

**CITY OF CEDARBURG  
PLAN COMMISSION**

**PLN20230605-1  
UNAPPROVED MINUTES**

**June 5, 2023**

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, June 5, 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, Jack Arnett, Tom Wiza, Sig Strautmanis

Excused-            Vice Chairperson Kip Kinzel

Also Present -      City Planner Jon Censky, City Engineer Mike Wieser, 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.

**ELECTION OF VICE-CHAIRMAN; AND ACTION THEREON**

Mayor O'Keefe nominated Commissioner Kinzel to continue as the Vice-Chairman. Motion made by Commissioner Strautmanis, seconded by Council Member Thome, to approve the continuation of Kip Kinzel as the Vice-Chairman. Motion carried without a negative vote with Commissioner Kinzel excused.

**APPROVAL OF MINUTES**

A motion was made by Council Member Thome, seconded by Commissioner Voltz, to approve the minutes of the May 1, 2023, meeting. Motion carried without a negative vote with 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.

**ANNUAL REVIEW AND CERTIFICATION OF CODE OF ETHICS**

The Plan Commissioners reviewed and certified the Code of Ethics with Commissioner Kinzel excused.

**PRESENTATION BY BLAIR WILLIAMS TO DISCUSS THE ECONOMIC REALITY OF COMMERCIAL USES ON THE WIRTH PROPERTY AT THE SOUTHEAST CORNER OF HIGHWAY 60 AND SHEBOYGAN ROAD.**

Planner Censky stated that per the request of the Commission, the City had brought in a real estate expert to discuss alternative uses and to provide guidance on the types of uses that would best survive on the southeast corner of HWY 60 and Sheboygan Road. Planner Censky introduced Blair Williams, President of "Wired Properties" a commercial real estate consulting firm with 25 years of real estate and business experience.

Mr. Williams presented the economics of retail development for the site along with his recommendation on what should be done with the site based on the current market. He provided details regarding how his calculations were made and then his opinion based off the current market and the statistics he gathered. It was Mr. Williams' opinion that at this time, the site on the southeast corner of Highway 60 and Sheboygan Road would be best suited as a multifamily due to current capitalization rates, interest rates and development costs.

Commissioner Arnett asked about the possibilities of restaurants or other such retail where the residents could visit, or where the Business Park workforce could go as well. Mr. Williams stated that while these places could be successful, it would not be at a rate that would be viable for the site due to the costs needed and rent needed in order to make a profit on the development.

Mayor O'Keefe asked if there were any changes in the last few years and whether there was a chance the market could change rapidly again. Mr. Williams stated that it was possible and that was why he could only speak about the developments that would be viable on this site based on the current market.

Commissioner Strautmanis stated that while right now it might not be possible for retail to succeed on that site, perhaps in the future it could, and that the discussion around land use for that area was something that needed to be considered for the long run and not just what was able to succeed at that moment.

Commissioner Wiza followed up by explaining that the location was easily accessible, and that sewer and water were accessible as well. He also emphasized the importance of providing Cedarburg with the retail that it needed and that this was a good area for that.

The Commissioners determined that at this time retail would not work but that this was an on-going process and the long-term Land Use Plan, as well as the areas outside the City Limits, needed to be considered when planning a development for this site.

**REQUEST FOR ARCHITECTURAL REVIEW FOR A RESIDENTIAL INFILL LOT TO BE LOCATED ON W60N810 RIVEREDGE DRIVE.**

Planner Censky stated that the applicants, James and Laura Moe, were requesting to raze the current home at W60 N810 Riveredge Drive and build a new one. The plans showed that the home was set diagonal to the public street with the garage located to the rear and accessed by a wraparound drive. The two-story home showed two masonry chimneys at both ends of the roofline with inspiration drawn from the buildings in downtown Cedarburg.

Planner Censky explained that the lot was bounded on two or more sides by existing homes, classifying it as an infill lot. According to **Section 13-1-122 Zoning Code: *plans for infill lots shall be submitted to the Plan Commission and this Commission shall determine that the structure is compatible with the surrounding area and either approve, approve conditionally, or reject the plans.***

The contractor for the project, Cameron Mikkelson of Mikkelson Builders, presented some details for the project and answered the questions of the Commissioners and neighbors.

Commissioner Voltz expressed his approval at the architectural features and how it fit well with the area. Commissioner Wiza shared that sentiment and followed up by asking if there was bedrock in the area. He recommended looking into the site further before commencing with the build to avoid blasting bedrock and disrupting neighbors.

Mr. Mikkelson stated that there were some small portions of bedrock when installing the sewer lateral, and that they would need to do further investigation into whether there was bedrock in the location where the house would be built.

A neighbor, Bruce Andree voiced his concern about erosion, asking if there would be a retaining wall built or further landscaping down to prevent the silt from the site from sliding into his property. He explained that while this had happened over the course of fifty years, it was still a potential concern for the builders and owners of the new home.

**Action:** A motion was made by Commissioner Wiza, seconded by Commissioner Voltz, to approve the architectural plans for the residential infill lot located on W60N810 Riveredge Drive. Motion carried without a negative vote with Commissioner Kinzel excused.

**REQUEST FOR CONCEPT APPROVAL, REZONING RECOMMENDATION, AND TO APPLY PUD OVERLAY DISTRICT TO PROPOSED TOWNHOUSE PROJECT CONSISTING OF 7 UNITS IN TWO BUILDINGS ON PROPERTY LOCATED WEST OF W61N449 WASHINGTON AVENUE. APPLICANT IS ALSO REQUESTING PUBLIC**

**ROAD RIGHT-OF-WAY VACATION FOR RIGHT-OF-WAY LOCATED AT WEST END OF SITE.**

Planner Censky explained that the applicant was going to combine the west lot with the property on W61 N449 Washington Avenue. The back portion of the newly created lot was to remain zoned Rm-1 and the front portion zoned Rs-5. The PUD Overlay District would be applied to the entire newly created parcel to tie the project together as one unified development. It would make the western lot conforming as opposed to its original nonconforming status since it would no longer be landlocked.

Planner Censky explained that the PUD zoning would provide the Plan Commission and the Common Council the flexibility to approve certain departures from the requirements of the underlying base zoning districts, if deemed appropriate to support the public benefit likely to result from this development, that would be specific to, and govern, the project going forward. The departures for the proposed project would be as listed:

- **Code Requirement:** Section 13-1-51(g) Setback and yards. There shall be a minimum setback of twenty-five (25) feet from the right-of-way of all streets. There shall be a side yard requirement on one side of a principle building of not less than 10' or 20' between buildings.  
**Departure** – The plan proposes a rear yard setback of 20' and a side yard of 14' on some buildings set at an angle to the street.
- **Code Requirement:** Section 13-1-82(b) Access. Adequate access to a public street shall be provided for each parking space, and driveways shall be at least 10 feet wide for one- and two-family dwellings and a minimum of twenty-four feet wide for all other areas.  
**Departure** – the plan proposes a driveway width of 18' to 20'.

Planner Censky stated that the applicant was also petitioning to vacate the right-of-way of the irregular shaped portion at the west end of the site. It would require all the adjoining property owners to sign a petition which would then be processed as a resolution recommended by the Plan Commission to be approved by the Common Council.

Commissioner Strautmanis posed a concern over the architectural plans given, stating that they were lacking in detail and had some designs that might not fit with the neighborhood. Commissioner Voltz and Council Member Thome echoed these concerns, stating that the plans needed to represent the City of Cedarburg well.

Commissioner Voltz expressed his desire to see more Cedarburg-inspired buildings and to avoid having such a deep recess of the entrance as to not create dark corners and to instead make it feel more welcoming.

A neighbor, Chris Chapman, asked about the driveway, wanting to make sure it was easy for people to access and not a hindrance that could cause Washington Avenue traffic.

Minal Hahm, engineer for the project, stated that it would be well within the easement and per the request of Commissioner Wiza, widened it as much as possible at the approach.

Commissioner Strautmanis suggested the petitioner provide more detailed architectural plans before moving forward with the request. He had a concern with the current design choice and the setbacks for the parking lot, believing it to be smaller than the 63' setback that was originally on the plans and recommended to be kept, as that setback was a good amount of space for vehicles to move in and out of parking spots. Commissioner Voltz agreed with these sentiments and stated that he also would prefer more detail before moving forward with any decisions.

**Action:** A motion was made by Commissioner Arnett, seconded by Mayor O'Keefe, to postpone the concept approval, rezoning recommendation, application of PUD overlay district, and the Public Right-of-Way vacation for the property located west of W61N499 Washington Avenue, until the July Plan Commission meeting, contingent on the applicant providing more detailed architectural plans better suited to the City of Cedarburg. Motion carried without a negative vote with Commissioner Kinzel excused.

### **CONFIRMATION OF JULY MEETING DATE**

Mayor O'Keefe asked the commission if Tuesday, July 11, worked better for the July Plan Commission meeting, due to the original meeting date falling the Monday before a holiday on July 3<sup>rd</sup>.

**Action:** The Plan Commission reached a consensus that Tuesday, July 11 at 7 p.m. worked for everyone with Commissioner Kinzel excused.

### **COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS**

Commissioner Arnett asked about including the full packet that the Plan Commission received with the agenda be posted on the City website going forward.

Commissioner Strautmanis stated that the subcommittee for the recodification process had been successful regarding the business districts at their meeting on May 10.

### **MAYOR'S ANNOUNCEMENTS**

Mayor O'Keefe had no announcements.

### **ADJOURNMENT**

A motion was made by Commissioner Arnett, seconded by Commissioner Voltz, to adjourn the meeting at 8:42 p.m. The motion was carried without a negative vote with Commissioner Kinzel excused.

**PLAN COMMISSION**  
**June 5, 2023**

**PLN20230605-6**  
**UNAPPROVED MINUTES**

Diana Salapata  
Administrative Secretary