

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

PUBLIC HEARINGS

CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A CHURCH, YOUTH ACTIVITY CENTER, OUTDOOR CLASSROOM AND CHURCH RELATED ACTIVITIES FOR KETTLE MORaine EVANGELICAL FREE CHURCH, **TAX KEY 756.996.002, NORTHWEST CORNER OF HWY 83 AND OAKWOOD ROAD, HARTLAND**

A PowerPoint presentation by the Church took place.

Ed Edwards, 1347 Mariner Drive – He is a citizen of the City of Delafield and a member of the church. Was in support of the issuance of a conditional use permit for this project. They want to be good citizens and neighbors. They have tried to mimic the designs they have seen in Delafield and their complex fits in and compliments other structures while still maintaining their own identity. Their organization emphasizes family and they will add value to the community. They want to work with the City especially in regards to the park which adjoins their property. Encouraged the committee to move the application forward.

Ken Kureck, 2350 Woodland Park – Asked for a vote in favor of the conditional use. Their plan works in both form and function. The design of the regional water detention plan will satisfy all parties. Asked for consideration when assessing the costs for water and sewer hook-ups that will be necessary. Asked for a favorable vote.

Noah Palmer, W311 S6220 Hunters Crossing, Mukwonago – He is the senior pastor of KMEFC. He stated that the by-products of people who know the Word of God and who follow Jesus Christ are great benefits to any society. He gave several examples of how their church has been helping communities both near and far from their church.

Richard Flath, 2580 Sun Valley Drive – Owns Marty's Pizza and is a member of the KMEFC. The citizens who go to their church are the same citizens who live in this area and have given money for the building of their church. Asked for approval for the church.

Lynette Doolen, 1684 Journey Drive, Hartland – Member of KMEFC. Discussed the history and growth of the church. Presently the church meets in several different buildings to accommodate its needs. They would like to have everything under one roof. Asked for approval.

Doug Schultz, N61W29545 S. Woodfield Rd., Hartland – Member of KMEFC. Stated that the church has grown and is out of room, thus there is a great need for more space. He addressed how the new church will have an impact on youth and assist them in becoming good citizens in the community. Presently, some classes take place offsite – this makes it difficult to set-up and take down and is not conducive to the family atmosphere that they would like to have. He asked for approval to move this project forward.

Attorney Tom McClure, 15 Crossroads Court – Member of KMEFC and is the owner of McClure Law Offices in Delafield. In his practice he has assisted several churches with their expansion projects. Budgets are very important and the churches want to

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

do a good job as does the KMEFC. He has also served as an Alderperson and Plan Commission member from 1988 – 1990. He appreciated the City's commitment to quality and making sure that requirements are met. He discussed the level of quality of this project and stated that most of the legal requirements in this project have been met. He encouraged approval so that the church may proceed. The church is concerned about rising costs.

M. Czubkowski distributed a letter from Edward Gratz, W331 S 631 Erin Way – He lives in the Town of Delafield and sits on their Plan Commission. He is also a member of the church and supports the church's project. He was in favor of the project and asked for approval.

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

**B. LEONARD MOTIONED TO CLOSE THE PUBLIC HEARING. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

CONSIDERATION OF A CONDITIONAL USE PERMIT FOR AN AMERICAN CLASSIC, A CLASSIC VEHICLE SALES CENTER, **TAX KEY 787.088, 725 MILWAUKEE STREET, DELAFIELD**

Steve Headley, 364 Bark River Court – Thought that the City had a great opportunity to have a unique business to the downtown area that would revitalize the area. He felt that their business would bring many people from the area and out of the area to the City of Delafield.

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

**B. LEONARD MOTIONED TO CLOSE THE PUBLIC HEARING. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

CONSIDERATION OF AN AMENDMENT TO AN EXISTING CONDITIONAL USE PERMIT TO MODIFY THE EXISTING WIRELESS TELECOMMUNICATIONS FACILITY - NEXTEL ANTENNA RELOCATION, **TAX KEY 781.990, 1605 HIGHWAY 83, HARTLAND**

Drew Terry, 400 W. Grand Avenue, Elmhurst, IL – Representative from Nextel. He stated that they were removing three whip antennas. The platform that the panels would be mounted on would be triangular, not rectangular. It was clarified that one whip that would remain on top.

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

**B. LEONARD MOTIONED TO CLOSE THE PUBLIC HEARING. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

CONSIDERATION OF REZONING FROM RE-2 CU-PD , TWO ACRE RURAL ESTATE –  
CONDITIONAL USE – PLANNED DEVELOPMENT TO P-1, PUBLIC & SEMI-PUBLIC  
DISTRICT - BOSTROM PARK **TAX KEY 748.051 AND 789.991.001, BOSTROM  
PARK – OUTLOT 1 AND VALLEY ROAD FARM – OUTLOT 4**

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

**B. LEONARD MOTIONED TO CLOSE THE PUBLIC HEARING. M. COURT  
SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE  
IN FAVOR. MOTION CARRIED.**

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

Without objection, Mayor Craig stated that Item 5a would be moved to after the  
Consent Agenda. Item 5g would be moved to after Item 7b. There were no objections.

ROLL CALL

Present

Mayor Paul Craig  
Chrys Mursky  
Mike Court  
Beth Leonard  
Sarah Binkowski (for Roger Dupler)  
Tom Maney  
Marilyn Czubkowski

Absent

Phil Schuman  
Marty Sawall  
Dick Kuchler  
Matt Carlson

1. APPROVE PLAN COMMISSION MEETING MINUTES OF AUGUST 31, 2005

B. Leonard discussed a possible change on page 9, Kettle Moraine Evangelical  
Free Church. She thought that the direction was to see elevation drawings for  
not only the build-out, but also for Phase I. This will be clarified.

**B. LEONARD MOVED TO APPROVE THE MINUTES OF AUGUST 31, 2005  
WITH A REVISION ON THE ABOVE ITEM, IF DEEMED NECESSARY, BASED  
ON THE TAPES. M. COURT 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

M. Czubkowski received a letter from Herb Rasmussen, 3098 Stone Ridge Isle  
on Item 3b. The commissioners had a copy of the letter in their packet.

**M. COURT MOTIONED TO CLOSE CITIZEN'S COMMENTS. B. LEONARD  
SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL  
WERE IN FAVOR. MOTION CARRIED.**

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

3. CONSENT AGENDA.

Mayor Craig asked that Item 3b be removed from the consent agenda. C. Mursky asked that Item 3a be removed from the consent agenda.

**B. LEONARD MOTIONED TO APPROVE ITEMS 3C, 3D, 3E, AND 3F. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. **TAX KEY 804.994.017, 2720-2840 HERITAGE DRIVE, DELAFIELD.** APPLICANT: BOB DOODY, WALMART CENTER. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR THE WALMART CENTER.

S. Binkowski stated that WalMart is changing the way the signage is presented – they are raising the sign panels up 3’ higher so that it can be seen from Hillside Dr. B. Doody, WalMart Center, stated that the area of the signage would be kept the same. In a proportionate size, they would like to replace it with a sign that would replace the main tower sign and other signs in the neighborhood. M. Court stated that it would be flush with the ground and then 3’ higher. B. Doody stated that in the winter snow accumulates and in other seasons they would like to do some landscaping around the base. B. Leonard stated that the landscaping, retaining wall, is excellent.

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

- b. **TAX KEY 803.999, N101 HWY 83, DELAFIELD.** APPLICANT: MIKE PHILLIPSON, HARDEE’S. APPLICANT SEEKS APPROVAL OF A TEMPORARY BUSINESS PLAN OF OPERATION FOR KEN OTTMAN, FOR THE RETAIL SALE OF CHRISTMAS TREES AND WREATHS IN THE PARKING LOT OF HARDEE’S. DATES AND HOURS OF OPERATION ARE NOVEMBER 24 – DECEMBER 26, 2005; WEEKDAYS, 9AM – 9PM; SATURDAY AND SUNDAY, 8AM – 9PM

Ken Ottman was present at the meeting. M. Court stated that they have not yet received a site plan – any kind of approval should be contingent on this. K. Ottman was not aware that he needed a site plan (he did not receive this request from Michael Philipson). He stated that he would provide a site plan to staff.

**B. LEONARD MOTIONED TO APPROVE WITH THE CONDITION THAT A SITE PLAN BE RECEIVED AND REVIEWED BY STAFF AND THAT THE ISSUES IN THE LETTER RECEIVED TONIGHT BE DEALT WITH BY STAFF. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

- c. **TAX KEY 830.003, 2410 MILWAUKEE STREET, DELAFIELD.** APPLICANT: ALL STAR HOCKEY & SPORTS, INC. APPLICANTS AGENT: BAUER SIGN. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR ALL STAR HOCKEY & SPORTS, INC, A RETAIL STORE FEATURING SPORTS EQUIPMENT. HOURS OF OPERATION ARE WEEKDAYS, 10AM – 8PM; SATURDAY, 10AM – 6PM; SUNDAY, 11AM – 4PM. FOUR PART-TIME AND 1 FULL-TIME EMPLOYEE

Approved.

- d. **TAX KEY 803.988.004, 2566 SUN VALLEY DRIVE, SUITE E, DELAFIELD.** OWNER: G. STORTS. APPLICANT: ANNETTE YOUNGBAUER, CARLSON WAGONLIT TRAVEL. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR CARLSON WAGONLIT TRAVEL, A RETAIL TRAVEL AGENCY. HOURS OF OPERATION ARE WEEKDAYS, 8:30AM – 8PM; SATURDAY, 9AM – 3PM; CLOSED SUNDAY. THREE PART-TIME AND 5 FULL-TIME EMPLOYEES

Approved.

- e. **TAX KEY 803.988.004, 2566 SUN VALLEY DRIVE, SUITE E, DELAFIELD.** OWNER: G. STORTS. APPLICANT: ANNETTE YOUNGBAUER. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR JOURNEE, TRAVEL ACCESSORIES AND UNIQUE WORLD ITEMS. HOURS OF OPERATION ARE WEEKDAYS, 8AM – 8PM; SATURDAY, 9AM – 5PM; SUNDAY, 10AM – 4PM. THREE PART-TIME AND 1 FULL-TIME EMPLOYEE

Approved.

- f. **TAX KEY 798.026.001, 645 WELLS STREET, DELAFIELD.** OWNER: LANG INVESTMENTS. APPLICANT: TIM BINKOWSKI. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR TIMOTHY J KITCHEN & BATH, A KITCHEN AND BATH SHOWROOM. HOURS OF OPERATION ARE MONDAY – FRIDAY, 8AM – 5PM. TWO FULL-TIME EMPLOYEES.

Approved.

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 798.011, 638 MILWAUKEE STREET, DELAFIELD.** OWNER: LEONARD SUSA. APPLICANT: MICHELLE STRUNSEE. APPLICANT SEEKS APPROVAL OF BUSINESS PLAN OF OPERATION AND SIGNAGE FOR PURSENAL X'PRESSIONS, RETAIL JEWELRY, HANDBAG AND ACCESSORIES. HOURS OF OPERATION ARE WEEKDAYS, 10AM – 6PM; SATURDAY, 10AM – 4PM; SUNDAY, 12 PM – 4PM. THREE PART-TIME EMPLOYEES

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

M. Strunsee was present. She stated that the font is their logo and it is used on everything. With their location being at the end of the block, there is an issue. Their font applies towards the trendiness of the business and is easily readable.

M. Court stated that the sign font is not a font that is approved for the downtown district. Everything else is in order. They are planning on taking one existing sign down and substituting a new sign for this business.

**C. MURSKY MOVED TO APPROVE CONTINGENT UPON SELECTION OF A FONT THAT MEETS WITH THE CITY REQUIREMENTS. B. LEONARD. DISCUSSION TOOK PLACE ON THE AVAILABLE FONTS FOR SIGNAGE. IT WAS CLARIFIED THAT THE "X" IN THE LOGO WOULD NOT BE REQUIRED TO BE CHANGED TO A DIFFERENT FONT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 804.993.004, 804.999.004, 804.999.006, 804.999.008, 2900-3255 GOLF ROAD, DELAFIELD.** APPLICANT: JOHN DE FIEBRE, TOLD DEVELOPMENT. APPLICANT SEEKS APPROVAL OF SIGNAGE CONSISTING OF LIGHTPOLE BANNERS AT NAGAWUKEE SHOPPING CENTER AND THE SHOPPES AT NAGAWAUKEE. RECOMMEND TO COUNCIL AS A MINOR OR MAJOR CHANGE

J. De Fiebre was presented and stated that their intent was to install banners on the light poles in both the existing shopping center and Shoppes of Nagawaukee Phase I & II. This would add architectural interest. The banners would have the words "Nagawaukee Center" on them. This would make the three different projects viewed as a cohesive element.

M. Court stated that that proposal was for a total of 56 banners on 28 poles. It meets the clearance provisions. Colors are appropriate. This is a B6 district under conditional use and it must be determined whether this is a major or minor change. It was his recommendation that this would be for approval as a minor change. It may be a chance to coordinate the City's banners with this and alternate the City's banners with the Center's banners.

The banners would be in place year round. S. Binkowski stated that by having the words "Nagawaukee Center" on the banners that it may be considered more towards signage whereas the banner by itself could be considered architectural element or decoration.

**C. MURSKY MOTIONED TO RECOMMEND TO THE COUNCIL AS A MINOR CHANGE WITH NO WORDING "NAGAWAUKEE CENTER" ON THE BANNER. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. **TAX KEY 756.996.001, OAKWOOD ROAD, HARTLAND**, APPLICANTS: CITY OF DELAFIELD AND DAVID BURCH, BONESTROO ROSENE ANDERLIK & ASSOCIATES. APPLICANTS SEEK FINAL APPROVAL OF A SITE PLAN FOR THE NEW COMMUNITY PARK.

D. Burch, Bonestroo, was in attendance and made a presentation on the Community Park. The goals were reviewed. He stated that a first draft calculation of impervious surface will be provided.

B. Leonard stated that the Park & Rec Committee is very pleased with the work that Bonestroo has done. Many good ideas were obtained from the community workshops. Some small rain gardens are incorporated into the park layout.

Mayor Craig addressed the small port of roadway that goes north of the parking lot. He thought that if cars parked in this area, there may be traffic congestion. He suggested that if this be shortened to the parking lot. Although this would eliminate some parking, there is auxiliary parking available. B. Leonard suggested making this a paved path segment where the cul de sac currently is from the parking lot to the trail that goes around the soccer field.

M. Court stated that there are sewer and water issues. They would need to be extended up Oakwood to service the site for any buildings that are proposed.

It was clarified that the soccer field would be the highest level high school size field. There presently is one soccer field and one baseball field with an area between the two for warm-ups. C. Mursky asked that the soccer practice areas be maximized.

Prairie and nature area maintenance was discussed. D. Burch stated that the challenge was establishing them correctly. Mayor Craig stated that DPW summer help would be performing the actual work. B. Leonard stated that every aspect of partnership would be explored to offset the City's cost. D. Burch stated that it is recommended to start small and expand slowly.

C. Mursky suggested putting a wind generator at the park to provide on-site electricity.

**B. LEONARD MOTIONED TO RECOMMEND TO COUNCIL THAT THE MASTER PLAN BE APPROVED AND REFERRED TO PWC AND THAT THE LOOP ROADWAY ON THE SOUTH SIDE OF THE SITE BE DESIGNED TO PUBLIC STREET STANDARDS. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

- b. **TAX KEY 787.088, 725 MILWAUKEE STREET, DELAFIELD.** OWNER: LANG INVESTMENTS. APPLICANTS: AL AND SUSAN WAGNER. APPLICANTS SEEK FINAL APPROVAL OF CONDITIONAL USE PERMIT FOR AN AMERICAN CLASSIC, A CLASSIC VEHICLE SALES CENTER.

Mr. Wagner stated the hours of operation will be the same as surrounding businesses. They are: weekdays 8:00 am to 10:00 pm, Saturdays, 8:00 am to 10:00 pm and Sundays, 8:00 am to 10:00 pm by appointment.

**Motion to recommend to Council to approve the conditional use permit with the following contingencies: No body work or painting, no engine repair, no outside storage and no long term parking for more than 24 hours (Leonard/Court). Carried.**

Mr. Wagner stated the only time they would require long term parking would be for car shows.

- c. **TAX KEY 781.990, 1605 HIGHWAY 83, HARTLAND.** APPLICANT: DREW TERRY, NEXTEL COMMUNICATIONS. APPLICANT SEEKS FINAL APPROVAL OF A CONDITIONAL USE PERMIT FOR THE NEXTEL ANTENNA RELOCATION.

Mr. Terry provided a photo simulation of before and after. He stated there is another site adjacent to that site and they are going to mimic that site.

Mike Court stated there is one engineering issue related to the parcel itself. The City Administrator asked him to do a sewer study of this area, more related to the Geason parcel on the east side of Hwy 83 and one of the sewer options was to bring sewer through this parcel that the antennas are located on and he suggested part of this condition of this approval is to attach a condition to allow for easements to go through this parcel to service the area. Mike stated he talked briefly to the owners and they do not want this condition put on. It is more related to Acuity Development proposal that is very preliminary to service this parcel from the west.

Beth Leonard stated these two things don't seem related. She is not sure sewer will serve east side of Hwy 83 from the west side of Hwy 83.

Paul Craig stated the problem we have is when designing a system, a fixed amount and location that hasn't been set, so things are very fluid in the aspect that we're trying to design something for the future and it gives us many opportunities to make changes for the future. He stated Foxwood Estates was not going to be out source of sewage.

Drew Terry stated they are mandated by the FCC to change antennas out. They are causing interference with state police departments and this issue has been back and forth to the City since March.

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

Mr. Geason stated he sought legal advice. There have been cases where the California Coastal authority did a similar thing and it went to Supreme Court and it was decided they could not tie the two together. He suggested asking our legal department for advice.

Chrys Mursky asked to delay this issue for a month to get legal counsel for a motion is made. Mike Court stated he doesn't want to recommend this if it is illegal.

A motion to approve the tower changes was made by Beth Leonard but she doesn't want it attached to the sewer. Motion died due to lack of a second.

**Motion made to approve the changes in antennas and to add verbiage in the conditional use to allow for potential sanitary sewer easement subject to approval by our City Attorney. (Mursky/Court). Opposed: Beth Leonard. Carried.]**

Beth Leonard questioned where the sewer would be located. Mike Court stated there is an existing interceptor sewer in the vicinity of Weber Court, 100-200 feet short of the Geason parcel. Instead of going up the Nagawicka Road right-of-way, it would go north of Nagawicka Road and run indirectly through the Geason parcel to service this area. It would follow the topography of the land.

- d. **TAX KEY 748.051 AND 789.991.001, BOSTROM PARK – OUTLOT 1 AND VALLEY ROAD FARM – OUTLOT 4.** APPLICANT: CITY OF DELAFIELD. FINAL APPROVAL FOR A SITE PLAN FOR PICNIC SHELTER AND PORTABLE RESTROOM ENCLOSURE FOR BOSTROM PARK.

M. Czubkowski stated Park & Rec recommended that the location of the shelter was good, but the enclosure for the restroom facility should be moved to the north pathway to enable better screening by trees. A site plan was in the commissioner's packet. B. Leonard clarified that the Park & Rec commission recommended that the restroom enclosure be located just west from the note box indicating "infiltration basin" and on the west side of the path so that it could be screened by the shrubbery. Mayor Craig suggested that this be reviewed by the Police Department for safety concerns. M. Court stated that the infiltration basin was another concern. It would be better to have it up higher due to maintenance vehicles.

**B. LEONARD MOTIONED TO RECOMMEND THAT THE PARK SHELTER AND THE PORTABLE RESTROOM ENCLOSURE WITH THE TWO CONDITIONS THAT THE RESTROOM ENCLOSURE BE MOVED FURTHER NORTH CLOSER TO THE PLAYGROUND AREA AND THAT IT BE REVIEWED BY THE POLICE DEPARTMENT FOR SECURITY PURPOSES. M. COURT SECONDED THE MOTION. DISCUSSION**

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

**TOOK PLACE ON SERVICIBILITY OF THE RESTROOMS. M. CZUBKOWSKI STATED THAT THE BATHROOM FACILITY SHELTER DOES NOT NEED TO BE PUT IN UNTIL NEXT SUMMER AND SHE SUGGESTED THAT THE RESTROOM FACILITY BE BROUGHT BACK. B. LEONARD WITHDREW HER MOTION.**

**B. LEONARD MOTIONED TO RECOMMEND APPROVAL OF THE PARK SHELTER AS SHOWN ON THE SITE PLAN AND IN THE PHOTOGRAPHS PROVIDED. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MAYOR CRAIG STATED THE BOSTROM FAMILY THE DONATION.**

- e. **TAX KEY 742.014, W127 WISCONSIN AVENUE, OKAUCHEE.**  
APPLICANT: JOHN QUADEN, SR. QUADEN DODGE SEEKS APPROVAL OF A SIGNAGE FOR THEIR AUTOMOTIVE SALES BUSINESS. MINOR VS. MAJOR CHANGE RECOMMENDATION TO COUNCIL.

**B. LEONARD RECOMMENDED TO THE COMMON COUNCIL AS A MINOR CHANGE. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- f. **TAX KEY 756.996.002, HIGHWAY 83 AND OAKWOOD ROAD, HARTLAND.** FINAL APPROVAL OF A CONDITIONAL USE PERMIT, SITE PLAN AND ARCHITECTURE FOR KETTLE MORAINÉ EVANGELICAL FREE CHURCH.

A three dimensional model was displayed. The site plan is the master plan site. The building is the master plan.

M. Court stated that there are a few site and engineering issues that would be discussed after the discussion on architecture. Mayor Craig thanked the church for their response to the Plan Commission's request. B. Leonard requested a closer look at the four elevations. The elevations were reviewed. B. Leonard thought that they had emphasized a more colonial style. She was very pleased with the presentation which compared the church to other buildings in the area. She thought that the design looked very institutional and a lot like that of a school building. The elevations that face the park and Oakwood Road are getting more of the back side appearance compared to the other sides of the building. She wanted to make sure that the building's appearance was an asset to possible future developments. Mayor Craig stated that the proposed master build-out has improved on the building's appearance. C. Mursky did not like the architectural style of the building, but was glad that the materials had been upgraded. Discussion took place on the architecture.

The site plan of Phase I was discussed. M. Court stated that the proposal was to handle all of the stormwater on the north basins which would address the majority of the site. One issue with the Hey study is

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

that with the park plan there is another basin proposed. As far as stormwater management, he recommended some kind of condition that there is an area reserved for this and that it needs to be worked out in the developer's agreement. The church was aware that some communication would need to be done in the developer's agreement about this area.

M. Court stated that in regard to traffic, the DOT is asking the City to do a traffic impact analysis. This is Staff's recommendation. The parameters will be defined, but it will basically make sure that the intersection has the capacity and will determine if a bypass lane is needed by Oakwood. They are proposing accel/decel lanes in one area with a bypass lane in the other. Another condition would be approval of the traffic impact analysis. This study will be done by the church. He recommended that this study be done now and to analyze Oakwood to make determine if any improvements need to be done. The easement, dedicated ROW (coordinated with the park), and the regional detention basin needs to be worked out.

The church site would be serviced by sewer and water. Mayor Craig stated that the formula for charging development has not been determined at this time. Existing homes will not be required to hook-up to the sewer system; it is voluntary for those existing homes unless the inspection of their septic fields fails. It has not been determined at this time how costs of the line from the inceptor to the church property will be paid for.

Comments on the landscaping plan will be addressed through the engineering plans.

There are some modifications on the lighting plan.

M. Czubkowski stated that the church would be relocating their existing sign to the corner. The church representative stated that this would be the Phase I sign. Eventually they would like to have a sign at the master plan entrance off of Highway 83 (front lit). S. Binkowski stated that they found that at this point the signage met ordinance requirements. M. Court stated that staff recommends that the sign be designed with like materials compatible with the new building (using masonry pillars to mount the sign). The church stated that they would be in agreement with this.

The lighting plan did not identify the photometrics – clarification of the average foot candles in the parking lot is needed. This needs to go to staff. The church stated that they are working on this. A schematic was included in the commissioner's packet with the fixtures, locations, number, and the height.

C. Mursky would like to see additional landscaping (bigger pieces in front) around the building (Highway 83 and Oakwood sides) so that it

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

would be an appealing presentation to the public and suggested that they work with staff to dress up this side of the building. S. Binkowski stated that one of their comments was to define the area that would be mowed and the area that would be planted as a seed mix of a prairie of some sort. This would offer some height, color, and definition. C. Mursky stated that this may take care of the problems that she is seeing.

B. Leonard discussed the lighting in the bigger parking lot. She asked if the church would consider less lighting. The church representative stated that they need to meet a certain foot candle for safety reasons and he did not think that were going beyond that.

**M. COURT MOTIONED TO APPROVE CONTINGENT UPON PWC APPROVAL OF THE STORMWATER AND ALL SITE ENGINEERING AS WELL AS STAFF REVIEW OF THE REVISED DOCUMENTS ADDRESSING THE ABOVE ITEMS, STAFF TO WORK WITH THE SIGN FOR BRICK SUPPORTS ON THE EXISTING SIGN, STAFF TO LOOK AT MORE LANDSCAPING AS NECESSARY AND TO REVIEW THE LIGHTING; THE ROAD SHOULD HAVE A DEDICATED STREET ROW BUILT TO CITY SPECS AND WITH THE EXTENSION FROM THE PROPOSED DRIVEWAY TO THE PARKLANDS BEING PART OF THE DEVELOPER'S AGREEMENT AS FAR AS ADDRESSING THE TIMELINE AS TO WHEN IT NEEDS TO BE BUILT; THE TRASH ENCLOSURES WILL BE IN BRICK. IT WAS CLARIFIED THAT THIS INCLUDED THE REGIONAL STORMWATER, THE SEWER AND WATER, EXTENSION OF THE UTILITIES, AND ALL OF THE CONCERNS ADDRESSED IN THE STAFF COMMENTS (MEMO FROM R. DUPLER DATED 9/23/05). C. MURSKY SECONDED THE MOTION.**

D. Richards, an attorney for the church, stated that they would like to have the recommendation modified: 1) They disagree with the notion that the road should be a public road, that it should be public road standards, and that there should be any dedication of that land from Oakwood Road over to the common border with the park. They are willing to cooperate with the City and would like to talk to the City about this, but they do not believe that the church should have to do this. There is no benefit for the church to do this, nor is there a practical purpose for it. He stated that if the City's park road is a private road within the park, there may be park grant funding for that road, but a public road traversing the park would not be subject to grant funding. He suggested leaving the road issue up to staff to resolve with the church. 2) Regional stormwater pond – Having this in the SW corner of the church's property is not needed for stormwater management for the church. If something is going to be done for a regional pond system, this needs to be talked about between the church and the City and could also be subject to the discussions between staff and the church. 3) Sewer and water will be a big problem for the church. He asked that the Plan Commission recommend to Council that these issues be open issues to be worked out with Staff rather than carrying a specific recommendation at this time. M. Court stated that the issues brought up by Attorney Richards are things that need to be worked out in the Developer's

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

Agreement. Mayor Craig stated that it was his understanding that he was not looking at this body to make a hard and fast ruling on those and that it was his understanding that the Plan Commission is to be making a recommendation that they be incorporated in some fashion, shape, or form and that they would be worked through staff and made recommendations to the Council when appropriate. M. Court was in agreement. Attorney Richards liked what Mayor Craig stated much more than the motion. C. Mursky stated that she liked the motion and that the Plan Commission can make recommendations as to what they think would be best, and they have also given latitude to the staff to have that discussion with the church. If there are new facts that would counter-indicate the recommendations from the Plan Commission, then those facts can go to the Council. Mayor Craig thought that the motion was trying to give it latitude to be able to be worked with staff as has been done in the past. M. Court was in agreement. C. Mursky was in agreement. M. Court stated that the road is one of the items that needs to be worked out and doesn't need to be added on to the motion. M. Czubkowski clarified the motion as: M. Court made a motion to approve the project and the items outlined in the staff report and added the signage post to be brick, support landscape review, staff comments regarding the roadway and bringing the proposed Development Agreement into compliance with staff comments. M. Court stated that the staff comments are recommending road dedication and to work with the developer's agreement and to negotiate with the body as it goes. He stated that this could be part of the motion. B. Leonard stated that to her the implication was to recommend the staff report and this recommended specific things taking place in regards to sewer and water, stormwater. The motion maker and second were in agreement with this. M. Court stated that he was recommending that this go to PWC and that they would discuss these items in further detail. B. Leonard stated that she would not vote in favor of this because of the utility tie-in and what was being recommended there. C. Mursky stated that she thought that they were being consistent with this development in the recommendations compared to developments that have previously been approved in terms of utilities and ROW's, etc. **THREE WERE IN FAVOR. B. LEONARD OPPOSED. MOTION CARRIED.**

- g. CONSIDERATION OF REZONING FROM RE-2 CU-PD, TWO ACRE RURAL ESTATE – CONDITIONAL USE – PLANNED DEVELOPMENT TO P-1, PUBLIC & SEMI-PUBLIC DISTRICT – **TAX KEY 748.051 AND 789.991.001, BOSTROM PARK – OUTLOT 1 AND VALLEY ROAD FARM – OUTLET 4**

Without objection, this item was discussed after 7b.

**M. COURT MOTIONED TO APPROVE AS A C-1 CONSERVANCY. B. LEONARD SECONDED THE MOTION. IT WAS CLARIFIED THAT THIS WAS A SEPARATE ITEM. THIS HAS ALREADY HAD A PUBLIC HEARING. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN**

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

**FAVOR. MOTION CARRIED.**

6. PRELIMINARY CONSIDERATION

- a. **TAX KEY 804.993.003, 3030 GOLF ROAD, DELAFIELD.** OWNER: JACK WEISSGERBER. OWNER SEEKS PRELIMINARY CONSIDERATION OF A SITE PLAN AND BUSINESS PLAN OF OPERATION FOR A CONCIERGE KIOSK FOR HOSPITALITY AND PROMOTION BUSINESS. HOURS OF OPERATION ARE WEEKDAYS, 12PM – 8PM; SATURDAY, 10AM – 6PM; SUNDAY, 12PM – 4PM. TWO PART-TIME EMPLOYEES.

J. Weissgerber was present at the meeting. The kiosk would provide information for the Lake Country Area. It would be a central location of information and an access point to social, cultural, civic, and commercial events and activities in the Lake Country community. This 160 sf kiosk would be located at the NE corner of the Holiday Inn Express property. The architect for the building discussed the use and architecture of the building. Some of the materials that are used in the building surrounding the Holiday Inn Express are being used, in addition to some of the materials and colors of the Holiday Inn Express.

M. Court stated that the new structure would constitute a major change to the conditional use and would require Plan Commission recommendation to the Common Council. The use and location of the structure will need to be addressed. The current proposed location encroaches into the setbacks of the north property line. Consideration as to whether this could be a variance or be waived needs to be undertaken. It is under preliminary consideration.

B. Leonard requested that a larger site plan of the property showing the placement of the kiosk in relation to Golf Road and Highway 83 along with elevations (photographs with the kiosk imposed on it), traffic flow, parking, and how this work with the neighboring properties be provided.

C. Mursky requested a photograph of the new Told building that would have Marshalls and Sports Authority so that it can be compared to those buildings also. J. Weissgerber stated that except for building signage, no other signage would be required. The building is within the limits of the code and will not have restroom facilities, but will be heated and air conditioned. The hotel's restroom facilities will be used. Mayor Craig stated that a kiosk would be precedent setting. This requires a public hearing, but more information is required before it goes to that step.

7. ZONING AND ORDINANCE REVISION

- a. PRESENTATION AND APPROVAL OF THE NORTHEAST QUADRANT PLANNING ANALYSIS

A memo from the Planning Staff to the City of Delafield dated August 23, 2005, Revised September 14, 2005 was included in the Commissioner's packets. S. Binkowski stated that they have altered the outline to have

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

the dates as “to be determined” due to the budget. B. Leonard asked if this duplicated the work that Waukesha County is doing in order to come up with the Comprehensive Plan. Mayor Craig stated that the City of Delafield needs to fulfill its own borders before it can be brought before the County. The County is dealing with it as a global plan, but they expect the City to fill in within the borders. The County will assist the City when it is put together in the final report and within the overall plan. B. Leonard asked for an explanation of how this differs from what the County is doing, particularly the conditions, infrastructure, etc. C. Mursky stated that the City is collecting the information and data and the County is compiling it. Mayor Craig added that the County is also doing some of the data. There is no duplication on this study.

**C. MURSKY MOTIONED TO APPROVE WITH RECOMMENDATION TO THE COMMON COUNCIL. M. COURT SECONDED THE MOTION. B. LEONARD MADE A FRIENDLY AMENDMENT TO THE MOTION TO ADD “TO BE COORDINATED WITH THE ACTIVITIES OF WAUKESHA COUNTY”. C. MURSKY AND M. COURT WERE IN AGREEMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

b. DISCUSSION REGARDING REZONING OF CITY PARKS.

S. Binkowski compiled a map with different zoning of the parklands. The initial recommendation was to rezone all parkland to P1, but it should be C1. C1 has park specific definitions. S. Binkowski stated that C1 provides for a less intensive land use than P1. The public hearing would not have to be re-held because the zoning is less than was previously recommended.

**B. LEONARD MOTIONED TO RECOMMEND TO COUNCIL TO HOLD A PUBLIC HEARING AND PURSUE THE REZONING OF ALL CITY PARKS TO C1 CONSERVANCY ZONING DISTRICT. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

8. HEARING DATES

- a. ACUITY DEVELOPMENT – PUBLIC HEARING ON WEDNESDAY, OCTOBER 26, 2005

9. ADMINISTRATOR’S REPORT

- a. CAPITAL IMPROVEMENT BUDGET

This will be discussed at the next meeting.

- b. GEASON PROPERTY CONDITIONAL USE PERMIT APPLICATION

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

A copy letter from R. Dupler to Acuity Development dated September 19, 2005 outlining the items needed for public hearing was enclosed in the Commissioner's packets. All items have been received.

10. BUILDING INSPECTOR'S REPORT

Total number of permits to date are 44, plus 4 occupancy permits. New permits include two new single family homes and one new retail condo project.

11. BOARD OF ZONING APPEALS

a. JULY 2005 BOARD OF ZONING APPEALS REPORT

Minutes were included in the Commissioner's packets.

12. CORRESPONDENCE

- a. Letter from Tosca Miller regarding her objection to the proposed project at 232 Main Street, Delafield
- b. Email from Beth Leonard requesting the document entitled "Smart Growth after Five Years" be added to the agenda.
- c. Board of Zoning decisions for July and August, 2005

13. ADJOURNMENT

**B. LEONARD MOTIONED TO ADJOURN FROM THE MEETING M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 10:58 P.M.**

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC  
City Clerk/Treasurer

Accurate Business Communications LLC