

**CITY OF CEDARBURG
PLAN COMMISSION
May 5, 2025**

A regular meeting of the City of Cedarburg Plan Commission was held on Monday, May 05, 2025, at Cedarburg City Hall, W63 N645 Washington Avenue, upper level, Council Chambers, and online via the Zoom app. Mayor Patricia Thome called the meeting to order at 7:00 p.m.

Roll Call -Mayor Patricia Thome, Council Member James Fitzpatrick, Sig Strautmanis, Jack Arnett, Sherry Bublitz, Jon Scholz

Excused-Adam Voltz

Also Present - City Planner Mary Censky, City Administrator Mikko Hilvo, Administrative Assistant Theresa Hanaman, Tony Phillips of Kendall Communications, Jordan Larson via Zoom, Seth Dehne, and Joe Nowak of Sierzant, Andrew and Debra Helgeson

STATEMENT OF PUBLIC NOTICE

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

APPROVAL OF MINUTES

Commissioner Bublitz, seconded by Commissioner Strautmanis, moved to approve the minutes from April 7, 2025, and April 14, 2025. The motion carried unanimously. Commissioner Voltz excused.

COMMENTS AND SUGGESTIONS FROM CITIZENS

Terry King- W63N762 Sheboygan Road – Suggested the Plan Commission resend the packet through Notify Me on the City website when issues arise.

PUBLIC HEARING

REVIEW, DISCUSSION, AND POSSIBLE ACTION ON THE REQUEST OF APPLICANT TOWERCO, IN C/O TONY PHILLIPS OF KENDALL COMMUNICATIONS FOR CONDITIONAL USE PERMIT APPROVAL TO CONSTRUCT A NEW 195-FOOT-TALL WIRELESS TELECOMMUNICATIONS MONOPOLE WITH RELATED ANTENNAS AND GROUND EQUIPMENT/ENCLOSURE AT W65 N1170 FORWARD WAY. THIS 5.28-ACRE PROPERTY IS OWNED BY THE CITY OF CEDARBURG.

The motion was made by Council Member Fitzpatrick, seconded by Commission Arnett, to open

the Public Hearing at 7:03 p.m. The motion carried unanimously. Commissioner Voltz excused.

Planner Censky reported her recommendations that the following conditions be considered for attachment to any approval the Plan Commission is inclined toward granting in this matter:

- 1) City Engineer/Director of Public Works review and approval of:
 - a. The supporting certifications confirming that the tower's structural integrity and fall zone are not compromised or modified by the addition of any proposed antennas or related equipment to be mounted on the tower. This must be done before the placement of any antennas or related equipment.
 - b. Certified engineering plans for all retaining walls greater than 3 feet tall that are to be installed on this property in support of the proposed new tower project.

Commissioner Bublitz expressed concerns about the visual impact of the proposed tower on nearby residents, particularly those in the new Fairway Village subdivision. Commissioner Bublitz voiced her disappointment that residents were not notified earlier about the tower's plans. She also questioned the necessity of the tower being 195 feet tall. Tony Phillips from Kendall Communications explained that the height is essential for adequate coverage and to accommodate multiple carriers.

The City Administrator stated that extensive research was conducted on various locations, and this site was determined to be the best option as it would benefit the Tax Increment District (TID). A long-term agreement to have a tower on this site is in place, with payment secured in advance for ten years.

Commissioners Scholz and Bublitz inquired whether the Common Council had approved the tower, to which Administrator Hilvo confirmed their approval.

Commissioner Strautmanis asked if a shorter monopole could effectively fill the coverage gaps. The reply was that a shorter alternative would probably require multiple monopoles to be placed instead of a single tall monopole.

Public Comment:

Brian Shonat -N110 W7163 August Lane – Opposed the monopole and would not have purchased a home in the neighborhood if he were aware of the monopole.

Ryan Hillgartner – N115 W6823 Cabot Court – Opposes the monopole and does not feel there is a gap in services.

Jessie Scott – N49 W5237 Portland Road – Applauded Commissioner Bublitz and supports the community's concerns with the monopole. He would like to see other alternatives for residents.

Lynda Johnson – W62 N780 Sheboygan Road – Thinks the City should have had foresight.

Commissioner Fitzpatrick explained that monopoles need to be located where the cellular traffic is, not out in low-demand locations. Commissioner Arnett gave the locations of five monopoles in the area and said if the city doesn't install the monopole, the city wouldn't receive payments, but the pole would likely still be installed somewhere close by.

There being no one else wishing to speak, the motion was made by Commissioner Strautmanis, seconded by Commissioner Bublitz, to close the Public Hearing at 7:33 p.m. Motion carried on a roll call vote with Commissioners Arnett, Scholz, Strautmanis, Bublitz, Council Member Fitzpatrick, and Mayor Thome voting aye. Commissioner Voltz was excused.

Action:

The motion was made by Council Member Fitzpatrick, seconded by Commissioner Arnett, to approve the request for Conditional Use Permit approval to construct a new 195-foot-tall wireless telecommunications monopole with related antennas and ground equipment/enclosure to include the Planner recommended conditions. Commissioner Bublitz opposed. Commissioner Voltz was excused.

REVIEW, DISCUSSION AND POSSIBLE ACTION ON THE REQUEST OF APPLICANT SIERZANT, IN C/O SETH DEHNE AND JOE NOWAK AS TO THEIR REQUEST FOR CONDITIONAL USE PERMIT AMENDMENT APPROVAL TO ADD OUTDOOR RECREATION USE (BOCCE COURTS), TO ADD OUTDOOR LIGHTING IN THE OUTDOOR SEATING AREA, TO HAVE OUTDOOR MUSIC LESS THAN 80 DECIBELS AT THE SITE, AND TO USE THE ACCESSORY OUTBUILDING/SHED ADJACENT TO THE PERMITTED OUTDOOR SEATING AREA FOR LIMITED BAR PURPOSES. THIS 1.34-ACRE PROPERTY(S), LOCATED AT N49W5471 PORTLAND ROAD, IS OWNED BY MOFRO LLC IN C/O LANCE WOOTEN.

Planner Censky reported the request for amendment to a conditional use permit for a property formerly known as Ernie's Wine Bar. The amendments include adding outdoor recreation (bocce ball courts), outdoor lighting, outdoor music, and using an accessory shed for outdoor bar purposes. Planner Censky outlined the proposed changes, including proposed hours of operation for the bocce courts and lighting, and she discussed potential conditions the Plan Commission could impose to mitigate potential adverse impacts on neighboring residential properties. She emphasized the need to balance the business's requests with the comfort and welfare of the surrounding residential area.

The B-2 Community Business District does not list "Outdoor dining and non-alcoholic beverage service" as an accessory use that may be allowed in the B-2 District. (Note: the B-3 Central Business District does list this as an accessory use).

In September 2024, the applicants requested approval from the Plan Commission to expand upon the existing "Ernie's" permission by adding additional outdoor seating space, including an outdoor bar and amplified sound/music. Outdoor recreation uses were also proposed. Because the accessory use "Outdoor dining and non-alcohol beverage service" is not listed as a use that may be considered/approved in the B-2 District, the Plan Commission denied their expansion/modification plans, opting instead to simply grant the conversion of the existing legal nonconforming use by Ernie's into a Conditional Use Permit. Since the fencing around the old Ernie's allowed area has been removed by the applicants, the Plan Commission deferred new/replacement fence plan approval to the Planner and Building Inspector. The Plan Commission

also gave a favorable recommendation to the Common Council for approval of an outdoor alcohol consumption permit within the footprint of the original Ernie's outdoor seating area of the new owners. The terms of that approval were that the site and use be "an exact replica of the prior Ernie's Wine Bar" permissions and requirements.

At this time, the applicant would like to amend their Conditional Use Permit to include:

- Permission to use the accessory shed for outdoor alcohol sales and service (i.e., outdoor bar).
- Permission to add outdoor, dimmable string/café style lighting in the fenced seating area.
 - o Fastened in swag fashion (not lower than 8-feet) to the tops of 10ft poles coming out of the wine barrels depicted on the Site Plan.
 - o Proposed "lights-on" hours to include:
 - Tuesday, Wednesday, Thursday: 2pm - 11pm*
 - Friday & Saturday: 2pm-12am*
 - Sunday: 2pm-10pm*
 - o Bulbs identified as 40 lumens (i.e., equivalent to ~2.5 incandescent watts) /each.
- Permission to have amplified and ambient sound/music in the outdoor patio and recreation areas at a sound level less than 80 decibels.
- Permission to install artificial turf-surfaced bocce ball courts, two lanes for a total of 14ft x 40ft (560sq.ft).
 - o Including bollard style downlights lighting along the sides of these lanes (10 fixtures total).
 - o Lanes bounded by border made of 8" x 8" railroad ties.
 - o Hours of play to include:
 - Tuesday, Wednesday, Thursday: 2pm - 10pm*
 - Friday & Saturday: 11am - 11pm*
 - Sunday: 10am - 9pm
 - Extended hours on holidays as needed without going past 10pm*
 - No alcohol permitted in the bocce recreation area.

* = Later than the current permitted use hours for the outdoor seating area.

The City Code does not prohibit the use of outdoor lighting in the B-2 District. The performance standard in Section 13-1-174 of the Code does provide that "External lighting shall be shielded so that light rays do not adversely affect adjacent uses".

The City Code does list "Indoor or outdoor recreational and entertainment facilities" as a conditional use that may be considered/approved in the B-2 District. The Conditional Use Section of the City Code provides, among other things, that: Conditions such as landscaping, architectural design, type of construction, floodproofing, anchoring of structures, construction commencement and completion dates, sureties, lighting, fencing, planting screens, operational control, hours of operation, improved traffic circulation, deed restrictions, highway access restrictions, increased yards or parking requirements may be required by the Plan Commission upon its finding that these are necessary to fulfill the purpose and intent of this Chapter. The foregoing is not an exclusive list of the types of conditions that may be imposed. Conditional uses shall comply with all other provisions of this Chapter unless variances are granted by the Zoning Board of Appeals.

The stated purpose of Chapter 1/Zoning Code is “To promote the comfort, health, safety, morals, prosperity, aesthetics, and general welfare of the City of Cedarburg, Wisconsin, and its residents. The Planner recommends that the following conditions be considered for attachment to any approval the Plan Commission may be inclined toward granting in this matter:

- 1) The string/café style lighting be denied in favor of the applicant submitting a revised seating area lighting plan, to be reviewed and approved by the Plan Commission at a subsequent date, which keeps all light supports, fixtures, strings and/or luminaires out of the view from grade or from any story within a building on the adjoining residentially zoned properties. No lighting shall be permitted in the outdoor seating or recreation areas where the luminaire/light source itself is visible to the surrounding view (i.e., all lighting shall be provided using full cut-off type fixtures).
- 2) The hours of operation for the outdoor seating area are reiterated to be not later than 9pm on Sunday through Thursday, and 10 pm on Friday and Saturday.
- 3) The hours of use for the bocce outdoor recreation, and for any permitted lighting or sound/music associated with the outdoor seating area and bocce area, shall be not permitted later than 9pm on Sunday through Thursday, and 10 pm on Friday and Saturday.
- 4) Outdoor sound/music, outdoor seating area lighting, outdoor recreation play or lighting shall not be permitted when the bar on site is not open for business.
- 5) In consideration for the adjacent proximity of this use to existing low density single family residential uses, outdoor ambient or amplified sound/music shall not exceed TBD decibels.
- 6) The existing 8-foot-tall fence shall be extended, dropped in height to seven feet or less and continued along and not less than 1-foot beyond/west of the south side of the bocce courts. The small gravel area that is behind the existing 8-foot-tall fence shall be restored to
- 7) A detailed landscaping plan to lessen the aesthetic impact of the somewhat harsh, stockade-like appearance of the existing and expanded fence from the south and east, shall be prepared by the applicant and submitted for Plan Commission review and approval at a future meeting.
- 8) Not less than three strategically placed 6’-tall (at planting) coniferous trees (such as or similar to Norway Spruce or Black Spruce shall be placed in the yard area between the fence landscaping and the south property line. City staff shall guide in the field placement of these trees.
- 9) Approval by the Common Council and City Clerk issuance of all permits as may be required regarding outdoor alcohol sales/service/consumption activities at this site.
- 10) All requirements and conditions must be in full compliance at the site prior to the start use in the outdoor patio or recreation area.
- 11) If the bocce use is not approved, or if it is not installed within 3-months of approval, that area shall be restored to natural turf grass and landscaping as was the preexisting condition at the time of Ernie’s.
- 12) Unsightly, unenclosed outdoor storage of any materials, equipment or supplies related to the residential, business and/or recreational uses of this property shall be prohibited.

Commissioner Arnett opposes the Conditional Use Permit request submitted by Sierzant, citing that the zoning does not support it and noting the community's opposition. Commissioner Bublitz also does not support the request and suggests considering a live musician instead of a bocce ball court. In contrast, Commissioner Scholz is in favor of granting the Conditional Use Permit to add a bocce ball court. Council Member Fitzpatrick supports Sierzant, stating that this use is reasonable for Cedarburg and highlighting that bocce ball is a relatively quiet sport. Council Member Fitzpatrick also expressed gratitude to Planner Censky for the recommendations regarding ambient music and lighting.

Commissioner Strautmanis was comfortable with the decision of Sierzant not to expand at the beginning of the approval from last year. Mayor Thome's point comes down to zoning. There is limited scope for B-2 zoning as the adjoining neighbors are not comfortable with a bar outside of the business. Mayor Thome is hesitant to add "outdoor recreation" to the B2 district.

The motion was made by Council Member Fitzpatrick, seconded by Commissioner Bublitz, to open the Public Hearing at 8:13 p.m. The motion carried unanimously. Commissioner Voltz was excused.

The applicant, Co-owner of Sierzant, Joe Nowak, addressed concerns from the city and neighbors, explaining their efforts to communicate with neighbors and their willingness to adjust lighting, hours, and landscaping. The applicant emphasized their desire to work within the community while maintaining the bar's character and adding bocce ball courts. Joe emphasized their intentions to be respectful of the community and highlight the potential benefits of their plan.

Public Comment:

Mike Kashou-N47 W5450 Spring Ct.- Opposed to any outdoor games, music, and an outdoor bar.

Jaqueline Janz-N47 W5450 Spring Ct- Is opposed to the request. She doesn't want people to trespass onto her property, make noise, traffic, or create light disturbances.

John Nelson -W55 N470 SPRING CT- He opposed the request, suggesting the decibel level be lower than a conversation, and asked the Plan Commission to deny it and restore Ernie's footprint.

Jesse Scott - N49 W5237 Portland Road- Opposes Sierzant's request, stating there is no physical barrier between bocce ball and serving alcohol, and requesting the decibel levels to be low.

Tara Strong - W55 N460 Spring Ct. – Opposed to the additional request by Sierzant.

Eddie Sauer - W60 N629 Jefferson Avenue-Supports Sierzant. In favor of the request stating this would be a great addition to the city, Its inviting, and the property enhancement is tasteful.

Ronald Sella-W55 N503 Highland Dr. - Bozman's has quadrupled in size and has gotten louder. The bigger Sierzant gets, the louder it will be. Requesting the same footprint as Ernie's.

The applicant, Co-owner of Sierzant Sethe Dehne confirmed his willingness to work with the city and neighbors about ongoing issues and requests. The lighting is currently the same as Ernie's Wine Bar, also the height of the fence. The applicant is willing to change the lighting and fence height and has removed the horseshoe court that was in the rear of the property.

Darlene Dorfler – N46 W5674 Spring St – is concerned that traffic and parking are increasing.

Ben Recob – W64 N727 Washington Avenue- Supports Sierzant, stating Cedarburg is evolving.

Jake Dehne, Sierzant Co-Owner, mentioned that Bocce ball will only be available 5 months out of the year.

No others wishing to speak, the motion was made by Commissioner Arnett, seconded by Council Member Fitzpatrick, to close the Public Hearing. Motion carried on a roll call vote with Commissioners Arnett, Scholz, Strautmanis, Bublitz, Council Member Fitzpatrick, and Mayor Thome voting aye. Commissioner Voltz excused.

Mayor Thome reiterated her concern about the code and expressed her desire to protect it. She noted that if the city grants certain requests for Sierzant, then all businesses in the B2 District should also be allowed to make similar requests. Additionally, she would like to see alternatives to string lighting.

Council Member Fitzpatrick believes this expectation is reasonable and emphasizes that the city cannot selectively enforce regulations. He noted that other businesses also use string lights. Overall, he finds everything reasonable, except for the specified hours and the use of the outdoor bar. He considers it a good and fair use, largely in favor of the proposal.

Commissioner Arnett believes that the downtown area has unique expectations. Commissioner Bublitz supports the original design plan and is not opposed to the seating or lighting, but she does not support the addition of a bocce court. She is concerned that it will create excessive noise disturbances in the neighborhood and insists that music levels should not exceed 40 decibels.

Commissioner Scholz supports the request for a bocce court, while Commissioner Strautmanis is concerned about controlling alcohol outside of the designated seating area and the bocce court.

The applicant, Seth Dehne, agreed to monitor the area and add split rail fencing with planting boxes so that there would not be alcohol beverages crossing over into the bocce area.

Action:

The motion was made by Council Member Fitzpatrick, seconded by Commissioner Scholz, to approve the request as presented but excluding use of the accessory outbuilding/shed adjacent to the permitted outdoor seating area for bar purposes and subject to the Planners conditions in her report, stipulating that the landscaping and lighting plan requirements be subject to review and approval by the City Planner (vs Plan Commission) requiring that, in consideration for the adjacent proximity of this use to existing low density single family residential uses, outdoor ambient or amplified sound/music shall not exceed 65 decibels as the maximum decibel level permitted at the lot line. The motion carried unanimously, with Commissioner Arnett and Bublitz voting nay. Commissioner Voltz was excused.

A second motion was made by Commissioner Arnett, seconded by Commissioner Bublitz, to end bocce and outdoor music by 9:00 pm every day. Commissioners Scholz and Strautmanis, Council Member Fitzpatrick, and Mayor Thome voted nay. Commissioner Voltz was excused.

REGULAR BUSINESS AND POSSIBLE ACTION THEREON

REVIEW, DISCUSSION, AND POSSIBLE ACTION (RECOMMENDATION TO THE COMMON COUNCIL) ON THE REQUEST OF APPLICANT JORDAN LARSON, D/B/A CEDAR WAY CONDOMINIUM, FOR APPROVAL OF HIS FINAL CONDOMINIUM DECLARATION/PLAT. THIS 7-UNIT CONDOMINIUM IS TO BE CONSTRUCTED ON .72-ACRES LOCATED AT W61 N451 WASHINGTON AVENUE.

Planner Censky reported: The applicant has submitted his Final Condominium Declaration and Plat documents for review and approval by the Plan Commission and Common Council. As with a subdivision plat, if the Final plans are substantially consistent with the Preliminary approved plans, and provided the applicant enters into an agreement providing specifications and sureties for any public improvements that are required to be installed as a part of the project, they are eligible for Final approval.

Based upon staff review, the final documents do appear to comport with the terms of the Preliminary approvals, including as subsequently modified with respect to, for instance, the elimination of an island in the center of the access drive/turn-around, relocation of the dumpster enclosure area, and updated landscaping.

The Planner recommends the following conditions be considered for attachment to any recommendation for approval the Plan Commission is inclined toward making in this matter:

- 1) Applicant to receive final condominium plat review and approval by the Common Council prior to issuance of an early start footing/foundation permit or building permit.
- 2) Applicant to enter into, and establish any required sureties as may be set forth in, a Development Agreement with the City for the design and satisfactory completion of the improvements required to be installed in support of this project - prior to issuance of an early start footing/foundation permit or building permit.

Action:

The motion was made by Commissioner Strautmanis, seconded by Council Member Fitzpatrick, to approve the recommendation to the Common Council on the request of applicant Jordan Larson, d/b/a Cedar Way Condominium, for approval of his final condominium declaration/plat. This 7-unit condominium is to be constructed on .72-acres located at W61 N451 Washington Avenue, subject to the Planner's recommendations. Motion carried unanimously with Commissioner Voltz excused.

REVIEW, DISCUSSION, AND CONSULTATIVE FEEDBACK TO APPLICANTS/PROPERTY OWNERS ANDREW AND DEBRA HELGESON ABOUT CONVERTING A PORTION OF THE FIRST-FLOOR BUILDING SPACE TO RESIDENTIAL USE IN THEIR MULTI-TENANT BUILDING LOCATED AT N53 W6393/6395 CENTER STREET. THIS SITE IS .13-ACRES (5,663 SQ. FT.) IN SIZE.

Planner Censky reported: This property has an existing principal building, and a detached

accessory shed on it. The principal building is currently subdivided into multiple residential rental units and multiple commercial rental units. There is one space on the first floor at the rear of the building that is used as landlord's shop space.

The applicant wants to rehabilitate this first-floor shop space into a residence unit. The Interurban Trail is a zoning District boundary between the residential districts (to its west) and the B-3 Commercial District (to its east) throughout the central city area. Exceptions to this include a couple of small multi-family sites and the City Emergency Government facility located on Western Avenue, for instance.

The B-3 Central Business District permits residential use of buildings only as follows:

- Owners may continue “Residential use of single-family and two-family structures that existed prior to the adoption of this Ordinance.”
- The accessory use “Residential quarters provided that such quarters are in the principal building, not on a ground-level floor, and the entrances and exits to such quarters are directed to the interior of the building. There shall be a minimum floor area of 420 square feet for an efficiency or one bedroom apartment and 550 square feet for a two-bedroom apartment.” may be permitted.
- Tourist Rooming House, defined as “All lodging places and tourist cabins and cottages, other than hotels and motels, in which sleeping accommodations are offered for pay to tourists or transients as regulated under Wisconsin Chapter DHS 195.”, is listed as a conditional use that may be considered for approval.

The B-1 Neighborhood Business District lists “Residential units, excluding storefront space and new principal residential structures,” as a permitted use.

The only access and parking available to serve this site are located on land owned by Wisconsin Electric Power Company. The applicant indicates they have an enduring easement for continued use of the WEPCO property for access and parking to serve this building and its various uses.

Because this is a matter of consultation and feedback only, the Planner has no recommendation at this time.

The owner, Andy Helgeson of 4940 Timbercrest Dr., Cedarburg explained why the request for this is before Plan Commission. Mr. Helgeson is asking for consideration and is looking for next steps.

Commissioner Strautmanis inquired whether the owner could apply for a B-3 zoning designation through a variance. However, he noted that there is no demonstrated hardship, which is one of the requirements for a variance application. The Planning Commissioners suggested that the owner seek rezoning before consulting with an architect, but they believe that the zoning could potentially be changed to B-2 zoning.

No action, Discussion only.

REVIEW, DISCUSSION, AND POSSIBLE ACTION (RECOMMENDATION TO THE

COMMON COUNCIL) TO CREATE THE NEW SITE AND ARCHITECTURAL REVIEW BOARD (SARB).

Planner Censky reported, The City has been in discussions about creating a new Site and Architectural Design Review Board (SARB) tasked with reviewing new commercial/industrial/institutional/mixed-use site and building plans, as well as residential plats and residential building designs, and making recommendations to the Plan Commission. These duties are currently assigned to the Plan Commission, where a couple of the many Commissioners who are uniquely qualified to lend expert review and comments as a part of Plan Commission consideration, tend to contribute a great deal of their personal time and expertise, outside of the regular Plan Commission meetings, in preparation for the design and architectural discussions on these items.

Plan Commission recently favored policies outlined in the Chapter 2 Housing of the Smart Growth Comprehensive Plan calls for developers to ‘provide architectural theme and design detail information as a part of any new housing development application as might ensure that certain unique architectural and building/site design characteristics of historic Cedarburg continue to be referenced going forward’. Further, Chapter 8-Land Use provides among its goals/objectives that ‘detailed site design considerations must also be addressed during the project approval phase’. These examples suggest that the City is calling for design excellence in new/future development projects. The SARB could substantially impact these outcomes, considering that the goal is to appoint members to this Board who possess special expertise in architecture and similar site and building design vocations, such as, but not necessarily limited to, construction, landscape architecture, and site planning, for instance. It's likely that, as a part of its initial work, the SARB will review and may recommend modifications to portions of the specific language describing the site and architectural design standards as outlined in Article F.

If the Plan Commission feels it would be beneficial to include this sort of specialized consideration as to site plans and building architecture prior to final approvals, then a favorable recommendation to the Common Council would be appropriate at this time referencing the DRAFT code language changes above as the desired means of incorporating this board into the review/approval process.

The Plan Commission discussed creating a new Site and Architecture Review Board (SARB) as an advisory committee to the Planning Commission. They review proposed language changes that would define how SARB would interact with the Planning Commission's responsibilities. Mayor Thome discussed the potential composition of SARB, including having architects, a Plan Commissioner, and other experts as members. Council Member Fitzpatrick debated whether a City Council member should be included, given that SARB would advise the Planning Commission rather than the Council directly.

Action:

The motion was made by Commissioner Bublitz and seconded by Council Member Fitzpatrick to recommend to the Common Council to approve the creation of the new Site and Architectural Review Board (SARB) and to make the changes to Title 13, Chapter 1, Article F of the Code as presented. The motion carried unanimously. Commissioner Voltz excused.

REVIEW, DISCUSSION, AND POSSIBLE ACTION/RECOMMENDATION TO THE COMMON COUNCIL AS TO THE SMART GROWTH COMPREHENSIVE LAND USE PLAN-2025 UPDATE INCLUDING:

- **CREATION OF NEW PLANNED MIXED LAND USE CLASSIFICATION AND RELATED ZONING DISTRICT**
 - **'DETAILED PLANNED MIXED USE RESIDENTIAL/LOCAL BUSINESS NEIGHBORHOOD' LAND USE CLASSIFICATION**
 - **'PLANNED MIXED USE RESIDENTIAL/LOCAL BUSINESS' ZONING DISTRICT**
- **SMART GROWTH AREAS 1-12**
- **CHAPTERS 2-HOUSING, AND 4-UTILITIES AND COMMUNITY FACILITIES.**

Planner Censky reported her draft of the new planned mixed residential/local commercial/open space land use classification and related zoning district.

This new land use classification and district would allow for the mixing of residential uses, including single-family, duplex, and townhome-style multifamily units. The proposed district would be called Planned Mixed-Use Neighborhood Zoning District and would be intended to allow for carefully planned mix of residential, locally oriented neighborhood business, service office, and public or private outdoor open space gathering and recreational spaces on a single development site or a grouping of multiple sites that are in common ownership at the time of application. Each such district would contain not less than 15 gross acres. The residential use would be the predominant land use type, with a total residential use density of a minimum of 5.2 units per net, buildable acre and a maximum, 10.8 units per net, buildable acre. The residential form of the plan would emphasize detached single-family units, with at least 60% of all residential units being single-family, along with some 2-family units not to exceed 10%, and some multifamily townhomes not to exceed 8 attached units per building or 2 stories above grade. The district would also allow for mixed use in non-residential buildings not to exceed 2 stories above grade. Planned unit development overlay zoning would not be applicable in this district.

Commissioner Arnett questioned whether the 30% allocation for commercial land use was too high. Council Member Fitzpatrick and Mayor Thome concurred that 60% for single-family residential could be excessive.

The Commissioners appeared to be wrestling with the level of detail and restrictions in the proposed ordinance. For instance, is there a need for flexibility in the commercial component of the district, with a minimum requirement for a commercial component without specifying the exact percentage? Due to the late hour and the complexity of the issue, the Commission agreed to continue the discussion at a future date.

Property owners, Mary Jo, Elizabeth, Michael Wirth, and their Attorney Brian Randall are arguing for higher-density multifamily housing based on the data from the Vierbicher Housing report, the School District Community Growth and Projections report, and the Cedarburg Traffic Study.

Cathy Czech-N119 W5835 James Circle- Inquired whether the Commission included parking in the 70%/30% ratio for retail and guest parking for the housing units. Additionally, there are antennas designed to resemble trees, as mentioned in item 6a.

Linda Johnson – W62 N780 Sheboygan Road- Thanked the Commission for listening to the neighbor's concerns, but it should not include multifamily and high-density developments.

Beth Maresh -W62 N787 Sheboygan Road – Appreciates the Plan Commission looking at this property as a multi-use development and is opposed to multi-family and apartments.

Kate Meyers-W64 N201 Fairfield St- Noted the property was annexed into the city to bring tax dollars. Reminded Commission of the donations the Wirth family made to the city, to include Adlai Horn Park and Cedar Creek Park, and founding Cedarburg News, now News Graphic.

Terry King-W63 N762 Sheboygan Road- Reminded the Commission of the many good families of Cedarburg.

COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

Commissioner Bublitz expressed her limit and wanted to table the discussion until next month.

MAYOR'S ANNOUNCEMENTS

NONE

ADJOURNMENT

A motion was made by Commissioner Arnett, seconded by Council Member Fitzpatrick, to adjourn the meeting at 10:39 p.m. The motion carried unanimously. Commissioner Voltz excused.

Theresa Hanaman
Administrative Assistant