

CITY OF CEDARBURG
PLAN COMMISSION

PLN20170906-1
UNAPPROVED MINUTES

September 6, 2017

A regular meeting of the Plan Commission of the City of Cedarburg was held on Wednesday, September 6, 2017 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, Mark Poellot, Greg Zimmerschied, Heather Cain, and Daniel von Barga

Also Present - 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.

APPROVAL OF MINUTES

Commissioner Poellot moved to approve the minutes of August 7, 2017. The motion was seconded by Commissioner von Barga and carried without a negative vote.

COMMENTS AND SUGGESTIONS FROM CITIZENS

Mayor Kinzel advised that comments from the public would be accepted at this time, or would be accepted at the time an issue is being discussed. No comments were offered at this time.

CONSIDER CERTIFICATE OF APPROPRIATENESS FOR ARCHITECTURAL MODIFICATIONS TO BRANDYWINE RESTAURANT AT W61 N480-N486 WASHINGTON AVENUE – ANDREW AND RHIANNON WILSON

Planner Censky reminded Commissioners that they approved a request by the Wilsons to convert the first floor of the former Cedarburg General Store into a sit-down restaurant and to construct a three foot addition off the east side of the building. However, the requirement that the building be equipped with a sprinkler system made it cost prohibitive to pursue those plans. Accordingly, they are requesting Certificate of Appropriateness for modified plans which eliminate the three-foot addition but raise the height of the back building elevation. In addition to that change, all windows in this part of the building will be removed and replaced with closed shutters.

The plans were reviewed by the Landmarks Commission on August 24, 2017 and were recommended by unanimous vote.

Action:

A motion was made by Commissioner Poellot to approve the revised plans as presented. Vice Chairperson Burgoyne seconded the motion.

Continued Discussion:

Council Member Czarnecki confirmed that the approval did not include the outside seating.

Final Action:

The motion carried without a negative vote.

CONSIDER ADDITION OF DUMPSTER ENCLOSURE IN THE SOUTHEAST CORNER OF THE PORT WASHINGTON STATE BANK PARKING LOT LOCATED AT W61 N526 WASHINGTON AVENUE – FINE LINE CARPENTRY, LLC

Planner Censky advised that Port Washington State Bank is requesting approval to construct a dumpster enclosure at the southeast corner of their parking lot to screen their dumpster and garbage cans from public view. Currently their dumpster and cans sit unenclosed at this location. While staff has not received complaints about this view, the Bank has taken it upon themselves to improve the look of their back area. The enclosure will be constructed of a steel frame with composite decking mounted vertically on the frame and it will be 6 feet tall, 6 feet deep, and 12 feet wide. According to their plans the dumpster will be located on the existing paved surface approximately six feet from the property line.

Council Member Czarnecki moved to approve the plans for an enclosure for the waste containers at W61 N526 Washington Avenue. The motion was seconded by Vice Chairperson Burgoyne and carried without a negative vote.

CONSIDER ADJUSTMENTS TO THE SETBACK REQUIREMENTS OF FOUR LOTS IN THE GLEN AT CEDAR CREEK SUBDIVISION – JOHN WAHLEN/CORNERSTONE DEVELOPMENT OF S.E. WI LLC

Planner Censky reported that John Wahlen of Cornerstone Development is requesting approval to adjust the side and rear yard setback requirements for four lots within the developing Glen at Cedar Creek Subdivision. Two of the lots (28 & 18) are “rounded” corner lots that make situating a home on the lots challenging and the other two lots (25 & 26) back up to an outlot that supports a retention pond where there is no impact on neighboring lots. Since this subdivision plat was approved as a Planned Unit Development (PUD), this request is viewed as a change to the original PUD plan and therefore subject to Section 13-1-69(o)(3) of the Zoning Code. This section states: **Any subsequent change or addition to the plans or use shall first be submitted for approval to the City Plan Commission and if in the opinion City Plan Commission such change or addition constitutes a substantial change to the original plan, a public hearing before the City Council shall be required and notice thereof be given pursuant to the provisions of Section 13-1-229 of the Zoning Code.**

Planner Censky noted that while the Glen at Cedar Creek was approved as a typical subdivision plat, it was developed as a PUD under unified control similar to a condominium plat where the roads are private and snow plowing and lawn maintenance responsibilities are to be handled through a homeowners association. The intent was to allow for design flexibility for changes to the underlying district standards of this nature. Since these changes are internal to this PUD development, City planning and engineering staff feel they are minor corrections that are typically discovered during the development process and should be handled at the Plan Commission level.

Action:

A motion was made by Council Member Czarnecki, seconded by Mayor Kinzel, to approve the requested setback adjustments for Lots 18, 25, 26, and 38 in the Glen at Cedar Creek Subdivision.

Continued Discussion:

Commissioner Zimmerschied asked if the approvals were variances or adjustments. Planner Censky advised that because of the PUD Zoning, these are adjustments as permitted by Code.

Commissioner Zimmerschied questioned whether there can be adjustments made to specific lots in a PUD rather than apply to the entire development. Planner Censky stated that adjustments can be made to specific lots within the PUD. Vice Chairperson Burgoyne noted that the flexibility is part of the reason to zone a development as a PUD.

Final Action:

The motion carried without a negative vote.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

No comments or announcements were offered.

MAYOR'S ANNOUNCEMENTS

Mayor Kinzel offered no announcements.

ADJOURNMENT

Council Member Czarnecki moved to adjourn the meeting at 7:07 p.m. The motion was seconded by Vice Chairperson Burgoyne and carried without a negative vote.

Darla Drumel,
Administrative Secretary