

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, October 31, 2012 Plan Commission meeting:

Present

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

Absent

Tony Drake
Kent Attwell
Chris Smith

PUBLIC HEARING #1: CONDITIONAL USE AMENDMENT FOR FAÇADE IMPROVEMENTS

APPLICANT: MSI General Corporation – John Kutz
OWNER: St. John's Northwestern Military Academy

MATTER: Applicant seeks a Conditional Use amendment for façade improvements to the existing gymnasium building.

PUBLIC COMMENTS: None.

K. FITZGERALD MOVED TO CLOSE PUBLIC COMMENTS PERTAINING TO THE ST. JOHN'S NORTHWESTERN MILITARY ACADEMY CONDITIONAL USE AMENDMENT FOR FAÇADE IMPROVEMENTS PUBIC HEARING AT 7:01 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

**PUBLIC HEARING #2: ZONING CODE TEXT AMENDMENT
CONFORM TO FEDERAL LEGISLATIONS REGARDING CELL TOWER
IMPROVEMENTS**

APPLICANT: City of Delafield

MATTER: An Ordinance repealing and recreating sections 17.49(1)(c), 17.49(1)(j), 17.49(1)(l) and create sections 17.49(4)(c)(1)(a), 17.49(4)(c)(1)(b), 17.49(4)(c)(2) and 17.49(4)(c)(3) of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin related to cell tower improvements. The Plan Commission will conduct a public hearing to consider amendment of Sec. 17.49 of the Municipal Code (Telecommunication Antennae and Tower Regulations) which amendment, if approved, would provide for the administrative approval of requests to modify existing wireless towers or base stations if the modification does not substantially change the physical dimension of the tower or base station.

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PUBLIC COMMENTS: None.

M. DEYOE MOVED TO CLOSE PUBLIC COMMENTS PERTAINING TO THE ZONING CODE TEXT AMENDMENT CONFORM TO FEDERAL LEGISLATIONS REGARDING CELL TOWER IMPROVEMENTS PUBLIC HEARING AT 7:02 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #3: **ZONING CODE TEXT AMENDMENT
UPDATE TEXT RELATED TO DIGITAL SUBMITTALS**

APPLICANT: City of Delafield

MATTER: An Ordinance repealing and recreating Sections 17.28 and 17.32(2)(a) of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin related to Plan Commission digital submittals and number of copies required.

PUBLIC COMMENTS: None.

K. FITZGERALD MOVED TO CLOSE PUBLIC COMMENTS PERTAINING TO THE ZONING CODE TEXT AMENDMENT UPDATE TEXT RELATED TO DIGITAL SUBMITTALS PUBLIC HEARING AT 7:03 P.M. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. Approve Plan Commission meeting minutes of September 26, 2012 meeting.

D. JASHINSKY MOVED TO APPROVE THE SEPTEMBER 26, 2012 PLAN COMMISSION MEETING MINUTES AS PRESENTED. M. KATZ 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. KATZ MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:04 P.M. M. DEYOE 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 0808.985.002, 501 Maple Avenue, Delafield. Owner: Yaggy Colby, c/o Mike Court. Applicant: Steven Reid – Badger Fleet Solutions, LLC. Applicant seeks approval of a Business Plan of Operation for a commercial GPS reseller, Badger Fleet Solutions, LLC.** Hours of Operation are Weekdays, 8AM to 8PM with 4 full time employees.
 - b. **DELC 0793.014.001, 627 Genesee Street, Delafield. Owner: Jason Steiner, Ace Delafield Properties. Applicant: Natalia Aramoni. Applicant seeks approval of a Business Plan of Operation for a restaurant, La Quesadilla.** Hours of Operation are Monday through Thursday, 6AM to 12AM, Friday and Saturday, 6AM to 2AM, Sunday 6AM to 10PM with 4 part time and 6 full time employees.

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

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4. Final Consideration, Approvals, Previous Approval.
- a. **DELIC 0792.065.001, 1101 Genesee Street, Delafield. Owner: St. John's Northwestern Military Academy. Applicant: MSI General Corporation – John Kutz.** Applicant final approval of a Conditional Use amendment for façade improvements to the existing gymnasium building and recommendation to the Common Council of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: *The military academy wishes to improve the west elevation of the existing gymnasium building. The proposal offers to upgrade the facade materials by replacing the existing brick pilasters with stone, enlarging the window openings, and reconstructing the entrance. There are no site plan changes. Since the campus is governed by a Conditional Use Permit any proposed changes require a public hearing, Plan Commission approval and recommendation to the City Council. Recommendation: Approval, recommend to City Council accordingly.*

M. DEYOE MOVED TO APPROVE THE CONDITIONAL USE AMENDMENT FOR FAÇADE IMPROVEMENTS TO THE EXISTING GYMNASIUM BUILDING FOR DELIC 0792.065.001, 1101 GENESEE STREET, DELAFIELD. OWNER: ST. JOHN'S NORTHWESTERN MILITARY ACADEMY. APPLICANT: MSI GENERAL CORPORATION – JOHN KUTZ AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. M. KATZ SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. Plans of Operation, Signage and Site Plan.
6. Preliminary

7. Zoning and Ordinance Revision.

- a. Discussion and action on Ordinance No. 673, An Ordinance to Repeal & Recreate Sections 17.49(1)(c), 17.49(1)(j), 17.49(1)(l) and create sections 17.49(4)(c)(1)(a), 17.49(4)(c)(1)(b), 17.49(4)(c)(2) and 17.49(4)(c)(3) of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin Related To Cell Tower Improvements and recommendation to the Common Council of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: *Recent Federal Legislation enables telecommunication providers to make changes to tower systems without undergoing the discretion of a governing body. In other words, such amendments, if deemed to be minor, shall be facilitated by staff approval rather than be garnered via a conditional use public hearing. Staff approval will be subject to a structural analysis and routed through the Building Inspector.*

M. DEYOE MOVED TO ADOPT ORDINANCE NO. 673, AN ORDINANCE TO REPEAL & RECREATE SECTIONS 17.49(1)(C), 17.49(1)(J), 17.49(1)(L) AND CREATE SECTIONS 17.49(4)(C)(1)(A), 17.49(4)(C)(1)(B), 17.49(4)(C)(2) AND 17.49(4)(C)(3) OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN RELATED TO CELL TOWER IMPROVEMENTS AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- b. Discussion and action on Ordinance No. 674, An Ordinance to Repeal & Recreate Sections 17.28 and 17.32(2)(a) Related to Plan Commission Digital Submittals and Number of Copies Required and recommendation to the Common Council of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: *Staff has identified a discrepancy in the existing ordinance which should be corrected. The proposed language will make all submittal requirements consistent in all aspects of the approval process. This revision will further our commitment to digital archiving and reducing the needless amount of paper required by the current code.*

D. JASHINSKY MOVED TO ADOPT ORDINANCE NO. 674, AN ORDINANCE TO REPEAL & RECREATE SECTIONS 17.28 AND 17.32(2)(A) RELATED TO PLAN COMMISSION DIGITAL SUBMITTALS AND NUMBER OF COPIES REQUIRED AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. M. KATZ SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. Reports of City Officials:

a. Clerk

- 1. November 28 (Meeting); October 31 (PH Deadline); November 14 (Reg. Deadline)
- 2. December meeting

G. Gresch stated in the past the City has skipped the December meeting. If we were to move the December meeting up a week because of the way Christmas falls, there would only be two weeks in between Plan Commission meetings. Plan Commission members agreed the December meeting should be skipped.

b. Planner

c. Building Inspector

S. Hussinger stated the total number of permits to date is 52 with one residential occupancy permit this month.

9. Adjournment.

M. DEYOE MOVED TO ADJOURN THE WEDNESDAY, OCTOBER 31, 2012 PLAN COMMISSION MEETING AT 7:08 P.M. M. KATZ SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:



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