

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
Dirilee Curtis-Costa
Michael Frede
Kevin Fitzgerald
Beth Leonard
Gina Gresch, Clerk-Treasurer
Roger Dupler, Planner

Absent

Larry Chapman
Tim Schuenke City Administrator
Tom Maney, Building Inspector

PUBLIC HEARING #1: DELC 0793.998 & PART OF DELC 0793.987.001. ZONING AMENDMENT AND MASTER LAND USE PLAN AMENDMENT PUBLIC HEARING FOR THE FUTURE PUBLIC SAFETY CAMPUS LANDS, OWNED BY THE CITY OF DELAFIELD. APPLICANT'S AGENT: GINA C. GRESCH, CLERK-TREASURER, REQUESTS A ZONING AMENDMENT AND MASTER LAND USE PLAN AMENDMENT FOR THE FUTURE PUBLIC SAFETY CAMPUS LANDS. THIS PROPERTY IS CURRENTLY ZONED C-1 (CONSERVANCY). THE PROPERTY IS PROPOSED TO BE REZONED TO CBD-1 (CENTRAL BUSINESS).

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

Mayor McAleer introduced Matt Wolfert and Doug Thornton from Bray Architects. M. Wolfert thanked the Commission for allowing him to be present this evening. He then presented concept drawings as part of an initial site plan review. He explained the current concept included the new Public Safety Campus and an expansion of the Public Works building. He also reviewed the request for a Master Land Use Plan amendment and associated rezoning.

M. Wolfert explained the request for change in setback and land use was necessitated due to the restrictive nature of the site. A substantial turning radius was required for the large emergency vehicles to be housed on site. He noted this area on the map presented and stated it was important to bring this issue forward at this time in order to maintain the schedule for the project.

D. Curtis-Costa questioned whether the issues could be addressed with a more conservative approach instead of a complete rezoning. R. Dupler explained other

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avenues could be pursued; however, those choices would require the City to hold a public hearing each time a change was needed in the future as a conditional use governed the site. Mayor McAleer stated this was a building planned to last for several years and he thought it naïve to think there would be no future expansion necessary, especially anticipating the needs for additional salt as the City would grow over time.

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

1. APPROVE PLAN COMMISSION MEETING MINUTES OF AUGUST 27, 2008 MEETING

K. ATTWELL MOTIONED TO APPROVE PLAN COMMISSION MEETING MINUTES OF AUGUST 27, 2008 AS PRESENTED. B. LEONARD 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

Jim Stoffer, owner of Wholly Cow, located at 637 Main Street, explained the history of the growth of the City and its main business thoroughfare with regard to signage. He noted it is very difficult as a business owner to draw people to his store without visibility on Genesee Street. This year the City decided not to allow the use of sandwich boards and he was present to request the City consider replacement of the slatted wood signs that directed people from Genesee Street to side streets shops much the same as those placed in 2003 by the Chamber of Commerce. He was concerned about the previous signage because at that time any business owners could have a sign placed on the directional signposts even those that were situated on Genesee. He thought businesses should only be allowed to place signage on the sign posts if the property did not locate on Genesee Street. He submitted a list of businesses to City Staff at this time that were not on Genesee Street and offered to be part of any Committee established to work on this matter. If the signposts could be reinstated, he thought it would increase property values off the main thoroughfare, allow for additional visibility of local businesses, and would increase traffic and revenue for the downtown area overall. In addition, he proposed placement of the signs at the three major intersections in town. He thanked the Commission for its attention to this matter.

Glen, owner of The Main Street Soap Shop located three blocks east of Genesee Street, stated he was present to affirm the previous statements made by J. Stoffer related to the difficulty in drawing customers to his store. He explained he drew his customer base from all over the state and while he could direct them to Delafield, once in the City, they had difficulty in locating the store since it was not visible through signage. He thought the Chamber of Commerce

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signposts were very helpful and people were able to find the store when those posts were present. He stated he was in support of the signage request by Jim Stoffer heard earlier this evening.

Michelle Strunsee, owner of Pursenal Expressions, stated she had been a shop owner for three years and having to remove the sandwich signs made a negative impact in her business. Part of her decision to locate downtown was predicated on the idea that consideration was being given to having signage to draw people from the main areas of town to other side street businesses. She stated it is difficult to draw walk-in customers to her shop and some had asked why her signage had been removed on the sidewalk. There was little room for expansion in the downtown area and businesses were suffering as a result of the lack of signage. She was concerned that businesses would leave downtown to seek an area where signage and expansion were supported. She was in favor of letting people know there were businesses off the main shopping areas.

Mayor McAleer stated he thought the off premises sign posts were a good idea in the past as well as for the future and he remained unclear about why they were no longer there.

D. CURTIS-COSTA MOTIONED TO CLOSE THE CITIZEN'S COMMENTS PORTION OF THE MEETING AT 7:21 P.M. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

SPECIAL ORDER OF BUSINESS: PRESENTATION OF PRELIMINARY PUBLIC SAFETY CAMPUS DRAWING BY BRAY ARCHITECTS.

Mayor McAleer reintroduced M. Wolfert and D. Thornton to the Commission noting the presentation this evening included a preliminary drawing of the proposed Public Safety campus building. Preliminary and final approvals would be requested in the future.

M. Thornton explained the concept drawing presented included a boathouse themed concept that could be present in other facilities in the City. He described the depicted concept sketch and related functions of each area of the building. The exterior finish included a cement board product, similar to Hardi-Plank, with a stone appearance to it. This was considered to be a cost effective durable material. In addition, the tower structure served as a source to allow natural light into the building, an exit, and a hose drying tower. The upper portions of the building included a cedar shake look comprised of cement board. The lower portions would have a stone appearance. Color can be determined as part of future plans. Apparatus doors were shown in glass as an ideal material with a more traditional look including a single window as being a cost effective option if budget consideration deems it necessary. He stated his architectural firm wanted to be certain it was heading in the correct conceptual path and answer any major questions for future planning purposes.

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K. Fitzgerald questioned the boathouse style and noted it was a different style direction from the colonial look found throughout the City. M. Wolfert explained this concept was considered complimentary architecture as certain elements of the structure did not have branding elements such as those found in certain retail buildings. He also noted various components of the building were function driven such as the police and fire areas and lent a certain element to the concept as well.

D. Curtis-Costa stated she liked the stone look similar to the Fish Hatchery building.

M. Wolfert stated the scale, materials, color, and cedar shake look also helped to facilitate the boathouse concept although these items could also be incorporated into the colonial style look found throughout the City of Delafield. He wanted the architecture to be timeless in appearance as he anticipated the buildings would be serving the community far into the future.

M. Frede suggested a more colonial look be incorporated into the design plans as time and money had been spent thus far to establish that style within the City and he thought it should be pursued in this building as well.

K. Attwell questioned the difference in square footage from the Plan B Committee recommendation. M. Wolfert explained the square footage proposed by this building was less than the recommendation.

B. Leonard noted the police department representatives had requested a single level design and the fire department requested two levels.

In response to a question by K. Attwell, M. Wolfert explained a pitched roof concept could be utilized in this building but it would not be cost effective. In addition, it would be costly to place mechanicals on the rooftop with a pitched roof. He stated he would take all comments heard into consideration and return with refinements that reflected those elements. He thanked the Commission for its time and attention to this matter.

3. CONSENT AGENDA

G. Gresch reviewed the items on the Consent Agenda. Staff requested Item 3B and F be removed from the Consent Agenda at the request of the applicant for further discussion and consideration.

K. ATTWELL MOTIONED TO APPROVE ITEMS A, C, D, AND E ON THE CONSENT AGENDA. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- a. **TAX KEY 0807.978.006, 335 AUSTIN CIRCLE, #130, DELAFIELD.**
OWNER: ENTERPRISE OPPORTUNITIES, LLC. APPLICANT: HICKORY HILL HOMES. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A HOME BUILDER'S OFFICE, HICKORY HILL HOMES.

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HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 5:00 P.M., WITH 5 FULL-TIME EMPLOYEES.

Approved. See above.

- b. **TAX KEY 0798.966, 416 GENESEE STREET, DELAFIELD.** OWNER: TOM AUL. APPLICANT: WILLIAM MYERS. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR AN OPTOMETRIST OFFICE, MYERS EYECARE. HOURS OF OPERATION ARE MONDAYS, TUESDAYS, WEDNESDAYS AND FRIDAY 9:00 A.M. TO 5:00 P.M. THURSDAYS 9:00 A.M. TO 7:00 P.M., SATURDAYS 9:00 A.M. TO 12:00 P.M., WITH 2 PART-TIME EMPLOYEES AND 1 FULL-TIME EMPLOYEE.

Bill Myers, applicant, was present and requested the hours be extended to 7 days to include hours of operation from 7:00 a.m. to 10 p.m. seven days a week. While he did not anticipate being open all of those hours, he desired flexibility in his schedule to be able to offer seminars and meet other educational needs of his clients.

K. ATTWELL MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION WITH HOURS OF OPERATION FROM 7:00 A.M. TO 10:00 P.M. SEVEN DAYS A WEEK. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **TAX KEY 0798.966, 414 GENESEE STREET, DELAFIELD.** OWNER: TOM AUL. APPLICANT: RALPH DEMARCO. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A REAL ESTATE/INSURANCE BUSINESS, GRAPEVINE REALTY / GRAPEVINE INSURANCE. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 8:00 P.M., SATURDAY 9:00 A.M. TO 12:00 P.M., WITH 3 PART-TIME EMPLOYEES AND 1 FULL-TIME EMPLOYEE.

Approved. See above.

Ralph Demarco, applicant, requested the business plan of operation be amended to extend the hours of operation from 7:00 a.m. to 10:00 p.m. seven days a week as he wanted to be able to accommodate all his customers during those times.

K. ATTWELL MOTIONED TO AMEND THE CONSENT AGENDA MOTION TO RECONSIDER ITEM C AND APPROVE THE BUSINESS PLAN OF OPERATION WITH NEW HOURS AS STATED BY THE PETITIONER AS BEING SATURDAY THROUGH SUNDAY 7:00 A.M. TO 10:00 P.M. B. LEONARD SECONDED THE MOTION.

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D. Curtis-Costa requested changes such as the requests heard this evening be presented prior to the meeting if possible. G. Gresch explained there was an agenda timeline to be followed and Staff would emphasize to applicants that it was important to adhere to that timeline.

M. Frede stated he appreciated the flexibility and support the Commission had shown to the business owners in these instances.

THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 0787.081, 613 B MILWAUKEE STREET, DELAFIELD.** OWNER: TOM KELLEY. APPLICANT: LYNN MORRISON. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A BUSINESS INCUBATOR, INDIVIDUAL OFFICE SPACES. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 5:00 P.M. AND SATURDAYS 8:00 A.M. TO 12:00 P.M.

Approved. See above.

- e. **TAX KEY 0787.081, 615 MILWAUKEE STREET, DELAFIELD.** OWNER: TOM KELLEY. APPLICANT: VIDEO CREATE! APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A VIDEO PRODUCTION BUSINESS, VIDEO CREATE! HOURS OF OPERATION ARE WEEKDAYS 9:00 A.M. TO 5:00 P.M. WITH 1 PART-TIME EMPLOYEE AND 1 FULL-TIME EMPLOYEE.

Approved. See above.

- f. **TAX KEY 0733.990.003, 3161 VILLAGE SQUARE DRIVE, HARTLAND.** OWNER: DELAFIELD INVESTMENTS, LLC. APPLICANT: ULTRA MART FOODS, LLC, D/B/A PICK 'N SAVE. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AMENDMENT TO ALLOW OUTDOOR GRILLING ON SATURDAY AND SUNDAY FROM 10:30 A.M. TO 4:30 P.M. AND OUTDOOR SEATING TO ACCOMMODATE THE SAME.

Max Dickman, representing the applicant, was present to answer any questions the Commission might have of him.

In response to a question by D. Curtis-Costa, M. Dickman explained trash cans were anticipated for use and diagrams of the grilling sites were available to Staff if desired. R. Dupler stated there were no problems anticipated with this request.

K. ATTWELL MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION AMENDMENT AS PRESENTED. K. FITZGERALD

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SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

At the request of the applicant for Item 3C, and without objection from the Commission, Mayor McAleer returned to Item 3C on the Agenda for this meeting at this time.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **TAX KEY 0786.998, 1600 GENESEE STREET, DELAFIELD.** OWNER: CHRIST THE KING LUTHERAN CHURCH. APPLICANT: BADGER LIGHTING & SIGNS. APPLICANT SEEKS DETERMINATION OF MINOR VERSUS MAJOR CHANGE TO THE CONDITIONAL USE TO REPLACE EXISTING SIGNAGE AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME.

R. Dupler explained the Church was considering replacement of its current wooden sign with an illuminated backlit sign. Portions of the sign would be opaque with light emanating from a reader board panel as well. The church existed as a conditional use in a residential district with unique sign and lighting requirements as a result. Actual photometrics were not supplied with the application but a written guarantee had been secured from the manufacturer of the light for them. Consideration of a major or minor change was also before the Commission in this case.

D. Curtis-Costa stated without photometric information she was hesitant to approve the request and questioned whether the neighboring properties had been notified of this issue. In her opinion, it seemed as though this request constituted a major change. The Commission indicated consensus for consideration of a major change in this case.

Tom Kreklow, 362 Nickelby Court, representative present for the Church, stated he thought the change in lighting would be a decrease from the halogen lighting currently being utilized. He thought the proposed lighting was a better solution for the Church as the proposed light would also function as a message board for the Church and community sponsored activities, such as the Lions and Boy Scouts as well as serving as a temporary polling place for the City. T. Kreklow shared photos of the area and surrounding properties.

Mayor McAleer stated while he thought this request constituted a minor change, a major change would require a public hearing that would be beneficial to the neighbors in this matter.

K. ATTWELL MOTIONED TO APPROVE THE REQUEST AS A MAJOR CHANGE AND THAT A PUBLIC HEARING BE HELD ON THIS

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MATTER. D. CURTIS-COSTA SECONDED THE MOTION. B. LEONARD REQUESTED PHOTOS OF THE SIGN AS IT WOULD APPEAR IN THE EVENING HOURS WITH THE SIGNAGE ILLUMINATED. MARTY WESTBURG, CONTRACTOR FOR BADGER SIGN COMPANY, STATED HE WOULD PROVIDE REQUESTED PHOTOS OF THE ILLUMINATED SIGNAGE TO THE PLAN COMMISSION. IN ADDITION, MEASUREMENTS HAD BEEN SECURED AT THE SHOP THAT WOULD BE SIMILAR TO THAT OF THE ROAD IN THIS CASE THAT DEMONSTRATED ILLUMINATION IN THE AMOUNT OF 0.2 AND 0.3 FOOT CANDLES. M. FREDE DID NOT BELIEVE THERE WERE ANY RESIDENCES THAT WOULD BE DIRECTLY FACING THE SIGN AS TREES WERE LOCATED ACROSS THE INTERSECTION. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 0793.001.001, 405 GENESEE STREET, DELAFIELD.** OWNER: 405 ACQUISITIONS, LLC. APPLICANT: BE FITNESS & WELLNESS, AGENT CHRIS MCINTOSH. APPLICANT SEEKS APPROVAL OF MULTI-TENANT SIGN PROGRAM.

R. Dupler explained this request offered a sign solution to a multi-tenant building on the Delafield Common Center campus. A Conditional Use governed the property and consideration first needed to be given to whether this request constituted a major or minor change. Staff indicated support for a minor change as it was not out of the ordinary for commercial development.

R. Dupler briefly reviewed the calculations employed to determine allowable square footage for signage in this district and noted the applicant was within the allowable amount. He noted placement of the sign panels were appropriate as well as design. There were no specific colors presented for the sign, nor font style. The signage was not anticipated to be illuminated as it was not requested at this time.

D. CURTIS-COSTA MOTIONED TO APPROVE THE MULTI-TENANT SIGN PROGRAM AS PRESENTED. B. LEONARD SECONDED THE MOTION. K. ATTWELL EXPRESSED CONCERN FOR THE TEXTURE AND MOUNTING OF THE SIGN. HE STATED HE WOULD LIKE TO SEE THE SIGNAGE CONTINUE WITH THE CHARACTER OF THE DOWNTOWN AREA AND WAS CONCERNED ABOUT THE SIGNAGE BEING MOUNTED TO THE BRICK CHIMNEY. HE SUGGESTED THE SIGNAGE UTILIZE AN OPAQUE TEXTURED PANEL SIMILAR TO OTHER SIGNS IN THE DOWNTOWN AREA TO BE CONSISTENT. IN ADDITION, HE WOULD LIKE TO SEE A HANGING FLUSH MOUNTED SIGN INSTEAD OF AFFIXING THE SIGN TO THE CHIMNEY BRICK. DISCUSSION ENSUED RELATED TO THE APPROPRIATE TEXTURE AND MOUNT FOR THE SIGNAGE PROPOSED. C. MCINTOSH STATED THE

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EFFORT BEHIND THE PROPOSED SIGNAGE WAS DIRECTED AT BLENDING THE SIGN WITH THE CHIMNEY SO A SQUARE PALETTE HAD NOT BEEN UTILIZED. K. ATTWELL SUGGESTED FRAMING THE SIGNAGE WITHIN THE CURVE OF THE CHIMNEY. C. MCINTOSH STATED HE THOUGHT THE BUILDING WAS BEAUTIFUL AND HE WOULD PREFER TO LET THE CHIMNEY FRAME THE SIGN WITHOUT BLOCKING IT IN AS SUGGESTED. MAYOR MCALEER AND D. CURTIS-COSTA AGREED. **THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. K. ATTWELL OPPOSED. MOTION CARRIED.**

- c. **TAX KEY 0733.998.008, VILLAGE SQUARE DRIVE, HARTLAND.** OWNER: DELAFIELD INVESTMENTS, LLC. APPLICANT: GARDEN GATE NURSERY. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A RETAIL GARDEN CENTER, GARDEN GATE NURSERY AND A DETERMINATION OF A MINOR VERSUS MAJOR CHANGE TO THE CONDITIONAL USE, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. HOURS OF OPERATION ARE WEEKDAYS 10:00 A.M. TO 7:00 P.M., SATURDAYS 10:00 A.M. TO 7:00 P.M., AND SUNDAYS FROM 10:00 A.M. TO 5:00 P.M., WITH 2 PART-TIME EMPLOYEES.

Drew Johnson, representative for Delafield Investments, was present along with Yvonne Bleck and Kelly Legner of the Garden Gate Nursery.

R. Dupler explained the Commission was asked to consider a Business Plan of Operation not anticipated in the previous approvals of the General Development Plan or Settlement Agreement for this property. Consideration of a major or minor change was required. The proposed use was considered temporary and could be approved as such; however, the nature of the use was inconsistent with the anticipated uses for the site. Despite the similarity between this site and offering of the temporary structure with other retailers of similar use in the City, he noted the petitioner was an independent proprietor seeking individual approval for the site. Staff had requested the petitioner provide a site plan to clearly identify the location and nature of the proposed outdoor display areas.

Mayor McAleer stated he thought the request constituted a major change.

B. Leonard clarified the temporary structure would be utilized for the sale of garden center products, such as pumpkins and Christmas trees, from fall through the winter holiday season, would close in January and reopen in the spring months to begin selling florals to the public.

Discussion ensued regarding whether the request constituted a need for a major or minor change to the business plan of operation for the site.

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Mayor McAleer stated he thought it imperative to be consistent. B. Leonard agreed, noting it was conditionally zoned and was not presented in the SIP for the center.

M. Frede clarified a major change would necessitate a public hearing and public input could be gathered.

Yvonne Bleck submitted photos to Commission at this time for review. Kelly Legner stated she had been hopeful that the structures could be open by October 1, 2008 to make use of the fall shopping season.

K. ATTWELL MOTIONED TO APPROVE THE REQUEST FOR A MAJOR CHANGE TO A BUSINESS PLAN OF OPERATION FOR A RETAIL GARDEN CENTER. B. LEONARD SECONDED THE MOTION. D. JOHNSON EXPLAINED HE UNDERSTOOD THE ISSUE OF CONSISTENCY; HOWEVER, IN THE SPIRIT OF BUSINESS DISCUSSIONS HELD EARLIER IN THE MEETING, HE THOUGHT IT WAS IMPORTANT TO CONTEMPLATE WHAT WOULD HAVE BEEN APPROVED WITH REGARD TO OUTLOT USES. HE NOTED THERE WERE NOT ANY OUTLOTS ANTICIPATED AT THE TIME OF THE AGREEMENTS RELATED TO THE CENTER AND NOW THERE WAS A CHANCE TO OPEN A TWO HUNDRED SQUARE FOOT TEMPORARY BUILDING THAT WOULD ENRICH THE SHOPPING CENTER. HE WAS CONCERNED THE SEASON WOULD BE MISSED AS A RESULT OF THE APPROVAL PROCESS. M. FREDE QUESTIONED WHETHER THE COMMISSION COULD PROVIDE ANY OTHER FLEXIBILITY IN THIS CASE TO HELP THE OWNERS TO ACHIEVE THEIR GOALS. D. CURTIS-COSTA NOTED THE GARDEN GATE NURSERY BUSINESS WAS SUCCESSFUL IN ITS CURRENT NEARBY LOCATION. DISCUSSION ENSUED REGARDING POSSIBILITIES FOR A TIMELINE TO CONSIDER THE REQUEST AND STILL ALLOW THE STRUCTURE TO BE UTILIZED IN THE UPCOMING MONTHS TO TAKE ADVANTAGE OF SEASONAL SALES. D. JOHNSON QUESTIONED WHAT MADE THE REQUEST A MAJOR CHANGE IN THIS CASE. R. DUPLER EXPLAINED A MINOR CHANGE WAS ANY REQUEST THAT DID NOT INTRODUCE DELIBERATION OF THE ORIGINAL CONDITIONAL USE. MAYOR MCALEER NOTED THE TIMELINE WOULD ALLOW FOR SOME SEASONAL SALES ADVANTAGE IF APPROVED AS A MAJOR CHANGE. B. LEONARD STATED SHE HAD NOT SEEN ANYTHING CONTEMPLATED THUS FAR THAT COULD BE FOUND IN THE SIP FOR THE CENTER. SINCE IT DID NOT COMPLY WITH THE ORIGINAL SIP APPROVED, NOR WAS IT SIMILAR IN ARCHITECTURE OR LAYOUT OR USE WOULD REQUIRE IT TO BE A MAJOR CHANGE. A DISCUSSION OF HYPOTHETICAL SITUATIONS AND SOLUTIONS WERE OFFERED BY VARIOUS MEMBERS OF THE COMMISSION. K. ATTWELL STATED THAT IN CONSIDERATION OF THE BUSINESS PLAN OF OPERATION FOR THE SITE THIS REQUEST SHOULD HAVE COME TWO MONTHS EARLIER IN ORDER TO TAKE ADVANTAGE OF

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SEASONAL SALES. D. JOHNSON STATED IF HE HAD KNOWN IT WOULD REQUIRE A MAJOR CHANGE TO DO SO, THE APPLICATION WOULD HAVE BEEN MADE SOONER. MAYOR MCALEER EXPLAINED STAFF COULD NOT MAKE THAT DETERMINATION WITHOUT THE CURRENT PROCESS OF REVIEW. **THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. K. FITZGERALD AND M. FREDE OPPOSED. MOTION CARRIED.**

- d. 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.

R. Dupler explained the subject development was part of an inter-municipal agreement between the City and Town of Delafield as well as the Village of Hartland. He briefly reviewed the history of this request, noting the landowner petitioned the municipalities to allow for a change in land use from a multi-family complex to a twelve lot single family development. That request was granted as it was a reduction in density for the area. The current request intends to reverse that decision with a reintroduction of a multi-family development.

The petitioner was not present this evening.

Discussion ensued regarding the information required to make a determination of this request. Various members of the Commission expressed concern for not being able to review the minutes associated with consideration of this request made within the Village of Hartland recently.

Given that the minutes of the proceedings on this matter within the Village of Hartland could not yet be obtained, nor was the petitioner present, Mayor McAleer suggested this item be postponed to a future agenda for the meeting of the Plan Commission.

K. FITZGERALD MOTIONED TO APPROVE THE REQUEST AS PRESENTED AND RECOMMEND APPROVAL TO THE COMMON COUNCIL. M. FREDE SECONDED THE MOTION. TWO WERE IN FAVOR. K. ATTWELL, D. CURTIS-COSTA, AND B. LEONARD OPPOSED. MOTION DENIED.

K. ATTWELL MOTIONED TO POSTPONE THIS ITEM TO A FUTURE PLAN COMMISSION MEETING AGENDA. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 0801.999.009, 2901 GOLF ROAD, DELAFIELD.**
OWNER/APPLICANT: WALGREENS. OWNER/APPLICANT SEEKS APPROVAL OF A SITE PLAN AMENDMENT TO ALLOW OUTDOOR ITEMS AND DISPLAY AREAS, MORE SPECIFICALLY, REDBOX DVD KIOSKS.

R. Dupler explained the applicant wanted to expand services to include an unmanned video dispenser outside of their building and had submitted a site plan to show where on site the video dispenser would be located. He noted it was important to consider that the video dispenser would operate 24 hours unattended and had only previously been allowed in the City in limited cases.

K. ATTWELL MOTIONED TO DENY THE REQUEST BASED ON ITS HOURS OF OPERATION. D. CURTIS-COSTA SECONDED THE MOTION. B. LEONARD NOTED THERE WAS A VIDEO DISPENSER LOCATED AT THE SENTRY FOOD STORE ON GOLF ROAD, BUT IT WAS LOCATED WITHIN THE INTERIOR OF THE STORE. DISCUSSION ENSUED AS TO HOW THE PROPOSED DISPENSER DIFFERED FROM AN ATM MACHINE OR A BLOCKBUSTER DROP BOX. R. DUPLER NOTED THE DROP BOX AT BLOCKBUSTER COULD ONLY BE UTILIZED FOR A DROP OFF OF A VIDEO AND BUSINESS WAS NOT CONDUCTED WITH THE PUBLIC IN THAT TRANSACTION. CONCERN WAS EXPRESSED FOR NIGHTTIME USE OF THE DISPENSER AND THE POTENTIAL FOR NUISANCE TYPE SITUATIONS AS A RESULT OF ITS HOURS OF OPERATION. IT WAS QUESTIONED WHETHER A CAMERA WOULD BE A SECURITY MEASURE USED NEAR THE DISPENSER. R. DUPLER STATED THE WAL-MART STORE HAD BEEN CONVINCED TO LOCATE THEIR VIDEO DISPENSER IN THE INTERIOR OF THE STORE IN RECENT MONTHS. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 0786.109, 2020 COACHLIGHT COURT, DELAFIELD.**
OWNER/APPLICANT: PETER & KATHLEEN LILLEGREN. OWNER/APPLICANT SEEKS APPROVAL OF A RETAINING WALL WITHIN BUILDING SETBACK.

Nate, of Northern Exposure Landscaping from Mequon and representing the petitioners, was present to explain that after working with City Staff there were two options for a retaining wall to be utilized on the Lillegren property. He noted they were trying to plan for wall placement outside of setback areas and as a result were here to determine the best course of action for the site.

R. Dupler explained the proposed retaining wall was presented for consideration as it would require either approval for height exceeding 3

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feet or for walls less than 3 feet but constructed within a required building setback. He went on to explain that site included a new house in Carriage Hills with a proposed garage. During construction it was determined that the topography of the site would make it extremely difficult to provide for a flat space to maneuver vehicles safely in and out of the driveway due to a steep slope in that area. Out of necessity, the petitioners proposed constructing retaining walls to compensate for the lack of flat surface on site. Options for consideration included either a two tiered terraced wall with less than 3 feet of exposed height that would encroach 8 feet into the 20 foot side yard setback or to allow construction of a wall that would exceed 3 feet in height and would require structural engineering and a railing on the top.

Peter Lillegren, homeowner, stated the topography would only allow the slope to be raised four feet to make it accessible for mowing and driveway usage. In this way, a straight line could be achieved in backing out of the driveway without a significant slope since there was a severe drop in topography to the lot line. He also stated terracing the area would be the preferred choice in this case.

K. ATTWELL MOTIONED TO APPROVE THE TWO TIER WALL WITH AN EIGHT FOOT ENCROACHMENT INTO THE SIDE YARD SETBACK. B. LEONARD SECONDED THE MOTION. D. CURTIS-COSTA QUESTIONED WHETHER HAD BEEN ANY NEGATIVE FEEDBACK RECEIVED FROM NEIGHBORING PROPERTIES AS A RESULT OF THE ENCROACHMENT. P. LILLEGREN INDICATED THERE HAD NOT BEEN ANY RECEIVED THUS FAR AS HIS PREEMPTORY BORDERED A CONSERVANCY AREA. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Mayor McAleer recessed the meeting at 8:51 p.m. and reconvened at 9:00 p.m.

- c. **TAX KEY 0798.966, 408 – 418 GENESEE STREET, DELAFIELD.**
OWNER/APPLICANT: TOM AUL. OWNER/APPLICANT SEEKS APPROVAL OF A MULTITENANT BUILDING SIGNAGE PROGRAM.

R. Dupler noted the applicant could not be present and he had been asked to speak on his behalf. He went on to explain this request for a multi-tenant sign program in which there would be five potential tenants with 2 x 6 foot signage on the west side of the building. This signage was compliant with the District guidelines for design. In addition, three panels would include blade signs mounted below the eave line to the south and the two remaining panels to the north would be flush mounted directly above the storefront windows. No lighting was proposed at this time. Staff recommended approval, however,

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consideration might be given to stipulation of texture and materials for signage.

K. ATTWELL MOTIONED TO APPROVE THE REQUEST CONTINGENT UPON A SIMILAR CONSTRUCTION AND APPEARANCE TO THE SANDBLASTED WOOD TEXTURED SIGNS FOUND IN THE DOWNTOWN AREA. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. DISCUSSION AND POSSIBLE ACTION ON DOWNTOWN DIRECTIONAL SIGNAGE.

R. Dupler explained information had been provided to the Commission regarding the appearance of potential signage for directional signage in the downtown area. He noted directional signage currently in existence could be found near the Lang Store on Genesee Street. He noted the location of the signage could be a bit challenging as consideration needed to be given to which direction the sign should be visible. In addition, he presented photographs from the City of Grafton as an example of directional signage. He noted in the photos of Grafton it was placed higher than that of regular vehicular signage and the Commission should consider future placement of directional signage on light posts. This signage should also include a consistent look or style so that people entering the City would know what to look for in the directional signage as they traversed the area.

Mayor McAleer stated he thought businesses could rent the sign space and then it could be changed to suit business needs. B. Leonard, K. Fitzgerald, and K. Attwell indicated agreement.

Discussion ensued regarding whether the signage should be ground posts or mounted to the light posts. Limitations were noted for ground posts as they were only allowed in certain designated spots. It was suggested that only businesses off Genesee Street be allowed to participate in the directional signage.

Mayor McAleer stated the City Attorney would need to review the matter prior to a final determination of who was allowed to have signage placed on the sign.

D. Curtis-Costa noted there would be additional costs associated with extra posts as well as signage, and construction. She questioned who would bear the financial burden of the directional signage. K. Attwell suggested the City provide the funding and over time costs would be refunded as a result of the rental.

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G. Gresch stated Staff would secure estimates for signage and return this item to the Agenda for the Plan Commission meeting in October for additional discussion and consideration. Staff would also consider an appropriate rental fee for consideration at that meeting as well.

D. Curtis-Costa suggested the signage utilize screws for attaching the signage to the posts.

6. PRELIMINARY

- a. **TAX KEY 0798.054, 731 MAIN STREET, DELAFIELD.**
OWNER/APPLICANT: KEN HERRO. OWNER/APPLICANT SEEKS APPROVAL OF A PRELIMINARY CONSIDERATION OF A REZONE FROM R-4 TO CBD-2, AND SET PUBLIC HEARING DATE FOR THE SAME.

At the request of the applicant, this item was removed from the Agenda for this meeting.

- b. CONCEPT PRESENTATION FOR DELAFIELD LAKES SITE PLAN, BEING ALL OF PARCEL 1 OF CERTIFIED SURVEY MAP 9538, LOCATED IN THE NORTHWEST ¼ OF SECTION 20, T7N, R18E, FOR A MIXED USE DEVELOPMENT.

R. Dupler explained the petitioners were present this evening for consideration of a preliminary consideration for a concept to be located just south and east of the City Hall and was part of the property recently affected by the moratorium. This presentation would combine commercial and residential uses and would include a mixed use medical office facility with associated residential units for lease. The zoning for the parcel was currently CDB-2 and served its intended zoning designation in the request. Multi-use buildings were allowed in this district as a conditional use. While the Master Land Use plan designated the area as a CBD (Central Business District) land use as well as High Density Residential (greater than four units per acre), and the proposed project could include a Conditional Use agreement, R. Dupler stated it might be prudent to consider current market considerations and would instead recommend the Commission consider rezoning the parcel to R-6, with a Conditional Use for the office facility. In this way, the development could be processed as a Conditional Use Planned development and would evoke the process of an approved General Development Plan with a Specific Implementation Plan (SIP). Further, this would allow the City and the developer some creativity in working with the site to meet the open space requirements for the district. Open space was an issue requiring revision as well as shortage of lot area. R. Dupler noted the purpose at this meeting was to provide the petitioner with adequate direction to begin the process for future planning consideration. He then reviewed the location of the site.

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Paul Miller, chief operating officer from Rogers Memorial Hospital, was present and stated he wanted to note support for this project. Rogers Memorial Hospital was considered a large employer in Summit. He had noticed housing was difficult to find for support of his organizational needs and he would like to see support for that need in the municipalities in the area.

Joe McCormick, developer with Delafield Lakes, was also present as well as his business partner, Dr. Ted Waltzine. J. McCormick stated a presentation would be made by architect, Randy Bruce, of Knothe Bruce architects.

R. Bruce stated he thought the project would be a great asset to the City as it would provide a mixed use of zoning, with primary use being residential. While this would bring more people to the downtown area, he did not anticipate it would generate a great deal of vehicular traffic and he thought it would be a great asset to the community overall. Approximately 2500 square feet of professional office space was also being proposed. Buildings would have underground parking below grade and would prove an amenity to the residents. Above that parking structure would be three stories. He then presented a conceptual drawing of traditional design for the three story building. He stated he had worked with Mr. Johnson to co-venture some of the design for the project and he wanted to make sure the Delafield architectural vocabulary had been integrated appropriately.

He went on to review the depiction of the building, noting the siding was mainly horizontal with a hipped roof. There would be a masonry base to the building and landscaping utilized to set off the building and yet soften the architectural details of the project. Further a portion of the project would include a connection to Oneida Street from Genesee Street.

Suggestions for consideration being given to talking with the Fire Department Staff regarding the needs of the emergency vehicles accessing the site were heard as well as plans for office space shown on the materials provide thus far.

K. Fitzgerald questioned the connection to Oneida Street based on the Department of Public Works (DPW) recommendations for this site. R. Dupler stated this project proposed both options in the DPW recommendation and he suggested a simple traffic analysis of users and accessibility of the site would be pertinent.

In response to a question by Mayor McAleer, R. Dupler explained the surrounding land use densities and noted a public hearing would be

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required as part of the planning process for this project with either option of land use designation.

In response to a question by K. Fitzgerald, J. McCormick explained properties surrounding the project under his ownership. R. Dupler noted potential for open space.

R. Bruce proposed dedicating ground shown in green on the presented drawing as open space with additional off site parking located near the Delafield Commons cul de sac to create more communal open space for neighborhood. He went on to explain the off site parking was located approximately 800 feet from the property and included 45 off site spaces. When questioned as to why the off site parking was so far from the property, R. Bruce explained it was partly due to access issues and would also join the open space currently available with other nearby open space. Also, he answered the parking might be utilized for potential employees of the professional office space and in the event of community gatherings.

In response to a question by D. Curtis-Costa, R. Dupler explained if open space was available on site than it was typically utilized for residents. He also explained these questions would be more fully answered with a Master Plan for the full concept associated with all parcels.

R. Bruce stated without the streets in place, these concepts were just options for planning purposes and additional configurations could be considered as well.

Discussion ensued regarding the parking issues and open space as it related to each of the zoning designations. R. Dupler noted, while parking requirements were uncertain due to the square footage requirements still being considered, the floor area ratio had been exceeded by 40% with a CBD-2 zoning.

B. Leonard questioned the road planning analysis for this project. R. Dupler explained this proposal was only presented recently and thus, the connection to Oneida Street in this project could not have been anticipated in the DPW recommendation.

Mayor McAleer expressed concern for a lack of clarity for the Floor Area Ratio (FAR) and density of the housing and he thought that was fundamental to the project.

Discussion ensued about the appropriate zoning designation for the site. Mayor McAleer stated it was the applicant's responsibility to determine the request for zoning. In addition, he stated that even with transfer of

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lot area for nearby parcels to mitigate open space concerns, the corridor was narrow and should not be there.

Clarification was provided for the developer about the potential zoning designations for the project.

J. McCormick questioned whether a General Development Plan (GDP) would provide a determination of appropriate zoning for the parcel and whether a phased GDP would allow for the project to stay on track. R. Dupler agreed, and D. Curtis-Costa stated she would like to see all portions of the GDP presented prior to approvals for any phasing of the project.

D. Curtis-Costa questioned the purpose of the office in the second building. J. McCormick introduced Dr. Ted Waltzine, one of the owners of the property. Dr. Waltzine explained he was not representing Rogers Memorial Hospital in this project, however, he did have an office there. He went on to explain he needed to have separate office space to service his own patients and the idea of having it in the City was appealing. While he understood the market concerns, he did not anticipate the office space going away and he thought employees would be quite interested in working in Delafield. He further stated he saw the office space as being professional space for people with a need for consultation and business management services.

B. Leonard requested the surrounding properties and outer edges of the property be depicted on any future submissions of planning documents.

R. Dupler stated it might be advantageous to have access to the new City parking lot from the project.

J. McCormick stated he had an idea of expectations and would work with City Staff in easing the complexities of the site and related project. He thanked the Commission for its time spent in discussion of this matter.

7. ZONING AND ORDINANCE REVISION

- a. **TAX KEY 0793.998 AND PART OF 0796.987.001, 111 MAIN STREET, DELAFIELD.** OWNER/APPLICANT: CITY OF DELAFIELD. CITY OF DELAFIELD SEEKS A REZONE FROM C-1 TO CBD-1 AND A MASTER LAND USE PLAN AMENDMENT FOR THE FUTURE PUBLIC SAFETY CAMPUS LANDS.

R. Dupler explained the Commission had heard a presentation earlier this evening on this topic. Staff recommended change of the Master Land Use Plan to make this parcel contiguous with the Central Business District (CBD) and to accommodate the anticipated uses of the site. He

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stated he thought the business district would expand in this direction over time as there was tremendous green space and river frontage in the area. Currently the property was identified as conservancy with CBD-1 and CBD-2 zoning designations being possible. He noted the CBD-1 did not have F.A.R. requirements and would allow the necessary zero setback associated with the turning radii needed for the emergency vehicles utilizing the site in the future.

D. Curtis-Costa questioned why this matter could not be handled through the variance process without changing the zoning. Mayor McAleer explained timelines for construction had been determined and time had been lost in developing a footprint for the site thus far. He thought the CBD-1 zoning was the best solution in this case as the Public Safety Campus was not going to change ownership or purpose over the next 50 years.

K. Fitzgerald stated he thought the zoning should be changed for the Campus only at this time and additional consideration be given to the rest of the areas affected as part of the Smart Growth planning process.

D. Curtis-Costa expressed concern for a CBD-1 zoning designation anywhere other than on the Campus as it was least restrictive.

Discussion ensued regarding how much of the area should be considered in the rezoning at this time.

M. Frede questioned whether the City was being given extra flexibility in this case in proceeding with a zero lot line setback. He stated he wanted to be consistent with consideration for requests such as this one.

K. FITZGERALD MOTIONED TO RECOMMEND TO THE COMMON COUNCIL A CHANGE IN LAND USE FOR THE PUBLIC SAFETY CAMPUS FROM CONSERVANCY TO CENTRAL BUSINESS DISTRICT AND FOR ZONING FROM C-1 TO CBD-1. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. DISCUSSION AND ACTION ON RECOMMENDATION FROM COMMON COUNCIL TO REVIEW THE DRAFT ORDINANCE TO BE SUBMITTED TO DNR TO BE INCLUDED IN THE NATIONAL FLOOD INSURANCE PROGRAM, AND TO SET PUBLIC HEARING DATE FOR THE SAME.

R. Dupler explained this was a perfunctory action necessary to meet State and Federal regulations. A public hearing should be scheduled as soon as possible on the matter to meet appropriate deadlines.

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K. ATTWELL MOTIONED TO SCHEDULE A PUBLIC HEARING FOR THE OCTOBER 15TH SPECIAL MEETING OF THE PLAN COMMISSION.

K. FITZGERALD SECONDED THE MOTION. B. LEONARD QUESTIONED WHEN RESIDENTS AFFECTED BY THIS CHANGE WOULD BE NOTIFIED. R. DUPLER EXPLAINED THAT WHILE HE WAS UNCERTAIN AT THIS TIME, HE WOULD REQUEST M. COURT PROVIDE A STATUS PRESENTATION FOR THE PUBLIC HEARING. B. LEONARD EXPRESSED CONCERN AS THERE WERE FAR REACHING FISCAL IMPLICATIONS AND SHE WAS SURPRISED AFFECTED RESIDENTS HAD NOT BEEN NOTIFIED EARLIER IN THE PROCESS. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- c. DISCUSSION AND ACTION TO RECOMMEND TO THE COMMON COUNCIL TO REVIEW THE DRAFT ORDINANCE AMENDING CITY OF DELAFIELD MUNICIPAL CODE CHAPTER 23, RELATING TO CONSTRUCTION STORMWATER MANAGEMENT AND SET PUBLIC HEARING DATE FOR THE SAME.

R. Dupler explained information had been provided to the Commission as a necessary amendment to the City's Erosion Control Ordinance to satisfy the MS 4 requirements for City planning.

K. ATTWELL MOTIONED TO SCHEDULE A PUBLIC HEARING FOR THE OCTOBER 15TH SPECIAL MEETING OF THE PLAN COMMISSION.

B. LEONARD SECONDED THE MOTION. DISCUSSION ENSUED REGARDING A SENSE OF URGENCY AND WHETHER IT SHOULD BE MOVED TO ANOTHER DATE. ALSO WHETHER MANDATES WERE BEING RECEIVED OR WHETHER IT WAS SUGGESTIVE LANGUAGE PRESENTED. **K. ATTWELL WITHDREW THE MOTION.**

K. ATTWELL MOTIONED TO SCHEDULE A PUBLIC HEARING FOR THE OCTOBER 29TH MEETING OF THE PLAN COMMISSION. K.

FITZGERALD NOTED A TYPOGRAPHICAL ERROR ON PAGE 146 OF THE COMMISSION'S INFORMATION IN SUBPARAGRAPH 19. R. DUPLER NOTED THE CHANGE. **B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- d. DISCUSSION AND ACTION TO THE COMMON COUNCIL TO REVIEW THE DRAFT ORDINANCE AMENDING SECTIONS 17.22 AND 17.24 RELATING TO BOATHOUSES AND SET PUBLIC HEARING DATE FOR THE SAME.

R. Dupler stated consideration had been given to the proposed boathouse ordinance earlier in the year. Changes had been heard and included as well as language related technical changes associated with prohibition of

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toilet facilities, rain gardens and compliance for any boathouse undergoing renovations that constituted greater than 50% of the structure.

B. Leonard stated she had requested specific provisions in this ordinance related to the site grading for boathouse construction to avoid blocking neighboring views. She did not find it in the draft ordinance and remained concerned.

R. Dupler noted the location of the language within the boathouse ordinance addressing this issue and noted it was difficult to provide quantitative formulas with restrictive language.

Mayor McAleer stated a great deal of work had gone into this ordinance and he thought it seemed to be providing correct direction.

K. ATTWELL MOTIONED TO APPROVE THE DRAFT BOATHOUSE ORDINANCE AS SUBMITTED AND RECOMMEND SAME TO THE COMMON COUNCIL FOR APPROVAL. K. FITZGERALD SECONDED THE MOTION. DISCUSSION OF THE NEED FOR ADDITIONAL VERBIAGE RELATED TO REMODELING STRUCTURES WITH REGARD TO PLUMBING AS WELL AS ELIMINATION OF THE WORD "VALUE" BEING UTILIZED IN THE CURRENT PROPOSED CODE TOOK PLACE. DISCUSSION FURTHER ENSUED REGARDING IMPLICATIONS FOR STRUCTURAL AREA WHEN REMODELING OF 50% OR GREATER WOULD TAKE PLACE. IT WAS SUGGESTED THAT LANGUAGE BE DEVELOPED RELATED TO APPROPRIATE BUILDING AND LOT WIDTH, 50% RECONSTRUCTION OF A NON-CONFORMING STRUCTURE AND THE ITEM PLACED ON THE NEXT MEETING AGENDA OF THE PLAN COMMISSION. **K. ATTWELL AMENDED THE MOTION TO HAVE THIS ITEM PLACED ON THE NEXT AGENDA FOR A REGULAR MEETING OF THE PLAN COMMISSION WITH ITEMS 5 AND 9 OF THE PROPOSED DRAFT ORDINANCE REWRITTEN TO INCLUDE VERBIAGE RELATED TO REBUILDING NON-CONFORMING STRUCTURES AND ADDITIONAL VERBIAGE RELATED TO BUILDING AND LOT WIDTH. K. FITZGERALD SECONDED THE AMENDED MOTION.** DISCUSSION ENSUED REGARDING WHICH WAY THE MOTION SHOULD BE WORDED AND VOTED UPON ACCORDING TO ROBERT'S RULES OF ORDER. MAYOR MCALEER STATED THE COMMISSION WOULD VOTE ON THE MAIN MOTION AS AMENDED. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- e. DISCUSSION AND ACTION TO RECOMMEND TO THE COMMON COUNCIL TO REVIEW THE DRAFT ORDINANCE AMENDING CITY OF DELAFIELD MUNICIPAL CODE 17.33(5) WHICH ADDS TWO ADDITIONAL CRITERIA BY WHICH THE PLAN COMMISSION CAN

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EVALUATE PROPOSED PLANS OF OPERATION AND TO SET PUBLIC HEARING DATE FOR THE SAME.

B. LEONARD MOTIONED TO RECOMMEND THIS ITEM FOR A PUBLIC HEARING ON NOVEMBER 19, 2008. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- f. DISCUSSION AND POSSIBLE ACTION ON THE SIGN COMMITTEE RECOMMENDATIONS.

R. Dupler explained the process that had been followed in consideration of Sign Committee recommendations to date. He noted consideration should be given to modifications made to specific sign ordinances, inclusion of special districts and forms utilized in approval of sandwich board signage used with business operations.

B. Leonard suggested that given the lateness of the hour, this item be considered on a future agenda of the Plan Commission.

Mayor McAleer noted the 90 day trial period associated with sandwich board signage was approaching and he thought it prudent to consider the sandwich board signage issues at this time.

K. FITZGERALD MOTIONED TO APPROVE SECTION 17.734 AND DISCUSS THE REMAINDER OF THE PROPOSED SIGN ORDINANCE AT A FUTURE DATE DURING THE RELATED SMART GROWTH CHAPTER DISCUSSION. B. LEONARD SECONDED THE MOTION. D. CURTIS-COSTA STATED WITH REGARD TO SUBPARAGRAPH 11 OF THIS SECTION OF THE ORDINANCE, SHE WOULD LIKE TO SEE THE VERBIAGE INCLUDE FIVE FEET OF CLEARANCE FOR PEDESTRIAN WALKWAY RATHER THAN THREE FEET AS STATED IN THE ORDINANCE AS SHE WOULD LIKE TO SEE THIS SECTION TO BE CONSISTENT WITH OTHER ORDINANCE REQUIREMENTS. K. FITZGERALD NOTED THAT IN SECTION 17.68, SUB PARAGRAPH 2, REFERENCES WERE MADE TO SECTION 17.69 (9) AND THIS SECTION DID NOT EXIST. IN ADDITION, 17.34 WAS NOTED IN THAT SAME SENTENCE AND HE THOUGHT IT SHOULD BE 17.734 IN ORDER FOR THE STATEMENT TO MAKE SENSE. IT WAS ALSO NOTED IT WOULD BE DIFFICULT TO ENFORCE THE SECOND SENTENCE OF SECTION 17.734 (3) WITH REGARD TO DISPLAYING SIGNS LONGER THAN 50% OF THE ANNUAL BUSINESS HOURS. IN RESPONSE TO THE ISSUE OF A FIVE FOOT ACCESSIBLE PATH AS DESCRIBED BY D. CURTIS-COSTA IN SECTION 17.734(11), R. DUPLER STATED ALL OTHER AREAS HAVE IMPOSED FIVE FEET FOR CLEARANCE OF A PEDESTRIAN WALKWAY AND HE WAS UNCERTAIN AS TO WHY THIS SECTION SHOULD BE ANY DIFFERENT. **WITHOUT OBJECTION FROM THE SECONDER, K.**

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FITZGERALD AMENDED HIS MOTION TO APPROVE SECTION 17.734, SANDWICH BOARD OR A-FRAME STYLE SIGNS, OF THE SIGN ORDINANCE AT THIS TIME WITH THE FOLLOWING CHANGES 1) REMOVE the SECOND SENTENCE IN SUB PARAGRAPH (3) RELATED TO 50% OF THE ANNUAL BUSINESS HOURS AND 2) IN SUB PARAGRAPH (11) CHANGE THE ACCESSIBLE PATH FROM 3 FEET TO 5 FEET IN WIDTH AND IN SECTION 17.68 SUB PARAGRAPH 2 OF THE PROPOSED SIGN COMMITTEE RECOMMENDATIONS, OMIT THE REFERENCE TO SECTION 17.69(9) AS IT DID NOT EXIST AND CHANGE 17.74 TO 17.734. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. HEARING DATES.

G. Gresch stated there was a Public Hearing slated for the October 15TH Plan Commission Agenda for a Business Plan of Operation for Garden Gate Nursery and a draft ordinance related to National Flood Insurance. Future public hearing dates for the Plan Commission also included the October 29th hearing on Construction Stormwater Management as well as a lighting and signage issue for Christ the King Lutheran Church. On November 15th there would be a public hearing on the proposed plans to amend Business Plan of Operation criteria.

9. ADMINISTRATOR'S REPORT

In the absence of T. Schuenke, G. Gresch noted the following items:

- A. LETTER FROM FRIEBERT, FINERTY & ST. JOHN, S.C., ATTORNEY AT LAW, REQUESTING OPEN ENDED EXTENSION FOR THE LAQUINTA INN & SUITES CONDITIONAL USE AMENDMENT REQUEST

A letter had been received from Friebert, Finerty, & St. John, S.C. attorneys representing La Quinta Inn. G. Gresch read the letter into the record for this meeting.

- B. SMART GROWTH – DISCUSSION REGARDING RESIDENTS SURVEY AND SCHEDULE NEXT WORKING SESSION (OCTOBER 15, 2008)

R. Dupler requested this item be placed on the October 15, 2008, Plan Commission Special Meeting agenda for consideration due to the lateness of the hour.

D. Curtis-Costa stated she appreciated the changes made to the document since the previous review.

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B. Leonard questioned whether return envelopes were being provided to residents to expedite return of the surveys. R. Dupler noted additional postage requirements necessitated residents drop off the surveys or mail them at individual expense.

10. BUILDING INSPECTOR'S REPORT

In the absence of T. Maney, G. Gresch stated the total number of permits to date were 28, plus one occupancy permit. There were two permits for new single family homes this month.

11. BOARD OF ZONING APPEALS

G. Gresch noted the following list of appeals and related hearing dates:

a. SEPTEMBER 11, 2008 HEARING DETERMINATIONS:

i. DELC 0802.009; PROPOSED SECOND STORY ON HOME AND REBUILDING OF DETACHED GARAGE AT 2004 MILWAUKEE STREET – APPROVED.

b. OCTOBER 9, 2008 HEARINGS SCHEDULED:

i. DELC 0787.125; APPEAL FOR PROPOSED GARAGE ADDITION AT 828 HAWKS HOLLOW, PERTAINING TO SECTION 17.39(15)(A)(E) REGARDING MINIMUM FRONT STREET SETBACK REQUIREMENTS.

ii. DELC 0786.083; APPEAL FOR PROPOSED NEW HOME ON LOT 29, NAGAWICKA LAKE HEIGHTS ADDITION ON WEST SHORE DR, PERTAINING TO SECTION 17.39(9)(N) REGARDING MINIMUM OPEN SPACE REQUIREMENTS AND SECTION 17.39(9)(M) REGARDING MAXIMUM FLOOR AREA RATIO REQUIREMENTS.

12. CORRESPONDENCE

None.

13. ADJOURNMENT

K. ATTWELL MOTIONED TO ADJOURN THE SEPTEMBER 22, 2008, PLAN COMMISSION MEETING AT 11:18 P.M. K. FITZGERALD SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:
Accurate Business Communications, Inc.