

**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 (arrived at 7:02 p.m.)  
Michael Frede  
Kevin Fitzgerald  
Tim Schuenke, City Administrator  
Gina Gresch, Clerk-Treasurer  
Tom Maney, Building Inspector  
Roger Dupler, Planner

Absent

Beth Leonard

Also present

Marilyn Czubkowski

1. APPROVE PLAN COMMISSION MEETING MINUTES OF JULY 30, 2008 & AUGUST 13, 2008

**K. ATTWELL MOTIONED TO APPROVE PLAN COMMISSION MEETING MINUTES OF JULY 30, 2008 AS AMENDED ON PAGE 2, ITEM 3, CHANGE “K. ATTWELL REQUESTED ITEM 3A BE REMOVED FROM THE CONSENT AGENDA” TO “K. FITZGERALD REQUESTED ITEM 3A BE REMOVED FROM THE CONSENT AGENDA” AND TO APPROVE THE PLAN COMMISSION MEETING OF AUGUST 13, 2008, AS PRESENTED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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

Gary Nuremberg, owner of the BP gas station on the corner of Genesee Street and Main Street stated he was concerned about the proposed development of the roadway behind City Hall. He thought for safety reasons there should be no new entrances or exits from Genesee Street. He also suggested traffic be directed to enter Genesee Street from other routes.

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**K. ATTWELL MOTIONED TO CLOSE THE CITIZEN'S COMMENTS PORTION OF THE MEETING AT 7:03 P.M. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA

D. Curtis-Costa questioned Item 3B. R. Dupler explained this item was on the agenda as appropriate requests regarding a Business Plan of Operation had not transitioned at the time of relocation and were now being recognized and addressed.

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

- a. **TAX KEY 0798.966, 408 GENESEE STREET, DELAFIELD.** OWNER: TOM AUL. APPLICANT: JOHN GEHLHAART, GEHLHAART FINANCIAL MANAGEMENT, LLC. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AMENDMENT FOR A FINANCIAL SERVICES BUSINESS, GEHLHAART FINANCIAL MANAGEMENT, LLC. MORE SPECIFICALLY, THE APPLICANT IS MOVING THE BUSINESS FROM 826A GENESEE STREET TO 408 GENESEE STREET. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 5:00 P.M. WITH 1 FULL-TIME EMPLOYEE.
- b. **TAX KEY 0793.014.003, 505 WELLS STREET, DELAFIELD.** OWNER: ACE DELAFIELD PROPERTIES. APPLICANT: CHRIS LEHMKUHL FOR WELLS STREET TAVERN. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AMENDMENT FOR A RESTAURANT, WELLS STREET TAVERN. MORE SPECIFICALLY THE AMENDMENT IS FOR A CHANGE OF OWNERSHIP. HOURS OF OPERATION AND EMPLOYEES REMAIN THE SAME.
- c. **TAX KEY 0793.014.008, 637 GENESEE STREET, DELAFIELD.** OWNER: ACE DELAFIELD PROPERTIES. APPLICANT: ISB ACQUISITIONS FOR GAGLIANO'S MARKET. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AMENDMENT FOR A GROCERY STORE, GAGLIANO'S. MORE SPECIFICALLY THE AMENDMENT IS FOR A CHANGE OF OWNERSHIP. HOURS OF OPERATION AND EMPLOYEES REMAIN THE SAME.
- d. **TAX KEY 0793.989.006, 415 GENESEE STREET, DELAFIELD.** OWNER: ROBERT LANG. APPLICANT: ANDREW'S BAR & RESTAURANT. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A RESTAURANT, ANDREW'S BAR &

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RESTAURANT. HOURS OF OPERATION ARE WEEKDAYS 7:00 A.M. TO 2:00 A.M., SATURDAY 7:00 A.M. TO 2:00 A.M., AND SUNDAY 7:00 A.M. TO 2:00 A.M. WITH 20 PART-TIME EMPLOYEES AND 19 FULL-TIME EMPLOYEES.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

a. DISCUSSION AND ACTION TO RECOMMEND TO COMMON COUNCIL TO APPROVE A MASTER PLAN OVERLAY FOR ROAD DESIGN WITHIN THE AREA AFFECTED BY THE DEVELOPMENT MORATORIUM

R. Dupler explained that modifications to a street pattern east of City Hall were being proposed to provide a loop connection that would allow the proposed roadway to connect to Wells Street and link up to Lapham Peak Road. This proposed pattern was the result of citizen comments received as part of a public hearing and as a result of analysis by City Staff. This option was facilitated by the affected land owner who had offered to raze an existing house in order to facilitate an intersection with Jensen Court. In this way, the proposed roadway would allow a fluid connection and extension from Genesee Street to Lapham Peak Road. It was also noted this roadway would accommodate single-family lotting in the area.

Mayor McAleer questioned whether a change in the road pattern would introduce a new intersection on Genesee Street. R. Dupler confirmed it would not; however, it was important to understand potential future planning needs might require an entrance or exit onto Genesee Street to allow ingress and egress from the proposed City Hall campus. In addition, R. Dupler stated that comments heard from area neighbors specifically related to maintenance of a "pedestrian traffic only" stub to minimize cut-through traffic in the area, were also heard at the public hearing on this matter. He thought these proposed plans helped to mitigate most of the concerns and issues related to Staff by residents on these topics. It was also noted the ball fields in the area would not be impacted as a result of the proposed roadway. Final engineering would need to take place on this matter.

M. Frede questioned what the intersection of Wells Street, Bleeker Street and the loop configuration would look like. R. Dupler explained the proposed roadway would be an extension of Wells Street from Bleeker Street eastward through parcels south of the WEPCO right of way along the north side of the American Legion via Kenora Road, and link to Lapham Peak Road at the intersection of Jensen Court. Immediately south of the Bleeker/Wells intersection a neighborhood service road would loop to the south through undeveloped parcels and reconnect to the proposed extension of Wells Street near the west side of the American Legion lot.

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**K. ATTWELL MOTIONED TO RECOMMEND TO COMMON COUNCIL TO APPROVE A MASTER PLAN OVERLAY FOR ROAD DESIGN WITHIN THE AREA AFFECTED BY THE DEVELOPMENT MORATORIUM AS PRESENTED. D. CURTIS-COSTA SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

John Wyssling, 505 N. Lapham Peak Road, questioned the width of Kenora Drive. R. Dupler stated he was a bit uncertain at this time, however a standard roadway would be 24 feet wide.

- b. DISCUSSION AND ACTION OF REQUEST FROM REINHART ATTORNEYS AT LAW FOR CHANGE OF LAND USE FOR FOXWOOD ESTATES ADDITION #1 WITHIN THE AREA OF THE LAKE COUNTRY CORRIDOR COMPACT, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME.

At the request of the applicant, this item was removed from the agenda.

- c. DISCUSSION AND DETERMINATION OF MINOR VERSUS MAJOR CHANGE TO THE ST. JOHN'S NORTHWESTERN MILITARY ACADEMY CONDITIONAL USE, **TAX KEY 0792.065.001, 1101 GENESEE STREET, DELAFIELD.** OWNER/APPLICANT: ST. JOHN'S NORTHWESTERN MILITARY ACADEMY REQUESTS THE ADDITION OF A WELL HOUSE, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME.

R. Dupler noted a representative of the petitioner was present this evening and available for questions. R. Dupler explained the petitioner requested the addition of a well house as part of a revision to the site plan for the Academy. Since the Department of Natural Resources (DNR) required mandatory compliance with regulations regarding the proposed well site, equipment for the well service could not be completed as originally planned. As a result, a request for a well house was needed. He noted the proposed well house would be constructed with the same setback currently allowed for the buildings on site. These setbacks were non-conforming with regard to the front setback from a public roadway. Due to the request being of an essential nature and with special consideration given to the current setbacks for the buildings on site, R. Dupler noted this request would be a minor change to the Conditional Use permit for the site and should be allowed.

**K. ATTWELL MOTIONED TO APPROVE THE ADDITION OF A WELL HOUSE, CONTINGENT UPON ACCEPTANCE OF THE PROPOSED MATERIALS BY CITY STAFF. L. CHAPMAN SECONDED THE MOTION AND CONFIRMED THE MOTION INCLUDED RECOMMENDATION OF**

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**A MINOR CHANGE TO THE CONDITIONAL USE FOR THE SITE. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- d. DISCUSSION AND POSSIBLE ACTION ON A REQUEST BY DREAM KITCHENS TO MODIFY THE EXISTING SIGN PROGRAM FOR THE MULTI-TENANT DESIGN MART AND ADDITION OF A NEW PERMANENT SIGN DISPLAY.

R. Dupler explained the petitioner had requested additional ground signage for advertisement of special sale events. He then displayed an example of the temporary signage on the site. Signage on the site had been occurring for several years without formal approval by the City and what had once begun as an approved temporary sign had now become a permanent illegal sign. The current location of the sign was non-conforming with respect to setback requirements and if the petitioner would like to formally request signage for the site, the setbacks would require change. He also expressed concern for setting a precedent by allowing the sign to remain in its current form.

K. Fitzgerald questioned the responsibility of enforcement of the sign ordinance regulations in this case. R. Dupler explained that while the task would be an administrative one, the Plan Commission would still need to request that action take place.

**K. ATTWELL MOTIONED TO DENY THE REQUEST AND INSTRUCTED THE CITY ADMINSTRATOR TO TAKE ENFORCEMENT ACTION IN THIS CASE. D. CURTIS-COSTA SECONDED THE MOTION. CLARIFICATION WAS PROVIDED BY R. DUPLER REGARDING THE APPROPRIATE SETBACK LOCATION OF THE SIGN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- e. DISCUSSION AND DETERMINATION OF MINOR VERSUS MAJOR CHANGE TO THE SANCTUARY OF DELAFIELD SUBDIVISION CONDITIONAL USE SPECIFIC IMPLEMENTATION PLAN.

This item was removed from the agenda prior to the meeting.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 0787.079, 621 MILWAUKEE STREET, DELAFIELD. OWNER/APPLICANT: TOM AUL.** OWNER/APPLICANT SEEKS APPROVAL OF A SANDWICH BOARD SIGN FOR WHITE OAK GRILL, TO BE PLACED ON THE NORTHWEST CORNER INTERSECTION OF MILWAUKEE STREET AND GENESEE STREET. STAFF REQUESTS DIRECTION REGARDING BLADE SIGN DISPLAY.

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R. Dupler explained this request included two components. First, the petitioner requested additional signage with a blade sign being mounted to the oak tree in front of the restaurant. The second request was for a sandwich board sign to be placed in the right of way area. With regard to the first request, he expressed concern for the life of the tree with the current mounting of the sign directly into the tree. He suggested it be mounted either differently to alleviate the concerns related to the life of the tree or mounted elsewhere.

Regarding the second component, he stated the proposed sandwich sign could pose visibility problems for motorists and use of a sandwich board sign in this area was not in keeping with the sign ordinance. Any approved use of this location would set a precedent for other similar signage and he cautioned against doing so.

Discussion ensued regarding possible suggestions for the blade signs mounting and location. The blade sign had not been approved as part of signage for the building historically in this case. In addition, the light on the tree illuminating the sign was not in compliance with electrical code requirements.

**D. CURTIS-COSTA MOTIONED TO DENY THE PROPOSED OFFSITE SIGN, DIRECTED WHITE OAK GRILL TO REMOVE THE BLADE SIGN AND LIGHT FROM THE TREE, AND RETURN TO CITY STAFF WITH MODIFICATIONS FOR THE BLADE SIGN. K. ATTWELL SECONDED THE MOTION.** A BRIEF DISCUSSION ENSUED REGARDING THE POWER SOURCES FOR THE LIGHT ON THE TREE. DISCUSSION FURTHER ENSUED REGARDING THE NEED FOR A REVIEW OF SANDWICH BOARD SIGNAGE ORDINANCES. IN RESPONSE TO A QUESTION RELATED TO THE HISTORY AND RECENT PROLIFERATION OF SANDWICH BOARD SIGNS, R. DUPLER EXPLAINED THE SIGN COMMITTEE HAD MET AND RECOMMENDED SIGN ORDINANCES RELATED TO SANDWICH BOARD SIGNS. DUE TO THE TIMING OF THE SMART GROWTH PROCESS AS IT RELATED TO THE OVERALL DOWNTOWN PLAN, A DECISION WAS MADE TO WAIT TO TAKE FORMAL ACTION ON THE RECOMMENDED SIGN ORDINANCES UNTIL COMPLETION OF THE DOWNTOWN PLAN COULD BE HAD. MANY SANDWICH BOARD SIGNS HAD SPRUNG UP IN THE DOWNTOWN AREA IN RECENT MONTHS AND ENFORCEMENT PROCEEDINGS HAD BEGUN EARLIER THIS SUMMER. AT A PUBLIC HEARING ON SIGNAGE EARLIER IN THE SUMMER, BUSINESS OWNERS' CONCERNS WERE HEARD AND THE PLAN COMMISSION AGREED TO HAVE A 90 DAY TRIAL PERIOD OF SANDWICH BOARD SIGNS. THAT TIME PERIOD WAS NEARING COMPLETION AND THIS ITEM WOULD BE ON THE NEXT REGULAR MEETING AGENDA OF THE PLAN COMMISSION FOR FURTHER DISCUSSION AND CONSIDERATION. DISCUSSION ENSUED

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REGARDING WHETHER THE MOTION REQUIRED AMENDMENT DUE TO THE ISSUES OF LIGHTING AND THE TRIAL PERIOD DISCUSSED. IT WAS DETERMINED THE ORIGINAL MOTION WAS TO BE LEFT WITHOUT AMENDMENT. **ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 0798.017, 637 MAIN STREET, DELAFIELD.** OWNER/APPLICANT: JAMES & JANET STOFFER. OWNER/APPLICANT SEEKS APPROVAL OF A SANDWICH BOARD SIGN FOR WHOLLY COW, TO BE PLACED ON THE SOUTHWEST CORNER INTERSECTION OF GENESEE STREET AND MAIN STREET.

R. Dupler explained this request resembled other requests on the agenda this evening as it was a request for an off-premise sign in the City-owned right of way area in front of Wholly Cow. He stated he thought this item required denial due to its proposed location.

Jim Stoffer, owner of Wholly Cow, stated his comments related to this request would also represent those of other business owners in a similar situation. He stated he thought it important for the City to consider businesses that were not easily visible in the downtown area. He explained that in 1997 the Chamber of Commerce had provided a sign made of slatted boards on Main Street with directional signs for promotion of downtown businesses not in core areas. These signs were removed in 2003. He thought the City had a responsibility to promote the downtown businesses not easily visible in the core areas. He suggested this be revisited by the City in future meetings as potential resolution of signage issues. In addition, he requested the Commission consider the implications of denial of his sign while other sandwich boards signs were allowed to persist due to the 90 day trial period discussed earlier in the meeting. He stated he liked his sign and had never received a complaint related to its location until now. He thought it imperative that the City consider how to help businesses survive and thrive in today's market through the use of advertising and directional signage.

Mayor McAleer stated the slatted board signs were removed during the reconstruction of Genesee Street and the Chamber of Commerce had never replaced them. R. Dupler noted these directional signs were still near the Lang Store and also near the Fish Hatchery building.

J. Stoffer requested the City consider replacing them with City ownership of the signs rather than the Chamber of Commerce. Mayor McAleer suggested Staff consider a proposal that would work to bring this to fruition with the possibility that businesses could pay a fee to have a directional business sign mounted on the slatted board sign.

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Discussion ensued regarding Staff responsibility related to potential design and scope of signage similar to the slatted board signs already in existence for use as a model. R. Dupler noted this proposal would require various Staff members' time as there were many variables requiring consideration.

Discussion further ensued regarding the process to be followed for approval of the sign policy, potential slatted board signage, and inclusion in the Downtown Plan in the future, with public input being utilized in the process for consideration.

In response to a question by J. Stoffer, Mayor McAleer stated consistency was critical with regard to sandwich board signage. D. Curtis-Costa agreed. Mayor McAleer encouraged J. Stoffer to attend the signage meeting discussions as part of future Plan Commission agendas. J. Stoffer stated he understood he was allowed to place his signage in front of the store, just not in the right of way area, through the end of the season.

**D. CURTIS-COSTA MOTIONED TO DENY THE OFF PREMISES SIGN FOR WHOLLY COW AND ALSO CONSIDER THE SLATTED BOARD SIGNS FOR DISCUSSION AND CONSIDERATION AS PART OF THE NEXT PLAN COMMISSION MEETING AGENDA ITEMS ON SIGNAGE. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED**

- c. **TAX KEY 0793.989.006, 415 GENESEE STREET, DELAFIELD.** OWNER: ROBERT LANG. APPLICANT: ANDREW'S BAR & RESTAURANT. APPLICANT SEEKS APPROVAL OF A SANDWICH BOARD SIGN FOR ANDREW'S BAR & RESTAURANT, TO BE PLACED ON THE EAST SIDE OF GENESEE STREET, ACROSS FROM THE DRIVEWAY ENTRANCE.

R. Dupler explained the request.

**K. ATTWELL MOTIONED TO DENY THE REQUEST FOR APPROVAL OF A SANDWICH BOARD SIGN FOR ANDREW'S BAR AND RESTAURANT. D. CURTIS-COSTA SECONDED THE MOTION. IN RESPONSE TO A QUESTION, R. DUPLER CLARIFIED THE PROPOSED SIGN WAS TO BE PLACED OFF SITE AS A DIRECTIONAL SIGN TO THE PLACE OF BUSINESS. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- d. **TAX KEY 0787.004, 918 NAGAWICKA STREET, DELAFIELD.** OWNER/APPLICANT: KRISTINA SASICH. OWNER/APPLICANT SEEKS APPROVAL OF A PRIVACY FENCE.



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R. Dupler explained the request for privacy fencing for the applicant. He noted Kristina Sasich was present this evening to answer any questions the Commission might have of her. He also noted a letter had been received from the petitioner relating to this request and had been distributed to Commission members prior to the meeting this evening.

R. Dupler explained the regulations related to privacy fencing and issues for compliance in this case. He noted the petitioner has an existing deck with a "screening wall" that was attached to the deck and was approximately ten feet above grade. He thought it important to follow City regulations and process in this case which would allow the petitioner to establish justification of a variance before the Zoning Board of Appeals. Staff recommended the height of the fence be allowed to be six feet above the deck to attempt to comply with the ordinance.

K. Fitzgerald questioned the Commission's authority in approval of this matter as it related to current ordinance. T. Schuenke clarified that any privacy fence that did not meet the setbacks would be referred to the Commission for consideration. This fence was on the lot line.

K. Sasich stated she was present on behalf of her parents residing at 918 Nagawicka Street. She explained her request, noting the historical multiple violations of numerous ordinances and citations issued to the neighboring property owner related to barking dogs and light trespass over the past five years. She noted the backyard area had become unusable and quality of life adversely impacted as a result of the neighboring property owner. As a result, the fence had been erected at its current height to mitigate the light trespass from the property next door. She also expressed frustration with the lack of enforcement by the City in these matters and stated this request was necessitated since her family had done everything possible to alleviate the issues thus far to no avail.

Discussion ensued regarding the approval process for this matter, the Plan Commission's authority in providing resolution, and how to help alleviate the concerns expressed by K. Sasich regarding the neighboring property owner.

**K. ATTWELL MOTIONED TO APPROVE AN 8 FOOT FENCE ABOVE THE DECK.** DISCUSSION FURTHER ENSUED REGARDING THE LACK OF COMPLAINTS ON THE CURRENT FENCE HEIGHT AND WHETHER THE CURRENT FENCE WOULD BE CONSIDERED AN EXTENSION OF THE HOUSE GIVEN ITS CURRENT LOCATION ON THE LOT LINE. M. FREDE STATED, GIVEN THE EXTRAORDINARY BASIS FOR THIS REQUEST WITH NUMEROUS HISTORICAL ATTEMPTS FOR REMEDY, HE DID NOT HAVE A PROBLEM SETTING A PRECEDENT IN THIS CASE. K. FITZGERALD CONFIRMED THE COMMISSION'S AUTHORITY

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TO RESPOND UNDER CITY ORDINANCE. **K. FITZGERALD SECONDED THE MOTION.** D. CURTIS-COSTA STATED SHE WANTED TO ADDRESS THE REASONS WHY THE FENCE HAD TO BE ERECTED IN THIS CASE AS SHE WAS NOT SURE WHY THE CITY HAD ORDINANCES THAT WERE NOT BEING ENFORCED IN THIS CASE. T. SCHUENKE EXPLAINED THE CITY ISSUED THE CITATIONS BUT DID NOT ENFORCE THE CITATIONS IN THIS CASE AS IT WAS THE ROLE OF THE CIRCUIT COURT TO DO SO. HE NOTED THE PETITIONER HAD THE RIGHT TO GO TO CIRCUIT COURT FOR RESOLUTION OF THESE ISSUES. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**K. ATTWELL MOTIONED TO CORRECT THE CITY CODE SO CONFLICTS BETWEEN 5E AND 5G WERE RESOLVED. R. DUPLER EXPLAINED THE RECOMMENDED CHANGES TO THE CITY CODE WOULD BE BROUGHT BACK TO THE COMMISSION AT A LATER DATE FOR APPROVAL. MOTION DIED FOR LACK OF SECOND AS NO MOTION WAS NECESSARY IN THIS MATTERI.**

K. Sasich stated she appreciated the efforts of the Commission.

6. PRELIMINARY

- a. DISCUSSION OF LAND USE PLAN CHANGE AND REZONE FOR PUBLIC SAFETY CAMPUS AND SET PUBLIC HEARING DATE FOR THE SAME.

R. Dupler explained Marilyn Czubkowski of the City Staff was present this evening to answer any questions the Commission might have of her regarding a request for a Master Land Use Plan change and potential rezoning for the Public Safety Campus.

M. Czubkowski displayed a map for the Commission noting the location of the proposed Public Safety Campus. She explained that the current Public Works facility conformed to the allowable uses within the conservation district in which it was located. However, with the new Public Safety Campus, the use would no longer conform to the permitted uses allowed in the district. As a result, the request for zoning change was being heard. She proposed a request for rezoning to a CDB-1 district to allow the most flexibility with regard to the uniqueness of the building and required turning radii by the emergency and fire apparatus proposed for the site. She also noted it was critical to have enough distance between the two proposed facilities to allow vehicles to easily enter, exit, and travel the site in a safe manner. In addition, if the request for rezoning was approved, a change to the Master Land Use Plan should also take place to accurately update the designation for the land.

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R. Dupler distributed a map depicting the Central Business Core for the City and respective zoning designations. He reviewed each land use designation and purpose, as well as the reasons for certain zoning designations within the core business area of the City. He also explained it was important to place similar land uses together as part of the Downtown Plan. In addition, a change in zoning designation to CDB-1 would allow the Central Business District Land Use to expand westward along the south side of Main Street and the site could potentially become part of a contiguous city core. Further, this change could allow a business district to be located across from park land. This was considered desirable as it would allow commercial storefronts to face a park system.

M. Czubkowski also explained the CDB-1 designation would allow for the greatest potential for future uses not yet anticipated and would allow for achievement of a zero lot line setback if needed in the future. Since the site had no residential neighbors and was surrounded by green space, this setback was not anticipated to be an issue for the site. In addition, she stated a majority of voters had elected to have the Campus on this property and it would be prudent to work within the planning process so that minor and major changes would not be necessary in the future.

D. Curtis-Costa questioned the amount of impervious surface to be added to the site with the proposed building plans. M. Czubkowski explained there would most likely be less as the salt shed was to be moved in the future and the building proposed could not exceed the current building footprint.

In addition, Mayor McAleer explained the building might have to be moved as far south as possible to allow for proper environmental setbacks from the wetlands to the east of the site and still maintain a proper turning radius for emergency vehicles. M. Czubkowski also stated impacts to the wetland would be minimized and she thought rezoning to a CDB-1 designation would allow that.

**K. ATTWELL MOTIONED TO SCHEDULE A PUBLIC HEARING FOR THE SEPTEMBER 24, 2008 PLAN COMMISSION MEETING TO CONSIDER AMENDING THE MASTER LAND USE PLAN AND REZONING TO CBD-1. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

7. ZONING AND ORDINANCE REVISION

None.

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8. HEARING DATES.

G. Gresch stated there was a Public Hearing slated for September 24, 2008 for consideration of an amendment to the Master Land Use Plan and rezoning of the Public Safety Campus site to CDB-1.

9. ADMINISTRATOR'S REPORT

a. DISCUSSION OF INITIAL ISSUANCE OF SMART GROWTH CHAPTER 5 – HOUSING

T. Schuenke explained the issue of affordable housing seemed to be a driving force for future planning purposes. While he thought Delafield was positioned fairly well in this area, maintaining affordable housing would be a key topic for planning in the future. R. Dupler added the issue of affordability would be considered in future Smart Growth discussions and should be tailored to what was considered affordable within the City of Delafield.

A Special Plan Commission meeting had been scheduled for September 17, 2008 to discuss Chapter 5 on Housing as well as the Smart Growth chapter on Economic Development.

b. DISCUSSION OF SMART GROWTH SURVEY QUESTIONS

R. Dupler noted that a list of revised survey questions relating to the Smart Growth planning process had been distributed to Commission members for discussion this evening. The questions reflected topics discussed to date as well as specific recommendations from the Plan Commission and information received from work sessions on the topic and comments received from residents. Next he explained the process for distribution and sampling of residents for the survey. This process had been successful in the past and he anticipated it would provide statistical data with this controlled approach.

R. Dupler reviewed the survey questions with the Commission. The following were a list of comments heard by the Commission:

- Q. 16-consider adding verbiage related to address cost benefit analysis of the topic
- Q. 26-eliminate the word "growth"
- Concern noted that Q. 26 seemed to assume the answer to Q. 25
- Q. 27-clustering amount incorrect
- Q. 27-on map-remove creek and reword question to be less leading
- Q. 31-specific question on city sidewalks needed

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- Q. 32 - what and where are the city trails; verbiage should be changed to reflect example of city trail
- Question needed regarding “green building concepts”
- Question needed regarding alternative energy sources

T. Schuenke provided definitions for the Commission related to terms of inner ring suburbs, suburbs, outer ring suburbs, and exurban areas.

R. Dupler noted modifications would be made and further discussion on these topics would be had at the September 17, 2008 Plan Commission meeting.

In response to a question asked by K. Attwell, R. Dupler explained the purpose of the survey was to gather exact opinions from the citizenry to formulate a plan for the future related to the specific Smart Growth areas. The input provided would drive the implementation of elements or provide an incentive for analysis of certain areas of the City’s ordinances.

c. LETTER FROM ATTORNEY JIM HAMMES REGARDING PLAN COMMISSION BUSINESS PLAN OF OPERATION REVIEWS

T. Schuenke explained he had requested the City Attorney’s opinion regarding the Commission’s review of business plan of operation parameters. The opinion explained an ordinance change should be considered to bring consistency to the City’s policy decisions and avoid potential lawsuits in the future.

Discussion ensued regarding the need for reviewing the ordinance for change related to past hours of operation requests. This topic would be placed on a future Plan Commission agenda for review at the request of D. Curtis-Costa.

d. VILLAGE SQUARE PICK N’ SAVE OUTDOOR GRILLING OPERATION AND OUTDOOR SEATING.

T. Schuenke explained the Village Square Pick N’ Save did not have the authority to have a grilling operation and outdoor seating. As a result, a request to do so would be on the next Plan Commission agenda for consideration.

e. DISCUSSION OF DOWNTOWN PLAN PARKING ANALYSIS

R. Dupler explained Staff had begun analysis of known data for downtown parking as it related to the Downtown Plan. He explained his methodology and parameters for data analysis, noting the information yielded an extracted parking ratio of 3.87 parking spaces per 1,000 square feet for the downtown zoning districts and adjacent on street

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parking spaces within 400 feet of the downtown area. He then presented four different options for consideration as it related to the parking data.

The first option included assumption of 100% office use and resulted in a shortage of 46 spaces. The second option was the opposite end of the spectrum with an intense use of 100% retail resulting in a shortage of 397 spaces.

He then noted the current parking in the downtown area would mostly likely resemble an assumption with approximately 50% retail and 50% office use. This extrapolation yielded a shortage of approximately 222 spaces. While this number might seem concerning, he stated he was not sure it was critical considering the downtown area currently had over 1,300 spaces. This information would, however, provide a starting point for further analysis.

R. Dupler noted parking "hot spots" were located in the area between the east side of Genesee Street and the river. While he was not sure of the appropriate resolution in this area, he noted it would be difficult to resolve without consideration of razing a building. He went on to explain that if this area were changed to CDB-1 zoning, related parking impacts would be minimal to this information; however, the change in zoning would allow more square footage to be developed along the westerly side. In addition, should the City decide there was sufficient parking to serve the downtown area, the current ratio found in the analysis could be preserved for future planning; however, if the City were to plan for growth within the existing downtown district by conversion of space from residential to commercial or from office to retail, then additional parking spaces should be developed.

R. Dupler noted restaurants were intentionally left out of the data analysis because they were usually open when local businesses were not so parking could be utilized once the businesses were closed.

The information presented would allow for additional consideration of modifications to various ordinances as well as providing information to support efforts for the Downtown plan.

### 10. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date were 22, plus 1 occupancy permit. There was 1 permit for new single family homes this month.

### 11. BOARD OF ZONING APPEALS

#### A. AUGUST 14, 2008 HEARING DETERMINATIONS:

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

- I. DELC 0788.024 - APPEAL FOR PROPOSED REBUILDING OF DETACHED GARAGE ON SAME BUILDING PAD AS EXISTING GARAGE AT 1445 MILWAUKEE STREET - APPROVED

12. CORRESPONDENCE

- a. JULY 6, 2008 MILWAUKEE JOURNAL SENTINEL ARTICLE "COMMUNITIES MUST PLAN TO DO MORE WITH LESS".

13. ADJOURNMENT

**K. ATTWELL MOTIONED TO ADJOURN THE AUGUST 27, 2008, PLAN COMMISSION MEETING AT 9:05 P.M. D. CURTIS-COSTA SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.**

Minutes prepared by:

Accurate Business Communications, Inc.