

**CITY OF CEDARBURG  
PLAN COMMISSION**

**PLN20090302-1  
UNAPPROVED MINUTES**

**March 2, 2009**

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, March 2, 2009 at Cedarburg City Hall, W63 N645 Washington Avenue, in the Council Chambers. The meeting was called to order at 7:10 p.m. by Mayor Myers.

Roll Call: Present - Mayor Gregory Myers, Council Member Kip Kinzel, Mark Burgoyne, Brook Brown, Joe Emmerich, Keith Kaiman, Park & Forestry Chairperson James Schara

Also Present - City Attorney Kaye Vance; City Planner Jon Censky

**STATEMENT OF PUBLIC NOTICE**

Planner Censky confirmed that the agenda for the meeting had been posted and distributed in compliance with the Wisconsin Open Meetings Law.

**APPROVAL OF MINUTES**

Commissioner Brown moved to approve the minutes of the February 2, 2009 meeting as presented. The motion was seconded by Commissioner Schara and passed by unanimous vote.

**COMMENTS AND SUGGESTIONS FROM CITIZENS**

None were offered.

**SITE, LANDSCAPING, ARCHITECTURAL AND EXTERIOR LIGHTING APPROVAL EXTENSION FOR THE 20-UNIT ELDERLY HOUSING PROJECT LOCATED AT THE NORTHEAST CORNER OF MCKINLEY BOULEVARD AND GARFIELD STREET – DUEY STROEBEL**

Planner Censky noted that these plans were approved on February 4, 2008 and, based on that approval, Mr. Stroebel had his detailed construction plans drawn up and submitted to the State for their approval. He then submitted the plans to the City for a building permit. Planner Censky noted, however, that the City received the plans a week or so before the deadline when his approval was to lapse, leaving little time for the City to work on certain plan refinements that were necessary before a building permit could be issued. Because time was running out, Mr. Stroebel was forced to request this plan approval extension.

In his letter of request, Mr. Stroebel pointed out that since the time his plans were originally approved, the economy has taken a downward turn and it may take time for those economic conditions to improve. Therefore, Mr. Stroebel requests that this extension be granted through August 31, 2010. He noted that if the economy improves earlier, he will then pursue the permit at that time.

Vice Chairperson Burgoyne opened discussion noting that because of the current state of the economy, he understood Mr. Stroebel's concern and advised that he could support the extension as proposed. This sentiment was shared by Commissioner Kinzel, who noted that he liked the plans and the project was good for the City and, therefore, he also felt that the extension should be approved. In response to Commissioner Brown's question about the nature of the plan refinement,

Planner Censky advised that the construction plans showed some slight modifications to some details of the approved plans and therefore City staff withheld a building permit until those changes were made.

**Action:**

A motion was made by Council Member Kinzel to approve the plan approval extension through August 31, 2010. The motion was seconded by Vice Chairperson Burgoyne.

**Further Discussion:**

Commissioner Brown advised that he too liked the project but was concerned about granting an 18-month extension and went on to say that the City has never in the past granted such a long extension. He advised that he favored the plans and would support a 12-month extension and if at that time the economy did not improve, the Plan Commission could then consider an additional extension. Commissioner Kaiman questioned whether this extension was specific to the plans or was it tied to the owner. More specifically, he wondered if this extension was granted, could Mr. Stroebel sell the site to another developer who would then have the right to construct this project. City Attorney Vance advised that the request is to grant an extension to the approved plans and whoever constructed the project is not relevant to the Plan Commission. She noted that it could be viewed as arbitrary if the Plan Commission tied their plan approval extension to the current owner.

**Further Action:**

The motion to approve the extension failed by the following vote: Council Member Kinzel, Vice Chairperson Burgoyne and Commissioner Emmerich voted in favor; Commissioners Brown, Kaiman, Schara and Mayor Myers voted against.

**Further Action:**

Mayor Myer moved to approve a 12-month extension to the approved plans. The motion was seconded by Commissioner Brown and passed by unanimous vote.

**REVIEW AND POSSIBLY RECOMMEND AMENDING SECTION 13-1-53 (B-1 NEIGHBORHOOD BUSINESS DISTRICT) OF THE ZONING CODE**

Planner Censky advised that he had a draft B-1 District ordinance for discussion purposes and that this meeting should be viewed as a working session with the understanding that any changes to this ordinance would be incorporated and the ordinance would then return for consideration at a later date. He advised that the intent was to draft the B-1 District language to make it consistent with the recently-approved Smart Growth Land Use Plan and have better control over development that may occur under the ordinance. Planner Censky noted that among the changes is the introduction of a maximum building size limit of 20,000 square feet, and to make sure that the City gets neighborhood-type uses, the ordinance continues with but slightly modifies the limit on the size of individual tenants within a single building. He advised that the intent is not to have large single-use buildings but rather multi-use buildings designed to reflect the adjacent neighborhood.

Commission Members discussed certain changes they would like to see incorporated in the language and requested a map showing where the B-1 District would likely be applied. It was also decided that Commissioners Burgoyne and Brown would work with Planner Censky on the recodification of the B-1 District for now and the entire Zoning Code as time permits.

**PLAN COMMISSION**  
**March 2, 2009**

**PLN20090302-3**  
**UNAPPROVED MINUTES**

**MAYOR'S ANNOUNCEMENTS**

No announcements.

**ADJOURNMENT**

Mayor Myers moved to adjourn. The motion was seconded by Commissioner Kaiman and passed by unanimous vote. The time was 7:50 p.m.

Jonathan P. Censky,  
City Planner