



**CITY OF CEDARBURG
Plan Commission
January 5, 2026
Minutes**

1. CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Mayor Patricia Thome.

2. ROLL CALL

- A. Mayor Patricia Thome, Vice Chairman Jack Arnett, Council Member James Fitzpatrick, Sig Strautmanis, Sherry Bublitz, Jon Scholz, and James Hayes.

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

3. 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.

4. APPROVAL OF MINUTES

- A. December 1, 2025

Commissioner Bublitz made a motion, seconded by Council member Fitzpatrick, to approve the meeting minutes for December 1, 2025. The motion passed unanimously. Commissioner Strautmanis abstained.

5. COMMENTS AND SUGGESTIONS FROM CITIZENS

NONE

6. PUBLIC HEARINGS; AND ACTION THEREON

- A. Public hearing, discussion, and possible action on the request of applicant Rebekah Luedcke, d/b/a A Geek Boutique, for Conditional Use Permit approval related to her proposed outdoor recreation/entertainment use and site plan in the side yard of her business located at W63 N633A Washington Avenue. This property, owned by Collins Investments LLC, is zoned part B-3 Central Business District, and part B-3 with HPD Historic Preservation Overlay District.

Commissioner Scholz made a motion, seconded by Commissioner Hayes, to open the Public Hearing at 7:02 pm. The motion carried unanimously.

Planner Censky reported that the applicant is seeking approval for a Conditional Use Permit (CUP) to establish a picnic table seating area in the side yard of their building, which houses A Geek Boutique, a gifts and games store. They also plan to occasionally set up temporary tents in this area to provide shelter for certain planned events and activities.

Key CUP Conditions include:

1. Storage (#7): No outdoor, unenclosed storage of materials/equipment/supplies associated with the use.
2. Adverse Impacts (#8): Applicant must remedy material adverse impacts upon City notice; failure may trigger CUP review.
3. Alcohol: No alcohol sales/service/consumption in the outdoor area (due to co-occupancy with Sal's Pizzeria). Signage required (table signs or yard sign stating "No Alcohol" in outdoor area).
4. Use Limitation: Outdoor area supports the Heat Boutique only—not any other Washington Ave business.
5. Lighting: Café-style string lighting subject to City Planner review/approval; Planning Commission may act if elevated.
6. Hours: Outdoor use limited to 9:00 a.m.–9:00 p.m.
7. Tents/Canopies: Subject to Building and Fire review/approval (structural integrity, fire safety). Maintain in good repair; no outdoor storage of tents when not erected.
8. Site Conformance: Site remains per existing conditions except as shown in Exhibit A (placement of tables/tents).
9. Structure: Existing principal structure remains per current conditions.

The motion was made by Commissioner Stautmanis, seconded by Commissioner Bublitz, to close the Public Hearing at 7:09 pm. The motion carried unanimously.

ACTION:

Commissioner Stautmanis made a motion, seconded by Commissioner Bublitz to approve the applicant's request for a Conditional Use Permit (CUP) as presented, subject to the conditions as written in the DRAFT CUP (see packet) and subject to the following additional conditions: 1) The applicant must display a sign indicating that alcoholic beverages in this yard/seating area are prohibited. 2) The CUP must be fully executed and recorded prior to the start of the outdoor recreation/entertainment use at the site 3) Review and concurring recommendation for approval by the Landmarks Commission as to the specific style, size, type, and location of the tent, tables, and any related planters proposed to be placed in the HPD Historic Preservation Overlay zoning district portion of this site (i.e., any portion lying within 125-feet of the west edge of the Washington Avenue right-of-way) in support of this outdoor recreation/entertainment use, prior to signing and recording the CUP.

Vote: Aye - unanimous. Motion carried.

7. REGULAR BUSINESS; AND ACTION THEREON

- A. Review, discussion, and possible action/recommendation to the Common Council on the request of applicant Happy Place Cooking Space, LLC, in c/o Sally Wagner, to amend the Zoning Code, adding the use 'Teaching kitchen/small scale commercial kitchen' to the list of Conditional Uses in the M-2 General Manufacturing District [Section 13-1-60(d)], and adding a definition [at Section 13-1-240(b)] and a parking standard [at Section 13-1-82(h)(4)] for same.

Planner Censky reported the applicant's request to validate a "Teaching Kitchen" use and introduce flexibility for a small-scale commercial kitchen focused on off-site food preparation and catering with no on-site dining. She recommended classifying both uses as Conditional Uses to allow case-by-case evaluation of compatibility, waste management, odor control, and operational impacts.

The proposed amendments define a Teaching Kitchen as an instructional facility with active participant cooking, permitting only accessory beer and wine service strictly within the designated teaching area and expressly excluding bar, nightclub, or restaurant functions. A Small-Scale Commercial Kitchen would be limited to food preparation, packaging, and storage for off-site consumption or distribution, excluding any on-site event space or dining.

Parking standards calibrated to APA guidance were presented, requiring one space per three students plus one per instructor for Teaching Kitchens, and one space per 500 square feet plus one per employee on the largest shift for Small-Scale Commercial Kitchens. Planner Censky discussed the rationale for the conditional use approach, noting that it allows tailored review of floor plans and accessory alcohol service limits while avoiding over-parking.

ACTION:

Council member Fitzpatrick made a motion, seconded by Commissioner Hayes to recommend approval of the zoning text amendments to add Teaching Kitchen and Small-Scale Commercial Kitchen as Conditional Uses in the M-2 General Manufacturing district, including the parking standards and definitions as presented. Vote: Aye — unanimous. Motion carried.

- B. Applicant, Kate Schley, d/b/a Coach House Homes, requests favorable recommendation to the Common Council for Planned Unit Development Overlay rezoning based upon the revised concept presented for a seven lot/home single-family-detached residential infill development proposed for the properties located at W59 N367 Hilbert Avenue & W61 N394 Washington Avenue. This 1.78-acre site, owned by Wendell Lee LLC in c/o Paula Motte, is zoned Rs-5 Single-Family Residential.

Planner Censky reported the applicant presents a revised seven lot/home single-family-detached residential Planned Unit Development for this site. The plan still depicts a private cul-de-sac drive with curb, gutter, and sidewalks, entering off of Hilbert Avenue.

There are no longer any communal improvements located at the entry area, such as fountain, pergola, trellis, pillars, or community building. There is no longer any plan to develop a public or private pedestrian walkway (i.e., a promenade) extending west from the proposed new cul-de-sac out to Washington Avenue. The project has been renamed to Eden Preserve. The plan still contains seven lots. Instead of having the private road and sidewalks situated in an Outlot owned, in equal shares, by the owners of the seven lots, the plan now shows each lot boundary extending to the centerline of the road. The effect of this is to make the new lot sizes larger. A concern with this approach is who will write, review, and approve the critical easements needed from each individual owner, granting to each other owner, the public, the City,... pedestrian and driving access over the street and sidewalk, access to the City for service/repair/replacement of the public utilities such as sanitary sewer and water that will lie beneath the private drive, access to the tentatively planned underground stormwater management tank on Lot 1. This also means that any streetlights and/or street trees as may be required by the City will be located on the various owners private lots. With these 'larger' lot sizes, the applicant now lists proposed floor area ratios compliant with the maximum permitted in the Rs-5 district (i.e., maximum allowed 36%) vs all but 1 lot being over the FAR in the original plan. Proposed home sizes in the plan range from 2,450 – 3,700 sq. ft., plus porches and garages. All homes now include attached garages. The homes are proposed to be custom designed and built for each individual lot buyer. Fully detailed architectural standards for the subdivision have not been presented at this time.

The Applicant proposes lot area calculation to the centerline of the private street, making each lot $\geq 8,400$ sq ft (RS-5 minimum) on paper. Planner Censky advised this is not the City's typical practice for single-family subdivisions (historically, the lot area is measured at the back of sidewalk/back of curb, not the centerline), and recommended treating the roadway area separately. At the December 23rd SARB meeting, Board members supported general massing/site approach with a requirement that each house returns to SARB + Planning Commission for review.

The commission's key discussion revolved around Lot Area & FAR. Commissioner's are opposed to counting on the street centerline, which will inflate the lot area and depress the FAR; preferring an "effective lot size" measured behind the sidewalk/back of curb. Commission Strautmanis said the RS-5 FAR = 0.36 should apply per lot based on effective lot size (not including roadway). The setbacks on a private street complicate the front setback. Commissioners support a minimum 15 feet from back of curb (or behind sidewalk), with flexibility by lot, to be reviewed in detail later.

Commissioner Hayes commented the applicant must achieve a no net increase and accommodate existing rear-yard drainage patterns; provide robust overflow routing (considering extreme events), stormwater easements, bioswales/rain gardens where feasible. The Preliminary Plat should include grading + stormwater details.

Fred Bursch discussed with Plan Commission the public access easement and public-standard design (Fire Department access/turning radii) is acceptable as it.

Commission Strautmanis's preference for curb and sidewalk noted; lighting to be clarified, preference for attached garages to reduce impervious area vs. rear detached.

The Commission discussed whether 7 lots are acceptable if FAR/setbacks/coverage are corrected; some suggested fewer lots may better fit the context.

Public Comments

Scott Soukup, W59N396 Hilbert Ave — Opposed to enlarging lots by including roadway; urged adherence to current code and setbacks.

Donna McElligoty, W59N380 Hilbert Ave — Urged fairness and consistency; opposed redefining FAR by counting street area; requested transparent rules applied equally.

Aaron Schultz, W59N370 Hilbert Ave — Raised stormwater overflow concerns at cul-de-sac terminus; illustrated FAR distortion when roadway centerline is included.

Gill Janssen, W59N397 Hilbert Ave — Highlighted affordability needs; asked for smaller, efficient homes compatible with historic context.

Jake Schneider, W59N412 Hilgen Ave — Spoke in favor of modest home sizes and simpler living.

Grant Witte, W59N364 Hilbert Ave — Concerned about demolition impacts, loss of mature trees, headlight glare, and multi-year buildout effects.

Fred Bursch, on behalf of the applicant, explained the choice of fee simple single-family over condominium; noted many surveyors include roadway area in lot calculations; aimed to minimize waivers by meeting standards via the centerline method; committed to attached garages and acknowledged rear-yard drainage considerations.

The applicant, Kate Schley, clarified market needs (aging-in-place, multi-generational first-floor suites, home offices); emphasized quality construction and willingness to return for house-by-house architectural review.

Action:

Commission Strautmanis made a motion, seconded by Commission Bublitz to deny the recommendation to Common Council for the Planned Unit Development (PUD) overlay rezoning based upon the revised concept presented for the seven-lot/home single-family-detached residential infill development proposed as presented, to include the following feedback:

- Lot Area: Do not include private street area in lot size; define front lot line at the back of sidewalk (preferred) or back of curb if there is no sidewalk by 5 ft..
- Private Street: Provide public access easement; design to public/Fire Department standards; specify curb/sidewalk/lighting.
- Plan Commission supports a waiver for the required lot size in the Rs-5 District to accommodate the developer.
- FAR: Apply 0.36 percent FAR per lot based on effective lot size (excluding roadway).
- Setbacks: Use 15' minimum front (from back of curb/sidewalk), with flexible side/rear setbacks reviewed per lot context.

Vice Chairperson Arnett made a request for the applicant to come back to the Plan Commission and not the Site and Architectural Review Board to finalize the request for the PUD overlay rezoning request. Mayor Thome and Commissioner Bublitz agreed with this sentiment.

Planner Censky reminded the Commissioners of her recommendation to deny the PUD overlay rezoning request without a true survey-based Preliminary Plat for formal review and circulation to SARB + Plan Commission.

Vote: Aye - Arnett; Nay - Mayor, Strautmanis, Hayes, Fitzpatrick, Bublitz, Scholz. 1-6
Motion carried.

Commissioner Strautmanis made a motion, seconded by Commissioner Hayes to deny the recommendation to Common Council for the Planned Unit Development (PUD) overlay rezoning based on the revised concept presented for the seven-lot/home single-family-detached residential infill development proposed.

Vote: Aye - Hayes, Strautmanis, Mayor, Arnett, Bublitz, Scholz; Nay — Fitzpatrick. 6-1.
Motion carried.

- C. Applicant Lakeside Development Company, in c/o Brian Scheive, requests concept review, discussion and feedback on their plans to clear and redevelop the 3.04-acre property located at W66 N622 Madison Avenue, into a sixteen unit single-family detached 'front porch' neighborhood. This M-1 Limited Manufacturing District zoned property is owned by Oak Gap Madison Avenue LLC.

Planner Censky reported the proposal of a 16 lot/home single-family-detached residential Planned Unit Development for this site. With eight front-porch forward homes would face both Madison Avenue and St. John Avenue, each with an attached garage that is set toward the rear of the lot. Garage access would be via a 20'-wide private alleyway running between/behind the homes, extending from Cleveland Street to the north and a proposed new extension of Victoria Court to the south. Lot lines for each lot run to the center of the alley. Her concern with this approach (vs having the alley as an outlot) is who will write, review and approve the critical easements needed from each individual owner, granting to each other owner, the public, the City,... pedestrian and driving access over the alley, access to the City for service/repair/replacement of the public utilities such as sewer and water that might lie beneath the private alley.

The proposed extension of Victoria Court by the applicant will require that they secure a small portion of land from the owner of the lot to the south owned by Brunswick Corporation, in c/o Mercury Marine.

Fully detailed covenants and restrictions have not been presented at this concept stage.

Planner Censky outlined the Rs-5 Single-Family Residential Zoning District is among the districts considered to comport with the Medium Density Residential Land Use Classification of this site. The applicant requests approval to rezone this site from existing M-1 Limited Manufacturing to Rs-5 with a Planned Unit Development Overlay (PUD).

The applicant represents in their narrative and concept site plan that all lots will fully comply with the other standards of the Rs-5 district including:

- Maximum floor area ratio (i.e., the total square footage of all buildings on the lot/lot area) of 36%
- Maximum lot coverage ratio (i.e., the total footprint area of all structures on the lot/lot area) of 30%;
- Minimum required lot width of 50 feet.
- Front building setback of 25 feet.
- Side setbacks of 4 feet.
- Rear setbacks of 25 feet.* (*Note that these setbacks are being calculated from the centerline of the alley) Page 49

Planner Censky confirmed utilities can service the site but noted the need for alley easements, and emphasized stormwater requirements for a ~3-acre project, including TSS removal, zero net off-site discharge, overflow routing, and easements. The density at 16 units slightly exceeds the RS-5 baseline and would require a PUD exception. Potential contamination on the site will require DNR/EPA oversight, with no City funding for cleanup.

Plan Commission feedback emphasized not counting the alley area toward lots, treating the alley as a private outlot with shared easements, applying FAR to effective lot area measured from the back of curb/sidewalk, and establishing flexible front setbacks at the 15–25 for range with sensible side and rear setbacks under any PUD request.

Commissioner Strautmanis encouraged elevated porches, additional elevation options beyond the three shown, and varied materials and colors to avoid uniformity.

Plan Commission feedback to the applicant coalesced around these points:

1. Removing the private alley, create a 20-foot outlot instead of being part of the lot resulting in a lot size of 63 feet by 115, with a total area of 7,245 sq ft. The maximum building size is 2,608 sq ft.
2. Apply FAR 0.36 percent per lot based on effective lot area measured from back of curb/sidewalk.
3. Maintain sensible side/rear setbacks with any exceptions clearly requested under PUD.
4. Requested a Preliminary Plat with a graded site plan/full stormwater design, and an environmental investigation plan with the anticipated DNA?EPA compliance pathway.

Public Comments

Victoria Benson Hora, W66 N582 Madison Ave, has concerns with traffic/stop sign compliance at Cleveland/St John

Brian Taylor, W65 N663 St John Ave gave support for the improvements contingent on environmental safety and stronger architectural variet.

Terry King. W63 N762 Sheboygan Road,

This item was discussed and feedback was given; no action was taken on this item.

8. COMMENTS AND ANNOUNCEMENTS BY PLAN COMMISSIONERS

NONE

9. MAYOR'S ANNOUNCEMENTS

NONE

10. ADJOURNMENT

A motion to adjourn at 10:12 pm was made by Vice Chairman Arnett, seconded by Council member Fitzpatrick.

Vote: Aye - unanimous. Motion Carried.

Theresa Hanaman
Administrative Assistant