

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 September 28, 2011 Plan Commission meeting:

Present

Ed McAleer, Mayor
Michele DeYoe, Ald.

Kent Attwell

Kevin Fitzgerald

Dan Jashinsky

Matthew Katz

Tony Drake

Roger Dupler, Planner

Tim Schuenke, Administrator

Gina Gresch, Clerk-Treasurer

Scott Hussinger, Building Inspector

Absent

Chris Smith

PUBLIC HEARING:

CONDITIONAL USE AMENDMENT TO ALLOW MONUMENT SIGNAGE

OWNER:

601 Genesee LLC - DELC 0793.014.023

APPLICANT:

Delafield Square Condo Association

MATTER:

Amend the Conditional Use to allow monument signage.

E. McAleer called the public hearing to order and read the notice into the record. J. DeKlotz stated it's a fairly straightforward request for three reasons. The purpose of the sign is to advertise the business in the building, to create a landmark for the building and for driver's safety when trying to see what businesses are in the building. Also, the colors and size are within city guidelines.

PUBLIC COMMENTS: None.

K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO THE DELAFIELD SQUARE CONDO PUBLIC HEARING AT 7:03 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 August 31, 2011 meeting.

K. FITZGERALD MOVED TO APPROVE THE AUGUST 31, 2011 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.

K. FITZGERALD MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:03 P.M. K. ATTWELL 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 0798.037, 711 Wells Street, Delafield.** Owner: Villard Company Inc. Applicant: Jake Oberst. Applicant seeks approval of Business Plan of Operation for a transportation broker business, Logistic Dynamics, Inc. Hours of Operation are Weekdays 8am to 5pm with 2 full time employees.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- b. **DELC 0798.007, 715A Oneida Street, Delafield.** Owner: Milneida LLC, Leonard Susa. Applicant: Nicholas Cera. Applicant seeks approval of Business Plan of Operation for an acupuncture clinic/office, The Delafield Acupuncturist. Hours of Operation are Weekdays 8am to 8pm and Saturday 8am to 4pm with 1 part time employee.
- c. **DELC 0793.014.23, 637 Genesee Street, Delafield.** Owner: Ace Delafield Properties, LLC. Applicant: Family Tae Kwon Do Champions, LLC, Nick Elliott. Applicant seeks approval of Business Plan of Operation for a Tae Kwon Do studio, Family Tae Kwon Do Champions. Hours of Operation Sunday thru Saturday 9am to 9pm with 1 full time and 2 part time employees.

R. Dupler requested that item #3a be removed. The building owner called to request it be removed due to the lease falling apart with the proposed tenant; therefore there is no need for a Business Plan of Operation.

K. ATTWELL MOVED TO APPROVE ITEMS #3B and #3C 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.

- 4. Final Consideration, Approvals, Previous Approval.
 - a. **DELC 0793.014.023, 601 Genesee Street, Delafield.** Owner/Applicant: Delafield Square Condo Association. Owner/Applicant seeks final approval to amend the Conditional Use to allow a monument sign for Delafield Square and recommendation to the Common Council of the same.

R. Dupler stated the condominium association of Delafield Square wishes to erect a monument sign at the southeast corner of their lot. This sign would afford additional signage for the retail businesses on the ground floor as well as provide leasing information for the residential portion of the building. Since this proposal constitutes a change to the site plan on a property that is governed under a conditional use, it triggers the necessity for a public hearing. In discussion at the preliminary presentation, the Plan Commission requested confirmation on the required visibility triangle associated with the intersection of Wells Street and Genesee Street. City Code section 17.50 identifies the minimum distance must be 15' from the intersection of the right-of-way lines. This proposed sign location conforms to this standard. The sign size and colors conform to the code requirements. Colors are complimentary to the building colors and are consistent with the Historic Color Palette.

K. ATTWELL MOVED TO APPROVE THE AMENDMENT TO THE CONDITIONAL USE TO ALLOW A MONUMENT SIGN FOR DELAFIELD SQUARE, FOR DELC 0793.014.023, 601 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: DELAFIELD SQUARE CONDO ASSOCIATION 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.

- b. **DELC 0755.996, 2731 Nagawicka Road, Delafield.** Owner: James R. Lang. Applicant: Jay Lang, 132 W. Oak Street, Lake Mills, WI. Applicant seeks re-approval of a Final Certified Survey Map that was approved by the Plan Commission on July 28, 2010 and the Common Council on September 7, 2010, and recommendation to the Common Council of the same. Re-approval is required because the statutory six-month time period to record the Certified Survey Map has expired.

R. Dupler stated the Lang CSM was approved by both the Plan Commission and the City Council last year. However, the owner was not able to record the document within the statute required six month period. As a result the Plan Commission is asked to approve the document as before and initiate another six month recordation window.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

K. ATTWELL MOVED TO RE-APPROVE THE CERTIFIED SURVEY MAP FOR DELC 0755.996, 2731 NAGAWICKA ROAD, DELAFIELD. OWNER: JAMES R. LANG. APPLICANT: JAY LANG, 132 W. OAK STREET, LAKE MILLS, WI AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. Plans of Operation, Signage and Site Plan.

- a. **DELC 0787.984, Bay Shore Lane, Delafield.** Owner Scott & Lori Doro. Applicant: Century Landscape Company, Carl Merisalo. Applicant seeks approval of a Site Plan for a retaining wall in the side yard.

R. Dupler stated Century Landscape Company has been contracted to install a landscape development plan for the Doro residence. Construction documents are provided for Plan Commission review. All elements of the proposed plan are in conformance with the City requirements, including a rain garden, except the necessary retaining wall along the east side of the home. Ord. 17.14 requires Plan Commission approval for all walls greater than 18" within the building setback. The building setback for this RL-2 property is 8'. The proposed height of the wall in question is 32", and it is located 3' from the property line. In this location the builder has already cut into the existing grade and has installed the home air conditioning compressors. As a result a retaining wall must be erected to maintain the slope and accommodate the compressors installed elevation. The walls create a well around the compressors and will not be visible from a distance. A yard drain has been installed to ensure adequate drainage; the out flow of that tile will supply water directly to the rain garden. K. Attwell asked about the easement on the plan. R. Dupler stated it is inappropriately labeled as an easement, instead of a setback. E. McAleer asked if the neighbors were notified of this proposal and if there were any objections from them. R. Dupler state he neglected to do that but will call the neighbors.

K. ATTWELL MOVED TO APPROVE THE SITE PLAN FOR A RETAINING WALL IN THE SIDE YEARD FOR DELC 0787.984, BAYSHORE LANE, DELAFIELD. OWNER SCOTT & LORI DORO. APPLICANT: CENTURY LANDSCAPE COMPANY, CARL MERISALO SUBJECT TO STAFF CONFIRMING ANY NEIGHBOR'S OBJECTIONS. IF THERE ARE ANY OBJECTIONS, THIS ITEM WILL BE BROUGHT BACK TO THE OCTOBER PLAN COMMISSION MEETING. T. DRAKE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. Preliminary

- a. **DELC 0793.991.002, 232 Main Street, Delafield.** Owner/Applicant: 3N1 LLC. Owner/Applicant seeks preliminary consideration of an amended Conditional Use to allow a 32 unit multi-family development and schedule public hearing date for the same.

R. Dupler stated the developers of the Main Street Condominiums return to the Plan Commission to request consideration for converting the approved condominium development to an apartment development. Originally this project was approved for 12 upscale condominiums through the Planned Development process. The General Development Plan and Specific Implementation Plan were completed and a Conditional Use granted for the project. Since that time, the petitioners have been before the Plan Commission on two separate occasions requesting two-year extensions to that agreement. Current market factors make condominium development unfeasible so they are electing to modify the program and pursue a different direction. The proposed changes will initiate a full Planned Development review starting with a Public Hearing and General Development Plan approval. The concept presented is not complete enough to warrant publication. A complete submittal will require preliminary engineering, a conceptual landscape plan, an erosion control plan, building plans and elevations in addition to the information submitted this month. The proposed use is appropriate for the

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

CBD-2 district and is required to be a Conditional Use. This project is very similar to the Delafield Lakes multi-unit development recently completed in the City. The proposed density is 16 units on 1.547 acres which equates to 10.1 units per acre. For comparison, the Delafield Lakes proposal achieved 58 residential units on 2.98 acres, which equates to 19.4 units per acre. As this proposal moves forward, the actual green space per unit should be calculated to demonstrate reasonable open space associated with the living units, similar to the requirements of the R-6 zoning district. In the case of Delafield Lakes, underground parking afforded more area dedicated to green space than paving. A similar ratio may be implemented in this proposal as well.

Wally Neumann, a partner in 3N1 LLC stated the development is proposed to be two 16 unit buildings, which will be low impact. The first floor will consist of units with one bedroom, a den and one to a one and a half bathroom. The second floor will consist of units with two bedrooms with half or one and three quarter bathroom. They are not going to cater to children and they feel this development will be good for Delafield. W. Neumann then discussed green space, how much they have and compared it to Delafield Lakes. He also stated that they are proposing a 16 unit building rather than a 14 unit building which is what was proposed at the Plan Staff meeting. Sixteen unit buildings are easier and more cost-effective to build than a 14 unit building. E. McAleer stated he supported a 14 unit building and doesn't like it when the density goes up after Plan Staff feedback has been given. W. Neumann stated they have the same engineering firm as Delafield Lakes, and they are the ones that suggested a 16 unit building would work better on this piece of property and to be move like Delafield Lakes.

R. Dupler stated this will be treated as a Conditional Use done as a Planned Development with a General Development Plan and Specific Implementation Plan. There was further discussion on the proposed density and how it compares to the Delafield Lakes. Plan Commission members asked questions about the size of the units, storage, patios, and entrances. W. Neumann stated the one bedroom units will be about 850 square feet; the two bed room units will be about 1,300 to 1,350 square feet. There will not be a basement so the attached garage will be the only storage. Each first floor unit will have a patio; the second floor units will have a deck under the roof. There will not be any elevators and each unit will have its own entrance; there will be one doorway for two units. He also stated there is no federal or low income housing money involved in this project, just their money. There was further discussion by the Plan Commission about green space, trees and screening, and how much of each there will be. W. Neumann stated they will update the tree inventory; however, they will be keeping as many of the trees as they can and will replace what is removed. R. Dupler asked about the status of the Certified Survey Map to combine the two lots. W. Neumann stated it is ready to go and they will have it ready for the November Plan Commission agenda. R. Dupler stated in order to be prepared for the November agenda, the petition must submit plans with complete four-sided architecture, preliminary engineering plans, conceptual landscaping plans, erosion control plan, building plans and floor plans, elevations on all four sides in color, and materials plans.

K. ATTWELL MOVED TO SCHEDULE A PUBLIC HEARING FOR DELC 0793.991.002, 232 MAIN STREET, DELAFIELD. OWNER/APPLICANT: 3N1 LLC FOR NOVEMBER 30, 2011 FOR AMENDED CONDITIONAL USE AS A PLANNED DEVELOPMENT TO ALLOW A 32 UNIT MULTI-FAMILY DEVELOPMENT. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0799.981.001, 231 S. Lapham Peak Road, Delafield. Owner/Applicant: William & Jane Wischer.** Owner/Applicant seeks preliminary feedback of a Certified Survey Map to divide a 9.7 acre parcel into two residential lots.

R. Dupler stated the Wischer property is located on South Lapham Peak Road. It is an existing flag lot in the RE-3 district. The proposed CSM will claim .235 acres from the neighbor that separates this lot from the public road. The resulting configuration of both affected lots will

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

remain legal lots that satisfy the bulk regulations of the district. It is not possible for the Wischer lot to eliminate or enlarge the access stem to make a conforming lot. By widening the stem to the minimum lot width the neighboring parcel would be made non-conforming. They should come back to the October meeting with the issues resolved as identified in the surveyor's letter. K. Attwell stated this seems like a lot of work to gain 30 feet and he's not sure why. R. Dupler stated it is to possibly meet the requirements for future re-division. E. McAleer stated since the petitioner isn't present the Plan Commission will not discuss the issue any further.

K. ATTWELL MOVED TO POSTPONE THE REQUEST FOR DELC 0799.981.001, 231 S. LAPHAM PEAK ROAD, DELAFIELD. OWNER/APPLICANT: WILLIAM & JANE WISCHER. OWNER/APPLICANT FOR PRELIMINARY FEEDBACK OF A CERTIFIED SURVEY MAP TO DIVIDE A 9.7 ACRE PARCEL INTO TWO RESIDENTIAL LOTS UNTIL THE OCTOBER MEETING SO THAT THE PETITIONER WILL BE PRESENT. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **DELC 0733.994, N48 W31385 Hill Road, Delafield.** Owner: Divine Redeemer Church. Applicant: Graphic House Inc, Chris Fish. Applicant seeks preliminary consideration of an amended Conditional Use to allow a monument sign for Divine Redeemer Church and schedule a public hearing for the same.

R. Dupler stated the Church wishes to erect an electronic monument sign and add directional signage to their campus. As a Conditional Use, this proposal must be processed through a Public Hearing and an amendment of the existing Conditional Use permit. The directional signs conform to the code requirements and are appropriately designed for the intended use. However, staff recommends that the height be lessened for a better presentation, perhaps about 3'. There is only one sign that risks being obstructed by parked cars. As presented, they may appear out of place and dominate the view of the building. The monument sign is appropriately sized. It is an electronic message board, so the Plan commission will want to consider colors, illumination, and rate of message change. The location is proposed at 15' which encroaches upon the required 30' setback. This variance is proposed in order to provide the best visibility of the new sign and avoid obstruction from existing trees. Many trees are proposed to be removed. One of those existing trees is a 24" mature oak tree in the City right-of-way. Any trees to be removed must be compensated for with a tree mitigation plan.

Larry Schneider from Divine Redeemer Church and Chris Fish, the sign designer, were present. L. Schneider stated the intent of the sign location is to try and gain optimum visibility from both directions as someone is approaching the church. The proposed sign in this proposed location is to achieve good visibility from STH 83, in which they will need to remove some trees, which they understand and will follow the tree removal policy. They are also asking for a reduction in the setback from 30' to 15' to avoid taking down additional trees. T. Drake asked about electronics in the sign and if there is precedence in the City for this type of sign. R. Dupler stated yes, precedence exists. This type of sign requires a black background with either red or gold lettering that cannot scroll or flash. Existing signs like this in the City either change once a day or once per hour.

There was discussion among the Plan Commission about the sign placement and how it will affect the trees, causing removal. L. Schneider stated they are proposing to put the sign in-between the two entrances where the trees are. C. Fish stated if the sign is placed in the open space, the trees to the west and east block the sign as you are driving past it. The intent is to see and recognize the sign. There was further discussion about the trees that are in the right-of-way. Plan Commission suggested the applicant check with the Department of Transportation about the removal of the trees in the state right-of-way. E. McAleer suggested a small Plan Staff meeting before the October Plan Commission meeting to help the applicant work out these issues.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

K. ATTWELL MOVED TO SCHEDULE A PUBLIC HEARING FOR DELC 0733.994, N48 W31385 HILL ROAD, DELAFIELD. OWNER: DIVINE REDEEMER CHURCH. APPLICANT: GRAPHIC HOUSE INC, CHRIS FISH FOR NOVEMBER 30, 2011. M. DEYOE 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. Temporary Business Plan of Operation's approved for the following:

a. SE Zastrow Bay Dredging

T. Schuenke stated this application was approved and there is another application coming for another portion of Zastrow Bay.

b. Wal-Mart Grand Opening

T. Schuenke stated Wal-Mart asked for a Temporary Business Plan of Operation for a grand opening but they have since cancelled it.

b. Clerk

1. Public Hearing Dates

a. Oct. 26 (Meeting); Sept. 28 (PH Deadline); Oct. 12 (Reg. Deadline)

2. Correspondence

c. Planner

R. Dupler stated he watched the Plan Commission meeting the Hartland Sportman's Club was at to make sure he included all of the issues and questions the Plan Commission had in his letter to the Hartland Sportman's Club for their next submittal. All that information was put in a list and sent to their attorney. Also, the Fish Hatchery is almost complete.

d. Building Inspector

S. Hussinger stated the total number of permits to date was 36 with two residential and two commercial building permits.

9. Adjournment.

K. ATTWELL MOVED TO ADJOURN THE SEPTEMBER 28, 2011 PLAN COMMISSION MEETING AT 8:04 P.M. M. DEYOE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:



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