

**CITY OF PORT WASHINGTON
PLAN COMMISSION MEETING
MINUTES
TUESDAY, OCTOBER 15, 2020**

ROLL CALL: Mayor Marty Becker called a duly convened meeting of the Plan Commission to order at 6:01 p.m. Member present were: Alderman Paul Neumyer, Eric Ryer, and Tony Matera, Also, present was: City Planner Bob Harris and City Administrator Tony Brown. City Engineer Rob Vanden Noven was present on the phone. Ron Voigt and Mike Ehrlich were absent and excused. City Attorney Eric Eberhardt was present. In the audience was Alderman John Sigwart and Alderman Dan Benning.

APPROVAL OF THE MINUTES FOR JULY 16, 2020: MOTION BY PAUL NEUMYER AND SECONDED BY ERIC RYER to approve the minutes as presented. Motion carried unanimously.

PUBLIC APPEARANCE & COMMENTS: Jonathan Pleitner of 1890 Aster Street wanted to state his concerns about the Bielinski project to the north of Hidden Hills Subdivision. He had concerns with the density of duplexes and townhomes. He was opposed to it and did not want to see it on the main road. He stated that duplexes do not fit in with the neighborhood or the Hidden Hills Subdivision.

SPECIAL EXCEPTION – TO ALLOW TWO TEMPORARY DEVELOPMENT SIGNS AT THE PROPOSED CEDAR GORGE AND CLAY BLUFFS NATURE PRESERVE LOCATED ON THE EAST SIDE OF SOUTH LAKESHORE ROAD AND NORTH OF STONECROFT DRIVE: City Planner Bob Harris reviewed this item for the Plan Commissioners. He stated that the Ozaukee Washington Lake Trust (OWLT) and Ozaukee County have an option on land south of Cedar Gorge currently owned by the Waukesha State Bank and intend to raise funds to acquire the land and create a nature preserve as part of the Ozaukee County park system. Fund raising is now under way and the OWLT wish to site two 32 square foot banners on the site for the purpose of marketing the site to aid in the fund-raising efforts. Staff recommends approval. The banners will be temporary and require visibility in order to be an effective fund-raising tool for park/nature preserve that offers the potential to be a regional draw to Port Washington. **MOTION BY PAUL NEUMYER AND SECONDED BY TONY MATERA to approve the Special Exception to allow two temporary development signs at the proposed Cedar Gorge and Clay Bluffs Nature Preserve location as presented. Motion carried unanimously.**

CERTIFIED SURVEY MAP – TO DIVIDE TWO LOTS INTO THREE LOTS LOCATED AT 206-208 SOUTH MADISON AVENUE: City Planner Bob Harris reviewed this item with the Commissioners. He stated that the applicant owns 206-208 South Madison Avenue and the adjacent unaddressed lot to the immediate south. The duplex uses an existing detached garage which straddles the property line between 206-208 South Madison Avenue and the un-addressed parcel on the south side. The applicant is proposing to divide 206-208 South Madison Avenue into two legal sized lots and adjust the southern property line to site the garage entirely on a single lot, the southern. Unaddressed lot, upon which he intends to construct a new residence. Staff recommendation is to approve the CSM with the provision that a recording of Lots 1 and 3 combine tax keys until such a time the applicant is ready to construct a new residence on the Lot 3. Doing so will alleviate the concern of creating a lot with only an accessory structure located on it. The proposed CSM only requires Plan Commission approval. **MOTION BY TONY MATERA AND SECONDED BY**

ROB VANDEN NOVEN to approve Tim Lewin requested to divided 206-208 South Madison Avenue parcel into 3 legal conforming lots that meets lot size requirements and the garage meets all setbacks. Motion carried, (3 Aves, 2 Nay (RYER, MAYOR BECKER).

REVISED BUILDING, SITE, AND OPERATIONS PLAN – FOR REVISED BUILDING, SITE, AND OPERATIONS PLAN FOR JACKSON STREET TOWNHOMES LOCATED AT 306-314 EAST JACKSON STREET: City Planner Bob Harris Planner Harris reviewed this item for the Commissioners. He stated that due to the needed adjustments to the retaining wall that is the key to a successful development of the site, a revised building and site plan is needed for new approval as the proposed changes rise to a level that cannot be approved by staff. These changes include reducing the number of units from nine to eight and re-designing the western most unit. Staff would ask the Commissions to focus primarily on the western end of the development as it is that portion of the project that is being revise, the remainder of the project remains un-changed from its March approval. The Design Review Board approved the changes being made to the Building, Site and Operations Plan. Staff recommends approval of the Building, Site and Operations Plan. Overall, this iteration of the project maintains the previously approved design but also meets a main concern from previous meetings in regards to the small setback from the public staircase shown in previous plans. Plus the following additional conditions: 1) Submittal and approval of complete civil plans, including final retaining wall plans, to the City Engineer; RE-zoning of the properties with an OPD overlay to allow for the BSOP; 3) Final acquisition of approximately 5’ of City-owned property to the immediate east of 314 East Jackson Street; and 4) A division of the two parcels via CSM(s) into a combination of eight (8) lots. **MOTION BY ERIC RYER AND SECONDED PAUL NEUMEYER to approve the Revised Building, Site and Operations Plan as presented, plus the conditions above from Staff and the Design Review Board and the applicant covering the cost of the Geotech review. MOTION CARRIED UNANIMOUSLY.**

REZONING – REZONING FOR 306-314 EAST JACKSON STREET WITH AN OVERLAY PLANNED DEVELOPMENT TO ACCOMMODATE AN 8-LOT SINGLE FAMILY TOWNHOME DEVELOPMENT: City Planner Bob Harris reviewed this item with the Plan Commissioners. He stated that as part of the proposed single-family townhomes at 306-314 East Jackson Street, final approval and subsequent construction is dependent on re-zoning the property with an OPD, planned development overlay in order to accommodate the lot and locational requirements that deviate from the CCM-Central City Mixed base zoning requirements. Staff recommends approving the rezoning if the BSOP is approved. **MOTION BY PAUL NEUMEYER AND SECONDED MAYOR MARTY BECKER to approve the rezoning for 306-314 East Jackson Street with an Overlay Planned Development to accommodate 8-lot single family townhomes. MOTION CARRIED UNANIMOUSLY.**

REVISED PRELIMINARY PLAT – HIDDEN HILLS NORTH SUBDIVISION LOCATED NORTH OF ASTER STREET AND SOUTH OF GREEN BAY ROAD NORTH OF HIDDEN HILLS SUBDIVISION: City Planner Bob Harris reviewed this item with the Plan Commissioners. Mr. Tim Voeller from Bielski was present to review the revised preliminary plat for the Commissioners. This property is between Aster Street and Green Bay Road. The preliminary plat was approved in 2017 and they are back to revise it. The street layouts are the same. They are just changing to 2 family condos on Sweetwater Blvd instead of the single-family home. Commissioner discussed this change and were not please with it. They considered it too dense. Mr. Voeller explained why this change was to be made. After much discussion, Mr. Voeller pulled this item from the agenda. **THIS ITEM WAS PULLED FROM THE AGENDA.**

CONDOMINIUM PLAT – HIDDEN HILLS NORTH SUBDIVISION LOCATED NORTH OF ASTER STREET AND SOUTH OF GREEN BAY ROAD, NORTH OF HIDDEN HILLS SUBDIVISION: - THIS ITEM WAS PULLED FROM THE AGENDA.

REZONING – REZONING THE BASE ZONING IN THE HIDDEN HILLS NORTH SUBDIVISION FROM RS-3 SINGLE FAMILY RESIDENTIAL TO RS-5 ONE AND TWO FAMILY RESIDENTIAL: THIS ITEM WAS PULLED FROM THE AGENDA.

CERTIFIED SURVEY MAP – PROPOSED RE-DIVISION OF LAND RELATED TO THE NEWPORT SHORES MIXED-USE DEVELOPMENT LOCATED AT 324 NORTH LAKE STREET: City Planner Bob Harris reviewed this item with the Commissioners. He stated that a re-division of land by Certified Survey Map located at 106-310 and 324 North Lake Street and 407 East Jackson Street for the Purpose to Accommodate the Newport Shores Mixed-Use Development. The Newport Shores mixed use development received building and site plan approval in 2019 and the Developer’s Agreement for the project was likewise approved and signed by all parties in 2019. The development team and ownership, known as 324 N Lake Street LLC, consisting of property owner John Weinrich and Ansay Development is now ready to commence with demolition and construction of Newport Shores development and has requested the City initiate proceedings as identified in the approved Developers Agreement. One part of the development proceedings involves reconfiguring land owned by the City and the development team in order to create the Newport Shores footprint as shown on the proposed Certified Survey Map. Staff recommends the Plan Commission approve the proposed CSM subject to Council approval of the land swap agreement detailed in the Developers Agreement. The Commissioners discussed this item. **MOTION BY PAUL NEUMYER AND SECONDED BY ERIC RYER to approve the CSM as presented subject to approval of land swap with City of Port Washington. MOTION CARRIED (4 Ayes; 1 Abstained (T. Matera)).**

CONDOMINIUM PLAT - NEWPORT SHORES MIXED-USE DEVELOPMENT LOCATED AT 324 NORTH LAKE STREET: City Planner Bob Harris reviewed this item with the Commissioners. He stated that Newport Shores is a mixed-use condominium development that received Final building and site plan approval in 2019. The applicants are nearing the start of construction and a Condominium Plat is required prior to commencing on the sale/closing of units. Planning and Engineering Staff have no objections to the Condominium Plat. Staff recommends approval of the Condominium Plat. **MOTION BY ERIC RYER AND SECONDED BY PAUL NEUMYER to approve the condominium plat for Newport Shores Mixed-use Development as presented. MOTION CARRIED (4 Ayes; 1 Abstained (T. Matera)).**

PRELIMINARY PLAT – PRAIRIE’S EDGE DEVELOPMENT: City Planner Bob Harris reviewed this item with the Commissioners. He stated that a condition of approval for the assisted living facility was a submittal and approved of a Preliminary Plat for the north end of the Prairie’s Edge development. As a result of recent site and use changes on this end of the development and further refinement of engineering, the plat is altered from previous platting to reflect these changes in the form of different outlot and street arrangements and a new lot to accommodate the assisted living facility. On July 28th, the Preliminary Plat was denied by the Commission due to civil engineering and Developer’s Agreement issues related to the CSM. Changes were made to the CSM. Staff recommends approval of the Preliminary Plat subject to the following: 1) Approval of the CSM in order to complete the legal description as shown; and 2) Approval of the rezoning of the CSM to B-2 with OPD. **MOTION BY ROB VANDEN NOVEN AND SECONDED BY TONY MATERA to approve with staff recommendations for the approval of the CSM in order to complete the**

legal description as shown and approval of the rezoning of the CSM to B-2 with OPD. MOTION CARRIED UNANIMOUSLY.

CERTIFIED SURVEY MAP - PRAIRIE'S EDGE DEVELOPMENT: City Planner Bob Harris reviewed this item with the Commissioners. He stated that you may recall the recent approval of the Conditional Use, Rezoning, and Building and Site Plan for a proposed assisted living and memory care residential facility (Community Based Residential Facility) that would be situated on two parcels originally proposed for eight townhomes and one commercial building. With the CBRF use and rezoning conditionally approved, the proposed CSM will combine the two parcels into one to accommodate the entirety of the CRF site plan. Use of the CSM is needed because the developer wishes to sell the parcel to the CBRF developer. The CSM is now before the Commission for conditional approval as the civil engineering and Developer's Agreement issues are in the process of being addressed. In addition, the development team are requesting conditional approval now in order to meet several anticipated benchmarks before the close of 2020, including ground breaking. Staff recommendation is to approve the CSM subject to the following conditions: 1) Submittal of letter of credit cover all approved north phase grading, storm water, and civil (sewer and water) improvements, to be reviewed and approved by the City Attorney and City Engineer; 2) Submittal and approval of revised civil engineering plans; and 3) Rezoning the parcel to B-2 with an OPD Overlay Planned Development. **MOTION BY ROB VANDEN NOVEN AND SECONDE BY PAUL NEUMYER to conditionally approve the CSM subject to the following conditions: 1) Submittal of letter of credit cover all approved north phase grading, storm water, and civil (sewer and water) improvements, to be reviewed and approved by the City Attorney and City Engineer; 2) Submittal and approval of revised civil engineering plans; and 3) Rezoning the parcel to B-2 with an OPD Overlay Planned Development (see attached detailed motion) as presented. MOTION CARRIED UNANIMOUSLY.**

REZONING – REZONING OF LAND IN THE PRAIRIE'S EDGE DEVELOPMENT FROM RS-5, SINGLE FAMILY RESIDENTIAL TO B-2, BUSINESS WITH AN OPD, OVERLAY PLANNED DEVELOPMENT: City Planner Bob Harris reviewed this item with the Commissioners. He stated that this item is related to the last item combining two parcels from the Prairie's Edge preliminary plan into one parcel via Certified Survey Map to accommodate the recent approved Community Based Residential Facility. The subject site is currently comprised of two parcels and noted as Lot 6 and Lot 7 on the Prairie's Edge preliminary plat and zoned B-2 Business with an Overlay Planned Development. The CSM is approximately one-half acre larger than the current lot configuration and encroaches into the adjacent RS-5, Single Family zoning district. In order for the CBRF parcel to be sold and constructed upon, a uniform and accommodating zoning district is necessary. Staff recommends to approved the proposed rezoning of the entirety of the CSM parcel to B-2, Business with the OPD for the proposed CBRF subject to approval of the CSM. **MOTION BY ERIC RYER AND SECONDED BY PAUL NEUMYER to approve the rezoning of land in the Prairie's Edge Development from RS-5, Single Family Residential to B-2, Business with an OPD, Overlay Planned Development as presented. MOTION CARRIED UNANIMOUSLY.**

AMENDED CONDITIONAL USE GRANT – AMENDING THE LEGAL DESCRIPTION FOR THE PRAIRIE'S EDGE ASSISTED LIVING / CBRF CONDITIONAL USE GRANT: City Planner Bob Harris reviewed this item with the Commissioners. He stated that this item is related to the previous item combining two parcels from the Prairie's Edge preliminary plat into one parcel via a CSM to accommodate the recently approved Community Based Residential Facility. Because the Conditional Use Grant and Land Covenant documents reflect the legal description of the original two

lots in the Preliminary Plat, any changes in the land area will necessitate a corresponding and official change in the Conditional Use Grant and Land Covenant to reflect the new land area in this case the recently approved CSM. Outside of the change in land area for the CBRF, from approximately 1.5 acres to 2.1 acres, all other conditions of the Conditional Use Grant remain the same and unchanged. Staff recommends approve amending the Prairie's Edge Conditional Use Grant to accommodate the CSM subject to approval of the CSM. **MOTION BY PAUL NEUMYER AND SECONDED BY MAYOR MARTY BECKER to approve the Amended Conditional Use Grant for amending the legal description for the Prairie's Edge Assisted Living/CBRF. MOTION CARRIED UNANIMOUSLY.**

FORTHCOMING EVENTS: The Mayor's birthday is Monday, October 19, 2020. Happy Birthday, Mayor Becker.

ADJOURNMENT: MOTION BY TONY MATERA AND SECONDED BY ROB VANDEN NOVEN to adjourn the meeting at 7:18 p.m. Motion carried unanimously.