

**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 26, 2014 Plan Commission meeting:

Present

Ed McAleer, Mayor  
Michele DeYoe, Ald.  
Kent Attwell  
Dan Jashinsky  
Matthew Katz  
Jane Lazynski  
David Simon  
Chris Smith  
Roger Dupler, Planner  
Scott Hussinger, Building Inspector  
Tom Hafner, City Administrator/Public Works Director

Absent

**PUBLIC HEARING #1: Conditional Use Amendment- Site Plan Configuration**

**TAX KEY/ADDRESS:** DELC 0786.998, 1600 N. Genesee Street

**OWNER:** Christ the King Lutheran Church

**APPLICANT:** Ellena Engineering Consultants – Mark Ellena

**MATTER:** Applicant seeks a Conditional Use amendment to modify the existing site plan to accommodate parking lot renovations.

E. McAleer opened the Public Hearing at 7:00 PM. R. Dupler explained the public hearing was properly noticed and he then provided a brief history of the request for those present. He noted the proposed development changes would create additional parking spaces that would be more efficient for the site.

There was no one present wishing to speak at this time.

**K. ATTWELL MOVED TO CLOSE PUBLIC COMMENTS PERTAINING TO THE CONDITIONAL USE AMENDMENT TO MODIFY THE EXISTING SITE PLAN TO ACCOMMODATE PARKING LOT RENOVATIONS FOR CHRIST THE KING LUTHERAN CHURCH PUBLIC HEARING AT 7:02 P.M. M. KATZ SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

1. Preliminary
2. Approve Plan Commission meeting minutes of January 29, 2014 meeting.

**K. ATTWELL MOVED TO APPROVE THE JANUARY 29, 2014 PLAN COMMISSION MEETING MINUTES AS PRESENTED. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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

**M. DEYOE MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:03 P.M. M. KATZ SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

4. Consent Agenda (Recommended approvals in accordance with the staff report).
- DEL 0793.018.003 , 727 Genesee Street, Delafield. Owner: Ace Delafield Properties. Applicant: Amy Keppeler.** Applicant seeks approval of a Business Plan of Operation for a retail boutique, The Barn Owl. Sunday through Saturday, 8AM to 11PM with 2 part-time and 3 full-time employees and approval of signage for the same as recommended by staff.
  - DEL 0804.994.017, 2850 Heritage Drive, Delafield. Owner: Kensington Development. Applicant: Teresa Spencer.** Applicant seeks approval of a sign as recommended by staff for the art studio, Soul Fire Art Studio.

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

C. Smith thanked the Barn Owl and Soul Fire Art Studio for bringing their businesses to the City.

5. Final Consideration, Approvals, Previous Approval.
- DEL 0786.998, 1600 N. Genesee Street, Delafield. Owner: Christ the King Lutheran Church. Applicant: Ellena Engineering Consultants – Mark Ellena.** Applicant seeks final approval on a Conditional Use amendment to modify the existing site plan to accommodate parking lot renovations and recommendation to the Common Council of the same.

***TAKEN FROM PLANNER DUPLER'S STAFF REPORT:*** *The Church returns to the Plan Commission this month for final approval of their proposed site plan improvements to redesign their parking lot. The preliminary plans were reviewed and a list of issues to be addressed was provided to the applicant immediately following the January Plan Commission meeting. The revised plans have been submitted for final approval which address nearly all of Staff's concerns. All site plan submittal requirements have been satisfied. A water quality rain garden has been incorporated at the southwest outflow. Existing quality trees to be removed have been identified and replacement quantities sufficiently mitigate the appropriate caliper inches. The proposed lighting conforms to the code requirements. As more detailed information has become available the engineering review has raised some questions for which the applicant should address prior to issuance of the Erosion Control Permit:*

- The silt fence must be extended across the west edge of the disrupted area.*
  - Either a gravel shoulder or wheel stops should be used to limit the potential erosion at the edge to the pavement*
  - Identify the proposed topsoil stockpile and include in the erosion control plan*
  - Add rain garden installation in the construction sequencing notes*
  - Replace DOT mix 40 with annual rye for short term erosion control*
  - Verify sand/compost ratio for the rain garden infiltration soil mix*
  - The southeast most parking space seems to be undersized*
- In addition to these minor items the plans need to illustrate a dumpster screen, this may be accomplished with a simple stockade fencing and evergreen plant material.*
- Recommendation:*** *Approval, contingent upon resolution of the identified issues and staff review. Recommend to the City Council accordingly.*

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M. DEYOE MOVED TO APPROVE A CONDITIONAL USE AMENDMENT TO MODIFY THE EXISTING SITE PLAN TO ACCOMMODATE PARKING LOT RENOVATIONS FOR DELC 0786.998, 1600 N. GENESEE STREET, DELAFIELD. OWNER: CHRIST THE KING LUTHERAN CHURCH. APPLICANT: ELLENA ENGINEERING CONSULTANTS – MARK ELLENA AS PRESENTED AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. DELC 0804.984, Hillside Drive, Delafield. Owner: Dimitri Glavas. Applicant: Curtis Pascoe, P.E. Applicant seeks final approval of the Specific Implementation Plan Amendment to allow the option for a second driveway and recommendation to the Common Council of the same.

**TAKEN FROM PLANNER DUPLER'S STAFF REPORT:** Hillside Medical Office building returns to the Plan Commission this month with a revised site plan for consideration. Since receiving SIP approval at the last Plan Commission meeting in January it was determined that the owner wishes to reserve the option for a driveway on the western side of the property. This point of access is part of the development parcel with direct access onto Hillside Drive. Access was originally approved on the east side of the property only. At this time the petitioner requests approval of the western driveway as a future option. In response to Plan Commission direction a sidewalk has been added to the east driveway in order to provide pedestrian access to and from Hillside Drive. The impact to the site parking has cost four parking spaces. Originally the site offered 134 parking spaces, now that number is reduced to 130. The parking ratio however still exceeds ordinance requirements, 127 are required. The addition of this driveway introduces a minor amount of hard surface lot coverage, which does not impact the approved site coverage ratio, the total impervious area is still less than the maximum 52%. The building and parking lot have been lowered up to five feet to accommodate the gradient of the western access drive. Storm water runoff is minimally affected. The new configuration results in the additional loss of 149 caliper inches of existing trees. In addition to the 988 caliper inches previously approved this brings the total mitigation amount to 1137 caliper inches. The proposed landscape plan has not introduced any more new trees to offset this amount. Total cash in lieu of replacement value will be \$170,550.00. The building and overall design are unaffected by this proposed addition. Lighting is not proposed in this western driveway, ambient site lighting from the Pacific Bistro sufficiently lights the driveway. **Recommendation:** Approval of the Specific Implementation Plan contingent upon resolution of the identified item listed in the Engineer's review letter of January 23, 2014. Recommend to Common Council accordingly.

Curt Pascoe, Project Engineer, and Nick Kaminsky of Ryan Companies, were present. R. Dupler explained the petitioner received approval of the SIP approximately two months ago. In the interim, a decision had been made to pursue an additional driveway to the west for future potential placement. This request was being made at this time so that the applicants did not have to return when the installation of the westerly driveway took place. The timing of the installation of the westerly driveway would be at the discretion of the petitioner.

C. Smith questioned whether the City would be able to provide any input regarding when the driveway was installed. T. Hafner explained this request was the result of tenants' requests for a second driveway on the westerly portion of the project area. A decision would be required of the petitioner in the next few months as the construction of the site plan was drastically different if one drive were installed instead of two. C. Pascoe explained that a second driveway would not be physically possible to install unless constructed at the same time as the first entrance drive because of the necessary

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grading requirements. The westerly side of the project area was much steeper and substantial grading would be required with a second driveway. In addition, any retaining walls to be added would be similar in size, color and materials to the small retaining wall currently in place. Plans for a sidewalk had been added along the easterly entrance drive that continued through the parking islands and to the main entrance as a result of suggestions by the Public Works Committee. He further explained that a Developer's Agreement would require the sidewalk be constructed in a timely manner or the City would be compensated to make sure that any sidewalk plans for that area of the City could move forward.

**K. ATTWELL MOVED TO APPROVE THE SPECIFIC IMPLEMENTATION PLAN CONTINGENT UPON RESOLUTION OF THE IDENTIFIED ITEMS LISTED IN THE ENGINEER'S REVIEW LETTER OF JANUARY 23, 2014 WITH STAFF AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME. D. JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

6. Plans of Operation, Signage and Site Plan.

- a. **DEL 0803.002, 2420 Milwaukee Street, Delafield. Owner/Applicant: Daniel Leavitt.** Owner/Applicant seeks a Site Plan and Appearance Review to change the color of the building from red to black for the building formerly known as the Amish Barn, now known as Montage.

***TAKEN FROM PLANNER DUPLER'S STAFF REPORT:*** *The Montage, former location of the Amish Barn, received approval of a Business Plan of Operation and a new sign this past fall. At this time the owner wishes to change the appearance of the building by changing the color. Recommendation: Approval*

**K. ATTWELL MOVED TO APPROVE THE SITE PLAN AND APPEARANCE REVIEW TO CHANGE THE COLOR OF THE BUILDING FROM RED TO BLACK FOR THE BUILDING FORMERLY KNOWN AS THE AMISH BARN, NOW KNOWN AS MONTAGE, FOR DEL 0803.002, 2420 MILWAUKEE STREET, DELAFIELD. OWNER/APPLICANT: DANIEL LEAVITT AS PRESENTED. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **DEL 0788.021, 1419 Milwaukee Street, Delafield. Owner: Richard Smirl. Applicant: Architectural Homes by Anders, Inc.** Applicant seeks final approval on the recommendation from the Lake Welfare Committee for a wet boathouse.

***TAKEN FROM PLANNER DUPLER'S STAFF REPORT:*** *The Smirl property at 1419 Milwaukee Street, located on the south shore of Lake Nagawicka, contains two boathouses. This request is for the eastern wet boathouse. The owners wish to upgrade the appearance of the boathouse to exhibit similar architecture character as the proposed residence to be rebuilt. This structure is a legal nonconforming use and as such, the improvements are limited to only cosmetic upgrades, less than 50% of the structure value. The WDNR has jurisdiction over this boathouse because it is a wet boathouse. A Certificate of Repair is issued through the State agency for repair and maintenance. In this case, the role of the Lake Welfare Committee and the Plan Commission is to ensure compliance with the unique elements of the City ordinance; those items are architectural compatibility with the residence and installation of a rain garden. The Lake Welfare Committee has recommended this proposal to the Plan Commission for approval contingent upon the addition of a rain garden. The required rain garden plans have been submitted and conform to ordinance requirements. Recommendation: Approval*

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K. ATTWELL MOVED TO APPROVE A RECOMMENDATION FROM THE LAKE WELFARE COMMITTEE FOR A WET BOATHOUSE FOR DELC 0788.021, 1419 MILWAUKEE STREET, DELAFIELD. OWNER: RICHARD SMIRL. APPLICANT: ARCHITECTURAL HOMES BY ANDERS, INC. AS PRESENTED. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. DELC 0788.021, 1419 Milwaukee Street, Delafield. Owner: Richard Smirl. Applicant: Architectural Homes by Anders, Inc. Applicant seeks final approval on the recommendation from the Lake Welfare Committee for a dry boathouse.

**TAKEN FROM PLANNER DUPLER'S STAFF REPORT:** *The dry boathouse on the Smirl property is the western boathouse. This building is also a legal non-conforming structure. In its current condition the building houses a residential component and does not respect the height, size, or setback requirements. The proposal for this boathouse includes architectural modifications to structural components and cosmetic improvements. The second story residential unit will be removed and the building will be converted to exhibit a rooftop deck similar to many other boathouses on the lake. In this conversion the ultimate height of the boathouse will conform to ordinance requirements. Siding, windows and doors will be consistent with the architectural element of the proposed single family home to be rebuilt on the property. A rain garden has been incorporated into the redevelopment plan that conforms to code requirements as well. **Recommendation** Approval, although the building is still a non-conforming structure the degree of non-conformity is substantially reduced by the removal of the residential unit and conversion to a rooftop deck.*

K. ATTWELL MOVED TO APPROVE A RECOMMENDATION FROM THE LAKE WELFARE COMMITTEE FOR A DRY BOATHOUSE FOR DELC 0788.021, 1419 MILWAUKEE STREET, DELAFIELD. OWNER: RICHARD SMIRL. APPLICANT: ARCHITECTURAL HOMES BY ANDERS, INC. AS PRESENTED. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. Zoning and Ordinance Revision.

8. Reports of City Officials:

a. Clerk

1. Plan Commission Meeting Dates & Deadlines
  - a. March 26 (Meeting); Feb 26 (PH Deadline); March 12 (Reg. Deadline)
2. Correspondence

b. Planner

1. Sign petitions on Consent Agenda.

R. Dupler explained sign petitions referred to Staff had no stringent deadline for approval. Some people had abused the system of application and for this reason, he requested sign petitions be reintroduced on the Consent Agenda.

c. Building Inspector

S. Hussinger stated the total number of permits to date was 37 with one residential occupancy permit this month.

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9. Adjournment.

**C. SMITH MOVED TO ADJOURN THE WEDNESDAY, FEBRUARY 26, 2014 PLAN COMMISSION MEETING AT 7:21 P.M. K. ATTWELL SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.**

Minutes Prepared By:

Accurate Business Communications, Inc.

DRAFT