

**CITY OF CEDARBURG**  
**PLAN COMMISSION**  
**January 28, 2025**

A regular meeting of the City of Cedarburg Plan Commission was held on Tuesday, January 28, 2025, at Cedarburg City Hall, W63N645 Washington Avenue, upper level, Council Chambers, and online via the Zoom app. Mayor Patricia Thome called the meeting to order at 5:00 p.m.

Roll Call -Mayor Patricia Thome, Council Member James Fitzpatrick (departed at 7:16 PM), Adam Voltz, Jack Arnett, Sig Strautmanis, Sherry Bublitz, and Jon Scholz (departed at 7:17 PM)

Also Present - City Planner Mary Censky, City Administrator Mikko Hilvo, Administrative Assistant Theresa Hanaman

**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** - None

**COMMENTS AND SUGGESTIONS FROM CITIZENS**

Terry King-W63 N762 Sheboygan Road - Requested meetings to start later than 5:00 PM so working residents can attend.

**REGULAR BUSINESS AND POSSIBLE ACTION THEREON**

**REVIEW, DISCUSSION, AND POSSIBLE ACTION ON MATTERS RELATED TO THE COMPREHENSIVE PLAN UPDATE INCLUDING:**

Written comments/questions received as a part of the Smart Growth Comprehensive Land Use Plan (Chapters 2 & 8) Public Input session held on December 17<sup>th</sup>, 2024.

- **Chapter 8 – The Land Use Element.**
  - **Smart Growth Areas one, five, and eleven**

Planner Censky referred Commissioners to the pages of material in the packet containing all the comments/questions about the Smart Growth Areas and Plan update received at and since the December 17, 2024, public hearing. These are provided for the Commissioners review and consideration.

Commissioners discussed that having received public input on the recommendations made through mid-December, they will proceed analyzing each Smart Growth Area (SGA). Each SGA will be reconsidered and reevaluated based on the recommendations. The Commission will reach consensus on what the final recommendation to the Common Council should be for each SGA. It was noted that the Commission does not want to make any final recommendations until the City/Town Traffic & Access Study, and School District Enrollment Projections Report, have been received and considered.

Planner Censky will provide additional information on takeaway numbers for different zoning districts for future discussions. The Plan Commission will review the Cedarburg School District study after it is presented to the School Board on February 12<sup>th</sup>. They will review the transportation study once it becomes available.

Planner Censky reported an update on land use classifications and zoning districts for the City's Smart Growth Plan. She explained the differences between various residential zoning categories, focusing on density, lot size, and urban improvements. The Plan Commission is tasked with reviewing each Smart Growth Area (SGA) to determine suitable zoning districts, considering both technical analysis and public feedback. Planner Censky suggests prioritizing the most consequential SGAs for discussion, while less contentious areas can be addressed later. Council Member Fitzpatrick inquired about creating more specific multifamily zoning categories. Planner Censky explained that this can be done through subdividing land use classifications or by specifying suitable zoning districts for each SGA.

Council Member Fitzpatrick expressed concerns about the lack of necessary data to make informed decisions on the proposed Smart Growth Areas. He highlighted the need for a transportation study and a report from the school district before making any recommendations. Council member Fitzpatrick also discussed the potential/need for developers to carry out the cost of necessary improvements. Planner Censky then presented on Smart Growth Area One, discussing the potential for different land use classifications and the implications of each. She also mentioned the possibility of reducing the density of the area from high-medium to medium-density.

The Plan Commission discussed the challenges of developing a site with environmental limitations. Planner Censky noted that higher densities are often applied to brownfield sites where residential redevelopment is desired. This is done in an effort to balance returns against the high costs of mitigation and site prep. The discussion also touched on the potential for a neighborhood group to take over the Mercury Marine site, despite its environmental issues. Commissioner Bublitz suggested maintaining the status quo for the site, with medium-density residential zoning, and only changing it if a developer comes in with a creative proposal. Commissioner Arnett was in favor and also discussed the potential for a pocket neighborhood with smaller single-family homes with enough density that creates enough value without packing in too many homes. He is in support of zoning this area as medium single-family, RS-5 or RS-6. Commissioner Scholz agreed with this census of medium-density single-family. Mayor Thome concurred with a change in the density of this property to medium density.

The Plan Commission continued to discuss the zoning and land use options for SGA-1 which they agreed to consider medium-density zoning and exclude Rd-1, Two Family Residential, which allows for smaller lots and units. They also discussed the potential for the land to be used as parkland, with some expressing concerns about the impact of development on the neighborhood's character. Commissioner Voltz questioned if it is practical for the City to approve annexation and if the City can limit residential annexation. Commissioner Voltz also suggests the City to be cautious and strategic until there is a long-term plan to present. Planner Censky and the Plan Commission will revisit the annexation policies as part of the Comprehensive Plan update. The final consensus as to the proper future land use classification of this site was that it be consistent with the permissions of the Rs-3, Rs-4, or Rs-5 Districts.

### **PUBLIC COMMENT**

- Council Member Kristin Burkart-W67 N542 Evergreen Boulevard-Spoke in regard to maintaining a historic unique desirable neighborhood close to a historic downtown. She is keenly aware of the challenges the City has, and the guiding principals have to shape decisions. Advocating for this area to remain parkland.
- Chris Borg-N57 W6524 Center Street - Questioned where and why the City is doing this.
- Joe Otto-W56 N6509 Center Street - Would like to see SGA-1 as a park or something for the City.

- Steve Brill - W69 N419 Fox Pointe Avenue - Asked Plan Commission to discuss decisions with residents before moving forward and for the City to consider purchasing the property at SGA-1.
- Ruth Cook - W64 N649 Hanover Avenue-Expressed keeping the property as is.
- Kristin Brogan - N56 W6523 Center Street - Would like the city to consider zoning for governmental and not residential. She would also like to see it used as parkland.
- Dennis Markiewicz - W65 N587 St John Avenue - Concerned about water flooding his property and basement.
- Paul Rushing - W62 N799 Sheboygan Road - Discussed the form-based codes to ensure the desired outcomes. Conveyed zoning reclassification does not address character.
- Lynda Johnson - W62 N780 Sheboygan Road – Encouraged by the conversation, the listening, and the dialog with Plan Commission and hopes the compassion and understanding will extend to the other neighborhoods for have similar outcomes.
- Mark Roller - N56 W6573 Center Street - In favor of green space and asked if Mercury Marine would donate the property to the City of Cedarburg.

### **Smart Growth Area 11**

Planner Censky reported: After accounting for environmental corridors, the net developable area is 14.1 acres. The Planning Commission previously recommended reclassifying the site from commercial to medium or high-medium-density residential (5.2 to 10.8 units per acre). Various zoning options are presented, ranging from single-family to multi-family buildings. There is debate about the most appropriate density and housing type for the site, with some Commissioners favoring townhomes or low-density multi-family options. The discussion highlights the complexities of balancing density, housing types, and site constraints in urban planning.

The Plan Commission expressed concerns about the high density of apartments in the area and suggested a shift towards townhomes or row houses. However, there was a concern about fairness to the landowners as a neighboring property had been granted a higher density designation.

Commissioner Strautmanis expressed concerns about the timing of a development plan for a commercial site, suggesting that it might be better to keep the current zoning in place until the right time for a denser development. Planner Censky pointed out that the site in question was temporarily zoned as residential, but the code requires a permanent zoning classification within 12 months of annexation. Commissioner Strautmanis suggested that the current zoning would have to be commercial if the status quo is maintained, which could perpetuate uncertainty about the site's future use. Planner Censky agreed with concerns about timing and the need for a comprehensive review of the land use plan.

The Plan Commission discussed several topics related to city planning and development. Commissioners decided to postpone making a definitive recommendation on SGA-11 until all Commissioners are present and the traffic/school studies are completed. The Plan Commission agrees to focus on one area at a time in future meetings to allow for more in-depth discussion.

### **PUBLIC COMMENT**

- Michael Wirth - 925 East Lyon Street – The vision of high-density multifamily housing aligns with the city's recent housing study data. The developer could achieve a tasteful project at 14.2 units per acre with a stacked flat townhome design. Mr. Wirth referred to the Vierbicher housing study, which projects the city will need 1,324 new housing units by 2040, including at least 444 rental units. Reducing the density designation will reduce the

development feasibility.

- Brian Randall - 111 E Kilbourne Avenue – Verbalized on behalf of the Wirth Family, the current land designation, the value of land, and vested property rights and focused on the current density designations for the legal principles of downzoning and the regulatory takings aspects.
- Cathy Czech - N119 W58835 James Circle – Suggested the correction of buildable property as stated in a previous meeting of 15 acres for SGA-11. With the lowest zoning of high density at 163 units, she believes that more single-family residences for elderly and young families are needed. It doesn't make sense to move Commercial on Hwy 60 to SGA 10 and there is no reason for a moratorium or a lawsuit.
- Mark King - W62 N775 Sheboygan Road – Wants the landowners to know it's not the citizens of Cedarburg against the landowners. He is concerned about how the traffic will affect the community, specifically on Sheboygan Road.
- Terry King - W63 N762 Sheboygan Road - Discussed the importance of a comprehensive traffic study for the entire city before redesignating any properties with higher density. He emphasized the need for infrastructure studies to account for the long-term aftereffects of new developments.
- Kip Kinzel - W57 N755 Hawthorne Avenue - Provided some historical context. As the previous Commission progressed, they gradually increased density in the areas further out, which ultimately resulted in Cedar Place Development. It aligned with the Smart Growth strategy. The density allowed was intended to spur the development of adjacent commercial properties, envisioning that area to evolve into commercial space. It can be difficult to predict what needs would be in 25 years based on current circumstances.
- Beth Maresh - W62 N787 Sheboygan Road - Expressed concerns about the high-density apartments in the area and the potential for more apartments.
- Paul Rushing - W62 N799 Sheboygan Road - Encouraged the Plan Commission to consider form-based zoning codes as a tool for managing growth.
- Connie Kincaid - N75 W7255 Linden Street - Suggested that the Plan Commission consider the school district's input before making decisions and encouraged Commissioners to attend the February 12<sup>th</sup> School Board meeting.
- Lynda Johnson - W62 N780 Sheboygan Road - Expressed support for lower-density solutions and encouraged the Plan Commission to prioritize the concerns of residents over developers.
- Richard Paddock - N116 W5575 Lucas Court - Provided context to the verbiage used in the study, suggesting that the City had already exceeded the number of units suggested by the study.

No final consensus was reached about the land use classification for this SGA. At this point in the meeting, there were two Commissioners who had to leave, and the Mayor wants these decisions to be made by the whole Commission if possible.

### **Smart Growth Area 5**

Planner Censky reported: SGA-5 is part commercial and part industrial. The recommendation by the Plan Commission was to carve down the size of this smart growth area to eliminate the portions that are already classified as commercial and reclassify the industrial portion to commercial. There was a potential hotel development for the site on the east side of the street. The west side of Cardinal Avenue is commercial, with the south side across from SGA-5 as a commercial storage building. Plan Commission reached a tentative consensus to realign the boundary and reclassify SGA-5 as commercial.

**COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS**

Commissioner Voltz suggests creating design guidelines within zoning and clear expectations. He also suggested Form Based Zoning as an option to be considered and starting an Architectural Review Board for new developments.

**MAYOR'S ANNOUNCEMENTS**

The Mayor addressed concerns about meeting start times and emphasized the importance of having all Commissioners present.

**ADJOURNMENT**

A motion was made by Commissioner Arnett, seconded by Commissioner Bublitz, to adjourn the meeting at 8:04 p.m. The motion carried without a negative vote.

Theresa Hanaman  
Administrative Assistant