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Department of Community Development

PLANNING COMMISSION
Policy Subcommittee
Monday, August 17, 2020 at 6:00 PM
GoToMeeting Teleconference
AGENDA

ELECTRONIC MEETING NOTICE: Pursuant to the current recommendation of the CDC limiting the size of public gatherings and the various federal and state orders implementing that recommendation, and to help protect our community from the Coronavirus (COVID-19) pandemic, this meeting will be held virtually through the GoToMeeting platform with each member accessing the meeting remotely. Citizens may join the meeting online or by phone. Please go to <https://global.gotomeeting.com/join/116424117> to join the meeting online or call into the meeting by dialing 1.877.309.2073 and enter access code 116-424-117.

WRITTEN PUBLIC COMMENTS may be made in writing in advance of the meeting. Written comments should be directed to the Department of Community Development at least 2 hours prior to the meeting by email at DCD1@ci.mequon.wi.us addressed to the intended committee. Written public comment may also be deposited in the drop box at City Hall on 11333 N. Cedarburg Road, Mequon at least 2 hours prior to the meeting. Comments received timely will be forwarded to all members of the body for their consideration.

VERBAL PUBLIC COMMENTS will be accepted only from members of the public who register in advance. Registration shall be made by sending an email to at DCD1@ci.mequon.wi.us or by leaving a message at 262.236.2903 no later than 2 hours prior to the meeting.

- 1. Call to Order, Roll Call**
- 2. Approval of Minutes from July 13, 2020**
- 3. Draft Residential Cluster Zoning Standards for East Growth** (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).
Review & Direction
- 4. Draft Neighborhood Commercial Zoning Standards for East Growth** (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).
Review & Direction
- 5. Draft list of uses allowed for Mixed-Use Zoning District for East Growth** (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

6. Announcements

The next meeting is Monday, September 14, 2020 at 6:00 p.m.

7. Adjourn

Dated: August 17, 2020

/s/ John Wirth, Chair

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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 262-236-2903, Monday through Friday, 8:00 AM – 4:30 PM



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Department of Community Development
 Taped and Televised

PLANNING COMMISSION
Policy Subcommittee
Monday, July 13, 2020
6:00 PM
Christine Nuernberg Hall

Minutes

1) Call to Order, Roll Call

Present:

Chair John Wirth
 Alternate Alderman Brian Parrish
 Commissioner Stephanie Hawley
 Commissioner James Schaefer
 Alternate Dan Gentges - **Absent**
 Commissioner John Stoker - **Absent**

2) Approval of Minutes

Action

Ald. Parrish made a motion to approve the June 22, 2020 meeting minutes.
 Commissioner Hawley seconded the motion.
A voice vote was taken; vote passed (4-0)

RESULT:	APPROVED [4 TO 0]
MOVER:	Brian Parrish, Alternate Alderman
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Wirth, Parrish, Hawley, Schaefer
ABSENT:	Gentges, Stoker

3) Review of Residential Focus Group input for East Growth

- a) Review of Residential Focus Group input for East Growth (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane/Ulao Creek to west and Pioneer Road to north).

Director Tollefson provided a written summary and verbal overview regarding reactions for residential and commercial development within the corridor by participants from the private sector residential focus group.

4) Concept Land Use Plan for East growth Neighborhood

Based on the Committee's past work and input from the residential focus group, the feedback from the Subcommittee is as follows:

- Public sewer infrastructure is not recommended given its cost.
- Public water is preferred, and staff should consider pursuing necessary policy discussion regarding infrastructure.
- Public water will encourage and streamline development especially fire protection for desired commercial uses.
- Residential densities should align with focus group feedback.
- Public water is critical to allow for $\frac{3}{4}$ acre lots.
- Allow the market to dictate the square footage for development on the east side of Port Washington Road (PWR).
- Ulao Creek to serve as a buffer and open space amenity for development and neighborhood.
- Prefer a mixed-use district with residential uses and commercial uses but need to select businesses that have low intensity operations, limited or outdoor storage and cannot otherwise be accommodated within the existing PW commercial corridor.
 - Design Standards
 - Limit outdoor storage
 - Small scale
 - Public water
- Specific parcels:
 - Corner of Highland Rd & PWR- sewer and water on this parcel – nicest residential area and single-family residential is desired here as this is an entry to this corridor and sets the tone for the rest of the development there.
 - Two parcels on east side of PWR north of Highland Road (light blue area on the map) – Residential and Senior housing desirable here.
 - Pioneer Rd & PWR (red on the map) – prefer Neighborhood Commercial uses.

Action

Mayor Wirth made a motion to recommend approval of the five staff recommendations:

1. $\frac{3}{4}$ - 1 acre lot density for single-family residential land uses
2. Use of conservation/cluster style land development
3. Accommodation of a residential land use, other than single-family but less intense than multiple family, within the mixed-use commercial zoning on the east side
4. Use of private septic systems for disposal.
5. Use of public water or private wells for water.

Commissioner Hawley seconded the motion.

A voice vote was taken; vote passed (4-0)

RESULT:	APPROVED [4 TO 0]
MOVER:	John Wirth, Chair
SECONDER:	Stephanie Hawley, Commissioner
AYES:	Wirth, Parrish, Hawley, Schaefer
ABSENT:	Gentges, Stoker

5) Draft East Growth Area Residential District

Feedback from the Subcommittee is as follows:

- Open space required along Pt. Wash. Rd & Highland Road
- Homes should be located off internal roads
- Concept plan is optional, and it is not mandated to go to Planning Commission prior to preliminary plat.
- Staff should pursue a master open space plan and mechanisms for implementation.

6) Announcements

The next meeting is Monday, August 17th at 6:00 p.m.

7) Adjourn

Action

Ald. Parrish made a motion to adjourn.
Commissioner Hawley seconded the motion.
A voice vote was taken; vote passed (4-0)

Respectfully Submitted,

Kim Tollefson



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Department of Community Development

TO: Planning Commission
FROM: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: August 17, 2020
SUBJECT: Draft Residential Cluster Zoning Standards for East Growth (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

Attachments:
Item 3 (PDF)
Item 3a (PDF)

Background:

The Policy Subcommittee and the community as a whole support the development of single-family residential land uses within the East Growth (EG) neighborhood. At recent meetings, the Subcommittee members gained consensus that single-family residential is an ideal land use for most of the west and east side of Port Washington Road (north of Bonniwell Road), for a portion of land within the study area along Highland Road west of Port Washington Road, and for the area along Oriole Lane.

The Committee considered market strength, the 2019 City survey, the 2019 Neighborhood Open House and input from a group of residential developers and home builders in SE Wisconsin to determine the potential opportunity and location for single-family land uses within the neighborhood.

At the Committee's July meeting, a review of draft regulations guiding development for single-family cluster style residential land uses was reviewed and supported with some minor adjustments.

Staff will present alternative names for this neighborhood that are based on historic factors for the community and specific neighborhood.

Analysis:

To further the recommendations for development of single-family residential lands use for the neighborhood, staff includes a revised draft zoning ordinance. These draft regulations do not apply to the single-family area along Oriole Lane. The draft copy is attached and integrates input from the public, residential developer focus group and committee comments. In addition, it relies on the concepts and standards that are established for the Central Growth residential neighborhood located on the west side of the community and lessons from development that has occurred in that area over the past several years.

Further details of the draft overlay district include the following:

1. Cluster, or conservation style subdivisions, are permitted.
2. Non-residential land uses are very limited.
3. Open space, with amenities, is required, as is a park and open space impact fee in order to further the concept of an integrated neighborhood open space system (additional policy discussion is necessary).
4. A predetermined yield lot allocation based on gross land area and $\frac{3}{4}$ acre lot size/
5. Public sidewalk construction is required as are street trees, a city approved neighborhood light fixture, entryway features and open space along existing public roads.
6. Limitations of front-loading garages and locations of driveways.
7. Process for approval is streamlined.

In addition, staff has assessed (under some assumptions) the outcomes of development comparing 1 acre and $\frac{3}{4}$ acre lot yield combined with the quantitative and qualitative standards for open space. In each scenario, the City should not expect a 1:1 ratio of yield and actual lots and while there is likely a greater loss of lots under the $\frac{3}{4}$ acre yield, overall the development can still achieve a greater number of lots than utilizing a 1 acre yield. To reduce the gap and reach closer to a 1:1 lot

ratio, the City could reduce the required open space from 30% to 25%. This may be of greater interest if the City commits to a master open space plan for the entire EG neighborhood.

To provide greater understanding of the benefits of cluster style subdivisions and the results of the qualitative and quantitative measures outlined in the draft regulations, staff includes the open space plan of The Enclave at Mequon Preserve (located in Central Growth). The plan achieves all the open space plan requirements listed in the attached draft regulations with lots that range from .36 acres (15,680 square feet) to .65 acres (28,314 square feet). Smaller lots sizes are permitted in Central Growth because it is served by public sewer and water.

There are still some minor edits that should occur to the attached draft regulations prior to adoption, including reconciliation of the listed conditional uses.

One final note, the Committee should acknowledge that as a permitted use, the City will have limited authority to require additional measures of the developer based on site specific conditions identified or public commentary. Therefore, all desired aesthetic and quality enhanced features should be addressed or added to the district regulations.

Staff Summary:

Staff seeks the Committee's review and discussion of the standards with an understanding that the draft regulations can be finalized at the next Committee meeting. The approval of these regulations by the Planning Commission and ultimately the Common Council should run concurrent to the necessary policy amendment(s) for the extension of public water. In addition, prior to final recommendations by the Subcommittee, staff will meet with property owners.

- **Sec. 58-334. - East Growth (EG) Area Residential Cluster District.**

(a) *Purpose.* The overlay district for east growth area is established to increase the supply of single-family market-rate dwellings located within an area not served by public sewer and provide an environment of cluster developments with a density of $\frac{3}{4}$ acre per dwelling unit in an effort to preserve critical environmental features and enhance neighborhood amenities for the public benefit.

(b) *Established boundaries.* The east growth area residential cluster district boundaries shall be as specified on the zoning map and as generally described as the area bound by I-43 to east, Highland Road to south Ulao Creek and Oriole Lane to west and Pioneer Road to north.

(c) *Definitions.*

(1) *Residential cluster development.* A residential cluster development is a unified single-family residential development in which not less than five single-family lots are grouped together in order to preserve common space and reduce infrastructure for the benefit of the residents of the development and surrounding neighborhood. Cluster developments allow flexibility in the location of lots and structures and the size of individual lots in order to encourage the efficient use of land and infrastructure.

(2) *Yield Lots.* Yield lots are the total number of lots based on gross area in which the property is located and permitted based on a minimum $\frac{3}{4}$ acre lot size and 85 foot width. The number of yield lots are the equivalent number of lots allowed as a residential cluster development. The Department of Community Development shall validate the approved number of yield lots prior to filing for approval of a preliminary plat.

(d) *Permitted uses.*

(1) Single-family detached dwellings located on a lot platted prior to December 1, 2020.

(2) Residential cluster developments.

(3) Animals and animal-related uses specified in division 11 as permitted uses in the R-4 district.

(4) Community living arrangements for 8 or fewer persons in accordance with Wis. Stats. §62.23(7)(i).

(5) Long-term rental of a structure described in subsection (b)(1).

(e) *Permitted accessory uses and structures.*

(1) Permitted accessory uses as allowed in the R-4 zoning district.

(2) No accessory structure shall project further into the front or corner side yard than the principle structure.

(3) Chain link or 100% opaque fencing is prohibited. Fencing is prohibited in the front and corner side yard.

(f) *Conditional uses.*

- (1) Single-family residential developments created through a conventional subdivision design or a minor land division
- (2) Community gardens
- (3) Parks
- (4) Community greenhouse
- (5) Outdoor recreational facilities
- (6) Community living arrangements for nine or more persons in accordance with Wis. Stats. § 62.23(7)(i).
- (7) Additional attached non-income producing living accommodation with separate bath and kitchen facilities for relatives of the individual(s) residing in the primary dwelling.
- (8) Guesthouse subject to, among other things, living quarters being within a detached accessory building which is located on the same lot with the principal residential structure. Furthermore, the guesthouse is intended for use by temporary guests of the residents and shall have no kitchen facilities, and not be rented or otherwise used as a separate dwelling.

(g) *Yard requirements.* The yard requirements shall be as follows in Table 58-334-1:

Table 58-334-1 Minimum Lot Dimensions and Yard Requirements

Uses	Min. Lot Area	Min. Lot Width	Front Yard/ Corner Side Setback	Interior Side / Rear Yard Offset	Corner Side	Lot Coverage	FAR
Single-Family (S.F.)	3/4 AC	150 ft	50 ft	20 ft	50 ft	15%	n/a
Residential Cluster Developments	30,000 sq. ft.	85 ft	30 ft	15 ft/ 20 ft	30 ft	15%	n/a
All Other Uses	1 AC	150 ft	50 ft	30 ft	50 ft	15%	.30

(h) *Dwelling standards.* Single-family dwellings within the EG district shall have a minimum living area of 1800 square feet for a single-story and 2100 for a multi-story.

(i) *Building height.*

- (1) The height of any dwelling unit shall not exceed 42 feet.
- (2) The height of accessory structures shall not exceed 15 feet.

(j) *Specific design standards for residential cluster developments.* Any development designed as a cluster development shall be subject to the following standards. All density shall be provided on the subject development site but may be in different phases of the development.

(1) *Concept plan.* The concept plan is required and subject to planning commission approval at the time of submitting the preliminary plat and shall identify the following:

- a. Primary conservation features including but not limited to wetlands, floodplains, drainage courses, steep slopes, specimen trees.
- b. Secondary conservation features including but not limited to woodlands, natural meadows, scenic features, passive and active recreational amenities or viewsheds.
- c. Location of lots and buildable area of each lot.
- d. Street alignments, paved sidewalks along one side of street at a minimum and a combination of paved and non-paved trails, including designations of those dedicated for public use.
- e. Driveway locations. Driveways shall not have direct access to/from public roads exterior to the property in which development is occurring or public roads existing on December 1, 2020.
- f. Distinction of lots with front entry or side entry garage option(s). No less than 50% of residential buildings shall present a side loading garage, a courtyard garage entry or a 15 degree turned garage entry. Of the remaining 50% that is allowed to present a front loading garage, the following shall apply: 1) no more than two garage stalls shall present on the same linear plane, 2) all front loading garages shall contain architectural details consistent with the front elevation, 3) none of the front loading garages shall have a consistent setback to that of the habitable portion of the building and 4) no more than 30% of the front loading garages shall project further into the front yard than the habitable portion of the building. There shall be no more than three front-loading garage residential buildings in a row.
- g. Open space and features adjacent to entire extent of the public right of way. Open space adjacent to the entire extent of any public right-of-way shall be a minimum of 30 feet in width and include public sidewalk, City approved and designate light fixtures and street trees, which are subject to the approval of the City Tree Board and Planning Commission.
- h. Entryway open space amenities including but not limited to signage, landscaping, lighting, utilities and utility accessories. Entryway features shall enhance the open space adjacent to the public right-of-way and serve as a transition from public to private lands. City approved and designated EG entryway light fixture(s) are required within this defined entryway and open space.

(2) *Common open space plan.* An open space plan is required and subject to planning commission approval at the time of submitting the preliminary plat.

(3) *Common open space.* Not less than 30 percent of total site area shall be established as common open space. The common open space shall:

- a. Create large and contiguous areas that represent an integrated system with no one dedicated common space being less than 5,000 square feet.
- b. Distribute common, open space throughout the development to serve as connection from the streets and groupings of lots to the large and contiguous open space. Small or fragmented open space shall be minimized.
- c. Protect site features.
- d. Connect to environmental features on adjacent sites. Long, thin strips shall be prohibited unless a conservation feature is linear and necessary to provide a green belt between lots or to provide connection with other natural features, amenities and adjacent developments.
- e. Maintain a perimeter, low-maintenance open space buffer with a minimum width of 30 feet.
- f. Include passive recreational amenities and designated areas for active recreational amenities. Amenities include, but are not limited to, features such as gardens, trail systems leading to destinations, sport courts, firepits, gathering and seating areas, children's play equipment.

(k) *Park and Open Space Impact Fee.* A park and open space impact fee of \$X / single-family residential lot is required for the development of open space, including a trail system, within the East Growth neighborhood compliant with the City approved East Growth Neighborhood Park and Open Space.

(l) *Development Agreement.* A development agreement is required for development in which public or private infrastructure and open space is planned. The development agreement is subject to the approval of the City Planning Commission and Common Council.

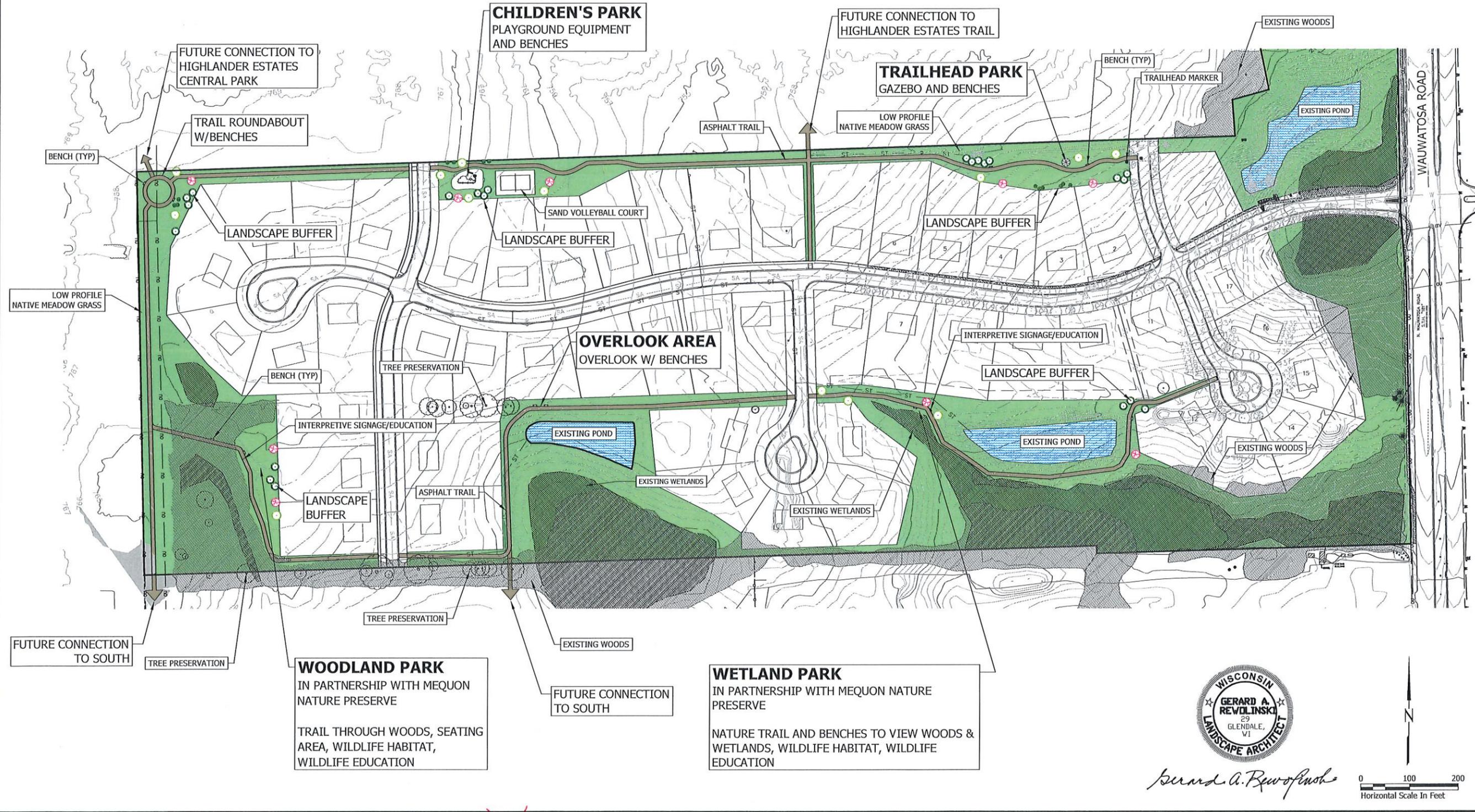
(m) *Exceptions to the building and site plan review requirements.* The planning commission may approve exceptions to the district requirements upon finding that the use or development includes building or site amenities that address any adverse effects of the exception and where the planning commission finds that strict compliance to the requirements is impractical because of site conditions or location. Planning commission approval of an exception shall require common council confirmation upon written request from two aldermen or one alderman and the mayor. Such request shall be made within 14 days of the corresponding planning commission approval of the exception. The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the spirit and intent of this district always remains on the applicant.

- **Secs. 58-335—58-352. - Reserved.**

RECREATIONAL
 OPEN SPACE = 16.25 acres
 ASPHALT TRAIL
 LENGTH = 1.08 miles

THE CONTRACTOR SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS. DO NOT SCALE THE DRAWING. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND DIMENSIONS ARE THE PROPERTY OF STANTEC. REPRODUCTION OR USE FOR ANY PURPOSE OTHER THAN THAT AUTHORIZED BY STANTEC IS FORBIDDEN.

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OPEN SPACE PLAN
 ENCLAVE AT MEQUON PRESERVE
 VERIDIAN HOMES
 MEQUON, WISCONSIN

DATE OF ISSUANCE	NOVEMBER 14, 2015
NO. REVISION	DATE
1	
SURVEY	###
DRAWN	###
DESIGNED	###
CHECKED	###
APPROVED	###
PROJ. NO.	19383307
SHEET NUMBER	L200



Gerard A. Revolinski





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Department of Community Development

TO: Planning Commission
FROM: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: August 17, 2020
SUBJECT: Draft Neighborhood Commercial Zoning Standards for East Growth
(generally the area bound by I-43 to east, Highland Road to south, Oriole
Lane /Ulao Creek to west and Pioneer Road to north).

Attachments:
Item 4 (PDF)

Background:

The Policy Subcommittee wishes to control the extent of retail and office within the East Growth neighborhood to guide certain commercial uses to the commercial areas south of Highland Road. It is recognized that certain commercial uses can be successful and are appropriate at the immediate intersections of Highland Road and Pioneer Road. In part, this is due to existing surrounding uses but also due to traffic patterns given the proximity to I-43 and planned interchanges. The Committee considered market strength, commercial uses and opportunities that are ideal of the existing commercial corridor south of EG, the 2019 City survey and the 2019 Neighborhood Open House to determine the potential opportunities.

Analysis:

To further the concept of these desired, limited commercial use nodes, staff leveraged recent zoning approved for other neighborhood scaled commercial areas within the City such as Cedarburg and Donges Bay Road. An amended, and draft version of that zoning is attached for consideration in East Growth. The proposed zoning groups commercial uses that can work well within a multi-tenant commercial building with similar operations and similar limiting impacts to the residential uses that exist nearby and that are desired for East Growth. Therefore, targeted commercial uses are those meant to serve neighborhood residents and commuter traffic and are less likely to create conflict with adjacent or nearby residential land uses. The amount of acreage proposed for this zoning district is limited.

One limitation on the advancement of these draft regulations is converting uses to permitted uses that are typically handled as conditional uses elsewhere in the City. Staff wants to reconcile the conversion of these as permitted uses by assessing the impacts in other neighborhoods throughout the City to evaluate where specific development standards need to be consistent and where a distinction is necessary. That assessment will take additional time.

Further details of the draft include the following:

1. Retail uses are significantly limit the amount of retail.
2. Outdoor storage for uses will be prohibited.
3. Building and site plan review will be required for all development.
4. Public sidewalk construction, street trees and open space is required.
5. Staff recommends a building size of 25,000 – 30,000 square feet.
6. Process for approval is streamlined.

The Committee should discuss the level of notification certain uses merit and understand that strict architectural standards will be necessary for the type of commercial uses permitted, especially since many of the commercial uses are only allowed if part of a mixed use commercial building. Staff wants to avoid a typical strip shopping center aesthetic but also wants to prevent standalone commercial buildings inherent with chain retailers.

Staff Summary:

Staff seeks the Committee's review and discussion of the proposed uses and specific development standards as outlined in the draft zoning.

Sec. 58-292. – East Growth Neighborhood Commercial (EG NC) district.

- (a) *Purpose.* The East Growth (EG) NC district is established to provide a limited commercial environment for office and services that enhance existing commercial and institutional uses in the East Growth neighborhood and limited retail and services for nearby residential neighborhoods.
- (b) *General requirements.*
- (1) Buildings shall be designed in individual or small groupings and shall not exceed 25,000 square feet per structure, nor exceed two stories in height, except as approved as a planned unit development. The commercial development shall be designed and sized in a manner which is architecturally, aesthetically and operationally harmonious with surrounding development.
 - (2) All business, servicing or processing, except for off-street parking or loading, shall be conducted within completely enclosed buildings. Outside storage is prohibited.
 - (3) In approving or disapproving proposed locations for uses under this section the planning commission shall give due consideration to the character and suitability of development for the area in which any such use is proposed to be located and shall also base its decision on such evidence as may be presented to the city planning commission regarding traffic generation, ground water impact, sewage disposal impact, lighting, soil limitations and the emission of noise, smoke, dust or dirt, odorous or noxious gases attributed to the proposed use. The city planning commission, in applying the provisions of this section, shall in writing recite the particular facts upon which it bases its conclusion. The applicant shall have an opportunity to present evidence contesting such unsuitability or propose adequate mitigation, if they so desire. Thereafter, the city planning commission may affirm, modify or withdraw its determination of unsuitability.
 - (4) Building and site plan review required. The planning commission shall review and take action on development within the EG NC district. All applicants are required to meet with city staff for a pre-application meeting. All development is subject to the following and minimum building and site standards:
 - a. Primary and secondary conservation features including but not limited to wetlands, floodplains, drainage courses, steep slopes, specimen trees, woodlands, meadows, scenic features and viewsheds shall be integrated into an open space and landscaping plan.
 - b. Direct access to/from public roads exterior to the property in which development is occurring or public roads existing on December 1, 2020 shall be minimized and in designed in accordance with recommendations by the City Engineer and where appropriate by Ozaukee County Engineering.
 - c. Street alignments, paved sidewalks and a combination of paved and non-paved trails are required and shall be dedicated for public use.
 - d. Open space and features adjacent to entire extent of the public right of way are required. Open space adjacent to the entire extent of any public right-of-way

shall be a minimum of 20 feet in width and include public sidewalk, City approved and designated light fixtures and street trees, which are subject to the approval of the City Tree Board and Planning Commission.

- e. Entryway open space amenities including but not limited to signage, landscaping, lighting, and any utilities and utility accessories shall be identified. Entryway features shall enhance the open space adjacent to the public right-of-way and serve as a transition from public to private lands. City approved and designated EG entryway light fixture(s) are required within this defined entryway and open space.
 - f. Building Placement and Composition shall comply with the City approved East Growth Design Standards.
 - g. No commercial tenant space shall be less than 1,500 square feet.
- (5) Redevelopment of an existing building, where 50 percent or more of the existing building area is removed, shall be subject to the regulations in subsection (c) unless the city modifies the regulations in accordance with a conditional use process.
- (c) *Permitted, accessory and conditional uses.* Table 58-292-1, Uses in the East Growth Neighborhood Commercial District, lists all the permitted and conditional uses.
 - (d) *Lot size.* The minimum lot size shall have an area of not less than two (2) acres.
 - (e) *Building size/floor area ratio.* The building(s) floor area ratio shall not exceed 30 percent.
 - (f) *Building height.* The height of any structure shall not exceed 42 feet unless otherwise allowed in accordance with section 58-418.
 - (g) *Minimum and maximum building setback.* All structures within the EG NC shall be set back from the ultimate road right-of-way as follows:
 - (1) A minimum building front yard setback of 50 feet and a maximum of 75 feet when located on a highway,
 - (2) A minimum building front yard setback of 30 feet and a maximum of 50 feet when located on a local street.
 - (h) *Minimum building offset.* No building or structure, hereafter erected, shall be placed closer than 20 feet to a side or rear lot line. If, however, adjacent properties are zone or used as a residential land use, no commercial building or structure shall be placed closer than 30 feet to the adjoining residential land use or zoning.
 - (i) *Open space ratio.*
 - (1) The open space ratio shall not be less than 25 percent and include the following open space features:
 - a. Create large and contiguous areas that represent an integrated system that connects to features on adjacent sites and public amenities within the surround neighborhood.

- b. Distribute common, open space throughout the development to serve as connection from the streets and structures to areas of contiguous open space. Small or fragmented open space shall be minimized.
- c. Protection of site features.
- d. Connect to environmental features on adjacent sites. Long, thin strips shall be prohibited unless a conservation feature is linear and necessary to provide a green belt between lots or to provide connection with other natural features, amenities and adjacent developments.
- e. Maintain a perimeter, low-maintenance open space buffer with a minimum width of 20 feet along public streets, paved and unpaved paths.
- f. Include outdoor plazas and hardscape features intended for informal use or gatherings of customers and employees.

- (j) *Lot width and lot length.* The minimum average lot width and minimum average lot length shall be 150 feet.
- (k) *Off-street parking.* In accordance with applicable regulation set forth in section 58-441 of this chapter.
- (l) *Minimum parking and driveway offset.* No driveway or parking area shall be located closer than 20 feet from a side or rear lot line unless specifically waived by the planning commission.
- (m) *Minimum parking setback.* No driveway (excluding the portion of driveway required for road access) or parking area shall be located closer than 30 feet to the ultimate road right-of-way and shall not project further into the front yard than the building(s).

Table 58-292-1
Uses in the East Growth Neighborhood Commercial District

Use	Neighborhood Commercial	Specific Development Standards
<i>Office and Clinic:</i>		
Office		
Medical clinics	P	
Optical and vision center	P	
Veterinary clinics or hospitals	P	✓

Financial institutions without drive-through		
Financial institutions with drive-through		
<i>Institutional and Public:</i>		
Public parks	P	
Public administrative offices and services	P	
Religious institutions		
Public or private schools of 5,000 square feet or less	P	
Public or private schools		
Private lodges and clubs of 5,000 square feet or less	P	
Private lodges and clubs		
Fine Arts School and studios of 2,000 square feet or less	P	
Community centers		
Libraries		
Museums		
Crematory services		
Mausoleums		
Cemeteries		
Public parking facilities, non-accessory		
<i>Residential:</i>		
Artist's live/work units	P	✓
Residential uses, eight (8) units or less, if part of a mixed-use		

development		
Residential uses, nine (9) units to sixteen (16), if part of a mixed-use development		
Bed and breakfast		
Community Living arrangements for 8 or fewer persons		
Single-family residential cluster developments		
Age restrictive housing for persons of 55 years of age and older		
<i>Accessory Residential:</i>		
Residential quarters for the owner/proprietor		
Home Occupations		
Private outdoor recreational facilities without lights		
Private outdoor recreational facilities with lights		
<i>Retail and Services:</i>		
Art, hobby, game and educational supply stores, studios or galleries		
Interior design services		
Graphic design services		
Antiques, collectibles, gift or florists	P	✓
Commercial use of a designated historic structure		
Stationary stores		
Bookstores, new		
Camera and photography supply store		

Attachment: Item 4 (5402 : Draft Neighborhood Commercial Zoning Standards for East Growth)

Computer and software store		
Electronic goods store		
Tobacco, cigar or nicotine product/e-cigarette store 2,000 square feet or less		
Music and musical instrument store including repairs		
Video stores		
Paint and wallpaper store		
Luggage and leather goods store		
Beauty and personal aid supply store		
Photocopying, film development, printing and publishing, packaging store of 4,000 square feet of less	P	
Dry cleaning and tailors	P	
Clothing and accessories including repairs		
Home furnishings and accessories of 4,000 square feet or less	P	
Sports and fitness centers including retail of 3,000 square feet or less	P	
Bicycle repair and sales	P	
Indoor recreation and amusement facilities		
Pet supplies, grooming and daycare		
Pet kennel		
Garden store		
Hardware store, as part of a mixed use commercial building	P	√

Child daycare facilities, preschools, learning centers, as part of a mixed use commercial building	P	✓
Specialty food stores	P	
Beer, wine and liquor stores, as part of a mixed use commercial building	P	✓
Sports and fitness retail store greater than 3,000 square feet		
Gas stations		
Gas stations with car wash		
Convenience store without gas, as part of a mixed use commercial building	P	✓
Automobile service facilities including retail and repair		
Car dealerships		
Shopping centers		
Funeral homes		
Concert halls		
Theatres, live performances only		
Sexually oriented businesses		
Hotels		
Planned commercial development	PUD	
Grocery store of 25,000 square feet or less	P	
Pharmacy, 5,000 square feet or less and as part of a mixed use commercial building	P	✓
<i>Food and Beverage:</i>		

Catering services as part of a mixed use commercial building	P	
Confectionary store without drive through as part of a mixed use commercial building	P	
Bakeries, including retail sales without drive through as part of a mixed use commercial building	P	
Bakeries, including retail sales with drive through		
Coffee shop of 2,000 square feet of less without drive through as part of a mixed use commercial building	P	
Coffee shop of 2,000 square feet of less with drive through		
Delicatessen without drive through as part of a mixed use commercial building	P	
Delicatessen with drive through		
Snack and non-alcoholic beverage bars without drive through as part of a mixed use commercial building	P	
Fast food restaurant without drive-through as part of a mixed use commercial building	P	✓
Fast food restaurant with drive-through		
Sit-down restaurants as part of a mixed use commercial building	P	✓
Nightclubs		
P = Permitted uses		
C = Conditional uses		

(k) *Park and Open Space Impact Fee.* A park and open space impact fee of \$X / single-family residential lot is required for the development of open space, including a trail system,

within the East Growth neighborhood compliant with the City approved East Growth Neighborhood Park and Open Space.

- (l) *Development Agreement.* A development agreement is required for development in which public or private infrastructure and open space is planned. The development agreement is subject to the approval of the City Planning Commission and Common Council.
- (m) *Exceptions to the building and site plan review requirements.* The planning commission may approve exceptions to the district requirements upon finding that the use or development includes building or site amenities that address any adverse effects of the exception and where the planning commission finds that strict compliance to the requirements is impractical because of site conditions or location. Planning commission approval of an exception shall require common council confirmation upon written request from two aldermen or one alderman and the mayor. Such request shall be made within 14 days of the corresponding planning commission approval of the exception. The burden of persuasion on the issue of whether the development, if completed as proposed, will comply with the spirit and intent of this district always remains on the applicant.



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Department of Community Development

TO: Planning Commission
FROM: KIM TOLLEFSON, DIRECTOR OF COMMUNITY DEVELOPMENT
DATE: August 17, 2020
SUBJECT: Draft list of uses allowed for Mixed-Use Zoning District for East Growth (generally the area bound by I-43 to east, Highland Road to south, Oriole Lane /Ulao Creek to west and Pioneer Road to north).

Attachments:
Item 5 (PDF)
Item 5a (PDF)

Background:

The Policy Subcommittee encourages a mix of single-family residential, senior housing and light operational, commercial uses for most of the East Growth neighborhood on the east of Port Washington Road, along I-43. The Committee considered market strength, commercial uses and opportunities that are ideal of the existing commercial corridor south of EG, the 2019 City survey and the 2019 Neighborhood Open House to determine the potential opportunities.

Analysis:

To further the concept of this desired mixed land use for the neighborhood, staff has developed a list of uses that could be authorized for this proposed zoning district. The draft copy is attached and groupings of commercial uses that are similar in operations and less likely to create conflict with adjacent or nearby residential land uses where chosen. Staff attempted to create some distinction and uniqueness to this district when compared to other commercial zoning throughout the City and added larger scaled, commercial outdoor recreational facilities to the district.

One limitation on the advancement of these draft regulations is converting uses to permitted uses that are typically handled as conditional uses elsewhere in the City. Staff wants to reconcile the conversion of these as permitted uses by assessing the impacts in other neighborhoods throughout the City to evaluate where specific development standards need to be consistent and where a distinction is necessary. That assessment will take additional time.

Further details of the draft include the following:

1. Cluster, or conservation style subdivisions, are permitted and subject to the regulations addressed under the previous agenda item.
2. Outdoor storage for uses will be limited and shielded from public and adjacent views.
3. Building and site plan review will be required for any non-residential structures.
4. Public sidewalk construction, street trees and open space is required.
5. Staff recommends a building size of 25,000 – 30,000 square feet due to the type of commercial uses permitted, including recreational facilities and based on the size of existing buildings within the neighborhood.
6. Process for approval is streamlined.

The Committee should discuss the level of notification certain uses merit and understand that strict architectural standards will be necessary for the type of commercial uses permitted. There may otherwise be challenges in achieving desired architectural character and relatively high building improvement values. This may discourage development from occurring at a quick pace, which can be viewed positively or negatively. Attached is some imagery, as well as the design standards established for the City's Rural Business (B-6 and B-7) to provoke thought regarding commercial architecture.

Staff Summary:

Staff seeks the Committee's review and discussion of the proposed uses and specific development standards as outlined in the draft use chart.



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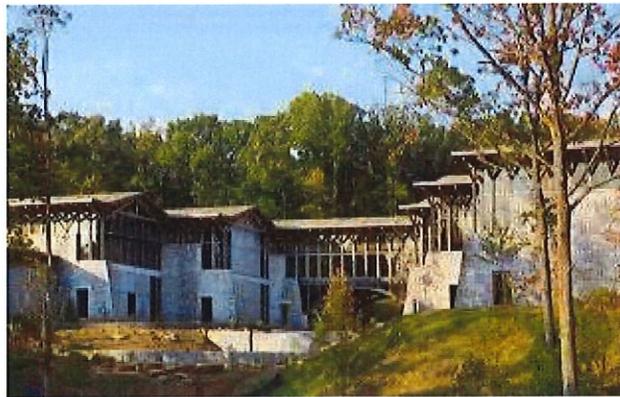
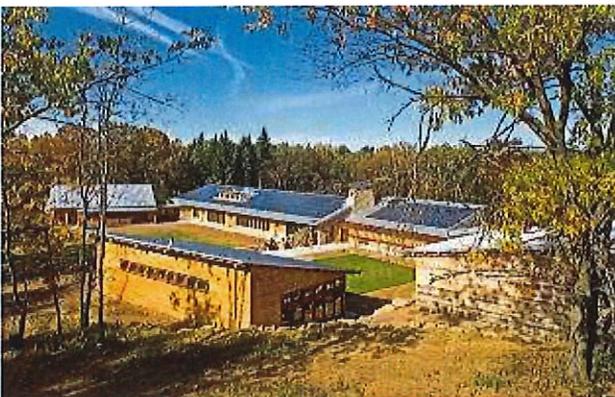
Department of Community Development

Design standards for the B-6 and B-7 zoning districts

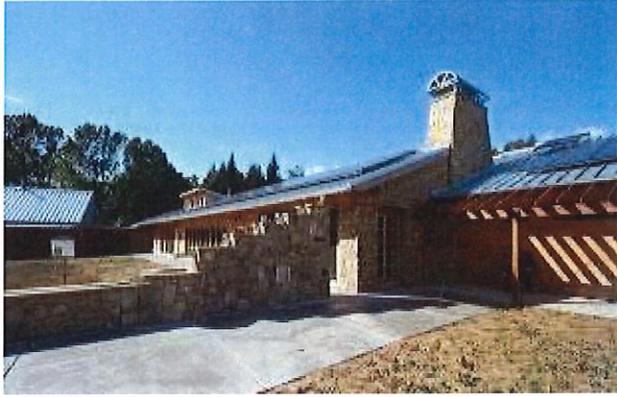
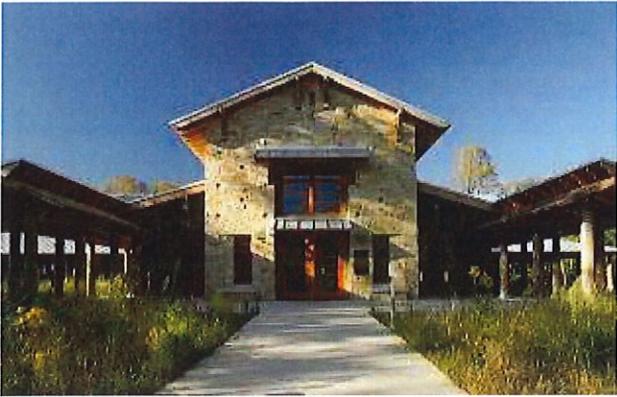
The B-6 (Rural Industrial) and B-7 (Rural Business) zoning districts were created to provide for low intensity and low impact commercial and industrial development that preserves rural character and viewsheds within the unsewered rural area and areas that transition to the rural areas. To advance the intent of the districts, the following is a design guide for development and redevelopment of these areas. All new development is subject to Planning Commission approval. Please contact planning staff to further discuss the zoning and design process.

- Buildings shall be constructed to be harmonious with the surrounding natural and built environment.
- Building designs shall utilize materials that reflect the rural character.
- Four sided architecture that uses similar building materials and design for all sides of a proposed structure is required.
- Materials allowed include but are not limited to, cedar or clapboard siding, stone, brick and or compatible materials that achieve the same quality and appearance.
- Aluminum and vinyl siding are prohibited unless approved by Planning Commission.
- Size and massing of buildings shall be consistent with the rural character of the surrounding area.
- Traditional roof forms shall be incorporated into the design which may include gambrel, gable, shed and hip designs.

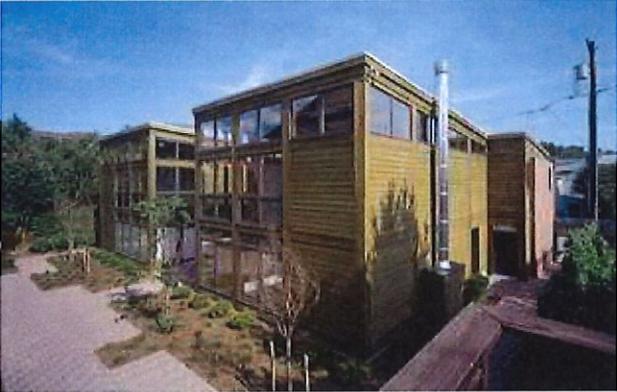
Illustrations of appropriate designs for the B-6 and B-7 zoning districts.



Good examples of controlling scale and massing of buildings.



Good example of the incorporation of traditional materials.

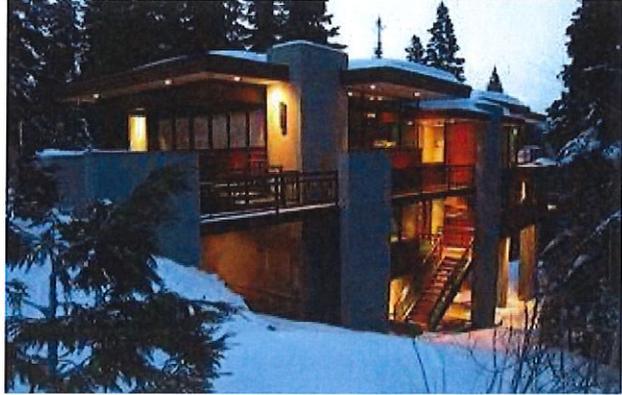


Good example of modern buildings incorporating a rural theme.



Good example of rural roof forms and design elements.

Attachment: Item 5 (5403 : Draft list of uses allowed for Mixed-Use Zoning District for East Growth)



Good use of traditional materials, roof forms, control of massing.

SAMPLE IMAGERY



Attachment: Item 5 (5403 : Draft list of uses allowed for Mixed-Use Zoning District for East Growth)



Attachment: Item 5 (5403 : Draft list of uses allowed for Mixed-Use Zoning District for East Growth)



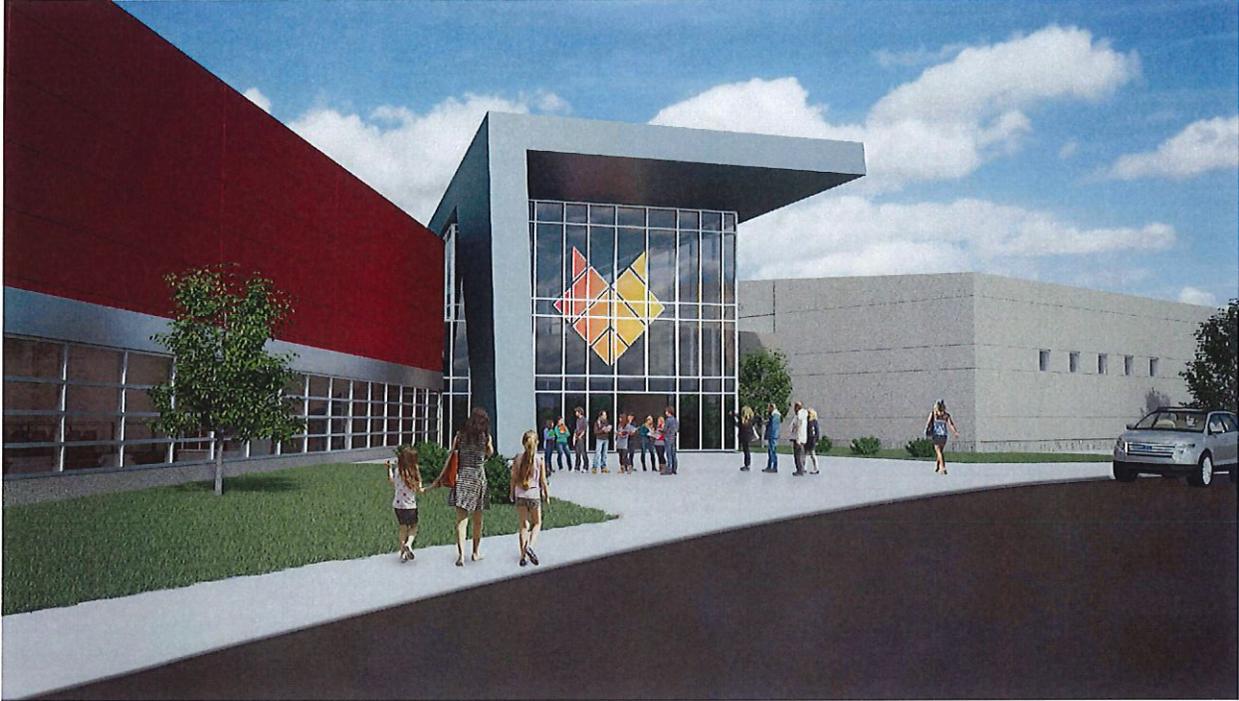
Attachment: Item 5 (5403 : Draft list of uses allowed for Mixed-Use Zoning District for East Growth)



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DRAFT EAST GROWTH MIXED USE ZONING - USES ONLY

<u>Land Use:</u>	<u>East Growth Mixed Use</u>	<u>Specific Development Standards Notes</u>	<u>Allowed In Zoning District</u>	<u>NOTES</u>
<u>Agricultural</u>				
Agriculture, horticulture or forestry	P	✓ prior to December 1, 2020		
<u>Residential</u>				
Single-family detached dwellings	P	✓ located on a lot platted prior to December 1, 2020		
Residential Cluster developments	P	✓ in accordance with 58 TBD		
Artists live/work units	P	✓ as described in 58-303		
Community Living arrangements of eight or fewer persons	P	✓ in accordance with Wis. Stats. 62.23(7)(I)		
Animals and animal-related uses specified in division 11	P	✓ as described in 58-239(b)(2)		
Long-term rental of a structure	P	✓ as described in 58-239(b)(1)		
Single-family residential developments created through a conventional subdivision design	PUD			
Single-family detached dwellings, as part of a land division (CSM)	C			
Age Restrictive housing for persons of 55 years of age and older	PUD	Age restrictive housing shall include lifestyle amenities as well as a continuum of care as an opportunity for persons to age in place. Density is authorized at 10 units/gross acre. Additional units may be authorized subject to Common Council authorization. Operational plans and an		
<u>Accessory Residential</u>				
Private garages and paved parking areas as permitted in the R-4 district	P	✓ as described in 58-239(c)(1)		
Short term rental of a structure	P	as described in 58-239(c)(4)		
Residential Quarters for the owner/proprietor located in the same building as the owner's business	P	as described in 58-294(d)(1)		
Home occupations	P	as described in 58-239(c)(2)		
Private outdoor recreational facilities without lights	P			
Private outdoor recreational facilities with lights	P	Hours of operation for use and illumination are permitted Sunday through Thursday; until 9:00 p.m. and Friday and Saturday; until 10:00 p.m. Organized or league play is prohibited. Parking associated with the use of the court is limited to four (4) vehicles. Submittal of a lighting plan and pole heights no greater than 16 feet is subject to staff review and approval.		Is notification to neighboring properties desired?
<u>Institutional and Public</u>				
Public Park	P	Subject to Park and Open Space Commission and Common Council approval		
Community Gardens	P	✓ Private, not for profit gardens in which accessory structures and other structural or art features are prohibited		
Roadside farmers market	P	✓ May be a principal use or accessory to farmstead and dwelling indoor market and shall comply with section 58-236(c)(1). May include an indoor market and accessory structures. Operations associated with seasonal events are subject to Planning Commission approval and may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.		
Golf courses and driving ranges	P	✓ May include club facilities. Operations associated with seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.		
Horse riding academies and stables	P	✓ May include club facilities. Operations associated with seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.		

Attachment: Item 5a (5403 : Draft list of uses allowed for Mixed-Use Zoning District for East Growth)

Outdoor Recreational Facilities	P	✓	Commercial, for-profit sports operations including one or more of the following; archery ranges, basketball, volleyball, baseball, biking, disc or club golf or similar sports activities. An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. Tournaments or seasonal events are subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Religious Institutions	P		An operational plan including hours, staffing, capacity, noise, safety and security regulations is subject to Planning Commission approval. The use may be subject to commissioning a Traffic Impact Analysis and implementation of conditions of such.
Public or Private schools, colleges, universities	C		
Public administrative or service facilities	C		
Commercial			
Bed & Breakfast	C	✓	Floor plans and an operational plan is subject to staff review and approval. The use shall be in accordance with Wis. Stats. ATCP 73
Salon & Spa	C	✓	operations shall include open space components such as areas for private services, pools, dining, hardscape plazas and gardens, lodging
Performing Arts School	C	✓	May include studios for photography, painting, music, sculpture, and dance or similar related arts. The performance arts school shall be a minimum of 20,000 square feet
Private Lodge / Clubs	C	✓	operations shall include open space components such as areas for private services, pools, dining, hardscape plazas and gardens, lodging
Commercial Greenhouse or Plant Nursery	C		
Wineries	C		
Micro Breweries	C		
Landscape Contracting	C		
Specialty Trade contractor or building service provider including but not limited to landscaping, exterminating carpentry, plumbing, electrical, janitorial services	C		Use shall be combined with a customer retail showroom and offices not exceeding X% of total operations and includes a mix of processing, wholesale, warehouse and distribution. This use is not eligible for an increase in the district's total maximum building size.
Reupholstery and furniture making and repair	C		
Pet Kennel	C	✓	Use shall be in compliance with regulations as described in Division 11 and shall not include retail pet supplies . A 24 hour emergency operational plan is subject to staff review and approval.
Animal hospitals and veterinary clinics	C		Use shall be in compliance with regulations as described in Division 11 and shall not include retail pet supplies . A 24 hour emergency operational plan is subject to staff review and approval.
Research & Development	C		This use is not eligible for an increase in the district's total maximum building size.
Catering facilities	C	✓	Use shall be combined with a customer retail showroom and offices not exceeding X% of total operations and includes a mix of processing, wholesale, warehouse and distribution. This use is not eligible for an increase in the district's total maximum building size.
Bakeries	C	✓	Use shall be combined with a customer retail showroom and offices not exceeding x% of total operations and includes a mix of processing, wholesale, warehouse and distribution. This use is not eligible for an increase in the district's total maximum building size.

District standards will control outdoor storage across ALL uses. District standards will require building and site plan review for ALL uses

Attachment: Item 5a (5403 : Draft list of uses allowed for Mixed-Use Zoning District for East Growth)