

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
Larry Chapman (arrived 7:43 p.m.)
Michael Frede
Kevin Fitzgerald
Chris Smith
Roger Dupler, Planner
Gina Gresch, Clerk-Treasurer
Tim Schuenke City Administrator

Absent

Beth Leonard
Tom Maney, Building Inspector

PUBLIC HEARING #1: DELC 0798.965.003. CONDITIONAL USE PUBLIC HEARING FOR OWNER/APPLICANT: DELAFIELD LAKES, 101 N. MILLS STREET, MADISON, WI 53562; AGENT: JOE MCCORMICK, 101 N. MILLS STREET, MADISON, WI 53562. OWNER/APPLICANT REQUESTS A CONDITIONAL USE FOR A MIXED USE OFFICE AND MULTI-FAMILY COMPLEX. A SITE PLAN OF THE AFFECTED PROPERTY MAY BE OBTAINED FROM THE CITY COUNCIL. THIS PROPERTY IS CURRENTLY ZONED CBD-2.

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

Joe McCormick, applicant, provided a brief overview of the site plan. He introduced the architects, Randy Bruce and Kent Johnson, to the Commission. He stated he had owned the property since June of this year with Dr. Ted Weltzien. He then shared two renderings of the site plan, noting the location of the buildings, proposed emergency access and the exterior look of the buildings. He noted the buildings would be three and one half stories in height and would include underground parking. There was an emergency access on site; however, he wanted to review this further as part of discussions for Item 4c.

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

PUBLIC HEARING #2: DELC 0798.055. CONDITIONAL USE PUBLIC HEARING FOR OWNER/APPLICANT: RED TOP CAPITAL, LLC. TOM ROLFS, 625 WALNUT RIDGE

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DRIVE, HARTLAND, WI 53029. OWNER/APPLICANT REQUESTS A CONDITIONAL USE FOR A HOME BUSINESS AND ARCHITECTURAL MODIFICATIONS FOR A BUILDING ADDITION THAT WILL ENCROACH IN THE SIDE YARD SETBACK. A SITE PLAN OF THE AFFECTED PROPERTY MAY BE OBTAINED FROM THE CITY COUNCIL. THIS PROPERTY IS CURRENTLY ZONED R-4.

Mayor McAleer opened the Public Hearing at 7:05 p.m.

Amy Meier and Laura Murray, architects for the project from Studio M designs, explained the project included a request for adding a new entry, storage space, and two skylights to the existing structure.

Dan Collins, 726 Milwaukee Street, stated he was a nearby property owner and was in favor of the project. He noted the existing block was currently of mixed use so this use was appropriate and he applauded the owner for his creative use of the property.

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

1. APPROVE PLAN COMMISSION MEETING MINUTES OF NOVEMBER 19, 2008 MEETING

K. ATTWELL MOTIONED TO APPROVE PLAN COMMISSION MEETING MINUTES OF NOVEMBER 19, 2008 AS PRESENTED. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. D. CURTIS COSTA ABSTAINED DUE TO ABSENCE AT THAT MEETING. MOTION CARRIED.

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

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

K. ATTWELL MOTIONED TO CLOSE THE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA 7:08 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

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

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- a. **TAX KEY 0804.985, 3215 HILLSIDE DRIVE, DELAFIELD.**
OWNER/APPLICANT: ACKASONE (LAM) VIRASITH.
OWNER/APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A RESTAURANT, PACIFIC BISTRO. HOURS OF OPERATION ARE SUNDAY THROUGH SATURDAY 10:00 A.M. TO 2:00 A.M. WITH 5 PART-TIME EMPLOYEES AND 10 FULL-TIME EMPLOYEES.

Approved. See above.

- b. **TAX KEY 0804.985, 3201 HILLSIDE DRIVE, DELAFIELD.**
OWNER/APPLICANT: DANIEL FLUYERAS. OWNER/APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AMENDMENT FOR A CHANGE OF OWNERSHIP FOR A PICTURE FRAMING / ART GALLERY, GALLERY 1.

Approved. See above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **TAX KEY 0793.998 & PART 0793.987.001, 111 MAIN STREET, DELAFIELD.** OWNER/APPLICANT: CITY OF DELAFIELD.
OWNER/APPLICANT SEEKS APPROVAL OF THE FOLLOWING ITEMS FOR THE PUBLIC SAFETY CAMPUS:

- i. FINAL CERTIFIED SURVEY MAP AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME.
- ii. LIGHTING PLAN
- iii. LANDSCAPE PLAN

R. Dupler explained the final Certified Survey Map (CSM) had been reviewed and had consolidated all parcels into one that would accommodate the development of the Public Safety Campus as intended. He also distributed lighting materials and a photometric grid, noting the lighting plan and landscape plan were both in conformance with ordinance requirements as was the CSM for the site. With regard to the lighting plan, he explained there were too many lights proposed and as a result, Staff would be reviewing the lighting plan in an attempt to reduce the number of lights.

Commissioners questioned the plans relating to lighting trespass, interior lot lines currently on site, lighting styles, illumination sources, foot candles, style and number of poles, and bulb purchase.

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R. Dupler explained there were downcast fixtures slated for the site as well as shoebox fixtures to be utilized by the fueling station. In some cases, there would be fixtures mounted on the Department of Public Works (DPW) building. The lantern style light fixtures would be along the street and in the pedestrian parking lot for the Public Safety Campus. Poles utilized would match existing light poles found throughout the City.

J. Romanowski explained the location of green ash trees to be removed as well as new placement of large trees on the DPW site. Trees would be placed in the southwest corner of the site, directly in front of the Police Department garage, as well as pine trees strategically placed to provide screening from the Veteran's Memorial Riverwalk. Trees to be planted at the Civic Center site included placement on the parking islands of locally grown nursery stock. Ornamental pear trees would be planted along the front of the new library to provide screening in that area.

K. ATTWELL MOTIONED TO APPROVE FINAL CERTIFIED SURVEY MAP AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME FOR THE PUBLIC SAFETY CAMPUS FOR TAX KEY 0793.998 & PART 0793.987.001, 111 MAIN STREET, DELAFIELD. OWNER/APPLICANT: CITY OF DELAFIELD. K. FITZGERALD SECONDED THE MOTION. D. CURTIS COSTA EXPRESSED CONCERN ABOUT APPROVAL PRIOR TO RECEIPT OF A WETLAND MITIGATION PERMIT FROM THE DEPARTMENT OF NATURAL RESOURCES. J. ROMANOWSKI NOTED THIS WAS NOT A CONDITION OF THE CSM AND SHOULD NOT NEED TO RESTRICT APPROVAL. K. ATTWELL QUESTIONED THE STORMWATER RUNOFF FROM THE ROOF OF THE BUILDING. J. ROMANOWSKI EXPLAINED RUNOFF FROM THE ROOF WAS CONSIDERED CLEAN WATER AND AS SUCH COULD BE DIRECTED TO THE STORMWATER DETENTION BASIN ON SITE. HE NOTED THIS WOULD BE THE SAME ON THE CIVIC CENTER SITE AS WELL. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

K. ATTWELL MOTIONED TO APPROVE THE LIGHTING PLAN FOR THE PUBLIC SAFETY CAMPUS FOR TAX KEY 0793.998 & PART 0793.987.001, 111 MAIN STREET, DELAFIELD. OWNER/APPLICANT: CITY OF DELAFIELD, SUBJECT TO STAFF REVIEW AND APPROVAL INCLUDING A REDUCTION OF LIGHTS AS DISCUSSED. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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K. FITZGERALD MOTIONED TO APPROVE THE LANDSCAPE PLAN FOR THE PUBLIC SAFETY CAMPUS FOR TAX KEY 0793.998 & PART 0793.987.001, 111 MAIN STREET, DELAFIELD. OWNER/APPLICANT: CITY OF DELAFIELD. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 0798107, 500 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: CITY OF DELAFIELD. OWNER/APPLICANT SEEKS APPROVAL OF THE FOLLOWING ITEMS FOR THE DOWNTOWN CIVIC CENTER.**
- i. FINAL CERTIFIED SURVEY MAP AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME.
 - ii. LIGHTING PLAN
 - iii. LANDSCAPE PLAN

K. ATTWELL MOTIONED TO APPROVE THE FINAL CERTIFIED SURVEY MAP FOR THE DOWNTOWN CIVIC CENTER AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME FOR TAX KEY 0798107, 500 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: CITY OF DELAFIELD. K. FITZGERALD SECONDED THE MOTION. J. ROMANOWSKI NOTED THIS CSM ALSO CONSOLIDATED MULTIPLE LOTS INTO ONE LOT FOR CONSTRUCTION OF THE NEW CIVIC CENTER CAMPUS. R. DUPLER STATED THE LANDSCAPE PLANS AND LIGHTING PLANS WERE ALSO IN CONFORMANCE WITH CITY ORDINANCES. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

K. FITZGERALD MOTIONED TO APPROVE THE LIGHTING PLAN FOR THE DOWNTOWN CIVIC CENTER FOR TAX KEY 0798107, 500 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: CITY OF DELAFIELD. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

K. FITZGERALD MOTIONED TO APPROVE THE LANDSCAPE PLAN FOR THE DOWNTOWN CIVIC CENTER FOR TAX KEY 0798107, 500 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: CITY OF DELAFIELD. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- c. **TAX KEY 0798.965.003, GENESEE STREET, DELAFIELD.**
OWNER/APPLICANT: DELAFIELD LAKES; AGENT: JOE MCCORMICK.
OWNER/APPLICANT SEEKS APPROVAL OF A CONDITIONAL USE FOR A MIXED USE OFFICE AND MULTI-FAMILY COMPLEX AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME.

Joe McCormick introduced Randy Bruce and Kent Johnson, architects for the project. R. Bruce explained revisions had been received and accommodated from Staff and Engineering reports in the plans for this project. He noted there would be two 29 unit buildings with approximately 60% of the building being one-bedroom apartments and 40% being two bedroom apartments as well as mixed use office space. The buildings would be approximately three and one-half stories tall with underground parking. The exterior of the building included various architectural elements providing character to the building as well as buffering around the building. Next, he discussed the emergency access drive off of Oneida Street and outlined how the Fire Department guidelines had impacted the turning radii. He noted the plans had been designed to accommodate the specifications the Fire Department Staff had provided and thus, should be workable for all.

Discussion ensued regarding the driveway access to Oneida and whether the bank had been contacted in this matter. J. McCormick explained tentative agreements had been reached to utilize the bank parking lot as an access; however, nothing had been formalized in writing as of this point in time.

Mayor McAleer noted the engineering report had stated there would be two access drives and he questioned whether the engineering report for the site had considered the emergency access in its calculations.

Rob Davy, of Lake Country Engineering and civil engineer for the applicant, explained all residents would be entering the site from Genesee Street and the calculations were based on that understanding.

Discussion ensued regarding the questions posed in an engineering letter from M. Court to T. Hafner and whether those concerns had been remedied. These questions were believed to be remedied; however, the Mayor thought the Public Works Committee should review those engineering calculations and provide input to the Plan Commission in consideration of this case.

Kent Johnson, of Johnson Designs, then shared a computerized color rendering of the exterior concept for the building. While brick was originally considered a desirable material for the exterior, the currently proposed architectural materials were deemed to be of quality material for this project.

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Mayor McAleer noted his history regarding the suggestion of utilizing brickwork was based on conversations with the applicant earlier in the planning process noting that the buildings could potentially in the future be condominiums. To that end, he had recommended the use of brickwork as a quality material.

K. Johnson went on to explain the brickwork be applied as a base on the building much the same as other buildings in the City utilized. The body of the building included a grey-blue color with yellowish gable ends to provide a contrast. The body of the building would be comprised of a cement board material to look like lap siding. The gable ends would have a board and batten look of a creamy yellow color as well as on the trim areas. Further, he explained the colors presented provided more contrast due to the variation in lighting in the room, and would provide three-dimensional color on all four sides of the building.

Samples of the materials were distributed to the Commissioners and the roof material was noted to be comprised of several colors that would allow for color change at a later date if desired. K. Johnson stated he thought the architecture and material utilized on the buildings would complement the downtown area very nicely.

D. Curtis Costa expressed concern for the numerous colors utilized in the building exterior. Discussion ensued regarding the use of the proposed colors and lifespan of the materials to be utilized on the building.

D. Curtis Costa questioned the medical practice and its related clientele as the office would be in the same building as a residence. She noted the form submitted to Staff related to the business plan of operation was a bit vague in its description and she was concerned about hours of operation for the clinic. R. Dupler explained only the site plan was being considered this evening. R. Bruce noted he thought the office use was compatible with the residential use in this case.

D. Curtis Costa stated she would like to have the Public Works Committee review this case and return their findings to the Commission for further consideration.

Discussion ensued regarding the process for moving forward architecturally while the remaining engineering concerns were reviewed.

K. ATTWELL MOTIONED TO APPROVE THE ARCHITECTURAL PLANS FOR A MIXED USE OFFICE AND MULTI-FAMILY COMPLEX FOR TAX KEY 0798.965.003, GENESEE STREET, DELAFIELD. OWNER/APPLICANT: DELAFIELD LAKES; AGENT: JOE

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MCCORMICK. K. FITZGERALD SECONDED THE MOTION. D. CURTIS COSTA STATED SHE DID NOT WANT TO SEE A FOUR COLORED BUILDING IN THIS CASE. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

K. ATTWELL MOTIONED TO RECOMMEND THAT THE PUBLIC WORKS COMMITTEE REVIEW THE LETTER FROM M. COURT TO T. HAFNER RELATED TO ENGINEERING CONCERNS AS WELL AS THE MOST RECENT TRAFFIC STUDY AND STORMWATER MANAGEMENT ISSUES, AND PROVIDE A RECOMMENDATION TO THE COMMISSION ON SAME. L. CHAPMAN SECONDED THE MOTION. M. COURT REQUESTED INPUT BE GATHERED REGARDING THE PEDESTRIAN WALKWAY PROPOSED ON THE SITE. R. BRUCE EXPLAINED THE PROPOSED LOCATION OF THE WALKWAY ALONG THE EMERGENCY ACCESS DRIVEWAY. DISCUSSION ENSUED REGARDING ALTERNATIVE OPTIONS FOR PLACEMENT OF THIS WALKWAY ON THE SITE. THE COMMISSION INDICATED CONSENSUS FOR DESIRING A PEDESTRIAN ACCESS VIA A WALKWAY ON THE SITE IF POSSIBLE. DISCUSSION FURTHER ENSUED REGARDING ALL ITEMS TO BE CONSIDERED BY THE PUBLIC WORKS COMMITTEE IN THIS CASE. WITH AGREEMENT FROM THE SECONDER, K. ATTWELL AMENDED THE MOTION TO INCLUDE ADDITIONAL CONSIDERATION BY THE PUBLIC WORKS COMMITTEE OF THE PEDESTRIAN WALKWAY ALTERNATIVES ON SITE WITH RECOMMENDATION TO THE COMMISSION ON THE SAME. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 0798.055, 737 MAIN STREET, DELAFIELD.**
OWNER/APPLICANT: RED TOP CAPITAL, LLC. TOM ROLFS.
OWNER/APPLICANT SEEKS APPROVAL OF A CONDITIONAL USE FOR A HOME BUSINESS AND ARCHITECTURAL MODIFICATIONS FOR A BUILDING ADDITION THAT WILL ENCROACH IN THE SIDE YARD SETBACK, AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME.

Amy Meier and Laura Murray, of Studio M Designs, and architects for this project, shared an architectural rendering of the project, noting the proposed new covered entrance and addition of two skylights on the north side of the building. Tom Rolf, applicant, noted the location of the current parking and addition of a stone path from the street to direct people to the entrance.

K. ATTWELL MOTIONED TO APPROVE A CONDITIONAL USE FOR A HOME BUSINESS AND ARCHITECTURAL MODIFICATIONS FOR A BUILDING ADDITION THAT WILL ENCROACH IN THE SIDE YARD SETBACK, AND RECOMMENDATION TO COMMON COUNCIL OF THE SAME FOR TAX KEY 0798.055, 737 MAIN STREET, DELAFIELD.

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OWNER/APPLICANT: RED TOP CAPITAL, LLC. TOM ROLFS. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- A. **TAX KEY 0793.014.008, 637 GENESEE STREET, DELAFIELD.** OWNER: ACE DELAFIELD PROPERTIES, LLC. JASON STEINER. APPLICANT: CERIELLO FINE ITALIAN FOODS & FRESH FOOD MARKET. APPLICANT SEEKS APPROVAL OF A MODIFICATION TO THE EXISTING SIGN PLAN.

K. ATTWELL MOTIONED TO APPROVE A MODIFICATION TO THE EXISTING SIGN PLAN FOR TAX KEY 0793.014.008, 637 GENESEE STREET, DELAFIELD. OWNER: ACE DELAFIELD PROPERTIES, LLC. JASON STEINER. APPLICANT: CERIELLO FINE ITALIAN FOODS & FRESH FOOD MARKET. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. PRELIMINARY

There were no preliminary items for consideration this evening.

7. ZONING AND ORDINANCE REVISION

- a. DISCUSSION AND ACTION TO RECOMMEND TO COMMON COUNCIL TO ADOPT ORDINANCE NO. 601, AN ORDINANCE REPEALING AND RECREATING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, RELATING TO CONSTRUCTION SITE EROSION CONTROL AND STORMWATER MANAGEMENT.

M. Court explained the structure of approval for stormwater issues and noted how this ordinance would shift the structure of approval to its current situation.

K. ATTWELL MOTIONED TO APPROVE AND RECOMMEND TO COMMON COUNCIL TO ADOPT ORDINANCE NO. 601, AN ORDINANCE REPEALING AND RECREATING CHAPTER 23 OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, RELATING TO CONSTRUCTION SITE EROSION CONTROL AND STORMWATER MANAGEMENT. K. FITZGERALD SECONDED THE MOTION. CLARIFICATIONS WERE REQUESTED ABOUT THE SURETY BONDS ASSOCIATED WITH THIS ORDINANCE. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- b. DISCUSSION AND ACTION TO REVIEW DRAFT LANGUAGE FOR CITY OF DELAFIELD ZONING CODE SECTION 17.14(6) RETAINING WALLS.

R. Dupler noted the language had been proposed to expand the notification areas for neighboring properties when a retaining wall requires special consideration for implementation in a required district setback.

K. ATTWELL MOTIONED TO APPROVE DRAFT LANGUAGE FOR CITY OF DELAFIELD ZONING CODE SECTION 17.14(6) RETAINING WALLS AND SCHEDULE FOR A PUBLIC HEARING FOR THE SAME. D. CURTIS COSTA SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. DISCUSSION AND ACTION TO REVIEW DRAFT LANGUAGE FOR CITY OF DELAFIELD ZONING CODE SECTION 17.88(2) PUBLIC HEARING NOTICE AND PUBLICATION.

R. Dupler explained the draft language was in response to a request from the Common Council as a result of a previous situation where a parent development owned the property surrounding the individual property requesting a change and as a result, only the parent development required and received notification of the change. As a result of this proposed language, neighbors within 300 feet of external boundaries of the parent development would receive notification in the future.

Discussion ensued regarding whether clarification was needed as to the meaning of "parent development" and whether a larger notification distance was required.

K. ATTWELL MOTIONED TO APPROVE THE DRAFT LANGUAGE FOR CITY OF DELAFIELD ZONING CODE SECTION 17.88(2) PUBLIC HEARING NOTICE AND PUBLICATION AS PRESENTED. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. HEARING DATES

- A. CALL FOR PLANNED UNIT DEVELOPMENT (PUD) PUBLIC HEARING FOR RED PRAIRIE TECHNOLOGY DEVELOPMENT GROUP AND SET DATE FOR THE SAME.

The public hearing date was tentatively set for February 18, 2009, at Cushing School in Delafield, if the school was available on that date. G. Gresch will contact the school to determine availability.

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- B. SET PUBLIC HEARING DATE FOR REMAINING SIGN COMMITTEE SIGN ORDINANCE RECOMMENDATIONS.

Mayor McAleer noted portions of the ordinance recommendations still required approval due to an error in the approval process. A Public Hearing date was set for January 28, 2009.

9. ADMINISTRATOR'S REPORT

- a. DISCUSSION OF SMART GROWTH CHAPTER 5 HOUSING.

Due to the ill health of several Commissioners, a suggestion was made to postpone discussions of the Smart Growth chapters on the agenda this evening. Discussion ensued regarding the best way to proceed with the chapter review process and still maintain the necessary timeline for submission to the County. R. Dupler suggested the Commissioners review the remaining chapters (5 and 7) individually and submit any comments or changes to him via email no later than Monday, January 5, 2009. In this way, meeting times would be utilized for consideration of changes and implementation of objectives associated with each chapter and review and recommendation to Council of the same. It was also suggested that alternate Plan Commission meeting agendas be limited to Smart Growth discussions only. The Commission agreed to all suggestions.

- b. INITIAL ISSUANCE OF SMART GROWTH CHAPTER 7 LAND USE.

This item was discussed as part of Item 9a.

- c. PLAN COMMISSION MEETING SCHEDULE:

R. Dupler noted, given the recent Commission discussions, that the meeting dates would be utilized in the following manner by the Commission:

- a. JANUARY 14, 2009-Smart Growth
- b. JANUARY 28, 2009-Regular meeting
- c. FEBRUARY 11, 2009-Smart Growth
- d. FEBRUARY 25, 2009-Regular meeting
- e. MARCH 11, 2009-Smart Growth-if needed
- f. MARCH 25, 2009-Regular meeting

10. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date were 13, plus 1 occupancy permit. There were no permits for new single family homes this month.

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11. BOARD OF ZONING APPEALS

G. Gresch noted the following Board of Zoning Appeals and outcomes.

DECEMBER 11, 2008 HEARINGS DETERMINATIONS:

- I. DELC 0751.032 - PROPOSED DETACHED GARAGE AT 2634 NAGAWICKA AVE - **APPROVED**
- II. DELC 0736.988.002 - RE-ROOF AND STRUCTURALLY REINFORCE BARN ROOF AREAS - **APPROVED**
- III. DELC 0787.058 - PROPOSED REBUILDING OF ATTACHED GARAGE AT 741 MILL ST - **APPROVED**

12. CORRESPONDENCE

None.

13. ADJOURNMENT

K. ATTWELL MOTIONED TO ADJOURN THE DECEMBER 17, 2009, PLAN COMMISSION MEETING AT 8:48 P.M. D. CURTIS COSTA SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.