

**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  
Larry Chapman  
Dirilee Curtis Costa  
Michele DeYoe  
Michael Frede (arrived 7:01 p.m.)  
Chris Smith  
Roger Dupler, Planner  
Gina Gresch, City Clerk/Treasurer  
Tom Maney, City Building Inspector  
Tim Schuenke, City Administrator

Absent

Kevin Fitzgerald

**PUBLIC HEARING #1: REZONING FROM B-5 (OFFICE & RESEARCH DISTRICT) TO P-1 (PUBLIC & SEMI-PUBLIC DISTRICT)**

**APPLICANT:** RENEE M. EVERT, 170 WARREN AVENUE, HARTLAND, WI, LAKE COUNTRY CREMATION SERVICES

**OWNED BY:** RENEE M. EVERT, 170 WARREN AVENUE, HARTLAND, WI, LAKE COUNTRY CREMATION SERVICES

**LEGAL DESCRIPTION DELC 0733.996:**

*PT NE1/4 SEC 4 T7N R18E COM NE COR S88 34'W 734.65 FT THE BGN S88 34'W 112.33 FT S1 14'E 441.58 FT NELY ALG CURVE 126.52 FT N1 14'W 383.42 FT TO BGN EX HY 0.41 AC ALSO COM NE COR S89 56'W 163.08 FT S89 42'W 437.15 FT THE BGN S89 42'W 134.42 FT S 128.13 FT N59 35'E 155.71 FT N 50 FT TO BGN EX N 33 FT 0.17 AC R2380/1070*

**MATTER:** APPLICANT SEEKS A REZONE OF DELC 0733.996, N47 W31143 HILL STREET, HARTLAND, FROM B-5 (OFFICE & RESEARCH DISTRICT) TO P-1 (PUBLIC & SEMI-PUBLIC DISTRICT). THIS IS CONSISTENT WITH THE NEWLY ADOPTED LAND USE PLAN.

Mayor McAleer opened the Public Hearing at 7:01 p.m.

There was no one present wanting to speak on this matter at this time.

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**K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING AT 7:02 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**PUBLIC HEARING #2:**

**CONDITIONAL USE REQUEST**

**APPLICANT:**

RENEE M. EVERT, 170 WARREN AVENUE, HARTLAND, WI, LAKE COUNTRY CREMATION SERVICES

**OWNED BY:**

RENEE M. EVERT, 170 WARREN AVENUE, HARTLAND, WI, LAKE COUNTRY CREMATION SERVICES

**LEGAL DESCRIPTION DELC 0733.996:**

*PT NE1/4 SEC 4 T7N R18E COM NE COR S88 34'W 734.65 FT THE BGN S88 34'W 112.33 FT S1 14'E 441.58 FT NELY ALG CURVE 126.52 FT N1 14'W 383.42 FT TO BGN EX HY 0.41 AC ALSO COM NE COR S89 56'W 163.08 FT S89 42'W 437.15 FT THE BGN S89 42'W 134.42 FT S 128.13 FT N59 35'E 155.71 FT N 50 FT TO BGN EX N 33 FT 0.17 AC R2380/1070*

**MATTER:**

APPLICANT REQUESTS A CONDITIONAL USE TO OWN AND OPERATE A HUMAN AND PET CREMATORIUM, LAKE COUNTRY CREMATION SERVICES

**ZONING:**

CONTINGENT UPON REZONING ACTION TAKEN BY THE COMMON COUNCIL AT THE OCTOBER 5, 2009 COMMON COUNCIL MEETING, THIS PROPERTY WILL BE ZONED P-1 (PUBLIC & SEMI-PUBLIC DISTRICT)

Mayor McAleer opened the public hearing at 7:02 p.m.

R. Dupler explained this property was a small triangular parcel near the Divine Redeemer Lutheran Church campus that had been identified on the City's Land Use Plan as B-5 but should be zoned to match the adjoining Lutheran campus as specified in the City's newly adopted Comprehensive Plan. The applicants proposed operating a crematorium on the site and because it was an insulated, isolated site, Staff supported the request for a Conditional Use.

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

The applicants were not present.

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**M. DEYOE MOVED TO CLOSE THE PUBLIC HEARING AT 7:03 P.M. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

1. APPROVE PLAN COMMISSION MEETING MINUTES OF AUGUST 26, 2009

**C. SMITH MOVED TO APPROVE THE AUGUST 26, 2009 PLAN COMMISSION MEETING MINUTES AS AMENDED ON PAGE 3, ITEM 1, IN THE MOTION TO APPROVE THE MEETING MINUTES OF JULY 29, 2009, THE MOTION SHOULD STATE "K. ATTWELL MOVED APPROVAL OF THE MEETING MINUTES OF JULY 29, 2009, AND C. SMITH SECONDED THE MOTION". K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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

Steve Burbain, 2016 Baypoint Lane, was present to support Item 5A regarding the addition to the Laatsch property. He thought this would be a fine addition to the property and he appreciated how hard Mr. Laatsch had worked to straighten out boundary line issues in the neighborhood.

**K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA

G. Gresch read the items on the Consent Agenda.

**D. CURTIS COSTA MOVED TO APPROVE ITEMS A, B, C, AND E ON THE CONSENT AGENDA AS PRESENTED. M. DEYOE REQUESTED ITEM D BE REMOVED FROM THE AGENDA FOR FURTHER CLARIFICATION AND DISCUSSION. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. **DELC 0804.994.019, 2728 HILLSIDE DRIVE, DELAFIELD. OWNER: HILLSIDE TERRACE SHOPPING CENTER, LLC. APPLICANT: DANIEL ADAMS.** APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A CELL PHONE AND ACCESSORIES STORE, UNIVERSAL WIRELESS, INC (SPRINT) HOURS OF OPERATION ARE WEEKDAYS, 9 A.M. TO 9 P.M., SATURDAY 9 A.M. TO 6 P.M. AND SUNDAY, 11 A.M. TO 6 P.M. WITH 2 PART-TIME AND 2 FULL-TIME EMPLOYEES

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Approved. See above.

- b. **DELDC 0787.081, 615 MILWAUKEE STREET, DELAFIELD.** OWNER: THOMAS E. KELLEY. APPLICANT: ERIC NIELSEN. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A MEDICAL SUPPLY BUSINESS, ACTION HEALTHCARE. HOURS OF OPERATION ARE WEEKDAYS, 7 A.M. TO 3 P.M. WITH 1 PART-TIME EMPLOYEE

Approved. See above.

- c. **DELDC 0798.013.001, 609 MAIN STREET, DELAFIELD.** OWNER: RICK LIEBLANG. APPLICANT: TIMOTHY DANKO. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A COMPUTER RETAIL STORE, MEATHEAD COMPUTERS. HOURS OF OPERATION ARE WEEKDAYS, 8 A.M. TO 9 P.M., SATURDAY, 8 A.M. TO 6 P.M. AND SUNDAY, 11 A.M. TO 4 P.M. WITH 1 FULL-TIME EMPLOYEE

Approved. See above.

- d. **DELDC 0787.053, 826A GENESEE STREET, DELAFIELD.** OWNER: TOM AUL. APPLICANT: KETTLE MORaine EMS, INC. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A PRIVATE AMBULANCE SERVICE, KETTLE MORaine EMS, INC. HOURS OF OPERATION ARE WEEKDAYS, 6 A.M. TO 8 P.M., SATURDAY, 6 A.M. TO 8 P.M. AND SUNDAY, 6 A.M. TO 8 P.M. WITH 2-3 FULL-TIME EMPLOYEES

M. DeYoe requested clarification on issues related to hours of operation, use of sirens, traffic control and safety upon entering Highway C for this item.

R. Dupler explained this business had previously operated in Delafield at a location just south of City Hall as a private ambulance service. In this request, the business would be located in the last building next to the Mill Race and would operate in much the same manner as it had in its prior location. The hours of operation were as requested with no operation in the middle of the night, and sirens would be utilized when close to Interstate 94 only as had been done in the previous location. Traffic control was not deemed to be an issue as the ambulance would pull out onto Highway C directly and there were no safety concerns in this matter. Ambulances would be stored in the back of the building in the parking area adjacent to the building.

C. Smith stated he thought this was a great use of the building.

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**M. DEYOE MOVED TO APPROVE A BUSINESS PLAN OF OPERATION FOR A PRIVATE AMBULANCE SERVICE, KETTLE MORAINÉ EMS, INC. HOURS OF OPERATION ARE WEEKDAYS, 6 A.M. TO 8 P.M., SATURDAY, 6 A.M. TO 8 P.M. AND SUNDAY, 6 A.M. TO 8 P.M. WITH 2-3 FULL-TIME EMPLOYEES FOR DELC 0787.053, 826A GENESEE STREET, DELAFIELD. OWNER: TOM AUL FOR APPLICANT: KETTLE MORAINÉ EMS, INC. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- e. **DELC 0790.017, 306 FIELDSTONE ROAD, DELAFIELD.**  
OWNER/APPLICANT: DOUGLAS AND CHRISTINE ARNOLD.  
APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A HOME OCCUPATION AS A MORTGAGE BROKER, D/B/A CEA MORTGAGE. HOURS OF OPERATION ARE WEEKDAYS, 9 A.M. TO 5 P.M. WITH 1 FULL-TIME EMPLOYEE

Approved. See above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **DELC 0730.994, 4835 EASY STREET, HARTLAND.**  
OWNER/APPLICANT: DELAFIELD COUNTRY AIRE CONDOMINIUMS, INC. OWNER/APPLICANT SEEKS APPROVAL OF A MINOR CHANGE TO THE CONDITIONAL USE-PUD FOR A MAINTENANCE/STORAGE BUILDING

R. Dupler explained the proposed site plan amendment would accommodate a new storage building in the condominium development at the southeast corner of Highways 16 and 83. As part of the planning process, the Commission needed to decide if this matter constituted a major or minor change to the existing governing agreement for the planned unit development for the site. Staff considered the proposed shed to be a temporary structure as it was without a foundation and was also compatible with building architecture and setbacks. The request was necessitated due to displacement of all maintenance equipment by a water system for the site. For these reasons, Staff recommended approval as a minor change to the site plan.

**K. ATTWELL MOVED TO APPROVE A REQUEST FOR A CHANGE TO THE CONDITIONAL USE-PUD FOR A MAINTENANCE/STORAGE BUILDING LOCATED AT DELC 0730.994, 4835 EASY STREET, HARTLAND. OWNER/APPLICANT: DELAFIELD COUNTRY AIRE CONDOMINIUMS, INC. AS A MINOR CHANGE AND RECOMMEND TO THE COMMON COUNCIL THE SAME. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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- b. **DELIC 0733.996**, N47 W31143 HILL STREET, HARTLAND OWNED BY RENEE M. EVERT, 170 WARREN AVENUE, HARTLAND, WI. APPLICANT REQUESTS A REZONE FROM B-5 (OFFICE & RESEARCH DISTRICT) TO P-1 (PUBLIC & SEMI-PUBLIC DISTRICT), AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME

Without objection from the Commission, Mayor McAleer requested this item be postponed until the applicants were able to arrive later in this meeting or until the next meeting of the Plan Commission.

- c. **DELIC 0733.996** LOCATED AT N47 W31143 HILL STREET, HARTLAND OWNED BY RENEE M. EVERT, 170 WARREN AVENUE, HARTLAND, WI. APPLICANT REQUESTS A CONDITIONAL USE TO OWN AND OPERATION A HUMAN AND PET CREMATORIUM, LAKE COUNTRY CREMATION SERVICES AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME

This item was also postponed due to the reasons stated in Item 3C.

- d. **DELIC 0804.994.002 & 0804.994.006, 2863 HERITAGE DRIVE, DELAFIELD, WI 53018.** OWNER: WAL-MART STORE #1678. APPLICANT: WAL-MART STORE #1678 C/O KERRY HARDIN, RA SMITH NATIONAL. APPLICANT SEEKS APPROVAL OF A SITE PLAN, ARCHITECTURE AND BUSINESS PLAN OF OPERATION FOR A WAL-MART SUPERCENTER. HOURS OF OPERATION ARE WEEKDAYS AND WEEKENDS 5:00 A.M. TO MIDNIGHT WITH APPROXIMATELY 90 PART-TIME EMPLOYEES AND APPROXIMATELY 140 FULL-TIME EMPLOYEES AT ITS EXPANDED SUPERCENTER. ACTUAL NUMBERS OF EMPLOYEES WILL DEPEND ON CUSTOMER DEMANDS AND PART-TIME/FULL-TIME MAKEUP WILL DEPEND ON EMPLOYER DESIRES

Kerry Hardin, RA Smith National, Debbie Tomczyk of Reinhart, Boerhner and Van Deuren, and Jim Gallagher of PB2 were all present this evening representing the applicant.

K. Hardin, engineer for the project provided a presentation regarding the proposed expansion at the current Wal-mart site. The site plan presented to the Commission in February had not changed with regard to the expansion, however several other items of concern, including garden center enhancements, stormwater and traffic issues, had been addressed as requested by the Commission.

With regard to the traffic improvements, she explained a discussion had been held with the Public Works Committee (PWC) regarding various options for traffic improvements as a result of the proposed project. Options presented included an additional lane on Heritage Drive heading northbound and at the intersection of Hillside Drive; Heritage Drive

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would have a split left and right movement. The right movement would be right turn only and the left turn would include a through and left movement. In addition, a discussion of truck access was held with the PWC requesting an expansion of Hillside Drive with an additional lane heading eastward to the second driveway of the Marcus Theater site. A similar lane expansion would take place on the northerly side of the street to accommodate trucks entering the Wal-Mart site from Hillside Drive.

With regard to stormwater concerns, the water quality had been addressed and would be accommodated through the original site plan. A bio-filtration system was being proposed with engineered soil and would drain to an underground system that would connect to an adjoining stormwater system. This bio-filtration system would be located adjacent to the parking lot at Hillside and Heritage near the intersection with no modifications to the parking area required as a result of this proposal. Final design plans would be provided as part of the planning process at a later date.

K. Hardin explained the potential delivery truck movements as it related to traffic patterns on the site. Various alternatives had been examined regarding the request by the PWC to move the delivery entrance driveway further to the east. With this request, several concerns were noted by the applicant. If the entrance were moved, the truck would be required to circle the site in a tight radius to accommodate the necessary curvature of the roadway and would result in having to swing wide, potentially into traffic, to adjust to the lanes on Hillside Drive. To have the truck exit the site to the west on to Heritage would require a cut-through traffic pattern through potential pedestrian movement.

M. DeYoe questioned the number of delivery trucks per day for the site as she was concerned for the traffic at the uncontrolled intersection of Heritage and Hillside Drive. K. Hardin explained traffic had been projected ten years into the future through various engineering modeling methods and found there was no need for additional traffic controls at that intersection. With any future concerns, a future roundabout could be considered and a traffic signal placed there if warranted. There were three delivery trucks anticipated daily with two arriving during the daytime hours and one at night.

C. Smith stated he was pleased with the changes presented thus far, and thought it appropriate to review the traffic patterns for the site in one year and if deemed problematic, discussions could be held with the applicant at that time.

D. Tomczyk stated a development agreement would be formulated to bind the applicant to resolution of this issue in the future if needed. K.

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Hardin further explained cut-through traffic was not anticipated to be a problem as vehicles would find it inefficient to circulate through the delivery area. This item could be further addressed in the development agreement in the future as well.

K. Attwell questioned the screening on the site. K. Hardin explained there would be increased landscaping and a 14-foot screen wall provided in the rear of the building to screen the compactor.

R. Dupler questioned whether the screen wall location could be moved to another portion of the site and the truck movement be directed around the building with the trucks exiting the site near the Ace Hardware on Heritage Drive. He thought this movement would allow trucks to rotate counter clockwise to navigate the site. K. Hardin explained the road was sized for traffic and would make it difficult to accommodate the turning movements of the trucks. In addition, Heritage Drive was quite busy and maneuvering would be difficult.

Mayor McAleer stated a curb cut onto Hillside Drive might be the most appropriate action in this case.

R. Dupler distributed information depicting a drawing of the current proposal for truck delivery and a second proposal, not to scale, that demonstrated if the driveway entrance were pushed to the east on Hillside Drive, and an entrance created where a truck could turn into the site from Hillside Drive, back in to the loading dock area, and exit the site by navigating around the building to Heritage Drive enabling the trucks to have ideal counter clockwise rotation upon exit.

Discussion ensued regarding the possibility of this configuration. K. Hardin stated additional consideration would need to be given to this issue and screening provided where needed to accommodate the configuration. Confirmation would need to be secured regarding whether the pump house on site could be removed.

Photometrics of the proposed lighting was discussed and K. Hardin noted the plan included use of LED lighting. This store was a pilot site for Wal-Mart in using the LED lighting and this plan was part of Wal-Mart's initiative with the Retail Energy Alliance. The lighting plan had been updated and reconfigured to have lighting less than 1.5 foot-candles as a light maximum. The lighting plan had been developed in conjunction with the City Code. R. Dupler strongly encouraged the Commission to visit the GE facility in Muskego on Moreland Road as the LED lighting was a "coming" technology and was being utilized on that site currently.

J. Gallagher, architect for the project, provided information on the sign program. C. Smith noted inconsistencies in the three free standing signs



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with the signage onsite as well as signage located near Interstate 94 and along Highway 83. J. Gallagher noted this signage predated his experience with the project. He explained the proposed signage would include an updated Wal-Mart logo and would match the building architecture and branding desired by Wal-Mart.

R. Dupler explained the signage in certain areas was part of agreement with Heil, Heil, Smart and Golee. As such, the applicant was required to work with that firm to determine consent. D. Tomczyk concurred.

J. Gallagher reviewed the proposed elevation of the building, noting curved elements over the entrance feature and a lower profile building with different color selections as part of the corporate branding for the store.

With regard to the exterior screening of the building from Hillside Drive, consideration was given to providing a cantilevered screen off the back of the building but was found to be cost prohibitive. Other options were being explored including the use of landscaping materials, such as evergreens and other trees to mitigate screening issues. He thought the trees would fill in over time and provide a denser screen and result in a better resolution of this issue.

Discussion ensued regarding the type of plant materials to be utilized for project.

R. Dupler clarified the list of items requiring additional consideration by the applicant at this time, noting the parking on site would be enough to satisfy the use proposed. Cart corrals consisting of 20 spaces could be included for "land banking" purposes. Clarifications were also provided to various Commissioners regarding parking spaces, annual approval of the temporary space utilized for the garden center, as well as hours of operation associated with the request for the business plan of operation. It was noted the store was required to be closed to the public between the hours of 2:00 a.m. and 5:00 a.m. but workers could be inside the building working to restock shelves, etc.

D. Curtis Costa noted the development agreement had inconsistencies related to leasing and purchase of the property. D. Tomczyk noted this to be an error and stated it would be remedied. City Administrator Schuenke would be meeting with Attorney Hammes prior to returning this item to the PWC for further discussion and consideration. Development agreement issues would be remedied at that meeting.

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**K. ATTWELL MOVED THAT THE PETITIONER PROVIDE A COMPLETED DETAILED LANDSCAPE PLAN, ROOFTOP SCREENING PLAN, LOADING DOCK SCREEN PLAN, REVISED LIGHTING PLAN WITH PRODUCT SPECIFICATIONS AND DEMONSTRATION, RESOLUTION OF THE OUTSTANDING SIGN ISSUE WITH HEIL, HEIL, SMART, AND GOLEE AS WELL AS MOVING THE DELIVERY TRUCK ENTRANCE DRIVEWAY ON HILLSIDE DRIVE AS FAR TO THE EAST ON SITE AS POSSIBLE AT THE NEXT PLAN COMMISSION MEETING. L. CHAPMAN SUGGESTED THE MOTION BE AMENDED TO INCLUDE A VIEW SHED CROSS SECTION OF THE SCREENING FOR THE REAR OF THE STORE AND INCLUSION OF THE 20 PARKING SPACES UTILIZED IN THE CART CORRAL AREAS FOR "LAND BANKING" PURPOSES. K. ATTWELL AMENDED THE MOTION TO INCLUDE THE ITEMS LISTED BY L. CHAPMAN. L. CHAPMAN SECONDED THE MOTION. MAYOR MCALEER STATED HE LIKED THE ARCHITECTURE OF THE BUILDING AND BECAUSE IT LOOKED SO NICE HE THOUGHT IT IMPORTANT TO HAVE THE ROOFTOP UNITS SCREENED APPROPRIATELY. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **DEL 0782.026.002, 2019 BAY POINT LANE, HARTLAND.**  
OWNER/APPLICANT: ERIC & LORI LAATSCH, 2019 BAY POINT LANE, HARTLAND. APPLICANT SEEKS APPROVAL OF A MINOR CHANGE TO THE PUD AND AN ARCHITECTURAL REVIEW FOR AN ADDITION TO THE SINGLE FAMILY HOME

Mayor McAleer introduced Mike Day, architect for the project, and Eric Laatsch, applicant.

Mike Day apologized for absence at the Plan Commission meeting last month. He explained the proposed addition to the single-family home on the site, noting the garage plan was completed and this request was for 640 square foot addition to the residence. He shared photos of the site and noted the applicant desired an addition that would make it seem as though it was part of the original structure. The white color of the house would remain and there were no issues with conformance or setbacks.

L. Chapman stated he lived two doors from this property and was in favor of the request.

**L. CHAPMAN MOVED TO APPROVE A REQUEST FOR AN ADDITION TO THE SINGLE FAMILY HOME FOR DELC 0782.026.002, 2019 BAY POINT LANE, HARTLAND. OWNER/APPLICANT: ERIC & LORI LAATSCH, 2019 BAY POINT LANE, HARTLAND AS A MINOR CHANGE TO THE PUD AND TO RECOMMEND TO COMMON COUNCIL THE**

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**SAME. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR.**

- b. **DEL C 0793.051, 433 GENESEE STREET, DELAFIELD.**  
OWNER/APPLICANT: CHARLES HENRICKS, DELAFIELD.  
OWNER/APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A CERTIFIED PUBLIC ACCOUNTING BUSINESS, HENRICKS & ASSOCIATIONS S.C. HOURS OF OPERATION ARE WEEKDAYS 9 A.M. TO 5 P.M. WITH 2 PART-TIME AND 2 FULL-TIME EMPLOYEES. OWNER/APPLICANT ALSO SEEKS APPROVAL FOR ARCHITECTURAL MODIFICATIONS TO ADD A HANDICAP RAMP, PRELIMINARY CONSIDERATION OF REZONING FROM CBD-3 TO CBD-2, AND SET REZONING PUBLIC HEARING DATE

R. Dupler explained the request, noting the property was currently zoned CBD-2 and the request would include appropriate use of a CBD-3 property under single ownership. He noted the site modifications would include construction of a handicapped accessible ramp on the south side of the property. The neighbors to the south had no issues with this request and Staff recommended approval. He also introduced Charles Henricks to the Commission.

**K. ATTWELL MOVED TO APPROVE A BUSINESS PLAN OF OPERATION FOR A CERTIFIED PUBLIC ACCOUNTING BUSINESS, HENRICKS & ASSOCIATIONS S.C. HOURS OF OPERATION ARE WEEKDAYS 9 A.M. TO 5 P.M. WITH 2 PART-TIME AND 2 FULL-TIME EMPLOYEES AS WELL AS APPROVALS FOR ARCHITECTURAL MODIFICATIONS TO ADD A HANDICAP RAMP, REZONING FROM CBD-3 TO CBD-2 FOR DEL C 0793.051, 433 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: CHARLES HENRICKS, DELAFIELD. L. CHAPMAN SECONDED THE MOTION. MAYOR MCALEER NOTED THE PUBLIC HEARING DATE FOR THIS MATTER WOULD BE OCTOBER 28, 2009. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

6. PRELIMINARY

- a. **DEL C 0798.965.003, GENESEE STREET, DELAFIELD.**  
OWNER/APPLICANT: DELAFIELD LAKES; AGENT: JOE MCCORMICK.  
OWNER/APPLICANT WILL BE PRESENTING A DEVELOPMENT CONCEPT FOR PRELIMINARY FEEDBACK FOR PHASE 2 OF DELAFIELD LAKES

Joe McCormick, applicant, was present to speak on this matter. He explained he was interested in presenting a development concept to the Commission for Phase 2 of the Delafield Lake project and receiving feedback on the same. He then shared an architectural rendering of the

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site plan for the proposed project, noting the proposed zoning associated with the various parcels proposed. The proposal included a mix of zoning including, R-4 (duplex lots), R-6 (3 interconnected apartment buildings with underground parking) and a pool area in the courtyard, and R-3, (Single Family lots). He noted the proposed location of a new public street as well as a potential future extension of Bleaker Street and pedestrian access to the current Delafield Lakes project property.

R. Dupler explained the Commission should consider the allowable versus proposed densities in this matter. While the proposal was consistent with the intent of the Comprehensive Plan density, it should be justified by the achievable zoning requirements. As a result, a yield plan must be utilized in this matter to equitably calculate the densities necessary to support this project. In the current proposed configuration, only nine R-3 standard lots would be achieved. In the area north of Division Street as part of the R-4 zoning district, only four single-family units were allowed. The balance of the property, excluding dedicated right-of-way, was entitled to multifamily units as a function of the area. Each proposed unit was supported by a required amount of lot area, and in this case, would support a range of units, from 66 efficiency units to 41 three-bedroom units.

J. McCormick stated he had proposed 82 units as part of this project and he would like to propose the same unit mix of approximately 60 percent of the project would be comprised of 1 bedroom units and 40 percent comprised of two bedroom units.

Mayor McAleer stated he agreed with Staff on this matter.

J. McCormick stated he was present to gather feedback from the Commission related to this proposal.

Discussion ensued by the Commission regarding the total number of lots and potential lot sizes depending on the configuration chosen by the applicant.

C. Smith stated he liked the concept presented. M. Frede and L. Chapman also agreed. R. Dupler stated he thought the right-of-way should be utilized from the Delafield Commons subdivision with a pedestrian walkway only and this could easily be incorporated into the site plan. In addition, consideration should be given to requesting potential park land for dedication in this project.

D. Curtis Costa stated she liked the project as well, but would like to see 79 units attained rather than the proposed unit amount. M. DeYoe agreed.

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J. McCormick noted the height of the proposed apartment building to be three stories to match Phase 1 of the project.

With regard to parking, T. Maney noted parking spaces would be accommodated underground for the three apartment buildings and a pool would be fenced in the courtyard area.

R. Dupler confirmed the traffic patterns to and from the site were desired and there were no traffic issues associated with the project.

J. McCormick thanked the Commission for its input on this matter.

- b. DISCUSSION AND POSSIBLE ACTION OF A PROPOSED NEW MUNICIPAL PARKING LOT, LOCATED AT THE SOUTHWEST CORNER OF ONEIDA STREET AND MAIN STREET, RECOMMENDATION TO COMMON COUNCIL OF THE SAME AND TO DIRECT THE ADMINISTRATOR TO BEGIN NEGOTIATIONS WITH PROPERTY OWNER.

T. Schuenke explained he had met with some business owners in the downtown area recently regarding the need for additional parking in the downtown area.

R. Dupler explained Staff had begun studying the parking spaces in the downtown area approximately one year ago as part of an evaluation of the downtown business district and included a 400' radius from those district boundaries. Findings of that study resulted in 1,300 total parking spaces in the downtown business district. This finding fell short of the City's ordinance by approximately 40 spaces if utilizing office space standards and more than 200 spaces short if utilizing retail space parking standards. R. Dupler went on to share graphs depicting user survey information regarding parking areas of concentration at various times of day. Use patterns in the parking areas from the Mill Race to Oneida Street demonstrated a constant demand for parking in the downtown areas.

When examining the need for additional parking within the entire business district radius, two sites were within the boundaries and could potentially be considered for additional municipal parking lots within the downtown business district. The first space (Lot A) was a single-family site immediately east of the Mobil Station and the second (Lot B) was on the same block but located immediately adjacent to Oneida Street. While there was a potential for cars backing out onto Oneida Street as a result of the proposed parking lot, the lot was considered functional and desirable at this point in time. Staff suggested making a recommendation on these matters to the Common Council to begin entering into negotiations with property owners to move this matter forward if desired by the Commission.

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L. Chapman questioned whether the 11 spaces of perpendicular parking on Oneida Street could be utilized without entering into property negotiations.

R. Lieblang, owner of Lieblang Leathers, stated additional cars would be parking in this area with various restaurants open for lunch in the area. Parking was currently in short supply and land could be easily purchased. He also noted the current land prices to be relatively inexpensive at this time.

L. Chapman stated he thought Lot B made the most sense to acquire at this time.

T. Maney stated if Lot A were purchased there was potential for access to the Lumber Inn.

**K. ATTWELL MOVED TO RECOMMEND TO THE COMMON COUNCIL TO DIRECT THE CITY ADMINISTRATOR TO BEGIN NEGOTIATIONS WITH PROPERTY OWNERS TO OBTAIN ONE OR BOTH PARCELS FOR MUNICIPAL PARKING LOTS. A DISCUSSION OF WHETHER ONE OR BOTH LOTS SHOULD BE PURCHASED BY THE CITY TOOK PLACE. R. LIEBLANG STATED 20 ADDITIONAL STALLS WOULD BE CURRENTLY NEEDED. T. MANEY STATED MANY BUSINESSES WERE EXPANDING IN THE DOWNTOWN AREA, SUCH AS THE DELAFIELD COMMONS PROJECT AND THE DELAFIELD HOTEL PROJECT. D. CURTIS COSTA STATED SHE HAD YET TO SEE ANY OF THE PARKING LOTS FILLED TO CAPACITY. M. FREDE WANTED TO BE SURE TO TAKE STEPS TO ATTRACT MORE BUSINESSES TO THE DOWNTOWN AREA AND THOUGHT THIS ACTION WOULD HELP WITH THAT GOAL. G. GRESCH STATED SURVEY INFORMATION WAS GATHERED RELATED THE NUMBER OF BUSINESS PLANS OF OPERATION (BPO'S) SUBMITTED FOR 2008 AND 2009. IN 2008, 42 BPO'S WERE SUBMITTED AND TO DATE IN 2009, THERE WERE 40. MAYOR MCALEER STATED HE THOUGHT THE CITY REQUIRED SUPPORT FOR THOSE REQUESTS. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. D. CURTIS COSTA OPPOSED THE MOTION. MOTION CARRIED.**

7. ZONING AND ORDINANCE REVISION

- a. UPDATE ON ALL ORDINANCE REVISIONS AND SCHEDULE PUBLIC HEARING DATE FOR THE SAME

R. Dupler distributed information regarding a tracking schedule for changes impacted by the City's newly adopted Comprehensive Plan. This schedule would allow the Commission to ensure the current ordinances and codes were in coordination with the Comprehensive Plan as a result

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of the Smart Growth planning process. He briefly reviewed the list of zoning actions required, noting each item would be addressed in full at future Plan Commission meetings. He encouraged the Commissioners to continue to review and make changes as needed when considering these matters. A public hearing should be scheduled for October 28, 2009 to begin consideration of these zoning items.

8. HEARING DATES

G. Gresch stated a public hearing regarding Item 5b and zoning ordinances referenced in Item 7 would be held at the October 28, 2009, Plan Commission meeting.

Dan Adams of Sprint Wireless requested an opportunity to speak before the Commission at this time. He stated he had applied for a sign variance on the 14<sup>th</sup> of this month and while one related item was on the Consent Agenda this evening, the sign variance issue was not.

R. Dupler explained the planning process related to signage and recommended he meet with Staff about this matter at a future date as it was not on the agenda for this meeting, and thus, could not be discussed.

Mayor McAleer noted the applicants for the crematorium issue were not yet present and thus, the related items would be placed on the October 28, 2009 Plan Commission agenda as well.

9. ADMINISTRATOR'S REPORT

a. DISCUSSION OF SIGN ENFORCEMENT

T. Schuenke stated this item had been requested by Alderperson M. DeYoe.

M. DeYoe explained she had received several citizen complaints related to "snipe" signs and enforcement issues of this signage and she requested clarification on the matter.

R. Dupler explained "snipe" signs were collected by Yaggy Colby Staff when requested by City Staff. These signs were illegally placed in the right of way areas. Once collected, Yaggy Colby Staff would call the sign owners to notify them that the signs were available for pick-up.

M. DeYoe questioned whether these signs could be collected by Department of Public Works Staff as they traversed the roads regularly. T. Schuenke explained storage of the signs at the DPW site was problematic as there was conflict within the ordinance regarding the amount of time the snipe signs were to be kept. He stated he would like

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to review this matter with the City Attorney prior to establishing a city policy on the matter. R. Dupler also noted he had no issues with the DPW Staff collecting the signs but he was not sure the DPW Staff would be aware of the current sign petitions in effect.

10. PLANNER'S REPORT

R. Dupler noted efforts would continue to take place regarding aligning the ordinances with the Comprehensive Plan.

11. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date was 22, plus three occupancy permits this month with one new single family home permit.

12. BOARD OF ZONING APPEALS

G. Gresch noted there were no items slated for a Board of Zoning Appeals Meeting at this time.

13. CORRESPONDENCE

None.

14. ADJOURNMENT

**M. DEYOE MOTIONED TO ADJOURN THE SEPTEMBER 30, 2009, PLAN COMMISSION MEETING AT 9:36 P.M. C. SMITH SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.**

Minutes prepared by:

Accurate Business Communications, Inc.