

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Chair Attwell called the Wednesday, May 30, 2018 Plan Commission meeting to order at 7:00PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, May 30, 2018 Plan Commission meeting:

Present

Kent Attwell, Mayor

Tim Aicher, Ald.

Dave Greenway

Dan Jashinsky

Ed Marek

Jeff Miller

Jim Reiher

Roger Dupler, Planner

Scott Hussinger, Building Inspector

Absent

Jeff Krickhahn

PUBLIC HEARINGS: None

1. Approve Plan Commission meeting minutes of April 25, 2018 meeting.

AICHER MOVED TO APPROVE THE PLAN COMMISSION MEETING MINUTES OF APRIL 25, 2018 AS PRESENTED. REIHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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

Attwell requested City of Delafield Citizen's Comments pertaining to subjects on the Consent Agenda at this time, noting that Citizen's Comment pertaining to subjects on the remainder of the agenda would take place after Consent Agenda approval.

Tina Lewis, 4085 N. 128th Street, Brookfield, WI, was present to answer any questions regarding approval of the Chase Bank signage in Item 3b.

3. Consent Agenda

- a. **DELC 0787.078, 609 Milwaukee Street, Delafield. Owner: Randal Babe and Jane Babe Applicant: Mark Lutz.** Applicant seeks approval of a Business Plan of Operation and signage for Belle Tile & Stone, a retail showroom. Hours of Operation are all days 8:00 A.M. to 10:00 P.M., with three full-time employees.

- b. **DELC 0798.103, 612 Wells Street, Delafield. Owner: Bank One Applicant: Lemberg.** Applicant seeks approval of an additional parking sign and proposes amendment to the existing sign.

Greenway questioned the color change in the Chase Bank pole signage. Dupler explained ordinance requirements required this item to be placed on the Consent Agenda.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

JASHINSKY MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. MAREK SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Jim Zahorik, 948 West Shore Drive, was present regarding Item 5a. He and his wife had moved to Delafield 30 years ago because of the "Norman Rockwell" ambience of the area. Over time things had changed with the "Smiley Barn" and while he appreciated the company that was in that location, changing the barn color to black ruined things a bit for him. Now there was an opportunity to change things back to the time when he could come home from a bad day at work and see the smiley face that would somehow change things for the better. The smiley face on the barn seemed to change attitudes for people. While he agreed with reinstating the smiley face on the barn, he did not think the gumball presentation would meet the criteria for public art or signage. The smiley face was historic and could be declared public art because it was a historic architectural feature that would orient people to the city. If the City allowed the smiley face to return, the owners would be investing in money to make the barn look good and would also return the City to the ambience of the past.

Maria Luther, 1000 N. Golden Lake Road, was the current owner of The Smiley Barn (Item 5a). She was present to ask for approval to return the smile face to the side of the barn. She wanted to paint it yellow with red accents and also to paint the mural of a gumball jar on a silo feature. There was tremendous support from the community and via social media that resulted in more than 1,000 signatures on a petition. She would continue her presentation when Item 5a was considered.

Jamie Tagtow, 220 Country Court, was present regarding Item 5a. She worked at Montage. She had lived in the City for five years and recalled visiting her grandparents telling her stories about the smiley barn face when she was little. She had never gotten to see it and only knew the barn as a big black barn. The Smiley Barn would be a fun addition to the City. People loved the smiley face and would love to have it back. When she worked at Montage, people would come in and ask about it because they had used The Smiley Barn as a location to meet others in the past. Delafield had a lot to offer with many cool, local, small town businesses. Anything that could make someone smile after a hard day would require a visitor to stop and see what the barn and city had to offer. There was a huge outpouring of support for The Smiley Barn and despite being gone for a number of years; people still referenced the building as The Smiley Barn. She noted it seemed the smile was here to stay and questioned why it couldn't be brought back.

Mike Smith, co-owner of Dick Smith's Bait and Tackle, was present with his sister, Becky regarding Item 5a. They had owned the longstanding Delafield business for 35 years in the basement of The Smiley Barn since 1982. The barn had been painted yellow with a smiley face, and then red and then black. There were many people upset when the barn was originally painted because they wanted the smiley face back. This was an opportunity to change this historic architectural image, not a sign, to make an impact on the City. This would put the City in the news in a good light for all citizens if approved. He had not heard a single negative comment about replacing the smile face image from anyone that had come into the store. The Smiley Barn should be brought back.

John Dassow, 1791 Blue Spruce Lane, was present regarding Item 5a. He built his house in 1992. He was a painting contractor and understood how important and emotional color could be for people. He thought about all the families that would be going to the Dells and would tell

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

kids that they could stop at the Toy Store or McDonalds by The Smiley Barn. He remembered similar instances growing up and had taken the barn for granted at that time. Delafield was a great place to raise kids and smiles were important. There were many places that one could currently shop; however, the "fabric" of life was missing in these experiences. The Smiley Barn and Toy Store were "fabric." To him, it seemed obvious as a choice to return the happy yellow smiling face. In 27 years time, this barn was located off the exit that all kinds of people could remember. Delafield should be the community that cared about smiles. It was not a sign; it was a part of life.

Julie Felsing, 805 Garrison Court, had lived on Nagawicka Lake since 1974 and was present regarding Item 5a. She had always known The Smiley Barn and thought it was cool. She understood the need for change. All who had spoken before her on this item were correct. She had heard conversations over and over about the smile face. The candy mural seemed a good thing because anything that would draw someone in to stop in a community would tend to cause "overflow." People would stop to shop and then wonder about a good place for lunch and whether there were any other fun places. People would come to see The Smiley Barn and Toy Store with some even taking pictures by it. She thought restoring The Smiley Barn and Toy Store would be good for the community and she supported it entirely.

Al Kotill, 5513 County Road CB, Madison, was present regarding Item 5a. He questioned how important an image was. He and his wife enjoyed traveling to many different locations. Each town had an image that defined the area, something that was special and unique, in all the places they visited. The City of Delafield had The Smiley Barn and the barn was the embodiment of the City. Historically, people recognized the City by the Smiley Barn. It was important to the City because people would come to the City to explore and spend money. He anticipated an uptick in the local economy, good civic commitment and a better area economy with reinstatement of The Smiley Barn image. While the image could not be copyrighted, it had a major impact on all that the City cared about.

Jessie Weinberg, 404 Gen Street, lived in the City for four years and was present regarding Item 5a. She grew up in Stevens Point and had relatives in Milwaukee. As a child traveling by car, she knew that when she saw The Smiley Barn, she was near her destination.

Laurie Kotill, 5513 County Road CB, Madison, was present regarding Item 5a. She traveled with her husband and blogged about their adventures in travel. She agreed with all comments and shared the sentiment about The Smiley Barn. She grew up seeing it and it put a smile on kids' faces. The potential for having The Smiley Barn back filled her with joy.

Jill Kane, Mill Ridge Road, Pewaukee, was present regarding Item 5a. She lived in Wisconsin her entire life. Coming to and from the area and seeing The Smiley Barn gave her a good feeling. In the whole climate that existed currently, it was nice to give the sense of community and a heartwarming welcoming feeling to others. The smile face brightened her day. There was just something about it that made her feel like she would like to come to Delafield and the Lake Country area. There was support on social media for the return of The Smiley Barn and it would be a really great thing to see it come back. Many people had lots to say about it being gone and it would be welcomed upon its return.

Hearing no further comments, Attwell closed Citizen's Comments.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

4. Unfinished Business - None.
5. New Business
 - a. **DELC 0803.002, 2420 Milwaukee Street, City of Delafield. Owner: Smiley Barn Property Co., LLC. Applicant: Summerville Toys LLC.** Applicant seeks approval for a change of building color, and permanent building signage for The Smiley Barn.

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

Maria Luther, 1000 N. Golden Lake Road, noted a petition had been circulated with 1,000 signatures. Many had taken the time to comment and it was great to see how excited people were to have the smiley face returned to The Smiley Barn. This was not a local issue. Comments had been received from far and wide. The Smiley Barn was a goodwill ambassador for Lake Country and many people considered it a landmark or a directional marker to their residence. Many people had also expressed sadness that their children would not be able to experience the smile face and they felt as though they missed out. The petition indicated overwhelming support for the return of The Smiley Barn. In addition to the smile being considered a type of public art, the candy jar mural would also be a public attraction that would allow more to be made of the destination. There would be large beach balls available for photo opportunities that could be held above their heads as if the gumball machine were dropping gumballs onto their heads. This would provide a great photo opportunity to draw people off the exit. The gumball image would be playful and would be in the City's best interest to have the location stand out.

Dupler noted that the smile face on the barn was originally created in 1980. The City had never approved it nor enforced its removal. It was established as a local landmark and over painted in 2001 when it became The Amish Barn. Colors, signage requirements and options for consideration were reviewed as noted in the epacket for this meeting. Attwell concurred that the smile was public art. Reiher noted that the smile had existed continuously for 22 years at this location and was not expected to be withdrawn by the owner if allowed to be replaced at this time. He noted unprecedented unified support for this artwork that provided many benefits to the community. It represented a bright spot for the community and identified Delafield to travelers. This was public art without controversy or comparison and he encouraged all Commissioners to act accordingly in this matter.

REIHER MOVED TO DETERMINE THE SMILEY BARN FACE AS PRESENTED AS PUBLIC ART WITHIN THE MEANING OF THE ORDINANCE WITH THE INCLUSION OF THE GUMBALL MURAL AS PUBLIC ART AND TO APPROVE THE TOY STORE SIGN AS SIGNAGE AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. MILLER SECONDED THE MOTION. DISCUSSION ENSUED REGARDING THE GUMBALL MURAL AS BEING NEITHER HISTORIC NOR PROVIDING AMBIENCE. THE TOY STORE VERBIAGE SEEMED APPROPRIATE AS SIGNAGE. THERE WERE NO HISTORIC REFERENCES TO THE GUMBALL MURAL. CONCERN WAS EXPRESSED FOR SETTING A PRECEDENT WITH GUMBALL SIGNAGE BEING CLASSIFIED AS ART. THE GUMBALL MURAL SEEMED A MARKETING TOOL. AICHER QUESTIONED HOW THE SIGNAGE WAS AFFIXED TO THE BUILDING. LUTHER EXPLAINED THE SMILE FACE WAS ORIGINALLY MADE OF PAINTED PLYWOOD AND HAD BEEN SOLD OR GIVEN AWAY IN THE PAST.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

HER PLAN WAS TO REPLICATE THE IMAGE OUT OF ALUMINUM FOR DURABILITY. BEFORE THE OLD SMILE FACE WAS REMOVED, THERE WERE SPOTLIGHTS THAT SHOWN ON THE BARN THAT HAD NOT BEEN REMOVED. THE WEST SIDE LIGHTS WERE OPERATIONAL; HOWEVER, LIGHTING HAD NOT BEEN INCLUDED IN THE APPLICATION BECAUSE THE LIGHTS HAD NEVER BEEN REMOVED; THE SWITCH WAS SIMPLY TURNED OFF. A SUGGESTION WAS MADE TO ADD SOME IMAGERY TO THE TOY STORE SIGNAGE TO CLEARLY INDICATE THE TYPE OF BUSINESS. REIHER EXPLAINED THAT TO HIM THE GUMBALLS WERE AN EXTENSION OF THE ARTWORK THAT WOULD APPEAL TO FAMILIES AT THIS LOCATION IN A POSITIVE IMAGE. **THERE WAS NO FURTHER DISCUSSION. ONE WAS IN FAVOR. MOTION FAILED WITH ATTWELL, AICHER, GREENWAY, JASHINSKY, MAREK AND MILLER VOTING NAY.**

AICHER MOVED TO APPROVE THE SMILEY BARN AS PRESENTED DESIGNATED AS PUBLIC ART WITH THE TOY STORE SIGNAGE DESIGNATED AS SIGNAGE AND TO DENY THE APPLICATION FOR THE GUMBALL MURAL AS SIGNAGE OR ART AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. GREENWAY SECONDED THE MOTION. AICHER SUGGESTED THE APPLICANT RETURN WITH A PLAN TO ILLUMINATE THE SMILE FACE ON THE BARN IF IT WAS CONSIDERED PUBLIC ART BY THE COMMISSION OR TO MEET WITH STAFF FOR APPROVAL IF ALLOWED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

The applicant agreed to work with City Staff regarding illumination efforts for the public art.

- b. **DELIC 0803.991.002, 2694 Sun Valley Drive, Delafield. Owner/Applicant: Kwik Trip Inc.** Applicant seeks feedback on a preliminary site plan to accommodate a new building and gas pump canopy. This development will also include a Certified Survey Map and an amended Conditional Use. Schedule a public hearing and recommend to Public Works Committee.

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

Brad Fry, Kwik Trip, Inc, representative and Jason Heinonen of RA Smith Inc., were present. Discussion ensued regarding how the canopy calculations were considered as part of the site plan. Hussinger noted canopies were allowable obstructions up to 30 inches into the setback area. The canopy currently measured 35 inches into the setback. Suggestions were heard to incorporate green space into the plan as well.

AICHER MOVED TO APPROVE A CERTIFIED SURVEY MAP AND AMENDED CONDITIONAL USE CONTINGENT UPON FINAL SITE PLAN APPROVAL FOR ACCOMMODATION OF A NEW BUILDING AND GAS PUMP CANOPY FOR DELIC 0803.991.002, 2694 SUN VALLEY DRIVE, DELAFIELD. OWNER/APPLICANT: KWIK TRIP INC AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. REIHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

A public hearing was scheduled for the next Plan Commission meeting after review of this item by the Public Works Committee.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- c. **DELC 0798.999.00, 935 Main Street, Delafield. Owner: Clearview Home Corp. Applicant: VJS Construction Services, Inc.** Applicant seeks feedback on a redevelopment proposal for the campus to include site plan, Certified Survey Map, and Conditional Use amendment. Schedule a public hearing and recommend the CSM to the Common Council.

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

Chris Sauve, VJS Construction Services, Inc., and Jim Medinger, Plunkett, Raysich Architects, LLC, were present to represent the applicant as a Design/Build team for Clearview Home Corp. (Clearview). The lodge and annex building were removed last summer. A small cottage home existed on higher elevation and will remain as potential staff housing or continue as administration offices. Medinger explained a tree survey had been conducted because Clearview wanted to keep as many trees as possible on the property. Historically the campus had acquired native Wisconsin trees brought to that location to purposefully grow on site. Marked trees would remain. The only trees to be removed were either rotten or dangerous. An effort had been made to move the buildings away from the westerly side of the property to save trees. A trail could be placed in the future that would wind around the property. A community meeting had been held with support from the neighborhood. Originally the plan included locating the building to the westerly side of the property and now it would be located where it was demolished so there would be little to no impact. This was slightly different than what was shown in the epacket for this meeting. Phase One construction would include a one-story building to be used for guests' living space. The remainder of buildings shown on the Master Plan were noted for phased construction and planning. The existing white building would remain operational during construction of the new building. Medinger noted the building had been pushed back into the property away from Main Street to avoid encroaching into setbacks. Independent living duplex cottages were shown in the campus plan as well. The building in the northeast corner would likely remain as a staff housing building or could become an independent living area for those 55 and older.

Elizabeth Harned, Executive Director of Clearview, explained that the parking had purposefully been designed to the front to avoid disturbing patients located at the back of the proposed building.

The layout was well done; however, it was preferential to have to the building moved closer to the road with proposed parking moved to the back or side of the building to avoid an urban feel to the roadway. Discussion ensued regarding the potential for moving the parking off the street and onto the property interior in some way in order to maintain one-way drive lanes along with two access points to the campus off Main Street for medical services and refuse collection. One parking lot would be more economical than two smaller lots. Buildings should be kept closer to the road to maintain consistency with surrounding houses. If the front parking lot were to be moved and centralized, additional green space could be realized to the front of the property. The applicants anticipated Phase 1 construction beginning in the fall of this year. Discussion also took place regarding the construction of a breezeway between the Phase 1 and 2 buildings in the future. Various desired site plan elements were shared with the applicants. Building layout for the overall campus was appreciated with a suggestion to keep the proposed architectural elements in residential areas. Suggestions were made to direct headlights toward buildings rather than into the neighborhood and to provide additional landscaping in the front to

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

screen the parking areas from the neighborhood. Additional information would be provided at the July Plan Commission meeting at the time of the Public Hearing on this matter.

JASHINSKY MOVED TO APPROVE A CERTIFIED SURVEY MAP, AND CONDITIONAL USE AMENDMENT, FOR DELC 0798.999.00, 935 MAIN STREET, DELAFIELD. OWNER: CLEARVIEW HOME CORP. APPLICANT: VJS CONSTRUCTION SERVICES, INC., CONTINGENT UPON RESOLUTION OF ITEMS LISTED IN THE SEH REPORT, DATED APRIL 26, 2018, VACATION OF THE BLEEKER STREET RIGHT-OF-WAY AND FINAL SITE PLAN APPROVAL BY THE COMMON COUNCIL AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **DELC 0786.095, 2117 West Shore Drive, Delafield. Owner/Applicant: Brian and Barbara Cook.** Applicant seeks approval of a special exception to allow for a single family home that exceeds the prescribed floor area ratio in the RL-2 district.

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Brian and Barbara Cook, 2117 West Shore Drive, were present. Dupler explained this proposal was for construction of a single family home on a substandard lot platted in the 1920s before the City zoning was applied to the property. The floor area ratio (FAR), as noted in the epacket for this meeting, allowed construction of a 2,246 sf house. The applicants proposed construction of a 2,667 sf house. Discussion ensued regarding consistency of housing size in the adjacent neighborhood. A lack of standards for consideration of special exceptions was noted. Discussion took place regarding unfinished areas of the proposed plans, noting the unfinished area was approximately 1,250 sf. Efforts had been made by the applicant to request the architect provide a design that was within setback limits and to be conservative with the property. For this reason, the garage was designed beneath the house to limit the impervious surface area on the lot. It was suggested that support from the adjacent neighbors would be helpful in this case. Discussion took place regarding notification to neighboring property owners prior to this meeting and due diligence necessary to moving forward with consideration.

REIHER MOVED TO POSTPONE THIS ITEM UNTIL THE JUNE 27, 2018 PLAN COMMISSION MEETING TO ALLOW THE APPLICANT TIME TO RESEARCH THE SUGGESTED ISSUES AND OTHER AVAILABLE OPTIONS. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. Zoning and Ordinance Revision.

A draft user survey related to Comprehensive Plan updates was provided in the epacket for this meeting. Input was requested from the Commission prior to distribution. The survey would be placed on the next Plan Commission meeting agenda for consideration and approval. It was suggested that certain questions should remain as they were worded at the time of the last survey in order to accurately determinate data on change in response.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

7. Reports of City Officials:

a. Clerk

1. Plan Commission Meeting Dates & Deadlines.

a. Meeting June 27, Submittal Deadline June 12, Public Hearing Deadline June 1.

2. Correspondence.

An email had been received after distribution of the epacket noting that, at the request of the developer, the Hendricks multi-use building project application had been withdrawn in order to redesign the proposal.

b. Planner - None.

c. Building Inspector.

There were three residential permits with no commercial permits this month.

8. Adjournment

There was no further business; therefore, the Wednesday, May 30, 2018 Plan Commission meeting adjourned at 9:17PM.

Minutes Prepared By:

Accurate Business Communications, Inc.