

**CITY OF PORT WASHINGTON
PLAN COMMISSION
MINUTES
THURSDAY, JUNE 16, 2011**

1. **ROLL CALL:** Mayor Huebner called a duly convened meeting of the Plan Commission to order at 6:37 p.m. Members present were: Commissioners Becker, Mlada, Sova, and Kelley. Also present were: City Planner Randy Tetzlaff. Absent and excused was Commissioners Ron Voigt and Rob Vanden Noven and City Administrator Mark Grams.

2. **APPROVAL OF MINUTES OF APRIL 28, 2011 MEETING. MOTION BY COMMISSIONER BECKER AND SECONDED BY COMMISSIONER KELLEY to approve the minutes as presented. Motion carried unanimously.**

3. **PUBLIC APPEARANCE & COMMENTS:** There were done.

4. **CERTIFIED SURVEY MAP FOR 215 SOUTH PARK STREET/690 WEST OAKLAND AVENUE:** City Planner Tetzlaff reviewed this item. He stated that this property is also known as the former Bolens/Trak/JLG property and has been owned by Park Street Industrial LLC since Trak occupied it. Now there is a new buyer and that party's is interested in only the southern portion including the main building on the corner of South Park Street and West Oakland Avenue. The current owner would retain the older buildings to the north. The proposed certified survey map divides the interior parting lot in two. There are existing driveways off South Park Street to serve both of the new lots. The newer building on Lot 2 is conforming; the older one on Lot 1 is non-conforming because it is too close to the lot lines but it is an existing condition. The CSM conforms to both Chapter 235 WI Statutes and our Land Division Ordinance. Staff recommends approval. **MOTION BY COMMISSIONER KELLEY AND SECONDED BY COMMISSIONER BECKER to approve the new CSM for 215 South Park Street and 690 West Oakland Avenue as presented. Motion carried unanimously.**

5. **REZONING OF 523, 531, 533, 537, AND 547-549 WEST GRAND AVENUE FROM B-3, GENERAL BUSINESS TO CCM, CENTRAL CITY-MIXED:** City Planner Randy Tetzlaff reviewed this item with the Commissioners. He stated that the applicant owns property on the southeast corner of West Grand Avenue and South Park Street. The property is zoned B-3, which allows residential use on the second floor but not in the first floor. He has tried without success to rent the first floor for commercial use. He is requesting that the property be rezoned to CCM to allow for residential use on the first floor. Even before the economic slowdown, this property was difficult to rent. Our office has met with prospective buyers who have inquired about converting the first floor to residential. In order to even consider rezoning this property, the adjoining properties also needed to be rezoned from B-3 to CCM to prevent creating an island or spot zone. The adjacent building to the east once had commercial uses on the first floor; at some point it was converted to residential use and now is a non-conforming property. The next property has the hair salon on the first floor and residential above (conforming use) and the remaining two are residential dwellings (non-conforming). The other adjoining properties to the south and west would remain B-3. The owners of these properties have been contacted with only the owner of the hair salon having some reservations. His concern is that the adjoining house is a rental and is in disrepair and unkempt. Allowing more residential uses and hence, more rentals may not be good for future property values. Orders have since been written on the house in question by the Inspection Department. His point is well taken; however, having three of the five properties non-conforming can also affect

property values. Staff recommends approval. **MOTION BY MAYOR HUEBNER AND SECONDED BY COMMISSER MLADA to recommend to the Common Council to approve the rezoning of 523, 531, 533, 537, AND 547-549 West Grand Avenue from B-3, GENERAL BUSINESS TO CCM, CENTRAL CITY-MIXED as presented. Motion carried unanimously.**

- 6. CONCEPT PLAN FOR DEVELOPMENT OF LAND IN THE TOWN OF PORT WASHINGTON SOUTH OF DYNNA DRIVE:** City Planner Tetzlaff reviewed this item with the Commissioners. He stated that this land was previously owned by VK Development and was recently acquired by the applicant. He is proposing to plat the land into six lots with four on the bluff facing Lake Michigan. His desire is to annex the land to the City because our zoning regulations allow for smaller sized lots than the Town. The land is within the area where the Town may not contest annexations initiated by the property owner. The applicant was interested in annexing to the City because he might be able to develop the lots under the RS-1 zoning which requires a minimum lot width of 110 feet. This district envisions sanitary sewer service. A more appropriate zoning would be R-1 which is more rural and allows development where sewer service is not available. This zoning was not attractive to the applicant because the minimum lot width is 150 feet; which is similar to Town zoning. The proposed development plan is designed with RS-1 standards. Initially, staff thought was that the Plan Commission needed to consider whether RS-1 zoning was appropriate considering that it may take several years to get sewer service if at all. However, our office has recently had discussions with the County and have found that a number of other issues or conditions exist on the property. 1) There are two small but mapped wetlands on the property that must be preserved; 2) The plan shows a 75 foot setback from the top of the bluff; however, the actual required setback may be greater. We are required to follow County shoreland regulations and in these circumstances, the slope of the bluff must be taken into consideration. If it is steep and therefore more unstable, the setback will be greater, the maximum is 150 feet. The County ordinance has a formula that must be used to calculate the setback; 3) The area shown as Lots 3 thru 6 is mapped Primary environmental Corridor. Under the review of sewer service delivery (State Statute), SEWRPC does have the ability to restrict residential development in Primary Environmental Corridors; it is not prohibited though. The old rule used to be residential development at a 5 acre density in PECs... the new rule is more complicated and actually takes some mapping to calculate. Staff will need more time to calculate this with the help of the County and SEWRPC staff. The best case scenario may be 2 lots; and 4) These regulations or impediments to the applicant apply whether the land is developed in the Town or the City. Staff recommends no action, but will continue working with the applicant to devise a plan that satisfies all applicable regulations as well as his development needs. **MOTION BY COMMISSIONER SOVA AND SECONDED BY COMMISSIONER KELLEY to disapprove the concept plan as presented and continue to work with applicant on his concept plan to include proper set back and the two undeveloped wetlands. Motion carried unanimously.**

- 7. SCULPTOR MONUMENT LOCATED AT 131 NORTH WEBSTER STREET:** City Planner Tetzlaff reviewed this item with the Commission. He stated that the First Congregational Church has a member who is proposing to sculpt a monument for an area in front of the church along North Webster Street. There is an area south of the church along the Sauk Creek that the City conveyed; that area is for park use and it was decided that improvements in that area would not be reviewed. In this case, the monument is outside that area and is in the front yard of the church. The proposed monument is to be located on the southeast corner of the church building in an area surrounded by retaining walls. It will be constructed of aluminum and will look like wings or leaves. It will be approximately 8 feet tall and be almost 7 feet wide. It will sit on a 2 foot in diameter pier that will protrude 1 foot out of

the ground and imbedded 66 inches for support. The design allows for the object to rotate slightly. Both the artisan and a member of the council church were present to answer any questions the Plan Commission. Staff recommends approval. **MOTION BY COMMISSIONER BECKER AND SECONDED BY COMMISSIONER SOVA to approve the sculptor and location as presented. Motion carried unanimously.**

8. CREATION OF A PRESERVATION COVENANT TO PROTECT THE HISTORIC CHARACTER AND QUALITIES OF THE OLD FIRE STATION LOCATED AT 102 EAST PIER STREET: City Planner Tetzlaff reviewed this item with the Plan Commissioners. He stated that the Common Council is proceeding with the sale of the old Fire Station previously known as the Senior Center. Staff is in the process of developing a sealed bid package that will be reviewed and approved at the next Council meeting. In the meantime, it has come to our attention that WI Statutes now requires a unit of government to attach a preservation covenant to any property listed on the National Register as a condition of sale. It states that "If the political subdivision conveys historic property, the political subdivision shall obtain a conservation easement under s. 700.40 to protect the historic character and qualities of the property." The intent of this provision is not contrary to the wishes of the Council; in fact, it is condition that was to be included as a condition of the sale. Staff recommends approval. **MOTION BY COMMISSIONER SOVA SECONDED BY COMMISSIONER KELLEY to recommend to the Common Council to approve the creation of a preservation covenant to protect the historic character and qualities of the old Fire Station located at 102 East Pier Street as presented. Motion carried unanimously.**

9. BENCH DONATION FOR THE EXTERIOR AREA AT THE PEBBLE HOUSE: City Planner Randy Tetzlaff reviewed this item with the Commissioners. He stated that the applicant would like to donate a granite bench to the City in honor of Perch Rilling. They would like to place the bench at the Pebble House because Mr. Rilling worked at the Power Plant and the Pebble House was used as the guard shack at the plant. The City Attorney advised the Common Council that they were required to refer the bench donation to the Plan Commission, as memorials of any kind are required by City Ordinance to be approved by the Plan Commission. The preferred location is near the door facing West Grand Avenue that is not used. The Public Works Director has reviewed the location and has found it acceptable. **MOTION BY MAYOR HUEBNER AND SECONDED BY COMMISSIONER BECKER to recommend to the Common Council to approve the donation and the location of the granite bench as presented. Motion carried unanimously**

10. PUBLIC APPEARANCES AND COMMENTS: There were none.

11. FORTHCOMING EVENTS: There were none.

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