

**CITY OF CEDARBURG  
PLAN COMMISSION  
December 4, 2023**

A regular meeting of the Plan Commission, City of Cedarburg, Wisconsin, will be held at 7:00 p.m. on Monday, December 4, 2023. Attendees have the option of joining the meeting in person at City Hall, W63N645 Washington Avenue, upper level, Council Chambers, or online via the following Zoom link:

<https://us02web.zoom.us/j/87434082465>

**AGENDA**

1. CALL TO ORDER - Mayor Mike O'Keefe
2. ROLL CALL: Present - Mayor Mike O'Keefe, Council Member Patricia Thome, Jack Arnett, Adam Voltz, Kip Kinzel, Sig Strautmanis, Tom Wiza

Also Present - Jon Censky, City Planner

3. STATEMENT OF PUBLIC NOTICE
4. APPROVAL OF MINUTES – November 6, 2023
5. COMMENTS AND SUGGESTIONS FROM CITIZENS
6. REGULAR BUSINESS; AND ACTION THEREON

- \* A. Petitioner: **Briohn Construction Inc.**  
Request: **Business Site and Operational Phasing Plan**  
Briefing: Petitioner is requesting approval of the phasing plans for his approved 155,000 square foot distribution and warehouse building to be located on lot #4 of the Business Park with the first phase including the 95,892 square foot south portion of the building.

Tax Key No.: 13-022-  
Current Zoning: M-3 Business Park  
Aldermanic District: 7  
Previous Discussion Dates: 11/6/2023

- B. Request **Discussion and possible recommendation to amend the Comprehensive Land Use Plan for the Wirth site at Hwy 60 and Sheboygan along with Lands located on the north side of Hwy 60 west of Sheboygan Road.**  
Briefing: Commissioners will discuss and possibly recommend appropriate and reasonable land uses for lands located at the southeast corner of Hwy 60 and Sheboygan Road and lands located along the north side of Hwy 60 west of Sheboygan Road.

- \* C. Petitioner: **City Plan Commission**  
Request: **Choose January Planning Commission meeting date**

7. COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

- \*\*8. MAYOR'S ANNOUNCEMENTS

## 9. ADJOURNMENT

\* *Information attached for Commission Members; available through City Clerk's office.*

\*\* *This topic is to be limited to such items as establishing the next meeting date, items for the next agenda, reminders of scheduled community events, etc.*

City of Cedarburg is an affirmative action and equal opportunity employer. All qualified applicants will receive consideration for employment without regard to race, color, religion, sex, disability, age, sexual orientation, gender identity, national origin, veteran status, or genetic information. City of Cedarburg is committed to providing access, equal opportunity, and reasonable accommodation for individuals with disabilities in employment, its services, programs, and activities. To request reasonable accommodation, contact the Clerk's Office at (262) 375-7606 or email: [cityhall@ci.cedarburg.wi.us](mailto:cityhall@ci.cedarburg.wi.us).

MEMBERS – PLEASE NOTIFY CITY CLERK'S  
OFFICE IF UNABLE TO ATTEND MEETING

*It is possible that a quorum of members of the Common Council may attend Plan Commission meetings held the first Monday of each month at 7:00 p.m. No business will be conducted by the Common Council and no action will be taken. Attendance is for the purpose of information gathering and exchange.*

11/30/2023

**CITY OF CEDARBURG  
PLAN COMMISSION**

**PLN20231106-1  
UNAPPROVED MINUTES**

**November 6, 2023**

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, November 6, 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, Tom Wiza, Sig Strautmanis

                         Excused-            Vice Chairperson Kip Kinzel

                         Also Present -      City Planner Jon Censky, Administrative Secretary Theresa Hanaman

**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 Plan Commission minutes from October 2, 2023. 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 APPROVAL FOR DEVELOPMENT AGREEMENT AND CONDOMINIUM APPROVAL FOR THE STONELAKE TWO-FAMILY PROJECT LOCATED AT 6660 SUSAN LANE**

Planner Censky reviewed and approved the detailed architectural plans for the Stone Lake Development. Since that meeting, City Engineer Mike Wieser has been working with the developer's engineer on the follow up engineering plans for this project. With that plan review nearly complete, Mr. Caliendo is now prepared to seek approval of the development agreement and the condominium documents for the first phase public portion of this project. The public portion consists of the extension of the public utilities (i.e., sewer and water facilities) and the public road extending from the entrance off Susan

Lane to a point where it loops around the south end of the quarry and then north along the east property line to the point where the road intersects the future extension to Sheboygan Road.

The development agreement was drafted by Attorney Herbrand and Engineer Wieser. The development agreement is the contract between the City and the Developer that establishes responsibilities regarding the provisions of public and private facilities, improvements, and any other agreed-upon terms.

The petitioner also requested approval of the Condominium documents for the first phase of this project. These documents were drafted in accordance with Wis. Stat. Ch. 703, *Condominiums*, and serve as the master deed or bylaws that affect and define the rights and obligations of co-owners of these condominium townhomes. Upon its approval and execution, this document will be recorded in the Ozaukee County Register of Deeds Office. *Land Division, Subdivision and Condominium Regulations found in Sec. 14, Code of Ordinances, City of Cedarburg*, requires Plan Commission review and recommendation, and Common Council approval of these documents.

City Staff review indicates that the documents are compliant with State Statutes and since the development agreement was drafted by City Attorney Mike Herbrand and City Engineer Mike Wieser staff recommends approval subject to City Engineering Department review and approval of the grading, drainage, storm water management and erosion control plans.

The petitioner discussed SEC 4.06 of the Developers Agreements pertaining to the quarry and the responsibility of the future owners and establishing rules regarding the use for recreation. Discussion and concerns related to rescues and recovery from the Cedarburg Fire Department were relayed by Commissioner Wiza.

Commissioner Strautmanis expressed his preference for leaving the use of the quarry to the residents and emphasized the need for appropriate insurance in case of any accidents.

Commissioner Arnett discussed the clarity of the declaration, specifically regarding the distinction between private and public roads. It was suggested by Commissioner Strautmanis that the declaration should include more specific language to prevent future misunderstandings regarding private and public sidewalks and should be disclosed at sale. The issue of pedestrian connectivity was also debated, with particular attention to a public street connecting to the west. The petitioner agreed that the development would be for the association only and not public use. Mayor O'Keefe recognized the need for public pedestrian access on the street and acknowledged a possible public access issue at the north end.

A City resident discussed the importance of Sec 4.02 (p) of the developer's agreement. The resident suggested the City's involvement in the project and the need for City Forester Westphal to be on site during the removal of trees.

**Action:** A motion was made by Mayor O'Keefe, seconded by Council Member Thome, to approve Stone Lake Condominiums and The Developer Agreement, located at 6660 Susan Lane. Subject to:

- SEC 4.02 (p) and the Impact on Woods in Southwest Corner.
- Establishing rules pertaining to use of the quarry in SEC 4.06
- Update language regarding private and public sidewalks
- The need for the Forester during development

Motion carried without a negative vote with Commissioner Kinzel excused.

**REQUEST APPROVAL FOR SITE, LANDSCAPE, EXTERIOR LIGHTING, AND ARCHITECTURAL PLAN APPROVAL FOR A 155,000 SQUARE FOOT DISTRIBUTION AND WAREHOUSE BUILDING TO BE LOCATED ON LOT #4 OF THE BUSINESS PARK**

Planner Censky explained the applicant is proposing a multi-tenant distribution and warehouse building within the City's Business Park on lot #2 of the Certified Survey Map that was approved last month. This building is proposed at 154,923 square feet in size and 39' in height. Section 13-1-61(b)(2), of the Zoning Code lists, among others, permitted uses in the M-3 District as follows: *buildings for the storage of goods and materials, where such goods and materials are stored inside the building, provided such building is not a mini warehouse building subdivided into more than three (3) multiple warehouse and storage facilities containing less than one thousand five hundred (1,500) square feet each and available for lease.*

This building is proposed for the back lot in the park that is on the curve in Forward Way and backs up to the pending Stonelake Development to the south and to the west is the Fairway Village subdivision. This building will be divided into separate leasable units of around 15,000 square feet in size with the main façade fronting Forward Way, the secondary facade fronts to the south. All loading docks will be on the west or the east end of the building.

Planner Censky's review indicates that the plans are compliant with the M-3 District regulations, the plans propose the lot coverage right at the maximum limit allowed by the Code. Section 13-1-61 (h) states that the lot coverage by buildings, accessory structures and surface parking and driveways shall occupy a maximum of 70% of the lot. The City's calculation indicates that the proposed lot coverage is 69.8%. Accordingly, the applicant is aware that there is no room for future building expansion or for additional parking if the need arises. The plan proposes 104 parking stalls situated along the front and back sides of the building with loading docks at the far ends of the building.

This single-story building is located along the curve in Forward Way with one section facing to the north and the other section facing northwest. The building will be constructed

of pre-cast insulated concrete panels on all four elevations. To provide interest, the building will be painted using five separate colors of a repeating white, grey, and brown scheme with a decorative brown course that extends around the entire building at the height of the top of the blue windows. For each tenant space, the plan shows an aluminum store front entryway system.

According to the petitioner's plan, the exterior lighting plan consists of a combination of down-lit pole mounted fixtures, wall mounted and canopy fixtures. The down-lit wall fixtures will be mounted at a height of 17' and generally spaced equally around the entire building. At the northeast and west side of the site the plan shows 5 pole fixtures at a height of 17' mounted on a 2' pedestal. The canopy lighting fixtures are down lit under the entryway canopies. Staff review indicates that the lighting plan proposes no point source lighting and that it is compliant with City requirements.

The landscaping plan proposes to enhance the look of the building with planting of Swamp White Oak, Burr Oak, and Red Oak trees along the front and rear façade and the planting scheme will be further enhanced by low growth foundational plantings deciduous and evergreen shrubs and perennials and decorative grasses. In the open space directly in front of the building and along the westerly drive, they propose a planting mix of White Spruce, Black Hills Spruce, White Pine, and Douglas Fir Trees.

As noted, the plans are Code compliant, but they are at the maximum limit as regards the lot coverage. Accordingly, the applicant will need to monitor their mix of uses to ensure that their parking is adequate going forward as there is no room to add parking in the future under current Code requirements. Staff would also note that directly west of the loading docks on the west side of the building is the Fairway Village subdivision. To address potential future problems with noise and lighting, staff recommends that the developer create a substantial landscaped berm along the south drive, in line with the loading docks. In addition, Plan Commission approval should be subject to the following:

- Fire Department recommends connecting water mains to create a looped system (confirm with Cedarburg Light & Water).
- Fire protection feature locations such as FDC (Fire Department Connection), fire alarm panels, knox boxes, etc., to be determined as the project progresses. Parking shall be prohibited in front of FDC.
- The elevator should be large enough to fit EMS equipment.
- Onsite traffic circulation should be designed to ensure an adequate turning radius for Fire Department apparatus.
- Radio coverage booster system and/or testing may be needed.
- Ensure the overhang is tall enough to fit Fire/EMS equipment.
- Future storage uses may require additional fire protection features.

Commissioner Wiza discussed the impact of trees and natural features on a building project, including potential issues related to obstacles like rocks and debris. Commissioner Wiza agreed on the importance of careful drainage and water

management. He also suggested using dense landscaping to shield the property from the West and an additional tree be added to the landscape.

Commissioner Voltz stated the lighting lumen should be no more than 3000k white.

Commissioner Strautmanis discussed the design and potential signage of the building, aiming to balance aesthetics with practicality while considering the unique shape of the site and potential for multiple tenants. It was discussed to have a clean sign band on the entryway.

Commissioner Wiza mentioned the subdivision close by and fire protection. Thoughts of graded land with suggestion of moving the watermain under the pavement and adding a berm to shield the west and the shed water drain.

The petitioner agreed to further explore signage options and address any concerns before finalizing the design. The petitioner will also add a tree to the landscape plan.

Council Member Thome discussed the tenant entrance in reference to the two-story portion of the building and the signage directing the public to the entryway.

**Action:** A motion was made by Commissioner Arnett, seconded by Commissioner Wiza, to approve the plans subject to:

- An additional tree to the southeast corner
- The exterior lighting not to exceed 2700K CCT
- Future submittal of a sign plan.

Motion carried without a negative vote with Commissioner Kinzel excused.

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

Commissioners had no comments or announcements.

### **MAYOR'S ANNOUNCEMENTS**

Mayor O'Keefe apologized to the Planning Commission regarding the Council's reaction to the development plans of Hwy 60 and appreciated the work that was done. Based on Mayor O'Keefe's comments, Planner Censky will add the item for discussion of the Land Use plan for the next meeting agenda.

### **ADJOURNMENT**

A motion was made by Commissioner Arnett, seconded by Council Member Thome, to adjourn the meeting at 7:49 p.m. The motion was carried without a negative vote with Commissioner Kinzel excused.

Theresa Hanaman  
Administrative Secretary

# JACKSON DISTRIBUTION & WAREHOUSE PHASING PLAN

**To:** City of Cedarburg Plan Commission

**Prepared by:** Jonathan P Censky, City Planner

**Agenda Item:** 6.A.

**Meeting Date:** December 4, 2023

## ***General Information***

**Applicant:**

Jackson Distribution and Warehouse, LLC

**Status of Applicant:**

Future Owner

**Location:**

Lot #2, Business Park

**Requested Action:**

Phasing Plan

**Existing Zoning:**

M-3 Business Park

**Lot Size:**

10.6-acres

**Existing Land Use:**

Vacant

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## **Report:**

At our last meeting, the applicant received approval of a 155,000 square foot multi-tenant distribution and warehouse building to be located on lot #2 of the certified survey map within the City's Business Park. Due to financing commitments the applicant has now decided to phase the construction of this building and is here requesting approval of his phasing plan. The first phase will consist of the 95,892 square foot south portion of the building, 9 recessed loading docks, two 12' X 14' at grade overhead doors and 68 parking stalls. The second phase will then complete the project with the addition of 59,033 square feet of usable space, 9 recessed loading docks, two 12' X 14' at grade overhead doors and 120 additional parking stalls.

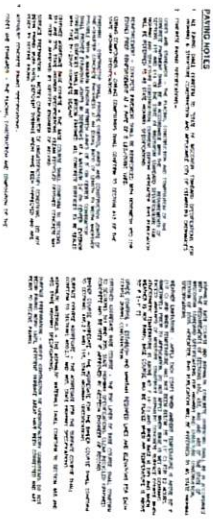
## **Staff Comments:**

Commissioners are reminded that the plans were approved at the maximum lot coverage limit and therefore the applicant will need to monitor their mix of uses to ensure that their parking is adequate going forward as there is no room to add parking in the future under current code requirements. Commissioners are also reminded that directly west of the loading docks on the west side of the building is the Fairway Village subdivision. These loading docks will be added as part of the second phase. To address potential future problems with noise and lighting, the developer was required to create a substantial landscaped berm along the south drive, in line with the loading docks. In addition, your approval included the following stipulations:

- Fire Department recommends connecting water mains to create a looped system (confirm with Cedarburg Light & Water).
- Fire protection feature locations such as FDC, fire alarm panels, knox boxes, etc, to be determined as the project progresses. Parking shall be prohibited in front of FDC.
- The elevator should be large enough to fit EMS equipment.
- Onsite traffic circulation should be designed to ensure adequate turning radius for Fire Department apparatus.
- Radio coverage booster system and/or testing may be needed.




- Ensure the overhang is tall enough to fit fire/EMS equipment.
- Future storage uses may require additional fire protection features.
- Add an additional tree to the tree line off the southeast corner of the building.
- The exterior lighting shall not exceed 2700K CCT.
- Submittal of a sign plan for Plan Commission approval.



GENERAL AID TO STATES AND TERRITORIES		FEDERAL AID TO STATES AND TERRITORIES	
1900		1901	
1	Alabama	1	Alabama
2	Alaska	2	Alaska
3	Arizona	3	Arizona
4	Arkansas	4	Arkansas
5	California	5	California
6	Colorado	6	Colorado
7	Connecticut	7	Connecticut
8	Delaware	8	Delaware
9	District of Columbia	9	District of Columbia
10	Florida	10	Florida
11	Georgia	11	Georgia
12	Idaho	12	Idaho
13	Illinois	13	Illinois
14	Indiana	14	Indiana
15	Iowa	15	Iowa
16	Kansas	16	Kansas
17	Kentucky	17	Kentucky
18	Louisiana	18	Louisiana
19	Maine	19	Maine
20	Maryland	20	Maryland
21	Massachusetts	21	Massachusetts
22	Michigan	22	Michigan
23	Minnesota	23	Minnesota
24	Mississippi	24	Mississippi
25	Missouri	25	Missouri
26	Montana	26	Montana
27	Nebraska	27	Nebraska
28	Nevada	28	Nevada
29	New Hampshire	29	New Hampshire
30	New Jersey	30	New Jersey
31	New Mexico	31	New Mexico
32	New York	32	New York
33	North Carolina	33	North Carolina
34	North Dakota	34	North Dakota
35	Ohio	35	Ohio
36	Oklahoma	36	Oklahoma
37	Oregon	37	Oregon
38	Pennsylvania	38	Pennsylvania
39	Rhode Island	39	Rhode Island
40	South Carolina	40	South Carolina
41	South Dakota	41	South Dakota
42	Tennessee	42	Tennessee
43	Texas	43	Texas
44	Vermont	44	Vermont
45	Virginia	45	Virginia
46	Washington	46	Washington
47	West Virginia	47	West Virginia
48	Wisconsin	48	Wisconsin
49	Wyoming	49	Wyoming
50	Total	50	Total

11. *What is the difference between a "strong" and a "weak" form of a vowel?*
12. *What is the difference between a "strong" and a "weak" form of a vowel?*
13. *What is the difference between a "strong" and a "weak" form of a vowel?*
14. *What is the difference between a "strong" and a "weak" form of a vowel?*
15. *What is the difference between a "strong" and a "weak" form of a vowel?*
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18. *What is the difference between a "strong" and a "weak" form of a vowel?*
19. *What is the difference between a "strong" and a "weak" form of a vowel?*
20. *What is the difference between a "strong" and a "weak" form of a vowel?*

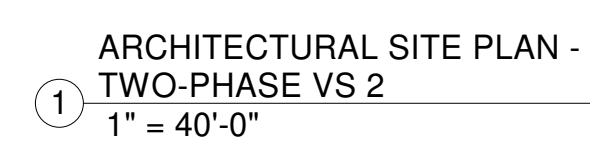
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NEW BUILDING FOR: CEDARBURG MULTI-TENANT FORWARD WAY CEDARBURG, WI		SITE PAVEMENT ID PLAN	
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## NEW BUILDING FOR:

JOB:	223462
DRAWN:	CEW
CHECKED:	CEW
DATE:	2023-11-29

APPLICABLE  
TO ALL  
PLAN VIEWS



# LAND USE REVIEW AND DISCUSSION

To: City of Cedarburg Plan Commission

Prepared by: Jonathan P. Censky, City Planner

Agenda Item: **6.B.**

Date: December 4, 2023

## ***General Information***

**Applicant:**

**Status of Applicant:**

**Location:**

Southeast corner of Hwy 60 & Sheboygan Rd.  
North side of Hwy 60 west of Sheboygan Rd.

**Requested Action:**

Land Use review and discussion

**Existing Zoning:**

Rs-1 (Temporary Zoning)

**Proposed Zoning:**

**Surrounding Zoning:**

Rm-2 (PUD) - south

**Lot Size:**

17-acres

**Existing Land Use:**

Vacant

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## **Report:**

As Commissioners are aware, the Mandel Group decided to withdraw their development plans from consideration at the October 30th Council meeting for the Wirth site at Sheboygan Road/Hwy 60. This plan withdraw was due to the Council's response to the negative comments received from area neighbors regarding their concept plans. This latest concept consisted of a mix of apartment buildings and townhomes, for a total of 207 units, along with 9,500sf of ground floor retail space. Because of the Council's reaction to these plans and in fairness to the Wirth family, Mayor O'Keefe asked that this Commission review and possibly recommend an appropriate and reasonable land use classification for this site as an amendment to the Comprehensive Land Use Plan. Included in your packet is a map dated 2006 that was created in support of the creation of TID 2 showing the zoning and a map showing recommended land use classifications for the sites that were annexed back in 2005.

The second part of this item is to consider the future land uses for the lands located along the north side of Highway 60 west of Sheboygan Road to the area across from the Business Park. The purpose of this discussion is to establish the appropriate future use of the lands as an amendment to the Comprehensive Land Use Plan to help guide future developers for when these lands are officially annexed into the City.

## **Background, Wirth Site:**

The Wirth parcel was part of a large swath of land located at the north end of Cedarburg between Cedar Creek and Washington Avenue within the Highway 60 corridor that was annexed into the city from the Town of Cedarburg in 2005. In accordance with the City's Zoning Code, this parcel, along with others that were annexed, was placed in the Rs-1 Single-Family Zoning District as temporary zoning until permanent zoning was established. Once these parcels were in the city, work began on the process for creating TID #2. This TID included all the land as shown in the attached map identified as Map No. 2. As part of the creation of TID 2, staff drafted the attached Land Use Plan map which was ultimately adopted as Resolution 2006-21 in 2006. While a number of these sites have since been rezoned as development occurred, the Wirth parcel remains in the Rs-1 Temporary Zoning District.

## **North Side of Hwy 60 West of Sheboygan Road.**

Our records indicated that the 60 acres at the northwest corner of Sheboygan Road and Hwy 60 was annexed into the city as part of the larger area annexed in 2005. The Hwy 60 frontage of this site, extending 300 feet back, is classified on the Comprehensive Land Use Plan as future 'Office' uses with the remainder of the site being classified as "Medium Density Residential". The lands west thereof remain in the Town of Cedarburg and

because public utilities are not available, those lands are shown on the Land Use Plan as Agricultural or Open Spaces (1 unit/35 acres).

**Staff Comments:**

While many have suggested tapping the brakes on new developments until the impacts of current developments have been assessed, staff cautions against that thought without consulting City Attorney Mike Herbrand. My reading of Section 66.1002 of the Wisconsin State Statutes (enclosed) entitled Development Moratoria indicates that the city will need to follow a rather onerous and potentially costly process to tap the brakes.



**66.1002 Development moratoria.****(1) DEFINITIONS.** In this section:

- (a) "Comprehensive plan" has the meaning given in s. 66.1001 (1) (a).
- (b) "Development moratorium" means a moratorium on rezoning or approving any subdivision or other division of land by plat or certified survey map that is authorized under ch. 236.
- (d) "Municipality" means any city, village, or town.
- (e) "Public health professional" means any of the following:
  - 1. A physician, as defined under s. 48.375 (2) (g).
  - 2. A registered professional nurse, as defined under s. 49.498 (1) (L).
- (f) "Registered engineer" means an individual who satisfies the registration requirements for a professional engineer as specified in s. 443.04.

**(2) MORATORIUM ALLOWED.** Subject to the limitations and requirements specified in this section, a municipality may enact a development moratorium ordinance if the municipality has enacted a comprehensive plan, is in the process of preparing its comprehensive plan, is in the process of preparing a significant amendment to its comprehensive plan in response to a substantial change in conditions in the municipality, or is exempt from the requirement as described in s. 66.1001 (3m), and if at least one of the following applies:

- (a) The municipality's governing body adopts a resolution stating that a moratorium is needed to prevent a shortage in, or the overburdening of, public facilities located in the municipality and that such a shortage or overburdening would otherwise occur during the period in which the moratorium would be in effect, except that the governing body may not adopt such a resolution unless it obtains a written report from a registered engineer stating that in his or her opinion the possible shortage or overburdening of public facilities justifies the need for a moratorium.
- (b) The municipality's governing body adopts a resolution stating that a moratorium is needed to address a significant threat to the public health or safety that is presented by a proposed or anticipated activity specified under sub. (4), except that the governing body may not adopt such a resolution unless it obtains a written report from a registered engineer or public health professional stating that in his or her opinion the proposed or anticipated activity specified under sub. (4) presents such a significant threat to the public health or safety that the need for a moratorium is justified.

**(3) ORDINANCE REQUIREMENTS.****(a)** An ordinance enacted under this section shall contain at least all of the following elements:

- 1. A statement describing the problem giving rise to the need for the moratorium.
- 2. A statement of the specific action that the municipality intends to take to alleviate the need for the moratorium.
- 3. Subject to par. (b), the length of time during which the moratorium is to be in effect.
- 4. A statement describing how and why the governing body decided on the length of time described in subd. 3.
- 5. A description of the area in which the ordinance applies.
- 6. An exemption for any activity specified under sub. (4) that would have no impact, or slight impact, on the problem giving rise to the need for the moratorium.

**(b)**

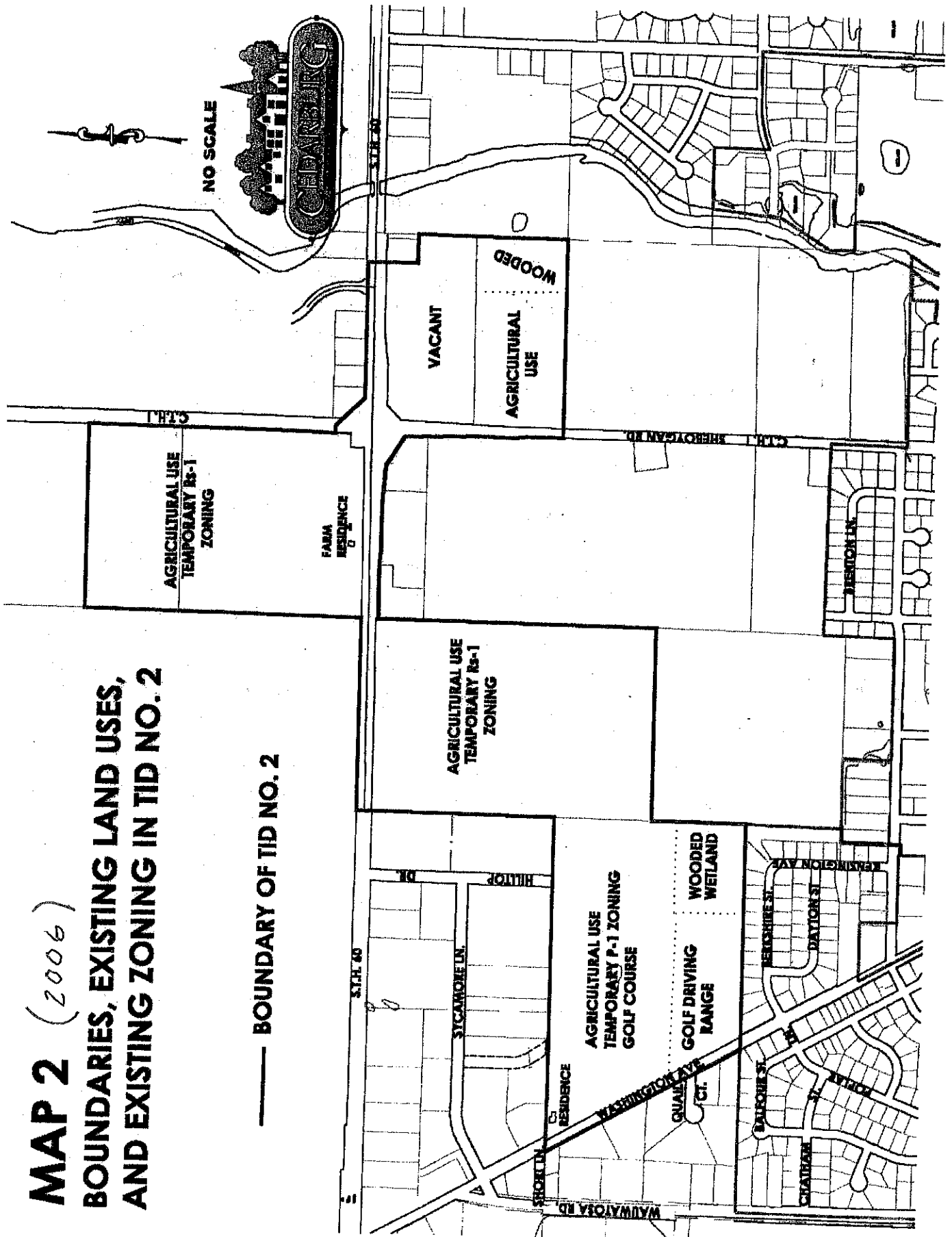
- 1. A development moratorium ordinance may be in effect only for a length of time that is long enough for a municipality to address the problem giving rise to the need for the moratorium but, except as provided in subd. 2., the ordinance may not remain in effect for more than 12 months.
  - 2. A municipality may amend the ordinance one time to extend the moratorium for not more than 6 months if the municipality's governing body determines that such an extension is necessary to address the problem giving rise to the need for the moratorium.
- (c)** A municipality may not enact a development moratorium ordinance unless it holds at least one public hearing at which the proposed ordinance is discussed. The public hearing must be preceded by a class 1 notice under ch. 985, the notice to be at least 30 days before the hearing. The municipality may also provide notice of the hearing by any other appropriate means. The class 1 notice shall contain at least all of the following:
- 1. The time, date, and place of the hearing.

2. A summary of the proposed development moratorium ordinance, including the location where the ordinance would apply, the length of time the ordinance would be in effect, and a statement describing the problem giving rise to the need for the moratorium.
  3. The name and contact information of a municipal official who may be contacted to obtain additional information about the proposed ordinance.
  4. Information relating to how, where, and when a copy of the proposed ordinance may be inspected or obtained before the hearing.
- (4) **APPLICABILITY.** A development moratorium ordinance enacted under this section applies to any of the following that is submitted to the municipality on or after the effective date of the ordinance:
- (a) A request for rezoning.
  - (c) A plat or certified survey map.
  - (d) A subdivision plat or other land division.

**History:** 2011 a. 144.

# **MAP 2 (2006)** **BOUNDARIES, EXISTING LAND USES,** **AND EXISTING ZONING IN TID NO. 2**

— BOUNDARY OF TID NO. 2

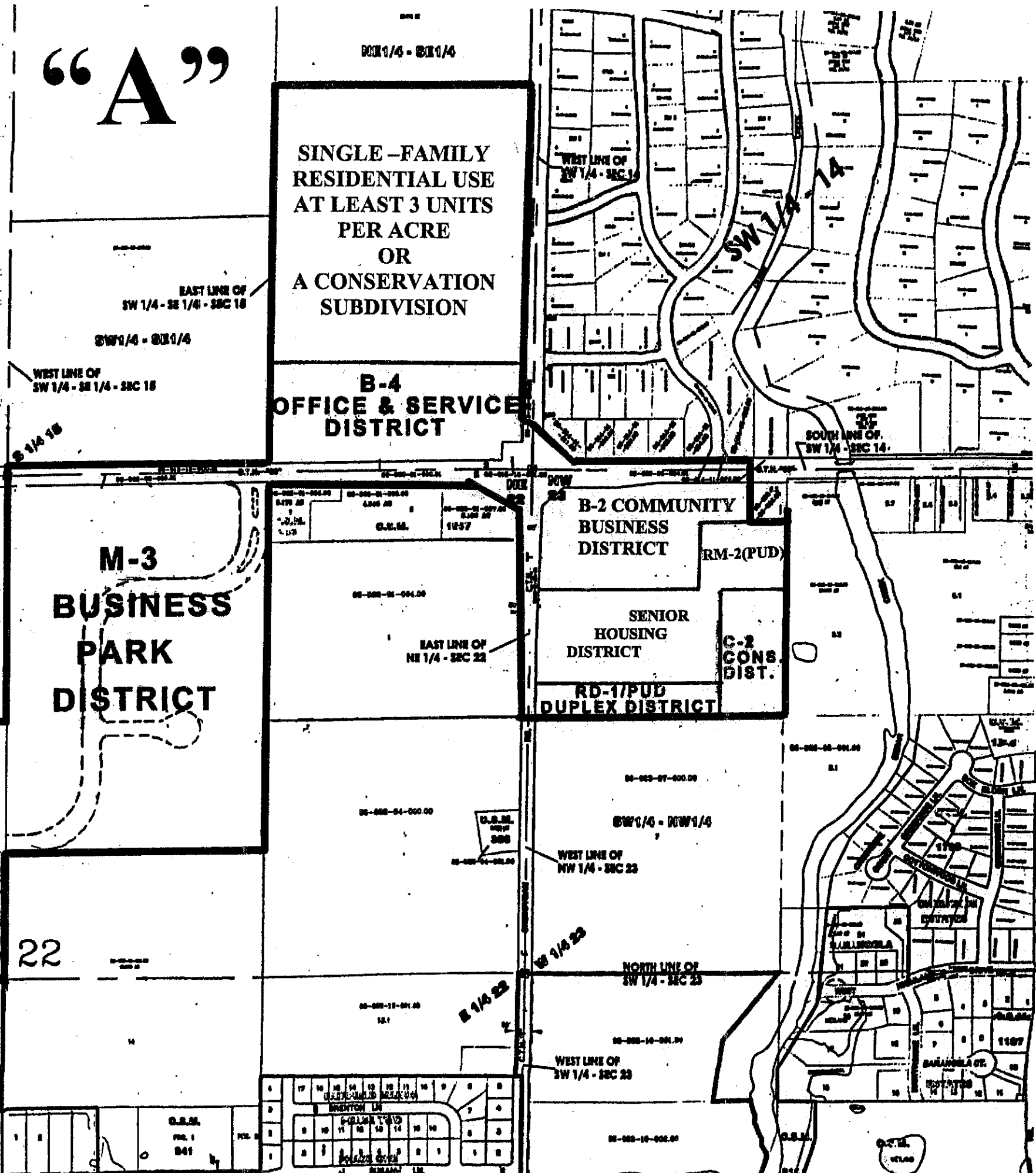




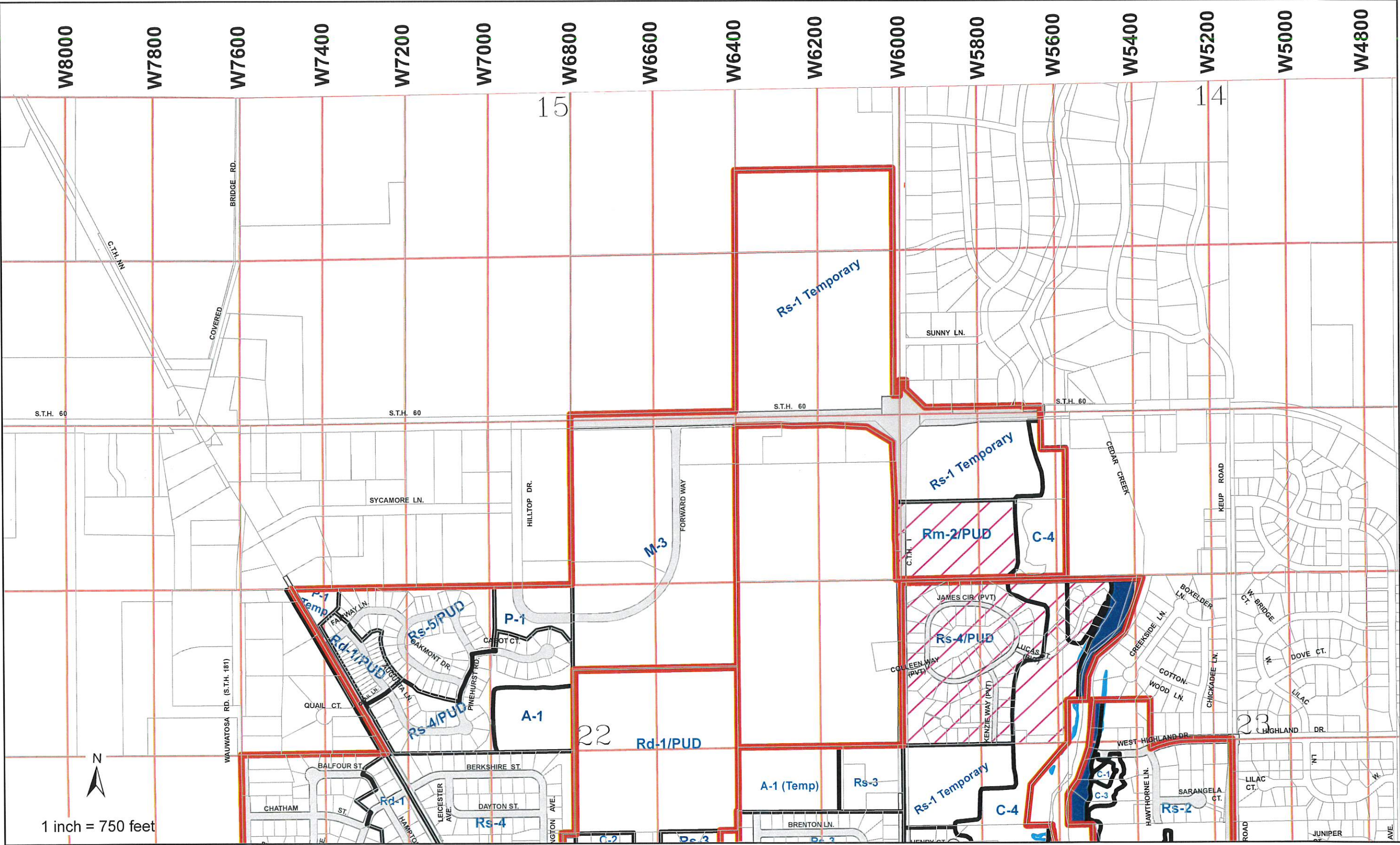
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# CITY OF CEDARBURG PROPOSED AMENDMENT TO THE CITY'S LAND USE PLAN AND RECOMMENDED ZONING PLAN FOR TID NO. 2

PREPARED 7 SEPTEMBER 2006 – M. MARCHEK  
REVISED 28 SEPTEMBER 2006 – J. CENSKY

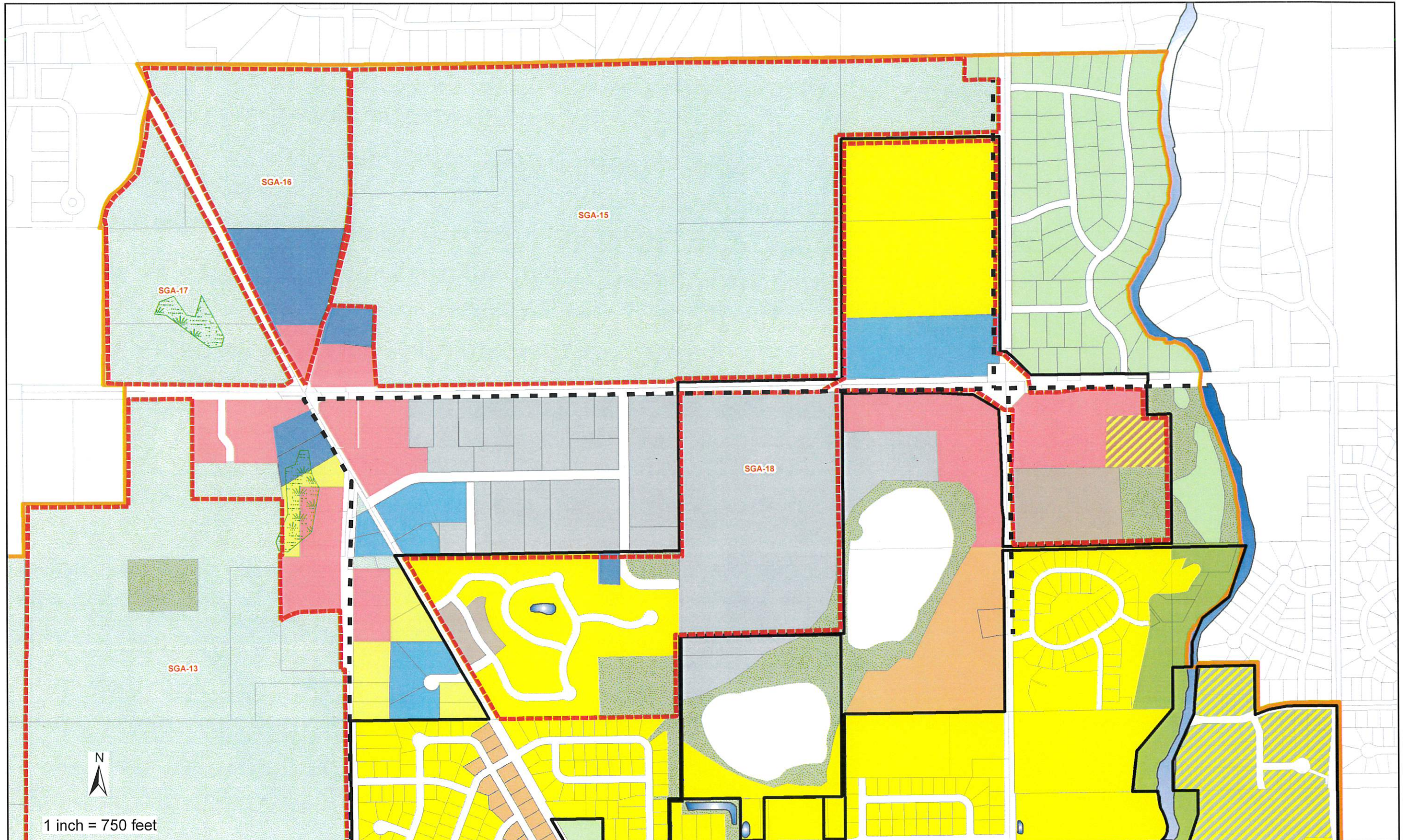


CITY OF CEDARBURG OFFICIAL ZONING MAP





# 2025 LAND USE PLAN





**MANDEL GROUP PRESENTATION ON PROPOSED DEVELOPMENT**

The Mandel Group shared its plan for a high quality, highly amenitized, market rate multi-family apartment community that has gone through multiple changes, eventually settling on a design featuring 207 apartments and 9,500 square feet of retail on the ground floor. The Group presented its site planning and architecture for the project, which includes a third of the site dedicated to wetlands, and features play spaces, interconnected paths, and green space to enhance the topography. The plan is still in its first pass and will be refined in subsequent rounds with the Plan Commission.

The Council discussed the assessed value of the site, which was stated to be \$31 million, leading to annual taxes of \$478,000 to be distributed among various taxing authorities. Concerns about population growth were addressed, revealing that the actual growth of the City had been less than projected in the Smart Growth Plan. The 2020 census showed a population of 12,121. The impact of development on the character and charm of Cedarburg was also discussed, with examples of municipalities that have successfully grown while retaining their identity. The Mandel Group presented data on the housing market, noting the high demand for apartments and that the proposed development would not significantly alter the balance of owner-occupied to rental homes. The average rent for the proposed apartments was given as approximately \$2,200, and it was noted that this would likely attract a higher income demographic. Concerns about affordability were acknowledged, but it was pointed out that people often move from less expensive housing to more expensive homes, creating opportunities for new affordable housing.

Concerns were also raised about student transportation as well as the impact the proposed development would have on traffic, schools, and emergency services. The Council expressed concerns about the size of school classes and the need for high-density housing to be more centrally located. The discussion further explored traffic and speeding issues on Sheboygan Road. The Council expressed appreciation for the work of the Planning Commission, yet voiced concerns about traffic issues in the area, suggesting a pause is needed to assess the impact of current developments. The Council emphasized the importance of maintaining the City's unique atmosphere and the need to support local businesses, while acknowledging the need for development in the area.

The following public comments were made:

- Paul Rushing-W62N799 Sheboygan Rd: supportive of the project if contingencies were in place
- Sherry Bublitz-W66N670 Madison Ave: the public is not in support of this project
- Richard Didier-W60N859 Sheboygan Rd: not in support of the project due to traffic concerns
- Carrie Kelley-W61N839 Sheboygan Rd: not in support of the project due to traffic concerns
- Cathy Czech-N119W5835 James Cir: not in support of the project
- Jullane Jackson-W74N755 Spruce Ave: not in support due to added population
- Tamara Oda-W60N914 Arbor Dr: not in support of project
- Deborah Kaylor-N95W5750 Dorchester Dr: not in support of high density housing
- Mark King-W62N775 Sheboygan Rd: not in support due to too many other current developments
- Kate Myers-W64N201 Fairfield St: supports project with increased tax base, beautiful entrance to the City

- Steve Leonard-N91W5939 Dorchester Dr: not in support of project due to so many current developments
- Terry King-W63N762 Sheboygan Rd: not in support of project due to added population
- Pam Matar-W56N1172 James Cir: not in support due to traffic concerns
- William Mrotek-N93W5743 Dorchester Dr-not in support due to added population, traffic concerns
- Lynda Johnson-W62N780 Sheboygan Rd: not in support of project, not the right time for it
- Kate Erickson-W60N892 Glenwood Dr: not in support due to crowding in school system
- Connie Kincaide-N75W7255 Linden St: not in support due to traffic and school concerns
- Thomas Robel-W64N762 Washington Ave: not in support, too much progress too fast

Chief McNerney conducted a speed study on October 24 – 26. The study recorded the speed and number of cars on Sheboygan Road between Washington Avenue and Willowbrooke Dr. The study showed an average speed of 28.4 mph with an average of 3,488 cars per day.

Council Member Fitzpatrick spoke in support of the Mandel project citing the traffic study results, added tax base for the City, and the fact that ‘small town charm’ is very subjective.

The remainder of the Council spoke against the project citing the following:

- The City is approaching a tipping point for multifamily developments
- Potential traffic issues on Sheboygan Road
- The need to represent the opinions of constituents
- Interested in having more townhomes than apartments

In conclusion to the feedback received from concerned residents and the Common Council, Mandel Group CEO, Phil Aiello, withdrew the Mandel proposal, thanking everyone for their feedback.

### **UNFINISHED BUSINESS**

#### **DISCUSSION AND POSSIBLE ACTION ON CONCEPT PLAN APPROVAL FOR THE MANDEL GROUP MULTI FAMILY DEVELOPMENT PLAN FOR A 17-ACRE SITE AT THE SOUTHEAST CORNER OF HIGHWAY 60 AND SHEBOYGAN ROAD**

No formal action was taken by the Common Council.

### **NEW BUSINESS**

#### **DISCUSSION AND POSSIBLE ACTION ON APPROVAL OF AN ENGINEERING DESIGN CONTRACT FOR THE 2024 STREET AND UTILITY PROJECT**

Cedarburg Light & Water will most likely replace lead water services as part of the 2024 Street and Utility Project. It was decided to forgo the typical RFP process for the engineering design and obtain a price from RA Smith since they have completed the engineering for the past two lead service replacement projects. RA Smith submitted a total price of \$39,000 for the engineering design on the 2024 Street and Utility Project. The cost of the lead service replacement design is part of a separate