

**CITY OF PORT WASHINGTON
PLAN COMMISSION
MINUTES
THURSDAY, MARCH 18, 2010**

1. **ROLL CALL:** Mayor Huebner called a duly convened meeting of the Plan Commission to order at 5:31 p.m. Members present were: Commissioners Vanden Noven, Sova, Kelley, and Becker. Also present were: City Planner Randy Tetzlaff and City Administrator Mark Grams. Absent and excused: Commissioners Voigt and Mlada.
2. **APPROVAL OF MINUTES OF FEBRUARY 18, 2010. MOTION BY COMMISSIONER KELLEY AND SECONDED COMMISSIONER SOVA to approve the minutes as presented. Motion carried unanimously.**
3. **PUBLIC APPEARANCE & COMMENTS:** Alderman Mr. Jim Vollmar commented on the rezoning of parcels of land with the New Land Use Transition Overlay. He had concerns about this rezoning and how it would affect the homeowners in those areas.
4. **FINAL PLAT FOR THE TERRACES AT MINERAL SPRINGS:** City Planner Tetzlaff reviewed this item with the Plan Commissioners. He stated that Mr. Mike Speas has closed on Lots 9 thru 11 and will shortly do the same with Lots 1 thru 8. He has submitted a final plat for your review. A description of the changes he has made to the guidelines as suggested by both the Design Review Board and the Plan Commission is in your packet. Also in your packets are the revised guidelines or covenants that will apply to the new homes built. The three revisions made include re-naming of the development's review committee; he discusses how future reviews will be handled after build-out; and the driveways. The guidelines or covenants are now fleshed-out in more detail but are still consistent with the comments made by Mr. Speas at previous meetings. The plat document itself is consistent with the preliminary plat. Staff recommends approval the Common Council. Mr. Speas was present at the meeting and explained his revised guidelines to the Commissioners. Some Commissioners had concerns regarding the parking in yards in the guidelines which were more restricted than the City's. Commissioners discussed the final plat and stated that 1) approval of three stormwater (drainage) easements (20 ft. widths) and that Mr. Speas should work with the City Engineer on this; 2) the grading plans should be submitted before building permits are issued; and 3) the extension of the sanitary sewer of 160 feet. The developer is responsible for ½ the water main and sewer as a special assessment and a special assessment will be placed on the sidewalks. The driveway approaches will be cut in as part of the Division Street Reconstruction project. **MOTION BY COMMISSIONER VANDEN NOVEN AND SECONDED BY COMMISSIONER KELLEY to recommend to the Common Council to approve the final plat for the Terraces at Mineral Springs subject to 1) approval of three stormwater (drainage) easements (20 ft. widths) and that Mr. Speas should work with the City Engineer on this; 2) the grading plans should be submitted before building permits are issued; and 3) the extension of the sanitary sewer of 160 feet. Motion carried unanimously.** It is noted that the developer is responsible for ½ the water main and sewer as a special assessment and a special assessment will be placed on the sidewalks.

- 5. REGULATING THE PROTECTION OF PRIMARY ENVIRONMENTAL CORRIDORS (REFERRED BY THE COMMON COUNCIL):** City Planner Randy Tetzlaff reviewed this item with the Commissioners. He stated that members of the Common Council and the City Attorney were concerned about how the proposed Conservation Protection Overlay would be legally delineated. The overlay would cover those areas previously delineated by SEWRPC as being “primary environmental corridors.” During the implementation discussion of the Comprehensive Plan 2035, it was recommended that we use our Conservation Protection Overlay as a means to protect these corridors. As a follow-up, the City Planner contacted both SEWRPC and the County. What staff found was that SEWRPC does not clearly understand the need to legally describe a boundary for overlay zoning by metes and bounds or other means. Staff did find out that some communities simply refer to a map showing the environmental corridors and treat it similar to a Floodplain Map. If a change or development is proposed on a parcel where the corridor is shown, then a more detailed delineation is done either in the field or by use of aerial maps prior to granting any approvals on the parcel. Staff’s discussion with the County staff that oversees shoreland, wetlands, and floodplains took on a different approach. Their opinion is that environmental corridors are a “feel good” or a “wish list” by SEWRPC and are merely advisory. The only “stick” that SEWRPC has is that it can recommend to the WDNR that sewer extensions not be allowed within the mapped corridors. The County uses its existing regulations to control development and protect those areas defined as being environmentally sensitive to development. They use shoreland zoning to protect bluff and ravine setbacks and to control land uses that may be detrimental. It was also pointed out that these same regulations could and should apply to those areas annexed to the City after May 1982. Those areas include the bluff south of the City, Cedar Gorge, and the Ulaog Creek Watershed. Most of these areas are owned by VK Development. The only areas not covered would be the bluff beginning along Upper Lake Park and going northward to Norport Drive and the Valley Creek ravines. With that in mind, another option for us is to use the shoreland zoning option but tweak it somewhat for those areas annexed to the City. The City could then apply the overlay to the older developed areas of the City along the bluff and Valley Creek. Since this is a smaller area, a metes and bounds description would be possible. It appears that the area delineated along the bluff is approximately 300 feet deep. This is informational only.
- 6. REZONE PARCELS OF LAND WITH THE NEW LAND USE TRANSITION OVERLAY TO MAKE THEM CONSISTENT WITH THE COMPREHENSIVE PLAN 2035:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated that now that the Land Use Transition Overlay has been created and approved by the Common Council, the Plan Commission must now go ahead and assign or apply the overlay to those parcels whose zoning is inconsistent with the Comprehensive Plan 2035. There are six areas that are comprised of several parcels that will require the new overlay. They are: 1) the shopping center and the adjacent vacant lot on the north side of the City. Proposed use: Mixed-use and redevelopment site; 2) The Jadair Company site located downtown next to Sauk Creek. Proposed use: Redevelopment site; 3) Vacant area north on Western Avenue and Modern Equipment. Proposed use: Redevelopment site and open space. 4) Industrial area containing the former Modern Equipment, JLG, Port Recycling, and Schmitz Ready Mix. Proposed use: Redevelopment site and open space; 5) Area around and including the former Simplicity Manufacturing. Proposed use: Redevelopment site; and 6) County-owned land that consists of the STH 33 ramp access. Proposed use: Commercial. The Plan Commissioners discussed each of these areas. Staff recommends overlay zoning approval to the Common Council. **MOTION BY MAYOR HUEBNER AND SECONDED BY COMMISSIONER**

BECKER to recommend to the Common Council to approve the rezoning of the Jadair property, the County-owned property (STH 33 ramps) and the shopping center and the adjacent vacant lot on the north side of the City to the new land use Transition Overlay as proposed. Motion carried unanimously.

- 7. DECLARE AS SURPLUS LAND A PORTION OF THE NORTH PARK STREET RIGHT-OF-WAY (NORTHEAST CORNER OF WEST GRAND AVENUE AND NORTH PARK STREET) – REFERRED BY COMMON COUNCIL:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated that Mr. Randy Buser is requesting to place a patio with landscaping and pavers on the property to the west of his building. The property to the west of his building is City right-of-way. This property is approximately 1,200 sq. ft. The City can either vacate the right-of-way or agree to a license agreement. Mr. Buser would prefer to have the land vacated. The Plan Commission needs to declare this property surplus land and refer it back to the Common Council. The Plan Commissioners discussed this item and declared the land as surplus. **MOTION BY COMMISSIONER BECKER AND SECONDED BY SOVA to recommend to the Common Council that this parcel of land is surplus land and no longer needed for public use. The surplus land would start 1 ft behind the sidewalk. MOTION BY COMMISSIONER KELLEY to table this motion. Motion failed for lack of a second. Motion carried unanimously on original motion.**
- 8. DOWNTOWN TAX INCREMENT DISTRICT – DRAFT PROJECT PLAN:** City Planner Randy Tetzlaff reviewed this item with the Plan Commissioners. He stated that the City is on scheduled to review and approve the TID project plan at our April meeting. However, Staff wanted the Commissioners to review a draft which may ultimately be the final copy at our upcoming meeting. City Engineer Vanden Noven and City Planner Randy Tetzlaff have reviewed and submitted to our consultants earlier this week a revised project list, costs, and timetable. They are currently inputting that information into the financial models and analysis. The models or analysis were reviewed at the meeting. City Planner Tetzlaff reviewed the upcoming meetings and also the different projects that would be reconstructed. He also stated the consultants are concerned with the up front costs. The City will be having a revaluation next year. This is informational only.
- 9. PUBLIC APPEARANCES AND COMMENTS:** There was none.
- 10. FORTHCOMING EVENTS:** There was none.
- 11. ADJOURNMENT: MOVED BY COMMISSIONER VANDEN NOVEN AND SECONDED BY COMMISSIONER BECKER to adjourn the meeting at 6:32 p.m. Motion carried unanimously.**