

**CITY OF PORT WASHINGTON
PLAN COMMISSION MEETING
MINUTES
THURSDAY, FEBRUARY 18, 2021**

ROLL CALL: Mayor Marty Becker called a duly convened meeting of the Plan Commission to order at 6:00 p.m. Member present were: City Engineer Rob Vanden Noven, Alderman Paul Neumyer, Eric Ryer, Mike Ehrlich, and Ted Neitzke. Present on the phone/zoom was Tony Matera. Also, present was: City Planner Bob Harris and City Administrator Tony Brown. Absent and excused: None. Alderman Dan Benning was in the AV room.

APPROVAL OF MINUTES FOR THE JANUARY 21, 2021: MOTION BY MIKE EHRLICH AND SECONDED BY TED NEITZKE to approve the minutes as presented. Motion carried unanimously.

PUBLIC APPEARANCE & COMMENTS: There was none.

ALLEY VACATION – REVIEW AND POSSIBLE ACTION FOR A PROPOSED ALLEY VACATION LOCATED BETWEEN NORTH MONTGOMERY STREET AND NORTH MILWAUKEE STREET, NORTH OF WEST JACKSON STREET AND SOUTH OF WEST VAN BUREN STREET: City Planner Bob Harris reviewed this item for the Plan Commissioners. He stated that the applicant Jude DeMerit owns the property at 414 North Montgomery Street. She has formally requested the Common Council to consider vacating the platted-only alley that runs east-west along her property along with two other parcels from North Montgomery Street to the western boundary of the existing alley located between Montgomery and Milwaukee Streets. The alley to be vacated was platted but never constructed, thus the platted space is essentially used as an extension of the abutting parcels, of which there are a total of three” 414 North Montgomery Street; 222 West Jackson Street; and 232 West Jackson Street. The eastern half of this platted-only alley between the existing alley and North Milwaukee Street was vacated in 2017. The area of the alley to be vacated is approximately 170’ long x 10’ wide. No portion of the alley to be vacated is constructed. If vacated, the alley would be divided equally among the abutting landowners: 1) The northern 5’ x 170’ portion to 414 North Montgomery Street approximately; 1) The southern 5’ x 110’ portion to 232 West Jackson Street approximately; and 3) The southern 5’ x 60’ portion to 222 West Jackson Street approximately. Staff recommends approval of the alley vacation as proposed subject to agreement of all abutting landowners and applicant providing a new survey confirming the alley dimensions. **MOTION BY TED NEITZKE AND SECONDED BY ROB VANDEN NOVEN to approve the alley vacation as presented, subject the applicant paying for the survey and notifying the neighbors. Motion carried unanimously.**

CONDITIONAL USE GRANT EXTENTION – REQUEST TO EXTEND A CONDITIONAL USE GRANT FOR PRAIRIE’S EDGE SUBDIVISION: City Planner Bob Harris reviewed this item with the Commissioners. He stated that this item is a request to extend the current Conditional Use Grant (CUG) related to the approved assisted living and memory care center from March 1, 2021 to July 31, 2021. But for the date extension the Conditional Use remains the same. It is to allow the single-story assisted living and memory care residential facility that would be situated on approximately 2 acres of land on the north end of the Prairie’s Edge development located along the Lake Michigan bluff south of the WE Energies Port Washington plant. The purpose of the date extension is to allow the parties involved additional time to finalize the closing on the subject property. Staff recommends the Commission recommend amending the date stipulated in Section 8 of the Conditional Use Grant

from March 1, 2021 to July 1, 2021. **MOTION BY MIKE EHRLICH AND SECONDED BY TED NEITZKE to recommend to the Common Council to amend the date stipulated in Section 8 of the Conditional Use Grant from March 1, 2021 to July 31, 2021. Motion carried (6 Ayes; 1 Nay (Neumyer)).**

CERTIFIED SURVEY MAP – TO COMBINE THREE LOTS INTO ONE LOT LOCATED AT 410 – 418 N JOHNSON STREET: City Planner Bob Harris reviewed this item with the Commissioners. He stated that the applicants are owners of three parcels located at 410, 414 and 418 Johnson Street. The applicants reside in 418 Johnson Street and they are looking to combine all three properties into one parcel. The purpose of the Certified Survey Map is to combine the lots in order to accommodate a planned addition to the residence by way of constructing an attached breezeway and two car garage onto the south side of the residence. The remaining land on the south end of the combined lot will be reserved for a future division and land sale at some point in time. The proposed CSM would create a single lot that meets current minimum lot requirements. Staff recommends the Plan Commission approve the Certified Survey Map as presented. The Plan Commissioners discussed this item. **MOTION BY MIKE EHRLICH AND SECONDED BY PAUL NEUMYER to approve the certified survey map for combine three lots into one lot located at 410, 414, and 418 Johnson Street as presented. Motion carried unanimously.**

CERTIFIED SURVEY MAP – REDIVISION OF THE FORMER CEDAR VINEYARD LANDS INTO TWO LOTS; LOCATED ON THE LAND EAST OF SOUTH LAKESHORE ROAD AND SOUTH OF DYNNA DRIVE: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that the subject Certified Survey Map represents the entirety of the land comprised of the former Cedar Vineyard Development east of South Lake Shore Road. The land still retains original platting from a previous subdivision proposal prior to the 2000-2001 VK proposal and the 2017-2018 Cedar Vineyard proposal. In addition, the land is currently all contiguous and does not reflect the most recent development proposals currently under consideration: 1) the proposed Cedar Gorge and Clay Bluffs nature preserve proposed by Ozaukee County on 120 acres comprising of the Cedar Gorge and lands to the south; and 2) a revised subdivision and winery proposed by Ascent Real Estate, like the 2017-2018 Cedar Vineyard proposal but confined to the land north of Cedar Gorge. The proposed Certified Survey Map will eliminate all previous platting and create two large parcels to reflect the two different but concurrent proposals. A Certified Survey Map is required to clearly define each of the two development proposals both generally and specifically for future approvals such as rezoning and eventual land closings. No public dedications are part of this Certified Survey Map. Staff recommends the Plan Commission approve the Certified Survey Map. The Plan Commissioners discussed this item. **MOTION BY MIKE EHRLICH AND SECONDED BY TONY MATERA to approve the certified survey map as presented with two conditions: 1) A corrected copy be giving to the Mayor and 2) On page 3 of the CSM Square footage and acres match correctly. Motion carried unanimously.**

PRELIMINARY PLAT – TO REVISE THE PRELIMINARY PLAT FOR CEDAR VINEYARD SUBDIVISION; LOCATED ON THE EAST SIDE OF SOUTH LAKESHORE ROAD AND SOUTH OF DYNNA DRIVE: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that the subject Preliminary Plat is a 45-lot, single family subdivision and vineyard with public lake bluff access and is a pared down version of the since abandoned Cedar Vineyard proposal from 2017. The Preliminary Plat represents one of the two current development proposals for the approximately 175-acre property that was originally a part of the defunct VK mixed use development in 2000-2001. The Preliminary Plat is designed as Lot 1 on the Certified Survey Map. The proposed Preliminary Plat is nearly identical to the 2017 Cedar Vineyard subdivision north of the

Cedar Gorge. The differences are as follows: 1) The lot count has increased from 33 lots to 45 lots; 2) The ten additional lots are located on the interior of Overlook Circle; 3) Publicly accessible bike and pedestrian trails from Lake Shore Road to the bluff edge remain a part of the subdivision; 4) Vineyards remain integral to the project and provide separation between the public trails and most of the single family lots; and 5) Vineyards remain located on the interior of Overlook Circle but with a smaller footprint due to the additional residential lots. Staff recommends the Plan Commission approve the Preliminary Plat. It represents a portion of a development proposal previously approved by the City and the current proposal is likewise a sound proposal that would benefit the City and its residences. The Plan Commissioners discussed this item and thought this was a very nice project with great public access. **MOTION BY TED NEITZKE AND SECONDED BY TONY MATERA to approve the revised preliminary plat as presented. Motion carried unanimously.**

REZONING – REZONING OF REVISED CEDAR VINEYARD PRELIMINARY PLAT; CEDAR VINEYARD SUBDIVISION LOCATED ON THE EAST SIDE OF SOUTH LAKESHORE ROAD AND SOUTH OF DYNNA DRIVE: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that the rezoning request is a companion action item to the previously considered Certified Survey Map (CSM) and Preliminary Plat for the Cedar Vineyard subdivision as currently proposed. With the consolidation of the proposed Cedar Vineyard land to a single lot north of the Cedar Gorge via the CSM, and the establishment of a revised Preliminary Plat for the subdivision as proposed, the properties will require rezoning to match the revised layout. The Cedar Vineyard development remains the same as it consists of two portions: 1) the single-family lots; 2) the vineyards, open space, and public trail system. The key difference from the previous subdivision iteration is the absence of public ownership of lands to accommodate the open spaces and trail system. Therefore, the rezoning is as follows: 1) The single family lots will be zoned RS-1 Single Family. This is the same zoning designation used in the original 2016 Cedar Vineyard zoning; 2) The remaining lands, which include the vineyards, open space, and public trails, will be zoned B-2 Local Service Center Business. This zoning designation was originally applied to the vineyards and will continue to be zoned as such; 3) An OPD-Overlay Planned Development will continue to be applied over the entirety of the subdivision and open space and vineyard land. The purpose of the OPD is to accommodate the subdivision lot sizes and layout and land the use of vineyards and public trails as a planned development as detailed in the development site plan; 4) The most notable difference between the prior zoning and the current proposal is the absence of PUL, Public Utility Lands in the current proposal because there will be no public ownership as previously proposed. Due to a smaller project footprint, there was a need to add vineyards to the east of the subdivision whereas previously this area was public open space and PUL zoning, and to include additional single-family lots to the interior of Overlook Circle whereas previously this area was all vineyards and B-2 zoning; 5) Public Access to the bluff and south to Cedar Gorge and beyond remains a key component to this project. Prior, these areas were to be publicly owned and zoned PUL to ensure public access. With the location of the vineyard in these former PUL designated areas, and resulting B-2 zoning, the OPD overlay will be used to designate the public trail system; 6) A public access easement may be needed to ensure public access and delineation of maintenance for these privately owned lands. Staff recommends rezoning as presented: RS-1 Single-Family Residential and B-2, Local Business with an OPD Overlay Planned Development to accommodate the Preliminary Plat and project site plan as presented. The Commissioners discussed this item. **MOTION BY ROB VANDEN NOVEN AND SECONDED BY MIKE EHRLICH to recommend to the Common Council to approve the rezoning of the revised Cedar Vineyard Preliminary plat as presented, RS-1 Single-Family Residential and B-2, Local Business with an OPD Overlay Planned Development to accommodate the Preliminary Plat and project site plan. Motion carried unanimously.**

CONCEPT PLAN – FOR PROPOSED BOAT STORAGE LOCATED AT 500 NORTH SPRING STREET: City Planner Bob Harris reviewed this item for the Commissioners. He stated that the applicant is the owner of the former Simplicity Manufacturing complex at 500 North Spring Street and is proposing to construct four warehouse style buildings for the purpose of individual storage of boats and yachts. Prior to the applicant acquiring the property in 2018, boat storage was a primary use of the property following the discontinuance of manufacturing operations. Current business use in the complex includes Kleen Test and CPI, which specializes in rotational molding for plastic components, and storage of cars and boats on the property. The site plan shows that three of the four buildings would be constructed on the north end of the property. This portion of the property is paved but vacant and is/was used for vehicle and trailer parking along with parts storage. The fourth building will be in front of the existing mail building. A thin, linear building currently exists at this location and would be razed for the new building. No other site changes are planned as a part of this application. No new landscaping is planned. The operations of this new self-storage building will have access as needed, 24-7. Each unit will be heated and no new fencing is planned. Lighting will be over the entrances. Staff states that given the location across from a residential subdivision the Commission should consider the need for improving the landscape along North Spring Street, particularly if the proposed building #1 is permitted. The planned building along the front is a concern. Fenestration (windows) and lighting will need to be considered for the west façade of the building to avoid a blank metal wall or glaring light facing North Spring Street. Staff recommends approval of the concept plan. Boat storage is already an existing use on the property and submittal of building and site plan will allow for an improvement to the site. The Plan Commissioners discussed the pros and cons of this project. They discussed the long-term plan for this property and if this site could be redeveloped. **This item as not approved. Applicant is asked to come back after working with staff.**

ZONING CODE AMENDMENT - REQUEST TO AMEND THE I-2 INDUSTRIAL PARK ZONING DISTRICT TO ALLOW FOR THE SALE OF USED VEHICLES: City Planner Bob Harris reviewed this item with the Commissioners. He stated that Maritime Holding LLC is doing business in the Industrial Park as Maritime Enterprises and it owns and operates a boat storage business at 1020 Maritime Drive and the former Allen Edmonds warehouse at 1112 Bywater Drive. While Maritime Holdings was and is the primarily in the business of boat storage, apparently the storage services also include other vehicles such as cars, RV's, motorcycles, travel trailers, and jet skis. As part of this storage business, the applicant wishes to acquire a State of Wisconsin Motor Vehicle Dealer License to buy and sell motor vehicles that are stored within its facility but for various reasons, such as financial hardship, or death, a need no longer exists for the client to store the vehicle and would use the applicant to buy and sell it. A service requiring a dealership license, which requires sign off by the local municipality. The applicant approached City Staff for approval but was denied because the sale of used vehicles is not an allowable use in the industrial zoning district. As a result of this denial the applicant is requesting an amendment to the City zoning code to allow for the type of vehicles sales used noted above. Staff does not recommend expanding used vehicle sales to the industrial park. However, the nature of the applicant's request for a dealership license as a related accessory activity does deserve consideration. Therefore, Staff presents two options to consider: Option 1) Deny the request for the following reasons: a) Used vehicle sales do not meet the spirit and intent of the I-2 Industrial Park zoning district which was established to create a dedicated area for manufacturing employment and operations; b) Used vehicle sales are not the highest and best use for the I-2 Industrial Park zoning district in terms of employment and value for the City and its residents; and c) Used vehicle sales are provided for in the City's commercial districts. The 2035 Future Land Use Plan, as a part of the City's Comprehensive Plan, lists the subject location as industrial land use, not as a commercial one and therefore not consistent with the City's comprehensive plan. Option 2) Recommend amending the I-2

zoning district to add the proposed use as a Conditional Use when accessory to the principal warehousing/storage use.

MOTION BY ROB VANDEN NOVEN AND SECONDED BY PAUL NEUMYER to approve Option #2 to recommend amending the I-2 zoning district to add the proposed use as a Conditional Use when accessory to the principal warehouse/storage use as presented. Motion carried (6 Ayes; 1 Nay (Mayor Becker)).

FORTHCOMING EVENTS: The League of Women Voters 2021 Mayoral Candidate Form will be held on Wednesday, March 10, 2021 from 7 pm to 8 pm in the Common Council Chamber. This event will be Livestreamed on YouTube and Spectrum Cable Channel 25.

ADJOURNMENT: MOTION BY ROB VANDEN NOVEN AND SECONDED BY TONY MATERA to adjourn the meeting at 7:47 p.m. Motion carried unanimously.