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

www.ci.mequon.wi.us

Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, December 4, 2023
6:00 PM
Christine Nuernberg Hall

Agenda

1) Call to Order, Roll Call

a) Approval of Minutes from October 23, 2023.

2) Consent Agenda/Public Hearing

a) Infinite Gymnastics. The applicant is seeking conditional use grant approval to allow for a fitness center for the property located at 6350 W. Donges Bay Road.

3) Consent Agenda/Regular Business

a) Espire Homes, Inc. The applicant is seeking minor request approval for a fill permit to allow for 5,000 C.Y. of fill for the property located at 14141 N. Lake Shore Drive.

b) Joy Stringer and Warren Stringer Jr. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 11700 N. Wasaukee Road.

c) Oliver Investment Group. The applicant is seeking setback waiver approval for the property located at 1836 W. Mequon Road.

d) Torrey Drive, LLC. The applicant is seeking street tree plan and final plat approval for a 11-lot subdivision for the property located at 10766 Torrey Drive.

4) Regular Business/Public Hearing

a) Congregation Agudas Achim Chabad, Inc. The applicant is seeking conditional use grant approval to allow for a restaurant for the property located at 2233 W. Mequon Road.

5) Regular Business

a) Lakeside Development Company. The applicant is seeking land use plan, concept plan and rezoning recommendation approval from R-3 to R-5/PUD for a 19-lot cluster open space preservation subdivision for the property located at 11743 N. Port Washington Road.

b) St. Francis Borgia Church. The applicant is seeking minor request approval for a fill permit to allow for 1,500 C.Y. of on-site earthwork on the parcel located at 7963 W. Pioneer Road.

c) Attorney Rex Anderegg for Domagala. The applicant is seeking minor request approval for a temporary use and structure for a recreational vehicle to be used as temporary living accommodations through 10.31.24 for the property located at 326 W. Seacroft Court.

d) Design2Construct for Sagrillo. The applicant is seeking building and site plan approval to allow for 4,382 square foot two-story building for the property located at 10404 N. Washington Road (ReFresh Aesthetic Center). REMOVE FROM TABLE

6) Policy

Sign Code Updates

7) Announcements

2024 Meeting Calendar

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

8) Adjourn

Dated: December 1, 2023 /s/ Andrew Nerbun, Chair

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

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

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

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PLANNING COMMISSION
Regular Meeting
Monday, October 23, 2023
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

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

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

a) Approval of Meeting Minutes from September 18, 2023

Action
Ald. Strzelczyk made a motion to approve the meeting minutes from September 18, 2023. Commissioner Urbani seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Robert Strzelczyk, Alderman
SECONDER:	Nancy Urbani, Commissioner
AYES:	Urbani, Nerbun, Strzelczyk, Barnes, Choren, Hawley, Schaefer
ABSENT:	Gentges, Stoker

DRAFT

Attachment: PC Minutes 10.23.23_DRAFT (8993 : Meeting Minutes)

2) Regular Business

a) James Hoffman. The applicant is seeking fill permit approval to allow for 89,000 C.Y. for fill and berm construction for the parcel located immediately north of 13062 N. Port Washington Road.

Assistant Director of Engineering, Cole McCraw, explained that he broke down the item into three parts to better understand the requests and vote accordingly (pg.16):

1. 18,000 C.Y. of fill for the entire site, grading will be up 1-2 feet for the entire parcel.
2. East Berm – 20-ft berm along the 1-43 corridor.
3. 25-ft berm along the Port Washington Road corridor.

He explained that the applicant submitted a narrative citing a state statue stating that local zoning ordinances are not applicable regarding fill and its placement along a transportation project for the state. The City Attorney did not provide a letter in response, but staff is proceeding as though the state statute is not applicable.

Staff recommendations of the three items:

1. Approve with the condition of requiring the submittal of a grading plan for staff review of adjacent draining patterns as well as to ensure that the applicant is obtaining NOI from the state.
2. Approve per the 3 conditions listed on page 12 of the packet requiring a final berm design and landscaping plan to be submitted for staff review.
3. Table of the proposed 25-foot berm due to the fact that staff does not believe it is an appropriate fit to scale on that corner.

The applicant, Jim Hoffman, explained some of the time sensitive issues and date constrictions he is facing between approvals from the city and working with the DOT to obtain the fill.

There was discussion, and questions asked, from the Commission regarding water flow and impervious surface. There was discussion regarding the dates in the report and whether the dates need to be amended due to the applicant's request. Mayor Nerbun suggested the fill could be allowed until the end of 2024 and that the landscaping should be completed by the middle of 2025. Ald. Strzelczyk stated his concern about the condition of the roads due to the amount of fill hauls to this site and requested that the road condition be monitored.

Action

Ald. Strzelczyk made a motion to approve items 1 & 2, with the new dates of landscape completion by 6/30/25 and fill completion by 12/31/24.
Commissioner Choren made a friendly amendment to the motion that the average slope does not exceed 3:1.
Ald. Strzelczyk accepted the friendly amendment.
Commissioner Barnes seconded the motion as amended.
A voice vote was taken; vote passed (7-0)

Asst. Dir. Zader gave some history on berms in the city and commented that without a

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development agreement staff do not support the height of the proposed berm.

The Commission expressed hesitation about the height of the proposed berm and are supportive of tabling this portion of the requested approval. The Commission is supportive and appreciative of the applicant's interest in developing this parcel and suggest they would possibly be supportive of a shorter berm.

Action
Ald. Strzelczyk made a motion to table item #3
Commissioner Schaefer seconded the motion.
A voice vote was taken; vote passed (7-0)

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

b) Enclave Phase VII. The applicant is seeking development agreement and fill permit approval to allow for 25,000 C.Y. for fill and 12-lots for the parcel located immediately north of 8200 W. Donges Bay Road.

Eng. Asst. Dir. McCraw stated that this request is for development agreement and fill approval for Phase VII of the Enclave subdivision, for 12-lots and will eventually connect the Preserve Parkway street to the older section of the subdivision.

Action
Commissioner Barnes made a motion to approve the development agreement and fill permit request per staff recommendations.
Ald. Strzelczyk seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**APPROVED [7 TO 0]**
MOVER:	Bruce Barnes, Commissioner
SECONDER:	Andrew Nerbun, Chair
AYES:	Urbani, Nerbun, Strzelczyk, Barnes, Choren, Hawley, Schaefer
ABSENT:	Gentges, Stoker

c) Dennis Bush for Kellaher. The applicant is seeking certified survey map approval to allow for a 2-lot division for the property located at 9832 N. Range Line Road and land immediately to the east.

Asst. Dir. Zader stated that the CSM request is for 2-lot land division. There is an existing home located on Lot 1 and there are two outbuildings on Lot 2 which will be razed. Creation of this CSM includes property purchased from the adjacent neighbor, dedication of about 50-feet for

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ultimate ROW to the city, a shared driveway easement and sanitary & water easement. The applicant is requesting a deferral to connect to city water. Staff does recommend approval per the conditions in the report.

The applicant submitted a letter to staff based on the staff report recommendations and Eng. Asst. Dir. McCraw provided answers to the questions:

- Staff approves the waiver request for the driveway width as there are trees close by and has approved this width for other driveways.
- Utility easements – if the lateral is to be shared an easement would be requested.
- Water connection – the applicant has a water deferral request submitted which they do quality for given the distance to the connection. This will be processed at staff level.
- The wetland delineation report has been submitted.

There was a question regarding the existing width of the driveway and the Commission discussed previous waiver approvals.

Action
Ald. Strzelczyk made a motion to approve the CSM including the driveway waiver to remain as existing (approx.14-feet).
Commissioner Barnes seconded the motion.
A voice vote was taken; vote passed (7-0)

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

d) Caulfield. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 12650 N. Wasaukee Road.

City Planner, Evan Hoier, stated that this is a request for a 2-lot land division. Lot 1 contains existing farmstead buildings, and the City Forester confirmed that no specimen trees will be impacted. Lot 1 would retain the agricultural overlay as it would obtain over 10-acres (29.61 acres).

Eng. Asst. Dir. McCraw stated that staff does support the driveway waiver (condition #11 in the staff report). There is currently no driveway on site.

Staff and the Commission discussed the driveway conditions they would like to require.

Action
Commissioner Barnes made a motion to approve the CSM per staff recommendation including the approval of a 14-foot driveway with 2-foot shoulders on each side.

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Ald. Strzelczyk seconded the motion.
A voice vote was taken; vote passed (7-0)

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

e) Walter Buildings for Mark Eskuche. The applicant is seeking building and site plan approval to allow for a 1,920 square foot storage building for the property located at 6728 W. Donges Bay Road.

Planner Hoier stated that the proposed building would replace a deteriorating 30 x 64 sq. ft. building in the same location. The building will be used for the applicant's classic car restoration and racing business. The applicant received CUG approval for this use in 1994. Planner Hoier reviewed the building materials that will be used. He commented that a site visit was conducted, and several tires and materials were piled on the western side of the warehouse near the garbage bins. It was also noted that a recreational vehicle was parked on the property as well as a tractor trail parked in the driveway.

There was feedback from the Commission regarding the truck parked in the ROW on site during load and unloading, as it is believed to impose an impediment for traffic and pose a public safety issue. Discussion ensued and feedback supports the truck only being allowed to unload on site during non-peak traffic hours and for all the trucks to be parked further back on the site. The Commission supports the business use at this site.

Action
Ald. Strzelczyk made a motion to approve this item with an amendment to condition #3 that the tractor trailer may be parked in the rear of the site but the loading and unloading shall not occur during peak traffic hours or be located in the ROW.
Commissioner Barnes seconded the motion.
A voice vote was taken; vote passed (7-0)

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

f) Kathy Burghardt for Delish Delivered. The applicant is seeking building and site plan approval to allow for a 2,300 square foot catering services facility for the property located at 6340 W Industrial Road.

Planner Hoier stated that the applicant is proposing to open and operate a food catering business

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and due to it being located in the Town Center zoning district, a building and site review was conducted. The use is permitted but there are some disparities with the existing building as it predates the creation of the Town Center zoning requirements, such as:

- The building is setback more than 50 feet, and the code requires it to be only 10 feet.
- The offset is currently 7 feet, and the code requires it to be at least 10 feet.
- There are not enough parking spaces on site (9 existing, 35 required).
- Parking lots are prohibited between buildings and street frontage.
- Street lighting needs to be installed.
- Landscaping, street trees and screening are lacking on site.

The applicant is not proposing any changes to the building façade or the site at the time of submittal.

Eng. Asst. Dir. McCraw stated that ROW dedication is being requested by the city for future street improvements and potential sidewalk installation.

The applicant, Kathy Burghardt, stated that she does not wish to make improvements to the building or site at this time, but based on staff recommendations, she agreed to the following:

- Landscape 4 shrubs by the parking lot as screening.
- Landscape 3 shrubs on the east elevation to shield the equipment.
- Install awnings on the 2 small windows on the west elevation.

She would like to paint the garage door and garage entry door black instead of replacing it. She does not feel that it is her responsibility to provide the streetlight. She does not feel comfortable with the ROW dedication.

Staff stated that an ordinance was recently adopted that places the onus of public improvements on the owner as the TIF district monies have been spent. Lighting is required for the entire area and there should not be a gap in placement of the streetlamps. Staff is willing to work with the applicant on timing of the recommended improvements.

Commission discussed the ROW and streetlight recommendations. The Commission expressed sympathy for the applicant while also considering the requirements of the zoning district.

Planner Hoier commented that the garage door is not damaged, but it is quite dated and needs improvement. Staff recommend a glass door or black door for both the garage door and the adjacent entry door.

Action

Commissioner Choren made a motion to approve the landscape for #1, install awnings on the west elevation, painting of the garage door and entrance door and deferral of purchasing and installation of the streetlight until the land is divided, the building is expanded or the properties to the north or east create connectivity and lighting to the south.

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Commissioner Barnes seconded the motion.

More discussion ensued.

Commissioner Choren amended his motion to exclude the requirement of the dedication of the ROW (condition #4).
Commissioner Barnes seconded the amended motion.
A roll call taken; vote passed (5-2) (No: Schaefer, Urbani).

RESULT:	**APPROVED WITH CONDITIONS [5 TO 2]**
MOVER:	Martin Choren, Commissioner
SECONDER:	Bruce Barnes, Commissioner
AYES:	Nerbun, Strzelczyk, Barnes, Choren, Hawley
NAYS:	Urbani, Schaefer
ABSENT:	Gentges, Stoker

g) Lemberg Electric for BMO Bank. The applicant is seeking sign design approval for drive-thru vinyl signage for the property located at 1425 W. Mequon Road.

Planner Hoier stated that this request is for signage on the drive-thru at BMO bank. This was originally a decal intended for all 3 drive-thru windows and was included in the sign package but was denied due to its size (exceeded 2 sq. ft). It was redesigned without the vinyl strip, but it was denied by staff based on design size and legibility from all the drive-thru lanes. The existing signage is non-conforming, but it is large in size and legible from all 3 lanes.

Commission feedback is that this is not a bothersome issue and that all signage needs to be a legible size. Some Commissioners support staff recommendations.

The applicant was represented by a Lemberg Electric representative, who commented that BMO wants a reliable process to display their brand colors but can be changed when needed for changing communication.

Action
Commissioner Urbani made a motion to approve this item.
Commissioner Hawley seconded the motion.
A roll call vote was taken; vote passed (4-3) (No: Schaefer, Strzelczyk, Nerbun)

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RESULT:	**APPROVED [4 TO 3]**
MOVER:	Nancy Urbani, Stephanie Hawley
AYES:	Urbani, Barnes, Choren, Hawley
NAYS:	Nerbun, Strzelczyk, Schaefer
ABSENT:	Gentges, Stoker

h) United Image Group for Story Point Mequon. The applicant is seeking sign waiver approval to allow for a setback waiver for a monument sign for the property located at 6751 W. Mequon Road.

Asst. Dir. Zader stated this request is for a new sign to be place in a new location with a brick base. Two waivers have been requested:

1. Height waiver for a 7' sign which staff does not support as the sign height restriction has been steadfastly observed in the Town Center.
2. Setback waiver – about 2 feet from the ROW.

Staff recommends that the sign base match the brick base of the wall and come off 5 feet from the property line and be more integrated into the existing architecture. Staff recommend denial of the sign waiver.

The Commissioners like the idea of the sign being integrated into the wall, having a 4-5 foot offset and matching the architecture.

Action
Ald. Strzelczyk made a motion to table this item.
Commissioner Choren seconded the motion.
A voice vote was taken; vote passed (7-0)

RESULT:	**TABLED [7 TO 0]**
MOVER:	Robert Strzelczyk, Alderman
SECONDER:	Martin Choren, Commissioner
AYES:	Urbani, Nerbun, Strzelczyk, Barnes, Choren, Hawley, Schaefer
ABSENT:	Gentges, Stoker

3) Announcements

The next meeting is Monday, December 4, 2023, at 6:00 p.m.

4) Adjourn

Action
Ald. Strzelczyk made a motion to adjourn the meeting.
Commissioner Urbani seconded the motion.
A voice vote was taken; vote passed (7-0)

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The meeting was adjourned at 8:28 p.m.

Respectfully Submitted,

Jac Zader

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Department of Community Development

TO: **Planning Commission**

FROM: **EVAN HOIER, ASSOCIATE PLANNER**

DATE: **December 5, 2023**

SUBJECT: **Infinite Gymnastics. The applicant is seeking conditional use grant approval to allow for a fitness center for the property located at 6350 W. Donges Bay Road.**

Applicant:	Maia Puleo for Infinite Gymnastics
Status of Applicant:	Tenant
Requested:	Conditional Use Grant
Existing Zoning:	B-5 (Light Industrial)
Existing Use:	Vacant
Land Use Plan:	Business Park
Lot size:	4.00 Acres
Location:	6350 W. Donges Bay Road
Tax Key Number:	#14-027-16-021.00
District:	#4

Background: The applicant is requesting a conditional use grant for the property located at 6350 West Donges Bay Road for a fitness center. This tenant would act as a youth gymnastics training business. This second location for Infinite Gymnastics would be in one of the multi-tenant buildings along Donges Bay Road. Infinite Gymnastics will be located in the business park south of Town Center. The training center will be located at 6350 W Donges Bay Road. The size of the new location would be 5,624 square feet and include two locker rooms, a conference room, and two office spaces alongside the main training gym area. The parcel is zoned B-5, which allows fitness centers as a conditional use.

Conditional Use Grant Findings:

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

1. The proposed use should not endanger the public health, safety or general welfare of the city and the immediate neighborhood. The operation of the site is subject to medical scrutiny and regulation.

The proposed use is similar to a number of uses nearby including Hype Fitness, Body Activation LLC, and North Shore Dance Studio, most of which are located within a short distance from the proposed training center. The hours of operation and number of trips taken on Donges Bay Road can be accommodated on this local arterial and there should be no significant negative impact on

traffic. This use will not endanger the public health, safety or general welfare of the City or immediate neighborhood.

2. The proposed use should not injure the value of adjoining or abutting property. The proposed building and subsequent use should not have a negative effect on the value of any neighboring property.

The subject site and the adjacent parcels are zoned B-5 and are utilized for similar commercial and light industrial uses, with all nearby parcels carrying a "business park" designation of the land use map. Staff does not believe any of the proposed operations will injure the value of adjoining or abutting property. There are no known outdoor activities, pollutants or noise.

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

The subject site is located within a B-5 (Light Industrial) district. Many nearby parcels share the same zoning designation. Planning staff believe that if the conditions of the approval listed below are met, the proposal should be harmonious with the surrounding uses.

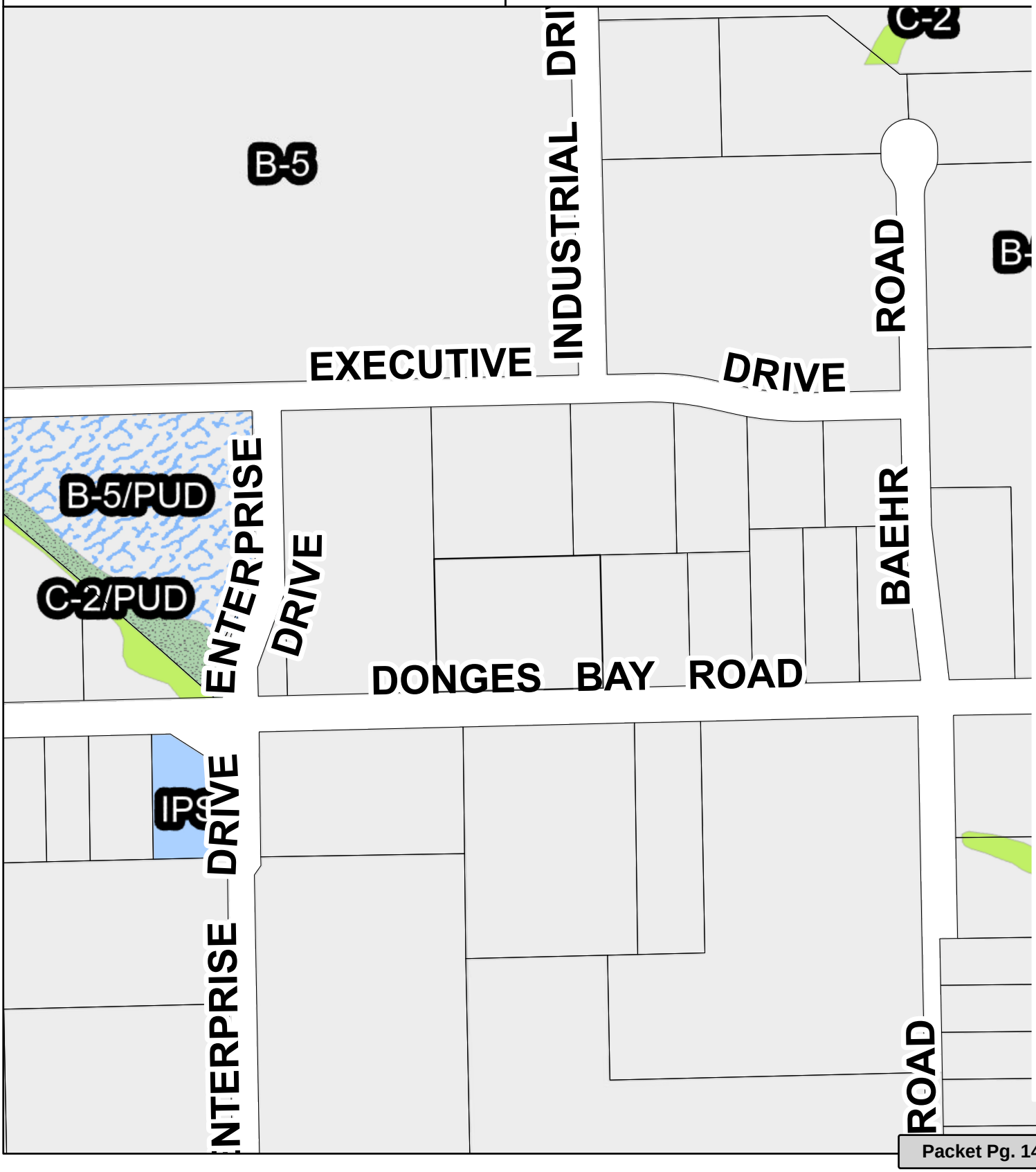
Staff Recommendation:
Staff recommends approval of the conditional use grant subject to the following conditions:

1. Conditional Use Grant document recording.
2. Submission of final floor plan within 180 days of Planning Commission approval.
3. This Conditional Use Grant will expire in one year. A new application will be required to renew.
4. No exterior signage is permitted other than window vinyl decals.
5. Hours of operation will be 4:30 pm to 8:00 pm on Monday through Friday and 9:00 am through 1:00 pm on Saturdays.

Attachments:
PacketDocs_InfiniteGym (PDF)

INFINITE
GYMNASTICS

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



Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)

Infinite Gymnastics

Lower-Level Team Location – Mequon

Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)

Executive Summary

Infinite Gymnastics is currently located in an 18,500 square foot facility in Brown Deer, Wisconsin – just a quick dri away from several of Milwaukee's more affluent suburbs. Infinite offers gymnastics training for students of all ages and abilitie from the beginner levels to the most advanced competitive levels. Several of Infinite's students begin as early as 18 months-c and may even continue to progress with Infinite until they are in college and beyond. On weekends, Infinite serves as a birthd party venue, and hosts open gyms and other events where anyone can join regardless of their gymnastics interest ar experience. Their staff – from the office to the gym – radiate a culture of positive energy that draws in new customers from o current customer's happy word of mouth (and keeps them coming back for more). Infinite has been growing so rapidly over tl past few years, in fact, that acquiring a second location is now required in order to continue business as usual.

Personal Background Information

Maia Puleo was a former gymnast and coach at Infinite Gymnastics, prior to taking on her role as sole owner in March 2020. Within the *first week* of ownership, the business was forced to shut down from the pandemic. Miraculously, Infinite n only survived the pandemic, but it thrived! Prior to the COVID shutdowns (and under the previous ownership), Infinite had grow close to 400 students. At the time of reopening from the pandemic, there were only 50 Team Students actively enrolled, ar from there it began slowly increasing its numbers. Today, Infinite's enrollment is just over 700 students, with nearly 60 childre on the waitlist at all times.

Business Concept for Second Location

Infinite Gymnastics would like to move its lower-level competitive girls' team to the new location. New customers wou continue to enroll in our preschool and recreational classes at Infinite's current location, but when they make it onto team, the would attend practices at the second location. The reasoning for this is because:

1) New and old customers are familiar with Infinite's current location, amenities, and staff.
2) Moving the low-level girls' competitive program would be low maintenance, as they do not require the foam pits ar trampolines like the upper levels do. The equipment needed is minimal as opposed to the equipment needed to tra upper levels and boys' and girls' gymnastics.
3) The low-level girls' competitive program does not need its own office manager. They would refer to their child coach, team program manager, or the main gym with questions or concerns.
4) The girls' team could continue to grow, even though it has outgrown its current space.

Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)

Hours of Operation

Hours of Operation will be:

- Monday – Friday
  - 4:30 – 8:00 pm
- Saturday:
  - 9:00 – 1:00 pm

Parking & Signage

Infinite Gymnastics' Lower-Level Team location will receive its customers by *invitation only*, when they are invited to join the team from the current location during team tryouts. There will be no signage on the building (other than a small laminated sign on the door) in order to prevent walk-ins. Parents will be encouraged to drop their children off at the beginning of their 2 3 hour class and pick them up at the end. The landlord is reserving 12 parking spaces in the parking lot for our customers and employees.

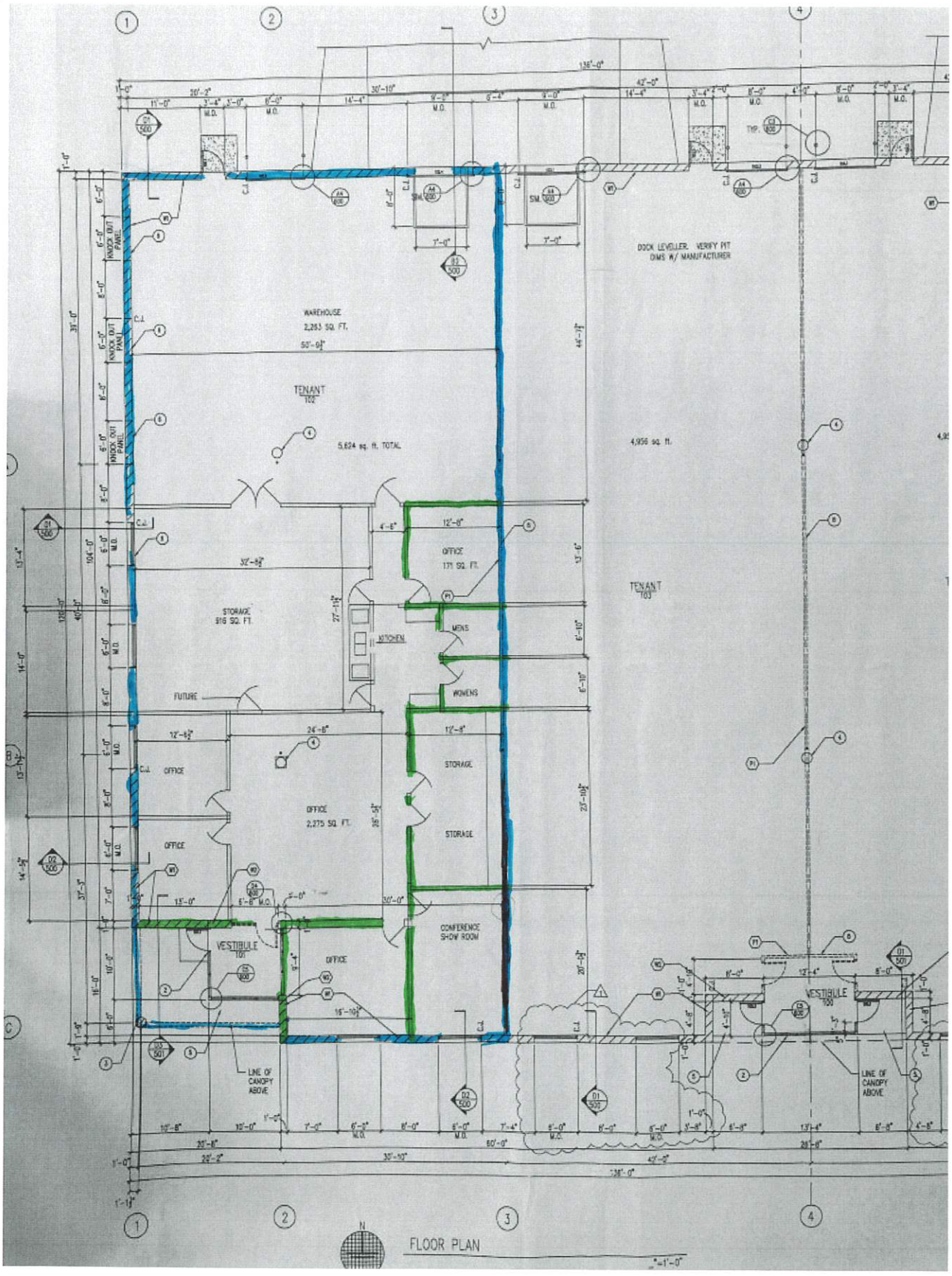
Employees

Infinite Gymnastics' second location will employ a maximum of 8 employees at a time.

Square Footage and Floor Plan

The square footage of the entire location is 5,624. There are currently two bathrooms, two storage spaces (which will be turned into locker rooms for the kids), a conference room, and two office spaces (one will remain an office space and one will be used as storage for cleaning supplies and holiday decor). The walls that will remain intact are shown (outlined in green) in the floorplan attached. Construction will be done at the building owner's expense to remove the other office spaces which wil add to the warehouse space and will become the gymnastics facility.

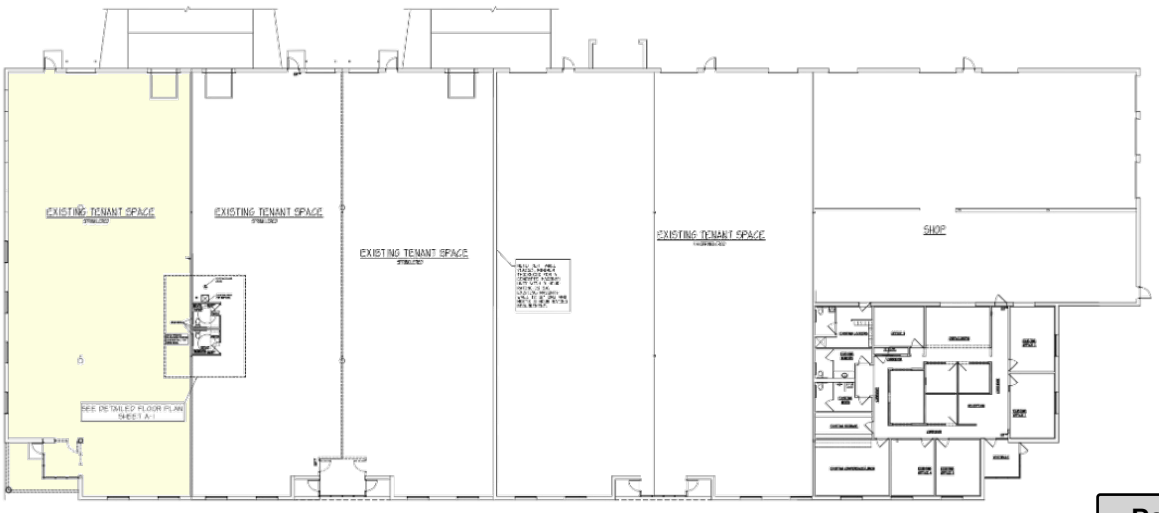
Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)



Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)







Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)

CONDITIONAL USE GRANT

Articles of Agreement made and entered into this 4th day of December 2023, and between Maia Puleo and B And DG Enterprises LLC, owners of the property located at 6350 West Donges Bay Road and the City of Mequon Planning Commission.

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

LEGAL DESCRIPTION

Exhibit A-1

PARCEL NO.:
#14-027-16-021.00

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

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

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

GRANTED by action of the Planning Commission of the City of Mequon this 4th day of December 2023.

_____

Andrew Nerbun, Mayor, Planning Commission Chairperson

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2023, the above named Curtis Gielow, Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

_____

Planning Commission Secretary

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2023, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)

The **CONDITIONS** of this Grant are:

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

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

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

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

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

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

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

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

9. **Conditions on the Operations:**

a. Hours of operation:

- Monday through Friday: 4:30 pm to 8:00 pm.
- Saturday: 9:00 am to 1:00 pm.

b. Other:

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

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

10. **Conditions of the structures:**

a. Site Plan: As per attached Exhibit A

b. Sign: No wall sign will be permitted. Window vinyl decals are the only exterior signage allowed.

c. Floor Plan:

d. The building shall comply with the building code.

Any changes subject to Planning Commission approval.

Owner

Acknowledgment:

STATE OF WISCONSIN)

Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)

)SS
OZAUKEE COUNTY)

Personally came before me, this _____ day of _____, 2023, the above named_____, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Ozaukee County, Wisconsin

Receipt of a true Copy of this instrument on behalf of the petitioner acknowledged the _____ day of _____, 2011

Attachment: PacketDocs_InfiniteGym (8995 : Infinite Gymnastics)

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: **COLE MCCRAW, ASSISTANT CITY ENGINEER**

DATE: **December 4, 2023**

SUBJECT: **Espire Homes, Inc. The applicant is seeking minor request approval for a fill permit to allow for 5,000 C.Y. of fill for the property located at 14141 N. Lake Shore Drive.**

Applicant:	Espire Homes, Inc.
Status of Applicant:	Agent
Requested:	Fill/Excavation exceeding 1,000 C.Y.
Existing Use:	Vacant
Existing Zoning:	R-1 (Rural Residential Detached) OA (Architectural Overlay)
Lot size:	5.15 Acres
Location:	14141 N. Lake Shore Drive
Tax Key Number:	#15-187-00-020.00
District:	#5

Background:
The applicant is seeking a minor request approval for fill or excavation exceeding 1,000 cubic yards (CY) at 14141 North Lake Shore Drive. The proposed work is requested for lot grading for a new home on a vacant parcel. The application indicates that 5,000 CY of fill will be needed to grade to the proposed plan.

The fill will be used to raise the home to accommodate a rear exposure. The fill will be concentrated around the house and slope outward from the house. Two rain gardens will be installed downstream of the house that will capture storm water during rain events. The proposed grading follows the natural drainage pattern and does not impede any upstream drainage. The grading plan is therefore acceptable from a drainage standpoint.

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

Access will be provided through a shared driveway with the adjacent lot. The shared driveways are indicated on the recorded plat for Lakeshore Estates

Wetlands are shown on the recorded plat for Lakeshore Estates and will not be impacted by the proposed work.

The property is outside the City's sewer service area and no connection is required. The new home will be served with a private wastewater system.

The property has obtained green infrastructure (GI) plan approval from the City and MMSD. The owner must construct and certify the GI devices upon completion in accordance with City requirements. The GI will provide storm water storage during rain events. Downspouts will be connected to the GI devices.

A filling, excavation, and berms permit is required. The total amount of filling and excavation is anticipated to be 5,000 cubic yards. A haul route and haul route bond will be required. The haul route and haul route bond are intended to protect City streets from the increase in the amount of hauled material. A grading record drawing will be required at project completion.

The grading plan and GI plan were reviewed by City engineering staff.

The erosion control measures are permitted through the City building permit.

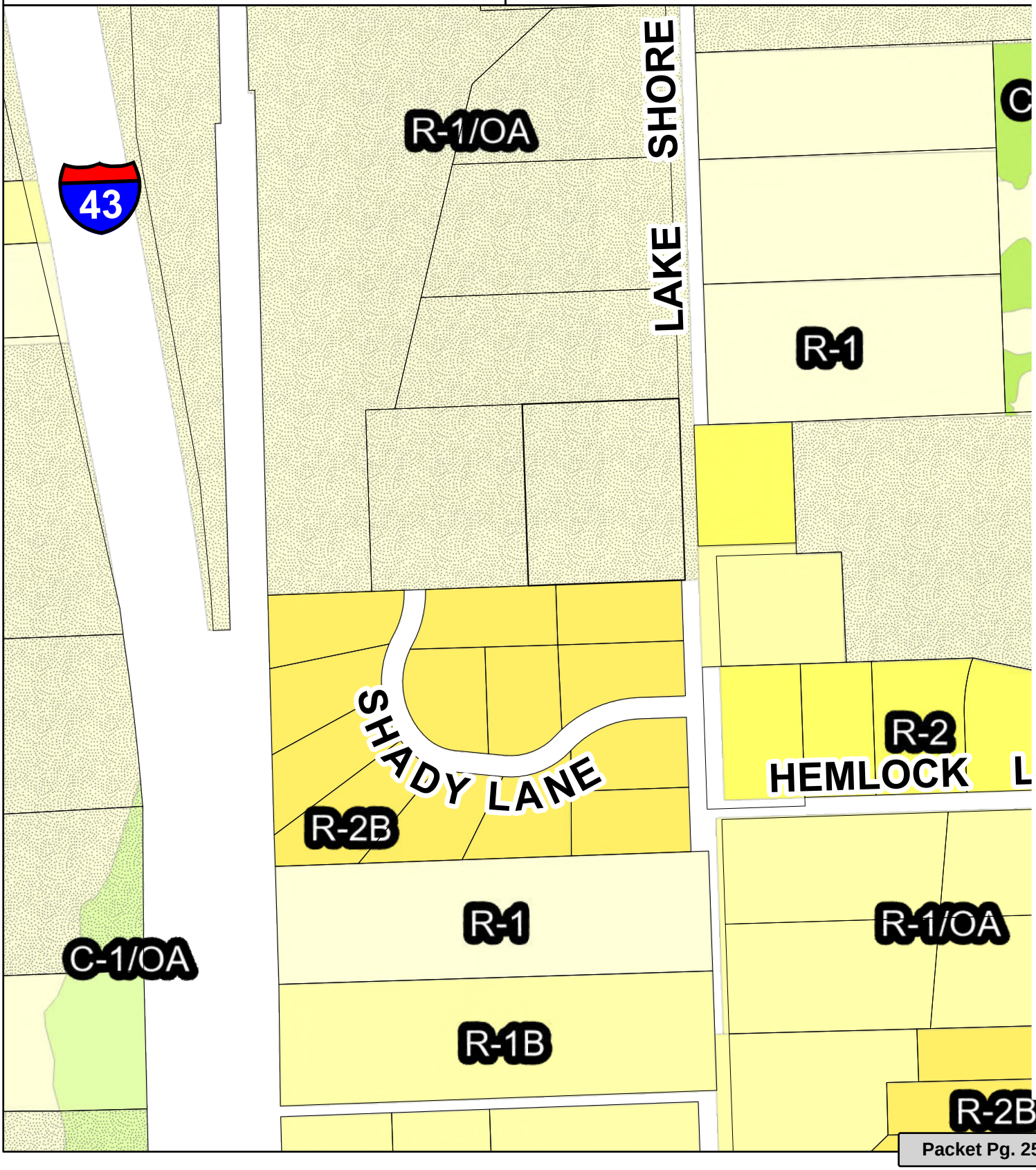
Staff Recommendation:
Staff recommends **approval** of the fill/excavation exceeding 1,000 CY subject to the following conditions:

1. Application for and approval of a City Filling and Excavation Permit. A haul route shall be provided for staff approval and a haul route bond will be required. A grading record drawing will be required at project completion.

Attachments:
EspireMap (PDF)
2023-07-28 - Grading Plan (PDF)
LAKEVIEWPARTNERSHOME_GI_PLAN(PDF)

ESPIRE HOMES

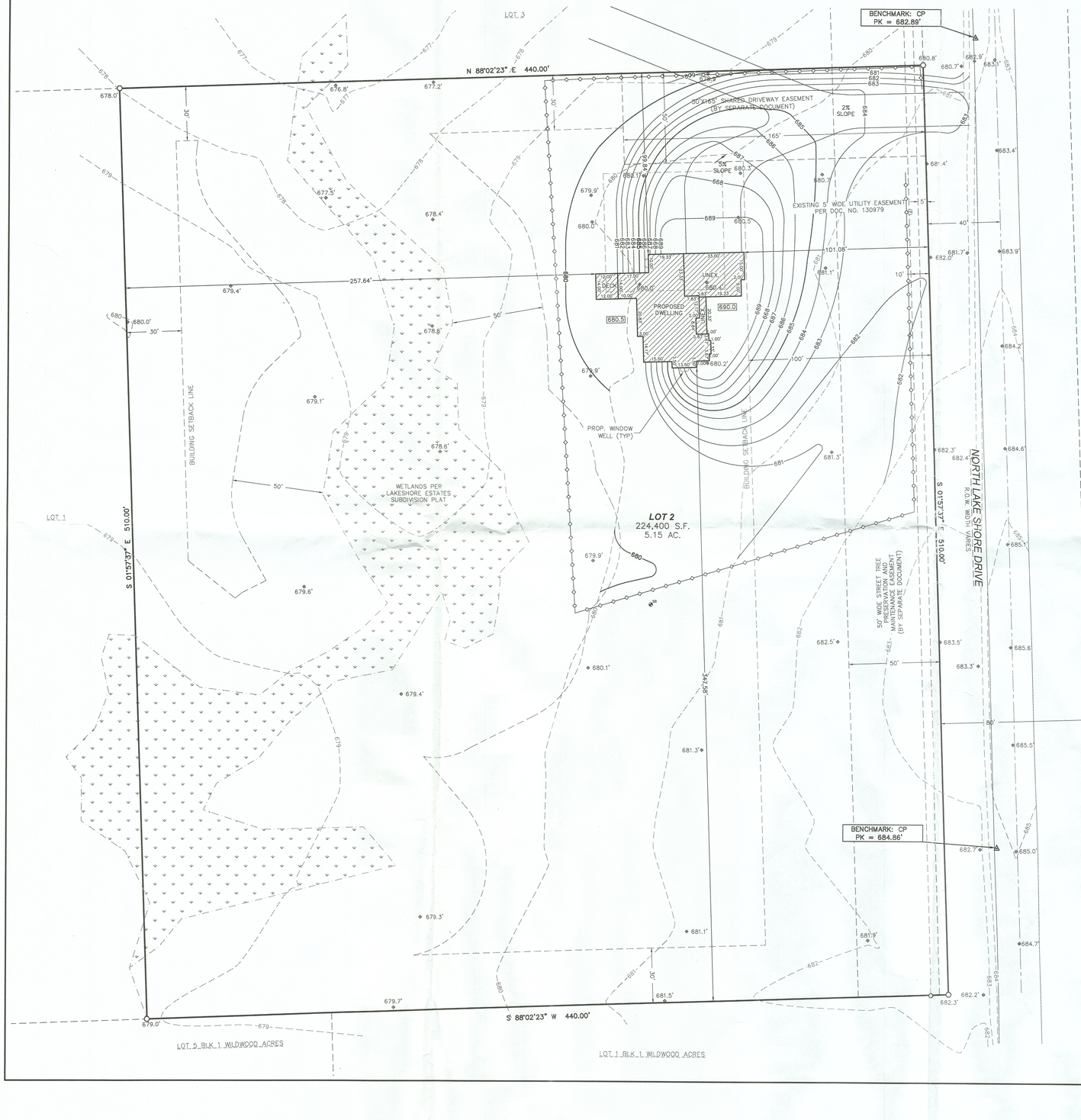
AC	Arrival Corridor	IPS	Institutional & Public Service
A-1	Agricultural Preserve	NC	Neighborhood Commercial
A-2	General Agricultural	OA	Agricultural Overlay
B-1	Neighborhood Business	PUD	Planned Unit Development Overlay
B-2	Community Business	P-1	Park & Recreation
B-3	Office & Service Business	R-1	Single-Family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



Attachment: EspireMap (8996 : Espire Homes, Inc.)

PLAT OF SURVEY

LOT 2 OF LAKESHORE ESTATES, BEING A PART OF THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 5, TOWNSHIP 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



NOTES:

- BEARINGS ARE REFERENCED TO THE NORTH LINE OF LOT 2, WHICH WAS TAKEN TO BEAR N 88°02'23" E, AS SHOWN ON LAKESHORE ESTATES SUBDIVISION PLAT.
- VERTICAL DATUM IS NAVD 88 (GEOID 12A)
- THE EXCAVATOR AND MASON MUST VERIFY AT LEAST 2 BENCHMARKS SHOWN ABOVE.
- PROPOSED ELEVATIONS AS SHOWN ON THIS DRAWING IS A SUGGESTED GRADE AND SHOULD BE VERIFIED BY THE OWNER AND/OR THE BUILDER AND APPROVED BY THE BUILDING INSPECTOR.
- EROSION CONTROL MEASURES SHALL BE PROVIDED BY THE BUILDER AND/OR BUILDING INSPECTOR BASED ON SITE CONDITIONS.
- A TITLE COMMITMENT HAS NOT BEEN PROVIDED. AN ADDITIONAL SEARCH FOR EASEMENTS OF RECORD HAS NOT BEEN COMPLETED.
- PER OZAUKEE COUNTY GIS THE PARCEL CURRENTLY DOES NOT HAVE AN ADDRESS.
- EASEMENTS AND BUILDING SETBACKS PER SUBDIVISION PLAT.
- THE SUBDIVISION IS LOCATED IN ZONE 'X' AND ZONE "AE PER FEMA FIRM MAP COMMUNITY PANEL NO. 55089C0193F WITH AN EFFECTIVE DATE OF DECEMBER 4, 2007.
- DRIVEWAY CONSTRUCTION SHALL ADHERE TO THE LOCATION AND CONFIGURATION AS SHOWN ON THIS PLAT UNLESS OTHERWISE APPROVED BY THE CITY ENGINEER.
- INDIVIDUAL LOT OWNERS SHALL PROVIDE WETLAND FILL APPROVAL FROM THE WDNR TO THE CITY, IF FILLING OF THE WETLANDS IS PROPOSED.
- EACH INDIVIDUAL LOT WITH HOME/DRIVEWAY CONSTRUCTION THAT EXCEEDS 5,000 SQUARE FEET OF IMPERVIOUS SURFACE WILL BE REQUIRED TO PROVIDE GREEN INFRASTRUCTURE MEETING MMSD REQUIREMENTS. IN ADDITION FOR HOME/DRIVEWAY CONSTRUCTION WHICH TRIGGERS THE MMSD REQUIREMENTS, THAT PROPERTY OWNER WILL ALSO BE REQUIRED TO PROVIDE A STORM WATER MAINTENANCE AND EASEMENT AGREEMENT FOR THE GREEN INFRASTRUCTURE DEVICE.
- FOR HOME/DRIVEWAY CONSTRUCTION WHICH TRIGGERS THE MMSD REQUIREMENT FOR GREEN INFRASTRUCTURE, EACH PROPERTY OWNER WILL ALSO BE REQUIRED TO PROVIDE A DRAINAGE FINANCIAL GUARANTEE, CITY ORDINANCE 58-677(B) REQUIRES THAT THE APPLICANT DEPOSIT AN ESCROW OR LETTER OF CREDIT TO GUARANTEE A GOOD FAITH EXECUTION OF THE APPROVED PLAN AND ANY PERMIT CONDITIONS. THE ESCROW/LETTER OF CREDIT SHALL BE IN AN AMOUNT EQUAL TO 125% OF THE ESTIMATED COST OF CONSTRUCTION AND MAINTENANCE OF THE STORM WATER MANAGEMENT PRACTICES AND THE CITY WILL RELEASE THE PORTION OF THE FINANCIAL GUARANTEE LESS ANY COSTS INCURRED BY THE CITY TO COMPLETE INSTALLATION OF PRACTICES, UPON SUBMISSION OF A CERTIFICATION IN ACCORDANCE WITH 58-678(H).
- ALL OF THE LOTS ON THIS PLAT OF LAKESHORE ESTATES ARE SUBJECT TO COMPLIANCE WITH THE CITY OF MEQUON POLICY FOR TREE PROTECTION AND PRESERVATION.
- WETLAND WERE DELINEATED BY SHORT ELLIOTT HENDRICKSON INC., ERICA PERGANDE (WDNR ASSURED WETLAND DELINEATION) ON MAY 28, 2021. WETLAND RESTRICTIONS:
  - GRADING AND FILLING SHALL BE PROHIBITED UNLESS SPECIFICALLY AUTHORIZED BY THE MUNICIPALITY IN WHICH THEY ARE LOCATED AND, IF APPLICABLE, OZAUKEE COUNTY, THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, AND THE ARMY CORPS OF ENGINEERS.
  - THE REMOVAL OF TOPSOIL OR OTHER EARTHEN MATERIALS SHALL BE PROHIBITED.
  - THE REMOVAL OR DESTRUCTION OF ANY NATIVE VEGETATIVE COVER. IE., TREES, SHRUBS, GRASSES, ETC., SHALL BE PROHIBITED, WITH THE EXCEPTION OF THE REMOVAL OF DEAD, DYING OR DISEASED VEGETATION. NON-INDIGENOUS SPECIES, OR NOXIOUS WEEDS (AS DEFINED BY LOCAL ORDINANCE) AT THE DISCRETION OF A FORESTER OR NATURALIST AND THE APPROVAL OF OZAUKEE COUNTY.
  - GRAZING BY DOMESTICATED ANIMALS. IE., HORSES, COWS, ETC.,. SHALL BE PROHIBITED.
  - THE INTRODUCTION OF PLANT MATERIAL NOT INDIGENOUS TO THE EXISTING ENVIRONMENT OF THE WETLAND AREA OR PRIMARY ENVIRONMENTAL CORRIDOR SHALL BE PROHIBITED.
  - CREATION OF A MOWN LANDSCAPE, GARDENING, CULTIVATING. OR DEPOSITING YARD WASTE OF ANY TYPE SHALL BE PROHIBITED.
  - PONDS MAY BE PERMITTED SUBJECT TO THE APPROVAL OF THE MUNICIPALITY IN WHICH THEY ARE LOCATED AND, IF APPLICABLE, THE OZAUKEE COUNTY. THE WISCONSIN DEPARTMENT OF NATURAL RESOURCES, AND THE ARMY CORPS OF ENGINEERS. •CONSTRUCTION OF BUILDINGS WITHIN THE WETLAND BOUNDARY IS PROHIBITED.

SETBACK REQUIREMENTS
FRONT YARD = 100'
SIDE YARD = 30'
REAR YARD =30'
WETLAND SETBACK =50'

PROPOSED GRADES FORM A
FINISH YARD GRADE: 689.5/680.5
GARAGE FLOOR: 689.83
TOP OF WALL: 690.17
TOP OF FOOTING: 681.17 (9' WALL)
BASEMENT FLOOR = 681.42

*** PER FORM A SEASONAL HIGH GROUNDWATER DETERMINATION REPORT DATED MAY 15, 2023 DONE BY LANDMARK ENGINEERING SCIENCES, INC. ***

LEGEND

○	FOUND 3/4 REBAR" OR NOTED
○	FOUND 1" IRON PIPE OR NOTED
⊠	TV PED
◆800.0	EXISTING SPOT GRADE
800	EXISTING CONTOUR
	WETLANDS
800	PROPOSED CONTOUR
	PROPOSED SILT FENCE
800.0	PROPOSED ELEVATION
■	10' OFFSET OR NOTED
	PROPOSED FLOW DIRECTION
S#8	SOIL BORE

0' 30' 60'
1 INCH = 30 FEET

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY THAT 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 OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS, ROADWAY AND VISIBLE ENCROACHMENTS, IF ANY. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE, THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF.

SIGNED: MATTHEW T. O'ROURKE, PROFESSIONAL LAND SURVEYOR S-2771

LandTech
SURVEYING
LAND SURVEYING ● LAND PLANNING
111 W. 2ND STREET
OCONOMOWOC, WI 53066
WWW.LANDTECH.COM
(262) 567-7799

REV. | REV. | REV. | REV. | REV.

LOCATION: NORTH LAKE SHORE DRIVE, MEQUON, OZAUKEE COUNTY, WISCONSIN
DRAWN BY: MTO
CHECKED BY: LJS

CLIENT: ESPIRE HOMES
PROJECT: LAKEVIEW PARTNERS, LLC
LAYOUT: STAKED SURVEY
DRAWING: 23084_SURVEY.DWG

SEAL: WISCONSIN · MATTHEW T. O'ROURKE · S-2771 · NEOSHO, WI · LAND SURVEYOR

SCALE: 1:30
DATE: 06/15/2023
JOB NO.: 23084
SHEET: 1 OF 1

Attachment: 2023-07-28 - Grading Plan (8996 : Espire Homes, Inc.)



PROPOSED RAIN GARDENS

LEGEND:

- RAIN GARDEN BASIN
- EASEMENT ACCESS
- SILT FENCE
- ROOF DRAINAGE TO RAIN GARDEN A
- ROOF DRAINAGE TO RAIN GARDEN B

LAKEVIEW PARTNERS, LLC GREEN INFRASTRUCTURE PLAN

14141 NORTH LAKE SHORE DRIVE
MEQUON, WI

DESIGN BY:
JAMES COLETTA, PLA

DATE: 8/15/2023
REV:

SEAL:

WISCONSIN
JAMES COLETTA
ALA-0001414
SUSSEX
WI
LANDSCAPE ARCHITECT

SHEET NUMBER:

2 OF 3

NOTES:

This drawing is made solely for the stated client. Any unauthorized use or duplication is in violation of the copyright laws & subject to prosecution.

Attachment: LAKEVIEWPARTNERSHOME_GI_PLAN (6996 : Espire Homes, Inc.)

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

TO: **Planning Commission**

FROM: **EVAN HOIER, ASSOCIATE PLANNER**

DATE: **December 4, 2023**

SUBJECT: **Joy Stringer and Warren Stringer Jr. The applicant is seeking certified survey map approval to allow for a 2-lot land division for the property located at 11700 N. Wasaukee Road.**

Applicant:	Joy Stringer & Warren Stringer Jr.
Status of Applicant:	Owner
Requested:	Final Land Division
Existing Zoning:	R-1 (Rural Residential) OA (Architectural Overlay)
Existing Use:	Residential 5-Acre
Land Use Plan:	Business Park
Lot size:	36.86 Acres
Location:	11700 N. Wasaukee Road
Tax Key Number:	#14-019-07-004.00
District:	#3

Background:
The applicant is requesting approval for a two-lot certified survey map for the parcel located at 11700 North Wasaukee Road. The land division would create two lots, Lot 1 is 26.777 acres and Lot 2 is 10.096 acres. There are no structures on the proposed second lot. The applicant is seeking to create the new Lot 2 from the northeast corner of the existing parcel. There are wetlands shown on the north, west, and south sides of the proposed Lot 2.

Site Conditions:
The wetland delineation for the site requires a 30 setback from wetland A and B and a 10 foot setback from wetland C. Despite the wetlands, wetland setbacks, and zoning district standards, the site can accommodate a building area of at least 144,810 square feet and dry land access. The proposed Lot 2 can accommodate a reasonably sized dwelling footprint and accessory structure of 40 feet by 60 feet.

District Standards:
Lots 1 and 2 of the proposed certified survey map are consistent with the current zoning designation of R-1 and also consistent with the agricultural overlay (OA). Both lots meet the 10-acre minimum lot size, the average lot width and length, and setback and offsets. The existing buildings on Lot 1 cover approximately 0.5% of the proposed parcel, well below the 5% maximum. Lot 1 contains an existing dwelling, pool, and outbuilding. Access to Lot 2 is shown via a proposed shared 25 foot-wide access easement running across the northern side of the existing parcel. City Attorney approval of the shared access easement is required.

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

Right-of-way along Wasaukee Road has been dedicated to the width of the ultimate right-of-way, therefore, no further dedication is needed.

Access to the new lot is proposed through an access easement over the existing driveway that will be shared between Lot 1 and Lot 2 on the CSM. A draft of the easement declaration document was submitted to the City which is subject to review by the City Attorney.

The shared portion of the driveway shall adhere to the Standard Specifications for Land Development (SSLD). The shared private driveway shall:

a. conform to the Mequon SSLD Section 3.2.9 which requires that shared private driveways must be 18 feet wide with two-foot aggregate shoulders; or,
b. the applicant must obtain a Planning Commission waiver approval to Section 3.2.9 of the Mequon SSLD.

Wetlands appear to be present on site. A wetland delineation report with concurrence by the Wisconsin Department of Natural Resources (WDNR) was submitted with the application. The survey from the wetland delineation, the name of the delineator, the date of delineation, the date of WDNR concurrence and the protective area setback shall be shown on the certified survey map. If the delineation affects the layout of the proposed lot lines, the applicant must be reapproved at Planning Commission.

The site is not located within the City's sewer service area, and therefore is not required to connect to public sewer or water. Water connection shall conform to the Mequon Water Utility Water Connection Policy. The policy does not require the new building to connect to public water. Soil test locations are shown on the CSM. Soil evaluation reports must be submitted to the City indicating that the new lot can support a private onsite wastewater treatment system prior to recording. A private well will be required and is regulated by the WDNR.

The land division itself does not propose an increase in impervious surface. However, the combination of home and driveway construction may trigger the MMSD requirement for green infrastructure. The individual lot owners will be required to provide the green infrastructure with individual home construction prior to the issuance of a building permit if adding 5,000 sq. ft. or more of impervious area. If green infrastructure is required, the buildings permit is also conditioned upon receipt of a stormwater maintenance and easement agreement and a drainage financial guarantee.

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

1. Final staff technical review and approval of CSM.
2. Provide all used ingress and egress easements benefitting lots created by the CSM. Easement documents are subject to review by the City Attorney.
3. The document number for the access agreement shall be shown on the face of the CSM
4. The shared private driveway shall either:

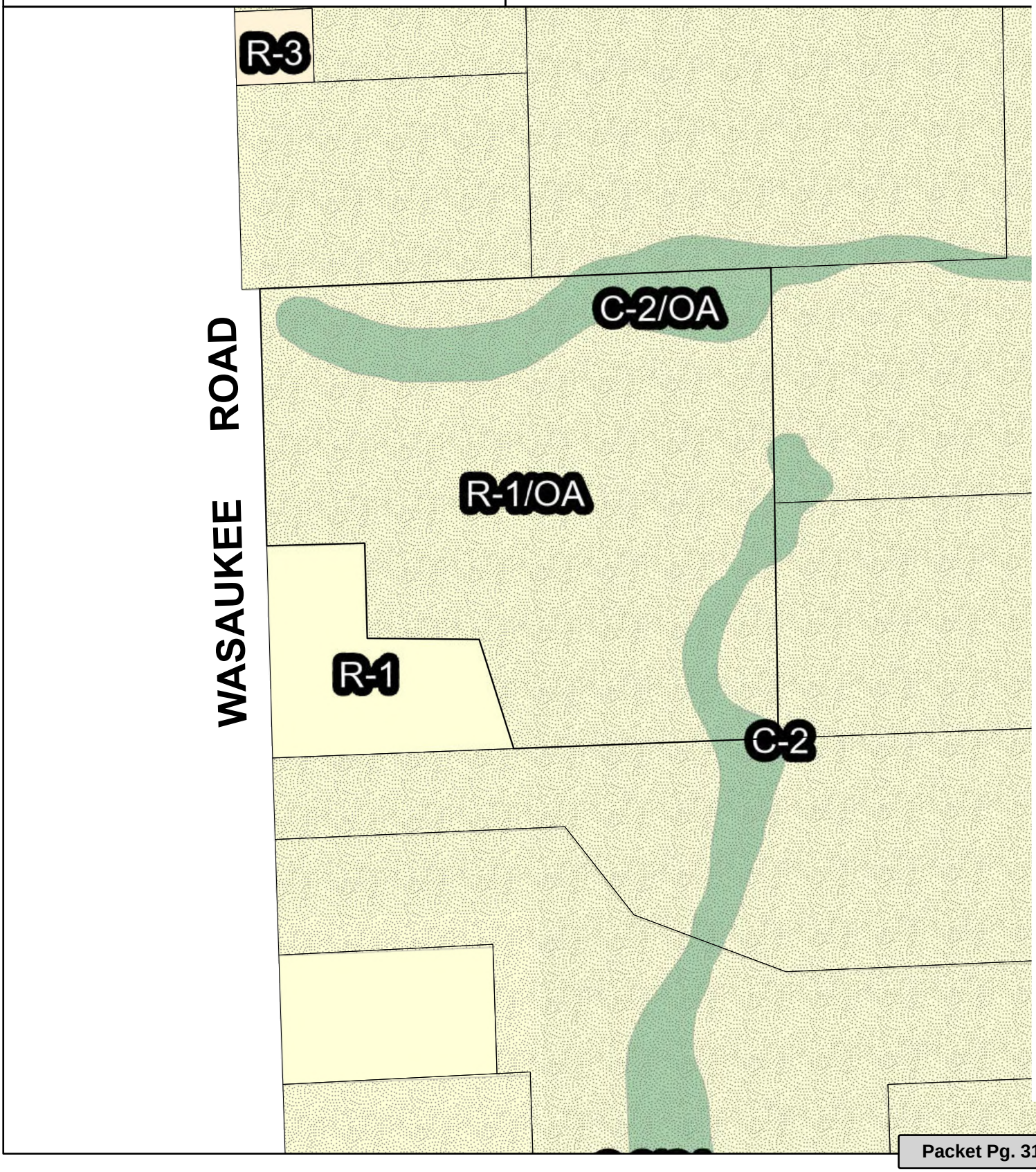
- conform to the Mequon SSLD Section 3.2.9 which requires that shared private driveways must be 18 feet wide with two-foot aggregate shoulders; or,
- have Section 3.2.9 of the Mequon SSLD waived by Planning Commission.

5. A soil evaluation report shall be submitted to the City showing that the new lot can support a private onsite wastewater treatment system prior to recording.
6. The applicant shall show the wetland delineation and protective area setback on the certified survey map prior to recording.
7. For home/driveway construction that exceeds 5,000 square feet of impervious area, each individual lot will be required to provide green infrastructure meeting MMSD requirements.
8. The applicant shall submit an electronic file for the proposed certified survey map in a format compatible with AutoCAD 2015 dwg or dxf in Wisconsin State Plane Coordinate system. South Zone (NAD 83).

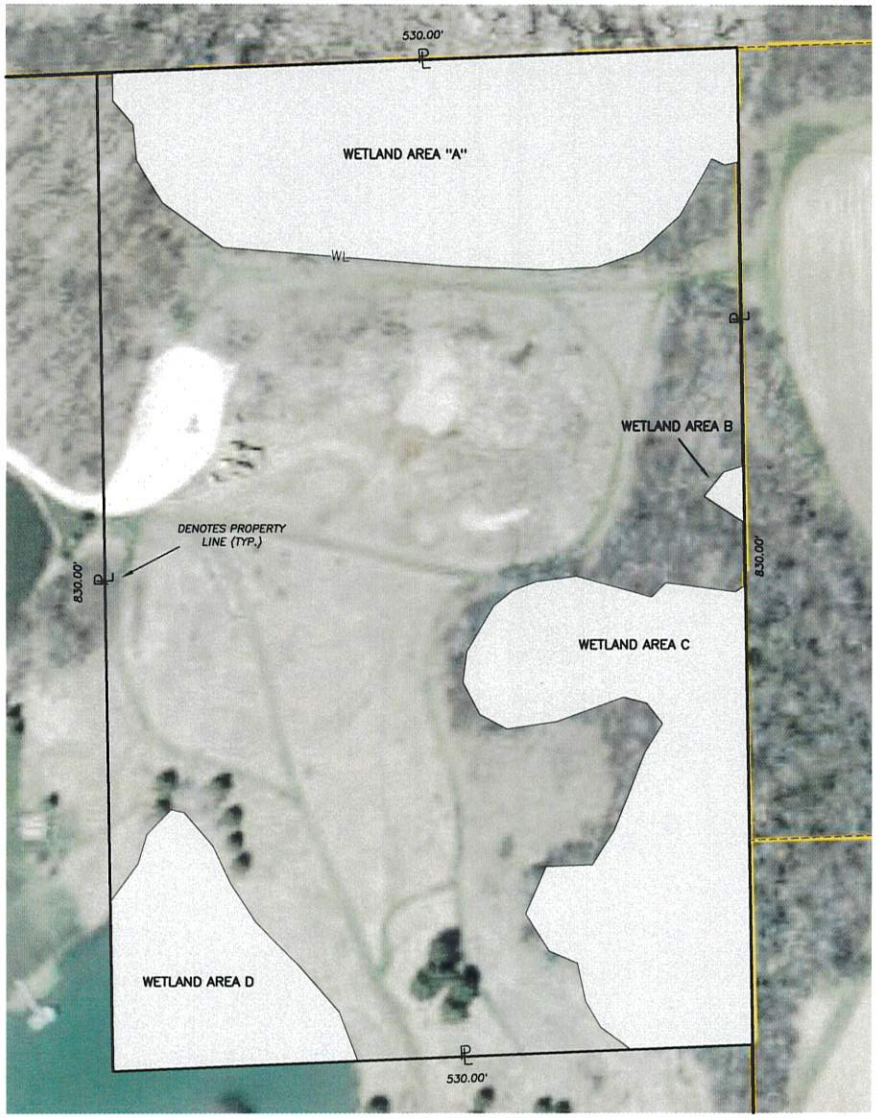
Attachments:
Stringer_PacketDocs (PDF)

STRINGER

AC	Arrival Corridor	IPS	Institutional & Public Service
A-1	Agricultural Preserve	NC	Neighborhood Commercial
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FFO	Flood Fringe Overlay	RM	Multi-Family Residential
FW	Floodway	TC	Town Center
IPS	Institutional & Public Service	TDR	Transfer of Development Rights



Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)



LEGAL DESCRIPTION :

The Northeast 10 Acres of Lot 2 of Certified Survey Map No. 3021, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 19, Township 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin.

Property Coverage Statistics:

Total Property Area = 10.096 acres/ 439,761 sq. ft.

Wetland Area A = 1.776 acres / 77,370 sq. ft.
Wetland Area B = 0.021 acres / 906 sq. ft.
Wetland Area C = 1.368 acres / 59,570 sq. ft.
Wetland Area D = 0.624 acres / 27,162 sq. ft.

Total Wetlands = 3.789 acres / 165,008 sq. ft.

N

WETLANDS WERE DELINEATED BY THOMPSON & ASSOCIATES WETLAND SERVICES, LLC ON JUNE 13, 2023 AND LOCATED BY NSE ON JULY 27, 2023

0 100 150 200 300

SCALE 1" = 100'

OWNERS :
WARREN & JOY STRINGER
11700 N. WASAUKEE RD.
MEQUON, WI. 53097

MARK	DATE	REVISION	BY	APVD

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

"WETLAND EXHIBIT"

for
Chip Stringer

11700 N Wasaukee Rd
City of Mequon, WI

DATE:	July 28, 2023	DRAWN BY:	J.R.S.
FIELD CREW:	E.A.J. & S.F.Z.	Plat No.	LS-5563-23 WETLANDS

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

City of Mequon



11/29/2023, 3:03:32 PM

1:2,257

0 0.01 0.03 0.05 mi

0 0.02 0.04 0.08 km

FEMA Floodlines
- A - 100 Year Floodplain
- AE - 100 Year Floodplain with BFE
- FLOODWAY
- Shoreland and Floodplain Zoning Fill
- Base Flood Elevations
- Floodplain Islands
- Floodplain Fill
- LOMA
- Wetlands Open Water
- Wetlands Farmed
- Wetlands Regulated
- Wetland Regulated less than 1/4 ac
- Wetland Restoration
- Wetlands Within Shoreland
- Shoreland and Floodplain Zoning

Parcels
- Road Reservation
- Road Right-of-Way
- Condominium
- Gap
- Overlap
- Tax Parcel
- Historical Parcel Lines

Local Roads
- Local
- Private
- Ramp
- Service Drive

Highways
- Interstate
- State Highway
- County Highway
- Railroad Centerline

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

Milwaukee County Land Information Office | Source: USDA NRCS, Esri |

Evan Hoier

From: Alice Thompson <alice.thompson@thompsonwetlands.com>
Sent: Wednesday, November 29, 2023 12:01 PM
To: Cole McCraw
Cc: Evan Hoier; Chip Stringer
Subject: RE: CSM w Wetland

Follow Up Flag: Follow up
Flag Status: Flagged

I must have had your email wrong!
Here it is again-
Dear Cole,
Based on the June 9, 2023 wetland delineation of a portion of 11700 N. Wausaukee Road, Mequon and an understanding of Mequon wetland setback code I would recommend the following setbacks for impervious surfaces:

Wetland A (north end of site) 30 feet
Wetland B (east side of site) 30 feet
Wetland C (pond, southeast portion of site) 10 feet

Let me know if you require any other information.

Sincerely,

Alice

Alice Thompson
Senior Professional Wetland Scientist
Thompson & Associates Wetland Services, LLC
(she, her)

1514 Menomonee Ave.
South Milwaukee, WI 53172
414-571-8383
414-750-7401 (cell)
www.thompsonwetlands.com

From: Cole McCraw <cmccraw@ci.mequon.wi.us>
Sent: Wednesday, November 29, 2023 11:34 AM
To: Alice Thompson <alice.thompson@thompsonwetlands.com>
Cc: Evan Hoier <ehoier@ci.mequon.wi.us>
Subject: FW: CSM w Wetland

Hi Alice,

Thanks for discussing the wetland protective area with me this morning. Apologies for the late notice. Per our conversation, please provide a recommended setback on the "moderately susceptible" wetland areas as soon as possible.

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

Kind regards,

Cole McCraw, PE
Assistant City Engineer
City of Mequon
11333 N. Cedarburg Rd. | Mequon, WI 53092
262-236-2957 | cmccraw@ci.mequon.wi.us
City Website

From: Kimberly Tollefson <KTollefson@ci.mequon.wi.us>
Sent: Wednesday, November 29, 2023 11:23 AM
To: Cole McCraw <cmccraw@ci.mequon.wi.us>
Cc: Evan Hoier <ehoier@ci.mequon.wi.us>; Kristen Lundeen <KLundeen@ci.mequon.wi.us>
Subject: CSM w Wetland

Cole,

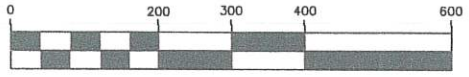
We need to determine and state the wetland setback requirement in the PC report and recommendation. It cant be punted until a later time.

Thanks, Kim

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3021, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.



SCALE 1" = 200'

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

NW. CORNER OF THE NW. 1/4 OF SECTION 19-9-21 CONC. MONUMENT WITH ALUMINUM CAP

W. FREISTADT RD.

N. WASAUKEE RD.

C.S.M.

N

NOTES :

1. THIS PROPERTY IS ALSO SUBJECT TO EASEMENTS OF RECORD.
2. THIS PROPERTY IS PRESENTLY ZONED
   R-1 (SINGLE FAMILY RESIDENTIAL)
   C-2 (GENERAL CONSERVANCY)
   OA (AGRICULTURAL OVERLAY)

OWNERS :
WARREN & JOY STRINGER
11700 N. WASAUKEE RD.
MEQUON, WI. 53097

SETBACK NOTE :
FRONT YARD = 100.0'
REAR YARD = 30.0'
SIDE YARD = 30.0'

WISCONSIN
JAMES G. SCHNEIDER
S-2127
MEQUON
WI
LAND SURVEYOR
8-11-2023

LOCATION MAP

NORTHWEST 1/4 SEC. 19-9-21
(SCALE 1"=2000')

UNPLATTED LANDS

(N87°38'59"E) N87°39'03"E 1435.57'

60' 50' 905.57'

N87°39'03"E 50.00'

25.0' WIDE SHARED ACCESS EASEMENT (SEE DETAIL ON SHEET 4)

N. WASAUKEE RD.

N1°33'17"W 721.55'

(N1°33'21"W)

WEST LINE OF THE NW 1/4 OF SEC. 19-9-21
N1°33'17"W 2633.89' TOTAL
N1°33'17"W 720.86'
(N1°33'21"W)

POND

S0°54'40"E 830.00'
675.00'

HOUSE #11700

SHED

POOL

(S88°26'39"W) S88°26'43"W 275.00'

N88°26'43"E 50.00'

60' 50'

LOT 1
1,166,399± SQ. FT.
26.777± ACRES

155.00'

WETLAND

220.0

N1°33'17"W 267.00'

(N89°25'22"W) N89°25'18"W 314.13'

POND

N17°31'15"W 321.17'

N1°33'17"W 596.06'

LOT 1
CSM NO. 3021

(S87°46'04" S87°46'0

SW. CORNER OF THE NW. 1/4 OF SECTION 19-9-21 CONC. MONUMENT WITH BRASS CAP
N=453,709.55
E=2,484,454.22

(N87°46'04"E) N87°46'08"E 727.30'

SOUTH LINE OF THE NW 1/4 OF SEC. 19-9-21

UNPLATTED LANDS

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 1 OF 6 SHEETS

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3021, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

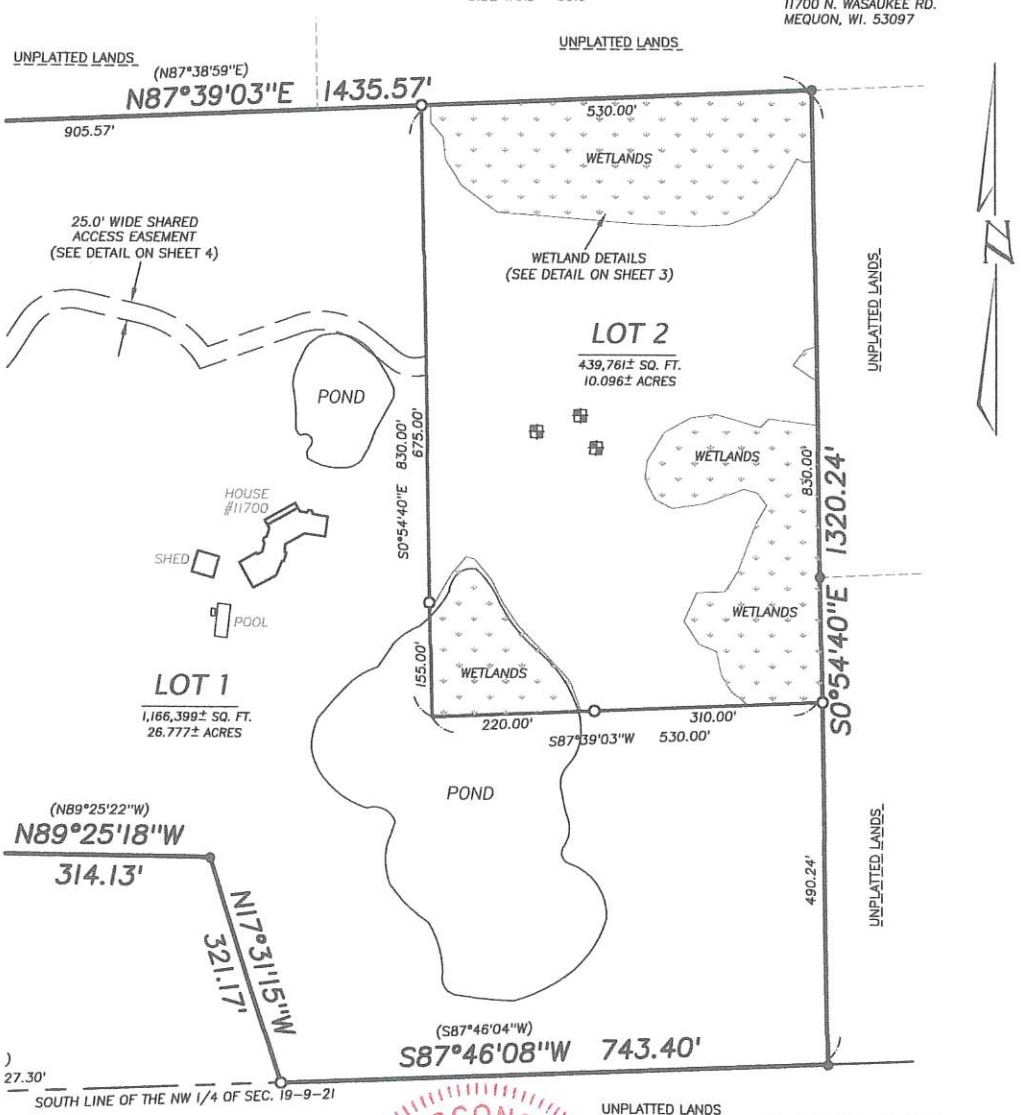
0 200 300 400 600

SCALE 1" = 200'

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SETBACK NOTE :
FRONT YARD = 100.0'
REAR YARD = 30.0'
SIDE YARD = 30.0'

OWNERS :
WARREN & JOY STRINGER
11700 N. WASAUKEE RD.
MEQUON, WI. 53097



LEGEND

O –DENOTES 1.315"X18" STEEL PIPE WEIGHING 1.13 LBS. PER LINEAL FOOT (SET)
● –DENOTES STEEL PIPE (FOUND)
–SOIL TEST LOCATION
( ) –DENOTES ALSO RECORDED AS

ALL BEARINGS REFERENCED TO GRID NORTH OF THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, WEST LINE OF THE NW. 1/4 OF SECTION 19-9-21, WHICH BEARS N1°33'17"W, NAD83/2011 ADJUSTMENT.

NOTES :

1. THIS PROPERTY IS ALSO SUBJECT TO EASEMENTS OF RECORD.
2. THIS PROPERTY IS PRESENTLY ZONED R-1 (SINGLE FAMILY RESIDENTIAL) C-2 (GENERAL CONSERVANCY) QA (AGRICULTURAL OVERLAY)

WISCONSIN
JAMES G. SCHNEIDER
S-2127
MEQUON
WI
LAND SURVEYOR

8-11-2023

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 2 OF 6 SHEETS

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3021, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

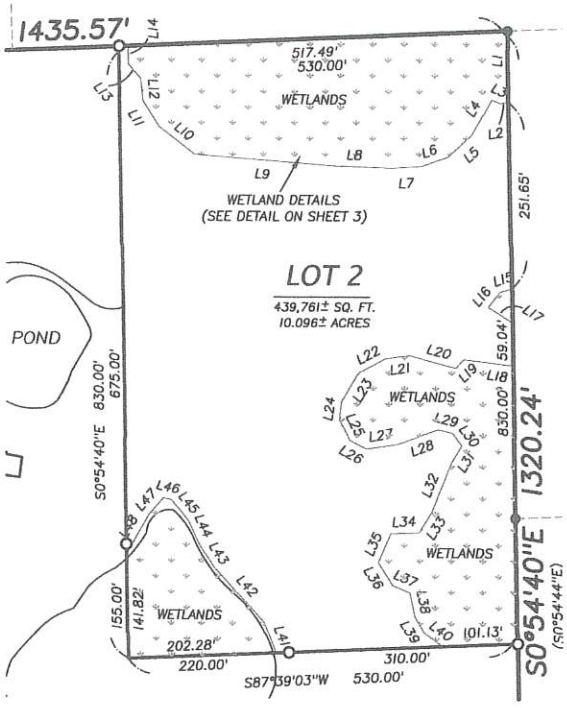
0 200 300 400 600

SCALE 1" = 200'

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WETLANDS EXHIBIT

WETLANDS DELINEATED ON JUNE 13, 2023
AND FIELD LOCATED ON JULY 27, 2023



Line Table		
Line #	Length	Direction
L1	95.89	S0° 54' 40"E
L2	11.75	N79° 32' 22"E
L3	11.60	S64° 19' 45"E
L4	54.95	N29° 29' 35"E
L5	43.76	N47° 18' 45"E
L6	37.98	N70° 25' 42"E
L7	40.89	N86° 47' 23"E
L8	78.34	S87° 56' 03"E
L9	191.50	S85° 19' 58"E
L10	61.98	S53° 16' 59"E
L11	41.26	S31° 34' 38"E
L12	29.72	S5° 38' 07"E
L13	26.10	S40° 03' 13"E
L14	24.13	S1° 22' 22"E
L15	17.37	S71° 59' 58"W
L16	25.82	S38° 00' 22"W
L17	39.71	S56° 38' 58"E
L18	66.74	N82° 32' 27"W
L19	16.66	S44° 47' 18"W
L20	64.74	N74° 34' 08"W
L21	33.30	S82° 01' 24"W
L22	40.51	S60° 56' 44"W
L23	44.21	S30° 11' 56"W
L24	25.36	S7° 29' 35"W

Line Table		
Line #	Length	Direction
L25	30.64	S27° 15' 06"E
L26	25.48	S61° 39' 01"E
L27	41.80	N81° 29' 36"E
L28	59.22	N69° 56' 51"E
L29	19.70	S75° 13' 48"E
L30	21.35	S37° 57' 43"E
L31	27.85	N31° 13' 38"E
L32	70.16	N21° 20' 48"E
L33	33.94	N32° 27' 32"E
L34	38.28	S87° 45' 27"W
L35	42.58	S23° 40' 26"W
L36	36.78	S32° 24' 55"E
L37	25.29	S66° 36' 10"E
L38	32.94	S11° 44' 28"E
L39	25.24	S30° 38' 54"E
L40	30.71	S53° 19' 29"E
L41	43.13	S20° 08' 31"E
L42	103.22	S42° 35' 35"E
L43	37.56	S32° 57' 41"E
L44	33.56	S24° 59' 41"E
L45	37.58	S40° 05' 49"E
L46	11.19	S78° 09' 21"E
L47	29.86	N41° 21' 56"E
L48	61.44	N29° 23' 58"E

WISCONSIN
JAMES G. SCHNEIDER
S-2127
MEQUON
WI
LAND SURVEYOR

8-11-2023

N

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 3 OF 6 SHEETS

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

CERTIFIED SURVEY MAP NO. _____

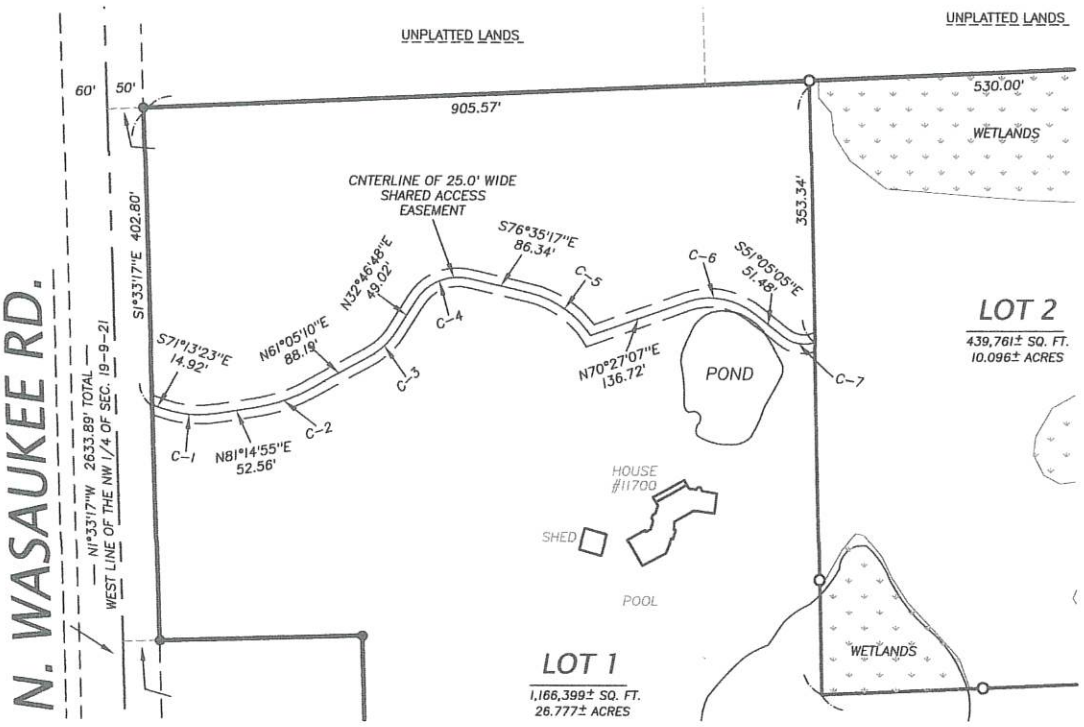
A DIVISION OF PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3021, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

0 200 300 400 600

SCALE 1" = 200'

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(262) 241-9400 • FAX: (262) 241-5337
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ACCESS EASEMENT DETAIL



Access Easement Curve Table					
Curve #	Radius	Arc	Chord	Chord Bearing	Delta
C1	155.00'	74.47'	73.76'	S84° 59' 14"E	27°31'42"
C2	230.00'	80.94'	80.52'	N71° 10' 03"E	20°09'45"
C3	110.00'	54.34'	53.79'	N46° 55' 59"E	28°18'22"
C4	68.00'	83.83'	78.62'	S68° 05' 45"W	70°37'55"
C5	130.00'	100.74'	98.24'	N54° 23' 19"W	44°23'55"
C6	95.88'	95.83'	91.89'	N80° 54' 52"W	57°16'03"
C7	46.48'	46.93'	44.96'	S79° 56' 40"E	57°50'39"

WISCONSIN
JAMES G. SCHNEIDER
S-2127
MEQUON
WI
LAND SURVEYOR

8-11-2023

THIS INSTRUMENT DRAFTED BY JAMES G. SCHNEIDER

SHEET 4 OF 6 SHEETS

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3021, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE

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

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

A division of part of Lot 2 of Certified Survey Map No. 3021, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 19, Town 9 North, Range 21 East, in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the Southwest corner of said Northwest 1/4 Section; thence N87°46'08"E along the South line of said 1/4 Section, 727.30 feet to a point in the Southerly line of said Lot 2 and the point of beginning of lands to be described; thence N17°31'15"W, 321.17 feet to a point in the Southerly line of said Lot 2; thence N89°25'18"W along the Southerly line of said Lot 2, 314.13 feet; thence N1°33'17"W along the Southerly line of said Lot 2, 267.00 feet; thence S88°26'43"W along the Southerly line of said Lot 2, 275.00 feet to a point in the East right of way line of N. Wasaukee Road and the Southwesterly corner of said Lot 2; thence N1°33'17"W along the East right of way line of N. Wasaukee Road and the West line of said Lot 2, 721.55 feet to the Northwest corner of said Lot 2; thence N87°39'03"E along the North line of said Lot 2, 1435.57 feet to the Northeast corner of said Lot 2; thence S0°54'40"E along the East line of said Lot 2, 1320.24 feet to a point in the South line of said Northwest 1/4, said point being the Southeast corner of said Lot 2; thence S87°46'08"W along the South line of said 1/4 Section and said Lot 2, 743.40 feet to a point the point of beginning.

Said parcel containing 36.873 acres of land, more or less.

THAT I have made such survey, land division and plat at the direction of Warren Stringer Jr. & Joy L. Stringer, OWNERS of said lands.

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

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

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

WISCONSIN
JAMES G. SCHNEIDER S-2127 MEQUON WI
LAND SURVEYOR

8-11-2023

This instrument drafted by James G. Schneider

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

CERTIFIED SURVEY MAP NO. _____

A DIVISION OF PART OF LOT 2 OF CERTIFIED SURVEY MAP NO. 3021, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 19, TOWN 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN.

OWNER'S CERTIFICATE

WE, Warren Stringer Jr. & Joy L. Stringer, OWNERS, do hereby certify: THAT We have caused the lands described in the foregoing certificate of James G. Schneider, Surveyor, to be surveyed, divided, mapped and dedicated. I also certify that the plat is required by s236.10 or s236.12 to be submitted to the following for approval or objection: City of Mequon.

Witness _____ Warren Stringer Jr.

Witness _____ Joy L. Stringer

WITNESS the hand and seal of said OWNERS on this 17 day of September 2023

STATE OF WISCONSIN)
OZAUKEE COUNTY)ss

PERSONALLY came before me on this 17th day of September, 2023 Warren Stringer Jr. & Joy L. Stringer, to me known to be the persons who executed the foregoing certificate and acknowledged the same.

Notary Public _____ My Commission expires May 31, 2026

JESSICA SESSIONS NOTARY PUBLIC STATE OF WISCONSIN

CITY OF MEQUON PLAN COMMISSION APPROVAL

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

Chairman _____ Secretary _____

COMMON COUNCIL CERTIFICATE OF APPROVAL

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

Approved:_____ Adopted:_____

Andrew Nerbun, Mayor _____ City Clerk _____

WISCONSIN JAMES G. SCHNEIDER S-2127 MEQUON WI LAND SURVEYOR

8-11-2023

This instrument drafted by James G. Schneider

Sheet 6 of 6 Sheets

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

DECLARATION OF SHARED ACCESS EASEMENT

Return to:
Melanie S. Lee
Reinhart Boerner Van Deuren s.c.
P.O. Box 2018
Madison, WI 53701-2018

Parcel Number

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

50303088

DECLARATION OF SHARED ACCESS EASEMENT

THIS DECLARATION OF SHARED ACCESS EASEMENT (the "Declaration") is executed this _____ day of August, 2023, Warren Stringer Jr. and Joy L. Stringer (together, "Declarant").

W I T N E S S E T H :

WHEREAS, Declarant is the owner of lands more particularly described on Exhibit A attached hereto and made a part hereof ("Parcel A"); and

WHEREAS, Declarant is also the owner of lands more particularly described on Exhibit B attached hereto and made a part hereof ("Parcel B"); and

WHEREAS, there exists a 25 foot wide shared access driveway (the "Driveway") located upon Parcel A which provides access to Parcel B as shown on Exhibit C attached hereto and made a part hereof (together, the "Easement Property"); and

WHEREAS, Declarant desires to create an easement over the Easement Property to enable the owner of Parcel B to use the Driveway for access to Parcel B, located upon Parcel A, pursuant to the terms of this Declaration.

NOW, THEREFORE, Declarant does hereby declare that:

1. In anticipation of the potential for Parcel A and Parcel B to be under separate ownership, Declarant hereby creates a non-exclusive easement and right-of-way to the owner of Parcel B ("Parcel B Owner") to use the Driveway and the Easement Property in part as a driveway for ingress and egress through Parcel A and to Parcel B. In no event shall the easement declared herein be deemed void by the Doctrine of Merger as it is the intent that this easement is to benefit and burden the owner of the fee interest in Parcel A (the "Parcel A Owner") and Parcel B Owner as set forth herein.

2. The Easement Property may also be used by the Parcel A Owner and its tenants, guests, employees, customers and invitees in common with the Parcel B Owner and its tenants, guests, employees, customers and invitees.

3. Parcel A Owner and Parcel B Owner (each, an "Owner") shall bear all maintenance, repair and replacement expenses equally. The Owner who shall be charged with the obligation to maintain shall be referred to herein as the "Maintaining Owner;" and the Owner who shall be charged with the obligation to reimburse the Maintaining Owner for one-half of the cost of such maintenance

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

within thirty (30) days of receipt of invoice therefore shall be referred to herein as the "Reimbursing Owner." Unless Parcel A Owner and Parcel B Owner agree otherwise, Parcel B Owner shall be the Maintaining Owner, and Parcel A Owner shall be the Reimbursing Owner. If the Reimbursing Owner does not promptly pay its share, the Maintaining Owner may pay the full cost and then have an immediate right to reimbursement from the Reimbursing Owner, together with interest at the rate of twelve percent (12%) per year on the unpaid amount, together with all reasonable attorneys' fees and other costs of collection incurred by the Maintaining Owner. Repairs, maintenance and removal shall be performed at such times, cost and in a manner as is mutually agreeable to the parties. If the parties are unable to agree within ten (10) days of written request by one or the other on the need for repair maintenance or replacement, the cost of such work or the identity of the contractor to perform the work, then the matter shall be referred, upon the request of either party, to arbitration.

4. Parcel A Owner and Parcel B Owner shall have equal rights of ingress and egress and shall take no action to prevent the other party's enjoyment of such rights of ingress and egress.

5. Any notice given in connection with this Declaration shall be in writing and shall be personally delivered or mailed to the recipient at its last known address, first class, United States mail, postage prepaid. Notice by mail shall be deemed effective upon the third day following deposit in the United States mail.

6. The easements created by this Declaration shall be deemed to be easements running with the land, and shall inure to the benefit of, and be binding upon, the Parcel A Owner and Parcel B Owner and their respective successors and assigns.

7. Parcel A Owner shall indemnify and defend Parcel B Owner and its officers, agents, and employees from all liability, suits, actions, claims, costs, damages, and expenses of every kind and description, including court costs and legal fees, for claims of any character, including liability and expenses in connection with the loss of life, personal injury, or damage to property, brought because of any injuries or damages received or sustained by any person, persons, or property on account of or arising out of the use of the Driveway and Easement Property by Parcel A Owner or its agents, contractors, subcontractors, invitees, or employees. Parcel B Owner shall indemnify and defend Parcel A Owner and its officers, agents, and employees from all liability, suits, actions, claims, costs, damages, and expenses of every kind and description, including court costs and legal fees, for claims of any character, including liability and expenses in connection with the loss of life, personal injury, or damage to

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

property, brought because of any injuries or damages received or sustained by any person, persons, or property on account of or arising out of the use of the Driveway and the Easement Property by Parcel B Owner or its agents, contractors, subcontractors, invitees, or employees.

8. Each of the Parcel A Owner and the Parcel B Owner shall maintain in effect at all times during the term of this Declaration a policy of general liability insurance naming the other party and any other party designated by such party, as the insured, to insure against injury to property, person, or loss of life arising out of the insuring party's use, occupancy, or maintenance of the Easement Property or the Driveway with limits of coverage that are at levels customarily maintained by owners of similar property in the community in which the Easement Property is located. Each owner shall have the right to request from the other Owner, who shall have the obligation to provide the requesting Owner, a copy of the insurance policy endorsement or wording showing that the requesting Owner and certain other parties, such as tenants or mortgagees of the requesting Owner, have been added as additional insureds. Insurance required under this Declaration shall be written by companies duly qualified to do business in the State of Wisconsin and shall be satisfactory in all respects to the other owner and the holder of any mortgage against the other property. Each Owner shall be entitled to obtain insurance for the other Owner and charge the other Owner for the cost thereof if such owner fails to timely provide evidence of the insurance required hereunder. No Owner shall do or permit anything to be done that will invalidate the insurance policies furnished by such Owner or the other Owner. The policy limits of any or all such insurance may be increased to reflect the effects of inflation and changes in normal commercial insurance practice upon request of an owner.

9. All of the terms and conditions in this Declaration, including the benefits and burdens, shall run with the land and shall be binding upon, inure to the benefit of, and be enforceable by Parcel A Owner and Parcel B Owner and their respective successors and assigns. The specific parties named as Parcel A Owner and Parcel B Owner in this Declaration, and each of their respective successors and assigns as fee simple owners of Parcel A and Parcel B, respectively, or any portion of Parcel A or Parcel B, shall cease to have further liability under this Declaration with respect to facts or circumstances first arising after the party has transferred its fee simple interest in Parcel A or Parcel B, respectively, except, however, for obligations that accrued during the party's period of ownership of title.

10. This Declaration shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

11. No delay or omission by any party in exercising any right or power arising out of any default under any of the terms or conditions of this Declaration shall be construed to be a waiver of the right or power. A waiver by a party of any of the obligations of the other party shall not be construed to be a waiver of any breach of any other terms or conditions of this Declaration.

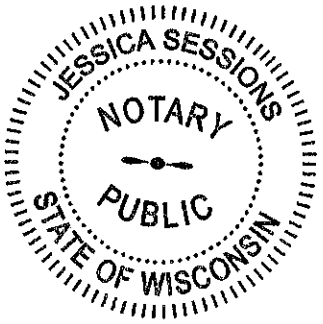
12. Enforcement of this Declaration may be by proceedings at law or in equity against any person or persons violating or attempting or threatening to violate any term or condition in this Declaration, either to restrain or prevent the violation or to obtain any other relief. If a suit is brought to enforce this Declaration, the prevailing party shall be entitled to recover its costs, including reasonable attorney fees, from the nonprevailing party.

13. Nothing in this Declaration shall be deemed to be a gift or dedication of any portion of the easement granted under this Declaration to the general public or for any public purpose whatsoever. Parcel A Owner and Parcel B Owner agree to cooperate with each other and to take such measures as may be necessary to prevent the dedication to the public of the Driveway, whether by express grant, implication, or prescription, including, without limitation, the posting of "Private Drive" or "No Trespassing" signs. Such measures shall not, however, unreasonably interfere with the easement rights granted under this Declaration.

[Execution Page Follows]

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the date first above written.



Warren Stringer Jr.

Joy L. Stringer

ACKNOWLEDGMENT

STATE OF WISCONSIN)
) ss.
COUNTY OF ~~DANE~~ Washington)

Personally came before me this 18th day of September, 2023, Warren Stringer Jr. and Joy L. Stringer, the parties who executed the above instrument and acknowledged the same.

Name: Jessica Sessions
Notary Public, State of Wisconsin
My Commission: Expires May 3rd 2026

50303088

Attachment: Stringer_PacketDocs (8997 : Joy Stringer and Warren Stringer Jr.)

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

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

TO: **Planning Commission**

FROM: **EVAN HOIER, ASSOCIATE PLANNER**

DATE: **December 4, 2023**

SUBJECT: **Oliver Investment Group. The applicant is seeking setback waiver approval for the property located at 1836 W. Mequon Road.**

Applicant:	Oliver Investment Group
Status of Applicant:	Agent
Requested:	Minor Request for Setback Waiver
Existing Zoning:	R-4 (Residential)
Existing Use:	Residential
Land Use Plan:	Residential 1.5-5 Acres
Lot size:	1.25 Acres
Location:	1836 W. Mequon Road
Tax Key Number:	#15-019-15-003.00
District:	#5

Background: The applicant is seeking setback waiver approval to allow for a deck addition for the property located at 1836 West Mequon Road. The existing dwelling and the proposed addition are non-conforming to the front yard setback. The proposed 296 square feet addition in the rear of the existing house does not encroach further into the setback than the existing structure.

Setback Exception:
The Zoning Ordinance allows exceptions to the setback requirement with Planning Commission approval per Section 58-416(d)(1)(b):

> *The addition is set back at a distance at least equal to the building setback and the planning commission determines that the addition will neither impede any likely public improvements nor cause any hardship, inconvenience, or diminution in value to any adjacent properties and further determines that the addition will be harmonious with neighboring properties.*

The ordinance is intended to provide greater flexibility in allowing more reasonable expansion of non-conforming structures.

The R-4 district requires a setback of 100 feet from the ultimate road right-of-way on primary arterials. The existing house has a setback of approximately 4 feet (measured by GIS) from the base setback line on Mequon Road, which does not meet the required setback. The proposed

addition is located at the rear of the existing dwelling and will be setback 30 feet from the base setback line which still doesn't meet the R-4 setback requirements. The addition is located outside of the ultimate right-of-way and should not impede any public improvements nor create a public safety issue.

The proposed addition should be harmonious with neighboring properties since it will be located behind the current dwelling and will not project any closer to the road. Other structures along Mequon Road also do not meet the required 100-foot setback from the ultimate road right-of-way. The proposed addition will not create a negative visual impact along the public road due to the fact it is set back at a distance further than the existing structure. The addition meets the lot coverage requirement and shall comply with all other R-4 zoning district requirements.

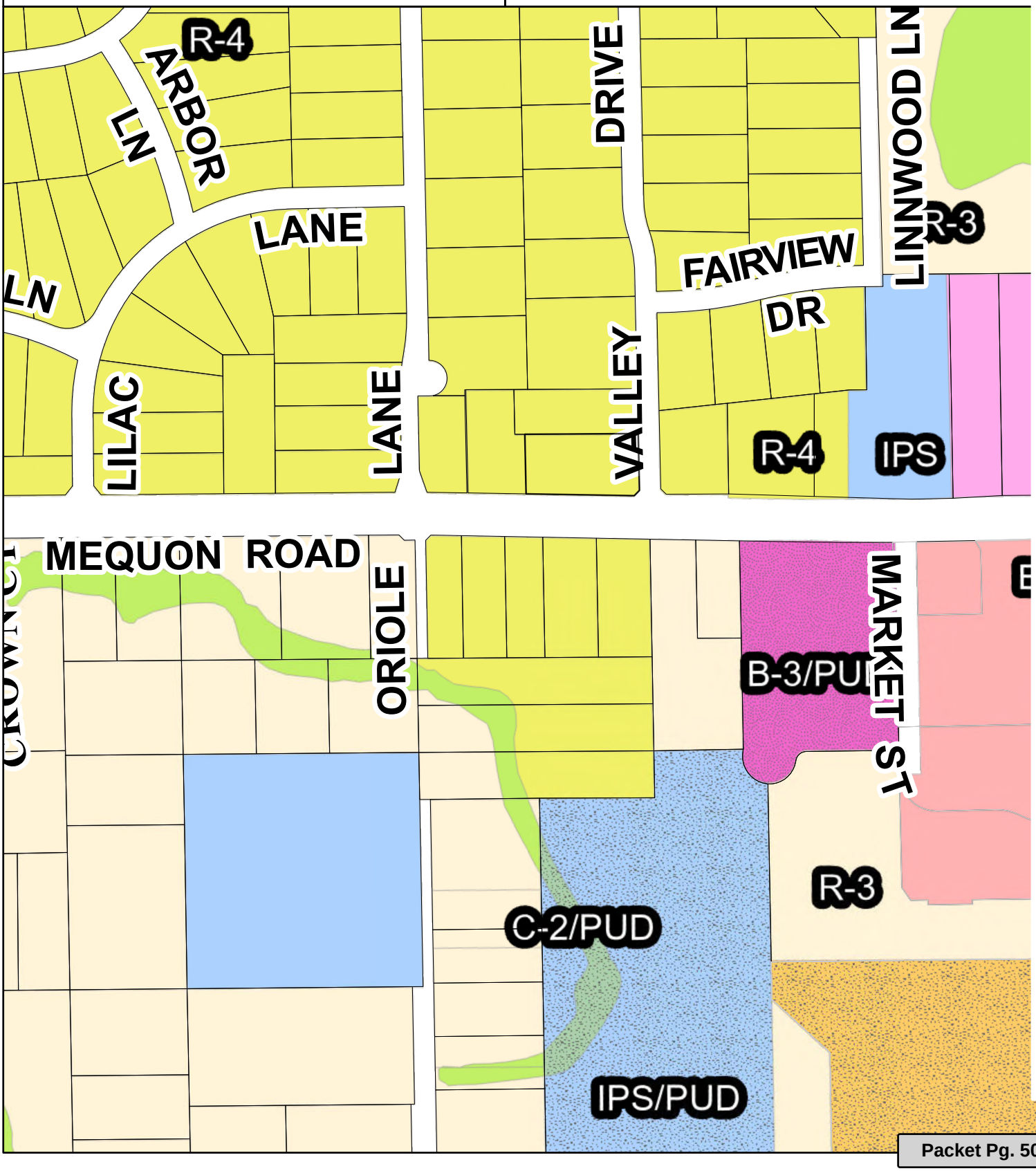
Staff Recommendation:
Staff recommends **approval** of the setback waiver subject to the following conditions:

1. No future expansion of the proposed deck without additional approval is permitted.
2. Submittal of an updated survey with specific dimensions for the proposed deck is required.

Attachments:
Oliver Invest Map (PDF)
Bldg App and Plans (PDF)

OLIVER INVESTMENT GROUP
1836 W MEQUON RD

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



Attachment: Oliver Invest Map (8999 : Oliver Investment Group)

11333 N. Cedarburg Road
Mequon, Wisconsin 53092
Phone: (262) 236-2924
Fax: (262) 242-9819

www.ci.mequon.wi.us

INSPECTION DIVISION

Building Permit Application

Date Issued: _____ **Permit Number: B-** _____
(Permit expires one year from date of issuance) **Tax Key No:** _____

☒ One & Two Family ☐ Commercial

PROJECT ADDRESS 1836 W Mequon Rd Mequon, WI 53092

Subdivision _____ **Lot Number** _____

Project: New Deck & porch **Cost** $ 8000.00

Finished Square Footage under construction: 1st floor _____ 2nd floor _____ Addition _____

Basement _____ Garage _____ Shed _____ Deck X 296 Other _____

PROPERTY OWNER Oliver Investment group

Address 9026 N 60th ST **City** Brown Deer **Zip** 53223

Home Phone Number _____ **Cell Number** 414-248-9587

Email Address ~~aaimprovement2014@Yahoo.com~~

Is Property on City Sewer? _____ **Zoning** _____

CONTRACTOR A&A Home Improvement LLC **ARCHITECT** _____

Address 12330 W. Woods Rd **City** Franklin **Zip** 53132

Office Number _____ **Cell Number** 414-807-1580

Email Address aaimprovement2014@Yahoo.com

State Dwelling Contractor Number DC-0117000/4 **Expiration Date** 01/11/2024

State Qualifier Number DCQ-01170027 **Expiration Date** 01/18/2025

City use only: ☐ Tree Inspection ☐ Flow Sheet ☐ Culvert

	Building Fee	110.00	Zoning Approval
Arch. Board #	Inspection Deposit	60.00	Sanitary Permit #
Arch. Board Fee	Impact Fee		
Check # & Date	Total Fee	170.00	Check/Receipt #

It is hereby agreed between the undersigned, as owner, his agent or servant, and the City of Mequon, for and in consideration of the premises and of the permit to construct, erect, alter or install and the occupancy of building as above described, to be issued and granted by the City Building Inspector, and that the work thereon will be done in accordance with the description herein set forth in this statement, and as more fully described in the specifications and plans herewith filed; and it is further agreed to construct, erect, alter or install and occupy in strict compliance with the ordinances of the City of Mequon, and to obey any and all lawful orders of the City Building Inspector of the City of Mequon, made or issued pursuant to the provision of the Zoning ordinances of the City of Mequon.

Signature of Applicant: _____ Owner/Contractor
(If owners' signature, I acknowledge that I have read and understand the cautionary statement)

Print Name: Simon A. Ibarra Owner/Contractor

Date: 10/24/2023

Rev. 5.20.22

Attachment: Bldg App and Plans (8999 : Oliver Investment Group)

REGISTERED LAND SURVEYORS
MILTON H. SCHMIDT, Pres.
CLARENCE H. PIEPENBURG, Vice-Pres.
JAMES A. EIDE, Sec.-Treas.

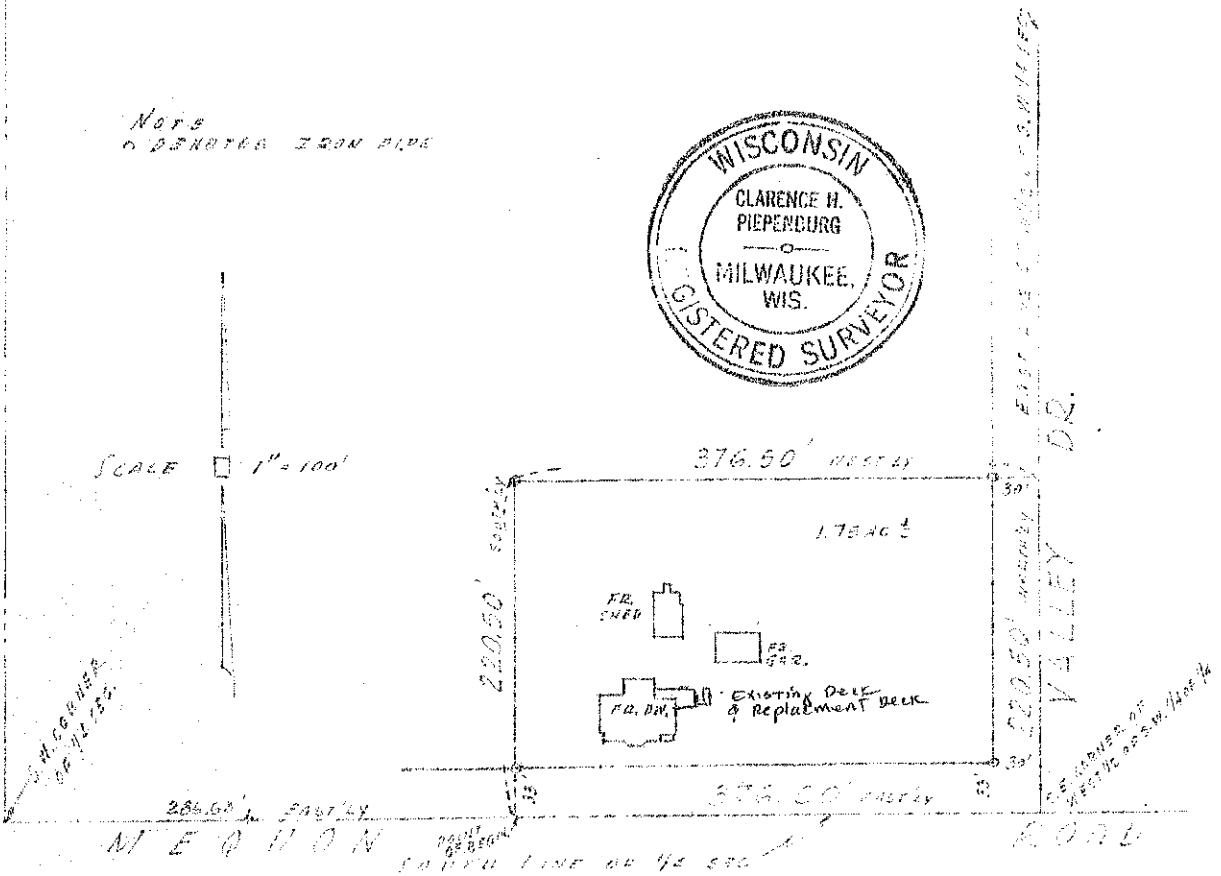
BADGER SURVEYING CO., INC.

PHONE CONCORD 4-3782
823 W. ATKINSON AVE.
MILWAUKEE 6, WIS.

PLAT OF SURVEY

LEGAL DESCRIPTION:

That part of the west 1/2 of the south west 1/4 of the South East 1/4 of Section 19, Township 9 North, Range 22 East, in the Town of Mequon, Ozaukee County, Wisconsin, bounded and described as follows: Commencing at the northwest corner of said 1/4 Section; thence easterly along the south line of said 1/4 Section 280.63 feet to the point of beginning of the land to be described; thence continuing easterly along the south line of said 1/4 Section 376.50 feet to the southeast corner of the west 1/2 of the south west 1/4 of said 1/4 Section; thence northerly along the east line of the west 1/2 of the south west 1/4 of said 1/4 Section 220.50 feet to a point; thence westerly on a line parallel to the south line of said 1/4 Section 376.50 feet to a point; thence southerly on a line parallel to the east line of the west 1/2 of the south west 1/4 of said 1/4 Section 220.50 feet to the point of beginning, except the east 33 feet taken for Valley Drive, containing 1.75 acres of land, more or less.



Prepared for EUGENE BUCHEL

State of Wisconsin, } ss.
County of Milwaukee }

I hereby certify that on the 24th day of MAY, 19 57, I have surveyed the above described property and that the above plat is a correct representation of the exterior boundary lines thereof.

Plat No. 57-390-C

Signed Clarence H. Piepenburg Surveyor Reg. No. S-139

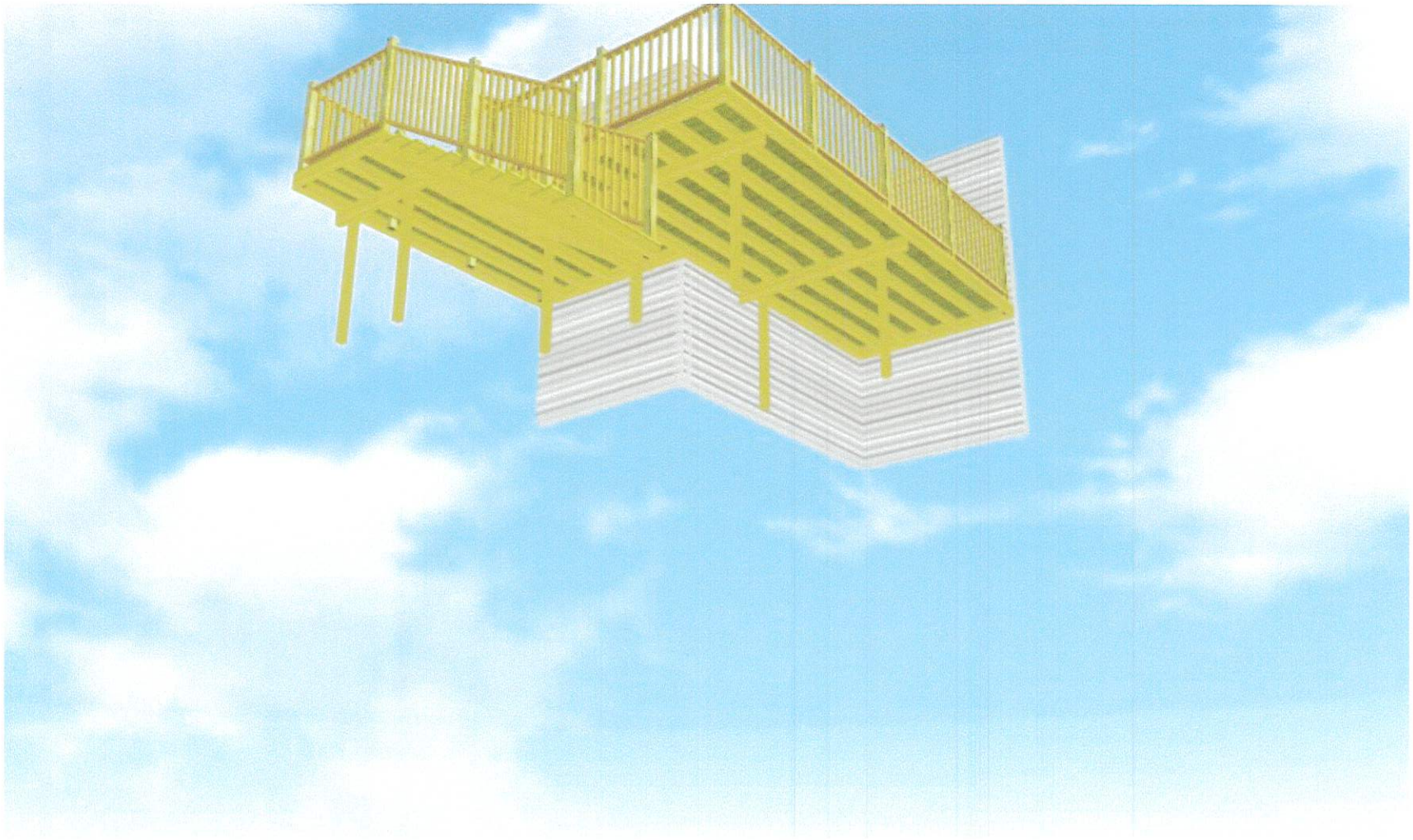
Attachment: Bldg App and Plans (8999 : Oliver Investment Group)



Attachment: Bldg App and Plans (8999 : Oliver Investment Group)



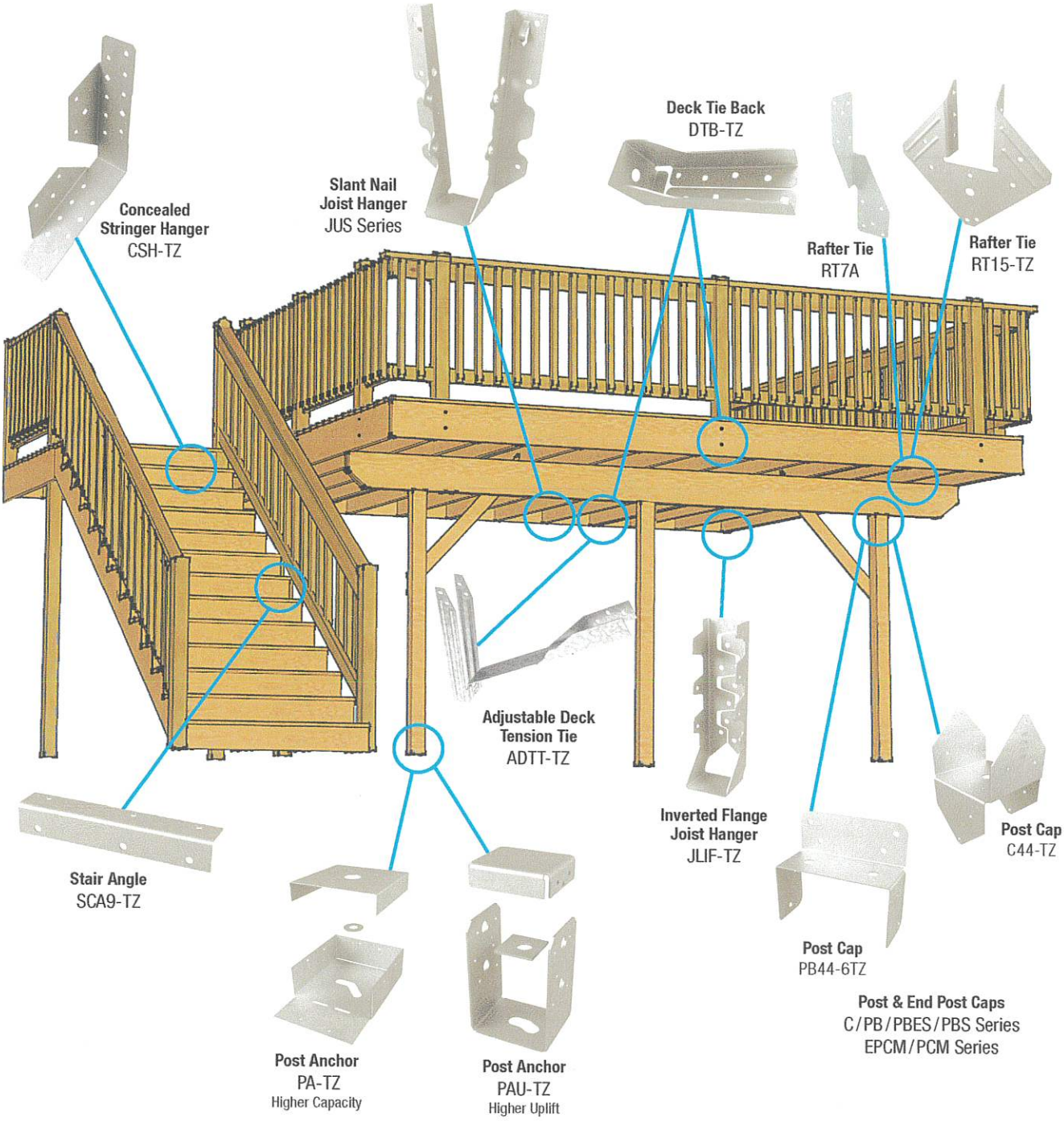
Attachment: Bldg App and Plans (8999 : Oliver Investment Group)



Attachment: Bldg App and Plans (8999 : Oliver Investment Group)

MiTek®

Deck Hardware



Disclaimer: Some of the products displayed are optional and not estimated

#2201 12/2021

Customer Service 1-800-328-5934 • MiTek-US.com

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Attachment: Bldg App and Plans (8999 : Oliver Investment Group)

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

TO: **Planning Commission**

FROM: **JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT**

DATE: **December 4, 2023**

SUBJECT: **Torrey Drive, LLC. The applicant is seeking street tree plan and final plat approval for a 11-lot subdivision for the property located at 10766 Torrey Drive.**

Applicant:	Torrey Drive, LLC
Status of Applicant:	Owner
Requested:	Final Plat Street Tree Plan
Existing Use:	Vacant
Existing Zoning:	R-3 (1- Acre minimum) PUD (Planned Unit Development)
Land Use Plan:	Residential 1-1.5 Acres
Lot size:	11.27 Acres
Location:	10766 Torrey Drive
Tax Key Number:	#14-025-09-001.00
District:	#6

Background:
The applicant requests final plat and street tree plan approval for an eleven-lot subdivision development on 11.27 acres of land located at the north end of Torrey Drive adjacent to Gazebo Hill III Subdivision. The Planned Unit Development (PUD) rezoning was approved by Planning Commission on July 25, 2022, and by the Common Council on September 13, 2022 (see Ord.#2022-1628). The preliminary plat and development agreement were approved on December 12, 2022.

Final Plat:
The developer requests final plat approval for this subdivision, which includes eleven single-family lots ranging in size from .65 acres to .98 acres and a 2.4-acre outlot. The outlot contains wetlands, a cluster of specimen trees and a pedestrian path that connects to North Fairway Circle. The final plat is consistent with the approved preliminary plat and PUD requirements.

Street Tree Plan:
The street tree plan was approved by the Tree Board on June 8, 2023. The trees and cul de sac plantings have not been installed due to weather conditions. As a condition of approval, the applicant will be required to submit a Letter of Credit for 125% of the cost of the landscaping contract. The trees shall be installed by June 30, 2024.

Engineering Report:

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

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

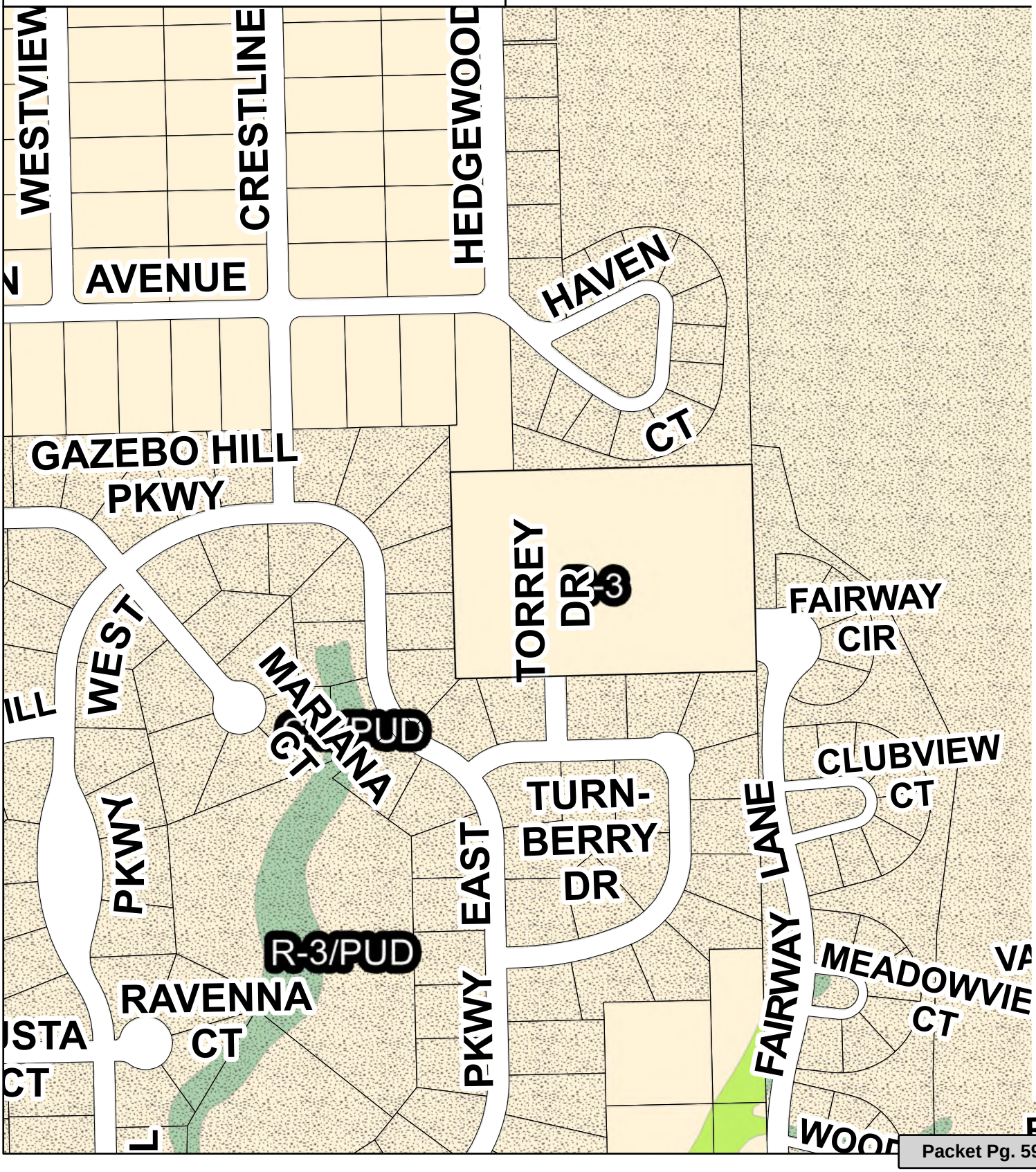
Staff Recommendation:
Staff recommends **approval** of the final plat and street tree plan subject to the following conditions:

1. Final staff technical review and approval of the plat. The applicant shall make any technical corrections to the final plat prior to recording.
2. Common Council approval of the Final Plat and right-of-way dedication.
3. Final legal documents, including all easements and agreements, are subject to City Attorney review and approval prior to recording.
4. Street trees and landscaping shall be installed prior to June 30, 2024.
5. Payment of all necessary fees and or escrows, including L.O.C. for landscaping requirements.
6. 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.
7. City Engineer certification that the terms of the Development Agreement have been complied with and that the plat is ready for recording.
8. Execution of a Storm Water Facilities and Easement Agreement.
9. Completion of construction punchlist items and project closeout items. All closeout items are detailed for the Developer on the project checklist.
10. Engineering review and approval of the water main, sanitary sewer and grading record drawings in accordance with the approved construction plans. The applicant shall provide the City with AutoCAD files and hard copies of all approved record drawings.
11. Submittal of lien waivers for all public improvements.
12. Submittal of executed utility title transfers.
13. Submittal of the contributed capital form.
14. Termination of open permits with the Engineering Division.

Attachments:
PacketDocs_TorreyDrive (PDF)

TORREY DRIVE

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



Attachment: PacketDocs_TorreyDrive (9002 : Torrey Drive, LLC.)

TONY EVERS
GOVERNOR
KATHY BLUMENFELD
SECRETARY
Plat **R**eview
PO Box 1645, Madison WI 53701
E-mail: plat.review@wi.gov
https://doa.wi.gov/platreview

November 08, 2023

J. Scott Henkel
PARISH SURVEY & ENGINEERING
122 WISCONSIN ST, WEST BEND WI 53095
shenkel@parishse.com

FILE NO. 121675
TORREY DRIVE ESTATES
City of Mequon, Ozaukee County

Dear J. Scott Henkel:

You have submitted TORREY DRIVE ESTATES for review. The Department of Administration does not object to the final plat bearing the November 1, 2023 revision date. We certify that it complies with: s. 236.15, s. 236.16, s. 236.20, and s. 236.21, Wis. Stats.

DEPARTMENT OF ADMINISTRATION COMMENTS:
The Department of Administration has no conditions for this plat.

NOTE TO ALL: The surveyor indicated that all exterior monuments have been set and that the City of Mequon has temporarily waived placing the interior monuments per s. 236.15 (1) (h), Wis. Stats.

NOTE TO SURVEYOR: You must sign, date and seal the plat prior to final approval and recording.

The plat shall be presented to the City of Mequon for final approval and signing. The City of Mequon, during its review of the plat, will have resolved when applicable that the plat:
- complies with local ordinances;
- conforms with areawide water quality management plans, if sewered;
- complies with Wisconsin shoreland management regulations;
- resolves possible problems with storm water runoff;
- fits the design to the topography;
- displays well designed lot and street layout;
- is served by public sewer or private sewage systems;
- includes service or is serviceable by necessary utilities.

Any changes to the plat involving details checked by this Department will require submission of the plat to the Department for recertification before the plat is eligible for recording. Such changes can be found by comparing the recordable document with the copy of the certified plat furnished with this letter.

Attachment: PacketDocs_TorreyDrive (9002 : Torrey Drive, LLC.)

If there are any questions concerning this review, please contact our office, using the information at the top.

Sincerely,

Renée M. Powers, PLS
Plat Review
Email: plat.review@wi.gov

Enc: Recordable Document

cc: Owner
Clerk, City of Mequon
Register of Deeds
SEWRPC

PLAT RECEIVED FROM SURVEYOR ON 10/03/2023; REVIEWED ON 10/30/2023
REVISED PLAT RECEIVED FROM SURVEYOR ON 11/02/2023 & 11/07/2023

Attachment: PacketDocs_TorreyDrive (9002 : Torrey Drive, LLC.)

TORREY DRIVE ESTATES

TO DIVIDE PARCEL 1 OF CERTIFIED SURVEY MAP 841, RECORDED AS DOCUMENT NO. 285305, BEING PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 25, TOWNSHIP 9 NORTH, RANGE 21 EAST, IN THE CITY OF MEQUON, COUNTY OF OZAUKEE, STATE OF WISCONSIN.

OWNER:
TORREY DRIVE, LLC
N118 W18531 BUNSEN DRIVE
GERMANTOWN, WI 53022

Ⓓ DEDICATED TO THE PUBLIC FOR ROAD PURPOSES
45,149 SQ. FT // 1.0365 ACRES

0 30 60

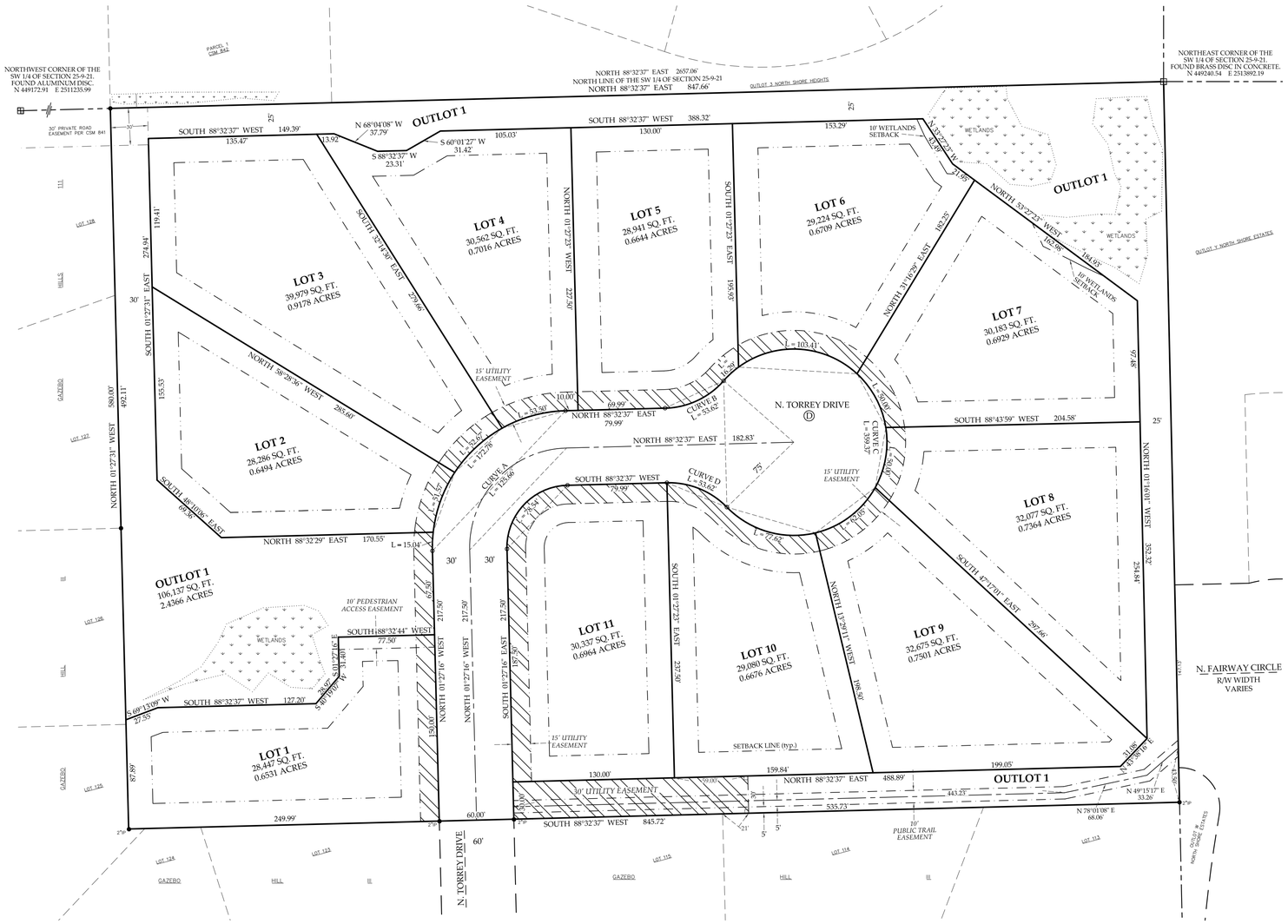
BEARINGS ARE REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, (NAD83). THE NORTH LINE OF SW 1/4 OF SECTION 25-9-21 BEARS NORTH 88°32'27" EAST.

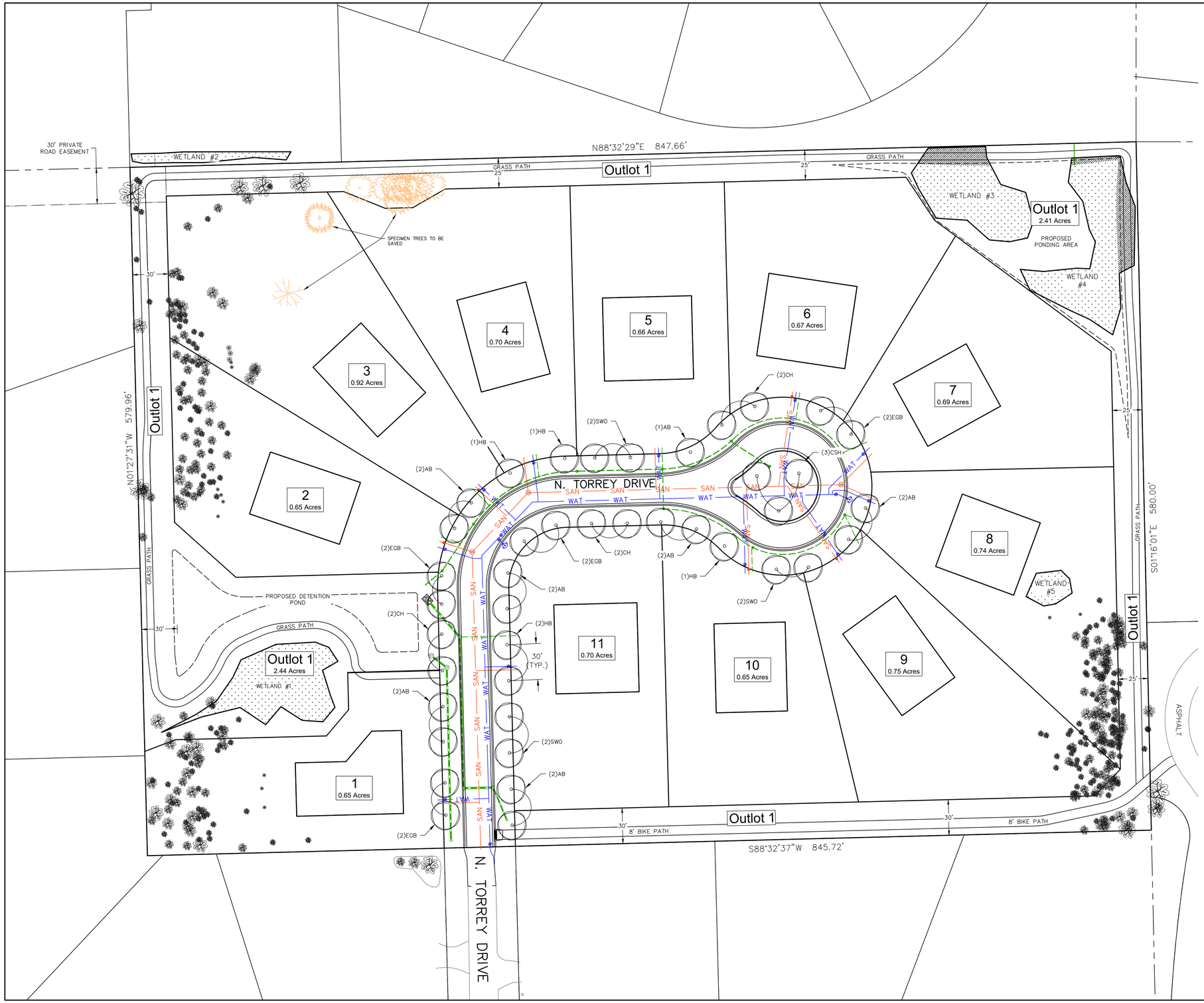
WETLANDS BORDERS DELINEATED BY HEARTLAND ECOLOGICAL GROUP ON JUNE 6, 2022.

ZONING: R-3
SETBACKS, AS SHOWN:
STREET: 30 FEET
SIDE: 20 FEET
REAR: 20 FEET

LEGEND
- ● 1" IRON PIPE FOUND, OR AS NOTED
- ○ 2"x18" IRON PIPE WEIGHING NOT LESS THAN 3.65 LBS/FOOT SET.

INDIVIDUAL LOT AND OUTLOT CORNERS, AS 3/4"x18" REBAR WEIGHING NOT LESS THAN 1.13 LBS/FOOT, TO BE SET UPON COMPLETION OF HOUSE CONSTRUCTION.


NORTHWEST CORNER OF THE SW 1/4 OF SECTION 25-9-21. FOUND ALUMINUM DISC. N 449172.91 E 2511235.99
NORTHEAST CORNER OF THE SW 1/4 OF SECTION 25-9-21. FOUND BRASS DISC IN CONCRETE. N 449240.54 E 2513892.19
NORTH 88°32'37" EAST 2657.06'
NORTH LINE OF THE SW 1/4 OF SECTION 25-9-21
NORTH 88°32'37" EAST 847.66'
OUTLOT 3 NORTH SHORE HEIGHTS
PARCEL 1 CSM 841
30' PRIVATE ROAD EASEMENT PER CSM 841
OUTLOT 1
SOUTH 88°32'37" WEST 149.39'
135.47'
13.92'
N 68°04'08" W 37.79'
S 60°01'27" W 31.42'
105.03'
S 88°32'37" W 23.31'
SOUTH 88°32'37" WEST 388.32'
130.00'
153.29'
10' WETLANDS SETBACK
WETLANDS
S 33°14'37" W 47.00'
21.58'
NORTH 53°27'23" WEST 182.25'
OUTLOT 1
WETLANDS
184.93'
10' WETLANDS SETBACK
OUTLOT 1 NORTH SHORE ESTATES
LOT 1 30,562 SQ. FT. 0.7016 ACRES
LOT 2 28,286 SQ. FT. 0.6494 ACRES
LOT 3 39,979 SQ. FT. 0.9178 ACRES
LOT 4 30,562 SQ. FT. 0.7016 ACRES
LOT 5 28,941 SQ. FT. 0.6644 ACRES
LOT 6 29,224 SQ. FT. 0.6709 ACRES
LOT 7 30,183 SQ. FT. 0.6929 ACRES
LOT 8 32,077 SQ. FT. 0.7364 ACRES
LOT 9 32,675 SQ. FT. 0.7501 ACRES
LOT 10 29,080 SQ. FT. 0.6676 ACRES
LOT 11 30,337 SQ. FT. 0.6964 ACRES
OUTLOT 1 106,137 SQ. FT. 2.4366 ACRES
SOUTH 01°27'31" EAST 274.94'
NORTH 01°27'31" WEST 580.00'
492.11'
119.41'
SOUTH 32°14'37" EAST 279.06'
NORTH 58°28'36" WEST 285.66'
SOUTH 40°10'06" EAST 69.58'
155.53'
NORTH 01°27'16" WEST 217.50'
SOUTH 01°27'16" EAST 217.50'
NORTH 01°27'16" WEST 217.50'
NORTH 01°27'16" WEST 130.00'
SOUTH 01°27'16" EAST 227.90'
NORTH 01°27'16" WEST 227.90'
SOUTH 01°27'32" EAST 195.56'
NORTH 31°10'29" EAST 182.25'
NORTH 12°33'11" WEST 198.50'
SOUTH 47°17'01" EAST 299.46'
NORTH 01°10'01" WEST 252.52'
254.84'
89.26'
L = 103.41'
CURVE A L = 172.78'
CURVE B L = 53.62'
CURVE C L = 359.37'
CURVE D L = 53.62'
CURVE E L = 53.62'
L = 72.62'
L = 52.05'
L = 15.04'
L = 53.56'
L = 53.57'
L = 53.57'
L = 53.57



PLANT LIST

KEY	QTY	SIZE	COMMON NAME	ROOT
	(41)		CANOPY TREES	
AB	13	2 ½"	AMERICAN BASSWOOD	BB
CSH	3	2 ½"	COCKSPUR HAWTHORN	BB
CH	6	2 ½"	COMMON HACKBERRY	BB
EGB	8	2 ½"	EARLY GLOW BUCKEYE	BB
HB	5	2 ½"	HOMESTEAD BUCKEYE	BB
SWO	6	2 ½"	SWAMP WHITE OAK	BB

LENGTH OF CENTERLINE: 601 FT
LENGTH OF ROW: 1,313 LF

REVISIONS:

NO.	DATE	DESCRIPTION
1	3.14.23	Revise per City comments
2	4.27.23	Revise per City comments
3	5.9.23	Interim grading and sump collector rev.
4	6.15.23	Interim grading, sump collector, trees.

PSE
PARISH SURVEY & ENGINEERING
122 Wisconsin Street, West Bend, WI 53095
262.346.7800
www.parishse.com

PROJECT TITLE:
TORREY DRIVE ESTATES
10766 N. TORREY DRIVE
MEQUON, WI 53092

PLAN TITLE:
STREET TREE PLAN

DRAWN BY: **JDR**
DESIGNED BY: **JDR**
CHECKED BY: **KJP**

PLAN DATE: **06-15-2023**

PROJECT NO: \BO-11-22\

BID SET

SHEET NO:
C1.08

Attachment: PacketDocs_TorreyDrive (9002 : Torrey Drive, LLC.)

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

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

TO: **Planning Commission**

FROM: **JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT**

DATE: **December 4, 2023**

SUBJECT: **Congregation Agudas Achim Chabad, Inc. The applicant is seeking conditional use grant approval to allow for a restaurant for the property located at 2233 W. Mequon Road.**

Applicant:	Congregation Agudas Achim Chabad
Status of Applicant:	Owner
Requested:	Conditional Use Grant
Existing Zoning:	IPS (Institutional)
Land Use Plan:	Institutional
Lot size:	4.56 Acres
Location:	2233 W. Mequon Road
Tax Key Number:	#15-030-05-015.00
District:	#6

Background: The applicant requests approval for an 885 square foot restaurant (The Deli at Crown) at 2233 W Mequon Road (Congregation Agudas Achim Chadad). The use was originally approved as a cafeteria for members of the congregation which was permitted as an accessory use. It eventually was open to the general public, which was not allowed as part of their original approval. Since the parcel is rezoned to IPS (Institutional) in 2021, the code allows "restaurants or other service facilities accessory to an approved use and intended solely for use by members and guests or intended to be open for use by the general public" as a conditional use.

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

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

Since the restaurant is open to the public, it is regulated by State and City health departments. The use should not endanger the public health, safety and general welfare.

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

Adjacent parcels are zoned Institutional or R-3 (Single Family 1 Acre). Several of the abutting residentially zoned properties are also owned by the Congregation or affiliates of the Congregation. Other than a small patio in the front of the building, all activities of the restaurant take place indoors on the first floor of the building. The limited size of the restaurant (885 square

feet) in comparison to the existing preschool and religious institution should have a minimal impact on traffic to the site. The use should have no impact on the value of the adjacent properties.

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

The proposed restaurant is located in an area that is a mix of single-family homes and Institutional uses. According to the applicant, the deli is open to the public from 11:00 AM-3:00 PM Monday through Friday with occasional extended hours until 8:00 PM. Since the extended hours are variable, the CUG will state an 8:00 PM end time as part of the regular hours. There are three employees associated with the restaurant operations which has a maximum compacity of 30 patrons. The deli also offers take out and catering during holiday seasons. The deli is not open during peak operations for services on site which usually occur on weekends. There is ample parking on site (73 spaces) including 12 spaces located on the north side of the building at the entrance to the building where the restaurant is located.

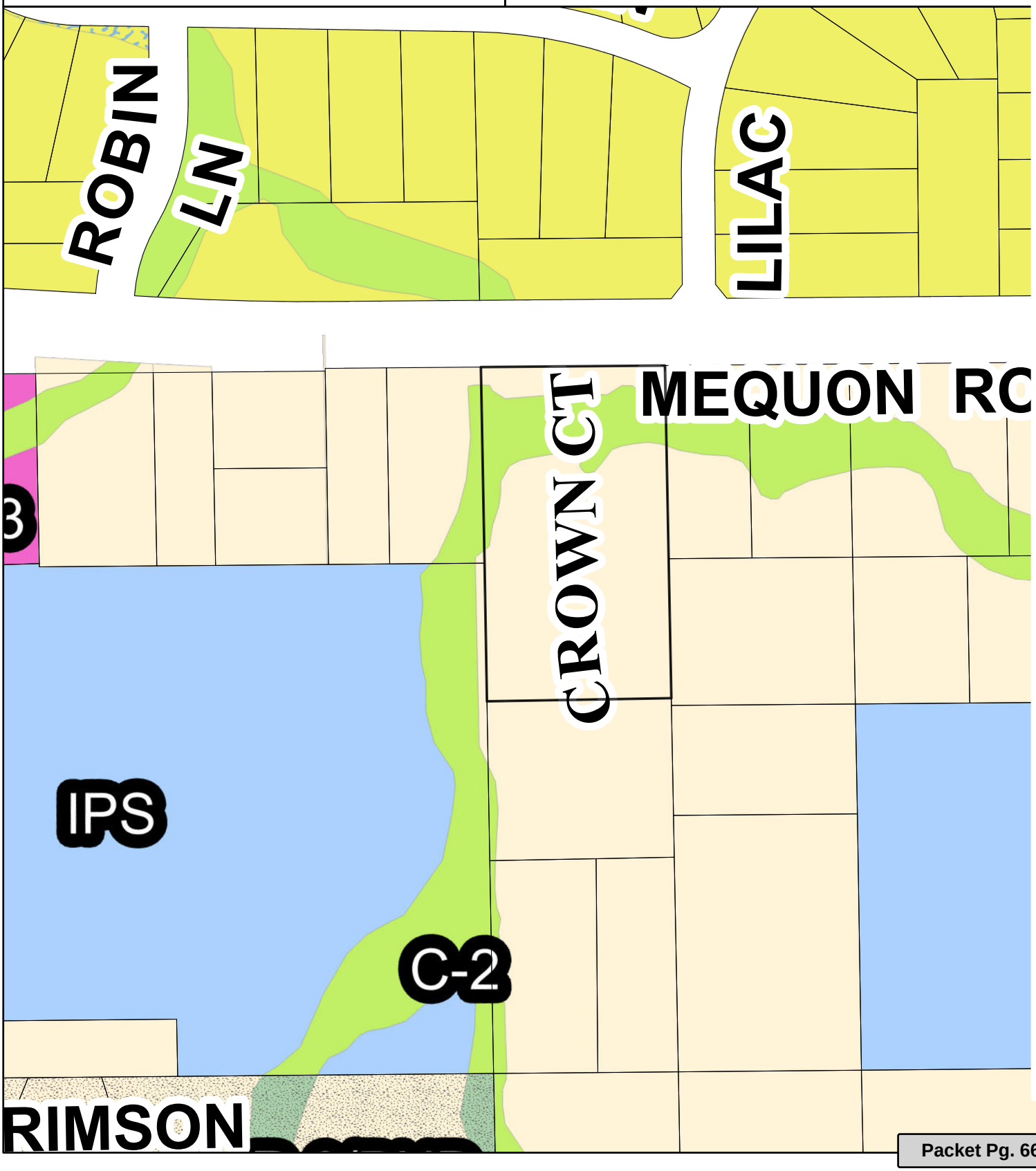
Staff Recommendation:
Planning staff recommends **approval** of the conditional use based on the following conditions:

1. Restaurant Hours are limited to Monday through Friday 11:00 AM to 8:00 PM
2. Staff review and approval of final plans prior to issuance of permits. The applicant shall submit such plan within 180 days of Planning Commission action, or the required plan(s) shall be submitted to Planning Commission for additional review and action and subject to all necessary fees.

Attachments:
PacketDocs_Chabad (PDF)

CHABAD

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



Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

Business Plan Overview for Deli on Crown

The Deli on Crown is located on the ground level of the Peltz Center For Jewish Life and provides a needed service for the Jewish community, serving quality meals that meet kosher dietary requirements. Jewish community members that observe kosher dietary laws do not currently have other options in Ozaukee County for kosher certified, prepared foods or culinary services. While initially catering to members of the congregation and the Center for Jewish Life, members of the public are welcome and encouraged to benefit and enjoy a kosher culinary experience.

The Deli is primarily open 11:00-3:00 Monday-Friday as a lunch venue, and offers occasional later/dinner hours several times a month. The Deli offers take-out service and holiday catering, as well as dine-in service with seating for up to 33 patrons at a time.

The Deli is staffed by a chef and sous-chef, as well as a customer service position and utilizes the services of the congregation's kosher supervisor and custodial staff.

There are 12 parking stalls directly opposite the Deli entrance on the north side of the facility. Ample additional parking, if needed, is available along the drive and in the facility's main parking lot.

Provisions are generally procured from the existing vendor base that supplies Congrgation Agudas Achim Chabad.

If you have any questions, please contact Menachem Rapoport at 414-795-4318 (cell).

Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

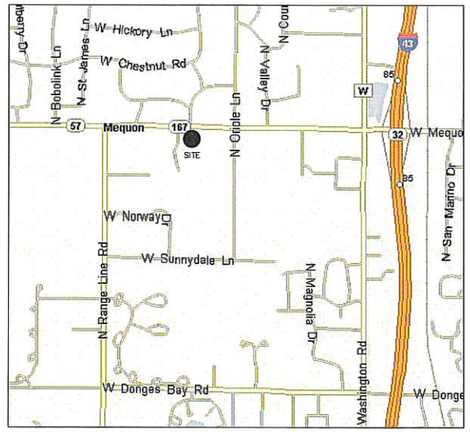
ALTA/ACSM LAND TITLE SURVEY

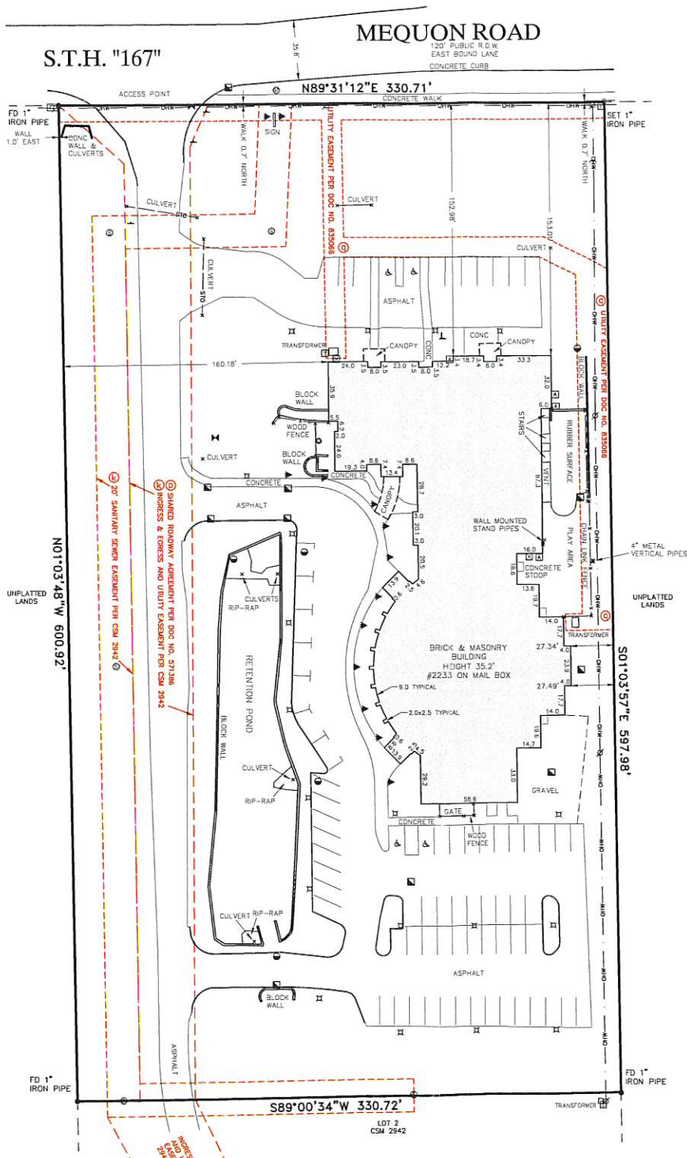
Known as 2233 West Mequon Road, In the City of Mequon, Ozaukee County, Wisconsin.

PARCEL 1 OF CERTIFIED SURVEY MAP NO. 2942 RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS FOR OZAUKEE COUNTY, WISCONSIN, IN VOLUME 21 OF CERTIFIED SURVEY MAPS, AT PAGES 64-67, AS DOCUMENT NO. 570431, BEING PART OF THE NORTHEAST 1/4 OF THE NORTHWEST 1/4 OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 22 EAST, IN THE CITY OF MEQUON, OZAUKEE COUNTY, STATE OF WISCONSIN.

Prepared for: Chabad of North Shore

Survey No. 163746-RMK





LEGEND

( ) INDICATES RECORDED DIMENSION WHERE DIFFERENT FROM ACTUAL MEASUREMENT
⊕ OR ■ SECTION OR 1/4 SECTION CORNER AS DESCRIBED
● 1" DIA. IRON PIPE FOUND (UNLESS OTHERWISE NOTED)
○ 1" DIA. IRON PIPE, 18" LONG-SET (UNLESS OTHERWISE NOTED)
O BOLLARD
+ SOIL BORING/MONITORING WELL
F FLAGPOLE
MAILBOX
SIGN
BILLBOARD
CONTROL BOX
TRAFFIC SIGNAL
RAILROAD CROSSING SIGNAL
CABLE PEDESTAL
POWER POLE
GUY POLE
GUY WIRE
LIGHT POLE
SPOT/YARD/PEDESTAL LIGHT
HANDICAPPED PARKING
ELECTRIC MANHOLE
ELECTRIC PEDESTAL
ELECTRIC METER
TELEPHONE MANHOLE
TELEPHONE PEDESTAL
FO MARKED FIBER OPTIC
GAS VALVE
GAS METER
GAS WARNING SIGN
STORM MANHOLE
ROUND INLET
SQUARE INLET
STORM SEWER END SECTION
SANITARY MANHOLE
SANITARY CLEANOUT OR SEPTIC VENT
SANITARY INTERCEPTOR MANHOLE
MISCELLANEOUS MANHOLE
WATER VALVE
HYDRANT
WATER SERVICE CURB STOP
WATER MANHOLE
WELL
WATER SURFACE
WETLANDS FLAG
MARSH
CONIFEROUS TREE
DECIDUOUS TREE
SHRUB
—EDGE OF TREES
S—SANITARY SEWER
STD—STORM SEWER
W—WATERMAIN
G—MARKED GAS MAIN
E—MARKED ELECTRIC
OHW—OVERHEAD WIRES
B—BUREAU ELEC. SERV.
T—MARKED TELEPHONE
TV—MARKED CABLE TV LINE
FO—MARKED FIBER OPTIC
780 INDICATES EXISTING CONTOUR ELEVATION
× 780.55 INDICATES EXISTING SPOT ELEVATION

N

GRAPHIC SCALE
40 0 20 40 80 160
(IN FEET)
1 inch = 40 ft.

DIGGERS HOTLINE WAS NOT CALLED FOR THIS SITE.

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

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

1. Basis of Bearings
Bearings are based on the South line of Mequon Road, which is assumed to bear North 89°31'12" East.

2. Title Commitment
This survey was prepared based on First American Title Insurance Company title commitment number F11113601OZ, effective date of November 21, 2011, which lists the following easements and/or restrictions from schedule B-II:

a, e, i, j. Visible evidence shown, if any.

b-d, f-h, l-n, r. Not survey related.

k. Restrictions, covenants, and easements, etc., if any, as shown in the recorded plat. Affects site by location - shown.

o. Sign Easement Agreement between Bley Park Estates, Inc., and Congregation Agudas Achim Chabad, Inc., dated January 15, 1997 and recorded on January 23, 1997 as Document No. 571385. Affects site by location - general in nature, cannot be plotted.

p. Shared Roadway Agreement between Bley Park Estates, Inc., and Congregation Agudas Achim Chabad, Inc., dated January 15, 1997 and recorded on January 23, 1997 as Document No. 571386. Affects site by location - shown.

q. Utility Easement from Chabad of North Shore, to Wisconsin Electric Power Company, a Wisconsin Corporation doing business as We Energies, recorded January 24, 2006 as Document No. 835066. Affects site by location - shown approximate, there are dimensions missing fromExhibit A .

3. Flood Note
According to flood insurance rate map of the County of Ozaukee, community panel number 55089C0252F, effective date of December 4, 2007, this site falls in zone X (areas determined to be outside the 0.2% annual chance floodplain)

4. Parking Spaces
There are 69 regular and 4 handicapped parking spaces marked on this site.

5. Municipal Zoning Information obtained by surveyor
The basic zoning information listed below is taken from municipal codes and does not reflect all regulations that may apply - site is zoned R-3

Front Street setback - 50'
Primary Arterials setback - 100'
Secondary Arterial setback - 80'
Local Arterials setback - 70'
Side yard setback - 20'
Rear yard setback - 20'
Maximum height - 42'

To: Congregation Agudas Achim Chabad, Inc., F/K/A Chabad of North Shore
First American Title Insurance Company
Waukesha State Bank, its successors and/or assigns

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2011 Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by ALTA and NSPS and includes items 1, 2, 3, 4, 6(a), 7(a), 7(c), 8, 9 and 11(a) of Table A thereof. The field work was completed on December 7, 2011.

Date of Plat or Map: December 9, 2011

Stephan G. Southwell
Registered Land Surveyor
Registration Number S-1939

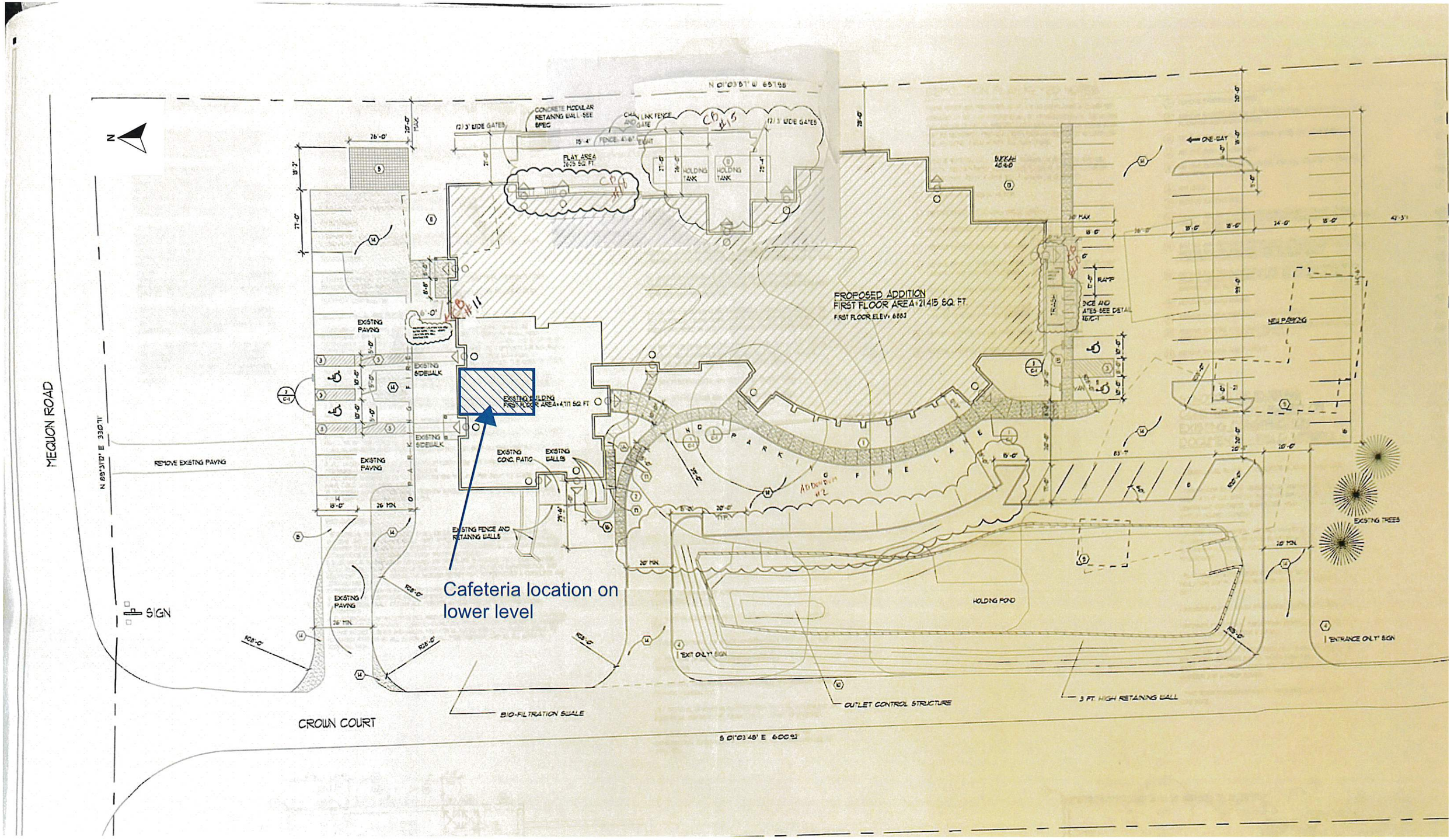
R.A. Smith National, Inc.
Beyond Surveying and Engineering
16745 W. Bluemound Road, Brookfield WI 53005-5938
262-781-1000 Fax 262-797-7373, www.rasmithnational.com
Appleton, WI Orange County, CA Pittsburgh, PA

S:\5163746\dwg\ AS101D40.dwrg \ AS101D40

SHEET 1 OF 1

R.A. Smith National, Inc.
Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

S:\5163746\dwg\AS101D40.dwg, AS101D40, 12/9/2011 10:38:04 AM, mrk



Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

PROPOSED TOILET FIXTURE COUNT SCHDULE:

LOWER LEVEL	MENS	WOMENS	UNISEX
WATER CLOSET	1	3	2
LAVATORIES	2	4	2
URINALS	-	-	-
FIRST FLOOR			
WATER CLOSET	2	3	2*
LAVATORIES	2	2	2*
URINALS	2	-	-
(ALSO: 7 WATER CLOSETS AND LAVES IN PRESCHOOL, NOT IN SCHEDULE)			
BALCONY LEVEL			
WATER CLOSET	-	-	1
LAVATORIES	-	-	1

* INCLUDES 1 WATER CLOSET AND 1 LAV IN PRESCHOOL

BUILDING INFORMATION:

PROJECT TYPE:	COMMERCIAL ALTERATION
OCCUPANCY:	ASSEMBLY (GROUP A-3)
CONSTRUCTION CLASS:	3B
STORIES:	2
SPRINKLERED:	YES (NFPA 13)
CITY:	MEQUON
COUNTY:	OZAUKEE

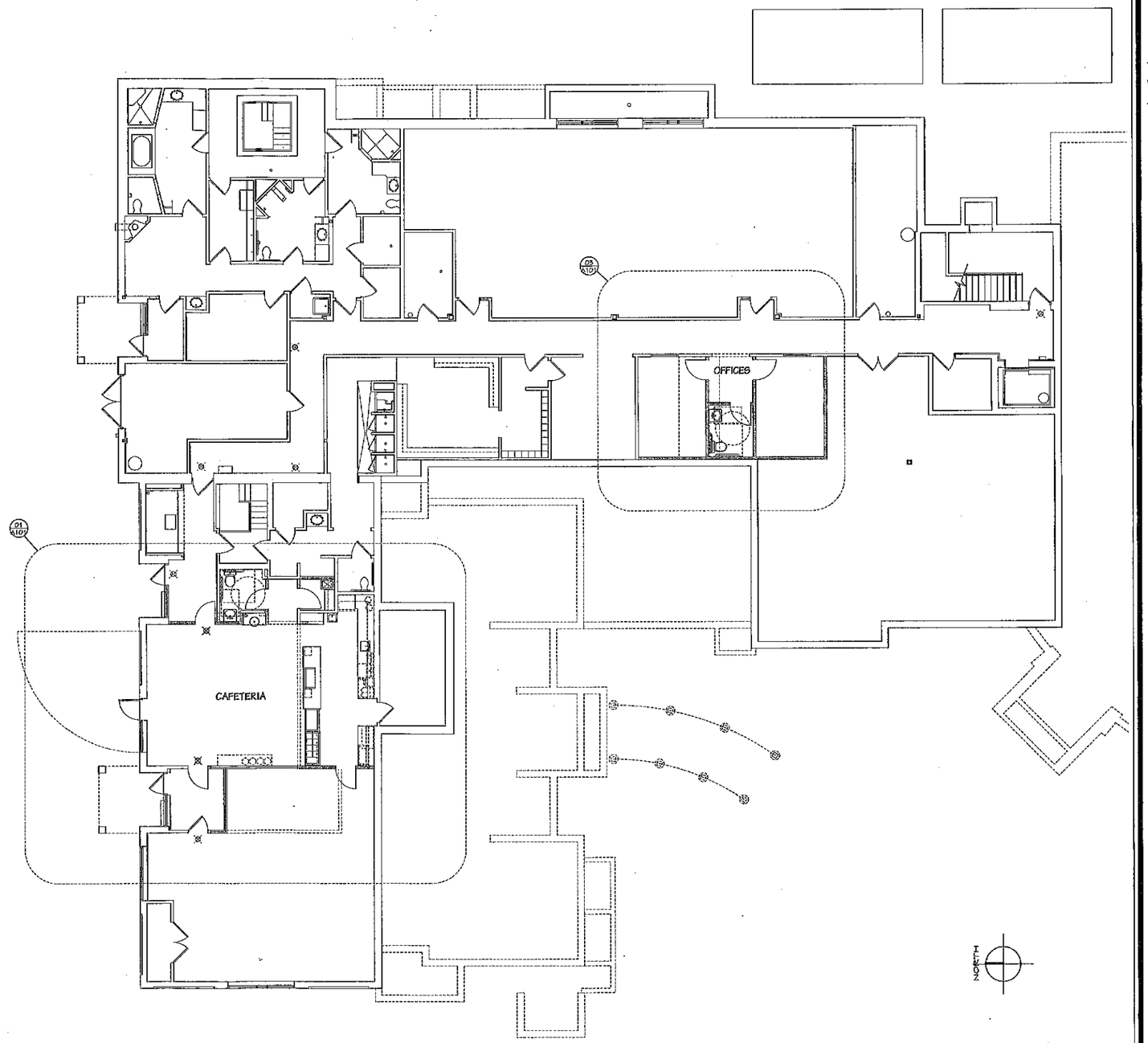
AREA OF REMODELED TENANT SPACE:

OFFICES:	450 S.F.
CAFERERIA:	884 S.F.
TOTAL:	1,334 S.F.

SHEET INDEX:

SHEET NO.	ARCHITECTURAL DRAWING
A-1.00	LOWER LEVEL PLAN AND NOTES
A-1.01	ENLARGED PLANS, NOTES, AND SCHEDULES
A-5.00	INTERIOR ELEVATIONS, AND SECTIONS

WISCONSIN BRUCE WYDEVEN A-5101 ARCHITECT 12-05-19



PROJECT INFORMATION | 13

LOWER LEVEL FLOOR PLAN 1/8" = 1'-0" | 01

WYDEVEN ARCHITECTS
7567 West State Street, Suite 5
Wauwatosa, Wisconsin
Phone 414-454-4677 Email Bruce@Wydevenarchitects.com

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CENTER FOR JEWISH LIFE
CAFETERIA AND OFFICE ADDITION
2233 WEST MEQUON ROAD
MEQUON, WISCONSIN 53092

REVISIONS

PROJECT NO. 1918

DATE:
DECEMBER 02, 2019

SHEET
A-1.00

Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

DOOR SCHEDULE

DOOR NO.	SIZE (WxHxTHK.)	DOOR MATERIAL	GLAZING	FRAME	NOTES
01	3'-0"x7'-0"x1 3/4"	WOOD VENEER	N/A	HOLLOW METAL	HG1
02	3'-0"x7'-0"x1 3/4"	WOOD VENEER	N/A	HOLLOW METAL	HG1
03	3'-0"x7'-0"x1 3/4"	WOOD VENEER	N/A	HOLLOW METAL	HG1
04	3'-0"x7'-0"x1 3/4"	PAINTED WOOD	1/4" TEMP.	3/4" WOOD W/ CASING	HG2
05	3'-0"x7'-0"x1 3/4	ALUM / GLASS	INS. TEMP.	ALUM. STOREFRONT	HG3
06	3'-0"x7'-0"x1 3/4	WOOD VENEER	N/A	HOLLOW METAL	HG2
07	3'-0"x7'-0"x1 3/4	WOOD VENEER	N/A	HOLLOW METAL	HG4, REUSE EXISTING DOOR AND FRAME
08	3'-0"x7'-0"x1 3/4	WOOD VENEER	N/A	HOLLOW METAL	HG4, REUSE EXISTING DOOR AND FRAME
09	3'-0"x7'-0"x1 3/4	WOOD VENEER	N/A	HOLLOW METAL	HG2

GENERAL NOTES:

- ALL INTERIOR DIMENSIONS ARE TO THE FACE OF WALL.
- ALL NEW WALLS ARE TO BE 2x4 STUDS, SPF #2 OR BETTER, AT 16" O.C. WITH 5/8" GYPSUM BOARD ON EACH SIDE AND 3 1/2" SOUND INSULATION. (UNLESS NOTED) EXTEND TO 8" ABOVE CEILING UNLESS NOTED.
- PLUMBING, HVAC, FIRE PROTECTION, AND ELECTRICAL DESIGN WORK IS TO BE PERFORMED BY THE DESIGN-BUILD CONTRACTORS FOR EACH TRADE.
- DESIGN-BUILD ELECTRICAL CONTRACTOR TO DESIGN EMERGENCY EXIT LIGHTING, SMOKE AND FIRE ALARM SYSTEMS.
- DESIGN-BUILD FIRE PROTECTION CONTRACTOR TO DESIGN MODIFICATIONS TO FIRE PROTECTION SYSTEM BASED ON REVISED WALL AND CEILING LAYOUT. MEET NFPA 13 REQUIREMENTS.

HARDWARE GROUPS:

HG1 1 1/2 PR. BUTT HINGES
LOCKSET
WALL STOP

HG2 1 1/2 PR. BUTT HINGES
LOCKSET
CLOSURE W/ STOP
8" KICK PLATE

HG3 HINGE
LOCKSET
CLOSURE W/ STOP
THRESHOLD
SWEEP
WEATHERSTRIPPING

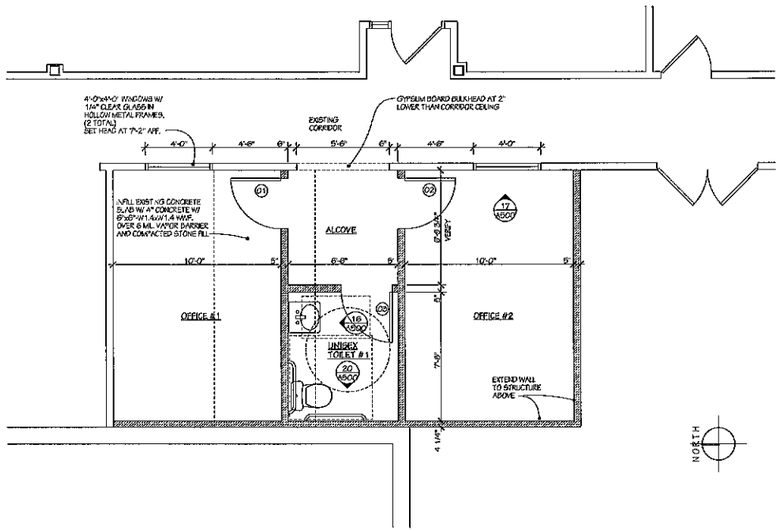
HG4 1 1/2 PR. BUTT HINGES
LOCKSET
WALL STOP
8" KICK PLATE

ROOM FINISH SCHEDULE

ROOM NAME	FLOOR	WALLS	BASE	CEILING	CEILING HEIGHT	NOTES
OFFICE #1	CARPET	PAINTED GYP.	4" VINYL	ACT #1	9'-0"	
OFFICE #2	CARPET	PAINTED GYP.	4" VINYL	ACT #1	9'-0"	
UNISEX TOILET RM. #1	CER. TILE	PAINTED GYP.	C.T.B.	ACT #2	8'-0"	
ALCOVE #1	CARPET	PAINTED GYP.	4" VINYL	ACT #1	9'-0"	
SEATING	EPOXY	PAINTED GYP.	4" VINYL	EXPOSED	VARIES	NOTE 1
UNISEX TOILET #2	CER. TILE	PAINTED GYP.	C.T.B.	ACT #2	8'-4"	
ALCOVE #2	CER. TILE	PAINTED GYP.	C.T.B.	ACT #1	8'-4"	
UTILITY CLOSET	CER. TILE	PAINTED GYP.	C.T.B.	ACT #2	8'-4"	
WASHING KITCHEN	CER. TILE	PAINTED GYP.	C.T.B.	ACT #2	8'-4"	

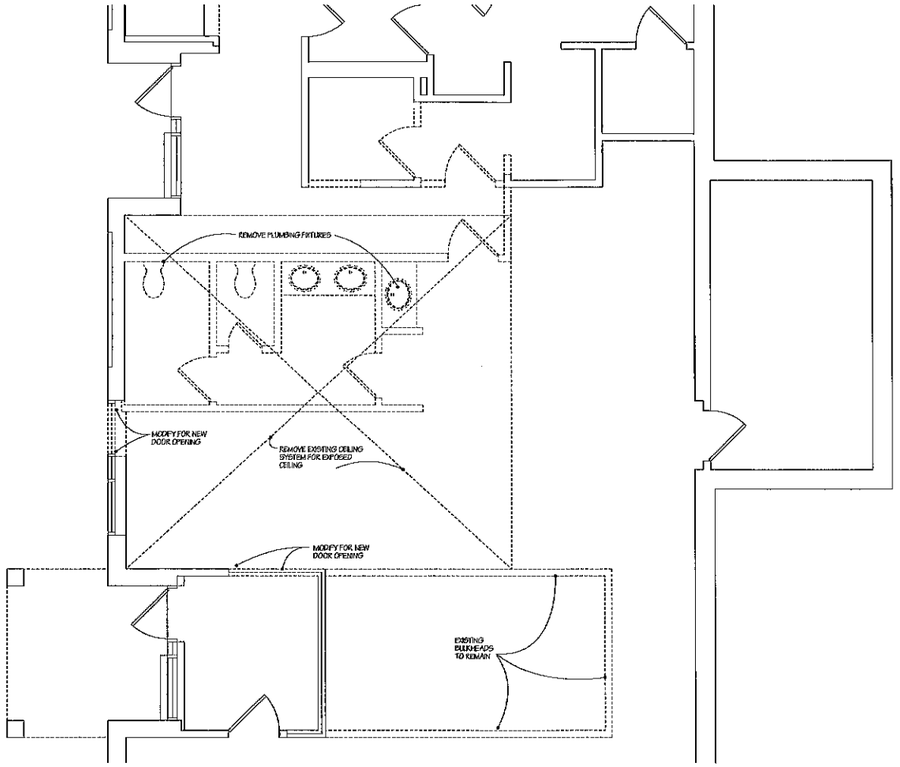
ABBREVIATIONS:
EPOXY CONCRETE FLOOR WITH EPOXY COATING
EXPOSE EXPOSE WOOD CEILING STRUCTURE, PAINT
CER. TILE CERAMIC TILE (TBD)
C.T.B. 6" CERAMIC TILE BASE (TBD)
ACT #1 2'X2' ACOUSTIC CEILING PANEL SYSTEM, ARMSTRONG, CORTEGA 704
ACT #2 2'x2' VINYL COATED GYPSUM PANEL SYSTEM

ROOM FINISH SCHEDULE NOTES
1 REMOVE EXISTING CEILING SYSTEM FOR EXPOSED CEILING. CLEAN AND PAINT EXISTING STRUCTURE, INCLUDING DECK, FLOOR FRAMING, DUCTWORK, PIPING AND CONDUIT. MODIFY EXISTING SPRINKLER HEADS AS NEEDED FOR EXPOSED CEILING.

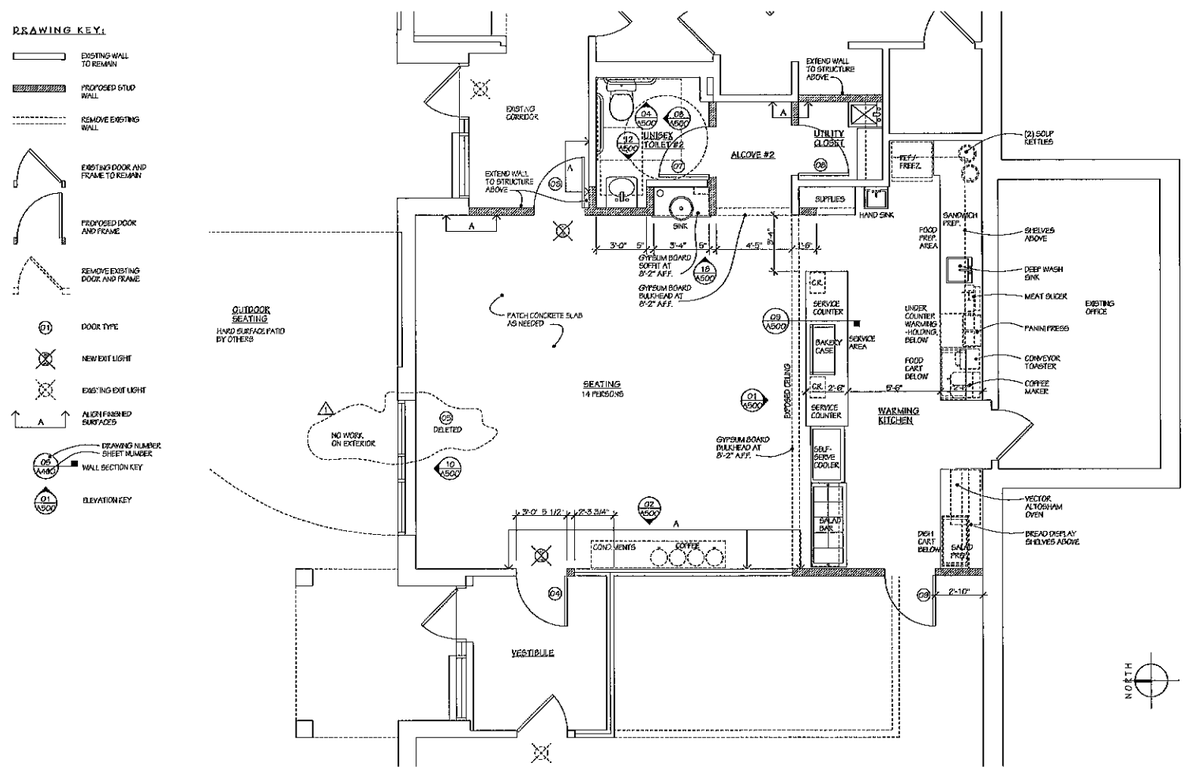


NOTES AND SCHEDULES | 11

LOWER LEVEL OFFICE PLAN | 1/4" = 1'-0" | 03



LOWER LEVEL CAFETERIA DEMOLITION PLAN | 1/4" = 1'-0" | 09



LOWER LEVEL CAFETERIA PLAN | 1/4" = 1'-0" | 01

WYDEVEN ARCHITECTS
7667 West State Street, Suite 53
Wauwatosa, Wisconsin
Phone: 414-614-4677 Email: Bruce@Wydevenarchitects.com

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CENTER FOR JEWISH LIFE
CAFETERIA AND OFFICE ADDITION
2233 WEST MEQUON ROAD
MEQUON, WISCONSIN 53092

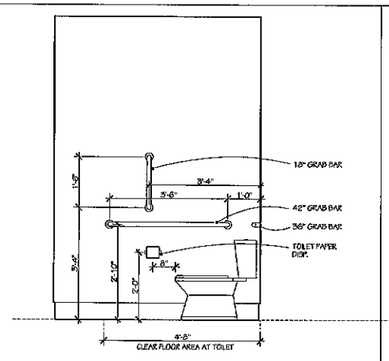
REVISIONS
01-09-20, DELETE DOOR #09, NO EXTERIOR WORK

PROJECT NO. 1918

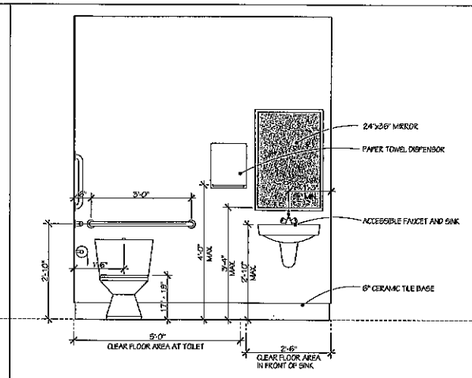
DATE
DECEMBER 02, 2019

SHEET
A-101

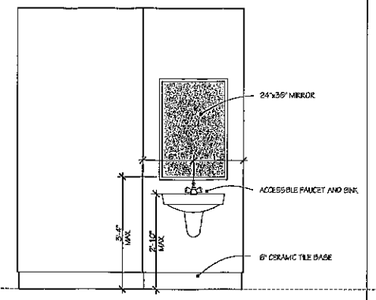
Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)



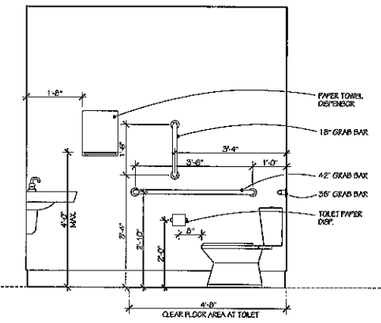
TOILET #1 - LOOKING WEST 1/2" = 1'-0" | 20



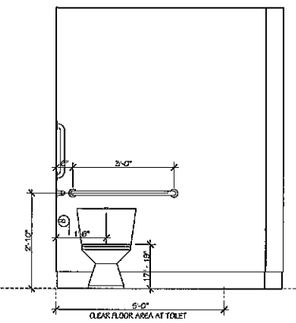
TOILET #1 - LOOKING NORTH 1/2" = 1'-0" | 16



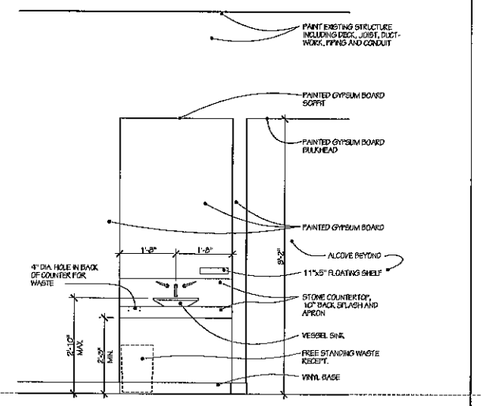
TOILET #2 - LOOKING WEST 1/2" = 1'-0" | 12



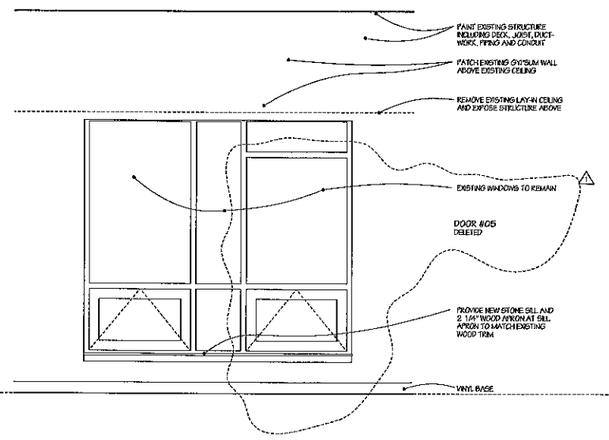
TOILET #2 - LOOKING NORTH 1/2" = 1'-0" | 08



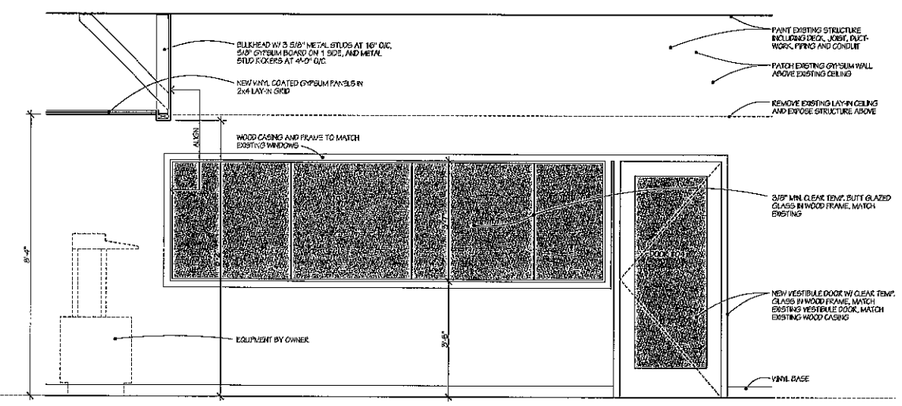
TOILET #2 - LOOKING EAST 1/2" = 1'-0" | 04



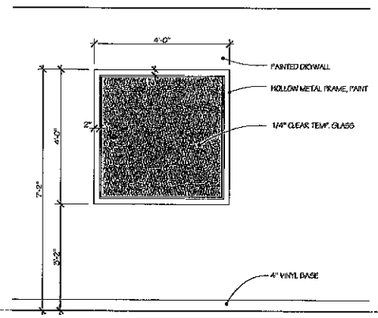
SEATING AREA - LOOKING EAST 1/2" = 1'-0" | 18



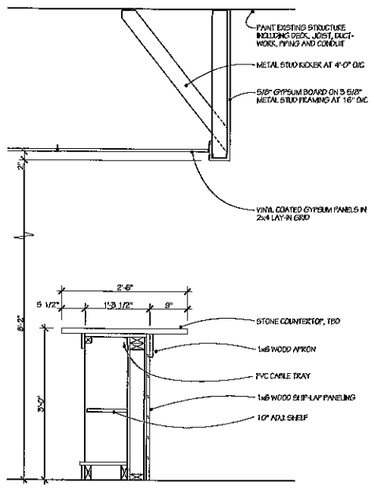
SEATING AREA - LOOKING NORTH 1/2" = 1'-0" | 10



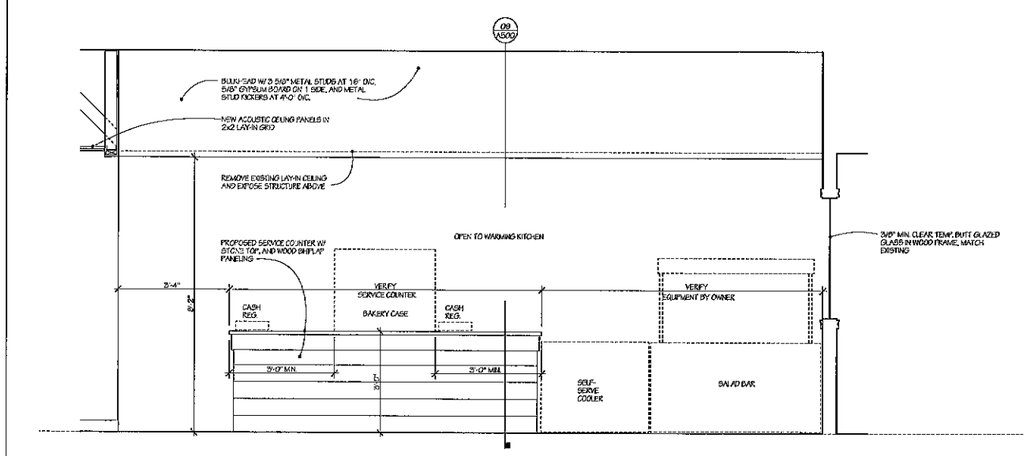
SEATING AREA - LOOKING WEST 1/2" = 1'-0" | 02



OFFICE - LOOKING EAST 1/2" = 1'-0" | 17



SERVICE COUNTER SECTION 3/4" = 1'-0" | 09



SEATING AREA - LOOKING SOUTH 1/2" = 1'-0" | 01

WYDEVEN ARCHITECTS
7667 West State Street, Suite 3
Wauwatosa, Wisconsin 532
Phone: 414-614-4677 Email: Bruce@WydevenArchitects

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CENTER FOR JEWISH LIFE
CAFETERIA AND OFFICE ADDITION
2233 WEST MEQUON ROAD
MEQUON, WISCONSIN 53092

REVISIONS
01-03-20, DELETE DOOR #05, NO EXTERIOR WORK.

PROJECT NO. 1918

DATE:
DECEMBER 02, 2019

SHEET

Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

CONDITIONAL USE GRANT

Articles of Agreement made and entered into this _____ day of _____, by and between _____ owners of the property located at 2233 W Mequon Road and the City of Mequon Planning Commission.

Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located in Section 30, Range 22 East, in Township 9 North, Ozaukee County, State of Wisconsin, further

described as follows:

LEGAL DESCRIPTION

Exhibit A-1

RETURN TO:

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

PARCEL NO.:
150300501500

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

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

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

GRANTED by action of the Planning Commission of the City of Mequon this 4th day of December 2023.

_____

Andrew Nerbun, Mayor, Planning Commission Chairperson

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2023, the above named Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

_____

Planning Commission Secretary

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2023, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

The **CONDITIONS** of this Grant are:

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

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

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

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

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

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

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

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

9. **Conditions on the Operations:**

   a. Hours of operation: 10:00 AM to 10:00 PM daily

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

   c. Water supply requirements:

      Private

   d. Provisions for sewage disposal:

      Public

e. Other:

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

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

10. **Conditions of the structures:**

a. Site Plan: As per attached Exhibit A

b. Landscaping Plan: N/A.

c. Elevations: N/A

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

e. Floor Plan: As per attached Exhibit B

f. Exterior lighting of the site and building: N/A

Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

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

h. The building shall comply with the building code.

11. **Conditions on the site:**

a. Street access (number, location, design): As per attached Exhibit A

b. Off-Street Parking (location and design including screening thereof): As per attached Exhibit A.

c. Outside storage of materials, products or refuse (location and screening thereof): As per attached Exhibit A

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

Any changes subject to Planning Commission approval.

e. Other:

Owner

Acknowledgment:

STATE OF WISCONSIN)
)SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2023, the above named_____, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

_____
Notary Public, Ozaukee County, Wisconsin

Receipt of a true Copy of this instrument on behalf of the petitioner acknowledged the _____ day of _____, 2023

DRAFTED BY:

City of Mequon
11333N Cedarburg Road
Mequon, WI 53092
Phone: (262) 236-2904

Attachment: PacketDocs_Chabad (8994 : Congregation Agudas Achim Chabad, Inc.)

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

TO: **Planning Commission**

FROM: **JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT**

DATE: **December 4, 2023**

SUBJECT: **Lakeside Development. The applicant is seeking land use plan, concept plan and rezoning recommendation approval from R-3 to R-5/PUD for a 19-lot cluster open space preservation subdivision for the property located at 11743 N. Port Washington Road.**

Applicant:	Lakeside Development
Status of Applicant:	Offer to Purchase
Requested:	Rezoning Recommendation Concept Plan Land Use Plan FFO (Flood Fringe Overlay)
Existing Use:	Vacant
Existing Zoning:	R-3 (1-Acre minimum) FFO (Flood Fringe Overlay)
Proposed Zoning:	R-5 (5-Acre minimum) PUD (Planned Unit Development) FFO (Flood Fringe Overlay)
Existing Land Use:	Residential 1-1.5 Acre
Proposed Land Use:	Residential Plex
Lot size:	9.8 Acres
Location:	11743 N. Port Washington Road and lands to the east and west
Tax Key Number:	#15-019-04-004.00
District:	#5

Background:
The applicant is requesting rezoning and concept plan approval for a 19-unit conservation condominium development on 9.8 acres located at 11743 N Port Washington Road and lands to the east and west. The property is currently zoned R-3 (Residential 1 Acre). The property is vacant and recently contained a single-family home that has been razed.

Rezoning Analysis: Some factors to consider when analyzing a rezoning request include:

Is the proposed rezoning consistent with existing and surrounding Land Use Designations?
The Land Use Plan Map shows the surrounding area as a mix of Residential Plex, Residential 1-1.5-acre, Office and Community Commercial. An amendment to the Land Use Plan is required as part of the rezoning and Residential Plex is the most appropriate designation for the proposed development. The property is located at the fringe of commercial uses along the west side of Port Washington Road. The proposed ½ acre development provides a nice transition from the more

intense residential and commercial uses to the south and the one-acre single family to the north. Staff finds the proposal consistent with the surrounding Land Use designations.

Are there reasonable uses under existing zoning?
Development of the parcel under the current zoning would require one acre lots which would result 9 lots on a private road and stormwater facilities on individual lots or a less dense development with a public road.

Has there been a change in character or trend in development in area of proposal?
There has not been a change in character in the area over the years. The area remains a mix of residential and commercial uses with the commercial remaining primarily to the south and east along Port Washington Road.

Proposed Yield Plan:
As part of the PUD process, a yield plan is required to establish the number of zoning compliant lots achievable. The yield plan shows 19 lots, conforming to the R-5 zoning district. The plan would include the use of a private road with access from Port Washington Road.

Site Conditions:
The site seems appropriate for a conservation subdivision development in that it contains floodplain, wetlands and a primary environmental corridor that contains a large woodland area. The City Forester has walked the site and has determined there are 2 specimen trees located near the footprint of the recently razed dwelling, a stand of significant trees located at the rear of the site in the proposed common area, and a line of White Pines along the north property line. The only trees that may be impacted by the development are the two trees located to the south of the razed house. There is a 31" Basswood and a 11" Ironwood that are in good condition and are near the location of the proposed pond. Staff recommends that the two trees be preserved and protected during the development process.

Proposed Concept Plan:
The concept plan shows 19 single family condominium units served by a public road with access to Port Washington Road. There is a large, wooded area to the rear that will remain undisturbed with the exception of a community trail system. The proposed condominium units include a 2,700 square foot unit pad (45x60) and a 196 square foot limited common area (14 x14) for decks and patios. The plan calls for a 20-foot offset to the neighboring parcels and a 50-foot setback from Port Washington Road. There will be a minimum 15-foot distance between building pads and a zero setback off the new public road. The layout is similar to the Highlands of Ville du Parc which is also a single-family condominium development along Fairway Heights Drive. While staff supports the setback reduction of the condominium unit pad from the proposed road, a zero setback to the proposed right of way does not provide any margin for error when transitioning to/ from condominium unit to the right of way. Staff recommends a minimum 10 feet front yard setback.

In other previously approved residential developments and in several of the new zoning districts, the city has required the following regulations for location of garage doors:

- No less than 50 percent of residential buildings shall present a side loading garage, a courtyard garage entry or a 15-degree turned garage entry.
- Of the remaining 50 percent that is allowed to present a front loading garage, the following shall apply: 1) no more than two garage stalls shall present on the same linear plane, 2) all front loading garages shall contain architectural details consistent with the

front elevation, 3) none of the front loading garages shall have a consistent setback to that of the habitable portion of the building and 4) no more than 30 percent of the front loading garages shall project further into the front yard than the habitable portion of the building.

- There shall be no more than three front-loading garage residential buildings in a row.

Staff recommends the same requirements for this development as well, with one modification. Staff is supportive of reducing the percentage to 40 percent due to the narrowness of the development area. That would equate to 8 of the units having a side loading garage, courtyard or 15-degree turned entry.

The proposed concept plan shows two different configurations based on the access location to Port Washington Road. The developer preferred connection at the south end of the development bifurcates an existing wetland in order to take advantage of the existing median opening across from Marcus Theater. The other option to the north avoids the wetland but requires right in/right out access. Staff prefers the road connection to the north. It is contrary to the intent of a conservation subdivision to impact a wetland if it can be avoided. In addition, the location of the south access point does not completely align with the drive aisle at Marcus Theater which at times is a high-volume driveway.

Both options provide access to the parcel to the north in the form of a road reservation. Similar to the requirements to the R-1 conservation subdivision requirements staff is recommending that the area from the eyebrow to the property line shall be dedicated as right-of-way and shall be at least 60 feet wide. The developer shall install bollards on each side of the right-of-way. The bollards shall be placed at the property line and halfway to the eyebrow. The owners shall maintain the bollards in good condition and repair and replace them as necessary until such time as a street is constructed over the right-of-way.

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

As mentioned in the previous section, staff recommends the road connection north of the theater driveway and outside of the wetland area. This location would reduce wetland impacts and the right-in, right-out access point would provide lesser traffic conflicts than the access point shown to the south. The separation between the access point for the subdivision and the access to the movie theater will also enhance the safety of the intersection. The access point is shown on North Port Washington Road/CTH W. The access point will require permitting from Ozaukee County. Connection may require street modifications to meet Ozaukee County standards, including the potential for acceleration/deceleration and bypass lanes.

Staff understands that the applicant intends to dedicate the street as public. Public roads require dedication of right-of-way, including dedication of right-of-way for a connection to the adjacent parcel.

Staff recommends the street termination eyebrow be within 150 feet of the adjacent undeveloped parcel. The area from the eyebrow to the property line shall be designated as right-of-way and shall be at least 60 feet wide. Bollards shall be installed as described previously. This requirement is consistent with the zoning requirements for the district.

Wetlands appear to be present on site. A wetland delineation report and concurrence by the WDNR must be provided as a condition of approval. The preliminary plat must be submitted showing wetland protective area setbacks in accordance with City ordinances and wetland delineator recommendation.

The site is located within the City's sewer service area and connection to the public sewer utility is required. Sewer and water are available in the North Port Washington Road right-of-way. Water connection shall conform to the Mequon Water Utility Water Connection Policy.

The site proposes an increase in impervious surface in excess of one-half acre and site disturbance of greater than an acre and therefore requires a stormwater management plan (SWMP). The proposed site will be required to provide additional stormwater management to meet the current City of Mequon, WDNR and MMSD criteria. The stormwater management improvements are subject to a drainage financial guarantee per Sec. 58-677(b) of City ordinance. Additionally, a stormwater maintenance and easement agreement will be required. The stormwater management facilities are subject to certification in accordance with Sec. 58-677 and 58-678 of City ordinance.

A filling, excavation, and berms permit is required. The total amount of filling and excavation may exceed 1,000 cubic yards. Filling and excavation over 1,000 cubic yards requires Planning Commission approval which may be obtained concurrently with the preliminary condo plat. A haul route shall be provided for staff approval and a haul route bond may be required. The haul route and haul route bond are intended to protect City streets from the increase in the amount of hauled material.

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

Due to the required installation of public infrastructure, the development will require a development agreement.

The engineering division will conduct a plan review for the subdivision at the time of preliminary plat.

Staff Recommendation:
Planning staff recommends approval of the rezoning and concept plan subject to the following condition(s):

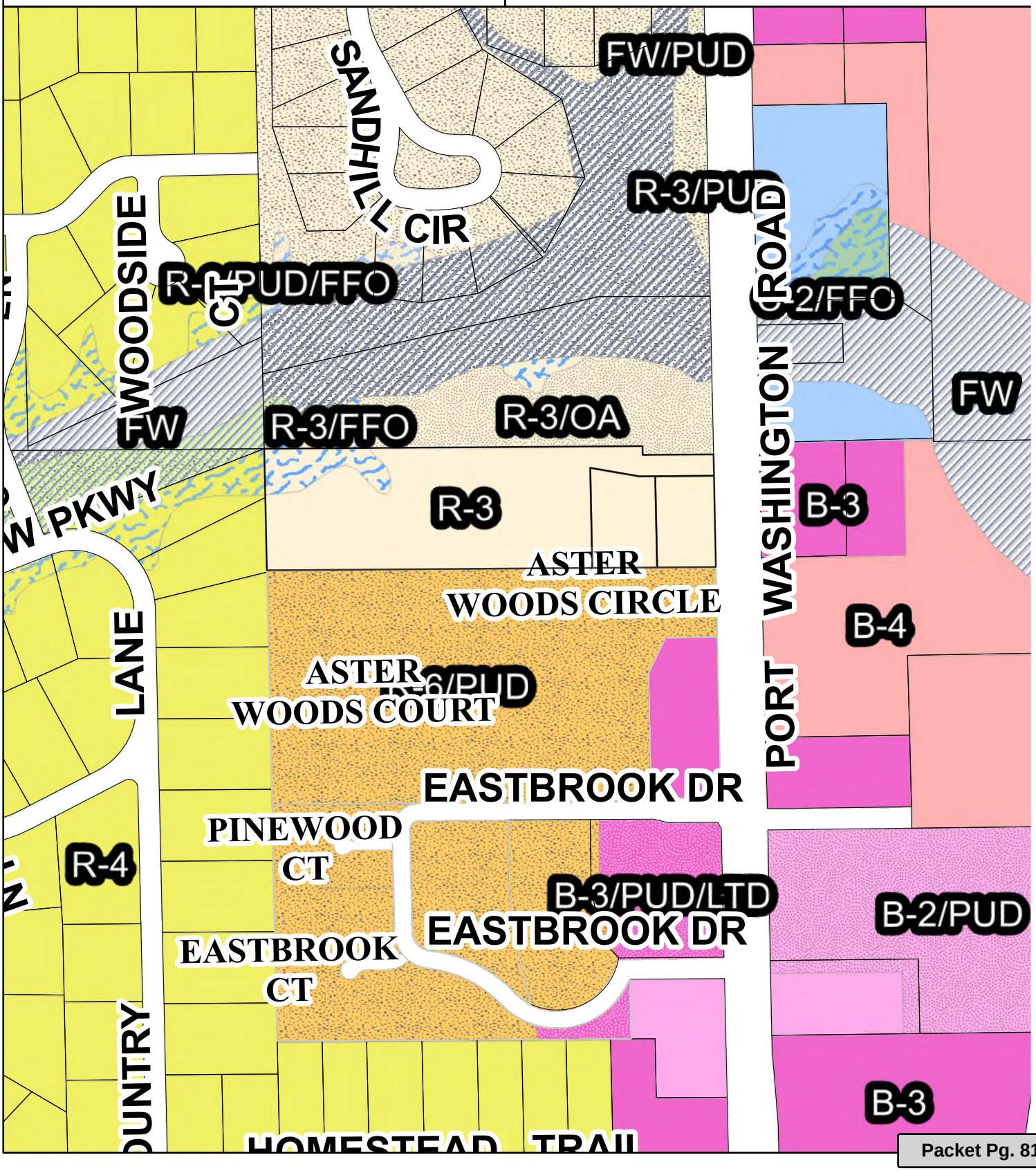
1. Common Council approval of the rezoning.
2. The concept plan shall include the north connection point to Port Washington Road. The access is also subject to Ozaukee County approval.
3. The preliminary condominium plat shall show all delineated wetlands and surveyed floodplain.
4. All existing wetlands shall be contained in common area.
5. The unit pads shall be 2,700 square feet and at least 15 feet from an adjacent unit.
6. All buildings shall maintain a minimum building setback of 50' from Port Washington Road right-of-way, 20 feet to adjacent parcels and a minimum 10' setback from the proposed public road. Offsets to wetlands as established by the Department of Natural Resources (DNR).

7. The future road shall be designated as right-of-way, shall be at least 60 feet wide and the eyebrow shall be within 150' of the property line. The developer shall install bollards on each side of the right-of-way. The bollards shall be placed at the property line and halfway to the eyebrow. The owners shall maintain the bollards in good condition and repair and replace them as necessary until such time as a street is constructed over the right-of-way.
8. No less than 40 percent of residential buildings shall present a side loading garage, a courtyard garage entry or a 15-degree turned garage entry. Of the remaining 60 percent that is allowed to present a front loading garage, the following shall apply: 1) no more than two garage stalls shall present on the same linear plane, 2) all front loading garages shall contain architectural details consistent with the front elevation, 3) none of the front loading garages shall have a consistent setback to that of the habitable portion of the building and 4) no more than 30 percent of the front loading garages shall project further into the front yard than the habitable portion of the building. There shall be no more than three front-loading garage residential buildings in a row.
9. An open space plan with a natural trail shall be submitted for Planning Commission approval.
10. Compliance with the Tree Preservation Ordinance. Tree protection measures shall be required for the two specimen trees located south of the razed dwelling.
11. The development shall comply with preliminary condominium plat, development agreement, and final plat requirements.
12. 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.
13. Street trees are subject to the approval of the Tree Board and Planning Commission.
14. Street lighting, if proposed, is subject to the approval of the Planning Commission.
15. Entryway signage and landscaping is subject to the approval of Planning Commission.
16. Any substantial change to the general concept plans illustrated in the attached exhibits shall require appropriate amendment to this ordinance.
17. The entire property is subject to the City of Mequon Tree Preservation Ordinance and necessary preservation easements, if any.
18. The development shall connect to public water and sewer with appropriate road reparations where existing pavement is impacted. Water connection shall adhere to the City of Mequon Water Connection Policy.
19. The wetland delineation report with WDNR concurrence should be submitted with the preliminary plat application. The wetland boundaries and protective areas should be shown on the preliminary plat. Assuming wetland fill is required, the developer shall submit the permitting documents from the WDNR prior to application for preliminary condominium plat.
20. The applicant shall submit a Development Agreement at the time of preliminary plat application.

Attachments:
LakesideMap (PDF)
PacketDocs_Lakeside (PDF)

LAKESIDE DEVELOPMENT COMPANY

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



Attachment: LakesideMap (9001 : Lakeside Development)

Lakeside Development Companies

The finest in architecture, remodeling & construction management

November 4th, 2023

Project Narrative- 11743 N. Port Washington Road Mequon, WI.

PIN numbers 15-19-04-00-100, 7.69 ac.; 15-19-04-00-400, 1.10 ac.; 15-019-04-00-500, 1.00 ac. total 9.79 acres

Dear Mayor Nerbun and members of the Planning Commission,

The Lakeside Development Company team is pleased to bring forward preliminary site plans for consideration of a planned residential open space development for the subject property. This proposal is based on an R5 density Yield plan demonstrating the capacity for 19 homes on half acre lots and a preferred R5/PUD for 19 homes as a cluster open space preservation neighborhood.

Presently the property has one single family home located on the eastern portion that is currently being demolished. The eastern part of the land has gentle topography that rises from elevation 670' to 679' and has a low area at the southeast corner along Port Washington Road. The west part of the property has existing trees on a rolling topography that rises from a low area of elevation 660' to a high point of 678'.

The property has approximately 376' of frontage on Port Washington Road and extends 1,261' to the west. The surrounding property across Port Washington Road includes First Bank and the access drive to Marcus Northshore Cinema and mixed commercial use zoned B3. Surrounding property to the south is Aster Woods with attached residential zoned R6/PUD, west are single family residences zoned R4 and north a single-family home: Janisch Trust property zoned R-3/OA.

10033 N. Port Washington Rd. Suite 300, Mequon, WI 5309:
262-241-2300 *262-241-231U*
www.lakesidedevelopment.com

Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)

The 26' wide interior roadway serving the 19 homes is shown within a 60' wide easement or public road right-of-way. A 60' wide reservation extension is shown to access the property to the north and will be green space until the north property is developed.

The proposed open space surrounding the proposed 19 homes will be managed as a common area under covenants and restrictions of a homeowner's association. The final plat will identify a limited common area outside of the home unit pad outline for patios or limited accessory homeowner features.

The west part of the property will remain an open space as a common area for the residents to use for walking trails and nature preservation.

The proposed single family detached homes are indicated with approximately 2,000 sq. ft floor plate of primary ground floor living space contained within the building units. The building separations will be a minimum of 15' between building units. Some homes will feature second floor bedrooms and baths as options to a ground floor living floorplan. Parking will be provided as two car attached garages with a minimum of two guest cars on the driveways with additional parking on the street.

Stormwater management will be provided to meet required code capacity. Stormwater basins are centrally located on the south side and north central side of the property in the naturally lower parts of the topography.

The proposed landscape of evergreen trees and earth mound buffering Port Washington Road will provide screening and a dramatic arrival to the neighborhood.

Regarding the site plans: Lakeside has retained Wetland & Waterway Consulting, LLC to perform a wetland delineation of the property, of particular interest is the assumed wetland located at the southeast entrance of Preliminary Site Plan Alternative A. In discussion with Wetland & Waterway Consulting, LLC it appears that wetlands may not exist or be of a very low grade, consequently allowing egress.

Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)

The alternative: Site Plan B is doable but as illustrated on the Site Access Diagram egress would require some U Turns which is not our preference.

Community Development requires applications be submitted at least 30 days prior to a meeting. The wetland delineation has been ordered and we will have the results prior to the December 4th Planning Commission meeting. Pending a favorable delineation report and with staff support we will seek approval for Site Plan A and the rezoning request.

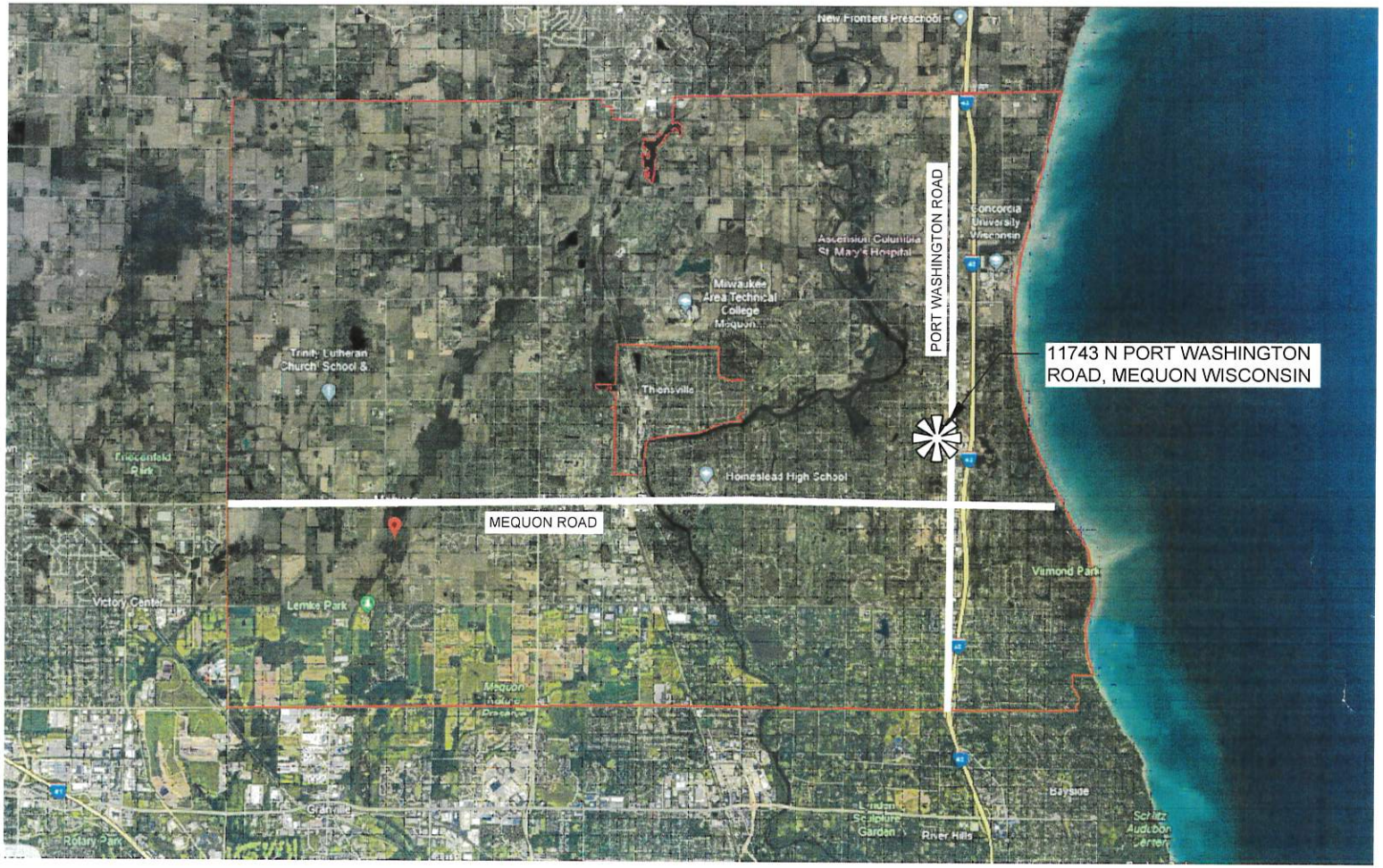
We look forward to receiving your support and recommendations.

Sincerely,

TAZ

Thomas A. Zabjek

Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)



VICINITY MAP

11743 N. PORT WASHINGTON ROAD

MEQUON, WISCONSIN

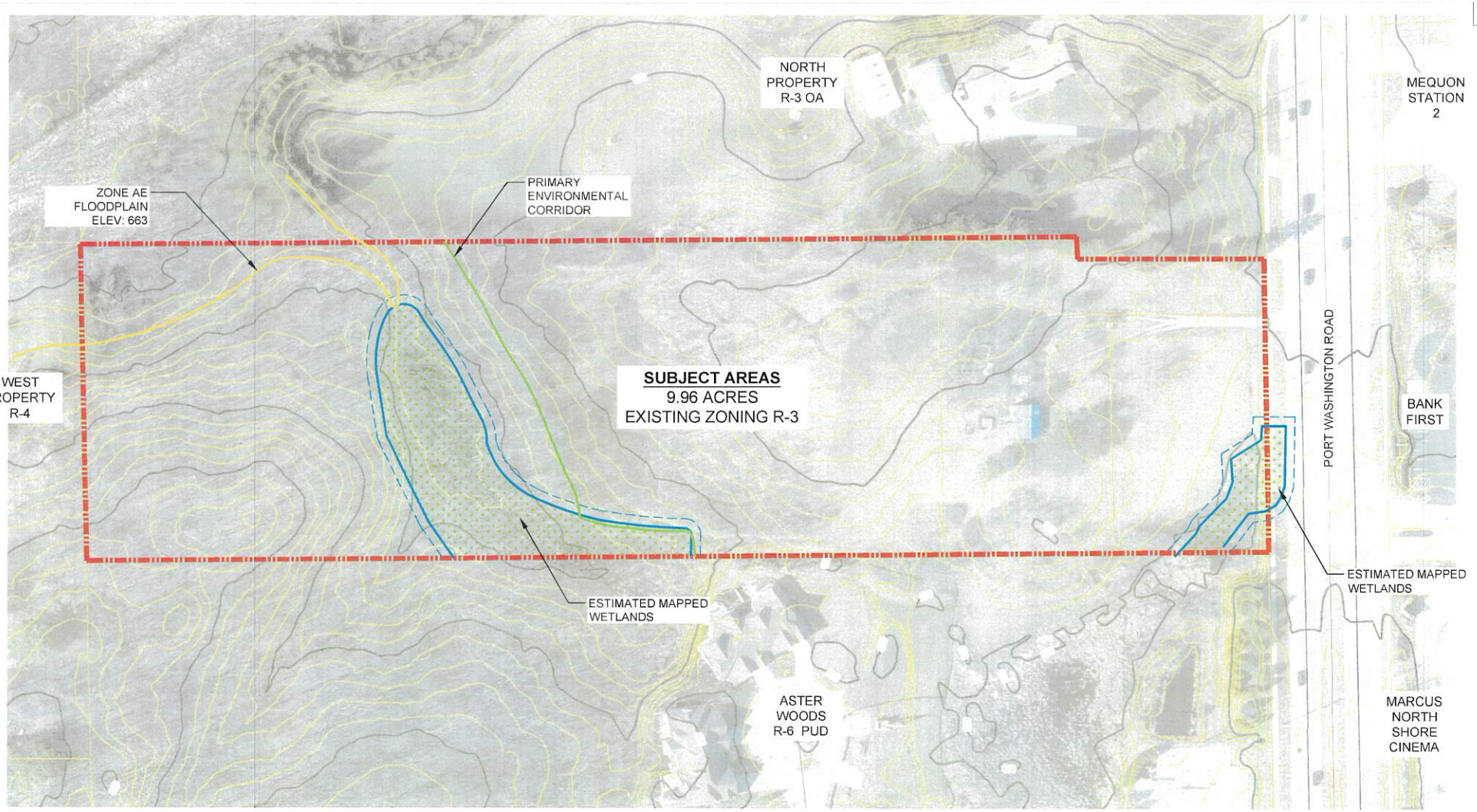
NOVEMBER 3, 2023

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Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)



EXISTING CONDITIONS

11743 N. PORT WASHINGTON ROAD

MEQUON, WISCONSIN

NOVEMBER 3, 2023

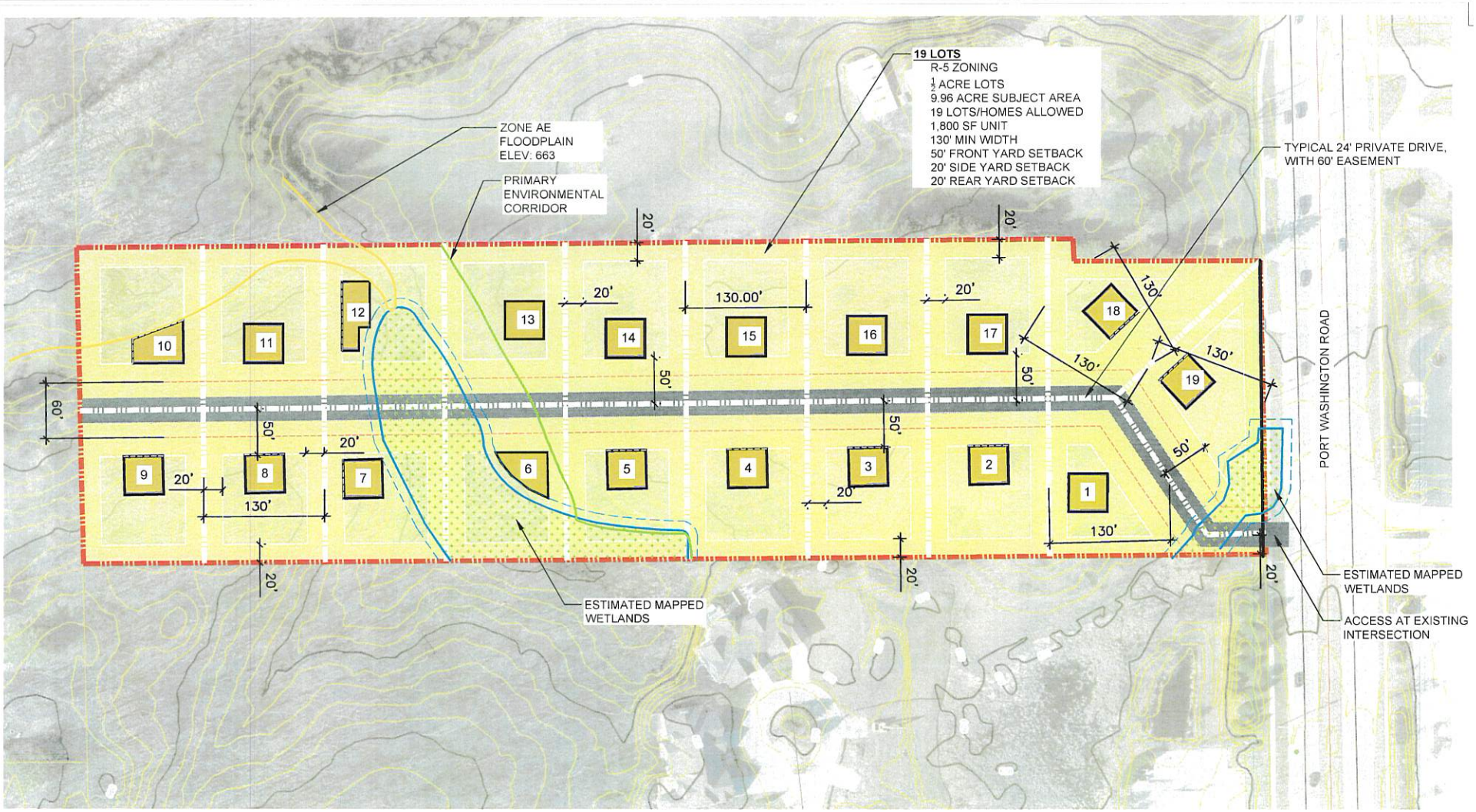
50 SCALE AT 22X34
100 SCALE AT 11X17

0 50 100 200

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YIELD PLAN - ALTERNATIVE A - SOUTH ENTRANCE

11743 N. PORT WASHINGTON ROAD

MEQUON, WISCONSIN

NOVEMBER 3, 2023

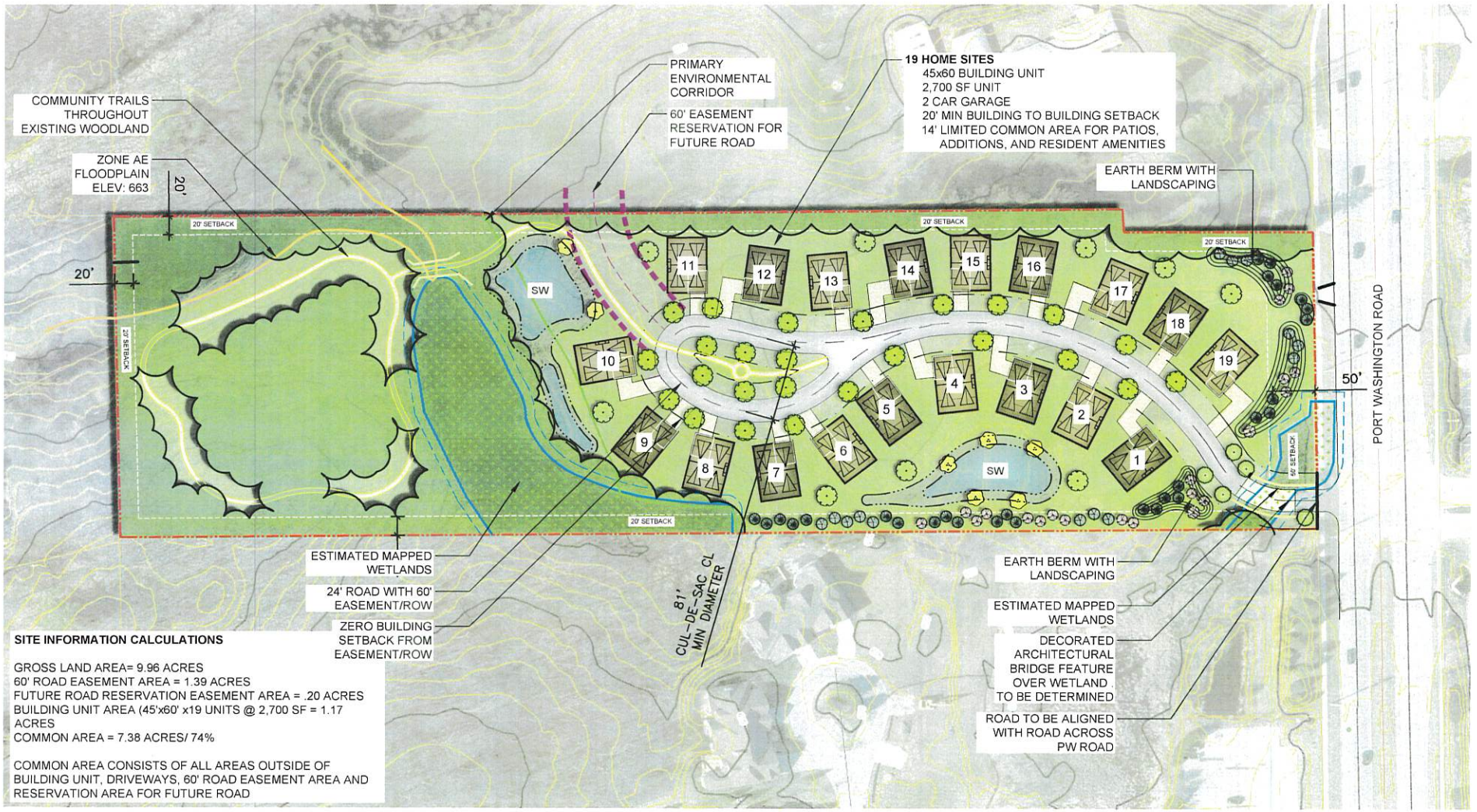
50 SCALE AT 22X34
100 SCALE AT 11X17

0 50 100 200

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SITE INFORMATION CALCULATIONS

GROSS LAND AREA= 9.96 ACRES
60' ROAD EASEMENT AREA = 1.39 ACRES
FUTURE ROAD RESERVATION EASEMENT AREA = .20 ACRES
BUILDING UNIT AREA (45'x60' x19 UNITS @ 2,700 SF = 1.17 ACRES
COMMON AREA = 7.38 ACRES/ 74%

COMMON AREA CONSISTS OF ALL AREAS OUTSIDE OF BUILDING UNIT, DRIVEWAYS, 60' ROAD EASEMENT AREA AND RESERVATION AREA FOR FUTURE ROAD

PRELIMINARY SITE PLAN - ALTERNATIVE A - SOUTH ENTRANCE

11743 N. PORT WASHINGTON ROAD

MEQUON, WISCONSIN

NOVEMBER 3, 2023

50 SCALE AT 22X34
100 SCALE AT 11X17

0 50 100 200

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Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)



SITE ACCESS DIAGRAM - ALTERNATIVE A - SOUTH ENTRANCE

11743 N. PORT WASHINGTON ROAD

MEQUON, WISCONSIN

NOVEMBER 3, 2023

75 SCALE AT 22X34
150 SCALE AT 11X17

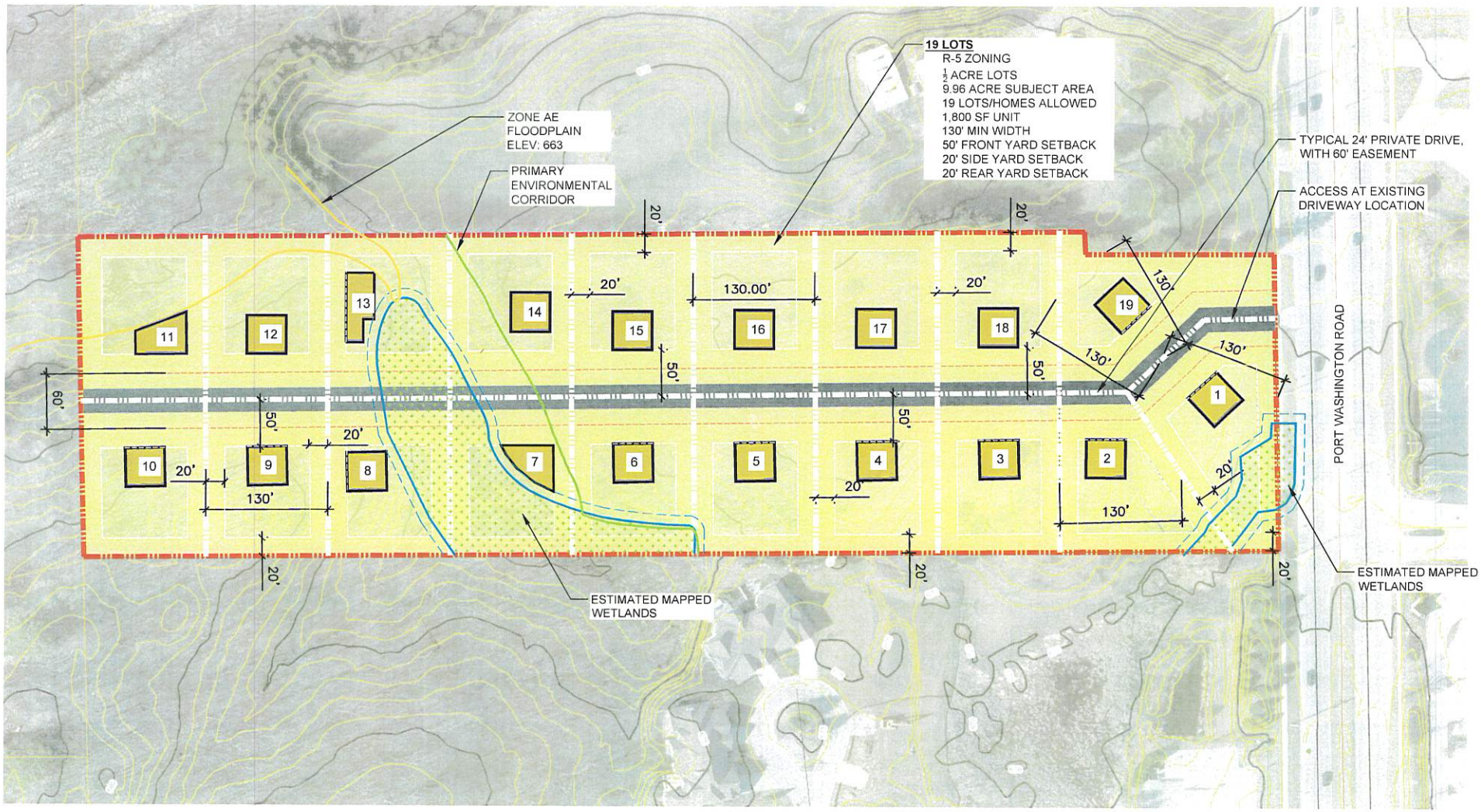
0 75 150 300

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Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)



YIELD PLAN - ALTERNATIVE B - NORTH ENTRANCE

11743 N. PORT WASHINGTON ROAD

MEQUON, WISCONSIN

NOVEMBER 3, 2023

50 SCALE AT 22X34
100 SCALE AT 11X17

0 50 100 200

Lakeside Development Company

teska associates
627 Grove Street
Evanston, Illinois

Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)

COMMUNITY TRAILS THROUGHOUT EXISTING WOODLAND

ZONE AE FLOODPLAIN ELEV: 663

PRIMARY ENVIRONMENTAL CORRIDOR

60' EASEMENT RESERVATION FOR FUTURE ROAD

19 HOME SITES
45x60 BUILDING UNIT
2500 SF UNIT
2 CAR GARAGE
15' SEPARATION BETWEEN BUILDING UNITS
14' LIMITED COMMON AREA FOR PATIOS, DECKS, AND RESIDENT AMENITIES

ROAD TO BE ALIGNED WITH EXISTING DRIVE CURB CUT

EARTH BERM WITH LANDSCAPING

PORT WASHINGTON ROAD

15' MIN B/BU SEP. TYP.

20'

20' SETBACK

TRAIL

50'

50' SETBACK

25'

81' CUL-DE-SAC CL MIN DIAMETER

ESTIMATED MAPPED WETLANDS

24' ROAD WITH 60' EASEMENT/ROW

10' BUILDING SETBACK FROM EASEMENT/ROW

LANDSCAPE BUFFER

EARTH BERM WITH LANDSCAPING

ESTIMATED MAPPED WETLANDS

SITE INFORMATION CALCULATIONS

GROSS LAND AREA= 9.96 ACRES
60' ROAD EASEMENT AREA = 1.31 ACRES
FUTURE ROAD RESERVATION EASEMENT AREA = .20 ACRES
BUILDING UNIT AREA (45'x60' x19 UNITS @ 2,700 SF = 1.17 ACRES
COMMON AREA = 7.20 ACRES/ 72%

COMMON AREA CONSISTS OF ALL AREAS OUTSIDE OF BUILDING UNIT, DRIVEWAYS, 60' ROAD EASEMENT AREA AND RESERVATION AREA FOR FUTURE ROAD

PRELIMINARY SITE PLAN - ALTERNATIVE B - NORTH ENTRANCE

11743 N. PORT WASHINGTON ROAD

MEQUON, WISCONSIN

REISSUED: NOVEMBER 28, 2023

50 SCALE AT 22X34
100 SCALE AT 11X17

0 50 100 200

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Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)



SITE ACCESS DIAGRAM-ALTERNATIVE B - NORTH ENTRANCE

11743 N. PORT WASHINGTON ROAD

MEQUON, WISCONSIN

NOVEMBER 3, 2023

75 SCALE AT 22X34
150 SCALE AT 11X17

0 75 150 300

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teska associates
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Evanston, Illinois

Attachment: PacketDocs_Lakeside (9001 : Lakeside Development)

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: **COLE MCCRAW, ASSISTANT CITY ENGINEER**

DATE: **December 4, 2023**

SUBJECT: **St. Francis Borgia Church. The applicant is seeking minor request approval for a fill permit to allow for 1,500 C.Y. of on-site earthwork on the parcel located at 7963 W. Pioneer Road.**

Applicant:	St. Francis Borgia Church Cemetery
Status of Applicant:	Owner
Requested:	Fill/Excavation exceeding 1,000 CY
Existing Use:	Cemetery
Existing Zoning:	IPS (Institutional)
Lot size:	12.54 Acres
Location:	7963 W. Pioneer Road
Tax Key Number:	#14-004-01-006.00
District:	#1

Background:
The applicant is seeking a minor request approval for fill or excavation exceeding 1,000 cubic yards (CY) at 7963 West Pioneer Road. The applicant is proposing an aesthetic pond that will require 1,500 CY of earthwork to construct.

The proposed pond will both serve as a solution to ponding water near graves and as an aesthetic feature, according to the applicant.

The applicant intends to spread and grade excavated soil on-site with the work and does not anticipate soil import or export from the site.

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

No access changes are necessary for this work.

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

The site is outside of the City's sewer service area. No utility connections are contemplated as part of the work.

The City Forester inspected the trees proposed for removal and confirmed that none are designated as specimen trees.

The proposed improvements do not add impervious surface and are therefore not subject to storm water management requirements.

The proposed aesthetic pond will receive water through a pipe from the flooding low area. Currently, the low area fills with water and would overtop directly to the west into the ditch on Thorngate Road. With the proposed aesthetic pond, storm water would flow into the pond and discharge through a pipe on the southwest corner of the property. The storm water would then continue south as it does in the existing condition. Therefore, the existing drainage pattern is maintained with the proposed aesthetic pond.

Although the pond will not function as a stormwater pond or best management practice, staff recommends a recorded pond agreement, ensuring that maintenance responsibilities are clearly documented. It will not grant the City any rights or responsibilities, but simply define for the current and any future property owners who and how the ponds should be maintained. City staff can provide a template at the applicant's request. The agreement should be recorded prior to issuing the permits.

A filling, excavation, and berms permit is required. The total amount of filling and excavation is anticipated to be 1,500 cubic yards. The applicant intends to spread excavated soil on-site with the work and does not anticipate soil import or export from the site. If hauling is required, a haul route shall be provided for staff approval and a haul route bond will be required. The haul route and haul route bond are intended to protect City streets from the increase in the amount of hauled material. A grading record drawing will be required at project completion.

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

Minor adjustments to the aesthetic pond design will be required to comply with the City Standard Specifications for Land Development. Comments will be provided to the applicant during engineering review.

Staff Recommendation:

Staff recommends **approval** of the fill/excavation exceeding 1,000 CY subject to the following conditions:

1. Engineering Division review and approval of the individual grading, drainage, and erosion control plans in conformance to City ordinances and the Standard Specifications for Land Development.
2. Recording of a Pond Agreement, defining responsibilities for operation and maintenance of the aesthetic pond.
3. Application for and approval of a City Filling and Excavation Permit. If hauling is required, a haul route shall be provided for staff approval and a haul route bond will be required. A grading record drawing will be required at project completion.
4. Application for and approval of a City erosion control permit, subject to applicable fees.

Attachments:
PacketDocs_StFrancis(PDF)

ST BORGIA

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



Attachment: PacketDocs_StFrancis (9000 : St. Francis Borgia Church)

October 10th, 2023

Re: St. Francis Borgia Cemetery

Dear Mequon Planning Commission,

This letter is to tell you the reasons that we are requesting to install a retention pond in the, ST. Francis Borgia Cemetery, located at 7963 Pioneer Rd.

Whenever there is a large rainfall or heavy snow melt, there is a section of the cemetery that traps all of the water, creating a "pond". (Please see enclosed photo) Unfortunately, this occurs in a place where there are burials and plots that have been sold. You can imagine driving into the cemetery to visit a loved one's final resting place and finding it under water. Once the water has receded, the area is still super-saturated. If we have to dig for a burial, the hole fills up with water and we have to pump it out continually.

We have explored our options to try to alleviate this situation and a retention pond is our best bet.

We have been working with the city engineers for the past two years on this project and are ready to proceed with your approval.

Thank you,

Brian Willbrandt

St. Francis Borgia Cemetery Coordinator

willbrandtb@SFBChurch.org

414-687-8601

Attachment: PacketDocs_StFrancis (9000 : St. Francis Borgia Church)



Attachment: PacketDocs_StFrancis (9000 : St. Francis Borgia Church)

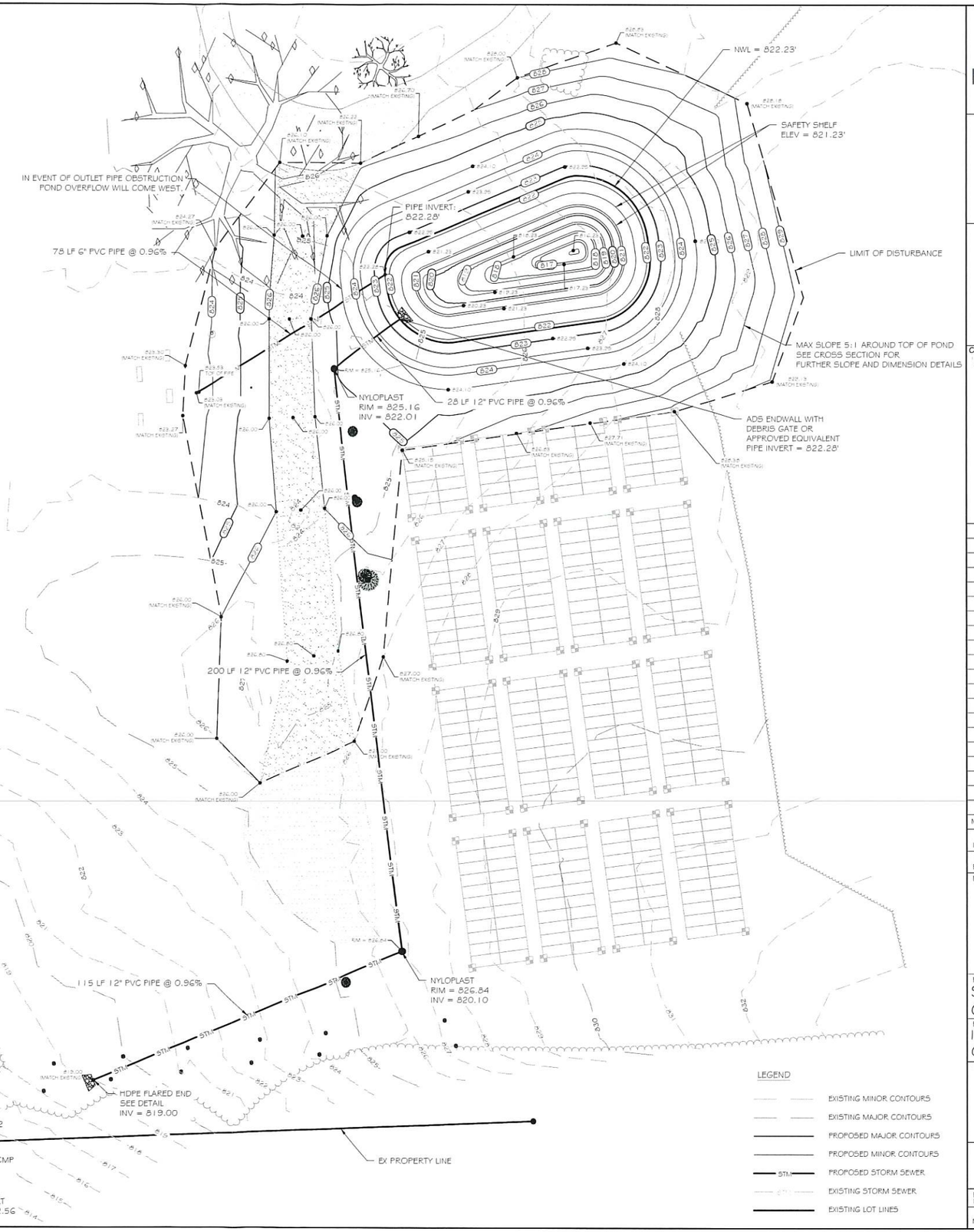
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DRAWN BY: JRB
CHECKED BY: KAH

AREAS OF SITE

TOTAL AREA DISTURBED = ±28,140 SF (0.65 ACRES)

GRADING AND STORM DRAINAGE NOTES

1. ALL ELEVATIONS SHOWN ARE TO FINISHED GRADE.
2. CLEAR ALL TREES, BRUSH, STUMPS AND OTHER ORGANIC MATERIAL FROM AREAS TO BE FILLED.
3. AN EFFORT HAS BEEN MADE TO INCORPORATE ANY AND ALL APPLICABLE NOTES, DETAILS AND CRITICAL INFORMATION FROM THE GEOTECHNICAL REPORT ONTO THESE PLAN SHEETS. HOWEVER, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE MOST UP-TO-DATE GEOTECHNICAL REPORT AND FAMILIARIZING THEMSELVES WITH SAID REPORT.
4. REMOVE ALL UNSUITABLE MATERIAL (MUCK OR NON-COMPACTABLE MATERIAL) FROM AREAS TO BE FILLED.
5. CONTRACTOR SHALL, WHEN GRADING BETWEEN CONTOURS AND BETWEEN POINTS OF SPOT ELEVATIONS, GRADE ON A UNIFORM SLOPE.
6. CONTRACTOR SHALL, FOR ALL GRASSED AREAS, BE RESPONSIBLE FOR REPLACING ERODED SOIL, GRASS SEED AND/OR MULCH UNTIL AN APPROVED STAND OF GRASS IS ESTABLISHED.
7. CONTRACTOR SHALL, BEFORE BEGINNING GRADING WORK ON SITE, INSTALL SILT FENCE AS SHOWN ON THE PLANS. AS SEDIMENT BUILDS UP AROUND SILT FENCE, REMOVE SEDIMENT AND REPLACE WHERE EROSION HAS TAKEN PLACE.
8. EACH SECTION OF PIPE SHALL BE LAID TO SPECIFIED LINE AND LAID UPGRADE.
9. CONTRACTOR SHALL REMOVE ALL DEBRIS AND OTHER MATERIALS RESULTING FROM DEMOLITION AND DISPOSE OFF SITE UNLESS OTHERWISE ADVISED BY OWNER.
10. CONTRACTOR SHALL KEEP ALL ROADS ADJACENT TO THE SITE CLEAN DURING CONSTRUCTION.
11. CONTRACTOR SHALL BE AWARE OF EXISTING UTILITY LINES DURING PIPE LINE INSTALLATION. CALL ALL UTILITY COMPANIES FOR LOCATIONS ON SITE.
12. ALL ROADWAY AND DRAINAGE CONSTRUCTION ARE TO CONFORM TO LOCAL AGENCY STANDARD SPECIFICATIONS. (LATEST REVISION AT THE BEGINNING OF CONSTRUCTION.)
13. ALL NEWLY CONSTRUCTED SLOPES WHICH ARE 4:1 OR STEEPER MUST BE STABILIZED BY INSTALLATION OF EROSION CONTROL MATTING AND SEEDED AS SOON AS PRACTICABLE.



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Certification & Seal:

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Engineer under the laws of the State of Wisconsin.

WISCONSIN
KATHERINE HALVERSON
47125-6
SAUK CITY, WI
PROFESSIONAL ENGINEER

Signature Date

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023
ISSUE PHASE: FOR CONSTRUCTION

PROJECT TITLE:
ST. FRANCIS POND

PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY

PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:
STORM DRAINAGE & GRADING PLAN

0 10' 20' 40'
11"x17" - 1" = 40'
22"x34" - 1" = 20'

PROJECT NUMBER:
SHEET NUMBER: C300

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Attachment: PacketDocs_StFrancis (9000 : St. Francis Borgia Church)

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DRAWN BY: JRD CHECKED BY: KAH

EROSION CONTROL NOTES

1. CONTRACTOR SHALL HAVE ALL EROSION CONTROL MEASURES IN PLACE AND APPROVED BY THE ENGINEER PRIOR TO COMMENCEMENT OF EXCAVATION ACTIVITIES.
2. ALL SILT FENCES SHALL BE INSPECTED DAILY. CLEANING, ADJUSTING AND REPLACING EROSION MEASURES SHALL BE DONE AS NECESSARY THROUGHOUT CONSTRUCTION. ALL EROSION MEASURES SHALL BE IN WORKING CONDITION AT THE END OF EACH WORK DAY.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED PER THE DETAILS OR AS DIRECTED BY THE ENGINEER.
4. SEDIMENT FROM OVERLAND FLOW SHALL BE PREVENTED FROM LEAVING THE WORK SITE BY INSTALLING SILT FENCING PARALLEL TO THE CONTOURS LOCATED DOWNHILL FROM THE WORK AREA.
5. EXISTING VEGETATION SHALL BE REMOVED ONLY AS NECESSARY TO PERFORM CONSTRUCTION ACTIVITIES. CLEARING OF LARGE AREAS THAT ARE CLEARLY OUTSIDE THE LIMITS OF CONSTRUCTION SHALL NOT BE PERMITTED.
6. ALL DISTURBED AREAS SHALL BE RESTORED AND VEGETATED AS SOON AS POSSIBLE AFTER DISTURBANCE.
7. EROSION MEASURES SHALL NOT BE REMOVED UNTIL THE AREAS SERVED HAVE ESTABLISHED VEGETATIVE COVER.
8. TEMPORARY STABILIZE DISTURBED AREAS THAT WILL REMAIN INACTIVE FOR 14 DAYS OR LONGER.
9. STABILIZE AREAS WITHIN 7 DAYS OF COMPLETING FINAL GRADING.
10. ALL AREAS OF EXPOSED SOIL SHALL BE COVERED WITH A STRAW MULCH. MULCH SHALL BE APPLIED AT THE RATE OF 1.5 TONS PER ACRE, MINIMUM IMMEDIATELY AFTER SPREADING, THE STRAW MULCH SHALL BE PROTECTED BY COVERING WITH A MAT OR CRIMPING. MULCHING SHALL BE REPLACED AND CRIMPED AS NECESSARY TO MAINTAIN ADEQUATE COVER UNTIL PERMANENT.
11. CONTRACTOR MUST INSTALL PERIMETER CONTROL AROUND ANY CONSTRUCTION STOCKPILES AND STABILIZE STOCKPILE THAT WILL REMAIN INACTIVE FOR 7 DAYS OR LONGER
12. ADDITIONAL EROSION CONTROL DEVICES MAY BE REQUIRED TO CONTROL EROSION AND/OR OFFSITE SEDIMENTATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE STABILITY OF ALL GRADED AND/OR CLEARED AREAS UNTIL PERMANENT GROUND COVER IS ESTABLISHED. ANY AREAS DAMAGED BY EROSION SHALL BE REPAIRED TO ITS ORIGINAL CONDITION AND PROTECTED FROM FURTHER EROSION AT NO ADDITIONAL COST TO THE OWNER.
13. STONE TRACKING PAD(S) SHALL BE INSTALLED AT ALL CONSTRUCTION SITE EXITS TO PREVENT TRACKING OF SOIL. CONTRACTOR MUST TAKE ALL NECESSARY MEASURES TO MINIMIZE TRACKING MUD ONTO PAVED ROADWAY FROM CONSTRUCTION AREAS. TRACKED SOIL SHALL BE COLLECTED FROM PAVED ROADS LOCATED NEAR THE CONSTRUCTION SITE AT THE END OF EACH WORKING DAY OR AS DIRECTED BY THE ENGINEER.

CONSTRUCTION PHASING

1. CONSTRUCTION IS ANTICIPATED TO BEGIN IN THE FALL OF 2023. DEMOLITION AND REMOVAL OF ANY EXISTING MATERIALS WILL OCCUR FIRST
2. PRIOR TO ANY LAND DISTURBING ACTIVITIES, EROSION CONTROL MEASURES SHALL BE PUT IN PLACE AND MAINTAINED UNTIL SOIL STABILIZATION HAS TAKEN PLACE
3. AFTER EROSION CONTROL MEASURES ARE IN-PLACE, SITE GRADING AND UTILITY INSTALLATION WORK CAN BEGIN
4. FOLLOWING INITIAL GRADING WORK, THE CONCRETE BUILDING FOUNDATION/SLAB CAN BE CONSTRUCTED
5. CONSTRUCTION ON THE BUILDING CAN THEN BEGIN IN COORDINATION WITH REMAINING SITE IMPROVEMENTS, INCLUDING AGGREGATE BASE COURSE INSTALLATION, CURB AND GUTTER CONSTRUCTION, ASPHALT PAVING, CONCRETE WORK, ETC.
6. PRIOR TO FINAL SITE SEEDING/STABILIZATION, CONTRACTOR SHALL SCARIFY ALL PERVIOUS (LANDSCAPED & GRASSY) AREAS OF THE SITE TO A MINIMUM DEPTH OF 6-INCHES.

AREAS OF SITE

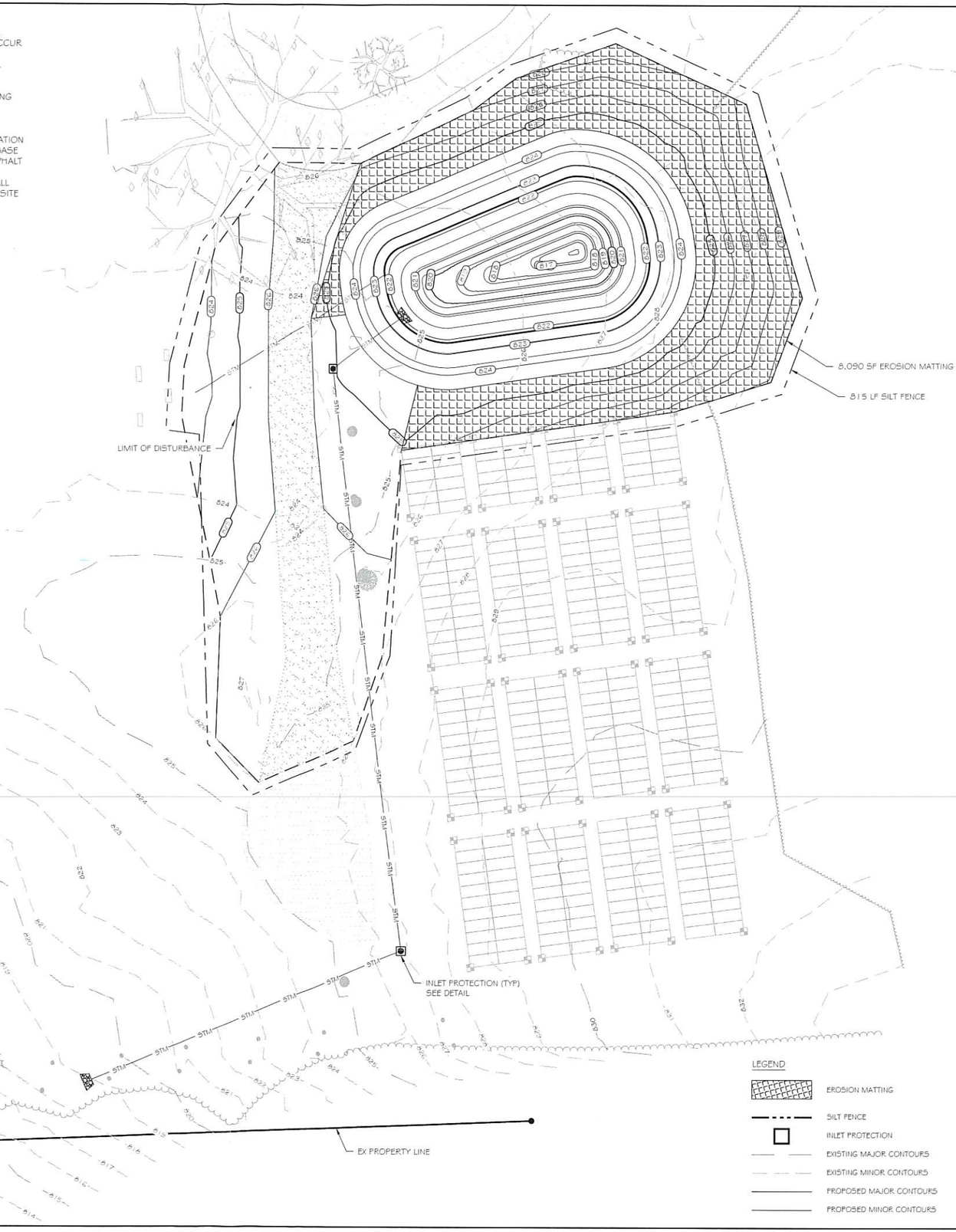
TOTAL AREA OF DISTURBANCE = ±28,140 SF (0.65 ACRES)

EROSION CONTROL / SEEDING

PROVIDE VEGETATIVE COVER TO NEWLY GRADED AREAS BY ACCEPTABLE SEEDING METHODS AND MIXTURES. SEEDING FOR TEMPORARY EROSION CONTROL SHALL BE AS FOLLOWS:

SPECIES	LBS./ACRE
OATS	131*
CEREAL RYE	131**
WINTER WHEAT	131**
ANNUAL RYEGRASS	80**

* SPRING AND SUMMER SEEDING
** FALL SEEDING



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Certification & Seal:
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Wisconsin.

WISCONSIN
KATHERINE HALVERSON
47125-6
SAUK CITY, WI
PROFESSIONAL ENGINEER

Signature Date

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023
ISSUE PHASE: FOR CONSTRUCTION

PROJECT TITLE:
ST. FRANCIS POND

PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY

PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:
EROSION CONTROL PLAN

0 10' 20' 40'
11" x 17" - 1" = 40'
22" x 34" - 1" = 20'

PROJECT NUMBER

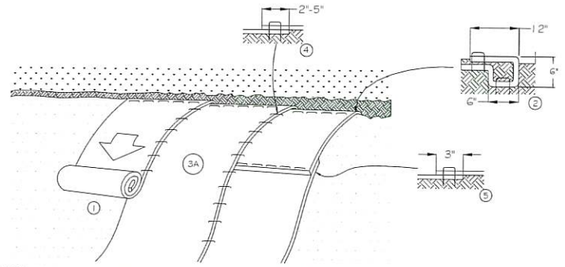
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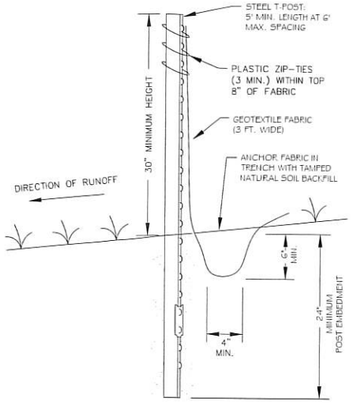


1. PREPARE SOIL BEFORE INSTALLING BLANKETS, INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED. NOTE: WHEN USING CELL-O-SEED DO NOT SEED PREPARED AREA. CELL-O-SEED MUST BE INSTALLED WITH PAPER SIDE DOWN.
2. BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE BLANKET IN A 6" (15cm) DEEP X 6" (15cm) WIDE TRENCH WITH APPROXIMATELY 12" (30cm) OF BLANKET EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. ANCHOR THE BLANKET WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" (30cm) APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" (30cm) PORTION OF BLANKET BACK OVER SEED AND COMPACTED SOIL. SECURE BLANKET OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" (30cm) APART ACROSS THE WIDTH OF THE BLANKET.
3. ROLL THE BLANKETS (A.) DOWN OR (B.) HORIZONTALLY ACROSS THE SLOPE. BLANKETS WILL UNROLL WITH APPROPRIATE SIDE AGAINST THE SOIL SURFACE. ALL BLANKETS MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE. WHEN USING OPTIONAL DOT SYSTEM, STAPLES/STAKES SHOULD BE PLACED THROUGH EACH OF THE COLORED DOTS CORRESPONDING TO THE APPROPRIATE STAPLE PATTERN.
4. THE EDGES OF PARALLEL BLANKETS MUST BE STAPLED WITH APPROXIMATELY 2"-5" (5cm-12.5cm) OVERLAP DEPENDING ON BLANKET TYPE. TO ENSURE PROPER SEAM ALIGNMENT, PLACE THE EDGE OF THE OVERLAPPING BLANKET (BLANKET BEING INSTALLED ON TOP) EVEN WITH THE COLORED SEAM STITCH ON THE PREVIOUSLY INSTALLED BLANKET.
5. CONSECUTIVE BLANKETS SPLICED DOWN THE SLOPE MUST BE PLACED END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3" (7.5cm) OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" (30cm) APART ACROSS ENTIRE BLANKET WIDTH.
6. FOLLOW MANUFACTURER'S RECOMMENDED STAPLE PATTERN, FOR THE SLOPE FOR THE SPECIFIED BLANKET.

NOTE:
IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" (15cm) MAY BE NECESSARY TO PROPERLY SECURE THE BLANKETS.

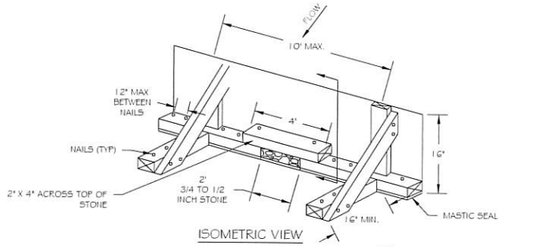
STANDARD STAPLE PATTERN

NOT TO SCALE



TYPICAL SILT FENCE INSTALLATION

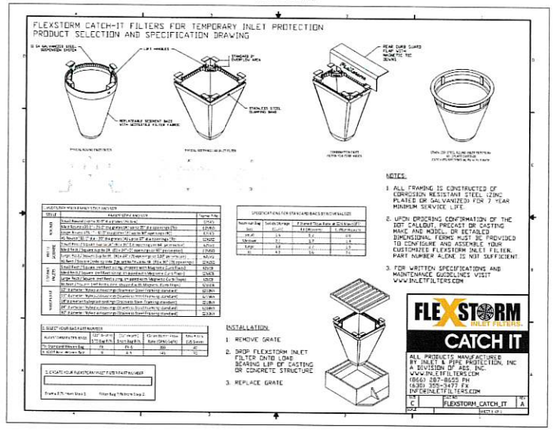
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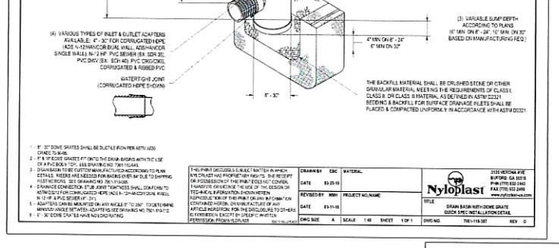


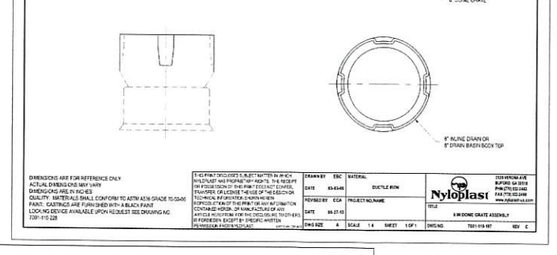
NOTES:
1. USE NOMINAL 2 INCH X 4 INCH LUMBER.
2. USE WOVEN SEDIMENT CONTROL GEOTEXTILE FABRIC.
3. SPACE UPRIGHT SUPPORTS NO MORE THAN 10 FEET APART.
4. PROVIDE A TWO FOOT OPENING BETWEEN EVERY SET OF SUPPORTS AND PLACE #57 GRADED STONE IN THE OPENING OVER GEOTEXTILE.
5. KEEP SILT FENCE TAUT AND SECURELY STAPLE TO THE UP SLOPE SIDE OF UPRIGHT SUPPORTS. EXTENDGEOTEXTILE UNDER 2X4.
6. WHERE TWO SECTIONS OF GEOTEXTILE ADJOIN: OVERLAP, FOLD, AND STAPLE TO POST IN ACCORDANCE WITH THIS DETAIL. ATTACH A LATHE.
7. PROVIDE A MASTIC SEAL BETWEEN PAVEMENT, GEOTEXTILE, AND 2X4 TO PREVENT SEDIMENT-LADEN WATER FROM ESCAPING BENEATH SILT FENCE INSTALLATION.
8. SECURE BOARDS TO PAVEMENT WITH 40D 5 INCH MINIMUM LENGTH NAILS.
9. REMOVE ACCUMULATED SEDIMENT AND DEBRIS WHEN BULGES DEVELOP IN SILT FENCE OR WHEN SEDIMENT REACHES 25% OF FENCE HEIGHT. REPLACE GEOTEXTILE IF TORN. MAINTAIN WATER TIGHT SEAL ALONG BOTTOM. REPLACE STONE IF DISPLACED.

SILT FENCE ON ASPHALT

NOT TO SCALE







ADS, Inc. Drainage Handbook *Specifications ♦ 1-34*

ADS FLARED END SECTION SPECIFICATION

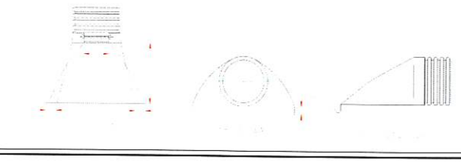
Scope
This specification describes 12- through 36-inch (300 to 900mm) ADS Flared End Sections for use in culvert and drainage outlet applications.

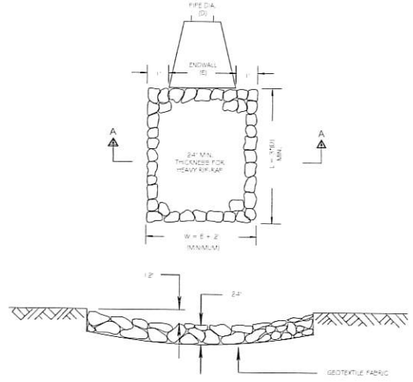
Requirements
The ADS Flared End Section shall be high density polyethylene meeting ASTM D3350 minimum cell classification 213320C; contact manufacturer for additional cell classification information. When provided, the metal threaded fastening rod shall be stainless steel.

Installation
Installation shall be in accordance with ADS installation instructions and with those issued by state or local authorities. Contact your local ADS representative or visit www.adspipe.com for the latest installation instructions.

	PIPE DIAMETER, in (mm)					
Diameter	12	15	18	24	30	36
in (mm)	(300)	(375)	(450)	(600)	(750)	(900)
A	6.5	6.5	7.5	7.5	7.5	7.5
in (mm)	(165)	(165)	(191)	(191)	(191)	(191)
B (max)	10.0	10.0	15.0	18.0	22.0	25.0
in (mm)	(254)	(254)	(381)	(475)	(559)	(635)
H	6.5	6.5	6.5	6.5	8.6	8.6
in (mm)	(165)	(165)	(165)	(165)	(218)	(218)
L	25.0	25.0	32.0	36.0	58.0	58.0
in (mm)	(635)	(635)	(813)	(914)	(1473)	(1473)
W	29.0	29.0	35.0	45.0	63.0	63.0
in (mm)	(737)	(737)	(889)	(1143)	(1600)	(1600)

*Product detail may differ slightly from actual product appearance





RIP-RAP AT ENDWALL DETAIL

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WISCONSIN
KATHERINE HALVERSON
47125-6
SAUK CITY, WI
PROFESSIONAL ENGINEER

Signature Date

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023
ISSUE PHASE: FOR CONSTRUCTION

PROJECT TITLE:
ST. FRANCIS POND

PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY

PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:
DETAILS

SCALE: NONE

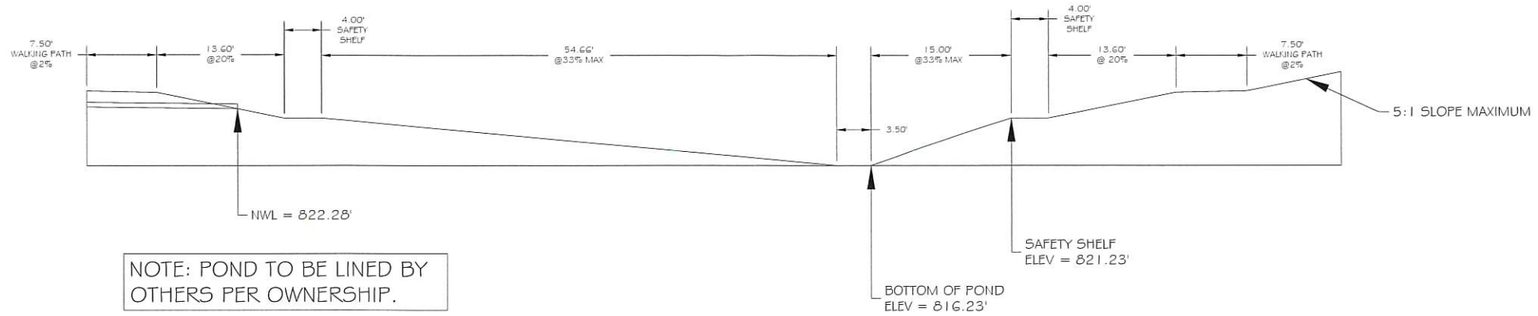
PROJECT NUMBER

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NOTE: POND TO BE LINED BY OTHERS PER OWNERSHIP.

POND CROSS-SECTION

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Signature Date

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DATE ISSUED: 10/03/2023
ISSUE PHASE: FOR CONSTRUCTION
PROJECT TITLE:
ST. FRANCIS POND
PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY
PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012
SHEET TITLE:
DETAILS
SCALE: NONE
PROJECT NUMBER
SHEET NUMBER

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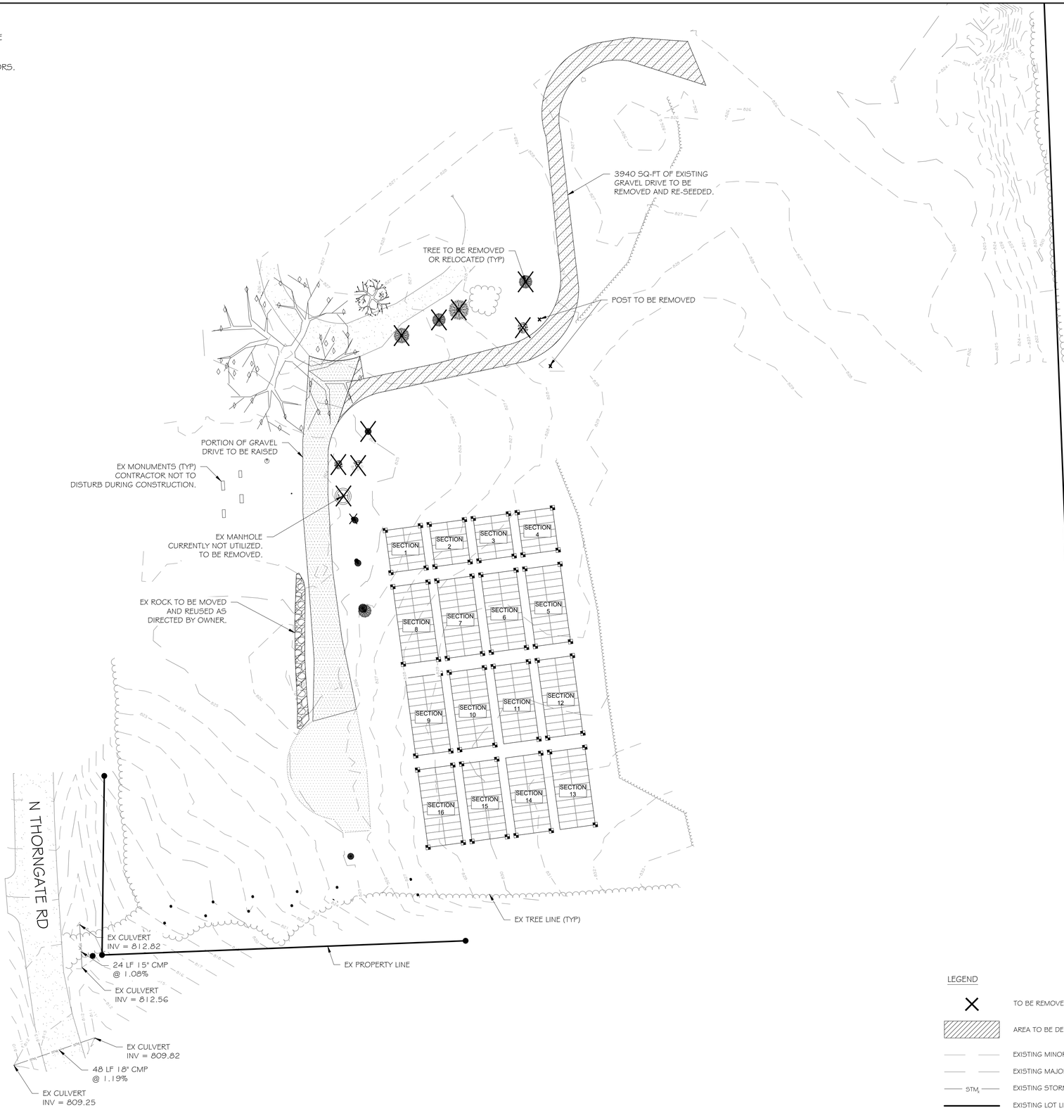
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REFERENCES

1. SITE TOPOGRAPHIC SURVEY PROVIDED BY RAMAKER & ASSOCIATES.
2. TOPOGRAPHIC SURVEY IS FOR THE DESIGN OF CIVIL/SITE IMPROVEMENTS - THESE DOCUMENTS ARE NOT A BOUNDARY SURVEY.
3. ELEVATION CONTOURS ARE IN 1 FOOT INTERVALS.
4. EXISTING UTILITIES ARE SHOWN AS MARKED BY DIGGERS HOTLINE UTILITY LOCATORS.

GENERAL NOTES

1. PROMPTLY INFORM THE ENGINEER OF ANY ERROR OR DISCREPANCY DISCOVERED IN THESE DRAWINGS OR SPECIFICATIONS OR CONFLICTS BETWEEN THE DRAWINGS AND SPECIFICATIONS IN ORDER THAT ADJUSTMENTS CAN BE MADE.
2. THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS AND/OR RIGHT-OF-WAYS ASSOCIATED WITH UTILITIES, ROADS, DRAINAGE AREAS, ETC. SHOWN OR OTHERWISE.
3. THE USE OF EXPLOSIVES AS A DEMOLITION METHOD WILL NOT BE PERMITTED.
4. ALL DEBRIS FROM CONCRETE REMOVAL TO BE TAKEN OFF SITE AND PROPERLY DISPOSED OF BY CONTRACTOR.
5. CONTRACTOR TO REPAIR/REPLACE ANY PORTIONS OF EXISTING SIDEWALK DAMAGED BY CONSTRUCTION ACTIVITIES AT NO ADDITIONAL COST TO OWNER.
6. IF SEPTIC TANK OR OTHER UNDERGROUND TANKS OR UTILITIES ARE ENCOUNTERED, CONTRACTOR SHOULD IMMEDIATELY NOTIFY ENGINEER AND OWNER TO COORDINATE A REMOVAL OR ABANDONMENT PLANA CONCERTED EFFORT TO LOCATE ALL EXISTING UTILITIES WAS MADE, HOWEVER, SOME EXISTING UTILITIES MAY NOT BE SHOWN. CONTRACTOR SHALL CONTACT REGIONAL AND LOCAL UTILITY COMPANIES FOR LOCATION OF EXISTING UTILITIES PRIOR TO ANY DEMOLITION AND OR EXCAVATION ACTIVITIES.
7. ALL DEMOLITION DEBRIS, INCLUDING THAT FROM CLEARING ACTIVITIES TO BE DISPOSED OF OFF SITE AND SHALL BE IN ACCORDANCE WITH STATE AND LOCAL REGULATIONS.
8. STRIPPED TOPSOIL AND EXCAVATED FILL MATERIAL SHALL BE STOCKPILED SEPARATELY.



LEGEND

- TO BE REMOVED
- AREA TO BE DEMOLISHED/RELOCATED
- EXISTING MINOR CONTOURS
- EXISTING MAJOR CONTOURS
- STM — EXISTING STORM SEWER
- EXISTING LOT LINES

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WISCONSIN
KATHERINE HALVERSON
47125-6
SAUK CITY, WI
PROFESSIONAL ENGINEER

Signature: Katherine Halverson Date:

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023

ISSUE PHASE: FOR CONSTRUCTION

PROJECT TITLE:

ST. FRANCIS POND

PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY

PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:

EXISTING CONDITIONS & DEMOLITION PLAN

0 15' 30' 60'
11" x 17" - 1" = 60'
22" x 34" - 1" = 30'

PROJECT NUMBER 45312

SHEET NUMBER C100

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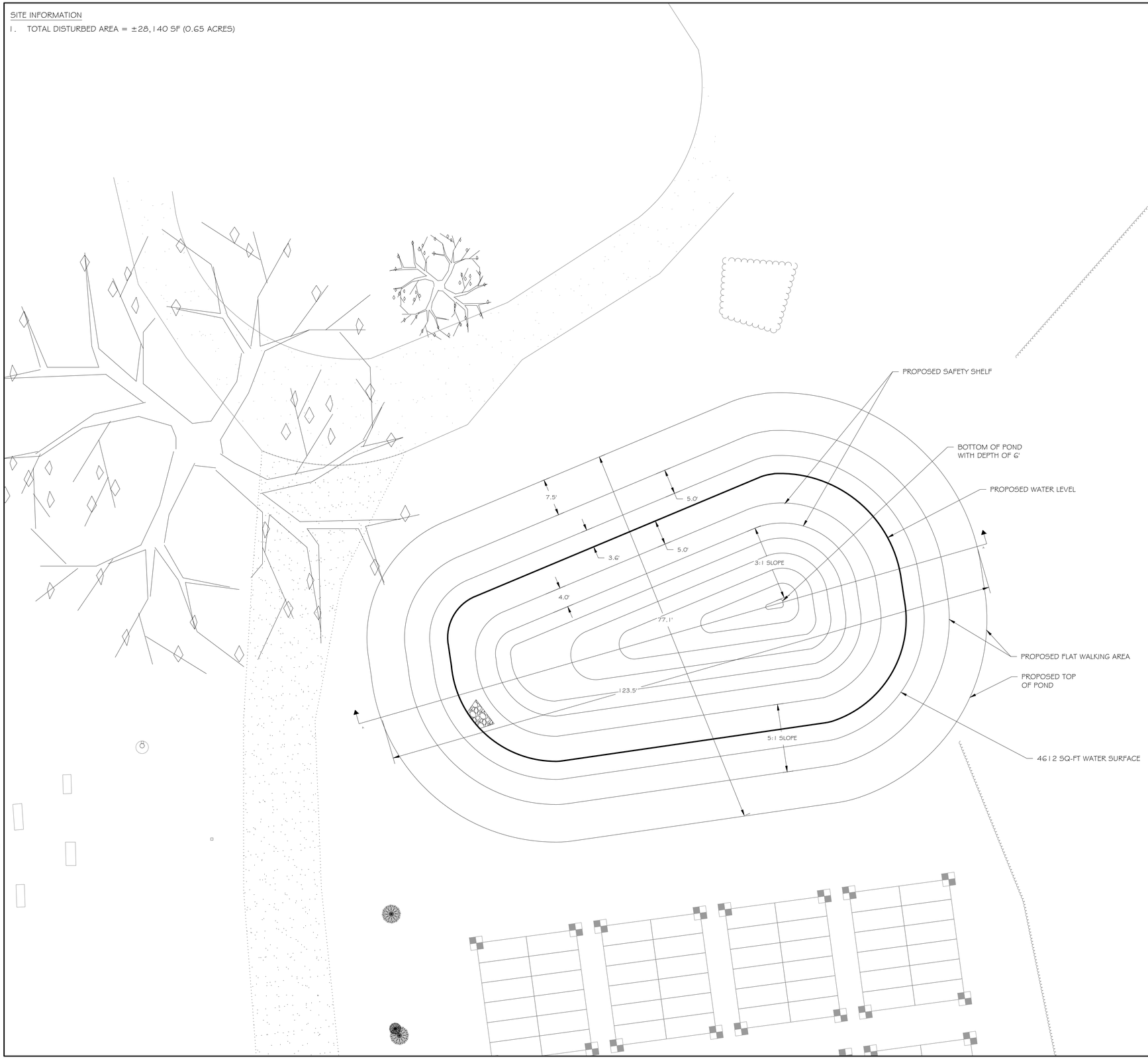
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SITE INFORMATION

1. TOTAL DISTURBED AREA = ±28,140 SF (0.65 ACRES)



LEGEND

EXISTING PAVEMENT

EXISTING GRAVEL

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SAUK CITY, WI
PROFESSIONAL ENGINEER

Signature: Katherine Halverson Date:

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023

ISSUE PHASE: FOR CONSTRUCTION

PROJECT TITLE:

ST. FRANCIS POND

PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY

PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:

PROPOSED SITE PLAN

0 5' 10' 20'

11" x 17" - 1" = 20'
22" x 34" - 1" = 10'

PROJECT NUMBER 45312

SHEET NUMBER C200

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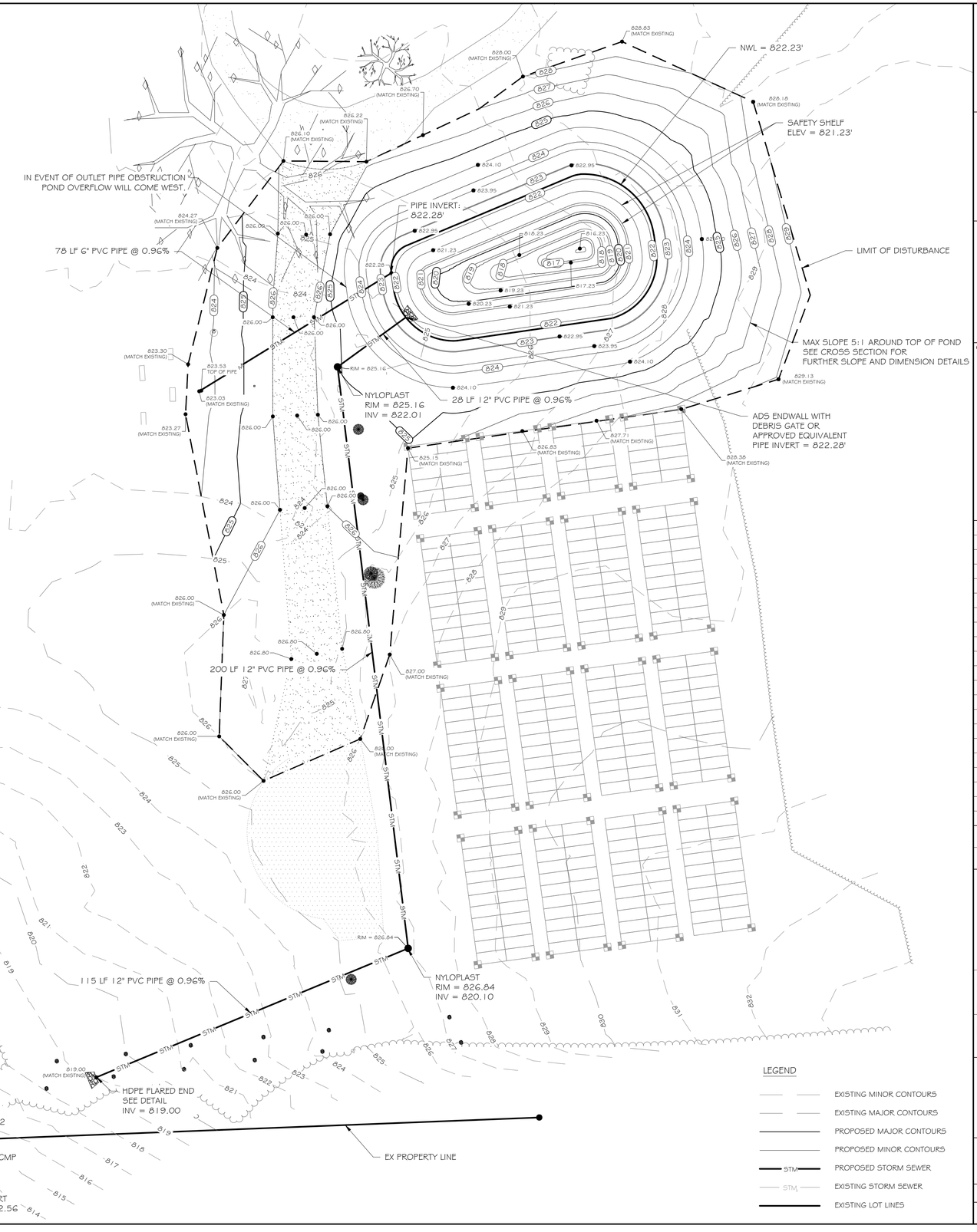
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AREAS OF SITE

TOTAL AREA DISTURBED = ±28,140 SF (0.65 ACRES)

GRADING AND STORM DRAINAGE NOTES

1. ALL ELEVATIONS SHOWN ARE TO FINISHED GRADE.
2. CLEAR ALL TREES, BRUSH, STUMPS AND OTHER ORGANIC MATERIAL FROM AREAS TO BE FILLED.
3. AN EFFORT HAS BEEN MADE TO INCORPORATE ANY AND ALL APPLICABLE NOTES, DETAILS AND CRITICAL INFORMATION FROM THE GEOTECHNICAL REPORT ONTO THESE PLAN SHEETS. HOWEVER, THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE MOST UP-TO-DATE GEOTECHNICAL REPORT AND FAMILIARIZING THEMSELVES WITH SAID REPORT.
4. REMOVE ALL UNSUITABLE MATERIAL (MUCK OR NON-COMPACTABLE MATERIAL) FROM AREAS TO BE FILLED.
5. CONTRACTOR SHALL, WHEN GRADING BETWEEN CONTOURS AND BETWEEN POINTS OF SPOT ELEVATIONS, GRADE ON A UNIFORM SLOPE.
6. CONTRACTOR SHALL, FOR ALL GRASSED AREAS, BE RESPONSIBLE FOR REPLACING ERODED SOIL, GRASS SEED AND/OR MULCH UNTIL AN APPROVED STAND OF GRASS IS ESTABLISHED.
7. CONTRACTOR SHALL, BEFORE BEGINNING GRADING WORK ON SITE, INSTALL SILT FENCE AS SHOWN ON THE PLANS. AS SEDIMENT BUILDS UP AROUND SILT FENCE, REMOVE SEDIMENT AND REPLACE WHERE EROSION HAS TAKEN PLACE.
8. EACH SECTION OF PIPE SHALL BE LAID TO SPECIFIED LINE AND LAID UPGRADE.
9. CONTRACTOR SHALL REMOVE ALL DEBRIS AND OTHER MATERIALS RESULTING FROM DEMOLITION AND DISPOSE OFF SITE UNLESS OTHERWISE ADVISED BY OWNER.
10. CONTRACTOR SHALL KEEP ALL ROADS ADJACENT TO THE SITE CLEAN DURING CONSTRUCTION.
11. CONTRACTOR SHALL BE AWARE OF EXISTING UTILITY LINES DURING PIPE LINE INSTALLATION. CALL ALL UTILITY COMPANIES FOR LOCATIONS ON SITE.
12. ALL ROADWAY AND DRAINAGE CONSTRUCTION ARE TO CONFORM TO LOCAL AGENCY STANDARD SPECIFICATIONS. (LATEST REVISION AT THE BEGINNING OF CONSTRUCTION.)
13. ALL NEWLY CONSTRUCTED SLOPES WHICH ARE 4:1 OR STEEPER MUST BE STABILIZED BY INSTALLATION OF EROSION CONTROL MATTING AND SEEDED AS SOON AS PRACTICABLE.



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WISCONSIN KATHERINE HALVERSON 47125-6 SAUK CITY, WI PROFESSIONAL ENGINEER

Signature: Katherine Halverson Date:

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023
ISSUE PHASE: FOR CONSTRUCTION

PROJECT TITLE:
ST. FRANCIS POND

PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY

PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:
STORM DRAINAGE & GRADING PLAN

0 10' 20' 40'
11"x 17" - 1" = 40'
22"x 34" - 1" = 20'

PROJECT NUMBER 45312
SHEET NUMBER C300

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EROSION CONTROL NOTES

1. CONTRACTOR SHALL HAVE ALL EROSION CONTROL MEASURES IN PLACE AND APPROVED BY THE ENGINEER PRIOR TO COMMENCEMENT OF EXCAVATION ACTIVITIES.
2. ALL SILT FENCES SHALL BE INSPECTED DAILY. CLEANING, ADJUSTING AND REPLACING EROSION MEASURES SHALL BE DONE AS NECESSARY THROUGHOUT CONSTRUCTION. ALL EROSION MEASURES SHALL BE IN WORKING CONDITION AT THE END OF EACH WORK DAY.
3. EROSION CONTROL MEASURES SHALL BE INSTALLED PER THE DETAILS OR AS DIRECTED BY THE ENGINEER.
4. SEDIMENT FROM OVERLAND FLOW SHALL BE PREVENTED FROM LEAVING THE WORK SITE BY INSTALLING SILT FENCING PARALLEL TO THE CONTOURS LOCATED DOWNHILL FROM THE WORK AREA.
5. EXISTING VEGETATION SHALL BE REMOVED ONLY AS NECESSARY TO PERFORM CONSTRUCTION ACTIVITIES. CLEARING OF LARGE AREAS THAT ARE CLEARLY OUTSIDE THE LIMITS OF CONSTRUCTION SHALL NOT BE PERMITTED.
6. ALL DISTURBED AREAS SHALL BE RESTORED AND VEGETATED AS SOON AS POSSIBLE AFTER DISTURBANCE.
7. EROSION MEASURES SHALL NOT BE REMOVED UNTIL THE AREAS SERVED HAVE ESTABLISHED VEGETATIVE COVER.
8. TEMPORARY STABILIZE DISTURBED AREAS THAT WILL REMAIN INACTIVE FOR 14 DAYS OR LONGER.
9. STABILIZE AREAS WITHIN 7 DAYS OF COMPLETING FINAL GRADING.
10. ALL AREAS OF EXPOSED SOIL SHALL BE COVERED WITH A STRAW MULCH. MULCH SHALL BE APPLIED AT THE RATE OF 1.5 TONS PER ACRE, MINIMUM IMMEDIATELY AFTER SPREADING, THE STRAW MULCH SHALL BE PROTECTED BY COVERING WITH A MAT OR CRIMPING. MULCHING SHALL BE REPLACED AND CRIMPED AS NECESSARY TO MAINTAIN ADEQUATE COVER UNTIL PERMANENT.
11. CONTRACTOR MUST INSTALL PERIMETER CONTROL AROUND ANY CONSTRUCTION STOCKPILES AND STABILIZE STOCKPILE THAT WILL REMAIN INACTIVE FOR 7 DAYS OR LONGER.
12. ADDITIONAL EROSION CONTROL DEVICES MAY BE REQUIRED TO CONTROL EROSION AND/OR OFFSITE SEDIMENTATION. CONTRACTOR IS RESPONSIBLE FOR MAINTAINING THE STABILITY OF ALL GRADED AND/OR CLEARED AREAS UNTIL PERMANENT GROUND COVER IS ESTABLISHED. ANY AREAS DAMAGED BY EROSION SHALL BE REPAIRED TO ITS ORIGINAL CONDITION AND PROTECTED FROM FURTHER EROSION AT NO ADDITIONAL COST TO THE OWNER.
13. STONE TRACKING PAD(S) SHALL BE INSTALLED AT ALL CONSTRUCTION SITE EXITS TO PREVENT TRACKING OF SOIL. CONTRACTOR MUST TAKE ALL NECESSARY MEASURES TO MINIMIZE TRACKING MUD ONTO PAVED ROADWAY FROM CONSTRUCTION AREAS. TRACKED SOIL SHALL BE COLLECTED FROM PAVED ROADS LOCATED NEAR THE CONSTRUCTION SITE AT THE END OF EACH WORKING DAY OR AS DIRECTED BY THE ENGINEER.

CONSTRUCTION PHASING

1. CONSTRUCTION IS ANTICIPATED TO BEGIN IN THE FALL OF 2023. DEMOLITION AND REMOVAL OF ANY EXISTING MATERIALS WILL OCCUR FIRST
2. PRIOR TO ANY LAND DISTURBING ACTIVITIES, EROSION CONTROL MEASURES SHALL BE PUT IN PLACE AND MAINTAINED UNTIL SOIL STABILIZATION HAS TAKEN PLACE
3. AFTER EROSION CONTROL MEASURES ARE IN-PLACE, SITE GRADING AND UTILITY INSTALLATION WORK CAN BEGIN
4. FOLLOWING INITIAL GRADING WORK, THE CONCRETE BUILDING FOUNDATION/SLAB CAN BE CONSTRUCTED
5. CONSTRUCTION ON THE BUILDING CAN THEN BEGIN IN COORDINATION WITH REMAINING SITE IMPROVEMENTS, INCLUDING AGGREGATE BASE COURSE INSTALLATION, CURB AND GUTTER CONSTRUCTION, ASPHALT PAVING, CONCRETE WORK, ETC.
6. PRIOR TO FINAL SITE SEEDING/STABILIZATION, CONTRACTOR SHALL SCARIFY ALL PERVIOUS (LANDSCAPED & GRASSY) AREAS OF THE SITE TO A MINIMUM DEPTH OF 6-INCHES.

AREAS OF SITE

TOTAL AREA OF DISTURBANCE = ±28,140 SF (0.65 ACRES)

EROSION CONTROL / SEEDING

PROVIDE VEGETATIVE COVER TO NEWLY GRADED AREAS BY ACCEPTABLE SEEDING METHODS AND MIXTURES. SEEDING FOR TEMPORARY EROSION CONTROL SHALL BE AS FOLLOWS:

SPECIES	LBS./ACRE
OATS	131*
CEREAL RYE	131**
WINTER WHEAT	131**
ANNUAL RYEGRASS	80**

* SPRING AND SUMMER SEEDING
** FALL SEEDING



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47125-6
SAUK CITY, WI
PROFESSIONAL ENGINEER

Signature: Katherine Halverson Date:

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023
ISSUE PHASE: FOR CONSTRUCTION

PROJECT TITLE:

ST. FRANCIS POND

PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY
PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:

EROSION CONTROL PLAN

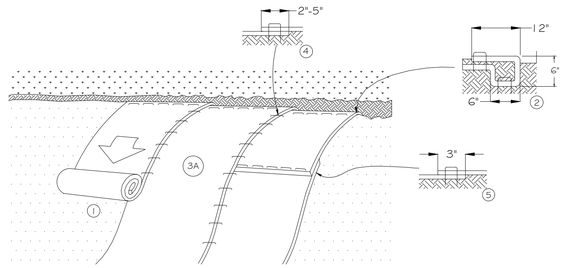
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22" x 34" - 1" = 20'

PROJECT NUMBER 45312
SHEET NUMBER C400

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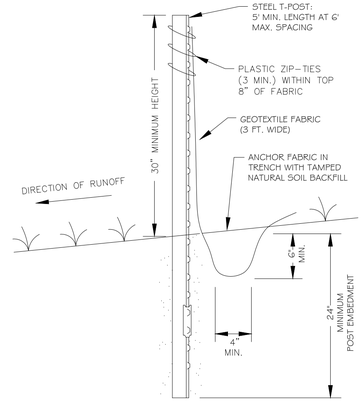


1. PREPARE SOIL BEFORE INSTALLING BLANKETS, INCLUDING ANY NECESSARY APPLICATION OF LIME, FERTILIZER, AND SEED. NOTE: WHEN USING CELL-O-SEED DO NOT SEED PREPARED AREA. CELL-O-SEED MUST BE INSTALLED WITH PAPER SIDE DOWN.
2. BEGIN AT THE TOP OF THE SLOPE BY ANCHORING THE BLANKET IN A 6" (15cm) DEEP X 6" (15cm) WIDE TRENCH WITH APPROXIMATELY 12" (30cm) OF BLANKET EXTENDED BEYOND THE UP-SLOPE PORTION OF THE TRENCH. ANCHOR THE BLANKET WITH A ROW OF STAPLES/STAKES APPROXIMATELY 12" (30cm) APART IN THE BOTTOM OF THE TRENCH. BACKFILL AND COMPACT THE TRENCH AFTER STAPLING. APPLY SEED TO COMPACTED SOIL AND FOLD REMAINING 12" (30cm) PORTION OF BLANKET BACK OVER SEED AND COMPACTED SOIL. SECURE BLANKET OVER COMPACTED SOIL WITH A ROW OF STAPLES/STAKES SPACED APPROXIMATELY 12" (30cm) APART ACROSS THE WIDTH OF THE BLANKET.
3. ROLL THE BLANKETS (A.) DOWN OR (B.) HORIZONTALLY ACROSS THE SLOPE. BLANKETS WILL UNROLL WITH APPROPRIATE SIDEAGAINST THE SOIL SURFACE. ALL BLANKETS MUST BE SECURELY FASTENED TO SOIL SURFACE BY PLACING STAPLES/STAKES IN APPROPRIATE LOCATIONS AS SHOWN IN THE STAPLE PATTERN GUIDE. WHEN USING OPTIONAL DOT SYSTEM, STAPLES/STAKES SHOULD BE PLACED THROUGH EACH OF THE COLORED DOTS CORRESPONDING TO THE APPROPRIATE STAPLE PATTERN.
4. THE EDGES OF PARALLEL BLANKETS MUST BE STAPLED WITH APPROXIMATELY 2"-5" (5cm- 12.5cm) OVERLAP DEPENDING ON BLANKET TYPE. TO ENSURE PROPER SEAM ALIGNMENT, PLACE THE EDGE OF THE OVERLAPPING BLANKET (BLANKET BEING INSTALLED ON TOP) EVEN WITH THE COLORED SEAM STITCH ON THE PREVIOUSLY INSTALLED BLANKET.
5. CONSECUTIVE BLANKETS SPLICED DOWN THE SLOPE MUST BE PLACED END OVER END (SHINGLE STYLE) WITH AN APPROXIMATE 3' (7.5cm) OVERLAP. STAPLE THROUGH OVERLAPPED AREA, APPROXIMATELY 12" (30cm) APART ACROSS ENTIRE BLANKET WIDTH.
6. FOLLOW MANUFACTURER'S RECOMMENDED STAPLE PATTERN, FOR THE SLOPE FOR THE SPECIFIED BLANKET.

NOTE:
IN LOOSE SOIL CONDITIONS, THE USE OF STAPLE OR STAKE LENGTHS GREATER THAN 6" (15cm) MAY BE NECESSARY TO PROPERLY SECURE THE BLANKETS.

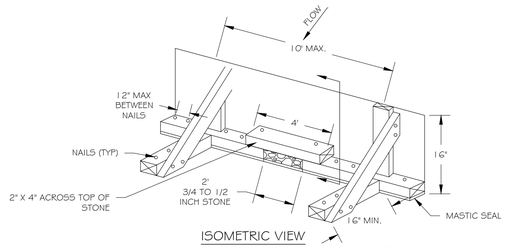
STANDARD STAPLE PATTERN

NOT TO SCALE



TYPICAL SILT FENCE INSTALLATION

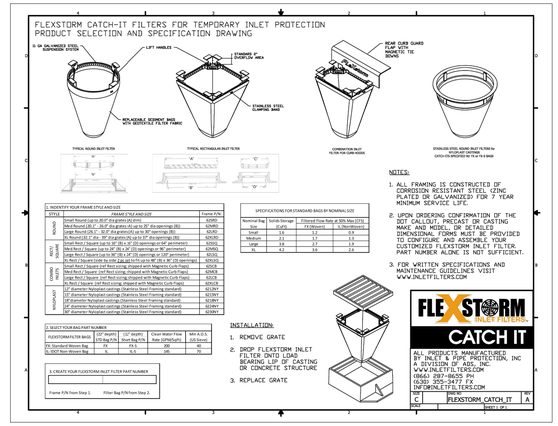
NOT TO SCALE



NOTES:
1. USE NOMINAL 2-INCH X 4-INCH LUMBER.
2. USE WOVEN SEDIMENT CONTROL GEOTEXTILE FABRIC.
3. SPACE UPRIGHT SUPPORTS NO MORE THAN 10 FEET APART.
4. PROVIDE A TWO FOOT OPENING BETWEEN EVERY SET OF SUPPORTS AND PLACE #57 GRADED STONE IN THE OPENING OVER GEOTEXTILE.
5. KEEP SILT FENCE TAUT AND SECURELY STAPLE TO THE UP SLOPE SIDE OF UPRIGHT SUPPORTS. EXTENDGEOTEXTILE UNDER 2X4.
6. WHERE TWO SECTIONS OF GEOTEXTILE ADJOIN: OVERLAP, FOLD, AND STAPLE TO POST IN ACCORDANCE WITH THIS DETAIL. ATTACH A LATHE.
7. PROVIDE A MASTIC SEAL BETWEEN PAVEMENT, GEOTEXTILE, AND 2X4 TO PREVENT SEDIMENT-LADEN WATER FROM ESCAPING BENEATH SILT FENCE INSTALLATION.
8. SECURE BOARDS TO PAVEMENT WITH 40D 5-INCH MINIMUM LENGTH NAILS.
9. REMOVE ACCUMULATED SEDIMENT AND DEBRIS WHEN BULGES DEVELOP IN SILT FENCE OR WHEN SEDIMENT REACHES 25% OF FENCE HEIGHT. REPLACE GEOTEXTILE IF TORN. MAINTAIN WATER TIGHT SEAL ALONG BOTTOM. REPLACE STONE IF DISPLACED.

SILT FENCE ON ASPHALT

NOT TO SCALE


NYLOPLAST DRAIN BASIN WITH DOME GRATE
(1, 2) INTEGRATED DUCTILE IRON GRATE TO MATCH BASIN O.D.
MINIMUM PIPE BURIAL DEPTH PER PIPE MANUFACTURER RECOMMENDATION (MIN. MANUFACTURING REQ. SAME AS MIN. SUMP)
(3) VARIABLE INVERT HEIGHTS AVAILABLE (ACCORDING TO PLANS/TAKE OFF)
(5) ADAPTER ANGLES VARIABLE 0° - 360° ACCORDING TO PLANS
(3) VARIABLE SUMP DEPTH ACCORDING TO PLANS (8" MIN. ON 8" - 24", 10" MIN. ON 30" BASED ON MANUFACTURING REQ.)
(4) VARIOUS TYPES OF INLET & OUTLET ADAPTERS AVAILABLE: 4" - 30" FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL, ADS/HANCOR SINGLE WALL), N-12 HP, PVC SEWER (EX. SDR 35), PVC DWV (EX. SCH 40), PVC C900/DR25, CORRUGATED & RIBBED PVC
4" MIN ON 8" - 24"
8" MIN ON 30"
WATERTIGHT JOINT (CORRUGATED HDPE SHOWN)
8" - 30"
THE BACKFILL MATERIAL SHALL BE CRUSHED STONE OR OTHER GRANULAR MATERIAL MEETING THE REQUIREMENTS OF CLASS I, CLASS II, OR CLASS III MATERIAL AS DEFINED IN ASTM D2321. BEDDING & BACKFILL FOR SURFACE DRAINAGE INLETS SHALL BE PLACED & COMPACTED UNIFORMLY IN ACCORDANCE WITH ASTM D2321.
1 - 8" - 30" DOME GRATES SHALL BE DUCTILE IRON PER ASTM A536 GRADE 70-50-05.
2 - 8" & 10" DOME GRATES FIT ONTO THE DRAIN BASINS WITH THE USE OF A PVC BODY TOP. SEE DRAWING NO. 7901-10-040.
3 - DRAIN BASIN TOP IS CUSTOM MANUFACTURED ACCORDING TO PLAN
4 - 4" - 30" PIPE STUBS ARE CUT IN THE FIELD AS REQUIRED BY DUE TO SHIPPING RESTRICTIONS. SEE DRAWING NO. 7901-10-040.
5 - DRAINAGE CONNECTION STUB JOINT TIGHTNESS SHALL CONFORM TO ASTM D3212 FOR CORRUGATED HDPE (ADS N-12/HANCOR DUAL WALL, N-12 HP, & PVC SEWER) 8"- 24".
6 - 8" - 30" DOME GRATES CAN BE USED ON ANY ANGLE 0° TO 360°. TO DETERMINE MINIMUM ANGLE BETWEEN ADAPTERS SEE DRAWING NO. 7901-10-012
7 - 8" - 30" DOME GRATES HAVE NO LOAD RATING.
THIS PRINT DISCLOSES SUBJECT MATTER IN WHICH NYLOPLAST HAS PROPRIETARY RIGHTS. THE RECEIPT OR POSSESSION OF THIS PRINT DOES NOT CONFER, TRANSFER, OR LICENSE THE USE OF THE DESIGN OR INFORMATION SHOWN HEREON. ANY REPRODUCTION OF THIS PRINT OR ANY INFORMATION CONTAINED HEREIN, OR MANUFACTURE OF ANY ARTICLE HEREFROM, FOR THE DISCLOSURE TO OTHERS IS FORBIDDEN, EXCEPT BY SPECIFIC WRITTEN PERMISSION FROM NYLOPLAST.
DRAWN BY: EBC | MATERIAL:
DATE: 03-25-15
REVISED BY: MMH | PROJECT NO./NAME:
DATE: 03-11-16
DWG SIZE: A | SCALE: 1:40 | SHEET: 1 OF 1 | DWG NO.: 7901-10-397 | REV: D
Nyloplast 3126 VERONA AVE BUFORD, GA 30518 PHN (770) 932-2443 FAX (770) 932-2490 www.nyloplast-us.com
TITLE: DRAIN BASIN WITH DOME GRATE QUICK SPEC INSTALLATION DETAIL
0899CGD
APPROX. DRAIN AREA = 30.00 SQ IN
APPROX. WEIGHT = 4.54 LBS
4.00
NYLOPLAST
Ø 8.00
8" DOME GRATE
8" INLINE DRAIN OR 8" DRAIN BASIN BODY TOP
DIMENSIONS ARE FOR REFERENCE ONLY
ACTUAL DIMENSIONS MAY VARY
DIMENSIONS ARE IN INCHES
QUALITY: MATERIALS SHALL CONFORM TO ASTM A536 GRADE 70-50-05
PAINT: CASTINGS ARE FURNISHED WITH A BLACK PAINT.
LOCKING DEVICE AVAILABLE UPON REQUEST SEE DRAWING NO. 7001-110-228
THIS PRINT DISCLOSES SUBJECT MATTER IN WHICH NYLOPLAST HAS PROPRIETARY RIGHTS. THE RECEIPT OR POSSESSION OF THIS PRINT DOES NOT CONFER, TRANSFER, OR LICENSE THE USE OF THE DESIGN OR INFORMATION SHOWN HEREON. ANY REPRODUCTION OF THIS PRINT OR ANY INFORMATION CONTAINED HEREIN, OR MANUFACTURE OF ANY ARTICLE HEREFROM, FOR THE DISCLOSURE TO OTHERS IS FORBIDDEN, EXCEPT BY SPECIFIC WRITTEN PERMISSION FROM NYLOPLAST.
DRAWN BY: EBC | MATERIAL: DUCTILE IRON
DATE: 03-02-08
REVISED BY: CCA | PROJECT NO./NAME:
DATE: 09-27-13
DWG SIZE: A | SCALE: 1:4 | SHEET: 1 OF 1 | DWG NO.: 7901-110-197 | REV: C
Nyloplast 3126 VERONA AVE BUFORD, GA 30518 PHN (770) 932-2443 FAX (770) 932-2490 www.nyloplast-us.com
TITLE: 8 IN DOME GRATE ASSEMBLY
FLEXSTORM CATCH-IT FILTERS FOR TEMPORARY INLET PROTECTION
PRODUCT SELECTION AND SPECIFICATION DRAWING
A. SM. DIA. HANGER, STEEL SUSPENSION SYSTEM
LIFT HANDLES
STANDARD 9" SHORTSLIP AREA
REPLACEABLE SEDIMENT BAGS WITH GEOTEXTILE FILTER FABRIC
STAINLESS STEEL CLAMPING BAND
REAR CURB GUARD FOR USE WITH GRATE TIE DOWNS
TYPICAL SQUARE INLET FILTER
TYPICAL RECTANGULAR INLET FILTER
CURB GUARD
COMBINATION INLET FILTER FOR CURB HOODS
STAINLESS STEEL SQUARE INLET FILTER for STEEL GRATES (Model No. CATCH-STR-SPECIFIED for 17 & 24 "D & SMALL
1. INDENTIFY YOUR FRAME STYLE AND SIZE
STYLE | FRAME (TYP.) AND SIZE | Frame P/N
ROUND: Small Round Lip (or 20.5" drop grate) (45 mm) | 62MRC
Med Round (20.5" - 24.5" drop grates 45 up to 25° dia openings (B)) | 62MRD
Large Round (24.5" - 30.5" drop grates/s/s up to 30° dia openings (B)) | 62LRD
XL Round (>/ 2 dia - 30" drop grates/s up to 37° dia openings (B)) | 62XLRD
ROUND GRATES: Small Round Lip (or 20.5" drop grate) (45 mm) | 62MRC
Med Rnd Sq / Square Lip (or 24" (B) x 24" (D) openings or 36" perimeter) | 62MRS
Large Rnd / Square Lip (or 30" (B) x 30" (D) openings or 120" perimeter) | 62LRS
SQUARE GRATES: Sq Rnd / Square Lip (or 36" (B) x 36" (D) openings or 144" perimeter) | 62XLRS
Small Rnd / Square (nf Rnd sizing shipped with Magnetic Curb Flaps) | 62SCR
Med Rnd / Square (nf Rnd sizing shipped with Magnetic Curb Flaps) | 62MCR
Large Rnd / Square (nf Rnd sizing shipped with Magnetic Curb Flaps) | 62LCR
XL Rnd / Square (nf Rnd sizing, shipped with Magnetic Curb Flaps) | 62XLCR
12" diameter Nyloplast castings (Stainless Steel Framing standard) | 62CRHT
18" diameter Nyloplast castings (Stainless Steel Framing standard) | 62CRHT
24" diameter Nyloplast castings (Stainless Steel Framing standard) | 62CRHT
30" diameter Nyloplast castings (Stainless Steel Framing standard) | 62CRHT
36" diameter Nyloplast castings (Stainless Steel Framing standard) | 62CRHT
2. SELECT YOUR BAG PART NUMBER
FLEXSTORM INLET BAGS | 22" (HxW) STD Bag P/N | 13" (HxW) Short Bag P/N | Clean Water Flow Rate (GPM/SqFt) | MH A.K.A.'s (US Servco)
FX Standard Woven Bag | FX | FX-S | 200 | 40
FL-DOT Non-Woven Bag | FL | FL-S | 185 | 70
3. CREATE YOUR FLEXSTORM INLET FILTER PART NUMBER
Frame P/N from Step 1. | Filter Bag P/N from Step 2.
SPECIFICATIONS FOR STANDARD BAGS BY NOMINAL SIZE
Nominal Bag Size | Sump Min Depth (Curb/Grate) | Filtered Flow Rate at 50% Max (GPM)
FX (Woven) | FL (Non-Woven)
Small | 1.5 | 1.5 | 0.9
Medium | 2.5 | 1.7 | 1.5
Large | 3.5 | 1.9 | 1.7
XL | 4.5 | 3.6 | 2.9
NOTES:
1. ALL FRAMING IS CONSTRUCTED OF CORROSION RESISTANT STEEL (ZINC PLATED OR GALVANIZED) FOR 7 YEAR MINIMUM SERVICE LIFE.
2. UPON ORDERING CONFIRMATION OF THE DOT CALLOUT, PRECAST OR CASTING MAKE AND MODEL, OR DETAILED DIMENSIONAL FORMS MUST BE PROVIDED TO CONFIGURE AND ASSEMBLE YOUR CUSTOMIZED FLEXSTORM INLET FILTER. PART NUMBER ALONE IS NOT SUFFICIENT.
3. FOR WRITTEN SPECIFICATIONS AND MAINTENANCE GUIDELINES VISIT WWW.INLETFILTERS.COM
INSTALLATION:
1. REMOVE GRATE
2. DROP FLEXSTORM INLET FILTER UNTO LOAD BEARING LIP OF CASTING OR CONCRETE STRUCTURE
3. REPLACE GRATE
FLEXSTORM INLET PROTECTION CATCH IT
ALL PRODUCTS MANUFACTURED BY INLET & PIPE PROTECTION, INC A DIVISION OF ADS, INC.
4, CHESTERFIELD, MO 63005
(866) 287-6825 PH/FX
16383 355-3477 FX
INFO@INLETFILTERS.COM
C | FLEXSTORM_CATCH_IT | A
SHEET 1 OF 1

ADS, Inc. Drainage Handbook *Specifications ♦ 1-34*

ADS FLARED END SECTION SPECIFICATION

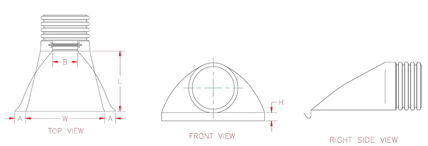
Scope
This specification describes 12- through 36-inch (300 to 900mm) ADS Flared End Sections for use in culvert and drainage outlet applications.

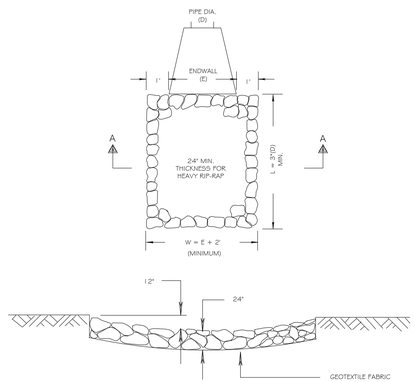
Requirements
The ADS Flared End Section shall be high density polyethylene meeting ASTM D3350 minimum cell classification 213320C; contact manufacturer for additional cell classification information. When provided, the metal threaded fastening rod shall be stainless steel.

Installation
Installation shall be in accordance with ADS installation instructions and with those issued by state or local authorities. Contact your local ADS representative or visit www.adspipe.com for the latest installation instructions.

	PIPE DIAMETER in (mm)					
Diameter in (mm)	12 (300)	15 (375)	18 (450)	24 (600)	30 (750)	36 (900)
A in (mm)	6.5 (165)	6.5 (165)	7.5 (191)	7.5 (191)	7.5 (191)	7.5 (191)
B (max) in (mm)	10.0 (254)	10.0 (254)	15.0 (381)	18.0 (475)	22.0 (559)	25.0 (635)
H in (mm)	6.5 (165)	6.5 (165)	6.5 (165)	6.5 (165)	8.6 (218)	8.6 (218)
L in (mm)	25.0 (635)	25.0 (635)	32.0 (813)	36.0 (914)	58.0 (1473)	58.0 (1473)
W in (mm)	29.0 (737)	29.0 (737)	35.0 (889)	45.0 (1143)	63.0 (1600)	63.0 (1600)

*Product detail may differ slightly from actual product appearance





RIP-RAP AT ENDWALL DETAIL

NOT TO SCALE

RAMAKER employee-owned
(608) 643-4100 www.ramaker.com

Certification & Seal:
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervison and that I am a duly licensed Professional Engineer under the laws of the State of Wisconsin.

WISCONSIN KATHERINE HALVERSON 47125-6 SAUK CITY, WI PROFESSIONAL ENGINEER
Signature: Katherine Halverson Date:

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023
ISSUE PHASE: FOR CONSTRUCTION

PROJECT TITLE:
ST. FRANCIS POND

PROJECT OWNER:
ST. FRANCIS BORGIA CEMETERY

PROJECT LOCATION:
1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:
DETAILS

SCALE: NONE

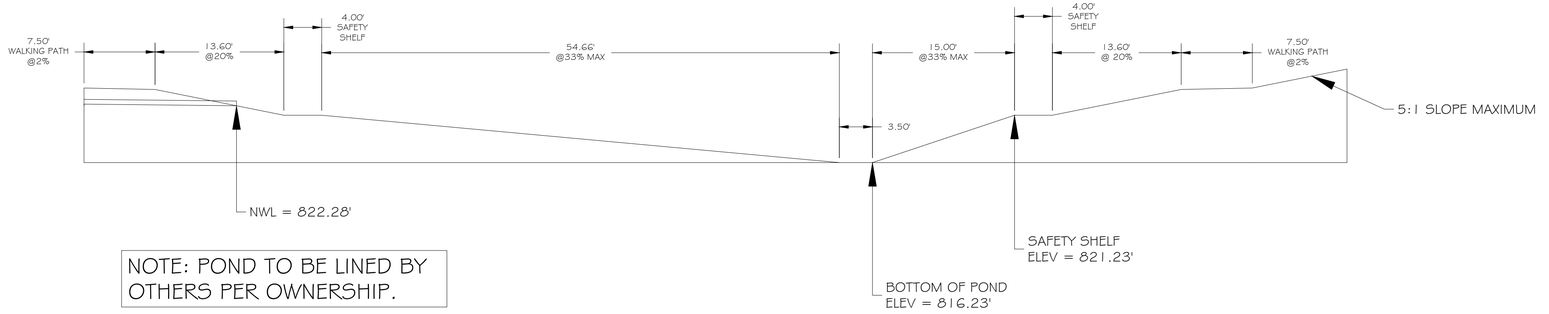
PROJECT NUMBER 45312
SHEET NUMBER C500

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Attachment: PacketDocs_StFrancis (9000 : St. Francis Borgia Church)

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DRAWN BY: JRB CHECKED BY: KAH



NOTE: POND TO BE LINED BY OTHERS PER OWNERSHIP.

POND CROSS-SECTION

RAMAKER
employee-owned
(608) 643-4100 www.ramaker.com

Certification & Seal:
I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly licensed Professional Engineer under the laws of the State of Wisconsin.

WISCONSIN
KATHERINE HALVERSON
47125-6
SAUK CITY, WI
PROFESSIONAL ENGINEER

Signature: Date:

MARK	DATE	DESCRIPTION

DATE ISSUED: 10/03/2023
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1375 COVERED BRIDGE
CEDARBURG, WI 53012

SHEET TITLE:
DETAILS

SCALE: NONE

PROJECT NUMBER 45312
SHEET NUMBER C501

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Attachment: PacketDocs_StFrancis (9000 : St. Francis Borgia Church)

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

TO: **Planning Commission**

FROM: **EVAN HOIER, ASSOCIATE PLANNER**

DATE: **December 4, 2023**

SUBJECT: **Attorney Rex Anderegg for Domagala. The applicant is seeking minor request approval for a temporary use and structure for a recreational vehicle to be used as temporary living accommodations through 10.31.24 for the property located at 326 W. Seacroft Court.**

Applicant:	Attorney Rex Anderegg for Domagala
Status of Applicant:	Agent
Requested:	Minor Request – Temporary Use
Existing Zoning:	R-2 (Residential Rural Detached)
Land Use Plan:	Residential 1.5-5 Acres
Lot size:	2.71 acres
Location:	326 W. Seacroft Court
Tax Key Number:	#15-020-02-007.00
District:	#8

Background:
The applicant is seeking a temporary use and structure approval to allow a 28-foot-long recreational vehicle until October 31st, 2024. The trailer has been present on the site since at least August 4th, which is when Code Enforcement Officer Scott Pinzer issued the first Order to Correct. The recreational vehicle is being used as storage and an office space/break room for a construction crew working on the applicant's home renovation project. It is also used as a temporary dwelling for an overnight security guard during the week. The request is to allow the temporary use for 12 months.

Authority:

Section 58-173 of the municipal code grants staff and Planning Commission to approve temporary uses and structures subject to conditions to include:

1. *The applicant shall submit a project narrative and timeframe of the temporary use.*
2. *A temporary use is limited to nine months or less, unless approved by the planning commission. No temporary use shall be allowed for greater than 18 months.*
3. *The use shall comply with the quantitative technical standards of the zoning district, unless approved by the planning commission.*
4. *The Department of Community Development shall review potential impacts of the use and any associated structures.*
5. *If impacts are identified, staff shall determine the necessary mitigating efforts to resolve the impacts.*

6. *Based on the findings resulting from the analysis listed in [subsections] (1)-(5), staff shall issue a final determination to the applicant. The City may require conditions of approval as deemed necessary.*
7. *Where staff identifies impacts of the use, or any associated structure, which may not be reasonably mitigated, the temporary use shall not be granted unless approved by the planning commission.*
8. *Any person aggrieved by staff's final determination, may petition the decision to the planning commission. There shall be no fee charged for the petition request.*
9. *If the temporary use becomes hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or if material problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten health or safety or to become a nuisance condition by determination of the Department of Community Development, the grantee shall correct or improve such condition, and toward that end, may alter, amend or add reasonable additional conditional user grant conditions in order to ameliorate such effects or may revoke the temporary use approval.*

Section 58-441(c)(3) regulates storage of vehicles greater than 27 feet in length:

Recreational vehicles greater than 27 feet in length shall be allowed from May 1st to October 31st on a temporary basis not to exceed seven consecutive days subject to approval of the Community Development Director. Approval may include additional restrictions to mitigate the visual effect such parking or storage may have on the surrounding neighborhood.

Analysis:
Accessory Dwellings and Caretaker Units

While caretaker units are allowed in some commercial zoning districts and accessory dwelling units are allowed in residential districts, the requested recreational vehicle does not meet multiple required standards for a caretaker unit or an accessory dwelling unit. The City's required standards are intended to ensure single-family residential zoning districts remain single-family and not intended for the use of plex or multiple-family residential development. In the residential districts, accessory dwellings may only be attached to the principle dwelling and for the long-term use of relatives or a detached guest house and intended for the short-term use of temporary guests. In either case, the dwellings may not be used for commercial activity or profit. In addition, in either case, Architectural Review Board approves the design of the permanent structure as a dwelling.

The use of a recreational vehicle as an accessory dwelling does not comply with design standards for dwellings, utilizes a single-family residential zoning district for more than one (1) dwelling for an extended period of time and sets a precedent for temporary lodging within single-family districts that could result in commercial activity. Further, recreational vehicles are intended as mobile, temporary housing of persons. Campgrounds and mobile homes or mobile home parks are prohibited by code in the residential zoning districts.

The City has, in the recent past, been subject to applications for temporary housing or lodging for either commercial uses or festivals and events occurring locally. Examples of such include Erin Hills PGA US Open, Harley Davidson's Harley fest, weddings and Summerfest. Staff does not support setting the precedent of having detached temporary mobile dwellings for caretakers or relatives in single-family residential zoning districts unless there is a broader policy analysis.

Based on this, staff believes that the impact of the use and structure is negative and should be denied.

Exceeding the timeframe allowed for storage of Recreational Vehicle

The proposed timeframe provided by the applicant of December 2023 to October 31st, 2024 would violate Section 58-411(c)(3) by exceeding the seven consecutive day maximum and operating outside of the May 1st to October 31st regulation for storage of a recreational vehicle greater than 27 feet. The allowance from May through October was based on the peak travel use of uninhabited recreational vehicles. In addition, the limitation regarding the size of the vehicle was intended to control the type and amount of unenclosed equipment and vehicles on any property, ultimately maintaining order and open space on a site-by-site basis.

Site Visit:
Staff visited the site on November 20th and measured the recreational vehicle to be approximately 28 feet in length. Staff also noted that the location of it is visible from the street, especially with trees being devoid of foliage in the fall, winter, and spring months. Municipal Prosecutor Johnathan Woodward analyzed the manufacturers' specifications for the recreational vehicle and indicated it to be 28.8 feet in length (see attached).

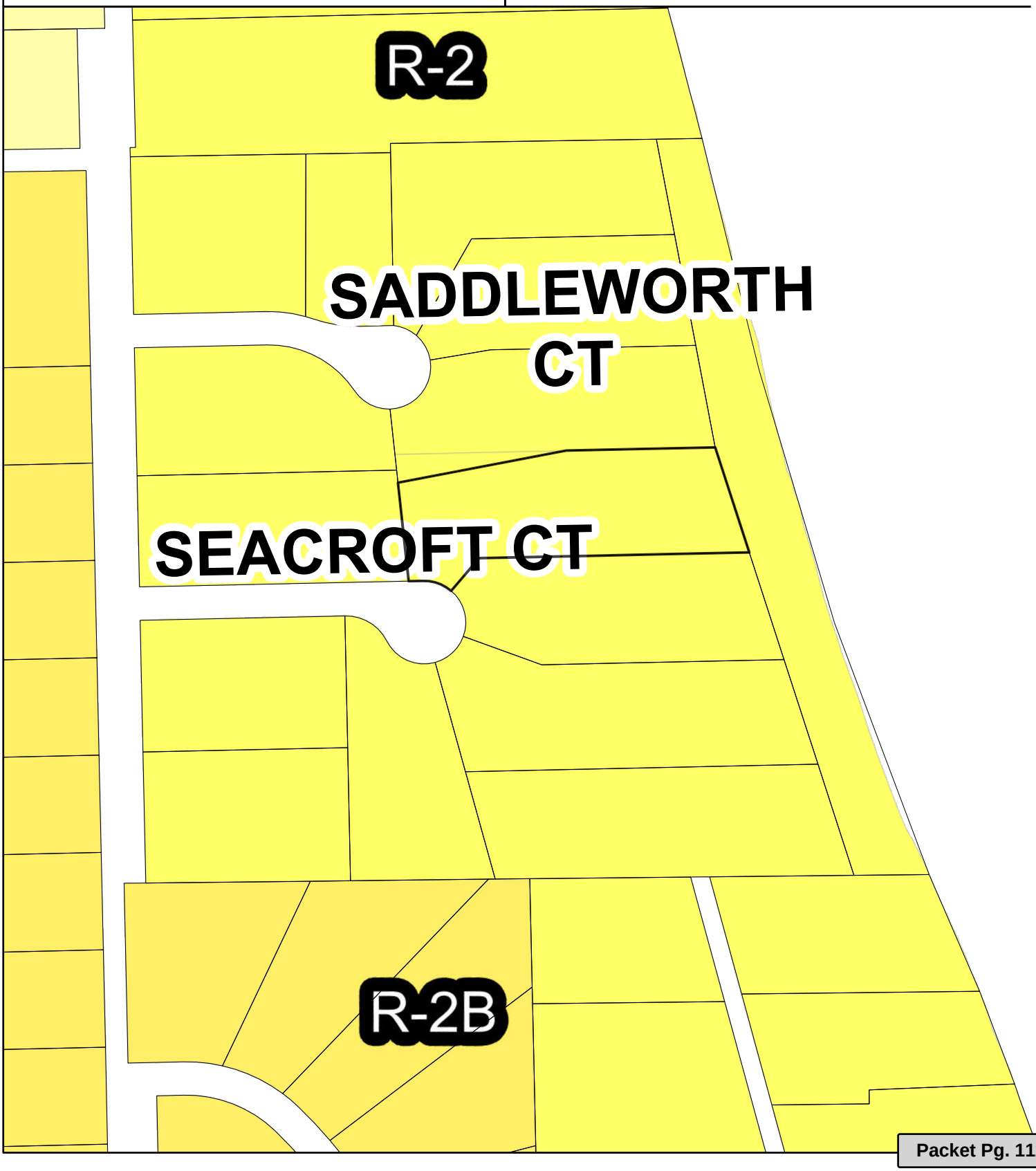
Staff Recommendation:

Planning Staff recommends **denial** of the temporary use and structure.

Attachments:
PacketDocs_Domagala (PDF)

DOMAGALA

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



Attachment: PacketDocs_Domagala (9003 : Attorney Rex Anderegg for Domagala)

ANDEREGG & ASSOCIATES
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VIA PRIORITY MAIL

November 2, 2023

City of Mequon
Planning Commission
c/o Ms. Robin Buzzell
11333 N. Cedarburg Rd.
Mequon, WI 53092

Re: Temporary Use Permit
326 West Seacroft Court, City of Mequon
Parcel ID # 15-020-02-007.00

Dear Members of the Planning Commission:

Enclosed please find a Planning Commission Application for a Temporary Use Permit. I am also enclosing the application fee of $199.00 as I was informed that temporary use falls under a "Minor Request" submittal. If there is a different application fee please advise and we will rectify that immediately.

The application is for the temporary use of a trailer which may exceed the permitted length of 26 feet. When *we* measured the trailer, we believed it to be 26 feet in length. However, Attorney Johnathan Woodward looked at the specifications for the trailer which suggest it is 28.8 feet in length. I now believe the difference can be accounted for by the tongue of the trailer, which is approximately 2.8 feet in length. In either event, we invite the City to come out and determine the actual length of the trailer for itself, and hereby grant the City permission to come on the property to do so.

The trailer will only be at this location until the end of the summer of 2024 while the new owners complete a major remodel of the residence. The trailer has recently been relocated on the property to be less visible once the owner learned there was an ordinance issue

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surrounding it. I am enclosing pictures of the trailer, including the trailer as barely seen from the street.

The trailer will be temporarily used as a space for workers to punch in and punch out, review architectural plans, take breaks, and eat lunch. The trailer is also used as a shelter for a security guard during weekday overnights as the Domagalas, on any given day, have thousands of dollars of construction materials and equipment on the property which are largely uninsured.

If there is any additional information that would be helpful to the Commission in considering this application, please let me know and we will endeavor to provide it as quickly as possible, '

Your consideration will be greatly appreciated.

Very truly yours,

Rex Anderegg
Attorney-at-Law

Cc: Dr. Daniel Domagala (via email; w/o encls)
Attorney Johnathan Woodward (via email; w/o encls)

Attachment: PacketDocs_Domagala (9003 : Attorney Rex Anderegg for Domagala)

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IMPORTANT
Exterior seals must be inspected/maintained every 90 days.
Please refer to the care and maintenance section of the Owner's Manual.

FOREST RIVER
GOSHEN, IN • CORPORATE HEADQUARTERS

26TBUD

ELECTRICAL • PLUMBING • HEATING • FIRE SAFETY
MANUFACTURER CERTIFIES COMPLIANCE WITH STANDARD FOR RECREATIONAL VEHICLES NFPA 1192
S 3370514
MEMBER RECREATION VEHICLE INDUSTRY ASSOCIATION
RVIA
D
TRAVEL TRAILER • FIFTH WHEEL

Attachment: PacketDocs_Domagala (9003 : Attorney Rox Anderegg for Domagala)

J.D. POWER

2015 Forest River-California/Oregon
Wildwood Series M-26TBUD Specs

Specifications

- RV TYPE

  Travel Trailer

- LENGTH

  28' x 8'0"

- AXLES

  2

+ WEIGHT (LBS)

+ SELF-CONTAINED

+ SLIDES

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Attachment: PacketDocs_Domagala (9003 : Attorney Rex Anderegg for Domagala)

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

TO: **Planning Commission**

FROM: **EVAN HOIER, ASSOCIATE PLANNER**

DATE: **December 4, 2023**

SUBJECT: **Design 2 Construct for Sagrillo. The applicant is seeking building and site plan approval to allow for 4,382 square foot two-story building for the property located at 10404 N. Washington Road (ReFresh Aesthetic Center). REMOVE FROM TABLE**

Applicant:	Design2Construct
Status of Applicant:	Agent
Requested:	Building and Site Plan
Existing Zoning:	B-1 (Business District)
Existing Use:	Restaurant
Land Use Plan:	Neighborhood Commercial
Lot size:	1.00 Acre
Location:	10404 N. Port Washington Road
Tax Key Number:	#15-029-11-002.00
District:	#8

Background
The applicant is seeking building plan approval for a medical spa located at 10404 N Port Washington Road. The use and site plan were approved at the September 18th meeting of the Planning Commission. The building plan was tabled so that City staff and the applicant could revisit the architecture of the building and come to a consensus on what would be the best option for the site.

Site Plan Review
Multiple site waivers were approved by Planning Commission at the September 18th meeting and were recorded as part of the Conditional Use Grant for the applicant. The applicant has also agreed to reconfigure the sidewalk both on the property and leading to the north. This is required because of how the sidewalk bends towards the existing driveway for Ferrante's, now to be removed. With such little distance between the sidewalk and roadway, keeping the sidewalk in its existing position on North Port Washington Road presents a safety issue. The redesign of the sidewalk to the north which straightens out in front of the Goodyear auto shop would be reimbursed through the City's TIF funds for the area. Future streetscaping, done by the City, will be completed at a later date after the new sidewalk is installed.

Building Plan Review
At the meeting, the Planning Commission commented on multiple aspects of the building design (please see attached minutes). The following summarizes those comments and the changes made for the revised building design:

1. **Windows:** Concern about lack of symmetry in windows, preference for arched windows and the treatment of windows during services.

    a. Architect added more arched windows, some rectangular windows remain.
    b. Architect did not comment on treatment for closure of windows during services.

    Staff Note: There is further concern regarding views from windows into two service-oriented rooms (janitor's closer on first floor, south façade and storage room on first floor, east façade).

2. **Building Materials:** Concern about number of building materials on façade.

    a. The upper material (Arconic Reynobond "Industrial Concrete") was replaced to match the base material on the first floor (Modular Face Brick).
    b. Architect reduced the amount of stone column and increased the amount of aluminum wood paneling on center elements on west, south, and north facades.

3. **Box-style building:** Concern regarding the overall shape of the building coupled the flat roof.

    a. The overall shape or depths in varied façade elements did not change.
    b. There was no change to roof elements or the height of those roof elements with the exception of a slight reduction in roof height for the east side of the south façade.

Please find attached the Original Building Design (see attached) and the Revised Building Design (see attached).

The owner, architect, staff and Planning Commissioner Choren met twice in an effort to revise the building given the interests of the Commission. The revised building design is as follows:



Staff Suggestion:

The building maintains design attributes that resulted in our initial critique. The combination of the building's shape and flat roof, both of which vary only slightly in depths and heights, have not typically been well received by community stakeholders. The individual components are not fully integrated into the otherwise square building footprint. The following showcases distinctions between a variety of buildings with architectural features combined a flat roof.











Without a wholesale change to the style of the building, staff can only offer the following suggestions to the proposed revised design that may be beneficial:

1. Arched windows on both the first and second floor on each façade with inclusion of the cap elements.
2. Revised south façade entrance which represents symmetry and greater architectural emphasis, prominence to the depth of the entrance, and Halquist Stone on each side of the entrance or consideration of adding emphasis at the corner building to relate to both public streets at the intersection which could add hierarchy and variation.
3. The inclusion of some further details on east façade.
4. The inclusion of a double window on the second floor of the east façade above the doorway on the first floor.
5. Architect shall address the floor plan and screening for visual obstruction to the service areas and treatment rooms.
6. Staff still have reservations for the lack of emphasis on the Port Washington Road façade, which is prominent to public view and traffic.

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

The site is located on the northeast corner of Donges Bay Road and North Port Washington Road. The plans propose eliminating access to Port Washington Road and propose a driveway access on Donges Bay Road. Staff is in favor of the elimination of the driveway given the proximity to the intersection and public safety concern regarding the potential for rear-end accidents. The driveway access to Donges Bay Road meets spacing requirements from the intersection. Acceleration and deceleration and a bypass lane is not required by the Mequon Standard Specifications for Land Development (SSLD).

While the application for building and site plan does not typically trigger the requirement for dedication of right-of-way, staff is requesting dedication as a condition of approval. Right-of-way dedication will not only allow for future public improvements, but also match the dedication on adjacent properties. The right-of-way along the public streets will be dedicated at the width of the ultimate right-of-way. The ultimate right-of-way on Donges Bay Road is 80 feet, but the 50-foot rather than 40-foot dedication will be consistent with the properties to the east. Additional dedication near the intersection is warranted should turn lanes be required at the intersection in the future, and also to provide for the streetscaping improvements. The dedication is subject to Common Council approval.

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

The site is currently connected to public water and sanitary sewer. The proposed utility plan shows connection to public utilities for the new building. A City of Mequon right-of-way permit will be required for the sanitary connection. Razing the existing building may require a sewer lateral abandonment permit and/or televising the sewer lateral. An Ozaukee County right-of-way permit will be required for the water connection. Water connection shall conform to the Mequon Water Utility Water Connection Policy.

The project improvements will not disturb an area exceeding one acre and will not increase impervious surface by greater than 5,000 square feet, therefore, the improvements do not trigger the requirement for storm water management or green infrastructure by local, WDNR, and MMSD standards and rules.

A filling, excavation, and berms permit is required. The total amount of filling and excavation is anticipated to be less than 1,000 cubic yards. The permit is required prior to the issuance of a building permit.

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

Staff Summary: Planning staff recommends approval of the site, there are no recommended changes other than the Port Washington Road sidewalk. Engineering staff also recommends approval of the site plan (see recommendation below).

Staff continues to advocate for a building design, which may then result in modification to the floor plan, that blends traditional and contemporary elements prevalent in the immediate area and throughout the commercial corridor. More specifically, staff recommends greater integration of the building's features including varied depths and heights, addressing the priority of the intersection and both public streets as well as additional features such as cornices or overhangs, additional steel awnings, added steel bracket, as examples. Staff does not believe the building design goes far enough in integrating each of its features. Staff acknowledges that the applicant worked to accommodate the changes requested and has not been given the directive to require a wholesale change. Staff recommends further architectural enhancements to the current design. Should the Planning Commission support the design, several suggestions and imagery are included within this report that may assist the Commission on any further refinements to the design.

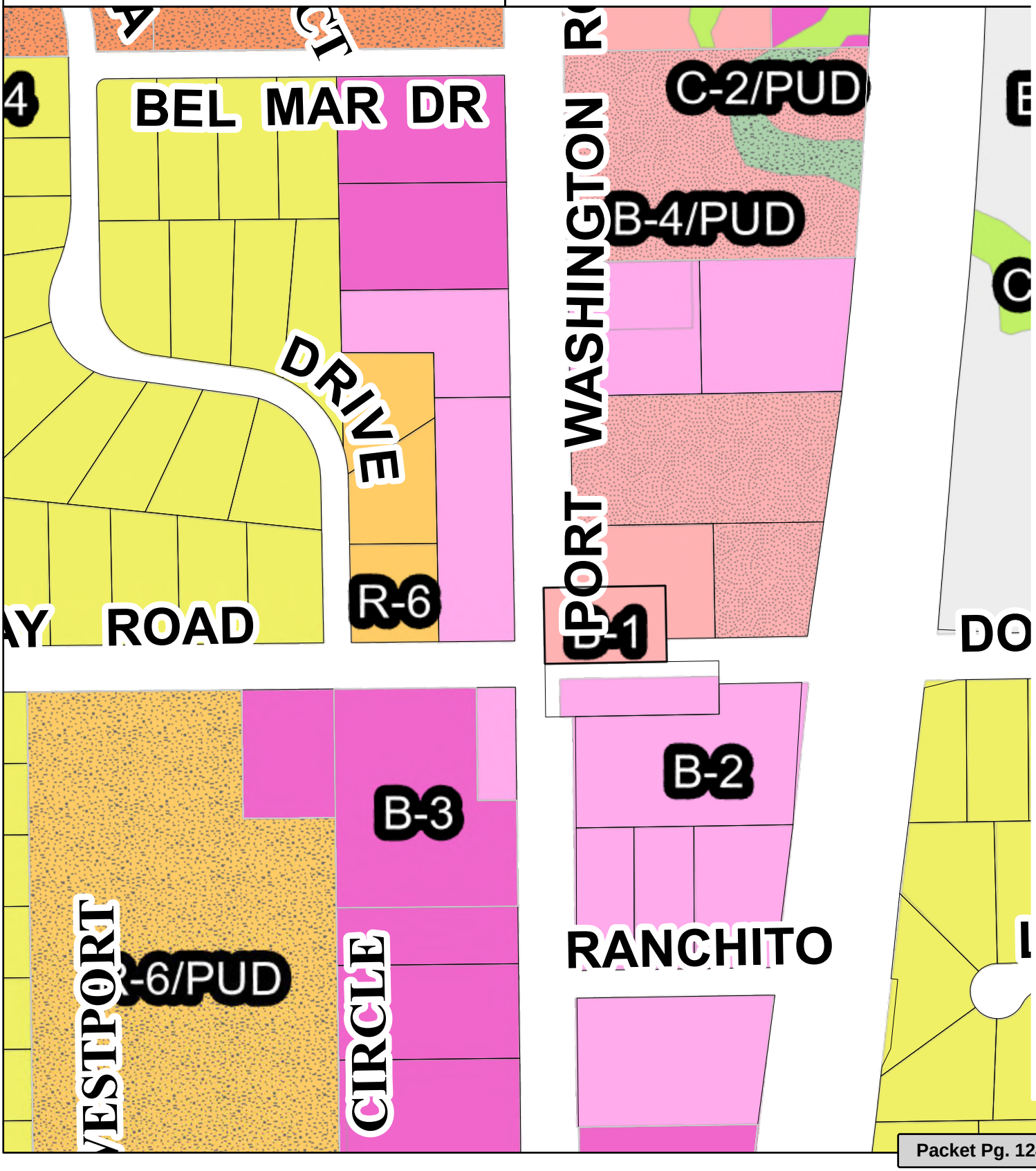
Staff Recommendation:
Planning staff recommends to table the building design and to approve the site plan subject to the following conditions:

1. Planning Commission approval of the building design.
2. Engineering Division review and approval of the individual grading, drainage, erosion control, and utility plans in conformance to City ordinances and the Standard Specifications for Land Development.
3. Common Council acceptance of right-of-way dedication.
4. Connection to public sewer and water. Water connection shall conform to the Mequon Water Utility Water Connection Policy.
5. Submittal of an updated sanitary sewer flow allocation document for submittal to MMSD.
6. Application for and approval of a City right-of-way work permit prior to work in the City right-of-way.
7. Application for and approval of a City Filling and Excavation Permit. The permit is required prior to the issuance of a building permit.
8. Application for and approval of a City erosion control permit. The permit is required prior to the issuance of a building permit.

Attachments:
PacketDocs_Refresh (PDF)

REFRESH AESTHETIC

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



Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)

Original



Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)



Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)



Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)

Revised



Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)



Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)



Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)

Meeting Minutes from 09.18.23 - 2 pages

The intent of the hatchery was described as a place for research and innovation for students interested in related industries. It will be a commercial building focused on growing Walleye to 5-inch fingerlings which then get shipped to other facilities for growth. They will breed six times a year which triggers a pickup sized truck to visit the facility.

The applicant stated that this is initiative is innovation driven and that the water is mostly recycled, there are zero chemicals or antibiotics used, zero smell and minimal discharge from the fish. The discharge gets pumped into the septic field.

There was discussion between the Commissioners and the applicant regarding some of the concerns raised by the public.

Action
Commissioner Schaefer made a motion to table to item.
No second to the motion.

There was more discussion and staff explained some of the other uses that could be allowed on that parcel.

Action
Commissioner Stoker made a motion to approve the CUG per staff recommendations, with the requirement of DNR review, there shall be no external fish holding tanks or ponds allowed, no spread of fish waste or carcass on the remaining property and to **table** the building and site request.
Commissioner Hawley seconded the motion.
A roll call vote was taken; vote passed (6-2) (No: Urbani, Schaefer)

RESULT:	**APPROVED WITH CONDITIONS [6 TO 0]**
MOVER:	John Stoker, Commissioner
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Nerbun, Strzelczyk, Barnes, Gentges, Hawley, Stoker
ABSENT:	Choren
DEEMED NO:	Urbani, Schaefer

c) Design 2 Construct for Sagrillo. The applicant is seeking conditional use grant, building and site plan and sign waiver approval to allow for a proposed 4,382 sq. ft. 2-story building for the property located at 10404 N. Port Washington Road (Re-Fresh Aesthetic Center).

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

No Public comment

Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)

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

Planner Evan Hoier gave an overview of the location and neighboring properties of the proposed building. He stated that the applicant is requesting several waivers. There are 31 parking spaces proposed but the code requires 36 stalls. The applicant has communicated that the number of employees plus the number of customers at any given time is roughly 24 and they believe that the parking is sufficient for their use. He added that due to the small size of the lot, offset and setback waivers are required to accommodate the new building. Staff requested that the dumpster be relocated further east and to be screened with landscaping. The applicant has agreed to dedicate the Right-of-Way ("ROW") to allow for the applicant to install a straightened out sidewalk along Port Washington Road to be reimbursed with TIF funds. The applicant would be responsible for maintaining landscaping within ROW. It was stated that this is a permitted use, but the waivers require conditional use grant approval.

Planner Hoier discussed the building materials proposed as well as the requested sign waiver.

The applicant stated that they believe the proposed style is similar to other buildings in the neighboring area and follows the guidelines in the ordinance. They expressed that they are constricted on a very small lot, with a smaller footprint due to the ROW dedication. He talked through the proposed materials, which they believe are aesthetically pleasing as well as very good quality and long-lasting.

The Commission expressed support for the type of use and redevelopment of the site. There was some discussion about the windows and possible use of window treatments. There was mixed feedback regarding the building materials proposed and the style of the building. Many of the Commissioners do not support the boxy style of the building and the use of so many different materials. The Commission architect, Marty Choren, was not present at the meeting but communicated his availability to work with staff and the applicant on the building design.

Action
Commissioner Schaefer amended her original motion to table the building and site plan, with the condition that staff, the applicant and Commission architect work together on the building design for final approval from the Commission.
Approval of the conditional use grant per staff recommendations.
Commissioner Stoker seconded the motion.
A voice vote was taken; vote passed (8-0)

Attachment: PacketDocs_Refresh (9004 : Design 2 Construct for Sagrillo)

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

TO: **Planning Commission**

FROM: **BRIAN SAJDAK, CITY ATTORNEY**

DATE: **December 4, 2023**

SUBJECT: **Sign Code Updates**

Background

Historically, First Amendment law has provided communities with reasonably broad authority to regulate speech, provided that such regulations are content neutral. In other words, as long as a regulation did not regulate the content of the sign, the regulation would be upheld as long as the regulation was aimed at a substantial governmental interest. If the regulation is not content neutral (that is, it regulates the content of a sign), then in order to be upheld the government must show a compelling interest and that the regulation is the least restrictive means of addressing that compelling interest. Most regulations do not meet this standard of review, which is commonly called strict scrutiny.

Under the historical approach, a regulation was considered content neutral as long as it did not address the specific wording on a sign. Thus, you could regulate specific types of signs (e.g., a real estate sign, a construction sign, a directional sign, etc.), but the regulation could not go so far as to specify what was on the sign (e.g., a real estate sign must state "x," a construction sign cannot say "y,"). This most common example of this type of consideration was campaign signs. Historically you could regulate campaign signs by specifying the time, place, materials, and similar dimensional aspects of the sign, but the regulation could not be based upon the specific language on the sign. For example, you could not allow signs that are pro-referendum while prohibiting signs that are anti-referendum.

This historical approach was upended by Reed v. Town of Gilbert. In Reed the U.S. Supreme Court struck down a local sign code that made classified signs in various ways including construction signs, directional signs, temporary directional signs relating to a qualifying event, political signs, garage sale signs, and signs owned or required by a governmental agency. The Court held that the code in that case regulated signs based on their "communicative content," and that such regulations are not content neutral. Thus, those distinctions related to the type of sign which were previously acceptable are no longer permissible. If a sign code makes these types of distinctions, it now must meet the higher strict scrutiny standard.

This new approach raised significant concerns for governments. Prior, commonly accepted, regulations that addressed signs based on their classification such as campaign signs, construction signs, directional signs, real estate signs, etc., all became potentially invalid. More importantly, many sign codes regulated commercial signs generally (another classification) but also specifically based on aspects which are related to the type of sign. For example, under Reed

an off-premises billboard is a content based restriction because you need to read the sign to determine whether it is for something on the sign premises or for something that is not on the same premises.

The implications of the Reed case are significant. Indeed, in 2021, the City was even threatened with a lawsuit over its regulation of signs on public property and within the right-of-way. This threat resulted in the City committing to reviewing its sign code – a process which commenced with the adoption of section 62-21 relating to the regulation of signs on public property and within the right of way. During this process, multiple court cases proceeded to the point that appellate courts were prepared to issue decisions — the most important of which centered around the regulation of commercial signage. It probably goes without saying that if these cases followed Reed's approach, commercial sign regulations would become effective impossible. Accordingly, the City's review process was put on hold to allow these decisions to be made.

Thankfully, both the federal 7th Circuit Court of Appeals (Adams Outdoor Advert. Ltd. P'ship v. City of Madison) and the U.S. Supreme Court (City of Austin v. Reagan Nat'l Advert. of Austin, LLC) both upheld the traditional approach to regulating commercial signage established by the Supreme Court in Central Hudson Gas & Electric v Public Service Commission. Under this approach, regulations affecting commercial speech do not violate the First Amendment if: (1) the regulated speech concerns an illegal activity; (2) the speech is misleading; or (3) the government's interest in restricting the speech is substantial, the regulation in question directly advances the government's interest, and the regulation is narrowly tailored to serve the government's interest.

Based upon these rulings, my office has taken the steps to rewrite the City's sign code. The version for your consideration reflects changes to the full sign code, including the incorporation of the prior revision to address public property and right-of-way, based upon the legal analysis of these rulings. It also reflects some changes based upon my awareness of certain policy issues planning staff have had concerns over. It does not reflect a full policy analysis by planning staff at this point, which was by design. The purpose of the committee of the whole discussion at this time is obtain the Council's general feeling on the changes that have been made, to address a couple of specific issues, and to receive any input from the Council with respect to any general sign policy issues they would like to see changed or covered. Based upon the Committee's input, it is intended that planning staff and I will address any policy changes that may be necessary, and then present the full code revision first to the Planning Commission for their recommendations, and then will be returned to the Council for final adoption.

Discussion

Within the packet are copies of both the current sign code and the proposed revision for you to compare. I have also included a blacklined version to help illustrate the changes, although given the number of changes you might find it difficult to follow. With that in mind, I present the following to assist your review.

The first significant change is that the code now commences with a findings and purpose section. This is designed to give the reader (and potentially a reviewing Court if there were ever a challenge) a background to understanding how the sign code should be interpreted. Much of what is in this section carried over from the existing code. However, some of the concepts are expanded upon to better clarify intent. Similarly, the definition section largely carries over from

the prior code except that it now incorporates all definitions within the same section and eliminates or modifies definitions which are problematic under the cases discussed above.

The second noticeable change is found in the exemption section (62-8 of the new code). Under the old version, a significant number of the exemptions were impermissible under Reed based on their classification. For example, a "temporary real estate sign" is likely an impermissible classification, and was deleted. However, some of the exemptions were not deleted, but rather moved to the appropriate section of the code. For example, the seasonal banner signs were moved to the section on non-residential signs.

As an example of the challenge that the caselaw presents can be found if we wanted to regulate temporary signs on residential properties specifically or differently than others (e.g., Realtor signs vs. Graduation Signs), the mere classification to do so makes the regulation not content-neutral, and therefore invalid. As such, in order to maintain content-neutrality, we have to look at ways to regulate that do not relay on the communicative content of the sign. To do that, the code regulates signs solely based on the location – in this case, the location being on a property within a residential zoning district. Other communities have undertaken a broader examination wherein they look to additional factors to effectively create a zoned approach for signs where, for example, all properties along an interstate highway (whether commercial or residential) have certain regulations that might be different for a property within a platted subdivision that does not abut an interstate. There are obvious advantages and disadvantages to both approaches. That nature of development within Mequon suggested that the zoning of the property is the better approach. Under the City of Austin decision, this classification between effectively non-commercial and commercial signage likely passes constitutional muster.

Based on this, the next significant change in the code is the classification of signs based on location — residential signs, sign on public property/right-of-way, and non-residential signs. Each of these areas now have their own section. The residential section is largely permissive in that it allows any signage but limits it to temporary signs and places a limit on the total square footage of signs that would be allowed. Traditionally, these temporary signs would be things like campaign signs, real estate signs, graduations signs, etc. This approach to regulating these non-commercial signs complies with Reed but also results in a slightly more permissive code than existed before. There are also provisions for commercial signs within these areas such as home-based occupations and subdivision signs.

The public property/right-of-way section incorporates the prior revisions on this topic into the sign code as a whole. However, it has been modified to clarify some language which resulted in difficulty in understanding and enforcement. Specifically, the change clarifies that signs are not allowed in any areas which are currently right-of-way. In areas where the right-of-way has not been formally dedicated, the street reserved area applies to keep signs away from being immediately adjacent to the road surface which also has the impact of making the "setback" a little more consistent in areas where there is a mix of dedicated and non-dedicated right-of-way.

The non-residential section contains largely the same regulations for the commercial speech that existed under the current code. In some areas, duplicative language was combined into one section. In other areas, problematic distinctions like "religious signs" were removed in favor of the more general regulation of signs on properties zoned IPS (institutional). With that said, there are a couple of distinctions which are based solely on a specific use: theatres, concert halls, gas stations, and restaurants. Given that these distinctions are based on the commercial nature of the

related signs, and that address specific concerns related to these commercial uses, they may acceptable under the City of Austin analysis.

Attachments:
Revised Sign Code 11-30-23 Draft (DOCX)
Chapter_62___SIGNS-3 (DOCX)
Sign Code - Blackline (PDF)

REVISED SIGN CODE
(11/30/23 Revisions)

62-1. Findings and Purpose.

(a) *Findings*. The common council makes the following legislative findings relating to signs:

(1) Exterior signs have a substantial impact on community appearance and quality of the environment.

(2) Signs provide an important medium through which individuals may convey a variety of messages.

(3) In addition to signage allowed by this chapter, individuals, groups of people, and businesses have numerous means to communicate different types of speech, including print media, broadcast media, direct mailings to households, and dissemination of information on the Internet.

(4) Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.

(5) Sign regulations in this chapter (i) promote the public welfare, health, and safety of people using the public roads and other public travel ways; (ii) advance the aesthetic goals of the city while allowing creative and effective signage; and (iii) reduce the visual clutter caused by advertising signage which is a significant cause of unsafe traffic and visibility conditions.

(6) The limitations placed on signs by this chapter are deemed to be the minimum necessary to accomplish the purposes of this chapter.

(7) The common council, by enacting this ordinance, recognizes the city has a significant and substantial governmental interest in promoting public safety and aesthetic values through the regulation of signs displayed within the City of Mequon.

(b) *Purpose*. The purpose of this ordinance is to create the legal framework for a comprehensive but balanced system of signs, and thereby to facilitate an easy and pleasant communication between people and their environment. Sign regulations, including but not limited to those which control the type, design, size, location and maintenance of signs, are hereby established to further the goals of safety and aesthetics and achieve more specifically, the following purposes:

(1) To promote the public health, safety, welfare and comfort of the general public by:

a. Reducing distractions and obstructions from signs which would adversely affect traffic safety, and alleviate hazards caused by signs projecting over or encroaching upon the public right-of-way;

b. Discouraging excessive visual competition in signage and ensuring legibility and that signs aid orientation and adequately identify uses and activities to the public; and

Attachment: Revised Sign Code 11-30-23 Draft (9005 : Sign Code Updates)

c. Preserving or enhancing the natural beauty and unique physical characteristics of the City of Mequon as a community in which to live and work by requiring new and replacement signage which is:

1. Creative and distinctive;

2. Harmonious with the building, surrounding neighborhood aesthetics and other signs in the area;

3. Appropriate to the type of activity to which it pertains;

4. Expressive of the city's identity in a manner which will not diminish property values; and

5. Complementary to the city's suburban architectural character and unobtrusive commercial developments;

(2) To promote the development of attractive and harmonious residential areas, viable commercial areas and to identify industrial and other areas.

(3) To protect property values, public investment and overall neighborhood character by promoting an attractive, harmonious and aesthetically-pleasing environment and preventing conditions which have undesirable impacts on surrounding properties.

(4) To protect scenic views and the visual environment along all city streets, highways and rights-of-way and to promote overall aesthetics, avoid clutter and avoid inappropriate scale.

(5) Promote the desired community and neighborhood character and aesthetics described in the City's comprehensive plan.

(6) It is not the purpose or intent of this chapter to regulate the message displayed on any sign; nor is it the purpose or intent of this article to regulate any building design or any display not defined as a sign, or any sign that cannot be viewed from outside a building.

62-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Address sign means a sign containing only the physical street address of a premises (e.g. "11333 N. Cedarburg Road") or only the number of the street address (e.g. "11333") which is traditionally used for wayfinding purposes.

Approved combustible materials. Wood, combustible plastics, or other rigid material impervious to water.

Approved combustible plastics. Only those combustible plastic materials which when tested in accordance with the Standard Method of Testing for Flammability of Plastics (A.S.T.M.) over 0.050 inch in thickness, D635 (latest revision), burn no faster than 2.5 inches per minute in sheets of 0.060 inch thickness.

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Area. Measurement of sign area shall be calculated as the sum of the area within the smallest regular polygon that will encompass all elements of the actual sign face including any writing, representation, emblem or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed.

(a) For a sign painted on or applied to a building or to a freestanding wall, the area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a different color than the natural color, or finish material of the building or city approved free-standing architectural wall. The architectural wall shall be subject to city approval of a building, site and landscaping plan application.

(b) The main supporting sign structure (i.e., brackets, posts, foundation, etc.) shall not be included in the area measurement if such framework is incidental to the display.

(c) When a sign has two or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

Awning and awning sign. An awning is a temporary or permanent frame with a fabric covering which projects from the building wall and is intended to provide shelter over a window, door or pedestrian space. An awning sign is any sign applied to an awning.

Banner. A sign, including a feather flag sign, intended to be hung either with or without a frame, and which possesses characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

Base setback line. The edge of the established ultimate street right-of-way.

Beacon. A stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which is intended to attract or divert attention.

Canopy sign. Any sign that is attached to or part of an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

Construction site. shall have the same meaning given the term in Wis. Stat. § 66.1102(1)(ae).

Development sign. A temporary sign identifying individuals or companies involved in design, construction, wrecking, financing, or development of a building or lot and/or identifying the future use of a building.

Directional sign. A sign for the purpose of directing patrons or attendants to an entity or enterprise off the main traveled highway. Also, signs solely identifying ingress and egress placed at driveway locations, containing no advertising material.

Directory sign. A sign which indicates the name of the occupants or tenants located on the premises.

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Display surface. The surface made available on the sign, either for the direct mounting of letters and decorations, or for the mounting of facing material intended to carry the entire advertising message.

Edge of the street. The back side of any curb, if installed along a street, or if not, the edge of the pavement of a street.

Electronic message sign. A sign whose informational content can be changed or altered on a fixed display screen composed of electronically illuminated parts. Electronic message signs use changing lights to form a message in text form wherein the sequence of the text and rate of change is electronically programmed and can be modified by electronic processes.

External illumination. Illumination of a sign with an exterior light source.

Facing. The surface of the sign or billboard upon, against, or through which the message of the sign or billboard is displayed.

Flashing sign. A sign whose illumination is not kept constant in intensity at all times when in use and/or which exhibits changes in light, color, direction, animation and word/text changes. Illuminated signs, which indicate the date, time, and temperature, will not be considered flashing signs.

Freestanding/ground sign. A sign which is attached to or part of a completely self-supporting structure other than a building. The supporting structure shall be set firmly in, upon, or below the ground surface and shall not be attached to any building.

Height. The height of all freestanding signs shall be the distance between the existing preconstruction grade at the base of the sign and the highest point on the sign or supporting structure.

Hold. To grasp or carry by a person, or to display on clothing being worn by a person.

Illuminated sign. A sign in which an artificial source of light is used in connection with the display of such sign.

Install. To cause to be or stay in a particular place, either temporarily or permanently, and includes to erect, embed, attach, fasten, place, display, paint, draw, or otherwise illustrate, but does not include to hold.

Internal illumination. Illumination of a sign in which the source of light is contained within the sign itself.

Letters and decorations. The letters, illustrations, symbols, figures, insignia, logo and other media employed to express and/or illustrate the sign message.

Lot. A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law.

Lot lines. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Major tenant. A tenant within a multi-tenant building that occupies the greatest linear frontage or square footage of that building.

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Manual changeable letter sign. A sign whose information content can be changed or altered manually on a fixed display. Manual changeable letter signs use individual letters to form a message in text form.

Marquee and marquee sign. A marquee is a permanent roof-like structure extending from part of the building wall but not supported by the ground, and constructed of durable materials. A marquee sign is a sign attached to, applied on, or supported by a marquee.

Master sign plan. A master sign plan is a unified signage package that applies to a single development in a manner that will enhance the development through a coordinated and comprehensive design approach. The master sign plan can allow for flexibility to the standards when benefits of the design flexibility are derived by both the applicant and the community. The master sign plan shall specify the standards which are requested to be waived or modified and comply with section 62-15.

Neon or other gas tube illumination. Illumination from a light source consisting of a neon or other gas tube which forms letters, symbols or other shapes.

Nonconforming sign. A sign existing at the effective date of the adoption of this chapter which does not conform to the terms of this chapter.

Off-premises signs. Any sign that advertises, calls attention to or identifies an entity, enterprise or property situated on a different lot than the sign.

Offset. The regulated minimum distance of a structure from a side or rear lot line.

On-premises signs. Any sign that advertises, calls attention to or identifies an entity, enterprise or property situated on the same lot as the sign.

Outdoor advertising. Any outdoor structure or device that is used as an announcement, declaration, demonstration, display, illustration, indication, symbol, insignia, logo, emblem or advertisement.

Portable sign. A sign not permanently affixed to the ground, building, or other structure and which may be easily moved from place to place.

Premises. The lot on which a sign is located.

Projecting sign. A sign affixed or attached directly to the exterior wall of a building or structure and extending more than ten inches from the exterior wall of the building or structure.

Roadside ditch. A long, narrow open channel that is dug into the ground along the side of a street used for the collection of storm water.

Roof sign. A sign or billboard which is located or projects above the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to a roof.

Setback. The regulated minimum horizontal distance between the base setback line and any structure on a lot.

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Shopping center. A planned/coordinated grouping of architecturally unified commercial establishments built on the same site and managed as one operating unit offering for sale goods such as food, drugs, hardware and personal services.

Sign. Any display of lettering, logos, colors, lights, or illuminated neon tubes visible to the public from outside of a building or from a traveled way, which either conveys a message to the public, or intends to advertise, direct, invite, announce or draw attention to goods, products, services, facilities, persons, property interest or business either on the lot or on any other premises.

Sign code administrator (SCA). The City of Mequon employee(s) responsible for administering this chapter.

Street. A public or private right-of-way for pedestrian or vehicular traffic.

Street reserved area. The entire width of the physical surface intended for vehicular traffic of any public street plus any medians and/or islands within lanes of traffic, together with the following:

(a) If there is a sidewalk or multi-use path located in whole or in part within 15 feet from the edge of the street, the area from the edge of the street up to, and including, the full width of the sidewalk or multi-use path; or

(b) In an area along a street where (a) does not apply, 15 feet from the edge of the street.

Temporary sign. A sign intended to be used for a period of no more than 30 days unless otherwise specified herein.

Trim. The moldings, battens, capping, nailing strips, latticing and platforms attached to any sign or billboard structure.

Wall sign. A sign or billboard affixed or attached directly to the exterior wall of a building and extending ten or less inches from the exterior wall of the building or structure.

Warning sign. A sign, containing no advertising material, warning the public of the existence of danger.

Window sign. A sign attached to, placed upon, or painted on the interior of a window or door of a building which is intended for viewing from the exterior of such building.

62-3. Scope of regulations.

Except as otherwise noted herein, the regulations of this chapter shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction standards, erection, attachment, support, lighting, anchorage, maintenance, appearance, and aesthetics. To the extent that these provisions conflict with other code provisions and/or with specific design guidelines adopted by the common council (e.g., Town Center Plan and Design Guidelines), the more restrictive or specific requirement will apply.

62-4. Permits.

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(a) *Authority*. Where this chapter requires a permit, it shall be unlawful for any person to erect, repair, alter, relocate or possess any sign or other advertising structure as defined in this chapter without first obtaining a sign permit from the Department of Community Development and making payment of established fees. All illuminated signs shall, in addition, be subject to the provisions of the electrical code and the permit fees required thereunder.

(b) *Application for permit*. Sign permit applications shall be filed with the sign code administrator, who shall review the application for its completeness and accuracy and approve or deny, in writing, the application within 60 days of receipt from the applicant. A sign permit shall become null and void if work authorized under the permit has not been completed within 12 months of the date of issuance. The application for a sign permit shall contain or have attached thereto the following information:

(1) Name, address, and telephone number of the applicant. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.

(2) Name of person, firm, corporation, or association erecting the sign.

(3) Written consent of the owner of the building, structure, or land to which or upon which the sign is to be affixed.

(4) A scale drawing of such sign indicating the dimensions, materials to be used, color scheme, type of illumination, if any, and the method of construction and attachment.

(5) A scale drawing indicating the location and position of such sign in relation to nearby buildings or structures.

(6) Copies of any other permit required and issued for said sign, including the written approval by the city planning commission where required by the zoning code and/or by the electrical inspector, in the case of illuminated signs, who shall examine the plans and specifications, re-inspecting all wiring and connections to determine if the sign complies with the city electrical code.

(7) Additional information as may be required by the Department of Community Development.

(c) *Issuance of permits*. Upon the filing of an application for a sign permit, the sign code administrator will examine such plans and specifications and other data to determine whether the proposed sign is in compliance with the requirements of this section and all other regulations of the city. Following such examination:

(1) If the proposed sign is not in compliance with the requirements of this section and all other regulations of the city, the sign code administrator shall deny such permit and state the specific lack of compliance with the ordinance requirements in the SCA denial.

(2) If the proposed sign complies with all dimensional ordinance requirements, the sign code administrator shall consider the purpose, appearance, location,

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lighting, height, size, and impact of the sign relative to the scenic beauty of the vicinity and to the values identified in section 62-1 of this chapter (i.e., purpose). If the sign code administrator determines, on the basis of the above noted considerations, that there is a question as to whether or not the proposed sign is in accordance with the intent of this section, the SCA shall refer the sign permit application to the planning commission stating the reasons for such referral. Following its review, the planning commission shall approve, approve with modifications, or deny the sign permit application.

(3) If the sign code administrator determines that the sign is in compliance with the intent of this section and all other regulations of the city, the SCA shall issue the sign permit.

(4) Any approval given by the sign code administrator or planning commission shall be valid for 12 months. If the approved sign is not constructed within this 12-month period, the sign permit shall be declared null and void.

(5) Upon any denial of a sign permit, no application for the same or substantially similar sign may be made within one year of such denial unless the application results from substantially changed circumstances or conditions.

62-5. Fees.

Administrative fees for sign permits shall be in accordance with the city's established fee schedule.

62-6. Revocation of permits.

The sign code administrator is hereby authorized and empowered to revoke any permit issued by him/her upon failure of the holder thereof to comply with any provision of this chapter.

62-7. Prohibited signs.

The following types of signs are prohibited in the City of Mequon:

(a) Roof signs.

(b) Signs placed on or affixed to vehicles and/or trailers which are parked on private property so as to be visible from a public right-of-way or public property where the apparent purpose is to advertise a product or direct people to a business or activity. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.

(c) Signs which are attached or otherwise affixed to rocks, trees or other living vegetation.

(d) Signs which imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic control sign, signal, or other device.

(e) Flashing or rotating signs, message crawl signs, digital electronic signs, signs containing moving parts, and signs containing reflective elements which sparkle or twinkle in the sunlight are not permitted.

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(f) "A" frame, sandwich board, sidewalk, or curb signs, except as may be expressly allowed under this chapter.

(g) Banners, pennants, streamers, balloons, and other gas-filled figures, except as may be expressly allowed under this chapter.

(h) Billboards and off-premises signs.

(j) Any sign advertising or identifying an entity or enterprise which is either defunct or no longer located on the premises.

(k) Projecting signs.

(l) Portable and wheeled signs.

(m) Signs or other advertising painted directly on walls unless specifically approved by the planning commission.

(n) Inflatable signs and tethered balloons.

(o) Signs attached to, erected or maintained on any standpipe, exterior stairway, fire escape, tower, or balcony so as to interfere with the use thereof.

(p) Signs erected at or near the intersection of any streets in such manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

(q) Signs erected, constructed or maintained so as to obstruct any exit, any window opening necessary for required light or ventilation, or which prevents free passage from one part of a roof to another.

(r) Signs extending above the top or ten inches beyond the side of the exterior wall to which such sign is attached.

(s) Signs and associated lighting fixtures which project more than ten inches from the exterior wall to which they are attached.

(t) Signs entirely supported by a parapet wall.

(u) Except as may otherwise be permitted by this section the placement, creation, or use of outdoor advertising devices such as banners, decorative displays or other advertising devices of cloth, paper, or other non-rigid materials.

62-8. Exemptions.

The following outdoor signs, advertising structures or devices shall be exempted from section 62-4 of this chapter:

(a) A banner installed over the entire height and length of a fence surrounding a construction site by the owner, or other person in lawful possession or control, of such construction site in accordance with Wis. Stat. § 66.1102((5)(a).

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(b) Signs which are located within the interior of any building and which are not visible from the exterior of the building.

(c) Temporary, non-illuminated window signs, including but not necessarily limited to paper signs, box signs, and painted window signs, covering less than 25 percent of the area of any individual window pane, provided that the sign shall not be continuous in appearance across multiple window panes.

(d) Address signs, provided that there is not more than one address sign per building and that such sign does not exceed six square feet in gross surface area.

(e) Any sign which is otherwise required or authorized by local, state, or federal law contrary to the provisions of this chapter.

62-9. Signs on Residential Properties

Signs on a lot located within a residential zoning district, as identified in Chapter 58, Article IV, Division 3, within the residential component of any lot zoned PUD, TDR-PDR or CGA, or on a lot with a residential use in any other zoning district shall comply with the following:

(a) *Temporary Signs*. Signs that are installed on a lot for less than 4 months in any twelve-month period shall be allowed without a permit under section 62-4 provided that:

(1) *Number and area*. Any number of temporary signs are allowed except that the total cumulative area of all temporary signs shall not exceed 15 sq. ft.

(2) *Height*. No temporary sign shall exceed 4 feet in height.

(b) *Non-Temporary Signs*. The following non-temporary commercial, wayfinding and/or directional signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) *Building name signs*. Name signs for buildings containing four or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof, and/or address of the premises shall be subject to the following:

a. *Type*. Building name and address signs may be either wall signs or ground signs.

b. *Number*. There shall not be more than one name and address sign for each building except that where a building abuts two or more streets, one sign may be allowed for each abutting street frontage.

c. *Area*. Building name signs shall not exceed six square feet in gross surface area.

d. *Location*. Building name signs shall not be located closer than ten feet to any property line, right-of-way or driveway.

e. *Height*. Building name signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.

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(2) *Subdivision identification signs*. A permanent sign used to designate a residential subdivision entrance may be permitted subject to planning commission approval and the following criteria:

a. Subdivision identification signs shall be ground signs.

b. *Number*. There shall not be more than two subdivision identification signs for each point of vehicular access to the subdivision.

c. *Area*. Subdivision identification signs shall not exceed 32 square feet in area per sign.

d. *Location*. Subdivision identification signs shall not be located closer than ten feet to any property line, right-of-way or driveway, except where approved to be within the street reserved area under sec. 62-10.

e. *Height*. Subdivision identification signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.

(3) *Home Occupation Sign*. One sign not to exceed two square feet in size and attached to the residential structure for the purpose of identifying an entity or enterprise which is a legal home occupation. Home occupation signs shall not be illuminated.

62-10. Signs along streets and on public property.

(a) *Findings*. The city encourages the exercise of free speech, and recognizes the right of all people to speak, petition, picket and otherwise express speech on public property. Signage on public property, however, poses additional concerns, among them being:

(1) Signs installed on public property give the appearance of government endorsement of the messages on the signs.

(2) Signs installed in certain locations can obstruct visibility and conflict with necessary safety signs and, therefore, create safety hazards.

(3) Signs that are installed too close to roads can create distractions for drivers and, in certain locations, obstruct visibility.

(4) Signs installed on public property can obstruct vehicles, bicycles and pedestrians; moreover, excessive signage has in the past made parks and public buildings uninviting to regular users.

(5) The common council knows of no way to ensure that an installed sign on public property is removed when the person posting the sign has no further use for it, and the city has no way to know who installed a sign so that the city can inquire whether the sign can be removed; therefore, signs could be installed permanently.

(6) The proliferation of installed signs on public property unnecessarily changes the character and aesthetics of the city. Nevertheless, the public has the ability to

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post non-commercial signs on private property, thereby ensuring that the public may express itself on signs.

Accordingly, the common council has determined that this section is required for the safe and orderly administration of public property. With certain limited exceptions, this section restricts all people and entities from installing signs. However, the city has reserved the right to install specific signs that are fundamental and necessary for the purposes for which the city owns its properties. The city allows others to hold signs on public property while petitioning, picketing and at all other times. The common council further finds that numerous and significant alternatives exist to placing signs close to streets (such as back from the street) and on public property that allow the exercise of free speech.

(b) *General exceptions*. Nothing in this section shall prohibit any person from holding a sign in a street reserved area or on public property provided that no such sign being held shall (1) block the view of traffic in a manner that could cause safety concerns; (2) block a driveway except while being carried from one side to another; (3) be held within 25 feet of the entrance of any public building; (4) obstruct pedestrian or vehicular travel; (5) obstruct pedestrian or vehicular ingress or egress from any public or private building; or (6) be held in any street reserved area that is titled to a private property owner without the property owner's permission.

(c) *Right-of-way and Street reserved areas*.

(1) Except for the following, no signs shall be installed in any public right-of-way or in the street reserved area:

a. The following signs, all of which are necessary for government to exercise its responsibilities, erected by the city or any other governmental entity with authority:

1. Traffic signs and street signs.

2. Warning signs and temporary emergency signs installed for the public safety.

3. Entrance signs to the city stating the name, population and official slogan, if any, for the city and containing the logo for the city (or any combination of the foregoing).

4. Signs designating historical landmarks, signs naming neighborhoods and signs notifying the public of designations bestowed upon the city or a place by an entity other than the city (e.g., Bird City USA, Rustic Road).

5. Adopt a street program signs.

6. Signs required by federal or state law to be placed in such locations.

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7. Signs to notify the public of potential zoning or land use actions on a property pursuant to chapter 58 of this code.

b. Signs on any vehicle, trailer or towed equipment and lawfully parked or traveling upon any public street.

c. Signs on any vehicle, trailer, equipment or shelter during any city-organized or funded parade or festival, or a parade or festival in which the city substantially participates, that occurs in whole or in part in the street reserved area.

d. Railroad signs installed by or on behalf of a railroad, or a governmental entity with authority, for safety purposes.

e. Utility signs installed by or on behalf of a public utility, or governmental entity with authority, for safety purposes.

f. Single-family residential subdivision entrance signs if approved by the planning commission. Such signs shall only be approved if (a) placed in a entrance island on the entrance road to the subdivision and platted as an outlot or (b) the Planning Commission determines that there is no place outside of the street reserved area on the subdivision's property that is reasonably visible from adjacent streets, provided that no such sign shall violate the required intersection sight distance, vision triangle and vision corners requirements of the Standard Specifications for Land Development in the City of Mequon. A single-family residential subdivision sign in the street reserved area that exists of date of the enactment of this section that is made non-conforming by such adoption may not be replaced or restored unless the owner shows that the sign or its structure has been damaged by causes other than vandalism and that the damage did not exceed 50 percent of the appraised value of the sign and sign structure. If such sign or sign structure is destroyed or damaged by causes other than vandalism to an extent exceeding 50 percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming to the location requirements of this section and all other applicable ordinance requirements. If restoration of a damaged sign is not completed within six months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform with all applicable specifications. Replacement signs require planning commission approval.

g. The city will install a sign in the public right-of-way or street reserved area for any person or entity, for any purpose and with any message, subject to the following conditions:

1. The sign may only be installed on one of the following streets and, to the extent required, subject to state or county approval:

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County Line Road (north side)

Donges Bay Road

Mequon Road (west of Buntrock Avenue; between the Milwaukee River and Oriole Lane; east of I-43)

Freistadt Road

Highland Road

Bonniwell Road

Pioneer Road

Wasaukee Road

Granville Road

Swan Road

Wauwatosa Road

Cedarburg Road (south of Lucerne Court; north of Thiensville)

Green Bay Road

Port Washington Road (north of Glen Oaks Lane)

Lake Shore Drive

2. No person or entity may have more than one such sign.
3. Each of such signs facing the same street shall be at least 0.5 miles apart.
4. The city will locate such signs to avoid conflicts with other signage, blocking the view of traffic in a manner that could cause safety concerns or obstructing pedestrian or vehicular travel. No such sign shall be located in front of any commercial property.
5. Each such sign shall be 36 inches wide and 24 inches tall with a blue background and white lettering. Lettering on the sign shall be at least four inches tall. Such signs shall be installed on free standing posts designated and provided by the city.
6. Such signs will be procured through and installed by the city at the expense of the person or entity requesting the sign in accordance with the city's established fee schedule.
7. Such signs shall be subject to an annual administrative fee in accordance with the city's established fee schedule. The city shall remove any such sign if the annual fee is not paid within 30 days of the date of the city's notice to the person or entity requesting such sign. Such notice shall be sent to the address on file with the city.

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8. Any sign installed by the city that exists as of the date of the enactment of this ordinance that would otherwise qualify under this part g., but that does not conform to any requirement of 3. or 5., may remain in place through 2026 provided the person or entity for which the sign was installed pays the annual administrative fee described below as and when required. Such non-conforming signs will be removed on or after January 1, 2027. The city will replace any such sign with a sign that meets the requirements of this paragraph (other than the requirements of 3. if two or more such signs exist as of that date), subject to payment of the procurement and installation costs described below, at the request of the person or entity for which the sign was installed.

(2) No sign in a roadside ditch may be installed in a manner that would restrict the free flow of water.

(d) *Other public property*.

(1) This subsection (d) shall not apply to the following:

a. Signs on properties owned or controlled by any governmental entity other than the city. Monument, wall and directional signage on such properties shall be regulated to the extent allowed by law by provisions of this chapter 62 other than this section. Those entities shall regulate signs, including signs installed by third-parties, under their own authority.

b. Signs on properties leased from the city under a long term written lease of more than one year (e.g., the lease with Mequon Nature Preserve), but not including special event leases or licenses. Monument, wall and directional signage on such properties shall be regulated to the extent allowed by law by provisions of this chapter 62 other than this section. Subject to restrictions in their leases, tenants under such leases shall regulate signs, including signs installed by third-parties, under their own authority.

(2) The city has the right to engage in government speech and to promote on public property the events and programs the city organizes or funds, other activities of the city government and positions taken by the city. Accordingly, the city may promote such events, programs, activities and positions on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument and by installing signs elsewhere on public property subject to the following conditions:

a. No such sign may promote any candidate for public office, referendum on any ballot or political party.

b. The city administrator or his or her designee may authorize messages on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument provided that the messages are limited to (i) the

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current date and time; and (ii) the name, date, time and/or place of events and programs organized or funded by the city.

c. The common council may specifically authorize messages on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument or signs installed elsewhere on public property provided that they relate to (a) the events and programs the city organizes or funds; (b) other activities of the city government; and (c) positions taken by the city as approved by the common council.

(3) The Frank L. Weyenberg Library may display messages on the electronic message board outside of the library subject to the following conditions:

a. No such sign may promote any candidate for public office, referendum on any ballot or political party or advocate any political or public policy position.

b. Messages on the electronic message board shall be limited to (i) the operating policies of the library approved by the Frank L. Weyenberg Library Board of Trustees; (ii) the name, date, time and/or place of library-related events and programs organized or funded by the library or the library foundation; (iii) the books, materials and electronic offerings of the library; and (iv) books and materials sold by the library.

(4) Subject to the preceding paragraphs, no signs shall be installed on any public property, including without limitation in any park, all publicly owned areas around any city building or in any right-of-way except for the following, each of which the city expressly permits as an expression of government speech:

a. Any sign described in subsection (c)(1) of this section, other than the signs in part f. of such section, including any such described sign located on public property outside of a street reserved area.

b. The American flag, the flag of the State of Wisconsin and the flag, if any, of the city.

c. Outside of a public building or park, one or more signs specifying the name or address, or both, of the building or park. Such a sign may contain the city logo or the logo for the city's park system.

d. Signs installed by the city on the day of or evening before an election day stating nothing more than "vote here" and giving the hours of voting. Such signs shall be removed at the conclusion of voting or on the following day.

e. A sign on the outside of city hall designating the city's drop box.

f. Signs approved by the common council or a committee designated by the common council recognizing donors and contributors toward an improvement to which the sign is attached or adjacent.

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g. Signs required by government or quasi-governmental authorities other than the city as a condition of funding of improvements.

h. Signs specifying the city's rules and regulations for the property or facility.

i. Advertising signs at public athletic fields provided that the advertiser has paid an annual fee for the sign.

j. Words, logos and depictions on tombstones in any cemetery.

k. Directional signs, maps and signs identifying features of interest on city property.

l. The following signs that have been installed prior to the date of the enactment of this ordinance: [1] The Mequon-Thiensville sign on the Gateway Monument at the corner of Mequon and Cedarburg Roads; and [2] the four historic signs around such monument.

m. Monuments, memorials and artwork that is either commissioned by the common council or accepted by the common council pursuant to its inherent right to government speech prior to installation.

n. Signs promoting events, programs and initiatives organized or funded by the city, provided that such promotion is approved by the common council prior to such signs being installed.

(e) Enforcement. In addition to enforcement as provided in this chapter, the city may remove any sign that violates this section.

62-11. Signs on Non-Residential Properties.

(a) *Commercial, industrial, park, and institutional uses*. For all lots with commercial, industrial, park, and institutional zoning (B-1, B-2, B-3, B-4, B-5, B-6, B-7, NC, TC, AC, UCNC, UCMU, UC Senior Housing, IPS, LTD, and P-1 districts), only the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) Master sign plans subject to planning commission approval. Proposals for master sign plans are evaluated for safe wayfinding, direction for travelers related to distinct functions on one development site. A master sign plan is required for the following uses or site conditions:

a. Gas Stations with Car Wash facilities.

b. Single use Car Wash facilities.

c. Uses with Drive-thru facilities.

d. Multiple buildings located on one development site.

(2) *Wall signs*.

a. *Number*. There shall be not more than one wall sign for each principal building within the B-1, B-2, B-3, B-4, B-5, B-6, B-7, NC, TC, AC, UCNC,

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UCMU, IPS, LTD, and P-1 zoning districts except for the case of multi-tenant buildings as regulated in section 62-11(a)(5) of this chapter and except for the case of buildings that front two public streets, one sign may be permitted for each facade facing a public street.

b. *Area*. Except in the case of multi-tenant buildings as regulated in section 62-11(a)(5) of this chapter, the gross surface area of a wall sign shall not exceed two and one-half percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is smaller.

c. *Location*. A wall sign may be located on the outermost wall of any principal building but shall not project more than ten inches from the wall to which the sign is to be affixed.

d. *Height*. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign shall not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(3) *Freestanding ground signs*.

a. *Number*. There shall not be more than one freestanding ground sign for each principal building.

b. *Area*. The gross surface area of a ground sign shall not exceed 50 square feet of area.

c. *Location*. A ground sign may not be located closer than ten feet to any property line, right-of-way or driveway, except as may be otherwise permitted in a specific zoning district.

d. *Height*. A ground sign shall not project higher than ten feet, unless within the TC or AC district which shall be limited to six feet as measured from preconstruction grade at the base of the sign.

(4) *Awning signs*.

a. *Area*. Awning signs which are four square feet or less in gross surface area are exempt from the provisions of this section. An awning sign that exceeds four square feet in gross surface area is subject to the review and approval by planning commission through a master sign plan application.

b. *Number*. Each tenant that has its own principal, exterior entrance is permitted any number of awning signs if each awning sign is less than four square feet.

c. *Location*. Awning signs shall be affixed to or located over windows or entryways. Alternative locations may be approved subject to staff approval.

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d. *Height*. An awning shall not project higher than the top of the façade or roofline.

e. *Design*. Illuminated and plastic awning signs are prohibited.

(5) *Multiple tenant signs*. Multiple tenant buildings located within the B-1, B-2, NC, TC, AC, UCNC, and UCMU zoning districts shall be limited to one wall sign per tenant not exceeding 30 square feet. The multiple tenants may also share the permitted freestanding sign. Major tenants may be allowed a larger wall sign subject to planning commission approval.

Multiple tenant buildings located within the B-3, B-4, B-5, B-6, B-7, LTD district are permitted one wall sign per building. More than one wall sign per building may be permitted subject to planning commission approval through a master sign plan and the following criteria:

a. The placement of all wall signs shall relate only to the first floor elevation of the building.

b. Only tenants that have an individual, exterior entrance on the first floor that allows the general public to access shall be permitted a wall sign.

c. All wall signs shall relate to the architectural features of the exterior building and create an overall harmonious aesthetic.

(6) *Window signs*.

a. *Neon signs*. Each business tenant shall be allowed to display on each public street it fronts one neon sign not exceeding 300 square inches in size or 50 percent of the window area, whichever is less. Neon signs shall emit a steady light and only be illuminated during business hours. Blinking, flashing, strobe or other light animation shall not be allowed. Businesses or business tenants will be required to fully comply with this section by September 1, 1994.

b. *Business decals*. Individual business decals not exceeding two square feet in size shall be allowed provided that multiple decals cannot be combined to give the appearance of a larger sign.

(7) *Electronic message signs and manual changeable letter signs*.

a. *Uses*. Electronic message signs and manual changeable letter signs shall only be allowed for properties zoned IPS, and theater, concert hall, and gas station uses within other commercial business zoning districts.

b. *Message*. The fixed display or fixed display screen shall only contain text and remain static. Pictographic or video images are prohibited. A message which moves by scrolling, blinking, flashing, turning or other similar movements is prohibited. A message shall not change more than one time per 30 seconds. When more than one message is displayed on either

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a single or double faced sign, the change to all messages shall occur at a simultaneous 30-second interval.

c. *Color*. The electronic display screen background shall be black. The fixed display or fixed display screen shall not be illuminated. The message on the display screen is not limited by color except that the color shall be compatible with the building's architectural character and exterior colors. There shall be no variation of color or intensity per message.

d. *Illumination*. The maximum illumination of any electronic message or manual changeable letter sign shall not exceed 15 foot-candles when measured with a light meter held perpendicular to the sign at a distance of 12 inches.

e. *Design and dimension*. The electronic message or manual changeable letter sign shall only be permitted as a freestanding/ground sign and is subject to the number, area, location and height requirements according to subsection 62-11(a)(3) and as follows:

1. The changeable message portion of the sign shall not exceed 50 percent of the total sign area.

2. The electronic message or manual changeable letter sign shall not be located closer than 100 feet from a residential use or an undeveloped residentially zoned property.

f. *Special use*. The following use(s) shall comply with the following standards in addition to the requirements of this chapter:

1. Gas service stations.

i. As may be required under Wis. Stat. § 100.18(8), gas service stations are permitted to display only the gas prices in electronic form as a special use.

ii. Gas service stations which display gas prices as electronic message signs shall comply with the requirements of this subsection (7), except that the display of gas prices can change at any time.

(8) *Marquee signs*. Marquee signs are allowed for theatres, including live performances and concert halls subject to planning commission approval.

(9) *Ancillary monument signs*. Sites zoned B2, B4 or B5 shall be permitted one ancillary monument sign not exceeding 16 square feet and not exceeding four feet in height as follows:

a. The site shall meet the following conditions:

1. 400 feet of continuous public street frontage.

2. A building occupied with two or more tenants.

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3. A principal freestanding ground sign shall exist.

b. The ancillary monument sign shall be subject to the following standards:

1. Sign placement is subject to the required setbacks and shall be located no further than ten feet from a driveway access.

2. Sign placement shall maintain a minimum of 100 feet separation from the principal monument sign located on same public street.

3. Sign material, design and color shall match the principal monument sign. In the event that the material of principal monument sign cannot be replicated because it is no longer made, or is outdated as determined by the sign code administrator, the ancillary monument sign shall, at a minimum, match design and color of the principal monument sign.

(10) *Temporary signs*.

a. Lots within all the IPS zoning district are authorized the following temporary signs:

1. Signs that are installed on a lot for less than 4 months in any twelve-month period shall be allowed without a permit under section 62-4 provided that:

i. *Number and area*. Any number of temporary signs are allowed except that the total cumulative area of all temporary signs shall not exceed 15 sq. ft.

ii. *Height*. No temporary sign shall exceed 4 feet in height.

iii. A prohibited sign under section 62-7 shall not qualify as a temporary sign under this paragraph.

2. *Auxiliary freestanding sign or banner*.

i. *Number*. There shall not be more than one auxiliary freestanding sign for each site.

ii. *Area*. The gross surface area of an auxiliary ground sign or banner shall not exceed 50 square feet of area.

iii. *Location*. An auxiliary ground sign or banner shall not be located closer than ten feet to any property line, right-of-way or driveway.

iv. *Height*. An auxiliary ground sign or banner shall not project higher than six feet, as measured from preconstruction grade at the base of the sign.

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v. *Special conditions*. Auxiliary signs and banners shall be attached to ground posts. While the sign or banner face and message may change throughout the year, the content of the sign message must directly relate to activities on the premises. Auxiliary banners shall not be displayed for more than 14 consecutive days, and shall be limited to no more than 4 such signs a year (maximum total of 56 banner days per year).

b. Lots within all other commercial or industrial zoning districts are authorized the following temporary signs:

1. Signs that are installed on a lot for less than 4 months in any twelve-month period shall be allowed without a permit under section 62-4 provided that:

i. *Number and area*. Any number of temporary signs are allowed except that the total cumulative area of all temporary signs shall not exceed 15 sq. ft.

ii. *Height*. No temporary sign shall exceed 4 feet in height.

iii. A prohibited sign under section 62-7 shall not qualify as a temporary sign under this paragraph.

2. One temporary sign not exceeding 30 square feet may be displayed for a maximum of 30 days surrounding the opening of any new entity or enterprise on a lot.

3. *Temporary banners*. Temporary banners shall be allowed for any entity or enterprise subject to the following:

i. Banner size shall not exceed 30 square feet.

ii. Banner height shall not exceed 14 feet.

iii. Banners shall not be displayed for more than 14 consecutive days.

iv. Individual entities or enterprises shall be limited to three banner events a year.

v. There shall be no more than two banners erected per lot at one time.

c. *Temporary development signs*. Where a development site does not have a fence which is subject to Wis. Stat. § 66.1102(5)(a), such site may have a temporary development sign as follows:

1. *Number*. There shall not be more than one temporary development sign for each project, except that where a project

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abuts two or more streets, one sign may be allowed for each abutting street frontage. Single or double-faced signs are permitted.

2. *Area*. A temporary development sign shall not exceed 32 square feet in gross surface area.

3. *Location*. A temporary development sign shall be located only upon the premises upon which construction either is to occur or is occurring.

4. *Height*. A temporary development sign shall not project higher than six feet, as measured from preconstruction grade at the base of the sign.

5. *Time limit*. A temporary development sign shall be allowed once final approval of the development is granted. The temporary development sign shall be removed after the initial tenant related to the development takes occupancy.

6. No permit under section 62-4 shall be required.

d. *Seasonal banner, "A" frame or sandwich board signs.* During the period commencing as of the Friday one week preceding Thanksgiving through January 2:

1. A permit shall be required and a fee collected for banners posted throughout the time period at any entity or establishment. The banner shall be posted in good condition, meet an 18-square-foot size limitation and establish a 30-foot separation between banners, and no more than two banners may be erected per lot at any time. A banner posted during this period shall not count against a business or institution's total number of annually permitted banners under section 62-11(a)(11)b.3.

2. All entities and establishments may utilize one seasonal banner permit during the time period as noted in is paragraph, but shall designate a maximum and continuous three week posting. Any entity or establishment may forego the ability to utilize their seasonal banner permit and be permitted one additional temporary banner under section 62-11(a)(11)b.3.

3. All entities and establishments may display sandwich board signs otherwise meeting the requirements of subsection 62-11(a)(12).

4. Banners and sandwich board signs are subject to the installation, maintenance and removal standards pursuant to section 62-14.

(11) *Restaurant uses*. "A" frame, sandwich board signs, sidewalk or curb signs, not exceeding eight square feet per side or four feet in height, for any restaurant that

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does not contain a changeable message sign are hereby allowed subject to the issuance of a permit, at no charge, but otherwise in accordance with section 62-4 of this chapter. "A" frame, sandwich board signs, sidewalk or curb signs shall be subject to the following standards:

a. One sign, no more than two sides, per restaurant.

b. Sign shall be placed on a level and stable surface and shall be internally weighted to prevent movement by wind gusts. Anchoring the sign to the building or ground with ties, chains or similar mechanisms is prohibited.

c. Sign shall be constructed of finished materials such as wood, metal, aluminum or plastic. Rough-cut plywood or similar unfinished material is prohibited.

d. Sign structure and message shall have a professional application. A chalkboard background with hand-written message is permitted; however, a message by spray paint, stencil or similar application is prohibited. Background material such as paper, cardboard or similar material shall be prohibited.

e. Sign structure and message shall not use highly reflective materials, colors or neon and shall not resemble a traffic sign.

f. Sign shall not be illuminated or contain moving parts.

g. Sign shall be displayed only during hours of operation.

h. Sign placement shall maintain a minimum clearance width of four feet when located on any pedestrian walkway and shall not obstruct ingress/egress to site or building entrance(s).

i. Sign placement for stand-alone restaurants shall remain on private property outside of the public right-of-way, exempt from section 62-11(a) and (c).

j. Sign placement for restaurants within a multi-tenant building shall maintain a maximum ten-foot setback from the restaurant's principle building entrance.

(b) Agriculturally zoned lands. For all lots with commercial, industrial, park, and institutional zoning (A-1, A-2, and OA districts), the following signs are hereby allowed without a permit under section 62-4:

(1) One sign not to exceed 15 square feet in area, identifying farm operations on parcels of land containing not less than 20 acres.

(2) Signs that are installed on a lot for less than 4 months in any twelve-month period provided that:

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a. *Number and area*. Any number of temporary signs are allowed except that the total cumulative area of all temporary signs shall not exceed 15 sq. ft.

b. *Height*. No temporary sign shall exceed 4 feet in height.

(c) *Signs facing I-43*.

(1) On-premise, freestanding signs facing I-43 are allowed subject to planning commission approval and the following standards:

a. Signs shall be located on parcels zoned B-1, B-2, B-4, B-3, B-7, UCNC, UCMU, or IPS.

b. Signs shall be located on parcels that have direct frontage on I-43 right-of-way.

c. One freestanding sign shall be permitted for identification of a multi-tenant commercial development (e.g., business park or retail center) or a quasi-public facility that contains a minimum of four acres and 400 feet of direct frontage on I-43 right-of-way.

d. A freestanding sign shall be setback a minimum of ten feet and a maximum of 25 feet from the I-43 right-of-way.

e. The height of a freestanding sign shall not exceed 25 feet above the elevation of the centerline of nearest traveling lane of I-43. The sign structure shall have architectural interest consistent with the materials and characteristics of the site's buildings and designed proportionate to the building as well as to the surrounding context of the site. The sign structure may have more than two sides; however, the sign face shall only be displayed on two sides of the structure. Pole signs are prohibited.

f. A freestanding sign shall not exceed 200 total square feet and 100 square feet per sign face.

g. The face of the freestanding sign is limited to displaying two tenant panels.

(2) On-premise wall signs facing I-43 are allowed subject to planning commission approval and the following standards:

a. One wall sign per tenant is permitted.

b. Signs shall be located on parcels zoned B-1, B-2, B-4, B-7, UCNC, UCMU, or IPS.

c. The total square area of wall signage per building is limited to 65 percent of linear feet of building wall and shall not project more than ten inches from the wall to which the sign is to be affixed.

d. The placement of any wall sign should generally not be less than 50 percent or greater than 75 percent of the total height of the building to

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which the sign is affixed. Exceptions to the placement may be permitted where it is found that strict compliance to this requirement is impractical because of site or building conditions and upon finding that the exception does not create an adverse impact.

e. All wall signs shall be channel letters no less than 18 inches and no greater than 24 inches in height.

f. All wall signs as part of one development site shall have a consistent backing or structural support frame, if one is proposed, or affixing mechanism.

g. All wall signs shall have architectural interest and colors consistent with the materials and characteristics of the site's buildings.

(3) Electronic message signs facing I-43 are prohibited.

(4) Illuminated signs facing I-43 shall only be illuminated by a halo glow method. The illumination shall not exceed 15 foot-candles.

62-12. General sign standards.

Except where otherwise provided in this chapter, the following standards shall apply to signs:

(a) *Landscaping standards*.

(1) In the case of any pole or ground mounted freestanding signs, a landscape area shall extend a minimum of five feet from the base of the sign (see section 58-564 for landscaping standards).

(2) Where any sign is proposed to be externally illuminated using ground mounted fixtures (i.e. floodlight), landscape plantings shall be installed in such a manner as will entirely shield the light source from the surrounding view. Landscape plantings shall be of the type as will ensure effective year-round screening.

(b) *Location standards*.

(1) In any zoning district, no sign, or sign supporting structure shall be setback/offset less than ten feet from any abutting lot line, right-of-way or driveway.

(2) Placement of all signs shall be subject to the vision setback regulations as put forth in the City of Mequon zoning code as set forth in chapter 58, article IV.

(3) No nonresidential sign shall be located closer than 50 feet to an abutting residential zone.

(c) *Design, construction and erection standards*.

(1) *Architectural design*.

a. *Freestanding ground signs*. These signs shall be architecturally integrated with the principal building in the following manner:

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1. The base of the sign shall be constructed with the principal building's primary building material, to the greatest extent practical.

2. The color scheme of the sign shall follow the color scheme of the principal building, to the greatest extent practical.

3. Architectural features (e.g., sills, piers, reveals, capstones, medallions, etc.) which are part of the architectural style of the principal building shall be incorporated into the sign, to the greatest extent practical.

4. The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos.

5. The sign code administrator and/or planning commission may approve, deny, or request changes to a proposed sign, based on the architectural design of that sign.

b. *Wall signs*.

1. Box signs shall be prohibited, unless approved by the planning commission as part of a total sign package.

2. Channeled letter sign colors are subject to planning commission approval as part of a total sign package.

c. *Sign legibility*. Signs shall serve a function of way finding and site identification. The department of community development may deny a sign permit based upon the legibility of the sign.

(2) *Structure design*.

a. *Wind pressure*. All signs shall be constructed, erected and maintained to safely withstand wind pressure as specified by Wisconsin State Statute and applicable administrative code.

b. The design, construction and erection of all signs shall be by a competent professional in the sign design and construction industry.

c. Wall signs attached to exterior building walls shall be anchored or attached in such a manner as will ensure stability and safety.

62-13. Existing signs.

(a) Existing signs which become nonconforming upon adoption of the ordinance from which this section is derived shall not be reconstructed, remodeled, relocated or changed in size unless such action will make the sign conforming in all respects with this section. Non-structural changes to an existing freestanding sign shall require compliance with the opaque sign face standard pursuant to section 62-12(c) of this chapter.

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(b) A nonconforming sign or sign structure which is destroyed or damaged may be restored only after the owner has shown that the damage did not exceed 50 percent of the appraised value of the sign. If such sign or sign structure is destroyed or damaged to an extent exceeding 50 percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming, in all respects, to this chapter. If restoration of a damaged sign is not completed within six months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform with all specifications of this section. Replacement signs may require planning commission approval.

(c) A nonconforming sign or sign structure shall be removed within 30 days of the date the building containing the use, to which the sign is accessory, is demolished or destroyed to an extent exceeding 50 percent of the building's appraised value.

(d) At any such time as the owner of any building or lot, on which a nonconforming sign(s) is located, requests planning commission approval for any change to the use, building or lot, the planning commission may require that such nonconforming sign(s) be removed or made to conform with this section as a condition of building or site approval.

62-14. Maintenance and removal of signs.

The city may cause any sign or other advertising structure which is, in their opinion, an immediate peril to persons or property to be removed summarily and without notice.

(a) *Appearance requirements*.

(1) All signs and sign support structures, together with all parts to include, but not limited to, sign faces, supports, braces, base, guys and anchors, shall be kept in good repair and in proper state of preservation. Painted surfaces shall be maintained free of peeling, chipping paint. All metal parts and supports thereof shall be maintained free of corrosion.

(2) The department of community development shall have the authority at all reasonable times to inspect and order the painting, repair, alteration, maintenance or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence.

(3) Signs and/or sign supports that may be attached or detached to any building, business or property which becomes vacant or unoccupied continuously for a period exceeding 30 days, shall be presumed to have been abandoned, and it shall be the responsibility of the owner of record to have such sign structures and/or supports removed upon receiving notice from the department of community development.

(2) In the event that the sign owner does not provide proper sign maintenance within 60 days after written notification from the city, the sign may be removed as provided in this section.

(b) *Removal of certain signs*.

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(1) Any sign now or hereafter existing which no longer advertises a bona fide business or product, or which is dilapidated, out of repair, unsafe, insecure, or has been constructed, erected or maintained in violation of the provisions of this section shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or land upon which such sign may be found. If within ten days after written notification from the city the sign owner fails to comply with such notice the city may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within 30 days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

(2) Any sign which is constructed without proper approval and permit shall be removed or must be issued a proper permit within five days notice to the owner by the city. In the event that the owner of such sign is not issued a proper permit or fails to remove said sign, the city may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

(3) In the event that the owner of an illegal sign cannot be ascertained by the city, then notice as indicated in this section shall be given to the owner of the real estate upon which the sign is located. In the event that the owner of the real estate is not issued a proper permit or does not remove the sign within ten days then such sign may be removed by the city. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

(4) If a permit is denied, the city shall issue a five-day removal notice. If the sign is not removed within the five day period, the sign may be removed by the city. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

(5) The cost of removing any signs located in the road right-of-way at the time the road is widened, and such signs must be removed, shall be paid by the sign owner.

62-15. Waivers or modifications.

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The planning commission may waive or modify the provisions of this chapter where it would further the public interest and uphold the purpose of this section as put forth in section 62-1. Such waiver or modification, including those requested through a master sign plan, may be based on, among other things, site specific hardships such as topographic aberrations and visual encumbrances.

62-16. Temporary moratoria; penalty; enforcement by injunction; declared nuisances.

(a) *Temporary moratoria*. The common council may, by resolution adopted from time to time, prescribe limited periods in which enforcement of some or all of the restrictions of this chapter may be temporarily suspended.

(b) *Penalty*. Any person, firm, company or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture pursuant to section 1-7 of the City of Mequon Code of Ordinances. Each day that a violation exists shall constitute a separate violation and be punishable as such.

(c) *Enforcement by injunction*. Compliance with the provisions of this chapter may also be enforced by the injunction order at the suit of the city or one or more owners of real estate situated within an area affected by the regulations of this chapter.

(d) *Declared nuisances*. Any sign or similar advertising structure erected, structurally altered, painted, moved or maintained in violation of the provisions of this chapter is hereby declared to be a nuisance per se, and the city may apply to any court of competent jurisdiction to restrain or abate such nuisance.

62-17. Severability.

If any section, clause, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. If an application of this chapter to a particular sign or structure is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other sign or structure not specifically included in said judgment.

62-18. Master sign plan confirmation.

Master sign plan approvals shall require common council confirmation upon written request from two alderman or one alderman and the mayor. Such request shall be made within 14 days of the corresponding planning commission approval of the master sign plan. The burden of persuasion on the issue of whether the master sign plan, as proposed, complies with the requirements of this chapter remains at all times on the applicant.

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Chapter 62 SIGNS

Sec. 62-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Approved combustible materials. Wood, combustible plastics, or other rigid material impervious to water.

Approved combustible plastics. Only those combustible plastic materials which when tested in accordance with the Standard Method of Testing for Flammability of Plastics (A.S.T.M.) over 0.050 inch in thickness, D635 (latest revision), burn no faster than 2.5 inches per minute in sheets of 0.060 inch thickness.

Area. Measurement of sign area shall be calculated as the sum of the area within the smallest regular polygon that will encompass all elements of the actual sign face including any writing, representation, emblem or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed.

(1) For a sign painted on or applied to a building or to a freestanding wall, the area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a different color than the natural color, or finish material of the building or architectural wall. The architectural wall shall be subject to planning commission approval of the site and landscaping plan.

(2) The main supporting sign structure (i.e., brackets, posts, foundation, etc.) shall not be included in the area measurement if such framework is incidental to the display.

(3) When a sign has two or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

Awning and awning sign. An awning is a temporary or permanent frame with a fabric covering which projects from the building wall and is intended to provide shelter over a window, door or pedestrian space. An awning sign is any sign applied to an awning.

Banner. A sign, including a feather flag sign, intended to be hung either with or without a frame, and which possesses characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

Base setback line. The edge of the established ultimate street right-of-way.

Beacon. A stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which is intended to attract or divert attention.

Bulletin board. A sign not to exceed 15 square feet in area located on the premises of a charitable, religious, educational institution or a public body, for purposes of announcing events which are held on the premises. The City of Mequon official bulletin boards may be located off site.

Canopy sign. Any sign that is attached to or part of an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

Construction sign. A sign identifying individuals or companies involved in design, construction, wrecking, financing, or development of a building/lot and/or identifying the future use of the building/lot.

Development sign. A temporary sign identifying future residential or non-residential development.

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Directional sign. 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. Also, signs solely indicating ingress and egress placed at driveway locations, containing no advertising material.

Directory sign. A sign which indicates the name of the occupants or tenants located on the premises.

Display surface. The surface made available on the sign, either for the direct mounting of letters and decorations, or for the mounting of facing material intended to carry the entire advertising message.

Electronic message sign. A sign whose informational content can be changed or altered on a fixed display screen composed of electronically illuminated parts. Electronic message signs use changing lights to form a message in text form wherein the sequence of the text and rate of change is electronically programmed and can be modified by electronic processes.

External illumination. Illumination of a sign with an exterior light source.

Facing. The surface of the sign or billboard upon, against, or through which the message of the sign or billboard is displayed.

Flashing sign. A sign whose illumination is not kept constant in intensity at all times when in use and/or which exhibits changes in light, color, direction, animation and word/text changes. Illuminated signs, which indicate the date, time, and temperature, will not be considered flashing signs.

Freestanding/ground sign. A sign which is attached to or part of a completely self-supporting structure other than a building. The supporting structure shall be set firmly in, upon, or below the ground surface and shall not be attached to any building.

Height. The height of all freestanding signs shall be the distance between the existing preconstruction grade at the base of the sign and the highest point on the sign or supporting structure.

Illuminated sign. A sign in which an artificial source of light is used in connection with the display of such sign.

Internal illumination. Illumination of a sign in which the source of light is contained within the sign itself.

Letters and decorations. The letters, illustrations, symbols, figures, insignia, logo and other media employed to express and/or illustrate the sign message.

Lot. A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law.

Lot lines. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Major tenant. A tenant within a multi-tenant building that occupies the greatest linear frontage or square footage of that building.

Manual changeable letter sign. A sign whose information content can be changed or altered manually on a fixed display. Manual changeable letter signs use individual letters to form a message in text form.

Marquee and marquee sign. A marquee is a permanent roof-like structure extending from part of the building wall but not supported by the ground, and constructed of durable materials. A marquee sign is a sign attached to, applied on, or supported by a marquee.

Master sign plan. A master sign plan is a unified signage package that applies to a single development in a manner that will enhance the development through a coordinated and comprehensive design approach. The master sign plan can allow for flexibility to the standards when benefits of the design flexibility are derived by both the applicant and the community. The master sign plan shall specify the standards which are requested to be waived or modified and comply with section 62-17.

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Neon or other gas tube illumination. Illumination from a light source consisting of a neon or other gas tube which forms letters, symbols or other shapes.

Nonconforming sign. A sign existing at the effective date of the adoption of this chapter which does not conform to the terms of this chapter.

Off-premises signs. Any sign that advertises, calls attention to or identifies an occupant, business or property situated on a different lot than the sign.

Offset. The regulated minimum distance of a structure from a side or rear lot line.

On-premises signs. Any sign that advertises, calls attention to or identifies an occupant, business or property situated on the same lot as the sign.

Outdoor advertising. Any outdoor structure or device that is used as an announcement, declaration, demonstration, display, illustration, indication, symbol, insignia, logo, emblem or advertisement.

Portable sign. A sign not permanently affixed to the ground, building, or other structure and which may be easily moved from place to place.

Projecting sign. A sign affixed or attached directly to the exterior wall of a building or structure and extending more than ten inches from the exterior wall of the building or structure.

Real estate sign. A sign which is used to offer for sale, lease, or rent the premises upon which such sign is placed.

Roof sign. A sign or billboard which is located or projects above the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to a roof.

Setback. The regulated minimum horizontal distance between the base setback line and any structure on a lot.

Shopping center. A planned/coordinated grouping of architecturally unified commercial establishments built on the same site and managed as one operating unit offering for sale goods such as food, drugs, hardware and personal services.

Sign. Any display of lettering, logos, colors, lights, or illuminated neon tubes visible to the public from outside of a building or from a traveled way, which either conveys a message to the public, or intends to advertise, direct, invite, announce or draw attention to goods, products, services, facilities, persons, property interest or business either on the lot or on any other premises.

Sign code administrator (SCA). The City of Mequon employee(s) responsible for administering this chapter.

Street. A public or private right-of-way for pedestrian or vehicular traffic.

Temporary sign. A sign intended to be used for a period of no more than 30 days unless otherwise specified herein.

Trim. The moldings, battens, capping, nailing strips, latticing and platforms attached to any sign or billboard structure.

Wall sign. A sign or billboard affixed or attached directly to the exterior wall of a building and extending ten or less inches from the exterior wall of the building or structure.

Warning sign. A sign, containing no advertising material, warning the public of the existence of danger.

Window sign. A sign attached to, placed upon, or painted on the interior of a window or door of a building which is intended for viewing from the exterior of such building.

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(Ord. No. 2004-1108, § I(16.03), 6-8-2004; Ord. No. 2006-1195, § I, 11-14-2006; Ord. No. 2010-1317, § I, 8-10-2010; Ord. No. 2012-1375, § I, 4-10-2012; Ord. No. 2012-1377, § I(Att.), 6-12-2012; Ord. No. 2012-1378, § I, 7-10-2012; Ord. No. 2020-1565, § I, 3-10-2020)

Sec. 62-2. Purpose.

The purpose of the sign regulations in this chapter is as following:

(1) To regulate the size, type, construction standards, maintenance and placement of signs situated within the boundaries of the City of Mequon, Wisconsin;

(2) To promote the public health, safety, welfare and comfort of the general public by:

a. Reducing distractions and obstructions from signs which would adversely affect traffic safety, and alleviate hazards caused by signs projecting over or encroaching upon the public right-of-way;

b. Discouraging excessive visual competition in signage and ensuring that signs aid orientation and adequately identify uses and activities to the public; and

c. Preserving or enhancing the natural beauty and unique physical characteristics of the City of Mequon as a community in which to live and work by requiring new and replacement signage which is:

1. Creative and distinctive;

2. Harmonious with the building, surrounding neighborhood aesthetics and other signs in the area;

3. Appropriate to the type of activity to which it pertains;

4. Expressive of the city's identity in a manner which will not diminish property values; and

5. Complementary to the city's suburban architectural character and unobtrusive commercial developments;

d. Promote a healthy and properly designed business environment;

e. Protect property values within the city.

(Ord. No. 2004-1108, § I(16.01), 6-8-2004)

Sec. 62-3. Scope of regulations.

Except as otherwise noted herein, the regulations of this chapter shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction standards, erection, attachment, support, lighting, anchorage, maintenance, appearance, and aesthetics.

(Ord. No. 2004-1108, § I(16.02), 6-8-2004)

Sec. 62-4. Permits.

(a) *Authority*. It shall be unlawful for any person to erect, repair, alter, relocate or possess any sign or other advertising structure as defined in this chapter without first obtaining a sign permit from the City of Mequon and making payment of established fees. All illuminated signs shall, in addition, be subject to the provisions of the electrical code and the permit fees required thereunder.

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(b) *Application for permit*. Application for a sign permit shall be made to the City of Mequon, and shall contain or have attached thereto the following information:

(1) Name, address, and telephone number of the applicant. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.

(2) Name of person, firm, corporation, or association erecting the sign.

(3) Written consent of the owner of the building, structure, or land to which or upon which the sign is to be affixed.

(4) A scale drawing of such sign indicating the dimensions, materials to be used, color scheme, type of illumination, if any, and the method of construction and attachment.

(5) A scale drawing indicating the location and position of such sign in relation to nearby buildings or structures.

(6) Copies of any other permit required and issued for said sign, including the written approval by the city planning commission where required by the zoning code and/or by the electrical inspector, in the case of illuminated signs, who shall examine the plans and specifications, re-inspecting all wiring and connections to determine if the sign complies with the city electrical code.

(7) Additional information as may be required by the city.

Sign permit applications shall be filed with the sign code administrator, who shall review the application for its completeness and accuracy and approve or deny, in writing, the application within 60 days of receipt from the applicant. A sign permit shall become null and void if work authorized under the permit has not been completed within 12 months of the date of issuance.

(c) *Issuance of permits.*

(1) It shall be the duty of the sign code administrator, upon the filing of an application for a sign erection permit, to examine such plans and specifications and other data. The SCA shall determine whether the proposed structure is in compliance with the requirements of this section and all other regulations of the city.

(2) Following the SCA examination of the sign permit application, the sign code administrator shall take one of the following actions:

a. If the proposed sign is not in compliance with the requirements of this section and all other regulations of the city, the sign code administrator shall deny such permit and state the specific lack of compliance with the ordinance requirements in the SCA denial.

b. If the proposed sign complies with all dimensional ordinance requirements, the sign code administrator shall consider the purpose, appearance, location, lighting, height, size, and impact of the sign relative to the scenic beauty of the vicinity and to the values identified in section 62-2 of this chapter (i.e., purpose). If the sign code administrator determines, on the basis of the above noted considerations, that there is a question as to whether or not the proposed sign is in accordance with the intent of this section, the SCA shall refer the sign permit application to the planning commission or park and open space board, if the proposed sign is to be located within a city owned park or preserve, stating the reasons for such referral. Following its review, the planning commission shall approve, approve with modifications, or deny the sign permit application.

c. If the sign code administrator determines that the sign is in compliance with the intent of this section and all other regulations of the city, the SCA shall issue the sign permit.

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d. Any approval given by the sign code administrator, planning commission or park and open space board, if the proposed sign is to be located within a city owned park or preserve, shall be valid for 12 months. If the approved sign is not constructed within this 12-month period, the sign permit shall be declared null and void.

(Ord. No. 2004-1108, § I(16.04), 6-8-2004; Ord. No. 2006-1195, § II, 11-14-2006; Ord. No. 2013-1394, § I[Att.], 4-9-2013; Ord. No. 2017-1505, § IX, 10-10-2017)

Sec. 62-5. Fees.

Administrative fees for sign permits shall be in accordance with the city's established fee schedule.

(Ord. No. 2004-1108, § I(16.05), 6-8-2004)

Sec. 62-6. Revocation of permits.

The sign code administrator is hereby authorized and empowered to revoke any permit issued by him/her upon failure of the holder thereof to comply with any provision of this chapter.

(Ord. No. 2004-1108, § I(16.06), 6-8-2004)

Sec. 62-7. Prohibited signs.

The following types of signs are prohibited in the City of Mequon.

(1) Roof signs.

(2) Signs placed on or affixed to vehicles and/or trailers which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to advertise a product or direct people to a business or activity. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.

(3) Signs which are attached or otherwise affixed to rocks, trees or other living vegetation.

(4) Signs which contain untruthful or misleading information.

(5) Signs which imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic control sign, signal, or other device.

(6) Flashing or rotating signs, message crawl signs, digital electronic signs, signs containing moving parts, and signs containing reflective elements which sparkle or twinkle in the sunlight are not permitted. Signs indicating the current time and/or temperature may be permitted provided they meet all other provisions of this section and subject to approval of the city planning commission.

(7) "A" frame, sandwich board, sidewalk, or curb signs, except as a temporary sign, as may be provided for in section 62-8 or 62-13(e) of this chapter.

(8) Banners, pennants, streamers, balloons, and other gas-filled figures, except as a temporary sign, as may be provided for in section 62-8 of this chapter.

(9) Billboards and off-premises signs, except city approved temporary off-premises signs to identify businesses during road construction. Official city bulletin boards are also allowed off-premises.

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(10) Any sign advertising or identifying a business or organization, which is either defunct or no longer located on the premises is not permitted.

(11) Any sign larger than 50 square feet in area except as may otherwise be permitted under the terms of this section and subject to review and approval by the planning commission or park and open space board, if the sign is proposed to be located within a city owned park or preserve.

(12) Projecting signs.

(13) Portable and wheeled signs.

(14) Signs or other advertising painted directly on walls unless specifically approved by the planning commission or park and open space board, if the sign is proposed to be located within a city owned park or preserve.

(15) Inflatable signs and tethered balloons.

(16) Signs attached to, erected or maintained on any standpipe, exterior stairway, fire escape, tower, or balcony so as to interfere with the use thereof.

(17) Signs erected at or near the intersection of any streets in such manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

(18) Signs erected, constructed or maintained so as to obstruct any exit, any window opening necessary for required light or ventilation, or which prevents free passage from one part of a roof to another.

(19) Signs extending above the top or ten inches beyond the side of the exterior wall to which such sign is attached.

(20) Signs and associated lighting fixtures which project more than ten inches from the exterior wall to which they are attached.

(21) Signs entirely supported by a parapet wall.

(22) Except as may otherwise be permitted by this section the placement, creation, or use of outdoor advertising devices such as banners, decorative displays or other advertising devices of cloth, paper, or other non-rigid materials.

(Ord. No. 2004-1108, § I(16.07), 6-8-2004; Ord. No. 2010-1331, § I, 11-9-2010; Ord. No. 2017-1505, § IX, 10-10-2017; Ord. No. 2021-1616, § I, 2-8-2022)

Sec. 62-8. Exemptions.

(a) The following outdoor signs, advertising structures or devices shall be exempted from section 62-4 of this chapter:

(1) One wall sign not to exceed six square feet in size maintained by the owner or occupant of any residential building for the purpose of displaying the name of the owner or occupant or legal home occupation signs not exceeding two square feet in size and placed on the residential structure. Home occupation signs shall not be illuminated.

(2) Bulletin boards not over 15 square feet in size for public, charitable or religious institutions when the same are located on the premises of said institutions. Such signs shall be subject to the location, lighting and landscaping standards as set forth in sections 62-9—62-11 of this chapter and shall not exceed seven feet in height.

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(3) Memorial signs or tablets, names of buildings and date of erection when cut into any masonry surface or when constructed of bronze or other incombustible materials grave markers, statutory, or other remembrances of persons or events that are non-commercial in nature.

(4) Traffic signs, legal notices, railroad crossing signs, danger and such temporary emergency or non-advertising signs as may be erected for the public safety.

(5) One sign not to exceed 15 square feet in area, identifying farm operations on parcels of land containing not less than 20 acres.

(6) Flags or banners representing the United States, State of Wisconsin, Ozaukee County or the City of Mequon.

(7) Special decorative displays or signs in public right-of-way when authorized by the common council.

(8) 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. All off premises directional signs shall be located in accordance with city staff approval.

(9) Signs which are located within the interior of any building and which are not visible from the exterior of the building.

(10) Yard sale signs; provided that no person shall attach posters, notices or advertisements to utility poles, meter posts, or trees in or along any street right-of-way within the city; and, that no person shall put up any notice upon any building, wall, fence, or other property of another person without having first obtained the consent of the owner of such property. The maximum time limit for all yard sale or estate sale signs is three consecutive days and nine cumulative days in a one-year period. Such signs shall not exceed ten square feet in area.

(11) Non-illuminated window signs, including but not necessarily limited to paper signs, box signs, and painted window signs, covering less than 25 percent of the individual window area.

(b) The following temporary signs shall also be exempted from section 62-4 of this chapter subject to the following conditions:

(1) *Temporary real estate signs.*

a. *Number.*

1. There shall not be more than one temporary real estate sign for each lot except that where a lot abuts two or more streets, one sign may be allowed for each abutting street frontage. Single or double-faced signs are permitted.

b. *Area.*

1. On all parcels that contain a single-family or plex dwelling units, temporary real estate signs shall not exceed 12 square feet in gross surface area.

2. In all districts except on parcels that contain a single-family or plex dwelling units, temporary real estate signs shall not exceed 32 square feet in gross surface area.

c. *Location.*

1. Temporary real estate signs shall be located only upon the premises being sold, leased or rented. Temporary real estate signs shall be located within the landscape bed of the existing freestanding sign and located no further than three feet from the base of an existing freestanding sign. If a freestanding sign does not exist, the temporary real estate sign shall be placed within an area of landscaping as approved by staff. For sites where a multiple tenant panel freestanding sign exist, the owner has the option of placing the

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temporary real estate sign on the existing business freestanding as one of the panels. The department of community development may waive and/or modify location requirements.

d. *Height.*

1. Temporary real estate signs shall not project higher than six feet as measured from preconstruction grade at the base of the sign.

e. *Time limit.*

1. Temporary real estate signs shall be removed seven days after being sold, leased, or rented.

(2) *Temporary construction signs.*

a. *Number.* There shall not be more than one temporary construction sign for each project, except that where a project abuts two or more streets, one sign may be allowed for each abutting street frontage. Single or double-faced signs are permitted.

b. *Area.*

1. On all parcels that contain a single-family or plex dwelling units, temporary construction signs shall not exceed 24 square feet in gross surface area.

2. In all districts except on parcels that contain a single-family or plex dwelling units, temporary construction signs shall not exceed 32 square feet in gross surface area.

c. *Location.*

1. Temporary construction signs shall be located only upon the premises upon which construction either is about to occur or is occurring.

d. *Height.*

1. Temporary construction signs shall not project higher than six feet, as measured from preconstruction grade at the base of the sign.

e. *Time limit.*

1. Temporary construction signs shall be allowed for a period not to exceed 30 days prior to the commencement of construction and shall be removed seven days after the occupancy permit is granted. Projects that don't require an occupancy permit shall remove the temporary construction sign once work has been completed.

(3) *Temporary development signs.*

a. *Number.*

1. There shall not be more than one temporary development sign for each project, except that where a project abuts two or more streets, one sign may be allowed for each abutting street frontage. Single or double-faced signs are permitted.

b. *Area.*

1. Temporary development signs shall not exceed 32 square feet in gross surface area.

c. *Location.*

1. Temporary development signs shall be located only upon the premises upon which construction either is to occur or is occurring.

d. *Height.*

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1. Temporary development signs shall not project higher than six feet, as measured from preconstruction grade at the base of the sign.

e. *Time limit.*

1. Temporary development signs shall be allowed once final approval of the development is granted. The temporary development sign shall be removed after the initial tenant related to the development takes occupancy.

(4) *Political campaign signs.* The common council of the City of Mequon declares the following legislative intent regarding the subject of political campaign signs:

a. Citizens possess important rights of free speech and association, the regulation of which may stem only from compelling governmental interests or significant governmental interests, as the case may be.

b. The public is possessed with the important right of safe and unobstructed travel over the public rights-of-way.

c. It is necessary as a matter of public policy that the buildings and grounds of public agencies maintain a strict appearance of political neutrality.

d. The substantial possibility exists of a proliferation of political campaign signs in the city with the attendant traffic safety, litter, structural hazards, and loss of meaning of the message conveyed by said signs in the absence of any regulation of such signs.

e. A significant governmental interest therefor exists for a reasonable system of regulation of political campaign signs in order to protect the rights and advance the concerns stated in this section, while being narrowly tailored, and affording ample alternative means to communicate the desired speech.

1. The provisions of Wis. Stats. § 12.04 are hereby adopted and incorporated by reference herein.

2. *Size, shape and placement.* The gross surface area of a political campaign sign shall not exceed 11 square feet where its proposed or actual placement will impair visibility or site lines from and to public rights of way and private roads, so as to adversely impact on pedestrian or traffic safety.

3. *Location(s).*

A. Political campaign signs shall not be posted on any public building, public structure, public right-of-way or grounds that are owned, operated or maintained by any public or governmental agency.

B. Political campaign signs located on private property may be placed by an owner or lessee, or with the consent of either. No such sign may obstruct a window, door, fire escape, ventilation shaft or other area which is required by an applicable building or fire code to remain unobstructed.

4. *Special conditions.* The Mequon Police Department shall be authorized to remove any political campaign signs that are found to be placed in the public right of way, or on other public property, in violation of the provisions of this section.

5. *Time limit.* Political campaign signs may be posted during the election campaign period, as that term is defined in Wis. Stats. § 12.04(12)(a), namely from the first day for circulation of nomination papers through the day of the election, except that the city shall not enforce removal of such signs until ten days after the election campaign period.

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6. *Prohibition of electronic/mechanical/audible signs.* No political campaign sign may use or employ an electronic, mechanical or electro-mechanical message generator, or audio broadcast component.

(5) *Temporary off premise displays.* Banners or signs that promote cultural, educational or community events shall be permitted in accordance with the following conditions.

a. *Residential properties.*

1. *Number.* There shall not be more than one temporary off premise banner for each lot except that where a lot abuts two or more streets, one banner shall be allowed for each abutting street frontage.

2. *Area.* The gross surface area of the sign shall not exceed seven square feet, provided the placement will not adversely impact pedestrian or traffic safety.

3. *Time limit.* Such signs shall not be posted more than 30 days prior to the event for which the sign is being posted, and shall be removed within two days after the event for which the sign was posted.

4. *Height.* Signs shall not exceed five feet in height.

b. *Commercial properties.*

1. *Number.* No more than one sign shall be allowed on any individual property at a given time.

2. *Area.* The gross surface area of the sign shall not exceed 15 square feet, provided the placement will not adversely impact pedestrian or traffic safety.

3. *Time limit.* Such signs shall not be posted more than 30 days prior to the event for which the sign is being posted, and shall be removed within two days after the event for which the sign was posted.

4. *Height.* Signs shall not exceed five feet in height.

c. *City owned properties.* Banners or signs shall be allowed at Lemke Park, Rotary Park, Riverbarn Park and the East Side Firestation in accordance with the following:

1. *Number.* No more than one sign shall be allowed on any individual property at a given time. Requests shall be submitted to the parks director at least 30 days in advance. Each applicant is allowed placement in one city owned location unless the three other locations are available two weeks prior to the event. Banners for City of Mequon events shall be given first priority.

2. *Area.* The gross surface area of the sign shall not exceed 30 square feet, provided the placement will not adversely impact pedestrian or traffic safety.

3. *Time limit.* Such signs shall not be posted more than 14 days prior to the event for which the sign is being posted, and shall be removed within two days after the event for which the sign was posted.

4. *Height.* Signs shall not exceed five feet in height.

5. *Location.* Location of the sign or banner shall be approved by the parks director.

(6) *Seasonal banner and "A" frame or sandwich board sign.*

(1) During the period commencing as of the Friday one week preceding Thanksgiving through January 2:

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a. A permit shall be required and a fee collected for banners posted throughout the time period as noted in [subsection] (b)(6)(1) at any business or religious institution. The banner shall be posted in good condition, meet an 18-square-foot size limitation and establish a 30-foot separation between banners as well as the placement requirements of subsection 62-13(d)(2). A banner posted during this period shall not count against a business or institution's total number of annually permitted banners.

b. All businesses may utilize one seasonal banner permit during the time period as noted in (b)(6)(1), but shall designate a maximum and continuous three week posting. Any business may forego the ability to utilize their seasonal banner permit and be permitted one additional annual special event banner. The additional annual special event banner shall following standards set forth in [subsection] 62-13(d).

c. All businesses may display sandwich board signs otherwise meeting the requirements of subsection 62-13(e).

d. Banners and sandwich board signs are subject to the installation, maintenance and removal standards pursuant to section 62-16.

(Ord. No. 2004-1108, § I(16.08), 6-8-2004; Ord. No. 2006-1195, § III, 11-14-2006; Ord. No. 2010-1320, § I, 7-13-2010; Ord. No. 2010-1335, § I, 11-9-2010; Ord. No. 2010-1342, § I, 3-8-2011; Ord. No. 2012-1375, § I, 4-10-2012; Ord. No. 2013-1398, § I(Att.), 11-12-2013; Ord. No. 2013-1407, § I, 4-8-2014)

Sec. 62-9. Reserved.

Editor's note(s)—Ord. No. 2011-1349, § I, adopted July 26, 2011, repealed § 62-9, which pertained to illumination standards and derived from Ord. No. 2004-1108, § I(16.09), 6-8-2004.

Sec. 62-10. Landscaping standards.

(a) In the case of any pole or ground mounted freestanding signs, a landscape area shall extend a minimum of five feet from the base of the sign (see section 58-564 for landscaping standards).

(b) Where any sign is proposed to be externally illuminated using ground mounted fixtures (i.e. floodlight), landscape plantings shall be installed in such a manner as will entirely shield the light source from the surrounding view. Landscape plantings shall be of the type as will ensure effective year long screening.

(Ord. No. 2004-1108, § I(16.10), 6-8-2004)

Sec. 62-11. Location standards.

(a) In any zoning district, no sign, or sign supporting structure shall be setback/offset less than ten feet from any abutting lot line, right-of-way or driveway.

(b) Placement of all signs shall be subject to the vision setback regulations as put forth in the City of Mequon zoning code as set forth in chapter 58, article IV.

(c) No nonresidential sign shall be located closer than 50 feet to an abutting residential zone.

(Ord. No. 2004-1108, § I(16.11), 6-8-2004)

Attachment: Chapter_62___SIGNS-3 (9005 : Sign Code Updates)

Sec. 62-12. Signs facing I-43.

(a) On-premise, freestanding signs facing I-43 are allowed subject to planning commission approval and the following standards:

(1) Signs shall be located on parcels zoned B-1, B-2, B-4, B-3, B-7 or IPS.

(2) Signs shall be located on parcels that have direct frontage on I-43 right-of-way.

(3) One freestanding sign shall be permitted for identification of a business park, retail center or quasi-public facility that contains a minimum of four acres and 400 feet of direct frontage on I-43 right-of-way.

(4) A freestanding sign shall be setback a minimum of ten feet and a maximum of 25 feet from the I-43 right-of-way.

(5) The height of a freestanding sign shall not exceed 25 feet above the elevation of the centerline of nearest traveling lane of I-43. The sign structure shall have architectural interest consistent with the materials and characteristics of the site's buildings and designed proportionate to the building as well as to the surrounding context of the site. The sign structure may have more than two sides; however, the sign face shall only be displayed on two sides of the structure. Pole signs are prohibited.

(6) A freestanding sign shall not exceed 200 total square feet and 100 square feet per sign face.

(7) The face of the freestanding sign is limited to displaying two tenant panels.

(b) On-premise wall signs facing I-43 are allowed subject to planning commission approval and the following standards:

(1) One wall sign per tenant is permitted.

(2) Signs shall be located on parcels zoned B-1, B-2, B-4, B-7 or IPS.

(3) The total square area of wall signage per building is limited to 65 percent of linear feet of building wall and shall not project more than ten inches from the wall to which the sign is to be affixed.

(4) The placement of any wall sign should generally not be less than 50 percent or greater than 75 percent of the total height of the building to which the sign is affixed. Exceptions to the placement may be permitted where it is found that strict compliance to this requirement is impractical because of site or building conditions and upon finding that the exception does not create an adverse impact.

(5) All wall signs shall be channel letters no less than 18 inches and no greater than 24 inches in height.

(6) All wall signs as part of one development site shall have a consistent backing or structural support frame, if one is proposed, or affixing mechanism.

(7) All wall signs shall have architectural interest and colors consistent with the materials and characteristics of the site's buildings.

(c) Electronic message signs facing I-43 are prohibited.

(d) Illuminated signs facing I-43 shall only be illuminated by a halo glow method. The illumination shall not exceed 15 foot-candles.

(Ord. No. 2004-1108, § I(16.12), 6-8-2004; Ord. No. 2011-1363, § I, 11-8-2011; Ord. No. 2020-1571, § I, 5-12-2020)

Attachment: Chapter_62___SIGNS-3 (9005 : Sign Code Updates)

Sec. 62-13. Permitted signs.

(a) *Residential uses.* For all residential uses, the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) *Master sign plans subject to planning commission approval.*

(2) *Building name and address signs*. Name and address signs of buildings containing four or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof, and/or address of the premises shall be subject to the following:

a. Type. Building name and address signs may be either wall signs or ground signs.

b. Number. There shall not be more than one name and address sign for each building except that where a building abuts two or more streets, one sign may be allowed for each abutting street frontage.

c. Area. Building name and address signs shall not exceed six square feet in gross surface area.

d. Location. Building name and address signs shall not be located closer than ten feet to any property line, right-of-way or driveway.

e. Height. Building name and address signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.

(3) *Subdivision identification signs.* A permanent sign used to designate a residential subdivision entrance may be permitted subject to planning commission approval and the following criteria:

a. Subdivision identification signs shall be ground signs.

b. Number. There shall not be more than two subdivision identification signs for each point of vehicular access to the subdivision.

c. Area. Subdivision identification signs shall not exceed 32 square feet in area per sign.

d. Location. Subdivision identification signs shall not be located closer than ten feet to any property line, right-of-way or driveway.

e. Height. Subdivision identification signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.

(b) *Commercial, industrial, park, and institutional uses.* For all commercial, industrial, park, and non-religious institutional uses, only the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) *Master sign plans subject to planning commission approval.*

(2) *Wall signs.*

a. Number. There shall be not more than one wall sign for each principal building within the B-1, B-2, B-3, B-4, B-5, B-6, B-7, TC, AC, IPS, LTD, and P-1 zoning districts except for the case of multi-tenant buildings as regulated in section 62-13 of this chapter and except for the case of buildings that front two public streets, one sign may be permitted for each facade facing a public street.

b. Area. Except in the case of multi-tenant buildings as regulated in section 62-13 of this chapter, the gross surface area of a wall sign shall not exceed two and one-half percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is smaller.

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c. Location. A wall sign may be located on the outermost wall of any principal building but shall not project more than ten inches from the wall to which the sign is to be affixed.

d. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign shall not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(3) *Freestanding ground signs.*

a. Number. There shall not be more than one freestanding ground sign for each principal building.

b. Area. The gross surface area of a ground sign shall not exceed 50 square feet of area.

c. Location. A ground sign may not be located closer than ten feet to any property line, right-of-way or driveway.

d. Height. A ground sign shall not project higher than ten feet, unless within the TC or AC district which shall be limited to six feet as measured from preconstruction grade at the base of the sign.

(4) *Awning signs.*

a. *Area.* Awning signs which are four square feet or less in gross surface area are exempt from the provisions of this section as specified in section 62-8. An awning sign that exceeds four square feet in gross surface area is subject to the review and approval by planning commission through a master sign plan application.

b. *Number.* Each tenant that has its own principal, exterior entrance is permitted any number of awning signs if each awning sign is less than four square feet.

c. *Location.* Awning signs shall be affixed to or located over windows or entryways. Alternative locations may be approved subject to staff approval.

d. *Height.* An awning shall not project higher than the top of the façade or roofline.

e. *Design.* Illuminated and plastic awning signs are prohibited.

(5) *Multiple tenant signs.* Multiple tenant buildings located within the B-1, B-2, TC, and AC districts shall be limited to one wall sign per tenant not exceeding 30 square feet. The multiple tenants may also share the permitted freestanding sign. Major tenants may be allowed a larger wall sign subject to planning commission approval.

Multiple tenant buildings located within the B-3, B-4, B-5, B-6, B-7, LTD district are permitted one wall sign per building. More than one wall sign per building may be permitted subject to planning commission approval through a master sign plan and the following criteria:

a. The placement of all wall signs shall relate only to the first floor elevation of the building.

b. Only tenants that have an individual, exterior entrance on the first floor that allows the general public to access shall be permitted a wall sign.

c. All wall signs shall relate to the architectural features of the exterior building and create an overall harmonious aesthetic.

(6) *Window signs.*

a. Neon signs. Each business tenant shall be allowed to display on each public street it fronts one neon sign not exceeding 300 square inches in size or 50 percent of the window area, whichever is less. Neon signs shall emit a steady light and only be illuminated during business hours. Blinking, flashing, strobe or other light animation shall not be allowed. Businesses or business tenants will be required to fully comply with this section by September 1, 1994.

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b. Temporary signs. Temporary, non-illuminated window signs covering less than 25 percent of the individual window area shall be allowed.

c. Business decals. Business decals not exceeding two square feet in size shall be allowed.

(7) *Electronic message signs and manual changeable letter signs.*

a. Uses. Electronic message signs and manual changeable letter signs shall only be allowed for institutional, religious, theatre and public service uses as indicated in Table 62-1.

b. Message. The fixed display or fixed display screen shall only contain text and remain static. Pictographic or video images are prohibited. A message which moves by scrolling, blinking, flashing, turning or other similar movements is prohibited. A message shall not change more than one time per 30 seconds. When more than one message is displayed on either a single or double faced sign, the change to all messages shall occur at a simultaneous 30-second interval.

c. Color. The electronic display screen background shall be black. The fixed display or fixed display screen shall not be illuminated. The message on the display screen is not limited by color except that the color shall be compatible with the building's architectural character and exterior colors. There shall be no variation of color or intensity per message.

d. Illumination. The maximum illumination of any electronic message or manual changeable letter sign shall not exceed 15 foot-candles when measured with a light meter held perpendicular to the sign at a distance of 12 inches.

e. Design and dimension. The electronic message or manual changeable letter sign shall only be permitted as a freestanding/ground sign and is subject to the number, area, location and height requirements according to subsection 62-13(b)(3)a.—d. of the sign code and as follows:

1. The changeable message portion of the sign shall not exceed 50 percent of the total sign area.

2. The electronic message or manual changeable letter sign shall not be located closer than 100 feet from a residential use or an undeveloped residentially zoned property.

f. Special use. The following use(s) shall comply with the following standards in addition to the requirements of this chapter:

1. Gas service stations.

a. Gas service stations are permitted to display only the gas prices in electronic form as a special use.

b. Gas service stations which display gas prices as electronic message signs shall comply with the requirements according to subsection 62-13(b)(7)a.—c. of the sign code, except that the display of gas prices can change at any time.

Table 62-1: Message Sign Standards by Use and Zoning

Uses[1]	Residential Zoning Sign Standards	Institutional and Business Zoning Sign Standards[2]
Residential Dwellings		
Single, two-family or multiple family dwellings, residential PUDs	NP	NP
Uses accessory to dwellings	NP	NP
Congregate Living		
Community based residential facilities, supportive housing[3]	NP	NP

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Institutional and Public Services		
Schools	P	P
Public libraries	P	P
Public administration offices and service buildings	P	P
Hospitals	NP	NP
Day care facilities	NP	NP
Crematory services	NP	NP
Funeral homes	NP	NP
Cemeteries	NP	NP
Public utility offices	NP	NP
Religious		
Places of worship	P	P
Social and Cultural		
Concert halls	NP	P
Theatres, including live performances	NP	P
Private or public lodges or clubs	NP	NP
Private or public recreational facilities	NP	NP
Notes:		
P = Permitted		
NP = Not Permitted		
[1] Any use not listed is prohibited to have a message sign unless approved by the planning commission through a sign code waiver.		
[2] Changeable or electronic signs are prohibited in the TC/AC zoning districts.		
[3] Supportive housing includes nursing homes, assisted living, elderly housing.		

(8) *Directory signs.* One directory sign not exceeding 25 square feet in size and six square feet in height shall be allowed to be placed in front of each individual building in the B-3 (office) zoning district.

(9) *Marquee signs.*

a. Marquee signs are allowed for theatres, including live performances and concert halls subject to planning commission approval.

(10) *Ancillary monument signs.* Sites zoned B2, B4 or B5 shall be permitted one ancillary monument sign not exceeding 16 square feet and not exceeding four feet in height as follows:

a. The site shall meet the following conditions:

1. 400 feet of continuous public street frontage.

2. A building occupied with two or more tenants.

3. A principal freestanding ground sign shall exist.

b. The ancillary monument sign shall be subject to the following standards:

1. Sign placement is subject to the required setbacks and shall be located no further than ten feet from a driveway access.

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2. Sign placement shall maintain a minimum of 100 feet separation from the principal monument sign located on same public street.

3. Sign material, design and color shall match the principal monument sign. In the event that the material of principal monument sign cannot be replicated because it is no longer made, or is outdated as determined by the sign code administrator, the ancillary monument sign shall, at a minimum, match design and color of the principal monument sign.

(c) *Religious uses*. For all religious uses, only the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) *Master sign plans subject to planning commission approval.*

(2) *Wall signs.*

a. Number. Except for the case of multi-tenant buildings as regulated in section 62-13 of this chapter, there shall be not more than one wall sign for each principal building.

b. Area. The gross surface area of a wall sign shall not exceed 2½ percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is smaller.

c. Location. A wall sign may be located on the outermost wall of any principal building but shall not project more than ten inches from the wall to which the sign is to be affixed.

d. Height. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign shall not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(3) *Freestanding ground signs.*

a. Number. There shall not be more than one freestanding ground sign for each principal building.

b. Area. The gross surface area of a ground sign shall not exceed 50 square feet of area.

c. Location. A ground sign may not be located closer than ten feet to any property line, right-of-way or driveway.

d. Height. A ground sign shall not project higher than ten feet, as measured from preconstruction grade at the base of the sign.

(4) *Auxiliary freestanding sign or banner.*

a. Number. There shall not be more than one auxiliary freestanding sign for each site.

b. Area. The gross surface area of an auxiliary ground sign or banner shall not exceed 50 square feet of area.

c. Location. An auxiliary ground sign or banner shall not be located closer than ten feet to any property line, right-of-way or driveway.

d. Height. An auxiliary ground sign or banner shall not project higher than six feet, as measured from preconstruction grade at the base of the sign.

e. Special conditions. Auxiliary signs and banners shall be attached to ground posts. While the sign or banner face and message may change throughout the year, the content of the sign message must directly relate to the religious organization's use and operation. Auxiliary banners shall not be displayed for more than 14 consecutive days, and shall be limited to no more than 4 events per year (maximum total of 56 banner days per year).

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(d) *Special event signs.* For all special event signs, only the following signs are hereby allowed for business uses subject to issuance of a permit in accordance with section 62-4 of this chapter:

(1) *Grand opening signs.* One grand opening sign not exceeding 30 square feet shall be allowed per business. The sign may be displayed for a maximum of 30 days.

(2) *Banners.* Special event banners shall be allowed for each business subject to the following:

a. Banner size shall not exceed 30 square feet.

b. Banner height shall not exceed 14 feet.

c. Banners shall not be displayed for more than 14 consecutive days.

d. Individual businesses shall be limited to three banner events a year.

e. There shall be no more than two banners erected per site, at one time.

(e) *Restaurant uses.* "A" frame, sandwich board signs, sidewalk or curb signs, not exceeding eight square feet per side or four feet in height, for any restaurant that does not contain a changeable message sign are hereby allowed subject to the issuance of a permit, at no charge, but otherwise in accordance with section 62-4 of this chapter.

(1) "A" frame, sandwich board signs, sidewalk or curb signs shall be subject to the following standards:

a. One sign, no more than two sides, per restaurant.

b. Sign shall be placed on a level and stable surface and shall be internally weighted to prevent movement by wind gusts. Anchoring the sign to the building or ground with ties, chains or similar mechanisms is prohibited.

c. Sign shall be constructed of finished materials such as wood, metal, aluminum or plastic. Rough-cut plywood or similar unfinished material is prohibited.

d. Sign structure and message shall have a professional application. A chalkboard background with hand-written message is permitted however; a message by spray paint, stencil or similar application is prohibited. Background material such as paper, cardboard or similar material shall be prohibited.

e. Sign structure and message shall not use highly reflective materials, colors or neon and shall not resemble a traffic sign.

f. Sign shall not be illuminated or contain moving parts.

g. Sign shall be displayed only during hours of operation.

h. Sign placement shall maintain a minimum clearance width of four feet when located on any pedestrian walkway and shall not obstruct ingress/egress to site or building entrance(s).

i. Sign placement for stand alone restaurants shall remain on private property outside of the public right-of-way, exempt from section 62-11(a) and (c).

j. Sign placement for restaurants within a multi-tenant building shall maintain a maximum ten-foot setback from the restaurant's principle building entrance.

(Ord. No. 2004-1108, § I(16.13), 6-8-2004; Ord. No. 2006-1195, §§ IV—VII, 11-14-2006; Ord. No. 2010-1317, § I, 8-10-2010; Ord. No. 2010-1331, § I, 11-9-2010; Ord. No. 2010-1340, § I, 2-8-2011; Ord. No. 2012-1377, § I(Att.), 6-12-2012; Ord. No. 2012-1378, § I, 7-10-2012; Ord. No. 2012-1379, § I, 7-10-2012; Ord. No. 2012-1381, § I, 7-10-2012; Ord. No. 2013-1405, § I(Att.), 11-12-2013; Ord. No. 2020-1565, § II, 3-10-2020)

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Sec. 62-14. Existing signs.

(a) Existing signs which become nonconforming upon adoption of the ordinance from which this section is derived shall not be reconstructed, remodeled, relocated or changed in size unless such action will make the sign conforming in all respects with this section. Non-structural changes to an existing freestanding sign face as a result of tenant changes, business name changes, or other content related changes shall require compliance with the opaque sign face standard pursuant to section 62-15 of this chapter.

(b) A nonconforming sign or sign structure which is destroyed or damaged may be restored only after the owner has shown that the damage did not exceed 50 percent of the appraised value of the sign. If such sign or sign structure is destroyed or damaged to an extent exceeding 50 percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming, in all respects, to this chapter. If restoration of a damaged sign is not completed within six months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform with all specifications of this section. Replacement signs may require planning commission approval.

(c) A nonconforming sign or sign structure shall be removed within 30 days of the date the building containing the use, to which the sign is accessory, is demolished or destroyed to an extent exceeding 50 percent of the building's appraised value.

(d) At any such time as the owner of any building or lot, on which a nonconforming sign(s) is located, requests planning commission approval for any change to the use, building or lot, the planning commission may require that such nonconforming sign(s) be removed or made to conform with this section as a condition of building or site approval.

(Ord. No. 2004-1108, § I(16.14), 6-8-2004)

Sec. 62-15. Design, construction and erection standards.

(a) *Architectural design.*

(1) Freestanding ground signs. These signs shall be architecturally integrated with the principal building in the following manner:

a. The base of the sign shall be constructed with the principal building's primary building material, to the greatest extent practical.

b. The color scheme of the sign shall follow the color scheme of the principal building, to the greatest extent practical.

c. Architectural features (e.g., sills, piers, reveals, capstones, medallions, etc.) which are part of the architectural style of the principal building shall be incorporated into the sign, to the greatest extent practical.

d. The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos.

e. The sign code administrator and/or planning commission may approve, deny, or request changes to a proposed sign, based on the architectural design of that sign.

(2) Wall signs.

a. Box signs shall be prohibited, unless approved by the planning commission as part of a total sign package.

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b. Channeled letter sign colors are subject to planning commission approval as part of a total sign package.

c. Business logos or symbols may be allowed, but shall be included in the total sign calculation.

(3) Sign legibility.

a. Signs shall serve a function of way finding and site identification. Property addresses shall be identified on the sign and the address shall have a minimum height of five inches.

(b) *Structure design.*

(1) Wind pressure. All signs shall be constructed, erected and maintained to safely withstand wind pressure as specified by Wisconsin State Statute and applicable administrative code.

(2) The design, construction and erection of all signs shall be by a competent professional in the sign design and construction industry.

(3) Wall signs attached to exterior building walls shall be anchored or attached in such a manner as will ensure stability and safety.

(Ord. No. 2004-1108, § I(16.15), 6-8-2004; Ord. No. 2006-1195, § VIII, 11-14-2006; Ord. No. 2008-1238, § I, 4-8-2008; Ord. No. 2010-1340, § I, 2-8-2011; Ord. No. 2011-1349, § I, 7-26-2011)

Sec. 62-16. Maintenance and removal of signs.

The city may cause any sign or other advertising structure which is, in their opinion, an immediate peril to persons or property to be removed summarily and without notice.

(1) *Appearance requirements.*

a. The owner of any sign as defined and regulated by this section shall be required to properly maintain the appearance of all parts and supports of their sign as directed by the city. Proper installation is required and shall be defined as follows:

Stakes firmly placed in ground and a minimum of 12—18 inches beyond the width of the banner with elastic cords.

b. In the event that the sign owner does not provide proper sign maintenance within 60 days after written notification from the city, the sign may be removed as provided in this section.

(2) *Removal of certain signs and billboards.*

a. Any sign or billboard now or hereafter existing which no longer advertises a bona fide business or product, or which is dilapidated, out of repair, unsafe, insecure, or has been constructed, erected or maintained in violation of the provisions of this section shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or land upon which such sign may be found. If within ten days after written notification from the city the sign owner fails to comply with such notice the city may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within 30 days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

b. Any sign which is constructed without proper approval and permit shall be removed or must be issued a proper permit within five days notice to the owner by the city. In the event that the owner of such sign is not issued a proper permit or fails to remove said sign, the city may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to

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which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

c. In the event that the owner of an illegal sign cannot be ascertained by the city, then notice as indicated in this section shall be given to the owner of the real estate upon which the sign is located. In the event that the owner of the real estate is not issued a proper permit or does not remove the sign within ten days then such sign may be removed by the city. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

d. If a permit is denied, the city shall issue a five-day removal notice. If the sign is not removed within the five day period, the sign may be removed by the city. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

e. The cost of removing any signs located in the road right-of-way at the time the road is widened, and such signs must be removed, shall be paid by the sign owner.

(Ord. No. 2004-1108, § I(16.16), 6-8-2004; Ord. No. 2013-1407, § I, 4-8-2014)

Sec. 62-17. Waivers or modifications.

The planning commission or park and open space board, if the land is within a public park or preserve, may waive or modify the provisions of this chapter where it would further the public interest and uphold the purpose of this section as put forth in section 62-2. Such waiver or modification, including those requested through a master sign plan, may be based on, among other things, site specific hardships such as topographic aberrations and visual encumbrances.

(Ord. No. 2004-1108, § I(16.17), 6-8-2004; Ord. No. 2012-1378, § I, 7-10-2012; Ord. No. 2017-1505, § IX, 10-10-2017)

Sec. 62-18. Temporary moratoria; penalty; enforcement by injunction; declared nuisances.

(a) *Temporary moratoria.* The common council may, by resolution adopted from time to time, prescribe limited periods in which enforcement of some or all of the restrictions of this chapter may be temporarily suspended.

(b) *Penalty.* Any person, firm, company or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture pursuant to section 1-7 of the City of Mequon Code of Ordinances. Each day that a violation exists shall constitute a separate violation and be punishable as such.

(c) *Enforcement by injunction.* Compliance with the provisions of this chapter may also be enforced by the injunction order at the suit of the city or one or more owners of real estate situated within an area affected by the regulations of this chapter.

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(d) *Declared nuisances.* Any sign or similar advertising structure erected, structurally altered, painted, moved or maintained in violation of the provisions of this chapter is hereby declared to be a nuisance per se, and the city may apply to any court of competent jurisdiction to restrain or abate such nuisance.

(Ord. No. 2004-1108, § I(16.18), 6-8-2004; Ord. No. 2006-1195, § IX, 11-14-2006; Ord. No. 2010-1335, § I, 11-9-2010; Ord. No. 2011-1371, § I, 1-10-2012)

Sec. 62-19. Severability.

If any section, clause, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. If an application of this chapter to a particular sign or structure is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other sign or structure not specifically included in said judgment.

(Ord. No. 2004-1108, § I(16.19), 6-8-2004)

Sec. 62-20. Master sign plan confirmation.

Master sign plan approvals shall require common council confirmation upon written request from two alderman or one alderman and the mayor. Such request shall be made within 14 days of the corresponding planning commission approval of the master sign plan. The burden of persuasion on the issue of whether the master sign plan, as proposed, complies with the requirements of this chapter remains at all times on the applicant.

(Ord. No. 2012-1378, § I, 7-10-2012)

Sec. 62-21. Signs along streets and on public property.

(a) *Findings.* The city encourages the exercise of free speech, and recognizes the right of all people to speak, petition, picket and otherwise express speech on public property. Signage on public property, however, poses additional concerns, among them being:

(1) Signs installed on public property give the appearance of government endorsement of the messages on the signs.

(2) Signs installed in certain locations can obstruct visibility and conflict with necessary safety signs and, therefore, create safety hazards.

(3) Signs that are installed too close to roads can create distractions for drivers and, in certain locations, obstruct visibility.

(4) Signs installed on public property can obstruct vehicles, bicycles and pedestrians; moreover, excessive signage has in the past made parks and public buildings uninviting to regular users.

(5) The common council knows of no way to ensure that an installed sign on public property is removed when the person posting the sign has no further use for it, and the city has no way to know who installed a sign so that the city can inquire whether the sign can be removed; therefore, signs could be installed permanently.

(6) The proliferation of installed signs on public property unnecessarily changes the character and aesthetics of the city. Nevertheless, the public has the ability to post non-commercial signs on private property, thereby ensuring that the public may express itself on signs.

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Accordingly, the common council has determined that this section is required for the safe and orderly administration of public property. With certain limited exceptions, this section restricts all people and entities from installing signs. However, the city has reserved the right to install specific signs that are fundamental and necessary for the purposes for which the city owns its properties. The city allows others to hold signs on public property while petitioning, picketing and at all other times. The common council further finds that numerous and significant alternatives exist to placing signs close to streets (such as back from the street) and on public property that allow the exercise of free speech.

(b) *Interpretation.* The provisions of this section supersede all contrary provisions of this chapter 62, this code and city policies. Except for sections 62-18(b)—(d) and 62-19 which are specifically incorporated in this section by reference, any provision of this chapter 62, this code or any city policy that conflicts with or could be read to modify or supplement this section or that grants discretion in the city or any of its committees shall have no force or effect with respect to the subject matter of this section or the properties described in this section. Without limiting the foregoing, sections 62-4, 62-17 and 62-18(a) shall specifically not apply to this section.

(c) *Definitions.* The definitions of the following terms and phrases set forth above are specifically incorporated in this section: area, electronic message sign, ground sign, height, sign and street. Additionally, the following terms and phrases shall have the following meanings as used in this section:

Edge of the street means the back side of any curb, if installed along a street, or if not, the edge of the pavement of a street.

Hold means to grasp or carry by a person, or to display on clothing being worn by a person.

Install means to cause to be or stay in a particular place, either temporarily or permanently, and includes to erect, embed, attach, fasten, place, display, paint, draw, or otherwise illustrate, but does not include to hold.

Roadside ditch means a long, narrow open channel that is dug into the ground along the side of a street used for the collection of storm water.

Street reserved area means the entire width of the physical surface intended for vehicular traffic of any public street plus any medians and/or islands within lanes of traffic, together with the following:

(1) If there is a sidewalk or multi-use path located in whole or in part within 15 feet from the edge of the street, the area from the edge of the street up to, and including, the full width of the sidewalk or multi-use path; or

(2) In an area along a street where (1) does not apply, 15 feet from the edge of the street.

(d) *General exceptions.* Nothing in this section shall prohibit any person from holding a sign in a street reserved area or on public property provided that no such sign being held shall (1) block the view of traffic in a manner that could cause safety concerns; (2) block a driveway except while being carried from one side to another; (3) be held within 25 feet of the entrance of any public building; (4) obstruct pedestrian or vehicular travel; (5) obstruct pedestrian or vehicular ingress or egress from any public or private building; or (6) be held in any street reserved area that is titled to a private property owner without the property owner's permission.

(e) *Street reserved areas.*

(1) Except for the following, no signs shall be installed in any street reserved area:

a. The following signs, all of which are necessary for government to exercise its responsibilities, erected by the city or any other governmental entity with authority:

1. Traffic signs and street signs.

2. Warning signs and temporary emergency signs installed for the public safety.

Attachment: Chapter_62___SIGNS-3 (9005 : Sign Code Updates)

3. Entrance signs to the city stating the name, population and official slogan, if any, for the city and containing the logo for the city (or any combination of the foregoing).
4. Signs designating historical landmarks, signs naming neighborhoods and signs notifying the public of designations bestowed upon the city or a place by an entity other than the city (e.g., Bird City USA, Rustic Road).
5. Adopt a street program signs.
6. Signs required by federal or state law to be placed in such locations.
7. Signs to notify the public of potential zoning or land use actions on a property pursuant to chapter 58 of this code.

b. Signs on any vehicle, trailer or towed equipment and lawfully parked or traveling upon any public street.

c. Signs on any vehicle, trailer, equipment or shelter during any city-organized or funded parade or festival, or a parade or festival in which the city substantially participates, that occurs in whole or in part in the street reserved area.

d. Railroad signs installed by or on behalf of a railroad, or a governmental entity with authority, for safety purposes.

e. Utility signs installed by or on behalf of a public utility, or governmental entity with authority, for safety purposes.

f. Single-family residential subdivision entrance signs if approved by the planning commission. Such signs shall only be approved in the street reserved area if (a) placed in a entrance island on the entrance road to the subdivision and platted as an outlot or (b) the Planning Commission determines that there is no place outside of the street reserved area on the subdivision's property that is reasonably visible from adjacent streets, provided that no such sign shall violate the required intersection sight distance, vision triangle and vision corners requirements of the Standard Specifications for Land Development in the City of Mequon. A single-family residential subdivision sign in the street reserved area that exists of date of the enactment of this section that is made non-conforming by such adoption may not be replaced or restored unless the owner shows that the sign or its structure has been damaged by causes other than vandalism and that the damage did not exceed 50 percent of the appraised value of the sign and sign structure. If such sign or sign structure is destroyed or damaged by causes other than vandalism to an extent exceeding 50 percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming to the location requirements of this section and all other applicable ordinance requirements. If restoration of a damaged sign is not completed within six months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform with all applicable specifications. Replacement signs require planning commission approval.

g. The city will install a sign in the street reserved area for any person or entity, for any purpose and with any message, subject to the following conditions:

1. The sign may only be installed on one of the following streets and, to the extent required, subject to state or county approval:

   County Line Road (north side)

   Donges Bay Road

   Mequon Road (west of Buntrock Avenue; between the Milwaukee River and Oriole Lane; east of I-43)

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Freistadt Road

Highland Road

Bonniwell Road

Pioneer Road

Wasaukee Road

Granville Road

Swan Road

Wauwatosa Road

Cedarburg Road (south of Lucerne Court; north of Thiensville)

Green Bay Road

Port Washington Road (north of Glen Oaks Lane)

Lake Shore Drive

2. No person or entity may have more than one such sign.
3. Each of such signs facing the same street shall be at least 0.5 miles apart.
4. The city will locate such signs to avoid conflicts with other signage, blocking the view of traffic in a manner that could cause safety concerns or obstructing pedestrian or vehicular travel. No such sign shall be located in front of any commercial property.
5. Each such sign shall be 36 inches wide and 24 inches tall with a blue background and white lettering. Lettering on the sign shall be at least four inches tall. Such signs shall be installed on free standing posts designated and provided by the city.
6. Such signs will be procured through and installed by the city at the expense of the person or entity requesting the sign in accordance with the city's established fee schedule.
7. Such signs shall be subject to an annual administrative fee in accordance with the city's established fee schedule. The city shall remove any such sign if the annual fee is not paid within 30 days of the date of the city's notice to the person or entity requesting such sign. Such notice shall be sent to the address on file with the city.
8. Any sign installed by the city that exists as of the date of the enactment of this ordinance that would otherwise qualify under this part g., but that does not conform to any requirement of 3. or 5., may remain in place through 2026 provided the person or entity for which the sign was installed pays the annual administrative fee described below as and when required. Such non-conforming signs will be removed on or after January 1, 2027. The city will replace any such sign with a sign that meets the requirements of this paragraph (other than the requirements of 3. if two or more such signs exist as of that date), subject to payment of the procurement and installation costs described below, at the request of the person or entity for which the sign was installed.

(2) No sign in a roadside ditch may be installed in a manner that would restrict the free flow of water.

(f) *Other public property.*

(1) This subsection (f) shall not apply to the following:

a. That portion of any right-of-way that is regulated under subsection (e) as part of a street reserved area.

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b. Signs on properties owned or controlled by any governmental entity other than the city. Monument, wall and directional signage on such properties shall be regulated to the extent allowed by law by provisions of this chapter 62 other than this section. Those entities shall regulate signs, including signs installed by third-parties, under their own authority.

c. Signs on properties leased from the city under a long term written lease of more than one year (e.g., the lease with Mequon Nature Preserve), but not including special event leases or licenses. Monument, wall and directional signage on such properties shall be regulated to the extent allowed by law by provisions of this chapter 62 other than this section. Subject to restrictions in their leases, tenants under such leases shall regulate signs, including signs installed by third-parties, under their own authority.

(2) The city has the right to engage in government speech and to promote on public property the events and programs the city organizes or funds, other activities of the city government and positions taken by the city. Accordingly, the city may promote such events, programs, activities and positions on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument and by installing signs elsewhere on public property subject to the following conditions:

a. No such sign may promote any candidate for public office, referendum on any ballot or political party.

b. The city administrator or his or her designee may authorize messages on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument provided that the messages are limited to (i) the current date and time; and (ii) the name, date, time and/or place of events and programs organized or funded by the city.

c. The common council may specifically authorize messages on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument or signs installed elsewhere on public property provided that they relate to (a) the events and programs the city organizes or funds; (b) other activities of the city government; and (c) positions taken by the city as approved by the common council.

(3) The Frank L. Weyenberg Library may display messages on the electronic message board outside of the library subject to the following conditions:

a. No such sign may promote any candidate for public office, referendum on any ballot or political party or advocate any political or public policy position.

b. Messages on the electronic message board shall be limited to (i) the operating policies of the library approved by the Frank L. Weyenberg Library Board of Trustees; (ii) the name, date, time and/or place of library-related events and programs organized or funded by the library or the library foundation; (iii) the books, materials and electronic offerings of the library; and (iv) books and materials sold by the library.

(4) Subject to the preceding paragraphs, no signs shall be installed on any public property, including without limitation in any park, all publicly owned areas around any city building or in any right-of-way except for the following, each of which the city expressly permits as an expression of government speech:

a. Any sign described in subsection (e)(1) of this section, other than the signs in part f. of such section, including any such described sign located on public property outside of a street reserved area.

b. The American flag, the flag of the State of Wisconsin and the flag, if any, of the city.

c. Outside of a public building or park, one or more signs specifying the name or address, or both, of the building or park. Such a sign may contain the city logo or the logo for the city's park system.

Attachment: Chapter_62___SIGNS-3 (9005 : Sign Code Updates)

d. Signs installed by the city on the day of or evening before an election day stating nothing more than "vote here" and giving the hours of voting. Such signs shall be removed at the conclusion of voting or on the following day.

e. A sign on the outside of city hall designating the city's drop box.

f. Signs approved by the common council or a committee designated by the common council recognizing donors and contributors toward an improvement to which the sign is attached or adjacent.

g. Signs required by government or quasi-governmental authorities other than the city as a condition of funding of improvements.

h. Signs specifying the rules and regulations for the property or facility.

i. Advertising signs at athletic fields provided that the advertiser has paid an annual fee for the sign.

j. Words, logos and depictions on tombstones in any cemetery.

k. Directional signs, maps and signs identifying features of interest on city property.

l. The following signs that have been installed prior to the date of the enactment of this ordinance: [1] The Mequon-Thiensville sign on the Gateway Monument at the corner of Mequon and Cedarburg Roads; and [2] the four historic signs around such monument.

m. Monuments, memorials and artwork that is either commissioned by the common council or accepted by the common council pursuant to its inherent right to government speech prior to installation.

n. Signs promoting events, programs and initiatives organized or funded by the city, provided that such promotion is approved by the common council prior to such signs being installed.

(g) *Enforcement.* The city may enforce the provisions of this section as described in section 62-18(b)—(d). Additionally, the city may remove any sign that violates this section.

(Ord. No. 2021-1616, § II, 2-8-2022)

Attachment: Chapter_62___SIGNS-3 (9005 : Sign Code Updates)

REVISED SIGN CODE
(11/30/23 Revisions)

Deleted: Chapter 62 SIGNS¶
Sec.

62-1. Findings and Purpose.

(a) *Findings*. The common council makes the following legislative findings relating to signs:

(1) Exterior signs have a substantial impact on community appearance and quality of the environment.

(2) Signs provide an important medium through which individuals may convey a variety of messages.

(3) In addition to signage allowed by this chapter, individuals, groups of people, and businesses have numerous means to communicate different types of speech, including print media, broadcast media, direct mailings to households, and dissemination of information on the Internet.

(4) Signs can create traffic hazards, aesthetic concerns and detriments to property values, thereby threatening the public health, safety and welfare.

(5) Sign regulations in this chapter (i) promote the public welfare, health, and safety of people using the public roads and other public travel ways; (ii) advance the aesthetic goals of the city while allowing creative and effective signage; and (iii) reduce the visual clutter caused by advertising signage which is a significant cause of unsafe traffic and visibility conditions.

(6) The limitations placed on signs by this chapter are deemed to be the minimum necessary to accomplish the purposes of this chapter.

(7) The common council, by enacting this ordinance, recognizes the city has a significant and substantial governmental interest in promoting public safety and aesthetic values through the regulation of signs displayed within the City of Mequon.

(b) *Purpose*. The purpose of this ordinance is to create the legal framework for a comprehensive but balanced system of signs, and thereby to facilitate an easy and pleasant communication between people and their environment. Sign regulations, including but not limited to those which control the type, design, size, location and maintenance of signs, are hereby established to further the goals of safety and aesthetics and achieve more specifically, the following purposes:

(1) To promote the public health, safety, welfare and comfort of the general public by:

Moved (insertion) [1]

a. Reducing distractions and obstructions from signs which would adversely affect traffic safety, and alleviate hazards caused by signs projecting over or encroaching upon the public right-of-way;

b. Discouraging excessive visual competition in signage and ensuring legibility and that signs aid orientation and adequately identify uses and activities to the public; and

Moved (insertion) [2]
Moved (insertion) [3]

Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

c. Preserving or enhancing the natural beauty and unique physical characteristics of the City of Mequon as a community in which to live and work by requiring new and replacement signage which is:

1. Creative and distinctive;

2. Harmonious with the building, surrounding neighborhood aesthetics and other signs in the area;

3. Appropriate to the type of activity to which it pertains;

4. Expressive of the city's identity in a manner which will not diminish property values; and

5. Complementary to the city's suburban architectural character and unobtrusive commercial developments;

(2) To promote the development of attractive and harmonious residential areas, viable commercial areas and to identify industrial and other areas.

(3) To protect property values, public investment and overall neighborhood character by promoting an attractive, harmonious and aesthetically-pleasing environment and preventing conditions which have undesirable impacts on surrounding properties.

(4) To protect scenic views and the visual environment along all city streets, highways and rights-of-way and to promote overall aesthetics, avoid clutter and avoid inappropriate scale.

(5) Promote the desired community and neighborhood character and aesthetics described in the City's comprehensive plan.

(6) It is not the purpose or intent of this chapter to regulate the message displayed on any sign; nor is it the purpose or intent of this article to regulate any building design or any display not defined as a sign, or any sign that cannot be viewed from outside a building.

62-2. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Address sign means a sign containing only the physical street address of a premises (e.g. "11333 N. Cedarburg Road") or only the number of the street address (e.g. "11333") which is traditionally used for wayfinding purposes.

Approved combustible materials. Wood, combustible plastics, or other rigid material impervious to water.

Moved (insertion) [4]

Approved combustible plastics. Only those combustible plastic materials which when tested in accordance with the Standard Method of Testing for Flammability of Plastics (A.S.T.M.) over 0.050 inch in thickness, D635 (latest revision), burn no faster than 2.5 inches per minute in sheets of 0.060 inch thickness.

Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

Area. Measurement of sign area shall be calculated as the sum of the area within the smallest regular polygon that will encompass all elements of the actual sign face including any writing, representation, emblem or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displayed.

(a) For a sign painted on or applied to a building or to a freestanding wall, the area shall be considered to include all lettering, wording and accompanying designs or symbols, together with any background of a different color than the natural color, or finish material of the building or city approved free-standing architectural wall. The architectural wall shall be subject to city approval of a building, site and landscaping plan application.

(b) The main supporting sign structure (i.e., brackets, posts, foundation, etc.) shall not be included in the area measurement if such framework is incidental to the display.

(c) When a sign has two or more faces, the area of all faces shall be included in determining the area, except where two faces are placed back to back and are at no point more than two feet from each other. In this case, the sign area shall be taken as the area of either face, and if the faces are unequal, the larger shall determine the area.

Awning and awning sign. An awning is a temporary or permanent frame with a fabric covering which projects from the building wall and is intended to provide shelter over a window, door or pedestrian space. An awning sign is any sign applied to an awning.

Banner. A sign, including a feather flag sign, intended to be hung either with or without a frame, and which possesses characters, letters, illustrations, or ornamentations applied to paper, plastic, or fabric of any kind.

Base setback line. The edge of the established ultimate street right-of-way.

Beacon. A stationary or revolving light which flashes or projects illumination, single color or multicolored, in any manner which is intended to attract or divert attention.

Canopy sign. Any sign that is attached to or part of an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area.

Construction site. shall have the same meaning given the term in Wis. Stat. § 66.1102(1)(ae).

Development sign. A temporary sign identifying individuals or companies involved in design, construction, wrecking, financing, or development of a building or lot and/or identifying the future use of a building.

Directional sign. A sign for the purpose of directing patrons or attendants to an entity or enterprise off the main traveled highway. Also, signs solely identifying ingress and egress placed at driveway locations, containing no advertising material.

Directory sign. A sign which indicates the name of the occupants or tenants located on the premises.

Moved up [4]: *Approved combustible materials*. Wood, combustible plastics, or other rigid material impervious t water. ¶
Approved combustible plastics. Only those combustible plastic materials which when tested in accordance with t Standard Method of Testing for Flammability of Plastics (A.S.T.M.) over 0.050 inch in thickness, D635 (latest revision), burn no faster than 2.5 inches per minute in sheets of 0.060 inch thickness. ¶
Area. Measurement of sign area shall be calculated as th sum of the area within the smallest regular polygon that encompass all elements of the actual sign face including writing, representation, emblem or any figure or similar character together with any material forming an integral part of the display or forming the backing surface or background on which the message or symbols are displa

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Moved up [5]:)→The main supporting sign structure (brackets, posts, foundation, etc.) shall not be included the area measurement if such framework is incidental the display. ¶

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Deleted: *Bulletin board.* A sign not to exceed 15 square f in area located on the premises of a charitable, religious, educational institution or a public body, for purposes of announcing events which are held on the premises. The of Mequon official bulletin boards may be located off sit

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Deleted: *Development sign.* A temporary sign identifying future residential or non-residential development. ¶

Deleted: a commercial establishment

Deleted: , or to service clubs, churches, schools or other non-profit organizations.

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Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

Display surface. The surface made available on the sign, either for the direct mounting of letters and decorations, or for the mounting of facing material intended to carry the entire advertising message.

Edge of the street. The back side of any curb, if installed along a street, or if not, the edge of the pavement of a street.

Electronic message sign. A sign whose informational content can be changed or altered on a fixed display screen composed of electronically illuminated parts. Electronic message signs use changing lights to form a message in text form wherein the sequence of the text and rate of change is electronically programmed and can be modified by electronic processes.

External illumination. Illumination of a sign with an exterior light source.

Facing. The surface of the sign or billboard upon, against, or through which the message of the sign or billboard is displayed.

Flashing sign. A sign whose illumination is not kept constant in intensity at all times when in use and/or which exhibits changes in light, color, direction, animation and word/text changes. Illuminated signs, which indicate the date, time, and temperature, will not be considered flashing signs.

Freestanding/ground sign. A sign which is attached to or part of a completely self-supporting structure other than a building. The supporting structure shall be set firmly in, upon, or below the ground surface and shall not be attached to any building.

Height. The height of all freestanding signs shall be the distance between the existing preconstruction grade at the base of the sign and the highest point on the sign or supporting structure.

Hold. To grasp or carry by a person, or to display on clothing being worn by a person.

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Illuminated sign. A sign in which an artificial source of light is used in connection with the display of such sign.

Install. To cause to be or stay in a particular place, either temporarily or permanently, and includes to erect, embed, attach, fasten, place, display, paint, draw, or otherwise illustrate, but does not include to hold.

Internal illumination. Illumination of a sign in which the source of light is contained within the sign itself.

Letters and decorations. The letters, illustrations, symbols, figures, insignia, logo and other media employed to express and/or illustrate the sign message.

Lot. A designated parcel, tract or area of land established by plat, subdivision, or as otherwise permitted by law.

Lot lines. A line of record bounding a lot which divides one lot from another lot or from a public or private street or any other public space.

Major tenant. A tenant within a multi-tenant building that occupies the greatest linear frontage or square footage of that building.

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Manual changeable letter sign. A sign whose information content can be changed or altered manually on a fixed display. Manual changeable letter signs use individual letters to form a message in text form.

Marquee and marquee sign. A marquee is a permanent roof-like structure extending from part of the building wall but not supported by the ground, and constructed of durable materials. A marquee sign is a sign attached to, applied on, or supported by a marquee.

Master sign plan. A master sign plan is a unified signage package that applies to a single development in a manner that will enhance the development through a coordinated and comprehensive design approach. The master sign plan can allow for flexibility to the standards when benefits of the design flexibility are derived by both the applicant and the community. The master sign plan shall specify the standards which are requested to be waived or modified and comply with section 62-15.

Neon or other gas tube illumination. Illumination from a light source consisting of a neon or other gas tube which forms letters, symbols or other shapes.

Nonconforming sign. A sign existing at the effective date of the adoption of this chapter which does not conform to the terms of this chapter.

Off-premises signs. Any sign that advertises, calls attention to or identifies an entity, enterprise or property situated on a different lot than the sign.

Offset. The regulated minimum distance of a structure from a side or rear lot line.

On-premises signs. Any sign that advertises, calls attention to or identifies an entity, enterprise or property situated on the same lot as the sign.

Outdoor advertising. Any outdoor structure or device that is used as an announcement, declaration, demonstration, display, illustration, indication, symbol, insignia, logo, emblem or advertisement.

Portable sign. A sign not permanently affixed to the ground, building, or other structure and which may be easily moved from place to place.

Premises. The lot on which a sign is located.

Projecting sign. A sign affixed or attached directly to the exterior wall of a building or structure and extending more than ten inches from the exterior wall of the building or structure.

Roadside ditch. A long, narrow open channel that is dug into the ground along the side of a street used for the collection of storm water.

Roof sign. A sign or billboard which is located or projects above the lowest point of the eaves or the top of the parapet wall of any building, or which is painted on or fastened to a roof.

Setback. The regulated minimum horizontal distance between the base setback line and any structure on a lot.

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Deleted: *Real estate sign.* A sign which is used to offer fc sale, lease, or rent the premises upon which such sign is placed. ¶

Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

Shopping center. A planned/coordinated grouping of architecturally unified commercial establishments built on the same site and managed as one operating unit offering for sale goods such as food, drugs, hardware and personal services.

Sign. Any display of lettering, logos, colors, lights, or illuminated neon tubes visible to the public from outside of a building or from a traveled way, which either conveys a message to the public, or intends to advertise, direct, invite, announce or draw attention to goods, products, services, facilities, persons, property interest or business either on the lot or on any other premises.

Sign code administrator (SCA). The City of Mequon employee(s) responsible for administering this chapter.

Street. A public or private right-of-way for pedestrian or vehicular traffic.

Street reserved area. The entire width of the physical surface intended for vehicular traffic of any public street plus any medians and/or islands within lanes of traffic, together with the following:

(a) If there is a sidewalk or multi-use path located in whole or in part within 15 feet from the edge of the street, the area from the edge of the street up to, and including, the full width of the sidewalk or multi-use path; or

(b) In an area along a street where (a) does not apply, 15 feet from the edge of the street.

Temporary sign. A sign intended to be used for a period of no more than 30 days unless otherwise specified herein.

Trim. The moldings, battens, capping, nailing strips, latticing and platforms attached to any sign or billboard structure.

Wall sign. A sign or billboard affixed or attached directly to the exterior wall of a building and extending ten or less inches from the exterior wall of the building or structure.

Warning sign. A sign, containing no advertising material, warning the public of the existence of danger.

Window sign. A sign attached to, placed upon, or painted on the interior of a window or door of a building which is intended for viewing from the exterior of such building.

62-3. Scope of regulations.

Except as otherwise noted herein, the regulations of this chapter shall govern all outdoor signs, advertising structures or devices with respect to location, safety, size, construction standards, erection, attachment, support, lighting, anchorage, maintenance, appearance, and aesthetics. To the extent that these provisions conflict with other code provisions and/or with specific design guidelines adopted by the common council (e.g., Town Center Plan and Design Guidelines), the more restrictive or specific requirement will apply.

62-4. Permits.

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Moved up [1]: → To promote the public health, safety, welfare and comfort of the general public by: ¶
a.→ Reducing distractions and obstructions from signs wh would adversely affect traffic safety, and alleviate hazard caused by signs projecting over or encroaching upon the public right-of-way; ¶

Moved up [2]: b.→ Discouraging excessive visual competition in signage and ensuring that signs aid

Moved up [3]: that signs aid orientation and adequately identify uses and activities to the public; and ¶
c.→ Preserving or enhancing the natural beauty and uniq physical characteristics of the City of Mequon as a community in which to live and work by requiring new ar replacement signage which is: ¶
1.→ Creative and distinctive; ¶
2.→ Harmonious with the building, surrounding neighborhood aesthetics and other signs in the area; ¶
3.→ Appropriate to the type of activity to which it pertain
4.→ Expressive of the city's identity in a manner which wi not diminish property values; and ¶
5.→ Complementary to the city's suburban architectural character and unobtrusive commercial developments; ¶

Deleted: (Ord. No. 2004-1108, § I(16.03), 6-8-2004; Ord. 2006-1195, § I, 11-14-2006; Ord. No. 2010-1317, § I, 8-1(2010; Ord. No. 2012-1375, § I, 4-10-2012; Ord. No. 2012- 1377, § I(Att.), 6-12-2012; Ord. No. 2012-1378, § I, 7-10- 2012; Ord. No. 2020-1565, § I, 3-10-2020)¶
Sec. 62-2. Purpose.¶
The purpose of the sign regulations in this chapter is as following: ¶
(1)→ To regulate the size, type, construction standards, maintenance and placement of signs situated within the boundaries of the City of Mequon, Wisconsin; ¶
(2)

Deleted: d.→ Promote a healthy and properly designed business environment; ¶
e.→ Protect property values within the city. ¶
(Ord. No. 2004-1108, § I(16.01), 6-8-2004)¶
Sec.

Deleted: (Ord. No. 2004-1108, § I(16.02), 6-8-2004)¶
Sec.

Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

(a) *Authority*. Where this chapter requires a permit, it shall be unlawful for any person to erect, repair, alter, relocate or possess any sign or other advertising structure as defined in this chapter without first obtaining a sign permit from the Department of Community Development and making payment of established fees. All illuminated signs shall, in addition, be subject to the provisions of the electrical code and the permit fees required thereunder.

(b) *Application for permit*. Sign permit applications shall be filed with the sign code administrator, who shall review the application for its completeness and accuracy and approve or deny, in writing, the application within 60 days of receipt from the applicant. A sign permit shall become null and void if work authorized under the permit has not been completed within 12 months of the date of issuance. The application for a sign permit shall contain or have attached thereto the following information:

(1) Name, address, and telephone number of the applicant. Location of building, structure, or lot to which or upon which the sign is to be attached or erected.

(2) Name of person, firm, corporation, or association erecting the sign.

(3) Written consent of the owner of the building, structure, or land to which or upon which the sign is to be affixed.

(4) A scale drawing of such sign indicating the dimensions, materials to be used, color scheme, type of illumination, if any, and the method of construction and attachment.

(5) A scale drawing indicating the location and position of such sign in relation to nearby buildings or structures.

(6) Copies of any other permit required and issued for said sign, including the written approval by the city planning commission where required by the zoning code and/or by the electrical inspector, in the case of illuminated signs, who shall examine the plans and specifications, re-inspecting all wiring and connections to determine if the sign complies with the city electrical code.

(7) Additional information as may be required by the Department of Community Development.

(c) *Issuance of permits*. Upon the filing of an application for a sign permit, the sign code administrator will examine such plans and specifications and other data to determine whether the proposed sign is in compliance with the requirements of this section and all other regulations of the city. Following such examination:

(1) If the proposed sign is not in compliance with the requirements of this section and all other regulations of the city, the sign code administrator shall deny such permit and state the specific lack of compliance with the ordinance requirements in the SCA denial.

(2) If the proposed sign complies with all dimensional ordinance requirements, the sign code administrator shall consider the purpose, appearance, location,

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Moved up [9]: Sign permit applications shall be filed wit the sign code administrator, who shall review the application for its completeness and accuracy and appro or deny, in writing, the application within 60 days of rece from the applicant. A sign permit shall become null and v if work authorized under the permit has not been completed within 12 months of the date of issuance.

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(1)→It shall be the duty of the sign code administrator,

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Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

lighting, height, size, and impact of the sign relative to the scenic beauty of the vicinity and to the values identified in section 62-1 of this chapter (i.e., purpose). If the sign code administrator determines, on the basis of the above noted considerations, that there is a question as to whether or not the proposed sign is in accordance with the intent of this section, the SCA shall refer the sign permit application to the planning commission stating the reasons for such referral. Following its review, the planning commission shall approve, approve with modifications, or deny the sign permit application.

(3) If the sign code administrator determines that the sign is in compliance with the intent of this section and all other regulations of the city, the SCA shall issue the sign permit.

(4) Any approval given by the sign code administrator or planning commission shall be valid for 12 months. If the approved sign is not constructed within this 12-month period, the sign permit shall be declared null and void.

(5) Upon any denial of a sign permit, no application for the same or substantially similar sign may be made within one year of such denial unless the application results from substantially changed circumstances or conditions.

62-5. Fees.

Administrative fees for sign permits shall be in accordance with the city's established fee schedule.

62-6. Revocation of permits.

The sign code administrator is hereby authorized and empowered to revoke any permit issued by him/her upon failure of the holder thereof to comply with any provision of this chapter.

62-7. Prohibited signs.

The following types of signs are prohibited in the City of Mequon:

(a) Roof signs.

(b) Signs placed on or affixed to vehicles and/or trailers which are parked on private property so as to be visible from a public right-of-way or public property where the apparent purpose is to advertise a product or direct people to a business or activity. However, this is not in any way intended to prohibit signs placed on or affixed to vehicles and trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer.

(c) Signs which are attached or otherwise affixed to rocks, trees or other living vegetation.

(d) Signs which imitate, interfere with, obstruct the view of, or can be confused with any authorized traffic control sign, signal, or other device.

(e) Flashing or rotating signs, message crawl signs, digital electronic signs, signs containing moving parts, and signs containing reflective elements which sparkle or twinkle in the sunlight are not permitted.

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Deleted: or park and open space board, if the proposed sign is to be located within a city owned p or preserve,

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Deleted: (Ord. No. 2004-1108, § I(16.04), 6-8-2004; Ord. 2006-1195, § II, 11-14-2006; Ord. No. 2013-1394, § I[Att. 9-2013; Ord. No. 2017-1505, § IX, 10-10-2017)¶ Sec.

Deleted: (Ord. No. 2004-1108, § I(16.05), 6-8-2004)¶ Sec.

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Deleted: (4)→Signs which contain untruthful or misleading information. ¶ (5

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Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

(f) "A" frame, sandwich board, sidewalk, or curb signs, except as may be expressly allowed under this chapter.

(g) Banners, pennants, streamers, balloons, and other gas-filled figures, except as may be expressly allowed under this chapter.

(h) Billboards and off-premises signs.

(i) Any sign advertising or identifying an entity or enterprise which is either defunct or no longer located on the premises.

(k) Projecting signs.

(l) Portable and wheeled signs.

(m) Signs or other advertising painted directly on walls unless specifically approved by the planning commission.

(n) Inflatable signs and tethered balloons.

(o) Signs attached to, erected or maintained on any standpipe, exterior stairway, fire escape, tower, or balcony so as to interfere with the use thereof.

(p) Signs erected at or near the intersection of any streets in such manner as to obstruct free and clear vision; or at any location where, by reason of the position, shape or color, it may interfere with, obstruct the view of, or be confused with any authorized traffic sign, signal or device; or which makes use of the words "STOP," "LOOK," "DANGER" or any other word, phrase, symbol, or character in such manner as to interfere with, mislead, or confuse traffic.

(q) Signs erected, constructed or maintained so as to obstruct any exit, any window opening necessary for required light or ventilation, or which prevents free passage from one part of a roof to another.

(r) Signs extending above the top or ten inches beyond the side of the exterior wall to which such sign is attached.

(s) Signs and associated lighting fixtures which project more than ten inches from the exterior wall to which they are attached.

(t) Signs entirely supported by a parapet wall.

(u) Except as may otherwise be permitted by this section the placement, creation, or use of outdoor advertising devices such as banners, decorative displays or other advertising devices of cloth, paper, or other non-rigid materials.

62-8. Exemptions.

The following outdoor signs, advertising structures or devices shall be exempted from section 62-4 of this chapter:

(a) A banner installed over the entire height and length of a fence surrounding a construction site by the owner, or other person in lawful possession or control, of such construction site in accordance with Wis. Stat. § 66.1102((5)(a).

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Deleted: , except city approved temporary off-premise signs to identify businesses during road construction. Official city bulletin boards are also allowed off-premis

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Deleted: (11)→Any sign larger than 50 square feet in area except as may otherwise be permitted under the terms of this section and subject to review and appro by the planning commission or park and open space board, if the sign is proposed to be located within a ci owned park or preserve. ¶
(12

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Sec.

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Deleted: (1)→One wall sign not to exceed six square f in size maintained by the owner or occupant of any residential building for the purpose of displaying the name of the owner or occupant or legal home occupation signs not exceeding two square feet in

Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

(b) Signs which are located within the interior of any building and which are not visible from the exterior of the building.

(c) Temporary, non-illuminated window signs, including but not necessarily limited to paper signs, box signs, and painted window signs, covering less than 25 percent of the area of any individual window pane, provided that the sign shall not be continuous in appearance across multiple window panes.

(d) Address signs, provided that there is not more than one address sign per building and that such sign does not exceed six square feet in gross surface area.

(e) Any sign which is otherwise required or authorized by local, state, or federal law contrary to the provisions of this chapter.

62-9. Signs on Residential Properties

Signs on a lot located within a residential zoning district, as identified in Chapter 58, Article IV, Division 3, within the residential component of any lot zoned PUD, TDR-PDR or CGA, or on a lot with a residential use in any other zoning district shall comply with the following:

(a) *Temporary Signs*. Signs that are installed on a lot for less than 4 months in any twelve-month period shall be allowed without a permit under section 62-4 provided that:

(1) *Number and area*. Any number of temporary signs are allowed except that the total cumulative area of all temporary signs shall not exceed 15 sq. ft.

(2) *Height*. No temporary sign shall exceed 4 feet in height.

(b) *Non-Temporary Signs*. The following non-temporary commercial, wayfinding and/or directional signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) *Building name signs*. Name signs for buildings containing four or more residential units indicating only the name of the building, the name of the development in which it is located, the management thereof, and/or address of the premises shall be subject to the following:

a. *Type*. Building name and address signs may be either wall signs or ground signs.

b. *Number*. There shall not be more than one name and address sign for each building except that where a building abuts two or more streets, one sign may be allowed for each abutting street frontage.

c. *Area*. Building name signs shall not exceed six square feet in gross surface area.

d. *Location*. Building name signs shall not be located closer than ten feet to any property line, right-of-way or driveway.

e. *Height*. Building name signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.

Deleted: (10)→Yard sale signs; provided that no pe...
Deleted: (b)→The following temporary signs shall als...
Moved down [10]: There shall not be more than
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Deleted: 2.→In all districts except on parcels th...
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Moved down [12]: 4.→*Height*.
Moved down [13]: 1.→*Number*.
Moved down [14]: . ¶
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Moved down [16]: During the period commencin
Moved down [17]: ¶
Moved down [18]:)→Where any sign is proposed
Moved down [19]: →Signs shall be located on par
Moved down [20]: →A freestanding sign shall be
Moved down [21]: →The height of a freestanding
Moved down [22]: →A freestanding sign shall not
Moved down [23]: →One wall sign per tenant is
Deleted: 1.→*Number.* There shall not be more t...
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Moved down [24]: →The total square area of wall
Deleted: *Time limit.* Such signs shall not be po...
Moved down [25]: →The placement of any wall si
Moved down [26]: →All wall signs shall be channe
Moved down [27]: →All wall signs as part of one
Moved down [28]: The illumination shall not exce
Deleted: (3)→One freestanding sign shall be ...
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Deleted: (7)→All wall signs shall have architect...
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Moved down [29]: (1)→Master sign plans subject to
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(2) *Subdivision identification signs*. A permanent sign used to designate a residential subdivision entrance may be permitted subject to planning commission approval and the following criteria:

a. Subdivision identification signs shall be ground signs.

b. *Number*. There shall not be more than two subdivision identification signs for each point of vehicular access to the subdivision.

c. *Area*. Subdivision identification signs shall not exceed 32 square feet in area per sign.

d. *Location*. Subdivision identification signs shall not be located closer than ten feet to any property line, right-of-way or driveway, except where approved to be within the street reserved area under sec. 62-10.

e. *Height*. Subdivision identification signs shall not exceed seven feet as measured from preconstruction grade at the base of the sign.

(3) *Home Occupation Sign*. One sign not to exceed two square feet in size and attached to the residential structure for the purpose of identifying an entity or enterprise which is a legal home occupation. Home occupation signs shall not be illuminated.

62-10. Signs along streets and on public property.

(a) *Findings*. The city encourages the exercise of free speech, and recognizes the right of all people to speak, petition, picket and otherwise express speech on public property. Signage on public property, however, poses additional concerns, among them being:

(1) Signs installed on public property give the appearance of government endorsement of the messages on the signs.

(2) Signs installed in certain locations can obstruct visibility and conflict with necessary safety signs and, therefore, create safety hazards.

(3) Signs that are installed too close to roads can create distractions for drivers and, in certain locations, obstruct visibility.

(4) Signs installed on public property can obstruct vehicles, bicycles and pedestrians; moreover, excessive signage has in the past made parks and public buildings uninviting to regular users.

(5) The common council knows of no way to ensure that an installed sign on public property is removed when the person posting the sign has no further use for it, and the city has no way to know who installed a sign so that the city can inquire whether the sign can be removed; therefore, signs could be installed permanently.

(6) The proliferation of installed signs on public property unnecessarily changes the character and aesthetics of the city. Nevertheless, the public has the ability to

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Moved down [30]: (2)→ *Wall signs*.¶ ...
Moved down [39]: Marquee signs are allowed for theatr
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Moved down [40]:)→ *Ancillary monument signs*. Sites zo
Deleted: (c)→ *Religious uses*. For all religious uses, on ...
Moved down [41]: → *Auxiliary freestanding sign or bann*
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Moved down [42]: .→ *Number*. There shall not be more t
Deleted: b.
Moved down [43]: → *Area*. The gross surface area of an
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Moved down [44]: → *Location*. An auxiliary ground sign c
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Moved down [45]: → *Height*. An auxiliary ground sign or
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Moved down [46]: .→ *Special conditions*. Auxiliary signs a
Moved down [47]: .→ Banner size shall not exceed 30
Moved down [48]: .→ Banner height shall not exceed 14
Moved down [49]:)→ *Restaurant uses*. "A" frame, sandw
Moved down [50]: "A" frame, sandwich board signs,
Moved down [51]: a message by spray paint, stencil ...
Moved down [53]: j.→ Sign placement for restaurants wi
Moved down [54]: **Existing signs.**¶
Moved down [55]: ¶
Moved down [56]: → *Freestanding ground signs*. These s
Moved down [57]: .→ The base of the sign shall be
Deleted: the religious organization's use and operati ...
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Deleted: c.→ Banners shall not be displayed for more ...
Deleted: ¶ ...
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Moved down [58]: .→ The color scheme of the sign shall
Moved down [59]: .→ Architectural features (e.g., sills, pi
Moved down [60]: .→ The sign face shall be constructed
Moved down [61]: .→ The sign code administrator and/o
Moved down [62]: .→ Box signs shall be prohibited, unle
Moved down [63]: .→ Channeled letter sign colors are
Moved down [64]: → *Sign legibility*.
Moved down [65]: Signs shall serve a function of way
Moved down [66]: → *Wind pressure*. All signs shall be
Moved down [67]: → The design, construction and erecti
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post non-commercial signs on private property, thereby ensuring that the public may express itself on signs.

Accordingly, the common council has determined that this section is required for the safe and orderly administration of public property. With certain limited exceptions, this section restricts all people and entities from installing signs. However, the city has reserved the right to install specific signs that are fundamental and necessary for the purposes for which the city owns its properties. The city allows others to hold signs on public property while petitioning, picketing and at all other times. The common council further finds that numerous and significant alternatives exist to placing signs close to streets (such as back from the street) and on public property that allow the exercise of free speech.

(b) *General exceptions*. Nothing in this section shall prohibit any person from holding a sign in a street reserved area or on public property provided that no such sign being held shall (1) block the view of traffic in a manner that could cause safety concerns; (2) block a driveway except while being carried from one side to another; (3) be held within 25 feet of the entrance of any public building; (4) obstruct pedestrian or vehicular travel; (5) obstruct pedestrian or vehicular ingress or egress from any public or private building; or (6) be held in any street reserved area that is titled to a private property owner without the property owner's permission.

(c) *Right-of-way and Street reserved areas*.

(1) Except for the following, no signs shall be installed in any public right-of-way or in the street reserved area:

a. The following signs, all of which are necessary for government to exercise its responsibilities, erected by the city or any other governmental entity with authority:

1. Traffic signs and street signs.
2. Warning signs and temporary emergency signs installed for the public safety.
3. Entrance signs to the city stating the name, population and official slogan, if any, for the city and containing the logo for the city (or any combination of the foregoing).
4. Signs designating historical landmarks, signs naming neighborhoods and signs notifying the public of designations bestowed upon the city or a place by an entity other than the city (e.g., Bird City USA, Rustic Road).
5. Adopt a street program signs.
6. Signs required by federal or state law to be placed in such locations.

Moved up [6]: To grasp or carry by a person, or to disp on clothing being worn by a person. ¶

Moved up [7]: A long, narrow open channel that is du into the ground along the side of a street used for the collection of storm water. ¶

Moved up [8]: The entire width of the physical surface intended for vehicular traffic of any public street plus a medians and/or islands within lanes of traffic, together with the following: ¶

Deleted: (b)→ *Interpretation.* The provisions of this sect supersede all contrary provisions of this chapter 62, thi code and city policies. Except for sections 62-18(b)—(d and 62-19 which are specifically incorporated in this section by reference, any provision of this chapter 62, t code or any city policy that conflicts with or could be re to modify or supplement this section or that grants discretion in the city or any of its committees shall have force or effect with respect to the subject matter of thi section or the properties described in this section. Without limiting the foregoing, sections 62-4, 62-17 an 62-18(a) shall specifically not apply to this section. ¶
(c)→ *Definitions.* The definitions of the following terms phrases set forth above are specifically incorporated in this section: area, electronic message sign, ground sign height, sign and street. Additionally, the following term and phrases shall have the following meanings as used this section: ¶
Edge of the street means the back side of any curb, if installed along a street, or if not, the edge of the pavement of a street. ¶
Hold means

Deleted: *Install* means to cause to be or stay in a particular place, either temporarily or permanently, an includes to erect, embed, attach, fasten, place, display, paint, draw, or otherwise illustrate, but does not includ to hold. ¶
Roadside ditch means

Deleted: *Street reserved area* means

Deleted: (1)→ If there is a sidewalk or multi-use path located in whole or in part within 15 feet from the edg the street, the area from the edge of the street up to, a including, the full width of the sidewalk or multi-use pa or ¶
(2)→ In an area along a street where (1) does not apply, feet from the edge of the street. ¶
(d

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7. Signs to notify the public of potential zoning or land use actions on a property pursuant to chapter 58 of this code.

b. Signs on any vehicle, trailer or towed equipment and lawfully parked or traveling upon any public street.

c. Signs on any vehicle, trailer, equipment or shelter during any city-organized or funded parade or festival, or a parade or festival in which the city substantially participates, that occurs in whole or in part in the street reserved area.

d. Railroad signs installed by or on behalf of a railroad, or a governmental entity with authority, for safety purposes.

e. Utility signs installed by or on behalf of a public utility, or governmental entity with authority, for safety purposes.

f. Single-family residential subdivision entrance signs if approved by the planning commission. Such signs shall only be approved if (a) placed in a entrance island on the entrance road to the subdivision and platted as an outlot or (b) the Planning Commission determines that there is no place outside of the street reserved area on the subdivision's property that is reasonably visible from adjacent streets, provided that no such sign shall violate the required intersection sight distance, vision triangle and vision corners requirements of the Standard Specifications for Land Development in the City of Mequon. A single-family residential subdivision sign in the street reserved area that exists of date of the enactment of this section that is made non-conforming by such adoption may not be replaced or restored unless the owner shows that the sign or its structure has been damaged by causes other than vandalism and that the damage did not exceed 50 percent of the appraised value of the sign and sign structure. If such sign or sign structure is destroyed or damaged by causes other than vandalism to an extent exceeding 50 percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming to the location requirements of this section and all other applicable ordinance requirements. If restoration of a damaged sign is not completed within six months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform with all applicable specifications. Replacement signs require planning commission approval.

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g. The city will install a sign in the public right-of-way or street reserved area for any person or entity, for any purpose and with any message, subject to the following conditions:

1. The sign may only be installed on one of the following streets and, to the extent required, subject to state or county approval:

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County Line Road (north side)

Donges Bay Road

Mequon Road (west of Buntrock Avenue; between the Milwaukee River and Oriole Lane; east of I-43)

Freistadt Road

Highland Road

Bonniwell Road

Pioneer Road

Wasaukee Road

Granville Road

Swan Road

Wauwatosa Road

Cedarburg Road (south of Lucerne Court; north of Thiensville)

Green Bay Road

Port Washington Road (north of Glen Oaks Lane)

Lake Shore Drive

2. No person or entity may have more than one such sign.
3. Each of such signs facing the same street shall be at least 0.5 miles apart.
4. The city will locate such signs to avoid conflicts with other signage, blocking the view of traffic in a manner that could cause safety concerns or obstructing pedestrian or vehicular travel. No such sign shall be located in front of any commercial property.
5. Each such sign shall be 36 inches wide and 24 inches tall with a blue background and white lettering. Lettering on the sign shall be at least four inches tall. Such signs shall be installed on free standing posts designated and provided by the city.
6. Such signs will be procured through and installed by the city at the expense of the person or entity requesting the sign in accordance with the city's established fee schedule.
7. Such signs shall be subject to an annual administrative fee in accordance with the city's established fee schedule. The city shall remove any such sign if the annual fee is not paid within 30 days of the date of the city's notice to the person or entity requesting such sign. Such notice shall be sent to the address on file with the city.

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8. Any sign installed by the city that exists as of the date of the enactment of this ordinance that would otherwise qualify under this part g., but that does not conform to any requirement of 3. or 5., may remain in place through 2026 provided the person or entity for which the sign was installed pays the annual administrative fee described below as and when required. Such non-conforming signs will be removed on or after January 1, 2027. The city will replace any such sign with a sign that meets the requirements of this paragraph (other than the requirements of 3. if two or more such signs exist as of that date), subject to payment of the procurement and installation costs described below, at the request of the person or entity for which the sign was installed.

(2) No sign in a roadside ditch may be installed in a manner that would restrict the free flow of water.

(d) *Other public property*.

(1) This subsection (d) shall not apply to the following:

a. Signs on properties owned or controlled by any governmental entity other than the city. Monument, wall and directional signage on such properties shall be regulated to the extent allowed by law by provisions of this chapter 62 other than this section. Those entities shall regulate signs, including signs installed by third-parties, under their own authority.

b. Signs on properties leased from the city under a long term written lease of more than one year (e.g., the lease with Mequon Nature Preserve), but not including special event leases or licenses. Monument, wall and directional signage on such properties shall be regulated to the extent allowed by law by provisions of this chapter 62 other than this section. Subject to restrictions in their leases, tenants under such leases shall regulate signs, including signs installed by third-parties, under their own authority.

(2) The city has the right to engage in government speech and to promote on public property the events and programs the city organizes or funds, other activities of the city government and positions taken by the city. Accordingly, the city may promote such events, programs, activities and positions on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument and by installing signs elsewhere on public property subject to the following conditions:

a. No such sign may promote any candidate for public office, referendum on any ballot or political party.

b. The city administrator or his or her designee may authorize messages on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument provided that the messages are limited to (i) the

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Deleted: a.→ That portion of any right-of-way that is regulated under subsection (e) as part of a street reserved area. ¶
b

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current date and time; and (ii) the name, date, time and/or place of events and programs organized or funded by the city.

c. The common council may specifically authorize messages on the electronic message board adjacent to the Mequon-Thiensville Gateway Monument or signs installed elsewhere on public property provided that they relate to (a) the events and programs the city organizes or funds; (b) other activities of the city government; and (c) positions taken by the city as approved by the common council.

(3) The Frank L. Weyenberg Library may display messages on the electronic message board outside of the library subject to the following conditions:

a. No such sign may promote any candidate for public office, referendum on any ballot or political party or advocate any political or public policy position.

b. Messages on the electronic message board shall be limited to (i) the operating policies of the library approved by the Frank L. Weyenberg Library Board of Trustees; (ii) the name, date, time and/or place of library-related events and programs organized or funded by the library or the library foundation; (iii) the books, materials and electronic offerings of the library; and (iv) books and materials sold by the library.

(4) Subject to the preceding paragraphs, no signs shall be installed on any public property, including without limitation in any park, all publicly owned areas around any city building or in any right-of-way except for the following, each of which the city expressly permits as an expression of government speech:

a. Any sign described in subsection (c)(1) of this section, other than the signs in part f. of such section, including any such described sign located on public property outside of a street reserved area.

Deleted: e

b. The American flag, the flag of the State of Wisconsin and the flag, if any, of the city.

c. Outside of a public building or park, one or more signs specifying the name or address, or both, of the building or park. Such a sign may contain the city logo or the logo for the city's park system.

d. Signs installed by the city on the day of or evening before an election day stating nothing more than "vote here" and giving the hours of voting. Such signs shall be removed at the conclusion of voting or on the following day.

e. A sign on the outside of city hall designating the city's drop box.

f. Signs approved by the common council or a committee designated by the common council recognizing donors and contributors toward an improvement to which the sign is attached or adjacent.

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g. Signs required by government or quasi-governmental authorities other than the city as a condition of funding of improvements.

h. Signs specifying the city's rules and regulations for the property or facility.

i. Advertising signs at public athletic fields provided that the advertiser has paid an annual fee for the sign.

j. Words, logos and depictions on tombstones in any cemetery.

k. Directional signs, maps and signs identifying features of interest on city property.

l. The following signs that have been installed prior to the date of the enactment of this ordinance: [1] The Mequon-Thiensville sign on the Gateway Monument at the corner of Mequon and Cedarburg Roads; and [2] the four historic signs around such monument.

m. Monuments, memorials and artwork that is either commissioned by the common council or accepted by the common council pursuant to its inherent right to government speech prior to installation.

n. Signs promoting events, programs and initiatives organized or funded by the city, provided that such promotion is approved by the common council prior to such signs being installed.

(e) Enforcement. In addition to enforcement as provided in this chapter, the city may remove any sign that violates this section.

62-11. Signs on Non-Residential Properties.

(a) *Commercial, industrial, park, and institutional uses*. For all lots with commercial, industrial, park, and institutional zoning (B-1, B-2, B-3, B-4, B-5, B-6, B-7, NC, TC, AC, UCNC, UCMU, UC Senior Housing, IPS, LTD, and P-1 districts), only the following signs are hereby allowed subject to issuance of a permit in accordance with section 62-4 of this chapter.

(1) Master sign plans subject to planning commission approval. Proposals for master sign plans are evaluated for safe wayfinding, direction for travelers related to distinct functions on one development site. A master sign plan is required for the following uses or site conditions:

a. Gas Stations with Car Wash facilities.

b. Single use Car Wash facilities.

c. Uses with Drive-thru facilities.

d. Multiple buildings located on one development site.

(2) *Wall signs.*

a. *Number.* There shall be not more than one wall sign for each principal building within the B-1, B-2, B-3, B-4, B-5, B-6, B-7, NC, TC, AC, UCNC,

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Deleted: The city may enforce the provisions of this section

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Deleted: section 62-18(b)—(d). Additionally

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Moved (insertion) [29]

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UCMU, IPS, LTD, and P-1 zoning districts except for the case of multi-tenant buildings as regulated in section 62-11(a)(5) of this chapter and except for the case of buildings that front two public streets, one sign may be permitted for each facade facing a public street.

b. *Area*. Except in the case of multi-tenant buildings as regulated in section 62-11(a)(5) of this chapter, the gross surface area of a wall sign shall not exceed two and one-half percent of the area of the building wall, including doors and windows, to which the sign is to be affixed or 60 square feet, whichever is smaller.

c. *Location*. A wall sign may be located on the outermost wall of any principal building but shall not project more than ten inches from the wall to which the sign is to be affixed.

d. *Height*. A wall sign shall not project higher than the parapet line of the wall to which the sign is to be affixed. A wall sign shall not exceed 20 feet in height from the base of the building wall to which the sign is affixed.

(3) *Freestanding ground signs*.

a. *Number*. There shall not be more than one freestanding ground sign for each principal building.

b. *Area*. The gross surface area of a ground sign shall not exceed 50 square feet of area.

c. *Location*. A ground sign may not be located closer than ten feet to any property line, right-of-way or driveway, except as may be otherwise permitted in a specific zoning district.

d. *Height*. A ground sign shall not project higher than ten feet, unless within the TC or AC district which shall be limited to six feet as measured from preconstruction grade at the base of the sign.

(4) *Awning signs*.

a. *Area*. Awning signs which are four square feet or less in gross surface area are exempt from the provisions of this section. An awning sign that exceeds four square feet in gross surface area is subject to the review and approval by planning commission through a master sign plan application.

b. *Number*. Each tenant that has its own principal, exterior entrance is permitted any number of awning signs if each awning sign is less than four square feet.

c. *Location*. Awning signs shall be affixed to or located over windows or entryways. Alternative locations may be approved subject to staff approval.

Moved (insertion) [31]

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Moved (insertion) [33]

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d. *Height*. An awning shall not project higher than the top of the façade or roofline.

e. *Design*. Illuminated and plastic awning signs are prohibited.

(5) *Multiple tenant signs*. Multiple tenant buildings located within the B-1, B-2, NC, TC, AC, UCNC, and UCMU zoning districts shall be limited to one wall sign per tenant not exceeding 30 square feet. The multiple tenants may also share the permitted freestanding sign. Major tenants may be allowed a larger wall sign subject to planning commission approval.

Moved (insertion) [34]

Multiple tenant buildings located within the B-3, B-4, B-5, B-6, B-7, LTD district are permitted one wall sign per building. More than one wall sign per building may be permitted subject to planning commission approval through a master sign plan and the following criteria:

a. The placement of all wall signs shall relate only to the first floor elevation of the building.

b. Only tenants that have an individual, exterior entrance on the first floor that allows the general public to access shall be permitted a wall sign.

c. All wall signs shall relate to the architectural features of the exterior building and create an overall harmonious aesthetic.

(6) *Window signs*.

a. *Neon signs*. Each business tenant shall be allowed to display on each public street it fronts one neon sign not exceeding 300 square inches in size or 50 percent of the window area, whichever is less. Neon signs shall emit a steady light and only be illuminated during business hours. Blinking, flashing, strobe or other light animation shall not be allowed. Businesses or business tenants will be required to fully comply with this section by September 1, 1994.

b. *Business decals*. Individual business decals not exceeding two square feet in size shall be allowed provided that multiple decals cannot be combined to give the appearance of a larger sign.

Moved (insertion) [35]

(7) *Electronic message signs and manual changeable letter signs*.

Moved (insertion) [36]

a. *Uses*. Electronic message signs and manual changeable letter signs shall only be allowed for properties zoned IPS, and theater, concert hall, and gas station uses within other commercial business zoning districts.

Moved (insertion) [37]

b. *Message*. The fixed display or fixed display screen shall only contain text and remain static. Pictographic or video images are prohibited. A message which moves by scrolling, blinking, flashing, turning or other similar movements is prohibited. A message shall not change more than one time per 30 seconds. When more than one message is displayed on either

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a single or double faced sign, the change to all messages shall occur at a simultaneous 30-second interval.

c. *Color*. The electronic display screen background shall be black. The fixed display or fixed display screen shall not be illuminated. The message on the display screen is not limited by color except that the color shall be compatible with the building's architectural character and exterior colors. There shall be no variation of color or intensity per message.

d. *Illumination*. The maximum illumination of any electronic message or manual changeable letter sign shall not exceed 15 foot-candles when measured with a light meter held perpendicular to the sign at a distance of 12 inches.

e. *Design and dimension*. The electronic message or manual changeable letter sign shall only be permitted as a freestanding/ground sign and is subject to the number, area, location and height requirements according to subsection 62-11(a)(3) and as follows:

Moved (insertion) [38]

1. The changeable message portion of the sign shall not exceed 50 percent of the total sign area.

2. The electronic message or manual changeable letter sign shall not be located closer than 100 feet from a residential use or an undeveloped residentially zoned property.

f. *Special use*. The following use(s) shall comply with the following standards in addition to the requirements of this chapter:

1. Gas service stations.

i. As may be required under Wis. Stat. § 100.18(8), gas service stations are permitted to display only the gas prices in electronic form as a special use.

ii. Gas service stations which display gas prices as electronic message signs shall comply with the requirements of this subsection (7), except that the display of gas prices can change at any time.

(8) *Marquee signs*. Marquee signs are allowed for theatres, including live performances and concert halls subject to planning commission approval.

Moved (insertion) [39]

(9) *Ancillary monument signs*. Sites zoned B2, B4 or B5 shall be permitted one ancillary monument sign not exceeding 16 square feet and not exceeding four feet in height as follows:

Moved (insertion) [40]

a. The site shall meet the following conditions:

1. 400 feet of continuous public street frontage.

2. A building occupied with two or more tenants.

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3. A principal freestanding ground sign shall exist.

b. The ancillary monument sign shall be subject to the following standards:

1. Sign placement is subject to the required setbacks and shall be located no further than ten feet from a driveway access.

2. Sign placement shall maintain a minimum of 100 feet separation from the principal monument sign located on same public street.

3. Sign material, design and color shall match the principal monument sign. In the event that the material of principal monument sign cannot be replicated because it is no longer made, or is outdated as determined by the sign code administrator, the ancillary monument sign shall, at a minimum, match design and color of the principal monument sign.

(10) *Temporary signs*.

a. Lots within all the IPS zoning district are authorized the following temporary signs:

1. Signs that are installed on a lot for less than 4 months in any twelve-month period shall be allowed without a permit under section 62-4 provided that:

i. *Number and area*. Any number of temporary signs are allowed except that the total cumulative area of all temporary signs shall not exceed 15 sq. ft.

ii. *Height*. No temporary sign shall exceed 4 feet in height.

iii. A prohibited sign under section 62-7 shall not qualify as a temporary sign under this paragraph.

2. *Auxiliary freestanding sign or banner.* Moved (insertion) [41]

i. *Number*. There shall not be more than one auxiliary freestanding sign for each site. Moved (insertion) [42]

ii. *Area*. The gross surface area of an auxiliary ground sign or banner shall not exceed 50 square feet of area. Moved (insertion) [43]

iii. *Location*. An auxiliary ground sign or banner shall not be located closer than ten feet to any property line, right-of-way or driveway. Moved (insertion) [44]

iv. *Height*. An auxiliary ground sign or banner shall not project higher than six feet, as measured from preconstruction grade at the base of the sign. Moved (insertion) [45]

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v. *Special conditions*. Auxiliary signs and banners shall be attached to ground posts. While the sign or banner face and message may change throughout the year, the content of the sign message must directly relate to activities on the premises. Auxiliary banners shall not be displayed for more than 14 consecutive days, and shall be limited to no more than 4 such signs a year (maximum total of 56 banner days per year).

b. Lots within all other commercial or industrial zoning districts are authorized the following temporary signs:

1. Signs that are installed on a lot for less than 4 months in any twelve-month period shall be allowed without a permit under section 62-4 provided that:

i. *Number and area*. Any number of temporary signs are allowed except that the total cumulative area of all temporary signs shall not exceed 15 sq. ft.

ii. *Height*. No temporary sign shall exceed 4 feet in height.

iii. A prohibited sign under section 62-7 shall not qualify as a temporary sign under this paragraph.

2. One temporary sign not exceeding 30 square feet may be displayed for a maximum of 30 days surrounding the opening of any new entity or enterprise on a lot.

3. *Temporary banners*. Temporary banners shall be allowed for any entity or enterprise subject to the following:

i. Banner size shall not exceed 30 square feet.

ii. Banner height shall not exceed 14 feet.

iii. Banners shall not be displayed for more than 14 consecutive days.

iv. Individual entities or enterprises shall be limited to three banner events a year.

v. There shall be no more than two banners erected per lot at one time.

c. *Temporary development signs*. Where a development site does not have a fence which is subject to Wis. Stat. § 66.1102(5)(a), such site may have a temporary development sign as follows:

1. *Number*. There shall not be more than one temporary development sign for each project, except that where a project

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Moved (insertion) [10]

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abuts two or more streets, one sign may be allowed for each abutting street frontage. Single or double-faced signs are permitted.

2. *Area*. A temporary development sign shall not exceed 32 square feet in gross surface area.

3. *Location*. A temporary development sign shall be located only upon the premises upon which construction either is to occur or is occurring.

4. *Height.* A temporary development sign shall not project higher than six feet, as measured from preconstruction grade at the base of the sign. Moved (insertion) [12]

5. *Time limit*. A temporary development sign shall be allowed once final approval of the development is granted. The temporary development sign shall be removed after the initial tenant related to the development takes occupancy. Moved (insertion) [11]

6. No permit under section 62-4 shall be required.

d. *Seasonal banner, "A" frame or sandwich board signs.* During the period commencing as of the Friday one week preceding Thanksgiving through January 2: Moved (insertion) [16]

1. A permit shall be required and a fee collected for banners posted throughout the time period at any entity or establishment. The banner shall be posted in good condition, meet an 18-square-foot size limitation and establish a 30-foot separation between banners, and no more than two banners may be erected per lot at any time. A banner posted during this period shall not count against a business or institution's total number of annually permitted banners under section 62-11(a)(11)b.3. Moved (insertion) [14]

2. All entities and establishments may utilize one seasonal banner permit during the time period as noted in is paragraph, but shall designate a maximum and continuous three week posting. Any entity or establishment may forego the ability to utilize their seasonal banner permit and be permitted one additional temporary banner under section 62-11(a)(11)b.3.

3. All entities and establishments may display sandwich board signs otherwise meeting the requirements of subsection 62-11(a)(12).

4. Banners and sandwich board signs are subject to the installation, maintenance and removal standards pursuant to section 62-14.

(11) *Restaurant uses.* "A" frame, sandwich board signs, sidewalk or curb signs, not exceeding eight square feet per side or four feet in height, for any restaurant that Moved (insertion) [49]

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does not contain a changeable message sign are hereby allowed subject to the issuance of a permit, at no charge, but otherwise in accordance with section 62-4 of this chapter. "A" frame, sandwich board signs, sidewalk or curb signs shall be subject to the following standards:

Moved (insertion) [50]

a. One sign, no more than two sides, per restaurant.

b. Sign shall be placed on a level and stable surface and shall be internally weighted to prevent movement by wind gusts. Anchoring the sign to the building or ground with ties, chains or similar mechanisms is prohibited.

c. Sign shall be constructed of finished materials such as wood, metal, aluminum or plastic. Rough-cut plywood or similar unfinished material is prohibited.

d. Sign structure and message shall have a professional application. A chalkboard background with hand-written message is permitted; however, a message by spray paint, stencil or similar application is prohibited. Background material such as paper, cardboard or similar material shall be prohibited.

Moved (insertion) [51]

e. Sign structure and message shall not use highly reflective materials, colors or neon and shall not resemble a traffic sign.

f. Sign shall not be illuminated or contain moving parts.

g. Sign shall be displayed only during hours of operation.

h. Sign placement shall maintain a minimum clearance width of four feet when located on any pedestrian walkway and shall not obstruct ingress/egress to site or building entrance(s).

j. Sign placement for stand-alone restaurants shall remain on private property outside of the public right-of-way, exempt from section 62-11(a) and (c).

Moved (insertion) [52]

j. Sign placement for restaurants within a multi-tenant building shall maintain a maximum ten-foot setback from the restaurant's principle building entrance.

Moved (insertion) [53]

(b) Agriculturally zoned lands. For all lots with commercial, industrial, park, and institutional zoning (A-1, A-2, and OA districts), the following signs are hereby allowed without a permit under section 62-4:

(1) One sign not to exceed 15 square feet in area, identifying farm operations on parcels of land containing not less than 20 acres.

(2) Signs that are installed on a lot for less than 4 months in any twelve-month period provided that:

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a. *Number and area*. Any number of temporary signs are allowed except that the total cumulative area of all temporary signs shall not exceed 15 sq. ft.

b. *Height*. No temporary sign shall exceed 4 feet in height.

(c) *Signs facing I-43*.

(1) On-premise, freestanding signs facing I-43 are allowed subject to planning commission approval and the following standards:

a. Signs shall be located on parcels zoned B-1, B-2, B-4, B-3, B-7, UCNC, UCMU, or IPS.

b. Signs shall be located on parcels that have direct frontage on I-43 right-of-way. Moved (insertion) [19]

c. One freestanding sign shall be permitted for identification of a multi-tenant commercial development (e.g., business park or retail center) or a quasi-public facility that contains a minimum of four acres and 400 feet of direct frontage on I-43 right-of-way.

d. A freestanding sign shall be setback a minimum of ten feet and a maximum of 25 feet from the I-43 right-of-way. Moved (insertion) [20]

e. The height of a freestanding sign shall not exceed 25 feet above the elevation of the centerline of nearest traveling lane of I-43. The sign structure shall have architectural interest consistent with the materials and characteristics of the site's buildings and designed proportionate to the building as well as to the surrounding context of the site. The sign structure may have more than two sides; however, the sign face shall only be displayed on two sides of the structure. Pole signs are prohibited. Moved (insertion) [21]

f. A freestanding sign shall not exceed 200 total square feet and 100 square feet per sign face. Moved (insertion) [22]

g. The face of the freestanding sign is limited to displaying two tenant panels.

(2) On-premise wall signs facing I-43 are allowed subject to planning commission approval and the following standards:

a. One wall sign per tenant is permitted. Moved (insertion) [23]

b. Signs shall be located on parcels zoned B-1, B-2, B-4, B-7, UCNC, UCMU, or IPS.

c. The total square area of wall signage per building is limited to 65 percent of linear feet of building wall and shall not project more than ten inches from the wall to which the sign is to be affixed. Moved (insertion) [24]

d. The placement of any wall sign should generally not be less than 50 percent or greater than 75 percent of the total height of the building to Moved (insertion) [25]

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which the sign is affixed. Exceptions to the placement may be permitted where it is found that strict compliance to this requirement is impractical because of site or building conditions and upon finding that the exception does not create an adverse impact.

e. All wall signs shall be channel letters no less than 18 inches and no greater than 24 inches in height. Moved (insertion) [26]

f. All wall signs as part of one development site shall have a consistent backing or structural support frame, if one is proposed, or affixing mechanism. Moved (insertion) [27]

g. All wall signs shall have architectural interest and colors consistent with the materials and characteristics of the site's buildings.

(3) Electronic message signs facing I-43 are prohibited.

(4) Illuminated signs facing I-43 shall only be illuminated by a halo glow method. The illumination shall not exceed 15 foot-candles. Moved (insertion) [28]

62-12. General sign standards.

Except where otherwise provided in this chapter, the following standards shall apply to signs:

(a) *Landscaping standards.*

(1) In the case of any pole or ground mounted freestanding signs, a landscape area shall extend a minimum of five feet from the base of the sign (see section 58-564 for landscaping standards).

(2) Where any sign is proposed to be externally illuminated using ground mounted fixtures (i.e. floodlight), landscape plantings shall be installed in such a manner as will entirely shield the light source from the surrounding view. Landscape plantings shall be of the type as will ensure effective year-round screening. Moved (insertion) [18]

(b) *Location standards.*

(1) In any zoning district, no sign, or sign supporting structure shall be setback/offset less than ten feet from any abutting lot line, right-of-way or driveway.

(2) Placement of all signs shall be subject to the vision setback regulations as put forth in the City of Mequon zoning code as set forth in chapter 58, article IV.

(3) No nonresidential sign shall be located closer than 50 feet to an abutting residential zone.

(c) *Design, construction and erection standards.*

(1) *Architectural design.*

a. *Freestanding ground signs*. These signs shall be architecturally integrated with the principal building in the following manner: Moved (insertion) [56]

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1. The base of the sign shall be constructed with the principal building's primary building material, to the greatest extent practical. Moved (insertion) [57]

2. The color scheme of the sign shall follow the color scheme of the principal building, to the greatest extent practical. Moved (insertion) [58]

3. Architectural features (e.g., sills, piers, reveals, capstones, medallions, etc.) which are part of the architectural style of the principal building shall be incorporated into the sign, to the greatest extent practical. Moved (insertion) [59]

4. The sign face shall be constructed with an opaque surface to allow internal light to only project through the cut-out lettering and/or logos. Moved (insertion) [60]

5. The sign code administrator and/or planning commission may approve, deny, or request changes to a proposed sign, based on the architectural design of that sign. Moved (insertion) [61]

b. *Wall signs*.

1. Box signs shall be prohibited, unless approved by the planning commission as part of a total sign package. Moved (insertion) [62]

2. Channeled letter sign colors are subject to planning commission approval as part of a total sign package. Moved (insertion) [63]

c. *Sign legibility*. Signs shall serve a function of way finding and site identification. The department of community development may deny a sign permit based upon the legibility of the sign. Moved (insertion) [64] Moved (insertion) [65]

(2) *Structure design*.

a. *Wind pressure*. All signs shall be constructed, erected and maintained to safely withstand wind pressure as specified by Wisconsin State Statute and applicable administrative code. Moved (insertion) [66]

b. The design, construction and erection of all signs shall be by a competent professional in the sign design and construction industry. Moved (insertion) [67]

c. Wall signs attached to exterior building walls shall be anchored or attached in such a manner as will ensure stability and safety.

62-13. Existing signs. Moved (insertion) [54]

(a) Existing signs which become nonconforming upon adoption of the ordinance from which this section is derived shall not be reconstructed, remodeled, relocated or changed in size unless such action will make the sign conforming in all respects with this section. Non-structural changes to an existing freestanding sign shall require compliance with the opaque sign face standard pursuant to section 62-12(c) of this chapter. Moved (insertion) [55]

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(b) A nonconforming sign or sign structure which is destroyed or damaged may be restored only after the owner has shown that the damage did not exceed 50 percent of the appraised value of the sign. If such sign or sign structure is destroyed or damaged to an extent exceeding 50 percent of the appraised sign value, it shall be removed and shall not be reconstructed or replaced unless such action makes the sign and sign structure conforming, in all respects, to this chapter. If restoration of a damaged sign is not completed within six months of the date damage occurred, such sign shall be removed or replaced in a manner as will conform with all specifications of this section. Replacement signs may require planning commission approval.

(c) A nonconforming sign or sign structure shall be removed within 30 days of the date the building containing the use, to which the sign is accessory, is demolished or destroyed to an extent exceeding 50 percent of the building's appraised value.

(d) At any such time as the owner of any building or lot, on which a nonconforming sign(s) is located, requests planning commission approval for any change to the use, building or lot, the planning commission may require that such nonconforming sign(s) be removed or made to conform with this section as a condition of building or site approval.

62-14. Maintenance and removal of signs.

Moved (insertion) [68]

The city may cause any sign or other advertising structure which is, in their opinion, an immediate peril to persons or property to be removed summarily and without notice.

(a) *Appearance requirements.*

(1) All signs and sign support structures, together with all parts to include, but not limited to, sign faces, supports, braces, base, guys and anchors, shall be kept in good repair and in proper state of preservation. Painted surfaces shall be maintained free of peeling, chipping paint. All metal parts and supports thereof shall be maintained free of corrosion.

(2) The department of community development shall have the authority at all reasonable times to inspect and order the painting, repair, alteration, maintenance or removal of a sign which constitutes a hazard to safety, health or public welfare by reason of inadequate maintenance, dilapidation, or obsolescence.

(3) Signs and/or sign supports that may be attached or detached to any building, business or property which becomes vacant or unoccupied continuously for a period exceeding 30 days, shall be presumed to have been abandoned, and it shall be the responsibility of the owner of record to have such sign structures and/or supports removed upon receiving notice from the department of community development.

(2) In the event that the sign owner does not provide proper sign maintenance within 60 days after written notification from the city, the sign may be removed as provided in this section.

(b) *Removal of certain signs.*

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(1) Any sign now or hereafter existing which no longer advertises a bona fide business or product, or which is dilapidated, out of repair, unsafe, insecure, or has been constructed, erected or maintained in violation of the provisions of this section shall be taken down and removed by the owner, agent, or person having the beneficial use of the building or land upon which such sign may be found. If within ten days after written notification from the city the sign owner fails to comply with such notice the city may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within 30 days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

Moved (insertion) [69]

(2) Any sign which is constructed without proper approval and permit shall be removed or must be issued a proper permit within five days notice to the owner by the city. In the event that the owner of such sign is not issued a proper permit or fails to remove said sign, the city may remove such sign. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

Moved (insertion) [70]

(3) In the event that the owner of an illegal sign cannot be ascertained by the city, then notice as indicated in this section shall be given to the owner of the real estate upon which the sign is located. In the event that the owner of the real estate is not issued a proper permit or does not remove the sign within ten days then such sign may be removed by the city. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

Moved (insertion) [71]

(4) If a permit is denied, the city shall issue a five-day removal notice. If the sign is not removed within the five day period, the sign may be removed by the city. Any expense incident thereto shall be paid by the owner of the building or land to which such sign is attached. In the event such cost and expenses are not paid within ten days from the date of billing, then the costs and expenses incurred for such removal shall be assessed against the real estate upon which such sign is located and collected as other taxes are collected on said real estate.

Moved (insertion) [72]

(5) The cost of removing any signs located in the road right-of-way at the time the road is widened, and such signs must be removed, shall be paid by the sign owner.

62-15. Waivers or modifications.

Moved (insertion) [73]

Attachment: Sign Code - Blackline (9005 : Sign Code Updates)

The planning commission may waive or modify the provisions of this chapter where it would further the public interest and uphold the purpose of this section as put forth in section 62-1. Such waiver or modification, including those requested through a master sign plan, may be based on, among other things, site specific hardships such as topographic aberrations and visual encumbrances.

Moved (insertion) [74]

62-16. Temporary moratoria; penalty; enforcement by injunction; declared nuisances.

Moved (insertion) [75]

(a) *Temporary moratoria*. The common council may, by resolution adopted from time to time, prescribe limited periods in which enforcement of some or all of the restrictions of this chapter may be temporarily suspended.

(b) *Penalty*. Any person, firm, company or corporation who violates, disobeys, omits, neglects or refuses to comply with or who resists the enforcement of any of the provisions of this chapter shall be subject to a forfeiture pursuant to section 1-7 of the City of Mequon Code of Ordinances. Each day that a violation exists shall constitute a separate violation and be punishable as such.

(c) *Enforcement by injunction*. Compliance with the provisions of this chapter may also be enforced by the injunction order at the suit of the city or one or more owners of real estate situated within an area affected by the regulations of this chapter.

(d) *Declared nuisances*. Any sign or similar advertising structure erected, structurally altered, painted, moved or maintained in violation of the provisions of this chapter is hereby declared to be a nuisance per se, and the city may apply to any court of competent jurisdiction to restrain or abate such nuisance.

62-17. Severability.

Moved (insertion) [76]

If any section, clause, provision, or portion of this chapter is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this chapter shall not be affected thereby. If an application of this chapter to a particular sign or structure is adjudged unconstitutional or invalid by a court of competent jurisdiction, such judgment shall not be applicable to any other sign or structure not specifically included in said judgment.

62-18. Master sign plan confirmation.

Moved (insertion) [77]

Master sign plan approvals shall require common council confirmation upon written request from two alderman or one alderman and the mayor. Such request shall be made within 14 days of the corresponding planning commission approval of the master sign plan. The burden of persuasion on the issue of whether the master sign plan, as proposed, complies with the requirements of this chapter remains at all times on the applicant.

Deleted: (Ord. No. 2021-1616, § II, 2-8-2022)¶

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PLANNING COMMISSION MEETING SCHEDULE 2024

Meeting Start Time is 6:00 pm

PC APPLICATIONS Deadline	PC Meeting Date	Next Council Meeting
12/18/23	**01/22/24**	02/13/24
01/22/24	**02/19/24**	03/12/24
02/19/24	**03/18/24**	04/09/24
3/18/24	**04/15/24**	05/14/24
04/22/24	**05/20/24**	06/11/24
05/20/24	**06/24/24**	7/09/24
06/24/24	**07/22/24**	Wed. 8/14/24
08/19/24	**09/23/24**	10/08/24
09/23/24	**10/21/24**	11/12/24
10/28/24	**12/02/24**	12/10/24

Planning Commission applications are scheduled for meetings on a first-come-first-serve basis. Only complete applications, as determined by the Community Development Department staff, will be scheduled for Planning Commission meetings.

Updated 11.10.23

Attachment: 2024 Planning Commission Meeting Schedule (9006 : 2024 Meeting Calendar)