

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, March 30, 2011 Plan Commission meeting:

Present

Ed McAleer, Mayor
Michele DeYoe, Ald.
Kent Attwell
Kevin Fitzgerald
Michael Frede
Dan Jashinsky
Matthew Katz
Roger Dupler, Planner
Tim Schuenke, Administrator
Gina Gresch, Clerk-Treasurer
Scott Hussinger, Building Inspector

Absent

Chris Smith

PUBLIC HEARING #1:

REVISED PLANNED DEVELOPMENT, GENERAL DEVELOPMENT PLAN (GDP)

OWNED BY:

Joe McCormick, 101 N. Mills Street, Madison, WI

APPLICANT:

Joe McCormick, 101 N. Mills Street, Madison, WI

PARCEL:

DELC 0798.973

MATTER:

Applicant seeks approval of a revised Planned Development, General Development Plan to modify the boundary of the multi-use residential project consisting of two multi-family buildings and single family homes, in conformance with the original approval. In addition, the applicant asks for consideration to eliminate Fraxinus sp. (Ash) trees from standard mitigation requirements.

E. McAleer called the public hearing to order. R. Dupler stated the Plan Commission will conduct a public hearing to consider two significant elements of the existing General Development Plan. A recommendation for any change to the General Development Plan must be forwarded to the City Council for concurrence before this petition may proceed to the Specific Implementation Plan. The property owner to the east has negotiated a land exchange to trade property along the north boundary, where the proposed alley access for the single-family homes exists, in exchange for 20' of property along the common east property line. Consideration of this property exchange requires that two issues be addressed. First, the separation of the alleyway property will leave the neighboring property without direct access to a public right-of-way. As it exists, the property is a flag lot connecting to Bleeker Street with the stem as the connection to a public road. This configuration may be permitted with Plan Commission approval, per 18.59(5). Access to the neighbor's lot will be maintained with an access easement through the alley. When creating the Delafield Woods GDP, deliberation of the allowable density was considered. In the General Development Plan approval, the density was determined by a yield plan that created the single-family lots on the east side of Bleeker Street with extra deep rear yards. Density for the single-family lots was determined by the resulting lot geometry, not lot area. As such it is possible to remove 20' from the rear of these lots without affecting the required lot area or the project density. This 20' is unusable area encumbered by easements associated with the overhead electric wires.

R. Dupler stated there are a number of existing trees that have been documented by the City Forester as in good condition and meeting the criteria for replacement, however many of those trees are of diminished quality or in poor health. Such trees are not required to be mitigated; only the healthy trees of significant quality are

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

replaced. The developer is asking for a reduction in the mandatory replacement materials, since many of the trees are Ash trees which are assumed to be threatened by the Emerald Ash Bore. In this case the quality of those trees is assumed to drastically decline in the near future. There are 613 caliper inches of Ash trees in the area of disruption.

Rob Davy, Lake Country Engineering, stated this is beneficial for both property owners. The land they are giving up to the east will make Jim Behrend's land a little wider so he can install a road when he wants to develop. In return they will receive the easement to install the alley so they can keep the loop and have the alley in the back. With regards to the Ash trees, they propose to remove 1,418" in diameter of trees outside the road right-of-way. Of that 1,418", 584" are Ash trees. In five to six years those trees will be dead or dying and have to be removed anyway.

PUBLIC COMMENTS:

Paul Burg, 831 Division Street, stated there is no easement language to access to his house and he wants to make sure he won't lose access to his home. R. Dupler stated nothing will change.

K. ATTWELL MOVED TO CLOSE PUBLIC COMMENTS AT 7:06 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 February 23, 2011 meeting.

M. DEYOE MOVED TO APPROVE THE FEBRUARY 23, 2011 PLAN COMMISSION MEETING MINUTES AS PRESENTED. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ABSTENTION BY K. FITZGERALD.

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

John Slein, Laura Delafield Design Gallery owners, 711 Wells Street, stated he would like to speak about the sandwich board sign ordinance and enforcement. He just found out before the meeting that the only complaining party that brought the matter to enforcement was Plan Commission member Kent Attwell. Eliminating the signs will cost the businesses money and he would like to propose an alternative. The sign ordinance is inconsistent and full of errors. There are numerous types of signs and they are all treated differently. The ordinance should be completely re-written.

Jeff Krickhahn, 4506 Vettelson Road, stated he is speaking as the Library Board President, on agenda item #5b, the Library Garden. This item was on the Library Board's agenda last month and it was unanimously accepted and he thanked the Friends of the Library for putting this together. There will be zero dollars spent and Director Zignego is in favor of the plan. E. McAleer stated the funds that were donated to the library will be funding this project. There is a perception that some of those funds were saved to expand the library. That perception could be an error.

D. JASHINSKY MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:14 P.M. K. FITZGERALD 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 0792.056, 803 Genesee Street, Delafield.** Owner: SteinerGroup/Ace Properties. Applicant: Delafield Arts Center. Applicant seeks approval of a Business Plan of Operation Amendment to change the number from Dreamers Center for Creative Arts to Delafield Arts Center. Number of employees and hours of operation remain the same.
 - b. **DELC 0807.978.008, 350 Austin Circle, Delafield.** Owner: Richard Jinkins. Applicant: 5 Alarm Fire & Safety – Gerry Fleisher. Applicant seeks approval of a Temporary Business Plan of Operation for their annual extrication training seminar. Event runs from April 30, 2011 to May 1, 2011, 8:00 a.m. to 4:30 p.m.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- c. **DELC 0798.051, 711 Main Street, Delafield.** Owner: Gary and Barb Gorski. Applicant: Architectural Xpressions – David Hoffman. Applicant seeks approval of a Business Plan of Operation Amendment to relocate the business from 410 Genesee Street to 711 Main Street. Hours of Operation and Employees remain the same.

M. DEYOE 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.

- a. **DELC 0798.973, 401 Bleeker Street, Delafield.** Owner/Applicant: Joe McCormick, 101 N. Mills Street, Madison, WI. Owner/Applicant seeks approval of the following items:
1. Revised Planned Development, General Development Plan to modify the boundary of the multi-use residential project consisting of two multi-family buildings and single family homes, in conformance with the original approval.

R. Davy indicated the issue with the neighbor that spoke was just solved during the meeting. The driveway will come off of Division Street instead of Bleeker Street. K. Fitzgerald asked if the alley will service the land behind the development. R. Davy stated yes until Mr. Behrend chooses to develop. M. DeYoe stated she doesn't see any ramifications for the City. R. Dupler this cleans up a number of issues in this area of the City.

K. ATTWELL MOVED TO APPROVE THE REVISED PLANNED DEVELOPMENT, GENERAL DEVELOPMENT PLAN TO MODIFY THE BOUNDARY OF THE MULTI-USE RESIDENTIAL PROJECT CONSISTING OF TWO MULTI-FAMILY BUILDINGS AND SINGLE FAMILY HOMES, IN CONFORMANCE WITH THE ORIGINAL APPROVAL FOR DELC 0798.973, 401 BLEEKER STREET, DELAFIELD. OWNER/APPLICANT: JOE MCCORMICK, 101 N. MILLS STREET, MADISON, WI, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. Eliminate Fraxinus sp. (Ash) trees from standard mitigation requirements

K. Attwell stated he is concerned about the trees. R. Dupler stated the policy is one to one for each quality tree that is removed. The Ash tree is a quality tree per the code; however, these trees are damaged and Waukesha County is under quarantine. M. DeYoe asked if it would be in order to change the ordinance. R. Dupler stated yes, he was going to suggest that. He encouraged scheduling a public hearing to remove the Ash trees from the protected species list. K. Attwell stated he assumes the majority of the trees would be taken down for the development. R. Dupler stated there will be many trees left in the area not being disturbed and there are no plans to remove those. They will suffer mortality on site in a few years. K. Attwell stated he would like to see the developer replace the same amount of caliper inches that they are removing. M. Frede stated he doesn't agree with the tree removal and doesn't like the ordinance. M. DeYoe stated Ash trees are an endangered species and they will die soon anyway. E. McAleer stated the ordinance is meant to keep healthy species, but the Ash trees are not healthy.

M. DEYOE MOVED TO APPROVE THE REDUCTION OF 613 CALIPER INCHES OF REQUIRED MITIGATION IN CONSIDERATION OF THE ASH TREE DECLINE FOR DELC 0798.973, 401 BLEEKER STREET, DELAFIELD. OWNER/APPLICANT: JOE MCCORMICK, 101 N. MILLS STREET, MADISON, WI, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. D. JASHINSKY SECONDED THE

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. NAY BY KENT ATTWELL.

5. Plans of Operation, Signage and Site Plan.

- a. Discussion and action on recommendation from Park and Recreation Commission to approve the architectural modifications to the Chentis/Kreuger Community Senior Center building.

R. Dupler stated the proposed architectural modifications will accommodate a west vestibule to better serve the function of the community center while providing ADA compliant access to the building. The plans have been reviewed at staff level and have been recommended to the Plan Commission by the Park and Recreation Commission. In addition, these plans have also been submitted to the State Historical Society for review and approval. The design and materials of the addition will match the details and colors of the existing building. The modest entrance has very little flexibility for design alterations and pending approval by the Historic Society, these plans are ready to go directly into production. Aside from the building addition new windows are planned for installation. These windows are the same style and color as the existing so there won't be any aesthetic changes that warrant Plan Commission approval in that regard.

M. DeYoe asked if there will be lighting in the vestibule. R. Dupler stated yes, there will be cam lights built into the soffit above the door so that it does not introduce a new character on the building. There will also be inside lights for security purposes. The entryway will also meet ADA requirements which it currently does not.

M. DEYOE MOVED TO APPROVE THE RECOMMENDATION FROM PARK AND RECREATION COMMISSION TO APPROVE THE ARCHITECTURAL MODIFICATIONS TO THE CHENTIS/KREUGER COMMUNITY SENIOR CENTER BUILDING, 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.

- b. **DEL 0798.107.001, 500 Genesee Street, Delafield.** Owner: City of Delafield. Applicant: Friends of the Library. Applicant seeks approval of a Site Plan for a Library Garden.

Member of the Friends of the Library Executive Board, Char Hall, Marty Webb, Marty Wiley, Doris Morphy and Marge Vetter were present. C. Hall stated they are requesting approval to move forward with the Library Gardens project. This project will be funded with money that was donated to the Friends of the Library. They will have their \$1 million dollar fundraising goal to achieve to expand the library. M. Wiley stated she spoke with the donor, Bobbie Chentis Krueger and she stated the Friends could use the donation for whatever way they felt appropriate. The Friends feel this is a good time to make use of the money to serve the community in a unique garden concept. C. Hall stated this garden area will serve multiple purposes as well as beautify the south east side of the building.

E. McAleer stated he wanted the Friends to articulate the goals of the group and they did a good job. K. Fitzgerald asked if there is a landscaping plan that would be put in place if this wasn't approved. R. Dupler stated it is just vacant lawn at this point with an expectation there will be a building there in the future. Everything planted for the garden could be used and relocated when the time comes. M. DeYoe asked about lighting. C. Hall stated they would like to put tiny white Christmas lights on a trellis. M. DeYoe also asked how this affects stormwater. R. Dupler stated the water runoff from mantling snow cuts across the parking lot right where people walk. Public Works Director Hafner will be looking into installing yard drains M. DeYoe asked if there is a plan to recognize the donor in a permanent way. C. Hall stated yes and they will do something as a part of the opening.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

K. ATTWELL MOVED TO APPROVE THE SITE PLAN FOR THE LIBRARY GARDEN FOR DELC 0798.107.001, 500 GENESEE STREET, DELAFIELD. OWNER: CITY OF DELAFIELD. APPLICANT: FRIENDS OF THE LIBRARY, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **DELC 0793.053, 417 Genesee Street, Delafield.** Owner: Terence V. Pavlic. Applicant: Tim Seidel. Applicant seeks architectural modifications and color change to the building located at 417 Genesee Street and a Business Plan of Operation for an investment advisor office, Pavlic Investment Advisors. Hours of Operation are Weekdays 8:00 a.m. to 5:00 p.m. and Saturdays 8:00 a.m. to Noon with 2 full time employees.

Tim Seidel stated he is proposing to re-side and upgrade the existing exterior of the building. The proposed architectural changes will remove the existing porte-cochere and drive-through service on the south side of the building. In addition the building colors will be changed to be consistent with the preapproved historic color palette. There are no other changes to the site other than some minor pavement alterations associated with the removal of the drive-through.

K. ATTWELL MOVED TO APPROVE THE ARCHITECTURAL MODIFICATIONS AND COLOR CHANGE TO THE BUILDING LOCATED AT 417 GENESEE STREET AND A BUSINESS PLAN OF OPERATION FOR AN INVESTMENT ADVISOR OFFICE, PAVLIC INVESTMENT ADVISORS. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 5:00 P.M. AND SATURDAYS 8:00 A.M. TO NOON WITH 2 FULL TIME EMPLOYEES, FOR DELC 0793.053, 417 GENESEE STREET, DELAFIELD. OWNER: TERENCE V. PAVLIC. APPLICANT: TIM SEIDEL. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **DELC 0803.993.001, 2553 Sun Valley Drive, Delafield.** Owner/Applicant: Target. Applicant seeks approval of proposed architectural changes, new roof top units are proposed in association with interior remodeling.

Mark Montonati stated he is representing Target. They are applying for an architectural change which includes remodeling the inside of the store. The remodel will include a grocery area (not full service) which requires additional HVAC units. The new units are well hidden and are not able to be seen from the road.

M. KATZ MOVED TO APPROVE THE PROPOSED ARCHITECTURAL CHANGES, NEW ROOF TOP UNITS ARE PROPOSED IN ASSOCIATION WITH INTERIOR REMODELING, FOR DELC 0803.993.001, 2553 SUN VALLEY DRIVE, DELAFIELD. OWNER/APPLICANT: TARGET. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. Preliminary
7. Zoning and Ordinance Revision.
a. Discussion of creating a Wind Energy Ordinance.

R. Dupler stated there is nothing for consideration tonight. He would like the Plan Commission to schedule a public hearing to remove the Ash trees from the preserved tree list.

E. McAleer stated he received an email from T. Aicher that he couldn't be here tonight. E. McAleer suggested the City pass a moratorium on windmills and gives the Plan Commission a chance to develop an ordinance. K. Attwell asked why would the City want to do this; what is the fear? E. McAleer stated we don't want noise or shadow from the windmills. M. DeYoe stated there are a number of issues; killing birds, noise, flicker and ice chunks. There was discussion among the Plan Commission about whether or not this type of energy source will be

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

utilized and how financial viable they really are. S. Hussinger stated the City of Delafield won't see the large windmills as they are too big to meet the accessory structure ordinance. There was further discussion about smaller and rooftop windmills. S. Hussinger stated if it is attached to the house then the ordinance applies to maximum building height of 35 feet. If it is an accessory structure, maximum building height is 15 feet. E. McAleer asked how we can start the moratorium process. G. Gresch stated she will ask Attorney Hammes when he comes in tomorrow. K. Fitzgerald stated the Plan Commission should look at windmills of all sizes.

8. Reports of City Officials:

a. Administrator

i. Discussion of Sandwich Board Signs.

T. Schuenke stated this issue started before he started with the City at which time the City just passed the updated ordinance. Since that time, signs continue to be a problem with enforcement and placement. Signs are removed and they are back a week later. He agrees with Mr. Slein, the ordinance is a bit unclear about many signs. J. Slein stated he and his wife think the Plan Commission should consider whether or not to reconsider what to do with sandwich board signs for enforcement and aesthetics. E. McAleer stated this ordinance has been modified over the last 20 years and we need to simplify it.

L. Slein stated if aesthetics are the issue, then why are the sandwich board signs okay in once place and not another. E. McAleer stated safety is another big factor. There was discussion among the Plan Commission about the purpose of the sandwich board signs and the downtown directional signs. J. Slein stated if the real concern is the proliferation of the signs, he was stunned to hear that the only complaint was a Plan Commission member. The proliferation of signs can be addressed and controlled by requiring permits on a first come first serve basis, and limit the number of signs on a corner. J. Slein referenced other sandwich board signs downtown and how long they have been there or that they are not as pleasing looking as the Delafield Design Gallery sign is. He stated he would like to start the process to update the ordinance. R. Dupler stated he will look into the history of the ordinance report back to the Plan Commission. There was also a discussion about real estate signs. J. Slein stated these signs are all over and are being used as directional signs. It is not practical to not require realtors to obtain a permit for their signs.

T. Schuenke asked J. Slein if he had Chase Bank's permission to have his sandwich board sign on their property. J. Slein stated no. T. Schuenke stated part of the discussion that the Plan Commission needs to have is will the City allow signs to be in the right-of-way, especially since we don't allow snipe signs there. The Public Works Department has instruction to remove signs in the City's right-of-way.

b. Clerk

i. Public Hearing Dates

ii. Board of Zoning Appeals Minutes (if applicable)

iii. Correspondence

c. Planner

d. Building Inspector

9. Adjournment.

K. ATTWELL MOVED TO ADJOURN THE MARCH 30, 2011 PLAN COMMISSION MEETING AT 8:14 P.M. M. DEYOE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

A handwritten signature in black ink that reads "Gina C. Gresch". The signature is written in a cursive style with a large initial 'G' and 'C'.

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