

**CITY OF PORT WASHINGTON
PLAN COMMISSION
MINUTES
THURSDAY, MAY 15, 2008**

- 1. ROLL CALL:** Mayor Huebner called a duly convened meeting of the Plan Commission to order at 6:31 p.m. Members present were: Commissioners Kelley, Sova, Voigt, and Becker. Also present were: City Planner Randy Tetzlaff. Absent and excused: Commissioner Haacke, City Engineer Vanden Noven, City Building Inspector Wiese, and City Administrator Mark Grams.
- 2. APPROVAL OF MINUTES OF APRIL 17, 2008. MOTION BY COMMISSIONER SOVA AND SECONDED COMMISSIONER VOIGT to approve as presented. Motion carried unanimously.**
- 3. PUBLIC APPEARANCES & COMMENTS:** Ms. Cathy Tank, the Executive Director of the Tourism Council read a statement. It stated that: The Port Washington Tourism Council strongly supports the City allowing outdoor sale and use of alcoholic beverages on City's Right-Of-Ways. We support a City policy that encourages the businesses to offer outdoor dining, with an easy process for them to do so. Outdoor dining has become very popular in many cities, and it draws residents and tourists alike. When there are a number of businesses that offer this, it becomes an amenity that can greatly contribute to the attraction of a downtown. It creates increased traffic, that benefits not only the individual restaurants, but draws foot traffic to other businesses that remain open in the evening as well. One only has to look to other tourist destinations and see that the prevalence of outdoor dining has made a contribution to their success. In addition, it is an integral element of almost any lively downtown that you see. It keeps people downtown longer, because there is something happening. And, the longer they stay, the more money they are likely to spend. Its fun, it creates energy. People want to be there. We want our downtown to be a place where people want to be.
- 4. REVISED SITE PLAN FOR THE REDEVELOPMENT OF 539-541 NORTH WISCONSIN STREET:** City Planner Randy Tetzlaff reviewed this item with the Commissioners. He stated previously, a planned development project was approved for this property that included a new single family home along North Harrison Street and three attached town homes fronting along North Wisconsin Street. The site plan has now been revised slightly to include a new 3-foot strip of land that was added to the property from the adjacent property to the south. An easement to that property has now been vacated and the applicant will now provide an easement to that property across his. In addition, the revised plan indicates slight changes to the setback and side yard of the single family home. The applicant discussed the easement by the adjacent property owner when the project was being reviewed. He indicated that it was his intention to obtain control of the easement and offer a new easement; which he is now proposing. That discussion did not include his possible obtaining of the additional land. The changes to the setback and side yard are minor and do not impact the integrity of the project. **MOTION BY COMMISSIONER VOIGT AND SECONDED BY COMMISSIONER KELLEY to approve the revised site plan as presented. Motion carried unanimously.**

5. **CERTIFIED SURVEY MAP TO CREATE TWO LOTS AT 725 SOUTH SPRING STREET:** City Planner Tetzlaff reviewed this item with the Commissioners. He stated that this property was recently acquired by the applicant and she will become a first-time homeowner. Access to the existing home and garage is via a public alley from South Spring Street. It is an unusual parcel because in the front yard is a highway and a power highline easement. In the future the applicant would like to sell off a portion of the property to help with her mortgage; therefore, she is submitting for review a CSM that creates a new second lot. The property is zoned RS-4 Single Family Detached and the new lots as shown will far exceed the minimum lot size minimums for the district (8,400 SF) as well as the building setback and side yard. Access to Lot 2 will be from Portview Drive. Note that the west portion of this lot was once Grove Street. The new lot will be served by utilities in Portview. **MOTION BY COMMISSIONER KELLEY AND SECONDED BY COMMISSIONER BECKER to approve the Certified Survey Map as presented. Motion carried unanimously.**

6. **EXTRATERRITORIAL REVIEW OF FINAL PLAT OF THE LEDGESTONE SUBDIVISION IN THE TOWN OF PORT WASHINGTON:** City Planner Tetzlaff reviewed this item with the Commissioners. He informed the Commissioners that this particular plat is to the north of the Hidden Hills development. When we reviewed the concept plan for Hidden Hills North, a representative of the applicant made reference to this proposed development. In particular, he noted that Sweetwater Boulevard extended, would align with the LedgeStone Drive. The City Engineer has reviewed the plans for the intersection of Green Bay Road where it intersects with LedgeStone and Sweetwater, and found them to be compliant. The names of the proposed streets in addition to LedgeStone do not duplicate any other street names served by our EMS. Since this plat is a part of our border agreement area with the Town of Port Washington, these are the only factors that we are concerned with. **MOTION BY COMMISSIONER VOIGT AND SECONDED BY COMMISSIONER BECKER to approve the final plat of the LedgeStone Subdivision in the Town of Port Washington. Motion carried unanimously.**

7. **LANDSCAPE PLAN INCLUDING NEW DEVELOPMENT SIGN FOR WOODRIDGE CONDOMINIUM DEVELOPMENT:** City Planner Randy Tetzlaff reviewed this item with the Commissioners. He informed the Commissioners that last year, the Plan Commissioners reviewed and approved a revised building and site plan, and new certified survey map for Woodridge Condominiums. The revised plan retained the single family detached condos along the west side of the property but also modified the 2-family dwellings; they will now be clustered around a courtyard. The developer, Brendan Sullivan has now sold off the lot for the detached single family condos to another party and sold off the 2-family area to still another party. He is retaining lot 3 which has been designed for 4-families and the future commercial area. The private street is now under construction and Mr. Sullivan is now submitting for review and approval a landscape plan for Phase 1 (the street and the single family units) and a plan for a new development sign at the entrance along Sauk Road. In the future, a landscape plan for the 2-family area will be submitted. The landscape plan has been prepared by the same company that designed the landscaping for Molded Dimensions. The designer is a proponent of using native plantings and vegetation. In addition, she is proposing that rain gardens be constructed between the units. If the plantings are installed as per the plan, the area will be very attractive and will deviate from many of the other developments that have large areas of mowed and manicured areas. The entrance sign is very similar to other developments signs that have been approved. A representative from Northern Exposure gave a presentation on the type of plantings that would be used in this development. Commissioner Kelley had some

concern with the development sign. **MOTION BY COMMISSIONER VOIGT AND SECONDED BY COMMISSIONER SOVA to approve the landscape plan and new development sign as presented. Motion carried unanimously.**

8. **INSTALLATION OF CREMATION CHAMBER AND OUTDOOR STACK AT 205 NORTH WISCONSIN STREET:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated that the Poole Funeral Home is proposing to add a cremation chamber inside the garage that is adjacent to the funeral home. The only thing visible will be to roof stack. This would be the first such unit in the City. Communities generally treat cremation chambers as either an extension or as an accessory use to the principal use. A few only allow them in industrial areas, although, that is usually when the crematory is a stand alone, principal use. There have been some complaints in other communities about the smell that is emitted, as well as carbon dioxide emissions, and in some cases, mercury due to the silver dental filings. Most of these complaints are from larger cities where there are many cremations done on a daily basis. The applicant does not foresee that much demand here. No outsider would be aware that such an operation is ongoing at this location and the proposed stack would not give away its identity. Mr. Pat Poole of the Poole Funeral Home presented his request to the Commissioners. The Commissioners discussed this item and would like to see more information on this type of cremation chamber. **MOTION BY COMMISSIONER VOIGT AND SECONDED BY COMMISSIONER KELLEY to table this item until more information is received. Motion carried unanimously.**

9. **REVISED SITE PLAN FOR OUTDOOR DINING AREA AT 102 EAST GRAND AVENUE:** City Planner Tetzlaff reviewed this item with the Commissioners. He stated that back in 2002, the applicant received approval of a site plan and a conditional use grant to use their adjacent parking lot as an outdoor dining area. The approval did not permit the sale of alcoholic beverages and all silverware, cups, plates, etc. were to be disposable. This approval happened prior to the expansion and renovation of the restaurant. Once that occurred, the application again used the parking area for parking and received approval to place tables and chairs on the sidewalk. Now, the applicant would once again like to use the parking area for dining and to serve alcoholic beverages, much like the Harborside, the Port Hotel, Schooners, Horsefeathers, and New Port Shores. The current CUG is still a legal document so what needs to occur is for a revised site plan to be reviewed that essentially would screen or not allow carry-outs from the outdoor dining area as well as a way for patrons to enter the outdoor area from the restaurant. The plan as submitted accomplishes both; a new door is proposed on the east side of the building and a fence is now proposed along the lot line. A gate is shown to permit deliveries and the existing trash containers will be relocated to the area above the restaurant to the north. The new conditions of the revised CUG include reference to the newly approved site plan; the elimination of the disposal plates, silverware, etc. since there is now direct access to the restaurant; and new hours of operation similar to what has been granted to similar establishments. Staff recommends 1) Approve the site plan as presented; and 2) recommend approval of a revised CUG with the conditions discussed above. **MOTION BY COMMISSIONER BECKER AND SECONDED BY COMMISSIONER SOVA to approve the revised site plan as presented. Motion carried unanimously.**

10. **REVISED CONDITIONAL USE GRANT TO PERMIT ALCOHOL SALES IN THE OUTDOOR DINING AREA AT 102 EAST GRAND AVENUE: MOTION BY COMMISSIONER BECKER AND SECONDED BY COMMISSIONER VOIGT to**

recommend to the Common Council to approve the revised Conditional Use Grant as presented. Motion carried unanimously.

11. REVISED SITE PLAN CRITERIA TO ALLOW OUTDOOR SALE AND USE OF ALCOHOLIC BEVERAGES ON CITY RIGHT-OF-WAY: City Planner Tetzlaff review this item with the Commissioners. He stated that last month the Commissioners were informed that the Common Council would be considering a new ordinance that would allow the possession and consumption of alcoholic beverages on public sidewalks under conditions of a right-of-way license. The Plan Commission would be required to review a site plan for each establishment and therefore, needs to establish some criteria or standards for outdoor dining facilities. To help with identifying such criteria or standards, staff has reviewed information from other communities including both Milwaukee and Madison, two communities that have allowed outdoor dining facilities with success for several years. The primary considerations are 1) minimum sidewalk clearance; the amount of unobstructed sidewalk for pedestrians outside the dining facility. There needs to be a consistent distance from the curb, a tree, or sign. 2) a divider that separates or cordons off the dining area from the remaining sidewalk area; 3) some operational guidelines; and 4) application submission. Staff reviewed a list of conditions for the Commissioners. Applications shall include a dimensioned drawing illustrating existing physical conditions in the location of the proposed sidewalk area dining facility, a dimensioned site plan showing proposed design of the sidewalk area dining facility (i.e. layout of tables, chairs, planters, fencing, or other barricades, lights, signs, relationship to entrances and other street level physical features of the associated building, etc.) and a written plan of operations. The plan of operations at a minimum shall indicate: 1) the expected starting date and ending date of the sidewalk area dining facility; 2) the proposed daily hours; 3) the planned capacity of the sidewalk area dining facility; and 4) whether any of the proposed sidewalk area dining facility improvements would be physical attached to public infrastructure and if so, how. It also appears that the fees we charge for reviewing and renewing the current ROW permits (\$20) is significantly lower than what other communities require. Staff's suggestion is that we would charge \$100 for the site plan review (minor review) and then charge \$40 for the annual license fee. In addition, more specific information regarding insurance is needed. Sara Grove of the BID made a presentation to the Commissioners. She stated that several businesses were already geared up to start their outside dining. Commissioners discussed this item. **MOTION BY MAYOR HUEBNER AND SECOND BY COMMISSIONER BECKER to recommend to the Common Council approval of the guidelines established by the Plan Commission as presented. Motion carried unanimously.**

12. SPECIAL EXCEPTION FOR NEW SIGNS AT HARRIS BANK (A.K.A. OZAUKEE BANK) LOCATED AT 623 WEST GRAND AVENUE: City Planner Randy Tetzlaff reviewed this item with the Commissioners. He stated that last month, the Commission discussed the proposed signs for Harris Bank as it is replacing both the Ozaukee and Grafton State Bank signs. A representative from the sign company met with the Design Review Board to discuss different options and alternatives. At the Grand Avenue location, it was made clear, as to the importance of retaining the community message board; however, it is currently too close to the ROW and obstructs the vision. The existing pylon sign that now encroaches into the ROW needs to be replaced with a monument-type sign. The Board also expressed concern about the size and appearance of the proposed directional signs. The Board proposed that the community message board and the large Harris identify sign be combined into one sign near the location of the message board. The new sign would incorporate the masonry look of the message board and would be pulled back off the ROW with a new setback of 5 or 7 feet as

opposed to 10 feet. If Harris so agreed to combine the signs, then the City might then allow the setback relief as well as allowing the new sign to exceed the size and height standards. The sign representative agreed to consult with Harris and bring back to the Plan Commission plans for the new signs. The Commissioners discussed this item and agreed to the Harris sign on West Grand Avenue if they reduce the size to 12 feet if possible and reduce the lettering on the sign. **MOTION BY COMMISSIONER SOVA AND SECONDED BY COMMISSIONER BECKER to approve the monument sign, the directional signs, and the message board sign as presented subject to the following changes: 1) reduce sign to 12 feet and a 10 foot setback; 2) reduce lettering at the bottom of the sign; 3) possibly reduce the picture of the lion; 4) add the same stone that is on the building to the sign 5) the community message sign shall stay as is and 6) all this is subject to final review by staff for approval. Motion carried unanimously.**

13. SPECIAL EXCEPTION FOR NEW SIGNS AT HARRIS BANK (A.K.A. GRAFTON STATE BANK) LOCATED AT 1510 CARDINAL DRIVE: City Planner Randy Tetzlaff review this item with the Commissioners. He stated that the signs as proposed were shown to be in some cases to be within the ROW or where future sidewalks will be located. The new monument sign was shown to be on another property. The Board requested that the sign company bring a revised plan as well as incorporating the same comments made by the Board regarding the Grand Avenue location. The Commissioners discussed this item and agreed that the sign could be placed closer to the pond and Sauk Road for the best exposure. City Planner informed the Commissioners that this is zoned with a planned development overlay. As such, the Commission has discretion on the sign standards. **MOTION BY MAYOR HUEBER AND SECONDED BY COMMISSIONER VOIGT to approve the signs and directions as presented. The monument sign may be 13-1/2 feet high and this approval is contingent on the issues with the sidewalk and pond being resolve to staff's satisfaction. Motion carried unanimously.**

14. REVIEW OF PROPOSED ORDINANCES REGARDING PERMITS FOR RAZING BUILDINGS AND FOR REGULATING HISTORIC BUILDINGS: City Planner Randy Tetzlaff reviewed this item with the Commissioners. He stated that previously, the Plan Commission recommended changes to the policy regarding the razing or demolition of buildings. In addition and related to that, the Commission also recommended new regulations covering historic buildings. The City Attorney drafted new ordinances covering each item. Staff would like the Commissioners to review these ordinances. If there are any comments or questions, Commissioners should discuss them with the City Planner. Commissioners stated that sheds should not fall under these ordinances. This is informational only.

15. TRANSPORTATION ELEMENTS FOR THE 2035 COMPREHENSIVE PLAN: City Planner Randy Tetzlaff reviewed the Transportation Elements with the Commissioners. He asked that they review these Elements and to get back to him with any questions or comments. This is informational only.

16. FORTHCOMING EVENTS: There was none.

17. ADJOURNMENT: MOVED BY COMMISSIONER KELLEY AND SECONDED BY COMMISSIONER SOVA to adjourn the meeting at 8:03 p.m. Motion carried unanimously.