

May 1, 2023

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, May 1, 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 7:02 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, Jack Arnett, 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 Voltz, to approve the minutes of the April 3, 2023, meeting. Motion carried without a negative vote with Commissioner Arnett 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.

REQUEST FOR LAND USE PLAN AMENDMENT FROM MIXED-USE OFFICE & HIGH MEDIUM DENSITY RESIDENTIAL CLASSIFICATION TO HIGH DENSITY RESIDENTIAL AND REZONING RECOMMENDATION FROM MUID TO RM-2/PUD FOR SITE EXCLUDING EXISTING OFFICE BUILDING PORTION.

Planner Censky introduced the Amcast site and the representatives who were before the Plan Commission with plans that had been altered based on the feedback of the Commission from the January 23rd Plan Commission meeting. He stated that they had changed the plans to consist of two, three-story, 35-unit buildings at the rear of the site adjacent to the railroad tracks and one, six-unit, two 5-unit townhome style buildings and a four-unit building located along Johnson Avenue resulting in a total of 90 units. It would also have 160 parking stalls with 40 being surface stalls.

He stated that the petitioners were requesting a recommendation of approval for a Land Use Plan amendment from the existing Mixed-Use Office and/or High-Density Residential classification to the High-Density Residential classification for the residential portion of this project and will remain unchanged for the office portion, along with a rezoning recommendation from Mixed Use Infill District (MUID) to RM-2 (PUD) also for just the residential portion of the site.

With the use of the PUD zoning, the Plan Commission and Common Council planned to approve some deviations from the Zoning Code for the district due to the nature of the project. Review of the applicant's plans indicated the following departures for this project:

- Code Requirement: Multiple-family buildings exceeding eight (8) dwelling units per structure, with a maximum of thirty-six (36) dwelling units per structure are permitted by Conditional Use.
Nonconformity – The two apartment buildings are proposed at 35 units each.
- Code Requirement: Lot Area Requirement, 2,700sf/unit for 1-bedroom units and 3,300sf/unit for 2 bedroom-units. Accordingly, the Code requires 4.37 acres for the 90 units proposed (52, one-bedroom units and 38 two- and three- bedroom units).
Nonconformity – Site is 4.23 acres in size.
- Code Requirement – Rm-2 District maximum density 16.1 units/acre.
Nonconformity – Rm-2 District area of the project is proposed at 21.3 units/acres.
- Code Requirement: Maximum Building Height – 35'
Nonconformity – Larger apartment buildings – 41'8"
- Code Requirement: Minimum Building Setback and Rear Yard– 25'
Nonconformity – Buildings fronting Johnson Street - 8'. Buildings fronting RR Tracks – 15'
- Code Requirement: Minimum setback for existing office Building – 25'
Nonconformity – Building is currently located 13' back from Johnson Street and 15' from Hamilton Road.
- Code Requirement: Minimum Side yard – 20'
Nonconformity – Building offset from south property line – 14'

Petitioner Bob Bach briefly discussed the location of the site as well as the changes that were made to the overall design per the feedback of the Commission. Due to the nature of the contaminants being PCB's, their contamination was only in the soil and not vapor based. Therefore, they only needed to remove the soil along with the storm sewers that were located under the ground within the contaminated soil before they could get started with Phase One of the project.

Mr. Bach described the proposed layout of the buildings, along with the elevations, showing that the majority of the buildings along Johnson Avenue would be two-stories, but the south building would be three-stories.

Mayor O'Keefe asked about whether the railroad tracks being so close to the buildings would cause a disturbance, but Mr. Bach stated that since there were minimal trains going by on the railroad, that there was little impact that would be caused by it.

Don Lee, who worked on the traffic study, presented the findings for street intersections at:

- Washington Avenue & Hamilton Road,
- Washington Avenue & Wurthman Street,
- Johnson Avenue & Hamilton Road,
- Johnson Avenue & Wurthman Street, and
- Johnson Avenue & Lincoln Boulevard.

The analysis concluded that the redevelopment of the Amcast property as proposed was not expected to significantly affect traffic operations at these intersections. The intersections would have a waiting time increase of only about five seconds but remained approximately 10 seconds below the time of 25 seconds, which was when traffic became a concern. The study recommended that a stop sign be installed on both the east and west approaches to the Wurthman Street and Johnson Avenue intersection and at the new driveway intersection with Wurthman Street.

Commissioner Strautmanis posed a concern over what routes people would end up choosing when traveling and whether that was considered during this study. Mr. Lee stated that these elements were incorporated into the traffic study.

Council Member Thome asked about what the overall value of the project was and what Phase One would be. Mr. Bach responded that the value was in excess of 9 million dollars and that the first phase, the townhomes, would be approximately 3 million dollars.

Mayor O'Keefe opened the floor to the public for any comments they might have.

Terry Wagner, one of the neighbors of the site, stated that he was still concerned over the traffic with the Pioneer Road exit onto the Highway being closed, many roads have increased traffic and he worried Hamilton Road would be one of them, particularly once the development was complete. He also stated that while the train count was two per day, recently there had been some increases in train traffic.

A neighbor, Anne Witte, raised a concern over road access, wondering if access could be considered on Hamilton Road rather than two access points being on Johnson Avenue. She asked how much bigger these buildings would be than the typical two-story home. Mr. Bach responded to the concern by stating that the two-story apartments would be about the same size as the average two story home. She also asked about the

necessity of these rental units, to which Mr. Bach stated that a market analysis had been conducted before pursuing the development.

A neighbor, Janann Miller, stated that she was worried about the third-story building looking out of place with the rest of the development.

Two of the neighbors, Tess Romeis and Terry Romeis, both addressed the railroad traffic. They stated that typically, trains would pass by in the middle of the night blowing their horns loudly and that this could be a problem for potential renters of the development.

Mayor O'Keefe asked if the Commissioners had anything to add regarding the comments of the neighbors of the site.

Commissioner Wiza had a concern with the three-story building at the south end of the development site. Commissioner Kinzel also agreed with the sentiment and worried that the third story would be an obstruction for the residents. It was decided that the three-story building would be fine so long as the design choices matched that of the two-story building's features.

Commissioner Wiza added that if the access point was to be changed to Hamilton Road, it should be perpendicular to the road and bend inside the property line to match the rest of the road. The Commissioners reached a consensus that having an access point on Hamilton Road looked to be the better option for neighbors so that both access points weren't on Johnson Avenue.

Commissioner Arnett stated that the petitioners have been amenable to the requests of the Commissioners and Council Members, changing things per the feedback provided. Commissioner Strautmanis reiterated this belief and stated that he believed this approach to the site was a correct one.

A brief discussion regarding the railroad traffic and crossings ensued, with a silent no horns request was considered. Commissioner Arnett recommended that the issue of the railroad be deferred to the Public Works and Sewerage Commission due to the topic being separate from the agenda item. Mayor O'Keefe agreed with the statement.

Action: Motion made by Commissioner Strautmanis to recommend approval of the Land Use amendment to the High-Density Residential Classification and Rezoning recommendation to the RM-2 (PUD) for the site- excluding the current working office section of the property- on the condition that the northern access point on Johnson Avenue be eliminated and instead a new access point be placed perpendicular to Hamilton Road. The motion was seconded by Council Member Thome. Motion carried without a negative vote.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

Commissioner Strautmanis stated that the subcommittee for the recodification process

had been successful regarding the business districts at their meeting on April 26.

MAYOR'S ANNOUNCEMENTS

Mayor O'Keefe and Council Member Thome welcomed the newest member, Jack Arnett, to the Plan Commission.

Mayor O'Keefe welcomed Commissioner Strautmanis and Commissioner Kinzel back to the Plan Commission for another term.

ADJOURNMENT

A motion was made by Commissioner Arnett, seconded by Council Member Thome, to adjourn the meeting at 8:23 p.m. The motion was carried without a negative vote.

Diana Salapata
Administrative Secretary