

**December 5, 2022**

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, December 5, 2022, at Cedarburg City Hall, W63N645 Washington Avenue, Upper Level, Council Chambers and online via the [zoom](#) app. The meeting was called to order at 7:00 p.m. by Mayor Michael J. O'Keefe.

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

Also Present -      City Planner Jon Censky, Administrative Secretary Diana Salapata

### **STATEMENT OF PUBLIC NOTICE**

Administrative Secretary Salapata 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 Strautmanis, to approve the minutes of the November 7, 2022 meeting, on the condition that some misspellings with Workforce instead of Workhouse and Bieveritz instead of Beaveritz are corrected. 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 THE APPROVAL OF A CERTIFIED SURVEY MAP FOR HANOVER AVENUE TO DEDICATE PUBLIC RIGHT-OF-WAY**

Planner Censky stated that the applicant is requesting approval for a Certified Survey Map that will serve to dedicate the public right-of-way for the Hanover Avenue extension within the Fox Run Development. This is the last step needed before beginning said project. It has been approved by the Common Council. Commissioner Strautmanis asked whether the City will maintain plowing, given the proposed perpendicular parking plan. Planner Censky responded that it will, since it is public parking located not far from downtown. Commissioner Wiza commented that the dedication for public street needed to be clarified on the map, so it was not confused with a private road. Commissioner Strautmanis also pointed out a small typo on the third page that stated it is the Village of Cedarburg rather than City of Cedarburg.

**Action:** Motion made by Commissioner Thome to approve the Certified Survey Map for Hanover Avenue to dedicate public Right-of-Way, following comments made by Commissioners regarding details on map, with the motion seconded by Commissioner Cain. The motion carried without a negative vote.

**REQUEST APPROVAL FOR FENCE CHOICE AND DESIGN ON N70 W5266 COLUMBIA ROAD**

Planner Censky brought up the fence approval request from the previous Plan Commission meeting in November and stated that per the comments of the Commissioners, the Petitioner had taken their advice into consideration and changed the fencing. Petitioner Ryan changed the fence type from white vinyl to a 6' cedar fence and a 4' cedar picket fence north and east of the Stonehouse. A site plan showing where the fence would be placed was also submitted. Commissioner Strautmanis asked whether there was a regulation with a fence being on the property line. Planner Censky replied that these fences would not be placed on the property line so there were no issues in that regard.

Mayor O'Keefe asked about when the fence was planned to be installed. The Petitioner stated as soon as possible, hopefully before the ground froze. In response, Mayor O'Keefe also asked what would be done with the fence if the Conditional Use Permit was not approved. Petitioner Ryan stated that they would remove it and do something else, emphasizing that they were not placing a fence with the implication that the Conditional Use would be approved, but rather due to weather conditions.

Commissioner Cain asked about whether the intent was to let the fence weather or whether it would be painted. The Petitioner stated that it would be sealed, but not painted, and that it would weather for a few months before being sealed.

**Action:** Motion made by Commissioner Kinzel to approve the fence, seconded by Commissioner Strautmanis. Motion passed without a negative vote.

**REQUEST A LAND USE AMENDMENT AND TO REZONE THE PARCEL ON 6660 SUSAN LANE.**

Planner Censky introduced the Stone Lake Development for Quarry Lake, stating that Craig Caliendo, the Petitioner, had been before the Commission before for consultation and was requesting two items tonight. The first was a Land Use Amendment, aiming to change the land use classification from the current Industrial and Manufacturing classification on the north side of the property and the Medium Density Residential classification on the south side of the property to make all of it Two-Family Residential.

Secondly, the applicant was requesting rezoning of the property from the RS-1 Single Family District to the Rd-1 Two-Family District with a Planned Unit Development Overlay District (PUD).

His detailed plans included a public roadway along the southside of the quarry connecting the development with the rest of the subdivision. The remainder of the road would be private. He also provided the floor plans, the designs, and the location of the homes around the quarry.

Through the use of the PUD zoning, the Petitioner also requested that the 25' setback requirement be reduced to 20'. Commissioner Strautmanis asked if there was sufficient driveway parking space without encroaching into the road. Commissioner Wiza stated that there was and there were examples of this located elsewhere in the City of Cedarburg.

Petitioner Caliendo noted that they proposed a public sidewalk to be along the south side of the public road section only due to the topography in the area.

**Action:** Motion made to approve the Land Use Amendment and to rezone the parcel on 6660 Susan Lane made by Commissioner Strautmanis with the caveat that the Petitioner comes back with more thorough architectural plans. The motion was seconded by Commissioner Thome and passed with one negative vote by Commissioner Voltz.

#### **REQUEST FOR APPROVAL OF A TEMPORARY OUTDOOR ENCLOSURE AND YEAR-ROUND PARKED TRAILER**

The applicant is requesting approval for plastic sides on an existing patio, with one large igloo in their outdoor fenced-in area, as well as three smaller igloos being placed as well. They are also requesting approval for their camper to be retained year-round in their fenced area. Petitioner Creten clarified that the camper was only used for alcoholic beverages, not food services. The reason behind wanting to keep the trailer year-round is that it proved to be a tourist attraction and had a big marketing significance for the business.

Commissioner Cain asked for clarification on why the camper was originally allowed as it was not clear what was being asked to be approved, and whether it is to be considered a food truck or an accessory structure. Staff responded that it was originally allowed for them to begin their operations prior to obtaining an occupancy permit for the building. Commission members withheld action on the Joyride camper and asked for clarification on the approval process for such a request.

The Commission then moved on to the topic of the igloos with Commissioner Thome asking about whether the Fire Inspector had been consulted regarding these igloos. There was also a concern with closing igloos as there had been problems with that in other businesses. Mayor O'Keefe asked how the tents will be heated. The Petitioners responded that only preliminary talks with the Fire Inspector had taken place and that ceramic infrared heaters would be used to heat the igloos.

Commissioner Kinzel asked that instead of having the igloos up until April, per the written request, that it be changed to May for the sake of keeping it consistent with other tents being placed.

**Action:** Commissioner Strautmanis made a motion to approve the igloos per staff requests to have the Building and Fire Inspector check the plastic covered patio and four igloos. Commissioner Kinzel seconded the motion and the motion carried without a negative vote

**DETERMINE PLAN COMMISSION MEETING DATE FOR JANUARY 2023**

Commissioners agreed that Tuesday, January 3, 2023 would be the next meeting date

**RECODIFICATION OF TITLE 13 ZONING CODE**

Planner Censky requested to review commercial uses for the next meeting, and he noted that there was a change to the residential district due to State changes regarding short term rentals. Specifically, Planner Censky noted that he added short term rentals to the list of Conditional Uses in each residential district. Commissioner Strautmanis commented that this was beneficial because it allowed the City to establish an approval process that was consistent with State law.

Further Code review will be postponed until January, then continue until review is complete.

**COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS**

Per the last meeting, Commissioner Cain had some comments regarding the Land Use Plan off Sheboygan Rd. and State 60. She inquired about the price it would take to have a broker review. She asked about whether there was still an interest in pursuing it, to which the Commissioners agreed that it should be an item placed on the agenda for the next meeting.

**MAYOR'S ANNOUNCEMENTS**

Mayor O'Keefe had no announcements.

**ADJOURNMENT**

A motion was made by Mayor O'Keefe, seconded by Commissioner Kinzel, to adjourn the meeting at 8:56 p.m. The motion carried without a negative vote.

Diana Salapata  
Administrative Secretary