

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Present:

Mayor Ed McAleer
Ald. James Romanowski,
Diri Curtis Costa
Robert Trunzo
Robert Transon
Marily Gardner
Roger Dupler, Interim City Planner
Matt Carlson, City Administrator

Absent:

Tom Maney (non-voting member)
Fred Welch, City Engineer

7:00PM Public Hearing to consider a conditional use permit for 1750 Milwaukee Street, Delafield. Property owner: Ray Ruff, Applicant: Foster Group Ltd., Wayne E. Foster, 17100 W. Bluemound Road., #209, Brookfield, WI 53005.

Wayne Foster of Foster Group Ltd., began the public hearing by giving a detailed overview of the plans relative to the above-entitled matter. W. Foster also provided handouts, including architectural and geographical renderings, to Commission Members.

The proposal calls for 44 individual for sale attached units targeted to 55 and older adults (this proposal is comparable to Water's Edge Condominiums). W. Foster compared data between that of the proposed condominiums and duplex construction. He also provided traffic data, market value information and fiscal impact upon the City and governmental services. This information can be found in his Presentation Summary that was prepared for the February 28, 2001, public hearing.

W. Foster explained the market theory behind the need to develop the property as presented. In addition, he compared this development proposal as to the surrounding neighborhoods and their property/residential characteristics. Environmental considerations were examined and DNR requirements for land preservation and conservancy.

Muriel Brown, 205 Muir Valley Drive, presented petitions to the Commission regarding the development. The petition expressed the following concerns:

1. Safety - entrance and exit are the same. Concerns regarding the need for emergency vehicles to enter safely and expeditiously. Also, the impact of residential traffic flow.
2. Environmental - Management of stormwater runoff and flooding. Questions as to the impact upon private wells and the natural environment.
3. Property Values - This area is attractive because of its natural beauty and low population density. Further development might have a negative impact upon property values.
4. Crime - criminal activity may increase and impact law enforcement services.

Olive Brown briefly stated that she agreed with what was stated in the petition, but did not wish to speak.

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Linda Sadowski, 1538 3rd Street, is concerned about the limited access with having only one road in and out. She is also concerned about a shortcut being developed to Hwy. 83. Further, she expressed concerns about children's safety, impact upon well water and being forced to accept City Water.

Peter Hoffman, 1446 E. Devonshire Road, Delafield, states that he will be the most affected by this development. He is concerned about the use of Muir Valley Road for driving and the affect upon his privacy. P. Hoffman discussed the impact of traffic on the area and the number of possible cars that may travel in the area. He fears that the value of his home will drop because of the increased traffic, as well as the affect upon the environment.

Charles Wood, 1436 E. Devonshire Road, Delafield, has lived in the area for about 36 years. He shared his concerns over increased traffic and the area's ability to handle it. C. Wood also voiced his concern over the welfare of Lake Nagawicka and a possible plum that might be created going into the lake should development occur. In addition, he expressed concerns about the safety of children when there is only one way in and out of the area.

Ed Marek, 1435 E. Devonshire, Delafield, agrees with the previous speakers. He also expressed his concerns regarding traffic and the extension of Muir Road. Also, the area is becoming too congested, which may not be an attractive selling point. He is not necessarily against the total development but, that it needs to be done with in the City's guidelines.

Marlow Fischer, 1504 E. Devonshire, Delafield, expressed his concerns over the increase in traffic and the safety regarding the children in the area. He also shared his concerns regarding the flooding of the roadway and that the number of units may have a negative affect on his privacy and property value.

Linda Kuklinski, 2842 Nagawicka Avenue, Delafield, expressed several concerns over the increase in development:

1. Common Ownership - future problems with renters as opposed to home ownership
2. Traffic and its impact upon the area
3. Environmental impact and increase sedimentation into the lake. The area already has problems and the proposed development will increase existing problem areas
4. Economic impact and the need to reduce development

Dorothy Brauer, 111 Muir Valley Drive, Delafield, agreed with previous comments. Previous developments have caused problems regarding washout and flooding. She disagrees with the size of the development but, not necessarily with the total development plan.

Victoria Hansen, 1331 E. Devonshire Road, Delafield, expressed her thoughts regarding the increase in traffic and the safety of children. She also expressed concerns over the general privacy of current homeowners. The current road is not built to handle the type of traffic that may be generated by this development. Also, consider the months and months of construction

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equipment, the scattering of dirt and that the value of homes will be negatively impacted.

Jeff Graff, 1760 Milwaukee Street, Delafield, did not speak, but supports builder because he does a nice job and this development will enhance the area.

Letter from Hans Huber, the Ruff Property special scenic and ecological site deserves to be preserved. He does not support the PUD. He sited several flaws between the proposed development and the City Zoning Code (letter dated February 28, 2001).

Tom Henning, N. Lapham Peak Road, (letter read to the Commission by his wife). Does not disagree with developing the land, just the degree of development. His letter echoed concerns of the previous speakers.

Jim Zahorik, 1948 West Shore Drive, Delafield, agrees with the previous speakers. He expressed concerns regarding high density and in not being in conformity with surrounding areas. J. Zahorik also expressed concerns over environmental impact and run-off.

Betsy Busch, 830 Well Street, Delafield, stated that this development will be used as a benchmark for other developments. She is concerned about there being only one egress. The City's Master Plan discourages high density. Other problems that will be created include an increase in traffic value and impact upon city services. Senior residential areas typically have a high paramedic call rate in comparison to other neighborhoods.

Mel Kirsch, 1424 Wilderness Trail, Delafield, agrees with previous speakers regarding water run-off, serious problems with flooding and ditches being able to contain the water. He also expressed concerns over the devaluation of property values. Later during the hearing he showed Commission members where his property is in relation to the Ruff property to further explain the impact that this development will have on his property.

Mary Zahorik, 1948 West Shore Drive, Delafield, agrees with previous speakers.

Mark McCormack, 1508 3rd Street, Delafield, expressed his concern over how 1st Street will handle the increased traffic flow. Additionally, he stated his concerns about the safety of children in the area.

After the conclusion of public comments, Wayne Foster clarified some of the citizens' points. W. Foster did not mean to degrade neighborhood or property owners. The stormwater management and wetland area is being preserved. He will work with City where water problems exist. The DNR thanked him for a well-developed proposal that was environmentally conscious. His properties use low phosphate fertilizers on lawns. W. Foster is concerned about the welfare of the Lake. The DNR would be involved in the development of this project and would need to be satisfied with its outcome. Relative to the road issue, he does not have control over that - the City would need to be involved.

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Extensive discussion ensued between W. Foster and the Commission regarding citizen comments and Commission Member concerns.

Dorothy Peterson, expressed concern over density and water flow.

Mr. Todd 1538 3rd Street, Delafield, is concerned about the one-way road and parking conditions.

Tom Schneider, 1726 Milwaukee Street, Delafield, asked about water access rights. The response is that Mr. Ruff retains sole access to the water frontage.

Ray Ruff, gave his perspective to the Commission. His property is zoned R-3 per acre and he believes that he should be able to develop his property under this zoning. For developing the property he receives a condo and retains lake-frontage.

MOTION TO CLOSE THE RUFF PROPERTY PUBLIC HEARING (TRUNZO/TRANSON). MOTION CARRIED.

The meeting was called to order by Mayor Ed McAleer, Chair at 8:00 PM. A quorum was present and acting.

Pledge of Allegiance.

Roll Call.

1. Minutes of January 31, 2001.

D. Curtis-Costa clarified two items on the agenda:

- a) Clarify status of signage regarding Marcus Cinema current movies and show times to be shown
- b) Relating to Page 3 (5), asked for a proposal relative to density that is acceptable to that zone

MOTION TO APPROVE MINUTES OF JANUARY 31, 2001, AS AMENDED (TRANSON/TRUNZO). MOTION CARRIED.

2. Citizen comments pertaining to subjects on this agenda.

Mark Lien, 3591 Kettle Court E, Delafield, regarding item 5a,. on the agenda asked whether a storage facility is the best use of this property and impact on property value. He is also concerned about whether the landscaping will cover the green fencing around the property to make it appealing.

Jim Zahorik, 1948 W. Shore Drive, Delafield, regarding item 5b, applicant Foster Group, Inc. a couple of months ago a similar project was brought in involving a platted subdivision of 14 lots that could legally be built. When considering the conditional use of 44 units and compared to that of a platted subdivision (when these lots go up for sale on a slope that has a beautiful view) people will hurry to purchase multiple lots.

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Please consider this very carefully. Many residents already have double and triple lots in the area.

3. Approve consent agenda

Relative to consent agenda item 3 b, D. Curtis Costa wanted to ask F. Welch if the signage size is within the code. R. Dupler responded that the signage is well within the code and that their situation is unique because of the property's location.

Relative to consent agenda item 3c, Jessica of Jessica's Café wants to open on Sundays from 11-3 until summer, and then ask for a possible extension. The Café will be offering jazz/blues music on Wednesday and Saturdays from 7-9. This is a revised plan of operation as well as a correction in operating hours.

Relative to consent agenda item 3f, J. Romanowski raised the questions as to whether this would be occupying a new space or the same space. M. Carlson stated that it is replacing the Cantina Restaurant.

Relative to consent agenda item 3g, J. Romanowski asked for an explanation on this item. M. Carlson explained the conditions for permit contained in the packet. This is a temporary business plan of operation to produce a movie that will utilize a farmhouse owned by the Lang Companies. M. Carlson created an application involving certificates of insurance, letters of credit to secure successful performance, permits, etc., since one did not exist. Representatives from the film Production Company were present. The City will be portrayed in a positive light. Some temporary alterations to the property may be made and that the Commission may have the choice to leave the alterations or return the property to its original state. Discussion ensued regarding County control and law enforcement issues. The film is based upon memories of growing up on a farm in earlier years.

MOTION TO APPROVE CONSENT AGENDA ITEMS 3A, 3D, AND 3E (TRUNZO/TRANSON). MOTION CARRIED.

MOTION TO APPROVE CONSENT AGENDA ITEM 3B, (CURTIS COSTA/GARDNER). MOTION CARRIED.

MOTION TO APPROVE CONSENT AGENDA ITEM 3C, REVISED PLAN OF OPERATION FOR HOURS ON SUNDAY AND MUSIC ON WEDNESDAYS AND SATURDAYS FROM 7-9PM (ROMANOWSKI/TRUNZO). MOTION CARRIED.

MOTION TO APPROVE CONSENT AGENDA ITEM 3F FOR THE PLAN OF OPERATION FOR THE WOODEN EAGLE RESTAURANT (ROMANOWSKI/TRANSON). MOTION CARRIED. R. TRUNZO ABSTAINS.

MOTION TO APPROVE CONSENT AGENDA ITEM 3G, TEMPORARY PLAN OF OPERATION AND THE BUILDING ADDITIONAL TO THE

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EXISTING STRUCTURE IF IT MEETS CODE REQUIREMENTS. (ROMANOWSKI/TRANSON). MOTION CARRIED. R. TRUNZO ABSTAINS.

4. Plan of Operations, Signage and Site Plan

R. Dupler shared some comments regarding item 4b, relative to the door sign and its dimensions. The window sign is proposed in excess of ordinance requirements because it is only to be 25% of window pain. D. Curtis Costa stated that there was too much information on the door and that the business may want to put some of this information into brochure form.

MOTION TO APPROVE ITEM 4A, TAX KEY 793.017.001, 515 WELLS STREET, HOURS OF OPERATION AND SIGNAGE FOR THE RESTAURANT (GARDNER/ROMANOWSKI). MOTION CARRIED. R. TRUNZO ABSTAINS.

MOTION TO APPROVE 4B, TAX KEY 803.988.003, 2566 SUN VALLEY DRIVE, BUSINESS PLAN OF OPERATION AND RETURN TO THE NEXT MEETING WITH A NEW SIGN PROPOSAL (TRUNZO/GARDNER). MOTION CARRIED.

5. Preliminary Consideration

a) Tax Key 807.985.014 & 807.985.013.

R. Dupler provided the Commission with a historical perspective on this item. The area has been zoned multi-tenant and that this is an acceptable use. The proposal at hand is a self-storage facility.

David Debbink of MSI explained the building structure and landscaping. Commission Members were given packets of information regarding this proposal. The applicant, Jeff Panosian, spoke about a traffic profile and economic impact. This site is considered an ideal spot for their building.

Discussion ensued as to the site itself, specifically landscaping and the maneuverability of large vehicles having a sufficient turning radius. Further discussion included stormwater, economic impact and type of storage. A questioned was raised whether this was a beneficial use of the property in relation to the City's tax base.

MOTION TO TABLE THIS REQUEST UNTIL INFORMATION REQUESTED IS RECEIVED (ROMANOWSKI/TRUNZO). MOTION CARRIED.

b) Tax Key 797.945.

Extensive discussion regarding information represented during the Public Hearing and analysis of development plan in relation to the City's Zoning Code and Master Plan. M. Carlson provided an analysis of the lot space relative to the unit count. This is not a simple answer and needs further analysis. R. Dupler explained his analysis of the zoning

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code and existing adjoining residential units. The discussion and plan is ongoing in that the Commission and W. Foster were unable to reach a consensus as to the number of units to be built.

c) St. John's Northwestern Military Academy.

M. Carlson gave background information on the request to vacate an alley, a segment of Church Street and a segment of Smythe Lane. There were no representatives from St. John's present at the meeting. J. Romanowski discussed the issue of a right away. The Public Works Committee felt that abandoning the right away, which does not function as a public street, was the smart thing to do.

A notice on this issue must be published, which will cost \$2,000. Some concerns were raised regarding future development of this area and whether it would be a good idea to vacate or a regrettable decision in the future. The Public Works Committee did not mean to trigger a problem by this issue.

Item 5C is tabled until the next meeting. J. Romanowski will discuss this issue in more detail with M. Carlson.

6. Final Consideration, Approvals, Previous Approvals

a) Tax Key 803.979.005.

Paul Schmidt gave a presentation for Purity Office Building. The plans have received a favorable review from the Plan Commission. Discussion ensued as to changes to the parking lot, such as reducing the types of trees to be planted. Tony from Jahnke and Jahnke and another gentleman presented the landscaping plan to the Commission.

MOTION TO APPROVE SIP FOR THE PURITY OFFICE BUILDING WITH A RECOMMENDATION TO CITY COUNCIL PENDING SITE PLAN AND ENGINEERING ISSUES APPROVED AT PUBLIC WORKS COMMITTEE AND FINAL CONFIRMATION AND REVISIONS TO STAFF AND SUCCESSFUL EXECUTION OF DEVELOPEDRS AGREEMENT AS APPROVED BY THE COMMON COUNCIL, ALSO THAT DEVELOPER'S LAND BANK PORTIONS OF THE PARKING LOT. (ROMANOWSKI/TRUNZO). MOTION CARRIED

b) Approve Extra-territorial Preliminary Plat for Etter Farms in the Town of Delafield

M. Carlson requested background on this item as provided by Jahnke and Jahnke.

MOTION TO APPROVE EXTRA-TERRITORIAL PRELIMINARY PLAT FOR ETTER FARMS IN THE TOWN OF DELAFIELD WITH JAHNKE AND JAHNKE WITH THE ITEMS NOTED (TRUNZO/GARDNER). MOTION CARRIED.

7. Zoning and Ordinance Revisions

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- a) Discussion regarding boathouse ordinance.
- 8. Hearing Dates
No information on this matter.
- 9. Administrator's Report
No information on this matter.
- 10. Building Inspector Report
Total permits: Eleven of which three are occupancy permits.
- 11. Board of Zoning Appeals.
No information on this matter.
- 12. Correspondence
 - a) Correspondence form Dorothy L. Peterson regarding Delafield (Hawk's) Commons
- 13. Adjournment

**MOTION TO ADJOURN MEETING AT 11:40PM
(TRUNZO/ROMANOWSKI). MOTION CARRIED.**

Respectfully submitted,

Dawn L. Drellos
Evening Clerk