

April 1, 2024

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, April 1, 2024, at Cedarburg City Hall, W63N645 Washington Avenue, upper level, Council Chambers and online via the zoom app. The meeting was called to order at 7:00 p.m. by Mayor Michael J. O’Keefe.

Roll Call Present - Mayor Michael J. O’Keefe, Council Member Patricia Thome, Jack Arnett, Tom Wiza, Kip Kinzel

Excused- Commissioner Adam Voltz, Commissioner Sig Strautmanis

Also Present - City Planner Jon Censky, Administrative Secretary Theresa Hanaman, Ryan Fitting, Attorney Brian Randall, Bryan Lindgren, interested Citizens

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 Commissioner Thome, seconded by Commissioner Wiza to approve the Planning Commission minutes from March 4, 2024. Motion carried without a negative vote, with Commissioner Voltz and Commissioner Strautmanis excused.

COMMENTS AND SUGGESTIONS FROM CITIZENS

Terry King, W63N762 Sheboygan Road – expressed concerns regarding traffic and speeding with possible new developments.

Cathy Czech, N119W5835 James Circle – expressed concerns regarding direct communication with Plan Commission members.

REVIEW AND POSSIBLY APPROVE REQUEST TO DIVIDE THE EXISTING PARCEL LOCATED AT N50W7106 WESTERN AVENUE INTO TWO SEPARATE PARCELS OF 22,133SF AND 16,200SF IN SIZE.

The applicant is proposing a land division that will result in a front lot with 135’ of frontage and the back lot with 30 feet of frontage extending back to the buildable area. While the applicant would like two side by-side lots, the existing lot lacks sufficient width to achieve the 90-foot width requirement for each lot.

Council Member Thome questioned the setbacks of the property and if it was possible to divide down the middle.

Planner Censky notes that the Rs-3 District requires a minimum lot size of 12,000 square feet and lot width of 90 feet, therefore, while the applicant has more than sufficient area to support two lots that exceed 12,000 square feet, the site cannot meet the width requirement for two side-by-side lots.

Planner Censky informed Plan Commission that Section 13-1-27 Site Restrictions (b) Public Road Frontage state: all lots shall abut upon a public street, and each lot shall have a minimum frontage of 30'. The land division does include the dedication of public right-of-way and therefore Common Council approval is required. After review, Planner Censky indicates compliance with the two sections of the code stated above and therefore recommends approval subject to Common Council approval.

Action: Motion made by Commissioner Thome to approve splitting the parcel located at N50W106 Western Avenue, seconded by Commissioner Wiza. Commissioner Arnett abstained. The motion was carried without a negative vote with Commissioner Voltz, and Commissioner Strautmanis excused.

REVIEW AND DISCUSSION OF LAND USE LOCATED AT THE SOUTHEAST CORNER OF HWY 60 AND SHEBOYGAN ROAD AND NORTH SIDE OF HWY 60 WEST OF SHEBOYGAN ROAD.

As regards to the Wirth property, the comments from last month's joint meeting seemed to suggest that a mix of commercial uses and less intense residential uses would be acceptable. The results of the discussion regarding the Neumann project seemed to indicate the Council and this Commission could support the combined single-family and two-family project but at a lower density and with a look that reflected Cedarburg's image.

In consideration of the comments received, Planner Censky drafted a new zoning district which could be applied to the Wirth property. The intent of this new zoning district is to allow for a mix of commercial and residential uses with the residential uses being restricted to the south portion of the site to serve as a transition from the apartment building to the south and future commercial development to the north along Highway 60. This Ordinance would limit residential uses to no more than 40% of the total developed area of the site and the commercial area to constitute the larger developable area of the site. The uses allowed in the commercial area are defined in the B-1 Neighborhood business District and the residential area would be limited to the restrictions of the Rm-1 Multiple-Family District which includes a maximum density of 10.9 units/net acre and a maximum 4 units/building, among other things. Furthermore, since this site is a gateway to the City of Cedarburg, the ordinance goes on to state that all buildings and sites shall be designed to reflect Cedarburg's historic image through architecture, use of materials, building placement, landscaping, and low intensive lighting.

Attorney Brian Randall spoke on behalf of the Wirth family. It was decided by Plan Commission to not have any further discussion regarding the Wirth property at this time until after Attorney Michael Herbrand and Attorney Randall meet.

Action: None

In response to the comments received at the joint meeting, Neumann Development Inc. has downsized their plans to reflect the direction they received. While the overall concept is similar in layout, the applicant has reduced the total number of lots/units for the area to be within the city from 570 down to 422 units at a density of 1.97 units/gross acre. A portion of this land is located in the Town of Cedarburg and will need to be annexed into the City as part of the approval process. The project is divided into two, single-family neighborhoods and two, two-family condo neighborhoods with an element of open space meandering throughout the project. The two single-family neighborhoods are distinguished from each other by the size of the lots with the minimum lot sizes in the Villas to be 8,400sf and the minimum lot sizes in the Residence at 11,000sf. The two-family condo portion includes 70 units, 35 structures and are also separated from Hwy 60 and County Trunk I, by a swath of open space.

Planner Censky reminded Commissioners 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 were not available, those lands are shown on the Land Use Plan as Agricultural or Open Spaces (1 unit/35 acres). The areas that will need to be annexed into the city will result in the need to address the Land Use Designation and zoning upon annexation. Planner Censky mentioned some preliminary technical comments such as, the proposed road pattern is such that traffic flow and snow plowing operations will be difficult and therefore staff recommends a better-defined east to west and north to south roadway design, a side yard setback of at least 8', that the cul-de-sacs are sized to support Fire Department equipment and ensure fire hydrants are appropriately placed. Planner Censky asked for consideration of comments from the City Forester regarding a 66-foot right of way.

Bryan Lingren from Neumann Development discussed changes made to the original plans such as adding more green space and changing the size of the lots, eliminating the town homes, and making the condominiums ranch style. Properties have been pulled away from Hwy 60 with a club house and more green space, berms, plantings, and ponds continuing to Hwy I. There is added commercial space for possible small business or restaurant. The applicant believed the 60-foot right of way is sufficient as 66-feet would take up too much land.

Plan Commission asked what the process looks like regarding the development agreement, the annexation, and sanitary and sewer. Council Member Thome confirmed the builders as Harbor Homes, Halen Homes, and Tim O'Brien.

PUBLIC COMMENT

Cathy Czech N119W5835 James Cir.

Cathy mentioned liking the concept of a neighborhood for families. There is a 20-foot set back in The Glen with single story ranch homes and 15 ft between homes is too little.

Thomas Leja 1426 County I

Thomas is concerned about the fire department funding and their capabilities with this new subdivision.

Mark King W62N775 Sheboygan Rd.

Mark would like a development that looks more natural and believes that a 15 ft side setback is too small.

Terry King W63N762 Sheboygan Rd.

Terry questioned how much Washington Avenue is going to lengthen as regards to businesses with no room to expand and what it would look like for Cedarburg schools.

Travis Keshemberg 1219 Hwy I

Travis is concerned about the additional traffic around 5 Corners, Hwy I, and Sheboygan Rd should the project be approved.

Action: None

REVIEW AND APPROVAL THE UPDATED AND REVISED ZONING CODE

Since the last meeting, Planner Censky has made the changes as previously discussed and corrected Scribner's errors identified by Commissioner Arnett. Planner Censky also reworded the verbiage under the Purpose and Intent section to reflect the comments made at last month's meeting. Planner Censky is requesting Commissioners to recommend approval and send it to the Common Council for their review and ultimate adoption.

Residents are still concerned about the verbiage in the purpose and intent of the Zoning Code.

Action: None

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

Council Member Thome thanked Mayor O'Keefe, Commissioner Wiza and Commissioner Kinzel for their service.

MAYOR'S ANNOUNCEMENTS

Mayor O'Keefe thanked Plan Commission for their service.

ADJOURNMENT

A motion was made by Commissioner Arnett, seconded by Commissioner Wiza to adjourn the meeting at 8:40 p.m. The motion was carried without a negative vote with Commissioner Voltz and Commissioner Strautmanis excused.

Theresa Hanaman
Administrative Secretary