

CITY OF DELAFIELD PLAN COMMISSION MINUTES

PUBLIC HEARINGS

Mayor Craig declared the public hearing open at 7:03 p.m.

- 1. TO CONSIDER A CONDITIONAL USE UNDER SECTION 17.75, ZONING CODE, PLANNED DEVELOPMENT AS A CONDITIONAL USE TO ALLOW FOR A CONTROL BUILDING CONSTRUCTION FOR THE DEPARTMENT OF NATURAL RESOURCES, **TAX KEY 807.992, 3402 KETTLE COURT EAST, DELAFIELD.**

Art Baumann, 917 Broken Bow Court -- Asked if the approval of this building make it easier to develop any other type of building on the landfill. It was clarified that any future development would have to go through the required process. This was to deal with the environmental issues.

Mayor Craig asked three times if there were any more comments. There were none.

**P. SCHUMAN MOTIONED TO CLOSE THE PUBLIC HEARING. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Absent

Mayor Paul Craig  
 Phil Schuman  
 Chrys Mursky  
 Mike Court  
 Marty Sawall  
 Beth Leonard  
 Dick Kuchler  
 Roger Dupler  
 Tom Maney  
 Ellen O'Brien, Deputy Clerk

Matt Carlson

- 1. APPROVE PLAN COMMISSION MEETING MINUTES OF JUNE 29, 2005

**P. SCHUMAN MOTIONED TO APPROVE THE MINUTES FROM THE JUN 29, 2005 MEETING AS PRESENTED. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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

Rebecca J.R. Roeker, Attorney, Murn & Martin, S.C. – Addressed Item 9a. She reviewed why they are not on the agenda for consideration this evening. They intend to comply with the submission requests and hope to have a public hearing in August. This is a high-end condo development that would cater to the empty nesters.

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

**D. KUCHLER MOTIONED TO CLOSE CITIZENS COMMENTS. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA.

**P. SCHUMAN MOTIONED TO APPROVE. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. **TAX KEY 756.996.002, HWY 83 & OAKWOOD RD, DELAFIELD.** APPLICANT: KETTLE MORaine EVANGELICAL FREE CHURCH. APPLICANT SEEKS APPROVAL OF A TEMPORARY BUSINESS PLAN OF OPERATION FOR AN OUTDOOR CEREMONIAL SERVICE. TENT SET-UP, SATURDAY, AUGUST 13; GROUND-BREAKING SERVICE COMPLETED AT NOON ON SUNDAY; TAKE-DOWN TENT MONDAY, AUG. 15.

It was clarified that the event will be held on Sunday, August 14<sup>th</sup>.

- b. **TAX KEY 804.994.019, 2726 & 2736 HILLSIDE DRIVE, DELAFIELD, WI.** OWNER: GCG/MARCUS DELAFIELD, LLC; APPLICANT: NICHOLAS WILLIAMS. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR TWIST N' OLIVE, A MARTINI LOUNGE. HOURS OF OPERATION ARE WEEKDAYS, 4PM – 12AM; SATURDAY, 1PM – 2AM; SUNDAY, 4PM – 2AM. 1 FULL-TIME AND 4 PART-TIME EMPLOYEES.
- c. **TAX KEY 798.104, 524 GENESEE STREET, DELAFIELD.** APPLICANT: ICON SOLUTIONS. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR CHASE BANK.

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 804.993.004, 2940 GOLF ROAD, DELAFIELD, THE SHOPPES AT NAGAWAUKEE, DELAFIELD** APPLICANT: STARBUCKS COFFEE; OWNERS AGENT: GEORGE SARFATTY. APPLICANT SEEKS

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APPROVAL OF A BUSINESS PLAN OF OPERATION, OUTDOOR PATIO AREA AND SIGNAGE. HOURS OF OPERATION ARE 7 DAYS A WEEK FROM 5:30AM – 10PM; 2 HOLIDAYS A YEAR THE STORE IS CLOSED. A MANAGER AND 4 EMPLOYEES PER SHIFT

Hal Schmidt was present. The signage has been eliminated from the umbrellas. G. Kost was also present. It was their preference not to have a fenced in area. This met the approval of R. Dupler and he recommended approval.

C. Mursky addressed the color of the umbrellas. A color example of the umbrellas was given to R. Dupler for the files.

**P. SCHUMAN MOTIONED TO APPROVE. B. LEONARD SECONDED THE MOTION. P. SCHUMAN AMENDED THE MOTION TO INDICATE THAT THE UMBRELLA SIGNAGE BE ELIMINATED. B. LEONARD AGREED TO THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 804.994.017, 2720-2840 HERITAGE DRIVE, DELAFIELD.** APPLICANT: BOB DOODY. APPLICANT SEEKS APPROVAL OF A MONUMENT SIGN FOR THE WAL-MART CENTER.

This was removed from the agenda per the request of B. Doody.

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. FINAL CONSIDERATION OF CONDITIONAL USE PERMIT FOR POOCH PLAYHOUSE, **24 ENTERPRISE RD, DELAFIELD. TAX KEY 794.013**

Janet Gantland, owner, was present. R. Dupler stated that no complaints have been filed or received. He recommended approval. The owner confirmed that no complaints had been received about her business. Mayor Craig stated that many people had complimented the operation.

**D. KUCHLER MOTIONED TO APPROVE. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 807.978.003, 807.978.004, 807.798.005, 350 AUSTIN CIRCLE, DELAFIELD.** DESIGN CENTER. APPLICANT: HORIZON DEVELOPMENT. APPLICANT SEEKS FINAL APPROVAL OF SITE PLAN, CERTIFIED SURVEY MAP AND ARCHITECTURE

Chuck Keith was present along with other representatives of the project. The plans had been revised per staff comments and they thought that they had complied with just about everything. The parking configuration was looked at, but not changed.

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R. Dupler reported that this property is in the M1 district because it falls under the description of the contractor's shop. Modifications have been made to the proposal as requested, including the roofline and elevation. The elevations address signage and a sign permit will be a separate submittal to the Plan Commission. The photometric plan has been modified and is substantially compliant, but would like the motion to be contingent upon staff review of the lighting plan. The site plan shows a modification in the addition of a dumpster and the retaining wall has been built into the east hillside and falls within the side yard setback and requires the Plan Commission's specific approval. He recommended that the parking and retaining wall be reviewed by Public Works for further engineering analysis. R. Dupler had asked for a modification to the landscape plan to eliminate two specific species that are determined by the DNR to be aggressive species and they were not removed on the information that was submitted. This could be referred to staff for approval. The parking lot orientation phasing and parking lot spaces for each of the build outs were discussed R. Dupler wanted to make sure that 80 stalls are included in the initial phase. He believed that the parking is in compliance. It was noted that if the building were to find another use the parking lot is large enough for all office space, but not retail (although retail not allowed in M1). The lighting ratios and light shed need to fine tuned. He recommended approval conditioned on the resolution of survey issues, landbank parking trigger needs to be identified, staff review of the lighting plan, and landscape plan in addition of PWC for engineering approval.

Discussion took place as to how much of the area on lot three would be built on, where the retaining wall would be located and how it work. It was stated that nothing was being proposed for Lot 3, just Lot 2. C. Mursky addressed the rooftop view from the freeway. A representative displayed the angle of view including the rooftop units. It was not thought that anything on the roof would be able to be seen. It was stated that the roof top units would be screened.

**P. SCHUMAN MOTIONED TO APPROVE CONTINGENT ON RESOLUTION OF SURVEY ITEMS IDENTIFIED IN THE STAFF MEMO, LANDBANK PARKING TRIGGERS SHOULD BE REVIEWED, AND STAFF TO REVIEW THE LIGHTING AND LANDSCAPE PLANS, AND RECOMMEND TO PUBLIC WORKS FOR ENGINEERING APPROVAL. B. LEONARD SECONDED THE MOTION. IT WAS CLARIFIED THAT FOR PHASE ONE 80 PARKING SPACES ARE NEEDED. THE DUMPSTER NEEDS TO BE ENCLOSED WITH A SCREEN THAT IS OF COMPARABLE MATERIALS TO THE BUILDING, ALONG WITH THE UTILITY BOX, AND THESE WOULD BE REVIEWED AS PART OF THE LANDSCAPE PLAN REVIEW. ALL WERE IN FAVOR. MOTION CARRIED.**

- c. **TAX KEY 798.013 AND 798.014, 603 – 617 MAIN STREET, DELAFIELD.** APPLICANTS: RICK AND JAY LIEBLANG. APPLICANTS

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SEEK FINAL APPROVAL FOR A CERTIFIED SURVEY MAP, SITE PLAN AND ARCHITECTURE

Mayor Craig stated that a legal ruling determined that this does not have to be a conditional use.

R. Lieblang was present along with the architect for the project. The architect displayed drawings of the proposed building and reviewed the project.

R. Dupler reviewed and stated that this is in the CBD1 district. At this time there is not a sign program for the proposed building. He recommended approval of CSM, architectural, site plan and recommendation to Public Works.

**C. MURSKY MOTIONED TO APPROVE WITH THE REVISED ARCHITECTURAL ELEVATION TO GO TO STAFF, SPECIFICALLY A PINNACLE AND THE APPEARANCE FROM A "STRIP MALL" ASPECT, WITH THE SITE PLAN AND SITE ENGINEERING TO BE APPROVED BY PUBLICS WORKS – SPECIFICALLY THE ENCROACHMENT INTO THE RIGHT-OF-WAY, WITH THE CSM BEING REFERRED TO THE COMMON COUNCIL, AND NOTING THAT THIS DOES NOT INCLUDE SIGNAGE. D. KUCHLER SECONDED THE MOTION. ARCHITECTURE WAS CLARIFIED AS TRELLISES, WINDOWS, OR COLUMNS TO BREAK UP THE SIDE ELEVATION AND THE PETITIONER WILL WORK WITH STAFF ON THIS. ALL WERE IN FAVOR. MOTION CARRIED.**

- d. **TAX KEY 807.992, 3402 KETTLE COURT EAST, DELAFIELD.** APPLICANT: TOM WENTLAND, DEPT. OF NATURAL RESOURCES. APPLICANT SEEKS FINAL APPROVAL OF A CONDITIONAL USE PERMIT FOR A CONTROL BUILDING CONSTRUCTION.

T. Wentland was present at the meeting. The siding material and color have been changed. He distributed sheets showing the siding change to Hardy Plank material being pre-painted to khaki brown.

R. Dupler stated that there were no issues and recommended approval to the Common Council as a major change to the Conditional Use.

**P. SCHUMAN MOTIONED TO APPROVE TO THE COMMON COUNCIL AS A MAJOR CHANGE TO THE CONDITIONAL USE WITH SAMPLES OF COLOR BEING PROVIDED TO CITY. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- e. **TAX KEY 804.994.002, WALMART, 2863 HERITAGE DRIVE, DELAFIELD.** APPLICANT: MICHAEL PASCHE, NATIONAL SURVEY. APPLICANT SEEKS FINAL APPROVAL OF ARCHITECTURAL IMPROVEMENTS TO THE BUILDING FACADE, BUILDING ADDITION AND GARDEN CENTER.

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Revised drawings were distributed to the commissioners. M. Pasche was present at the meeting and discussed the proposed changes. Philip Fedders from Harrison French & Associates, Ltd., architect for the project was also present and discussed the project. Photos of screened rooftop units on existing WalMart buildings were distributed and would be of the style that they are proposing for this building. Mayor Craig stated that the Plan Commission was looking for screening through the use of the architecture of the building. R. Dupler stated that an evaluation of the view sheds is very important and that perhaps landscaping in key areas would be possible for screening. C. Mursky stated that she would prefer architectural screening because landscaping is not a permanent solution.

R. Dupler reviewed. The new architecture employs new signage and will be a separate petition.

Further discussion took place regarding the screening of the rooftop units.

**P. SCHUMAN MOTIONED TO APPROVE WITH THE PROVISIO THAT THE MASONRY COLUMNS BE IN THE FINAL PLANS AND TO RAISE THE CORNICE IN THE REAR ELEVATIONS TO HIDE ROOF TOP UNITS WITH STAFF REVIEW OF ROOFTOP UNIT SCREENING. B. LEONARD SECONDED THE MOTION. C. MURSKY ASKED FOR MORE DECORATIVE BOLLARDS IN THE FRONT. P. SCHUMAN SUGGESTED MATCHING THE COLORS OF THE BOLLARDS TO THAT OF THE PROPOSED BUILDING. ALL WERE IN FAVOR. MOTION CARRIED.**

6. PRELIMINARY CONSIDERATION

- a. **TAX KEY 793.991.002 & 793.991.003, 232 MAIN STREET, DELAFIELD.** OWNERS: 3 N 1 LLC, NEUMANN/NOSEK; APPLICANT'S AGENT: DAVID KOSCIELNIAK, TDI ASSOCIATES. APPLICANT SEEKS PRELIMINARY REVIEW OF A DEVELOPMENT CONCEPT TO REZONE FROM R-3 TO R-6 AND BUILD AN 18-UNIT MULTI-FAMILY BUILDING

Architect D. Koscielniak was present at the meeting. A CSM will be needed to combine two parcels. Drawings of the proposed project were displayed and reviewed. The densities of other buildings in the area were reviewed.

R. Dupler stated the Plan Commission needed to determine if the rezoning of this property was in the best interest of the community. On the Comprehensive Plan it is identified for residential dwelling units greater than four units per acre – the proposal fits within this. Although currently an R3 zoned district, it has an R6 zoned development to the east and two lots away to the west. The conversion of the R3 lots will realize the intent of the Comprehensive Plan and would be in compliance

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with the Comprehensive Plan and would eliminate an existing discrepancy between the existing zoning map and the Comprehensive Plan. In the R6 district there is no maximum floor area ratio, the amount of open space required per unit is only 500 sf and the Petition is providing 2456 sf per unit. Underground parking of 36 spaces and 12 spaces outdoors for guests is appropriate. This is a well presented package. A CSM would need to occur to combine the lots.

Mayor Craig stated he does not want multi-family homes. He ran for low development and was not in favor of the proposal.

C. Mursky addressed the comprehensive plan of being greater than four units per parcel and asked clarification of this. B. Leonard stated that this has the appearance of being an infill development because of what it was surrounded by and was consistent with the properties to the east. P. Schuman expressed concern about the third story height.

W. Neumann addressed the reason why they have two bedrooms and not three: they are striving for an upscale condo development, are concerned about the green space, and wanted to keep the density down so as to not create a burden on the school system. He stated that the building meets the height requirements. The building would use a private well which concerned C. Mursky.

The R6 lots near this parcel were addressed and could encompass 10-12 units.

Mayor Craig stated that if the Petitioner submitted the required documents, they could have a public hearing.

- b. INITIATE PROCESS TO DE-MAP HIRSCHMAN LANE, HARTLAND, WI.

R. Dupler outlined the proper procedure to de-map in his memo to Matt Carlson dated July 22, 2005.

Discussion took place regarding the road and the correlation it has with the future park and church properties. The demapping would be demap a designated collector road. P. Schuman stated that an analysis of potential traffic pattern in this area should be done in correlation with the master plan. It is inappropriate to have a collector road between a park and a church and this is why it needs to be demapped.

**P. SCHUMAN MOTIONED TO RECOMMEND TO THE COMMON COUNCIL THAT A PUBLIC HEARING TAKE PLACE ON THE DEMAPPING OF THE PROPOSED COLLECTOR STREET THAT SERVES AS AN EXTENSION TO HIRSCHMAN LANE. C. MURSKY SECONDED. THE PROCESS WAS DISCUSSED. ALL WERE IN FAVOR. MOTION CARRIED.**

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7. ZONING AND ORDINANCE REVISION

None.

8. HEARING DATES

Trillium Development

9. ADMINISTRATOR'S REPORT

a. THE SANCTUARY AT DELAFIELD, **TAX KEY 797.979, DELAFIELD.**

The public hearing for the Sanctuary at Delafield was not held because the submittal was deficient and the resubmittal was received after the publication deadline. It will be on the next agenda.

b. DISCUSSION REGARDING THE WATERLEAF SUBDIVISION PRIMARY ENVIRONMENTAL CORRIDOR

Complaints had been filed regarding mowing. The residents of Waterleaf have been asked to maintain the condition of agreements they have with the City. R. Dupler reviewed the final plat conditions. He distributed a drawing showing the areas that were being discussed.

c. NORTHEAST DELAFIELD QUADRANT STUDY (TRANSPORTATION, STORMWATER PLANNING, SIMILAR TO NORTHWEST QUADRANT PLANNING PROCESS)

Direction was asked for in order to begin the study for this quadrant. P. Schuman stated that he would like to have some input from this district. Regional detention may take place in this area. Mayor Craig stated that this is good planning and is not to encourage development. Anyone interested in the northeast quadrant should attend these sessions. It was suggested to have the sessions in the evening and at a location close to this area.

10. BUILDING INSPECTOR'S REPORT

Building permits to date 65, three occupancy, three new single family homes, one new restaurant, and one hotel conversion.

11. BOARD OF ZONING APPEALS

a. REPORT ON BOARD OF ZONING DECISIONS FOR MAY AND JUNE, 2005

A report was provided in the Commissioner's packets.



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12. CORRESPONDENCE

- a. Letter from Bob and Christine Anderson dated July 1, 2005 regarding Trillium Development project.

13. ADJOURNMENT

**P. SCHUMAN MOTIONED TO ADJOURN FROM THE MEETING. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:34 P.M.**

Respectfully submitted:

Minutes Prepared By:

Ellen O'Brien  
Deputy City Clerk

Accurate Business Communications LLC