

**CITY OF PORT WASHINGTON
PLAN COMMISSION
MINUTES
THURSDAY, MARCH 19, 2009**

1. **ROLL CALL:** Mayor Huebner called a duly convened meeting of the Plan Commission to order at 6:30 p.m. Members present were: Commissioners Kelley, Voigt, Haacke, Becker, and Sova. Vanden Noven, and Becker. Also present were: City Planner Randy Tetzlaff and City Administrator Mark Grams. Absent and excused: City Building Inspector Dennis Wiese.
2. **APPROVAL OF MINUTES OF FEBRUARY 19, 2009. MOTION BY COMMISSIONER KELLEY AND SECONDED COMMISSIONER VOIGT to approve as presented. Motion carried unanimously.**
3. **PUBLIC APPEARANCES & COMMENTS:** There was none.
4. **CONCEPT PLAN TO ALLOW A PORTABLE TOILETS FACILITY (CANS-TO-GO) ON THE CORNER OF BYWATER DRIVE AND SUNSET ROAD:** City Planner Randy Tetzlaff reviewed this item with the Commissioners. He stated that the applicant would like to relocate 2 businesses currently in Milwaukee, Best Waste Solutions which does food waste, and Cans-To-Go, a portable restroom business. He has looked at a number of industrially zoned sites but has not found one either available or feasible. This particular site is on the corner of Bywater and Sunset in the Industrial Park. Both the City and the owner, Paul Weise, had envisioned something of higher use (jobs or tax base), but because this is an industrial use, we thought it best to bring the concept plan to the Plan Commission for review and approval, prior to the applicant purchasing the property. If this plan is approved, the applicant would return with a more detailed building and site plan. If approved, the existing 4.5 acre parcel would be divided to create a new 2 acre parcel that the applicant would purchase. A new industrial type building with masonry base and metal construction would be erected. The outdoor storage area would be fenced so that the portable toilets would not be visible from view from either Bywater or Sunset. The parking area would be paved and the site landscaped as per our zoning ordinance. Since the site is appropriately zoned for this use, the Design Review Board agreed that the proposed use of the site was acceptable. The applicant, Mr. Joe Taylor reviewed his plan with the Commissioners. **MOTION BY COMMISSIONER SOVA AND SECONDED BY COMMISSIONER BECKER to approve the Concept Plan as presented. Motion carried unanimously.**
5. **CONCEPTUAL APPROVAL OF A LAND DIVISION AT 539-541 NORTH WISCONSIN STREET:** City Planner Tetzlaff reviewed this item with the Commissioners. He stated that previously, the Plan Commission approved a building and site plan for this property that included a new single family structure that was to front onto Harrison Street and 3-attached two story condominiums that would front onto Wisconsin Street. There would be vehicle access via Harrison and underground parking for each unit accessible from the interior of the site. A planned development overly permitting higher density and different offsets and setbacks was also approved by the Plan Commission and the Common Council. The single family has been built and has an accepted offer on it. However, due to new lending rules brought on by the credit crisis, the bank financing the purchase loan wants the single family lot to be on its own land parcel. It does not care if afterward the residential unit is part of a future

homeowner association or whether their on easements for access, etc. In order to now sell the unit, the applicant requests a land division. When this project was approved, nobody could have envisioned the economic climate we would be facing now. If the proposed land division is approved, the end result of the project will still be the same; 4 units with shared access and a condo or homeowners association. The only thing different will be the land ownership. Under the original plan, the area now proposed to be a part of the single family parcel would have been "limited common area" made available to the occupants of the single family unit. Since the parcel is part of a planned development overlay, the proposed parcel size has no bearing. If this land division concept is approved, the applicant, Nick Suddendorf, would then prepare a certified survey map that would need to be recorded prior to sale of the single family unit. **MOTION BY COMMISSIONER VOIGT AND SECONDED BY COMMISSIONER BECKER to approve the Conceptual Land Division at 539-541 North Wisconsin Street as presented. A Certified Survey Map will be brought back to the Plan Commission for approval. Motion carried unanimously.**

6. **SPECIAL EXCEPTION TO ALLOW THE MODIFICATION OF A NON-CONFORMING SIGN AT 429 WEST GRAND AVENUE:** City Planner Tetzlaff reviewed this item with the Commissioners. He stated that the Port Washington Historical Society is requesting permission to modify the existing sign in front of its new headquarters at 429 West Grand Avenue. Their sign is less than 10 feet from the ROW and is not a monument sign. As per the sign ordinance, for any non-conforming sign, "*any change in wording of the sign shall require that the sign be brought into conformity with the requirements of the sign ordinance.*" This is not the only such sign along this stretch of West Grand Avenue; there are at least another 7 that are similarly non-conforming. The new pizza business, Portside Pizza is in the same predicament; the new business owner wants to modify his sign too. Literal enforcement of the sign ordinance requires removal of the sign and replacement with a monument-type sign and a minimum setback of 10 feet. The size of the existing sign is conforming. The Plan Commission has one of 3 options; 1) deny a special exception and require a conforming monument sign; 2) grant a special exception and allow the sign in its existing location but require a base with landscaping; or 3) grant a special exception to allow the sign as is. Whichever option is approved will establish a precedent on how the remaining signs are treated. Ms. Jackie Olson of the Historical Society was present to discuss the design and wording on their sign. **MOTION BY COMMISSIONER HAACKE AND SECONDED BY COMMISSIONER VANDEN NOVEN to approve a special exception to allow the sign to remain as is. Landscaping should be improved and if there is any lighting should be directed to the sign. Motion carried (5 Ayes, 2 Nays (Sova and Kelley)).**
7. **BUILDING PLAN FOR A TEMPORARY STRUCTURE CONTAINING AN AQUAPONICS RESEARCH FACILITY AT 233 EAST PIER STREET:** City Planner Randy Tetzlaff reviewed this item for the Plan Commissioners. The applicant, Mr. Pat Wilborn, has been a community aquaponics advocate who has suggested that such a facility have a home on the redeveloped coal dock. Since that is not likely to happen, he is now proposing to erect and "urban aquaponics demonstration" facility on his property on East Pier Street. The property is zone B-4, Central Business District, and such a use would be deemed a research or experimental facility, and as such, would require a conditional use grant. The proposed building located adjacent to the existing residential garage would be a modified greenhouse. It would be constructed of tubing covered with polycarbonate, a clear, plastic-like material. Inside there would be two 1,000 gallon tanks for growing plants and fish. The Design Review Board was concerned about the aesthetics of the structure since it would be

erected to a well-maintained brick garage and residence. There was also concern expressed for the proposed chain link fence the applicant proposed to surround the structure. After further discussion, it was agreed that no fence was needed. The applicant also agreed that an annual review of the condition and maintenance of the structure was acceptable. It was also noted that the structure will not be a permanent structure. The only impact on the neighborhood may be traffic and related parking. Since the property is located in the central business district where there is ample on-street and off-street parking, those impacts would be negligible. In addition, the hours of operation would be between 8:00 a.m. and 5:00 p.m. minimizes any further impacts. The Design Review Board approved the building plan subject to an annual 12 month review of structural condition and aesthetics. Mr. Pat Wilborn discussed his plan for this project. Mr. Tim Lewien, who owns a property located at 230 East Pier Street, stated he is not in favor of this project and he has several concerns. **MOTION BY COMMISSIONER VOIGT AND SECONDED BY COMMISSIONER HAACKE to approve the building plans for a temporary structure containing an aquaponics research facility at 233 East Pier Street as presented. Motion defeated (2 Ayes, 5 Nays (Huebner, Vanden Noven, Sova, Kelley and Becker)).**

8. **CONDITIONAL USE GRANT TO PERMIT AQUAPONICS RESEARCH FACILITY AT 233 EAST PIER STREET:** Since the previous item was defeated, this item was not discussed.
9. **BUILDING FAÇADE RESTORATION PLAN FOR 122-128 NORTH FRANKLIN STREET:** City Planner Randy Tetzlaff reviewed this item for the Commission Members. He stated that at the request of the Common Council, the building inspector issued Zoning and Other Code Violation Orders on the former M&I property. One of the corrective measures required was that *“the exterior of the building must be restored to its pre-demolition condition.”* During a conference call held in early to mid-February between city officials and representatives of the owners, it was agreed that they would hire an architect and submit plans for the exterior for the March Design Review Board and the Plan Commission. It must be remembered that while the old bank building is covered with white terra cotta, the adjacent building, known as the Business Men’s Club, was covered with a white metal material that simulated the terra cotta look. The plans as submitted for the old bank building were well received by the Design Review Board. White reinforced fiberglass glazing would be filled-in where the terra cotta was removed. On the former Men’s Club building, new white aluminum panels would again be placed to cover the degraded façade. While most of the Board members agreed that the new panels would likely look better than those that were removed, perhaps there were other, even less expensive alternatives. The two historic preservation technical advisors to the Board suggested that leaving the old façade and patching the holes and covering with a breathable sealant and adding inexpensive windows in the old window openings may be a better alternative. This alternative would allow better future options if the buildings were not demolished. The owners agreed that this option is being considered. The Board voted to approve the plans for the bank building and suggested the other option. If that was not feasible, then the aluminum panels could be installed. Since the meeting, there has been input from the Main Street group requesting that in the interim, the owners either remove the window blinds and/or replace with dark window film. Another suggestion was to allow some Main Street graphic or mural in the first floor windows. Mr. Harm Modder, a representative of the building and Mr. Bill Feldmann, an architect from Zimmerman Architectural Studios, Inc. were present to discuss material and building plans. Commissioners discussed this item. **MOTION BY COMMISSIONER BECKER AND SECONDED BY COMMISSIONER SOVA to**

approve the concept plan for the building at 122-128 North Franklin Street as presented. Motion carried unanimously.

- 10. REZONE PROPERTY AT 1653 NORTH WISCONSIN STREET FROM RM-4, MULTIPLE FAMILY DISTRICT TO B-3, GENERAL BUSINESS DISTRICT:** City Planner Randy Tetzlaff reviewed this item with the Commission members. **MOTION BY COMMISSIONER HAACKE AND SECONDED BY COMMISSIONER KELLEY to recommend to the Common Council to approve the rezoning of the property located at 1653 North Wisconsin Street from RM-4, Multiple Family District to B-3, General Business District as presented. Motion carried unanimously.**
- 11. APPROVE MINOR REVISIONS TO THE PARK AND OPEN SPACE PLAN:** In 2007, the decade old City Park and Open Space Plan was revised and approved by the Park and Recreation Board, the Plan Commission, and the Common Council. It was later approved by the Wisconsin Department of Natural Resources (WDNR). The City recently received a notice from the WDNR informing us that if municipalities want to apply for Stewardship Funding that their current park plans must include reference to the projects that they wish to apply funding for. In our case, the City may be interested in applying for funding for improvements to the bike trail and to elements contained in the Coal Dock plan. Timing for this is critical; applications are due on **May 1, 2009**. The Park and Recreation Board approved these recommendations at its meeting on March 12th. The recommendation from the Park and Recreation Board for additions to the Park and Open Space Plan are as follows: 1) Bike Trail: Construct an off-road extension of the Ozaukee Interurban Trail at its northern terminus along CTH LL to I-43. Construct an off-road extension of the Ozaukee Interurban Trail between Oakland Street and North Park Street within the WE Energies ROW that includes a railroad crossing. In the future, construct a second off-road extension of the Ozaukee Interurban Trail that would extend from Highland Road to the northwest to connect with the existing Trail built within the WE Energies ROW. 2) Coal Dock: Complete park and open space improvements identified in the approve Coal Dock Master Plan and Implementation Strategy. City Planner Randy Tetzlaff reviewed this item with the Commission Members. **MOTION BY COMMISSIONER VOIGT AND SECONDED BY COMMISSIONER SOVA to recommend to the Common Council to approve the revisions to the Park and Open Space Plan as presented. Motion carried unanimously.**
- 12. PUBLIC APPEARANCES & COMMENTS:** Ms. Linda Nenn of 1859 Parknoll Lane stated that she was a volunteer at the Light Station. She stated that she attended the Public Information Meeting on the reconstruction of Powers and Johnson Streets. She was asked for her input on the project and none of her suggestions were included in the plans for the reconstruction. She is very concerned about the impact on the properties in the area. She discussed her ideas with the Plan Commissioners.
- 13. FORTHCOMING EVENTS:** Commissioner Becker informed the Commissioners of a fundraiser for Stars and Stripes Honor Flight at the Railroad Station in Saukville. All proceeds go to the Stars and Stripes Honor Flight program.
- 14. ADJOURNMENT: MOTION BY COMMISSIONER VANDEN NOVEN AND SECONDED BY COMMISSIONER BECKER to adjourn the meeting at 8:00 p.m. Motion carried unanimously.** (Commissioners wanted to mention that this meeting took only 11 minutes. A new record.)