



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

Department of Community Development
Taped and Televised

PLANNING COMMISSION
Christine Nuernberg Hall
Mequon City Hall
11333 N Cedarburg Road
October 7, 2019
6:00 PM

AGENDA

1) Call to Order, Roll Call

- a) Approval of Minutes from September 9, 2019

2) Consent

- a) Betsey & Jay Woody. The applicant is seeking approval for a waiver to a Planning Commission imposed ravine setback to allow for an addition to the existing home for the property located at 616 E. Juniper Lane. **REMOVE FROM TABLE**
- b) Riverland Estates. The applicant is seeking landscape and street tree plan approval for a 13-lot single-family subdivision located at the corner of Bonniwell & Riverland Roads (Riverland Estates).
- c) Boulder Venture for Associated Bank. The applicant is seeking fill permit approval to allow 2,800 cubic yards of fill for construction of a new building as well as new parking lot, sidewalks, utilities and landscaping for the property located at 11223 N. Port Washington Road.
- d) General Dynamics Information Technology. The applicant is seeking site plan amendment approval to allow for a backup generator to be installed inside the existing compound for the existing telecommunications tower located at 11300 N. Buntrock Avenue.
- e) American Tower. The applicant is seeking building and site plan amendment approval to allow for a new shelter to house Verizon's ground-based telecommunications equipment for the existing telecommunications site for the property located at 11800 N. Port Washington Road.

3) Regular Business

- a) Jim Hoffman for Pine Reserve LLC. The applicant is seeking certified survey map approval to create four lots between 6710 and 6926 W. River Birch Drive.
- b) Bear Arms. The applicant is seeking sign waiver approval to allow for a 34" x 46" directional sign for the property located at 9653 N. Granville Road.

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4) Policy

- a) Allowing Resale Shops in the City of Mequon
- b) The City of Mequon is seeking a text amendment to Chapter 2 of the City of Mequon Code of Ordinances related to the establishment and operation of the Planning Commission.

5) Announcements

The next meeting is Monday, November 11, 2019 at 6:00 p.m.

6) Adjourn

Dated: October 4, 2019

/s/ John Wirth, Chairman

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

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

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



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PLANNING COMMISSION
Regular Meeting
Monday, September 9, 2019
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

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

Present:

Chairman John Wirth
Alderman/Vice Chair Robert Strzelczyk
Commissioner Martin Choren
Commissioner John Stoker
Commissioner Rick Lemke
Commissioner Brian Parrish
Commissioner James Schaefer
Commissioner Rebecca Schaefer
Alternate Stephanie Hawley
Alternate Gregg Bach

Action

Ald. Strzelczyk made a motion to approve the July 22, 2019 meeting minutes.
Commissioner Stoker seconded the motion.
A voice vote was taken; vote passed (8-0)

RESULT:	APPROVED [8 TO 0]
MOVER:	Robert Strzelczyk, Alderman/Vice Chair
SECONDER:	John Stoker, Commissioner
AYES:	Wirth, Strzelczyk, Choren, Lemke, Parrish, J. Schaefer, R. Schaefer, Stoker

2) Consent

Attachment: PC Minutes_ 09.09.19 DRAFT (4499 : Meeting Minutes from September 9, 2019)

- a) John and Pamela Cooper. The applicant is seeking approval to vacate a Public Road Reservation that extends across the applicant's property and terminates at Outlot 3 of Knightsbridge Estates for the property located at 10961 N. Wauwatosa Road.

Action

Commissioner Stoker made a motion to approve the five consent agenda items.

Ald. Strzelczyk seconded the motion.

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

RESULT: **APPROVED [8 TO 0]**
MOVER: John Stoker, Commissioner
SECONDER: Robert Strzelczyk, Alderman/Vice Chair
AYES: Wirth, Strzelczyk, Choren, Lemke, Parrish, J. Schaefer, R. Schaefer, Stoker

- b) SMJ International, LLC for American Tower. The applicant is seeking site plan amendment to allow for a backup generator to be installed inside the existing compound for the existing telecommunications tower located at 8320 W. Freistadt Road.

RESULT: **APPROVED [8 TO 0]**
MOVER: John Stoker, Commissioner
SECONDER: Robert Strzelczyk, Alderman/Vice Chair
AYES: Wirth, Strzelczyk, Choren, Lemke, Parrish, J. Schaefer, R. Schaefer, Stoker

- c) Wilmer Wetzel. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 13104 -13106 N. Granville Road.

RESULT: **APPROVED [8 TO 0]**
MOVER: John Stoker, Commissioner
SECONDER: Robert Strzelczyk, Alderman/Vice Chair
AYES: Wirth, Strzelczyk, Choren, Lemke, Parrish, J. Schaefer, R. Schaefer, Stoker

- d) Mequon Nature Preserve. The applicant is seeking building and site plan amendment approval to allow for the installation of 2 greenhouse structures for the property located at 9011 W. Donges Bay Road.

RESULT: **APPROVED [8 TO 0]**
MOVER: John Stoker, Commissioner
SECONDER: Robert Strzelczyk, Alderman/Vice Chair
AYES: Wirth, Strzelczyk, Choren, Lemke, Parrish, J. Schaefer, R. Schaefer, Stoker

- e) Alliance Bible Church. The applicant is seeking site plan amendment approval to allow for additional parking areas for the property located at 13939 N. Cedarburg Road.

RESULT: **APPROVED [8 TO 0]**
MOVER: John Stoker, Commissioner
SECONDER: Robert Strzelczyk, Alderman/Vice Chair
AYES: Wirth, Strzelczyk, Choren, Lemke, Parrish, J. Schaefer, R. Schaefer, Stoker

Action

Commissioner Parrish made a motion to suspend the rules to allow for the last agenda item (4 C) to be heard first.

Commissioner Becky Schaefer seconded the motion.

A roll call vote was taken; vote failed (5-3) (No Votes: Wirth, Strzelczyk, R. Schaefer, Stoker, Lemke)

3) Public Hearing

- a) Missing Links Golf. The applicant is seeking conditional use grant and building and site plan amendment approval to allow for a miniature golf course and extended parking lot for the property located at 12590 N. Port Washington Road.

Action

Ald. Strzelczyk made a motion to go into a public hearing.

Commissioner J. Schaefer seconded the motion.

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

Action

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

Commissioner Stoker seconded the motion.

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

Action

Commissioner Lemke made a motion to approve the item.

Commissioner Stoker seconded the motion.

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

RESULT: **APPROVED [8 TO 0]**
MOVER: Rick Lemke, Commissioner
SECONDER: John Stoker, Commissioner
AYES: Wirth, Strzelczyk, Choren, Lemke, Parrish, J. Schaefer, R. Schaefer,
 Stoker

4) Regular Business

- a) Ozaukee County Planning and Parks Department. The applicant is seeking fill permit approval to allow for the excavation and fill of soil up to 24,050 cubic yards. The excavation is associated with a stream and wetland restoration project for the property located at 9104 W. Mequon Road.

Asst. City Engineer Henk stated that the applicant is requesting fill permit approval for filing and excavating for the property located at 9104 W. Mequon Road; for the Little Menomonee Ecosystem Restoration project; which is a wetland and stream restoration project. They are anticipating a significant amount of haul-off. As part of the conditions of approval it is recommended that only county and state roads be used for that level of haul-off. City staff reviewed the plans and they do conform to the required specifications.

There was clarification that material will be hauled away from the site and that there is not fill being brought to the site.

Action

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

RESULT: **APPROVED [8 TO 0]**
AYES: Wirth, Strzelczyk, Choren, Lemke, Parrish, J. Schaefer, R. Schaefer,
 Stoker

- b) Concordia University. The applicant is seeking building and site plan amendment to allow for a dome over the football field for the property located at 12800 N. Lake Shore Drive.

The applicant was represented by Dr. Rob Barnhill; Director of Athletics at Concordia University and Dave Fenton with Horizon Building Systems.

Asst. Dir. Zader stated that this request is for approval for a dome to be erected over the football field at Concordia University. In 2014, they were before the Commission for a consultation for a dome over the softball and soccer fields which were 72 feet in height and exceeded the height code requirement. They have moved the location of the requested dome over to the football field and reduced the height of the dome to 52 feet which complies with the zoning code requirement. The site renderings included in the packet were shown. Staff prefers this location as it is set back further from public view and it is mostly blocked by the parking structure. There are two

different types of structures with different illumination levels at night. One type is opaque and the other one has a skylight view. The Commission was asked to provide feedback on which type of dome they prefer. Regarding the issue of noise; it is relatively quiet to inflate the dome and to keep it inflated. A condition is included that the noise level cannot exceed 65 decibels at the property line. Staff is supportive of the request and recommends approval based on the conditions in the staff report.

Dan Bradley, 344 W. Bonniwell Road – is opposed to this proposal and stated that the packet did not include renderings from the north or the northeast where most of the residents live. He stated that the 65 decibel level restriction needs to be monitored as he lives a mile away and he can hear everything from Kapco Field. He has questions about the light bleed from the dome as it was not included in the packet.

Dr. Barnhill explained that the residential growth of students as well as athletic teams and student athletes has grown tremendously over the past several years; from 15 teams and 300 student athletes to 32 teams and 700 student athletes. They have outgrown their ability to provide student athletes and non-student athletes with recreational play space. They have one indoor field house facility that supports volleyball, basketball and indoor track. They have added a training center to support the baseball and softball teams with pitching and batting practice but because of the 6,000 sq. ft. footprint, it is a limited space for larger field sport teams and they are not able to practice there. During January through March, when there is the overlap of winter and spring sports, there are ten competing organizations trying to get into the field house for practice time.

He stated that the dome would allow for more value out of the current facility but utilizing it seasonally from October through early April. This would virtually remove the field sports from the field house and would allow for some intramural and campus recreation sports to expand their offerings in the dome. This is the most economical option available for the university. The timing is important as the football turf field is 12 years old on a 10-year warranty and they want to put the containment system around the field at the same time the bubble dome is installed.

It was stated that the dome would be about 10 feet higher than the parking structure. There was discussion regarding the timing of the lights to be turned off in the dome. The Institutional zoning district allows for these permitted uses. The building and site plan approval process allows the Commission to recommend restrictions on the illumination but not on the hours of operations.

The applicant, Mr. Fenton, explained the lighting trespass issue for the two dome options. The skylight dome interior lights are off to the sides and produce a dim glow through the fabric; it is less than parking lot lighting. The opaque dome uses all LED lights and the lumens that go out are about 1/10 of the indoor lights. The disadvantage is that the lights always need to be flipped on when using the opaque dome as opposed to the natural light through the skylight dome. He stated that if light is a sensitive issue, the dome choice should be the opaque one. Mr. Fenton stated that the opaque dome is fully opaque with no light coming through it.

Asst. City Eng. Henk explained that the existing master storm water plan (MSWP) shows the football field as pervious but based on the information that the field is artificial turf and is

looking to be replaced; the entire MSWP will be reviewed and updated to verify whether additional storm water controls are needed as that area changes from pervious to impervious.

There was discussion about the rendering showing the evergreens on the north property line as misleading and that the evergreens are about 25 feet tall and they will not obscure the dome from being seen.

Action

Commissioner Stoker made a motion to approve an opaque dome based on staff recommendations with a midnight cut off for the lighting.

Ald. Strzelczyk seconded the motion.

A roll call vote was taken; vote failed (4-4) (No Votes: R. Schaefer, Parrish, J. Schaefer, Strzelczyk)

RESULT:	FAILED [4 TO 4]
MOVER:	John Stoker, Commissioner
SECONDER:	Robert Strzelczyk, Alderman/Vice Chair
AYES:	Wirth, Choren, Lemke, Stoker
NAYS:	Strzelczyk, Parrish, J. Schaefer, R. Schaefer

- c) Fred Bersch & Paul Apfelbach. The applicant is seeking preliminary plat, development agreement and rezoning recommendation; from R-1/OA (Rural Residential Detached/Agricultural Overlay) to R-1B (Rural Residential Detached 2.5 acre minimum), approval to allow for a 6-lot single-family subdivision for the property located at the southwest corner of N. Birchwood Lane and W. Hemlock Lane.

Commissioner Stoker recused himself from this item.

Asst. Dir. Zader stated that this is a request for rezoning recommendation, preliminary plat and development agreement approval for a 6-lot subdivision on the southwest corner of Birchwood and Hemlock Lanes. It is about 15.23 total acres after the dedication of right of way. A map was shown of the zoning in the surrounding area; with that the majority of the zoning in the area being R-2, R-1B or R-2B. He explained that prior to 2000 the area was zoned at 2.5 acre lot density. In 2000, the City went through a rezoning process where the entire city outside the sewer boundary was rezoned to a 5-acre minimum. The situation is that this parcel is zoned 5-acre but is surrounded by smaller lot sizes. In 2012 this policy issue was discussed by the Common Council as a number of property owners requested rezoning back to the previous zoning. At the time it was discussed whether individual property owners shall be allowed to request rezoning or whether a whole scale rezoning should be done; it was decided at the time that individuals would request rezoning as desired. A map of the surrounding area shows acreage size ranges from much smaller than the 5-acre zoning requirements; with most lots around 2 acres. The land use plan has mostly remained unchanged over the years as it is a well-established neighborhood.

The plat shows a 6-lot subdivision which meets the 2.5 acre minimum. In terms of frontage, there is no infrastructure proposed for an additional road. There is access to Lake Shore Drive, Birchwood Lane and Hemlock Lane. Lot 5 is the only lot that does not show frontage on an existing road. The plat shows an easement through Lot 1 to discharge on Hemlock Lane. Staff has concerns as it crosses through a wetland area and staff recommends a shared access connecting with Lot 6 with discharge onto Lake Shore Drive. There are a number of specimen trees located on this site with the majority of them located along the south property line. The applicant has placed a 30 foot tree preservation easement there. There are 3 specimen trees on Lot 3 which shall be protected by the tree preservation protection during development.

After the packet was published, the applicant submitted an addendum; in response to a neighborhood meeting, to increase the setback on the south property line from the required 30 feet to 50 feet to provide a larger buffering to the neighboring subdivision. There is a large wetland complex which drains from east to west; development shall remain out the wetland setback. The area is full of dead ash trees which the applicant has agreed to remove as part of the development of the subdivision.

The development agreement allows for the construction of one single-family home prior to final plat as well as other conditions that protect the city in terms of development of the parcel. The rezoning recommendation will be in front of the Council in November. The preliminary plat and development agreement are on hold until after action on the rezoning. Staff recommends approval of this development subject to the conditions in the report and the addition of the 50 foot southern property line setback.

The applicant is represented by developers Fred Bersch and Paul Apfelbach as well as the property owner Linda de la Mora.

Public registered as opposed but do not wish to speak at the meeting:

Harris and Heidi Ladd
 Nassif and Amy Madi
 Sarada Prasad
 Marjorie Horvat
 Gary Kastelic
 David Mangeth
 Frank and Barbara Sandberg
 Louise Dernehl
 Tim Dunar
 Edward King

Ann McDonald – 13826 N. Birchwood Lane – is opposed as she has concerns regarding the continued growth development north. She would like to keep this area as green space and undeveloped. She worries that the 6 lots will cause run off issues as there is existing flooding on Lake Shore Drive. She believes there is more work to be done regarding well contamination, flood plain considerations and storm water management.

Theo Frankel – 584 W. Bonniwell Road – supports this project as he personally knows Mr.

Bersch as a conscientious developer and he encourages everyone not to make this a personal issue. He is supportive of the 6-lot proposed subdivision.

Matt Sullivan – 350 W. Hemlock Lane – opposes the project as his property faces this proposed development. He worries about protecting the wetlands during development. His concerns are regarding the aquifers and possible well replacement due to overdevelopment and the costs that he would incur. He stated that many of the surrounding neighbors signed a petition showing opposition to this proposed development.

Dr. Fred Horwitz – 13622 N. Lakewood – is opposed because he is concerned about subsurface water flow direction and possible bluff erosion. He feels that 6 homes instead of 3 homes sets rezoning precedent and the additional homes will negatively impact the surrounding homes.

Stephen De Guire – 10207 N Haden Court – he is supportive of this project because he supports smaller lots being offered in the city; especially on the east side of the city.

Chuck Schmidt – 424 W. Hemlock Lane – is opposed and he is concerned about the water table and the need to have it down even further and that he prefers 3 mound systems instead of 6.

Carol McCoy – 14138 N. Birchwood Lane – is opposed as she believes it sets precedents and that the city should follow the existing land use plan. She also has concerns about the wetlands on the site as they provide many functions. She believes that once the parcels are formed the individual home owners may fill the wetlands which could affect water quality downstream.

Daniel Dunar – 13708 N. Lake Shore Drive – is opposed and requests that the Commission follow the established land use plan as he feels that not following it undermines the strategy which has been in place and effective and has protected the landscape and quality life in the city.

Dan Bradley – 344 W. Bonniwell Road – he is opposed and many of his concerns have been previously mentioned. He stated that he was part of the Blue Ribbon Vision Committee that created the land use plan and he clarified that part of the intention was that existing parcels in that area were to remain as is and were not to influence the future going forward. He stated the policy was aimed at vacant land and not land that had existing homes on them. He feels that the most important issue is the precedent being set; specifically for vacant land. He does support 3 homes built there but not 6 homes.

Sarah Kerkman Dwyer – 14045 N. Birchwood Lane – supports the project as she believes that the property owner should be able to do what they want to do with their land. She feels that a lot of thought and time has gone into the proposed development and it has been well vetted. She feels that the concerns expressed from the previous speakers are based on fear.

Asst. City Eng. Henk responded to the public statements:

- There is not floodplain on this parcel.
- Storm water management is required and the applicant must show that the water leaving the site will not be any greater after the development than it currently is today and that it

flows in the same direction.

- The ash trees will be cut down but they will not be allowed to grind the stumps as that is considered wetland disturbance which requires a special permit.
- The DNR regulates the water table. All wells go through the DNR approval process. Packet page 167 #2 lists all the conditions the developer must establish for digging a well.
- Since 1998/1999 about 2,000 homes have been removed from the aquaphor and are now on city water. Concordia used to be a large draw and they are also now on city water.
- The aquaphor is about 160 feet deep in this area; about 140-150 feet are clay soils that the septic has to filter through.
- Experts have reported that the aquaphor is very strong in this area at this time.

The developer, Mr. Bersch, stated that the proposed rezoning should be evaluated on its individual merits; as stated in the staff report. He further stated that this parcel is surrounded by comparable sized single-family lots, and like those properties, the proposed lots will have septic mounds and private well systems. They have performed soil testing to identify 6 acceptable mound sites. There are no new public improvements required for this subdivision. He stated that this development will resolve the localized flooding at the northwest corner on Lake Shore Drive. Additionally this proposal has addressed all the required civil and engineering issues including street tree preservation, street trees, a \$50,000 Cistern contribution, wetland preservation and storm water management. He added that there is no objective evidence that septic mounds and private wells on 2.5 acre lots will have any adverse public health or public safety impact. He believes the proposed homes will enhance the property values of the surrounding lots and that many potential home owners prefer the smaller size lots (1.5 – 2.5 acre range).

Some of the Commissioners expressed concern that precedent would be set and that it would affect the 77 acre parcel north of this site.

Mayor Wirth stated that the 2010 Vision report was created by a non-binding committee that made a recommendation. This applies to the Blue Ribbon Vision Committee from 2000 as well. He feels that the blanket zoning applied at that time did not consider individual properties or individual areas. The property owners have the right to ask for changes to their land. He believes that good planning decisions are based on the evaluating the surrounding area and whether the rezoning request is compatible. He reminded the Commission that their job is to evaluate the parcel as it is today and not base it on previous plans. He believes that science supports the aquaphor as being very strong and that there are strict state rules that ground water problems are not being created by this development. He will vote to support this project. He is supportive of a note to the motion that the north 77 acre parcel not be granted this zoning.

Action

Ald. Strzelczyk made a motion to approve the item with a clear statement that this decision does not set a precedent for other surrounding large parcels to be rezoned to smaller lots.

Commissioner Lemke seconded the motion.

A roll call vote was taken; vote passed (5-3) (No Votes: R. Schaefer, J. Schaefer, Parrish)

RESULT: **APPROVED WITH CONDITIONS [5 TO 3]**
MOVER: Robert Strzelczyk, Alderman/Vice Chair
SECONDER: Rick Lemke, Commissioner
AYES: Wirth, Strzelczyk, Baka, Choren, Lemke
NAYS: Parrish, J. Schaefer, R. Schaefer
RECUSED: Stoker

5) Announcements

The next meeting is Monday, October 7, 2019 at 6:00 p.m.

6) Adjourn

Action

Commissioner Parrish made a motion to adjourn.

Commissioner Lemke seconded the motion.

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

The meeting concluded at 8:10 p.m.

Respectfully Submitted,

Jac Zader



TO: Planning Commission
FROM: PA PHOUALA VANG, PLANNER
DATE: October 8, 2019
SUBJECT: Betsey & Jay Woody. The applicant is seeking approval for a waiver to a Planning Commission imposed ravine setback to allow for an addition to the existing home for the property located at 616 E. Juniper Lane. REMOVE FROM TABLE

Applicant:	Betsey & Jay Woody
Status of Applicant:	Owner
Requested:	Minor Request
Existing Zoning:	R-3 (Residential)
Existing Land Use Plan:	Residential 1 Acre
Lot size:	1.38 Acres
Location:	616 E. Juniper Lane
Tax Key:	#15-033-11-005.00
District:	#8

Background: The applicant is seeking a minor request for reconsideration of a Planning Commission condition to allow for an addition to the existing home at 616 E Juniper Lane. The applicant previously came before the Commission to request removal of a Planning Commission imposed ravine setback in order to add a bedroom and deck addition. The Planning Commission tabled the request at the January 14, 2019 meeting and recommended a geo-technical study be submitted along with the request to show any potential impacts to the subject property as well as neighboring properties. The applicant scaled back on the proposal and is requesting approval of a 165 square foot bedroom addition and has submitted a slope stability report to support their proposal. Since the addition is still within the ravine setback, the Planning Commission must approve a modification to the setback requirement.

Ravine Setback:

Chapter 58, Zoning Code, does not have a ravine setback requirement. However, as part of a three-lot land division approval in 1979, the Planning Commission added a condition that the CSM show a 30 foot setback for all buildings from the top of the ravine (see attached minutes from 12/17/79). CSM 1233 shows a 30 foot building setback from the top of the ravine for properties at 600, 616 and 630 E Juniper Drive. The dwelling at 616 E Juniper Drive existed at the time the condition was placed, and the 30 foot setback ran through the back portion of the dwelling. In addition to the properties of CSM 1233, properties of CSM 1089 at 500, 550, 600 and 606 E Juniper Court have a 30 foot setback from the ravine per Planning Commission conditions of approval for the land division in 1978. A total of seven properties have a ravine setback requirement in this area (see Exhibit A).

The proposed bedroom addition does not encroach further into the ravine setback than the existing dwelling. A report provided by Miller Engineers and Scientists indicated that due to the

light loads of the proposed addition and the position of the structure, the addition will not adversely affect the erosion and stability of the slope or the existing structure or nearby structures.

Staff does not recommend removal of the ravine setback from CSM 1233 but does support the proposed addition based on the slope stability report. Staff supports encroachments into the 30 foot ravine setback if supported with a geo-technical report from a professional registered engineer. The appropriate mechanism to allow encroachments into the ravine setback supported with a geo-technical report will be determined by the City Attorney as a condition of approval.

Staff Recommendation:

Staff recommends approval of the minor request, subject to the following:

1. Staff approval of the final floor plan. The applicant shall submit such plans within 60 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. Architectural Review Board approval of the addition.
3. City Attorney shall approve the appropriate mechanism to allow for encroachments into the ravine setback supported with a geo-technical report and the mechanism shall be implemented prior to issuance of building permits.

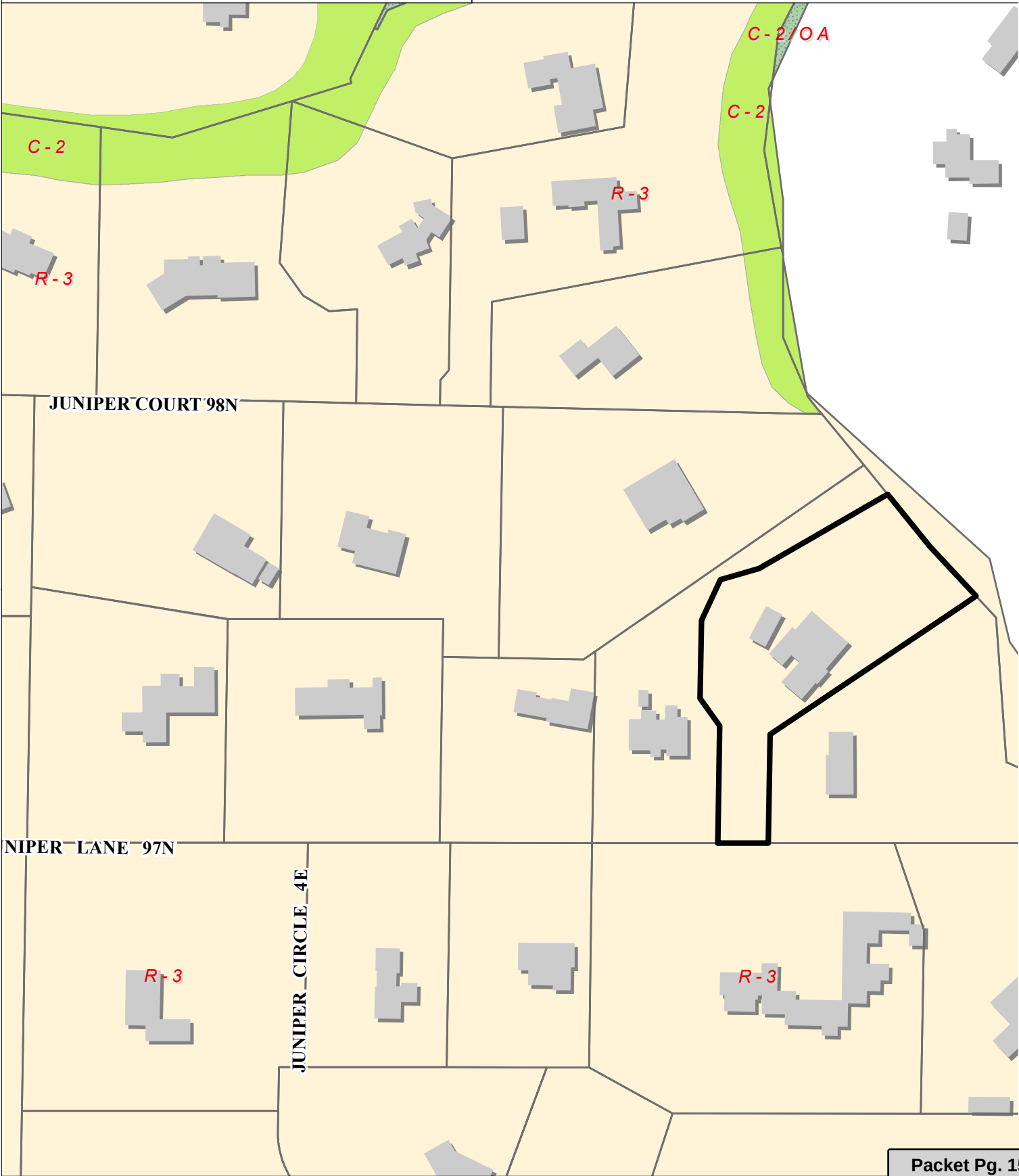
Attachments:

Packet (PDF)

Jay & Betsy Woody

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

2.a.a



Attachment: Packet (4484 : Betsey & Jay Woody)

Dear Mequon Planning Commission:

My husband and I are planning a small addition/ renovation to our home at 616 E Juniper Lane. We moved into this home in 1998 and would like to do some work that will make it beneficial for us as we grow older.

We came before you last fall and it was suggested we obtain an engineering study. We have done this, and we have also changed the design with the addition now occurring 15'-18' further back from the bluff than we previously proposed.

We have been told we can not move forward due to a Ravine setback that was put on our lot in the 1970's. We are seeking either a change in setback from 30' to 15' OR a waiver to this setback so we can move ahead with our project. These are the reasons we think the setback should be changed/waived.

- This setback was created by the planning commission/Ozaukee County/previous homeowner in the 1970's when part of the land from our original lot was sold off. This is NOT an official ordinance but rather a condition to partition the land.
- The Ravine setback was placed running through the entire back of our home which was built in the 1950's
- The Ravine setback only seems to be in effect for a small number of homes on Juniper Lane/ Court/Circle. There does not seem to be any continuity regarding this. This puts a burden on us that is not applicable to our neighbors.
- The current setback restricts our ability to put a small addition on our home for the Master Bedroom. We would like to maintain a one level home, which would be conducive to our needs as we age.
- The attached report from Miller Engineering indicates that there would be no negative impact on the Ravine or Environment.

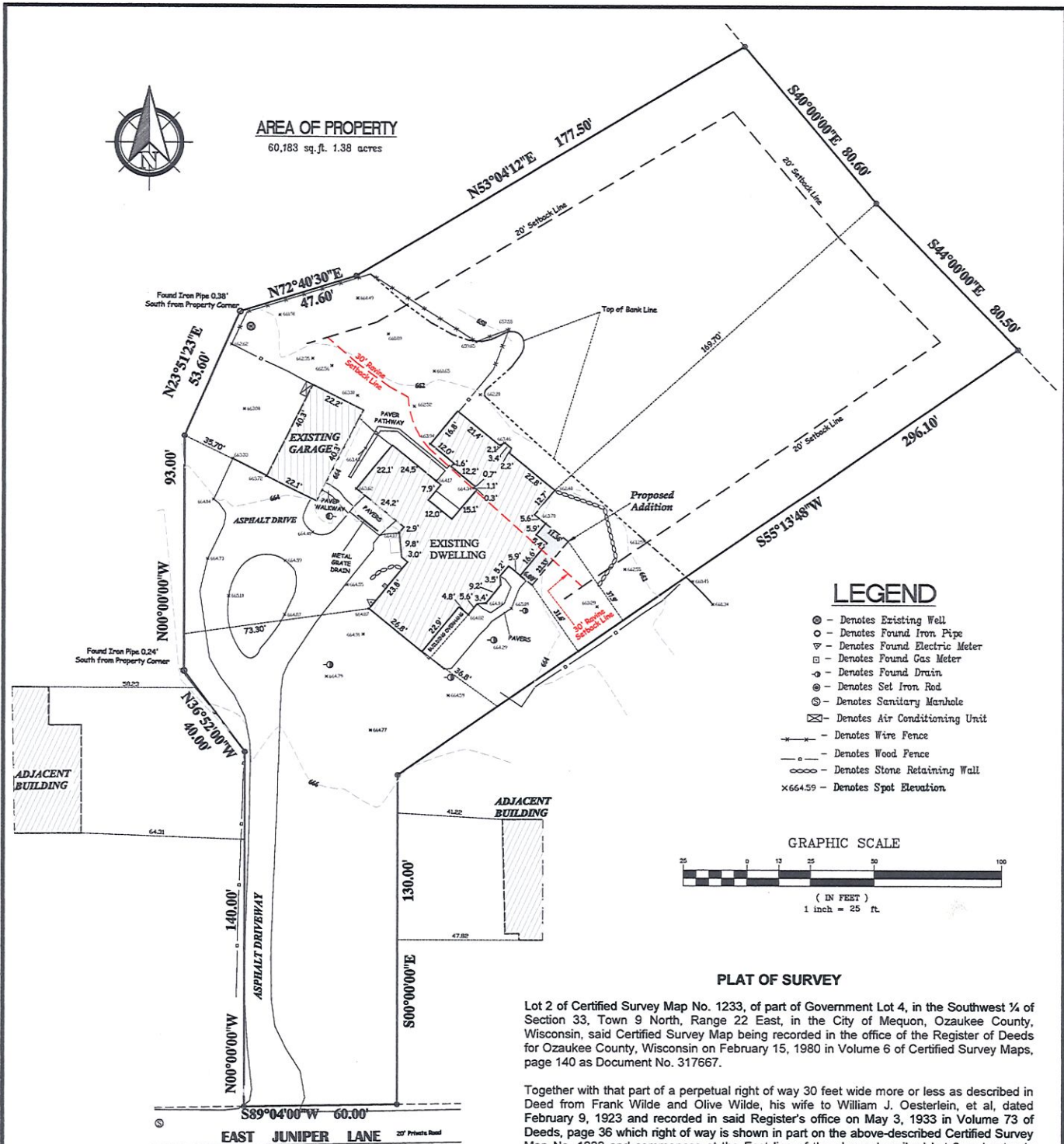
As long-term residents and active Community Members in Mequon, we respectfully seek to have the Ravine setback changed/waived so that we can move forward with our renovation project.

All the best,

Betsey and Jay Woody

616 E Juniper Lane

Attachment: Packet (4484 : Betsey & Jay Woody)



Address: 616 E. Juniper Ln.

Surveyed for Jay & Betsey Woody

"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 structures thereon, fences, apparent easements and roadways and visible encroachments, if any.

"This survey is made for the exclusive use of the present owners of the property, and also those who purchase, mortgage, or guarantee the title thereto within one (1) year from date hereof and as to them I warrant the accuracy of said survey map.

NOTE: THIS IS NOT AN ORIGINAL SURVEY UNLESS THE SEAL IS RED.

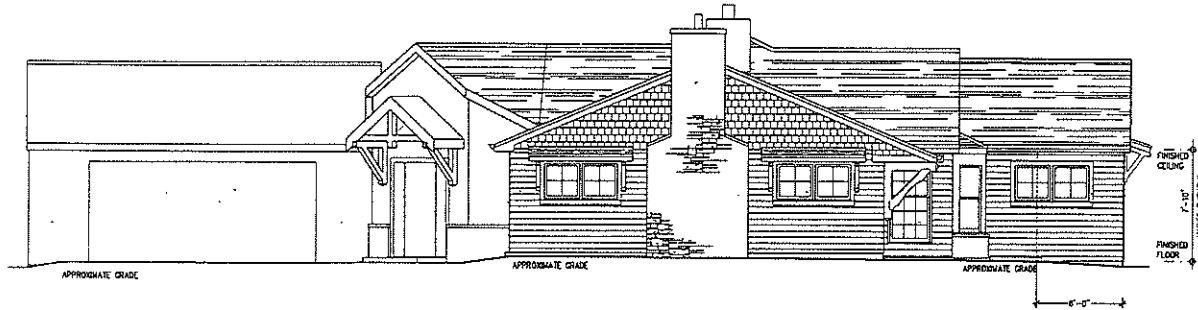
SURVEYING ASSOCIATES, INC.
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2554 N. 300TH STREET
P.O. BOX 26596
WADSWORTH, WISCONSIN 53226
(414) 557-5215 FAX: (414) 557-5453

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

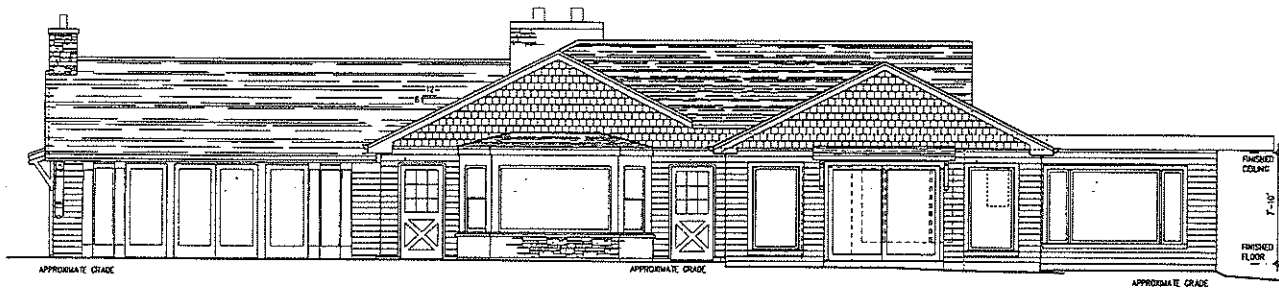
"This survey is made for the use of the present owners of the property and also those who purchase, mortgage, or guarantee the title thereto within one year from date hereof."

NOTIFICATION BY WRITTEN AGREEMENT WITH THE ABOVE NAMED CLIENT HAS NOT BEEN MAILED IN ACCORDANCE WITH A.C. 7.28 (2) OF THE WISCONSIN ADMINISTRATIVE CODE.

Scale: 1" = 25'	Date Drafted: 06/04/19	Revised: 9/24/19
Project Number: 35517	Drafted By: DAG	Date of Field Work: 5/29/19
	Field Work: DAG	NAS
Project Completed For: Jay and Betsey Woody		

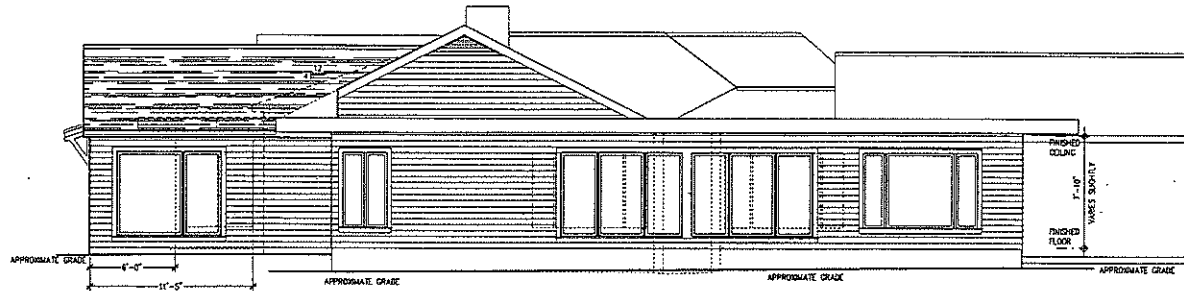


1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"

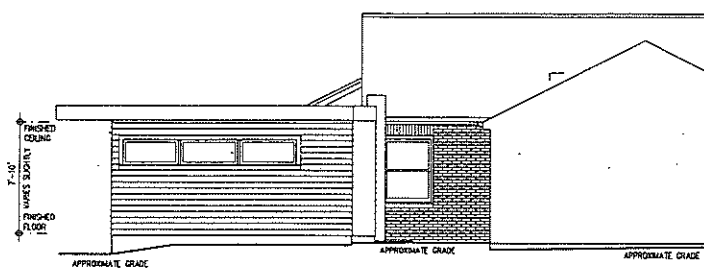


2 EAST ELEVATION
SCALE: 1/4" = 1'-0"

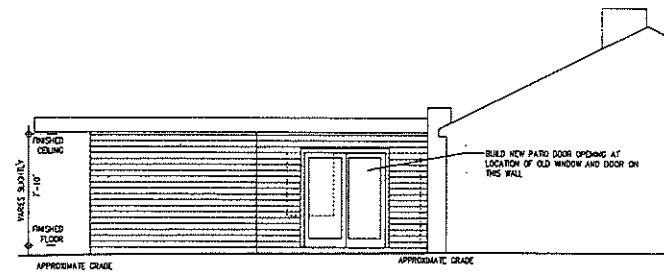
DATE: MAY 15, 2019 REVISIONS TO THE SET SHEET	
baugnet design studio Residential & Commercial Design Services (414) 832-3189 3310 OAKLEIGH DRIVE BEAUMONT, WI 53005 At existing site conditions are to be indicated prior to construction or renovation including but not limited to proper and bearing conditions and site specific. Design and drawings remain the sole property of Baugnet Design Studio. Design Studio or licensed is not to be used on any other project without the written consent of Baugnet Design Studio. Designs are subject to copyright and intellectual property laws.	
PROPOSED DRAWINGS FOR : JAY AND BETSEY WOODY 616 E JUNIPER LANE MEQUON, WI 53092 SINGLE STORY ADDITION & INTERIOR REMODELING SOUTH & EAST EXTERIOR ELEVATIONS	
SCALE: 1/4" = 1'-0"	
SHEET 1 OF	



1 NORTH ELEVATION
2 SCALE: 1/4" = 1'-0"

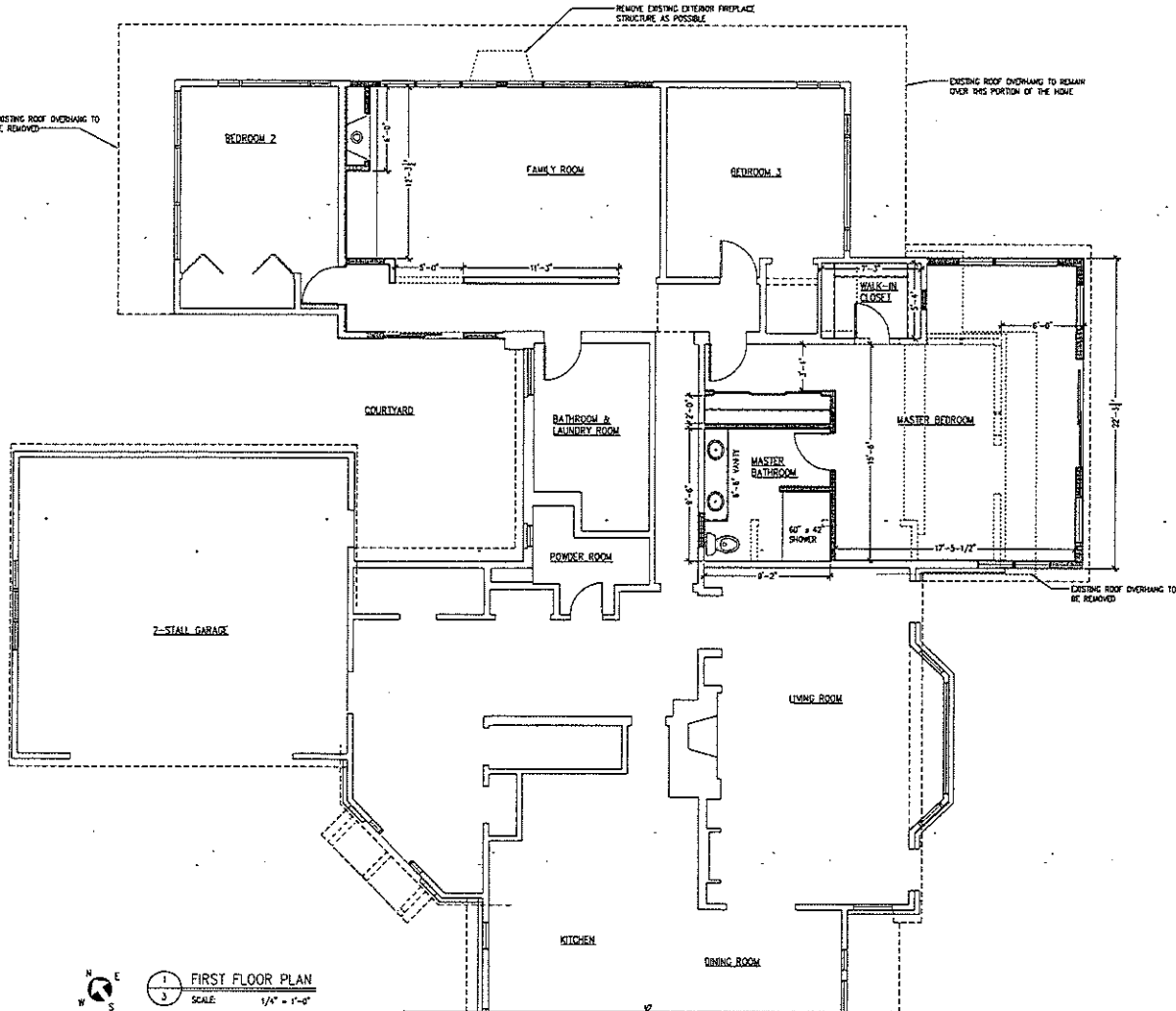


2 WEST ELEVATION
2 SCALE: 1/4" = 1'-0"



3 SOUTH ELEVATION IN COURTYARD
2 SCALE: 1/4" = 1'-0"

baugnet design studio Residential & Commercial Design Services (H)18523188 3310 OGDEN DRIVE BROOKFIELD, WI 53005 All drawings are intended to be used for construction purposes only. They are not to be used for any other purpose. Changes and alterations to the drawings are the responsibility of the client. The client is responsible for obtaining all necessary permits and approvals. The drawings are subject to change without notice.		DATE: MAY 13, 2019 PREPARED BY: JAY AND BETSEY WOODY CHECKED BY: JAY AND BETSEY WOODY INCH:
PROPOSED DRAWINGS FOR: JAY AND BETSEY WOODY 616 E JUNIPER LANE MEQUON, WI 53092 SINGLE STORY ADDITION & INTERIOR REMODELING NORTH, WEST & SOUTH COURTYARD EXT. ELEVATIONS		SCALE: 1/4" = 1'-0"
SHEET 2 OF 2		2



1 FIRST FLOOR PLAN
3 SCALE: 1/4" = 1'-0"

baugnet design studio

Residential & Commercial Design Services (414) 852-3189
3310 CALLEIN DRIVE BROOKFIELD, WI 53005

PROPOSED DRAWINGS FOR :
JAY AND BETSEY WOODY
616 E JUNIPER LANE
MEQUON, WI 53092
SINGLE STORY ADDITION & INTERIOR
PROPOSED FLOOR PLAN

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

3

~~SECRET~~ 3 OF

MILLER

ENGINEERS SCIENTISTS

An Employee-Owned Company

August 26, 2019

20469-001

Mr. & Mrs. Woody
616 E Juniper Lane
Mequon, WI 53092

Subject: **Slope Stability Analysis Report**
Woody Residence House Addition
616 E Juniper Lane in Mequon, Wisconsin

Mr. & Mrs. Woody:

This report summarizes our analysis of the potential impacts of the proposed southeastern house addition on the stability of the slope at 616 E Juniper Lane in Mequon, Wisconsin. This property has an approximately 70-foot high slope from a ravine running northwest along the northern portion of the property. The existing single-story house is approximately 3,700 square feet and is located close to the top of the ravine slope. An approximately 165 square foot addition is proposed along the southeastern side of the house (refer to the attached *Slope Stability Analysis – Plan View*). The addition will be single-story and will not include a basement. The northern extent of the addition is setback approximately 12.7' from the northern exterior wall of the house and is not as close to the ravine. Due to the relatively light loads of the proposed addition and the setback position of the structure, **it is our opinion the addition will not adversely affect the slope or nearby structures.**

Analysis

The 2015 LIDAR contours from the Ozaukee County GIS system were used in developing the critical cross-section of the slope (refer to the attached *Slope Stability Analysis – Cross-Section*).

Soil borings could not be performed due to the impracticality of drill rig access. In order to estimate the soil characteristics, our analysis used the *Soil Survey: Ozaukee County, Wisconsin 1970* report provided by the US Department of Agriculture, which was an extensive study of the soils within Ozaukee County. The properties of the subject soils are recorded in the 1983 *A Study of the Geotechnical Properties of Milwaukee Area Soils*. The 1983 geotechnical properties charts provide a conservative estimate of the soil properties based on typical glacial fill soil properties.

Analysis of the slope stability was determined using Janbu's charts. The surcharge due to the addition is insignificant relative to the existing house and soil weight; therefore, our calculations do not include the weight of the structure.

5308 South 12th Street

Sheboygan, WI 53081

Phone (920) 458-6164

Fax (920) 458-0369

www.startwithmiller.com

Attachment: Packet (4484 : Betsey & Jay Woody)

Mr. & Mrs. Woody
August 26, 2019
Page 2 of 2

Conclusions & Recommendations

Our analysis indicates **the factor of safety against bluff instability is 1.53** with or without the house addition (refer to the attached *Slope Stability Calculations*). A safety factor of 1 indicates the stress loads acting to destabilize the slope are equal to the stress loads acting to support the slope, indicating probability of failure. A safety factor of 1.5 is typically used for construction of substantial structures. Even though this addition is not considered a substantial structure, it still **meets the factor of safety criteria**.

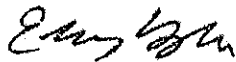
The proposed house addition will increase the surface area of the house by only approximately 5%. Additionally, the existing slope is fully vegetated. The foliage and root system of vegetation stabilizes the shallow portion of the slope and subsequently reduces shallow erosion and slippage of the slope. Due to this minimal increase in impervious surface and the existing stabilizing vegetation, it is our opinion **this addition will not adversely affect erosion or stability of the slope**.

The eastern edge of the proposed addition is approximately 18 feet southwest from the top of the slope while the eastern exterior wall of the existing house is only approximately 6 feet. Therefore, it is our opinion **the proposed addition is set back far enough that it will not affect the structural integrity of the existing structure or of adjacent properties**.

Please call or email if you have any questions.

Sincerely,

Miller Engineers & Scientists



Emily Blum, E.I.T.
Junior Engineer



Roger G. Miller, P.E.
President

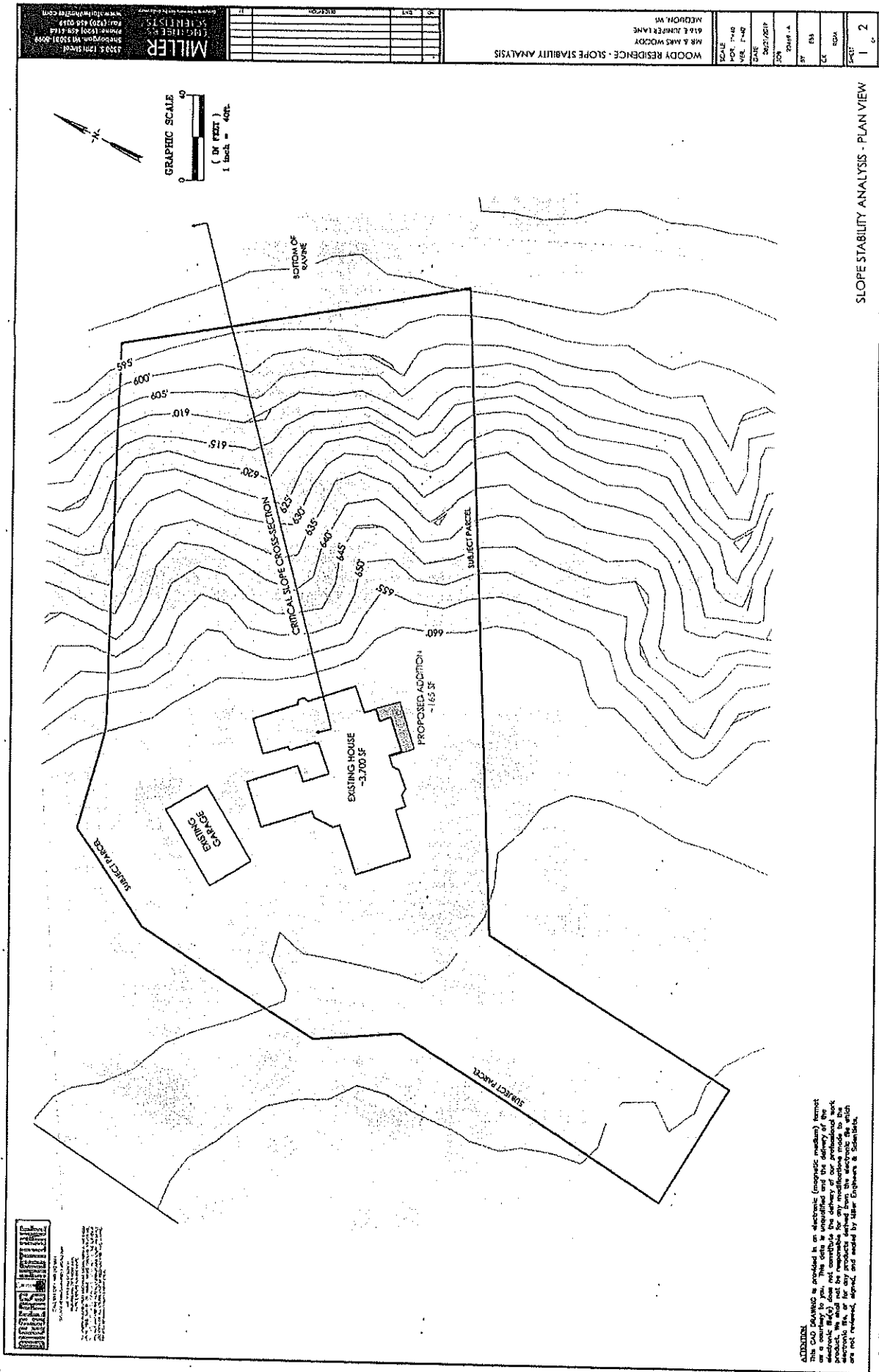
8/26/2019

Attachments: Slope Stability Analysis Plan Set
 Slope Stability Calculations

H:\DATA\20400\20469 - Woody Residence (Juniper Ravine Stability)\001 - Slope Stability Analysis\19-50-01 - Slope Stability Analysis\Reports\Slope Stability Analysis - Woody.docx

MILLER
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SCIENTISTS

Attachment: Packet (4484 : Betsey & Jay Woody)



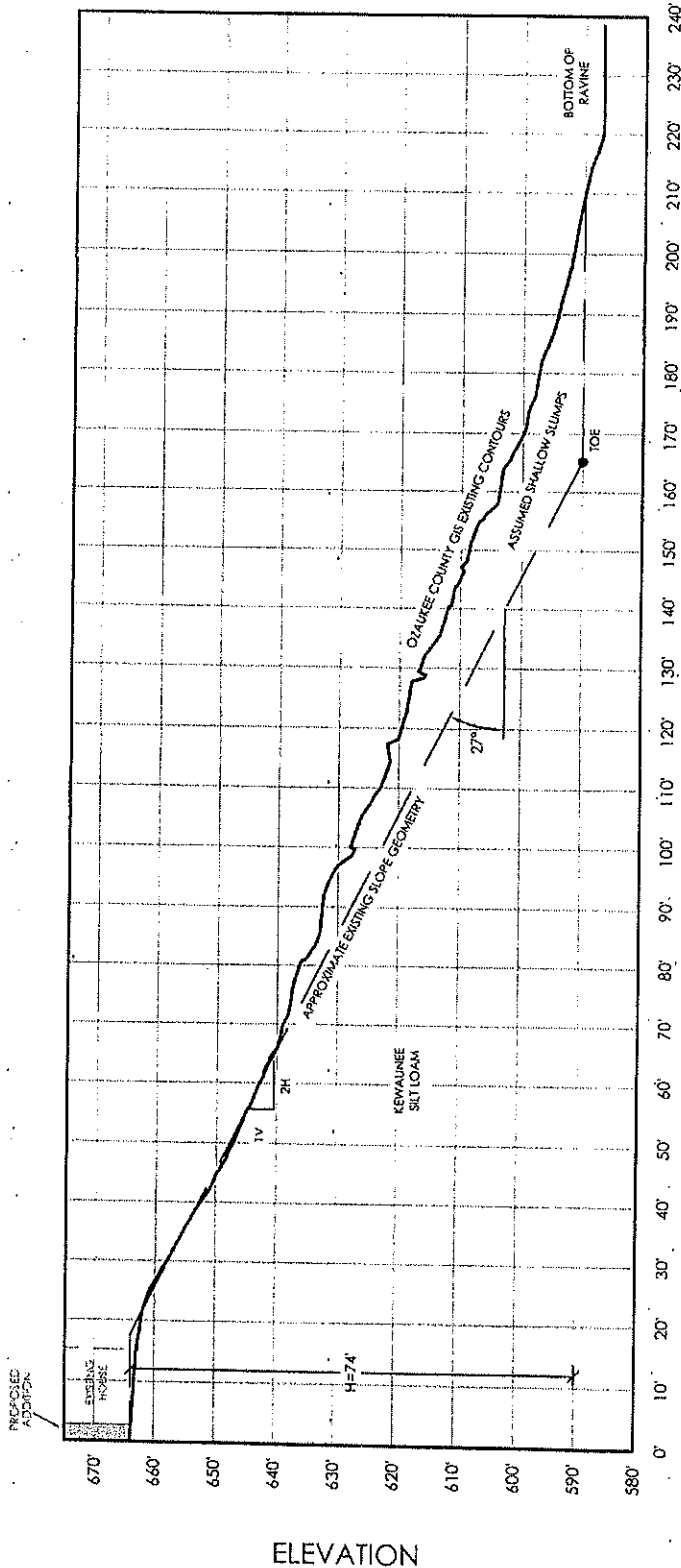
ADDITION
This CAD DRAWING is provided in an electronic (nonspecific medium) format as a courtesy to you. This data is unclassified and the delivery of the product is not guaranteed. The user assumes all responsibility for the use of the product. We do not warrant the delivery of our product in any form, including electronic file, or for any products derived from the electronic file which are not reviewed, signed, and sealed by Miller Engineers & Scientists.

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SLOPE STABILITY ANALYSIS - PLAN VIEW

1 2

CRITICAL SLOPE CROSS-SECTION
WOODY RESIDENCE (616 E JUNIPER LANE IN MEQUON, WI)



SLOPE STABILITY ANALYSIS - CROSS-SECTION

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SUBJECT Slope stability Calculations

JOB NO. 20469-001 PAGE 1/1

CLIENT Woody

DATE 8/21/19 BY ERB

PROJECT Woody Slope Stability Analysis
Soil Properties

CHECKED 8/23/19 BY RGM

$$C = 0.41 \text{ tsf} = 820 \text{ psf}$$

$$\phi = 20^\circ$$

$$\beta = 27^\circ \quad \tan(27) = 2$$

$$H = 74'$$

$$\gamma_{\text{moist}} = 138 \text{ pcf}$$

Factor of Safety

$$P_D = P_E = \gamma H = (138)(74) = 10,212 \text{ psf}$$

* no water against slope and structural weight insignificant compared to slope weight $\therefore P_D = P_E$

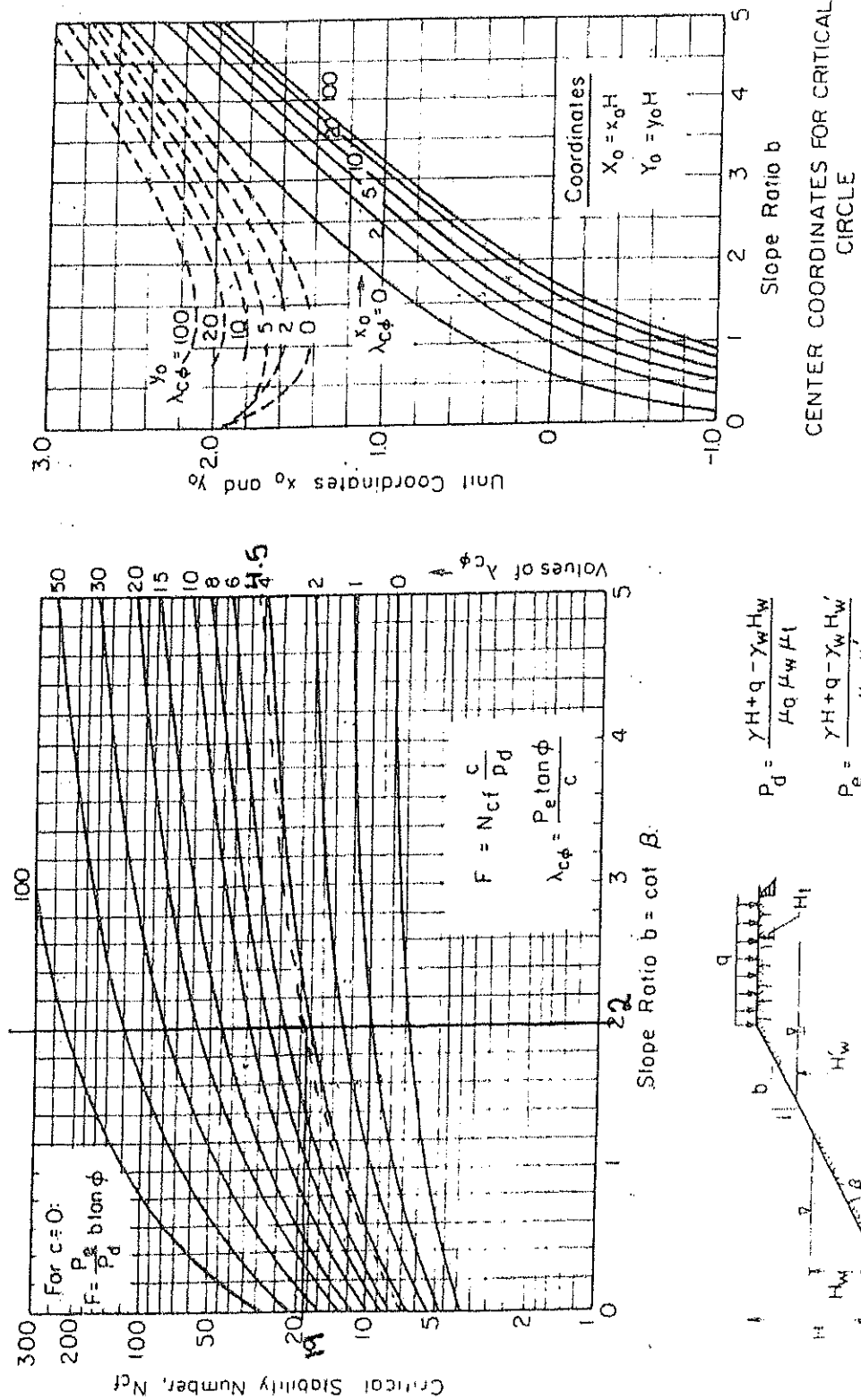
$$\lambda_{CD} = \frac{P_E \tan \phi}{C} = \frac{10,212 \times \tan(20)}{820} = 4.53$$

$$F = N_{cf} \frac{C}{P_D} \quad \text{where } N_{cf} = 19 \quad (\text{refer to attached Figure 9: Slope Stability Charts for } \phi = 20^\circ)$$

$$= 19 \times \frac{820}{10,212} = 1.53$$

$$\therefore \boxed{\text{Slope Failure Factor of Safety} = 1.53}$$

Attachment: Packet (4484 : Betsey & Jay Woody)



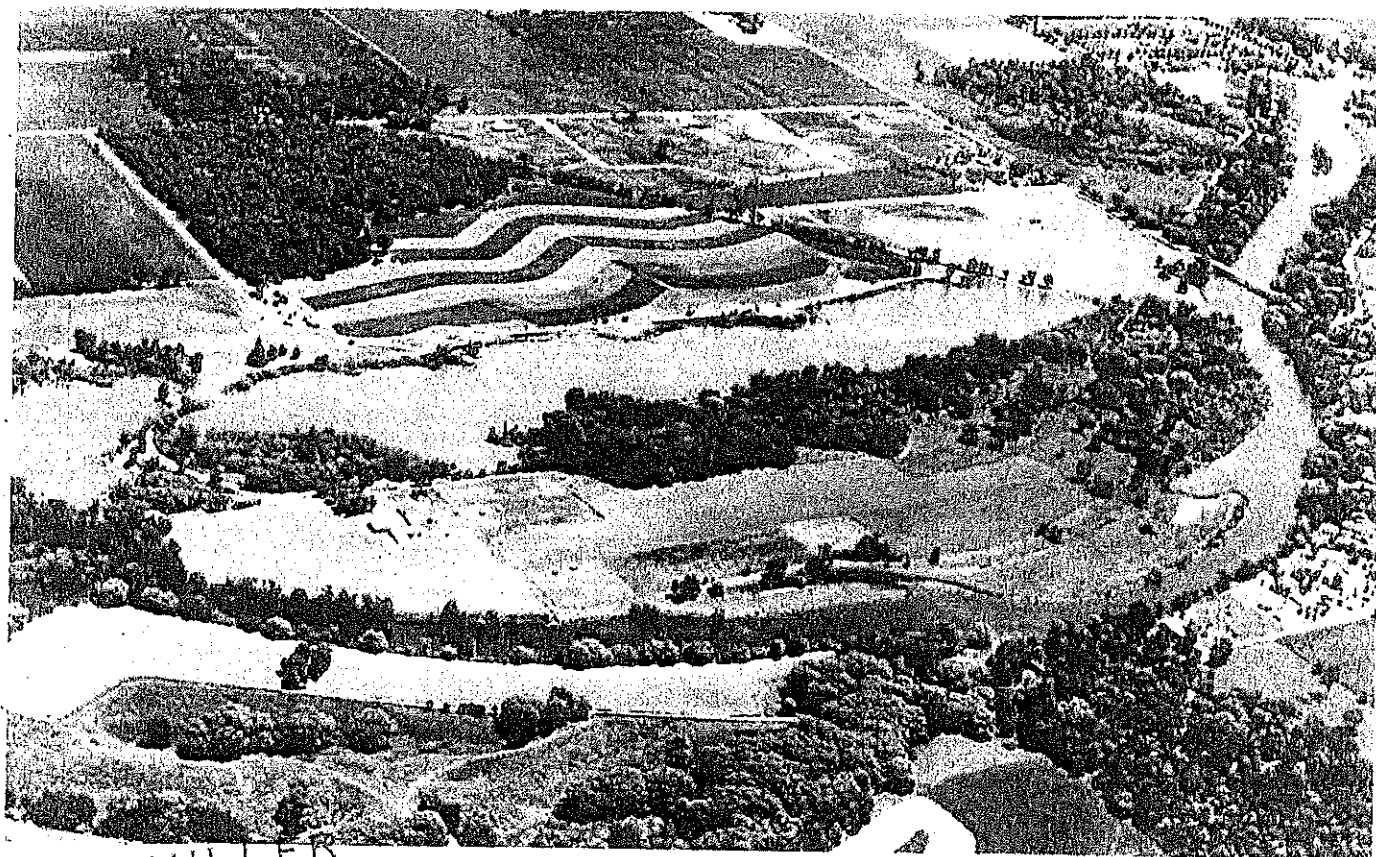
(In formula for P_e take $q=0$, $\mu_q=1$ for unconsolidated condition)

Fig 9 SLOPE STABILITY CHARTS FOR $\phi > 0$ SOILS (after Terzaghi)

Attachment: Packet (4484 : Betsey & Jay Woody)

SOIL SURVEY OZAUKEE COUNTY Wisconsin

Unit
cor
a



ROGER MILLER
ASSOCIATES, INC.
5308 South 12th Street
BOYGAN, WISCONSIN 53081

SOIL CONSERVATION SERVICE
P. O. BOX 367
FORT WASHINGTON, WISCONSIN 53074

UNITED STATES DEPARTMENT OF AGRICULTURE
Soil Conservation Service
In cooperation with
UNIVERSITY OF WISCONSIN
Wisconsin Geological and Natural History Survey
Soils Department
and
Wisconsin Agricultural Experiment Station

Attachment: Packet (4484 : Betsey & Jay Woody)

similar in thickness, arrangement, and other important characteristics. Each soil series is named for a town or other geographic feature near the place where a soil of that series was first observed and mapped. Kewaunee and Ozaukee, for example, are the names of two soil series. All the soils in the United States having the same series name are essentially alike in those characteristics that go with their behavior in the natural landscape. Soils of one series can differ in texture of the surface soil and in slope, stoniness, or some other characteristic that affects use of the soil by man.

Many soil series contain soils that differ in texture. According to such differences in texture, separations called soil types are made. Within a series, all the soils having a surface layer of the same texture belong to one soil type. Kewaunee silt loam and Kewaunee silty clay loam are two soil types in the Kewaunee series. The difference in texture of their surface layer is apparent from their names.

Some soil types vary so much in slope, degree of erosion, number and size of stones, or some other feature affecting their use, that practical suggestions about their management could not be made if they were shown on the soil map as one unit. Such soil types are divided into phases, primarily on the basis of difference in slope or degree of erosion because these differences affect management. For example, Ozaukee silt loam, 0 to 2 percent slopes, is one of several phases of Ozaukee silt loam, a soil type that has slopes ranging from 0 to 30 percent.

After a fairly detailed guide for classifying and naming the soils had been worked out, the soil scientists drew soil boundaries on aerial photographs. These photographs show woodlands, buildings, field borders, trees, and other details that greatly help in drawing boundaries accurately. The soil map in the back of this survey was prepared from the aerial photographs.

The areas shown on a soil map are called mapping units. On most maps detailed enough to be useful in planning management of farms and fields, a mapping unit is nearly equivalent to a soil type or a phase of a soil type. It is not exactly equivalent, because it is not practical to show on such a map all the small, scattered bits of soil of some other kind that have been seen within an area that is dominantly of a recognized soil type or soil phase.

In preparing some detailed maps, the soil scientist has a problem of delineating areas where different kinds of soils are so intricately mixed, and so small in size, that it is not practical to show them separately on the map. Therefore, such an area is shown as one mapping unit and is called a soil complex. Ordinarily, a soil complex is named for the major soil series in it. For example, the Casco-Rodman complex in Ozaukee County consists mainly of Casco loam and Rodman sandy loam. Most surveys also include areas where the soil material is so rocky, so shallow, or so frequently worked by wind and water that it cannot be classified by soil series. These areas are shown on a soil map like other mapping units, but they are given descriptive names, such as Rough broken land or Marsh, and are called land types.

While a soil survey is in progress, samples are taken, as needed, for laboratory measurements and for engineering tests. Laboratory data from the same kinds of soils

in other places are assembled. Data on yields of crops under defined practices are assembled from farm records and from field or plot experiments on the same kinds of soils. Yields under defined management are estimated for all the soils.

But only part of a soil survey is done when the soils have been named, described, and delineated on the map, and the laboratory data and yield data have been assembled. The mass of detailed information then needs to be organized in a way that it is readily useful to different groups of readers, among them farmers, managers of woodland, engineers, and homeowners. Grouping soils that are similar in suitability for each specified use is the method of organization commonly used in the published soil survey. On the basis of the yield and practice tables and other data, the soil scientists set up trial groups, and then test them by further study and by consultation with farmers, agronomists, engineers, and others. Then, the scientists adjust the groups according to the results of their studies and consultation. Thus, the groups that are finally evolved reflect up-to-date knowledge of the soils and their behavior under present methods of use and management.

General Soil Map

The general soil map at the back of this survey shows, in color, the soil associations in Ozaukee County. A soil association is a landscape that has a distinctive proportional pattern of soils. It normally consists of one or more major soils and at least one minor soil, and it is named for the major soils. The soils in one association may occur in another, but in a different pattern.

A map showing soil associations is useful to people who want a general idea of the soils in a county, who want to compare different parts of a county, or who want to know the location of large tracts that are suitable for a certain kind of farming or other land use. Such a map is not suitable for planning the management of a farm or field, or choosing the site for a building or other structure, because the soils in any one association ordinarily differ in slope, depth, stoniness, drainage, and other characteristics that affect management.

The five soil associations in Ozaukee County are described in the pages that follow and are shown on the colored map at the back of this survey.

1. Kewaunee-Manawa Association

Well-drained to somewhat poorly drained soils that have a subsoil of clay to silty clay loam; formed in thin loess and silty clay loam glacial till; on uplands

The soils of this association are on the glacial moraine along Lake Michigan in the eastern part of the county. Locally the till making up the moraine is known as red clay glacial till, but it actually is silty clay loam. In much of this association, the soils are nearly level and are on broad areas in the lowlands, but in other areas they are gently sloping and are in the uplands and in drainageways. Some steeper soils along the major drainageways are moderately eroded or severely eroded. This

association is the largest in the county; it makes up about 50 percent of the total land area.

The Kewaunee and Manawa soils are dominant in this association (fig. 2). Kewaunee soils make up about 70 percent of the association; Manawa soils about 15 percent; Poygan soils, about 5 percent; and minor soils, the remaining 10 percent.

Kewaunee soils are nearly level to very strongly sloping and are well drained. They have a dark brown surface layer and a dark reddish-brown to reddish-brown, compact, clayey subsoil.

Manawa soils, which are in upland waterways and shallow depressions, have restricted drainage and a temporary high water table. Their surface layer is very dark brown to very dark grayish brown, and their subsoil is mottled.

The Poygan soils, in depressions and in nearly level areas, are very poorly drained. They have a black surface layer and a dark-gray to gray subsoil. Other minor areas consist of soils that are shallow over sand and gravel, of organic soils, or of sandy soils. The sandy soils occupy a strip less than one-fourth mile wide on a lake bench in Belgium Township.

Nearly all of this association is cultivated. Corn, oats, and alfalfa are the chief crops, but small acreages of truck crops and canning crops are grown. Growth of corn is somewhat restricted, but oats and alfalfa grow well. The soils in this association are sticky when wet and are hard when dry. Erosion control and tile drainage are the main concerns in managing these soils.

In recent years extensive residential development has taken place in the southern and central parts of this association. Because the subsoil and underlying material

of the soils are compact, special care must be taken in locating a site and in designing a sewage disposal system. The dominant soils have moderate to severe limitations for use as filter fields. Basements commonly are wet because of seepage water.

The soils in this association have large volume change as the content of moisture increases. They also have low bearing capacity when wet. Use of the soils as sites for heavy buildings or for highways therefore is limited without major costs for foundations. The potential of the soils for recreational areas is good.

2. Ozaukee-Mequon Association

Well-drained to somewhat poorly drained soils that have a subsoil of silty clay loam and silty clay; formed in thin loess and silty clay loam glacial till; on uplands

The soils of this association are in the uplands in the southwestern part of the county on silty clay loam glacial till. They are mostly gently sloping and sloping. Somewhat poorly drained soils are along waterways and in scattered broad drainageways. Some steeper soils are on slopes along the major drainageways. This association makes up about 15 percent of the county.

Dominant in this association are the Ozaukee and Mequon soils (fig. 3). Ozaukee soils make up about 65 percent of the association; Mequon soils, about 20 percent; and all of the minor soils, the remaining 15 percent. Among the minor soils are the Ashkum, Fabius, Palms, and Sebawa.

Ozaukee soils are nearly level to steep and are well drained and moderately well drained. They have a dark

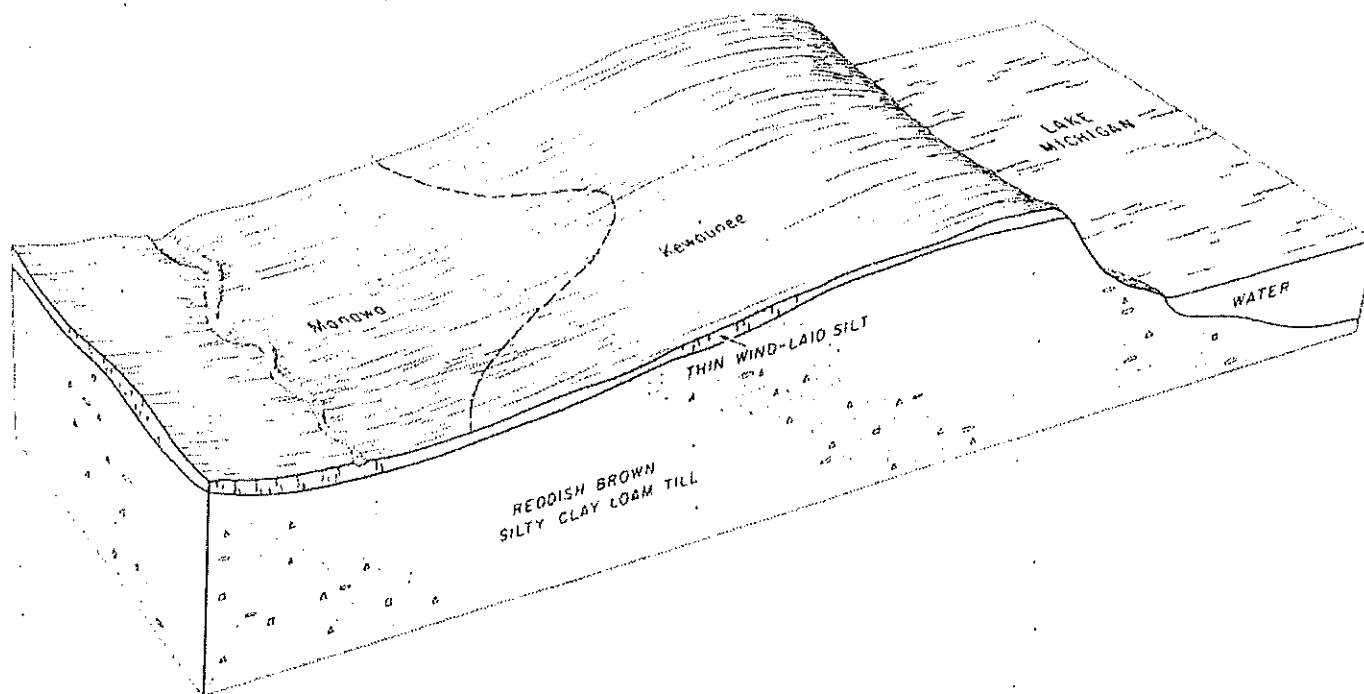


Figure 2. Dominant soils of the Kewaunee and Manawa soil association and their parent materials.

Keowns Series

The Keowns series consists of nearly level, loamy soils that are poorly drained. These soils are in depressions in old glacial lake basins in the western part of the county. They formed in lacustrine silt and fine sand. Some areas, however, have a thin capping of silt on them.

In a typical profile the surface layer is friable, very dark gray silt loam about 7 inches thick. The subsoil is friable, light olive-gray very fine sandy loam that is mottled with brownish yellow and is about 15 inches thick. Below is friable, pale-brown to very pale brown, stratified silt and very fine sand that has yellowish and grayish mottles.

The water table is at or near the surface of Keowns soils for most of the year. Available moisture capacity is high, permeability is moderate, and internal drainage is very slow. Fertility is moderate. The profile commonly is calcareous throughout.

Most areas of Keowns soils are drained and cultivated. Areas undrained are used as woodland and as wildlife habitat.

Typical profile of a nearly level Keowns silt loam in a cultivated field (NE $\frac{1}{4}$ SE $\frac{1}{4}$ sec. 6, T. 12 N., R. 21 E.):

Ap—0 to 7 inches, very dark gray (10YR 3/1) silt loam; weak, fine, granular structure; friable; many roots; moderately alkaline; abrupt, smooth boundary.

Bg—7 to 22 inches, light olive-gray (5Y 6/2) very fine sandy loam; weak, thick, platy structure; friable; a few roots; common, medium, distinct, brownish-yellow (10YR 6/6) mottles; moderately alkaline to slightly calcareous; gradual, wavy boundary.

C—22 to 60 inches, pale-brown (10YR 6/3) coarse silt and very pale brown (10YR 7/3) very fine sand in alternate layers; stratified; friable; common, medium, distinct, grayish-brown (10YR 5/2) and brownish-yellow (10YR 6/6) mottles; strongly calcareous.

The surface layer is black (10YR 2/1), very dark gray (10YR 3/1), or very dark brown (10YR 2/2) in color. Thickness of the Bg horizon ranges from 14 to 25 inches. Depth to free carbonates generally is about 12 inches. In places a few, fine, faint mottles are in the Bg horizon, and in other places the mottles are prominent. The underlying material is dominantly fine sand and coarse silt, but some thin, clayey strata occur.

Keowns soils are a drainage associate of the somewhat poorly drained Yahara soils. They have a coarser textured Bg horizon than the Colwood soils and are shallower to free carbonates.

Keowns silt loam (0 to 2 percent slopes) (Km).—This is the only Keowns soil mapped in the county. The areas are irregular in shape.

Included with this soil in mapping are small areas that have a surface layer of fine sandy loam. Also included are some small areas that are more sloping than this soil. Other included small areas consist of Colwood silt loam.

Runoff is very slow on this soil. Water is likely to stand in ponds on the areas in spring and after a heavy rain. Capability unit IIIw-3; recreation group 7; planting group 5.

Kewaunee Series

Kewaunee soils are nearly level to steep, well drained, and loamy. Most areas are gently sloping and are in the glaciated uplands throughout the eastern half of the county. The soils formed in reddish silty clay loam mate-

rial laid down in lakes and then redeposited by glacial ice. Some areas, however, have a thin capping of silt on them. Locally, the soils are called "red clays," but they actually are silt loams, silty clay loams, or silty clays.

In a typical profile the surface layer is dark-brown silty clay loam about 7 inches thick. The subsoil is very firm, dark reddish-brown clay or silty clay in the upper 13 inches and firm, reddish-brown heavy silty clay loam in the remaining 3 inches. Just below is firm, reddish-brown heavy clay loam. The lower part of the subsoil and the underlying material contain a few pebbles.

These soils have high available moisture capacity, an slow permeability. Internal drainage is medium. Fertility is moderate. The soils are mildly alkaline in the upper two layers and are slightly calcareous below.

Kewaunee soils are suitable for deep-rooted plants, and most areas are in crops. In the southern part of the county, however, large areas are in suburban or rural residential uses.

Typical profile of a gently sloping, moderately eroded Kewaunee silty clay loam in a cultivated area (NE $\frac{1}{4}$ NE $\frac{1}{4}$ sec. 24, T. 11 N., R. 21 E.):

Ap—0 to 7 inches, dark-brown (7.5YR 4/2) silty clay loam that is pinkish gray (7.5YR 6/2) when dry; weak medium, subangular blocky structure; friable; many roots; mildly alkaline; abrupt, smooth boundary.

B2t—7 to 20 inches, dark reddish-brown (5YR 3/3) silty clay strong, fine, angular blocky structure; very firm many roots; mildly alkaline; clear, wavy boundary.

B3t—20 to 23 inches, reddish-brown (5YR 4/3) heavy silty clay loam; moderate, medium, angular blocky structure; firm; a few roots; a few dolomitic pebbles slightly calcareous; clear, wavy boundary.

C—23 to 60 inches +, reddish-brown (5YR 4/3) heavy clay loam; moderate, medium, subangular blocky structure in the upper part and massive in the lower part; firm; white segregated lime coatings on faces of peds; a few dolomitic pebbles; strongly calcareous.

The surface layer is silty clay loam, silt loam, or silty clay in texture. The silty clays are in severely eroded areas and the silty clay loams are in less eroded areas. In color the surface layer ranges from dark brown (7.5YR 3/2) to dark reddish brown (5YR 3/4) in eroded, cultivated areas. Thickness of the solum generally is about 22 or 23 inches, but it ranges from 20 inches in the steep, eroded silty clays to 32 inches in the nearly level silt loams. In places the profile contains a few pebbles and cobblestones. In Ozaukee County these soils are on the coarse end of the range for the series and the underlying fill is coarser than typical for the series.

Kewaunee soils are a drainage associate of the somewhat poorly drained Manawa soils and the very poorly drained Poygan soils. They are similar to the Saylesville soils, but unlike them have glacial pebbles in their profile. Kewaunee soils are redder (5YR hue) in the B horizon than Ozaukee soils.

Kewaunee silt loam, 0 to 2 percent slopes (KnA).—This soil occupies the higher parts of the uplands, and the areas generally are irregular in shape. The surface layer is more silty and more friable, but the profile otherwise is like that described for the series. Depth to silty clay loam glacial till is slightly greater.

Included with this soil in mapping are some areas of somewhat poorly drained Manawa soils that are too small to be mapped separately.

The lower layers in this soil are clayey, and the soil therefore warms and dries slowly in spring and after a heavy rain. Capability unit IIs-7; recreation group 3; planting group 3.

Kewaunee silt loam, 2 to 6 percent slopes (KnB).—This

soil is on the crests of ridges. The areas generally are gently sloping, are large, and are irregular in shape. A few gently undulating areas, however, have short slopes that face different directions. The surface layer is more silty and more friable, but the profile otherwise is like that described for the series. Depth to silty clay loam glacial till is slightly greater.

Included with this soil in mapping are some areas of somewhat poorly drained Manawa soils that are too small to be mapped separately. Also included are areas that have a surface layer of loam or sandy loam.

This Kewaunee soil has long slopes and slowly permeable lower layers. Runoff is medium, especially during a heavy rain. The hazard of water erosion is slight. Capability unit IIe-6; recreation group 3; planting group 3.

Kewaunee silty clay loam, 2 to 6 percent slopes, eroded (KoB2).—This soil has the profile described for the series. It is on the crests of ridges. The areas generally are gently sloping, are large, and are irregular in shape. A few gently sloping areas, however, have short slopes that face in different directions.

Much of the original surface layer of this soil has been removed through erosion, and part of the material formerly in the subsoil has been mixed with the remaining surface layer by plowing. As a result, the present surface layer is cloddy.

Included with this soil in mapping are small areas of somewhat poorly drained Manawa soils. Also included are some areas of severely eroded Kewaunee silty clays and of Kewaunee silt loams. Other included small areas of Kewaunee soils are along the western edge of this Kewaunee soil. In these areas loamy glacial till, like that underlying the Hochheim soils, is at a depth between 30 and 60 inches.

This Kewaunee soil has long slopes and slowly permeable lower layers. Runoff is medium, especially during a heavy rain. The hazard of water erosion is slight. Capability unit IIe-6; recreation group 3; planting group 3.

Kewaunee silty clay loam, 6 to 12 percent slopes, eroded (KoC2).—This soil occupies long, narrow areas near drainageways.

Included with this soil in mapping are small areas that have a surface layer of loam or silt loam. Also included are small areas of severely eroded silty clays.

This Kewaunee soil has strong slopes and slowly permeable lower layers. Runoff is rapid, especially during a heavy rain. The hazard of further water erosion is moderate. Capability unit IIle-6; recreation group 3; planting group 3.

Kewaunee silty clay, 6 to 12 percent slopes, severely eroded (KcC3).—This soil generally occupies long, narrow areas near drainageways. The surface layer contains more clay and the second layer is thinner, but the profile otherwise is like that described for the series. This soil has lost most of its original surface layer through erosion, and plowing has mixed clayey material formerly in the second layer with the remaining surface layer. As a result, the present surface layer is cloddy.

Included with this soil in mapping are small areas of Kewaunee silty clay loams.

This Kewaunee soil has strong slopes and slowly permeable lower layers. Runoff is rapid, especially during

a heavy rain. Capability unit IVe-6; recreation group 3; planting group 3.

Kewaunee silty clay, 12 to 20 percent slopes, severely eroded (KcD3).—This soil generally occupies long, narrow areas near major drainageways. The surface layer contains more clay and the second layer is thinner, but the profile of this soil otherwise is like that described for the series. This soil has lost most of its original surface layer through erosion, and plowing has mixed material formerly in the second layer with the remaining surface layer. As a result, the present surface layer is cloddy.

Included with this soil in mapping are small areas of Kewaunee silty clay loams. Also included are small areas that have steeper slopes.

Because of the slopes, runoff is very rapid on this soil. Capability unit VIe-6; recreation group 3; planting group 3.

Knowles Series

Nearly level to gently sloping, loamy, well-drained soils are in the Knowles series. These soils are scattered throughout the western half of the county. They formed partly in silt and partly in glacial drift 20 to 42 inches thick over bedrock.

In a typical profile the surface layer is friable, dark grayish-brown silt loam about 8 inches thick. Just below is about 4 inches of friable, brown silt loam. The subsoil is about 16 inches thick and has a few pebbles in the lower part. It is friable, brown silt loam in the upper 3 inches and firm, dark yellowish-brown silty clay loam in the next 8 inches. The remaining 5 inches is firm, dark yellowish-brown heavy clay loam. It overlies pale-brown dolomitic limestone bedrock.

Knowles soils have medium available moisture capacity and moderate permeability. Internal drainage is medium, and fertility is moderate. Root depth is slightly limited. The soils generally are mildly alkaline in the surface layer and neutral to medium acid in the subsoil.

Most areas of the Knowles soils are cultivated.

Typical profile of a gently sloping Knowles silt loam in a cultivated area (NE $\frac{1}{4}$, NW $\frac{1}{4}$, sec. 9, T. 9 N., R. 21 E.):

Ap—0 to 8 inches, dark grayish-brown (10YR 4/2) silt loam; weak, fine, subangular blocky structure that breaks to moderate, medium, granular; friable; many roots; mildly alkaline; abrupt, smooth boundary.

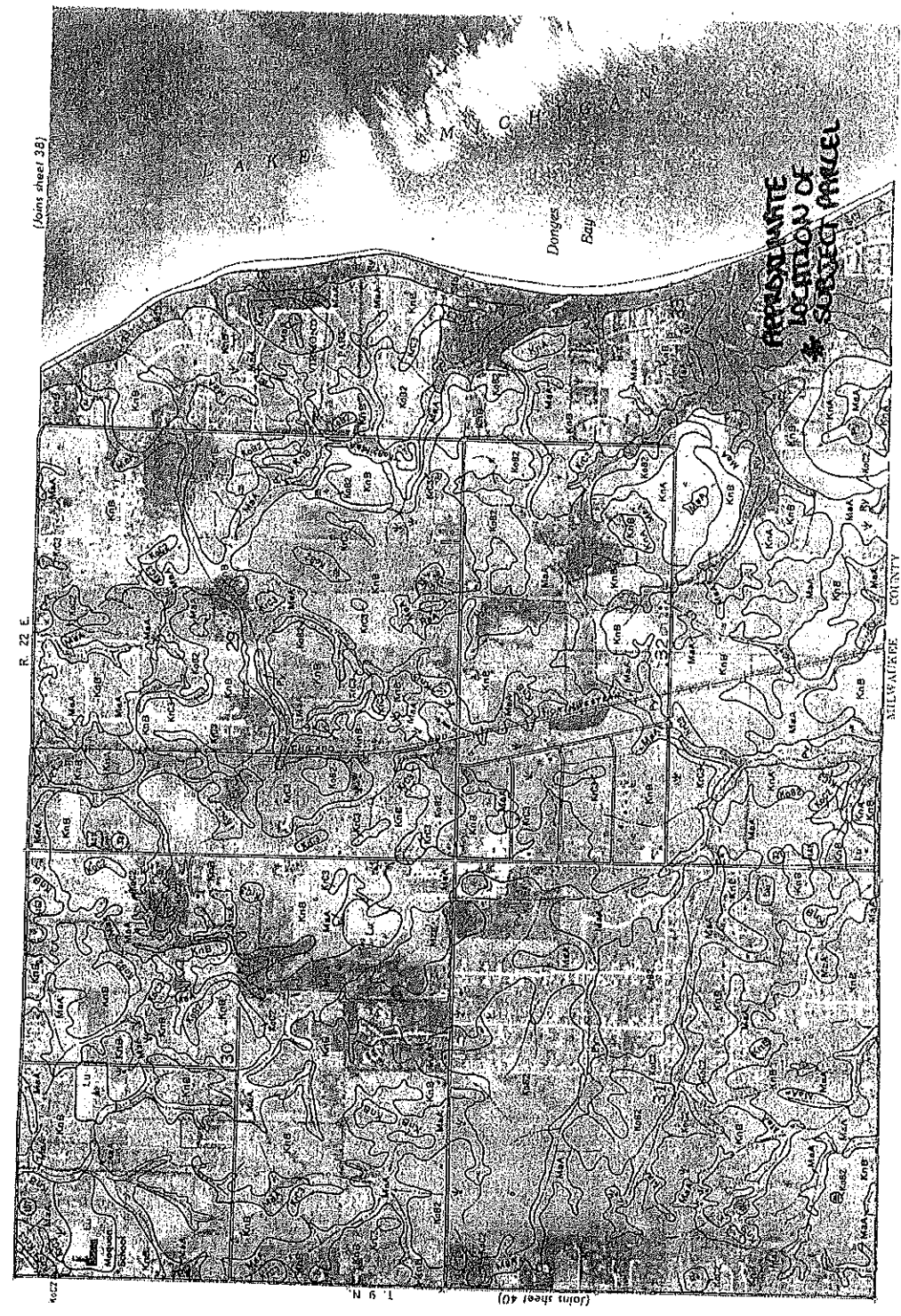
A2—8 to 12 inches, brown (10YR 5/3) silt loam; moderate, thin, platy structure; friable; many roots; light-gray (10YR 7/1) silica coatings on peds; mildly alkaline; clear, wavy boundary.

B1—12 to 15 inches, brown (10YR 4/3) silt loam; weak, thick, platy structure that breaks to fine, subangular blocky; friable; many roots; light-gray (10YR 7/1) silica coatings on peds; neutral; clear, smooth boundary.

IIB2t—15 to 23 inches, dark yellowish-brown (10YR 4/4) silty clay loam; moderate, medium, subangular blocky structure; firm; many roots; distinct, thin clay films on peds; some silica coatings; a few weathered pebbles; medium acid; clear, wavy boundary.

IIB2t—23 to 28 inches, dark yellowish-brown (10YR 3/4) heavy clay loam; moderate, medium, subangular blocky structure; firm; many roots; thick, continuous clay films; a few weathered pebbles; neutral; abrupt, wavy boundary.

IIR—28 to 60 inches +, pale-brown (10YR 6/3) dolomitic limestone bedrock.



3/3

TABLE 2. SUMMARY OF CONSOLIDATED UNCONFINED TRIAXIAL TEST RESULTS

Soil Deposits	Statistical Values	Natural Water Content (%)	Liquid Limit (%)	Plastic Limit (%)	Dry Unit Weight (pcf)	Total Stress Parameter		Effective Stress Parameter		Initial Parameter Modulus (psi)
						c	ϕ	c	ϕ	
Estuarine	N	7	7	7	7	7	7	7	7	20
	Min.	15	29	15	45	0	12	0	28	167
	Max.	11	11	65	102	0.36	22	0.36	40	1787
	Avg.	55	64	34	74	0.13	16	0.07	34	687
Coastal Glacial Till 2	N	10	10	10	10	10	10	10	10	24
	Min.	14	21	11	107	0.06	10	0.06	20	1117
	Max.	24	42	17	115	1.15	26.5	0.07	33	10716
	Avg.	16	35	16	116	0.41	20	0.03	26	1513
Lacustrine silt & clay	N	10	10	10	10	10	10	10	10	24
	Min.	19	26	11	97	0	12	0.10	22	425
	Max.	24	51	16	131	0.97	26	0.16	31	6316
	Avg.	17	16	17	110	0.44	18	0.16	27	2749
	S. Dev.	2	10	3	9	0.26	4	0.11	3	1463

GEOLOGICAL INVESTIGATION

Attachment: Packet (4484 : Betsey & Jay Woody)

is associated with the fibrous nature of the organic silts and clays.

The variation in the effective angle of friction (22 to 34 degrees) and the effective cohesion (0 to 1 tsf) for the glacial tills and lacustrine silt and clays is in general agreement with published results (18, 25, 36, 38).

A linear relationship between confining pressure and the initial tangent modulus was found to exist for the various soil deposits (Figure 11). The glacial tills exhibit a maximum initial tangent modulus of 10,700 psi (0.074 gpa), followed by lacustrine silt and clay deposits which demonstrated approximately 6,500 psi (0.044 gpa) and finally estuarine deposits with approximately 680 psi (4.7 mpa). A similar range of tangent moduli has been reported by Delooy and Crawford (8). However, these investigations indicate that the above magnitude of tangent moduli represent the lower range because of sample disturbance.

Pressurimeter testing was conducted with a BX size probe in a limited number of borings to estimate in situ soil characteristics. The details of pressurimeter testing are described elsewhere (19, 20). From the typical pressurimeter test curve, horizontal at-rest earth pressure (P_0) and pressurimeter modulus were estimated. The lateral at-rest earth pressure coefficient (K_0) was determined by dividing the difference of P_0 and hydrostatic pressure by the effective overburden pressure. Unconfined compressive strength and preconsolidation pressure were estimated using the relationships developed by Loke and deluiss (19). It should be noted that the results of the tills and the lacustrine silt and clay deposits have been combined for the purpose of interpretation.

The variation of unconfined compressive strength, preconsolidation pressure, pressurimeter modulus, and K_0 with depth are shown in Figure 12. It is evident from Figure 12 that the in situ unconfined compressive strength results of 5 to 10 tsf (0.48 to 0.96 mpa) are comparable to those of the pocket penetrometer test results of 4.5 tsf (0.31 mpa) or more. Thus in situ compressive strengths from pressurimeter testing are greater than those of laboratory unconfined compressive test results. This observation agrees with the findings of previous studies (13, 19).

The preconsolidation pressure is determined to range from 5 to 18 tsf (0.36 to 1.73 mpa) with an average of 8.7 tsf (0.81 mpa), which is greater than those determined in the laboratory.

The pressurimeter modulus is in remarkable agreement with the results of Loke and deluiss (19) for the

FORM NO. 985-A

H.C. Miller Company

17667

VOL 6 PAGE 140
Sheet 1 of 2

CERTIFIED SURVEY MAP NO. 1233

of part of Government Lot 4, in the South West
1/4 of Section 33, Township 9 North, Range 22
East, in the City of Mequon, Ozaukee County,
Wisconsin.

I certify that this map was prepared by me or under my direct supervision and that I am a duly licensed Surveyor in the State of Wisconsin.

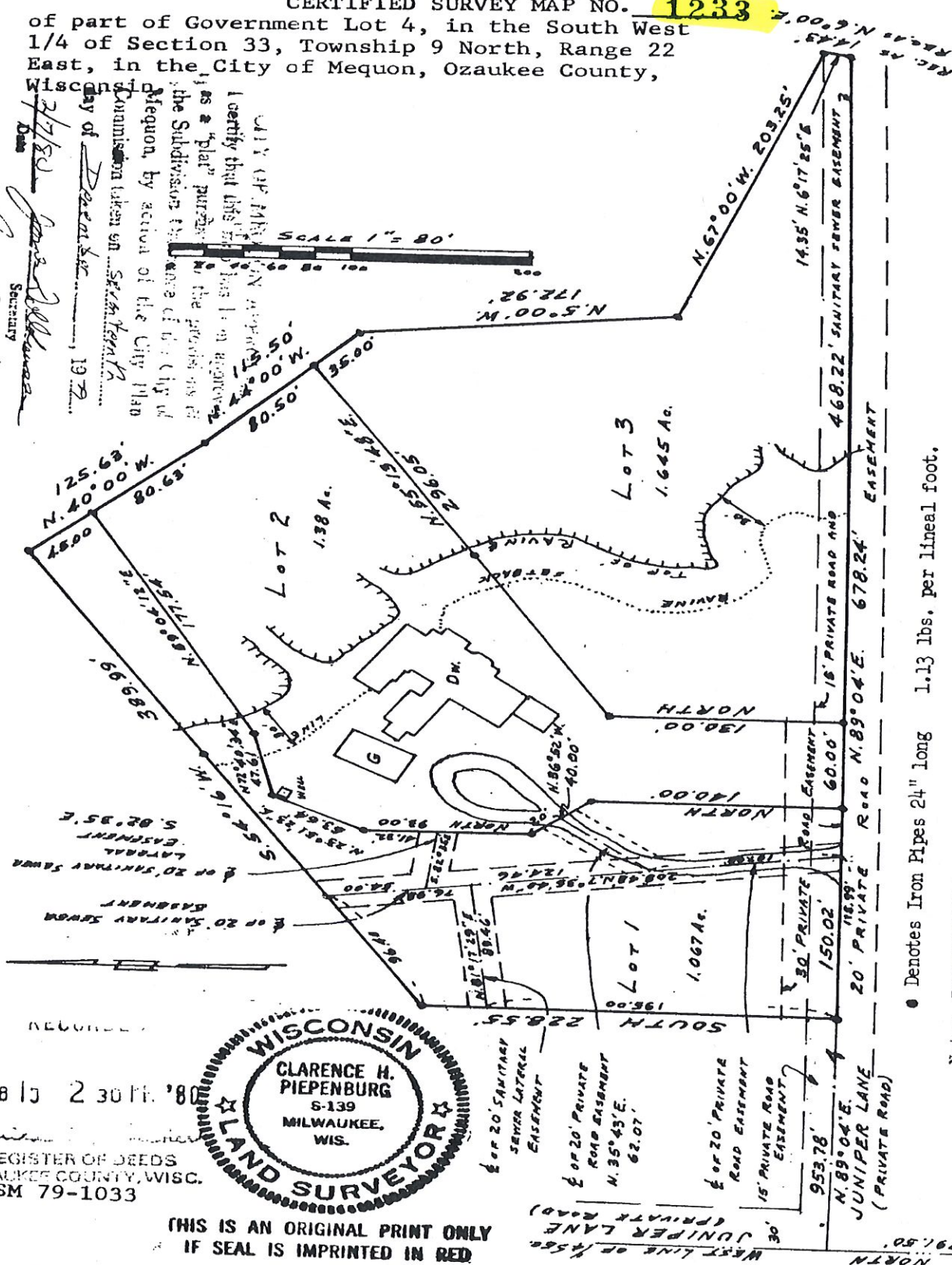
Day of March, 1979

Chairman

Secretary

Commission taken on Section 33

SCALE 1" = 80'



● Denotes Iron Pipes 24" long 1.13 lbs. per lineal foot.

Note: RESTRICTION ON LOT 1

No planting of trees, bushes or shrubs, or building of any structure is allowed in sanitary sewer easement.

South Line of 1/4 Sec.

Attachment: Packet (4484 : Betsey & Jay Woody)

305530

CERTIFIED SURVEY MAP NO. **1089**

VOL

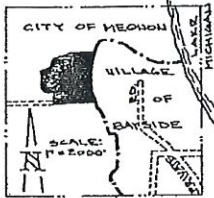
5 PAGE 214

Being a redivision of Certified Survey Map No. 964

Located in the

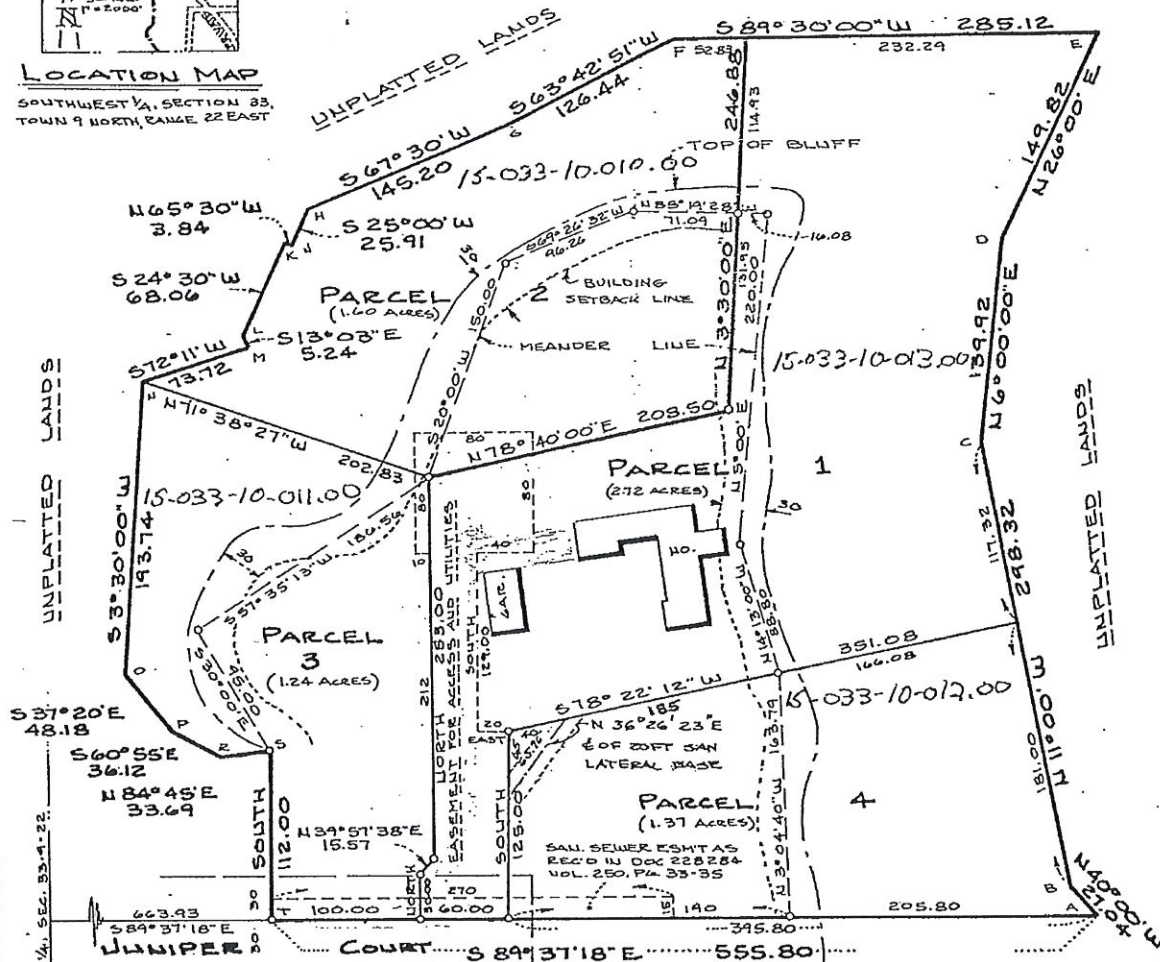
SOUTHWEST 1/4 OF SECTION 33, TOWN 9 NORTH, RANGE 22 EAST

CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN



LOCATION MAP
SOUTHWEST 1/4, SECTION 33,
TOWN 9 NORTH, RANGE 22 EAST

W.G. NIENOW ENGINEERING ASSOCI., INC.
Civil Engineers and Land Surveyors



UNPLATTED LANDS

CITY OF MEQUON APPROVAL

I certify that this map has been approved
as a "plat" pursuant to the provisions of
the Subdivision Ordinance of the City of
Mequon, by action of the City Planning
Commission taken on eleventh
day of September, 1978



INTERIOR & S	
A	49° 31' 18"
B	209° 00' 00"
C	197° 00' 00"
D	200° 00' 00"
E	63° 30' 00"
F	154° 12' 51"
G	183° 47' 09"
H	137° 30' 00"
I	269° 30' 00"
K	90° 00' 00"
L	142° 27' 00"
M	265° 14' 00"
N	111° 14' 00"
O	139° 10' 00"
P	156° 25' 00"
R	145° 40' 00"
S	275° 15' 00"
T	40° 22' 42"

0 - DENOTES 1" IRON PIPE,
30" LONG, WEIGHING
1.13 LBS./LIN. FT.

SCALE: 1 INCH = 100 FEET



Planning Commission Minutes
2/6/78 (2)

Action:

Mayor Hanley moved to approve the building, site and operational plan as submitted subject to a study of how it impacts upon the City's sewer allocation for 1978. He further noted that the building, site and operational plan approval will not guarantee a sewer allocation. This motion was seconded by Robert Siderits and carried unanimously.

Ken Bonnieu and Larry Yost for Mrs Worden McCallum

Section: 33-9-22, Zoning: RSE, minimum lot size 1 acre.

Request:

Preliminary and final land division approval.

Briefing:

City Planner Dollhausen explained that Mrs McCallum is seeking preliminary and final approval of the 4 lot land division proposed for the parcel of land located at 600 E. Juniper Ct. as discussed at the last meeting. Mr. Dollhausen further explained that at the January 23rd meeting this matter was held over pending the submittal of a detailed soil analysis pursuant to the determination of the stability of the soils and their susceptibility to erosion as well as an opinion from the Fire Chief as to his needs concerning access for fire protection vehicles. Mr. Dollhausen further explained that the Fire Chief had been consulted and stated that he would be satisfied with a 80 foot in diameter loop drive to be located at the end of the private drive serving Lot 2 for the manipulation of fire protection vehicles. Mr. Dollhausen further noted that a detailed soils analysis had been conducted by Foundation Engineers Inc. of Milwaukee and submitted to his office. This study indicates that the soils are relatively stable however, all water draining off the site should be channeled away from the bluff.

DPW Roensch noted that the soils are relatively stable due to the present slope and vegetation and that all sump pumps and run-off should be directed away from the ravine. He also recommended that a minimum of 30 feet setback be provided between the building, and the bluff.

Discussion:

Upon request it was noted that the average lot size in the area is about 2 acres, however, some of the lots are around one acre in size.

Attachment: Packet (4484 : Betsey & Jay Woody)

Planning Commission Minutes
12/17/79 (5)

He explained that the proposed lot meets the requirements of the City's codes and has access to Cedarburg Road through an existing 16 foot wide access easement. He also noted that the proposed lot fits into a concept plat for the development of the balance of the property which centers on the future extension of Sherwood Drive to the north.

Discussion:

In response to questions from the Commission regarding the offsets of the existing buildings, Asst. Planner Crew explained that offsets from all of the new lot lines exceed code requirements and that the offsets from existing lot lines, although apparently sub-standard, can not be altered because these lot lines have predated the request.

Action:

Mayor Hanley moved to grant preliminary and final land division approval. This motion was seconded by John Huegel and carried unanimously.

→ 6.) Jim Huiras for Harold Swartz

Key # 15-033-11-005; Zoning: RSE

Request:

Land division approval

Briefing:

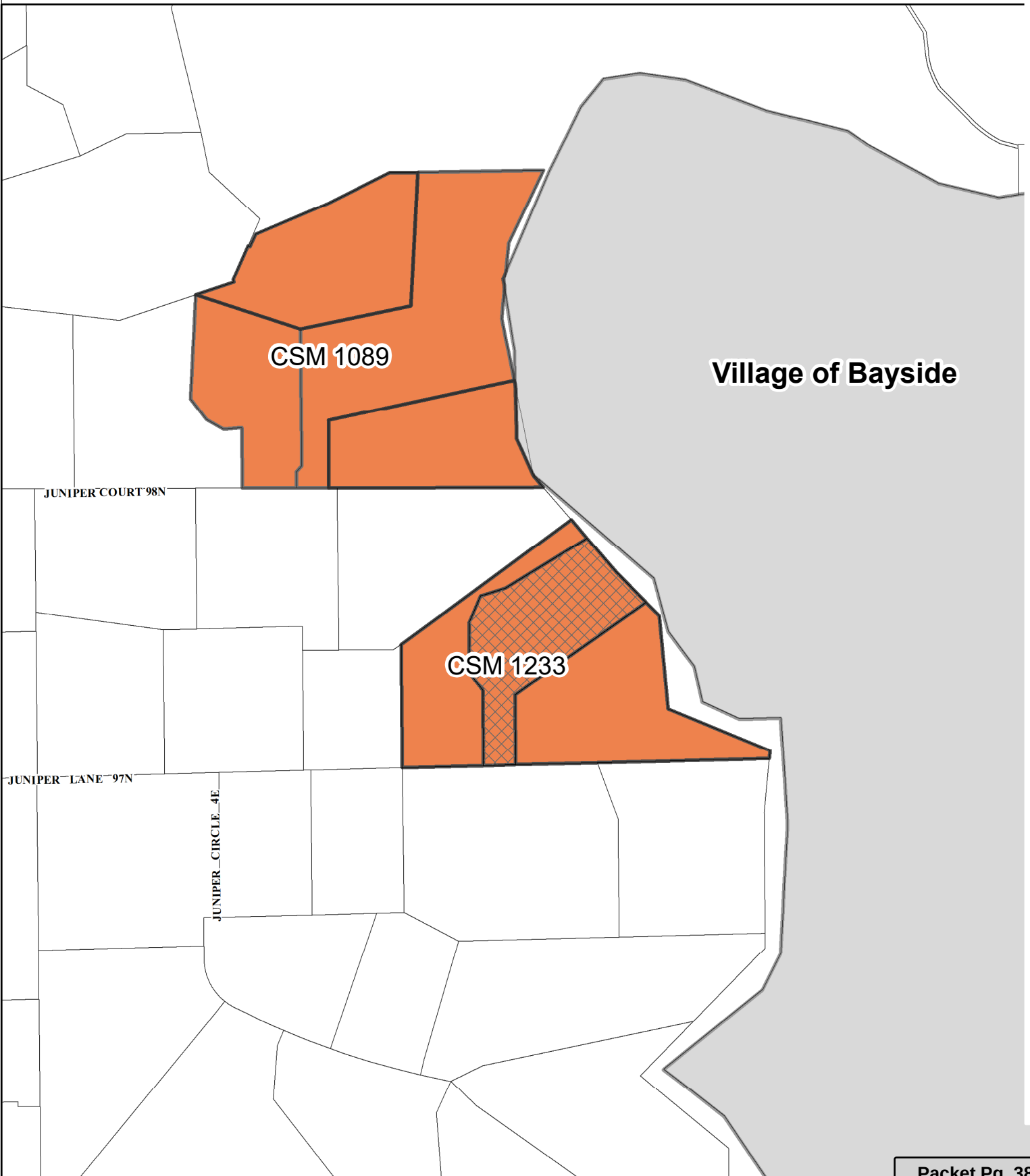
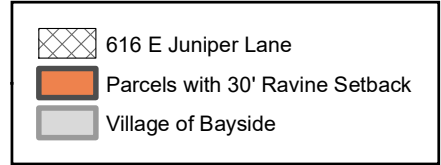
Asst. Planner Crew explained that Mr. Swartz was seeking preliminary and final approval of the division of a 4 acre lot at 616 E. Juniper Lane into three lots, one acre to 1.5 acres in size. He recommended approval subject to the following:

- 1) That the private road be shown as 30 feet wide rather than 15 and labeled as a private road,
- 2) That an access easement for the benefit of Lot # 2 be shown on the survey corresponding to the existing driveway,
- 3) That the survey show a 30 foot setback for all buildings from the top of the bluff,
- 4) At the suggestion of Mr. Garms, an easement across Lot # 1 for the benefit of Lot # 2 corresponding to the sewer lateral
- 5) A deed restriction be applied to Lot # 1 prohibiting any above ground improvements or plantings on the existing sewer easement.

Attachment: Packet (4484 : Betsey & Jay Woody)

EXHIBIT A

Ravine Setback Requirement





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

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: PA PHOUALA VANG, PLANNER
DATE: October 7, 2019
SUBJECT: Riverland Estates. The applicant is seeking landscape and street tree plan approval for a 13-lot single-family subdivision located at the corner of Bonniwell & Riverland Roads (Riverland Estates).

Applicant:	Paul Apfelbach
Status of Applicant:	Agent
Requested:	Landscape Plan Street Tree Plan
Existing Use:	Vacant
Existing Zoning:	R-1 (5-Acre minimum) PUD (Planned Unit Development) C-2 (General Conservancy)
Existing Land Use Plan:	Residential 5 Acre Critical Environmental
Lot size:	68.12 Acres
Location:	Corner of Bonniwell Road and Riverland Road
Tax Key:	#14-001-09-001.00
District:	#1

Background:

The applicant is requesting landscape and street tree plan approval for Riverland Estates subdivision located at the corner of Bonniwell and Riverland Roads. The Planning Commission approved the preliminary plat, open space plan and development agreement on December 3, 2018.

Landscaping Plan:

The applicant has submitted final landscaping plans for the subdivision which are consistent with the overall open space plan that was approved in December 2018. The plan includes details related to the landscaping along Riverland Drive and the entrance into the subdivision. The open space plan shows the northwest wooded area to remain natural and undisturbed. The existing spruce tree farm along the western portion of the site will remain as is and provide a buffer to the adjacent development. An area to the southwest is reserved for garden plots/orchard use. The plan shows buffer along Riverland Road that will remain natural and include a mix of spaded pines and freeman maple. The stormwater pond is also located in this outlot. The wetlands to the south end of the site will remain natural. An 8 foot wide walking path is shown on the plan and connects from the private road through the southern spruce tree farm and to the west property line and garden/orchard area. Per the open space plan approval, a gravel path is required and shall be maintained by the Homeowners Association.

Street Tree Plan:

On March 13, 2019, the Tree Board approved the street tree plan for Riverland Estates. The plan calls for a total of 110 trees which are located within the road right-of-way.

Tree Board Recommendation:

The Tree Board recommends approval of the street tree plan.

Planning Staff Recommendation:

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

1. Staff review of final street tree and open space plans. The applicant shall submit such plan within 60 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

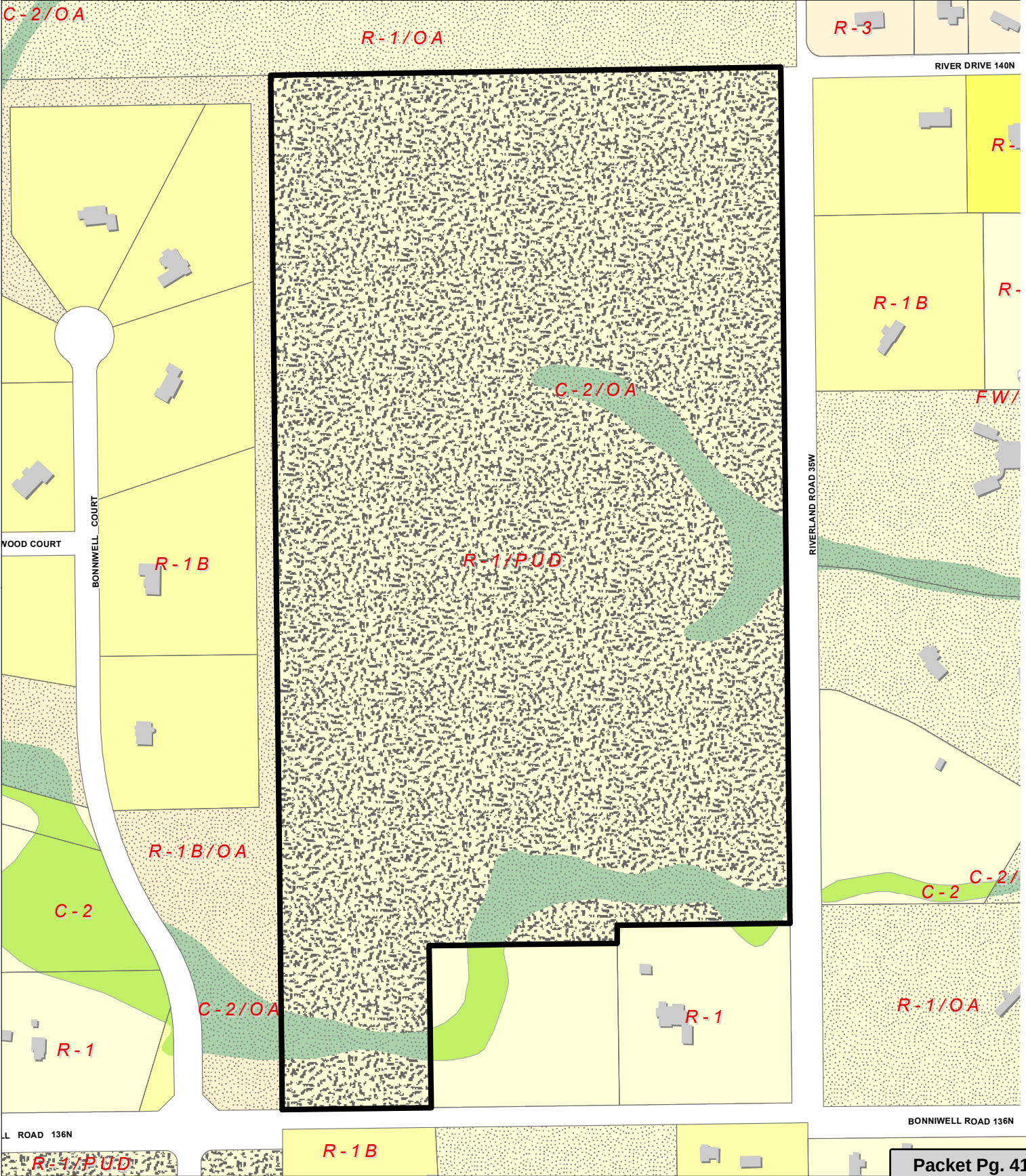
Attachments:

Packet (PDF)

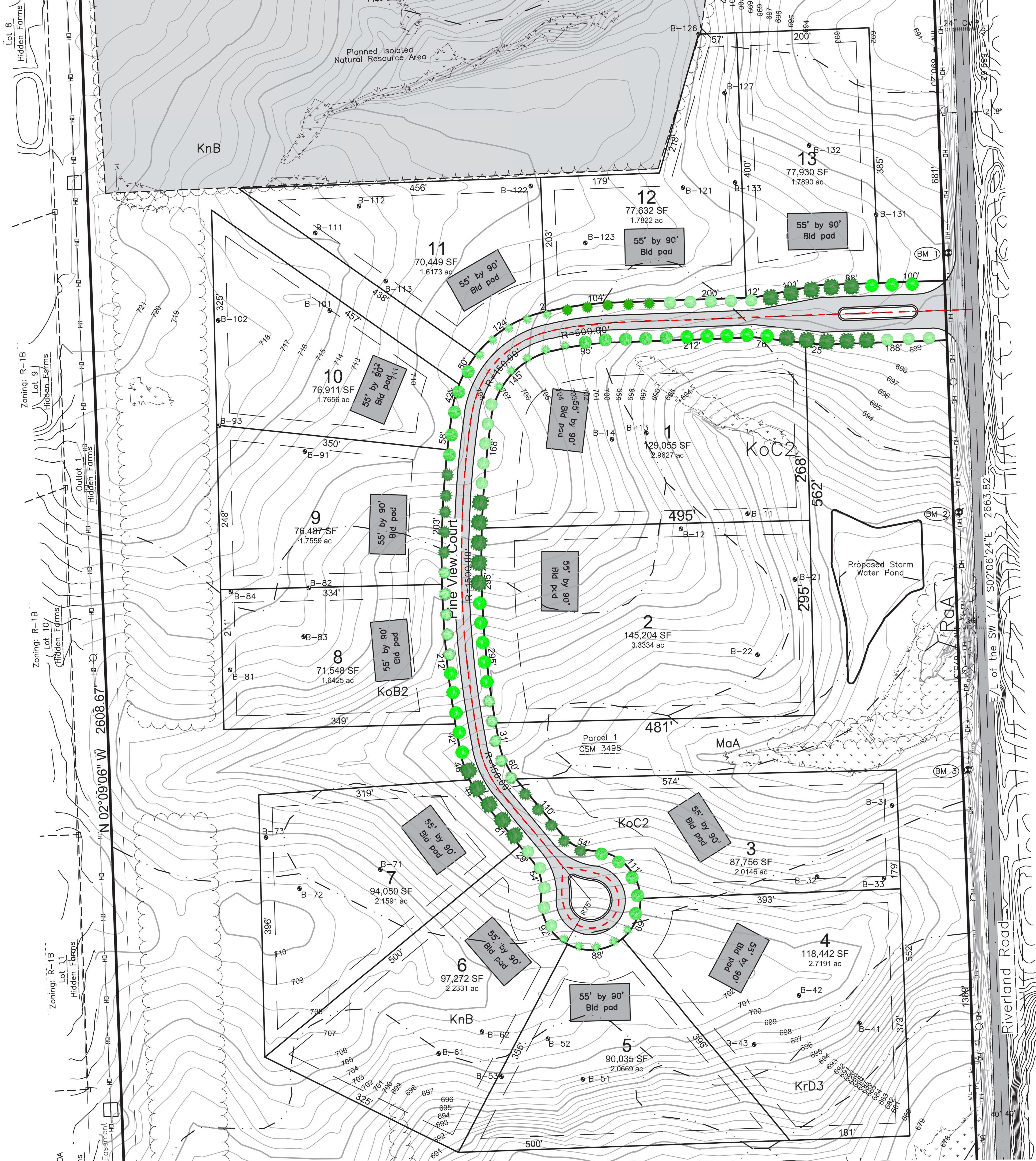
Riverland Estates

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

2.b.a



Attachment: Packet (4486 : Riverland Estates)



Acer freemanii 'Sienna'
Sienna Glenn Maple



Catalpa speciosa
Northern Catalpa



Quercus macrocarpa
Bur Oak



Ulmus americana 'Princeton'
Princeton Elm



Platanus acerfolia 'Morton Circle'
Exclamation London Planetree



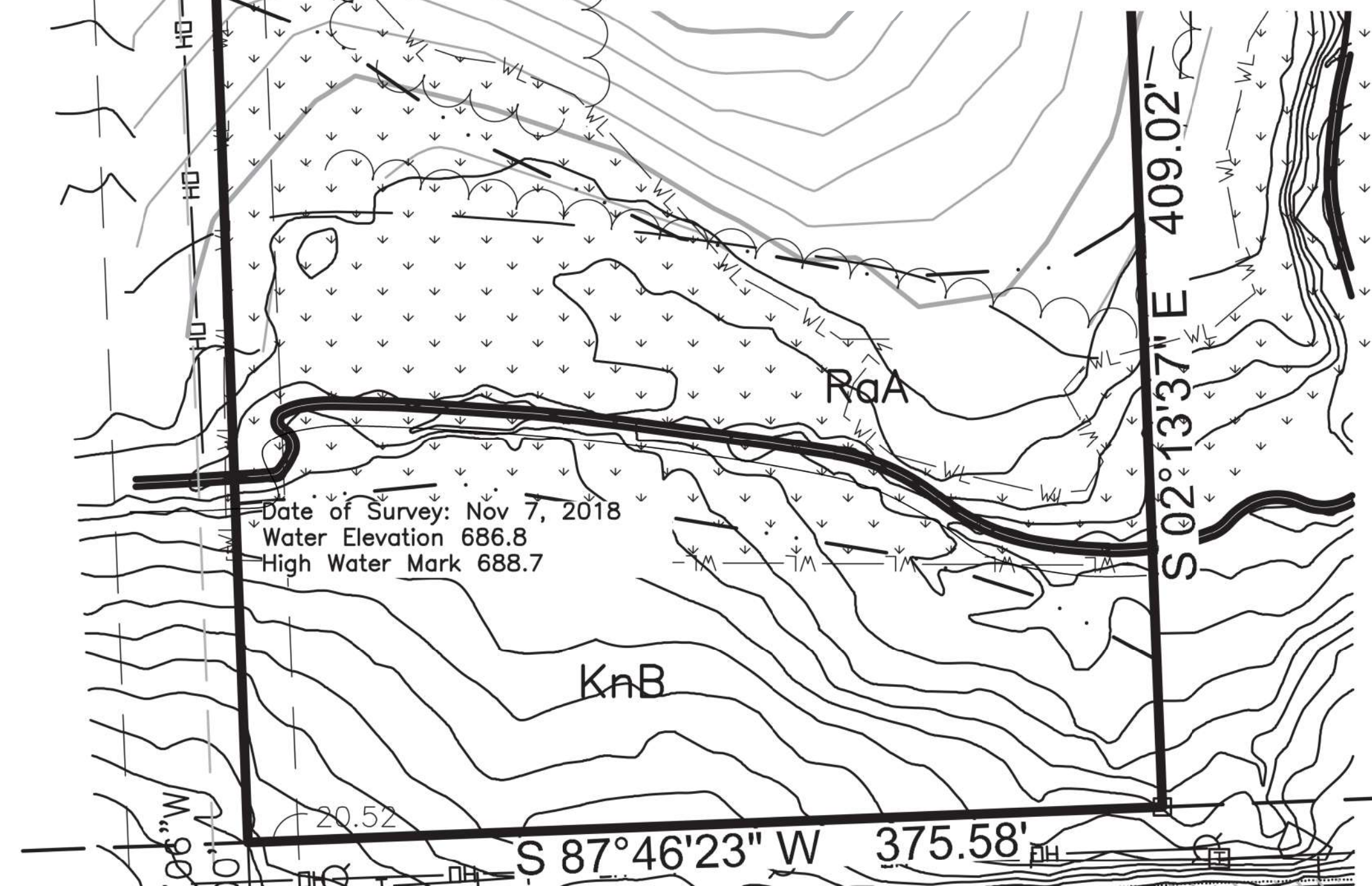
Phellodendron lavallei 'Longnecker'
Eye Stopper Corktree



Gymnocladus dioica
Kentucky Coffee Tree



Celtis occidentalis
Common Hackberry



LOCATION MAP

SW 1/4 SEC 1, T 9 N, R 21 E,
CITY OF MEQUON
OZAUKEE COUNTY, WI

Pioneer Road

Riverland Rd

Bonniwell Rd

Project Location

Riverland Estates City of Mequon, Ozaukee County, WI Tree Planting Plan



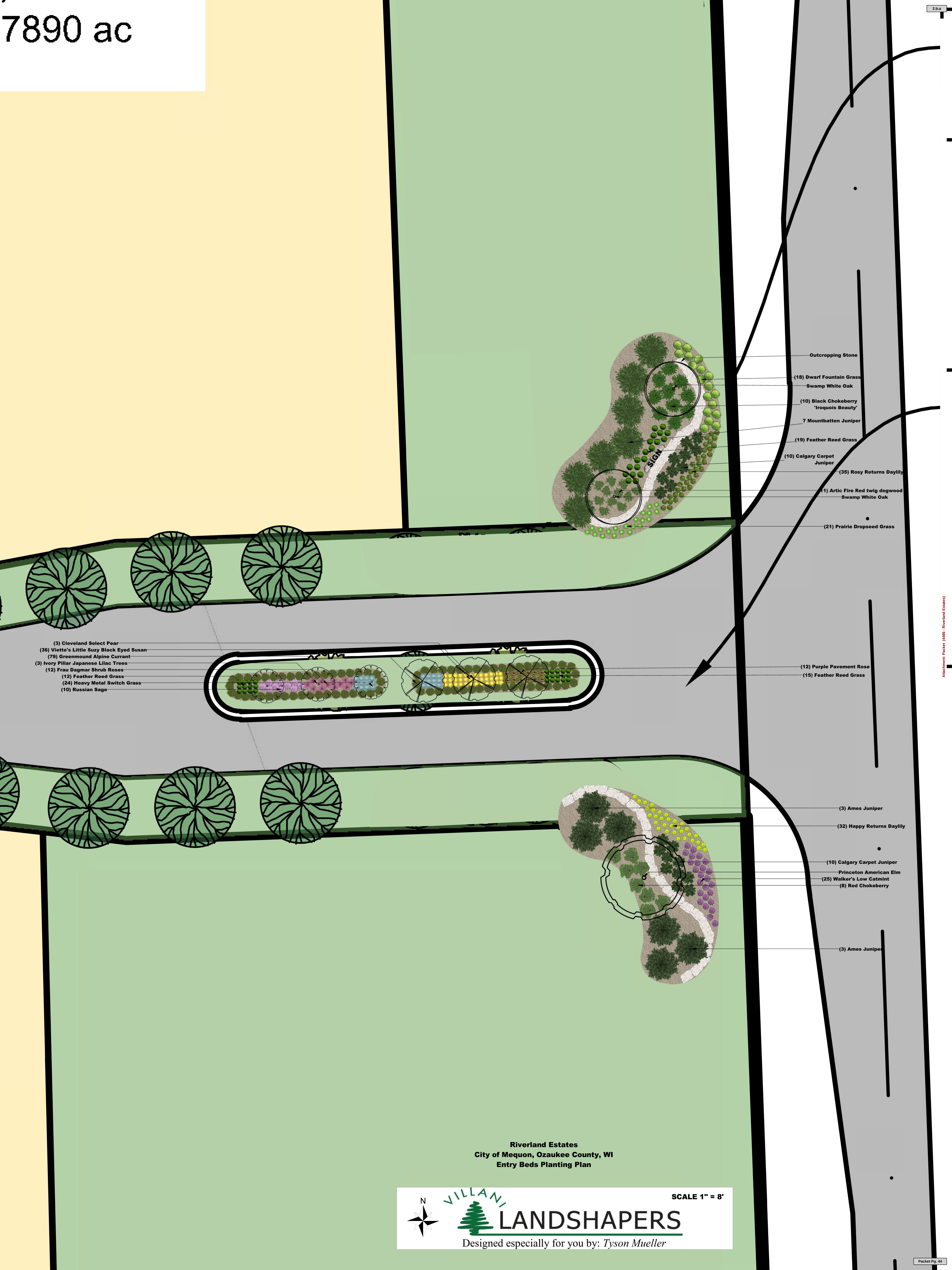
SCALE 1" = 50'

Plant Legend				
Symbol	Qty	Common	Botanical	Size
	18	Princeton Elm	Ulmus americana 'Princeton'	2.5"
	20	Bur Oak	Quercus macrocarpa	2.5"
	18	Common Hackberry	Celtis occidentalis	2.5"
	15	Sienna Glenn Maple	Acer freemanii 'Sienna'	2.5"
	5	Kentucky Coffee Tree	Gymnocladus dioica	2.5"
	15	Exclamation London Planetree	Platanus acerfolia 'Morton Circle'	2.5"
	10	Northern Catalpa	Catalpa speciosa	2.5"
	10	Eye Stopper Corktree	Phellodendron lavallei 'Longnecker'	2.5"

--- 1823 linft of Road



7890 ac



- (3) Cleveland Select Pear
- (36) Viette's Little Suzy Black Eyed Susan
- (79) Greenmound Alpine Curreant
- (3) Ivory Pillar Japanese Lilac Trees
- (12) Frau Dagmar Shrub Roses
- (12) Feather Reed Grass
- (24) Heavy Metal Switch Grass
- (10) Russian Sage

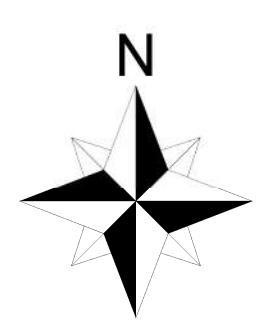
- Outcropping Stone
- (18) Dwarf Fountain Grass
- Swamp White Oak
- (10) Black Chokeberry
- 'Iroquois Beauty'
- 7 Mountbatten Juniper
- (19) Feather Reed Grass
- (10) Calgary Carpet Juniper
- (35) Rosy Returns Daylily
- (11) Artic Fire Red twig dogwood
- Swamp White Oak
- (21) Prairie Dropseed Grass

- (12) Purple Pavement Rose
- (15) Feather Reed Grass

- (3) Ames Juniper
- (32) Happy Returns Daylily
- (10) Calgary Carpet Juniper
- Princeton American Elm
- (25) Walker's Low Catmint
- (8) Red Chokeberry

- (3) Ames Juniper

Riverland Estates
City of Mequon, Ozaukee County, WI
Entry Beds Planting Plan



LANDSHAPERS

Designed especially for you by: *Tyson Mueller*

SCALE 1" = 8'

TO: Planning Commission
FROM: BRIDGET HENK, ASSISTANT CITY ENGINEER
DATE: October 7, 2019
SUBJECT: Boulder Venture for Associated Bank. The applicant is seeking fill permit approval to allow 2,800 cubic yards of fill for construction of a new building as well as new parking lot, sidewalks, utilities and landscaping for the property located at 11223 N. Port Washington Road.

Applicant:	Boulder Venture
Status of Applicant:	Agent
Requested:	Minor Request – Fill Permit
Existing Use:	Vacant
Existing Zoning:	B-2 (Community Business)
Land Use Plan:	Community Commerical
Lot size:	0.99 Acres
Location:	11223 N. Port Washington Road
Tax Key:	#15-019-16-016
District:	#5

Background:

The applicant requests Planning Commission approval of a Filling and Excavating Permit to excavate and remove material from the proposed commercial development and associated underground stormwater storage.

The Filling and Evacating Permit application noted 2,800 cubic yards to be excavated and removed from the site. Planning Commission approval is required when the total fill or excavation exceeds 1,000 cubic yards.

Engineering Report

The Building and Site plan approval for this project did not include a grading plan or an estimate of fill to be removed as part of the project. Since the excavation amount exceeds 1,000 cubic yards, Planning Commission approval is required.

The City of Mequon Engineering Division has reviewed the grading, drainage, and utility plans for conformance with the City of Mequon Standard Specifications. In addition, the stormwater management plan has been reviewed by the City of Mequon and has been submitted to MMSD for final review. An erosion control permit was also required by the building and site plan approval and is in progress.

Staff Recommendation:

Staff recommends Planning Commission approval of the issuance of a Fill Permit with conditions based upon the following:

1. Submittal of a \$5,000.00 road bond and proposed haul route if local roads are included in

the haul route. The haul route is to be reviewed and approved by the Engineering Division. Staff will inspect the haul route prior to and after the filling project and any road repairs staff suspects resulted from the fill transport trucks will be repaired as a condition of the fill permit. Release of the road bond is subject to City's standard Surface Condition Ratings (SCR) evaluation.

2. Permittee must notify the Engineering Division before starting any land disturbing activity and again not more than five days after project completion.
3. Work must be complete on or before a date specified by the City. Requests for extensions must be made in writing.
4. Permittee shall keep a copy of the permit on site at all times.
5. The City or the Wisconsin Department of Natural Resources (WDNR) may revoke the permit for non-compliance.
6. The City Engineer reserves the right to stop work, amend or alter construction measures.

Attachments:
Packet (PDF)

Boulder Venture, LLC for Associated Bank

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

C - 2

B - 2

PORT WASHINGTON ROAD 13W

B - 2

B - 2

MEQUON ROAD 112N

B - 1

B - 3

B - 2

Attachment: Packet (4487 : Boulder Venture for Associated Bank)



11333 N. Cedarburg Road, 60W
Mequon, Wisconsin 53092

2.c.a

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

Engineering Division
Permit Application for Filling, Excavating and Berms

PLEASE PRINT CLEARLY

Agent / Contact Name: Robert Schmidt Phone #: 414-271-5385

Property Owner Name: Boulder Venture Phone #: _____

Agent Or Owner Contact Address: 311 East Chicago Street, #210
Milwaukee, WI 53202

Location Or Address Of Work Site: 11223 & 11249 North Port Washington Road

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

Tax Key No. _____

Subdivision _____ Lot _____ Block _____

Estimated Date Of Completion: 5/13/2020

Reason For Fill/Removal/Excavation Construction of a new Associated Bank building as well as
new parking lot, sidewalks, utilities, and landscaping.

Name Of Contact Other Than Applicant: Dan Weiss - Findorff Phone #: 414-758-4978

FEE COMPUTATION

\$60.00 – 0 – 250 C.Y.

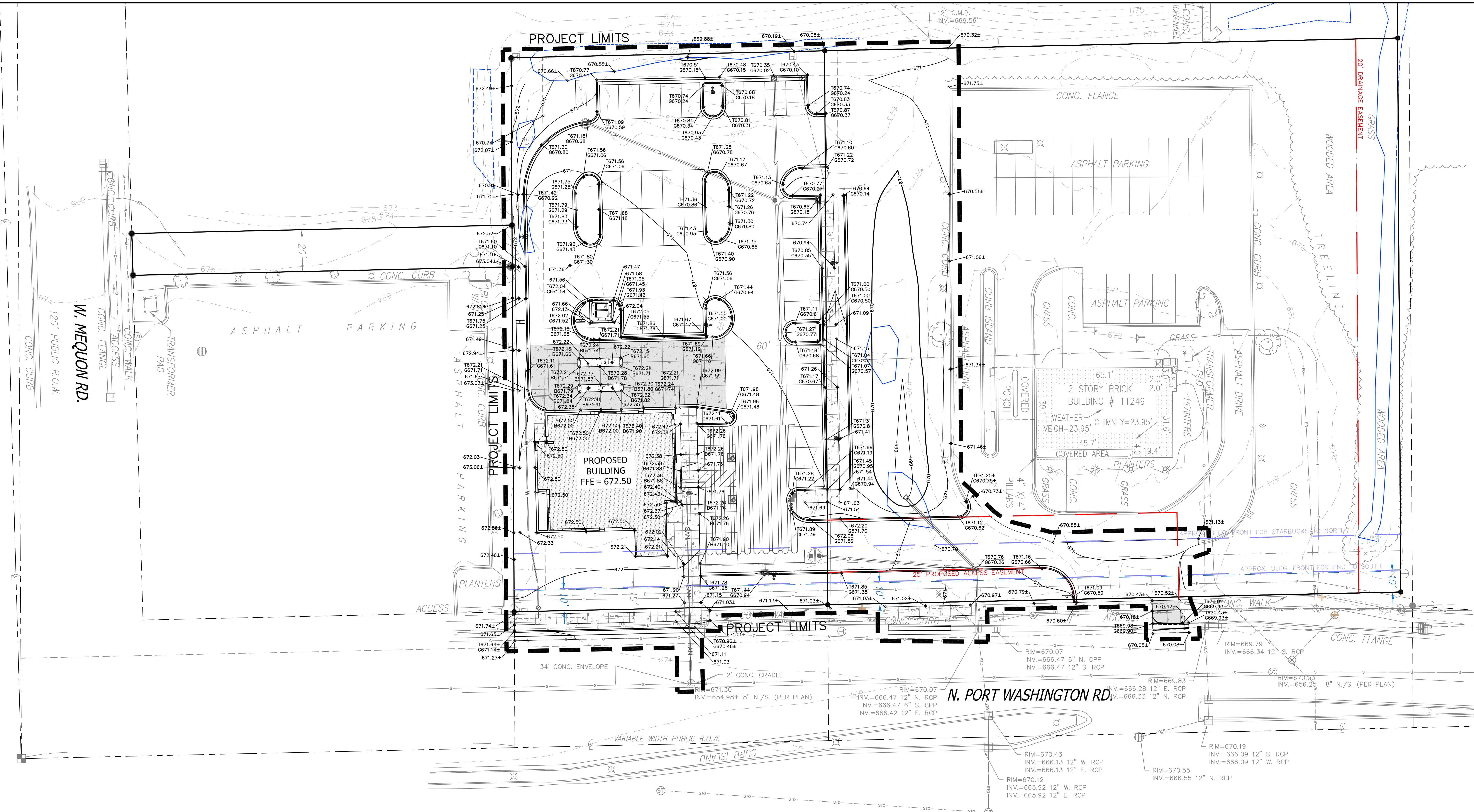
\$120.00 – 250 C.Y. – 1,000 C.Y. Total Fee \$ _____

Total Cubic Yards To Be Deposited/Removed/Excavated 2,800 C.Y.*

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

SIGNED:  DATE: 8/30/2019

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



Revisions

 SCOPE
 CONSTRUCTION
 DOCUMENTS

 ASSOCIATED BANK
 CC 81197

 11249 NORTH PORT WASHINGTON RD.
 MEQUON, WI 53092

Date Issued: 5/31/2019

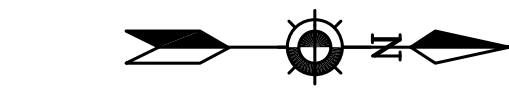
RINKA project #: 180604

Sheet Title

 SITE GRADING
 PLAN

Sheet #

C104


 Scale:
 Scale: 1" = 20'

Dial 811 or (800)242-8511

www.DiggersHotline.com

GRADING LEGEND

---	672	---	EXISTING CONTOUR MINOR
---	670	---	EXISTING CONTOUR MAJOR
---	672	---	PROPOSED CONTOUR MINOR
---	675	---	PROPOSED CONTOUR MAJOR
+	670.00		PROPOSED SPOT GRADE
+	665.0±		MATCH EXISTING SPOT GRADE
+	T670.00		PROPOSED TOP OF CURB
+	G665.00		PROPOSED BOTTOM OF CURB
+	T670.0±		MATCH EXISTING TOP OF CURB
+	G665.0±		MATCH EXISTING BOTTOM OF CURB



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

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: PA PHOUALA VANG, PLANNER
DATE: October 7, 2019
SUBJECT: General Dynamics Information Technology. The applicant is seeking site plan amendment approval to allow for a backup generator to be installed inside the existing compound for the existing telecommunications tower located at 11300 N. Buntrock Avenue.

Applicant:	General Dynamics
Status of Applicant:	Agent
Requested:	Site Plan Amendment
Existing Use:	Police/Fire Station
Existing Zoning:	IPS (Institutional and Public Service)
Land Use Plan:	Institutional/Town Center
Location:	11300 N. Buntrock Avenue
Tax Key:	#14-050-02-101.00
District:	#3

Background: The applicant requests site plan amendment approval to allow for a backup generator for the existing telecommunication facility located at 11300 N Buntrock Avenue.

Site Plan Amendment:

The site plan amendment shows the proposed generator and related equipment within the existing chain-link fence enclosure. The proposed generator will be no greater than 10 feet long by 4 feet tall. The plan shows a section of the existing chain link fence to be replaced with an 8 feet long roll gate to allow access to the generator. Staff recommends an aesthetically pleasing enclosure that includes a 6 foot tall brick enclosure to match the surrounding structures. Not only is this facility in a visible and heavily trafficked area, the site within Town Center is part of an area that has and will continue to receive an extensive amount of public and private investments. The Town Center has high aesthetic standards. In addition, a brick/stone enclosure is consistent with enclosures that the Planning Commission has approved in the past for other telecommunication facilities (Riverbarn Park, Beautiful Savior, Highland Road WEPCO). Staff also recommends a low (2-3 feet) landscape treatment to include boxwood with yellow daylilies be installed around the perimeter of the enclosure.

Staff also adds a condition of approval that the sound levels not exceed 65 dBA at the property line which has been the standard that the Planning Commission has used in the past. If the levels exceed 65 dBA, the applicant shall be required to provide additional sound dampening measures to achieve compliance. Staff will also require that the weekly testing of the generator shall only occur on weekdays between the hours of 10:00 AM and 2:00 PM.

Staff Recommendation:

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

1. Planning staff review and approval of final site plans prior to the issuance of permits. The applicant shall submit such plan within 60 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 generator shall not exceed 65 dBA at the property line. If the levels exceed 65 dBA, the applicant shall be required to provide additional sound dampening measures to achieve compliance.
3. Weekly testing of the generator shall only occur on weekdays between the hours of 10:00 AM and 2:00 PM.
4. Revised plans shall show the chain-link fence replaced with a 6 foot tall brick enclosure to match surrounding structures.
5. A low (2-3 feet) landscape treatment to include boxwood with yellow daylilies shall be installed around the perimeter of the enclosure.

Attachments:
Packet (PDF)

General Dynamics Information Technology

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		

BUNTROCK A

Spur Road (Private Road)

IPS

TC/PUD

Attachment: Packet (4488 : General Dynamics Information Technology)

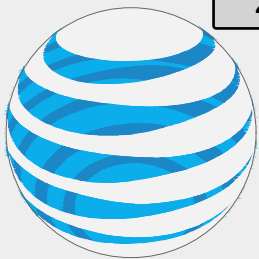
MEQUON ROAD 44



at&t

MEQUON PUBLIC
SAFETY BUILDING
FA#: 10080295
USID: 38568

11300 NORTH BUNTROCK AVE
MEQUON, WI 53092
GENERATOR UPGRADE



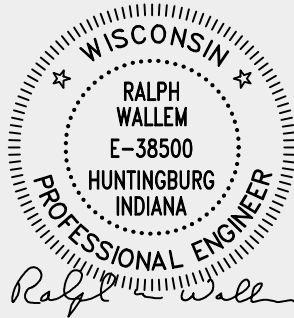
at&t

GENERAL DYNAMICS
Wireless Services
12906 SHELBYVILLE ROAD, STE. 230
LOUISVILLE, KY 40243
502-653-6963

**BENCHMARK
SERVICES, INC.**
*Consulting Engineers
Land Surveyors*
PO Box 5 318 North Main Street
Huntingburg, Indiana 47542
Phone: (812) 683-3049

DRAWING REVISIONS

REV.	DESCRIPTION	DATE	BY
0	100% CDs	6-10-18	MC



MEQUON PUBLIC
SAFETY BUILDING
FA#: 10080295
USID: 38568

11300 NORTH BUNTROCK AVE
MEQUON, WI 53092
GENERATOR UPGRADE

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSIONS & CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME.

SHEET NAME:

TITLE SHEET

SHEET NO.:
T-1

REVISION NUMBER:

SITE INFORMATION

GOVERNING CODE:	IBC & NEC
SITE ADDRESS:	11300 NORTH BUNTROCK AVE MEQUON, WI 53092
COUNTY:	OZAUKEE
PROPERTY OWNER:	CITY OF MEQUON, A WISCONSIN MUNICIPAL CORPORATION
PROPERTY OWNER CONTACT:	UNSPECIFIED
APPLICANT:	AT&T MOBILITY 930 NATIONAL PKWY, 4TH FLOOR SCHAUMBURG, IL 60173
SCOPE OF WORK:	INSTALL NEW DIESEL GENERATOR WITH SUBBASE FUEL TANK ON NEW CONCRETE PAD. INTEGRATE EXISTING ALARM AND ELECTRICAL CONNECTIONS WITH NEW GENERATOR. EXTEND EXISTING FENCE.
UTILITY INFORMATION:	THE PLANS SHOW SOME KNOWN SUBSURFACE STRUCTURE, ABOVE GROUND STRUCTURES AND/OR EXISTING UTILITIES BELIEVED TO BE IN THE WORKING AREA. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY ALL UTILITIES, PIPELINES AND OTHER STRUCTURES SHOWN OR NOT SHOWN ON THESE PLANS. THE CONTRACTOR SHALL VERIFY STATE AND LOCAL UTILITY NOTIFICATION SERVICES BEFORE DIGGING OR DRILLING. ANY DAMAGE TO EXISTING UTILITIES SHALL BE REPAIRED TO THE SATISFACTION OF THE OWNER AND ENGINEER AT THE CONTRACTOR'S EXPENSE.
GENERAL SITE INFORMATION:	(1) FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. (2) HANDICAP ACCESS IS NOT REQUIRED. (3) FACILITY HAS NO PLUMBING OR PARKING. (4) NO GRADING WILL BE REQUIRED FOR THIS SITE.

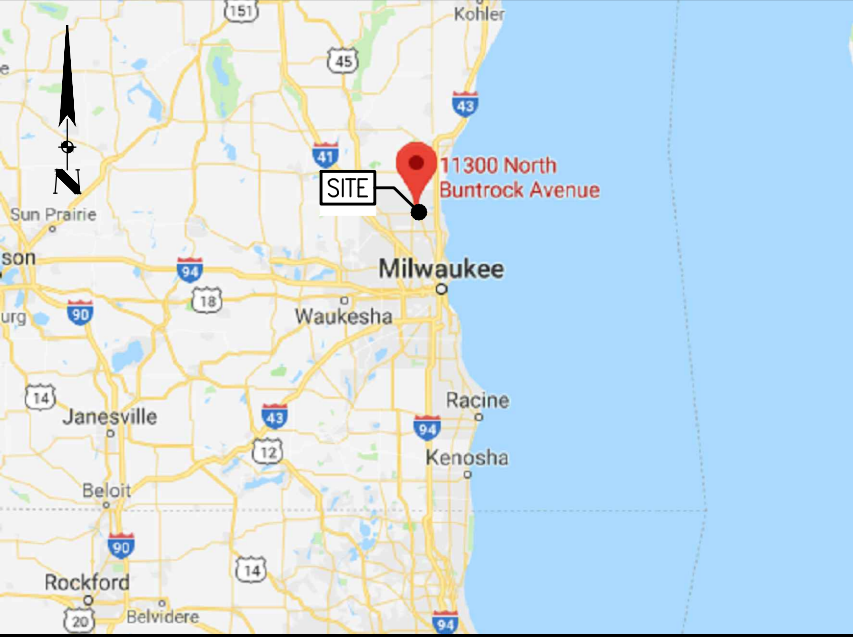
APPROVALS

AT&T CONSTRUCTION MANAGER	DATE
GENERAL DYNAMICS CONSTR. MGR	DATE
PROPERTY OWNER	DATE
SITE ACQUISITION	DATE
CONTRACTOR	DATE
CONTRACTOR	DATE
CONTRACTOR	DATE

SHEET INDEX

SHT. NO.	DESCRIPTION	REV. NO.
T-1	TITLE SHEET	0
SP-1	GENERAL NOTES	0
A-1	SITE PLAN	0
S-1	FOUNDATION DETAILS	0
E-1	WIRING DIAGRAM	0
D-1	PANEL AND PENETRATION DETAILS	0
D-2	ATS, CONDUIT, TRENCH AND GROUND ROD DETAILS	0
G-1	GENERATOR DETAILS	0
G-2	GENERATOR DETAILS	0
G-3	GENERATOR DETAILS	0

AREA MAP



PROJECT TEAM

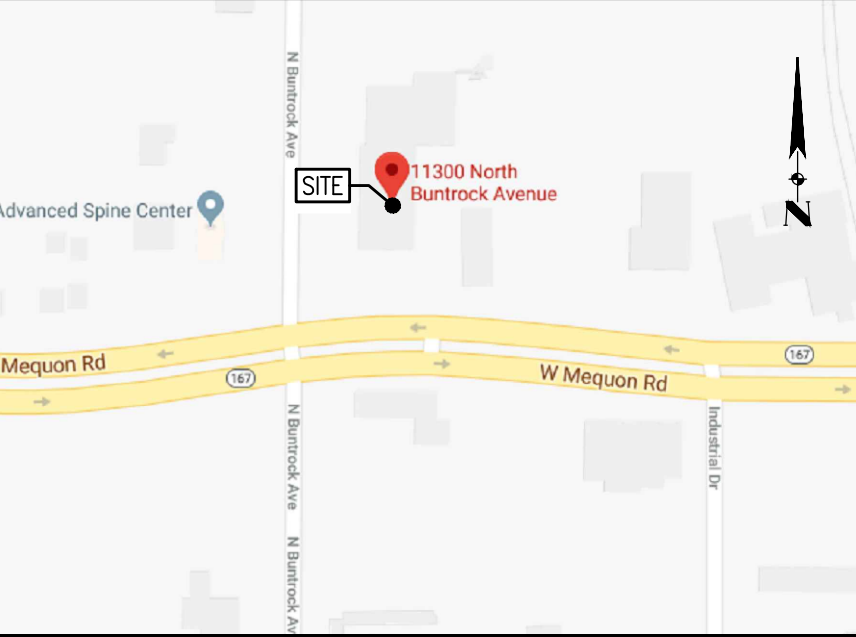
ENGINEER:	MARKET LEAD:
BENCHMARK SERVICES, INC. GARY VAN WINKLE PO BOX 318 NORTH MAIN STREET HUNTINGBURG, IN 47542 TEL: 812-683-3049 WWW.BENCHMARKSERVICESINC.BIZ	JOHN ADAMS GENERAL DYNAMICS WIRELESS SERVICES 12906 SHELBYVILLE ROAD, STE. 230 LOUISVILLE, KY 40243 OFFICE 502-653-6963

DRIVING DIRECTIONS

TOWER COORDINATES
LATITUDE: 43.2227 LONGITUDE: -87.9886

DRIVING DIRECTIONS
FROM OHARE: 1: MERGE ONTO I-294 N TOWARD MILWAUKEE / I-90 W / ROCKFORD (PORTIONS TOLL). 13.4 MILES 2: I-294 N BECOMES I-94 W (PORTIONS TOLL) (CROSSING INTO WISCONSIN). 63.0 MILES 3: TAKE I-43 N TOWARD GREEN BAY. 13.1 MILES 4: TAKE THE MEQUON RD / WI-167 W / WI-57 S EXIT-EXIT 85. 0.2 MILES 5: TURN LEFT ONTO WI-167 W / WI-57 S / W MEQUON RD. CONTINUE TO FOLLOW WI-167 W. 3.4 MILES 6: TURN RIGHT ONTO N BUNTROCK AVE. 0.1 MILES 7: END AT 11300 N BUNTROCK AVE MEQUON, WI 53092

VICINITY MAP



BORDEN TEMPLATE W20414-1: PL0080295.CONSTRUCTION.DRAWING_061018_REV01.DWG : SWF 6/11/2019 7:12:48 PM : PLOT 6/11/2018 7:13:45 PM

Attachment: Packet (4488 : General Dynamics Information Technology)

BORDERED TEMPLATE W00414-1: F:\00000005.CONSTRUCTION.DRAWING\0610108_REV01.DWG : SWE 6/11/2019 7:12:48 PM : PLOT 6/11/2018 7:13:50 PM

NOTES TO CONTRACTOR:

1.

THE GENERAL CONTRACTOR MUST VERIFY ALL DIMENSIONS, CONDITIONS AND ELEVATIONS BEFORE STARTING WORK. ALL DISCREPANCIES SHALL BE RESOLVED BEFORE PROCEEDING WITH THE WORK. ALL WORK SHALL BE PERFORMED IN A WORKMANLIKE MANNER IN ACCORDANCE WITH ACCEPTED CONSTRUCTION PRACTICES.
2.

IT IS THE INTENTION OF THESE DRAWINGS TO SHOW THE COMPLETED INSTALLATION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY BRACING, SHORING, TIES, FORM WORK, ETC. IN ACCORDANCE WITH ALL NATIONAL, STATE AND LOCAL ORDINANCES TO SAFELY EXECUTE ALL WORK AND SHALL BE RESPONSIBLE FOR SAME. ALL WORK SHALL BE IN ACCORDANCE WITH LOCAL CODES.
3.

THE CONTRACTOR SHALL USE ADEQUATE NUMBER OF SKILLED WORKMAN WHO ARE THOROUGHLY TRAINED AND EXPERIENCED IN THE NECESSARY CRAFTS AND WHO ARE COMPLETELY FAMILIAR WITH THE SPECIFIED REQUIREMENTS AND METHOD NEEDED FOR PROPER PERFORMANCE OF THE WORK.
4.

CONSTRUCTION CONTRACTOR AGREES THAT IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES, CONSTRUCTION CONTRACTOR WILL BE REQUIRED TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY. THAT THIS REQUIREMENT SHALL BE MADE TO APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS AND CONSTRUCTION CONTRACTOR FURTHER AGREES TO INDEMNIFY AND HOLD DESIGN ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED. IN CONNECTION WITH PERFORMANCE OF WORK ON THIS PROJECT.
5.

SITE GROUNDING SHALL COMPLY WITH AT&T MOBILITY WIRELESS SERVICES TECHNICAL SPECIFICATIONS FOR FACILITY GROUNDING FOR CELL SITE STANDARDS, LATEST EDITION, AND COMPLY WITH AT&T MOBILITY TOWERS GROUNDING CHECKLIST, LATEST VERSION. WHEN NATIONAL AND LOCAL GROUNDING CODES ARE MORE STRINGENT, THEY SHALL GOVERN.
6.

ALL WORK SHALL COMPLY WITH OSHA AND STATE SAFETY REQUIREMENTS. PROCEDURES FOR THE PROTECTION OF EXCAVATIONS, EXISTING CONSTRUCTION AND UTILITIES SHALL BE ESTABLISHED PRIOR TO FOUNDATION INSTALLATION. IF FAA LIGHTING AND MARKING IS PRESENT ON SITE AND IS POWERED BY ELECTRICAL SERVICE THAT IS TO BE INTERRUPTED, IT IS THE CONTRACTOR'S RESPONSIBILITY TO MAINTAIN THE NECESSARY LIGHTS AND NOTIFY THE PROPER AUTHORITIES IN THE EVENT OF A PROBLEM.
7.

ALL WORK SHALL BE ACCOMPLISHED IN ACCORDANCE WITH ALL LOCAL, STATE AND FEDERAL CODES OR ORDINANCES. THE MOST STRINGENT CODE WILL APPLY IN THE CASE OF DISCREPANCIES OR DIFFERENCES IN THE CODE REQUIREMENTS.
8.

ANY DAMAGE TO THE ADJACENT PROPERTIES WILL BE CORRECTED AT THE CONTRACTOR'S EXPENSE TO THE SATISFACTION OF THE LANDOWNER AND THE ENGINEER.
9.

THE COMPLETE BID PACKAGE INCLUDES THESE CONSTRUCTION DRAWINGS ALONG WITH THE SPECIFICATIONS. CONTRACTOR IS RESPONSIBLE FOR REVIEW OF TOTAL BID PACKAGE PRIOR TO BID SUBMITTAL.
10.

CONTRACTOR SHALL VERIFY LOCATION OF ALL EXISTING UTILITIES WITHIN CONSTRUCTION LIMITS PRIOR TO CONSTRUCTION.
11.

THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING POSITIVE DRAINAGE ON THE SITE AT ALL TIME. SILT FENCE AND EROSION CONTROL SHALL BE MAINTAINED ON THE DOWNSTREAM SIDE OF THE SITE AT ALL TIMES. ANY DAMAGE TO ADJACENT PROPERTIES WILL BE CORRECTED AT THE CONTRACTOR'S EXPENSE.
12.

PERMITS: THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING AND INCURRING THE COST OF ALL REQUIRED PERMITS, INSPECTIONS, CERTIFICATES, ETC.
13.

RECORD DRAWINGS: MAINTAIN A RECORD OF ALL CHANGES, SUBSTITUTIONS BETWEEN WORK AS SPECIFIED AND INSTALLED. RECORD CHANGES ON A CLEAN SET OF CONTRACT DRAWING WHICH SHALL BE TURNED OVER TO THE CONSTRUCTION MANAGER UPON COMPLETION OF THE PROJECT.
14.

RECORD PHOTOS: INCLUDE TIME/DATE STAMPED PHOTOS WITH TAPE MEASURE DEPTH VERIFICATION.
15.

ALL MATERIAL SHALL BE FURNISHED AND WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
16.

CONTRACTOR SHALL BE RESPONSIBLE FOR REPAIRING ANY DAMAGE CAUSED BY THE CONSTRUCTION OPERATION.
17.

CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE ON A DAILY BASIS.
18.

INFORMATION SHOWN ON THESE DRAWINGS WAS OBTAINED FROM DRAWINGS PROVIDED BY THE SITE OWNER. CONTRACTOR SHALL NOTIFY GENERAL DYNAMICS WIRELESS SERVICES OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
19.

CLEARING OF TREES AND VEGETATION ON THE SITE SHOULD BE HELD TO A MINIMUM. ONLY THE TREES NECESSARY FOR CONSTRUCTION OF THE FACILITIES SHALL BE REMOVED. ANY DAMAGE TO THE PROPERTY OUTSIDE THE LEASED PROPERTY SHALL BE REPAIRED BY THE CONTRACTOR AT HIS OWN EXPENSE.
20.

ALL SUITABLE MATERIAL FOR BACK FILL OF THE SITE SHALL BE INCLUDED IN THE BID EXCESS TOPSOIL AND UNSUITABLE MATERIAL SHALL BE DISPOSED OF OFF SITE AT LOCATION APPROVED BY GOVERNING AGENCIES PRIOR TO DISPOSAL.
21.

SEEDING AND MULCHING OF THE SITE SHALL BE ACCOMPLISHED AS SOON AS POSSIBLE AFTER COMPLETION OF THE SITE DEVELOPMENT. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING AND MAINTAINING AN ADEQUATE COVER OF VEGETATION OVER THE SITE FOR A MINIMUM PERIOD OF ONE YEAR.

GENERAL NOTES:

1.

THIS PROPOSAL IS FOR THE ADDITION OF A NEW GENERATOR ON A CONCRETE PAD TO AN EXISTING UNMANNED TELECOMMUNICATIONS FACILITY.
2.

THE PROPOSED FACILITY WILL BE UNMANNED AND DOES NOT REQUIRE POTABLE WATER OR SEWER SERVICE.
3.

THE PROPOSED FACILITY IS UNMANNED AND IS NOT FOR HUMAN HABITATION. NO HANDICAP ACCESS IS REQUIRED.
4.

OCCUPANCY IS LIMITED TO PERIODIC MAINTENANCE AND INSPECTION, APPROXIMATELY 2 TIMES PER MONTH BY AT&T TECHNICIANS.
5.

OUTDOOR STORAGE AND SOLID WASTE CONTAINERS ARE NOT PROPOSED.
6.

ALL MATERIAL SHALL BE FURNISHED AND WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE PROJECT SPECIFICATIONS.
7.

CONTRACTOR SHALL REMOVE ALL TRASH AND DEBRIS FROM THE SITE ON A DAILY BASIS.
8.

INFORMATION SHOWN ON THESE DRAWINGS WAS OBTAINED FROM DRAWINGS PROVIDED BY THE SITE OWNER. CONTRACTOR SHALL NOTIFY AT&T OF ANY DISCREPANCIES PRIOR TO ORDERING MATERIAL OR PROCEEDING WITH CONSTRUCTION.
1.

COORDINATE LOCATION AND PROPER REQUIREMENTS OF ALL EQUIPMENT WITH AT&T MOBILITY AND EQUIPMENT SUPPLIES PRIOR TO INSTALLATION.
2.

COORDINATE LOCATION AND REQUIREMENTS FOR ELECTRICAL SERVICE WITH THE PROPERTY REPRESENTATIVE, AT&T MOBILITY AND UTILITY COMPANIES. ROUTING OF CONDUITS MAY BE MODIFIED TO MEET SITE REQUIREMENTS. EXACT CONDUIT ROUTING TO BE DETERMINED IN THE FIELD.
3.

ALL WIRING AND EQUIPMENT SHOWN ON ELECTRICAL SHEETS SHALL BE FURNISHED AND INSTALLED UNDER ELECTRICAL PORTION OF CONTRACT UNLESS OTHERWISE NOTED.
4.

UNINTERRUPTED ELECTRICAL SERVICE FOR EXISTING EQUIPMENT SHALL BE MAINTAINED DURING THE INSTALLATION OF THE WORK DESCRIBED UNDER THESE DOCUMENTS. TEMPORARY EQUIPMENT, CABLES AND WHATEVER ELSE IS NECESSARY SHALL BE PROVIDED BY CONTRACTOR AS REQUIRED TO MAINTAIN ELECTRICAL SERVICE. TEMPORARY SERVICE FACILITIES, IF REQUIRED AT ANY TIME, SHALL NOT BE DISCONNECTED OR REMOVED UNTIL NEW SERVICE EQUIPMENT IS IN PROPER OPERATION. IF ANY SERVICE OR SYSTEM MUST BE INTERRUPTED, THE CONTRACTOR SHALL REQUEST PERMISSION IN WRITING STATING THE DATE, TIME, ETC. THE SERVICE WILL BE INTERRUPTED AND THE AREAS AFFECTED. THIS REQUEST SHALL BE MADE IN SUFFICIENT TIME FOR PROPER ARRANGEMENTS TO BE MADE. WRITTEN PERMISSION SHALL BE OBTAINED FROM THE OWNER BEFORE INTERRUPTING ELECTRICAL SERVICE.
5.

COORDINATE NEW WORK WITH OTHER TRADES AND VERIFY EXISTING CONDITIONS TO AVOID INTERFERENCE. IN CASE OF INTERFERENCE, AT&T MOBILITY'S REPRESENTATIVE WILL DECIDE WHICH WORK IS TO BE RELOCATED, REGARDLESS OF WHICH WAS FIRST INSTALLED.
6.

THE INSTALLATION MUST COMPLY WITH NEC AND ALL FEDERAL, STATE AND LOCAL RULES AND REGULATIONS.
7.

THE DRAWINGS ARE DIAGRAMMATIC AND INDICATE THE GENERAL ARRANGEMENT OF SYSTEMS AND EQUIPMENT UNLESS OTHERWISE DEFINED BY DIMENSIONS OR DETAILS. EXACT EQUIPMENT LOCATIONS AND RACEWAY ROUTING SHALL BE GOVERNED BY ACTUAL FIELD CONDITIONS AND/OR DIRECTIONS FROM AT&T MOBILITY'S REPRESENTATIVE.
8.

CONTRACTOR SHALL PAY ALL PERMITS AND FEES REQUIRED.
9.

ALL MATERIALS SHALL BE FURNISHED AND WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE APPLICABLE SECTIONS OF THE STANDARDS REFERENCED BELOW:

A.

ANSI (AMERICAN NATIONAL STANDARDS INSTITUTE)

B.

ASTM (AMERICAN SOCIETY FOR TESTING MATERIALS)

C.

ETL (ELECTRICAL TESTING LABORATORY)

D.

ICEA (INSULATED CABLE ENGINEERS ASSOCIATION)

E.

IEEE (INSTITUTE OF ELECTRICAL AND ELECTRONIC ENGINEERS)

F.

NBFU (NATIONAL BOARD OF FIRE UNDERWRITERS)

G.

NESC (NATIONAL ELECTRICAL SAFETY CODE)

H.

NEMA (NATIONAL ELECTRICAL MANUFACTURES ASSOCIATION)

I.

NFPA (NATIONAL FIRE PROTECTION ASSOCIATION)

J.

UL (UNDERWRITER LABORATORY)
10.

CONTRACTOR SHALL REVIEW PLANS, DETAILS AND SPECIFICATIONS IN DETAIL AND ADJUST WORK TO CONFIRM WITH ACTUAL SITE CONDITIONS SO THAT ELECTRICAL DEVICES AND EQUIPMENT WILL BE PROPERLY LOCATED AND READILY ACCESSIBLE. QUANTITIES LISTED IN MATERIAL LISTS ON THE DRAWINGS ARE FOR INFORMATION ONLY. THE CONTRACTOR SHALL PROVIDE HIS OWN TAKEOFF FOR MATERIAL QUANTITY AND TYPES BASED ON ACTUAL SITE CONDITIONS. IN ADDITION, CONTRACTOR SHALL PROVIDE ALL NECESSARY MATERIALS TO INSTALL EQUIPMENT FURNISHED BY AT&T MOBILITY OR ITS SUPPLIERS. ALL ITEMS NOT SPECIFICALLY MENTIONED HEREIN OR SHOWN ON THE CONTRACT DRAWINGS, BUT WHICH ARE OBVIOUSLY NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED.
11.

THE CONTRACTOR OR BIDDER SHALL BEAR THE RESPONSIBILITY OF NOTIFYING (IN WRITING) AT&T MOBILITY'S REPRESENTATIVE OF ANY CONFLICTS PRIOR TO THE SUBMISSION OF CONTRACTOR'S PROPOSAL OR PERFORMANCE OF WORK. IN THE EVENT OF DISCREPANCIES THE CONTRACTOR SHALL PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED IN WRITING OTHERWISE.
12.

ALL FLOORS WHERE PENETRATIONS ARE REQUIRED IN BUILDING ARE TO BE CORE DRILLED AND THEN FIREPROOFED.

PHOTOS and DOCUMENTAION TO ACQUIRE:

1.

Daily CHA Forms.
2.

Pre-Start Check list.
3.

Photo: Site Pre Work.
4.

Photo: ATS Installed showing ground.
5.

Photo: Full view of ATS mounted and installed.
6.

Photo: Gate signage
7.

Photo: Trench with ruler to grade
8.

Photo: Top of conduit on 2in sand bed in trench with ruler to grade.

a.

IF using Sch 80 in 18in trench, show Sch 80 marking on conduit in trench.
9.

Photo: Any conduit runs other than trench.
10.

Photo: Generator pad with rebar and ruler showing rebar spacing.
11.

Photo: Generator pad rebar-bond (weld or DB ground rod clamp) and bonding conductor.
12.

Photo: CAD Weld on existing ground ring and generator #2 tinned copper joint.
13.

Photo: Generator frame attached to ground system with 2 hole lug on generator.
14.

Photo: Generator frame attached to concrete bond with 2 hole lug on generator.
15.

Photo: Generator Control & Alarm Wires Installed and Labeled. One photo for each side.
16.

Photo: Bubble level setting on the fuel tank.
17.

Photo: Log book showing the date and description of the generator install.
18.

Photo: Multiple; all haz-mat and caution signs on generator and ATS.
19.

Photo: Both sides of generator showing two anchor bolts per side.
20.

Photo: ATS label showing serial number.
21.

Photo: Generator Engine label showing serial number.
22.

Photo: Breaker Labels
23.

Photo: Control wire labels at ATS and Generator
24.

Photo: Control wire labels at 66 Block (ready for punch down)

B. WIRING/CONDUIT

1.

PROVIDE PULL BOXES AND JUNCTION BOXES WHERE SHOWN OR AS REQUIRED BY CODE SUCH THAT NO MORE THAN THE EQUIVALENT OF FOUR QUARTER BENDS (360 DEGREES TOTAL) EXIST IN/ON CONDUIT RUN.
2.

ALL POWER AND CONTROL/INDICATION WIRING SHALL BE TYPE THHN/THWN 800V RATED 75 DEGREES CELSIUS, UNLESS NOTED OTHERWISE.
3.

CONDUIT BENDS SHALL BE MADE IN ACCORDANCE WITH NEC TABLE 346-10. NO RIGHT ANGLE DEVICE OTHER THAN STANDARD CONDUIT ELBOWS WITH 12" MINIMUM INSIDE SWEEPS FOR ALL CONDUITS 2" OR LARGER.
4.

POWER WIRING SIZE SHALL NOT BE SMALLER THAN #12 AWG.
5.

ALL WIRING SHALL BE COPPER. ALUMINUM WILL NOT BE ACCEPTABLE. ALL POWER CIRCUITS SHALL CONTAIN A GROUND WIRE.
6.

PHASE MARKINGS TO BE USED AT POWER CONDUCTOR TERMINATIONS.
7.

CONTRACTOR SHALL ENSURE INTEGRITY IS MAINTAINED WHEN INSTALLING CONDUIT AND WIRING.
8.

INSTALL PULL STRING IN ALL CONDUIT.
9.

FOR ROOFTOP INSTALLS AND BUILD-OUTS, CONDUITS INSIDE BUILDING AND ON ROOF SHALL BE RGS, UNLESS OTHERWISE NOTED. FOR RAW LAND SITES AND CO-LOCATES, PVC SCHEDULE 80 SHALL BE UTILIZED UNLESS NOTED OTHERWISE.
10.

MAINTAIN MINIMUM 1'-0" VERTICAL AND 1'-0" HORIZONTAL SEPARATION FROM ANY MECHANICAL GAS PIPING.
11.

ALL WIRING ROUTED IN PLENUM TO BE PLENUM RATED OR IN METALLIC FLEX (LIQUIDTITE) CONDUIT.
12.

INSPECTION WINDOWS ARE REQUIRED ON ALL LUGS.

C. EQUIPMENT

1.

EQUIPMENT/PARTS CONNECTED TO EXISTING PANELS, DUCTS, ETC. SHALL MATCH THE CHARACTERISTICS (A/C, V, A) OF THAT EQUIPMENT.

2.

ALL ELECTRICAL EQUIPMENT OUTSIDE SHALL BE NEMA OR 3R RATED.

D. GROUNDING

1.

ALL GROUND CONNECTIONS TO BUILDING SHALL BE MADE USING TWO-HOLE CONNECTORS. PROVIDE STAINLESS STEEL BOLTS AND LOCK WASHERS ON ALL MECHANICAL GROUND CONNECTIONS.
2.

ALL EQUIPMENT SURFACES TO BE BONDED TO GROUNDING SYSTEM SHALL BE STRIPPED OF ALL PAINT AND DIRT. CONNECTIONS TO VARIOUS METALS SHALL BE OF A TYPE AS TO NOT CAUSE A GALVANIC OR CORROSIVE REACTION. AREA SHALL BE REPAINTED FOLLOWING BONDING.
3.

ANY METALLIC ITEM WITHIN 6' OF GROUND CONDUCTORS MUST BE CONNECTED TO THE GROUNDING SYSTEM.
4.

EXTERIOR, ABOVE GRADE GROUND CONNECTIONS SHALL BE FURNISHED WITH A LIBERAL PROTECTIVE COATING OF ANTI-OXIDE COMPOUND.
5.

ALL MATERIALS AND LABOR REQUIRED FOR THE GROUNDING SYSTEM AS INDICATED ON THE PLANS AND DETAILS, AND AS DESCRIBED HEREIN SHALL BE FURNISHED BY THIS CONTRACTOR UNLESS OTHERWISE NOTED.
6.

EXACT LOCATION OF GROUND CONNECTION POINTS SHALL BE DETERMINED IN FIELD. ADJUST LOCATIONS INDICATED ON THE PLANS ACCORDING TO ACTUAL EQUIPMENT LOCATIONS TO KEEP THE GROUND CONNECTIONS CABLES AS SHORT AS POSSIBLE.
7.

PROVIDE ALL ELECTRICAL SYSTEM AND EQUIPMENT GROUNDS AS REQUIRED BY THE CURRENT EDITION OF THE NATIONAL ELECTRICAL CODE AND THE CURRENT EDITION OF THE NATIONAL ELECTRICAL SAFETY CODE. BONDING JUMPERS WITH APPROVED GROUND FITTINGS SHALL BE INSTALLED AT ALL RACEWAYS, EQUIPMENT ENCLOSURES, PULL BOXES, ETC. TO MAINTAIN GROUND CONTINUITY WHERE REQUIRED BY CODE.
8.

ALL EQUIPMENT GROUND CONDUCTORS SHALL BE TIN COATED, #2 AWG COPPER UNLESS NOTED OTHERWISE ON THE DRAWINGS.

E. INSPECTION/DOCUMENTATION

1.

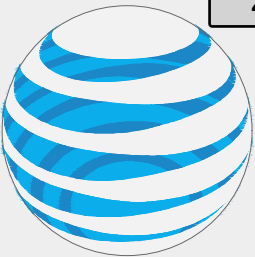
INCLUDE TIME/DATE STAMPED PHOTOS WITH TAPE MEASURE VERIFICATION FOR ALL BURIED CONDUIT.
2.

THE CONTRACTOR, UPON COMPLETION OF HIS WORK, SHALL PROVIDE AS-BUILT DRAWINGS. INFORMATION SHOULD BE GIVEN TO THE GENERAL CONTRACTOR FOR INCLUSION IN FINAL AS BUILT SURVEY DOCUMENTS TO BE GIVEN TO THE OWNER.
3.

CONTRACTOR SHALL SUPPLY DOCUMENTATION ATTESTING TO THE COMPLETE GROUND SYSTEM'S RESISTIVITY (MAX. 5 OHMS).
4.

AN ELECTRICAL INSPECTION SHALL BE MADE BY AN INSPECTING AGENCY APPROVED BY AT&T MOBILITY'S REPRESENTATIVE. CONTRACTOR SHALL COORDINATE ALL INSPECTIONS AND OBTAIN POWER COMPANY APPROVAL.
5.

CONTRACTOR SHALL HAVE ATS AND GENERATOR RELAY INSTALLATION AND CONNECTIONS INSPECTED BY OTHERS TO ENSURE THAT UL LISTING FOR THAT EQUIPMENT IS NOT VOIDED.



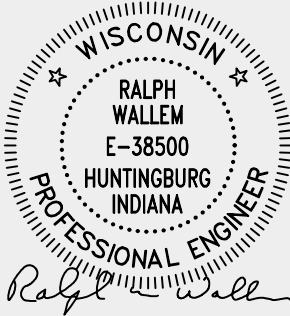
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Land Surveyors*
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Huntingburg, Indiana 47542
Phone: (812) 683-3049

DRAWING REVISIONS

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MEQUON PUBLIC
SAFETY BUILDING
FA#: 10080295
USID: 38568

11300 NORTH BUNTROCK AVE
MEQUON, WI 53092
GENERATOR UPGRADE

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENSI
& CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOT
THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFO
PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAM

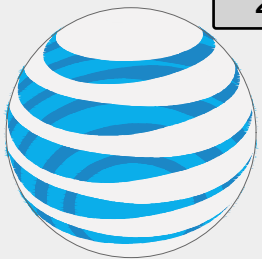
SHEET NAME:

GENERAL NOTES

SHEET NO.:

SP-1

REVISIO
NUMBER



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SHEET NAME:

SITE PLAN

SHEET NO.:

A-1

REVISIO

NUMBER

SCOPE OF WORK NOTES

GENERAL:

- NEW DIESEL GENERATOR PROVIDED BY GENERAL DYNAMICS AND INSTALLED BY GENERAL CONTRACTOR.
- NEW 4'-0" X 10'-0" CONCRETE PAD PROVIDED AND INSTALLED BY GENERAL CONTRACTOR (AS REQUIRED) SEE S-1.
- NEW AUTOMATIC TRANSFER SWITCH PROVIDED BY GENERAL DYNAMICS AND INSTALLED BY CONTRACTOR (AS REQUIRED)
- CONTRACTOR TO VERIFY ALL EXISTING UTILITIES PRIOR TO CONSTRUCTION.
- CONTRACTOR SHALL RESTORE AND REPAIR ANY DAMAGED AREAS CAUSED BY CONSTRUCTION TO ORIGINAL OR BETTER CONDITION.

CONDUITS:

- INSTALL PULL STRING IN EACH CONDUIT.
- (1) NEW 2" AND (1) NEW 1" ELECTRICAL CONDUITS WITH CONDUCTORS TO RUN FROM NEW GENERATOR TO NEW ATS. CONDUIT PROVIDED AND INSTALLED BY GENERAL CONTRACTOR. SEE E-1
- (2) NEW 1" ELECTRICAL CONDUIT WITH CONDUCTORS TO RUN FROM NEW GENERATOR TO AC PANEL. CONDUIT PROVIDED AND INSTALLED BY GENERAL CONTRACTOR. SEE E-1
- (1) NEW 1" ALARM CONDUIT AND CABLING PROVIDED AND INSTALLED BY GENERAL CONTRACTOR. SEE E-1

GROUNDING:

- NEW EXOTHERMIC CONNECTION FROM EXISTING GROUND RING TO NEW MECHANICAL CONNECTION AT GENERATOR CHASSIS. GENERAL CONTRACTOR TO VERIFY LOCATION IN FIELD. LOCATE GROUND RODS NO MORE THAN 16'-0" APART.

H-FRAME:

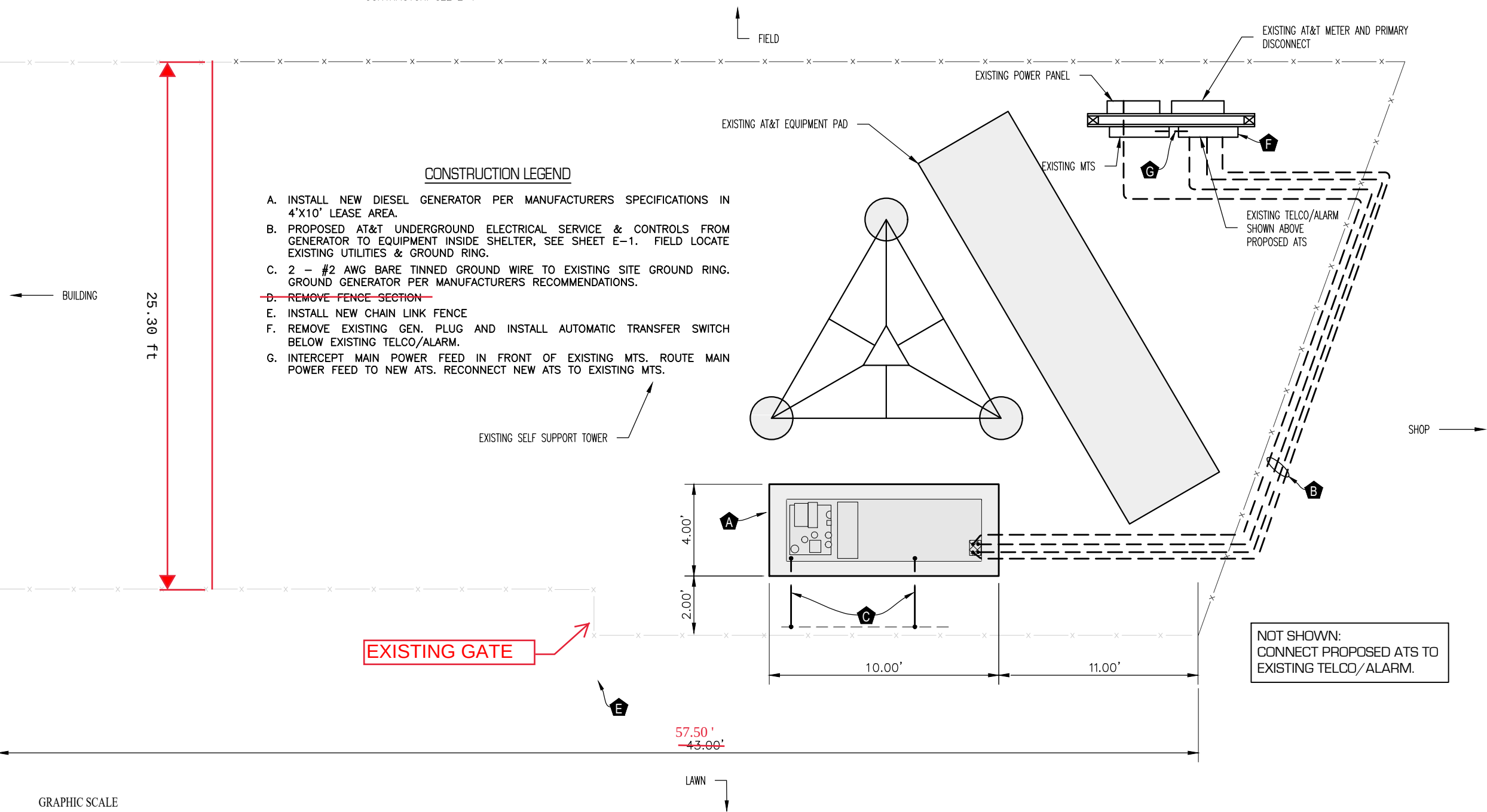
- PROVIDE NEW H-FRAME IF REQUIRED, MATCH EXISTING H-FRAME MATERIAL FOR CONSTRUCTION OF NEW H-FRAME.
- USE ALL GALVANIZED COMPONENTS, WHITE PLASTIC CAPS ON UNI-STRUTS, WEATHER CAPS ON TOPS OF PIPE AND CONCRETE.
- SUPPORTS BELOW FROST LINE.
- TOP OF FOOTING SHOULD BE AT LEAST 2" ABOVE EXISTING GROUND LEVEL.
- SLOPE THE GROUND AWAY FROM THE H-FRAME FOR POSITIVE WATER DRAINAGE OFF OF THE FORM.

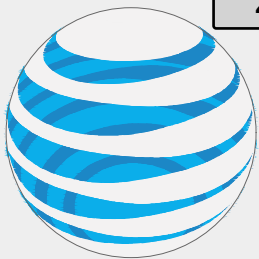
FIRE PROTECTION

- A TEN POUND DRY CHEMICAL (MONOAMMONIUM PHOSPHATE) FIRE EXTINGUISHER SHALL BE PLACED ON-SITE. COORDINATE PLACEMENT AND LOCATION WITH SITE OWNER OR CONSTRUCTION MANAGER.

CONSTRUCTION LEGEND

- A. INSTALL NEW DIESEL GENERATOR PER MANUFACTURERS SPECIFICATIONS IN 4'X10' LEASE AREA.
- B. PROPOSED AT&T UNDERGROUND ELECTRICAL SERVICE & CONTROLS FROM GENERATOR TO EQUIPMENT INSIDE SHELTER, SEE SHEET E-1. FIELD LOCATE EXISTING UTILITIES & GROUND RING.
- C. 2 - #2 AWG BARE TINNED GROUND WIRE TO EXISTING SITE GROUND RING. GROUND GENERATOR PER MANUFACTURERS RECOMMENDATIONS.
- ~~D. REMOVE FENCE SECTION~~
- E. INSTALL NEW CHAIN LINK FENCE
- F. REMOVE EXISTING GEN. PLUG AND INSTALL AUTOMATIC TRANSFER SWITCH BELOW EXISTING TELCO/ALARM.
- G. INTERCEPT MAIN POWER FEED IN FRONT OF EXISTING MTS. ROUTE MAIN POWER FEED TO NEW ATS. RECONNECT NEW ATS TO EXISTING MTS.





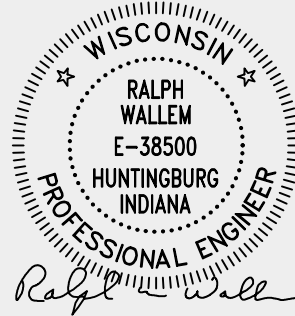
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USID: 38568

11300 NORTH BUNTROCK AVE
MEQUON, WI 53092
GENERATOR UPGRADE

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SHEET NAME:

**FOUNDATION
DETAILS**

SHEET NO.:

S-1

REVISIO
NUMBER

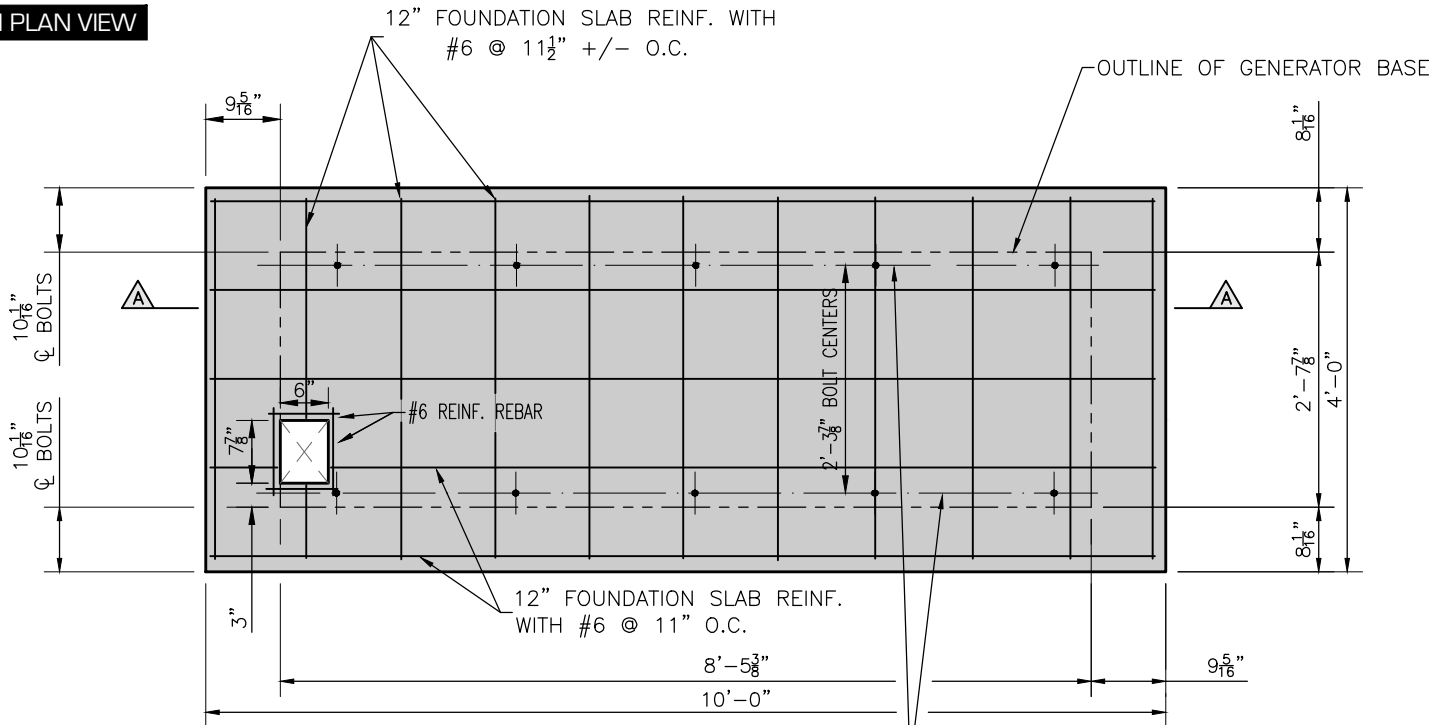
STRUCTURAL GENERAL NOTES

- 1.0 GENERAL CONDITIONS
- 1.1 DESIGN AND CONSTRUCTION OF ALL WORK SHALL CONFORM TO LOCAL BUILDING CODES, ACI 318-11. IN CASE OF CONFLICT BETWEEN THE CODES, STANDARDS, REGULATIONS, SPECIFICATIONS, GENERAL NOTES AND/OR MANUFACTURER'S REQUIREMENTS, USE THE MOST STRINGENT PROVISIONS.
- 1.2 IT IS THE EXPRESS INTENT OF PARTIES INVOLVED IN THIS PROJECT THAT THE CONTRACTOR OR SUBCONTRACTOR OR INDEPENDENT CONTRACTOR OR THE RESPECTIVE EMPLOYEES SHALL EXCULPATE THE ARCHITECT, THE ENGINEER, TECH. CONSTRUCTION MANAGER, THE OWNER, AND THEIR AGENTS FROM ANY LIABILITY WHATSOEVER AND HOLD THEM HARMLESS AGAINST LOSS, DAMAGES, LIABILITY OR ANY EXPENSE ARISING IN ANY MATTER FROM THE WRONGFUL OR NEGLIGENT ACT, OR FAILURE TO CARRY METHODS, TECHNIQUES OR PROCEDURES OR FAILURE TO CONFORM TO THE STATE SCAFFOLDING ACT IN CONNECTION WITH THE WORK.
- 1.3 DO NOT SCALE DRAWINGS.
- 1.4 VERIFY ALL EQUIPMENT MOUNTING DIMENSIONS PER MANUFACTURER DRAWINGS
- 1.5 DESIGN LOADS ARE (KOHLER):
LIVE LOAD: 100 PSF
EQUIPMENT SIZE: 99" H, 94.8" W, 38" D
WEIGHT WITH WOODEN SHIPPING SKID
ENCLOSED GENERATOR WITH EMPTY FUEL TANK: 3750 LBS
TANK SIZE: 210 GAL
- 2.0 FOR DESIGN AND ANALYSIS OF THE FOUNDATION, THE MINIMUM NET SOIL BEARING CAPACITY SHALL BE ASSUMED TO BE 2000 PSF.
- 3.0 CONCRETE
- 3.1 MEET OR EXCEED THE FOLLOWING CODES AND STANDARDS:
DESIGN: ACI 318-11
CONSTRUCTION: ACI 301
DETAILING: CRSI MANUAL OF STANDARD PRACTICE
REINF. STEEL: ASTM A 615 GRADE 60, DEFORMED
MIXING: ASTM C 94. READY MIX CONCRETE
AIR ENTRAINMENT: ACI 318 AND ASTM C-260
AGGREGATE: ASTM C 33 AND C 330 (FOR LIGHT WEIGHT)
- 3.2 CONCRETE STRENGTH AT 28 DAYS SHALL BE 4000 PSI MINIMUM.
- 3.3 DO NOT FIELD BEND OR WELD TO GRADE 60 REINFORCED STEEL.
- 3.4 PROVIDE AIR ENTRAINED CONCRETE WITH AIR CONTENT OF 5 TO 7% FOR ALL CONCRETE EXPOSED TO EARTH OR WEATHER.
- 3.5 MAXIMUM AGGREGATE SIZE: 3/4"
- 3.6 DO NOT USE IN ADMIXTURE, WATER OR OTHER CONSTITUENTS OF CONCRETE WHICH HAS CALCIUM CHLORIDE.
- 3.7 MINIMUM COVER FOR REINFORCING STEEL SHALL BE AS SHOWN ON PLAN.
- 4.0 FOUNDATION AND EXCAVATION NOTES
- 4.1 SLAB SHALL BE CONSTRUCTED UPON UNDISTURBED, NATURAL SUBGRADE OR COMPACTED GRANULAR FILL WITH AN ASSUMED MINIMUM NET ALLOWABLE BEARING CAPACITY OF 2000 PSF.
- 4.2 ALL ORGANIC AND / OR OTHER UNSUITABLE MATERIAL SHALL BE REMOVED FROM FOUNDATION AND SLAB SUBGRADE AND BACKFILL AREAS, AND THEN BACKFILLED WITH ACCEPTABLE GRANULAR FILL COMPACTED TO 95 PERCENT OF MAXIMUM DENSITY AT OPTIMUM MOISTURE CONTENT (ASTM D1557).
- 4.3 THE CONTRACTOR SHALL PROVIDE ALL NECESSARY MEASURES TO PREVENT ANY WATER, FROST, OR ICE FROM PENETRATING ANY FOOTING OR STRUCTURAL SUBGRADE BEFORE AND AFTER PLACING OF CONCRETE, AND UNTIL SUCH CONCRETE HAS FULLY CURED.

DOUBLE WALL FUEL TANK BASE SPECIFICATION

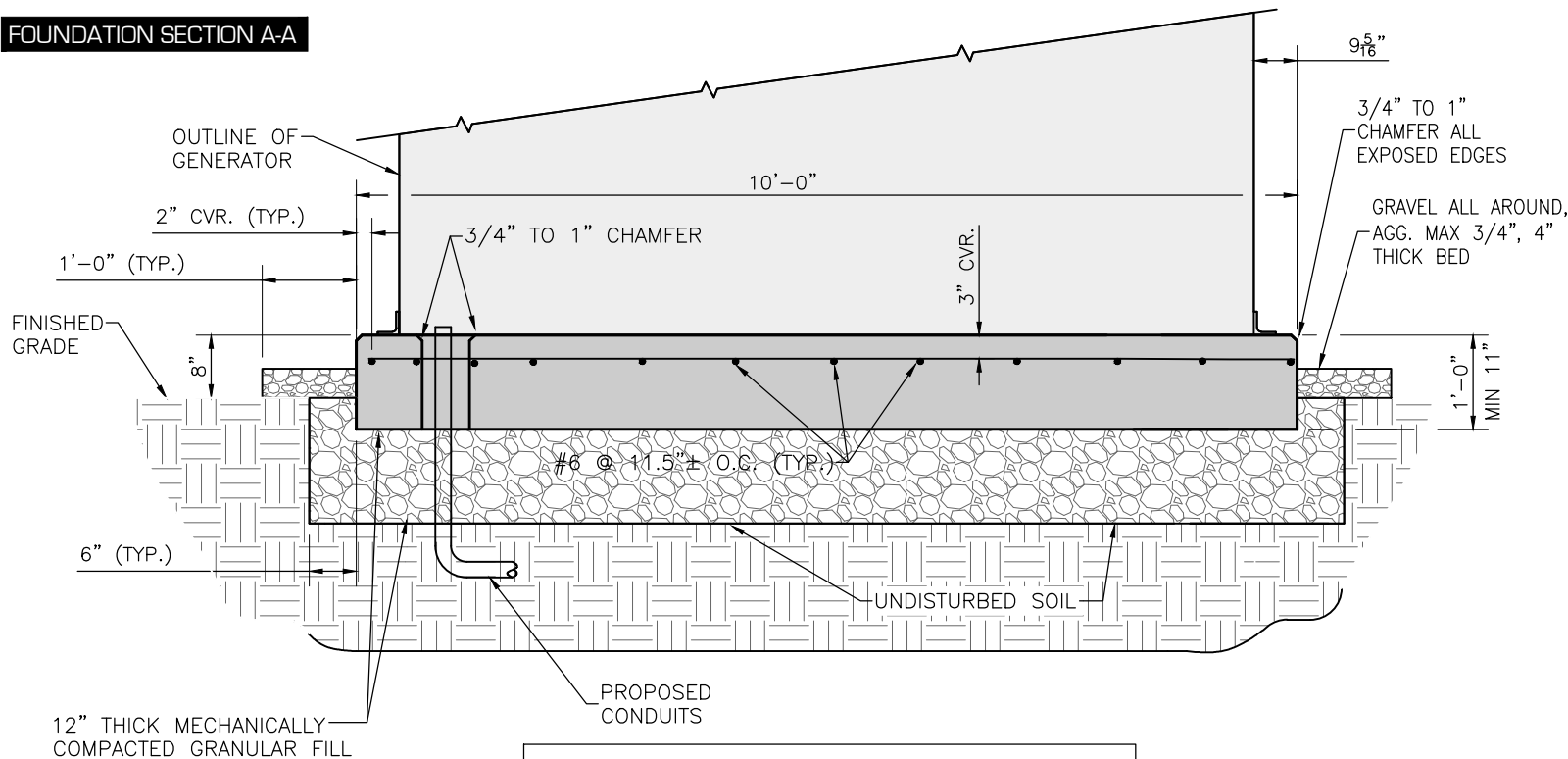
- REF: ATT 50KW GENERATOR PACKAGE
UL REGISTRATION NUMBER: MH18459
U.L. 142 DOUBLE WALL FUEL TANK BASE SPECIFICATION
- FUEL TANK BASE CONSTRUCTION:
- BE CONSTRUCTED IN ACCORDANCE WITH UNDERWRITERS LABORATORIES STANDARD UL-142. BE CONSTRUCTED IN ACCORDANCE WITH FLAMMABLE AND COMBUSTIBLE LIQUIDS CODE, NFPA 30; THE STANDARD FOR INSTALLATION AND USE OF STATIONARY COMBUSTIBLE ENGINE AND GAS TURBINES, NFPA 37; AND THE STANDARD FOR EMERGENCY AND STANDBY POWER SYSTEMS, NFPA 110.
 - ANCHORS MINIMUM (4) @ 5/8" FOR GEN-SET MOUNTING
 - SUB BASE TANK TESTING: PRIMARY TANK AND SECONDARY CONTAINMENT BASIN SECTIONS SHALL BE PRESSURIZED AT 3-5 PSI AND LEAK-CHECKED TO ENSURE INTEGRITY OF SUB BASE WELD SEAMS PER UL-142 STANDARDS
 - FUEL FILL: - 5 GALLON SPILL CONTAINMENT WITH ALARM
- 40% REMAINING FOR ALARM
- 20% REMAINING FOR SHUT-DOWN
- FACTORY PRE-SET AT 95% FULL FOR ALARM
 - FUEL CONTAINMENT BASIN: SUB BASE TANK SHALL INCLUDE A WELDED STEEL CONTAINMENT BASIN, SIZED AT A MINIMUM OF 110% OF THE TANK CAPACITY TO PREVENT ESCAPE OF FUEL INTO THE ENVIRONMENT IN THE EVENT OF A TANK RUPTURE. A FUEL CONTAINMENT BASIN LEAK DETECTOR SWITCH SHALL BE PROVIDED.

FOUNDATION PLAN VIEW

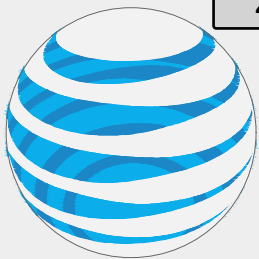


SEE SITE PLAN ON DRAWING A-1 FOR ORIENTATION
OF GENERATOR SLAB / CONDUIT STUB-UPS

FOUNDATION SECTION A-A



FOUNDATIONS ARE DESIGNED FOR AN ASSUMED
MINIMUM NET SOIL BEARING CAPACITY OF 2000 PSF



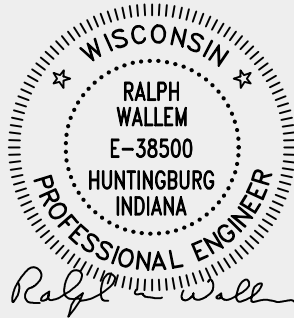
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SHEET NAME:

WIRING DETAILS

SHEET NO.: E-1
REVISION NUMBER:

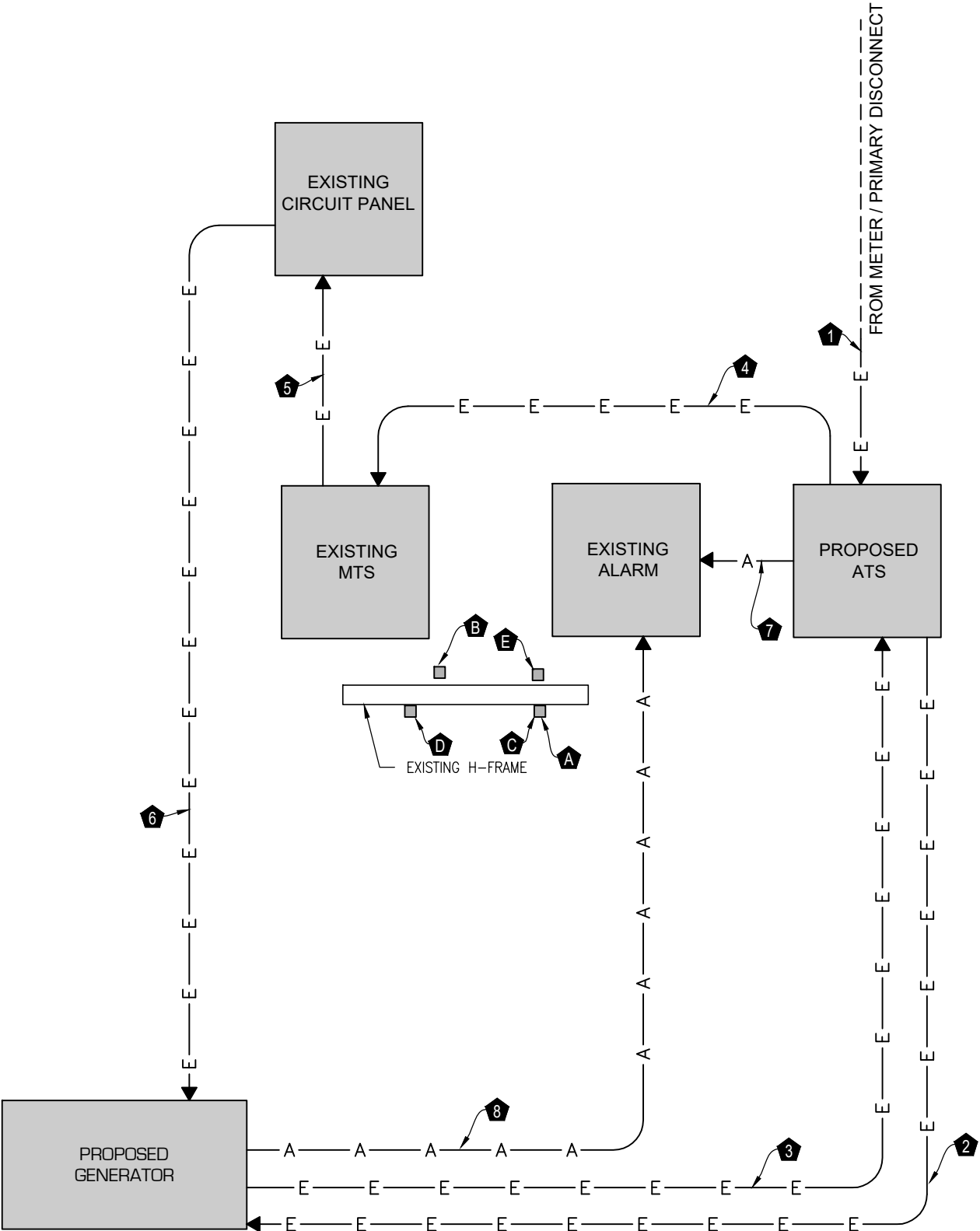
DIAGRAM CIRCUIT SCHEDULE						
NO.	FROM	TO	WIRES	GROUND	CONDUIT SIZE	FUNCTION
1	SERVICE PROVIDER	PROPOSED ATS	(3) 3/0	(1) #4	2"	POWER FEED
2	PROPOSED ATS	GENERATOR	(2) #10	(1) #10	1"	START CIRCUIT
3	GENERATOR	PROPOSED ATS	(3) 3/0	(1) #4	2"	POWER FEED
4	PROPOSED ATS	EXISTING MTS	(3) 3/0	(1) #4	2"	POWER FEED
5	EXISTING MTS	EXISTING CIRCUIT PANEL	(3) 3/0	(1) #4	2"	POWER FEED
6	EXISTING CIRCUIT PANEL	GENERATOR	(2) #12 (2) #12	(1) #12 (1) #12	1"	2-20 AMP CIRCUITS FOR (1) GENERATOR BLOCK HEATER & (2) BATTERY HEATER/CHARGER
7	PROPOSED ATS	EXISTING ALARM	4-PAIR 24 AWG	N/A	1"	ALARM CABLES FROM ATS. PROVIDE 25' OF SLACK CABLE. FINAL PUNCH DOWN IS BY AT&T TECH. LABEL ALL WIRES.
8	GENERATOR	EXISTING ALARM	12-PAIR 24 AWG	N/A	1"	ALARM CABLES FROM GENERATOR. PROVIDE 25' OF SLACK CABLE. FINAL PUNCH DOWN IS BY AT&T TECH. LABEL ALL WIRES.
Pair #	Colors		AT&T Nomenclature		GenDyn cards nomenclature	
1	Blue White		RBS Generator Rupture Basin		Critical Failure	
	White					
2	Orange White		RBS Generator Overfill		Fuel Leak/Overflow	
	White					
3	Green White		RBS Generator Running		Generator Running	
	White					
4	Brown White		RBS Generator Low Fuel		Low Fuel	
	White					
5	Slate White		RBS Generator Shutdown		Major Fault	
	White					
6	Red Blue		RBS Generator Common		Minor Fault	
	Red					
7	FROM ATS TO 66 BLOCK Blue White/White		Commercial Power Fail		Commercial Power Fail	
	white		Commercial Power Fail		Commercial Power Fail	

- EQUIPMENT
- A. TELCO/ALARM PANEL
 - B. AC PANEL
 - C. PROPOSED ATS
 - D. EXISTING MTS
 - E. EXISTING METER

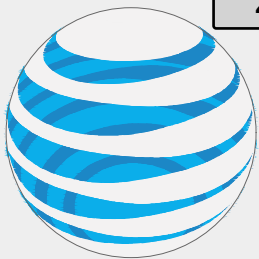
NOTE:
FIELD VERIFY LOCATION
OF ALL EQUIPMENT

NOTE:
CONTRACTOR TO FOLLOW
MANUFACTURER'S ALARM
RECOMMENDATIONS

NOTE:
EXISTING ALARM SHOWN
NEXT TO PROPOSED ATS.
PROPOSED ATS LOCATED
BELOW EXISTING ALARM



1 PROPOSED WIRING DIAGRAM
SCALE: NONE

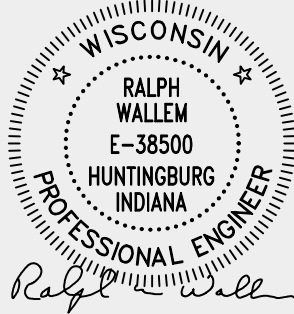


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PANEL & PENETRATION
DETAILS

SHEET NO.:
REVISIO
NUMBER

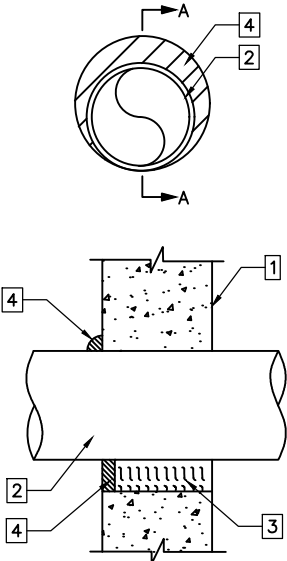
D-1

U.L. SYSTEM NO. C-AJ-1150
CONDUIT THROUGH BEARING WALL SIMILAR TO U.L. DESIGN NO. U902
F RATING = 3 HR
T RATING = 0 HR

- FLOOR OR WALL ASSEMBLY : MINIMUM 4-1/2" THICK REINFORCED LIGHTWEIGHT OR NORMAL WEIGHT (100-150 PCF) CONCRETE. WALL MAY ALSO BE CONSTRUCTED OF ANY UL CLASSIFIED CONCRETE BLOCKS*. MAX DIAMETER OF OPENING IS 4". SEE CONCRETE BLOCKS (CATZ) CATEGORY IN THE FIRE RESISTANCE DIRECTORY FOR NAMES OF MANUFACTURERS.
- THROUGH PENETRATIONS : ONE METALLIC PIPE OR CONDUIT TO BE INSTALLED WITHIN THE FIRESTOP SYSTEM. PIPE OR CONDUIT TO BE RIGIDLY SUPPORTED ON BOTH SIDES OF FLOOR OR WALL ASSEMBLY. THE ANNULAR SPACE SHALL BE MINIMUM 0". (POINT CONTACT) TO MAXIMUM 1-3/8". THE FOLLOWING TYPES AND SIZES OF METALLIC PIPES OR CONDUITS MAY BE USED:
A. STEEL PIPE-NOMINAL 6" DIAMTER (OR SMALLER) SCHEDULE 40 (OR HEAVIER) STEEL PIPE.
B. IRON PIPE-NOMINAL 6" DIAMETER (OR SMALLER) CAST OR DUCTILE IRON PIPE.
C. CONDUIT-NOMINAL 4" DIAMETER (OR SMALLER) STEEL ELECTRICAL METALLIC TUBING OR NOMINAL 3-1/2" DIAMETER (OR SMALLER) STEEL CONDUIT.
- PACKING MATERIAL: MINIMUM 6" THICKNESS OF MIN 4.0 PCF MINERAL WOOL BATTING INSULATION FIRMLY PACKED INTO OPENING AS A PERMANENT FORM. PACKING MATERIAL TO BE RECESSED FROM TOP SURFACE OF FLOOR OR FROM BOTH SURFACES OF WALL AS REQUIRED TO ACCOMMODATE THE REQUIRED THICKNESS OF FILL MATERIAL.
- FILL, VOID, OR CAVITY MATERIAL*: SEALANT: MINIMUM 1/4" THICKNESS OF FILL MATERIAL APPLIED WITHIN THE ANNULUS, FLUSH WITH TOP SURFACE OF FLOOR AND WITH BOTH SURFACES OF WALL. AT THE POINT CONTACT LOCATION BETWEEN PIPE AND CONCRETE, A MINIMUM 1/2" DIAMETER BEAD OF FILL MATERIAL SHALL BE APPLIED AT THE CONCRETE/PIPE INTERFACE ON THE TOP SURFACE OF FLOOR AND ON BOTH SURFACES OF WALL. W RATING APPLIES ONLY WHEN CP601S OR CP604 SEALANT IS USED.

HILTI CONSTRUCTION CHEMICALS, DIV OF HILTI INC. : CP601S, CP604, CP606, OR FS-ONE SEALANT.

* BEARING THE UL CLASSIFICATION MARK



SECTION A - A

NOTE:
IF EXISTING CONSTRUCTION VARIES FROM THIS DETAIL, AN EQUAL 3-HOUR U.L. PENETRATION APPROPRIATE FOR THE EXISTING 2WALL TYPE SHALL BE CONSTRUCTED

NOTE:
GC SHALL USE NON-SHRINKING CAULK TO WEATHERSEAL ALL PENETRATIONS INTO OR THRU SHELTER WALL

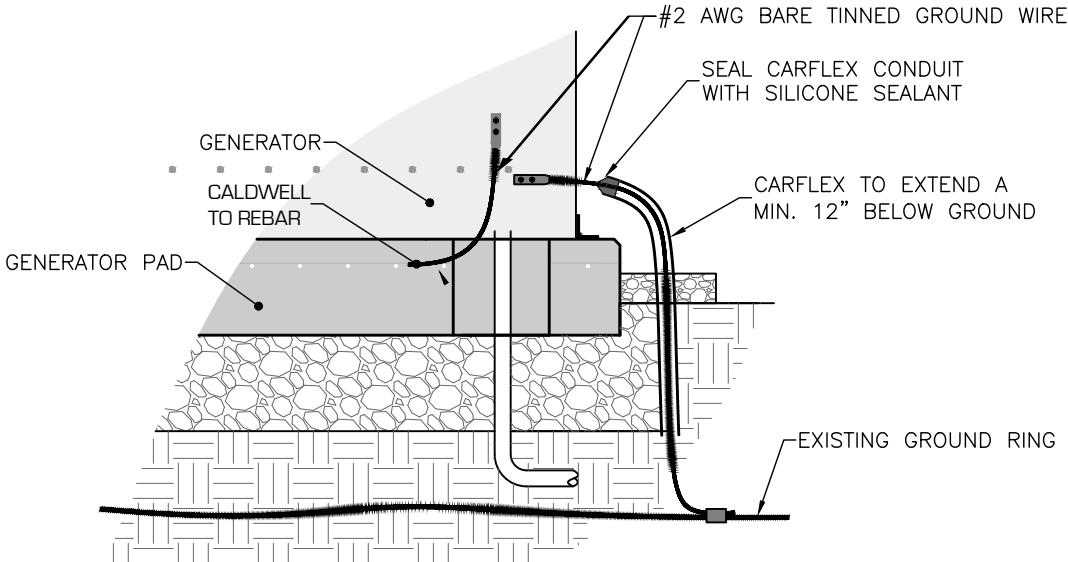
VOLTAGE	240 VOLTS	MODEL NUMBER	NOT SPECIFIED
MAINBREAKER	200 AMP	PHASE	SINGLE
MOUNT	SURFACE	BUSS RATING	200 AMPS
ENCLOSURE TYPE	NEMA 3R	NEUTRAL BAR	YES
PANEL STATUS	EXISTING	NEUTRAL TO GROUND BOND	YES

CKT	LOAD DESCRIPTION	BREAKER AMPS	BREAKER POLES	BREAKER STATUS	BREAKER STATUS	BREAKER POLES	BREAKER AMPS	LOAD DESCRIPTION	CKT
1	[UNLABELED]	30	2	ON	ON	2	40	RECT 1	2
3									4
5	[UNLABELED]	30	2	ON	ON	2	40	RECT 2	6
7									8
9	[UNLABELED]	30	2	ON	ON	2	40	RECT 3	10
11									12
13	[UNLABELED]	15	2	ON	ON	2	40	RECT 4	14
15									16
17	[UNLABELED]	*	1	ON	ON	2	40	RECT 5	18
19	LITE	*	1	ON					20
21	MOKE	*	1	ON	ON	2	*	HVAC #1	22
23	[UNKNOWN]	*	2	ON					24
25					ON	2	*	HVAC #2	26
27									28
29	[UNKNOWN]	*	2	ON	ON	2	*	HVAC #3	30
31									32
33	[UNKNOWN]	*	2	ON	OFF	2	*	HVAC #4	34
35									36
37					OFF	2	*	[UNKNOWN]	38
39									40
41									42

1 EXISTING PANEL * = UNKNOWN
SCALE: NONE

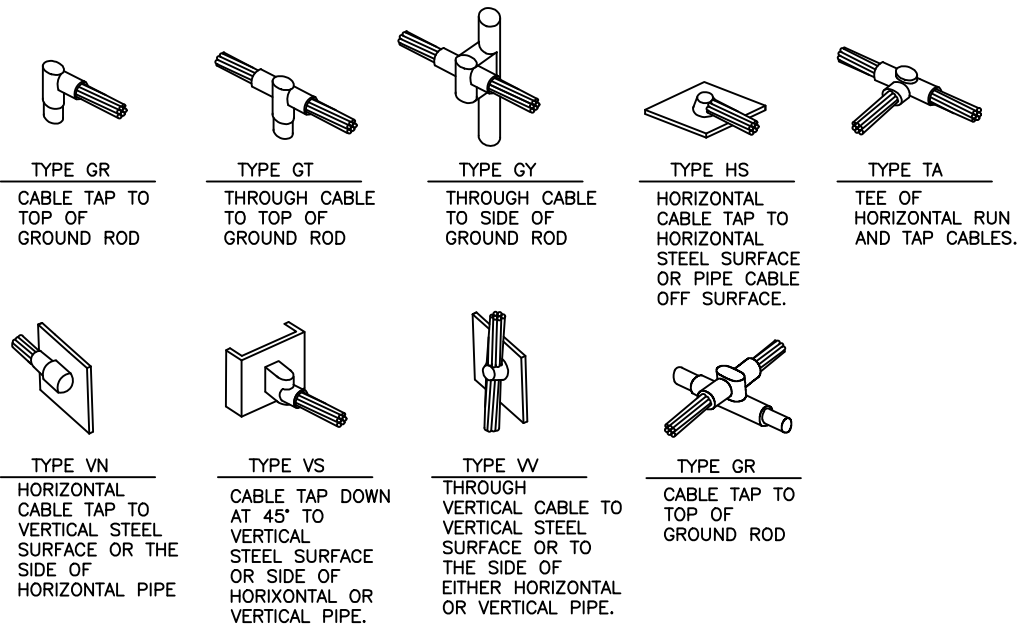
NOTE:
CONTRACTOR TO LABEL WIRES WITH P-TOUCH OR SIMILAR LABELS ONLY. ABSOLUTELY NO HANDWRITTEN LABELS

*CONTRACTOR TO UTILIZE NEXT AVAILABLE IN SEQUENCE SINGLE BREAKER POSITION FOR GENERATOR, BATTERY CHARGER, BATTERY HEATER, AND BLOCK HEATER.

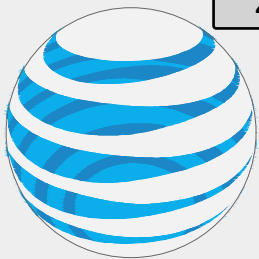


4 GENERATOR GROUNDING DETAIL
SCALE: NONE

2 OUTER WALL PENETRATION DETAIL (IF APPLICABLE)
SCALE: NONE



3 CADCWELD DETAILS
SCALE: NONE



at&t

GENERAL DYNAMICS

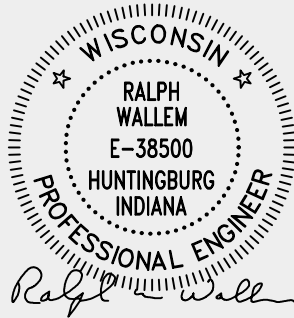
Wireless Services
12906 SHELBYVILLE ROAD, STE. 230
LOUISVILLE, KY 40243
502-653-6963

BENCHMARK SERVICES, INC.

Consulting Engineers
Land Surveyors
PO Box 5 318 North Main Street
Huntingburg, Indiana 47542
Phone: (812) 683-3049

DRAWING REVISIONS

REV.	DESCRIPTION	DATE	BY
0	100% CDs	6-10-18	MC



MEQUON PUBLIC
SAFETY BUILDING
FA#: 10080295
USID: 38568

11300 NORTH BUNTROCK AV
MEQUON, WI 53092
GENERATOR UPGRADE

CONTRACTOR SHALL VERIFY ALL PLANS & EXISTING DIMENS
& CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NO
THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEF
PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAM

SHEET NAME:

PANEL & PENETRATION
DETAILS

SHEET NO.:

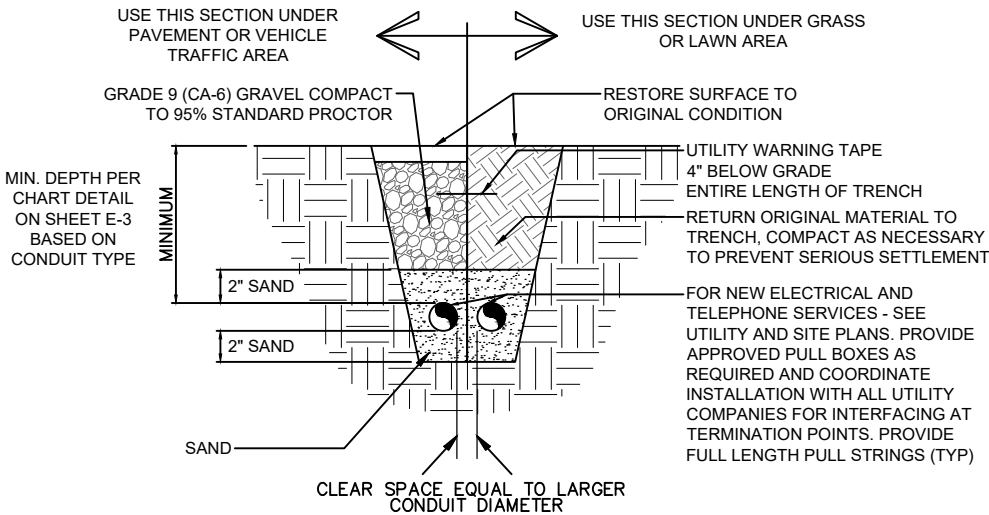
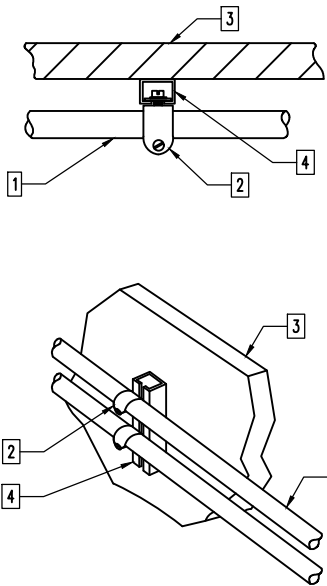
REVISIO
NUMBER

D-2

- 1 CONDUIT (TYP)
- 2 BUTTERFLY CLAMP AS REQUIRED
- 3 EXISTING WALL / CEILING
- 4 VERTICAL "UNISTRUT" P1000 'T' SERIES LENGTH BASED ON NUMBER OF CONDUIT TO BE MOUNTED

UNISTRUT MOUNTING CHART	
WALL CONSTRUCTION TYPE	USE
HOLLOW	3/8"Ø TOGGLE BOLT
HOLLOW, AT STUD	3/8"Ø LAG SCREW
CONCRETE BLOCK(HOLLOW)	3/8"Ø HILTI HY-20 WITH SCREEN, MIN. EMBEDMENT 2-1/2"
CONCRETE (SOLID)	3/8"Ø HILTI HY-150 WITH SCREEN, MIN. EMBEDMENT 2-1/2"

NOTE: USE GALVANIZED OR STAINLESS STEEL HARDWARE FOR WALL MOUNT AND CONNECTIONS OF CHANNELS SPACE UNITS @ 5'-0" O.C. LENGTH OF RUN



- * INCLUDE TIME/DATE STAMPED PHOTOS WITH TAPE MEASURE DEPTH VERIFICATION.
- * CONDUIT SIZE, TYPE, QUANTITY AND SEPARATION DIMENSION TO BE VERIFIED WITH LOCAL UTILITY COMPANY REQUIREMENTS.

MINIMUM COVER REQUIREMENTS, 0 TO 600 VOLTS, NOMINAL, BURIAL IN INCHES		
TYPE OF WIRING METHOD OR CIRCUIT		
LOCATION OF WIRING METHOD OR CIRCUIT	DIRECT BURIAL CABLES OR CONDUCTORS	RIGID METAL CONDUIT OR INTERMEDIATE METAL CONDUIT
ALL LOCATIONS NOT SPECIFIED BELOW	24 INCHES	6 INCHES
IN TRENCH BELOW 2 INCH THICK CONCRETE OR EQUIVALENT	18 INCHES	6 INCHES
UNDER STREETS OR HIGHWAYS	24 INCHES	24 INCHES

COVER IS DEFINED AS THE SHORTEST DISTANCE IN INCHES MEASURED BETWEEN A POINT ON THE TOP SURFACE OF ANY DIRECT-BURIED CONDUCTOR, CABLE, CONDUIT, OR OTHER RACEWAY AND THE TOP SURFACE OF FINISHED GRADE, CONCRETE, OR SIMILAR COVER.

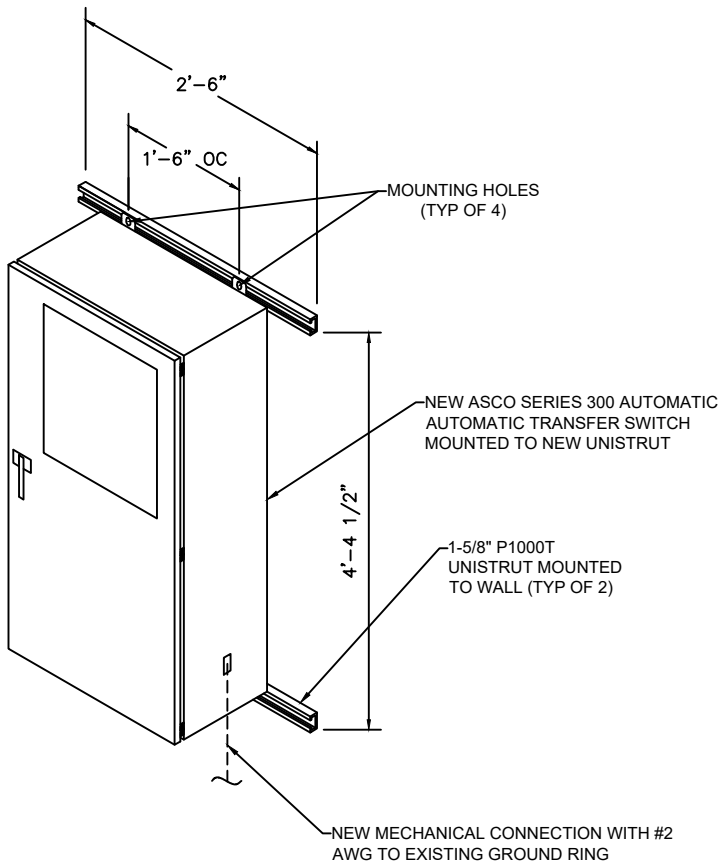
INSTALL WARNING TAPE 4" BELOW GRADE FOR THE ENTIRE LENGTH OF TRENCH.

PROVIDE AT LEAST 2" OF SAND BED ABOVE CONDUIT AND 2" OF SAND BED BELOW THE CONDUIT.

1 CONDUIT WALL MOUNT
SCALE: NONE

2 CONDUCTOR BURIAL REQUIREMENTS
SCALE: NONE

UNISTRUT MOUNTING CHART	
WALL CONSTRUCTION TYPE	USE
HOLLOW	3/8"Ø TOGGLE BOLT
HOLLOW, AT STUD	3/8"Ø LAG SCREW
CONCRETE BLOCK(HOLLOW)	7/16"Ø HILTI HY-20 WITH SCREEN MINIMUM EMBEDMENT 2-1/2"
CONCRETE (SOLID)	7/16"Ø HILTI HY-150 WITH SCREEN MINIMUM EMBEDMENT 2-1/2"

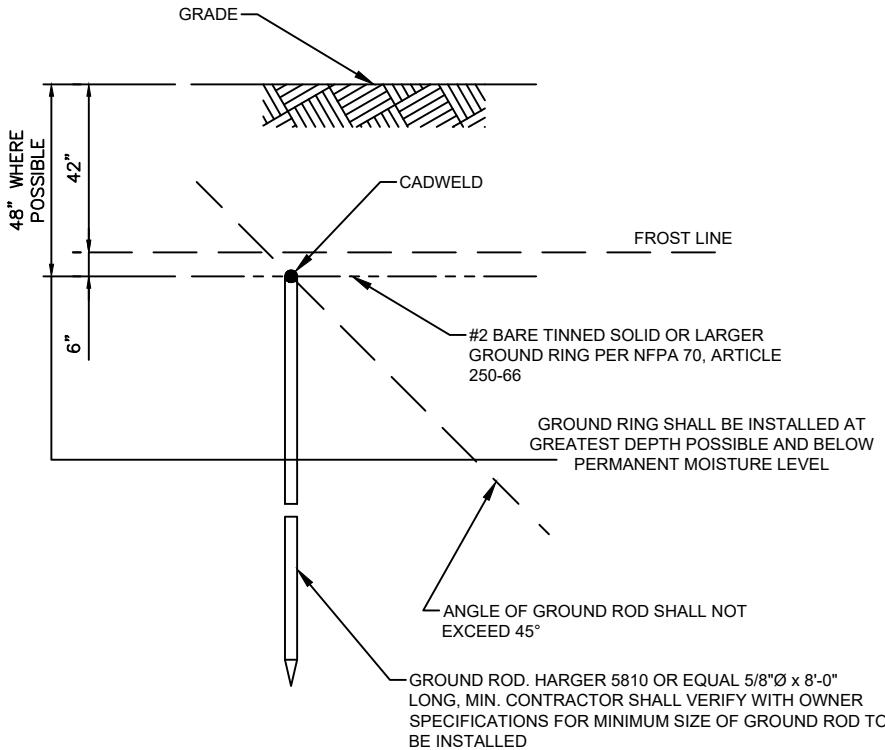


NOTE: USE GALVANIZED OR STAINLESS STEEL HARDWARE FOR WALL MOUNT AND CONNECTION OF CHANNELS

NOTE: GC SHALL USE NON-SHRINKING CAULK TO WEATHER SEAL ALL PENETRATIONS INTO OR THROUGH SHELTER WALL

4 INTERSECT ATS MOUNTING DETAIL
SCALE: NONE

- NOTE: GROUND RODS MAY BE:
-COPPER CLAD STEEL
-SOLID COPPER
- NOTE: GROUND RODS SHALL HAVE A MAXIMUM SPACING TWICE THE LENGTH OF ROD
- NOTE: SEE RESISTIVITY REPORT FOR VERIFICATION AS AVAILABLE
- NOTE: A LARGER CONDUCTOR SHALL BE REQUIRED IN AREAS HIGHLY PRONE TO LIGHTNING AND/OR AREAS WITH HIGHLY ACIDIC SOIL
- NOTE: GROUND RODS INSTALLED WITHIN CLOSE PROXIMITY TO TOWER OR WHEN SOIL IS AT OR BELOW 2,000 OHM-CM, SHALL BE GALVANIZED TO PREVENT GALVANIC CORROSION OF TOWER, (SEE ANSI/TIA-EIA-222-G)

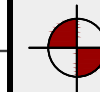


3 GROUND ROD DETAIL
SCALE: NONE

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LOUISVILLE, KY 40243
502-653-6963



**BENCHMARK
SERVICES, INC.**

*Consulting Engineers
Land Surveyors*

PO Box 5 318 North Main Street
Huntingburg, Indiana 47542
Phone: (812) 683-3049

DRAWING REVISIONS

REV.	DESCRIPTION	DATE	E
0	100% CDs	6-10-18	M



MEQUON PUBLIC
SAFETY BUILDING
FA#: 10080295
USID: 38568

11300 NORTH BUNTROCK AVE
MEQUON, WI 53092
GENERATOR UPGRADE

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SHEET NAME

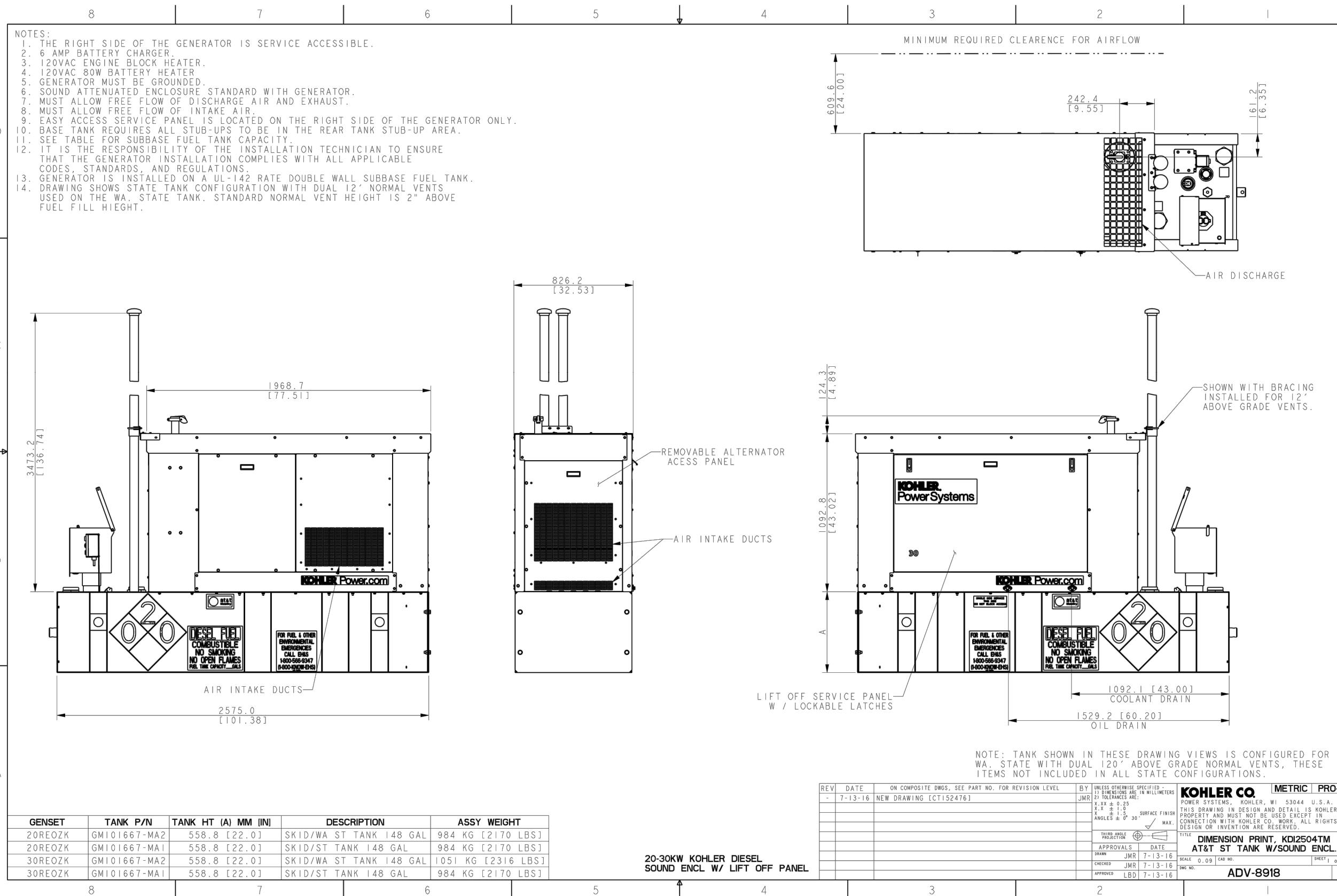
GENERATOR DETAILS

SHEET NO.:

REVISION	
NUMBER	

G-1

Packet Pg. 60



at&t

Wireless Services

12906 SHELBYVILLE ROAD, STE. 230
LOUISVILLE, KY 40243
502-653-6963



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0	100% CDs	6-10-18	M



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SHEET NAME:

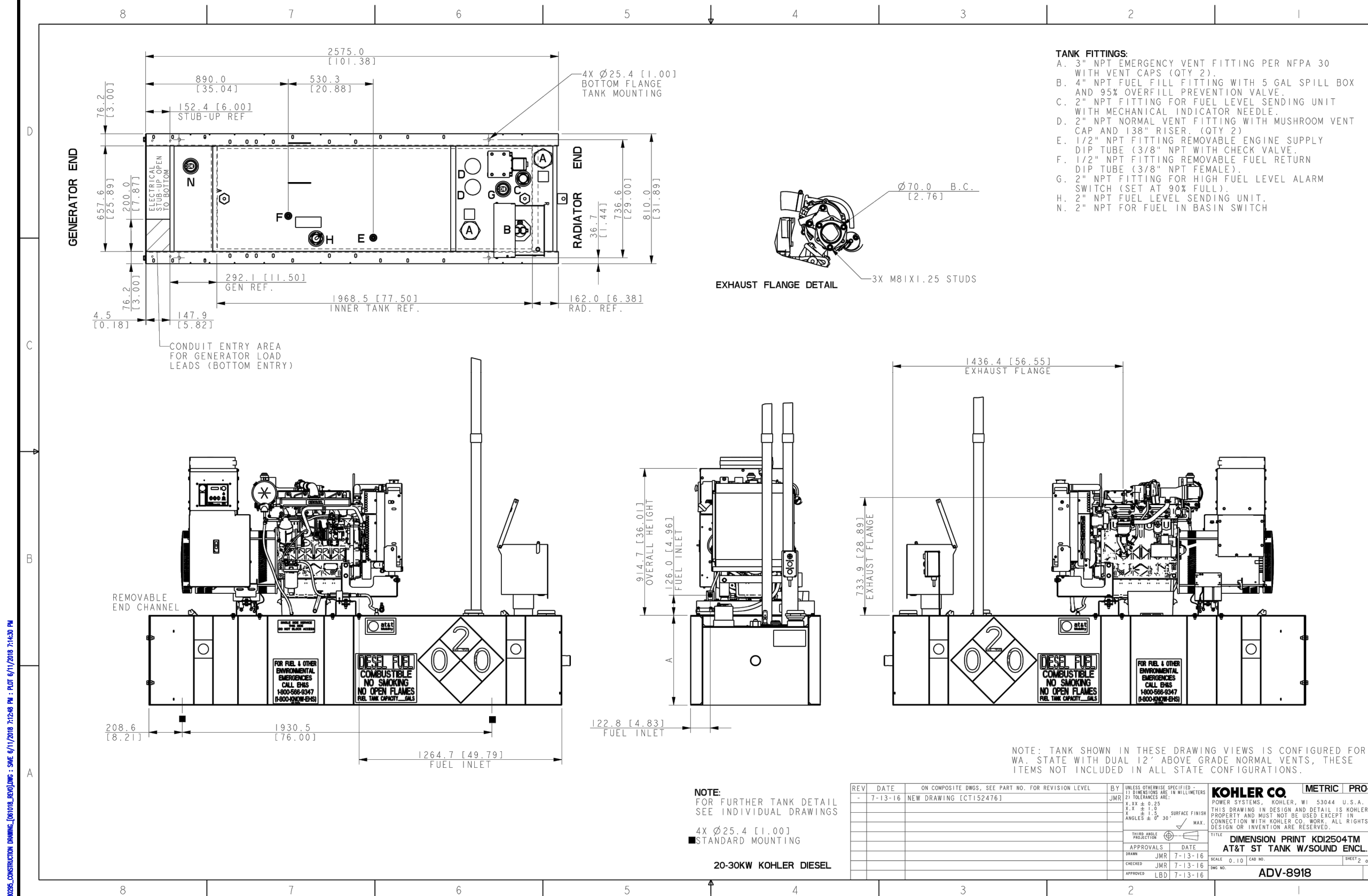
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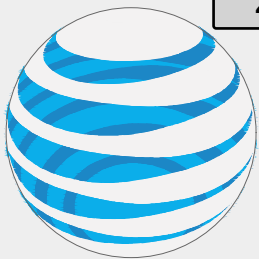
SHEET NO.:

REVISION	
NUMBER	

G-2

Packet Pg. 61





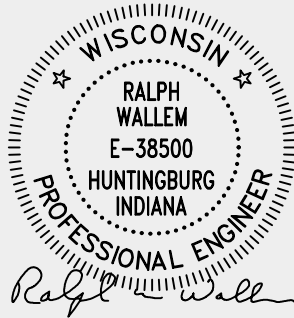
at&t

GENERAL DYNAMICS
Wireless Services
12906 SHELBYVILLE ROAD, STE. 230
LOUISVILLE, KY 40243
502-653-6963

BENCHMARK SERVICES, INC.
Consulting Engineers
Land Surveyors
PO Box 5 318 North Main Street
Huntingburg, Indiana 47542
Phone: (812) 683-3049

DRAWING REVISIONS

REV.	DESCRIPTION	DATE	BY
0	100% CDs	6-10-18	MC



MEQUON PUBLIC SAFETY BUILDING
FA#: 10080295
USID: 38568
11300 NORTH BUNTROCK AVE
MEQUON, WI 53092
GENERATOR UPGRADE

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& CONDITIONS ON THE JOB SITE & SHALL IMMEDIATELY NOT
THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFO
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SHEET NAME:

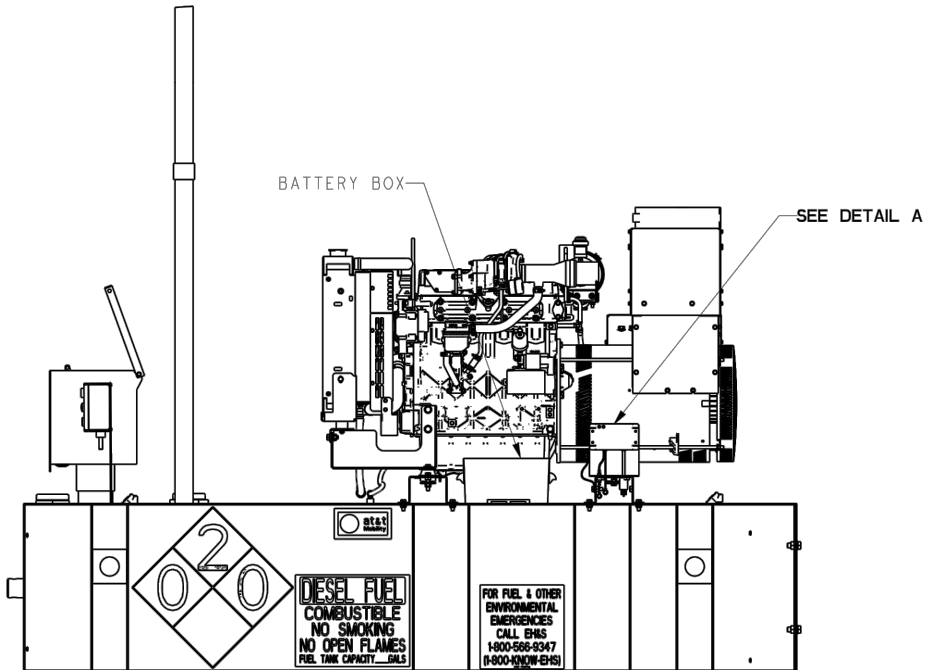
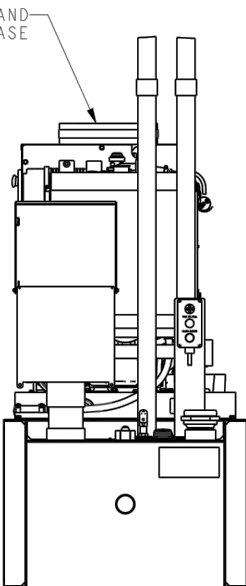
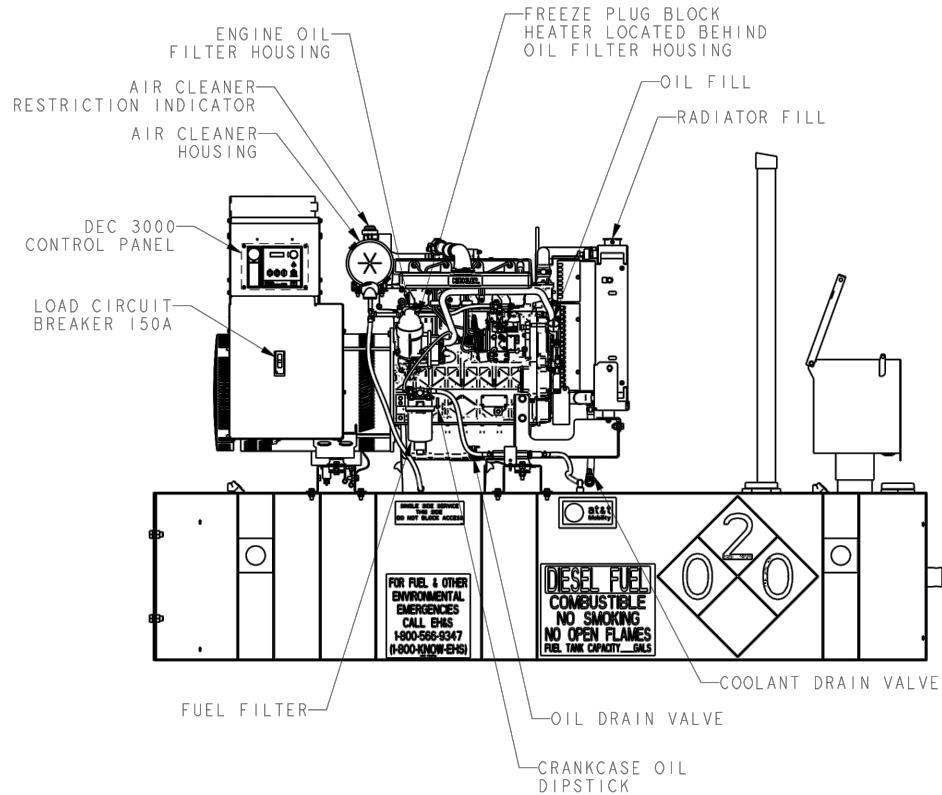
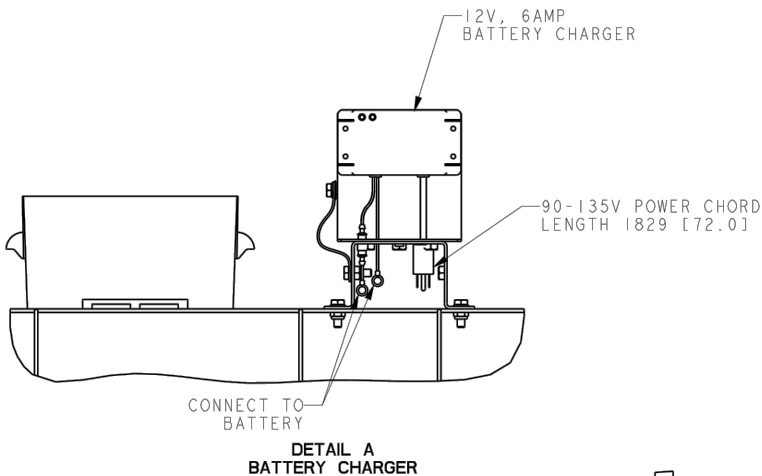
GENERATOR DETAILS

SHEET NO.:

G-3

REVISIO
NUMBER

NOTE:
THIS GENERATOR SET HAS FRONT ACCESSIBILITY TO ALL
ROUTINELY SERVICED COMPONENTS INCLUDING:
1. AIR FILTER
2. OIL FILTER / FILL
3. FUEL FILTER
4. OIL DRAIN
5. COOLANT DRAIN



NOTE: TANK SHOWN IN THESE DRAWING VIEWS IS CONFIGURED FOR
WA. STATE WITH DUAL 12' ABOVE GRADE NORMAL VENTS, THESE
ITEMS NOT INCLUDED IN ALL STATE CONFIGURATIONS.

REV	DATE	ON COMPOSITE DWGS, SEE PART NO. FOR REVISION LEVEL	BY	UNLESS OTHERWISE SPECIFIED - 1) DIMENSIONS ARE IN MILLIMETERS 2) TOLERANCES ARE: X.XX ± 0.25 X.X ± 1.0 X ± 1.5 ANGLES ± 0° 30'	THIRD ANGLE PROJECTION	APPROVALS	DATE	TITLE	SCALE	CAD NO.	SHEET 3 of 3
-	7-13-16	NEW DRAWING [CT152476]	JMR				7-13-16	DIMENSION PRINT KD12504TM AT&T ST TANK W/SOUND ENCL.	0.10		
						CHECKED	JMR 7-13-16				
						APPROVED	LBD 7-13-16				

20-30KW KOHLER DIESEL

KOHLER CO. METRIC PRO-E
POWER SYSTEMS, KOHLER, WI 53044 U.S.A.
THIS DRAWING IN DESIGN AND DETAIL IS KOHLER CO.
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CONNECTION WITH KOHLER CO. WORK. ALL RIGHTS OF
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ADV-8918 D

TO: Planning Commission
FROM: PA PHOUALA VANG, PLANNER
DATE: October 7, 2019
SUBJECT: American Tower. The applicant is seeking building and site plan amendment approval to allow for a new shelter to house Verizon's ground-based telecommunications equipment for the existing telecommunications site for the property located at 11800 N. Port Washington Road.

Applicant:	Walter Wiles
Status of Applicant:	Agent
Requested:	Building and Site Plan Amendment
Existing Use:	Firehouse with Telecommunications Facilities
Existing Zoning:	IPS (Institutional)
Land Use Plan:	Institutional
Location:	11800 N. Port Washington Road
Tax Key:	#15-020-06-010.00
District:	#5

Background: The applicant requests building and site plan amendment approval for a new equipment shelter for the existing telecommunication tower located at 11800 N Port Washington Road. Verizon is looking to construct a 380 square foot shelter to house Verizon's ground-based telecommunications equipment.

Site Plan Amendment

Verizon requires a new shelter to be constructed for the purpose of hosting new technology which will improve the overall network experience for residents in the general vicinity of this site. The plan shows the equipment shelter west of the larger equipment building. The proposed structure meets the 20 foot offset requirement of the IPS district. The applicant indicates that the smaller equipment shelter will remain on site to house existing equipment until the new structure is built. Once construction of the new structure is complete, the smaller shelter on site will be removed and the area will be replaced with grass.

Building Plan Amendment

The proposed structure is a pre-fabricated structure with a stencil brick exterior. Staff recommends brick cladding on the structure to match the existing shelters on site. Staff also recommends the door be painted to match the brown trim/color of the generator and an asphalt roof be installed. Staff adds a condition of approval that revised plans be submitted to show these recommendations.

Staff Recommendation:

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

1. Staff review and approval of final building and site plans prior to issuance of permits. The applicant shall submit such plans within 60 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. Building shall be constructed with brick cladding on the structure and match existing shelters, to the greatest extent possible.
3. Door shall be painted to match color of trim/generators.
4. The structure shall have an asphalt roof.

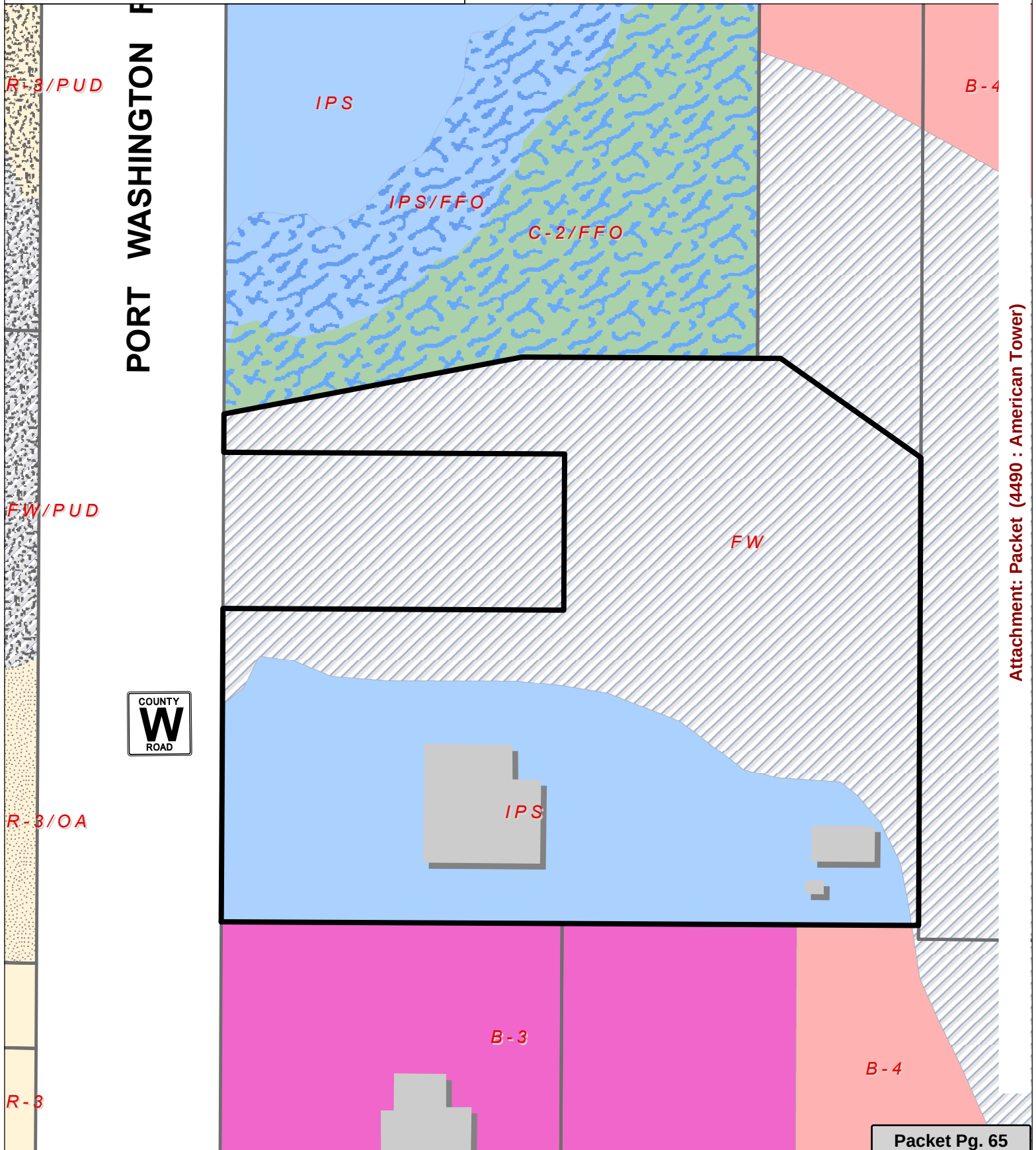
Attachments:

Packet (PDF)

American Tower Corporation

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

2.e.a



In summary,

As pertains to the Verizon telecommunications site located at the above referenced location, Verizon wishes to petition for a compound expansion of the existing telecommunications site to allow for a larger shelter to house Verizon's ground-based telecommunications equipment.

Verizon requires a new, second shelter to be constructed in the proposed compound expansion area for the purpose of hosting new technology and vastly improving the overall network experience for residents in the general vicinity of this site location. The current shelter is not large enough to house the full scope of the equipment upgrade work that Verizon will need to add to this site location, and the new shelter will be constructed specifically for the purpose of accommodating the technology upgrades that Verizon is attempting to provide to its customers. This new shelter is referred to as a "CRAN" shelter as that acronym refers to the type of equipment and technology which Verizon will be utilizing this shelter for.

The Compound Expansion is needed as there is not currently enough leased ground space to support the new shelter. While the new shelter will ultimately be replacing the needs of the existing, the new shelter needs to be fully operational prior to decommissioning and removing the existing shelter.

The drawings currently show the complete removal of the existing Verizon shelter and fence once the new shelter is fully operational. This is the typical approach currently taken when old shelters are no longer needed, and it is determined that future use of the shelter by another telecommunications carrier is not likely. The surface is most often replaced with crushed stone which is more easily worked for future construction. However, turf grass can be installed if there is a preference towards that.

If ATC and Verizon are granted the ability to expand their overall footprint to accommodate the new shelter build, this would mitigate the need for Verizon to begin a search for an entirely new, raw land location that would potentially house a brand new site (and would of course present a greater potential future disturbance to the community).

Lastly, we can return the land under the existing shelter to grass.

Please let me know if you have any further questions and if we will be able to include this on the September 9th Agenda.



AMERICAN TOWER®
A.T. ENGINEERING SERVICE, PLLC
3500 REGENCY PARKWAY
SUITE 100
CARY, NC 27518
PHONE: (919) 468-0112
COA: P-1177

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CONSULTING GROUP, LTD.
600 BUSSE HIGHWAY
PARK RIDGE, IL 60068
PH: 847-698-6400
FAX: 847-698-6401

REV.	DESCRIPTION	BY	DATE
A	PRELIM	IC	04/17
B	REVISED ELECTRICAL	DMS	04/17
C	UPDATES PER COMMENTS	TH	03/07
D	UPDATED PER SHELTER LOCATION	JAY	09/20

ATC SITE NUMBER:

410880

ATC SITE NAME:

PORT WASHINGTON ROAD

SITE ADDRESS:

11800 PORT WASHINGTON ROAD
MEQUON, WI 53092

SEAL:

**PRELIMINARY:
NOT FOR
CONSTRUCTION**

DRAWN BY:	IC
APPROVED BY:	TP
DATE DRAWN:	12/05/17
ATC JOB NO:	4452

LOCATION PLAN

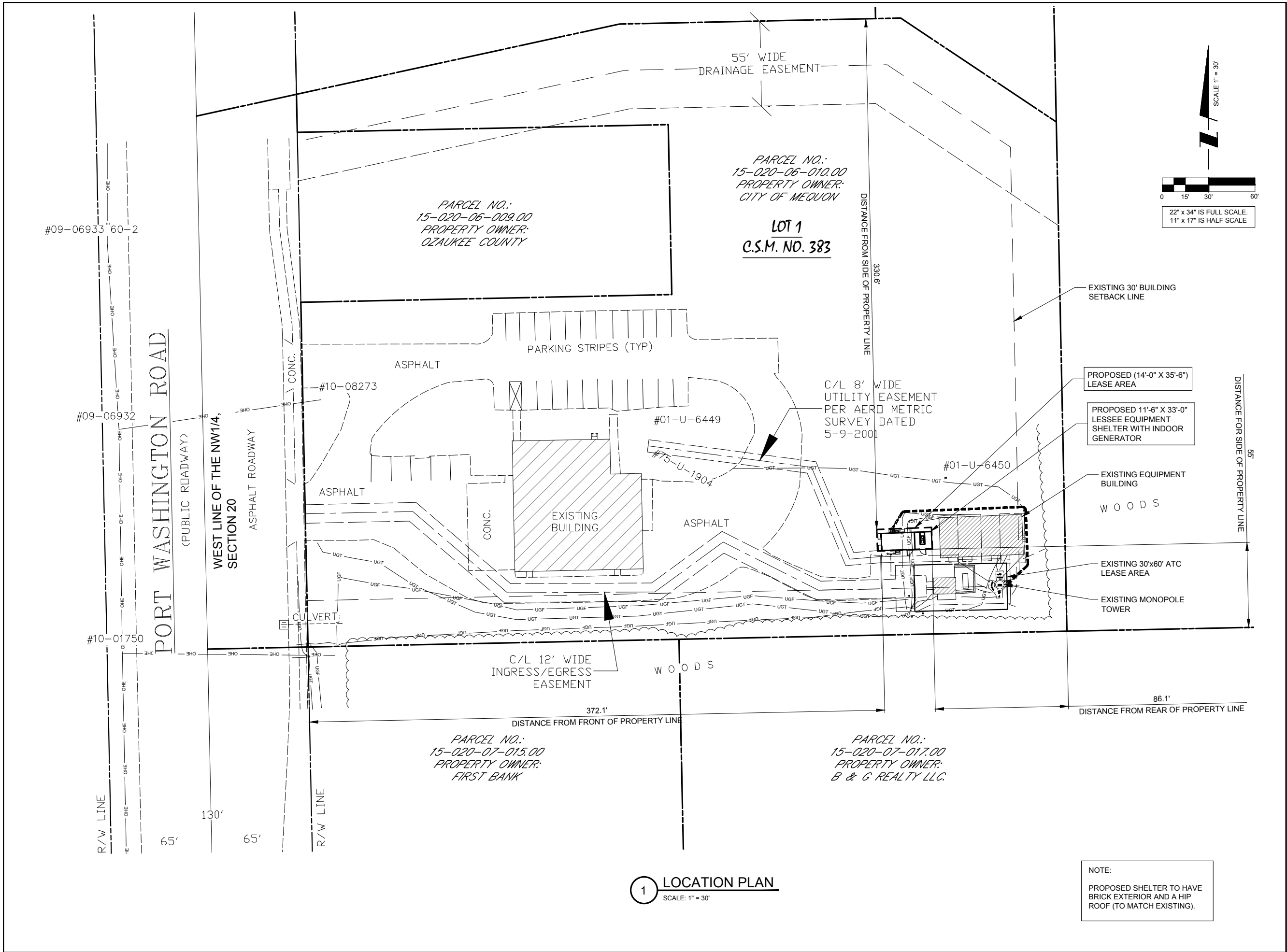
SHEET NUMBER:

C-101

REVISION:

D

Attachment: Packet (4490 : American Tower)



1 LOCATION PLAN
SCALE: 1" = 30'

NOTE:
PROPOSED SHELTER TO HAVE
BRICK EXTERIOR AND A HIP
ROOF (TO MATCH EXISTING).



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ATC SITE NUMBER:

410880

ATC SITE NAME:

PORT WASHINGTON ROAD

SITE ADDRESS:

11800 PORT WASHINGTON ROAD
 MEQUON, WI 53092

SEAL:

**PRELIMINARY:
 NOT FOR
 CONSTRUCTION**

DRAWN BY:	IC
APPROVED BY:	TP
DATE DRAWN:	12/05/17
ATC JOB NO:	4452

DETAILED SITE PLAN

SHEET NUMBER:

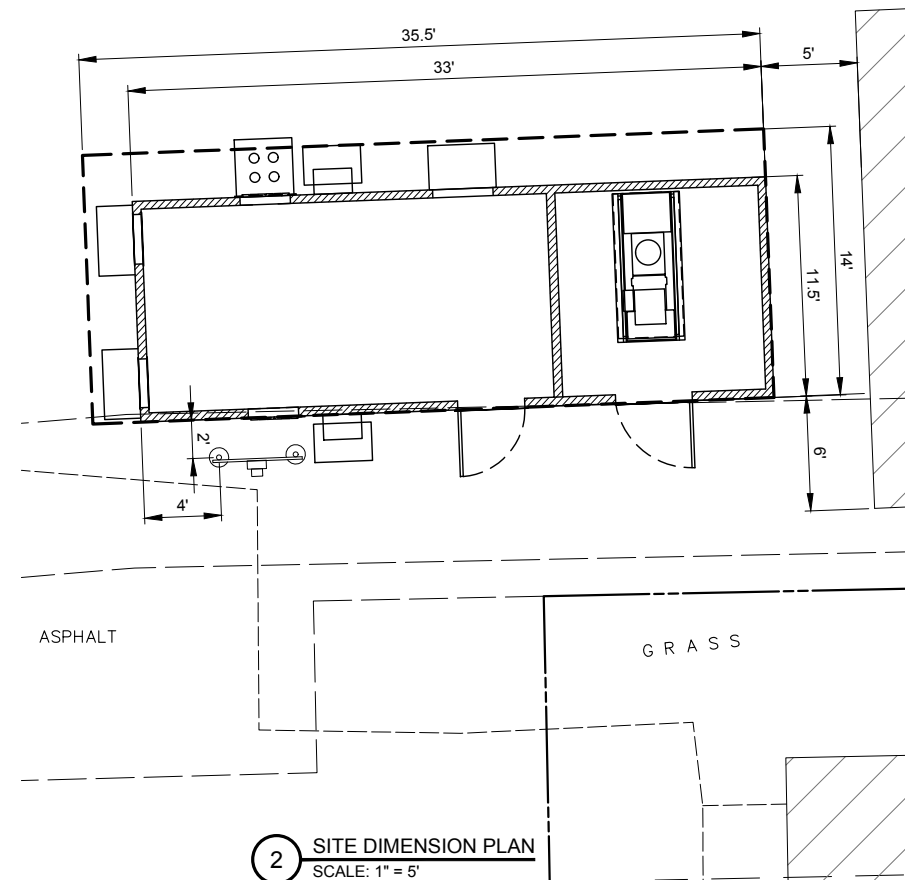
C-201

REVISION:

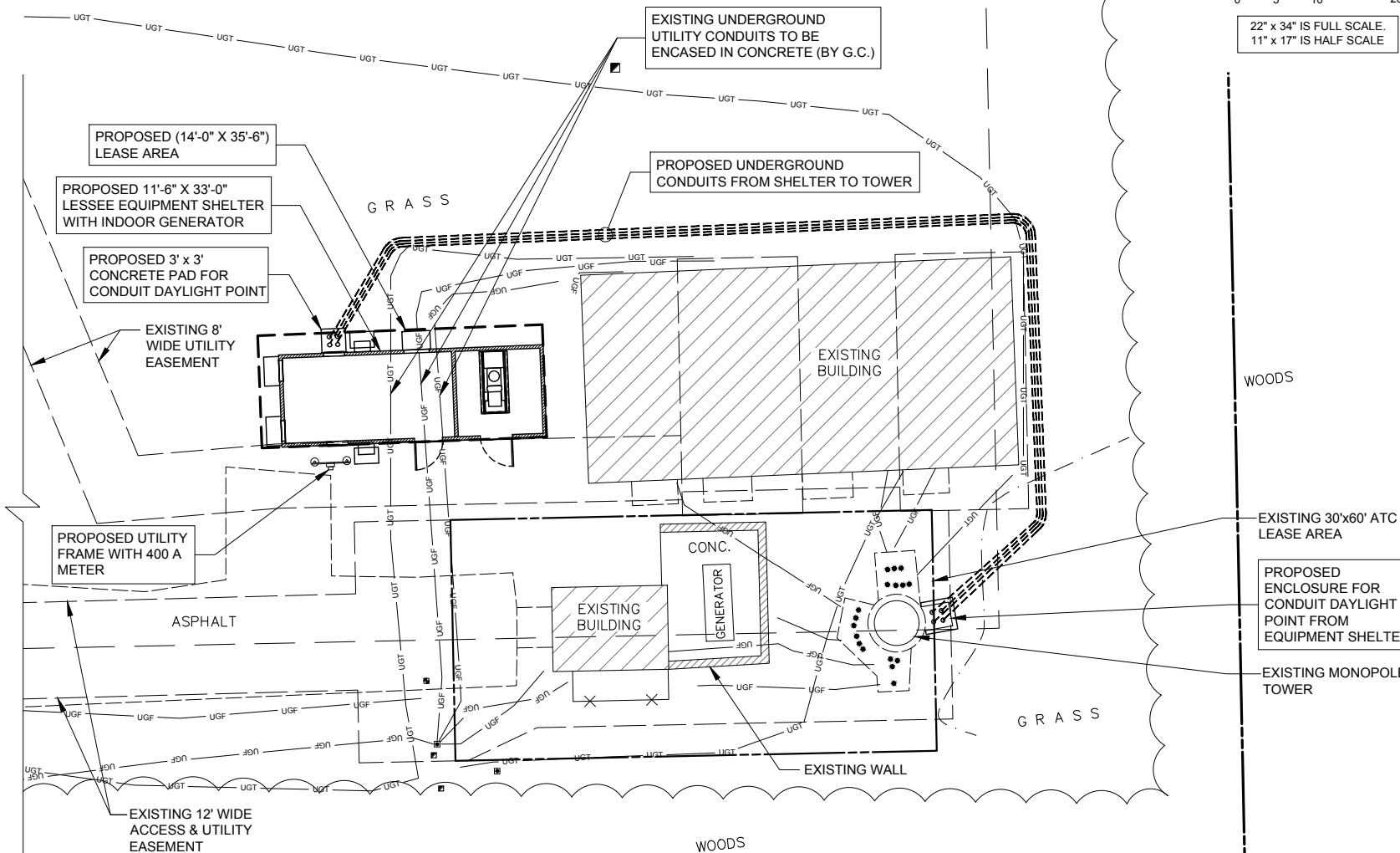
D

Packet Pg. 68

GRASS



OTHER UTILITIES NOT INCLUDED IN DIGGERS HOTLINE AND LOCAL UTILITY DISTRICTS AND COMPANIES SHALL ALSO BE NOTIFIED



NOTE:

G.C. TO ENCASE IMPEDING EXISTING CONDUITS UNDER PROPOSED SHELTER IN CONCRETE

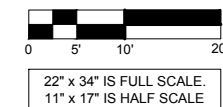
NOTE:

PROPOSED SHELTER TO HAVE BRICK EXTERIOR AND A HIP ROOF (TO MATCH EXISTING).

NOTE:

PRIOR TO CONSTRUCTION, LOCATE ALL EXISTING UNDERGROUND UTILITIES AND RELOCATE AS NEEDED AROUND NEW EQUIPMENT ENCLOSURE.

SCALE 1" = 10'





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A.T. ENGINEERING SERVICE, PLLC
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SUITE 100
CARY, NC 27518
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COA: P-1177

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410880
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SITE ADDRESS:
11800 PORT WASHINGTON ROAD
MEQUON, WI 53092

SEAL:

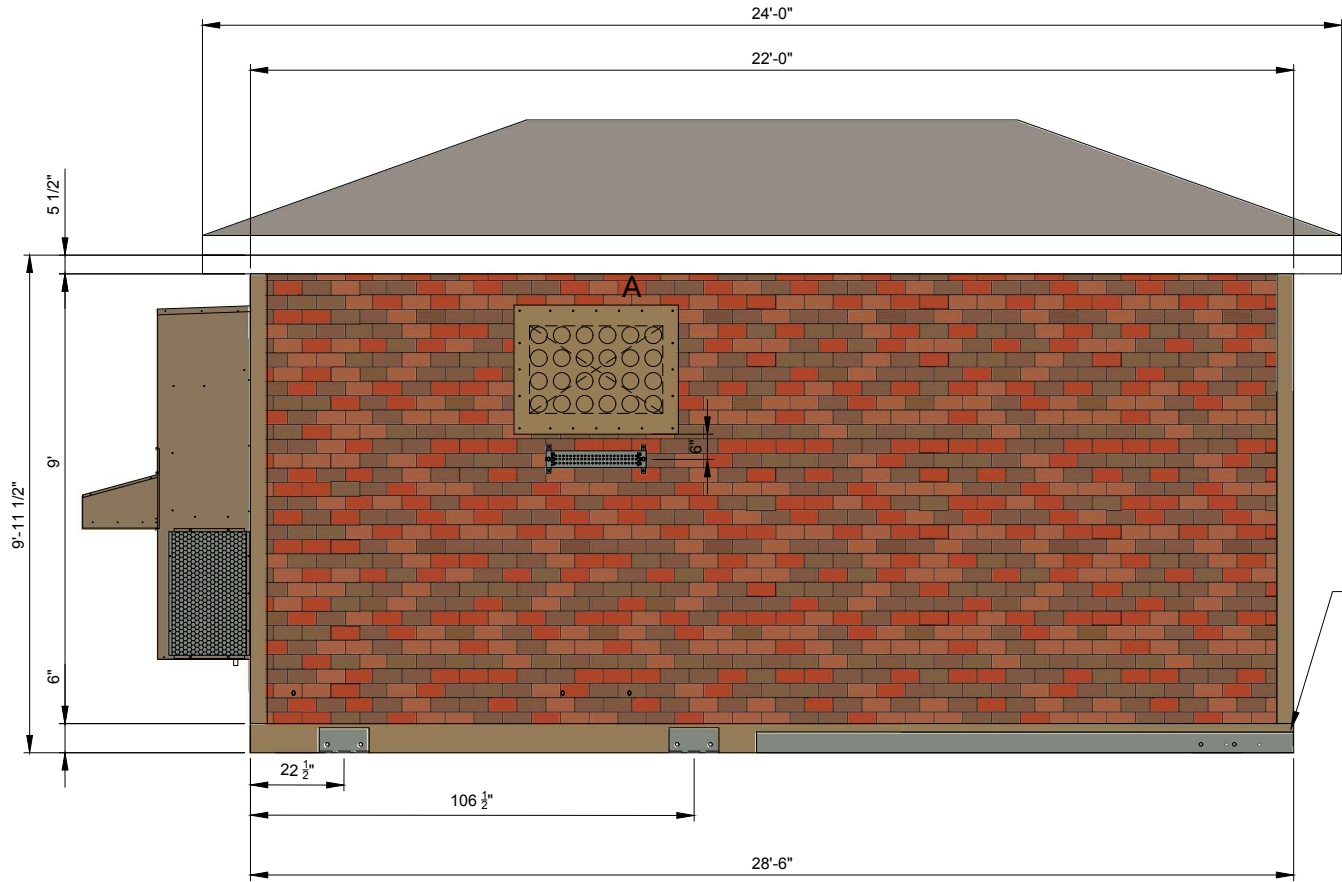
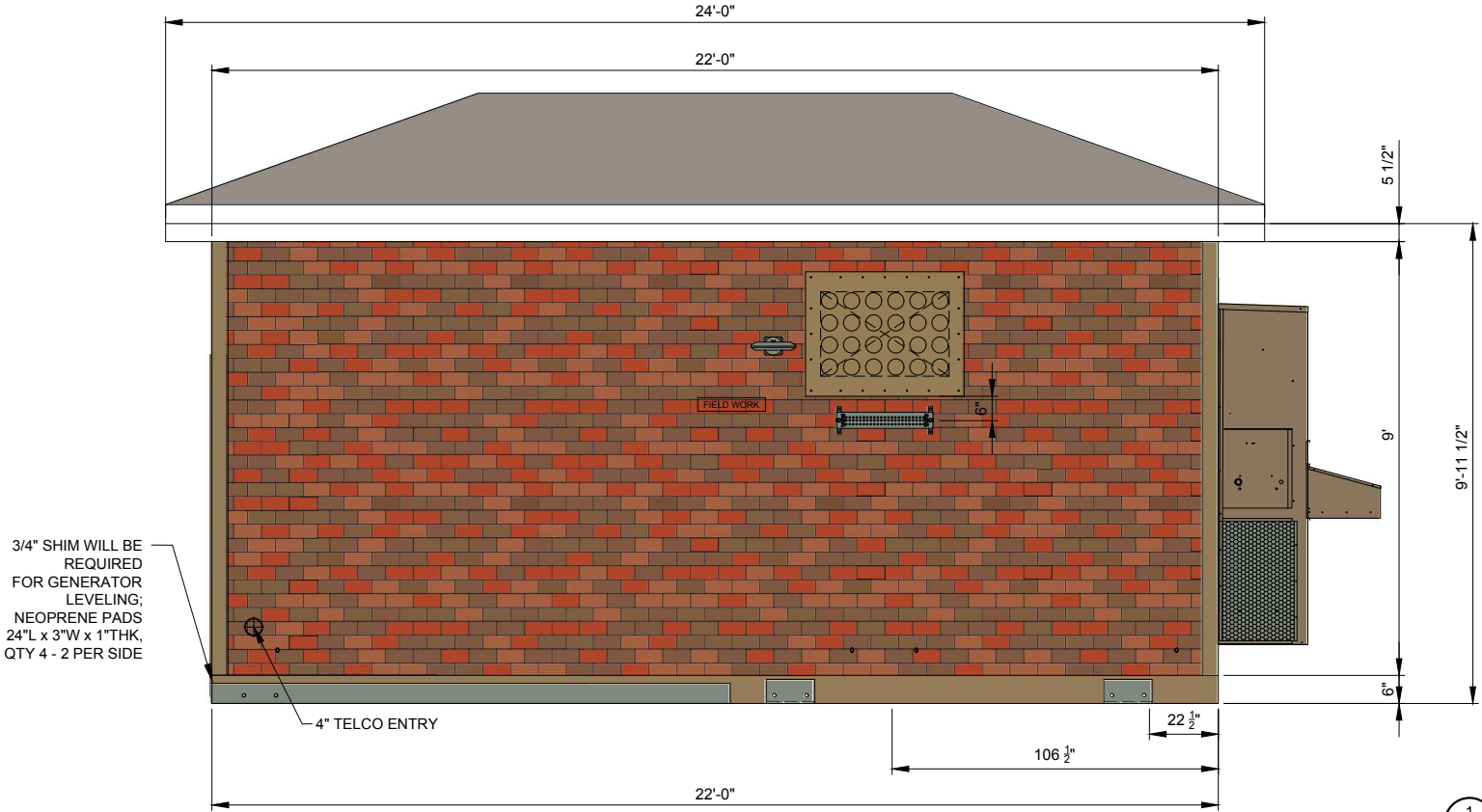
**PRELIMINARY:
NOT FOR
CONSTRUCTION**

DRAWN BY:	IC
APPROVED BY:	TP
DATE DRAWN:	12/05/17
ATC JOB NO:	4452

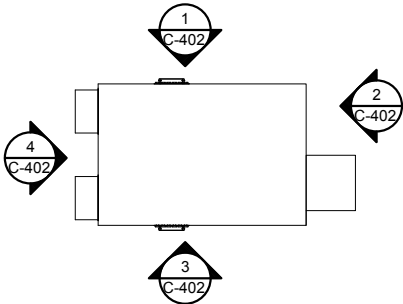
EQUIPMENT ELEVATIONS
COLOR SCHEMATIC

SHEET NUMBER: C-402A

REVISION: D

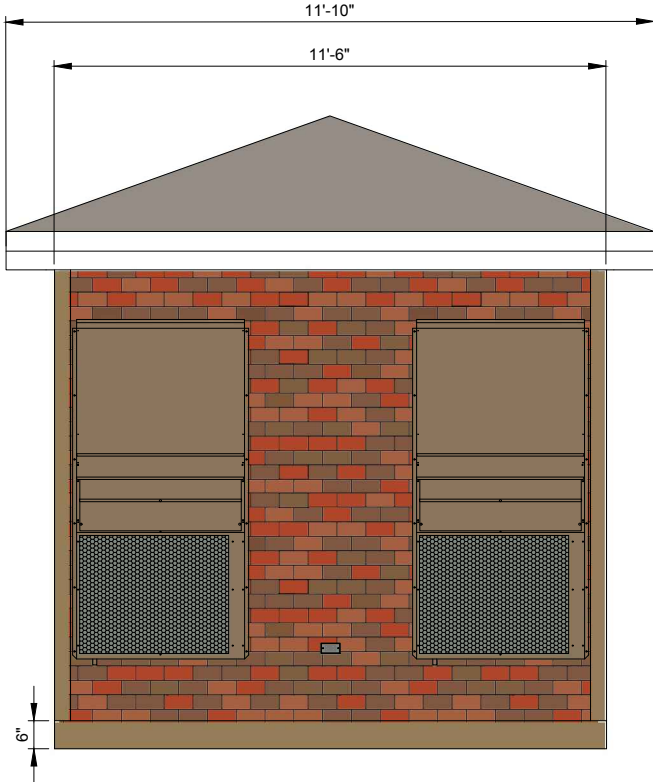
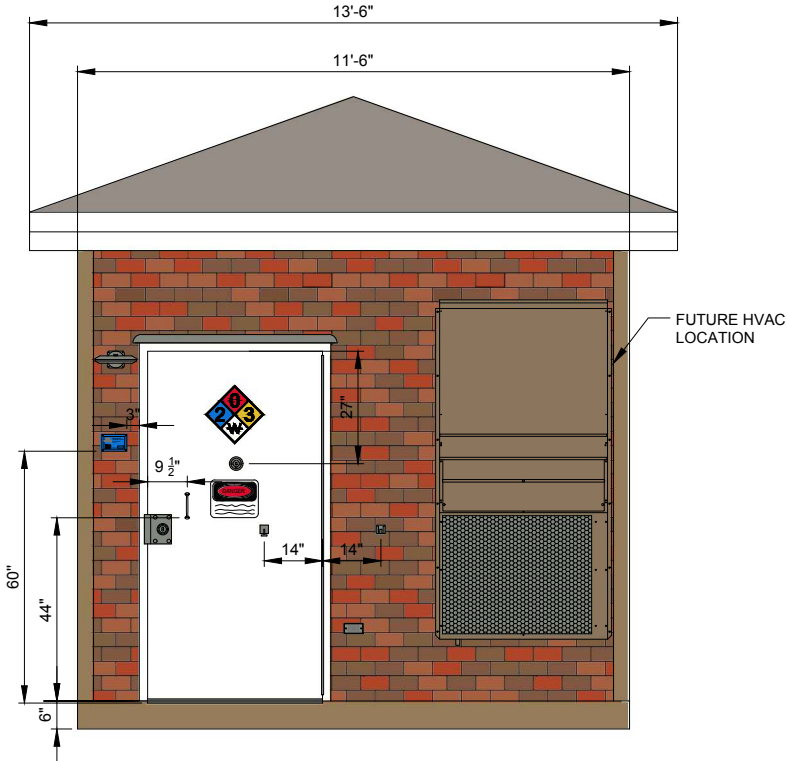


3 ELEVATION-EQUIPMENT ENCLOSURE
SCALE: 1/2" = 1'-0"



BUILDING MATERIALS:
EXTERIOR: EXPOSED BRICK
COLOR: VARYING RED, TAN, & BROWN

NOTE:
PROPOSED PREFAB SHELTER TO HAVE
BRICK IMPRINT IN EXTERIOR FACADE
AND A HIP ROOF. COLOR TO MATCH
EXISTING EQUIPMENT BUILDING.



4 ELEVATION-EQUIPMENT ENCLOSURE
SCALE: 1/2" = 1'-0"

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: October 7, 2019
SUBJECT: Jim Hoffman for Pine Reserve LLC. The applicant is seeking certified survey map approval to create four lots between 6710 and 6926 W. River Birch Drive.

Applicant:	Jim Hoffman
Status of Applicant:	Owner
Requested:	Certified Survey Map
Existing Use:	Vacant Land
Existing Zoning:	R-5 (Residential ½ acre) PUD (Planned Unit Development Overlay) C-2 (Critical Environment)
Lot size:	6 Acres
Location:	Between 6983 and 6720 W River Birch Drive
Tax Keys:	#14-197-00-070.00 & #14-177-00-000.03
District:	#3

Background:

The applicant is requesting certified survey map for the property located on River Birch Drive between 6983 and 6720 W River Birch Drive. The development was approved as a Planned Unit Development in 2004 (Ordinance 2004-1105) and consisted of 18 condominium units (9 buildings) on 18 acres of land. The area was rezoned in 2019 (Ordinance 2019-1544) to allow for single family homes.

Certified Survey Map:

The CSM shows four lots ranging in size from .6 to 1.43 acres. The lot layout is similar to what was shown on the concept plan at the time of the rezoning. The CSM complies with all requirements of the R-5 zoning district.

Engineering Report:

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

Access to the proposed single family lots would be off of West River Birch Drive. No changes to the roadway are anticipated as part of the PUD change and subsequent CSM.

The site is located within the City's sewer service area and connection to the public utility is required. There is currently sanitary sewer service and water service available to each of the home sites. The existing laterals and services shall be utilized for the single family homes. Any unused laterals and water services along the lot frontage shall be abandoned in accordance with City Specifications at the time of building permit.

Wetlands appear to be present on site. A wetland delineation report with concurrence by the Wisconsin Department of Natural Resources is required with each building permit. The wetland delineation and concurrence from the WDNR has been received.

The wetland delineation report indicates that the wetland is a highly susceptible wetland and would have a 50-foot wetland setback as defined by City ordinance. The wetland setback is intended to protect the wetland. City ordinances are consistent with the recommendations set forth by the WDNR.

When the plans were approved for the Concord Creek subdivision, the wetland setback was 30-feet. The applicant is requesting that the setback be reduced to a 10-foot no mow buffer so that lots 1 and 3 are buildable. Historically, no mow buffers have been considered in specific applications to provide wetland protection, while reducing the setback requirements. No mow buffers allow for the filtration of sediment and other pollutants from the runoff before entering the wetlands.

In this particular application, wetland protection between the ordinance required 50 feet and the applicant requested 10 foot no mow buffer can be provided. The existing building setbacks on Lot 1 would limit the building to be approximately 30-feet from the wetland on the north and east sides of the lot. The northwest corner has the greatest wetland encroachment onto the lot. The setback could be reduced to 30-feet and still provide a reasonable building area for lot. Alternatively, a 10-foot no mow buffer could be considered for the Northwest corner, however, the no mow buffer is often not maintained by homeowners once the homes are built, thus negating the intended protection. A 30-foot wetland setback could also be considered for lot 2 which would be consistent with the previous wetland setbacks.

The wetland and applicable setback shall be shown on the CSM.

Staff Recommendation:

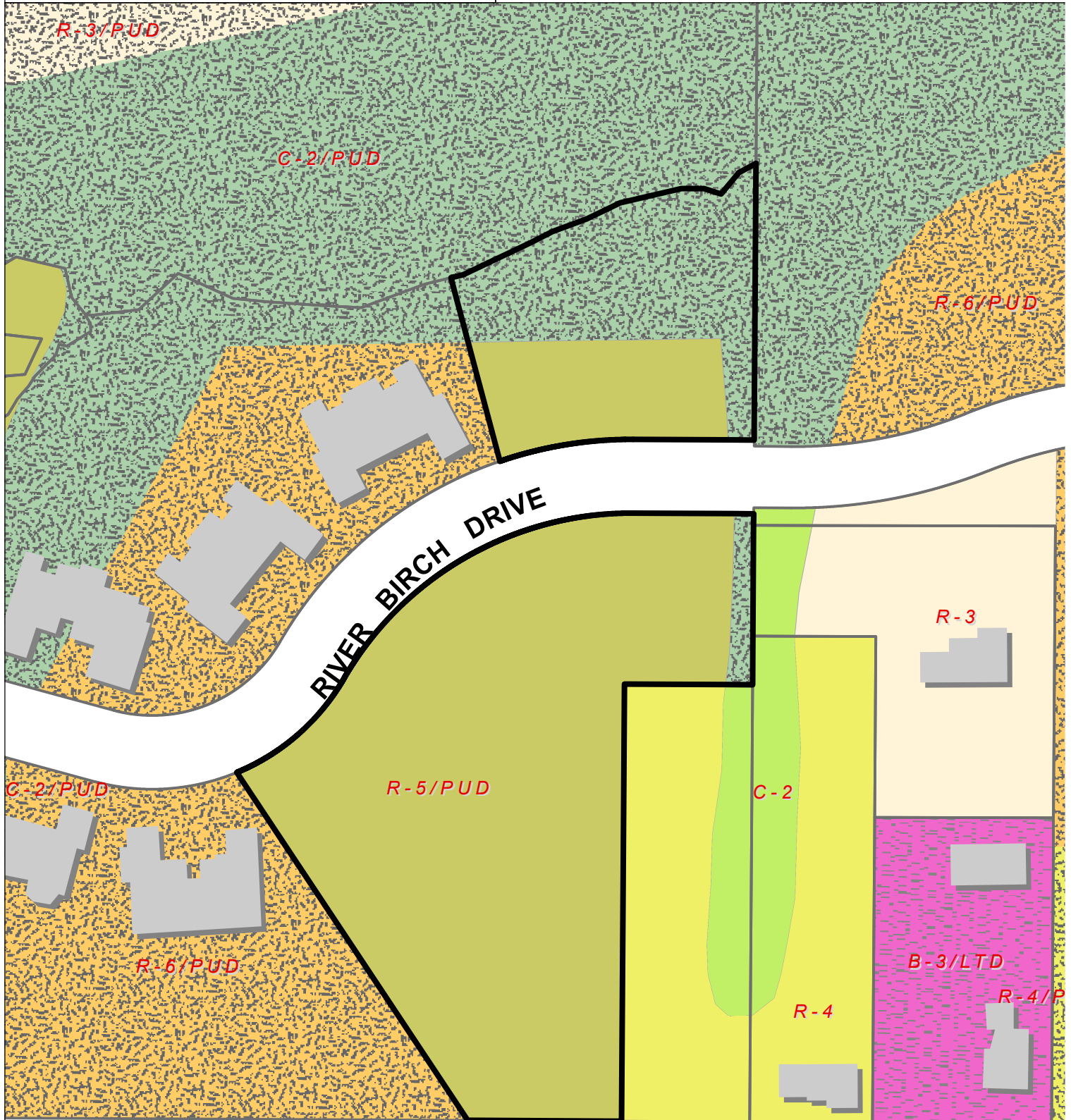
Planning staff recommends approval of the rezoning recommendation subject to the following conditions:

1. Staff review and approval of the final CSM.
2. 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).
3. Compliance with the Tree Preservation Ordinance.
4. Architectural design of residential buildings shall comply with the Architectural Board's publication entitled "Guidelines for Residential Structures" and are subject to the Architectural Review Board.
5. Any unused laterals and water services along the lot frontage shall be abandoned in accordance with City Specifications at the time of building permit.
6. Applicant shall provide add the wetland boundary to the face of the CSM, including 30-foot wetland setbacks.

Attachments:
Packet (PDF)

Jim Hoffman for Pine Reserve

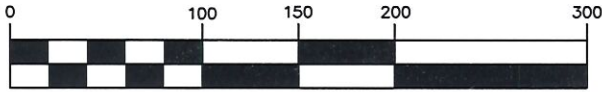
AC	Arrival Corridor	LTD	Limited Use	3.a.a
A-1	Agricultural Preserve	OA	Agricultural Overlay	
A-2	General Agricultural	PUD	Planned Unit Development Overlay	
B-1	Neighborhood Business	P-1	Park & Recreation	
B-2	Community Business	R-1	Single-Family Residential (5 Ac. Min.)	
B-3	Office & Service Business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



Attachment: Packet (4485 : Jim Hoffman for Pine Reserve LLC)

CERTIFIED SURVEY MAP NO. _____

PART OF "PINE RESERVE CONDOMINIUM", BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



SCALE 1" = 100'

CURVE TABLE					
NO.	ARC	RADIUS	CHORD	BEARING	DELTA
A	110.45'	330.00'	109.93'	S79°12'30.5"W	19°10'35"
B	99.62'	270.00'	99.05'	N78°13'38"E	21°08'22"
C	184.32'	270.00'	180.76'	N48°06'04"E	39°06'47"
D	117.68'	180.00'	115.59'	N47°16'27"E	37°27'31"
E	283.93'	270.00'	271.03'	N58°40'14.5"E	60°15'07"

LEGEND

○ - DENOTES 1.315"X18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)

⊙ - DENOTES 1" PARKER KALON NAIL (SET)

□ - DENOTES 2.3" STEEL PIPE FOUND

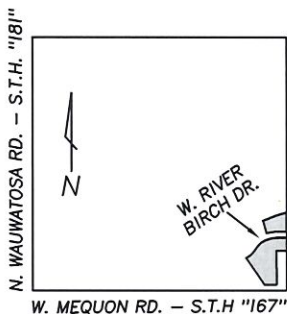
ALL BEARINGS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE (SOUTH LINE OF THE SW. 1/4 OF SECTION 22-9-21 WHICH BEARS S88°47'48"W)



5-8-2019

NOTES:

1. THIS PROPERTY IS ALSO SUBJECT TO EASEMENTS OF RECORD.



LOCATION MAP

SOUTHWEST 1/4 SEC. 22-9-21
(SCALE 1"=2000')

SW. CORNER OF THE SW. 1/4 OF SECTION 22-9-21 CONC. MON. WITH BRASS CAP

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

SOUTH LINE OF THE SW. 1/4 OF SECTION 22-9-21

SE. CORNER OF THE SW. 1/4 OF SECTION 22-9-21 CONC. MON. WITH BRASS CAP

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 1 OF 4 SHEETS



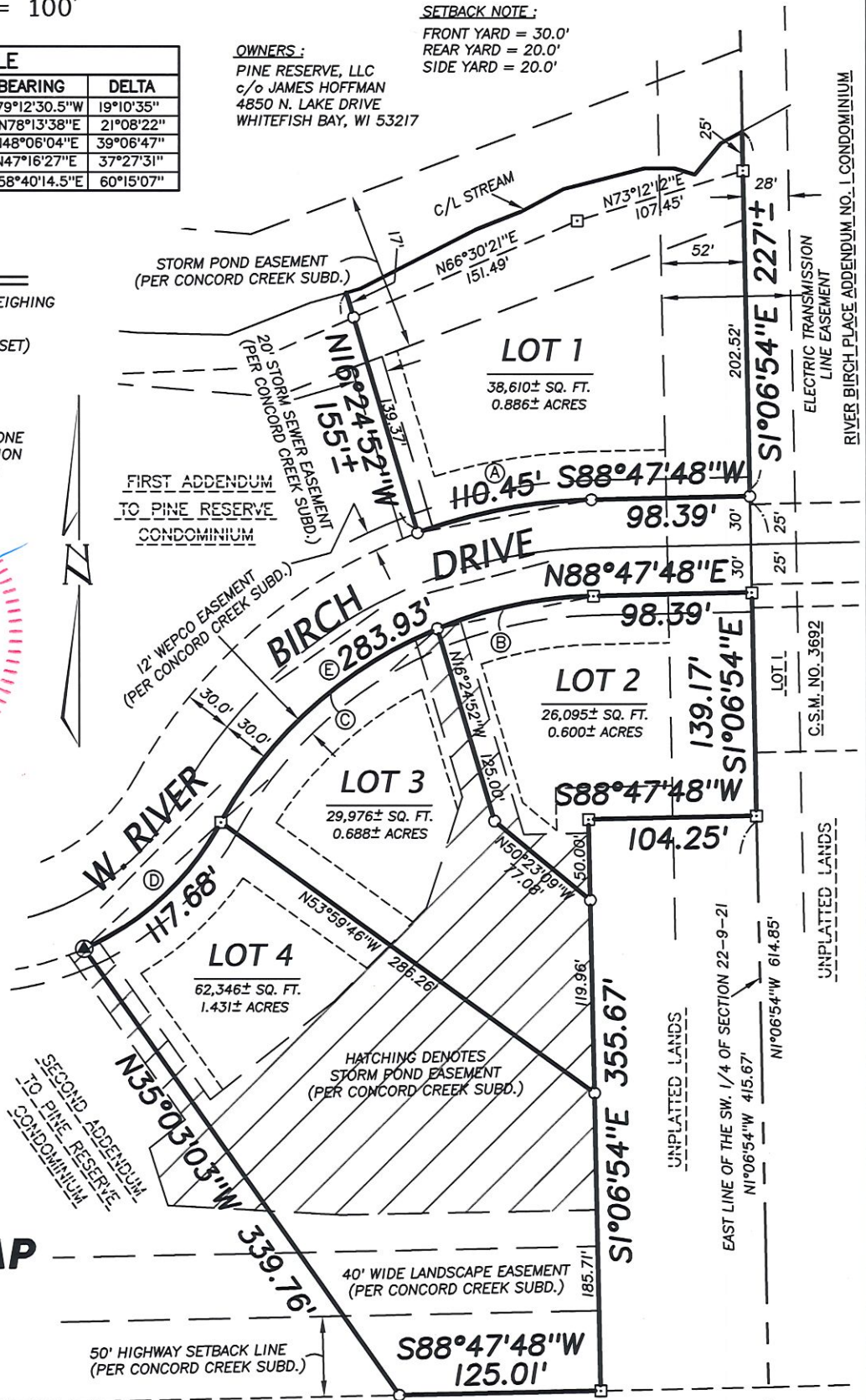
NORTH SHORE ENGINEERING, INC.
Consulting Engineers & Land Surveyors
11433 N. Port Washington Rd., Mequon, Wisconsin, 53092
(262) 241-9400 • FAX: (262) 241-5337
www.northshoreengineering.net

SETBACK NOTE:

FRONT YARD = 30.0'
REAR YARD = 20.0'
SIDE YARD = 20.0'

OWNERS:

PINE RESERVE, LLC
c/o JAMES HOFFMAN
4850 N. LAKE DRIVE
WHITEFISH BAY, WI 53217



RIVER BIRCH PLACE ADDENDUM NO. 1 CONDOMINIUM

UNPLATTED LANDS

EAST LINE OF THE SW. 1/4 OF SECTION 22-9-21
N1°06'54"W 415.67'

Attachment: Packet (4485 : Jim Hoffman for Pine Reserve LLC)

CERTIFIED SURVEY MAP NO. _____

PART OF "PINE RESERVE CONDOMINIUM", BEING A PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 22, 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:

Part of "Pine Reserve Condominium", being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Township 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 22; thence N1°06'54"W along the East line of said 1/4 Section, 614.85 feet to a point in the North right of way line of W. River Birch Drive and the point of beginning of lands to be described; thence S88°47'48"W along said right of way line, 98.39 feet to a point of curvature; thence Southwesterly along said right-of-way line, being the arc of a curve to the left (having a radius of 330.00 feet, whose chord bears S79°12'30.5"W, 109.93 feet) 110.45 feet to the Southeast corner of "First Addendum to Pine Reserve Condominium"; thence N16°24'52"W along the East line of said First Addendum, 139.37 feet to a meander point of the Northeast corner of said First Addendum, said point lying 17' south of a creek; thence N66°30'21"E along a meander line of the North line of "Pine Reserve Condominium", 151.49 feet to a meander point, lying 20' south of a said creek; thence N73°12'12"E along a meander line of said Pine Reserve Condominium, 107.45 feet to a meander point in the East line of the Southwest 1/4 of said Section 22, said point lying 25' south of said creek; thence S1°06'54"E along the East line of said 1/4 Section, 202.52 feet to the point of beginning.

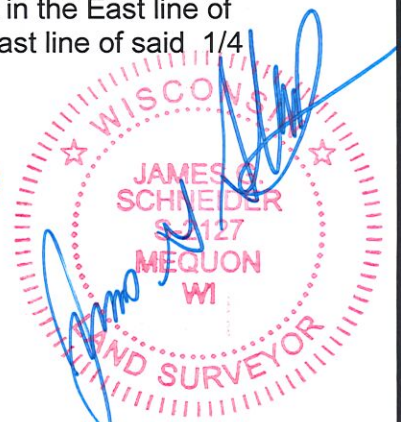
ALSO:

Part of "Pine Reserve Condominium", being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Township 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 22; thence N1°06'54"W along the East line of said 1/4 Section, 415.67 feet to a point in the Easterly line of "Pine Reserve Condominium", said point being the point of beginning of lands to be described; thence S88°47'48"W along the Easterly line of said Pine Reserve Condominium, 104.25 feet; thence S1°06'54"E along the Easterly line of said Pine Reserve Condominium, 355.67 feet to a point in the North right of way line of W. Mequon Road – S.T.H. "167", said point also being the Southeast corner of said Pine Reserve Condominium; thence S88°47'48"W along said North right of way line, 125.01 feet to the Southeast corner of "Second Addendum to Pine Reserve Condominium"; thence N35°03'03"W along the East line of said Second Addendum to Pine Reserve Condominium, 339.76 feet to a point in the South right of way line of W. River Birch Drive, said point also being the Northeast corner of said Second Addendum to Pine Reserve Condominium; thence Northeasterly along said right-of-way line, being the arc of a curve to the left (having a radius of 180.00 feet, whose chord bears N47°16'27"E, 115.59 feet) 117.68 feet to a point of reverse curvature; thence Northeasterly along said right-of-way line, being the arc of a curve to the right (having a radius of 270.00 feet, whose chord bears N58°40'14.5"E, 271.03 feet) 283.93 feet to a point of tangency; thence N88°47'48"E along said right-of-way line, 98.39 feet to a point in the East line of the Southwest 1/4 of said Section 22; thence S1°06'54"E along the East line of said 1/4 Section, 139.17 feet to the point of beginning.

This instrument was drafted by James G. Schneider

Sheet 2 of 4 Sheets



Attachment: Packet (4485 : Jim Hoffman for Pine Reserve LLC)

CERTIFIED SURVEY MAP NO. _____

PART OF "PINE RESERVE CONDOMINIUM", BEING A PART OF THE SOUTHEAST
1/4 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWN 9 NORTH, RANGE 21 EAST,
IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE (continued)

Said lands containing 3.605 acres of land, more or less, inclusive of land between the
aforementioned meander line and the centerline of said Creek.

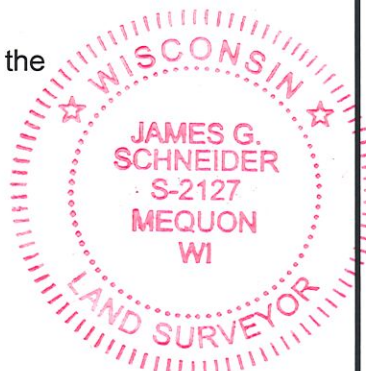
That I have made such survey, land division, and plat at the direction of Pine Reserve,
LLC, OWNER of said lands.

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 Section 236.34 of the Wisconsin Statutes and the
requirements of the City of Mequon.


James G. Schneider S-2127

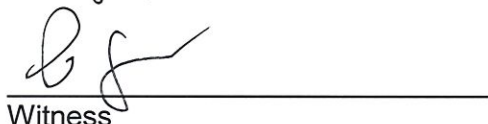
5-8-2019



CORPORATE OWNER'S CERTIFICATE

I, James Hoffman (Member) of Pine Reserve, LLC, 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 the hand and seal of said OWNERS on this 21st day of
August, 2019.


Witness


James Hoffman (Member)

STATE OF WISCONSIN)
OZAUKEE COUNTY)^{ss}
MILWAUKEE)^{ss}

PERSONALLY came before me on this 21 day of August, 2019
the above named James Hoffman (Member) to me known to be the person who
executed the foregoing certificate and acknowledged the same.


Notary Public

My Commission expires January 21, 2023



This instrument was drafted by James G. Schneider

Sheet 3 of 4 Sheets

Attachment: Packet (4485 : Jim Hoffman for Pine Reserve LLC)

CERTIFIED SURVEY MAP NO. _____

*PART OF "PINE RESERVE CONDOMINIUM", BEING A PART OF THE SOUTHEAST
1/4 OF THE SOUTHWEST 1/4 OF SECTION 22, 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 22, Town 9
North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin and the same
is hereby adopted and approved.

Approved: _____

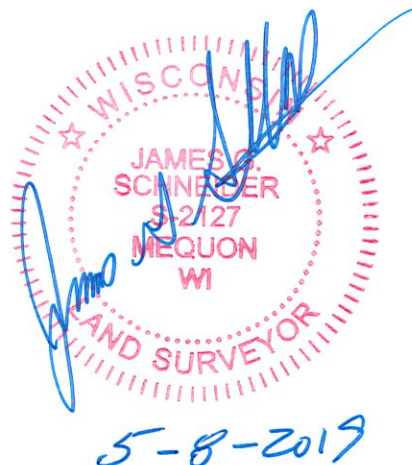
Adopted: _____

John Wirth, Mayor

City Clerk

This instrument was drafted by James G. Schneider

Sheet 4 of 4 Sheets



Request of Planning Commission

RE: CSM Approval for 4 Hoffman Lots on River Birch Drive

Request: Wetland Setback approval request of 10 feet from current DNR approved wetland delineation.

James Hoffman purchased 18ac of previously zoned duplex condominium land from Andrew Petzold in 2005. Five duplex Condominiums were built on the site known as Pine Reserve Condominiums. Some condominiums are located immediately adjacent to the wetland. This has not resulted in any negative issues with regard to the wetland preservation.

Currently, Hoffman has Mequon approval for rezoning to 4 single family, fee simple parcels.

See attached May 8, 2019 CSM that was originally prepared for signature/approval.

Unknown to Hoffman until a week ago, Mequon Engineering Staff, as a condition of the upcoming October 7, 2019 CSM approval, *may* be requesting a 50 foot building setback from the wetland. (As of this writing, the agenda packet has not been published.)

Jim Schneider of North Shore Engineering has suggested that this Request/Petition be written to accompany a CSM Exhibit (adding a 50 foot setback). Jim was asked last week by Planning Staff to prepare this exhibit document for discussion at the October 7, 2019 Planning Commission meeting.

A 50 foot setback from the wetland causes a hardship and results in a significant devaluation of 2 of the 4 parcels.

This previously developed land has been assessed as a developed, buildable property and annual taxes have been paid on same. No prior mention had been made to Hoffman of a new 50 foot wetland setback.

Currently, Scott Humber of Lakeside Development is designing a home for Lot #1. Aware of the situation, as Scott has been in touch with Engineering Staff regarding grading and drainage, Scott now advises that if a 50 foot setback is imposed - in his professional opinion - this lot becomes virtually un-buildable.

Hoffman subsequently researched the 50 foot setback requirement and is now aware that in other similar situations, a 10 foot setback containing planting as directed by City Engineering Staff has been imposed as a solution.

Hoffman does not have an objection to a 10 foot setback from the wetland as currently delineated and respectfully requests that the Planning Commission grants the CSM approval consistent with a 10 foot wetland setback.



Written by James Hoffman
September 26, 2019

James H. Hoffman Builders, Inc. 4850 North Lake Drive Whitefish Bay, WI 53217 414-559-7150

James Hoffman developed the The Pines Subdivision. Hoffman Homes are found in many Mequon Subdivisions: Range Line Valley * Gebhardt Farms * Weyenberg Estates * Park Place * Wyngate Trace * Vintage Estates * Eastwyn Bay * Columbia Reserve * Range Line Estates * River Trail * Riverlake Highland Ridge * Hawks Landing * Hawks Bluff * The Pines * Beechwood Farms * Stonefields * Hickory Hollow * Westchester Lakes * Gazebo Hills * Pine Reserve * Hidden Lake * Hidden Reserve

Attachment: Packet (4485 : Jim Hoffman for Pine Reserve LLC)



August 15, 2019

WIC-SE-2019-46-02272

Pine Reserve LLC
James Hoffman
4850 N Lake DR
Whitefish Bay, WI 53217

RE: Wetland Delineation Report for "Hoffman2" located in the SE1/4 of the SW1/4 of Section 22, Township 09 North, Range 21 East, City of Mequon, Ozaukee County

Dear Mr. Hoffman:

We have received and reviewed the wetland delineation report prepared for the above-mentioned site by Nicolas Nadelhoffer at North Shore Engineering. This letter will serve as confirmation that the wetland boundaries as shown on the enclosed wetland delineation map are acceptable. This finding is based upon a 08/13/2019 field visit. Any filling or grading within these areas will require DNR approvals. Our wetland confirmation is valid for five years unless altered site conditions warrant a new wetland delineation be conducted. Be sure to send a copy of the report, as well as any approved revisions, to the U.S. Army Corps of Engineers.

In order to comply with Chapter 23.321, State Statutes, please supply the department with a polygon shapefile of the wetland boundaries delineated within the project area. Please do not include data such as parcel boundaries, project limits, wetland graphic representation symbols, etc. If internal upland polygons are found within a wetland polygon, then please label as UPLAND. The shapefile should utilize a State Plane Projection, and be overlain onto recent aerial photography. If a different projection system is used, please indicate what system the data are projected to. In the correspondence sent with the shapefile, please supply a brief description of each wetland's plant community (eg: wet meadow, floodplain forest, etc.). Please send these data to Calvin Lawrence (608-266-0756, or calvin.lawrence@wisconsin.gov).

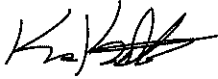
If you are planning development on the property, you are required to avoid take of endangered and threatened species, or obtain an incidental take authorization or permit, to comply with the state's Endangered Species Law. To insure compliance with the law, you should submit an endangered resources review form (Form 1700-047), available at <http://dnr.wi.gov/topic/ERReview/Review.html>. The Endangered Resources Program will provide a review response letter identifying any endangered and threatened species and any conditions that must be followed to address potential incidental take.

In addition to contacting WDNR, be sure to contact your local zoning office and U.S. Army Corps of Engineers to determine if any local or federal permits may be required for your project.

If you have any questions, please contact me at (414) 308-6780 or email.

Attachment: Packet (4485 : Jim Hoffman for Pine Reserve LLC)

Sincerely,



Kara Kikkert
Wetland Identification Specialist

cc: April Marcangeli, Project Manager, U.S. Army Corps of Engineers
Nicolas Nadelhoffer, North Shore Engineering
Allen Ramminger, DNR Water Management Specialist



LEGAL DESCRIPTION :

Part of "Pine Reserve Condominium", being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Township 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southeast corner of the Southwest 1/4 of said Section 22; thence N1°06'54"W along the East line of said 1/4 Section, 614.85 feet to a point in the North right of way line of W. River Birch Drive and the point of beginning of lands to be described; thence S88°47'48"W along said right of way line, 98.39 feet to a point of curvature; thence Southwesterly along said right-of-way line, being the arc of a curve to the left (having a radius of 330.00 feet, whose chord bears S79°12'30.5"W, 109.93 feet) 110.45 feet to the Southeast corner of "First Addendum to Pine Reserve Condominium"; thence N16°24'52"W along the East line of said First Addendum, 139.37 feet to a meander point of the Northeast corner of said First Addendum, said point lying 17' south of a creek; thence N66°30'21"E along a meander line of the North line of "Pine Reserve Condominium", 151.49 feet to a meander point, lying 20' south of a said creek; thence N73°12'12"E along a meander line of said Pine Reserve Condominium, 107.45 feet to a meander point in the East line of the Southwest 1/4 of said Section 22, said point lying 25' south of said creek; thence S1°06'54"E along the East line of said 1/4 Section, 202.52 feet to the point of beginning.

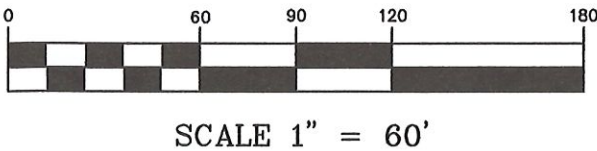
ALSO:

Part of "Pine Reserve Condominium", being a part of the Southeast 1/4 of the Southwest 1/4 of Section 22, Township 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

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Property Coverage Statistics:

Total Property Area = 3.605 acres
Wetland Area A = 0.142 acres / 6,184 sq. ft.
Wetland Area B = 0.425 acres / 18,526 sq. ft.
Total Wetlands = 0.567 acres / 24,710 sq. ft.



MARK	DATE	REVISION	BY	APVD
NSE NORTH SHORE ENGINEERING, INC. Consulting Engineers & Land Surveyors 11433 N. Port Washington Rd., Mequon, Wisconsin, 53092 (262) 241-9400 • FAX: (262) 241-6337 www.northshoreengineering.net				

"WETLAND EXHIBIT"			
for Pine Reserve, LLC			
6900 Block of W. River Birch Drive Mequon, WI.			
DATE:	June 27, 2019	DRAWN BY:	J.G.S.
FIELD CREW:	E.A.J. & S.F.Z.	Plat No.	LS.



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

www.ci.mequon.wi.us

Department of Community Development

TO: Planning Commission
FROM: PA PHOUALA VANG, PLANNER
DATE: October 7, 2019
SUBJECT: Bear Arms. The applicant is seeking sign waiver approval to allow for a 34" x 46" directional sign for the property located at 9653 N. Granville Road.

Applicant: Cheryle and Mark Rebholz
Status of Applicant: Agent
Requested Action: Sign Waiver
Existing Zoning: B-5 (Light Industrial)
OA (Agricultural Overlay)
Land Use Plan: Industrial
Lot Size: 2.355 acres
Location: 9653 N. Granville Road
Tax Key: #14-031-16-010.00
District: #4

Background: The applicant is requesting a sign waiver for the property at 9653 N Granville Road. Bear Arms is proposing a directional sign that exceeds the allowable size permitted by code.

Sign Waiver:

The applicant is requesting approval for a 10.8 square foot (34" x 46") directional sign. The sign code allows up to four city authorized and constructed directional signs for any single business or organization, provided such signs do not exceed three square feet in area or four feet in height. The sign code defines a directional sign as a sign for the purpose of directing patrons or attendants to a commercial establishment off the main traveled highway, or to service clubs, churches, schools or other non-profit organizations. In addition, directional signs solely indicating ingress and egress placed at driveway locations and containing no advertising material are permitted.

The proposed sign exceeds three square feet and requires a waiver from the Planning Commission. The Planning Commission may grant waivers to the sign code, such waivers shall be granted based on site specific hardships such as topographic aberrations and visual encumbrances. The applicant has indicated that the speed limit of Granville Road combined with the building setback causes a visibility hardship and a larger sign is necessary to provide better legibility to traffic. The applicant states that the proposed sign is the only indicator directing patrons to the proper entrance. According to the applicant, since the main entrance to the business is on the side of the building, the directional sign would improve customer's ability to find the business.

Staff does not believe that the request for the increase in size meets the criteria for the waiver. There is only one drive entrance into the site. Once patrons enter the site, the canopy sign directs

them to the correct entrance. The applicant has previously been granted a waiver for the canopy sign which exceeds the size permitted by code. At the time of that approval, the applicant stated that the increase in size was needed to help patrons find the entrance.

Staff believes that the issue of visibility is due to improper placement and use of the permitted monument sign and wall sign. The following signs are permitted per code and if used properly, should provide sufficient direction to the business. It should be noted that per the definition, directional signs are meant to indicate ingress and egress and shall contain no advertising material.

1. The property is permitted four directional signs at 3 square feet and 4 feet in height.
2. The building is permitted one wall sign. The property currently has a non-conforming wall sign that has not been removed. The tenant has not submitted a sign permit application for a conforming wall sign.
3. The Planning Commission granted a waiver for a canopy sign that exceeds the allowable size over the entrance into the building.
4. There is an existing monument sign. Tenant names are permitted on monument signs. The applicant indicated that they reached out to the adjacent business to share the monument sign but have not received a response. An agreement could be made for tenant listing on this sign.

Based upon a recent site inspection, staff noticed two non-conforming signs on site; 1) a wall sign and 2) a yard sign. These signs shall be removed by October 31, 2019.

Staff Recommendation:

Planning staff recommends **denial** of the sign waiver based on following:

1. Lack of site specific hardship or unique physical condition of the site.

Attachments:

Packet (PDF)

Bear Arms, LLC

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

3.b.a

R - 3

GRANVILLE ROAD 107W

B - 6 / O A

B - 5 / O A

Attachment: Packet (4491 : Bear Arms)

Sign waiver request:

I am requesting a sign waiver for the following reasons

- 1. Business is in a unique remote light industrial area on Granville road that I share with another business.**
- 2. The speed in this area is 45 MPH and signage needs to be a little larger than the current code and close to the road so viewing would be easier for the passing traffic to read.**
- 3. I have tried to contact the adjacent business to share their memorial signage but I have not received a response and actually the current placement of their sign would not help in my need to direct people to the proper entrance. (show photo how far back the other sign is and away from my business entrance)**
- 4. This would be my only sign that would direct my current patrons and future patrons to the proper entry to my business and I continually have my customer telling me that they had to drive by a number of times to find where I am actually located.**
- 5. As you can see by the pictures the business is placed far back from the road and the entrance is on the side of the building so there is no noticeable entrance and a directional sign would greatly improve customer's ability to find my business. (pics of distance of business from road)**

Finally due to the uniqueness of the location, position of the building entrance, and speed on the road I am requesting a waiver to the current sign code.



2 sided 34" x 46"
1 - Single Sign



34" x 46"

adjustable
leg posts

Attachment: Packet (4491 : Bear Arms)

Sent from my iPhone

To : Pa Phouala Vang

3.b.a

From: Cheryle Rebholz cheryle_rebholz@yahoo.com

Subject: Fwd: bears arms pics

Date: Sep 30, 2019 at 7:42:33 AM

To: Cheryle Rebholz cheryle_rebholz@yahoo.com



Attachment: Packet (4491 : Bear Arms)



Set back for Greeting Sign 10'

* Business door is 92' from the road *

Height of install: Max City Ordinance 4'

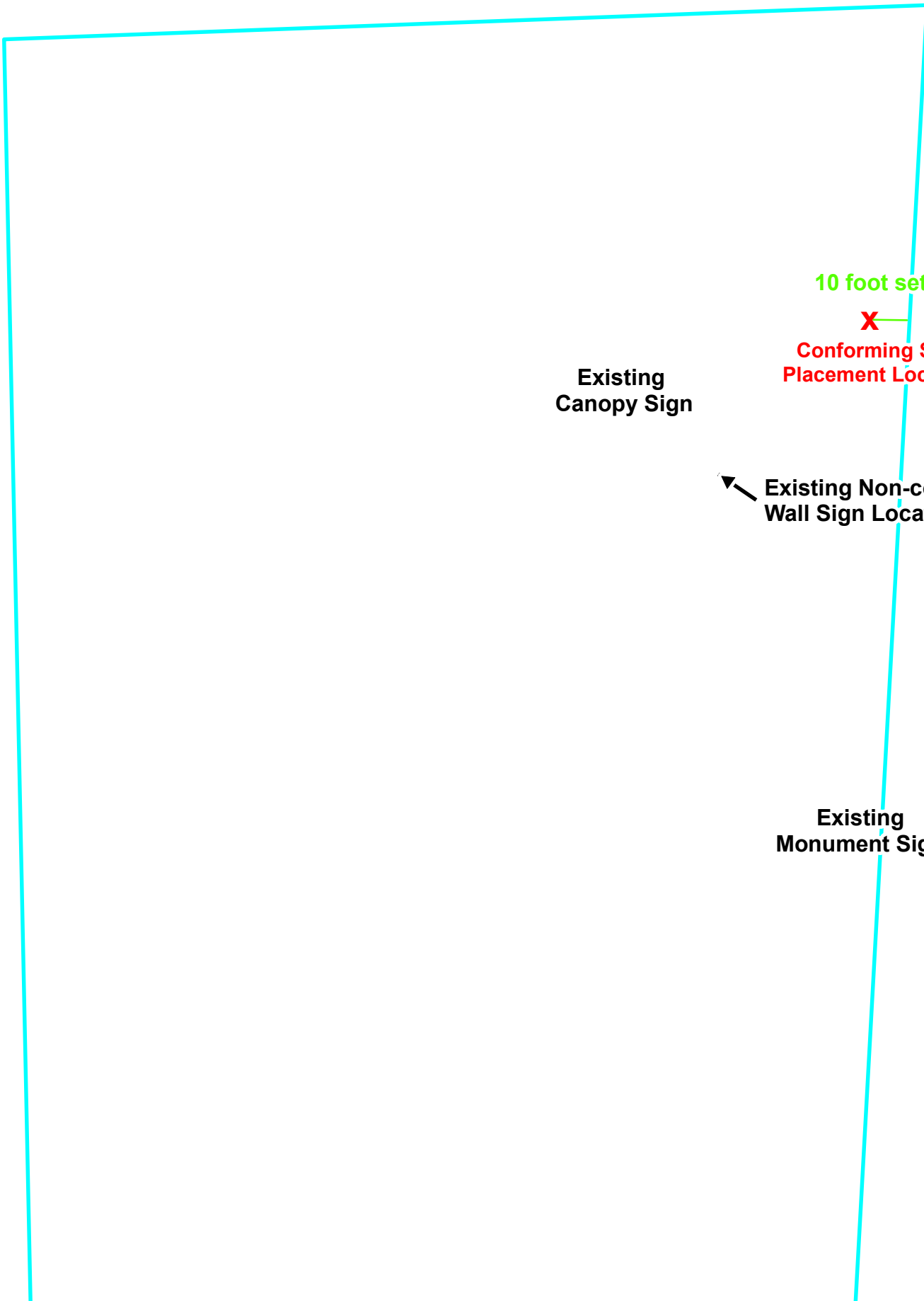


Attachment: Packet (4491 : Bear Arms)



Attachment: Packet (4491 : Bear Arms)





Existing
Canopy Sign

10 foot setback
X
Conforming Sign
Placement Location

Existing Non-conforming
Wall Sign Location

Existing
Monument Sign

Attachment: Packet (4491 : Bear Arms)

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: October 7, 2019
SUBJECT: Allowing Resale Shops in the City of Mequon

Background: The City of Mequon has recently received two separate inquiries to allow for the sale of used goods as a primary use. The first instance is related to the operations of E-Collectique which buys, sells, and trades high end clothing and accessories. The owners recently purchased the building which formerly contained Gigi's located at 1550 W Mequon Road. The parcel is zoned B-2 (Community Commercial) which allows retail trade as a permitted use. The applicant has requested to operate their business without the sale of used goods until this policy issue is addressed.

The second request is from Ivanna's Trunk which sells used furniture and home goods. The business is currently operating without approval at 10448 N. Port Washington Road which is zoned B-4 (Business Park). Retail trade is not permitted in the B-4 zoning district. Enforcement action has been stayed until this policy discussion has taken place.

Code Language:

The Zoning Code definition of retail trade states:

"Retail trade means the establishment engaged in selling new goods or merchandise to the public for personal, business or household consumption and rendering services incidental to the sale of such goods. Retail trade establishments may engage in selling used goods or merchandise as an accessory use only. An establishment where money is loaned on security of personal property as collateral for the loan and where such items may be sold to the general public is prohibited."

The sale of new items as required by the definition applies to all retail businesses in the City with a few exceptions. The code does allow for the sale of antiques and collectibles as a permitted use in the Town Center and Arrival Corridor zoning districts. The LTD overlay district allows antiques as a conditional use.

Analysis:

Instead of faces two separate text amendment proposals to address distinct business operations, staff believes it would be beneficial to have a higher level policy discussion at the Planning Commission regarding the sale of used goods city wide. Based on the feedback, staff would return to the Planning Commission with an ordinance change, if desired. Both potential applicants have been invited to the meeting to discuss their business model and answer any questions.

Is there a public benefit to allow for the sale of used merchandise in the City of Mequon?

Historically, the sale of used clothing and merchandise (non-antique) through thrift stores or resale shops has had a negative connotation associated with it. These are typically found in less desirable retail or industrial areas with lower market rents. Over the last several years, there has

been a change in this trend for a couple different sectors of the resale industry. The resale clothing industry has seen the most significant change with growth at a pace 21 times faster than the retail apparel market. This trend is expected to increase even higher over the next several years (see attached report). In addition, online luxury consignment shops such as TheRealReal are opening stores across the country and traditional brick and mortar retailers are starting to enter the resale market. The RealReal Luxury Consignment Office has a Michigan Avenue brick and mortar store in Chicago. While the antique and consignment sectors has seen values decline over the last several years, the architectural salvage industry has seen significant increase in demand for its products.

Based on trends in the market place, staff believes the City should be proactive in creating the regulatory framework to adapt to these changes. It is anticipated that the demographics of Mequon will make the City an attractive location for this type of product.

What options does the city have to regulate these uses?

The first option is keep the current regulations in place. This would continue the prohibition of used goods as the primary business function. This could have a negative impact to the local retail market if trends continue on the expected path of growth in the resale market. The City could miss out on attracting in demand retail outlets to the city with the prohibition in place.

If there is an interest in allowing these types of uses in the City of Mequon there are a number of alternatives that can be explored. Staff could create a difference between the sale of used clothing versus used merchandise in terms of what zoning classification is most appropriate. For the sale of used clothing, the B-1, B-2, NC, and LTD are viable options. Since the LTD is an overlay and only two parcels in the City that currently have that zoning designation, almost every new application would require a rezoning. This process would provide the City with the most control and the ability to include specific conditions.

The sale of used furniture and household items would be better suited in the B-5, B-6 or B-4 zoning district. These types of facilities typically require a larger warehouse style footprint. An overlay district could also be created to allow these types of uses through a rezoning which would give the city the most control.

Regardless of the zoning category, staff believes that the definitions section of the code should be updated and that the specific use categories have detailed requirements. The following is a list of some possible recommended changes:

Add definition of Antique Store

The code currently does have a definition of an antique store. Most other communities include a date range between 20 and 100 years old to qualify as an antique. Other definitions include that the products need to be recognized by a formal organization as being an antique. Some allow for a certain percentage of the floor space to include non-antique items.

Add definition for Resale Store Clothing

Include the following requirements in the definition or specific use requirement: 1) Goods must be purchased or on consignment, no donations allowed 2) Store shall be limited to one type of merchandise 3) Limit the size of the space 4) No outside storage or display 5) Minimum value of trade in or consignment and 6) Specific exterior and interior architectural standards controlled by the Planning Commission.

Add definition for Resale Store Merchandise

Include the following requirements in the definition or specific use requirement: 1) Goods must be purchased or on consignment, no donations allowed 2) Store shall be limited to one type of merchandise 3) Limit the size of the space 4) No outside storage or display 5) Minimum value of trade in or consignment 6) Specific exterior and interior architectural standards controlled by the Planning Commission, and 7) Prohibit Pawn Shops.

Add definition for Architectural Salvage

Include the following requirements in the definition or specific use requirement: 1) Goods must be purchased or on consignment, no donations allowed 2) Limit the size of the space 3) No outside storage or display 4) Minimum value of trade in or consignment and 6) Specific exterior and interior architectural standards controlled by the Planning Commission.

In addition to zoning, the city also has license requirement for secondhand stores which states:

No person, or firm or corporation shall operate or conduct a secondhand store or auction in the City of Mequon without first having obtained a license therefor or without complying with the provisions of this chapter.

Applications for such licenses shall be made to the city clerk in writing and shall state the location intended to be occupied. Upon receipt of any such application the city clerk shall notify the chief of police who shall report to the clerk the result of such investigation. No license shall be issued to any but a person of good moral character.

Every person operating a secondhand store shall keep a record in the English language, in ink, of all articles purchased, which record together with the articles themselves shall be open to inspection by any member of the police department at all reasonable hours.

This language could be amended to add conditions that would not be appropriate in the zoning code such as the number of licenses granted and the proximity to other licensed facilities.

Other Communities

Staff reached out to other local communities to see how their code regulates the sale of used merchandise. In addition, services provided to staff by the American Planning Association has resulted in a list of definitions and requirements from communities around the country (see attached). Local examples include the following regulations for resale:

- Grafton requires a conditional use or resale is a permitted depending on zoning district.
- Port Washington allows resale as a permitted use as retail (does not differentiate new from used).
- Cedarburg permits antiques and collectibles in certain zoning districts.

Staff Summary

Staff feels that with adequate protections in place, allowing these types of resale shops would have a position impact to the commercial market in Mequon. Based on the direction from the Planning Commission, staff can prepare Ordinance language to address these types of uses at a forthcoming meeting.

Attachments:
Packet (PDF)

E-COLLECTIQUE LUXURY RESALE



E-Collectique, LLC was founded 2005 when Mikelle Flanner began an e-commerce business out of her Grafton home. Within 12 months the first brick and mortar store opened in Ozaukee County. 14 years later E-Collectique now owns / occupies two Thiensville commercial buildings, consists of five divisions, employs 13 individuals, and is in the process of expanding operations.

Despite operating on Main Street in Thiensville for the last 7 years there is still a lot of misconception, in the local community, when it comes to defining exactly who E-Collectique is and what it does. A lot of this can be contributed to the fact that E-Collectique is a unique operation and that customers often interact with only one or two of our five divisions. To simplify who we are: E-Collectique is a “Buy–Sell–Trade” that purchases wearable goods (clothing, jewelry, accessories) directly from the public. It is NOT consignment, thrift, pawn or donation and does not give loans or “quick cash”. E-Collectique owns all the items it sells. Our buying division includes individuals holding educational degrees in Fashion Merchandising / Retail Management and a Doctorate of Law. Once items are owned by the company, each undergoes a revitalization process, carried out by experts with educational degrees in Fashion and Fine Art; in this division each item is restored to as close to new condition as possible. From this point there are multiple channels for the sale of inventory including two e-commerce storefronts and one retail location in Thiensville. Individuals employed in our retail store carry multiple educational degrees in Management, Fashion Design and Product Merchandising. We reiterate that E-Collectique is not a traditional retail store but a sophisticated luxury goods business. Unlike most resale companies, all items sold by E-Collectique are owned by the company, they are professionally authenticated, and restored to like-new / next-to-new condition. This non-traditional resale approach creates a final presentation for our products that often leads first time shoppers to mistake our Thiensville store for new merchandise retail.

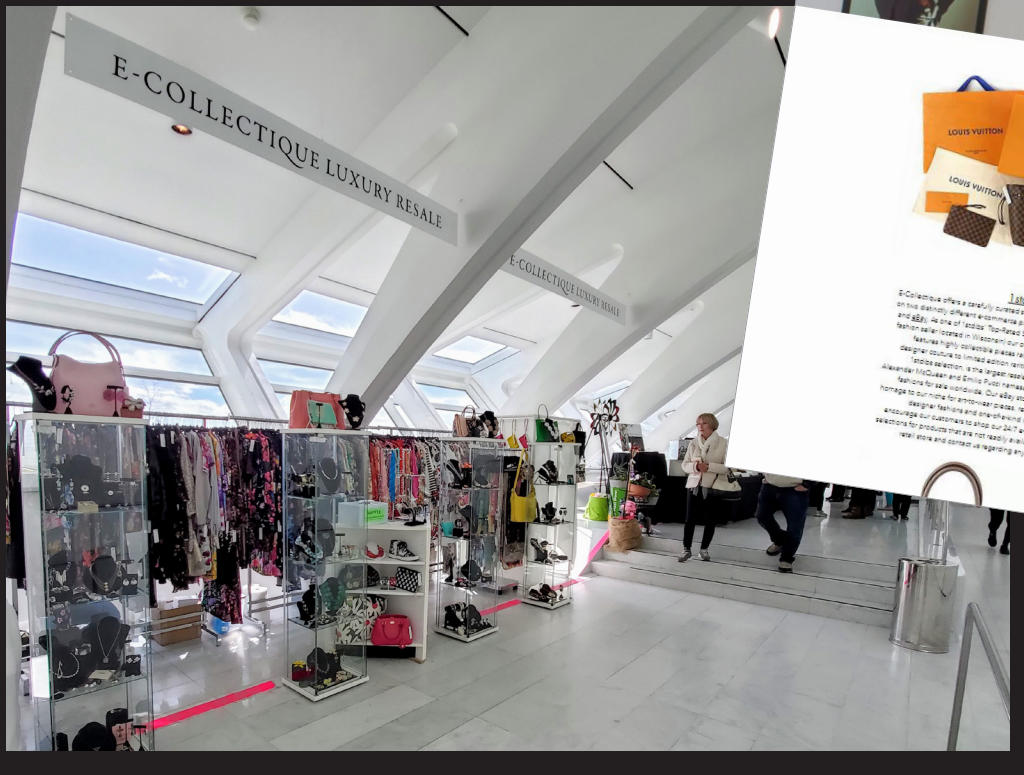
Over the past decade retail has undergone a significant transformation. Advancements in e-commerce and

social media marketing has led to shifts in demographics, attitudes, and consumer preference. Consumers have become more socially and environmentally conscious. With 40% of consumers now considering the resale value of items prior to purchase.¹ Over the past 3 years, changes like this have helped the resale-retail industry to grow 24X faster than retail apparel.² In E-Collectique's local retail store this type of growth has been reflected in that division's own success.

The ease of joining the circular fashion movement is something customers of E-Collectique love. Being able to sell items outright by partaking in our simple 2 step process removes the concern often associated with traditional consignment stores. Our business model has taken away the arduous and stressful process of having to leave your belongings for 90 days while other people try them on, potentially damage them, and then risk being discounted to sell. By owning the merchandise we sell, there becomes a greater responsibility to track, maintain and present quality product with knowledge, pride and integrity. Add in that more and more individuals are investing in their wardrobe, (by purposefully purchasing items that lend to higher resale values¹). For most people, the thought of leaving a \$3,000 handbag with a stranger or sending it out of state to a large company for resale becomes stressful for many. E-Collectique's buying division is distinctly different in how it operates and over its several years in the local community it has developed a clear, straight forward, and fast process for our customers. We have a clean track record of dealing with thousands of luxury products (and customers) without incident.

The customers who buy and sell with E-Collectique come from diverse backgrounds. They are quality individuals who are stay-at-home moms, socialites, educators, business owners, famous designers, real estate agents, doctors, lawyers and museums. An example of our customer base is the Executive

Below: 2019 Art In Bloom at Milwaukee Art Museum
E-Collectique Pop-Up Shop



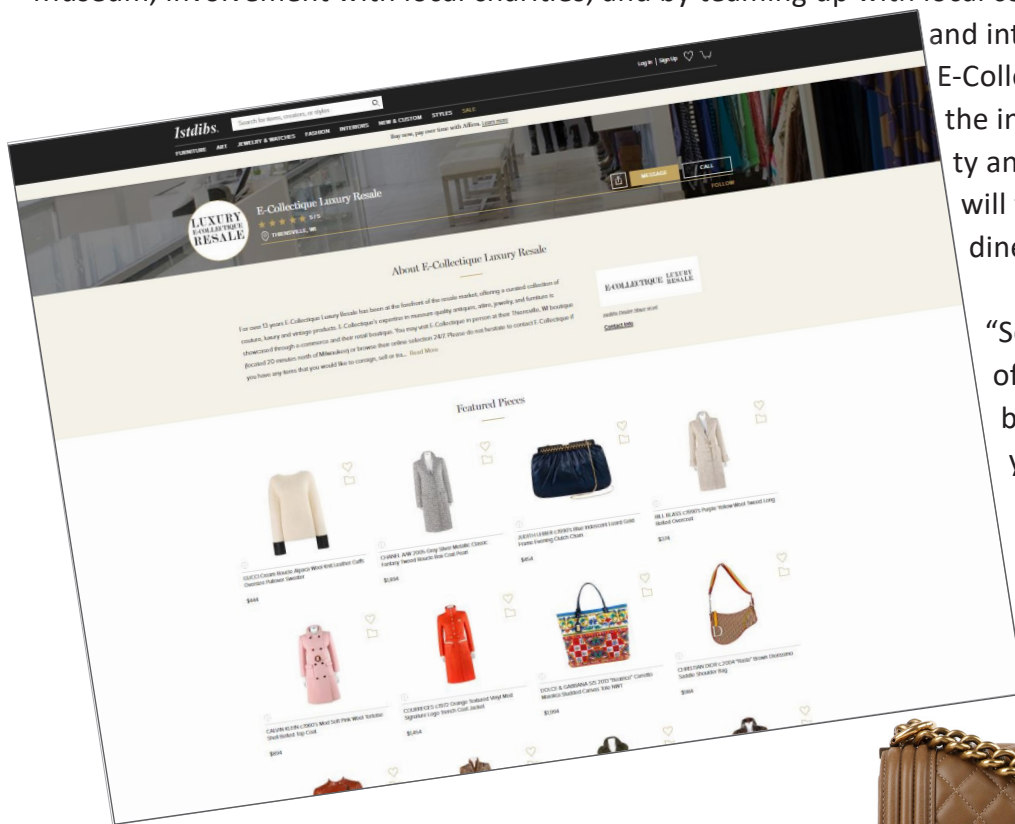
Above: The E-Collectique company website.
www.e-collectique.com

Director of Neurosciences at a local hospital. This customer is a mom, shops at Sendiks, and owns a home in Mequon. She frequents our buying division as a seller multiple times per month and visits our retail store often to keep her wardrobe current. In September of 2019, producer & socialite, Julia Loomis, traveled from New York to Wisconsin, with a friend, for the sole purpose of shopping at E-Collectique. She acquired a Haute Couture Givenchy gown during her visit, stayed at a local hotel and dined at local restaurants. Designer Michael Kors, Senior Vice President of Design James Keating, and many other M. Kors executives are repeat customers with our stores. The list and diversity of our repeat customer base goes on to include individuals and company's such as: SC Johnson heiress Karen Keland, Saudi Arabian Princess Nour Al Saud, Domenico Dolce (50% owner of the luxury fashion house Dolce & Gabbana), Odile Premel a Fashion Archivist at Chanel, and the Alexander McQueen Museum of London.

Positioned in the local community E-Collectique is leading the sustainable fashion movement in a way that is unlike any other business. Offering an easy point of entry for those consumers looking to stop the cycle of textile waste³ and by offering a unique selection of brands (otherwise unavailable in the State of Wisconsin). The existence of E-Collectique means consumers no longer must travel to Chicago to buy a Chanel or Hermes handbag. Instead they can stay in our local community, have lunch at Café 1505 or The Wooden Goose Cafe and support other local businesses. In this way, E-Collectique has created a business that puts money directly back into the communities that surround it. Through participation in events at the Milwaukee Art Museum, involvement with local charities, and by teaming up with local colleges (to provide employment and internship opportunities)

E-Collectique will continue to uphold the integrity of the Mequon community and draw the type of consumer that will truly appreciate the “work, shop, dine” environment promoted here.⁴

“Secondhand” is a diverse section of the retail industry and it has become even more so in recent years. The lack of definitions and explanation within the City’s current zoning ordinance is no longer adequate. There are multiple business operating in the



Above: The E-Collectique Luxury Resale 1stdibs online store.

Right: CHANEL c.2014 “Boy” Tan Quilted Leather Gold Hardware Cross-body Shoulder Bag. Currently available on E-Collectique 1stDibs store.



City that currently offer secondhand goods. Additionally, major donation and thrift business are offering new merchandise in their stores, and off-rack retailers (such as Marshalls) are exploring the options for introducing secondhand items.⁵ We understand that apparel (wearable goods) is only one segment of the second-hand market but it is a large one. As a business that has been permitted to operate within the City, we want to see its integrity and high standards maintained.

E-Collectique is a unique business and as such understands the difficult task that has been put before the City of Mequon's elected officials and it's planning commission. As a company we have gone back to the drawing board after discussions with the City's staff to re-evaluate our own requests and to further examine the existing code. After learning of the October 7th meeting topics, we have decided to attend and provide another viewpoint on this complex topic. We hope the City will look to E-Collectique as a resource and to Mikelle Flanner, a local commercial building owner, as both having the City of Mequon's future in mind.

Data Sources:

¹emarketer.com a top media research provider article "Resale Revs Up and Retailers Take Notice" March 26, 2019 Lucy Koch

²Resale market trends based on ThredUp 2017-2018 Growth Rates Report

³ 72% of consumers prefer to buy from environmentally friendly brands from Crunchbase, Water & Resources Action Programme, U.S. Geological Survey U.S. Census Bureau U.S. Environmental Protection Agency

⁴ The City of Mequon's Vision Statement 2035

⁵ GlobalData consumer survey (2018) Resale market trends based on ThredUp 2018 report "Nearly 9 in 10 Retail Executives want to get into resale by 2020. (96% of senior retail executives surveyed want to advance their company's circular fashion efforts by 2020). 1 in 2 shoppers would buy more from Off-Price Retailers like Marshall's if secondhand apparel was offered.

Current status of E-Collectique's business operation within the City of Mequon:

E-Collectique has been formally permitted to operate the following at 1550-1552 W Mequon Road: Office, E-Commerce, Product Preparation.

After discussions with the City's Planning Department, E-Collectique submitted additional information regarding the intended use and business operations. Following a conversation, with Kim Tollefson and Jack Zader, a second business occupancy request was submitted on 09/11/2019.

Within this second occupancy permit, E-Collectique did not request any form of retail operation (in the City of Mequon). The company was, and is, prepared to move forward with operations without the presence of retail. In the meantime, the company is taking a closer look at any retail operations that would be proposed to the City in the future.



Our understanding is that the Common Council meeting on 10/07/19 will be addressing the sale of secondhand goods out of necessity. At this time E-Collectique has proposed an expansion of our current services to better fit the Mequon community and current ordinance. E-Collectique is seeking to open operations on Mequon Road as soon as possible. Approval of the Service / Buying Division is needed in order to make this secondary location functional.

As of 10/01/2019 no formal response has been provided as to a final decision on the second occupancy request (per the Planning Department this is to be addressed during the 10/07/2019 Common Council meeting). Future plans for the operation of an E-Collectique Retail Division within Mequon is not yet ready to present.

We look forward to attending this meeting, answering any questions that the commission may have and engaging in a mutually beneficial relationship with the City and greater Mequon community.

LAW OFFICES OF

JOHN L. DeSTEFANIS

11207 NORTH REVERE ROAD

MEQUON, WI 53092

Telephone: (414) 248-4036

jldestefanis@gmail.com

MEMO

To: Mequon Department of Community Development

Re: Text Amendment to Zoning code Section 58-297 – B-4 (e) Conditional uses.

Date of Submission: September 9, 2019

The following is the proposed text for the requested text amendment. We understand that City Staff may wish to edit or make changes to the proposed text, as they may judge best. We are pleased to discuss this, and collaborate to ensure that such amendment which may advance to the Common Council be in keeping with the policy goals of the Zoning Code, as well as the interests of the local business community.

Section 58-297 - B-4 Business Park District

(e) Conditional uses. Conditional uses shall include, but not necessarily be limited to, the following:

* * * * *

(25) Retail sales of reclaimed, refurbished, or otherwise used items of architectural, ornamental, and decorative artifacts and salvage, and including objet d' arte, primitive objects, vintage pieces, art nouveau pieces, restorer's pieces, and generally decorative and collectible pieces associated with a historical time period, or an event or a period in time reflective of a particular fashion or decorative sensibility, such that the items held for resale may be considered artistically, culturally, historically or aesthetically significant, but not including dealers in used articles of apparel, or articles reasonably considered to be rummage, or pawn shops.

Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

Page 2
September 6, 2019

Explanatory rationale.

It is the intent of this subdivision that a dealer or merchant recipient of the conditional use permit authorized herein would serve and supply antique and other collectors, and architectural, decorating, and custom building service businesses as well as direct users and consumers who seek unique architectural artifacts, furniture, art, decorative accessories and antique and otherwise collectible pieces which may be incorporated into building projects, or used as display and/or functional pieces for businesses, homes, and offices.

The objects of the kind, character and nature envisioned in this subdivision as stock in trade for the dealer or merchant are oftentimes large in size or configured of multiple component pieces, and the resultant facility and floor space size may be substantial, thus being an incongruous use for a smaller, typical retail shop, and making the B-4 district an appropriate fit for this type of business.

THREDUP

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2019

RESALE REPORT

Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

Foreword

Resale is on the move, people! From big retailers to small retailers, seed stage investors to large buyout firms, and from the New York Times to Netflix, everyone seems to be talking about the future of resale. Part of me says, "It's about time!" but the other part says, "Everybody slow your roll!" Like all major movements and category disruptions, mainstream adoption happens over time, and this category is just getting started.

The last few years of growth in the resale market have been driven by the early adopters (the same ones who first adopted Airbnb or Lyft or DoorDash), but now the skeptics are starting to come around. At thredUP, we're seeing first-time thrifters coming to platforms like ours in droves. Not surprisingly, the younger generations are leading this charge, with millennials and Gen Z adopting secondhand 2.5x faster than other age groups.

Even traditional retailers are starting to embrace secondhand. The resale customer is no longer somebody else's customer, they are everybody's customer. Mass market or luxury, if people can find a high-quality product for much less, they'll choose used. As the line between new and used apparel blurs for consumers, a powerful transformation in retail will unfold.



The resale customer is no longer somebody else's customer, they are everybody's customer. Mass market or luxury, if people can find a high-quality product for much less, they'll choose used.

I've never been more excited about resale's potential to delight customers and help create a more sustainable future. We hope you enjoy reading our 2019 Resale Report as much as we've enjoyed pulling it together. We believe this year, more than ever, the data speaks for itself.

Onward.



– JAMES REINHART
Co-Founder & CEO

Methodology

thredUP's Annual Resale Report contains research & data from GlobalData, a third-party retail analytics firm. GlobalData's assessment of the secondhand market is determined through consumer surveys, retailer tracking, official public data, data sharing, store observation, and secondary sources. These inputs are used by analysts to model and calculate market sizes, channel sizes, and market shares. Further, for the purpose of this report, GlobalData conducted a January 2019 survey of 2,000 American women over 18, asking specific questions about their behaviors and preferences for secondhand. thredUP's Resale Report also leverages data from the following sources: Green Story Research, Ellen MacArthur Foundation, a survey of Senior Retail Executives, internal thredUP customer and brand performance data, and fashion insights from EDITED. View all sources [here](#).

Definitions:

Secondhand: Consumption of all used apparel. Includes both the Resale sector and the Thrift & Donation sector.

Donation & Thrift: A sector of the broader 'secondhand' market that includes traditional options such as Goodwill, Salvation Army, and yard sales. These secondhand options are primarily, but not exclusively, offline.

Resale: A sector of the broader 'secondhand' market that includes more curated product assortments, often well merchandised and/or higher end. Examples include thredUP and TheRealReal as well as upscale physical players like Buffalo Exchange. These secondhand options are primarily, but not exclusively, online.

Secondhand Products: Consumption of all used apparel, footwear, accessories, books, furniture, entertainment, and beauty.

View all definitions [here](#).

Disclosure:

All third party brand names and logos appearing in this report are trademarks or registered trademarks of their respective holders. Any such appearance does not imply any affiliation with or endorsement of thredUP.



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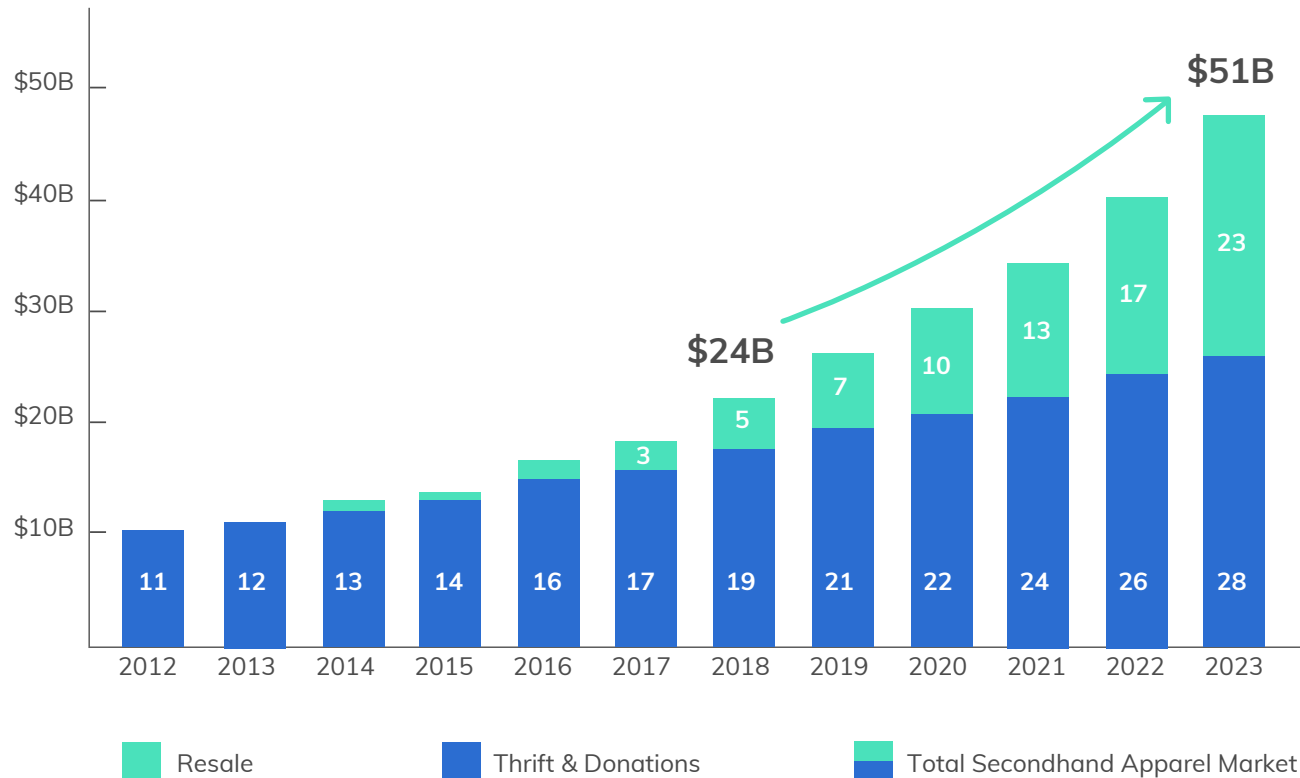
The Rise of Resale: Size and Market Growth

“Compared to the overall apparel market, resale’s growth has been phenomenal. As the market uniquely meets consumers’ preference for variety, value, and sustainability, we expect that high growth to continue.”

– Neil Saunders, GlobalData Managing Director & Lead Market Analyst for thredUP’s Resale Report

Secondhand Market Will Reach \$51B in 5 Years

Total Secondhand Apparel Market to Double in 5 Years With Resale Sector Driving the Growth¹



Resale has grown

21X

faster than the retail apparel market over the past three years.¹



Leading Resale Sector Players

THREDUP

Managed marketplace for all brands—from GAP to Gucci.

The RealReal

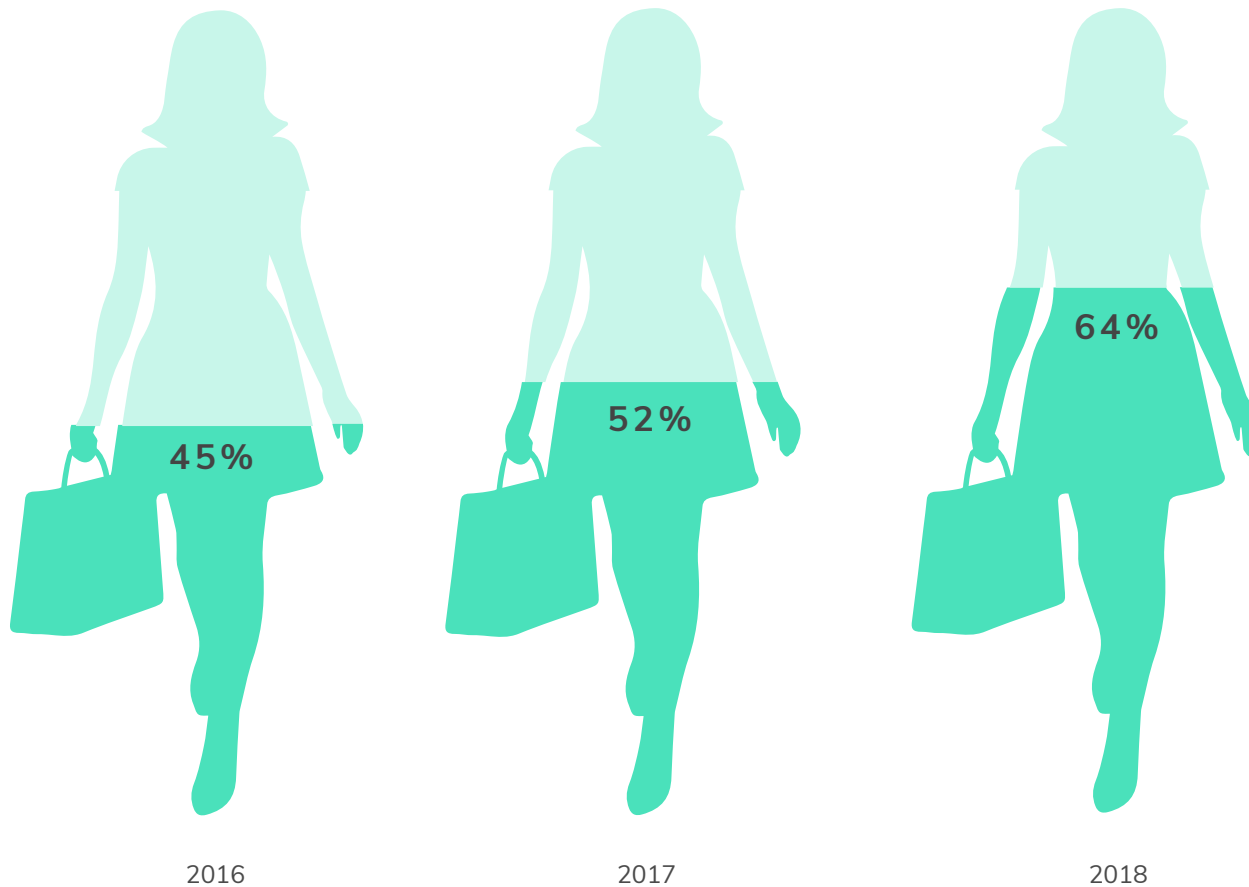
Managed marketplace for luxury and designer brands.

POSHMARK

Peer-to-peer marketplace focused on social commerce.

There Are More Secondhand Shoppers Than Ever Before

64% of Women Bought or Are Now Willing to Buy Secondhand Products



PERCENTAGE OF WOMEN OVER 18 WHO HAVE BOUGHT OR ARE OPEN TO BUYING SECONDHAND PRODUCTS IN THE FUTURE²

Includes apparel, footwear, accessories, books, furniture, entertainment, and beauty.

56M

women bought secondhand products in 2018, up from

44M

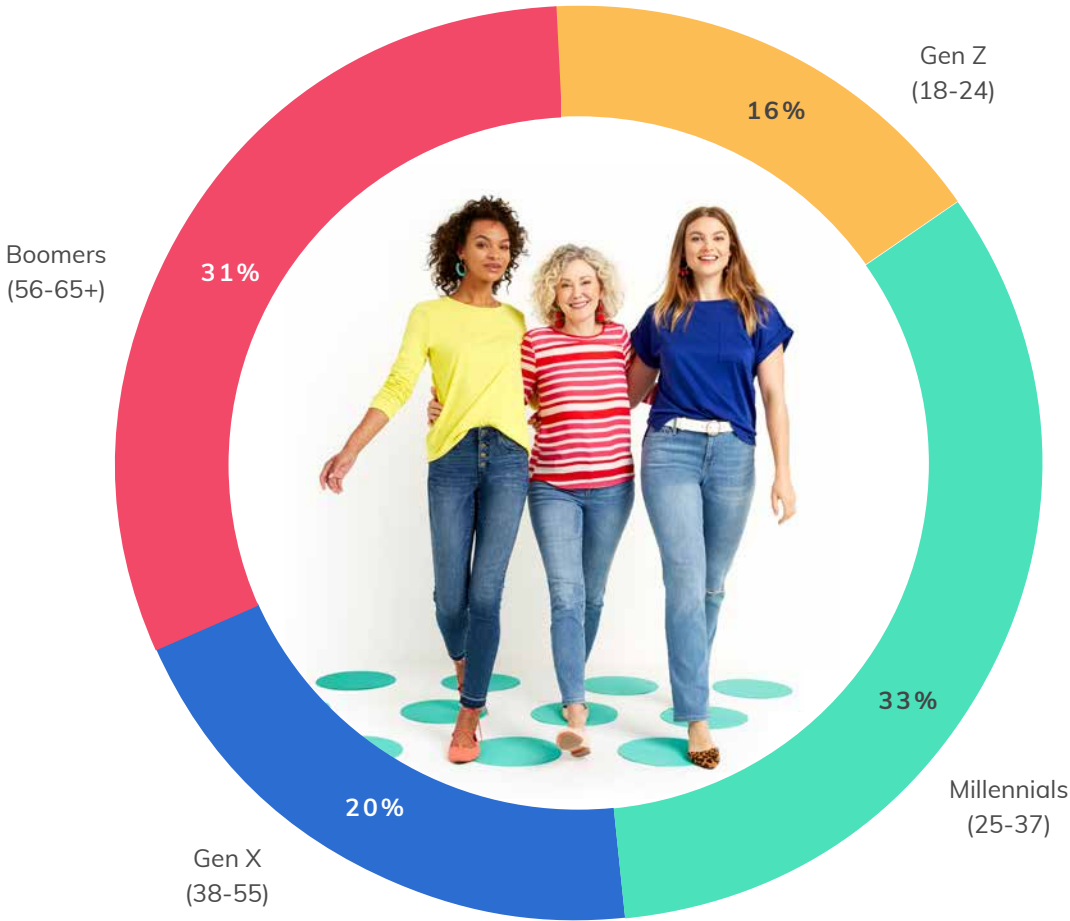
in 2017.²



Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

The Thrill of the Hunt Transcends Age and Income

Secondhand Attracts All Ages, but Millennials & Boomers Thrift the Most



SECONDHAND APPAREL SHOPPERS BY AGE²

Secondhand Shoppers Are in Every Store—From Walmart to Gucci ²



26% of luxury shoppers also buy secondhand.



25% of department store shoppers also buy secondhand.

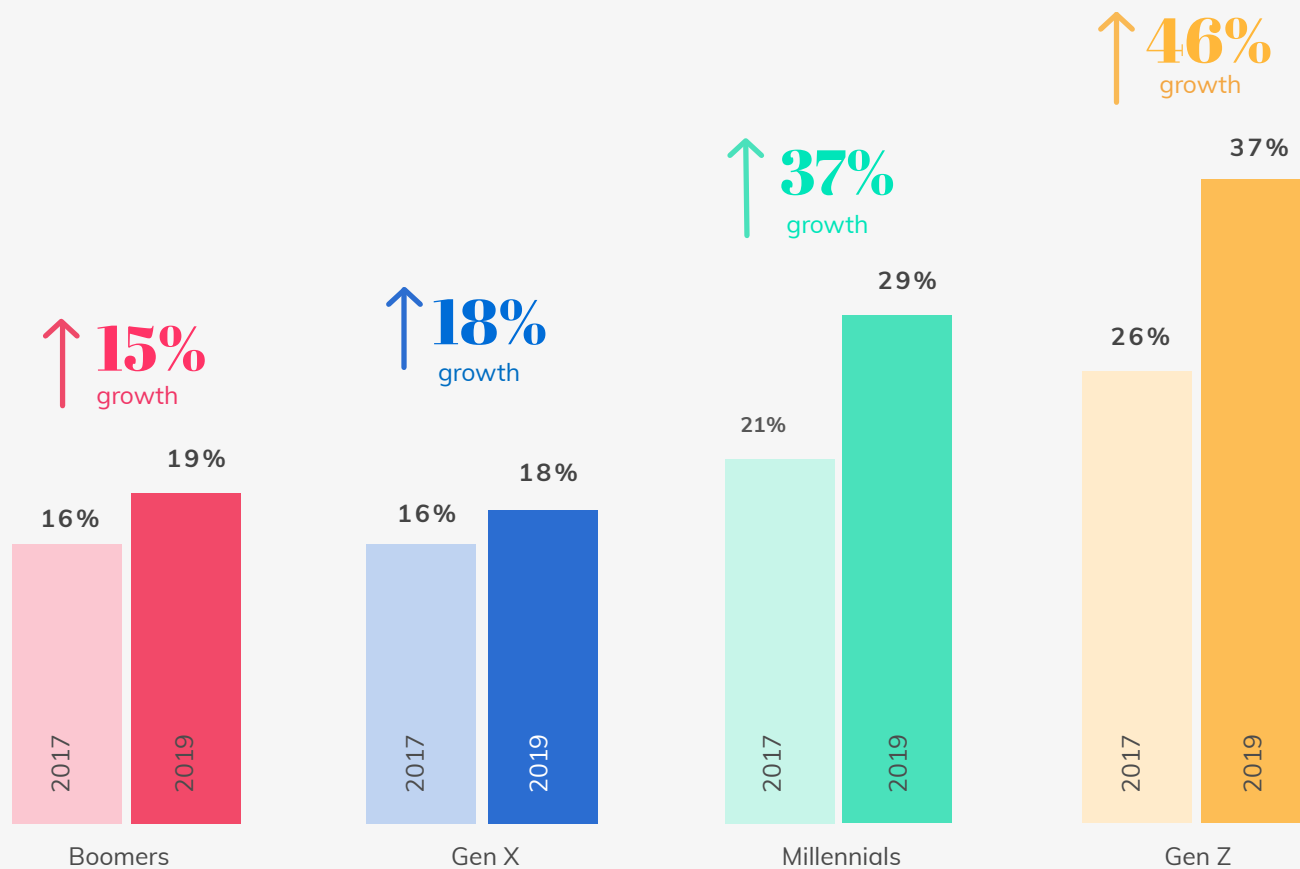


22% of value chain shoppers also buy secondhand.

Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

Millennials and Gen Z Are Driving the Growth of Secondhand

18-37 Year Olds Are Adopting Secondhand Apparel
2.5x Faster Than Other Age Groups



PERCENTAGE OF EACH AGE GROUP THAT BOUGHT SECONDHAND
APPAREL, FOOTWEAR, OR ACCESSORIES²

More than

1 in 3

Gen Z'ers will buy
secondhand in 2019.



Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

The Innovation & Technology That Created a Resale Revolution



1

Unlocking an Endless Supply Chain

Innovations like the thredUP Clean Out Kit make it easy to sell from home, attracting millions to participate in resale for the first time.



2

Creating Value With Data Science

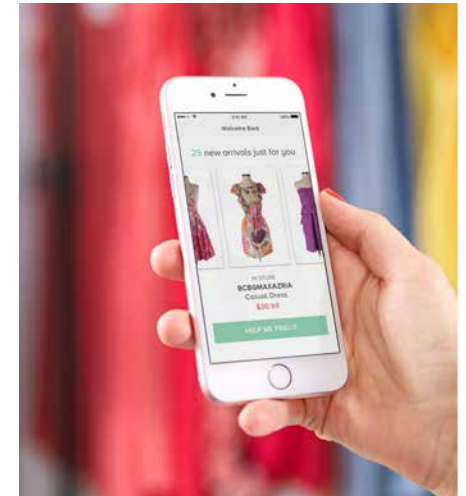
Sophisticated algorithms assign resale value at scale. thredUP uses millions of historical data points to instantly determine what something is worth.



3

Massive Volume & Scale With Automation

Resellers must be efficient when photographing, listing, and storing infinite SKUs. thredUP automates processing of up to 100K one-of-a-kind items a day.



4

Technology to Shop From Anywhere

Mobile apps and personalization have made buying used clothes as easy as buying new. Convenience and trust has attracted a new generation of secondhand shoppers.

Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

02

Consumer Trends Drive Secondhand Growth

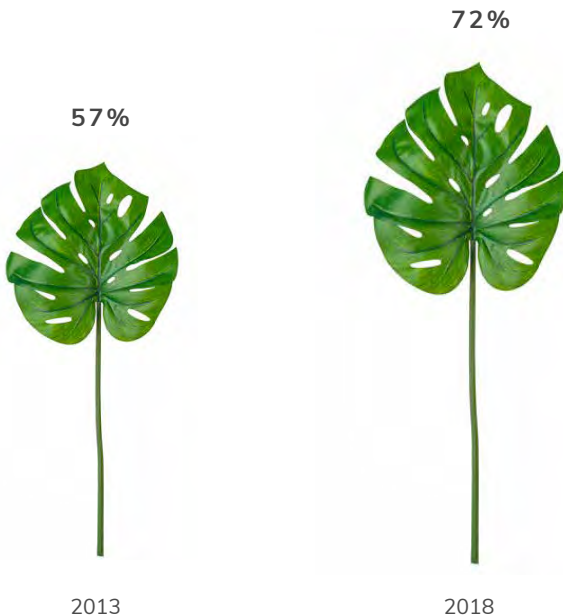
“Rental & pre-owned will increase as consumers regularly update looks for social media & as consumer attitudes toward ownership and sustainability change.”

– Shoptalk x Robin Report on “75 Ways Retail Will Change in the Next Decade”

The Rise of the Conscious Consumer

Sustainability Moves From Perk to Priority

CONSUMERS WHO PREFER TO BUY FROM ENVIRONMENTALLY FRIENDLY BRANDS²



15 point increase in eco-minded consumers.

Consumers Expect Ethical Fashion

59%

of consumers expect retailers to create clothes ethically and sustainably.²



“

“Shopping ethically has often been perceived as a luxury, because of the price points...The good news is that we now live in the golden age of secondhand shopping.”

– Elizabeth Segran, Fast Company

Resale Satisfies Two Biggest Demands of the Instagram Generation

#1

BE SEEN IN NEW STYLES CONSTANTLY

56%

of 18-29 year olds prefer retailers that offer new arrivals every time they visit.²



thredUP lists **30K** new items every single day. That's 150x more than H&M!⁷



#2

BE A SUSTAINABLY CONSCIOUS CONSUMER

74%

of 18-29 year olds prefer to buy from sustainably conscious brands.²



Buying one used item reduces its carbon footprint by **82%**.³



Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

“

“There are numerous reasons for the recent rise of resale, including environmental benefits and the desire for frequent turnover of wardrobes especially among the Instagram generation.”

– The Raymond James Financial Center, “Rise of the Fashion Resale Marketplaces” 2019

Resale and Kondomania Spark End of Long-Term Ownership

Resale Powers Apparel Rotation,
Not Accumulation



The average number of items in consumers' closets is declining.²

*Pounds of trash: calculated based on if 10% of Netflix subscribers (5.8M) threw away 5 trash bags worth of clothing each (30 items per bag).

Resale Solves The Kondo
Waste Problem



If 1 in 10 Netflix subscribers cleaned out their closets it would generate **667M** pounds of trash.*

Resale responsibly turns that trash into treasure—creating a bargain hunter's paradise.

thredUP saw an **80%** spike in Clean Out Kits when Kondo's show first aired on Netflix.

Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

Retailers Adapt As Consumers No Longer Buy With the Intent to Keep

Today's Consumer Shops
With Intent to Resell

40%

of consumers now
consider the resale
value of an item
before buying it.²

That's nearly a

2X

increase from
5 years ago.²



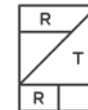
Companies Are Designing New
Products for Secondary Markets



Currently building homes that are
designed to be shared, not owned.

IKEA

Announced plans to offer
furniture rentals.



RENT THE RUNWAY

Brands are now creating clothes to
be rented exclusively on RTR.

THREDUP

Produced a line of clothes
designed to be resold.



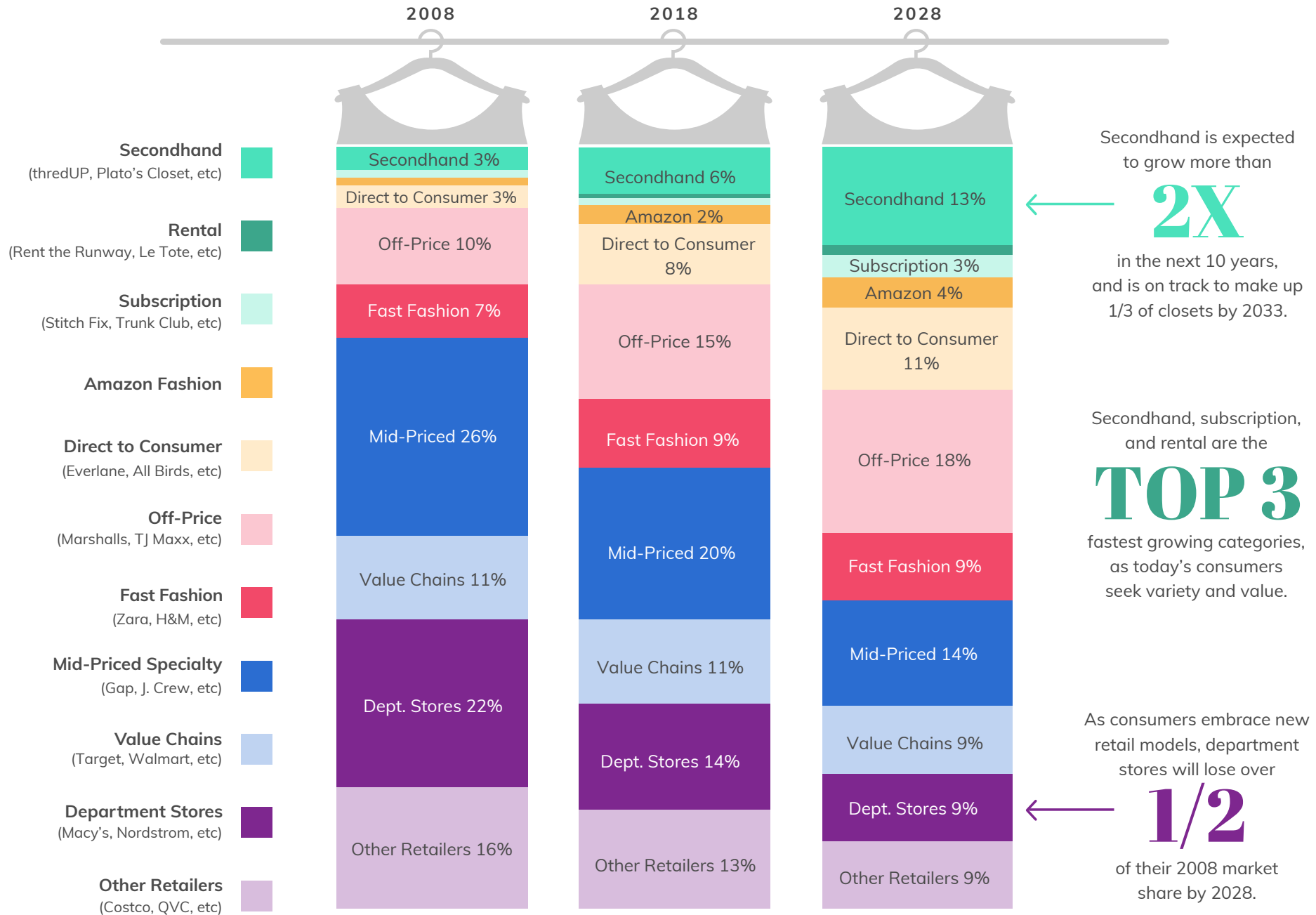
03

The Closet of the Future

“In fashion, the shift to new ownership models is driven by growing customer desire for variety, sustainability, and affordability. In 2019, we predict more consumers will see growing proportion of their wardrobes made up of pre-owned or rented products.”

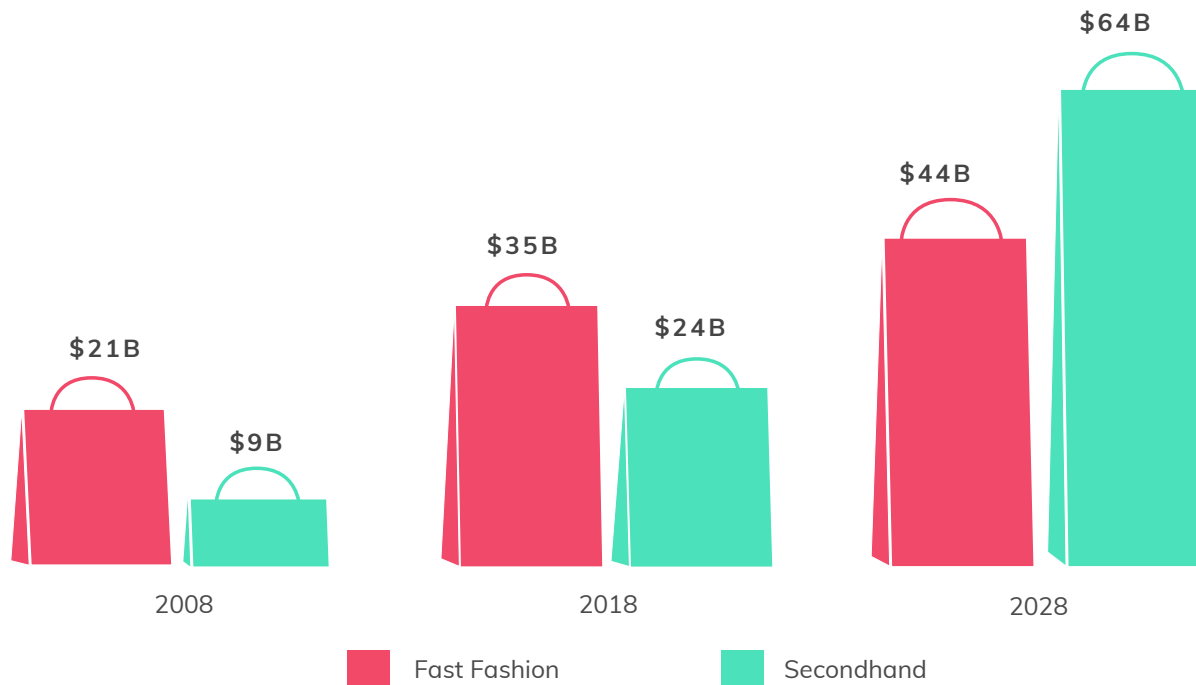
– McKinsey x Business of Fashion, “The State of Fashion 2019”

Meet The Closet of the Future



Secondhand Will Be Larger Than Fast Fashion Within 10 Years

Secondhand Is Projected to Grow to Nearly 1.5x the Size of Fast Fashion by 2028¹



“Resale offers the wardrobe-rotating fun of fast fashion without the guilt or waste. By driving preferences away from disposable fashion towards higher-quality clothes, reuse is a boon for our personal style and the planet.”

– Elizabeth L. Cline, Author of *The Conscious Closet*

thredUP Slows Down Fast Fashion

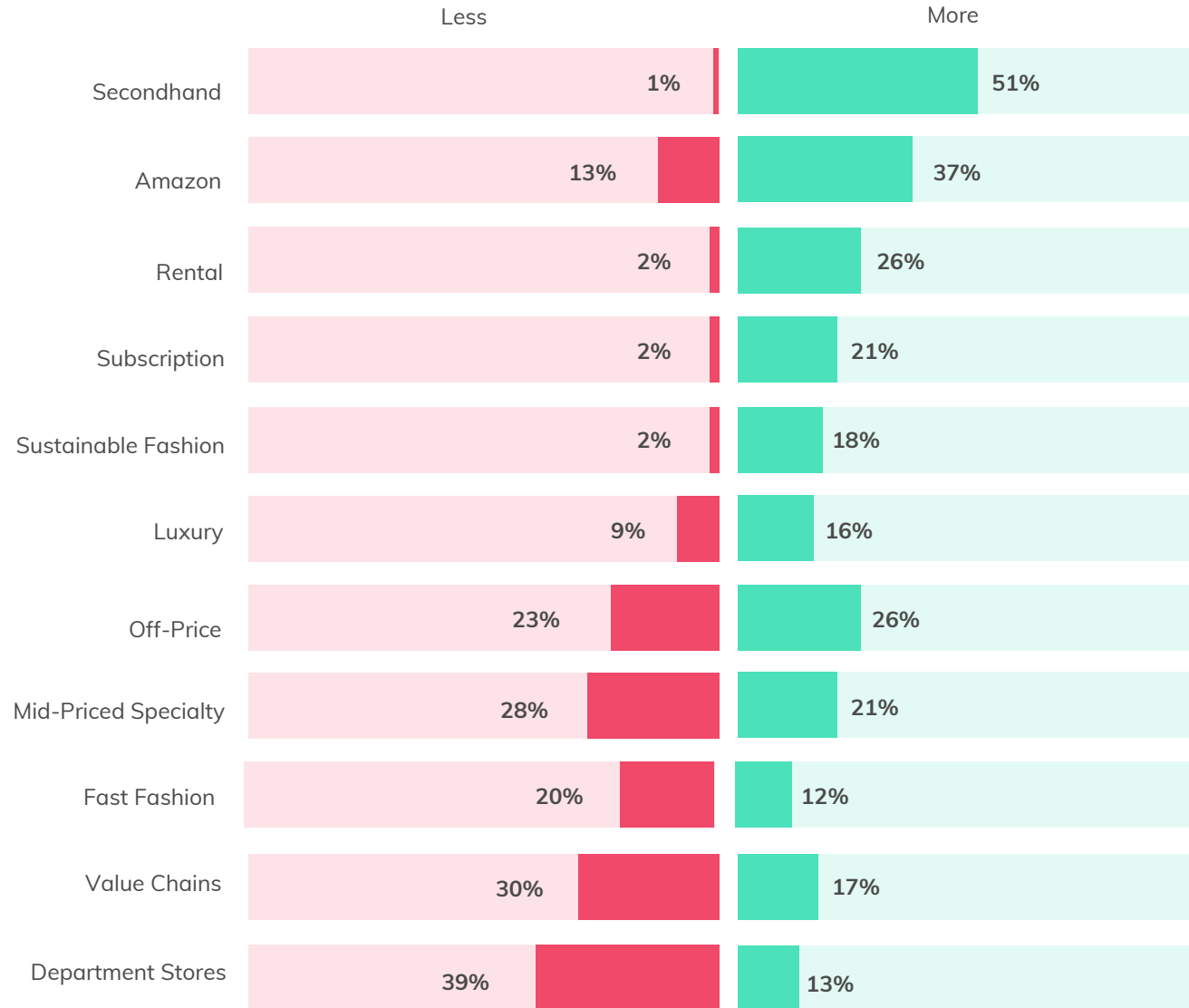


576K

fast fashion items were upcycled last year on thredUP alone.⁷

Where Consumers Plan to Shift Spend

WHERE WILL YOU SPEND MORE OR LESS IN THE NEXT 5 YEARS?²



51%

of consumers plan to spend more on secondhand in the next 5 years.

Freshness Wins

Retailers offering the fun of new arrivals will own future market share.

4X

as many people plan to increase spending in secondhand versus fast fashion.

Responses represent buying intentions of those who shopped each retail category.

04

A New Resale x Retail Model is Emerging

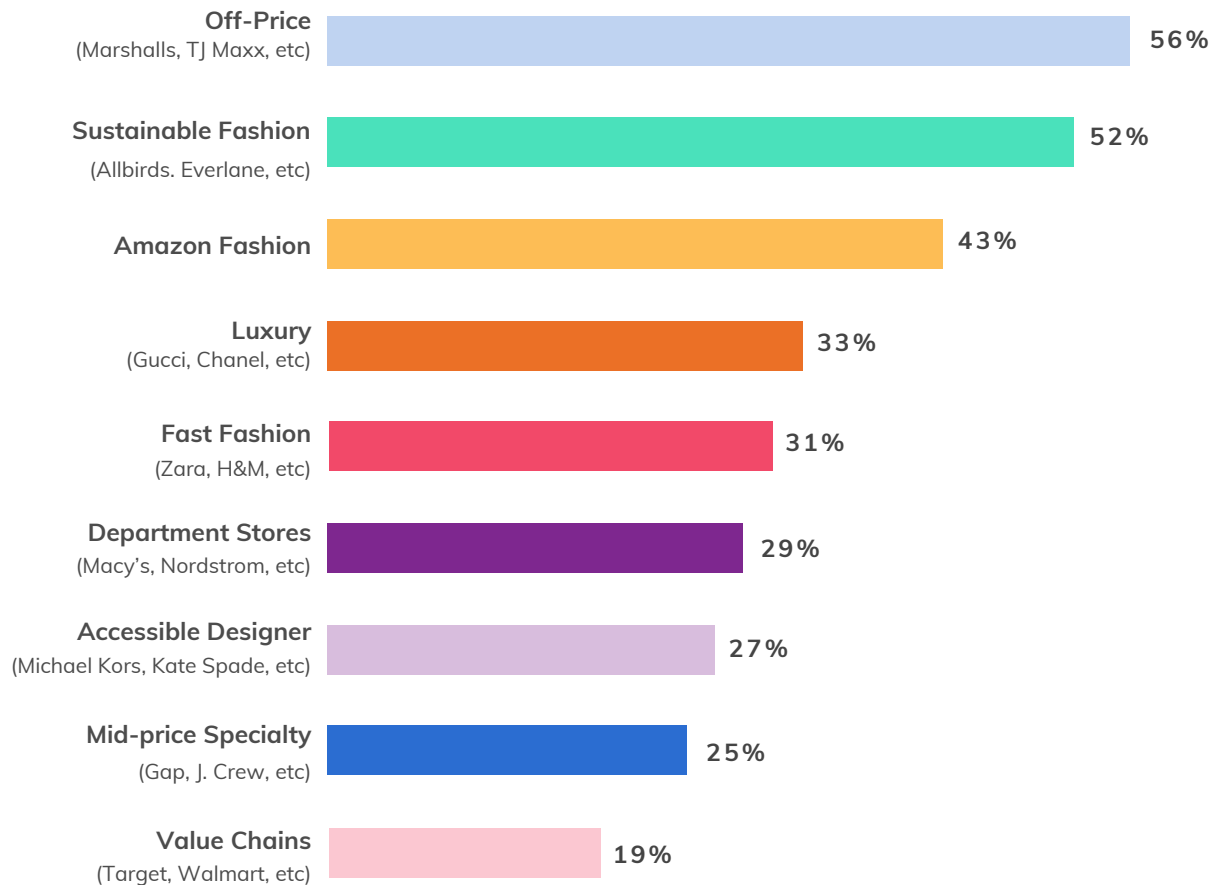
“The retail sector needs to find ways to embrace, acquire, or partner with resale business models because customer adoption is likely to continue. Customers of the future will look for ways to recycle, resell or upcycle, and will be drawn to the incredible value of buying secondhand. We believe that brands will need to partner with resale sites and support the circular economy.”

– Cowen and Company, “Thrift & Retail Resale Is Major: Understanding thredUP”
November 2018



Retailers Spot Opportunity in Resale

1 in 2 Shoppers Would Buy More From Off-Price Retailers Like TJ Maxx If Secondhand Apparel Was Offered



PERCENTAGE OF CONSUMERS WHO SAID, "I WOULD BUY MORE FROM THIS RETAILER IF THEY ALSO OFFERED USED APPAREL."²

Used Products Boost Sales & Traffic



thredUP pop-ups in department stores entice customers to spend

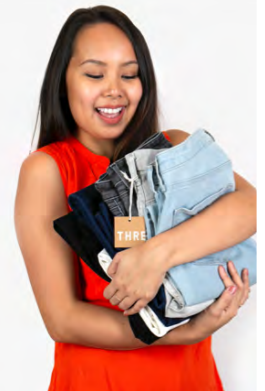
21%

more and visit 70% more frequently.⁷

Apparel Recycling Drives Loyalty

60%

of consumers would increase loyalty to a brand if a recycling program was offered.²

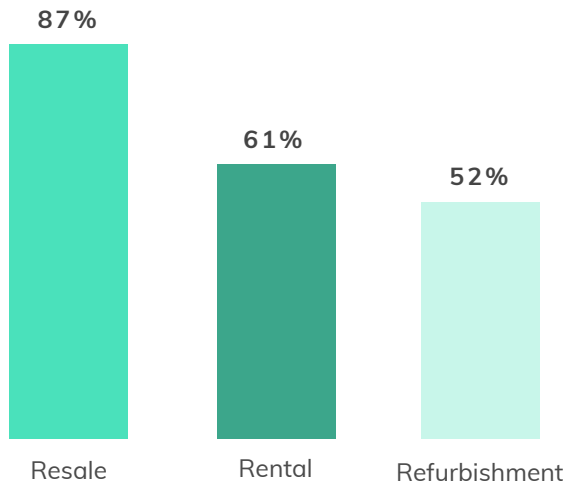


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Nearly 9 in 10 Retail Executives Want to Get Into Resale by 2020



PLATFORMS RETAILERS WANT TO TEST BY 2020⁵



“While established brands have traditionally turned a blind or scorning eye towards secondhand retail, they are now wading into the pre-owned and rental markets. Turning to the year ahead, we expect the number of brands getting into the rental, resale, and refurbishment businesses will increase markedly.”

– McKinsey x Business of Fashion, “The State of Fashion 2019”

Top 5 Motivators for Retail to Test Resale⁵



1. REVENUE BOOST



2. SUSTAINABILITY



3. CUSTOMER LOYALTY



4. NEW CUSTOMERS



5. INCREASE STORE OR SITE TRAFFIC

Meet the Circular Fashion Pioneers



Eileen Fisher x Renew

Customers can bring their old Eileen Fisher clothes back and receive a \$5 Rewards Card for each item.



thredUP x Reformation

Customers clean out with thredUP to earn Reformation credit. The program drives brand loyalty and has helped Reformation meet apparel recycling goals.

The RealReal x Stella McCartney

Stella customers who consign with The RealReal receive an immediate \$100 credit to shop at Stella stores.



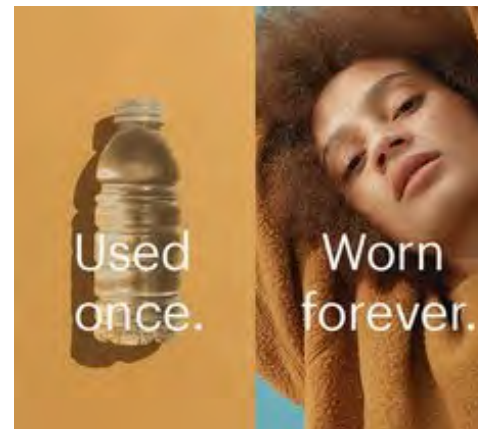
For Days

A new clothing line designed for the circular economy. Buy a T-shirt, refresh it anytime. For Days will recycle everything you send back.



thredUP x Cuyana

Customers can clean out with thredUP and earn Cuyana credit, replacing cluttered wardrobes with fewer, better things.



Everlane ReNew

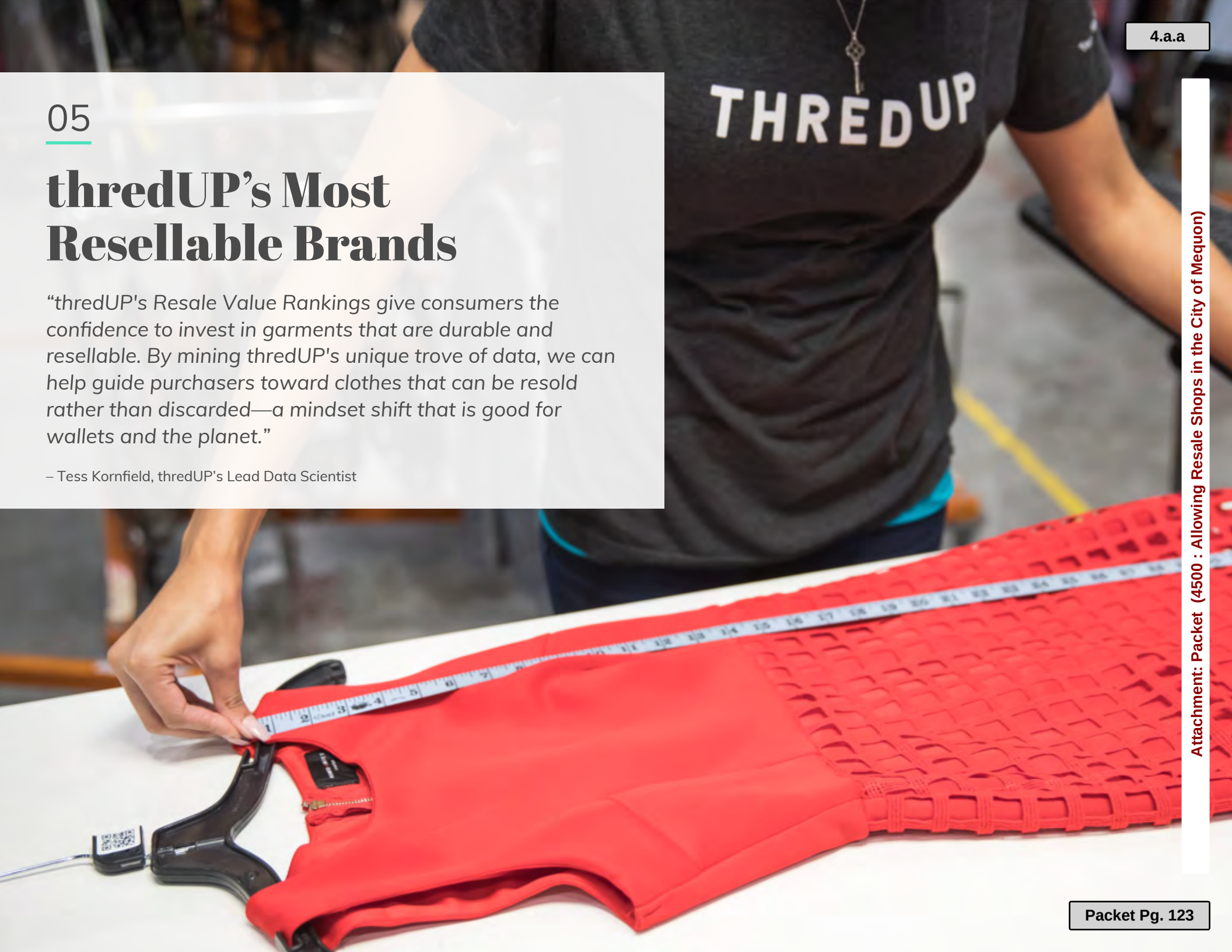
Everlane launched a new collection made from recycled plastic bottles as part of a broader commitment to use no new plastic in clothing by 2021.

05

thredUP's Most Resellable Brands

“thredUP's Resale Value Rankings give consumers the confidence to invest in garments that are durable and resellable. By mining thredUP's unique trove of data, we can help guide purchasers toward clothes that can be resold rather than discarded—a mindset shift that is good for wallets and the planet.”

– Tess Kornfield, thredUP's Lead Data Scientist

THREDUP

Brands With the Best Resale Value Overall ⁶

TOP 10 BRANDS WITH THE BEST RESALE VALUE RANKING*

1. **FRYE**

2. **kate  spade**

3. 
TORY BURCH

4. **BURBERRY**

5. **UGG**

6. **ANTHROPOLOGIE**

7. **patagonia[®]**

8. **HUNTER**

9. lululemon  **athletica**

10. rag & bone



Scarcity Drives Resale Demand

Kate Spade soars to top 10, Henri Bendel is now in the top 50, and Karl Lagerfeld product is seeing a 200%+ sales spike.



Quality Drives Resale Confidence

Frye and Patagonia weave stories around the quality construction of their garments.



Used Athletic Wear Goes Mainstream

Lululemon soared to #9 in the rankings while Nike stayed flat in the 100s.

Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)

Best Brand Buys for Every Price Point

BRANDS WITH THE BEST RESALE VALUE RANKING: BY PRICE

\$\$\$\$\$

1. Burberry
2. Alexander McQueen
3. Versace
4. Tom Ford
5. Louis Vuitton
6. Givenchy
7. Christian Siriano
8. Gucci
9. Hermès
10. Prada

\$\$\$\$

1. Frye
2. Kate Spade
3. Tory Burch
4. rag & bone
5. Veronica Beard
6. Vince
7. Coach
8. Diane von Furstenberg
9. alice + olivia
10. Mara Hoffman

\$\$\$

1. Anthropologie
2. UGG
3. Patagonia
4. Hunter
5. Lululemon
6. The North Face
7. Dr. Martens
8. Free People
9. Madewell
10. Everlane

\$\$

1. TOMS
2. Herschel Supply Co.
3. KEDS
4. Sam Edelman
5. Teva
6. Steve Madden
7. Vera Bradley
8. Eloquii
9. Athleta
10. Skechers

Swapping Heels for Sneakers



Jimmy Choo & Christian Louboutin both dropped ~**700** spots, while Keds jumped over **1,000**.

Namesake Handbags On Trend



Kate Spade and Tory Burch jumped into the top 10, climbing **76** and **59** spots respectively.

Sustainability (Re)sells



Patagonia jumped **233** spots into the top 10.

Meghan Markle Effect



Sustainable brands surge as eco-minded celebs endorse them.

Everlane jumped nearly **4,000** spots, and Veronica Beard jumped **407**.

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Items With the Best Resale Value⁶

CATEGORY-BRAND COMBINATIONS WITH THE BEST RESALE VALUE RANKING*

1. Leather Backpacks




kate spade

2. Leather Crossbody Bags



Madewell

3. Winter Coats



patagonia

4. Leather Boots



FRYE

5. Jumpsuits



**DIANE VON
FURSTENBERG**

6. Sweaters



EVERLANE

*Resale Value Ranking: thredUP evaluated 35,000+ unique brands on its platform and created an aggregate score to determine a brand's ranking based on demand, virality, and value to the seller.

Packet Pg. 126

06

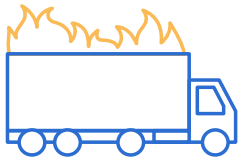
Paving the Way for a Circular Fashion Future

“By helping to increase the use of clothing, resale can play a key role in making fashion circular. Raising the average number of times clothing is worn is the most direct way to design out waste and pollution and capture value.”

— Francois Souchet, The Ellen MacArthur Foundation's Make Fashion Circular Lead

The Textile Waste Crisis Is Accelerating

Fashion Today is
Wasteful & Pollutive



The equivalent of one
garbage truck of
textiles is landfilled
or incinerated
every second.



108M tons of non-
renewable resources
are used each year to
produce clothing.



The textile industry
will account for **25%**
of the global carbon
budget by 2050.

We're Buying Twice As Much Clothing &
Wearing It Half As Long



Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)



Data by the Ellen MacArthur Foundation: Make Fashion Circular

Resale Plays a Key Role in Creating a Circular Fashion Future

LINEAR ECONOMY



RECYCLING ECONOMY



CIRCULAR ECONOMY



About Make Fashion Circular: Started by the Ellen MacArthur Foundation, this initiative brings together leaders from across the fashion industry. The goal is to drive collaboration and innovation necessary to create a fashion industry that can thrive in the future, where clothes are made from safe and renewable materials, new business models increase their use, and used clothes are turned into new ones.

Circular Fashion



- 1. Materials:** Clothes are made from safe and renewable materials.
- 2. Design:** Create clothes in a way that they can be resold, renewed, or made into new clothes.
- 3. Resell:** Extend the life of clothes via resale, rental, and other business models.

Choosing Used Combats Harmful Effects of Textile Waste

If Everyone Bought One Used Item Instead of New This Year, We Would Save:³

SAVINGS

5.7B lbs of CO2 emissions



EQUIVALENT

Half a million cars taken off the road for a year

11B kWh of energy



Light up the Eiffel Tower for 141 years

25B gallons of water



Fill up 1,140 Bellagio fountains

449M lbs of waste



The weight of 1M polar bears

thredUP Has Upcycled 65M Items in the Past 5 Years



NUMBER OF ITEMS THREDUP HAS RECEIVED ANNUALLY FROM CLOSETS ACROSS AMERICA⁷

Sources & Definitions

Primary Sources

1. GlobalData Market Sizing: GlobalData's assessment of the secondhand market is determined through ongoing retailer tracking, official public data, data sharing, store observation, consumers surveys, and secondary sources. These inputs are used by analysts to model and calculate market sizes, channel sizes, and market shares.
2. GlobalData Survey: The consumer data in this report is derived from a consumer survey of 2,000 women. The survey asked them a number of questions about their attitudes towards apparel, secondhand products, and resale products. The sample was designed to be representative of age and income and was also geographically representative. Surveying was undertaken by GlobalData between December 11, 2018 and January 6, 2019.

Secondary Sources

3. Green Story Environmental Study: Independent research firm, Green Story Inc. was contracted to calculate the environmental savings from reuse of secondhand garments sold by thredUP. The study compared the environmental burden of purchasing a brand-new garment with that of reusing an average garment sold by thredUP across all stages of the garment's lifecycle. The savings were calculated across three areas: greenhouse gas emissions, energy use and water consumption. The study followed international ISO 14040 LCA standard.
4. Ellen MacArthur Foundation: Data from 2015 report, "A New Textiles Economy: Redesigning Fashion's Future."
5. Senior Retail Executive Survey: 20 of the top retailers were surveyed in January 2019 about their 2020 Circular Fashion goals.
6. Resale Value Rankings: thredUP evaluated 35,000+ unique brands on its platform and created an aggregate score to determine a brand's ranking based on demand, virality and value to the seller.
7. Internal thredUP Customer Behavior / Data.
8. EDITED retail analytics.

Sources & Definitions

Retail Sector Definitions

Secondhand: Consumption of all used apparel. Includes both the Resale sector and the Thrift & Donation sector.

Department Stores: A type of general retail store, wherein the retailer displays products within distinct departments, often located on separate floors, specializing in defined product areas. Examples include Bloomingdale's, Macy's, Sears, JCPenney, Nordstrom, etc.

Off-Price: A retailer that sells items at lower prices than those typically charged by retail businesses. Off-price stores typically purchase overstocked goods or make special purchases. Examples include TJ Maxx, Marshalls, Ross, Burlington, etc.

Value Chains: Value stores are a retail format that sells inexpensive items, at a single or limited number of price points, like dollar stores. Also includes Walmart.

Mid-Priced Specialty: Specialist clothing retailers operating in the middle of the market in terms of price, i.e. not value but not premium or luxury. Tend to be found in malls or traditional main street locations. Examples include Gap, Ann Taylor

Fast Fashion: Specialist clothing retailers with a fast stock turnaround and whose model relies on selling high volumes at (usually) inexpensive price points. Examples include Zara, H&M, etc.

Direct to Consumer: Online only specialists and generalists selling clothing direct to the public, excludes C2C or auction type sites, also excludes the online part of traditional retail businesses. Examples include Everlane, Outdoor Voices, etc.

Amazon: Amazon's clothing sales in the US, stated at gross merchandise value.

Subscription: Subscription based services for clothing, such as StitchFix and Trunk Club. Excludes non-clothing elements of subscriptions where relevant; and rental.

Other: Sales of clothing from all other sources, including: grocers and supermarkets, drug stores, duty free, warehouse clubs, variety stores, other non-clothing specialists, convenience stores, etc.

12,947 views | Apr 3, 2018, 08:00am

Secondhand Clothes Are A Threat And An Opportunity



Richard Kestenbaum Contributor to
Retail



An event held by The RealReal in 2012. Online businesses like ThredUp, TheRealReal, Poshmark and... [+]

If you're an off-price retailer like Burlington Coat Factory, Ross Stores or TJ Maxx, this is a pretty good time in your corporate history. Physical retail stores are having a tough time generally, but overall trends are moving in your favor. Consumers want more off-price products, you are finding more brands available for you to sell in your stores, and the

future looks like more of the same. Margins are under pressure but that's always true in retail and having a low-cost operating structure enhances the likelihood that you can keep selling goods for less.

If you're an off-price retailer, what should you worry about? Here's one thing that off-price retailers are not preparing for: Secondhand stores. Online businesses like ThredUp, TheRealReal, Poshmark and many others are attracting consumers from many other channels. But the value proposition they offer is more like off-price than any other retail channel. The experience they offer is also more like off-price than any other channel too, it's an online version of the hunt for great stuff. The hunt is what's so fun about going to an off-price retailer for many consumers and that's what's fun about secondhand, too. TJ Maxx sells 359 brands. Amazon sells 10,000 brands. ThredUp sells 35,000 brands. If you're looking for a treasure hunt, secondhand is where you'll find it. The value proposition for secondhand is also bigger; the discount from list price is more than in off-price. That's a tradeoff for buying something secondhand and for many consumers that's highly compelling.

Secondhand stores are selling the same value and experience as off-price retailers. Their sales are coming from the same value proposition that off-price retailers are offering every day. Growth in off-price would be higher if the off-price retailers would get into the secondhand business. It's a sensible expansion or acquisition strategy for them, they understand what the customer wants and how to market to them and it's a logical extension of their business.

Today In: Business

There's a new report out this morning from ThredUp, one of the leaders in secondhand (they call it resale). The way it appears the market is moving, the off-price market isn't going to experience decline in the next ten years, it will continue to grow. The secondhand business is forecasted to grow too and by bigger percentages than off-price. That's new market share that should belong to the off-pricers. Last year, 44 million women shopped secondhand, up 9 million from 2016. In 2017-2018, the growth in the leading resellers is forecasted to be 49% vs. 7% for off-price retailers. In the next five years, the market for resale is projected to double. By every estimate for every period, resale is growing faster and off-price retailers are missing out on that growth.

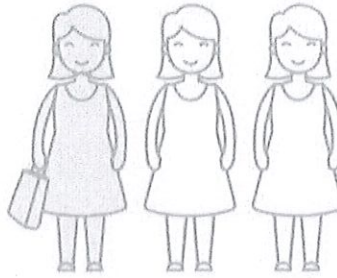
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BYE BYE STIGMA

Thrift is Going Mainstream

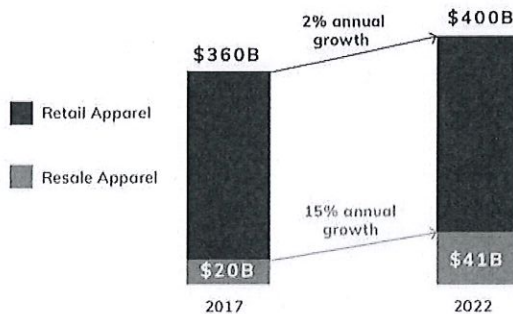
1 in 3
women*
SHOPPED SECONDHAND
LAST YEAR

*18 years of age and older

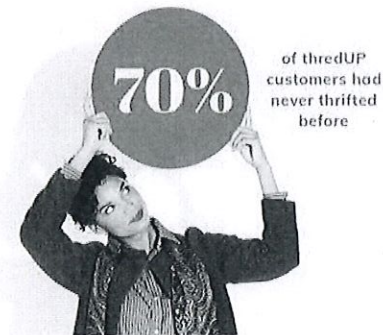


44M
WOMEN SHOPPED
SECONDHAND IN
2017 COMPARED TO
35M
IN 2016

Resale is Capturing Market Share



thredUP Converts Skeptics

**THREDUP**

2018 Resale Report

ThredUP report COURTESY THREDUP

Why is this happening now? The secondhand business has always been a local, mom-and-pop business but technology is changing all that. Social media and online advertising has expanded the reach of what were previously local businesses. Smartphones have enabled consumers to photograph, pack and send their unwanted clothes and to monitor their clothes' journey through the process. That has transformed the catchment area of a secondhand store from its immediate catchment area to anywhere.

There's also a cultural shift happening towards secondhand. It used to have a stigma of being only for poor people. With the word "old" now being replaced by "vintage" and accompanied by the trendy value of "authentic," secondhand's star is now rising and the stigma is gone for a lot of people. The well-known fashion designer Stella McCartney said she believes, "the future of fashion is circular, it will be restorative and regenerative by design and the clothes we love never end up as waste." Of active secondhand shoppers, people who've spent over \$10,000 on secondhand clothes in a two-year period, 13% are millionaires. Also, secondhand clothes are more environmentally friendly -- they're the very definition of recycled. That appeals to millennial consumers especially. Twenty-seven

percent of all secondhand consumers are motivated to buy for environmental reasons. For millennial consumers that number is 35%.

Secondhand consumers are not letting up either. In 2012, 11% of what was in their closets was secondhand. By 2017, that percentage had gone up to almost 25%. In the next four years, that number is expected to reach 40%.

Years in the future when we look back at this time in fashion industry history, people will say that now is when secondhand took off. For companies that need to be in that sector, now is the time to move into it.

Follow me on Twitter.



Richard Kestenbaum

I have been doing mergers, acquisitions and capital-raising for over 35 years. I am a co-founder and partner at Triangle Capital LLC where we specialize in working with

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RETAIL

Online start-up The RealReal to open its second luxury consignment store, as e-commerce brands keep growing

PUBLISHED TUE, JUL 31 2018 • 9:14 AM EDT | UPDATED TUE, JUL 31 2018 • 12:49 PM EDT



Lauren Thomas
@LAURENTHOMAS

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KEY POINTS

Online consignment brand The RealReal is opening its second permanent store.

The shop's doors will open later this week on Melrose Avenue in Los Angeles.

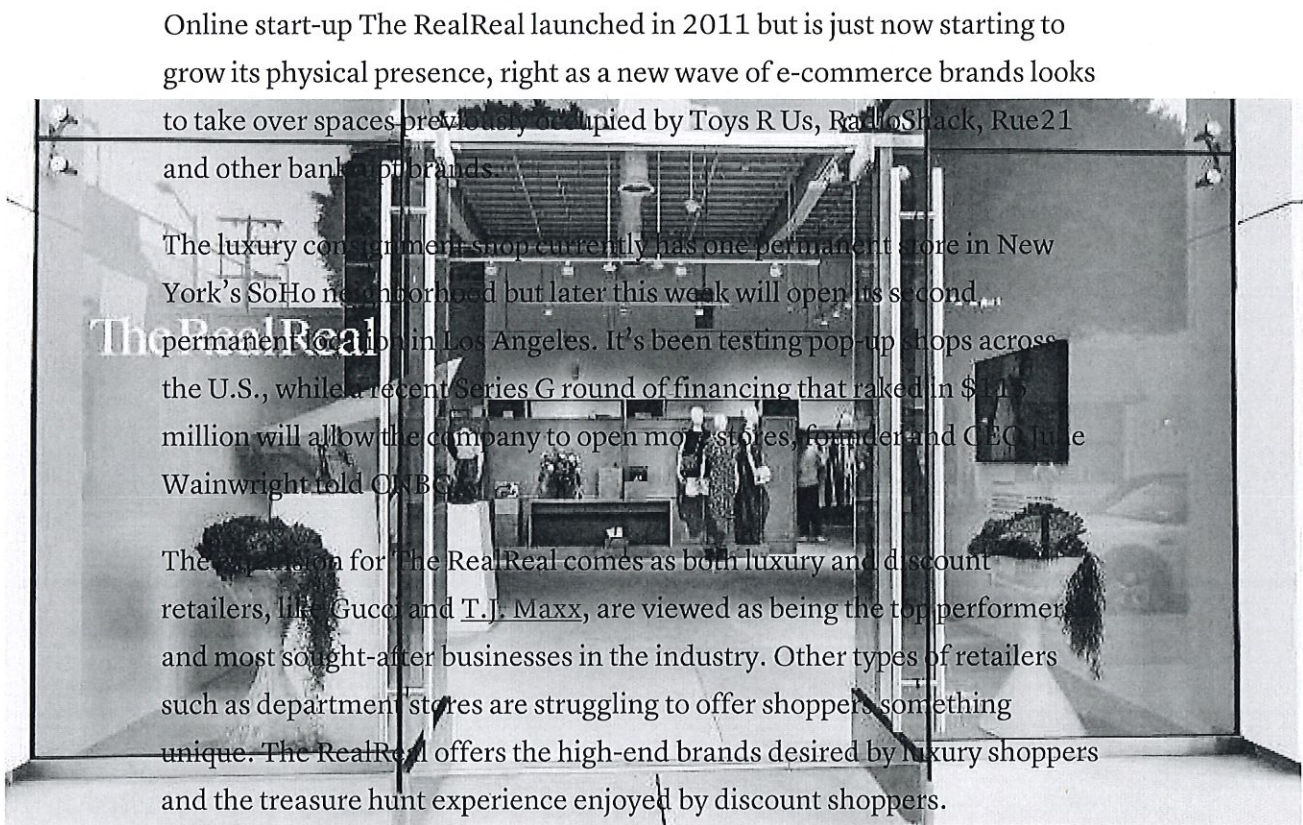
More e-commerce brands are growing their brick-and-mortar footprint, as resellers like The RealReal are increasingly attracting new customers.

Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)



The outside of TheRealReal's new store in Los Angeles on Melrose Ave.

Source: TheRealReal



Online start-up The RealReal launched in 2011 but is just now starting to grow its physical presence, right as a new wave of e-commerce brands looks to take over spaces previously occupied by Toys R Us, RadioShack, Rue21 and other bankrupt brands.

The luxury consignment shop currently has one permanent store in New York's SoHo neighborhood but later this week will open its second permanent location in Los Angeles. It's been testing pop-up shops across the U.S., while a recent Series G round of financing that raked in \$11.5 million will allow the company to open more stores, founder and CEO Julie Wainwright told CNBC.

The reason for The RealReal comes as both luxury and discount retailers, like Gucci and T.J. Maxx, are viewed as being the top performer and most sought-after businesses in the industry. Other types of retailers such as department stores are struggling to offer shoppers something unique. The RealReal offers the high-end brands desired by luxury shoppers and the treasure hunt experience enjoyed by discount shoppers.

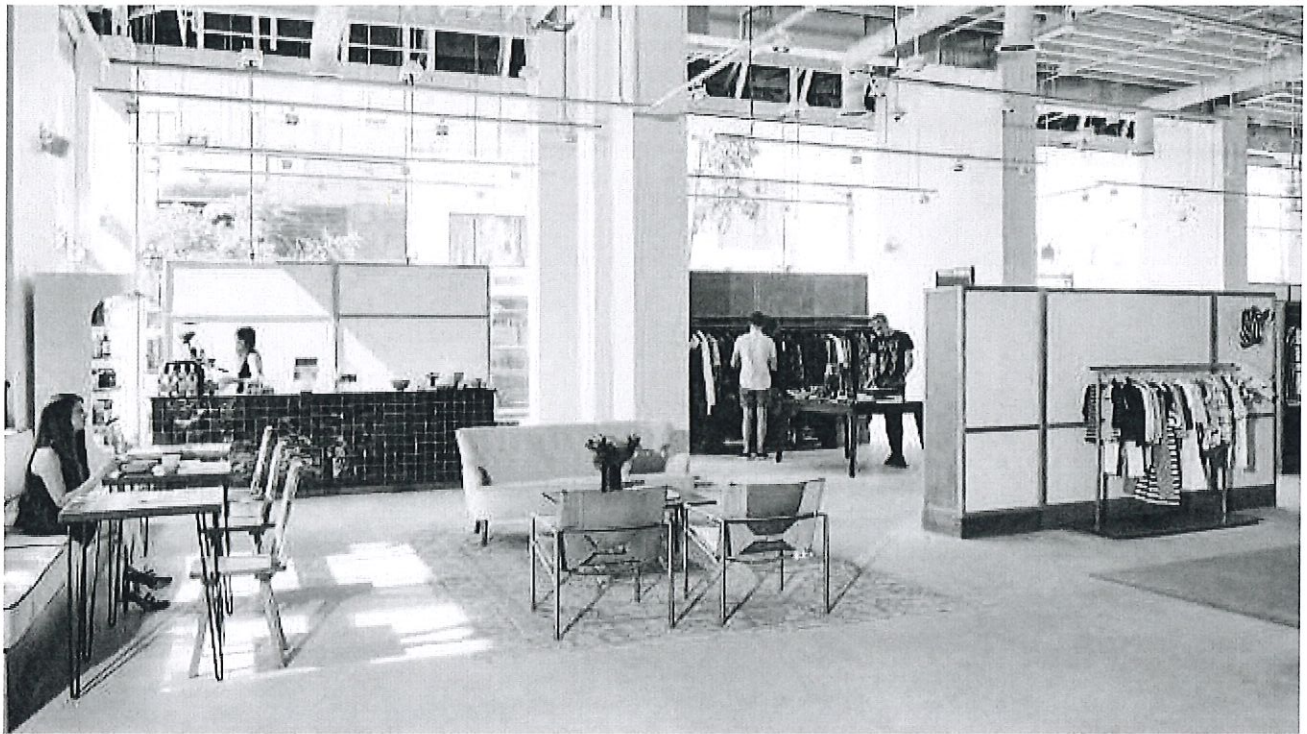
"We wanted to change people's perception of what a consignment business looks like," Wainwright said. "I would say some of the smartest people I know have been buying consignment forever but never talked about it — even some of the richest people I know, because they like good value."

The RealReal's new store in Los Angeles is on Melrose Avenue, settled close to Nordstrom Local, Glossier, Away and a slew of other e-tailers, is a whopping 12,000 square feet. Unlike the company's existing and smaller space in SoHo, this location will feature a 5,500-square-foot portion

Attachment: Packet (4500 : Allowing Resale Shops in the City of Mequon)



dedicated to men. It will use about 1,500 square feet to display handbags. There's also a cafe serving coffee, pressed juice, salads and pastries.



The cafe inside TheRealReal's new store in Los Angeles.
TheRealReal

Like many new retail stores today, The RealReal's shop on Melrose Avenue will also house a handful of service components. There will be gemologists and authentication specialists on site for free fine jewelry and handbag valuations. Certain items can be taken to be repaired there. And shoppers will be able to use a curbside service to drop off any items they're wishing to sell.

"This store opens up what we do on the back-end to other people," Wainwright said.

She added that The RealReal is "negotiating in multiple markets right now" for additional stores but wants to find spaces that are big enough, with the right amount of "character."

Other secondhand e-tailers looking to grow in the brick-and-mortar world include Rebag, which just opened its second permanent location in New York earlier this year. Another, ThredUp, has mapped out plans to open roughly 100 stores across the U.S. while Poshmark has toyed with the idea of opening some sort of physical space. The online selling app currently



hosts “Posh Parties” in major metros, where it brings sellers and buyers together for a night to chat about trends in the fashion industry and show off new merchandise.

SHARE



The total apparel resale market, including both brick-and-mortar stores and online sales, is expected to grow to \$33 billion in 2021 from \$18 billion in 2016, according to a study by retail and tech group Coresight Research. Deborah Weinswig, managing director at Coresight, has said companies like The RealReal could start to pose more of a threat to the likes of T.J. Maxx, Ross Stores and Burlington.

“Off-price retailers do not sell online,” Weinswig said. “Hence, online apparel resellers argue that they pose a viable competitive threat for off-price retailers.” And as names like Rebag open permanent, physical spaces, that threat only grows larger.

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Jurisdiction	State	Use Definition	Permitted By Right	Permitted With Discretionary Use Permit	Use-Specific Standards
Azusa	CA	Second Hand Store. A retail store that buys and sells used products and consignment goods, including clothing, furniture and household goods, jewelry, appliances, musical instruments, business machines and office equipment, tools, motors, machines, instruments, firearms, or any similar secondhand articles or objects. Does not include bookstores ("Retail Stores"); secondhand farm and construction equipment ("Construction, Farm, and Heavy Equipment Sales"); junk dealers, or scrap/dismantling yards (Recycling Facilities - Scrap and Dismantling Yards"); the sale of antiques and collectibles ("Retail Stores"); the sale of cars and other used vehicles ("Auto and Vehicle Sales, Leasing, and Rental, Used"); or pawnshops ("Personal Services - Restricted"). Does not include the sale of used items when the volume of such products offered for sale on the premises is 30 percent or less of the total volume offered for sale (for example video rental stores selling some used videos, record stores selling some used records and/or CDs, etc.). ed exterior access separate from the primary dwelling. Includes guest houses. See also "Carriage House."		DE, CAH	§88.42.180
Bayside	WI	Secondhand store means any store selling used goods, the value of which is less than 25 percent of the original unadjusted purchase price when new.		D, D-1	§125-94(a)(10)
Beloit	WI	ANTIQUE SHOP. A for-profit business which engages in purchasing or selling of articles which have come down from the past or are of a previous and earlier period and which are at least 50 years old or older.	C2, C3, CBD1, CBD2, M1		none

Beloit	WI	RUMMAGE SHOP. A nonprofit business which engages in the purchasing or selling of secondhand articles. Secondhand means any articles which have been owned by any person previously. Newly made articles are not included. Transactions not to be included as secondhand include garage or yard sales, estate sales, junk collection, junk dealing, auctions, scrap processing, and gun, knife, gem, or antique shows, auctions, or conventions.	C2, C3, CBD1, CBD2, M1	none
Beloit	WI	SECONDHAND STORE. A for-profit business which engages in the purchasing or selling of secondhand articles. Secondhand means any articles which have been owned by any person previously. Newly made articles are not included. Transactions not to be included as secondhand include garage or yard sales, estate sales, junk collection, junk dealing, auctions, scrap processing, and gun, knife, gem, or antique shows, auctions or conventions.	C2, C3, CBD1, CBD2, M1	none
Branson	MO	Antique shop means an establishment offering articles for sale such as glass, china, furniture or similar furnishing or decorations which have value and significance as a result of age, design or sentiment.	NC, CC, MU, D, ENT, BUS	none
Branson	MO	Thrift store means a profit or nonprofit business or organization that engages in, or specializes in, the sale or resale of previously owned or used goods and merchandise from an area greater than 25 percent of the total floor area devoted to retail sales, and whose merchandise is donated, or principally donated.	NC, CC, MU, D	§94-61(e)(9)
Columbia Heights	MN	Consignment/secondhand store: stores whose primary existence is derived from more than 50% used, consigned, or secondhand merchandise.	GB	§9.107(C)(14)

Cudahy	WI	Antique store means a retail store where objects such as furniture, glass, coins, and other objects prized for their rarity, style, or historic period are sold. For the purpose of this chapter, antiques are generally objects that are at least 20 years old. Antique store/shop means a place offering items for sale prized for their rarity, style or historic period such as glassware, coins, architectural components, furniture, furnishings, clothing, antique toys, tools, or other items having collectible value.	B-2, B-3	none
Cudahy	WI	Secondhand/thrift means a place offering previously used items for sale, such as clothing, appliances, furnishings or recreational equipment. These items would have useful value, but no collectible value. This does not include used motor vehicles, parts or accessories.	B-2	none
Green Bay	WI	Antiques and collectibles store: A retail establishment that displays and sells cultural or collectible objects, such as stamps, coins, sports memorabilia, and art works.	NC, D, C1, C2, C3	OR none
Green Bay	WI	Secondhand store, consignment store: A retail establishment that sells used merchandise, such as clothing, furniture, books, shoes, or household appliances, on consignment or a retail store that sells used merchandise donated to a charitable, tax exempt organization that also sorts, cleans, and marks goods for resale.	NC, D, C2, C3	OR, C1 none
Grover Beach	CA	Resale Store. A retail store that buys, sells, trades, accepts for sale on consignment, or accepts for auction (e.g., eBay) used products including clothing, collectibles (e.g., coins, stamps, baseball cards), household goods, jewelry, machinery and equipment, musical instruments, or any goods that have a resale market. The products or goods include tangible personal property as defined by the U.S. Department of Justice or other used goods. Does not include “Thrift Stores” and pawn shops (see “Personal Services - Restricted”, which are defined separately).	CB, CB-O, NC, OP, RC, VS/CVS, CC	§4.10.160

Grover Beach	CA	Thrift Store. A retail store devoted primarily to the sale of used goods normally consisting of household discards. Also see “Resale Stores”. CB, CB-O, NC, RC §4.10.210
Hapeville	GA	Antique shop. Any business that sells, at retail, merchandise which is at least 50 years old where such merchandise reflects the architectural, design, or construction aesthetic of a particular historical period, person, or geographical area as distinguished from used retail merchandise, used automobiles, junk or other articles that would otherwise be sold at specialty shops, flea markets, bazaars or variety shops as defined herein. In any antique shop as defined herein, new or reproduction goods, which have been made to resemble antiques, shall not make up more than 25 percent of the business' inventory. C-2, A-D, D-D, U-V, RMU none
Hapeville	GA	Consignment store. An enclosed retail establishment, whether operated by a for or not for profit organization or entity, engaged in selling used merchandise, such as clothing, furniture, jewelry, books, shoes, or household appliances, etc., on consignment. Consignment stores do not include those selling vehicles, auto parts, scrap, or waste. A-D (accessory) §93-28-12(6)
Hapeville	GA	Thrift store. An enclosed retail establishment, whether operated by a for or not for profit organization or entity, engaged in selling previously owned or used goods and merchandise from an area greater than 25 percent of the total floor area devoted to retail sales and whose merchandise is acquired principally by donation. Thrift stores do not include those selling vehicles, auto parts, scrap, or waste. A-D (accessory) §93-28-12(6)
Indian Trails	NC	Antique Shops: The retail sale of mostly previously used merchandise to the general public that is deemed to have collectible value and is at least 50 years of age. This definition specifically excludes Second Hand Thrift/Consignment Sales uses. CBD, NBD, GBD, RBD, O-VCD, O-DD §7200

		Second Hand Thrift/Consignment Sales: The retail sale of mostly previously used merchandise to the general public such as clothing, furniture, small appliances, household goods, sporting goods, recreation equipment, or other similar merchandise not considered to be antique. Second Hand Thrift/Consignment Sales uses may operate as for-profit businesses or be associated with a nonprofit charitable organization and are commonly referred to as consignment stores, thrift stores, second hand stores, and vintage stores. This definition specifically excludes antique shops, pawnshops, flea markets, firearms shops, and other land uses that are more specifically identified within UDO Chapter 520			
Indian Trails	NC		CBD, NBD, GBD, RBD, O-VCD, O-DD	§7200	
Lemore	CA	ART, ANTIQUE, COLLECTIBLE: Retail sales uses including antique shops, art galleries, curio, gift, and souvenir shops, and the sales of collectible items including sports cards and comic books. Stores selling handcrafted items that are produced on the site are defined separately as artisan shops.	MU, NC, RC, DMX-1, DMX-2	none	
Lemore	CA	CONSIGNMENT STORE: A retail store where goods are placed on "consignment", which is the act of placing goods in the hands of another, while still retaining ownership, until the goods are sold.	DMX-1, MU, NC, RC, PO	DMX-2	none
Lemore	CA	THRIFT STORE: A retail establishment selling secondhand goods donated by members of the public.	MU, NC, RC	DMX-1, DMX-2	§9-4D-16
Long Beach	CA	"Antique shop" means any premises used for the sale of articles which are one hundred (100) or more years old or are collectible. Antique shop does not include secondhand store as defined in this Chapter.	CNP, CNA, CNR, CCA, CCP, CCR, CCN, CHW, CS	none	

		"Secondhand store" means a retail establishment that buys, sells, and/or trades used goods, including through consignment, which may include used clothing, furniture, household goods, jewelry, household appliances, musical instruments, business machines and office equipment, hand tools, and similar items. This definition does not include book stores, antique stores, sale of used farm or construction equipment, junk dealers, scrap/dismantling yards, sale of used cars or other vehicles, pawn shops, or establishments selling used jewelry, old coins and stamps.	CNP, CNA, CNR, CCA, CCP, CCR, CCN, CHW	§21.52.270.1
Long Beach	CA			
Los Angeles County	CA	Antique store: undefined	C-1, C-2, C-3, CM	none
		Secondhand store. A retail store established to collect and sell used household goods, clothing, and/or merchandise that are donated to the store. Secondhand store shall not include an antique shop, pawnshop, yard sale, or junk and salvage use, or use involving the sale of used vehicles or vehicle parts. To the extent that a secondhand store sells tangible personal property, as defined in Section 21627 of the California Business and Professions Code, the secondhand store shall comply with all applicable requirements of said Code governing secondhand goods, including applicable registration and reporting requirements.		
Los Angeles County	CA		C-2, C-3, CM	§22.140.550
		Antiques and collectibles store. An establishment where used property or cultural or collectible objects such as stamps, coins, sports memorabilia and art works are sold for collective purposes, where all or a substantial part of the value of the property is derived from its age, uniqueness or historical association.	C1, C2, C3A, C3S, C4, B4, B4S, B4C, B4N	none
Minneapolis	MN			
		Consignment clothing store: <i>undefined</i>	C1, C2, C3A, C3S, C4, B4, B4S, B4C, B4N	§536.20
Minneapolis	MN			
		Secondhand goods store. An establishment other than an antiques and collectibles store, used bookstore, clothing consignment store or pawnshop, which engages in the sale of used clothing, furniture, household appliances or other household items.	C1, C2, C3A, C3S, C4, B4S, B4C, B4N	§536.20
Minneapolis	MN			

North Miami	FL	Antique store means an establishment which sells works of art, pieces of furniture, or decorative objects fabricated in and representative of earlier time periods according to the existing customs and trends, and having an intrinsic value as a result of their historical background or scarcity.	C-1, C-2BE, C-2BW, C-3, M-1	none
North Miami	FL	Consignment shop means an establishment wherein goods limited to clothing, shoes and/or accessories for adults and/or children are sold by the operator of the shop, acting as the agent for the owner of such goods, in return for a percentage of the profits, or other consideration. Such goods may be comprised of a combination of used goods and new goods, or of used goods only.	C-1, C-2BE, C-2BW, C-3	§5-1603
North Miami	FL	Secondhand store means a business that sells previously owned or used goods.	C-1, C-2BE, C-2BW, C-3	none
North Miami	FL	Thrift store or resale shop means an establishment wherein secondhand articles are sold, such as clothing, shoes, accessories, furniture and other assorted items, the value of which is only a fraction of the original cost, for which price guides are not available, and which normally have no collectible or antique value. This term shall not apply to businesses which sell primarily new goods, and which may occasionally sell secondhand articles as a result of trade-ins, or unclaimed merchandise.	C-1, C-2BE, C-2BW, C-3	none
Ocala	FL	Used merchandise store means an establishment engaged in the sale of used merchandise, antiques and secondhand goods such as clothing and shoes, furniture, books, office furniture, records, and store fixtures and equipment.	B-2, B-2A, B-3C, B-4, B-5, SC, M-1, M-2, M-3, INST	§122-283

Pewaukee	WI	Thrift shop means a for profit or nonprofit business or organization that engages in or specializes in the sale/resale of previously owned or used goods and merchandise including either or both of the related use functions "collection of donations" and/or related "retail sales thereof." A specialty retail store that sells used merchandise not donated for sale, including for instance but not limited to antiques, consigned goods and sports card trading stores, shall not be considered a thrift shop for the purposes of this chapter.	B-1	none
Pompano Beach	FL	Antique Shop: An establishment primarily engaged in selling antiques—i.e., a work of art, piece of furniture, decorative object, collectible object, or other item having special value because of its age, rarity, and/or association with a past era. This use does not include thrift or consignment shops.	B-1, B-2, B-3, B-4, TO, PCD, PD-TO, LAC, PD-I	none
Pompano Beach	FL	Consignment Boutique: A retail establishment engaged in selling used non-donated, second-hand merchandise, and the merchandise is placed for sale with the establishment by the owner of the merchandise and upon sale of the merchandise the purchase price is divided between the establishment owner and the owner of the merchandise. The establishment shall be limited to one type of merchandise, including but not limited to, clothing and related accessories, children's apparel and furniture, sporting equipment, or furniture and related home furnishings. This use does not include the sale of used guns, used mattresses, or used motor vehicles.	B-3, B-4, TO, PCD, PD-TO, LAC, PD-I	none
Pompano Beach	FL	Thrift Shop: A retail establishment primarily engaged in selling used merchandise which has been obtained through bulk-purchases, or through donations or gifts and where the donor receives no value upon the sale of such merchandise, and where the use is designed to sell donated merchandise at a price below reasonable market value, and where the revenue received from selling the merchandise may be retained by a charitable or not-for-profit organization or institution.	B-4, TO, PCD, PD-TO, LAC, PD-I	B-3 §155.422.P

Taylor	MI	Antique and collectible shop. A place offering antiques and collectibles for sale. An antique or collectible, for the purpose of this ordinance, shall be a work of art, a piece of furniture, decorative object, or the like, of or belonging to the past at least 30 years old. Used clothing shall not be considered antiques or collectibles, for the purpose of this ordinance. A specialty retail store that sells used merchandise, not donated for sale, including but not limited to record stores, furniture stores and sports trading card stores, listed in a bona fide published collectible guidebook, with price guides, with a maximum square footage of 1,500 square feet.	B-2	none	
Taylor	MI	Antique mall. A building or part of a building that is partitioned to provide spaces for the sale of antiques by antique dealers, for items such as clocks, lamps, rugs, furniture and collectibles, such as sports trading cards, records and the like, listed in a bona fide published collectible guidebook, with price guides.	?	?	none
Taylor	MI	Resale shop. Retail sales of previously used merchandise, such as clothing, household furnishings or appliances, sports/recreational equipment. This classification does not include secondhand motor vehicles, parts, or accessories.	B-2, B-3	§20.02(a)	
Terrell	TX	Antique shop, sales indoors. A retail or wholesale establishment engaged in the selling of works of art, architectural antiques, furniture and/or other artifacts of an earlier period (i.e., over 50 years old) and that are in clean, operable and saleable condition (i.e., not junk), with all sales and storage occurring inside a building. An antique shop is differentiated from a "used merchandise store", a "resale shop" or a "consignment shop" in that it does not market common, contemporary used household goods, clothing or furnishings - rather, it deals primarily in vintage and nostalgia items (generally over 50 years old) and in antiques (generally over 100 years old) from past eras.	O, NS, R, CBD, HC, C (no outdoor storage)	C, LI (with outdoor storage)	none

Terrell	TX	Consignment shop: undefined	O, NS, R, CBD, HC, C (no outdoor storage)	C, LI (with outdoor storage)	none
Terrell	TX	Thrift store. A retail store that primarily sells second-hand or used merchandise, furniture, clothing and other goods to the general public excluding an antique store as defined herein.		C	§42.6
Wautoma	WI	Secondhand store: <i>undefined</i>		C-N, C-C	§66-372(53)
Wixom	MI	" Consignment shop " means a second-hand or resale store that offers used goods; typically where the dealer holds the merchandise from another individual and pays the person a percentage upon the sale of the goods.		B-3	none



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Department of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: October 7, 2019
SUBJECT: The City of Mequon is seeking a text amendment to Chapter 2 of the City of Mequon Code of Ordinances related to the establishment and operation of the Planning Commission.

Background:

The Mayor and Planning staff prepared the following changes to Chapter 2 of the Municipal Code regarding reconsideration of items at Planning Commission. The current language in the code is silent on the issue. The City Attorney has prepared a memo (see attached) in response to the question of reconsideration which states that the Planning Commission would need to follow Robert's Rule of Order which states that the reconsideration must take place at the same meeting. The new language is similar to how the issue is treated at the Common Council which allows an item to be reconsidered at the next meeting (see attached Ordinance).

Attachments:
Packet (PDF)

TO: Kimberly Tollefson, Director of Community Development
FROM: Brian C. Sajdak, City Attorney
DATE: September 30, 2019
SUBJECT: Plan Commission Reconsideration of Applications

Background

You have asked that I provide an opinion for you that addresses the ability for the Planning Commission to reconsider applications that are identical to first request. In your request you further note that the Municipal Code is silent on this issue as it relates to the Planning Commission, whereas there is specific authorization for reconsideration granted to the Common Council within the Code. Thus, your question raises two independent questions that are discussed below. The first of those questions is whether the Planning Commission may reconsider a particular vote, and if so when. The second question is whether the Planning Commission may reconsider the same or substantially similar application to an application upon which the Planning Commission previously acted. The answer to both of these questions is generally yes, however there are limitations in both cases.

Discussion

I. The Planning Commission may move to reconsider a vote only at the same meeting as the vote to be reconsidered

The Planning Commission (hereinafter, the “PC”) is generally empowered to reconsider any vote they have taken. As you correctly note, the Municipal Code includes an express authorization for the Common Council to reconsider a vote. Under § 2-30(b) of the Municipal Code, a motion to reconsider the vote on any question may be made “at the meeting during which the vote was taken or at the next succeeding regular meeting.” However, this provision is contained within Article II of Chapter 2 of the Municipal Code, which spells out the rules of procedure for Common Council meetings. Accordingly, the reconsideration provision applies solely to votes taken by the Common Council at a meeting of the Council.

Even though the language of § 2-30(b) applies solely to Common Council votes, the PC is nonetheless empowered to reconsider their votes. The general rules of legislative interpretation provide that, where legislation expressly grants authority in one case, it is implied that the authority has been withheld in other cases not mentioned.¹ This would suggest that the PC does not have the power to reconsider a vote. However, the PC is granted the authority under § 2-

¹ *Fas, LLC v. Town of Bass Lake*, 2007 WI 73, ¶ 27, 301 Wis. 2d 321, 733 N.W.2d 287 (“Under the doctrine of *expressio unis est exclusio alterius*, ‘the express mention of one matter excludes other similar matters [that are] not mentioned’.”)

424(e) of the Municipal Code which requires that committee meetings be conducted “in accordance with the parliamentary rules contained within Robert’s Rules of Order Revised” Under Robert’s Rules, a body may reconsider a vote “only on the same day the vote to be reconsidered was taken.” Robert’s Rules of Order § 37, p. 316 (11th rev. ed. 2011). In other words, unlike § 2-30(b), the motion to reconsider must be made at the same meeting as the original vote.²

II. The Planning Commission may consider successive applications for a the same matter in certain limited circumstances.

Just as with the issue of reconsideration above, the Municipal Code spells out a specific answer for the Common Council while being silent on other boards and commissions, including the PC. Under § 2-30(c), when any measure is introduced before the Council and fails, “such measure (unless substantially changed) shall not be introduced again until the lapse of at least three months from the date of its last preceding consideration.” There is no such limitation for measures before the PC, which is unusual given the common appearance of such limits within zoning codes in other communities.

Even though the Municipal Code does not specifically limit the PC’s consideration of successive applications, caselaw establishes certain guidelines and limitations on these situations. The general rule is that the

[p]rinciples of *res judicata* that operate to make decisions final and binding in judicial proceedings are not strictly applied in legislative or even administrative zoning proceedings. In some jurisdictions, consideration of successive applications for the same zoning relief within a specified period of time may be prohibited by statute or ordinance. However, absent such a statute or ordinance, successive applications for the same zoning relief may be considered and acted on by a zoning body.

2 Rathkopf’s The Law of Zoning and Planning § 32:5 (4th ed.)(footnotes omitted). However, a “zoning body may not reconsider a matter when such action interferes with vested rights or where the zoning body has lost jurisdiction over the matter as a result of a statutory provision making the earlier decision final when the time period for appeal has expired.” Id.

² While not specifically part of your question, for future purposes the method of addressing such motion should be discussed. Robert’s Rules is generally imperfect in many instances because it does not address issues that may arise because of Wisconsin’s Open Meetings Law. This is one of those instances. In order to best address open meeting’s requirements, if a motion to reconsider is made and seconded, a vote on that motion alone should take place. The actual reconsideration should be done at the next meeting because unless the motion to reconsider takes place immediately after the initial vote (highly unlikely), members of the public interested in the subject of the vote will have likely left the meeting. To eliminate potential open meetings complaints and/or public outcry about non-transparent government, upon a successful motion to reconsider, the actual reconsideration should be placed on the agenda for the next meeting.

Despite the general rule allowing for successive applications, Wisconsin courts have further limited consideration of these applications. “[A] zoning board acts in excess of its power in reopening a proceeding which has once been terminated.” Goldberg v. City of Milwaukee Bd. of Zoning Appeals, 115 Wis. 2d 517, 521, 340 N.W.2d 558 (Ct. App. 1983)(citations omitted). These limits on acting after a proceeding has been termination must exist “[o]therwise there would be no finality to the proceeding; the result would be subject to change at the whim of members, or due to influence exerted upon them or other undesirable elements tending to uncertainty and impermanence.” Id. at 522. “Where a new application is made, however, it is essential that changed conditions or circumstances be shown. A board is not required to hear a second application which is precisely the same as a prior one which had been disposed of by the board.” Tateoka v. City of Waukesha Bd. of Zoning Appeals, 220 Wis. 2d 656, 664–66, 583 N.W.2d 871, 874–75 (Ct. App. 1998)(quoting, with emphasis, Eugene McQuillen, The Law of Municipal Corporations § 25:275, at 416 (3d ed.1994)). McQuillen further notes:

Under the “successive application” doctrine, the general rule is that a zoning board or planning commission may not entertain a second application concerning the same property after a previous application has been considered unless a substantial change of conditions has occurred or other considerations materially affecting the merits of the request have intervened between the first and second application. In accordance with this rule, a rehearing after denial of an application is justified where there is a change in the condition of the property in the immediate neighborhood, or in the plans of the applicant.

McQuillen at § 25.297 (footnotes omitted). In addition to changed circumstances, Wisconsin courts would likely approve of the consideration of successive applications where “the original decision was the product of fraud, surprise, mistake or inadvertence” NextMedia Outdoor, Inc. v. Vill. of Howard, 2015 WI App 43, ¶ 28, 362 Wis. 2d 539, 865 N.W.2d 885 (unpublished)(citations omitted); See, also, Goldberg, 115 Wis. 2d at 521(noting possible exceptions to the general rule “such as public necessity or other good cause.”) However, “the decision-making body's mere change of mind is insufficient.” NextMedia at ¶ 28.

In conclusion, successive applications can only be considered by the PC where there is a legitimate basis to do so. In the event that the PC would be presented with a successive application, it would want to make sure its record reflects the basis why it is accepting review of the new application. For example, if the basis is that the second application is substantially changed from the initial application, the PC would want to identify in its determination why it believes the second application is substantially different.

BCS

COMMON COUNCIL
OF THE
CITY OF MEQUON

ORDINANCE NO. _____

AMENDMENT OF THE CHARTER ORDINANCE
ESTABLISHING THE PLANNING COMMISSION

THE COMMON COUNCIL OF THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN, ORDAINS AS FOLLOWS:

SECTION I:

Charter Ordinance Section IV.03(b) is amended as follows (addition is underlined and deletion is stricken):

- (b) At least one of the six citizen members shall be a registered architect. The mayor shall consider nominating as one of the six citizen members, but shall not be required to so nominate, a member of the ~~natural resources board~~ park and open space board, or a person with recognized qualifications and experience in landscape architecture, horticulture, environmental science or a similar discipline.

SECTION II:

Charter Ordinance Section IV.04 is amended as follows (additions are underlined and deletions are stricken):

Sec. IV.04. – Chapter 2, article IX, division 1.

The provisions of chapter 2, article IX, division 1 shall apply to the commission as if fully set forth in this ordinance; ~~however~~ except as follows:

- (a) Notwithstanding any contrary provision of Robert's Rules of Order Revised, as made applicable to the planning commission by section 2-424(e), the following rules of order shall apply:
- (1) A commissioner voting in the majority may move for reconsideration of a vote, but only at the meeting during which the vote was taken, at the next regular meeting or at a special meeting that precedes the next regular meeting. However, no action of the planning commission shall be subject to a motion to reconsider after material legal rights (other than those rights granted by the planning commission pursuant to the vote) or obligations have arisen resulting from or by virtue of the vote. If a motion to reconsider is timely made, any rights granted by such vote shall be suspended until final action by

the planning commission on the motion to reconsider. A motion to reconsider that has been made and lost shall not be renewed.

- (2) No measure that has been introduced and lost may be introduced again until the lapse of at least three months from the date of its consideration unless there has been a material change in the application or an intervening event that changes the circumstances originally considered.

(b) Section 2-430 shall not apply.

(c) €To the extent of any inconsistency between any provision of this ordinance and a provision of chapter 2, article IX, division 1~~such division~~, the provision in this ordinance shall govern.

SECTION III:

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

SECTION IV:

All ordinances in conflict or inconsistent with this ordinance, in whole or in part, are repealed to the extent necessary to give this ordinance full force and effect.

SECTION V:

This is a charter ordinance. It shall take effect 60 days after its passage, postage and publication unless, within such 60-day period, a referendum petition is filed as provided in Wisconsin Statutes Section 66.0101(5), in which event this ordinance will not take effect until it is submitted to a referendum and approved by a majority of the electors voting.

Approved By: _____
John Wirth, Mayor

Date Approved: _____, 2019.

I certify that the Common Council of the City of Mequon, Wisconsin, adopted this ordinance at a meeting held on _____, 2019.

Caroline Fochs, Mequon City Clerk

Published: _____, 2019.