

**CITY OF DELAFIELD  
500 GENESEE STREET  
DELAFIELD WI 53018  
262-646-6220  
COUNCIL CHAMBER**

**PLAN COMMISSION MINUTES JULY 25, 2001  
6:30 PM - CLOSED SESSION  
7:00 PM - PLAN COMMISSION MEETING**

Call meeting to order

E. McAleer called the meeting to order at 6:30 p.m.

Roll Call

Present

Mayor Ed McAleer  
Ald. Phil Schuman  
Robert Trunzo  
Fred Welch  
Marilyn Gardner  
Dirilee Curtis Costa  
Roger Dupler, City Planner  
Marilyn Czubkowski, Clerk

Absent

Robert Transon

ADJOURN TO CLOSED SESSION

**Motion to adjourn into closed session at 6:30 p.m. per § 19.85 (1) (e) Deliberating or negotiating the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session. (Park Land) (Gardner/Curtis Costa) A roll call vote was taken: P. Schuman, aye; R. Trunzo, aye; F. Welch, aye; R. Transon, absent; M. Gardner, aye; D. Curtis Costa, aye. All were in favor. Motion carried.**

ADJOURN TO OPEN SESSION

**Motion to adjourn into open session at 7:15 p.m. (Trunzo/Welch) All were in favor. There was no further discussion. Motion carried.**

ACTION TAKEN ON CLOSED SESSION

M. Carlson recapped the closed session: The Delafield Library Board and City Council jointly announced the new site for the library being next to the Fish Hatchery in downtown Delafield. When this decision was made it triggered a series of events that required the City to convert the former soccer field to another recreational park. Since that time the City has been looking for a replacement property to meet that obligation. M. Carlson was pleased to report

that they have reached a tentative agreement on a piece of property in Delafield to meet that need. It is a 37.3-acre parcel located on Oakwood Dr. west of 83 on the north side of the street adjacent to the Kettle Moraine Church parcel. The purchase price is approximately \$30,000 per acre. The Planning Commission and the Park & Recreation Commission have reviewed the issue and are in favor of the City acquiring this piece of property to be used partially for outdoor recreation activities. M. Gardner stated that this is a tremendous opportunity for the City.

**M. Gardner motioned that the Planning Commission accept this offer and send on to Common Council. P. Schuman seconded the motion. P. Schumann stated in his district that they have very little park space in the City of Delafield but they need something for the citizens of Delafield to utilize. There are a lot of people who walk and jog on the roads in the Second District where the roads are quite narrow and people would like to keep the trees the way they are. This will give the people a place recreate in the Second District and other districts also. E. McAleer stated that this was in the Park & Recreation's 5 year plan to identify and acquire land on the east side of the City of Delafield and this will fill a need that has been there for some time and is meant to be utilized by all citizens. This will most likely develop into some types of a sports commons that will be utilized by all of the citizens. There was no further discussion. All were in favor. Motion carried.**

Call meeting to order

E. McAleer called the meeting to order at 7:18 p.m.

Pledge of Allegiance The Pledge of Allegiance was recited.

1. Approve minutes of June 27, 2001

**P. Schuman motioned to approve the minutes of the June 27, 2001 meeting. M. Gardner seconded the motion. D. Curtis-Costa abstained, the remaining board members were in favor. Motion carried.**

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

Jim Zahoric, 1948 West Shore Drive – Commented on the subject of the City Moratorium on building that is now over. At the last Common Council meeting concern was voiced by one of the business owners concerning an increase in parking problems. J. Zahoric requested that now that the Fish Hatchery parking lot is up and functioning that the Planning Commission place this on the next agenda. E. McAleer stated that he will put this on the next agenda. J. Zahoric complimented everyone on what was accomplished in the closed session.

3. Consent Agenda

- a. Approve request from Delafield Promotional Council to erect historical marker at the Chentis-Krueger Senior Community Center (at the Historic Delafield Fish Hatchery) Permission granted by the Wisconsin Dept. of Tourism.

**D. Curtis-Costa motioned to approve the sign at the #1 spot. F. Welch seconded the motion. There was no discussion. All were in favor. Motion carried.**

- b. Approve extra-territorial map for Waterville West (final plat review), located in the Town of Summit.

- c. **Tax Key 803.988.001, 375 Williamstowne, Suite C2.** Owner, William R. Toson; Applicant Charles and Evelyn Laub. Applicant seeks approval of business plan of operation to operate ***Delafield Apothecary***. Hours of operation: Weekdays, 7-9 AM - 5-10 PM; Saturdays, 7-9 AM - 5-10 PM. 2 part-time, 2 full-time employees.

Discussion took place on the business description. It was clarified that there are no waste products, the business compounds pharmaceuticals that are not made by manufacturers, this involves a pharmacy license.

**R. Trunzo motioned to approve. P. Schumann seconded the motion. There was no further discussion. All were in favor. Motion carried.**

- d. **Tax Key 803.988.001, 383 Williamstowne, Suite C.** Owner, William R. Toson; Applicant, Gary Donald Goulet. Applicant seeks approval of business plan of operation for ***Goulet Family Chiropractic***. Hours of operation: Weekdays, 9 AM - 6 PM. Two part-time employees

**P. Schumann motioned to approve Items b and d. M. Gardner seconded the motion. There was no further discussion. R. Trunzo abstained from Item b, the remaining commissioners were in favor. Motion carried.**

4. Plans of Operation, Signage and Site Plan

- a. **Tax Key 807.985.006, 3697 Kettle Court East.** Owner/Applicant Bob Scherer. Applicant seeks approval of site plan (modifications to exterior of existing building), business plan of operation and signage to operate ***CL & D Digital***, a commercial printing business. Hours of operation: Weekdays, 4 AM - 10 PM, 10 full-time employees (may grow to 18 full-time employees).

Bob Scherer from CL&D was present and explained that they are printing facility. They help their customers bring their products to

market. An example of their customers would be Coke, Nestle, Sara Lee, etc. R. Dupler stated that the modifications to building are minor and they have improved appearance. The loading docks will be removed and will be bricked in to match existing. There will be an addition of a dumpster screen. The signage is within district requirements. Staff recommends approval. It was clarified that there is no hazardous waste. F. Welch stated that this would revert to the new ordinance, as this is one of the older basins. It was questioned if this would have to be brought up to the new standards. M. Carlson stated that it is a previously approved building where there is a tenant change. The building is being re-used. F. Welch stated that the current pond would need to be maintained. The problem is unknown at this time. F. Welch recommended that a contingency should be placed, an easement granted, and that it be brought into compliance in terms of inspection and maintenance. It would be up to the City to go in and inspect this. This approval will be subject to an easement being granted with a set time frame of 30-60 days. B. Scherer stated that they would be agreeable to this.

**F. Welch motioned to approve with a contingency being placed that an easement be granted for inspection and that it be brought back into compliance with the new ordinance in regards to inspection and maintenance within 30-60 days. D. Curtis-Costa seconded the motion. It was discussed and clarified that in the future any changes to the existing building or changes of tenant they will be asked to bring the basin into compliance with the new ordinance at least as far as inspection and maintenance. All were in favor. Motion carried.**

- b. **Tax Key 804.996.001, 2750 Golf Road.** Owner/Applicant, Lake Country Real Estate, LLC. (**d.b.a. Prudential Preferred Properties**) Applicant seeks approval of business plan of operation to move to newly constructed addition, and to change name to **Lake Country Real Estate**. Hours of operation: Weekdays, 8:30 AM - 8:30 PM, Saturday, 9 AM - 5 PM, Sunday, 9 AM - 5 PM; 50 part-time employees, 6 full-time employees.

No representative was present. No action was taken.

**P. Schuman motioned to table this item. D. Curtis-Costa seconded the motion. All were in favor. Motion carried.**

- c. **Tax Key 803.988.002, 2655 Sun Valley Dr.** Owner, Gary Storts; Applicant, AAA Auto Club Assoc./Carl Schmitter. Applicant seeks approval of business plan of operation and signage for **AAA Insurance**. Hours of operation: Weekdays, 9 AM - 6 PM, Saturdays by appointment only. 7 full-time employees.

Jason Wamser From Sign Effectz stated that there was a slight change from the picture supplied, the blue faces will be changed to red, more specifically, red faces and bronze returnings.

**D. Curtis-Costa motioned to approve as presented. P. Schuman seconded the motion. There was no further discussion. All were in favor. Motion carried.**

- d. **Tax Key 803.988.003, 2574 Sun Valley Dr.** Owner, Gary Storts; Applicant, Babcock Advertising/ Kevin Weaver. Applicant seeks approval of signage for **Car Phones Plus**.

Kevin Weaver from Outdoor Advertising – seeks to remove the Ameritech sign and replace it with Cingular. The sign complies with all requirements. D. Curtis-Costa asked if issue of size of sign has been addressed. R. Dupler stated that a modification of the sign needs to be made. The maximum sign area allowed is 50 ft. and this sign is 53.4 square feet. Discussion took place as to how the sign area is measured. This is a very small percentage of area and could be easily modified. K. Weaver stated that they would be agreeable to this. He thought that the spacing would be reduced, but would be a corporate decision.

**R. Trunzo motioned to approve the sign contingent to it being no larger than 50 square feet. F. Welch seconded the motion. He stated that one of the plans has “authorized agent” on it. It was clarified that this has now been deleted. There was no further discussion. All were in favor. Motion carried.**

- e. **Tax Key 742.987, W220 Watertown Plank Rd.** Owner, Henry Allen; Applicant, Kevin & Vic Raasch. Applicants seek approval of signage for **Vic's Carpet Warehouse, LLC**.

R. Dupler stated that the property is at the end of Watertown Plank Rd. across from MSI. It presently has no signage. The maximum is 150 feet of signage, and they are proposing 140 feet. The true frontage addresses HWY 16.

**M. Gardner motioned to approve. D. Curtis-Costa seconded the motion. There was no further discussion. All were in favor. Motion carried.**

- f. **Tax Key 792.988, 1111 Genesee St.** Owner/Applicant St. John Chrysostom Episcopal Church/Atty. Gretchen U. Stevens. Applicant seeks approval of business plan of operation (amended) to include a thrift shop; hours of operation: Wednesday, 9:30 AM - 12:00 PM, and Saturday 9:00 AM - 12:00 PM. Also requesting approval of a sandwich board sign.

The thrift shop is requesting two signs to be in place on Wednesdays from 9:30 a.m. – noon, and on Saturdays from 9:00 a.m. to noon. R. Dupler stated that the current location has a full complement of signage and that this is a special event. The proposed signage is 15 feet per sandwich board it was thought that the signs were double sided. The placement is intended to be on the lawn to the east on the southeast corner. R. Dupler stated that he had a concern with the location and height of the signs; that they may obstruct traffic visibility. Suggested that if the sign is approved that the temporary sign in that corner be relocated at least 15 feet to the west. This was acceptable to the church representative.

**P. Schuman moved for approval provided the sign is moved 15 feet to the west. R. Trunzo seconded the motion. There was no further discussion. Motion carried.**

The church representative asked if there was something they needed to put on the temporary signs showing that the sign has been approved. E. McAleer stated that this is worth looking into. The letter of approval could be used.

- g. **Tax Key 798.026.001, 645 Wells St.** Owner, Lang Enterprises; Applicant, Thomas Precia. Applicant seeks approval of business plan of operation and signage for **Integrated Risk Solutions**, an insurance brokerage firm. Hours of operation: Weekdays, 8 AM - 5 PM. 10 full-time employees.

Thomas Precia was present. They are an insurance brokerage firm. The proposed signage replaces the sign for the Old Delafield House.

**D. Curtis-Costa motioned to approve. M. Gardner seconded the motion. There was no further discussion. R. Trunzo abstained, the remaining board members were in favor. Motion carried.**

5. Preliminary Consideration

- a. **Tax Key 804.993, 804.997, 804.998, 804.999, Nagawaukee Center, NE corner of I94 & Hwy 83.** Owner/Applicant Weissgerber et al. Applicant seeks preliminary consideration to

amend their conditional use to allow for separating out the 19.5 acres of TOLD Retail Development (area 1), and to change green-space requirements.

E. McAleer excused himself from the discussion due to the fact that his son works for the Weissgerbers. P. Schumann sat in as chair.

Mr. Jack Weissgerber stated his case to the commissioners. He reviewed the conditional use permit and the reasons that they would like amendments made. M. Carlson stated that the review of records to ascertain all commitments and inferences that took place in the initial approval process has not been accomplished. If the Planning Commission wants to go further with the consideration of this idea he suggested that since the existing condition of the master developer, how many square feet of green space exists with the current project. When the Planning Commission and City Council approved the recent hotel project on that parcel, one condition for approval was that the owner would provide an as-built survey that identifies the green space ratio. He suggested asking the landowner to provide the City with a survey showing impervious space and green space is there. This should also be referred this to the planning staff for review. He also suggested that discussion has taken place about assigning development rights to pieces of property, for example changing the zoning on a piece of property without knowing the specific user is going to be. Prior to the Planning Commission making a recommendation to the City Council increasing development rights on the property, they should know who the users are and other specific things.

**M. Gardner motioned to have this go back to staff and request a survey of the actual percentage of green space percentages (with and without Hilton plans). M. Carlson stated that they are asking for an amendment to the general development plan. Hans Weissgerber commented on the subject. Discussion took place on when a public hearing would be able to take place as the Weissgerbers have paid their \$200 for a public hearing. H. Weissgerber stated that they are requesting a variance for 30% green space. M. Carlson discussed the process that must be gone through. F. Welch seconded the motion. There was no further discussion. A roll call vote took place: M. Gardner, aye; F. Welch, aye. D. Curtis-Costa, opposed; R. Trunzo, opposed; P. Schuman, aye. This will be forwarded to staff for review and the survey.**

6. Final Consideration, Approvals, Previous Approvals

- a. **Tax Key 792.050, 1309 DeKoven Ave.** Recommendation to Common Council for approval of CSM for Steven & Linda Thuilliez.

M. Carlson stated a correction should be that instead of southeast, it should be Southwest. R. Dupler stated recommendation of approval with minor change of southeast to southwest.

**F. Welch motioned to approve. M. Gardner seconded the motion. There was no further discussion. All were in favor. Motion carried.**

- b. Consideration for discontinuation of recreational remote control car racing, currently taking place on Sundays in the Wal Mart Center parking lot. Correspondence from Robert Doody, Heil, Heil, Smart & Golee, Inc. (Property Manager) included (7/17/01).

John Zingsheim, owner of Hobby Town USA, was present at the meeting. He stated that he was surprised and disappointed in the letter. He stated that he personally ran the majority of the events and was very pleased at how they went. He received many positive comments from mothers and fathers – there are not very many family events that families can partake in. He would like to pursue an alternative location, if a single owner granted permission for this event. J. Zingsheim was encouraged by E. McAleer and M. Gardner to try to find an alternative location. J. Zingsheim will come back to the board when an alternate location is found.

## 6. Zoning and Ordinance Revisions

- a. Ordinance No. 496, amending § 17.87 (4), (5) and (6) of the municipal code of the City of Delafield relating to changes and amendments to the zoning code and required public hearings.

The public hearing in front of the Common Council is August 6, 2001. A recommendation will be given after the public hearing.

- b. Street mapping - recommendation from Common Council to de-map officially mapped street south of City Hall (Ord. No. 438).

Discussion took place regarding the affects of de-mapping the street. E. McAleer stated that at the public hearing in June of 1998 there was a lot of opposition to the mapping of the street. He thought that leaving it mapped may drive the density up and de-mapping may drive the density down. Discussion took place on the effects of using the other roads and sub-standard intersections. There are two major hurdles to see this collector street installed: it would need to go through commercial

properties and a housing project. M. Carlson stated that he is in favor of increased access. R. Trunzo stated that the City is in a better position if it is kept mapped. The Commissioners were not hearing any strong reasons for de-mapping it.

**M. Gardner motioned to keep it mapped and listen to the public at the hearing and then readdress the issue. D. Curtis Costa seconded the motion. Discussion took place as to why there was going to be a public hearing. All were in favor. Motion carried.**

6. Hearing Dates

- a. Public Hearing - Ord. No. 496, tentatively scheduled for August 6, 2001.
- b. Public Hearing for amendment to Ord. No. 438, (Street Mapping) scheduled for August 6, 2001.

6. Administrator's Report

M. Carlson invited everyone to the Tax Incremental Workshop to be held on Monday August 30, 2001 at 7 p.m. at the Fish Hatchery. There will be a brief description of what a TIF district is, what TIF District #3 includes, smaller groups will then do workshop planning and develop a list of ideas for the City Council's consideration for spending dollars out of TIF District #3.

7. Building Inspector's Report

35 permits, 5 occupancy, new permits included 1 single family home, 1 office building. P. Schumann discussed Lake Welfare's responsibility concerning riprap permits. It was clarified that it is the DNR's responsibility to follow-up on the riprap permits and that Lake Welfare receives copies of the permits for information only. F. Welch stated to keep in mind that the new ordinance states that if you remove over 10 yards within 100' of the high water mark, an erosion control permit is needed.

D. Curtis Costa questioned whether the Delafield Apothecary has an alarm system. M. Czubkowski will check on this.

11. Adjournment

**R. Trunzo 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 8:48 p.m.**

Respectfully submitted:

Marilyn Czubkowski, CMC  
City Clerk/Treasurer

Minutes prepared by: Accurate Business Communications