

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 January 26, 2011 Plan Commission meeting:

Present

Ed McAleer, Mayor
Michele DeYoe, Ald.
Kent Attwell
Kevin Fitzgerald
Michael Frede
Dan Jashinsky
Matthew Katz
Chris Smith
Roger Dupler, Planner
Gina Gresch, Clerk-Treasurer / Interim Administrator
Tom Maney, Building Inspector

Absent

PUBLIC HEARING #1:

ZONING CODE TEXT AMENDMENT – ELECTION CAMPAIGN SIGNAGE.

APPLICANT:

City of Delafield

MATTER:

An Ordinance Creating Section 17.367 of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin Related to the Election Campaign Signage.

E. McAleer called the public hearing to order and read the public hearing notice in the record.

PUBLIC COMMENTS: None.

K. ATTWELL MOVED TO CLOSE PUBLIC COMMENTS AND ADJOURN THE PUBLIC HEARING AT 7:01 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. Approve Plan Commission meeting minutes of November 17, 2010 and December 15, 2010 meetings.

D. JASHINSKY MOVED TO APPROVE THE NOVEMBER 17, 2010 PLAN COMMISSION MEETING MINUTES AS PRESENTED. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED WITH ONE ABSTENTION BY K. FITZGERALD.

K. FITZGERALD MOVED TO APPROVE THE DECEMBER 15, 2010 PLAN COMMISSION MEETING MINUTES AS PRESENTED. K. ATTWELL 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.

None.

K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:03 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 0793.014.023, 515 Wells Street, Delafield.** Owner: Ace Delafield Properties, LLC. Applicant: Randall L. Piering. Applicant seeks approval of Business Plan of Operation for a restaurant, Tony & Mia's. Hours of Operation are Weekdays and Saturdays, 4:00 p.m. to Midnight with 3 full time and 23 part time employees.
- b. **DELC 0798.037.001 and 0798.038.001, 711 Wells Street, Delafield.** Owner: Villard Company, Inc. Applicant: Ann Lestina. Applicant seeks approval of a Business Plan of Operation for a fitness center,

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Delafield Jazzercise Center. Hours of Operation are Weekdays 8:00 a.m. to 7:00 p.m., Saturdays 8:00 a.m. to 10:00 p.m., and Sundays 4:00 p.m. to 6:00 p.m. with 5 part-time employees. Also proposed is an open house, annually, in March.

- c. **DELIC 0798.024.001, 606 Genesee Street, Delafield.** Owner: Ace Delafield Properties, LLC. Applicant: Margaret Simandl and Cathy V. Hart. Applicant seeks approval of Business Plan of Operation for a retail store, Unique in Delafield. Hours of Operation are Weekdays and Saturdays 10:30 a.m. to 9:00 p.m. and Sundays 11:00 a.m. to 5:00 p.m. with 2 full-time and 3 part-time employees.
- d. **DELIC 0742.999, W15 E Wisconsin Avenue, Nashotah.** Owner: Richard and Jacqueline Gardner. Applicant: Kirk Nelson. Applicant seeks approval of Business Plan of Operation for a painting contractor, Paintworks by Kirk. Hours of Operation are random with 1 full-time and 1 part-time employee.

K. ATTWELL MOVED TO APPROVE ITEMS 3A, C AND D ON THE CONSENT AGENDA, AND REMOVE ITEM #3B FOR DISCUSSION, IN ACCORDANCE WITH THE STAFF REPORT. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

R. Dupler stated he spoke with the Jazzercise owners and requested that she modify her hours of operation to end at 10:00 p.m. instead of 7:00 p.m. to give her more flexibility. Plan Commission members agreed with the change.

M. DEYOE MOVED TO APPROVE ITEM #3B, WITH THE AMENDED HOURS OF OPERATION, TO 10PM PER PLANNER DUPLER. K. ATTWELL 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.
6. Preliminary
7. Zoning and Ordinance Revision.
 - a. Discussion and action on a zoning map amendment for DELIC 0789.992.001, 1729 Hillcrest Drive, David and Natalie Buslee, to modify the zoning map to remove CUPD designation from the subject parcel.

R. Dupler stated the Buslee residence on Hillcrest Drive is a single-family home in the RE-1 zoning district. This lot was originally part of the parent parcel from which Copperfield Subdivision P.U.D. was created. Although the Buslee parcel was separated from the balance of the property prior to platting, the designation of Conditional Use, appropriate for the Copperfield Subdivision, was mistakenly assigned to the Buslee parcel as well. Legal documents associated with the subdivision exclude the Buslee parcel. The Plan Commission is asked to approve this minor mapping correction to remove the Conditional Use designation for the Buslee parcel. This is a graphical change to the map only.

K. ATTWELL MOVED TO APPROVE THE GRAPHIC CHANGE TO THE ZONING MAP TO REMOVE THE CONDITIONAL USE DESIGNATION FROM THE BUSLEE PARCEL. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. Discussion and action on Ordinance No. 653, An Ordinance Creating Section 17.367 of the Municipal Code of the City of Delafield, Waukesha County, Wisconsin, Related to Election Campaign Signage.

K. Attwell stated he does not want to adopt this ordinance. K. Fitzgerald stated if this ordinance isn't adopted, then the election and campaign signs require a permit. There was much discussion if the City's sign ordinance or WI State Statutes exempt these types of signs from permitting or regulations. The Plan Commission could not answer K. Fitzgerald's questions.

K. ATTWELL MOVED TO RECOMMEND TO THE COMMON COUNCIL TO DENY ADOPTING ORDINANCE NO. 653, AN ORDINANCE CREATING SECTION 17.367 OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, RELATED TO ELECTION

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

CAMPAIGN SIGNAGE. M. KATZ SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ONE NAY BY M. DEYOE.

8. Reports of City Officials:
- a. Clerk / Interim Administrator
 - i. Public Hearing Dates - February 23, 2011 meeting – January 26, 2011 deadline. No submittals received.
 - ii. Board of Zoning Appeals Minutes (if applicable)
 - iii. Correspondence
 - b. Planner
 - i. Discussion of Extraterritorial Jurisdictional Boundary.

R. Dupler stated the Village of Summit is in the process of updating their Comprehensive Plan. At this time, the proposed changes primarily involve the conversion of land use designations along County Highway DR to commercial use and residential land use, and residential land use along the west side of Sawyer Road. The primary objective is to increase the number of users of the Del-Hart system; there is currently allowance for potentially 200 more users. A public hearing was held on January 6, at which time it was determined that due to the number of new Board members a three-to-four month delay will be accommodated to bring all voting members up to speed. As a newly incorporated municipality, the former Town has the autonomy to exercise such changes without soliciting the input of neighboring municipalities. However, when completed we may expect that the documents will be shared with the City. As a result of the incorporation of the Village of Summit, the Extraterritorial Jurisdiction Map needs to be modified to reflect the appropriately modified boundary. With this incorporation, Summit is now a Class III Village with equal stature as the City of Delafield. As such, the City may no longer exercise any jurisdiction for plat review in the area previously unincorporated. The graphic changes to the map are revised accordingly.

c. Building Inspector

T. Maney stated the total number of permits to date is 11, with one occupancy permit this month. There were zero new single family home permits.

9. Adjournment.

M. DEYOE MOVED TO ADJOURN THE JANUARY 26, 2011 PLAN COMMISSION MEETING AT 7:25 P.M. C. SMITH SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:



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