

January 23, 2023

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, January 23, 2023, at Cedarburg City Hall, W63N645 Washington Avenue, Upper Level, Council Chambers and online via the zoom app. The meeting was called to order at 7:01 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

 Excused - Sig Strautmanis

 Also Present - City Planner Jon Censky, City Administrator Mikko Hilvo, City Attorney Mike Herbrand, 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 Kinzel, to approve the minutes of the January 3, 2023, meeting. Commissioner Cain requested that a sentence be added to the Vision Triangle Encroachment on page four of the minutes regarding the desire for the parking situation at that location be referred to Public Works. The motion carried without a negative vote with Sig Strautmanis 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 A CONCEPT REVIEW CONSULTATION REGARDING PROPOSED REDEVELOPMENT OF FORMER AMCAST SITE LOCATED SOUTHEAST OF THE JOHNSON AVENUE AND HAMILTON ROAD INTERSECTION

Planner Censky started off the presentation by introducing the site and discussing its status as a TID #4 site. He stated that DJ Burns is working on the cleanup and planned on working with Bob Bach, of P2 Development to clean and redevelop the site. He proceeded to turn over the presentation to Bob Bach.

Bob Bach introduced himself and proceeded to give a short history of the site. He showed the site and explained the main features of the lot that include an office building, as well as concrete foundations left over from previous buildings. He would work with DJ Burns and his wife, Libby Burns, to clean and redevelop the site. Mr. Bach also stated that they plan to take 2' of soil from the top and move it into a pile to be able to proceed with building on some of the site. He also stated that the contaminated pipes in the area would likely be dug up or filled.

Commissioner Wiza liked the townhouse approach as it fit with the neighborhood.

Mayor O'Keefe had an environmental concern about how deep the contamination was, to which Mr. Bach responded that it was probably no more than 3'-5' deep. Mayor O'Keefe followed up with a question regarding the Quarry and whether contamination risk increased there when soil would be moved. Mr. Burns responded to this concern stating that the EPA had let them know that soil movement would not exacerbate contamination levels.

Commissioner Cain asked about the density of the other two sites and how many residential units would be placed there. Mr. Burns stated that at this time, the main priority was to remove hazards so plans for the other sites hadn't yet been completed. She questioned what the School District would do with the influx of new students. City Attorney, Mike Herbrand asked about the demographics of residents living in the unit of his Mequon development. Mr. Bach responded that approximately 12 of 96 units had students in the Mequon development. Council Member Thome stated that the School District had a strong belief in letting new students come and that they would be able to handle any influx of students.

Planner Censky reiterated that the site would require rezoning from the current MUID (Mixed Use Industrial District) to the B4, RM2, PUD overlay.

Mayor O'Keefe opened the floor to the general public to ask questions.

Michael Loberg, a neighbor asked about plans regarding the northside parcel. Mr. Bach responded that it hadn't been addressed yet due to the EPA, and that it wouldn't be until 2025 that they would have an idea of what to do with the site.

Tony Gibowski liked the greenspace but had a concern over the third story for one of the apartment buildings, believing it would look out of place among the other buildings in the neighborhood.

John Elsner, via zoom, asked about the reasoning behind having no access to Hamilton, and Planner Censky responded that since Hamilton Road was a major arterial road, direct access to that road would be too close to the Johnson Avenue intersection. Mr. Elsner asked whether future developments were taken into consideration when conducting traffic studies. Mr. Bach confirmed that a traffic study analysis would be done and that other developments, current and future, were being taken into consideration when conducting

these studies. It was also used to refer to having no access to Hamilton Road, due to the future northside development most likely requiring access onto Hamilton Road.

Terry Wagner highlighted a concern with a lack of transparency regarding the plans of the site, as well as a concern with speeding on Hamilton Road and fear of it worsening.

Mayor O'Keefe addressed the general public, stating that this information had certainly been made available to the public when the TIF hearings were taking place, with multiple public hearings having been conducted. He went on to express the concern for keeping the City of Cedarburg's quaintness intact and population steady. He also stated that condemning these companies was not the way to go about it. He stated that the TIF was needed to clean up pollution and sometimes, to get the taxable increment this type of development was needed.

Scott Weir also expressed concern over traffic, stating that exiting from his driveway was a difficult endeavor and that it would only be harder when traffic increased if this development was to take place.

Mayor O'Keefe asked the Commission whether they had any comments regarding tonight's discussion.

Council Member Thome was pleased to learn that Mr. Bach was the developer since he grew up in Cedarburg and understood the City. She stated that he was a responsible developer and that she was not concerned over the three-story building due to the elevation of the site. Council Member Thome understood the concern for traffic, traveling through the area herself, and that there were lots of requirements for traffic studies and steps to be taken before the development will take place.

Commissioner Voltz stated that, architecturally, while a couple of tweaks to the layout were worth considering, he approved of the general concept. He recommended rotating one of the buildings so that it would be more parallel to Hamilton Road, as well as shifting the northern apartments down a bit so that there would be more greenspace instead of so much pavement that served only one side of the apartments.

Mayor O'Keefe reiterated what Council Member Thome had stated, saying that Mr. Bach was conscious of concerns in neighborhoods, and was very responsive and attentive and listened to what was said by neighbors.

Commissioner Cain asked whether the townhomes would be sold or rented. Mr. Bach responded that due to the nature of the site, renting was a better option.

Commissioner Kinzel stated that children would go through fences into the contaminated area and that oftentimes, solutions for situations like this were found in higher density residential developments. He said that additional review was needed, and that with a quality developer like Mr. Bach and some adjustments made to the plan, it would be a great development.

Planner Censky asked the Commission whether they agreed on the density of the 90 units that had dropped from the original number of 96 units.

Commissioner Cain asked whether there was any way to lower the density considering the traffic concerns. She stated that developments from Mr. Bach were thoughtful. She also asked whether they would look the same as the examples shown in the presentation. Mr. Bach stated they would not, and that they were used to give an idea of what the development may look like. She emphasized the need for a solid traffic plan. Commissioner Cain also asked whether the site would be fenced. Mr. Burns responded that the area would not be fenced-in as it would be covered by a large tarp as required by the EPA.

Commissioner Voltz asked about phasing, and how the pile of dirt would potentially look to those residing in the building once it was built. Mr. Bach explained that, if spread out properly, it would look relatively small and not stand out much.

City Administrator Hilvo emphasized that it was an important piece for the City and that the Common Council would continue to talk about the development. He stated that it was important to gain some taxable increment on this site and with the upcoming meeting on March 1st, 2023, with the EPA and DNR, making any steps forward would hopefully help shorten the process. He reminded the public that there would be more meetings regarding this project.

Commissioner Cain asked what the likelihood of this development getting approved of was by the EPA and asked for clarification regarding the timeline. City Administrator Hilvo brought up that it wasn't certain due to the already long amount of time it had been taking with the EPA on obtaining approval and that while it was an estimated 2-3 more years, it wasn't something that was certain. Commissioner Cain also asked whether the site would be bifurcated. City Administrator Hilvo stated that the approach was based on moving forward and by providing this plan, they could approach the EPA to show them what they intend to do. Mr. Burns stated that the entirety of the site is part of one bigger clean-up, and that while different portions of the site will have different timelines for completion, the EPA is looking at it as one big site for funding.

City Administrator Hilvo and Mr. Burns emphasized that the movement of the soil on the proposed phase I of the development plan was not a requirement of the property owner, but more of a way to move the project along so that the EPA could approve the proposed development to help build increment on the site prior to the larger cleanup of the site. They did not want the project stalled for much longer due to the complex nature of the cleanup, correspondence between all the different departments and agencies, in addition to the site needing increment built to begin paying off the TID.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

No comments

MAYOR'S ANNOUNCEMENTS

Mayor O'Keefe had no announcements.

ADJOURNMENT

A motion was made by Commissioner Kinzel, seconded by Council Member Thome, to adjourn the meeting at 8:27 p.m. The motion carried without a negative vote with Sig Strautmanis excused.

Diana Salapata
Administrative Secretary