

CITY OF CEDARBURG
PLAN COMMISSION

PLN20190204-1
UNAPPROVED MINUTES

February 4, 2019

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, February 4, 2019 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 Michael J. O'Keefe.

Roll Call: Present - Mayor Michael J. O'Keefe, Council Member Patricia Thome, Greg Zimmerschied, Heather Cain, Adam Voltz, Sig Strautmanis

Excused - Mark Burgoyne

Also Present - Council Member Kristin Burkart, City Planner Jon Censky, Administrative Secretary Darla Drumel, news media

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.

APPROVAL OF MINUTES

Council Member Thome moved to approve the minutes of the meeting held on January 7, 2019. The motion was seconded by Commissioner Strautmanis and carried without a negative vote, with Vice Chairperson Burgoyne 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 they were not noticed on the agenda. No comments from the audience were offered.

REQUEST FOR CERTIFICATE OF APPROPRIATENESS FOR ARCHITECTURAL MODIFICATIONS TO THE REAR GARAGE AT W63 N667 WASHINGTON AVENUE – MARTY SCHOENKNECHT

Planner Censky reminded Commissioners that, at the December meeting, staff presented Marty and Kathleen Schoenknecht's plans requesting to temporarily modify the south elevation of their downtown garage while the walls are stabilized to support the approved replacement roof. They were in the middle of removing the old flat roof of the garage in early December when it was determined that the walls were not sturdy enough to support the new roof. Construction was immediately put on hold to address the problem. The intent was to secure approval of those

plans at the meeting so that work could continue on installing the new roof and avoid the pending winter weather. The thought was that instead of rebuilding the new wall to match the existing, the Schoenknecht's would improve the look of the wall by introducing two smaller overhead doors, a pedestrian door and then cover the remaining area with Hardiplank siding.

Since those plans were not reviewed by the Landmarks Commission, the Plan Commission denied the request and the Schoenknecht's were directed to first secure Landmarks Commission approval. Rather than modifying the wall as proposed in December, the Schoenknecht's have decided to revise their plans to reflect their future use with the understanding that interior will remain unchanged until they are ready to officially pursue the future use.

Architecturally, the plans are designed to reflect the look and use of material of the most recent addition to the existing building and one that meets their long-term needs. The building will take on a look that is more residential nature with two overhead garage doors, two pedestrian doors, two second floor balconies, windows that will match the most recent adjacent addition and with matching Hardiplank siding. Their future use will then incorporate the current façade changes.

These plans were reviewed and approved by unanimous vote of the Landmarks Commission at their January 10, 2019 meeting.

Commissioners discussed the various details of the plans. Mr. Schoenknecht advised that he has worked with the City's Building Inspector to meet all Code requirements.

Action:

A motion was made by Council Member Thome to grant the Certificate of Appropriateness with the following conditions:

1. Centering the pedestrian door between the two garage doors.
2. Using straight balusters on the upper decks.
3. Securing a building permit prior to the commencement of construction.

The motion was seconded by Commissioner Voltz and carried without a negative vote, with Vice Chairperson Burgoyne excused.

REQUEST FOR CERTIFICATE OF APPROPRIATENESS FOR NEW BUILDING AT W62 N535 WASHINGTON AVENUE – GREG ZIMMERSCHIED

Commissioner Zimmerschied recused himself and took a seat in the audience.

Planner Censky noted that this is the first of three commercial buildings that were approved for this site as part of the approved rezoning from July of 2018. Since this building faces Washington Avenue and is within the Historic Preservation District (HPD), developer Greg Zimmerschied presented his plans to the Landmarks Commission on June 14, 2018 when they recommended issuance of the Certificate of Appropriateness for the building footprint, location and mass, but asked that the architecture/design be changed to look less like a replica of an old building in the downtown district. Mr. Zimmerschied has now modified his plans to address the Landmarks Commission's

concerns. The new plans were re-submitted for Landmarks Commission's review and were recommended by unanimous vote at the December 27, 2018 meeting.

The modified plans do result in a slightly larger building; up from 4,200 square feet to 5,310 square feet in size and longer from 70' to 93' from the plans approved last July. Commissioners are reminded that the site will be supported by 25 on-site parking stalls and 34 street stalls located within 250 feet from the entrance to these buildings.

As noted, and as approved in July 2018, the following conditions apply:

1. The Fire Department needs assurance that the parking lot turning radius is adequate for their equipment.
2. Fire protection needs will be determined as the project progresses.
3. Parking remains staff's concern with high-traffic generating uses such as restaurants and therefore we will need to monitor this project going forward.
4. Impact fees will be applied.
5. The basements must be designed for high groundwater and potential petroleum contamination.

Architect Don Stauss presented the plans to the Plan Commission, noting that three parking spaces were lost but the project still meets City Code requirements.

Commissioners discussed the parking situation downtown and concerns that the available parking might not support restaurants, banks, tourist rooming house and funeral home uses in that area. It was pointed out that a positive aspect of walking to a destination is that pedestrians will pass other businesses along their route. Suggestions for resolving the parking issue was to consider purchasing vacant land along Hanover Avenue to revert to municipal parking, using Weil Pump and/or Mercury Marine properties for parking, provide angle parking on Mill Street, or closing Mill Street to convert into a parking lot. Commissioners suggested that the Mayor consider creating an ad hoc committee of the Economic Development Board to address the downtown parking issue. Council Member Thome reminded the Commission that the Board did study the parking situation in downtown Cedarburg a number of years ago and determined that there was not a problem then, but that new uses have been introduced since which now warrant a new study.

Mr. Zimmerschied pointed out that there are thriving downtown businesses that have zero on-site parking. However, he understands the concerns over parking and advised that if parking becomes a problem for his development, he will re-think his proposal and may eliminate one of his future buildings.

Council Member Burkart recommended against removing any green space, especially near residences.

Architect Stauss advised that the building's windows would be simulated divided light with no mutton pattern. The large first-floor windows could display product if used for retail.

Action:

Commissioner Voltz moved to grant a Certificate of Appropriateness for the new building as proposed. The motion was seconded by Commissioner Strautmanis and carried without a negative vote, with Vice Chairperson Burgoyne excused.

Greg Zimmerschied resumed his place on the Plan Commission.

CONSIDER TEMPORARY USE PERMIT FOR TEMPORARY TENT AT W62 N630 WASHINGTON AVENUE – GORDON GOGGIN/STILT HOUSE

This item was moved to the March 4, 2019 Plan Commission meeting agenda.

CONSIDER RECOMMENDATION FOR LAND USE PLAN AMENDMENT AND REZONING FROM M-3 TO RD-1/PUD FOR VACANT PARCEL SOUTH OF W68 N158 EVERGREEN BOULEVARD – GREG JAMES/CEDARBURG TRAIL CONDOMINIUM

Planner Censky reminded Commissioners that Greg James' rezoning request was considered at their January 7, 2019 meeting; however, a recommendation would be offered only after Mr. James addressed the following concerns:

1. Sidewalks be constructed along the parcel's entire Evergreen Boulevard frontage.
2. The intersection be moved to match the access to Pheasant Court.
3. The entry to the development be enhanced to make it more interesting.
4. The private drive be widened by eight (8) feet to allow for parking on one side of the street.
5. Emergency access, the width of a driveway, be provided from the cul-de-sac to Pioneer Road. This access must be maintained and clear for emergency equipment only.
6. Consideration of a hammerhead terminus of the private road.
7. Exceptional and diverse architecture and materials be proposed to mitigate concerns about the density of the project.
8. Garage doors be set back, and front entryways be emphasized.

In response, Mr. James has submitted four architectural designs, three of which have a slight garage setback. While the Evergreen Boulevard intersection has been widened to better match up with the Pheasant Court intersection, the plans do not reflect a more curved entrance design that merges into the long stretch of cul-de-sac as was discussed. The roadway cross-section is now proposed to be of roll-faced curbs with a 24-foot wide asphalt surface. Staff notes that while the Commission did recommend the roadway be widened by 8 feet, the City's standard/policy for private roads has historically been a 24-foot asphalt surface with curb and gutter as is now being

proposed. A graveled emergency access is now proposed from the cul-de-sac south to Pioneer Road. While a hammerhead-type cul-de-sac was encouraged, discussions with the Fire Department indicates they prefer the round-type as proposed and City Engineer/Director of Public Works advises that hammerhead cul-de-sacs have only been used on a temporary basis where the road is to be extended in the future. Since this roadway is narrower than the City's standard cross-section for a public road, the circular cul-de-sac makes it easier for those making a U-turn to exit the project.

Nonconformity to Standard:

According to the PUD Ordinance, the Plan Commission and the Common Council must acknowledge any departure from the standards of development as set forth in the City's Zoning Code, land division ordinance and other City regulations. Staff's review of these plans indicates the following departures from the standards:

1. GENERAL STREET DESIGN STANDARDS

Code Requirement – SEC 14-1-70(p) Cul-de-Sacs

Cul-de-sacs shall not exceed seven hundred fifty (750) feet in length.

Departure – **Proposed cul-de-sac length = 1,020 feet.**

2. RD-1 TWO-FAMILY RESIDENTIAL DISTRICT

Code Requirement – SEC 13-1-50(g) Setback and Yards

There shall be a minimum building front yard of twenty-five (25) feet from the right-of-way of all streets and a rear yard of 25 feet.

Departure – **The proposed front yard is to be measured for the edge of street pavement 21 feet back to the buildings.**

Departure – **The proposed rear yard for Buildings 2 and 14 is 18 feet.**

3. TECHNICAL REQUIREMENTS FOR CERTIFIED SURVEY MAP LAND DIVISION; REVIEW AND APPROVAL

Code Requirement – SEC 14-1-42(e) Street Dedication

Dedication of streets and other public areas shall require, in addition, the owner's certification and the mortgagee's certificate in substantially the same form as required by Section 236.21 (2)(a) of the Wisconsin Statutes.

Departure – The proposed cul-de-sac will be private and therefore there will be no dedication.

Planner Censky advised that while Mr. James has submitted four different architectural styles designed by the Drexel Building and Supply Company out of Brookfield, staff feels that these designs fail to capture the intent of the direction from January's discussion. At that meeting Mr. James was encouraged to drive through some of our existing two-family developments such as Pheasant and Partridge Courts, Lincoln Court or Bridge Street Commons and show a building design that is more reflective of those styles. In staff's opinion, what Mr. James now proposes is four different versions of the plans presented to the Plan Commission in January 2019.

Understanding that this is essentially concept plan review, Commissioners may recommend Land Use Plan Amendment from Industrial and Manufacturing to High-Medium Density Residential (5.2 to 10.8 units/acre) and rezoning from M-3 Business Park to Rd-1(PUD) Two-family Residential/Planned Unit Development. If recommended, a public hearing would be scheduled at a future Common Council meeting in March. If approved by the Council, Mr. James will then submit his fully-detailed site, architectural, landscaping and lighting plans; and his condominium plat along with condominium documents for Plan Commission review and approval.

Planner Censky provided the following for Plan Commission consideration:

1. While the applicant proposes a 1,020-foot-long private cul-de-sac which exceeds the maximum length of 750 feet allowed by Code, the Police Chief prefers the cul-de-sac as proposed for crime prevention.
2. The applicant will be required to pay all impact fees at the time of building permit acquisition.
3. For informational purposes, there is an existing siren located at the east end of this property.
4. As part of his future plan submittal, the applicant will be required to submit sanitary sewer, watermain, storm sewer, site grading, storm water management and lighting plans.
5. The sanitary sewer and watermain will be dedicated to the public and all other utilities and the streets will be private.
6. Each unit shall have its own sanitary sewer and water laterals. A common storm lateral for sump pump discharge will be allowed.
7. The applicant shall provide private street lighting consisting of L.E.D. coach lights (40 watt) on 12-foot poles spaced every other lot. Use 1½" cable in duct or 2" conduit (No direct buried cable).
8. All water distribution construction shall comply with Cedarburg Light and Water specifications.
9. Single water service from the main shall be split at property line with individual lines going into each unit.
10. Water service curb stops shall be installed in the grass area only as they will not be allowed in the driveways.
11. The intersection with Evergreen Boulevard should be shifted to the north to better line up with Pheasant Court.
12. More attention should be given to architectural style.
13. Recommend a crowned road cross section with 24-foot asphalt pavement and 30-inch concrete curb and gutter.
14. City standard for private road is 5-inch asphalt on 9-inch crushed stone base.
15. The 5-foot wide path at the east end of cul-de-sac shall be constructed to connect with the Interurban Trail path.

Plan Commissioners offered the following comments:

1. Addition of the sidewalks along the entire Evergreen Boulevard frontage.

2. Consider a reduced number of buildings to reduce the intense density on this small piece of property.
3. Consider providing a more perpendicular entry for Building #2 to create more space between Building #2 and Building #4.
4. Reiterate that the front door should be emphasized, possibly with the use of higher-quality materials.
5. Placement of materials that de-accentuates the horizontality of the buildings.
6. Avoid placing two garage doors together.
7. Break up architectural elements to create a different character for each building.

Mr. James advised that his customers are not interested in lawns or space between buildings; a certain number of units are necessary to support a condominium association responsibilities for maintenance and insurance; the garage doors are de-emphasized by the color of the siding; lighter color shake siding are proposed for the dormers; and both front and back entry doors are recessed to offer weather protection and privacy. He pointed out that this parcel is very narrow and the buildings have to be narrow and long. There is no option to make them look like regular duplexes.

Commissioners suggested that Mr. James contract with an architect, advising that there were very talented architects in Cedarburg that would understand what type of architecture is expected for a Cedarburg project. Mr. James responded that he had contacted two and they were unavailable.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

Commissioner Cain advised that Mequon is considering a Pocket Neighborhood and that they are using the Planned Unit Development zoning district to process the project.

MAYOR'S ANNOUNCEMENTS

Mayor O'Keefe had no announcements.

ADJOURNMENT

Council Member Thome moved to adjourn the meeting at 8:30 p.m. The motion was seconded by Commissioner Zimmermann and carried without a negative vote, with Vice Chairperson Burgoyne excused.

Darla Drumel,
Administrative Secretary