

CITY OF CEDARBURG
PLAN COMMISSION

PLN20180205-1
UNAPPROVED MINUTES

February 5, 2018

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, February 5, 2018 at Cedarburg City Hall, W63 N645 Washington Avenue, second floor, Council Chambers. The meeting was called to order at 7:00 p.m. by Mayor Kinzel.

Roll Call: Present – Mayor Kip Kinzel, Council Member John Czarnecki, Mark Burgoyne, Greg Zimmerschied, Heather Cain, Daniel von Bargaen

Excused - Mark Poellot

Also Present - Council Members Jack Arnett, Dick Dieffenbach, Patricia Thome and Mike O'Keefe, Cedarburg Light & Water General Manager Dale Lythjohan, Cedarburg Light & Water Water Superintendent Tim Martin, City Attorney Mike Herbrand, City Planner Jon Censky, Administrative Secretary Darla Drumel

STATEMENT OF PUBLIC NOTICE

Administrative Secretary Drumel confirmed that the agenda for the meeting had been posted and distributed in compliance with the Wisconsin Open Meetings Law.

COMMENTS AND SUGGESTIONS FROM CITIZENS

Mayor Kinzel offered the opportunity for the public to speak on any issue unrelated to the agenda items. None were offered.

APPROVAL OF MINUTES

Commissioner Cain moved to approve the minutes of January 4, 2018 and the motion was seconded by Commissioner von Bargaen. The motion carried without a negative vote, with Commissioner Poellot excused.

APPROVAL OF NEW WATER TOWER TO BE LOCATED AT W76 N896 WAUWATOSA ROAD – CEDARBURG LIGHT & WATER/DALE LYTHJOHAN AND TIM MARTIN

Planner Censky advised that the tower is proposed to be centered on Cedarburg Light & Water's Wauwatosa parcel to the east of the existing reservoir and approximately 156 feet north of the south property line. It will stand 125 feet tall and will be painted light blue in color. While Cedarburg Light & Water is pursuing approval of the tower now, they do not expect to construct the tower for several years in the future. They advise that the approval decision is necessary now to allow them to retire the Western Avenue tower and begin the planning phase for installation of this one. Commission Members are reminded that **Sec.13-1-126**

Lapse of Site Plan Approval states: If a developer of a project which has been granted site and/or architectural plan approval has not obtained and complied with the provisions of a building permit consistent with said site plan approval within one year of the date of the initial approval, the plan approval shall lapse. Upon application, the Plan Commission may renew its approval of the site and/or architectural plan as initially granted or may require changes as deemed appropriate.

Planner Censky added that the I-1 Zoning District lists water towers as a permitted use by right and therefore a public hearing is not required. However, recognizing the visual impact on the adjacent neighborhood, Cedarburg Light & Water did conduct an informational meeting on December 13, 2017 and invited all property owners within 500 feet of the site. While the I-1 Institutional District limits the height of structures within this District to no more than 35 feet, water towers are exempt from that height restriction under **Section 13-1-100 Height** which states: **The district height limitations stipulated elsewhere in this Chapter may be exceeded, but such modifications shall be in accord with the following: (c) Essential services, utilities, water towers, electric power and communication transmission lines are exempt from the height limitations of this Chapter.**

Accordingly, Commissioners can either waive the one year deadline to secure the construction permit or require them to return for an annual extension of the initial approval.

Manager Lythjohan noted that notices of the December 13, 2017 informational meeting were sent to property owners within 1,000 feet of the site, but the meeting was lightly attended. Notices of the Plan Commission meeting were also sent to the same property owners.

Manager Lythjohan continued that the permitting process for the new tower is complicated and he does not want to take down the old one on Western Road until the new tower project is a certainty. The new tower will serve the areas to the northeast and southwest, while the current one-million gallon reservoir already on the site serves the rest of the City by gravity and will remain. Since the Western Road tower is no longer in the proper position to serve the City and an inspection reveals that an estimated \$400,000 coating issue needs to be resolved if it is continued in service, the goal is to remove it.

In response to a question from Commissioner Burgoyne, Manager Lythjohan stated that the tower should be a 75 to 100 year solution to accommodate City growth. Superintendent Martin noted that the size of the new tower is over twice the size of the tower on Western Road.

Action:

A motion was made by Commissioner Zimmerschied, seconded by Vice Chairperson Burgoyne, to approve the construction of the new water tower with the condition that the one-year deadline is waived. The motion carried without a negative vote, with Commissioner Poellot excused.

REQUEST FOR TEMPORARY USE PERMIT TO ERECT TENT FROM APRIL 2, 2018 TO MAY 13, 2018 AT W62 N630 WASHINGTON AVENUE – STILT HOUSE/GORDON GOGGIN

Planner Censky noted that Gordon Goggins of the Stilt House restaurant is requesting approval of the temporary use of a tent which will be installed in his outdoor seating area directly north of the Stilt House. The tent measures 20' by 40' and stands approximately 10' tall. The applicant proposes to install the tent on April 2, 2018 and to remove it on May 13, 2018 for a total of 6 weeks.

Review of City records indicates that Mr. Goggin had previously installed and used this tent for a period of time last fall without going through the required approval process but when informed of that process he immediately filed an application. While no official action was taken on last year's request, staff did receive permission from the Plan Commission to sign off on the request with the understanding that future requests would be processed through the Landmarks and Plan Commissions. Accordingly, having now received his new request, staff first presented it to the Landmarks Commission at their January 25th meeting during which they voted to recommend approval by unanimous vote.

Mr. Goggins called to let the City know that he was unable to attend the meeting due to an illness.

Although she appreciated the charitable fundraising effort, Commissioner Cain expressed concern with a white tent in the downtown area, for six weeks with any number of unscheduled fundraising events, which appears to be contrary to the typical conversations at the Plan Commission regarding the appearance and materials for outdoor seating. Knowing that the tent had been out for a number of weeks in the Fall and now six weeks in the early Spring, she struggled with the possibility of setting precedent for other Downtown establishments wanting to expand their business in the winter with tents, when the Plan Commission typically shies from that type of aesthetic.

Vice Chairperson Burgoyne believed there was no reason that it could not be set back further from the street. He would like to see more clarification on the fundraising events.

Commissioner Zimmerschied opined that the Temporary Use Permit request was not just for fundraising events, but also dining in the tent. He would be more favorable to applying the permit to just fundraising events.

Commissioner Cain noted that the fundraising was that a percentage of the sales would go to the organization. So it was not that the organization would be taking over the tent and raising funds. She was uncomfortable with the concept, length of time and what precedent this would set for any organization downtown who would want to expand their business into a larger area.

Mayor Kinzel stated he had the same concerns, especially with the tent being right out front and though it is temporary, it becomes semi-permanent if it is used several times a year.

Action:

Vice Chairperson Burgoyne moved to postpone a decision to the next meeting when Mr. Goggins would be present to provide more information. The motion was seconded by Mayor Kinzel and carried without a negative vote, with Commissioner Poellot excused.

REQUEST FOR APPROVAL OF SITE PLANS, LANDSCAPING PLANS, LIGHTING PLANS, THE STORMWATER AGREEMENT, AND THE DEVELOPER AGREEMENT FOR THE ARRABELLE PROJECT PROPOSED FOR FORMER ST. FRANCIS BORGIA SCHOOL PROPERTY – HSI PROPERTIES, LLC/TONY DeROSA

Planner Censky noted that Tony DeRosa of HSI Properties received rezoning and concept approval of the Arrabelle project by unanimous vote of the Common Council on March 13, 2017. Since then he has been working on their detailed plans and financing of the project. On July 13, 2017 the Plan Commission granted approval of the detailed architectural plans and on January 25, 2018 the Community Development Authority (CDA) held a public hearing and approved the creation of a TID for this project. Mr. DeRosa is now seeking approval of his detailed landscaping, site, exterior lighting and storm water management plans and development agreement review and recommendation for this project. Upon approval of his final detailed plans, Mr. DeRosa can submit them for State review and approval, and then pursue a razing permit followed by building permit.

Site Plan:

The plan reflects the concept approved in March of 2017 of 69 multi-family units plus one single-family home for a total of 70 units. Mr. DeRosa proposes 2 two-story apartment buildings with heated underground parking on the site directly behind St. Francis Borgia Church and a nine-unit townhouse structure with enclosed garages along the north/east side of Hamilton Road. The 17,100 square foot lot fronting on Spring Street will support a future single-family home. There has been no change to the site plans from the concept plans previously before the Plan Commission.

Tony DeRosa reported that the trash enclosures for the two apartment buildings would be inside the underground garage, and each townhouse unit will have carts that they will put out each trash day. A sample of the window is also being provided as requested by the Plan Commission.

Architectural Plans:

Planner Censky advised that HSI will present a sample window and review certain minor changes to the architectural plans.

Eric Harrmann of AG Architecture updated the Commissioners on the architectural plans. He presented the sample bronze window that is proposed to be used throughout the development and instead of trying to match the off-white architectural elements with the railings; he proposes to use bronze railings, which will match the windows.

Plan Commissioners concurred with the proposed window color and design; and with the use of bronze railings.

Landscape Plans:

Planner Censky noted that the intent of the landscaping plan is to establish buffers from adjacent properties as well as to enhance the overall look and feel of this project. City staff met with the landscape architect and asked him to concentrate his buffers where existing neighboring homes are closest to this project and to use his design skills to enhance the look and feel of the rest of the project area through landscaping. He was asked to create new buffers and/or enhance existing buffers for areas such as along the common property line with the property directly south of the Washington Avenue building; between the townhomes and the properties to the north; and along the property line of the site south of the Hilgen Avenue. The plan does show buffers as directed and also shows a planting scheme of higher growth decorative trees and low growth shrubs, perennials and ornamental flowers and grasses throughout the sites. Along the building foundations the plans show low growth ornamental shrubs, flowers and grasses complimented by higher growth shade trees and colorful flowering crab trees. This planting scheme is then repeated throughout the project and within parking lot. The plan is in compliance with City requirements for site and parking lot standards.

Jim Kemp of La Rosa Landscaping reviewed the details of the landscaping plan that will serve to screen the development from adjacent neighbors, provide a pleasant environment for the tenants, and offer year-round color. As much of the existing trees will be retained as possible and new plantings will include a diversity of trees.

Commissioner Zimmerschied questioned the lack of plantings along Washington Avenue and Mr. Kemp explained that additional plantings would block off the view from the project's access drive of the heavy vehicular and pedestrian traffic along Washington Avenue.

Vice Chairperson Burgoyne asked if the City Forester had an opportunity to review the plans. Mr. Kent advised that the City Forester has reviewed the plans and indicated that two City trees currently located in the drive areas will need to be transplanted or replaced. Otherwise his comment was that all plants, shrubs and trees on the landscape plan look good. Mr. Kent added it is their intent to install sod, mulch and stone mulch to add warmth and provide easier maintenance.

Commissioner Zimmerschied requested that one of the crabapple trees on the south corner of the project along Washington Avenue be replaced with a conifer. Mr. Kent agreed to make that substitution.

Chris Roessler of N47 W6075 Spring Street explained that lights from vehicles in the St. Francis Borgia parking lot along Hamilton Road shine directly into her living room and suggested that it would be incumbent for the developer to install a higher, closed privacy fence along her south property line to prevent the lights from shining into her house. Commissioners carefully reviewed the project plans and determined that not only is the project's north property line heavily landscaped, but the townhouse building would not be directly oriented towards her home. That area of the new development would be a grassy area. Mr. Harrmann also pointed out that the drive on the north end of the existing parking lot is located on both the project site and that of the two eight-family buildings. The townhouse

building will be located further to the south so that drive can remain for the eight-family buildings and the Arrabelle tenants would not be using it.

Commissioner Zimmerschied noted that the yard area is quite large at the northeast area of the townhomes and suggested that at least one of the proposed Honey Locust trees be replaced with several conifers to provide a multi-layer buffer to address some of Ms. Roessler's concerns.

Robert Roessler of N47 W6075 Spring Street noted that he has been looking at the plans for over a year and they are constantly changing and the scale of the plans always changes. He argued that a 25-foot setback was not an adequate buffer. A buffer, which amounts to a private barrier fence, should be installed on all lot lines adjacent to the project as shown on the plan for the Hilgen Avenue and Washington Avenue residences.

Mr. Harrmann advised that the site plan has not been altered. He noted that the townhouse setback dimensions were 54'6" to the back property line; included a 24' drive for the cars to maneuver and 18' apron in front of the garages; a landscape buffer to the property line and the setback dimension from the tightest point going from the corner of the townhouse building to the Spring Street condos at the angle of the condos was 37'9". The shortest dimension of 10'8" is from the building to the drive for the eight-family buildings.

In response to a question by Vice Chairperson Burgoyne, Planner Censky advised that the typical setback in Cedarburg is 25 feet for front and rear yards, with side yard setbacks considerable less. The proposed Planned Unit Development zoning for the site allows more flexibility to propose shorter setbacks but is not being proposed for the Arrabelle project.

Janet Bolin of W60 N417 Hilgen Avenue advised that she needs to modify her driveway which is right alongside the current school building. Mr. DeRosa noted that his surveyor will be marking the lot line and Vice Chairperson Burgoyne explained that Ms. Bolin may not then have to pay for her own survey (unless she disputes the findings). Mr. DeRosa agreed that Ms. Bolin's driveway and the Arrabelle project should be coordinated when the grading for the Arrabelle site is done.

Action:

Vice Chairperson Burgoyne moved to approve the landscaping plans with the conditions that a crabapple tree in the southwest area off from Washington Avenue is replaced with a conifer and one of the three trees adjacent to the two eight-family buildings be replaced with a conifer. The motion was seconded by Commissioner Cain and carried without a negative vote, with Commissioner Poellot excused.

Lighting Plan:

Planner Censky noted that according to the lighting plan, HSI proposes to use a series of pole-mounted fixtures in the parking areas directing light downward to prevent glare and decorative wall-mounted fixtures on the buildings. Mr. DeRosa has also provided an isofootcandle plot plan showing the distribution of the light and verifying that there will be no light trespass. Staff discussed the intensity/warmth of the LED light bulbs and Mr. DeRosa

assured that each bulb will be of the subdued residential lighting style. The pole-mounted fixtures will be PRV Prevail LED style and the wall-mounted ones will be Fairview LED with an oil-rubbed Bronze finish.

Mr. DeRosa said there were goals for lighting: to make sure the lighting is adequate, there is no light spillage onto neighboring properties, to blend in so that the project does not look like a Christmas tree, and make sure the lighting is functional. There are a handful of pole lights internal to the development with different heights and a cut-off fixture. There are no pole lights at the townhouse site. He said that not all apartments will have a light to avoid lighting the project too brightly.

Mayor Kinzel noted that the approval should state that if there is an issue with the lighting, the City reserves the right to have it corrected.

In response to a question by Commissioner Zimmerschied, Mr. DeRosa confirmed that the temperature of all the lights will be 3000K. Commissioner Zimmerschied also found the pole lights to be too modern next to the historic Church and asked if they could be changed. He emphasized that St. Francis Borgia Church is an important downtown historic fixture.

Dave Ferrell of HSI Properties explained that it is difficult to control light with different fixtures. The pole-mounted fixtures were chosen because they are meant to almost disappear.

Vice Chairperson Burgoyne expressed concern with having certain lights near the Church but having different lights in the same parking lot closer to the apartments.

Action:

A motion was made by Council Member Czarnecki, seconded by Vice Chairperson Burgoyne, to approve the lighting plans as presented with the following conditions:

1. Continue to provide alternatives to the modern pole-lighting fixtures near the Church to be more historic.
2. If there is an issue with the lighting, the City reserves the right to have it corrected.
3. That all light temperatures are 3000K.

The motion carried without a negative vote, with Commissioner Poellot excused.

Certified Survey Map:

The Certified Survey Map (CSM) is required as the basis for the site plan and to combine the various lots within this project. It also serves to separate the St. Francis Borgia Church property from that which is being purchased by HSI for the Arrabelle project. While the Church site is separate from the apartment development, staff notes that with the CSM we have an opportunity to secure right-of-way as needed to align with existing public sidewalks. More specifically, the north triangle of the Church property, bordered by Washington Avenue on the west and Hamilton Road on the northeast where the public side walk wraps around

the corner, is actually on the Church's private property. In fact this private property extends into the traveled roadway. Accordingly, staff recommends dedication of an area sufficient to show the sidewalk inside the public right-of-way. Staff notes that right-of-way dedications are required under **Sec. 14-1-42(e) Technical Requirements for Certified Survey Map. Dedication of streets and other public area shall be required, in addition to the owner's certificate and the mortgagee's certificate in substantially the same form as required by Section 236.21(2)(a) of Wisconsin State Statutes.** He added that staff is requesting that St. Francis Borgia Church relocate their monument sign with any landscaping that restricts the view of northbound Washington Avenue traffic from the vision triangle.

The Plan Commission is to make a recommendation to the Common Council regarding the CSM for the February 12, 2018 meeting.

Mr. DeRosa reported that he has passed on the request for the land dedication and removal of obstructions from the vision triangle at Washington Avenue and Hamilton Road to his contact at the St. Francis Borgia Church, but has not received a response.

Commissioners concurred that a formal letter to St. Francis Borgia Church be sent requesting the road dedication and clearing of the vision triangle as part of the CSM.

Action:

Mayor Kinzel moved to recommend the Certified Survey Map to the Common Council contingent upon the following:

1. Dedication of an area to show the public sidewalk at least one foot inside the right-of-way.
2. The Church monument sign and adjacent shrubs are relocated out of the vision triangle.

The motion was seconded by Council Member Czarnecki and carried without a negative vote, with Commissioner Poellot excused.

Stormwater Management Plan:

Planner Censky reported that the stormwater/grading and drainage plan shows two detention ponds, one southwest of Hamilton Road and Hilgen Avenue and the other located north and east of the proposed townhouse structure. These will be dry ponds which are intended to store water during a rain event and slowly release it thereafter. The ponds otherwise will be dry. City Engineer Tom Wiza has reviewed and approved the Stormwater Management Plan for this project.

Action:

A motion was made by Council Member Czarnecki to approve the stormwater management plans contingent upon their submittal to the Wisconsin Department of Natural Resources for approval. The motion was seconded by Vice Chairperson Burgoyne and carried without a negative vote, with Commissioner Poellot excused.

Development Agreement:

Planner Censky advised that 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 Development Agreement was drafted City Attorney Mike Herbrand and City Engineer Tom Wiza. Following Plan Commission recommendation, it will be presented to the Common Council for approval at their February 12, 2018 meeting.

City Attorney Mike Herbrand noted that the Development Agreement is a standard agreement that addresses public improvements such as storm water improvements, sidewalk, City trees, hydrant location, dedication of road right-of-way and the vision triangle. Private property improvements are addressed such as relocation of the monument sign and the cross-parking easement with St. Francis Borgia Church. Impact fees and a credit for the existing school and parsonage are also addressed in the Agreement.

Action:

Vice Chairperson Burgoyne moved to recommend approval of the Development Agreement to the Common Council. The motion was seconded by Council Member Czarnecki and carried without a negative vote, with Commissioner Poellot excused.

CONCEPT REVIEW FOR LAND USE PLAN AMENDMENT AND REZONING FOR PROPOSED CONDOMINIUM DEVELOPMENT IN THE VACANT 5.520-ACRE PARCEL IN THE CEDARBURG BUSINESS PARK ALONG EVERGREEN BOULEVARD JUST NORTH OF PIONEER ROAD – CONDO DEVELOPMENT INC./GREG JAMES

Planner Censky advised that Greg James of Condo Development Inc. is requesting consultation regarding his plans to develop either a 24-unit condominium project consisting of 12 two-family structures or, if the City agrees to sell a portion of the adjacent Outlot, a 28-unit project consisting of 14 two-family structures. Commissioners are advised that for this project to be realized Mr. James will need to pursue an amendment to the Comprehensive Land Use Plan and a rezoning of the site as this site is currently classified on the Comprehensive Land Use Plan 2025 as future Industrial/Manufacturing development and is zoned M-3 Business Park. Therefore those documents will need to be changed to the Two-Family category.

The purpose of the Plan Commission consultation is to provide meaningful feedback and direction regarding whether or not they would support this type of land use and also to offer specific feedback regarding the site layout and building concept plans.

Planner Censky noted that Mr. James proposes a 958-foot long cul-de-sac which exceeds the maximum length of 750 feet allowed by Code. This parcel has frontage on both Evergreen Boulevard and Pioneer Road and from a traffic circulation standpoint the Planning, Engineering and Fire Department staff would prefer that the cul-de-sac be eliminated and instead the proposed roadway turn to the south for a second egress/ingress be provided to Pioneer Road. However, from a crime prevention standpoint, the Police Chief prefers the cul-de-sac as proposed.

Because of the narrow and long shape of the parcel, Mr. James is proposing a long straight cul-de-sac lined by identical two-family buildings. Staff suggests that more interest can be achieved by incorporating things like staggering setbacks, providing change in architectural design and color scheme more reflective of the existing two-family structures along the west side of Evergreen Boulevard at Pheasant Court and Partridge Court, providing quality landscaping and attractive low-intensity residential lighting, etc.

Mr. James proposes to buy a portion of the adjacent City-owned Outlot or acquire an easement to allow for less than the required rear yard setback. While staff does not oppose the sale, that request will need Plan Commission recommendation and Common Council approval.

The applicant will be required to pay all impact fees at the time of building permit acquisition.

For informational purposes, there is an existing siren located at the east end of this property which is slated to be relocated this year to an area slightly to the west on the City-owned land behind the Journal Sentinel building.

A review of City records indicates that a request for an assisted living elderly housing project was considered for this site by this Commission in November of 2010 but was rejected because of concerns that this was the only vacant manufacturing site left in the City. While this is the last vacant site in the City's first Business Park, Commissioners are reminded that planning efforts are currently underway for a second business park along the south side of Highway 60 west of Sheboygan Road.

If Commissioners feel comfortable with this project, Mr. James will then submit his Land Use Plan amendment and rezoning petitions to change the use classification from Business Park to Two-Family Residential and the zoning from M-3 to Rd-1.

Greg James, the developer, introduced his son, Brian James and the property owners, Mr. and Mrs. James Dorneck. Mr. James provided two new exhibits that addressed comments made by staff. He argued against the suggestion for a second egress/ingress to Pioneer Road because it would be close to a large metal building that is 2.9' from his south property line and 8.7' from the west line of the property that runs down to Pioneer Road and has several vehicles parked near it. This would not be an inviting entrance to his development. He stated that buyers prefer the safety and security provided by a cul-de-sac as stated by the Cedarburg Police Chief. Mr. James advised that the cul-de-sac is proposed to be a private road. The Fire Department confirmed that the 92' cul-de-sac was adequate for their equipment. He requested that no access be provided at Pioneer Road and that a variance be granted for the length of the cul-de-sac.

Planner Censky advised that the Code does not limit the length of a cul-de-sac on a private road, so no variance is necessary.

Mayor Kinzel noted that he would be opposed to an access road so close to the Interurban Trail.

Planner Censky reported that the Fire Department and the City Engineer did suggest that a hard surface may be constructed only for fire access in the event that the Evergreen Boulevard access is blocked by construction or any other situation.

Council Member Czarnecki noted that a secondary access is provided for in the Cedar Place Apartments on Sheboygan Road. Commissioner Zimmerschied pointed out that there is no secondary access for the Bridge Commons Condominium Development and understood that such a situation may happen once in every 50 years.

Mr. James added that he had only presented an architectural elevation of one building; however, the buildings would have different colors than those next to them and across the street, the roof lines and dormers would vary and some buildings would have masonry trim. Each building would have perimeter landscaping in addition to street shade trees. It is customary to have consistent setbacks for condominium development, but he would look into staggering the front yard setbacks. Some buildings cannot be moved due to an easement which would not allow for the concrete patios. He is also trying to maintain a minimum 41' behind the north buildings to keep a sufficient distance from the business drive to the north. To stagger the buildings, the driveways would have to be 20' long. Mr. James requested a variance if needed for the 20' driveways.

The condominiums would be 1,600 square feet in size, 2 bedrooms with 2 baths and a 2-car garage. The sale prices would be about \$300,000.

Mr. James noted that Condo Development, Inc. has offered design creativity that has appealed to their 800 condominium buyers.

Mr. James continued that he would be interested in purchasing 20' of the City's property along the retention pond so that he would not have to build two smaller buildings in that area.

Planner Censky stated that City staff believed the sale could be made if desired by the Common Council and would be a better option than an easement.

Council Member Czarnecki opined that the lot was too narrow and deep to accommodate turning radii that are required for commercial or industrial uses. The lot configuration is not suited to commercial/industrial use.

Commissioner Zimmerschied noted that it is not suited to commercial/industrial use in that it has not been purchased.

Vice Chairperson Burgoyne pointed out that the new business park will not be available for two or three years. If a current business in the City wished to expand, removal of this site would leave no options. He thought it would be a mistake to rezone the property and suggested that the City's Community Development Authority (CDA) should formally review the commercial/industrial potential of the site and its best possible use for the City. He continued that the City could be more aggressive in marketing the parcel and therefore it might be appropriate for the City to buy the property to that end.

Mr. Dorneck advised that he has been marketing the site on-line for seven years and had one inquiry to purchase it for a warehousing use, which is not permitted in the M-3 District.

Council Member Czarnecki noted that the condominium development would create an appropriate buffer between the single-family homes to the south and the commercial to the north. He emphasized that the circulation for the parcel would not attract industrial development.

Commissioner Zimmerschied stated he would be open to the proposed development contingent upon the quality of the architecture.

In response to a suggestion by Vice Chairperson Burgoyne, Council Member Czarnecki questioned delaying discussion on the subject site due to possible alterations of the parcel that are not requested.

Vice Chairperson Burgoyne advised that he would consider the proposal if the CDA came back with the opinion that the zoning should be changed. He agreed to also ask the CDA if it was feasible for commercial use. However, he felt the City could be more aggressive in marketing this improved parcel.

Commissioner von Barga agreed with Vice Chairperson Burgoyne but was reluctant to stall the property owner and developer for an indefinite period of time.

Vice Chairperson Burgoyne stated he did not want to stall the developer indefinitely either but 30 days is not a long period of time. The focus of the Plan Commissioners is not the cost to the developer or seller, but the best possible planning for the City.

Mayor Kinzel noted that the concept review would continue at the March 5, 2018 Plan Commission meeting.

Council Member Czarnecki felt the use was fine and the comments on architecture were valid. He could support the general concept.

Mayor Kinzel stated that he would like to see more variation in the architecture. The footprint could be the same but with slightly different architectural design, such as Bridge Commons Condominiums. Planner Censky directed attention to the duplexes on Pheasant and Partridge Courts as examples.

Mr. James replied that his clients are looking for living space on a single-floor.

Council Member Patricia Thome advised that she lives in Bridge Commons Condominiums. Her only concern was that there were accommodations for snow plowing and snow removal. Mr. James pointed out that there was space for snow storage on both sides of the cul-de-sac.

Council Member Jack Arnett, as a member of the CDA, sought clarification on whether the CDA is being asked to determine if the City should buy the parcel, whether additional options

should be considered, and if the City should act as a landlord. He stated that it is clear that the parcel is not an industrial site.

The resident at N144 W6570 Pioneer Road advised that he lives south of the proposed development. He stated he is impartial on what happens on the site but is prepared to live in his home for some time. He pointed out that the home to the west of him has been vacant for quite a while.

Greg James was advised that he was welcome to attend the CDA meeting. It is open to the public.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

No comments or announcements were made by Plan Commissioners.

MAYOR'S ANNOUNCEMENTS

No announcements were offered.

ADJOURNMENT

A motion was made by Mayor Kinzel, seconded by Commissioner Zimmerschied, to adjourn the meeting at 9:04 p.m. The motion carried without a negative vote, with Commissioner Poellot excused.

Darla Drumel,
Administrative Secretary