

CITY OF DELAFIELD PLAN COMMISSION MINUTES

PUBLIC HEARING

Amendment to existing Conditional Use Permit for Michael Gatzow, owner of G & S Recreation, Inc., dba Summer Fun

The Public Hearing was declared open at 7:02 p.m. M. Czubkowski read the public hearing notice. She stated that two written e-mails were received regarding the conditional use permit for Michael Gatzow from Sherry Myers and Andy Zietlow.

R. Borkowski, 4521 Vettelson Road - He was concerned that B1A zoning does not allow outside storage. There is no fencing or shielding around this site. The conditions imposed at the old Redi-Gas location were referred to. Boat servicing is not on the list of allowable businesses in B1A zoning. He and his neighbor, Larry Schouten, have observed engines running outside the building. The intent of B1A zoning was reviewed. He asked if renting or subletting the property was a violation of B1A and questioned what "storage" is. It was his opinion that parking stalls needed to be open for customers and could not be used for storage. He addressed the number of boats requested.

Larry Schouten, 4518 Vettelson Road - This is predominately a residential neighborhood: There are three businesses and 21 residences. He referred to statements made by Mr. Gatzow regarding the business in regards to impact, storage, hours, etc. He was against the conditional use amendment.

Alice Schouten, 4518 Vettelson Road - Stated that neighbors work together. She did not think that Summer Fun Marine was being a good neighbor. She addressed storage, delivery, hours, etc. She did not want approval of the amendment.

Jacki Bowman, 4449 Vettelson Road - Asked about if the conditional use permit was reviewed annually. She would like to have the boats screened better and would like to be able to review the situation after one year.

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

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 CLOSED AT 7:16 P.M.

CALL MEETING TO ORDER

Mayor Craig called the meeting to order at 7:17 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

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ROLL CALL

Present

Mayor Paul Craig
Phil Schuman
Chrys Mursky
Mike Court
Robert Transon
Beth Leonard
Dick Kuchler
Roger Dupler
Marilyn Czubkowski, City Clerk

Absent

Tom Maney
Matt Carlson, City Administrator

1. APPROVE PLAN COMMISSION MEETING MINUTES OF OCTOBER 29, 2003.

C. MURSKY MOTIONED TO APPROVE THE MINUTES OF THE OCTOBER 29, 2003 MEETING. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. D. KUCHLER, P. SCHUMAN, AND R. TRANSON ABSTAINED. MOTION CARRIED.

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

Jeff Forsland, Lake Country Jewelers - Requested approval of Gary Nuerenberger's conditional use permit. He thought that the plan would add visually to Downtown Delafield.

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

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

3. CONSENT AGENDA

None.

4. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 742.993, W39 E. WISCONSIN AVE., NASHOTAH, WI . OWNER AND APPLICANT: J. KOSOSKI APPLICANT SEEKS APPROVAL OF AMENDED SIGN PERMIT FOR GREAT LAKES SALES & SERVICE CENTER.**

Carol LaCount, Office Manager and Attorney for Great Lakes Sales & Service Center was present at the meeting and stated that they were asking for a reconfiguration of an existing sign. Jerry Koslowski, owner was also present.

R. Dupler reviewed. This parcel is allowed up to 150 sf for signage and existing signage on the building amounts to 109.5 sf. The balance is 40.5 sf. If the sign

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on the building is removed, the proposed sign needs to be modified slightly to be in compliance with the 40.5 sf. A resubmittal of the document is being requested for the records with the appropriate dimensions. C. LaCount stated that the sign has been removed from the building.

C. MURSKY MOTIONED TO APPROVE THE SIGNAGE CONTINGENT THAT APPLICANT WORK WITH STAFF TO BRING THE SIGN IN COMPLIANCE. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 803.979.003, 2675 SUN VALLEY DR., DELAFIELD, WI.**
APPLICANT: JASON WAMSER, SIGN EFFECTZ. OWNER: WALLY SAUTHOFF. APPLICANTS SEEKS APPROVAL OF AMENDED SIGN PERMIT FOR PENNZOIL 10 MINUTE OIL CHANGE.

Jason Wamser from Sign Effects, and Wally Sauthoff, owner, were present. They had submitted a proposal earlier that wasn't approved and now are submitting this one. The changes were reviewed.

R. Dupler stated that this is a pylon sign on the south side of I94. He reviewed the signage and history. He recommended denial. He felt that the existing Penzoil logo should be yellow and the entire background should be beige and opaque. Petitioner stated that they would like it approved as submitted because of the corporate logo. Without the yellow in the sign they would look like anyone else - all of the yellow is their identification.

C. MURSKY MOTIONED TO DENY THE SIGN. B. LEONARD SECONDED THE MOTION. PETITIONER STATED THAT OTHER SIGNS HAVE GONE THROUGH WHAT HE THOUGHT WERE SIMILAR REQUESTS TO THIS. MAYOR CRAIG EXPLAINED THAT IT WAS THE FIELD AROUND THE 10-MINUTE OIL CHANGE THAT WAS BEING OBJECTED TO. R. DUPLER STATED THAT THE SIGNS REFERRED TO WERE NOT STANDARD PYLON SIGNS. W. SAUTHOFF STATED THAT OWNERSHIP IN THE COMPANY HAS CHANGED OVER THE YEARS AND NOW PENNZOIL IS NOW UPDATING THEIR SIGNS. C. MURSKY STATED THAT THEY SHOULD GO BACK AND TELL CORPORATE THAT THE PLAN COMMISSION WOULD NOT PERMIT THE SIGN. GENERAL DISCUSSION TOOK PLACE. J. WAMSER STATED THAT THEY WERE TRYING TO COMPROMISE BY SHRINKING THE LOGO DOWN. **ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.**

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. APPROVAL OF CERTIFIED SURVEY MAP TOWNE CENTER II, **TAX KEY 793.018, 524 MILWAUKEE STREET, DELAFIELD**

R. Dupler stated that this CSM that has gone through a series of revisions to get to this point. It has been found to be compliant and he recommended approval.

Rob Gertz from the Lang Companies was present.

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D. KUCHLER MOTIONED TO APPROVE. B. LEONARD SECONDED THE MOTION. THE DIFFERENCE FROM THE HANDOUT IN THE PACKET COMPARED TO THE DOCUMENT DISTRIBUTED AT THE MEETING WAS THAT THE DOCUMENT TONIGHT CONTAINED ALL OF THE SHEETS. IT WAS CLARIFIED THAT EVERYTHING IS NOW IN COMPLIANCE. **ALL WERE IN FAVOR. MOTION CARRIED.**

- b. APPROVAL OF CONDITIONAL USE PERMIT AND DEVELOPERS AGREEMENT FOR KETTLE MORaine AMOCO, 720 GENESEE STREET, DELAFIELD. **TAX KEY 793.021.001**

M. Czubkowski stated that this would be referred to the Council.

Gary Nuerenberger was present and talked about the poles for the canopy. They would be covered in the same type of material that the building would be covered with. It will enclose the gutters and would look like the building. He proposed to keep the existing sign as is and cover the poles, 2' or lower retainer wall, with the same material as the building, and to use existing sign that is on there.

R. Dupler discussed the site visibility triangle. He thought that keeping the existing sign was appropriate, but is not in conformance with Historic Downtown standards, that the proposal was justifiable, and would recommend approval. B. Leonard discussed the existing sign - it is a legal nonconforming sign. R. Dupler stated that the panel in the backlit sign can be changed, but the shape cannot be changed because it would constitute a structural change.

G. Nuerenberger asked for consideration of the monument sign. He reviewed why he needed a backlit sign. He would be willing to have the backlit sign for five years and then come into compliance after the five years. He passed around a photo of the monument sign at the Oconomowoc BP. Discussion took place about the monument sign. The monument would be placed right where the base of the other one is now. R. Dupler stated that the monument sign would be more incongruent with the rest of the downtown setting than maintaining the existing pole sign. Extensive discussion took place on the two different styles of signs.

R. Dupler recommended the pole sign, back-lit with a five year window to bring it into compliance by bringing it to a ground face-lit sign.

C. MURSKY MOVED TO RECOMMEND APPROVAL OF THE CONDITIONAL USE PERMIT TO THE COMMON COUNCIL ON THE CONDITION THAT THE APPLICANT WOULD COME INTO COMPLETE COMPLIANCE WITH ORDINANCES REGARDING THE HISTORIC DOWNTOWN SIGN REQUIREMENTS WITHIN FIVE YEARS. D. KUCHLER SECONDED THE MOTION. C. MURSKY AMENDED THE MOTION TO REFLECT THAT THE CONDITIONAL USE WOULD PERMIT A CHANGE IN THE PANEL OF THE EXISTING PYLON SIGN, BUT IT MUST COME IN COMPLIANCE WITHIN FIVE YEARS. D. KUCHLER ACCEPTED THE AMENDMENT. C. MURSKY ADDITIONALLY AMENDED THE MOTION STATING THAT IT COULD BE BACKLIT FOR FIVE YEARS, BUT WITHIN THE FIVE YEARS THAT THIS WOULD BE CHANGED TO A FRONT-LIT GROUND MOUNTED SIGN. D.

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KUCHLER ACCEPTED AMENDMENT. B. LEONARD ASKED THE MOTION SHOULD BE THAT SPECIFIC FOR FIVE YEARS FROM NOW. C. MURSKY WITHDREW THE MOTION. D. KUCHLER WITHDREW HIS SECOND.

C. MURSKY MOTIONED TO APPROVE THE CONDITIONAL USE PERMITTING THE REPLACEMENT OF THE EXISTING BACKLIT SIGN PANEL WITH AN APPROVED NEW BACKLIT PANEL WITH THE CONDITION THAT THE OWNER COME INTO COMPLIANCE WITH THE HISTORICAL DOWNTOWN SIGN REQUIREMENTS WITHIN FIVE YEARS. D. KUCHLER SECONDED THE MOTION. IT WAS CLARIFIED THAT THIS WAS APPROVING THE CONDITIONAL USE AND RECOMMENDING TO COUNCIL. R. DUPLER STATED THAT IT WAS POSSIBLE TO MAINTAIN THAT POLE SIGN AND BE COMPLIANT WITH THE HISTORIC DISTRICT. AFTER FURTHER DISCUSSION, IT WAS FURTHER CLARIFIED THAT THE INTENT OF THE BODY WAS THAT THE SIGN BE A MONUMENT, FRONT-LIT SIGN WITHIN FIVE YEARS. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. AMENDMENT TO CONDITIONAL USE PERMIT FOR MICHAEL GATZOW, G & S RECREATION, **TAX KEY 733.989.001** , 4439 VETTLESON ROAD, HARTLAND, WI

Michael Gatzow was present. Amendments were made to the plan of operation, specifically the hours of operation were expanded during specific times of the year. He felt that the business was a very low impact business. The closest adjoining neighbor is screened from the business by a natural area and trees. There are additional plans for the planting of trees in spring. He addressed the business at the former Redi-Gas. He stated that they would be willing to install a gate to screen the area and could be addressed.

R. Dupler stated that it was appropriate to approve the modification for conditional use. The screening should be submitted to staff. Attorney Chapman submitted his recommendations which were distributed to the commissioners just prior to the meeting and briefly reviewed by R. Dupler. R. Dupler recommended approval.

Discussion took place on the definition of the word "storage". P. Schuman asked if the operation could be changed to work on an appointment basis. Gary Schultz, owner was present. He stated that he does work on an appointment only basis. He tries to schedule what he can do in a certain time frame.

D. KUCHLER MOTIONED TO ACCEPT WITH THE CHANGE IN THE CONDITIONAL USE WITH STAFF APPROVAL ON THE APPROPRIATE AMOUNT OF SCREENING MATERIAL/LANDSCAPING MATERIAL. B. LEONARD SECONDED THE MOTION. SHE ADDRESSED THE SEASONAL TIMES. THE HOURS ARE 9 AM - 9 PM FOR THE FOUR MONTHS OF THE YEAR. R. TRANSON WOULD LIKE TO SEE THIS REVIEWED ON JUNE 15, 2004 TO SEE HOW THE NEIGHBORHOOD ISSUES ARE BEING HANDLED. D. KUCHLER AMENDED THE MOTION TO REFLECT THAT THE SUNSET DATE BE CONFORMED TO THE DATE ORIGINALLY ESTABLISHED FOR

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THE CONDITIONAL USE. B. LEONARD AGREED WITH THE AMENDMENT. MAYOR CRAIG STATED THAT THE PHRASE "GOOD NEIGHBORS WORK TOGETHER" NEEDS TO BE REMEMBERED. C. MURSKY ADDRESSED THE NUMBER OF BOATS BROUGHT TO THE FACILITY VERSUS HOW MANY BOATS CAN BE COMPLETED IN ONE DAY. SHE THOUGHT THAT PARKING 15 BOATS WAS OVER-EXTENDING. **FIVE WERE IN FAVOR OF THE MOTION. C. MURSKY OPPOSED. MOTION CARRIED.**

6. PRELIMINARY CONSIDERATION

- a. **TAX KEY 621.999 AND 746.999 , 2777 MISSION ROAD, DELAFIELD .** CONCEPT PRESENTATION FOR NASHOTAH HOUSE PROPERTY AND DEVELOPMENT PROPOSAL FOR PARCEL A (WEST SIDE OF MISSION ROAD, SOUTH OF NASHOTAH ROAD AND NORTH OF THE MAIN NASHOTAH HS. CAMPUS) AND PARCEL B (EAST OF MISSION ROAD). APPLICANT: JAMES SIEPMANN.

Jim Siepman was present and distributed a packet on the development. Meetings have occurred with the DNR, SEWRPC, and neighbors.

Jerry Wagner, Jahnke & Jahnke reviewed the master plan of the Nashotah House including the zoning on the property and potential development for Parcel "A" and Parcel "B". A wetland study has been done.

Parcel A is proposed to have eight home sites averaging 2.5 acres in size with 22 acres of common open space. This would be a rural type of development. The streetscape of Mission Road would be maintained as rural. High-end type housing would be proposed with a maximum house size proposed. There would not be any storage on these lots, just homes. The DNR would be worked with in regards to pier placement. Conservation easements in the lot-outs would be used. A homeowners association would be formed. The area would be serviced by sanitary sewer with individual wells. Curb and gutter in addition to sedimentation basins would be constructed. The density computations were reviewed.

Parcel B - proposed to change zoning from A1 to residential. There would be 11.4 acres of common open space. Lamp-post/mailbox combinations would be used. The open space will have meadows, wildflowers and trails. A homeowners association will be formed. The area will be serviced by sanitary sewer with individual private wells. An emergency access was suggested by staff at the end of the court, but it has not been determined how this would work. Sedimentation basins will be constructed.

Presently there is not any public access to the lake. P. Schuman asked what the requirements of the City would be for the lake. J. Siepman stated that there is presently a lake association. Ultimately he thought there needed to be a public access to the lake.

B. Leonard addressed the City's comprehensive plan, Smart Growth, the Park and Recreation's five year plan, lake access, what other institutional user groups

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could be interested in the property, etc. She thought that access to this lake is a big issue and that this was very premature when the whole area has not been studied as to what the City's land uses should be.

C. Mursky addressed the building envelopes on the lots in Parcel A.

Mayor Craig stated that he needed to look at what else was going to be developed in the other areas other than Parcel A and B. The whole area needs to be looked at. M. Czubkowski distributed a letter from Hey & Associates dated November 19, 2003 regarding Regional Stormwater Planning. Discussion took place on the studies that are in process and need to be done in regards to this area.

B. Leonard discussed other potential uses for the lake property.

Mayor Craig thought that the process was going too fast, but did not want to dismiss this proposal. Planning for this area needs to take place. J. Siepman stated that the goal is to work with the City, to make this special, and to be good stewards of the land.

R. Dupler stated that they are asking for modifying the existing comprehensive plan. Mayor Craig stated that the City is looking at it, but wants to look at the whole plan.

7. ZONING AND ORDINANCE REVISION

None.

8. HEARING DATES

None.

9. ADMINISTRATOR'S REPORT

None.

10. BUILDING INSPECTOR'S REPORT

November building permits to date are 38, plus two occupancy permits. New permits include four new single family homes.

11. BOARD OF ZONING APPEALS

- a. Letter dated October 27, 2003 from Board of Zoning Appeals Chairman granting a variance for the property located at 605 St. Johns drive, lot 52, Delafield, WI.

12. CORRESPONDENCE

- a. Letter from Wisconsin Department of Administration regarding Faire Lakes Commons (dated October 28, 2003)

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- b. Mayor Craig stated that R. Transon (Plan Commission member) had submitted a letter of resignation. Mayor Craig thanked Mr. Transon and stated that his work has been very valuable.
- c. B. Leonard stated that on December 3, 2003 the Park & Recreation Committee would be hosting an audio conference in the Fire Department conference room from 3-4 pm on Green Infrastructure. Final arrangements are being made. A CD rom will be available.

B. Leonard stated that SmartGrowth seminar will be held at the University of Wisconsin Memorial Union on December 10, 2003 from 4-5:30 p.m.

13. ADJOURNMENT

R. TRANSON MOTIONED TO ADJOURN FROM THE MEETING. P. SCHUMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 9:41 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC