

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Mayor DeYoe called the Wednesday, April 29, 2015 Plan Commission meeting to order at 7:03 P.M.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, April 29, 2015 Plan Commission meeting:

Present

Michele DeYoe, Mayor
Tim Aicher, Ald.
Wayne Dehn
Dan Jashinsky
Meghan Johnson
Jim Reiher
David Simon
Roger Dupler, Planner
Scott Hussinger, Building Inspector
Tom Hafner, City Administrator/ Director of Public Works

Absent

With regard to Public Hearing #1, M. DeYoe explained that as of late in the day, United Properties representatives were agreeable with language in the Settlement Agreement (the Agreement) approved by the Common Council at its last meeting. The Agreement was in executable form that would be reviewed by the City Attorney and would be signed by both parties shortly.

PUBLIC HEARING #1:

General Development Plan

TAX KEY/ADDRESS:

DELC 0733.998.003, Lot 3, Village Square, Delafield, WI

OWNER/APPLICANT:

Heritage/MSP Real Estate Inc.

MATTER:

Applicant seeks consideration to amend the existing General Development Plan to accommodate a Senior Living Facility on 6.42 acres in the Village Square Development.

M. DeYoe opened the Public Hearing at 7:04 P.M.

Milo Pinkerton, of Heritage MSP Real Estate Inc. in Milwaukee, Wisconsin and Isaac Wallace, Dimension IV in Madison, Wisconsin were present and made a video presentation to the Commission. The presentation including information regarding the amenities and construction plans for the Senior Living Facility on 6.42 acres in the Village Square development. M. Pinkerton explained a market study showed Delafield was lacking memory care housing within a five mile radius. The company provided assisted living/ memory care housing in over 20 states. The mission, vision and various amenities of existing properties were noted. I. Wallace explained the proposal included a two-story and three-story building constructed side by side with a connection between the two. The three-story building included 61 units of assisted living style apartments. The two-story building included memory care on the first floor with higher level care on the second floor. Square footage, open space, green space, landscaping and parking associated with the proposed development were reviewed. M. Pinkerton compared the proposed development with a restaurant's use of the property relative to noise, traffic, lighting, jobs, building height and buffering. Seniors were considered to be less noisy, less intensive and would generate less traffic. Softer lighting would be used on the property and the facility would block the high intensity lighting currently in use at Village Square from neighboring properties. There would be approximately 60-70 part-time and full-time jobs created with this development.

The building height was 44 feet to the top of the ridge on the tower. The eaves line on the three-story building was 30 feet high and 20 feet high on the two-story building. Pick N' Save had a ridge line of 35-40 feet. M.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Pinkerton then reviewed other existing locations of Heritage Developments and surrounding housing or commercial development. Results of a traffic study were noted. Seniors driving habits were less than anticipated traffic levels. Various jobs associated with the development were shared. The number of allowable occupants was also shared for this zoning designation. The proposed housing would allow 512 residents; however, approximately 250 residents would reside at this location in 45 independent living units, 43 assisted living units and 46 memory care units.

Jeff Krickhahn, 4506 Vettelson Road, noted there were no plans for this project in the epacket for this meeting. As a result, he assumed little had changed from the proposed development shared two months ago. The development was still too large and the process of approval out of order despite the Settlement Agreement being handled. The driveway should be placed on the north side of the building away from the neighbors to alleviate lighting and noise issues. He also suggested the garage area be moved to the east side of the building to direct all cars, light and noise toward the shopping center rather than the neighboring properties. He also requested the utilities be placed in the basement and additional plantings be placed along the driveway areas. If grading was an issue of concern for the developer, it was up to the developer to make the development fit the property. If the Commission requested the driveway entrance to the north and east, the developer was responsible for doing so prior to approval. He had only seen one proposal from the developer and if it had not changed substantially, it was not the appropriate design for this parcel. He suggested the Commission request the developer to alleviate concerns shared in the April 20, 2015 Common Council meeting prior to approval. This proposed development was larger than the development proposed in 2003 that caused court action and it was important to uphold the motions of the Common Council and protect neighboring property rights.

Bill Restock, 4527 Vettelson Road, shared a property line with the development. He thanked the Commission for asking the developer to provide his presentation prior to taking citizen's comments and distributed a document to all Commissioners that included several reasons to vote against the development proposal. The total square foot maximum had increased according to his calculations and was approximately four times the amount allowed in the Settlement Agreement for this matter. There was an original ban on 24 hour operations on this site and he was concerned this had been removed. The building size restrictions were in place in the Settlement Agreement to avoid having too dense and too large a development. This still remained the case and still made the project incompatible with surrounding land uses. The Comprehensive Plan for the City included a recommendation of 238 multi-housing units added to the City before 2030 and this development would leave approximately 30 units remaining until that time. Issues of incompatibility for past housing requests were compared with the current housing request. All were incompatible. In addition, the City Municipal Code provided guidance regarding compatibility. This proposal was not compatible. Property values would be negatively impacted. The project was too dense and too large. He remained concerned the developer was being accommodated when surrounding properties should be protected.

Bob Borkowski, 4521 Vettelson Road, agreed with the comments made by J. Krickhahn and B. Restock. He was a "senior" and would not choose to live in this development. Statistics were being used to a developer's advantage in the presentation. No restaurant had ever come forward to request locating to this property. There was little difference noted between the location of the parking and driveway locations proposed. They were still oriented toward the neighboring properties and should be moved. Activities of the development, the easement access and driveways should be directed away from the neighboring properties. The development was still incompatible. The lighting should also be changed. He also noted the three-story building that would be located closest to his house included large flat surfaces that would reflect potential noise from snow removal, trash collection, fire and rescue vehicles when they would navigate backwards in that area to turn around. He thought the driveways should be moved and underground parking considered. In addition, the access along the retention pond should be changed to pedestrian only. His house was situated behind the development in the presentations making his house look small; however, if one stood at his house and looked toward the development area, the development seemed very large. In the other Heritage property locations, the development was located across the street from commercial properties or in the midst of commercial

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

areas. In no other instance that he was aware of, was the housing on commercial development. This project remained incompatible for this property and additional design was required. All of the considerations could be dealt with by the developer if requested to do so by the Commission.

Judy Hanson, 4533 Vettelson Road, was located just to the west of the proposed development and had lived there for 44 years. This was the best use of the property in her opinion. She had reviewed the different types of businesses that could be on the property. The proposed development might be bigger than in the past, but included smaller units with quieter residents that would have less travel at night. All property owners had purchased their land with the understanding of the zoning in which they lived. She heard very little of the traffic in the current Village Square development and didn't believe it caused issues with noise or lights. While some areas were too bright, the bright lighting also brought security to the area. The Common Council and Commission would oversee the project and changes could be recommended for adjustment. The Common Council had amended the Settlement Agreement and it now fit the property. This proposal was the best use of the property.

Hearing no further comments, M. DeYoe closed the Public Hearing at 7:54 P.M.

PUBLIC HEARING #2: **Ordinance Section 17.20**
OWNER/APPLICANT: **City of Delafield**

MATTER: The City seeks consideration to repeal and recreate Section 17.20 of the municipal code of the City of Delafield, regarding Navigable Water Frontage and Access Restrictions.

M. DeYoe opened the Public Hearing at 7:54 P.M.

R. Dupler explained the recreation of Section 17.20 of the municipal code of the City of Delafield regarding navigable water frontage and access restrictions was being reviewed due to apparent miscommunication or misinterpretation of current ordinances. The proposed text amendments would alleviate concern of misinterpretation in the future. The language presented had been reviewed by the City Attorney.

Kent Attwell, 2816 Ridley Rd., questioned the special exception noted and requested clarification be provided during the discussion of this item on the agenda.

Hearing no further comments, M. DeYoe closed the Public Hearing at 7:56 P.M.

1. Approve Plan Commission meeting minutes of March 25, 2015 meeting.

Hearing no corrections, the March 25, 2015 Plan Commission meeting minutes were approved.

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

Jeff Krickhahn, 4506 Vettelson Road, stated he had worked at a body shop in Pewaukee for several years located across from a residential area. He had never received any complaints regarding the noise emanating from this type of activity. The sanding and grinding that took place in a body shop would not be able to be heard from the property lines and if so, would not last very long because that operation did not occur in a lengthy manner. In addition, the DNR required strict controls and reporting on the types of fluid products used. He would welcome a body shop across the street from his property.

There were no objections from the Commission; therefore, M. DeYoe stated Citizen's Comments were closed.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

3. Consent Agenda

M. DeYoe requested Items 3b and 3f be removed from the Consent Agenda for discussion. T. Aicher requested Item 3a be removed for discussion.

Hearing no further objections, Consent Agenda Items 3c -3e and 3g-3k were approved.

- a. **DEL C 0787.076, 601 Milwaukee Street, Delafield. Owner: TNJSS Investments. Applicant: Cesar Soto Deanda.** Applicant seeks approval for permanent sign replacement for Mazatlan Mexican Restaurant.

T. Aicher clarified one of the signs would be removed.

T. AICHER MOVED TO APPROVE A REQUEST FOR PERMANENT SIGN REPLACEMENT FOR MAZATLAN MEXICAN RESTAURANT, DELC 0787.076, 601 MILWAUKEE STREET, DELAFIELD, OWNER: TNJSS INVESTMENTS. APPLICANT: CESAR SOTO DEANDA. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DEL C 0794.013, 24 Enterprise Road, Unit A, Delafield. Owner: Rick Goldberg. Applicant: Jeff Winkler.** Applicant seeks approval of a Business Plan of Operation for an auto body repair shop named Pewaukee/Delafield Auto Body. Hours of Operation: Monday through Friday, 9 a.m. to 9 p.m., Saturday, 9 a.m. to 6 p.m., with two full time employees.

M. DeYoe explained there were two automotive businesses on Enterprise Road. City staff had received complaints regarding noise in this area. She requested the applicants operating on this roadway would be respectful in the future to bordering residential properties and keep business operations indoors.

M. DEYOE MOVED TO APPROVE A BUSINESS PLAN OF OPERATION FOR AN AUTO BODY REPAIR SHOP NAMED PEWAUKEE/DELAFIELD AUTO BODY. HOURS OF OPERATION: MONDAY THROUGH FRIDAY, 9 A.M. TO 9 P.M., SATURDAY, 9 A.M. TO 6 P.M., WITH TWO FULL TIME EMPLOYEES FOR DELC 0794.013, 24 ENTERPRISE ROAD, UNIT A, DELAFIELD, OWNER: RICK GOLDBERG, APPLICANT: JEFF WINKLER. M. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **DEL C 0736.988.001, at the intersection of Campbell Trace and STH 83, Hartland. Owner: CELA Holdings, LLC. Applicant: Andrew & Suzanne Dauer.** Applicant seeks approval of a Temporary Business Plan of Operation for a sweet corn stand. Hours of Operation are July 1 through September 30, Sunday through Saturday, 8 a.m. to 7 p.m., with one employee.

- d. **DEL C 0742.999, W11 East Wisconsin Avenue, Nashotah. Owner: Richard Gardner. Applicant Mark Carlson, MCC Enterprises, d/b/a Badgerland Painting.** Applicant seeks approval of a Business Plan of Operation for a contracting business named Badgerland Painting. Hours of Operation: Monday through Sunday, 6:30 a.m. to 9:00 p.m., with three part-time employees and five full-time employees.

- e. **DEL C 0787.075, 810 Genesee Street, Delafield. Owner: Michael Graf. Applicant: Melissa Egan.** Applicant seeks approval of a Business Plan of Operation and a permanent sign for a spa named Glow Day Spa. Hours of Operation: Monday through Friday, 9 a.m. to 9 p.m., Saturday, 9 a.m. to 9 p.m., with one full-time employee.

- f. **DEL C 0794.013, 24 Enterprise Road, Unit D, Delafield. Owner: Rick Goldberg. Applicant: Robert Gralton,** Applicant seeks approval of a Business Plan of Operation for a Metal

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

fabrication business named Autofab and Supply, LLC. Hours of Operation: Sunday through Saturday, 8 a.m. to 6 p.m., with one full time employee.

M. DEYOE MOVED TO APPROVE A BUSINESS PLAN OF OPERATION FOR A METAL FABRICATION BUSINESS NAMED AUTOFAB AND SUPPLY, LLC. HOURS OF OPERATION: SUNDAY THROUGH SATURDAY, 8 A.M. TO 6 P.M., WITH ONE FULL TIME EMPLOYEE FOR DELC 0794.013, 24 ENTERPRISE ROAD, UNIT D, DELAFIELD, OWNER: RICK GOLDBERG, APPLICANT: ROBERT GRALTON. M. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- g. **DELC 0787.074, 814 Genesee Street, Delafield. Owner: Michael Graf. Applicant: Stephanie Crouse.** Applicant seeks approval of a Business Plan of Operation and signage for a specialty retail shop named Bark and Beg Boutique. Hours of Operation: Sunday – Saturday 8 a.m. to 8 p.m., with one full-time and 1 part-time employee.
- h. **DELC0803.988.004, 2566 Sun Valley Drive, Delafield. Owner: Gary Storts. Applicant: Choo Ng.** Applicant seeks approval of a Business Plan of Operation and Signage for a Restaurant named Grill Junkies. Hours of Operation are 6 a.m. to 9 p.m. Sunday through Thursday, 6 a.m. to 10 p.m. Fridays and Saturdays, with 3 full-time and 3 part-time employees.
- i. **DELC 0787.074 – 0787.075, 810-814 Genesee Street, Delafield. Owner/Applicant: Mike Graf and Jean Mulvaney.** Applicant seeks approval of a Site Plan and Appearance Review to change the color of a fence.
- j. **DELC 0793.001.001, 415 South Genesee Street, Delafield. Owner: 415 South Genesee Street, LLC. Applicant: Delafield Hotel, LLC.** Applicant seeks approval of an Amended Business Plan of Operation as to business name and owner, amending from 616 Hotel, LLC and 616 Hospitality Group, LLC to 415 South Genesee Street, LLC.
- k. **DELC 0793.001.001, 415 South Genesee Street, Delafield. Owner: 415 South Genesee Street, LLC. Applicant: I.D. Delafield, LLC.** Applicant seeks approval of an Amended Business Plan of Operation as to business name and owner, amending from 616 Hotel, LLC and 616 Hospitality Group, LLC to 415 South Genesee Street, LLC.

M. DeYoe recessed and reconvened the meeting at 8:03 P.M.

4. Unfinished Business

- a. **DELC 0733.998.003, Lot 3, Delafield. Owner/Applicant: Heritage/MSP Real Estate Inc.** Applicant seeks consideration to amend the existing General Development Plan to accommodate a Senior Living Facility on 6.42 acres in the Village Square Development, and recommendation to Common Council of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Amended General Development Plan - MSP returns to the Plan Commission this month with a General Development Plan proposal that has been placed on hold, waiting for the property owner and the City to come to terms on potential revisions to the existing Settlement Agreement. At the April 20, 2015 City Council meeting changes to the agreement were approved to afford this Heritage MSP proposal to proceed.

Changes unique to this proposed development are as follows:

- *The Heritage development shall be limited to 125,000 sf of building area. The proposed building area is 123,169 sf.*
- *The Heritage building footprint shall not exceed 50,000 sf. The proposed building footprint is 48,833 sf.*

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- *The six street lights from Vettelson Road northward into the development will be shut-off or placed on a timer so as to curtail the light shed.*
- *The approved use for the Heritage site will be "Senior and/or Assisted Living".*

MSP is a developer of Elderly Care Facilities that provides alternative living environments for seniors and assisted living residents. MSP is proposing to create 124 living units on the west portion of the Village Square development. Specific market data has been submitted for Plan Commission consideration and justification of this type of use. The projections justify an underserved population and warrant this type of development in response. The City of Delafield may consider this development to be a community asset. The subject parcel will require a Certified Survey Map to reshape the parcel boundary to conform to the proposed development boundary. The CSM will require an access easement for the west driveway that overlaps into the Village Square common area near the detention pond and a shared parking agreement to accommodate additional parking in the main body off the development parking lot.

The development plan has been tailored to satisfy the City's R-7-EH bulk regulations. The new site plan exhibits a lot of 195,046 sf. The 124 unit facility requires a minimum lot area of 160,250 sf. The mandatory open space requirement is 62,000 sf; the proposed plan offers 146,000 sf. Required green space is 68,266 sf, the proposed plan exhibits 94,773 sf. All setbacks of the R-7-EH district are respected. All of the geometric and density standards of the district, based on type of unit and bedroom count, are met. The proposed development will require one deviation from ordinance requirements; the ordinance limits each building to 60 units, the concept presents 124 units in two buildings. Flexibility to consider this variance is allowed in the Planned Development regulations. The 124 unit facility requires 186 parking spaces. Parking is accommodated with 56 underground resident spaces, 33 surface parking spaces are accommodated at the main entrance, south and west sides of the building. An additional 33 landbanked parking spaces are accommodated on the south and west sides of the building and 38 shared spaces are proposed in the main Village Square parking lot. The developer has submitted information to compare. The parking ratio for three other sites ranges from .76 to .99 stalls per unit. The ratio proposed for Delafield is .93 stall per unit. However, assuming that the highest demand for parking, other than staff, is the independent living units. In comparison to the other Heritage developments Delafield has the lowest percent of independent living units, 36%. The ratio of independent living units for the other three Heritage sites range from 38% to 80%. It may therefore be assumed that the proposed 115 parking stalls will be sufficient for the proposed unit count. The proposed landbank parking and shared parking agreement with the Village Square should still be realized; in the future the Heritage operation could potentially change the ratio of living units and the code required parking stalls must be secured at this time. In regard to the site plan and parking lot design the Plan Commission may wish to consider converting all of the parking on the south side of the building to landbank parking and construct the parking spaces on the west side of the building to full capacity. Such a revision would further augment the green space separation from adjoining properties.

Landscaping of the Heritage development has addressed concerns for screening and amelioration of the proposed building. Augmentation of the south property line buffer has produced a desirable and ample separation. The Plan Commission may wish to request that proposed landscape material placed along the east edge of the neighboring residential lot be relocated to the north edge of the southern open space. This element will be consistent with the Village Square overall landscape concept approved many years ago. In addition this revision will provide a visual screen to the potential landbanked parking in near proximity. The Plan Commission may also wish to request evergreen material on the north side of the three story building to buffer the architectural exposure from Hwy 16. The building architecture and

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

*materials conform to the code requirements; share with the applicant any opinions regarding aesthetics. **Recommendation: Consider the input of the public hearing and the following items: Relocation of the south landbanked parking, additional and relocated landscaping, comments from the Engineer's review letter, and the proposed variance to exceed 60 units per building.***

R. Dupler explained the Commission was now able to consider the proposed development so that it would satisfy and conform to the Settlement Agreement. This ability would secure the right to a two-step process through general development plan (GDP) consideration and then specific implementation plan (SIP) consideration. Between those two processes, the developer was encouraged to go to the Public Works Committee to be consistent with ordinance requirements prior to SIP consideration. The presentation made by the developers was considered thorough and covered empirical information regarding size, setbacks, square footage, densities, and height. All areas were in accordance except the issue of being four units over the total allowable number of units per building for the development. The Building Inspector considered the two buildings as independent buildings with sufficient separation; however, overall were considered one full building for the development. The market data indicated a need in the community. The traffic engineers suggested the most recent analysis was updated and the traffic would likely be less than projections. The last analysis did not include the open space east of the facility that would now be commercial property. This would be determined prior to the SIP consideration process. A certified survey map (CSM) would be required at that time and should include a driveway easement to gain access to the peripheral road near the retention pond. This would also be handled prior to the SIP process. These items were not the responsibility of the developer in this matter. Issues regarding landbanked parking were noted in the Staff Report and would be included in the SIP process. Parking was considered adequate for the anticipated and actual needs of the facility.

R. Dupler suggested additional landscaping be added on the northerly side of the parcel and also that the landscaping be moved to parallel the south face of the building in the proposal. All areas were in conformance other than those noted. He reviewed the compatibility questions noted in Mr. Restock's letter earlier in the evening, noting there was adequate separation from the neighbors with residential use occurring next to residential use, no anticipated problems were created for fire and police protection, traffic movements and controls were not impacted, the municipal water, sanitary, and utilities systems was not impacted and there would be no noise, dust, smoke or odors associated with this development. Property values for the neighboring commercially zoned properties would likely increase.

Discussion and clarification was provided regarding the developer's inability to move the parking to the opposite side of the development due to grading issues that would cause a cascade effect of other issues that would negatively impact height, size and function of the facility as well as providing challenges to maintaining banked parking and substantial retaining wall construction that would impact the navigability of the traffic flows. M. Pinkerton explained the alignment of the current streets with the facility would become impractical if the building were to be shifted in the manner being proposed.

Discussion further ensued regarding the landscaping on the parcel ending in "003" for the property. Additional evergreens would be added to the north side of the building. With regard to the excess units, M. Pinkerton explained that the buildings could not be "shrunk" in the manner that would seem obvious for this number of units. There would be significant negative residential impacts in revenue, size of units, functionality and privacy that would impact the residential living in a negative manner. M. DeYoe noted the lighting would be modified on the

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

overall Village Square site as outlined in the Staff Report with an entrance light at the intersection tentatively remaining turned on.

T. Aicher stated the conversations regarding compatibility with the surrounding areas served all well in the discussions of this development as it could put a buffer in place between residential and commercial property. The comparison to the 2030 Smart Growth Comprehensive Plan could be construed many ways. The majority of the goals did fit regarding this development. Senior housing was a type of community asset. It was important to serve and maintain all types of housing.

W. DEHN MOVED TO APPROVE AN AMENDMENT TO THE EXISTING GENERAL DEVELOPMENT PLAN FOR DELC 0733.998.003, LOT 3, DELAFIELD, OWNER/APPLICANT: HERITAGE/MSP REAL ESTATE INC. TO ACCOMMODATE A SENIOR LIVING FACILITY ON 6.42 ACRES IN THE VILLAGE SQUARE DEVELOPMENT SUBJECT TO THE RECOMMENDATIONS OF STAFF INCLUDING ADDITIONAL AND RELOCATED LANDSCAPING, THE VARIATION OF FOUR ADDITIONAL UNITS OVER THE ALLOWED 60 UNITS PER BUILDING, AND SUBJECT TO REVIEW AND RECOMMENDATIONS BY THE PUBLIC WORKS COMMITTEE AS WELL AS RESOLUTION OF ITEMS ON ENGINEERING REVIEW LETTER DATED APRIL 23, 2015 AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. New Business

- a. **DELC 0790.017 and DELC 0790.018, 304 and 306 Fieldstone, Delafield. Owner: Christine Arnold. Applicant: Timothy Turnock.** Applicant seeks approval of a Certified Survey Map to exchange property between two adjacent residential lots and recommend to City Council of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Certified Survey Map - The proposed land swap will transfer property from one adjacent land owner to the other. The resulting lot configurations for both lots remain consistent with the district regulations. Technical items to be addressed are listed in the Surveyors review letter of April 22, 2015. The item of greatest impact is the necessity for a drainage easement on the property. Existing topography of Fieldstone Road drains to a depression on the common lot line between these two lots. The City Engineer recommends preservation of this natural infiltration basin. **Recommendation: Approval and recommendation to the City Council, contingent upon resolution of the technical items in the April 22, 2015 surveyor's review letter.**

R. Dupler corrected the date on the Surveyor's review letter to April 23, 2015.

D. JASHINSKY MOVED TO APPROVE A CERTIFIED SURVEY MAP TO EXCHANGE PROPERTY BETWEEN TWO ADJACENT RESIDENTIAL LOTS DELC 0790.017 AND DELC 0790.018, 304 AND 306 FIELDSTONE, DELAFIELD OWNER: CHRISTINE ARNOLD. APPLICANT: TIMOTHY TURNOCK, CONTINGENT UPON RESOLUTION OF THE TECHNICAL ITEMS IN THE APRIL 23, 2015 SURVEYOR'S REVIEW LETTER AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. T. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- b. **DEL0748.998.002, 2565 Genesee St., Delafield. Owner: Delafield Congregation of Jehovah's Witnesses. Applicant: Tim Seidel.** Applicant seeks consideration of a new monument sign, an amended conditional use site plan, and request to set date for public hearing.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Signage, Amended Site Plan and Conditional Use. *The Church wishes to improve their property with a new monument sign. The property is governed by a conditional use permit and as such a public hearing must be conducted prior to Plan Commission action. The monument sign conforms to the bulk requirements of the district for size and location. The sign will be surface lit by ground spot lights. The new site plan will be an addendum to the conditional use permit. At this time the Plan Commission may also request that the existing conditional use document be updated to the current format. **Recommendation: Share with the petitioner any comments or concerns, schedule a public hearing accordingly.***

Tim Seidel, 530 Cimarron Court, Wales, Wisconsin, noted the only thing new on the sign is verbiage referring people to "www.jw.org."

T. AICHER MOVED TO SCHEDULE A PUBLIC HEARING IN MAY FOR CONSIDERATION OF A NEW MONUMENT SIGN, AN AMENDED CONDITIONAL USE SITE PLAN FOR DELC0748.998.002, 2565 GENESEE ST., DELAFIELD, OWNER: DELAFIELD CONGREGATION OF JEHOVAH'S WITNESSES. APPLICANT: TIM SEIDEL. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **DEL0755.964, 2515 Nagawicka Road, Hartland. Owner/Applicant: Douglas and Renee Saloga.** Applicant seeks approval on recommendation from the Lake Welfare Committee for a boathouse.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Boathouse *The lakeside property is on the east shore of Zastrow Bay. An existing boathouse will be razed and replaced with a new structure on the same location. The proposed architecture is complimentary with the residence. This petition was recommended to the Plan Commission by the Lake Welfare Committee with a request for two additional items; specifications for the rain garden specifications and for down lighting. The rain garden will conform to the ordinance plant list and the downlights will be confirmed by the Building Inspector at the time of permit issuance. **Recommendation: Approval, contingent upon staff approval of the lighting specification.***

T. AICHER MOVED TO APPROVE THE RECOMMENDATION FROM THE LAKE WELFARE COMMITTEE FOR A BOATHOUSE FOR DELC 0755.964, 2515 NAGAWICKA ROAD, HARTLAND, OWNER/APPLICANT: DOUGLAS AND RENEE SALOGA. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **DELC 0797.153, 627 Sanctuary Drive, Delafield. Owner: James and Lori Wood. Applicant: Kathlene A. O'Neil.** Applicant seeks approval for a retaining wall on a residential lot that exceeds 3' height and obstructs the front yard setback.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Retaining Wall *The Wood residence is a newly constructed home in the Sanctuary of Delafield. Due to extreme slopes a retaining wall is necessitated along the east side of the front yard; extending from the front elevation of the house toward the street. . In order to gain access to the front door while preserving access along the east side of the building a retaining wall height of five feet is proposed. The proposed*

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

*configuration exceeds three feet in height and extends into the front yard setback which requires Plan Commission approval. Ordinance 17.14(6)(d) provides standards for Plan Commission consideration. Due to the excessive height a pedestrian rail must be installed at the top of the wall where the wall height exceeds 30". In addition to the geometric requirements of the wall placement it also overlaps a stormwater culvert. Bridging the culvert is an acceptable method of crossing the utility. The proposed bridging transfers the weight of the wall to foundations that flank each side of the existing culvert and protects against crushing. Three bridges will be employed on site where the retaining walls conflict with the underground culvert. The City Engineer has reviewed the proposed detail and recommends a Structural Engineer sign and seal the plans. The selected wall material is very complimentary to the house architecture and will be further improved with plant materials to soften the impact of the wall. **Recommendation: Approval contingent upon a Structural Engineer stamped drawing and a railing installed atop the wall.***

R. Dupler explained many lots in this area were designed to have specific footprints, however, the developer that designed them no longer constructed the buildings, so many custom homes were struggling with landscaping and elevations. The railing was the only non-compliant item remaining as the structural engineer had provided a stamped drawing.

T. AICHER MOVED TO APPROVE A REQUEST FOR A RETAINING WALL ON A RESIDENTIAL LOT THAT EXCEEDS 3' HEIGHT AND OBSTRUCTS THE FRONT YARD SETBACK FOR DELC 0797.153, 627 SANCTUARY DRIVE, DELAFIELD. OWNER: JAMES AND LORI WOOD. APPLICANT: KATHLENE A. O'NEIL, CONTINGENT UPON THE RECOMMENDATIONS NOTED IN THE STAFF REPORT. M. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. **DELC 0756.996.003. 3041 Oakwood Road, Hartland. Owner: Oakwood Church. Applicant: Kenneth Kureck** Applicant seeks consideration of an accessory building to be constructed on the church campus, an amended conditional use site plan, and request to set date for public hearing.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Accessory Building, Amended Site Plan and Conditional Use *The Church wishes to erect an accessory building for the storage of maintenance equipment and materials as well as a covered gathering space for outdoor activities and a future restroom. The Church is governed by a conditional use and a public hearing must be conducted prior to any Plan Commission action. The structure is 1,632 sf, one third of the coverage is an overhead pavilion for recreational use. It should be noted that the P-1 district does not have a limitation on accessory buildings. As proposed, the accessory building would conform to the limitations listed in 17.38(10) for residential accessory structures. The color and materials are compatible with the Church building and the location is reasonable placed in the center of their 35 acre parcel. **Recommendation: Share any comments or concerns with the applicant, schedule a public hearing accordingly.***

T. AICHER MOVED TO SET A PUBLIC HEARING ON THE NEXT AVAILABLE DATE FOR CONSIDERATION OF AN ACCESSORY BUILDING TO BE CONSTRUCTED ON THE CHURCH CAMPUS, AN AMENDED CONDITIONAL USE SITE PLAN, AND REQUEST TO SET DATE FOR PUBLIC HEARING FOR DELC 0756.996.003. 3041 OAKWOOD ROAD, HARTLAND. OWNER: OAKWOOD CHURCH. APPLICANT: KENNETH KURECK. M. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- f. **DELC 0793.014.003 505A Wells Street, Delafield. Owner: Steiner Group. Applicant: Karen Salituro.** Applicant seeks approval of new signage and building color change.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Appearance Review *The Paint Bar wishes to modify their signage. The proposed program presents a round identity sign and five rectangular color panels on the building façade. The color panels qualify as signage in that they fit the definition in 17.24. In total, these elements create 37.04 sf of signage. The building façade is allowed 93.6 sf based on the street frontage. The property is in the Downtown Delafield Design District where a limit for a single sign is 25 sf, there is no limit to the number of signs. In addition the colors must conform to the Historic Color Palette. The sign concept is unorthodox, but well-presented and may be considered an aesthetic element to the building. The Plan Commission may note that this sign may be used as a precedent for other similar presentations. **Recommendation: Approval contingent upon staff approval of selected historic colors.***

R. Dupler explained this request warranted discussion of what constituted signage review by staff and by the Commission. The accents proposed would currently constitute signage as it was designed to draw attention to a business; however, it could have a similar look using paint that might not be considered signage. Discussion ensued regarding the approval processes required for signage and architectural amelioration. Colors requested were allowed as part of the historic color palette.

Karen Salituro, applicant, explained she was having an issue with her business being able to find an identity within the building because of the way the current tenants had been allowed to place signage on the building. The asymmetrical signage proposed would give balance and would run a band around the building as an identifier to give ownership and location.

Consensus was indicated by the Commission for considering the proposed signage as such.

T. AICHER MOVED TO APPROVE NEW SIGNAGE AND BUILDING COLOR CHANGE FOR DELC 0793.014.003 505A WELLS STREET, DELAFIELD. OWNER: STEINER GROUP. APPLICANT: KAREN SALITURO. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. Zoning and Ordinance Revision

- a. Discussion and action on Ordinance Section 17.20 and recommendation to the Common Council of the same.

Clarification was provided regarding the exception noted earlier in Public Hearing #2 in the meeting.

T. AICHER MOVED TO APPROVE ORDINANCE SECTION 17.20 AS PRESENTED AND RECOMMEND TO THE COMMON COUNCIL THE SAME. M. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. Discussion regarding Ordinance Chapter 17, multiple sections and set date for public hearing.

R. Dupler noted this issue required discussion pertaining to Accessory Buildings at the request of the Building Inspector. S. Hussinger explained currently there was no limit to the number of accessory buildings permitted in residential districts, only size limitations. He suggested the

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

language be changed to include verbiage that noted all residential properties were entitled to one 240 square foot accessory building structure and one 1,200 square foot detached garage on three acres or less. This worked for most properties in the City; however, there were instances where additional structures could and should be allowed on the property that differed from the current ordinance. Discussion ensued. Concern was expressed regarding having an unlimited number of buildings and having additional site plan review applications unnecessarily as a result. Potential language could be drafted and provided to the Commission at the next meeting.

W. DEHN MOVED TO SCHEDULE A PUBLIC HEARING FOR ORDINANCE CHAPTER 17. T. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. Reports of City Officials:

a. Clerk

1. Plan Commission Meeting Dates & Deadlines

a. May 27 (Meeting); May 13 (Reg. Deadline); April 29 (PH Deadline)

b. Correspondence-Letter from Judith Hansen regarding Public Hearing on Heritage/MSP Real Estate, Inc.

b. Planner

Information regarding fire inspections would be provided each month in the epacket for each Commission meeting.

c. Building Inspector

S. Hussinger stated the total number of permits to date was 35 with three residential permit and two commercial occupancy permits this month.

8. ADJOURNMENT

There was no further business; therefore, the Wednesday, April 29, 2015 Plan Commission meeting adjourned at 9:37 P.M.

Minutes Prepared By:

Accurate Business Communications, Inc.