

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 29, 2010 Plan Commission meeting:

Present

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

Absent

PUBLIC HEARING #1: CONDITIONAL USE – PLANNED UNIT DEVELOPMENT GENERAL DEVELOPMENT PLAN FOR A FUNERAL HOME AND RESIDENTIAL LOTS

OWNER:

Diane and Richard Roy, 3115 Hwy 83, Hartland.

APPLICANT:

Eric Harder – Harder Funeral Home, 18700 W. Capitol Drive, Brookfield

MATTER:

Applicant seeks approval of a Planned Unit Development General Development Plan for a funeral home and residential lots.

Mayor McAleer opened the public hearing and asked the applicant to give the Plan Commission a brief overview of the proposed project. Eric Harder stated he is the third generation family member in the funeral home business. He would like to open a satellite location in Delafield and build a residence in the rear of the property.

PUBLIC COMMENTS:

Janet Matt, 3809 Nagawicka Shores Drive, stated she knows the area very well and the funeral home traffic will be a problem. Years ago, someone else proposed a funeral home in this exact location which was denied until STH 83 became a four-lane highway. The Department of Transportation knows that the three area communities do not want that. There is no good way to have a funeral procession in this area. Also, this proposal looks like spot zoning.

Dirilee Curtis-Costa, 1808 Bark River Drive, stated she is surprised that this proposal is on an agenda when the Plan Commission discussed this land during the Smart Growth planning. This proposal doesn't comply with the Comprehensive Plan.

Pam Wolcott-Krainik, Baraboo, stated she grew up in the 1848 brick home and couldn't believe it when she was told the building was going to be razed. This area should only be built as residential, no commercial.

Ron Stocks, 310 S. Sawyer Road, stated he is into historic preservation and it will be better to rehabilitate this house than to raze it. There are no problems with the existing building and it would cost a fraction to rehab it than to tear it down and rebuild something new. The country is in a green movement and we should be saving all the buildings and trees we can.

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Beth Leonard, 2313 Nagawicka Road, stated she is the alderperson for this area and is speaking on behalf of the constituents in the area. They have concerns and objections to this proposal for numerous reasons: It conflicts with the City' Comprehensive Plan, infrastructure plans related to sewers, thoroughfare plans and it doesn't meet the storm water management ordinance. There are also traffic issues. STH 83 should be a four-lane highway to accommodate a funeral home. Also, this is the wrong way to incorporate a Conditional Use Planned Unit Development in this area; this is spot zoning. She has nothing against funeral homes as she grew up in one but it was on a four-lane highway with a side street for a driveway. Without that it would have never worked.

Jeff MacDonald, 2831 Hwy 83, stated he is in favor of the proposed funeral home. There is a lot of development on the east side of STH 83, with the commercial being along STH 83 and the residential in the back. He doesn't believe anyone will buy a house right along STH 83. Delafield should follow Hartland and allows business on STH 83 as a buffer for the residential areas in the back. Also, he feels a funeral home won't add that much traffic to the area; Village Square didn't.

Diane Roy, 3115 Hwy 83, stated she and her husband have owned this property for 25 years and are no longer able to maintain the property. Funeral homes are normally in residential neighborhoods; they are quiet and would be a great addition to the area.

Holly Wolcott-Fortier, Baraboo, stated she also grew up in that house. Her late father's dream was to see that land developed with a strong conservation ethic and to think that beautiful home will be torn down breaks her heart. The City of Delafield should take historic preservation into account. Also, that area has a very unsafe hill which will not allow the traffic a funeral home has.

Planner Roger Dupler read an email from **Bill Maslowski** into the public comments record:

"I've been aware of the Harder Funeral Home proposal the morning after it was first presented to Harland a few months back. I heard from someone in the funeral business. I elected to say nothing until now. Two things to keep in mind: 1. I was the alderperson at the time who told Joe Becker, Becker Funeral Homes, I would not permit a funeral home on the west side of Hwy 83 in this area of future, high valued (high taxed) residential property development. He was considering the purchase of the now, McDonald property on Hwy. 83. Ed, this is last remaining residential development area for the city that enjoys the bark river trail (an extension of the investment I made into the Ice Age Trail for the benefit of this future residential development). If you remember, when Hwy 83 was redone, the council insisted that the DOT raise the Bark River Bridge to accommodate canoes and walking trails for the benefit of this area? Allowing a business of this type, in this area, will be a poor city financial decision and greatly diminish the taxable potential for the city. 2. In the past few weeks I have been approached by numerous business people... all who have purchased property, built buildings and have tenants that have moved into this commercial park. All are distressed over this proposal. All are concerned about traffic at this intersection. At great expense to these business people the commercial buildings along Hwy 83 have been designed and constructed with residential brick and roof systems intended to blend with the future Delafield residential development. The funeral home is a commercial business. It will generate high volumes of slow moving traffic often times at peak traffic times. Morning, noon time, and early evening traffic patterns are already problematic without having slow moving caravans clogging the vital thoroughfare."

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING'S PUBLIC COMMENTS AT 7:29 PM. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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PUBLIC HEARING #2: CONDITIONAL USE AMENDMENT TO TEAR DOWN AND REBUILD MULTI-UNIT GARAGES

OWNER: Kettle Cove, LLC, 2220 DeCarlin Drive, Brookfield.

APPLICANT: Larry Schober, 2220 DeCarlin Drive, Brookfield.

MATTER: Applicant seeks approval to amend the existing Conditional Use to tear down and rebuild multi-unit garages.

Mayor McAleer opened the public hearing and asked the applicant to give the Plan Commission a brief overview of the proposed project. Larry Schober stated he owns the property and wants to tear down the existing garage and build a new five car garage, which can only be seen by the tenants on the property.

PUBLIC COMMENTS: None.

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING'S PUBLIC COMMENTS AT 7:31 PM. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. Approve Plan Commission meeting minutes of August 25, 2010 meeting.

K. ATTWELL MOVED TO APPROVE THE AUGUST 25, 2010 PLAN COMMISSION MEETING MINUTES AS PRESENTED. M. DEYOE 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 7:32 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. **DELC0787-121 (McCormick/Miller); DELC0787-130 (Anderson); DELC0787-131 (Hunt), 824 Back Bay (McCormick/Miller), 908 Hawks Hollow (Anderson), 837 Hawks Hollow (Hunt), Delafield.** Owners: Pam & David Anderson; Tom McCormick & Tammie Miller; Jeff and Cheri Hunt. Applicant: Pam Anderson. Applicant seeks approval of a temporary Business Plan of Operation for a dredging project for a five week period to begin September 13, 2010 and end October 15, 2010.

G. Gresch read the items on the Consent Agenda. Plan Commission members asked why this item is on the agenda as a Business Plan of Operation. R. Dupler stated since the lake is a part of the parks system, any activity in the parks needs to be approved by the Plan Commission. Due to the timing of the project, it was already administratively approved.

M. DEYOE MOVED TO APPROVE THE ITEMS ON THE CONSENT AGENDA IN ACCORDANCE WITH THE STAFF REPORT. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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4. Final Consideration, Approvals, Previous Approval.
- a. **DELC 0756.999, 3115 HWY 83, Delafield.** Owner/Applicant: Eric Harder, Harder Funeral Home. Applicant seeks final approval for a Conditional Use - Planned Unit Development General Development Plan for a funeral home and residential lots and recommendation to the Common Council of the same.

Rob Davis of Lake Country Engineering stated they received a temporary access approval from the Department of Transportation until Walnut Ridge is extended. They tried to do this but the neighboring property owner would not give them the access they needed. Also they would limit funeral processions to two or three a week and only around 10 am or 11 am. E. Harder stated there is no way to work the existing residence into his plan. With regards to the sewer, Hartland will allow them to hook into their system and it will be gravity fed. His plans were to first build his house then the funeral home once the residence is completed. There was discussion among the Plan Commission about the Bark River Trail and trees. R. Dupler stated the trees along Hwy 83 have been preserved and there will be room for the Bark River Trail.

K. FITZGERALD MOVED TO RECOMMEND TO THE COMMON COUNCIL DENIAL OF THE CONDITIONAL USE - PLANNED UNIT DEVELOPMENT GENERAL DEVELOPMENT PLAN FOR A FUNERAL HOME AND RESIDENTIAL LOTS, FOR DELC 0756.999, 3115 HWY 83, DELAFIELD. OWNER/APPLICANT: ERIC HARDER, HARDER FUNERAL HOME. K. ATTWELL SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0740.998 and 0740.997.001, 1621 – 1657 Kettle Cove Court, Delafield.** Owner: Kettle Cove, LLC. Applicant: Larry Schober. Applicant seeks a change to the Conditional Use to build multi-unit garages and recommendation to the Common Council of the same.

M. DEYOE MOVED TO RECOMMEND TO THE COMMON COUNCIL APPROVAL TO MODIFY THE CONDITIONAL USE TO BUILD MULTI-UNIT GARAGES FOR DELC 0740.998 AND 0740.997.001, 1621 – 1657 KETTLE COVE COURT, DELAFIELD. OWNER: KETTLE COVE, LLC. APPLICANT: LARRY SCHOBBER. K. ATTWELL SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

5. Plans of Operation, Signage and Site Plan.
- a. **DELC 0804.994.002 and 006, 2863 Heritage Drive, Delafield.** Owner: Wal-Mart Stores. Applicant: Kerry Hardin, RA Smith National. Applicant seeks approval of a site plan modification to accommodate for angular parking.

G. Gresch stated late this afternoon, Kerry Hardin of RA Smith called and emailed her a request to remove Wal-Mart from the agenda.

6. Preliminary
- a. **DELC 0742.995, W73 E. Wisconsin Avenue, Nashotah.** Owner: Summerset Holding, LLC. Applicant: Paul Schutl, Architect. Applicant seeks preliminary feedback for a Certified Survey Map that combines two lots, and recommendation to the Common Council of the same.

R. Dupler stated due to the unique nature of this property and the petitioners request, he recommends the petition seek Board of Zoning approval first, then come back to Plan Commission for a recommendation to Common Council. Plan Commission members agreed.

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- b. **DELC 0733.998.002, 3001-3161 Village Square Drive, Hartland.** Owner: United Properties. Applicant: Bauer Sign Company – Robert Hacker. Applicant seeks preliminary feedback on a modification to the sign program, and schedule public hearing for the same for November 17, 2010.

Pete Dahmsted with United Properties stated he is requesting to change the Village Square sign program to increase the amount of sign area. The basic changes will offer increased exposure to Highway 16. Tenant signage is proposed to be added on the existing pylon sign north of the Pick 'n Save building in addition to wall mounted tenant signage on the north side of the north multi-tenant building. Specific text amendments are also proposed to the sign program. The existing pylon sign is already 270 sf. The addition of the proposed tenant sign block will add another 120 sf of signage to the structure. Bob Hacker with Bauer Sign Company spoke and reiterated what Pete Dahmsted said. R. Dupler stated extra building signage is proposed on the north side of the north multi-tenant building in addition to the pre-approved storefront signage. A building elevation needs to be submitted for Plan Commission consideration that delineates the proposed sign band. Size and spacing of the new size band should be constant with the standards employed on the south façade. This is changing the Conditional Use so a public hearing is required.

K. ATTWELL MOVED TO SCHEDULE A PUBLIC HEARING ON NOVEMBER 17, 2010 FOR DELC 0733.998.002, 3001-3161 VILLAGE SQUARE DRIVE, HARTLAND. OWNER: UNITED PROPERTIES. APPLICANT: BAUER SIGN COMPANY – ROBERT HACKER. TO MODIFY THE SIGN PROGRAM. M. DEYOE SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

7. Zoning and Ordinance Revision.

- a. Discussion and action on multiple Zoning Code text amendments and schedule public hearing for the same for November 17, 2010.
- i. 18.25(3) – Preliminary Plat Review within the City.
 - ii. 18.26(2), (4) - Preliminary Plat Approval within the City.
 - iii. 18.28(2), (7) - Final Plat Approval within the City.

R. Dupler stated there are a number of changes that need to be made to Chapter 17 and 18 as housekeeping items and updates from the State Statutes. He briefly reviewed a few of them with the Plan Commission members.

M. DEYOE MOVED TO SCHEDULE A PUBLIC HEARING ON NOVEMBER 17, 2010 FOR MODIFICATIONS TO CHAPTERS 17 AND 18 OF THE CITY OF DELAFIELD MUNICIPAL CODE. K. ATTWELL SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

8. Hearing Dates.

9. Administrator's Report.

10. Planner's Report.

- a. Discussion regarding minor changes to Conditional Uses – Planned Developments.

11. Building Inspector's Report.

G. Gresch stated the total number of permits to date is 25, with one occupancy permit this month. New permits included Wal-Mart Super Center addition and the Nashotah House Refractory/Cafeteria addition.

12. Board of Zoning Appeals.

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13. Correspondence
14. Adjournment.

K. ATTWELL MOVED TO ADJOURN THE SEPTEMBER 29, 2010 PLAN COMMISSION MEETING AT 8:17 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