

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
Kevin Fitzgerald
Chris Smith
Roger Dupler, Planner
Tom Maney, City Inspector
Gina Gresch, City Clerk/Treasurer
Tim Schuenke, City Administrator

Absent

Michael Frede

PUBLIC HEARING #1: REZONING FROM CBD-3 (SPECIAL CAMPUS DISTRICT) TO CBD-2 (CENTRAL BUSINESS DISTRICT).

APPLICANT: CHARLES HENRICKS, PO BOX 180101, DELAFIELD
OWNED BY: CHARLES HENRICKS, PO BOX 180101, DELAFIELD

LEGAL DESCRIPTION DELC 0793.051:

PT BLK 22 HAWKS ADDITION TO DELAFIELD PT NE1/4 SEC 19 T7N R18E COM 66 FT S OF LOT 13 BLK 14 HAWKS ADDITION TO DELAFIELD ON W SIDE GENESEE ST S 53 FT W 175 FT N 53 FT E 175 175 FT TO BGN DOC# 3693350

MATTER: OWNER/APPLICANT SEEKS APPROVAL OF A REZONE FROM CBD-3 TO CBD-2 IN COMPLIANCE WITH STIPULATIONS OF CBD-3 THAT REQUIRE SINGLE OWNERSHIPS FOR ALL CAMPUS PARCELS

Charles Henricks, P.O. Box 180101, Delafield, applicant, was present.

R. Dupler explained this item was originally part of a campus with zoning of CBD-3 and had been inadvertently left off of the condominium documents that governed those parcels. As required by law, this parcel must be changed to comply with CBD-2 requirements in that area.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

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

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: REPEAL AND RECREATE SECTIONS 17.39(30)(B), 17.39(30)(C), 17.39(30)(CC), & 17.39(30)(D) - P-1 (PUBLIC & SEMI-PUBLIC USE DISTRICT).

MATTER: CONSIDERATION TO REPEAL AND RECREATE SECTION 17.39(30)(B), 17.39(30)(C), 17.39(30)(CC), & 17.39(30)(D) - P-1 (PUBLIC & SEMI-PUBLIC USE DISTRICT) OF THE CITY OF DELAFIELD MUNICIPAL CODE TO ADD "CREMATORIA" AS AN ALLOWED CONDITIONAL USE

R. Dupler explained that the applicant had purchased this property near Divine Redeemer Lutheran Church with the intent of placing a crematorium on the premises. A crematorium was not currently listed as an accepted use in this zoning district. As a result, the petitioner filed a request to be in compliance with the ordinance. This change would allow crematoria to be listed as an allowable use in this zoning district.

The applicant was not present this evening.

There was no one wishing to speak on this matter.

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING AT 7:04 P.M. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #3: REPEAL AND RECREATE SECTION 17.39(20)(B) – CBD-3 (SPECIAL CAMPUS DISTRICT PERMITTED USES) & REPEAL AND RECREATE SECTION 17.39(20)(D) – CONDITIONAL USES

MATTER: CONSIDERATION TO REPEAL AND RECREATE SECTION 17.39(20)(B) – CBD-3 SPECIAL CAMPUS DISTRICT PERMITTED USES OF THE CITY OF DELAFIELD MUNICIPAL CODE TO IMPOSE GEOMETRIC LOT STANDARDS AS DESCRIBED 17.39(19)(E) THROUGH 17.39(19)(N). IN ADDITION, "HOTEL" SHALL BE ADDED AS A PERMITTED USE. ALSO, CONSIDERATION TO

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

REPEAL AND RECREATE SECTION 17.39(20)(D) –
CONDITIONAL USES THAT ALL OTHER USES MUST BE
APPROVED AS PLANNED DEVELOPMENTS-CONDITIONAL
USES AS DESCRIBED IN §17.75 THROUGH 17.84
PROVIDED THEY CONFORM TO THE GEOMETRIC
STANDARD AS SET FORTH HEREIN

R. Dupler explained the purpose of this change was to conform to State Statutes that changed a number of zoning district standards originally written regarding uses. Geometric standards had been created for the CBD-3 zoning district. He noted the last item removed requirement that all other uses had to be approved as planned development conditional uses

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

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING AT 7:06 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #4:

REPEAL AND RECREATE SECTION 17.39(27)(D) – B-6 COMMERCIAL HOLDING ZONE

MATTER:

CONSIDERATION TO REPEAL AND RECREATE SECTION 17.39(27)(D) - B-6 COMMERCIAL HOLDING ZONE OF THE CITY OF DELAFIELD MUNICIPAL CODE IN THAT ALL OTHER USES MUST BE APPROVED AS PLANNED DEVELOPMENTS – CONDITIONAL USES AS DESCRIBED IN §17.75 THROUGH 17.84 PROVIDED THEY CONFORM TO THE GEOMETRIC STANDARD AS SET FORTH HEREIN

R. Dupler explained this item also was required by State Statute to provide permitted uses and apply geometric standards. There were a number of text changes originally intended for inclusion within this proposed section that were not listed in the Commission epackets. Revised text to be included will be distributed later in the meeting in consideration of Item 7.

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING AT 7:07 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

PUBLIC HEARING #5: REPEAL AND RECREATE SECTIONS 17.39(15)(A), 17.39(15)(B), 17.39(15)(C), 17.39(15)(D) - R-5 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT - CONDITIONAL USES

MATTER: CONSIDERATION TO REPEAL AND RECREATE SECTIONS 17.39(15)(A), 17.39(15)(B), 17.39(15)(C), 17.39(15)(D), - R-5 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT - CONDITIONAL USES OF THE CITY OF DELAFIELD MUNICIPAL CODE IN THAT ALL OTHER USES MUST BE APPROVED AS PLANNED DEVELOPMENTS - CONDITIONAL USES AS DESCRIBED IN §17.75 THROUGH 17.84 PROVIDED THEY CONFORM TO THE GEOMETRIC STANDARD AS SET FORTH HEREIN

R. Dupler noted this item was similar to Public Hearing Number 4 on this agenda as it related to R-5 permitted uses and geometric lot standards.

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

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING AT 7:08 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #6: CREATE SECTION 17.35(7) - ENVIRONMENTAL CORRIDOR BOUNDARY AND 17.35(8) - WETLAND SETBACK

MATTER: CONSIDERATION TO CREATE SECTIONS 17.35(7) - ENVIRONMENTAL CORRIDOR BOUNDARY AND 17.35(8) - WETLAND SETBACK OF THE CITY OF DELAFIELD MUNICIPAL CODE TO ESTABLISH DEVELOPMENT LIMITATIONS IN PRIMARY ENVIRONMENTAL CORRIDORS AND TO PROTECT WETLANDS

R. Dupler explained both proposed changes were the result of Smart Growth analysis and study. The City had been practicing this policy regarding the Primary Environmental Corridor as a result of the Southeastern Regional Plan Commission (SEWRPC) recommendations related to wetland setbacks. The proposed related action would correct the ordinance to make it part of the City's Zoning Code.

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

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING AT 7:09 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #7: REPEAL AND RECREATE SECTION 17.75(4) – INTENT FOR PLANNED DEVELOPMENT STAGES; REPEAL AND RECREATE SECTION 17.75(5) - INTENT FOR PLANNED DEVELOPMENT DENSITIES; REPEAL AND RECREATE SECTION 17.75(8) - INTENT FOR PLANNED DEVELOPMENT CRITERIA FOR APPROVAL.

MATTER: CONSIDERATION TO REPEAL AND RECREATE SECTION 17.75(4) – INTENT FOR PLANNED DEVELOPMENT STAGES OF THE CITY OF DELAFIELD MUNICIPAL CODE TO DELETE REFERENCE TO “CONDITIONAL USE ONLY DISTRICTS”. ALSO, CONSIDERATION TO REPEAL AND RECREATE SECTION 17.75(5) – INTENT FOR PLANNED DEVELOPMENT DENSITIES OF THE CITY OF DELAFIELD MUNICIPAL CODE TO EXCLUDE DENSITY AVERAGING FROM AGRICULTURAL ZONED PROPERTIES. IN ADDITION, CONSIDERATION TO REPEAL AND RECREATE SECTION 17.75(8) – INTENT FOR PLANNED DEVELOPMENT CRITERIA FOR APPROVAL OF THE CITY OF DELAFIELD MUNICIPAL CODE TO REQUIRE THAT PLANNED DEVELOPMENTS BE UTILIZED ONLY WHERE THE PLAN COMMISSION DETERMINED THAT NATURAL FEATURES WARRANT PRESERVATION AND LIMITATION TO LOT REDUCTION AND GEOMETRIC STANDARDS IS LIMITED TO 70% OF THE UNDERLYING ZONING DISTRICT BULK REGULATIONS

R. Dupler stated this proposed action would prohibit the combination of densities and averaging them any time agricultural land was part of a proposal. Planned unit developments would be allowed when warranted and clustering limits placed as specified.

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING AT 7:11 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

PUBLIC HEARING #8: REPEAL AND RECREATE THOSE SECTIONS OF THE CITY OF DELAFIELD MUNICIPAL CODE IN ALL INSTANCES WHERE THE VERBIAGE “MASTER PLAN” AND/OR “MASTER LAND USE PLAN” OCCURS TO CHANGE THE TEXT TO “COMPREHENSIVE PLAN”

MATTER: CONSIDERATION TO REPEAL AND RECREATE THOSE SECTIONS OF THE CITY OF DELAFIELD MUNICIPAL CODE IN ALL INSTANCES WHERE THE VERBIAGE “MASTER PLAN” AND/OR “MASTER LAND USE PLAN” OCCURS TO CHANGE THE TEXT TO “COMPREHENSIVE PLAN”.

R. Dupler noted this item was also the result of Smart Growth discussions. This proposed action would make all documents consistent with text ordinances. These ordinances and City’s Zoning Map as well as the Smart Growth documents would be consistent by year end.

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING AT 7:12 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. APPROVE PLAN COMMISSION MEETING MINUTES OF SEPTEMBER 30, 2009

C. SMITH MOVED TO APPROVE THE SEPTEMBER 30, 2009 PLAN COMMISSION MEETING MINUTES AS PRESENTED. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. K. FITZGERALD 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.

K. ATTWELL MOVED TO CLOSE CITIZEN’S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:13 P.M. 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.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

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

- a. **DELC 0798.037.001 AND 0798.038.007, 711 WELLS STREET, DELAFIELD.** OWNER: VILLARD COMPANY, INC. C/O JANE LAZYNSKI. APPLICANT: DELAFIELD DESIGN GALLERY. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION TO OPERATE A FURNITURE TRADE AND RETAIL STORE, DELAFIELD DESIGN GALLERY. HOURS OF OPERATION ARE TUESDAY THROUGH SUNDAY, 9:00 A.M. TO 10:00 P.M. WITH 2 PART-TIME AND 1 FULL-TIME EMPLOYEE(S)

Approved. See above.

- b. **DELC 0793.001.003, 440 WELLS STREET, DELAFIELD.** OWNER: ACE DELAFIELD PROPERTIES LLC. APPLICANT: WELLS FARGO ADVISORS. APPLICANT SEEKS APPROVAL TO OPERATE A FINANCIAL ADVISORY BUSINESS, WELLS FARGO ADVISORS. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 4:30 P.M. WITH 9 FULL-TIME EMPLOYEE(S)

Approved. See above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **DELC 0804.994.002 & 0804.994.006, 2863 HERITAGE DRIVE, DELAFIELD.** 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

K. Fitzgerald stated he would abstain from this item.

R. Dupler explained the Staff Report submitted to the Commission in the epacket included six items that required resolution by the applicant. Since that time, a number of those issues had been corrected with revised documentation. Others still remained with resolution necessary prior to approval. Representatives of Wal-Mart were present this evening

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

to provide a presentation on solutions found and requested information on items still remaining for resolution.

Kerry Hardin, of R. A. Smith National, provided information on items discussed in the Staff Report. With regard to the site plan, discussions were still being had with City Staff regarding moving the entrance drive to the far eastern portion of the site with access onto Hillside Drive. City Staff had confirmed the pump house could be eliminated and as a result, consideration was given to moving the driveway to the far eastern portion of the site. This design was still in progress. Constraints still remained in that the entrance drive needed to be wider than was currently planned. In addition, a different backing movement would be necessary for the trucks to properly access the site. Concerns remained regarding width of the driveway, and screening from the Marcus Theater site. This would require additional landscape plantings to provide screening along Hillside Drive.

Lighting for the site was mainly below the maximum average of 1.5 foot candles in the main parking areas; however, some areas did not comply. She shared a photo of a Wal-Mart store in Leavenworth, Kansas, with the same style lighting proposed for this store, noting the light included a uniform look with no illumination directed upward as well as a strong "cut off" that directed light only where needed. In addition, significant energy savings were noted with the LED lighting in the Kansas store.

K. Hardin introduced Chuck Stassi, landscape architect with R.A. Smith National, Jim Gallagher of PB2 and Debbie Tomczyk of Rinehart, Bohner and Van Deuren.

C. Stassi explained the landscape plan for the site included additional landscape planting materials that would replace all deciduous trees with evergreens at an installation height of 14 -16 feet and spaced to allow for mature growth. These Norway spruce trees would mature to achieve a height necessary to screen the rooftop mechanicals from Hillside Drive. In addition, additional plant materials would be moved to the east to accommodate any new design of the driveway. Deciduous and ornamental trees would be planted to provide screening along Hillside drive as well and a hedge of arborvitae planted to screen the loading dock area. All existing plant material would remain in the parking area and would also include additional landscaping on islands as well.

Discussion ensued regarding the time it would take for the trees proposed to reach maturity as well as the average life span of the trees being planted. D. Curtis Costa requested trees be planted with a height of 16 feet.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

With regard to the truck entrance, Mayor McAleer stated he thought the most important aspect of the screening and truck bay was to move the entrance further east to reduce the visual impact on Hillside. He suggested the screen wall be moved further to the east to accommodate the turning radius necessary for the trucks possible.

K. Hardin explained dry good trucks would drop and go with refrigerated trucks taking 20 minutes or less to unload. A truck dock was being added to the site plan and the compactor was being left at its current location due to constraints for pick up and location of a door utilized by third party trucks for deliveries.

Discussion ensued regarding possibilities for relocating the compactor and third party door entrance. J. Gallagher noted various constraints with suggestions presented making it difficult for the compactor to be moved. Screening from Hillside was also discussed as it related to moving the driveway entrance to the eastern portion of the site.

Mayor McAleer requested this item be placed on the November 18, 2009, Plan Commission agenda with potential resolution of these outstanding items to be discussed. He noted consensus was found with the Commission related to lighting at this time.

R. Dupler briefly reviewed the six items still requiring resolution and noted consensus where applicable. First, the landscape plan needed to be addressed with the revised entrance.

K. Attwell questioned whether additional trees were to be planted in the parking area as previously requested since they were not shown on the current plans.

C. Stassi explained there were some trees in the outside road rings that were shade streets. Typically Wal-Mart did not plant trees in islands close to the store due to concerns for people tripping over the curb cuts. R. Dupler noted planting of additional islands would also negatively impact the parking ratios for the site that were required by ordinance.

Consensus was heard on the lighting as it met or exceeded photometric requirements in public right of way areas. R. Dupler also noted Lake Country School had LED lights should any Commissioners wish to view the lighting style. M. DeYoe stated she liked the evenness of the lighting.

Signage was still in process. R. Dupler stated he thought this matter should be removed from the petition until such time as the applicant found resolution with the sign owner.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Rooftop screening had been thoroughly discussed with the request for 14-16 trees to enhance screening of mechanicals on Hillside Drive. The consensus of the Commission regarding color of rooftop mechanicals was to determine a color that would best blend in with the rooftop and surrounding area.

With regard to the loading dock area, the applicant had been asked to modify the screening wall to facilitate easier turning movements for trucks entering the revised driveway. Mayor McAleer requested this information be provided in the final review of this plan.

R. Dupler also noted efforts should continue to provide resolution on interior green spaces and work to shift the compactor if possible. Any approvals of the proposed items should be conditioned upon final engineering approval and a developer's agreement with approval by the Common Council.

The applicants thanked the Commission for its time spent considering this matter.

- b. **DELC 0733.996, N47 W31143 HILL STREET, HARTLAND.**
OWNER/APPLICANT: 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

This item was not discussed at this time due to the absence of the applicant.

G. Gresch noted the applicant had been contacted three times regarding attendance at various Plan Commission meetings for this request and the following item.

- c. **DELC 0733.996, N47 W31143 HILL STREET, HARTLAND.**
OWNER/APPLICANT: RENEE M. EVERT, 170 WARREN AVENUE, HARTLAND, WI. OWNER/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 not discussed at this time due to the absence of the applicant.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- d. **DELC 0793.051, 433 GENESEE STREET, DELAFIELD.**
OWNER/APPLICANT: CHARLES HENRICKS, PO BOX 180101, DELAFIELD. OWNER/APPLICANT SEEKS APPROVAL A REZONE FROM CBD-3 TO CBD-2 IN COMPLIANCE WITH STIPULATIONS OF CBD-3 THAT REQUIRE SINGLE OWNERSHIPS FOR ALL CAMPUS PARCELS

R. Dupler noted the applicant had been in attendance at this meeting, but was no longer present. He went on to explain the request was the result of an inadvertent error somewhere in history that had separated this parcel from the original campus parcel and now was required to have rezoning to comply with stipulations of the CBD-3 zoning district. In addition, the applicant was required to provide his own parking in this matter. While public parking was readily available near this site, Staff had asked the applicant to be willing to provide four parking spaces through land bank parking. A site plan had submitted by the applicant that depicted these parking spaces.

K. ATTWELL MOVED TO APPROVE A REQUEST TO REZONE FROM CBD-3 TO CBD-2 IN COMPLIANCE WITH STIPULATIONS OF CBD-3 THAT REQUIRE SINGLE OWNERSHIPS FOR ALL CAMPUS PARCELS FOR DELC 0793.051, 433 GENESEE STREET, DELAFIELD.

OWNER/APPLICANT: CHARLES HENRICKS, PO BOX 180101, DELAFIELD AND RECOMMEND TO COMMON COUNCIL THE SAME.

L. CHAPMAN SECONDED THE MOTION. D. CURTIS COSTA SUGGESTED THE MOTION INCLUDE VERBIAGE STIPULATING THAT THE LAND WAS BANKED FOR PARKING AS DESIGNATED ON THE SUBMITTED SITE PLAN. WITHOUT OBJECTION FROM THE SECONDER, K. ATTWELL AMENDED THE MOTION TO INCLUDE VERBIAGE NOTING FOUR PARKING SPACES WERE LAND BANKED AS SPECIFIED IN THE APPLICANT'S SUBMITTED SITE PLAN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. **DELC 0825.994, W302N963 MAPLE AVENUE, DELAFIELD.**
OWNER/APPLICANT: HARTLAND SPORTSMAN'S CLUB.
OWNER/APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AMENDMENT FOR THE HARTLAND SPORTSMAN'S CLUB TO EXPAND THEIR HOURS OF OPERATION. CHANGED HOURS OF OPERATION - NEW HOURS WOULD STILL NOT ALLOW SHOOTING ON THE HOLIDAY QUIET DAYS. HOLIDAY QUIET DAYS DEFINED AS: NEW YEAR'S DAY, THANKSGIVING, CHRISTMAS AND EASTER. GENERAL MEMBERSHIP SHOOTING HOURS / KEEP WINTER AND SUMMERTIME HOURS THE SAME: MONDAY 10:00 A.M. TO 4:00 P.M. SAME; TUESDAY 12:00 NOON TO 9:00 P.M. -- ADD ONE HOUR IN SUMMER TIME; THURSDAY 1:00 P.M. TO 9:00 P.M. -- ADD ONE HOUR IN SUMMERTIME; SATURDAY 9:00AM TO 5:00P.M. -- ADD ONE HOUR ALL YEAR LONG; SUNDAY 11 A.M. TILL 4:00 P.M. -- ADD SECOND AND

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

FORTH SUNDAY ALL YEAR LONG; RIM FIRE AND FAST DRAW WAX PROJECTILE SHOOTING HOURS 9:00 A.M. TO 9:00 P.M. 7 DAYS A WEEK

R. Dupler explained the Hartland Sportsman's Club existed under Conditional Use and the request included modification of hours of operation. The Commission needed to determine if this matter constituted a minor change with recommendation to the Common Council of the same. He had asked Russ Meidenbauer, of the Hartland Sportsman's Club, to prepare a presentation for the Commission if needed, and R. Meidenbauer was prepared to do so at this time.

K. ATTWELL MOVED TO APPROVE A REQUEST FOR A BUSINESS PLAN OF OPERATION AMENDMENT FOR THE HARTLAND SPORTSMAN'S CLUB TO EXPAND THEIR HOURS OF OPERATION. CHANGED HOURS OF OPERATION - NEW HOURS WOULD STILL NOT ALLOW SHOOTING ON THE HOLIDAY QUIET DAYS. HOLIDAY QUIET DAYS DEFINED AS: NEW YEAR'S DAY, THANKSGIVING, CHRISTMAS AND EASTER. GENERAL MEMBERSHIP SHOOTING HOURS / KEEP WINTER AND SUMMERTIME HOURS THE SAME: MONDAY 10:00 A.M. TO 4:00 P.M. SAME; TUESDAY 12:00 NOON TO 9:00 P.M. -- ADD ONE HOUR IN SUMMER TIME; THURSDAY 1:00 P.M. TO 9:00 P.M. -- ADD ONE HOUR IN SUMMERTIME; SATURDAY 9:00AM TO 5:00P.M. -- ADD ONE HOUR ALL YEAR LONG; SUNDAY 11 A.M. TILL 4:00 P.M. -- ADD SECOND AND FORTH SUNDAY ALL YEAR LONG; RIM FIRE AND FAST DRAW WAX PROJECTILE SHOOTING HOURS 9:00 A.M. TO 9:00 P.M. 7 DAYS A WEEK FOR DELC 0825.994, W302N963 MAPLE AVENUE, DELAFIELD. OWNER/APPLICANT: HARTLAND SPORTSMAN'S CLUB AS A MINOR CHANGE AND RECOMMENDED TO COMMON COUNCIL THE SAME. L. CHAPMAN SECONDED THE MOTION. D. CURTIS COSTA QUESTIONED WHETHER ANY COMPLAINTS RELATED TO NOISE HAD BEEN RECEIVED SINCE THE NOISE ABATEMENT MEASURES HAD BEEN UNDERTAKEN AT THE CLUB. K. ATTWELL NOTED CHANGES COULD BE MADE AT A FUTURE DATE IF ANY COMPLAINTS WERE RECEIVED. MAYOR MC ALEER NOTED R. MEIDENBAUER HAD A PRESENTATION READY AT THIS TIME. R. MEIDENBAUER PROVIDED A PRESENTATION TO THE COMMISSION ON RECENT CHANGES TO THE HARTLAND SPORTSMAN'S CLUB RELATED TO NOISE ABATEMENT MEASURES AND OTHER PROGRAMS OFFERED BY THE CLUB. AFTER THE PRESENTATION, DISCUSSION ENSUED BY THE COMMISSION REGARDING WHETHER THIS ITEM SHOULD HAVE TO RETURN AFTER ONE YEAR'S TIME FOR FURTHER CONSIDERATION. **D. CURTIS COSTA MOVED TO AMEND THE ORIGINAL MOTION MADE BY K. ATTWELL TO RECOMMEND APPROVAL TO THE COMMON COUNCIL FOR THE CHANGE FOR A PERIOD OF ONE YEAR WITH RECONSIDERATION OF THE REQUEST AT THAT TIME. MOTION**

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

FAILED FOR LACK OF A SECOND. MAYOR MC ALEER EXPLAINED THE ORIGINAL MOTION STILL REQUIRED A VOTE. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **DELCO 0794.015.001, 134 ENTERPRISE ROAD, DELAFIELD. OWNER: RICHARD STYZA. APPLICANT: GRANT SIGNS – ERIC MARTY, 5119 TERMINAL DRIVE, MCFARLAND.** APPLICANT APPEALS TO THE PLAN COMMISSION TO OVERTURN RECOMMENDATIONS OF STAFF FOR SIGNAGE FOR DELAFIELD STORAGE

Eric Marty, sales representative for Grant Signs, stated he was present to appeal to the Plan Commission to overturn the recommendations of Staff for signage for Delafield Storage. All signage requested was approved with the exception of the signage with the directional arrow, and the panels with phone numbers and credit card logos. The directional arrow had been requested as he thought the entrance would not be easily found and people should be directed to the appropriate area. The credit card logos were not advertising the sale of a product but were simply there to offer that this type of payment was offered to customers.

Richard Styza, applicant, stated he had hired Grant Signs in Madison four years ago to provide signage for a building that was very similar in situation to the building in Delafield. The use of the proposed signage had increased business in the Madison location and he was hopeful the same would take place in this location as the previous owner had not been successful with the business. He thought the business was difficult to locate within the area and he wished the Cushing Park commercial signage listed all businesses included in the park area. He thought the people that required his service would find it difficult to locate the appropriate area for storage and were often rather impulsive in the decision for storage needs, thus making the credit card logos imperative.

Discussion ensued regarding various options for signage for this location. Mayor McAleer stated he thought it was important to be consistent with signage throughout the City.

R. Styza stated he was aware of the signage throughout the City, but he thought it interesting that the City had labeled the library with a directional arrow even though it was 25 feet from the street. E. Marty stated signage with directional arrows was shown on ground signs in the commercial park area as well.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Further discussion ensued on this matter. Options for signage included the use of a sign mounted on the fence, or on posts to conform to City ordinances. It was suggested that the applicant return to Staff to determine what signage would accommodate the ordinance and the applicant's needs in this case.

K. ATTWELL MOVED TO REQUEST THE APPLICANT WORK WITH CITY STAFF TO DETERMINE THE ALLOWABLE SIGNAGE FOR DELAFIELD STORAGE LOCATED AT DELC 0794.015.001, 134 ENTERPRISE ROAD, DELAFIELD. OWNER: RICHARD STYZA. APPLICANT: GRANT SIGNS – ERIC MARTY, 5119 TERMINAL DRIVE, MCFARLAND. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0794.988, 22 WEST MAIN STREET, DELAFIELD.**
OWNER/APPLICANT: KURT AMIDZICH, 22 WEST MAIN STREET, DELAFIELD. OWNER/APPLICANT SEEKS APPROVAL TO MODIFY SIGN PANEL AND STRUCTURE OF A LEGAL NON-CONFORMING SIGN FOR KURT'S STEAK AND SEAFOOD RESTAURANT.

R. Dupler explained the existing signage for this location was non-conforming due to the setback from the right of way. The request was to make the sign a monopole; however, this request needed to go through the Board of Zoning Appeals process for consideration.

Mayor McAleer thought this modification was helpful in that it provided a reduction in the non-conformity.

Tony McGuire, 1642 Hillcrest, for Delafield Signtronics, representing the applicant, stated the proposed sign panel would be internally lit and would be placed further from the road and downsized by approximately eight square feet. The sign would depict a grilled steak with flames behind it and would be a positive cosmetic change to the current signage. In addition, the current sign was beginning to physically deteriorate as the sign was mounted between two poles and had been bent. The proposed signage would dress the pole and have one square black pole with signage atop it.

The Commission gave consensus for support of the proposed sign changes.

Mayor McAleer recessed the meeting at 9:02 p.m. and reconvened at 9:05 p.m.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

6. PRELIMINARY

None.

7. ZONING AND ORDINANCE REVISION

- a. DISCUSSION AND ACTION TO ADOPT ORDINANCE NO. 617, AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 17.39(30)(B), 17.39(30)(C), 17.39(30)(CC) & 17.39(30)(D) - P-1 (PUBLIC & SEMI-PUBLIC USE DISTRICT) OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, TO ADD "CREMATORIA" AS AN ALLOWED CONDITIONAL USE AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

K. ATTWELL MOVED TO ADOPT ORDINANCE NO. 617, AN ORDINANCE TO REPEAL AND RECREATE SECTIONS 17.39(30)(B), 17.39(30)(C), 17.39(30)(CC) & 17.39(30)(D) - P-1 (PUBLIC & SEMI-PUBLIC USE DISTRICT) OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, TO ADD "CREMATORIA" AS AN ALLOWED CONDITIONAL USE AND RECOMMEND TO THE COMMON COUNCIL THE SAME. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. DISCUSSION AND ACTION TO ADOPT ORDINANCE NO. 618, AN ORDINANCE REPEAL AND RECREATE SECTIONS 17.39(15)(A), 17.39(15)(B), 17.39(15)(C), 17.39(15)(D) - R-5 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT – CONDITIONAL USES, OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

K. ATTWELL MOVED TO ADOPT ORDINANCE NO. 618, AN ORDINANCE REPEAL AND RECREATE SECTIONS 17.39(15)(A), 17.39(15)(B), 17.39(15)(C), 17.39(15)(D) - R-5 PLANNED RESIDENTIAL DEVELOPMENT DISTRICT – CONDITIONAL USES, OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMEND TO THE COMMON COUNCIL THE SAME. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- c. DISCUSSION AND ACTION TO ADOPT ORDINANCE NO. 619, AN ORDINANCE TO CREATE SECTIONS 17.35(7) – ENVIRONMENTAL CORRIDOR BOUNDARY AND 17.35(8) – WETLAND SETBACK, OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

K. ATTWELL MOVED TO ADOPT ORDINANCE NO. 619, AN ORDINANCE TO CREATE SECTIONS 17.35(7) – ENVIRONMENTAL CORRIDOR BOUNDARY AND 17.35(8) – WETLAND SETBACK, OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMEND TO THE COMMON COUNCIL OF THE SAME. M. DEYOE SECONDED THE MOTION. D. CURTIS COSTA NOTED THERE SHOULD BE ONE DWELLING UNIT PER EACH FIVE ACRES OF LAND AND SHE QUESTIONED WHETHER ADDITIONAL VERBIAGE SHOULD BE PLACED IN THE ORDINANCE TO SPECIFY THE INTENT OF THE OWNERSHIP. DISCUSSION ENSUED REGARDING WHETHER ENVIRONMENTAL LAND SHOULD BE KEPT TOGETHER AND LOTS CLUSTERED AS A RESULT OF THIS ORDINANCE. R. DUPLER PROVIDED CLARIFICATION ON THESE ISSUES. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- d. DISCUSSION AND ACTION TO ADOPT ORDINANCE NO. 620, AN ORDINANCE TO REPEAL AND RECREATE ALL SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, IN ALL INSTANCES WHERE THE VERBIAGE “MASTER PLAN” AND/OR “MASTER LAND USE PLAN” OCCURS TO CHANGE THE TEXT TO “COMPREHENSIVE PLAN”, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

K. ATTWELL MOVED TO ADOPT ORDINANCE NO. 620, AN ORDINANCE TO REPEAL AND RECREATE ALL SECTIONS OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, IN ALL INSTANCES WHERE THE VERBIAGE “MASTER PLAN” AND/OR “MASTER LAND USE PLAN” OCCURS TO CHANGE THE TEXT TO “COMPREHENSIVE PLAN”, AND RECOMMEND TO THE COMMON COUNCIL OF THE SAME. M. DEYOE SECONDED THE MOTION. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

Without objection from the Commission, Mayor McAleer moved to Item 7f on the agenda for this meeting.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- e. DISCUSSION AND ACTION TO ADOPT ORDINANCE NO. 621, AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.39(27) - B-6 COMMERCIAL HOLDING ZONE, OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

K. ATTWELL MOVED TO ADOPT ORDINANCE NO. 621, AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.39(27) - B-6 COMMERCIAL HOLDING ZONE, OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMEND TO THE COMMON COUNCIL THE SAME. M. DEYOE SECONDED THE MOTION. MAYOR MC ALEER STATED HE WOULD LIKE TO INCLUDE THE ORIGINAL LIST AND PLANNED UNIT DEVELOPMENTS. R. DUPLER DISTRIBUTED A SHEET THAT REINSERTED VERBIAGE THAT WAS INADVERTENTLY DELETED THE LAST TIME THE ORDINANCE HAD BEEN EDITED. K. FITZGERALD CLARIFIED THAT THERE WERE PERMITTED USES AND NO CONDITIONAL USES EXCEPT PLANNED DEVELOPMENT IN THIS HOLDING ZONE. ALSO, A DISCREPANCY WAS NOTED IN THE SIDEYARD SETBACKS REFERENCED IN CERTAIN PARTS OF THE ORDINANCE AS PROPOSED. R. DUPLER EXPLAINED THE APPROPRIATE SIDEYARD SETBACK, NOTING MODIFICATION WAS NEEDED WITHIN CERTAIN BULLET POINTS IN THIS SECTION.

K. ATTWELL WITHDREW HIS MOTION. M. DEYOE WITHDREW HER SECOND.

K. FITZGERALD MOVED TO ADOPT ORDINANCE NO. 621, AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.39(27) - B-6 COMMERCIAL HOLDING ZONE, OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, WITH REVISION TO SECTION 7A, BULLET POINT 3, TO STATE "THE MINIMUM INTERIOR SIDEYARD SETBACK TO 10 FEET UNLESS THE SIDEYARD IS ADJACENT TO A RESIDENTIAL DISTRICT IN WHICH CASE THE MINIMUM SIDEYARD SETBCK IS 25 FEET," AND THE PERMITTED USES LISTED IN SECTION 17.38 (27)(C) SHOULD STATE "ALL USES PERMITTED IN THE B-2 AND B-3 DISTRICTS ARE PERMITTED IN THE B-6 DISTRICT AND IN ADDITION TO USES INDICATED IN 17.37, PROVIDED THEY CONFORM TO THE GEOMETRIC STANDARD AS SET FORTH IN 17.39 (24)(F) THROUGH 17.39 (24) (M) AND AS DESCRIBED IN SECTION (E)(2) BELOW, AND THE FOLLOWING LIST OF PERMITTED USES" AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. M. DEYOE SECONDED THE MOTION. THERE WAS NO MORE DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- f. DISCUSSION AND ACTION TO ADOPT ORDINANCE NO. 622, AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.39(20) – CBD-3 SPECIAL CAMPUS DISTRICT OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

K. ATTWELL MOVED TO ADOPT ORDINANCE NO. 622, AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.39(20) – CBD-3 SPECIAL CAMPUS DISTRICT OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMEND TO THE COMMON COUNCIL THE SAME. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- g. DISCUSSION AND ACTION TO ADOPT ORDINANCE NO. 622, AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.39(20) – CBD-3 SPECIAL CAMPUS DISTRICT OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME

K. ATTWELL MOVED TO ADOPT ORDINANCE NO. 622, AN ORDINANCE TO REPEAL AND RECREATE SECTION 17.39(20) – CBD-3 SPECIAL CAMPUS DISTRICT OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, AND RECOMMEND TO THE COMMON COUNCIL THE SAME. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Without objection from the Commission, Mayor McAleer moved to Item 7e.

- h. DISCUSSION REGARDING PROPOSED ZONING DISTRICT CHANGES TO BE CONSISTENT WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN

R. Dupler explained there were certain proposed zoning district changes, specifically numbers 42 and 52 on the list of proposed zoning changes previously distributed to Commissioners. Number 42 was the athletic fields at St. John's Northwestern Military Academy and should remain as RE-1 for the zoning district. Number 52 was the Nashotah House and should be labeled RL-1A. R. Dupler explained there would be one public hearing held regarding all the legal changes necessary to correctly modify the Comprehensive Plan. Attorney Hammes will review all changes prior to the public hearing.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Mayor McAleer confirmed all neighbors within 250 feet of all properties requiring change would be notified in advance of the public hearing.

K. Fitzgerald noted the purpose of these changes was to make the Land Use and Zoning Map match. He was concerned that the Corridor Agreement should also match the Land Use and Zoning Map. K. Fitzgerald noted several areas that should be checked for accuracy, including the Waterleaf area with old farmstead and surrounding neighbors, and the Geeson property.

Mayor McAleer stated the intent of the Corridor Compact Agreement was to provide the Geeson property with B-6 zoning, and he was concerned that the Agreement required amendment in a more formal manner than was being discussed. He suggested further research be conducted on the Geeson parcel and a process to work with the City Attorney should be followed.

R. Dupler noted the public hearing on these changes was scheduled for the December 16, 2009 Plan Commission meeting.

8. HEARING DATES

G. Gresch stated there was one public hearing slated for the November 18, 2009 Plan Commission agenda related to a request for a boathouse. She noted this item could be removed from the agenda should the Board of Zoning Appeals make a determination on this matter prior to the next Commission meeting.

9. ADMINISTRATOR'S REPORT

T. Schuenke stated there was nothing to report on at this time.

10. PLANNER'S REPORT

R. Dupler stated there was nothing further to report on at this time.

11. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date was 18, plus 1 occupancy permit this month including 1 new single family home permit.

12. BOARD OF ZONING APPEALS

G. Gresch noted there were two items slated for the Board of Zoning Appeals Meeting Agenda on November 11, 2009.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

13. CORRESPONDENCE

None.

14. ADJOURNMENT

K. ATTWELL MOTIONED TO ADJOURN THE OCTOBER 28, 2009 PLAN COMMISSION MEETING AT 9:41 P.M. K. FITZGERALD SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.