

CITY OF DELAFIELD PLAN COMMISSION MINUTES

Present:

Mayor Ed McAleer
Ald. James Romanowski
Fred Welch, Eng.
Robert Trunzo

Absent:

Robert Transon
Dirilee Curtis Costa
John Stockham

Chrys Mursky
Tom Maney
Clerk M. Czubkowski

DRAFT

7:00 p.m. Public Hearing to consider request of Kathleen and John Baltz, 2533 South 118th Street, West Allis WI. Request is for zoning district map amendment to allow for a single-family residence to be constructed between Sylvester Drive and Price Road, which is currently zoned RL-2 and RE-2. Request is to have the entire property zoned to RL-2 residential lake-district.

John Fuchs, 2921 Sylvester Drive, Hartland, WI 53029 spoke against the rezoning. He was concerned that zoning the property RL-2 would lead to pyramiding. He indicated there was several pier abuse issues in that area. The existing residents on Sylvester Drive have adhered to zoning regulations. He also spoke about the drainage in the area.

Maureen Harnisch, representing the property owners Kathy and John Blatz. Maureen Harnisch would like to build a single family home on the property. The grass is maintained. She is not asking for access to the lake and is aware that one cannot be granted.

Gary Marciniak, 2927 Sylvester Drive, Hartland, WI 53029 did not support the zoning amendment to allow for the construction of a home. He indicated that the property was filled with cattails. He was concerned about the impact of the wet area. He also did not want to increase the access to the lake.

MOTION TO CLOSE THE PUBLIC HEARING AT 7:09 P.M. (MURSKY/WELCH) CARRIED.

7:10 p.m. Public Hearing to consider request of United States Cellular Operating Company for conditional use permit for self-supporting monopole tower and wireless telecommunications installation to be located at 3884 Kettle Court East owned by Ron Nickel.

William Buell, Buell Consulting, Inc. explained that the Plan Commission and Council had approved a Conditional Use permit for a tower to be placed on the City water tower property which is adjacent to this property. All construction within the Industrial Park is subject to the developer of the Industrial Park approval by deed restrictions. Mr. Nickel was concerned that allowing the tower in the Industrial Park may impact his ability to sell his property. Therefore he indicated that he not the City should be compensated by the lease agreement.

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**MOTION TO CLOSE THE PUBLIC HEARING AT 7:15 P.M.
(ROMANOWSKI/TRUNZO) CARRIED.**

The meeting was called to order by Mayor Ed McAleer, at 7:16 p.m. A quorum was present and acting. The Pledge of Allegiance was said.1. APPROVE MINUTES

**MOTION TO APPROVE THE MINUTES OF MAY 26, 1999. (MURSKY/WELCH)
CARRIED.**

2. CITIZEN COMMENTS

3. PLAN OF OPERATIONS, SIGNAGE AND SITE PLAN

- a. **Tax Key 793.017.001** Lang Investments, Ltd., William Hickman, Agent. Applicant seeks plan of operation approval for Wells Street Tavern (restaurant and bar) located at 515 Wells Street. 15 part-time employees, 8 full-time employees. Hours: 11:00 am to 1:00 am Thursday-Saturday

Atty. William Hickman explained Lang Investments was seeking approval for Wells Street Tavern. The parking concerns of the Plan Commission had been addressed. There is to be 50 paved parking spaces to the North of the building, access will be from Main Street. Fred Welch indicated that a grading plan maybe required. It was unclear if grading would be required. Chrys Mursky asked if some landscaping could be included to shield the parking from Main Street or to somehow breakup the blacktop.

MOTION MADE BY F. WELCH, SECONDED BY C. MURSKY TO APPROVE THE SITE PLAN SUBJECT TO REVIEW BY PUBLIC WORKS COMMITTEE IF NEEDED, ADDITION OF SOME LANDSCAPING, AND LIGHTING TO BE REVIEWED AND APPROVED BY STAFF. CARRIED. ROBERT TRUNZO ABSTAINED.

- b. **Tax Key 792.056** Lang Investments, Ltd., 514 Wells Street. Applicant seeks signage approval for Town Center sign for 801-807 Genesee Street building

Fred Welch indicated that the measurements for the sign placement were not indicated on the site plan submitted. He calculated that the sign appears to meet the site vision corner requirements.

MOTION MADE BY J. ROMANOWSKI, SECONDED BY C. MURSKY TO APPROVE THE SIGNAGE FOR TOWN CENTER. SIGN IS TO BE 15 FEET FROM THE GENESEE STREET PROPERTY LINE AND 15 FEET NORTH OF THE PROPOSED MILWAUKEE STREET EXTENSION. CARRIED. ROBERT TRUNZO ABSTAINED.

- c. **Hamill Chiropractic, Jeffrey T. Hamill, D.C., Applicant.** Applicant seeks plan of operation and signage approval for business at 609 Main Street owned by Rick Lieblang.

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MOTION MADE BY C. MURSKY, SECONDED BY F. WELCH TO APPROVE THE PLAN OF OPERATION FOR HAMILL CHIROPRACTIC. APPLICANT WILL SUBMIT SIGNAGE NEXT MONTH. CARRIED.

- d. **Tax Key 787.974, 787.975**, Paul Neumiller, 219 White Pine Road, Owner. Applicant seeks land split and approval of CSM

MOTION MADE BY F. WELCH, SECONDED BY C. MURSKY TO RECOMMEND TO COUNCIL APPROVAL OF CSM SUBJECT TO MINOR CHANGES AS RECOMMENDED BY F. WELCH LETTER OF JUNE 30TH AND ANY OTHER CHANGES THAT MAYBE REQUIRED BECAUSE OF SALE OF LOT. CARRIED.

- e. **Tax Key 804.999.005 Winchester's**; Lisa Weissgerber, Applicant. Signage approval postponed from May 26th meeting

Plan Commission members discussed the color of the signage. There was concern that the colors did not blend with what was existing. Hans Weissgerber explained that this is their logo. It is the same sign colors that are on Winchester's.

MOTION MADE BY F. WELCH, SECONDED BY C. MURSKY TO APPROVE THE SIGNAGE WITH THE FOLLOWING CONDITIONS. 1. THE BASE FOR THE SIGNAGE TO THE RIGHT WILL ALSO BE REQUIRED TO BE DARK GREEN. 2. THE WINCHESSTER'S LOGO IS YELLOW AND SALON & GRILL WHITE. 3. TOLD DEVELOPMENT IS TO APPROVE SIGNAGE BEFORE A BUILDING PERMIT IS ISSUED. CARRIED.

- f. **Bath and Body Works**, 3207 Golf Road, Bob Steel, Midwest Sign and Lighting, Inc. Applicant. Applicant seeks signage approval for retail sales of bath and body needs

MOTION MADE BY C. MURSKY, SECONDED BY F. WELCH TO APPROVE THE SIGNAGE FOR BATH AND BODY WORKS AS SUBMITTED. CARRIED.

- g. **Tax Key 749.036.001** Joan C. Herrman, 1910 Bark River Drive, Hartland. Applicant seeks site plan approval for fence currently on property.

Joan Herrman explained the reason why she installed the fence. She was not aware that this type of fence required Plan Commission approval and a building permit. James Romanowski indicated that he was not a big fan of fences. The fence can not be seen from the street and Joan Herrman presented 2 letters from her neighbors supporting the fence. Tom Maney indicated that he had received no complaints regarding the fence.

MOTION MADE BY J. ROMANOWSKI, SECONDED BY F. WELCH TO APPROVE THE FENCE. CARRIED.

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- h. Kettle Moraine Free Church requesting service on vacant property on August 1, 1999 from 11:00 am to Noon

MOTION MADE BY J. ROMANOWSKI, SECONDED BY F. WELCH TO APPROVE THE ONE TIME OUT DOOR SERVICE ON VACANT PROPERTY ON THE NORTHWEST CORNER OF OAKWOOD AND HWY 83 FOR AUGUST 1, 1999. CARRIED.

4. PRELIMINARY CONSIDERATION, APPROVAL

- a. Preliminary plat of Churchview Subdivision for extraterritorial approval City Engineer Fred Welch explained that the City of Delafield is a 4th Class City therefore has extraterritorial approval only 1.5 miles from its boundaries. Churchview Subdivision is approximately 2.5 miles from the City boundaries.

5. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. **Tax Key 749.081** John and Kathleen Baltz, 2533 S. 118th Street, West Allis, WI. Approve zoning district map amendment request to rezone property between Sylvester Drive and Price Road from RL-2 and RE-2 to RL-2.

Plan Commission members discussed the neighbors concerns regarding Lake access. The $\frac{3}{4}$ of the property is RL-2 and $\frac{1}{4}$ is zoned RE-2. The building inspector Tom Maney explained to Plan Commission members that he would have to deny a building permit because of 17.14(2)(b) of the Municipal Code.

MOTION MADE BY R. TRUNZO, SECONDED BY J. ROMANOWSKI TO HAVE THE CITY ATTORNEY PROVIDE A LEGAL OPINION ON THE IMPACT OF RL-2 ZONING ON THIS PROPERTY AND WHAT RAMIFICATIONS THE CITY COULD INCUR. CARRIED.

- b. **Tax Key 807.985.017** Ronald Nickel, Owner, United States Cellular Operating Company, Applicant. Applicant seeks approval for conditional use permit for self-supporting monopole tower and wireless telecommunications installation to be located at 3884 Kettle Court East

Plan Commission member Robert Trunzo asked what benefit direct or indirect the City would receive by approving this tower on this site. William Buell stated that citizens need reliable service and our citizens and their customers demand high quality cellular service. At the present time U.S. Cellular has an antenna on the flagpole at Burger King. The existing service is not addressing the problem that U.S. Cellular is experiencing under the expressway and south of I-94. Robert Trunzo was concerned about the height of the pole and if it could be seen from I-94 or Hwy 83. Fred Welch indicated that because of the trees he did not believe that this was an issue. Discussion took place on if U. S. Cellular could co-locate with any of the existing carriers or possibly locate on a WEPCO tower. The response was that U.S. Cellular needs to be South of I-94 because of the grid system that is in place. The sites discussed north of I-94 are out of their grid system.

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MOTION MADE BY F. WELCH, SECONDED BY J. ROMANOWSKI TO RECOMMEND TO COUNCIL TO APPROVE THE CONDITIONAL USE PERMIT FOR CONSTRUCTION OF A SELF-SUPPORTING MONOPOLE TOWER AND WIRELESS TELECOMMUNICATIONS INSTALLATION AT 3884 KETTLE COURT EAST. (1-3) MOTION DENIED.

- c. **Tax Key 804.996** McDonald's Corporation. Applicant seeks approval for painting of building at 211 Hwy 83.

MOTION MADE BY J. ROMANOWSKI, SECONDED BY F. WELCH TO APPROVE THE GREEN, YELLOW AND WHITE COLOR FOR THE BUILDING WITH AN ADDITIONAL HORIZONTAL BAND IN GREEN AND PAINTING AROUND THE WINDOWS TO BREAK UP THE WHITE. (3/1) CARRIED.

- d. Approve SIP Amendment #2 for Hillside Woods Senior Apartments, Horizon Development

Philip Schultz reviewed with the Plan Commission items that need approval. They are to grant an exception to the 25% grade in 2 small areas, the parking requirements and design review.

Plan Commission discussed the new design of the building with the gable roofs and the additional bump outs on the building. Residential brick was selected over natural stone the reason being that more could be place on the building. The vinyl is all one color to blend with the natural brick. Plan Commission members wanted the courtyard area to have the natural brick wainscot element and the brick element on the backside of the buildings to insure a complete look around the building, if lands are developed to the east or west of this development.

The signage is a wooden sign and located on the entrance to their property. Lighting was address at the last meeting and Plan Commission members had no additional questions on these two items. Fred Welch indicated that revised stormwater plans have been submitted and are accepted.

MOTION MADE BY F. WELCH, SECONDED BY J. ROMANOWSKI TO RECOMMEND TO COUNCIL THE SIP FOR HORIZON DEVELOPMENT, HILLSIDE WOODS SENIOR APARTMENTS GRANTING THE 25% SLOPE EXCEPTION AND THE PARKING EXCEPTION AS RECOMMENDED BY THE CITY PLANNER, JOHN STOCKHAM. THE LANDSCAPING AND LIGHTING PLAN WERE ACCEPTED. HORIZON WILL PAY THE TREE ASSESSMENT. CARRIED.

- e. CSM approval for Hillside Market senior housing project

Fred Welch indicated the memo he received from Atty. Wm. Chapman answered his concern regarding the cross easements.

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MOTION MADE BY F. WELCH, SECONDED BY C. MURSKY TO APPROVE THE CSM. CARRIED.

- f. Approve lighting and freestanding sign for Walgreen's

Mike Arneson, Told Development reviewed with the Plan Commission the items that were approved and what were the outstanding items for this project. F. Welch referred to Atty. Chapman's letter that Plan Commission could grant an exception to the setback requirements for the monument sign.

Plan Commission members discussed the lighting. There will be no floodlights on the building. There will be lighting fixtures on the building, but these will be for security and downward lighting on the building. The parking lot lights will be 25 feet high. The lights at Nagawaukee Center are 30 feet high. Fred Welch indicated that the lighting did meet City code.

MOTION MADE BY R. TRUNZO, SECONDED BY J. ROMANOWSKI TO APPROVE THE MONUMENT SIGN AND REVISED LIGHTING PLAN FOR WALGREEN'S. CARRIED.

- g. **Tax Key 807.985.007** Full Circle Services, New Age Chemical, 3765 Kettle Court East. Applicant seeks landscape approval

Motion made by R. Trunzo, seconded by F. Welch to approve the revised landscape plan for Full Circle Services. Carried.

- h. Approve revised landscape, lighting and stormwater/erosion control for St. Joan of Arc

MOTION MADE BY R. TRUNZO, SECONDED BY J. ROMANOWSKI TO APPROVE THE REVISED LANDSCAPE, LIGHTING, AND EROSION CONTROL PLAN FOR ST. JOAN OF ARC. CARRIED.

- 7. Zoning and Ordinance Revisions
- 8. Hearing Dates
- 9. Planning Discussion Information
 - a. So-Lite neon sign
 - b. Residential street lighting ordinance
 - c. Downtown street lighting
 - d. Impact fees
- 10. Building Inspector Report

Tom Maney reported a total of 47 permits, plus 11 additional, 4 were for single family homes.

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11. Board of Zoning Appeals
12. Correspondence
 - a. Correspondence dated June 2, 1999 from Herro Chapman Herro regarding Walgreen's sign setback and Kar Tech sign issue
 - b. Correspondence dated June 7, 1999 from Herro Chapman Herro regarding Area Rental & Sales
 - c. Correspondence dated June 18, 1999 from Coenen/Swandby regarding Land Use Planning
 - d. Correspondence dated June 22, 1999 from Michael Arneson, TOLD Development regarding Walgreen's Tree Inventory
13. Adjournment

Motion to adjourn at 9:55 p.m. (Romanowski/Mursky) Carried.

Respectfully submitted,

Marilyn Czubkowski, CMC
City Clerk/Treasurer