

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Plan Commission Vice-Chair Aicher called the Wednesday, July 26, 2017 Plan Commission meeting to order at 7:00PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, July 26, 2017 Plan Commission meeting:

Present

Michele DeYoe, Mayor

Tim Aicher, Ald.

Wayne Dehn

Dave Greenway

Dan Jashinsky

Jeff Miller

Jim Reiher

Roger Dupler, Planner

Scott Hussinger, Building Inspector

Jim Hammes, Attorney

Absent

David Simon

Announcement of Closed Session.

Motion to convene into closed session to discuss the petition by Rogers Memorial Hospital, in compliance with State Statute §19.85(1)(g): Conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is or is likely to become involved.

**JASHINSKY MOVED TO CONVENE INTO CLOSED SESSION TO DISCUSS THE PETITION BY ROGERS MEMORIAL HOSPITAL, IN COMPLIANCE WITH STATE STATUTE §19.85(1)(G): CONFERRING WITH LEGAL COUNSEL FOR THE GOVERNMENTAL BODY WHO IS RENDERING ORAL OR WRITTEN ADVICE CONCERNING STRATEGY TO BE ADOPTED BY THE BODY WITH RESPECT TO LITIGATION IN WHICH IT IS OR IS LIKELY TO BECOME INVOLVED AT 7:02 P.M. DEHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN.**

**DEYOE, AYE**

**DEHN, AYE**

**GREENWAY, AYE**

**JASHINSKY, AYE**

**MILLER, AYE**

**REIHER, AYE**

**MOTION CARRIED.**

Motion to reconvene into Open Session.

**JASHINSKY MOVED TO RECONVENE INTO OPEN SESSION AT 7:18 PM. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN:**

**DEYOE, AYE**

**DEHN, AYE**

**GREENWAY, AYE**

**JASHINSKY, AYE**

**MILLER, AYE**

**REIHER, AYE**

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**MOTION CARRIED.**

Discussion and possible action on matter discussed in closed session.

There was no action taken.

**PUBLIC HEARING #1:** Amended Conditional Use Permit for Architectural Modifications  
**TAX KEY/ADDRESS:** DELC 0798.977.001, 333 North Lapham Peak Road, Delafield.  
**OWNER/APPLICANT:** American Legion Post 196.  
**MATTER:** Applicant seeks an amended Conditional Use for architectural improvements for American Legion Post 196 and recommend to the Common Council of the same.

Aicher opened the Public Hearing at 7:19PM

**Owen Lavin, Paterra, LLC, and Mark Beres, American Legion Representatives,** were present. Lavin explained the current proposal included the first phase of two additions including a small addition to the northern side of the existing American Legion building that would provide additional storage and room for a walk-in cooler. The second phase would include an addition of a large hall west of the existing building. The Legion only wanted to complete the first phase at this time.

**Tom Hennig, 318 N. Lapham Peak,** noted the Legion had been good neighbors to him directly across the street. He had no issues with the proposal and he wished the Legion well in this project.

Aicher closed Public Hearing #1 at 7:22 P.M.

**PUBLIC HEARING #2:** Conditional Use Permit for a Multifamily Development.  
**TAX KEY/ADDRESS:** DELC 0797.085.001, 1712 Milwaukee Street, Delafield.  
**OWNER/APPLICANT:** Robert Woeste  
**MATTER:** Applicant seeks an amended Conditional Use for a multifamily development.

DeYoe opened the Public Hearing at 7:23PM

**Chris Koppes, Bender, Levi, Larson & Associates, Ric Hughes and Robert Woeste,** were present. Koppes distributed a generalized visualization of a potential building on the property to the Commission. The intent was to provide a rough diagram of the type of development that might be able to be built on the lot in response to the comments received at the last Public Hearing on this matter. (Clerk's note: This visualization is attached to the minutes.)

**Mike McCullough, 1604 Milwaukee Street, representative from the Douglas Park Homeowner's Association (HOA),** explained the HOA owned the lakefront property to the southwest of the Woeste property. Pier placement for a future development opportunity was of concern for the Douglas Park HOA. The HOA requested that any piers associated with future development be placed a minimum of 50 feet from the lake frontage lot line. The HOA pier placement was obtained through a Department of Natural Resources (DNR) court order that dictated the placement and location of the approved pier with five slips on each side. There was a City drainage culvert that would be impacted if the pier were moved to the northwest. The five boat slips closest to the lot line needed to be able to back up and turn to get out on the lake at a 90 degree angle. The placement distance also must allow for any ShoreStation that would take up an eight foot space. Overall the area needed represented 40 feet of space to prevent hardship for the owners or developers of the subject property. (Clerk's note: This visualization is attached to the minutes.)

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**Erv Sadowski, 1716 Milwaukee Street**, provided three comments. While he had not seen the drawing of what could be accomplished on the site, the proposed development did not seem to meet the single family condominium or house that was in the neighborhood currently. Three buildings would be too much for the lot. He was not certain if the proposal included two or three piers; however, trying to add a third pier would be problematic. He requested the Commission consider prohibiting placement of a third pier. There were eight next door to this property on the shoreline. Also, the current adjacent residents received a letter from Attorney Koppes's office threatening legal action if a bush was not trimmed and rocks were not moved that had been in place for the past 80 years.

Aicher read a letter into the record from **Todd and Linda Sadowski, 1538 3<sup>rd</sup> Street**, noting various concerns pertaining to redevelopment of the lot adjacent to their property being considered for an amended conditional use on this site. (Clerk's note: This letter is attached to the minutes.)

There was no one present wishing to speak at this time. Aicher closed the Public Hearing at 7:32PM.

1. Approve Plan Commission meeting minutes of June 28, 2017 meeting.

Hearing no objections, the June 28, 2017 Plan Commission meeting minutes were approved.

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

**Keith Schermitzler, 343 Juniper Court**, explained he was concerned by what he heard at the June 28, 2017 Plan Commission meeting. Residential comments should not be classified as "constant complainers." The Weirs property was portrayed as being at such a distance that the tennis courts would block the lights shining into their property and this was not the case. Noise from Roger's residents were labeled similarly in being too far to be an issue. Again, this was not the case. Noise issues arose from traffic starting and stopping as well as headlights from the traffic that traveled 200-300 feet. The residents that spoke at the June 28, 2017 Plan Commission meeting that indicated they did not know Rogers Memorial Hospital (RMH) operated there do not live close to the hospital site. They are located at the bottom of the hill and ridge that is heavily wooded. In this location, they would not be subject to the same noise and traffic issues that neighbors adjacent to RMH would find an issue. Since the last Commission meeting, another RMH resident had exhibited loud noise regarding not wanting to remain at Rogers as had been experienced in the past. This type of noise was not typically found in residential neighborhoods. He remained concerned that the site had changed from elderly to adolescents with OCD issues. He also remained concerned about the traffic, property values and business conducted at the current site because it provided an adverse effect on property values. He questioned who owned the property at the corner of Mission Road and Oakwood Road. The impression given by RMH that cooperation with the neighborhood residents had taken place was primarily directed at the Loepfke residence that was being sold that was not impacted by the parking lot and car headlights. He wanted to make his stance clear. Originally he was under the impression that the City might revoke the conditional use permit and ask RMH to move elsewhere; however, he now realized this was not going to happen. In the event that RMH might want to revisit additional landscaping being offered to him, he would be willing to revisit the conversation as well. One could not fight City Hall and needed to be able to co-exist with neighbors.

**Tim Aicher, 211 E. Laurel Circle**, explained he was providing commentary as a citizen at this time regarding item 4a on the agenda. He distributed a map to Commissioners noting five properties. He requested the Commission consider the five properties noted in its decision on the issue with RMH and to provide consistent application of the conditions required for appropriate use within this zoning district. City decisions were noted for each of the five properties provided with regard to conditional use requirements. The City's Master Plan document had been created in effort to maintain neighborhood

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integrity and uphold past agreements. Each of the five properties noted on the map had requested a change to the conditional use and were denied because they had not maintained the character of the neighborhood, would change the character of the neighborhood, were inconsistent with current zoning or had issues that were enforced based on previous agreements. The residents adjacent to RMH needed to be considered. He also noted the approval in the Heritage Senior Living community that had requested similar adjustments to the conditional use permit governing the property. They were originally denied and then modified based on intensity of use for noise and traffic. The final result was a CBRF associated with senior living that would provide lower intensity of use, lesser traffic and noise issues. The Commission needed to demonstrate the same protections offered to neighbors of Heritage Senior Living to the neighbors of RMH on Oakwood Road with appropriate restrictions to keep the site as a CBRF for adults only. Rogers Memorial Hospital knew the CBRF was zoned and operated as such when it was purchased and so did the neighborhood. It was reasonable to have the City make the same request on behalf of the neighbors without putting them in a compromised position after buying a home in this neighborhood. (Clerk's note: This map is attached to the minutes.)

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

3. Consent Agenda

- a. **DELIC 0793.018.003, 523 Milwaukee Street, Delafield. Owner: Hendricks Commercial Properties Applicant: Milwaukee Street Traders.** Applicant seeks an amended Business Plan of Operation to transfer business ownership.
- b. **DELIC 0798.005, 620 Milwaukee Street, Delafield. Owner: Andrea Johnson. Applicant: Renotta Thompson.** Applicant seeks approval of a Business Plan of Operation for Next Door, a woman's retail clothing and gift store. Hours of Operation: Weekdays 8:00 a.m. to 8:00 p.m., Saturday, 8:00 a.m. to 8:00 p.m., Sunday, 12:00 p.m. to 4:00 p.m., with 2 full-time employees.
- c. **DELIC 0804.982, 2950 Golf Road, Delafield. Owner: Ramco Delafield II LLC. Applicant: Midwest Sign & Lighting Inc.** Applicant seeks approval of a revised sign presentation for Sierra Trading Post.
- d. **DELIC 0781.987 and DELIC 0781.987.001, 1850 Hwy 83, Hartland. Owner/ Applicant: County of Waukesha.** Applicant seeks authorization to combine two tax parcel numbers, and recommend to Common Council of the same.
- e. **DELIC 0798.003, 612 Milwaukee Street, Delafield. Owner/Applicant: St. Michaels Anglican Church, Inc.** Applicant seeks approval of a Business Plan of Operation for St. Michaels Anglican Church, Inc. Hours of Operation: Monday-Sunday, 7:00 a.m. to 11:00 p.m., with three part-time and one full-time employee.
- f. **DELIC 0798.036.001, 0798.037.001, 0798.038.001, 0798.039.001, 711 Wells St., Delafield. Owner: Hendricks Commercial Properties. Applicant: Mike Braatz.** Applicant seeks approval of a site plan for an ADA compliant ramp at this location.
- g. **DELIC 0798.966, 408 Genesee St., Delafield. Owner: VT Properties, Inc., Applicant: Stylynn Pets.** Applicant seeks approval of a Business Plan of Operation for Stylynn Pets, LLC, a pet grooming facility. Hours of Operation: Weekdays, 7:30 a.m. to 7:00 p.m., Saturday, 8:00 a.m. to 5:00 p.m., Sunday Closed, with one full-time employee.
- h. **DELIC 0793.001.005, 528 Wells St., Delafield. Owner: Hendricks Commercial Properties. Applicant: David Hannes for IMBIO, LLC.** Applicant seeks a Business Plan of Operation amendment for location from 524 Milwaukee St., Suite 308 to 528 Wells St., Suite F.
- i. **DELIC 0792.056, 523 Milwaukee St., Delafield. Owner: Hendricks Commercial Properties. Applicant: Todd Hall.** Applicant seeks site plan approval for a deck at this location.

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Aicher requested Item 3d be removed for discussion and consideration. Hearing no objections, Items 3a-3i on the Consent Agenda were approved as presented with Item 3d being recommended to the Common Council.

4. Unfinished Business

- a. **DELC 0790.999.001, DELC 0790.999.002, and DELC 0790.999.03, W367 Oakwood Drive, Delafield. Owner: Roger's Memorial Hospital Incorporated. Applicant: City of Delafield.** Applicant seeks approval of a Conditional Use Permit for the operation of an eating disorders residential care facility and recommend to the Common Council of the same.

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

**Bob Snyder, attorney for Roger's Memorial Hospital Incorporated (RMH),** explained he thought the information presented in the draft conditional use permit was reasonable. He also thought the property was underutilized. The information presented regarding the conditional use permit allowed for appropriate zoning to make reasonable use of the property. To be overly restrictive would hurt everyone and would not allow for reasonable operations to take place. He spoke with Mr. Schermitzler ahead of this meeting. The offer for improvement of property still remained and would also remain for the Weirs if they chose to change their minds as well. RMH contributed to the overall economy of the area with 22 employees living in the City with full-time jobs through the Rogers Hospital system. The RMH campus encouraged use of the City's restaurants, services and hotels and as such, provided a large economic impact. He asked for discretion in providing a reasonable conditional use for RMH. He also explained that he had reviewed the document sent to him by Attorney Hammes and had the authority to act on behalf of RMH in this matter. The demographic listed was not appropriate for inclusion and visiting hours remained a point of discussion. The protocol of admission for individual patients had been requested in a previous meeting. That document had been completed. No changes had been made to the document since May 18, 2017 and this remained the current protocol of admissions for individual patients. Reiher noted policy # 15-0020516 that established admitting criteria to determine suitability of patients for admission to residential treatment at the Delafield RMH campus. Snyder was aware of this policy, the conditions within it that included suitability and prohibited behaviors of each individual being considered for treatment and agreed to be bound to the language and the conditions of the policy acting on behalf of Rogers Memorial Hospital, Inc. Snyder also agreed that a list of "House Rules", effective July 17, 2017 had been provided to the City that detailed the actions RMH staff was required to undertake in the event of violence toward staff and peers. Also as part of these House Rules, there were a certain list of 20 subjects and conditions related to property damage and verbal aggression that would lead to the administrative discharge of staff and/or patients. Reiher noted the bottom of the first page of the policy document #15002-0516 established criteria that would indicate this 24 bed facility would not be an appropriate treatment resource for certain patients. Patients with those conditions would not be eligible for treatment at this particular 24 bed facility because it was not an appropriate treatment resource. People that indicated an imminent risk of harm to self or others, were actively psychotic, or actively abusing substances involving minors, those whose physical and mental health that might affect the physical health, safety and personal welfare of the other patients would not be eligible for admission for treatment at the 24 bed facility containing 16 adults and eight adolescents. Snyder agreed to all conditions listed on behalf of RMH and indicated he understood that to do so would be in violation of RMH House Rules, RMH admission policy and the City's conditional use permit.

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Dehn questioned whether this 24 bed facility was being operated as a non-profit. Snyder responded it was. Dehn noted that any conditional use permit granted would not have any loophole to allow change from this conditional use permit without the City's approval to change the primary purpose of treatment of eating disorders at this facility. Approval of this conditional use permit was for treatment of eating disorders only at this residential care facility. Aicher questioned the state's licensing category for eating disorder treatment, noting the current licensure did not fit the current use being discussed. Snyder explained the state licensing imposed the restrictions and RMH wanted to operate the facility only as an eating disorder treatment facility as restricted through the conditional use permit draft being discussed. **Barbara Whitstone of RMH** explained the state licensed all residential care centers the same (License #52). The application for licensure predated her employment. Snyder wanted all restrictions listed in the conditional use permit.

Hammes clarified that no matter what, licensing would allow for a broad spectrum of treatment, Snyder requested the treatments listed and prohibited in the conditional use permit would govern the use of the site and facility. There would be no changes by RMH to the conditional use of the site and facility without asking for modification of the conditional use permit that governed the property. Snyder agreed; however, the House Rules might need to be changed from time to time. The Admissions Criteria would not change without requesting a change to the conditional use permit. Attachments of the documents referenced would be attached to the conditional use permit for the site. The House Rules would not be changed without notifying the City. Snyder agreed on behalf of RMH.

Reiher noted the efforts being discussed were an attempt to repair the trust lost in history. The conditions, rules and protocols were mandatory actions being taken by RMH. One of the protocols listed noted all cases according to the protocols listed would be approved by the medical director and attending psychiatrist. Snyder agreed.

Dupler noted the potential actions that could be taken in the timeline of approval.

Snyder noted two issues of concern with the draft conditional use permit being proposed. The hours of operation and demographics noted were of concern. Demographics could switch without control by RMH. Insurance could switch from 90 treatment days to 110 treatment days. The draft seemed to lock RMH into "who could knock on the door and who could come in." A typical patient stay was 45 days. No respite care was being requested. Whitstone noted patients were admitted as voluntary commitments. Discussion ensued regarding hours of operation. Regular normal visitation hours would conclude at 8 PM. Situations did arise for medical emergencies or family situations; however, regular visitation hours would be established through the conditional use permit. Visiting hours would typically conclude at 7 PM; however, there were times when 8 PM would allow many more families to be accommodated because certain instances occurred when families traveling from a distance would be beneficial to the patients.

Reiher noted it was important for RMH to have a liaison person in place to make certain that if and when changes occurred with staff or other issues, communication was made to the City regarding the change or request for change to the conditional use permit. Snyder stated this would be done.

Discussion ensued regarding the buildings on the facility site and other issues to be included in the conditional use permit. There was a shed on the site used to store equipment. Forty paved

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parking stalls should be included in the draft conditional use permit as well. There should be no more than 24 beds. A consolidation of lots was not necessary to operate this CBRF and the existing lot configuration was requested to be maintained. Construction of a six foot board-on-board fence should be constructed. Whitstone explained that a previous quote for construction of the board fence was obtained based on an aerial photo. When the site was actually walked, it was noted that the area further west was very wooded and trees would have to be removed to allow fence construction to take place. The affected property owner was in agreement.

**AICHER MOVED TO APPROVE THE CONDITIONAL USE PERMIT FOR THE OPERATION OF AN EATING DISORDERS RESIDENTIAL CARE FACILITY FOR DELC 0790.999.001, DELC 0790.999.002, AND DELC 0790.999.03, W367 OAKWOOD DRIVE, DELAFIELD. OWNER: ROGER'S MEMORIAL HOSPITAL INCORPORATED. APPLICANT: CITY OF DELAFIELD AS DOCUMENTED BY ATTORNEY HAMMES AT THIS MEETING INCLUDING CHANGE IN TREATMENT TO INCLUDE NOT MORE THAN 24 VOLUNTARY ADULT PATIENTS ONLY, INCLUDING AN 8 PM CONCLUSION OF VISITATION, 40 PAVED PARKING STALLS, DEFINITION OF A MAINTENANCE FACILITY SHED, CONSTRUCTION OF A SIX FOOT WOODEN FENCE AS REVISED WITH NECESSARY TREE REMOVAL AND ADDITIONAL PLACEMENT OF LANDSCAPING FOR THE SCHERMITZLER AND WEIR PROPERTIES AS STATED AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. DEYOE CLARIFIED THIS MOTION INCLUDED APPROVAL OF AN ADULT ONLY TREATMENT FACILITY WITH NO ADOLESCENTS BEING TREATED AT THIS FACILITY. AICHER CONFIRMED THE CLARIFICATION. MOTION FAILED FOR LACK OF A SECOND.**

**REIHER MOVED TO APPROVE THE CONDITIONAL USE PERMIT FOR THE OPERATION OF AN EATING DISORDERS RESIDENTIAL CARE FACILITY FOR DELC 0790.999.001, DELC 0790.999.002, AND DELC 0790.999.03, W367 OAKWOOD DRIVE, DELAFIELD. OWNER: ROGER'S MEMORIAL HOSPITAL INCORPORATED. APPLICANT: CITY OF DELAFIELD AS DRAFTED BY ATTORNEY HAMMES AND ADOPTING OTHER COMMENTS ACCEPTED BY HAMMES TO AMEND OR MODIFY THE DRAFT CONDITIONAL USE PERMIT NOTED AT THIS MEETING INCLUDING AN 8 PM CONCLUSION OF VISITATION HOURS, 40 PAVED PARKING STALLS, DEFINITION OF A MAINTENANCE FACILITY SHED, ADDRESS OF THE TREE REMOVAL ON THE PROPERTY WITH A MODIFIED FENCE DESIGN, AND THE CITY SHALL BE PROVIDED TIMELY NOTIFICATION OF ANY CHANGES TO THE HOUSE RULES OR ADMISSION POLICY USED BY ROGERS MEMORIAL HOSPITAL FOR THIS SITE AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. DEHN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. MOTION CARRIED WITH AICHER VOTING NAY.**

Aicher recessed the meeting at 8:26 P.M. and reconvened the meeting at 8:29 P.M.

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

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

**Chris Koppes, attorney representing Robert Woeste,** explained the request included a reduction of driveway access width from 24 feet to 15 feet in order to serve the property in the narrower stretches. With regard to the lake access, the applicant sought a waiver or declaration

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of existing non-conforming minimum lot width requirements. Mr. Woeste also sought a waiver of pyramiding prohibition on the premises because the outlot that was below Milwaukee Street was being dedicated to the City. The request included installation of two private piers on a lake lot. While he appreciated other comments heard at the public hearing, discussion could take place with the HOA; however, he could not reduce riparian rights to the lot. The intention of the back lot area, also referred to as "the hockey stick" portion of the lot, was to have it remain as green space. Preliminary approval of a conceptual draft design was being requested at this time. Discussion ensued. It was noted that the current zoning district had minimum lot areas based on bedroom counts for each building. Since this information was not clearly submitted, it was difficult to ascertain any approval of this proposal at this time. It seemed difficult to make the proposed number of bedroom units fit on the site. In addition, the current configuration was not adequate to get in/out of the garage at a 90 degree turn. Hussinger questioned the number of parking spaces proposed. The site plan did not include parking for residents or guests. It did not seem that what was currently proposed would adequately fit on the site. This item would be placed on the August 30, 2017 Plan Commission agenda for consideration and discussion after additional detailed information could be provided. No action was taken.

- c. **DELDC 0793.014.023, 601-623 Genesee St., Delafield. Owner/Applicant: Hendricks Commercial Properties, LLC.** Applicant seeks approval to amend the existing Conditional Use to allow for a mobile outdoor vendor, and recommend to the Common Council of the same.

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The applicant was not present.

**AICHER MOVED TO DENY AN AMENDMENT TO THE EXISTING CONDITIONAL USE TO ALLOW FOR A MOBILE OUTDOOR VENDOR FOR DELDC 0793.014.023, 601-623 GENESEE ST., DELAFIELD. OWNER/APPLICANT: HENDRICKS COMMERCIAL PROPERTIES, LLC 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. **DELDC 0798.977.001, 333 North Lapham Peak Road, Delafield. Owner/Applicant: American Legion Post 196.** Applicant seeks approval of an amended Conditional Use for a revised addition to the existing building, and recommend to the Common Council of the same.

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**Owen Lavin, Pattera, LLC and Glen Ritz, 407 Indian Spring Drive,** were present. Ritz noted the reason for the curved roof was to keep a military look to the site. He did not realize how objectionable it was and did not receive the feedback that a curved roof was not allowed. Lavin noted the stone and parapet roof could be removed in the design and other areas modified to accommodate approval. It was also suggested that flush doors should be used in place of the proposed six panel doors.

**JASHINSKY MOVED TO APPROVE AN AMENDED CONDITIONAL USE FOR A REVISED ADDITION TO THE EXISTING BUILDING FOR THE ADDITION ON THE NORTH SIDE OF**

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THE EXISTING BUILDING FOR DELC 0798.977.001, 333 NORTH LAPHAM PEAK ROAD, DELAFIELD. OWNER/APPLICANT: AMERICAN LEGION POST 196, SUBJECT TO INCLUDING A FLUSH DOOR DESIGN AND REMOVAL OF THE PARAPET ROOF AND STONE FAÇADE AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. MILLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. DELC 0798.977.001, 333 North Lapham Peak Road, Delafield. Owner: American Legion Post 196. Applicant: Benjamin N. Winiecke. Applicant seeks approval of a new permanent sign at this location.

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**Ben Wienecke, Boy Scout Troop 49 Eagle Candidate**, was present regarding replacement of a new permanent sign at the Delafield American Legion Post as part of his Eagle Scout project.

It was noted that the signage required modification of its existing size because it was currently non-conforming. It also posed an obstruction in the sight visibility triangle for those traversing the roadways in that area. This matter should be moved to the Board of Zoning Appeals through denial of this matter at this time in order to allow approval to take place.

**Tom Smarella, American Legion Post representative**, explained he thought the land beneath the current sign had been deeded to the Post by a former landowner. That was why the signage was to remain in its current location and it should be "grandfathered in" relative to the requirements.

**DEHN MOVED TO DENY APPROVAL OF A NEW PERMANENT SIGN FOR DELC 0798.977.001, 333 NORTH LAPHAM PEAK ROAD, DELAFIELD. OWNER: AMERICAN LEGION POST 196. APPLICANT: BENJAMIN N. WINIECKE AND RECOMMENDED THE BOARD OF ZONING APPEALS REVIEW THE REQUEST. DEYOE SECONDED THE MOTION. ESTABLISHED OWNERSHIP OF THE PROPERTY BENEATH THE CURRENT SIGNAGE WAS NEEDED. DISCUSSION ENSUED REGARDING THE LOCATION OF THE EXISTING SIGNAGE RELATIVE TO CITY ORDINANCE. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- c. DELC0792.988, 402 Kettle Drive, Delafield. Owner: DEEDEB LLC, Applicant: Ben Nader. Applicant seeks preliminary feedback for a site development to include a dog care facility and self-storage units.

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**Ben Nader, 246 North Avenue, Hartland, and Mark Ellena, Project Engineer**, were present regarding preliminary feedback for site development of a dog care facility and self storage units. There were two phases to the project being proposed. The dog care facility would be the first phase and storage units to follow in the future. There would be no sewer or water added to the storage units. Security gates could be added if desired by the City. The Fire Chief should be consulted regarding appropriate turning radius for the site. It was noted that easement issues needed resolution. Dupler explained the site allowances as noted in the epacket for this

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meeting. This item would be placed on a future agenda for additional consideration once detailed plans could be submitted.

- d. **DELC 0786.998, 1600 Genesee Street, Delafield. Owner/Applicant: Christ the King Lutheran Church of Delafield Inc.** Applicant seeks preliminary input regarding an amended Conditional Use for a revised parking lot.

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**Michael Groh, 328 Juniper Court**, was present as a member of Christ the King Lutheran Church regarding an amended conditional use for a revised parking lot. The primary objective was to improve the Church's ADA accessibility due to an aging congregation. An improvement to the entrance/exit to the facility on the westerly side of the parking lot was desired as well. The proposed driveway would now exit in line with two large pine trees on the south side of the road. These trees would improve headlight issues for the neighboring properties. An updated survey was being provided. Funding for the improvements were being provided through pledges and the desire was to move forward as soon as possible. The project would be phased in with the westerly side of the lot being the focus first and then the balance of the project to the south side. Dupler explained that while interest parking islands would be displaced, those could be incorporated into the perimeter of the landscape. Aicher appreciated consideration being given to the headlights entering other's property.

- e. **DELC 0786.999.002, 727 West Shore Drive, Delafield. Owner: Rick and Loretia Graf. Applicant: Rob Miller Homes.** Applicant seeks approval to modify the limiting setbacks of a Certified Survey Map. Recommend to the Common Council of the same.

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

**Rick and Loretia Graf, 727 West Shore Drive**, were present. L. Graf explained a house plan was being developed; however, the building envelope was downward on the slope on the property. They wondered why the setback was so far from the westerly lot line and they requested modification to 25 feet as it was on the rest of the lot. Dupler explained the unusual setbacks were a product of zoning from 1973. The limiting setback would push the building envelope down the slope rather than up the hill. There was no desire for a City road in the proposed location. A surveyor's affidavit of correction signed by the City Clerk was required with any change.

**GREENWAY MOVED TO APPROVE MODIFICATION OF LIMITING SETBACKS OF A CERTIFIED SURVEY MAP FOR DELC 0786.999.002, 727 WEST SHORE DRIVE, DELAFIELD. OWNER: RICK AND LACRETIA GRAF. APPLICANT: ROB MILLER HOMES AND TO AUTHORIZE THE CITY CLERK TO SIGN ON BEHALF OF THE CITY FOR A SURVEYOR'S AFFIDAVIT OF CORRECTION AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- f. **DELC 0801.999.006, 2701 Golf Road, Delafield. Owner/Applicant: State of Wisconsin Department of Transportation.** Applicant seeks preliminary input regarding an amended Conditional Use to allow the development of a commuter center at the Nagawaukee Park and Ride.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

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**Andrew Levy, Planning Supervisor and Frank Furdek, Park and Ride Supervisor,** were present regarding development of a commuter center at the current Nagawaukee Park and Ride location. Furdek explained developers approached the Wisconsin Department of Transportation (WisDOT) regarding development of this site. This commuter center would be one of the first of its kind in the area with an indoor waiting area for commuters as well as a snack/sundry shop/dry cleaning drop off. It would provide multi-modal friendly connections to roadways, paths and trails. The indoor center envisioned hours of 6 AM through 9 -10 PM for the indoor businesses. During the other hours of the day, the site would function as a regular park and ride location with parking allowed and no access to the interior building. A conditional use would determine the number of businesses allowed to share the interior square footage and the Department of Transportation would act as the landlord for the building with a 25-30 year lease. The City would have approval of the types of businesses allowed to operate as well as conditions within the conditional use permit. This commuter center had been modeled on another successful commuter center in Apple Valley, Minnesota. Commissioners expressed concern regarding creating unnecessary competition with other similar businesses in the area; however, it made sense to encourage mass transit options. Additional consideration was needed regarding whether a drive-thru service would appeal to commuters or simply add additional traffic to the site without the mass transit benefits. Fast food vendors were not desired. Safety of the overall site including making the area friendly for bicyclists or pedestrians walking in the area was also important. This item would be placed on a future Commission agenda for additional discussion and consideration.

6. Zoning and Ordinance Revision - None.

7. Reports of City Officials:

a. Clerk

1. Plan Commission Meeting Dates & Deadlines

a. August 30, 2017; next meeting.

b. August 15, 2017; submittal deadline.

c. August 2, 2017; Public Hearing submittal deadline.

2. Correspondence

b. Planner – No report given.

c. Building Inspector

The total number of permits to date was 33 with three residential occupancy permits this month.

8. Adjournment

There was no further business; therefore, the Wednesday, July 26, 2017 Plan Commission meeting adjourned at 9:43PM.

Minutes Prepared By:

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

Accurate Business Communications, Inc.