

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

Call to Order

Mayor DeYoe called the Wednesday, October 29, 2014 Plan Commission meeting to order at 7:00 P.M.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, October 29, 2014 Plan Commission meeting:

Present

Absent

Michele DeYoe, Mayor

Tim Aicher, Ald.

Kent Attwell

Wayne Dehn

David Simon

Dan Jashinsky

Meghan Johnson

Jim Reiher

Roger Dupler, City Planner

Scott Hussinger, Building Inspector

Tom Hafner, City Administrator/ Public Works Director

**PUBLIC HEARING #1: Amended Conditional Use Site Plan and Architecture.**

**TAX KEY/ADDRESS:** DELC 0793.001.001, Delafield, WI

**OWNER/APPLICANT:** 405 Acquisition LLC, 405 Genesee Street, Delafield WI 53018

**MATTER:** Applicant seeks consideration to amend the site plan and architecture to convert a window opening into a door, and extend sidewalk access to the door for Be Fitness.

M. DeYoe opened the Public Hearing at 7:01 P.M. There was no one present wishing to speak on this matter.

**K. ATTWELL MOVED TO CLOSE A PUBLIC HEARING #1 REGARDING AN AMENDED CONDITIONAL USE SITE PLAN AND ARCHITECTURE FOR TAX KEY/ADDRESS:, OWNER/APPLICANT: 405 ACQUISITION LLC, 405 GENESEE STREET, DELAFIELD WI 53018, MATTER: APPLICANT SEEKS CONSIDERATION TO AMEND THE SITE PLAN AND ARCHITECTURE TO CONVERT A WINDOW OPENING INTO A DOOR, AND EXTEND SIDEWALK ACCESS TO THE DOOR FOR BE FITNESS AT 7:01 P.M. T. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**PUBLIC HEARING #2: Amended Conditional Use and General Development Plan for Village Square.**

**TAX KEY/ADDRESS:** DELC 0733.998.003, Delafield, WI

**OWNER/APPLICANT:** Delafield Investment LLC, c/o United Properties, 3500 American Boulevard West, Suite 200, Bloomington, MN 55431

**MATTER:** Applicant seeks consideration to amend the Conditional Use and General Development Plan to allow for a three building multifamily development located in Village Square.

M. DeYoe opened the Public Hearing at 7:02 P.M. The applicant was present.

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**Bill Restock, 4527 Vettelson Road**, explained he owned the single family residence that shared a property line with the Village Square Shopping Center (hereafter referred to as the Center). He distributed several documents to the Commission at this time, noting he was present to oppose the request to amend the conditional use for United Properties and would present three categories of information, including historical, legal and logical, related to this matter that supported why the item should be denied. He explained the parcel of land being proposed by the developer had not ever been identified or zoned for residential development. A mixed use development was considered the highest and best use of the property. The Common Council had voted to deny this proposed development earlier in 2014 because it was incompatible with the surrounding neighborhood, the apartment buildings were determined to be too tall, and the building exceeded the approved building area of the commercial site plan. Legally, he noted there was a legally binding Settlement Agreement that governed the site, signed in August, 2004, by the property owner and Mayor of the City of Delafield. This settlement agreement removed the proposed residential development and allowed only commercial development. It also noted that "no single building shall exceed 25,000 square feet except for the anchor grocery store building." The property was zoned B-6 and was governed by a conditional use mandated by the out-of-court settlement agreement. Approved uses on the building site included a two-story office building and two restaurants as noted in the Staff Report provided for this meeting. By law, the proposed project had to be compatible with the surrounding area. Within a half mile, there were no other apartment buildings constructed over two stories. He also noted the proposed development exhibited greater building area than was approved for the site. Logically, the City of Delafield had nearly exhausted the number of multi-family units established as a goal for the Year 2030. He also noted a market study was to have been provided in this matter and had only been made available earlier this afternoon. This did not allow adequate time to process the information presented in the study. B. Restock further stated the project would cause a tax burden because it would send students to schools in the area, thereby increasing property taxes. He requested consideration be given to ensuring compatibility with the surrounding area as this project did not fit despite the building heights being lowered by three feet. He did not think the multi-family development was appropriate because the density and limitations in square footage for the site had been exceeded as well.

**Judy Hansen, 4533 Vettelson Road**, owned 2.1 acres with her easterly property line being shared with the Village Square Shopping Center. She stated the Center did not bother her but she would be able to see the proposed development very clearly from her property once constructed. She noted the developer was also constructing a 74 unit apartment building in Hartland and questioned the need for the developer to build this proposed development within a mile of the first one. She requested the Commission consider leaving the settlement agreement in its current form. She had not heard from the developer and owner in this process and wished they would have spoken at the public hearing earlier. She also wished they had contacted her earlier in the process to see what she thought about the development being proposed.

**Larry Schouten, 4506 Vettelson Rd.**, stated an aerial view of the area had been shared in the epacket for this meeting. All surrounding properties were single-family homes. The proposed development was not compatible. He requested the City stick with the current settlement agreement and deny the request for change to the conditional use.

**Jeff Krickhahn, 4506 Vettelson Road, and Alderperson of District 1**, noted there were several new Commissioners since the original discussion regarding Village Square took place in 2003. He explained the agreement allowed 150,000 square feet for the site and no single building should exceed 25,000 square feet except for the anchor grocery store. The approved density and size were part of the settlement agreement. He did not agree with the proposed changes as an allowable use for the site. He did not think it was prudent to approve a plan for the development as there were other developments slated that would fulfill the goal by 2030. The three reasons for denial at the Common Council meeting in February of this year had not significantly changed with this submission.

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**Craig Straub, owner of business at 3001 Village Square Drive**, stated he did not live in the City but wanted to provide his perspective as a business owner. He thought it was important to see businesses succeed in the City. He had targeted the City of Delafield for his business because he found the City and the United Properties owner easy to work with in establishing his business at the Center. Any business owner would like the opportunity to put more people near a business, and enhance and improve the area. He had viewed the plans for the development and thought they looked great as it would provide value, pride and prestige to the City. Various age groups were looking to downsize and still maintain a high quality of life and he believed this development would provide this opportunity. Should the development continue to be denied, businesses and development would move to another community as there were many locations in the state that welcomed development.

**Grant Lemke, owner of Cloud Nine Dentistry located at 3079 Village Square Drive**, stated he was thankful the Shopping Center was allowed to go into the area as it provided a good business location for him. He thought it was important to look to the future because the area would continue to develop. The City needed to look at the increase to the tax base as a result of development. He supported the change of zoning to continue to allow the area to develop.

**Matt Dawson, business owner of 3138 Village Square Drive**, stated additional people were always helpful in business. The customer base and employees helped all business owners in the area to succeed. Some form of residential development in that area made sense. In his work in another community, a choice to deviate from the City's Master Plan was made to support businesses. Apartments were considered the "hot ticket." The land had been sitting vacant for seven years and he thought it should be developed.

**Robert Borkowski, 4521 Vettelson Road**, stated his property was flanked on the north and east sides by Village Square Shopping Center. He saw a great deal of the property and would be impacted by the development. He was not in favor of the proposed development despite the location of the buildings being moved back 100 feet. The buildings would act as a big megaphone for the area and lighting would be an issue despite the lumens only reaching the property line as he could see all the way to the north side of Highway 16 currently so he was certain his view would be impacted by the development. Trucks currently traversed the area despite being posted "No Trucks" along Vettelson Road and this was annoying. He agreed with J. Krickhahn and B. Restock regarding this matter. He requested the Commission reconsider any plans to change the development noted in the settlement agreement and related zoning.

**Alyce Schouten, 4518 Vettelson Road**, stated comments previously made by business owners in Village Square that were related to additional traffic in customers was interesting because she found there were 22 vehicles exiting the property between 5 PM and 5:45 PM this evening so she thought there was plenty of traffic as a result of Center activity for the neighbors. If the business was there and was attractive, people would stop to shop there. She requested the City not change, amend or modify the zoning or agreements to allow for this development to proceed.

**Sherry Myers, 4447 Vettelson Road**, stated there was an out-of-court settlement in this case and the neighbors were all present to voice opposition in this matter. A previous speaker had stated there were other areas of the City where quiet neighborhoods could be found and this neighborhood used to be a quiet neighborhood prior to the Village Square Shopping Center development coming into it.

**Jim Zahorik, 1948 West Shore Dr**; stated that while he did not live on Vettelson Road, he had sympathy for people that did. He noted there had been changes to the Commission since the time when the settlement agreement was instituted and he was involved in the issue when the Village Square Shopping Center was originally developed as president of Voice Of The Electorate (VOTE). This was a coalition for sensible water and land use that did not want to see the development along Highway 16 and Highway 83 at that time. Also

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at that time, there was concern about the development bringing busier roadways. While he understood the need for businesses to thrive, he thought they would do so if they were reputable and provided quality for the money spent by their customers. He thought the proper application for development had not come to the City yet for this location. The current developer did not construct poor quality housing and was respected; however, the previous proposal was denied with essentially the same plans. He was concerned about the size and height of buildings as there was nothing in the area that was similar to the proposal. The drone that was used to show impact in previous meetings did not adequately show the impact to Mr. Borkowski's property. People living on the third floor of the proposed development would have a great view of all surrounding properties. He also thought people would drive to reach the Center as well as walk so development could be constructed elsewhere also. He requested the Commission continue to limit the impact to surrounding area. The Master Plan for the City had included a great deal of purposeful thought in its planning and the proposal was not justified as it was in violation of the settlement agreement. The proposed development at Village Square did not fit in and the density would not be appropriate for the area.

M. DeYoe also requested a letter from Ixonia Bank be noted in the correspondence related to Item 5b on the agenda. The letter was dated October 29, 2014, from Ryan Myhre, Ixonia Bank Legal Counsel, in support of the amended Conditional Use and General Development Plan for Village Square.

**K. ATTWELL MOVED TO CLOSE PUBLIC HEARING #2 PERTAINING TO AN AMENDMENT TO THE CONDITIONAL USE AND GENERAL DEVELOPMENT PLAN TO ALLOW FOR A THREE BUILDING MULTIFAMILY DEVELOPMENT LOCATED IN VILLAGE SQUARE FOR TAX KEY/ADDRESS: DELC 0733.998.003, DELAFIELD, WI; OWNER/APPLICANT: DELAFIELD INVESTMENT LLC, C/O UNITED PROPERTIES, 3500 AMERICAN BOULEVARD WEST, SUITE 200, BLOOMINGTON, MN 55431, MATTER: APPLICANT SEEKS CONSIDERATION TO AMEND THE CONDITIONAL USE AND GENERAL DEVELOPMENT PLAN TO ALLOW FOR A THREE BUILDING MULTIFAMILY DEVELOPMENT LOCATED IN VILLAGE SQUARE. AT 8:03 P.M. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

1. Approve Plan Commission meeting minutes of September 24, 2014 meeting.

**HEARING NO OBJECTIONS FROM THE COMMISSION, M. DEYOE STATED THE MINUTES OF THE SEPTEMBER 24, 2014 PLAN COMMISSION MEETING WERE APPROVED AS PRESENTED.**

2. City of Delafield Citizen's Comments pertaining to subjects on this agenda.

**Bill Restock, 4527 Vettelson Road**, stated it was difficult for residents to have to speak at a public hearing about an item that was not presented yet in the meeting. He requested consideration be given to doing this differently in the future and suggested items should include a presentation by developers or applicants prior to having the public speak on a matter.

**K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 8:05 P.M. T. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. Consent Agenda

- a. **DELC 0804.984, 3195 Hillside Dr., Delafield. Owner: Ryan Companies US Inc. Applicant: Poblocki Sign Company.** Applicant seeks approval of a permanent sign for Children's Hospital at Hillside Market – Delafield, (Home Depot Sign).
- b. **DELC 0793.014.023, 631 Genesee St., Delafield. Owner: Ace Development Properties. Applicant: Curtis Lamon.** Applicant seeks approval of an Amended Business Plan of

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Operation, for a change of ownership, change the business name from Elements East to Great Finds & Design, and a permanent sign for the same.

- c. **DELIC 0783.987, 1131 Woodside Street, Hartland. Owner/Applicant: Christo Badenhorst Vermeulen.** Applicant seeks approval of a Business Plan of Operation for Global Financial Shift, LLC. Hours of Operation: Monday through Friday, 8 a.m. to 8 p.m., with two part-time employees.
- d. **DELIC 0783.983, 1131 Mariner Dr., Hartland. Owner/Applicant: Mary Lloyd Lynn-Murphy/Herb Rasmussen.** Applicant seeks site plan and appearance review for parking lot modification at the Nagawicka Lake Yacht Club

**HEARING NO OBJECTIONS FROM THE COMMISSION, M. DEYOE STATED THE CONSENT AGENDA WAS APPROVED.**

4. Unfinished Business: None

5. New Business

- a. **DELIC 0624.003, 34268 Valley Road, Delafield. Owner/Applicant: Bonnie Leukert.** Applicant seeks approval on recommendation from the Lake Welfare Committee for a boathouse.

***TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Site Plan and Architecture: The proposed boathouse is located on the southern tip of Upper Nashotah Lake where Valley Road is the nearest to the shoreline. It has been reviewed by the Lake Welfare Committee and recommended to the Plan Commission for approval. Prior to LWC consideration the boathouse was presented to, and approved by, the Board of Zoning Appeals. This lot of record is buildable by right, even though the existing dimensions may not accommodate the standard building envelope, setbacks, or lot area. The boathouse is unaffected by the unconventional lot configuration, it respects the mandatory setback from the lake, depth and width requirements. The building height also conforms to code requirements. A rain garden plan has been appropriately prepared to accommodate roof run-off. Materials and colors will match the residence. Construction of the residence and boathouse is planned for spring 2015. Recommendation: Approval***

R. Dupler explained the current residence and detached garage were legally non-conforming. The proposed boathouse conformed to all requirements regarding location, size, placement and architectural materials. Bonnie Leukert, applicant, and Dale Kolbeck architect of Anders Homes, Inc. were present.

**K. ATTWELL MOVED TO APPROVE AN APPLICATION FOR A BOATHOUSE FOR DELIC 0624.003, 34268 VALLEY ROAD, DELAFIELD. OWNER/APPLICANT: BONNIE LEUKERT AS PRESENTED. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **DELIC 0793.001.002, 405 Genesee St. Owner/Applicant: 405 Acquisition, LLC.** Applicant seeks consideration to amend the Conditional Use for an amended site plan and architecture to convert a window opening into a door, and extend sidewalk access to the door for Be Fitness, and recommendation to the Common Council of the same.

***TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Site Plan and Architecture: This proposal requests Plan Commission consideration to modify the architecture of the Be Fitness***

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and to add a sidewalk for pedestrian access. The easternmost window on the north elevation will be converted from a window to a door. All materials shall match the existing materials of the building. Pedestrians may access the new door by way of a new sidewalk that connects to the front entrance on the north side of the building. In the current condition the finished grade is about three feet higher than can be accommodated by the new door and walk configuration. As a result a retaining wall is proposed to lower the existing grade between the parking lot and the building. The retaining wall will face the building and not be visible from the north. Building materials required to finish the exposed foundation will match the exiting building. **Recommendation: Approval, recommend to the City Council.**

The applicant for this item was not present. M. DeYoe explained the Plan Commission did not typically discuss an item unless the applicant was present; however, they could choose to do so at this time. Hearing no discussion from the Commission, she requested this item be moved to the next Commission meeting agenda.

c. **DELCO 0733.995.003, Lot 3, Village Square. Owner/Applicant: Delafield Investment LLC, c/o United Properties.** Discussion and action on the following items:

- i. The proposed change in allowable use is appropriate for the Village Square Planned Development and per the settlement agreement, and recommendation to the Common Council of the same.
- ii. Conditional Use and General Development Plan to allow for a three building multifamily development located in Village Square, and recommendation to Common Council of the same.

**TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Amended General Development Plan:** Village Square returns to the Plan Commission this month to request consideration for amending the allowed uses in the approved General Development Plan. The previous petition to amend the Conditional Use for the Planned Development was approved by the Plan Commission in November of 2013 and recommended to the City Council. At the City Council the petition was denied because the use was determined incompatible with the neighborhood, the buildings were too tall and the building area exceeded the approved building area of the original commercial site plan. This revised plan continues the GDP process initiated with a preliminary presentation at this past July Plan Commission meeting. It is presented for public hearing, Plan Commission action, and recommendation to the City Council. The Plan Commission may consider how the revised plan addresses the issues that caused the Council to reject the proposal in November of 2013. The subject property is zoned B-6; it is governed by a conditional use which is mandated by a court settlement agreement. The terms of the settlement agreement allows the City to modify the elements of the conditional use, as it would with any other conditional use, through the GDP process and public hearing.

### Site Plan

The site plan proposes three multifamily buildings with underground parking on a parcel that is 6.417 acres. Ample space surrounds the buildings and complies with all yard setbacks. The revised layout rotates the three buildings and relocates all underground garage access to the north side of the site. Parking is revised accordingly and the swimming pool has been relocated to the interior space between the buildings. As a result of reorienting the buildings and placing the garage access on the north, the exposed building elevation on the south does not present the garage entrance and associated grading that add to the perceived façade height. To further reduce the exposure to the neighbors the buildings have been lowered by three feet. Most significant is the increased setback from the south and the reduction in the building elevation toward the south. Previously the long elevation of one of the buildings was

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*presented to the south. In the new layout only the short end elevation is exposed to the south. No architecture has been submitted with this revised site plan, it has not changed. The following calculations rely on the architecture submitted with the previous petition.*

*The three buildings total 93,684sf floor area, the resulting Floor Area Ratio is 0.33. In the B-6 zoning district there is no density limit for residential use. As a result the, City utilizes the R-6 Multifamily Residential standards for this type of development. R-6 Minimum lot area is determined by subtracting the required parking area from the gross lot area; then dividing the remaining area by a rated scale. The total lot area is 279,524sf, the required surface parking area (excluding the land-banked parking) is 10,206sf. 269,318sf remains for distribution amongst the units. There are 30 efficiencies, each requires 2,500sf, 75,000sf required. 33 one-bedroom units require 3,000sf each, 99,000sf required. 27 two-bedroom units require 3,500 sf each, 94,500sf required. In total the units require 268,500sf. The site plan unit density satisfies the R-6 requirements. In comparison to the original Planned Development this site plan exhibits greater building area than what was approved for the site. The settlement agreement allowed up to 182,000sf building area, the approved General Development Plan was approved with 124,260sf commercial building area, and the building area unique to the subject parcel was only 35,000sf. The proposed residential building area is 93,684 sf.*

### Consideration

*The City has the ability to allow the proposed land use change in the Village Square. Compatibility with the existing neighborhood has been addressed with the lowered building height and the previously submitted traffic analysis identified fewer vehicles would be using the Vettelson Road access than what was originally approved. The approved uses on the subject site were a two story office building and two restaurants. Most significant, is the proposed conversion from restaurants and high intensity office use to residential. The resulting impact to the existing neighbors will be greatly reduced. The Plan Commission may consider multifamily land use to be a compatible use abutting the south one-acre residential lots. Additionally, the adjacent lots are all zoned as B1-A business district lots.*

*It should be noted that the City has nearly exhausted the projected number of multifamily units identified in the 2030 Comprehensive Plan. The projections for multifamily demand was 238 units anticipated by the year 2030. The City has approved four multifamily developments since the 2030 Comprehensive Plan was adopted; Delafield Lakes (60), Delafield Woods (62), Cambridge (28), and Well Street Station (58) for a total of 208 units. A market study that evaluates changing demographics and regional demand for multifamily units should be conducted to justify the need for this type of development before this project is considered. This report is being finalized and shall be distributed as soon as it is received from the applicant. **Recommendation: The Plan Commission may wish to act on this petition with two recommendations to the City Council. The first should weigh the appropriateness of the proposal; is multi-family housing appropriate in the General Development Plan? Furthermore, is it permissible under the terms of the Settlement Agreement? Does the market report present ample justification? The second action should recommend to the City Council the site specific appropriateness of the modified site conditions. Refer to the Conditional Use Review, Determination and Approval sheet when forming a motion. The motion should either declare that the criteria have been evaluated and this proposal satisfies all elements or if it is determined that it doesn't the motion must specifically reference the failing criteria. Specific attention should be given to the issues identified in the Council's denial of the previous petition; compatibility, building height, and building area.***

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Keith Ulstad, Senior Vice -President of Retail Investment and Development for United Properties, and Melissa Duce, Senior Retail Investment and Development Associate for United Properties, provided a presentation to the Commission regarding this matter. The presentation provided industry information regarding a market study conducted related to the proposed development at Village Square Shopping Center. Various demographics and statistics were provided. Consumer demand indicated a desire for denser multi-family structures in suburban settings in order to allow for a pedestrian-friendly environment and the current market had fallen short of this demand. The settlement agreement referenced by residents in the public hearing was intact at this time. As such, it could be modified by both signatories if desired. He also noted the settlement agreement did not contemplate residential development on this site at the time of signing. In addition, the settlement agreement allowed for 150,000 square feet of development and it currently held 124,264 square feet of development. He then reviewed the statistics associated with travel in the area. As a result of the proposed development, the overall number of trips was expected to be reduced from the original approval of the conditional use for the property. The proposed project would also provide an additional tax base for the City and to Del-Hart as a result of increased sewer connections. The mass of the buildings should be considered rather than the exact height in stories and he thought the project as presented would be well executed and provided a great community asset. An animation of the site was then presented regarding the traffic flow, mass, and location of the proposed buildings on the site, noting there were no balconies facing the south to provide less intrusion to the neighbors. K. Ulstad then noted a letter of support had been received from Roundy's, the anchor tenant for the Village Shopping Center.

Kent Johnson, and Allison Nelezen, architects of Johnson Design, Inc., provided an overview of the site, including location of amenities. K. Johnson also clarified the various heights of the buildings in the proposed development, noting the vertical height of some of the buildings were not much taller or were even shorter than the current buildings at the Center. He then shared the various architectural materials to be utilized on the exterior of the buildings.

Joe McCormack, Developer, explained this site had made tangible advantages over other competitive sites, including amenities and physical location. He thought the proposed project would provide additional monies for the City and Del-Hart if approved, and he thought the project would be an advantage to the neighborhood as well.

K. Johnson reviewed the various changes between the originally submitted plans and the current proposal, noting noise issues and other issues associated with headlights shining into neighboring properties had been removed.

M. DeYoe recessed the meeting at 9:00 P.M. and reconvened the meeting at 9:06 P.M.

D. Jashinsky stated the settlement agreement referenced earlier in the meeting was a two-party agreement between the City and the developer of the Village Square Shopping Center. He noted City residents present did not speak in favor of changing the settlement agreement and he wanted to respect the opinions heard in the Public Hearing process in this case as being part of "the City."

J. Reiher questioned J. McCormack regarding the changes to the factors since the last submission that made the conditional use incompatible. J. McCormack explained the changes since the last submission included movement of the buildings away from Vettelson

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Road, inclusion of the swimming pool within the building courtyard area, and changes to the underground parking structure to alleviate neighborhood concerns.

Discussion ensued regarding whether the settlement agreement should be changed at this time. R. Dupler noted the City had been granted flexibility within the settlement agreement to change it if desired by both parties; however, it also demanded that the Public Hearing process be used as in any General Development Plan process. D. Simon agreed. The settlement agreement could be changed; however, the citizens of the City had a vested interest in it and had the right to rely on it. He thought the Commission should take these aspects into consideration when making a decision to recommend or deny approval of the proposed project.

**W. DEHN MOVED TO DENY A REQUEST FOR DELC 0733.995.003, LOT 3, VILLAGE SQUARE. OWNER/APPLICANT: DELAFIELD INVESTMENT LLC, C/O UNITED PROPERTIES AS MULTI-FAMILY HOUSING IS NOT APPROPRIATE UNDER THE GENERAL DEVELOPMENT PLAN, IS NOT PERMISSABLE UNDER THE TERMS OF THE SETTLEMENT AGREEMENT, AND FURTHERMORE, THE PROPOSED DEVELOPMENT WOULD BE ADVERSE TO THE NEIGHBORHOOD AND IS NOT COMPATIBLE WITH THE SURROUNDING AREAS AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. K. ATTWELL SECONDED THE MOTION. J. REIHER CLARIFIED THAT THE MOTION WAS SPECIFIC TO THIS CASE INVOLVING MULTI-FAMILY DEVELOPMENT. T. AICHER EXPRESSED CONCERN REGARDING HAVING A SINGLE MOTION IN THIS MATTER INSTEAD OF TWO MOTIONS THAT SPECIFICALLY DISCUSSED EACH ITEM IN THE STAFF REPORT. M. DEYOE AGREED. J. REIHER QUESTIONED WHETHER THE ISSUE HAD CHANGED IN CONTENT SINCE THE LAST COMMISSION VOTE ON THIS MATTER. W. DEHN STATED HE HAD ADDRESSED THE ISSUES IN THE STAFF REPORT IN THE SINGLE MOTION AND WISHED TO PROCEED WITH A SINGLE MOTION AT THIS TIME. THERE WAS NO FURTHER DISCUSSION. SIX WERE IN FAVOR. T. AICHER VOTED NAY. MOTION CARRIED.**

6. Zoning and Ordinance Revision – None.

7. Reports of City Officials:

a. Clerk

1. Plan Commission Meeting Dates & Deadlines

a. Nov 19\* (Meeting); October 22 (PH Deadline); Nov 5 (Reg. Deadline)

b. Discussion and action on scheduling and/or cancellation of the November and December Plan Commission meetings

M. DeYoe noted there were items being submitted for the November Commission meeting, so a meeting date of November 19, 2014 would be appropriate. She stated the decision to cancel the December meeting could be determined at the next Commission meeting.

b. Planner

R. Dupler stated there were single family lots developed as part of the Delafield Woods project. These lots were being purchased and City Staff had been meeting with the property owners to give direction according to the GDP and SIP for the project. The Plan Commission could be reviewing each of these lots as well. He questioned whether the Commission would

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like to do so. Consensus was indicated by the Commission to continue operating in the current manner regarding these lots.

c. Building Inspector

S. Hussinger stated the total number of permits to date was 41 with 2 residential permits and no commercial occupancy permits this month.

8. ADJOURNMENT

There was no further business. M. DeYoe adjourned the Wednesday, October 29, 2014 Plan Commission meeting at 9:30 P.M. by.

Minutes Prepared By:

Accurate Business Communications, Inc.



October 29, 2014

**Sent via email**

City of Delafield  
Plan Commission  
500 Genesee Street  
Delafield, WI 53018

Re: Amended Conditional Use and General Development Plan for Village Square

Dear Members of the Plan Commission:

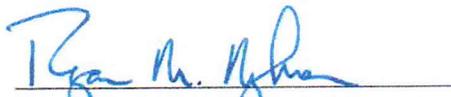
It is my pleasure to write a letter of support for the application of Delafield Investment, LLC, c/o United Properties to amend the conditional use and General Development Plan for the Village Square development.

This is an important project that will benefit the businesses within the Village Square development as well as the community as a whole. The project would bring more residents and shoppers to an important corridor to the City. As a participant in the housing industry, we see the demand for this type of project increasing and expect that it will do well. The proposed use would fit well within the existing development and would likely draw new businesses to the development as the merchandise and service needs of the area would increase.

In conclusion, as a neighbor to the project, we fully support the application to amend the Conditional Use Permit and General Development Plan.

Best regards,

Ixonía Bank

  
Ryan M. Myhre, Legal Counsel

**ROUNDY'S SUPERMARKETS, INC.**

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PO Box 473  
Milwaukee, WI 53201  
414-231-5000

Mr. Jamie Pollock  
Assistant Vice President  
United Properties  
1331 17<sup>th</sup> Street, Suite 604  
Denver, CO 80202

Re: Residential Development

Dear Jamie:

Thank you for sharing the proposed residential development site plans for the Village Square Shopping Center in Delafield. As you know we have been operating a Pick 'n Save in this development since 2007. As a tenant of the shopping center we would like to acknowledge our support for the residential project and hope it will bring additional excitement to the development.

Please feel free to share this letter of support with the City of Delafield.

Very truly yours,

ROUNDY'S SUPERMARKETS, INC.



Dan Farrell  
Vice President of Real Estate