

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Mayor DeYoe called the Wednesday, August 26, 2015 Plan Commission meeting to order at 7:00 P.M.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, August 26, 2015 Plan Commission meeting:

Present

Absent

- Michele DeYoe, Mayor
- Tim Aicher, Ald.
- Wayne Dehn
- Dave Greenway
- Dan Jashinsky
- Meghan Johnson
- Jim Reiher
- David Simon
- Roger Dupler, Planner
- Scott Hussinger, Building Inspector

PUBLIC HEARING #1: **Amended Sign Program – Conditional Use Permit**
TAX KEY/ADDRESS: **DEL0804.999.002, DEL0804.999.004, DEL0804.999.006 and**
DEL0804.999.007. Nagawaukee Shopping Center 3141 Golf Road,
Delafield, WI.

OWNER/APPLICANT: **Owners: Ramco-Gershenson Properties LP, Delafield Partners LLC,**
Waukesha State Bank. Applicant: Innovative Signs

MATTER: **Applicant seeks approval an Amended Sign Program to allow green signs**
in the multi-tenant sign program.

M. DeYoe opened the Public Hearing at 7:01PM. The applicant was not present and no one wished to speak at this Public Hearing. Hearing no further comments, M. DeYoe closed the Public Hearing at 7:02PM.

PUBLIC HEARING #2: **Amended Landscape and Tree Mitigation Plan – Conditional Use Permit**
TAX KEY/ADDRESS: **DEL0798.170. 828 Division Street, Delafield, WI.**
OWNER/APPLICANT: **Owner: Delafield Woods Land Corporation. Applicant: Joe McCormick.**
MATTER: **Applicant seeks approval an Amended Landscape and Tree Mitigation Plan for**
Delafield Woods Planned Development.

M. DeYoe opened the Public Hearing at 7:01PM.

Dave Gesvain, Property Manager of Delafield Lakes and Delafield Woods Apartments, was present as representative for the applicant to answer any questions.

Hearing no further comments, M. DeYoe closed the Public Hearing at 7:03PM.

1. Approve Plan Commission meeting minutes of July 29, 2015 meeting.
 Hearing no corrections, the July 29, 2015 Plan Commission meeting minutes were approved.
2. City of Delafield Citizen’s Comments pertaining to subjects on this agenda.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

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

3. Consent Agenda

- a. **DELIC 0802.997, 1760 Milwaukee Street, Delafield. Owner/Applicant Vico Marine Inc, William Gridley.** Applicant seeks approval of a Business Plan of Operation, building color, and signage, for a marine equipment business office. Hours of Operation: weekdays 8:00 AM to 10:00 PM, Saturday 8:00 AM to 5:00 PM, 4 full-time and 1 part-time employees.
- b. **DELIC 0781.995, 2800 Oakwood Road, Hartland. Owner/Applicant: Carol and Scott Matton.** Owner seeks approval of a Business Plan of Operation and signage for Knollwood Farm an equestrian training and riding school. Hours of Operation: weekdays 7:00 AM to 10:00 PM, Saturday and Sunday 6:00 AM to 10:00 PM, 5 full-time and 4 part-time employees.
- c. **DELIC 0794.014, 78 Enterprise Road, Delafield. Owner: RG Cushing Park LLC. Applicant: B&K Electric Inc, John Barnhart.** Applicant seeks approval of a Business Plan of Operation for B&K Electric Inc, an electrical supply warehouse. Hours of Operation: 6:00 AM to 8:00 PM all days of the week. 4 full-time employees.
- d. **DELIC 0787.018, 615 Milwaukee Street, Delafield. Owner: Tom Kelly. Applicant Sara Mehring.** Applicant seeks approval of a sign for Nourishing Wellness, a health food and supply business.
- e. **DELIC 0798-966, 418 Genesee Street, Delafield. Owner: VT Properties, Inc. Applicant:Lynn Morrison.** Applicant seeks approval of an amended Business Plan of Operation for Ellenbee, Inc, relocating from 613 Milwaukee Street. Hours of Operation and employees are unchanged.

Hearing no objections, the Consent Agenda Items 3b-3e were approved as presented.

Item 3a was removed from the Consent Agenda for further discussion and review. Concern was expressed regarding lit signage on the property and reflection onto the lake. Efforts had been made in the past to shield light from the lake and restriction of lighting seemed appropriate in this location.

AICHER MOVED TO APPROVE THE BUSINESS PLAN OF OPERATION, BUILDING COLOR, AND SIGNAGE, FOR A MARINE EQUIPMENT BUSINESS OFFICE WITH LIGHTING TO BE ILLUMINATED NO LATER THAN 10:00PM AND NOT BEFORE 8:00AM. FOR DELIC 0802.997, 1760 MILWAUKEE STREET, DELAFIELD, OWNER/APPLICANT: VICO MARINE INC, WILLIAM GRIDLEY. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Bill Gridley, applicant, noted that the motion seemed fair; however, all should be aware the sign would have a glow due to the back lit letters but no illumination other than the letters. Occasionally, deliveries were made as early as 6:00A.M. For this reason, it would be helpful to have lit signage early in the morning. Discussion ensued. It was clarified that the application included an 8:00AM start time for the business.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

4. Unfinished Business – None.

- a. **DEL C 0804.999.002, DEL C 0804.999.004, DEL C 0804.999.006 and DEL C 0804.999.007. Nagawaukee Shopping Center 3141 Golf Road, Delafield. Owner: Ramco-Gershenson Properties LP, Delafield Partners LLC, Waukesha State Bank. Applicant: Innovative Signs** Applicant seeks approval for an Amended Sign Program to allow green signs in the multi-tenant sign program and recommend to the Common Council of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Amended Sign Program: The shopping center wishes to modify their multi-tenant sign program. It was approved as a Planned Development and as part of the architectural approval the current sign program was adopted. All signs throughout the development are red except for Kohl's (white), and Sentry Foods (black). These signs were red until recently when the tenants petitioned to allow for individualization of the anchor tenants. At this time the property owner wishes to amend the original color scheme and allow green signage for tenants in addition to the existing red, white and black. It is also requested to allow green signage in the existing monument signs. Recommendation: This request may be considered purely on aesthetics. The shopping center is successful and has not demonstrated any disadvantage imposed by the current red sign restriction. The Plan Commission may consider allowing green signage if the uniform appearance is no longer desired. Regardless of the building signage the monument signs should not compromise the existing uniform appearance and should retain red letters on white background to be consistent with the other monument signs in the commercial development. A motion for approval, approval with conditions, or denial should reference the items on the Conditional Use Review, Determination, and Approval worksheet.

Dupler explained the applicant had indicated someone would be present and that additional changes to the application were being pursued. Because no applicant was present, no discussion would take place at this time.

- b. **DEL C 0798.170. 828 Division Street, Delafield. Owner: Delafield Woods Land Corporation. Applicant: Joe McCormick.** Applicant seeks approval an Amended Landscape and Tree Mitigation Plan for Delafield Woods Planned Development.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Amended Conditional Use: Delafield Woods returns to the Plan Commission this month for consideration to amend the approved Landscape Plan and the Tree Mitigation Plan. Through the course of construction on-site changes to preserve existing trees and the addition of plant materials have been implemented but not properly submitted for approval. To date an additional 85.5 caliper inches of trees have been installed and 90 caliper inches of existing trees that were slated for removal have been maintained. The net result decreases the tree mitigation quantity to 302 caliper inches, see the July 7, 2015 memo in the packet for the breakdown. Recommendation: Approval, recommend to City Council for concurrence. A motion for approval, approval with conditions, or denial should reference the items on the Conditional Use Review, Determination, and Approval worksheet.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Dupler explained the history behind this request. Overall the tree mitigation requirement had been reduced and amendments to the landscape plan requested. Information had been provided in the epacket for this meeting that explained the calculations. The developer would still be responsible for 302 caliper inches satisfied by planting on the site with a revised landscape plan or satisfaction through cash payment to the City to have trees planted elsewhere in the City by working with the Tree Board. Dupler noted there was little room on the site for any additional planting to take place.

AICHER MOVED TO ACCEPT THE AMENDED LANDSCAPE AND TREE MITIGATION PLAN FOR DELAFIELD WOODS PLANNED DEVELOPMENT AS PRESENTED WITH MITIGATION OPEN FOR 302 CALIPER INCHES BEING RESOLVED VIA PAYMENT TO THE CITY AND RECOMMEND TO THE COMMON COUNCIL THE SAME. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. New Business

- a. **DELIC 0743.999.002, 40 Nashotah Road, Nashotah. Owner/Applicant: Tim Neubert.**
Applicant seeks approval of a site plan to erect an accessory building.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: *Accessory Building: The Neubert property is a 5.38 acre parcel in the A-1 Agricultural district. The home site is a residential parcel and does not exhibit any agricultural uses. The property already contains two accessory buildings; a detached garage of 1200sf, and a utility building of 240sf. As an agriculturally zoned parcel there is no limit to the number of accessory buildings if they are associated with agricultural use, 17.39(2)(b)4. In this instance 17.39(2)(c) references Section 17.38 for accessory uses. Section 17.38(1) accommodates the existing 1200sf garage, limit one. Section 17.38(3) accommodates the 240sf utility building, limit one. The property already contains the maximum amount of accessory structures permitted for a residentially zoned property, however this property is zoned A-1. Section 17.38(10)(a)(2) permits the additional building if the use is customarily incidental to the primary use of the property. This issue was discussed during the zoning ordinance codification consideration, the result of that deliberation determined that in these instances the building inspector would not issue a permit for additional structures, but rather recommend such petitions to the Plan Commission for site plan approval. The building satisfies the setbacks, height limits and materials match the other outbuildings. **Recommendation: Approval. The building may be permitted since it is incidental to the primary use.***

Tim Neubert, 40 Nashotah Road, explained the location and shape of his lot, noting there was an existing outbuilding structure on the property that had previously been used to house dogs. As such, the dimensions were approximately 20 feet by 60 feet and would not house any of the equipment necessary for maintaining his half-mile driveway including a plow truck, "bobcat" for snow removal and landscaping as well as other tools, trailers, and lawn mowers for his property. The building was 1,200 sf in size; however, he was still required to park his truck outside because it wouldn't fit in the building. The location of the proposed building was shown in photos as well as the adjacent neighbor's property with a buffer between them comprised of underbrush. The proposed building would be 36 feet by 55 feet with a total of 1,850 sf.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Dupler reminded Commissioners of the agricultural zoning designation for this property which had no limit on outbuildings. The request conformed to all zoning requirements. Commissioners noted the building was not being used for anything other than personal use and the old building would remain because removal was cost prohibitive.

JASHINSKY MOVED TO APPROVE A SITE PLAN AS PRESENTED TO ERECT AN ACCESSORY BUILDING FOR DELC 0743.999.002, 40 NASHOTAH ROAD, NASHOTAH. OWNER/APPLICANT: TIM NEUBERT. REIHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0624.001.002, 34266 Valley Road, Delafield. Owner: Mike Michaels. Applicant: Architectural Homes by Anders Inc.** Applicant seeks preliminary feedback on a tree mitigation plan for a residential Planned Development and schedule public hearing of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Preliminary Presentation: The potential purchaser of the Michael's residential property requests consideration for a tree mitigation plan associated with construction of a new home on Upper Nashotah Lake. The property is Lot 3 in a three lot subdivision governed by a Planned Unit Conditional Use that complies with the city ordinance regarding removal and clearing in the Primary Environmental Corridor. As such, each residential lot was limited to clearing and removal of trees up to 15% of the lot area. For the property in question, 15% of 1.813 acres equates to 11,846sf. The proposed home site and boathouse will require more area of clearing and disturbance than permitted. In addition to the designated areas of disturbance, the surrounding mature hardwoods impacted by the construction operations are tallied. In total 137 caliper inches will be impacted in addition to the allowed tree clearing area. Therefore compensation is warranted. The Plan Commission may adopt a tree mitigation plan unique to this proposed development. Recommendation: Share comments and concerns with the applicant and schedule a public hearing.

Dale Kolbeck, of Architectural Homes by Anders, Inc., and Brian Zimmerman, of Landworks Landscape Services, were present. Kolbeck explained the Mueller's were interested in purchasing a lot to construct a single family dwelling. The lot was 1.8 acres in a primary environmental corridor. A long drive was planned to get into the site with preliminary calculations showing tree removal over the allowable percentage for trees to be cleared. The Mueller's wished to get preliminary approval on tree mitigation plans to be sure all would be feasible for construction and mitigation once the property was purchased. A tree mitigation plan was shared with Commissioners at this time that resulted in 137 caliper inches of mitigation required based on the proposed layout.

Discussion ensued regarding the ability to construct the footprint of the building within the remaining lot space available based on the planned unit conditional use that governed the three-lot subdivision. The disruption of the site included areas outside the building footprint related to building excavation needs. The premise of the environmental corridor was to protect the species currently in existence on the property. This property was heavily wooded. There was no precedent for this request. Aicher clarified the property was a five acre parcel divided into a planned unit development. When it was parceled out, the requirements governing the environmental corridor were not eliminated. Aicher recommended representation be provided from adjacent landowners at the public hearing to provide comment.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Dennis Mueller, 34360 Valley Road, explained he owned the property three blocks from this parcel. He wanted to downsize and build on the property in the environmental corridor with as little disturbance to the property as possible. This matter was scheduled for a public hearing in September.

- c. **DELC 0797.008, 1511 Milwaukee Street, Delafield. Owner: Barbra Coughlin. Applicant Seasonal Services Ltd.** Applicant seeks approval for a retaining wall associated with landscape improvements.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Retaining Wall: This lakeside residential lot is proposed for landscape improvements including a retaining wall to support an entrance patio and side-yard walkway along the east side of the home. The wall will be a unitized concrete block wall, 3' high. The proposed location is 6" from the property line. Ordinance 17.14(6)(b)2 requires a permit for walls greater than 18" within 5' of the property line. Ordinance 17.14(6)(c)2 requires Plan Commission approval. Although access around the east side of the home may be achieved without the use of a retaining wall the design solution would require a flight of stairs nearly 4' high at the front door. Another design influence and justification for the wall is the confluence of stormwater runoff that channels along the east side of the home in route to the lake. In this design solution stormwater runoff from Milwaukee Street and the new driveway is collected in a small basin uphill from the entrance patio and conducted to the north side of the home via a drain tile beneath the proposed walkway. Recommendation: Approval contingent upon addition of geo-fabric to ensure stability.

Kyle Kohlmann, of Bret Actenhagen's Seasonal Services, Ltd., represented the applicant in seeking approval for a three foot tall natural stone retaining wall to support a walkway around the house to get from the upper portion of the lot to the portion of the lot approximately four feet lower than the front of the house. Constraints in topography and structures made the situation challenging. It was eight feet from the corner of the house to the property line. In addition a rain inlet and tile to capture water from Milwaukee Street and the driveway would be conducted to the north side of the house by traveling under the walkway. If the wall were not allowed the water would course down the property line making the area unusable.

Dupler suggested the inclusion of geo-fabric in any recommendation to ensure stability of the wall. Geo-fabric was a fabric that, when compressed by soil, worked to interlock with stacking brick so the wall would not be allowed to tip in the event of a slumping foundation. Discussion ensued regarding how water moved through the topography on the property and entered the lake. Concern was expressed for keeping the drainage on the property and for the drainage pipe freezing during times of inclement cold weather.

DEYOE MOVED TO APPROVE THE RETAINING WALL FOR DELC 0797.008, 1511 MILWAUKEE STREET, DELAFIELD, OWNER: BARBRA COUGHLIN, APPLICANT SEASONAL SERVICES LTD., CONTINGENT UPON APPROVAL BY THE CITY ENGINEER OF THE DRAINAGE, RETAINING WALL AND LANDSCAPING IMPROVEMENTS, INCLUDING THE USE OF GEO-FABRIC IN THE WALL CONSTRUCTION. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- d. **DEL C 0755.969, 2629 Zastrow Road, Hartland. Owner/Applicant: Mike and Marie O'Brien.**
Applicant seeks approval of a boathouse site plan and architecture.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Boathouse Site Plan and Architecture: *The O'Brien residence is a lake lot on the east side of Zastrow Bay. The proposal includes razing the existing boathouse, which is too small for the desired use, and erecting a new structure. Neighbors have been appropriately notified and the Lake Welfare Committee has recommended this proposal to the Plan Commission. The proposed new boathouse conforms to the setback and locational standards and the height is less than the maximum height allowance. The boathouse will exhibit a flat roof deck with a railing that is less than 50% opaque. Lake protection is promoted by the implementation of a rain garden designed to code standards. **Recommendation: Approval***

Mike and Marie O'Brien and Dale Kolbeck, of Architectural Home by Anders, Inc., were present. Kolbeck explained the existing boathouse on the property was not usable. The proposal included removal of the boathouse and had been approved by the Lake Welfare Committee prior to be placing on the Commission agenda. The requirements in the City Code for the boathouse had been satisfied.

AICHER MOVED TO APPROVE A BOATHOUSE SITE PLAN AND ARCHITECTURE AS PRESENTED FOR DEL C 0755.969, 2629 ZASTROW ROAD, HARTLAND; OWNER/APPLICANT: MIKE AND MARIE O'BRIEN. JOHNSON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. **DEL C 0793.028.001, 425 Wells Street, Delafield. Owner/Applicant: HIS Wells Street Station LLC.**
Applicant seeks preliminary feedback regarding amendment to the landscape plan for Well Street Station and schedule public hearing of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: Preliminary Presentation: *The developer of Wells Street Station returns to the Plan Commission to present a revised landscape plan for consideration. Actual dimensions realized during construction have resulted in a reduced green space between the city sidewalk and the parking access drive along Wells Street. The planting space is now less than 3' and is no longer capable of supporting the proposed ornamental trees as originally proposed. To compensate, the developer has submitted a revised landscape plan that replaces the trees with a variety of shrubs, perennials and grasses. These smaller specimens are appropriately selected for the limited space, however they do not adequately compensate for the original aesthetics or purpose of the ornamental trees. Originally the landscape plan offered 20 – 3" caliper Red Jewel Crabapple trees in this space. These trees would have been about 12' tall at installation and have provided a perceivable vertical separation between the development and the public streetscape. Without this vertical element the space between the building and the street will appear continuous without a hierarchy of privacy. In addition the winter condition will provide even less separation. It should also be noted that the original crabapple trees constituted 60 caliper inches of mandatory tree mitigation that needs to be compensated. In lieu of the ornamental trees staff has recommended to the developer the introduction of an architectural feature to reestablish a desirable separation from the public street. Masonry columns with simulated wrought iron fencing is one such method of creating the desired separation. Alternative solutions may be a solid masonry wall planted with vines, espalier, or a continuous evergreen manicured hedge, the latter of which may be difficult to*

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

establish and maintain because of the application of salt in the winter months. **Recommendation: The proposed landscape improvements do not adequately address the original design intent. Share with the developer any comments or concerns and schedule a public hearing to modify the Planned Development and adopt a tree mitigation plan.**

The applicant was not present. Property owners to the south had expressed concern about the landscaping and impact on aesthetics. The developer had promised a more robust landscaping plan. Various Commissioners were displeased that the spirit of the plan had not been followed in this matter. A public hearing would be scheduled once a more robust landscaping plan was presented.

6. Zoning and Ordinance Revision

- a. Discussion regarding sandwich-board signs, appropriateness and appearance, and schedule public hearing of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT:

In continuing the conversation from last month, the Plan Commission may wish to consider portions of the following ordinances to strengthen the Delafield ordinance that currently allows sandwich board signs. Recommended passages are underlined.

City of Munster, Indiana

7. Sandwich Board Signs

- a. Permit Required: YES (An encroachment permit is also required prior to the issuance of a sign permit, if located over public right-of-way)
- b. Sign placement must meet all encroachment requirements as detailed in City Code Section 94.
- c. Signs shall be removed from the outside location at the end of each business day.
- d. A ballast weighing a minimum of ten (10) pounds and colored solid black shall be installed at the base or hanging internally from the A-frame of the sandwich board sign to ensure stability in windy conditions.
- e. More than two (2) violations of the provisions of the regulations governing these sign types in any one (1) calendar year shall result in the termination of the Sign Permit for the sandwich board and require removal of twelve (12) months from the date of the sign permit revocation.
- f. Maximum size: twenty-four (24) by thirty-six (36) inches.
- g. Maximum height: Three (3) feet.
- h. Materials: Hardwood, chalk, or finished metal A-frame.

City of Cedarburg, Wisconsin

SEC.15-5-14 SIGNS REQUIRING A PERMANENT PERMIT.

(3) Business District (B-3).

- a. The Design Review Board Landmarks Commission expects that signs which are allowable under these guidelines and are visible from both the street and the sidewalk will satisfy the legitimate needs of commerce without visual clutter and without obstructing the view of buildings and signs.

8. **Sandwich Board.** Sandwich board signs shall be aesthetically compatible with the Historic District.

One sandwich board sign is permitted per business on the sidewalk in front, placed on the business premise standing no more than four (4) feet high and with

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

each sign surface not exceeding eight (8) square feet. Sandwich signs shall not be placed so as to block building entrances, exits, or public right-of-ways and shall where the adjacent building location makes it possible, the sign shall be located entirely on private property. Where the right-of-way extends up to the building, the sign shall be placed where it will not interfere with pedestrian traffic.

(4) Business Districts (B-2, B-5 and B-6).

*1. **Sandwich Board.** One sandwich board sign is permitted, placed on the business premise standing no more than four (4) feet high and with each sign surface not exceeding eight (8) square feet. The dimensions of the sandwich board shall be included on the total calculation form. Sandwich signs shall not be placed so as to block building entrances, exits, or public right-of-ways and shall be located entirely on private property. These signs can only be displayed during business hours.*

(54) Sandwich Board Sign. A hinged or unhinged A-frame portable sign which is generally temporary in nature. Such a sign is also considered to be a ground sign.

City of Oconomowoc, Wisconsin

Section 17.603 Signs Allowed without City Review or Permit

(1) No Permit Required: The following signs are permitted in all zoning districts without City review or permit, subject to the following and any other applicable regulations.

(r) Sandwich Board / A-Frame signs: Sandwich Board / A-Frame signs shall not exceed three and one half feet (42 inches) in height and two and one half feet (30 inches) in width; shall not block the sidewalk. In the Downtown District area the sign shall be located on the brick paver area. Each business is allowed no more than one sandwich board sign advertising the business. Multi-tenant buildings are allowed one sign per 20 linear feet of building width, with a minimum separation of 10'. Sandwich board use shall be limited to advertising the on-site business. No off-premise business or event shall be advertised. Signs shall be non-illuminated

City of Delafield 17.734 - Sandwich Board or A-Frame Style Signs. (Cr. #597) Added
Sandwich board or A-frame style signs are permitted for commercial businesses in the City of Delafield without permit, review, or fee collection, so long as the board or sign complies with all of the following provisions:

(1) The signs shall be located directly in front of the business frontage either next to the building face or at the street side of the sidewalk by newsstands, streetlights or other amenities. On multi-occupancy parcels, signs must be spaced at least 40' apart.

(2) Only one sign shall be permitted per business. (3) The sign shall be removed from the right-of-way at the end of the business day and not left outdoors overnight.

(4) The sign shall not exceed 2' wide by 3½' high.

(5) Signs shall be constructed of durable materials (steel, iron, metal, wood, or corrugated plastic) and shall be maintained in good condition. The use of cardboard, paper, canvas or similar impermanent material is prohibited.

(6) The use of metallic or fluorescent paint shall be prohibited, and all permanent lettering must be of professional quality. Creativity is encouraged, and all signs shall be maintained and kept in good repair.

(7) The signs shall not be lighted.

(8) The signs shall not interfere with streetlights, street trees, utility poles, benches, ramps, fire hydrants or other structures, and shall not impede traffic visibility or vision corners as regulated in [§ 17.50](#)

(9) The content shall be limited to the name and trademark of the business establishment, a listing of products for sale and prices, or the advertisement of special products and prices.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- (10) *The signs shall not advertise a business or products, goods and services located on another property.*
- (11) *Signs located on the sidewalk shall not impede pedestrian traffic, shall not cause the minimum accessible path to be less than 5' in width, and shall not interfere with the turning movements of a wheelchair.*
- (12) *An approved business plan of operation is required prior to the installation of the sign. The sign rights of the business are nontransferable.*
- (13) *If the sign is to be located within the public right-of-way, the business owners must agree to indemnify the City from any and all liability arising out of the placement of the sign in a public right-of-way. The business owner also must provide the City with proof of a minimum general liability insurance of \$1,000,000 in a form satisfactory to the City Attorney, and indicating the City as an additional insured.*
- (14) *Signs placed in violation of this section will result in the immediate removal of the sign by the City.*
- (15) *Signs within the public right-of-way may be moved or removed by the City for municipal purposes, including for the benefit of the public health, safety or welfare.*

Recommendation: Consider incorporation of more stringent enforcement measures, provide direction to staff to craft a revised ordinance and schedule a public hearing accordingly.

DeYoe explained the history of this issue, noting problems with compliance by City business owners. Jashinsky supported the idea of sandwich boards; however, the enforcement of the signage ordinance should be required. Simon agreed. Discussion ensued regarding the jurisdiction to remove the offending signage. Reiher suggested use of a process of communication with business owners regarding the sandwich board ordinance and compliance requirements that would allow all to work together to resolve the issue. DeYoe explained what happened to signage that was removed. Standards were needed for all. Simon suggested a public hearing be held with a draft ordinance that would enhance the basic ordinance in place currently and include direction to the Department of Public Works staff to remove the signs. Discussion ensued regarding notification to business owners regarding this issue and that enforcement would begin in the upcoming week. With regard to the draft ordinance, Commissioners indicated interest in keeping the architectural standards of the area, enhanced enforcement, and to work with the Promotion and Tourism Committee regarding a second phase of enforcement in future years. Research was needed to begin drafting an ordinance. Information would be gathered in the month of September with a public hearing slated for October. Enforcement of the current ordinance would take place in upcoming weeks with notification to business owners provided at the next Common Council meeting, in the Clerk's weekly email "blast" and newsletter distribution.

- b. Discussion regarding multiple amendments to Chapter 18, Subdivision Control Ordinance and schedule a public hearing of the same

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: *Several amendments are recommended in the Subdivision Control Ordinance. This chapter contains three primary aspects of regulation; survey standards and documentation, infrastructure improvements and engineering standards, and fees. Amendments to the survey standards are based on up dated technology and changing State Statutes. Engineering amendments reflect updated performance standards and changing expectations related to erosion control and material performance. Amendments regarding procedure and fees have been modified to be consistent with other approved sections of the code. Please review these proposed amendments and if there are any questions please contact the Planner directly rdupler@sehinc.com, so that we*

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

may be prepared to discuss these changes and schedule a public hearing in September. In preparation of the public hearing the Plan Commission may wish to send these text revisions to the Public Works Committee for input.

Dupler noted information related to Chapter 18 was distributed to Commissioners on Monday of this week after it had inadvertently been left out of the epacket for this meeting. An invitation for comments and concerns from Commissioners had yielded none. It was suggested that the Public Works Committee review proposed Chapter 18 changes at the next Committee meeting and a public hearing on the proposed changes to Chapter 18 conducted at the next Commission meeting in September.

- c. Discussion regarding amendment for boathouse notification procedures, and schedule public hearing of the same.

TAKEN FROM PLANNER DUPLER'S STAFF REPORT: *The Plan Commission is asked to consider amendment to Section 17.22 Boathouses. The text amendment recommended by the Lake Welfare Committee is included in the packet. The change will require the Clerk to notify the neighboring property owners prior to the Lake Welfare Committee meeting rather than the Plan Commission meeting. Recommendation: Approval, schedule a public hearing for September.*

Aicher questioned whether 250 feet was an adequate distance for notification purposes. Three hundred feet was typically the distance of notification for any legal matters. Consideration should be given to making the distance 300 feet to be consistent with other legal notifications. A public hearing would be held in September on this matter.

7. Reports of City Officials:

- a. Clerk:
 - 1. Plan Commission Meeting Dates & Deadlines
Meeting: September 30, 2015
Regular submittal deadline: September 16, 2015
Public Hearing submittal deadline: September 2, 2015
- b. Planner – None.
- c. Building Inspector

S. Hussinger stated the total number of permits to date was 36 with four residential permits this month.

8. Correspondence: None.

9. Adjournment

There was no further business; therefore, the Wednesday, August 26, 2015 Plan Commission meeting adjourned at 8:13PM.

Minutes Prepared By:

Accurate Business Communications, Inc.