

**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

Present

Mayor Ed McAleer  
Kent Attwell  
Dirilee Curtis Costa  
Michele DeYoe  
Kevin Fitzgerald (arrived 7:02 p.m.)  
Michael Frede  
Roger Dupler, Planner  
Tom Maney, City Inspector  
Gina Gresch, City Clerk/Treasurer

Absent

Larry Chapman  
Chris Smith

1. APPROVE PLAN COMMISSION MEETING MINUTES OF DECEMBER 16, 2009

**K. ATTWELL MOVED TO APPROVE THE DECEMBER 16, 2009 PLAN COMMISSION MEETING MINUTES AS AMENDED ON PAGE 1, UNDER PUBLIC HEARING 1, PARAGRAPH 3, SENTENCE 1, CHANGE "BORDER AGREEMENT FOR THE GEASON PROPERTY WITH TOWN OF DELAFIELD, VILLAGE OF NASHOTAH, AND CITY OF DELAFIELD" TO "BORDER AGREEMENT FOR THE GEASON PROPERTY WITH THE VILLAGE OF HARTLAND, VILLAGE OF NASHOTAH, AND CITY OF DELAFIELD" AND ON PAGE 3, PARAGRAPH 2, SENTENCE 3, CHANGE "DENSITY FROM FIVE-ACRE LOTS TO TWO-ACRE LOTS" TO "DENSITY FROM TWO-ACRE LOTS TO FIVE-ACRE LOTS." M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. D. CURTIS COSTA ABSTAINED. MOTION CARRIED.**

2. DELAFIELD CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA

There was no one present wishing to speak at this time.

**M. DEYOE MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:04 P.M. D.CURTIS COSTA SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA

G. Gresch read the item on the Consent Agenda.

- a. **DELC 0798.011, 638 MILWAUKEE STREET, DELAFIELD. OWNER: LEONARD SUSA. APPLICANT: JOSEPH SCHMITT, N7566 WEST DRIVE, WHITEWATER, WI. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR AN ART GALLERY AND GIFT SHOP, THE SURREY ART HOUSE. HOURS OF OPERATION ARE WEEKDAYS 9:00 A.M. TO 8:00 P.M., SATURDAYS 9:00 A.M. TO 9:00 P.M., AND SUNDAYS 9:00 A.M. TO 6:00 P.M., WITH 1 PART-TIME EMPLOYEE.**

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D. Curtis Costa questioned the number of employees given the number of hours requested. J. Schmitt was present and explained he would be a full-time employee in addition to the part-time employee stated in the request.

**K. ATTWELL MOVED TO APPROVE THE ITEM ON THE CONSENT AGENDA AS PRESENTED. D. CURTIS COSTA SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **DELC 0804.994.019, 2726-2736 HILLSIDE DRIVE, DELAFIELD. OWNER/APPLICANT: HILLSIDE TERRACE SHOPPING CENTER C/O JASON ISRAEL. OWNER/APPLICANT SEEKS AN AMENDMENT TO THE EXISTING MULTI-TENANT SIGN PROGRAM TO INCORPORATE MULTIPLE CHANGES.**

D. Curtis Costa questioned whether graphics had been submitted with this request. R. Dupler explained this item did not include graphics as it was a request by a landlord to modify the sign program for the existing building. Use of logos and additional colors of red, yellow, and white were being requested. He went on to explain that the request reflected the interest of the tenants to have increased visual exposure. While Staff recommended approval of this matter as other buildings in the City had been allowed three colors as part of a sign program, he thought the overall effectiveness of the aesthetic of the building would be greatly diminished by this action.

**M. FREDE MOVED TO APPROVE AN AMENDMENT TO THE EXISTING MULTI-TENANT SIGN PROGRAM TO INCORPORATE MULTIPLE CHANGES FOR DELC 0804.994.019, 2726-2736 HILLSIDE DRIVE, DELAFIELD. OWNER/APPLICANT: HILLSIDE TERRACE SHOPPING CENTER C/O JASON ISRAEL WITH USE OF TWO ADDITIONAL COLORS AS RED AND YELLOW AND INCLUSION OF LOGOS IN THE SIGN PROGRAM, AND WITH ALL SIGNAGE TO BE KEPT AT THE SAME ELEVATION AS SPECIFIED IN THE ORIGINAL SIGN PROGRAM. K. FITZGERALD SECONDED THE MOTION. D. CURTIS COSTA CLARIFIED THIS MOTION INCLUDED THE APPROVAL OF USE OF LOGOS ON THE BUILDING SIGNAGE AS WELL. R. DUPLER EXPLAINED THE PROPOSED MOTION WOULD APPROVE THE SIGN PACKAGE AS ORIGINALLY PRESENTED WITH THE ADDITIONAL COLORS OF RED AND YELLOW AND USE OF LOGOS AND ALL SIGNAGE TO BE KEPT AT THE SAME ELEVATION AS IN THE ORIGINAL SIGN PROGRAM. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.****

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **DELC 0803.988.005, 2574 SUN VALLEY DRIVE, DELAFIELD. OWNER: GARY STORTS. APPLICANT: NAI MLG COMMERCIAL, 13400 BISHOP'S LANE, SUITE 100, BROOKFIELD, WI. APPLICANT SEEKS APPROVAL OF A TEMPORARY REAL ESTATE SIGN THAT WILL BE REMOVED ONCE THE LISTING HAS EXPIRED OR SOLD, WHICHEVER COMES FIRST.**

R. Dupler explained the applicant was requesting approval of a temporary real estate sign that exceeded the allowable size of signage for this property. The request included placement of a 24 square foot sign to be post mounted on the east edge of the property exposed to the highway. While Staff was allowed to approve signage requests, in this case, the overage in square footage caused this matter to be placed on the Commission agenda.

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K. Attwell expressed concern about the size and location of the size being requested as there was directional signage in that area as well. He questioned whether it was customary to allow large real estate signs outside a building having multi-tenants in the building and a sign program that allowed signage on the building.

T. Maney noted the sign location requested was far from traffic and the elevation of the proposed signage would be lower than other signage in the area.

**K. FITZGERALD MOVED TO APPROVE THE REQUEST FOR A TEMPORARY REAL ESTATE SIGN THAT WOULD BE REMOVED ONCE THE LISTING HAS EXPIRED OR SOLD, WHICHEVER COMES FIRST, FOR DELC 0803.988.005, 2574 SUN VALLEY DRIVE, DELAFIELD. OWNER: GARY STORTS. APPLICANT: NAI MLG COMMERCIAL, 13400 BISHOP'S LANE, SUITE 100, BROOKFIELD, WI, SUBJECT TO THE LOCATION OF THE SIGNAGE NOT BLOCKING THE DIRECTIONAL SIGNS IN THAT AREA AND SUBJECT TO THE CITY PLANNER'S INSPECTION OF THE REQUESTED LOCATION. K. ATTWELL SECONDED THE MOTION. D. CURTIS COSTA QUESTIONED THE ALLOWABLE HEIGHT OF THE SIGN AND WHETHER IT WOULD ENCROACH INTO THE RIGHT OF WAY IN THIS AREA. R. DUPLER EXPLAINED THE SIGN WAS LIMITED TO 20 FEET. G. GRESCH EXPLAINED THE SIGNAGE REQUESTED COULD INCLUDE POSTING FOR ONE YEAR AND THEN WOULD NEED TO RETURN TO THE COMMISSION FOR ANOTHER 90 DAY APPROVAL. M. FREDE QUESTIONED WHETHER THERE WERE ANY STANDARDS SPECIFIED IN THE CITY'S ORDINANCES FOR THESE TYPES OF SIGNS THAT INCLUDED LEASE OR SALE OF PART OF A BUILDING. R. DUPLER STATED AT THIS TIME THERE WAS NONE. K. ATTWELL EXPRESSED CONCERN THAT AT SOME TIME ALL STRIP MALL OWNERS WITHIN THE CITY COULD POTENTIALLY HAVE A SIGN POSTED SIMILAR TO THIS ONE, AND HE DID NOT WANT TO SEE LARGE SIGNS PLACED NEAR THE ROAD ALL OVER THE CITY. D. CURTIS COSTA AGREED. M. FREDE STATED WHILE HE DID NOT WANT TO DISCOURAGE PEOPLE FROM BEING ABLE TO LEASE SPACE IN A BUILDING, HE THOUGHT IT PRUDENT TO ESTABLISH A MAXIMUM SIGNAGE SPECIFICATION FOR HIGH DENSITY COMMERCIAL AREAS. D. CURTIS COSTA QUESTIONED WHETHER PEOPLE INTERESTED IN ACQUIRING REAL ESTATE WOULD DRIVE PAST THE SIGN OR RESEARCH SALES THROUGH ANOTHER MEANS. M. FREDE STATED A GREAT DEAL OF COMMERCIAL REAL ESTATE WAS SOLD THROUGH COMMERCIAL SIGNAGE. MAYOR MCALEER STATED THIS ITEM HAD BEEN PLACED ON THIS AGENDA FOR CONSIDERATION AND SHOULD HAVE RESOLUTION AT THIS TIME. A DISCUSSION OF SIGNAGE REVISIONS FOR COMMERCIAL REAL ESTATE COULD BE PLACED ON THE NEXT PLAN COMMISSION AGENDA FOR FURTHER DISCUSSION AND REVIEW. M. FREDE QUESTIONED WHETHER REALTORS HAD STANDARD SIGNAGE THAT WAS UTILIZED IN CASES SUCH AS THIS ONE. T. MANEY STATED THAT WAS OFTEN THE CASE; HOWEVER, THERE WERE A VARIETY OF SIZES AVAILABLE DEPENDING ON THE LOCATION OF THE PROPERTY AND MUNICIPAL ORDINANCES GOVERNING THAT PROPERTY. K. ATTWELL STATED HE DID NOT LIKE THE SIZE OR LOCATION OF THE SIGNAGE REQUESTED. MAYOR MCALEER STATED HE THOUGHT THIS ITEM SHOULD BE RESOLVED AND FURTHER ORDINANCE DISCUSSIONS SHOULD BE HAD AT THE NEXT MEETING OF THE COMMISSION. M. FREDE QUESTIONED WHETHER THE APPLICANT HAD INDICATED A SMALLER SIGN MIGHT BE APPROPRIATE. R. DUPLER CONFIRMED THAT WAS NOT THE CASE. **THERE WAS NO FURTHER DISCUSSION. THREE WERE IN FAVOR. K. ATTWELL AND D. CURTIS COSTA WERE OPPOSED. MOTION CARRIED.****

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- b. **DELC 0794.015.001, 134 ENTERPRISE ROAD, DELAFIELD. OWNER: JACK STYZA. APPLICANT: DELAFIELD STORAGE. APPLICANT SEEKS APPROVAL OF A DOWNTOWN DIRECTIONAL SIGN TO BE PLACED AT THE INTERSECTION OF MAIN STREET AND NORTH CUSHING PARK ROAD.**

R. Dupler noted the presence of the applicants and thanked them for their cooperation in working with the City on this matter. He went on to explain that the Styza's had sought exposure of their business, Delafield Storage, through the downtown directional signage program, temporary signage, and now were requesting directional signs that would show their business location on Cushing Park Road. At this time, there was nothing to mount a sign on at the intersection of Main Street and Cushing Park Road. He offered several options for consideration in this request, including placement of a new sign pole, cooperation with other area businesses for sign placement, or construction of a ground mounted sign similar to the Cushing Park Road Business Park signage that would identify tenants in the business park.

Mayor McAleer stated he would like to see continuity in the signage and have it match the downtown directional sign program style.

K. Fitzgerald questioned who would pay for the construction of the signage and sign pole.

M. DeYoe suggested moving the existing Cushing Memorial Park sign to a new pole or utilizing the existing park sign location and changing it to include the directional sign requested. K. Fitzgerald clarified the signage would then show Cushing Memorial Park signage and Delafield Storage signage pointing in opposite directions. T. Maney stated the pole could also be moved to the south side of the sidewalk if desired in that area.

M. Frede questioned whether the City's light poles came that far west. R. Dupler confirmed the location of the last City light pole as being on the edge of the Public Safety Campus property.

R. Dupler stated he thought M. DeYoe's idea was workable as a resolution in this matter.

K. Fitzgerald suggested having a pole at the northeast corner on the south side of the sidewalk that would show Cushing Park being directed to the north and the business to the south with other businesses potentially being added later if needed.

**K. ATTWELL MOVED APPROVAL OF A DOWNTOWN DIRECTIONAL SIGN TO BE PLACED AT THE INTERSECTION OF MAIN STREET AND NORTH CUSHING PARK ROAD FOR DELC 0794.015.001, 134 ENTERPRISE ROAD, DELAFIELD. OWNER: JACK STYZA. APPLICANT: DELAFIELD STORAGE WITH THE CONDITION THAT THE SIGNAGE BE LOCATED AT THE NORTHEAST CORNER ON THE SOUTH SIDE OF THE SIDEWALK. M. DEYOE STATED THIS WAS HER NEIGHBORHOOD AND REPRESENTATIVE DISTRICT AND SHE WOULD LIKE TO SEE FEWER SIGNS, AND IN THIS CASE, ONE SIGN POLE TO ACCCOMMODATE ALL SIGNS FOR THE AREA. MAYOR MCALEER STATED THE PARK AND RECREATION COMMISSION WOULD ALSO NEED TO HOLD DISCUSSIONS ON THIS SIGNAGE AS IT IMPACTED PARK SIGNAGE AS WELL. M. DEYOE NOTED THAT WHEN THE BIKE TRAIL WAS COMPLETE, ADDITIONAL SIGNAGE WOULD BE ADDED IN THAT AREA DESIGNATING THE TRAIL CONNECTION LOCATION. R. DUPLER NOTED THE TRAIL SIGNAGE WOULD NEED TO BE PLACED IN THE RIGHT OF WAY. DISCUSSION ENSUED REGARDING THE POSSIBILITIES OF UTILIZING EXISTING SIGN POLES TO HOLD THE TRAIL CONNECTION SIGNAGE AND DIRECTIONAL BUSINESS SIGNAGE. K. FITZGERALD NOTED THAT WOULD BE IN THE FUTURE AND THIS SIGNAGE REQUEST**

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REQUIRED RESOLUTION AT THIS TIME. **K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

Catherine Styza and Jack Styza thanked the Commission for its time spent on this matter.

6. PRELIMINARY

None.

7. ZONING AND ORDINANCE REVISION

a. PRELIMINARY DISCUSSION REGARDING THE LOCATION, PLACEMENT AND DEFINITION OF A BOATHOUSE

R. Dupler noted the proposed text amendment found in the Commission epacket was the result of a discussion held by the Lake Welfare Committee that introduced a setback of no more than 20 feet from the high water line as a clarification to the existing boathouse ordinance.

K. Attwell explained the Lake Welfare Committee proposed changing verbiage in Section 17.22(7) of the City Code to provide clarification to all residents wanting to construct a boathouse that the back wall of the boathouse should be no more than 30 feet from the front wall of the boathouse. This verbiage did not change the location or size of the boathouse, but it did provide clarity on the building envelope for residents.

He noted the following ordinance and proposed verbiage at this time.

**EXISTING**

**17.22(7) Building Location.** A boathouse shall not be closer than 5' to the ordinary high water mark. The back wall of the boathouse shall not be more than **35' from the ordinary high water mark**. A boathouse shall not be located closer than 6' from a side lot line.

**PROPOSED**

**17.22(7) Building Location.** A boathouse shall not be closer than 5' to the ordinary high water mark. The back wall of the boathouse shall not be more than **30' from the front wall**. A boathouse shall not be located closer than 6' from a side lot line.

M. Frede questioned whether the ordinances governing boathouses limited the dimensions of a boathouse. T. Maney stated this was not the case as boathouses were allowed to have a maximum size of 20 feet by 30 feet and was limited by another section of the City Code.

T. Maney provided further clarifications of the verbiage proposed to the Commission as well as history of the case that necessitated the proposed change.

**D. CURTIS COSTA MOVED TO APPROVE THE PROPOSED CHANGE TO SECTION 17.22(7) OF THE CITY OF DELAFIELD ORDINANCES RELATING TO BUILDING LOCATION FOR BOATHOUSE AS PRESENTED. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

b. DISCUSSION AND ACTION ON MULTIPLE PARCELS PROPOSED FOR REZONING THROUGHOUT THE CITY, TO BE CONSISTENT WITH THE RECOMMENDATIONS OF THE

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COMPREHENSIVE PLAN. INDIVIDUAL RESIDENTIAL LOTS – CHANGE FROM R-4 TO CBD-1 REVISION AFFECTS THE FOLLOWING PROPERTIES:

**DELC 793031 432 Main Street  
DELC 793033 427 Wells Street  
DELC 793031 424 Main Street  
DELC 793031 418 Main Street  
DELC 793031 408 Main Street  
DELC 793050 City of Delafield**

R. Dupler explained since the most recent Plan Commission meeting of January 13, 2010, Staff had reconsidered the options for multiple parcels proposed for rezoning throughout the City to be consistent with the recommendations of the Comprehensive Plan. M. DeYoe had expressed concern at that meeting regarding the status of the homeowners living in these parcels and how the rezoning would affect them. The parcels being discussed in this item were on a triangular shaped piece of land bounded by Main, Wells, and Dobkins Streets. R. Dupler had found that there was only one property owner (the Johnson parcel) other than Ace Properties on the entire block. The proposed rezoning would make the Johnson parcel non-conforming if approved. He noted there were options available for consideration in this matter. One option included pursuit of CBD-1 zoning and to “grandfather” the Johnson property. A second option included changing the ordinance verbiage to allow single-family homes in CBD-1 zoning.

Mayor McAleer stated he thought there was another issue of zero setback and 100% floor area ratio (FAR) and parking requirements. He thought the more appropriate zoning in this case might be CBD-2 as it would yield 50% FAR and 10 foot setbacks for all parcels.

K. Fitzgerald questioned whether all parcels had people living in the houses on them. M. DeYoe stated all were occupied, except for the parcel directly to the east of the Johnson parcel. The City owned the wetland and ditch area that would be unbuildable.

K. Fitzgerald noted that if the parcels were zoned CBD-2, this area would be considered “transitional zoning” and all residents could continue to live there with a ten foot setback imposed. This would also maintain the legal use of the property until other development was proposed.

M. DeYoe stated she would appreciate the parcels being zoned CBD-2. D. Curtis Costa agreed, as she thought CBD-2 would make sense in this case.

**K. ATTWELL MOVED TO APPROVE THE ZONING CHANGE FOR THE FOLLOWING PARCELS: DELC 0793031, DELC 0793033, DELC0793049, DELC0793035, DELC0793034, and DELC0793050 from R-4 to CBD-2, AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. K. FITZGERALD SECONDED THE MOTION. M. DEYOE CLARIFIED THIS INCLUDED ALL PARCELS SHOWN ON THE MAP FOR THE TRIANGLE AREA REFERENCED. R. DUPLER AFFIRMED THIS LOCATION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

8. HEARING DATES

G. Gresch stated there was one public hearing slated for the February 24, 2010 Plan Commission Agenda related to the boathouse revision.

9. ADMINISTRATOR’S REPORT

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A. DISCUSSION AND POSSIBLE ACTION ON TREE PRESERVATION

In the absence of Tim Schuenke, G. Gresch provided the report on this matter. G. Gresch explained at a recent Common Council meeting, Alderperson Beth Leonard had requested the Plan Commission examine the issue of tree preservation on residential property.

Mayor McAleer stated it had been City policy to this point that single family residential property owners should not be encumbered with having to get a permit from the City relating to tree preservation.

G. Gresch stated she would research this matter to determine what ordinances and policies were utilized in other municipalities and she would provide that information to the Commission at the next Plan Commission meeting on February 24, 2010 for further discussion and consideration.

10. PLANNER'S REPORT

R. Dupler stated there was nothing to report on at this time; however he did want to note that as a result of recent rezoning actions, the Commission would be asked to consider revisions to the City's Master Plan and that action would bring the City's work on Smart Growth to a close.

11. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date was 15, with no occupancy permits this month and no new single family home permits.

12. BOARD OF ZONING APPEALS

G. Gresch noted there was one item slated for the Board of Zoning Appeals Meeting Agenda on January 28, 2010.

13. CORRESPONDENCE

None.

14. ADJOURNMENT

**K. ATTWELL MOVED TO ADJOURN THE JANUARY 27, 2010 PLAN COMMISSION MEETING AT 7:48 P.M. D. CURTIS COSTA SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.**

Minutes prepared by:

Accurate Business Communications, Inc.