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Department of Community Development
Taped and Televised

PLANNING COMMISSION
Regular Meeting
Monday, May 9, 2016
7:00 PM
Christine Nuernberg Hall

Agenda

1) Call to Order

Approval of Minutes

b) Planning Commission Minutes from April 11, 2016

2) Consent/Public Hearing

Brixmor SE I, LLC for CycleBar. The applicant is seeking conditional use grant approval to operate an indoor cycling fitness studio for the property located at 11104 N. Port Washington Rd (Mequon Pavilions).

3) Consent/Regular Business

Life Homes, Inc. The applicant is seeking fill permit approval in excess of 1,000 cubic yards (specific request is 2,500 c.y.) for the property located at 12813 N. Highland Court.

a) David Kriegel. The applicant is seeking setback waiver approval for the property located at 5103 W. Westfield Road.

4) Regular Business

WE Energies. The applicant is seeking specimen tree removal approval at 11611 W. Donges Bay Road to remove one specimen tree as part of installation of a natural gas infrastructure project.

WE Energies. The applicant is seeking specimen tree removal approval at 11623 W. Donges Bay Road to remove one specimen tree as part installation of a natural gas infrastructure project.

Neumann Companies, Inc. Highlander Estates Subdivision – Phase I. The applicant is seeking landscape plan and street tree plan approval for Phase I for a 111 single family subdivision located immediately south of Brighton Ridge and Knightsbridge between Swan and Wauwatosa Roads.

5) Announcements

- a) Development Inquiry for April 2016

6) Adjourn

Dated: **/s/ Dan Abendroth, Chairman**

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

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

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

**CITY OF MEQUON WISCONSIN
PLANNING COMMISSION MINUTES
April 11, 2016**

Commissioners present: Mayor Dan Abendroth, Ald. Pam Adams, Becky Schaefer, Brian Parrish, John Mason, David Fuchs, Jim Schaefer, LeRoy Bessler, John Stoker (voting)

Staff members present: Kim Tollefson, Director of Community Development
Jac Zader, Asst. Director of Community Development
James Keegan, Engineering Services Manager

Minutes of the meeting held on Monday, February 25, 2016 at 7:00 p.m. in the Common Council Chambers, Mequon City Hall, 11333 N. Cedarburg Road. [Note: Planning Commission meeting was audiotaped.]

1. a. Call to Order, Roll Call
- b. Approval of the February 8, 2016 Planning Commission meeting minutes.

Commissioner Parrish made a correction to the minutes that he had recused himself from items #8 and #9 at the February meeting.

Action:

Commissioner Mason moved to approve the February 8, 2016 minutes.

Commissioner Bessler seconded the motion to approve the minutes.

A voice vote was called. All voted aye, 8-0.

Consent
Public Hearing

Action:

Commissioner Stoker made a motion to go into public hearing.

Commissioner Fuchs seconded the motion.

A voice vote was called. All voted aye, 8-0

2. Donges Bay Elementary School

Address: 2401 W. Donges Bay Road Tax Key: #15-031-06-001.00 Zoning: R-2 District: #7

- Request:**
1. Conditional Use Grant Amendment
 2. Building/Site Plan Amendment

Briefing: The applicant is seeking conditional use grant and building/site plan amendment approval to add two classrooms for the property located at 2401 W. Donges Bay Road (Donges Bay Elementary School).

Jennifer Florsheim – 10252 N. Range Line Road. She questioned and formally opposed the fence around the school. She feels it is unsightly and an unnecessary expense. She says there is a natural barrier there and she feels that the fence is unnecessary.

Asst. Dir. Zader stated that the fence is not part of the application. There was a letter sent to neighboring residents that the fence was going to possibly exceed the 4 ½ feet which requires the neighbors' permission. He stated that if the fence is less than 4 ½ feet the neighbor approval is not necessary.

Mayor Abendroth suggested that Ms. Florsheim ask the school district about why they are installing a fence. He said that if they apply for a permit, she will be contacted.

Commissioner Bessler asked why the schools are adding classrooms if the enrollment is declining.

Asst. Dir. Zader stated that due to declining enrolment, Range Line School was closed and the other elementary schools are now reaching capacity levels and need to add on to them.

Ald. Adams stated that she talked to Dr. Means, school Superintendent, and he told her the reasons for adding the classrooms are due to Range Line closing, they are needed for special education to have their own rooms and K4 was added to the district which now uses additional rooms.

3. Gregg Prossen for MPP Group, LLC

Address: 12250 N. Corporate Parkway Tax Key: #15-017-10-011.00 Zoning: B-4 District: #7

Request: 1. Conditional Use Grant

Briefing: The applicant is seeking conditional use grant approval to remodel the existing building to a R&D facility for the property located at 12250 N. Corporate Parkway.

Action:

Commissioner Stoker made a motion to close the public hearing.
Commissioner Becky Schaefer seconded the motion.

A roll vote was called. All voted aye, 8-0

Regular Business

4. P2 Development Company, Bob Bach

Addresses: 6809 W. Mequon Rd Tax Key: #14-027-05-001.00 Zoning: AC/PUD District: #4
6835 W. Mequon Rd Tax Key: #14-027-02-015.00
6729 W. Mequon Rd. Tax Key: #14-027-02-002.00

Request: 1. Fill Permit in excess of 10,000 cubic yards

Briefing: The applicant is seeking fill permit, in excess of 10,000 cubic yards, approval for the property located at 6729-6835 W. Mequon Road.

5. Oriole Lane Elementary School

Addresses: 12850 Oriole Lane Tax Key: #15-007-15-000.00 Zoning: IPS/FFO District: #5

Request: 1. Building/Site Plan Amendment

Briefing: The applicant is seeking building/site plan amendment approval to add two classrooms for the property located at 12850 Oriole Lane (Oriole Lane Elementary School).

6. Wilson Elementary School

Addresses: 11001 N. Buntrock Avenue Tax Key: #14-027-03-001.00 Zoning: IPS District: #4

Request: 1. Building/Site Plan Amendment

Briefing: The applicant is seeking building/site plan amendment approval to add two classrooms for the property located at 11001 N. Buntrock Avenue (Wilson Elementary School).

Commissioner Bessler asked what P2 Development wants to do with the excess of 10,000 cubic yards of fill and he asked what the exact actual fill amount is.

Mr. Keegan stated that the fill will be used for excavation of the pool and pond. He said the actual fill permit was included in the packet and the actual fill amount is 20,000 cubic yards. There is a farm field located at Pioneer and

Wasaukee Roads that has a low spot that will be filled with the excavation from this site.

Action:

Commissioner Parrish made a motion to approve the consent agenda items (#2 - #6)
Commissioner Bessler seconded the motion.

A voice vote was called. All voted aye, 8-0

Public Hearing

Action:

Commissioner Bessler made a motion to go into public hearing.
Commissioner Fuchs seconded the motion.

A voice vote was called. All voted aye, 8-0

Action:

Commissioner Stoker made a motion to close the public hearing.
Commissioner Parrish seconded the motion.

A voice vote was called. All voted aye, 8-0

7. Artis Senior Living of Mequon, LLC

Address: 11900 N. Port Washington Road

Tax Key: #15-020-06-008.00 Zoning: B-3 District: #5

Request:

1. Conditional Use Grant
2. Building/Site Plan

Briefing: The applicant is seeking conditional use grant and building/site plan approval for the 30,000 sf, 72-bed memory care residential living facility located at 11900 N. Port Washington Road (Artis Senior Living of Mequon, LLC).

Asst. Dir. Zader stated that this was approved in January of 2014 but the approval has lapsed. They are requesting conditional use grant and building/site plan approval which is essentially identical to the approvals from 2014 and they did make some of the changes that were recommended by staff at that time and everything has been brought up to date.

Commissioner Fuchs asked about the storm water management plan and asked about the underground runoff. He asked how it is determined how big to make the reservoir.

Mr. Keegan answered that there are programs that have formulas to help make the determination. He explained that the existing site is assessed to determine what types of surfaces are present (impervious, native soils, gravel) and compare to the proposed plans; how much impervious surface is going to be added. They then solve for the amount of flow difference for the specific site size. The flows from the two difference surfaces types determines how much needs to be stored on site to allow the discharge to be the same post construction.

Commissioner Becky Schaefer asked about the wetland north of the site and whether that is part of the storm water management plan. She also inquired about the trees there.

Mr. Keegan stated that this is a drainage way along the property that heads to the south underneath Port Washington Road to the west. It ultimately will drain into that drainage way. That is not a part of the storm water management plan but that is where the underground detention would drain to.

Asst. Dir. Zader answered that there are mostly scrub trees and there was a clearing done a year ago. He stated that the City Forester can review the site again.

Commissioner Jim Schaefer asked about a wooden guard rail on the north side where there is a driveway and staff did not like that idea and he does not like it either. He asked if there are other ideas for that area. He likes the idea of the dormers but not with the roof overhang, he feels that it looks too heavy.

Asst. Dir. Zader answered that there may be masonry columns as part of the fence. He said that they can work together on

the dormers overhang issue.

Action:

Commissioner Parrish made a motion to adopt the item subject to staff's conditions.
Commissioner Becky Schaefer seconded the motion.

A voice vote was called. All voted aye, 8-0

Regular Business

8. Jeff and Sue Knudsen for Barthel's Bakery, LLC.

Address: 12246 N. Farmdale Road

Zoning: R-1/OA, FW/OA, C-1/FW/OA

Tax Key: #14-017-13-001.00

District: #3

Request: 1. Minor Request – Temporary Roadside Stand

Briefing: The applicant is seeking minor request approval for a temporary bakery for the property located at 12246 N. Farmdale Road (Barthel Fruit Farm).

Asst. Dir. Zader stated that this is not a common approval request but it is allowed in the code. There are criteria in the code which he included in the report which address what is allowed to be sold on the premises. The code states that the product has to be from items produced on site. They are proposing to sell goods from the apple orchard on site; apple cider and apple doughnuts. Staff is supportive of the use and location of the trailer as it will be screened from public view and there is adequate parking. The operations will run from September through November with limited hours. Staff will determine if additional items fit with the spirit and intent of the permit. Staff does recommend approval

Robert Barthel, the applicant, stated that this will be an in-season bakery; so it will not be year-round but they will be selling during strawberry season in June.

Commissioner Mason asked what types of bakery would be for sale.

The applicant answered they will sell apple cider doughnuts, apple muffins and starting in October there would be pumpkin flavored muffins and doughnuts. They will bake everything they sell in the trailer.

Ald. Adams is supportive of this item.

Commissioner Becky Schaefer stated that she is very excited about the bakery and thinks this is a wonderful addition to the orchard.

Action:

Commissioner Mason made a motion to approve the item per staff recommendations.
Commissioner Jim Schaefer seconded the motion.

A voice vote was called. All voted aye, 8-0

9. Poblocki Sign Company

Address: 6006 W. Mequon Road

Tax Key: #14-050-02-04-000 Zoning: TC

District: #2

Request: 1. Master Sign Plan Amendment
2. Minor Request - Building Plan Amendment

Briefing: The applicant is seeking master sign plan amendment and building plan amendment approval to allow for artwork on the building for the property located at 6006 Mequon Road (Café Hollander).

Asst. Dir. Zader stated that this item has two separate approvals; one is the master sign plan amendment and other is the building plan amendment. The master sign plan amendment makes changes that were approved for the whole Town Center (TC) master sign plan. The changes allow for a 28 square foot blade sign on the east elevation, a 36 square foot

wall sign on the south elevation and two logos on the north and south elevations. Staff is mostly in agreement with the requested changes except for the Mequon Road sign. Staff is supportive of the wall signs on the south elevation and on the east elevation.

Staff supports the change to the projecting sign. The logo location is acceptable but the size of the logo is too large; measuring eight foot diameter, only a 6 foot diameter was allowed in the plan.

The other issue is the addition of art work. The applicant is requesting some bikes on the south elevation and also on the interior facing the courtyard. This is in keeping with the Hollander theme which is closely connected to the cycling community. Staff is supportive of the bikes on the interior but not on the exterior on Mequon Road. Staff recommends possibly incorporating the bikes into the ground seating area as opposed to the exterior wall.

Another section was added to the master sign plan regarding banners. The current master sign plan states that two banners are allowed; which is the City standard. There was a lot of interest from the tenants at TC and due to the placement of the building close to the front property line, there are now three approved banner locations (plan is on page 148 in the packet). Staff will allow all three locations to be used concurrently provided that no tenant is allowed to have more than two banners up at any given time.

Chuck Anderson from Poblocki Sign Company was present to represent Café Hollander. He stated that the owner prefers the second set of letters to be moved to the southeast elevation and the blade sign on the east elevation. He wants the exposure from the intersection on the southeast exposure.

Asst. Dir. Zader stated that the building has an angled corner. The building has an angle that is different than Cedarburg Road and the east building is closer to the road. Asst. Dir. Zader stated that Steve from Poblocki agreed that the blade sign was very difficult to see southbound on Cedarburg Road because it was partially blocked by the building.

Commissioner Stoker asked how much smaller the sign on the southeast wall would need to be given the scale of the wall.

Asst. Dir. Zader answered that it would need to half of the proposed size.

Commissioner Becky Schaefer stated she feels that the item should be tabled. She thinks the owner needs to understand what is allowed per code and she would like to see what the signs would actually look like.

Commissioner Parrish asked if the building color was approved. He stated that the white does feel inconsistent with the rest of the site. He is opposed to the extra signage and artwork proposed.

Asst. Dir. Zader answered that the lighter brick and the wood color were approved.

Commissioner Bessler asked if the building is entirely white in color. He asked how many signs in total there are for this building. He does not like the bicycles and he is not aware of bicycles hanging on the buildings on their other restaurants. He feels this is way too much signage and feels circus-like.

Asst. Dir. Zader answered that the building is not entirely white and the building matches the renderings shown. He restated there is brown reclaimed wood and metal accents and doors. He stated that the north elevation does not have finished material yet. He stated that typically there are 2 signs per wall on a building but because of the angle, this building has a third wall so it has a third sign. The total signs are:

- 1 projecting sign
- 2 wall signs
- 2 logo signs
- 2 bicycle (artwork)

Commissioner Fuchs stated that there is more white on the building than expected. He feels that the residents are not going to like the building any better with all the signs on it. He does not like the blade sign at all and feels that it is too much. He does not want this to become an eyesore. He favors removing the blade sign and staying within the ordinance of sign sizes.

It was discussed that white dots in the lettering are the lights. They will need to meet the lighting code and meet the illumination code levels. The lights are exposed LED lamps (similar to Joey Gerards).

Commissioner Stoker stated that he disagrees with Commissioner Fuchs. He likes the blade signs and he feels that they add class to the building. He does not like the bikes and would be comfortable having those removed.

Commissioner Jim Schaefer does not like the blade sign. He prefers the sign on the corner and approves of the size. He does not like the bicycles on the Mequon Road side.

Ald. Adams stated that the residents have commented that the building does appear whiter and shinier than expected. She feels that once all the shrubs are in and everything is in place, the white will fade a bit. She likes the bicycles and feels it ties in to the nearby inter-urban trail. She would like to keep the signs they are proposing on the side elevations and she is comfortable with the blade sign. Her recommendation is to use a spot light instead of the little lights in the lettering. She approves the medallions.

Commissioner Mason stated that the corporate sign needs to be lit. He is fine with all the proposed signs and artwork.

Action:

Commissioner Mason made a motion broken into two separate motions. The first motion is for the signs: approve the logos at 6 feet, blade sign, other proposed signs as instructed by staff and allow the LED lights in the lettering. Commissioner Stoker seconded the motion.

Commissioner Becky Schafer is supportive with the exception of the LED lights.
A roll vote was called. Vote passed, 5-3 (No: Becky Schaefer, Parrish, Fuchs)

Ald. Adams made a motion to approve the artwork as proposed by the applicant.
Mayor Abendroth seconded the motion.
A roll vote was called. Vote passed, 5-3 (No: Jim Schaefer, Parrish, Fuchs)

10. Veridian Homes

Zoning: R- 3/CGO District: #4 Tax Key: # 14-028-03-006.00

Address: 10729 N. Wauwatosa Road Tax Key: # 14-028-13-007.00

Address: 10701 N. Wauwatosa Road Tax Key: # 14-028-13-008.00

Address: 10839 N. Wauwatosa Road Tax Key: # 14-028-04-012.00

Request:

1. Fill Permit in excess of 10,000 cubic yards
2. Development Agreement

Briefing: The applicant is seeking fill permit and development agreement approval for the property located at 10729 - 10839 N. Wauwatosa Road for the proposed 2nd phase of the Enclave at Mequon Preserve subdivision (16 lots).

Asst. Dir. Zader stated that this includes 16 of the remaining 37 lots. There are no major changes to the standard development agreement. Additional lots built prior to final plat were added to the Phase 1 but not on this phase; two spec homes will be allowed prior to final plat.

Commissioner Fuchs asked where the fill was going.

Mr. Keegan answered that it will be used to build the roadway, trench backfill and the utility backfill, it is not soil fill.

Action:

Commissioner Stoker made a motion to approve the item.
Commissioner Jim Schaefer seconded the motion.

A voice vote was called. All voted aye. Vote passed 8-0

Commissioner Parrish recused himself from items #11 and #12

11. Tom Zabjek for Lakeside Development Company /Oriole Lane

Addresses: Land immediately south of 11104 Oriole Lane.

Zoning: R-3, IPS, PUD, C-2 District: #6

Tax Key: #15-030-02-023.00 #15-030-02-022.00
 #15-030-02-020.00 #15-030-02-021.00
 #15-030-03-024.00

Request:

1. Remove from Table
2. Rezoning Recommendation
3. Concept Plan

Briefing: The applicant is seeking rezoning recommendation and concept plan approval for a 9 lot single-family residential subdivision on 10-acres located immediately south of 11104 Oriole Lane.

Resident feedback:

Dr. Ken Zganijar – 3714 W. Grace Ave. – supports this project because he feels this is a great fit for a conservation subdivision. He said the builder has taken precautions to preserve the specimen trees and has redesigned the plan to protect the specimen trees. He feels there are many residents looking for this type of housing.

Jim Locatelli – 10925 N. Oriole Lane – opposes this project because he feels the wetlands are significant and the property is unbuildable due to the amount of standing water on the surrounding properties. He also has concerns for the safety on Oriole Lane as there are not street lights, no road shoulder and steep culverts.

Lisa Lamb – 10925 N. Oriole Lane - opposes this project and has expressed her concerns previously. She initiated a neighborhood petition and gathered 20 responses in one day. She feels the property is unsuitable due to standing water and drainage issues. She is also worried about the encroachment on the residential neighborhood from the commercial developments. She is concerned about the traffic because the road is heavily used by children riding bicycles, dog walkers and pedestrians and she worries that added traffic will cause safety hazards.

Michael Tsirlin – 10870 N. Oriole Lane - is opposed and does not wish to speak.

Janet Ehn – 1948 W. Hidden Reserve Ct. – opposes this project and spoke at the previous meeting. She is the President of Hidden Reserve Homeowners Association. She does not feel that this location is appropriate due to the wetlands and the negative effect on the wildlife there. She is also concerned about the sewer and water issues there. She is also concerned about the sewer system capacity issues.

John Graham – 9327 W. Highland Road – is supportive of this project. He stated that every time there is a new development proposed, those that live nearby are opposed. He stated that new developments have enhanced water management issues. He thinks that everyone should respect the professionals hired to evaluate and plan this project.

Arlene Kurzer – 11104 N. Oriole Lane - is opposed due to the amount of standing water in her yard. She says this gets deeper and wider every year. She stated that once Sarah Chudnow was built the water appeared. She does not want additional sewer or water issues due to this project. She also thinks the wildlife will be negatively affected. She is also concerned about the increased traffic on the street.

David Mueller – 1737 W. Mequon Road – is supportive of this project because he thinks that Mr. Zabjek is a man of integrity. He believes there will be improvements to the water in the neighbors' yards after this project is complete.

Al Washko – 1712 W. Sunnydale Lane – he is the president of the Winding Hollow Homeowners Association. He has concerns about additional drainage after construction than currently exists. He has had numerous conversations with Mr. Keegan and Asst. Dir. Zader and from them he understands that there should not be additional drainage issues for the surrounding neighbors.

Asst. Dir. Zader stated this issue was tabled at the last meeting due to issues regarding the wetland buffers and specimen trees. The wetland setback issue has been addressed with the DNR. Staff has a better understanding that reduced wetland buffers are acceptable as long as they do not directly discharge into a wetland. The City Forester did a site visit and confirmed that the changes made by the applicant to the road layout and the building pads will not impact any of the 33 specimen trees.

Asst. Dir. Zader addressed some of the comments from the residents:

- The four parcels do equal 7.5 acres. The developer will be getting 2.5 acres from Sarah Chudnow to get the 10 acres total required for the PUD rezoning.
- Regarding the buffer and the habitat; the 4 lots have already been created and can be built on. The issue is whether there should be 4 separate homes build there or the cluster subdivision design.
- An important distinction regarding the drainage is that four new homes would have many impervious surfaces without storm water management or facilities addressed. The conservation subdivision design will cluster the homes in a smaller area and will require storm water management facilities that will hold the water until it should be release.

He stated that staff does support the approvals based on the staff conditions and requirements in the report.

Mr. Keegan stated that it is a challenging site regarding drainage. If it is built as a subdivision it will be required to have a storm water management plan. As a part of that, it will be subject to both City of Mequon and MMSD requirements. This requires that the rate of runoff is not increased for a 2 year, 10 year and 100 year storm compared to the existing conditions. The rate of run could not be increased once this site is built upon. The site primarily discharges to a site than to a culvert which goes east to west under Oriole Lane. The development to the southeast would not be effected by what is being proposed based on the drainage basin for the proposed development.

There are wetlands on the site and they are determined to be moderately susceptible. The DNR has set a 50 foot setback. There are ways to mitigate and to minimize the setback.

This project will only add 9 units to the traffic on Oriole Lane Winding Hollow has 3 units and Hidden Reserve had 54 units that use Oriole Lane.

Mr. Zabjak, the applicant and President of Lakeside Development, stated that the project will enhance the drainage issues of the area. He understands there are some water issues there and there are wetlands there. He visited some of the properties there and he says that it is partially the residents responsibility to help deal with the water issues. He said this is an ideal site for them to build on. He said this land will be developed on in some capacity. They are confident that these lots and homes on them will be desirable. He says the homes being built will increase the tax base.

Commissioner Stoker asked Mr. Keegan about sewer capacity. He also asked about the timing of the project improvements.

Mr. Keegan stated that this project would drain into the east trunk sewer and there are some known east trunk sewer capacity issues. There is currently a planning study being completed which will result in final design plans by the end of the year which will increase the capacity of the east trunk sewer. There is a requirement in the staff report that will limit the amount of effluent discharge from the site to the existing zoning (which is about 8 properties). Mr. Keegan said the project would not be completed until 2-5 years from now.

Mayor Abendroth stated that there are already 4 platted lots there. There could be four separate accesses onto Oriole Lane. There could also be years of construction if the homes were to be built at different times. If it is a subdivision, there would only be one access, the construction for the subdivision would take place on the interior of the property and would mostly like be condensed and would most likely happen quickly.

Commissioner Fuchs stated that most of the residents' concerns are about water issues. He feels that the City should be addressing these concerns. He thinks that a combination of the city having a big picture plan and the residents working together would help alleviate these issues.

Mr. Keegan stated that there are primarily clay soils which don't infiltrate. When it rains the water needs to go somewhere and no one wants it on their properties. A large portion of the city was built up prior to storm water management controls. With the new projects, the developers are required to solve for that release from their site at the same rate it was releasing preconstruction. A lot of the issues are from the sites around the City that were built without these controls. He explained that

there is a drainage compliant system at the City. If there is a known drainage issue, there is a process in the engineering department to look at the issues and address them. This area is not currently on the schedule.

Commissioner Fuchs stated that he likes the proposed development and he feels that it is a nice addition to the neighborhood. He feels this type of development leaves much of the site untouched and that it will still maintain a rural feel. He feels this would be a preferred design as opposed to four chopped up parcels. He does feel the water issues are a valid concern that needs to be addressed. His hope is that this project could help with the water issues in this area and make it better than it is now for the surrounding neighbors.

Ald. Adams asked about the distance between lots 3 and 4. She also asked about how big the houses will be. She is listening to the neighbors and she hopes that some facts came out tonight to help alleviate some concerns. She said this is a sensitive area for the whole community.

Asst. Dir. Zader answered that a PUD requires a minimum of 30 feet between buildings. He explained that the units will be single family condos and will be built on the building pad, which is 60 x 40, with open space around it. This is still at concept level and the exact sizes need to be worked out.

Commissioner Jim Schaefer stated that he was initially opposed to the project but he feels that the developer has done a commendable job. He likes that have stayed away from the wetlands and that it is not going to be visible from the street because of all the wooded areas. He said the density is .9 per acre and it is not an issue. He is supportive of this project.

Commissioner Mason asked about the flow of the runoff and the direction in which it flows. He stated that the Sarah Chudnow holding pond was 3 feet below the overflow and he was surprised due to all the recent rain that it was not filled to the brim.

Mr. Keegan explained that there are two culverts and that the runoff flows west and then northwest. He also stated that there is a couple of different overflows. The smaller overflow limits the release rate of storm water from the pond and there is an emergency overflow that is larger and that if the pond gets so full, it releases in that direction. It can be designed so that in an emergency type event the water does drain into an area away from structures. This is typically the 100 year storm. He stated that the engineering department has not yet be given detailed plans for grading, storm water management or utility plans yet. This is still very preliminary.

Commissioner Mason asked the applicant if he intends to build basements as part of this project. He asked about how much grade would be needed to build up the house pads.

Mr. Zabjek answered that they do intend to build basements and they had the soil tested and passed the test. He answered that the homes will not be in the wetlands and will not need much fill.

Mr. Keegan stated that the fill needed for the building pads is valid because he could impact the wetlands. Staff recommendations have required the applicant to have DNR approval for the wetland setback and impact.

Commissioner Becky Schaefer stated that she agrees with smaller higher end homes for residents to remain in Mequon. She trusts the staff and the processes regarding the storm water management. She prefers residential development there as opposed to commercial development. She is cautious about counting on homes selling before they are built. She feels that Lakeside Development Company has a very good reputation but she does not feel that this site is desirable for this type of development. She is not in favor and will vote against it.

Action:

Mayor Abendroth made a motion to approve the item.

Commissioner Stoker seconded the motion.

Roll Call was taken. Vote passed 6-2 (No: Becky Schaefer, Ald. Adams)

12. Sarah Chudnow

Addresses: 10995 N. Market Street

Tax Key: #15- 030-02-023.00 Zoning: IPS/PUD, R-3

District: #6

- Request:**
1. Remove from Table
 2. Rezoning Recommendation

Briefing: The applicant is seeking a rezoning recommendation approval to reduce the overall land area of the PUD by 2 acres for the property located at 10995 N. Market Street.

Action:

Ald. Adams made a motion to remove from table
Commissioner Stoker seconded the motion.

A voice vote was called. All voted aye. Vote passed 8-0

Asst. Dir. Zader stated that Sarah Chudnow was approved as a PUD for the entire area and removing the 2.5 acres does require an amendment to the PUD. Sarah Chudnow was originally approved with 2 more acres than originally anticipated. The net result is about ½ acre and the density changes from 5.75 to 5.94, mostly negligible on impact to the PUD. Based on the last approval, staff recommends approval.

Action:

Commissioner Mason made a motion to approve the item.
Commissioner Stoker seconded the motion.

Roll Call was taken. Vote passed 7-7 (No: Ald. Adams)

13. Announcements

Development Inquiry

Next Meeting is Monday, May 9, 2016

14. Adjourn

Action:

Commissioner Fuchs made a motion to adjourn.
Commissioner Stoker seconded the motion.

A voice vote was All voted Aye. Vote passed 8-0.



TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 22, 2016
SUBJECT: Brixmor SE I, LLC for CycleBar. The applicant is seeking conditional use grant approval to operate an indoor cycling fitness studio for the property located at 11104 N. Port Washington Rd (Mequon Pavilions).

Applicant: Lauren Schroeder
Status of Applicant: Tenant
Requested: Conditional Use Grant
Existing Zoning: B-2 (Community Commercial)
Proposed Use: Fitness Center
Land Use Plan: Commercial
Location: 11104 N. Port Washington Road

Address: 11104 N. Port Washington Rd. **Tax Key:** #15-029-06-007.00 **District:** #8
Zoning: B-2

Request: 1. Conditional Use Grant

Briefing: The applicant is seeking conditional use grant approval to operate an indoor cycling fitness studio for the property located at 11104 N. Port Washington Rd (Mequon Pavilions).

Background:

The applicant requests a conditional use grant to operate CycleBar, a fitness center located at 11104 N Port Washington Road in the Mequon Pavilions. This the site of the former Caribou Coffee tenant space. The applicant is proposing to lease 3,200 square feet of the existing multi-tenant building. The floor plan shows the ability to serve 42 individuals at any given time with two instructors. No exterior modifications to the building are proposed.

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

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

The proposed use should not endanger the surrounding area; all of the activities will take place within the building and will be monitored by certified trainers.

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

The Land Use Plan designates the site as Commercial and is zoned B-2 (Community Commercial). All adjacent properties are zoned B-2 as well. A fitness center can be considered compatible with the Land Use Plan designation and with other commercial uses in the area. The

Planning Commission has approved other similar uses (Athletic Performance, Rockstar Fitness, Snap Fitness) in areas that have a mixture of commercial, office and retail uses.

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

The proposed activities of the health club fit the character of the surrounding area. The hours of operation at the site will be between 5:00 A.M. to 9:00 P.M. Monday thru Friday and 8:00 A.M. to 6:00 P.M. on weekends. Planning staff believes the proposed use and activities should be harmonious with the surrounding uses.

Staff Recommendation:

Staff recommends approval of the conditional use grant based on the following condition(s):

1. Staff review and approval of final floor plans.

Attachments:
Packet (PDF)

Brixmor SE I, LLC for CycleBar



Attachment: Packet (1596 : CycleBar)

I. Executive Summary

A. Business Overview

CycleBar Franchising LLC is the **first and only national franchise** to capitalize on the tremendous earning potential of experience-driven indoor cycling with a first to market franchise offering in North America.

While Spinning(R) has been around for more than 25 years, that brand is fueled by instructor trainings and not studio revenue. In the past decade, major metropolitan areas like NY and LA have become home to highly successful dedicated indoor cycling studios now backed by private equity. The CycleBar brand is an **inclusive and affordable premium fitness experience** designed for 650 studios in the top 159 U.S. markets (40 Canadian) by population. In addition, the CycleBar Brand has **significant global expansion** opportunities that offers worldwide studio potential well beyond 1,000 locations.

That's why CycleBar turned up the volume on the indoor cycling experience. CycleBar unites riders of all ages and fitness levels by creating an **unparalleled multisensory, intoxicating journey**. Led by engaging, high-energy CycleStars and fueled by incredible playlists in state-of-the-art CycleTheatres, CycleBar delivers far beyond a great cardio fitness workout. The studios and staff are entirely dedicated to creating a fun, dynamic and effective indoor cycling experience.

B. Success Factors & Competitive Advantages

1. Broad-based appeal

CycleBar has broad-based appeal to both urban and suburban neighborhoods so multiple locations can thrive in most every U.S. Designated Market Area (DMA). Initially, CycleBar Franchising will target women and men between the ages of 25-54 with income above \$75K in Cincinnati, Detroit, Boston and Chicago, moving swiftly into the top 159 U.S. Markets (40 Canadian) by population.

2. Industry Growth

Over the past two decades, America's fitness industry has enjoyed dynamic growth, despite the ups and downs of the economy. Now an estimated \$22-24 billion industry, it services some **51 million Americans of all ages and income levels and is forecast to grow 23 percent** over the next ten years. Currently, there are over 900,000 franchised businesses in the United States generating over \$2.3 Trillion of economic activity. (International Franchise Association).

Additionally, "As select group fitness concepts ramp up expansion plans, we're seeing limitless appetite from the private-equity community," said Brian Smith, a managing director with investment bank Piper Jaffray & Co in a July 2014 Wall Street Journal article. The article continues to say that "boutique chains have been adding new studios at a clip of 450% a year since 2010. That makes them the **fastest-growing part of the \$22-billion-a-year U.S. health-club industry**, according to the investment bank."

3. Inclusive, Affordable, Premium Experience for the Masses

CycleBar offers multiple points of differentiation for the consumer that elevate the experience into an entirely new fitness offering.

In fact, CycleBar has **crafted its mission out of these points of differentiation** and experience elevation to include:

- a. CycleBar turns workout drudgery into workout "WOW!" by elevating the experience on all levels.
- b. The CycleTheatre features state-of-the-art audio, video, and lighting to create a high-energy, multisensory cycling experience.
- c. CycleStats. This is personal performance data that can include heart rate, calories, power output, RPM and more.
- d. Concierge-level service and amenities include towels, shoes, private lockers and more.
- e. CycleBar instructors, Our CycleStars, are hand-picked for their ability to energize and motivate at the highest level.
- f. No membership contracts. Instead CycleBar features flexible "pay-per-class" packages that can be easily purchased online.
- g. Easy online booking lets riders reserve a specific bike up to a week in advance.
- h. Community. The CycleBar studio is supportive, intimate and inclusive environment

where, beginners as well as experienced riders can benefit from a tremendous workout that is actually fun!

4. History and Executive Team

The CycleBar Franchising LLC's **executive management team has unique experience in the industry** including franchise development and brand experts, indoor cycling studio pros plus a leading cycling business development consultant to develop the CycleBar studio brand.

In 2004, Bill Pryor and his sister Alex Klemmer decided to create one of the first independent cycling studios in the country right outside of Boston. Both Bill, then a corporate executive, and Alex, a stay-at-home mom, recognized that there were three key ingredients to a successful indoor cycling experience: great instructors, great music and a great environment. They opened their first dedicated studio a year later and have been perfecting their high-energy, cycling-focused concept ever since.

Now, ten years later, Pryor and Klemmer have partnered with Jimmy Wilde and Lisa Hillman, successful studio owners from Detroit, plus franchise pros from St. Gregory Development to allow others to experience and benefit from the CycleBar experience.

In 2014, CycleBar blasts off with studios in Cincinnati, Boston and Detroit with nationwide expansion opportunities available.

Corporate Structure and Executive Team:

- | | |
|--|---|
| a. Bill Pryor | CEO |
| Business exec turned cofounder of Boston Spynergy, now CycleBar Boston. Was go-to business development consultant for indoor cycling studios nationwide. | |
| b. Lisa Hillman | Chief Creative Officer |
| Cofounder of Detroit GO Cycle, now CycleBar Detroit. Former group fitness director for LIFETIME fitness chain. | |
| c. Alex Klemmer | EVP Franchisee Relations |
| Cofounder of Boston Spynergy, now CycleBar Boston | |
| d. Jimmy Wilde | EVP Field Support |
| Cofounder of Detroit GO Cycle, now CycleBar Detroit plus Exercise Physiologist, Personal Trainer and indoor cycling pro. | |
| e. Steve Habegger | Chief Information Officer |
| f. Kristian Higgs | General Counsel |
| f. Jim Jagers | Director of Operations |
| g. Gary DeJesus | Director of Branding and Marketing |
| h. Jeff Herr | Director of Franchising and Training |
| i. Todd Kirby | Director of Franchise Development |
| j. Joe Roda | Director of Legal and Compliance |

*See extended bios in Section VII

5. Operational Systems

CycleBar has taken the fitness industries' best POS, payroll and client management system and improved upon them so that day-to-day studio management is as simple and accurate as it can be. Studios are supported with the following proprietary operational and system-specific marketing areas:

- a. Accounting Systems
- b. Inventory Management
- c. CRM
- d. Prospecting and Ongoing Marketing
- e. Marketing Tools
- f. Email Campaigns
- g. Direct Mail
- h. Reporting Tools
- i. Client Histories with Performance Metrics
- j. Studio Performance Metrics

6. Marketing

The CycleBar brand has been created by marketing pros who have helped build some of the world's best known consumer brands. Every aspect of story, brand and marketing has been considered for you and you will receive support across all relevant media platforms including:

- a. Brand Standards
- b. Development and Execution of Local Marketing Strategy
- c. Key demographic data
- d. CycleBar Blast and Grand Opening Support
- e. Ongoing Consultation
- f. Develop and Disseminate Best Practices
- g. Create and Manage On-Line Ad Material and Portal
- h. Traditional Media Buying
- i. Public Relations and Social Media
- j. Email Marketing Campaigns
- k. Continuity Programs
- l. VIP Loyalty Programs
- m. Retention Platforms
- n. Develop and Lead Local Marketing 101 Training and Coaching Platform
- o. Serves as Field agency for Franchise Locations

7. Additional Support

CycleBar provides operational support for every aspect of the business. From site selection to turnkey construction management, from marketing to management training both pre and post opening, every aspect of the franchisee's success to both open and sustain a CycleBar studio is fully supported.

- a. Real Estate & Site Selection
- b. Turnkey Construction Management
- c. Proprietary Technology Platforms
- d. Initial Training
- e. Ongoing Training
- f. Ongoing Field Support

8. Franchise Sales and Expansion Expertise

CycleBar Franchising draws on the expertise of the St. Gregory Development Group (SGDG) a leader in franchising, licensing, and distribution matters, representing clients nationwide. SGDGD's clients are from a variety of business sectors that have adopted franchising as a method of distribution and cover a broad spectrum of size and experience, from entrepreneurs and start-up companies that are making the leap from a locally owned business, to one of the fastest growing franchise systems in the United States. SGDGD clients manage franchise and distribution systems that range from one outlet to thousands of outlets and, while the majority of clients are franchisors and distribution companies. SGDGD also represents multiple unit, area development, and master franchisees on a wide variety of matters.

SGDGD, founded in 2010, is comprised of detail oriented franchise executives who have a proven track record in helping franchisors and sales organizations achieve their financial goals and growth objectives. They have worked with both emerging and seasoned brands that have elected to use franchising as a distribution vehicle, as well as non-franchised brands struggling to reach their goals. In the process, they have developed a culture of winning sales and operational strategies and use this knowledge to help clients build nationally enduring brands.

C. Financial Plan

Below is an overview of the CycleBar Mequon Franchise expected financial performance over the next three years.

INSERT FINANCIAL PLAN HERE

III. Industry Analysis

A. Market Overview

Over the past two decades, America's fitness industry has enjoyed dynamic growth, despite the ups and downs of the economy. Now an estimated \$22-24 billion industry, it services some 51 million Americans of all ages and income levels and is forecast to grow 23 percent over the next ten years. Currently, there are over 900,000 franchised businesses in the United States generating over \$2.3 Trillion of economic activity. (International Franchise Association).

Additionally, "As select group fitness concepts ramp up expansion plans, we're seeing limitless appetite from the private-equity community," said Brian Smith, a managing director with investment bank Piper Jaffray & Co in a July 2014 Wall Street Journal article. The article continues to say that "boutique chains have been adding new studios at a clip of 450% a year since 2010. That makes them the fastest-growing part of the \$22-billion-a-year U.S. health-club industry, according to the investment bank."

1. Industry Research

CycleBar Franchising LLC is part of the industry defined as Gym, Health and Fitness Clubs. This industry operates fitness and recreational sports facilities that feature exercise and other active physical fitness conditioning or recreational sports activities, such as swimming, skating or racquet sports. Firms are also involved in facilities management and fitness instruction.

2. Market Sizing

The Gym, Health & Fitness Clubs industry has experienced growth over the past five years, with revenue gains averaging 1.4% per year. Consequently, industry revenue reached \$25.9 billion in 2013.

Geographic area	Year	Number of establishments	Employment	Sales	Profit
United States	2013	33,527	573,328	\$25.9 billion	\$2.2 billion

Figure 1: Market Size

3. Products and Services Segmentation

This Gym, Health and Fitness Clubs industry offers a wide array of services across a variety of facility types, including gyms, tennis centers, ice-skating rinks and swimming pools. The industry is generally divided into groups based on these types of facilities, but it can also be separated by function or payment. Industry operators generate income from membership dues, admissions or use of facilities, tuition services, rental hire, food and beverage sales, retail sales and other services. Since health and fitness clubs dominate the industry, membership fees make up a large proportion of revenue, followed by admissions to facilities like to pools, courts, rinks and classes. However, the breakdown will vary considerably between different types of clubs, depending on their operations.

The largest product segment is gyms and fitness centers, which draw about 65.0% of total industry revenue. This segment dominates the industry due to a high participation rate: 40.0% of people aged seven and older worked out at a club at least once in 2012, according to the latest data available from the National Sporting Goods Association (NSGA). The activity is also nonseasonal, since many health and fitness centers offer membership packages on a contractual basis. Members generally join gyms by signing one-year contracts.

Clubs offer a range of activities and continue to offer new classes and recreation options to their members (e.g. yoga, Pilates and spa services). This segment has especially grown in the past five years, as gyms are considered more fitness activities than leisure, appealing directly to the health-conscious population. There are various kinds of health and fitness clubs that cater to different markets; examples include female-only gyms (such as Curves International), premium full-service health clubs, 24-hour gyms and bodybuilding gyms.

4. Key Market Trends – Industry Drivers

Several key drivers will affect the performance of this industry over the next several years. These drivers include:

- a. The Gym, Health and Fitness Clubs industry will experience growth in the next five years, largely due to an increase in per capita disposable income. As per capita disposable income is anticipated to grow at an annualized rate of 2.5% during the five years to 2018, consumers will increasingly substitute memberships that offer more services, with low-cost gym memberships with fewer amenities. Moreover, health club memberships are anticipated to grow at an annualized rate of 2.0% during the five-year period. As health club memberships grow at the same rate compared with the previous five years, individuals with higher discretionary income will purchase more expensive industry services, such as personal trainers. The number of individuals participating in sports will grow at an annualized rate of about 0.5% during the period, which will further boost revenue as consumers continue to substitute fitness memberships with team sports.
- b. Furthermore, as the number of adults aged 20 to 64 is expected to increase at an annualized rate of 0.4% to 192.0 million, during the five years to 2018, revenue will also grow given that this age demographic comprises the largest market segment for the industry. However, industry operators will contend with time-strapped consumers, as

leisure time is expected to decline at an annualized rate of 0.2% during the five-year period. While time-strapped consumers will have difficulty incorporating fitness into their daily routine, more consumers will purchase high-cost gym sessions to achieve fitness goals in a shorter period of time, such as personal trainers or fitness classes. As a result of consumers buying a greater number of high-cost industry services, revenue is forecast to grow at an annualized rate of 2.9% to \$29.9 billion during the five years to 2018. Additionally, profit is anticipated to grow from about 8.4% of revenue in 2013 to 9.0% in 2018, as operators offer more high-margin services.

c. During the next five years, population growth and demographic changes will increasingly drive revenue growth. For example, an aging baby boomer population will maintain a more active lifestyle and purchase gym memberships. Additionally, as healthcare costs continue to escalate, insurance providers may implement incentives to promote preventive health practices, such as the use of fitness centers, to lower the risk of type 2 diabetes, heart disease, dementia, cancer, high blood pressure and other health ailments. Many employers are increasingly viewing fitness as a vital component of employee health, especially because studies are showing how fitness can boost worker productivity, a trend that will positively affect industry revenue.

d. Furthermore, as many families become health and fitness conscious, more consumers aged 17 and younger will purchase gym memberships. Less physical education in schools, coupled with concerns regarding childhood obesity, will prompt membership sales for this age demographic. As consumers become increasingly time strapped, many will purchase either individual or group trainers and fitness classes to obtain fitness goals more efficiently. In the next five years, group classes are expected to increase in popularity, especially fusion classes that combine yoga, pilates, ballet, dance and surfing.

B. Competitive Research

1. Competitive Landscape

Over the past five years, the Gym, Health and Fitness Clubs industry has become increasingly competitive. Well-financed competitors have entered the industry, and existing regional and national operators have expanded their operations.

a. Internal competition- Firms in this industry compete with other commercial fitness centers recreational facilities established and operated by local governments. Nonprofit and government organizations have an edge on commercial gyms and fitness clubs because they can obtain land and build centers at lower costs. Additional services offered by hospitals, businesses and salons are another source of competition, adding to the highly competitive environment. These firms typically compete based on location, which is the greatest convenience factor for the consumer.

b. External competition- Firms also experience external competition from entertainment and retail businesses for the discretionary income of the specific target markets in this industry. Industry operators compete with amenity and condominium clubs, exercise studios, country clubs, weight-loss centers and home fitness equipment

businesses. Many other leisure industries, such as bowling alleys and marinas, also compete with this industry for leisure time, albeit without the fitness aspect.

2. Overview of Direct Competitors

CycleBar Franchising LLC's top competitors include:

a. Soul Cycle

<https://www.soul-cycle.com/>

Founded in 2007, SoulCycle is a Manhattan-based fitness studio that offers classes centered around stationary bicycles. The classes mix coaching and high-energy music with an intense bike workout. In a typical class, which lasts around 45 minutes, participants are guided through high-resistance "climbs"; lower-resistance "sprints"; an arm workout with 1-, 2-, 3-, or 5-pound hand weights; and choreographed exercises on the bikes like pushups on the handlebars; classes conclude with a stretch.

In 2013, they had expanded to 14 locations in partnership with Equinox Fitness. Locations include: New York City, Brooklyn, Hamptons, Roslyn, Scarsdale, Greenwich, Rye Brook, Short Hills, Chestnut Hill, West Hollywood, Brentwood, Santa Monica, Beverly Hills, San Francisco, Palo Alto and Marin. Currently there are 37 Soul Cycle studios open.

Classes cost approximately \$30 each and although SoulCycle is a private company, Forbes reports that they have approximately 8,000 riders a day, which, at an average rate of \$30/class, equals \$240,000 in revenue **every day**, and a whopping \$87.6M in just one year. That doesn't include additional income generated through bottled water sales (\$2-\$3), shoe rental (\$3), shoe sales (\$150/pair), VIP class passes (\$70/class), and select clothing and merchandise sold in their studios and online. Since 2010, ridership has increased 58%, revenue has increased 60%, and profitability has increased 85%.

b. FlyWheel

<http://www.flywheelsports.com/>

FlyWheel is an indoor cycling studio that delivers a high-intensity cardio workout. Led by a NY-based management team with extensive experience in branded sports and fitness ventures, Flywheel was developed by creative director and legendary indoor cycling instructor Ruth Zukerman. There are currently 33 locations in New York, Texas, Chicago, Dubai, Boston, Seattle, Atlanta, Philadelphia, Los Angeles and North Carolina.

Each bike comes with a proprietary Torqboard that allows you to see your real-time stats. You can monitor your resistance, RPMs, and total workload. Mounted computer screens allow cyclists to compete against each other, although you can opt out of transmitting your stats to the big board if you just want to compete against yourself. The results of each ride get saved in your Flywheel profile, accessible online, making it easy to track your progress whether you're trying to drop fifteen pounds or train for a summer race.

First fly is free. Individual classes cost \$30. But if you buy ten rides, its \$25/ride. Or \$180/month gets you unlimited spinning, which bring it down to \$22/ride if you go just twice a week.

2013 revenue was estimated at \$20 million.

3. Online Performance of Top Competitors

Below is an overview of the competition's website performance and social media presence:

Business Name	Linkages	Monthly Website Visitors	Social Media
Soul Cycle	731	26,016	42,794 Facebook likes 31,300 Twitter followers
FlyWheel	676	20,617	21,591 Facebook likes 13,400 Twitter followers

Figure 3:Website Performance

C. Customer Research

1. Identification of Key Customer Segments

Over the past decade, the industry has experienced substantial growth in demand, and as a result, the breakdown of the industry's markets has also changed. The aging population has encouraged clubs to widen their target demographic beyond the traditional market of 18- to 35-year-olds. Industry operators are increasingly expanding their target market to include 35- to 54-year-olds and those aged under 18. The majority of gym and health club members are female, which account for about 57% of all membership sales within the health club sector and have increased in recent years. The growth of female participation is likely a result of the rising number of female-only health club facilities.

a. Consumers aged 18 to 34

This age category is the largest market segment for the Gym, Health and Fitness Clubs industry, accounting for about 35.0% of the total market. Despite its size, this segment has shown little growth over the past decade compared with the other age categories. In the 1990s, consumers aged 18 to 24 years had about 10.5 million members, which rose to about 14.2 million members in 2010, representing a 35.0% increase, the slowest of any age demographic. However, this segment consistently demonstrates strong demand for fitness options.

b. Consumers aged 17 and younger

The 6-to-11 age category accounts for only 4.0% of the market, while the 12-to-17 age category accounts for 8.0%. Growth within these areas (particularly the latter) has been

strong over the past decade, as the "echo boom" generation (children of baby boomers) increased in size. Additionally, many parents have been spending large amounts on health club memberships for their children in order to tackle obesity. Youth memberships have become one of the fastest growth areas for the fitness club industry, and many clubs have begun shifting their focus to this area. Moreover, the nation's schools have cut back on physical education classes, causing parents and their children to seek alternatives.

2. Demographic Profile of Target Market

The CycleBar target demographic is the 25-54 year old female (70%) or male (30%) who earns 75K+ and resides within a five-mile radius of the CycleBar studio.

CycleBar Franchising has completed a North American market overview and territory grid. 600 CycleBar studios have been identified in the top 159 markets in the U.S. (40 in Canada) by population as our Designated Market Areas (DMA). In addition, the CycleBar Brand has significant global expansion opportunities that offers worldwide studio potential well beyond 1,000 locations.

Initially, CycleBar Franchising will target women and men between the ages of 25-54 with income above \$75K in Cincinnati, Detroit, Boston and Chicago. The following table provides a demographic profile of this target market.

	Cincinnati	Chicago	Detroit	Boston	United States
Total Population	315,805	2,887,897	778,002	647,278	308,455,134
Square Miles	84.09	225.39	138.77	48.43	N/A
Population Density	3,755.80	12,813.10	5,606.50	13,366.30	87.20
Forecasted Population Change by 2014	-1.64%	3.55%	-11.44%	6.96%	4.52%
Population Male	47.51%	49.09%	47.42%	48.49%	49.48%
Population Female	52.49%	50.91%	52.58%	51.51%	50.52%
Median Age	33.40	32.00	32.60	32.00	35.60
Target Population by Age Group					
Age 25-34	15.75%	17.97%	14.54%	19.98%	13.40%
Age 35-44	12.64%	12.75%	12.43%	12.63%	13.74%
Age 45-54	13.13%	12.40%	14.19%	11.78%	14.32%
Households	143,326	1,069,569	276,228	285,902	118,402,143
Households with income above \$75k					
Income \$75,000 to \$99,999	9.65%	12.74%	8.77%	12.71%	14.07%

Income \$100,000 to \$124,999	4.97%	7.38%	4.47%	8.47%	8.54%
Income \$125,000 to \$149,999	2.77%	4.70%	2.22%	5.15%	5.01%
Income \$150,000 to \$199,999	1.93%	3.28%	1.36%	3.65%	3.59%

Figure 5:US Census Bureau

D. Financial Research

1. Average Industry Financial Metrics – Costs and Profit Margins

a. Profit - Member retention is highly important to fitness centers' profitability, as these centers have fixed overhead costs to cover. Studies have found that the average attrition rate for gyms in the United States is 37.0%, meaning that 37 out of 100 people will cancel their memberships each year. Furthermore, the cost of recruiting a new member is more than twice the cost of retaining an existing member. Clubs will continue to direct funds toward retaining existing members by prioritizing excellent customer service and adding amenities.

Industry profit represented about 8.4% of industry revenue in 2013. Following a weak year in 2009, profit has steadily grown due to heightened demand and a wider array of services (such as massages, spas, classes and lessons). While membership declined in 2009, operating costs remained virtually the same, which reduced margins. Prior to 2009, high competition in the industry kept margins in check at just under 10.0%, although prices were still high relative to the discounts after the recession.

b. Wages - Wages are the largest cost to this industry, accounting for 30.7% of revenue. To minimize this cost, most centers employ part-time employees who are paid by the hour. Companies also hire salaried staff, including back-office support, personal trainers and other professionals, but the majority of these staff members generate additional revenue streams for clubs. These staff members also help attract new clientele, as fitness classes and training programs are important drivers of new business.

The average wage varies between employing and nonemploying establishments, as large businesses require a range of employees to run their operations, including accountants, financial analysts and other back-office support staff. Over the next five years, the average size of an establishment is expected to increase, thus forcing clubs to hire more full-time staff, which will increase the average wage.

c. Purchases - Purchases represent the second-highest cost to this industry, accounting for about 20.0% of total revenue. Purchases largely include smaller types of equipment, office requirements, retail products and other miscellaneous items. Purchases can also include food and beverages that are sometimes sold within the fitness and recreational sports centers. Some of the larger centers have negotiated national buying agreements with suppliers that enable costs to be reduced through the extended buying power.

d. Rent and utilities - Rent accounts for about 12.0% of industry revenue. Many businesses in this industry do not own their fitness facilities, and as a result they must rent their buildings. Additionally, some equipment used in recreational and fitness centers are not purchased entirely, but on a "rental" basis, thus adding to the cost in this segment. Firms also spend about 3.5% of revenue on utilities, as electricity is required for lighting, treadmills, cross-trainers, steppers and other electronic equipment. In order

for utilities to be kept to a minimum, some centers have implemented energy-efficient lighting fixtures and automatic switches and timers.

e. Advertising - The industry spent about 10.0% of its revenue on advertising in 2013, as strong marketing support is essential for attracting new clientele in such a highly competitive market. Firms advertise via TV, direct mail, newspapers, telephone directories, radio, billboards, internet website, and other promotional activities. Advertisements aim to differentiate firms from competitors by focusing on amenities, prices, services and promotional offers. Operators also try to appeal to the public's desire to lose weight, look better and improve health.

f. Depreciation and other costs - Depreciation of buildings and equipment represents another significant expense item for the industry, accounting for about 7.5% of revenue. Expenditure on capital includes purchasing new and replacing old equipment, such as treadmills and weight machines. To operate on an efficient and profitable basis, firms must continually acquire up-to-date fitness technology to maintain and attract their customer base, which adds to depreciation costs. Other costs include general administration, IT expenses and insurance costs. This category accounts for 7.9% of revenue. Insurance has become an increasing expense. Many businesses have had to insure their products against damage, which is heightened by the fact that products and services are being used on an increasing basis.

IV. The Model

CycleBar operates under the Executive Model, perfect for the semi-absent franchisee and multi-unit ownership.

With no memberships or contracts to worry about, the usual sales and marketing headache associated with fitness offerings are completely eliminated. There are no accounts receivable as 95% of all classes are paid for in advance, via a simple online purchasing and reservation system.

Further, since CycleBar classes are held before 11 am and after 5 pm and the studios are maintained by a single front desk person and trained CycleStar instructors, the labor costs are reasonable with minimal operational concerns. Our in-studio camera system allows franchisees to monitor operations from anywhere in the world.

V. Franchise Growth Expertise

St. Gregory Development Group (SGDG) founded in 2010, is comprised of detail oriented franchise executives who have a proven track record in helping franchisors and sales organizations achieve their financial goals and growth objectives. They have worked with both emerging and seasoned brands that have elected to use franchising as a distribution vehicle, as well as non-franchised brands struggling to reach their goals. In the process, they have

developed a culture of winning sales and operational strategies and use this knowledge to help clients build nationally enduring brands.

VI. Support to Franchisees/Operational Processes

CycleBar Franchising provides operational support for every aspect of the business. From site selection to turnkey construction management, from marketing to management training both pre and post opening, every aspect of the franchisee's success to both open and sustain a CycleBar studio is fully supported.

A. Real Estate & Site Selection

CycleBar Franchising supports site selection with a nationally recognized Real Estate management consultant to assure the best site for the best price in the market. Their research is backed by an assessment from our indoor cycling experts to assure that every aspect of the CycleBar studio brand success has been considered in the site selection. As part of franchisee's initial investment, they receive the following services:

1. Site Evaluation
2. Market Survey/Competitive Analysis
3. Letter of Intent
4. Lease Negotiation
5. Lease Review

B. Construction Management

At CycleBar Franchising, construction management support is a completely turnkey operation. Every aspect of construction management, from design and engineering through permitting, finishes and signage are included. An expert team manages:

1. Architecture-Design-Engineering
2. Creative Interior Design
3. Quality Documentation
4. Value Engineering
5. Ratio of Function to Cost-Simultaneously Maximizing Functionality and Reduce cost
6. Permitting
7. Construction Management
8. General Construction
9. Project Management
10. Finish Out
11. Signage

C. Marketing

The CycleBar brand has been created by marketing pros who have helped build some of the world's best known consumer brands. Every aspect of the CycleBar story, brand and marketing has been considered and franchisees receive support across all relevant media platforms including:

1. Brand Standards
2. Development and Execution of Local Marketing Strategy
3. Key demographic data
4. CycleBar Blast and Grand Opening Support
5. Ongoing Consultation
6. Develop and Disseminate Best Practices
7. Create and Manage On-Line Ad Material and Portal
8. Traditional Media Buying
9. Public Relations and Social Media
10. Develop and Lead Local Marketing 101 Training and Coaching Platform
11. Serves as Field agency for Franchise Locations

See ADDENDUM for brand deck including trademarked logos, brand pyramid, preliminary style guides and environmental graphics.

D. Systems and Technology

CycleBar has taken the fitness industries' best POS, payroll and client management system and improved upon them so that your day-to-day management is as simple and accurate as it can be. Franchisee's are supported in the following operational and system-specific marketing areas:

1. Accounting Systems
2. Inventory Management
3. CRM
4. Prospecting and Ongoing Marketing
5. Marketing Tools
6. Email Campaigns
7. Direct Mail
8. Reporting Tools
9. Client Histories
10. Studio Performance Metrics

E. Training and Ongoing Support

CycleBar Franchising trains franchisees in virtually every possible operational system both pre- and post- opening.

1. CycleBar Initial Training includes:

- a. Genesis and Essence of CycleBar
- b. Operations Manual
- c. Compliance Standards and Policies
- d. Pre-Opening Procedures and Rollout
- e. Studio Services
- f. Marketing-Grand Opening and Ongoing
- g. Personnel
- h. CycleStars
- i. Management
- j. Front Desk
- k. Hiring
- l. Management
- m. Motivation/Employee Engagement
- n. The CycleBar User Experience
- o. Functional: How well do experiences meet customer's needs?
- p. Accessible: How easy is it for customers to do what they want to do when they want to do it?
- q. Emotional: How do customers feel about the experience?
- r. Customer-Centric Culture
- s. Daily Operations
- t. Accounting
- u. Scheduling
- v. Class Training
- w. Building the ARC
- x. Motivation-Building the Visual
- y. CycleBeats
- z. Playlists
- aa. Database
- bb. Transactional Sales
- cc. Personnel Management
- dd. POS Systems and Reporting
- ee. Maintenance

B. CycleBar Onsite Training Includes

- a. 5 Day Onsite Support Visit
- b. Advanced Operational Support and Training
- c. CycleStars Education Support
- d. Front Desk Support
- e. Guerilla Field Marketing

- f. Strategic Marketing Plan
- g. Director of First Impressions Training
- h. Advanced Operational Systems Support
- i. Post Training Support
- j. Field Visits
- k. Marketing Implementation and Executional Support
- l. Franchisee Best Practice Calls
- m. Ongoing Personnel and OPS Personnel Training
- n. Product, Service, and User Experience Innovation

VII. Management Team

Our management team has the experience and expertise to successfully execute on our business plan.

A. CycleBar Franchising LLC Management Team Members

1. Bill Pryor, CEO

Bill Pryor has served as CEO of CycleBar since its inception in April of 2014. Since 2005 he has co-owned and operated Spynergy LLC (now CycleBar) a successful cycling studio located in Wellesley, MA. From 2009 to 2014 he provided business development services to dozens of cycling studio startups through his solely-owned consulting company Spynergy Consulting. Prior to his involvement in indoor cycling, Bill was a senior executive managing multi-million dollar business units in publishing and media companies including The Pohly Company, PennWell Publishing and International Data Group.

2. Lisa Hillman, Chief Creative Officer

In 2010, Lisa Hillman and her business partner opened Go Cycle Studios (rebranded CycleBar) with locations in Royal Oak and Rochester Hills, Michigan. In 2008, Lisa created and founded PoleFit Revolution, a studio featuring a fitness pole dancing class that fostered both physical and emotional empowerment for women. From 1998-2008, Lisa was an instructor and promoted to The Group Fitness and Performance Team Coordinator for Life Time Fitness of Troy and Shelby, Michigan. Tasks associated with these positions included, but not limited to, organizing and launching the grand openings of multiple locations, initiating grassroots marketing efforts, implementing methods to improve the group fitness programs, advised on setup and scheduling of fitness classes, and lead on fitness instructor training and development in all new Life Time Fitness locations.

3. Alex Klemmer, EVP Franchisee Relations

Alex Klemmer is and co-owner and founding partner of Spynergy LLC (now CycleBar) which has successfully operated from 2005 to the present. Alex teaches classes, oversees day to day operations and is responsible for staffing , scheduling, customer service and various other functions of the company. Before leaving the workforce to raise 3 boys she spent 12 years in advertising for a variety of Boston-based media companies.

4. Jimmy Wilde, EVP Field Support

James Wilde has served as the Co-Owner of Go Cycle Studios, LLC (now CycleBar) since its inception in 2010. James graduated from Michigan State University with a degree in Exercise Physiology/Fitness Promotion in 2006. From 2006-2010, he was General Manager of World Gym Fitness Center in Royal Oak, Michigan.

5. Jeff Herr, Director of Franchising and Training

As the Managing Partner of the St. Gregory Development Group, Jeff brings over 20 years of sales and marketing experience to the table. He has founded and led a multitude of companies from start-up phase to multimillion dollar conglomerates.

In the franchising world, Jeff has been one of the most successful sales consultants over the past five years, finishing in the top 1% of franchise sales year after year. Over the same period of time, Jeff has been a multi-unit top producing franchisee and area developer. His keen perspective from every vantage point of franchising ensures that he will bring winning sales and operational strategies to our franchisor clients.

Jeff's primary function with the St. Gregory Development Group is to help existing business owners and/or current franchise systems reach their sales goals and objectives by utilizing proven, innovative sales processes and by implementing and helping to maintain a culture of success within our client's organizations.

7. Jim Jagers, Director of Operations

Jim Jagers cut his teeth in the franchising world at a very young age. An entrepreneur at heart, Jim embarked on his career as an owner operator of a startup franchise in his early 20's and built his operational units into one of the top performing franchisees in the country in less than three years.

His attention to detail and competitive work ethic have helped him create operational systems that we would later use to help our franchisor clients grow their companies on a national basis. During this time, he has also been able to cultivate support systems for his franchisees that were recognized for their efficiencies and adopted nationally.

In addition to mastering the art of operations, Jim also has excelled on the sales and development side of franchising. Through his career, Jim has been able to consistently perform in the top tier of franchise sales and consulting. With his understanding of both sales and operations, Jim provides the cornerstone foundation for St. Gregory and their clients towards achieving their respective goals.

8. Todd Kirby, Director Franchise Development

Todd specializes in franchise recruitment. He is nationally known for his "relationship based" sales techniques. People buy franchises from who they like and trust. Todd never loses site of that mantra in regard to his own sales efforts or the training of employees and clients on behalf of St. Gregory.

In the franchising world, Todd has also been one of the most successful sales consultants in the country finishing in the top 1% year after year. As a result of his strong relationship based selling and outstanding production, Todd has developed strong, deep rooted contacts within the franchising community that continue to produce explosive results for all of our franchisor clients.

Todd's primary function is to assist our franchisor clients in developing a nationally enduring brand and, more specifically, to invest his time in the creation of a "winning" sales process. Todd's goal is always to match our client's investor profile with the appropriate prospects resulting in long-lasting franchisee relationships.

9. Lance Freeman, Executive Vice President of Franchise Development

Mr. Freeman has served as our Executive Vice President Franchise Development since our formation in April 2014 and as Senior Brand Manager for St. Gregory since January 2012. From January 2009 to April 2013, Mr. Freeman was the Director of Franchise Development for Wellbiz Brands, the parent company of the franchisors for Fitness Together and Elements Therapeutic Massage, in Highlands Ranch, Colorado.

10. Gary DeJesus, Director of Marketing and Branding

August 2013, Mr. De Jesus has also been a Professor of Brand Marketing at the Northern Kentucky University Haile/US Bank College of Business in Highland Heights, Kentucky. Since March 2013, Mr. DeJesus has also been a Marketing Consultant for Advengage Marketing in Cincinnati, Ohio. From April 2011 to February 2013, Mr. De Jesus was the Senior Vice President Corporate Development for MKTG INC. in Cincinnati, Ohio. From June 1993 to April 2011, Mr. De Jesus served in various marketing roles for Procter & Gamble in Cincinnati, Ohio, including as Chief Marketing Officer for P&G's Tremor division (word of mouth marketing division) from January 2004 to April 2011.

11. Joe Roda, Director of Legal and Compliance

Joe focuses his professional pursuits in the areas of franchise development and legal matters related thereto. His franchising experience includes developing and structuring franchise systems; developing and assisting in the implementation of regulatory compliance and sales training programs that adhere to federal and state franchising and business opportunity laws; and drafting and negotiating franchise documents and contracts related thereto.

Joe focuses his legal practice on business and commercial law, while maintaining a heavy concentration in franchising, licensing, and distribution matters. He has represented clients in the various stages of business development and counseled clients in litigation and arbitration cases involving violations of federal and state franchise regulations and statutes, violations of

non-compete covenants, theft of trade secrets, misrepresentation and fraud, unfair competition claims under the Lanham Act, and RICO claims, among others.

Practice Areas Include:

- a. Franchising and Licensing
- b. Mergers and Acquisitions
- c. Complex Contracts
- d. Intellectual Property
- e. Business Law & Litigation

12. Kristian Higgs, General Counsel

Mr. Higgs has served as our General Counsel since our formation in April 2014 and as Assistant General Counsel for St. Gregory since January 2012. Mr. Higgs has also served as Chief Legal officer of Mama Mimi's since April 2013. From November 2010 to January 2012, Mr. Higgs acted as an Assistant Prosecuting Attorney for the Hamilton County Prosecutor's Office in Cincinnati, Ohio. From November 2007 to January 2012, Mr. Higgs was an attorney at The Law Firm of Kristian Higgs, Esq. in Cincinnati, Ohio. From November 2010 to October 2011, Mr. Higgs also was the Campaign Manager for Wayne Lippert for Cincinnati City Council. From June 2005 to November 2009, Mr. Higgs was the Deputy Campaign Manager for Chris Bortz for Cincinnati City Council.

13. Steve Habegger, Chief Information Officer

Mr. Habegger has served as our Chief Technology Officer since our formation in April 2014. Mr. Habegger has also served as Chief Information Officer of St. Gregory Development Group, LLC ("St. Gregory") since June 2010, Chief Information Officer of Mama Mimi's Take 'N Bake Pizza ("Mama Mimi's") since April 2013, and Chief Information Officer of VBS Franchising, LLC since July 2010. From January 2006 to January 2010, Mr. Habegger was an IT Developer for Integrity Information Technologies in Dayton, Ohio.

B. Complete Support Team and Organization Structure as of 5/20/15

C-Level Executive Team

Chief Executive Officer	Bill Pryor
President	Heather Harris
Chief Financial Officer	Chris Meibers
Chief Information Officer	Steve Habegger
Chief Cycle Officer	Lisa Hillman

Operations

Director of Operations	Jim Jagers
Director of Business Development	Ziad Razzak
Operations Manager	Katie Breathlitt

Operations Manager
 Director of Merchandising
 Administrative Support
 IT Specialist

Nick Melnyk
 Chris Connor
 Emily Brown
 Chris Jackson

Construction

Construction Manager
 Director of Construction
 General Contractor
 Architect
 Interior Design
 Audio/Visual Specialist

Shinpei Kuo
 Jason Rush
 Larry May
 Hap Pendleton
 Jackie Klein
 Joe Nichols

Real Estate

National Real Estate Project Manager
 Real Estate Specialist

Dan Mitchell
 Dave Nicholson
 Dan McDonald
 Rich Duvall
 James Luy

Legal

General Counsel
 Director of Legal and Compliance
 Assistant Counsel

Kit Higgs
 Joe Roda
 Drew Chalfant

Marketing

Director of Marketing and Branding
 Director of Marketing Operations
 Director of Cause Marketing
 Social Media
 Graphic/Web Design
 Graphic Design
 Copywriter, Content Creation
 Public Relations

Gary DeJesus
 Jordin Cooper
 Michelle Hitchcock
 Kelly Schmidt
 Adam Wolf
 Collin Thomas
 Stacy Sims
 Jackie Reau

Franchisee Relations and Support

EVP Franchisee Relations
 EVP of Field Support
 Director of Franchising and Training
 Director of Training

Alex Klemmer
 Jimmy Wilde
 Jeff Herr
 Vince Czepukaitis

Franchise Development

EVP Franchise Development
 Director of Franchise Development

Lance Freeman
 Todd Kirby

Brand Manager
 Brand Manager
 Franchise Development Admin
 Franchise Development Admin

Nick Sheehan
 Justin LaCava
 Erica Apted
 Rachel Markovic

Franchise Finance

Franchise Finance Specialist
 Franchise Finance Specialist

Steve Stovall
 Sally Skerl

C. CycleBar Mequon Franchise Team Members as of 3/28/16 :

1. **Lauren Schroeder, President of Schroeder Enterprises, LLC, and Owner/Manager of CycleBar Mequon - Full-time, paid employee**
2. **Louis Schroeder, Vice President of Schroeder Enterprises, LLC - Advisory/support position**
3. **Assistant Manager - Full-time, paid employee - undetermined at this time**
4. **CycleStars - class instructors (~10 part-time, paid employees) - undetermined at this time**
5. **Front desk staff (~4 part-time, paid employees) - undetermined at this time**

Attachment: Packet (1596 : CycleBar)

	Mar 27	Mar 28	Mar 29	Mar 30	Mar 31	Apr 1	Apr 2
	SUN	MON	TUE	WED	THU	FRI	SAT
Classic	8:00 AM Bethany L	6:00 AM Jordin C	5:30 AM Jordin C	6:00 AM Bethany L	5:30 AM Jordin C	6:00 AM Jordin C	8:00 AM Bethany L
Classic	9:30 AM Nick M (Sub)	MASHUP Monday! 8:45 AM Angie T (Sub)	Classic 6:30 AM Ziad R	Classic 8:45 AM Ratona H	Classic 6:30 AM Jordin C (Sub)	Classic 8:45 AM Kate S (Sub)	Performance 9:30 AM Melanie V
SUNDAY Brunch	10:45 AM Aiden M (Sub)	Classic 9:45 AM Bethany L	Classic 9:45 AM Kate S (Sub)	Classic 9:45 AM Bethany L (Sub)	Performance 9:45 AM Melanie V	Classic 9:45 AM Angie T (Sub)	Concert Series 10:45 AM Angie T (Sub)
Endurance Capitaled Class C		Classic 6:00 PM Ziad R	Classic 5:00 PM Kate S (Sub)	Rookwood Pop-up Ride 5:30 PM Jordin C	Classic 5:00 PM Bethany L	CB Team Flying Pig! 12:00 PM TBD	Chel-CART-ik team Captain! 11:30 AM Jordin C
		Dance Party! 7:15 PM Taylor M	Classic 6:00 PM Bethany L	Classic 6:00 PM Ziad R	Throwback Thursday 6:00 PM Ziad R	Happy Hour CB Style 5:30 PM Ziad R	Concert- Ho Hopi Jay Z Union Park 12:00 PM Taylor M
			Classic 7:15 PM Taylor M	Dance Party! 7:15 PM Taylor M	Dance Party! 7:15 PM Taylor M	FREE Cycle 1:15 PM Jordin C	

Total number of paid employees (approximate): 16

Projected Hours of Operation as of 3/28/16 :

Above is a sample schedule of classes for a week (taken from CycleBar Hyde Park's website on 3/27/16 - studio located in Cincinnati, OH <<https://hydepark.cyclebar.com>>).

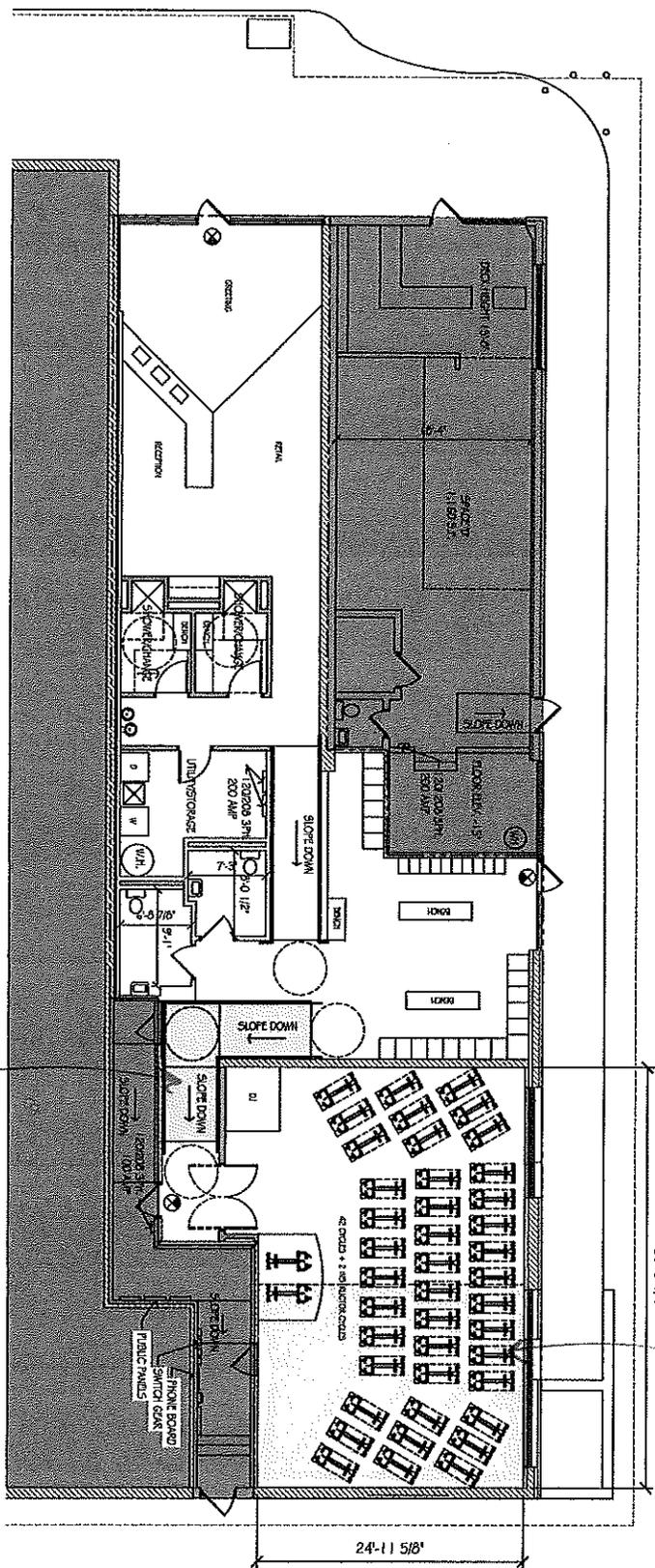
CycleBar Mequon's weekly schedule might look very similar to the one pictured above.

Our all-inclusive, Projected Hours of Operation are:

Monday - Friday: 5:00 A.M. - 9:00 P.M.

Saturday - Sunday: 8:00 A.M. - 6:00 P.M.

Floor Plan 3/7/16



RAPOSA DESIGN
 ARCHITECTURE
 7250 N. GREENBANK LANE
 NEW BERLIN, WI 53151
 (262) 793-3523
 RAPOSADDESIGN@GMAIL.COM

CYCLE BAR
MEQUON PAVILIONS
 MEQUON, WI
 3,284 S.F.

New Ramps

Proposed Plan
 3/26/16



BRIXMORTM

CONDITIONAL USE GRANT

Articles of Agreement made and entered into this 9th day of May 2016, by and between Brixmor LLC, owners of the property located at 11104 N Port Washington Road and the City of Mequon Planning Commission.

Before the Planning Commission of the City of Mequon, Ozaukee County, Wisconsin, in regard to the premise located in Section 29, Range 22 East, in Township 9 North, Ozaukee County, State of Wisconsin, further described as follows:

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

PARCEL NO.:
150290600700

LEGAL DESCRIPTION

Exhibit A-1

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

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

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

GRANTED by action of the Planning Commission of the City of Mequon this 9th day of May 2016

Dan Abendroth, Mayor, Planning Commission Chairperson

Acknowledgment:

STATE OF WISCONSIN))SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2016, the above named, Mayor, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

Planning Commission Secretary

Acknowledgment:

STATE OF WISCONSIN))SS
OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2016, the above named _____, Planning Commission Secretary, to me known to be the person who executed the foregoing instrument and acknowledged the same.

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

Attachment: Packet (1596 : CycleBar)

Conditional Use Grant

The **CONDITIONS** of this Grant are:

1. This grant shall become effective upon the execution and recording by the owners and operators of the Premises of an acceptance hereof in such form as to constitute an effective covenant running with the land.
2. This grant shall expire and become void unless, pursuant to the building and zoning codes of the City, the approved use is commenced or the building permit is obtained within twelve (12) months of the date of Planning Commission approval noted above, or actual construction is commenced within twelve (12) months of the date on which the building permit was issued.
3. This grant is subject to amendment and termination in accordance with the provisions of the Zoning Code of this municipality.
4. Construction and operation of the use granted shall be in strict conformity to the approved site, building, and operations plans filed in connection with the Petition for this Grant, and annexed hereto.
5. Any of the conditions of this Grant which would normally be the responsibility of tenants of the Premises shall be made a part of their lease by the Owner, which lease shall contain provisions for posting of the pertinent conditions to notify employees thereof.
6. This grant shall automatically be null and void if this use is discontinued for a period of twelve (12) months.
7. The City of Mequon shall be held harmless from any claims or losses to the City or its residents including reasonable attorney fees arising from or related to use of the facilities.
8. **Conditions on the Operations:**
 - a. Hours of operation:
 - Monday through Friday: 5:00 A.M. to 9:00 P.M.
 - Saturday: 8:00 a.m. to 6:00 p.m.
 - b. Performance standards relating to parking, noise, vibration, odor, smoke, dust, and light: As per City ordinance and as further designated under letter (e.) below.
 - c. Water supply requirements:
Private Well
 - d. Provisions for sewage disposal:
Public sanitary sewers.
 - e. Other:
 - If the conditional use shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or if material problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten health or safety or to become a nuisance condition, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, or in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.
 - If, despite efforts to prescribe conditions which render the conditional use harmonious in the surrounding neighborhood, problems shall arise with respect to noise, traffic circulation, ingress and egress, parking, unenclosed storage, lighting, maintenance, or any other condition which shall materially threaten the peace and enjoyment of neighboring properties, or shall become hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood, or shall threaten health or safety, the Grantee shall correct or improve such condition, and toward that end, the Planning Commission, after public hearing, may alter, amend or add reasonable additional Conditional User Grant conditions in order to ameliorate such effects, and in the case of violation of the Conditional Use Permit, may revoke the Conditional Use Grant.
9. **Conditions of the structures:**
 - a. Site Plan: N/A
 - b. Landscaping Plan: N/A
 - c. Elevations: N/A
 - d. Sign: As on file with Community Development Department, City of Mequon
 - e. Floor Plan: Exhibit A
 - f. Exterior lighting of the site and building: N/A
 - g. Fence / Wall / Dumpster plan details: N/A
 - h. The building shall comply with the building code.

Conditional Use Grant

10. **Conditions on the site:**

- a. Street access (number, location, design): N/A
- b. Off-Street Parking (location and design including screening thereof): N/A
- c. Outside storage of materials, products or refuse (location and screening thereof): None
- d. Parking, exterior lighting of the site, location design and power: Any changes subject to Planning Commission approval.
- e. Other:

Owner

Acknowledgment:

STATE OF WISCONSIN)

)SS

OZAUKEE COUNTY)

Personally came before me, this ____ day of _____, 2016, the above named _____, Owner, to me known to be the person who executed the foregoing instrument and acknowledged the same.

Notary Public, Ozaukee County, Wisconsin

Receipt of a true Copy of this instrument on behalf of the petitioner acknowledged the ____ day of _____, 2016

Attachment: Packet (1596 : CycleBar)



TO: Planning Commission
FROM: JAMES KEEGAN, DEPUTY DIRECTOR OF ENGINEERING
DATE: April 22, 2016
SUBJECT: Life Homes, Inc. The applicant is seeking fill permit approval in excess of 1,000 cubic yards (specific request is 2,500 c.y.) for the property located at 12813 N. Highland Court.

Applicant: Life Homes, Inc.
Status of Applicant: Property Owner
Requested: Fill Permit Approval
Existing Zoning: R-1 / OA
Existing Land Use Plan: Residential
Lot size: 11.1 Acres
Location: 12813 Highgate Court

Address: 12813 N. Highland Court **Tax Key:** #14-167-00-010.00 **Zoning:** R-1/OA
District: #1

Request: 1. Fill Permit > 1,000 cubic yards

Briefing: The applicant is seeking fill permit approval in excess of 1,000 cubic yards (specific request is 2,500 c.y.) for the property located at 12813 N. Highland Court.

Background:

The applicant requests Planning Commission approval of a Fill Permit to haul in and deposit fill material for a proposed home construction at the above noted location. The applicant anticipates that approximately 2,500 cubic yards of fill will be added to complete the building construction. The Lot is located on High Gate Road, which is a private road owned and maintained by the High Gate subdivision HOA. The lot grading is proposed in a manner such that the neighboring property will not be adversely affected. A retaining wall is proposed along the north property line to accommodate the fill for the approximately 8.3% grade driveway. The proposed private on site wastewater treatment system (POWTS) location has been conditionally approved by the Ozaukee County Sanitation and Zoning Coordinator.

Engineering Report:

James Keegan, Deputy Director of Engineering, has reviewed the application and has the following comments:

The agent has submitted a grading plan as part of their building permit plan submittal and it is currently under review by the Engineering Department. Issuance of a fill permit would be subject to the below conditions:

Staff Recommendation:

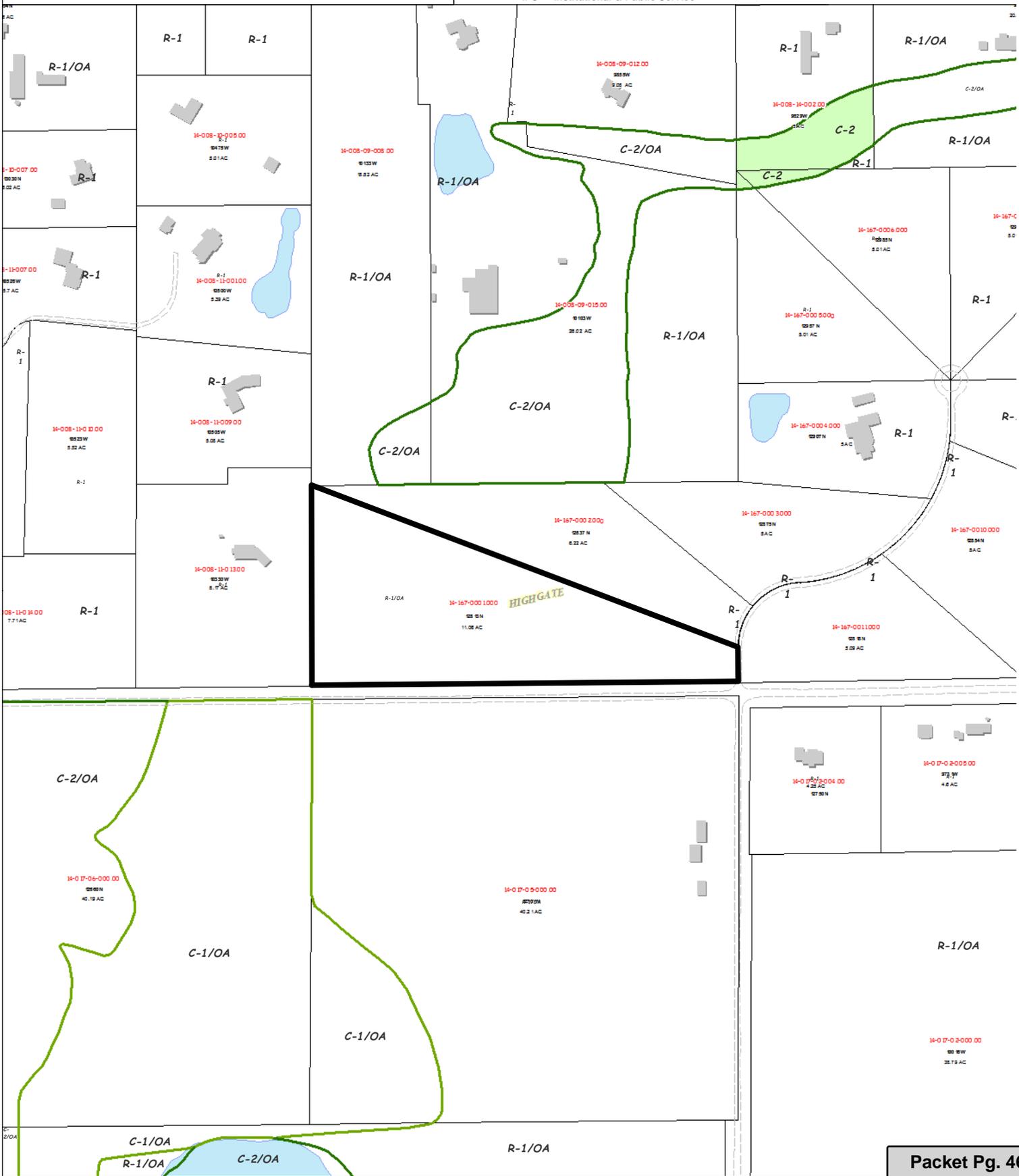
Staff recommends **approval** of this request based on the following conditions:

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

Attachments:
packet (PDF)

Life Homes, Inc.

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



Attachment: packet (1598 : Life Homes)

Life Homes, Inc.



Attachment: packet (1598 : Life Homes)



11333 N. Cedarburg Road, 60W
Mequon, Wisconsin 53092
(262) 242-3100

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

Engineering Department
Permit Application for Filling, Spoil Removal, Pond & Berm Construction or Grading
PLEASE PRINT CLEARLY

AGENT / CONTACT NAME: Life Homes, Inc. PHONE #: 262-547-0326

PROPERTY OWNER NAME: Zhenghao Wu + Yunhong Xu PHONE #: 917-971-0018

AGENT OR OWNER CONTACT ADDRESS: N8W22520-L Johnson Dr.
Waukesha, WI

LOCATION OR ADDRESS OF WORK SITE: 12813 N. Highgate Ct.

Or: DESCRIPTION SW 1/4 of the SE 1/4 SECTION 8 T9N, R 21 E

TAX KEY NO. _____

SUBDIVISION Highgate LOT 1 BLOCK _____

ESTIMATED DATE OF COMPLETION: _____

REASON FOR FILL/REMOVAL/EXCAVATION Extremely High Water Table

Name of contact other than applicant: Kari Stahl PHONE #: 262-547-0326

FEE COMPUTATION

TOTAL CUBIC YARDS TO BE DEPOSITED/REMOVED/EXCAVATED 2500 C.Y.

(Over 1000 cubic yards requires Planning Commission approval)
(Berms greater than 4 1/2' in height requires Planning Commission approval)
(Separate application to the next available Planning Commission meeting is necessary)

\$60.00 - 0 - 250 C.Y.

\$120.00 - 250 C.Y. - 1,000 C.Y.

\$240.00 - 1,001 C.Y. - 5,000 C.Y.

\$360.00 - 5,001 C.Y. - 10,000 C.Y.

\$480.00 - OVER 10,001 C.Y.

} \$ 240

SIGNED: Kari Stahl
OWNER / AGENT

DATE: 4/4/16

ADDRESS N8W22520-L Johnson Dr.

CITY Waukesha STATE WI ZIP 53186

Attachment: packet (1598 : Life Homes)



LAND & WATER MANAGEMENT DEPARTMENT

Andy Holschbach, Director
Edward J. Pfister, Sanitation & Zoning Coordinator
Jeffrey P. Bell, Land & Water Coordinator
www.co.ozaukee.wi.us

February 4, 2016

CUSTOMER ID #231249

William Hoefler
Jerry Hoefler Excavating, Inc.
W1320 Marietta Avenue
Ixonia, WI 53036

Attn: POWTS Inspector

Land & Water Management
Ozaukee County SPIA
P.O. Box 994
Port Washington, WI 53074

**CONDITIONAL APPROVAL
PLAN APPROVAL EXPIRES: 02/04/2018**

SITE:

Zhenghao Wu / Yanhong Xu
12813 N Highgate Court
City of Mequon
Ozaukee County
Lot 1, Highgate
SE¼, SW¼, S8, T09N-R21E

Identification Numbers
Plan I.D. S-16-003
Parcel #14-167-0001.000
Please refer to both of the above numbers when corresponding with this department

FOR:

Description: Proposed 4-Bedroom A+4 Mound System
Object Type: POWTS Component Manual
Maintenance Required; 600 GPD Flow Rate; 14 inch min. soil depth to limiting factor from original grade.
System(s): Mound Component Manual – Version 2.0, SBD-10691-P (N.01/01; R.10/12); Pressure Distribution Component Manual – Version 2.0, SBD-10706-P (N.01/01; R.10/12); Effluent Filter.

The submittal described above has been reviewed for conformance with applicable Wisconsin Administrative Codes and Wisconsin Statutes. The submittal has been **CONDITIONALLY APPROVED**. The owner, as defined in chapter 101.01(10), Wisconsin Statutes, is responsible for compliance with all code requirements.

No person may engage in or work at plumbing in the state unless licensed to do so by the department per s.145.06, stats.

The following conditions shall be met during construction or installation and prior to occupancy or use:

- This system is to be constructed and located in accordance with the enclosed approved plans and with the component manual(s) referenced above.
- A sanitary permit must be obtained from the county where this project is located in accordance with the requirements of **Sec. 145.135 and 145.19, Wis. Stats.**
- Inspection of the POWTS installation is required. Arrangements for inspection shall be made with the designated county official in accordance with the provisions of **Sec. 145.20(2)(d), Wis. Stats.**
- The area within 15 feet horizontally below the system shall remain undisturbed. Vehicular traffic or soil compaction in this area is prohibited.
- The proposed and neighboring wells must maintain a minimum setback of 25 feet from any POWTS tank and 50 feet from the POWTS soil absorption area.

Attachment: packet (1598 : Life Homes)

- A state approved effluent filter is required. Maintenance information must be given to the owner explaining that periodic cleaning of the filter is required. **Access to the filter for cleaning must be provided per SPS 384 product approval conditions.**
- All POWTS component piping materials shall comply with SPS 384, Wisconsin Administrative Code.
- **SPS 383.22(7)** - A copy of the approved plans, specifications and this letter shall be on-site during construction and open to inspection by authorized representatives of the department, which may include local inspectors.

Owner Responsibilities:

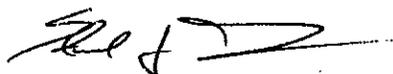
- The current owner, and each subsequent owner, shall receive a copy of this letter including instructions relating to proper use and maintenance of the system. Owner shall receive a copy of the appropriate Operation & Maintenance Manual and / or Owner's Manual for the POWTS described in this approval.
- **SPS 383.52(1)(a)** - The owner of a POWTS shall be responsible for ensuring that the operation and maintenance of the POWTS occurs in accordance with this chapter and the approved management plan under s. **SPS 383.54(1)**.
- **SPS 383.52(2)** - A POWTS that is not maintained in accordance with the approved management plan or as required under s. **SPS 383.54(4)** shall be considered a human health hazard. In the event this soil absorption system or any of its component parts malfunctions so as to create a health hazard, the property owner must follow the contingency plan as described in the approved plans.
- The owner is responsible for submitting a maintenance verification report acceptable to the county for maintenance tracking purposes. Reports shall be submitted at intervals appropriate for the component(s) utilized in the POWTS.

Through the granting of this approval, this department reserves the right to require any necessary changes or additions to ensure code compliance. State stat 101.12(2) requires that nothing in this review shall relieve the designer of the responsibility for designing a safe building, structure, or component.

Inquiries concerning this correspondence may be made to me at the telephone number listed below, or at the address on this letterhead.

The above left addressee shall provide a copy of this letter to the owner and any others who are responsible for the installation, operation or maintenance of the POWTS.

Regards,



Edward J Pfister
Sanitation and Zoning Coordinator
(262) 248-8316
epfister@co.ozaukee.wi.us

Fee Required	\$250.00
Fee Received	\$250.00
Balance Due	\$0.00
Receipt #15792	

Attachment: packet (1598 : Life Homes)

Phone (262) 567-6982
 FAX (920) 261-4799
 E-mail: jerry@hoeflerexcavating.com



W1320 Marietta Avenue
 Ixonia, Wisconsin 53036
 Cert. # 222479

COVER LETTER

Ozaukee County
 Land & Water Management Department
 P.O. Box 994
 Port Washington, WI. 53074-0994

January 21, 2016

P.O.W.T.S.
 Conditionally
APPROVED

[Signature]
 Ozaukee County Designated Agent

2-4-2016
 SEE CORRESPONDENCE

Project:

Zhenghao Wu & Yanhong Xu Mound System

Project Location: 12813 N. Highgate Ct.

Lot 1 Highgate / SE1/4, SW1/4, S8, T9N, R21E

City of Mequon / #14-167-0001.000

Ozaukee County, WI

POWTS Plan Reviewer

Enclosed, please find a set of mound system plans for a new 4 bedroom home for Zhenghao Wu/Yanhong Wu at the above location. The following component manuals were used in this design:

- A. "Mound Component Manual For Private Onsite Wastewater Treatment Systems" (Version 2.0) SBD-10691-P (N.01/01).
- B. "Pressure Distribution Component Manual For Private Onsite Wastewater Treatment Systems" (Version 2.0) SBD-10706-P (N 01/01).

If you have any questions in regard to these plans, please call me at 262-567-6982 or 414-491-3328.

Sincerely,

[Signature]

William Hoefler
 231249

Table of Contents:

Page 1	Cover Letter
Page 2	Plot Plan
Page 3	Mound Calculations
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Page 5	Mound Pipe Configuration
Page 6	Mound Cross Section and Mound Plan View
Page 7	Pump Curve
Page 8	Maintenance Manual
Page 9	Maintenance Manual
Page 10	Contact People
Page 11	Zabel Filter Maintenance Soil Test

RECEIVED

JAN 25 2016

OZAUKEE COUNTY
 LAND & WATER
 MANAGEMENT DEPT.

Page 1

Plan I.D. S- 16-003

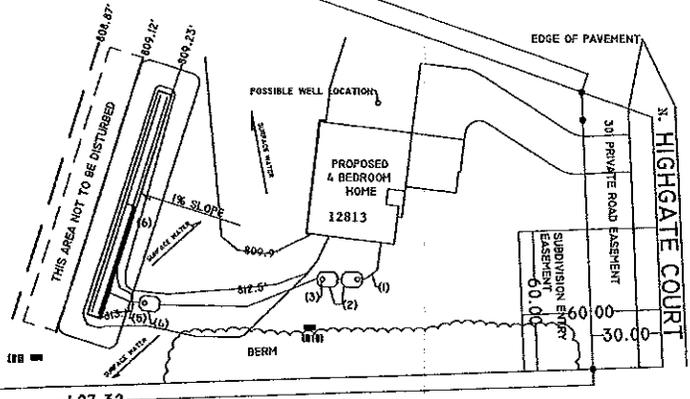
Packet Pg. 51

Attachment: packet (1598 : Life Homes)

WETLAND PRESERVATION EASEMENT

11.062 ACRE PARCEL

- (1) 4" pvc installed as per SPS 382.30
 - (2) 2 - 1000 gal. septic tanks
 - (3) A - 100 Zabel filter WITH ALARM
 - (4) 1000 gal. lift pump tank
 - Pump Base Elevation: 807.3'
 - (5) 3" pvc forcemain
 - (6) mound type septic system 25.4' x 122.4' (125.0' diagonal)
- Cell Elevation: 811.1'
- all tanks mfg. by Lakeshore Burial Vault Co.
SEWER TO EXIT THROUGH WALL



Attachment: packet (1598 : Life Homes)



HIGHLAND ROAD

Plan I.D. S- 16-003

page 2

PHONE: 262-567-6982 FAX: 828-267-4790 E-MAIL: jerry@kooferexcavating.com

Lot 1 Highgate

owner approval:

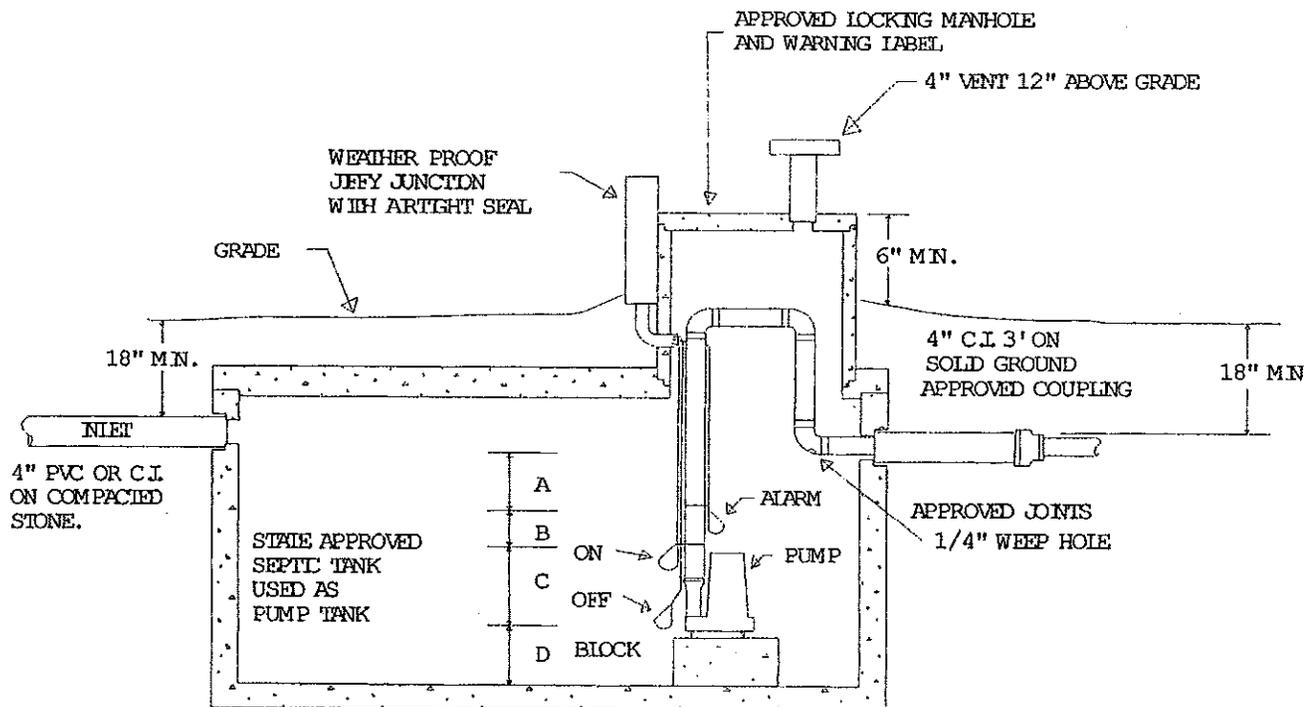
Owner: Dr. Zhenghao Wu & Yanhong Xu Location: 12813 N. Highgate Court SE 1/4 SW1/4 S8 T9N R21E City of Mequon, Ozaukee Co, WI #14-167-0001.000 Scale: 1"= 40' Date: 1/16/16 Cert # 23124

Mound Calculations (BED)

<i>General Information</i>	<i>Calculated Value</i>	<i>Actual Value</i>
1.) Daily Wastewater Flow	600.00 Gal.	600. Gal.
2.) Design Rate of Soil	0.40 Gal/Sq Ft/Day	0.4 Gal/Sq Ft/Day
3.) Depth to Limiting Factor	1.16 Feet	1.16 Feet
4.) Landslope	1.00 % Slope	1. % Slope
5.) Distance from Dose Chamber to Distr. Sys.	60.00 Feet	60.0 Feet
6.) Elevation Between Pump & Distr. Sys.	5.50 Feet	5.5 Feet
7.) Bed Area Required	600.00 Sq Feet	600.0 Sq Feet
8.) Basal Area Required	1500.00 Sq Feet	1500.0 Sq Feet
9.) Basal Area Available	1600.52 Sq Feet	1600.5 Sq Feet 1610
<i>Mound Information</i>	<i>Calculated Value</i>	<i>Actual Value</i>
(A) Bed Width	6.00 Feet	6.0 Feet
(B) Bed Length	100.00 Feet	100.00 Feet
(D) Sand Fill Depth Upslope	1.84 Feet	1.8 Feet
(E) Sand Fill Depth Downslope	1.90 Feet	1.90 Feet
(F) Bed Depth	0.84 Feet	0.84 Feet
(G) Cap & Topsoil Depth (Outer Edges)	0.50 Feet	0.5 Feet
(H) Cap & Topsoil Depth (Center)	1.00 Feet	1.00 Feet
Downslope Correction Factor	1.03	
Downslope Ratio	3.00	
(I) Downslope Width	10.01 Feet	10.1 Feet
Upslope Correction Factor	0.971	
(J) Upslope Width	9.25 Feet	9.30 Feet
(K) Endslope	11.12 Feet	11.20 Feet
(L) Total Mound Length	122.23 Feet	122.40 Feet
(W) Total Mound Width	25.25 Feet	25.40 Feet
<i>Distribution Pipe Sizing</i>	<i>Calculated Value</i>	<i>Actual Value</i>
(P) Lateral Length	48.44 Feet	48.5 Feet
(R) Lateral Spacing	3. Feet	3.0 Feet
(X) Hole Spacing	37.50 Inches	37.5 Inches
(Y) Last Hole Spacing	37.50 Inches	37.5 Inches
1.) Num. Holes per Pipe	16.00	16.
2.) Lateral Size	1 1/2 "	1 1/2 "
3.) Num. of Laterals	4	4
4.) Lateral to Sidewall Distance	1.50 Feet	1.5 Feet
5.) Hole Size	1/4 "	1/4 "
6.) Flow per Pipe	18.72 GPM	18.72 GPM
<i>Forcemain & Manifold sizing</i>	<i>Calculated Value</i>	<i>Actual Value</i>
1.) Mainifold Type (Center or End)	Center	Center
2.) Manifold Length	3. Feet	3. Feet
3.) Manifold Diameter	3 "	3 "
4.) Forcemain Diameter	3 "	3 "
5.) Forcemain Length	60.00 Feet	60. Feet
<i>Total Dynamic Head</i>	<i>Calculated Value</i>	<i>Actual Value</i>
1.) System Head	3.25 Feet	3.25 3.3 Feet
2.) Vertical Lift	5.5 Feet	5.5 Feet
3.) Friction Loss	0.88 Feet	1.23 Feet
4.) Total Dynamic Head	9.63 Feet	9.98 Feet
<i>Pump Information</i>	<i>Calculated Value</i>	<i>Actual Value</i>
1.) Pump Manufacturer/Model #	Barnes SE421	Barnes SE421
2.) Pumps Minimum Discharge Rate	74.88 GPM	90.0 GPM
3.) Minimum Head Pressure @ Rated Flow	9.63 Feet	9.6 Feet
<i>Dose Chamber & Dose Volume Information</i>	<i>Calculated Value</i>	<i>Actual Value</i>
1.) Dose Chamber Volume	1000 Gal	1000 Gal
2.) 5 x Void Volume of Distribution Lines	89.13 Gal	89.1 Gal
3.) Wastewater / 5 Doses in 24 hrs.	120. Gal	120.0 Gal
4.) Backflow	22.08 Gal	22.1 Gal
5.) Minimum Dose	142.08 Gal	142.1 Gal
<i>Sand & Stone Required</i>	<i>Calculated Value</i>	<i>Actual Value</i>
1.) Sand Required	312.38 Tons	312.38 Tons
2.) Stone Required	27.83 Tons	27.8 Tons

Attachment: packet (1598 : Life Homes)

Pump Tank Cross Section



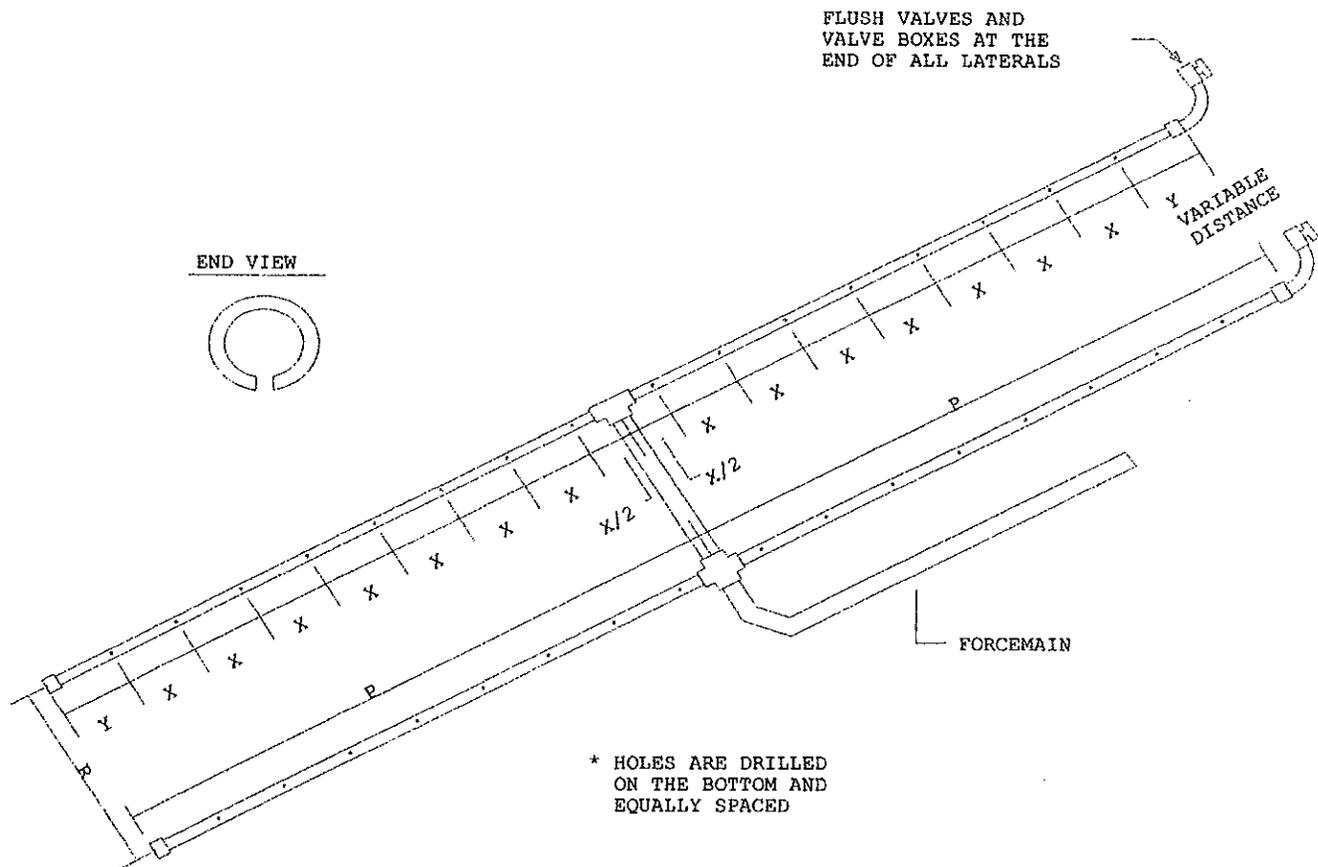
1000 Gal. Lake Shore tank
27 Gallons per inch

A=	19.8	Inches or	533.9	Gal
B=	2.0	Inches or	54.0	Gal
C=	5.3	Inches or	142.1	Gal
D=	10.0	Inches or	270.0	Gal

<i>Pump Information</i>		<i>Total Dynamic Head</i>	
1.) Pump Manufacturer/Model #	Barnes SE421 ✓	1.) System Head	3.25 Feet
2.) Alarm Manufacturer/Model #	Jiffy Junction/JJ-1	2.) Vertical Lift	5.5 Feet
* Mechanical Type Floats		3.) Friction Loss	1.23 Feet
* Pump & Alarm are to be wired on separate circuits		4.) Total Dynamic Head	9.98 Feet
		5.) Pumps Min Discharge Rate	74.88 GPM
		6.) Pumps Actual Discharge Rate	90. GPM
<i>Forcemain Information</i>		<i>Dosing Information</i>	
1.) Forcemain Diameter	3. Inches	1.) 5 Doses per Day @	120. Gal each
2.) Forcemain Length	60. Feet	2.) Backflow	22.08 Gal
		3.) Total Dose	142.08 Gal

Plan I.D. S- 16-003

Mound Pipe Configuration

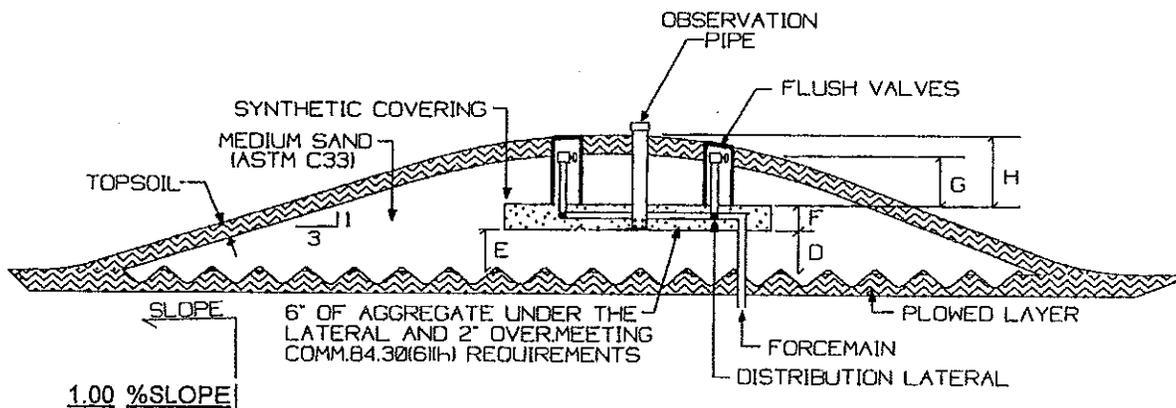


<i>Distribution Pipe Sizing</i>	<i>Actual Value</i>
(P) Lateral Length	48.5 Feet
(R) Lateral Spacing	3.0 Feet
(X) Hole Spacing	37.50 Inches
(Y) Last Hole Spacing	37.50 Inches
1.) Lateral Size	1 1/2 "
2.) Hole Size	1/4 "
3.) Manifold Size	3.0 "
4.) Forcemain Size	3.0 "
5.) Num. Holes per Pipe	16.0

NOTE: Extend the end of each lateral up with long turn 45 degree fittings to a point within 6" of final grade. (Design of this system as per Pressure Dist. Manual Version 2)

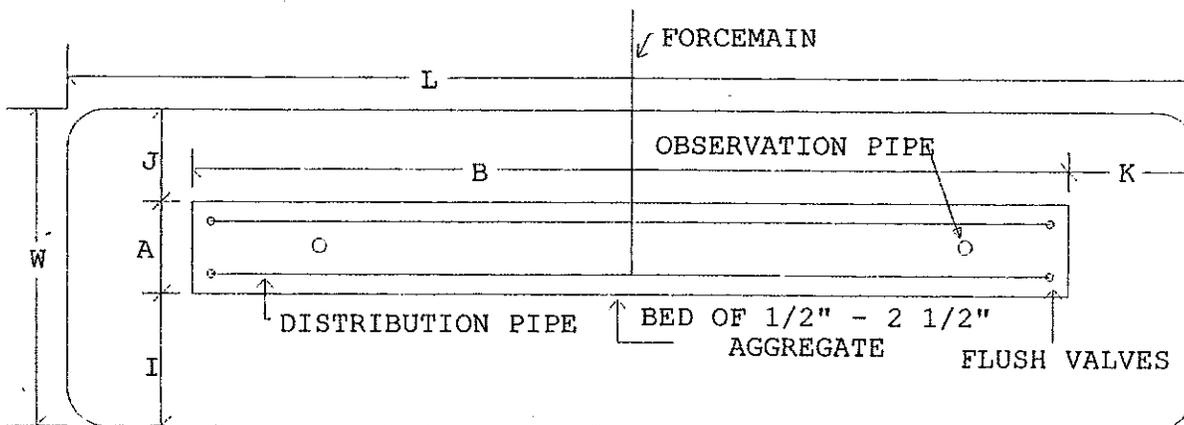
Plan I.D. S- 16-003

Mound Cross Section



<i>Side View Dimensions</i>	<i>Actual Value</i>
(D) Sand Fill Depth Upslope	1.84 Feet
(E) Sand Fill Depth Downslope	1.90 Feet
(F) Bed Depth	0.84 Feet
(G) Cap & Topsoil Depth (Outer Edges)	0.50 Feet
(H) Cap & Topsoil Depth (Center)	1.00 Feet

Mound Plan View



<i>Top View Dimensions</i>	<i>Actual Value</i>
(A) Bed Width	6.00 Feet
(B) Bed Length	100.00 Feet
(I) Downslope Width	10.10 Feet
(J) Upslope Width	9.30 Feet
(K) Endslope Width	11.20 Feet
(L) Total Mound Length	122.40 Feet
(W) Total Mound Width	25.40 Feet

NOTE: This system is to be designed as per Mound Component Manual For Private Onsite Wastewater Treatment Systems (Version 2.0) SBD-10691-P
 Observation Wells are to have slots cut in the bottom 6" with suitable means of anchoring.
 The observation pipes are to be placed at opposite ends of the cell 1/5 to 1/10 the length of the cell. The synthetic fabric being used is to conform with Comm 84.30(6)(g)

Plan I.D. S- 16-003

SERIES: SE411 & SE421

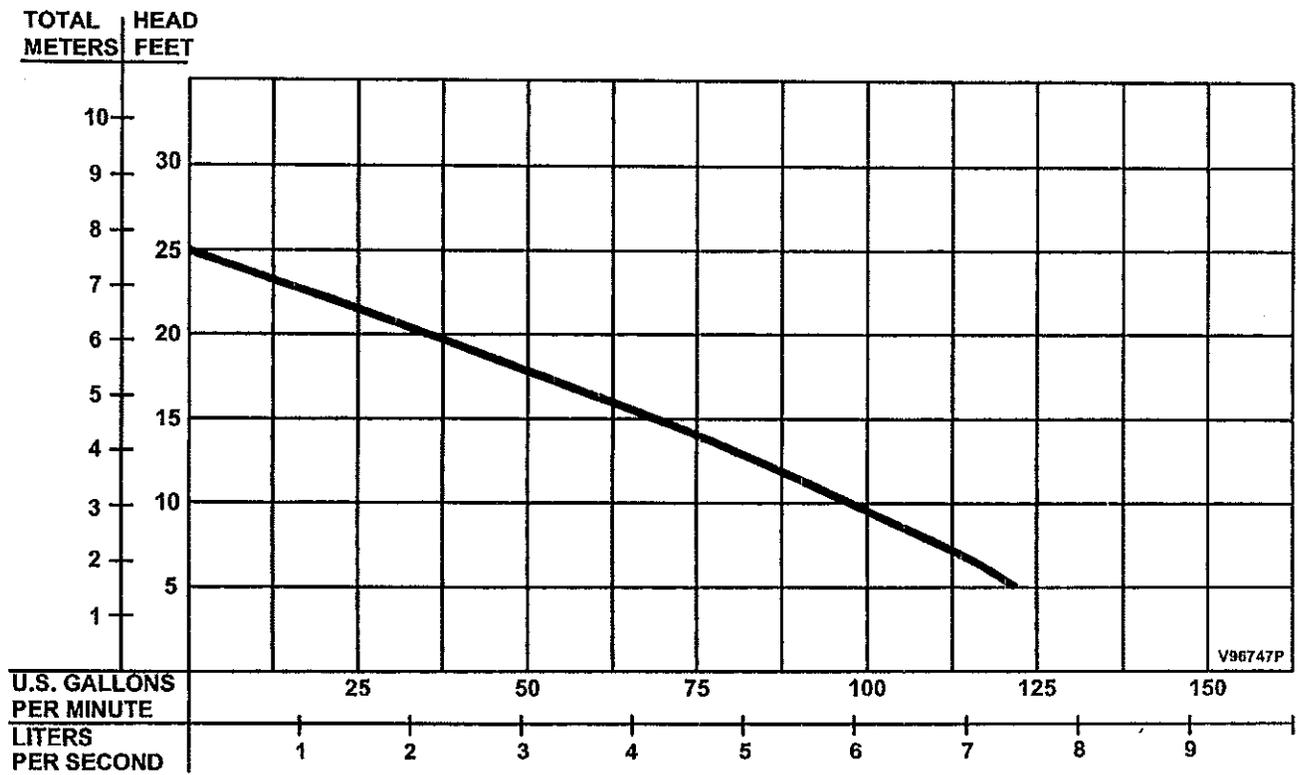


PLATE 16-003

Attachment: packet (1598 : Life Homes)

MANAGEMENT PLAN / MAINTENANCE MANUAL

This POWTS has been designed to accommodate a maximum flow of 600 gallons of domestic wastewater per day.

The quality of influent discharged into the POWTS treatment or dispersal component shall be less than or equal to the following:

- . a monthly average of 30 mg/L fats, oil, and grease.
- . a monthly average of 220 mg/L BODs.
- . a monthly average of 150 mg/L TSS.

Wastewater shall not be discharged to the POWTS in quantities or qualities that exceed these limits or that result in exceeding the enforcement standards and preventative action limits specified in ch. NR 140 Tables 1 & 2 at a point of standards application, except as provided in SPS 383.03(4), Wis. Admin. Code.

The owner of this POWTS is responsible for system operation and maintenance. We recommend the following maintenance shall occur within two (2) years of the date of installation and at least once every two years thereafter:

SEPTIC TANK:

1. The septic tank shall be pumped by a certified septage servicing operator, licensed under s.281.48, Wis Stats, unless inspection by a licensed master plumber or other person authorized to make such inspection, finds less than one-third (1/3) of the tank volume occupied by sludge and scum. More frequent pumping may be necessary to prevent solids from exceeding one-third (1/3) of the volume of the tank.

When the septic tanks need to be pumped, an auxiliary pump may be required if the distance from the closest pumping surface is over 150 ft. or the vertical lift is over 15 ft.

Wastes shall be disposed of by the pumper in accordance with ch. NR 113, Wis. Admin. Code.

At each pumping the pumper must visually inspect the condition of the tank, baffles, risers and manhole cover and verify that any required locks are present.

No one should enter a septic or other treatment tank for any reason without being in full compliance with OSHA standards for entering a confined space. The atmosphere within these tanks may contain lethal gases, and rescue of a person from the interior of the tank may be difficult or impossible.

SEPTIC FILTER:

1. Septic filter will be located at the outlet of the second compartment of a 2-compartment tank or at the outlet of the second tank if 2 tanks are in series.
2. Septic Filter needs to be cleaned:
 - A) When plugging occurs or effluent is higher than normal. (if this occurs, clean more frequently)
 - B) Every time septic tank is pumped. (we recommend every 2 years)
 - C) Provisions must be made to retain solids in the tank before pulling the filter.

LIFT CHAMBER AND LIFT PUMP:

1. Lift chamber to be pumped when:
 - A) Pump whenever the septic tank is pumped.
 - B) When a pump failure occurs to prevent overloading of the dispersal component.
2. Lift pump needs repair when:
 - A) The high-water alarm goes off with the visual and or audio alarm.
 - B) Backup due to pump not working and alarm not working.

MOUND TYPE DISPERSAL COMPONENT:

1. Needs to be inspected a minimum of every 3 years for ponding in the observation wells and for surface discharge.
2. Flush lines through the flush valves:
 - A) Minimum of every 3 years.
 - B) Pumping time is longer than at time of installation.
 - C) Reduce time intervals if sludge or particles are found at time of dosing. (also check septic filter)
 - D) Flush lines if the septic tank or lift chamber has become overfull and permitted sludge to be pumped into the mound.
3. Mound may fail due to:
 - A) Age of system.
 - B) Driving on or compacting system and area is downslope of system.
 - C) Removal of snow or compacting snow on the mound, which will allow the mound to freeze.
 - D) Improper maintenance.
 - E) Improper ground cover and inappropriate activity over the mound area.
 - F) Improper ground water control.

MOUND FAILURE CONTINGENCIES:

1. If mound fails:
 - A) Recore mound bed if pooling occurs or stone plugs.
 - B) Remove & replace mound if leaking occurs at base or toe of mound.
 - C) If the weather prevents the mound component of the system from being installed, the septic and pump tanks will be used as temporary holding tanks. When the weather permits the installation of the mound component, the tanks will be converted back to septic and pump tanks again.

CONTACT PERSONS OR AUTHORITIES**FOR SERVICE CONTACT:**

Jerry Hoefler Excavating Inc.
W1320 Marietta Ave.
Ixonla, WI. 53036
Phone // 262-567-6982

LOCAL HEALTH AUTHORITY:

Ozaukee County
Land & Water Management Department
P.O. Box 994
Port Washington, WI. 53074-0994
Phone # (262) 284-8313
Metro: 262-238-8313

Attachment: packet (1598 : Life Homes)



A100/A300-12

Filter Maintenance

The interval for servicing septic tanks is set by state and local code. Throughout the United States there is a wide difference of opinion on what this interval should be, but most regulatory agencies suggest two to five years. The Zabel® filter, which does not increase the frequency of servicing for the tank, should be cleaned when the septic tank is normally inspected and pumped. However, our filter is virtually self-cleaning. The continued action of the anaerobic organisms on the Zabel filter causes lodged particles to disintegrate and fall to the bottom of the tank. If your filter contains a SmartFilter™ alarm, you will be notified by an alarm when the filter needs servicing.

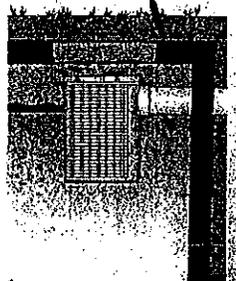


To service the filter:

**Servicing any zabel filter should only be done by a certified septic tank pumper or installer.*

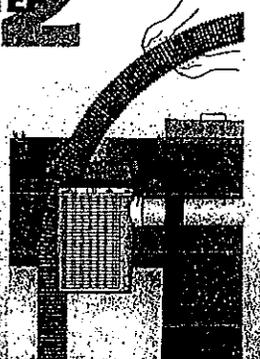
STEP 1

Locate the outlet of the septic tank.



STEP 2

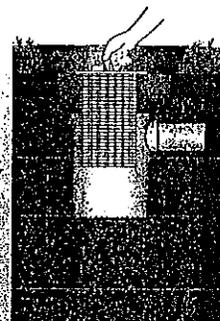
Remove the tank cover and pump the tank if necessary to prevent any solids from escaping to the field when the filter is removed.



STEP 3

Firmly pull the filter handle and slide the cartridge out of the case.

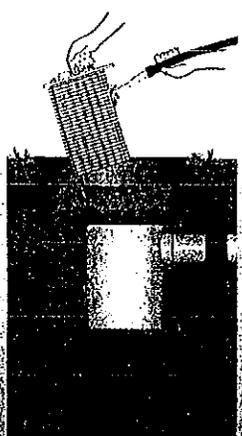
**Note: A tee handle may have to be used if the filter is too far below ground level to reach. Contact Zabel for info on tee handles*



STEP 4

While holding the cartridge over the access opening rinse off the cartridge with fresh water, being careful to rinse all septage material back into the tank.

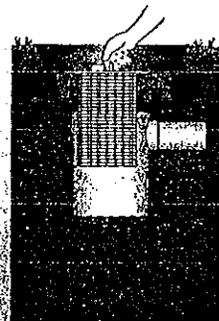
**Note: It is not necessary to clean the filter "spotless". The biomass growing on the filter aids in the pretreatment process and should be left on the filter. (If necessary, the cartridge may be disassembled for cleaning.)*



STEP 5

Insert the filter cartridge back in the case making sure the filter cartridge is properly aligned and completely inserted in the case.

Replace the septic tank cover.



The product(s) shown are covered by the following patents:

U.S. 4,710,295, 5,593,584 Other Patents Pending

Call for a free ZABEL ZONE™ 1-800-221-5742 • Or Order Online: www.zabel.com

011001-180

Plan I.D. S- 16 - 003



LAND SURVEYORS
 KUOKKANEN & ASSOCIATES, INC.
 910 ELM GROVE ROAD
 ELM GROVE, WI 53122
 PHONE: 262-782-8690



PROPOSED GRADING PLAN

PREPARED FOR: ZHENGHAO WU & YANHONG XU / LIFE HOMES, INC.

LOCATION: 12813 N. HIGHGATE COURT (CITY OF MEQUON)

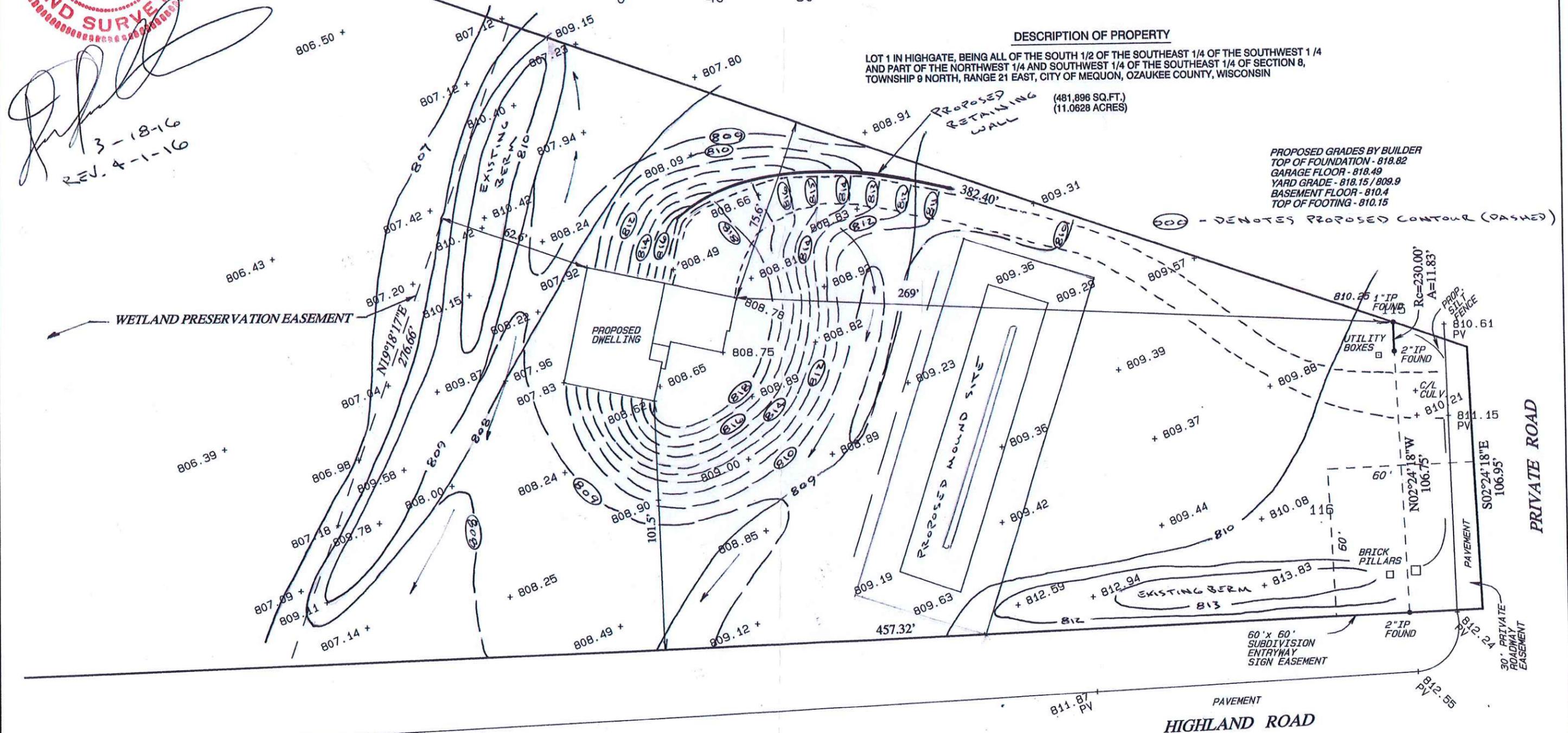
DESCRIPTION OF PROPERTY

LOT 1 IN HIGHGATE, BEING ALL OF THE SOUTH 1/2 OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 AND PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWNSHIP 9 NORTH, RANGE 21 EAST, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN

(481,896 SQ.FT.)
 (11.0628 ACRES)

PROPOSED GRADES BY BUILDER
 TOP OF FOUNDATION - 818.82
 GARAGE FLOOR - 818.49
 YARD GRADE - 818.15 / 809.9
 BASEMENT FLOOR - 810.4
 TOP OF FOOTING - 810.15

800 - DENOTES PROPOSED CONTOUR (DASHED)



[Handwritten signature]
 3-18-16
 REV. 4-1-16

PROPERTY SURVEY

PREPARED FOR: ZHENGHAO WU & YANHONG XU / LIFE HOMES, INC.

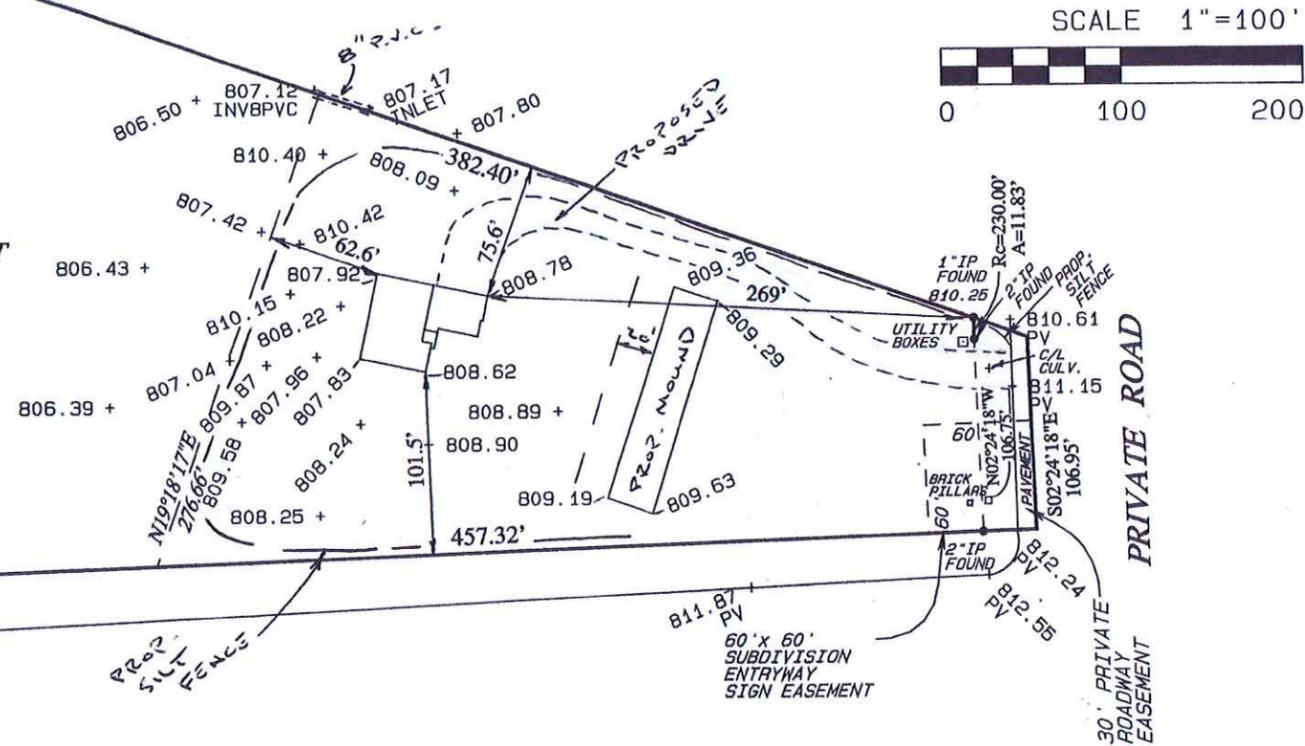
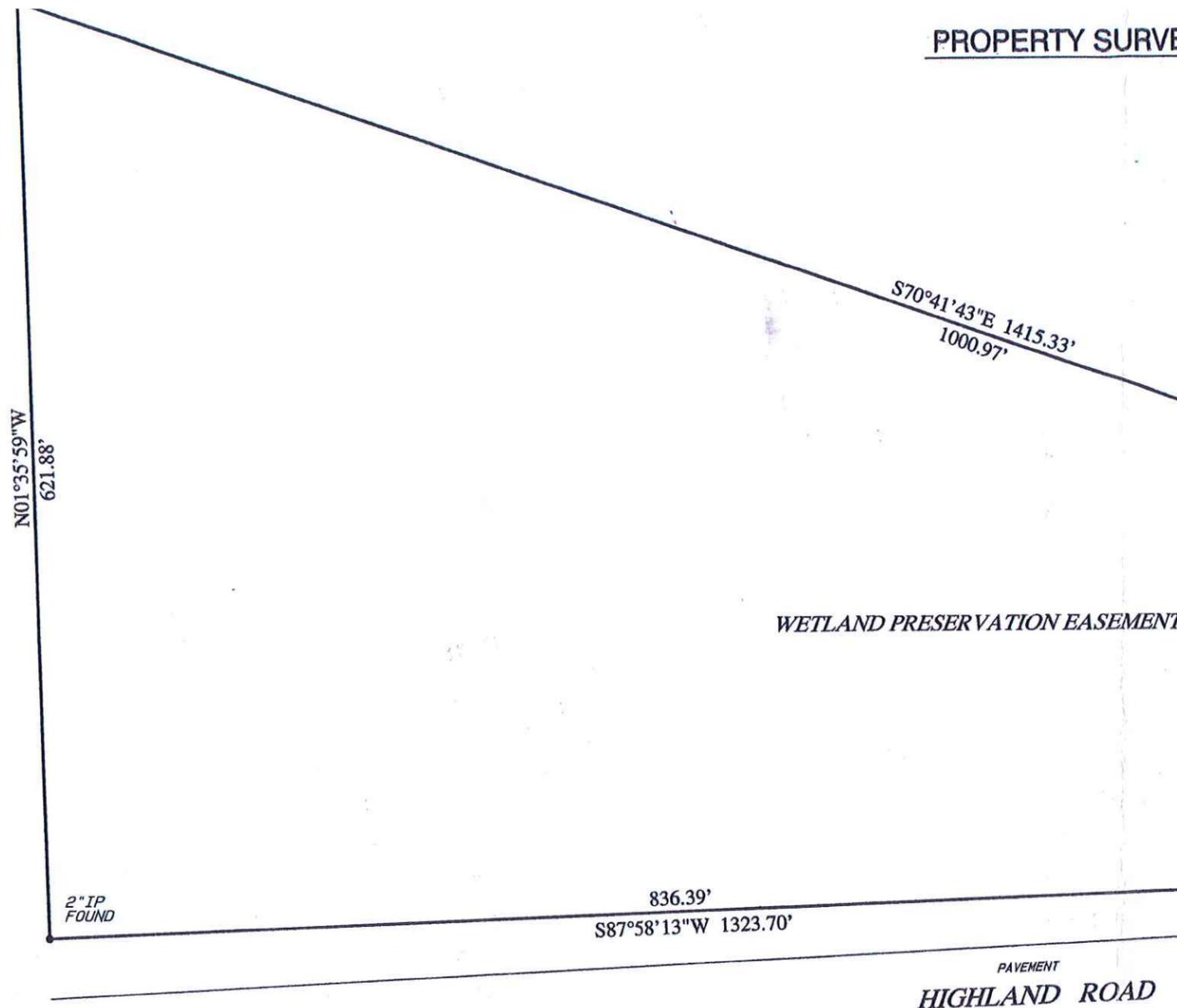
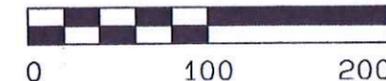
LOCATION: 12813 N. HIGHGATE COURT (CITY OF MEQUON)

DESCRIPTION OF PROPERTY

LOT 1 IN HIGHGATE, BEING ALL OF THE SOUTH 1/2 OF THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 AND PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 8, TOWNSHIP 9 NORTH, RANGE 21 EAST, CITY OF MEQUON, OZAUKEE COUNTY, WISCONSIN
(481,896 SQ.FT.)
(11.0628 ACRES)



SCALE 1"=100'



LAND SURVEYORS
KUOKKANEN & ASSOCIATES, INC.
910 ELM GROVE ROAD
ELM GROVE, WI 53122
PHONE: 262-782-8690

SURVEY CERTIFICATE

I HAVE SURVEYED THE ABOVE-DESCRIBED PROPERTY AND THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION AND DIMENSIONS OF ALL VISIBLE STRUCTURES THEREON, FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE YEAR FROM DATE HEREOF.



NOVEMBER 20, 2015

DATE REV. 2-29-16
3-2-16
3-16-16

KIT KUOKKANEN
REGISTERED LAND SURVEYOR
S-1177

HOUSE DETAIL
SCALE: 1"=30'



PROPOSED GRADES BY BUILDER
TOP OF FOUNDATION - 818.82
GARAGE FLOOR - 818.49
YARD GRADE - 818.15 / 809.9
BASEMENT FLOOR - 810.4
TOP OF FOOTING - 810.15

NOTE: SEE ATTACHED
GRADING PLAN AT
SCALE 1"=40'

JOB NO. 15-696-1440



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

www.ci.mequon.wi.us

Office of Community Development

TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 22, 2016
SUBJECT: David Kriegel. The applicant is seeking setback waiver approval for the property located at 5103 W. Westfield Road.

Applicant: David Kriegel
Status of Applicant: Property Owner
Requested: Setback Waiver
Existing Zoning: R-4 (Suburban Residential)
Existing Land Use Plan: Residential 1 Acre
Lot size: 1.09 Acre
Location: 5102 W. Westfield Road

Address: 5103 W. Westfield Road **Tax Key:** #14-056-03-05-000 **Zoning:** R-4
District: #4

Request: 1. Setback Waiver

Briefing: The applicant is seeking setback waiver approval for the property located at 5103 W. Westfield Road.

Background: The applicant is seeking approval to construct a 2,022 square foot addition to a dwelling located at 5103 W Westfield Road. The existing dwelling and the proposed addition are non-conforming to the front yard setback. The proposed addition will not encroach any further into the front setback than the existing structure. The proposed addition is located on the west side of the existing structure (see site plan). The addition includes a breezeway and attached garage.

The applicant has standing to apply for this request through Planning Commission without seeking a variance due to an ordinance change in 2003 related to existing structures which are non-conforming to the required front yard setback. The ordinance is intended to provide greater flexibility in allowing more reasonable expansion of non-conforming structures.

Setback Exception:

According to the code, additions to existing buildings which lack the required setback may be allowed if the following is met:

1. The addition is setback at a distance at least equal to the existing building setback,
2. The Planning Commission determines that the addition will neither impede any likely public improvements nor cause any hardship, inconvenience or diminution in value to any adjacent properties and,
3. The Planning Commission further determines that the addition will be harmonious with neighborhood properties.

In this case, the property is located in the R-4 district along a local street, which requires a setback of 50 feet. The proposed addition is shown to be located 41 feet from the Westfield Road right of way. Because the proposed addition is located outside of the ultimate right-of-way, it should not impede any public improvements nor create a public safety issue.

The proposed addition will not create a negative visual impact along the public road, due to the fact it is set back at the same distance as the existing structure. The addition is intended to blend in with the existing structure by matching the existing brick veneer (please see attached elevations). The plan will reviewed by the Architectural Review Board at its May 9th meeting.

Staff Recommendation:

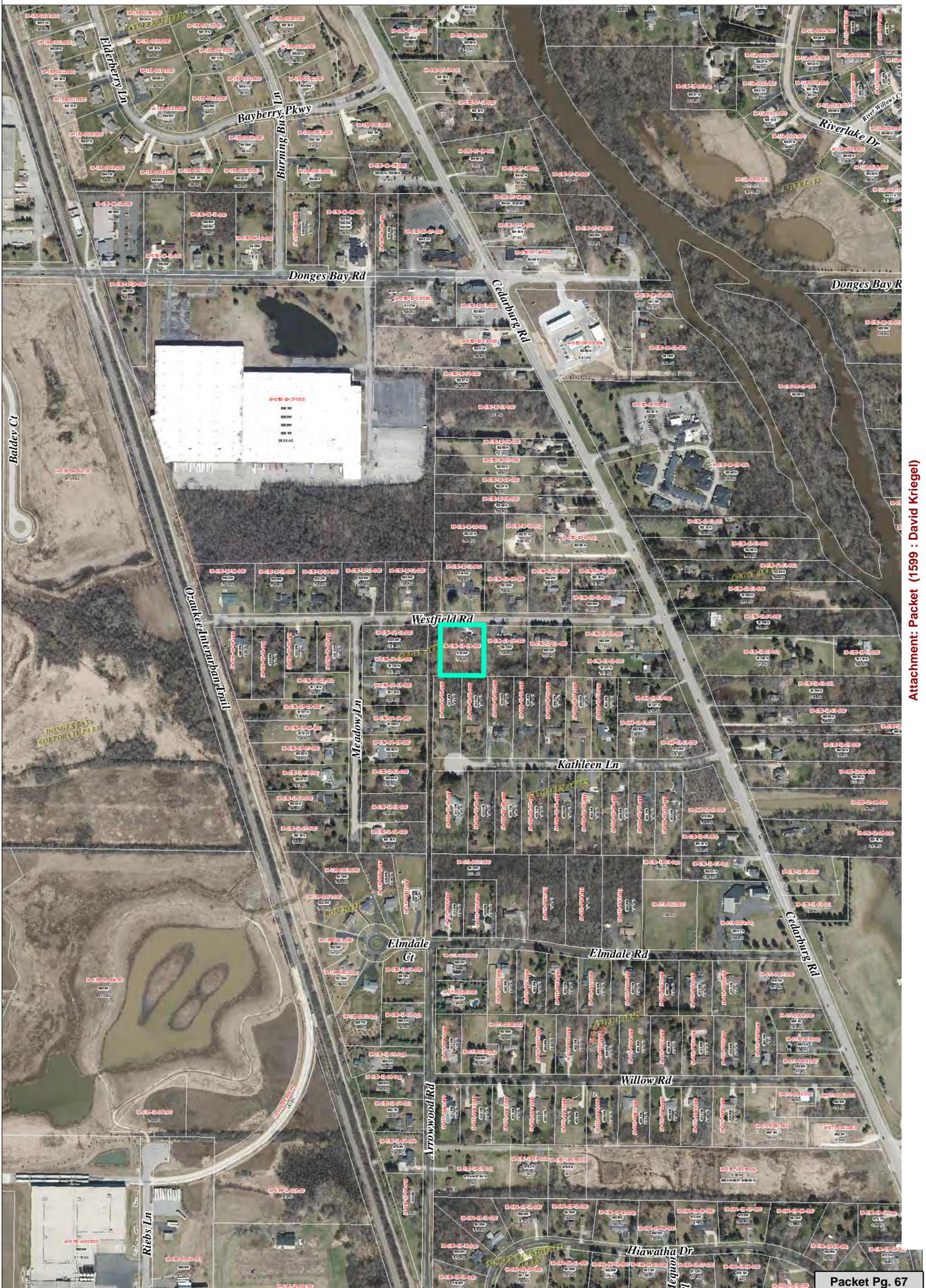
Planning staff recommends approval of the building addition within the required front yard setback based on the following condition(s):

1. Staff approval of final site, floor and elevation plans.
2. Architectural Review Board approval of the addition.

Attachments:
Packet (PDF)



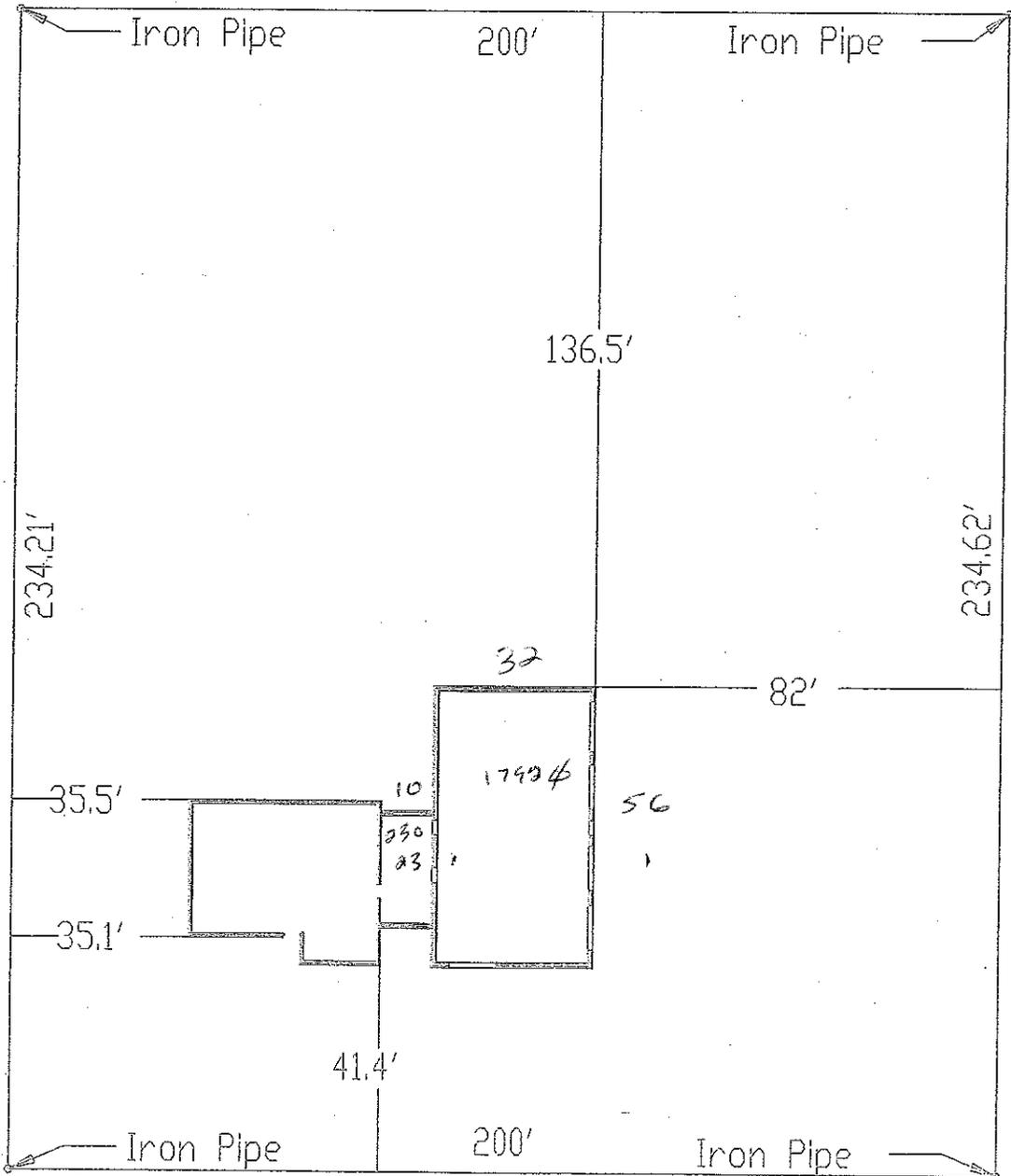
David Kriegel



Attachment: Packet (1599 : David Kriegel)

LOT 5, BLOCK 3, CEDAR ACRES, NE 1/4 SECTION 35-9-21

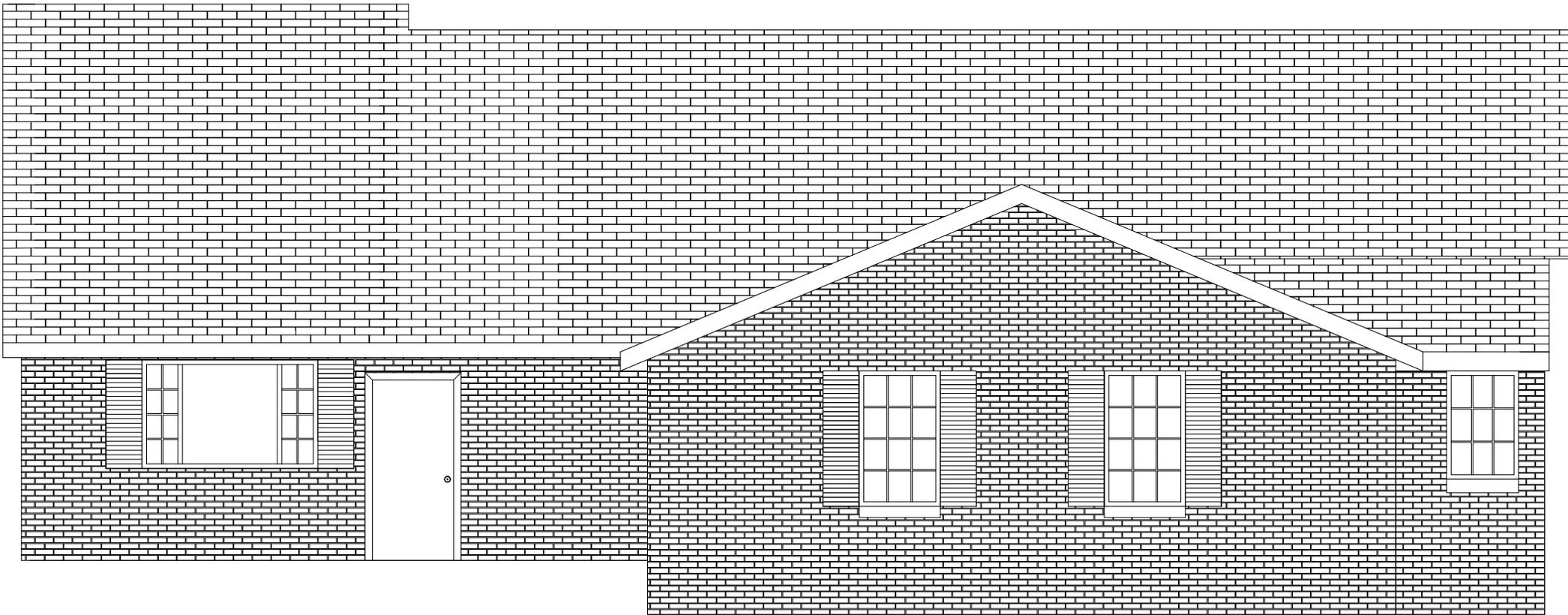
1" = 40'



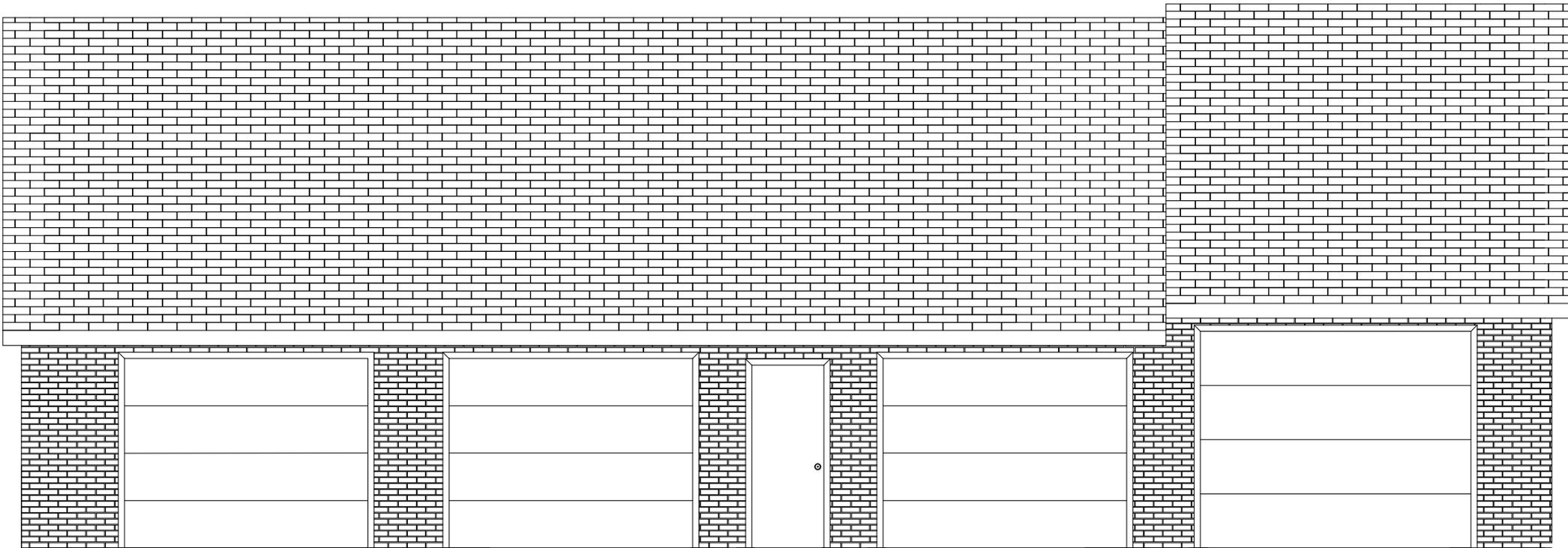
Attachment: Packet (1599 : David Kriegel)



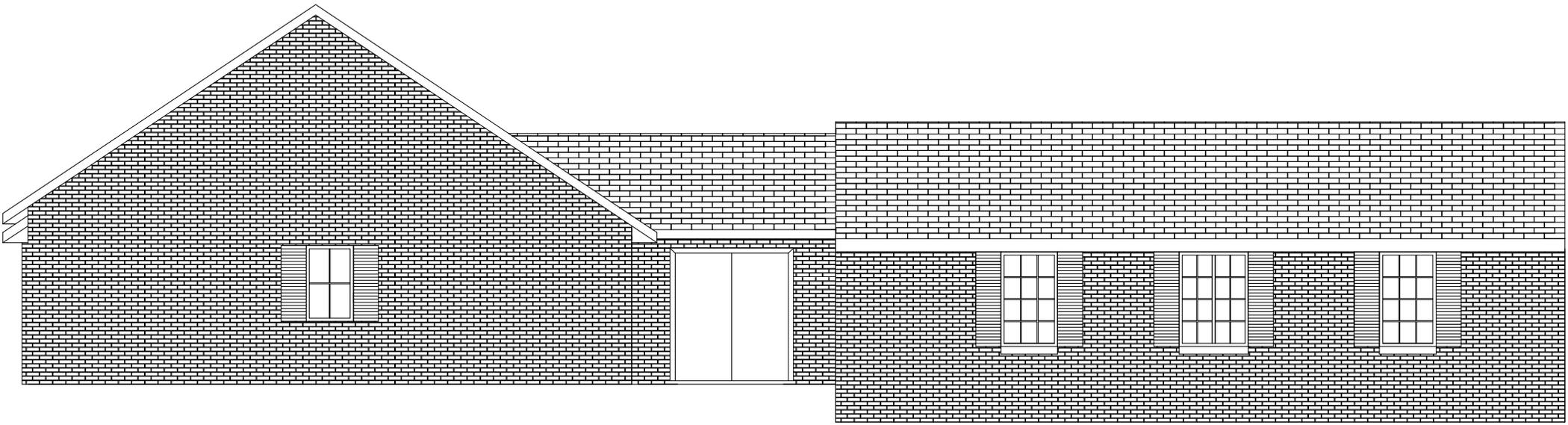
Front Elevation
5103 W. Westfield Rd.
Drawn by: DK
April 15 2016
Revision 2
Scale 1/4" = 1'



Left Elevation
5103 W. Westfield Rd.
Drawn by: DK
April 15 2016
Revision 2
Scale 1/4" = 1'



Right Elevation
5103 W. Westfield Rd.
Drawn by: DK
April 15 2016
Revision 2
Scale 1/4" = 1'



Rear Elevation
5103 W. Westfield Rd.
Drawn by: DK
April 15 2016
Revision 2
Scale 1/4" = 1'

MILTON H. SCHMIDT
CLARENCE H. PIEPENBURG

BADGER SURVEYING CO.

823 W. ATKINSON AVE.
MILWAUKEE 6, WIS.

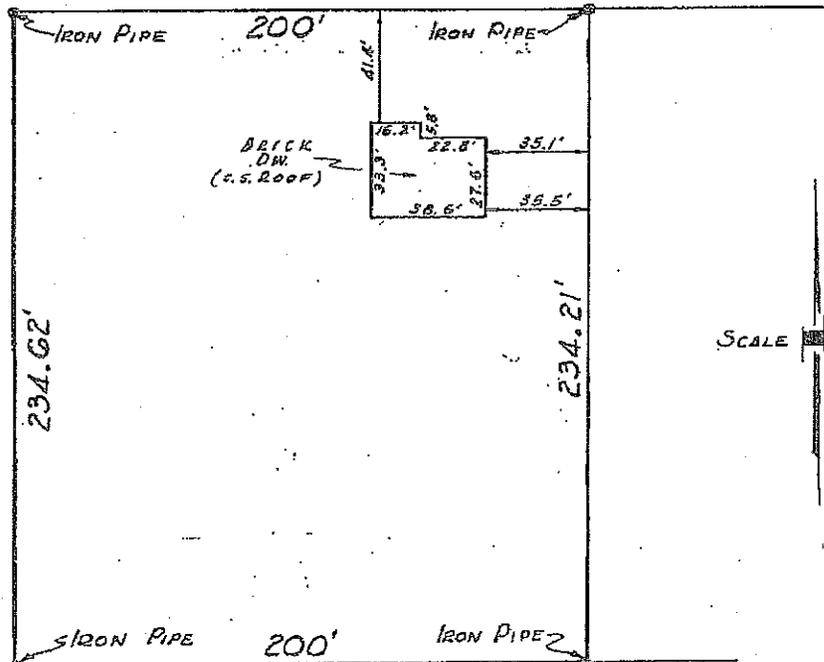
PLAT OF SURVEY

PROPERTY AT WILLIAM C. MUELLER (OWNER)
LEGAL DESCRIPTION LOT 5, BLOCK 3, CEDAR ACRES, BEING A SUBD. OF PART
OF SEC. 35, T. 9 N., R. 21 E., TOWN OF MEQUON, OZAUKEE COUNTY, WIS.

WESTFIELD 60'

Drive ROAD

NORTH 60' LANE



SCALE 1"=50'

Prepared for PETE BYHARDT

State of Wisconsin,)
County of Milwaukee) ss.

I hereby certify that on the 8TH day of SEPTEMBER, 1955, I have surveyed the property described above according to the official records and that the above plat is a correct representation of the boundary lines and measurements of all buildings and other structures thereon.

Plat No. 53-959-F NEW CONSTRUCTION LOCATED ON SEPT. 8TH, 1954

Signed Clarence H. Piepenburg
Surveyor

Attachment: Packet (1599 : David Krieger)



TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 22, 2016
SUBJECT: WE Energies. The applicant is seeking specimen tree removal approval at 11611 W. Donges Bay Road to remove one specimen tree as part of installation of a natural gas infrastructure project.

Applicant: WE Energies
Status of Applicant: Easement Holder
Requested: Removal of Specimen Tree
Existing Use: Single family Home
Existing Zoning: R-2B (Residential 1.5 Acre)
Lot size: 1.82 Acres
Location: 11611 W. Donges Bay Road

Address: 11611 W. Donges Bay Road **Tax Key:** #14-031-01-000.00 **Zoning:** R-2B **District:** #4

Request: 1. Minor Request – Specimen Tree Removal

Briefing: The applicant is seeking specimen tree removal approval at 11611 W. Donges Bay to remove one specimen tree as part of installation of a natural gas infrastructure project.

Background: The applicant is requesting to remove a specimen tree identified by City Forester, Ken Baker, on the property located at 11611 W Donges Bay Road. WE Energies is replacing an underground gas main along Donges Bay Road on private property and there is a specimen tree that will be impacted by the project.

City Forester Recommendation: Planning staff consulted with City Forester, Ken Baker, to determine whether removal of the tree should be permitted. According to a memo by Mr. Baker, dated April 28, 2016 (see attached), his recommendation is to allow removal of the specimen tree based in accordance with the Tree Preservation policy. Based on the condition of the tree, the City Forester is recommending that replacement is not warranted.

The City Forester recommends **approval** of the specimen tree removal on the following condition(s):

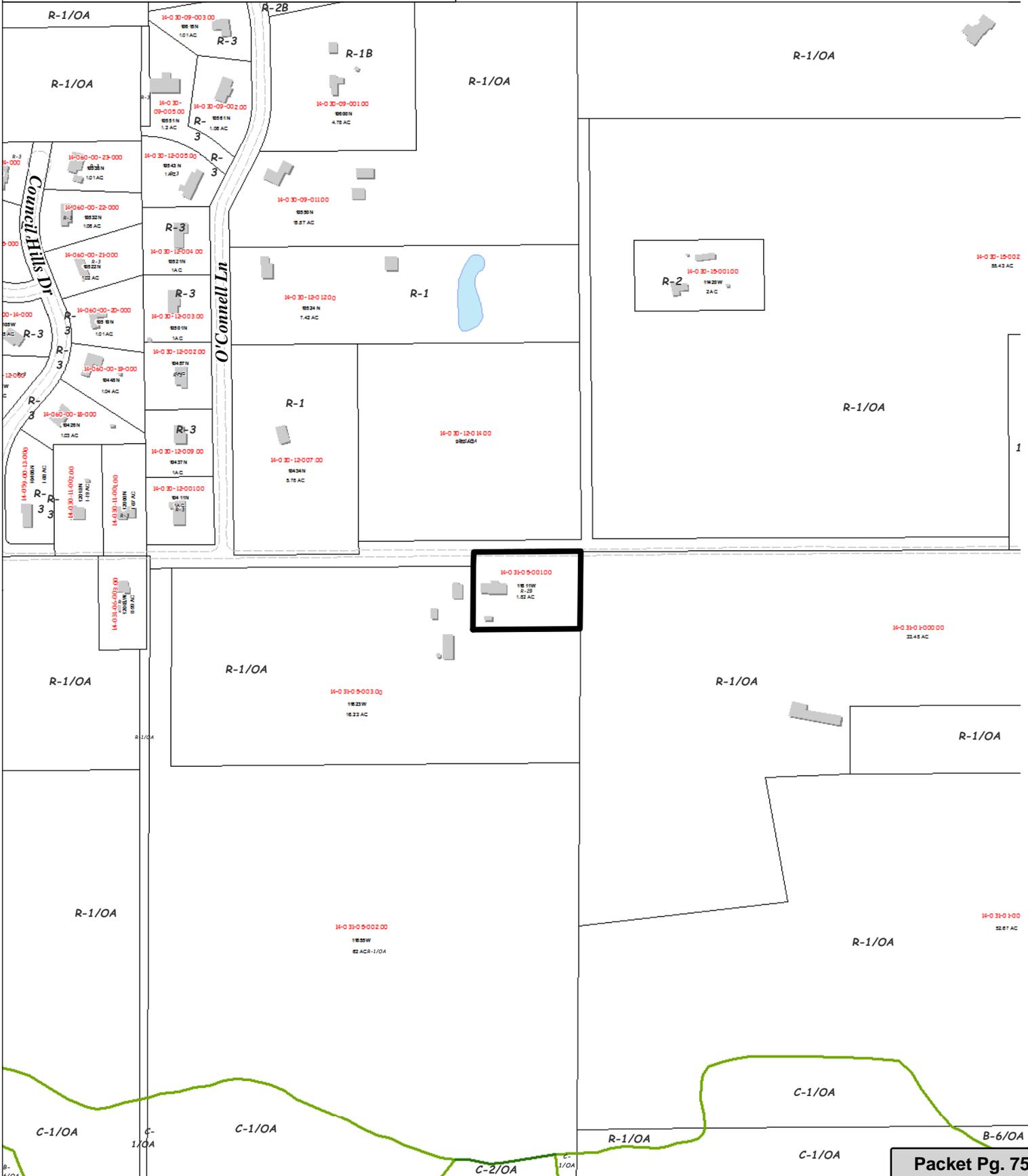
1. No replacement of the specimen tree or monetary contribution is required.

Attachments:
Packet (PDF)

WE Energies

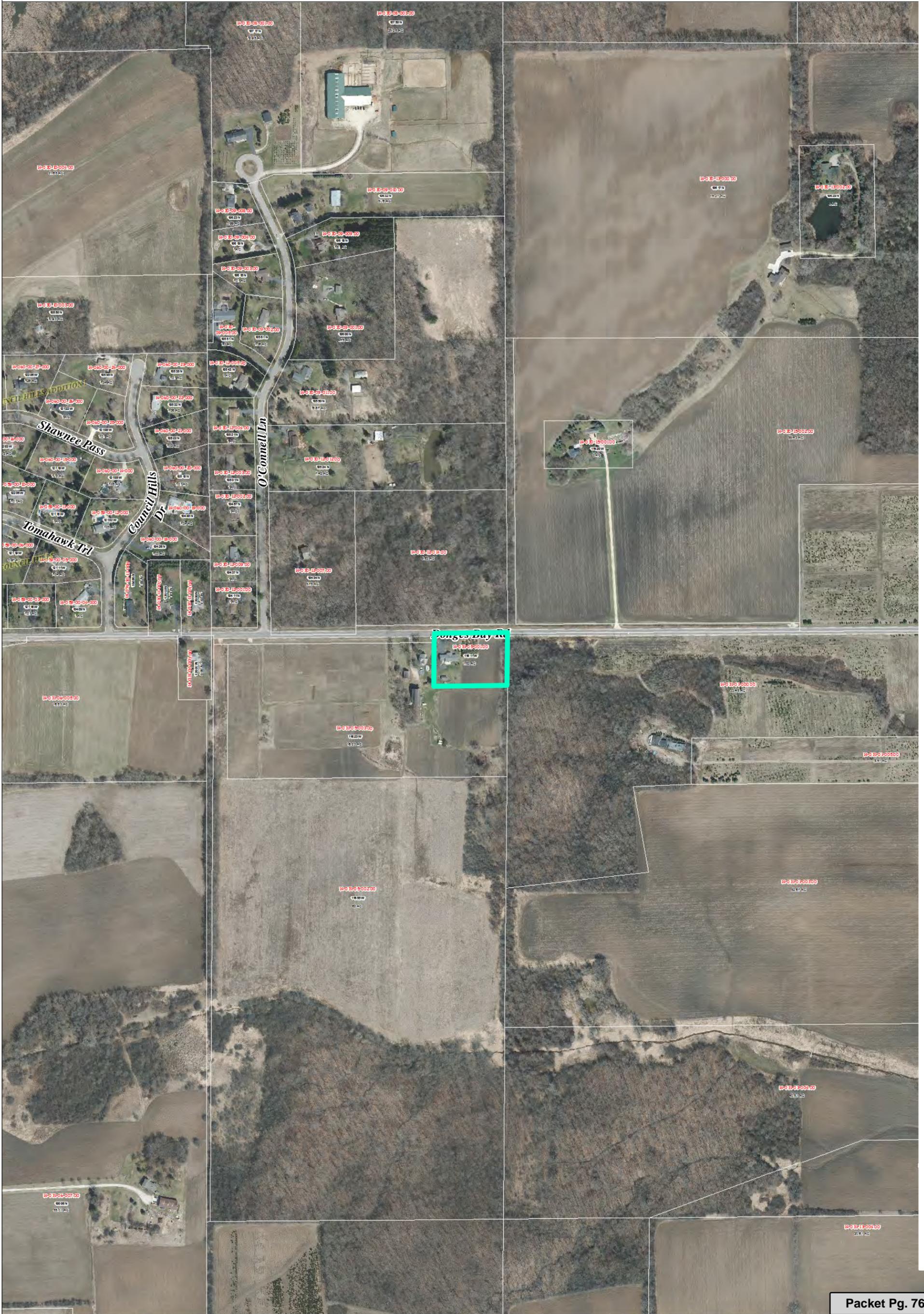
AC	Arrival Corridor	LTD	Limited Use
A-1	Agricultural Preserve	OA	Agricultural Overlay
A-2	General Agricultural	PUD	Planned Unit Development Overlay
B-1	Neighborhood Business	P-1	Park & Recreation
B-2	Community Business	R-1	Single-Family Residential (5 Ac. Min.)
B-3	Office & Service Business	R-1B	Single-Family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

4.a





WE Energies



Attachment: Packet (1600 : WE Energies)



11333 N. Cedarburg Rd 60W
Mequon, WI 53092-1930
Phone (262) 512-1297
Fax (262) 238-1580

www.ci.mequon.wi.us

Office of the City Forester

MEMORANDUM

TO: Mequon Plan Commission
FROM: Ken Baker, Mequon City Forester
SUBJECT: Tree Removal 32" dbh Sugar Maple
ADDRESS: 11611 W. Donges Bay Road
DATE: April 28, 2016

Observation: I, Ken Baker, met with the forester representing WE Energies to discuss the removal of a specimen tree on 04/28/16. The tree measures 32" in diameter, and is in fair condition. The tree has been side pruned so as not to encroach on the wires, there are a couple of dead branches with a splitting main stem.

Recommendation: I, Ken Baker, would recommend the specimen tree be removed.

Thank you,

Ken Baker
Mequon City Forester

Attachment: Packet (1600 : WE Energies)

ADDENDUM
to
PLANNING COMMISSION APPLICATION

LOCATION OF PROPERTY

11611 W. Donges Bay Road
~~11623 W. Donges Bay Road~~

OWNER

Burczyk Family Revocable Living Trust
11611 West Donges Bay Road
Mequon, WI 53097

LOCATION OF PROPERTY

~~12001 W. Donges Bay Road~~

OWNER

~~Virginia H. Wendt~~
~~12001 West Donges Bay Road~~
~~Mequon, WI 53097~~

DESCRIPTION OF REQUEST:

Wisconsin Gas LLC, doing business as We Energies, as part of its ongoing replacement of older natural gas infrastructure in our service area, is replacing an existing stretch of pipe in the village of Germantown and city of Mequon. The Public Service Commission of Wisconsin (PSCW) in its final decision dated November 5, 2015, determined that the gas replacement project is in the general public interest and is required by the public convenience and necessity.

We Energies has obtained easements from landowners along the route, and compensated property owners, where applicable, for the removal of trees. We are requesting approval to remove three trees identified as specimen trees located at the above locations.

In addition, since We Energies is a public utility that provides gas and electric service to the public in Mequon and surrounding areas and the project is for the public good, We Energies is also requesting that the city of Mequon review its Code of Ordinances, Tree Preservation, Section 84-4(c)(2) and consider exempting We Energies from its tree ordinance.

**GAS DISTRIBUTION EASEMENT
CERTIFICATE OF COMPENSATION AND
NOTICE OF RIGHT OF APPEAL**

Document Number



4.a

This **GAS DISTRIBUTION EASEMENT**, (the "Easement") is made by **Burczyk Family Revocable Living Trust ("Grantor")** to **WISCONSIN GAS LLC, a Wisconsin limited liability company, doing business as We Energies ("Grantee")**. Grantor and Grantee may be referred to individually as "Party" or collectively as the "Parties".

1027639
RONALD A. VOIGT
OZAUKEE COUNTY
REGISTER OF DEEDS
RECORDED ON
12/18/2015 11:58 AM
REC FEE: 30.00
PAGES: 8
EXEMPT #:

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby conveys and grants to Grantee, its successors and assigns, a permanent non-exclusive easement on, over, under, across, through and upon a part of Grantor's land hereinafter referred to as the "Easement Area".

- 1. Easement Area:** The Easement Area is described as a strip of land fifty (50) feet in width (or such other widths as described hereinafter), being a part of the premises of Grantor in a part of the Northwest ¼ of Section 31, Township 9 North, Range 5 East, City of Mequon, Ozaukee County, Wisconsin (the "Easement Area").

RETURN TO:

WE ENERGIES
Attn: Rita C. Qualls
231 W. Michigan Street, A252
Milwaukee, WI 53203

\$300
E

The location of the Easement Area with respect to Grantor's premises is described on the attached Exhibit "A" and shown on the attached Easement Description Map, marked Exhibit "B" and made a part hereof by this reference.

14-031-05-001.00
14-031-05-003.00

- 2. Purpose:** This Easement gives, grants and conveys unto Grantee, its successors and assigns, subject to the limitations and reservations herein stated, the permanent and non-exclusive right, permission and authority to lay, install, construct, maintain, operate, inspect, alter, replace, protect, test, patrol, extend, repair, reconstruct, relocate, enlarge, and remove or abandon a pipeline or pipelines with valves, tie-overs, main laterals and service laterals, and other appurtenant facilities, including cathodic protection apparatus used for corrosion control, all of which shall be and remain the property of Grantee, for the transmission and distribution of natural gas and all by-products thereof or any liquids, gases, or substances which can or may be transported or distributed through a pipeline or pipelines on, over, under, across, through and upon the Easement Area.

Grantee may designate or otherwise appoint, assign, contract, and duly authorize other persons, firms, or corporations to perform, carry out and complete, in whole or in part, the activities operations, herein enumerated, as it deems necessary and convenient for the full enjoyment and use of the rights herein granted.

- 3. Use and Access:** Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment and use of the rights herein granted, including but not limited to, the right to remove and to clear all structures and obstructions such as, but not limited to, rocks, trees, brush, limbs and fences which might interfere with the rights herein contained, and the free and full right of ingress and egress over and across the Easement Area, to and from the Easement Area, and other adjacent lands of Grantor, as necessary or convenient for the full enjoyment and use of the rights herein granted, during the operations of Grantee as herein above enumerated, but not necessarily limited thereto.

Grantor agrees that Grantee and its agents, contractors and employees shall have the right to enter upon the Easement Area and adjacent portions of the Grantor Parcel for the purposes of performing survey work for civil, environmental, archaeological, cultural, and geotechnical reviews, including soil borings, wetland determinations studies, and to perform other engineering studies and for other purposes consistent with this Easement.

- 4. Structures and Improvements:** Grantor covenants and agrees that no structures or above ground improvements (as defined in the attached Exhibit "D"), obstructions or impediments, of whatever kind or nature will be constructed, placed, granted or allowed within the Easement Area. Grantor further covenants and agrees not to plant any trees or shrubs within fifteen (15) feet of the centerline of the pipeline.

Grantor agrees to comply with the Addendum - General Construction Requirements and Restrictions for Wisconsin Gas LLC Gas Pipeline Easement Areas which is attached hereto, marked Exhibit "D", consisting of two pages, and made a part hereof by this reference.

Attachment: Packet (1600 : WE Energies)

5. **Elevation:** Grantor covenants and agrees that the elevation of the existing ground surface of land within the Easement Area will not be altered by more than six (6) inches without the prior written consent of Grantee.
6. **Temporary Easement:** Grantee and its agents shall have the further right to use, for initial construction purposes only, a strip(s) of land as shown on the attached Exhibit "B", as a temporary construction easement area. For non-wooded parcels Grantor and Grantee agree that Grantee may at the time of construction extend the temporary easement area up to an additional twenty-five (25) feet. The temporary easement is for construction purposes only and shall terminate when the need therefor passes.
7. **Reserved Rights:** Grantor, after the initial construction of the pipeline is completed, reserves the right to cultivate and use the ground surface within the Easement Area covered by this Easement provided that such use shall not, in the opinion of Grantee, interfere with or obstruct Grantee in its exercise of the rights and privileges herein granted, or create any actual or potential hazard to the pipeline facilities ultimately installed therein.
8. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, including fencing, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the Easement Area.
9. **Ownership:** Grantor, its successors, assigns, heirs, executors and administrators covenant and agree to and with Grantee, its successors and assigns, that at the time of the enrolling and delivery of this Easement, they are well seized of good and marketable title to the premises above described, and that the same are free and clear from all encumbrances that might materially adversely affect the rights of Grantee hereunder.
10. **Wisconsin Statutes:** In accordance with Section 32.06(2a) Wisconsin Statutes, any above named persons or parties having an interest of record in the property affected by this easement may appeal the amount of compensation paid for the rights herein granted within six (6) months after the date of recording of this document. The total consideration paid for such easement rights is stated on the Certificate of Compensation and Notice of Right of Appeal which is attached hereto, marked Exhibit "C", and made a part hereof by this reference.

The grantor hereby accepts a lump sum payment in consideration of the grant of this easement.

11. **Exercise of Rights.** The Parties agree that the complete exercise of the rights herein conveyed may be gradual and not fully exercised for some time in the future, and that none of the rights herein granted shall be lost by non-use for any length of time.
12. **Binding Effect:** This Easement shall be a covenant running with the land and shall be binding upon, and inure to the benefit of the Parties and their heirs, legal representatives, executors, administrators, devisees, legatees, successors or assigns. The rights herein granted to Grantee may be assigned in whole or in part by Grantee at any time.
13. **Non-Titled Spouse:** Any non-titled spouse signs below as Grantor for the purpose of releasing and waiving all rights he or she may hold under all applicable homestead exemption laws and all applicable marital property laws.

This _____ (is/is not) homestead property.

IN WITNESS WHEREOF, the Party or Parties hereto have executed this instrument this 3rd day of December, 2015.

GRANTOR: BURCZYK FAMILY REVOCABLE LIVING TRUST

By: Charles J Burczyk
Signature

Printed Name: CHARLES J BURCZYK

Title: CO-OWNER

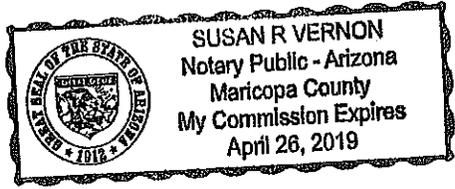
By: Shirley Burczyk
Signature

Printed Name: SHIRLEY BURCZYK

Title: CO-OWNER

STATE OF ARIZONA)
: SS
Maricopa COUNTY)

Personally came before me this 3rd day of December, 2015 the above named Charles J Burczyk and Shirley Burczyk, to me known to be the Trustee(s) of BURCZYK FAMILY REVOCABLE LIVING TRUST, who executed the foregoing instrument by its authority and on its behalf and acknowledged the same.



Susan R. Vernon
Notary Public Signature, State of Wisconsin Arizona

Print Name: Susan R. Vernon

My commission expires April 26, 2019
[Notary Seal]

Attachment: Packet (1600 : WE Energies)

This instrument was drafted by Rita C. Qualls on behalf of Wisconsin Gas LLC, 231 W. Michigan St., Milwaukee WI 53203.

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY AND EASEMENT AREA

GRANTOR:
BURCZYK FAMILY REVOCABLE
LIVING TRUST
11611 W DONGES BAY RD
MEQUON, WI 53097

GRANTEE:
WISCONSIN GAS LLC
231 W. MICHIGAN ST.
MILWAUKEE, WI. 53202

TAX PARCEL NO.
14-031-05-001.00
14-031-05-003.00

PROPERTY DESCRIPTION

PARCEL 1:
Parcel 1 of Certified Survey Map No. 270, recorded on March 12, 1969, in Volume 1 of Certified Survey Maps, Page 491, as Document No. 227431, being a part of the Northwest 1/4 of Section 31, Township 9 North, Range 5 East, in the City of Mequon, Ozaukee County, Wisconsin.

PARCEL 2:
Lot 1 of Certified Survey Map No. 3506, recorded on September 9, 2004 as Document No. 801821, being a part of the Northeast 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 31, Township 9 North, Range 5 East, in the City of Mequon, Ozaukee County, Wisconsin.

PERMANENT EASEMENT DESCRIPTION

That part of Lot 1 of CSM 3506 and Parcel 1 of CSM 270 in the Northeast 1/4 of the Northwest 1/4 of Section 31, Township 9 North, Range 21 East in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the N 1/4 corner of said Section 31; thence S01°04'07"E along the east line of said NW 1/4, 40.00 feet to the south line of Donges Bay Rd. and the point of beginning; thence continuing S01°04'07"E along said east line, 30.00 feet; thence S88°02'01"W 530.44 feet; thence S01°57'57"E 20.00 feet; thence S88°02'01"W 733.31 feet to the west line of the owner's land; thence N01°09'42"W along said west line, 50.00 feet to said south line; thence N88°02'01"E along said south line, 1263.51 feet to the point of beginning.

The Permanent Easement Area contains 1.207 acres, more or less.

The Temporary Easement Area contains 0.421 acre, more or less.



we energies



DRAWN BY:	SAK
CHECKED:	GRS
APPROVED:	GRS

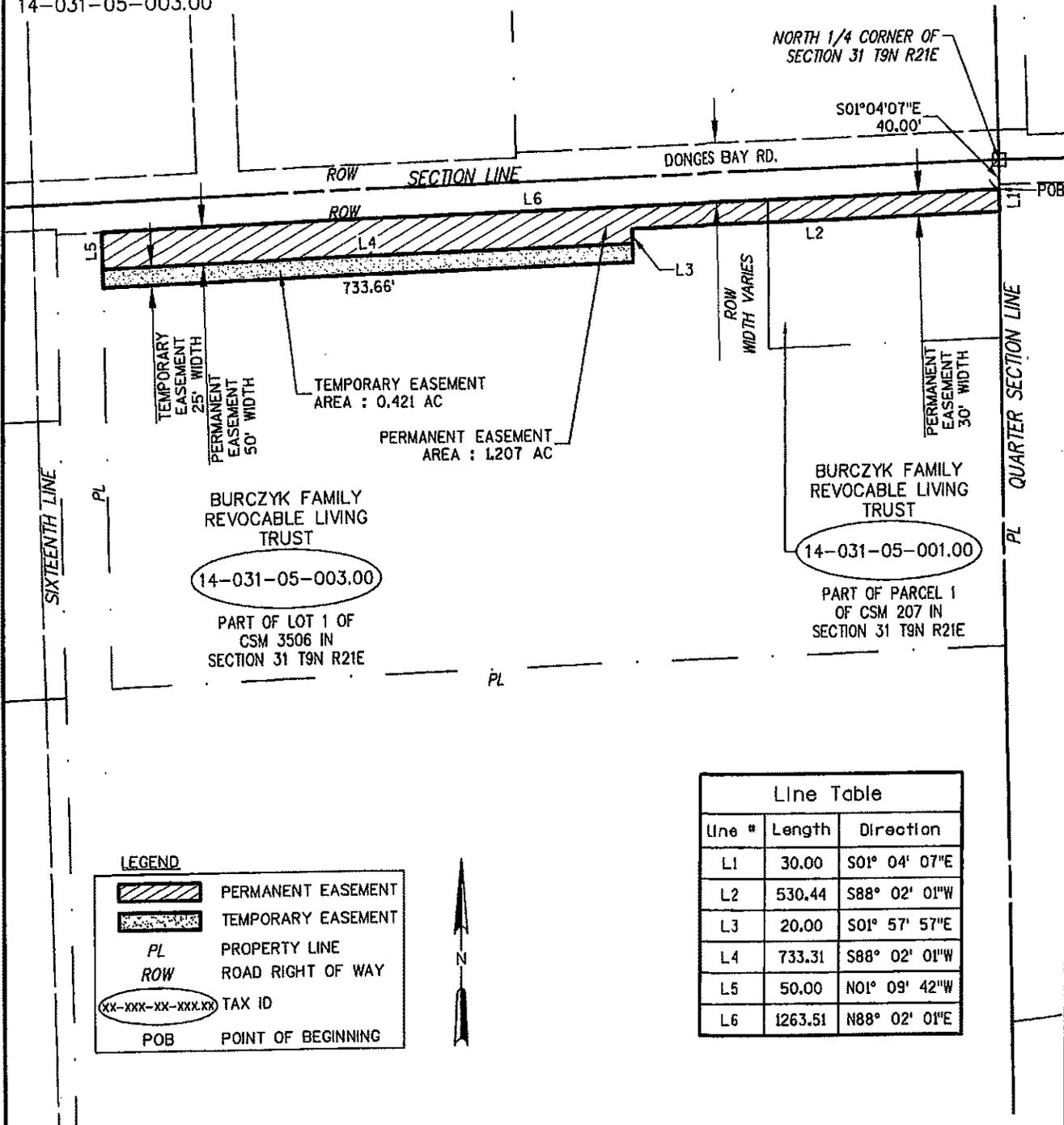
REVISIONS:	DATE: 10/30/2015
	SCALE: NA
	SHEET NUMBER:
	1 of 1

GRANTOR:
BURCZYK FAMILY REVOCABLE
LIVING TRUST
11611 W DONGES BAY RD
MEQUON, WI 53097

EXHIBIT B EASEMENT DESCRIPTION MAP

GRANTEE:
WISCONSIN GAS LLC
231 W. MICHIGAN ST.
MILWAUKEE, WI. 53202

TAX PARCEL NO.
14-031-05-001.00
14-031-05-003.00



LEGEND

	PERMANENT EASEMENT
	TEMPORARY EASEMENT
PL	PROPERTY LINE
ROW	ROAD RIGHT OF WAY
(XX-XXX-XX-XXX.XX)	TAX ID
POB	POINT OF BEGINNING

Line Table		
Line #	Length	Direction
L1	30.00	S01° 04' 07"E
L2	530.44	S88° 02' 01"W
L3	20.00	S01° 57' 57"E
L4	733.31	S88° 02' 01"W
L5	50.00	N01° 09' 42"W
L6	1263.51	N88° 02' 01"E

NOTE: BEARINGS BASED UPON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



we energies



DRAWN BY:	SAK
CHECKED:	GRS
APPROVED:	GRS

REVISIONS:	DATE: 10/30/2015
	SCALE: 1" = 200'
	SHEET NUMBER:
	1 of 1

EXHIBIT "C"

CERTIFICATE OF COMPENSATION AND NOTICE OF RIGHT OF APPEAL

SECTION 32.06 (2a), WISCONSIN STATS.

DATED THIS 3rd DAY OF December, 2015

Pursuant to Section 32.06(2a), Wisconsin Statutes, notice is hereby given of the acquisition of a certain easement attached hereto and made a part hereof by this reference. The names of all persons having an interest of record in the property affected by such easement immediately prior to the acquisition of the easement are the following:

Grantor: BURCZYK FAMILY REVOCABLE LIVING TRUSTMortgagee: N/A

The Easement grants unto Wisconsin Gas LLC, its successors and assigns, the right, permission and authority to construct, maintain and operate gas pipeline facilities for the purpose of the transmission and distribution of natural gas and all by-products thereof or any liquids, gases, or substances which can or may be transported or distributed through a pipeline on, over, under, across, through, and upon the hereinafter described property to-wit:

A strip of land fifty (50) feet in width being a part of the premises of Grantor in a part of the Northwest ¼ of Section 31, Township 9 North, Range 5 East, City of Mequon, Ozaukee County, Wisconsin as described on Exhibit A and shown on the attached Easement Description Map, marked Exhibit "B" together with the temporary easement shown on Exhibit B.

Parcel Identification Numbers: 14-031-05-001.00; 14-031-05-003.00

The consideration paid for the permanent easement as shown on the attached Easement Description Map, marked Exhibit "B" was \$33,260.00.

The consideration paid for the temporary easement as shown on the attached Easement Description Map, marked Exhibit "B" was \$1,650.00.

In accordance with Section 32.06 (2a) Wisconsin Stats., any person named in the certificate may, within 6 months after the date of its recording, appeal from the amount of compensation therein stated by filing a petition with the judge of the circuit court of the county in which the property is located for proceedings to determine the amount of just compensation. Notice of such petition shall be given to all persons having an interest of record in such property. The judge shall forthwith assign the matter to the chairperson of the county condemnation commissioners for hearing under Sections 32.06(9)(a) and (b), 32.06(10), and 32.06(12) and Chapters 808 and 809 shall govern such appeals.

Attachment: Packet (1600 : WE Energies)

EXHIBIT "D"

ADDENDUMGeneral Construction Requirements and Restrictions
for Wisconsin Gas LLC Gas Easement Areas

1. The Easement Area must be accessible to Grantee and its duly authorized agents, invitees, contractors, persons, firms or corporations.
2. Fill material, rubble, scrap, pavement, berms or earthworks may not be placed within the Easement Area without Grantee's prior written approval.
3. The elevation or grade over the gas pipeline may not be altered by more than 6 inches without Grantee's prior written approval. A minimum of 36 inches of cover over the gas pipeline must be maintained at all times.
4. Retention ponds and their inlets/outlets are not permitted within the Easement Area.
5. Drainage ditches or drain tiles are not permitted within the Easement Area without Grantee's prior written approval of Grantor's plans. Plans must include consideration for proper cover and erosion protection.
6. Septic fields or mound systems are not permitted within the Easement Area. Laterals to or from the field or mound may cross the gas pipeline, provided that they maintain an 18 inch separation from the gas pipeline. Any excavation within 2 feet of the pipeline must be done by hand-digging or vacuum excavation with a Grantee representative present to view and inspect excavation activities.
7. Underground culverts, pipelines, cables, sewers or any utility may not be placed within 18 inches of the gas pipeline, and may not be placed within the Easement Area without Grantee's prior written approval of Grantor's plan. Any excavation within 2 feet of the pipeline must be done by hand-digging or vacuum excavation with a Grantee representative present to view and inspect excavation activities.
8. Digger's Hotline must be contacted at least 3 days prior to any excavation or construction activities within the Easement Area. The current contact for Digger's Hotline is 811 or 1-800-242-8511 or www.diggershotline.com.
9. Structures or above ground improvements are not permitted within the Easement Area. Prohibited structures include but are not limited to: houses, garages, outbuildings, storage sheds, decks, swimming pools, gazebos, satellite dish antennas and dog kennels/runs. Fencing may be installed in the Easement Area provided fence posts are placed a minimum of five feet from the gas pipeline.
10. Landscaping, including planting of trees and shrubs, **is not** permitted within 15 feet of the centerline of the pipeline.
11. The installation of private or public roads may be permitted within the Easement Area with Grantee's prior written approval of Grantor's road plan. The road plan must show sound structural fill around the gas pipeline. Grantee may require soil borings to establish the subgrade load bearing characteristics of the site and prove that unstable soils are not present around the gas pipeline.
12. A paved/compacted surface, such as a driveway, may be permitted within the Easement Area with Grantee's prior written approval of Grantor's driveway plan. The driveway plan must provide a minimum cover of 48 inches over the gas pipeline.
13. Heavy earth moving equipment may not be routed over the gas pipeline without Grantee's prior written approval of Grantor's construction plan. The construction plan must provide sufficient load bearing protection, including, but not limited to, temporary pavement, heavy mats, additional compacted cover or other adequate bridging methods.

EXHIBIT "D" – Page 2

14. **Grantee's Field Operations must be contacted at least three (3) working days prior to any excavation activity within the Easement Area to coordinate oversight or inspection, or to confirm compliance with these provisions. The current phone number for Grantee's Call Center is 1-800-242-9137.**
15. Additional protective requirements may be necessary upon review of Grantor's construction plans submitted to Grantee as required by the Easement.

**WISCONSIN GAS LLC
Attn: System Engineering, A516
333 W. Everett Street
MILWAUKEE, WI 53203**



TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: May 3, 2016
SUBJECT: WE Energies. The applicant is seeking specimen tree removal approval at 11623 W. Donges Bay Road to remove one specimen tree as part installation of a natural gas infrastructure project.

Applicant: WE Energies
Status of Applicant: Easement Holder
Requested: Removal of Specimen Tree
Existing Use: Single Family Home
Existing Zoning: R-1 (Rural Residential)
Lot size: 16.2 Acres
Location: 11623 W. Donges Bay Road

Address: 11623 W. Donges Bay Road **Tax Key:** #14-031-05-003.00
Zoning:R-1/OA **District:** #4

Request: 1. Minor Request – Specimen Tree Removal

Briefing: The applicant is seeking specimen tree removal approval at 11623 W. Donges Bay to remove one specimen tree as part of a natural gas infrastructure project.

Background: The applicant is requesting to remove a specimen tree identified by City Forester, Ken Baker, on the property located at 11623 W Donges Bay Road. WE Energies is replacing an underground gas main along Donges Bay Road on private property and there is a specimen tree that will be impacted by the project.

City Forester Recommendation: Planning staff consulted with City Forester, Ken Baker, to determine whether removal of the tree should be permitted. According to a memo by Mr. Baker, dated April 28, 2016 (see attached), his recommendation is not to allow removal of the specimen tree based in accordance with the Tree Preservation policy.

If Planning Commission allows removal then the City Forester recommends **approval** of the specimen tree removal on the following condition(s):

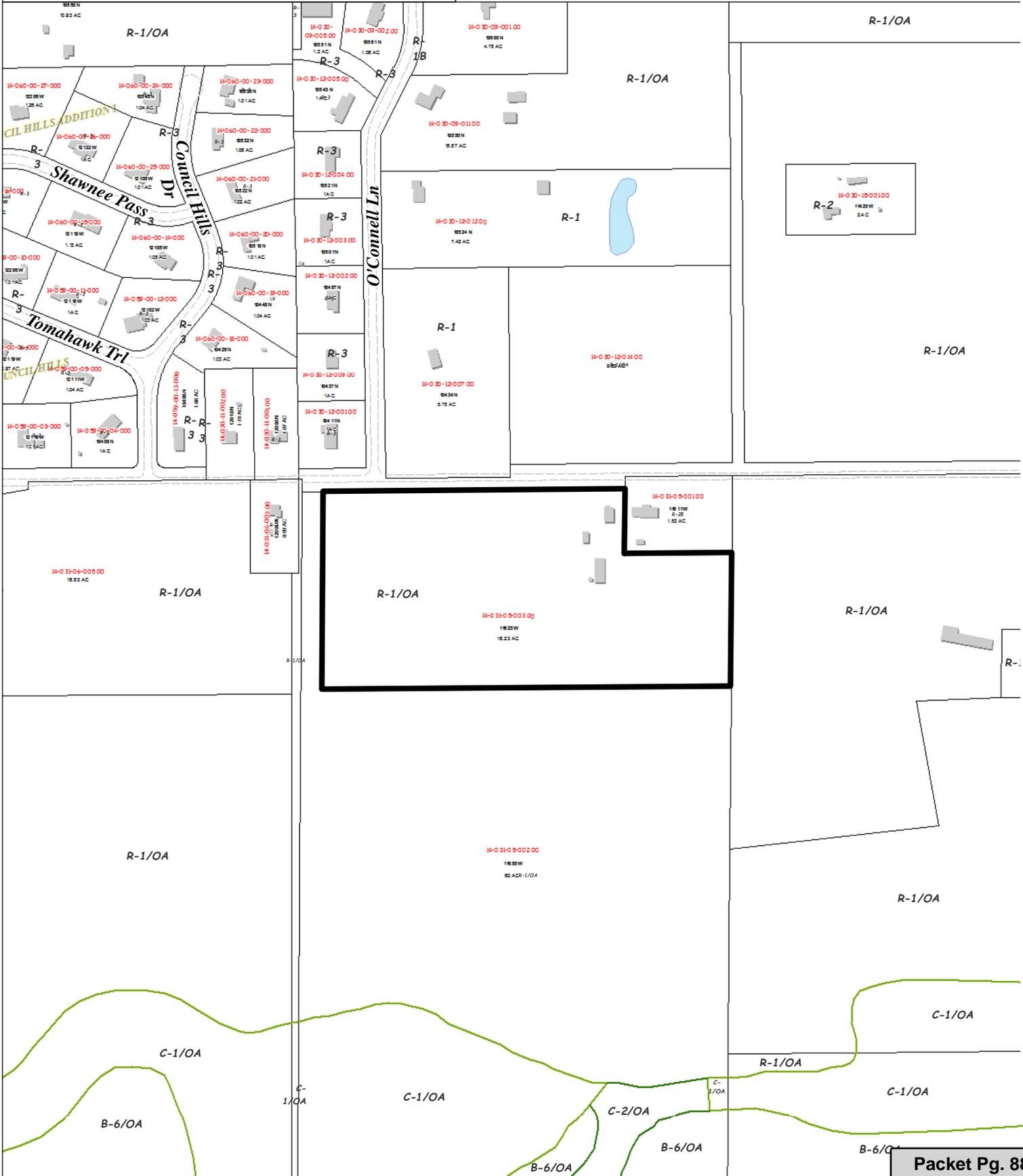
1. The applicant shall provide 17” of replacement trees on the property or in a city park or pay \$1,700 to the City of Mequon for urban forestry projects.

Attachments:
Packet (PDF)

WE Energies

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

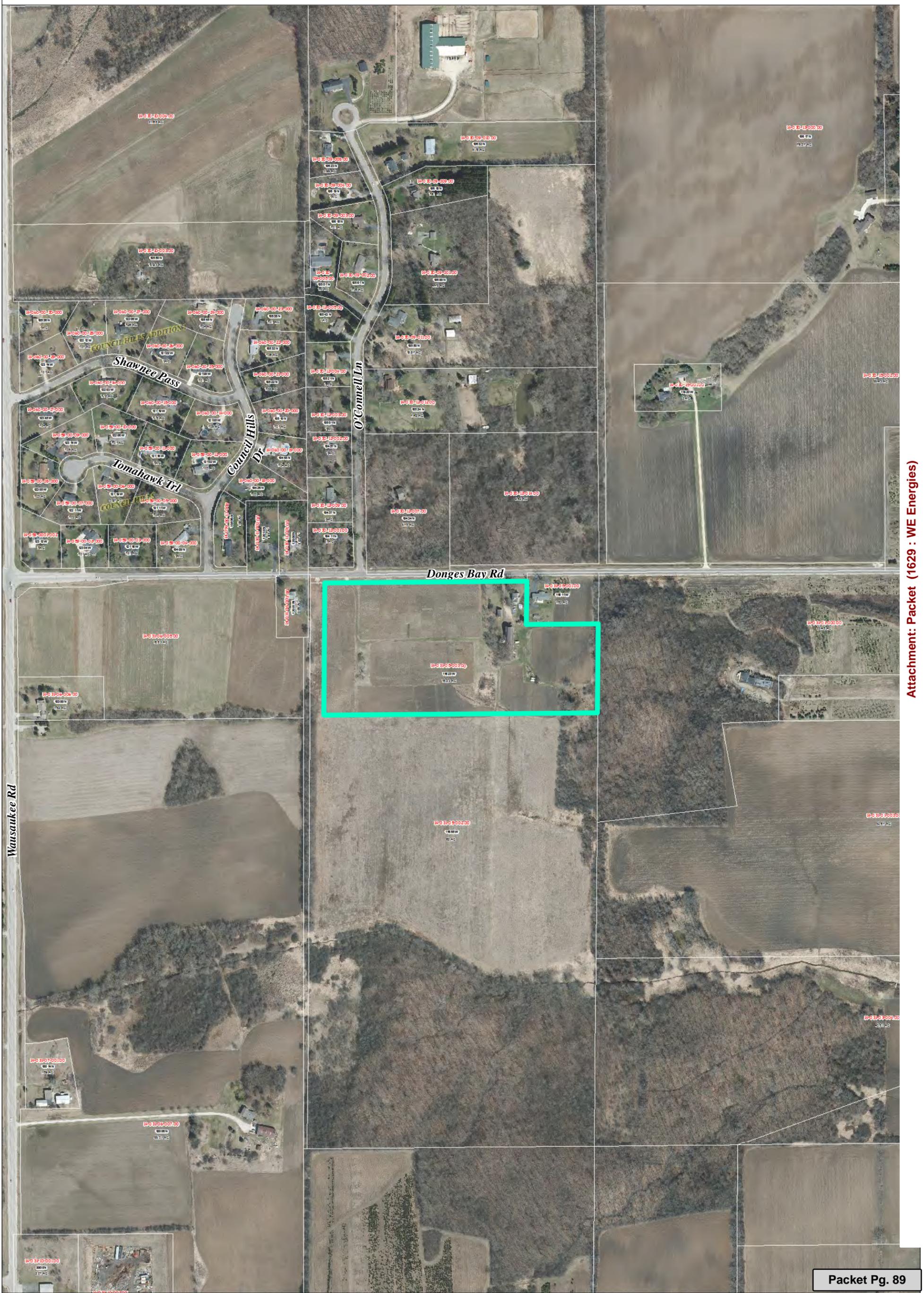
- LTD Limited Use
- OA Agricultural Overlay
- PUD Planned Unit Development Overlay
- P-1 Park & Recreation
- R-1 Single-Family Residential (5 Ac. Min.)
- R-1B Single-Family Residential (2.5 Ac. Min.)
- R-2 Single-Family Residential (2.0 Ac. Min.)
- R-2B Single-Family Residential (1.5 Ac. Min.)
- R-3 Single-Family Residential (1.0 Ac. Min.)
- R-4 Single-Family Residential (3/4 Ac. Min.)
- R-5 Single-Family Residential (1/2 Ac. Min.)
- R-6 Single-Family Residential (4 du/Ac)
- RM Multi-Family Residential
- TC Town Center
- TDR Transfer of Development Rights



Attachment: Packet (1629 : WE Energies)



WE Energies



Attachment: Packet (1629 : WE Energies)



11333 N. Cedarburg Rd 60W
Mequon, WI 53092-1930
Phone (262) 512-1297
Fax (262) 238-1580

www.ci.mequon.wi.us

Office of the City Forester

MEMORANDUM

TO: Mequon Plan Commission
FROM: Ken Baker, Mequon City Forester
SUBJECT: Tree Removal 22" dbh American Beech
ADDRESS: 11623 W. Donges Bay Road
DATE: April 28, 2016

Observation: I, Ken Baker Mequon City Forester, met with the forester for WE Energies to discuss the tree removal of a 22" American Beech on 4/28/2016. We agreed that the tree was in good condition.

Recommendation: I, Ken Baker, would recommend the American Beech not be removed. If the Plan Commission ok's the removal of the tree WE Energies would be required to replace 75% of the diameter of the tree, which would be 17" of replacement trees, the city may direct the planting at a City Park, or in lieu of planting \$1,700.00 to be placed in a non-lapsing account with the city in the Tree Preservation Account for future tree and urban forest projects.

Thank you,

Ken Baker
Mequon City Forester

Attachment: Packet (1629 : WE Energies)

ADDENDUM
to
PLANNING COMMISSION APPLICATION

LOCATION OF PROPERTY

~~11611 W. Donges Bay Road~~
11623 W. Donges Bay Road

OWNER

~~Burczyk Family Revocable Living Trust~~
~~11611 West Donges Bay Road~~
~~Mequon, WI 53097~~

LOCATION OF PROPERTY

~~12001 W. Donges Bay Road~~

OWNER

~~Virginia H. Wendt~~
~~12001 West Donges Bay Road~~
~~Mequon, WI 53097~~

DESCRIPTION OF REQUEST:

Wisconsin Gas LLC, doing business as We Energies, as part of its ongoing replacement of older natural gas infrastructure in our service area, is replacing an existing stretch of pipe in the village of Germantown and city of Mequon. The Public Service Commission of Wisconsin (PSCW) in its final decision dated November 5, 2015, determined that the gas replacement project is in the general public interest and is required by the public convenience and necessity.

We Energies has obtained easements from landowners along the route, and compensated property owners, where applicable, for the removal of trees. We are requesting approval to remove three trees identified as specimen trees located at the above locations.

In addition, since We Energies is a public utility that provides gas and electric service to the public in Mequon and surrounding areas and the project is for the public good, We Energies is also requesting that the city of Mequon review its Code of Ordinances, Tree Preservation, Section 84-4(c)(2) and consider exempting We Energies from its tree ordinance.

**GAS DISTRIBUTION EASEMENT
CERTIFICATE OF COMPENSATION AND
NOTICE OF RIGHT OF APPEAL**

Document Number



4.a

1027639

RONALD A. VOIGT
OZAUKEE COUNTY
REGISTER OF DEEDS
RECORDED ON
12/18/2015 11:58 AM
REC FEE: 30.00
PAGES: 8
EXEMPT #:

This **GAS DISTRIBUTION EASEMENT**, (the "Easement") is made by **Burczyk Family Revocable Living Trust ("Grantor")** to **WISCONSIN GAS LLC, a Wisconsin limited liability company, doing business as We Energies ("Grantee")**. Grantor and Grantee may be referred to individually as "Party" or collectively as the "Parties".

For good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor hereby conveys and grants to Grantee, its successors and assigns, a permanent non-exclusive easement on, over, under, across, through and upon a part of Grantor's land hereinafter referred to as the "Easement Area".

- 1. Easement Area:** The Easement Area is described as a strip of land fifty (50) feet in width (or such other widths as described hereinafter), being a part of the premises of Grantor in a part of the Northwest ¼ of Section 31, Township 9 North, Range 5 East, City of Mequon, Ozaukee County, Wisconsin (the "Easement Area").

The location of the Easement Area with respect to Grantor's premises is described on the attached Exhibit "A" and shown on the attached Easement Description Map, marked Exhibit "B" and made a part hereof by this reference.

RETURN TO:

WE ENERGIES
Attn: Rita C. Qualls
231 W. Michigan Street, A252
Milwaukee, WI 53203

\$300
E

14-031-05-001.00
14-031-05-003.00

- 2. Purpose:** This Easement gives, grants and conveys unto Grantee, its successors and assigns, subject to the limitations and reservations herein stated, the permanent and non-exclusive right, permission and authority to lay, install, construct, maintain, operate, inspect, alter, replace, protect, test, patrol, extend, repair, reconstruct, relocate, enlarge, and remove or abandon a pipeline or pipelines with valves, tie-overs, main laterals and service laterals, and other appurtenant facilities, including cathodic protection apparatus used for corrosion control, all of which shall be and remain the property of Grantee, for the transmission and distribution of natural gas and all by-products thereof or any liquids, gases, or substances which can or may be transported or distributed through a pipeline or pipelines on, over, under, across, through and upon the Easement Area.

Grantee may designate or otherwise appoint, assign, contract, and duly authorize other persons, firms, or corporations to perform, carry out and complete, in whole or in part, the activities operations, herein enumerated, as it deems necessary and convenient for the full enjoyment and use of the rights herein granted.

- 3. Use and Access:** Grantee shall have all other rights and benefits necessary or convenient for the full enjoyment and use of the rights herein granted, including but not limited to, the right to remove and to clear all structures and obstructions such as, but not limited to, rocks, trees, brush, limbs and fences which might interfere with the rights herein contained, and the free and full right of ingress and egress over and across the Easement Area, to and from the Easement Area, and other adjacent lands of Grantor, as necessary or convenient for the full enjoyment and use of the rights herein granted, during the operations of Grantee as herein above enumerated, but not necessarily limited thereto.

Grantor agrees that Grantee and its agents, contractors and employees shall have the right to enter upon the Easement Area and adjacent portions of the Grantor Parcel for the purposes of performing survey work for civil, environmental, archaeological, cultural, and geotechnical reviews, including soil borings, wetland determinations studies, and to perform other engineering studies and for other purposes consistent with this Easement.

- 4. Structures and Improvements:** Grantor covenants and agrees that no structures or above ground improvements (as defined in the attached Exhibit "D"), obstructions or impediments, of whatever kind or nature will be constructed, placed, granted or allowed within the Easement Area. Grantor further covenants and agrees not to plant any trees or shrubs within fifteen (15) feet of the centerline of the pipeline.

Grantor agrees to comply with the Addendum - General Construction Requirements and Restrictions for Wisconsin Gas LLC Gas Pipeline Easement Areas which is attached hereto, marked Exhibit "D", consisting of two pages, and made a part hereof by this reference.

Attachment: Packet (1629 : WE Energies)

5. **Elevation:** Grantor covenants and agrees that the elevation of the existing ground surface of land within the Easement Area will not be altered by more than six (6) inches without the prior written consent of Grantee.
6. **Temporary Easement:** Grantee and its agents shall have the further right to use, for initial construction purposes only, a strip(s) of land as shown on the attached Exhibit "B", as a temporary construction easement area. For non-wooded parcels Grantor and Grantee agree that Grantee may at the time of construction extend the temporary easement area up to an additional twenty-five (25) feet. The temporary easement is for construction purposes only and shall terminate when the need therefor passes.
7. **Reserved Rights:** Grantor, after the initial construction of the pipeline is completed, reserves the right to cultivate and use the ground surface within the Easement Area covered by this Easement provided that such use shall not, in the opinion of Grantee, interfere with or obstruct Grantee in its exercise of the rights and privileges herein granted, or create any actual or potential hazard to the pipeline facilities ultimately installed therein.
8. **Restoration:** Grantee agrees to restore or cause to have restored Grantor's land, including fencing, as nearly as is reasonably possible, to the condition existing prior to such entry by Grantee or its agents. This restoration, however, does not apply to any trees, bushes, branches or roots which may interfere with Grantee's use of the Easement Area.
9. **Ownership:** Grantor, its successors, assigns, heirs, executors and administrators covenant and agree to and with Grantee, its successors and assigns, that at the time of the enrolling and delivery of this Easement, they are well seized of good and marketable title to the premises above described, and that the same are free and clear from all encumbrances that might materially adversely affect the rights of Grantee hereunder.
10. **Wisconsin Statutes:** In accordance with Section 32.06(2a) Wisconsin Statutes, any above named persons or parties having an interest of record in the property affected by this easement may appeal the amount of compensation paid for the rights herein granted within six (6) months after the date of recording of this document. The total consideration paid for such easement rights is stated on the Certificate of Compensation and Notice of Right of Appeal which is attached hereto, marked Exhibit "C", and made a part hereof by this reference.

The grantor hereby accepts a lump sum payment in consideration of the grant of this easement.

11. **Exercise of Rights.** The Parties agree that the complete exercise of the rights herein conveyed may be gradual and not fully exercised for some time in the future, and that none of the rights herein granted shall be lost by non-use for any length of time.
12. **Binding Effect:** This Easement shall be a covenant running with the land and shall be binding upon, and inure to the benefit of the Parties and their heirs, legal representatives, executors, administrators, devisees, legatees, successors or assigns. The rights herein granted to Grantee may be assigned in whole or in part by Grantee at any time.
13. **Non-Titled Spouse:** Any non-titled spouse signs below as Grantor for the purpose of releasing and waiving all rights he or she may hold under all applicable homestead exemption laws and all applicable marital property laws.

This _____ (is/is not) homestead property.

IN WITNESS WHEREOF, the Party or Parties hereto have executed this instrument this 3rd day of December, 2015.

GRANTOR: BURCZYK FAMILY REVOCABLE LIVING TRUST

By: Charles J Burczyk
Signature

Printed Name: CHARLES J BURCZYK

Title: CO-OWNER

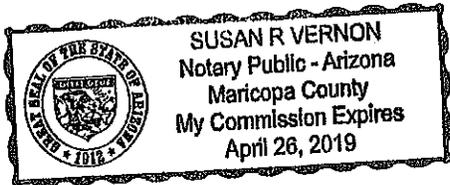
By: Shirley Burczyk
Signature

Printed Name: SHIRLEY BURCZYK

Title: CO-OWNER

STATE OF ARIZONA)
: SS
Maricopa COUNTY)

Personally came before me this 3rd day of December, 2015 the above named Charles J Burczyk and Shirley Burczyk, to me known to be the Trustee(s) of BURCZYK FAMILY REVOCABLE LIVING TRUST, who executed the foregoing instrument by its authority and on its behalf and acknowledged the same.



Susan R Vernon
Notary Public Signature, State of Wisconsin Arizona

Print Name: Susan R Vernon

My commission expires April 26, 2019
[Notary Seal]

Attachment: Packet (1629 : WE Energies)

This instrument was drafted by Rita C. Qualls on behalf of Wisconsin Gas LLC, 231 W. Michigan St., Milwaukee WI 53203.

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY AND EASEMENT AREA

GRANTOR:
 BURCZYK FAMILY REVOCABLE
 LIVING TRUST
 11611 W DONGES BAY RD
 MEQUON, WI 53097

GRANTEE:
 WISCONSIN GAS LLC
 231 W. MICHIGAN ST.
 MILWAUKEE, WI. 53202

TAX PARCEL NO.
 14-031-05-001.00
 14-031-05-003.00

PROPERTY DESCRIPTION

PARCEL 1:
 Parcel 1 of Certified Survey Map No. 270, recorded on March 12, 1969, in Volume 1 of Certified Survey Maps, Page 491, as Document No. 227431, being a part of the Northwest 1/4 of Section 31, Township 9 North, Range 5 East, in the City of Mequon, Ozaukee County, Wisconsin.

PARCEL 2:
 Lot 1 of Certified Survey Map No. 3506, recorded on September 9, 2004 as Document No. 801821, being a part of the Northeast 1/4 and Southwest 1/4 of the Northwest 1/4 of Section 31, Township 9 North, Range 5 East, in the City of Mequon, Ozaukee County, Wisconsin.

PERMANENT EASEMENT DESCRIPTION

That part of Lot 1 of CSM 3506 and Parcel 1 of CSM 270 in the Northeast 1/4 of the Northwest 1/4 of Section 31, Township 9 North, Range 21 East in the City of Mequon, Ozaukee County, Wisconsin, bounded and described as follows:

Commencing at the N 1/4 corner of said Section 31; thence S01°04'07"E along the east line of said NW 1/4, 40.00 feet to the south line of Donges Bay Rd. and the point of beginning; thence continuing S01°04'07"E along said east line, 30.00 feet; thence S88°02'01"W 530.44 feet; thence S01°57'57"E 20.00 feet; thence S88°02'01"W 733.31 feet to the west line of the owner's land; thence N01°09'42"W along said west line, 50.00 feet to said south line; thence N88°02'01"E along said south line, 1263.51 feet to the point of beginning.

The Permanent Easement Area contains 1.207 acres, more or less.

The Temporary Easement Area contains 0.421 acre, more or less.

Attachment: Packet (1629 : WE Energies)



we energies



DRAWN BY:	SAK
CHECKED:	GRS
APPROVED:	GRS

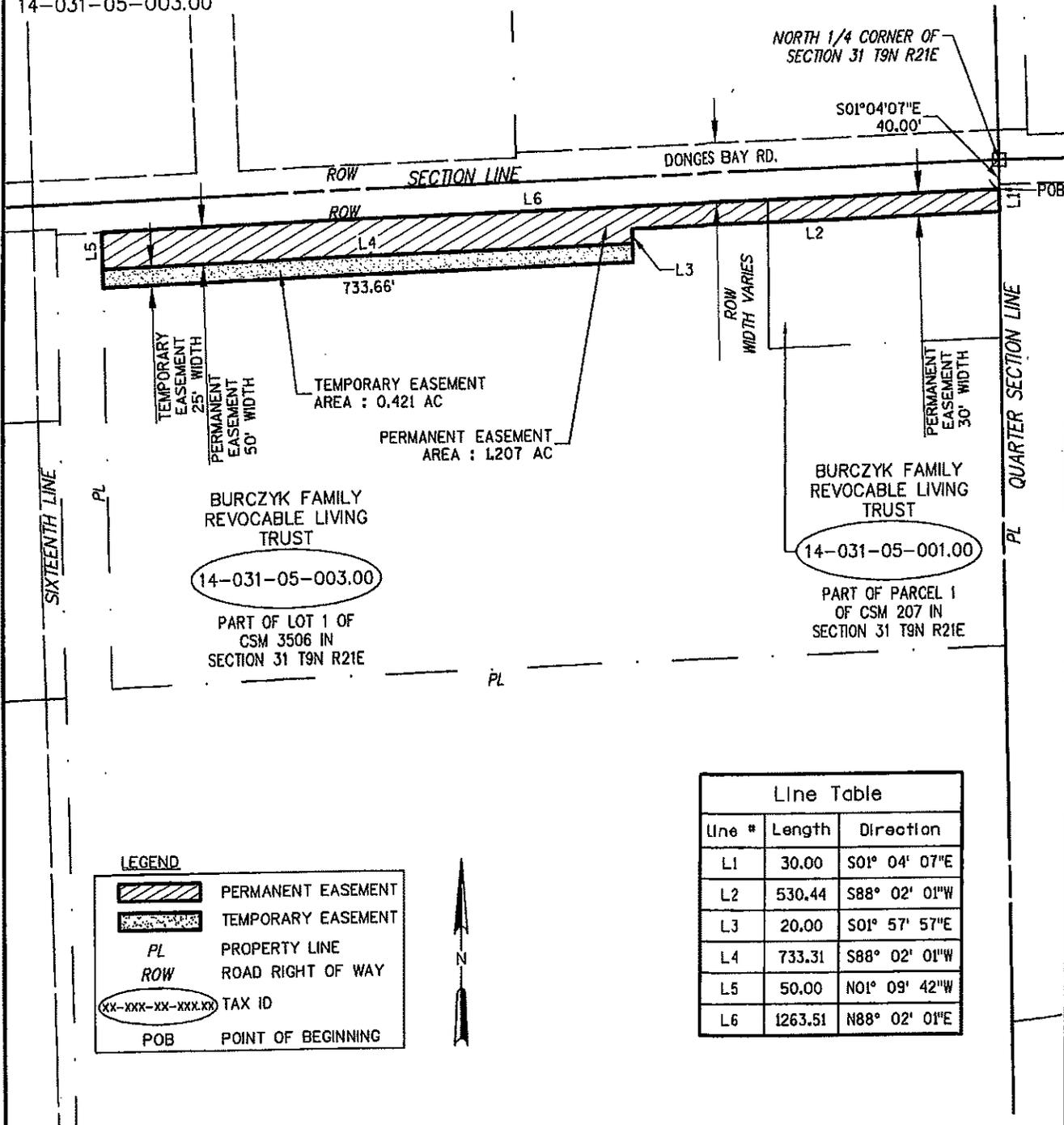
REVISIONS:	DATE: 10/30/2015
	SCALE: NA
	SHEET NUMBER:
	1 of 1

GRANTOR:
BURCZYK FAMILY REVOCABLE
LIVING TRUST
11611 W DONGES BAY RD
MEQUON, WI 53097

EXHIBIT B EASEMENT DESCRIPTION MAP

GRANTEE:
WISCONSIN GAS LLC
231 W. MICHIGAN ST.
MILWAUKEE, WI. 53202

TAX PARCEL NO.
14-031-05-001.00
14-031-05-003.00



14-031-05-003.00

BURCZYK FAMILY REVOCABLE LIVING TRUST
14-031-05-001.00

PART OF PARCEL 1
OF CSM 207 IN
SECTION 31 T9N R21E

LEGEND

	PERMANENT EASEMENT
	TEMPORARY EASEMENT
PL	PROPERTY LINE
ROW	ROAD RIGHT OF WAY
(XX-XXX-XX-XXX.XX)	TAX ID
POB	POINT OF BEGINNING

Line Table		
Line #	Length	Direction
L1	30.00	S01° 04' 07"E
L2	530.44	S88° 02' 01"W
L3	20.00	S01° 57' 57"E
L4	733.31	S88° 02' 01"W
L5	50.00	N01° 09' 42"W
L6	1263.51	N88° 02' 01"E

NOTE: BEARINGS BASED UPON THE WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.



we energies



DRAWN BY:	SAK
CHECKED:	GRS
APPROVED:	GRS

REVISIONS:	DATE: 10/30/2015
	SCALE: 1" = 200'
	SHEET NUMBER: 1 of 1

Attachment: Packet (1629 : WE Energies)

EXHIBIT "C"

CERTIFICATE OF COMPENSATION AND NOTICE OF RIGHT OF APPEAL

SECTION 32.06 (2a), WISCONSIN STATS.

DATED THIS 3rd DAY OF December, 2015

Pursuant to Section 32.06(2a), Wisconsin Statutes, notice is hereby given of the acquisition of a certain easement attached hereto and made a part hereof by this reference. The names of all persons having an interest of record in the property affected by such easement immediately prior to the acquisition of the easement are the following:

Grantor: BURCZYK FAMILY REVOCABLE LIVING TRUSTMortgagee: N/A

The Easement grants unto Wisconsin Gas LLC, its successors and assigns, the right, permission and authority to construct, maintain and operate gas pipeline facilities for the purpose of the transmission and distribution of natural gas and all by-products thereof or any liquids, gases, or substances which can or may be transported or distributed through a pipeline on, over, under, across, through, and upon the hereinafter described property to-wit:

A strip of land fifty (50) feet in width being a part of the premises of Grantor in a part of the Northwest ¼ of Section 31, Township 9 North, Range 5 East, City of Mequon, Ozaukee County, Wisconsin as described on Exhibit A and shown on the attached Easement Description Map, marked Exhibit "B" together with the temporary easement shown on Exhibit B.

Parcel Identification Numbers: 14-031-05-001.00; 14-031-05-003.00

The consideration paid for the permanent easement as shown on the attached Easement Description Map, marked Exhibit "B" was \$33,260.00.

The consideration paid for the temporary easement as shown on the attached Easement Description Map, marked Exhibit "B" was \$1,650.00.

In accordance with Section 32.06 (2a) Wisconsin Stats., any person named in the certificate may, within 6 months after the date of its recording, appeal from the amount of compensation therein stated by filing a petition with the judge of the circuit court of the county in which the property is located for proceedings to determine the amount of just compensation. Notice of such petition shall be given to all persons having an interest of record in such property. The judge shall forthwith assign the matter to the chairperson of the county condemnation commissioners for hearing under Sections 32.06(9)(a) and (b), 32.06(10), and 32.06(12) and Chapters 808 and 809 shall govern such appeals.

Attachment: Packet (1629 : WE Energies)

EXHIBIT "D"

ADDENDUMGeneral Construction Requirements and Restrictions
for Wisconsin Gas LLC Gas Easement Areas

1. The Easement Area must be accessible to Grantee and its duly authorized agents, invitees, contractors, persons, firms or corporations.
2. Fill material, rubble, scrap, pavement, berms or earthworks may not be placed within the Easement Area without Grantee's prior written approval.
3. The elevation or grade over the gas pipeline may not be altered by more than 6 inches without Grantee's prior written approval. A minimum of 36 inches of cover over the gas pipeline must be maintained at all times.
4. Retention ponds and their inlets/outlets are not permitted within the Easement Area.
5. Drainage ditches or drain tiles are not permitted within the Easement Area without Grantee's prior written approval of Grantor's plans. Plans must include consideration for proper cover and erosion protection.
6. Septic fields or mound systems are not permitted within the Easement Area. Laterals to or from the field or mound may cross the gas pipeline, provided that they maintain an 18 inch separation from the gas pipeline. Any excavation within 2 feet of the pipeline must be done by hand-digging or vacuum excavation with a Grantee representative present to view and inspect excavation activities.
7. Underground culverts, pipelines, cables, sewers or any utility may not be placed within 18 inches of the gas pipeline, and may not be placed within the Easement Area without Grantee's prior written approval of Grantor's plan. Any excavation within 2 feet of the pipeline must be done by hand-digging or vacuum excavation with a Grantee representative present to view and inspect excavation activities.
8. Digger's Hotline must be contacted at least 3 days prior to any excavation or construction activities within the Easement Area. The current contact for Digger's Hotline is 811 or 1-800-242-8511 or www.diggershotline.com.
9. Structures or above ground improvements are not permitted within the Easement Area. Prohibited structures include but are not limited to: houses, garages, outbuildings, storage sheds, decks, swimming pools, gazebos, satellite dish antennas and dog kennels/runs. Fencing may be installed in the Easement Area provided fence posts are placed a minimum of five feet from the gas pipeline.
10. Landscaping, including planting of trees and shrubs, **is not** permitted within 15 feet of the centerline of the pipeline.
11. The installation of private or public roads may be permitted within the Easement Area with Grantee's prior written approval of Grantor's road plan. The road plan must show sound structural fill around the gas pipeline. Grantee may require soil borings to establish the subgrade load bearing characteristics of the site and prove that unstable soils are not present around the gas pipeline.
12. A paved/compacted surface, such as a driveway, may be permitted within the Easement Area with Grantee's prior written approval of Grantor's driveway plan. The driveway plan must provide a minimum cover of 48 inches over the gas pipeline.
13. Heavy earth moving equipment may not be routed over the gas pipeline without Grantee's prior written approval of Grantor's construction plan. The construction plan must provide sufficient load bearing protection, including, but not limited to, temporary pavement, heavy mats, additional compacted cover or other adequate bridging methods.

EXHIBIT "D" – Page 2

14. **Grantee's Field Operations must be contacted at least three (3) working days prior to any excavation activity within the Easement Area to coordinate oversight or inspection, or to confirm compliance with these provisions. The current phone number for Grantee's Call Center is 1-800-242-9137.**
15. Additional protective requirements may be necessary upon review of Grantor's construction plans submitted to Grantee as required by the Easement.

**WISCONSIN GAS LLC
Attn: System Engineering, A516
333 W. Everett Street
MILWAUKEE, WI 53203**



TO: Planning Commission
FROM: JAC ZADER, ASSISTANT DIRECTOR COMMUNITY DEVELOPMENT
DATE: April 22, 2016
SUBJECT: Neumann Companies, Inc. Highlander Estates Subdivision – Phase I. The applicant is seeking landscape plan and street tree plan approval for Phase I for a 111 single family subdivision located immediately south of Brighton Ridge and Knightsbridge between Swan and Wauwatosa Roads.

Applicant: Neumann Companies
Status of Applicant: Owner
Requested: Street Tree Plan
Landscape Plan

Existing Zoning: R-3 (Single Family 1 Acre)
Central Growth Overlay (CGO)
R-4 (Single Family ¾ Acre)

Lot size: 112.7 Acres
Location: Lands immediately south of Brighton Ridge and Knightsbridge Subdivisions between Swan and Wauwatosa Road.

Address: Lands immediately south of Brighton Ridge and Knightsbridge Subdivisions between Swan and Wauwatosa Road.

Tax Key: #14-028-07-001.00 & #14-028-03-005.00 & #14-028-04-007.00

Zoning: R-3/CGO/R-4 **District:** #4

Request: Street Tree Plan
Open Space Plan

Briefing: The applicant is seeking open space plan and street tree plan approval for Phase I for a 111 single family subdivision located immediately south of Brighton Ridge and Knightsbridge between Swan and Wauwatosa Roads.

Background: The applicant is requesting landscape plan and street tree approval for the first phase of the Highlander Estates Subdivision located on 112.7 acres of land immediately south of Brighton Ridge and Knightsbridge Subdivisions between Swan and Wauwatosa Road.

Landscaping Plan:

The applicant has submitted final landscaping plans for Phase I which are consistent with the overall open space plan that was approved in April of 2015. The plan includes details related to the entryway signage and landscaping along Knightsbridge Drive. Other proposed plantings are

located within the subdivision out lots along the north and south property lines, adjacent to the proposed stormwater ponds and within the proposed cul de sac islands.

Street Tree Plan:

On March 16, 2016, the Tree Board approved the street tree plan for Phase 1 of the Highlander Estates Subdivision (please see attached memo from City Forester, Ken Baker). The plan calls for a total of approximately 147 trees which are located within the road right of way.

Tree Board Recommendation:

The Tree Board recommends **approval** of the street tree plan.

Planning Staff Recommendation:

Planning Staff recommends **approval** of the landscaping plan and street plan subject to the following conditions:

Staff review of final street tree and landscaping plan.

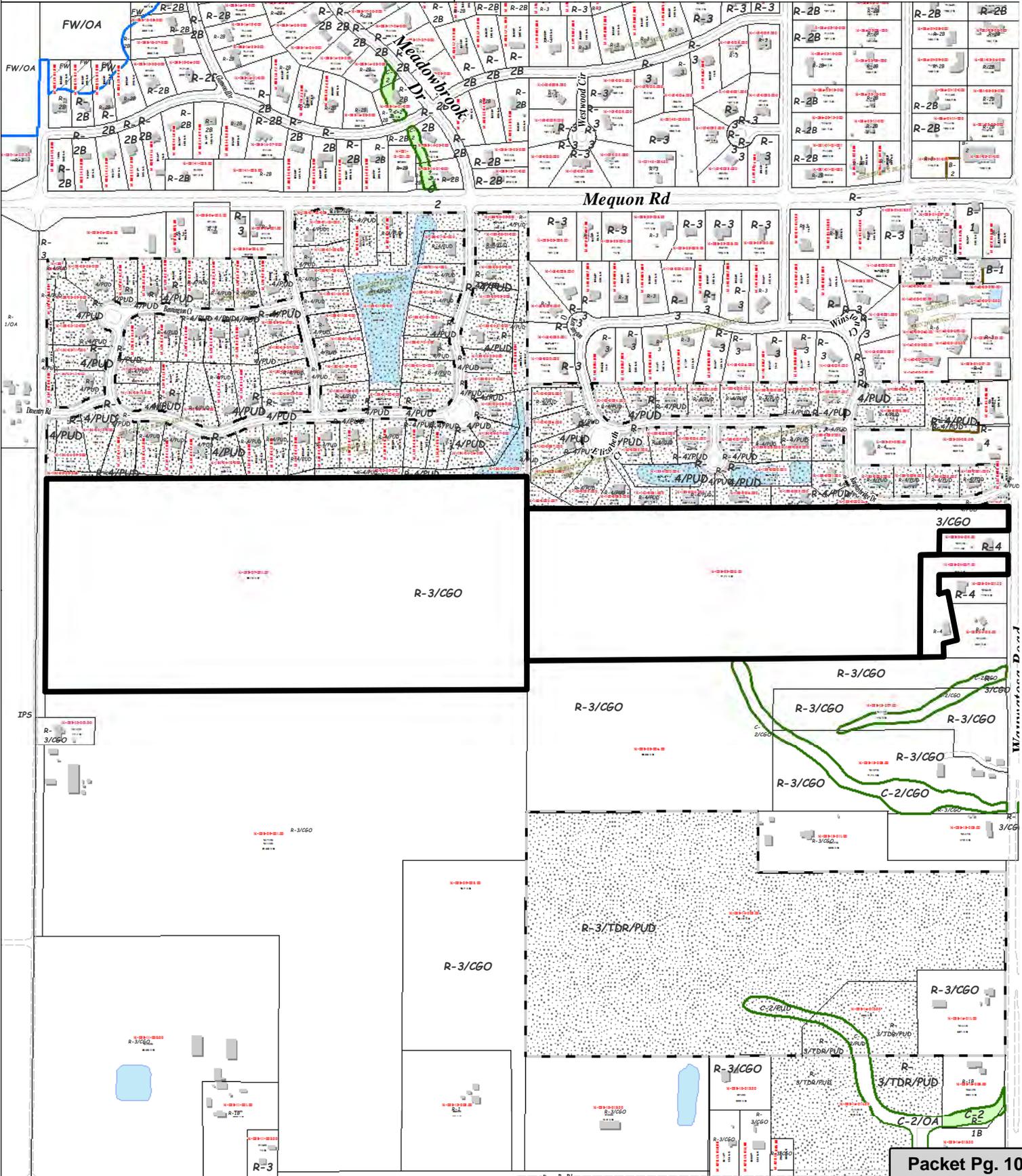
Attachments:

Packet (PDF)

Neumann Companies, Inc. Highlander Estates Subdivision Phase I

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

- LTD Limited Use
- OA Agricultural Overlay
- PUD Planned Unit Development Overlay
- P-1 Park & Recreation
- R-1 Single-Family Residential (5 Ac. Min.)
- R-1B Single-Family Residential (2.5 Ac. Min.)
- R-2 Single-Family Residential (2.0 Ac. Min.)
- R-2B Single-Family Residential (1.5 Ac. Min.)
- R-3 Single-Family Residential (1.0 Ac. Min.)
- R-4 Single-Family Residential (3/4 Ac. Min.)
- R-5 Single-Family Residential (1/2 Ac. Min.)
- R-6 Single-Family Residential (4 du/Ac)
- RM Multi-Family Residential
- TC Town Center
- TDR Transfer of Development Rights



Attachment: Packet (1601 : Neumann Companies, Inc. - Highlander Estates Subdivision - Phase I)

Neumann Companies, Inc. Highlander Estates Subdivision Phase I



Attachment: Packet (1601 : Neumann Companies, Inc. - Highlander Estates Subdivision - Phase I)



March 23, 2016

City of Mequon
11333 North Cedarburg
Mequon, WI 53092

Attn: Jac Zader

**Re: Street Tree Submittal
Highlander Estates**

Dear Jac:

Neumann Companies, Inc. is pleased to submit the attached landscape plans for the Highlander Estates subdivision; these plans are being submitted for the Planning Commission for Street Tree approval. The attached plans include revisions as recommended by the Tree Board during the March 16th meeting. Attached are five full-sized and five (11x17) copies of the plans along with the PC application and application fee in the amount of \$199.

The following is a brief outline of the changes made to the plans per the Tree Board Approval:

- Modify the planting detail around the trees (mulch & tree rings) – Sheet L-3
- Modify the seed mix for the storm water basins to provide more diversity and color to the plantings – Sheet L-2

Our plans show a total of (256) trees; 158 deciduous, 68 evergreen and 30 ornamental and the project contains approximately 2,800lf of roadway.

Please note that the attached plans also include the Open Space plans. The Open Space plans are submitted for reference and conform to the original concept plan approved with the Preliminary Plat. If there are any questions on the Street Tree submittal or the final design plans for the Open Space landscaping please feel free to contact me.

Sincerely,

Kevin Anderson
kevin@neumanncompanies.com
262-825-8068 (cell)

Attachment: Packet (1601 : Neumann Companies, Inc. - Highlander Estates Subdivision – Phase I)



11333 N. Cedarburg Rd 60W
Mequon, WI 53092-1930
Phone (262) 512-1297
Fax (262) 238-1580

www.ci.mequon.wi.us

Office of the City Forester

MEMORANDUM

TO: Mequon Plan Commission
FROM: Ken Baker, Mequon City Forester
SUBJECT: Highlander Street Tree Plan
DATE: April 26, 2016

The members of the Mequon Tree Board approved the request for the Highlander Street Tree Plan regarding the location and species of trees.

Thank you,

Ken Baker
Mequon City Forester

Attachment: Packet (1601 : Neumann Companies, Inc. - Highlander Estates Subdivision - Phase I)



DEVELOPED BY:
NEUMANN ASSOCIATES
 LANDSCAPE ARCHITECTS
 1274275 PALL COURT
 PEWaukee, WI 53151

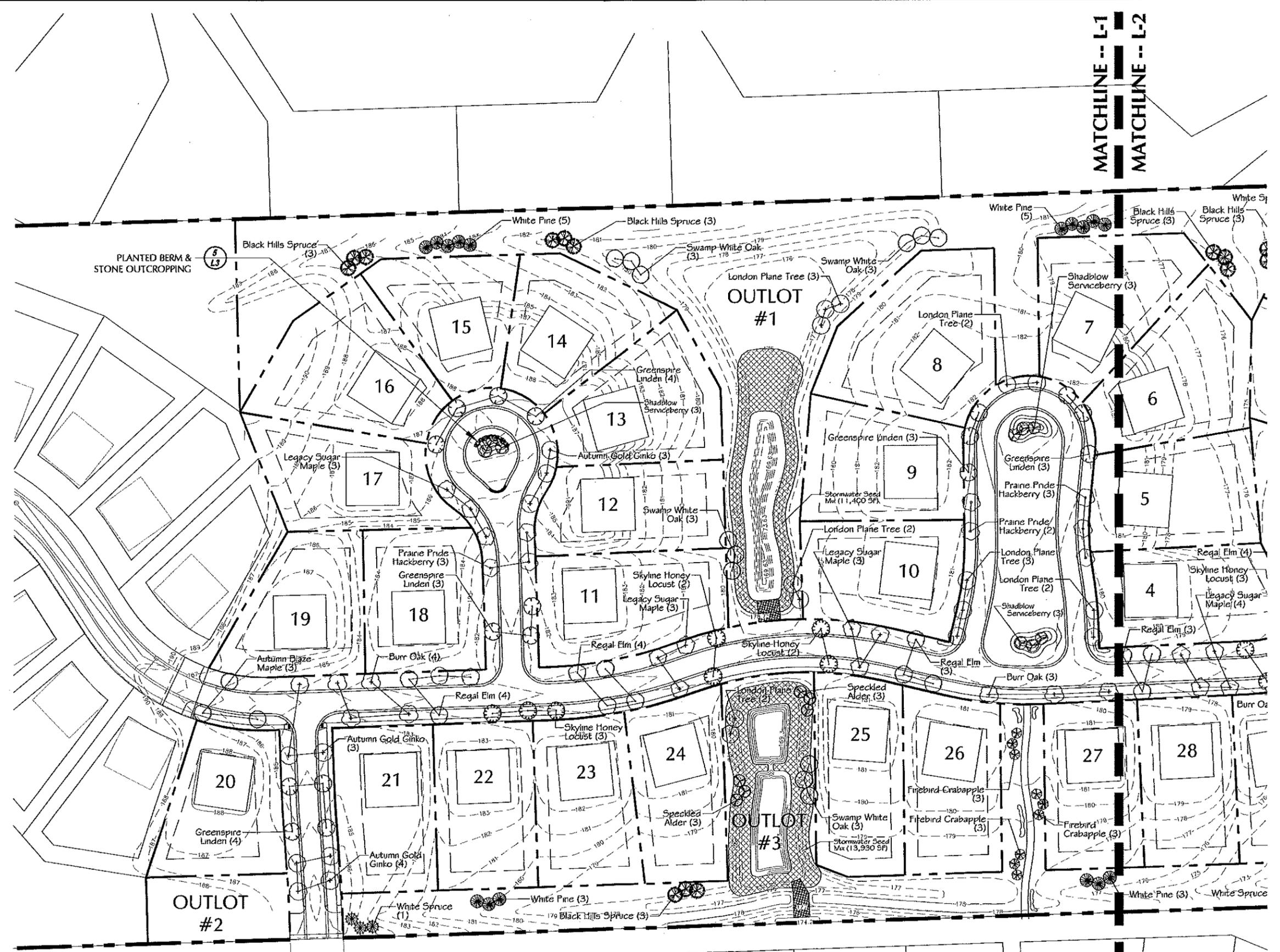


THE HIGHLANDER ESTATES
 MEQUON, WISCONSIN
 PLANNED SINGLE FAMILY
 RESIDENTIAL CLUSTER DEVELOPMENT

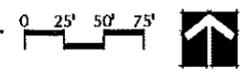
REV.	COMMENTS	DATE
1	REVISED	11/11/15
2	REVISED	02/19/16
3	REISSUED	03/22/16

SCALE: 1"=50'-0"
 DESIGNED BY: NP
 DRAWING BY: DF
 CHECKED BY: NP
 DATE: 09/22/15

SHEET
L-1



1 WEST LANDSCAPE PLAN:
 SCALE: 1" = 50'-0"



* REFER TO SHEET L-2
 FOR PLANT SCHEDULE

Attachment: Packet (1601 : Neumann Companies, Inc. - Highlander Estates Subdivision - Phase I)



THE HIGHLANDER ESTATES
MEQUON, WISCONSIN
PLANNED SINGLE FAMILY
RESIDENTIAL CLUSTER DEVELOPMENT

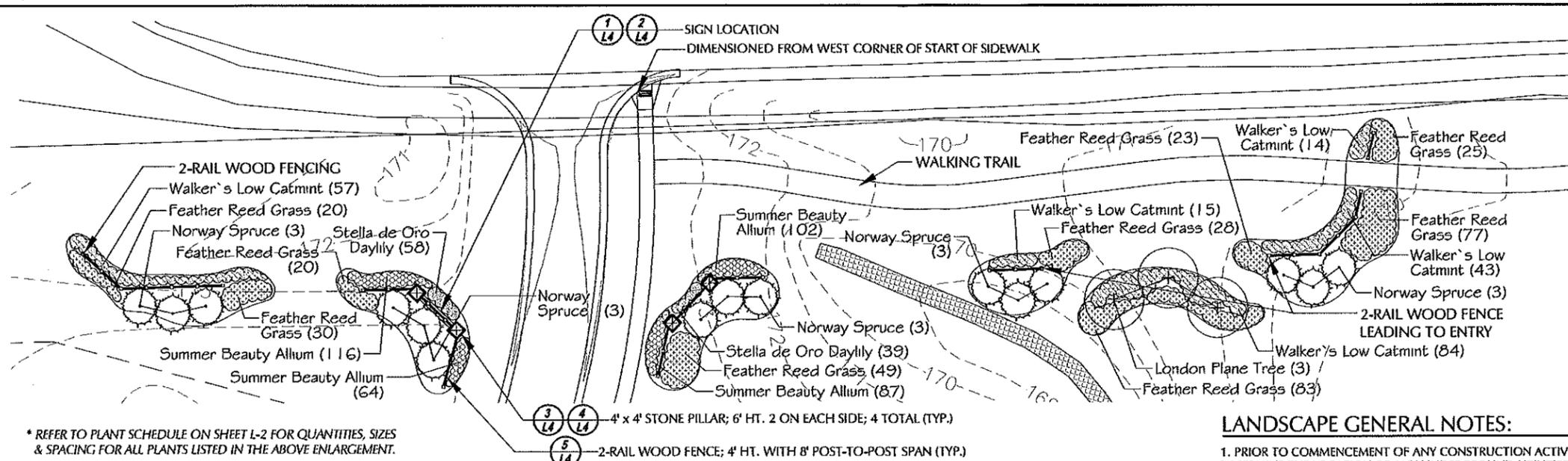
REV.	COMMENTS	DATE
1	REVISED	11/11/15
2	REVISED	02/19/16
3	REISSUED	03/22/16

SCALE:	VARIES
DRAWN BY:	NP
CHECKED BY:	DF
DATE:	09/22/15

SHEET:

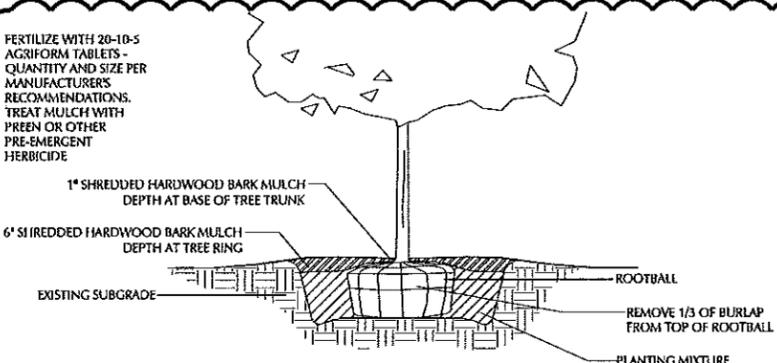
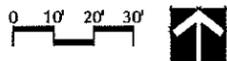
L-3

Attachment: Packet (1601 : Neumann Companies, Inc. - Highlander Estates Subdivision - Phase I)

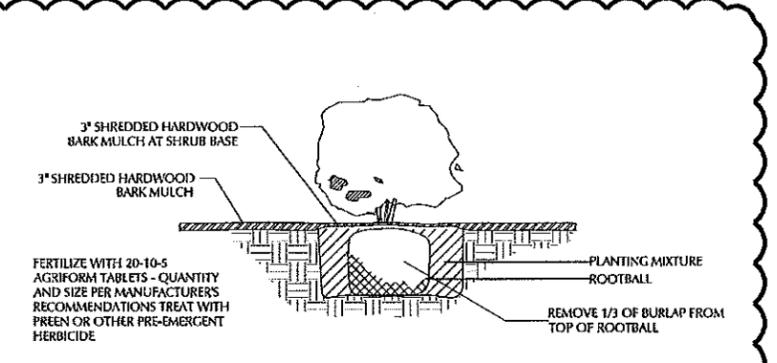


* REFER TO PLANT SCHEDULE ON SHEET L-2 FOR QUANTITIES, SIZES & SPACING FOR ALL PLANTS LISTED IN THE ABOVE ENLARGEMENT.

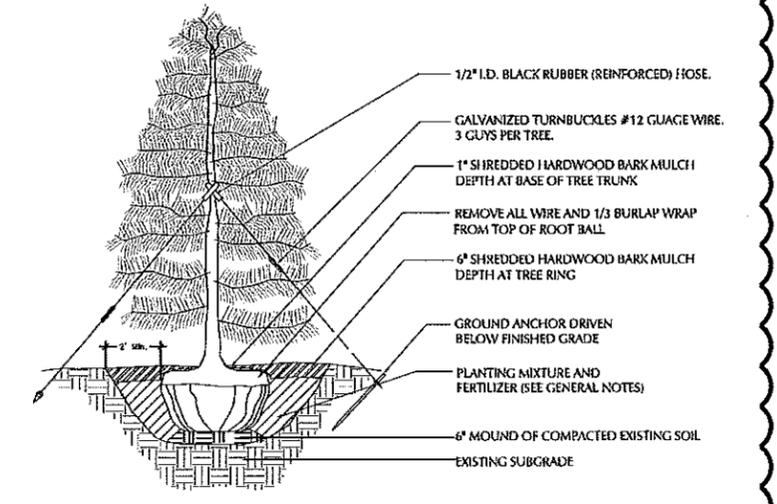
1 MAIN ENTRY ENLARGEMENT:
SCALE: 1" = 20'-0"



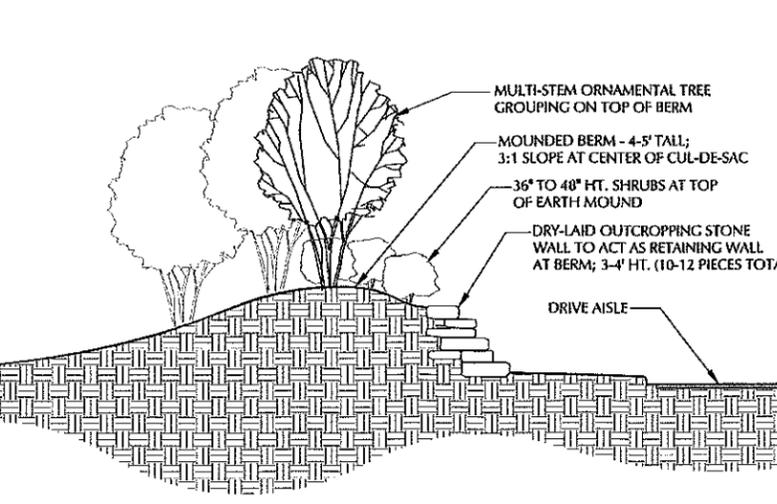
2 DECIDUOUS TREE PLANTING DETAIL:
NOT TO SCALE



4 DECIDUOUS TREE PLANTING DETAIL:
NOT TO SCALE



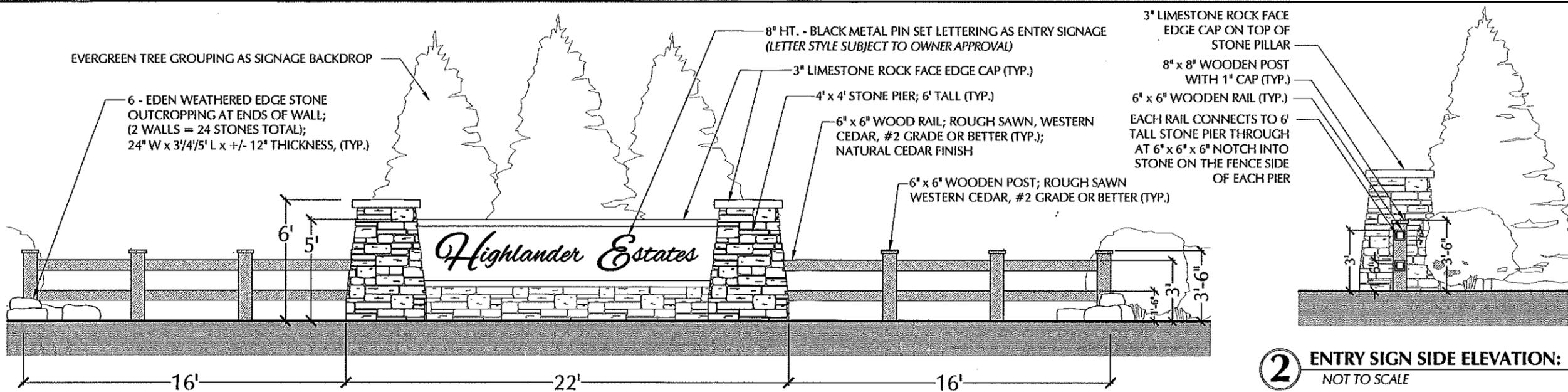
3 EVERGREEN TREE PLANTING DETAIL:
NOT TO SCALE



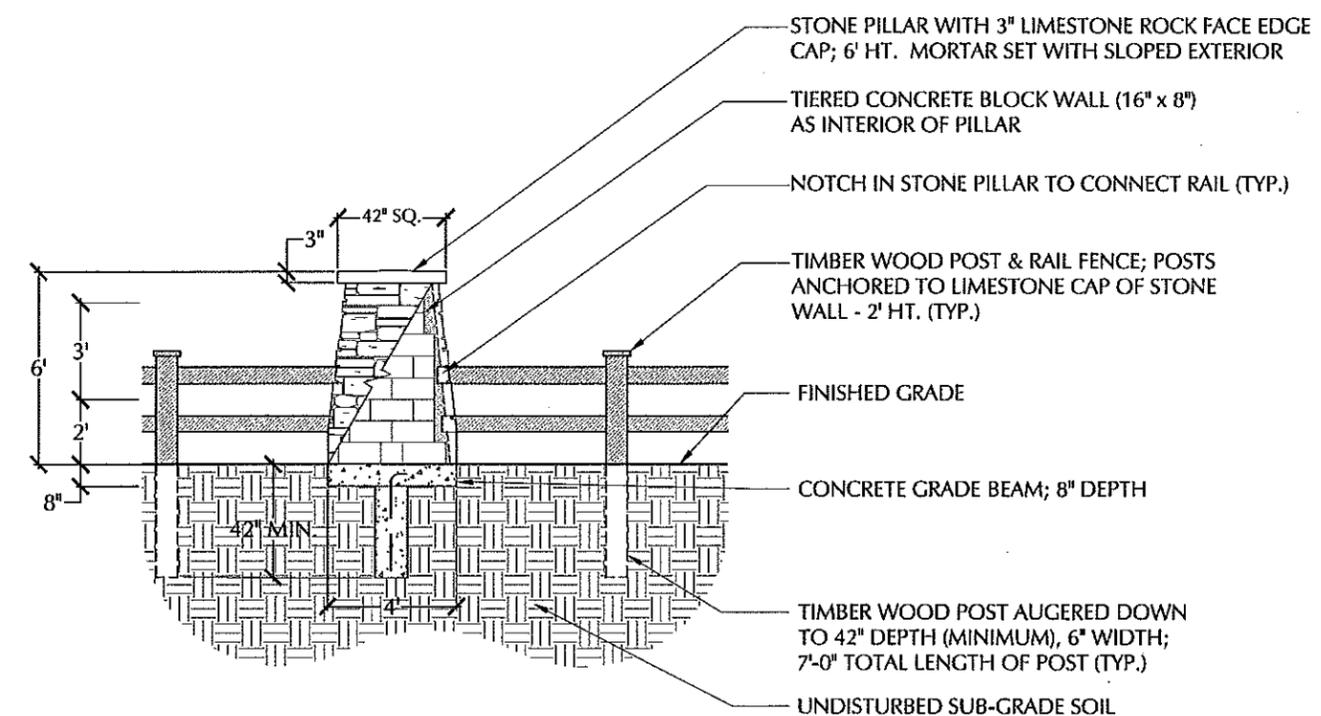
5 PLANTED BERM & OUTCROPPING SECTION:
NOT TO SCALE

LANDSCAPE GENERAL NOTES:

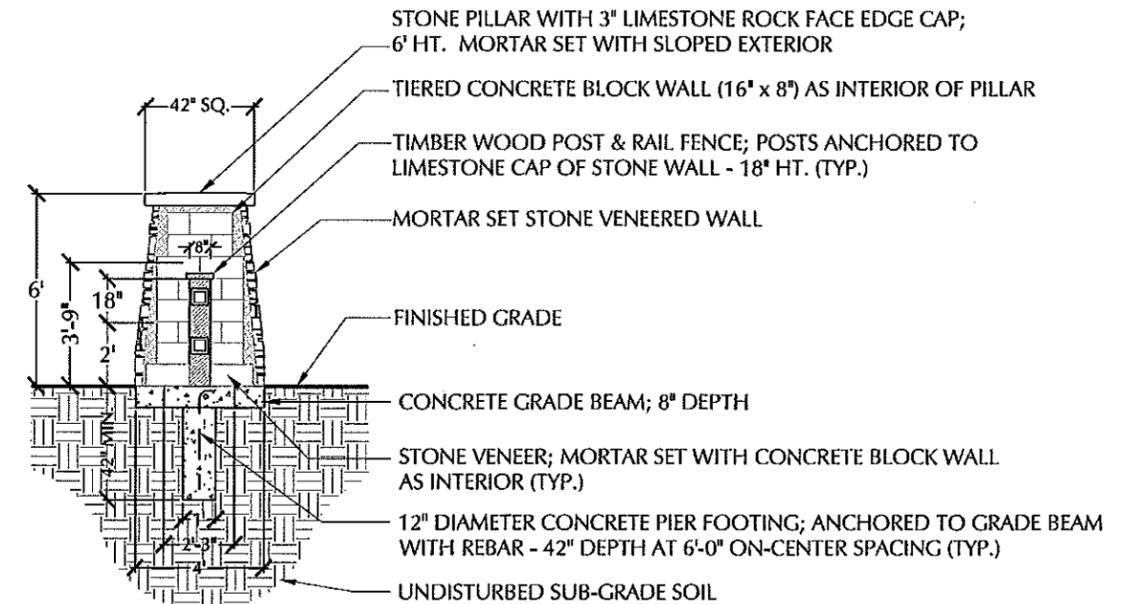
- PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION ACTIVITIES, CONTRACTOR SHALL NOTIFY J.U.L.I.E. TO DETERMINE THE LOCATION OF ANY UNDERGROUND UTILITIES, WHICH MAY AFFECT PROPOSED SITE WORK. CONTRACTOR SHALL NOTIFY THE OWNER/LANDSCAPE ARCHITECT IMMEDIATELY OF ANY DISCREPANCIES, OBSTACLES AND/OR PROBLEMS.
- VERIFICATION OF DIMENSIONS AND GRADES, BOTH EXISTING AND PROPOSED, SHALL BE THE CONTRACTOR'S RESPONSIBILITY PRIOR TO COMMENCEMENT OF WORK. THE CONTRACTOR SHALL NOTIFY THE OWNER/LANDSCAPE ARCHITECT OF ANY DISCREPANCIES.
- ALL SURFACE DRAINAGE SHALL BE DIRECTED AWAY FROM STRUCTURES. SURFACE DRAINAGE SHALL BE DIRECTED TO EXISTING CATCH BASINS DESIGNATED FOR THE COLLECTION OF SURFACE RUN-OFF.
- PLANT MATERIAL SIZES SHOWN ON PLANT SCHEDULE ARE MINIMUM ACCEPTABLE SIZES. ALL PLANT MATERIAL SHALL BE OF SPECIMEN QUALITY. NO 'PARK GRADE' MATERIAL WILL BE ACCEPTED.
- ALL PLANT MATERIAL SHALL BE OBTAINED FROM AN APPROVED SOUTHEASTERN WISCONSIN NURSERY WITH HEAVY CLAY SOILS.
- ALL PLANT MATERIAL SHALL CONFORM TO AMERICAN STANDARD FOR NURSERY STOCK AS SPONSORED BY THE AMERICAN ASSOCIATION OF NURSERYMEN AND APPROVED BY THE AMERICAN NATIONAL STANDARDS INSTITUTE, INC. (ANSI)
- IF SPECIFIED SPECIES AND/ OR QUALITY OF PLANTS ARE NOT AVAILABLE AT THE TIME OF ORDERING, THE LANDSCAPE ARCHITECT, AT HIS/HER DISCRETION, MAY SUBSTITUTE SIMILAR PLANTS WITH THE SAME WHOLESALE VALUE.
- ALL PLANTS TO BE BALLED IN BURLAP (B&B) OR CONTAINER GROWN (CG) AS SPECIFIED IN PLANT SCHEDULE. ALL NYLON/PLASTIC ROOT WRAPPING MATERIAL AND METAL WIRE BASKETS SHALL BE REMOVED.
- SOIL TO BE USED FOR THE PLANTING MEDIUM FOR THE PROJECT SHALL BE FERTILE, WELL-DRAINED, OF UNIFORM QUALITY, FREE OF STONES OVER 1" IN DIAMETER, STICKS, OILS, CHEMICALS, PLASTER, CONCRETE AND OTHER DELETERIOUS MATERIAL.
- ALL LANDSCAPE MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CITY CODES AND ORDINANCES.
- ALL LANDSCAPE MATERIALS SHALL BE INSTALLED IN CONFORMANCE WITH THE ACCEPTED INDUSTRY'S STANDARD 'BEST PRACTICE' TECHNIQUES AS IDENTIFIED BY THE WISCONSIN LANDSCAPE CONTRACTORS ASSOCIATION (WLCA).
- THE OWNER AND/OR LANDSCAPE ARCHITECT RESERVES THE RIGHT TO REJECT ANY PLANT MATERIAL IN POOR CONDITION/ FORM OR NOT INSTALLED ACCORDING TO 'BEST PRACTICE' TECHNIQUES.
- THE LANDSCAPE CONTRACTOR SHALL PREPARE PLANTING BEDS BY ADDING SOIL AMENDMENTS TO TOPSOIL MIX IN THE FOLLOWING QUANTITIES: TOPSOIL MIX FOR TREES & SHRUBS SHALL BE THREE (3) PARTS TOPSOIL, ONE (1) PART PEAT, AND ONE (1) PART SAND. TOPSOIL MIX FOR PERENNIALS & GROUND COVER SHALL BE THREE (3) PARTS TOPSOIL, ONE (1) PART SAND, AND TWO (2) PARTS COMPOST.
- ALL TREES, SHRUBS AND GROUND COVER TO RECEIVE 1" OF SHREDDED HARDWOOD MULCH.
- CONTRACTOR SHALL WATER PLANTS IMMEDIATELY AFTER PLANTING. FLOOD PLANTS TWICE DURING FIRST TWENTY-FOUR HOURS AFTER PLANTING. ALL PLANTS ARE TO BE REGULARLY WATERED UNTIL THE FALL SEASON; CONTRACTOR SHALL PROVIDE AN ESTIMATED MONTHLY COST OF WATERING DURING THIS DURATION.
- ALL ROAD AND WALK SURFACES SHALL BE KEPT CLEAR OF MUD AND DEBRIS AT ALL TIMES.
- CONTRACTOR SHALL REPAIR IN KIND ANY AREAS DAMAGED AS A RESULT OF LANDSCAPE OPERATIONS.
- GUARANTEE SPECIFICATIONS ARE AS FOLLOWS: THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A BONDED WRITTEN ONE-YEAR WARRANTY AGREEMENT BEGINNING ON THE FIRST DAY OF THE OWNER'S POSSESSION. THIS AGREEMENT SHALL PROVIDE FOR THE REPLACEMENT OF DEAD OR DYING PLANT MATERIAL. THE CONTRACTOR SHALL PROVIDE THE OWNER WITH A TYPEWRITTEN LIST OF SPECIFIC MAINTENANCE INSTRUCTIONS FOR EACH TYPE OF PLANT INSTALLED WITH THE WRITTEN AGREEMENT AND BOND.
- CITY FORESTER SHALL BE REQUIRED TO RECEIVE NOTIFICATION PRIOR TO THE INSTALLATION OF ANY OR ALL STREET TREES AND IS TO BE PRESENT ON-SITE DURING INSTALLATION TO CONDUCT PROPER INSPECTION.



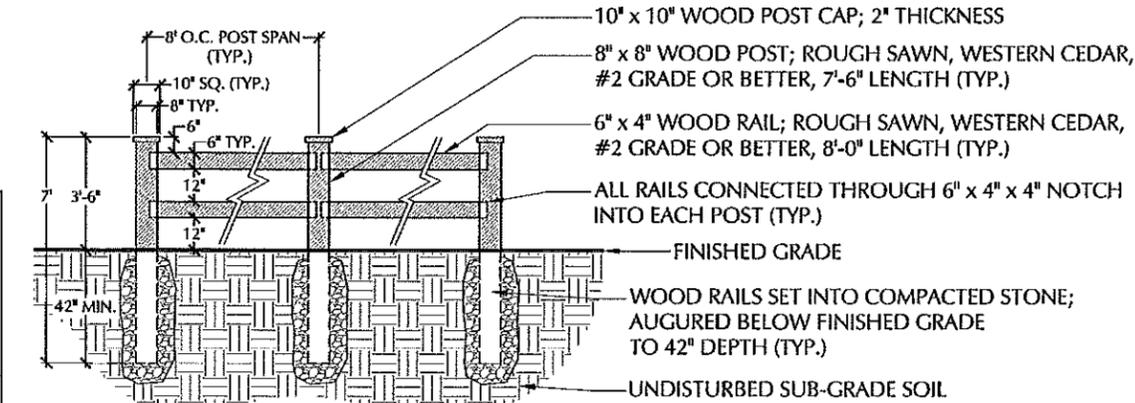
1 ENTRY SIGN FRONT ELEVATION:
NOT TO SCALE



3 STONE PILLAR & WALL FRONT SECTION:
NOT TO SCALE



4 STONE PILLAR & WALL SIDE SECTION:
NOT TO SCALE



5 WOOD FENCE SECTION:
NOT TO SCALE

STONE OUTCROPPING:
*AT MAIN ENTRY, WITHIN RIGHT-OF-WAY AT CONNECTION POINTS, & MOUNDED BERM AT END OF CUL-DE-SAC

LURVEY'S SUPPLY 'EDEN WEATHERED EDGE':

- 220 LF; STACKED 2-3' TALL (MAX.);
- STONES TYPICALLY SIZED: 24\"/>

WOOD FENCE MATERIALS:
* POSTS & RAILS TO BE RAW SAWN, WESTERN RED CEDAR, #2 GRADE OR BETTER

POSTS (30 TOTAL):
12 - 8\"/>



THE HIGHLANDER ESTATES
MEQUON, WISCONSIN
PLANNED SINGLE FAMILY
RESIDENTIAL CLUSTER DEVELOPMENT

REV.	COMMENTS	DATE
1	REVISED	11/11/15
2	REVISED	02/19/16
3	REISSUED	03/22/16

SCALE: VARIES
DESIGNED BY: NP
DRAWN BY: DIF
CHECKED BY: NP
DATE: 09/22/15

L-4

STAFF MEETING FOR DEVELOPMENT INQUIRIES: April 2016

PROJECT TYPE W. ESTIMATED VALUE BY LOCATION

TOWN CENTER

Mixed-Use \$30M

New Development:
Residential MF use

Mixed-Use \$19M

New Development:
Senior Living Apts.

City Facility Uses

PORT

Redevelopment Site:
Senior Housing

Indoor Recreation
Facility

OTHER COMMERCIAL

New Industrial Development

Industrial Manufacturing Use -
New

Revolving Loan Fund Program for
Commercial user

RESIDENTIAL

Conservation Subdivision -
Central Growth

Conservation Subdivision - Rural

Attachment: Development Inquiry April 2016 (1637 : Development Inquiry for April 2016)