

CITY OF CEDARBURG  
PLAN COMMISSION

PLN20181001-1  
UNAPPROVED MINUTES

October 1, 2018

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, October 1, 2018 at Cedarburg City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. The meeting was called to order at 7:00 p.m. by Mayor O'Keefe.

Roll Call: Present - Mayor Michael J. O'Keefe, Council Member Patricia Thome, Greg Zimmerschied, Heather Cain, Adam Voltz, Sig Strautmanis

Excused - Mark Burgoyne

Also Present - City Planner Jon Censky, Administrative Secretary Darla Drumel, news media

**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**

Council Member Thome moved to approve the minutes of the meeting held on September 5, 2018 and the motion was seconded by Commissioner Strautmanis. Commissioner Cain suggested that the Item 4 on page PLN20180905-8 be revised to read: "Each owner could buy a share of the Pocket Neighborhood." The amended motion was agreed to by Council Member Thome and Commissioner Strautmanis carried without a negative vote, with Vice Chairperson Burgoyne excused.

**COMMENTS AND SUGGESTIONS FROM CITIZENS**

Mayor O'Keefe offered the opportunity for the public to speak on any issue unrelated to the agenda items. He advised that the Plan Commissioners would not be able to respond to any comments since they were not noticed on the agenda. No comments from the audience were offered.

**REQUEST FOR APPROVAL OF NEW HOME ARCHITECTURAL PLANS FOR AN INFILL LOT LOCATED AT W61 N830 SHEBOYGAN ROAD – JARED AND CANDICE FEIDER**

Planner Censky reminded Commissioners that they approved a variance relieving the Feiders of the requirement to dedicate the full width road right-of-way for their

Sheboygan Road frontage which was needed to fit their home on the site without encroaching into the Cedar Creek floodplain. Based on that variance the Feiders have now submitted revised site and architectural plans for review and approval. Since this lot is located in a predominately built-up area where it is bounded on two or more sides by existing development, it is classified as an infill lot. According to Section 13-1-122 of the Zoning Code, architectural plans for infill lots shall be submitted to the Plan Commission and this Commission shall determine that the structure is compatible with the surrounding area and either approve, approve conditionally or reject the plans.

Planner Censky noted that based on the first-floor elevation, set by staff, this home will sit higher on the lot than the existing home by approximately four feet above the grade of the front sidewalk but setback twenty-five feet therefrom. The plans fully comply with staff comments and the dimensional requirements of the Rs-3 Zoning District.

Anna Burns, President of Brookwater Group, Inc., provided the material and color samples, explaining that the home is designed as a black and white modern farmhouse. The roof would have black shingles, White LP SmartSide siding, and aged cypress for the front door and the gables on the house and garage.

Commissioners agreed that the building met the twenty-five-foot setback from the road right-of-way. Planner Censky advised that he would investigate a supplemental district that would render existing neighborhoods that do not meet the setback requirement to be conforming.

**Action:**

A motion was made by Commissioner Strautmanis, seconded by Council Member Thome, to approve the architectural plans for the new home at W61 N830 Sheboygan Road subject to the following conditions:

1. The two extra water laterals stubbed to this property shall be properly abandoned.  
(Contact Tim Martin Cedarburg Light & Water 262-375-7650.)
2. The lowest foundational opening must be set no lower than the 803.0 elevation.
3. Securing a building permit prior to commencement of construction.

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

**REQUEST APPROVAL OF SITE, ARCHITECTURAL, EXTERIOR LIGHTING AND LANDSCAPE PLANS FOR ADDITION TO REDEEMER EVANGELICAL LUTHERAN CHURCH LOCATED AT W76 N627 WAUWATOSA ROAD – REDEEMER EVANGELICAL LUTHERAN CHURCH**

Planner Censky advised that Redeemer Evangelical Lutheran Church is proposing a

2,021 square foot addition off the south end of the west side of their existing facility at W76 N627 Wauwatosa Road. This addition will support new restroom facilities, added classrooms, new office space and mechanical/storage rooms. The existing facility will then be converted to expanded gathering space by opening up the existing classrooms.

Currently, this site is supported by 65 parking stalls; 22 stalls in the north parking lot and 41 stalls in the south parking lot and 2 handicap stalls in front of the Church, and either parking lot can be accessed from the front driveway. Both parking lots are connected by a driveway that wraps around to the west of the building and the only change to the traffic circulation is a shift of the westerly driveway to now wrap around the proposed addition. Because this change does not result in uses that generate additional parking demands, the site remains Code-compliant as regards to parking.

The addition measures 43-feet deep by 47-feet wide and is proposed off the south end of the rear elevation. While the existing Church is constructed of brick material, the addition will be of dark gray Hardie Plank 12" lap siding with asphalt roofing shingles matching the shingles on the existing structure.

Redeemer Church has submitted a landscaping plan that shows an extension of the existing foundational landscape planting bed south of the front entrance and will include a mix of low growth flowering shrubbery and evergreen material along with colorful flowers planted throughout the bed.

The plans fully comply with the I-1 Institutional District.

Commissioners agreed with the complete material change for the addition but had concerns with the proposed change in the window pattern along the east façade of the Church. It was suggested that the storefront windows could incorporate mullions to make them more traditional, installing the brick between the storefront windows, shorten the windows to also install brick below the windows to continue the sill line, remove the white, install double-hung windows with transoms, or consider the storefront windows for the south elevation.

Architect Jacqueline Wolke of Groth Design Group explained that the storefront windows were being proposed in the gathering room to provide more light and make the space feel larger. The congregation also wanted the activity within the gathering room to be more visible outside of the building. The intent is to make the worship area clearly separated from the gathering area and to make the building look more commercial than residential. She noted that it was not expected that the brick that will be removed for the windows would be salvageable, but if there is salvaged brick it would be used to repair other parts of the building.

Dave Bartelt, Redeemer Lutheran Church parishioner, added that there may be plans, depending on growth, to extend the worship area of the Church sometime in the future.

He added that the purpose of the remodel is to distinguish the fellowship activity area from the worship area.

**Action:**

Commissioner Voltz moved to approve the site, architectural, exterior lighting and landscape plans based on the discussion so that the storefront windows are replaced with double-hung windows with transoms and brick between them. The motion was seconded by Commissioner Strautmanis.

**Continued Discussion:**

Commissioners agreed that the proposed changes that were recommended in the motion could improve the architecture, but some would not vote against the applicant's plans as proposed. In recognition of construction timelines, the Plan Commissioners agreed to attend a special meeting to review revised plans so Redeemer Church would not be delayed an entire month.

**Final Action:**

The motion failed with no votes in favor; Mayor O'Keefe, Council Member Thome, and Commissioners Zimmerschied, Cain, Voltz and Strautmanis voting against; and Vice Chairperson Burgoyne excused.

**Second Motion:**

A motion was made by Mayor O'Keefe, seconded by Commissioner Voltz, to table the agenda item. The motion carried without a negative vote, with Vice Chairperson Burgoyne excused.

**RECOMMENDATIONS PERTAINING TO ANNEXATION PETITION AND PROPOSED CERTIFIED SURVEY MAP FOR ONE-ACRE PARCEL OF LAND IN THE TOWN OF CEDARBURG – HAMILTON HOUSE SENIOR LIVING/VERNON AND MARY PROST**

Planner Censky reported that approval is requested to annex a narrow one-acre strip of land located directly south of the Hamilton House Senior Living site at W76 N629 Wauwatosa Road (Lot 2 of CSM No. 4010) from the Town of Cedarburg into the City of Cedarburg. The intent of this annexation is to attach the 34-foot-wide by 1,265-foot-long parcel into the developing Hamilton House Senior Living site for the purpose of receiving excess fill material and constructing a screening berm. In accordance with State law, the Plan Commission must review the request and provide a recommendation to the Common Council for their consideration before rendering a decision. The Certified Survey Map is needed to first split the narrow strip of land from the parent parcel for annexation purposes and to establish the required utility easements through the Hamilton House property for the public sewer and water facilities serving this development.

**Action:**

A motion was made by Council Member Thome, seconded by Commissioner

Strautmanis, to recommend the proposed annexation and Certified Survey Map. The motion carried without a negative vote, with Vice Chairperson Burgoyne excused.

**REQUEST FOR SITE AND ARCHITECTURAL APPROVALS AND SIGN CODE  
CLARIFICATION FOR PROPOSED SIGN AT N144 W050 PIONEER ROAD – JIM  
OTTEN/KETTLE MORAIN APPLIANCE**

Planner Censky noted that the architectural plans were approved at the August 2018 meeting with the condition that the Jim Otten return with alternate material for the EFIS proposed for the upper level accent. At that meeting the Plan Commissioners were also informed that Mr. Otten was working with the DNR to receive their approval of his stormwater management and associated wetland restoration plans before he finalizes his site plan. Mr. Otten has now satisfied the City staff regarding his stormwater management plans and has received DNR approval of the wetland mitigation/restoration plans.

Because this site is at the lower end of a major drainage system, which is addressed in the Mr. Otten's stormwater management and wetland restoration plans, the entire westerly portion of this site is unusable for development purposes and will be restored with native wetland seed and designated as a no-mow area as required by the DNR. This site maintenance limitation restricts Mr. Otten from being able to concentrate his onsite parking in one area and forces him to disperse the parking in small lots located around the building, with employee parking shown off the northeast corner of the building and customer parking located along the south and west sides of the building where they are needed most. The site will be supported by 74 stalls which, according to the Mr. Otten, is more than double the number supporting his other two stores.

Architecturally, Mr. Otten is now proposing to replace the EFIS material on the upper level of the front façade with vertical metal panel siding in the McElroy Sandstone color and the EIFS material previously shown on the east façade with Horizontal Metal Panel siding in the McElroy Slate Gray color. The trash enclosure is proposed to be located off the northwest corner of the building and will be surrounded by a seven-foot-high wood fence with sliding access gates on the east side.

Since the Code does establish standards for site landscaping, this landscape planting scheme is designed to functionally screen the parking area from Pioneer Road and Cardinal Avenue and to enhance the look of their business identification sign. The plan consists of staggered plantings of Alpine Currant bushes, Andorra Junipers, Cotoneasters, and Compact Burning bushes along the south edge of pavement for the parking lot adjacent to Pioneer Road and along the east edge of pavement of the parking lot adjacent to Cardinal Avenue. Around the base of their identification sign they propose plantings of McKay's White Potentilla, Day lilies and Shrub Roses.

The exterior lighting plan consists of LED wall packs located over each pedestrian entrance and otherwise spaced as needed on the north, west and east elevations. On

the south elevation and the south end of the east elevations the plan shows decorative wall-mounted shaded-light gooseneck fixtures. According to City Code Section 13-1-174(b) external lighting shall be shielded so that light rays do not adversely affect adjacent uses. While the decorative lights proposed along the front façade are shielded, the LED wall pack security lighting shown on the plans may adversely impact neighboring sites. If staff receives complaints regarding lighting, the applicant will be required to shield those fixtures.

Mr. Otten is requesting approval of a 167.28sf wall sign to be located above the main entrance to the Kettle Moraine Appliance store. Typically sign plans for businesses located outside the downtown Historic District are reviewed and approved by the City Building Inspector; however, staff has discovered conflicting language in the Code regarding establishing allowable size and for that reason this request is before the Plan Commission for consideration. Specifically, Section 15-5-14(d)(4)a. states that the total of all signs for a building in the B-2 District shall be equal to the summation of the street-side building width and average building setback times 0.3 square feet which calculates to a maximum overall signage size of 228sf or 167.28sf for the main sign on the south elevation and 61sf to be share by future tenants on the east facade. However, Section 15-5-14(d)(4)h. states that wall signs shall not exceed 32sf per building façade. Accordingly, Mr. Otten is requesting clarification of the Sign Code and that the Plan Commission approve the larger façade sign for his business based on the calculations under Section 15-5-14(d)(4)a. Staff notes that past decisions indicate that this Commission and the decisions of the former Design Review Board were based on Section 15-5-14(d)(4)a. Our records indicate that the four signs approved for the Birchwood Snow and Landscaping Business on the south side of Pioneer Road were approved at 62sf, 85sf, 71sf and 33sf in size and Mr. Otten's existing business sign for the Kettle Moraine store on south Washington Avenue was approved by the former Design Review Board at 76sf.

Commissioners discussed the wall pack lighting, noting it was likely the extra security would be welcome in that area and that if these security lights cause complaints, a shield could be added. They also discussed the proposed sign and cautioned that approval as requested would leave very little signage for the tenant spaces.

David Bachhuber of M-Squared Engineering advised that he had received a verbal approval from the DNR on the wetland mitigation/restoration plans and expects to get the DNR permit in a day or two.

**Action:**

Commissioner Voltz moved to approve the proposed 167.28 square foot sign pursuant to Section 15-5-14(d)(4)a, and to approve the site, architectural, exterior lighting and landscaping plans as presented subject to the following requirements:

1. The vertical metal siding be used in lieu of the EFIS material.

2. No permit shall be issued until the applicant modifies his plans to meet Wisconsin DNR requirements.
3. A 5-foot public sidewalk will be required along Pioneer Road extending around and up Cardinal Avenue.
4. Submittal of a Certified Survey Map showing a 30-foot public road right-of-way dedication along Cardinal Avenue and necessary utility easements.
5. The building will need to be equipped with a sprinkler system approved by the Fire Department.
6. The applicant will need to meet with the Fire Department to discuss location of fire protection equipment and to verify that the driveway has sufficient turning radius for fire trucks.
7. The applicant shall remove the existing pile of wood created from the removal of existing onsite trees.
8. The applicant shall shield the wall pack light fixtures if they result in light glare problems.
9. Payment of a Fee-in-Lieu of constructing a stormwater management pond of \$10,500.00 prior to permit issuance.

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

**REQUEST FOR APPROVAL OF MINOR ARCHITECTURAL MODIFICATIONS FOR THE L&G EXPRESS PUB LOCATED AT N50 W5586 PORTLAND ROAD – ERIC KNUTH AND REBECCA UIHLEIN**

Planner Censky advised that Eric Knuth and Rebecca Uihlein recently purchased the L & G Express Pub located at the northwest corner of Portland Road and Highland Road. They have plans to renovate both the interior and exterior of the building but were unable to attend the meeting. Because of their late start in getting plans together, they asked to be placed on the October 1, 2018 agenda anyway and are hoping to secure approval of the exterior changes so construction can begin as soon as possible.

According to their plans, Mr. Knuth and Ms. Uihlein are proposing to replace the existing siding materials on the north, south and east elevations with new board and batten material on the lower portion and new lap siding on the upper level. The lower and upper level will be separated by new trim board and the roof overhang will now include brackets. The board and batten, lap siding and metal siding on the west elevation will all be replaced with vertical metal siding for its entire length. The vertical metal siding extends around to the garage portion and the upper level of the north elevation. The new building colors will be green with black trim and windows. At this time they will retain the existing roof as is.

Commissioners discussed the proposed plans and determined that the changes to the windows and doors were not clear. It was noted that building was not a Landmark and was not located in a historic district but had character worth preserving. The building might even be considered as a gateway to Cedarburg. Consensus was that metal was

not appropriate. Questions and comments for the property owners included the following:

1. If possible, historic pictures of the building would be provided.
2. Metal is not representative of the City of Cedarburg architectural character.
3. The reveal dimension of the lap siding is needed.
4. The railing height is needed.
5. The proposed railing may be too heavy and would detract from the character of the building.
6. Clear delineation of what elements of the façade are being changed.
7. Details of the doors.
8. Details of the windows.

**Action:**

A motion was made by Council Member Thome, seconded by Commissioner Cain, to table this agenda item. The motion carried without a negative vote, with Vice Chairperson Burgoyne excused.

**COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS**

Commissioner Cain advised that she had received complaints regarding the electronic signage that had recently been installed at the Cedarburg Performing Arts Center, the Cedarburg High School and at Webster School. She asked that re-consideration of the approval be an agenda item for the November 5, 2018 Plan Commission meeting.

**MAYOR'S ANNOUNCEMENTS**

Mayor O'Keefe had no announcements.

**ADJOURNMENT**

A motion was made by Commissioner Cain, seconded by Council Member Thome, to adjourn the meeting at 8:52 p.m. The motion carried without a negative vote, with Vice Chairperson Burgoyne excused.

Darla Drumel,  
Administrative Secretary