

**CITY OF CEDARBURG
PLAN COMMISSION**

**PLN20230403-1
UNAPPROVED MINUTES**

April 3, 2023

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, April 3, 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 7:00 p.m. by Mayor Michael J. O'Keefe.

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

Excused- Vice Chairperson Kip Kinzel

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 March 6, 2023, meeting. Commissioner Cain requested that on page two, in the first paragraph, the camper "did not fit the definition of a principal structure" be included in the minutes to clarify why it was approved as an accessory structure instead of a principal structure. Commissioner Kinzel 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 it was not noticed on the agenda. No comments from the audience were offered.

PUBLIC HEARING REGARDING REQUEST FOR AMENDMENT TO PREVIOUSLY APPROVED CONDITIONAL USE PERMIT AT HANDEN DISTILLERY, LOCATED AT W62N590 WASHINGTON AVENUE

Mayor O'Keefe declared the Public Hearing open at 7:04 p.m.

Planner Censky stated that Petitioner Zimmerschied was requesting to amend the Conditional Use Permit (CUP) back to what was originally proposed and approved in 2015. It had first been approved for John Padberg. However, Mr. Zimmerschied had needed to amend it in 2016 to divide a portion of the building to contain a tenant space

for lease in the north for retail when Mr. Padberg stepped away from the project. Now, he wanted it to go back to what was approved before in 2015.

Planner Censky reported that **Section 13-1-55(e)(23)** of the Zoning Code for the **B-3 Central Business District** listed *micro-distilleries* as a permitted use by Conditional Use Permit and that the listed business hours on the CUP were to be Sunday through Thursday 12:00 p.m. to 10:00 p.m. and Friday and Saturday 12:00 p.m. to 12:00 a.m. He also stated that the operation would be compliant with Federal, State, and local codes regarding licensing and permitting requirements. These were the same terms and conditions that were approved for the business back in 2015.

ACTION TO CLOSE PUBLIC HEARING

A motion was made by Council Member Thome, seconded by Commissioner Strautmanis, to close the public hearing at 7:09 p.m. A roll call vote passed unanimously with Commissioner Kinzel excused.

Action: A motion was made by Commissioner Cain, seconded by Commissioner Voltz to approve the amendment to the Conditional Use Permit for Handen Distillery, located at W62 N590 Washington Avenue. Motion carried without a negative vote with Commissioner Kinzel excused.

REQUEST CONCEPT REVIEW OF PLANS FOR PROPOSED TWO 4-UNIT TOWNHOUSE PROJECT ON PROPERTY LOCATED WEST OF W61N449 WASHINGTON AVENUE

Planner Censky reintroduced the proposed plans for the site located to the west of W61 N449 Washington Avenue, adjusted per the suggestions of the Commissioners at the previous Plan Commission meeting. They added more detail regarding property lines, the driveway turning radius, adjacent properties, and the proposed and existing buildings.

Planner Censky added that with the size of the lot, it would only be permitted to have 7 units. However, the applicant was requesting 8 units using the PUD zoning. He stated that since the property was landlocked, it was classified as legal nonconforming and that the parcel would need to be combined with the property to the east of it located at W61 N449 Washington Avenue.

Council Member Thome asked if these townhomes would be for sale or lease, and Petitioner Larson answered they would be leased.

Commissioner Cain wanted to know whether combining the parcels together would affect the historical nature of the property to the east of the site. Planner Censky stated that since the zoning would not change, the historical nature of the site would not be affected.

Commissioner Wiza recommended a curb radial driveway to reduce traffic, as well as to widen the entrance connecting the road to the driveway as much as possible to allow

room for cars to pass. He also recommended touching base with the neighboring property to the west, Fox Run, to discuss sharing a slope and having a swale drain to direct flow, or to consider a catch basin for storm water runoff.

Council Member Thome and Commissioner Voltz both upheld the recommendation that seven units would be better for the property than the proposed eight. Commissioner Voltz recommended it on the basis that less units would mean less parking stalls which meant that more greenspace would be available.

Commissioner Strautmanis recommended that they do not change the current proposed setbacks for the building, stating that having the two buildings being approximately 62'-64' apart was a good distance to allow parking in between the two buildings.

RECODIFICATION OF TITLE 13 ZONING CODE

Planner Censky requested that a subcommittee be created for the recodification process to lessen the time spent working on it during Plan Commission meetings. The subcommittee is to consist of Mayor O'Keefe, Council Member Thome, and Commissioner Strautmanis.

A meeting was scheduled for April 26th at 3 p.m.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

Mayor O'Keefe, Council Member Thome, fellow Commissioners, and Planner Censky thanked Commissioner Cain for her time spent serving on the Plan Commission.

Commissioner Cain brought up the Stagecoach Inn, an agenda item from a past meeting, stating that the agreement on the easement had not yet been reached. She recommended that should the item not meet the requirements for approval that were requested by the Plan Commission, that it be brought back to the Plan Commission at a later date.

MAYOR'S ANNOUNCEMENTS

Mayor O'Keefe had no announcements.

ADJOURNMENT

A motion was made by Council Member Thome, seconded by Commissioner Cain, to adjourn the meeting at 7:56 p.m. The motion carried without a negative vote with Commissioner Kinzel excused.

Diana Salapata
Administrative Secretary