

**CITY OF CEDARBURG
PLAN COMMISSION
OCTOBER 2, 2023**

**PC20231002-1
UNAPPROVED**

A regular meeting of the Plan Commission of the City of Cedarburg, Wisconsin, was held on Monday, October 2, 2023, at City Hall, W63 N645 Washington Avenue, second floor, Council Chambers, and online utilizing the Zoom app.

Mayor Michael O’Keefe called the meeting to order at 7:00 p.m.

Roll Call: Present - Mayor Michael O’Keefe, Council Member Patricia Thome, Adam Voltz, Jack Arnett, Kip Kinzel, Tom Wiza, Sig Strautmanis

Also Present - City Administrator Mikko Hilvo (Zoom), City Planner Jon Censky, City Clerk Tracie Sette, interested citizens and news media.

STATEMENT OF PUBLIC NOTICE

At Mayor O’Keefe’s request, City Clerk Sette verified that notice of this meeting was provided to the public by forwarding the agenda to the City’s official newspaper, the *News Graphic*, to all news media and citizens who requested copies, and by posting in accordance with the Wisconsin Open Meetings Law. Citizens present were welcomed and encouraged to provide their input during the citizen comment portion of the meeting.

APPROVAL OF MINUTES

A motion was made by Commissioner Thome, seconded by Commissioner Kinzel, to approve the Plan Commission minutes from September 6, 2023. Motion carried without a negative vote with Commissioner Strautmanis abstaining as he was absent from the September 6 meeting.

COMMENTS AND SUGGESTIONS FROM CITIZENS - None

PUBLIC HEARING

C.WIESLER’S PETITION FOR CONDITIONAL USE APPROVAL TO OPERATE AN AIRBNB IN THE UPPER LEVEL UNITS OF THE COMMERCIAL BUILDING LOCATED AT W61N493 WASHINGTON AVENUE

Mayor O’Keefe opened the Public Hearing at 7:02 p.m. regarding the application for a Conditional Use permit to convert the second-floor office space located at W61N491 Washington Avenue (Wiesler’s) into a tourist rooming facility (i.e., Airbnb). Planner Censky explained the tourist rooming use will occupy the entire second floor. Upon completion of a renovation, it will include two units that will each have two bedrooms, a living room, kitchen, and a full bathroom. Final plans have yet to be approved.

Tourist Rooming Homes are listed as permitted by Conditional Use in the B-3 District and consequently,

short-term rentals of this type are prohibited in all other Districts in the City. Tourist Rooming Houses are defined as: All lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients as regulated under Wisconsin Chapter DHS 195.

Staff review indicates that this site has sufficient parking at the rear of the building to support this use. Staff believes that this use is appropriate in the downtown area and consistent with other Airbnb's previously approved in this area. Accordingly, staff has no objection subject to the following:

1. Any substantiated problems with this use shall be corrected by the owner immediately upon notification and if left uncorrected, may result in the revocation of the Conditional Use Permit.
2. Cedarburg Fire Department will follow the State Licensing Bureau for Rooming Houses, NFPA 1 Section 20.10 and NFPA 101 Life Safety Code.
3. Smoke detectors and CO detectors are to be installed and properly maintained.
4. The operation shall follow the conditions contained in the Conditional Use Permit

Planner Censky explained Wisconsin State law allows anyone, anywhere, to rent their room (as an Airbnb) for at least seven (7) consecutive days or longer. The City's ordinance limits Airbnb's to the B-3 District only. The Plan Commission is currently working to revise this ordinance.

A motion was made by Commissioner Kinzel, seconded by Commissioner Thome, to close the Public Hearing at 7:09 p.m. Motion carried without a negative vote.

A motion was made by Commissioner Thome, seconded by Commissioner Voltz, to approve the Conditional Use Permit subject to staff comments and subject to the applicant submitting a detailed floor plan for staff review. Motion carried without a negative vote.

REGULAR BUSINESS

KURT PETRIE, NEWMARK PETITIONED FOR A CONCEPT REVIEW FOR AN INDOOR/OUTDOOR SIMULATED GOLF ACTIVITY CENTER

The applicant is seeking consultation regarding a proposal to develop a unique indoor and outdoor golf range on the vacant property located on the north side of Highway 60, near the entrance drive to the City's business park. The original proposal was located in the Town of Cedarburg and required an annexation. The current proposal is for the parcel of land currently located within the City limits. The City Engineers feel this site works best for impending utilities. Plan Commission feedback on this proposal is necessary to help the applicants decide whether to pursue land acquisition, rezoning/Land Use Plan amendment, and site plan approval process.

This project will be patterned after and will be an expansion of the applicant's existing simulated golf facility located in the Village of Germantown. While their existing facility is completely indoors and offers eight full swing stations, where teams play against each other while

enjoying food and drink, this proposal will include a similar indoor venue but also an outdoor driving range.

Upon completing the rezoning and Land Use Plan amendment process, the applicant will submit his detailed site and architectural plans for review and approval.

Council Member Bitter was in attendance and expressed her full support of this project.

Commissioners Voltz and Strautmanis expressed interest in seeing the proposed site plans flipped to better consume the corner of the property. They feel it makes a bigger presence. They also suggested the driveway should be located off Hwy I.

CITY OF CEDARBURG REQUESTING APPROVAL OF A CERTIFIED SURVEY MAP (CSM) TO DIVIDE THE EXISTING 26.3-ACRE BUSINESS PARK SITE INTO TWO (2) LOTS AND TWO (2) OUT LOTS OF THE FOLLOWING SIZES: 10.6-ACRES, 7.52-ACRES, 5.28-ACRES, AND 2.9-ACRES

A Certified Survey Map (CSM) will serve to divide the existing 26.3-acre business park parcel into two lots and two out lots of the following sizes respectively: 10.6-acres, 7.52-acres, 5.28-acres, and 2.9-acres. The original 26.3-acre parcel was created in 2020 in support of the Wilo project. The current CSM containing the divisions is required for the second project under consideration in the business park. Plans for that project will be submitted for Plan Commission review and approval at the next Plan Commission meeting. The two out lots within this CSM are needed for drainage and stormwater management and control. Since there will be no right-of-way dedication as part of this CSM, Common Council approval is not necessary.

Staff review indicates full compliance with the dimensional requirements of the M-3 Business Park District and therefore approval is recommended subject to the temporary turnaround easement located at the west end of Lot 2 be removed from the face of the CSM.

A motion was made by Commissioner Wiza, seconded by Commissioner Thome, to approve the Certified Survey Map, dividing the existing 26.3 acres in the Business Park site into two lots and two out lots of the following sizes: 10.6-acres, 7.52-acres, 5.28-acres, and 2.9-acres. Motion carried without a negative vote.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS - None

MAYOR'S ANNOUNCEMENTS - None

ADJOURNMENT

A motion was made by Commissioner Arnett, seconded by Commissioner Thome, to adjourn the meeting at 7:36 p.m. Motion carried without a negative vote.

Tracie Sette
City Clerk