

**CITY OF PORT WASHINGTON
PLAN COMMISSION MEETING
AMENDED MINUTES
THURSDAY, APRIL 15, 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, Tony Matera, and Ted Neitzke. Also, present was: City Administrator Tony Brown, and Planner Bob Harris. Absent and excused: Mike Ehrlich. On the phone: Lisa Woods for Prairie's Edge. Also in the audience was Alderpersons Pat Tearney, Deb Postl, John Sigwart, and Dan Benning.

APPROVAL OF MINUTES FOR THE MARCH 18, 2021: MOTION BY PAUL NEUMYER AND SECONDED BY TED NEITZKE to approve the minutes as presented. Motion carried unanimously.

PUBLIC APPEARANCE & COMMENTS: Joe Burke of 516 West Michigan Street, Port Washington was present and asked if the Mayor will continue to talk to our sister city in Germany because it is a great idea.

BUILDING, SITE & OPERATIONS PLAN FOR TWO STORY RESIDENTIAL ADDITION LOCATED AT 313-317 WEST GRAND AVENUE: City Planner Bob Harris reviewed this item for the Plan Commissioners. He stated that the subject property is currently a single-story commercial building. The applicant is proposing to redevelop the structure into a three story, mixed use building with commercial space continuing on the ground floor and residential space occupying the second and third floor. This property is zoned B-4, Central Business District. A mixed-use development, as proposed, is a permitted use subject to Design Review Board recommendation and Plan Commission approval. The project received conceptual approval in 2019. As part of that review the project was also granted a Special Exception by the Common Council allowing the project to exceed the by-right building height limit of 35 feet to accommodate the rooftop addition. Parking will remain unchanged, with parking provided in the rear of the property where a large garage is located. The City Planner reviewed the design, building material, and the color of the building with the Commissioners. Staff recommends approval conditioned upon the ground floor space remaining a commercial space in accordance with the B-4 zoning requirements. The applicant, Scott Bretl, was in present to answer any questions the Commissioner might have. **MOTION BY TED NEITZKE AND SECONDED BY TONY MATERA to approve the Building, Site and Operations Plan for the two-story residential addition as presented subject to the first floor remaining a commercial space. Motion carried unanimously.**

CONCEPT PLAN FOR TWO FAMILY RESIDENCE LOCATED ON THE WEST SIDE OF NORTH MILWAUKEE STREET AND SOUTH OF WEST WASHINGTON STREET: City Planner Bob Harris reviewed this item for the Plan Commissioners. He stated that proposed townhouse style duplex located on the vacant parcel on the west side of North Milwaukee between West Washington Street and West Main Street. The property is zoned RM-4, Multiple Family Residential, in which multiple family apartments of two or more units are permitted uses subject to Building, Site & Operation Plan approval. It appears that the minimum zoning standards are met but the applicant anticipates needing a Special Exception to allow for the balconies to encroach into the setback following any favorable review on the Concept Plan. The City Planner reviewed the design and building materials with the Commissioners. The proposed concept is a four-story, townhouse style duplex with each unit provided a two-car garage with access onto North Milwaukee Street. An east (front) facing balcony is

created by the garages projecting forward from the main portion of the three-story living structure. Staff recommends conceptual project approval. **MOTION BY TONY MATERA AND SECONDED BY PAUL NEUMYER to approve the Concept Plan for a four-story residential duplex as presented. Motion carried unanimously.**

CONCEPT PLAN FOR WHITETAIL SUBDIVISION LOCATED NORTH OF TERRACE DRIVE AND GROESCHEL ROAD AND EAST OF SEVEN HILLS ROAD: City Planner Bob Harris reviewed this item with the Commissioners. He stated that Whitetail Subdivision is located north of Terrace Drive and Groeschel Road and east of Seven Hills Road. It is a 70-unit single-family subdivision. The subdivision site is comprised of four zoning districts. AG-Agricultural, RS-4 One and Two-Family Residential, RS-5 One and Two Family Residential, and RM-2 Multi-Family Residential. Except for the RM-2 land, the developers are planning to build using the existing RS districts and no rezoning is currently planned. The subdivision layout is nearly identical to that approved in 2005. The subdivision plan depicts a 70-lot subdivision with connections to Terrace Drive and Groeschel Road, and new access at Seven Hills Road. A future road connection to the north is also shown. Two cul-de-sacs are proposed. A floodplain runs through a portion of the planned subdivision. The Design Review Board had a few concerns with the number of cul-de-sacs, connections to other subdivisions, and the wooded area in the new subdivision. City Engineer Rob Vanden Noven had several concerns regarding the subdivision. The woodlands have been designated by SEWRPC as an Isolated Natural Area and is included in the City's Comprehensive Plan. There is a Conservation Protection Overlay District in Chapter 20 of the Zoning code which is intended to be applied to lands identified as having significant contributions of natural features including isolated natural areas delineated in the City's Comprehensive Plan. Its statement of intent is to prevent the destruction of valuable natural resources, particularly woodlands, wildlife habitat areas, significant water re-charge and discharge areas, etc. The Conservation Overlay District should be imposed on this area. The Planner should bring this back with the overlay on the isolated natural area, and the developer should adjust his plans accordingly. Mr. Vanden Noven also expressed concerns with the westernmost cul de sac and its proximity to the wetlands and its relationship to stormwater management and the prevention of flooding downstream. Possible expansion of the Birchwood Hills Natural Area is included in the City's Comprehensive Outdoor Recreation Plan, so the City's Director of Parks still must weigh in on this concept plan to determine what expansion may be desired, including access from the subdivision to the natural area. **MOTION BY TONY MATERA AND SECONDED BY TED NEITZKE to approve the concept plan for Whitetail Subdivision subject to working with the City Engineer and his concerns. Motion carried unanimously.**

CONCEPT PLAN FOR HIGHLAND POINTE SUBDIVISION LOCATED NORTH OF NEW PORT VISTA DRIVE AND SOUTH OF EAST SAUK ROAD: City Planner Bob Harris reviewed this item with the Commissioners. He stated that this subdivision is located north of New Port Vista Drive and South of East Sauk Road and the applicant is Neumann Development Inc. out of Pewaukee, WI. This is an 82-unit Single Family subdivision on land located in the Town of Grafton. The site is presently an undeveloped 31-acre tract located in the Town of Grafton adjacent to the city limits of Port Washington and immediately north of New Port Vista multi-family apartment subdivision. Should this subdivision concept plan be approved, the development team will request annexation into the City with a proposed zoning district of RS-4 Single-Family Residential or RM-1 Single Family Residential. Typical lot sizes would be a minimum of 9,000 square feet and 68' x 133' lot dimensions – 75' is the minimum average lot width for RS-4 which may necessitate an OPD over the subdivision like that at Hidden Hills. The subdivision layout shows connections to New Port Vista Drive via Misty Ridge Lane and Wind Rush Drive and new access at East Sauk Drive. A future road connection on the eastern portion of the subdivision is also shown. Two cul-de-sacs are proposed. Staff recommends approval

of the Concept Plan. City Engineer Rob Vanden Noven voiced concern regarding the western cul-de-sac. The Plan Commissioners discussed this item. Alderman Neumyer stated that he is not in favor of cul-de-sacs. **MOTION BY ROB VANDEN NOVEN AND SECONDED BY PAUL NEUMYER to approve the concept plan subject to eliminating the cul-de-sac on the west, work with staff on a pre-annexation agreement, a developer's agreement and all the other steps. Motion carried unanimously.**

FINAL PLAT FOR CONSIDERATION AND POSSIBLE ACTION ON THE PRAIRIE'S EDGE NORTH PHASE FINAL PLAT LOCATED ON THE EAST SIDE OF SOUTH WISCONSIN STREET AND NORTH OF SUNSET ROAD: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that Prairie's Edge is divided into three phases of development. 1) the North Phase; 2) the Center Phase; and 3) the South Phase. The North Phase is the first section of the Prairie's Edge development scheduled for construction and the applicant is seeking conditional approval of the North Phase Final Plat. The proposed Final Plat reflects the recent revisions to this portion of the development which consists of replacing a commercial building and eight townhomes with an assisted living and memory care center, and a revised roadway serving the 14 single family homes south of the assisted living center. Typically, final subdivision plats are approved only after the physical installation of roadways and utilities. However, a Final Plat for the subdivision was conditionally approved in June 2018 subject to the City Engineer accepting all improvements and all utilities installed and accepted by the City and that the developer closes on this property. Whether the practice of conditionally approving Final Plats should be continued is a question for debate. All zoning has been updated to reflect the change in use and layout for the proposed north phase Final Plat. The CSM for the assisted living center was conditionally approved by the Plan Commissioners subject to final approval by the City Engineer on grading and storm water issues. To date, the CSM has not yet been signed off by the City for recording. Staff recommends unless the applicant has a compelling reason for conditional approval of the Final Plat, Staff does not recommend approving the Final Plat prior to the installation of utilities and roadways as is standard practice. **MOTION BY ROB VANDEN NOVEN AND SECONDED BY MAYOR MARTY BECKER to recommend to the Common Council, staff recommendation for conditional approval subject to satisfaction of the following conditions by no later than July 16, 2021. 1) The Developer shall provide the City with written and electronic evidence, as required by the Master Development Agreement dated 08/15/2017, certifying that the grading work for the North Phase of the subdivision has been completed in accordance with the approved master grading plan; 2) The Developer shall deliver to the City an irrevocable standby Letter of Credit in the amount of the estimated total cost of completing the infrastructure improvements in accordance with the approved civil engineering plans, for the North Phase of the subdivision. The amount of the Letter of Credit shall be subject to approval of the City Engineer, and the form of the Letter of Credit shall be subject to approval by the City Attorney; 3) The approval and execution by the City and the Developer and the recording of an addendum to the parties' Master Development and Land Purchase Agreement relating to the North Phase, Central Phase of the subdivision; and 4) If these conditions are not satisfied by July 16, 2021, then this approval shall be null and void and the Developer shall be required to reapply for review and approval of the Final Plat. Motion Failed (3 Ayes, (Mayor Becker, Vanden Noven, Neumyer) 3 Nays, (Ryer, Neitzke, Matera)).**

ZONING CODE AMENDMENT FOR CONSIDERATION AND POSSIBLE ACTION TO AMEND THE CITY OF PORT WASHINGTON ZONING CODE TO ADD INDOOR BOAT STORAGE AS AN ALLOWABLE USE IN THE I-1 INDUSTRIAL DISTRICT: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that the applicant is the owner of the former Simplicity manufacturing complex located at 500 North Spring Street and is proposing to

construct four warehouses style buildings for the purpose of individual storage of boats and yachts. At its February 2021 Plan Commission meeting, the Commissioners tabled the applicant's Concept Plan proposal after expressing concerns regarding both the lack of clear language in the zoning code to allow such a use and a concern about such a large industrial site adjacent to a residential neighborhood being used primarily for storage without any long-term plans for any higher uses or improvements to the site. The Commissioners recommended the applicant work with staff on addressing the issues prior to returning for any proposals related to the project. The site is zoned I-1, Industrial. Boat storage is not a listed use in either of the I-1 or I-2 industrial districts, but boat storage has been approved previously in the industrial park under warehousing. The only zoning district with a specific reference to boat storage is the B-3, Business District and is classified as a Conditional Use. The applicant is seeking to amend the zoning code to allow for indoor storage as an allowable use in the I-1, Industrial District. The majority of uses in the I-1 district similar in scope such as warehousing or other light manufacturing uses are permitted as of right subject to approval of a Building, Site, & Operations Plan by the Plan Commission. If approved, indoor boat would be a stand-alone use and separate from any warehousing classification. Indoor boat storage would also be carried over as permitted in the industrial park district subject to the same BSOP requirements. The applicant acquired the property in 2018. Since then, the following uses and businesses are on site: CPI is the major tenant and is a manufacturing business employing 30 persons on site and is planning to expand its operation within the existing building and increase employment to 50. According to the applicant, one reason for requesting the new boat storage facilities is to free up space allowing for the CPI expansion. Kleen Test uses the existing building for warehousing related to its Port Washington operations. Personal boat storage remains within the existing building. The applicant intends to keep the site industrial allowing for CPI to continue its manufacturing operations there along with the other existing storage and warehousing. There are no additional light manufacturing tenants currently planned. The applicant has no current plans for site improvements apart from the proposed indoor boat storage on the north end of the site. The City Planner reviewed the proposed language with the Commissioners. He also reviewed the options with the Commissioners. Option 1: Approve the proposed zoning text amendment to allow for indoor boat storage as a dedicated use. Doing so will allow for the applicant's original project to go forward subject to Common Council approving the text change and will allow for future boat storage in all other industrial districts in the City. Option 2: Table the zoning text change and allow the original concept plan proposal to move forward under current zoning language and past practice – essentially taking up the agenda item from the February meeting. Option 3: Recommend to the Common Council to approve the zoning text change subject to boat storage be allowed only in facilities existing at the date of passage of the zoning district. And Option 4: Recommend to the Common Council to deny the zoning text change. Staff recommends Option 2. However, if the Plan Commission wishes to entertain the proposed ordinance change, Option 3 would be the recommended option. The Plan Commissioners discussed this item. **MOTION BY TED NEITZKE AND SECONDED BY ROB VANDEN NOVEN to recommend to the Common Council Option 2, Table the zoning text change and allow the original concept plan proposal to move forward under current zoning language and past practice – essentially taking up the agenda item from the February meeting as presented. Motion carried unanimously.**

CONCEPT PLAN FOR CONSIDERATION AND POSSIBLE ACTION FOR PROPOSED BOAT STORAGE LOCATED AT 500 NORTH SPRING STREET: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that the applicant is the owner of the former Simplicity manufacturing complex located at 500 North Spring Street. The applicant is proposing to construct four warehouse style buildings for the purpose of individual storage of boats and yachts. This item was held by the Commission at its February meeting after concerns were raised about the long-term plans for the site and question if the zoning code allows such a use in the industrial districts. 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 uses 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. City Plan Harris reviewed the site plan and design with the Commissioners. No new landscaping is planned. These will be self-storage units with access as needed, 24-7. Each unit will be heated, and no new fencing is planned. Lighting will be over entrances. Staff recommends that should the Commissioners act on this matter, staff recommends approval of the concept plan for three of the four storage buildings. Staff does not recommend a fourth building facing North Spring Street. **MOTION BY PAUL NEUMYER AND SECONDED BY ROB VANDEN NOVEN to approve the Concept Plan as presented. Motion carried unanimously.**

FORTHCOMING EVENTS: This is the last meeting for Mayor Marty Becker. The new Mayor, Ted Neitzke will be taken over. Mayor Becker stated that he would have a 43-page PowerPoint Presentation at his last Common Council meet. All the Plan Commissioners thanked the Mayor for his service. Commissioner Neitzke thanked the Mayor for his time and service to the City.

ADJOURNMENT: MOTION BY ROB VANDEN NOVEN AND SECONDED BY TONY MATERA to adjourn the meeting at 7:49 pm Motion carried unanimously.