

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Attwell called the Wednesday, January 30, 2019 Plan Commission meeting to order at 7:00PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, January 30, 2019 Plan Commission meeting:

Present

Kent Attwell, Mayor

Tim Aicher, Ald.

Dave Greenway

Dan Jashinsky

Jim Reiher

Laura Schult

Robert Weiler

Roger Dupler, Planner

Absent

Ed Marek

Special Order of Business:

Thank Jeff Miller for his contributions to the Plan Commission. Announce Robert Weiler as the newest member to the Plan Commission.

Attwell thanked Jeff Miller for his service to the City on the Plan Commission and welcomed Robert Weiler to the Commission.

1. Approve Plan Commission meeting minutes of November 28, 2018 meeting.

AICHER MOVED TO APPROVE THE NOVEMBER 28, 2018 PLAN COMMISSION MEETING MINUTES 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 the Consent Agenda.

Hearing no comments pertaining to subjects on the Consent Agenda, Citizen's Comments pertaining to subjects on the Consent Agenda were closed.

3. Consent Agenda

- a. **DELC 0793.018.003, 527 Milwaukee Street, Delafield. Owner: Hendricks Commercial Properties LLC. Applicant: Bark River Cross CF, LLC.** Applicant seeks approval of a modified sign design to include lighting.
- b. **DELC 0793.001.005, 440 Wells Street, Delafield. Owner: Hendricks Commercial Properties, LLC. Applicant: Montage.** Applicant seeks approval of a modified permanent building sign.
- c. **DELC 0787.081, 615 Milwaukee Street, Delafield. Owner: Provenio Properties LLC. Applicant: Jesse Grutz.** Applicant seeks approval of a permanent building sign in conformance with the preapproved multitenant sign program.

Items 3b and 3c were removed from the Consent Agenda for discussion and consideration.

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JASHINSKY MOVED TO APPROVE CONSENT AGENDA ITEM 3A AS PRESENTED. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0793.001.005, 440 Wells Street, Delafield. Owner: Hendricks Commercial Properties, LLC. Applicant: Montage.** Applicant seeks approval of a modified permanent building sign.

Mike Braatz, Hendricks Commercial Properties, Construction Manager, was present. Schult questioned the use of the proposed logo next to the name. It was noted that the sign program for the building was approved in September, 2018. The signage request was for a color change on the approved signage from white to blue. Clarification was also provided that this business was not related to a previous business with the same name in the City. Schult expressed objection to the look of the proposed signage as being too futuristic and not in keeping with the architecture of the building.

AICHER MOVED TO APPROVE A MODIFIED PERMANENT BUILDING SIGN FOR DELC 0793.001.005, 440 WELLS STREET, DELAFIELD. OWNER: HENDRICKS COMMERCIAL PROPERTIES, LLC. APPLICANT: MONTAGE. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. MOTION CARRIED WITH SCHULT VOTING NAY.

- c. **DELC 0787.081, 615 Milwaukee Street, Delafield. Owner: Provenio Properties LLC. Applicant: Jesse Grutz.** Applicant seeks approval of a permanent building sign in conformance with the preapproved multitenant sign program.

Jesse Grutz, 615 Milwaukee Street, was present. Clarification was provided regarding the approval of the sign program for the overall building. The submitted depiction of the signage for the applicant was not to scale and caused confusion. All signage would be mounted using the same style bracket for consistency. Schult requested that this signage should be used as the standard for the westerly side of the building.

SCHULT MOVED TO APPROVE THE A PERMANENT BUILDING SIGN IN CONFORMANCE WITH THE PREAPPROVED MULTITENANT SIGN PROGRAM FOR DELC 0787.081, 615 MILWAUKEE STREET, DELAFIELD. OWNER: PROVENIO PROPERTIES LLC. APPLICANT: JESSE GRUTZ AS PRESENTED AND TO HAVE ALL FUTURE SIGNS SIMILAR IN ORIENTATION, SIZE AND SHAPE TO THIS APPLICATION FOR THE WESTERLY SIDE OF THE BUILDING CONTINGENT UPON THE BUILDING OWNER'S APPROVAL. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FIVE WERE IN FAVOR. MOTION CARRIED WITH GREENWAY VOTING NAY.

4. City of Delafield Citizen's Comments pertaining to items on or off this Agenda.

Hearing no other comments pertaining to items on or off this Agenda, Citizen's Comments were closed.

5. Unfinished Business

- a. **DELC 0807.985.017, 3884 Kettle Court East, and DELC 0807.985.009, 3871 Kettle Court East. Owner: KB Investments I, LLC. Applicant: Design 2 Construct.** Applicant seeks approval of a revised landscape plan for a manufacturing building.

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

AICHER MOVED TO APPROVE THE REVISED LANDSCAPE PLAN FOR A MANUFACTURING BUILDING FOR DELC 0807.985.017, 3884 KETTLE COURT EAST, AND DELC 0807.985.009, 3871 KETTLE COURTEAST. OWNER: KB INVESTMENTS I, LLC. APPLICANT: DESIGN 2 CONSTRUCT AS PRESENTED. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. New Business

- a. **DELC 0798.023, 634 Main Street, Delafield. Owner: Susan D. Henseling. Applicant: Jerry Spencer.** Applicant seeks approval of a Business Plan of Operation and a Site Plan and Appearance Review for Soul Fire Art Studio. Hours of Operation are Sunday 12:00 P.M. to 5:00 P.M., Monday through Saturday 8:00 A.M. to 10:00 P.M., with two full-time employees and five part-time employees.

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(Clerk's note: This agenda item should have noted requested approval of an **AMENDED** Business Plan of Operation as noted in the Planner's Report in the epacket for this meeting.)

Teresa Spencer, Soul Fire Art Studio owner; Jerry Spencer, 935 Point View Drive and Mark Ellena, S9W31380 Irwin Court, Delafield, were present. J. Spencer clarified the existing garage setback from the alley was 3.6 feet on the west side and 4.2 feet on the east side for a total reduction of 6 feet. Dupler noted this was short of the required setback in the CBD-2 district; however, the nonconformity of the existing garage was being lessened in this proposal. Issues requiring resolution were noted in the engineering letter to the applicant dated January 24, 2019 and should be a condition of any approval in this matter. J. Spencer noted there was no landscape plan or tree mitigation needed for this property. It was anticipated that all engineering issues could be resolved without objection. The garage on the property would be used as commercial space in the future, thus, there was no need for garage access. J. Spencer requested the fee for the proposed parking stalls to be waived. The applicant would allow an access easement on the private property to take advantage of the parking spaces in the right-of-way area. The sidewalk would then be implemented in the right-of-way and granted to the City. The proposed sidewalk would allow access to the existing sidewalk and complete a missing section. Discussion ensued regarding the fees imposed for the parking spaces in this project. The fee being imposed was unique to this site and was believed reasonable in this case. This was the only section of Oneida Street that did not have perpendicular parking. The cost for each parking stall was \$800. The \$5,600 fee was reduced from \$8,800 due to compensation for the sidewalk. City personnel would remove snow from the parking stalls and would place it in the yard in front of the stalls. Impervious surface was being added as part of this proposal. This matter had been reviewed by Staff and the most amicable compromise was being offered. This fee structure was unique to this site.

REIHER MOVED TO APPROVE AN AMENDMENT TO AN EXISTING A BUSINESS PLAN OF OPERATION AND A SITE PLAN AND APPEARANCE REVIEW FOR SOUL FIRE ART STUDIO FOR DELC 0798.023, 634 MAIN STREET, DELAFIELD. OWNER: SUSAN D. HENSELING. APPLICANT: JERRY SPENCER, CONTINGENT UPON RESOLUTION OF

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ITEMS CONTAINED IN THE JANUARY 24, 2019 ENGINEER'S LETTER TO THE APPLICANT WITH THE EXCLUSION OF ITEM 11 DUE TO UNNECESSARY TREE MITIGATION, STAFF APPROVAL OF A LANDSCAPE PLAN FOR THE PROPERTY, A FEE FOR PARKING SPECIFIC TO THIS SITE TOTALING \$5,600 FOR THE PROPOSED PARKING SPACES ALONG ONEIDA STREET, AND SUBJECT TO PUBLIC WORKS COMMITTEE REVIEW AND APPROVAL OF THE SITE PLAN. AICHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0752.005, 2845 Sylvester Drive. Owner: Thomas L. and Kathleen A. Yoss. Applicant: A.D.S. Inc.** Applicant seeks approval of a Special Exception to allow for excessive floor area in the RL-2 District.

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Thomas Yoss, applicant and Bryan Tom, A.D.S., Inc, 150 Sunnyslope Road, Brookfield, WI, 53005, were present. Tom explained the application requested 3,101 sf of floor area and that consideration should be given to allowing the 103-sf mechanical room on the first floor of the proposed house due to a high-water table. Tom also questioned the meaning of the word "structural" in this case. Discussion ensued regarding the calculations used by the Planner and the applicant's architect in determining appropriate floor area ratio (FAR). The Building Inspector was not present to provide a determination on this matter. Concern was expressed for perpetuating the existing non-conformity. The applicant agreed to return to the February Plan Commission meeting to further discuss this matter. No action was taken.

- c. **DELC 0797.085.001, 712 Milwaukee Street. Owner/Applicant: Grand Oak LLC.** Applicant seeks feedback on a preliminary presentation to rezone a residential parcel from R-6 to R-4.

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Clerk's Note: Reiher clarified the street address for this item as being 1712 Milwaukee Street as noted in the epacket for this meeting.

Tom and Nancy Tegeder, 1533 Milwaukee Street, were present. N. Tegeder explained she and her husband proposed construction of a two-family duplex on the property with an "East Coast Nantucket" style. The RA-6 zoning designations did not currently allow two family dwellings. History of the parcel, its unique shape and other historic legal issues associated with the property were noted. A public hearing was scheduled for the February 27, 2019 Plan Commission meeting.

- d. **DELC 0804.982.001, 2980 Golf Court, Delafield. Owner/Applicant: Delasota LLC.** Applicant seeks preliminary feedback on a proposal to amend the General Development Conditional Use relating to total green space.

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Brian Randall, representative for Wallace Enterprises d/b/a Delasota, LLC, and Jon Thoreson, real estate representative, were present. Randall provided a presentation to the

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Commission regarding the timeline of parcel development noting the impact of past development on the green space requirements for the overall 46-acre retail shopping center site. An undue burden of green space was placed on this last remaining parcel. Benefits of the proposed project, including preservation of existing green space and the "Champion" oak tree, stormwater management that would match into the existing stormwater facilities, and improvement of the Golf Road/Golf Court intersection, were noted. The project would generate 22% more traffic along this corridor. A signalized intersection was considered acceptable for traffic management at this intersection.

Several options existed in the epacket for this meeting regarding how to address the modification of green space if determined necessary by the Commission and Common Council. The applicant had requested a Public Hearing for the February 27, 2019 Plan Commission meeting. Discussion ensued. The development exacerbated an existing traffic issue along the Golf Road corridor so there was a duty to contribute to the solution. The original shopping development owner was not the current owner of the last remaining parcel. The green space requirement was in existence at the time of purchase of this parcel. The remaining parcel was being burdened by the size of the proposed buildings and parking lot in addition to the green space shortfall due to past parcel development. Concern was expressed for the development occurring at the end of a "dead end" road as well as the resulting outcome if a referendum related to the roundabout was not passed. The roundabout would resolve all traffic issues along Golf Road and was supported by the Public Works Committee recommendation from the eight years ago as well as numerous traffic engineers from various Committees and companies associated with this project that unanimously approved installation of a roundabout as the best resolution in the past few months. Additional discussed ensued. Changing the ordinance was not desirable as a resolution of the green space issue in this matter. Scaling back the proposed buildings on the site or the parking space would also increase the green space. Clarification and discussion of information provided could assist in resolving the green space issue. It was important to note that the application submitted complied with the intention of the original plan but did not comply with the burden created by requested additional square footage in past approved development.

7. Zoning and Ordinance Revision – None.

8. Reports of City Officials:

a. Clerk

1. Plan Commission Meeting Dates & Deadlines

i. Meeting February 27, 2019.

ii. Meeting Submittal Deadline February 12, 2019.

iii. Public Hearing Submittal Deadline January 28, 2019.

iv. Discussion and action to approve a date change for the Plan Commission meeting scheduled for December 25, 2019 to December 18, 2019.

AICHER MOVED TO APPROVE A DATE CHANGE FOR THE PLAN COMMISSION MEETING SCHEDULED FOR DECEMBER 25, 2019 TO DECEMBER 18, 2019. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. Correspondence

i. Email from Elizabeth Findley regarding Chick-fil-A.

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- b. Planner
 - 1. Comprehensive Plan Amendment

A report on this item was included in the epacket for this meeting. No changes to the current Comprehensive Plan were needed at this time. The ten-year cycle for review of the City's Comprehensive Plan did not align well with the census cycles. It would be prudent to reconsider this matter in 2022 when the 2020 census information could be used for planning purposes.

JASHINSKY MOVED TO AUTHORIZE STAFF TO WORK WITH THE CITY ATTORNEY TO DRAFT A RESOLUTION THAT DECLARED THE 2018 ANALYSIS OF THE 2030 CITY OF DELAFIELD COMPREHENSIVE PLAN COMPLETE AND DETERMINES TO MAINTAIN THE EXISTING DOCUMENT WITHOUT AMENDMENTS AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. REIHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. Building Inspector – No report.

- 9. Adjournment.

There was no further business; therefore, the Wednesday, January 30, 2019 Plan Commission meeting adjourned at 9:10PM.

Minutes Prepared By:

Accurate Business Communications, Inc.