

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Chair DeYoe called the Wednesday, August 30, 2017 Plan Commission meeting to order at 7:00PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, August 30, 2017 Plan Commission meeting:

Present

Michele DeYoe, Mayor

Tim Aicher, Ald.

Dave Greenway

Dan Jashinsky

Jim Reiher

David Simon

Roger Dupler, Planner

Scott Hussinger, Building Inspector

Absent

Jeff Miller

PUBLIC HEARING #1:

Amended Conditional Use Permit for Site Plan Modifications

TAX KEY/ADDRESS:

DELC 0789.981 1851 Genesee Street, Delafield.

OWNER/APPLICANT:

Delafield Presbyterian Church

MATTER:

Applicant seeks an amended Conditional Use for site plan improvements to relocate a playground.

DeYoe opened the Public Hearing at 7:01PM.

Michael Keefe Troop 49 Eagle Scout candidate and Herb Rasmussen, Delafield Presbyterian Church representative, were present. M. Keefe explained the playground was currently located on the northwest corner of the property in an area that was not desirable. His Eagle Scout project would be to move the playset to the northeast side of the church building and construct a fence around the playset that would be 50% open and resembled the fence at Cushing Park.

There was no one present wishing to speak at this time. DeYoe closed the Public Hearing at 7:03PM.

PUBLIC HEARING #2:

Amended Conditional Use Permit to modify the boundary of Delafield Woods, an established Planned Development.

TAX KEY/ADDRESS:

DELC 0798.167, 922 Park Way, Delafield.

OWNER/APPLICANT:

Behrend Property LLC

MATTER:

Applicant seeks an amended Conditional Use to remove property from the existing Planned Development.

DeYoe opened the Public Hearing at 7:04PM

Jim Behrend, 757 Garrison Court, explained he owned Lot 11 and also owned the lot immediately east of Lot 11 near the Delafield Woods subdivision. He wanted to transfer some area of Lot 11 to make the lot to the east a bit bigger. Behrend noted the history of the lot with Joe McCormack when the Delafield Woods subdivision was created. The proposed lot remained consistent with Planned Unit Development (PUD) minimums. The building envelope would not be changed in either lot. Zoning in the PUD would not be violated with the proposed change in lot line.

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Jonathan Nazario, 908 Parkway, explained he was the lot owner next to Lot 11. He requested clarification on the proposed lot change. Nazario clarified that no requirements of the PUD would be changed in this situation.

There was no one present wishing to speak at this time. DeYoe closed the Public Hearing at 7:11PM.

1. Approve Plan Commission meeting minutes of July 26, 2017 meeting.

Hearing no objections, the July 26, 2017 Plan Commission meeting minutes were approved.

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

Ed McAleer, 3413 Lake Drive, Hartland, was present regarding Item 4a. While the information provided did not provide detail about the creation of the City's pyramiding ordinance, the ordinance had been in existence for 40 years. To allow an exception in this case would affect many people in similar situations that had previously been denied. The ordinance had worked well in the past and he hoped that an exception would not be allowed to existing ordinance.

Hearing no further comments, DeYoe closed City of Delafield Citizen's Comments.

3. Consent Agenda

A typographical error had been noted in the Planner's Report pertaining to Items 3b, 3e and 3i on the Consent Agenda. Each of those items in the Report had included the wording "new impact." The correct wording should have been "no impact."

Aicher requested Items 3b through 3e, 3h and 3j be removed from the Consent Agenda for clarification.

Hearing no objections, Items 3a, 3f, 3g, 3i, 3k-3s on the Consent Agenda were approved as presented with Item 3r being recommended to the Common Council.

- a. **DELC 0807.798.004, 3591 Kettle Court East, Delafield. Owner: Mark Lien. Applicant: ABRA Auto Body & Glass.** Applicant seeks approval of an amended Business Plan of Operation to accommodate a change of ownership.
- b. **DELC 0792.055.001, 815 and 817 Genesee Street, Delafield. Owner/Applicant: Rivers Gateway LLC.** Applicant seeks approval of a Business Plan of Operation for an office and conference space rental. Hours of Operation all days of the week 7:00 A.M. to 9:00 P.M., with 2 full-time employees.
- c. **DELC 0792.055.001, 817 Genesee Street, Delafield. Owner/Applicant: Rivers Gateway LLC.** Applicant seeks approval of an awning sign for an office and conference space rental.
- d. **DELC 0792.055.001, 815 and 817 Genesee Street, Delafield. Owner: Rivers Gateway LLC. Applicant: John Ellison Advisory Group, Ltd.** Applicant seeks approval of a Business Plan of Operation for financial services. Hours of Operation are Monday through Friday 8:00 A.M. to 8:00 P.M., Saturday 9:00 A.M. to 12:00 P.M. with 2 full-time employees and 1 part-time employee.
- e. **DELC 0792.055.001, 817 Genesee Street, Delafield. Owner: Rivers Gateway LLC. Applicant: John Ellison Advisory Group, Ltd.** Applicant seeks approval of awning signage and a post mounted ground sign for a financial service.
- f. **DELC 0804.982, 524 Milwaukee Street, Delafield. Owner: Hendricks Commercial Properties, LLC. Applicant: Pam Peckham.** Applicant seeks approval of an amended

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- Business Plan of Operation for Delafield Wellness, a counseling service. Approved hours of operation and employee count are unchanged
- g. **DEL C 0794.017.019, 248 Enterprise Road, Delafield. Owner/Applicant: Kirk A. Topel**
Applicant seeks approval of an amended Business Plan of Operation to convert the existing approved private storage to limited wholesale motorcycle sales. Approved hours of operation are unchanged.
 - h. **DEL C 0790.987.001 and DEL C 0790.987.002, Oakwood Road, Delafield. Owners: Ed & Denise Thordsen and Himanshu Agrawal & Sarah Thordsen. Applicant: Ed Thordsen.**
Applicant seeks approval to consolidate two parcels via Certified Survey Map and recommend to the Common Council the same.
 - i. **DEL C 0798.008, 636 Milwaukee Street, Delafield. Owner: Patricia Schulz. Applicant: Mary Walgren.** Applicant seeks approval of architectural improvements to restore an historic façade.
 - j. **DEL C 0798.966, 408 Genesee Street, Delafield. Owner: VT Properties Inc. Applicant: Lynn Charlevoix.** Applicant seeks approval of a permanent building sign for Stylynn Pets, a pet grooming service.
 - k. **DEL C 0798.003, 612 Milwaukee Street, Delafield. Owner/Applicant: St. Michael's Anglican Church.** Applicant seeks approval of a permanent building signs and one ground mounted sign for the Church.
 - l. **DEL C 0787.074, 814 Genesee Street, Delafield. Owner: Michael Graf. Applicant: Dr. Rebecca Gallagher and Bruce Gallagher.** Applicant seeks approval of a Business Plan of Operation for Gallagher Integrative Family Medicine. Hours of Operation are Monday through Friday 9:00 A.M. to 6:00 P.M., with one full time employee.
 - m. **DEL C 0798.037.001, 711 Wells Street, Delafield. Owner: Hendricks Commercial Properties. Applicant: Petite Pas Ballet.** Applicant seeks approval of a permanent building sign.
 - n. **DEL C 0798.037.001, 711 Wells Street, Delafield. Owner: Hendricks Commercial Properties. Applicant: Jazzercise.** Applicant seeks approval of a permanent building sign.
 - o. **DEL C 0798.026.001, 645 Wells Street, Delafield. Owner/Applicant: Hendricks Commercial Properties LLC.** Applicant seeks approval of a monument sign upgrade and a parking sign.
 - p. **DEL C 0798.024.001, 606 Genesee Street, Delafield. Owner/Applicant: Hendricks Commercial Properties LLC.** Applicant seeks approval of a Directional sign upgrade.
 - q. **DEL C 0793.020.003, 524 Milwaukee Street, Delafield. Owner/Applicant: Hendricks Commercial Properties LLC.** Applicant seeks approval of a Directional sign upgrade.
 - r. **DEL T 0846.997, Town of Delafield, Owner/Applicant: Frank Fischer.** Applicant seeks review and consideration of an Extraterritorial CSM and recommend to the Common Council the same.
 - s. **DEL C 0803.988.004, 2566 Sun Valley Drive, Delafield. Owner: Gary Stortz. Applicant: JNB Signs.** Applicant seeks approval of a modified building sign for Anton's Salon.

Aicher explained Items 3b through 3e were related because of the applicant. He clarified that no new building was being built pertaining to each of these requests.

- 3b. **DEL C 0792.055.001, 815 and 817 Genesee Street, Delafield. Owner/Applicant: Rivers Gateway LLC.** Applicant seeks approval of a Business Plan of Operation for an office and conference space rental. Hours of Operation all days of the week 7:00 A.M. to 9:00 P.M., with 2 full-time employees.
- 3c. **DEL C 0792.055.001, 817 Genesee Street, Delafield. Owner/Applicant: Rivers Gateway LLC.** Applicant seeks approval of an awning sign for an office and conference space rental.
- 3d. **DEL C 0792.055.001, 815 and 817 Genesee Street, Delafield. Owner: Rivers Gateway LLC. Applicant: John Ellison Advisory Group, Ltd.** Applicant seeks approval of a Business Plan of Operation for financial services. Hours of Operation are Monday through Friday 8:00 A.M. to

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8:00 P.M., Saturday 9:00 A.M. to 12:00 P.M. with 2 full-time employees and 1 part-time employee.

- 3e. **DELIC 0792.055.001, 817 Genesee Street, Delafield. Owner: Rivers Gateway LLC. Applicant: John Ellison Advisory Group, Ltd.** Applicant seeks approval of awning signage and a post mounted ground sign for a financial service.

AICHER MOVED TO APPROVE CONSENT AGENDA ITEMS 3B THROUGH 3E AS PRESENTED. SIMON SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 3h. **DELIC 0790.987.001 and DELIC0790.987.002, Oakwood Road, Delafield. Owners: Ed & Denise Thordsen and Himanshu Agrawal & Sarah Thordsen. Applicant: Ed Thordsen.** Applicant seeks approval to consolidate two parcels via Certified Survey Map and recommend to the Common Council the same.

Dupler clarified the location of the property consolidation, noting the lots were originally three lots. The property owner of the middle and western-most parcel wanted to consolidate those two lots into one.

AICHER MOVED TO APPROVE CONSOLIDATION OF TWO PARCELS VIA CERTIFIED SURVEY MAP FOR DELIC 0790.987.001 AND DELIC0790.987.002, OAKWOOD ROAD, DELAFIELD. OWNERS: ED & DENISE THORSEN AND HIMANSHU AGRAWAL & SARAH THORSEN. APPLICANT: ED THORSEN AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- 3j. **DELIC 0798.966, 408 Genesee Street, Delafield. Owner: VT Properties Inc. Applicant: Lynn Charlevoix.** Applicant seeks approval of a permanent building sign for Stylynn Pets, a pet grooming service.

Dupler clarified there no restrictions on the building sign size, location and color in this matter.

AICHER MOVED TO APPROVE A OF A PERMANENT BUILDING SIGN FOR STYLYNN PETS, A PET GROOMING SERVICE FOR DELIC 0798.966, 408 GENESEE STREET, DELAFIELD. OWNER: VT PROPERTIES INC. APPLICANT: LYNN CHARLEVOIX. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. Unfinished Business

- a. **DELIC 0797.085.001, 1712 Milwaukee Street, Delafield. Owner/Applicant: Robert Woeste.** Applicant seeks approval of a Certified Survey Map and a Conditional Use Permit to allow a lot consolidation and multifamily development and recommend to the Common Council the same.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

Chris Koppes, attorney, Ric Hughes, Woeste POA, Jim Kirk, realtor and Robert Woeste, applicant, were all present regarding this matter. Koppes explained that since the last Plan Commission meeting, two items had been submitted. The first item was a small revision to the site plan showing a maximized parking configuration for a three-bedroom unit. The second item

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was a depiction of the exterior parking configuration. Both items had been included in the epacket for this meeting. Dupler explained this matter included two requests for approval; one for approval of a Certified Survey Map and another for approval of a conditional use as noted in the epacket for this meeting. A modified plan of the site functionality was provided by Koppes showing the north and south elevations with garage spaces. A 30 foot turning radii was needed behind the building to allow adequate turning movements to get out of the garage. The 15 foot sideyard setbacks could be respected with the use of 12 foot one-way lanes on each side of the building in order to assure there was adequate space for snow removal. Access from Milwaukee Street could be determined at a later date. The pyramiding ordinance referenced by McAleer earlier in the Public Hearing applied to properties not on the lake. This property included legitimate lake frontage and pyramiding was allowable. Discussion ensued regarding the need to create a new lot in this matter. It was noted that it seemed the request was to take an odd lot shape and leverage the property footage to create more density in a space that was not well suited for it. This seemed to simply push the problem to another person or agency to deal with in this case. Dupler explained the existing lot could have the same situation without the addition of the "hockey stick" lot. It was also noted the DNR was the permitting and enforcement authority on the pier pyramiding issue. Additional information would be provided regarding the DNR permitting process at the next Commission meeting.

AICHER MOVED TO APPROVE A CERTIFIED SURVEY MAP FOR DELC 0797.085.001, 1712 MILWAUKEE STREET, DELAFIELD. OWNER/APPLICANT: ROBERT WOESTE AS PRESENTED AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. REIHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Concern was expressed regarding approval of a conditional use permit without having a specific plan being proposed. A conceptual plan did not allow the Commission to adequately consider the criteria and impacts of a specific conditional use on the surrounding area.

AICHER MOVED TO DENY THE CONDITIONAL USE FOR DELC 0797.085.001, 1712 MILWAUKEE STREET, DELAFIELD. OWNER/APPLICANT: ROBERT WOESTE AS PRESENTED AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. New Business

a. **DELC 0798.167, 922 Park Way, Delafield. Owner/Applicant: Behrend Property LLC.**

Applicant seeks an amended Conditional Use to remove property from the existing Planned Development and recommend to the Common Council the same.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

Jim Behrend, applicant, was present. Dupler noted that despite a reduced lot size in this case, the common area obligations of the subdivision as well as fees and controls of the development would not be impacted with the proposed lot size reduction. If approved, the new lot would still be allowed for development. Aicher clarified the long term vision of the City was to have a roadway through the subdivision. Behrend noted, as a land owner this was not preferred but as a City Alderman it did make sense.

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AICHER MOVED TO APPROVE THE AMENDED CONDITIONAL USE TO REMOVE PROPERTY FROM THE EXISTING PLANNED DEVELOPMENT FOR DELC 0798.167, 922 PARK WAY, DELAFIELD. OWNER/APPLICANT: BEHREND PROPERTY LLC AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. REIHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0789.981 1851 Genesee Street, Delafield. Owner/Applicant: Delafield Presbyterian Church Amended Conditional Use Permit for Site Plan Modifications.** Applicant seeks an amended Conditional Use for site plan improvements to relocate a playground and recommend to the Common Council the same.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

Dupler noted the property was governed by a conditional use permit. It was important for the City to understand that there was no liability assumed for the playground equipment. The action being taken was to modify the site plan per conditional use requirements.

DEYOE MOVED TO APPROVE AN AMENDED CONDITIONAL USE FOR SITE PLAN IMPROVEMENTS TO RELOCATE A PLAYGROUND FOR DELC 0789.981 1851 GENESEE STREET, DELAFIELD. OWNER/APPLICANT: DELAFIELD PRESBYTERIAN CHURCH AMENDED CONDITIONAL USE PERMIT FOR SITE PLAN MODIFICATIONS AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. Zoning and Ordinance Revision - None.
7. Reports of City Officials:
- a. Clerk
 - 1. Plan Commission Meeting Dates & Deadlines
 - a. September 27, 2017; next meeting.
 - b. September 12, 2017; submittal deadline.
 - c. August 30, 2017; Public Hearing submittal deadline.
 - 2. Correspondence
 - a. Email from J. Huber re Public Hearing CUP for multi-family development DELC 0797.085.001.
 - b. Planner – No report given.
 - c. Building Inspector
The total number of permits to date was one commercial and three residential occupancy permits this month.
8. Adjournment
There was no further business; therefore, the Wednesday, August 30, 2017 Plan Commission meeting adjourned at 7:57PM.