

CITY OF DELAFIELD PLAN COMMISSION MINUTES

PUBLIC HEARING

1. TO CONSIDER AN AMENDMENT TO THE MUNICIPAL CODE AS FOLLOWS:
17.30 (1) (L) HISTORIC DELAFIELD DISTRICT DESIGN GUIDELINES. COLORS OF ALL NON-MASONRY STRUCTURES, SIGNS AND SITE AMENITIES SHALL BE COMPATIBLE TO THE ADOPTED HISTORIC DOWNTOWN DELAFIELD DISTRICT COLOR PALETTE.

M. Czubkowski read the notice. No correspondence had been received. Mayor Craig asked three times if there were any comments from the audience. There were none.

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

CALL MEETING TO ORDER

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

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Paul Craig
Phil Schuman
Chrys Mursky
Beth Leonard
Dick Kuchler
Mike Court
Tom Maney
Marilyn Czubkowski

Absent

Robert Transon
Roger Dupler
Matt Carlson

Also Present

Jeff Hermann (sitting in for Roger Dupler)

1. APPROVE PLAN COMMISSION MEETING MINUTES OF AUGUST 27, 2003.

P. SCHUMAN MOVED TO APPROVE THE PLAN COMMISSION MEETING MINUTES OF AUGUST 27, 2003. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. M. COURT ABSTAINED. MOTION CARRIED.

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

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

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

3. CONSENT AGENDA

- a. **Tax Key 804.996.001, 2750 Golf Road, Delafield.** Owner: Lake Country Real Estate, LLC. Applicant: Toni Habermann, Kieffer & Co. Applicant seeks approval of amended Business Plan of Operation and Sign Permit for Prohealth Care Medical Centers - Delafield. Hours of Operation: Weekdays, 8:00 a.m. - 8:00 p.m., Saturday, 9:00 a.m. - 5:00 p.m. 3 full-time and 14 part-time employees.
- b. **Tax Key 793.055, 329 Genesee Street** . Owners: Tom and Pat Aul. Applicants seek approval of Site Plan for garage construction.

C. MURSKY 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 804.994.013 AND PART OF 804.999.014, 2734 HILLSIDE DRIVE, UNIT 6, DELAFIELD.** OWNER: GENERAL CAPITAL MANAGEMENT, INC., SIG STRAUTMANIS. APPLICANT: : MATT COLLINS APPLICANT SEEKS APPROVAL OF BUSINESS PLAN OF OPERATION AND SIGN PERMIT FOR VERLO MATTRESS FACTORY STORE, A RETAIL MATTRESS STORE. HOURS OF OPERATIONS, WEEKDAYS, 10:00 A.M. - 8:00 P.M.; SATURDAY, 9:00 A.M. - 5:00 P.M.; SUNDAY, 11:00 A.M. - 4:00 P.M.

S. Strautmanis was present. This would be a 2,400 sf space next to Pizza Hut. It is a simple operation with few employees and is consistent with their intention there. M. Court stated that the proposed signage is consistent with the pre-approved sign program for the Hillside Terrace building and recommended approval.

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

- b. **TAX KEY 804.994.013 AND PART OF 804.999.014, 2734 HILLSIDE DRIVE, UNIT 7, DELAFIELD** . OWNER: GENERAL CAPITAL MANAGEMENT, INC., SIG STRAUTMANIS. APPLICANT SEEKS APPROVAL OF BUSINESS PLAN OF OPERATION AND SIGN PERMIT FOR CHRIS & COMPANY, A FULL SALON SERVICES HIGH END HAIR SALON. 9 PART-TIME AND 4 FULL-TIME EMPLOYEES. HOURS OF OPERATION, WEEKDAYS, 8:00 A.M. - 9:00 P.M.; SATURDAY, 8:00 A.M. - 6:00 P.M.; SUNDAY, 8:00 A.M. - 3:00 P.M.

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S. Strautmanis, and owners Chris and Dale, were present. This would be a full service, high quality hair salon. Photos of the proposed interior were distributed. The occupancy space is 1,640 sf. M. Court stated that the proposed signage is consistent with the pre-approved sign program for the Hillside Terrace building and recommended approval.

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

- c. **TAX KEY 802.997, 1760 MILWAUKEE STREET, DELAFIELD** . APPLICANT: JEFF GROFF. APPLICANT SEEKS APPROVAL OF SITE PLAN FOR BOB LORO'S MULTI-TENANT PROPERTY.

Bob Loro was present. M. Court stated that the landscaping was good, but that he was concerned about the impact on the roadway and pavement, and that the motion should be contingent upon approval from the Public Works Committee (PWC). C. Mursky asked that the PWC make sure that the landscaping does not interfere with the sight lines.

C. MURSKY MOTIONED MOVED TO APPROVE CONTINGENT UPON THE REVIEW AND APPROVAL OF THE PWC. D . KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. CITY SIGNS, DIRECTIONAL SIGNS AND PARK IDENTIFICATION SIGNS ARE PROPOSED BY CITY STAFF.

M. Court reviewed. There would be two signs at the intersection of 83 & Golf Road on the NW corner. A black and white drawing of the sign was in the commissioner's packets and it was consistent with the Genesee Street Project signs. There would also be directional signage and signage for Copperfield Park at Golf Road & Milwaukee Streets. This would be for recommendation to the Common Council as the funding for this project would need to be approved.

P. SCHUMAN MOVED TO APPROVE. D. KUCHLER SECONDED THE MOTION. C. MURSKY DISCUSSED THE VISION TRIANGLE IN REGARDS TO THE COPPERFIELD PARK SIGN. P. SCHUMAN AMENDED HIS MOTION TO MAKE SURE THAT IT WAS NOT IN THE VISION TRIANGLE. D. KUCHLER AGREED WITH THE AMENDMENT. M. COURT STATED THAT THE SIGN ON MILWAUKEE STREET WAS SHOWN ON THE PROPERTY LINE AND COULD BE CHANGED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. **TAX KEY 798.030, 706 MAIN STREET, DELAFIELD.** OWNER: STEVE REICH. OWNER SEEKS FINAL APPROVAL OF SITE PLAN.

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Steve Reich was present. The alleyway and parking issues have been taken care of. Mayor Craig stated that a comment came to City Hall from a citizen regarding parking spaces #1 and 2 (visual difficulty). He suggested vacating these spaces. M. Court suggested having staff look at the spaces and reconfigure them with the owner. R. Dupler's recommendation was for approval of the site plan at this time.

P. SCHUMAN MOTIONED TO APPROVE THE SITE PLAN. B. LEONARD SECONDED THE MOTION. P. SCHUMAN AMENDED HIS MOTION CONTINGENT UPON ARCHITECTURAL REVIEW AT A FUTURE MEETING, PENDING BOARD OF APPEALS, AND ADJUSTMENTS OF THE PARKING SPACES WITH STAFF. B. LEONARD AGREED WITH THE AMENDMENT. THE GRASS AROUND THE BUILDING WAS ADDRESSED. THE STORMWATER WAS NOT ADDRESSED BECAUSE IT HAD BEEN APPROVED PREVIOUSLY AND NOW THE IMPERVIOUS SURFACE IS LESS BECAUSE OF THE ADDITIONAL GRASSY AREA. DISCUSSION TOOK PLACE REGARDING THE PARKING SPACES. P. SCHUMAN AMENDED THE AMENDMENT TO INCLUDE THAT LANDSCAPING WOULD BE REVIEWED WITH THE ARCHITECTURAL REVIEW AT A FUTURE MEETING. B. LEONARD AGREED TO THE AMENDED AMENDMENT. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 793.018, 524 MILWAUKEE STREET, DELAFIELD** . APPLICANT: LANG INVESTMENTS, LTD. FINAL APPROVAL OF CERTIFIED SURVEY MAP FOR TOWNE CENTER II.

This was removed from the agenda.

- c. **TAX KEY 804.993.005 AND 802.987, STH 83 & GOLF ROAD.**
OWNER/APPLICANT: TOLD DEVELOPMENT AND THE WEISSGERBER FAMILY.
APPLICANTS SEEK FINAL APPROVAL OF THE SPECIFIC IMPLEMENTATION PLANS FOR A PORTION OF THE **SHOPPES AT NAGAWAUKEE** .

Greg Kost from Told Development was present. This was for the Specific Implementation Plan for Phase I of the Shoppes at Nagawaukee. He hopes to close on the Dix property by the end of the year. Last month's site plan and this month's site plan were displayed. Minor changes included: aligned drives, changed building footprints, changed building architecture on the larger building, and trash enclosures. All of the erosion control has been addressed and it is in compliance with the city's requirements. They are looking at lowering the utilities by Golf Road and plan to bury them. The grading plan includes three detention facilities. The site slopes east-west and south-north. The position of the ponds works well with the nature of the property. Two retaining walls would be installed in Phase I. The landscaping plan includes more evergreen shrubbery around the perimeter of the property and also some of the planting beds into the right of way of Golf Road. Site lighting will be comparable to the other lighting on the property and meets city ordinances. The tree survey was completed.

Dave Kremel was present and reviewed the architecture of the buildings. Changes have been made since last month in accordance to suggestions offered at that meeting. Samples of the stone material were displayed. More stone has been added to the bigger building. Arches and gables have been added to soften the

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building.

Drawings of the monument sign were displayed. The sign will be multi-tenant and the pylon sign is similar to the existing one with a few more panels added.

M. Court stated that R. Dupler suggested evergreen landscape material to screen the western trash enclosures - the developer was in agreement with this. Also, the lighting should be per ordinance on the northeast drive - this will be checked with the lighting consultant and corrected.

It was staff's recommendation to approve with the above recommendations, and review by PWC and staff. Mayor Craig stated that this is all subject to the closing on the Dix property.

A fountain on the pond to discourage algae growth will be discussed with staff. The developer stated that they will take care of the plantings in the right-of-way. C. Mursky suggested having PWC review the visual sights in regards to landscape. The colors on the pylon sign will have consistency and would include the colors red, white, and green. In terms of signage, approval would be in terms of location. A separate package will be submitted for the individual signs.

P. SCHUMAN MOVED FOR APPROVAL CONDITIONED ON THE CHANGES NOTED IN THE 8/22 LETTER; MODIFICATIONS TO THE LIGHT, TRASH ENCLOSURE LANDSCAPING, ARCHITECTURE AS REPRESENTED, SIGN COLORS OF RED, WHITE AND GREEN, CONTINGENT ON THE CLOSING OF THE DIX PROPERTY, AND CONDITIONED ON FINAL DWP AND STAFF REVIEW OF ENGINEERING DRAWINGS, DISCUSSION OF AERATION OF WET PONDS WITH STAFF, AGREEMENT OF MAINTENANCE OF LANDSCAPING, SIGN PLACEMENT, AND REVIEW OF THE LANDSCAPE ON THE NORTHEAST SIDE OF GOLF ROAD. D. KUCHLER SECONDED THE MOTION. IT WAS CLARIFIED THAT THE TOTAL SQUARE FOOTAGE OF THE BUILDINGS IS ROUGHLY THE SAME. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 786.999. TAX KEY 786.999.** APPLICANT: RYAN SCHULTZ. MLG DEVELOPMENT APPROVE RESOLUTION 2003-01 - CARRIAGE HILLS OF DELAFIELD FINAL PLAT AND LANDSCAPING PLAN.

Removed from the agenda.

- e. **TAX KEY 754-989-004 WATERLEAF SUBDIVISION** . FINAL APPROVAL OF AMENDMENT TO THE WATERLEAF GENERAL DEVELOPMENT PLAN AND CONDITIONAL USE PERMIT.

This was postponed until later in the agenda.

Attorney Dean Richards was present. He requested to amend the conditional use permit for the Waterleaf Subdivision. This pertains to the bypass lane for traffic that would be traveling northbound on Nagawicka Road. Once construction began and surveying took place, it was discovered that the ROW for Nagawicka Road was not

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as it was originally thought to be. As a result, there is not enough land within the road ROW to allow the construction of the bypass lane as planned and the construction would interfere with the stand of trees that exists on that side of the road. The recommendation from PWC was to eliminate the bypass lane at this time and construct the road within the set ROW as it exists today, but require the developers to tender to the city the dollar amount necessary to build that bypass lane which would be held by the City so that if conditions changed in the future and the City wanted to proceed with the construction of the bypass lane, it could do so. The PWC recommended elimination of the bypass lane, payment of the dollar amount, and no sunset date on that dollar amount. The developer is requesting elimination of the bypass lane; they will pay the cost of building the bypass lane, but put a 10 year horizon on that, that if the City does not see a necessity to build that lane within 10 years that the Developers would receive a refund of the money.

M. Court stated that the discussion at PWC took place on the dollar amount and the sunset clause. Mayor Craig addressed the sunset clause. Discussion took place on other ways of handling this situation, i.e., special assessments, time limits, and why this issue occurred.

B. LEONARD MOTIONED TO APPROVE THE RECOMMENDATION OF STAFF CONTINGENT UPON EXTENSION OF THE SUNSET PROVISION TO 20 YEARS. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. D. KUCHLER OPPOSED. MOTION CARRIED.

- f. **TAX KEY 751.029, 2706 NAGAWICKA AVENUE, DELAFIELD .** APPLICANT: MICHAEL BORETSKY. APPLICANT SEEKS APPROVAL OF A WAIVER FOR CONSTRUCTION OF A FENCE.

M. Boretsky was present at the meeting. He explained why he would like to replace the present fence and submitted photos for review. It was clarified that that if the fence was put up, the finished side must face outward.

P. SCHUMAN MOVED TO APPROVE. C. MURSKY SECONDED THE MOTION. M. COURT STATED THAT IT NEEDED A WAIVER, BUT RECOMMENDED APPROVAL. P. SCHUMAN ADDRESSED THE LITTER IN THE NEIGHBOR 'S YARD AND T. MANEY REVIEWED THE STEPS THAT HAVE BEEN TAKEN IN THE PAST. ALL WERE IN FAVOR. MOTION CARRIED.

5. PRELIMINARY CONSIDERATION

- a. **TAX KEY 793.021.001, 705 GENESEE ST., DELAFIELD, WI .** APPLICANT: GARY NUERNBERGER. APPLICANT SEEKS AMENDED CONDITIONAL USE, SITE AND ARCHITECTURAL PLAN FOR KETTLE MORAINES AMOCO.

Gary Nuernberger, owner, and his architect, Frank Richardson, were present. He would like to remodel the exterior and interior, remove the service bay, and remodel the building into a convenience store. M. Court stated that the architecture looked nice and recommended preliminary approval. F. Richardson explained the architecture of the building. T. Maney stated that there would no longer be any mechanical work, repairs, or towing services, but that this would be a full service

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convenience store. It was suggested to put some green landscaping along the backside of the building.

B. LEONARD MOTIONED TO APPROVE WITH THE CONDITION THAT IF FUTURE SITE DEVELOPMENT DOES NOT TAKE PLACE, LANDSCAPING WOULD BE INSTALLED ALONG THE BACKSIDE OF THE BUILDING. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. ZONING AND ORDINANCE REVISION

a. ZONING TEXT AMENDMENT REGARDING CBD-2 AND CBD-3 SIGNAGE.

P. SCHUMAN MOVED FOR APPROVAL. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

b. FINAL APPROVAL OF HISTORIC COLOR PALETTE AND TEXT AMENDMENT.

This has gone to the Chamber of Commerce and to all businesses. The result of the approval would be that businesses in the Historic District would not have to pay and come to Plan Commission to have this approved. Requests would then be approved by the City Administrator. The city attorney will be consulted to see if this has to go back to a public hearing.

P. SCHUMAN MOTIONED TO APPROVE CONTINGENT UPON CONSULTING WITH THE CITY ATTORNEY. C. MURSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. HEARING DATES

a. **TAX KEY 793.021.001, 750 GENESEE STREET, DELAFIELD.** APPLICANT: GARY NEURENBERGER. PETITION FOR PUBLIC HEARING FOR AMENDMENT TO CONDITIONAL USE OF KETTLE MORAINES STANDARD.

b. ZONING TEXT AMENDMENT REGARDING CBD-2 AND CBD-3 SIGNAGE.

9. ADMINISTRATOR'S REPORT

a. DRAFT ZONING MAP

This was included in the Commissioner's packets and is a current map.

10. BUILDING INSPECTOR'S REPORT

Total permits are 39, one occupancy, new construction include two new single family.

10. BOARD OF ZONING APPEALS

One case on September 25, 2003.

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11. CORRESPONDENCE

- a. WISCONSIN DEPARTMENT OF TRANSPORTATION LETTER DATED SEPTEMBER 3, 2003 REGARDING DOVER BAY ADDITION 5 PRELIMINARY PLAT.
- b. UPPER MIDWEST PLANNING CONFERENCE NEXT MONTH.
B. Leonard had copies available for the commissioners. This would be held in Milwaukee.

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 9:01 PM.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC