

LANDMARKS COMMISSION
November 14, 2024

LAN20241114-1
UNAPPROVED

A regular meeting of the Landmarks Commission, City of Cedarburg, Wisconsin, was held Thursday, November 14, 2024 at Cedarburg City Hall, W63 N645 Washington Avenue, lower level, Room 1.

The meeting was called to order by Chairperson Tom Kubala at 8:30 a.m.

Roll Call: Present – Chairperson Tom Kubala, Vice Chairperson James Pape, Elizabeth Krimmel, Doug Yip, Tomi Fay Forbes, Council Member Kristin Burkart

Also Present - City Planner Mary Censky, Building Inspector Jeff Thoma, *News Graphic* reporter Christina Luick, Eric Hofhine

STATEMENT OF PUBLIC NOTICE

Chairperson Kubala acknowledged that the agenda for this meeting was posted and distributed in compliance with the Wisconsin Open Meetings Law.

APPROVAL OF MINUTES

Motion was made by Council Member Burkart and seconded by Commissioner Krimmel to approve the minutes of the October 10, 2024 meeting. Motion carried without a negative vote.

COMMENTS AND SUGGESTIONS FROM CITIZENS - none

REGULAR BUSINESS

APPLICANT/PROPERTY OWNERS MIKE AND CINDI PURNELL, D/B/A BURG 63, LLC, REQUEST LANDMARKS COMMISSION APPROVAL TO RAZE/REMOVE THE EXISTING PRINCIPAL RESIDENCE AND DETACHED ACCESSORY GARAGE STRUCTURES ON THE PROPERTY LOCATES AT N70 W6222 BRIDGE ROAD. THIS PROPERTY IS ZONED RS-6 SINGLE-FAMILY RESIDENTIAL DISTRICT. THIS PROPERTY IS LOCATED IN THE COLUMBIA HISTORIC DISTRICT AND THE STRUCTURES APPEAR TO BE CLASSIFIED AS “CONTRIBUTING”

Mike & Cindi Purnell, Marcia & Mighty Moden represented this project.

Planner Censky stated that she sent a request to the state to consider this project. They asked for additional photos, which she sent. The State of Wisconsin Historical Society responded that they have no objection to the demolition of the buildings. The local government has 60 days,

according to local code, between the application to demolish and the work itself so the building can be viewed and documented.

Commissioner Pape stated that the Landmarks Commission considers this to be a historic building in a historic district, so the request to raze should be denied. Council Member Burkart stated that the Purnell's purchased the property, and the adjoining property, with the understanding that they could raze the structures in question, so the city needs to accommodate that situation. Commissioner Yip asked, "What can be done to prevent this situation in the future?" Planner Censky stated that there is now a one-stop tab on the city's website that includes codes, regulations and boundary maps for the historic district, making that information available to all. Commissioners Krimmel and Kubala suggested other buildings in the city where an older one-story building was expanded to the back, retaining the street-side feel of the original building.

Chairperson Kubala stated that we can forward our conclusion to the Plan Commission without a recommendation. The Plan Commission has the final word. Planner Censky stated that we can recommend against razing the buildings.

Commissioner Yip made a motion that we recommend to the Plan Commission that these buildings not be razed. Commissioner Pape seconded the motion. The motion carried with one negative vote from Council Member Burkart. The Plan Commission next meets on December 2, 2024.

APPLICANT BLIND HORSE TASTING ROOM, IN C/O ARCHITECT JASON AHRENS OF DISTINCTIVE DESIGN STUDIO, REQUESTS ARCHITECTURAL PLAN AMENDMENT APPROVAL TO PLACE A FOOD TRAILER ON THE SITE, ADD AN OUTDOOR WALK-IN FREEZER/REFRIGERATOR, AND REPLACE THE EXISTING CEDAR SHAKE ROOFING MATERIAL ON THE PRINCIPLE STRUCTURE LOCATED AT W63 N6774 WASHINGTON AVENUE. PROPERTY OWNER IS ORMSBY ACQUISITIONS LLC.

Blind Horse is represented by Jason Ahrens, Bob Moeller and Steve Peskie.

Food trailer:

The Art Museum has food trucks that come for short periods of time. Art of Joy has a small camper that was put in place to begin serving food before the building was ready for business. The camper was taken out of commission when the building opened, directed to be moved further back on the property, and now serves as an iconic representation of the business. It is classified as an accessory structure. We can approve a temporary use permit that is renewable, however because the trailer will be hooked up to utilities it is not a temporary building. The concept of the horse trailer supports the horse theme of the restaurant's name.

The proposed trailer is an adapted horse trailer, 159 square feet, intended for food service on the patio during the summer, 5 months a year. It is not for take-out food. The food offered both inside the building and from the trailer would be served by wait staff. The interior of the building

can accommodate 58 seated, the patio 75 seated. The plan is for drinks to be served from the patio bar, and food served from the trailer.

Discussion centered on minimizing the sight of the bulk of the trailer from the street. Ideas under discussion included raising the level of the stone wall at the street-side of the property another foot, from 6' high to 7' high, moving the trailer onto the northern property line, and putting up a fence across the space between the two walls that face the street. Also discussed was whether the outdoor eating area of the property would be accessible from the street or just through the building. However, the business has open access from the Creek Walk. Council Member Burkart was concerned about setting a precedent for installing additional trailers on properties along Washington Avenue, and the look of the trailer from the street. She stated she also doesn't care for the appearance of the tents now downtown.

It was agreed that moving the trailer 3' north so it sits along the lot line would diminish the bulk of it from the street, however, it is doubtful the Plan Commission will agree to that, due to setting a precedent. Fences can be located on a lot line but not a building. Commissioner Pape would like to see the sight of it blocked from the street as much as possible, thus proposed a gate between the two stone walls, openable for trash trucks and deliveries.

Commissioner Forbes made a motion to approve the trailer, with the stipulation that the stone wall on the west side of the property be raised to 7', and the trailer be moved north so it is along the lot line. If the Plan Commission denies moving the trailer to the lot line, Landmarks Commission members would like a fence erected between the stone walls. The fence would be of the architect's choosing and subject to staff review. Commissioner Yip seconded the motion. Motion carried without a negative vote.

Cooler:

The proposed freezer or refrigerator unit addition to the Patio Bar would be located 3' off of the lot line and clad to match the siding of the Patio Bar. It will have a flat, membrane roof.

Commissioner Krimmel made a motion to approve the walk-in refrigerator/freezer unit as proposed with the addition of trim around the top of the three walls to diminish the view of the white membrane roof. Commissioner Yip seconded the motion. Motion carried without a negative vote.

Roof:

The wood shingle roof needs to be replaced. The proposed material is Brava synthetic shingles. Mr. Moeller stated that to re-shingle the roof in wood will cost \$100,000, then must be sealed a year later. The synthetic will cost about \$10,000 less and is mold and insect repellent.

Chairperson Kubala noted that the shingles are shinier than wood and hopes for them to dull over time. With the demise of wood shingles, we are left with electing to approve synthetic shingles, asphalt shingles, or metal roofs. With reluctance, commissioners agreed to the synthetic shingles.

Commissioner Krimmel made a motion to approve the roof as proposed, Brava synthetic shingles in the aged cedar color. Council Member Burkart seconded the motion. Motion carried without a negative vote.

REVIEW AND DISCUSSION REGARDING THE CONDITION OF THE WINDMILL IN THE CITY-OWNED IMMANUEL CEMETERY LOCATED AT N21 W55400 HAMILTON ROAD.

The city owns the property. Chairperson Kubala did state that we ask private property owners to take responsibility for maintenance on their property, yet the city does not maintain this structure. Commissioner Forbes stated that the Ozaukee County Historical Society just acquired and reconstructed a windmill at Pioneer Village, so there may be some local people who can be consulted for experience. Allen Buchholz and Brian Schmit managed the project.

Commissioner Pape moved that Chairperson Kubala and a volunteer from the Plan Commission will take responsibility to assess the building and return to the Landmarks Commission with details on what needs done to stabilize and maintain the building. Commissioner Yip seconded the motion. Motion carried without a negative vote.

REVIEW, DISCUSSION AND POSSIBLE RECOMMENDATION TO THE PLAN COMMISSION REGARDING PROPOSED CODE LANGUAGE CHANGES NECESSARY TO ENSURE THE CITY RETAINS ITS CERTIFIED LOCAL GOVERNMENT STATUS WITH THE STATE OF WISCONSIN HISTORICAL SOCIETY.

Planner Censky went through our code and made changes to bring it in line with the recommendations made to us by the state. These changes are necessary to give us the ability to issue a Certificate of Appropriateness without going through the Plan Commission. This is a requirement of Landmarks Commissions by the State of Wisconsin Historical Society. If a party does not agree to Landmarks recommendation, they can go to City Council, then to the courts.

Commissioner Krimmel made a motion to recommend that the proposed changes be presented to the Plan Commission for approval. The changes will then be reviewed by City Council. Council Member Burkart seconded the motion. Motion carried without a negative vote.

REVIEW AND DISCUSSION WHETHER TO RESCHEDULE OR CANCEL THE REGULARLY SCHEDULED SECOND MONTHLY MEETING IN NOVEMBER WHICH LANDS ON THURSDAY, NOVEMBER 28, 2024, THANKSGIVING DAY.

Council Member Burkart made a motion to cancel the Thanksgiving meeting. Commissioner Yip seconded the motion. Motion carried without a negative vote.

ADJOURNMENT

A motion was made by Commissioner Pape, seconded by Commissioner Yip, to adjourn the meeting at 9:55 a.m.

LANDMARKS COMMISSION
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LAN20241114-5
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Tomi Fay Forbes
Secretary