

**CITY OF CEDARBURG  
PLAN COMMISSION**

**January 17, 2024**

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, December 4, 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 7:01 p.m. by Mayor Michael J. O’Keefe.

Roll Call            Present -            Mayor Michael J. O’Keefe, Council Member Patricia Thome, Adam Voltz, Jack Arnett, Sig Strautmanis

Excused -            Tom Wiza, Kip Kinzel

Also Present -      City Planner Jon Censky, Administrative Secretary Theresa Hanaman, Chris Maresh, Terrance King, Kristin Burkhart

**STATEMENT OF PUBLIC NOTICE**

Administrative Secretary Hanaman 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 from December 4, 2023, to include email correspondence from Michael Wirth.

Motion carried without a negative vote, with Commissioner Wiza and Commissioner Kinzel excused.

**COMMENTS AND SUGGESTIONS FROM CITIZENS**

None

**REQUESTING REMOVAL OF THE NO-LEFT TURN STIPULATION THAT WAS PLACED ON THE WASHINGTON AVENUE EGRESS FROM THE CHURCH PARKING LOT BE REMOVED**

Planner Censky explained that the St. Francis Borgia Parish is asking that the *No-Left Turn* requirement be removed from their parking lot to allow those wishing to head south into Washington Avenue traffic. Having had the experience of complying with this requirement for the past several years, St Francis Borgia feel this requirement is not necessary as their typical service hours are at times when traffic on Washington Avenue is low. Accordingly, they would like the ability to exit the church parking lot into the south bound Washington Avenue traffic. A review of our records indicates that this stipulation was put in place as part of the approval of the Arrabelle site plan back in 2017 to address concerns regarding the impact of having the parking lot traffic exiting onto Washington Avenue. Because this stipulation was placed on the use of the parking lot by action of this Planning Commission, the Planning Commission is responsible for its removal.

Council Member Thome asked if the City Engineering staff has an objection. Planner Censky confirmed there is no objection from the City Engineer.

**Action:** Council Member Patricia Thome made a motion to approve the request to remove the *No-Left Turn* requirement. Commissioner Strautmanis seconded the motion. Motion carried without a negative vote, with Commissioner Wiza and Commissioner Kinzel excused.

### **REVIEW AND POSSIBLY RECOMMEND APPROVAL OF THE UPDATED AND REVIZED ZONING CODE**

Planner Censky discussed some of the changes and updates that have been made to the Zoning Code such as the removal of zoning district codes that are not used, and cleaning up verbiage. Planner Censky made adjustments to codes that will rely on staff decision as uses come forward. The Planning Commission will have to rely on staff to discuss and see if it's appropriate. Planner Censky mentioned he checked zoning codes in other municipalities as a template.

The Planning Commission discussed posting the Zoning Code for the public to review. It was discussed to make the document in PDF form and the ability to search for specific content on the City of Cedarburg's website.

**Action:** No action made

### **CONSULTATION REGARDING LOCATING A CELLULAR TOWER IN THE BUSINESS PARK**

City Administrator Hilvo discussed a wireless telecommunication firm who is seeking to locate a cell tower within or near the city's Highway 60 Business Park. The request is for

a monopole designed to support several wireless antennas. The tower measures 195 feet high and is proposed to be located directly northeast of the multi-tenant building approved last month for Lot number 2 of the park. City Administrator Hilvo is requesting staff to provide their thoughts and direction regarding having a cell tower in the Business Park, the height of the tower, the specific location, and any other thoughts. Tower Co. has identified the north side of Cedarburg Business Park as a spot within the City and will remain the City's ownership. The City will continue to work with Tower Co. and the City Attorney on the lease agreement. The lease agreement terms include a willingness to pay some funds up front. City Administrator Hilvo included that as the City moves forward, this will be presented to the Common Council and the annual payments will help with the City's TID. The timeline for development after approvals would start in 2025. City Administrator Hilvo informed the Planning Commission there would be no upfront cost, and the service road that was already started would need to be continued at no cost to the City and be paid for by Tower Co. There is currently one tenant with an initial lease. The more tenants on the tower would allow for additional compensation for the City.

Commissioner Strautmanis questioned if certain carriers or any other tenants request another antenna. Administrator Hilvo advised that the tower will be designed to support several competing antenna installations.

Tower Co. engineers are checking to see if the triangular configuration will fit on the space available. City Administrator Hilvo believes that any future tenants at the business park will not be affected. City Administrator Hilvo stated there is no competition with the other tower on Western Avenue and the next step would be for the City Attorney and City Administrator to work on the lease agreement and take to Common Council for approval and to Planning Commission for a public hearing.

Planner Censky stated procedurally, it will have to go through a conditional use process then public hearing.

### **PUBLIC COMMENT**

Terrance King, W63N762 Sheboygan Road

Resident Terrance King asked if the tower on Western Avenue is full and when it was first designed, was it large enough. There is concern that this tower will not be designed with the capacity that the City needs, and Cedarburg will need another tower.

City Administrator Hilvo mentioned the tower on Western Avenue may have one spot available but would have to confirm.

Council Member Thome informed Resident Terrance King that the City worked with a tower consultant on the number of customers allowed on each tower.

**Action:** No action made

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

Commissioner Strautmanis commented on how the Planning Commission concluded the discussion of the parcel on Highway 60 as part of a larger land use and discussion for all property along Highway 60. As the City updates the land use plans it's suggested the Planning Commission should have a joint meeting with Common Council.

Planner Censky is working with City Administrator Hilvo to schedule time in February for a joint meeting with Common Council to discuss Highway 60. Also, the Wirth property is still up for discussion.

### **MAYOR'S ANNOUNCEMENTS**

Mayor O'Keefe thanked Council Member Thome, City Planner Censky, and Commissioner Strautmanis for helping with the zoning revisions and Commission Members for their work on Title 13 Zoning Code.

### **ADJOURNMENT**

A motion was made by Commissioner Voltz, seconded by Council Member Thome to adjourn the meeting at 7:35 p.m. The motion carried without a negative vote, with Commissioner Wiza and Commissioner Kinzel excused.

Theresa Hanaman  
Administrative Secretary

## **City of Cedarburg - Planner**

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**From:** Michael Wirth <Michael.Wirth@naigreywolf.com>  
**Sent:** Thursday, January 11, 2024 3:31 PM  
**To:** City of Cedarburg - Mikko Hilvo; City of Cedarburg - Planner  
**Cc:** City of Cedarburg - Mike O'Keefe; City of Cedarburg - Patricia Thome; City of Cedarburg - Jack Arnett  
**Subject:** December 4th PC Meeting Minutes Adjustment

Mikko,

Per our conversation, please see my notes from the December 4<sup>th</sup> Plan Commission Meeting below:

*My grandfather acquired this property in 1965.*

*We had limited interest in the parcel until the City installed a lift station for utilities adjacent to the Glen at Cedar Creek site in 2015. We appreciate Planner Censky bringing up the lands annexed in 2006 for the now dissolved TID 2. The purpose of TID 2 was to provide utilities to the City's business park as well as sites within the TIF District. This was all planned in the early 2000's and incorporated into the City's 2025 Land Use Plan. The site is earmarked for B-2 Commercial Business District and RM-2 Multifamily Housing.*

*All but two parcels of this original TID have been developed. The Wirth Parcel and the parcel on the NW Corner of HWY 60 & Sheboygan Road.*

*Over the past decade, the Wirth Family has engaged approximately twenty developers. Every single developer other than Kwik Trip has been focused on a multifamily land use for this parcel.*

*Some of the developers we have spoke with include: Shaffer Development, Fiduciary Real Estate Development, P2 Properties, Continental Properties, Blackcap Halcyon, Wangard Partners, Weas Development, Wingspan Development, Duquaine Development, and The Neutral Project out of Madison among others.*

*We have done our diligence as the Landowner and we believe the market has spoken.*

*Alternative uses we have explored include:*

- *Industrial – No because of the business park*
- *Retail – No per consultation with WiRED Properties and feedback from Nick Hepner at JLL – was clear there would be limited demand for Commercial at this site*
- *Office - No the market for office is limited post covid*
- *Institutional – No. The area has not grown enough yet*
- *Self Storage – No – and probably not what the City wants*
- *Single Family – No because of the Stonewall development on Keup & Highway 60 and developer feedback has been – this site is not meant to be single family housing as its located adjacent to two roads (both with heavy traffic and one is an arterial road – HWY 60)*

*That only leaves us with multifamily which is already incorporated in the 2025 Land Use Plan for the east half of this parcel. We feel the market has spoken with regards to the Site's highest and best use and that is Multifamily.*

*We ask that City provide the Wirth Family as the landowner with a path forward taking this information into consideration.*