

**CITY OF PORT WASHINGTON
PLAN COMMISSION MEETING
MINUTES
THURSDAY, JULY 15, 2021**

ROLL CALL: Mayor Theodore Neitzke IV called a duly convened meeting of the Plan Commission to order at 6:01 p.m. Member present were: City Engineer Rob Vanden Noven, Alderman Paul Neumyer, Tony Matera, and Kyle Knop. Also, present was: Planner Bob Harris. Absent and excused: Mike Ehrlich. On the phone: City Administrator Tony Brown, Eric Ryer, and Attorney Lisa Wood. Also in the audience was Alderpersons Dan Benning and Deb Postl.

APPROVAL OF MINUTES FOR THE JUNE 17, 2021: MOTION BY PAUL NEUMYER AND SECONDED BY TONY MATERA approve the minutes as presented. Motion carried unanimously.

PUBLIC APPEARANCE & COMMENTS: Burt Babcock of 221 West Main Street stated he was an alderman for 14 years and that he has concerns regarding the duplex on North Milwaukee Street. He talked about the mudslides east of his home in 1996. How there was a lot of tree damage and the business on North Milwaukee Street had to relocation because of major repairs. He talked about the landslide at the swimming pool and how the high school slide down towards the pool. He stated that was a major clean up. He wanted to know if any new analysis of the hill and slope have been done before construction begins.

Brian McCutcheon of 1203 North Nelson Drive wanted to know if this is where he talks about expanding his driveways on Nelson and Webster Streets. He stated he want extra space in Winter to park vehicles on Nelson and the driveway on Webster Street is only a single driveway. His in-laws live there. He also stated that the pontoon boat would be stored in Belgium in the winter.

Steve Cox, Attorney for the Rathburn of West Main Street questioned if due diligence had been down on this duplex property. Wanted to know about the retaining wall and if it would be encroaching on his client's property. He wanted to know if any tests were being down on the slope and the hill. He stated that the professional building on North Milwaukee Street had basement issues. He wanted this project to be placed on hold until more test and be done.

Barry Genson a summer resident that lives in the New Port Vista Subdivision stated that in June of 1996, 4 feet of mud and a box elder tree came down the hill behind his building and into his conference room. The office had to relocated. This was a real problem and there was no insurance for it. Stuff happens, do your due diligence. He agrees with Burt Babcock.

SPECIAL EXCEPTION REQUEST FOR A DRIVEWAY WIDENING BEYOND ZONING REQUIREMENTS LOCATED AT 925 NORTH WEBSTER STREET: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that Mr. Brian McCutcheon of 1203 North Nelson Drive is proposing to expand the driveway at 925 North Webster Street to include a side parking area adjacent to the driveway proper and be situated beyond the garage door entrance. City Planner Harris reviewed the zoning ordinance requirements for a residential driveway placement. He stated that the driveway shall traverse from the street to the garage in the shortest path possible, i.e., a straight line from street to garage door. A driveway cannot be more than 2 feet on either side of the garage door (2), and the setback for a driveway from abutting lot lines is 3 feet. The applicant is requesting the Special Exception to expand their driveway and additional 6.5 feet beyond the one-car garage door entrance to

accommodate an extra parking area with additional household vehicles. City Planner Harris also reviewed the special exception criteria for the Plan Commissioners. Staff states the Special Exception meets all three criteria and if approved, staff would recommend the driveway curve not to begin at the sidewalk pavement line as proposed, and shall adhere to the 3-foot setback. The applicant stated that this parking space would be used for a vehicle and not a pontoon boat, the boat is stored in Belgium. **MOTION BY TONY MATERA AND SECONDED BY KYLE KNOP to approve the Special Exception as requested subject to the driveway curve not to begin at the sidewalk pavement line and to adhere to the 3-foot setback. Also, no boat should be parked in that area. Motion carried unanimously.**

SPECIAL EXCEPTION REQUEST FOR A DRIVEWAY WIDENING BEYOND ZONING REQUIREMENTS LOCATED AT 1203 NELSON DRIVE: City Planner Harris reviewed this item for the Plan Commissioners. City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that Mr. Brian McCutcheon of 1203 North Nelson Drive is proposing to expand the driveway to include a side parking area adjacent to the driveway proper and be situated beyond the garage door entrance. City Planner Harris reviewed the zoning ordinance requirements for a residential driveway placement. He stated that the driveway shall traverse from the street to the garage in the shortest path possible, i.e., a straight line from street to garage door. A driveway cannot be more than 2 feet on either side of the garage door (2), and the setback for a driveway from abutting lot lines is 3 feet. The applicant is requesting the Special Exception to expand their driveway and additional 7 feet beyond the one-car garage door entrance to accommodate an extra parking area with additional household vehicles and decrease the need for on-street parking, particularly in winter when parking restrictions go into effect. City Planner Harris also reviewed the special exception criteria for the Plan Commissioners. Staff states the Special Exception meets all three criteria and if approved, staff would recommend the driveway curve not to begin at the sidewalk pavement line as proposed, and shall adhere to the 3-foot setback. The applicant stated that this parking space would be used for a vehicle and not a pontoon boat, the boat is stored in Belgium. **MOTION BY KYLE KNOP AND SECONDED BY TONY MATERA to approve the Special Exception as requested subject to the driveway curve not to begin at the sidewalk pavement line and to adhere to the 3-foot setback. Also, no boat should be parked in that area. Motion carried**

BUILDING, SITE AND OPERATIONS PLAN FOR TWO-FAMILY TOWNHOUSE RESIDENCE LOCATED ON THE WEST SIDE OF NORTH MILWAUKEE STREET AND SOUTH OF WEST WASHINGTON STREET: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that Robert Bach, the applicant, is requesting to construct a duplex townhouse in the 200 block of North Milwaukee Street. The townhouse style duplex is located on a vacant parcel of land between West Main Street and West Washington Street on the west side of Milwaukee Street. The property is zoned RM-4 Multiple Family Residential, in which multiple family apartments of two or more units are permitted uses. The minimum zoning standards are met including a previously approved Special Exception to allow for the balconies to encroach six feet into the setback. The project site is a vacant 60' x 70' lot, partially created with the recent vacation of the eastern end of the alley to the northwest of the site. The lot is essentially a hillside requiring a six-foot retaining wall on the rear of the property to create a buildable site. The proposed project is a four-story, townhouse style duplex with each unit provided a two-car garage and driveway with access onto Milwaukee Street. Each unit contains two each (front) facing projecting balconies with transparent guard panels. The roof is broken up with an east facing gable and gable brackets and shake siding pattern. The City Planner reviewed the colors and materials with the Commissioners. The City Planner reviewed the Design Review Board recommendations for this project. The Commissioners had concerns regarding the retaining wall. Mr. Bach reviewed the retaining wall's specification with I beams to the Commissioners

and also explained that the City Engineer would be review these specifications. City Engineer Vanden Noven as if a Public Notice was sent out the neighbors regarding the balconies. City Planner stated that it was. **MOTION BY PAUL NEUMYER AND SECONDED BY TONY MATERA to approve the Special Exception subject to the Engineering report being submitted and reviewed by the City Engineer and the Design Review Board's recommendations. Motion carried (5 Ayes, 1 Nay (Knop).**

FINAL PLAT CONSIDERATION AND POSSIBLE ACTION FOR PRAIRIE'S EDGE CENTER PHASE FINAL PLAT, PRAIRIE'S EDGE SUBDIVISION LOCATED ON THE EAST SIDE OF SOUTH WISCONSIN STREET AND NORTH OF SUNSET ROAD: City Planner Harris reviewed this item with the Commissioners. He stated this is Prairie's Edge Center Phase Final Plat. Prairie's Edge is located on the east side of South Wisconsin Street and north of Sunset Road. Prairie's Edge is divided into three phases of development. The first one is the North Phase, the second is the Center Phase and the last one is the South Phase. The Center Phase is the second section of the Prairie's Edge development scheduled for construction and the applicant is seeking conditional approval of the Center Phase Final Plat. The proposed Final Plat generally reflects the preliminary plat and conceptual plat. 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 2018 and in 2021, subject to the City Engineer accepting all needed civil plans and letters of credit. Zoning remains unchanged. Staff recommends a conditional approval subject to any and all required civil plans and letters of credit. The Plan Commissions discussed this item. Attorney Lisa Woods was on the phone for any questions. **MOTION BY ROB VANDEN NOVEN AND SECONDED BY TONY MATERA to approve subject to staff recommendation that all required civil plans and letters of credits have been submitted to the City Engineer. Motion carried unanimously.**

CONDITIONAL USE GRANT CONSIDERATION AND POSSIBLE ACTION ON A CONDITIONAL USE GRANT FOR A PROPOSED AUTOMOTIVE DETAILING SERVICE LOCATED AT 922 NORTH WISCONSIN STREET: City Planner Harris reviewed this item for the Plan Commissioners. He stated that the proposed Conditional Use is for a car detailing shop located at 922 North Wisconsin Street. Northport Group LLC and Mason Barnett are the applicants. Per the zoning code Section 20.34.140 D 2, automotive services are a Condition Use in the B-2 Business District and therefore the use request is subject to Plan Commission and Common Council approval. The site was recently proposed for an automotive service and used car dealership. That application was withdrawn partially following concerns and debate regarding use of the south portion of the property for used car sales parking abutting a residential property. The Subject property has long been, in various formats, an automotive and car sales use but has been vacant for over one year. The applicant intends to operate a car detailing service under the name, "Superficial Details". Scott Nelson, of the Northport Group, has purchases the property, both the 922 and 926 parcels, and plans to lease the property to Mr. Barnett for him to operate the proposed car detailing business. Up to four employees are anticipated in the future. Operations will be Monday through Friday, 9 am to 5 pm; Saturdays by appointment and closed on Sundays. The applicant is proposing to use only the southern portion of the former Peiffer's property, leaving the northern corner lot as is. Due to the use and limited number of employees, parking for both customers and employees are designated on the north side (2 spaces) and east side of the building (3 spaces). No parking is planned for the south side of the property abutting the residences or on the east edge of the property abutting the public alley. The dumpster is shown abutting the northeast corner of the building. The applicants ae proposing to landscape the front 10' of the property, similar to that recommended from the previous applicants. Staff recommendation are as follows: 1) The space abutting the residence to the south should be designated as a no parking zone on the site plan, including the area adjacent to the residence front yard setback; 2) No parking of cars beyond the area shown on

the submitted site plan. 3) Clarification on the anticipated number of employees and anticipated number of customers per day; 4) Clarification if the existing green space adjacent to the north entrance will be shortened to allow for persons parking on the north side of the building access to the front of the property; 5) A scaled landscape plan should be submitted as a condition of approval. The landscape plan should show landscape types and locations for the west side front property line and along the south property line. 6) Use of a Certified Survey Map to consolidate multiple parcels on site and to remove current right-of-way issues along North Wisconsin Street; 7) The site plan should specify material type for a required dumpster corral; and 8) Any new signage shall conform to the City sign code. The Plan Commissioner discussed this item. **MOTION BY ROB VANDEN NOVEN AND SECONDED BY KYLE KNOP to approve the Conditional Use Grant per staff's recommendation and conditions which** include 1) The space abutting the residence to the south should be designated as a no parking zone on the site plan, including the area adjacent to the residence front yard setback; 2) No parking of cars beyond the area shown on the submitted site plan. 3) Clarification on the anticipated number of employees and anticipated number of customers per day; 4) Clarification if the existing green space adjacent to the north entrance will be shortened to allow for persons parking on the north side of the building access to the front of the property; 5) A scaled landscape plan should be submitted as a condition of approval. The landscape plan should show landscape types and locations for the west side front property line and along the south property line. 6) Use of a Certified Survey Map to consolidate multiple parcels on site and to remove current right-of-way issues along North Wisconsin Street; 7) The site plan should specify material type for a required dumpster corral; and 8) Any new signage shall conform to the City sign code. **Motion carried unanimously.**

PORT WASHINGTON SIGN CODE FOR DISCUSSION AND POSSIBLE ACTION RELATED TO AMENDING SECTION 29 OF THE CITY OF PORT WASHINGTON ZONING CODE RELATED TO CHANGEABLE COPY SIGNS (ELECTRONIC MESSAGE CENTER SIGNS) AND SIGNS IN THE B-4 CENTRAL BUSINESS DISTRICT AND CCM-CENTRAL CITY MIXED DISTRICT: City Planner Bob Harris reviewed this item with the Commissioners. He stated that the Plan Commission is being asked to revisit changes to the City's sign code (Section 20.29) to further regulate Electronic Message Center (EMC) and (a/k/a LED signs) in the City of Port Washington. Staff is also including two other suggested changes: 1) Amending the size and illumination regulations for monument signs in the B-4 Business and CCM Central City Mixed zoning districts. City Planner Harris reviewed the background of this discussion with the Commissioners. He stated that at the Council meeting and the Plan Commission meeting there appears to be support for the following: 1) EMC signs may not be appropriate in the downtown areas; 2) The intensity / brightness is a chief complaint and should be proactively mitigated for any future signs; and 3) The Council would like a Draft Ordinance to react to. The City Planner reviewed the issues of the existing LED sign regulations with the Commissioners and he also reviewed the sign policies of other communities. Staff is of the opinion continuing to allow EMC's will undermine the aesthetic appeal of Port Washington as these types of signs proliferate. Further, such signs will only drag down attempts to build up Port's image and physical appearances and will diminish previously stated desires to be of a unique and charming character as opposed to 'Anywhere USA'. This is particularly notable for a community in which destination-based spending appears to becoming a larger share of its local economy. Nevertheless, a need by its policy makers, i.e., the Common Council, to balance differing interests and suggested changes hopefully reflect this reality. Staff recommends the following: Electronic Message Center Definition – A sign that utilizes computer-generated messages or some other electronic means of changing copy which may include symbols, or other images. These signs include displays using incandescent lamps, LEDs, LCDs, or a flipper matrix. Electronic Message Centers are permitted in the following zoning districts: B1, B2, and B3 Business Districts; RS-4 Residential and PUL Public Lands when for schools and houses of religious worship* (*subject to review by the City Attorney). EMC

sign design and operation criteria are as follows: 1) Does not contain moving or an illusion of moving text, images, transition, animation, flashing, or other distracting features; 2) EMC's only permitted when integrated with a masonry type monument sign; 3) The EMC board shall not exceed 16 square feet; 4) The maximum height of an EMC monument sign shall be 6 feet; 5) Illumination setting shall not be more than 0.3 footcandles at night and all approved EMC's shall contain an ambient light sensor to automatically dim according to ambient light conditions; 6) EMC message or frame shall not change more than once every 60 seconds; 7) EMC messages or frames shall not contain a predominately white background; and 8) EMC screen failures or malfunctions shall default to a black screen. Special criteria for signs in CCM Central City Mixed and B-4 Central Business Zoning Districts shall be as shall be the same. The Plan Commissioners discussed these items. Commissioner Knop provided the other Commissioners with a list of existing EMC signs in the City of Port Washington and his comments regarding the City Planner's staff recommendation. Some of the Plan Commissioners stated that they agree with the recommendation that City Planner Harris brought before Plan Commission. The Plan Commission did not take any action on this item. It will be brought to the Common Council in August 2021.

Paul Neumyer left the meeting at 6:48 pm.

FORTHCOMING EVENTS: Commissioner Matera reported that the mini-Fish Day was going to be Friday, July 16, 2021 and Saturday, July 17, 2021 down at Veteran's Park. Please come down and support the Civic Organizations. B3, Rotary, St. John 23rd and others will be down there also.

ADJOURNMENT: MOTION BY TONY MATERA AND SECONDED BY ROB VANDEN NOVEN to adjourn the meeting at 7:12 pm. Motion carried unanimously.