

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Present

Mayor Ed McAleer
Ald. James Romanowski
Eng. Fred Welch
Robert Trunzo
Robert Transon
Chris Mursky
Dirilee Curtis Costa
Tom Maney
City Planner John Stockham
City Admin. Matt Carlson
Clerk Marilyn Czubkowski

Absent

Meeting was called to order by Mayor Ed McAleer at 7:00 p.m. Pledge of Allegiance followed.

Roll Call was taken by Clerk Marilyn Czubkowski

1. Approve Minutes of March 29, 2000.
**MOTION TO APPROVE THE MINUTES OF MARCH 29, 2000.
(ROMANOWSKI/WELCH) CARRIED.**

2. Citizen comments pertaining to subjects on this agenda. None

Speaking to parking problems at Morgan's Pub located on Milwaukee Street, i.e., parking in no parking areas, Saturday party, hours of Fish Bones, adequate parking spaces for Fish Bones Restaurant:

Linda Sadowski
1538 Third St.
Delafield

Valerie Sayles
1542 Third St.
Delafield

Adm. Carlson stated that the City Council changed the parking regulations on Third Street in response to the Plan Commission's motion and request to take a look at the parking problems on Third Street. The parking regulations now allow parking on one side of the street only. The tickets issued on Saturday night were to enforce restricted parking. Also, when the Plan Commission approved the Plan of Operation for the Fish Bones the first time, it included a motion that parking would continue to be monitored and requirement may be made for the green space to be converted into onsite parking. The third and final issue is that the plan before the Plan Commission is not to extend the closing time but to allow serving lunch on Saturdays and Sundays. The current Fish Bones Plan of Operation allows it the ability to open at 3 p.m. on Saturdays and Sundays and the requested change is to be open at 12 p.m. Opening target date for the restaurant is May 15th.

3. Approve consent agenda.
Note: Those items marked with ** will be enacted or approved in one motion. If any member of the Plan Commission wishes to discuss any

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consent agenda item, the Plan Commission member may request the chairperson to remove that item from the consent agenda.

Items 3.a., 3.b., 3.c., 3.d., 3.e., and 3.f. are removed from consent agenda for further discussion, as requested by Plan Commission members.

- a. ****Tax Key 787.087** Brad Weimer, Invision's, Applicant. Applicant seeks plan of operation approval for design and remodeling business at 709 Milwaukee Street. Hours: Weekdays 7am to 6 pm, Saturday 8 am to 2 pm. One part-time and three fulltime employees. Applicant Brad Weimer present. This is a design, build, remold firm specializing in kitchen, bathroom remodeling and building additions. Equipment will be stored in garage—nothing outside; trucks will go home with employees and will not be kept on premises.

MOTION TO APPROVE ITEM 3.a. (ROMANOWSKI/TRUNZO) DISCUSSION. MOTION TO AMEND ORIGINAL MOTION TO INCLUDE NO STORAGE OF OUTSIDE TOOLS OR EQUIPMENT AND THAT TRUCKS OR CONSTRUCTION VEHICLES WILL NOT BE PARKED ONSITE OVERNIGHT. (ROMANOWSKI/TRUNZO) CARRIED.

- b. **** Tax Key 798.017** Wholly Cow, James Stoffer, owner; Nina Lansing, "Nina's Bears and Dolls," Applicant. Applicant seeks business relocation from 2420 Milwaukee Street to 637 Main Street. Hours: Weekdays 11-5 pm, Saturday, 11-5 pm. James Stoffer and applicant Nina Lansing present. Applicant will be occupying the previous interior dining area of Wholly Cow, using the entrance used by patrons entering the previous location of the dining area. Applicant will return for signage next month. The new side door has been installed. Previous tenant approval for this area never materialized.

MOTION TO APPROVE 098.017. (MURSKY/ROMANOWSKI) CARRIED.

- c. ****Tax Key 797.084** 1704 Milwaukee Street, Dennis R. Sobczak, Applicant. Applicant seeks plan of operation amendment for restaurant and bar. Weekdays 3 pm to 12 am, Fridays until 1 am, Saturday 12 pm to 1 am, Sunday, 12 to 11 pm.; 5 part-time and 5 fulltime employees. After retrieving the minutes of the meeting approving the original Plan of Operation, Adm. Carlson confirmed the hours of operation that were approved were Tuesday through Thursday, 4 p.m. until 12 a.m., Friday through Saturday 3 p.m. until 1 a.m., and Sunday 3 p.m. until 11 p.m. Food service would stop one hour prior to closing. Mr. Dennis Sobczak, applicant, present and stated he requests additional hours to allow the serving of lunch. Applicant will be serving dinner on the weekends until 12 a.m. More onsite parking may be necessary. The building will be owner occupied; owner does not have any easements/access from lake.

MOTION TO APPROVE THE AMENDED PLAN OF OPERATION FOR THE FISHBONES RESTRAUANT. (TRUNZO/MURSKY) CARRIED.

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d. ****Tax Key 803.988.003** Williamstown Center Office Building, 2574 Sun Valley Drive, William Toson, Owner; Gerald Flanagan, Applicant. Applicant seeks counseling/mental health office. Weekdays 9 am to 8 pm., Saturday 9am. to 12 pm.; 2 part-time and 1 fulltime employee
MOTION TO APPROVE 803.988.003. (MURSKY/ WELCH) CARRIED.

e. ****Tax Key 804.994.010** Horizon Development, approval of signage on Hillside Drive.
Adm. Carlson stated there are two issues on the agenda: the first, signage that the Plan Commission approved early (location). The sign is consistent with the signage recently approved on Genesee Street (forest green with gold lettering); and the second issue is not on the consent agenda and will be presented later on the agenda.

MOTION TO APPROVE. (MURSKY/ROMANOWSKI) DISCUSSION. MOTION TO AMEND MOTION TO APPROVE CONTINGENT UPON STAFF APPROVAL OF COLOR RENDERINGS AND DESCRIPTION OF THE GROUND LIGHTING. (MURSKY/ROMANOWSKI) CARRIED.

f. ****Tax Key 737.995** Lake Country School, Michael Karrels, Applicant. Applicant seeks site plan and appearance review. Applicant Michael Karrels and Kitty Schultz, teacher, present. Discussion. Building will basically be slab on grade—no major construction, no sewer, water or heat, electricity indoors, cedar siding and wood construction. Kitty Schultz presented background on environmental studies. Building would enhance the studies. Holding pond has frogs, turtles and tadpoles. Area is screened by trees.

MOTION TO APPROVE WITH THE UNDERSTANDING THAT MAINTENANCE SHED WILL BE PAINTED TO MATCH THE OUTDOOR CLASSROOM/BROWN. (MURSKY/CURTIS-COSTA) DISCUSSION. MOTION TO AMEND TO INCL. OUTDOOR LIGHTING AND REVIEW BY STAFF. (MURSKY/CURTIS-COSTA) CARRIED.

4. Plan of Operations, Signage and Site Plan. Administrator Carlson presented Operations, Signage and Site Plan requests.

a. **Tax Key 804.999.006** Sentry Food Stores, Jim Trudgeon, Applicant. Applicant seeks plan of operation approval for outside sales of Mother's Day flowers and plants early May through early June; outside sales of product items late August through late October; and outside sales of fall plants late August through late September. Weekdays: 5 am to 12 midnight. 140 part-time and 60 fulltime employees. Applicant, Jim Trudgeon, present. Discussion. Request does not include bulk materials, i.e., potting soil, fertilizers, etc. Thanks were expressed to Mr. Trudgeon for the manner of upkeep of the grounds and support of scouts and other youth groups.

MOTION TO APPROVE PLAN OF OPERATION. (MURSKY/TRUNZO) DISCUSSION. CARRIED.

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- b. **Tax Key 798.012** Lake Country Jewelers, 708 Genesee Street, Jeff Forslund, Applicant. Applicant seeks site plan approval to install siding and replacement windows to building
Applicant Jeff Forslund present. Discussion. Purpose is to improve and insulate the building. Concern was expressed regarding aluminum siding. Downtown Historic wording stated that if remodeling a building aluminum siding may be used. City Planner Stockham gave a brief history of the Downtown Plan of 1993. The 1993 Downtown Plan includes aluminum siding. He recommends that if the rules are going to change regarding the adoption of a policy of wood siding, out of fairness and because this is a controversial issue, a public process (hearing) should be held. Consensus that a date be set for public hearing and incorporate all changes that are contemplated. Adm. Carlson stated the process for change is to schedule a public hearing, and recommend the zoning text amendment at the Plan Commission and include other issues/changes that may be considered, i.e., outdoor display, signage/sandwich boards, siding.

MOTION TO APPROVE SITE PLAN. (MURSKY/WELCH) DISCUSSION. CARRIED.

- c. **Tax Key 798.018** 622 Genesee Street, Daybreak, Randy Warren, Applicant. Applicant seeks site plan approval for renovation of Daybreak Mobil Station.
Applicant/owner Randy Warren, Kent Johnson of Johnson Design, and Bev Tordyk of Art Services (signage) present. Kent Johnson made presentation. Final approval is requested for the site plan and contingent approval for the landscaping plan and engineering design issues—storm, sewer, and water management, erosion control and parking lot design. All elevations viewed and discussed. Traffic pattern includes three two-way egress/ingress. Adm. Carlson stated that the City suggested that sidewalk be illustrated on the plan but to hold off on construction of the sidewalk on the north side until the sidewalk issue is decided on Main Street. Effort will be made to place public works matters on next week's Public Works agenda

MOTION TO APPROVE SITE PLAN FOR THE RENOVATION OF THE DAYBREAK MOBIL STATION SUBJECT TO THE FOLLOWING CONTINGENCIES: REVIEW OF THE STORM WATER MANAGEMENT PLAN AND DISCUSSION OF PARKING OUTSIDE BE ASSIGNED TO THE PUBLIC WORKS COMMITTEE, THE LIGHTING PLAN AND A LANDSCAPE PLAN TO BE REVIEWED BY CITY STAFF. (TRUNZO/ROMANOWSKI) CARRIED. MOTION TO AMEND MOTION FOR APPROVAL OF SITE PLAN TO INCLUDE THAT THE LANDSCAPE PLAN BE APPROVED BY CITY STAFF WITH SPECIAL ATTENTION TO LANDSCAPE WRAPPING AROUND TO THE SOUTHSIDE OF BUILDING. (TRUNZO/ROMANOWSKI) CARRIED.

- d. **Tax Key 798.051** 711 Main Street, House of Treasures, David and Valerie Spooner, Applicants. Applicants seek site plan and plan of operation amendment for outside display of furniture, sale of Christmas

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trees and lighting plan. Hours: Weekdays 10 am. to 7 pm., Saturday, 10 am. to 5 pm. and Sunday 12-4 pm.

Applicants/owners David and Valerie Spooner present. Discussion regarding outdoor displays, lighting of sign. City Planner Stockham stated that the ordinance and plan are silent on the issue of front yard displays/storage. This is a site plan review issue. Applicants stated the number of items presently on display are more than they usually have.

MOTION TO APPROVE SITE PLAN AND AMENDED PLAN OF OPERATION:

1. ALLOW THE DISPLAY AND SALE OF HANDCRAFTED OUTDOOR FURNITURE WITH NO MORE THAN 6 PIECES IN FRONT YARD BLENDED INTO THE YARD AND NO MORE THAN 10 PIECES IN THE BACK; 2. ALLOW THE DISPLAY AND SALE OF NO MORE THAN 6 CHRISTMAS YARD SIGNS OR CUTOUT PIECES IN THE FRONT; 3. ALLOW THE DISPLAY AND APPROVAL OF NO MORE THAN 6 BIRDHOUSES IN THE FRONT YARD; 4. ALLOW THE DISPLAY AND SALE OF PUMPKINS IN THE FRONT YARD WHEN SEASONAL; 5. APPROVE THE ADDITION OF TWO LAMPPOST LIGHTS IN THE FRONT ON EITHER SIDE OF THE ENTRANCE; 6. APPROVE THE ADDITION OF TWO SUBDUED SPOTLIGHTS TO ELIMINATE THE BUSINESS SIGN IN THE FRONT YARD; AND REQUEST THAT THE APPLICANTS COME BACK TO THE PLAN COMMISSION FOR APPROVAL OF ANNUAL SALES OF CHRISTMAS TREES.

(ROMANOWSKI/TRUNZO) DISCUSSION.

MOTION TO AMEND MOTION TO INCLUDE A ONE-YEAR TRIAL BASIS. (ROMANOWSKI/TRUNZO) DISCUSSION. CARRIED.

5. Preliminary Consideration, Approval.

a. **Tax Key 792.056** Towne Center, 803 Genesee Street, Lang Investments Ltd., Applicant.

Robert Trunzo, being an officer for Lang Investments Ltd., and in the interest of avoiding a conflict of interest., recused himself from the Plan Commission meeting and left the council chambers during the discussion of this item.

This is a request for conceptual approval. A presentation was given regarding layout, square footage, parking, construction materials, etc. Building will be used for a small amount of retail and the rest for offices. Square footage of building has increased (the plan in 1996 was 22,740; the present plan is 26,064). Office space is approximately 23,000 sq. feet. This building will be located at the Dopkins Street connection. Adm. Carlson stated that when the Chapter 30 permit is received from the Dept. of Natural Resources, the street extension and parking lot will be ready for bids around June 1. The plan is to bid both projects together to gain the economies of scale and get a better price on the construction. City Planner Stockham spoke to support this project. Adm. Carlson stated there are a number of items that need to be worked on at the staff level before this matter is brought back to the Plan Commission in May. Ald. Romanowski stated he is concerned with two opposing turning movements too close together.

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MOTION TO APPROVE CONCEPTUAL APPROVAL OF THE INCREASE IN SQUARE FOOTAGE. (TRANSON/WELCH) CARRIED.

- b. **Tax Key 804.994.010** Horizon Development —1st floor elevation. Adm. Carlson stated that there is a letter distributed to the Commission from Horizon Development. The elevation request would be approximately 2 to 2 1/2 feet. Adm. Carlson stated it was not comfortable to approve at the staff level knowing that the elevation of the building was a concern to neighbors. Therefore, it was brought back to the Plan Commission to allow the Plan Commission to make that determination. John Thode from Horizon Development present. Mr. Thode gave presentation.

MOTION TO APPROVE ELEVATION SUBJECT TO A REVISED GRADING PLAN TO THE PUBLIC WORKS COMMITTEE TO APPROVE FINAL GRADES ON THE PARKING LOT ON THE SITE. (ROMANOWSKI/MURSKY) CARRIED.

- c. Advisory review of proposed development near intersection of Hwy 83 and CTH KE. Adm. Carlson stated that the Village of Hartland sent another development plan for the 83 corridor. Mr. Transon is concerned about the traffic on 83 as a result of the daycare on 83 and KE, and parking. Planner stated requirement for parking in Delafield would be one stall per 10 students plus 1 per employee. Other concerns were voiced. Adm. Carlson will question Village of Hartland regarding: Daycare as a retail use; daycare increase in traffic (copy of daycare traffic study); number of curb cuts permitted on Hwy 83; driveway access on 83; does project meet storm water erosion control ordinances--storm detention basin; and adequate parking for daycare (in Delafield, 1 per 10 students plus 1 per employee). Adm. Carlson should initiate contact with DOT to preserve the right to get an access point off of 83 for church property.
6. Final Consideration, Approvals, Previous Approvals. None
7. Zoning and Ordinance Revisions.
- a. City Administrator report regarding State law Comprehensive Plan mandate. Adm. Carlson stated he attended a seminar on Smart Growth which was put on by SEWRPC. Part of the discussion was a new law of the State of Wisconsin which requires communities to revise their comprehensive plans by the year 2010, which was presented by Atty. Dick Layman. Nine different elements are outlined of things that must be included in a comprehensive plan. From a planning perspective, it makes sense. One new element that is being included is a Smart Growth area. Bottom line of the seminar was yes, there is new state law that requires the city to update its comprehensive plan by 2010 and that in order to get any funding from the state for Smart Growth (infrastructure initiatives) the city needs to have a comprehensive plan in place. The problem/issue related to the Smart Growth funding is that the City probably would not qualify. Therefore, the City needs to update the comprehensive plan

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sometime before the end of 2010, but the city doesn't necessarily need to rush to update the plan to be eligible for grant funding because the city probably would not get the funding (transportation funding that is linked to the adoption of a new comprehensive plan). The Smart Growth is a pool of money that the State is making available in 2005. So, the State agencies are being told in their 2001-2004 budgets to allocate money to these pools. Reality will set in when the state agencies look at the limited dollars that are available. Adm. Carlson's suspicion is that they will take the money currently in the DOT funding and put it in smart growth. This is a concern. Adm. Carlson suspects that in 5 years, the City will be competing for funding for initiatives and projects that are important that right now the City is eligible for, i.e., reconstruction of Genesee Street but funding won't be available. There seems to be some pressure on the City to move forward on the initiatives where the City is currently eligible for grant funding now, leverage those resources with the funds the City has available for tax increment pool locally, and update the plan when the community is ready for it but sometime before 2010. City Planner Stockham is fond of plan, but agrees there is no need to rush. Planner Stockham advises to sit tight for a year or two and let the dust settle about where this is going to go. Adm. Carlson stated the deadline is May 1 and the set aside for this year is \$1 million dollars.

- b. Discussion regarding other communities' ordinances on sandwich board signs. Adm. Carlson stated some communities allow them, and some don't. This matter is being deferred and added to the ordinance changes/public hearing.
8. Hearing Dates. None
9. Building Inspector Report.
Building Inspector Tom Maney stated the total number of permits to date are 37; plus 6 occupancy permits. The new permits include 3 new single family homes, and 1 6-unit condominium building.
10. Board of Zoning Appeals
Lighting concerns: Walgreens, McDonalds. Wal Mart posted a \$23,000 letter of credit to insure construction of the approved original landscaping plan. Adm. Carlson stated that Wal Mart took bids from landscaping companies on what it would take to bring their property in compliance with what was originally approved. The \$23,000 letter of credit represents 110% of the value of that contract.
11. Correspondence
12. Adjournment
MOTION TO ADJOURN. (TRANSON/ROMANOWSKI) CARRIED. Meeting adjourned at 9:40 p.m.

Respectfully submitted,

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7:00 p.m.

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Joann Dodge