

**CITY OF CEDARBURG
PLAN COMMISSION**

**PLN20110801-1
UNAPPROVED MINUTES**

August 1, 2011

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, August 1, 2011 at Cedarburg City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. The meeting was called to order at 7:04 p.m. by Vice Chairperson Mark Burgoyne.

Roll Call: Present - Council Member Chris Reimer, Mark Burgoyne, Brook Brown, Keith Kaiman, Park & Forestry Chairperson Lynne Buehler

Excused - Mayor Gregory Myers, Joe Emmerich

Also Present - City Attorney Kaye Vance, City Planner Marty Marchek, County Administrator Tom Meaux, County Highway Commissioner Bob Dreblow, Administrative Secretary Darla Drumel

STATEMENT OF PUBLIC NOTICE

Administrative Secretary Drumel confirmed that the agenda for the meeting had been posted and distributed in compliance with the Wisconsin Open Meetings Law.

APPROVAL OF MINUTES

A motion was made by Council Member Chris Reimer, seconded by Commissioner Kaiman, to approve the minutes of July 7, 2011.

Commissioner Brown pointed out that the record of the second to the motion to approve the building plans for the Today's Dentistry was missing. He also asked that the minutes be corrected to reflect that he recused himself from the proposed library discussion that involves property he owns and sat in the audience, and that he be identified as "Mr. Brown" when he made comments related to the proposal.

Council Member Chris Reimer amended his motion to include the following corrections:

1. Adding the paragraph "The motion was seconded by Vice Chairperson Burgoyne." on page PLN20110707-5 before the paragraph "**Continued Discussion:**"
2. Adding the paragraph "Commissioner Brown recused himself from the Plan Commission due to a conflict of interest and joined the audience as a private

citizen.” before the paragraph that begins “Planner Marchek reported that the concept” on page PLAN20110707-6.

3. Replacing “Commissioner” with “Mr.” in the fifth paragraph on page PLN20110707-7.

The motion, as amended, was seconded by Commissioner Kaiman and carried without a negative vote, with Mayor Myers and Commissioner Emmerich excused.

COMMENTS AND SUGGESTIONS FROM CITIZENS

Since there was only one item for discussion on the agenda, it was agreed that citizen comments and suggestions would be accepted after the Fairground presentation and as part of the meeting’s discussion.

APPROVAL REQUEST FOR SITE, UTILITY, LANDSCAPING AND LIGHTING PLANS FOR THE FAIRGROUNDS MASTER PLAN, INCLUDING THE MULTI-PURPOSE/CURLERS BUILDING; OZAUKEE COUNTY

Planner Marchek advised that Ozaukee County first approached the City of Cedarburg regarding improvements at the Fairgrounds in 2008. The City approved a concept plan on October 6, 2009 for a multi-purpose building that would be utilized by the Milwaukee Curling Club from October through March, and also be available for uses such as wedding receptions, professional conferences, trade shows, etc. Zoning Code text amendments were subsequently made to allow a wider range of uses and to provide flexibility related to off-street parking requirements.

Ozaukee County first met with the neighboring property owners on July 19, 2011 to elicit their concerns and discuss landscaping and fencing concepts. They incorporated comments received at that meeting into a plan that was presented at a second meeting with the property owners on July 26, 2011. The County believes that the plans submitted for approval now take into consideration the concerns of nearby property owners related primarily to fencing and screening of sight lines and views from adjacent properties.

The City Engineer has reviewed the proposed utility plans and a Stormwater Management Plan for the entire County property.

Planner Marchek noted that the architectural plans for the Curlers’ building will be submitted for review at a future date, but the enclosed site, utilities, landscaping and lighting plans are being submitted at this time so that the County can begin construction of utilities and demolition immediately after the County Fair. Once the building is constructed, the plantings at the foundation will be installed. The County will then

coordinate with the adjoining property owners to locate the screening landscaping, primarily evergreens, to assure that the private property is adequately screened.

The County has agreed with the neighbors to the north to construct a new fence about 5 feet south of the north property line entirely on County land, and quit claim to the owners the 5 feet area which will be added to their lot depth (increased by 5 feet).

Planner Marchek emphasized that the County is being treated the same as any other developer seeking approvals. He provided a list of conditions that he recommended be part of any approval.

Tom Meaux, County Administrator, advised that the County Board was solidly behind the project and action would be taken on August 4 related to bond issuance for funding. His directive is to assure that the project proceed smoothly, not only on behalf of the County but as it relates to the City and the adjacent neighborhoods as well. Administrator Meaux reported that he has learned that the City property owners to the west of the Fairgrounds were requesting contact with the County, as had the residents to the north, and meetings will be scheduled. He was pleased with the expertise being provided by Jaren Hiller, the site engineer with AECOM, and County Public Works Director Bob Dreblow, who were introduced and would answer any questions.

Administrator Meaux noted that the County was requesting approval of a comprehensive Master Plan that not only includes the multi-purpose/Curlers building, but razing several buildings that are beyond their useful life, construction of another year-round building, and construction of a barn that will be closed up in the winter for cold storage.

The County Board has collectively decided that they want the Fairgrounds to stay in Cedarburg and put to rest any speculation about moving the Fair. They have found a partner in the Curling Club, which will bring in significant economic activity into the winter months for Cedarburg and Ozaukee County. They have come to agreement on a development agreement and a fifty-year lease that will be acted upon by the County Board at Wednesday's meeting.

Acting Chairperson Burgoyne noted that the City has been kept informed since 2008 and the County has taken into consideration input from the Plan Commission.

Commissioner Brown asked when construction was expected to start. Director Dreblow advised that the south end of the Fairgrounds would be the first phase of construction with the demolition of buildings, extending sanitary sewer, construction of a stormwater pond to address water quantity and water quality issues in accordance with an approved stormwater management plan and preparing the building pads of the two new buildings, starting around September 1, 2011. Shortly after that work begins, they will be soliciting bids for work on the second phase of the project on the north end, which will

include the prep work for the multi-purpose/Curlers building, watermain relocation, and parking lot installation. The goal is to start on the multi-purpose/Curlers building before winter and have it completed in October 2012. The other two buildings shall be completed for next year's Fair.

Commissioner Brown questioned the deadline for the fencing along the adjacent property lines. Planner Marchek confirmed that the completion date for the fencing was November 30, 2013. The fencing along the north property line is relatively simple, but the west property lines have mature landscaping and are not a straight line. Therefore, the County will be working with the property owners on site to determine the exact fencing locations. Administrator Meaux added that they were considering expensive no-maintenance vinyl fencing and the cost could be spread out over those two years. He added, for the record, that the County's commitment is to have the multi-purpose/Curlers building completed for the curling season of 2012.

Commissioner Brown questioned the size of the plantings when they are installed, as the plans note for one of the trees that it would be 10-feet tall with a spread of 6-feet. Administrator Meaux responded that the sizes noted on the plans would be the size of the landscaping at planting. Commissioner Brown was satisfied that the plantings would provide a buffer immediately upon planting.

Administrator Meaux noted that he is governed by a Board of Directors that are elected officials who represent Cedarburg and the Fairgrounds, so they are interested in having a positive relationship with the neighbors.

In response to a question from Commissioner Buehler, Director Dreblow advised that no new entrances or exits were being proposed; however, the northern entrance would be relocated slightly north of its current location.

Administrator Meaux advised that to recover costs, the option of charging a nominal fee for the Fair has been suggested by some. In that situation, to control access to the Fairgrounds, the whole grounds could possibly be enclosed by a fence. If this option is pursued, it would go to the Plan Commission for approval.

Richard Pfister of N94 W6693 Fieldcrest Street asked that a minimal amount of grading with the installation of the northern fence be considered to avoid an 8" to 12" terrace effect on the private property from the Fairgrounds. Planner Marchek explained that if the grade is changed, it can be a liability to the County. It would be up to the engineers and construction manager to work this out. Administrator Meaux noted that once someone is hired as a construction manager, meetings with the neighbors will be scheduled to resolve such issues. Mr. Pfister believed that the swale in the site plans would mitigate any stormwater problems, so grading at the fence line would not negatively affect the neighboring properties.

Dan Boyea of W67 N894 Washington Avenue advised his property was the closest to the proposed multi-purpose/Curlers building. He asked to see the fencing and landscaping plans for the properties on the west side of the Fairgrounds. He would like to see the fencing done at the time the multi-purpose/Curlers building was completed; otherwise, by the fencing installation deadline of November of 2013, he will have had to contend with one full summer of Maxwell Street Days, one full Curlers season, and one full County Fair without the screening.

Commissioner Buehler noted that the proposed fence has two good sides; there is no bad side.

Acting Chairperson Burgoyne asked Mr. Boyea if he had seen the fencing and landscaping plans proposed by the County. Mr. Boyea responded that he had not; that he was unaware of the meetings that were held. When asked why the property owners along Washington Avenue were not part of the discussions with the neighbors to the north, Planner Marchek explained that the County arranged the meetings and created the mailing list for invitees.

Administrator Meaux reported that he was contacted by the neighbors to the north and the meetings were scheduled in response to their request. It was an oversight that the meetings did not include the neighbors to the west and meetings with those property owners will be scheduled as well.

Commissioner Brown suggested that an item D.4. be added to the conditions of approval that conversation occurs with the neighbors to the west to address their concerns, and if the outcome would be different than the approved plans, resubmittal to the Plan Commission is required.

Action:

Commissioner Brown moved to approve the site, utility, landscaping and lighting plans subject to technical corrections and with the following conditions:

- A. Regarding Utilities:
 1. All sanitary and potable water facilities shall be constructed in accordance with the City's standard specifications for such utilities.
 2. Construction plans and as-built record plans shall be provided to the City for all infrastructure.
 3. County shall provide easements for the sanitary sewer and watermain.
 4. Any electrical facilities to be relocated and/or reconstructed shall be paid for entirely by the County.

- B. Regarding Site Grading and Stormwater Facilities:
1. If disturbance or grading of the site to accommodate facilities shown on the site plan results in any post-construction surface drainage problems or ponding on nearby private property, the County shall abate such problems.
 2. There shall be no grading or disturbance within the 5-foot wide strip along the north property line (proposed to be deeded to adjacent owners) that would alter the pre-construction conditions within the 5-foot strip. It should be labeled "No Disturbance in this Area" on the landscaping and fencing plan.
- C. Regarding Lighting:
1. Should off-site glare cause a visual nuisance to nearby residents, light fixtures shall be adjusted as necessary to abate the problem.
- D. Regarding Fencing:
1. Shall be 6 feet high and exactly as shown on the agreed-upon plan presented to neighbors.
 2. May be installed in sections or increments as determined by the County. All fencing shall be 100% completely installed by November 30, 2013.
 3. The County will be responsible for all administrative costs related to the transfer of ownership of the 5-foot strip to abutting owners.
 4. County representatives shall meet with the neighbors to the west to address their concerns, and if the outcome would be different than the approved plans, resubmittal to the Plan Commission is required.
- E. Regarding Landscaping:
1. The precise and final location of plantings shown on the landscaping plan, which are intended primarily to screen views for benefit of neighbors, shall be determined in the field after construction of the Curlers'/multi-purpose building to assure maximum effectiveness of those plantings.

The motion was seconded by Council Member Chris Reimer.

Continued Discussion:

Thomas Chemotti of N94 W6539 Fieldcrest Street expressed concern that no fence line is shown in the Fairgrounds Master Plan along the northeast lot line where the County abuts City property (Willowbrooke Park). It would be preferred that the Fairgrounds be enclosed with one uniform fencing style throughout because appearance will be an important detail between the park and open area. He asked if a gate to allow pedestrian traffic would be part of the fence.

Planner Marchek responded that the plans submitted for approval do not include a fence surrounding the entire Fairgrounds site. That issue is just under discussion. If the

County chose to do so, the Plan Commission would have to approve an amendment to the site plan.

Commissioner Kaiman asked if the storm water retention pond wet basin is necessary since Willowbrooke Pond is so close. Director Dreblow advised that extensive stormwater planning for entire site was done and 4 or 5 different alternates dealing with stormwater were considered. Enlarging Willowbrooke Pond turned out to be more expensive than creating a separate pond. Mr. Hiller noted that the State requires capture of suspended solids and trapping of sediment and a wet retention pond is the best way to do that. Asked if the pond would have negative impacts, such as mosquitoes and odor, Mr. Hiller advised that studies have proved that open water is not attractive to mosquitoes and Director Dreblow pointed out there are several of these retention ponds in the City. Commissioner Kaiman argued that the pond takes up space that reduces the amount of usable Fairground space. Planner Marchek pointed out that the project increases the impervious surface area with the new parking lots and the roofs of the new buildings. He reported that City Engineer Tom Wiza explained the pond would function like a shock absorber for the Willowbrooke Pond in the event of heavy stormwater events. Mr. Hiller noted that the pond would have a maximum depth of 5 feet.

Planner Marchek added that the plans indicate that the northerly driveway would be reconstructed at a width of 24 feet. He would recommend a technical correction that, at the point where the private property begins, the driveway should be constructed at a 30-foot width, as allowed by City Code, to accommodate the turning movements of vehicles such as those pulling horse trailers.

Further Action:

Commissioner Brown accepted Planner Marchek's recommendation to build the northern driveway 30 feet wide starting at the lot line as an amendment to his motion. Council Member Chris Reimer also accepted the amendment.

Continued Discussion:

Planner Marchek pointed out that the CEG Code does not require curb and gutter around all the parking locations. It is used when needed to keep drainage from going onto adjoining properties. The parking lots will sheet drain some stormwater onto adjacent grassy areas, in addition to inlets in those lots which will collect most of the stormwater.

Final Action:

The amended motion carried without a negative vote, with Mayor Myers and Commissioner Emmerich excused.

PLAN COMMISSION
August 1, 2011

PLN20110801-8
UNAPPROVED MINUTES

SCHEDULE SEPTEMBER 2011 MEETING DATE

The Commissioners agreed to meet on Tuesday, September 6, 2011, due to a conflict with the Labor Day Holiday.

MAYOR'S ANNOUNCEMENTS

There were none.

ADJOURNMENT

A motion was made by Commissioner Brown to adjourn the meeting at 8:00 p.m. The motion was seconded by Commissioner Buehler and carried without a negative vote, with Mayor Myers and Commissioner Emmerich excused.

Darla Drumel,
Administrative Secretary