

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

7:00 p.m. City Clerk M. Czubkowski swore Mike Court in as City Engineer.

7:00 p.m. PUBLIC HEARING TO CONSIDER AN ORDINANCE TO AMEND SECTIONS 17.42(4), 17.78(2), AND 17.87(6) OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD RELATING TO CONDITIONAL USE REVIEW, PLANS AND INFORMATION AND THE REQUIRED TIME FOR PLAN COMMISSION RECOMMENDATIONS TO THE COMMON COUNCIL.

Mayor Craig called the public hearing to order at 7:02 p.m.

M. Czubkowski read the public hearing notice. She did not receive any comments. R. Dupler stated that this is a text amendment to allow breathing room between the Plan Commission and Common Council meetings. It has been extended to up to 45 days.

Mayor Craig asked three times if there was anyone to speak. There were none.

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Paul Craig  
Phil Schuman  
Chrys Mursky  
Mike Court  
Robert Transon  
Beth Leonard  
Roger Dupler  
Tom Maney  
Matt Carlson  
Marilyn Czubkowski

Absent

Dick Kuchler

1. APPROVE PLAN COMMISSION MEETING MINUTES OF JUNE 25, 2003.

**P. SCHUMAN MOTIONED TO APPROVE THE MINUTES FROM THE JUNE 25, 2003 MEETING AS PRESENTED. C. MURSKY SECONDED THE MOTION. M. COURT AND R. TRANSON ABSTAINED. MOTION CARRIED.**

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

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Mayor Craig asked three times if there were any citizen's who wished to comments on subjects on this agenda. There were none.

**P. SCHUMAN MOTIONED TO CLOSE CITIZEN'S COMMENTS. R. TRANSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA

C. Mursky asked that Item 3b be removed from the Consent Agenda.

**P. SCHUMAN MOTIONED TO APPROVE ITEMS A & C. R. TRANSON SECONDED THE MOTION BUT NOTED THAT WALMART IS BEGINNING TO ACCUMULATE A LOT OF LITTER. M. CARLSON WILL CONTACT WALMART REGARDING THIS. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

a. **Tax Key 804.994.002 & 804.994.006, 2863 Heritage Drive.** Owner: Wal Mart Store (Brendan Barrett). Applicant seeks approval of payroll check cashing services in a designated area of the store.

b. **Tax Key 798.026.001, 645 Wells Street, Delafield.** Owner: Robert Lang. Applicant: Craig and Mary Beth Berns. Applicant seeks a Business Plan of Operation and temporary signage for Craig Berns Salon & Spa. Hours of Operation are Weekdays, 9:00 am - 9:00 pm; Saturday, 8:00 am - 4:00 pm. 15 full-time and 10 part-time employees. Open House hours will take place 2 times in first 6 months; special Christmas events.

C. Mursky asked about the hours that the open house would be held on the two Sundays. Applicant Craig Berns was present at the meeting and stated that the hours for the open house have not been determined. C. Mursky asked if mirroring the Saturday hours would be acceptable. It was.

**C. MURSKY MOVED TO APPROVE WITH THE TWO SUNDAY OPEN HOUSE EVENTS WITH HOURS TO MIRROR THE SATURDAY HOURS. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

c. **Tax Key 803.962, 1928 Hillside Court. Perfect Puppy/Perfect Dog LLC.** Applicant: Jeanne P. Kay. Applicant seeks approval of an amended Business Plan of Operation for a home occupation.

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

a. **TAX KEY 787.078, 609 MILWAUKEE STREET, DELAFIELD.** APPLICANT: JESSICA KRUESEL. APPLICANT SEEKS BUSINESS PLAN OF OPERATION AND SIGNAGE FOR THE CULINARY SHOPPE, A GOURMET KITCHEN STORE. THE HOURS OF OPERATION ARE WEEKDAYS AND SATURDAY FROM 10:00 AM - 7:00 PM. 4 PART-TIME AND 1 FULL-TIME EMPLOYEES

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Jessica Kruesel was present at the meeting. R. Dupler stated that the color samples were brought this evening. J. Kruesel provided the commissioners with a color sample. R. Dupler stated that all of his concerns were satisfied. The mounting height has been identified and is in conformance. Everything is appropriate.

**C. MURSKY MOVED TO APPROVE. R. TRANSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 800.000.003, 2410 MILWAUKEE STREET, DELAFIELD.** OWNER: JOHN SHUDER. APPLICANT: GARY TARITAS. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGN PERMIT FOR CLEARWATER MORTGAGE CORP, A MORTGAGE BROKERAGE FIRM. HOURS OF OPERATION ARE WEEKDAYS, 9:00 AM - 5:00 PM AND OTHER HOURS BY APPOINTMENT; 4 FULL-TIME EMPLOYEES.

R. Dupler reviewed the location; it is the former the Schweda location. A signage program has been established for this building. This will be the last tenant in the building. The original proposal had identified signage on both the east and the south side of the building. The Petitioner is willing to sacrifice the signage on the east side of the building and only have the single sign on the south side of the building which brings it into conformance with the amount of square footage allowed to them (62.65 square feet). Gary Taritas was present at the meeting.

**P. SCHUMAN MOVED FOR APPROVAL. R. TRANSON SECONDED THE MOTION. G. TARITAS STATED THAT THE SIGNS LEANING UP AGAINST THE BUILDING ARE TRANSITIONAL. THIS WILL BE MONITORED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- c. **TAX KEY 804.994.013 AND PART OF 804.999.014, 2744 HILLSIDE DRIVE, DELAFIELD.** APPLICANT SIG STRAUTMANIS SEEKS A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR STONE CREEK COFFEE, A RETAIL COFFEE STORE. HOURS OF OPERATION ARE MONDAY - THURSDAY, 6:30 AM - 9:00 PM; FRIDAYS AND SATURDAYS, 6:30 AM - 10:00 PM; SUNDAY: 7:00 AM - 7:00 PM; 4 FULL-TIME AND 8 PART-TIME EMPLOYEES.

Sig Strautmanis was present at the meeting along with Eric Mesh, owner of Stone Creek Coffee. S. Strautmanis stated that they are trying to make the work on the top of the hill go as quickly as possible. Mayor Craig addressed the number of businesses and stated that it is more than he thought. S. Strautmanis stated that in the beginning they were negotiating with one large tenant that they lost. They limited the number of doors to five and all tenants are using those five doors. The facade has not changed from what was approved and they are trying for the bigger tenants. The amount of traffic was addressed. S. Strautmanis stated that the tenants that the City has seen to date generate the most traffic. They have been careful about looking at their tenant mix so that they will not conflict with each other.

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R. Dupler stated that he supported the package as submitted. The signage is in compliance. There is a proposed modification to the outdoor uses - outdoor dining area as part of Stone Creek Coffee. It is not on agenda for approval now and will be discussed at a later date. This is for a business plan of operation and signage.

**R. TRANSON MOVED TO APPROVE. P. SCHUMAN SECONDED THE MOTION. THE NUMBER OF TENANTS WAS DISCUSSED. B. LEONARD STATED THAT THERE IS A HUGE AMOUNT OF RETAIL GROWTH AND SHE EXPRESSED CONCERN ABOUT POTENTIAL VACANCIES IF THE SUPPLY IS MORE THAN THE DEMAND. M. CARLSON STATED THAT THE SPACE WAS GOVERNED BY THE CONDITIONAL USE. S. STRAUTMANIS STATED THAT THEY ARE TURNING TENANTS AWAY THAT DO NOT FIT THEIR PROFILE. THE LAST AVAILABLE SPACE(S) WILL BE FOR DRY GOODS. M. CARLSON STATED THAT THE PLAN COMMISSION HAS VIEWED THE COMMERCIAL DEVELOPMENTS WITH THE THOUGHT THAT THE BUILDINGS MUST BE FLEXIBLE ENOUGH TO ACCOMMODATE OTHER USES IN THE FUTURE. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.**

- d. **TAX KEY 804.994.013 AND PART OF 804.999.014, 2740 HILLSIDE DRIVE, DELAFIELD.** APPLICANT: SIG STRAUTMANIS SEEKS A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR EB GAMES, AN ELECTRONICS RETAIL STORE. HOURS OF OPERATION ARE WEEKDAYS AND SATURDAYS: 8:00 AM - 10:00 PM; SUNDAYS: 9:00 AM - 9:00 PM; 2 FULL-TIME AND 2 PART-TIME EMPLOYEES

S. Strautmanis was present at the meeting and represented the tenant. This company will sell game cartridges and game systems. It is a basic build-out and floor plan.

**P. SCHUMAN MOVED TO APPROVE. B. LEONARD SECONDED THE MOTION. C. MURSKY ADDRESSED THE SIGNS. R. DUPLER STATED THAT THEY HAD AREA THROUGHOUT THE ENTIRE BUILDING, ALLOWABLE MAXIMUM HEIGHT, AND SUGGESTED PLACEMENT. S. STRAUTMANIS STATED THAT THERE WAS 320 SF AND IT IS DIRECTLY PROPORTIONALLY ALLOCATED TO THE SF OF EACH TENANT. THE SIGN AREA COULD SHIFT AROUND WITH THE TENANT. ALL WERE IN FAVOR. MOTION CARRIED.**

- e. **TAX KEY 787.087.001, 715 MILWAUKEE STREET, DELAFIELD.** APPLICANT WILLIAM BROWN SEEKS APPROVAL OF SIGN PERMIT FOR BILLY BROWN INSURANCE.

William Brown was present. R. Dupler stated that the business plan of operation was approved last month. The sign does satisfy all of the ordinance requirements.

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**C. MURSKY MOVED TO APPROVE. R. TRANSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

a. DOVER BAY ADDITION 5 EXTRATERRITORIAL PLAT.

Tom Hafner did the review on this because Welch Hanson was conflicted as they did the development work for the subdivision. T. Hafner stated this was a 3-lot subdivision in the Town of Delafield. It is within 1-1/2 mile of the City of Delafield and therefore subject to extraterritorial review. He reviewed it and found a few technicalities that are not significant to the City. He recommended approval of the preliminary plat subject to review of all other review agencies.

**C. MURSKY MOVED TO APPROVE BASED ON T. HAFNER'S CONDITIONS SET FORTH IN HIS MEMO OF JULY 25, 2003. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. M. COURT ABSTAINED. MOTION CARRIED.**

6. PRELIMINARY CONSIDERATION

a. DISCUSSION REGARDING COLOR PALETTE FOR HISTORICAL DISTRICT.

R. Dupler stated that the color pallets were not included in the commissioner's packets, but were displayed on a sheet with three different color pallets at the meeting. They were reviewed. He proposed that with the approval of the Plan Commission, he would take these colors, assemble a document, and mildly modify the existing ordinance so that the colors would be in compliance with the ordinance. Mayor Craig stated that it should be noted that they are not promoting any one brand of paint. R. Dupler will do further investigation with various historical societies to find out if they have a specific color for our region. M. Carlson will prepare an ordinance.

7. ZONING AND ORDINANCE REVISION

a. DISCUSSION REGARDING TREE ORDINANCE

R. Dupler stated that the tree ordinance was provided in the commissioner's packet. He has been working with WE Energies and Shantelle Schmidt, the City Forester, to come up with an ordinance that reflects the direction of this body but also takes into account their unique positions on tree ordinances. He has taken the existing ordinance and modified portions of it to provide greater latitude for the forester when it comes to inspection of trees in regards to mitigation requirements. It puts more emphasis on the input of the forester. He distributed and discussed a table to all of the Commissioners titled "Table of Tree Removal Impacts". This would be all trees 4" in caliber and larger. There are some technical issues that he would like to continue studying with the forester. M. Carlson stated that this would formalize the role of the City Forester in the development review process to try to capture a lot of the issues on the front end

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of the development project. It was stated that the City does not have a specific contract with the forester. B. Leonard discussed the enforcement of the ordinance. It was suggested using a letter of credit. Wording will be reworked at the staff level. Mayor Craig discussed general residential households. A homeowner would be required to meet with a member of staff to get a permit if they intend to clear more than the allowable clearances identified per the zoning district/lot size. The tree ordinance would be for live, healthy trees. P. Schuman stated that there is a standing 50' inland from all points high water mark. The DNR minimum is 35'. He asked if it could be changed to 75'. R. Dupler agreed and stated that he would like to change it to 75' because the DNR setback requirements are 75' and that as part of that protection he would want to include any tree coverage from any proposed structure to the lake. T. Maney stated that he did not want a conflict in the tree ordinance and some of the zoning areas. This will be addressed at the staff level and a recommendation will be made. C. Mursky discussed the list of protected tree species. The source of the percentages was an even distribution of the zoning districts. She also made grammatical corrections to the Tree Ordinance document. General discussion took place regarding various changes to the document. The tree ordinance will be reviewed next month.

### 8. HEARING DATES

None.

### 9. ADMINISTRATOR'S REPORT

#### a. DISCUSSION OF PLAN COMMISSION SEMINAR

R. Dupler put together a syllabus for the Plan Commission Seminar. This would be a workshop for Plan Commissioner members and would be open to the public. It would be videotaped and used for any new Plan Commission members. R. Dupler reviewed the syllabus. The evenings of Wednesday the 20<sup>th</sup> of August or Thursday the 21<sup>st</sup> of August are being considered for the seminar. The dates were discussed. R. Dupler will find out when the seminar presenters are available and determine more dates. He will work with M. Czubkowski on determining the meeting date(s). B. Leonard discussed the content of the seminar and stated that there are some key issues that she would like to be updated on.

#### b. SPECIAL PLAN COMMISSION MEETING REGARDING VETERANS MEMORIAL RIVERWALK (VMR)

The Park & Recreation Committee and the Park & Recreation Coordinator are working hard to get this project built this year. They have retained Foth & Van Dyke and Schreiber Anderson as the design components of the team. Securing an easement from St. John's Military Academy is being worked on. The staff needs to review the plans. If the plans are reviewed and they provide specific detail and comments for a new design of the Riverwalk, they would ask the Plan Commission to have a special meeting to discuss the VMR. B. Leonard did not know the status of the Chapter 30, but thought that the special Plan Commission

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meeting would be needed for the permitting process, but did not know when it would be needed. Discussion took place as to whether a special meeting was needed or not. B. Leonard will contact Mayor Craig tomorrow as to whether the Veterans Memorial Riverwalk needs the Plan Commission to have a special meeting.

c. **DISCUSSION REGARDING HIGHWAY 83 COMPACT AND PROPOSAL VILLAGE OF HARTLAND COMMERCIAL DEVELOPMENT.**

The Commissioner's had a copy of a request for proposal from the State for this piece of property included in their packets. M. Carlson identified the parcel of land. Their intent is to relocate the present park and ride to this piece of property. Part of this development includes restaurants, banks, day care, and a grocery store. M. Carlson contacted the representative from the DOT about this project who confirmed receiving proposals and narrowing it down to one developer. This is for informational purposes only. The property is currently zoned "Q" for quarry. The Hartland Village Administrator stated that the community is not in favor of this kind of intense development. P. Schuman asked about the traffic studies and stated that he has seen more detailed ones on the area. It was his recommendation to pass onto the Village of Hartland that a traffic study should be done. M. Carlson has a meeting set up with the DOT on August 11<sup>th</sup>. They are looking for specific dates for the widening of Highway 83. M. Carlson recommended including language in the DOT document that those parking spaces and the property not be restricted to residents only. There are many questions that need to be answered.

10. **BUILDING INSPECTOR'S REPORT**

Total number of permits to date are 40, plus two occupancy permits. The new permits include five new single family homes.

11. **BOARD OF ZONING APPEALS**

None.

12. **CORRESPONDENCE**

None.

13. **ADJOURNMENT**

**R. TRANSON MOVED 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 8:44 P.M.**

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC

Accurate Business Communications LLC

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City Clerk/Treasurer

Draft