

CITY OF CEDARBURG
PLAN COMMISSION

PLN20200106-1
UNAPPROVED MINUTES

January 6, 2020

A regular meeting of the Plan Commission of the City of Cedarburg was held on Monday, January 6, 2020 at Cedarburg City Hall, W63N645 Washington Avenue, second floor, Council Chambers. The meeting was called to order at 7:01 p.m. by Mayor Michael O'Keefe.

Roll Call: Present - Mayor Michael J. O'Keefe, Council Member Patricia Thome, Mark Burgoyne, Adam Voltz, Kip Kinzel, Heather Cain, Sig Strautmanis

Also Present - City Planner Jon Censky, Administrative Assistant Victoria Guthrie, news media

STATEMENT OF PUBLIC NOTICE

Administrative Secretary Guthrie 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 to approve the minutes of December 2, 2019 as presented. The motion was seconded by Commissioner Burgoyne and carried without a negative vote.

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 APPROVAL OF SITE/ARCHITECTURAL PLAN FOR TOWNHOMES LOCATED ON NORTHEAST CORNER OF MILL STREET AND HANOVER AVENUE – GREG ZIMMERSCHIED

Planner Censky reported that in September of 2019, Petitioner Zimmerschied received approval of his amended TIF plan and zoning for the western portion of his Mill Street property for a townhome project. This submission is for site and architectural plan approval for his two 2-unit townhome development. These three-story townhomes are designed with the garage on the ground floor, the kitchen and living room space on the second floor, and bedrooms and master bathrooms on the third floor.

While elevators are not part of the original building plans, an elevator shaft is shown as a future addition if desired.

The structures are proposed at a height of 34' 10 ½", which is within the 35' height maximum allowed by Code. While the cupola extends above the 35' height maximum, cupolas are exempt from the height limitation under Section 13-1-100(a). Commissioners are reminded that the original PUD plan, approved by the Common Council, allowed for an encroachment into the vision triangle at the intersection of Washington Avenue and the intersection of Hanover Avenue with Mill Street. These plans continue with that vision triangle encroachment at Hanover Avenue and Mill Street.

The building will be sided with gray smooth HardiePlank material with smooth JamesHardie corner boards and window trim. Over the garage doors, center windows and roof top cupola, the plans show metal canopies and support structures finished in silver. The main roof will be covered in gray asphalt shingles and all windows will be Marvin aluminum clad with a bright silver finish.

Access to these buildings will be via a single shared drive from Mill Street, and each unit will have two covered parking spaces. The required parking count for the overall project is 42 stalls.

City Staff commented that there may be a possibility that portions of this property contain residual petroleum contamination in the soil and groundwater due to its previous use as an auto dealer site. As such, they recommend that Petitioner Zimmerschied retain an environmental engineer to address any basement design with respect to petroleum migration and vapor intrusion.

Commissioner Voltz stated that he believes the site has a nice massing and appreciates the addition to the side yard as green space. He observed that vehicles using parking space number one may have issues when backing out of the spot. Architect Don Stauss agreed and indicated that this issue can be addressed by turning the parking space into more green space. Planner Censky suggested making it green space now, with the option of converting it to parking in the future if needed.

Commissioner Cain expressed concern that if the townhome residents hang any objects such as plants or decorations on the west side second floor decks, that these objects may pose a falling hazard to pedestrians on the sidewalk below. Planner Censky will work with the City Attorney to see if there are any restrictions on items hanging over sidewalks.

Action:

A motion was made by Commissioner Voltz to approve the acceptance of the site/architectural plan for townhomes located on the northeast corner of Mill Street and Hanover Avenue, taking into consideration any restrictions brought forth by the City Attorney for overhang onto sidewalks. This motion was seconded by Council Member Thome and carried without a negative vote.

REQUEST APPROVAL FOR INFILL LOT FOR NEW HOME LOCATED DIRECTLY EAST OF N50W7384 WESTERN ROAD – EDWARD PFISTER & BROOKE BENNETT-PFISTER

This lot is located in an area that is predominantly developed and therefore is classified as an infill lot. Planner Censky stated that the plans are in compliance with the dimensional requirements of the Rs-3 Zoning District. While this site is adjacent to an older (circa 1860) home directly to the east, it does have newer homes to the north, west and across Western Road to the south. Accordingly, Commissioners will need to take the entire neighborhood into consideration and determine that the size and design reflects the character of the general neighborhood.

Petitioner Pfister provided samples of materials for Commissioners review, which included LP Smartside siding and trim, cedar siding, and asphalt shingles.

Commissioner Voltz observed that there is no apparent predominant character of the homes on Western Road as there are in other neighborhoods. Commissioner Burgoyne added that he believes the 2,400 square foot home is an attractive size and fits into the surrounding neighborhood.

Action:

A motion was made by Commissioner Strautmanis to approve the infill lot for a new home located directly east of N50W7384 Western Road. This motion was seconded by Commissioner Voltz and carried without a negative vote.

REQUEST APPROVAL FOR LAND DIVISION OF 1.5-ACRE PARCEL FROM 57-ACRE PARENT PARCEL LOCATED AT W74N1204 WASHINGTON AVENUE – KURT BAEHMANN

Commissioner Strautmanis recused himself from voting on this motion.

Petitioner Baehmann is requesting approval of the certified survey map provided, which splits their family home on a 1.5-acre parcel from their parent 57-acre mini golf course site. Although this property was annexed into the City in 2008, sanitary sewers have not yet been extended to this site; consequently, this home is one of a few in the City that is not served by the City's public sanitary sewer system. City Staff noted that once the sanitary sewer system becomes available, the future homeowner will have one year to connect to City sewer.

Normally, when processing a request like this, the City would first address the Comprehensive Land Use Plan and Zoning to make sure they are consistent with each other in reflecting the land use. However, since the home already exists and the proposed land division will have no effect on the land use, coupled with the fact that the City is currently in the planning process for this site and adjacent lands as part of a future business park, City Staff suggests to hold off on the Land Use Plan Amendment and

Rezoning process at this time. Currently, the Comprehensive Land Use Plan has this site classified as Commercial and the site is zoned P-1 (temporary).

Since this request is to simply split the existing family home from the mini golf course property for residential purposes, City Staff recommends approval. This land division will serve to dedicate the ultimate road right-of-way for the Washington Avenue frontage; therefore, Common Council approval is necessary as well.

Action:

A motion was made by Commissioner Burgoyne to recommend approval of the land division of the 1.5-acre parcel from the 57-acre parent parcel located at W74N1204 Washington Avenue to the Common Council. This motion was seconded by Council Member Thome and carried without a negative vote, with Commissioner Strautmanis recused.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

Commissioner Burgoyne wanted to call attention to the furniture display at Kettle Moraine Appliance off Cardinal Drive, to make sure it is in compliance with the conditions that were discussed at length with the Amish Craftsman Guild during the September 10, 2019 Plan Commission meeting. Planner Censky will verify compliance.

MAYOR'S ANNOUNCEMENTS

Mayor O'Keefe had no announcements.

ADJOURNMENT

A motion was made by Council Member Thome, seconded by Commissioner Kinzel, to adjourn the meeting at 7:29 p.m. The motion carried without a negative vote.

Victoria Guthrie
Administrative Assistant