



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

www.ci.mequon.wi.us

Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, July 24, 2017
7:00 PM
Christine Nuernberg Hall

Agenda

1) Call to Order, Roll Call

- a) Approval of Minutes of June 24, 2017

2) Consent/Public Hearing

- a) Concord 22, LLC. The applicant is seeking conditional use grant approval to operate a 1,650 square foot fitness center for the property located at 11521 N. Port Washington Road.

3) Consent/Regular Business

- a) Metropolitan Builders Association. The applicant is seeking minor request for a temporary use approval (August 6th - September 6th) for directional signs for the 2017 Parade of Homes located at the Highlander Estates subdivision.

4) Regular Business

- a) Signs Now Milwaukee for Yamato. The applicant is seeking sign approval to use Polystyrene foam for a monument sign for the property located at 6300 W. Eastwood Court.
- b) Mike Mehta. The applicant is seeking master sign plan approval for the property located at 10400-10412 N. Baehr Road (Moro Performance).
- c) Joe & Marie Kelly. The applicant is seeking specimen tree removal approval to remove one Red Oak tree for the property located at 13817 N. Hillside Drive.
- d) Chapter 58 of the Zoning Code as it relates to uses in the LTD Zoning District.
- e) Jim Forester. The applicant is seeking rezoning ordinance amendment approval to allow changes to the conditions of the PUD Ordinance related to the hours of operation and location of conditional uses for the property located at 11649 N. Port Washington Road.

5) Announcements

Next meeting is August 7, 2017

6) Adjourn

Dated: _____ /s/ Dan Abendroth, Chairman

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

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

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



11333 N. Cedarburg Rd
Mequon, WI 53092-1930
Phone: 262-236-2902
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Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: July 20, 2017
SUBJECT: PLANNING COMMISSION MEETING MINUTES

Memorandum

Attached please find the City of Mequon Planning Commission Meeting Minutes of June 24, 2017 for your review.

Attachments:

PC Minutes 06.24.17 DRAFT (PDF)



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Department of Community Development
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PLANNING COMMISSION
Regular Meeting
Monday, June 12, 2017
7:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:

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

a) Meeting Minutes

1) PLANNING COMMISSION MEETING MINUTES from May 8, 2017

Ald. Wirth made a correction to page 8, to add the word *not*; it should read: Ald. Wirth agrees with Commissioner Lemke and he feels that (a) is not needed at all.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Stoker, Alternate
SECONDER:	Rick Lemke, Commissioner
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

2) Consent / Public Hearing

- a) Mommy & Me Childcare. The applicant is seeking conditional use grant approval to operate a childcare center for the property located at 10510 N. Port Washington Road.

Action:

Commissioner Stoker made a motion to go into public hearing.

Attachment: PC Minutes 06.24.17 DRAFT (2517 : Planning Commission Minutes)

Commissioner Lemke seconded the motion.
All voted aye, vote passed (8-0)

Action:

Commissioner Stoker made a motion to close the public hearing.
 Commissioner Becky Schaefer seconded the motion.
All voted aye, vote passed (8-0)

RESULT:	APPROVED [UNANIMOUS]
AYES:	Abendroth, Parrish, Stoker, Schaefer, Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

3) Consent/Regular Business

- a) Dennis Stern. The applicant is seeking certified survey map approval for the property located at 11627 W. Highland Road.

RESULT:	APPROVED [8 TO 0]
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

- b) Veridian Homes - Enclave at Mequon Preserve - Phase II. The applicant is seeking final plat approval for Phase II (16 lots) for a 50 lot single family subdivision located at 10729-10839 N. Wauwatosa Road.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

- c) Veridian Homes - Enclave at Mequon Preserve - Phase III. The applicant is seeking fill permit and development agreement approval for Phase III (17 lots) for a 50 lot single family subdivision located at 10729 - 10839 N. Wauwatosa Road

All consent times were approved

RESULT:	APPROVED [UNANIMOUS]
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Wirth, Lemke, Hawley
EXCUSED:	Choren, Mason

4) Regular Business

- a) Spirit Lake International, LLC. The applicant is seeking grading plan and certified survey map approval for a 3 lot land division on 8 acres for the property located at 9807 B. Cedarburg Road.

Ald. Wirth recused himself from this item and the next one.

Asst. Dir. Zader stated that this is a request for a 3 lot certified survey map. A year ago on June 13, 2016, the applicant had requested a four lot certified survey map. It was approved at that time with a condition that the applicant return for grading plan approval. He is submitting an updated grading plan now and has reduced the request from a 4 lot to a 3 lot land division. There is a large lot in the back that would be allowed for a subdivision in the future. Engineering Director, Kristen Lundeen, is available to answer any questions regarding the grading. Staff does approve the according to the conditions in the report.

Robert Hurda, 4528 W. Hiawatha Drive asked how high the lots will be in comparison to his home and his neighbors. He stated that 10-12 years ago there was dirt dumped there illegally and not much has been done with it since then. He supplied a handout and stated that there is standing water in front of his house.

Mike Pritchard, 4700 W. Hiawatha Drive stated that the dirt that was dumped is behind his home and there is a 10 feet elevation difference. He requests that the dirt be spread out among the 7 acres. He asked why there is 3 homes on 2 acre lots and if it is due to the drainage issues. He also requests that the applicant consider a beautification program along the Hiawatha property line, he stated that it is currently a mess. He is neither for or against the project he simply requests that the drainage issue be addressed and the mound of dirt be spread out.

Eng. Dir. Lundeen stated that the general extent of the grading is for the proposed 3 lots, there is not further grading to the west. The elevations of the homes as shown have been provided to provide proper drainage internal to the site with it generally draining to the south and then to the east along Cedarburg Road. She stated that the Planning Commission could make further grading requirements if desired as part of the approval. She explained that it is a very flat area and will be similar in grade to those along Willow and Hiawatha.

Commissioner Parrish asked about the staff report statements that a 4 lot plan requires a storm water management plan and if a pond were put into place now would that address some of the drainage issues.

Commissioner Becky Schaefer asked if there is flooding on this parcel.

Asst. Dir. Zader stated that there are depressions on the property that are lower than the flood plain but that this parcel is outside the actual flood plain. The whole area is relatively flat with very little pitch. Most of the flooding is back up from the river that comes through Trinity Creek.

Eng. Dir. Lundeen stated that if a storm water management plan was required that it would not necessarily require any improvements. It could show that with the existing grading and swell that goes along the south property line that the applicant would not be required to install any additional measures; like a pond or any retention on the site. She explained that to re-ditch along Cedarburg Road would require the applicant to work through the state.

Eng. Dir. Lundeen explained that the homes are proposed to be at an elevation of 658. She stated that is in keeping with the homes on Willow and the constraints of having to provide internal drainage to the site. There will be a new constraint to the site with the addition of the driveway along the north.

The applicant, Fred Bersch, stated that they cleaned up a significant amount of buckthorn last year and they have waited to do any mechanical grading work along the ditch line. They have removed the debris and exposed the gravel lining and they were able to get the flow better. Mr. Bersch commented that through this process the remainder will be cleaned up and made more attractive.

There was discussion about the south property line and that the applicant will clean it up and also wants to add a drainage easement there. It was stated that the individual homeowners will be responsible for landscaping their lots.

There was also discussion regarding the fill which is located in the center of the property and it is not significantly higher. The debris will be removed and it will be seeded and mulched as necessary. City staff did visit the site and confirm that it does not impede the drainage on the south side of the property.

Mr. Bersch stated that the reason for dropping the 4th lot is due to the lot being undesirable as it is located on Cedarburg Road. Lot 3 will be developed as a 6 acre parcel.

Mayor Abendroth asked if the work the applicant is planning to do on the site will be an improvement and asked for confirmation that it will not negatively impact the surrounding properties. He stated that someone new to the neighborhood usually improves the drainage to the area.

Eng. Dir. Lundeen confirmed that it will be an improvement for this site and should not negatively impact the surrounding properties.

Paul Schmacher, 4808 W. Hiawatha Road stated the issue is the ditch on the property line. It gets clogged up often and drains out to Cedarburg Road. He wants the ditch to be dug deeper and is wondering whose responsibility it is to clean out the ditch.

Mr. Bersch answered that the ditch is on his property and that it runs from the storm water pond to Cedarburg Road in the southeast corner. It has been neglected but he does have plans to clean it out. They cleaned a dumpster worth of debris out last year and they will do so again this year. He stated that there is nowhere that the ditch drains out onto another property. They have been waiting for the CSM approval so that they can work on it. They plan to expand the channel and to utilize the grade there. He believes this project brings improvements to the neighborhood and they are making the best of the flat property as possible.

Eng. Dir. Lundeen stated there is a drainage easement proposed which will give the city the permission to clean it out and to charge the residents.

Mr. Bersch stated there are some stump removals they want to do and they will then restore the grade and the turf there. They want it to be as natural as it can be. There will not be a homeowners associated with these lots. If there is a need for storm water management, the burden of that will be with Lot 3.

Action

Commissioner Stoker made a motion to approve according to the conditions in the staff report.

Commissioner Lemke seconded the motion.

All voted aye, vote passed (7-0)

RESULT:	APPROVED [7 TO 0]
MOVER:	John Stoker, Alternate
SECONDER:	Rick Lemke, Commissioner
AYES:	Abendroth, Parrish, Stoker, Jim Schaefer, Becky Schaefer, Lemke, Hawley
EXCUSED:	Choren, Mason
RECUSED:	Wirth

- b) The Hoff Group, Inc. The applicant is seeking consultation for a proposed residential side-by-side condominium project that offers three buildings with attached garages totaling 6 units which would be located at 10950 N. Cedarburg Road.

Asst. Dir. Zader stated this is a consultation for a project that will be located directly behind the Riverwalk Highlands apartment building on Cedarburg Road. The area is currently zoned B-3. There are two existing office buildings. One that was built in the late 90's will remain. The other one that is located where the 6 units will go is vacant and is in poor condition and it will be razed as part of this process. The concept plan shows a line being created between the property to the south which would remain B-3 and the property to the north will be rezoned to R-6.

The plan shows the proposed buildings close to the property line and they do not comply with the 20 foot side yard setback. The issue is how to meet the technical standards while still ensuring a viable project for the developer. The floodway was redesigned about a year ago and it has reduced the amount of floodway on this property. This is important as floodway cannot be filled in and must retain the floodway district as is.

The applicant completed a recent project of the Elm Street condos in Thiensville. Staff is confident that the developer will provide a high end project. The developer values the improvements at \$2.7M, which would be a nice development for the city. It is just a matter of being able to meet the technical standards. The applicant is looking for feedback from the Commission before moving forward, there is not action to be taken this evening.

The applicant, David Hoff, answered that there have been multiple iterations of the site plans to this project because it is a very tight site with many improvements needed, 6 units are necessary in order for it to be viable.

Mr. Hoff explained that this is an isolated site and they have had a difficult time finding a tenant for the office building there and it has been vacant. The other building is completely dilapidated and has no power to the building. They would like to remove this building. He included photos from this spot that show a completely isolated site that is not visible from the roadway or any neighboring sites. There are many mature trees that provide a great buffer. He stated that although it has not proven to be an ideal site for offices, it is ideal for residential living. They feel this is a great land use as the surrounding properties are mostly single family homes with lots of woods in the area. He would like direction on how to get this project done from a zoning perspective.

Asst. Dir. Zader stated that an option would be to lower the PUD level from the current 10 acre to a lower number. Another option is to have a mixed use PUD. These options need to be evaluated to determine if they make sense from a zoning and planning perspective. Reducing the setbacks from neighboring properties becomes concerning as other R-6 properties in the future may be impacted.

The Planning Commission is supportive of the product and project.

- c) Concordia University of Wisconsin. The applicant is seeking building/site plan approval for a new 6,000 square foot pole building that will allow for baseball and softball teams to practice pitching and batting year round at Concordia University located at 12800 N. Lake Shore Drive.

Asst. Dir. Zader showed a picture of where the building would be located on Concordia University's campus. It will be located just south of the soccer field near Kapco Field. The proposed 6,000 s.q. ft. building would be used as a year-round baseball and softball training facility. It would be a metal standing seam building, bluish in color similar to Kapco Field. There are two overhead doors on the north elevation and an overhead door on the west elevation. The applicant explained that the overhead doors will be used for air flow as there will not be air conditioning and also as access for potential emergency vehicles.

Staff has had several conversations with the applicant regarding the architecture. All past approvals on campus have had impressive architecture and this building is lacking in design and is not in keeping with the other buildings on campus. Staff understands that this is a working athletic facility but has concerns primarily related to the south and east elevations as this building would be located in such a predominate place on campus. Staff discussed the possibility of adding some detail features to the building or some landscaping to help screen the building a bit. Staff and the applicant were not able to come up with a plan before the meeting but the applicant would like feedback from the Commission on what they would accept regarding building design. Staff did recommend tabling the item.

The applicant, Peter Welsh from Concordia University, stated they appreciate working with staff and that they were far enough along in the process that they wished to move forward. He explained that this is a simple building which will provide a great amount of utility on campus. He acknowledges that it will be prominent when approaching Kapco Field; but it will not be visible from any public street.

Rob Barnhill, Director of Athletics at the Concordia University, stated that the athletic program has grown and there is a need for additional training and recreational facilities. This would benefit all the students not only the school athletes. The proposed project addresses many of their needs and works within their financial capabilities at this time.

Asst. Dir. Zader stated that the building lacks fenestration on both elevations. Staff had suggested that the Chinooks or Concordia University logo could be added on the east elevation to make it more visually appealing. He also commented that there is ample room between this building and the walkway along the parking area where landscaping could help as a buffer.

Mr. Welsh answered that an opposition to changes to the aesthetics is due to financial constrictions only.

Mayor Abendroth stated that he agreed that some shrubbery could be added to the building so that it is not so plain and would not be a great expense.

Mr. Barnhill answered that there is willingness and some capacity within their financing.

Mr. Welsh stated that some reasonable landscaping and shrubbery along the south elevation could be done.

Commissioner Jim Schaefer stated he was less than enthused when he saw the design. He stated the other buildings on site have great architecture and materials. He feels that a different design is needed.

Ald. Wirth stated that it is not a public building or seen from a public road; it is solely utilitarian inside the university campus. He commented that while it is not a great looking building it looks like it goes with Kapco Field and it is relatively small compared to the surrounding buildings. He does not feel this is a public issue. There is not effect on

neighbors, the public sector or the quality of commercial areas. He will vote to move to approve it and not to table it.

Commissioner Stoker agreed with Ald. Wirth with the stipulation that there are public events held at this location. He would vote to approve this with some landscaping to break up the massing. He feels there is some pride in the city and Kapco Field and wants it to be pleasing to the eye but he feels it does not need to be redesigned.

Commissioner Lemke asked about signage on the building.

Mr. Barnhill answered that it would be named Catalyst Construction Center, as they have been the donor to support this project. They would also promote Freddy the Falcon and the Concordia University logo.

Mr. Welsh stated that it is reasonable and within their budget to do some type of embellishment on the southern façade as well as reasonable landscaping in order to break up the plain blue wall on the southern face.

There was conversation that some signage that explains that the building is an athletic training facility would help the issue of the building being more basic in design. There are constraints regarding the signage that will need to be discussed depending on the size of the proposed signs. Lighting will be addressed at the building and site plan approval phase.

Action

Ald. Wirth moved to approve the proposed building; with some modest landscaping, to be approved by staff, signage either approved by staff or brought back to Planning Commission if it exceeds the 2% requirement and subject to approval of storm water calculations certified by professional engineer indicating that the existing pond has sufficient excess capacity to accommodate the increase in impervious surface, Commissioner Stoker seconded the motion.

Voice voted called; vote passed 7-1 (No: Jim Schaefer)

RESULT:	APPROVED [7 TO 1]
MOVER:	John Wirth, Alderman
SECONDER:	John Stoker, Alternate
AYES:	Abendroth, Parrish, Stoker, Becky Schaefer, Wirth, Lemke, Hawley
NAYS:	Jim Schaefer
EXCUSED:	Choren, Mason

5) Announcements

There is no August meeting
The next meeting is September 11, 2017.

6) Adjourn

Action

Ald. Wirth made a motion to adjourn.
Commissioner Lemke seconded the motion.
A voice vote was called; vote was passed 8-0

Respectfully Submitted,

Jac Zader

DRAFT

Attachment: PC Minutes 06.24.17 DRAFT (2517 : Planning Commission Minutes)



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Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: July 20, 2017
SUBJECT: Concord 2, LLC. The applicant is seeking conditional use grant approval to operate a 1,650 square foot fitness center for the property located at 11521 N. Port Washington Road.

Applicant:	Concord 22, LLC
Status of Applicant:	Owner
Requested:	Conditional Use Grant
Proposed Use:	Fitness Center
Existing Zoning:	B-2 (Community Business)
Land Use Plan:	Community Commercial
Lot size:	2 acres
Location:	11521 N. Port Washington Road
Tax Key:	#15-019-13-019.00
District:	#5

Background: The applicant requests a conditional use grant approval for a fitness center located at 10580 N. N Port Washington Road. The proposed fitness center will occupy 1,650 square feet within the existing building at 11511-11525 N. Port Washington Road. The space was previously occupied by US Cellular. The property is zoned B-2 (Community Business), which allows fitness centers 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 of the activities will take place within the building and will be monitored at all times by staff.

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

The Land Use Plan designates the site as Community Commercial. Surrounding properties are zoned B-3 and B-3/PUD/LTD. A fitness center is compatible with the Land Use Plan designation and uses in the area. Smaller sized personal fitness centers are often found in commercial shopping centers. The Planning Commission has approved other similar uses (Curves, Snap Fitness, CycleBar) in other similar developments.

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

The proposed activities of the fitness center fit the character of the surrounding area. The applicant has indicated that the center is anticipated to be mostly an open floor plan, with 9 exercise stations and a front counter. There will also be a back office and restroom area. The daily hours of operation will be 6:00 AM- 9:00 PM. The number of expected customers accommodated at one time is 10. On the busiest shift, there will be a total of 2 staff members.

The site has a total of 75 parking spaces to accommodate all customers and employees. Staff anticipates a majority of traffic to the site will come from Port Washington Road, which has adequate ingress/egress facilities to accommodate the increased traffic. The use is required to have a total of 6 parking spaces based on the estimated number of customers and staff. The number of required parking stalls is similar to the parking requirement for the previous tenant. Planning staff believes the proposed use and activities should be harmonious with the surrounding uses.

Staff Recommendation:

Planning staff recommends approving the conditional use grant based on the following criteria:

- . Staff review and approval of final floor plans.

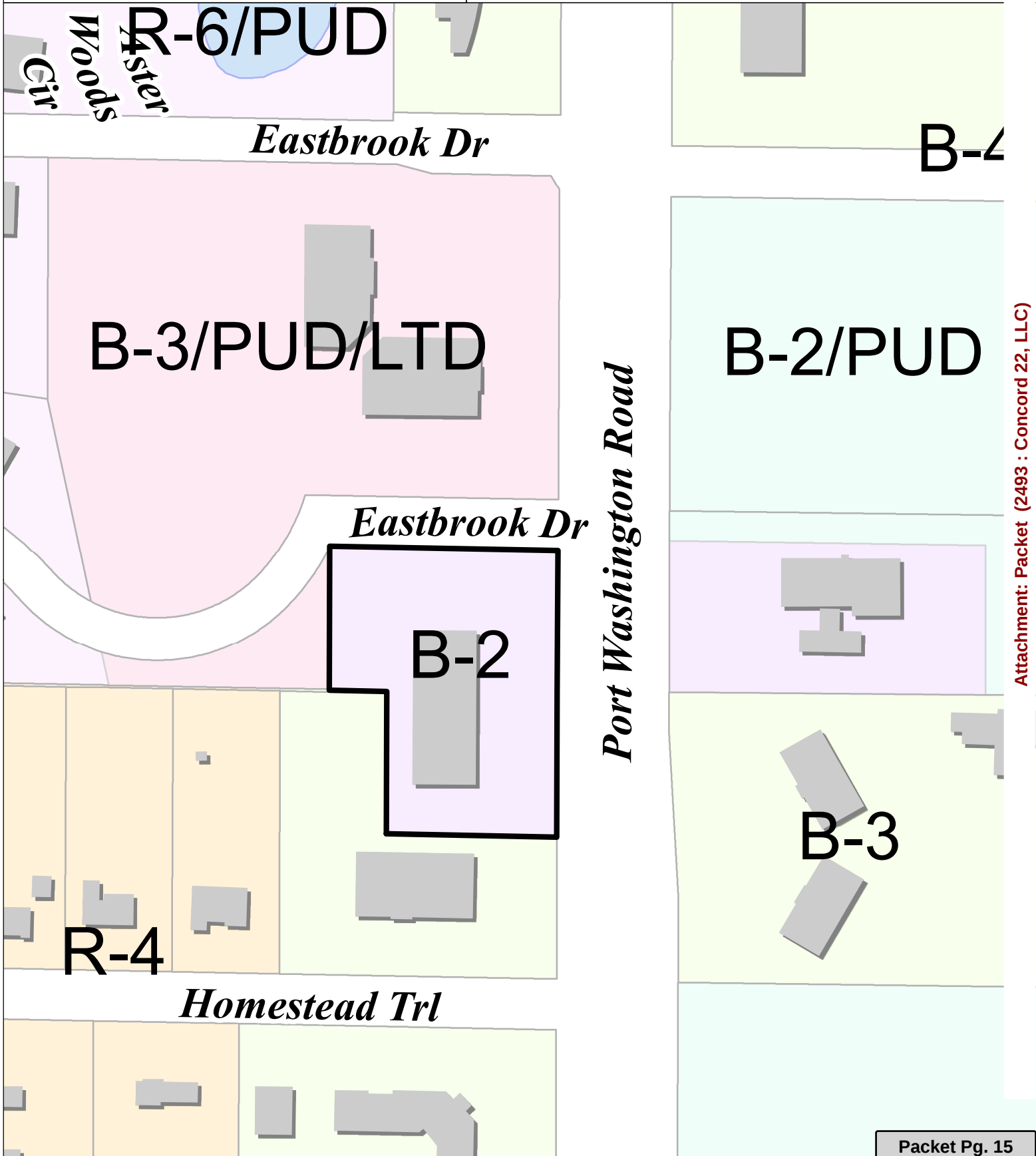
Attachments:
Packet (PDF)

Item 2 Concord Development Company

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

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

2.a.a



Planning Commission Application

June 15, 2017

Property Owner: Concord 22, LLC

Premises located at: 11521 N. Port Washington Road

Building located at: 11511-11525 N. Port Washington Road

We are requesting approval of a Conditional Use Grant for “fitness center” of 1,650 square feet within the existing building at 11511-11525 N. Port Washington Road.

Hours of operation: 6 am – 8 pm

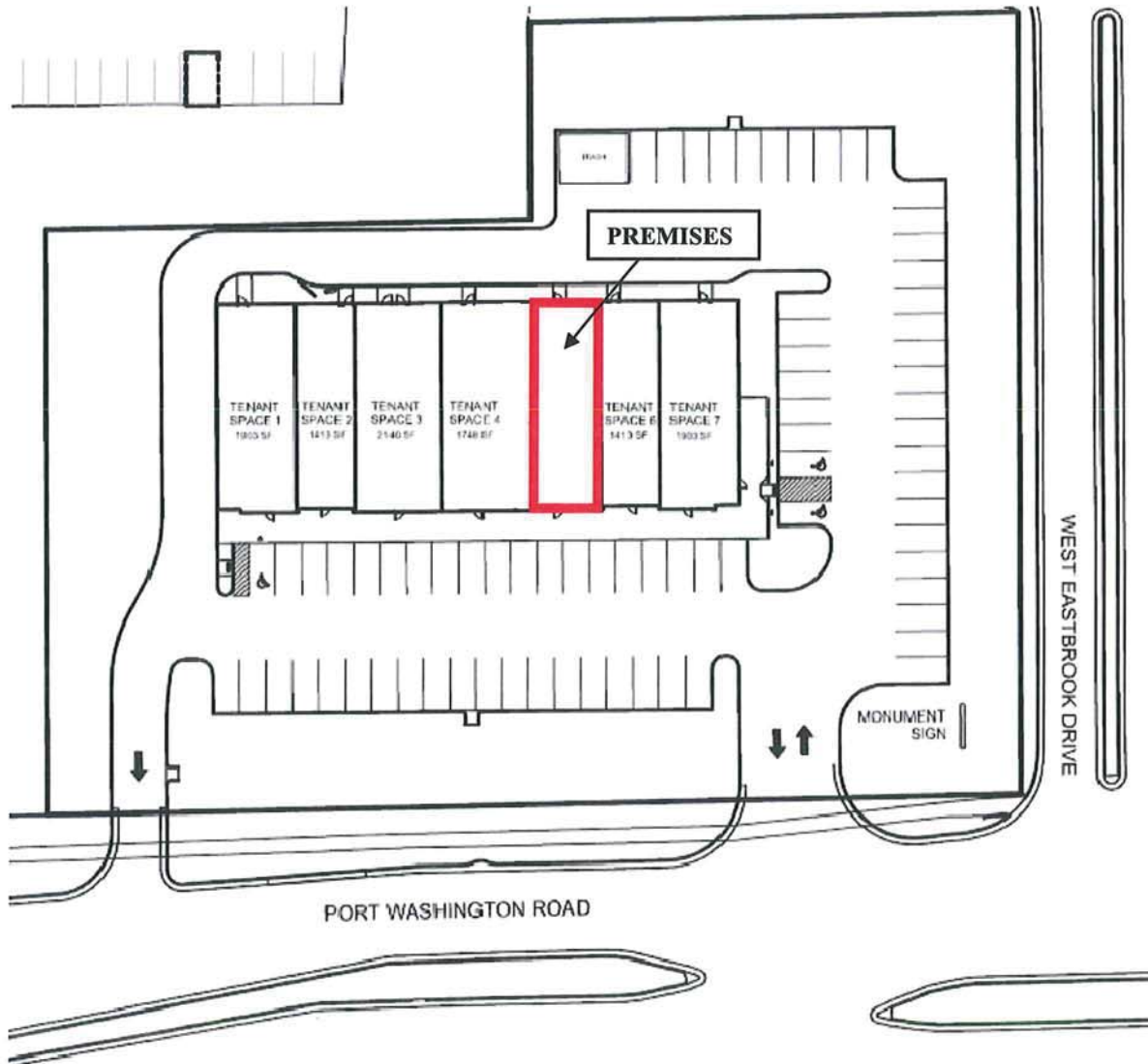
Number of employees (busiest shift): 2

Number of customers accommodated at the same time: 10

This proposed use is harmonious with the existing uses in the building and does not share a “peak” time with any other use in the center. It is also harmonious with surrounding uses and will have a positive effect on the health and general welfare of the City and the immediate neighborhood. A fitness use will have minimal impact, if any, on the movement of traffic or City services. No dust, odor, smoke or other such condition will be generated by a fitness use at this location. Any noise generated will be minimal and shall be confined within the Premises. It is expected that this use will have a positive economic impact on the City and immediate neighborhood.

Attachment: Packet (2493 : Concord 22, LLC)

FITNESS CENTER - 11521 N. PORT WASHINGTON ROAD



Attachment: Packet (2493 : Concord 22, LLC)



		2.a.a
CONDITIONAL USE GRANT Articles of Agreement made and entered into this 24th day of July, 2017 by and between Concord 22, LLC, owner of the property locate at 11511-11525 N Port Washington Road and the City of Mequon Planning Commission. Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located in Section 19, Range 22 East, in Township 9 North, Ozaukee County, State of Wisconsin, further described as follows: LEGAL DESCRIPTION Exhibit A-1 WHEREAS, the Zoning Code and Zoning District Map of the above named municipality, pursuant to State Statues, provide that the premises may not be used of right for the purpose hereinafter described but that upon petition such use may be approved by the municipality as a Conditional Use Grant in particular circumstances as defined by the standards in the Zoning Ordinance; and Petition therefore having been made, and public hearing held thereon, and the Planning Commission of the <u>City of Mequon</u> having determined that by reason of the particular nature, character, and circumstances of the proposed use, grant of such use upon the terms and conditions hereinafter prescribed would be consistent with the requirements of the Zoning Ordinance. Now, therefore, IT IS GRANTED, subject to compliance with the terms and conditions hereinafter stated that the Premises may be used for the purpose of <u>fitness center</u>. GRANTED by action of the Planning Commission of the City of Mequon this 24th day of July 2017. ----- Dan Abendroth, Mayor, Planning Commission Chairperson Acknowledgment: STATE OF WISCONSIN))SS OZAUKEE COUNTY) Personally came before me, this ____ day of _____, 2017, the above named Dan Abendroth, Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same. _____ Notary Public, Ozaukee County, Wisconsin My Commission (expires) _____ ----- Planning Commission Secretary Acknowledgment: STATE OF WISCONSIN))SS OZAUKEE COUNTY) Personally came before me, this ____ day of _____, 2017, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same. _____ Notary Public, Ozaukee County, Wisconsin My Commission (expires) _____		RETURN TO: City of Mequon 11333 North Cedarburg Road 60W Mequon, WI 53092 PARCEL NO.: 150191301900

Attachment: Packet (2493 : Concord 22, 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: Sunday - Saturday from 6:00 AM to 9:00 PM
 - 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:
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.
- a. **Conditions of the structures:**
 - a. Site Plan: As on file with Community Development Department, City of Mequon
 - b. Landscaping Plan: N/A
 - 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
 - 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.

- Owner

Acknowledgment:

STATE OF WISCONSIN)

)SS

OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2017, 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 _____, 2017



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

www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: July 19, 2017
SUBJECT: Metropolitan Builders Association. The applicant is seeking minor request for a temporary use approval (August 6th - September 6th) for directional signs for the 2017 Parade of Homes located at the Highlander Estates subdivision.

Applicant: Metropolitan Builders Association
Status of Applicant: Event Coordinator
Requested: Minor Request - Temporary Use
Existing Zoning: R-3 (Suburban Residential detached)
CGO (central Growth Area)
Land Use Plan: Residential 1-1.5 acres
Location: Highlander Estates Subdivision

Background:

The applicant is requesting temporary use approval for the 2017 MBA Parade of Homes in the Highlander Estates Subdivision. The event will run from August 11 - September 4, 2017. There will be five model homes on display in Mequon. In the past, the Planning Commission has reviewed and approved this type of event, particularly in regards to the proposed temporary signage.

Temporary Use:

The event will start on Friday, August 11 with a preview night for MBA members and special guests from 4:00 PM - 7:00 PM. The event is open to the public August 12 - September 4, 2017 from 4:00 PM - 8:00 PM on weekdays and 11:00 AM - 5:00 PM on weekends and Labor Day. The subdivision is located off Wauwatosa Road and is capable of handling any increased traffic that is generated by the event. The sign package submitted for the event is as follows:

Sign Type	Location
24 SF, 32 SF or 8' banner	Mequon Road & Wasaukee Road
24 SF banner	Mequon Road & Wauwatosa Road
6 SF directional	Mequon Road & Swan Road
6 SF directional	Trinity Lutheran Church (11458 W Wauwatosa Rd.)
6 SF directional	Laura's DBC Bar & Grill (7520 W Donges Bay Rd.)
6 SF directional	Chase Bank (5909 W Mequon Rd.)
6 SF directional	Subdivision entrance (Wauwatosa Rd & Knightsbridge Dr.)
Feather flag	Subdivision entrance (Wauwatosa Rd & Knightsbridge Dr.)

The seven signs and feather flag are proposed to be installed 2-3 days before the event (begins

August 11) and remain up through the 25 day event (ends September 4). The signs are to be dismantled no later than the end of the business day on September 6. No signs shall be installed in the right-of-way.

In the past, the Commission has limited the number of signs allowed to be erected as part of the event. Staff feels that a reduced number of signs still provide sufficient wayfinding for the event. In addition, the City of Mequon has not allowed the use of feather flags as a signage type. Staff recommends that a 24 square foot banner be used at the subdivision entrance instead of the proposed 6 square foot directional and feather flag. Staff supports the following reduced signage for the event:

Sign Type	Location
24 or 32 SF banner	NE Corner Mequon Road & Wasaukee Road
24 SF banner	SW Corner Mequon Road & Wauwatosa Road
24 SF banner	Subdivision entrance (Wauwatosa Rd & Knightsbridge Dr.)
6 SF directional	Trinity Lutheran Church (11458 W Wauwatosa Rd.)
6 SF directional	Laura's DBC Bar & Grill (7520 W Donges Bay Rd.)

Staff Recommendation:

Staff recommends **approval** of the temporary use based on the following condition(s):

1. If the temporary use becomes hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or if material problems 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 by determination of the Department of Community Development, the grantee shall correct or improve such condition, and toward that end, the staff maybe alter, amend or add reasonable conditions in order to ameliorate such effects, or may revoke the temporary use approval.
2. Signs shall only be installed from August 6 to September 6, 2017.
3. Event shall run from August 9 to September 4, 2017.
4. Hours of operation for the event shall be:
 - 4:00 PM - 7:00 PM, August 11
 - 4:00 PM - 8:00 PM on weekdays, August 12 - September 5, 2017
 - 11:00 AM - 5:00 PM on weekends, August 12, 2017 - September 5 2017, and Labor Day
5. Signage shall be limited to the following, subject to the approval of the property owner:
 - 24 or 32 square foot sign NE corner of Mequon Road and Wasaukee Road
 - 24 square foot sign SW corner of Mequon Road and Wauwatosa Road
 - 24 square foot sign at subdivision entrance (Wauwatosa Road and Knightsbridge Drive)
 - 6 square foot sign at the following locations:
 - Trinity Lutheran Church
 - Laura's DBC Bar & Grill
6. No signage shall be placed within the right-of-way.

Attachments:
Packet (PDF)

2017 Metropolitan Builders Association (MBA) Parade of Homes | Highlander Estates | Mequon, WI

OPERATION PLAN & EVENT AGENDA

EVENT DETAILS

Dates and Times of Event

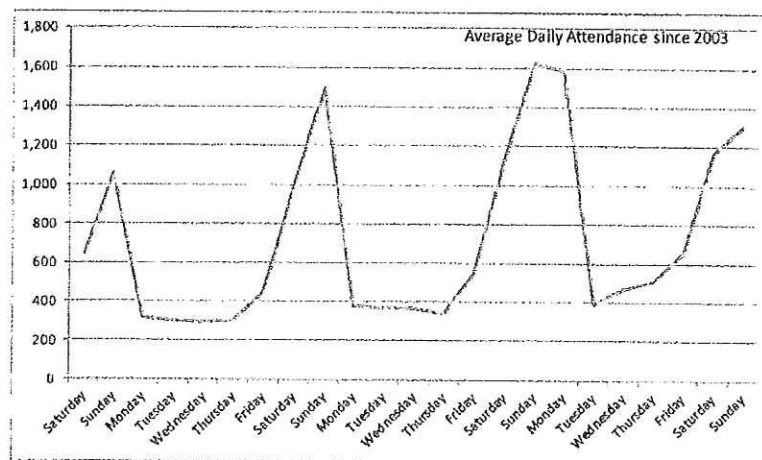
- Preview Night for Metropolitan Builder's Association (MBA) Members and special guests only:
Friday, August 11, 2017 (4:00 pm – 7:00 pm)
- Open to Public: August 12, 2017 – September 4, 2017 (Weekdays 4:00 pm – 8:00 pm / Weekends
and Labor Day 11:00 am – 5:00 pm)

PARTICIPANTS

Developer: Neumann Companies, Inc. | Matt Neumann – 262-542-9200
or Cindy Wegner

Builders: Allan Builders, LLC | Philip Morgan – 262-252-7100 (LOT 52)
Hillcrest Builders & Construction, Inc. | Wanda Strege 920-526-3028 (LOT 57)
Steeple Pointe Homes, LLC | David Roembke - 262-226-8374 (LOT 53)
Tim O'Brien Homes | Tim O'Brien – 262-542-5750 (LOT 58)
Kings Way Homes | John Harlos – 262-797-3636 (LOT 51)

HISTORICAL ATTENDANCE FLOW





SITE ADMINISTRATION

Staffing

- MBA will maintain appropriate staff to direct parking, take tickets, pick up trash, and oversee management of the site.
- The city will receive contact information for the MBA Event Manager and Parade Site Manager who will be on-site during all open hours of the Parade prior to the event start date.

Telephone Facilities

- MBA Event Manager, Parade Site Manager (or designated replacement) and most of the site employees will have mobile phones.
- Phones will be available for emergencies.

Security

- Since the majority of hours for this event are during daylight/dusk, there has never been a need for any additional security personnel to be present.
- Site staff and personnel will be clearly identified by uniform apparel.
- All model homes will be locked by sales personnel each day and exhibitor tents are closed and secured by site staff before departure.
- Some communities have had a police officer walk through the Parade near closing time and a patrol car drive through the site at night.

Parking

- All weekday parking for the event will be within the subdivision with main parking on established and seeded ground (see map attached to application).
- During or after rain, some parking may be required to be on the streets within the subdivision. This will be on an as-needed basis and the MBA Event Manager will work with the municipal police dept. should there be any questions relating to safety or parking restricted areas.

Road Maintenance

- Before the Parade starts a final asphalt lift will be completed and the streets in the subdivision are swept.
- Aprons will be in place for entrance and exit from parking areas.
- Pathways are fenced and/or barricaded to separate car and pedestrian traffic.

Trash and Sanitary Facilities

- There will be three (3) portable toilets (including one (1) handi-cap accessible) and a wash station placed on site. The selected service provider will service these on a regular schedule during weekdays and weekends.
- Trash cans will be provided and maintained by the MBA and are on-site throughout the Parade. A fifteen (15) yard roll-off container will be provided and placed on one of the empty lots near the Parade footprint. Site staff is required to do a site inspection at the close of each day.

Food and Beverage

- Volunteer groups from your local community may be offered the opportunity to be on-site to sell concessions (bottled water and non-messy snack foods) as a fundraising opportunity.
- The appropriate permits will be secured if needed.

MUNICIPAL CONSIDERATIONS***Traffic and Directionals***

- MBA will work with local police to develop a plan to control and manage traffic.
- Barricades: the appropriate department will be contacted to procure barricades to block and direct traffic through the event area of the subdivision.

Signage

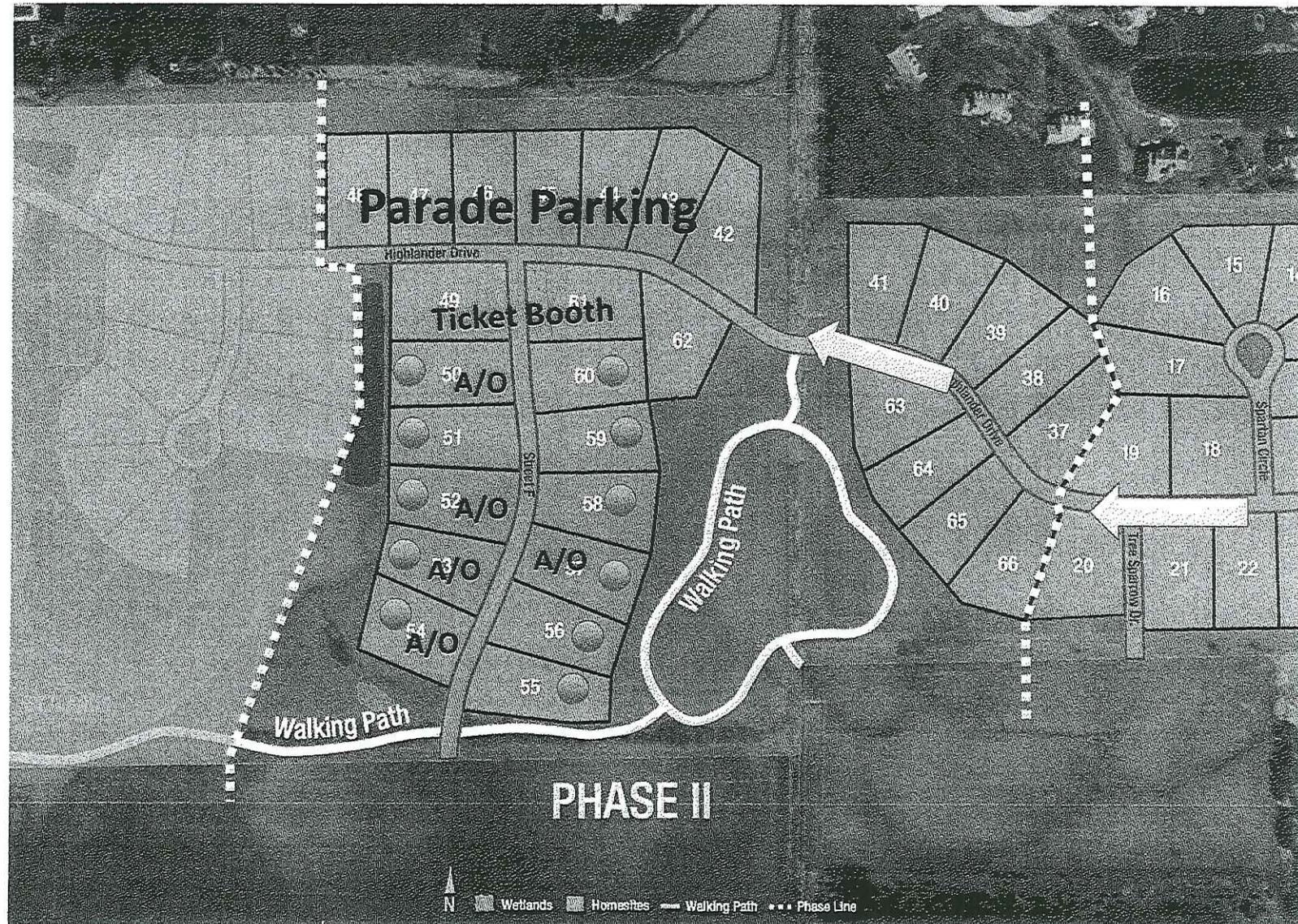
- Temporary No Parking Signs may be necessary within the subdivision and/or on roadways leading into the site.
- Request to allow the MBA to install directional signage to the Parade entrance and exit and also to indicate areas where Parade entrance is not allowed during the 3.5 weeks of the event.
- Request to allow large (4'x8') directional signage along major highway access points near subdivision. Permission from property owners and municipality will be secured where required.
- Request to allow Parade event signage within the footprint of the Parade area that may include hours of operation, Rules of the Parade, and sponsor signage (not an exhaustive list).
- Request to allow small (2'x3') temporary directional signage to be placed along the major routes to the Parade site.

Permissions and Licenses

- All required or preferred permissions and licenses for event, signage and food and beverage.

Community Opportunities

- City to receive 25 Preview Night tickets (valid August 11, 2017 only) and 25 complimentary tickets to the Parade of Homes event (valid any dates of the 2017 Parade of Homes).
- Opportunity for non-profit organizations or groups (i.e. booster clubs, teams, etc.) to sell concessions within the Parade site during Parade hours as noted under Food and Beverage section above.



Model #	Builder	Lot #
17	Kings Way Homes	51
18	Allan Builders	52
19	Steeple Pointe Homes	53

20	Tim O'Brien Homes	54
21	Hillcrest Builders + Const.	57

11155 N. Wauwatosa Rd.
Mequon, WI 53097

5909 W. Mequon Rd.
Mequon, WI 53092

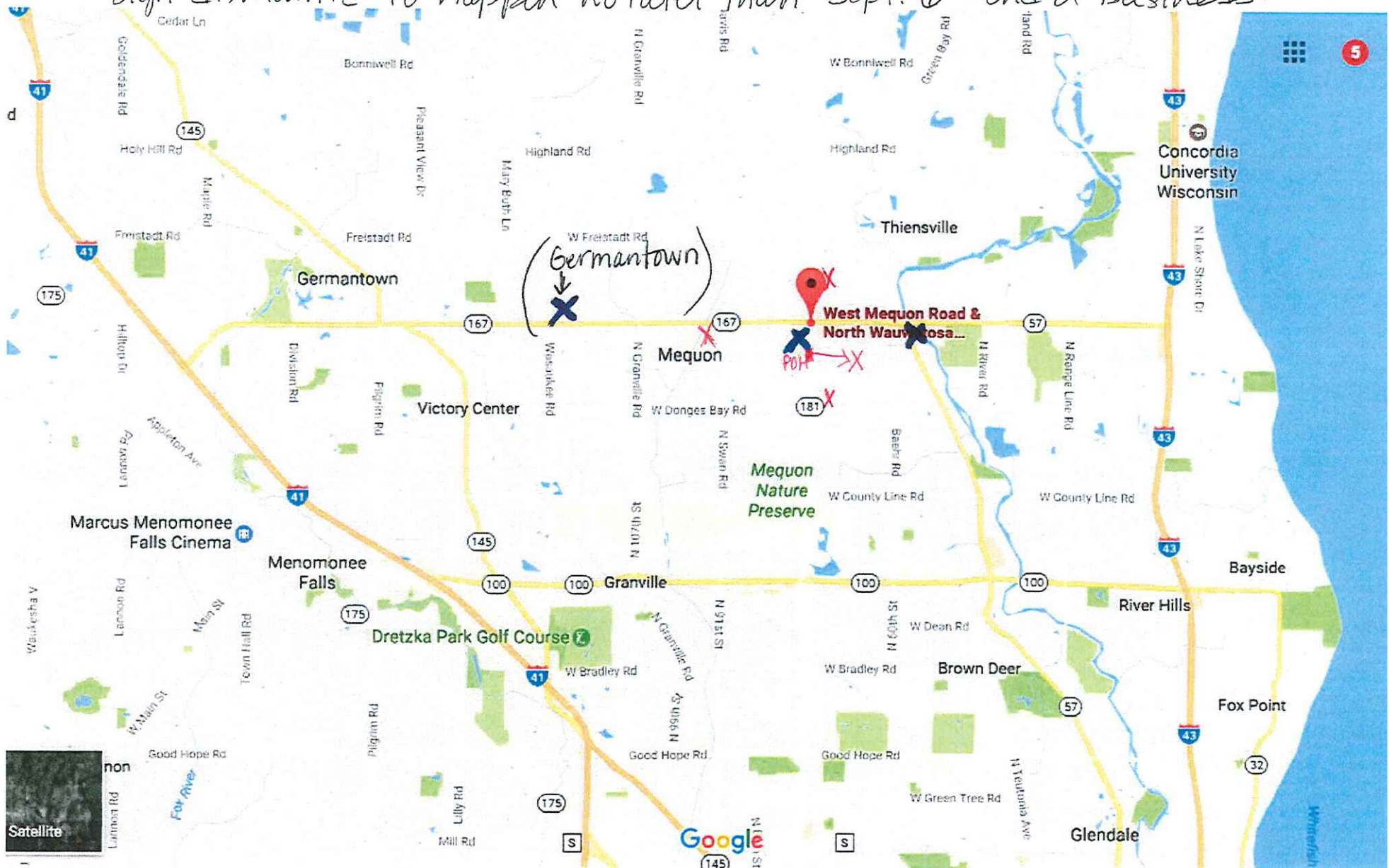
7520 W. Donges Bay Rd.
Mequon, WI 53092

11458 N. Wauwatosa Rd.
Mequon, WI 53097

10954 N. Swan Rd. (end of property – farm field)
Mequon, WI 53097

10913 N. Wauwatosa Rd.
Mequon, WI 53097

* Directional signs to be installed 2-3 days before Parade begins (Aug. 9) and request they remain up through the 25 day event which ends Sept. 4. Sign dismantle to happen no later than Sept. 6 - end of business.



3 locations for either 4'x6' or 4'x8' or 8' (banner-vinyl) *



4-5 locations for 2'x3' directional signs on metal posts *

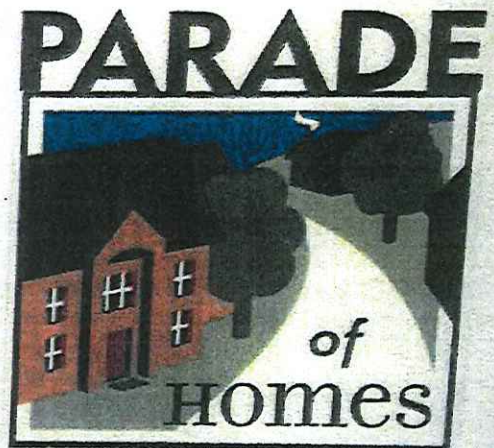
X 4' x 8'
1/2" coroplast vinyl sign

VISIT
THE

August 17 -
September 8



METROPOLITAN
BUILDERS
ASSOCIATION



MBAparadeofhomes.com

~~X~~ staked directional



X 2' x 3' coroplast on
Metal stake. Form
Same on next page.



Google Maps W Mequon Rd & Wasaukee Rd



Imagery ©2017 Google, Map data ©2017 Google 50 ft



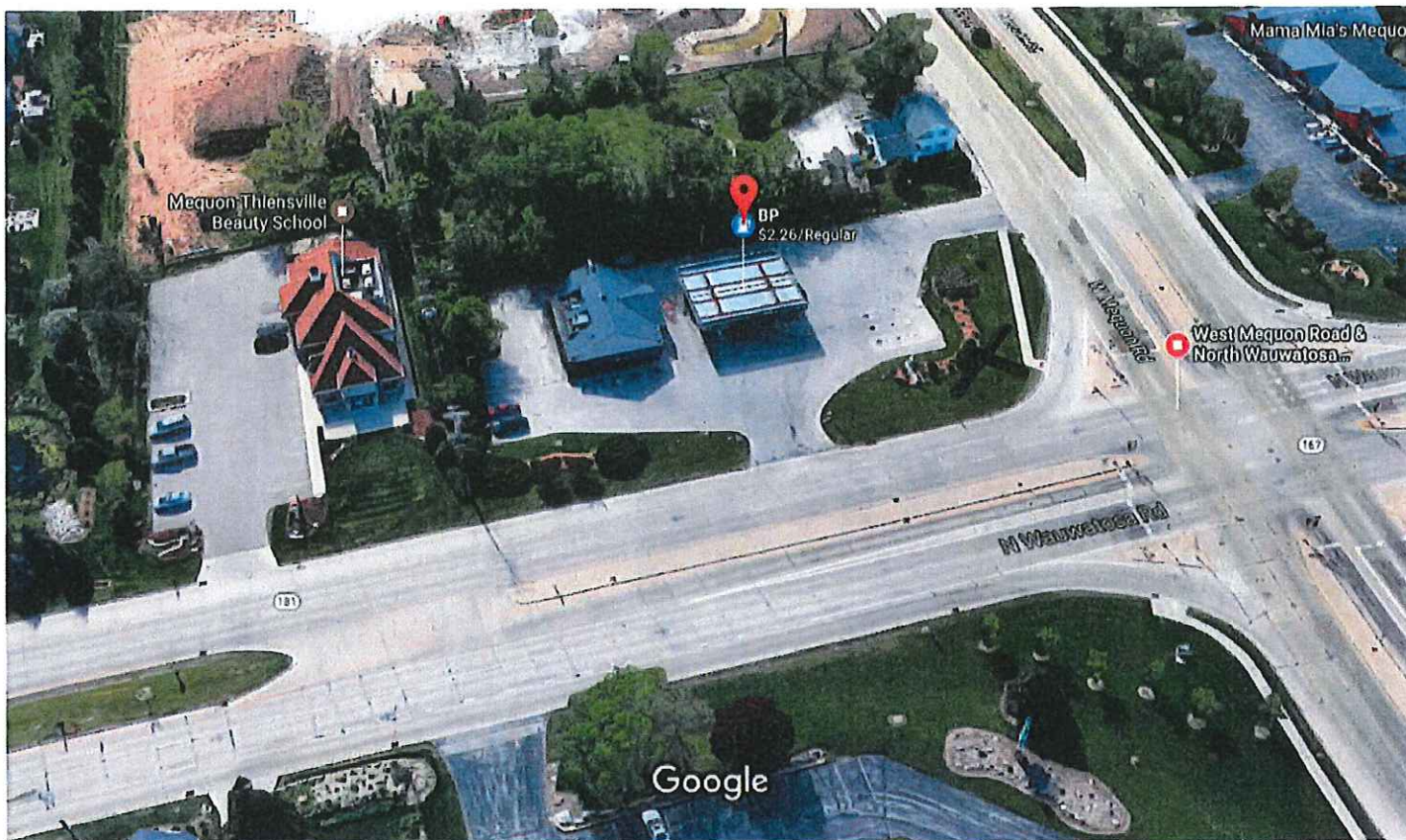
W Mequon Rd & Wasaukee Rd
Mequon, WI 53097



4'x6', 4'x8' or
8' (banner) to be
at ground level height
on metal posts.

"Visit POH"

Google Maps BP



Imagery ©2017 Google, Map data ©2017 Google 50 ft



BP

5.0 ★★★★★ · 2 reviews

Gas Station

4' x 6' coroplast on
metal posts.
"Visit Parade of
Homes"

Diesel

-

Regular

\$2.26

Midgrade

\$2.60

Premium

\$3.00

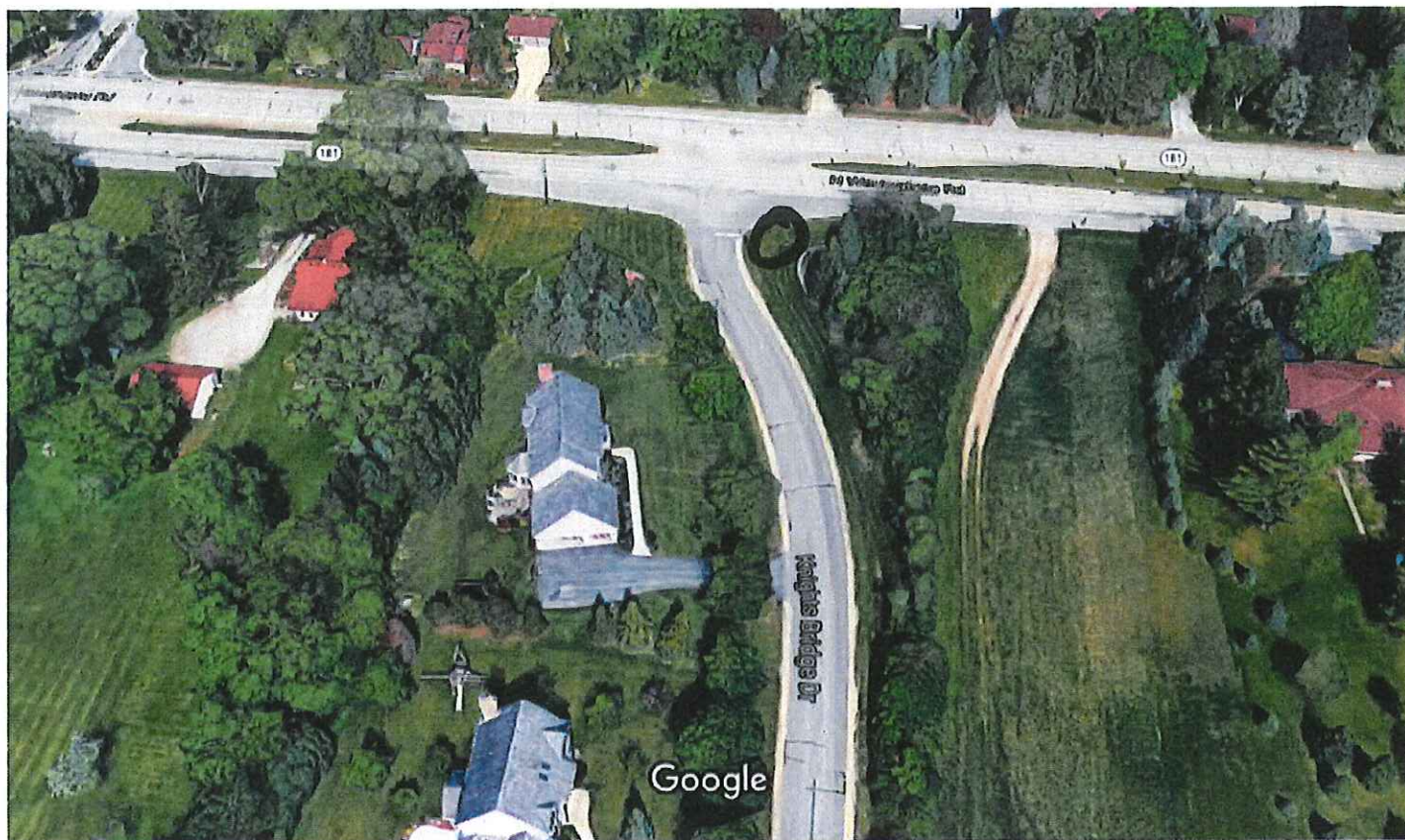


11155 N Wauwatosa Rd, Mequon, WI 53097



mybpstation.com

Google Maps



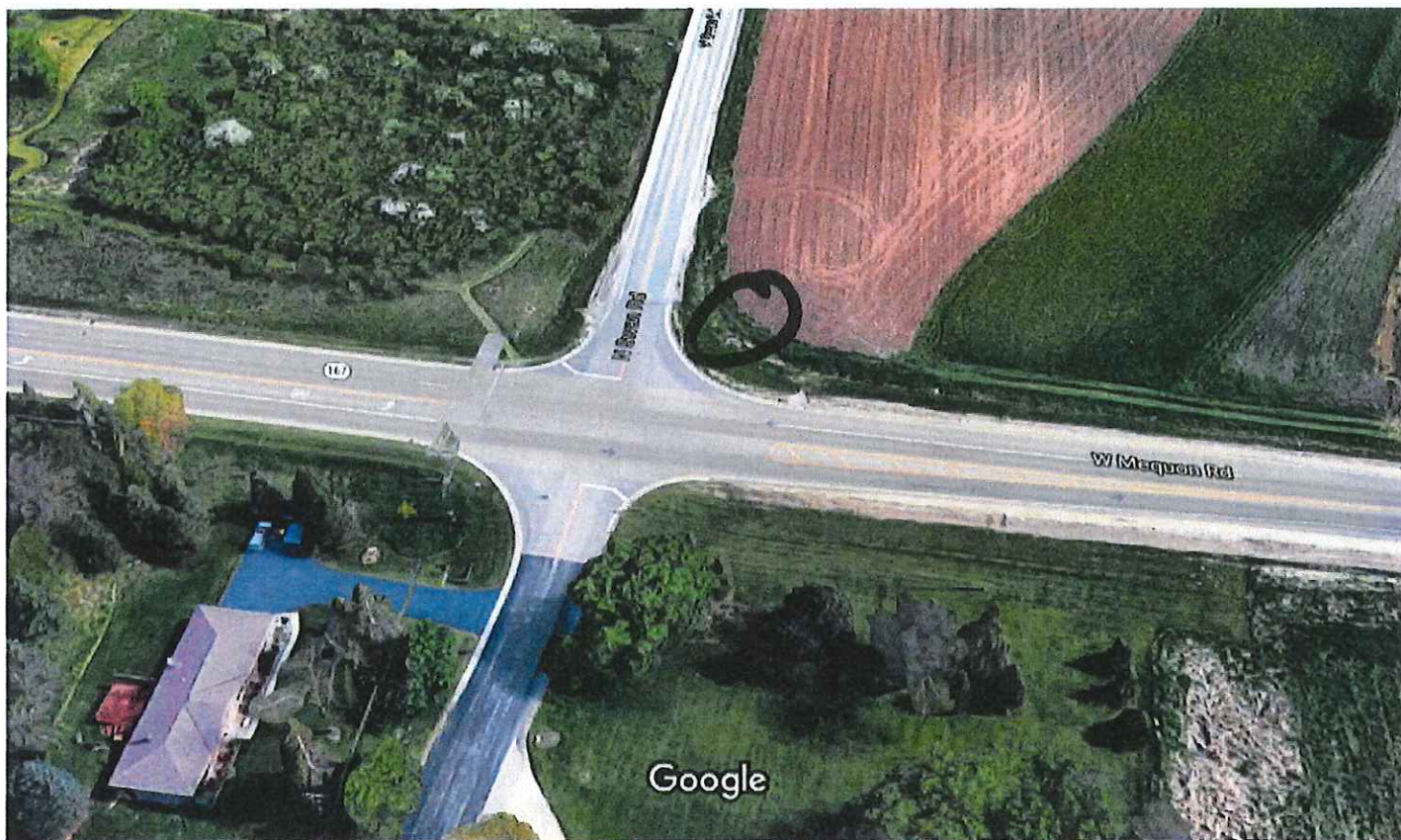
Imagery ©2017 Google, Map data ©2017 Google 50 ft

Entrance

10913 N. Wauwatosa Rd.
 Mequon, WI 53097

2'x3' coroplast directional
 + Feather flag on drive
 into subdivision

Google Maps 10953 N Swan Rd



Imagery ©2017 Google, Map data ©2017 Google 50 ft

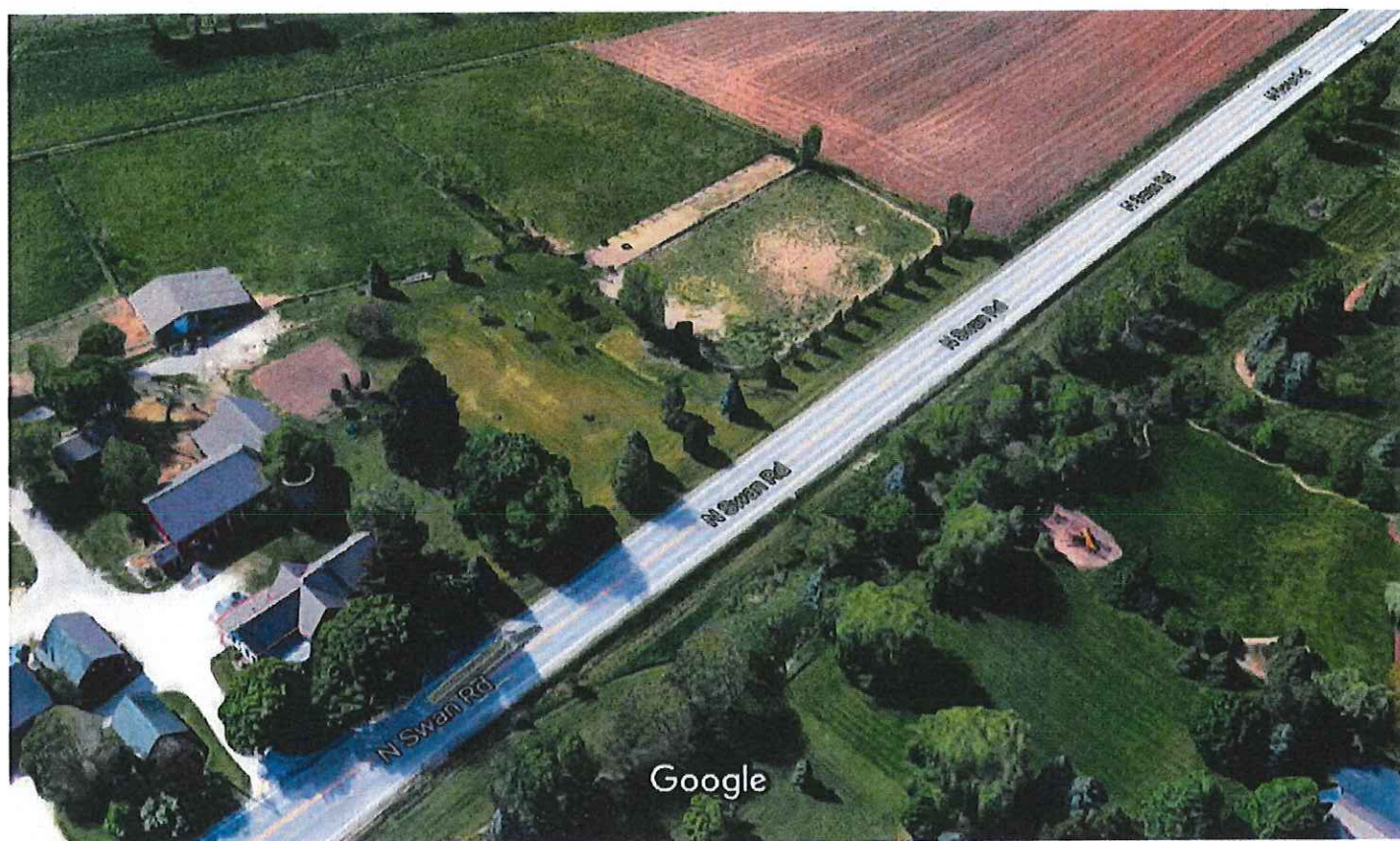


2' x 3' coaplast directional

10953 N Swan Rd
Mequon, WI 53097



Google Maps



Imagery ©2017 Google, Map data ©2017 Google 50 ft

10954 N. Swan Rd.

Megun, WI → sign to
be placed at edge of farm
field at corner of Megun Rd +
N. Swan Rd - see attached.

Google Maps Trinity Lutheran Church



Imagery ©2017 Google, Map data ©2017 Google 50 ft



2' x 3' eurolast directional

Trinity Lutheran Church

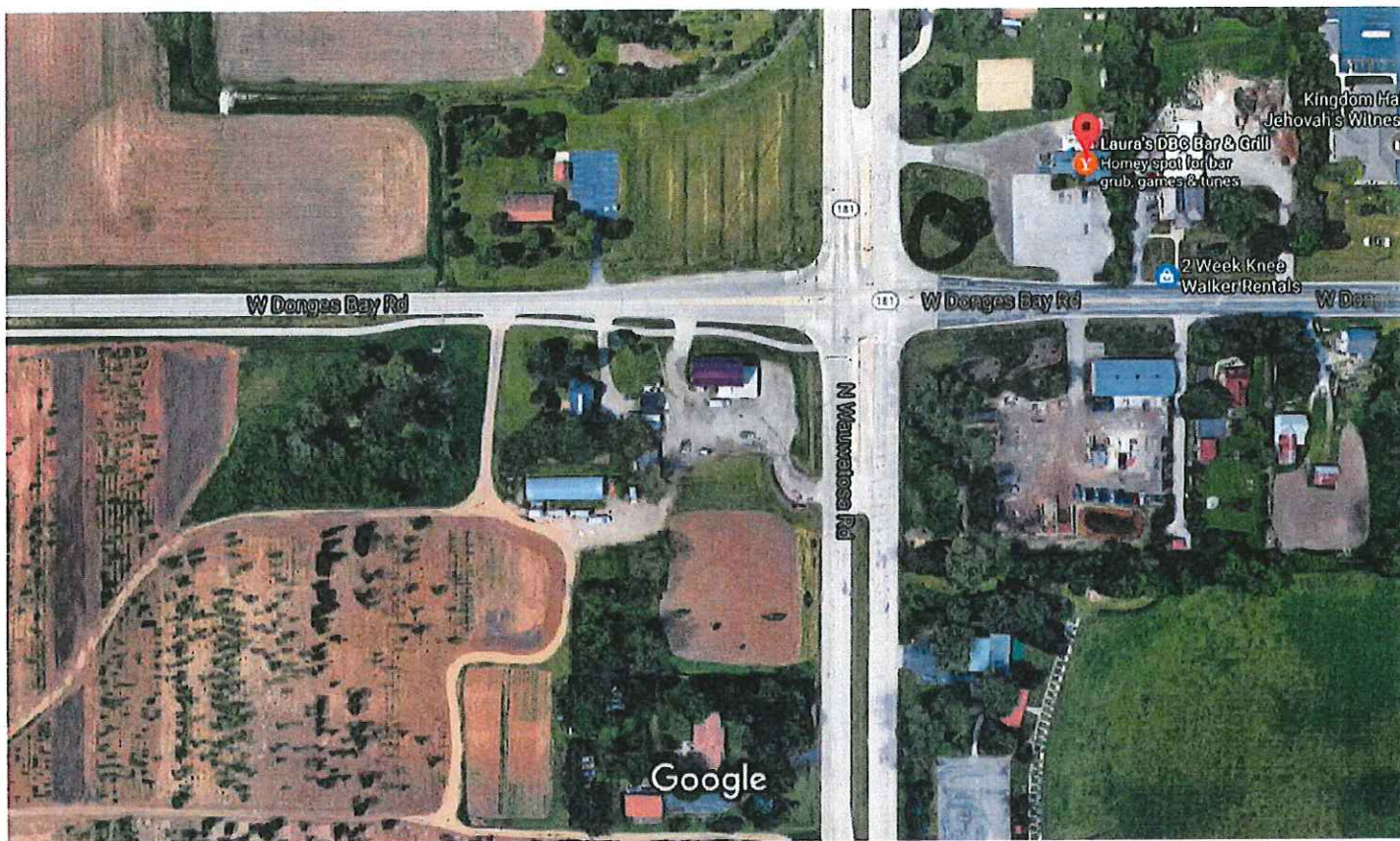
Church

11458 N Wauwatosa Rd, Mequon, WI 53097

(262) 242-2858

Add missing information

Google Maps Laura's DBC Bar & Grill



Imagery ©2017 Google, Map data ©2017 Google 100 ft



2'x3' coproplast
directional

Laura's DBC Bar & Grill

3.8 ★★★★★ · 26 reviews · \$\$

Bar

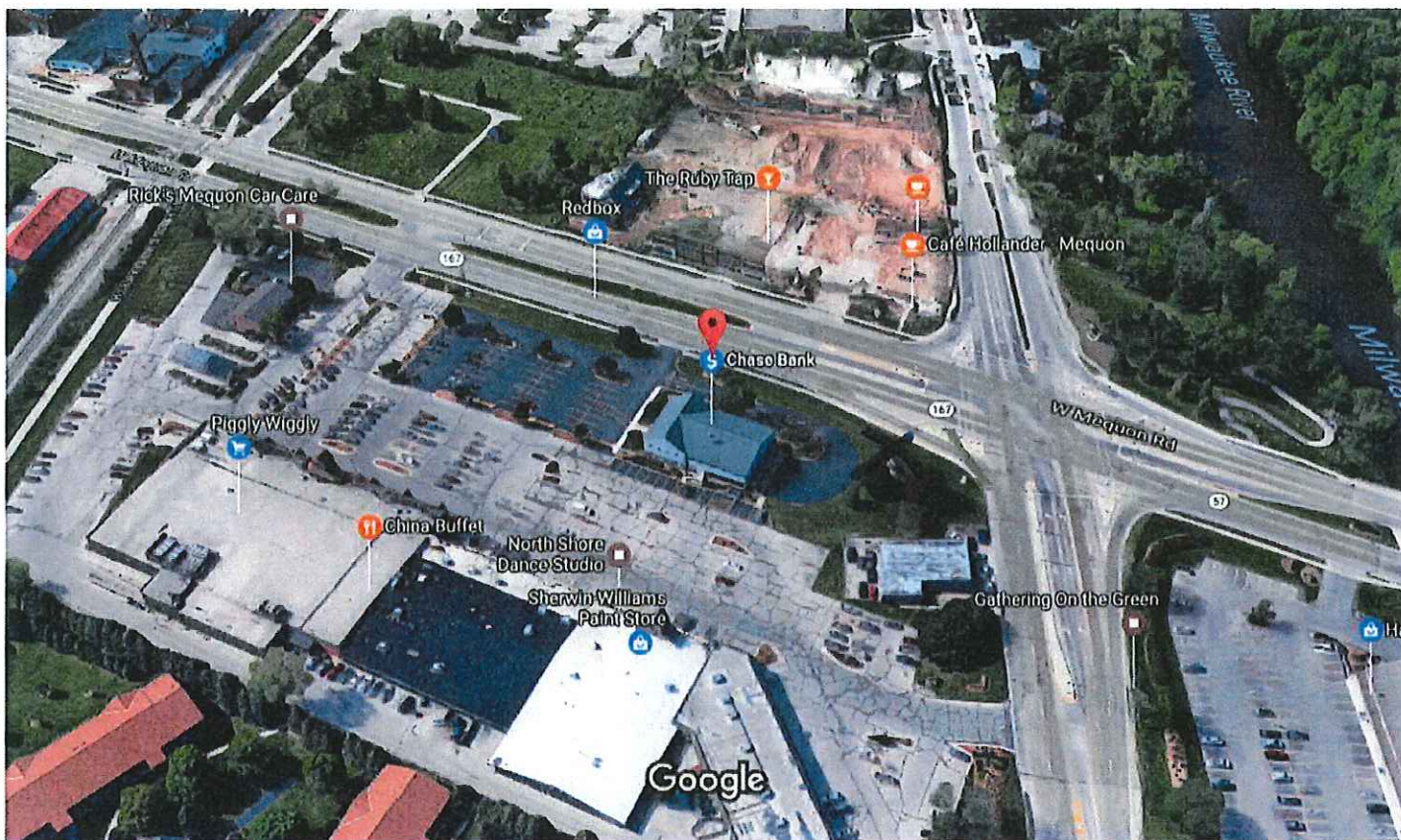
Low-key haunt featuring a pub grub menu, darts, volleyball, live music & a patio in casual digs. - Google

7520 W Donges Bay Rd, Mequon, WI 53092

laurasdbc.com

(262) 238-1733

Google Maps Chase Bank



Imagery ©2017 Google, Map data ©2017 Google 100 ft



Chase Bank

5.0 ★★★★★ · 2 reviews

Bank

5909 W Mequon Rd, Mequon, WI 53092

locator.chase.com

(262) 238-5025

Open now: 9AM-6PM ✓

4'x6' coroplast
on metal posts.

"Visit Parade of
Homes"

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: July 19, 2017
SUBJECT: Signs Now Milwaukee for Yamato. The applicant is seeking sign approval to use Polystyrene foam for a monument sign for the property located at 6300 W. Eastwood Court.

Applicant:	Signs Now Milwaukee
Status of Applicant:	Agent
Requested:	Sign Approval
Existing Zoning:	B-5 (Light Industrial)
Land Use Plan:	Business Park
Lot size:	5.63 acres
Location:	6300 W. Eastwood Court
Tax Key:	#14-027-03-010.00
District:	# 4

Background: The applicant requests sign approval to install a freestanding sign made out of polystyrene foam at 6300 E. Eastwood Court. While the proposed sign complies with the technical requirements for monument signs, staff has not approved this type of material in the past and has denied the permit application. Based on staff's denial, in accordance with Section 62.4(c) of the sign code, the sign application is referred to Planning Commission which has the authority to approve, approve with modification, or deny the sign permit application.

Sign Design:

The owner is proposing a 32 square foot polystyrene foam monument sign for Yamato, located in the Mequon Business Park. The entire sign will be made out of the polystyrene foam material, including the 18 inch high base which will be made to emulate the block material on the building. The proposed height of the sign is 6 feet. The applicant indicated that the proposal is a cost effective solution and one that will prevent gaps between the base and the sign from winter frost heaves. While the sign meets all the dimensional requirements of the code, per the Sign Code, the base of freestanding signs shall be constructed with the principal building's primary materials to the greatest extent practical. In addition, other signs in the Business Park that have been approved by staff are constructed entirely of non-synthetic materials.

Recommendations:

If Planning Commission supports the proposed signage, staff recommends the following:

1. Compliance with all other requirements of the sign code.

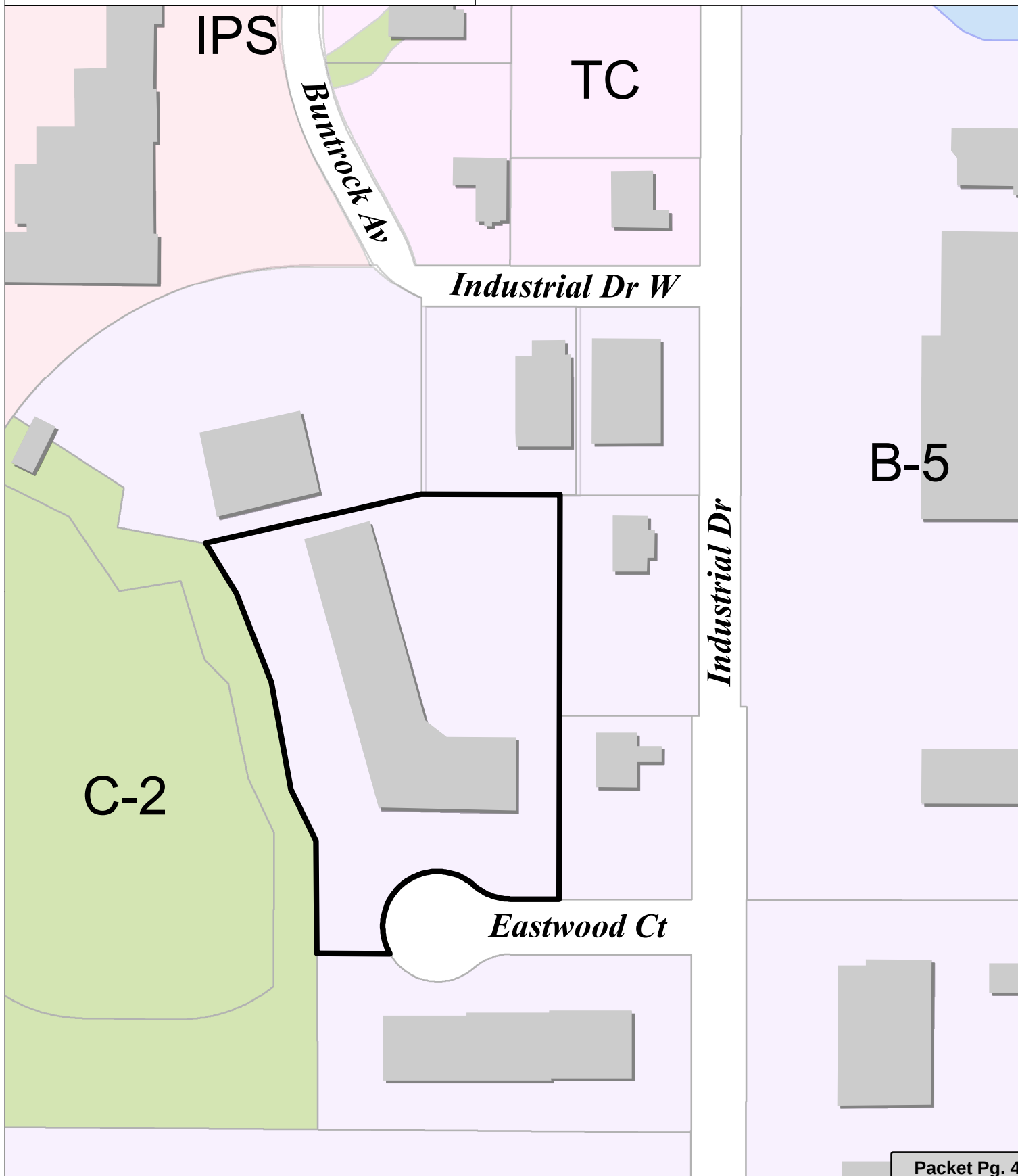
Attachments:
Packet (PDF)

Item 3 Signs Now Milwaukee for Yamato

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

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

4.a.a



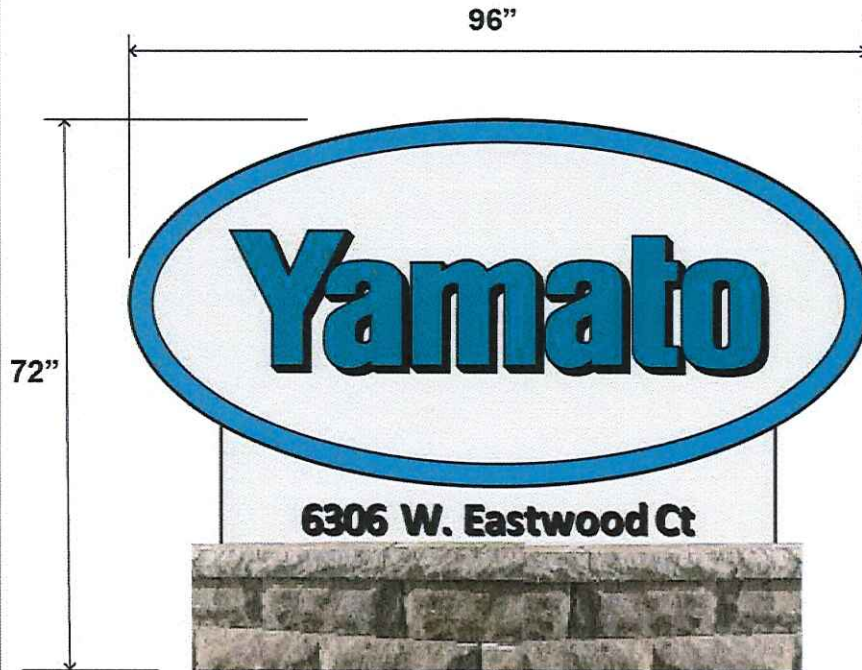
Attachment: Packet (2494 : Signs Now Milwaukee for Yamato)

PROOF

IMPORTANT! PLEASE READ: OUR PROOF & PRODUCTION POLICY

At Signs Now, we take pride in precision - but the final examination for accuracy is your responsibility. Before giving approval, please examine the proof(s) carefully for the accuracy of information presented, as well as spelling, punctuation, numbers, graphics, colors and general layout. Our normal production cycle will begin from the date approval is received. We cannot accept changes or approvals verbally.

CLIENT NAME Yamato
ITEM DESCRIPTION Monument Sign
PROOF DATE 2 June 2017



- Colors:
- Address: Black
- Sign & Address Face Background: Light Gray
- Logo, Trim Circle, and Sides: Blue Pantone 7689C



Illuminated LED Monument Sign

- Materials: Polystyrene Foam Monument Sign
- Coating: Encapsulated Poly Armor Hard Coat
- Text: Yamato
- Location: 6306 W Eastwood St, Mequon, WI
- Overall Sign Size (Approx): 72" tall x 96" wide
- Sign Face: 48" x 96"
- Single Sided
- Raised Logo and Address
- Base - Chiselwall Tan/Brown Retaining Wall Block
- Sign Base: 16" x 84"
- Direct Burial Aluminum Post Mounting

This creative Design is the property of Signs Now and cannot be used, reproduced or distributed in any way without their express permission.
Client retains ownership of logo, trademarks, slogans etc. used within.



2385 S 179th St • Unit A • New Berlin, WI 53146
P (262) 789-8006 • F (262) 789-8094
www.SignsNowMilwaukee.com

- ☐ **Approved**
☐ **Approved w/ Changes**
☐ **Please Change and Re-Send**

**Please review artwork and return
corrections or signed approval**

Signature

Date



TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: July 19, 2017
SUBJECT: Mike Mehta. The applicant is seeking master sign plan approval for the property located at 10400-10412 N. Baehr Road (Moro Performance).

Applicant:	S.K. Mehta (Mike Mehta)
Status of Applicant:	Property Owner
Requested:	Master Sign Plan
Existing Zoning:	B-5 (Light Industrial)
Land Use Plan:	Industrial
Lot size:	2.58 acres
Location:	10400-10412 N. Baehr Road
Tax Key:	#14-026-11-007.00
District:	#4

Background:

The applicant is requesting Planning Commission approval for a Master Sign Plan for the multi-tenant building at 10400-10412 N. Baehr Road. The parcel is located in the B-5 zoning district which requires Master Sign Plan approval for multi-tenant buildings with more than one wall sign. The signs are also subject to the following criteria of Section 62-13(b)(5):

- The placement of all wall signs shall relate only to the first floor elevation of the building.
- Only tenants that have an individual, exterior entrance on the first floor that allows the general public to access shall be permitted a wall sign.
- All wall signs shall relate to the architectural features of the exterior building and create an overall harmonious aesthetic.

Master Sign Plan:

The master sign plan proposes one wall sign per tenant but also allows a tenant who occupies more than one unit additional signage based on the number of spaces occupied. Although the floor plan shows only seven tenant spaces, the proposed elevation and floor plan show a total of nine wall signs for the building. This proposal reflects signage that would ultimately be allowed in the case of a future build out, which is possible for the two southernmost tenant spaces. Since the floor plan shows seven tenant spaces, only seven wall signs would be allowed at this time. Staff does not support the request to allow tenants that use more than one space additional signage. This is consistent with the sign code as well as what has typically been approved in the past for non-retail buildings.

The elevation shows that the placement of the signs as it relates to the first floor elevation of the building meets Criteria A listed above. According to the floor plan provided, not all of the tenant spaces meet Criteria B. Only three tenant spaces have individual exterior entrances. There are a

number of instances where two tenants share an entrance. While not in technical compliance with the requirement, staff generally supports the proposed location of the wall signs on either side of the entryway for the tenants that share an entrance (see attached elevations). For tenants that have individual entrances into their space, staff supports signs to be placed directly above the entrance when possible; otherwise, the signs should be placed directly to the south of nearest entryway. All wall signs should be placed at the same height and those placed next to the entryway should be equal distance from entryways.

The plan allows a maximum size of 30 square foot for each sign. No more than 25% of the sign is to be full color company logo, crest, shield or established corporate insignia. This is consistent with what the sign code allows for multi-tenant buildings and what the Commission has approved in the past.

The plan states that signs shall be constructed of 3mm aluminum sheet with polyethylene core or comparable material and will be on a smooth, dark (black) background with white words and/or lettering and affixed to the building. The master sign plan states that the lettering will be printed on weatherproof vinyl and laminated with an optically clear laminate, or comparable material. Staff feels that sign material and the black background color do not complement the existing brick building and do not relate to the architectural features of the exterior as listed under Criteria C. Based on conversations with the building owner, staff understands that the material and color choices dictated in the sign plan are being driven by an individual tenant in the building who is interested in a wall sign. Staff is concerned that the choice of sign material is being driven more by economics than compatibility or aesthetics and feels improvements should be made to the design criteria listed in the sign plan. As a condition of approval, staff will recommend changes to the sign design criteria that are more compatible with the building design and consistent with past approvals.

Staff Recommendation:

Planning staff recommends approval of the Master Sign Plan based on the following:

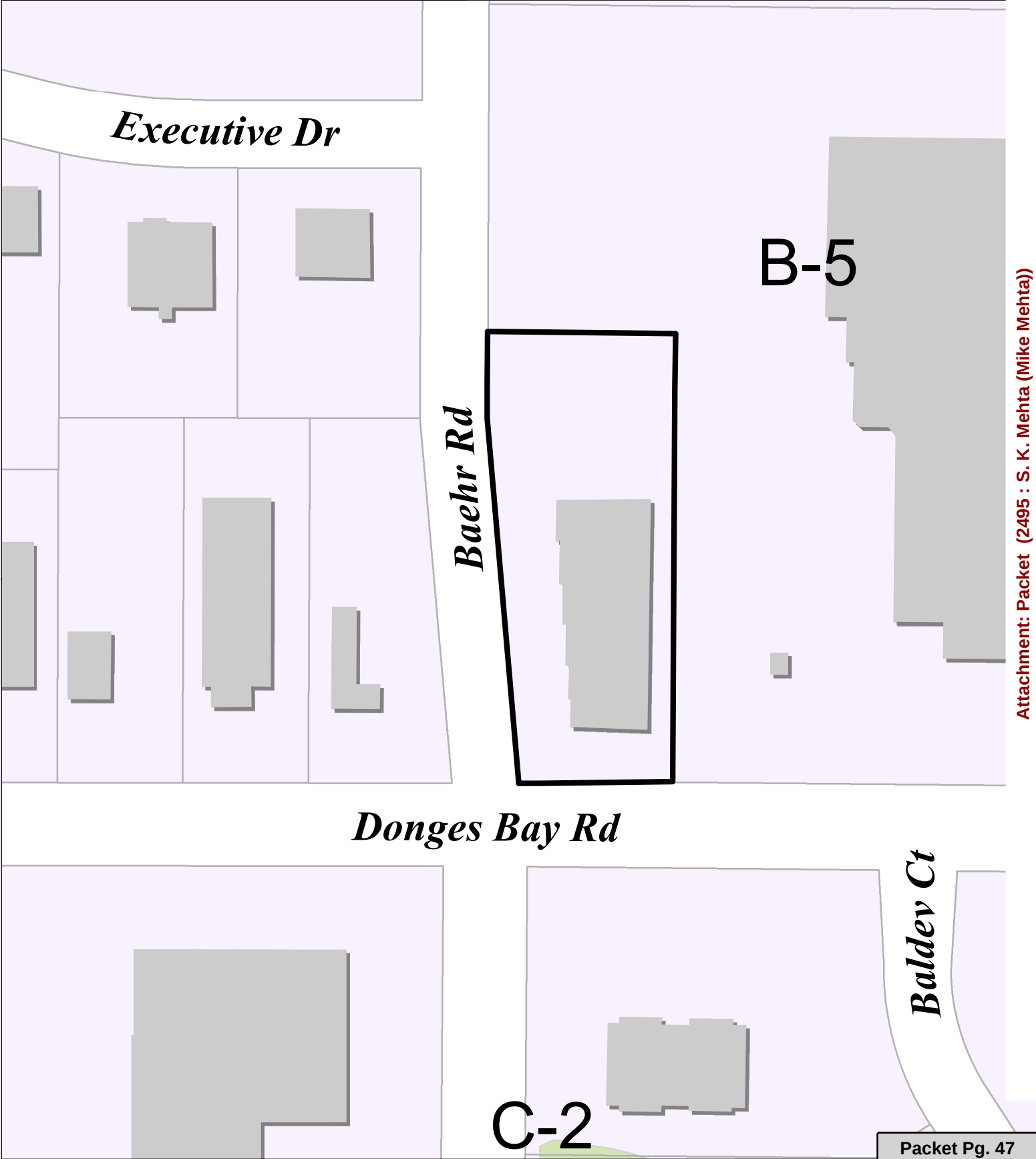
1. Staff review and approval of the sign design criteria as it relates to the signs materials and color.
2. The elevation drawing shall be revised to show equal spacing and level placement of the signs.
3. The sign plan shall limit each tenant to one wall sign.

Attachments:
Packet (PDF)

Item 4 Douglas Gallus

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

4.b.a



2017

SIGN CRITERIA

10400-10412 N BAEHR RD

S K MEHTA
10400 N BAEHR RD
MEQUON, WI 53092
262-617-0339 (CELL)

Introduction

This sign criteria located in a B-5 zoning area is to provide guidelines that are necessary to achieve balanced signage consistent with objectives of the building's design and its Tenants.

General

All Tenants may have one (1) fascia sign per occupied space. Landlord will review and approve all Tenant signs to be erected with specific limits or requirements as stated herein. Landlord reserves the right to require modifications to signs prior to Landlord approval and may modify the sign criteria at any time at Landlord's sole discretion. The City of Mequon will have final review and approval of all signs prior to the issuance of any permits.

Sign permit and certificate of insurance of the sign installation company designating Landlord as additional insured must be provided to Landlord prior to the installation of any sign. All costs associated with any fabrication of installation of Tenant's sign(s) and repair caused in whole or in part shall be the sole responsibility of the Tenant.

All signs shall be constructed and mounted in conformance with any applicable codes and all fasteners, hangers, and brackets will be concealed from public view.

All fasteners will be of non-corrosive material so as not to stain the fascia and all holes and fasteners will be fully filled and covered with silicone caulk to aid in rust prevention and to prevent water penetration through the fascia. Care is to be taken to minimize any damage to the fascia and other adjacent materials and surfaces.

Storefront signs shall be limited to the Tenant's trade name as approved in the lease. The use of a crest, shield, logo, or any other established corporate insignia shall be permitted only if used in context with the sign design and specifically approved in writing by the landlord.

All signs shall be on a smooth, dark (black) background and affixed to the building.

Signs will contrast with white words and/or lettering. The lettering will be printed on weatherproof Avery MPI 1005 vinyl with latex ink, and laminated with Avery DOL 1360 optically clear laminate, or comparable material.

Signs will be constructed from 3mm aluminum sheet with polyethylene core, or comparable material.

All signs will be rectangle in shape to ensure total building signage is cohesive.

The maximum projection of a storefront mounted sign shall be four (4) inches.

All sign code policies as they pertain to the City of Mequon sign ordinance will remain in full force and effect.

All terms and conditions will be subject to approval by Landlord with exceptions granted from time to time.

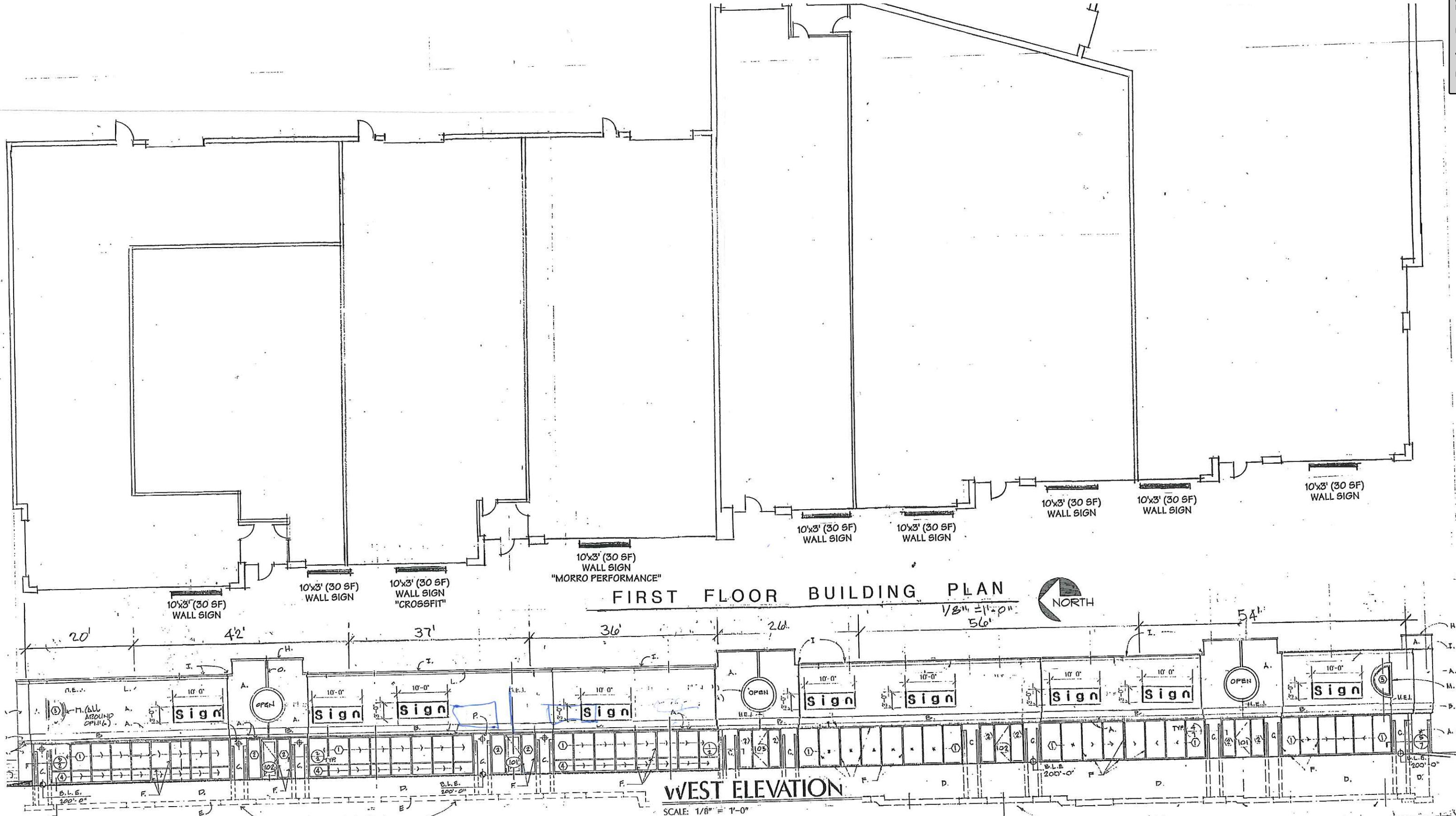
Size of Sign

Each tenant shall be entitled to one (1) sign per unit, unless Tenant occupies more than one unit. Then the Tenant may be entitled to the number of units the Tenant occupies.

Fascia signs will be allowed only on the building's west elevation facing Baehr Road with approval of the Landlord. Maximum square foot allowed per sign is 30 sqft.

Signs may be made of durable material (water-proof) using colors pertinent to its business or trade name. However, no more than 25% of the sign is to be full color company logo, crest, shield, or established corporate insignia.





REVISIONS

DRAWN BY:
DAG
DATE:
01 MAY 2017

Douglas A. Gallus
ARCHITECT
214 N. 76 ST. - MILWAUKEE, WI.
259-9555

MASTER SIGN PLAN

MEHTA OFFICE BUILDING
14010 N. BAEHR ROAD
MEQUON, WISCONSIN 53092

PLAN NO.
17014S
SHEET NO.
1 OF 1



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

www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: July 19, 2017
SUBJECT: Joe & Marie Kelly. The applicant is seeking specimen tree removal approval to remove one Red Oak tree for the property located at 13817 N. Hillside Drive.

Applicant:	Joe and Marie Kelly
Status of Applicant:	Owner
Requested:	Specimen Tree Removal
Existing Zoning:	R-2 (Rural Residential)
Location:	13817 N. Hillside Drive
Tax Key:	#14-063-01-060.00
District:	#1

Background:

The location of the proposed removal is a private residence at 13817 Hillside Dr. The original inspection was completed in early June. The inspection was prompted by a request from the resident to build a garage addition. Upon inspection an (18") Red Oak was found to be approximately 6' off the southeast corner of the existing two car garage, based on the plans the tree would have to be removed in conjunction with the proposed garage expansion. The tree has an (18")dbh and is approximately 50' in height, with an estimated age of 35 years old. (See attached calculator sheet)

Analysis:

The overall condition of the Red Oak can be categorized as good to excellent. The Oak shows no visible signs of decay or inclusion on its main stem. The crown is in good condition, with good branch structure, little deadwood, and no visible die-back. The leaves are large with no signs of stress or insect damage. Without any visible signs of stress on the rest of the tree it is safe to say that the existing root structure is sound and in good condition.

Recommendation:

The Forestry Department does not recommend removal of the Red Oak. The tree is considered a high value hardwood, and is in excellent health. The recommendation would be for provisions to

be considered with the location of the garage, to allow for the future longevity of the Oak.

Should the Planning Commission approve the removal of the (18”) Red Oak, the applicant would be responsible for replacing 75% of the diameter of the Oak after construction is completed.

This would equal (13.5”) of replacement trees, which equates to 4 trees of at least 3” caliper approved by the forester. In lieu of planting, the owner could donate \$1,350 to the Mequon Tree Fund, which would be used for Urban Forestry projects. Whether the owner decides to replant or not, the \$1,350 would be put into a non-lapsing escrow account before a building permit is issued. The money would then be returned after the tree planting is completed and inspected by the city forester.

Special Notation:

Also found on site were two large scale Alders (18”), and a large Dawn Redwood (17”), all of which meet the size or species specification criteria to have them be considered specimen trees. Should further removals be required in conjunction with the garage project re-inspection would be necessary.

Mike Gies

Mequon City Forester

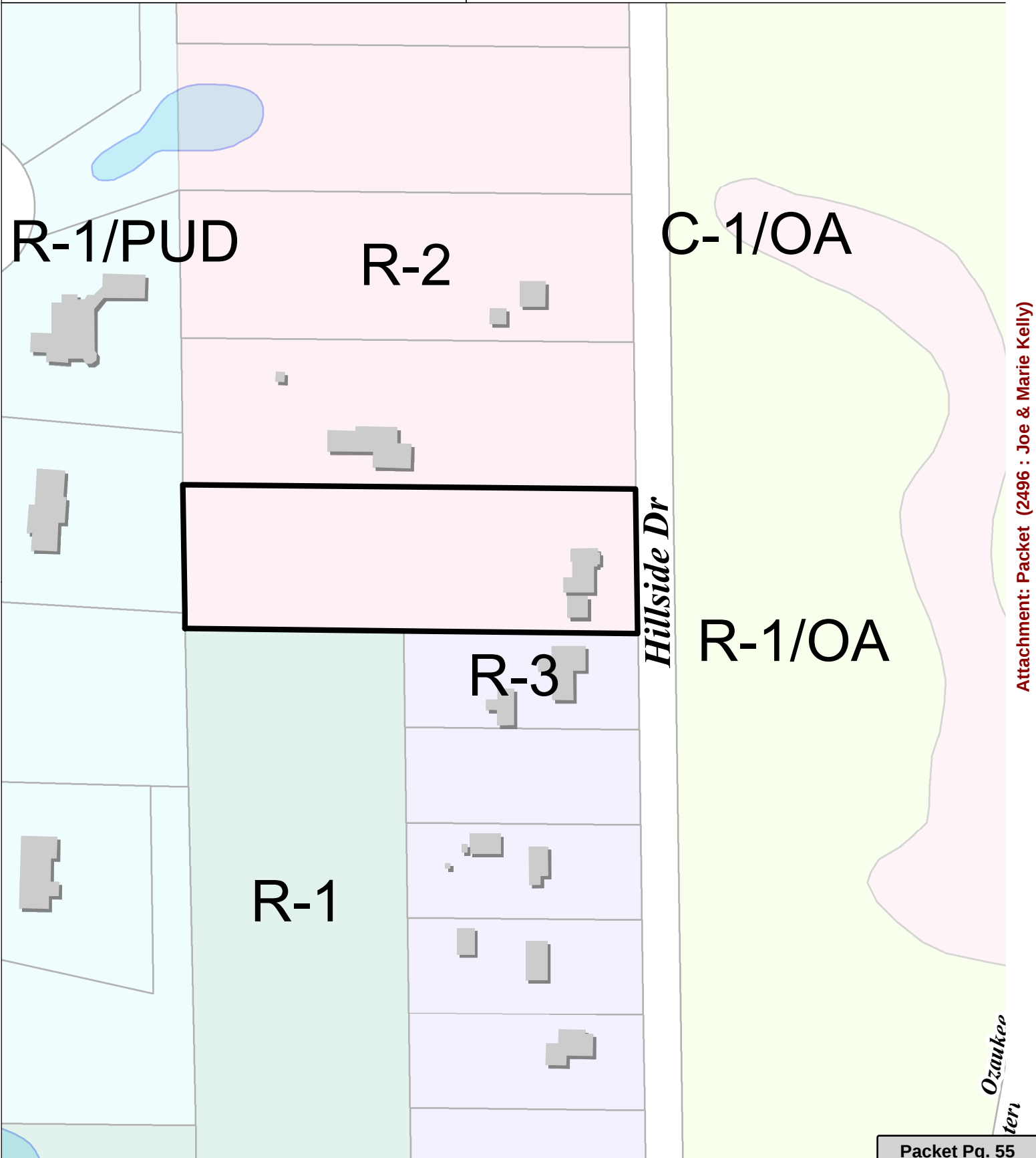
Attachments:
Packet (PDF)

Item 5 Joe and Maria Kelly

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

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

4.c.a



June 28, 2017

To Whom It May Concern,

We have an oak tree (specimen tree) located on the South East corner of our proposed addition. We are requesting permission to remove this tree in order to build the addition that is drawn (prints are provided). We planted this tree along with many others when we move in 17 years ago. If we would have known that it would have cost us so much hassle and money at the present date we would have never planted this tree or any of the others.

Over the last 6 months, we have spent a lot of time and expense in trying to get our garage addition approved by the city and all of its many boards and departments by following all of the legal processes. First, we needed to have a land survey completed of our property and had to present to the Board of Appeals our request for a variance regarding the lot line setbacks. We were granted the variance and proceeded to work with our architect to complete the second phase of a plan to improve our property that we had been working on since 2006. We were granted approval of the variances and we were even sent a letter stating the variances were approved per our original request. Then on June 12th we attended the architectural board to present our plans of building an attached garage per the variances we were approved of. The members of the board approved our plans as long as we agreed to switch two window styles. The next day we stopped into the city to pick up our building permit only to find out that due to a specimen tree being in the way we are no longer allowed to proceed with the proposed garage addition. It wasn't until we brought it to the city's attention that they incorrectly approved one of the variance setbacks and sent us a letter with the correction. The city also sent us a letter, which we received a few days after the verbal notification of the specimen tree issue, to come and pick up our approved building permit. That is two approval letters that we have received that have been later retracted.

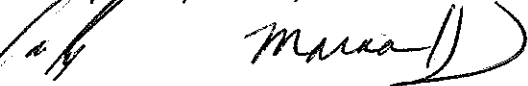
We have been working on upgrading an older house in a rundown, forgotten part of Mequon for over 10 years now. We have invested a little under \$20,000 so far on the land survey, architect fees, and the production of the several different sets of prints in the last 18 months. We over looked the "specimen tree", despite having a wooded lot with several large trees, not thinking that one tree would cause such a problem. After all of the time and money spent trying to get this addition on our house and upgrade not only our house but the entire neighborhoods value, we cannot go any farther. If the tree that we planted cannot be taken down we plan to sell the house, as is, and move, preferably out of Mequon.

If you would just drive down our road and take a look at how poorly some of the neighbors keep their yard, you would understand how disappointing it is that the city is not allowing us to make the improvements. There is a chain link dog kennel in the front of the house 2 doors down, another neighbor has an over grown, unfinished landscaped yard, is this what Mequon wants instead of additional tax dollars.

The hardship that this specimen tree imposes is the expense of approximately \$20,000 and several months of our time spent trying to expedite the project, and the fact that the arborist decided to wait until after we were approved from two different boards to say we cannot proceed with our planned garage addition.

We are asking for one last request to be approved so that we can remain in the home that we have been working so long and hard on for our family.

Thank you for your time,

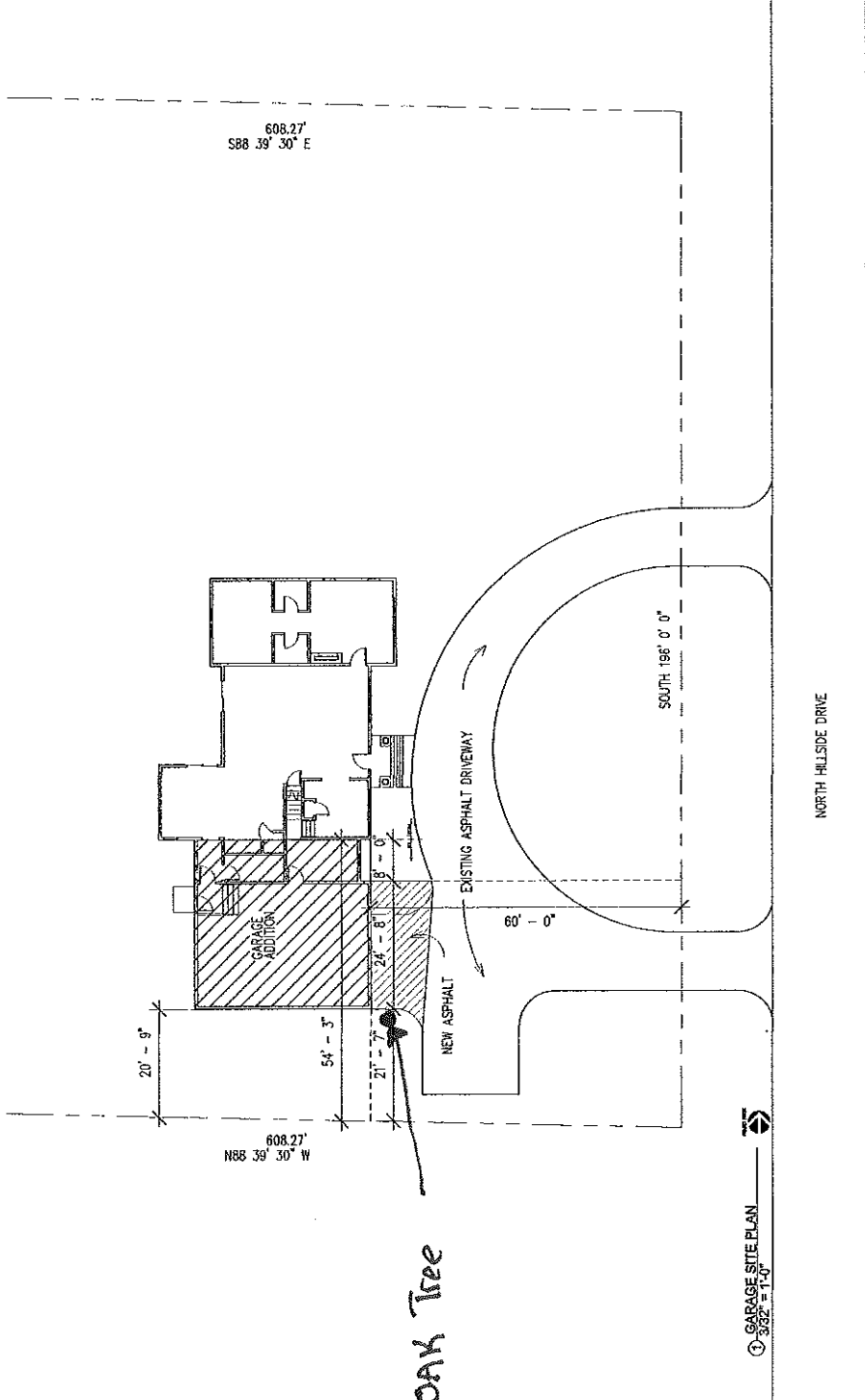


Joe and Maria Kelly

Attachment: Packet (2496 : Joe & Marie Kelly)

KELLY RESIDENCE

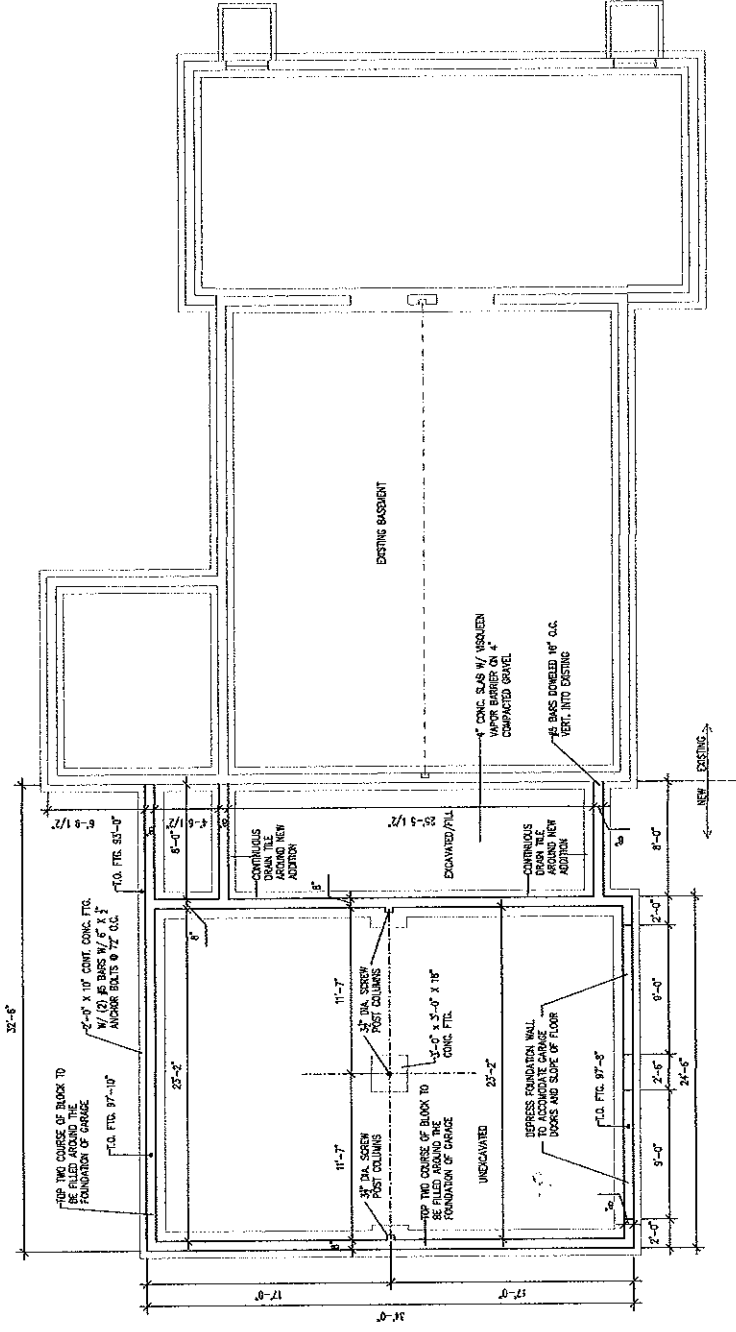
MEQUON, WISCONSIN



STEPHEN PERRY SMITH ARCHITECTS, INC. 215 N. WATER STREET, SUITE 250 MILWAUKEE, WISCONSIN 53202 T 414.277.9700 F 414.277.9705 sp@stephensmith.com		PROJECT	KELLY RESIDENCE ADDITION	MEQUON, WISCONSIN	OWNER	MR & MRS JOSEPH KELLY 13817 N. HILLSIDE DRIVE MEQUON, WI	SHEET	TWO CAR GARAGE OPTION	REVISIONS	ITEM	DATE	BY	INFORMATION	PROJECT ARCHITECT	SFS	EN	DRAWN BY	MC-T-1161	PROJECT NUMBER	REVIEW	DATE	JUNE 16, 2017	SHEET NO.	A1
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SHEET TWO CAR GARAGE OPTION													
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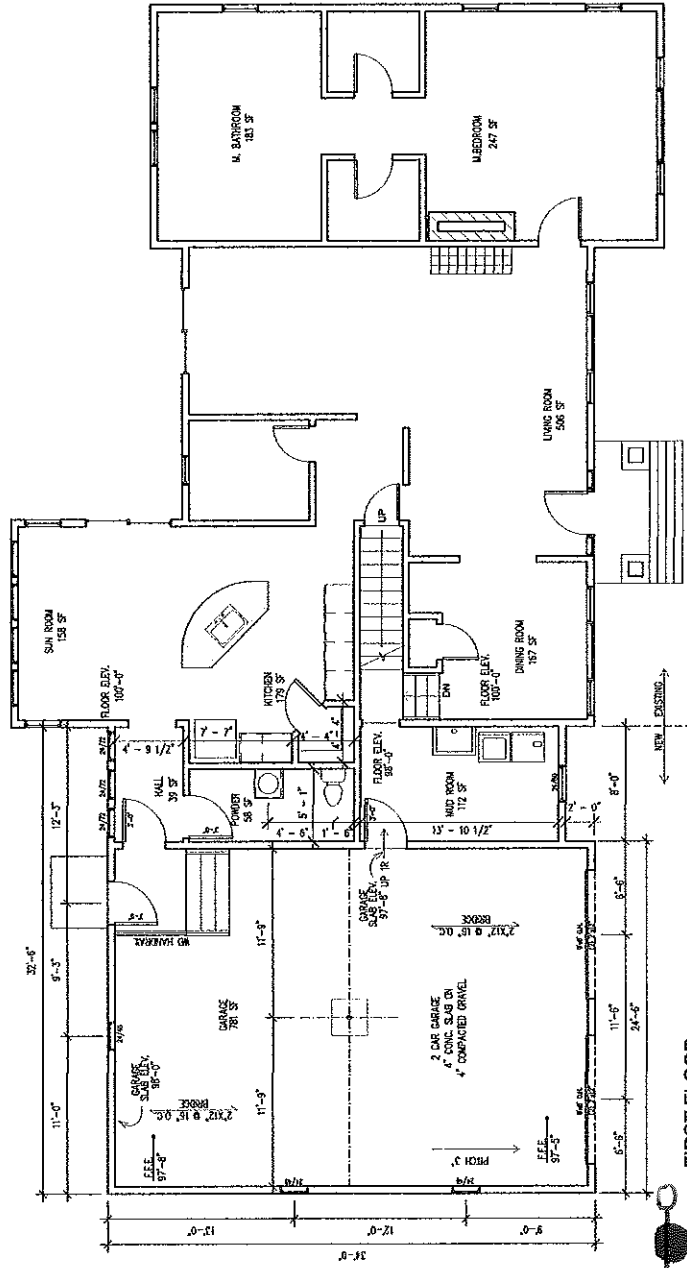
4.c.a



① FOUNDATION LEVEL
 1/4" = 1'-0"

 STEPHEN PERRY SMITH ARCHITECTS, INC. 115 N. WATER STREET SUITE 200 MILWAUKEE, WISCONSIN 53202 T 414.277.9700 F 414.277.9705 sps@architect.com		PROJECT KELLY RESIDENCE ADDITION MEQUON, WISCONSIN		OWNER MR. & MRS. JOSEPH KELLY 13817 A HILLSIDE DRIVE MEQUON, WI		SHEET TWO CAR GARAGE OPTION		REVISIONS ITEM DATE BY		INFORMATION PROJECT ARCHITECT SPS DRAWN BY EN PROJECT NUMBER JK-13-31301 ISSUED FOR REVIEW DATE JUNE 16, 2017 SHEET NO.		A3	
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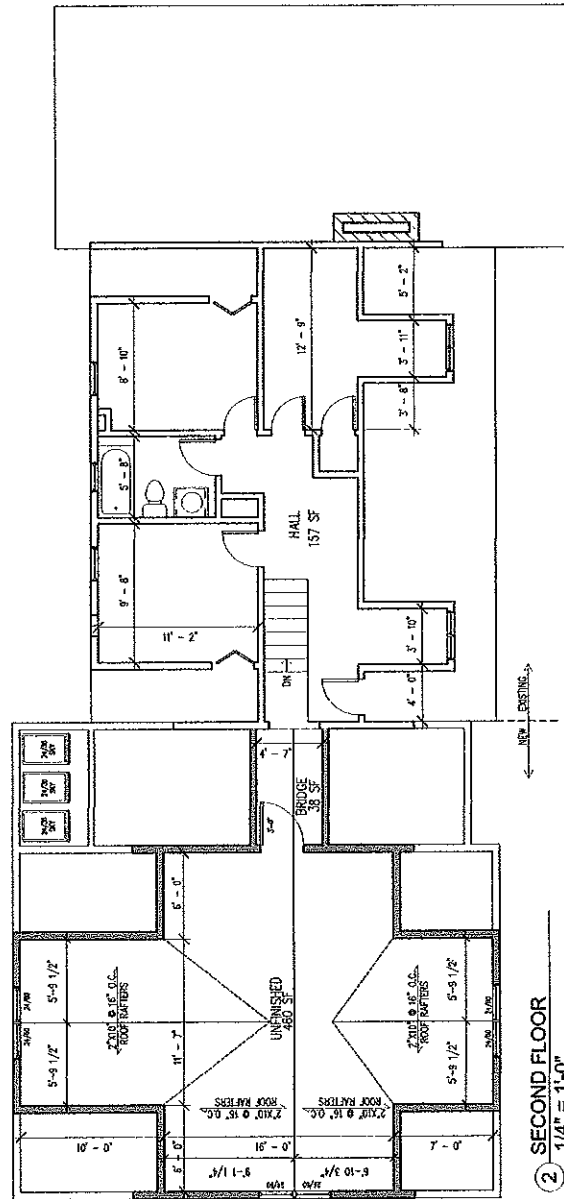
FIRST FLOOR
1/4" = 1'-0"

OAK Tree

AT CREST HEIGHT
16 1/16" EXACT

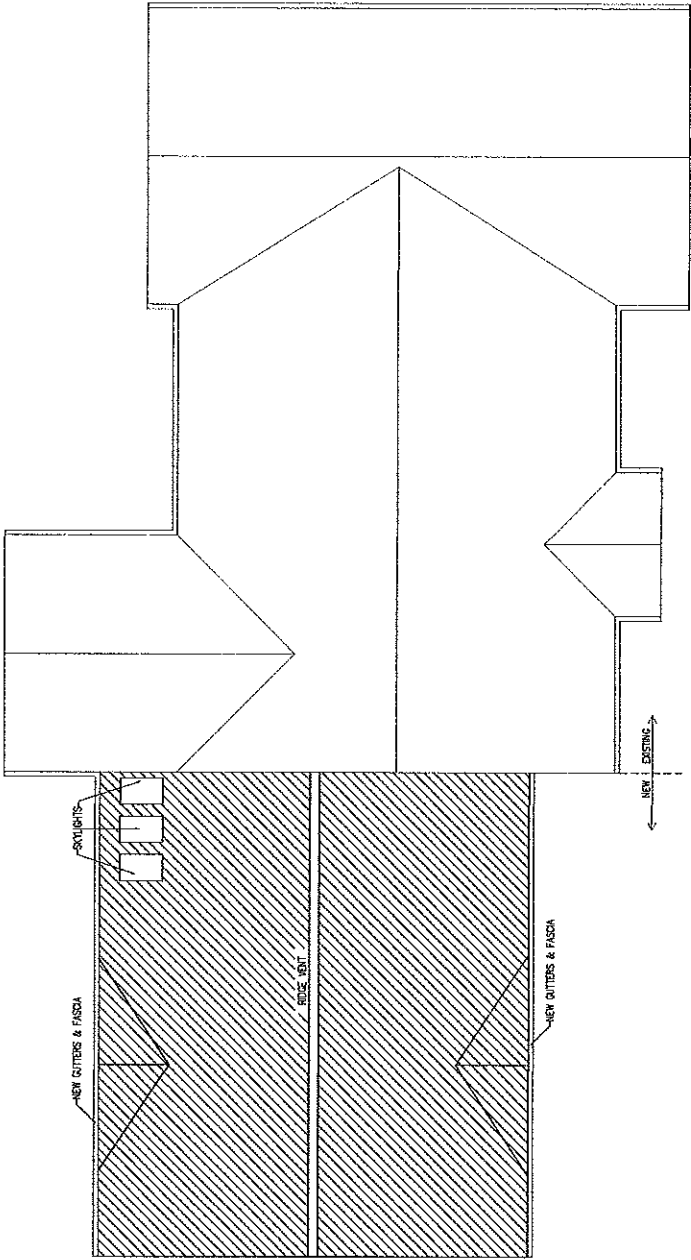
 STEPHEN PERRY SMITH ARCHITECTS, INC. 215 N. WATER STREET, SUITE 200 MILWAUKEE, WISCONSIN 53202 T 414.277.9700 F 414.277.9705 spsarchitect.com		PROJECT KELLY RESIDENCE ADDITION MEQUON, WISCONSIN	OWNER MR & MRS JOSEPH KELLY 1307 N. HILLSIDE DRIVE MEQUON, WI	SHEET TWO CAR GARAGE OPTION	REVISIONS ITEM DATE BY	INFORMATION PROJECT ARCHITECT SPS DRAWN BY EN PROJECT NUMBER JK-17-0101 ISSUED FOR REVIEW DATE JUNE 16, 2017 SHEET NO.	A4
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Attachment: Packet (2496 : Joe & Marie Kelly)

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SHEET TWO CAR GARAGE OPTION						A5	



① ROOF PLAN
1/4" = 1'-0"



PROJECT

KELLY
RESIDENCE
ADDITION

MEQUON, WISCONSIN

STAINLESS

MR & MRS
JOSEPH KELLY
13817 N HILLSIDE DRIVE
MEQUON, WI

SUBJECT

TWO CAR GARAGE OPTION

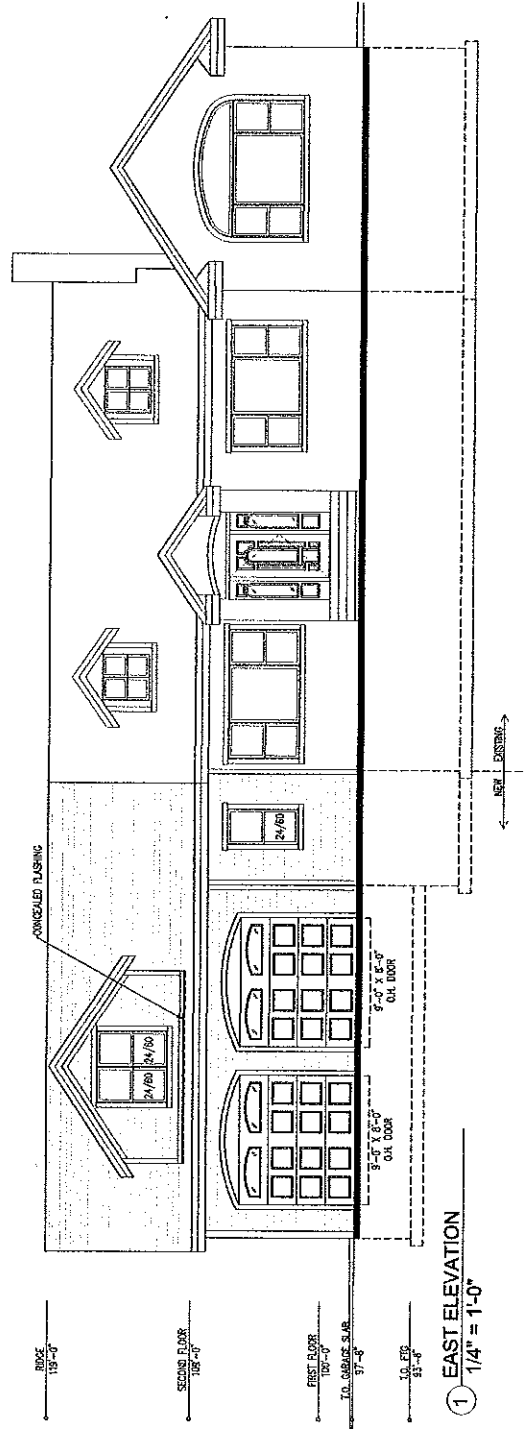
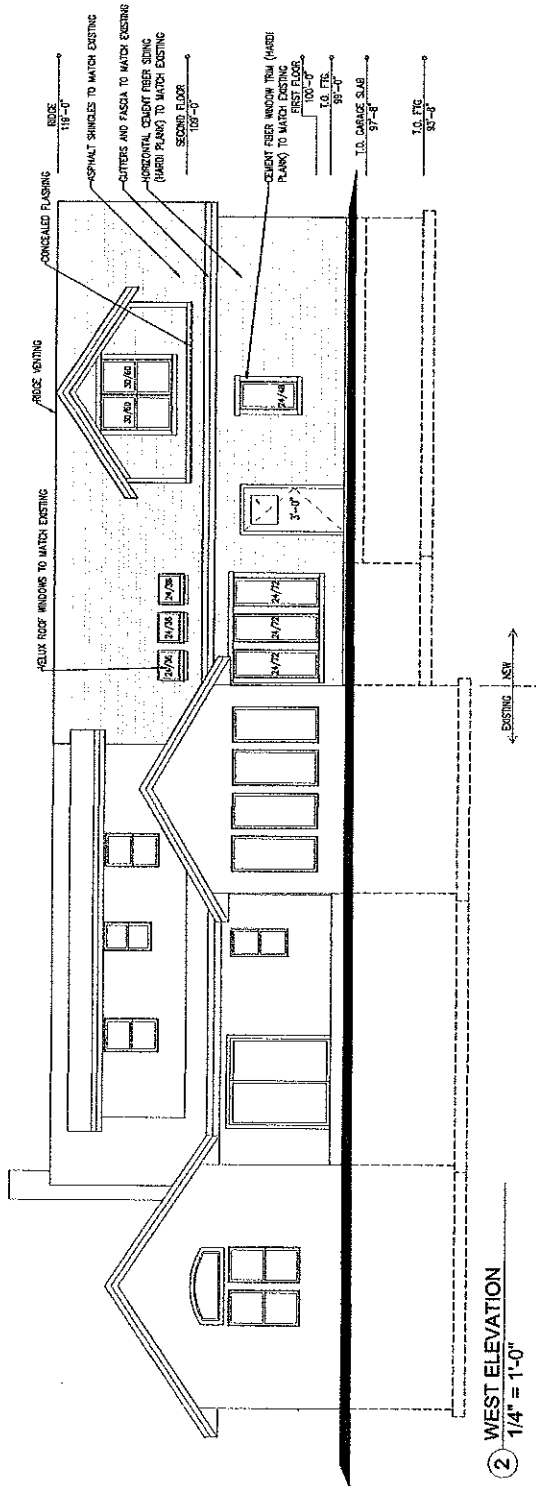
REVISIONS

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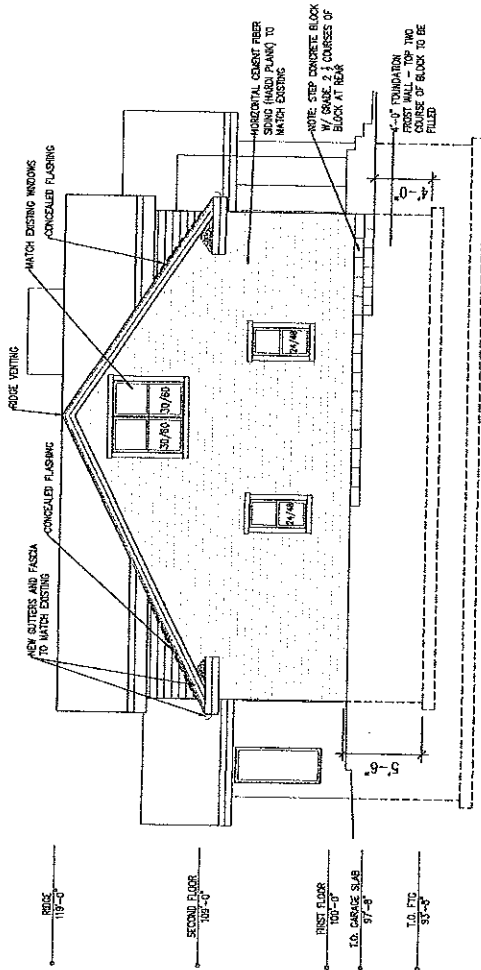
INFORMATION

PROJECT ARCHITECT	SPS
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PROJECT NUMBER	JK-17-013.01
ISSUED FOR	REVIEW
DATE	JUNE 16, 2017
SHEET NO.	

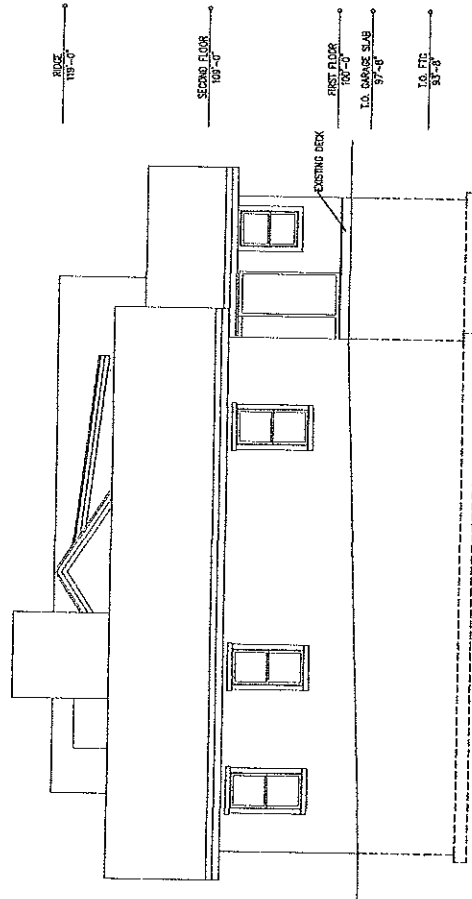
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 STEPHEN PERRY SMITH ARCHITECTS, INC. 216 N. WATER STREET, SUITE 250 MILWAUKEE, WISCONSIN 53202 T 414.277.9700 F 414.277.9705 ssa@stephenperry.com		PROJECT KELLY RESIDENCE ADDITION MEQUON, WISCONSIN	OWNER MR & MRS JOSEPH KELLY 1817 N. HILLSIDE DRIVE MEQUON, WI	SHEET TWO CAR GARAGE OPTION		REVISIONS ITEM DATE BY		INFORMATION PROJECT ARCHITECT SPS DRAWN BY EN PROJECT NUMBER JK-17-010 ISSUED FOR REVIEW DATE JUNE 16, 2017 SHEET NO.	
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① SOUTH ELEVATION
1/4" = 1'-0"



② NORTH ELEVATION
1/4" = 1'-0"

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: July 19, 2017
SUBJECT: Chapter 58 of the Zoning Code as it relates to uses in the LTD Zoning District.

Background: The applicant is requesting a text amendment to allow smoothie bars in the LTD (Limited Use Overlay) district. The applicant owns the Lexington Square development, which is only one of two parcels in the City of Mequon that has the LTD overlay zoning. The LTD district is intended to provide limited commercial business uses to parcels located adjacent to or within a primary residential area.

Unlike most of the other commercial districts in the zoning code, the LTD district identifies specific uses that are allowed in the district instead of general categories such as retail or professional services. This includes uses such as bagel shops and bakeries, which in staff's opinion, have similar operational characteristics as a smoothie bar. Instead of including smoothie bars to the list of conditional uses in the LTD zone, staff feels the better approach would be to include a broader classification that would encompass some of the current uses listed as well other specialty uses such as yogurt or ice cream shops.

When looking at the use categories established in the NAICS (National American Industry Classification System) the category of Snack and Nonalcoholic Beverage Bars would be the most appropriate for the situation. By definition, these are uses that are primarily engaged in preparing and serving specialty snacks such as ice cream, bagels and donuts as well as serving non-alcoholic beverages such as juices or coffee. Staff recommends that the proposed text amendment be modified to include Snacks and Nonalcoholic Beverage Bars as a conditional use and eliminate Bagel Shops and Bakeries since they are included in the new category.

Sec. 58-330. - Limited use overlay (LTD) district.

(e) Conditional Uses

- (1) ~~Bakery.~~
- (2) ~~Bagel shop.~~
- (3) Bath accessories.
- (4) Beauty aids/personal grooming.
- (5) Bookstore.
- (6) Bridal shop.
- (7) Candy store.
- (8) Camera store.
- (9) Card shop.
- (10) Gift store.
- (11) Florist.

- (12) Boutique clothing store.
- (13) Computer store.
- (14) Educational materials store.
- (15) Formal wear store.
- (16) Hobby/crafts store.
- (17) Jewelry store.
- (18) Musical instruments store.
- (19) Optical store.
- (20) Telephone store.
- (21) Pet store.
- (22) Boutique shoe store.
- (23) Weight loss store.
- (24) Art gallery.
- (25) Photographer.
- (26) Packaging store.
- (27) Interior designer.
- (28) Antique store.
- (29) Snack and Nonalcoholic Beverage Bars



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

www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: July 19, 2017
SUBJECT: Jim Forester. The applicant is seeking rezoning ordinance amendment approval to allow changes to the conditions of the PUD Ordinance related to the hours of operation and location of conditional uses for the property located at 11649 N. Port Washington Road.

Applicant:	Jim Forester
Status of Applicant:	Owner
Requested:	Rezoning Recommendation (PUD Amendment)
Existing Use:	Multi-tenant Office Building
Existing Zoning:	B-3 (Office) PUD (Planned Unit Development) LTD (Limited Use Overlay)
Lot size:	6 acres
Location:	11649 N. Port Washington Road
Tax Key:	#15-019-04-011.00
District:	#5

Background:

The applicant is requesting an amendment to the existing PUD for the Lexington Square office development at 11649 N Port Washington Road. Ordinance 95-857A (see attached) was approved by the Common Council on December 12, 1995 with a number of specific conditions related to the use and operations of the development. The applicant is requesting to eliminate the following condition of Ordinance 95-857A:

2. No LTD District conditional use customer access and or signage shall be allowed along the south building elevation of Phase 1

The applicant is also requesting to modify condition four to eliminate the requirement that a retail business can be open for no more than five hours on Sunday.

PUD Amendment:

The request to eliminate Condition 2 of the original PUD would allow the applicant to lease out space on the south elevation of the building to uses that are listed as conditional in the LTD zoning district. The applicant has a prospective tenant, Fresh Juice Bar, interested in leasing out a vacant space on the south elevation of the building. While the use is currently not permitted in the LTD zoning district, the applicant is also requesting a text amendment that would classify these types of uses as conditional in the LTD zone (see previous item).

Based on a review of the file, it appears that the prohibition of conditional uses on the south elevation of the building was intended to mitigate the impact of the development on the adjacent

condominium development to the west. Initially, the plan included a road connection on the south to Eastbrook Drive and there was concern over the amount of traffic generated by the development. A subsequent amendment to the PUD in 1997 eliminated the road connection to Eastbrook Drive and added a connection to Port Washington Road. Staff feels that by eliminating the road connection on Eastbrook Drive, the traffic impact on the residents of condominiums would be negligible. There is also significant landscaping that currently exists between the road and building which provides a year round opaque buffer (see attached pictures) of the building and parking lot.

The applicant is also requesting to modify the hours of operation on Sundays. While the overall hours on Sunday of 9:00 am to 5:00 pm are acceptable, the applicant is requesting to eliminate the five hour maximum required for any one specific use. Staff could not find any documentation to how or why the five hour maximum was chosen. It is important to note that this requirement only applies to LTD uses. Permitted uses in the B-3 zone are not constrained by this requirement. There have been only a few LTD conditional uses approved for the development since it was completed and none currently in operation, so staff does not believe modifying this requirement will have a significant impact. In addition, staff feels the five hour use requirement would be a difficult condition to monitor and enforce. Accordingly, staff is supportive of removing the requirement that limits LTD conditional uses to a maximum of five hours of operation on Sundays.

Staff Recommendation:

Planning staff recommends approval of this PUD amendment subject to the following conditions:

- . Common Council approval of the PUD amendment.

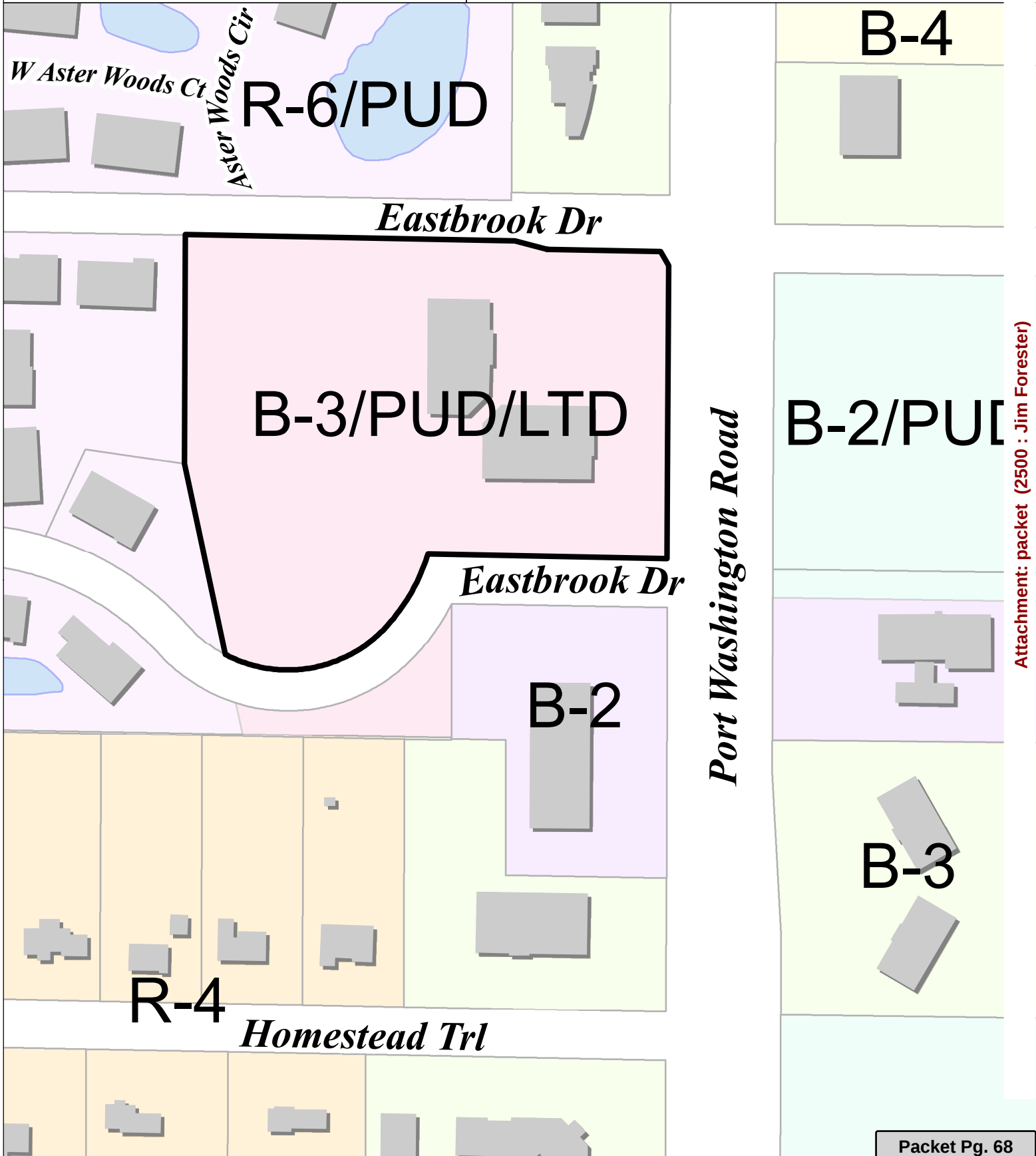
Attachments:
packet (PDF)

Item 8 Jim Forester

AC Arrival Corridor
A-1 Agricultural Preserve
A-2 General Agricultural
B-1 Neighborhood Business
B-2 Community Business
B-3 Office & Service Business
B-4 Business Park
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B-7 Rural Business
C-1 Shoreland/Wetland Conservancy
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R-6 Single-Family Residential (4 du/Ac)
RM Multi-Family Residential
TC Town Center
TDR Transfer of Development Rights

4.e.a



Attachment: packet (2500 : Jim Forester)

Lexington Square
1520 LLC
11649 N Port Washington rd. Mequon 53092
262-292-9552

6-16-17

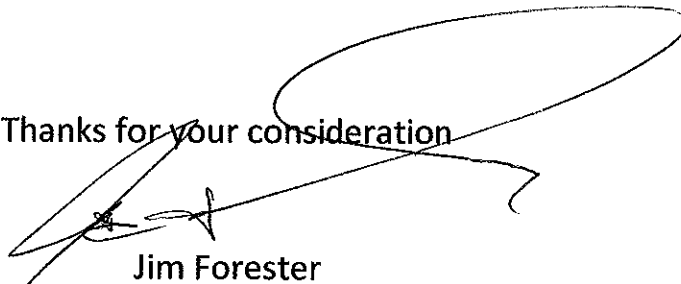
Planning Commission,

We are requesting an Amendment to Ordinance #95-857A

1. Remove item #2, no LTD district conditional use customer access and/or signage shall be allowed along the south building elevation of phase I.
2. Change #4, not have a maximum of 5 hours and to allow hours of operation to be from 9am to 5 pm.

We are making the request because these items severely limit our ability to lease the property.

Thanks for your consideration

A handwritten signature in black ink, appearing to read 'Jim Forester', is written over the typed name. The signature is stylized with a large loop at the end.

Jim Forester

Attachment: packet (2500 : Jim Forester)

ORDINANCE NO. 95-857A

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

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

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

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

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

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

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

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

1. The LTD District and its uses shall be allowed only on the first floors of buildings identified as Phases I and II.
2. No LTD District conditional use customer access and/or signage shall be allowed along the south building elevation of Phase I.
3. There shall be no retail uses, including B-3 District retail uses, allowed in Phase III of this development.
4. Hours of operation for Limited Use District (LTD) retail uses shall be in accordance with the Limited Use District regulations except that Sunday hours of operation shall be allowed from 9:00 a.m. to 5:00 p.m., with a maximum of five (5) hours for any one use.
5. Final architectural, landscaping, lighting, and signage plans per Exhibits: B, C, D, E, F, G, H, I, and J, appended hereto shall be deemed approved by this Common Council action. Grading, drainage, erosion control, and other engineering plans are subject to Engineering Department approval.
6. Construction of all phases of this development shall be completed within 70 months of the effective date of this ordinance, or the developer must reapply for development approval for any portion which is incomplete, and shall be subject to contemporary zoning standards for any such remaining incomplete portion. Completion shall be deemed to have occurred as to each building when a permit for its occupancy shall have been issued. Any contiguous time period of more than thirty days during which circumstances beyond the control and not the fault of the developer shall halt construction or preparation therefore, shall not be counted against the 70 month time period.

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

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

Approved:

James J. Moriarty

returned without
signature

Date Approved:

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

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Louise M. Rzentkowski, City Clerk

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