

**CITY OF PORT WASHINGTON
PLAN COMMISSION
MINUTES
THURSDAY, MAY 21, 2009**

1. **ROLL CALL:** Mayor Huebner called a duly convened meeting of the Plan Commission to order at 6:33 p.m. Members present were: Commissioners Kelley, Haacke Voigt, Becker, Mlada, and Sova. Also present were: City Planner Randy Tetzlaff. City Engineer Rob Vanden Noven, City Building Inspector Dennis Wiese, and City Administrator Mark Grams.
2. **APPROVAL OF MINUTES OF APRIL 20, 2009. MOTION BY COMMISSIONER SOVA AND SECONDED COMMISSIONER BECKER NOVEN to approve subject to one correction in item #7, it should read Mayor Huebner not Mayor Haacke. Motion carried unanimously.**
3. **PUBLIC APPEARANCES & COMMENTS:** There was none.
4. **SITE AND LANDSCAPE PLAN FOR NEW PARKING LOT ON THE CORNER OF WEST MAIN AND NORTH MILWAUKEE STREETS:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated that Ozaukee County is presenting a plan for a new parking lot on the site of the former jail which was recently demolished. At an earlier meeting to discuss rezoning of some of the County-owned property, an issue arose because the County preferred this site to remain zoned as B-4 Central Business District rather than PUL, Public and Utility Lands. Some Commissioners were worried that the County would not have to provide setbacks and landscaping. At the Common Council, Ozaukee officials promised that those standards would be provided for. The plan as submitted has adequate setbacks off both Main and Milwaukee Streets which will be maintained as green area. At least one of the existing mature trees will be preserved; the other may too if grading so allows. The plan shows that there is a 6 foot or so grade difference. To accommodate for this, the plan shows a landscaped rain garden-like area that will handle the majority of the storm water runoff. The upper parking area will contain additional handicapped parking stalls because the new west side entrance is ADA accessible. Parking space for motorcycles and mopeds will also be provided. The lower parking area along the alley will be designated for county officials. The Design Review Board thought the plan was well designed and suggested the addition of some shrubs or bushes along the north side of the lot along the Main Street sidewalk. Mr. Andrew Struck from the County was present to explain this project. Both staff and the Design Review Board recommends approval of the parking lot as presented subject to adding some shrubbery along the north side of the lot. **MOTION BY COMMISSIONER BECKER AND SECONDED BY COMMISSIONER KELLEY to approve the site plan and landscape plan as presented. Motion carried unanimously.**
5. **SOLAR COLLECTOR INSTALLATION AT 201, 205, 213, AND 217 NORTH PARK STREET:** City Planner Tetzlaff reviewed this item with the Plan Commissioners. He stated that Habitat for Humanity has received assistance from WE Energies to install high tech solar collectors on their four homes currently under construction on North Park Street. The solar units stand only 4" high and generate 1.5 Kw per home. The power generator goes directly to the energy grid and the homeowners get credit for it. In the past we discussed the need to establish some standards for alternative energy structures. To date, we have been unable to

schedule any industry representatives to attend our meeting to discuss possible options. In this case, the Design Review Board did not find the proposed units to be objectionable. All of the roofs face in the property direction (south) so the units need not be elevated. In any event, they are only 4" tall. Their blue hue is also not objectionable. Mr. John Wirth from Habitat for Humanity was present to answer any questions. Both staff and the Design Review Board recommends approval of the solar collector installation as presented. **MOTION BY COMMISSIONER VOIGT AND SECONDED BY COMMISSIONER SOVA to approve the solar collector installation as presented. Motion carried unanimously.**

- 6. REZONING OF 725 SOUTH SPRING STREET FROM RS-4 SINGLE FAMILY DETACHED RESIDENCE DISTRICT TO RM-1, SINGLE AND TWO FAMILY DISTRICT:** City Planner Tetzlaff reviewed this item with the Plan Commissioners. He stated that the Commissioners discussed this issue last month and it was the consensus among the Commissioners that the property should be rezoned RM-1. This will allow the owner to retain the existing single family home and a single family or duplex could be built in the future on the adjoining lot. The owner/applicant is now coming back with an official rezoning request. **MOTION BY COMMISSIONER SOVA AND SECONDED BY COMMISSIONER VOIGT to recommend approval to the Common Council to rezone 725 South Spring Street from RS-4 Single Family Detached Residence District to RM-1, Single and Two Family District as presented. Motion carried unanimously.**
- 7. REZONING OF PROPERTY LOCATED ALONG THE EAST SIDE OF STH 32 NEAR THE INTERSECTION WITH EAST SAUK ROAD FROM AG, AGRICULTURE DISTRICT TO B-3, GENERAL BUSINESS DISTRICT:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated that Fiduciary Real Estate Development annexed this land along with the land that is now New Port Vista. They had no plans for the property so the zoning remained as Agriculture. They still have no immediate plans, however, at some point they will likely market the property and are now requesting the land to be rezoned for business uses. Our recently approved Comprehensive Plan 2035 depicts this area as commercial. The request is for B-3 zoning which is general business. Most of the area along STH 32 or South Spring Street is zoned B-3. The land across the street where the Harris Bank Plaza is located is zoned B-2, which is local service center. That zoning is meant to be more neighborhood-oriented, whereas the uses allowed in B-3 are a little broader and more highway-like uses. Since the site is narrow and constrained by State road setbacks and the railroad on the back side, it is likely this parcel will be developed with a planned development overlay. Mr. Craig Raddatz from Fiduciary reviewed their plans for this rezoning. Staff and Design Review Board recommends approval to rezone this parcel to B-3. **MOTION BY COMMISSIONER BECKER AND SECONDED BY COMMISSIONER VOIGT to recommend approval to the Common Council to rezone this parcel to B-3 as presented. Motion carried unanimously.**
- 8. SITE PLAN FOR AN OUTDOOR DINING AREA AT 601 NORTH WISCONSIN STREET:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated that the applicant, Jr. Uselding recently purchased the King on the Hill tavern and now desires to not only refurbish the business but also wants to add an outdoor dining area on the north side of the building. By doing so and offering more food items, he is hopeful to attract a different clientele. He came to the Design Review Board with many ideas but not much for graphics, so the Board worked with him to refine his ideas and plans. In order for this request to proceed, both a site plan and a conditional use to permit outdoor dining must be approved.

The area proposed for the outdoor dining has a concrete pad and lawn area. The paved surface would be expanded to approximately 37' x 50' in size. The area would be enclosed with a 4' high ornamental fence with decorative corner posts. Access would be provided from the building but there would also be access from the Wisconsin Street sidewalk (via steps); there would be a gate on the sidewalk to control access. Outdoor lighting would be placed to cast downward onto the dining area; cameras would also be erected for security purposes. During cooler weather, portable propane heaters would be used. At this time, the applicant was not sure of what capacity the area would contain, however, the Design Review Board suggested that if it was greater than 50, a second access to the parking lot on the west would be needed. Plastic glasses and dinnerware will be used and can beverages will be provided. The applicant brought pictures of the proposed fence and corner posts. Staff and the Design Review Board recommends approval subject to preparation of a scaled drawing and pictures of the fencing and corner posts. **MOTION BY COMMISSIONER SOVA AND SECONDED BY COMMISSIONER BECKER to approve the site plan as presented. Motion carried unanimously.**

- 9. CONDITIONAL USE GRANT TO PERMIT OUTDOOR DINING AT 601 NORTH WISCONSIN STREET:** City Planner Randy Tetzlaff reviewed this item for the Commission Members. Commissioners discussed the hours of operation. The hours of operations would be 11:00 a.m. to 10:00 p.m. Staff and the Design Review Board recommends approval of the conditional use grant subject to conditions imposed on other outdoor dining establishments. **MOTION BY COMMISSIONER KELLEY AND SECONDED BY COMMISSIONER BECKER to recommend approval to the Common Council for the Conditional Use Grant to permit outdoor dining at 601 North Wisconsin Street subject to the usual conditions of the conditional use grant. Motion carried unanimously.**

- 10. BUILDING AND SITE PLAN FOR A TEMPORARY STRUCTURE CONTAINING AN AQUAPONICS RESEARCH FACILITY ON SOUTH MILWAUKEE STREET:** City Planner Randy Tetzlaff reviewed this item for the Commission Members. He stated that previously the Plan Commission rejected a building and site plan for a temporary aquaponics facility at the applicant's residence on East Pier Street. The applicant had filed for an appeal with the Zoning Board of Appeals. However, following a legal opinion from the City Attorney, the Board has no authority; instead the Common Council needs to consider the request and take action on the conditional use grant. After reviewing the tapes of the meeting, it was evident that most Commissioners were not against the use, only the location; many suggested a different location. The applicant is now heeding that advice and is proposing to locate the structure on a site along South Milwaukee Street in an area zoned I-1, General Industrial. The structure is still meant to be temporary and the applicant is agreeable to an annual review. The new site is still in the downtown area but not nearly as visible as the previous location. Being zoned industrial, the use is permitted and only the building and site plan requires approval. The property is owned by Jadair and the owner has granted permission for its use. Power will need to be provided to the site; water will be trucked in and stored on the site for use. The Design Review Board had no objections to the size or aesthetics of the structure but had concerns on how the issue of washrooms or toilets, landscaping, and paved parking would be handled. Since the use and structure are meant to be temporary, it is not reasonable to expect permanent landscaping to be installed. The areas surrounding the property are zoned B-4, Central Business and no landscaping is required. As to parking, there is adequate parking in the surrounding area and providing on-site paved parking is a reach since South Milwaukee Street is barely improved. In both cases, the Plan Commission can waive these requirements. As to

washrooms, that is an issue that requires input and approval from the State of Wisconsin. The Design Review Board recommended approval of the building and site plan subject to: 1) Waiving of the landscape requirement since this is a temporary structure and use; 2) Waiving of the paved parking requirement since this is a temporary structure and use; 3) Getting a determination on the washroom or toilet requirements and resolution with the building inspector; 4) An annual review by the Plan Commission; and 5) Building and use may not continue beyond 5 years. **MOTION BY COMMISSIONER SOVA AND SECONDED BY COMMISSIONER VOIGT to approve the building and site plan as presented subject to the conditions set forth by the Design Review Board. Motion carried unanimously**

11. PUBLIC APPEARANCES & COMMENTS: There was none.

12. FORTHCOMING EVENTS: Mayor Huebner wanted to welcome TJ Mlada to the Plan Commission.

13. ADJOURNMENT: MOTION BY COMMISSIONER VANDEN NOVEN AND SECONDED BY COMMISSIONER BECKER to adjourn the meeting at 7:15 p.m. Motion carried unanimously.