

CITY OF DELAFIELD PLAN COMMISSION MINUTES

CALL THE MEETING TO ORDER

Mayor Craig called the public hearing open at 7:01 p.m.

PUBLIC HEARINGS

1. CONDITIONAL USE AMENDMENT FOR CUSHING PARK BUSINESS CENTER AND CONDITIONAL USE PERMIT FOR NOVOTNY DELI PROVISIONS, 24 ENTERPRISE ROAD, UNIT B, DELAFIELD, WI.

M. Czubkowski reported that no written comments were received.

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

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

2. CONDITIONAL USE PERMIT FOR III POOCH PLAYHOUSE, INC., 24 ENTERPRISE ROAD, UNITS A&B, DELAFIELD, WI.

M. Czubkowski reported that no written comments were received.

David Farnam, 211 Cushing Park – Asked how the business would be operated. Attorney Dean Richards, representing Pooch Playhouse, was present at the meeting and explained the business operation and clean-up procedures.

There were no other citizen comments

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

3. AMENDMENT TO THE CONDITIONAL USE AND GENERAL DEVELOPMENT PLAN AND PROPOSED CHANGE TO THE COMPREHENSIVE PLAN FOR MISSION PROPERTIES, LLC, 2777 MISSION ROAD, DELAFIELD, WI

M. Czubkowski reported that no written comments were received.

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

P. SCHUMAN MOTIONED TO CLOSE THE PUBLIC HEARING. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL

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WERE IN FAVOR. MOTION CARRIED. THE PUBLIC HEARING WAS CLOSED.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Paul Craig
Phil Schuman
Chrys Mursky
Mike Court
Beth Leonard
Dick Kuchler
Roger Dupler
Matt Carlson
Marilyn Czubkowski

Absent

Tom Maney

Also Present

Attorney Chapman

Without objection, the Mission Woods items (5d and 5e) were moved to the beginning of the meeting.

1. APPROVE MINUTES OF PLAN COMMISSION OF DECEMBER 17, 2003

P. SCHUMAN MOTIONED TO APPROVE THE MINUTES OF THE PLAN COMMISSION MEETING OF DECEMBER 17, 2003. C. MURSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. DELAFIELD CITIZENS' COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA.

There were no comments from the citizens.

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

C. MURSKY MOTIONED TO CLOSE CITIZEN'S COMMENTS. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE CITIZENS COMMENTS SECTION WAS CLOSED.

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3. CONSENT AGENDA

- a. **TAX KEY 794.014, 78 ENTERPRISE ROAD, UNIT G, DELAFIELD, WI.** APPLICANT: MIKE SULLIVAN. OWNERS' AGENT: DAVID BUCKLEY. APPLICANT SEEKS APPROVAL OF BUSINESS PLAN OF OPERATION FOR SUNSTAR PRODUCTS, INC., A MOBILITY SCOOTER SALES OFFICE. HOURS OF OPERATION ARE MONDAY – FRIDAY, 8:00 A.M. – 5:00 P.M., 1 FULL-TIME EMPLOYEE

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

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY DELC0804.999.008, 3200 GOLF ROAD, DELAFIELD WI;** TOLD DEVELOPMENT, OWNER; ROARING FORK LLC, 1919 N. SUMMIT AVE. MILWAUKEE WI, DAVE DEMARCO, APPLICANT. APPLICANT SEEKS BUSINESS PLAN OF OPERATION APPROVAL FOR QDOBA MEXICAN GRILL. HOURS OF OPERATION: MONDAY-FRIDAY, 10:30 A.M. TO 10:30 P.M., SATURDAY AND SUNDAY, 8:00 A.M. TO 10:30 P.M. 8 FULL-TIME EMPLOYEES, 15 PART-TIME EMPLOYEES.

This is for consideration of a business plan of operation approval. Greg Kost from Told Development was present at the meeting. R. Dupler reviewed. A sign package for the buildings should be available at the next meeting. G. Kost stated that the closing for the Dix property was hoped for next month. This establishment would be in the eastern end of the smaller building along the pond.

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

At this point in the meeting, discussion moved to item 5E on the agenda.

- b. **TAX KEY 793.020, 715 GENESEE STREET, DELAFIELD, WI.** OWNER'S AGENT: LANG INVESTMENTS. APPLICANT: DEBRA ZINDLER, 1529 PARISH DRIVE, HUBERTUS, WI. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGN PERMIT APPLICATION FOR DEBRA LYN GALLERY, AN ART GALLERY. HOURS OF OPERATION ARE TUESDAY – FRIDAY, 9:00 A.M. – 7:00 P.M.; SATURDAY, 10:00 A.M. – 5:00 P.M.; SUNDAY, 12 NOON – 4:00 P.M.; OPEN EVENINGS DURING HOLIDAY EVENTS AND FOR SPECIAL EXHIBIT OPENINGS. MAY BE OPEN EVENINGS DURING SUMMER. 4 PART-TIME AND 2 FULL-TIME EMPLOYEES.

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Debra Zindler was present at the meeting. R. Dupler stated that the business plan of operation was appropriate but clearer hours of operation would be desired. It was stated that during special events the Delafield Chamber of Commerce would come in for blanket approval. D. Zindler stated that she would like the hours of operation to reflect 9 a.m. – 9 p.m. on all three entries. R. Dupler stated that in regards to signage, the colors are compatible with historic colors but in order to bring it into compliance, a modification to the sign on south side of building should be made to reduce it to 12 square feet. D. Zindler recommended a second sign the same size as on the front of the building. R. Dupler stated that this would be appropriate.

D. KUCHLER MOTIONED TO APPROVE WITH THE REDUCTION OF THE SIGN TO CONFORM TO 12 SQUARE FEET. B. LEONARD SECONDED THE MOTION. D. KUCHLER MADE A FRIENDLY AMENDMENT REFLECTING THAT THE HOURS OF OPERATION WOULD BE 9 A.M. – 9 P.M. B. LEONARD AGREED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **TAX KEY 803.988.003, 2566 SUN VALLEY DRIVE, DELAFIELD, WI.**
OWNER: GARY STORTS. APPLICANT: KURT HAMPTON. APPLICANT SEEKS APPROVAL OF AMENDED SIGN PERMIT APPLICATION FOR ANTON'S SALON.SPA, A SALON AND SPA.

This is a sign application for the pre-approved Target monument sign. R. Dupler stated that the color should be red rather than green. Bob Krause was present at the meeting and was in agreement to the color change.

B. LEONARD MOTIONED TO APPROVE THE SIGNAGE WITH THE COLOR BEING CHANGED FROM GREEN TO RED. C. MURSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 787.075, 810 GENESEE STREET, DELAFIELD, WI.**
OWNER: MARTINA AND WILLIAM VERRE. APPLICANT: JEFFREY JAY. APPLICANT SEEKS APPROVAL OF SIGN PERMIT APPLICATION FOR LAKE COUNTRY CHEESE, INC, A CHEESE STORE.

Jeffrey Jay was present at the meeting. They have tried to put signs together that are appropriate for the building.

R. Dupler stated that it is appropriate signage. This is not in the historic district. The size requirements are being met. R. Dupler confirmed that the back entrance sign height is over 7' and it is not within the public right-of-way. He noted that the font is not one of the approved fonts, but he did not consider it objectionable. The wording on the Parking Only sign at the back of the building will be reversed to state Lake Country

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Cheese on the top. Research will be done on the plantings by the fence in the back of the building.

B. LEONARD MOTIONED TO APPROVE THE SIGNAGE. D. KUCHLER SECONDED THE MOTION. IT WAS CLARIFIED THAT THE BANNERS WILL BE REMOVED. ALL WERE IN FAVOR. MOTION CARRIED.

- e. **TAX KEY DELC0803.994, 2675 SUN VALLEY DRIVE, DELAFIELD WI; SIGN EFFECTZ, APPLICANT, DON NUMMERDOR, PROJECT MANAGER. APPLICANT SEEKS APPROVAL OF AMENDED SIGNAGE FOR OPEN PANTRY, A CONVENIENCE STORE.**

Don Nummerdo with Sign Effectz was present at the meeting.

R. Dupler reviewed the history. This is for a ground mounted sign identifying gas pricing. He recommended that the reader board with the scrolling message on the pylon sign be removed if this ground mounted sign were to be approved. He clarified that the pylon sign was not in the signage package. He felt that the ground sign was not appropriate with the Open Pantry logo on it. The size, placement, etc. complies to the ordinance. He also suggested removal of temporary signs, banners, and bagged garden mulch.

D. Nummerdo stated that he agreed to the removal of the items and the removal of the scrolling sign.

R. Dupler recommended that the accent colors be painted the same beige colors.

D. Nummerdo reviewed the need for the ground mounted sign.

Discussion took place on the number of Open Pantry signs.

D. KUCHLER MOTIONED TO SEND THIS BACK TO STAFF TO WORK OUT DETAILS, BUT RECOMMENDED THAT IF THE OPEN PANTRY LOGO WAS ON THE NEW SIGN, THAT ONE OPEN PANTRY LOGO SIGN NEEDED TO BE REMOVED FROM THE BUILDING, WITH THE MATERIAL OF THE GROUND MOUNTED SIGN TO BE THE SAME AS THE BUILDING. A FRIENDLY AMENDMENT WAS MADE TO REPAINT THE PYLON SIGN WITHIN THE NEXT SIX MONTHS AND THAT THE SCROLLING SIGN BE REMOVED FROM THE PYLON SIGN. P. SCHUMAN SECONDED THE MOTION. NO FURTHER DISCUSSION TOOK PLACE. ALL WERE IN FAVOR. MOTION CARRIED.

- 5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS
 - a. APPROVAL OF CONDITIONAL USE AMENDMENT FOR CUSHING PARK BUSINESS CENTER

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R. Dupler reviewed. This would allow a B-4 use at 78 Enterprise Road. He recommended approval. Discussion and review took place on the B-4 zoning and the businesses allowed under B-4 and B-3 zonings.

D. KUCHLER MOTIONED TO HAVE THIS LOT REZONED TO B-4 AND APPROVAL OF THE CONDITIONAL USE. P. SCHUMAN SECONDED THE MOTION. DISCUSSION TOOK PLACE ON THE PLAN OF OPERATIONS FOR FUTURE BUSINESSES IN THIS AREA. ALL WERE IN FAVOR. MOTION CARRIED.

It was clarified that this was a recommendation to Council.

- b. **TAX KEY 794.01478 ENTERPRISE ROAD, UNIT B, DELAFIELD, WI. APPROVAL OF CONDITIONAL USE PERMIT AND BUSINESS PLAN OF OPERATION FOR NOVOTNY DELI PROVISIONS, LLC, GUY AND ANITA NOVOTNY, 349 CEDAR VALLEY ROAD, DELAFIELD WI, OWNERS**

G. Novotny was present at the meeting. He thanked the commission for allowing them to have the truck inside this month.

R. Dupler recommended approval – it is appropriate for the business park.

The number of delivery vehicles to operate from this facility to control the volume of traffic was discussed. M. Carlson recommended that the conditional use could be reviewed again if complaints were received or if a change in the nature of the business took place. G. Novotny explained his trucking use as it relates to his business and stated that he did not think it would go beyond three trucks.

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

B. LEONARD MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION. D. KUCHLER SECONDED THE MOTION. IT WAS CLARIFIED THAT THERE WAS NO SIGNAGE. DOOR SIGNAGE AND WINDOW SIGNAGE IS PERMITTED AND WILL BE WORKED ON WITH STAFF. G. NOVOTNY WILL CONTACT THE WAUKESHA COUNTY HEALTH DEPARTMENT REGARDING ANY POSSIBLE PERMITS THAT ARE NEEDED. B. LEONARD AMENDED THE MOTION TO MAKE SURE THAT ALL NECESSARY HEALTH PERMITS WERE OBTAINED. D. KUCHLER AGREED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

It was clarified that this was a recommendation to Council.

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- c. **TAX KEY 794.013,24 ENTERPRISE ROAD, UNITS A&B, DELAFIELD, WI.** OWNER, GREGORY A. SMITH, N23 W28866 LOUIS AVENUE, PEWAUKEE WI; JOLIE PALMER, 326 W. LAKE STREET, LAKE MILLS, WI, APPLICANT. APPROVAL OF CONDITIONAL USE PERMIT APPLICATION, SITE PLAN AND BUILDING ELEVATIONS, AND BUSINESS PLAN OF OPERATION FOR POOCH PLAYHOUSE, INC

Attorney Dean Richards was present at the meeting. R. Dupler stated that the proposed fence exceeds the building set-back and requires Plan Commission approval. There is no additional screening required.

B. LEONARD MOTIONED TO RECOMMEND APPROVAL TO THE COMMON COUNCIL FOR THE CONDITIONAL USE PERMIT. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

B. LEONARD RECOMMENDED THAT THE SITE PLAN ELEVATIONS AND BUSINESS PLAN OF OPERATION BE APPROVED. P. SCHUMAN SECONDED THE MOTION. R. DUPLER CLARIFIED WHY THE SITE PLAN ELEVATIONS NEEDED TO BE APPROVED. NO FURTHER DISCUSSION TOOK PLACE. ALL WERE IN FAVOR. MOTION CARRIED.

- d. RESOLUTION ADOPTING AN AMENDMENT TO THE COMPREHENSIVE PLAN

P. SCHUMAN MOTIONED TO APPROVE THE RESOLUTION TO AMEND THE COMPREHENSIVE PLAN, (MASTER PLAN) CITY OF DELAFIELD, WISCONSIN RELATING TO LAND USE PLAN INSTITUTIONAL (PORTION OF NASHOTAH HOUSE PROPERTY). D. KUCHLER SECONDED THE MOTION. A ROLL CALL VOTE WAS TAKEN: MAYOR CRAIG, AYE; P. SCHUMAN, AYE; M. COURT, AYE; C. MURSKY, AYE; B. LEONARD, NAY; D. KUCHLER, AYE. MOTION CARRIED.

It was clarified that the council will be asked to endorse this.

- e. **TAX KEY 621.999 AND 746.999, 2777 MISSION ROAD, DELAFIELD, WI** OWNERS: NASHOTAH HOUSE, APPLICANT: JAMES SIEPMANN, (REPRESENTATIVE FOR CONTRACT PURCHASER), SEEKS APPROVAL OF AMENDED CONDITIONAL USE PERMIT AND GENERAL DEVELOPMENT PLAN FOR MISSION PROPERTIES FOR A PORTION OF THE NASHOTAH HOUSE SEMINARY, PARCEL A, (WEST SIDE OF MISSION ROAD, SOUTH OF NASHOTAH ROAD AND NORTH OF THE MAIN NASHOTAH HOUSE CAMPUS).

J. Siepmann was present at the meeting. He stated that the only change that they have made to the plan since the last meeting is to show the

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building envelopes with a home on each and possible driveway locations. They have asked staff to defer the tree inventory requirement until such time as they have a better concurrence from the Plan Commission on where the building envelopes will be.

Public access was deferred to the City attorney for discussion. P. Schuman stated that this was a topic of discussion at the Lake Welfare Committee meeting. Attorney Chapman stated that it was his recommendation to not make lake access a part of this approval. It must have a reasonable relationship to the subdivision and he stated it wasn't required under the statute because of the lot size this was not defined as a subdivision. The DNR has waived access. The access could be construed as a taking and Attorney Chapman recommended not putting this in as a condition of the conditional use, but as an item within the agreement. Rev. Munday, Dean and President of Nashotah House, stated that he indicated at the last meeting his willingness to work with the City to accomplish access on the lake. He would prefer Delafield to be in the discussion along with or prior to the DNR. Their primary reason for the development is that it is with someone who appreciates the environment of the lake and their concern is to maintain the environmental integrity of the property. They would entertain discussion with Delafield regarding lake access. C. Mursky asked what legal mechanism there is to guarantee an access. Attorney Chapman stated that a legal agreement could be entered into with Nashotah House, but not the developer.

P. Schuman asked about the City's obligation to provide services to that lake. Attorney Chapman stated that both municipalities would have jurisdiction over the lake. P. Schuman stated that a discussion would need to take place with the Town of Summit. J. Siepmann stated that the Town of Summit does not actively patrol the lake. At the present time Nashotah House would work with the City to allow access for public safety. P. Schuman stated that the Lake Welfare Committee did not want to make the development contingent upon an access, but to let the DNR handle it. Rev. Munday stated that he would be willing to work in good faith with the City. Attorney Chapman restated that if approval was contingent upon the lake access it would be considered a "taking". B. Leonard thought that that the Plan Commission should get written legal opinion on items like this. Mayor Craig stated that the Attorney was verbally stating his opinion at this meeting and the meeting was being taped. M. Carlson stated that if it is the desire of the Commission to get written opinion, it could be given. Attorney Chapman will submit his written opinion.

R. Dupler stated that one of the primary concerns in the evaluation of this GDP is the tree inventory. It is a complete submittal except for the tree inventory, but in this case it is such a unique situation that they should be allowed to conduct the tree inventory after the envelopes are established. He wanted the Plan Commission to consider expanding the

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building envelopes and the amount of cleared area to include the driveways, the clearance for any potential boathouses, and the view shed down to the lake. SEWRPC recommends standards to disruption within the Primary Environmental Corridor of 15% of the lot area. R. Dupler thought as part of the SIP documents, there should be a clear definition of what those are for the building, boathouse, driveways, and any of the structures for the lots. Tree removal was discussed. In an attempt to preserve trees it may be in the best interest of the developer to pursue shared accesses for some of the driveways. He asked the Plan Commission to consider allowing them to use shared drives to reduce the amount of tree loss.

R. Dupler stated that the documents submitted are substantially complete and very near preliminary plat consideration. He reviewed the items that need attention in addition to the standard Preliminary Plat checklist as outlined in his memo of January 23, 2004.

It was clarified that this proposal suggested serving the eight lots by a low pressure sewer system to connect to either a lift station or gravity (to be determined) to the system on campus. This would be the least invasive system that could be put on the site. M. Court stated that he would like to reserve the right to see if there is a better system and look at it at either in the preliminary plat or SIP stage.

It was asked that the petitioner include in the engineer documents designation and identification of the routing for a possible water system.

Lots 8 and 1 have wetlands and must be clearly identified and protected by a landscape preservation easement.

Since water quality control of the environmental factors here have a great impact to the lake, R. Dupler stated that it may be in the best interest to incorporate rain gardens as part of the erosion control. This would be a long term solution that would capture run-off from the buildings and impervious surfaces and treat them so as to facilitate settlement of any particulate matters and filtration of the water prior to it being discharged into the lake. It recharges the ground water rather than running straight into the lake. It could be a shallow dip in the grass. J. Siepmann was in agreement.

R. Dupler met with the developer to inspect house pads. As long as a limit can be established to the clearance area it can be worked with. The locations of building envelope near the lakeshore have been strategically located for the best building scenario. The topography is being used to the best advantage. The driveways will be a challenge to work within the 15% clearance.

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C. Mursky asked about Lot 5 – they show two pads with an existing structure. R. Dupler stated that the existing structure had quite a bit of canopy over it.

Driveways and building envelopes were discussed. J. Siepmann stated that it was important to them to keep the building envelopes by the lake and that many wonderful things could be done to protect the wetland.

C. Mursky addressed having a homeowner's association for assurance that the City could go in and take care of erosion control if it was not being maintained. J. Siepmann stated that they would be happy to do this and would layer it up in a couple of different areas.

B. Leonard discussed the existing conservancy areas. She asked why conservancy zoning could not be kept there. R. Dupler stated that it would be maintained and would not go away. C1 zoning can be within the lot protected with a landscape preservation easement. Both could co-exist. The conservancy would not be rezoned.

B. Leonard stated that there is a lot of land east of Mission Road that Nashotah House owns and asked why they are not being directed to develop property more suitable for development. Mayor Craig stated that when they first came in to the Plan Commission they did propose development on that side. The Conditional Use addressed the lake lots and not those across the street. A better plan is needed for the land on the east side of Mission Road. The land to the east is zoned agricultural. B. Leonard wanted to know why this portion was being developed and not the other side of Mission Road. R. Dupler stated that this side is highly desirable. The developer and owner are pursuing their rights. Further discussion took place. B. Leonard discussed how to encourage a developer to try to build and preserve outside of an environmental corridor. M. Carlson responded and reviewed how other developments have dealt with this. Attorney Chapman referenced the conditional use plan that applies to the property.

J. Siepmann reviewed why there are two cul de sacs instead of one road. It is due to the fact that there is a ridge and they did not want to do the grading, to save trees, etc. Discussion took place regarding the driveways on lots 6 and 7, and 4 and 5. J. Siepmann stated that they would like to do a tree survey and if shared driveways are necessary they would explore that with staff.

C. Mursky discussed the tree inventory and loss of trees. R. Dupler stated that they are obligated to mitigate the trees that extracted. Any removal of trees should be documented. J. Siepmann stated that they would be sensitive to boathouse placement. Trees removed for boathouses would be included in the 15% tree removal amount. Each lot as it comes in for development would have to do a tree survey with

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everything included. The Developer will work with staff on this. It was stated that pools and gazeboes should all be included in the 15%. This will be reviewed.

Discussion took place on page 5 of the Covenants & Restrictions, item 12 –repair to be made within 7 days if erosion control compromised by weather -- this will be checked. Fertilizers will be natural. C. Mursky will direct language items to staff.

B. Leonard asked about the process after this approval. A preliminary plat will be coming back. Tonight the GDP is being considered for approval, then the final plat.

P. SCHUMAN MOTIONED TO APPROVE THE GDP FOR MISSION PROPERTIES WITH THE CONDITIONS LISTED BY THE CITY PLANNER WITH THE EXCEPTION OF THE LAKE ACCESS ISSUES WITH RECOMMENDATIONS FROM CITY ATTORNEY. C. MURSKY SECONDED. IT WAS CLARIFIED THAT THE LAKE ISSUE WILL BE REFERRED TO REV. MUNDAY AND THE CITY AND IS NOT CONTINGENT UPON THIS DEVELOPMENT. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR; B. LEONARD OPPOSED. MOTION CARRIED.

The agenda resumed back to Item 4b.

- f. **TAX KEY 803.011, 11 CROSSROADS COURT, DELAFIELD, WI.**
OWNERS AGENT: DAVID SCHLAACK. APPLICANT SCOT SCHMIDT.
FINAL CONSIDERATION OF REVISED SITE PLAN FOR MULTI-TENANT
COMMERCIAL BUILDING.

Scott Schmidt with Innovative Architects and Dr. Schlaack were present at the meeting.

R. Dupler reviewed. The building appearance has been modified in accordance with the Plan Commission recommendations. In addition, R. Dupler recommended having lower landscaping at the pedestrian level.

Discussion took place on the columns. The ratio of the column to the base will be worked on so that the columns do not look “spindly”. P. Schuman stated that he was pleased and that they had done a good job breaking the roofline up with the dormers, etc.

S. Schmidt stated that it would make sense to put three dormers on the north side of the new part of the building, but not on the old portion.

B. LEONARD MOTIONED TO APPROVE CONTINGENT UPON THE TEN CONDITIONS LISTED ON THE STAFF REPORT WITH THE EXCEPTION OF THE TAPERED MASONRY COLUMNS BUT TO

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MODIFY THE RATIO OF THE COLUMN AS DISCUSSED AND TO INCLUDE THE REVISIONS INCLUDED IN THE 1/7/04 PWC LETTER AND COMMENTS. P. SCHUMAN SECONDED THE MOTION. NO FURTHER DISCUSSION TOOK PLACE. ALL WERE IN FAVOR. MOTION CARRIED.

- g. KE WILLOWS EXTRATERRITORIAL

No representatives were present. R. Dupler reviewed.

C. MURSKY MOTIONED TO RECOMMEND APPROVAL TO THE COMMON COUNCIL. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- h. REQUEST FOR DIRECTION REGARDING REGIONAL STORMWATER ANALYSIS.

M. Carlson stated that the City of Delafield received a grant from the DNR to complete a dredging feasibility study, install monitoring equipment in Nagawicka Lake through the USGS which collects data on the amount of water that flows into and out of the lake, and a follow-up of a recommendation made by Gary Raasch of Hay & Associates. The City of Delafield completed a study of the watershed in the southeast quadrant of the City of Delafield (Hwy. 83 & 94 interchange). One recommendation was that instead of having multiple stormwater ponds the stormwater should be centralized. Gary Raasch recommended to study the undeveloped parcels of land in Delafield and take a regional look at stormwater management. A study was done to identify design for regional stormwater facilities in NW Delafield and NE Delafield. He reviewed the process. The preliminary analysis recommendation from Gary Raasch included a copy of the undeveloped parcels map and a copy of the stormwater management plans for the NW and NE side of Delafield. The maps of the Stormwater managements for the NW and NE sides of Delafield and the undeveloped parcels were displayed. M. Carlson reviewed the recommendations. Since that time, G. Raasch has looked at the NW side of Delafield and stated that he did not think that a regional stormwater facility of the west side of Delafield was needed – the developers should manage their stormwater on a case-by-case basis within those developments. For the NE side of Delafield one stormwater facility would most likely be on one side of the Bark River and one on the other. The original proposal called for a plan where the neighborhoods would be physically laid out and a neighborhood designs would be developed for undeveloped properties. M. Carlson stated that they now think the project was over-complicated. Instead of laying out neighborhoods, estimates would be calculated to determine the location and capacity of ponds if residential development took place. M. Carlson stated that specific neighborhood layouts will not be done. The data will

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be utilized when parcels come up for development. This was acceptable to the Plan Commission.

It was suggested to put this in the newsletter, on cable TV, and on the website.

6. PRELIMINARY CONSIDERATION

- a. **TAX KEY 794.013, 24 ENTERPRISE ROAD, DELAFIELD, WI.** OWNER: GREGG SMITH. OWNER'S AGENT: DAVID BUCKLEY. OWNER'S AGENT SEEKS APPROVAL OF BUSINESS PLAN OF OPERATION FOR ANTHONY D. STEVENS, A STORAGE, AND LIGHT ASSEMBLY BUSINESS. HOURS OF OPERATION: WEEKDAYS, SATURDAY AND SUNDAY, 8:00 A.M. – 5:00 P.M.; 1 PART-TIME EMPLOYEE

Tony Stevens was present and clarified that this is a noncommercial, personal endeavor. It would be used to store a number of items, including his automobiles and racing paraphernalia. He was not going to tune engineers, sell vehicles, or repair mechanical devices for others; this is just for his personal use.

D. KUCHLER MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION WITH THE UNDERSTANDING THAT IT WAS BASED ON WHAT WAS REPRESENTED TONIGHT, AND THAT ALL MECHANICAL WORK WOULD BE CONDUCTED INSIDE AND DURING BUSINESS HOURS. P. SCHUMAN SECONDED THE MOTION. IT WAS CLARIFIED THAT LIGHT ASSEMBLY MEANT ASSEMBLING MECHANICAL COMPONENTS. ALL WERE IN FAVOR. MOTION CARRIED.

7. ZONING AND ORDINANCE REVISION

- a. DISCUSSION OF ADOPTING CITY OF DELAFIELD EXTRATERRITORIAL BOUNDARY MAP.

R. Dupler displayed a map depicting extraterritorial/jurisdictional boundaries of the City of Delafield. There is the potential by State statute to employ a boundary of extraterritorial jurisdiction that goes beyond the current role with extraterritorial plats. Currently the City can only review as an objecting agency plats that occur within a 1.5 mile radius of the City boundaries. If the City adopts by Resolution an extraterritorial jurisdiction boundary, it affords the City an opportunity to take into account all of the areas which are identified as yellow on the map as future potential growth of the City. It would also allow the City to assign a designated land use for the intended development of that property. The City could then also act as an approving authority for any plats, subdivision, and CSM's that occur within the boundaries. Discussion took place as to working with other communities with this

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and other communities that employ this. It was stated that the City of Oconomowoc employs the extraterritorial boundary.

P. Schuman thought that this was something that should be pursued. R. Dupler will submit an estimate at the next Plan Commission meeting as to how much it would cost and the time requirements needed to review this project.

8. HEARING DATES

Board of Zoning Appeal will be held February 12, 2004, 7:30 p.m.

9. ADMINISTRATOR'S REPORT

M. Carlson reported that the Village Square settlement agreement has been made public and will be distributed at the Plan Commission level. It is possible that a public hearing would be scheduled before the Plan Commission, but this will not be known until after the February 2, 2004 Common Council meeting.

10. BUILDING INSPECTOR'S REPORT

Total number of permits to date are 34, plus four occupancy permits. New permits include three single family homes.

11. BOARD OF ZONING APPEALS

Board of Zoning Appeal will be held February 12, 2004, 7:30 p.m.

12. CORRESPONDENCE

- a. WISCONSIN DEPARTMENT OF ADMINISTRATION LETTER DATED DECEMBER 5, 2003 - NO OBJECTION TO FINAL PLAT FOR FAIRE LAKES COMMONS.

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 10:22 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC