the installation of the pipe sized for the development demand and the system demand sewer. The developer shall be responsible for all costs of required sanitary sewer infrastructure sized for the demand of the development. ~~Per Section 58-640 of the City of Mequon Code of Ordinances, the Developer shall be responsible for all costs of required sanitary sewer construction involving pipe diameters of 12 inches or less. Where the City's sanitary sewer system plan requires the installation of sanitary sewer mainss larger than 12-inch diameter, the City shall pay the difference in cost between an eight-inch diameter sanitary sewer installation and the 12-inch diameter sewer. Determination of the cost difference shall be approved by the City Engineer.~~

(h)

12. Water System Plans.

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

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

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

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

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

(v) Easements shall be ~~provided~~ dedicated to the City for ~~to~~ adjacent residentially zoned properties ~~for access for~~to potentially ~~future connection~~connect to the water system in the future.

(vi) For residential uses, t~~T~~he mainline water main shall be designed to meet Mequon Water Utility standards for ISO recommended fire flows of ~~2500~~1,000 gpm, which may require ~~twelve-inch (12") pipe~~ increasing the pipe size for any ~~for the~~ dead end mains.

(vii) Dead end mains must be terminated with a public hydrant ~~and phasing plans~~ or blow off assembly.

(viii) ~~:~~The Plans shall be designed to provide a minimum depth of cover of six feet over the top of a 12- or 16-inch diameter water main. The water main diameter will be determined by the City by having the Mequon Water Utility Staff create a model to verify the water main sizing in West Donges Bay Road based on the intended and/or anticipated betterment of services. Any portion of the oversizing costs eligible for reimbursement shall be reimbursed to Developer in accordance with the Mequon Water Utility Water Connection Policy.

Commented [KL7]: Do we define "Contributed Capita somewhere? If not - we can relate to (h)

Commented [KL8]: This does not meet the ordinance (which may have been modified post-drafting this version prefer to either just refer to the ordinance section, or copy

Commented [KL9]: In this application, I would say nc a hydrant.

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~~(vii)~~ The water main alignment shall adhere to the requirements of the SSLD, including 2.4.3 Watermain Location and Requirements:

(ix)

a. Water main in public right of way:

i. Shall be located a minimum of six feet from the edge of road pavement.

ii. Shall be located in the north and east half of the public right-of-way if required separation from other utilities, waterways, wetlands, drain fields, and other conflicts can be met.

iii. Shall be no closer than 20 feet from a building foundation to the centerline of the watermain.

b. Water main in private easement:

i. Shall be located at the center of a 20 foot easement.

ii. Shall not be closer than 20 feet from a building foundation to the centerline of the watermain.

(x) The City will accept an alignment for the water main construction within the West Donges Bay Road terrace area that is located with an offset 10 feet south of the south line of the Property.

(xi) Water main shall be extended along the full extent of the Property from the water main connection location in Wauwatosa Road to the westerly line of the Property.

(xii) Betterment of service/oversizing water main along Property frontage:

a. Developer shall construct a 16-inch diameter water main, subject to verification of the model described in Section 12(a)(viii) above, as a Mequon Water Utility Betterment of Service contributed project to provide a water main loop from the intersection of Wauwatosa Road and Donges Bay Road.

~~(viii)~~b. The Development requires an 8-inch diameter water main, subject to verification by the model. The Developer shall bid and install a 16-inch diameter water main and the Mequon Water Utility will pay the oversized water main costs eligible for reimbursement to the Developer in accordance with the Mequon Water Utility Water Connection Policy.

(b) Fire Protection.

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

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

13. Culverts Plan. The Developer shall submit a proposed driveway culvert size plan, if required. Such plan may be included in one of the other plans.

CONSTRUCTION REQUIREMENTS

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

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

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

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

18. Lien Waivers. As a condition of final written certification of the Improvements by the City Engineer, as described in Section 55(a) of this Agreement, and approval, acceptance and dedication of the Improvements by the City, the Developer shall provide to the City ~~paid receipts and~~ lien waivers from all contractors and material suppliers performing work or supplying materials for the installation of the Public Improvements.

19. No Lot Assessments for Improvements. The costs and value of the Public Improvements will become an integral value of the abutting property; therefore, the Developer shall not make any assessment on future lots in the Development for the cost of the Public Improvements, except for street trees ~~assessment for the Improvements~~.

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

21. Wetlands. Wetland boundaries shall be identified and marked in the field and verified by the DNR, unless the person delineating the wetlands is a DNR assured delineator. The wetlands and setbacks shall be identified on the preliminary and final plats. Temporary ~~W~~wetland boundary protection~~markers~~ shall be maintained, and setbacks observed, during all phases of land disturbance and construction. No wetland shall be filled without prior approval of the DNR.

22. Additional Erosion and Runoff Control Requirements.

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

Commented [KL11]: ??? Do we restrict to public in c As?

Commented [KL12]: He added Public a lot - isn't the somewhere that it is legally nicknamed "Improvements"?

Commented [CM13]: Evan confirm

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(b) The Developer shall install the drainage system, including ~~roads (unpaved, but with gravel surface),~~ stormwater ponds and temporary and permanent swales, first. The swales ~~and ditches~~ shall be ~~sodded or~~ planted with fast growing grasses immediately after grade certification by the City or its designated agent. The City may request temporary mulching if disturbed ground is exposed and not actively being graded for more than seven days. Straw, hay bales, check dams or silt fences shall be placed in the drainage system as sediment traps in accordance with established best management practices. The City ~~will decide whether sod is appropriate and whether the sediment trap method is to be used~~ shall approve the Developer's erosion control plan prior to starting any land disturbing activities..

(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 the Development in conformance with the City's erosion control ordinance.

(d) The Developer shall protect all ~~exposed~~ disturbed soils left inactive for more than seven days with mulch~~es~~, temporary annual grasses, ~~or~~ erosion matting or other method in conformance with WDNR Technical Standards and approved by the City-.

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

(f) The Developer will periodically inspect the above-described systems and erosion control measures, including after each rain event ~~of 0.5" or more.,~~ and shall promptly maintain, repair and replace them to their originally approved condition.

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

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

25. Additional Street and Street Signage Requirements.

(a) Prior to the commencement of any construction activity, the Developer shall meet with City Engineering and Public Works staff to identify and agree to a specific "haul" route for all construction equipment and material supplies associated with the Development. The Developer shall agree to confine the movement of its construction equipment to the approved route unless approved otherwise by the City Engineer. The Developer shall provide the Street Wear Financial Guarantee, as defined in Section 50 below. The City shall videotape and perform a road evaluation of the agreed to haul route. This evaluation, known as a service condition rating or "SCR", shall be used as the base line for ~~establishing~~ determining the level of damage that may occur~~s~~ as a result of constructing the Development. At the conclusion of the construction activity and prior to the recording of the Final Plat, the City will again videotape and perform a post development SCR of the Developer's "haul" route. The road evaluation is only applicable to that portion of the approved haul route that lies within the corporate limits of the City. Prior to the City acceptance of the Public Improvements, the Developer will repair the road or pay to the City the estimated cost, as determined by the City, of the road repairs, ~~for the estimated repairs,~~ including without limitation labor, material~~s~~, ~~and~~ costs regularly charged by the City for its staff's time for inspections, shouldering, streets, curbs, gutters~~, failures,~~ and base repairs~~, defects and utility adjustments~~.

(b) If the surface course of a street cannot be constructed prior to October 15, the Developer shall provide the Surface Completion Letter of Credit, as defined below in Section 49.

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

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

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

26. Additional Utility Requirements.

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

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

(c) The Developer shall provide proof of payment in full, in the form of fully executed lien waivers, for installation of all required utilities prior to Final Plat approval.

(d) Underground utility installations shall be subject to review and approval by the City Engineer and shall be made without any street pavement removal, unless otherwise specifically approved by the City Engineer, which approval shall not be unreasonably withheld, conditioned or delayed.

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

27. Lot Pipe Certification. The Developer shall, prior to Final Plat approval, provide to the City a lot pipe certification stamped and signed by a professional land surveyor, registered in the State of Wisconsin. The form and content of the lot pipe certification shall be acceptable to the City Engineer.

MODEL HOMES

28. Model and Spec Homes.

(a) Subject to satisfaction of all other requirements for a building permit, the City will issue ~~a~~ building permit~~s~~ for two~~———~~ principal structures to be used as sales models or homes initially planned as spec homes prior to approval and recording of the Final Plat.

(b) If the Developer is unable, despite reasonable efforts, as determined by the City in its sole discretion, to satisfy the paving requirements of Section 3.6 of the Standard Specifications for Land Development, the City will, upon application of the Developer and satisfaction of all other requirements for a building permit, issue a building permit for one model or spec home prior to the installation of the binder course of asphalt in the adjacent dedicated public road or private access easement. The City shall not issue the building permit for such

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model or spec home until stone base is installed and such stone base has successfully passed a proof roll. The stone base shall allow, as determined by the City in its sole discretion, access for inspections and emergency personnel. The City may cancel inspections if adequate access is not provided to inspections staff.

(c) The Developer shall not transfer title to any lot containing a model or spec home until the Final Plat is approved and recorded as described Section 55 below.

ASSOCIATION; COVENANTS, CONDITIONS AND RESTRICTIONS; ONGOING AGREEMENTS

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

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

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

32. Stormwater Best Management Practices Maintenance Agreement. The Developer and the City shall enter into an agreement as described below to ensure that the Development's stormwater facilities are

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maintained to meet or exceed the standards to which they were constructed so that, in the future, the stormwater facilities continue to accommodate the appropriate volume and manage flow through and within the Development and meet applicable performance standards for storage and release. Accordingly, the following requirements are applicable to the Development:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(xii) ~~The agreement~~ The Storm Water ~~Best Management Practices Maintenance~~Facilities Maintenance and Easement Agreement ("SW Agreement") and all of its covenants are and shall be covenants running with the land, and shall encumber the Development, and shall bind the Developer and its heirs, ~~personal representatives,~~ successors and assigns, including without limitation the Association. The SW ~~a~~Agreement shall specifically include this language and shall not be incorporated by reference. The SW ~~a~~Agreement shall be recorded with the Ozaukee County Register of Deeds.

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

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

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

OBLIGATIONS OF BUILDER/LOT OWNER

34. Compliance with Grading Plan. Any ~~person who constructs a building~~ owner of a lot in the Development who constructs or causes the construction of a building in the Development shall be responsible for siting the principal building and rough and fine grading their lot ~~the building pad~~ to comply with the approved master grading plan or an amendment thereto approved by the City Engineer.

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

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

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

38. Private Water. This Section is intentionally left blank.

WARRANTIES AND INDEMNIFICATIONS

39. Warranty of the Public Improvements. All of the Public Improvements shall be warranted against defects due to faulty materials or workmanship which appear within one year from the date of the City's

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acceptance of the dedication ("Warranty Period"), and Developer shall assign to the City applicable contractor warranties for the Public Improvements. If any defect should appear during the Wwarranty pPeriod, the City shall first seek to enforce any applicable contractor warranty; however, the Developer guarantees the Public Improvements and shall indemnify the City to the extent of any default or failure of any contractor to honor the warranty during the Warranty Period . If repairs or replacements are made during the Warranty Period, Tthe Developer guaranties each repair or replacement performed pursuant to this paragraph for one year from completion of said repair or replacement. This warranty survives any provision of this Agreement that purports to discharge or release the Developer.

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

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

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

FINANCIAL OBLIGATIONS

43. Costs Incurred by the City. The Developer will pay all reasonable costs incurred by the City in connection with the Development, including without limitation costs of attorneys, landscape architects, outside engineers and other consultants and costs regularly charged by the City for its staff's time and materials used in (a) reviewing and approving the Plans (including without limitation engineering and landscaping plans), (b) inspecting the construction and/or installation of the Improvements, (c) installing street signs, ~~and~~ (d) reviewing and approving record drawings for City files, and (e) any other reasonable costs that may be incurred by the City in connection with the installation of the Improvements including the costs of labor, equipment, materials,

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engineering, inspection and overhead costs incidental to the Improvements. ~~The Developer will also pay any other costs that may be incurred by the City in connection with the installation of the Improvements. Costs will include the costs of labor, equipment, materials, engineering, inspection and overhead costs incidental to the Improvements.~~ The City will send invoices for the costs to the Developer periodically, as costs are incurred or as the Improvements are completed. The Developer will pay the City's invoices within 30 days after the date sent by the City. The City may, in its discretion, add a late payment charge of 1.5% per month, computed from the date of the original invoice until paid, for any amount not paid when due.

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

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

46. Landscaping Completion Letter of Credit. If the City agrees to Final Plat approval despite landscaping and/or hardscape amenities, including the installation of required street trees, not being completed (the City shall not be obligated to grant Final Plat approval under such circumstances), the Developer shall provide to the City bids, contracts or other evidence sufficient, in the sole opinion of the City, to demonstrate the cost of completing such work, including the costs of labor and materials. The evidence of cost shall be subject to review and approval by the City. The Developer shall, prior to Final Plat approval, provide to the City a letter of credit in an amount equal to 125% of such costs. The letter of credit shall be issued by a local financial institution on the International Chamber of Commerce form or its equivalent. The form and content shall be acceptable to the City Attorney. The Developer shall pay all costs of completing the work, including with limitation labor, material and costs regularly charged by the City for its staff's time. If the work is not completed to the satisfaction of the City ~~on or before June 30 of the year or prior to following~~ the Final Plat approval in accordance with section 9 (c), or upon the occurrence of an Event of Default, as defined below, the City may draw on demand the full amount of the letter of credit to defray the costs of finishing the work. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance to the Developer, if any, after the work is completed. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

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

Commented [CM17]: Evan please verify 9© languag

Commented [KL18]: Have Jac confirm, but this gene doesn't work for a LOC, only for a cash escrow.

Commented [CM19R18]: Evan please confirm

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

Commented [KL20]: Same as above.

Commented [CM21R20]: Evan

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

50. Street Wear Financial Guarantee. Prior to commencement of any construction activity, the Developer shall provide to the City a performance bond, letter of credit or cash deposit in an amount equal to $1,000 per lot or unit in the Development (the "Street Wear Financial Guarantee"). The Street Wear Financial Guarantee is to provide security for compensation to the City for wear and tear and accelerated deterioration of the City's streets as a result of infrastructure improvement associated with the hauling of stone and asphalt attributable to the construction of the Development. Wear and tear shall be determined as described in Section 25 above. The form and content of the Street Wear Financial Guarantee shall be acceptable to the City Attorney. If the Street Wear Financial Guarantee is in the form of a letter of credit, the requirements shall be substantially similar to the requirements of other letters of credit provided in this Agreement. If the Developer does not make the repairs as and when required, but in any event on or before the 60th day after written demand from the City, weather permitting, or upon the occurrence of an Event of Default, as defined below, the City may draw on demand the full amount of the Street Wear Financial Guarantee to defray the costs of the street repairs, including without limitation labor, material and costs regularly charged by the City for its staff's time for inspections, shouldering, streets, curbs, gutters, ~~failures,~~ base repairs~~, defects~~ and utility adjustments. The City shall hold such funds and apply them as costs are incurred. The City shall refund the balance to the Developer, if any, after the work is completed but not later than two (2) years after final plat approval. If the funds are inadequate to defray the costs, the Developer shall owe the balance to the City.

51. Stormwater Guarantee. The Developer shall provide the Stormwater Guarantee, as defined in Section 32(b)(vii) above, prior to the commencement of any construction activities. The form and content of the

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Stormwater Guarantee shall be acceptable to the City Attorney. If the Stormwater Guarantee is in the form of a letter of credit, the requirements shall be substantially similar to the requirements of other letters of credit provided in this Agreement.

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

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

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

FINAL PLAT APPROVAL; DEDICATION; RELEASE

55. Final Plat Approval

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

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

56. Dedication. Title to the Public Improvements, together with the land on which they are located, unless located within a dedicated easement, shall be dedicated and given in fee simple by the Developer to the City upon recording the Final Plat, as provided by Wisconsin law, and without recourse, and free and clear of all liens, claims and encumbrances. The lien waivers required ~~above~~ in Section 18 ~~**Error! Reference source not found.**18~~ of this Agreement shall be a condition precedent of recording of the Final Plat. The Public Improvements shall have access from a dedicated street, where necessary.

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

DEFAULTS

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

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

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

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

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

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

(a) Immediately suspend performance under this Agreement.

(b) Issue a stop work order.

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

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

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

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

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

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

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

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

GENERAL PROVISIONS

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

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

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

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

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

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

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

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

[SIGNATURE PAGES TO FOLLOW]

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

[CITY SIGNATURE PAGE TO DEVELOPMENT AGREEMENT]

CITY OF MEQUON

By: _____
Andrew Nerbun
Mayor

By: _____
Caroline Fochs
Clerk

STATE OF WISCONSIN)
) SS
OZAUKEE COUNTY)

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

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

STATE OF WISCONSIN)
) SS
OZAUKEE COUNTY)

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

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

Approved by: _____
Brian C. Sajdak, City Attorney

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[DEVELOPER SIGNATURE PAGE TO DEVELOPMENT AGREEMENT]

THE ORCHARDS OF MUKWONAGO, LLC

By: _____
Name: Michael J. Kaerek
Title: ~~Managing~~ Member

STATE OF WISCONSIN)
) SS
COUNTY)

The foregoing instrument was acknowledged before me on _____ _____, 20___, by Michael J. Kaerek, as ~~Managing~~ Member of ~~MK/S EP~~The Orchards of Mukwonago, LLC

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

Drafted by: City of Mequon

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EXHIBIT A
LEGAL DESCRIPTION OF THE PROPERTY

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

~~**Development Name**~~

~~Legal Description~~

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Wetland & Waterway Consulting, LLC
Dave Meyer
S83 W23915 Artesian Avenue • Big Bend, WI 53103
262-719-4286 • Fax 262-364-2197
E-Mail • *dave@wetlandwi.com*

11-14-21

Orchards of Mukwonago
Mr. Wolf Korndoerfer
11600 W. Lincoln Avenue
West Allis, WI 53227

Dear Mr. Korndoerfer:

Wetland & Waterway Consulting (WWC) has conducted a wetland delineation on property located in Sec.28, T9N, R21E, City of Mequon, Ozaukee County. The delineation was conducted on 10-22-21 at your request. This site is under consideration for future development; therefore, location of the wetlands prior to construction is necessary. The purpose of the delineation was to identify and flag all wetlands within the boundaries identified on the attached maps.

Investigator

Dave Meyer, lead delineator, is an independent environmental consultant providing wetland delineations, environmental permitting services, site assessments, and planning advice. He obtained a master's degree in Natural Resources Management from Southern Illinois University-Carbondale in 1977. Mr. Meyer has held technical and administrative positions in wetland and water resources specialties with the Wisconsin Department of Natural Resources and the U.S. Army Corps of Engineers. He has satisfactorily completed the Reg IV Wetland Delineation training offered by the U.S. Army Corps of Engineers, the Advanced Wetland Delineation training conducted by the University of Wisconsin-LaCrosse in 2002 and 2007, the USACOE/WIDNR 1987 Wetland Delineation Manual Midwest Region Supplement Training in 2009, the USACOE/WIDNR 1987 Wetland Delineation Manual Northcentral/Northeast Region Supplement Training in 2010, the Basic Hydric Soil ID training conducted by the University of Wisconsin-LaCrosse in 2011, SEWRPC's Environmental Corridor Delineation Workshops in 2004 and 2015, and the Wetland Training Institute's Advanced Hydrology for Jurisdictional Determinations in 2016 and the Federal Wetland/Waters Regulatory Policy in 2019. Mr. Meyer is recognized by the Wisconsin Department of Natural Resources as an Assured Delineator.

Methods

The site visit was conducted according to the guidelines identified in the U.S. Army Corps of Engineers' 1987 manual and the Midwest Regional Supplement. The plot size used was a 30 foot radius circle for trees, shrub/saplings, and woody vines, and a 5 foot radius circle for herbaceous vegetation.

Sampling points were located in the areas that exhibited wetland characteristics as well as upland characteristics. Data was collected on the vegetation, soils, and hydrology at each sampling point. The wetlands were identified using the technical approach described in the USACOE 1987 Manual. The wetland boundary was flagged using breaks in topography, transitions between hydric and upland vegetation, identification of wetland hydrology, and the presence of hydric soils. Roadside ditches and

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other drainage ditches internal to the site were identified if they displayed hydric vegetation. Wetland delineators are given latitude to use best professional judgement in applying wetland indicators between adjacent regions. On page 4 of the Midwest Manual and page 5 of the Northcentral/Northeast Manual it states, "Region boundaries are depicted in Figure 1 as sharp lines. However, climatic conditions and the physical and biological characteristics of landscapes do not change abruptly at the boundaries. In reality, regions and subregions often grade into one another in broad transition zones that may be tens or hundreds of miles wide. The lists of wetland indicators presented in these Regional Supplements may differ between adjoining regions or subregions. In transitional areas, the investigator must use experience and good judgment to select the supplement and indicators that are appropriate to the site based on its physical and biological characteristics." Utilizing this guidance and best professional judgement in the Midwest Region, Kentucky bluegrass (Poa pratensis) is treated as a FACU species in roadside ditches and other stormwater conveyance ditches and detention basins internal to a site in order to maintain consistency with the manner in which these features are flagged in the Northcentral/Northeast Region. For those ditches meeting hydric vegetation indicators, flags were placed in the middle of the ditches at their beginning and ending points for the surveyor to locate. If the ditch was very long or had unusual bends or turns in it, additional flags were placed within the central parts of the ditch to assist in its location. The flags were located in the field and a wetland map was produced which identifies all flagged wetland complexes and ditches within the subject boundaries. Refer to the wetland map attached to the end of this report for locations.

In addition, an FSA crop history slide review was undertaken prior to the delineation because the county soil survey shows somewhat poorly drained or poorly drained soils present in farmed areas on the parcel. In preparation for the slide review, the NRCS wetland map, if available, was used to locate mapped areas of Prior Converted "PC", Wetland "W", Farmed Wetland "FW", Non-Wetland "NW", etc. Ten years of imagery were examined and used in the calculation for the number of hits. The review was started by examining a wet year aerial photograph, if present, to show the maximum extent of possible wetlands. Using that potential maximum extent of wetlands as the starting point, the normal years, if present, were then used to determine the more likely location and extent of the wetlands. Wet year signatures, particularly if they showed up on multiple years, were utilized in the field to determine the location of data points to demonstrate potential adjacent upland conditions. All wet signatures, whether they showed up on wet, normal, or dry years, were used to calculate the number of hits. Eight categories of wet signatures have been identified as follows [USDA, NRCS 1998. Wisconsin Wetland Mapping Conventions—WI513.30 (c) Off-site wetland identification tools. (WI-180-V-NFSAM). (3rd ed.) (Amendment WI21)]: 1) Hydrophytic vegetation which is typically seen as a different shade of green, 2) Surface water which usually shows as black or white areas, 3) Drowned-out crops identified as bare soil or mud flats, 4) Color differences that are the result of different planting dates or specific areas of the field that were not farmed in a given year, 5) Inclusionary wet areas that are part of a set-aside program, 6) Areas of greener color that are present in dry years, 7) Crop stress seen as yellow colors or sparse canopy typically seen as light green, and 8) Saturated soil that is visible on infrared (IR) slides or photographs.

Resources utilized in the investigation included the NRCS county soil survey, Wisconsin Wetland Inventory mapping, topo mapping, aerial photos, and county plat mapping. Significant literature consulted includes:

Curtis, John. 1971. The Vegetation of Wisconsin. University of Wisconsin Press, Madison, Wisconsin. 173 pp.

Eggers, Steve and Donald Reed. 2011. Wetland Plants and Plant Communities of Minnesota and Wisconsin – 3rd Edition. St. Paul District, U.S. Army Corps of Engineers, St. Paul, MN 478 pp.

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Peterson, Roger and Margaret McKenny. 1968. A Field Guide to Wildflowers of Northeastern and Northcentral North America. Houghton Mifflin Company, Boston, Mass. 420 pp.

Swink, Floyd and Gerould Wilhelm. 1994. Plants of the Chicago Region. The Morton Arboretum, Lisle, Illinois. 921 pp.

Results and Discussion

* This approximately 12 acre vacant site is situated on the northwest corner of the intersection of Donges Bay Road and Wauwatosa Road in the City of Mequon. The site consists of actively cropped fields, fallow fields, and wetlands. An intermittent stream is mapped on the site. This stream has been straightened and dredged over the years and now functions as an agricultural drainage ditch. Dense hydric vegetation obscures the bed and banks of the channel. The site gently slopes (approximately 3% to 5% grades) on all sides toward the drainage channel in the center of the property.

* The growing season remained intact. The soil temperature was taken prior to starting the delineation. At 12 inches, the soil displayed a temperature of 47 degrees Fahrenheit, thereby meeting the required criteria to determine that the 2021 growing season remained intact.

* Eco-Resource Consulting, LLC delineated this site in 2014. The delineation was concurred with by Neil Molstad, WIDNR. The wetlands discovered in the current delineation closely approximate the boundaries as flagged in 2014. Refer to the attachments for the 2014 delineation information.

* The soil types mapped within the project boundaries, as well as their detailed descriptions, are included with the soil maps in the Attachments.

* No roadside ditches supporting hydric vegetation are associated with this parcel.

* Ten years of slides were analyzed for the FSA slide review. No wet signatures are present on the site over the ten slides.

* The Wisconsin Wetland Inventory map (WWI) does not show the presence of wetlands on this site. The field delineation., however, flagged a wetland complex bordering both sides of the drainage channel on the parcel.

* The wetland complex (DP #'s 2, 5, and 7) is a combination of ruderal wet meadow and ruderal wet shrub-carr dominated by reed canary grass and sandbar willow. Soils meet the F6, A11, and A12 indicators. Hydrology indicators present are A1, A2, A3, D2, and D5. Flags were placed around the topo break along the upper edge of this depressional channel which coordinated closely with discernable shifts in vegetation, hydrology, and soils from hydric to upland conditions. This complex is considered "less susceptible" with a protective area of 10% of the average wetland width ranging between not less than 10 feet and not more than 30 feet for impervious surfaces and extends offsite for undetermined distances to the north and east.

The associated upland data points throughout the parcel consist of cropped fields (DP #'s 1, 3, and 6), fallow field (DP #4), and upland herbaceous fringe along the edge of the wetland (DP #8).

The cropped fields have corn stubble from the recent harvest and small amounts of volunteer vegetation including dandelion and Queen Anne's lace (DP #'s 1 and 3). DP #4 still had an active crop of green

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

beans growing at the time of the delineation. Neither soil nor hydrology indicators are present at any of the data points.

The fallow field (DP #4) is dominated by Canada thistle. Neither soil nor hydrology indicators are present.

The herbaceous fringe (DP #8) is dominated by Canada goldenrod and intermediate scouring rush. Neither soil nor hydrology indicators are present.

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Precipitation Data

Precipitation data from the websites of the USDA Natural Resource Conservation Service, the National Oceanic and Atmospheric Administration (NOAA), and Germantown WETS station WI3058 was examined. This antecedent data was reviewed and considered while making determinations concerning the presence and/or absence of wetlands during the field investigation.

Because the antecedent precipitation was normal, direct observation of saturated soils, and even the possibility of standing water, was potentially anticipated, although not expected. Other primary indicators as well as the secondary indicators were also searched for.

Note that when a site is delineated in the second half of the month, the current month and the previous 2 months are taken into consideration.

Condition Value Dry = 1 Normal = 2 Wet = 3

	Month	Normal	3 yrs. In 10 less than	3 yrs. In 10 more than	Observed precip.	Condition dry, wet, normal	Condition value	Month weight value	Pro o prev tv colu
current month	October	2.47	1.45	3.00	2.53	normal	2	3	(
1st prior month	September	3.53	2.03	4.35	1.63	dry	1	2	2
2nd prior month	August	4.28	2.98	5.08	7.18	wet	3	1	2
								sum	1

If sum is	
6 - 9	drier than normal
10 - 14	normal
15 - 18	wetter than normal

Conclusion

Antecedent precipitation was normal.

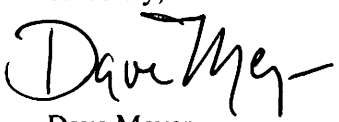
Conclusion

The wetland lines staked in the field and referred to in this report are the best estimate of the wetland boundaries based on the conditions present at the time of delineation. The wetlands identified for this report may be subject to federal regulation under the jurisdiction of the U.S. Army Corps of Engineers, state regulation under the jurisdiction of Wisconsin DNR, and local jurisdiction under your local county, town, city, or village. Because this delineation was conducted by Mr. Meyer, an Assured Delineator, obtaining a concurrence letter from the Wisconsin Department of Natural Resources is not necessary. Concurrence with these wetland lines by the U.S. Army Corps of Engineers is not necessary. If a USACOE permit is being sought for this project, this wetland delineation report will be reviewed during the permit application process. If the USACOE has questions about, or issues with this report, they will

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

not issue their permit(s) until those issues are resolved. Activities affecting wetlands or surface waters may require permits from the U.S. Army Corps of Engineers, the Wisconsin Department of Natural Resources, and local municipal authorities. The client must obtain authorization from all proper regulatory authorities before altering, modifying, or using the property. If the required authorizations are not obtained, Wetland & Waterway Consulting, LLC shall not be liable or responsible for any resulting damages.

Sincerely,



Dave Meyer

Attachments
1. Data points
2. Soil Survey maps
3. Wisconsin Wetland Inventory map
4. USGS topo map
5. Location map
6. Site photographs
7. FSA slide review
8. 2014 wetland data
9. Wetland boundary map

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: Orchards of Mukwonago City/County: Meyer Sampling Date: 10-22-21
Applicant/Owner: State: WI Sampling Point: #14P
Investigator(s): Meyer Section, Township, Range: Sec. 2 T9N R21E
Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none) Convex
Slope (%): 3 Lat: Long: Datum:
Soil Map Unit Name: RaA NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes See report No (If no, explain in Remarks.)
Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes No
Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____ No ✓	Is the Sampled Area within a Wetland? Yes ____ No ✓
Hydric Soil Present?	Yes ____ No ✓	
Wetland Hydrology Present?	Yes ____ No ✓	

Remarks:
Cropped field

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		
Herb Stratum (Plot size: ____)			
1.			
2. Daucus Carota	2	✓	UPL
3.			
4. Taraxacum officinale	2	✓	FACU
5.			
6.			
7.			
8.			
9.			
10.			
	4 = Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ = Total Cover		

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
__ 1 - Rapid Test for Hydrophytic Vegetation
__ 2 - Dominance Test is >50%
__ 3 - Prevalence Index is ≤3.0[1]
__ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
__ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No ✓

Remarks: (Include photo numbers here or on a separate sheet.)
Corn stubble

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

SOIL

Sampling Point: 1

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-17	10YR 3/2	100					silt loam	
17-24	10YR 3/2	98	10YR 4/4	2	C	M	silt loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: Orchards of Mukwonago City/County: Meyer Sampling Date: 10-22-21
Applicant/Owner: State: WI Sampling Point: #2 wet
Investigator(s): Meyer Section, Township, Range: Sec. 28 T9N R21E
Landform (hillslope, terrace, etc.): depressional channel Local relief (concave, convex, none) concave
Slope (%): ~10 Lat: Long: Datum:
Soil Map Unit Name: MtA NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes see report No (If no, explain in Remarks.)
Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No
Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No	Is the Sampled Area within a Wetland? Yes ✓ No
Hydric Soil Present?	Yes ✓	No	
Wetland Hydrology Present?	Yes ✓	No	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
	= Total Cover		

Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	= Total Cover		

Herb Stratum (Plot size:)			
1.			
2. Phalaris arundinacea	100	✓	FACW
3.			
4. Typha angustifolia	20		OBL
5.			
6.			
7.			
8.			
9.			
10.			
	120 = Total Cover		

Woody Vine Stratum (Plot size:)			
1.			
2.			
	= Total Cover		

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:
- ✓ 1 - Rapid Test for Hydrophytic Vegetation
- ✓ 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✓ No

Remarks: (Include photo numbers here or on a separate sheet.)

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

SOIL

Sampling Point: 2

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-4	10YR 2/1	100					Silt loam	
4-14	10YR 2/1	95	10YR 5/6	5	C	M	Silt loam	
14-24	10YR 5/1	60	10YR 4/6	10	C	M	Clay loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ✓ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ✓ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ✓ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ✓ Geomorphic Position (D2)
- ✓ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ✓ No ___ Depth (inches): 3

Water Table Present? Yes ✓ No ___ Depth (inches): Surface

Saturation Present? (includes capillary fringe) Yes ✓ No ___ Depth (inches): Surface

Wetland Hydrology Present? Yes ✓ No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: Orchards of Mukwonago City/County: Meyer Sampling Date: 10-22-21
Applicant/Owner: State: WI Sampling Point: #3UP
Investigator(s): Meyer Section, Township, Range: Sec. 28 T9N R21E
Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): convex
Slope (%): ~3 Lat: Long: Datum:
Soil Map Unit Name: MfA NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes (See report) No ____ (If no, explain in Remarks.)
Are Vegetation Y, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ____ No ✓
Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No ✓	Is the Sampled Area within a Wetland? Yes ____ No ✓
Hydric Soil Present?	Yes ____	No ✓	
Wetland Hydrology Present?	Yes ____	No ✓	

Remarks: Cropped field

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		
Herb Stratum (Plot size: ____)			
1.			
2. Taraxacum officinale	3	✓	FACU
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	3 = Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ = Total Cover		

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species ____	x 1 = ____
FACW species ____	x 2 = ____
FAC species ____	x 3 = ____
FACU species ____	x 4 = ____
UPL species ____	x 5 = ____
Column Totals: ____ (A)	____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:
__ 1 - Rapid Test for Hydrophytic Vegetation
__ 2 - Dominance Test is >50%
__ 3 - Prevalence Index is ≤3.0[1]
__ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
__ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No ✓

Remarks: (Include photo numbers here or on a separate sheet.)
Corn Stubble

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

SOIL

Sampling Point: 3

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-16	10YR 3/2	100					silt loam	
16-24	10YR 6/1	98	10YR 4/6	2	C	PL	clay loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: Orchards of Mukwonago City/County: Meyer Sampling Date: 10-22-21

Applicant/Owner: State: WI Sampling Point: #4UP

Investigator(s): Meyer Section, Township, Range: Sec. 28 T9N R21E

Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none) convex

Slope (%): 5 Lat: Long: Datum:

Soil Map Unit Name: MfA NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes (See report) No ____ (If no, explain in Remarks.)

Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____

Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No ✓	Is the Sampled Area within a Wetland? Yes ____ No ✓
Hydric Soil Present?	Yes ____	No ✓	
Wetland Hydrology Present?	Yes ____	No ✓	

Remarks:
Fallow Field

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		

Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		

Herb Stratum (Plot size: ____)			
1.			
2. Cirsium arvense	90	✓	FACU
3.			
4. Amaranthus retroflexus	15		FACU
5.			
6.			
7.			
8.			
9.			
10.			
	105 = Total Cover		

Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ = Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)

Total Number of Dominant Species Across All Strata: 1 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:	
OBL species ____	x 1 =	____
FACW species ____	x 2 =	____
FAC species ____	x 3 =	____
FACU species ____	x 4 =	____
UPL species ____	x 5 =	____
Column Totals: ____ (A)		____ (B)

Prevalence Index = B/A = ____

Hydrophytic Vegetation Indicators:

- ___ 1 - Rapid Test for Hydrophytic Vegetation
- ___ 2 - Dominance Test is >50%
- ___ 3 - Prevalence Index is ≤3.0[1]
- ___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- ___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No ✓

Remarks: (Include photo numbers here or on a separate sheet.)

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

SOIL

Sampling Point: 4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-11	10YR 3/2	100					silt loam	
11-14	10YR 3/2	100					silt loam w/ 10% gravel	
14-24	10YR 5/3	100					sandy loam w/ 10% gravel	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: Orchards of Mukwonago City/County: Waukesha Sampling Date: 10-22-21
Applicant/Owner: State: WI Sampling Point: #5 wet
Investigator(s): Meyer Section, Township, Range: Sec. 28 T9N R20E
Landform (hillslope, terrace, etc.): depressional basin Local relief (concave, convex, none) concave
Slope (%): ≤5 Lat: Long: Datum:
Soil Map Unit Name: M+A NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes (See report) No (If no, explain in Remarks.)
Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No
Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No	Is the Sampled Area within a Wetland? Yes ✓ No
Hydric Soil Present?	Yes ✓	No	
Wetland Hydrology Present?	Yes ✓	No	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
	= Total Cover		

Sapling/Shrub Stratum (Plot size:)			
1.			
2. Salix interior	60	✓	FACW
3.			
4.			
5.			
	60 = Total Cover		

Herb Stratum (Plot size:)			
1.			
2. Phalaris arundinacea	100	✓	FACW
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 = Total Cover		

Woody Vine Stratum (Plot size:)			
1.			
2.			
	= Total Cover		

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:
- 1 - Rapid Test for Hydrophytic Vegetation ✓
- 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✓ No

Remarks: (Include photo numbers here or on a separate sheet.)

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

SOIL

Sampling Point: 5

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-11	10YR 2/2	100					Silt loam	
11-24	10YR 4/2	95	10YR 4/6	5	C	M	clay loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ✓ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ✓ Geomorphic Position (D2)
- ✓ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ___ No ✓ Depth (inches): _____

Water Table Present? Yes ___ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes ___ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes ✓ No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: Orchards of Mukwonago City/County: Meguon Sampling Date: 10-22-21
Applicant/Owner: State: WI Sampling Point: #6 UP
Investigator(s): Meyer Section, Township, Range: Sec. 28 T9N R21E
Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): Convex
Slope (%): 5 Lat: Long: Datum:
Soil Map Unit Name: OuB NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes see report No (If no, explain in Remarks.)
Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes No ✓
Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes	No ✓	Is the Sampled Area within a Wetland? Yes No ✓
Hydric Soil Present?	Yes	No ✓	
Wetland Hydrology Present?	Yes	No ✓	

Remarks:
DP located in cropped field

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
	= Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2.			
3.			
4.			
5.			
	= Total Cover		
Herb Stratum (Plot size:)			
1.			
2. Phascolus vulgaris	20	✓	UPL
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	20 = Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	= Total Cover		

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 0 (A)
Total Number of Dominant Species Across All Strata: 1 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 0 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:
__ 1 - Rapid Test for Hydrophytic Vegetation
__ 2 - Dominance Test is >50%
__ 3 - Prevalence Index is ≤3.0[1]
__ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
__ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes No ✓

Remarks: (Include photo numbers here or on a separate sheet.)

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

SOIL

Sampling Point: 6

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-13	10YR 3/2	100					silt loam	
13-24	10YR 4/3	100					silt loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: Orchards of Mukwonago City/County: Meyer Sampling Date: 10-22-21

Applicant/Owner: State: WI Sampling Point: #7 wet

Investigator(s): Meyer Section, Township, Range: Sec. 28 T9N R21E

Landform (hillslope, terrace, etc.): depressional channel Local relief (concave, convex, none): Concave

Slope (%): ~10 Lat: Long: Datum:

Soil Map Unit Name: M+A NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes see report No (If no, explain in Remarks.)

Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No

Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ✓	No	Is the Sampled Area within a Wetland? Yes ✓ No
Hydric Soil Present?	Yes ✓	No	
Wetland Hydrology Present?	Yes ✓	No	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
	= Total Cover		
Sapling/Shrub Stratum (Plot size:)			
1.			
2. Salix interior	20	✓	FACW
3.			
4.			
5.			
	20 = Total Cover		
Herb Stratum (Plot size:)			
1.			
2. Phalaris arundinacea	100	✓	FACW
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
	100 = Total Cover		
Woody Vine Stratum (Plot size:)			
1.			
2.			
	= Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 2 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 100 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species	x 1 =
FACW species	x 2 =
FAC species	x 3 =
FACU species	x 4 =
UPL species	x 5 =
Column Totals: (A)	(B)

Prevalence Index = B/A =

Hydrophytic Vegetation Indicators:

- 1 - Rapid Test for Hydrophytic Vegetation
- ✓ 2 - Dominance Test is >50%
- 3 - Prevalence Index is ≤3.0[1]
- 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
- Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ✓ No

Remarks: (Include photo numbers here or on a separate sheet.)

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

SOIL

Sampling Point: 7

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-3	10YR 3/1	100					Silt loam	
3-18	10YR 3/1	95	10YR 3/6	5	C	M/PL	silt loam	
18-24	10YR 4/1	90	10YR 4/6	10	C	M	clay loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ✓ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes ✓ No ___

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ✓ Surface Water (A1)
- ✓ High Water Table (A2)
- ✓ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ✓ Geomorphic Position (D2)
- ✓ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes ✓ No ___ Depth (inches): 2

Water Table Present? Yes ✓ No ___ Depth (inches): Surface

Saturation Present? (includes capillary fringe) Yes ✓ No ___ Depth (inches): Surface

Wetland Hydrology Present? Yes ✓ No ___

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

WETLAND DETERMINATION DATA FORM – Midwest Region

Project/Site: Orchards of Mukwonago City/County: Meyer Sampling Date: 10-22-21
Applicant/Owner: State: WI Sampling Point: #8 UP
Investigator(s): Meyer Section, Township, Range: Sec. 28 T9N R21E
Landform (hillslope, terrace, etc.): hillslope Local relief (concave, convex, none): Convex
Slope (%): ~20 Lat: Long: Datum:
Soil Map Unit Name: MtA NWI classification: None
Are climatic / hydrologic conditions on the site typical for this time of year? Yes (See report) No ____ (If no, explain in Remarks.)
Are Vegetation N, Soil N, or Hydrology N significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No ____
Are Vegetation N, Soil N, or Hydrology N naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes ____	No ✓	Is the Sampled Area within a Wetland? Yes ____ No ✓
Hydric Soil Present?	Yes ____	No ✓	
Wetland Hydrology Present?	Yes ____	No ✓	

Remarks:

VEGETATION – Use scientific names of plants.

Tree Stratum (Plot size: ____)	Absolute % Cover	Dominant Species?	Indicator Status
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		
Sapling/Shrub Stratum (Plot size: ____)			
1.			
2.			
3.			
4.			
5.			
	____ = Total Cover		
Herb Stratum (Plot size: ____)			
1. Solidago Canadensis	45	✓	FACU
2.			
3. Symphyotrichum pilosum	10		FACW
4. Solidago nemoralis	15		UPL
5. Elymus X Ferrissii	65	✓	FACW
6.			
7.			
8.			
9.			
10.			
	135 = Total Cover		
Woody Vine Stratum (Plot size: ____)			
1.			
2.			
	____ = Total Cover		

Dominance Test worksheet:
Number of Dominant Species That Are OBL, FACW, or FAC: 1 (A)
Total Number of Dominant Species Across All Strata: 2 (B)
Percent of Dominant Species That Are OBL, FACW, or FAC: 50 (A/B)

Prevalence Index worksheet:

Total % Cover of:		Multiply by:	
OBL species	____	x 1 =	____
FACW species	65	x 2 =	130
FAC species	____	x 3 =	____
FACU species	55	x 4 =	220
UPL species	15	x 5 =	75
Column Totals:	135 (A)		425 (B)

Prevalence Index = B/A = 3.15

Hydrophytic Vegetation Indicators:
___ 1 - Rapid Test for Hydrophytic Vegetation
___ 2 - Dominance Test is >50%
___ 3 - Prevalence Index is ≤3.0[1]
___ 4 - Morphological Adaptations[1] (Provide supporting data in Remarks or on a separate sheet)
___ Problematic Hydrophytic Vegetation[1] (Explain)

[1]Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Hydrophytic Vegetation Present? Yes ____ No ✓

Remarks: (Include photo numbers here or on a separate sheet.)

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

SOIL

Sampling Point: 8

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type[1]	Loc[2]	Texture	Remarks
0-13	10YR 3/2	100					Silt loam	
13-18	10YR 3/2	98	10YR 4/6	2	C	M	silt loam	
18-24	10YR 6/2	90	10YR 4/6	10	C	M	Clay loam	

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ 2 cm Muck (A10)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ 5 cm Mucky Peat or Peat (S3)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Loamy Mucky Mineral (F1)
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ Coast Prairie Redox (A16)
- ___ Dark Surface (S7)
- ___ Iron-Manganese Masses (F12)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

Restrictive Layer (if observed):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes _____ No ✓

Remarks:

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ___ Aquatic Fauna (B13)
- ___ True Aquatic Plants (B14)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- ___ Gauge or Well Data (D9)
- ___ Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- ___ Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present? Yes _____ No ✓ Depth (inches): _____

Water Table Present? Yes _____ No ✓ Depth (inches): _____

Saturation Present? (includes capillary fringe) Yes _____ No ✓ Depth (inches): _____

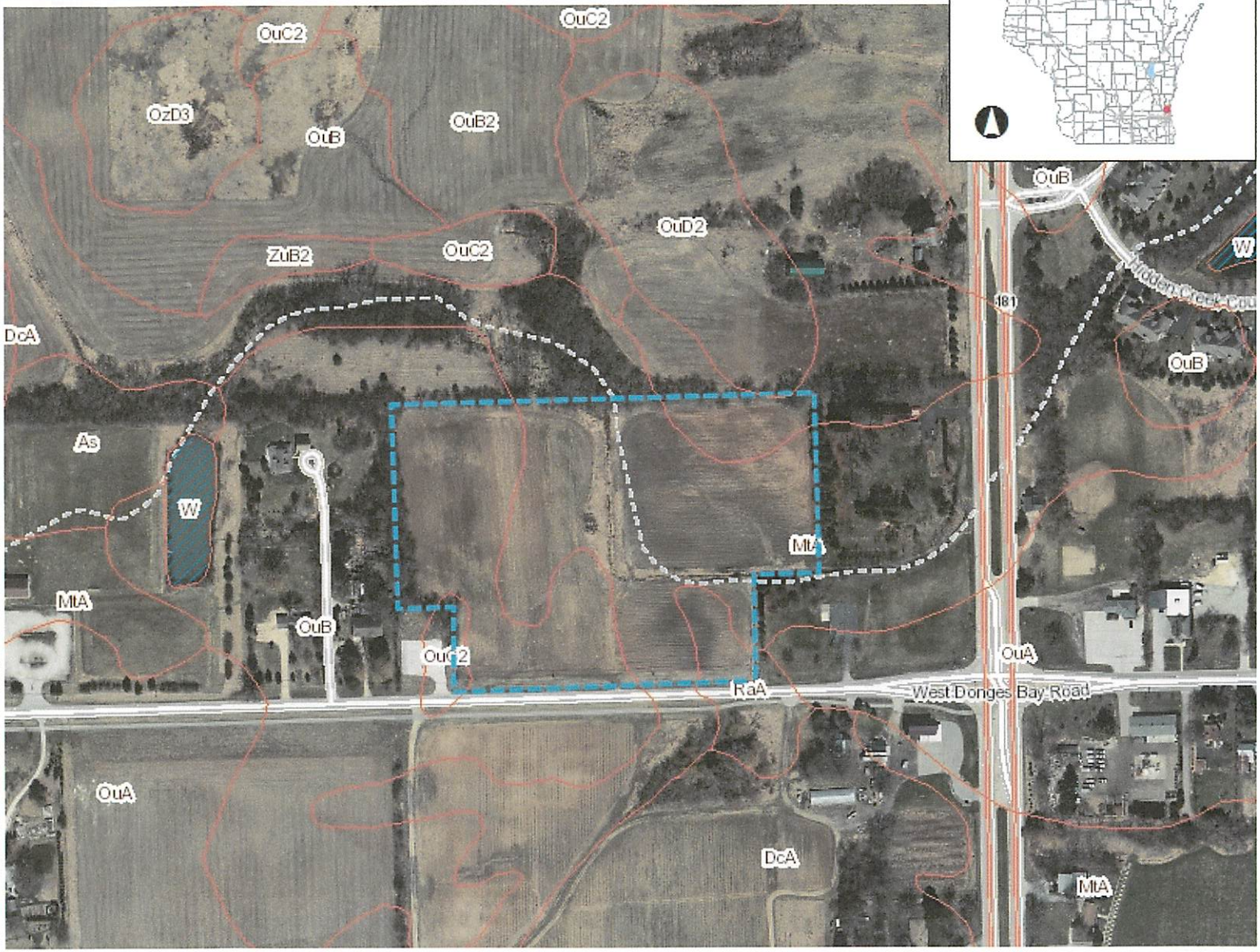
Wetland Hydrology Present? Yes _____ No ✓

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Surface Water Data Viewer Map





Legend

- NRCS Wisconsin Soils
  - Soil Mapping Unit
  - Water
- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water
- Index to EN_Image_Basemap_Leaf_Off

Notes

0.1 0 0.06 0.1 Miles

NAD_1983_HARN_Wisconsin_TM

1: 3,960

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Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Soil Map—Ozaukee County, Wisconsin



Map Scale: 1:1,600 if printed on A landscape (11" x 8.5") sheet.

N

Meters: 0 20 40 80 120

Feet: 0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 16N WGS84

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
MtA	Mequon silt loam, 1 to 3 percent slopes	6.4	53.7%
OuB	Ozaukee silt loam, high carbonate substratum, 2 to 6 percent slopes	4.9	40.9%
OuC2	Ozaukee silt loam, high carbonate substratum, 6 to 12 percent slopes, eroded	0.1	1.0%
RaA	Radford silt loam, 0 to 3 percent slopes	0.5	4.4%
Totals for Area of Interest		**11.9**	**100.0%**

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Report—Hydric Soil List - All Components

Hydric Soil List - All Components–WI089-Ozaukee County, Wisconsin					
Map symbol and map unit name	**Component/Local Phase**	**Comp. pct.**	**Landform**	**Hydric status**	**Hydric criteria met (code)**
MtA: Mequon silt loam, 1 to 3 percent slopes	Mequon	86-95	Till plains	No	—
	Ashkum	5-14	Depressions	Yes	2,3
OuB: Ozaukee silt loam, high carbonate substratum, 2 to 6 percent slopes	Ozaukee-High carbonate substratum	92-100	Ground moraines,end moraines	No	—
	Ashkum-Drained	0-5	End moraines,ground moraines	Yes	2
	Urban land	0-3	Ground moraines	No	—
	Orthents, clayey	0-3	Ground moraines	No	—
OuC2: Ozaukee silt loam, high carbonate substratum, 6 to 12 percent slopes, eroded	Ozaukee-High carbonate substratum, eroded	88-100	Ground moraines,end moraines	No	—
	Mequon	0-5	Ground moraines	No	—
	Ozaukee-Severely eroded	0-5	Ground moraines,end moraines	No	—
	Urban land	0-5	Ground moraines	No	—
RaA: Radford silt loam, 0 to 3 percent slopes	Radford	80-95	Drainageways,flood plains	No	—
	Otter	2-8	Drainageways,flood plains	Yes	2,3
	Sable	2-5	Depressions	Yes	2,3
	Sebewa	1-4	Depressions	Yes	2,3
	Drummer	0-3	Depressions	Yes	2,3

Data Source Information

Soil Survey Area: Ozaukee County, Wisconsin
Survey Area Data: Version 18, Sep 10, 2021

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Surface Water Data Viewer Map





Legend

- Wetland Class Areas
- Wetland Class Points
  - Dammed pond
  - Excavated pond
  - Filled/drained wetland
  - Wetland too small to delineate
  - Filled excavated pond
- Filled Points
- Wetland Class Areas
- Filled Areas
- Wetland Class Areas
- Wetland Class Points
  - Dammed pond
  - Excavated pond
  - Filled/drained wetland
  - Wetland too small to delineate
  - Filled excavated pond
- Filled Points
- Wetland Class Areas
- Filled Areas
- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams

Notes

0.1 0 0.06 0.1 Miles

NAD_1983_HARN_Wisconsin_TM

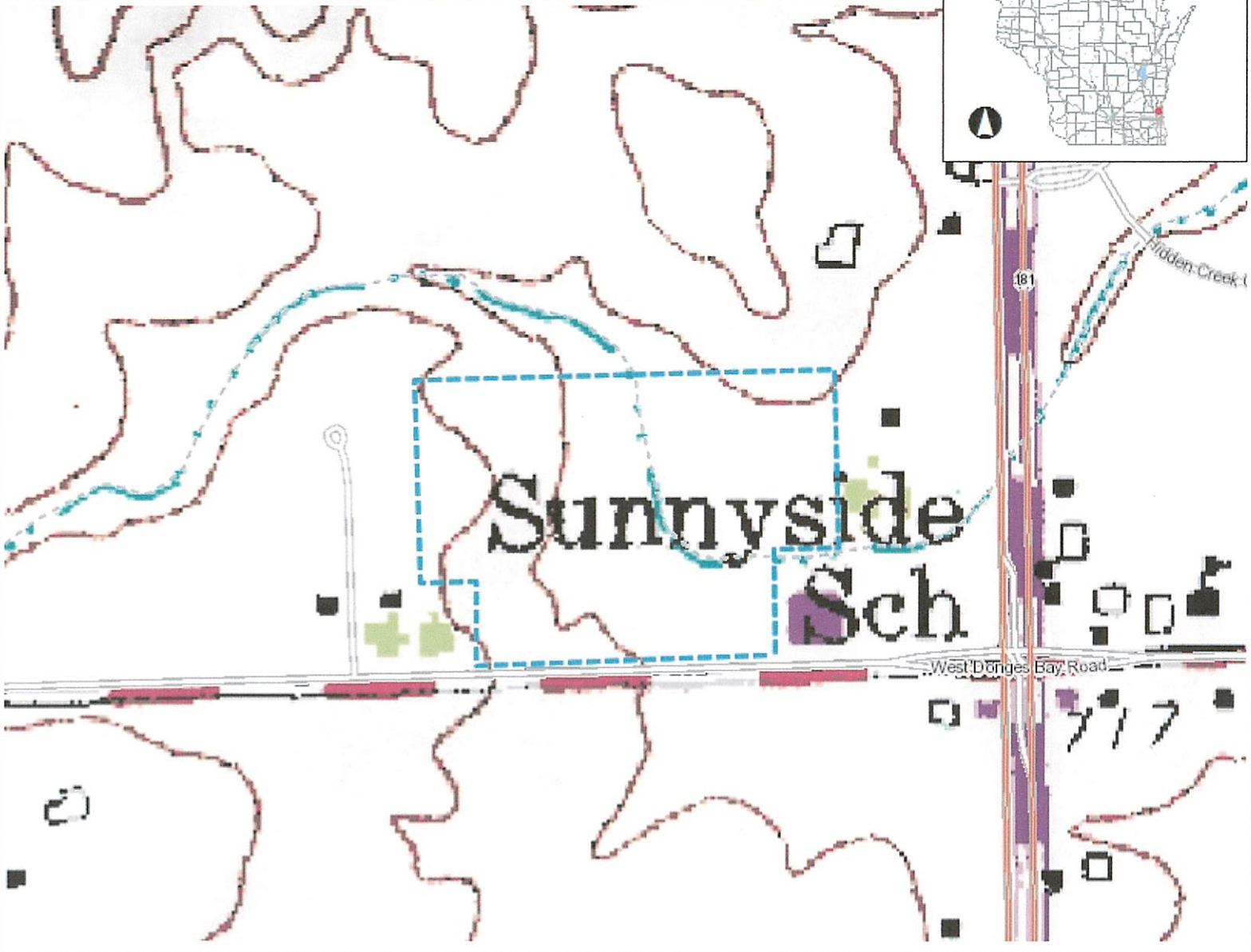
1: 3,960

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Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Surface Water Data Viewer Map





Legend

- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water
- 24K USGS Quad Index - Level 7 - 16

Notes

0.1 0 0.06 0.1 Miles

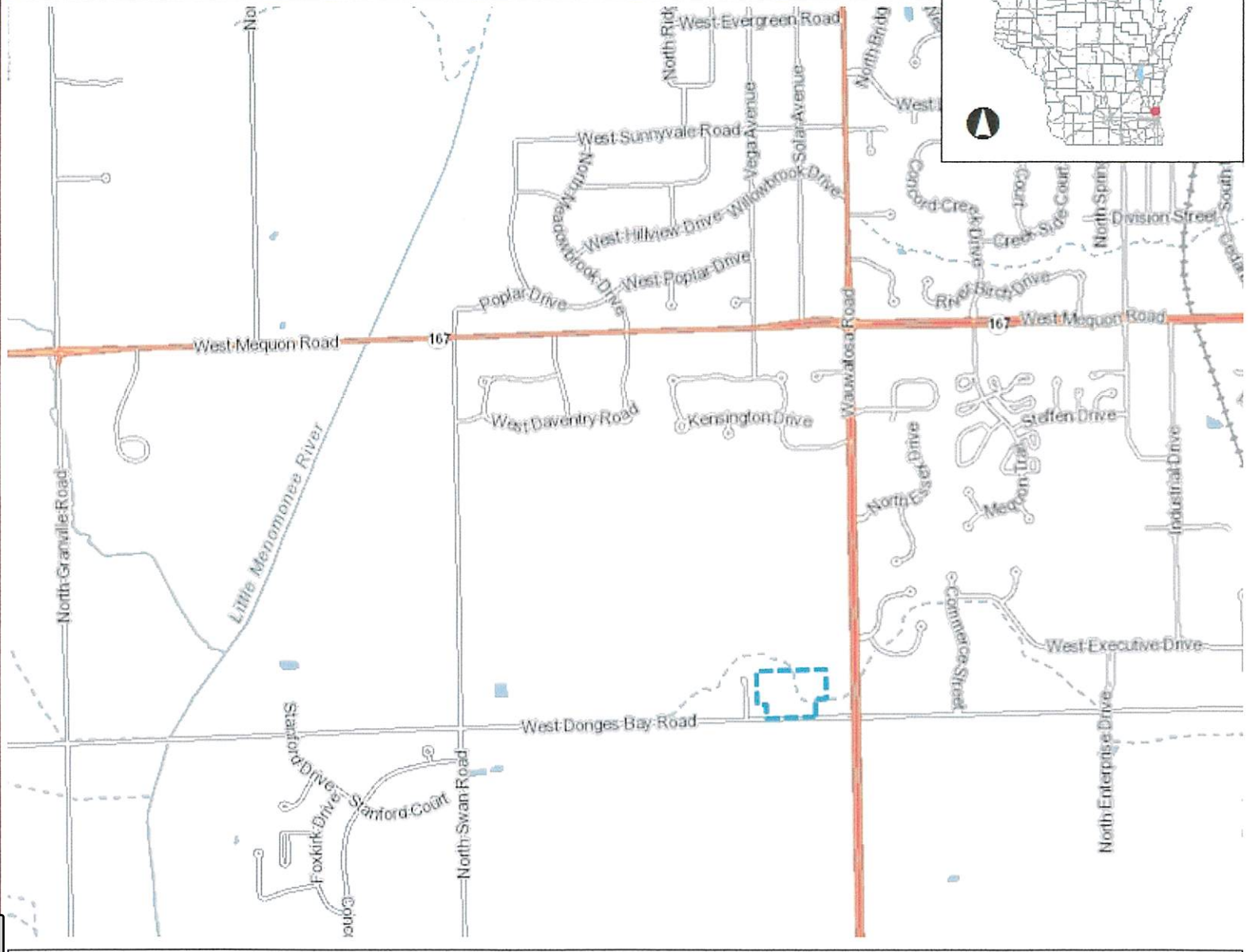
NAD_1983_HARN_Wisconsin_TM

1: 3,960

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Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Surface Water Data Viewer Map





Legend

- Municipality
- State Boundaries
- County Boundaries
- Major Roads
  - Interstate Highway
  - State Highway
  - US Highway
- County and Local Roads
  - County HWY
  - Local Road
- Railroads
- Tribal Lands
- Rivers and Streams
- Intermittent Streams
- Lakes and Open water

Notes

0.8 0 0.38 0.8 Miles

NAD_1983_HARN_Wisconsin_TM

1: 23,760

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PHOTOGRAPHS

Photo 1……Viewing north along drainageway.

Photo 2……Viewing north across the wetland at DP #5.

Photo 3……Viewing north across the fallow field.

Photo 4……Viewing west across the green bean field.

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)



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NRCS-CPA-32W
(6-9-06)

WETLAND DOCUMENTATION RECORD
Remotely Sensed Data Summary

Owner/Operator: Orchards of Mukwonago County: Ozaukee State: WI

Slide Reviewer: Meyer Date: 10-20-21

Site Identification No. 3058 (Tract No. + Site No.)

Farm Service Agency (or Other) Aerial Slide Data

Date (Mo./Yr)	Rainfall (in) +D/N/W (Apr-June ave. = 9.41)	Interpretation- (codes listed in box below)
4/2021	7.97 N	N CR
3/2018	11.81 N	N CR
4/2017	15.96 W	N CR
6/2015	11.42 N	N CR
4/2014	14.85 W	N CR
7/2011	11.93 N	N CR
11/2010	14.79 W	N CR
9/2008	16.96 W	N CR
4/2007	7.42 N	N CR
9/2006	12.73 W	N CR

Air Photo

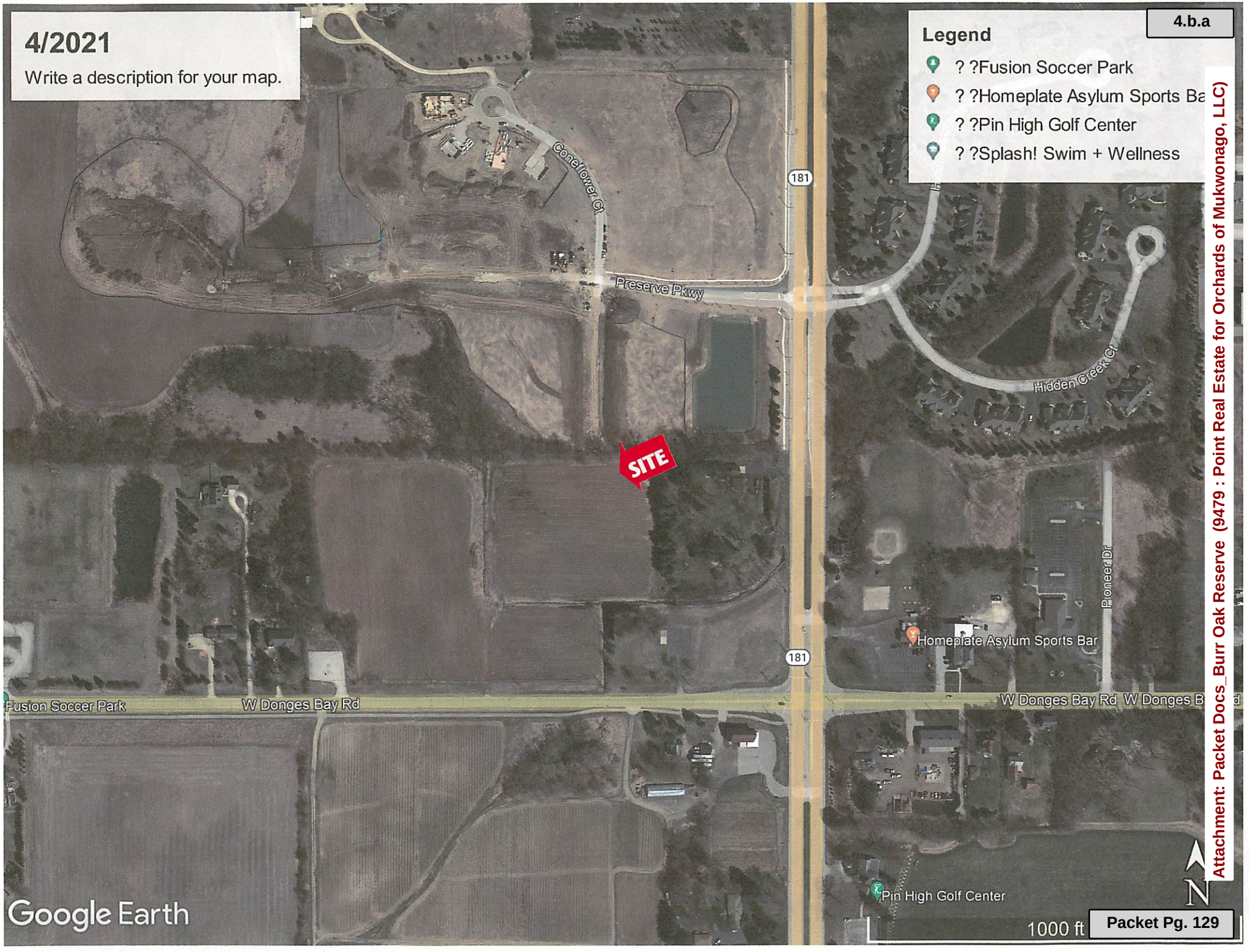
Y = Yes, signal indicates wetness (+ = strong, - = weak)
CR = cropped (row crop or tilled)
N = No wetness signature
NC = not cropped (hay, pasture, idle, etc.)

Feature	Color	Manipulation (year of installation)	Other
1 = water	6a = dark green	7a = ditched	write explanation
2 = mud flat	6b = light green	7b = tiled	
3 = bare spot	6c = yellow	7c = filled	
4 = drowned crop	6d = brown	7d = tree/brush removal	
5 = planted late	6e = black	8 = plowed/tilled	

Does slide/air photo data indicate the site is a wetland? 0Yes 0No

0 years out of # 10 years observed have wet (Y) signatures.

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)



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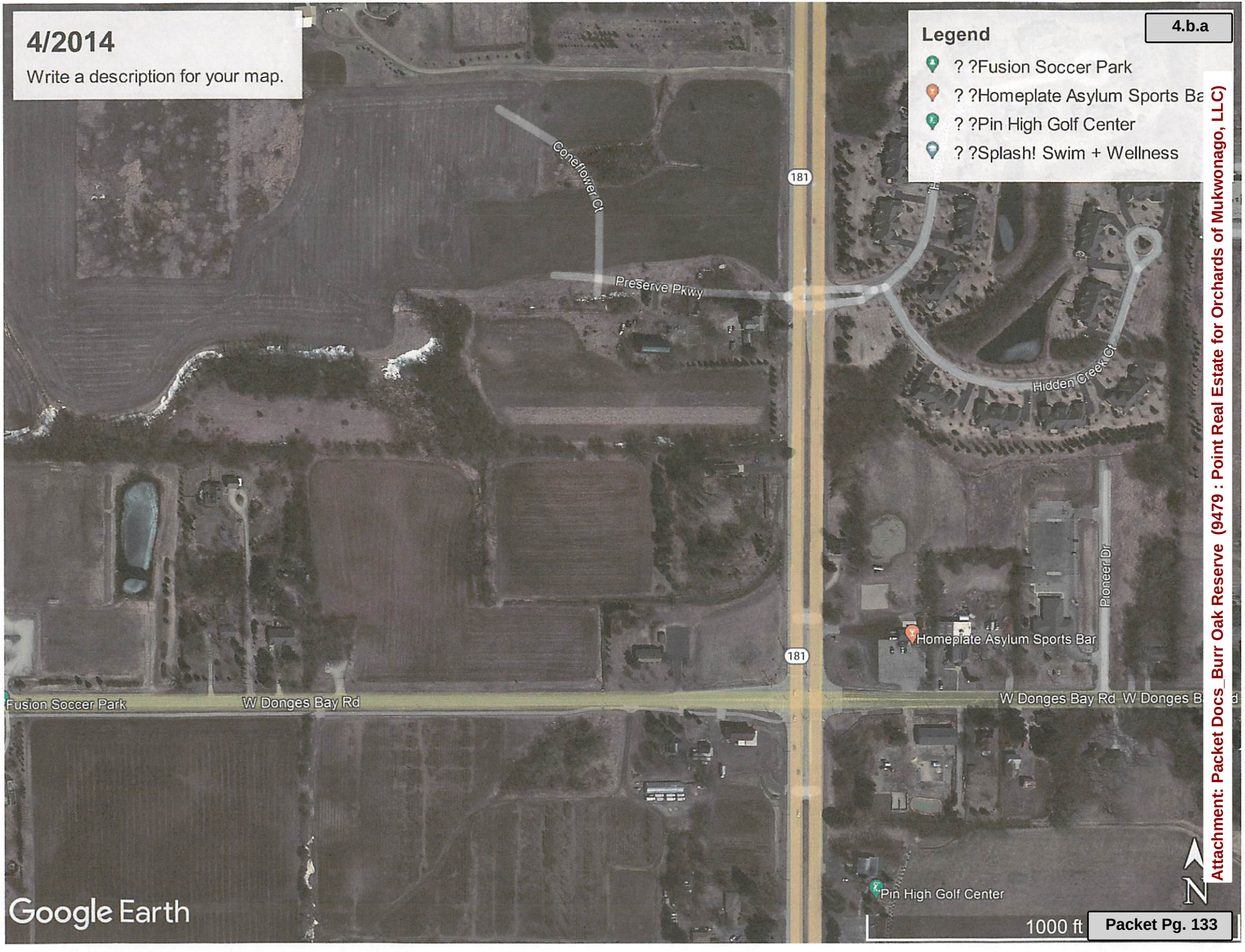
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State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Waukesha Service Center
141 NW Barstow, Room 180
Waukesha, WI 53188

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711

December 8, 2014

WIC-SE-2014-46-03630

Great Day Holdings LLC
Wolf Korndoerfer
7900 Durand Ave. Bldg. 10
Sturtevant, WI 53177

RE: Wetland Delineation Report for Whispering Knoll Phase 2 Project located in the SE1/4 of the SE1/4 of Section 28, Township 9 North, Range 21 East, City of Mequon, Ozaukee County

Dear Mr. Korndoerfer:

We have received and reviewed the wetland delineation report prepared for the above mentioned site by Eco-Resource Consulting, LLC. This letter will serve as confirmation that the wetland boundaries as shown on the wetland delineation map dated October 2, 2014 are acceptable. Any filling or grading within these areas will require DNR approvals. This finding is based upon a November 6, 2014 field review. Our wetland confirmation is valid for five years unless altered site conditions warrant a new wetland delineation be conducted.

In order to comply with Chapter 23.321, State Statutes, please supply the department with an electronic file, in CAD or GIS format, of all wetland boundaries delineated within the project area. The electronic file should utilize a State Plane Projection, and be overlain onto recent aerial photography. If a different projection system is used, please indicate what system the data are projected to. Please send these data to Calvin Lawrence (608-266-0756, or calvin.lawrence@wisconsin.gov).

There is a navigable stream identified on the property. DNR Chapter 30 permits will be needed if earthwork (filling, dredging, etc.) or structures (culverts, bridges, erosion control, etc.) are proposed in or adjacent to the waterway.

If you are planning development on the property, you are required to avoid take of endangered and threatened species, or obtain an incidental take authorization, to comply with the state's Endangered Species Law. To insure compliance with the law, you should submit an endangered resources review form (Form 1700-047), available at http://dnr.wi.gov/topic/ERReview/Review.html. The Endangered Resources Program will provide a review response letter identifying any endangered and threatened species and any conditions that must be followed to address potential incidental take.

In addition to contacting WDNR, be sure to contact your local zoning office and U.S. Army Corps of Engineers to determine if any local or federal permits may be required for your project.

If you have any questions, please contact me at (262) 574-2115 or email neil.molstad@wisconsin.gov.

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

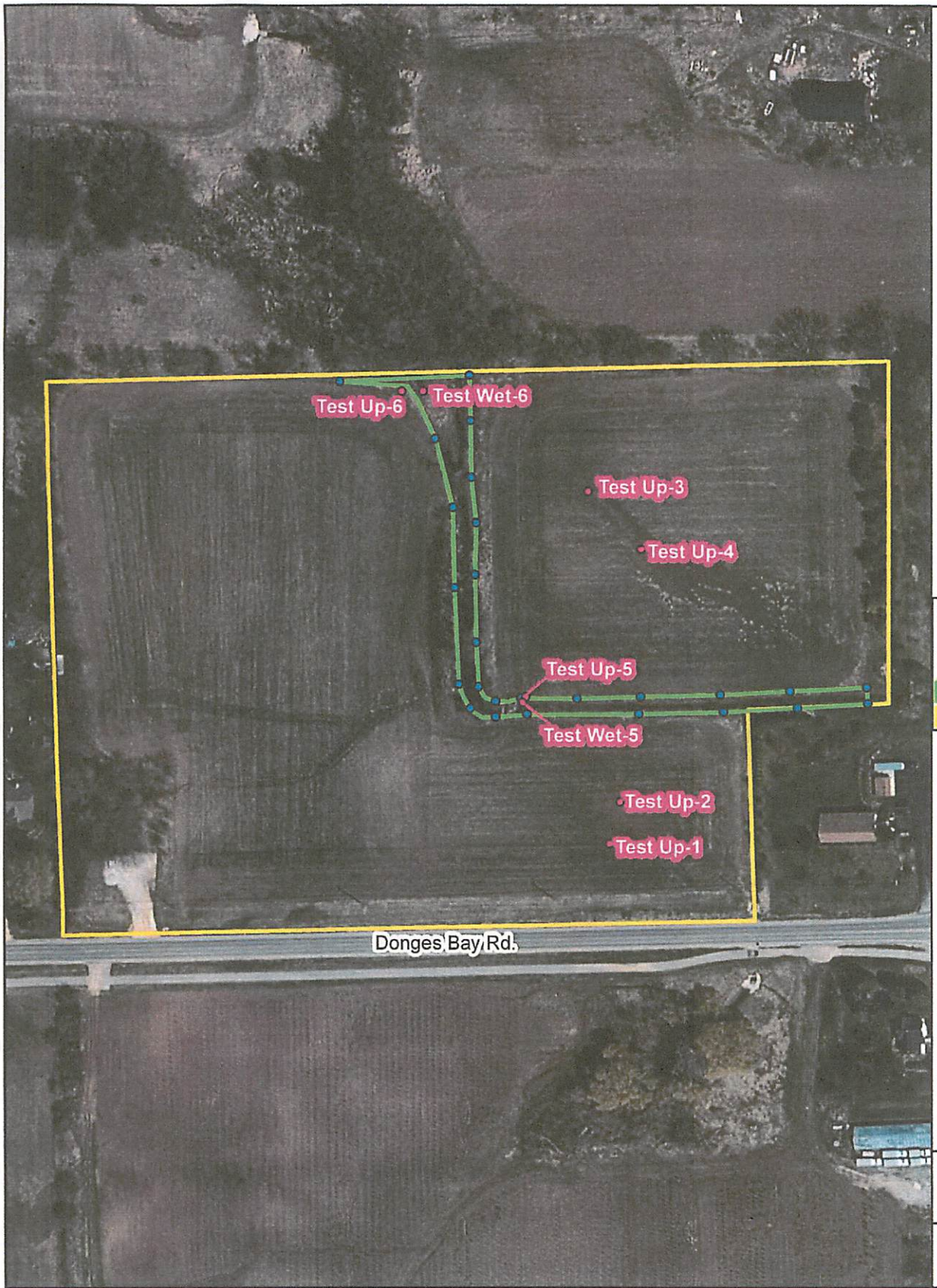
Sincerely,

Neil Molstad
Wetland Identification Specialist

cc: Rebecca Graser, Project Manager, U.S. Army Corps of Engineers
Kim Tollefson, Director of Community Development, City of Mequon
Stephen Hjort, Eco-Resource Consulting, LLC
Kathi Kramasz, DNR Water Management Specialist

Quality Customer Service is Important to Us. Tell Us How We Are Doing.
Water Division Customer Service Survey
https://www.surveymonkey.com/s/WDNRWater

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)



Legend
- TestPits
- WetlandDelineationPoin
- Wetland Delineation
- Property Boundary

0 70 140 Feet

1 inch = 160 feet

Drawn By: Daniel Fuhs	ERC ECO-RESOURCE CONSULTING, LLC 409 Concord Drive Oregon, WI 53575 www.eco-resource.net	Figure 4. Wetland Delineation Whispering Knoll Phase 2 7626 W. Donges Bay Rd. Sec 28 T09N R21E City of Mequon Ozaukee County, WI
Date: 10/02/2014		
Project Number: 14004		Source : ESRI 04/19/2014
Figure 4 of 4		

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

LOCATION: WEST DONGES BAY ROAD, MEQUON, WI

TAX KEY NO: 14-028-16-014.00

Wetlands delineated by Wetland & Waterway Consulting, Inc.

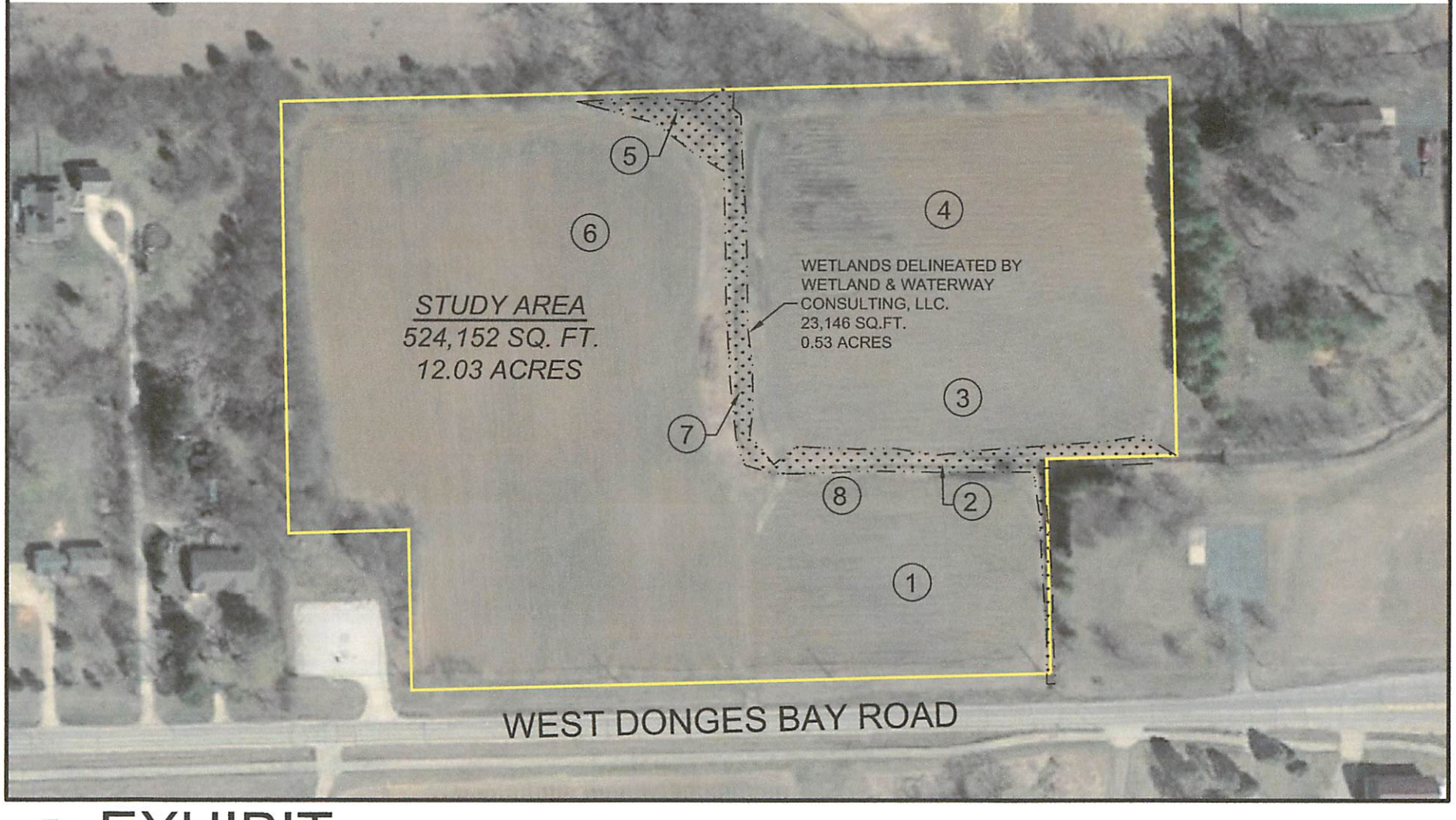
LEGEND

(1) DATA POINT

GRAPHICAL SCALE (FEET)

0 1" = 150' 300'

NORTH



EXHIBIT

11/15/2021

PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186
WWW.PINNACLE-ENGR.COM

PLAN | DESIGN | DELIVER

PEG JOB#221.00A

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

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

www.ci.mequon.wi.us

PUBLIC WORKS/ENGINEERING

Permit Application for Filling, Excavating and Berms

Engineering Division

PLEASE PRINT CLEARLY

Agent / Contact Name: Point Real Estate c/o Joe Bukovich Phone #: (262) 424-5997

Property Owner Name: Orchards of Mukwonago LLC c/o Mike Kaerek Phone #: (414) 321-5300

Agent Or Owner Contact Address: 19000 W. Bluemound Road, Brookfield, WI 53045

Email Address: jb@pointre.com

Location Or Address Of Work Site: North side Donges Bay Road approx. 700' west of Wauwatosa Road

Or: Description Lot 2 CSM 3952 1/4 Section SE T9N, R 21 E

Tax Key No. 14-028-1601-400

Subdivision _____ Lot _____ Block _____

Estimated Date Of Completion: August 2025

Reason For Fill/Removal/Excavation Development of Burr Oak Reserve neighborhood. Fill is needed to raise ground and basements above seasonal high groundwater.

Name Of Contact Other Than Applicant: None Phone #: _____

FEE COMPUTATION

$60.00 – 0 – 250 C.Y.

$120.00 – 251 C.Y. – 1,000 C.Y.

PLAN COMMISSION REVIEW FEE . – > 1,000 C.Y. Total Fee $ 480.00

Total Cubic Yards To Be Deposited/Removed/Excavated 45,000 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 and review fees will be required upon submittal.*
Per Section 58-674 Erosion and Stormwater Runoff Control ordinance, any land disturbance greater than 4,000 s.f. will require an Erosion Control Permit.

SIGNED: Joseph A. Bukovich, Owner's Authorized Agent DATE: 5/17/24

Note: This is NOT a permit for work. Permit will be mailed to the applicant upon approval.

---- For Office Use Only ----

Haul Route Map Required ☐ *YES* ☐ *NO* ☐ *ATTACHED*
Erosion Control Permit Required ☐ *YES* ☐ *NO*

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

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Permit# _____

11333 N Cedarburg Rd
Mequon, WI 53092-1930
Phone (262)236-2934
Fax (262)242-9819
engineering@ci.mequon.wi.us
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PUBLIC WORKS/ENGINEERING

FILLING, EXCAVATING, AND BERMS PERMIT CLOSURE

Agent/Contact Name: _____

Contact Address: _____

Location/Address of Work: _____

Final Documentation of permitted activities is to be provided to the City no more than 10 calendar days after final completion.

Permit 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 1,000 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).

This document is to serve as a notice of termination/completion of activities associated with the Filling, Excavating, and Berms Permit. It is here stated and noted that the above-named site and associated landowners and contractors have satisfactorily completed construction and included all necessary documentation.

_____ _____

Permittee Signature Date

I have reviewed the site and final documentation of permitted activities and found that the completed work is satisfactory and permit closure is approved.

_____ _____

City of Mequon Signature Date

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

Permit No._____
Date Filed_____
Exp. Date_____
Fees Paid_____

11333 N. Cedarburg Rd
Mequon, WI 53092-1930
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ENGINEERING/PUBLIC WORKS

EROSION CONTROL PERMIT

APPLICANT Orchards of Mukwonago LLC PHONE (414) 321-5300 FAX (414) 321-8622

APPLICANT'S ADDRESS 11600 W. Lincoln Avenue, West Allis, WI 53227

APPLICANT'S EMAIL mikekaerek@kaerekhomes.com w/ copy to jb@pointre.com

ADDRESS OF LAND DISTURBING ACTIVITY None Assigned-Burr Oak Reserve N. side Donges Bay

CONTACT FOR MAINTENANCE OF EROSION CONTROL MEASURES:

NAME Point Real Estate c/o Joe Bukovich PHONE (262) 424-5997

EMAIL jb@pointre.com

FEE COMPUTATION

☑ **Residential Development:**
Initial fee: $ 600.00
Total number of lots/units: 17 lots
Additional Fees: $ 102.00 = number of lots/units x $6.00/lot or unit
Total Fee: $ 702.00

☐ **Commercial/Industrial Development:**
Initial fee: $300.00
Total amount of disturbed area: _____
Additional Fees: $ 102.00 = $6.00/1,000 S.F. of disturbed area
Total Fee: $ 702.00

☐ **General Use - Residential:**
Initial fee: $30.00
Total amount of disturbed area: _____
Additional Fees: $ 102.00 = $4.00/1,000 S.F. of disturbed area
Total Fee: $ 702.00

Acceptance of conditions by applicant. (In case of applicant not being the owner of parcel, the applicant shall act as an agent for the owner. The owner's permission and acceptance of all conditions shall be in force as soon as the applicant is permitted by the owner to proceed with the work outlined herein.)

I hereby certify that I fully understand the provisions of the City of Mequon's Code of Ordinances (Article VIII, Erosion and Stormwater Runoff Control, Section 58-671 - 58-677) and that I accept responsibility for carrying out the control plan for the above referenced project, as approved by the Engineering Division.

Signed Joseph A. Bukovich
Owner/Agent
OWNER'S AUTHORIZED AGENT

Date 5/17/24

Signed _____
City of Mequon Representative

Date _____

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

CITY OF MEQUON WISCONSIN

Permit No._____

Phone (262) 236-2931
Fax (262) 242-9819

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ENGINEERING/PUBLIC WORKS

EROSION CONTROL TERMINATION NOTICE

This form is to be submitted after the permittee has determined that final site stabilization has been achieved and no longer need to comply with the terms of the permit.

NAME:	CONTACT PERSON:
MAILING ADDRESS:	TITLE:
CITY, STATE, ZIP CODE	TELEPHONE NUMBER:

SITE NAME:
LOCATION DESCRIPTION:
NOTES:

This document is to serve as a notice of termination/completion of activities associated with the Erosion Control Permit. It is here stated and noted that the above-named site and associated landowners and contractors have satisfactorily completed final site stabilization with regard to soil erosion.

_____ _____

Permittee Signature Date

I have reviewed the site and found that due to full stabilization and/or completion of all necessary erosion control measures/removal the termination is approved.

_____ _____

City of Mequon Signature Date

Attachment: Packet Docs_Burr Oak Reserve (9479 : Point Real Estate for Orchards of Mukwonago, LLC)

11333 N. Cedarburg Road
Mequon, Wisconsin 53092
Phone: (262) 236-2903
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Department of Community Development

The Public Welfare Committee has begun work on the next Community Survey, which was last completed in 2019. Based on the Committee's current timeline to allow for vendor selection and question formulation, the next survey is scheduled to go out in May 2025. The Committee is currently seeking input from staff and the City's Boards, Committees, and Commissions for survey topics.

Public Welfare Committee is seeking the top three topics that City Boards, Committees or Commissions wishes to include. Please keep in mind that a typical survey has approximately 30 questions and while every topic has merit, not all can be included. Based on what is submitted, the Public Welfare Committee hopes to see what themes emerge as most pressing for our community at the present time.

Staff requests the Commission discuss survey topic ideas to share with the Public Welfare Committee at our meeting on June 24, 2024.

Recommendations:

1. _____

2. _____

3. _____

Attachment: Document21 - Compatibility Mode (9476 : 2025 City of Mequon Community Survey Topics)

11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-242-3100
Fax: 262-242-9655

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

TO: **Planning Commission**
FROM: **Jac Zader, Assistant Director Community Development**
DATE: **June 24, 2024**
SUBJECT: **Design Guidelines for Commerical Structures**

Background:
As part of the ongoing efforts related to creating design guidelines for the Port Washington Road corridor, staff has prepared a visual preference survey for Commission members that will be disturbed at the June Planning Commission meeting. Staff is requesting that all surveys be completed and returned to City Hall no later than July 8, 2024. If the Commissioners are unable to return the surveys to City Hall, a staff person will be available to pick up the completed surveys on July 9th between the hours of 9:00 AM and 11:00 AM.