



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, September 23, 2024
6:00 PM
Christine Nuernberg Hall

Agenda

1) Call to Order, Roll Call

- a) Meeting Minutes from July 22, 2024
- b) Approval of Minutes

2) Public Hearing

- a) Black Duck Partners for Planet Fitness. The applicant is seeking conditional use grant approval to allow for a fitness center for the property located at 11300 N. Port Washington Road.
- b) David Roettgers for Mobil. The applicant is seeking expansion of a non-conforming use and building and site plan amendment approval to allow for a previously approved car wash and ancillary facilities for the property located at 11155 N. Wauwatosa Road.

3) Consent

- a) Alex Leykin. The applicant is seeking minor request approval to allow for an accessory structure exceeding 1,000 sq. ft. for the property located at 14207 N. Birchwood Lane
- b) Sam O'Malley. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 11550 N. Wasaukee Road.
- c) Susan & Thomas Tanner. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the properties located at 2400 W. County Line Road.
- d) Sean O'Driscoll for ODRE 1, LLC. The applicant is seeking certified survey map approval to alter the lot lines for the property located at 14319 N. Port Washington Road (Hospel).
- e) The Enclave at Mequon Preserve Phase VII. The applicant is seeking final plat approval to allow for 12-lots for the parcel located immediately north of 8200 W. Donges Bay Road.

4) Regular Business

- a) Ray's Wauwatosa, Inc. The applicant is seeking building and site plan amendment approval to allow for the conversion of a vacant building for the property located at 7555 W. Mequon Road (Ray's Wine & Spirits).

- b) ICAP. The applicant is seeking certified survey map and rezoning of PUD amendment approval to allow for a 2-lot land division for the property located at 10921 N. Port Washington Road.
- c) Blu's Trucking for Dan Mehail The applicant is seeking minor request approval to allow for an amendment to the waiver for the existing berm for the property located at 12701 N. Farmdale Road.

5) Policy

- 1) Design Guidelines for Commercial Structures

6) Announcements

7) Adjourn

Dated:/s/ Andrew Nerbun, Chair

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

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

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



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PLANNING COMMISSION
Regular Meeting
Monday, July 22, 2024
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:

Chair Andrew Nerbun
Alderman Brian Parrish
Commissioner Bruce Barnes
Commissioner Martin Choren
Commissioner Dan Gentges
Commissioner Rebecca Schaefer
Commissioner Nancy Urbani
Commissioner Stephanie Hawley - **Absent**
Commissioner John Stoker - **Absent**

a) Approval of Minutes from June 24, 2024

Commissioner Barnes commented that the minutes did not correctly state the point he made at the previous meeting and he clarified what he intended to convey.

Action

Commissioner Urbani made a motion to approve the minutes subject to the amendment made by Commissioner Barnes.

Commissioner Gentes seconded the motion.

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

Attachment: PC Minutes_07.22.24 DRAFT (9687 : Meeting Minutes from July 22, 2024)

RESULT: **APPROVED WITH AMENDMENTS [7 TO 0]**
MOVER: Nancy Urbani, Commissioner
SECONDER: Dan Gentges, Commissioner
AYES: Nerbun, Parrish, Barnes, Choren, Gentges, Schaefer, Urbani
ABSENT: Hawley, Stoker

2) Consent / Public Hearing

- a) Mohammad Imseitef. The applicant is seeking conditional use grant approval for an automotive service facility for the property located at 10650 N. Baehr Road, Suite A-B

Action

Commissioner Schaefer made a motion to open a public hearing.

Commissioner Urbani seconded the motion.

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

No public comment.

Action

Commissioner Schaefer made a motion to close the public hearing.

Commissioner Urbani seconded the motion.

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

Action

Commissioner Choren made a motion to approve the conditional use grant.

Commissioner Schaefer seconded the motion.

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

RESULT: **APPROVED [7 TO 0]**
MOVER: Martin Choren, Commissioner
SECONDER: Rebecca Schaefer, Commissioner
AYES: Nerbun, Parrish, Barnes, Choren, Gentges, Schaefer, Urbani
ABSENT: Hawley, Stoker

3) Consent

- a) Ralph Morello and Judith A. Morella Revocable Trust. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 10050 N. Range Line Road.

Mayor Nerbun stated agenda item 3(a) is taken off the consent agenda for discussion.

Planner Evan Hoier stated that this is a 2-lot land division. There was a consultation in May discussing access and private driveway options. Lot 1 will be 2.2 acres and Lot 2 will be 3.275 acres; both are compliant with the requirements of the zoning district. Staff approves per the

conditions in the staff report.

The applicant, Ralph Morello, read a prepared statement requesting approval for both waivers he is requesting. He is contesting staff report condition #12 regarding the requirement to widen the roadway. He believes that at the previous meeting Ald. Strzelczyk stated that the land division would be grandfathered in.

Public Comment

Gary Quirk - 10052 N. Range Line Road - opposed and represents the 3 neighboring property owners. He stated that all the property owners collectively pay for the maintenance of the shared driveway and it is the only access to their properties. He asked the Commission to consider the impact on the surrounding properties and not just the applicants' property.

Susie Brotz - 10054 N. Range Line Road - clarified there is not a cul-du-sac located in their neighborhood.

There was feedback from the Commission that the item be tabled as there seems to be several legal questions that the neighbors need to work out. The video tape from the previous meeting can be reviewed per the request of the applicant to clarify what Ald. Strzelczyk said regarding this item as the Commission does not remember the statement about being grandfathered in being made.

Action

Commissioner Schaefer made a motion to approve per staff conditions with the amendment that Lot 2 would have a deed restriction shown on the plat to indicate the road shall be widened at the time development occurs, per city standards.

Commissioner Barnes seconded the motion.

A roll call vote was taken; vote passed (7-0)

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

- b) Stantec for Minahan Children, LLC. The applicant is seeking minor request approval to allow for fill or excavation exceeding 1,000 C.Y. for the property located at 5700 W. Bonniwell Road.

Action

Commissioner Schaefer made a motion to approve consent agenda item 3(b).

Commissioner Choren seconded the motion.

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

RESULT:	APPROVED [7 TO 0]
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Martin Choren, Commissioner
AYES:	Nerbun, Parrish, Barnes, Choren, Gentges, Schaefer, Urbani
ABSENT:	Hawley, Stoker

4) Regular Business

- a) Paul Reilly Company. The applicant is seeking minor request approval to allow for I-43 signage for the property located at 1100 W. Glen Oaks Lane.

Planner Hoier stated that this submittal is for a sign permit waiver and the applicant originally applied for a larger sign in which staff requested that it to be modified to a smaller sign in accordance with regulations for signs facing I-43. The area of the sign can only be 65% of the linear width of the wall. The smaller version that was approved on June 24, 2024, is complaint with that regulation. The proposed larger version is equal to 155% of the building width for the area of the sign.

He explained that upon site compliance review, staff indicated that there was a semi-truck parked in the loading bay obstructing the view of the wall as well as some high grass plantings and equipment parked in this location obstructing the view from I-43 to this wall. Based on these findings, staff recommends denial of the sign waiver request.

The applicant, Jamie Demon from Innovative Signs, stated that they request that the entire façade facing I-43 be used when calculating the size of the sign allowed as the architecture of the building causes a disadvantage for desired signage size allowed. She stated the full frontage façade facing east is 78 feet. They feel that the suggested 20 sq. ft. size sign staff proposed is way too small to be seen from the optimal viewing from I-43 at 170 feet. This is the only elevation that faces a main roadway. She stated that the owner was denied a pylon sign, so they are attempting to get more visibility and allowing the full frontage facing I-43 would provide that.

Mayor Nerbun stated he is in favor of granting a waiver as this is a unique situation due to the angle of the building and the fact that this is a single tenant building. He commented that if the sign is sized based on the requirements in the code, it would be too small to see from the freeway. He also commented that the DOT has obliterated all the vegetation along the east sign of I-43, and he believes that more businesses will be asking for I-43 signage. He would like this section of the code to be reviewed by staff.

Alderman Parrish supports the mayor in granting a waiver and does not feel it sets precedent as the entire eastern façade should be used as one whole elevation and the size of the sign is appropriate.

Action

Commissioner Choren made a motion to approve the sign waiver and the sign size as submitted as it closely conforms to the code sign requirements when considering the entire eastern façade

as one elevation.

Alderman Parrish seconded the motion.

A roll call vote was taken; vote passed (6-0)(No vote: Schaefer)

RESULT:	APPROVED [7 TO 0]
MOVER:	Martin Choren, Commissioner
SECONDER:	Brian Parrish, Alternate Alderman
AYES:	Nerbun, Parrish, Barnes, Choren, Gentges, Schaefer, Urbani, Hawley
ABSENT:	Stoker

- b) Sergio Rodriguez for Guzman Properties, LLC. The applicant is seeking building and site plan amendment approval to allow for improvements to the existing restaurant for the property located at 10352 N. Port Washington Road.

Planner Hoier stated that this building and site plan amendment is due to site and building maintenance and code enforcement issues. He discussed the proposed building materials and building colors. He commented that there has been replacement of some of the doors and windows. A landscape plan has not been submitted but there is overgrowth around the building and parking lot that needs to be addressed as part of the code enforcement issues. Upon a site visit it was noted that the parking lot needs to be resealed, repaired and restriped. He commented that the dumpster enclosure has damage to it and the junk around the site needs to be cleaned up. Staff recommends that this be tabled until the site is cleaned up and staff, the Commission architect and the applicant can meet to agree upon architecture that better matches neighboring buildings.

Brian Ruwell represented the applicant. He explained that this will be a Mexican restaurant, and the applicant plans to completely renovate both the interior and exterior. He commented that the restaurant group currently has 8 restaurants throughout Wisconsin and is extremely successful. The hours will include lunch and dinner with 15-18 employees. The living quarters may include an employee to live on site. They plan to remove the existing porch so that the building will be flush from the southwest corner to the northwest corner. He commented that the satellite garage has been removed.

Commissioner Choren stated there is much work that needs to be done on site and supports tabling this item so that issues about the architectural and color schemes can be discussed with the applicant.

Mayor Nerbun stated that there are plans for improvements for that corridor and that there is probably some TIF monies that may be available for some modifications along Port Washington Road.

Overall, the Commission is supportive of the applicant moving forward with this project and supports the item being tabled so that the applicant can continue the clean up efforts on site and work with staff regarding the architecture and building colors.

Action

Commissioner Schaefer made a motion to table the item.

Commissioner Gentges seconded the motion.

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

RESULT:	TABLED [7 TO 0]
MOVER:	Rebecca Schaefer, Commissioner
SECONDER:	Dan Gentges, Commissioner
AYES:	Nerbun, Parrish, Barnes, Choren, Gentges, Schaefer, Urbani
ABSENT:	Hawley, Stoker

- c) Dan Beyer Architects for Commerce Street Holdings, Inc. The applicant is seeking building and site plan amendment approval to allow for improvements to the existing restaurant and recreational building for the property located at 5616 W. Donges Bay Road (Libby Montana's).

Commissioner Choren recused himself.

Asst. Dir. Zader stated that this request is to modify the existing restaurant including changing the sand volleyball court to a mini ice hockey rink. He showed the proposed site plans and discussed the proposed changes. Staff requested that some landscape islands be added to the parking lot as the current site does not meet the 10% interior lot landscaping or the green space requirements. The applicant has added some islands and although they do not meet the code requirements, staff does not want them to lose too many parking spaces. He explained that the entrance in the vestibule will be changed and located closer to the center of the building. There will be a connection between the existing two buildings.

He explained that per the zoning code, they would need a PUD if the connection is made, due to the building being over 20,000 square feet. The applicant chose to proceed with the proposed approvals and to come back for PUD approval for the connection. They want Commission feedback regarding the connection before they move forward. Staff does support the building connection.

The parking lot has been modified and a few stalls were lost (139 to 116) due to the added landscape islands. The use requires 120 stalls, so they are a little short, but they have agreed not to host the adult hockey leagues on Friday and Saturday nights. Staff is comfortable with the parking tally.

There is a nice outdoor seating area and bar area proposed to be added on the west elevation. There is also a section on the southwest side near the road that is on WE Energies property that could be a nice facility for seating or bike trail amenities.

The main elevation changes are the windows on the ice rink will be closed off and the addition on the back end will match the existing metal paneling. The building will be repainted white.

Staff recommends all shingles be replaced with a dimensional type of shingle. Staff also requested some sprucing up of the landscaping in the front of the building along with the trees being added in the parking lot and that all mechanicals be screened.

The applicant, Dan Beyer, stated the existing entrance will not be the primary entrance and will mostly be utilized as an egress door. He also stated that the ice rink will primarily be used for youth practices. He commented that there is a possibility for shared parking across the street if that need arises.

The Commission gave feedback supporting the proposed connection between the two buildings, which will trigger the need for the PUD.

Action

Commissioner Urbani made a motion to approve according to staff recommendation with the flexibility of the parking lot to include two additional parking stalls.

Commissioner Barnes seconded the motion.

A voice vote was taken; vote passed (6-0)

RESULT:	APPROVED WITH CONDITIONS [6 TO 0]
MOVER:	Nancy Urbani, Commissioner
SECONDER:	Bruce Barnes, Commissioner
AYES:	Nerbun, Parrish, Barnes, Gentges, Schaefer, Urbani
ABSENT:	Hawley, Stoker
RECUSED:	Choren

5) Policy

1) ORDINANCE 2024-1667 - An Ordinance Amending Chapter 58 of the Mequon Municipal Code Relating to WDNR MS4 Stormwater Permit Conditions.

Assistant City Engineer Cole McCraw stated this is related to conforming with the new DNR MS4 permit and to modify the city ordinance to include current requirements. An overview of the changes can be categorized into three groups:

1. Required changes by DNR MS4 permit.
2. Remove barriers to green infrastructure; required by MS4 permit.
3. Issues the city wants to clean up and improve.

He commented that staff proposes requirements to aid in the enforcement of the timelessness of completion; within 18 months of building permit issuance and prior to occupancy of the building. A mechanism was added that if the city receives a violation for someone not adhering to the timelines that the fee would be billed to the property owner/developer.

He noted the city attorney still needs to review the format and technical language so there may be slight changes after Commission approval.

Action

Commissioner Schaefer made a motion to recommend approval of the ordinance to the Common Council.

Commissioner Gentges seconded the motion.

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

RESULT:	Approved by Voice Acclamation [Unanimous]
MOVED BY:	Commissioner Schaefer
SECONDED BY:	Commissioner Gentges
AYES:	Nerbun, Parrish, Barnes, Choren, Gentges, Schaefer, Urbani
ABSENT:	Hawley, Stoker

6) Announcements

The next meeting is Monday, September 23, 2024, at 6:00 p.m.

7) Adjourn**Action**

Commissioner Choren made a motion to adjourn the meeting.

Commissioner Urbani seconded the motion.

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

The meeting was adjourned at 7:53 p.m.

Respectfully Submitted,

Jac Zader



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: September 23, 2024
SUBJECT: Black Duck Partners for Planet Fitness. The applicant is seeking conditional use grant approval to allow for a fitness center for the property located at 11300 N. Port Washington Road.

Applicant:	Black Duck Partners
Status of Applicant:	Agent
Requested:	Conditional Use Grant
Existing Use:	Multi-Tenant Building
Existing Zoning:	B-2 (Community Business)
Land Use Plan:	Community Commercial
Lot size:	5.37 Acres
Location:	11290 N. Port Washington Road
Tax Key Number:	#15-020-11-010.00
District:	#5

Background:

The applicant requests a conditional use grant to operate a Planet Fitness in the former Pick N Save building along with Ace Hardware. The parcel is zoned B-2 which allows fitness centers as a conditional use.

Planet Fitness, a member-based workout facility, is an international fitness franchise with more than 2,500 facilities in six countries. Black Duck Partners operates 128 locations including 20 in Wisconsin. Each Planet Fitness has 24-hour access, 7-days a week, 365-days a year as a brand standard. The facility is staffed 24 hours a day with a maximum of 15 employees at peak times. Each facility has security cameras around the main gym floor, at the entrance and in the parking lot.

Conditional Use Grant:

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

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

All of the activities will take place within the building and will be monitored at all times by staff. City of Mequon Police Department did not have any objections to the 24-hour Fitness Center if they adhere to staffing and security plan as stated. The use should not have a negative impact on the public health, safety and general welfare.

2. 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-2 as well. A fitness center can be considered compatible with the Land Use Plan designation and expected uses in the area. All of the activities will take place within the fitness center.

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

The proposed activities of the use will fit the character of the surrounding area. The proposed hours of operation are Monday through Sunday, 24 hours per day, 7-days a week, 365-days per year. On average, the business estimates that there will be 15 employees during the busiest shift. Per parking code, the site requires one space per three persons that can be accommodated at the same time and one space per employee. Staff calculated a total parking requirement of 114 stalls to accommodate estimated employees and members. This is based on a maximum capacity of 297 persons based on the building code. While it is unlikely that the space will see that level of capacity, there is ample parking on site to meet peak demand. There are 216 spaces total and including Ace Hardware, the parking demand is approximately 176 at peak demand.

Staff Recommendation:

Since the proposal meets the Zoning Code and Land Use Plan, planning staff recommends **approval** of the conditional use grant based on the following condition(s):

1. Staff review and approval of final floor 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. Hours of operation are Monday through Sunday, 24 hours per day, 7-days a week, 365-days per year.
3. The tenant space shall be staffed 24 hours a day.

Attachments:

Packet Docs_Planet Fitness (PDF)

PORT WASHINGTON

RYE BROOK DR

RYE BROOK CIRCLE

RYE BROOK DR

Zoning Districts:

- R-3/PUD
- R-3/FFO
- R-3/OA
- R-3
- R-6/PUD
- B-3
- B-4
- C-2/FFO
- FW
- IPS
- B-2/PUD
- B-2
- B-3
- R-4
- R-1
- C-1/OA
- C-2

Packet Pg. 1

IPS	Institutional & Public Service
NC	Neighborhood Commercial
OA	Agricultural Overlay
PUD	Planned Unit Development Overlay
P-1	Park & Recreation
R-1	Single-Family Residential (5 Ac. Min.)
R-1B	Single-Family Residential (2.5 Ac. Min.)
R-2	Single-Family Residential (2 Ac. Min.)
R-2B	Single-Family Residential (1.5 Ac. Min.)
R-3	Single-Family Residential (1 Ac. Min.)
R-4	Single-Family Residential (3/4 Ac. Min.)
R-5	Single-Family Residential (1/2 Ac. Min.)
R-6	Single-Family Residential (4 DU/Ac.)
RM	Multi-Family Residential
TC	Town Center
TDR	Transfer of Development Rights



4886 W. Pauline Whitaker Parkway
Suite 200
Rogers, Arkansas 72758
Phone: 479.636.3545

August 29, 2024

City of Mequon Planning & Development
Planning Division
11333 N Cedarburg Rd
Mequon, WI 53092

RE: Planet Fitness
11300 N Port Washinton
Mequon, WI 53092

To Whom It May Concern:

Planet Fitness has over 2,500 locations nationwide. Black Duck Partners owns and operates 128 locations. They started in Wisconsin and grew to have locations all around the country (WI, IL, TX, NY, SC, GA, NE, IA, CAN, NV, AZ). They currently have over 20 locations in the Milwaukee area.

Planet Fitness operates 24/5 and fully staffed during business hours with 10-15 employees. Cameras are installed intermittently around the main gym floor, entrance doors, and overlooking the parking lot.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Laura Lewallen', with a long, sweeping horizontal line extending to the right.

Laura Lewallen, permit coordinator
pb2 architecture + engineering

Attachment: Packet Docs_Planet Fitness (9676 : Black Duck Partners for Planet Fitness)



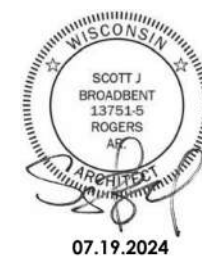
11300 North Port Washington
Rd, Mequon, WI 53092

pb2
architecture
+engineering

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Rogers Arkansas 72758
Phone: 479.636.3545
Fax: 479.636.1209

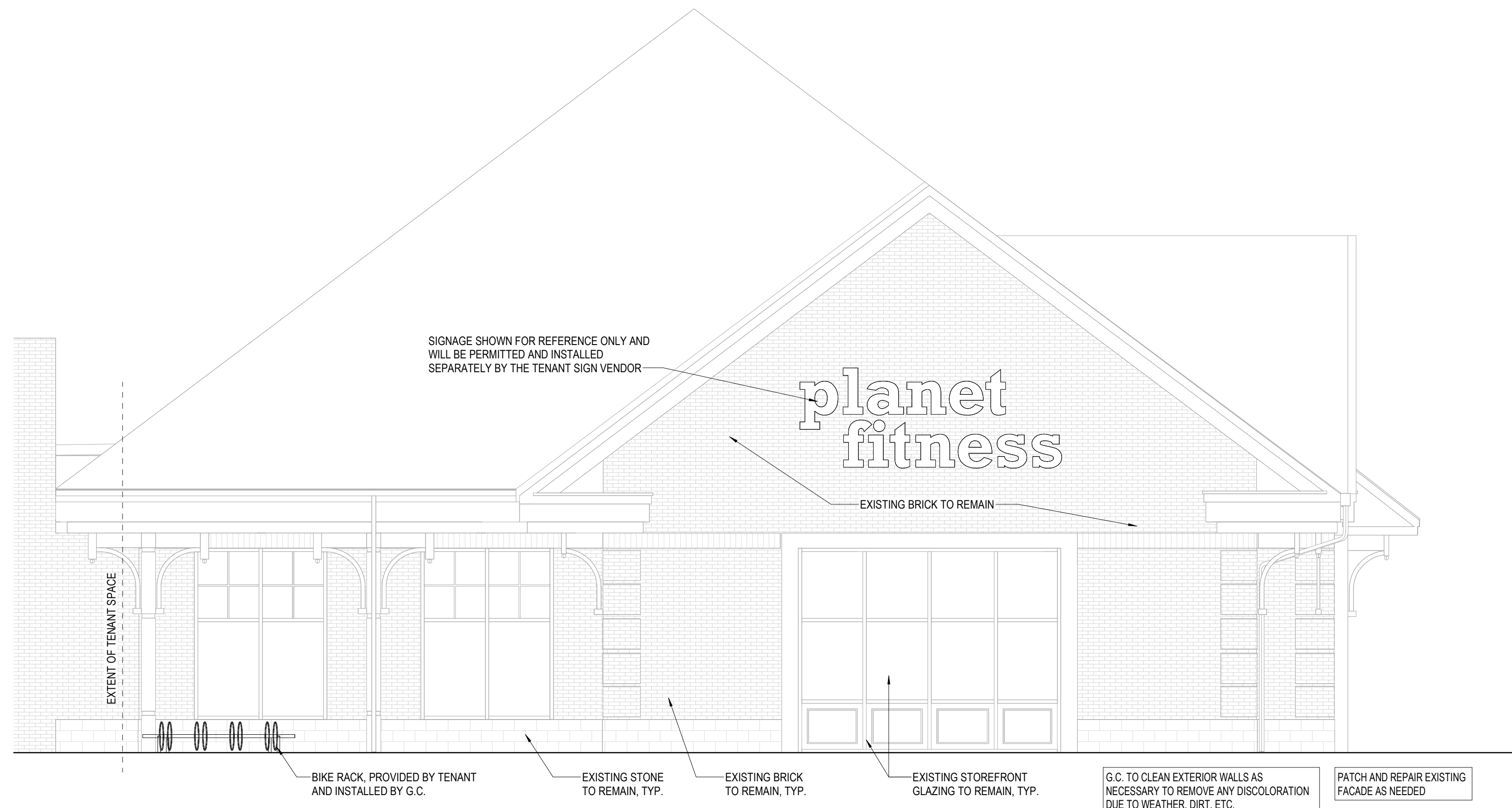
Architect of Record
Scott Joseph Broadbent
Wisconsin License No. 13721-5
Certificate of Authorization
No. 2911-11

DOCUMENTS THAT DO NOT HAVE THE
ARCHITECT OR ENGINEER OF RECORD
SEAL AND SIGNATURE SHALL BE
CONSIDERED NOT FOR CONSTRUCTION



Seal / Signature

△	Date	Description
	07.19.2024	ISSUANCE #1



1 FRONT EXTERIOR ELEVATION

SCALE: 3/16" = 1'-0"

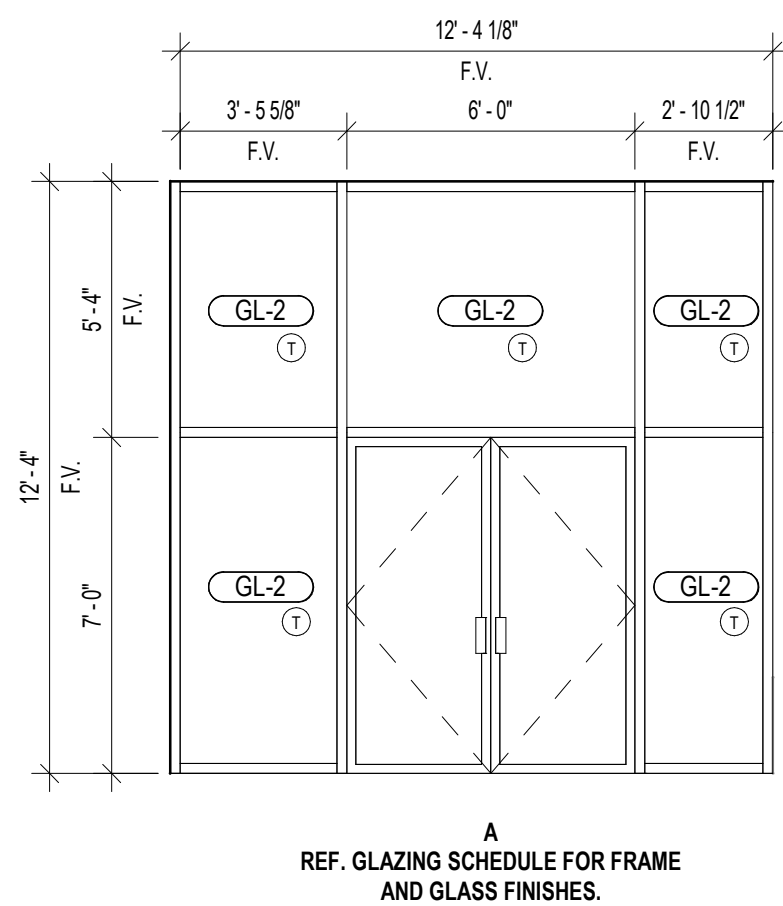
GL-1 (BLACK CARD SPA GLAZING)
GLAZING: ALL GLASS TO BE CLEAR, MINIMUM 1/2" THICK, OR AS REQUIRED BY THE HARDWARE MANUFACTURER (WHICHEVER IS GREATER). HEIGHTS AND WIDTHS OF EACH PANEL SHALL NOT EXCEED SPECIFICATIONS OF THE HARDWARE MANUFACTURER. ALL GLAZING TO BE SEALED AT TOP AND BOTTOM CHANNELS PER THE HARDWARE MANUFACTURER'S INSTRUCTIONS.
TOP CHANNEL: DORMA DRS 1-1/4" X 1-3/4" DRI-FIT SQUARE U-CHANNEL RECESSED INTO HEADER / SOFFIT ABOVE.
TOP CHANNEL FINISH: #101 CLEAR ANODIZED ALUMINUM
BOTTOM RAIL: DORMA DRS 4: HIGH DRI-FIT SQUARE RAIL
BOTTOM RAIL FINISH: #101 CLEAR ANODIZED ALUMINUM

GL-2 (EXTERIOR / VESTIBULE GLAZING)
GLAZING: ALL NEW STOREFRONT GLASS TO BE A MINIMUM OF 1" THICK INSULATED, LOW-E, CLEAR GLASS. THE "T" SHOWN ON THE EXTERIOR ELEVATIONS, INDICATES PANES THAT ARE TO BE TEMPERED. ALL GLAZING TO BE SEALED WEATHER TIGHT PER THE HARDWARE MANUFACTURER'S INSTRUCTIONS. GLASS ENTRANCE DOOR - U-FACTOR = .83 AND SHGC = .25, WINDOWS - U-FACTOR = .5 AND SHGC = .25.
FRAMING CHANNELS: STYLE AND FINISHING TO MATCH BUILDING STANDARD FOR EXTERIOR GLAZING SYSTEMS UNLESS OTHERWISE NOTED. G.C. TO VERIFY REQUIREMENTS IN FIELD AND / OR WITH LANDLORD AS REQUIRED - ALL ALUMINUM FRAMING TO BE CLEAR ANODIZED

GL-3 (INTERIOR GLAZING)
GLAZING: 1/4" CLEAR FLOAT GLASS. THE "T" SHOWN ON THE INTERIOR ELEVATIONS INDICATES PANES THAT ARE TO BE TEMPERED.
FRAMING CHANNELS: STYLE AND FINISHING TO MATCH BUILDING STANDARD FOR EXTERIOR GLAZING SYSTEMS UNLESS OTHERWISE NOTED. G.C. TO VERIFY REQUIREMENTS IN FIELD AND / OR WITH LANDLORD AS REQUIRED - ALL ALUMINUM FRAMING TO BE CLEAR ANODIZED

GLAZING NOTES

- ALL STOREFRONT DIMENSIONS SHOWN ARE ROUGH OPENING SIZES. ALL DIMENSIONS SHALL BE FIELD VERIFIED PRIOR TO FABRICATION
- INSTALL STOREFRONT SYSTEM PER MANUFACTURER'S RECOMMENDATIONS AND DESIGN TO ACCOMMODATE WIND SPEED DESIGN CRITERIA



GLAZING SCHEDULE

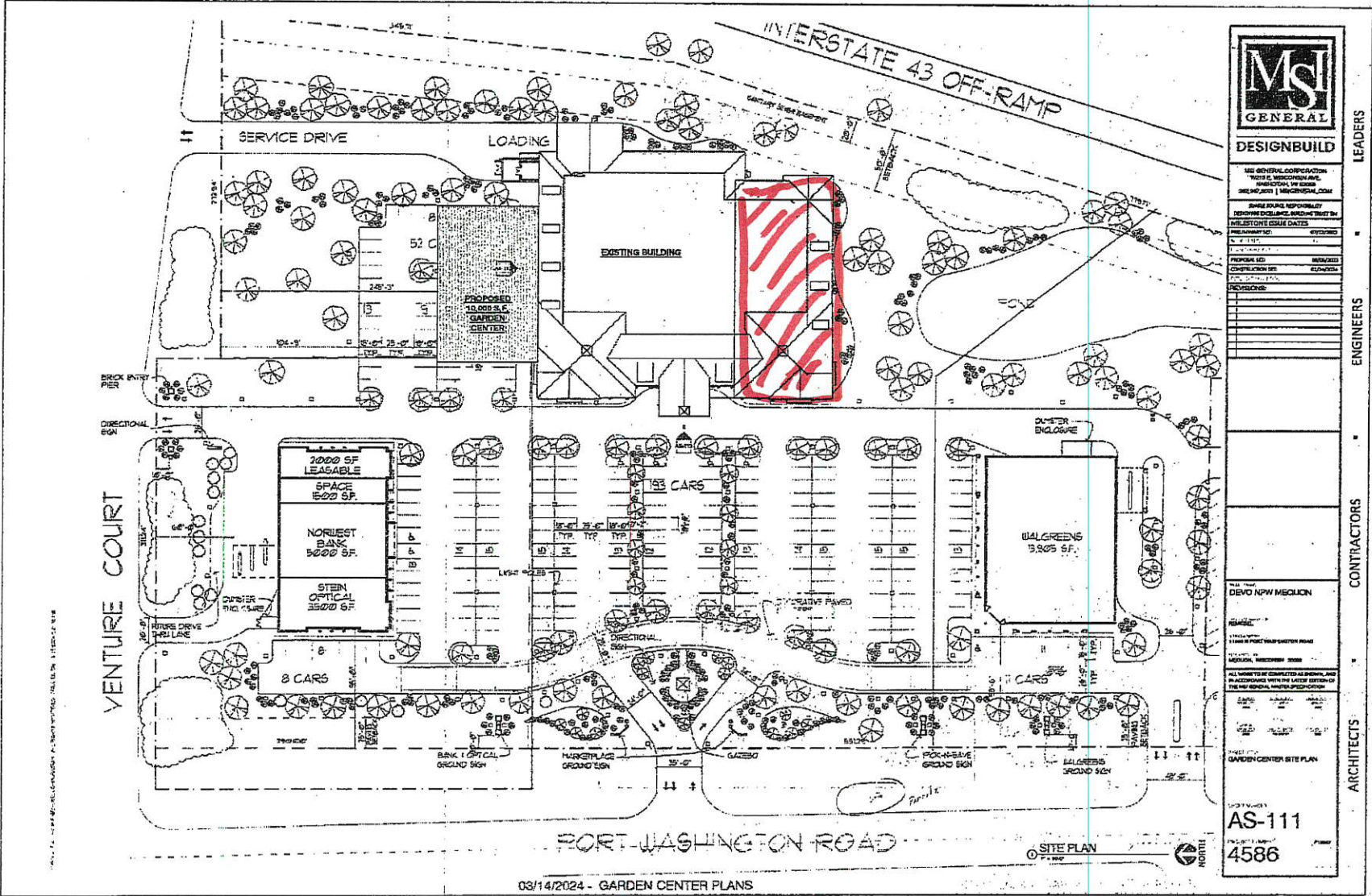
GLAZING NOTES

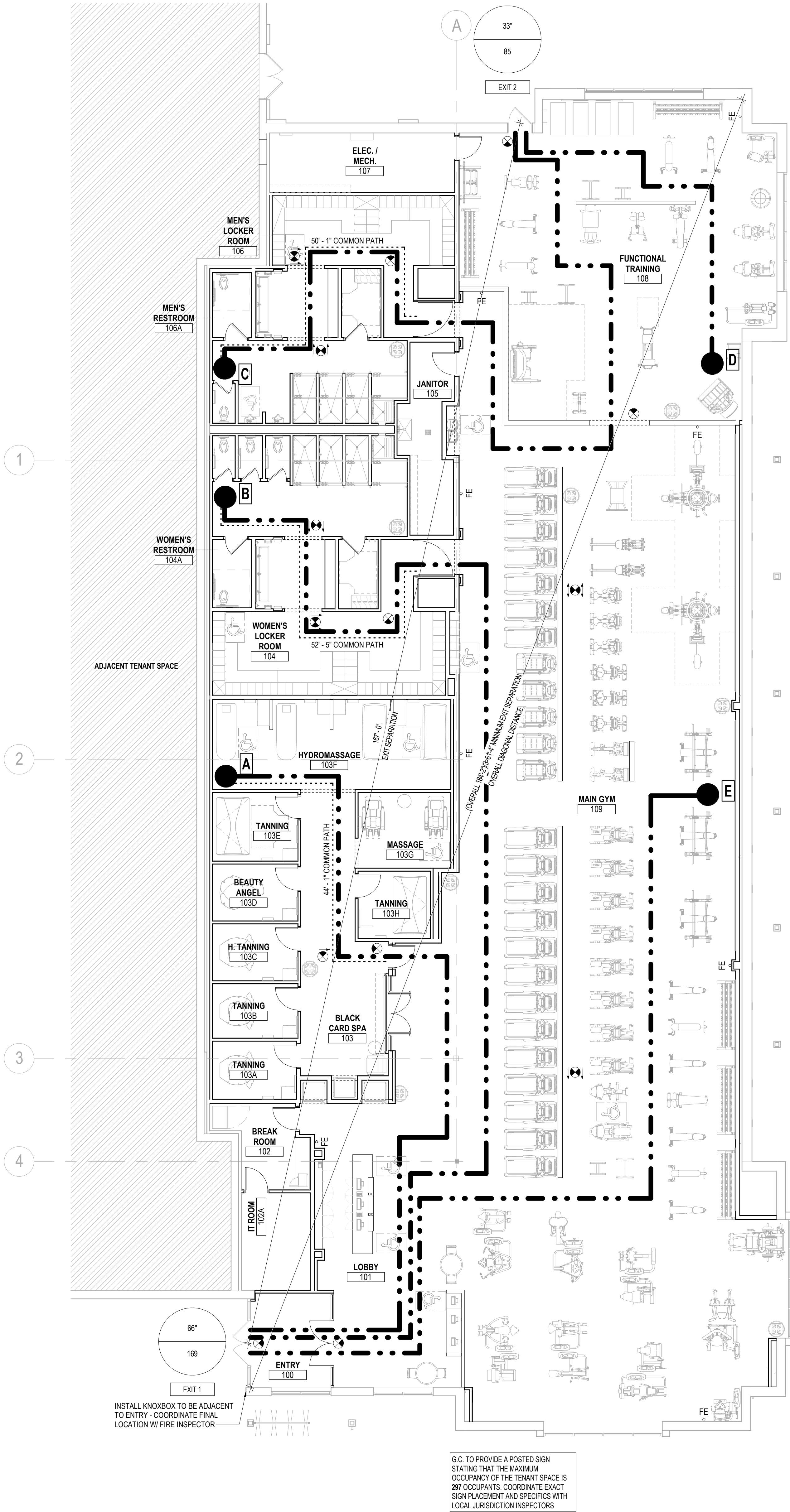
2 GLAZING TYPES

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

Project Name	MEQUON, WI
Project Number	2024.0603
Description	EXTERIOR ELEVATIONS AND GLAZING
Scale	As indicated

A-310





G.C. TO PROVIDE A POSTED SIGN STATING THAT THE MAXIMUM OCCUPANCY OF THE TENANT SPACE IS 297 OCCUPANTS. COORDINATE EXACT SIGN PLACEMENT AND SPECIFICS WITH LOCAL JURISDICTION INSPECTORS

EGRESS AND LIFE SAFETY

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

CODE ANALYSIS

MEANS OF EGRESS REQS.

MAX. TRAVEL DISTANCE TO EXIT: 250 FT PER TABLE 1017.2

MAXIMUM COMMON PATH OF EGRESS TRAVEL DISTANCE 75 FT. FOR SPACES SERVING LESS THAN 50 OCCUPANTS PER TABLE 1028.3.
EXCEPTION 1

MAXIMUM FLOOR AREA ALLOWANCE PER OCCUPANCY (TABLE 1004.1.2):

PROPOSED TENANT AREA: 12,305 GROSS S.F.

EXIT REMOTENESS DIST.: N/A
DIAGONAL DISTANCE: 184'-2"
EG 1014.2.1 MIN. REQ. SEPARATION = 1/3 DIAGONAL = (1/3) / (184'-2") = 61'-4"
PROVIDED SEPARATION: 167'-0"

TABLE 1020.1 EXCEPTION D

NUMBER OF EXITS REQUIRED = 2

EGRESS CAPACITY: EGRESS WIDTH/EGRESS UNIT: (AVAILABLE DOORS = 1 @ 66" AND 1 @ 33" (8'-3") / (0.2 PER PERSON) = 495 OCCUPANTS

NUMBER OF EXITS PROVIDED = 2

EXIT 1:
AVAILABLE DOORS = 1 @ 66" / (0.2 PER PERSON) = 330 OCCUPANTS
ALLOWED = 169 PERSONS

EXIT 2:
AVAILABLE DOORS = 1 @ 33" / (0.2 PER PERSON) = 165 OCCUPANTS
ALLOWED = 85 PERSONS

DEAD-END CORRIDOR LIMIT: 20 FT WHERE MORE THAN EXIT OR EXIT ACCESS DOORWAY IS REQUIRED (1020.4)

LIFE SAFETY OCCUPANCY SCHEDULE					
ROOM NUMBER	ROOM NAME	AREA (NET)	ROOM USE	OCCUPANCY FACTOR	ROOM CAPACITY
100	ENTRY	130.04 SF	BUSINESS	100	2
101	LOBBY	751.74 SF	ASSEMBLY / LOBBY	15	51
102	BREAK ROOM	111.79 SF	ASSEMBLY / LOBBY	15	8
102A	IT ROOM	119.17 SF	STORAGE / UTILITY	300	1
103	BLACK CARD SPA	353.19 SF	BUSINESS	100	4
103A	TANNING	86.98 SF	BUSINESS	100	1
103B	TANNING	82.81 SF	BUSINESS	100	1
103C	H. TANNING	86.62 SF	BUSINESS	100	1
103D	BEAUTY ANGEL	86.62 SF	BUSINESS	100	1
103E	TANNING	104.68 SF	BUSINESS	100	2
103F	HYDROMASSAGE	376.46 SF	BUSINESS	100	4
103G	MASSAGE	125.30 SF	BUSINESS	100	2
103H	TANNING	86.91 SF	BUSINESS	100	1
104	WOMEN'S LOCKER ROOM	388.53 SF	LOCKER ROOM	50	8
104A	WOMEN'S RESTROOM	536.72 SF	LOCKER ROOM	50	11
105	JANITOR	150.46 SF	STORAGE / UTILITY	300	1
106	MEN'S LOCKER ROOM	266.56 SF	LOCKER ROOM	50	6
106A	MEN'S RESTROOM	473.11 SF	LOCKER ROOM	50	10
107	ELEC. / MECH.	196.55 SF	STORAGE / UTILITY	300	1
108	FUNCTIONAL TRAINING	1569.78 SF	EXERCISE	50	32
109	MAIN GYM	5203.47 SF	EXERCISE	50	105
CALCULATED OCCUPANCY LIMIT					253
LIMITED OCCUPANCY TOTAL:					297

THE BUILDING OCCUPANCY WILL BE LIMITED TO MAX 297 PERSONS VIA OPERATIONS AND THIS LIMITATION WILL BE POSTED AT THE ENTRANCE OF THE TENANT SPACE, DESPITE THE CALCULATED OCCUPANCY LIMIT AS BEING HIGHER. SEE NOTES ON PLANS FOR POSTING OF THIS LIMITED OCCUPANCY.

MEANS OF EGRESS DISTANCE	
Exit Path	Exit Path Distance
A	128' - 4"
B	195' - 1"
C	146' - 11"
D	54' - 2"
E	134' - 1"

SHEET NOTES

- ABRUPT CHANGES IN ELEVATION OF WALKING SPACES WITHIN THE MEANS OF EGRESS NOT TO EXCEED 1/4". CHANGES IN ELEVATION EXCEEDING 1/4" BUT LESS THAN 1/2" SHALL BE BEVELED W/ MAX SLOPE OF 1:2.
- REFERENCE DOOR SCHEDULE AND HARDWARE SETS.
- REFERENCE THE ELECTRICAL DRAWINGS FOR EMERGENCY LIGHTING AND EXIT SIGNAGE.
- MINIMUM CLEARANCE BETWEEN ALL EQUIPMENT ON EXIT ACCESS ROUTES TO BE A MINIMUM 44" CLEAR, TYP.
- BUILDING CODE MAXIMUM TRAVEL DISTANCE TO AN EXIT IS 250' - 0"

LEGEND

- POINT OF DECISION/ COMMON PATH OF TRAVEL
- AREA NOT IN CONTRACT
- CLEAR EXIT WIDTH AT DOOR
- MAX. OCCUPANT LOAD AT THIS DOOR
- EXIT SIGN
- FIRE EXTINGUISHER PORTABLE TYPE ABC 5 LB
- PATH OF TRAVEL
- COMMON PATH OF TRAVEL
- MAX TRAVEL DISTANCE
- 1 HR DEMISING WALL FIRE BARRIER



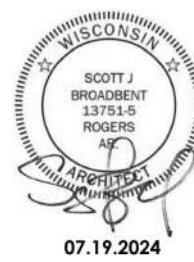
11300 North Port Washington Rd, Mequon, WI 53092



4886 W Pauline Whitaker Pkwy
Suite 200
Rogers, Arkansas 72758
Phone: 479.636.3545
Fax: 479.636.1209

Architect of Record
Scott Joseph Broadbent
Wisconsin License No. 13751-5
Certificate of Authorization
No. 2911-11

DOCUMENTS THAT DO NOT HAVE THE ARCHITECT OR ENGINEER OF RECORD SEAL AND SIGNATURE SHALL BE CONSIDERED NOT FOR CONSTRUCTION



Seal / Signature

Date Description
07.19.2024 ISSUANCE #1

Project Name
MEQUON, WI

Project Number
2024.0603

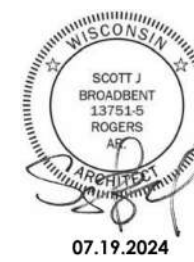
Description
LIFE SAFETY & EGRESS PLAN

Scale
As indicated

Ref North

G-100

DOCUMENTS THAT DO NOT HAVE THE
ARCHITECT OR ENGINEER OF RECORD
SEAL AND SIGNATURE SHALL BE
CONSIDERED NOT FOR CONSTRUCTION



Seal / Signature

△	Date	Description
	07.19.2024	ISSUANCE #1

Project Name
MEQUON, WI

Project Number
2024.0603

Description
ROOF PLAN

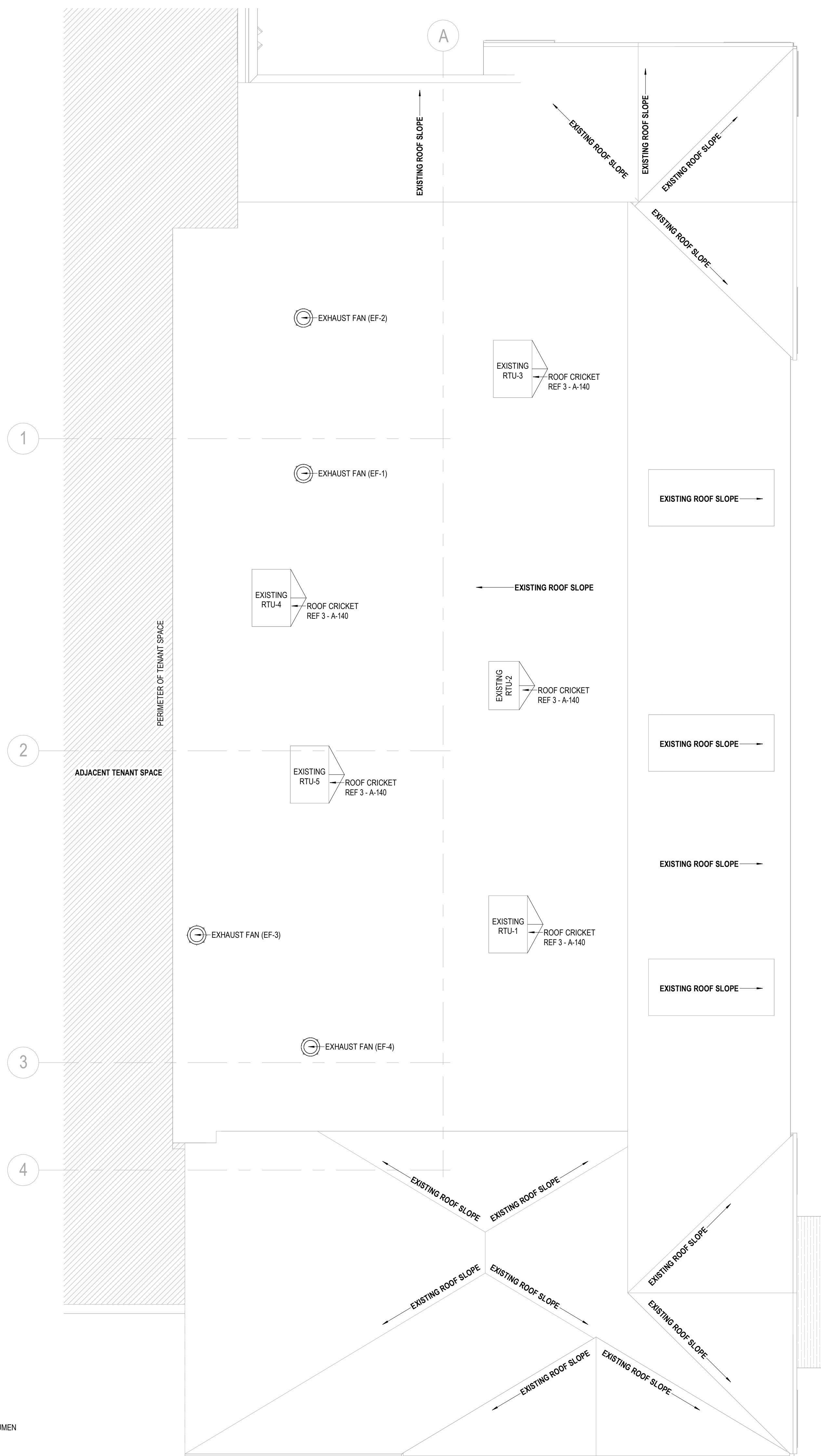
Scale
As indicated

Ref North

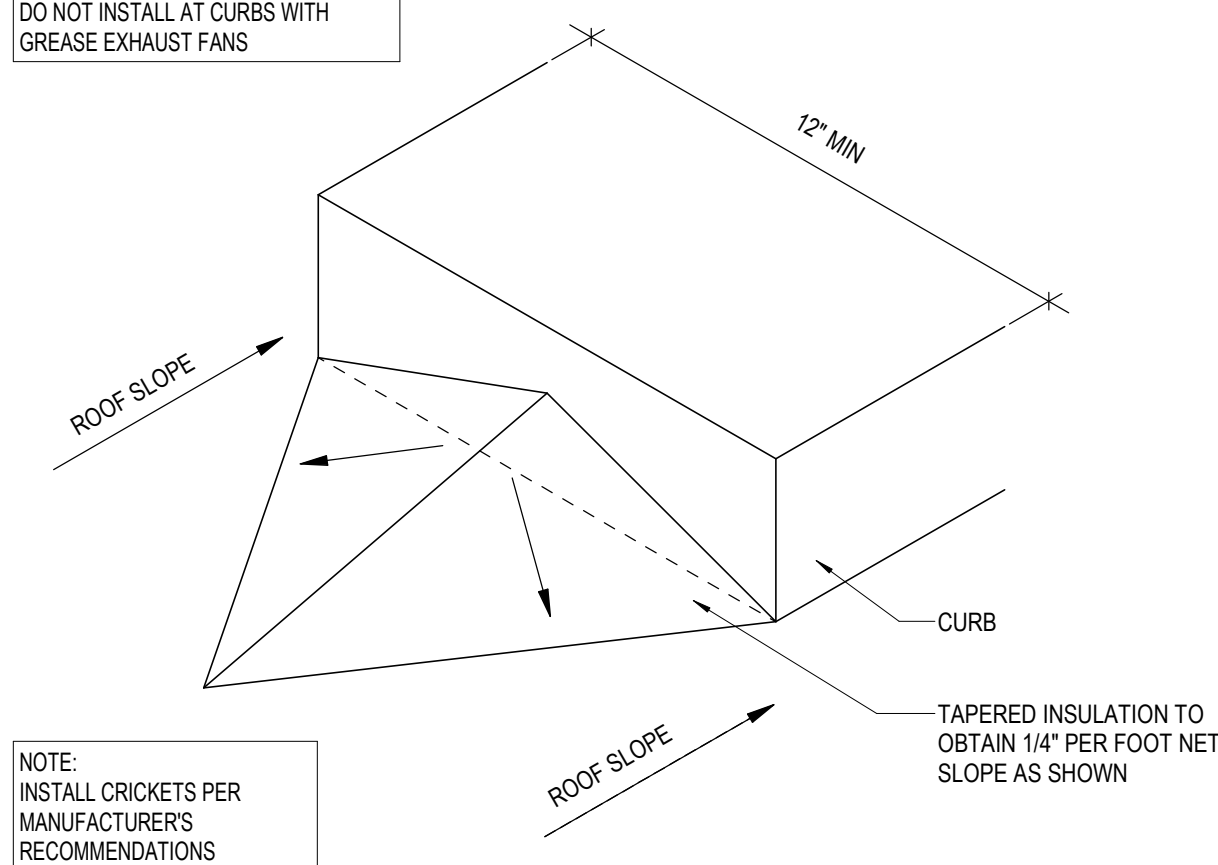
A-140

SHEET NOTES

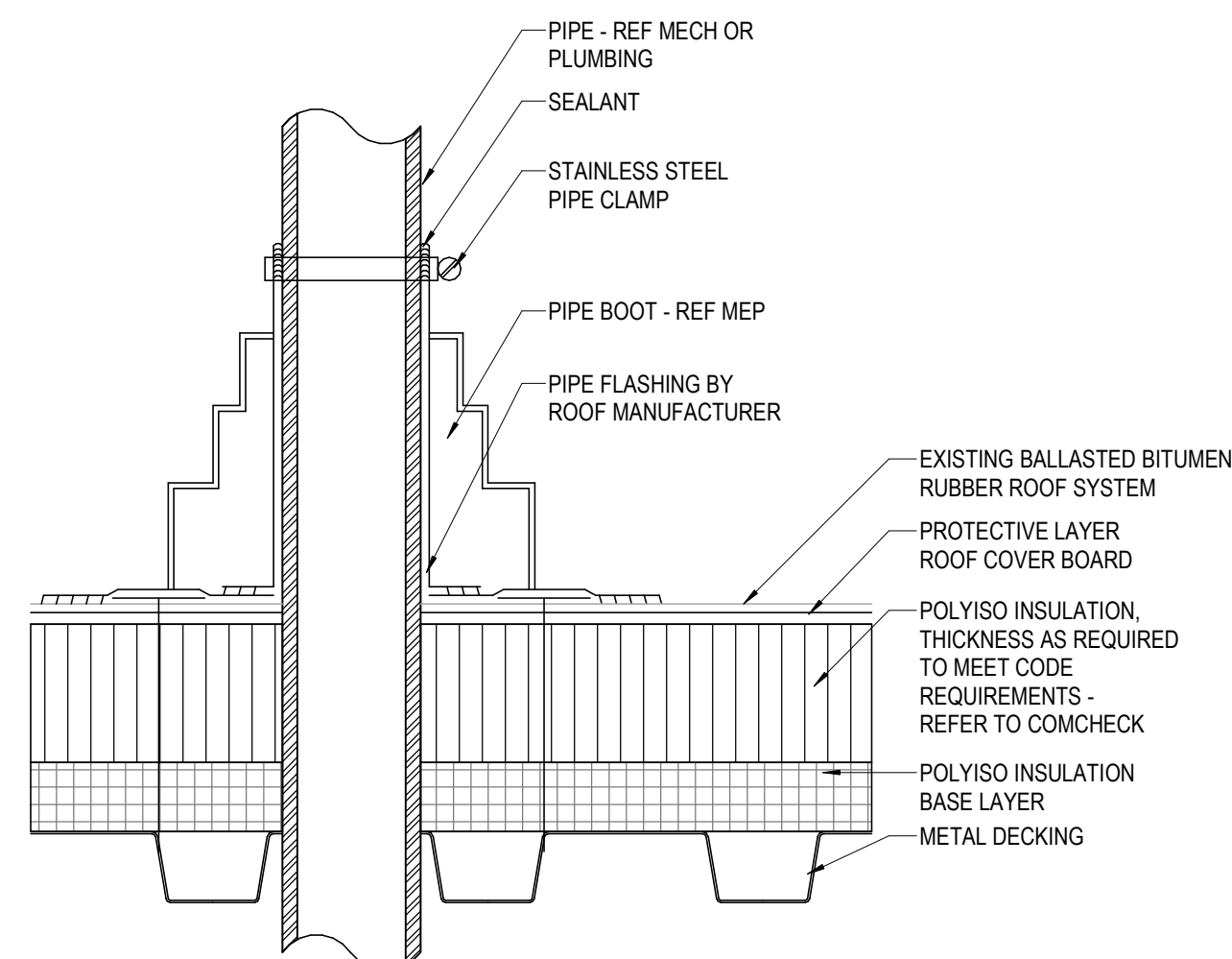
- G.C. TO VERIFY IF LANDLORD ROOFING CONTRACTOR IS TO BE USED FOR ROOFING WORK PRIOR TO ANY WORK.
- G.C. TO SEAL ALL NEW OPENINGS PER MANUFACTURER RECOMMENDATION, TYP. - REF. MEP
- G.C. TO PROVIDE AND INSTALL CRICKET AT ROOF TOP EQUIPMENT AS NECESSARY FOR POSITIVE DRAINAGE AROUND EQUIPMENT IF NEEDED, G.C. TO USE ROOF MATERIAL TO MATCH EXISTING.
- DO NOT PENETRATE ROOF DECK UNLESS NECESSARY. ATTACH ALL FRAMING, EQUIPMENT, SUPPORTS, ETC. TO BUILDING STRUCTURE ROOF DECK.
- REFERENCE MEP AND STRUCTURAL DRAWINGS FOR ALL ROOF EQUIPMENT DIMENSIONS, WEIGHTS, SUPPORTS, AND LOCATION.
- INSTALL PIPE / VENT FLASHING - REF. MEP
- ROOFING CONTRACTOR IS RESPONSIBLE FOR BECOMING FAMILIAR WITH THE EXISTING CONDITIONS INCLUDING ROOF TYPE, THICKNESS AND WARRANTY, AND ENSURE ALL ROOFING MODIFICATIONS WILL ALLOW ANY WARRANTY TO BE MAINTAINED.



NOTE:
DO NOT INSTALL AT CURBS WITH
GREASE EXHAUST FANS



NOTE:
INSTALL CRICKETS PER
MANUFACTURERS
RECOMMENDATIONS



		2.a.a
CONDITIONAL USE GRANT Articles of Agreement made and entered into this 23th day of September, 2024 by and between _____, owners of the property located at 11300 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 20, 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 (Planet Fitness)</u>. GRANTED by action of the Planning Commission of the City of Mequon this 23rd day of September 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) _____ RETURN TO: City of Mequon 11333 North Cedarburg Road 60W Mequon, WI 53092 PARCEL NO.: 15-020-11-010.00		

Attachment: Packet Docs_Planet Fitness (9676 : Black Duck Partners for Planet Fitness)

The **CONDITIONS** of this Grant are:

1. This grant shall become effective upon the execution and recording by the owners and operators of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
2. This grant shall expire and become void unless, pursuant to the building and zoning codes of the City, the approved use is commenced or the building permit is obtained within twelve (12) months of the date of Planning Commission approval noted above, or actual construction is commenced within twelve (12) months of the date on which the building permit was issued.
3. This grant is subject to amendment and termination in accordance with the provisions of the Zoning Code of this municipality.
4. Construction and operation of the use granted shall be in strict conformity to the approved site, building, and operations plans filed in connection with the Petition for this Grant and annexed hereto.
5. Any of the conditions of this Grant which would normally be the responsibility of tenants of the Premises shall be made a part of their lease by the Owner, which lease shall contain provisions for posting of the pertinent conditions to notify employees thereof.
6. This grant shall automatically be null and void if this use is discontinued for a period of twelve (12) months.
7. The Grantee and its successors in interest shall hold the City of Mequon harmless from any claims or losses to the City or its residents including reasonable attorney fees arising from or related to use of the facilities.
8. Any change to the approved use or change to the building or site plan will require an amendment to the Conditional Use. Minor changes to the building and site plan shall be approved by the Department of Community Development.
9. Conditions on the Operations:
 - a. Hours of operation: Monday through Sunday, 24 hours
 - 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.
10. Conditions of the structures:
 - a. Site Plan: per original site plan
 - b. Landscaping Plan: per approved plan
 - c. Elevations: N/A
 - d. Sign: As on file with Community Development Department, City of Mequon
 - e. Floor Plan: Exhibit A
 - 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): Per original site plan.
 - b. Off-Street Parking (location and design including screening thereof): Per original site plan.
 - c. Outside storage of materials, products or refuse (location and screening thereof): Per original site plan.
 - d. Parking, exterior lighting of the site, location design and power: Per original site plan.
 - e. Other:
 - 1. Staff review and approval of final floor plans prior to issuance of permits. The applicant shall submit such plan within 1800 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. Hours of operation are Monday through Sunday, 24 hours per day, 7-days a week, 365-days per year.
 - 3. The tenant space shall be staffed 24 hours a day.

Owner

Acknowledgment:

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

Notary Public, Ozaukee County, Wisconsin

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

Attachment: Packet Docs_Planet Fitness (9676 : Black Duck Partners for Planet Fitness)



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: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: September 23, 2024
SUBJECT: David Roettgers for Mobil. The applicant is seeking expansion of a non-conforming use and building and site plan amendment approval to allow for a previously approved car wash and ancillary facilities for the property located at 11155 N. Wauwatosa Road.

Applicant:	David Roettgers
Status of Applicant:	Owner
Requested:	Expansion of a non-conforming use Building & Site Plan Amendment
Existing Use:	Gas Station
Existing Zoning:	B-1 (Neighborhood Business District)
Land Use Plan:	Neighborhood Commercial
Lot size:	0.95 Acres
Location:	11155 N. Wauwatosa Road
Tax Key Number:	#14-028-01-000.00
District:	#4

Background: The applicant is requesting a building and site plan amendment approval for a car wash at the Mobil automotive service facility located at 11155 N. Wauwatosa Road. The owners received approval for the identical proposal in May of 2023. The Planning Commission approval granted for the building and site plan as well as the expansion of a non-conforming use expire if a building permit is not executed within 12 months of Planning Commission approval.

Analysis: The following attachments are the previous staff reports and conditions for the project as well as the applicant's plans. The project has not been modified, the district regulations and development standards impacting this project have not changed by city actions and therefore staff supports the prior the actions made by the Planning Commission subject to the same conditions of approval.

Staff Recommendation:

Planning staff recommends approval for the expansion of the non-conforming use and the building and site plan amendment with the following conditions:

1. Staff review and approval of final site, building and lighting prior to issuance of permits. The applicant shall submit such plan, meeting all conditions, within 180 calendar days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.

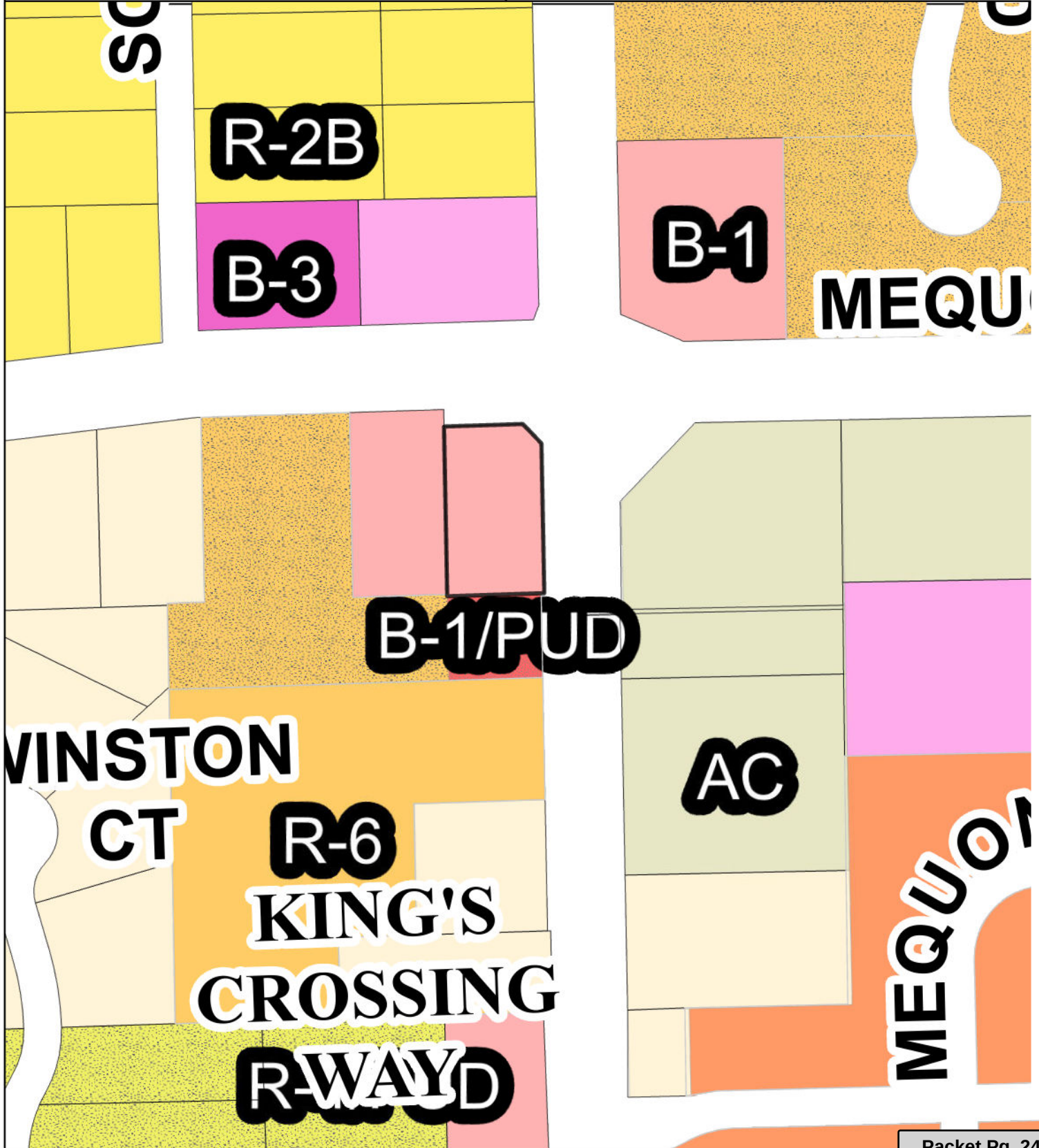
2. The final site plan shall be updated to show the following:
 - a. The proposed vacuum stations with overhead arms, with or without the canopies, be moved away from the adjoining roadways in the southern portion of the lot and specifically south of the ingress/egress on Wauwatosa Road and no further north than the gas pump overhead canopy.
 - b. Curbing shall be shown to be installed along a portion of the west property line, south property line and a portion of the east property line (south of driveway).
 - c. Removal of fence line.
 - d. Provide new asphalt for a portion of the site and repair less deteriorated areas. New parking striping shall be shown on plan and implemented after the repairs and sealing.
3. The final landscape plan shall be updated to show the following requirements:
 - a. The rhythm of the location and species of trees be changed to be more compatible with the surrounding properties such as Outpost, the Worzella building, Richmond Financial building, and the future Wisconsin Veterinarian Clinic.
 - b. Create a mix of healthy existing arborvitae and infill treatment that is consistent between Mobil and Wisconsin Veterinarian Clinic.
 - c. Address planned landscaping that conflicts with proposed signage locations.
 - d. Removal of all landscaping that originates on adjoining properties from the plan.
 - e. Address replacement of plantings in poor condition along both street frontages.
4. The removal of scrub brush and trim of existing landscaping completed by July 31, 2023.
5. Hours for the car wash shall be limited to 7:00 AM to 9:00 PM daily.
6. Noise levels from the carwash shall not exceed 70 dBA at the property line.
7. A sign package shall be submitted to the Department of Community Development for approval. Should the sign package not be in compliance with the Sign Code, Planning Commission review and action is required.
8. A landscaping escrow equal to 125% of the improvement costs for installation of landscaping by a licensed contractor and an escrow equal to 25% of the landscape contract cost to insure that landscaping that dies within three (3) years of installation will be replaced by the applicant.
9. Trash collection shall comply by the City's noise ordinance.
10. All ground-level and roof top mechanical equipment shall be well screened from public view with screening or landscaping.
11. Engineering Division review and approval of the individual grading, drainage, erosion control, and utility plans in conformance with City ordinances and the SSLD.
12. Submittal of the calculation of change in impervious surface prior to building permit issuance. The addition of 5,000 square feet of impervious surface requires a green infrastructure (GI) plan per MMSD rules.
13. WisDOT approval of storm sewer connection. WisDOT permit shall be provided to the City prior to construction.
14. Submittal of sanitary sewer peak flows prior to building permit issuance.
15. Application for and approval of a City erosion control permit, if applicable, subject to applicable permitting fees.
16. Connection to the public water utility, subject to the Mequon Water Utility Water Connection Policy.

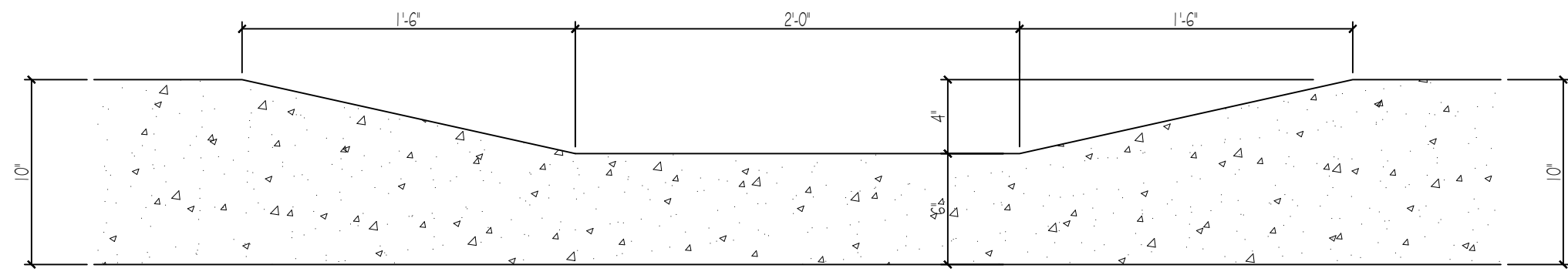
Attachments:

Packet Docs_Mobil (PDF)

MOBIL

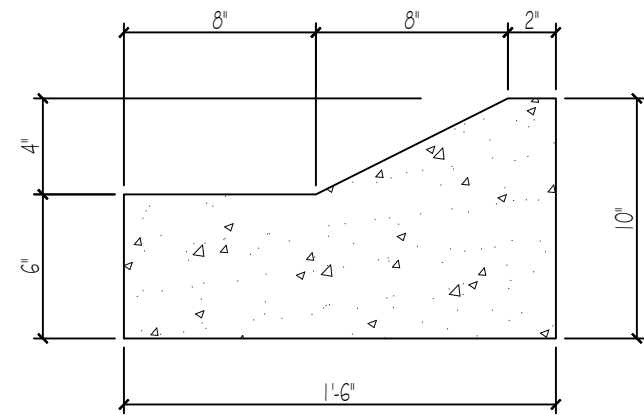
AC	Arrival Corridor	IPS	Institutional & Public Service
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family 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





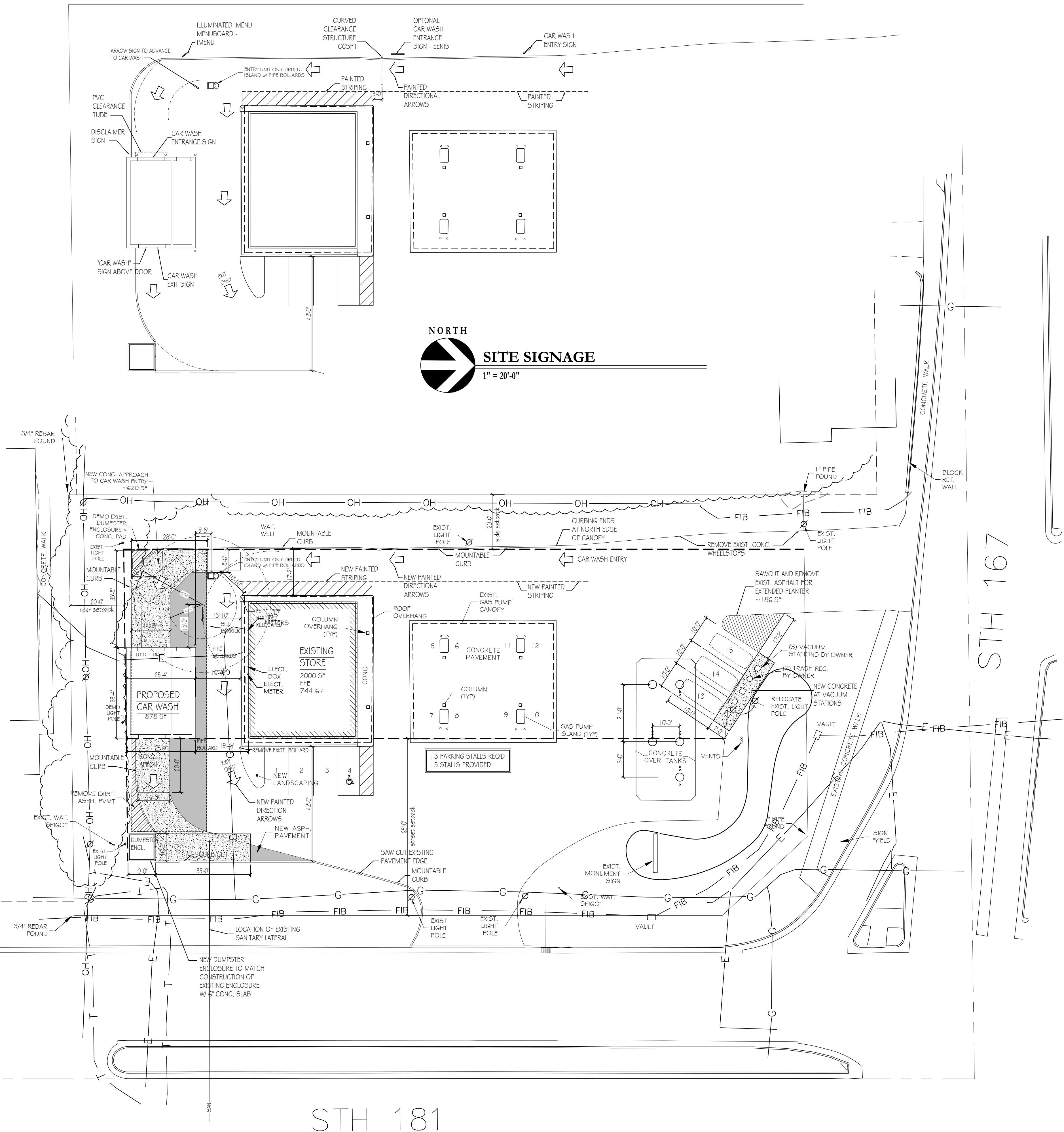
CURB CUT

1 1/2"=1'-0"



CURB SECTION

1 1/2"=1'-0"



STH 181

STH 167



SITE PLAN

1" = 20'-0"

REVISIONS				
Rev.	Date	Description	By	
Δ	6-10-24	VARIOUS REVISIONS		
	8-8-24	PAVING CHANGES		

GERALD NELL INC.
W229 N1680 WESTWOOD DRIVE
WAUKESHA, WI 53186-1152
262-513-3750

CAR WASH BUILDING FOR ROETTIGERS MOBIL
11155 WAUWATOSA ROAD
MEQUON, WISCONSIN

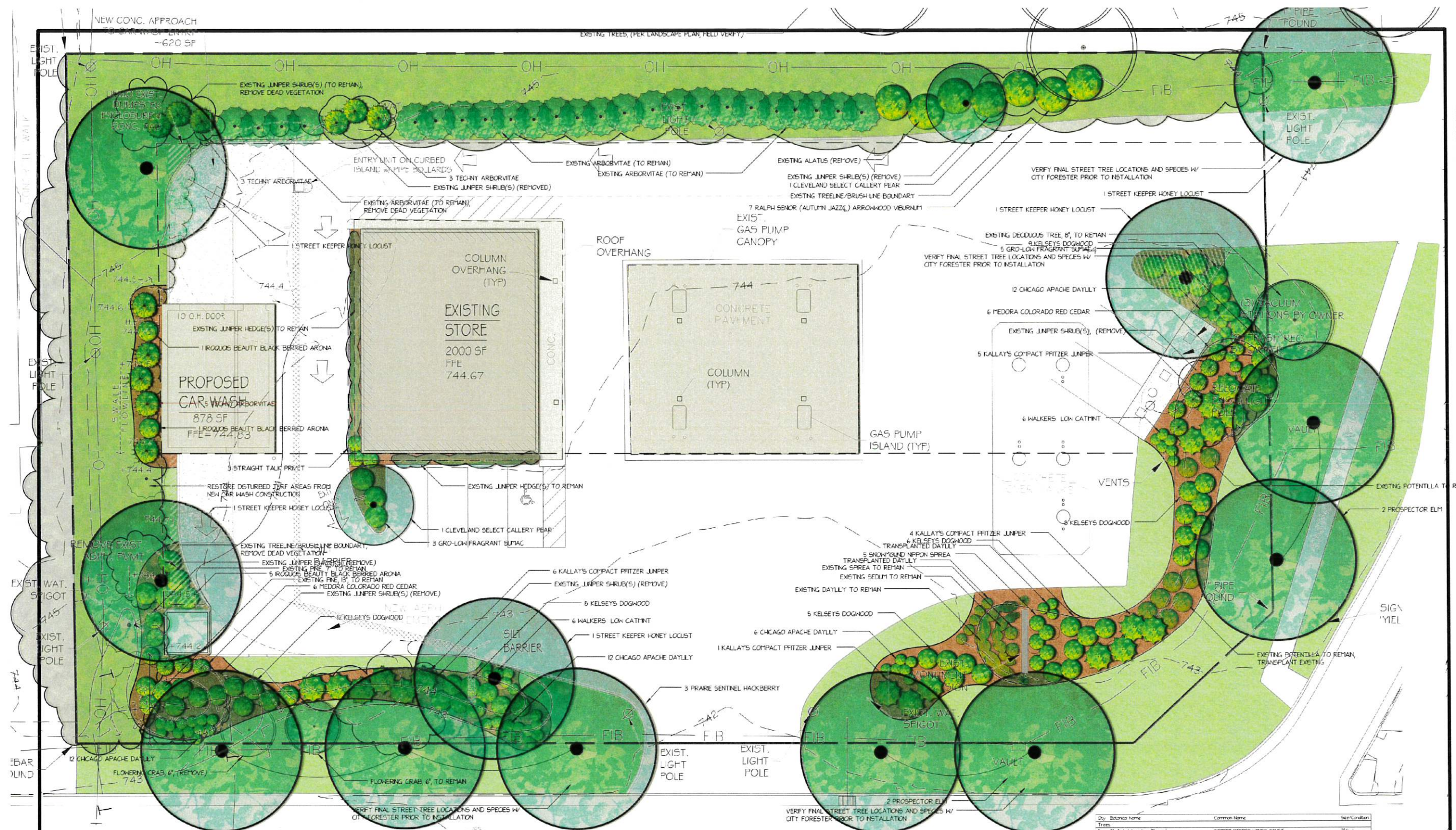
Drawn By
MF
Date
5-23-24
Scale
1" = 20'-0"
Job Number

Sheet Name
SITE PLAN

Sheet Number
A1.1

SHEET OF TOTAL SHEETS

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LANDSCAPE INC.

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Waukesha, WI 53187-0823
262-549-6111
262-549-9229
www.nelsonlandscape.com

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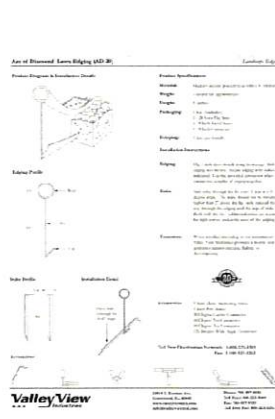
This landscape design plan is the sole property of Nelson Landscape Incorporated and may not be reproduced, altered, or copied in any manner or form without the permission of Nelson Landscape Incorporated. This plan may not be used for bidding purposes without prior consent by Nelson Landscape Incorporated.

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

Prepared by
Corey Nelson, ASLA

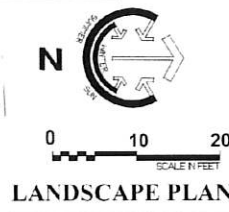


Digitally signed by Corey Nelson
Date: 2024.08.09 11:37:06 -0600



PLANTING NOTES:
1. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF WAUKESHA PLANTING SPECIFICATIONS.
2. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF WAUKESHA PLANTING SPECIFICATIONS.
3. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF WAUKESHA PLANTING SPECIFICATIONS.
4. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF WAUKESHA PLANTING SPECIFICATIONS.
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8. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF WAUKESHA PLANTING SPECIFICATIONS.
9. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF WAUKESHA PLANTING SPECIFICATIONS.
10. ALL PLANTING SHALL BE DONE IN ACCORDANCE WITH THE CITY OF WAUKESHA PLANTING SPECIFICATIONS.

Qty	Botanical Name	Common Name	Size/Condition
1	Stedda Inconspicua (Tree)	STREET KEEPER HONEY LOCUST	3/4" x 8'
2	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'
3	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'
4	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'
5	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'
6	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'
7	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'
8	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'
9	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'
10	Prunella pennsylvanica (Tree)	PRUNELLA PENNSYLVANICA	3/4" x 8'



Rev	Date	Description	By
1-12-23	c.j.n.		
3-03-23	c.j.n.		
3-24-23	c.j.n.		
4-12-23	c.j.n.		
4-14-23	c.j.n.		
4-14-23b	c.j.n.		
11-14-23	c.j.n.		
2-02-24	c.j.n.		

GERALD NELL INC.
W229 N1683 WESTWOOD DRIVE
WAUKESHA, WI 53186-1152
262-513-3750



**CAR WASH BUILDING FOR
ROETTGER'S MOBIL
11155 WAUWATOSA ROAD
MEQUON, WISCONSIN**

Drawn By
c.j.n.
Date
1-09-23
Scale
1"=20'-0"
Job Number
Sheet Name
LANDSCAPE PLAN
Sheet Number
L1.1
SHEET OF TOTAL SHEETS



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: LAURIE MILLER, PLANNER
DATE: April 24, 2023
SUBJECT: Gerald Nell, Inc. for Roettgers Company. The applicant is seeking expansion of a non-conforming use and building and site plan amendment approval to allow for a car wash and ancillary facilities for the property at 11155 N. Wauwatosa Road (Mobil). REMOVE FROM TABLE

Applicant: Roettgers Company
Status of Applicant: Owner
Requested: Expansion of a non-conforming use
Building and Site Plan Amendment
Existing Use: Gas Station
Existing Zoning: B-1 (Neighborhood Business District)
Land Use Plan: Neighborhood Commercial
Lot size: 0.95 acres
Location: 11155 N. Wauwatosa Road
Tax Key Number: #14-028-01-000.00
District: #4

Background:

The applicant is requesting a building and site plan amendment approval for a car wash at the Mobil automotive service facility located at 11155 N. Wauwatosa Road. The automotive service facility is a nonconforming use. According to Section 58-64, the addition of the car wash would be considered an intensification of a nonconforming use and may be allowed by Planning Commission following a public hearing, provided that the Planning Commission review and determine the following in writing with its approval:

- (1) Such enlargement, expansion, or intensification is consistent with the public interest; and
- (2) Such enlargement or extension will not have a deleterious effect on property in the surrounding neighborhood due to visual appearance, increased pedestrian or vehicular traffic, noise, smoke, odor, or other similar factors. Furthermore, no such enlargement, expansion, or intensification of a nonconforming use shall be permitted unless all building height, yard, coverage, and off-street parking and other requirements of this chapter for the district in which such use is located are adhered to.

The item was originally tabled at the March 20, 2023 Planning Commission meeting due to the following deficiencies with the code, areas of concern, and unknown details:

Issue	Item
-------	------

Code compliance	Too many parking spaces proposed for use.
	Street tree requirement.
	Parking lot landscaping requirement.
	Parking lot shading requirement.
	30% open space requirement.
Area of concern	Proposed hours of operation.
	Block windows proposed for south and north elevation of car wash make building appear dated.
	Striping of car wash queue lane gives false impression of an additional drive lane around the building.
	Car wash queue lane blocks garbage enclosure.
	Proposed locations of pavement replacement don't address areas with pavement degradation.
	Location of proposed new parking spaces.
	Much of the existing landscaping the applicant plans to keep is overgrown, in poor condition, dated or dead and does not reflect the quality of landscaping found in developments surrounding the corridor.
	Landscaping plan includes landscaping originating from other properties as a source of shading.
Unknown detail(s)	Appearance of the west elevation door.
	Dimensions and appearance of the car wash kiosk.
	Dimensions and appearance of the vacuum/air pump combo units.
	Impact of landscaping on the screening of vacuum/air pump combo units.
	Roof top or ground mechanicals are not shown. Screening is required per Section 58-566.

Please see the attached March 20, 2023 staff report for site and building plan information not discussed in the aforementioned table.

Operations:

The proposed hours of operation for the car wash have not changed since the original proposal. The hours are proposed to be the same as the gas station/convenience store and are as follows: 6:00 AM to 9:00 PM Monday through Saturday and 6:00 AM to 8:00 PM on Sundays. Staff recommend that the hours for the car wash be limited to a start time of no earlier than 7:00 AM as the City has required of Kwik Trip and Jilly's Car Wash.

Nearby residents have expressed their concern about the noise the car wash will generate. Staff recommend that the noise level from the car wash shall not exceed 70 dBA at the property line as the City has required of Kwik Trip and Jilly's Car Wash.

Building Design

The updated plan for building design has remained the same and additional details have been provided for the west elevation door. A hollow metal door and frame, painted to match the hollow metal doors on the convenience store, will be installed on the west elevation. Staff continues to have concerns regarding the usage of the glass block windows. Planning Commission approved the car wash at Kwik Trip with glass block windows; however, the usage of glass block windows was not a concern as the car wash is positioned 270 feet away from

Cedarburg Road, a primary arterial road, and is blocked from view due to the position of the convenience store. The proposed Mobil car wash will be located 65 feet from Wauwatosa Road, a primary arterial road, and the south façade will be visible from the road should the scrub or trees be removed from the Mobil or the adjoining property to the south in the future. Staff recommend the installation of glass windows with tinted film over the glass.

No roof top or ground mounted mechanicals have been indicated on the plan but, should they be needed, mechanicals shall be screened in accordance with Section 58-566.

Signage shown in the rendering is not included in this approval process. Plans for signage shall be submitted for approval through the sign permit process. Should the sign package not be in compliance with the Sign Code, Planning Commission review and action is required.

Site Plan:

Car Wash Queue Lane

Staff expressed concerns about the previously proposed plan which showed that the queueing lane would be striped but gave the false impression that there was an additional lane. The updated plan addresses this issue by adding additional striping to the space between the queueing lane and the west side of the building.

In addition, staff expressed concerns regarding the queue lane blocking access to the dumpster enclosure. The position of the queue lane and dumpster enclosure have remained the same. Staff recommends that trash collection be restricted to hours outside of the car wash operation hours and abide by the City's noise ordinance.

Car Wash Order Kiosk

The car wash order kiosk location remains the same along with the bollard and curbing designed to protect the kiosk from vehicle strikes. Additional details for the kiosk and a menu board structure have been included. Staff have no objections to the proposed kiosk and menu board structure as proposed.

Vacuum

Additional details for the proposed vacuum stations have been included in the staff report packet. The applicant provides two options for air vacs, one with a canopy and one without. Each option utilizes overhead arms to suspend the vacuum hoses from. Staff finds that each of the proposed vacuum stations will detract from the appearance of the site and the public viewsheds given its location at a major intersection and given its location as a gateway to the Town Center. Further, the intersection and surrounding sites have seen significant redevelopment in recent years and service-oriented operations are not located in the front yards of any other commercial uses in the proximity.

The proposed landscaping will not screen the view of the vacuums. Staff recommends that the proposed vacuum stations with overhead arms, with or without the canopies, be moved away from the adjoining roadways in the southern portion of the lot and specifically south of the ingress/egress on Wauwatosa Road and no further north than the gas pump overhead canopy.

Parking

In the previous staff report, staff indicated that the proposed parking spaces did not meet code. Section 58-441 states that convenience stores are required to maintain one space per 150 sq. ft. of gross floor area and may use gasoline pump parking as part of the required parking stalls. The

2,000 sq. ft. convenience store would require 13 parking spaces. The number of proposed parking spaces was reduced from 18 to 15 parking spaces, which continues to exceed the number of parking spaces per code. Section 58-441(7) and (10) allows deviations from the parking requirements, with approval from the Planning Commission, whenever it finds that the deviation will not adversely impact traffic circulation, public safety, or cause unnecessary usage of open space. A reduction in parking may be needed if the applicant pursues an alternative location for vacuum station.

Pavement and Curbing

The updated plans continue to show new asphalt to be installed in the car wash's queuing and exit lanes and the removal of the concrete wheel stoppers. In the previous plan, concrete curbing was to be installed around the edge of the entire paved lot; however, the updated plan indicates that the applicant will no longer install curbing. Staff believe this will be an issue given the number of vehicles queuing along the western edge of the paved lot and parking along the north side. In addition, vehicles exiting the car wash will leave behind a tremendous amount of water runoff which will likely drain into the adjoining grass area along with the proposed trench drain. Staff have concerns that this excess water runoff and repeated vehicle contact with the landscaping will destroy the grass and leave muddy edges. Even without the proposed car wash, this issue can be documented on the site. (Exhibit 1) Staff recommend that the entire paved lot include curbing like the Kwik Trip and Jilly's car wash sites. Staff has consistently recommended upgrades to the surfacing of commercial lots when in poor condition; including locations at The Pavilion Shopping Center, the Life Storage facility and the Holt Holding property located north of the storage facility.

Staff analysis of the parking lot revealed degradation of the pavement in other areas of the parking lot not proposed for replacement. Staff recommend replacement of all areas not indicated as "New Pavement" on the attached Pavement Analysis Map as a condition of approval. Updated plans show that the applicant will patch asphalt pavement as needed.

Landscaping

The previously presented plan omitted the planting of street trees. Section 58-564 (a) requires street trees to be planted at a rate of not less than one tree every 30 feet of roadway frontage and located within the road right-of-way at a point two feet from the right-of-way line unless otherwise required by the Planning Commission or other governmental entities. Species of trees shall be selected from an established list of street trees supplied by the tree board or per the Town Center Design specifications. According to the code, the applicant would need to install six street trees along Wauwatosa Road and three along Mequon Road. The updated plans show the planting of five street trees along Wauwatosa Road (three common hackberry trees and two prospector elms) and three trees along Mequon Road (two prospector elms and one common hackberry). Staff recommends that the rhythm of the location and species of trees be changed to be more compatible with the surrounding properties such as Outpost, the Worzella building, Richmond Financial building, and the future Wisconsin Veterinarian Clinic.

Section 58-564(c) requires that off-street parking lots with more than ten stalls shall have at least ten percent of the interior parking area landscaped. The previously presented plan omitted interior landscaping. The updated plan shows the addition of two landscaping beds along the parking lot. The first is located to the east of the garbage enclosure. The second landscaping bed is located east of the building. While these additions do not completely satisfy the parking lot landscaping requirements, staff believe these additions meet the spirit and intent of the code.

Section 58-564(d) requires a minimum of 30 percent of the parking area to be shaded during summer growth within 10 years of planting. The previously presented plan lacked parking lot shading. The few existing trees that provide shading and indicated to remain are set far from the parking lot or, while shown on the plan, originate from adjoining lots and were mostly removed to make way for the new Wisconsin Veterinarian Clinic. The new plan shows the addition of four autumn blaze freeman maple trees which staff believes will meet the spirit and intent of the code.

Section 58-294(k) states that the open space ratio for the B-1 zoning district is 40 percent; however, no lot or parcel that was previously developed under a less restrictive open space ratio may be deemed nonconforming due to the lack of compliance with the current more restrictive open space ratio. The previously applied ratio for this site is 30 percent. The applicant has provided a green space plan showing that they meet the requirement with 37 percent green space on the parcel.

Staff continues to have concerns about landscaping proposed along the west side of the property and its compatibility with landscaping to be installed on the Wisconsin Veterinarian Clinic. In addition, the plan continues to show the reliance of neighboring properties' landscaping to provide screening and shading. Exhibit 1 shows some examples of landscaping proposed to remain that are overgrown and in poor condition. Trees originating from 6425 W. Mequon Road, the soon to be Wisconsin Veterinarian Clinic, have been removed to make way for the project yet continue to be shown on the Mobil landscaping plan as a shading element along the west property line. Scrub brush appears to be shown on the plan along both the south and west side property lines as a shading element yet would not be considered high-quality landscaping. Staff also noticed that proposed signage for the car wash would conflict with a few plants that are proposed to remain along the west side of the property. Staff recommend removal of scrub brush, extensive grooming of existing landscaping to remain, and updating of the landscape plan to create a cleaner and consistent treatment for transition between Mobil and Wisconsin Veterinarian Clinic.

Engineering Report:

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

Both Wauwatosa Road and Mequon Road are under the jurisdiction of the Wisconsin Department of Transportation (WisDOT). No access changes are proposed. The applicant should be aware that a change in use, such as the addition of a car wash, could trigger WisDOT access requirements. The applicant is responsible for confirming whether WisDOT will require any access modifications and submittal of confirmation to the City.

The applicant submitted a turning radius analysis for vehicles traveling in the car wash queue. On the previous plan, the car wash bypass lane does not appear wide enough for vehicles to freely turn around the southwest corner of the existing building if there is a car wash queue. Staff requested that the through lane around the existing building be eliminated and the lane be indicated as car wash only. The submitted plan for approval shows that the lane will be for the car wash only. The added signage on the submitted plan clarifies traffic flow on the site.

The construction is proposed to take place within the existing footprint of the parking lot, therefore, no wetland impacts or significant earthwork are anticipated. A City erosion control

permit may be required prior to construction if over 4,000 square feet of disturbance is anticipated.

The submitted plan shows a reduction in impervious surface since. A green infrastructure plan is required for improvements adding greater than 5,000 square feet of impervious surface by MMSD Rules.

Storm sewer connection to a catch basin in STH-181 is shown on the site plan. The work shall be permitted by WisDOT prior to construction.

The property is currently connected to public sewer but is not connected to public water. Estimated peak sewer flows were not submitted with the application to be evaluated by utility staff. Peak flow calculations are required as a condition of approval. Water connection for the car wash must adhere to the Mequon Water Utility Water Connection Policy.

Compliance with Section 58-64

(1) Is the project consistent with public interest?

The City has three existing car washes, all accessory to gas stations, and one standalone car wash, Jilly's, currently under construction. Three of the car washes are located on Port Washington Road and one is located on the corner of Cedarburg Road and Donges Bay Road. Staff recognize that adding a car wash to an existing gas station would be consistent with other gas stations in the City and there may be demand for a gas station with car wash facilities to serve residents.

(2) Will the project have a deleterious effect of the surrounding neighborhood? Does the site comply with B-1 and other code requirements?

The updated plans addressed code compliance issues or meet the spirit and intent of the code requirements regarding street tree, parking lot shading, parking lot landscaping and the 30% open space. Staff still have concerns about the following:

- The impact of the location of the proposed vacuums, its potential canopy and overhanging arm, on the appearance of the intersection of Wauwatosa and Mequon Roads.
- Proposed hours of operation.
- The ability for the car wash to be able to remain under the noise requirement of 70 dBA at the property line.
- The use of glass block windows on a building highly visible from a public roadway.
- Exceeding parking requirements.
- The lack of curbing given the increased traffic the car wash will bring to site and potential water runoff generated by vehicles exiting the car wash.
- The lack of compatibility and quality of landscaping between Wisconsin Veterinarian Clinic and Mobil.
- The conflicts between proposed signage and landscaping along the west side of the property.
- Landscaping plan should be updated to change the rhythm of streets trees to be more compatible with other properties leading up to, and surrounding, the Mequon and Wauwatosa Road intersection.

Should the Planning Commission agree with staff conditions to address the above concerns, staff believes the applicant and staff can resolve all final issues with a revised plan. Should the

applicant fail to meet the conditions as evidenced by the final revised plan within 60 calendar days, staff will return the project to Planning Commission for final approval.

Staff Recommendation:

Planning staff recommends approval for the expansion of the non-conforming use and the building and site plan amendment with the following conditions:

1. Staff review and approval of final site, building and lighting prior to issuance of permits. The applicant shall submit such plan, meeting all conditions, within 60 calendar days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.
2. The final building plan shall be updated to show the installation of glass windows with tinted film over the glass instead of glass block windows.
3. The final site plan shall be updated to show the following:
 - a. The proposed vacuum stations with overhead arms, with or without the canopies, be moved away from the adjoining roadways in the southern portion of the lot and specifically south of the ingress/egress on Wauwatosa Road and no further north than the gas pump overhead canopy.
 - b. Curbing shall be shown to be installed along the entire paved lot.
 - c. Removal of fence line.
4. The final landscape plan shall be updated to show the following requirements:
 - a. The rhythm of the location and species of trees be changed to be more compatible with the surrounding properties such as Outpost, the Worzella building, Richmond Financial building, and the future Wisconsin Veterinarian Clinic.
 - b. Create a cleaner and consistent treatment for transition between Mobil and Wisconsin Veterinarian Clinic.
 - c. Address planned landscaping that conflicts with proposed signage locations.
 - d. Removal of all landscaping that originates on adjoining properties from the plan.
 - e. Address replacement of plantings in poor condition.
5. The removal of scrub brush and extensive grooming of existing landscaping to remain be completed by October 31, 2023.
6. Hours for the car wash shall be limited to 7:00 AM to 9:00 PM daily.
7. Noise levels from the carwash shall not exceed 70 dBA at the property line.
8. A sign package shall be submitted to the Department of Community Development for approval. Should the sign package not be in compliance with the Sign Code, Planning Commission review and action is required.
9. A landscaping escrow equal to 125% of the improvement costs for installation of landscaping by a licensed contractor and an escrow equal to 25% of the landscape contract cost to insure that landscaping that dies within three (3) years of installation will be replaced by the applicant.
10. Trash collection shall be restricted to hours outside of the car wash operation hours and abide by the City's noise ordinance.
11. All ground-level and roof top mechanical equipment shall be well screened from public view with screening or landscaping.
12. Engineering Division review and approval of the individual grading, drainage, erosion control, and utility plans in conformance with City ordinances and the SSLD.
13. Submittal of the calculation of change in impervious surface prior to building permit issuance. The addition of 5,000 square feet of impervious surface requires a green infrastructure (GI) plan per MMSD rules.

14. WisDOT approval of storm sewer connection. WisDOT permit shall be provided to the City prior to construction.
15. Submittal of sanitary sewer peak flows prior to building permit issuance.
16. Application for and approval of a City erosion control permit, if applicable, subject to applicable permitting fees.
17. Connection to the public water utility, subject to the Mequon Water Utility Water Connection Policy.

Attachments:

Packet Docs_Mobil_04.24.23(PDF)



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Department of Community Development

TO: Planning Commission
FROM: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: May 22, 2023
SUBJECT: Gerald Nell, Inc. for Roettgers Company. The applicant is seeking expansion of a non-conforming use and building and site plan amendment approval to allow for a car wash and ancillary facilities for the property located at 11155 N. Wauwatosa Road (Mobil). REMOVE FROM TABLE

Applicant:	Roettgers Company Mike Roettgers
Status of Applicant:	Owner
Requested:	Building and Site Plan Amendment for an Accessory Structure
Existing Use:	Gas Station
Existing Zoning:	B-1 (Neighborhood Business District)
Land Use Plan:	Neighborhood Commercial
Lot size:	0.95 acres
Location:	11155 N. Wauwatosa Road
Tax Key Number:	#14-028-01-000.00
District:	#4

Background:

The applicant is requesting a building and site plan amendment approval for a car wash at the Mobil automotive service facility located at 11155 N. Wauwatosa Road. The automotive service facility is a nonconforming use. According to Section 58-64, the addition of the car wash would be considered an intensification of a nonconforming use and may be allowed by Planning Commission following a public hearing, provided that the Planning Commission review and determine the following in writing with its approval:

- (1) Such enlargement, expansion, or intensification is consistent with the public interest; and
- (2) Such enlargement or extension will not have a deleterious effect on property in the surrounding neighborhood due to visual appearance, increased pedestrian or vehicular traffic, noise, smoke, odor, or other similar factors. Furthermore, no such enlargement, expansion, or intensification of a nonconforming use shall be permitted unless all building height, yard, coverage, and off-street parking and other requirements of this chapter for the district in which such use is located are adhered to.

The item was originally tabled at the March 20, and April 24, 2023, Planning Commission meetings (please see attached staff reports associated with those meetings) due to a number of deficiencies with the code, areas of concern, and unknown details. Since the meeting, staff and the applicant have met to resolve the following remaining issues. A summary of these issues follows:

Attachment: Packet Docs_Mobil (9678 : David Roettgers)

- **Proposed hours of operation.**

The Planning Commission and applicant agreed to 7:00 am to 8:00 pm for the hours of operation.

- **The car wash will meet the noise requirement of 70 dBA at the property line.**

Planning Commission and applicant agreed to this standard.

- **The use of glass block windows on a building is highly visible from a public roadway.**

The Planning Commission and applicant agreed to use glass block for the car wash facility windows.

- **Curbing will assist in protecting landscaping beds along the car wash queuing lane and direct site runoff to appropriate facilities.**

Staff and applicant agree to add curbing along the west property line at the point of six (6) stacked vehicles in the car wash and to where new landscaping will be installed along the west property line.

Curbing, with an inlet, will also be installed along the southeast portion of the site to direct runoff to the landscaping beds, which will now include green infrastructure facilities, adjacent to Wauwatosa Road. Curbing will be installed along the edge of pavement in this area through the southern edge of the driveway access to the point of connection to Wauwatosa Road to direct runoff to storm facilities in public road. Because of the change to the landscape beds, the area will also be converted to include street trees.

- **The lack of compatibility and quality of landscaping between Wisconsin Veterinarian Clinic and Mobil.**

Staff and applicant agree to maintain existing landscaping, where is good condition, remove poor conditions and infill new landscaping treatments throughout the west property line except for the area immediate adjacent to the driveway access on Mequon Road (this is due to the vet clinic's installation of landscaping in area). The result will be a mix of existing arborvitae, a mix of species consistent with both the Mobil and Vet Clinic site and enhance the site with some species seen throughout the commercial developments located at the intersection.

Upgrades to landscaping along Mequon Road and the freestanding sign is necessary due to poor condition or a dated look in comparison to the new landscaping areas proposed on site.

- **Landscaping will should be updated to change the rhythm of streets trees to be more compatible with other properties leading up to, and surrounding, the Mequon and Wauwatosa Road intersection.**

Staff and applicant agree that street trees will be installed along Wauwatosa and Mequon Road.

- **Trash Collection Operating Plan.**

Staff and applicant agree to relocate the dumpster to the east of the car wash. The change still presents a conflict in an area of the site with a lot of activity but reduced when compared to the queuing lane for entry to the car wash. The dumpster shall be screened and will include a new, formal landscape screening to reduce visibility of the structure from the south and southeast.

- **Asphalt Repair and Sealing.**

The Planning Commission and applicant agree to provide new asphalt for a portion of the site and repair less deteriorated areas. Staff recommends new parking striping after the repairs and sealing.

- **The impact of the location of the proposed vacuums, its potential canopy and overhanging arm, on the appearance of the intersection of Wauwatosa and Mequon Roads.**

Staff does not support the location of the vacuums at the intersection and believes the site is too constrained. Staff believe the best location for the vacuums is the area immediately east of the c-store and the area of the existing vacuums can be utilized for customer parking. If new vacuums are permitted at the intersection, staff recommends no overhanging arms. Further, other vertical elements at the intersection shall be removed.

Engineering Report:

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

Both Wauwatosa Road and Mequon Road are under the jurisdiction of the Wisconsin Department of Transportation (WisDOT). No access changes are proposed. The applicant should be aware that a change in use, such as the addition of a car wash, could trigger WisDOT access requirements. The applicant is responsible for confirming whether WisDOT will require any access modifications and submittal of confirmation to the City.

The applicant submitted a turning radius analysis for vehicles traveling in the car wash queue. On the previous plans, the bypass lane to avoid the car wash was not wide enough for vehicles to freely turn around the southwest corner of the existing building if there is a car wash queue. Staff requested that the through lane around the existing building be eliminated and the lane be indicated as car wash only. The submitted plan for approval shows that the lane will be for the car wash only. The added signage on the submitted plan clarifies traffic flow on the site.

The construction is proposed to take place within the existing footprint of the parking lot, therefore, no wetland impacts or significant earthwork are anticipated. A City erosion control permit may be required prior to construction if over 4,000 square feet of disturbance is anticipated.

The submitted plan shows a reduction in impervious surface. A green infrastructure plan is required for improvements adding greater than 5,000 square feet of impervious surface by MMSD Rules. The applicant is planning to install small green infrastructure devices as a

landscaping feature, but it does not require MMSD approval. City staff will review the proposed devices as part of the civil plan review process.

Storm sewer connection to a catch basin in STH-181 is shown on the site plan. The work shall be permitted by WisDOT prior to construction.

The property is currently connected to public sewer but is not connected to public water. Estimated peak sewer flows were not submitted with the application to be evaluated by utility staff. Peak flow calculations are required as a condition of approval. Connection to public water will be required in accordance with the Mequon Water Utility Water Connection Policy.

Staff Recommendation:

Planning staff recommends approval for the expansion of the non-conforming use and the building and site plan amendment with the following conditions:

1. Staff review and approval of final site, building and lighting prior to issuance of permits. The applicant shall submit such plan, meeting all conditions, within 90 calendar days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.
2. The final site plan shall be updated to show the following:
 - a. The proposed vacuum stations with overhead arms, with or without the canopies, be moved away from the adjoining roadways in the southern portion of the lot and specifically south of the ingress/egress on Wauwatosa Road and no further north than the gas pump overhead canopy.
 - b. Curbing shall be shown to be installed along a portion of the west property line, south property line and a portion of the east property line (south of driveway).
 - c. Removal of fence line.
 - d. Provide new asphalt for a portion of the site and repair less deteriorated areas. New parking striping shall be shown on plan and implemented after the repairs and sealing.
3. The final landscape plan shall be updated to show the following requirements:
 - a. The rhythm of the location and species of trees be changed to be more compatible with the surrounding properties such as Outpost, the Worzella building, Richmond Financial building, and the future Wisconsin Veterinarian Clinic.
 - b. Create a mix of healthy existing arborvitae and infill treatment that is consistent between Mobil and Wisconsin Veterinarian Clinic.
 - c. Address planned landscaping that conflicts with proposed signage locations.
 - d. Removal of all landscaping that originates on adjoining properties from the plan.
 - e. Address replacement of plantings in poor condition along both street frontages
4. The removal of scrub brush and trim of existing landscaping completed by July 31, 2023.

5. Hours for the car wash shall be limited to 7:00 AM to 9:00 PM daily.
6. Noise levels from the carwash shall not exceed 70 dBA at the property line.
7. A sign package shall be submitted to the Department of Community Development for approval. Should the sign package not be in compliance with the Sign Code, Planning Commission review and action is required.
8. A landscaping escrow equal to 125% of the improvement costs for installation of landscaping by a licensed contractor and an escrow equal to 25% of the landscape contract cost to insure that landscaping that dies within three (3) years of installation will be replaced by the applicant.
9. Trash collection shall comply by the City's noise ordinance.
10. All ground-level and roof top mechanical equipment shall be well screened from public view with screening or landscaping.
11. Engineering Division review and approval of the individual grading, drainage, erosion control, and utility plans in conformance with City ordinances and the SSLD.
12. Submittal of the calculation of change in impervious surface prior to building permit issuance. The addition of 5,000 square feet of impervious surface requires a green infrastructure (GI) plan per MMSD rules.
13. WisDOT approval of storm sewer connection. WisDOT permit shall be provided to the City prior to construction.
14. Submittal of sanitary sewer peak flows prior to building permit issuance.
15. Application for and approval of a City erosion control permit, if applicable, subject to applicable permitting fees.
16. Connection to the public water utility, subject to the Mequon Water Utility Water Connection Policy.

Attachments:
Packet Docs (PDF)



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Department of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: September 23, 2024
SUBJECT: Alex Leykin. The applicant is seeking minor request approval to allow for an accessory structure exceeding 1,000 sq. ft. for the property located at 14207 N. Birchwood Lane

Applicant:	Alex Leykin
Status of Applicant:	Owner
Requested:	Accessory Structure exceeding 1,000 SF
Existing Zoning:	R-1(Rural Residential) C-2 (General Conservancy) OA (Agricultural Overlay)
Land Use Plan:	Rural Residential
Lot size:	19.9 Acres
Location:	14207 N. Birchwood Lane
Tax Key Number:	#15-005-03-012.00
District:	#5

Background:

The applicant requests approval for a 3,888 square foot agricultural building. Planning Commission approval is required if an agricultural building exceeds 1,000 square feet. The accessory structure will be used for storage of agricultural equipment. This site is zoned R-1 (5-acre single-family) with an Agricultural Overlay, which is intended to provide for, maintain, preserve and enhance agricultural land and uses.

R-1 District Standards:

The proposed structure will be located 32 feet from the north property line and 501 feet from Birchwood Lane. The applicant should be aware that buildings housing domestic livestock or poultry must be located no closer than 100 feet to any lot line should the use change in the future. The overall height is approximately 28 feet and meets the code requirement which allows farm structures up to a height of 60 feet. The proposed building complies with the lot coverage requirement. There is a wetland on the property in close proximity to the building. The plan shows a 50-foot setback from the wetland which complies with code.

Agricultural Building:

The structure is designed with grey steel wall panels with a charcoal gray wainscot accent on all four elevations with a charcoal gray metal panel roof. The plan shows overhead doors on the east and south elevation. The building is located in area that is approximately 700 feet from the closest residential structure and will have limited public view.

Engineering Report:

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

The building will be accessed from Birchwood Lane. The applicant must submit a plan showing the driveway location if one is proposed. The driveway must meet all standard specifications and setback requirements, including the wetland protective area.

Wetlands are present on site. A wetland delineation report was provided with the application. The report was performed by an assured delineator, so no WDNR concurrence is required. The applicant provided a survey showing the wetland protective areas and barn placement. It is important to note that the east wetland complex has a 75-foot protective area rather than the 50-foot protective area shown on the survey. Regardless, the barn is proposed over 200 feet from the east wetland area. No impervious surfaces, including buildings, are permitted in the wetland protective areas per City ordinances.

The site is not located within the City's sewer service area, and therefore is not required to connect to public sewer or water.

The proposed building is approximately 3,888 square feet. The applicant shall submit a calculation of total added impervious surface prior to building permit issuance. If improvements add 5,000 square feet of impervious surface or more and is not covered by a stormwater management plan, per MMSD rules, green infrastructure will be required. If required, prior to the issuance of a building permit, the applicant shall design and submit for review and approval a green infrastructure plan in conformance with MMSD rules and City ordinances. Green infrastructure plans also require the execution of a Stormwater Maintenance and Easement Agreement and a drainage financial guarantee.

Construction of the building will be permitted through the Inspections Division, so a fill, excavation, and berms permit and an erosion control permit from the Engineering Division will not be required unless other site improvements are proposed.

Staff Recommendation:

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

1. Final review and approval of site, floor and elevation plans.
2. The structure shall be used for agricultural related equipment storage and activities only.
3. Buildings housing domestic livestock or poultry must be located no closer than 100 feet to any lot line should the use change in the future.
4. The applicant shall submit a wetland delineation report with concurrence by the DNR. The proposed pole barn must remain outside of the wetland protective areas.
5. A lot grading plan shall be required with the building permit application so that Engineering staff can administer the wetland protective area requirements.
6. Prior to the issuance of a building permit, the wetland protective area shall be staked on the property. The stakes shall remain throughout construction, but be removed prior to request for occupancy.
7. Any access or driveways shall be located outside of the wetland protection areas.

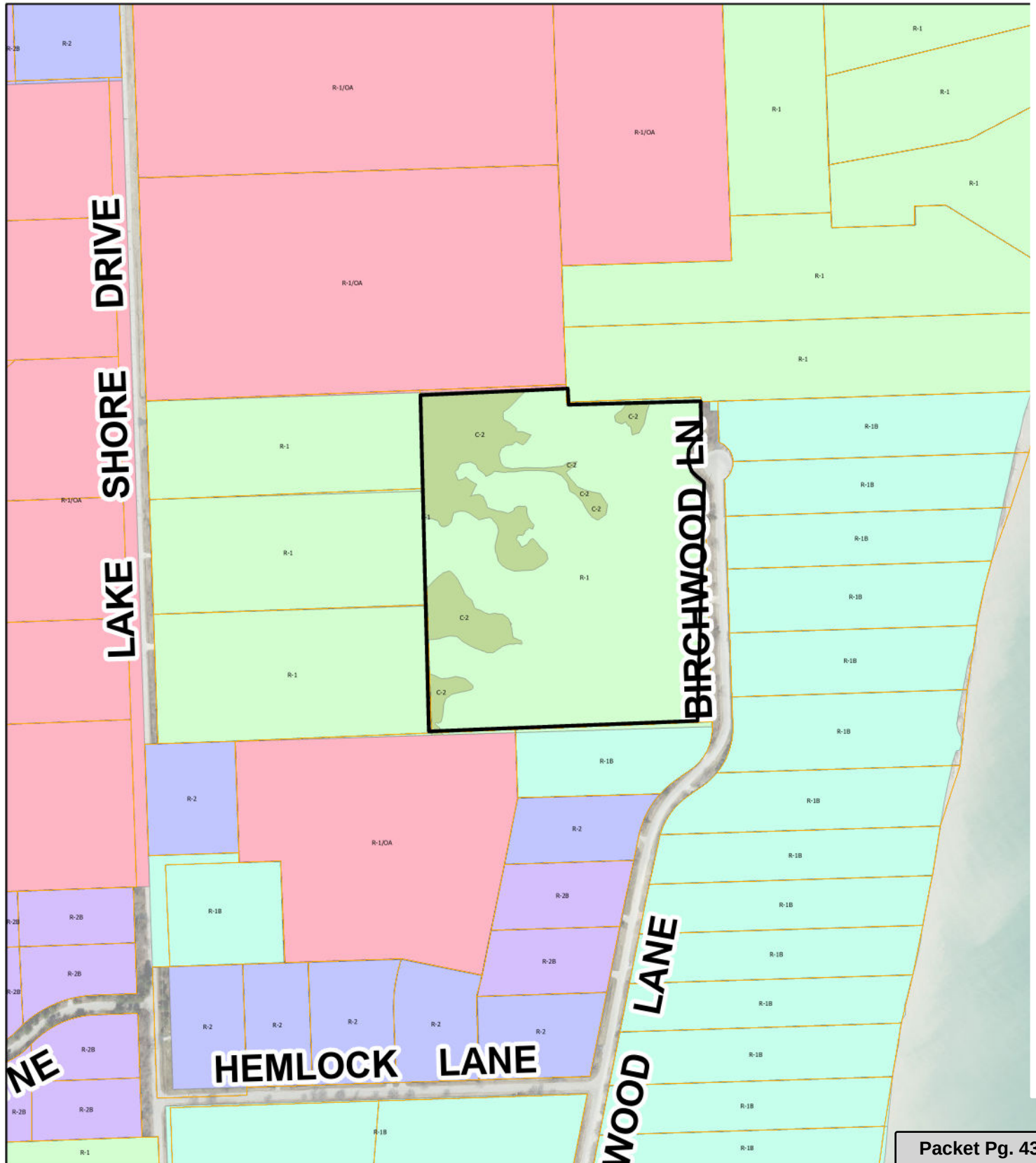
8. The applicant shall submit a calculation of added impervious surface prior to building permit issuance. For work that exceeds 5,000 square feet of impervious area, the applicant will be required to provide a green infrastructure plan meeting MMSD requirements. The green infrastructure improvements also require a Stormwater Maintenance and Easement Agreement, subject to City Attorney review and approval, and a drainage financial guarantee.

Attachments:

Packet Docs_Leykin (PDF)

ALEX LEYKIN

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





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6600 Midland C
Allenton, WI 538
1-800-558-780
www.walterbuildin.com

DRAWING
IN PROGRESS

OWNER NAME:
ALEX LEYKIN

OWNER ADDRESS:
1417 N BIRCHWOOD
LN,
MEQUON, WI 530

PROJECT NAME:
54x72 GARAGE

PROJECT ADDRESS:
NO CURRENT
ADDRESS AT SITE

SALES REP / DEALER:
ZACH WALTER

DRAFTER:
GABBY S

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
GSP/TE ON

PAPER SIZE:
ARCHITECTURAL C (18" X 24")

SCALE:
AS NOTED

ENGINEER:

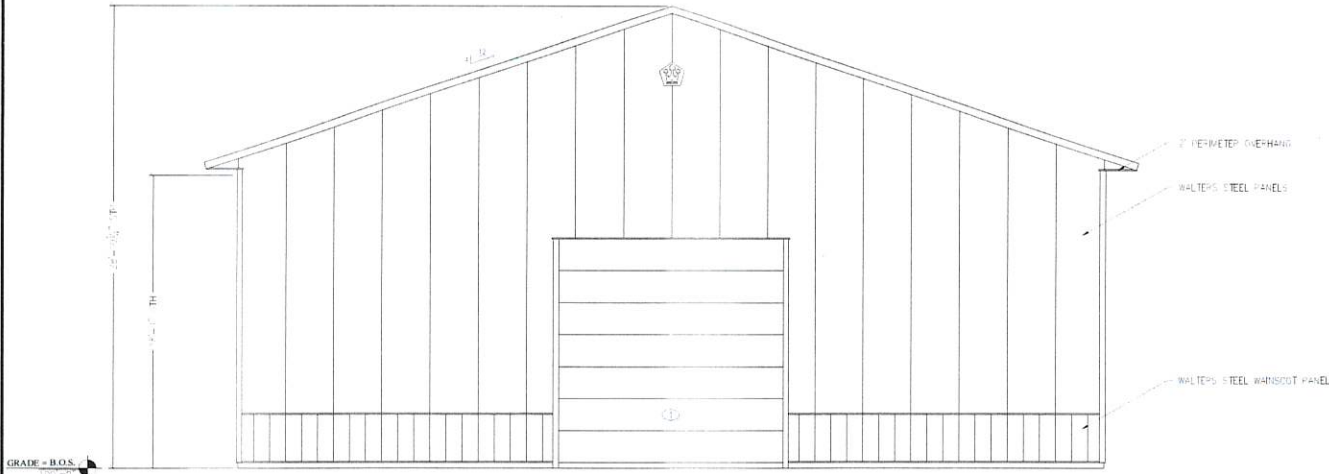
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P95-1647

SHEET NUMBER:

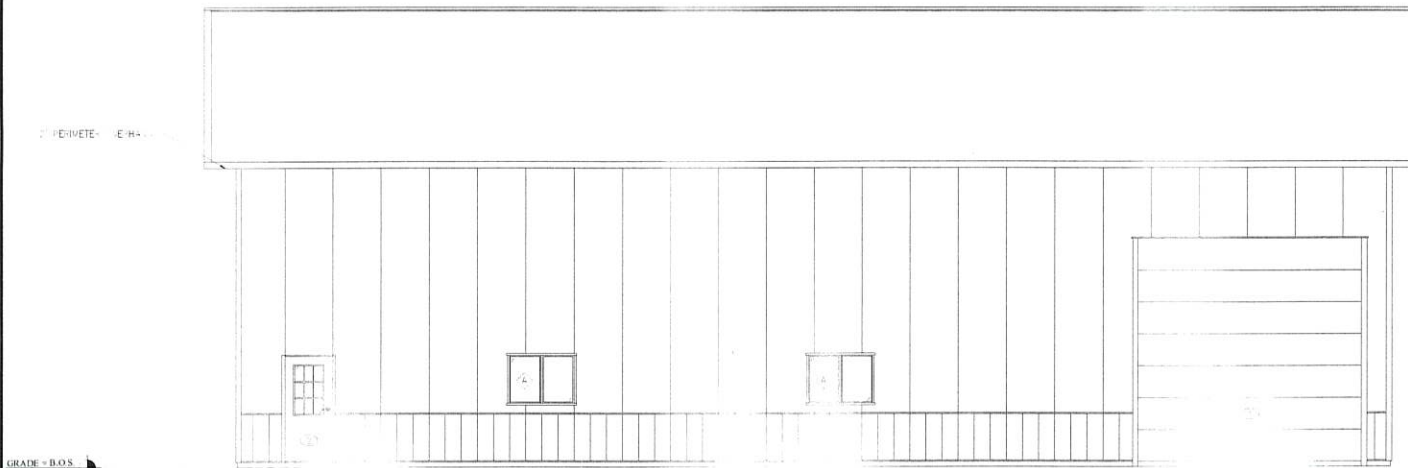
A1

DOOR & WINDOW SCHEDULE

TYPE	TYPE	ROUGH OPENING W. x H.	QUANTITY
①	14'-0" x 14'-0" ONE OVER ONE	14'-0" x 14'-0"	2
②	3'-6" x 8'-0" THERMAL BREAK BULKY DOOR w/ LEVERSET	40 1/2" x 82 1/2"	1
③	3'-6" x 8'-0" THERMAL BREAK BULKY DOOR w/ LEVERSET	40 1/2" x 82 1/2"	1
④	4'-0" x 3'-0" HORIZONTAL SLIDE WINDOW	48" x 36"	2



1
A1 LEFT END ELEVATION
SCALE: 3/16" = 1'-0"



2
A1 FRONT SIDE ELEVATION
SCALE: 3/16" = 1'-0"



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Buildir**
Jack Walters & Son
P.O. Box 38
6600 Mollard
Allentown, WI 52
1-800-556-78
www.walterbuildir

DRAWN
IN PROGR

OWNER NAME:
ALEX LEYKIN

OWNER ADDRESS:
1417 N BIRCHW
LN,
MEQUON, WI 5

PROJECT NAME:
54372 GARAGE

PROJECT ADDRESS:
NO CURRENT
ADDRESS AT S

SALES REP / DEAL
ZACH WALTEI

DRAFTER:
GABBY S

ESTIMATOR:
ESTIMATOR

LAST SAVED BY:
GPHZ ON

PAPER SIZE:
ARCH PALLBLD C (18.50 X

SCALE:
AS NOTED

ENGINEER

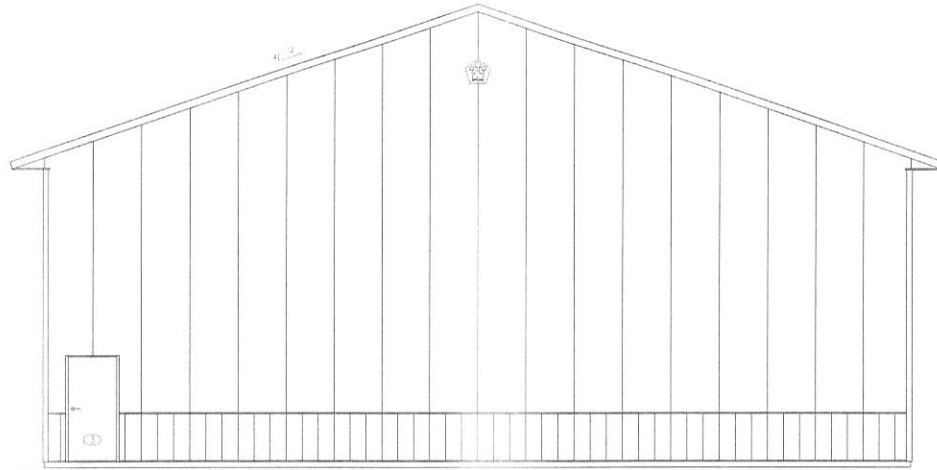
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P05-1647

SHEET NUMBER

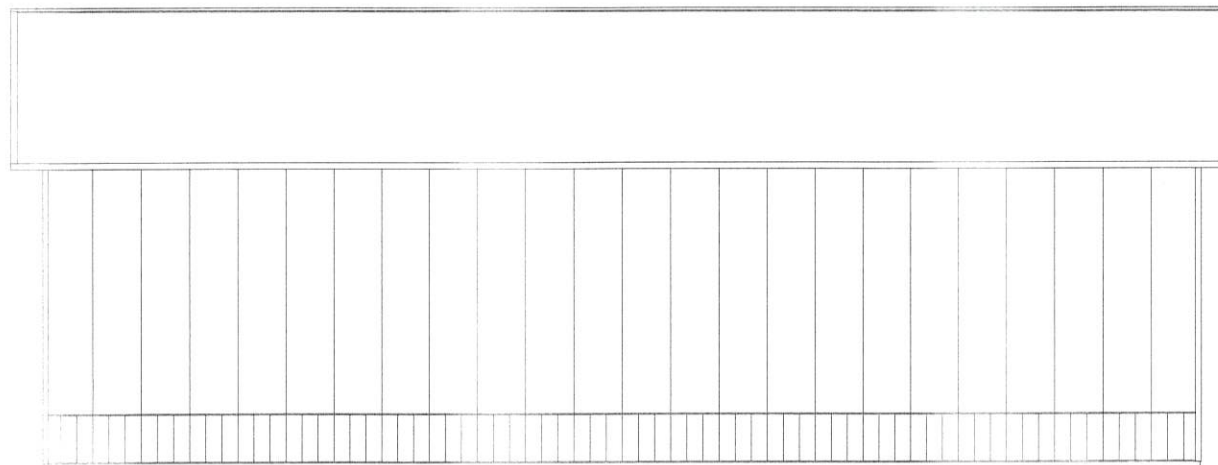
A1.1

DOOR & WINDOW SCHEDULE

TAG	TYPE	ROUGH OPENING W x H	QUANTITY
①	14'-0" x 14'-0" TIRE OPENING	14'-0" x 14'-0"	1
②	3'-6" x 8" 4-LITE THERMAL BREAK WALK DOOR w/LEVERSET	40 1/2" x 82 1/2"	1
③	3'-6" x 8" THERMAL BREAK WALK DOOR w/LEVERSET	40 1/2" x 82 1/2"	1
④	4'-0" HORIZONTAL TUBE WINDOW	45" x 36"	2



1 RIGHT END ELEVATION
A1.1 SCALE 3/16" = 1'-0"



2 BACK SIDE ELEVATION
A1.1 SCALE 3/16" = 1'-0"

Attachment: Packet Docs_Leykin (9679 : Alex Leykin)



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6005 Midland C
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1-800-559-7344
www.walterbuildin.com

DRAWING
IN PROGRESS

OWNER NAME
ALEX LEYKIN

OWNER ADDRESS
1417 N BIRCHWOOD
LN
MEQUON, WI 530

PROJECT NAME
54X72 GARAGE

PROJECT ADDRESS
NO CURRENT
ADDRESS AT SITE

SALES REP / DEALER
ZACH WALTER

DRAFTER
GABBY S

ESTIMATOR
ESTIMATOR

LAST SAVED BY:
GAPITZ ON:

PAPER SIZE
ARCH PULL BLANK C 11X17 1/4

SCALE
AS NOTED

ENGINEER

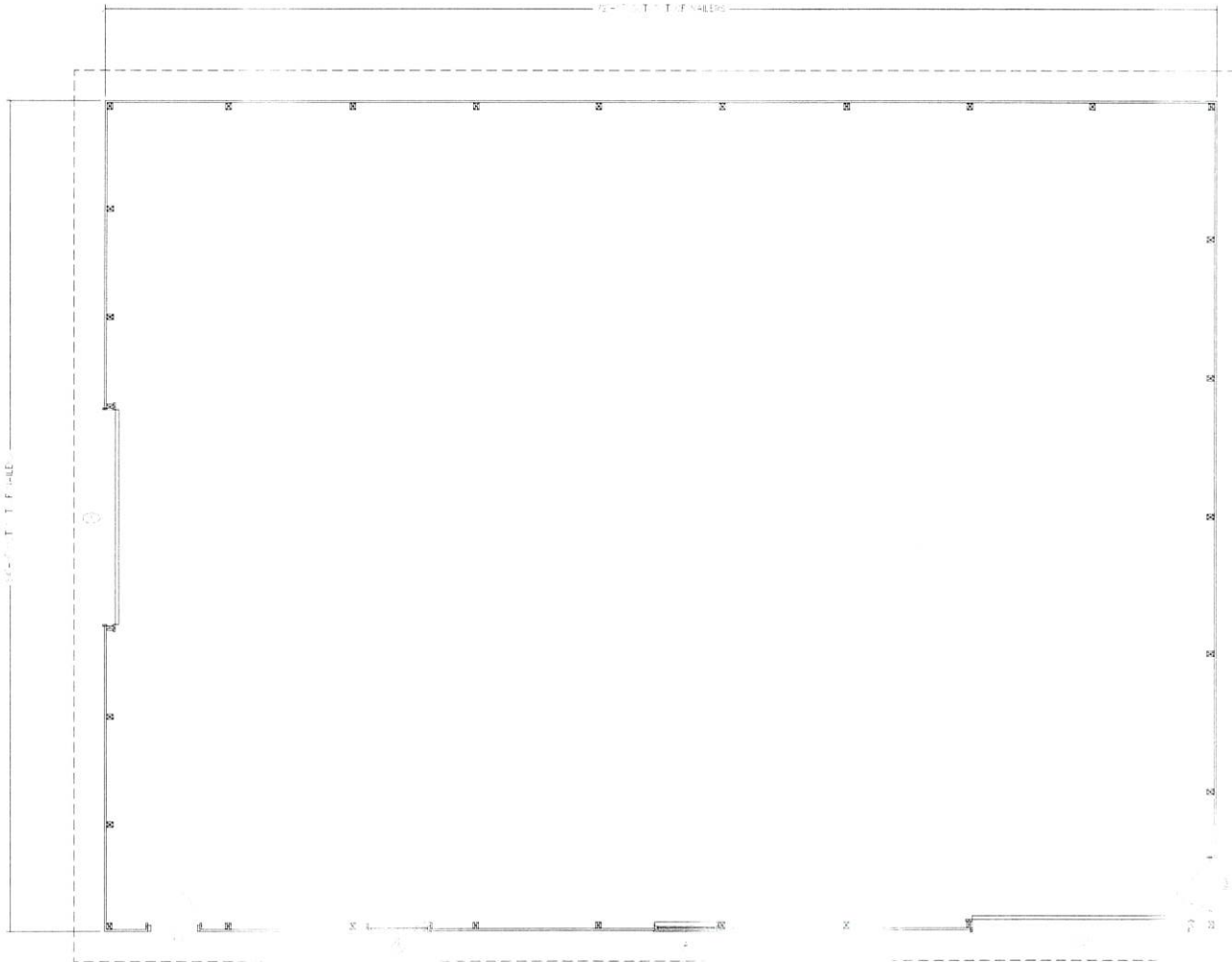
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1915-1147

SHEET NUMBER

S2

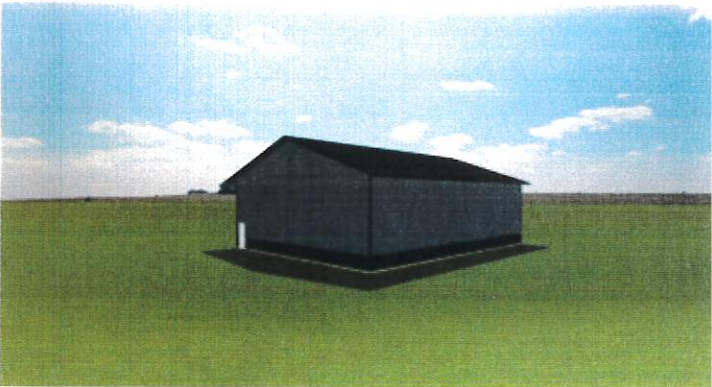
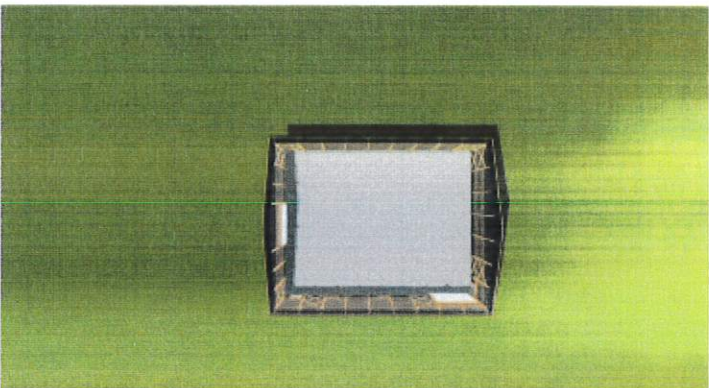
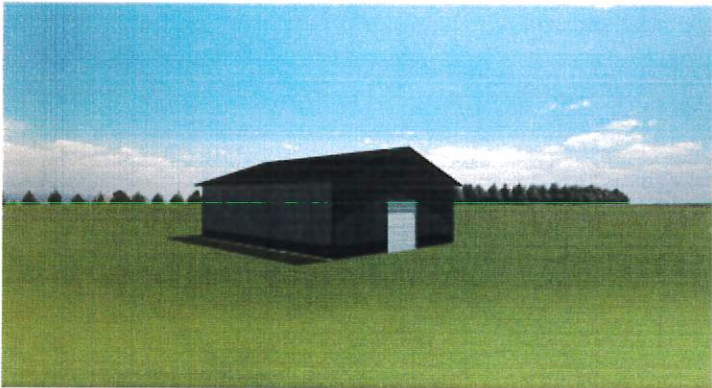
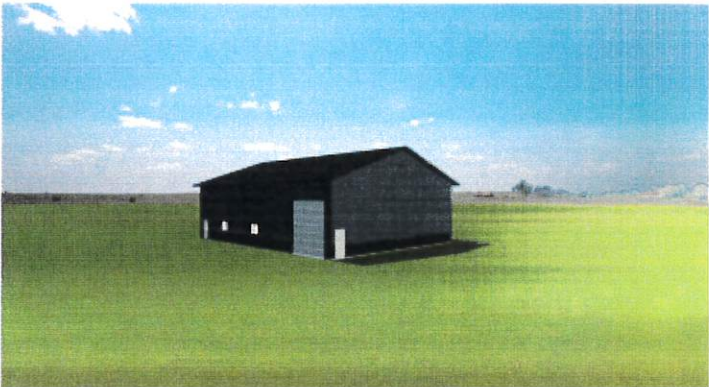
DOOR & WINDOW SCHEDULE

TAG	TYPE	ROUGH OPENING W x H	QUANTITY
1	14'-0" x 14'-0" SILE NEAR	14'-0" x 14'-0"	1
2	5'-0" x 8'-0" W-LITE THERMAL BREAK WALK DOOR W/ LEVERSET	48-0" x 80-0"	1
3	5'-0" x 8'-0" THERMAL BREAK WALK DOOR W/ LEVERSET	48-0" x 80-0"	1
4	4'-0" HORIZONTAL SLIDE WINDOW	36-0" x 72-0"	1



1 FRAMING PLAN
S2 SCALE 3/16" = 1'-0"

Proposed Building Pictures



Attachment: Packet Docs_Leykin (9679 : Alex Leykin)

LEGAL DESCRIPTION :

Lot 1 of Certified Survey Map No. 4229, being a redivision of Lots 1, 2, and 3 of Certified Survey Map No. 4043, being a part of the Northwest 1/4, Southwest 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 5, Town 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

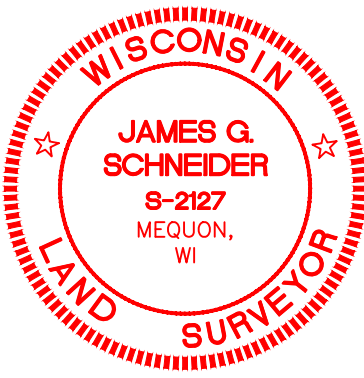
Said Parcel containing 866,773 sq. ft/19.899 acres of land, more or less.

BEARING REFERENCE :

ALL BEARINGS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (WEST LINE OF THE NE. 1/4 OF SECTION 5-9-22, WHICH BEARS S1°57'37"E)

CURVE DATA

①
RAD. = 750.00'
DELTA = 132°50'37"
L.C. = 137.48'
L.C.B. = N1°57'32"W



THIS IS AN ORIGINAL PRINT
ONLY IF STAMPED IN RED

SURVEY CERTIFICATE

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

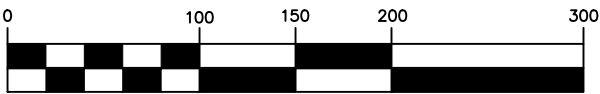
This survey is made for the exclusive use of the present owners of the property, and also those who purchase mortgage, or guarantee the title thereto within one (1) year from date hereof.

Dated at City of Mequon, State of Wisconsin this 22nd day of September, 2023.

James G. Schneider
Surveyor - S-2127



www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210



SCALE 1" = 100'



1	9/5/24	ADD PROPOSED POLE BARN	JGS	JWH
MARK	DATE	REVISION	BY	APVD
"PROPERTY SURVEY"				
for Alex Leykin				
14207 N. Birchwood Lane Mequon, WI				
DATE:	SEPTEMBER 22, 2023	DRAWN BY:	J.R.S.	
FIELD CREW:	E.A.J. & S.F.Z.	Plat No.	LS-4190-23	

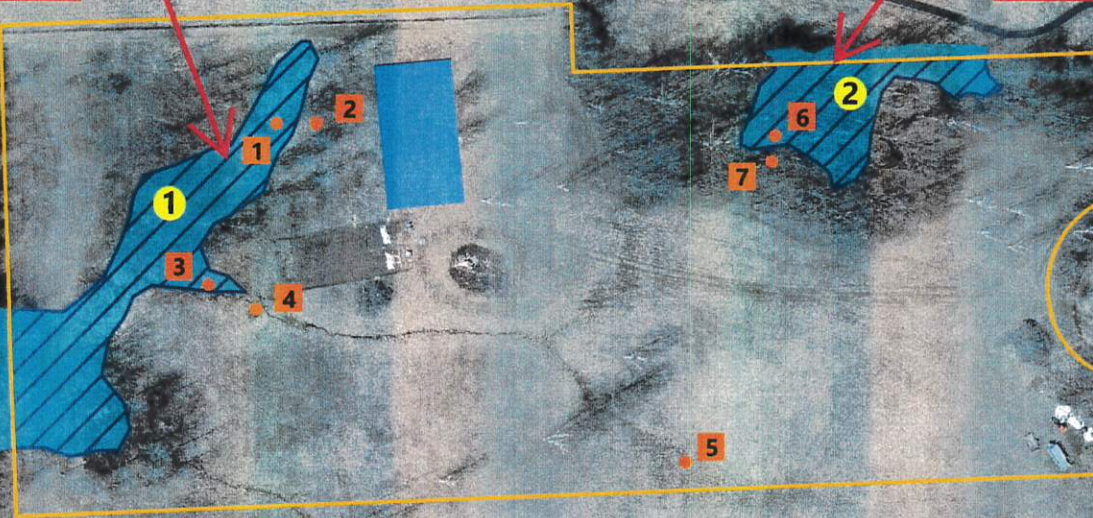
Exhibit 7. Wetland Delineation Map

Alex Leykin Property
14097N - 14207N Birchwood Lane
NE Quarter, Section 5, T9N-R22E
City of Mequon, Ozaukee County

Preliminary Map

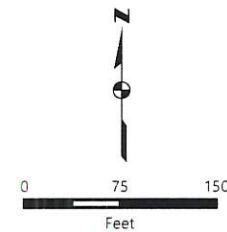
Fresh (wet) meadow.
Recent clearing of woody
vegetation and mowing.
Few scattered trees
remain.

Ephemeral pond with
hardwood swamp. Ash
die-off due to Emerald
ash borer.



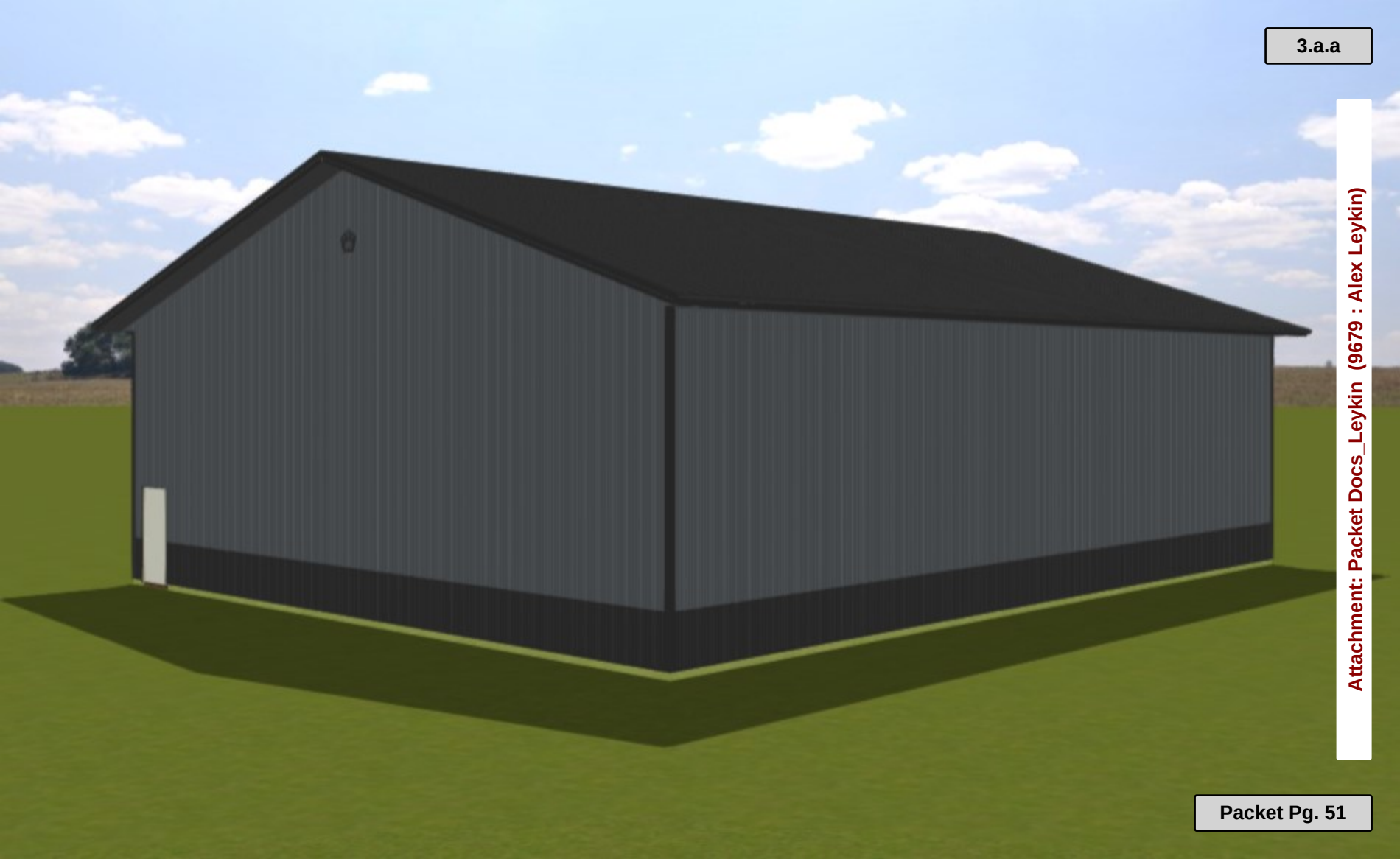
Legend

- Project Area
- Wetland Boundary Staked by SEWRPC on 8/22/23 and Surveyed by North Shore Engineering
- Wetland
- Plant Community Number
- Sample Site Location
- Sample Site Number



Source: SEWRPC
Date of Photography: 2022
CA#209-156







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: September 23, 2024
SUBJECT: Sam O'Malley. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 11550 N. Wasaukee Road.

Applicant:	Sam O' Malley
Status of Applicant:	Property Owner
Requested:	Final Land Division Approval
Existing Zoning:	R-1 (Rural Residential) OA (Agricultural Overlay) C-2 (General Conservancy)
Land Use Plan:	Rural Residential Critical Environmental
Lot size:	70.8 Acres
Location:	11550 N. Wasaukee Road
Tax Key Number:	#14-019-09-014.00
District:	#3

Background:

The applicant is requesting Planning Commission approval for a two-lot land division of 70 acres located at 11550 N Wasaukee Road. The land division would create two lots: Lot 1 of 51 acres and Lot 2 of 19 acres. The land division is being proposed in conjunction with the sale of the existing business from the owner to his son. No changes to the business or the site are proposed at this time.

Land Use Plan Map and R-1 District Standards:

The proposed certified survey map (CSM) is consistent with the Land Use Plan map designation and with the R-1 district standards. The Land Use Plan designates adjacent properties as Rural Residential. Surrounding zoning is Residential as well. The configuration of the parcel is somewhat unique in shape but it is compliant with the average lot width requirement of the zoning code.

Other Technical Corrections:

Planning staff understands that the Engineering Division will provide a full technical review of the CSM.

Engineering Report:

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

The existing right-of-way along Wausaukee Road is the width of the ultimate right-of-way, therefore no right-of-way dedication is required. STH 167/West Mequon Road is under Wisconsin Department of Transportation jurisdiction. The right-of-way along STH 167/W. Mequon Road is sufficient.

The owner should note that there is an access restriction along West Mequon Road. No access modifications are proposed in association with the project.

There may be wetlands on-site. No impervious area is being proposed as part of the land division. A wetland delineation may be required as a condition of future building permit to ensure that impervious area is not being added within the wetland protective area as defined in Mequon Ordinance 58-675(i). The buildable areas on the lots are significantly outside of the mapped wetlands based on the DNR data viewer.

The following restriction note shall be added to the CSM:

No development of any kind, including the construction of a permanent structure, shall occur on the lots in this C.S.M. until performance of a delineation of wetland boundaries on the property, if any, by an approved wetland delineation specialist and approval of such delineation by the appropriate regulatory authorities.

The site is located outside the City's sewer service area. A soil evaluation report for the usage of septic or mound systems is required prior to recording. Per Ordinance 58-632(d) No parcel of land may be divided where public sanitary sewer is unavailable or where soil conditions preclude the installation of approved septic or mound systems unless the divided parcel(s) are deed restricted to uses which do not require a sewage disposal facility.

The land division itself does not propose an increase in impervious surface. Future combination of homes and driveways may trigger the MMSD requirement for a green infrastructure plan. If this is the case, the individual lot owners will be required to provide the green infrastructure with individual home construction prior to the issuance of a building permit. If green infrastructure is required, the buildings permit is also conditioned upon receipt of a stormwater maintenance and easement agreement and a drainage financial guarantee.

Other Technical Corrections:

Engineering will provide a full technical review of the CSM upon Planning Commission approval.

Staff Recommendation:

Planning staff recommends approval of the land division subject to the following conditions:

1. The applicant shall make any technical corrections to the final CSM.
2. Compliance with the Tree Preservation Ordinance.
3. No certified survey map shall be offered for recording or recorded after 180 days from the date of approval by the Planning Commission.
4. Final staff technical review and approval of CSM.
5. A restriction note shall be added to the CSM restricting development until a wetland delineation is performed. The language required is included above in the staff report.
6. Applicant shall provide soil boring information and evaluation that soil conditions allow for usage of septic or mound systems unless parcel deeds restricted to uses which do not

require a sewage disposal facility prior to recording.

7. For home/driveway construction that exceeds 5,000 square feet of impervious area, each individual lot will be required to provide green infrastructure meeting MMSD requirements. Alternatively, the developer could plan for a regional stormwater facility that meets City ordinances and MMSD Chapter 13.
8. For home/driveway construction which triggers the MMSD requirement for green infrastructure, each property owner will also be required to provide a stormwater maintenance and easement agreement for the green infrastructure. If a regional stormwater facility is proposed, the developer would be required to provide a stormwater maintenance and easement agreement. Both require drainage financial guarantees.
9. The applicant shall submit an electronic file for the proposed certified survey map in a format compatible with AutoCAD 2015 dwg or dxf in Wisconsin State Plane Coordinate system. South Zone (NAD 83).

Attachments:

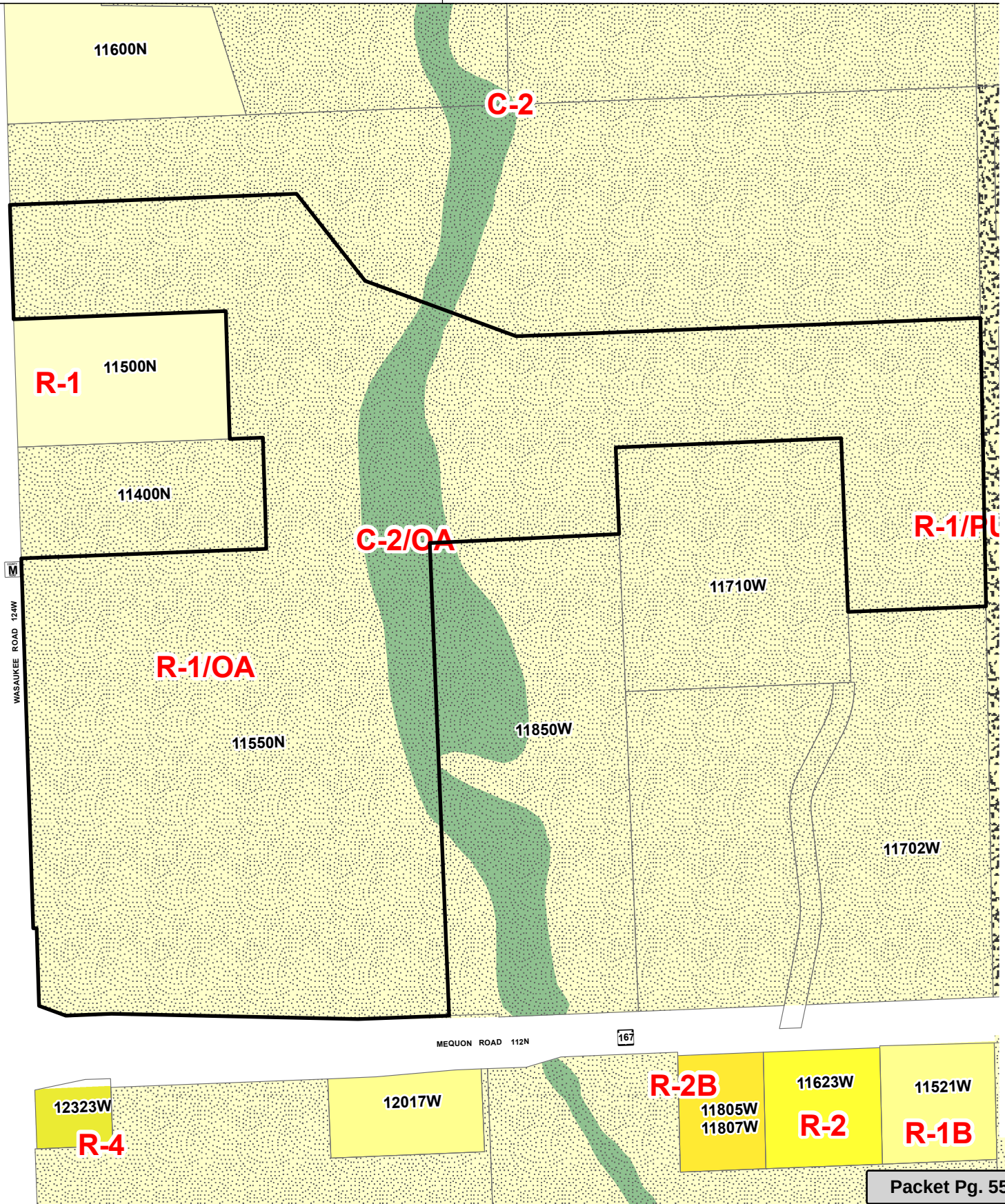
Packet Docs_Trees For Less (PDF)

Trees for Less Nursery

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

3.b.a



Attachment: Packet Docs Trees For Less (9680 : Sam O' Malley)





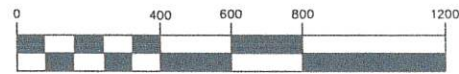
CERTIFIED SURVEY MAP NO. _____

A DIVISION OF LOT 1 OF CERTIFIED SURVEY MAP 3852, BEING A PART OF THE NORTHWEST 1/4,
NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH,
RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

VERIZON EASEMENT EXHIBIT

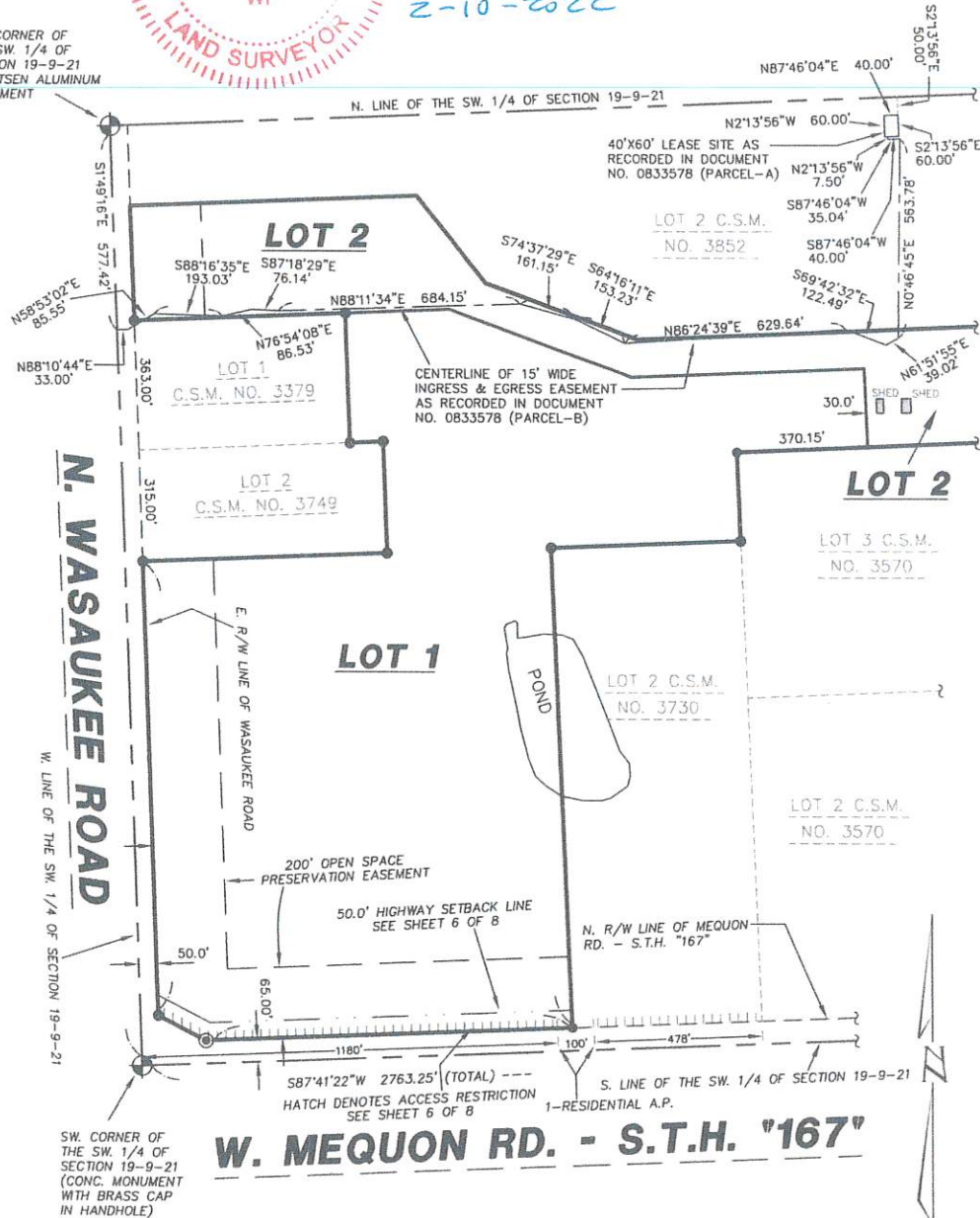
NSE

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

**SCALE 1" = 400'**

22-02-01-2

NW CORNER OF
THE SW 1/4 OF
SECTION 19-9-21
BERNTSEN ALUMINUM
MONUMENT

**W. MEQUON RD. - S.T.H. "167"**

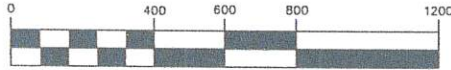
THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

PAGE 3 OF 8 SHEETS

Attachment: Packet Docs_Trees For Less (9680 : Sam O' Malley)

CERTIFIED SURVEY MAP NO. _____

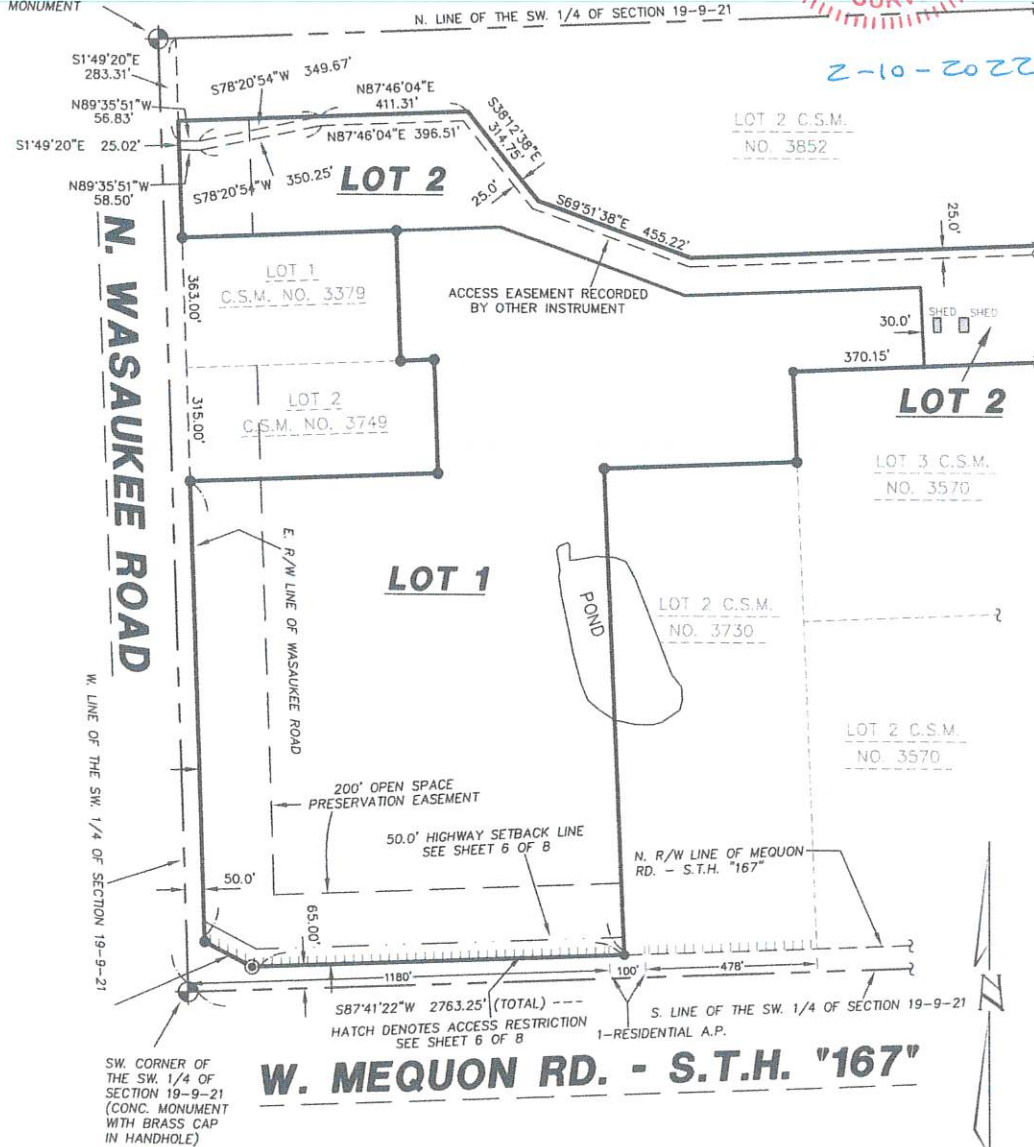
A DIVISION OF LOT 1 OF CERTIFIED SURVEY MAP 3852, BEING A PART OF THE NORTHWEST 1/4,
NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH,
RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

**SCALE 1" = 400'****NSE**

NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 243-9400 • FAX: (262) 241-5337
northshoreengineering.net

**ACCESS EASEMENT EXHIBIT**

NW CORNER OF
THE SW 1/4 OF
SECTION 19-9-21
BERNTSEN ALUMINUM
MONUMENT

**W. MEQUON RD. - S.T.H. "167"**

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

PAGE 4 OF 8 SHEETS

Attachment: Packet Docs_Trees For Less (9680 : Sam O' Malley)

CERTIFIED SURVEY MAP NO. _____

*A DIVISION OF LOT 1 OF CERTIFIED SURVEY MAP 3852, BEING A PART OF THE
NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF
MEQUON, OZAUKEE COUNTY, WISCONSIN.*

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped the following parcel of land:

A division of Lot 1 of Certified Survey Map 3852, being a part of the Northwest 1/4, Northeast 1/4, Southwest 1/4 and Southeast 1/4 of the Southwest 1/4 of Section 19, Town 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northeast corner of said Southwest 1/4 Section; thence S1°04'23"E along the East line of said 1/4 Section, 656.79 feet to the point of beginning of lands to be described; thence continuing S1°04'23"E along the East line of said 1/4 Section, 817.65 feet to the Northeast corner of Lot 2 of Certified Survey Map No. 1701; thence S87°41'22"W along the North line of said Lot 2, 391.45 feet to the Northwest corner of said Lot 2, said point also being on the East line of Lot 3 of Certified Survey Map No. 3570; thence N2°18'38"W along the East line of said Lot 3, 493.01 feet to the Northeast corner of said Lot 3; thence S87°41'22"W along the North line of said Lot 3, 639.19 feet to the Northwest corner of said Lot 3; thence S2°18'38"E along the West line of Lot 3 of Certified Survey Map No. 3570, 249.91 feet to the Northeast corner of Lot 2 of Certified Survey Map No. 3730; thence S87°41'22"W along the North line of Lot 2 of Certified Survey Map No. 3730, 537.00 feet to the Northwest corner of Lot 2 of Certified Survey Map No. 3730, thence S2°18'38"E along the West line of Lot 2 of Certified Survey Map No. 3730, 1351.00 feet to a point in the North right-of-way line of W. Mequon Road (S.T.H. "167"), said point also being the Southwest corner of said Lot 2 of Certified Survey Map No. 3730; thence S87°41'22"W along said North right-of-way line, 1037.77 feet; thence N62°40'25"W along said North right-of-way line, 151.84 feet to a point in the East right of way line of Wasaukee Road; thence N1°49'20"W along said East right-of-way line, 1279.47 feet to the Southwest corner of Lot 2 of Certified Survey Map No. 3749; thence N87°45'59"E along the South line of Lot 2 of Certified Survey Map No. 3749, 695.00 feet to the Southeast corner of Lot 2 of Certified Survey Map No. 3749; thence N1°49'20"W along the East line of Lot 2 of Certified Survey Map No. 3749, 315.00 feet to the Northeast corner of Lot 2 of Certified Survey Map No. 3749; thence S87°45'59"W along the North line of Lot 2 of Certified Survey Map No. 3749, 93.50 feet to the Southeast corner of Lot 1 of Certified Survey Map No. 3379; thence N1°49'20"W along the East line of said Lot 1 of Certified Survey Map No. 3379, 363.00 feet to the Northeast corner of Lot 1 of Certified Survey Map No. 3379; thence S87°45'59"W along the North line of said Lot 1 of Certified Survey Map No. 3379, 601.50 feet to a point in the East right of way line of Wasaukee Road, said point also being the Northwest corner of Lot 1 of Certified Survey Map No. 3379; thence N1°49'20"W along said East right-of-way line, 324.60 feet to the Southwest corner of Lot 2 of Certified Survey Map No. 3852; thence N87°46'04"E along the South line of said Lot 2, 812.65 feet; thence S38°12'38"E along the South line of said Lot 2, 314.75 feet; thence S69°51'38"E along the South line of said Lot 2, 455.22 feet; thence N87°46'04"E along the South line of said Lot 2, 1317.66 feet to the point of beginning.

Said parcel containing 70.80 acres of land, more or less.

(Surveyor's Certificate continues on next sheet)

This instrument drafted by James G. Schneider

Sheet 5 of 8 Sheets



2-10-2022

Attachment: Packet Docs_Trees For Less (9680) : Sam O' Malley)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF LOT 1 OF CERTIFIED SURVEY MAP 3852, BEING A PART OF THE
NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF
MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE (Continued)

THAT I have made such survey, land division and plat at the direction of Richard S. O'Malley Revocable Trust, OWNER of said lands.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the regulations of the City of Mequon.

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

2-10-2022



HIGHWAY SETBACK RESTRICTION:

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

ACCESS RESTRICTION:

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

This instrument drafted by James G. Schneider

Sheet 6 of 8 Sheets

Attachment: Packet Docs_Trees For Less (9680 : Sam O' Malley)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF LOT 1 OF CERTIFIED SURVEY MAP 3852, BEING A PART OF THE
NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF
MEQUON, OZAUKEE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

I, Richard S. O'Malley, as Trustee of the Richard S. O'Malley Revocable Trust, OWNER, do hereby
certify: THAT I have caused the lands described in the foregoing certificate of James G. Schneider,
Surveyor, to be surveyed, divided and mapped.

Witness

Richard S. O'Malley

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

STATE OF WISCONSIN)
OZAUKEE COUNTY)^{ss}

PERSONALLY came before me on this _____ day of _____, 20____
Richard S. O'Malley, to me known to be the persons who executed the foregoing certificate and
acknowledged the same.

Notary Public

My Commission expires _____

This instrument drafted by James G. Schneider

Sheet 7 of 8 Sheets



2-10-2022

Attachment: Packet Docs_Trees For Less (9680 : Sam O' Malley)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF LOT 1 OF CERTIFIED SURVEY MAP 3852, BEING A PART OF THE
NORTHWEST 1/4, NORTHEAST 1/4, SOUTHWEST 1/4 AND THE SOUTHEAST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF
MEQUON, OZAUKEE COUNTY, WISCONSIN.

CITY OF MEQUON PLAN COMMISSION APPROVAL

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

Chairman

Secretary

COMMON COUNCIL CERTIFICATE OF APPROVAL

Be it resolved by the Common Council of the City of Mequon, Wisconsin, that this Certified Survey Map of a parcel of land in the Southwest 1/4 of Section 19, Town 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin and the same is hereby adopted and approved.

Approved: _____

Adopted: _____

John Wirth, Mayor

City Clerk

This instrument was drafted by James G. Schneider

Sheet 8 of 8 Sheets



2-10-2022

Attachment: Packet Docs_Trees For Less (9680 : Sam O' Malley)



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: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: September 23, 2024
SUBJECT: Susan & Thomas Tanner. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the properties located at 2400 W. County Line Road.

Applicant:	Susan & Thomas Tanner
Status of Applicant:	Owner
Requested:	Certified Survey Map
Existing Zoning:	R-2
Lot size:	15.29 Acres
Location:	2400 W. County Line Road
Tax Key Number:	#15-031-11-009.00
District:	#7

Background:

The applicant is seeking approval for a 2-lot certified survey map for the parcel located at 240 West County Line Road. The land division would create two lots, Lot 1 is 2.54 acres and Lot 2 is 10.13 acres. There are structures on proposed Lot 1 including a dwelling, accessory structure and pool. The applicant is seeking to create the new Lot 2 for future residential development.

Site Conditions:

Wetlands are present on the parent parcel and are a part of proposed Lot 1. Proposed Lot 2 is vacant.

District Standards:

Lots 1 and 2 of the proposed certified survey map are consistent with the current zoning designation of R-2, which requires a 2-acre minimum lot size and minimum width/length of 200 feet.

Engineering Report:

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

The existing home on the parent parcel is served through an existing driveway off County Line Road. The existing home will be located on Lot 2. Lot 1 will be landlocked, and therefore requires an ingress-egress easement. An access easement must be provided to the City for review. If an existing easement does not exist, one must be created for benefit of Lot 1. Easements and declaration documents are subject to review by the City attorney.

Shared private driveways may serve up to 4 lots and extend up to 500 feet in length. A shared private driveway must be 18 feet in pavement width with 2-foot shoulders. No dimensional

information was provided for the existing driveway, which if shared, may require upgrades to meet the minimum requirements.

Wetlands are present on the property and are shown on the CSM. Wetland protective areas shall be shown on the CSM at the width indicated by the delineator. No impervious surface, including buildings and driveways, shall be added within the protective areas. The applicant shall provide a wetland delineation report and concurrence by the WDNR.

The site is located within the City's sewer service area and connection to the public sewer utility is required. Water connection shall conform to the Mequon Water Utility Water Connection Policy. A new habitable structure will be required to either connect to public water or be granted a deferral/exemption per the Water Connection Policy. Legal access to both utilities must be provided from the main, through Lot 2 to Lot 1.

The land division itself does not propose an increase in impervious surface. However, future improvements may trigger the MMSD requirement for green infrastructure. The owner will be required to provide green infrastructure conforming to MMSD Ch. 13 Rules prior to the issuance of a building permit if adding 5,000 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.

Construction of a building will be permitted through the Inspections Division, so a fill, excavation, and berms permit and an erosion control permit from the Engineering Division will not be required unless other site improvements are proposed.

Staff Recommendation:

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

1. Final submittal and recording of the CSM within 180 days of Planning Commission approval.
2. Final staff technical review and approval of CSM. The applicant shall make any technical corrections to the final CSM.
3. The applicant shall provide all used ingress and egress easement declaration documents benefitting the lots. Easements and declaration documents are subject to review by the City attorney.
4. Shared driveways must conform to the SSLD: A private roadway and shared private driveway shall have a minimum pavement width of 18 feet with two-foot aggregate shoulders.
5. Connection to public sewer.
6. Water connection shall conform to the Mequon Water Utility Water Connection Policy. A new habitable structure will be required to either connect to public water or be granted a deferral/exemption per the Water Connection Policy.
7. Utility easements to provide Lot 1 with legal access to the public sewer and water utilities through Lot 2. Easements and declaration documents are subject to review by the City attorney.
8. 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.

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

Attachments:

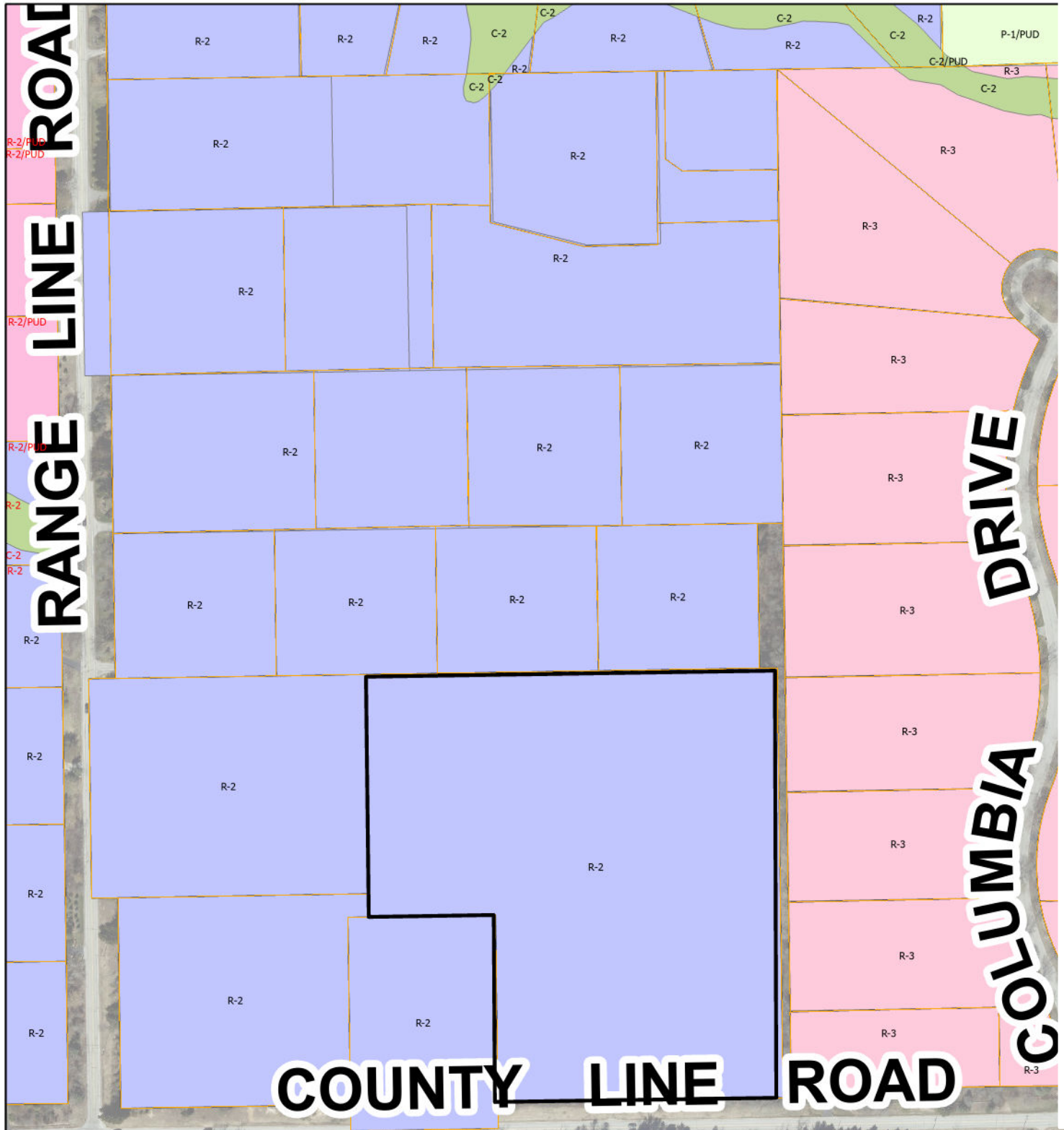
Packet Docs_Tanner (PDF)

SUSAN AND THOMAS TANNER

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

IPS Institutional & Public Service
NC Neighborhood Commercial
OA Agricultural Overlay
PUD Planned Unit Development Overlay
P-1 Park & Recreation
R-1 Single-Family Residential (5 Ac. Min.)
R-1B Single-Family Residential (2.5 Ac. Min.)
R-2 Single-Family Residential (2 Ac. Min.)
R-2B Single-Family Residential (1.5 Ac. Min.)
R-3 Single-Family Residential (1 Ac. Min.)
R-4 Single-Family Residential (3/4 Ac. Min.)
R-5 Single-Family Residential (1/2 Ac. Min.)
R-6 Single-Family Residential (4 DU/Ac.)
RM Multi-Family Residential
TC Town Center
TDR Transfer of Development Rights

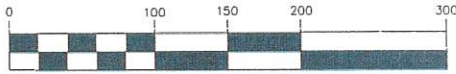
3.c.a



Attachment: Packet Docs_Tanner (9681 : Susan & Thomas Tanner)

CERTIFIED SURVEY MAP NO. _____

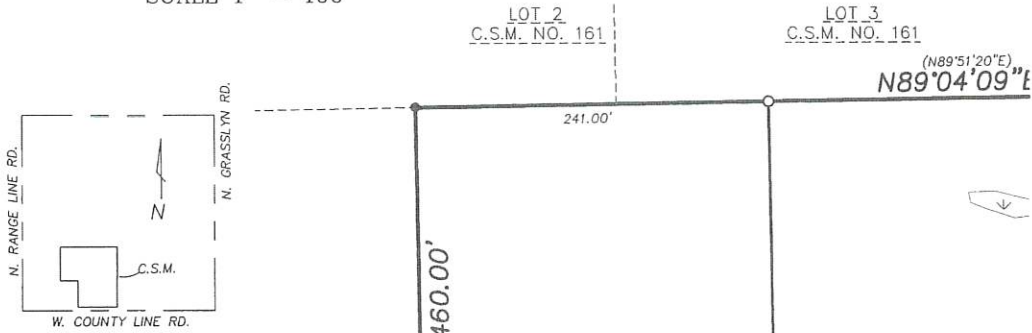
A DIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 3179, BEING A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



SCALE 1" = 100'

THE SIGMA GROUP
Single Source. Sound Solutions.

www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210



LOCATION MAP

SOUTHWEST 1/4 SEC. 31-9-22
(SCALE 1"=2000')



8-16-2024

SETBACK NOTE :

FRONT YARD = 75.0'
REAR YARD = 30.0'
SIDE YARD = 30.0'

OWNERS :

TOD & SUSAN TANNER
2400 W. COUNTY LINE RD.
MEQUON, WI 53092
(414) 429-4996

LEGEND

- - DENOTES 1.315"x18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)
- - DENOTES STEEL PIPE (FOUND)
- () - DENOTES ALSO RECORDED AS

ALL BEARINGS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, SOUTH LINE OF THE SW. 1/4 OF SECTION 31-9-22, WHICH BEARS N89°04'09"E (NAD1983/2011)

SW. CORNER OF THE SW. 1/4 OF SECTION 31-9-22 CONC. MONUMENT WITH BRASS CAP



S89°04'09"W
765.00'

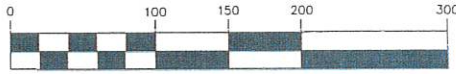
(N89°51'20"E)
N89°04'09"E 2644.87' TOTAL
SOUTH LINE OF THE SW. 1/4 OF SEC. 31-9-22

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 1 OF 5 SHEETS

CERTIFIED SURVEY MAP NO. _____

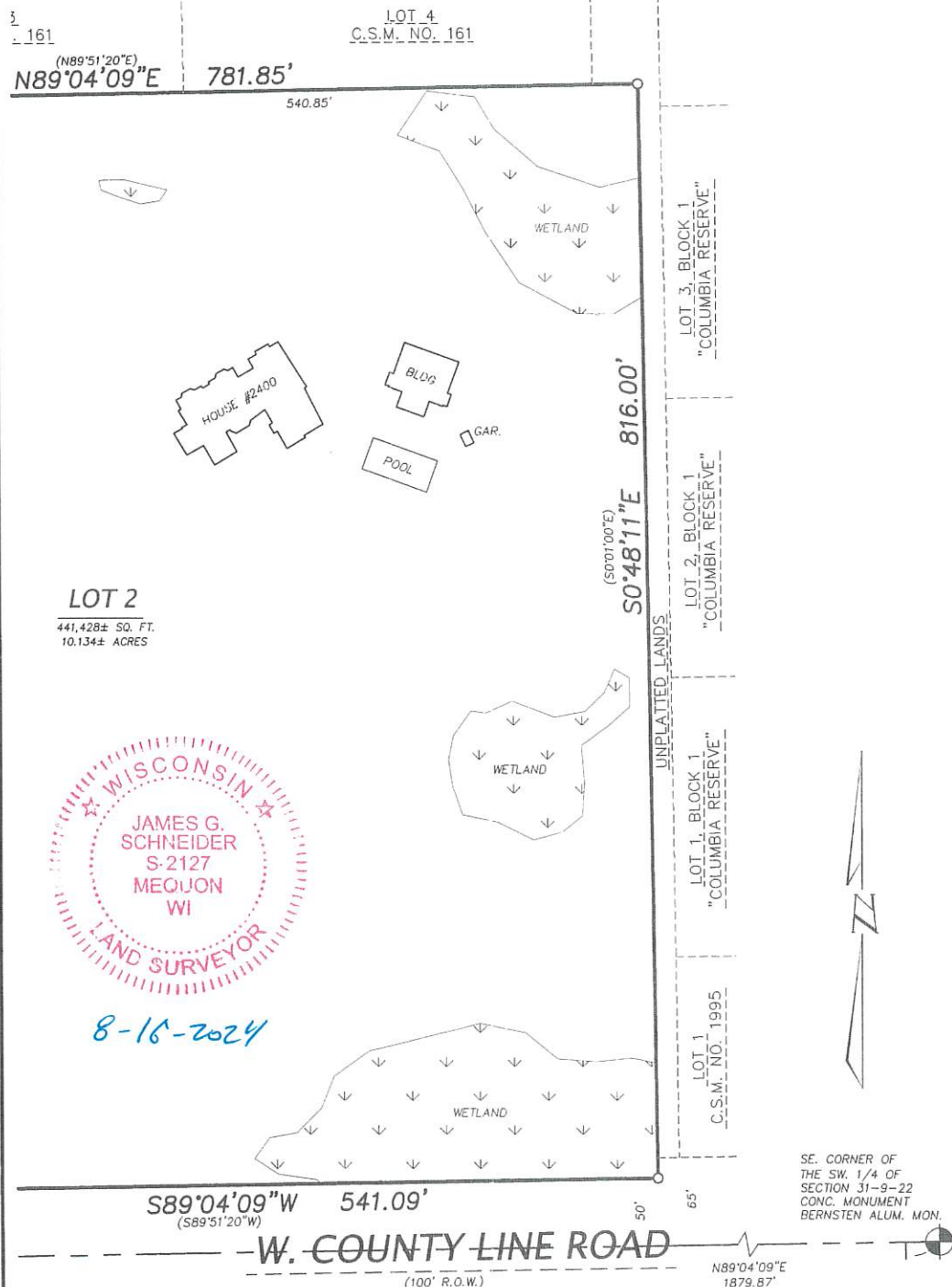
A DIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 3179, BEING A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



SCALE 1" = 100'

THE SIGMA GROUP
Single Source. Sound Solutions.

www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210



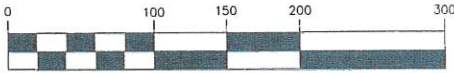
THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 2 OF 5 SHEETS

Attachment: Packet Docs_Tanner (9681 : Susan & Thomas Tanner)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 3179, BEING A PART OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWN 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



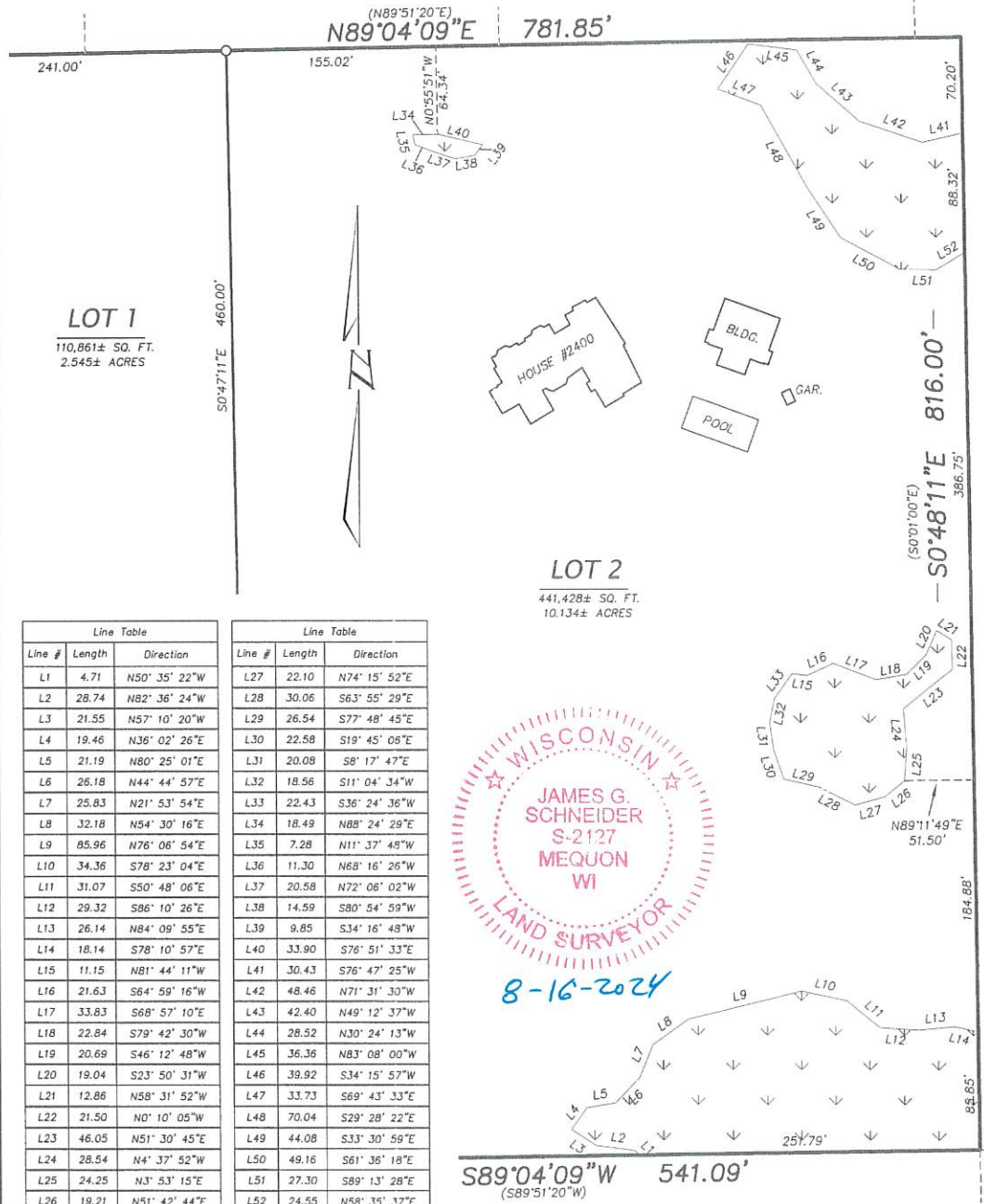
SCALE 1" = 100'

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1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

WETLANDS EXHIBIT

WETLANDS DELINEATED ON OCTOBER 13, 2022 AND
FIELD LOCATED ON NOVEMBER 11, 2022



Attachment: Packet Docs_Tanner (9681 : Susan & Thomas Tanner)

CERTIFIED SURVEY MAP NO.

A DIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 3179, BEING A PART
OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 9
NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY,
WISCONSIN.

SURVEYOR'S CERTIFICATE

I, James G. Schneider, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped the following parcel of land:

Parcel 1 of Certified Survey Map No. 3179, recorded in Volume 22 on Pages 267-269,
as Document No. 646683, being a part of the Southwest 1/4 of the Southwest 1/4 of
Section 31, in Town 9 North, Range 22 East, in the City of Mequon, Ozaukee County,
Wisconsin.

Said lands containing 552,288 sq. ft/12.678 acres of land, more or less.

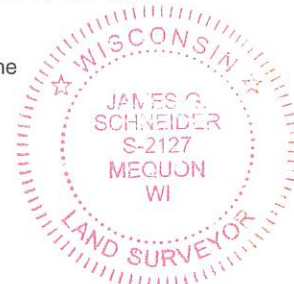
That I have made such survey, land division, and plat at the direction of Thomas H.
Tanner, Jr. and Susan J. Tanner, OWNERS of said lands.

That such map is a correct representation of all the exterior boundaries of the land
surveyed and the land division thereof made.

That I have complied with Section 236.34 of the Wisconsin Statutes and the
requirements of the City of Mequon in surveying and mapping the same.

James G. Schneider S-2127

8-15-2024

OWNER'S CERTIFICATE

We, Thomas H. Tanner, Jr. and Susan J. Tanner, OWNERS, do hereby certify:
THAT, We have caused the lands described in the foregoing certificate of James
G. Schneider, Surveyor, to be surveyed, divided and mapped.

Witness

Thomas H. Tanner, Jr.

Witness

Susan J. Tanner

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

STATE OF WISCONSIN)

OZAUKEE COUNTY)^{ss}

PERSONALLY came before me on this _____ day of _____, 20__
Thomas H. Tanner, Jr. and Susan J. Tanner, to me known to be the persons who
executed the foregoing certificate and acknowledged the same.

Notary Public

My Commission expires. _____

This instrument was drafted by James G. Schneider

CERTIFIED SURVEY MAP NO.

A DIVISION OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 3179, BEING A PART
OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 31, TOWNSHIP 9
NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY,
WISCONSIN.

CONSENT OF MORTGAGEE

CIBC USA, existing under and by virtue of the laws of the State of Wisconsin, mortgagee
of the above described land does hereby consent to the surveying, dividing and mapping
of the land described on this Certified Survey Map and does hereby consent to the
above certificate of Thomas H. Tanner, Jr. and Susan J. Tanner, OWNERS.

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

IN THE PRESENCE OF:

CIBC USA

By: _____

STATE OF WISCONSIN)

_____ COUNTY)^{ss}

PERSONALLY came before me on this _____ day of _____, 20____
the above named by _____, to me known to be the person who
executed the foregoing certificate and acknowledged the same.

My Commission expires. _____

Notary Public

CITY OF MEQUON PLAN COMMISSION APPROVAL

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

Chairman

Secretary

COMMON COUNCIL CERTIFICATE OF APPROVAL

I certify that this Certified Survey Map was approved under Resolution File No.

_____, adopted by the Common Council of Mequon on _____.

City Clerk

Andrew Nerbun, Mayor

This instrument was drafted by James G. Schneider

Sheet 5 of 5 Sheets

8-16-2024



Attachment: Packet Docs_Tanner (9681 : Susan & Thomas Tanner)



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: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: September 23, 2024
SUBJECT: Sean O'Driscoll for ODRE 1, LLC. The applicant is seeking certified survey map approval to alter the lot lines for the property located at 14319 N. Port Washington Road (Hospel).

Applicant:	Sean O'Driscoll
Status of Applicant:	Agent
Requested:	Certified Survey Map
Existing Zoning:	UCSH (Ulao Creek Senior Housing District) C-1 (Shoreland -Wetland Conservancy District) FW (Floodway District)
Lot size:	32.06 Acres
Location:	14319 N. Port Washington Road
Tax Key Number:	#15-006-01-006.00 & #15-006-01-002.00
District:	#5

Background:

The applicant is seeking approval for a 2-lot certified survey map for the parcel located at 14319 N. Port Washington Road. The land division would create two lots, Lot 1 is 29.91 acres and Lot 2 is 3.66 acres. There are structures on both proposed lots. The applicant is seeking to create the new Lot 2 for commercial development pursuant to the Ulao Creek zoning regulations.

Site Conditions:

There are significant wetlands present on the parent parcel and are a part of each new lot created. The wetlands are part of the environmental corridor associated with Ulao Creek. The wetland delineation provided by the applicant has approval by the Department of Natural Resources (DNR) and concludes a setback from the wetland areas of 30 feet is required. Despite these wetlands and required setbacks, the site can accommodate building area and dry land access as well as meet the required zoning regulations.

District Standards:

Lots 1 and 2 of the proposed certified survey map are consistent with the current zoning designation of Ulao Creek Neighborhood Commercial (UCNC) and Ulao Creek Senior Housing (UCSH). Both the UCNC and UCSH require a 2-acre minimum lot size and minimum width/length of 150 feet. There are current buildings shown on both lots. The existing barn on Lot 2, which does not comply with setbacks established per the new lot lines, will be razed. The structures located on Lot 1 will also be razed, but currently do comply with required setbacks. Access to both lots will be from N. Port Washington Road.

Rezoning:

The City initiated and approved the Ulao Creek zoning and proactively rezoned all parcels located within the 750-acre study area. The City created split zoning for this parent parcel

recognizing that commercial is appropriate at the intersection of N. Port Washington Road and Pioneer Road. At the time, the City established the zoning distinction on the parcel at the minimum lot size of 2 acres for the portion of property adjacent to the intersection. Therefore, a modification to the zoning district boundary between UCNC and UCSH should occur so there is not a split zoning district boundary on proposed Lot 2. City staff initiates the rezoning of Lot 2 so that the entire proposed 3.66 acres is entirely zoned as UCNC. Lot 1 remains as UCSH

Engineering Report:

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

Lot 1 and 2 are anticipated to be accessed from North Port Washington Road. Both Pioneer Road and North Port Washington Road are under Ozaukee County jurisdiction. Connection requires an access permit from Ozaukee County. The County may require acceleration-deceleration and bypass lanes for commercial-use access. The applicant shall provide any ingress-egress easement declaration documents for review. Easement declaration documents are subject to review by the City Attorney.

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

Wetlands are present on site. The wetland limits and protective area are shown on the CSM. The protective area width shall be confirmed with the delineation report prior to CSM recording. A wetland delineation report and concurrence by the WDNR must be provided and the information shown on the face of the CSM.

Floodplain limits are shown on the site. There is no floodplain fill proposed on the plan. The site is not located within the City's sewer service area, and therefore is not required to connect to public sewer. Soil evaluation reports were not provided with the application but must be provided and the locations shown on the face of the CSM prior to recording. The private wastewater systems for the new lots shall be permitted through Ozaukee County.

The site is located in the Ulao Creek Neighborhood and, according to the Mequon Water Connection Policy, new habitable building improvements must connect to public water. The applicant may apply for a deferral as defined by the Water Connection Policy. The CSM approval is conditioned on either connection to the public utility or deferral/exemption approval.

The land division itself does not propose an increase in impervious surface. However, future improvements may trigger stormwater runoff control requirements. 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. The owner will be required to provide a stormwater management plan (SWMP) if adding ½-acre or more of impervious area or disturbing one acre of land or more. If runoff control is required, development is also conditioned upon execution of a stormwater maintenance and easement agreement and a drainage financial guarantee.

The land division application does not propose any land disturbance. Commercial development will need further Planning Commission approval and will require additional permitting through the Engineering Division.

Staff Recommendation:

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

1. Final submittal and recording of the CSM within 180 days of Planning Commission approval.
2. Final staff technical review and approval of CSM. The applicant shall make any technical corrections to the final CSM.
3. The applicant shall provide all used ingress and egress easement declaration documents benefitting the lots or adjacent lots. Easement declaration documents are subject to review by the City Attorney.
4. Applicant must follow Ozaukee County access requirements and obtain a permit for access. Applicant must provide a copy of permit to the City when obtained.
5. The CSM shall be noted with the delineator, delineation date, and DNR concurrence date. The wetland protective area prescribed by the delineation report shall match what is shown on the CSM.
6. A soil evaluation must be performed prior to recording of the CSM. The evaluation must be provided to the City and locations shown on the face of the CSM.
7. Water connection shall conform to the Mequon Water Utility Water Connection Policy. Applicant shall either connect to public water or obtain a deferral/exemption in accordance with the policy.
8. The applicant shall submit an electronic file for the proposed certified survey map in a format compatible with AutoCAD 2015 dwg or dxf in Wisconsin State Plane Coordinate system. South Zone (NAD 83).

Staff Recommendation:

Staff recommends **approval** of the rezoning from UCSH to UCNC for proposed Lot 2 for a total of 3.66 acres subject to the following conditions:

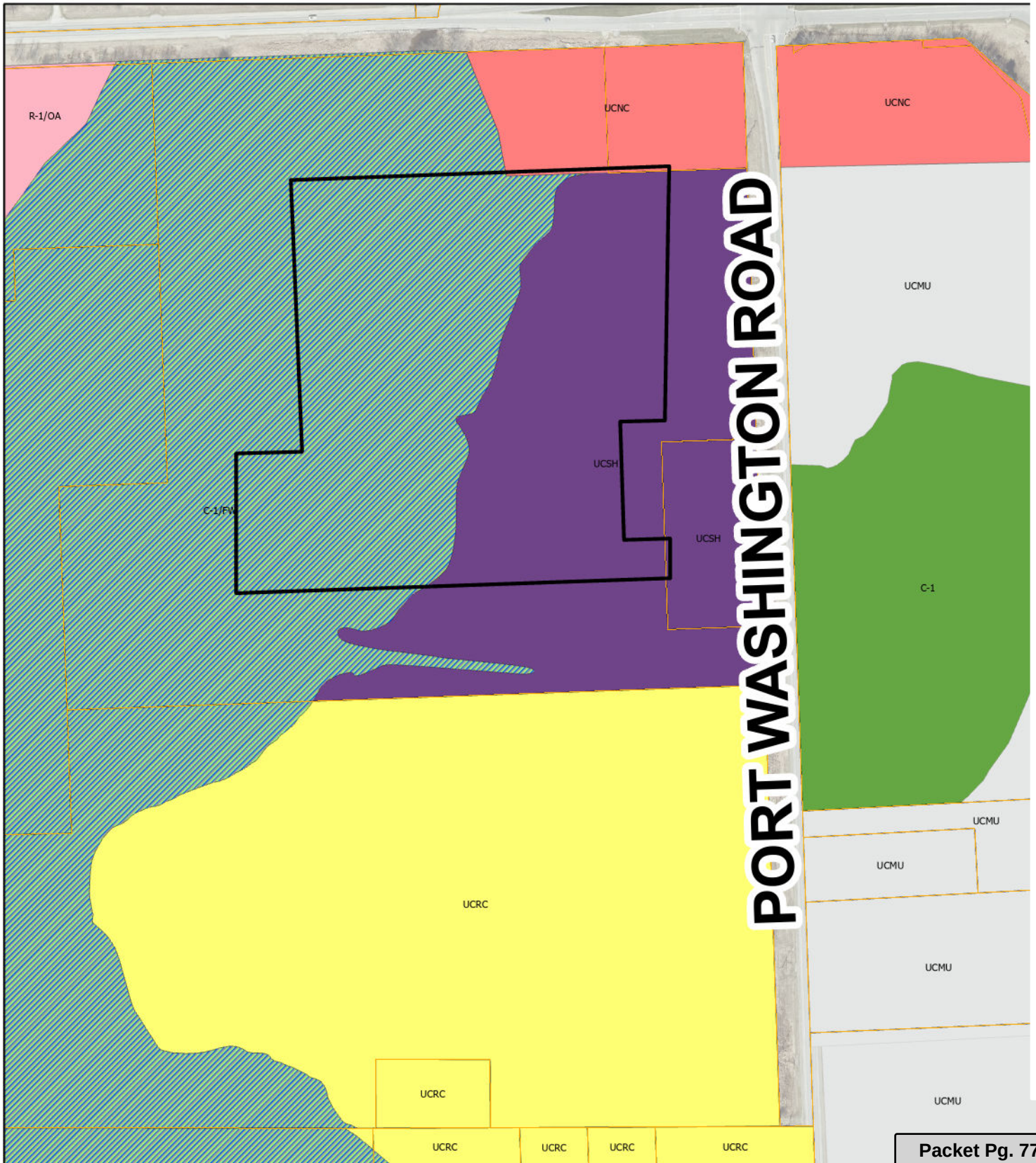
1. Common Council action of the rezoning.

Attachments:

Packet Docs_Hospel (PDF)

ODRE 1, LLC

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



CERTIFIED SURVEY

MAP NO. _____

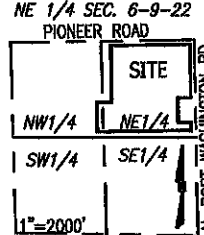
A redivision of Lot 1 of Certified Survey Map No. 3600 and Lot 1 of Certified Survey Map No. 179 all being part of the Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

Owner : Aloys W Hospel
11255 N Cedarburg Road Apt 303
Mequon, WI 53092

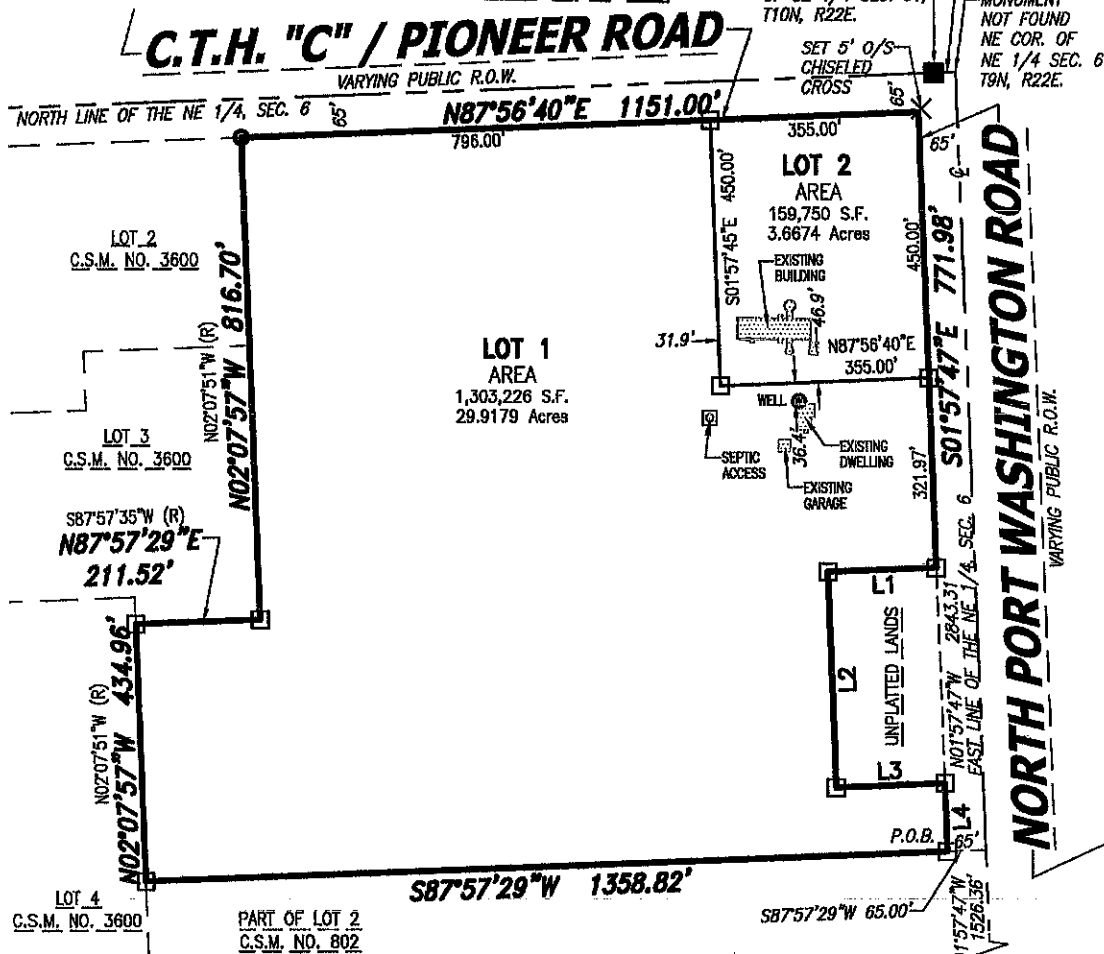
LEGEND:

- - Denotes Found 1" Iron Pipe
- - Denotes Set 1" X 18" Iron Pipe, 1.13 LBS. per lineal foot
- ✕ - Denotes Set Chiseled Cross
- (R) - Denotes "Recorded As"

VICINITY MAP



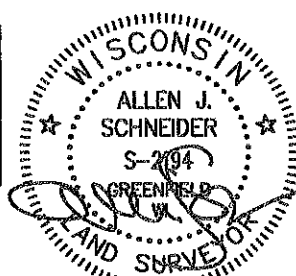
All bearings are referenced to the Wisconsin State Plane Coordinate System, South-zone (NAD83/2011) in which the East line of the NE 1/4, Sec. 6 bears N01°57'47"W.



LINE TABLE		
LINE NO.	BEARING	DISTANCE
L1	S87°57'29"W	185.00'
L2	S01°57'47"E	365.02'
L3	N87°57'13"E	185.00'
L4	S01°57'47"E	114.95'

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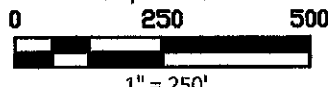


This instrument was drafted by Allen J. Schneider
Professional Land Surveyor S-2194



CONC. MON. WITH
BRASS CAP SE COR.
OF NE 1/4 SEC. 6,
T9N, R22E.

Graphic Scale

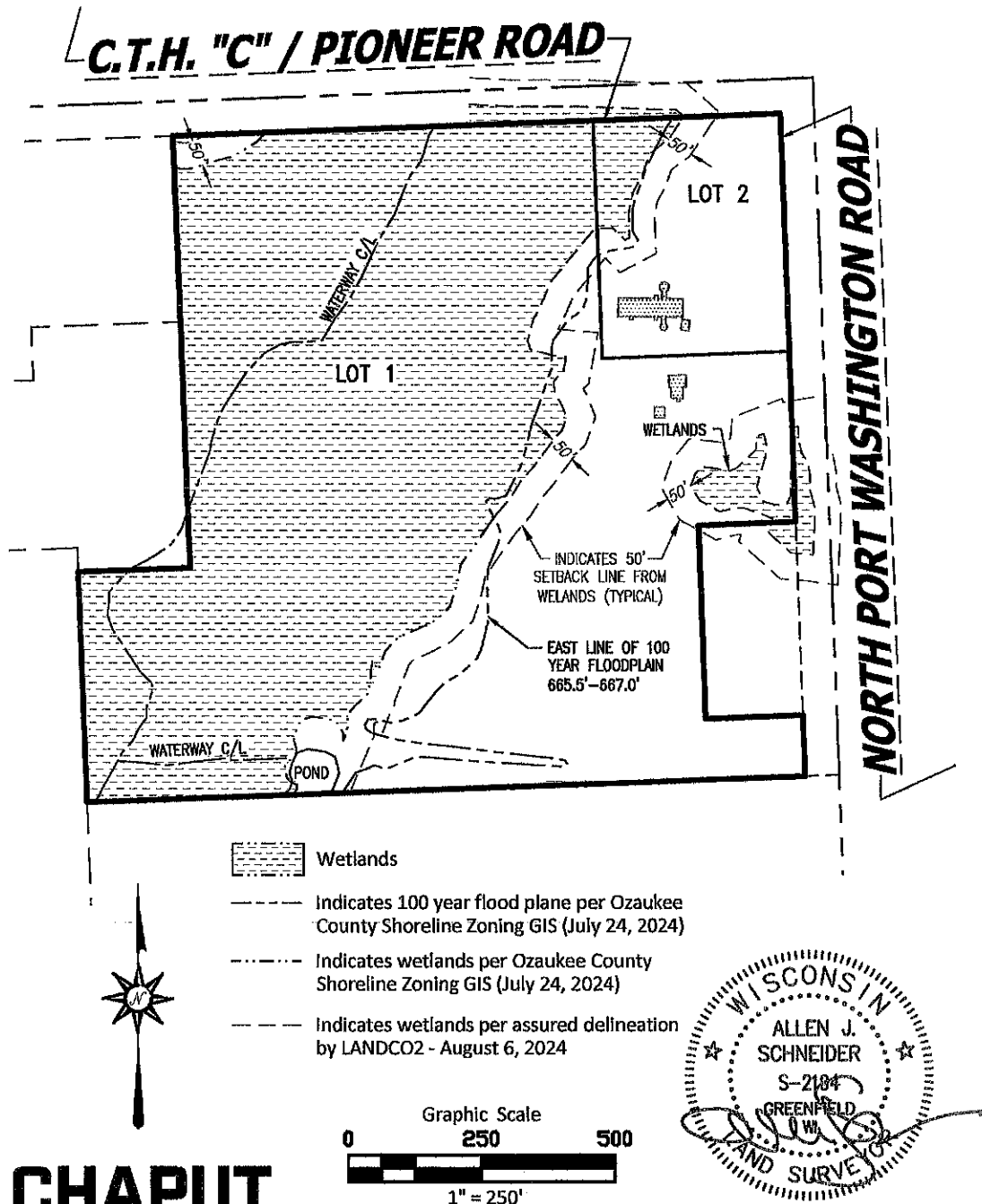


Date: August 8, 2024
Survey No. 5838.00-lpm
Sheet 1 of 5 Sheets

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 of Certified Survey Map No. 3600 and Lot 1 of Certified Survey Map No. 179 all being part of the Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

WETLANDS AND WATERWAYS
FOR REFERENCE ONLY



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Professional Land Surveyor S-2194

Date: August 8, 2024
Survey No. 5838.00-lpm
Sheet 2 of 5 Sheets

Attachment: Packet Docs_Hospel (9682 : Sean O'Driscoll for ODRE 1, LLC)

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 of Certified Survey Map No. 3600 and Lot 1 of Certified Survey Map No. 179 all being part of the Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN}

:SS

COUNTY OF OZAUKEE}

I, ALLEN J. SCHNEIDER, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped A redivision of Lot 1 of Certified Survey Map No. 3600 and Lot 1 of Certified Survey Map No. 179 all being part of the Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of the Northeast 1/4 of said Section 6; thence North 01°57'47" West along the East line of the Northeast 1/4 of said Section 1526.36 feet to a point; thence South 87°57'29" West 65.00 feet to a point on the West line of North Port Washington Road and point of beginning of the lands hereinafter described; thence continuing South 87°57'29" West along the North line of Lot 2 of Certified Survey Map No. 802 a distance of 1358.82 feet to a point on the East line of Lot 4 of Certified Survey Map No. 3600; thence North 02°07'57" West along said East line 434.96 feet to a point on the South line of Lot 3 of said Certified Survey Map; thence North 87°57'29" East along said South line 211.52 feet to a point on the East line of said Lot 3; thence North 02°07'57" West along said East line and its extension thereof 816.70 feet to a point on the South line of C.T.H. "C"/Pioneer Road; thence North 87°56'40" East along said South line 1151.00 feet to a point at the intersection of the said South line and the West line of North Port Washington Road; thence South 01°57'47" East along said West line 771.98 feet to a point; thence South 87°57'29" West 185.00 feet to a point; thence South 01°57'47" East 365.02 feet to a point; thence North 87°57'13" East 185.00 feet to a point on the West line of North Port Washington Road; thence South 01°57'47" East along said West line 114.95 feet to the point of beginning.

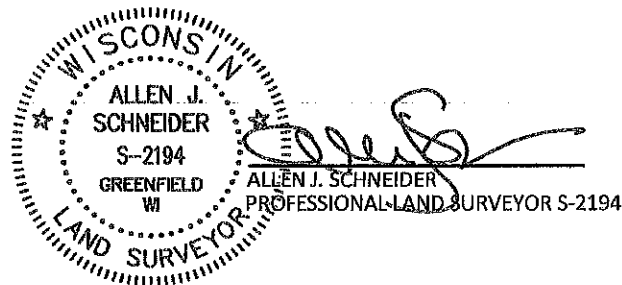
Said lands as described contains 1,462,976 S.F. or 33.5853 Acres.

THAT I have made the survey, land division and map by the direction of ALOYS W HOSPEL, owner.

THAT such map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes, and the City of Mequon Code in surveying, dividing and mapping the same.

August 8, 2024
DATE



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Milwaukee, WI 53204

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www.chaputlandsurveys.com

This instrument was drafted by Allen J. Schneider
Professional Land Surveyor S-2194

Date: August 8, 2024
Survey No. 5838.00-lpm
Sheet 3 of 5 Sheets

CERTIFIED SURVEY MAP NO. _____

A redvision of Lot 1 of Certified Survey Map No. 3600 and Lot 1 of Certified Survey Map No. 179 all being part of the Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

CONSENT OF MORTGAGEE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of _____, mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described on this plat, and does hereby consent to the certificate of ALOYS W HOSPEL.

IN WITNESS WHEREOF, the said _____ has caused these presents to be signed by _____, its _____ and its corporate seal to be hereunto affixed this ____ day of _____, 2024.

In the presence of:

Signature

Date

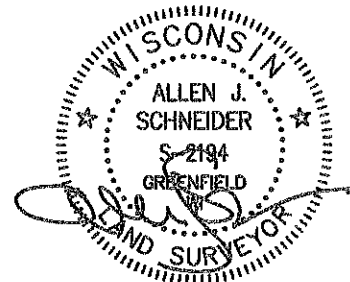
STATE OF _____

};SS

_____ COUNTY

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

Notary Public,
State of _____
My commission expires _____.



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Milwaukee, WI 53204

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Professional Land Surveyor S-2194

Date: August 8, 2024
Survey No. 5838.00-lpm
Sheet 4 of 5 Sheets

Attachment: Packet Docs_Hospel (9682 : Sean O'Driscoll for ODRE 1, LLC)

CERTIFIED SURVEY MAP NO. _____

A redivision of Lot 1 of Certified Survey Map No. 3600 and Lot 1 of Certified Survey Map No. 179 all being part of the Northwest 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 9 North, Range 22 East, in the City of Mequon, Ozaukee County, Wisconsin.

OWNER'S CERTIFICATE

ALOYS W HOSPEL, as owner, hereby certify that they caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance Chapter 236.34 of the Wisconsin State Statutes and the requirements of the City of Mequon and Ozaukee County ordinance regulating the platting of land.

Witness, the hand seal of ALOYS W HOSPEL this _____ day of _____, 2024.

ALOYS W HOSPEL, Owner

STATE OF _____)

:SS

(COUNTY)

Personally came before me this ____ day of _____, 2024, the above named ALOYS W HOSPEL, to me known as the person who executed the foregoing instrument as such officers, by its authority.

Notary Public, State of Wisconsin
My commission expires _____
My commission is permanent.

PLANNING COMMISSION CERTIFICATE OF APPROVAL

APPROVED by the Planning Commission of the City of Mequon on this _____ day of _____, 2024.

ANDREW NERBUN, MAYOR

CAROLINE FOCHS, CITY CLERK

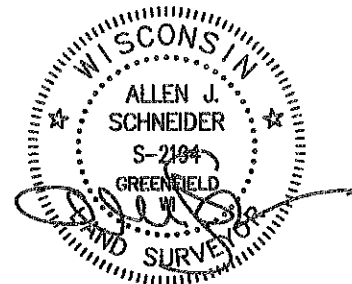
CHAPUT
LAND SURVEYS

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Milwaukee, WI 53204

414-224-8068
www.chaputlandsurveys.com

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Professional Land Surveyor S-2194

Date: August 8, 2024
Survey No. 5838.00-lpm
Sheet 5 of 5 Sheets



Attachment: Packet Docs_Hospel (9682 : Sean O'Driscoll for ODRE 1, LLC)

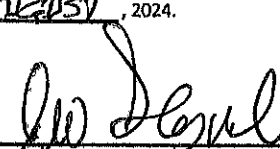
CERTIFIED SURVEY MAP NO. _____

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OWNER'S CERTIFICATE

ALOYS W HOSPEL, as owner, hereby certify that they caused the land described on this map to be surveyed, divided and mapped as represented on this map in accordance Chapter 236.34 of the Wisconsin State Statutes and the requirements of the City of Mequon and Ozaukee County ordinance regulating the platting of land.

Witness, the hand seal of ALOYS W HOSPEL this 14 day of August, 2024.


ALOYS W HOSPEL, Owner

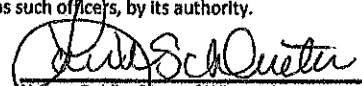
STATE OF Wisconsin

:SS

Ozaukee COUNTY

Personally came before me this 14 day of August, 2024, the above named ALOYS W HOSPEL, to me known as the person who executed the foregoing instrument as such officer, by its authority.

LORI K SCHLUETER
NOTARY PUBLIC
STATE OF WISCONSIN


Notary Public, State of Wisconsin
My commission expires 4-30-27
My commission is permanent.

PLANNING COMMISSION CERTIFICATE OF APPROVAL

APPROVED by the Planning Commission of the City of Mequon on this _____ day of _____, 2024.

ANDREW NERBUN, MAYOR

CAROLINE FOCHS, CITY CLERK

CHAPUT
LAND SURVEYS

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Milwaukee, WI 53204

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This instrument was drafted by Allen J. Schneider
Professional Land Surveyor S-2194

Date: August 8, 2024
Survey No. 5838.00-4pm
Sheet 5 of 5 Sheets



Attachment: Packet Docs_Hospel (9682 : Sean O'Driscoll for ODRE 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: ROBIN BUZZELL, ADMINISTRATIVE ASSISTANT
DATE: September 23, 2024
SUBJECT: The Enclave at Mequon Preserve Phase VII. The applicant is seeking final plat approval to allow for 12-lots for the parcel located immediately north of 8200 W. Donges Bay Road.

Applicant:	Veridian Homes
Status of Applicant:	Owner
Requested:	Final Plat
Existing Zoning	R-3 (Single Family 1 Acre) PUD (Planned Unit Development) TDR (Transfer of Development Rights)
Lot size:	INSERT
Location:	Parcel immediately north of 8200 W. Donges Bay Road
Tax Key Number:	#14-028-15-016.00
District:	#4

Background:

The applicant is requesting final plat approval for the fourth phase of The Enclave II subdivision located at 10565 N Wauwatosa Road. The fourth phase consists of 12 of the 82 lots that make up the conservation subdivision. To date, 50 of the 82 lots have been platted.

Street Tree Plan:

The street tree plan was approved by the Tree Board in January of 2024. Installation of the trees for this phase will be completed in fall per the recommendation of the City Forester. Staff will require a landscape escrow for the tree installation.

Final Plat:

The final plat is consistent with the approved preliminary plat which includes 12 single-family lots. This phase of the development will connect it with the Enclave I subdivision to the north. There are no other outlots or amenities associated with this phase.

Engineering Report:

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

The Public Improvements were installed and inspected. As of the date of this report, documentation and punch list items remain which must be completed prior to appearing before the Common Council for approval of the final plat. The applicant was provided with a project checklist of items required to be complete prior to final plat approval.

Planning Staff Recommendation:

Planning Staff recommends **approval** of the final plat subject to the following conditions:

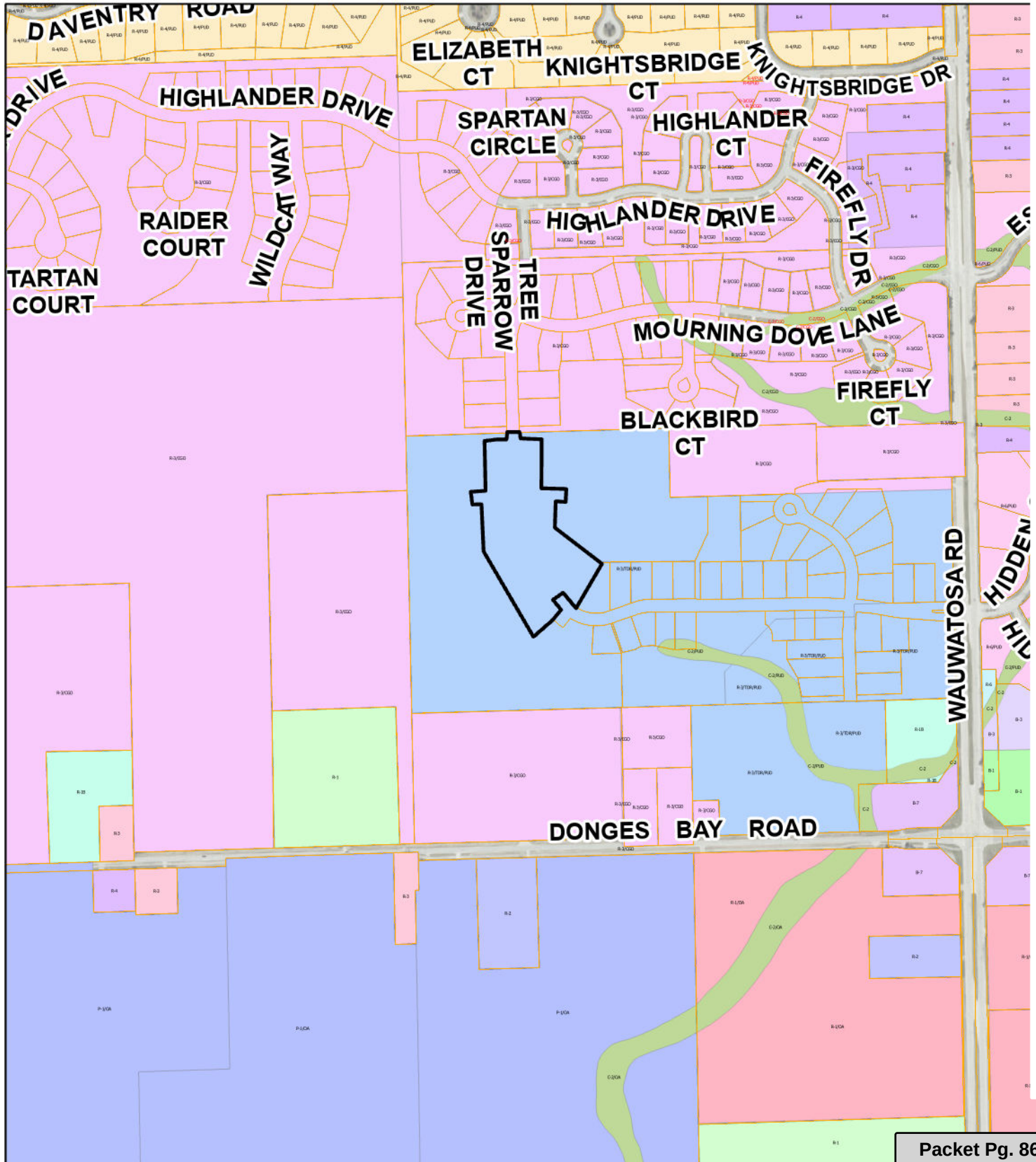
1. Common Council approval of the Final Plat.
2. Technical corrections identified by staff shall be made to the final plat.
3. Street trees shall be installed in accordance with the City Foresters recommendations. A landscape escrow is required for the tree installation.
4. City Attorney review of all legal documents.
5. Compliance with Ord. 2019-1560.
6. Payment of all necessary fees and or escrows, including L.O.C. for landscaping requirements.
7. Architectural design of residential buildings shall comply with the Architectural Board's publication entitled "Guidelines for Residential Structures" and are subject to the Architectural Review Board.
8. Submittal of the lot pipe certification.
9. Completion of all punch list and project closeout items. All items are detailed for the Developer on the project checklist.
10. Engineering review and approval of the water main, sanitary sewer and grading record drawings in accordance with the approved construction plans. The applicant shall provide the City with AutoCAD files and hard copies of all approved record drawings.
11. Submittal of lien waivers for all public improvements.
12. Submittal of executed utility title transfers.

Attachments:

Packet Docs_Enclave (PDF)

ENCLAVE

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



THE ENCLAVE AT MEQUON PRESERVE VII

PART OF LOT 3 OF CERTIFIED SURVEY MAP NO. 3723, ALL BEING PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 21 EAST CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____



Department of Administration

ISSUED DATE: MAY 20, 2024
REVISED DATE: SEPTEMBER 3, 2024

D.O.T. HIGHWAY RESTRICTIONS

Noise Notes:
The lots of this land division may experience noise at the levels exceeding the levels in §Trans 405.04, Table I. These levels are based on federal standards. The Department of Transportation is not responsible for abating noise from existing state trunk highways or connecting highways, in the absence of any increase by the Department to the highway's through-lane capacity.

Setback Notes:
There shall be no improvements or structures placed between the highway and the setback line.

ZONING NOTES:

Existing Zoning:
R-3 Rural Residential Detached
CGO Central Growth Area Overlay
TDR Transfer of development rights
PUD Planned Unit Development

Minimum Building Setbacks:
R-3/TDR PUD
Front: 30 feet
Side: 10 feet
Rear: 20 feet

TOTAL AREA
306,630 SQ. FT.
7.039 ACRES

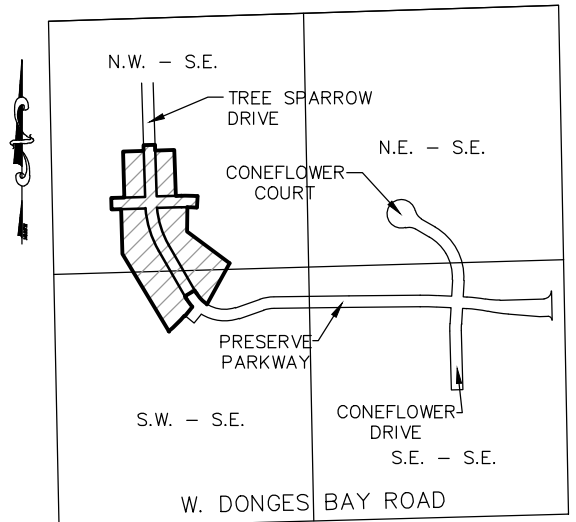
LEGEND:

- 1-1/4" X 18" REBAR SET WEIGHING 4.30 LB/FT.
- 3/4" REBAR SET WEIGHING 1.50 LB/FT.
- 1-1/4" REBAR FOUND
- 3/4" REBAR FOUND
- MONUMENT FOUND

1" = 60'
SCALE
FEET

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ARCHITECTS • ENGINEERS • SURVEYORS
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Fond Du Lac, WI 54935
Phone: (920) 926-8900
www.EXCELENGINEER.com
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JOB NO. 230155900

LOCATION MAP



SE 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 21 EAST, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

SCALE: 1" = 1000'

THE ENCLAVE AT MEQUON PRESERVE VII SUBDIVISION

Curve Table						
CURVE	ARC LENGTH	RADIUS	CHORD BEARING	CHORD LENGTH	CENTRAL ANGLE	TANGENT
C1	51.59'	230.00'	N36°23'51"W	51.48'	012°51'03"	N29°58'19"W
C2	80.59'	170.00'	S43°33'11"E	79.84'	027°09'44"	S29°58'19"E
C3	121.68'	530.00'	S11°05'52"E	121.41'	013°09'14"	S04°31'15"E
C4	88.97'	530.00'	S22°29'01"E	88.86'	009°37'05"	S17°40'29"E
C5	24.78'	530.00'	S28°37'57"E	24.78'	002°40'45"	S27°17'34"E
C6	235.43'	530.00'	S17°14'47"E	233.50'	025°27'04"	S29°58'19"E
C7	14.32'	470.00'	N29°05'57"W	14.32'	001°44'44"	N29°58'19"W
C8	191.54'	470.00'	N16°33'06"W	190.22'	023°20'59"	N28°13'35"W
C9	205.86'	470.00'	N17°25'28"W	204.22'	025°05'43"	N04°52'37"W
C10	28.81'	770.00'	N89°20'16"E	28.81'	002°08'38"	N88°15'57"E
C11	78.85'	770.00'	S88°48'02"E	78.81'	005°52'01"	S85°52'01"E

Line Table		
Line #	Length	Direction
L1	18.47'	N29°58'19"W
L2	60.00'	N80°01'41"E
L3	18.47'	S29°58'19"E

NORTH POINT REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (NAD 1927). THE EAST LINE OF THE SOUTHEAST 1/4 OF SECTION 28-9-21 HAS A BEARING OF NORTH 01°-07'-49" WEST.

ALL LINEAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST ONE HUNDREDTH OF A FOOT. LINEAR MEASUREMENTS ARE GROUND LEVEL DISTANCES UNLESS OTHERWISE NOTED. ALL ANGULAR MEASUREMENTS HAVE BEEN MADE TO THE NEAREST SECOND AND COMPUTED TO HALF-SECONDS.

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20____



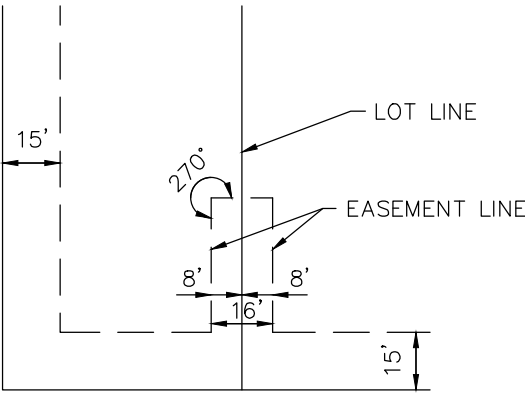
Department of Administration

ISSUED DATE: MAY 20, 2024
REVISED DATE: SEPTEMBER 3, 2024

D.O.T. HIGHWAY RESTRICTIONS

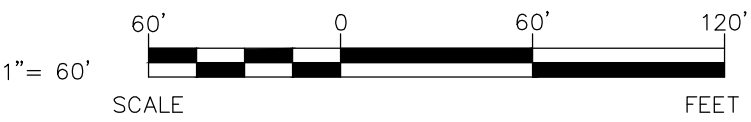
Noise Notes:
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Setback Notes:
There shall be no improvements or structures placed between the highway and the setback line.



TYPICAL UTILITY EASEMENT DETAIL
NO SCALE

Stormwater Management Maintenance Notes
See Sheet 3 for Stormwater Management Notes



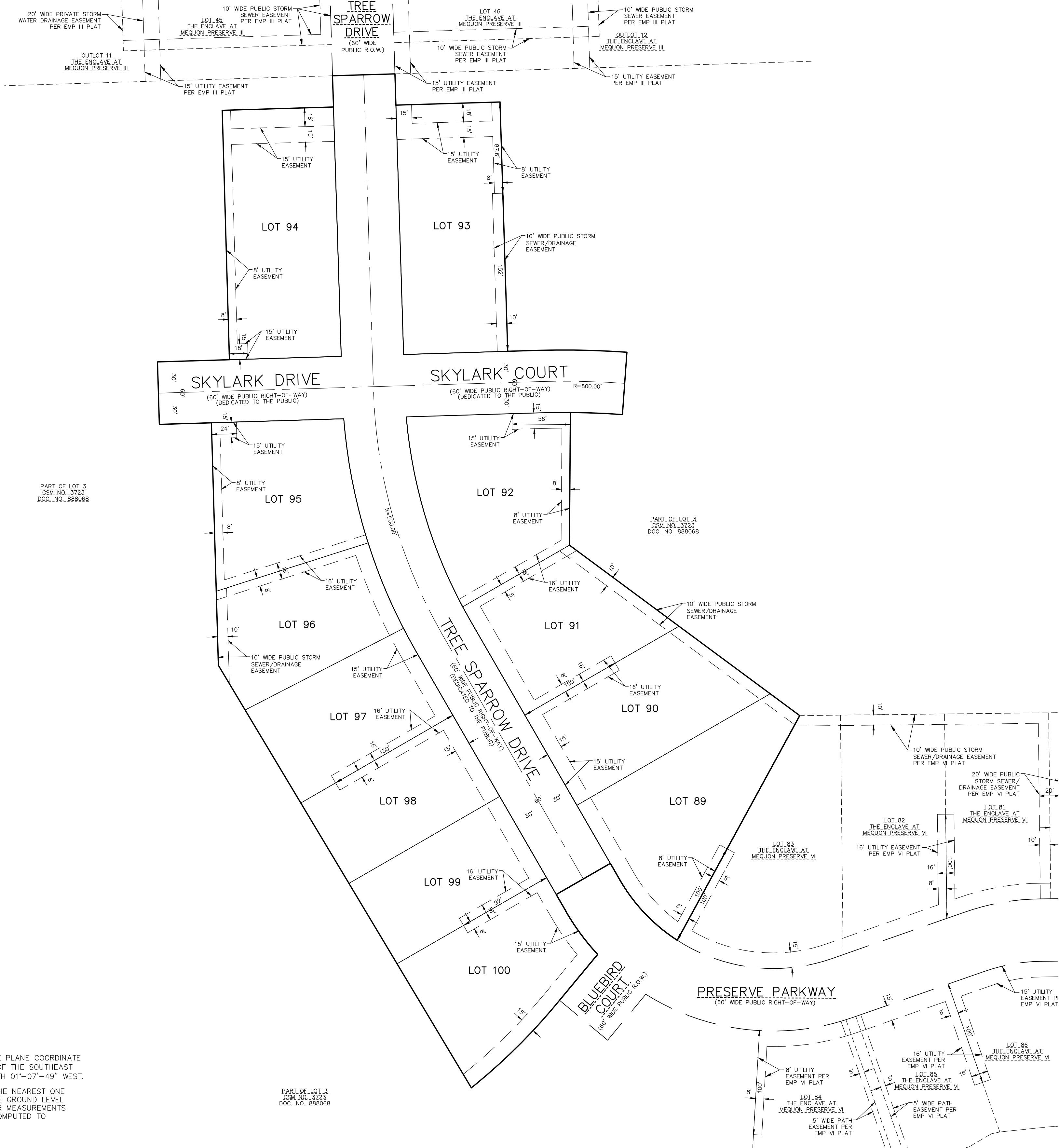


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JOB NO. 230155900

THE ENCLAVE AT MEQUON PRESERVE VII

PART OF LOT 3 OF CERTIFIED SURVEY MAP NO. 3723, ALL BEING PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 21 EAST CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



THE ENCLAVE AT MEQUON PRESERVE VII

SHEET 3 OF 3 SHEETS

VOL.

PG.

PART OF LOT 3 OF CERTIFIED SURVEY MAP NO. 3723, ALL BEING PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 28, TOWNSHIP 9 NORTH, RANGE 21 EAST CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

I, Ryan J. Wilgreen, Professional Land Surveyor hereby certify that, under the direction of Mequon I, LLC, I have surveyed, divided and mapped a parcel of land described hereon, part of Lot 3 of Certified Survey Map No. 3723, recorded in the Ozaukee County Register of Deeds office as Document No. 888068, being a part of the Northwest 1/4 and Southwest 1/4 of the Southeast 1/4 of Section 28, Township 9 North, Range 21 East, City of Mequon, Ozaukee County, Wisconsin, being more particularly described as follows:

Commencing at the Northeast corner of the Southeast 1/4 of said Section 28; thence South 01°-07'-49" East along the East line of said Southeast 1/4, a distance of 679.53 feet to the Easterly extension of the Southerly line of The Enclave at Mequon Preserve Subdivision recorded in the Ozaukee County Register of Deeds Office as Document No. 1037400; thence South 88°-22'-00" West along said Easterly extension and Southerly line, a distance of 704.00 feet; thence North 01°-05'-11" West along a Southerly line of said Subdivision, a distance of 15.70 feet; thence South 88°-15'-57" West along a Southerly line of said Subdivision, the South line of The Enclave at Mequon Preserve II Subdivision recorded in the Ozaukee County Register of Deeds Office as Document No. 1053730 and the South line of The Enclave at Mequon Preserve III Subdivision recorded in the Ozaukee County Register of Deeds Office as Document No. 1072528, said line also being the North line of said Lot 3, a distance of 1,412.19 feet to the East right-of-way line of Tree Sparrow Drive, said point being the point of beginning; thence continuing South 88°-15'-57" West along the North line of said Lot 3, a distance of 60.00 feet; thence South 01°-46'-04" East, a distance of 30.00 feet; thence South 88°-15'-57" West, a distance of 106.92 feet; thence South 01°-38'-58" East, a distance of 239.60 feet; thence South 88°-15'-57" West, a distance of 69.09 feet; thence South 01°-44'-03" East, a distance of 60.00 feet; thence North 88°-15'-57" East, a distance of 50.00 feet; thence South 01°-38'-58" East, a distance of 233.00 feet; thence South 30°-54'-28" East, a distance of 472.94 feet; thence Northeasterly 114.80 feet on a curve to the left having a radius of 570.00 feet, the chord of said curve bears North 45°-27'-07" East, a chord distance of 114.60 feet to the Southwesterly extension of a Westerly line of The Enclave at Mequon Preserve VI Subdivision (EMP VI) recorded in the Ozaukee County Register of Deeds Office as Document No. 1151354; thence North 39°-40'-56" East along said Southwesterly extension and Westerly line, a distance of 62.13 feet to the Westerly right-of-way line of Preserve Parkway; thence Northwesterly 51.59 feet along said Westerly line on a curve to the right having a radius of 230.00 feet, the chord of said curve bears North 36°-23'-51" West, a chord distance of 51.48 feet; thence North 29°-58'-19" West along said Westerly line, a distance of 18.47 feet to the Northwesterly line of Preserve Parkway; thence North 60°-01'-41" East along said Northwesterly line, a distance of 60.00 feet to the Easterly right-of-way line of Preserve Parkway; thence South 29°-58'-19" East along said Easterly line, a distance of 18.47 feet; thence Southeasterly 80.59 feet along said Easterly line on a curve to the left having a radius of 170.00 feet, the chord of said curve bears South 43°-33'-11" East, a chord distance of 79.84 feet to the Westerly line of Lot 83 of said EMP VI Subdivision; thence North 28°-36'-19" East along said Westerly line, a distance of 245.72 feet; thence North 53°-30'-33" West, a distance of 275.17 feet; thence North 00°-24'-35" East, a distance of 127.45 feet; thence Southeasterly 50.04 feet on a curve to the right having a radius of 770.00 feet, the chord of said curve bears South 87°-43'-43" East, a chord distance of 50.03 feet; thence North 04°-07'-59" East, a distance of 60.00 feet; thence Northwesterly 84.99 feet on a curve to the left having a radius of 830.00 feet, the chord of said curve bears North 88°-48'-02" West, a chord distance of 84.95 feet; thence South 88°-15'-57" West, a distance of 29.58 feet; thence North 01°-46'-04" West, a distance of 239.60 feet; thence South 88°-15'-57" West, a distance of 100.00 feet; thence North 01°-46'-04" West, a distance of 30.00 feet to the point of beginning and containing 7.039 acres (306,630 sq. ft.) of land more or less.

That such is a correct representation of all the exterior boundaries of the land surveyed and the subdivision thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin Statutes and the Subdivision Ordinance of the City of Mequon in surveying, dividing, and mapping the same.

Ryan J. Wilgreen, P.L.S. No. S-2647
ryan.w@excelengineer.com
Excel Engineering, Inc.
Fond du Lac, Wisconsin 54935

ISSUED DATE: MAY 20, 2024
REVISED DATE: SEPTEMBER 3, 2024

UTILITY EASEMENT PROVISIONS (PRIVATE)

An easement for electric, natural gas, and communications service is hereby granted by MEQUON I, LLC, Grantor, to

WISCONSIN ELECTRIC POWER COMPANY and WISCONSIN GAS, LLC,
Wisconsin corporations doing business as We Energies, Grantee,

SPECTRUM MID-AMERICA, LLC, Grantee, and

WISCONSIN BELL, INC. doing business as AT&T Wisconsin, a Wisconsin corporation, Grantee

their respective successors and assigns, to construct, install, operate, repair, maintain and replace from time to time, facilities used in connection with overhead and underground transmission and distribution of electricity and electric energy, natural gas, telephone and cable TV facilities for such purposes as the same is now or may hereafter be used, all in, over, under, across, along and upon the property shown within those areas on the plat designated as "Utility Easement Areas" and the property designated on the plat for streets and alleys, whether public or private, together with the right to install service connections upon, across within and beneath the surface of each lot to serve improvements, thereon, or on adjacent lots; also the right to trim or cut down trees, brush and roots as may be reasonably required incident to the rights herein given, and the right to enter upon the subdivided property for all such purposes. The Grantees agree to restore or cause to have restored, the property, as nearly as is reasonably possible, to the condition existing prior to such entry by the Grantees or their agents. This restoration, however, does not apply to the initial installation of said underground and/or above ground electric facilities, natural gas facilities, or telephone and cable TV facilities or to any trees, brush or roots which may be removed at any time pursuant to the rights herein granted. Buildings shall not be placed over Grantees' facilities or in, upon or over the property within the lines marked "Utility Easement Areas" without the prior written consent of Grantees. After installation of any such facilities, the grade of the subdivided property shall not be altered by more than four inches without written consent of grantees.

The grant of easement shall be binding upon and inure to the benefit of the heirs, successors and assigns of all parties hereto.

Stormwater Management Maintenance Agreement

- Outlot 20 of The Enclave at Mequon Preserve VI Subdivision is to be used for Stormwater Management purposes.
- The lot owner(s) or their successors and/or assigns (herein after referred to as the responsible parties) shall be responsible for maintenance of the stormwater management measures.
- The responsible parties shall maintain the stormwater management measures in accordance with the approved stormwater management plan on file in the offices of the City as required by the City construction, site erosion control and stormwater management ordinance.
- In the event that the stormwater management facilities located on Outlot 20 of The Enclave at Mequon Preserve VI Subdivision are not being maintained per the approved stormwater management plan, the City is hereby granted an easement to access the property to complete stormwater management maintenance measures.

OWNER'S CERTIFICATE OF DEDICATION

Mequon I, LLC, a limited liability company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this plat to be surveyed, divided, mapped and dedicated as represented on this plat.

Mequon I, LLC, does further certify that this plat is required by S236.10 or S236.12 Wisconsin Statutes to be submitted to the following agencies for approval or objection:

- Department of Administration
- City of Mequon

In witness whereof, Mequon I, LLC, has caused these presents to be signed by its official officer(s) of said limited liability company at

Madison, Wisconsin this ____ day of _____, 20__.

Mequon I, LLC
By: Forgewell Building Group, LLC, its sole member

By: _____
Chris Ehlers, Authorized Representative

STATE OF _____)

COUNTY OF _____) S.S

Personally came before me this ____ day of _____, 20__, the above named officer(s) of the above named Mequon I, LLC to me known to be the person(s) who executed the foregoing instrument and acknowledged the same.

Notary Public, _____ County, _____

My Commission Expires: _____

COMMON COUNCIL APPROVAL CERTIFICATE:

Resolved, that the plat of THE ENCLAVE AT MEQUON PRESERVE VII SUBDIVISION in the City of Mequon, is hereby approved by the Common Council.

All conditions have been met as of this ____ day of _____, 20__.

Andrew Nerbun, Mayor

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the Common Council of the City of Mequon on this ____ day of _____, 20__.

Caroline Fochs, City Clerk

COUNTY TREASURER'S CERTIFICATE

I, Sandra Tretow, being the duly elected, qualified, and acting Treasurer of the County of Ozaukee, do hereby certify that in accordance with the records in my office, there are no unpaid taxes or special assessments as of this ____ day of _____, 20__, affecting the land included in the plat of THE ENCLAVE AT MEQUON PRESERVE VII SUBDIVISION.

Sandra Tretow, Treasurer, Ozaukee County, Wisconsin

CITY TREASURER'S CERTIFICATE

I, Brenda Arnett, being the duly appointed, qualified, and acting Director of Finance of the City of Mequon, do hereby certify that, in accordance with the records in my office, there are no unpaid taxes or unpaid special assessments as of this ____ day of _____, 20__ on any of the lands included in the plat of THE ENCLAVE AT MEQUON PRESERVE VII SUBDIVISION.

Brenda Arnett, Director of Finance, City of Mequon

CONSENT OF CORPORATE MORTGAGEE

Associated Bank N.A., a Corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, does hereby consent to the surveying, dividing, mapping and dedication of the land described on this plat, and does hereby consent to the above Owner's Certificate.

In witness whereof, the said Associated Bank N.A. has caused these presents to be signed by Bryan Schreiter, its Vice President, at _____,
Wisconsin this ____ day of _____, 20__.

Associated Bank N.A.

Bryan Schreiter, Vice President

STATE OF WISCONSIN)

COUNTY OF _____) S.S

Personally came before me this ____ day of _____, 20__, Bryan Schreiter of the above named banking association to me known to be the person who executed the foregoing instrument, and to me known to be such Vice President of said banking association, and acknowledged that they executed the foregoing instrument as such officer as the deed of said banking association, by its authority.

Notary Public, _____ County, WI
My Commission Expires: _____

There are no objections to this plat with respect to Secs. 236.15, 236.16, 236.20 and 236.21(1) and (2), Wis Stats. as provided by s. 236.12, Wis. Stats.

Certified _____, 20__

Department of Administration



OWNER / DEVELOPER:
MEQUON I, LLC
6801 S. TOWNE DR.
MADISON, WI 53713

SURVEYOR:
RYAN WILGREEN
EXCEL ENGINEERING, INC.
100 CAMELOT DR.
FOND DU LAC, WI 54935
920.926.9800



EXCEL
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Always a Better Plan

100 Camelot Drive
Fond Du Lac, WI 54935
Phone: (920) 926-9800
www.EXCELENGINEER.com
JOB NO. 230155900

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2019-1560

An Ordinance Amending Chapter 58, Zoning Code, to Rezone Approximately Sixty-Four (64) Acres West of 10565 N. Wauwatosa Road Currently Zoned R-3/PUD/TDR and Five (5) Acres at 10565 N. Wauwatosa Road Currently Zoned R-3 to R-3/PUD/TDR, and Twelve (12) Acres at 7626 W. Donges Bay Road from R-3/PUD/TDR to R-3/CGO

RECITALS

A. Pursuant to section 62.23(3) of the Wisconsin Statutes, the City of Mequon is authorized to prepare and adopt a comprehensive plan, or amendment thereof, as defined in section 66.1001(1)(a) and 66.1001(2) and 66.1001(4)(c) and 66.1001(4)(d).

B. The Planning Commission by majority vote made a recommendation to approve on the 11th day of November, 2019.

C. The required due notice and public hearing by the Common Council of the City of Mequon occurred on the 11th day of February, 2020.

BASED UPON THE FOREGOING, THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION I

Following recommendation of the Planning Commission on November 11, 2019, and after due notice and hearing by the Common Council of the City of Mequon on February 11, 2020, the existing and official City of Mequon district zoning maps are hereby amended so as to change the zoning classification of certain properties, as described and illustrated in Exhibit A, to R-3/ TDR/PUD subject to the following conditions:

1. The developer is granted 68 yield lots and 14 transfer of development credits.
2. Common Council approval of the rezoning recommendation.
3. The development shall comply with preliminary plat, development agreement, and final plat requirements.
4. Road D shall incorporate traffic calming measures between Road C and Tree Sparrow Drive.
5. The cluster mailbox location shall be approved by Planning Commission at the time of Preliminary Plat. The mailboxes shall be clustered in smaller groups throughout the subdivision.
6. The portion of the public road deemed to be the major thoroughfare by staff shall include a public sidewalk within the dedicated R.O.W. on one side of the road. All cul-de-sacs require a 75' radius.
7. All lots shall maintain a minimum lot size of .30 acres. All buildings shall maintain a

minimum building setback of 30' and a maximum building setback of 40' from the interior public road right-of-way (lots on the cul-de-sac are allowed a maximum building setback of 50'), a minimum 10' offset from an interior side yard, 30' offset from the corner side and 20' rear property lines.

8. The entire property shall be appropriately field-staked for wetland areas and reviewed and approved by the Department of Natural Resources (DNR), including an indication of the required setback from the wetland, prior to action on a preliminary plat by the Planning Commission. The development is subject to appropriate Chapter 30 permitting from the DNR and necessary permitting from the Army Corp of Engineers.
9. Private lots shall not contain wetlands. The developer shall show wetlands and all required wetland setbacks on the preliminary plat. The Planning Commission shall evaluate and approve the final location of wetland setback requirements and the final location of the necessary protective measures required of the developer.
10. 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 path shall be constructed in accordance with the WisDOT Bike Path Facilities Handbook.
11. Entryway signage and landscaping is subject to the approval of the Planning Commission.
12. There shall be a permanent open space buffer along the perimeter of this development as illustrated in the attached development concept plan and per Planning Commission action.
13. Architectural design of residential buildings shall comply with a Planning Commission approved set of design standards set forth as part of the PUD and shall include the following:
 - Dwellings shall be a minimum of 1,900 square feet for a single-story and 2,100 for a multi-story.
 - No accessory structure shall project further into the front or corner side yard than the principle structure.
 - Chain link or 100% opaque fencing is prohibited. Fencing is prohibited in the front and corner side yard.
 - No less than 50% of residential buildings shall present a side loading garage, a courtyard garage entry or a 15-degree turned garage entry.
 - Of the remaining 50% that is allowed to present a front loading garage, the following shall apply: 1) no more than two garage stalls shall present on the same linear plane; 2) all front loading garages shall contain architectural details consistent with the front elevation; 3) none of the front loading garages shall have a consistent setback to that of the habitable portion of the building; and 4) no more than 30% of the front loading garages shall project further into the front yard than the habitable portion of the building.
 - There shall be no more than three (3) front-loading garage residential buildings in a row.
14. All residential buildings shall comply with the Architectural Board's publication entitled "Guidelines for Residential Structures", unless deviations are approved by the Planning Commission, and are subject to the Architectural Review Board approval.
15. Street trees are subject to the approval of the Tree Board and Planning Commission.
16. Street lighting, if proposed, is subject to the approval of the Planning staff.

17. The entire property is subject to the City of Mequon Tree Preservation Ordinance and necessary preservation easements, if any.
18. All roads and bike paths connecting to adjacent sites shall be installed at the time of each associated phase of development. The road shown to connect to the property to the west shall include the installation of a hammerhead. Removal of the hammerhead shall be approved by the City at the time of connectivity for development to west. The developer shall provide an escrow to the City for the estimated cost of removal.
19. Landscape islands within the public road are required at locations designated by staff.
20. Engineering Division review and approval of grading, drainage, stormwater management, erosion control and sewer plans in conformance to City ordinances and the Standard Specifications for Land Development.
21. Execution of a Water Service Agreement between the applicant and the Water Utility, including acceptance of the requirement to loop the water main and provide connections both on Donges Bay Road and Wauwatosa Road. The mainline water main shall meet Water Utility standards for ISO recommended fire flows of 2,500 gpm, which may require 12" pipe for the dead end main.
22. Provision of Easements over existing and proposed drainageways with supporting language requiring Homeowners Association maintenance and access granted to the City.
23. The applicant shall provide utility easements for the adjacent lot owners to allow access to the public water main and sanitary sewer.
24. WDNR approval of the wetland impact and proposed road crossing over the navigable waterway.
25. Public road design standards shall be subject to the review and approval of the Engineering Division and the Fire Department.
26. Fire Department approval of the number and location of fire hydrants.
27. Any substantial change to the general concept plans illustrated in the attached exhibits shall require appropriate amendments to this ordinance.
28. The development must provide right-of-way and road cross connections to the adjacent properties.
29. Adjacent road connections must be constructed with the respective phase and must include a temporary turnaround both to the adjacent lots and future phases until constructed.
30. A secondary access shall be constructed prior to the issuance of building permits on Phase Two. The existing hammerhead on Tree Sparrow Drive shall be removed at the time of connection.
31. Connection to public water and sanitary sewer. The applicant shall obtain the necessary approval and permits for the installation of the sanitary sewer and water main from the various regulatory agencies. All utilities must be constructed to provide service to adjacent properties and adhere to the design parameters of the City's master plan for the area. Lateral extensions shall be provided for all adjacent lots served by the proposed public utilities.
32. Approval of a storm water management plan for the site in conformance to City ordinances and MMSD Chapter 13, including execution of a Storm Water Facilities Easement Declaration and Agreement.
33. The applicant shall provide utility easements and laterals for the adjacent lot owners to allow access to the public water main and sanitary sewer.
34. WisDOT access permit for the Wauwatosa Road/ STH 181 entrance and associated MOU with the City of Mequon. The development would be financially responsible for the

improvements.

35. WDNR approval of the wetland impacts and proposed crossing over a navigable waterway.
36. A fill permit is required for any material brought to or removed from the development.
37. As a condition of approval and issuance of the permit, the City Engineer will require in accordance with City ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow / letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).
38. Final legal documents are subject to City Attorney review and approval prior to recording of final plat.

SECTION II

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

SECTION III

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

SECTION IV

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

Approved by: John Wirth, Mayor

Date Approved: February 11, 2020

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on February 11, 2020.

Caroline Fochs, City Clerk

Published: February 20, 2020



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: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: September 23, 2024
SUBJECT: Ray's Wauwatosa, Inc. The applicant is seeking building and site plan amendment approval to allow for the conversion of a vacant building for the property located at 7555 W. Mequon Road (Ray's Wine & Spirits).

Applicant:	Rays Wauwatosa Inc
Status of Applicant:	Agent
Requested:	Building & Site Plan Amendment
Existing Zoning:	AC (Arrival Corridor)
Lot size:	2.15 Acres
Location:	7555 W. Mequon Road
Tax Key Number:	#14-027-06-002.00
District:	#4

Background

Applicant is requesting a Building and Site Plan Approval (BSP) for the property at 7555 W. Mequon Road, formerly The Finial retail building. This review is required due to the nature of the parcel being within the Town Center neighborhood, Arrival Corridor district, which requires all sites changing use to undergo BSP if they have not in the past five (5) years. The use of beer, wine and liquor store is permitted in the Arrival Corridor (AC) zoning district.

Rays Wine & Spirits is a full-service retail store with an original location in the City of Wauwatosa. The store will sell wine, spirits and beer with expert staff on site full-time and provide special orders. The store includes a deli with fine cheeses and meats along with other fine packaged food for sale. In addition, the store will host a classroom accommodating approximately 32 guests for entertainment, knowledge and social interaction. Classes are held on average twice per week and otherwise accommodates rentals for the space.

The existing structure is two stories and 13,500 square feet. The applicant proposes the following improvements:

- New exterior wood siding
- New larger cutters and buried discharge
- Replacement of the final $\frac{1}{4}$ roof, current owner replaced the initial $\frac{3}{4}$
- Parking lot will be repaired, sealed and striped
- Landscaping will be updated to Town Center standards

The operations will include 10-14 new full-time equivalent employees and hours of operations as follows, which complies with the district standards:

- Monday – Thursday: 9:00 am – 9:00 pm

- Sunday: 9:00 am – 5:00 pm

Arrival Corridor District Standards:

District Regulations:	AC:	Proposal
Minimum Lot Area:	1 acre	2.21 acres
Minimum Gross Floor Area	1,200 sq. ft.	13,500 sq. ft.
Maximum Gross Floor Area	25,000 sq. ft.	13,500 sq. ft.
Minimum Street Frontage	100 feet	340 and 460 feet
Building Setback	10 feet max	185 feet
Building East Side Yard Offset:	10 feet	163 feet
Building North Side Yard Offset:	10 feet	258 feet
Building West Side Yard Offset:	10 feet	225 feet
Building South Side Yard Offset:	20 feet	105 feet
Off-Street Parking:	67 stalls	76 stalls

Site Plan:

The applicant has met multiple times with staff to address compliance with the Town Center design standards in their approach to changes to the site and building. The site does not meet a number of the district standards in Town Center. The site appeals to the applicant given the structure's adaptive reuse for their specific operations. The building has a fair market value of approximately \$900K and the site design is like the site design of the other commercial developments at the intersection.

Section 58-302, identifies the purpose of the Arrival Corridor District is as follows:

Purpose. The Arrival Corridor (AC) district is established to create and enhance the mixed-use character of the Arrival Corridor, to create physical connectivity to the Mequon - Thiensville Town Center, to establish and promote pedestrian character, to protect the natural environment, to mitigate the impacts of vehicular traffic, to establish and maintain mixed-uses that are larger in scale than allowed in the Town Center District, including a broad range of housing types at densities that support the Town Center, and to encourage high-quality design standards throughout the Town Center.

The City, through its 20-plus years of planning and implementation of the Town Center neighborhood's objectives, has acknowledged the limitation of pedestrian oriented development at this western gateway of Mequon Road and Wauwatosa Avenue intersection. This is in part because of the commercial development at the intersection, the presence, and expansion, of Somers Automotive and recognition that the Civic Campus, Milwaukee River, association with the Village of the Thiensville offered the best connectivity for activity and vitality among residents and new development. Further, the most underutilized and undervalued properties were present in the two blocks of Mequon Road between the river and approximately one (1) block west of Buntrock Avenue. The city identified the need for consistency throughout the entire neighborhood but has not implemented pedestrian oriented infrastructure to as great of extent from Mequon Trail to Wauwatosa Avenue as done from Mequon Trail to the east. Staff's approach to redevelopment of The Finial, as done with Mobil and Outpost Natural Foods, is to ensure pedestrian safety to/from site, implementation of human-scale streetscape consistent with the entire Town Center neighborhood and promote opportunities on-site for gathering spaces.

Both access points are appropriately positioned furthest from the intersection and will include Town Center light fixtures and new monument signage. As required by code and the Mequon-

Thiensville Town Center Design Guidelines, the street edge will be treated with Town Center street trees and a landscaped edge that will screen the parking that is non-compliant with setback requirements. The landscape edge for screening shall obtain a growth of 30-36 inches in height and be treated with Town Center approved species. The Mequon Road street edge includes a public sidewalk, which will be extended along the Wauwatosa Road street edge to the south property line. The landscaping at the front entrance and the foundation of the building will be contemporized. Old light fixtures within the parking lot are non-compliant and shall be removed and replaced. The parking lot will be treated with new landscape islands. Outdoor café seating is located under the covered roof lines along the north and west building façades.

Section 58-302(n)1 requires Pedestrian access. Walkways shall connect building entrances to adjacent public sidewalks or trails and to any parking facility located on the same site. Walkways shall be a minimum of four feet in width.

Therefore, the site shall accommodate pedestrian access from the Mequon Road sidewalk to the interior of the site and ultimately to the building entrance.

The parking lot currently has a total of 77 spaces, which exceeds the parking code requirement of 67 spaces. The applicant acknowledges that staff members from Outpost Natural Foods has utilized vacant parking onsite and while there is no formal easement or agreement, Ray's is willing to accommodate staff overflow parking up to ten (10) spaces. The applicant will formalize this agreement with Outpost Natural Foods after purchasing the property. Both Ray's and planning agree that employee parking shall be located in the rear and if designated for staff, shall be signed accordingly.

Building Plan:

The applicant does intend to update the building's façade or appearance. Improvements include new exterior wood siding, larger and buried gutters and new roofing. The Town Center regulations state the following:

Section 58-302 (l)(1) Building Composition states: In addition to the required windows and principle entrance, the front facade shall include architectural features which emphasize it as the front façade.

Section 58-302(l)(4) states, *Awnings and canopies.* Awning and canopies are encouraged in order to provide protection for pedestrians and shall be placed to emphasize individual uses and entrances. Back-lighted, plastic, vinyl or similar material awnings and canopies shall be prohibited.

In staff's opinion, the architectural details of the principle entrance and the barn-style roofline makes awnings an unlikely match. The doors and upper windows are already setback from the plane of the front façade, which provides an overhang to the entry. The applicant shall comply with Section 58-302(l)(2), which states that window obstructions are prohibited.

Engineering Report:

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

Access is provided through an existing driveway on STH-181 (Wauwatosa Road) and STH-167 (Mequon Road). No access modifications are proposed in association with the project. Both roads are under the jurisdiction of the Wisconsin Department of Transportation (WisDOT). It is

not anticipated that the change in use would trigger any additional design accommodations, but the applicant is responsible for confirming with WisDOT.

Sidewalk extension is proposed on Wauwatosa Road between the Mequon Road/Wauwatosa Road intersection and the south driveway. The applicant shall submit a plan for extension showing the sidewalk details, sign relocations, and other site work for review and approval.

There is no indication of wetlands on the site. The site was screened for mapped wetlands using WDNR Surface Water Data Viewer.

The site is located within the City's sewer service area and is served by public sewer and a private well for water service. There is public water service available on the site. Water connection is not required at this time, as a change in use does not trigger the connection requirements according to the Water Connection Policy.

The site improvements include removal of portions of parking lot and sidewalk extension. The improvements shown on the plan will result in a net reduction in impervious surface, therefore, no stormwater runoff management is required.

While a reduction in impervious area is anticipated, if the improvements add more than 5,000 square feet of impervious surface, per MMSD rules, then green infrastructure will be required. The applicant shall design and submit for review and approval a green infrastructure plan in conformance with MMSD rules and City ordinances. Green infrastructure plans also require the execution of a Stormwater Maintenance and Easement Agreement and a drainage financial guarantee.

A filling, excavation, and berms permit is required. The total amount of filling and excavation is anticipated to be less than 1,000 cubic yards and therefore does not require Planning Commission approval.

The proposed improvements will disturb an area greater than 4,000 square feet and is therefore subject to a City of Mequon Erosion Control Permit.

Staff Recommendation:

Staff recommends **approval** of the building and site plan review subject to the following conditions:

1. Submittal of a final landscaping plans to be reviewed and approved by staff detailing landscaping, plant species and variety to include but not limited to:
 - a) Landscaping to screen the parking lot from the street.
 - b) Landscaping around the base of the building and sign structures
 - c) Street trees
2. A lighting plan that includes the Town Center streetlights near the driveway of the site and compliant fixtures throughout the site. Final lighting plan shall be reviewed and approved by staff.
3. Submittal final site plan including pedestrian access and public sidewalk removal of boulders and tree stumps.
4. Staff review and approval of an updated building plan set that includes:
 - a) Window obstructions are prohibited.

5. Engineering Division review and approval of the individual site plan, including sidewalk layout, erosion control and utility plans, in conformance to City ordinances and the Standard Specifications for Land Development.
6. Application for and approval of a City Filling and Excavation Permit, if applicable.
7. Application for and approval of a City erosion control permit, subject to applicable fees.
8. Staff review and approval of final site, building and lighting prior to issuance of permits. The applicant shall submit such plan within 180 days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.

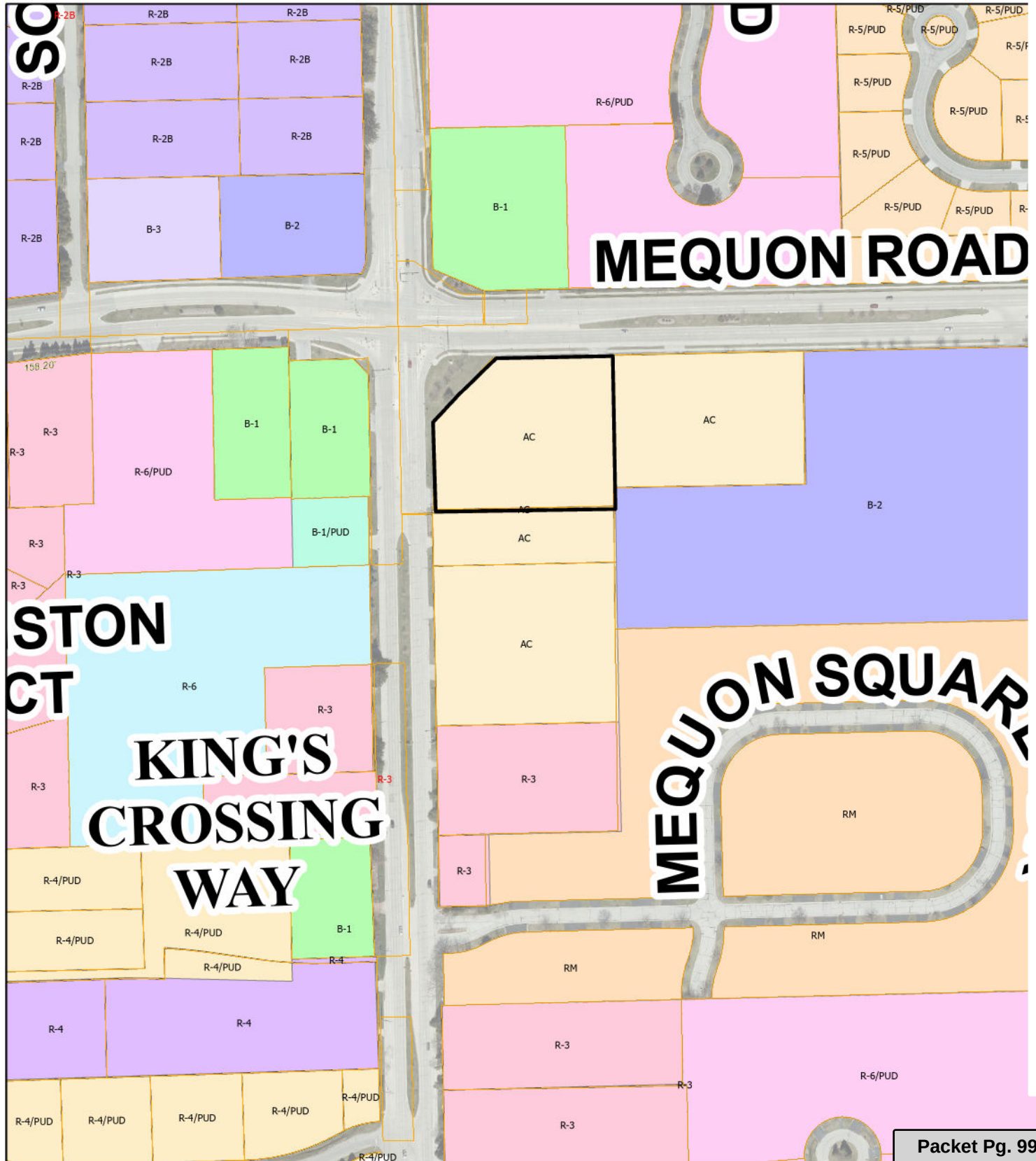
Attachments:

Packet Docs_Rays (PDF)

RAY'S WAUWATOSA, INC.

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

4.a.a



Attachment: Packet Docs_Rays (9684 : Ray's Wauwatosa, Inc.)

August 15, 2024

Project Address: 7555 West Mequon Road, in the City of Mequon, Ozaukee County, Wisconsin.

Lot One (1) of Certified Survey Map No. 1644, recorded in the Ozaukee County Registry in Volume 12 of Certified Survey Maps on pages 156-157, as Document No. 360135, and being a part of the Northwest One-quarter (1/4) of Section Twenty-seven (27), Township Nine (9) North, Range Twenty-one (21) East, in the City of Mequon, Ozaukee County, Wisconsin.

Project Description: The conversion of a vacant building into a full-service Liquor store. The work to be done includes maintenance to the exterior of the structure, including new exterior wood siding, new larger gutters with discharges buried. The roof will have the final section replaced. Three quarters of the roof has been replaced by the current owner. The landscaping will be updated to current standards. The parking lot will be repaired, sealed and striped.

The building operations will be Ray's Wine & Spirits second store. The original store is in Wauwatosa twelve miles south. The store is a full-service liquor store selling wine, spirits and beer. We will stock the largest variety of products in Mequon. Expert help will always be available for guests. If we don't carry the product, we will source it and special order it if available. Along with beverages, a self-service deli area with fine cheese and meat will be available. Other fine packaged food will also be stocked.

Lastly, the east end of the store houses our classroom. This is a meeting area that we set up to hold classes on wine, spirits and cocktails. The area can support 32 guests that would want an evening of entertainment, knowledge and social interaction. Currently the Wauwatosa store hosts an average of 2 classes weekly. This room can be rented by local groups when activities are not scheduled.

Owner: Oren Laev, Owner
OWL 1981 Properties LLC
8930 W North Ave
Wauwatosa, WI 53226

Agent: Michel Gardner
Rays Wauwatosa Inc
8930 W North Ave
Wauwatosa, WI 53226

Architect: Willian Conine
Perspective Design Inc (PDI)
11525 W North Ave
Wauwatosa, WI 53226

Parking: 85 spaces available

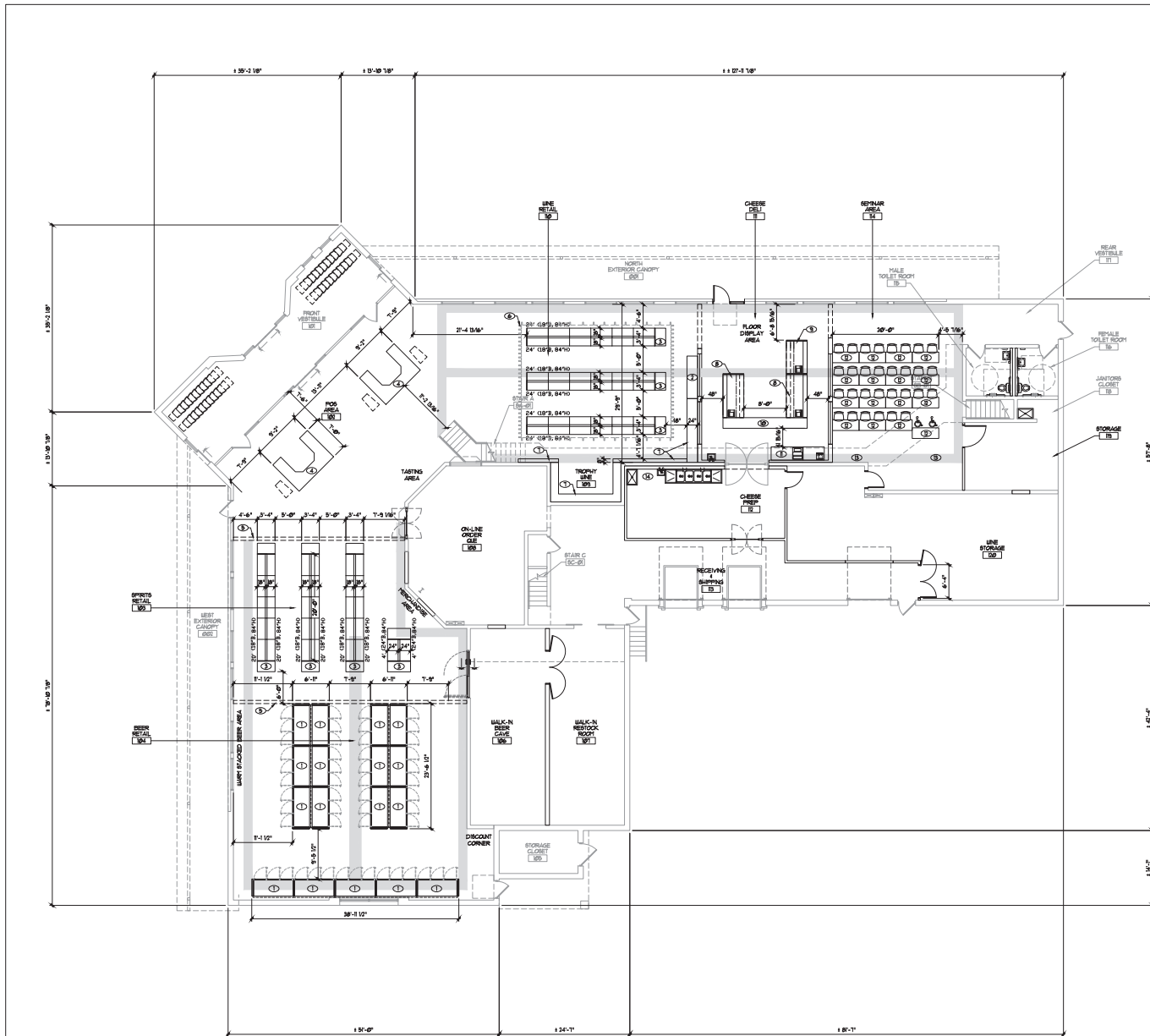
Height: 55 feet (existing)

First Floor Area: 13,532 SF

Zoning: AC – Permitted use

Attachment: Packet Docs_Rays (9684 : Ray's Wauwatosa, Inc.)

FILE NAME: P:\PROJECTS\RAY'S CAFE & SPORTS - WILSON\RAY'S CAFE.dwg DATE: 01/11/2017 11:00:00



REFER TO DETAIL 1 ON SHEET A18 FOR GENERAL NOTES AND KEYED NOTES.

1ST FLR FF LAYOUT
SCALE: 1/8" = 1'-0"



- FURNITURE / EQUIPMENT PLAN NOTES:**
- FURNITURE / EQUIPMENT PLAN PROVIDED FOR REFERENCE ONLY. VERIFY ALL FINAL SELECTIONS, LOCATIONS AND SERVICE REQUIREMENTS WITH EQUIPMENT SUPPLIER & OWNER.
 - ELECTRICIAN TO COORDINATE ELECTRICAL & LOW VOLTAGE NEEDS WITH EQUIPMENT SUPPLIER AND OWNER/tenant.
 - PLUMBER TO COORDINATE WATER / DRAIN AND VENTING NEEDS WITH EQUIPMENT SUPPLIER AND OWNER/tenant.
 - VERIFY WITH OWNER/tenant ANY SPECIAL EQUIPMENT INSTALLATION.
- EQUIPMENT TAGS:**
1. FLOOR COVERING: RECOMMENDED FLOORCOVERING FOR GENERAL SPACE PLANNING THESE UNITS ARE SHOWN AS A (1) DOOR ZONE SOME CRITICAL FLOORCOVERING 1'-0" X 1'-0" X 1'-0" DEEP WITH A 1/2" CLEAR AIR SPACE BEHIND EACH SET. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS.
 2. OPEN AIR / RECOMMENDED FLOORCOVERING FOR GENERAL SPACE PLANNING THESE UNITS ARE SHOWN AS A 1'-0" X 1'-0" X 1'-0" DEEP. PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS.
 3. RETAIL FLOORCOVERING: SEE FLOOR COVERING. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS.
 4. ADA COMPLIANT (POSSIBLE POINT OF SALES HILLTOP). PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS. ALL DETAILS AND DESIGNS BY HILLTOP CONTRACTOR.
 5. CEILING HANGING DISPLAY (HANGING). SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS. ALL DETAILS AND DESIGNS BY HILLTOP CONTRACTOR.
 6. CEILING HANGING TRELLIS (HANGING). SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS. ALL DETAILS AND DESIGNS BY HILLTOP CONTRACTOR.
 7. WALL SHELVING. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS. ALL DETAILS AND DESIGNS BY HILLTOP CONTRACTOR.
 8. RECOMMENDED DISPLAY CASE. FOR GENERAL SPACE PLANNING THESE UNITS ARE SHOWN AS 9'-0" WIDE X 5'-0" DEEP. PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS.
 9. RECOMMENDED DISPLAY CASE. FOR GENERAL SPACE PLANNING THESE UNITS ARE SHOWN AS 9'-0" WIDE X 5'-0" DEEP. PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS.
 10. ADA COMPLIANT (POSSIBLE POINT OF SALES HILLTOP). PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS. ALL DETAILS AND DESIGNS BY HILLTOP CONTRACTOR.
 11. BACK BAR HILLTOP. PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS. ALL DETAILS AND DESIGNS BY HILLTOP CONTRACTOR.
 12. GLASS ROOF STYLE TABLES AND CHAIRS. PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS. ALL DETAILS AND DESIGNS BY HILLTOP CONTRACTOR.
 13. APPROXIMATE LOCATION OF FLAT SCREEN TV. PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS.
 14. APPROXIMATE DRINKWARE. PROVIDE ALL CONNECTIONS AS REQUIRED. SEE OWNER/tenant FOR ALL SELECTIONS AND CUT SHEETS.

DO NOT SCALE THESE DRAWINGS

PRELIMINARY - FOR ESTIMATING AND REVIEW ONLY

NOT FOR CONSTRUCTION

11/11/2017 11:00:00

DATE
SCALE
SHEET

1ST FLR
LAYOUT

PERSPECTIVE
RAY'S CAFE & SPORTS

Project Information For
RAY'S CAFE & SPORTS

Project
RAY'S CAFE & SPORTS

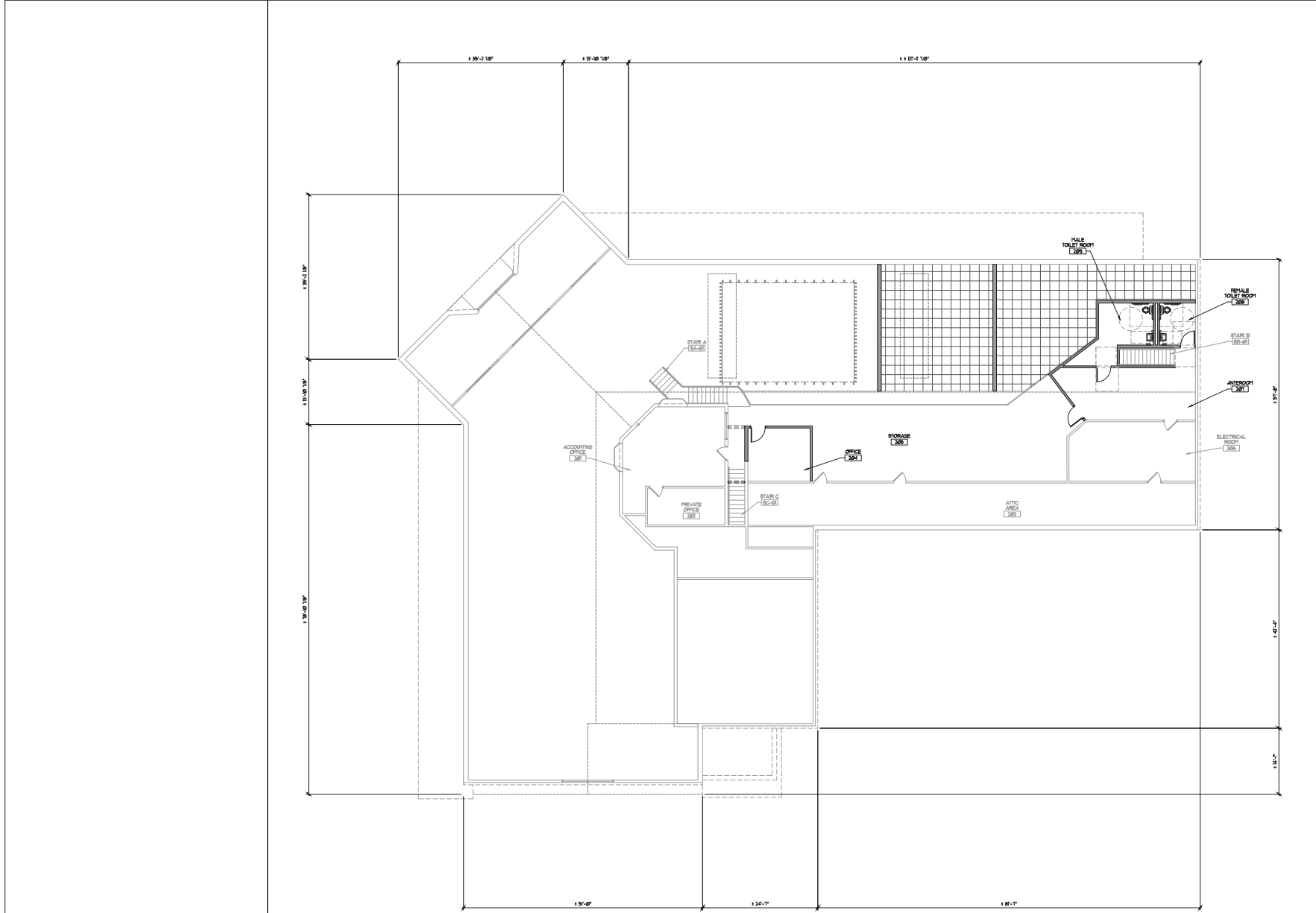
DESCRIPTION
RAY'S CAFE & SPORTS

DESCRIPTION
RAY'S CAFE & SPORTS

DESCRIPTION
RAY'S CAFE & SPORTS

4.a.a

Attachment: Packet Docs Rays (9684 : Ray's Wauwatosa, Inc.)



NOT USED
SCALE: N/A

2

REFER TO DETAIL 1 ON SHEET A11 FOR GENERAL NOTES AND KEYED NOTES.

2ND FLR FLOOR WALL FINISH PLAN
SCALE: 1/8" = 1'-0"



1

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PLT SIZE: PRINT = 24" x 36" SHEET

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Project Information For:

Dr. J. A. Miller & Son, Inc.

PERSPECTIVE PROJECTS, INC.



2ND FLR FLOOR WALL FINISH PLAN

DATE: 7/15/2024

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

SHEET: A

NO.	REV.	DATE	DESCRIPTION
1	1	7/15/2024	ISSUED FOR PERMIT

NO.	REV.	DATE	DESCRIPTION
1	1	7/15/2024	ISSUED FOR PERMIT

NO.	REV.	DATE	DESCRIPTION
1	1	7/15/2024	ISSUED FOR PERMIT

NO.	REV.	DATE	DESCRIPTION
1	1	7/15/2024	ISSUED FOR PERMIT

NO.	REV.	DATE	DESCRIPTION
1	1	7/15/2024	ISSUED FOR PERMIT

NO.	REV.	DATE	DESCRIPTION
1	1	7/15/2024	ISSUED FOR PERMIT

NO.	REV.	DATE	DESCRIPTION
1	1	7/15/2024	ISSUED FOR PERMIT

4.a.a

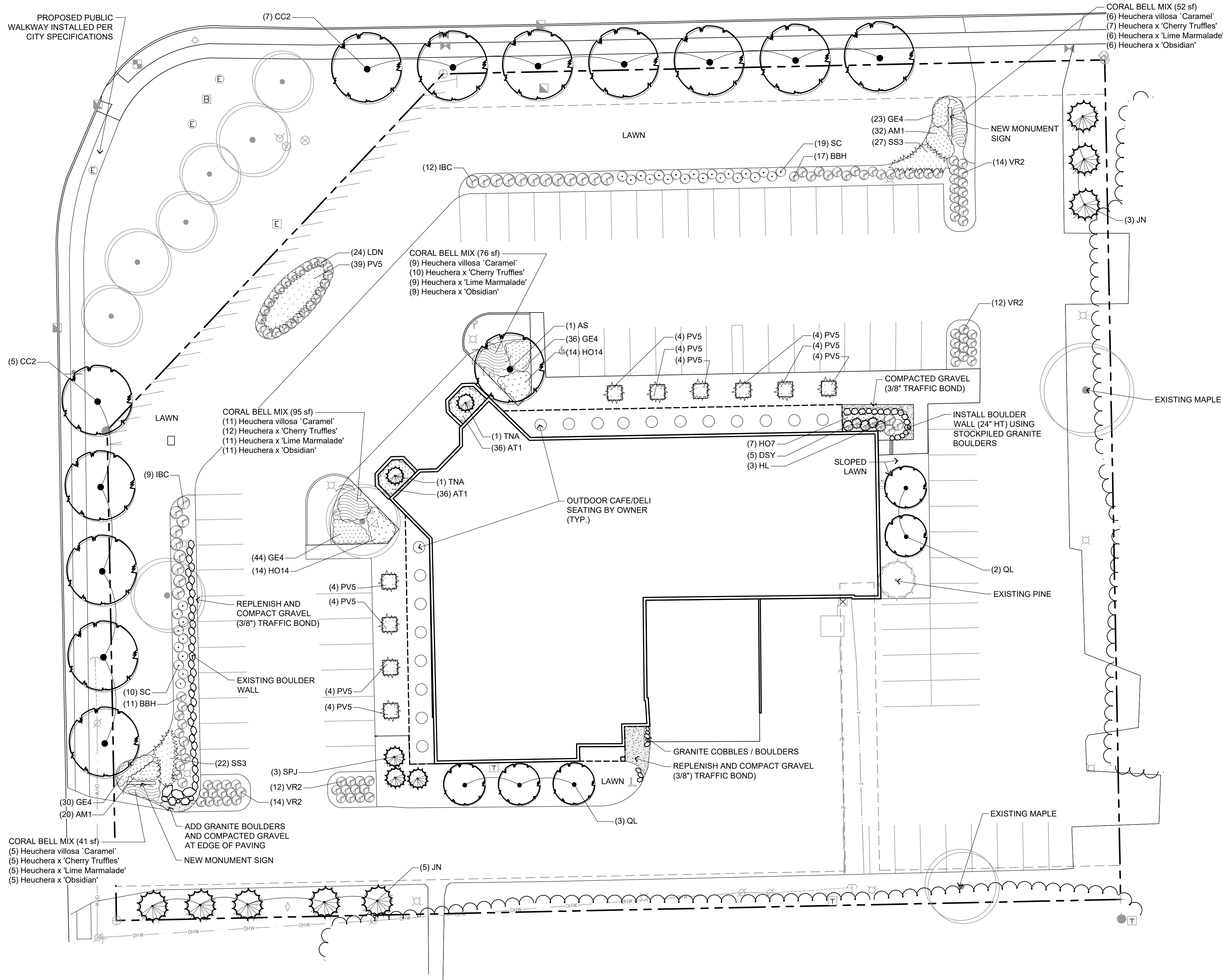
Attachment: Packet Docs_Rays (9684 : Ray's Wauwatosa, Inc.)



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Packet Pg. 103



PLANT SCHEDULE

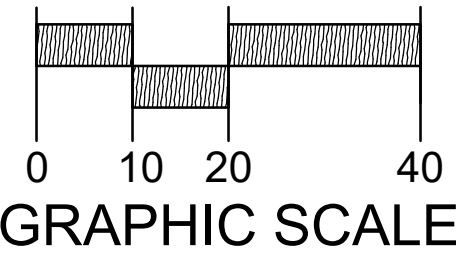
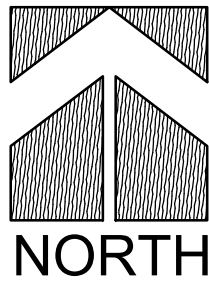
CODE	QTY	COMMON NAME	BOTANICAL NAME	INSTALLED SIZE	ROOT	SPACING
EVERGREEN TREES						
JN	8	Emerald Feather™ Eastern Redcedar	Juniperus virginiana 'J.N. Select Green'	6' HT	B&B	Spacing as shown
SPJ	3	Star Power Juniper	Juniperus x 'J.N. Select' Star Power TM	6' HT	B&B	Spacing as shown
TNA	2	Technito Arborvitae	Thuja occidentalis 'BallJohn'	5' HT	B&B	Spacing as shown
SHADE TREES						
AS	1	Schweidler Norway Maple	Acer platanoides 'Schwedler'	3" CAL	B&B	Specimen
CC2	12	Chicagoland Hackberry	Celtis occidentalis 'Chicagoland'	2 1/2" CAL	B&B	Spacing as shown
QL	5	Regal Prince® Oak	Quercus robur x bicolor 'Long'	2 1/2" CAL	B&B	Spacing as shown
DECIDUOUS SHRUBS						
IBC	21	Iroquois Beauty Black Chokeberry	Aronia melanocarpa 'Morton'	15" HT	CONT	Spacing as shown
VR2	52	Kodiak® Black Honeysuckle	Diervilla rivularis 'SMNDRSP'	15" HT	CONT	Spacing as shown
BBH	28	BoBo® Hydrangea	Hydrangea paniculata 'LLVOBO'	18" HT	CONT	Spacing as shown
HL	3	Little Quick Fire® Hydrangea	Hydrangea paniculata 'SMHPLOF'	18" HT	CONT	Spacing as shown
LDN	24	Little Devil™ Ninebark	Physocarpus opulifolius 'Donna May'	18" HT	CONT	Spacing as shown
SC	29	Pink Sparkler Spirea	Spiraea betulifolia 'COURISPD1' PPAF	18" HT	CONT.	Spacing as shown
EVERGREEN SHRUBS						
DSY	5	Dense Yew	Taxus x media 'Densiformis'	18" HT	B&B	Spacing as shown
ORNAMENTAL GRASSES						
PV5	79	Shenandoah Switch Grass	Panicum virgatum 'Shenandoah'	1 GAL	CONT	30" Spacing
SS3	49	Carousel Little Bluestem Grass	Schizachyrium scoparium 'Carousel'	1 GAL	CONT	24" Spacing
PERENNIALS						
AM1	52	Blue Ice Bluestar	Amsonia x 'Blue Ice'	4 1/2"	POT	18" Spacing
AT1	72	Visions Astilbe	Astilbe chinensis 'Visions'	4 1/2"	POT	18" Spacing
GE4	133	Rozanne Cranesbill	Geranium x 'Rozanne' TM	4 1/2"	POT	18" Spacing
HO7	7	August Moon Hosta	Hosta x 'August Moon'	4 1/2"	POT	24" Spacing
HO14	28	Sum and Substance Hosta	Hosta x 'Sum and Substance'	4 1/2"	POT	30" Spacing

CORAL BELL MIX		263 sf
Heuchera villosa 'Caramel' / Caramel Coral Bells		31
Heuchera x 'Cherry Truffles' / Dolce® Cherry Truffles Coral Bells		34
Heuchera x 'Lime Marmalade' / Lime Marmalade Coral Bells		31
Heuchera x 'Obsidian' / Obsidian Coral Bells		31

LANDSCAPE CALCULATIONS
PERVIOUS SPACE = 26,955 SF
IMPERVIOUS SPACE = 69,306 SF

1 TREE PER 1,000 SF OF AREA LANDSCAPED
REQUIRED: 27 TREES
PROVIDED: 31 TREES

2 SHRUBS PER 1,000 SF OF AREA LANDSCAPED
REQUIRED: 54 SHRUBS
PROVIDED: 157 SHRUBS



Know what's below.
Call before you dig.

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DESCRIPTION

DATE

16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000
rasmith.com

raSmith
CREATIVITY BEYOND ENGINEERING

Brookfield, WI | Milwaukee, WI | Appleton, WI | Madison, WI
Cedarburg, WI | Naperville, IL | Irvine, CA

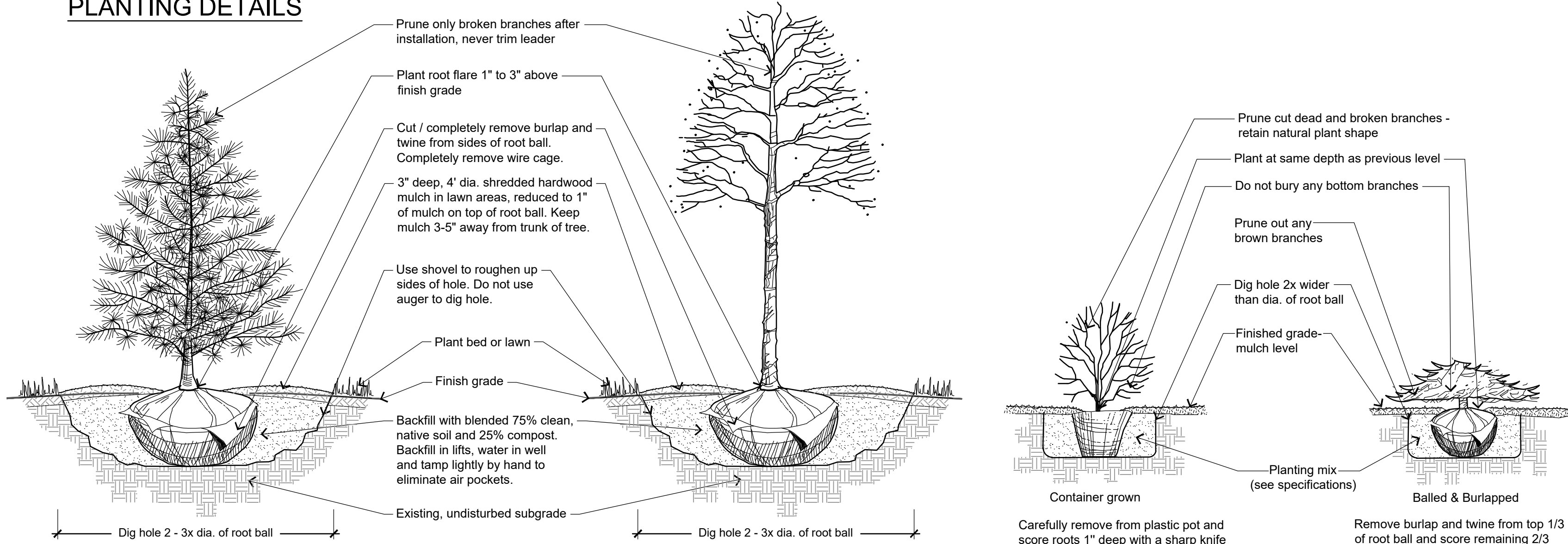
RAY'S WINE AND SPIRITS
7555 W MEQUON RD

LANDSCAPE PLAN

© COPYRIGHT 2024
R.A. Smith, Inc.
DATE: 07/16/2024
SCALE: 1" = 20'
JOB NO. 3240126
PROJECT MANAGER:
TOM MORTENSEN, PLA
DESIGNED BY: ERM
CHECKED BY: TAM

SHEET NUMBER
L101

PLANTING DETAILS



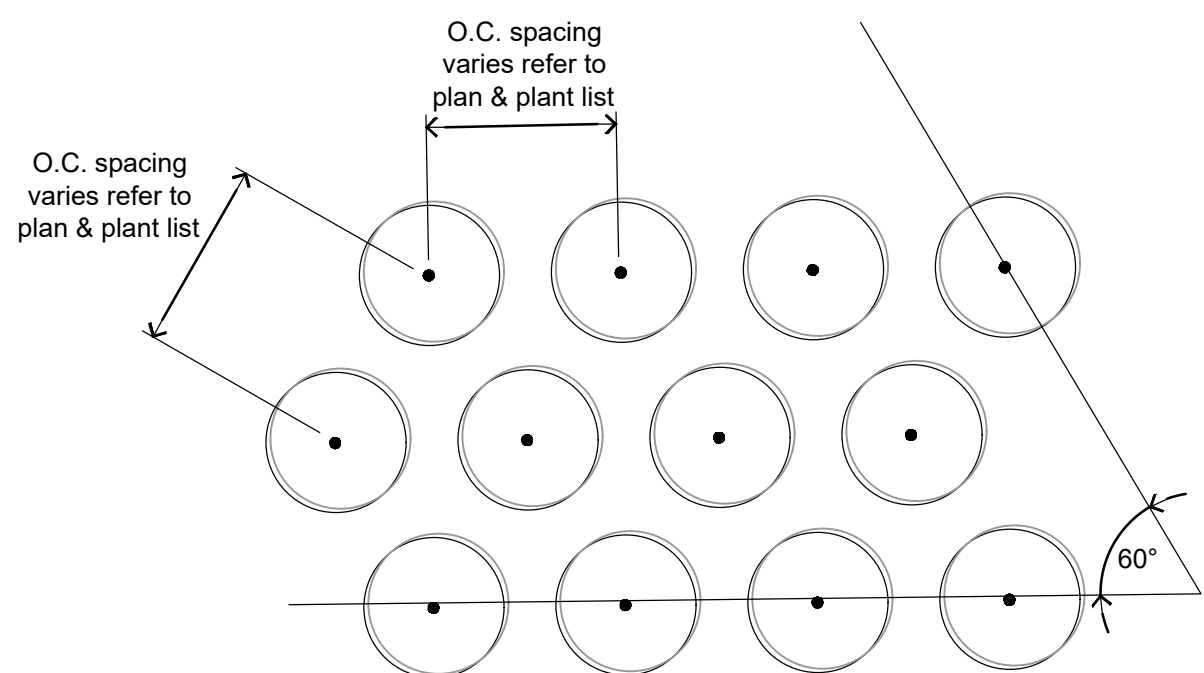
1 TREE PLANTING DETAIL

NOT TO SCALE

P-PL-TREE-07

2 SHRUB PLANTING DETAIL

NOT TO SCALE



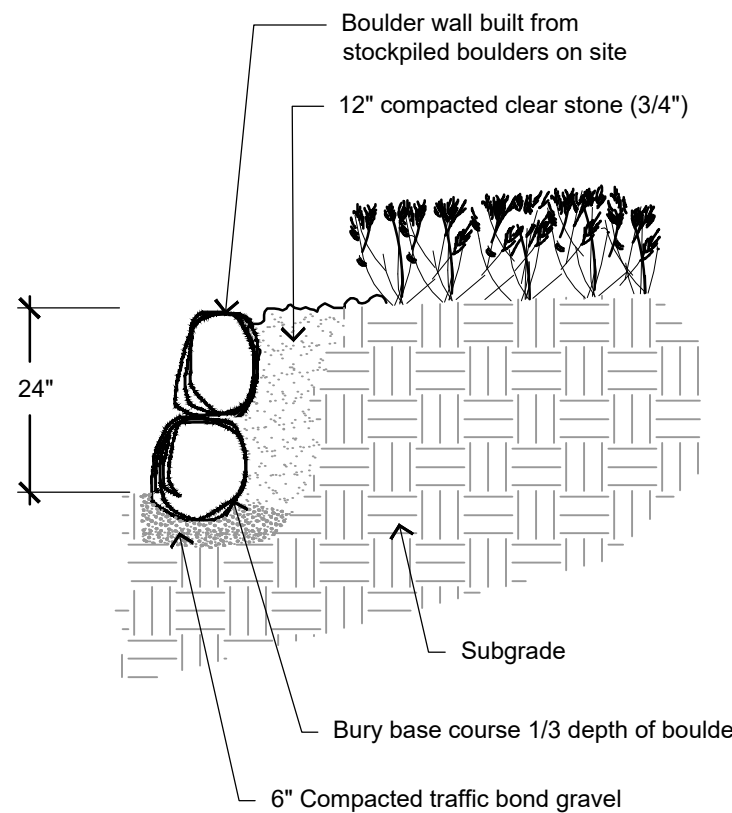
3 PLANTING LAYOUT

NOT TO SCALE

P-PL-PL-01

4 SHOVEL OR MECHANICAL CUT PLANT BED EDGE DETAIL

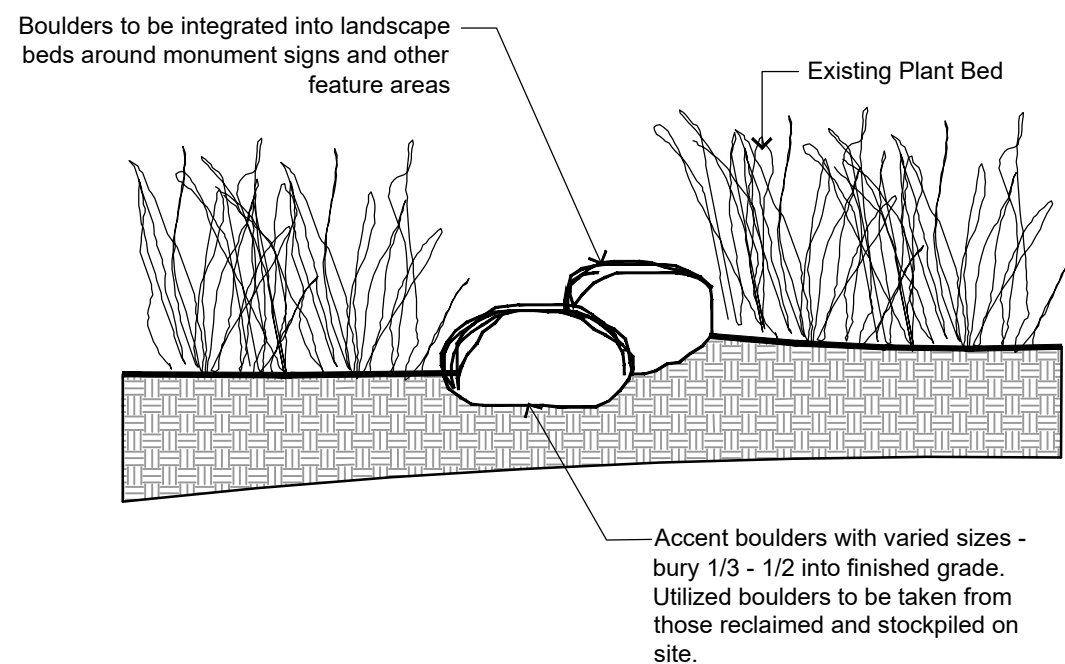
NOT TO SCALE



5 24" BOULDER WALL DETAIL WITH PLANTINGS

NOT TO SCALE

P-WALL-BOU-07



6 ACCENT BOULDER DETAIL

NOT TO SCALE

P-AC-09

GENERAL LANDSCAPE NOTES

- Contractor responsible for contacting public and private underground utility locating service to have site marked prior to any digging or earthwork. raSmith is not held responsible for any unmarked utilities found on site.
- Contractor to verify all plant quantities shown on plant list and verify with plan. Report any discrepancies immediately to general contractor.
- All plantings shall comply with standards as described in American Standard of Nursery Stock - ANSI Z60.1 (latest version). General contractor or owner's representative reserves the right to inspect and potentially reject any plants that are inferior, compromised, undersized, diseased, improperly transported, installed incorrectly or damaged.
- Any potential plant substitutions must be submitted in writing to the general contractor and approved by the owner's representative or landscape architect prior to installation. All plantings shall be installed as per sizes and quantities shown on plant material schedule, unless approved by the owner's representative or landscape architect. Any potential changes to sizes shown on plan and appropriate cost credits / adjustments must be submitted in writing to the general contractor and approved by the owner's representative or landscape architect prior to installation.
- The subsequent requirements regarding topsoil should be coordinated between the general contractor, grading contractor and landscape contractor.
- Subgrade areas shall be graded to within 1", more or less, of proposed subgrade. Deviations shall not be consistent in one direction.
- Topsoil shall be placed to meet proposed finished grade. Planting islands to be backfilled with clean topsoil free of debris (per note below) to a minimum depth of 18" by general / grading contractor to insure long term plant health. All other landscaped areas to receive a minimum depth of 6" of clean topsoil (per note below).
- Topsoil shall be: screened existing stockpiled topsoil, existing in-place soil, or screened soil from an off-site source that will support plant growth, and meets the following requirements. Clean topsoil shall be free of rocks, coarse fragments, gravel, sticks, trash, roots, debris over 3/4" and any substances harmful to plant growth. It also must be free of plants or plant parts of any noxious weeds. Topsoil shall contain 3 to 5 percent decomposed organic matter and a pH between 5.5 and 7.0.
- Planting beds and parking lot islands: Landscape contractor is responsible for ensuring that unwanted material (gravel, debris, roots and other extraneous material harmful to plant growth) has been removed from the topsoil and for the fine grading of all landscaped areas. The fine grading of planting beds and parking lot islands may require additional topsoil to bring to finish grade, allowing for mulch depth. Crown all planting islands and planting beds not adjacent to buildings, a minimum of 6" to provide proper drainage, unless otherwise specified. All other finished landscaped areas to be smooth, uniform and provide positive drainage away from structures and pavement.
- Seeded areas: to receive a settled minimum depth of 6" of blended, prepared and non-compacted topsoil. Landscape contractor is responsible for excavation and removal of unwanted material (gravel, debris, roots and other extraneous material harmful to plant growth) to the specified depth, supplementing with additional topsoil (if necessary) and the fine grading of all seeded areas.
- Tree planting (see planting detail): plant all trees slightly higher than finished grade at root flare. Remove excess soil from top of root ball, if needed. An auger is not an acceptable method of digging tree planting holes. Scarify side walls of tree pit prior to installation. Once tree has been placed into the hole, is at the correct depth and vertical alignment and will no longer be moved, brace root ball by tamping soil around the lower portion of the root ball. Remove and discard wire / rope, burlap and support wire from the sides of root ball. Backfill pit with 75% existing soil removed from excavation and 25% compost blended prior to backfilling holes, in six-inch lifts. Lightly tamp each lift using foot pressure or hand tools to settle backfill, support the tree and eliminate voids. Do not over compact or use mechanical or pneumatic tamping equipment. Discard any gravel, heavy clay or stones. When hole has been backfilled to three-quarters of its depth, pour water around the root ball and allow to soak into soil to settle the soil. Continue backfilling until soil is brought to grade level.
- Provide a 3" deep, 4 ft. diameter shredded hardwood bark mulch ring around all trees in lawn areas, reduced to 1" deep on top of root ball. Keep mulch 3"- 5" away from trunk of tree. Trees that are installed incorrectly will be replaced at the time and expense of the landscape contractor. Trees too large for two people to lift in and out of holes, shall be placed with sling. Do not rock the trees in holes to raise them.
- Shrub planting (see planting detail): all shrubs to be pocket planted with a mix of 75% existing soil removed from excavation and 25% compost, blended prior to backfilling holes. When hole is two-thirds full, shrubs shall be watered thoroughly and water left to soak in before proceeding.
- Mulching: all tree and shrub planting beds to receive a 3" deep layer of high-quality shredded hardwood bark mulch (not environment or wood chips). Mulch shall be uniform in size, color, quality and overall appearance. Mulch shall be free of debris, large wood chunks, soil, rocks, weeds, invasive plant parts or seeds and any other material injurious to plant growth. All perennial and ornamental grass planting areas to receive a 2" layer and groundcover areas a 1-2" layer of the same mulch. Do not mulch annual flower beds (if applicable). Do not allow mulch to contact plant stems and tree trunks.
- Edging: edge all planting beds with a 4" deep spaded edge (shovel cut or mechanical). Bedlines are to be cut crisp, as per plan. A clean definition between lawn area and plant bed is required.
- Boulders: retain and stockpile existing boulders on site. Boulders to be integrated into landscape beds around monument signs and other feature areas during landscape installation.
- Plant bed preparation: the soil in all perennial, ornamental grass, annual and groundcover areas shall be amended with compost prior to plant installation. Spread a 2" layer of compost (per note below) on top of clean topsoil and rototill to a depth of approximately 8".
- Compost shall be stable, and weed-free organic matter. It shall be resistant to further decomposition and free of compounds, such as ammonia and organic acids, in concentrations toxic to plant growth. The compost shall contain no pathogens or other chemical contaminants and meet the requirements of WisDNR S100 Compost Specification.
- Lawn installation for all seeded turfgrass areas: remove / kill off any existing unwanted vegetation prior to seeding. Prepare the topsoil and seed bed by removing all surface stones 1" or larger and grading lawn areas to finish grade. Apply a starter fertilizer and specified seed, ensure good seed to soil contact, and provide mulch covering suitable to germinate and establish turf. Provide seed and fertilizer mix information to general contractor prior to installation. Erosion control measures are to be used in swales and on steep grades, where applicable. Methods of installation may vary at the discretion of the landscape contractor on his/her responsibility to establish and guarantee a smooth, uniform, quality turf. If straw mulch is used as a mulch covering, a tackifier may be necessary to avoid wind damage. Marsh hay containing reed canary grass is not acceptable as a mulch covering.
- An acceptable quality turf is defined as having no more than 5% of the total area with bare spots larger than 1/2 square foot and uniform coverage throughout all turf areas.
- Seed mix for lawn areas - use only a premium quality seed mix. Premium blend seed mix (or equivalent): 50% blended bluegrass, 25% creeping red fescue, 25% perennial rye applied at 5 lbs per 1,000 SF or at recommended rates from supplier. Provide seed specifications to general contractor prior to installation.
- Lawn installation for all sodded turfgrass areas: remove / kill off any existing unwanted vegetation prior to sodding. Prepare the topsoil and sod bed by removing all surface stones 1" or larger and grading lawn areas to finish grade, allowing for thickness of sod. Use only premium sod blend according to TPI (revised 1995) and ASPA standards. Install sod uniformly with staggered joints, laid tightly end to end and side to side. Roll sod with a walk behind roller and water immediately upon installation to a 3" depth. Stake any sod installed on steep slopes or in swales, etc. Landscape contractor is responsible to provide a smooth, uniform, healthy turf. Landscape contractor shall repair and re-sod any eroded, sunken or bare spots (larger than 1/2 square foot) until acceptance by owner.
- The landscape contractor is responsible for the watering and maintenance of all landscape areas at time of planting and throughout construction until the substantial completion of the installation and acceptance by the owner. This includes all trees, shrubs, evergreens, perennials, ornamental grasses, and seeded slopes and turf grass areas. Maintenance includes mowing, weeding, watering, mulching, edging, pruning, deadheading, raking leaves / debris, sweeping up grass clippings, fertilizing and maintaining turf areas (including applying pre and post emergent herbicides), and any other needs that are required to keep the landscape healthy and well maintained.
- Substantial Completion of Landscape: after the landscape has been installed, the landscape contractor is responsible to conduct a final review with the owner's representative and the general contractor to ensure that all plans and specifications have been met. After this review, the landscape will be considered to be installed in substantial completion unless otherwise noted by the owner's representative and/or general contractor. Any items missing or incomplete, shall be corrected within 30 days. The landscape contractor shall provide written watering and maintenance instructions for the new plantings and lawn to the owner.
- Warranty and replacements: All plants (trees, evergreens, shrubs, perennials, ornamental grasses and groundcovers) shall be warranted by the landscape contractor to be in healthy and flourishing condition for a period of one year from the date of substantial completion. This assumes the owner performs required maintenance (i.e. regular watering) after substantial completion of the landscape. Only one replacement per plant will be required during the warranty period, except for losses or replacements due to failure to comply with specified requirements. Replacements shall be plants of the same variety specified on the plan and closely match adjacent specimens in size. The landscape contractor is responsible for keeping a documented record of which plants have been replaced during the warranty period.

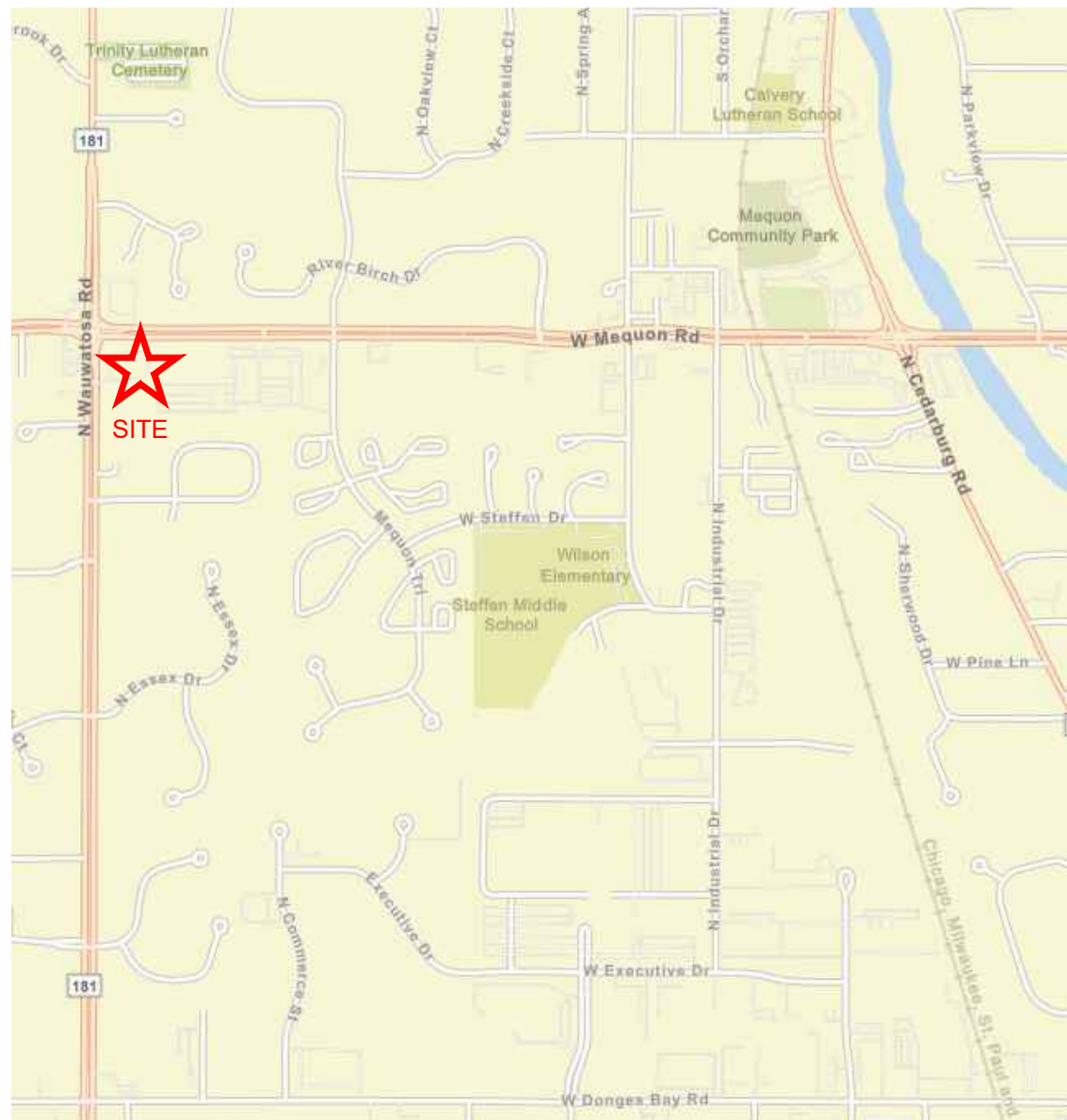


Know what's below.
Call before you dig.

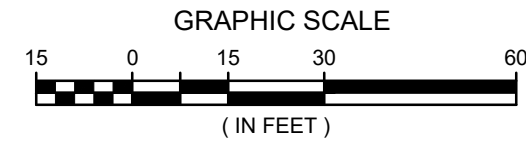
R.A. SMITH, INC. ASSUMES NO RESPONSIBILITY FOR DAMAGES, LIABILITY OR COSTS RESULTING FROM CHANGES OR ALTERATIONS MADE TO THIS PLAN WITHOUT THE EXPRESSED WRITTEN CONSENT OF R.A. SMITH, INC.

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DESCRIPTION	DATE	16745 W. Bluemound Road Brookfield, WI 53005-5938 (262) 781-1000 rasmith.com	Brookfield, WI Milwaukee, WI Appleton, WI Madison, WI Cedarburg, WI Naperville, IL Irvine, CA
RAY'S WINE AND SPIRITS 7555 W MEQUON RD		LANDSCAPE NOTES AND DETAILS	
© COPYRIGHT 2024 R.A. Smith, Inc.		DATE: 07/16/2024	
SCALE: NTS		JOB NO. 3240126	
PROJECT MANAGER: TOM MORTENSEN, PLA		DESIGNED BY: ERM	
CHECKED BY: TAM		SHEET NUMBER	
L200			



VICINITY MAP -- NOT TO SCALE



LEGEND

- BOLLARD
- ⊕ SOIL BORING/MONITORING WELL
- ⚑ FLAGPOLE
- ✉ MAILBOX
- SIGN
- AIR CONDITIONER
- CONTROL BOX
- ⚡ TRAFFIC SIGNAL
- ⚡ CABLE PEDESTAL
- ⚡ POWER POLE
- ⚡ GUY POLE
- ⚡ GUY WIRE
- ⚡ LIGHT POLE
- ⚡ SPOT/YARD/PEDESTAL LIGHT
- ♿ HANDICAPPED PARKING
- ⊕ PULL BOX
- ⊕ ELECTRIC MANHOLE
- ⊕ ELECTRIC PEDESTAL
- ⊕ ELECTRIC METER
- ⊕ ELECTRIC TRANSFORMER
- ⊕ TELEPHONE MANHOLE
- ⊕ TELEPHONE PEDESTAL
- ⊕ UTILITY VAULT
- ⚡ GAS VALVE
- ⚡ GAS METER
- ⚡ GAS WARNING SIGN
- ⊕ STORM MANHOLE
- ⊕ ROUND INLET
- ⊕ SQUARE INLET
- ⊕ STORM SEWER END SECTION
- ⊕ SANITARY MANHOLE
- ⊕ SANITARY CLEANOUT OR SEPTIC VENT
- ⊕ SANITARY INTERCEPTOR MANHOLE
- ⊕ MISCELLANEOUS MANHOLE
- ⊕ IRRIGATION CONTROL BOX
- ⊕ WATER VALVE
- ⊕ HYDRANT
- ⊕ WATER SERVICE CURB STOP
- ⊕ WATER MANHOLE
- ⊕ WELL
- ⊕ WATER SURFACE
- ⊕ WETLANDS FLAG
- ⊕ MARSH
- ★ CONIFEROUS TREE
- DECIDUOUS TREE
- SHRUB
- EDGE OF TREES
- S—SANITARY SEWER
- STO—STORM SEWER
- W—WATERMAIN
- G—MARKED GAS MAIN
- E—MARKED ELECTRIC
- OHW—OVERHEAD WIRES
- B—BUREAU ELEC. SERV.
- T—MARKED TELEPHONE
- TV—MARKED CABLE TV LINE
- FO—MARKED FIBER OPTIC
- (P)—UTILITY PER PLAN
- INDICATES EXISTING CONTOUR ELEVATION
- × 780.55 INDICATES EXISTING SPOT ELEVATION

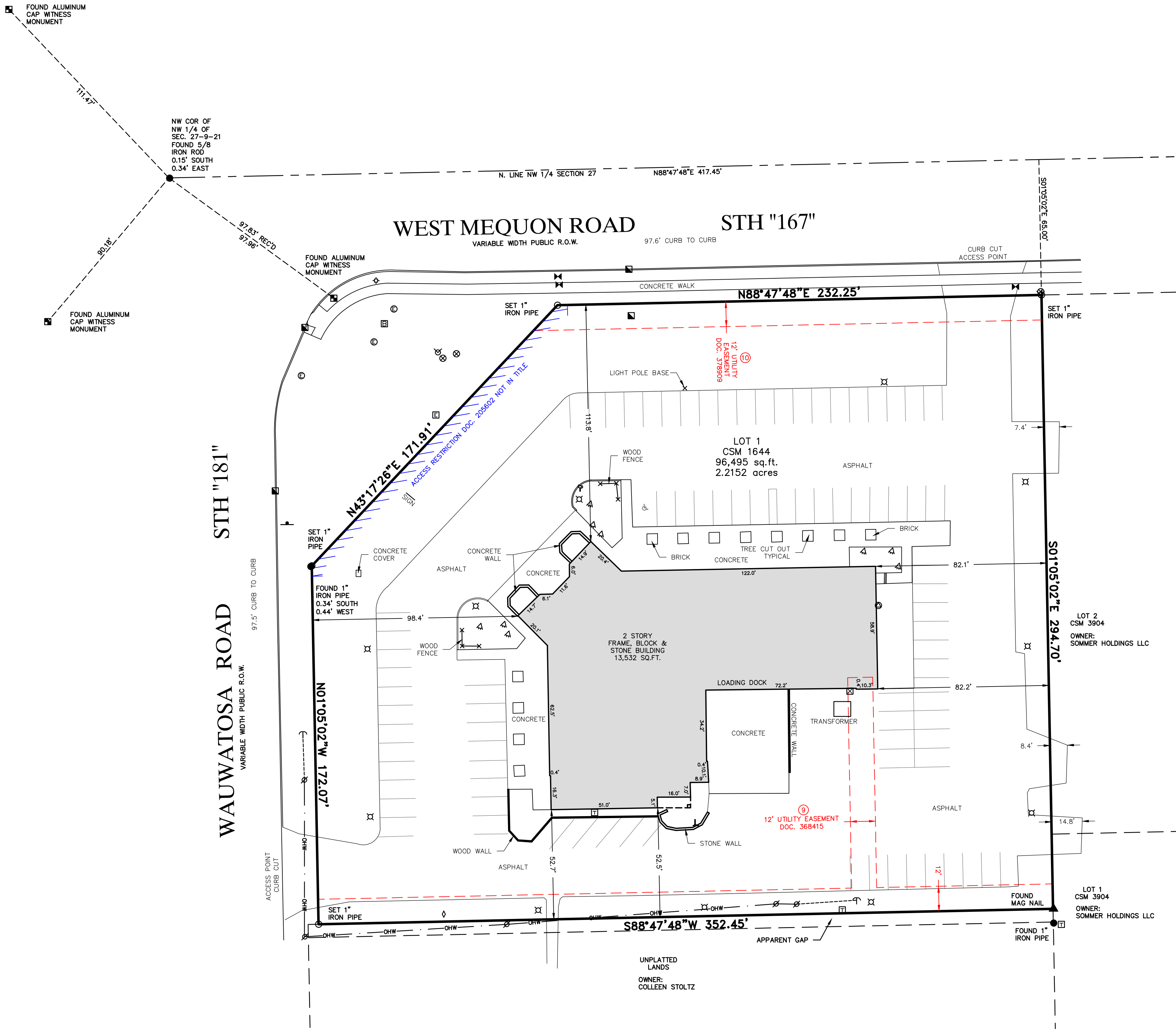
DIGGERS HOTLINE WAS NOT CALLED FOR THIS SITE.

THE UNDERGROUND UTILITY INFORMATION AS SHOWN HEREON IS BASED, IN PART, UPON INFORMATION FURNISHED BY UTILITY COMPANIES AND THE LOCAL MUNICIPALITY. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, ITS ACCURACY AND COMPLETENESS CANNOT BE GUARANTEED NOR CERTIFIED TO.

(P) INDICATES PIPE SIZES PER RECORD PLANS. OTHER PIPE SIZES ARE ESTIMATED. NO PIPE SIZES SHOULD BE RELIED UPON WITHOUT FURTHER VERIFICATION.

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ALTA/NSPS LAND TITLE SURVEY

Known as 7555 West Mequon Road, in the City of Mequon, Ozaukee County, Wisconsin.

Lot One (1) of Certified Survey Map No. 1644, recorded in the Ozaukee County Registry in Volume 12 of Certified Survey Maps on pages 156-157, as Document No. 360135, and being a part of the Northwest One-quarter (1/4) of Section Twenty-seven (27), Township Nine (9) North, Range Twenty-one (21) East, in the City of Mequon, Ozaukee County, Wisconsin.

Prepared for: Ray's Wauwatosa, Inc.
Survey No. 169366-RMK

A. Basis of Bearings
Bearings are based on the North line of the Northwest 1/4 of Section 27-9-21, which bears North 88°47'48" East, per Certified Survey map No. 1644.

B. Title Commitment
This survey was prepared based on Land Title Services, Inc., an agent for First American Title Insurance Company title commitment number 24401152X, commitment date May 8, 2024, which lists the following easements and/or restrictions from schedule B-II:

1-3, 5. **Visible evidence shown, if any.**

4, 6-8. **Not survey related.**

9. Utility Easement granted by an instrument recorded as Document No. 368415. **Lies within or crosses the surveyed property - its location is shown.**

10. Utility Easement granted by an instrument recorded as Document No. 378909. **Lies within or crosses the surveyed property - its location is shown.**

C. Flood Note
According to flood insurance rate map of the City of Mequon, community panel number 55089C0232F, effective date of 12/4/2007, this site falls in zone X (areas determined to be outside the 0.2% annual chance floodplain).

D. Parking Spaces
There are 87 total parking spaces consisting of 85 regular and 2 handicapped parking spaces marked on this site.

To: OWL Properties LLC
Land Title Services, Inc.
First American Title Insurance Company

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2021 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes items 1, 2, 3, 7(a), 7(b)(1), 8, 11(a), 12 and 13 of Table A thereof. The fieldwork was completed on May 17, 2024.

Date of Plat or Map: May 21, 2024

I CERTIFY, that this survey was prepared under my supervision and is correct to the best of my professional knowledge and belief and complies with Chapter A-E 7 of the Wisconsin Administrative Code.



Aaron T. Friess
Professional Land Surveyor
Registration Number S-3260
aaron.friess@rasmith.com

raSmith
CREATIVITY BEYOND ENGINEERING

16745 W. Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000
rasmith.com





















Public Feedback

Good morning Mr. Zader,

I wanted to let you know that Outpost welcomes Ray's Wine and Spirits to the 76th and Mequon Road area.

Locally owned Rays will bring the residents of Mequon not only a great selection of products but also a Wine and Spirits buying experience unlike any other operator in our area.

Regards,

Ed Senger
Director of Store Operations
Outpost Natural Foods
414-918-0413
Cooperative Office
3200 S. 3rd St. Milwaukee, WI 53207

Attachment: Packet Docs_Rays (9684 : Ray's Wauwatosa, Inc.)



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

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: September 23, 2024
SUBJECT: ICAP. The applicant is seeking certified survey map and rezoning of PUD amendment approval to allow for a 2-lot land division for the property located at 10921 N. Port Washington Road.

Applicant:	I-Mequon 1 LLC c/o ICAP Development LLC
Status of Applicant:	Owner
Requested:	Rezoning Recommendation Certified Survey Map
Existing Use:	Residential
Existing Zoning:	B-2 (Community Business District) PUD (Planned Unit Development)
Land Use Plan:	Residential
Lot size:	3.30 Acres
Location:	10921 N. Port Washington Road
Tax Key Number:	#15-030-04-015.00
District:	#6

Background: The applicant is requesting a rezoning recommendation approval for a commercial development on 8.9 acres of land located at 10865 & 10911 N Port Washington Road. The PUD was approved by the Common Council on August 13, 2019 (see attached Ord. 2019- 1950) and amended on February 11, 2020 (see attached Ord. 2020-1563). The proposed amendment modifies the concept plan by dividing the parcel located at 10921 N Port Washington Road from its current size of 3.3 acres to two lots which are 1.4 and 1.9 acres respectively. In addition to the rezoning, the applicant is requesting a certified survey map for the land division

Concept Site Plan

The updated concept plan shows a total of eight lots ranging in size from .31 acres to 1.94 acres. The plan also shows the connection of the two existing access points by looping the drive aisle at the rear of the site. Existing developments in the PUD include the Landmark Credit Union, Jilly's Car Wash and the Arby's multi-tenant building. There are also outlots that contain storm water facilities. It is anticipated the proposed 1.94-acre lot will be developed as a childcare facility. Currently, there is no proposal for the 1.4-acre lot. The original PUD requires the overall development to comply with the FAR (Floor Area Ratio) and open space requirement of the B-2 zoning district which provides flexibility for the lots than are less than the two-acre minimum. The PUD also restricts development of the two parcels by prohibiting fast food, retail trade and auto service facilities.

Certified Survey Map

The certified survey map division creates two lots: Lot 1 is 1.44 acres in size and Lot 2 is 1.94 acres in size. The lots will be accessible to Port Washington Road from two existing access points.

Engineering Report:

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

The proposed CSM does not show legal access to and through the new lots through an ingress-egress easement. The applicant must provide a document showing legal access to the new lots and show the easement limits on the CSM. If legal access needs to be created through a new easement, a declaration document shall be executed and recorded and shown on the CSM.

The lots will be accessed through the existing ICAP development to the east which connects to North Port Washington Road. North Port Washington Road is under the jurisdiction of Ozaukee County.

Shared driveway extensions and/or private roads must conform to the Mequon Standard Specifications for Land Development (SSLD).

Wetlands are present on site but were granted an artificial exemption by the Wisconsin Department of Natural Resources (WDNR) in 2019. Therefore, no further permitting is required for disturbance or fill. Furthermore, artificial wetlands do not have a protective area.

The site is located within the City's sewer service area and connection to the public sewer utility is required. Water connection shall conform to the Mequon Water Utility Water Connection Policy.

An easement must be prepared to allow legal water and sewer connections for Lot 1 and Lot 2. Furthermore, an easement must allow legal access for 10851 North Port Washington Road to connect to the public water main and public sewer. The easement dimensions shall conform to the SSLD. See "Easement Detail" figure in packet for example easement location.

All new and existing easement limits must be shown on the CSM. All easements must have an associated declaration document and are subject to review by the City attorney.

The CSM area is contained within a storm water management plan (SWMP) area. As a requirement of further development, a licensed engineer must submit a memo to the City stating that the development meets the criteria of the existing SWMP. Development that does not meet the criteria of the existing SWMP may require modifications the existing pond and reapproval of the SWMP by the City, MMSD, and WDNR.

Other Technical Corrections:

The Engineering Division verified that the parcel closes. There are no technical corrections are necessary.

Staff Recommendation:

Planning staff recommends approval of the rezoning request, concept plan and certified survey

map based on the following conditions:

1. Common Council approval of the rezoning.
2. All other conditions of Ord. 2019-1550 and 2020-1563 remain in effect.
3. Common Council approval of the PUD amendment.
4. Compliance with the Tree Preservation Ordinance.
5. No certified survey map shall be offered for recording or recorded after 180 days from the date of approval by the Planning Commission.
6. Final staff technical review and approval of CSM. The applicant shall make any technical corrections to the final CSM.
7. The applicant must provide a document showing legal access to and through the new lots and show the easement limits on the CSM. If legal access needs to be created through a new easement, a declaration document shall be executed and recorded and shown on the CSM.
8. Shared driveway extensions and/or private roads must conform to the SSLD.
9. An easement and associated declaration documents must be prepared to allow legal water and sewer connection for Lot 1 and Lot 2.
10. An easement must allow legal access for 10851 North Port Washington Road to connect to the public water main.
11. All new and existing easement limits must be shown on the CSM with the recorded document number. All easements must have an associated declaration document and are subject to review by the City attorney. All easement dimensions must conform to the SSLD.
12. Prior to further development of either lot, a licensed engineer must submit a memo to the City stating that the development meets the criteria of the existing SWMP. Development that does not meet the criteria of the existing SWMP may require modifications the existing pond and reapproval of the SWMP by the City, MMSD, and WDNR.
13. The applicant shall submit an electronic file for the proposed certified survey map in a format compatible with AutoCAD 2015 dwg or dxf in Wisconsin State Plane Coordinate system. South Zone (NAD 83).

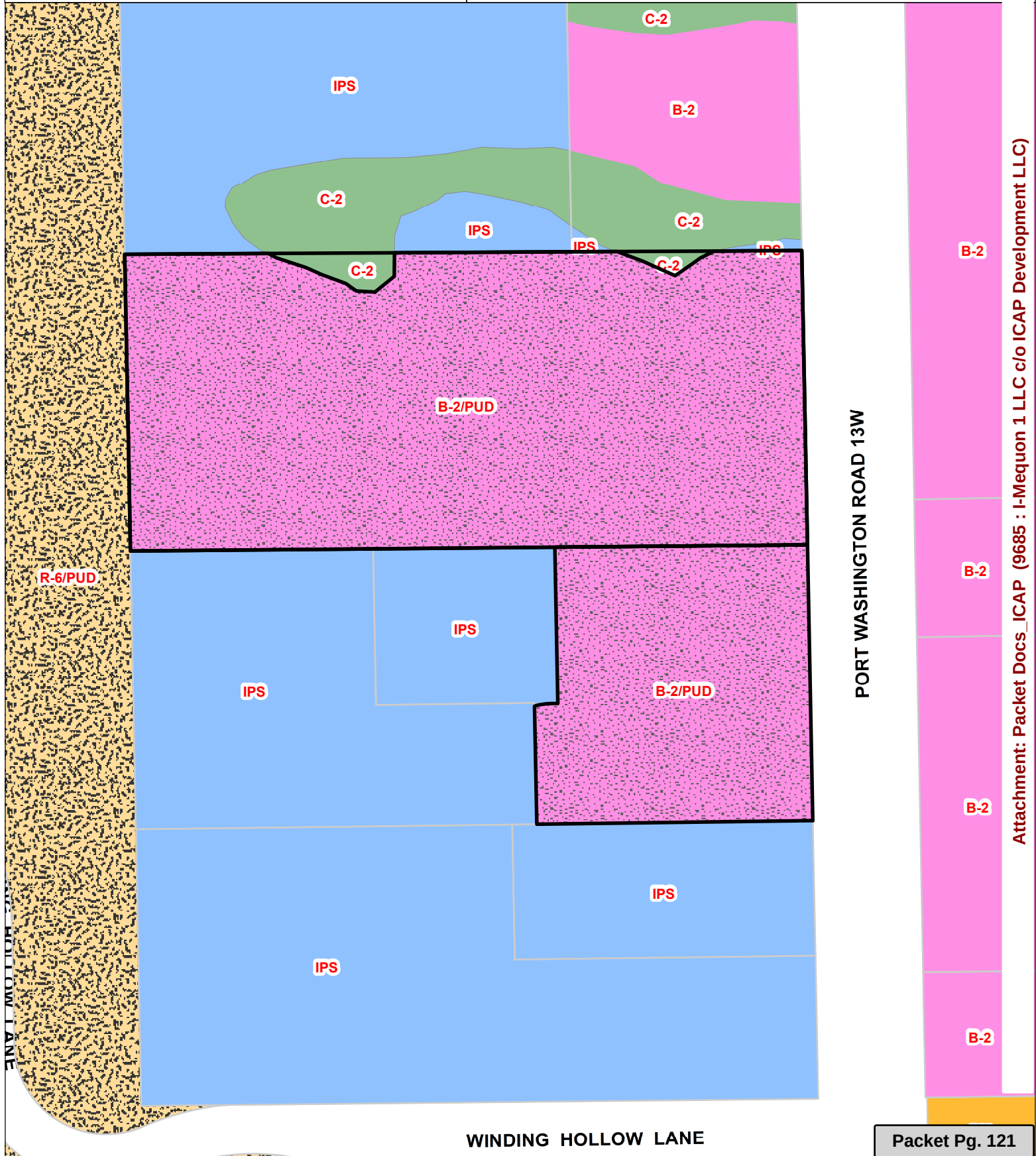
Attachments:

Packet Docs_ICAP (PDF)

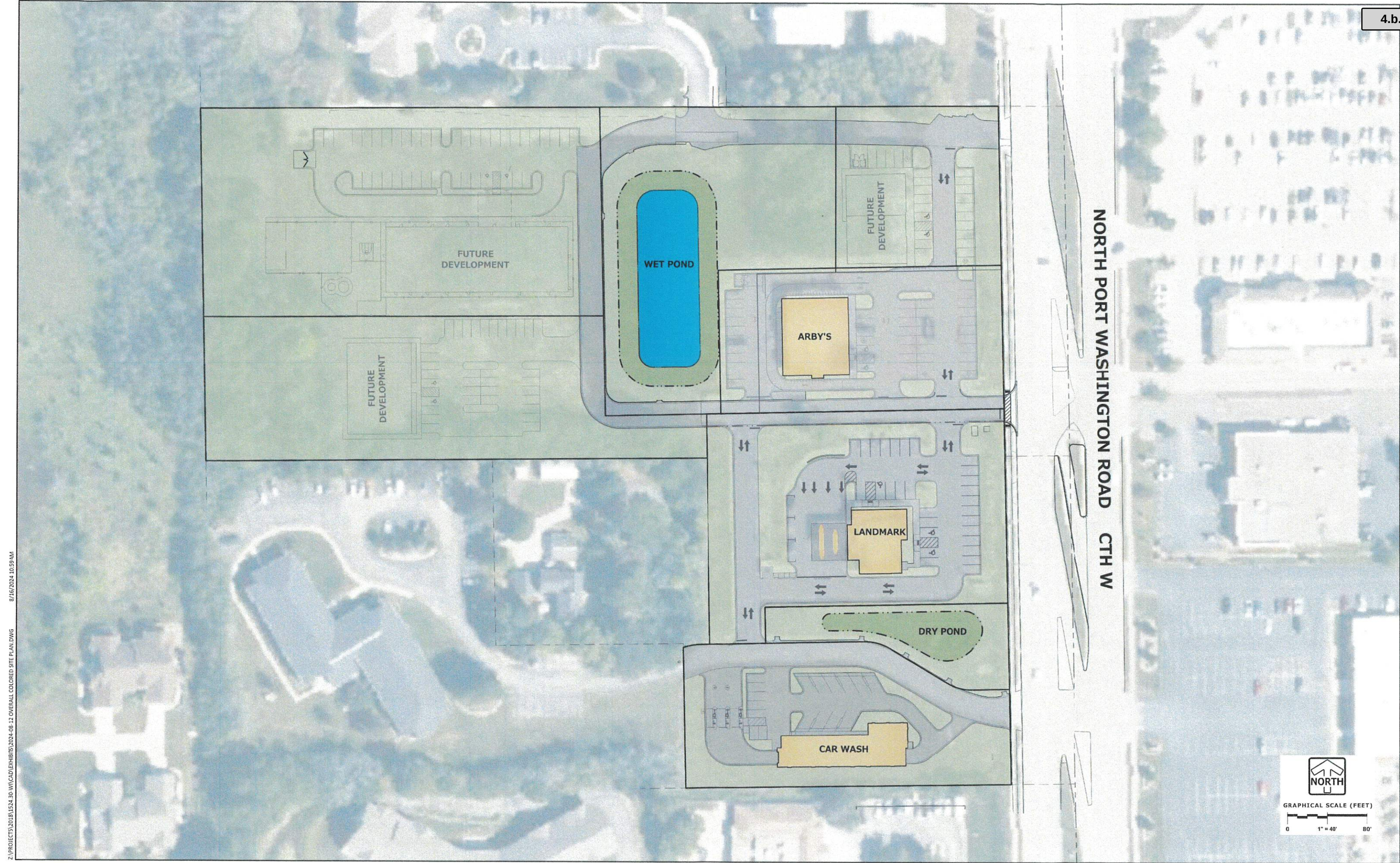
ICAP

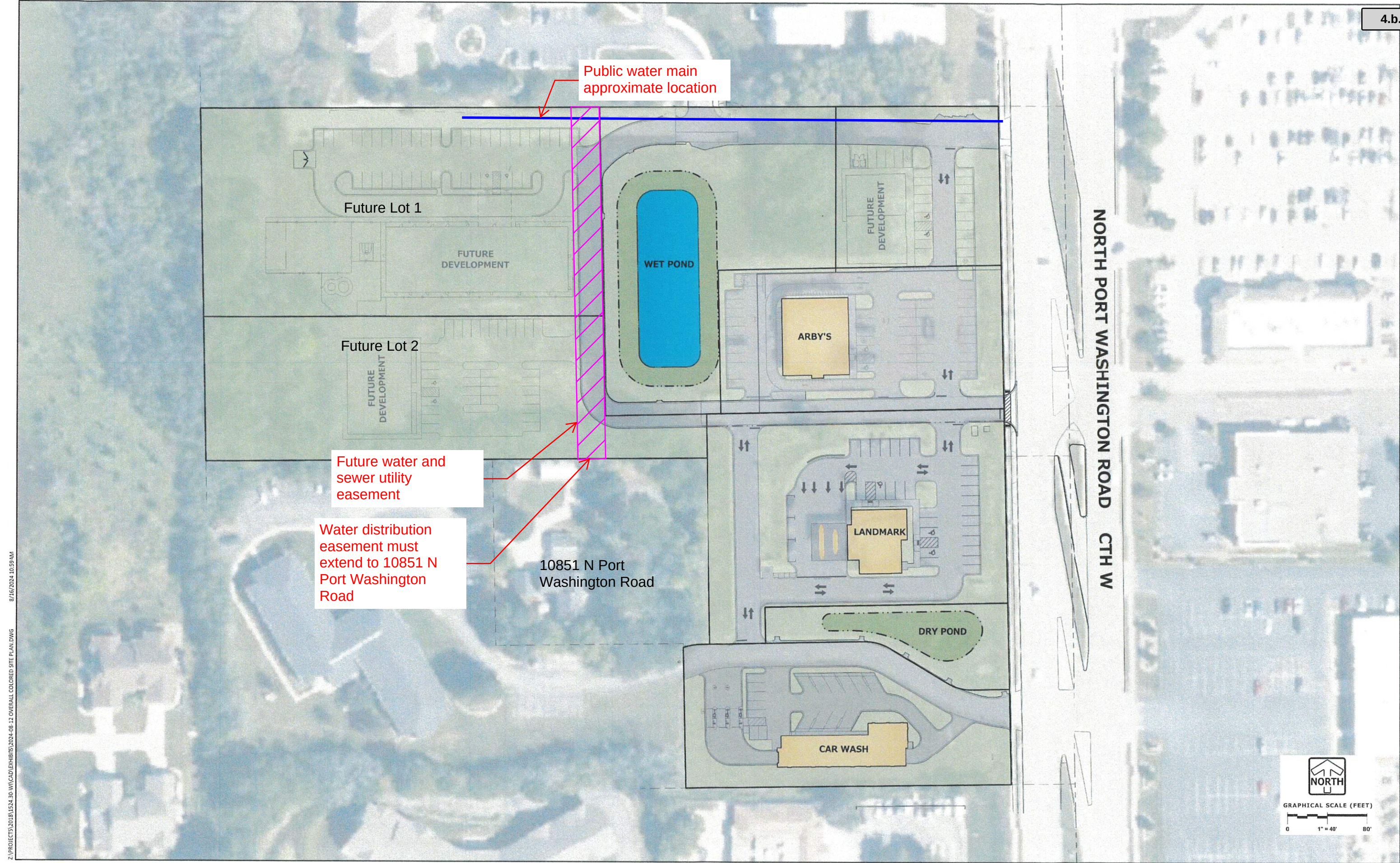
AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	OA	Agricultural Overlay
A-2	General Agricultural	PUD	Planned Unit Development Overlay
B-1	Neighborhood Business	P-1	Park & Recreation
B-2	Community Business	R-1	Single-Family Residential (5 Ac. Min.)
B-3	Office & Service Business	R-1B	Single-Family 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



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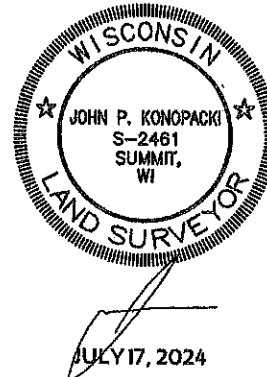
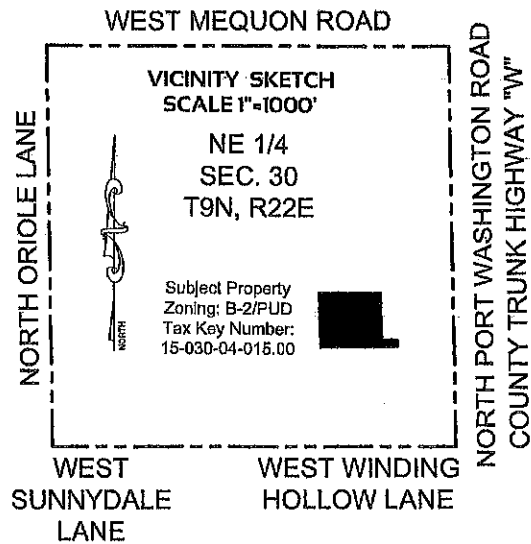


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EASEMENT DETAIL

CERTIFIED SURVEY MAP NO. _____

Being Lot 1 of Certified Survey Map No. 4098, in the
Southeast 1/4 of the Northeast 1/4 of Section 30,
Township 9 North, Range 22 East, City of Mequon,
Ozaukee County, Wisconsin.



NOTES:

- All measurements have been made to the nearest one-hundredth of a foot.
- All angular measurements have been made to the nearest one second.
- Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The east line of the Northeast 1/4 of Section 30, Township 9 North, Range 22 East bears N01°07'01"W.

Prepared for:
I-MEQUON I, LLC
833 E. Michigan Street, Suite 540
Milwaukee, WI 53202

Prepared By:

PINNACLE ENGINEERING GROUP

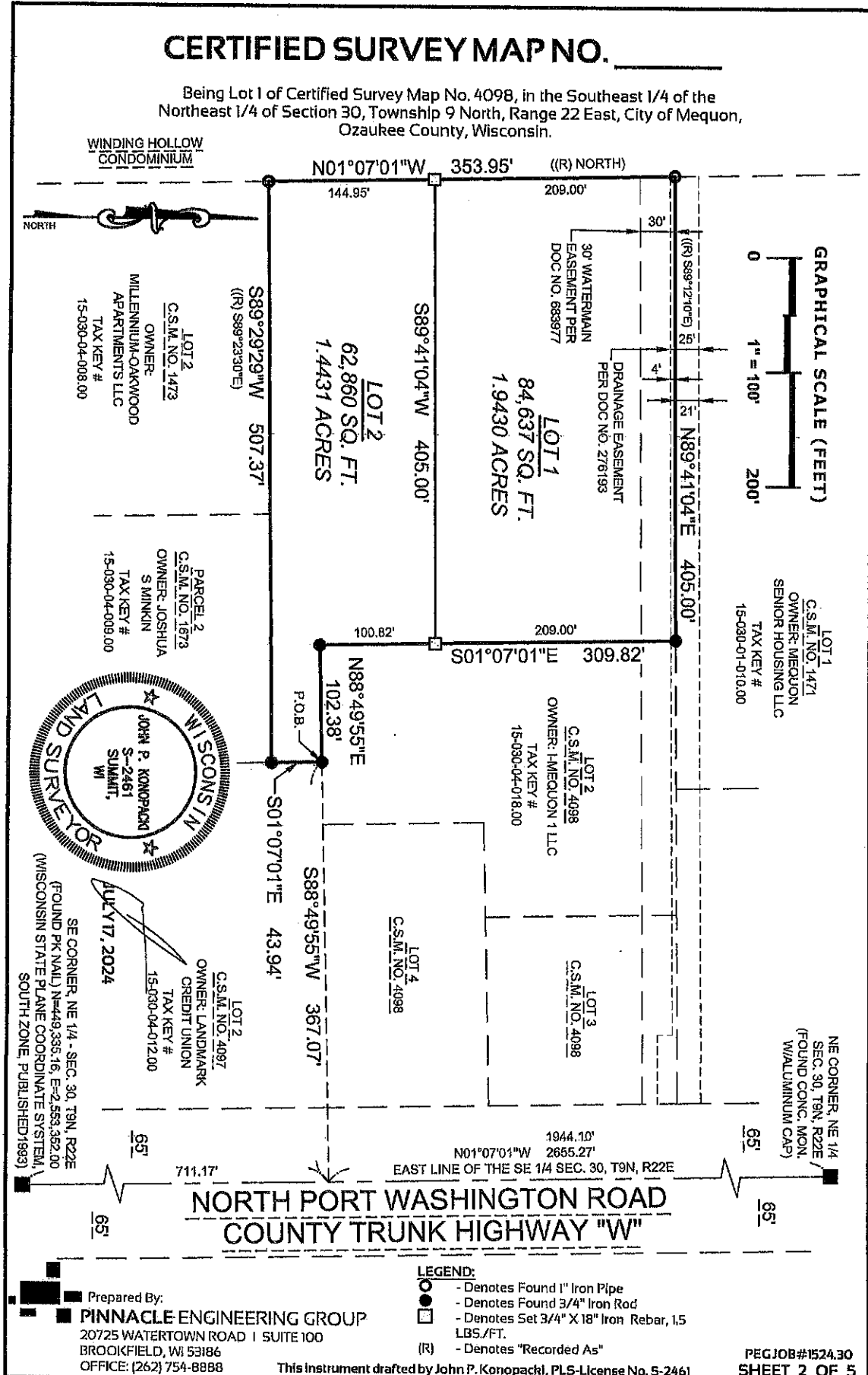
20725 WATERTOWN ROAD I SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

DRAFTED BY: ST
PEG JOB #1524.30
SHEET 1 OF 5



CERTIFIED SURVEY MAP NO. _____

Being Lot 1 of Certified Survey Map No. 4098, in the Southeast 1/4 of the
Northeast 1/4 of Section 30, Township 9 North, Range 22 East, City of Mequon,
Ozaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
WAUKESHA COUNTY) SS

I, John P. Konopacki, Professional Land Surveyor, do hereby certify:

That I have surveyed, mapped and divided Lot 1 of Certified Survey Map No. 4098, as recorded in the Register of Deeds office for Ozaukee County as Document No. 1098987, located in the Southeast 1/4 of the Northeast 1/4 of Section 30, Township 9 North, Range 22 East, City of Mequon, Ozaukee County, Wisconsin, described as follows:

Commencing at the southeast corner of the Northeast 1/4 of said Section 30;
Thence North 01°07'01" West along the east line of said Northeast 1/4, 711.17 feet;
Thence South 88°49'55" West, 367.07 feet to the Point of Beginning;

Thence South 01°07'01" East along the west line of Lot 2 of Certified Survey Map No. 4097, 43.94 feet;
Thence South 89°29'29" West along the north line of Certified Survey Map 1473, 507.37 feet;
Thence North 01°07'01" West along the east line of Winding Hollow Condominium, 353.95 feet;
Thence North 89°41'04" East along the south line of Lot 1 of Certified Survey Map No. 1471, 405.00 feet;
Thence South 01°07'01" East along the west line of Lot 2 of Certified Survey Map No. 4098, 309.82 feet;
Thence North 88°49'55" East along the south line of said Lot 2, 102.38 feet to the Point of Beginning

Containing 147,497 square feet (3.3861 acres) of land more or less.

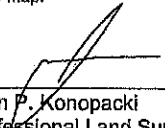
That I have made such survey, land division and map by the direction of I-Mequon 1 LLC, owner of said land.

That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

That I have fully complied with the requirements of Chapter 236 of the Wisconsin State Statutes and the City of Mequon Land Division Ordinance in surveying, mapping and dividing the land with in the certified survey map.

Date: JULY 17, 2024




John P. Konopacki
Professional Land Surveyor S-2461



Prepared By:

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE: (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#1524.30

SHEET 3 OF 5

CERTIFIED SURVEY MAP NO. _____

Being Lot 1 of Certified Survey Map No. 4098, in the Southeast 1/4 of the
Northeast 1/4 of Section 30, Township 9 North, Range 22 East, City of Mequon,
Ozaukee County, Wisconsin.

OWNER'S CERTIFICATE

I-Mequon 1 LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed, divided and mapped as represented on this certified survey map.

I-Mequon 1 LLC, as owner, does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval or objection:

1. City of Mequon

IN WITNESS WHEREOF, the said I-Mequon 1 LLC has caused these presents to be signed by
(name - print) _____, (title) _____, at (city) _____,
_____ County, Wisconsin, on this _____ day of _____, 2024.

In the presence of: I-Mequon 1 LLC

Name (signature) - Title

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2024, (name) _____,
(title) _____, of the above named limited liability company, to me known to be the
person who executed the foregoing instrument, and to me known to be such _____ (title) of
said limited liability company, and acknowledged that they executed the foregoing instrument as such officer as the deed of said
limited liability, by its authority.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____

CONSENT OF CORPORATE MORTGAGEE

_____, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin,
mortgagee of the above described land, does hereby consent to the surveying, dividing and mapping of the land described in the
forgoing affidavit of John P. Konopacki, surveyor, and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said _____, has caused these presents to be signed by
_____, its President, and its corporate seal to be hereunto affixed this _____ day of
_____, 2024.

Date President

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this _____ day of _____, 2024,
_____, to me known to be the person who executed the
foregoing instrument and to me known to be such officer of said corporation and
acknowledged the same.

Notary Public
Name: _____
State of Wisconsin
My Commission Expires: _____



JULY 17, 2024

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

This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB #1524.30
SHEET 4 OF 5

Attachment: Packet Docs_ICAP (9685 : I-Mequon 1 LLC c/o ICAP Development LLC)

CERTIFIED SURVEY MAP NO. _____

Being Lot 1 of Certified Survey Map No. 4098, in the Southeast 1/4 of the
Northeast 1/4 of Section 30, Township 9 North, Range 22 East, City of Mequon,
Ozaukee County, Wisconsin.

PLAN COMMISSION APPROVAL

Approved by the Plan Commission of the City of Mequon on this _____ day of _____, 2024.

Date

Andrew Nerbun, Chairman

Date

Secretary

COMMON COUNCIL APPROVAL

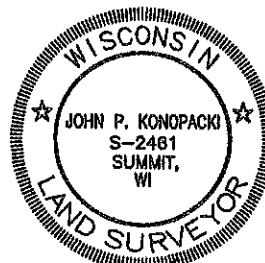
Approved by the Common Council of the City of Mequon, Wisconsin, on this _____ day of _____, 2024.

Date

Andrew Nerbun, Mayor

Date

Caroline Fochs, City Clerk



[Signature]
JULY 17, 2024

Prepared By:
[Redacted]

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

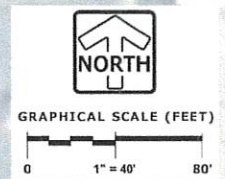
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

PEG JOB#1524.30
SHEET 5 OF 5

Attachment: Packet Docs_ICAP (9685 : I-Mequon 1 LLC c/o ICAP Development LLC)

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NORTH PORT WASHINGTON ROAD CTH W



Attachment: Packet Docs_ICAP (9685 : I-Mequon 1 LLC c/o ICAP Development LLC)



ICAP MEQUON CO

PINNACLE ENGINEERING GROUP | DESIGN | DELIVER

08/16/2024

PEGJO

Packet Pg. 129

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2019-1550

An Ordinance Rezoning the Properties Located at 10865-10911 N. Port Washington Road and Parcel Immediately to the South from IPS (Institutional) to B-2/PUD (Community Commercial/Planned Unit Development) and to Amend the Land Use Plan Map from Institutional to Community Commercial

RECITALS

A. Pursuant to section 62.23(3) of the Wisconsin Statutes, the City of Mequon, is authorized to prepare and adopt a comprehensive plan, or amendment thereof, as defined in section 66.1001(1)(a) and 66.1001(2) and 66.1001(4)(c) and 66.1001(4)(d).

B. The Planning Commission by majority vote made a recommendation to approve on the 10th day of June, 2019.

C. The required due notice and public hearing by the Common Council of the City of Mequon occurred on the 10th day of August, 2019.

BASED UPON THE FOREGOING, THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION I

Following recommendation of the Planning Commission on June 10, 2019, and after due notice and hearing by the Common Council of the City of Mequon on August 13, 2019, the existing and official City of Mequon district zoning maps are hereby amended so as to change the zoning classification of certain properties, as described and illustrated in Exhibit A, to B-2 (Community Commercial) and the Land Use Plan map to Commercial subject to the following conditions:

1. Common Council approval of the rezoning.
2. The following uses shall be prohibited on the parcel unless it is located in a building within 300 feet of Port Washington Road:
 - Fast food or sit down restaurants
 - Auto sales or service uses
 - Retail trade establishments
3. The site shall comply with all technical standards of the code other than the side yard building offset and parking offset between parcels in the development.
4. All buildings located adjacent to Port Washington Road shall be required to have the primary entrance on the east façade.
5. The applicant shall provide 110.5" of replacement trees on the property or in a City park or pay \$11,050 to the City of Mequon for urban forest projects.

6. Tree protection fencing shall be installed in accordance with City Forester's recommendation.
7. City Attorney review and approval of a shared parking agreement.
8. A sidewalk shall be provided to connect Building A to the rear parking lot.
9. The building located on the south end of the development shall be located behind the parking lot and setback approximately the same distance as the building to the south on the adjacent parcel.
10. Engineering Division review and approval of grading, drainage, sanitary sewer, watermain, and erosion control plans in conformance to City ordinances and the Standard Specifications for Land Development.
11. The drive aisles in the northwest parking area shall be connected to each other.
12. Connection to public water and sanitary sewer.
13. Applicant shall provide the wetland delineation report.
14. Application for and approval of a City erosion control permit, subject to applicable fees and conditioned upon WDNR issuance of a WRAPP permit.
15. Application for and approval of a City Filling and Excavation Permit.
16. Approval of a storm water management plan for the site in conformance to City ordinances, WDNR and MMSD Chapter 13, including execution of a Storm Water Facilities Maintenance and Easement Agreement.
17. As a condition of approval and issuance of the permit, the City Engineer will require in accordance with City ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow/letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).

SECTION II

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

SECTION III

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

SECTION IV

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

Approved by: John Wirth, Mayor

Date Approved: August 13, 2019

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on August 13, 2019.

Caroline Fochs, City Clerk

Published: August 20, 2019

Attachment: Packet Docs_ICAP (9685 : I-Mequon 1 LLC c/o ICAP Development LLC)

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE 2020-1563

An Ordinance Amending PUD Ordinance 2019-1550 for the Properties Located at 10865-10911 N. Port Washington Road and the Parcel Immediately to the South, Allowing for a Commercial Development of Approximately 9 Acres

RECITALS

A. Pursuant to section 62.23(3) of the Wisconsin Statutes, the City of Mequon is authorized to prepare and adopt a comprehensive plan, or amendment thereof, as defined in section 66.1001(1)(a) and 66.1001(2) and 66.1001(4)(c) and 66.1001(4)(d).

B. The Planning Commission by majority vote made a recommendation for approval on the 13th day of January, 2020.

C. The required due notice and public hearing by the Common Council of the City of Mequon occurred on the 11th day of February, 2020.

BASED UPON THE FOREGOING, THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION I

The 2019-1550 PUD Ordinance is hereby amended to approve a new concept plan attached as Exhibit A and subject to the conditions approved by the Planning Commission's action of August 13, 2019.

SECTION II

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

SECTION III

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

SECTION IV

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

Approved by: John Wirth, Mayor

Date Approved: February 11, 2020

I certify that the foregoing Ordinance was adopted by the Common Council of the City of Mequon, Wisconsin, at a meeting held on February 11, 2020.

Caroline Fochs, City Clerk

Published: February 20, 2020

Attachment: Packet Docs_ICAP (9685 : I-Mequon 1 LLC c/o ICAP Development LLC)



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

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Department of Community Development

TO: Planning Commission
FROM: COLE MCCRAW, ASSISTANT CITY ENGINEER
DATE: September 23, 2024
SUBJECT: Blu's Trucking for Dan Mehail The applicant is seeking minor request approval to allow for an amendment to the waiver for the existing berm for the property located at 12701 N. Farmdale Road.

Applicant:	Blue's Trucking LLC
Status of Applicant:	Agent
Requested:	Minor Request – Waiver to Berm
Existing Zoning:	R-1 (Rural Residential District) OA (Agricultural Overlay) C-1 (Shoreland-wetland Conservancy)
Land Use Plan:	Residential 5 acre Critical Environmental
Lot size:	40 Acres
Location:	12701 N. Farmdale Road
Tax Key Number:	#14-017-05-000.00
District:	#3

Background:

The applicant is requesting after-the-fact Planning Commission approval for a berm which does not meet the conditions that the Planning Commission previously approved. The berm abuts North Farmdale Road and was previously approved by the Planning Commission as a minor request for fill exceeding 1,000 cubic yards and for a berm exceeding 4.5 feet in height. Per conditions of approval, the applicant was approved for a berm 6 feet in height.

The September 2020 staff report is attached for reference containing the background of the work and original request. The link to the meeting video is provided below (Timestamp 35:11):
<https://mequoncitywi.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=2596&Format=Minutes>.

The previous report and meeting video highlight that, originally, an application was submitted to and approved by staff for the construction of berms surrounding the existing home. However, during construction, the amount of fill and height of the berm exceeded the authority of staff level approvals. The applicant also expressed the desire for additional berms along Farmdale Road which led to the initial application in 2020. The staff report notes that the Planning Commission has not historically permitted berms along the public right-of-way more than 6 feet in height.

The berms were permitted in 2020 (Filling, Excavating, and Berms Permit #2020-21) after

Planning Commission approval. The berms were constructed and a record drawing as-built was submitted, however, the berms were not constructed in accordance with the approved plans. Staff provided the applicant with areas inconsistent with the approved plans in 2022 and required that the berms be corrected, and an updated grading record be submitted. A citation was issued in June 2022 when no action was taken to bring the berms into compliance. The owner was found guilty of the violation in March 2023, but the berms remain out of compliance.

Analysis:

Currently, the berms are constructed six to ten feet in height and steeper than the allowable 4:1 slopes. Furthermore, the tops of the berms do not undulate as much as the approved plans. A markup showing the current berms and their deficiencies is attached for reference.

The applicant requested the waiver for the following reasons on their application:

- Additional disturbance to neighbors
- Not financially feasible
- Already invested over \$25,000 in seed, fuel, and labor

The berms are fully restored and vegetated. While the goal of the enforcement action was to achieve compliance with the Planning Commission approved plan, the applicant was provided all options on how compliance could be accomplished, including requesting the Planning Commission approve the berms in the current condition. If the waiver is not granted, the applicant must correct the berms to the original plans and resubmit a surveyed grading record as-built confirming compliance and enforcement actions will proceed.

Staff Recommendation:

Staff recommends **denial** of the minor request to the berm specification waiver and that the berm be corrected to conform to the approved plan effective immediately.

Attachments:

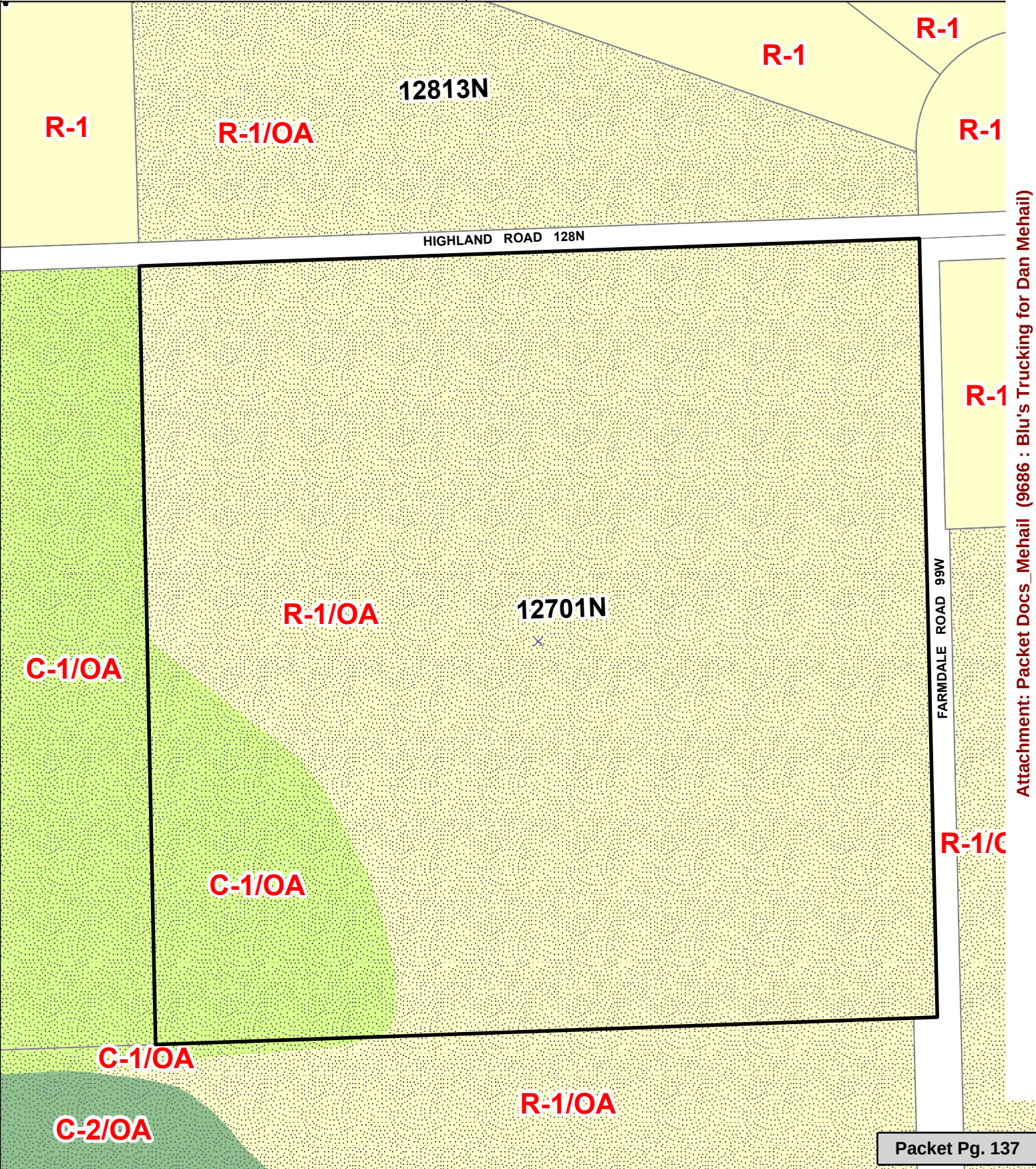
Packet Docs_Mehail (PDF)

Mehail

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



Attachment: Packet Docs_Mehail (9686 : Blu's Trucking for Dan Mehail)

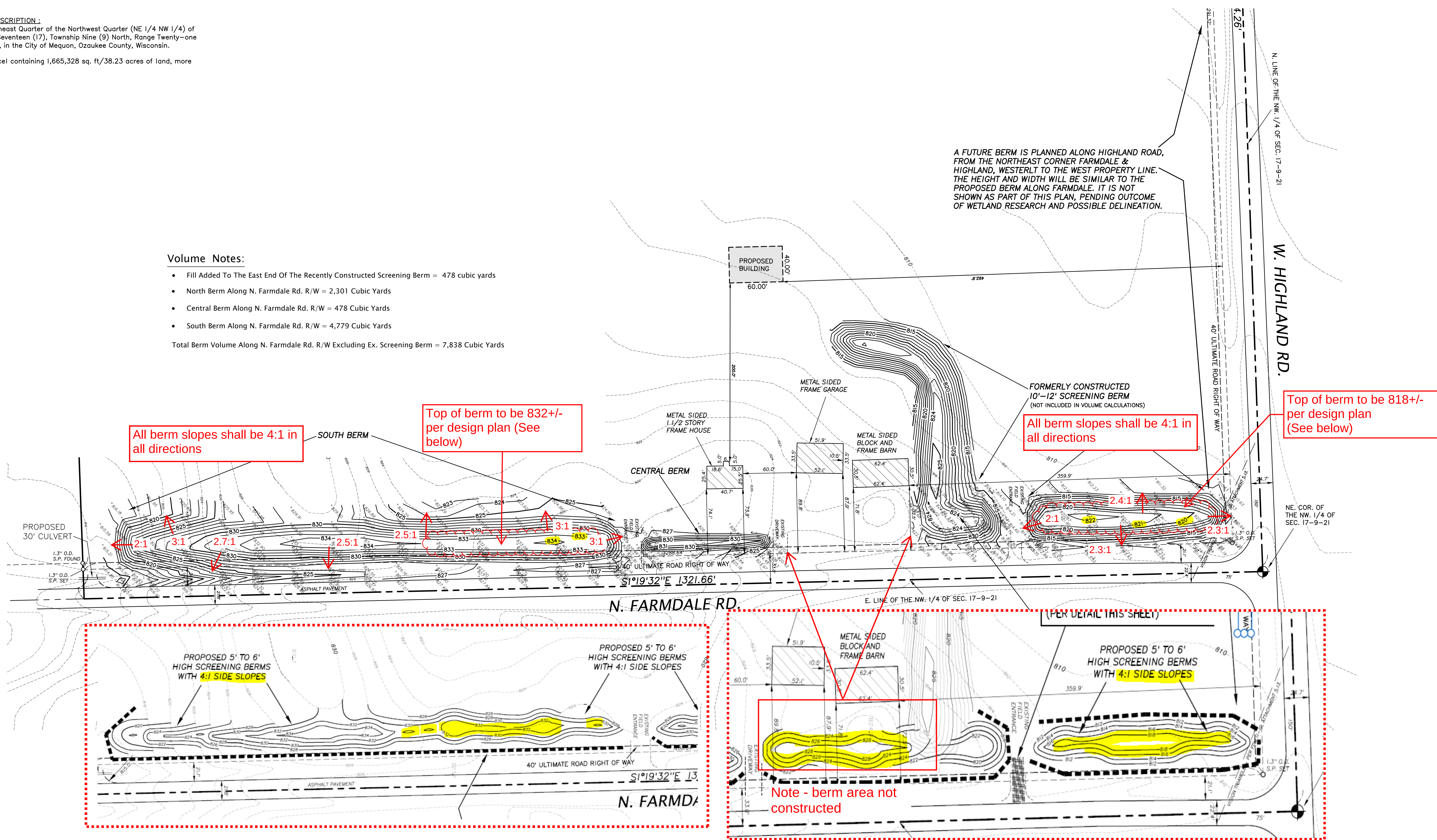
LEGAL DESCRIPTION:
The Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4) of
Section Seventeen (17), Township Nine (9) North, Range Twenty-one
(21) East, in the City of Mequon, Ozaukee County, Wisconsin.

Said Parcel containing 1,665,328 sq. ft./38.23 acres of land, more
or less.

Volume Notes:

- Fill Added To The East End Of The Recently Constructed Screening Berm = 478 cubic yards
- North Berm Along N. Farmdale Rd. R/W = 2,301 Cubic Yards
- Central Berm Along N. Farmdale Rd. R/W = 478 Cubic Yards
- South Berm Along N. Farmdale Rd. R/W = 4,779 Cubic Yards

Total Berm Volume Along N. Farmdale Rd. R/W Excluding Ex. Screening Berm = 7,838 Cubic Yards



Legend

- 822--- DENOTES EXISTING MINOR CONTOUR
- 820--- DENOTES EXISTING MAJOR CONTOUR
- 822— DENOTES BERM AS-BUILT MINOR CONTOUR
- 820— DENOTES BERM AS-BUILT MAJOR CONTOUR

NOTE:

TEMPORARY TOPSOIL STOCKPILES SHALL BE PLACED AT THE DISCRETION OF THE CONTRACTOR WITH THE ENGINEER'S APPROVAL, BUT SHALL BE LOCATED NO CLOSER THAN 50 FEET FROM POND, WETLANDS, DITCHES OR OTHER STORMWATER CONVEYANCE SYSTEM, UNLESS APPROVED BY THE ADMINISTERING AUTHORITY. MEASURES SHALL BE TAKEN TO MINIMIZE EROSION AND RUNOFF FROM ANY TOPSOIL STOCKPILES THAT WILL LIKELY REMAIN FOR MORE THAN 5 WORKING DAYS. ANY SOIL STOCKPILE THAT REMAINS FOR MORE THAN 30 DAYS SHALL BE COVERED OR TREATED WITH STABILIZATION PRACTICES SUCH AS TEMPORARY OR PERMANENT SEEDING AND MULCHING.

BERM NOTE :

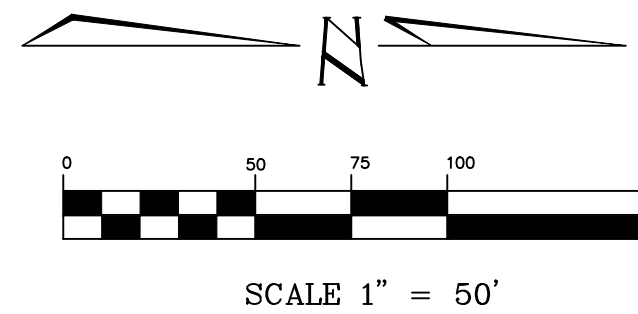
RESTORATION OF NEWLY CONSTRUCTED BERMS SHALL INCLUDE PLACEMENT OF 4-INCHES OF TOPSOIL, PRAIRIE GRASS SEED MIX CONFORMING TO THE STATE D.O.T. SPECIFICATIONS, AND MULCH CONFORMING TO WISCONSIN D.O.T. EROSION CONTROL PRODUCT ACCEPTABILITY LIST.

BENCHMARK NOTE :

MAIN BENCHMARK IS TOP OF SECTION MONUMENT AT THE NE. CORNER OF THE NW 1/4 OF SECTION 17, TOWN 9 NORTH, RANGE 21 EAST (ELEVATION = 812.68)



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



REVISIONS				
MK	DATE	BY	REVISION	CHK'D

CITY OF MEQUON					
OZAUKEE COUNTY		WISCONSIN			
Landscape Berm As-Built Exhibit					
Mehail Property					
12701 N. Farmdale Road					
DESIGNED:	DRAWN: A.R.H.	CHECKED: J.G.S.	SHEET 1 OF 1		
DATE: 12-01-21	SCALE: 1"=50'				
APPROVED:	PROJECT: LS-4683				



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Department of Community Development

TO: Planning Commission
FROM: KRISTEN LUNDEEN, DIRECTOR OF PUBLIC WORKS/CITY ENGINEER
DATE: September 21, 2020
SUBJECT: Dan Mehail. The applicant is seeking minor request approval for fill in excess of 1,000 c.y. and for berms in excess of 4.5 feet in height for the property located at 12701 N. Farmdale Road.

Applicant:	Dan Mehail
Status of Applicant:	Owner
Requested:	Fill Permit & Berm Height
Existing Zoning:	R-1 (Rural Residential)/OA (Agricultural Overlay) C-1 (Shoreland-wetland Conservancy)
Land Use Plan:	Residential 5 acre Critical Environmental
Lot size:	40 acres
Location:	12701 N. Farmdale Road
Tax Key:	#14-017-05-000.00
District:	#3

Background:

The applicant requests Planning Commission approval of a minor request for fill in excess of 1,000 cubic yards for both an after-the-fact and proposed berm construction. A grading plan was submitted with the application. The application requests 10,438 cubic yards of fill to be permitted for this project. Several of the berms exceed 4.5 feet in height, requiring Planning Commission approval.

Engineering Report:

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

Originally, an application was submitted to and approved by staff for the construction of berms surrounding the existing home. However, during construction, the amount of fill and height of the berm exceeded the authority of staff level approvals. In addition, the property owner identified an intent to complete a wetland scrape and pond construction, as well as additional berms along Farmdale Road.

The Planning Commission has not historically permitted berms along the public right-of-way in excess of 6 feet in height. Several of the proposed berms are 7-10 feet in height and need to be scaled down to meet this standard.

Engineering staff reviewed the application for compliance to the Standard Specifications for

Attachment: Packet Docs_Mehail (9686 : Blu's Trucking for Dan Mehail)

Land Development (SSLD) and has the following technical comments that should be addressed with the application for the Fill, Excavation and Berm Permit:

1. With Planning Commission approval of the amount of fill and height of the berm by the existing house, an after-the-fact permit may be issued for that berm.
2. The toe of the proposed berms should be no closer than 5-ft. from the ultimate right-of-way. The toe of the berm's contours, as shown on the submitted plan, appear to be closer than the required 5 foot setback required by the SSLD.
3. Silt fence on the northernmost berm should also be installed on the east side of the berm, to keep sediment from entering the ditch.
4. The proposed Farmdale Road berm slopes scale as 3:1 (2-ft. contours shown on plan). Per the SSLD, 4:1 is the maximum allowable slope.
5. The revised plan shall show the vision corner at Highland Road and Farmdale Road in accordance with FDM11-10 Attachment 5.13. Berm construction is not permitted within the vision corner.
6. Show the existing tracking pad on the north access entrance if one exists and label as such.

In addition to the fill permit, the operations require application for and approval of a City erosion control permit. Please note that if the total area of disturbance is in excess of one acre, the site also requires a stormwater management plan.

Please note that the plan indicates that additional berms of similar size are proposed along Highland Road, upon completion of the wetland delineation. Those berms are not included in the fill calculation, nor shown on the grading plan. If the Planning Commission approves the Highland Road berms as a part of this application, it must increase the authorized amount of fill and provide staff with the authority to issue a permit for berms in excess of 4.5 feet.

Wetlands appear to be present on site. A wetland delineation report with concurrence by the Wisconsin Department of Natural Resources (WDNR) is required. The applicant indicated that a wetland delineation was performed but was not submitted as a part of the original application package. The Wetland Delineation Report and WDNR concurrence should be provided with the fill permit application, subsequent to the Planning Commission approval.

Staff Recommendation:

Planning staff recommends approval of the minor request for fill up to 10,500 cubic yards and berms in excess of 4.5 feet subject to the following conditions:

1. Only the fill and berm construction identified in the plan set are included in this approval. If any of the work permitted by the WDNR is subject to City ordinances, it should be submitted in with the Fill, Excavation and Berm permit.
2. Engineering Division review and approval of grading and drainage plans in conformance to City ordinances and the Standard Specifications for Land Development.
3. Reduction of the height of the berm along Farmdale Road right-of-way to a maximum of 6 feet in height.
4. Application for and approval of a City Filling and Excavation Permit.
5. Application for, approval of and payment of all fees associated with a City Erosion Control Permit. Please note depending on the total area of a disturbance, a stormwater management plan may be required.
6. Applicant shall provide a copy of the Wetland Delineation Report and WDNR concurrence.
7. Department of Community Development review of berms and landscape plantings.

8. Application for and approval of any roadway hauling. A road bond will be required if roadways are utilized.
9. Berm construction on Highland Road requires a subsequent application for any fill or berms in excess of 4.5 feet in height.
10. As a condition of approval and issuance of the permit, the city engineer will require in accordance with City ordinance 58-677(b) that the applicant deposit an escrow or letter of credit to guarantee a good faith execution of the approved control plan and any permit conditions. The escrow / letter of credit shall be in an amount equal to 125% of the estimated cost of construction and maintenance of the storm water management practices and the City will release the portion of the Financial Guarantee less any costs incurred by the city to complete installation of practices, upon submission of a certification in accordance with 58-678(h).
11. The applicant shall submit final plans within 60 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.

Attachments:
Packet Docs (PDF)



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www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: Jac Zader, Assistant Director Community Development
DATE: September 23, 2024
SUBJECT: Design Guidelines for Commercial Structures

Background:

As part of the ongoing efforts related to creating design guidelines for the Port Washington Road corridor, staff prepared a visual preference survey for Commission members that was distributed at the June Planning Commission meeting. Staff received eight full responses and one partial response from the Commission. Staff will be going over the results of the survey at the meeting.