

CITY OF DELAFIELD PLAN COMMISSION MINUTES

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Phil Schuman
Larry Chapman
Michael Frede
Dan Jashinsky
Chrys Mursky-(entered 7:02 p.m.)
Keith Strege
Roger Dupler
Matt Carlson

Absent

Ron Miskelley
Tom Maney

1. APPROVE PLAN COMMISSION MEETING MINUTES OF APRIL 25, 2007 MEETING

L. CHAPMAN MOTIONED TO APPROVE THE MINUTES FROM THE APRIL 25, 2007 MEETING. D. JASHINSKY 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

Jeff Krickhahn, 4506 Vettelson Road – Spoke as the Alderman of the 1st District regarding the Starbucks and proposed drive-through. The spirit with the developer at the time of the Settlement Agreement was that a drive-through would not be put in due to litter, etc. He felt that 6 a.m. should be the earliest opening time; he was not in favor of 5 a.m. A copy of the 1/27/99 Plan Commission Minutes in regards to Taco Bell and B-6 zoning was distributed to the commissioners. He asked that Starbucks close at 10 p.m. or 11 p.m. He did not believe that a drive-through fit in the zoning or in the agreement that was made with the developer.

Brian Faracy, 852 Scenic Heights Drive – Fairness and intent should be considered when discussing issues. He was concerned that two officials were quoted in the paper as saying that there was no way that the drive-through would be permitted. He asked that this be considered with an open mind. He was on the City Council when the vote for Village Square came up. His recollection was that fast food restaurants were determined to McDonalds and Taco Bell-type establishments, but Starbucks was never mentioned. Starbucks

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has jumped over the high bar. This shopping center has cleared up the radium issue. He asked for fair consideration and that the Plan Commission be open minded.

Ed McAleer, 3413 Lake Drive – Was concerned about fairness in regards to Starbucks. He thought Starbucks was a fine business, but the Plan Commission needed to be fair to decisions made with other developers in the past. In January, 1999 when Taco Bell came before the City, the discussion regarded trash generated by drive-throughs. In 1999 Taco Bell was told that the restaurant was fine in B-6 but that a drive-through was not because of the trash issue. Although it could be argued that Starbucks is not really a restaurant, he stated that perhaps the Common Council needs to make a definition of what a fast food restaurant is and then determine what definition applies to Starbucks. He would like the Plan Commission to refer this back to the Common Council for their determination. His big concern was the precedent that the Plan Commission tried to set in 1999. The definition of fast food and drive-through restaurants should be made clear.

Bill Restock, 4527 Vettleson Road – Addressed Item 5b – the drive-through at Starbucks in Village Square. When the city officials stated that “it can’t happen”, he could only think that they were referring to the Settlement Agreement as page 5 specifically referenced drive-through restaurants. The second concern he had regarding Starbucks was the 5 a.m. opening. He was afraid of setting a precedent at Village Square. He would like the opening time to be kept at 6 a.m. In regards to Item 3g he asked what type of business this was, how many cars it would generate in one day, and if there was any type of waste treatment planned.

Sherry Myers, 4447 Vettleson – Spoke regarding Starbucks. If Starbucks wants to be there that is fine, but the residents were promised that there would be no drive-through restaurant. She felt that this was a restaurant.

Jackie Bowman, 4449 Vettleson – Spoke regarding Starbucks. They are directly across from the soon-to-be road across from Starbucks and would be most impacted by the litter and trash. She stated that the other Starbucks in Delafield did not have drive-throughs. She was not in favor of the drive-through.

Larry Schouten, 4518 Vettleson – Discussed Item 3a, Starbucks Movie event at the Starbucks at 83&94. It was his opinion that if this was allowed a precedent would be set. In regards to Item 5b, the Starbucks at Village Square – the drive-through was addressed in the Settlement Agreement and is not allowed. In addition, he was not in favor of the 5 a.m. opening time. They are hoping for relief when the Village Square is finally built and did not think that things that produced noise and debris should be allowed.

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

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K. STREGE MOTIONED TO CLOSE CITIZEN'S COMMENTS. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

C. Mursky requested to remove Items a and g.

After discussion, (see below):

C. MURSKY MOTIONED TO APPROVE ITEMS A & G. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

K. STREGE MOTIONED TO APPROVE ITEMS B, C, D, E, AND F. M. FREDE SECONDED THE MOTION. IT WAS CLARIFIED THAT ANY CONDITIONS IN THE PLANNERS MEMO NEEDED TO BE FOLLOWED. ALL WERE IN FAVOR. MOTION CARRIED.

- a. **TAX KEY 804.982, 2940 GOLF ROAD, DELAFIELD.** APPLICANT STARBUCK'S COFFEE. APPLICANT SEEKS APPROVAL OF A TEMPORARY BUSINESS PLAN OF OPERATION FOR A MOVIE EVENT (PURSUIT OF HAPPINESS) ON THE LAWN ON JUNE 8, 2007 AT 7:00 – 9:30 P.M.

R. Dupler explained the proposal.

The Starbucks representative explained that this would movies have been shown inside, but they would like to show movies outside during the warm weather in a picnic setting. The movie that they would like to show would be "Happy Feet" and is rated "G". R. Dupler did not think the screen would be distracting from drivers on Highway 83.

Approved. See above.

- b. **TAX KEY 793.020.003, 524 MILWAUKEE STREET, DELAFIELD.** APPLICANT: ROBERT HUSKISSON. OWNER: R. LANG. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR FOUR LEAF DEVELOPMENT GROUP, LLC, A BUILDER/DEVELOPMENT COMPANY. HOURS OF OPERATION ARE WEEKDAYS, 5:00 A.M – 10:00 P.M.; SATURDAY AND SUNDAY, 6:00 A.M. – 8:00 P.M. WITH 8 FULL-TIME EMPLOYEES.

Approved. See above.

- c. **TAX KEY 807.977, 3960 HILLSIDE DRIVE, DELAFIELD.** APPLICANT: VERMILLION WORLDWIDE RELOCATIONS, LLC. OWNER: JON

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MIKKELSON. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR VERMILLION WORLDWIDE RELOCATIONS, LLC, AN INTERNATIONAL RELOCATIONS COORDINATION BUSINESS. HOURS OF OPERATION ARE WEEKDAYS AND SATURDAY, 8:00 A.M. – 6:00 P.M. WITH 1 FULL-TIME EMPLOYEE.

Approved. See above.

- d. **TAX KEY 733.990.003, 3100-3158 VILLAGE SQUARE DRIVE, HARTLAND.** APPLICANT: MARLENE ABESTE OWNER: UNITED PROPERTIES. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR GREAT CLIPS, INC, A HAIR SALON/BARBER SHOP. HOURS OF OPERATION ARE WEEKDAYS, 10:00 A.M. – 9:00 P.M., SATURDAY, 9:00 A.M. – 6:00 P.M.; SUNDAY, 11:00 A.M. – 5:00 P.M., WITH 4 PART-TIME AND 4 FULL-TIME EMPLOYEES.

Approved. See above.

- e. **TAX KEY 733.990.003, 3071 VILLAGE SQUARE DRIVE, HARTLAND.** APPLICANT: KARL REKOWSKI. OWNER: UNITED PROPERTIES. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR U.S. CELLULAR, WIRELESS PHONES AND PLANS. HOURS OF OPERATION ARE WEEKDAYS, 10:00 A.M. – 7:00 P.M.; SATURDAY, 10:00 A.M.; SUNDAY, 11:00 A.M. – 3:00 P.M., WITH 2 FULL-TIME AND 1 PART-TIME EMPLOYEES.

Approved. See above.

- f. **TAX KEY 793.020.001, 727 GENESEE STREET, DELAFIELD.** APPLICANT: JANE CIABOTTI. OWNER: R. LANG. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR SPLENDOR, LLC, UPSCALE GIFTS AND HOME ACCESSORIES. HOURS OF OPERATION ARE WEEKDAYS, 10:00 A.M. – 7:00 P.M.; SATURDAY, 10:00 A.M. – 5:00 P.M.; SUNDAY, 12 NOON – 4:00 P.M., WITH 3 FULL-TIME AND 1 PART-TIME EMPLOYEES.

Approved. See above.

- g. **TAX KEY 733.989, 4439 VETTELSON ROAD, HARTLAND.** APPLICANT: SCOTT ANADELL. OWNER: MICHAEL GATZOW. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR WAX MAN AUTO DETAILING, AN AUTO DETAILING BUSINESS. HOURS OF OPERATION ARE WEEKDAYS, 7:00 A.M. – 7:00 P.M.; SATURDAY, 8:00 A.M. – 6:00 P.M., WITH 2 PART-TIME AND 1 FULL-TIME EMPLOYEES.

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Scott Anadell was present at the meeting. M. Carlson stated that the property operates under a conditional use permit.

R. Dupler stated that all of the concerns voiced by Bill Restock have been addressed previously. The petitioner has agreed to abide by all of the original constraints. All drainage is contained on-site.

S. Anadell reviewed the nature of his business. All chemicals are biodegradable and all work would be done inside. Two to three cars are worked on per day during busy times.

Approved. See above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **TAX KEY 746.999 MISSION PRAIRIE SUBDIVISION, DELAFIELD.**
APPLICANT: JAHNKE & JAHNKE. OWNER: SIEPMANN REALTY.
APPLICANT SEEKS APPROVAL OF A FINAL PLAT FOR MISSION PRAIRIE
SUBDIVISION.

The final plat is in substantial conformance with the approved preliminary plat. R. Dupler recommended approval upon resolution of the items identified in the Yaggy Colby review letter. All four standard documents have been executed.

Jim Siepmann was present at the meeting. A layout of the subdivision was displayed. The surveyor's letter recommended that a new name be given to the road in order to prevent confusion with other existing roads.

D. JASHINSKY MOTIONED TO APPROVE CONTINGENT ON ITEMS IN THE SURVEYOR'S LETTER. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 807.985.012, 3776 KETTLE COURT EAST, DELAFIELD.**
APPLICANT: FRED CARLSON, DBI, INC. APPLICANT SEEKS APPROVAL
OF A SITE PLAN, ARCHITECTURE AND LANDSCAPING FOR A MULTI-
TENANT BUILDING.

R. Dupler explained that this would realize a multi-tenant commercial building on Kettle Court. The use is appropriate. Consideration should be given for the location of the tenant sign as it is proposed to be nearer than setbacks allow due to visibility issues. He recommended that this proposal be referred to the Public Works Committee. The lighting plan should be resubmitted to staff for verification in the candles. He recommended approval contingent upon acceptance of the sign location, approval of the retaining walls within the required side yard and a temporary grading easement on the City owned water tower lot and

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compliance with the Yaggy Colby review letter of May 22, 2007 regarding stormwater issues and the May 25, 2007 Yaggy Colby memo regarding landscaping materials in addition to being reviewed to the Public Works Committee for site stormwater and infrastructure review.

Fred Carlson, a representative from DBI was present at the meeting. He would like to change the color of the glass to grey.

There was no proposed on-building signage. C. Mursky stated that she would like to see more landscaping in some of the areas. R. Dupler stated that the proposed landscaping satisfies the ordinance. C. Mursky would like to see something taller than yews. R. Dupler suggested small under story trees.

M. FREDE MOTIONED TO APPROVE THE SIGN LOCATION AS PROPOSED; THAT THE TEMPORARY GRADING EASEMENT IS ACCEPTABLE; THAT THE TYPO ON THE LIGHTING PLAN BE REVIEWED BY STAFF; THAT THE PUBLIC WORKS COMMITTEE REVIEW THE SITE STORMWATER, AND STRUCTURE; THAT HIGHER TREES ARE ADDED BETWEEN THE RETAINING WALL AND ROAD; AND THAT THE CONDITIONS OF THE 5/22/07 YAGGY COLBY LETTER ARE MET. K. STREGE 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 804.983, 3175 HILLSIDE DRIVE, DELAFIELD.**
APPLICANTS: KINDERCARE AND ALPHA-NEONX SIGN. APPLICANTS SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR KINDERCARE, A CHILD-CARE FACILITY. HOURS OF OPERATION ARE WEEKDAYS, 6:00 A.M. – 6:00 P.M., WITH 9 FULL-TIME AND 3 PART-TIME EMPLOYEES.

R. Dupler reviewed. This is a replacement of the former tenant and is the same use and hours as the previous tenant. Signage as proposed is conformant. There is an issue regarding a color change of the shutters and gutters to red. He recommended approval of the business plan of operation and signage contingent on changing the painted elements back to the original color (forest green).

A representative from Alpha Sign was present at the meeting. There is a letter from the applicant stating that they would change the colors back to the original color if necessary.

C. MURSKY MOTIONED TO APPROVE CONTINGENT ON CHANGING THE RED PAINTED ELEMENTS BACK TO THE ORIGINAL COLOR AND TO RECOMMEND TO THE COMMON COUNCIL AS A MINOR

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

- b. **TAX KEY 733.990.003, 3152 VILLAGE SQUARE DRIVE, HARTLAND.** APPLICANTS: STARBUCK'S COFFEE. OWNER: UNITED PROPERTIES. APPLICANT SEEKS APPROVAL OF BUSINESS PLAN OF OPERATION AND SIGNAGE FOR STARBUCK'S, A RESTAURANT OFFERING SPECIALTY COFFEE. HOURS OF OPERATION ARE WEEKDAYS, 5:00 A.M. – 10:00 P.M.; SATURDAY, 5:00 A.M. – 11:00 P.M.; SUNDAY, 6:00 A.M. – 11:00 P.M., WITH 12 PART-TIME AND 3 FULL-TIME EMPLOYEES.

R. Dupler reviewed. The drive-through was approved as part of the Phase One SIP with an anticipated use as retail. It is identified in the Settlement Agreement that no fast-food restaurants, gas or convenience stores, or drive-through restaurants shall be allowed in the development. A restaurant is defined by the City Code 17.24 as "An establishment where meals are regularly offered for compensation". M. Carlson stated that in terms of zoning, it needed to be determined what type of business the entity provides – in this case, food sales account for approximately 25% and beverage 75%. The issue is whether there is flexibility to see at Starbucks with a drive-through at this location.

Keith Ulstad from United Properties was present at the meeting. He stated that they were convinced that there would not be a Starbucks at Village Square without the drive-through. In regards to the early morning operation, he thought that it could be negotiated to 6 a.m. He did not feel that this was a restaurant and did not think that a drive-through would be detrimental. In 1999 and 2005 Starbucks reported that 15% of the sales were food, 75% were beverage. None of their food is prepared on-site. He thought it was important to have Starbucks-type tenants in Village Square. Village Square is trying to provide neighborhood type services to the people of Delafield. He thought that Village Square had been a good corporate citizen and that they are making a substantial contribution in regards to the city's water supply. They have met the challenges, have tried to compromise, and now have a better project because of it. He asked that the Plan Commission take a holistic view on this.

K. Ulstad addressed the Starbucks menu and exclusiveness in the development.

M. Frede asked what happened if the Business Plan of Operation changed or what happened on the inside changed. M. Carlson stated if seating or employees were added, the establishment is supposed to come back to the Plan Commission for a revised Business Plan of Operation. If the operation is changing, they would also need to come back to the Plan C. MC stated that if the decision is based on the mix of products sold

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today and the mix of products changes and puts them into another category, the Plan Commission should again review it.

D. Jashinsky discussed the litter and asked if people were more likely to litter when using a drive-through as opposed to going in to get their beverage. Discussion took place regarding littering food items, and it was stated that this could happen from the food store also. M. Frede asked what the spirit and intent of restricting fast food and drive-throughs was. M. Carlson discussed the economic aspect in terms of additional tax base to Delafield. He also stated that the City of Delafield did not have a "restaurant license" requirement. It was clarified that no food prep would take place on the premises. C. Mursky asked how the Plan Commission could answer to those denied in the past to operate a drive-through (kiosk). M. Carlson stated that those uses were determined to be unacceptable secondary locations. This would be a primary location. Mayor Schuman stated that a minor portion of sales would be from food. M. Carlson confirmed that this could be reviewed in the future, but criteria would need to be developed by which to measure/judge. R. Dupler stated that an amendment to the existing ordinance in regarding to definitions of "restaurant" may be in order. K. Ulstad stated that in regards to from a resident regarding hearing the outdoor speaker taking orders for coffee, that there was no reason that noise should be heard by residents on Vettleson Road. He assured the Plan Commission that speaker noise would not be heard by residents.

R. Dupler addressed the signage and stated that it is compliant with the signage program for Village Square. He asked for clarification on the awning attachment in terms of color and material. K. Ulstad stated that it would be the Starbucks green color.

M. Carlson stated that from a zoning point of view this is not a restaurant, but a coffee shop because the bulk amount of sales comes from beverages. He suggested that inclusion of 6 a.m. start time be incorporated in the motion. R. Dupler suggested reconfiguration of parking on the south side of the building to ensure one-way traffic.

C. MURSKY MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION FOR STARBUCKS BASED ON THE DETERMINATION THAT ITS USE IS A RETAIL COFFEE SHOP DETERMINED ON FACTORS SUCH AS THE PERCENTAGE OF FOOD/BEVERAGE SALES, THAT THERE IS NO FOOD PREPARED ON PREMISES, ON THE CONDITION THAT TRAFFIC CIRCULATION BE ONE-WAY AROUND BUILDING, THAT THE HOURS OF OPERATION BEGIN AT 6 A.M., AND APPROVAL OF AWNING AS PRESENTED. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- c. **TAX KEY 807.978.008, 350 AUSTIN CIRCLE, DELAFIELD,** APPLICANT: LAM VIRASITH AND RICK JINKINS. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR PACIFIC BISTRO, FOOD PROCESSING/RESTAURANT. HOURS OF OPERATION ARE WEEKDAYS, 11:30 A.M. – 11:00 P.M.; SATURDAY AND SUNDAY, 11:30 A.M. – 12:00 A.M., WITH 15 PART-TIME AND 10 FULL-TIME EMPLOYEES.

R. Dupler reviewed the history of this project. He suggested approval of business plan of operation for the restaurant contingent upon the approved site plan and architectural drawings.

R. Jinkins was present at the meeting. With the approval of the business plan of operation he can proceed with procuring the funding needed for the project. R. Dupler stated that the intent this evening is to secure the business plan of operation. The issue at hand is that the City took action a while back to change the comprehensive plan to allow for mixed use development. The City also took the initiative to allow for other restaurants in the area because in the current M1 zoning food preparation is an allowable use. The issue is that the petitioner is having a hard time with the funding agency and needs the Plan Commission approval to proceed. The next logical step after this meeting is for the City to consider modifying the existing M1 use allowances to allow for the uses in B1, B2, and B3 so as to realize that mixed use potential that has already been approved in the comprehensive plan. M. Carlson stated that absent that change in the zoning text, the M1 zoning definition gives the Plan Commission the ability to make a determine that a use is consistent with the M1 definitions of other permitted uses in that category. It is not a conditional use permit. The Plan Commission is being asked to determine that the restaurant and food preparation is similar to/consistent with the uses permitted in the M1 district. It was clarified that this is very similar to what the Plan Commission did with Benny's Seafood.

It was clarified that if this was approved, it would only be for the Business Plan of Operation.

K. STREGE MOTIONED FOR APPROVAL OF THE BUSINESS PLAN OF OPERATION CONTINGENT UPON SITE PLAN COMPLETION AND PLAN COMMISSION REVIEW. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

R. Dupler stated that on the application it states "food processing" in order to be compliant with the verbiage in the ordinance.

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- d. **TAX KEY 804.982, 2912 GOLF ROAD, DELAFIELD.** APPLICANT: INNOVATIVE SIGNS. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR FEDEX KINKO'S.

R. Dupler reviewed. The sign conforms to the pre-approved sign program in all ways except the color which duplicates the FedEx Kinkos corporate logo (white and blue). The Shoppes at Nagawaukee sign program limits colors to red, white or green.

Chad Shult of Innovative Signs was present at the meeting. This is a FedEx nationally trademarked sign with the blue. A photo of an alternate sign which used different type of lighting with white on white was distributed to the commissioners. If this was used, it would require LED lighting. He stated that if so, it would be easier to do the entire sign in LED. An additional benefit would be cost savings incurred for energy consumption. It was clarified that the color blue was the issue. Lumens in regards to the LED would not be any brighter or dimmer than any other signs on the building.

D. JASHINSKY MOTIONED TO APPROVE A WHITE ON WHITE SIGN USING LED LIGHTS WITH THE "X" BEING OUTLINED AND NOT ANY BRIGHTER OR DIMMER THAN OTHER SIGNS. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. **TAX KEY 786.092, 2105 WEST SHORE DRIVE, DELAFIELD.** OWNERS: THOMAS AND BARBARA BRUNS. APPLICANT: PIALA NURSERY. APPLICANT SEEKS APPROVAL OF A RETAINING WALL FOR THEIR RESIDENCE.

A representative from Piala Nursery was present and explained their proposal. Additional topographic analysis has been submitted to R. Dupler. This is more than at 1:4 slope. The homeowner has proposed to purchase block where needed to be hidden behind the garage. Fieldstone would be used on the wall engineered by the street. This is an existing property which is being updated. The immediate neighbor has acknowledged that they may go on their property in order to do the work with restoration to take place afterwards. No objections have been received from the neighbors. The property has been resurveyed to verify property lines and neighbors have been contacted.

M. Carlson suggested taking photos of the existing neighboring properties prior to the start of work.

K. STREGE MOTIONED TO APPROVE. M. FREDE SECONDED THE MOTION. R. DUPLER STATED THAT A HANDRAIL SHOULD BE INSTALLED ALONG THE TOP. THE REPRESENTATIVE STATED THAT LANDSCAPING HAS BEEN ADDED TO ACT AS A BARRIER. R.

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DUPLER WAS CONCERNED ABOUT SOMEONE STEPPING OFF OF THE WALL, BUT A SOLID HEDGE, 3' ON THE CENTER IT WOULD BE ACCEPTABLE. THE REPRESENTATIVE STATED THAT THEY WILL INSTALL DOGWOOD. THE MOTION WAS AMENDED TO INCLUDE THE ADDITION OF A SOLID HEDGE AS SUGGESTED BY R. DUPLER. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- f. **TAX KEY 733.993.002, 4615 VETTLESON ROAD, HARTLAND.**
APPLICANTS: JENDUSA ENGINEERING AND DENNIS RUFFING.
APPLICANTS SEEK APPROVAL OF A SITE PLAN FOR AN ADDITION OF AN OUTDOOR DECK AND RECOMMENDATION TO COUNCIL ON A MAJOR OR MINOR CHANGE TO THE CONDITIONAL USE PERMIT.

This property is governed by a conditional use. The deck does not create any issues and R. Dupler recommended approval of the deck.

J. Jendusa was present at the meeting.

M. FREDE MOTIONED TO APPROVE. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. PRELIMINARY

- a. **TAX KEY 787.999, 1452 GENESEE STREET, DELAFIELD.**
APPLICANT: DR. DANIEL T. MURRAY. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR DR. DANIEL MURRAY, A CHIROPRACTIC CLINIC. HOURS OF OPERATION ARE WEEKDAYS, 9:00 A.M. – 6:00 P.M.; SATURDAY, 9:00 A.M. – 12 NOON, WITH 3 FULL-TIME AND 2 PART-TIME EMPLOYEES.

R. Dupler reviewed. The property is a conditional use established in 1985. He suggested that Dr. Murray come back to Plan Commission for a Public Hearing.

Dr. Murray stated that approximately 4-6 patients would be seen per hour (maximum). They have taken parking into consideration. He stated that Christ the King Church has stated that they would allow use of their parking lot. M. Carlson asked if Dr. Murray would permit overflow parking for the church. Dr. Murray stated that they would allow that.

Ingress/egress into the parking lot was discussed. Mayor Schuman stated that this would need to be conditional use and a public hearing would need to be scheduled. C. Mursky would like to see a site plan as part of this. Dr. Murray stated that they would enhance the landscaping, that there was room to add parking next to the north side of

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the building, and there was a possibility that they would square off the building to add approximately 600 sf.

When all submittal requirements are met (site plan) and additional intents are illustrated, a public hearing will be scheduled.

7. ZONING AND ORDINANCE REVISION.

No report.

8. HEARING DATES

The boathouse code review will be scheduled for the June Plan Commission meeting.

9. ADMINISTRATOR'S REPORT

The Sign Committee has been approved by the Common Council. Specific members are needed for the committee and will be offered to the Common Council at its next meeting.

10. BUILDING INSPECTOR'S REPORT

No report.

11. BOARD OF ZONING APPEALS

a. BOARD OF ZONING VARIANCE DENIAL APRIL 26, 2007

12. CORRESPONDENCE

a. Letter from Waukesha County Department of Parks and Land Use dated April 11, 2007 regarding isolated natural resources in area located at 3195 Hillside Drive, Delafield.

b. Letter from Wisconsin Department of Administration dated May 9, 2007 regarding no objection to the final plat for Valley Road Farms Addition 2.

13. ADJOURNMENT

L. CHAPMAN MOTIONED TO ADJOURN FROM THE MEETING. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:03 P.M.

Minutes Prepared By:

Accurate Business Communications, Inc.