

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Mayor McAleer called the meeting to order at 7:00 P.M.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, June 27, 2012 Plan Commission meeting:

Present

Ed McAleer, Mayor
Michele DeYoe, Ald.
Kent Attwell
Kevin Fitzgerald
Dan Jashinsky
Chris Smith
Roger Dupler, Planner
Gina Gresch, Clerk-Treasurer
Scott Hussinger, Building Inspector

Absent

Tony Drake
Matthew Katz

1. Approve Plan Commission meeting minutes of May 30, 2012 meeting.

K. ATTWELL MOVED TO APPROVE THE MAY 30, 2012 PLAN COMMISSION MEETING MINUTES AS PRESENTED. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. City of Delafield Citizen's Comments pertaining to subjects on this agenda.

M. DEYOE MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:01 P.M. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. Consent Agenda (Recommended approvals in accordance with the staff report).

- a. **DELC 0794.014, 78 Enterprise Road, Delafield. Owner: Greg A. Smith. Applicant: Kathy J. Bauer. Applicant seeks approval of a Business Plan of Operation for an agricultural business, Worm Worx Industries, LLC.** Hours of Operation are Sunday through Saturday, 8AM to 10PM with 1 part-time employee.
- b. **DELC 0733.998.002, 3087 Village Square Drive, Hartland. Owner: Delafield Investments, LLC. Applicant: Sung Soo Chang. Applicant seeks approval of a Business Plan of Operation for a dry cleaner drop-off/pick-up location, Delafield Cleaners.** Hours of Operation are Sunday 7AM to 7PM and Saturday 8AM to 5PM with 1 full-time employee.
- c. **DELC 0803.011, 19 Crossroads Court, Suite 101, Delafield. Owner: D. Schlaak Properties, LLC. Chad Schleiger, D.C. Applicant seeks approval of a Business Plan of Operation for a chiropractic office, Active Health Chiropractic, LLC.** Hours of Operation are Weekdays 9AM to 6PM with 1 part-time employee.
- d. **DELC 0793.014.003, 505 Wells Street, Suite 200, Delafield. Owner: Ace Delafield Properties, LLC. Applicant: Kelly A. Brown, American Deposit Management, LLC. Applicant seeks approval of a Business Plan of Operation for a financial services/registered municipal advisor office, American Deposit Management Company.** Hours of Operation are Weekdays 7:30AM to 4:30PM with 3 part-time and 8 full-time employees.
- e. **DELC 0793.001.004, 514 Wells Street, Delafield. Owner: 514 Wells, LLC. Applicant: Daryl Hively. Applicant seeks approval of a Business Plan of Operation for digital advertising agency, Guarantee Digital.** Hours of Operation are Weekdays 8:00AM to 5:00PM with 1 part-time and 5 full-time employees.
- f. **DELC 0804.994.017, 2728 Heritage Drive, Delafield. Owner: Applicant: Applicant seeks approval of a Business Plan of Operation for vitamin and smoothies shop, Elite Nutrition Vitamins and Smoothies.** Hours of Operation are Weekdays 9:00AM to 10:00PM; Saturday 9:00AM to 8:00PM and Sunday 10:00AM to 6:00PM with 1 part-time and 1 full-time employee.

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- g. **DEL 0803.988.004, 2566 Sun Valley Drive, Suite 6, Delafield. Owner: R. Gary Storts. Applicant: Joe Laatsch.** Applicant seeks approval to expand the existing restaurant dining area by converting former Dinner by Design space into restaurant space and adding up to three additional employees.
- h. **DEC 0798.038.001 & 0798.037.001, 711 Wells Street, Delafield. Owner: Villard Company, Inc. Applicant: Brian Melter. Applicant seeks approval of a Business Plan of Operation for a service provider for financial services industry, Brian Melter Office for Boston Financial Data Services.** Hours of Operation are Weekdays 8:00AM to 5:00PM with 1 full-time employee.

C. SMITH MOVED TO APPROVE THE ITEMS ON THE CONSENT AGENDA IN ACCORDANCE WITH THE STAFF REPORT. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 4. Final Consideration, Approvals, Previous Approval.
- 5. Plans of Operation, Signage and Site Plan.
 - a. **DEL 0807.985.012, 3776 Kettle Court East, Delafield. Owner: John Barker c/o Arcon Ring. Applicant: Domenico M. Forrante.** Applicant seeks approval of a Site Plan to erect a light manufacturing facility. Applicant also seeks approval of two Business Plans of Operation:
 - 1. **Golden Raisins, LLC.** Hours of Operation are Weekdays 7:00AM to 10:00PM with 2 part-time and 3 full-time employees.
 - 2. **Arcon Ring and Specialty Corp.** Hours of Operation are Weekdays 7:00AM to 10:00PM with 14 full-time employees.

FROM PLANNER DUPLER'S STAFF REPORT: Arcon Ring is a manufacturer of steel snap rings primarily servicing the automotive industry. Their desire is to erect a new building on Kettle Court East to house their growing operation. The proposed use and hours identified in the Business Plans of Operation are appropriate for this site. The property is appropriately zoned for light manufacturing; M-1. The existing lot conforms to the zoning district bulk regulations, and there is no proposed change of lot lines. The civil site plan illustrates a front setback of 30'; this is not correct in the M-1 district. The front setback must be 50'. Fortunately the building is situated with a 62' front setback. The plans should be modified to accurately display the appropriate setback. The building area amounts to 42,074sf. It is a single-story footprint of 39,767sf with a 2,307sf interior mezzanine. Applied to the 147,233sf lot this produces a Floor Area Ratio of 0.28, well below the allowable 0.5 limit. The building height is proposed at 25' with a total exposure on the west elevation of 29.5'. Maximum building height in the M-1 district is 35'. The site plan illustrates reasonable access for truck maneuverability with two drive locations on Kettle Court East. A loading dock on the south side of the building is well removed from the public purview and is adequately screened by existing vegetation to the south. To facilitate the loading dock area requirements, the south hillside is being graded down. The resulting elevational difference requires the use of retaining walls. The proposed height of the wall is 16' at the peak; it is split into two tiers of equal height. A structural analysis produced by the block manufacturer confirms the integrity of the walls. The Delafield code prohibits the alteration of slopes in excess of 4:1; however, in this case these are not naturally occurring slopes; they were graded in the '90s to make way for development. In addition there are existing trees in the lot that have grown up since the original grading operations. These trees are first succession growth and of low quality, none of the species are on the City's list of protected trees. As a result no tree mitigation is required. The total required parking spaces are satisfied with the proposed 33 spaces. There is no proposed outdoor storage or dumpster location. All materials and refuse will be kept inside the building. The building is well designed and conforms to the City's expectation for materials and aesthetics. Rooftop utilities will be screened appropriately. The landscape plan is well designed and conforms to all ordinance requirements. Staff's only comment is to consider the use of ornamental vines to be placed at the base of the retaining walls in order to soften the appearance and eventually hide the large expanse of hard material. There is no proposed sign at this time. Two critical items identified in the Engineer's review letter. First the grading operations extend beyond the west property line. A grading easement must be created for the western lot. The second issue deals storm water, the roof top is proposed for temporary storage. The petitioner needs to provide additional details and structural analysis for this element. **Recommendation:** Site Plan, building and landscaping approval contingent upon resolution of the items identified in the Engineer's review letter of June 21, 2012, the addition of vines planted near the retaining walls, and correction of the inappropriate setback line identified on the civil drawings. The Plan commission may also approve of the Business Plans of Operation.

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M. DeYoe asked if it is typical to see stormwater retaining areas on a roof. R. Dupler stated it is not typical, but it works well for this development. C. Smith asked if there is anything special about the pond/rain garden and will it hold water. R. Dupler stated it is a dry pond and will only hold water after a rainfall until it filtrates out. Domenic Forrante of the applicant's building company was present and showed the materials board to the Plan Commission to illustrate colors and materials of the proposed building.

M. DEYOE MOVED TO APPROVE THE SITE PLAN FOR ARCON RING AND SPECIALTY CORP. TO ERECT A LIGHT MANUFACTURING FACILITY SUBJECT TO STAFF REVIEW OF THE FINAL DETAILS AS IDENTIFIED IN ENGINEERS REPORT. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

K. FITZGERALD MOVED TO APPROVE THE BUSINESS PLANS OF OPERATION FOR ARCON RING AND SPECIALTY CORP. HOURS OF OPERATION ARE WEEKDAYS 7:00AM TO 10:00PM WITH 14 FULL-TIME EMPLOYEES; GOLDEN RAISINS, LLC. HOURS OF OPERATION ARE WEEKDAYS 7:00AM TO 10:00PM WITH 2 PART-TIME AND 3 FULL-TIME EMPLOYEES. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. Preliminary
7. Zoning and Ordinance Revision.

8. Reports of City Officials:

- a. Administrator
- b. Clerk
 1. Public Hearing Dates
 - a. July 25 (Meeting); June 27 (PH Deadline); July 11 (Reg. Deadline)
 2. Correspondence
- c. Planner
 1. Discussion of proposed text amendment to amend restrictions regarding the keeping of horses.

R. Dupler stated there is some confusion with a property at 1910 Price Road that has dual zoning; one allows the keeping of horses, the other does not. He suggests that the Plan Commission modify the Conditional Use text in the Zoning Code to eliminate the reference to keeping horses in RE-3 or just identify in the code that horses are allowed in all RE districts so that all RE districts conform with the general conditions of the zoning code. E. McAleer stated he would like to see the language be more definitive so that horses are allowed on lots bigger than three acres in RE-2. R. Dupler agreed and will bring suggested language to the next Plan Commission meeting.

2. Discussion and possible action to resolve the proposed roadside stand known as "You Grow Girl" discussed at the last Plan Commission meeting.

R. Dupler stated Mrs. Enright operates a roadside vegetable stand at her home and would like permission from the City to do so legally. Last month the Plan Commission asked him to come up with a way to allow this to happen. There are restrictive issues in the Zoning Code to deal with. The subject property is zoned RE-2 and was incorporated into Steeple Point's Planned Unit Development. There are deed restrictions on the PUD but this farmette is not included in those restrictions. Per the code, there are no permitted accessory uses that this type of business conforms with. Another alternative is to have the Enrights approach each property owner in the PUD and ask them to all be co-petitioners to come before the Plan Commission and ask for a Conditional Use public hearing to modify the allowed uses in the existing Conditional Use to allow the roadside stand. Since spot zoning isn't allowed, the Enrights are not able to ask for a zoning change. The City could modify the City's zoning code relating to Conditional Uses to allow this type of activity, which would allow it City wide rather than allowing it on a specific site. This could allow someone to find a way around the rules or to apply the rules to a site the City wouldn't want to see a roadside stand on. He does not recommend the City take that route.

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E. McAleer stated he would like to see language that modifies the City's code relating to Conditional Uses but with strict criteria. R. Dupler stated he will bring back language to the next Plan Commission meeting for that text amendment. M. DeYoe asked if this would qualify as a home business. R. Dupler stated no because the business must be conducted within the home. M. DeYoe stated this seems like a simple thing to do for someone and the City doesn't want to discourage entrepreneurs; the City needs to figure out how to do this appropriately.

d. Building Inspector

S. Hussinger stated the total number of permits to date was 43 with three commercial occupancy permits and one residential occupancy permit this month.

9. Adjournment.

D. JASHINSKY MOVED TO ADJOURN THE JUNE 27, 2012 PLAN COMMISSION MEETING AT 7:37 P.M. K. ATTWELL SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:



Gina C. Gresch, MMC/WCPC
City of Delafield Clerk-Treasurer
Waukesha County