

**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, July 27, 2011 Plan Commission meeting:

Present

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

Absent

Mike Frede

**PUBLIC HEARING:**

**PUBLIC HEARING #1:**

**CONDITIONAL USE AMENDMENT– GREAT HARVEST BREAD COMPANY**

**OWNER:**

Ace Delafield Properties

**APPLICANT:**

Jon Rasmussen

**MATTER:**

Amend the Conditional Use for outdoor seating, change in building color and architectural modifications.

G. Gresch read the public hearing notice and E. McAleer called the public hearing to order. R. Dupler stated the petitioner modified the petition and removed those items that required a public hearing. The remaining items can be addressed under Site Plan.

**K. ATTWELL MOVED TO CLOSE CITIZEN’S COMMENTS PERTAINING TO THE GREAT HARVEST BREAD COMPANY PUBLIC HEARING AT 7:01 P.M. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

1. Approve Plan Commission meeting minutes of June 29, 2011 meeting.

**M. DEYOE MOVED TO APPROVE THE JUNE 29, 2011 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.

**K. ATTWELL MOVED TO CLOSE CITIZEN’S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:01 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 0804.999.004, 3201 Golf Road, Delafield.** Owner: Meridian Delafield, LTD Partnership c/o Escom Properties. Applicant: Gallery 1 Delafield, LLC. Applicant seeks approval of a Business Plan of Operation Amendment for a change in ownership for an art gallery, Gallery 1, Delafield. Hours of Operation are Weekdays 10:00 a.m. to 6:00 p.m. and Saturdays 10:00 a.m. to 5:00 p.m., with 2 full time and 2 part time employees.

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- b. **DELC 0793.020.003, 524 Milwaukee Street, Delafield.** Owner/Applicant: Mike Nordness. Owner/Applicant seeks approval of a Business Plan of Operation for a medical clinic, UW Health Partners Watertown Regional Medical Center. Hours of Operation are Fridays 7:00 a.m. to 7:00 p.m. with 2 full time employees.

**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.

5. Plans of Operation, Signage and Site Plan.

- a. **DELC 0798.026.090, 617 Wells Street, Delafield.** Owner: Raul Perez. Applicant: James Dallas. Applicant seeks approval of a Site Plan and Appearance Review for the expansion of the Lumber Inn.

R. Dupler stated the Lumber Inn returns to the Plan Commission this month with a proposed addition to the existing building. The petitioner has met with staff and resolved all of staff's issues prior to their Plan Commission application submittal. The building is located in the CBD-1 zoning district; therefore no building setback requirements are required. There are no issues of building location or size. In the CBD-1 zoning district there is no maximum floor area limit either. The proposed addition extends eastward from the existing building into a space that was previously parking lot. The parking lot is minimally affected. Previously there were 30 parking spaces arranged in a one way looped configuration. With the expansion of the restaurant the westernmost aisle of parking is displaced but other potential spaces are created. Twenty-six parking spaces will be retained in the revised layout. The building will maintain its current character; materials will be consistent with the existing presentation. The residential unit in the rear of the building is not affected or altered. A new trash enclosure is proposed in the north end of the parking lot; it is designed to match the building materials. Landscape materials are appropriately selected and placed. There is no requirement for stormwater management since the existing conditions are all impervious. The plan introduces a rain garden in the lower elevations to the north to accommodate run-off, and the plants proposed conform to the ordinance requirements. There is no proposed alteration to site lighting. Ornamental lighting on the building is appropriately designed.

K. Fitzgerald confirmed that a stormwater management plan is not required. R. Dupler stated that is correct as there is no new impervious surface being added. A rain garden will be added but the City Engineer wants to review the stormwater volumes. C. Smith asked what the building materials will look like. Jim Dallas of Keller was present and showed the Plan Commission drawings of the new building. Historical colors will be used along with smart siding which is similar to a hardy plank. The whole building will be reshingled and signage will stay the same. K. Attwell asked which door will be the main entrance. J. Dallas stated the south door on the east side of the building which is the south side door that people enter through now will be an "enter only" door. The rear door will be an "exit only" door. Also the outdoor dining will be spread out across the front of the building which will be separated from the parking lot with landscaped areas.

**M. DEYOE MOVED TO APPROVE THE SITE PLAN AND APPEARANCE REVIEW FOR THE EXPANSION OF THE LUMBER INN, FOR DELC 0798.026.090, 617 WELLS STREET, DELAFIELD, SUBJECT TO THE PUBLIC WORKS COMMITTEE REVIEWING AND APPROVING THE PARKING LOT MODIFICATION AND RAIN GARDEN ADDITION. OWNER: RAUL PEREZ. APPLICANT: JAMES DALLAS. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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- b. **DELC 0793.014.023, 601-637 Genesee Street, Delafield.** Owner: ACE Delafield Properties, LLC. Steinergrupp Commercial Real Estate. Applicant: Jon E. Rasmussen. Applicant seeks an amended Business Plan of Operation to allow an outdoor dining area.

R. Dupler stated last month Great Harvest Bread Company appeared before the Plan Commission with a plan to change the color of the building and install additional windows on the south side of the building. The proposed changes would affect the existing Conditional Use Permit and require a public hearing. In response the Plan Commission scheduled a public hearing and the Clerk published notice accordingly. In the interim, the petitioner has modified the petition to remove from consideration those items that warranted a public hearing. The revised petition now includes aesthetic items that may be approved by the Plan Commission as a simple Site Plan/Appearance application. The previously proposed additional windows on the south side of the building are no longer proposed. Additionally the previously proposed color change has been removed from the petition as well. What remains for Plan Commission consideration is the allowance for an outdoor dining area and the use of an ornamental window graphic to screen the operations portion of the bakery. The proposed utility features for the oven and mill ventilation will be accomplished with standard commercial vents not unlike others in the immediate area. The window screens do not qualify as signage; the one illustration exhibiting the company logo as part of the window screen is not allowed. Other proposed signs are consistent with building and ordinance standards and may be approved by staff. He also clarified that the table umbrellas cannot have signage on them. M. DeYoe asked about the noise level of the vents. R. Dupler stated it should make the same amount of noise that the neighboring restaurant's does.

**K. FITZGERALD MOVED TO APPROVE THE AMENDED BUSINESS PLAN OF OPERATION TO ALLOW AN OUTDOOR DINING AREA AND THAT THE MURALS ON THE WINDOWS ARE FOR SCREENING SOME OF THE BUSINESS OPERATIONS AND DOES NOT CONSTITUTE SIGNAGE, FOR DELC 0793.014.023, 601-637 GENESEE STREET, DELAFIELD. OWNER: ACE DELAFIELD PROPERTIES, LLC. STEINERGRUP COMMERCIAL REAL ESTATE. APPLICANT: JON E. RASMUSSEN. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

6. Preliminary

- a. **DELC 0781.990, 1605 Hwy 83, Hartland.** Owner: John and Joe Geason. Applicant: Joseph Geason. Applicant seeks feedback for a preliminary CSM to create a three acre parcel in the A-1 zoning district.

John Geason was present and stated he and his brother would like to divide a little over three acres which would include the house, barns and cell towers to limit liability by keeping them on a separate parcel. R. Dupler stated the subject property is located at the northwest corner of Highway 83 and Nagawicka Road; it is zoned A-1. The proposed land division will separate the farmstead site from the balance of the 50.51 acre parcel. This site is governed by a Conditional Use Permit so the Plan Commission must conduct a public hearing in order to modify any aspect of the site plan or agreement. Subsequent action will require Common Council approval after the public hearing. The proposed lot conforms to the minimum lot size required in the A-1 zoning district, three acres. The lot lines have been placed to respect the mandatory setbacks and create a legal lot. There are a number of out buildings located on the proposed lot, one single family residence, a barn, and four sheds. In addition there are four utility sheds associated with the operation of the cellular communication antennae atop the four silos. In the A-1 district there is no maximum floor area ratio or limit to the number of out buildings. Existing access is maintained on Highway 83 and Nagawicka Road. A technical survey review has been conducted by the Yaggy Colby staff; the accompanying letter identifies four technical issues to be resolved before consideration of the final CSM. In addition to the land division, Mr. Geason requests reconsideration of the current Conditional Use Permit which indicates that the

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Conditional Use will be terminated when the neighboring properties convert from agricultural to residential use. Given the increasing reliance of our community on cellular utilities, the prevailing attitudes that existed at the time this Conditional Use was originally approved may have changed. Recognizing that acceptance of cellular towers is commonplace today. The Plan Commission may wish to consider changing the agreement. One possible compromise may be to affect change to the existing conditions, not the cellular service, when the neighborhood changes and perhaps require that the agricultural buildings and silos be razed if any portion of the 51.51 acres is converted to residential use. This solution would require that a conventional tower be erected in place of the silos and the farmstead remnants be removed from the site.

K. Fitzgerald asked to clarify which lands we are discussing, i.e. which side of STH 83, J. Geason stated the 51 acre parcel is on the west side of STH 83. K. Fitzgerald asked if there are multiple Conditional Uses on the one parcel. R. Dupler stated the development on the east side of STH 83 is governed by its own Conditional Use, and nothing has been modified in it because the final plat has not been recorded. With regards to this land division, the new three acre parcel will have its own tax key so the Conditional Use will be recorded on the new tax key. D. Jashinsky asked if they will continue to use the access on STH 83 and will the DOT have to review the Certified Survey Map and access. J. Geason stated the access will stay the same and R. Dupler confirmed the DOT will review the Certified Survey Map and access.

**K. ATTWELL MOVED TO SCHEDULE A PUBLIC HEARING TO AMEND THE CONDITIONAL USE PERMIT FOR WEDNESDAY, AUGUST 31, 2011 FOR DELC 0781.990, 1605 HWY 83, HARTLAND. OWNER: JOHN AND JOE GEASON. APPLICANT: JOSEPH GEASON. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

7. Zoning and Ordinance Revision.

8. Reports of City Officials:

a. Administrator

1. Peninsula Avenue Dredging Project Temporary Business Plan of Operation approval by the City Administrator.

T. Schuenke received the application and the project is already complete. Also, the City received a Conditional Use permit application for the Hartland Sportman's Club. This will be on the August 31, 2011 Plan Commission agenda for preliminary discussion. At that time a public hearing will be scheduled, probably for September or October. He also asked the City Clerk to post the Hartland Sportman's Club's Conditional Use application and supporting documents on the City's website.

b. Clerk

1. Public Hearing Dates

a. August 31 (Meeting); August 3 (PH Deadline); August 17 (Reg. Deadline)

2. Board of Zoning Appeals Minutes (if applicable)

3. Correspondence

c. Planner

d. Building Inspector


S. Hussinger stated the total number of permits to date was 54 with two commercial occupancy permits this month.

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9. Adjournment.

**K. ATTWELL MOVED TO ADJOURN THE JULY 27, 2011 PLAN COMMISSION MEETING AT 7:30 P.M. C. SMITH SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED**

Minutes Prepared By:

A handwritten signature in cursive script that reads "Gina C. Gresch".

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