

**CITY OF CEDARBURG
PLAN COMMISSION**

**PLN20070806-1
UNAPPROVED**

August 6, 2007

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, August 6, 2007 at Cedarburg City Hall, W63 N645 Washington Avenue, in the Council Chambers. The meeting was called to order at 7:00 p.m. by Mayor Gregory Myers.

Roll Call: Present - Mayor Gregory Myers, Council Member Sandra Beck, Brook Brown, Joe Emmerich, Keith Kaiman, Park & Forestry Chairperson James Schara

Excused - Mark Burgoyne

Also Present - Council Member Paul Radtke, City Attorney Kaye Vance; City Planner Jon Censky; Administrative Secretary Darla Drumel; interested citizens

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 Commissioner Kaiman, seconded by Council Member Beck, to approve the minutes of June 4, 2007. The motion carried without a negative vote, with Vice Chairperson Burgoyne excused.

COMMENTS AND SUGGESTIONS FROM CITIZENS

No comments were offered.

PUBLIC HEARING REGARDING A PLANNED UNIT DEVELOPMENT (PUD) AMENDMENT AND A CONDITIONAL USE REQUEST TO ALLOW CONSTRUCTION OF A THREE-STORY, 27-UNIT, ELDERLY HOUSING STRUCTURE AT THE NORTHEAST CORNER OF MCKINLEY BOULEVARD AND GARFIELD STREET – S. DUANE STROEBEL, JR.

Mayor Myers declared the public hearing open at 7:05 p.m.

Planner Censky explained that Woodmere Apartment complex owner, S. Duane Stroebel Jr., is proposing to convert the tennis court area of the complex from recreational to senior housing condominiums. The private tennis courts were part of the original Planned Unit Development (PUD) plan available to those residing in the apartment complex but have over time become run down, underused and unsightly. Mr. Stroebel purchased the Woodmere complex in 2005 and has since been performing needed maintenance to upgrade this residential facility and improve its appearance. Mr. Stroebel believed the removal of the tennis courts and the addition of senior housing would fit the character of the neighborhood and benefit the community as a whole through added tax revenues.

Planner Censky reported that the Woodmere complex is zoned RM-2 (PUD), which permits multi-family housing under a planned unit development concept where the plan is tied directly to zoning and any significant change to the plan requires a public hearing before the Plan Commission and approval by the Common Council. The Woodmere project was originally approved as a planned unit development in the 1970's. It resulted in a total of 128 two-bedroom apartment units, which is below the maximum number allowed by Code (i.e. 187 units possible). The recreational area had been designated during the Planned Unit Development zoning process and the conversion of that area to housing for the elderly is a significant change to the overall plan, which necessitates this approval process.

Planner Censky advised that Section 13-1-69 of the Zoning Code states that any substantial alteration to an original PUD plan requires a public hearing before the Plan Commission for a recommendation and then must be submitted to the Common Council for action. A public hearing is also required because the applicant is proposing housing for the elderly, which is classified as a conditional use in the RM-2 District.

Planner Censky noted that since both public hearings must be held before the Plan Commission, they have been combined into one public hearing for both issues on the agenda. The public comment received for the PUD plan amendment will be passed on to the Common Council for their consideration before taking action and the elderly housing conditional use request will return to the Plan Commission for consideration at a future meeting. This is a three step approval process, with this meeting serving the public participation/hearing and recommendation portion and final action on the PUD amendment coming at a future Council meeting and the conditional use request at a future Plan Commission meeting.

Planner Censky noted that the proposed plan consists of a single 27-unit condominium structure situated on a 1.25-acre parcel that is part of the overall Woodmere PUD project. This structure would have three stories and measure 38 feet high, which is under the 48' height maximum allowed for senior housing with underground parking. It is sandwiched between two-story structures to the north and east and single-story structures to the south. Commissioners would need to determine whether or not that is a significant departure from the established character of area. The proposed structure otherwise is in full compliance with the setback and offset requirements.

Planner Censky advised that City staff recommends that the driveway be relocated to the lesser traveled Garfield Street. McKinley Boulevard is an arterial street with substantially higher traffic volumes and with access being proposed at a bend in the road safety would be sacrificed.

Planner Censky advised that Mr. Stroebel met with the neighbors to the south and has tried to address any issues they had. The public hearing would officially solicit the comments from those neighbors that will be relayed to the Common Council.

Planner Censky continued that since the proposal would be a change to the existing PUD zoning, it was viewed as an integral part of that project even though it is separated by a property line. Accordingly, while it meets the density requirements for elderly housing (i.e. 24 units/acre max.) as a standalone site within the RM-2 District, the maximum number of units within this project (i.e. 187 units possible), FAR and open space standards apply across the entire project.

Planner Censky noted that the Smart Growth Plan revealed that the City's population is above the average age of other communities in the area and that the baby-boom generation is reaching

retirement age. This statistic indicates that projects of this nature will be needed to house that growing segment of our population. In fact, the Visioning Report completed several years ago recommended promoting independent living senior housing and that recommendation is also reflected in the draft Smart Growth Plan.

Planner Censky suggested conditions that should be considered if PUD approval is recommended :

- The access drive being relocated from McKinley Boulevard to Garfield Street.
- The applicant shall pay all impact and user fees prior to the issuance of a building permit.
- Engineering department review and approval of the grading, drainage, stormwater management, and erosion control plans prior to building permit.
- The building shall be built with a proper detection and sprinkler system.

Paul Rushing of Kubala Washatko Architects, the architect for the project, provided a PowerPoint presentation to illustrate the design for each elevation and pointed out where on-site visitor parking and a stormwater retention pond might be located. He believed the design was friendly to the neighborhood with architectural details sympathetic to the adjacent structures. He compared some of the colors, materials and details with the Bridge Commons Condominiums on Bridge Road. Mr. Rushing added that trees and other landscaping would have a tremendous moderating affect of the proposed three-story building. Parking for residents would be provided below grade and no blasting would be required. The upscale units would increase the property values of the surrounding residential properties while putting very little strain on City resources.

In response to Commissioners' questions regarding how new elderly housing projects are monitored, property owner Duey Stroebel advised that the Fair Housing guidelines for senior housing stated that 80% of the units in the structure shall have at least one member of the immediate household 55 years of age or older. Forty-five years of age is the minimum for the remaining 20% of units. He believed that the condominium owners would never choose to change the status of the facility. Each unit would be valued between \$200,000 to \$300,000. He added that no mechanicals (i.e. air conditioning units) would face the street. The entrance easily could be shifted to Garfield Street if desired by the City.

Mr. Stroebel summarized that:

- The proposed building would be a beautiful landmark in the City for many years.
- Units would be owner-occupied.
- The development would be beneficial to property values.
- The building would provide a buffer between the Woodmere rental units and the McKinley Commons Condominiums.
- The Cedarburg Dairy is located directly across the street.
- No rezoning is required.
- The proposed height is at 38' when the Code allows for a 48' height maximum.
- There is an interest in buying senior housing condominium residential housing.
- The development would contribute to the City's tax base.
- Senior housing would provide another housing option.
- Three-story buildings are more compact and consequently keep the hallway lengths reasonable.
- A two-story building would not be feasible because of the increased costs of the units.
- Cedarburg has many existing three-story buildings, which provide character.

- The Zoning Code provides for the proposed development.
- The proposal meets the City Code in all respects.

Angela Rester, residing at N17 W5461 Garfield Street directly across the street from the proposed building, advised that she was adamantly opposed to a three-story building. It was out of character with her and her neighbors' 20-foot high adjacent structures and would significantly reduce their view of the sky. She pointed out that the proposed building would be closer to the street than the McKinley Commons Condominiums that are a minimum of 30 feet from the roadway. Ms. Rester also had concerns that Garfield Street would become more congested with additional traffic generated by the proposed senior housing and also additional parking. She opined that residents will not choose to park on site. Other concerns included construction logistics and noise. Other architects she contacted advised her that property values would not increase with the new project; green space and trees increase property values. Ms. Rester urged Commissioners to comply with the June 2002 Plan Commission action to tighten controls on new development so that it would be consistent with the neighborhood. She stated she was not against the building project; she was against the three stories.

Harold Stefan residing at N17 W5419 Garfield Court provided a PowerPoint presentation that demonstrated the density of placing four of the McKinley Commons units where the proposed building would go in an aerial photograph. He pointed out that his home would be 150 feet closer to a building than exists now. He agreed with Ms. Rester that all the parking spaces on Garfield Street would be filled as there would be more guests than projected, noting that 16 cars were in the parking lots of Evergreen Park at 7:30 a.m. that morning. He expressed concern related to moving, delivery and rubbish collection trucks that would be generated by 27 units. Mr. Stefan also opined that plowed snow would ultimately be piled onto the McKinley Commons property on the south side of Garfield Street. He questioned where construction materials and equipment would be placed while the three-story building is being built.

Gordon and Marguerite DeLaunais of N17 W5382 Garfield Street also believed the elevation was too high and the architectural style was incompatible with the Tudor style of the McKinley Commons condos. They also expressed concerns about traffic congestion and certainly did not want a driveway next to their home; access onto McKinley Boulevard was preferable. However, they stated that a two-story building would be acceptable.

Richard Hensch of N17 W5441 Garfield Court opposed the development and agreed with the previous speakers. He complimented Mr. Rushing and Mr. Stroebel on a beautiful building but did not believe it belonged on this particular site. Mr. Hensch noted that all of the neighbors, however, would be in favor of a two-story building. Parking would be bumper to bumper on Garfield Street and the street was not wide enough to allow emergency vehicles access. He also complained that the Garfield Street sanitary sewer lift station emits an odor that cannot be controlled by the City and questioned whether the addition of 27 units would contribute to the odor problem.

Robert Schulpus of N17 W5384 Garfield Street agreed with the previous speakers. He noted that with 27 units, it would be likely that 120 cars would be coming in and out every day. He also objected to having a retention pond near his unit. Also there would be more street parking and more accidents.

Ellen Haynes, residing at W54 N114 McKinley Court, advised that she feared that she would be looking at a concrete wall when the ice hockey rink was proposed, but her fears were not realized, which may be the case with the proposed senior condominiums. She noted that the existing status

of the site does not add value to the area properties. Ms. Haynes added that the setback issue may be deceiving because the setback of the proposed development will be from the sidewalk where McKinley Commons #1 does not have sidewalks or parkways. The proposed building was attractive and well thought out and may increase the value of the existing McKinley condominiums that have appreciated slower than freestanding homes. She also agreed that it would be a good transition from the rentals to the existing owner-occupied condominiums.

Jan Bourke of N17 W5443 Garfield Court concurred with those objecting to the proposal. She stated that a two-story building would be okay.

Steve Murphy of W54 N155 Garfield Court stated that the three-story building and the proposed colors reminded him of Disney World. He would like the colors and style to more closely resemble the McKinley Commons development.

Alla Kordonskaya of N17 W5459 Garfield Court noted that other countries regulate the amount of natural light that can be blocked. This proposal would block the natural light to her home, which would cause health problems. It would also block her view of the sky and on-street parking would likely become a problem. A three-story building is simply too big.

Action to Close Public Hearing:

Commissioner Brown moved to close the public hearing. The motion was seconded by Commissioner Kaiman.

Continued Discussion:

A member of the audience wanted to add that a McKinley Boulevard access to the new development would be preferable; once there was an access on Garfield Street it would no longer be the lesser traveled road.

Commissioner Brown advised the site, architectural and landscaping plans would require intense review by the Plan Commission if the amendment and conditional use were approved, and the public would have the opportunity for input at that time as well.

Final Action to Close the Public Hearing:

The motion to close the public hearing carried without a negative vote, with Vice Chairperson Burgoyne excused. The time was 8:35 p.m.

Continued Discussion:

Council Member Beck recalled an earlier proposal for the site. Planner Censky advised that a proposal was received for a condominium project, which was referred to the Park Board to see if it desired to acquire the land for recreational purposes. The Park Board decided that it would accept the property if it was gifted to the City and the proposal was dropped.

Commissioner Brown stated that the Planned Unit Development Code was designed to include preservation of green space and he saw no need to develop the corner.

Council Member Beck found the color scheme inappropriate and had concerns related to parking. The primary concern of the existing residents seemed to be the three-story height and there would not be opposition to a two-story building.

Council Member Radtke, the representative of Aldermanic District 4, advised that he had spoken with several of his constituents in McKinley Commons I and a few houses down the block and believed that the height of the building was the biggest concern. He did, however, talk to some people who did not have a problem with the proposal.

Commissioner Kaiman did not like the building. The Woodmere PUD was laid out with thought for open space, which was good planning. He liked the recreational aspect of the Woodmere development and believed that nothing should change. He found no compelling reason for change.

Commissioner Schara agreed with Commissioners Brown and Kaiman. The City wants to see a recreational area there.

Commissioner Emmerich asked if the tenants of Woodmere needed a recreational area and cautioned that the desire for open space should be balanced with the need for senior housing. He was opposed to a three-story building; it is too dense, but would go along with one that was two-stories.

Mayor Myers reminded Commissioners that the City survey and the recommendation from the Blue Ribbon Visioning Committee were to promote developments of this type and there are limited locations in Cedarburg where they can be built.

Commissioner Brown agreed that the corner was unattractive, but a significant part of a PUD is recreation space. He noted that the City has recently approved five senior-housing developments. He would not vote to grant the amendment or conditional use.

Action on Amendment:

A motion was made by Commissioner Brown, seconded by Commissioner Kaiman, to recommend rejection of the request for a Planned Unit Development amendment to convert the tennis court area on the northeast corner of McKinley Boulevard and Garfield Street from recreational to senior housing condominiums.

Continued Discussion:

Mayor Myers stated that the public housing issue does need to go to the Common Council for a policy decision. The recommendations of the Plan Commission are considered, but all the final decisions are made by the elected officials.

Commissioner Brown reiterated that the City fights hard to retain green space and recreational areas.

Final Action on Amendment:

The motion carried with Council Member Beck and Commissioners Brown, Emmerich, Kaiman and Schara voting in favor; and Mayor Myers voting against, with Vice Chairperson Burgoyne excused.

Action on Conditional Use:

Commissioner Brown moved to deny the conditional use request to construct a three-story, 27-unit senior condominium project on the northeast corner of McKinley Boulevard and Garfield Street. The motion carried with Council Member Beck and Commissioners Brown, Emmerich, Kaiman and Schara voting in favor; and Mayor Myers voting against, with Vice Chairperson Burgoyne excused.

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Mayor Myers advised that the issue would be addressed at the August 27, 2007 Common Council meeting.

SITE PLAN AMENDMENT REQUEST TO INSTALL TWO NEW MILK SILOS ON EXISTING FOUNDATIONS AND REPLACE A RESIN STORAGE SILO AT W55 N155 MCKINLEY BOULEVARD – KEMPS LLC

Planner Censky reported that Kemps, LLC is requesting site plan amendment to install two new silos on existing foundations and to replace an existing silo with a larger one on their manufacturing site located at W55 N155 McKinley Boulevard. Their plan proposed the installation of a new 12-foot diameter, 20,000 gallon milk storage silo that will stand 30' 6" tall at the east end of a row of five existing silos located between existing buildings toward the north end of the site and a second 10.42' diameter, 10,000 gallon milk silo standing 21' tall on an existing foundation within a fenced area off the east elevation of the building. The plan also proposed to replace an existing 9'3" diameter, 40' tall silo with a 12' diameter by 40' tall resin storage silo off the east elevation of the main building. This project would result in an increase in storage capacity for milk by 30,000 gallons and resin 49,000 pounds. The plans were in full compliance with the placement and height requirements of the M-2 Zoning District.

Bill Gruhle, Maintenance Director for Kemps LLC, responded to Commissioners' questions, describing the silos, that they would be placed on existing foundations, the screening already in place and that the project would be completed in one day.

Action:

A motion was made by Commissioner Brown, seconded by Commissioner Emmerich, to approve the site plan amendment request to install two new milk silos on existing foundations and replace a resin storage silo at W55 N155 McKinley Boulevard.

Continued Discussion:

Council Member Radtke noted that on occasion a sour milk odor emanates from the Dairy and asked if the new silos would impact that problem. Mr. Gruhle indicated that they would not affect the odor and that other actions are being taken to eliminate the odor.

Final Action:

The motion carried without a negative vote, with Vice Chairperson Burgoyne excused.

SITE AND ARCHITECTURAL APPROVAL REQUEST TO CONVERT EXISTING BARN INTO RESIDENCE WITH GARAGE ON SITE IMMEDIATELY SOUTH OF W61 N831 SHEBOYGAN ROAD – BRIAN AND JANELLE HAVNER

Planner Censky advised that Brian and Janelle Havner were requesting approval to rehabilitate an existing barn and convert it into a residence with a lower level utility room and garage. The lot was declared an infill when created in 2000, so the architectural plans need to be approved by the Plan Commission. The project results in the conversion of an existing non-conforming use, where an accessory structure stands alone on a site without a principal structure, into a conforming residential use.

Planner Censky explained that while the footprint of the existing structure remained unchanged, the function and design would be noticeably different. The Havners proposed to eliminate the large garage door from the front of the building and relocate the garage entrance to the south elevation where three overhead doors were shown on the plans. The front elevation would incorporate two clad double hung windows on the lower level and an overhang porch on the upper. The gambrel

roof design would remain and would be covered with a standing seam metal roof. Two dormers and a cupola with a copper roof would be incorporated into the design, which would provide added headroom upstairs. The plans were in full compliance with the size, setback and FAR limits of the RS-5 Zoning District. The FAR was calculated this to be at 18.7% where 36% maximum is allowed.

Commissioner Brown expressed concern that the location of the driveway was not provided and opposed the metal roof because it was not consistent with the neighborhood.

Mr. Havner noted that the driveway would be located entirely on the site and that he would settle for dimensional shingles.

Action:

Council Member Beck moved to approve the site and architectural plans to convert the existing barn into a residence with a roof of architectural shingles to match the color of the existing house. The motion was seconded by Commissioner Emmerich.

Further Discussion:

Mr. Havner was advised that if the roof material was to change, Plan Commission approval would be required.

Final Action:

The motion carried without a negative vote, with Vice Chairperson Burgoyne excused.

FINAL PLAT RECOMMENDATION REQUEST FOR 15-LOT FIRST PHASE OF KEUP TRAIL SUBDIVISION LOCATED ALONG THE EAST SIDE OF KEUP ROAD IMMEDIATELY NORTH OF THE INTERURBAN TRAIL – ROBERT TILLMANN

Planner Censky noted that the Preliminary Plat approval of the 51-lot Keup Trail subdivision was approved earlier in 2007 and Keup LLC was seeking final approval of the first phase. The first phase includes 15 single-family lots located north of the Interurban Trail ranging in size from 20,031 square feet to 63,343 square feet. It will result in the extension of Covington Square east from Keup Road, which dead ends in a cul-de-sac at the east end of the site adjacent to the Interurban Trail. While there was no direct access to Falls Road through this phase, there would be indirect access through the connection to West Oak Street as part of the second phase.

Planner Censky advised that according to Section 14-1-32 of the Subdivision Code and Chapter 236 of the Wisconsin Statutes, the Plan Commission and Common Council shall, within 60 days of the filing of the final plat, approve, or reject the plat and if rejected, the reasons shall be stated. This establishes a deadline for action of September 22, 2007.

Planner Censky reported that City staff's review of the final plat indicated compliance with all minimum standards of the RS-1 District. Each lot complied with the necessary lot size and width and setback/offset requirements. Roadway width and cul-de-sac length complied with Code standards as well. An additional lot was being proposed increasing the total number from the 51 shown on the Preliminary Plat to 52 lots on the final. This new lot was realized by shifting the roadway slightly northward to adjust for the wetlands located adjacent to the Interurban Trail. Planner Censky reminded Commissioners that the roadway shift was needed to gain sufficient buildable area for Lot 13 of the Preliminary Plat. By shifting the road and realigning the property

lines along the south side of Covington Square East, it was determined that an additional Code-compliant lot with sufficient buildable area to support a reasonably sized home was realized.

Recording the final plat would result in the dedication to the City of Cedarburg the ultimate right-of-way for the interior streets and along the Keup Road frontage. It would also result in the dedication of a small area at the northeast corner of Lot 9 that would become part of the Bobolink Avenue right-of-way.

Planner Censky suggested the following conditions if the final plat is recommended for approval:

- Sanitary sewer lines and watermains are to be extended to the property lines.
- This project shall be supported by the full compliment of improvements typical of all subdivisions in Cedarburg.
- The developer shall be responsible for constructing the West Oak Street connection to Bobolink Avenue.
- The developer shall be responsible for the complete street construction and street trees installation for that stretch of new roadway along the frontage of Lot 1 of CSM #3598.
- A Lake Maintenance Agreement shall be submitted and approved by Engineering Staff.
- The FAR and Lot Coverage Percentage shall be in accordance with the requirements of the RS-1 District.
- There shall be a walkway connection to support daily pedestrian traffic and vehicles during times of emergency from Covington Square East to the Interurban Trail and the future cul-de-sac directly to the south.
- The applicant shall be required to install public sidewalks along the Keup Road frontage.
- The developer shall pay all impact and user fees prior to the recording of the final plat.
- All infrastructure (i.e. sewer, water, storm sewer, roadway, sidewalk, grading, drainage and erosion control plans) shall be reviewed and approved by the Engineering Staff.
- Submittal and City Forester approval of a landscape plan showing initial size, location and species of all street trees.

Commissioner Brown stated that he wanted the entire subdivision plat submitted to the Plan Commission. He pointed out that density has been the primary issue throughout the approval process for the Preliminary Plat and he was not in favor of any change in the Final Plat from the Preliminary Plat. Without the entire plat and with the additional lot, he would not recommend the Final Plat for approval.

Mayor Myers agreed, saying that the developers could certainly build the subdivision in phases, but a phased Final Plat should not be approved.

Council Member Beck agreed that density was a big issue.

Planner Censky noted that the City approved the zoning, which established the density, and the Final Plat submitted met the zoning requirements.

Russell Knetzger, representing the Tillmann family, stated that the State Statutes and the City Code were very clear that a final plat could contain minor changes to the preliminary plat. Adding one lot is an insignificant change. The Preliminary Plat had two 150-foot wide lots with sidewalk at the west end of Covington in order to preserve the wetlands. While engineering the subdivision, the better solution discovered was to move the road northward and create three lots with more reasonable

frontage. All the lots proposed greatly exceed the minimum size in the zoning district. There was no basis to turn down lots that complied with the City's zoning.

City Attorney Vance stated that the addition of a lot is a significant change to the Preliminary Plat, that the final plat must be substantially consistent with the Preliminary Plat and that the Council has in the past approved phased submittals. She suggested that the Preliminary Plat be amended. The Council could then act on the final plat and the phasing of the project.

Council Member Beck disagreed. The City decided on the number of homes appropriate for the site.

Commissioner Brown pointed out that the development of the site had been discussed in length since 2002 and the number of lots was always an issue. There have been public hearings on the plat and the public expects the subdivision will have 51 lots, not 52. He suggested that the Final Plat be resubmitted without any changes from the approved Preliminary Plat.

Mr. Knetzger argued that he could understand the City's concern if they were paring the lot sizes down to the minimum of the district in order to create an additional lot, but all the lots in the proposed Final Plat were significantly larger than the zoning district's minimum. The State's Statutes and the City Codes were clearly meant to guard against continually starting over whenever there is a change.

Mayor Myers stated that he was taking the advice of the City Attorney that an additional lot was a significant change to the approved Preliminary Plat and that an amendment was necessary.

Mr. Knetzger asked, since he did not hear objection to the size or configuration of the lots, if argumentation could be submitted to the City Attorney prior to the next Common Council meeting. He would like to present the Final Plat to the Common Council with the legal issue resolved on whether the new lot required that the approved Preliminary Plat be amended. As far as submission of the entire Final Plat, Code requires that construction begin within a set period of time after Final Plat approval and the developer is not prepared to begin the second phase until market conditions are favorable.

Planner Censky advised that an amendment to a preliminary plat does not require a public hearing because it is not a rezoning. He noted that the entire final plat was submitted, but the engineering was not done for the final phase.

Mr. Knetzger was told that the City routinely grants extensions on the construction of final plats. He noted that there are no changes to the area south of the Interurban Trail but there may be changes when the engineering is done.

Council Member Beck asked that the minutes reflect her comments that this particular piece of land has come back again and again and we have whittled down, painfully, the number of houses in this subdivision because many Commissioners and many on the Council felt that it was too much for the site, and finally got it down to a number that not everybody liked, but that was passed. Now, what has been submitted for Final Plat approval is a small piece of the subdivision with an increase in the number of lots and Commissioners do not have information on the rest of the plat. She does not want to see any increases in the number of houses and she wants the whole Final Plat submitted for review and approval. She is not in favor of any increase in households; even by one.

Mr. Knetzger advised that he would bring the entire Final Plat to the City immediately if he is assured the City would not force the subdivision to be built within the timeline stated in the State Statutes and City Code. He also argued that the zoning determines the density, not the Preliminary Plat.

No action was taken on the final plat.

REQUEST APPROVAL TO DIVIDE A 21.48-ACRE LOT INTO TWO SEPARATE SITES OF 12 ACRES AND 9.4 ACRES AT 2121 COUNTY HIGHWAY I – DONALD ZAUTCKE

Planner Censky explained that Mr. Zautcke was requesting land division approval for a parcel that was located in the Town of Cedarburg within the City's extraterritorial plat approval jurisdiction at 2191 County Highway I. The parent parcel was 21.48 acres in size and would be split into two separate parcels of 12 acres and 9.4 acres. He noted that the parcel was located outside of the City's Sanitary Sewer Service Area and is not planned to be served by future public sanitary sewers. The parcels will be served by private onsite soil absorption systems and wells. The Certified Survey Map (CSM) received approval by the Town Board on August 1, 2007 and it complied with Town zoning regulations. Since it is for lands located outside of the City's Sanitary Sewer Service Area, staff did not have any reason to object to the land division.

Action:

A motion was made by Commissioner Brown, seconded by Commissioner Schara, to approve the certified survey map as presented. The motion carried without a negative vote, with Vice Chairperson Burgoyne excused.

REVIEW AND DISCUSS FIRST DRAFT OF COMPLETE SMART GROWTH COMPREHENSIVE PLAN

Planner Censky noted that the completed first draft of the Smart Growth Comprehensive Land Use Plan (Comprehensive Plan) was submitted for Plan Commission review. Before it goes on for Common Council review and ultimate adoption, he urged Commissioners to review the document and provide comments so that they can be incorporated into the final document that will be submitted for recommendation in September. He noted that the consultant was still working on the maps for the document, which is expected to be ready by the September Plan Commission meeting. The Future Land Use Map was included in the document and a large copy was on display.

Planner Censky explained that the document contained the necessary goals, objectives and policies to guide the City's growth through the year 2025. It is the result of a strategic planning process that began in 2000 with the creation of the Cedarburg Blue Ribbon Visioning Committee who conducted several focus group sessions and also surveyed the community to determine how the City of Cedarburg monitor and control its growth over the next 20 years. It continued with the inventory and analysis of background information which resulted in the establishment of the guiding goals, objectives and policies that this Commission has been working on over the last year and a half. The document contained all nine elements required by the Smart Growth law.

REPORT FROM THE JETZCO MEMBERS AND DISCUSSION OF THE DIRECTION AND STATUS OF ONGOING DISCUSSIONS

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No JETZCO meeting was held this evening. Commissioners mentioned a recent newspaper article that mistakenly indicated that the City forces annexations, which is not true. A request was made to have a copy of the Town of Cedarburg survey for the next JETZCO meeting.

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SEPTEMBER MEETING DATE

Commissioners agreed to set Monday, September 17, 2006 as the next Plan Commission meeting date.

MAYOR'S ANNOUNCEMENTS

There were no announcements.

ADJOURNMENT

Commissioner Brown moved to adjourn the meeting at 9:50 p.m. The motion was seconded by Council Member Beck and carried without a negative vote.

Darla Drumel,
Administrative Secretary