

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

PUBLIC HEARINGS

Mayor Craig declared the public hearing open at 7:00 p.m.

1. **CONDITIONAL USE PERMIT FOR QUADEN DODGE TAX KEY 742.014, W127 WISCONSIN AVENUE, OKAUCHEE, WI 53058.**

M. Czubkowski read the hearing notice.

There were no citizen comments.

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

2. DOWNTOWN HISTORIC DISTRICT BOUNDARY

M. Czubkowski read the hearing notice. Several written comments were received.

M. Stocks, 226 Genesee Street – She has reviewed the 1993 proceedings. She was concerned about Item B in regards to window and color requirements. An effort should be made to maintain Delafield's identity, not try to make it look like another part of the country. She would like to expand the definition of what Delafield is, not what something else is. She did not think the ordinance did anything to preserve existing historic features. The language was very limiting. She was also concerned about the restrictions on public areas, i.e. Cushing School and City Hall and residential areas. On page 38 of the 1993 report they suggested preserving the noncommercial character of the area between 194 and the beginning of downtown (the area around the north boundary of Cushing School). She supported this in the long term. She felt that the City of Delafield liked the rural and small town feel. She felt that the possibility of homes being converted in small businesses would keep the commercial feel more towards the central village area.

Lynne Reich, 484 Garrison Court – She wondered why any property owner would want to be a part of this. As a business owner with an office building, she did not know why they would want to put in display windows, or come to the Plan Commission every time they wanted to paint or change something. She did not want to have a problem when selling their building and was concerned about lower property values because of all of the restrictions. She does not consider their building historic and did not want to remodel it to conform to the historic standards. There are so many limitations to this proposal. She thought that the authority was being given to the Plan Commission and taken away from the property owner. She wanted to know what the purpose of this was, who asked for it, and if there were any citizens who asked for it.

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Steve Reich, 484 Garrison Court – His building is included in the plan for the Historic District and he objected to it. It is beyond the scope of the Plan Commission to do this. He felt that the control of the building would be taken away from the property owner and that property values would be affected. The downtown area is beautiful. There is evidence that being in a historic district does affect values negatively, not positively. This should be considered.

John Platz, 703 Milwaukee Street – He is in the historical district, but never knew it. He thought that some building uniqueness would change. The Plan Commission should be able to review without putting restrictions on a historic district. He thought that property owners would keep with the theme of downtown. Architectural products were discussed and he was not in agreement with it. He questioned why signs would be included. It was his thought that the parking lot requirements would make things look worse. The commission must be sensitive to the harmony downtown and review should be on an individual basis.

Mayor Craig asked three times if anyone else wished to speak. There were none.

M. Czubkowski stated that correspondence had been received from Larry Kassens and Tom Aul in regards to this item. Their main concern was the 40% rule.

**B. LEONARD MOVED TO CLOSE THE PUBLIC HEARING. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

CALL MEETING TO ORDER

Mayor Craig called meeting to order at 7:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Paul Craig  
Phil Schuman  
Mike Court  
Beth Leonard (exited from the meeting at 10:09 p.m.)  
Dick Kuchler  
Roger Dupler  
Tom Maney

Absent

Chrys Mursky

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Matt Carlson (entered 8:32 p.m.)  
Marilyn Czubkowski

1. APPROVE PLAN COMMISSION MEETING MINUTES OF MAY 26, 2004.

The copies of the minutes included in the commissioner's packet were not complete. This will be put on the next agenda.

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

John Platz, 703 Milwaukee Street – Spoke regarding Item 5D. Mayor Craig stated that the package for 5D was not complete and that it would not be taken up at this meeting. R. Dupler stated that he would consider the previous conditional use expired on this item (outside dining). They would need to re-file and start process over again.

Francis Balisteri, 2202 Milwaukee Street – Spoke regarding the Dix Retention Pond. He has been a neighbor since 1975 and has seen various problems with this property over the years. He commended the Plan Commission and the City of Delafield on how the pond plan has improved in the past two years. He stated that the three neighbors are supportive of what is being proposed to the Common Council. He stated that the Charles Dix property is a property that is a business or commercial property and the City acquired it to do a public service to the community. The Dix property is now owned by the City and he hoped that the neighbors on that road could come to an agreement to make the property come to fruition. He commended the City for walking the property to see the trees on the property. The City should take on responsibility to use expertise to develop proper types of screening to a point where it would encourage good growth of healthy trees and vegetation and give everyone in the community the best results. He thought that everyone should give the City the opportunity to do this. The neighbors on the road have come to an agreement with the City and he felt that the City is putting forth a good example of what can be done with this property.

Warren Lee, Kettle Ridge Condomiums - Hoped that all of the work viewing the Dix property would be positive. He thanked the City.

Bob Grow, Kettle Ridge Condomiums – He has walked the Dix property and couldn't imagine putting a pond in. He wondered if all of the options for taking care of the water problem had been explored – they are getting squeezed between the lake and the businesses up on the hill. The problems should be controlled at their source – the various businesses around the city. Urged to delay this and give people a chance to work with the City to do something else. Asked if there was a way to take a small portion of the lakeshore and catch the sediment there. If you take care of the various retention ponds, you will not see as much water coming down in this area. He would like the Plan Commission to look at new products to contain sediment. He thought that the City was

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moving too fast and was concerned about the number of trees that are planned to be cut down. He asked for a delay on this project in order to provide time to come up with a different solution.

Liz Williams, Kettle Ridge Condomiums – She has lived in Delafield for 40 years. Thought it was a sad day when the City allows concrete buildings and blacktop across from Sentry to give the City their green space one-quarter mile away from where they are building and then for the City to take the green space and cut the trees. There will be a buffer on Milwaukee Street, but on the backside it will not have a buffer.

Tom Hayden, Kettle Ridge Condomiums – Agreed with L. Williams' statement regarding swapping land for green space. The plan seems like a good plan for what they have to work with. He hopes that this will not be a public space so that the space remains a quiet space.

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

**P. SCHUMAN MOVED TO CLOSE CITIZENS COMMENTS. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA

- a. **Tax Key 733.993.003, 4607 Vettelson Road, Delafield, WI.** Applicant: Sandy Bottom Nature Center. Applicant seeks approval of a Business Plan of Operation for the Sandy Bottom Nature Center. Hours of operation are Sundays from 10:00 a.m. – 4:00 p.m.
- b. **Tax Key 787.074, 810 Genesee Street, Delafield, WI.** Applicant: Jeffrey Jay. Applicant seeks approval of an amended Business Plan of Operation for Lake Country Cheese, Inc., a retail store. Hours of operation are weekdays and Saturdays, 10:00 a.m. – 8:00 p.m.; Sundays, 10:00 a.m. – 6:00 p.m.
- c. **Tax Key 793.021.001, 705 Genesee Street, Delafield, WI.** Applicant: Gary Nuerenberger. Jerry Nuerenberger seeks approval of a Temporary Business Plan of Operation for a corn stand for July 9 and 10, 2004. Hours of operation are Friday, July 9 from 6:00 p.m. – 10:00 p.m.; Saturday, July 10 from 10:00 a.m. – 10:00 p.m.
- d. **Tax Key 793.987.001, 421 Main Street, Delafield, WI.** Applicant: Judy Kaufmann, Delafield Chamber of Commerce. Applicant seeks approval of the building color change.
- e. **Tax Key 792.056, 803 Genesee Street, Delafield.** Applicant: Jamie & Heidi Wilke. Owner: Lang Investments. Applicant seeks approval of Business Plan of Operation for Jamie Wilkie Interiors, a retail furniture and interior design store. Hours of operation are weekdays and Saturdays, 10:00 a.m. – 5:00 p.m.; 3 full-time and 2 part-time employees.

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**B. LEONARD MOVED TO APPROVE THE CONSENT AGENDA. M. COURT SECONDED. M. CZUBKOWSKI READ THE ABOVE ITEMS. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 794.013, 24 ENTERPRISE ROAD, DELAFIELD, WI.** APPLICANT: JOLIE PALMER. APPLICANT SEEKS APPROVAL OF AN AMENDED BUSINESS PLAN OF OPERATION FOR POOCH PLAYHOUSE, A DOGGY DAYCARE FACILITY. HOURS OF OPERATION ARE MONDAY – FRIDAYS, 7:00 A.M. – 8:30 P.M.; SATURDAYS/SUNDAYS, 9:00 A.M. – 6:00 P.M. FOR PUPPY PARTIES, DOG TRAINING AND WORKSHOPS.

J. Palmer was present at the meeting. R. Dupler reminded the commissioners that this was a conditional use. The Plan Commission must determine that this is a minor change.

**P. SCHUMAN MOVED TO APPROVE CONSIDERING THAT THIS IS A MINOR CHANGE. D. KUCHLER SECONDED THE MOTION. J. PALMER REVIEWED THE HOURS OF OPERATION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 798.966, 418 GENESEE STREET, DELAFIELD, WI.** APPLICANT: WILLIAM NOVRSE. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGN PERMIT FOR GRFSKIS, A SPORTING GOODS STORE. HOURS OF OPERATION ARE WEEKDAYS AND SATURDAYS, 8:00 A.M. – 11:00 P.M.; SUNDAYS, 10:00 A.M. – 11:00 P.M.

W. Novrse was present and stated that they would like to open a ski shop in Delafield. R. Dupler stated that the hours are appropriate and there are no parking problems. The primary issue is to determine the status of the rooftop sign that was approved by Conditional Use. The petitioner wishes to change the color and location of the sign. W. Novrse stated that he is aware of the proposed construction on the building that he is moving into. He would be willing to remove the photograph on his signage.

**P. SCHUMAN MOVED TO APPROVE WITH THE REMOVAL OF PHOTOGRAPH ON THE SIGN TO CONFORM WITH THE POTENTIAL CHANGE IN HISTORICAL DISTRICT. D. KUCHLER SECONDED THE MOTION. R. DUPLER STATED THAT IF THIS WAS INCLUDED IN THE HISTORICAL DISTRICT, HIS SIGNAGE SIZE WOULD BE IN EXCESS OF THAT ALLOWED. P. SCHUMAN STATED THAT THE PLAN COMMISSION WILL DEAL WITH THE SIGNAGE SIZE WHEN THE BUILDING IS REMODELED AND THE SIGNAGE IS CHANGED AT THAT TIME. W. NOVRSE STATED THAT THE SIGNAGE COULD BE**

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**DECREASED WHEN NEW SIGNAGE COMES IN. MAYOR CRAIG STATED THAT THE SIZE WILL BE DECREASED WHEN THE NEW BUILDING IS CONSTRUCTED. ALL WERE IN FAVOR. MOTION CARRIED.**

- c. **TAX KEY 804.999.008 3270 GOLF ROAD, SUITE 200, DELAFIELD, WI.** APPLICANT: BROWN GROUP RETAIL, INC. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR FAMOUS FOOTWEAR, A RETAIL SHOE STORE LOCATED IN THE SHOPPES AT NAGAWAUKEE. HOURS OF OPERATION ARE WEEKDAYS AND SATURDAYS, 10:00 A.M. – 9:00 P.M.; SUNDAYS, 12:00 – 6:00 P.M. FIVE FULL-TIME AND 5 PART-TIME EMPLOYEES.

G. Kost from Told Development was present and represented Famous Footwear. R. Dupler stated that the business plan of operation was appropriate for this site. Signage is in compliance. He recommended approval. B. Leonard asked about signage on the first page of the drawings. It was clarified that this is a small sign under the canopy outside the front door. The location of the two pylon signs was clarified.

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

- d. **TAX KEY 804.999.008, 3270 GOLF ROAD, DELAFIELD, WI.** APPLICANT: SIGN PRODUCTIONS. APPLICANT SEEKS APPROVAL OF SIGNAGE AND BUSINESS PLAN OF OPERATION FOR PANERA BREAD, A CAFÉ AND RESTAURANT LOCATED IN THE SHOPPES AT NAGAWAUKEE. HOURS OF OPERATION ARE WEEKDAYS AND SATURDAYS, 6:00 A.M. – 8:00 P.M.; SUNDAYS, 7:00 A.M. – 7:00 P.M. 15 FULL-TIME; 35 PART-TIME EMPLOYEES.

G. Kost from Told Development was present and represented Panera Bread. R. Dupler stated that the Business Plan of Operation and signage was appropriate and recommended approval. The location of the restaurant was displayed on the map of the development.

**B. LEONARD MOTIONED TO APPROVE THE PLAN OF OPERATION, SIGNAGE AS IT CONFORMS TO THE ORDINANCE. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- e. **TAX KEY 793.995, 6 WEST MAIN STREET, DELAFIELD.** APPLICANT: KYLE J. GOMON APPLICANT SEEKS APPROVAL OF SANDWICH BOARD SIGN AS PERMANENT SIGNAGE FOR MASON CREEK WINERY, A WINERY.

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K. Gomon was present. The sandwich board sign is located on the east side and they would like to put something more permanent there. Approximately 50% of their new business comes from that sign and it is a large part of their business.

R. Dupler stated that this sign has been in place for some time. He recommended approval. This is in the center of the historic district.

**P. SCHUMAN MOTIONED TO APPROVE. B. LEONARD SECONDED THE MOTION. IT WAS CLARIFIED THAT THIS WOULD BE THE SAME EXISTING SIGN, BUT IT WOULD HAVE PERMANENT APPROVAL. MAYOR CRAIG STATED THAT THE AREA OF THE SIGN MAY CHANGE AND ASKED FOR A FRIENDLY AMENDMENT TO REVISIT THIS WHEN GARY NEUBERGER CHANGES HIS MONUMENT SIGN. P. SCHUMAN AND B. LEONARD AGREED TO THE FRIENDLY AMENDMENT. M. COURT DISCUSSED MAINTENANCE DURING THE WINTER. K. GOMAN STATED THAT THEY WOULD MAINTAIN THE SIGN DURING THE WINTER MONTHS. ALL WERE IN FAVOR. MOTION CARRIED.**

- f. **Tax Key 804.995, 2725 Heritage Drive, Delafield.** Applicant: Timothy McGrath, Lemberg Electric. Applicant seeks approval of a sign permit application for Heartland Food Corporation, dba Burger King Restaurant

T. McGrath was present representing Burger King. They are proposing changing the faces on two existing signs. The sizes remain the same and would be upgraded to the new Burger King image.

R. Dupler recommended approval, contingent upon a change of the proposed pole color to black or grey.

**P. SCHUMAN MOTIONED TO APPROVE WITH A PROVISION TO CHANGE THE POLE TO A NEUTRAL COLOR. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- g. **TAX KEY 798.075, 805 WELLS STREET, DELAFIELD, WI.** THE CARPENTER'S SHOP APPLICANT: LANG INVESTMENTS APPLICANT SEEKS PRELIMINARY APPROVAL OF A SITE PLAN AND ARCHITECTURE FOR A CARPENTER'S SHOP.

R. Gerbitz of Lang Investments was present.

R. Dupler stated that they are proposing to change the architecture of the building and it has been well done. This adds additional square feet to the operation. The site is currently governed under a conditional use. He felt that this was a minor change to the conditional use. There is a situation with the parking. Staff recommended a CSM to consolidate two

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of their three parcels. The issue is whether to recommend a CSM for two lots or all three lots. Signage proposed is very well done and presented and conforms to standards. Screening is needed in the parking lot. Recommended approval contingent upon review by Public Works. M. Court stated that there is a memo included in the commissioner's packets. He thought it was a good site plan, but more detail was needed on erosion control. The additional screening was not a problem for R. Gerbitz.

**B. LEONARD MOTIONED TO APPROVE THE SITE PLAN AND ARCHITECTURE WITH FOLLOWING PROVISIONS: PETITIONER WILL HAVE A CSM DONE TO CONSOLIDATE THE TWO PARCELS INTO ONE, THAT ADDITIONAL SCREENING BE PROVIDED, THAT MANDATORY SETBACK FROM RESIDENTIAL BE 10' AND BE USED, AND THAT THE PUBLIC WORKS COMMITTEE REVIEW THE PLAN FROM A DRAINAGE AND EROSION STANDPOINT. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- h. **TAX KEY 804.994.017, 2750 HERITAGE DRIVE, DELAFIELD, WI.** OWNER: KENSINGTON DEVELOPMENT. APPLICANT: T. L. FINKE & ASSOCIATES. APPLICANT SEEKS APPROVAL OF A SITE PLAN FOR WHITE BOX (FORMER PORTION OF BLOCKBUSTER VIDEO)

T. L. Finke from T. L. Finke & Associates was present. They were asking to put an additional door next to what was part of Blockbuster. The Blockbuster canopy is being downsized and a new wall will be built between the stores.

R. Dupler stated that a sign package from Blockbuster is not included since they are reducing their signage and have an existing sign with existing approval; re-approval is not needed for Blockbuster.

**B. LEONARD MOTIONED TO APPROVE THE MODIFICATION OF BUILDING ELEVATION TO INSTALL AN ADDITIONAL DOOR. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- i. **TAX KEY 804.987, 3400 HILLSIDE DRIVE, DELAFIELD.** APPLICANT: CRAIG HEINRICH, HOME DEPOT. APPLICANT SEEKS APPROVAL OF SITE PLAN FOR TEMPORARY GARDEN CENTER.

C. Heinrich, Store Manager, Home Depot was present.

R. Dupler stated that the previous agreements should be reaffirmed, i.e. seasonal item displays as identified in the original agreements, trailer and truck parking in the south end of the lot. The Fire Dept. has a problem with the proposed blocking off of the south side of the building.



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Home Depot should provide a site plan for storage for review. Maximizing the parking in the parking lot would be ideal. R. Dupler stated that the pylon sign is in disrepair and should be addressed. C. Heinrich stated that there is a work order already issued on the pylon sign and he will follow-up on it.

**D. KUCHLER MOTIONED FOR TEMPORARY APPROVAL (ANNUAL). B. LEONARD SECONDED THE MOTION. D. KUCHLER AMENDED HIS MOTION TO BE CONTINGENT UPON THE PYLON SIGN TO THE NORTH TO COME BACK INTO COMPLIANCE FOR REPAIR AND TO KEEP THE SOUTH SIDE OF THE STORE OPEN 14' WIDE FOR THE TRAVEL LANE FOR THE FIRE DEPARTMENT. B. LEONARD AGREED WITH THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

j. SITE PLAN REVIEW FOR FINAL DIX STORMWATER POND

M. Neuman and J. Nicholson from Earthtech were present and briefly reviewed the Dix Stormwater project. This project is being pursued for a stormwater quality pond. A grant from the DNR was applied for and approved. An extension has been applied for and runs out at the end of December. The purpose for the pond is to capture and cleanse pollutants from the large commercial areas prior to entering Lake Nagawicka. Besides the pollutant control, flood control was also considered in the design. The pond is currently designed to handle the 25 year storm event without exceeding the conditions of the land upstream. The current and planned vegetation on the property was discussed. M. Carlson stated that this was part of the Nagawaukee Shoppes plan approval. This particular pond will have water in it at all times of the year. There is an 18" clay liner under the pond. The water depth will be 5' deep in the pond – this will keep the water at a cooler temperature to help prevent algae blooms. More property would be needed to make this a 100 year pond. P. Schuman stated that the Lake Welfare Committee approved this pond.

S. Schmidt, City Forester, was present and addressed the trees and vegetation presently on the property. Some of the trees on the property will be difficult to retain because of defects, etc. The honeysuckle and buckthorn would be removed. Mayor Craig stated that when walking through the property many of the trees are in poor health and that the trees being removed are either a poor species or in poor health. The tree line along the condos will remain. S. Schmidt stated that the best candidates would be considered and that they would do their best to maintain them. The landscape design would help with the texture, design, and cover.

P. Schuman commended Mayor Craig for doing the walk-through with S. Schmidt.

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Mayor Craig stated that this project has been worked on since 2002 and has not been run through the process. It has been thoroughly thought through.

M. Court stated that the Public Works Committee conducted the most current review at the last meeting, with the first review being done over one year ago. They thought that this is a very well conceived design.

**P. SCHUMAN MOTIONED TO APPROVE. D. KUCHLER SECONDED THE MOTION.** B. Leonard discussed S. Schmidt's role in terms of the tree board. S. Schmidt stated that she has been familiar with the project, has looked at this project before, and has been addressing the vegetation issues, aesthetically pleasing plants, and using the good neighbor policy. The other portion of her job deals with the removal of trees. She reviewed the tasks that she has completed on this property. Mayor Craig stated that a tree survey will be done before the project is started. S. Schmidt is reviewing a preliminary plan for vegetation for this property. B. Leonard is concerned that she had asked for preliminary plans on this and the Park & Rec/Tree Board has not received it, nor have they had an opportunity to see it. Mayor Craig stated that nothing other than the preliminary plans (available on the website) have been available. She stated that Park & Rec should have been a part of the process to review this and it was not. Extensive discussion took place. T. Hafner stated if the Common Council approves this on July 6, 2004, construction should start shortly after Labor Day. Input can still be received even if approval takes place. **P. SCHUMAN AMENDED THE MOTION FOR APPROVAL TO THE COMMON COUNCIL AND THAT THE CITY FORESTER WORK WITH EARTHTECH TO DEVELOP THEIR PROFESSIONAL OPINIONS TO DETERMINE THE BEST MIX OF TREES THERE. D. KUCHLER AGREED WITH THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. THREE WERE IN FAVOR. B. LEONARD OPPOSED. MOTION CARRIED.**

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

a. PARK AND RECREATION 5-YEAR PLAN

M. Czubkowski stated that J. Kita, B. Leonard, C. Mursky, and she worked on this plan. Two items were reviewed (page 5) at the Park & Recreation (P&R) meeting. B. Leonard stated that C. Mursky's comments were very helpful. M. Carlson stated that C. Mursky offered two other suggestions to the plan but that P&R could add these later as an addendum. The suggestions were Adopt a Park Program Guidelines and to expand upon the Healthy US (page 33) in the text of the report.

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The sheet provided to the Plan Commission commissioners reflected the changes in the Mission Statement and Item IB (Tree Board responsibilities) under Park & Rec Goals.

P. Schuman stated that the Lake Welfare Committee (LWC) expressed concerns at their meeting. A good exchange of ideas took place between LWC and P&R. He thought that the words "natural amenities" was acceptable.

Mayor Craig commended the P&R Committee for their hard work on this plan. J. Kita, Vice Chair of P&R, was present and stated that they have worked on this plan for almost one year. She thanked M. Czubkowski for her assistance. She also thanked B. Leonard, P&R Chair, for the countless hours that she spent on this project, and Sarah Gaskell, the intern, who worked on this project.

**B. LEONARD MOTIONED TO RECOMMEND THE PARK AND RECREATION COMMISSION 5-YEAR PLAN TO THE COMMON COUNCIL. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 742.014, W127 WISCONSIN AVENUE, OKAUCHEE, WI.**  
APPLICANT: JOHN QUADEN DODGE. APPROVAL OF CONDITIONAL USE SITE PLAN AND ARCHITECTURE.

A representative from John Quaden Dodge was present and explained the additions and changes that they were proposing.

R. Dupler stated that this was well done and recommended approval.

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

- c. **TAX KEY 733.989, 4439 VETTLESON ROAD, HARTLAND, WI.**  
MICHAEL & SUSAN GATZOW. CONSIDERATION OF RENEWING TEMPORARY CONDITIONAL USE.

M. Gatzow was present. M. Czubkowski stated that there was a citizen comment received from Mr. Borkowski.

R. Dupler reviewed the history on this conditional use. During the fall and through the winter, no complaints were received. A complaint was recently filed by one of the neighboring residents. Welch Hanson has confirmed that there is one item (landscape buffer) that has not been attended to.

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M. Czubkowski stated that a bill was submitted in the amount of \$235 was sent to Mr. Gatzow in March, 2004 and that it has not been paid. In addition, Mr. Gatzow has not at this time signed the amended conditional use from fall. An explanation of the bill was included on the bill.

M. Gatzow explained that the screening and landscaping has not been put in because Herb Rasmussen came up with a plan in early spring but samples were not available at that time. Welch Hanson contacted Mr. Gatzow and plans have been dropped off at Welch Hanson. Mr. Gatzow has been reviewing the grading, types of shrubbery/trees. In addition, underground wiring is buried in this area and care needs to be taken on the type of trees that can be put here. The rain has postponed the planting due to the extremely wet soil in this area.

M. Carlson stated that the conditional use expired on June 15, 2004. He suggested that Mr. Gatzow apply for a new conditional use and that because this conditional use expired no action could be taken. Mayor Craig was in agreement that he would have to start the process again. Mr. Gatzow asked why this was not put on last month's agenda. It was stated that it was Mr. Gatzow's responsibility to come to the City to renew the conditional use.

- d. **TAX KEY 787.079 619 MILWAUKEE STREET, DELAFIELD, WI.**  
REVIEW OF CONDITIONAL USE PERMIT FOR OUTDOOR DINING AT THE PRICKLY PEAR, A RESTAURANT.

This was removed since the petition was not complete.

6. PRELIMINARY CONSIDERATION

- a. **TAX KEY 807.985.014, 3660 KETTLE COURT EAST, DELAFIELD, WI.** APPLICANT: MICHAEL BYRNE, BRIOHN BUILDING CORP. APPLICANT, MICHAEL BYRNE, SEEKS APPROVAL OF A PRELIMINARY SITE PLAN, SIGN PERMIT, BUSINESS PLAN OF OPERATION, AND CERTIFIED SURVEY MAP FOR THE TANIS CORP, A MANUFACTURING COMPANY. HOURS OF OPERATION ARE WEEKDAYS, 7:00 A.M. – 3:30 P.M. AND 8:00 P.M. – 7:30 A.M.; SUNDAYS, 8:00 P.M. – 7:30 A.M.

M. Byrne of Briohn Building Corp. was present at the meeting representing Tanis Corporation. They are proposing a new 48,000+ sf building on Kettle Court East. They would be one of the first manufacturing facilities on this court. The corporate offices would be included in this building. Drawings of the building were reviewed.

R. Dupler stated that the petitioner has been very responsive in trying to attain solutions. He reviewed the consolidation of the lots and the remaining portion of the present lot. Staff concerns include trying to

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alleviate any potential parking problems with the existing building – parking demand. There would be curtailed use on the existing building property. Different zonings could be employed to help alleviate this. Other options are a conditional use, or to allow the building to continue as it currently exists.

M. Byrne stated that Mr. Tanis was willing to work with whatever direction the Plan Commission would like to go.

M. Carlson stated that it may be best to leave it the way it is, with the understanding that the use may be limited on that building. M. Byrne stated that Mr. Tanis understood this and would be agreeable.

M. Court stated that initial review has taken place on stormwater and it needs to go to PWC. M. Court discussed drainage issues. Although the retention pond is close to the needed requirements, it does not quite meet them and the proposed building would have a roof designed to retain water for a 25 year/100 year flood with slow release of the water. Some of the slopes are proposed at 3:1 and would need to be approved. It was clarified that Mr. Nicholas has approved the architectural design of the building.

Mayor Craig was pleased that they are working well with staff and stated that it is a very nice looking building.

**D. KUCHLER MOTIONED TO SEND THIS TO THE PUBLIC WORKS COMMITTEE. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

b. CUSHING PARK RESTROOM PRELIMINARY PRESENTATION

Jennifer O'Leary from Welch Hanson and Paul Schmitter, architect, were present to review the plans. P&R approved Concept #1 with modifications at their Monday, June 28<sup>th</sup> meeting. These modifications were reflected on the drawings distributed to the Plan Commission commissioners at this meeting. A sheet entitled "Preliminary Cost Estimate Concept Plan" was also distributed. A review of the project took place in addition to various costs. This new design needs to go back to the P&R Committee. P&R approved the use of architectural grade shingles (dimensional) and the building would be sided with hardy plank siding placed in a vertical orientation so as to tie into the play structures. The commissioners expressed satisfaction with the way the building looked.

7. ZONING AND ORDINANCE REVISION

a. HISTORIC DISTRICT

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

R. Dupler stated that in regards to the 40% storefronts and colors being unique to New England colors, the only thing that they have tried to modify are the boundaries. The elements that were brought forth by the citizens as objectionable features already exist in the ordinance and they are not being proposed to change any of them. After consideration of the possible changes to the ordinance and the way it was worded, it was necessary to give a description that modified (1a) and (1b). Because of this, he thought that many people were assuming that it was now the intent to employ the 40% window frontage for all of the commercial buildings. That was not the case. It was his opinion to reword the language to identify 40% "retail" store frontage. This would be appropriate, but would not be appropriate for any type of office buildings that are being constructed. In regards to the New England colors, this language was superseded by the recent acceptance and creation of the Historic color palate. He felt that it was a non-issue, but the language could be changed to incorporate reference to the newly adopted color palette. The desire in expanding the Historic District is that it was desirous to expand the Historic boundary to the area that is perceived to be historic. Mayor Craig clarified that this is just a City designation, not a State or Federal designation. The ordinance needs to reflect the architecture that is unique to this area. D. Kuchler stated that it is his interpretation that "historical district" meant the overall conceptual look that downtown has. By having this ordinance it allows the City to maintain that theme. P. Schuman thought that the revision would make sense. The color pallet should make it easier when choosing colors to paint their establishment.

M. Carlson stated that there is not a rush to do this. The language of the ordinance states "40% of the storefront" and the language needs to be revised in the current ordinance. P. Schuman suggested working on the language and to bring it back to the Plan Commission. This will also go to the Chamber of Commerce.

b. **EXTRATERRITORIAL JURISDICTIONAL PLANNING**

R. Dupler displayed the exhibit from last month and reviewed the changes that have taken place. The plan that resulted took all of the changes into account. This plan was distributed to all commissioners. The purpose is to establish security that what Delafield has intended will be as such. This plan has been shared with Town Planners from the Town of Summit and Town of Delafield and no "less than complimentary" comments have been received.

M. Carlson stated that near the intersection of I94 and C that the area in buff should be "conservancy". Across the street from that on Highway C to the east, there is a wholesale there and is agricultural. R. Dupler stated that this plan does not have to reflect current uses.

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

P. Schuman thought that this was a good tool for regional planning.

This will be brought back to the Plan Commission.

8. HEARING DATES

Town of Summit – Public Hearing Master plan Amendment – July 28<sup>th</sup>, 6 p.m. regarding 53 acres in future business park – future hospital/medical clinic.

9. ADMINISTRATOR'S REPORT

The City Council approved the Settlement Agreement for the Village Square Project, but the owners have yet to accept the Agreement.

10. BUILDING INSPECTOR'S REPORT

Total number of permits to date: 55; 2 occupancy permits; new permits include 2 single family homes, 1 office building (downtown on Milwaukee Street) and 1 retail building (next to the new BestBuy).

11. BOARD OF ZONING APPEALS

a. Letter dated May 27, 2004 from the Board of Zoning Appeals granting a variance to a property located at 3317 Lake Drive, Delafield, WI.

12. CORRESPONDENCE

Copies of correspondence were included in the commissioner's packets.

13. ADJOURNMENT

**P. SCHUMAN MOTIONED TO ADJOURN FROM THE MEETING. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 11:04 P.M.**

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC  
City Clerk/Treasurer

Accurate Business Communications LLC