

**CITY OF CEDARBURG  
PLAN COMMISSION**

**PLN20210201-1  
UNAPPROVED MINUTES**

**February 1, 2021**

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, February 1, 2021 via the [zoom](#) app. The meeting was called to order at 7:01 p.m. by Mayor Michael J. O'Keefe.

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

Also Present - City Planner Jon Censky, City Administrator Mikko Hilvo, Council Member Robert Simpson, Administrative Secretary Victoria Guthrie, news media

**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**

A motion was made by Council Member Thome, seconded by Vice Chairperson Burgoyne, to approve the minutes of January 4, 2021 and January 18, 2021. 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.

**PUBLIC HEARING REGARDING APPLICATION FOR CONDITIONAL USE PERMIT FOR TOURIST ROOMING HOUSE LOCATED AT W61N510 WASHINGTON AVENUE – MIKE & CINDI PURNELL**

Mayor O'Keefe declared the Public Hearing open at 7:02 p.m.

The Petitioners recently purchased the above property and are seeking Conditional Use approval to offer their upper-level downtown apartment unit as a tourist rooming house (i.e. Airbnb). Per the City's Zoning Code **Section 13-1-240(b)(149)**, Tourist Rooming Houses are defined as: ***All lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients as regulated under Wisconsin Chapter DHS 195.*** They are listed as permitted by Conditional Use in the B-3 District.

The upper floor of their building consists of one unit with two bedrooms, a living room, kitchen, and a full bathroom, and will have a maximum guest limit of four. The Petitioners received Landmarks Commission approval to replace their windows during their January 14, 2021 meeting. At this time, this is the only external change being made to the building.

Planner Censky stated that City Staff review indicates this site has sufficient guest parking in the rear of the building. He also indicated that this use is appropriate in the downtown area, and recommends no objection subject to the following conditions:

1. Any substantiated problems with this use shall be corrected by the owner immediately upon notification and if left uncorrected, may result in the revocation of the Conditional Use Permit.
2. The Cedarburg Fire Department will follow the State Licensing Bureau for Rooming Houses, NFPA 1 Section 20.10 and NFPA 101 Life Safety Code.
3. Smoke detectors and CO detectors are to be installed and properly maintained.
4. The operation shall follow the conditions contained in the Conditional Use Permit.

The Petitioners own and manage other rooming houses, with Petitioner Cindi Purnell highly rated as a Superhost with Airbnb. Although the Petitioners reside in Oconomowoc, they have other properties in Cedarburg and are available to address any concerns that may arise.

### **ACTION TO CLOSE PUBLIC HEARING**

A motion was made by Council Member Thome and seconded by Commissioner Voltz to close the public hearing at 7:07 p.m. The motion passed without a negative vote.

### **Action:**

A motion was made by Commissioner Kinzel to approve the Conditional Use Permit for the Tourist Rooming House with the above conditions. This motion was seconded by Vice Chairperson Burgoyne and passed without a negative vote.

### **REQUEST LANDSCAPE PLAN APPROVAL FOR THE FAITH COMMUNITY PATHWAYS PROJECT LOCATED AT N35W6221 WILSON STREET – FAITH LUTHERAN CHURCH**

Planner Censky reminded Commissioners that during their October 7, 2019 meeting, the church received approval to create a prairie lawn with paths that connect five circled seating areas on the west side of their parcel. FCP Activities Director Dena Baule submitted plans for the second phase of this project, which involves the addition of climbing and seating structures for these circles. Petitioner Baule described these structures as being built lower to the ground with a maximum height of 3-feet in order to be appealing for children, and a 12-inch layer of mulch will be added around the bases to ensure safety. These structures will be made of natural materials such as black locust and cedar.

Planner Censky pointed out that this area of the property is considered an easement for the sanitary sewer and noted that the largest of the sitting circles is located near a manhole. The Petitioner has been made aware of this and has agreed to make sure this manhole is not damaged or buried in order to ensure easy access for City workers.

Planner Censky stated that the church has been proactive in keeping in contact with their neighbors along the west property line to make sure they are aware of the work being done. He added that City Staff has no objection to this request and recommends approval.

When asked how this area would be managed, Petitioner Baule stated that the church will take care of maintaining the area, and that it would be open to the public from sunrise to sunset much like the City parks. She added that the church has broadened their insurance policy in order to make the area open and available to all who wish to use it.

**Action:**

A motion was made by Vice Chairperson Burgoyne to approve the construction of the seating circles as part of the landscape plan submitted. This motion was seconded by Commissioner Kinzel and passed without a negative vote.

**REQUEST FOR SIGN CODE WAIVER TO ALLOW AN INTERNALLY ILLUMINATED SIGN FOR THEIR BUSINESS LOCATED AT N144W5800 PIONEER ROAD – ZUERN BUILDING PRODUCTS**

The Petitioner is requesting approval to replace the existing south facing wall mounted sign with a new, interior lit sign. Typically, sign plans for businesses located outside the downtown Historic District are reviewed and, if Code compliant, approved by the City Building Inspector Mike Baier. However, since internally lit signs are not permitted in the M-2 General Manufacturing District, this plan was denied by Inspector Baier and accordingly, the applicant is requesting to appeal that decision in accordance with **Section 15-5-3(f)** of the Sign Code, which states ***Appeals of the decision of the City Building Inspector under this Chapter shall be made by the Plan Commission. Further appeal of the ruling of any such decision by the City Plan Commission shall be to the Common Council.***

Planner Censky reminded Commissioners that they have approved several of these waivers in the past for interior-lit signs along this corridor. Since this sign is designed with an opaque dark background where light shines only through the lettering, reflective of our standards for interior lit signs, Planner Censky recommends approval. He also stated that he will follow up with a Sign Code amendment to address this issue at a future meeting.

**Action:**

A motion was made by Commissioner Voltz to approve the Sign Code Waiver for the sign plan as proposed. This motion was seconded by Commissioner Strautmanis and passed without a negative vote.

**REQUEST FOR APPROVAL OF SPONSORED SIGNS FOR CITY PARKS  
THROUGHOUT THE COMMUNITY – CITY OF CEDARBURG PARKS & RECREATION**

City Administrator Hilvo explained that at their January 6, 2021 meeting, the Parks, Recreation and Forestry Board approved the proposal to offer sponsorship for new parks signs as a way to fund the City's rebranding efforts. There are nineteen available signs for sponsorship at \$600 each, with the exception of Cedar Creek Park which is \$1,000. Each sponsor would have a small oval sign with their name installed below the main identification park sign for a time frame of two years. After that timeframe has passed, these small oval signs will be removed, with the main park sign remaining intact. Administrator Hilvo stated that sponsorship will be open to private citizens and businesses alike.

**Action:**

A motion was made by Mayor O'Keefe to approve the sponsored City park signs as proposed. This motion was seconded by Commissioner Kinzel and passed without a negative vote.

**COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS**

No comments or announcements were made.

**MAYOR'S ANNOUNCEMENTS**

Mayor O'Keefe had no announcements.

**ADJOURNMENT**

A motion was made by Council Member Thome, seconded by Commissioner Kinzel, to adjourn the meeting at 7:20 p.m. The motion carried without a negative vote.

Victoria Guthrie  
Administrative Assistant