

**CITY OF CEDARBURG
PLAN COMMISSION**

**PLN20230711-1
UNAPPROVED MINUTES**

July 11, 2023

A regular meeting of the Plan Commission of the City of Cedarburg was held on Tuesday, July 11, 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 Administrator Mikko Hilvo, 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

Commissioner Voltz requested that mention of the brief discussion regarding a grading plan be added to the minutes for the infill home on Riveredge Drive, since it was a discussion that needed to be had between the builder and the City Engineer. A motion was made by Council Member Thome, seconded by Commissioner Wiza, to approve the minutes of the June 5, 2023, meeting as amended. 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.

REQUEST FOR RECOMMENDATION OF APPROVAL FOR ALCOHOL BEVERAGE LICENSE FOR CHEESE WEDGE, LLC, LOCATED AT N56 W6339 CENTER STREET, AND ACTION THEREON.

Planner Censky stated that The Cheese Wedge, LLC was requesting an Outdoor Alcohol Beverage License for their patio area to serve alcohol associated with their wine and cheese operation. He explained that it would be in the northeast corner of the building and that there was an access point through a door for the servers, as well as ADA accessibility.

Action: A motion was made by Commissioner Arnett, seconded by Council Member Thome, to recommend approval for an Outdoor Alcohol Beverage License for The Cheese Wedge LLC, at N56 W6339 Center Street. Motion carried without a negative vote with Commissioner Kinzel excused.

REQUEST FOR A PICKLEBALL COURT RELOCATION AND SIGN PLAN APPROVAL FOR THE FOX RUN DEVELOPMENT, AND ACTION THEREON.

Planner Censky explained that the petitioner was requesting approval for a minor site change and for the development's identification sign.

The petitioner requested to move the proposed location of the pickleball court from the single-family portion of the project to an area at the northeast corner of the south apartment building. Planner Censky stated that it would have no additional lighting, as it was intended to be for daylight hours only.

Planner Censky detailed the proposed identification sign. It would be for the entire development and is to be located off the northeast corner of the northern apartment building. It would be set back 10' from the Western Road right-of-way, 15' back from Hanover Avenue, and it would be placed perpendicular to Western Road. The measurements of the sign were proposed to be 8' by 3.5' for a total of 28 square feet in size, and it would stand 7' tall. The sign would have background lighting that would illuminate the words and the fox emblem.

Commissioner Wiza asked if it was possible to only have the Fox Run and fox emblem illuminated and to not illuminate the contact information on the sign. Mr. Bach was amenable to the suggestion and agreed to adjust the lighting at the request of the Commission.

Action: A motion was made by Commissioner Wiza, seconded by Commissioner Arnett, to approve the relocation of the pickleball court to the open area adjacent to the southern apartment building and to approve the identification sign, with only the Fox Run and fox emblem portion illuminated, for Fox Run Development. Motion carried without a negative vote with Commissioner Kinzel excused.

REQUEST RECOMMENDATION OF APPROVAL FOR A ZONING TEXT AMENDMENT TO ADD HOTELS AND RESTAURANTS TO THE LIST OF PERMITTED USES IN THE M-2 DISTRICT, AND ACTION THEREON.

Planner Censky reported that Consolidated Construction Company, Inc was interested in developing a hotel and restaurant on the LaRosa site at N144 W5800 Pioneer Road. Before they could move forward, they were requesting a Zoning-Text Amendment to add hotels and restaurants to the list of uses permitted in the M-2 General Manufacturing District. Originally, the idea evolved from discussions from the Economic Development Board along with a feasibility study conducted at the direction of the Common Council in 2016 that determined the city could support an upper-midscale 50-60-room hotel. Since

the district allowed other uses such as: gymnasiums, health resorts, and athletic clubs, adding hotels and restaurants to the list of Conditional Uses would not be unusual for the area.

Commissioner Strautmanis asked whether there was a way to ensure it was in an area that was not amidst the more industrial-based portions of the district. Planner Censky recommended requiring that hotels and restaurants front a major arterial road so that it would not be obstructed by industrial uses and was visible to those who passed by.

Action: A motion was made by Commissioner Strautmanis, seconded by Council Member Thome, to recommend approval for a Zoning-Text Amendment to add hotels and restaurants as permitted uses in the M-2 General Manufacturing District only on major arterial roads. Motion carried without a negative vote with Commissioner Kinzel excused.

REQUEST FOR REVIEW AND RECOMMENDATION OF APPROVAL OF THE REVISED FLOODPLAIN ORDINANCE, AND ACTION THEREON.

Planner Censky stated that the Wisconsin Department of Natural Resources (DNR) had updated the floodplain ordinance and mandated that all affected communities adopt their new model ordinance. The DNR reviewed the floodplain ordinance drafted by staff and recommended putting it through the approval process. The ordinance included both the minimum regulatory standards required in Ch. NR 116, Wis. Admin. Code, and those of the National Flood Insurance Program 44 CFR 59-72. Section 87.30(1)(b), Stats. The City was required to adopt the ordinance as FEMA flood insurance maps are periodically revised and failure to adopt the ordinance could result in suspension from the National Flood Insurance Program.

Additionally, the DNR recently completed their new flood plain study and are in the review phase of the revised maps. When they have made their final determination on the new maps, all affected municipalities will be required to adopt the new maps, likely to be later this year or early next year.

Mayor O'Keefe asked whether the Commission had any say in what was put in the floodplain ordinance. Commissioner Wiza responded that while a challenge could be made, it was highly difficult to get approval on that challenge, based on his own experience with the floodplain ordinance in the past.

Action: A motion was made by Commissioner Wiza, seconded by Commissioner Arnett, to recommend approval for the Model Floodplain Ordinance. Motion carried without a negative vote with Commissioner Kinzel excused.

LAND USE DISCUSSION FOR THE VACANT PROPERTY IN THE SOUTHEAST CORNER OF SHEBOYGAN ROAD AND STATE HIGHWAY 60.

Planner Censky referenced the previous meeting held in June, where Mr. Blair Williams presented information on the economic reality of retail development for the southeast

corner of Sheboygan Road and State Highway 60, also known as the Wirth property. Mr. Williams indicated that due to current interest rates and market conditions, commercial development at this location was not advisable and thought that some form of residential development would likely fare better. A review of the Land Use Plan and a discussion of potential new uses was requested by the Commissioners after hearing about the challenges of profitable retail development for the site.

Commissioner Arnett emphasized the importance of considering outside developments when looking at possibilities for the Wirth site, using the Five Corners Development Plan from the Town of Cedarburg as an example.

Commissioner Wiza added that while water and sanitary sewers were not necessary when considering potential developments, this site offered that, making it a good area to pursue future development.

Mayor O'Keefe confirmed with Council Member Thome that the site would not be considered for a TIF site. Due to it being a clean site, that was not an option when considering development for the site.

Council Member Thome and Commissioner Wiza suggested looking into less high-density residential options due to the demand of citizens and the amount of future development that would consist of high-density residential and not wanting to oversaturate the City with that type of residential use.

Commissioner Voltz offered an alternative of having a mixed-use site consisting of two-story/three-story apartment buildings that contained retail on the first level. He elaborated that there could be a higher density mixed-use area coming off State Highway 60, and it could progress into a less-dense residential area consisting of rowhouses or townhouses as was suggested by Council Member Thome.

Planner Censky stated that if a consensus was reached with the land use based on Commissioner Voltz' suggestion, a new Zoning District could be created to allow the possibility of such varied use across the site. A PUD Overlay was also something to consider since it allowed oversight on projects.

Development options were proposed, and the Mandel Group was mentioned in consideration of their extensive research on the history of Cedarburg when proposing their development. Mayor O'Keefe suggested that staff reach out to them due to their diligence in previous proposals for the site and the quality of their work in other developments.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

Commissioner Voltz announced that restoration work for the Fire Department garage doors was underway.

MAYOR'S ANNOUNCEMENTS

Mayor O'Keefe had no announcements.

ADJOURNMENT

A motion was made by Commissioner Arnett, seconded by Council Member Thome, to adjourn the meeting at 8:25 p.m. The motion was carried without a negative vote with Commissioner Kinzel excused.

Diana Salapata
Administrative Secretary