

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Present:

Mayor Ed McAleer,
Ald. James Romanowski
Ald. Phil Schuman
Dirilee Curtis-Costa
Marilyn Gardner
Robert Trunzo
Tom Maney, City Inspector
Fred Welch, City Engineer
Roger Dupler, City Planner
Matt Carlson, City Administrator
Marilyn Czubowski, City Clerk

Absent:

Robert Trunzo

7:00PM Public Hearing to consider a conditional use permit for vacant property on Stocks Drive, Delafield, WI, owned by Delafield Development, LLC.

Larry Witzling of Planning and Design Institute, Steve Stewart, and Ed Carow from the Delafield Development summarized the plan. The plan calls for 31 single-family units under the guidance of Planned Unit Development (PUD) regulations for lower density. The speakers discussed road plans and future connections (optional), utility plans, landscaping, open spaces and effective storm water management. Discussion ensued as to the character of the landscaping and the need to blend in with surrounding neighborhoods.

Public Comments:

1. Tom Kelly, 2218 W. Shore Drive, Delafield, (signed his slip: Against. Work within the zoning). T. Kelly was originally very pleased with plan; however, he is concerned about a change in zoning and setting a possible precedence (an example he used was Hawks Commons). He also expressed concerns as to whether the two retention ponds can contain water and their affect upon water flow to the Lake. In response to T. Kelly's comments, Roger Dupler explained PUD and calculations for R-3 District and ordinance requirements. T. Kelly exchanged comments and questions with Commission Members regarding this project.
2. Elizabeth Williams, 1038 Milwaukee Street, Delafield, (signed her slip: Against. Please stick with the present zoning. Thirty-nine years in Delafield). E. Williams was not happy with R-3 zoning change when Jim Behrend was mayor. She would like to see the City stay away

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from building duplexes and other structures in close proximity to each other.

3. Betsy Busch, 830 Wells Street, Delafield, (signed her slip: Questions). B. Busch began her comments by referencing page 4 of the information packet regarding environmental issues such as preserved open space, wet lands and storm water issues. She inquired about impact fees, dominate vegetation, mallard nesting and trees used to prevent runoff. B. Busch also questions the ability of individuals to appear before the Board of Appeals and plead cases of hardship. She also expressed concerns about the development of having only one egress and one ingress. In addition, B. Busch cited revenue figures and concerns about using certain census figures relative to school funding. She provided an extensive overview of the development's impact on the school district and the City.
4. Hans Huber, 151 E. Second Street, Delafield, (signed his slip: Delafield Commons). H. Huber shared information about density data and buildable land, as well as zoning related issues. He expressed his concern that changes in zoning would set a wrong precedence.
5. Marcia Stocks, 226 Genesee Street, Delafield, (signed her slip: Delafield Commons). She agreed with the concerns expressed by previous speakers, especially those comments made by B. Busch. M. Stocks would like to see: a) small lots and small houses; b) Planning Commission should have approval of architectural control; c) SEWRPC's 1997 statement regarding naturalized resources, environmental characteristics and preservation; d) traffic flow patterns; e) fiscal impact regarding children and school system.
6. Jim Zahorik, 1948 W. Shore Drive, Delafield, (did not comment on his slip). J. Zahorik expressed concerns about density, wetland protection and changes to the zoning that may set a precedent. Comments and information was exchanged about the PUD between J. Zahorik, Mayor McAleer and Matt Carlson.

Mayor McAleer and Matt Carlson concurred with comments regarding safety and quality control.

MOTION TO CLOSE THE PUBLIC HEARING (R. TRANSON/M. GARDNER). MOTION CARRIED.

Mayor E. McAleer called the meeting to order at 7:50 PM. A quorum was present and acting. The Pledge of Allegiance was recited.

Roll Call was taken.

1. Approve minutes of February 28 & March 28, 2001.

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D. Curtis-Costa wanted it noted that on Page 8 of the minutes from February 28, 2001, relative to Purity Office Building, it was omitted that Commission Members requested developer's land bank portions of the parking lot.

MOTION TO APPROVE MINUTES OF FEBRUARY 28, 2001, AS AMENDED (D. CURTIS-COSTA/M. GARDNER). F. WELCH AND P. SCHUMAN ABSTAIN FROM VOTE. MOTION CARRIED.

MOTION TO APPROVE MINUTES OF MARCH 28, 2001 (R. TRANSON/F. WELCH). MOTION CARRIED. P. SCHUMAN ABSTAINS FROM VOTE.

2. Delafield citizen comments pertaining to subjects on this agenda.

None.

3. Approve Consent Agenda

- a) **Tax Key 803.988.001, 385 Williamstowne, Suite 3A.** Owner, William R. Toson, 385 Williamstowne, Delafield; Applicant, Michael Julius, *Source Financial Mortgage Banking Co.* Applicant seeks approval of business plan of operation for Source Financial Mortgage Banking Company, a mortgage company. One part-time employee and two full-time employees. Hours of operation: Monday through Friday 9:00AM - 7:00 PM.

- b) **Tax Key 807.978.003, 350-A Austin Circle,** Owner, Austin Real Estate Co., Applicant, Dan Murphy, Fastenal, 1632 S. West Avenue, Waukesha, 53186. Applicant seeks approval to temporarily erect a tent for an outdoor party by invitation-only on the premises of Fastenal.

MOTION TO ACCEPT CONSENT AGENDA ITEMS 3A AND 3B (R. TRANSON/D. CURTIS-COSTA). MOTION CARRIED.

4. Plans of Operation, Signage and Site Plan

- a) **Copperfield Estates.** Applicant, Ed Goff, President, Homeowner's Association, 1870 Hillcrest Dr., Delafield. Applicant seeks approval of new sign for Copperfield Subdivision.

Ed Goff provided a description of the proposed new sign, and the reason for the old sign's replacement. Pictures of the old sign as well as drawings for the proposed replacement sign were provided in Commission Member's packets. A revised plan for the correct placement of the sign is being developed.

MOTION TO APPROVE SIGN FOR COPPERFIELD ESTATES (D. CURTIS-COSTA/M. GARDNER). MOTION CARRIED.

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- b) **Tax Key 803.988.003, 2566 Sun Valley Drive**, Owner R. Gary Storts, 19645 Timberline Drive, Brookfield; Applicant, Robert Quamme, 4925 S. Packard Avenue, Cudahy. Applicant seeks approval for business plan of operation and signage for Oreck. A vacuum cleaner retail store.

MOTION TO APPROVE BUSINESS PLAN OF OPERATION AND SIGNAGE (R. TRANSON/F. WELCH). MOTION CARRIED.

- c) **Tax Key 792.655, 817 Genesee Street**, Owner, Tom Aul; Applicant, Kellie Stuckart. Applicant seeks approval of signage for *Tadpoles*, a children's' boutique.

MOTION FOR APPROVAL OF SIGNAGE FOR TADPOLES, A CHILDREN'S BOUTIQUE (D. CURTIS-COSTA/M. GARDNER). MOTION CARRIED.

- d) **Tax Key 803.002, 2420 Milwaukee St.**, Owner/Applicant, Patti & Dan Leavitt, 6214 Wildflower Ct., McFarland, WI 53558. Applicant seeks approval of business plan of operation and signage for *Amish Barn Furniture and Gifts*.

Patti Leavitt described to Commission Members renovation plans for the barn. P. Leavitt explained why she would need to remove the "smiley face" and replacement it with signage that calls attention to businesses residing in the barn. She also plans to paint the barn a dark red color with white trim. Discussion ensued as to the sentimental and historical value of the smiley face. However, it was eventually decided that the smiley face does not fall within the parameters of being historical or architectural significant and, therefore, could be removed by the building's owners.

MOTION TO APPROVE BUSINESS PLAN OF OPERATION AND SIGNAGE CONTINGENT UPON R. DUPLER APPROVAL (R. TRANSON/M. GARDNER) MOTION CARRIED.

- e) **Tax Key 792.655, 815 Genesee Street**, Owner/Applicant, Tom Aul. Applicant seeks approval of business plan of operation and signage for law office.

T. Aul addressed the Commission by describing the office location and placement of signage.

MOTION TO APPROVE BUSINESS PLAN OF OPERATION AND SIGNAGE FOR LAW OFFICE (R. TRANSON/M. GARDNER). MOTION CARRIED.

- f) **Tax Key 798.073, 611 Bleeker Street**, Owner's Agent, Janet Matt; Applicant, Sonia & Glenn Culbertson. Applicant seeks approval of

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business plan of operation for Retail Sales and Handcrafted Soap Workshop.

Glenn Culbertson provided an overview of his business, which makes handcrafted natural soaps. Soaps will be made from all natural substances. No raw sewerage will be involved or unnatural substances going down the sewer system. Tonight's presentation only related to the plan of operation and does not include signage issues.

MOTION TO APPROVE BUSINESS PLAN OF OPERATION (D. CURTIS-COSTA/M. GARDNER). MOTION CARRIED.

- g) Mark Moertl, 1711 Highland Dr., Grafton, 53024, owner of *Boatgas Marine Refueling Service*, seeks approval of business plan of operation to conduct his boat re-fueling business on Nagawicka Lake to service lakefront property owners by re-fueling their boats. One part-time, seasonal employee. Hours of operation: 7 AM – 3 PM weekdays only. Months of operation: June, July and August. Will use public boat launch at Nagawaukee Park. Public Hearing.

M. Carlson addressed a memo authored by Kevin Keith of the Delafield Fire Department, which was distributed to Commission Members subject to this item. The Department of Commerce Storage and Tank Regulations (DCSTR) is reviewing the process. K. Keith recommends that we postpone the action for decision-making until the DCSTR has an opportunity to review this plan.

M. Moertl provided the Commission with a description of his business plan of operation and equipment. His equipment consists of a small barge with a DOT approved tank that his designed for highway travel and launching. M. Moertl will refuel boats M-F, no weekends or holidays. The Commission discussed safety, business operations and procedures. He has experience working on other lakes. It was recommended that this issue be referred to the Lake Welfare Committee for review and comment.

MOTION TO REFER TO LAKE WELFARE COMMITTEE AND BRING BACK TO THE PLAN COMMISSION AFTER RECEIVING FEEDBACK FROM THE DEPARTMENT OF COMMERCE AS TO POSSIBLE ADMINISTRATIVE RULES AND LICENSING (P. SCHUMAN/D. CURTIS-COSTA). MOTION CARRIED.

- h) Presentation by Dela-Sports regarding lighting for ballpark on West Main Street.

Presented design plans for signage. Signage will be placed on the eastern face of building. Dela-Sport also purchased a scoreboard for the centerfield and would like the City to install it. Discussion also

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occurred regarding the lighting. M. Gardner shared information about the City of Hartland having lights that are available for \$800 (original price was \$30,000).

Additional discussion occurred relative to the future library and its impact upon the soccer field and portable sound system. On Saturday, at 9:AM, a meeting will be held to discuss a possible lease agreement with the American Legion for use of their soccer field.

MOTION TO APPROVE SCOREBOARD AS LONG IT MEETS SPECIFICATIONS (M. GARDNER/P. SCHUMAN). MOTION CARRIED.

MOTION TO APPROVE LIGHT PURCHASE SUBJECT TO CONFIRMATION OF ILLUMINATION, FOOT-CANDLES AND PHOTOMETRICS (D. CURTIS-COSTA/M. GARDNER). MOTION CARRIED.

5. Preliminary Consideration

- a) **Tax Key 794.991, 238 W. Main Street.**, Owner, Ruth R. Behrend, Owner's .

Withdrawn.

6. Final Consideration, Approvals, Previous Approvals

- a) **Tax Key 798.946.007**, Owner/Applicant, RealCap LLC. Applicant seeks approval of conditional use, Site Plan and recommendation to Common Council for *Delafield Commons*.

Matt Carlson stated that a PUD recommendation of general development has been made including design, developer's agreement, and deed covenants and restrictions, which all must come back for consideration.

Attorney Dean Richards representing RealCap LLC made a presentation before the Commission. Issues involving open space to be commonly owned and fiscal impact upon the City and Kettle Moraine School District were presented. Further investigation into the data regarding fiscal impact needs to continue.

Extensive discussion ensued as to buildable land, conservancy of wetlands, sizes of lots and homes, legal issues, safety concerns and zoning concerns. More discussion and investigation into these issues will need to be done before seeking Common Council approval. It was recommended that this be sent back to staff for further review before final recommendation. It was suggested that a special Plan Commission meeting be scheduled to address these issues so as not

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to hinder the project with time delays. The following concerns need further review:

- 1) Street layout including entrances and exits
- 2) Fiscal impact upon City and School District
- 3) Developer's Agreement
- 4) Maintenance Agreement for storm water and common areas
- 5) Deed Covenants

A special Plan Commission meeting will be scheduled for May 14, 2001; however, numbers will be needed by May 11, 2001.

b) **Tax Key 784.973, 784.974, 784.975, 1100 Highway 83,** Owner/Applicant, Westbrook Church (Mark Schwiesow, Business Administrator). Applicant seeks recommendation of Plan Commission to Common Council for zoning amendment of parcel that currently has three different zonings within one parcel. They are RE-2 (Two-Acre Rural Estates Dist.), B-6 (Commercial Holding Zone) and P-1 (Public and Semi-Public Dist.). The applicants are seeking to have the land zoned all P-1.

A date for a Public Hearing has been set for May 7, 2001, with a recommendation from the Plan Commission to the Common Council. M. Schwiesow and Neil Morris made their presentation to the Commission regarding future expansion of this property and proposed development project. Commission Members also received information in their packets. M. Schwiesow met with Staff to discuss the project and related issues. Plans for the building fall under a P-1 district.

M. Carlson suggested that the Master Plan take into consideration the site's future growth and development matters. He recommended that the church return with a Master Plan.

7. Zoning and Ordinance Revisions

a) Discussion on density restrictions

M. Carlson presented documentation (a proposed action plan) related to the Building Moratorium for review and discussion that would extend the moratorium beyond May 29, 2001. Two issues are involved:

- 1) Storm water requirements (not zoning text amendments)
- 2) Fiscal impact

M. Carlson believes that progress can be made on these issues without holding a public hearing. However, M. Carlson is

recommending to F. Welch, Roger Dupler and the Public Works Committee to review documents and gather further input. M. Carlson

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is also recommending extending the moratorium to absorb issues and provide for a thorough dialogue.

M. Carlson outlined his remarks as follows:

- Recommend to City Council at the May 7th meeting to extend moratorium
- Refer stormwater plan to the Public Works Committee's next meeting
- Draft an ordinance for the Council's consideration on June 4th.
- The May 30th meeting would be used to sort through and discuss the issues involved and where does the Plan Commission stand
- On June 4th and June 18th a Public Hearing would be held on those amendments and have the City Council adopt the ordinance on June 18th.

MOTION TO EXTEND BUILDING MORATORIUM AND REFER STORMWATER MANAGEMENT TO THE PUBLIC WORKS COMMITTEE, DRAFT AN ORDINANCE FOR JUNE 4TH, HAVE A PUBLIC HEARING ON JUNE 11TH AND JUNE 18TH WITH A PROVISION THAT THE MORATORIUM COULD BE EXTENDED TO JULY 17TH FOR EXPIRATION AND TERMINATE IT SOONER IF APPROPRIATE (M. GARDNER/D. CURTIS-COSTA). MOTION CARRIED.

8. Hearing Dates

- a) May 7, 2001, Zoning Amendments (Westbrook Church)
- b) May 7, 2001, Zoning Amendments (Lighting Ordinance)

9) Administrator's Report

Covered throughout meeting minutes.

10) Building Inspector Report

- a) There were: 44 building permits that included two single family homes, one for a two-family duplex, and one for Mobile Gas Station.

11) Board of Zoning Appeals

12) Correspondence

- a) Correspondence from Mrs. Patsy Gombert regarding "Smiley Face" barn

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- b) Correspondence from Ron Nickel regarding mini-warehouse proposed at Kettle Moraine Business Park.
- 13) Adjournment

**MOTION TO ADJOURN AT 9:56 PM (P. SCHUMAN/D.CURTIS-COSTA).
MOTION CARRIES.**

Respectfully submitted,

Dawn L. Drellos
Evening Clerk