



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

www.ci.mequon.wi.us

Office of the City Clerk
Taped & Televised

COMMITTEE OF THE WHOLE
Tuesday, February 13, 2024
6:45 PM
Christine Nuernberg Hall

Agenda

1. Call to Order, Roll Call
2. Approval of Meeting Minutes
 - a. January 9, 2024
3. Discussion
 - a. Consideration of Conceptual Land Uses and Zoning Classifications for the Land South of Donges Bay Road, West of Baehr Road, North of County Line Road and South and East of Enterprise Drive
4. Informational Items
 - a. Committee of the Whole Planning Calendar
5. Adjourn

Dated: February 13, 2024

/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 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 City Administrator's Office at 262-236-2941, Monday through Friday, 8:00 AM – 4:30 PM.



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

www.ci.mequon.wi.us

Office of the City Clerk
Taped & Televised

COMMITTEE OF THE WHOLE

Tuesday, January 9, 2024

7:00 PM

Christine Nuernberg Hall

Minutes

1. Call to Order, Roll Call

Mayor Nerbun called the meeting to order at 7:13 PM.

Present:

Mayor Andrew Nerbun
Alderman Robert Strzelczyk
Alderman Kelly Tolocko
Alderman Dale Mayr
Alderman Jeffrey Hansher
Alderman Gregg Bach
Alderman Brian Parrish
Alderman Kathleen Schneider
Alderman William Gebhardt

Also present: City Administrator Jones, Assistant City Administrator Schoenemann, City Attorney Sajdak, City Clerk Fochs, Director of Public Works/City Engineering Lundeen, Director of Community Development Tollefson, Assistant Director of Community Development Zader, press and interested public.

2. Approval of Meeting Minutes

a. December 12, 2023

RESULT: Approved by Voice Acclamation [Unanimous]
MOVED BY: Alderman Strzelczyk
SECONDED BY: Alderman Mayr

AYES: Nerbun, Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt

3. Discussion

a. Management Partners Community Development Operational Analysis Action Plan Status

Attachment: 1.9.24 (9092 : COTW 1/9/2024 Minutes)

Director Tollefson gave an overview of the final report from late 2021 and statuses through 2023. The plan consists of 32 overall recommendations: 17 related to Enterprise Land Management Systems (ELMS), 26 with priority statuses.

Management Partners identified four primary goals of focus and Director Tollefson discussed the status of each. The first goal of acquisition of an ELMS system, began in 2022 and remains a high priority project going into 2024. Secondly, Application Processes and Materials aims to upgrade materials and improve transparency. Thirdly, Facility and Spatial Upgrades includes the suggestions of possibly relocating the Community Development Department within City Hall and/or reorganization of storage. Lastly, Investment in Adaptive/Next Generation of Staff will involve continuing to cross-train and maintain an already skilled team.

As of 2023, 10 high priority goals have been completed. The outlook for 2024 is optimistic, with plans to work with the previous consultant and a small internal working group at City Hall to continue the process.

4. Informational Items

a. Committee of the Whole Planning Calendar

There was a request to schedule the floodway discussion later in the year, bluff stairway construction to March or April and to include the Southwest Industrial Park rezoning discussion for February.

5. Adjourn

Motion to Adjourn at 7:35 PM.

RESULT: **Approved by Voice Acclamation [Unanimous]**
MOVED BY: Alderman Schneider
SECONDED BY: Alderman Bach

AYES: Nerbun, Strzelczyk, Tolocko, Mayr, Hansher, Bach, Parrish, Schneider, Gebhardt

Respectfully Submitted,

Janet Meyer
Deputy Clerk



11333 N. Cedarburg Road
Mequon, WI 53092-1930
Phone: 262-242-3100
Fax: 262-242-9655

www.ci.mequon.wi.us

Office of Community Development

TO: Committee of the Whole
FROM: Kim Tollefson, Director of Community Development
DATE: February 13, 2024
SUBJECT: Consideration of Conceptual Land Uses and Zoning Classifications for the Land South of Donges Bay Road, West of Baehr Road, North of County Line Road and South and East of Enterprise Drive

Background

The Common Council Committee of the Whole has considered development opportunities tied to conceptual land use changes in two areas along the City's southern boundaries. The areas include the southern section of land bounded by County Line Road, Wausaukee Road, Donges Bay and Granville Roads related to future industrial uses and the land bound by County Line Road, Donges Bay Road and immediately west of Baehr Road related to future residential uses.

The Economic Development Board proposed industrial land uses in the southwest area of the City in July of 2023. The Committee of the Whole supported the concept and directed staff to hire a consultant for a sewer analysis in Q1 of 2024.

In 2021 and 2022, staff presented two concept residential developments that includes a mix of plex and single-family dwellings for the area north of County Line Road and west of Baehr Road. The concepts were submitted to the Committee of the Whole by the long-term landowner and consultants, Miller Marriot and Neumann Companies. Please find and review the following attachments:

- Conceptual Industrial Study Area Map
- Conceptual Residential Study Area Map
- Conceptual Residential Development by Miller Marriot
- Conceptual Residential Development by Neumann Companies

Information on each developer and home builder as well as a gallery of their projects and products may be found here: Miller Marriot: <https://millermarriott.com/> and Neumann Companies: <https://neumanndevelopments.com/>.

The Committee of the Whole directed staff to develop residential zoning options for consideration and review for the area north of County Line Road and west of Baehr Road while consultants assess the sewer service options for the Industrial Study Area.

Further, the Committee of the Whole, at their meeting in January of 2024, requested staff provide an analysis of the City's existing water supply contracts for consideration of any potential amendments (please see Confidential Memorandum from City Attorney Sajdak under separate cover).

Conceptual Residential Study Area

The study area is bound by Baehr Road to the east, County Line Road to the south, Enterprise Drive to the west and Donges Bay Road to the north. The surrounding area includes a variety of land uses as follows:

- Large scale industrial and office uses to the north including development located in Mequon Business Parks I and II, both of which developed as part of the City's TID No. 1 and TID No. 2. TID No. 1 is closed and TID No. 2 will close, cash positive, in 2024.
- Large, mid and small-scale industrial uses to the north and west, some of which include single-family homes with commercial/industrial operations from accessory structures located on the same property, as well as Gateway Plastics and Kleen Test.
- Single-family homes are present on Baehr Road to the south, including single-family neighborhoods on the south side of County Line Road, in the Village of Brown Deer.
- Lily Lane Preserve and Trinity Creek are environmental features that connect the study area to the Mequon Nature Preserve and the Milwaukee River. The Inter-Urban Trail is within proximity to the study area.

In 2022, members of the Committee of the Whole believed residential land uses in the study area may have merit and directed staff to consider the potential for future industrial land uses elsewhere in the community.

Land Use History of Study Area

Because of the mixed zoning and land uses, the area has been identified throughout the City's more recent history as a future study area:

- 1999: Part of a Baehr Road rezoning request in which residential land use should be considered once future, anticipated and adjacent business development occurs. A planning report states that "...future buyers of the residential properties would fully understand the implications of residing in a primary industrial area..."
- 2009: Part of the adopted 2035 Comprehensive Plan as a neighborhood in need of land use resolution.
- 2009: Owner of land within the study area requested a zoning map amendment for 17 of 52 acres to be rezoned residential and the remaining 35 acres to remain for potential industrial use. Common Council tabled the request and the ordinance subsequently expired.
- 2012: Part of a Housing Policy Analysis, a study which resulted in the Central Growth area and Ulao Creek neighborhood, among others. The subject study area was also identified as an Infill Area defined as the following:

Areas of great inconsistency, owners/developers unsure what to propose, always becomes contentious, little impact and usually expansion of service for water and sewer is feasible. Submarket appeal due to central location and proximity to amenities. Doesn't introduce intensity not already present in the neighborhood.

- 2009-2012: As part of an effort for business attraction, the City attempts to partner with each of the following companies: Kohl's Corporate, Astronautics and AirGas by exploring company needs and a variety of economic development tools including TID,

Industrial Revenue Bonds and RLF. Undeveloped land within the subject study area was offered as potential locations for these businesses.

- 2012-2022: Private market interest includes a bus company, scaffolding company, a landscape garden center, and multiple-family apartments.
- 2021-2022: Two separate residential developers and homebuilders seek consultation from the Common Council to rezone the area for residential use.
- City staff and multiple Mayors have met with the family landowner for two decades to consider potential development and opportunities. The area remains undeveloped.

As identified above, efforts to secure industrial land uses and specific proposals by both the landowner and staff have lagged over the past 25 years. Planning staff believes the features of the area are ideal for residential development with the use of age-restricted or plex development at the north to transition from the industrial land use. This is a tested and successful land use pattern in the City including developments such as Essex Place, Hidden Creek, Windsor Estates and River Birch, as well as Winding Hollow, Greenbriar, Mequon Court Apartments and Aster Woods on the west side of N. Port Washington Road. Staff supports development of single-family to the south of the subject study area as development transitions to Lily Lane Preserve, County Line Road and the single-family neighborhoods in the Village of Brown Deer. Densities and the assessment of sewer and water service infrastructure are critical factors as staff seeks to implement a zoning change for the area.

Various zoning districts were applied to the undeveloped portions of the study area to gauge opportunities for varying uses and types of dwellings. Staff prefers utilization of existing zoning district classifications where appropriate. The following charts provide a snapshot of current land use, acreage and development assumptions, as well as potential applicable zoning districts and the resulting densities.

Current Land Uses w/ Acreage and Development Assumptions			
	Total Approximate Acres	Approximate Commercial	Approximate Dwellings
B5 Industrial Zoning	72 Acres	940,000 Square Feet	0
R1 Residential Zoning	35 Acres		7
Lily Lane Nature Preserve*	13 Acres		0
R1 & R2B Residential Zoning	68 Acres		17
County Line Rd Homes (4): R3 & R4 Residential Zoning*	4 Acres		4
West Baehr Road Homes (12): R1B, R2B, R3 & R4*	37 Acres		12
Total:	229 Acres	940,000 Square Feet	40
* Development Highlighted in Gray Exists and While Part of Study Area, Not Included in Proposed Zoning Acreage and Densities			

CONCEPTUAL LAND USES AND ZONING OPPORTUNITIES						
ALTERNATIVE OPTIONS	Total Acres	Single-Family	Single-Family	Single-Family	Plex	B5
	175*	1/3 Acre	1/2 Acre	3/4 Acre	4 Dwellings/Ac	
Option A: 210 Dwellings						
North	20 Acres					1 Acre Min Lot Size 30% FAR 260K Square Feet
Center	57 Acres		114 Dwellings			Average 2 Dwellings / Acre
South	48 Acres		96 Dwellings			
Option B: 404 Dwellings						
North & Center	77 Acres				308 Dwellings	3.23 Dwellings / Acre
South	48 Acres		96 Dwellings			
Option C: 290 Dwellings						
North	20 Acres				80 Dwellings	
Center	57 Acres		114 Dwellings			
South	48 Acres		96 Dwellings			1.65 Dwellings / Acre
Option D: 316 Dwellings						
North	20 Acres				80 Dwellings	
Center	57 Acres	84 Dwellings	56 Dwellings			1.80 Dwellings / Acre
South	48 Acres		96 Dwellings			
Option E: 284 Dwellings						
North	20 Acres				80 Dwellings	
Center	57 Acres	84 Dwellings	56 Dwellings			1.62 Dwellings / Acre
South	48 Acres			64 Dwellings		
Option E: 254 Dwellings						
North	20 Acres				80 Dwellings	
Center	57 Acres			110 Dwellings		1.45 Dwellings / Acre
South	48 Acres			64 Dwellings		
Option F: 372 Dwellings						
North & Center	77 Acres				308 Dwellings	2.12 Dwellings / Acre
South	48 Acres			64 Dwellings		
Option G: 231 Dwellings						
North	67 Acres				160 Dwellings	1 Dwelling / .0925 Acre
Center	10 Acres		20 Dwellings			
South	68 Acres			51 Dwellings		
175 Acres* Excludes Approximately 50 Acres of Critical Environmental Features Located in Study Area						
Densities are Estimated at Maximum with No Land Discounted for Roads, Stormwater and Open Space Requirements						

The two conceptual residential developments that were presented to the Common Council for consideration in 2021 and 2022 included a mix of plex and single-family dwellings and achieved overall densities of 1.23 and 1.60 dwellings/acre.

Infrastructure

Connection to public water and public sanitary sewer can be evaluated separately, as the decision to connect to the public utility can be made independently.

Public water. Public water infrastructure is available within the right-of-way on Enterprise Drive, or at the intersection of Baehr Road and Donges Bay Road. The portion within the Sewer Service Area (SSA) boundary is required to connect to public water unless a deferral or exemption is requested and granted. The portion outside of the SSA may be served by public water, if requested by the property owner. The Water Connection Policy further addresses the requirements and applications for all iterations. Options for service on private water include a community or individual wells.

Public Sewer. The property is not entirely within the Sewer Service Area (SSA), therefore service on public or private wastewater treatment systems are critical to the determination of utility service. Amendments to the SSA to add or remove property is a 6–9-month process, once

authorized by the Common Council. Topography also poses a challenge to connect to the existing public system. The development to the east and west is served with private lift stations, limiting the City's ability to master plan the infrastructure in the same manner as the proposed southwest industrial zoning area. It is likely that a private lift station is required. If removed from the SSA, the area could be served by private wastewater treatment systems.

Stormwater. Stormwater management will follow the City, MMSD and WDNR standards for water quality and quantity.

Roads. Likewise, any access or roadway improvements required will be identified through the development process, consistent with the Standard Specifications for Land Development.

Staff Recommendation

Staff supports a mix of plex and single-family residential development. It is recommended that plex dwellings be situated to the north, with the inclusion of 1/3-acre to 1/2-acre single-family lots situated centrally, and single-family lots of 3/4-acre lots sizes situated to the south along County Line Road.

Next Steps

Should the Common Council Committee of the Whole determine conceptual residential land uses have merit at this location, staff recommends the following next steps:

1. Review zoning standards and delineation of the study area for certain dwelling types and densities.
2. Meet with affected property owners.
3. Develop rezoning for specific sites and advance to the Planning Commission for action.
4. Planning Commission recommendation advances to the Common Council for action.

These proactive efforts will streamline the opportunity and send a clear message about expectations for future market rate development. The City has previously been successful in this approach and the private market has responded when the ambiguity of land use and process is eliminated, resulting in an enhanced tax base.

Attachments:

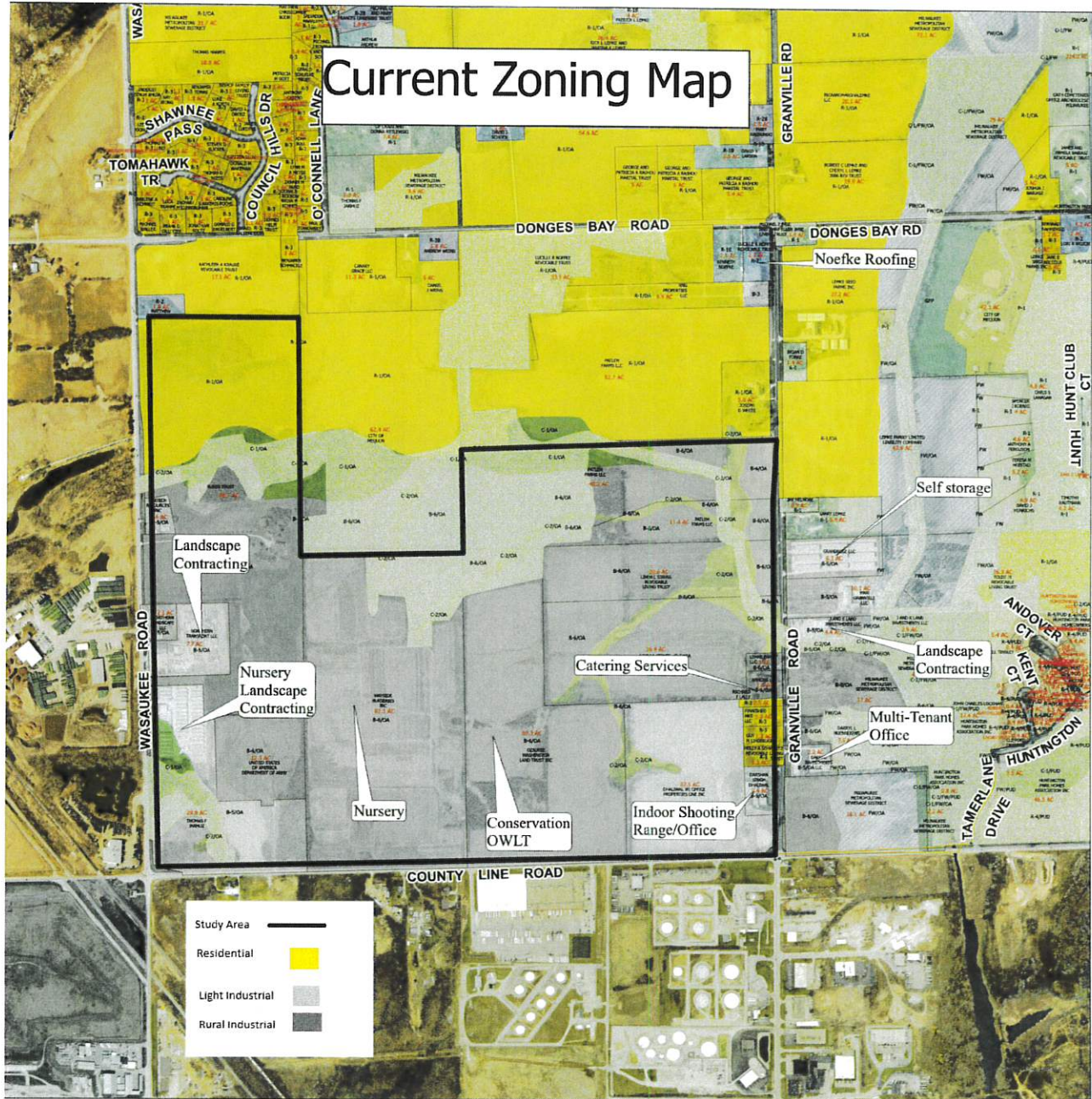
Conceptual Industrial Study Area Map (PDF)

Conceptual Residential Study Area Map (PDF)

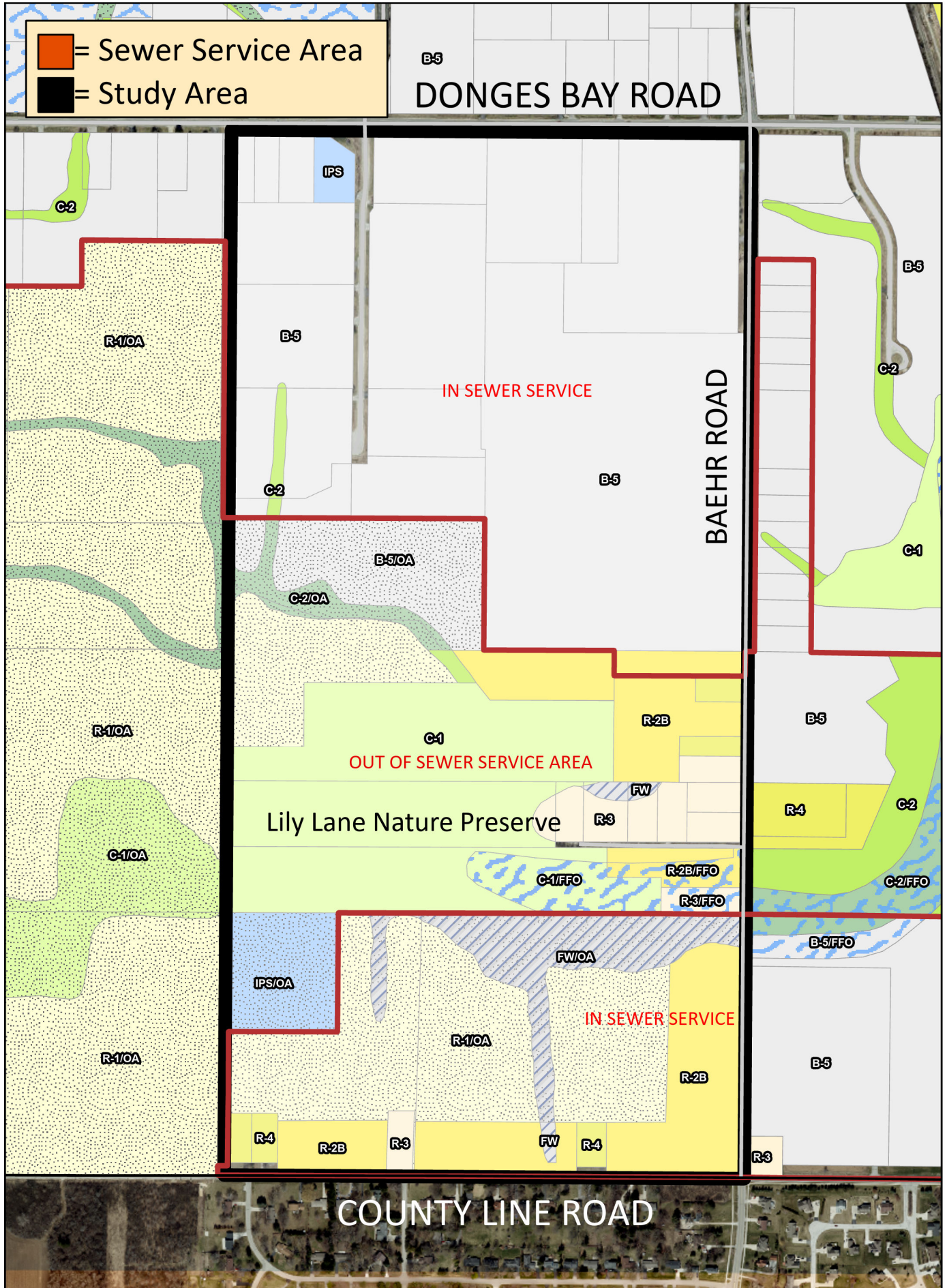
Conceptual Residential Development by Miller Marriot (PDF)

Conceptual Residential Development by Neumann Companies (PDF)

Conceptual Industrial Study Area Map



Attachment: Conceptual Industrial Study Area Map (9109 : Concept Zoning: South Central Residential)



SITE SUMMARY

116 TOTAL RENTAL UNITS

55 SINGLE FAMILY LOTS
(85'x125')

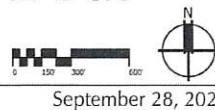
UNIT TYPES & QUANTITIES

-  **A - (28)**
2 BEDROOM
FRONT LOADED GARAGE
-  **B - (22)**
2 BEDROOM
SIDE LOADED GARAGE
-  **C - (24)**
2-3 BEDROOM
SIDE LOADED GARAGE
-  **D - (42)**
2-3 BEDROOM
FRONT LOADED GARAGE



THE SANCTUARY OF LILLY LANE
CONCEPT SITE PLAN

Mequon, Wisconsin



September 28, 2021



245 PAWLING AVE.
SUITE 201
HARTLAND WI 53029

BUILDER
DEVELOPER



4100 N CALHOUN ROAD,
SUITE 300
BROOKFIELD WI 53005

CIVIL ENGINEER
SURVEYOR



627 GROVE STREET
EVANSTON, ILLINOIS

LAND PLANNER
LANDSCAPE ARCHITECT



SITE DATA SUMMARY		
TOTAL AREA:	107.1 acres	
-Wetland (Assured Delineation):	- 23.7 acres	
NET AREA:	83.4 acres	
- Floodplain (Zone A)	- 16.0 acres	
(upland/non-wetland)		
<u>Proposed Development:</u>		
<u>Description</u>	<u>Area</u>	<u>Proposed</u>
Single Family Condo	29.0 ac	51 units
Single Family Subdivision	36.9 ac	36 lots
Passive Use Park	41.2 ac	
Sub-Total Area	107.1 ac	87 units
Overall Density	107.1 / 87 =	1.23 ac/un

Single Family SUBDIVISION DEVELOPMENT SUMMARY	
- SINGLE FAMILY AREA:	36.9 ac
- PROPOSED SINGLE-FAMILY:	36 lots
- PROPOSED DENSITY:	1.02 ac/un (0.97 un/ac)
- PROPOSED ZONING:	PUD/TBD
LOT CHARACTERISTICS:	
- Min. Lot Area =	15,000 sf *
*No more than 50% shall be less than 0.5 ac	
- Min. Lot Width =	85'
- Front Yard =	30'
- Interior Side/Rear Yard =	15/20'
- Lot Coverage =	20% building/structure
- OPEN SPACE:	15.98 acres
(34.3% of total site area)	
- AVERAGE LOT SIZE =	19,909 SF/LOT
- STREET LENGTH =	3,010 LF (83.8 LF/LOT)
- Subdivision served by sanitary sewer to lift station and public water main.	

Single Family CONDOMINIUM DEVELOPMENT SUMMARY	
- CONDOMINIUM AREA:	29.0 ac
- PROPOSED CONDOS:	51 units
- PROPOSED DENSITY:	0.57 ac/un (1.75 un/ac)
- PROPOSED ZONING:	PUD/TBD
ZONING CHARACTERISTICS:	
- Baehr Rd Setback =	75'
- Exterior Lot Line Setback =	75'
- Private Street to Garage =	25'
- Building Separation =	20'
- No more than 50% of the units shall have front facing garages; no more than 2 front facing garages in a row.	
- OPEN SPACE:	20.5 acres
(70% of total condo area)	
- PRIVATE ROAD LENGTH =	2,540 LF (49.8 LF/UNIT)
- Condominium served by sanitary sewer to lift station and public water main.	

SINGLE FAMILY LOT SIZES	
- 19 - 0.5 acre (21,780 sf)	Single Family Lots (52.8% of total)
- 17 - 15,000 sf	Single Family Lots (47.2% of total)
- TOTAL = 36 Single Family Lots	
- Indicates side load, courtyard load, or 15' garage required (50%)	

OVERALL SITE PLAN

Baehr Road - 107.1 ac

Baehr Road City of Mequon, Wisconsin



NORTH
0 75 150 300
(22"x34") Scale: 1" = 150'
(11"x17") Scale: 1" = 300'

COMMITTEE OF THE WHOLE PLANNING CALENDAR - 2024

ITEM	PRINCIPAL	TIME
January 9		
Community Development Operational Analysis	Tollefson	30
February 13		
South Central Zoning Options	Tollefson	45
March 12		
2022 Compensation Analysis Implementation	Schoenemann	45
April 9		
Lakeshore Bluff Construction	Tollefson	30
May 14		
Park Master Plan Update	Lundeen	45
June 11		
SOFD Update	Bialk	30
Electronic Poll Books Implementation	Fochs	15
July 9		
Brush Site Project Overview	Lundeen	30
August 13		
Floodway Zoning (Section 58-800)	Sajdak/Tollefson	60

Attachment: COTW PLANNING CALENDAR (9123 : COTW calendar)

COMMITTEE OF THE WHOLE PLANNING CALENDAR - 2024

ITEM	PRINCIPAL	TIME
September 10		
Facilities Study Update	Lundeen	45
October 8		
Right-of-Way Asset Management Study Update	Lundeen	60
November 12		
Fleet Study Update	Lundeen	45
December 10		
Sanitary Sewer Study Update	Lundeen	60
Future/Other Policy Items for Discussion/Consideration/Analysis		
Employee Handbook; Community Survey; Land Management System, Etc.		