

CITY OF CEDARBURG  
PLAN COMMISSION

PLN20201005-1  
UNAPPROVED MINUTES

October 5, 2020

A regular meeting of the Plan Commission of the City of Cedarburg was held on Thursday, October 5, 2020 via the [zoom](#) app. The meeting was called to order at 7:04 p.m. by Mayor Michael J. O'Keefe.

Roll Call: Present - Mayor Michael J. O'Keefe, Vice Chairperson Mark Burgoyne, Council Member Patricia Thome, Sig Strautmanis, Kip Kinzel, Adam Voltz, Heather Cain

Also Present - City Planner Jon Censky, Administrative Secretary Victoria Guthrie, City Administrator Mikko Hilvo, City Attorney Michael Herbrand, news media

### **STATEMENT OF PUBLIC NOTICE**

Administrative Secretary Guthrie 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 Thome, seconded by Commissioner Kinzel, to approve the minutes of September 3, 2020. The motion carried without a negative vote.

### **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 WAIVER TO SECTION 93-1-101(g) OF THE ZONING CODE FOR REPLACEMENT OF EXISTING GARAGE ON THEIR PARCEL LOCATED AT N42W5727 MAPLE STREET – CHRIS AND LINA GANIERE**

Planner Censky reported that the Petitioners are requesting to replace their existing garage with one that exceeds the 720 square foot size limit established for accessory structures; therefore, they are seeking a waiver as permitted under Section 13-1-101(g) of the Zoning Code.

Commissioners are reminded that the purpose of establishing that maximum size limit was to guard against extremely large accessory buildings that may dominate an area and to have aesthetic control over others where size is not extreme, but an architectural review is warranted. For that reason, the Common Council felt that future waivers should be made by the Plan Commission rather than the Board of Appeals, as this Commission has more experience in making judgement calls of that nature.

As described by Planner Censky, the proposed replacement garage is a gable-type structure, measuring 26' x 32' and 832 square foot in size. The new garage will be placed approximately 8' farther back in the lot than their current garage. The plans show one overhead garage door, which will be sandstone in color and a window on the second floor level of the front elevation; a pedestrian door and two windows on the left elevation; no openings on the right elevation; and a window on the second floor level of the back elevation. The garage will have vinyl siding which will be cactus in color and the roof will consist of Owens-Corning Oakridge architectural shingles in onyx black. It has also been noted that the Petitioners intend to replace the siding on their house within the year to match the new garage.

Planner Censky's review of this request indicates compliance with the Rs-5 restrictions for everything but the size limit; therefore, he recommends approval of the waiver subject to the Petitioners securing a building permit prior to construction commencement.

**Action:**

A motion was made by Commissioner Kinzel for approval to waive Section 93-1-101(g) of the Zoning Code to allow the replacement garage to exceed the accessory structure size limit as proposed. This motion was seconded by Council Member Thome and passed without a negative vote.

**REQUEST APPROVAL FOR SITE/ARCHITECTURAL/LANDSCAPING PLAN AND APPROVAL OF SIGN PLAN WAIVER FOR THEIR FACILITY LOCATED IN THE HIGHWAY 60 BUSINESS PARK – WILO USA LLC/JEFF SCHOPP**

**Site/Architectural/Landscaping Plan**

As Commissioners may recall, the Petitioner appeared before them during the September 3, 2020 Plan Commission meeting to present an overview of their proposed 243,890 square foot facility to be located in the Highway 60 business park. After receiving support from Commissioners for their concept design, they have submitted formal plans for approval.

Planner Censky has reviewed the plans and found them to be in full compliance with the M-3 Zoning District Codes. He also stated that City Engineer Tom Wiza indicated his approval of the plans and added that the Petitioner will need to coordinate with the city for their utility connections.

Commissioner Voltz asked for more information on the outdoor lighting plan to ensure that excessive lighting will not be intrusive for surrounding neighbors. Architect Chris Wenzler of Briohn Design Group explained that the outdoor lighting was designed to aesthetically complement various design elements of the building as well as provide wayfinding light for vehicle and foot traffic.

**Sign Plan Waiver**

Building Inspector Mike Baier deemed that the initial sign plan submitted was not compliant with City Code; therefore, he denied their request. The Petitioner is now appealing this

denial in accordance with **Section 15-5-3(f)** of the Sign Code which states that appeals to decisions of the Building Inspector ***shall be made to the City Plan Commission.***

The proposed monument signage is larger than what Sign Code allows; however, due to the size and location of the building, Inspector Baier feels it is appropriately proportioned for visibility from Highway 60 and recommends approval with the following departures:

*Regulation of Signs, Section 15-5*

CODE SEC	CITY CODE REQUIREMENT	PETITIONER REQUESTED DEPARTURE
7(b)	<i>Wall signs shall be limited to one (1) thirty-two (32) square foot maximum per building side and shall be allowed only when the property line on said side of the building is contiguous to and faces a public street or alley right-of-way.</i>	Building mounted signs are proposed for the north, east and south elevations.
14(d)(5)(c)	<i>Ground/freestanding signs, or wall signs shall not exceed thirty-six (36) square feet per surface area.</i>	Monument sign on northeast corner of the site at height/elevation to balance visibility from Highway 60.
14(d)(5)(d)	<i>Illumination shall be external only.</i>	Monument sign on northeast corner of the site internally lit.

Commissioner Strautmanis asked for more information on the internally lit monument sign. Petitioner Jeff Schopp, Senior Project Manager at WILO, explained that their business has come before the Plan Commission for internally lit signs on their other Cedarburg locations, and said that they are familiar with the Code. He reassured the Commission that the lighting in the sign will be subtle and tastefully done. Planner Censky concurred, stating that their other signs fit in with their location on Pioneer Road, and he believes the proposed signs for the new facility will be appropriate for the Highway 60 location.

Petitioner Jeff Plaster, Managing Director and CEO at WILO, extended his thanks to the Plan Commission, City, and Light & Water Staff for their assistance and guidance in moving this project forward.

**Action:**

A motion was made by Mayor O'Keefe for approval of the Site/Architectural/Landscaping Plan submitted for the new facility located in the Highway 60 business park. This motion was seconded by Council Member Thome and passed without a negative vote.

A motion was made by Mayor O'Keefe for approval of the sign waiver for the new facility located in the Highway 60 business park with the aforementioned departures. This motion was seconded by Council Member Thome and passed without a negative vote.

**REVIEW AND RECOMMEND COVENANTS FOR TENANTS LOCATED IN THE HIGHWAY 60 BUSINESS PARK – CITY OF CEDARBURG**

Administrator Hilvo advised Commissioners that a new version of the proposed Declaration of Restrictions and Covenants was issued and distributed to them electronically late this afternoon, replacing all previous versions of the document.

Attorney Herbrand detailed the latest changes to the document, to include parking setback change from 40' to 25', which Planner Censky explained to be more in line with industry standards.

Attorney Herbrand went on to describe that the landscaping standards were also changed to reflect that installation is required either prior to issuance of the occupancy permit of the building or the end of the first planting season, whichever occurs first. If the landscaping plan is not completed as required, the building owner will need to provide a bond or letter of credit to the City in the amount equal to the estimated uncompleted landscaping. This bond or letter of credit would not be released until work is completed.

The terms under General Provisions were also modified to outline the method of determining a super majority by calculating votes based on the amount of lot ownership acreage, excluding any outlots.

If these covenants are recommended for approval by the Plan Commission, they will be added to the next Common Council agenda for consideration.

**Action:**

A motion was made by Vice Chairperson Burgoyne to recommend approval of the covenants as proposed. This motion was seconded by Commissioner Kinzel and carried without a negative vote.

**COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS**

No comments or announcements were made.

**MAYOR'S ANNOUNCEMENTS**

Mayor O'Keefe expressed his gratitude to Commission members and City Staff for their work with the WILLO project, as well as WILLO for making the decision to bring their headquarters to Cedarburg. He added that he is looking forward to working with them in the future.

**ADJOURNMENT**

A motion was made by Commissioner Kinzel, seconded by Council Member Thome, to adjourn the meeting at 7:41 p.m. The motion carried without a negative vote.

Victoria Guthrie  
Administrative Assistant