

CITY OF DELAFIELD PLAN COMMISSION MINUTES

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Phil Schuman
Larry Chapman
Michael Frede (entered 7:01 p.m.)
Dan Jashinsky
Ron Miskelley
Chrys Mursky
Keith Strege
Roger Dupler, Planner
Gina Gresch, Clerk-Treasurer
Marilyn Czubkowski, City Administrator

Absent

Tom Maney, Building Inspector

PUBLIC HEARING #1: DELC 0783.983

CONDITIONAL USE PUBLIC HEARING FOR PROPERTY OWNED BY THE NAGAWICKA LAKE YACHT CLUB, 1131 MARINER DRIVE, HARTLAND, WI 53029. APPLICANT'S AGENT GERRY MAIER, 330 STONERIDGE ISLE, DELAFIELD, WI 53018, REQUESTS A CONDITIONAL USE TO UPGRADE THEIR FACILITY AND MAKE IMPROVEMENTS FOR ADA ACCESS. THE YACHT CLUB IS A HISTORIC INSTITUTION IN THE CITY OF DELAFIELD AND PREDATES CITY INCORPORATION. AS SUCH IT HAS EXISTED AS A LEGAL NON-CONFORMING USE. THIS CONDITIONAL USE WILL BRING THE YACHT CLUB INTO COMPLIANCE WITH CITY OF DELAFIELD ZONING CODE. THIS PROPERTY IS CURRENTLY ZONED RL-2 (RESIDENTIAL LAKE – SINGLE FAMILY).

Mayor Schuman asked three times if there were any citizens who wished to speak. There were none.

R. MISKELLEY MOTIONED TO CLOSE THE PUBLIC HEARING. K. STREGE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #2: DELC 0742.987

CONDITIONAL USE PUBLIC HEARING FOR PROPERTY OWNED BY ALLEN STORAGE LLC, PO BOX 130, NASHOTAH, WI 53058; APPLICANT IS MOJO MARINE, 220 WATERTOWN PLANK ROAD, NASHOTAH, WI 53058. APPLICANT'S AGENT BADGER LIGHTING & SIGNS, 19355 JANACEK CT. #201, BROOKFIELD, WI 53045, REQUESTS A CONDITIONAL USE TO ALLOW SIGNAGE ABOVE THE WALL OF THE FLAT-ROOF BUILDING. PER CITY OF DELAFIELD ZONING CODE, SIGNS ABOVE

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THE WALL OF THE BUILDING CONSTITUTE A ROOF SIGN, REQUIRING A CONDITIONAL USE. THIS PROPERTY IS CURRENTLY ZONED M1 (INDUSTRIAL).

Mayor Schuman asked three times if there were any citizens who wished to speak. There were none.

K. STREGE MOTIONED TO CLOSE THE PUBLIC HEARING. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PUBLIC HEARING #3: DELC 0742.999

CONDITIONAL USE PUBLIC HEARING FOR PROPERTY OWNED BY RICHARD & J GARDNER, N47W32811 OAKWOOD AVE, NASHOTAH, WI 53058. APPLICANT JASON DAVIS, 172 MAIN STREET, SULLIVAN, WI 53178, FOR MOTORSPORTS SERVICE & PARTS, LOCATED AT W11 EAST WISCONSIN AVENUE, NASHOTAH, WI 53058, REQUESTS A CONDITIONAL USE FOR MOTORSPORTS PARTS RETAIL AND SERVICE BUSINESS. MOTORSPORT RELATED PARTS AND RETAIL INCLUDES HELMETS, TIRES, BATTERIES, GLOVES, CHAINS, PROPS, LIFE VESTS, ETC. MOTORSPORT SERVICE INCLUDES SMALL ENGINE (ATVS, WATERCRAFTS, SNOW-BLOWERS AND GENERATORS), TRANSMISSION REPAIR, TIRE MOUNTING & BALANCING, IMPELLER & PUMP REPAIR, CARBURETOR & FUEL INJECTION CLEANING, AND THE INSTALLATION OF PARTS AND ACCESSORIES. THIS PROPERTY IS CURRENTLY ZONED B-4 (GENERAL BUSINESS).

Mayor Schuman asked three times if there were any citizens who wished to speak. There were none.

D. JASHINSKY MOTIONED TO CLOSE THE PUBLIC HEARING. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. APPROVE PLAN COMMISSION MEETING MINUTES OF MARCH 26, 2008.

L. CHAPMAN MOTIONED TO APPROVE THE MINUTES FROM THE MARCH 26, 2008 MEETING. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. D. JASHINSKY ABSTAINED. MOTION CARRIED.

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

No citizens wished to speak.

3. CONSENT AGENDA (RECOMMENDED APPROVALS IN ACCORDANCE WITH THE STAFF REPORT).

None.

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4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL.

- a. **TAX KEY 0783.983, 1131 MARINER DRIVE, HARTLAND.** OWNER/APPLICANT: NAGAWICKA LAKE YACHT CLUB. APPLICANT SEEKS APPROVAL FOR A CONDITIONAL USE PERMIT FOR THE NAGAWICKA LAKE YACHT CLUB, TO UPGRADE THEIR FACILITY AND MAKE IMPROVEMENTS FOR ADA ACCESS.

R. Dupler reviewed. The building is legally nonconforming. Modifications are wished to be made to increase value of property and to bring the facility into ADA compliance. The nonconformity issue will not be increased. He recommended approval.

Mayor Schuman and L. Chapman recused themselves from discussion on this matter.

G. Maier stated that the Yacht Club would be willing to combine lots if necessary, but felt that they would always be there and did not see a need to do this. The foundation of the building is proposed to be in the same footprint of the building. The proposed addition is small and would bring the building's restaurant into ADA compliance. The wheelchair access to the building would be improved. C. Mursky addressed the possibility of incorporating a rain garden into the plans. R. Dupler agreed that it would be an act of good will on the part of the Yacht Club to incorporate one. G. Maier stated that there was an area on the property that already acted as a rain garden. He did not feel that a rain garden needed to be imposed upon the property at this time. R. Dupler clarified that the landscape plan had not been assessed for a rain garden but that Staff would do so. It was stated that the new proposed boathouse code required rain gardens. C. Mursky stated that since the Yacht Club is adding onto the building, impervious surface would be increased and a rain garden should be incorporated. M. Frede felt that government entities should not impose their will on property owners. When asked, M. Frede stated that the Plan Commission's duty is to make sure that the development of the City complies with the vision of the City. R. Miskelley stated that he is not aware of any complaints regarding discharge from the Yacht Club property, that the Yacht Club was and has been good stewards, and under a broader definition have fulfilled the requirements of a rain garden. He did not think any more undue burden should be put on the Yacht Club. G. Maier stated that the addition is very small.

M. FREDE MOTIONED TO RECOMMEND TO COUNCIL FOR A CONDITIONAL USE PERMIT AS PRESENTED. K. STREGE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. C. MURSKY OPPOSED. MOTION CARRIED.

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- b. **TAX KEY 0742.987, 220 WATERTOWN PLANK ROAD, NASHOTAH.**
OWNER: ALLEN STORAGE LLC. APPLICANT: MOJO MARINE.
APPLICANT SEEKS A CONDITIONAL USE PERMIT FOR MOJO MARINE
TO ALLOW SIGNAGE ABOVE THE WALL OF THE FLAT-ROOF
BUILDING.

R. Dupler stated that the Petitioner was present in February for a conditional use to operate a marina. The Petitioner is asking for reconsideration of the Plan Commission's February recommendation. This would be considered a major change which is why the public hearing took place. Staff has reviewed and found that there is no justification for the raised sign. The added height does not increase visibility to a great extent. Signage as previously approved is adequate. He recommended denial of the request.

Petitioner stated that the proposed signage would increase visibility in this area on Highway 16.

L. Chapman recused himself from this item.

R. MISKELLEY MOTIONED TO RECOMMEND DENIAL OF THE SIGNAGE ABOVE THE WALL TO THE COUNCIL. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. MOTION CARRIED.

- c. **TAX KEY 0742.999, W11 EAST WISCONSIN AVENUE, NASHOTAH.**
OWNER: RICHARD & J GARDNER. APPLICANT: JASON DAVIS.
APPLICANT SEEKS A CONDITIONAL USE PERMIT FOR MOTORSPORTS SERVICE & PARTS FOR MOTORSPORTS PARTS RETAIL AND SERVICE BUSINESS.

R. Dupler stated that a conditional use is necessary since it was identified that service of watercraft (marine items) would take place. Because this did not come before Staff or the Plan Commission, site plans, screenings, noise abatement had not been reviewed with the Petitioner. He noted that there were many like uses in the area in addition to residents. He recommended that the Petitioner come back (if approved) to address the standard business plan of operation items for consideration. M. Czubkowski stated that a plot plan and business plan of operation has been submitted. R. Dupler stated that the minimal amount of required information had been submitted.

L. Chapman discussed the former use of the building. R. Miskelley stated that the other documents were needed to make a ruling or policing action later on. J. Davis stated that he is the business owner/operator. This is an appointment only business and would be indoor service. He stated that he would not make any changes to the building. R. Dupler reviewed the items that would need to be included on a site plan.

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R. MISKELLEY MOTIONED THAT IT WAS THE CONSENSUS OF THE PLAN COMMISSION THAT THEY WERE IN FAVOR OF THE CONDITIONAL USE PERMIT FOR THIS SITE CONTINGENT ON ALL REQUIREMENTS OF THE BUSINESS PLAN OF OPERATION BEING REVIEWED AND APPROVED. K. STREGE SECONDED THE MOTION. C. MURSKY MADE A FRIENDLY AMENDMENT TO INCLUDE THE SITE PLAN. R. MISKELLEY AND K. STREGE AGREED TO THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL.

- d. **TAX KEY 0792.065.001, 1101 N. GENESEE STREET, DELAFIELD. OWNER/APPLICANT: ST. JOHN'S NORTHWESTERN MILITARY ACADEMY.** OWNER/APPLICANT SEEKS A CONSIDERATION OF A PRELIMINARY MASTER PLAN AND SITE PLAN AMENDMENT.

Documents were distributed to the Plan Commissioners at the meeting. K. Smits, Vice President of the Academy, was present at the meeting and reviewed the athletic facilities and the issue of the conditional use permit. They met with Staff last week. He stated that there were minor changes made to the Master Plan and these will be supplied to the City. As adjustments are made to the Master Plan, they will resubmit as necessary. Some of the future building sites would not take place in the immediate future, but were potential long range items for the master plan. He reviewed their Master Plan. Their short term focus is the improvement of their athletic facilities; the phases to accomplish this were reviewed with the Plan Commission. They are working together with the City on various events that in the past have been held on their property. The language on the conditional use permit needs to be updated and modernized – St. John's is ready and willing to work with the City on this.

R. Dupler recommended approval of the preliminary master plan approved contingent on a set amount of time for resolution of the conditional use permit language and that the final vacation of land be considered when the Academy is ready to have a finalized master plan.

K. Smits stated that they would like to start on the work on the parade field as soon as possible; they would come back to the city for each phase of the project.

M. FREDE MOTIONED TO ACCEPT THE PARADE FIELD AND ATHLETIC FIELD IMPROVEMENTS. L. CHAPMAN SECONDED THE MOTION. DISCUSSION TOOK PLACE ON THE TIMEFRAME FOR MODERNIZING THE LANGUAGE IN THE CONDITIONAL USE PERMIT. M. FREDE AMENDED THE MOTION TO ACCEPT THE PRELIMINARY

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MASTER PLAN. L. CHAPMAN AGREED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. ADJOURNMENT.

Mayor Schuman stated that this was his and D. Jashinsky's last meeting. He thanked D. Jashinsky and R. Miskelley (Common Council mayoral appointment) for their service. The Commission applauded Mayor Schuman. The next Plan Commission meeting will be held on April 30, 2008.

D. JASHINSKY MOTIONED TO ADJOURN FROM THE MEETING. R. MISKELLEY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 8:08 P.M.

Minutes prepared by:

Accurate Business Communications, Inc.