



11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262/242-3100

www.cityofmequonwi.gov

Office of the City Clerk
Taped and Televised

**COMMITTEE OF THE WHOLE
Regular Meeting
Tuesday, March 10, 2026 - 6:30 PM
Christine Nuernberg Hall**

Agenda

- 1) Call to Order and Roll Call**
- 2) Approval of Meeting Minutes**
 - a) Meeting Minutes of February 10, 2026
- 3) Discussion Items**
 - a) Common Council Decision to Exercise Extraterritorial Zoning Authority
 - b) A Consultation for a Proposed Residential Development and Associated Utility Service for a Property Located on 107 Acres West of Baehr Road, South of Donges Bay Road and North of Lily Lane Nature Preserve
- 4) Informational Items**
 - a) Committee of the Whole Planning Calendar
- 5) Adjourn**

DATED: March 5, 2026

/s/ Andrew Nerbun, Mayor

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 accommodation 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 City Clerk's Office at 262-236-2914, Monday through Friday, 8:00 AM – 4:30 PM.



DRAFT

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**COMMITTEE OF THE WHOLE
Regular Meeting
Tuesday, February 10, 2026 - 6:15 PM
Christine Nuernberg Hall**

Minutes

1) Call to Order and Roll Call

The meeting was called to order by Mayor Nerbun at 6:18 p.m.

Present:

Mayor Nerbun, Alderman Strzelczyk, Alderman Tolocko, Alderman Mayr, Alderman Hansher, Alderman Bach, Alderman Parrish, Alderman Bratt, Alderman Gebhardt

Also present: City Administrator William Jones, Assistant City Administrator Jessica Wolff, Finance Director Brenda Arnett, City Clerk Caroline Fochs, City Attorney Brian Sajdak, City Engineer Kristen Lundeen, Assistant City Engineer McCraw, Deputy Director of Public Works Weyker, Police Chief Mark Riley, and interested public

2) Approval of Meeting Minutes

MOTION:	Meeting minutes of January 13, 2026
MOVER:	Alderman Robert Strzelczyk
SECONDER:	Alderman Dale Mayr
AYES:	Mayor Andrew Nerbun, Alderman Robert Strzelczyk, Alderman Kelly Tolocko, Alderman Dale Mayr, Alderman Jeffrey Hansher, Alderman Gregg Bach, Alderman Brian Parrish, Alderman Peter Bratt, Alderman William Gebhardt
RESULT:	Approved by Voice Acclamation

- a) Meeting Minutes of January 13, 2026

3) Discussion Items

a) Speed Deterrence/Traffic Calming

Director of Public Works/City Engineer Lundeen introduced the basic concepts of evaluation enforcement options. She explained that the process is data driven, and an assessment of whether or not speeding is occurring. The subject is a complex safety issue that is not just about speed. The City does not currently have a guide on how staff should address speeding concerns in the community.

Assistant City Engineer McCraw presented the current operating procedures which are case-by-case. By definition, speed deterrents include enforcement, education, radar feedback, speed tables, curb extensions, traffic circles, environmental inclusions (pedestrians, trees, etc.), and HOA agreements with signs on private property. Historically, statistics suggest that stop signs, speed limit signs alone, and permanent warning signs, do not deter speeding. Excessive signage creates roadside clutter, and drivers are less reactive to repetition.

Police Chief Riley reported on departmental techniques and strategies. Speed issues are typically citizen initiated, resulting in directed officer enforcement. Complaints are tracked and officers report to area(s) to monitor. The Police Department also implements temporary speed radar signs (2 are available for City use), trailer-mounted radar units for large, high-volume roadways, and a traffic counter for data recording upon request. Chief Riley informed the Committee that the department is in the process of creating a Traffic Safety Unit comprised of 2–3 officers, whose focus will be improving responsiveness to speeding concerns and providing consistent enforcement visibility.

Ms. Lundeen reiterated that City staff are requesting a recommendation for what committee should chiefly oversee policy analysis and whether staff should move forward in generating a guide for speed complaints.

Donece Thomas of 10711 N. Tree Sparrow Drive within the Enclave Preserve Subdivision, spoke before the Committee in request of speed bumps for her neighborhood.

Committee discussion ensued. Public safety is top priority. Overall, subdivisions are a main concern. It was suggested that additional electronic speed enforcement signs be purchased (\$3,000 per unit) to cover requested locations. While complaints are the lowest that they have been in five years, a procedure or policy for traffic-calming measures should be created.

Ms. Lundeen voiced her concern with the hyperfocus on speed humps/tables. She emphasized the maintenance necessary for these designs, the possible effects on emergency response teams, and the damage they can cause to snowplows.

The Mayor called for a straw poll from the Committee members for topic continuance, resulting in 6 in favor, and 2 opposed. He indicated that only a few months should be utilized on the subject with a focus on guiding City staff on how to approach and categorize complaints. The Committee was unanimous in their straw poll to send the topic to the Public Safety Committee for discussion.

4) Resolutions

- a) **RESOLUTION 4263** - A Resolution Approving Permit Fees, Hours of Operation and Proposed Regulations for the City Brush Site During Calendar Year 2026

Director Lundeen provided an overview of the site updates. Deputy Director Weyker summarized the new system and enforcement techniques. A resident's vehicle will be registered and associated with their access card and use will be monitored consistently. Reevaluation may be needed next season.

5) Informational Items

- a) Committee of the Whole Planning Calendar

6) Adjourn

MOTION:	Adjourn at 7:38 p.m.
MOVER:	Alderman Gregg Bach
SECONDER:	Alderman Jeffrey Hansher
AYES:	Mayor Andrew Nerbun, Alderman Robert Strzelczyk, Alderman Kelly Tolocko, Alderman Dale Mayr, Alderman Jeffrey Hansher, Alderman Gregg Bach, Alderman Brian Parrish, Alderman Peter Bratt, Alderman William Gebhardt
RESULT:	Approved by Voice Acclamation

Respectfully Submitted,
Janet Meyer, Deputy Clerk



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Community Development/Engineering

TO: Committee of the Whole
FROM: Jac Zader, Assistant Director Community Development
DATE: March 10, 2026
SUBJECT: Common Council Decision to Exercise Extraterritorial Zoning Authority

Background

The City has received two separate zoning applications in an area where the City has exercised extraterritorial zoning (ETZ) authority over the Town of Grafton (see Exhibit D). The first request is for a one-acre parcel that would be split from the current 35.5-acre farmstead in the 2005 JETZCO area (see Exhibit A). The second request is for a 127-lot subdivision on 186 acres with on-site, private sewer and water service located within the 2008 JETZCO area (see Exhibit B). Both applications require a rezoning from their current Agricultural Zoning to R-3 (Single Family 1-Acre).

The Mequon Common Council has not weighed in on the issue of extraterritorial zoning for over fifteen (15) years. While ultimately a decision needs to be made regarding the two individual zoning requests, the question in front of the Council at this point is whether the City has a desire to continue exercising extraterritorial zoning authority over the Town of Grafton. Some of the benefits of extraterritorial zoning authority include:

- It provides for smoother transitions between rural and urban land uses.
- It reduces conflicting land uses, which lessens citizen complaints and protects property values.
- Promotes intergovernmental cooperation and communication.
- It helps avoid multiple communications towers and similar duplications.
- Makes planning for roads, utilities, recreation facilities, etc. easier.
- Coordinates mutual protection of sensitive areas and valued natural resources.

Arguments against the use of extraterritorial zoning typically revolve around the ability of one community to dictate land use policy to another community without the intent or desire to annex the land in the future.

Council Decision

Based on a memo from the City Attorney (see Exhibit C), staff outlines the following options regarding this matter for the Common Council:

1. The Common Council decides to continue to exercise authority over one or both areas and consider an amendment to the existing zoning as requested. A resolution reaffirming the extraterritorial authority and re-establishing the Joint Committee is necessary.
2. An option that includes modifying the zoning ordinance for the area in Exhibit B that would allow future rezonings to occur to single family residential at a density of at least one unit per acre without convening the joint committee.
3. The Common Council decides it no longer wants to exercise any extraterritorial authority over one or both areas and adopts an ordinance terminating the existing ordinance.
4. A final option, which would be similar to what was done in the past for minor changes, would include an ordinance, effectively changing the zoning as requested without re-establishing the Joint Committee. This option does not follow the processes exactly laid out in state statute, and it opens up the possibility that someone could challenge the development.

History

In 2003 and 2005, the City exercised extraterritorial zoning authority over all portions of Sections 28, 29, 31, 32 and 33, which lie in the Town of Grafton and within the extraterritorial zoning jurisdiction of the City of Mequon. This area includes the subject property for the first zoning request (Exhibit A). Not much development has occurred in this area since the City last exercised its authority.

In July 2006, the Town of Grafton purportedly enacted an ordinance rezoning a portion of these lands from A-1 to R-3 (1-Acre residential lots). The City was concerned about this purported exercise, since the matter had not first been submitted to the joint extraterritorial zoning process involving both communities, and because the City viewed one acre density on unsewered lots in the vicinity of sensitive environmental areas to be of concern. For this reason, the City again exercised extraterritorial zoning authority in later 2006, over the lands which the Town had purportedly rezoned, as well as some additional lands in the immediate vicinity.

The Town initially refused to recognize or respond to this exercise of extraterritorial zoning authority, and the Common Council authorized a mandamus action to compel the Town's participation with the joint extraterritorial zoning process, as well as seeking a declaration of the Court that the purported rezoning by the Town was void. This action commenced very late in 2006. After the Town argued that it was not compelled to actually and actively participate in the Joint Extraterritorial Zoning Committee (JETZCO) process in good faith, the Court held to the contrary. As a result, the JETZCO process began in 2007. There was consensus by the committee in 2008 that the area in question would be rezoned to R-2 with an RCDO Overlay which resulted in a density of one unit per 2.5 acres. With the delay in getting the zoning approved and the housing market crash that occurred, the developer subsequently withdrew interest in the project.

Due to this withdrawal, JETZCO met on August 20, 2010, and approved Ordinance 2010-1329 which confirms the zoning of the lands in the JETZCO territory as agricultural, thus resulting in no change from the original zoning. This area includes the subject property for the second zoning request (Exhibit B)

Staff Summary

Staff believes that there is a distinction between the two ETZ areas. The 2005 area between the freeway and Lake Michigan is similar in character to the northeast portion of Mequon with a mix of low density residential and agricultural uses. For this area, staff believes it would be appropriate to utilize option one and convene the JETZCO committee for this zoning request. While the proposed zoning change is rather innocuous, staff does not believe it would be appropriate to develop the remaining area at one acre zoning based on existing land use patterns in the area.

For the 2008 area in question, it was anticipated that development pressure would lead to higher density single-family development. When the original ordinances were passed in the early 2000's, the position of the City regarding residential development without public infrastructure was to only allow low density development at one unit per five acres. This was the impetus of the court action in 2006 where the original proposal was for a one-acre density. The committee ultimately agreed to a density of one unit per 2.5 acres. Since this time, the City has approved changes to several zoning districts in the Ulao Creek area adjacent to where it exercised its extraterritorial zoning authority, and west of I-43 along Port Washington Road, that allows development without public infrastructure with densities as low as one unit per ¾-Acre. To maintain the criteria of one unit per five acres in the extraterritorial would be contrary to the City's current land use policy in an area in which similar land use patterns and surrounding site conditions exist.

Based on this change in zoning and land use policy within the City, and the similarity of the area to the Ulao Creek portion in Mequon, staff recommends utilization of option 2. This option includes modifying the zoning ordinance for the area in Exhibit B that would allow future rezonings to occur to single-family residential at a density of at least one unit per acre without convening the joint committee. This would still require execution of option one above in this case but would not require action by the City in the future for similar requests.

Attachments:

Exhibit A, Exhibit B, Exhibit C, Exhibit D



TOWN OF GRAFTON REZONE APPLICATION

1220 Falls Road
P.O. Box 143
Grafton, WI 53024
(p): 262-377-8500
www.townofgraftonwi.gov

The following items are required at the time of submittal for a complete application. Incomplete applications will not be accepted.

INITIAL APPLICATION

- Signed, completed Rezoning Application Form
- Twelve (12) copies of the submittal package, submittal requirements include, but are not limited to:
 - Project narrative
 - Plat of Survey or, if approved by the Town Staff, a site plan identifying all existing and proposed conditions.
 - If applicable, a Stormwater Management Plan or application for a Soil Erosion Control Permit
- Additional Information that may be required by the Town Plan Commission, Town Engineer, Building Inspector, Health Inspector, Plumbing Inspector and Town Planner. Electronic copy of entire submittal package

SUBSEQUENT APPLICATION:

- Twelve (12) copies of the submittal package, submittal requirements include, but are not limited to:
 - Updated project narrative highlighting new or amending information.
 - Updated plat of survey or, if approved by the Town Staff, highlighting new or amending information.
- Electronic copy of entire submittal package.
- Additional items as required by Staff Report or Plan Commission.

Applicant shall review Sections 9.1.3 – 9.1.7 and 7.6 of the Town of Grafton Code of Ordinances for general provisions, restrictions and other application requirements.

In Addition to the Town of Grafton, supplementary reviews include, but are not limited to, the following agencies:

- Ozaukee Central Fire Department
- Village of Grafton, City of Mequon, Village of Saukville, City of Cedarburg or City of Port Washington
- Ozaukee County Land and Water Management (shoreland zoning)
- Ozaukee County Planning and Parks (natural resources)
- Ozaukee County Highway Department (access off a County road)
- Wisconsin Department of Natural Resources (WDNR)
- Wisconsin Department of Transportation (WisDOT) (access off a State road)

Review of the rezoning application and appearance before the Plan Commission or Board of Supervisors is subject to the payment of all fees.

REVIEW PROCESS & TIMELINE

Staff reports for all applications will be posted to the Town of Grafton Website prior to the Plan Commission meeting.

If the application is tabled by the Plan Commission, a subsequent application and posting of the subsequent escrow will be required. If the application is approved by the Plan Commission or Board of Supervisors subject to completion of Staff Punchlist items, escrow posted in the amount of a subsequent application will be required for review of the updated information. Any remaining escrow will be refunded after the Town's receipt of final billing.

The application submittal package is due at least 28 days prior to each meeting.

Pre-Application Meeting Required: All applicants are required to have a Pre-Application Meeting prior to submitting an application package.

- Pre-Application Conference Date: NOVEMBER 3, 2025
- Plan Commission Meeting Date: FEBRUARY 4, 2026 (1st Wed. of Each Month)
- Board of Supervisors Meeting Date: FEBRUARY 11, 2026 (2nd Wed. of Each Month)

Name of Project: LAUNCH EQUITY PARTNERS / LAUREY CLARK

****Please indicate if there is an intention for the above-listed project to obtain 501(c)(3) tax-exempt status.**

Tax Key No.: 060320200400

Street Address: 997 LAKEFIELD RD

Existing Zoning: A1 Proposed Zoning: R3

Landowner of record Name: LAUNCH EQUITY ACQUISITION PARTNERS
 Address: 3465 N. PINES WAY, SUITE 104, PMB 171 WILSON, WI 83014
 Phone Number: 414-491-2447

Applicant: (if different than owner) Email Address: JANE EUNMIKIM@AMERITECH.NET
 Name: LAURY CLARK
 Address: 997 LAKEFIELD RD GRAFTON, WI 53024
 Phone Number: 262-488-8342
 Email Address: LAURYLCLARK3@YAHOO.COM
 Applicant's architect/engineer or Professional consultant: Name: JAMES SCHNEIDER
 Address: 1300 W. CANAL ST MILWAUKEE, WI 53233
 Phone Number: 414-643-4229
 Email Address: JIMSCHEIDER@THESIGMAGROUP.COM

Application/Agenda Fees:

The Town of Grafton employs staff (including Professional Service Staff) who aid in the review of each application. Each application requires review by several staff members. Professional Staff members include (but are not limited to) Engineers, Planners, and Attorneys. Professional Service Staff members bill on an hourly basis, at their current hourly rate. It is the responsibility of the applicant to pay for the time spent reviewing his/her application. All charges for review will be deducted from the applicant's escrow account. It is at the discretion of the Town what level of effort is required by each individual staff member in order to conduct a complete review. The Town, at its sole discretion, shall be empowered to impose a special charge for said review cost, payable with the next succeeding tax roll.

	Initial Application	Subsequent Application
<input type="checkbox"/> Pre-Application Meeting Escrow	\$500 (Minimum)	\$500 (Minimum)
<input type="checkbox"/> Town Administration Fee	\$150	\$50
<input type="checkbox"/> Public Hearing Fee	\$300	N/A
<input type="checkbox"/> Map Amendment Fee	\$250	N/A
<input type="checkbox"/> Rezoning Application Review Escrow	\$500 (Minimum)	\$250 (Minimum)

Initial Application Fees / Escrow (Fees are Non-Refundable, Unused Escrow Is):

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TOTAL AMOUNT RECEIVED: 5200.00

By signing below, I represent and warrant that I am an authorized agent of the Applicant. I further warrant that I understand and agree to pay both the Town of Grafton's and the Town of Grafton Professional Staff's fees associated with this Application as well as any other subsequent submittal applications. I INDIVIDUALLY AND PERSONALLY GUARANTEE to the Town of Grafton payment for all costs owed by the Applicant under this Application or any other subsequent submittal applications, including, but not limited to, the attorney's fees and costs of collection incurred by the Town of Grafton in enforcing this contractual obligation.

Signature of Applicant: Laury Clark
 Date: 1/5/20

Please direct all correspondence to the Clerk who shall direct applicants to Town Staff as appropriate.

clerk@townofgraftonwi.gov

PROJECT NARRATIVE - Request for Special Consideration for Rezoning and Land Division in the Town
Of Grafton at 997 LAKEFIELD RD

This is a special circumstance requesting that a one-acre parcel be divided from the main farm parcel as a fulfillment to a 10-year contract between Laury Clark (Laury) and Launch Equity Partners, LLC (Launch). Under this agreement Laury would lease the residence and one acre for 10 years as a lease to own. At the conclusion of those 10 years, Launch would deed one acre and the farmhouse and garage to Laury for sole ownership. Both parties agree that the lease has been satisfied.

The contract for one acre was made in good faith after checking with the Town in 2013 to make sure the division of one acre would be permissible . The contract aligned with the future land use of that time. See attached exhibit.

Since then, the Towns minimum lot size requirement has changed to three acres (R2).

The parties met with the Town in May of 2024 to begin the one acre land division process . When this was denied an investigation was made to try and accommodate a three (3) acre zoning layout, in keeping with the land use plan, but was not feasible (either the shape would not pass the planning commission or the parcel would dissect buildings or other parts of the horse barn driveway). There was no solution or agreeable outcome.

- * The rezoning of this parcel to R3 (1-acre) is necessary to fulfill the contract.
- *. The proposed CSM and rezoning will have no net impact on the area; the property will remain exactly as it appears today.
- *. There is like zoning (1-acre) adjacent to this property on the west and on lots to the east, and across the street. See attached exhibit.
- *. This 1-acre layout preserves road access for future use/development of the remaining farmland.
- *. Presently Launch has no plans for a change in use of the farm.
- *. The creation of this new lot will also help preserve the farmhouse for the foreseeable future.
- * The current zoning for this property is A1. If the land division and rezoning are approved for Lot #1, the zoning for Lot #2 will become A2.

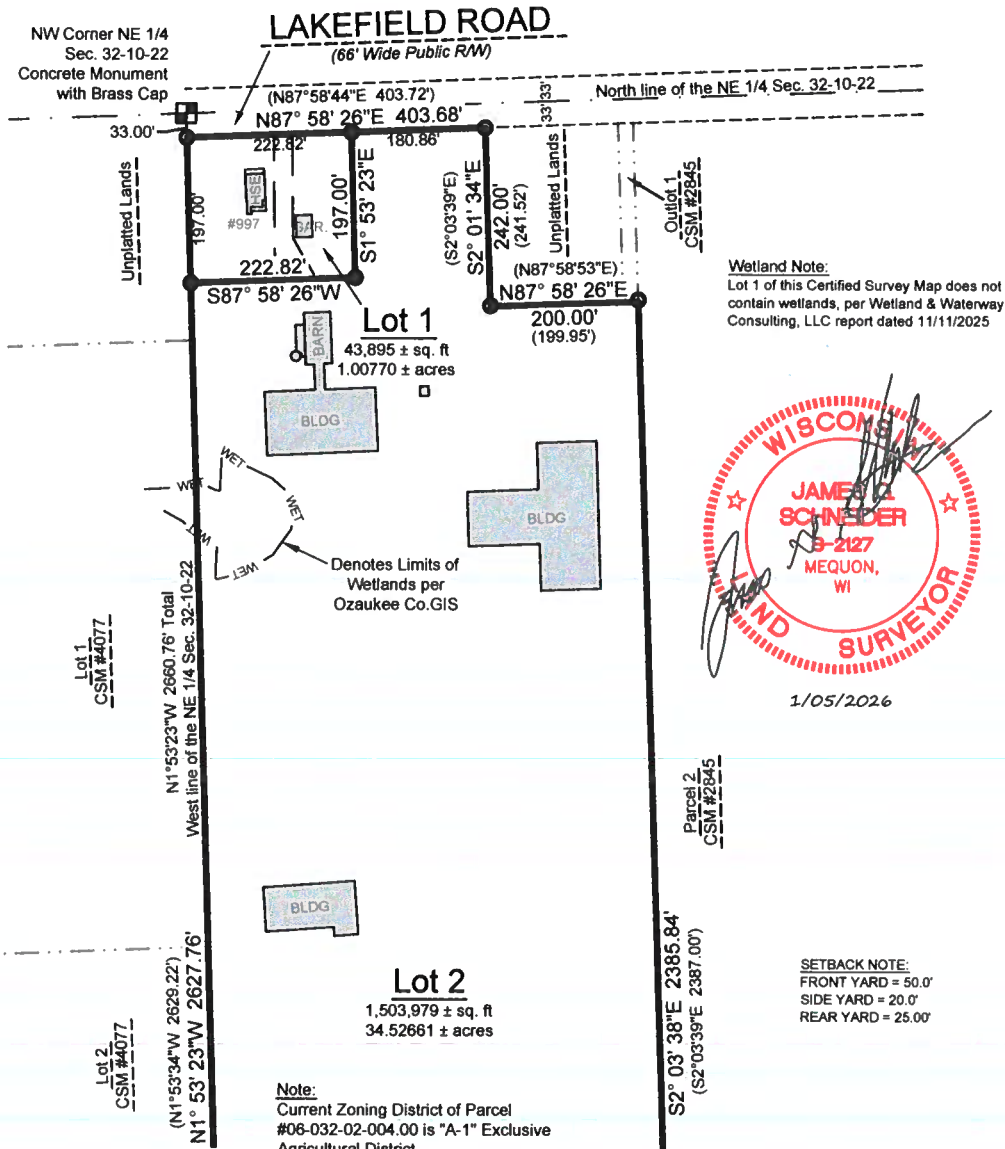
On a personal note, I, (Laury), have been a Town of Grafton resident for 38 years (30 of them at this property). This is a special historic home where I hope to stay for an indefinite period of time. I would be an individual (private) owner occupying and preserving this 115 year old house and surrounding grounds. The proposed land division will have no visual or negative impact on the Town (the only change is the adjustment of the lot line). It is, in many ways, a no-lose situation for all involved.

Thank you for your consideration.

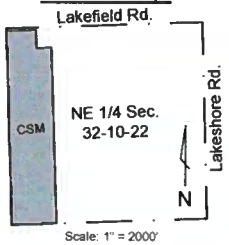
Laury Clark

CERTIFIED SURVEY MAP NO. _____

A Redivision of Parcel 1 of Certified Survey Map No. 2845, being a part of the Southwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 32, Township 10 North, Range 22 East, in the Town of Grafton, Ozaukee County, Wisconsin



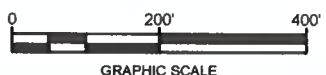
Location Map:



LEGEND & NOTES:

- INDICATES FOUND 1" DIAM. IRON PIPE, 18" LONG
- INDICATES SET 1" DIAM. IRON PIPE, 18" LONG WEIGHING 1.68 LBS/LIN. FT.
- () DENOTES ALSO RECORDED AS BEARING OR DISTANCE

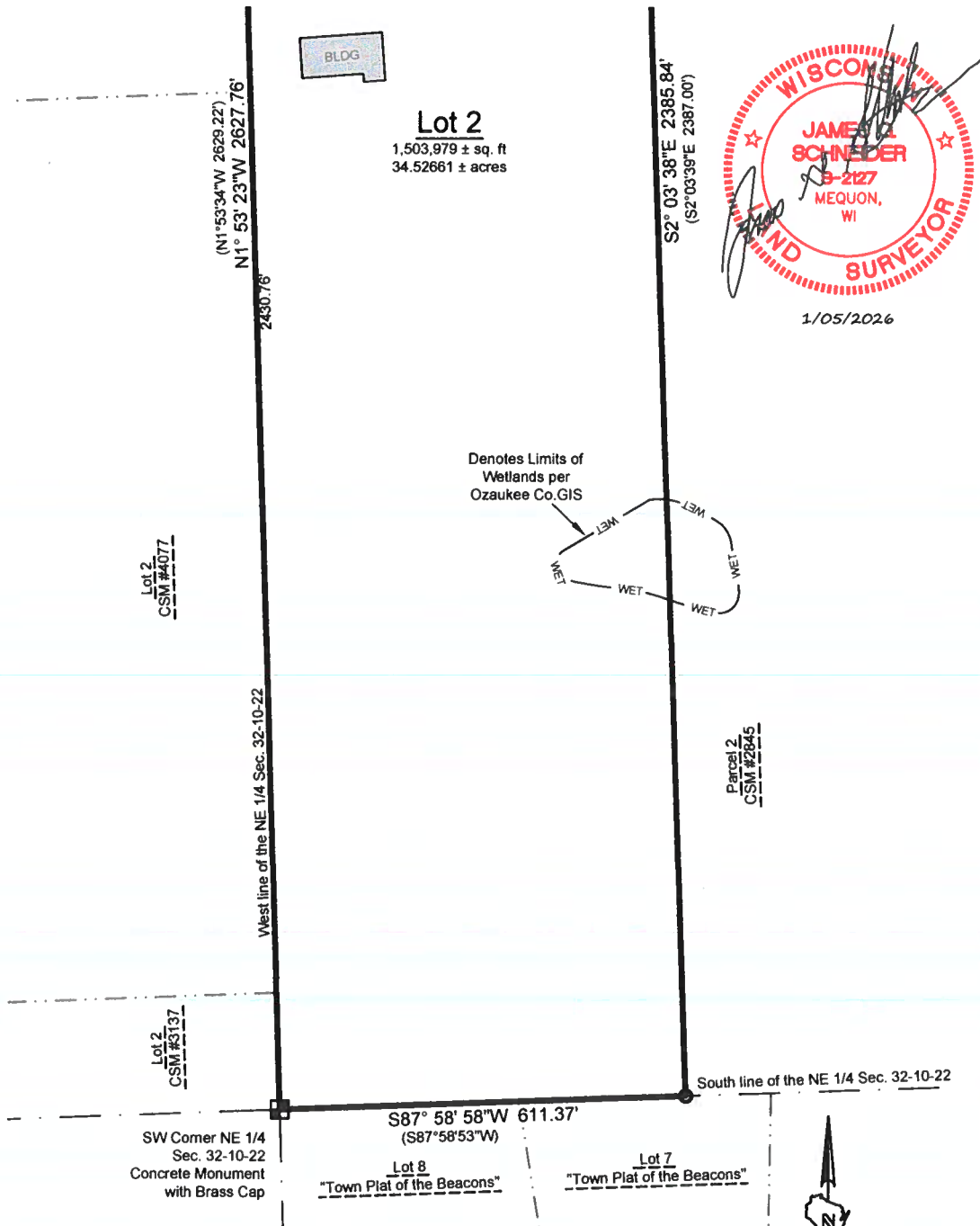
COORDINATES & BEARINGS REFERENCED THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE WITH THE WEST LINE OF THE NE. 1/4 OF SEC. 32-10-22, ASSUMED TO BEAR N1°53'23"W, AS PUBLISHED BY SEWRPC, NAD83 (2011).



THE SIGMA GROUP
Single Source. Sound Solutions.
www.thesigmagroup.com
1300 West Canal Street
Milwaukee, WI 53233
Phone: 414-643-4200
Fax: 414-643-4210

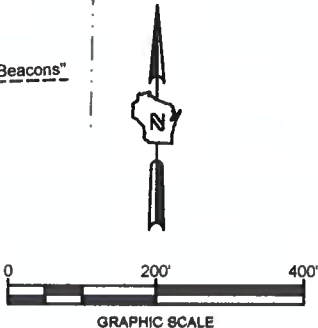
CERTIFIED SURVEY MAP NO. _____

A Redivision of Parcel 1 of Certified Survey Map No. 2845, being a part of the Southwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 32, Township 10 North, Range 22 East, in the Town of Grafton, Ozaukee County, Wisconsin



WISCONSIN
JAMES A. SCHNEIDER
 9-2127
 MEQUON, WI
LAND SURVEYOR
 1/05/2026

THE SIGMA GROUP
 Single Source. Sound Solutions.
 www.thesigmagroup.com
 1300 West Canal Street
 Milwaukee, WI 53233
 Phone: 414-643-4200
 Fax: 414-643-4210



Project # 24615 DRAFTED BY JRS

Sheet 2 of 6

CERTIFIED SURVEY MAP NO. _____

A Redivision of Parcel 1 of Certified Survey Map No. 2845, being a part of the Southwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 32, Township 10 North, Range 22 East, in the Town of Grafton, 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:

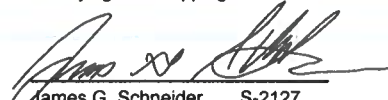
A redivision of Parcel 1 of Certified Survey Map No. 2845, as recorded at the Ozaukee County Register of Deeds office in Volume 20, Pages 223-224, as Document No. 547183, being a part of the Southwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 32, Township 10 North, Range 22 East, in the Town of Grafton, Ozaukee County, Wisconsin

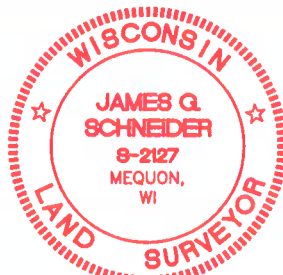
Said lands containing 35.53432 acres of land, more or less.

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

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

That I have complied with Chapter 236.34 of the Wisconsin Statutes and the regulations of the Town of Grafton, in surveying and mapping the same.


James G. Schneider S-2127



1/05/2026

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

Project # 24615 DRAFTED BY JRS

Sheet 4 of 6

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OWNER'S CERTIFICATE

I, Jane Kim (managing Member) of Launch Equity Partners, LLC, OWNER, do hereby certify: THAT I have caused the lands described in the foregoing certificate of James G. Schneider, Surveyor, to be surveyed, divided and mapped.

Witness

Jane Kim (Managing Member)

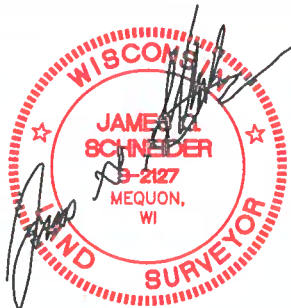
WITNESS the hand and seal of said OWNERS on this _____ day of _____, 20__.

STATE OF WISCONSIN)
COUNTY)^{SS}

PERSONALLY came before me on this _____ day of _____, 20__ Jane Kim, to me known to be the persons who executed the foregoing certificate and acknowledged the same.

Notary Public

My Commission expires _____



1/05/2026



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

Project # 24615 DRAFTED BY JRS

Sheet 5 of 6

CERTIFIED SURVEY MAP NO. _____

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APPROVAL OF THE OZAUKEE COUNTY NATURAL RESOURCES COMMITTEE, COUNTY PLANNING AGENCY

Resolved, that this Certified Survey Map, in the Town of Grafton, by Launch Equity Partners, LLC, OWNER, is hereby approved by the authority of the Natural Resources Committee of the Ozaukee County Board of Supervisors under the provisions of Section 7.1200 and Chapter 13 of the County Ordinance.

Dated this _____ day of _____, 20____.

Rob Holyoke,
Chairperson of the Natural Resources Committee

EXTRATERRITORIAL REVIEW AND APPROVAL

VILLAGE OF GRAFTON PLAN COMMISSION APPROVAL

APPROVED by the Village of Grafton Plan Commission on this _____ day of 20____.

Dan Delorit,
Plan Commission Chairman

TOWN OF GRAFTON PLAN COMMISSION APPROVAL

APPROVED by the Town of Grafton Plan Commission on this _____ day of _____, 20____

Lester Bartel, Town Chairman

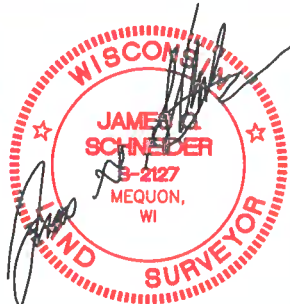
Laurie Arendt, Clerk

TOWN OF GRAFTON TOWN BOARD APPROVAL

APPROVED by the Town of Grafton Town Board this _____ day of _____, 20____

Lester Bartel, Town Chairman

Laurie Arendt, Clerk



1/05/2026

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

Project # 24615 DRAFTED BY JRS

Sheet 6 of 6



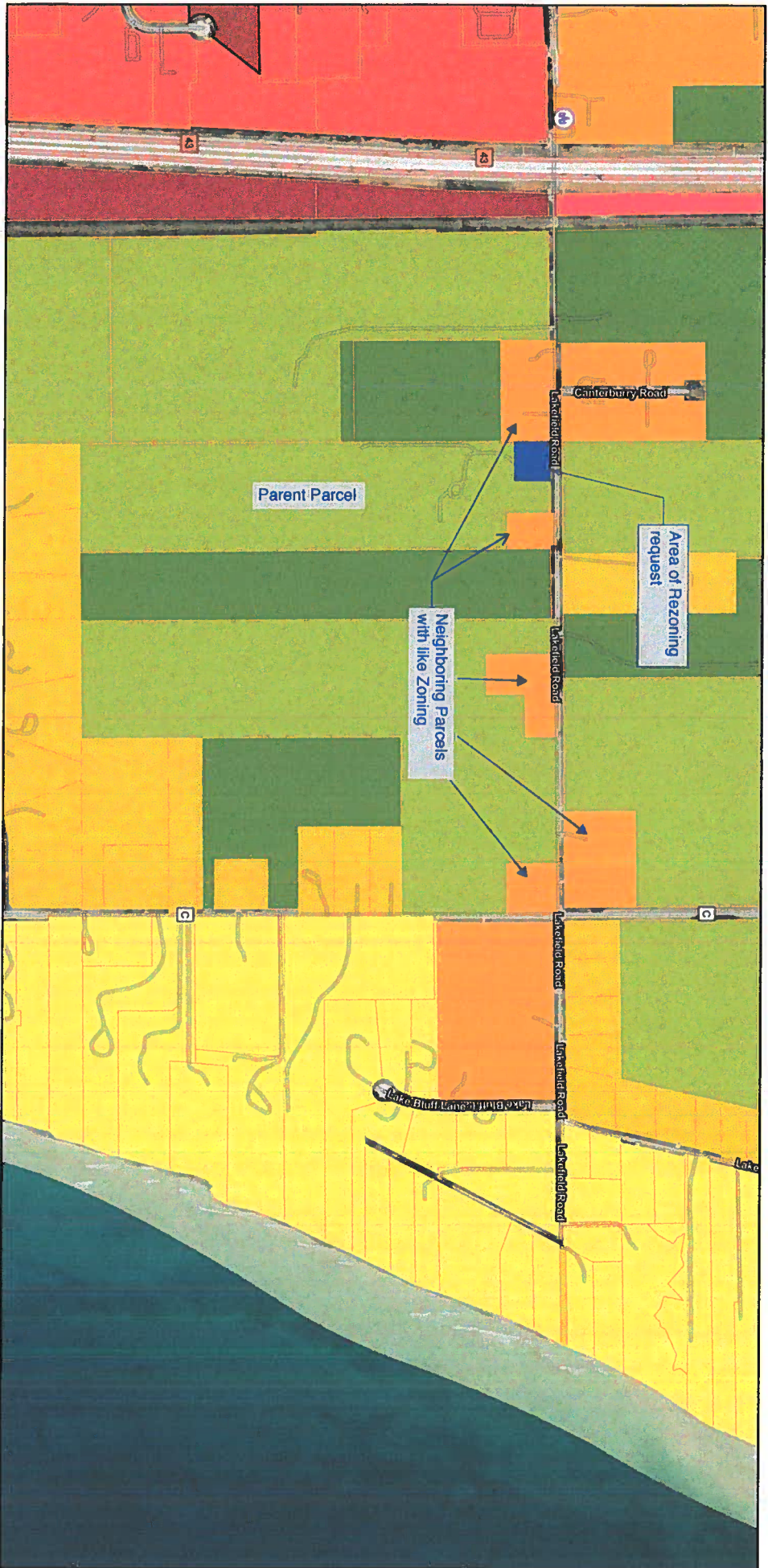
I, THE UNDERSIGNED, TOWN CHAIRMAN OF THE TOWN OF GRAFTON, OZAUKEE COUNTY WISCONSIN, DO HEREBY CERTIFY THE "LAND USE PLAN MAP, TOWN OF GRAFTON, OZAUKEE COUNTY, WISCONSIN".

ATTESTATION:

Lester A. Bartel, Jr. 8/13/14
Lester Bartel Jr., Town Chairman Date

Amanda D. Schaefer 8.13.14
Amanda D. Schaefer Town Clerk Date

Town of Grafton Zoning



12/22/2025, 7:47:43 AM

PUD Planned Unit Development view

Current Zoning

- C-1: Conservancy Overlay District
- A-1: Exclusive Agricultural District

- A-2: Agricultural/Rural Residential District
- B-1: Business District
- B-3: Business District
- PW: Port Washington Road District
- R-1: Residential District
- R-2: Residential District
- R-3: Residential District

SE Wisc Reg Planning Comm, SEWRPC, Vantor, | Map data © OpenStreetMap contributors, Microsoft, Esri Community Maps contributors, Map layer by Esri |

Scale: 1:9,028

0 0.07 0.15 0.2 0.3 mi

0 0.1 0.2 0.4 km

Exhibit B



TOWN OF GRAFTON REZONE APPLICATION

1220 Falls Road
P.O. Box 143
Grafton, WI 53024
(p): 262-377-8500
www.townofgraftonwi.gov

The following items are required at the time of submittal for a complete application. Incomplete applications will not be accepted.

INITIAL APPLICATION

- Signed, completed Rezoning Application Form
Twelve (12) copies of the submittal package, submittal requirements include, but are not limited to:
Project narrative
Plat of Survey or, if approved by the Town Staff, a site plan identifying all existing and proposed conditions.
If applicable, a Stormwater Management Plan or application for a Soil Erosion Control Permit
Additional Information that may be required by the Town Plan Commission, Town Engineer, Building Inspector, Health Inspector, Plumbing Inspector and Town Planner. Electronic copy of entire submittal package

SUBSEQUENT APPLICATION:

- Twelve (12) copies of the submittal package, submittal requirements include, but are not limited to:
Updated project narrative highlighting new or amending information.
Updated plat of survey or, if approved by the Town Staff, highlighting new or amending information.
Electronic copy of entire submittal package.
Additional items as required by Staff Report or Plan Commission.

Applicant shall review Sections 9.1.3 - 9.1.7 and 7.6 of the Town of Grafton Code of Ordinances for general provisions, restrictions and other application requirements.

In Addition to the Town of Grafton, supplementary reviews include, but are not limited to, the following agencies:

- Ozaukee Central Fire Department
Village of Grafton, City of Mequon, Village of Saukville, City of Cedarburg or City of Port Washington
Ozaukee County Land and Water Management (shoreland zoning)
Ozaukee County Planning and Parks (natural resources)
Ozaukee County Highway Department (access off a County road)
Wisconsin Department of Natural Resources (WDNR)
Wisconsin Department of Transportation (WisDOT) (access off a State road)

Review of the rezoning application and appearance before the Plan Commission or Board of Supervisors is subject to the payment of all fees.

REVIEW PROCESS & TIMELINE

Staff reports for all applications will be posted to the Town of Grafton Website prior to the Plan Commission meeting.

If the application is tabled by the Plan Commission, a subsequent application and posting of the subsequent escrow will be required. If the application is approved by the Plan Commission or Board of Supervisors subject to completion of Staff Punchlist items, escrow posted in the amount of a subsequent application will be required for review of the updated information. Any remaining escrow will be refunded after the Town's receipt of final billing.

The application submittal package is due at least 28 days prior to each meeting.

Pre-Application Meeting Required: All applicants are required to have a Pre-Application Meeting prior to submitting an application package.

- Pre-Application Conference Date: 12/19/2025
Plan Commission Meeting Date: (1st Wed. of Each Month)
Board of Supervisors Meeting Date: (2nd Wed. of Each Month)

Name of Project: Leber Property

**Please indicate if there is an intention for the above-listed project to obtain 501(c)(3) tax-exempt status.

Tax Key No.: 060310900000, 060311400200, 060310200200, 060310200100

Street Address: North of Pioneer Rd, south of Lakesfield Dr.

Existing Zoning: R-3, A-1, A-2 Proposed Zoning: R-3

Landowner of record Name: Leber Family Limited Partnership
Address: P.O. Box 9237 Tavernier, FL 33070
Phone Number:

Applicant:
(if different than owner)

Email Address:

Name:

Ryan Fritsch / Neumann Developments, Inc.

Address:

N27W24025 Paul Ct. Suite 100 Pewaukee, WI 53072

Phone Number:

262-542-9200

Email Address:

fritsch@neumanndevelopments.com

Applicant's architect/
engineer or
Professional consultant:

Name:

Trio Engineering

Address:

19035 W Capitol Dr. Suite 200 Brookfield, WI 53045

Phone Number:

262-790-1480

Email Address:

Application/Agenda Fees:

The Town of Grafton employs staff (including Professional Service Staff) who aid in the review of each application. Each application requires review by several staff members. Professional Staff members include (but are not limited to) Engineers, Planners, and Attorneys. Professional Service Staff members bill on an hourly basis, at their current hourly rate. It is the responsibility of the applicant to pay for the time spent reviewing his/her application. All charges for review will be deducted from the applicant's escrow account. It is at the discretion of the Town what level of effort is required by each individual staff member in order to conduct a complete review. The Town, at its sole discretion, shall be empowered to impose a special charge for said review cost, payable with the next succeeding tax roll.

	Initial Application	Subsequent Application
<input checked="" type="checkbox"/> Pre-Application Meeting Escrow (paid)	\$500 (Minimum)	\$500 (Minimum)
<input checked="" type="checkbox"/> Town Administration Fee	\$150	\$50
<input checked="" type="checkbox"/> Public Hearing Fee	\$300	N/A
<input checked="" type="checkbox"/> Map Amendment Fee	\$250	N/A
<input checked="" type="checkbox"/> Rezoning Application Review Escrow	\$500 (Minimum)	\$250 (Minimum)

Initial Application Fees / Escrow (Fees are Non-Refundable, Unused Escrow Is):

The Town of Grafton employs staff (including Professional Service Staff) who aid in the review of each application. Each application requires review by several staff members. Professional Staff members include (but are not limited to) Engineers, Planners, and Attorneys. Professional Service Staff members bill on an hourly basis, at their current hourly rate. It is the responsibility of the applicant to pay for the time spent reviewing his/her application. All charges for review will be deducted from the applicant's escrow account. It is at the discretion of the Town what level of effort is required by each individual staff member in order to conduct a complete review. The Town, at its sole discretion, shall be empowered to impose a special charge for said review cost, payable with the next succeeding tax roll.

TOTAL AMOUNT RECEIVED: _____

By signing below, I represent and warrant that I am an authorized agent of the Applicant. I further warrant that I understand and agree to pay both the Town of Grafton's and the Town of Grafton Professional Staff's fees associated with this Application as well as any other subsequent submittal applications. I INDIVIDUALLY AND PERSONALLY GUARANTEE to the Town of Grafton payment for all costs owed by the Applicant under this Application or any other subsequent submittal applications, including, but not limited to, the attorney's fees and costs of collection incurred by the Town of Grafton in enforcing this contractual obligation.

Signature of Applicant: 

Date: 12/23/2025

Please direct all correspondence to the Clerk who shall direct applicants to Town Staff as appropriate.

clerk@townofgraftonwi.gov



12/30/2025

Town of Grafton
C/O Laurie Arendt
1220 Falls Road
Grafton, WI 53024

Dear Laurie,

In conjunction with a proposed 127-lot single family residential subdivision, Neumann Developments, Inc. is submitting for consideration a rezoning petition for lands located north of C.T.H. C, west of C.T.H. W, and south of C.T.H. T. The intended development known as the Leben property encompasses 186 acres and is identified as parcels 060310200200, 060310200100, 060310900000, 060311400300, and 060311400200.

Neumann Developments, Inc. was founded in 2000 and has developed over 6,000 for-ownership homesites, paved over 70 miles of roads, and preserved 3,000 acres of green space. Harbor Homes, a sister homebuilding partner of Neumann Developments and founded in 2018, leads southeast Wisconsin in single family home construction volume and would serve as the exclusive homebuilder within the subdivision. Through strategic partnerships with the region's largest homebuilding operation and contractor network, Neumann Developments creates high quality developments that bring lasting value to communities.

The general characteristics of the proposed development are as follows:

- Property Area: 186.22 acres
- Total Lots: 127 lots
- Proposed Density: 1.47 acres/lot
- Current Zoning:
 - R-3 Residential District (57.33 acres)
 - A-1 Exclusive Agricultural District (46.68 acres)
 - A-2 Agricultural/Rural Residential District (82.21 acres)
- Proposed Zoning: R-3 Residential District (for all existing A-1 & A-2 parcels)
 - Minimum Lot Size: 32,670sf
 - Standard Lot Width: 120'
 - Setbacks:
 - Front Yard = 50'
 - Side Yard = 20'
 - Rear Yard = 25'

NEUMANN DEVELOPMENTS, INC. * N27 W24025 PAUL CT. SUITE 100 * PEWAUKEE, WI 53072
262-542-9200 * FAX: 262-349-9324 * NEUMANNDEVELOPMENTS.COM



R-3 zoning is appropriate for this property based on adjacent, existing zoning designations and is consistent with the intent of the zoning ordinance. The proposed density of 1.47 acres/lot maintains the area's rural character while allowing the preservation of significant open space and environmental features.

This petition is being made after careful consideration regarding the market demand in the Grafton area. We expect to be able to bring in new members to the community and expand for-ownership options for years to come by delivering home-lot packages in the low \$600s, an attainable housing product in today's market. New families will support businesses, increase the tax base, and enrich the community with energy and ideas. It is expected some buyers would be current Town residents, thus freeing up existing housing and increasing the overall market supply. Subdivision infrastructure would be developed over four to five phases with a delivery pace of 15-20 homes per year.

Protective covenants would be recorded and require architectural elements and private landscaping treatments in excess of municipal ordinances. The covenants define homeowner association responsibilities and structure, and they enforce compliance of architectural standards which sustain valuations and maintain an attractive neighborhood aesthetic. Homes would be a minimum of 1,800 square feet for single-story and 2,100 square feet for two-story.

The total assessed valuation is projected to reach \$75 million upon completion of construction.

Thank you for your consideration. We look forward to working with the Town of Grafton.

Sincerely,

Ryan Fritsch

Ryan Fritsch
Neumann Developments Inc.

PROPOSED ZONING

R-3 Residential District

Minimum Lot Size = 32,670 sf
 Standard Lot Width = 120'
 Corner Lot Width = 135'

Setbacks

Front = 50'
 Side = 20'
 Rear = 25'

Site Data (7 parcels)

Total Area = 222.12 ac
 Wetlands = 4.51 ac
 100-yr Floodplain = 16.51 ac
 Floodway = 14.44 ac
 PEC = 20.46 ac

DEVELOPMENT SUMMARY

SOUTHERN LANDS

- Total Area = 138.4 acres
- 4 existing parcels
- PROPOSED = 67 lots
- Density = 2.07 acres/lot

NORTHERN LANDS

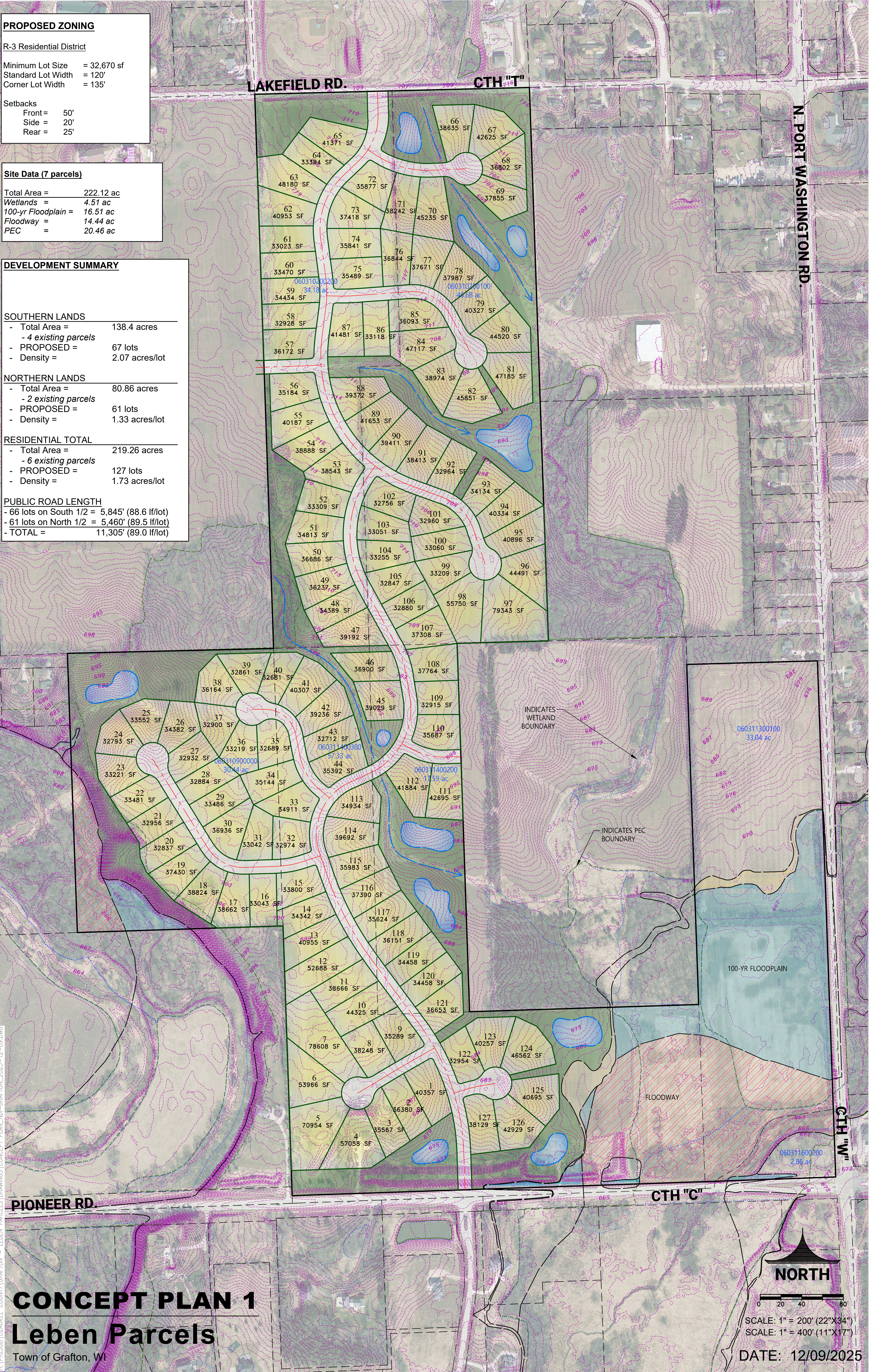
- Total Area = 80.86 acres
- 2 existing parcels
- PROPOSED = 61 lots
- Density = 1.33 acres/lot

RESIDENTIAL TOTAL

- Total Area = 219.26 acres
- 6 existing parcels
- PROPOSED = 127 lots
- Density = 1.73 acres/lot

PUBLIC ROAD LENGTH

- 66 lots on South 1/2 = 5,845' (88.6 lf/lot)
- 61 lots on North 1/2 = 5,460' (89.5 lf/lot)
- TOTAL = 11,305' (89.0 lf/lot)



H:\PREJOB\OZAUKEE COUNTY\GRAFTON - LEBEN PARCELS\DRAWINGS\CONCEPT PLAN\NDI-GRAFTON_2025-12-09.DWG

CONCEPT PLAN 1

Leben Parcels

Town of Grafton, WI

NORTH

0 20 40 60

SCALE: 1" = 200' (22"X34")
 SCALE: 1" = 400' (11"X17")

DATE: 12/09/2025

REZONING EXHIBIT

TOWN OF GRAFTON, WI



LAKEFIELD RD. "C.T.H. T"

060310200200
34.18 ac.

060310200100
46.68 ac.

**A-2
PROPOSED:
R-3**

**A-1
PROPOSED:
R-3**

**A-2
PROPOSED:
R-3**

060310900000
30.44 ac.

**A-2
PROPOSED:
R-3**

060311400200
17.59 ac.

R-3

060311400300
57.33 ac.



19035 W. Capitol Drive
Suite 200
Brookfield, WI 53045
Phone: (262) 790-1480
Fax: (262) 790-1481

PIONEER RD.

"C.T.H. C"

DATE: 12/22/2025

H:\PreJob\Ozaukee County\Grafton - Leben Parcels\Drawings\Exhibits\REZONING EXHIBIT_LEBEN-GRAFTON_2025-12-22.dwg



To Jac Zader
From Brian C. Sajdak, City Attorney
Date February 2, 2026
Re Process for Town of Grafton Extraterritorial Zoning

Introduction

By email on January 28, 2026, you asked a series of questions related to the pending rezoning applications that are within the current boundaries of the City’s extraterritorial zoning ordinance for the Town of Grafton (“Town”). While separate questions, they are all answered by reviewing the process for exercising this authority under the statutes.

Discussion

The process for exercising extraterritorial zoning authority is detailed in Wis. Stat. § 62.23(7a). This authority is different than the City’s extraterritorial plat review authority under Wis. Stat. § 236.10. In this case, the City has previously adopted an extraterritorial zoning ordinance for portions of the Town under Ord. 2010-1329. This ordinance followed the City’s Resolution declaring its intent to exercise its authority in 2008 in Res. 2783 and some apparent litigation surrounding that declaration. I assume, without completing an independent analysis to confirm, that the ordinance was adopted in accordance with the statutory requirements in place at the time.

Accordingly, this rezoning request effectively triggers a request to the City to amend the district and/or regulations of the existing ordinance. Under Wis. Stat. § 62.23(7a)(f), the Common Council “may amend the districts and regulations of the extraterritorial zoning ordinance after first submitting the proposed amendment to the joint committee for recommendation and report.” The procedure for such an amendment is identified in Wis. Stat. §§ 62.23(7a)(c) through (e). Those provisions are contained below, with the critical components highlighted:

(c) If the **governing body of the city adopts a resolution** under par. (a), it shall **direct the plan commission to formulate tentative recommendations for the district plan and regulations within all or a**

part of the extraterritorial zoning jurisdiction as described in the resolution adopted under par. (a). When the plan commission is engaged in the preparation of such district plan and regulations, or amendments thereto, **a joint extraterritorial zoning committee shall be established. Such joint committee shall consist of 3 citizen members of the plan commission, or 3 members of the plan commission designated by the mayor if there are no citizen members of the commission, and 3 town members from each town** affected by the proposed plan and regulations, or amendments thereto. The 3 town members shall be appointed by the town board for 3 year terms and shall be residents of the town and persons of recognized experience and qualifications. Town board members are eligible to serve. **If the town board fails to appoint the 3 members within 30 days following receipt of the certified resolution** under par. (a), the board shall be subject to **a mandamus proceeding which may be instituted by any resident of the area to be zoned or by the city adopting such resolution.** The **entire plan commission shall participate with the joint committee in the preparation of the plan and regulations, or amendments thereto. Only the members of the joint committee shall vote on matters relating to the extraterritorial plan and regulations, or amendments thereto.** A separate vote shall be taken on the plan and regulations for each town and the town members of the joint committee shall vote only on matters affecting the particular town which they represent. The **governing body shall not adopt the proposed plan and regulations, or amendments thereto, unless the proposed plan and regulations, or amendments thereto, receive a favorable vote of a majority of the 6 members of the joint committee.** Such vote shall be deemed action taken by the entire plan commission.

(d) The **joint committee** shall formulate tentative recommendations for the district plan and regulations and **shall hold a public hearing** thereon. Notice of a hearing shall be given by **publication in a newspaper** having general circulation in the area to be zoned, **as a class 2 notice**, under ch. 985, during the preceding 30 days, and by mailing the notice to the town clerk of the town for which the plan and regulations are proposed. The notice shall contain the layout of tentative districts either by maps or words of description, and may contain the street names and house lot numbers for purposes of identification if the joint committee or the governing body so determines. At a public hearing an opportunity to be heard shall be afforded to representatives of the town board of the town and to any person in the town for which the plan and regulations are proposed.

(e) The **governing body of the city may adopt by ordinance the proposed district plan and regulations recommended by the joint committee after giving notice and holding a hearing** as provided in par. (d), or the governing

body may change the proposed districts and regulations after first submitting the proposed changes to the joint committee for recommendation and report. The joint committee and the governing body may hold a hearing on the proposed changes after giving notice as provided in par. (d). The joint committee recommendation on the proposed changes shall be submitted to the governing body in accordance with the voting requirements set forth in par. (c).

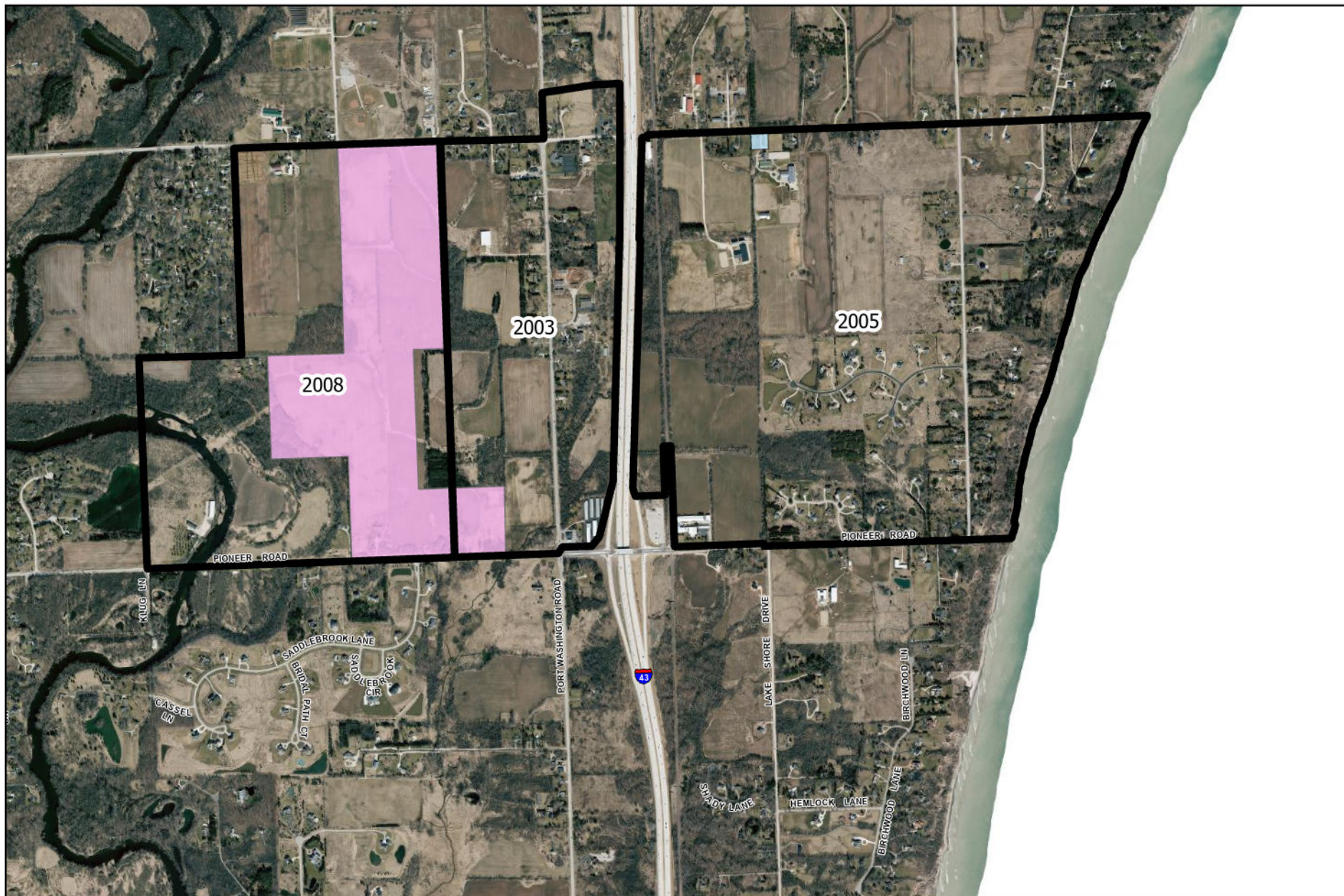
Thus, I believe the initial question is for the Common Council to decide whether it wants to (a) continue to exercise its extra territorial authority in the regulated area and, if so, whether it wants to consider the proposed rezoning request. If it does, then it should adopt a resolution. While perhaps not a necessary step in that case given that the Town likely wants the rezoning and would, accordingly, appointed the required members, adopting a resolution allows the City to potentially force the Town to appoint members if necessary. If the Town can establish that it has members appointed, a resolution may be unnecessary. Should the City decide it no longer wishes to exercise any extraterritorial authority, an ordinance repealing the existing ordinance would be required. This decision does not appear to require the involvement of the planning commission or the joint committee, although it does not appear to be excluded either. Once the resolution is passed, the planning commission and the joint committee would meet to undertake the process of proposing the proposed amendments.

One additional question has arisen in my discussions with the Town's attorney. Since the current ordinance was adopted in 2010, the City of Cedarburg and Village of Grafton have both continued to grow through annexation. In both cases, their extraterritorial jurisdiction now overlaps with the City's jurisdiction in this area. Thus, there has been some discussion over whether the City's authority is reduced under the provisions of Wis. Stat. § 62.23(7a)(a) which provides that "[w]herever extraterritorial zoning jurisdictions overlap, the provisions of s. 66.0105 shall apply and *any subsequent alteration of the corporate limits of the city by annexation, detachment or consolidation proceedings shall not affect the dividing line as initially determined* under s. 66.0105." (Emphasis added.) Section 66.0105 provides in part that "[w]herever these statutory extraterritorial powers overlap, the jurisdiction over the overlapping area shall be divided on a line all points of which are equidistant from the boundaries of each municipality concerned so that not more than one municipality shall exercise power over any area."

I do not think that the growth of either Cedarburg or Grafton causes the City to lose the authority it has already exercised. The statutory scheme created by the legislature establishes a clear intent that there can only be one zoning ordinance that applies to a parcel of land. Once in place, the statute (as shown in the emphasized language above) clearly requires that determination to continue until such time as the lands are annexed or the regulations are changed by the regulating body. Changing the applicable regulations every time a new parcel is annexed is not only a foolish waste of resources, but it also makes it

impossible for a landowner to use their land in any meaningful manner. Moreover, even if this analysis is incorrect, until Cedarburg or Grafton choose to exercise their power, there does not appear to be anything in the statute that precludes the continued application of the City's ordinance.

I believe this answers each of your questions. Please let me know if you have any further questions or if you need clarification.





11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262/236-2914
Fax: 262/242-9655

www.cityofmequonwi.gov

Engineering

TO: Committee of the Whole
FROM: Kristen Lundeen, Director Public Works/City Engineer
Jac Zader, Assistant Director Community Development
DATE: March 10, 2026
SUBJECT: A Consultation for a Proposed Residential Development and Associated Utility Service for a Property Located on 107 Acres West of Baehr Road, South of Donges Bay Road and North of Lily Lane Nature Preserve

Background

Miller Marriot Constructions Company, LLC, is seeking a consultation with the Common Council regarding the development of the 107 acres located immediately north of 10007 N. Baehr Road. The parcels are undeveloped and span the west side of Baehr Road with existing industrial businesses to the north, Lily Lane Preserve (a 12-acre City-owned nature preserve) to the south. Due to land use and zoning changes and sewer service needs, preliminary feedback from the Sewer Utility District Commission/Common Council is warranted for this project.

Zoning

The current proposal will require a land use and zoning change. The subject site is in an area relatively unchanged and consisting of a mix of industrial/office uses and single-family homes. The parcels are currently zoned B5 (Light Industrial), R2-B (Residential 1.5 Acres), R1 (Rural Residential 5-Acre), OA (Agricultural Overlay) and Critical Environmental.

Utility Service

In addition to the zoning analysis, Miller Marriot is requesting consideration of both standard build and contribute public utility construction and acceptance of a transfer of title for an existing, private lift station and associated force main.

Analysis

Zoning

The parcels contain environmental features including woodlands, open fields, wetlands and floodways, making an ideal cluster, conservation-style development. A yield plan results in 90 to 104 total single-family lots depending on what type of base zoning is used. Yield plans are acknowledged within the City Zoning Code and utilized to determine baseline density. The proposal (see Exhibit A) includes the following highlights:

- 87 Single-Family total lots on a net of 83.4 acres (.96 acres/lot) as follows:

73 Single-Family Sewered lots (10,000 square foot minimum)

14 Single-Family Non-Sewered lots (32,670 square foot minimum)

- 68.5 Acres Open Space (64%)

Based on the proposed concept plan (see attached), the proposal would require a rezoning to R-4 (Single-Family $\frac{3}{4}$ -Acre). A Planned Unit Development (PUD) for the entire development would be necessary and would provide for shared facilities and amenities including storm water facilities, common open space and consistent streetscape, lighting, signage and landscaping.

The proposed 73 single-family sewered sites with a lot minimum of 10,000 square feet is smaller compared to recent single-family residential developments such as Central Growth which allows lots as small as 14,475 square feet provided that at least half of the lots are $\frac{1}{2}$ -Acre (21,780 square feet). The recently approved UCRC (Ulao Creek Residential Cluster) allows lots as small as 15,000 square feet. The Huntington Park subdivision, which is also zoned R-4/PUD, has lots as small as 13,068 square feet. While the site may warrant smaller lots due to its adjacency to existing industrial development, staff questions the minimum threshold of 10,000 square feet when compared to other recent and historic developments approved throughout the City.

A wetland delineation is required prior to action on the rezoning request.

Utility Service

Much of the property is located within the sewer service area. However, the southwest portion of the parcel is outside of the boundary. The parcel has access to public water.

The developer is requesting feedback on a proposed Sewer Service Area (SSA) boundary amendment that would keep the North portion of the development within the SSA, served by public water and sewer. Staff is supportive of aligning the SSA boundary with the parcel boundary and service of public versus private utilities.

The Central and South sections of the development would be removed from the SSA and residential lots would be served by private onsite wastewater treatments systems (pending verification of soil conditions) and private wells. Several parcels along County Line Road are already served by the Village of Brown Deer. Given the topography of the area, it is unlikely that the area to the south could be served by gravity sewer. Therefore, staff is supportive of removing this land from the SSA, provided that the boundary follows newly created parcel lines.

A Sewer Service Area boundary amendment is required and typically takes 6-9 months. The City Engineering Division expects the developer to evaluate the feasibility of a gravity sewer due to the topographic challenges of the site. In addition, based upon the minimum required fire flow, water connection may be required both on Enterprise Drive and Donges Bay Road. The connection on Enterprise Drive requires a water main extension to the property and the construction of water main along the full extent of the property line on Baehr Road is the

responsibility of the developer. Stormwater management is required, and access will be subject to acceleration-deceleration lanes.

Due to topography constraints, the North portion of the development cannot be served via gravity flow sewer to the point of connection with the existing public sanitary sewer system. Please note that all properties within the SSA are subject to the sewer levy, regardless of connection status. Properties both within the SSA and ultimately connected to the public sanitary sewer system - whether directly or through a private system that ultimately discharges into the public system - are subject to quarterly utility billing.

For properties within the SSA boundary, the proposed subdivision has the following options for connection:

1. The development may be served via private gravity flow sewers to a private lift station, which discharges through a private forcemain to the public sanitary sewer. The terms and conditions would be outlined in the Development Agreement (DA), which will include parameters for the Homeowner's Association (HOA) to ultimately own, operate and maintain the lift station and private sewer infrastructure.
2. The development may be served via a combination of private gravity and/or forcemain and connect into the existing private lift station on Executive Drive. To approve this configuration, the City would require submitting both a condition and capacity assessment for the existing lift station, to confirm that the subdivision can be served by the existing lift station. The City would also require confirmation of the private lift station owner approval of the connection and confirmation of a maintenance agreement and any other applicable legal documents. The terms and conditions will be outlined in the DA, and would validate the legal ownership, operation and maintenance responsibilities of the private lift station.
3. The development may request that the ownership and maintenance of the existing lift station and all associated force main and associated infrastructure be transferred to the Mequon Sewer Utility. The requirements for submitting both a condition and capacity assessment would follow that outlined in Option 2, as well as the legal documents for public easements and transfer of title documents for the lift station.
4. If the results of the condition assessment and/or capacity assessment indicate that the private lift station is not capable of serving the existing development, and any option other than Option 1 are considered, a new lift station would be required in its place. The new lift station could follow the process outlined in Option 2 where the new lift station remains privately owned and maintained, or the developer could request consideration of a build and contribute installation of a new lift station similar to the process outlined in Option #3.

Private Lift Station – Transfer of Title

The applicant has requested to proceed with Option 3 - requesting that all sewer infrastructure be transferred to Mequon Sewer Utility. Staff advised that this is not preferable, as the Sewer Utility already owns and operates 23 lift stations, and the service area for this lift station would be limited exclusively to the existing businesses it serves and the extension for the subdivision. There are other subdivision developments in the City served by private lift stations with the

operation and maintenance responsibility falling on the Home Owner's Association.

Option 3 included the parameters defined by Sewer Utility staff should the Sewer Utility District Commission (SUDC) consider a transfer of title for the private lift station. Prior to committing to the cost of the condition and capacity assessments, the applicant is looking for consensus as to whether the City would allow for the transfer of title.

Fiscal Impact

The developer estimates (see Exhibit B) \$57,000,000 in value when the project is completed, which results in an annual tax revenue of approximately \$650,000. Currently, the tax generated from the existing parcels is approximately \$20,000.

Recommendation

Planning Staff Summary: From a zoning and land use perspective, staff is not concerned with the overall density of the project based on its location and its adjacency to industrial uses and zoning. Staff supports a minimum lot size of 13,000 square feet versus the proposed 10,000 square foot minimum lot size for most of the sewer portion of the development. Based on the adjacent industrial uses, staff would support the 10,000 square foot minimum lot size for the area south of Enterprise Drive (Lots 28-34 and 65-73) but limited to a total of 16 lots as part of the PUD conditions. This would allow the applicant to get closer to the number of lots as determined by the yield plan.

The City strives for high quality architecture through certain design standards and access to amenities within neighborhoods to establish long-term value. The site provides access to open space, amenities such as sidewalks and formal gathering or play spaces, proximity to nearby public schools (Wilson and Steffen) and the nearby Town Center. Architectural standards typically require at least 50% of the garage doors to be sideloading. Based on 10,000 square foot minimum lot size, it is likely that most, if not all, of the garage doors will face the street. While the PUD can include conditions to mitigate the impact of this, further considerations may be warranted. Some initial suggestions include:

1. No more than two garage stalls shall be 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.
4. No more than 30% of the front-loading garages shall project further into the front yard than the habitable portion of the building.

Utility Service

As it relates to water, staff recommends that the portion of the property within the SSA follow the Water Connection Policy and supports those lots located outside of the SSA to be served by private wells.

For Sewer, staff recommends that the developer install a private system that connects to the

private lift station with appropriate legal documentation and clear maintenance provisions. Or, at the request of the developer, that the land be removed from the SSA and served by private systems. If the Committee of the Whole considers a transfer of title for the private lift station, staff recommends implementing the requirements for both a condition and capacity assessment of the existing lift station, for further investigation. Any terms and conditions can be incorporated into the Development Agreement and subsequent legal documents.

Attachments:

Exhibit A, Exhibit B



NORTH
Single Family
73 lots

CENTRAL
Single Family
14 lots

SOUTH
Open Space
Area

SITE DATA SUMMARY	
TOTAL AREA:	107.1 acres
-Wetland (Assured Delineation):	- 23.7 acres
NET AREA:	83.4 acres
- Floodplain (Zone A) (upland/non-wetland)	- 15.5 acres
Proposed Development:	
Description	Proposed
NORTH Single Family	73 lots
CENTRAL Single Family	14 lots
Sub-Total Area	107.1 ac 87 lots
Overall Density	107.1 / 87 = 1.23 ac/un

NORTH Single Family DEVELOPMENT SUMMARY	
- PROPOSED SINGLE FAMILY:	73 lots
- PROPOSED ZONING:	Residential PUD
- LOT CHARACTERISTICS:	
- Min. Lot Area =	10,000 sf
- Min. Lot Width =	75'
- Front Yard =	25' Home (30' Garage Door)
- Side Yard =	10'
- Rear Yard =	20'
- Lot Coverage =	30% building/structure
- NORTH STREET LENGTH =	4,100 LF (56.2 LF/LOT)
- Subdivision served by	sanitary sewer to lift station and public water main.

CENTRAL Single Family DEVELOPMENT SUMMARY	
- PROPOSED SINGLE FAMILY:	14 lots
- PROPOSED ZONING:	R-4 PUD
- LOT CHARACTERISTICS:	
- Min. Lot Area =	32,670 sf
- Average Lot Width =	130'
- Front Yard =	30'
- Side Yard =	20'
- Rear Yard =	20'
- Lot Coverage =	20% building/structure
- CENTRAL STREET LENGTH =	1,460 LF (104.3 LF/LOT)
- Subdivision served by	individual septic mounds and well.

SITE COVERAGE CALCULATIONS	
Proposed Single Family Lots:	30.11 acres
Proposed Public Right-of-Way:	8.49 acres
Outlots/Open Space:	68.50 acres
TOTAL AREA:	107.1 acres
Common Open Space:	68.5 / 107.1 = 64.0%

OVERALL SITE PLAN
Baehr Rd Development
Baehr Road City of Mequon, Wisconsin

Proposed development by:
miller marriott
ARCHITECTURE • DESIGN • BUILD

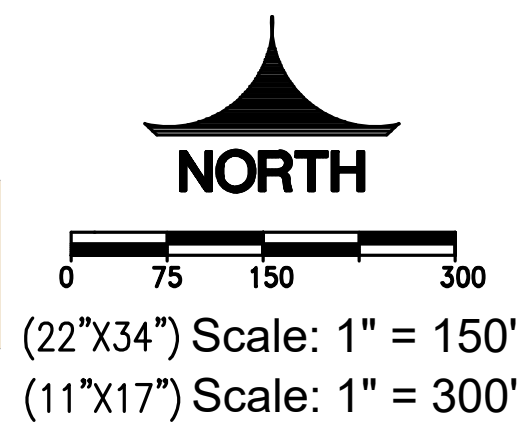


Exhibit B



THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

Dear City of Mequon,

We are pleased to present our plan for The Baehr Road Development, a proposed residential neighborhood featuring 87 single-family homes with abundant open space and common area amenities. Located on a 107.1-acre site on the west side of Baehr Road, south of Donges Bay Road, and adjacent to the Lilly Lane Nature Preserve, the site offers a private community feel with convenient proximity to the Interurban Trail and area amenities, including the nearby Mequon Road and Cedarburg Road hub.

The Miller Marriott team has an established record of success creating timelessly beautiful neighborhoods in highly regarded communities similar to the City of Mequon, including the City of Delafield, Village of Hartland, and Village of Elm Grove. We are excited to bring this same expertise to The Baehr Road Development.

WHY THIS IS THE RIGHT LOCATION

The City of Mequon provides a unique quality of life, with a thoughtful balance of high development standards, prudent planning, and preservation of expansive open space. Located near the southern edge of the City, The Baehr Road Development offers convenient access to vibrant areas of Mequon and the surrounding metro area, while providing landscape buffering to nearby communities. The following elements demonstrate why this is the ideal location for the development:

- The property abuts the Lilly Lane Nature Preserve and offers the opportunity to enjoy and expand the Preserve and provide public access to it.
 - The City may have future opportunities to connect the Preserve to the Milwaukee River and Interurban Trail system to the east and Mequon Nature Preserve to the west.
 - An industrial or commercial use may disturb more of the natural landscape than the proposed residential development.

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

- The project abuts Baehr Road, a local street that provides convenient access to other thoroughfares.
 - The proposed residential development benefits from this quieter setting.
 - An industrial or commercial user would be negatively affected by this access.
- The site is close to vibrant Mequon business areas, with the opportunity for connections to the Interurban Trail.
- The City has an abundance of vacant industrial-zoned land outside of this site, and has historically had a vacancy of users for this type of land use.
 - This project provides an alternative that provides a high tax base land value while offering a residential transition buffer for this area.
- The smaller single-family residences are an alternative to traditional larger lots in Mequon, providing a variety of housing stock for the residents.
- The City has adequate sanitary sewer capacity and public water service for this development.

DESCRIPTION OF THE PROPOSED PROJECT

The Baehr Road Development has been artfully designed to foster a beautiful community with a strong sense of neighborhood, where all areas have access to open spaces and interconnected trail systems. The following sections provide additional details about the proposed project:

Current Site Condition

The project site is a 107.1-acre assemblage of vacant land featuring open fields, a central wooded area with pocket wetlands, farmstead ruins on the west side with a narrow gravel drive to Donges Bay Road, and southern fields, wetlands, and floodplain adjacent to the Lilly Lane Nature Preserve. Historic grading and Baehr Road landscaping were previously completed on the northern portion of the site. The northern majority of the site is currently zoned B-5, while the southern portion comprises a mixture of residential, conservancy, and environmental areas. The current land use plan generally reflects the current zoning.

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

Project Summary

The Baehr Road Development creates two distinct neighborhoods within the overall community. The central wooded area provides a natural buffer between them, while walking trails and connected open spaces provide connectivity throughout.

Northern Single Family Residences

The northern single-family community with 73 units clusters around a looped road system. These lots are proposed to be a minimum of 75 feet wide and serviced by city sewer and water. A 50-foot bermed and landscaped perimeter will be provided along Baehr Road, and a 40-foot landscape buffer is proposed along the perimeter industrial lands. This design creates a strong sense of privacy and identity for the neighborhood.

Central Single-Family Lots

These 14 single-family home lots sit along a curved road through the central fields. The central wooded area borders the north, and the Lilly Lane Nature Preserve borders the south. Lots will be 130 feet wide with community-owned open spaces. These lots will be outside of the SSA limits and will use septic and well systems.

South Open Space Area

The southern part of the development is proposed as an open space expansion of the Lilly Lane Nature Preserve. The area contains farm fields, fallow wetland areas, farmstead ruins, and a gravel drive to Donges Bay Road. The vision for this area is passive park space, with opportunities for future connections to the City's larger open space and trail system.

Storm Water Management

The site has generally level topography that slopes gently from north to south. Storm water management ponds will serve as attractive features while providing storm water peak flow and quality as required by the City and MMSD. Ponds will be located in central open spaces and along the southern edge of homes.

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

SITE DATA TABLES

NORTH Single-Family Lots

- Overall Area = 34.5 acres
- Density = 73 lots / 34.5 acres = 2.11 units/acre
- Minimum Lot Size = 10,000 sf (~1/4 acre)
 - Minimum Lot Width = 75'
 - Proposed Setbacks
 - Front = 25' (30' to garage door)
 - Side = 10'
 - Rear = 20'
- Lot Coverage = 30% building/structure per lot
- Common Open Space = 9.7 acres
 - Includes all open spaces and trails
- Public road length = 4,100 ln. ft.
- Proposed Zoning = Residential PUD

CENTRAL Single-Family Lots

- Overall Area = 30.4 acres
- Density = 14 units / 30.4 acres = 0.46 units/acre
- Minimum Lot Size = 32,670 sf (3/4 acre)
 - Minimum Average Lot Width = 130'
 - Proposed Setbacks
 - Front = 25'
 - Side = 10'
 - Rear = 25'
- Lot Coverage = 20% building/structure per lot
- Common Open Space = 16.6 acres
 - Includes all open spaces and trails
- Public road length = 1,460 ln. ft.
- Proposed Zoning = R-4 or 5 PUD

SOUTH Open Space

- Open Space = 42.2 acres

Overall Site Statistics

- Total Area = 107.1 acres
- Total Dwelling Units = 87 units
- Overall Density = 87 / 107.1 = 0.81 units/acre
- Combined Open Space = 68.5 acres (64% of the overall site)

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

BENEFITS TO THE CITY OF MEQUON

In addition to creating a beautiful and desirable neighborhood in the City of Mequon, The Baehr Road Development will provide the following benefits to the City:

- A substantial expansion of the Lilly Lane Nature Preserve public area, currently envisioned by City staff as a passive use park area with walking trails, fields and passive amenities.
- Public access to the Lilly Lane Nature Preserve where none exists today.
- Clustering of homes and residential areas to provide an extensive amount of preserved and/or common open space throughout this property.
- Public trails will be maintained by the project's management group.
- Storm water management facilities created by this development will be naturalized with the surrounding environment and improve storm water control to downstream facilities.
- The development will contain high-quality homes, with home lot package values expected to start at ~\$500,000-\$800,000+ per lot for the North neighborhood and \$1,050,000-\$1,350,000+ for the larger Central homes. This will improve and increase the tax base for the City by \$57,000,000+ as currently designed.

Proposed Development Items

- Intent to serve properties outside of the SSA with POWTS and private well
- Intent to serve properties within the SSA with public, gravity sewer discharging into the existing, private lift station
- Request for the title (ownership) of the private lift station and associated force main to be transferred to the Mequon Sewer Utility, with proper legal documentation (Option 3)
- Letter/confirmation that the lift station owner is willing to comply with the condition and capacity assessment, address any deficiencies identified, and transfer ownership to the Sewer Utility.
- Request to serve the properties within the SSA with public water served from Enterprise Drive, with proper legal documentation and easements.

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

NEXT STEPS

Working with you, we understand the process for design, approval and development of this project is expected to entail and include:

- Conformance by the City that they are willing to take ownership of the upgraded lift station, the proposed unity plan, and support the moving of the SSA limits
- Comprehensive Plan amendment with public hearing
- Sanitary Sewer Service Area amendment with SEWRPC to adjust the current sewer service area line to include the entirety of the project (it currently bisects the south part of the single-family area; the entire north area is already in the service area).
- Rezoning and Planned Unit Development approval
- Site Plan approval and Subdivision Platting

Overall, The Baehr Road Development will create a highly desirable residential community with an abundance of open space and site amenities, providing an attractive neighborhood in this conveniently located part of the City. Our team looks forward to continuing to work with everyone at the City to bring this development to fruition.

Thank you,

Chris Miller, Owner
Miller Marriott Construction Co.
(262) 337-4130

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

OVERALL SITE PLAN
Baehr Rd Development

Baehr Road City of Mequon, Wisconsin



THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

OVERALL SITE PLAN

Baehr Rd Development

Baehr Road City of Mequon, Wisconsin

SITE DATA SUMMARY

TOTAL AREA: **107.1 acres**
 -Wetland (Assured Delineation): - 23.7 acres
NET AREA: **83.4 acres**
 - Floodplain (Zone A) - 15.5 acres
 (upland/non-wetland)

Proposed Development:

Description	Proposed
NORTH Single Family	73 lots
CENTRAL Single Family	14 lots
Sub-Total Area	107.1 ac 87 lots
Overall Density	107.1 / 87 = 1.23 ac/un

CENTRAL Single Family DEVELOPMENT SUMMARY

- PROPOSED SINGLE FAMILY: 14 lots
 - PROPOSED ZONING: R-4 PUD
 - LOT CHARACTERISTICS:
 - Min. Lot Area = 32,670 sf
 - Average Lot Width = 130'
 - Front Yard = 30'
 - Side Yard = 20'
 - Rear Yard = 20'
 - Lot Coverage = 20% building/structure
 - CENTRAL STREET LENGTH = 1,460 LF (104.3 LF/LOT)
 - Subdivision served by individual septic mounds and well.

NORTH Single Family DEVELOPMENT SUMMARY

- PROPOSED SINGLE FAMILY: 73 lots
 - PROPOSED ZONING: Residential PUD
 - LOT CHARACTERISTICS:
 - Min. Lot Area = 10,000 sf
 - Min. Lot Width = 75'
 - Front Yard = 25' Home
 (30' Garage Door)
 - Side Yard = 10'
 - Rear Yard = 20'
 - Lot Coverage = 30% building/structure
 - NORTH STREET LENGTH = 4,100 LF (56.2 LF/LOT)
 - Subdivision served by sanitary sewer to lift station and public water main.

SITE COVERAGE CALCULATIONS

Proposed Single Family Lots: 30.11 acres
 Proposed Public Right-of-Way: 8.49 acres
Outlots/Open Space: 68.50 acres
TOTAL AREA: 107.1 acres

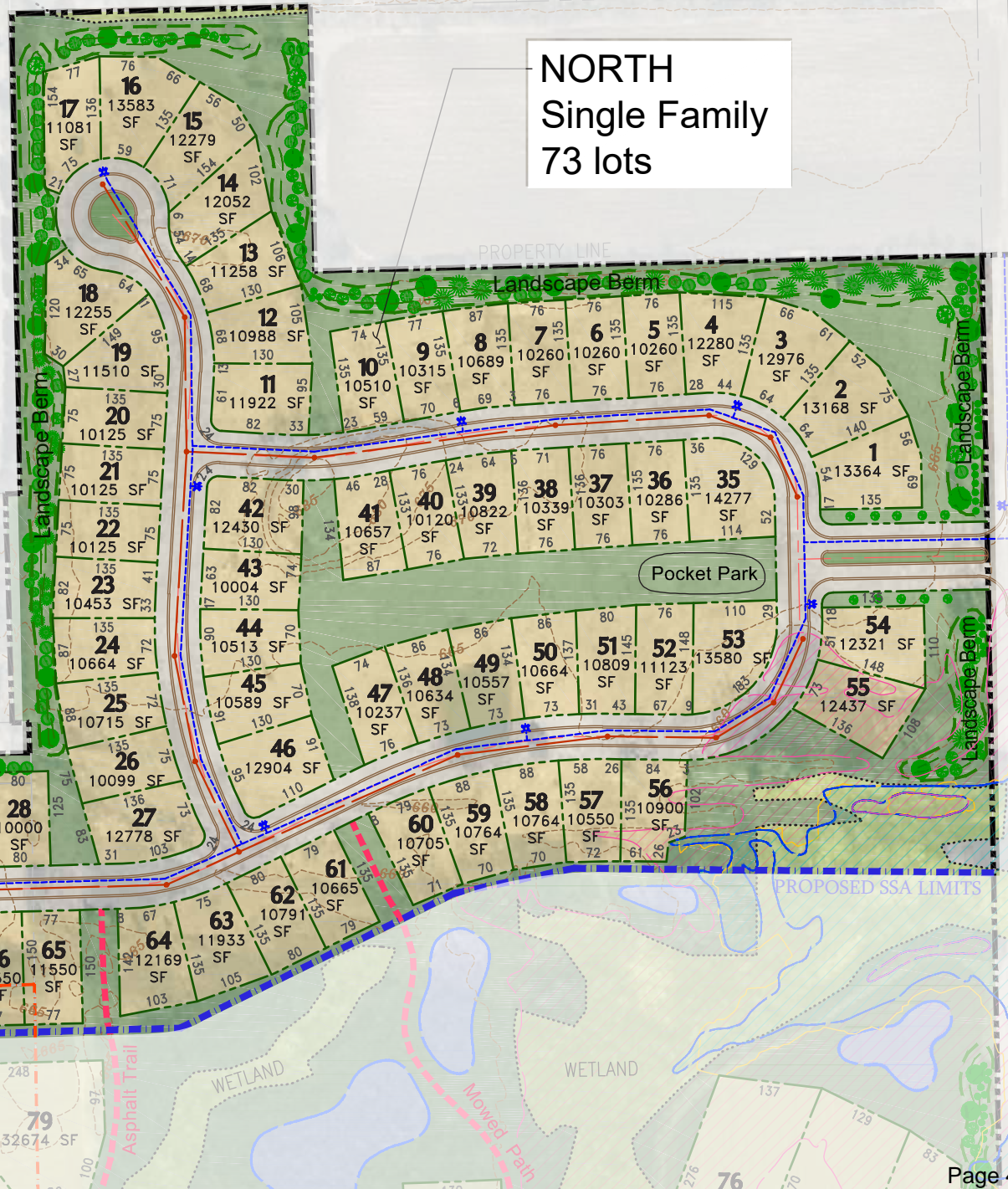
Common Open Space: 68.5 / 107.1 = 64.0%

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

**NORTH
Single Family
73 lots**

NORTH Single Family DEVELOPMENT SUMMARY	
- PROPOSED SINGLE FAMILY:	73 lots
- PROPOSED ZONING:	Residential PUD
- LOT CHARACTERISTICS:	
- Min. Lot Area =	10,000 sf
- Min. Lot Width =	75'
- Front Yard =	25' Home (30' Garage Door)
- Side Yard =	10'
- Rear Yard =	20'
- Lot Coverage =	30% building/structure
- NORTH STREET LENGTH =	4,100 LF (56.2 LF/LOT)
- Subdivision served by sanitary sewer to lift station and public water main.	



BAEHR ROAD

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026

CENTRAL Single Family DEVELOPMENT SUMMARY

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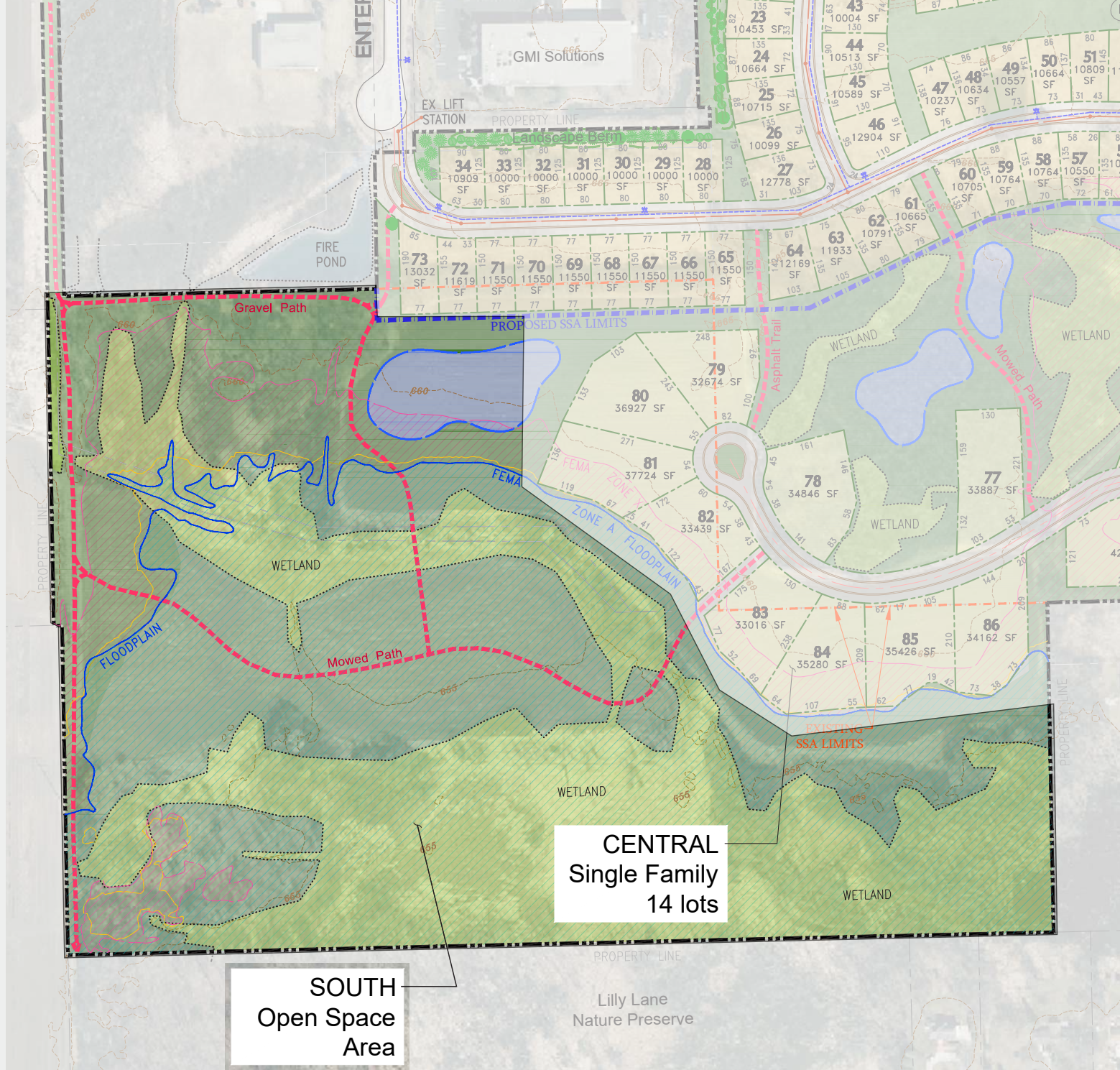


**CENTRAL
Single Family
14 lots**

SOUTH
Open Space

THE BAEHR ROAD DEVELOPMENT

DATE: 1/13/2026



**CENTRAL
Single Family
14 lots**

**SOUTH
Open Space
Area**

COMMITTEE OF THE WHOLE PLANNING CALENDAR - 2026

ITEM	PRINCIPAL	TIME
January 13		
Civic Campus Master Plan	Tollefson	60
Hotel/Motel Tax Proposal	Tollefson	15
February 10		
Traffic Calming/Speed Deterrence	Lundeen/Riley	60
Brush Site Improvements	Lundeen	15
March 10		
Joint Extraterritorial Zoning Commission Determination	Tollefson	30
Miller Marriot Development Consultation	Tollefson	30
April 14		
Port Washington Road Rezoning	Zader	45
FEMA Floodplain Map Amendment	Zader	30
May 12		
Emerald Ash Borer Policy	Lundeen	30
Specimen Tree Ordinance	Lundeen	30
June 9		
ARPA Expense Reallocation(s)	Jones	30
ITEM	PRINCIPAL	TIME

COMMITTEE OF THE WHOLE PLANNING CALENDAR - 2026

July 14		
Personnel Handbook Update	Wolff	75
August 11		
Legal Compliance Update	Sajdak	60
September 8		
October 13		
November 10		
December 8		
Future/Other Policy Items for Discussion/Consideration/Analysis		
JCC Redevelopment Consultation; Rotary Park Playground; SW Industrial Re-Zoning; Road Program / ROW Asset Prioritization; ADA Compliance; TID #3 Public Improvements; Mequon Nature Preserve Facility Project; Facilities Study Update; Fleet Study Update; Deer Management; Opitz Cemetery		