

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Mayor McAleer called the meeting to order at 7:00 P.M.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, February 27, 2013 Plan Commission meeting:

Present

Ed McAleer, Mayor
 Kent Attwell
 Kevin Fitzgerald
 Dan Jashinsky
 Matt Katz
 Tony Drake
 Roger Dupler, Planner
 Gina Gresch, Clerk-Treasurer

Absent

Michele DeYoe, Ald.
 Chris Smith
 Scott Hussinger, Building Inspector

1. Approve Plan Commission meeting minutes of January 30, 2013 meeting.

K. ATTWELL MOVED TO APPROVE THE JANUARY 30, 2013 PLAN COMMISSION MEETING MINUTES AS PRESENTED. K. FITZGERALD 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.

K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:01 P.M. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. Consent Agenda (Recommended approvals in accordance with the staff report).

- a. **DELC 0733.989, 4439 Vettleson Road, Hartland. Owner: Mike Gatzow. Applicant: Eduardo Rivera.** Applicant seeks approval of a Business Plan of Operation for a detailing business, **Elite Auto Detail, LLC**. Hours of Operation are Sunday by appointment only and Monday through Saturday, 7am to 8pm with two part-time employees.
- b. **DELC 0787.081, 615 Milwaukee Street, Delafield. Owner: Tom Kelly. Applicant: Christine Hudson.** Applicant seeks approval of a Business Plan of Operation for a resale store for home hospice, **Angel's Place**. Hours of Operation are Tuesday through Friday, 10am to 5pm and Saturdays and Sundays 10am to 2pm with 8 part-time employees/volunteers.

K. ATTWELL MOVED TO APPROVE THE ITEMS ON THE CONSENT AGENDA IN ACCORDANCE WITH THE STAFF REPORT. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. Final Consideration, Approvals, Previous Approval.

5. Plans of Operation, Signage and Site Plan.

- a. **DELC 0798.977.001, 452 N. Lapham Peak Road, Delafield. Owner: Delafield American Legion Post 196. Applicant: Craig Hoaglund, Event Chairman.** Applicant seeks approval of a temporary Business Plan of Operation for the **Delafield Legion Riders Ranch**, to allow a temporary campground for the Harley Davidson 110th Anniversary Celebration.

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TAKEN FROM PLANNER ROGER DUPLER'S STAFF REPORT: *The Delafield American Legion proposes to host a temporary campground for attendees of the Harley Davidson 110th Anniversary. Guests would be allowed access to the grounds and set-up camp sites for multiple days. This is not a typical request. The property is Zoned R-3 and as such the proposed expansion of the existing commercial use throughout the grounds would normally not be considered, albeit the Legion has a unique arrangement with the City, and the Legion grounds are managed as recreational space within the center of the City and perceived as a park.*

- **17.39(13)(c):** *The R-3 district allows for Conditional Uses as a permitted use.(see 17.40-48).*
- **17.46(4):** *Allows for Noncommercial Clubs and recreational facilities, such as recreational camps in any district.*
- **17.46(4)(a):** *Requires such uses to be relegated to three acres or more, but exempts "war veterans' clubs" from that requirement.*

Recommendation: *The Plan Commission may approve the request, approve with conditions, or deny the request. As always, the option to table the item or postpone deliberation to a date certain is also available. This may be a legitimate option if it is determined that a public needs to be conducted. The City may conduct a public hearing before considering any request. Given the potential impact to the neighborhood a public hearing may be appropriate before considering the Temporary Business Plan. If the request is approved with conditions, Staff recommends that the Legion provide a site plan to illustrate the location of campground facilities and that the Plan Commission also request that an access restriction be implemented to limit traffic arrival and departure within a defined timeframe. If the Temporary Business Plan is denied the Legion may peruse approval by Conditional Use. If that were the case, the Plan Commission would conduct a public hearing and make a recommendation to the City Council. In preparation for that public hearing the Legion should be asked to provide the same information as requested above and any other information requested by the Plan Commission.*

C. Hoagland stated many of the neighbors are Legion members and one neighbor is present tonight. He assumed this item would be put to a public hearing so he didn't have more people come to the meeting. K. Fitzgerald asked who owns the land, is the Legion operating under a Business Plan of Operation or Conditional Use? R. Dupler stated the City owns the land and he hasn't been able to find a Business Plan of Operation or Conditional Use on the property since it has been operating for a long time and was in the Town of Delafield and before the City was incorporated. C. Hoagland stated the Legion has been operating since 1927. The Legion does have title to the land and is listed on the tax roll as such. There was further discussion among the Plan Commission and petitioner about finding a Business Plan of Operation and or Conditional Use for the property. K. Fitzgerald stated he isn't sure how the Plan Commission can approve this even without having a factual record on file. This event doesn't qualify for a Conditional Use as Conditional Uses are permanent and this is temporary event. R. Dupler stated when he wrote the report he didn't assume it would be approved; he thought the Plan Commission would schedule a public hearing so the City could better understand the temporary operation. M. Katz stated he doesn't have a problem approving the event but wants to make sure the neighbors know about the event. D. Jashinsky stated he would like to schedule a public hearing. K. Fitzgerald agreed.

K. ATTWELL MOVED TO APPROVE THE TEMPORARY BUSINESS PLAN OF OPERATION FOR THE DELAFIELD LEGION RIDERS RANCH, TO ALLOW A TEMPORARY CAMPGROUND FOR THE HARLEY DAVIDSON 110TH ANNIVERSARY CELEBRATION. FOR DELC 0798.977.001, 333 N. LAPHAM PEAK ROAD, DELAFIELD. OWNER:

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DELAFIELD AMERICAN LEGION POST 196. APPLICANT: CRAIG HOAGLUND, EVENT CHAIRMAN. T. DRAKE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION FAILED WITH NAYS BY M. KATZ, D. JASHINSKY, K. FITZGERALD, T. DRAKE AND E. MCALEER.

K. FITZGERALD MOVED TO SCHEDULE A PUBLIC HEARING ON MARCH 27, 2013 FOR THE TEMPORARY BUSINESS PLAN OF OPERATION FOR THE DELAFIELD LEGION RIDERS RANCH, TO ALLOW A TEMPORARY CAMPGROUND FOR THE HARLEY DAVIDSON 110TH ANNIVERSARY CELEBRATION. FOR DELC 0798.977.001, 333 N. LAPHAM PEAK ROAD, DELAFIELD. OWNER: DELAFIELD AMERICAN LEGION POST 196. APPLICANT: CRAIG HOAGLUND, EVENT CHAIRMAN. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED WITH ONE NAY BY K. ATTWELL.

K. Fitzgerald asked if there are any other items or structures that will be on the property for the event that aren't on the map. C. Hoagland stated there is nothing else; bathrooms are already on the property, City will not have to take care of the ball diamonds or trash cans. He further discussed registration time, quiet time and parking enforcement. He stated he already has enough registrations to fill up half of the space and he hasn't even advertised yet. People that want to camp there are giving donations to the Legion. There are other private campgrounds in the area which is where he took the setup details from. Because this is a special event, it varies from the permanent campground rules. K. Fitzgerald stated he is struggling with this as it is in the middle of a residential district. E. McAleer stated if this is done right it will be a very good thing for Delafield. K. Attwell stated the Legion has a long track record of doing things right and doing things good for Delafield.

- 6. Preliminary
- 7. Zoning and Ordinance Revision.
- 8. Reports of City Officials:
 - a. Clerk
 - 1. March 27 (Meeting); Feb 27 (PH Deadline); March 13 (Reg. Deadline)
 - b. Planner
 - c. Building Inspector
- 9. Adjournment.

D. JASHINSKY MOVED TO ADJOURN THE WEDNESDAY, FEBRUARY 27, 2013 PLAN COMMISSION MEETING AT 7:26 P.M. K. ATTWELL SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes Prepared By:



Gina C. Gresch, MMC/WCPC
City of Delafield Clerk-Treasurer
Waukesha County