

CITY OF DELAFIELD PLAN COMMISSION MINUTES

PUBLIC HEARINGS

CONSIDERATION OF A CONDITIONAL USE FOR MARTY'S PIZZA TO ALLOW FOR THE OPERATION OF A SEASONAL VEGETABLE STAND ON THE PROPERTY, **TAX KEY 803.991.003, 2580 SUN VALLEY DRIVE, DELAFIELD.**

Mayor Schuman asked three times if there were any citizens who wished to comment. There were none.

REQUEST OF THE CITY OF DELAFIELD FOR A ZONING AMENDMENT TO REZONE A PORTION OF 1301 AND 1307 MILWAUKEE STREET, **TAX KEY 788.012 AND 788.008.001**

Mayor Schuman asked three times if there were any citizens who wished to comment. There were none.

CONSIDERATION OF A CONDITIONAL USE TO MAINTAIN THE PROPERTY FOR THE SAME PURPOSE OF A HORSE FARM/STABLE AT CEDAR VALLEY FARM, **TAX KEY 795.982, 437 S. CUSHING PARK ROAD, DELAFIELD.**

M. Czubkowski stated that a letter was received from D. Rowinski, President of the Cedar Valley Homeowners Association in support of the farm. Copies will be made and distributed to the Commissioners. Mayor Schuman asked three times if there were any citizens who wished to comment. There were none.

M. SAWALL MOTIONED TO CLOSE THE PUBLIC HEARING. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Phil Schuman
Chrys Mursky
Mike Court
Marty Sawall
Beth Leonard
Roger Dupler
Tom Maney
Matt Carlson
Marilyn Czubkowski

Absent

Dick Kuchler

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Mayor Schuman thanked B. Leonard for her service on the Plan Commission. She has been elected to the position of Alderperson of District #2 and the Common Council has approved other assignments for her.

1. APPROVE PLAN COMMISSION MEETING MINUTES OF MARCH 29, 2006 MEETING

B. LEONARD MOTIONED TO APPROVE THE MINUTES OF THE MARCH 29, 2006 MEETING. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. DELAFIELD CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA

M. Czubkowski stated that she received a letter from John & Julie Fox regarding Jessica's Café, under Item 5b. They attached a copy of the motion where the City approved outdoor music to their letter. The Commissioner's had a copy of the letter addressing their concerns and the attachment.

There were no other comments.

3. CONSENT AGENDA

- a. **TAX KEY 792.055, 817 GENESEE STREET, DELAFIELD.** APPLICANT: STACEY EIKEN. OWNER: TOM AUL. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR ARRIVALS MATERNITY BOUTIQUE, MATERNITY CLOTHING. HOURS OF OPERATION ARE WEEKDAYS, 10:00 AM – 8:00 PM; SATURDAY, 10:00 AM – 5:00 PM; SUNDAY, 12 NOON – 4:00 PM., WITH 3 PART-TIME AND 1 FULL-TIME EMPLOYEE.

- b. **TAX KEY 787.087, 709 MILWAUKEE STREET, DELAFIELD.** APPLICANT: BRIAN NEMOIR. OWNER: PETE FEICHTMEIER. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR FULL IMPACT COMMUNICATION, AN ADVERTISING AND PUBLIC RELATIONS COMPANY. HOURS OF OPERATION ARE WEEKDAYS, 7:00 AM – 6:00 PM; SATURDAY, 9:00 AM – 5:00 PM WITH 1 FULL-TIME EMPLOYEE.

- c. **TAX KEY 787.076, 601 MILWAUKEE STREET, DELAFIELD,** APPLICANT: JESSICA KRUESEL. OWNER: TOM AUL. APPLICANT SEEKS APPROVAL OF A TEMPORARY BUSINESS PLAN OF OPERATION FOR A CLASSIC CAR SHOW ON SUNDAY, SEPTEMBER 12, 2006 FROM 8:00 AM – 3:00 PM TO BE HELD ON MILWAUKEE STREET AND THE MUNICIPAL PARKING LOT.

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- d. **TAX KEY 787.076, 601 MILWAUKEE STREET, DELAFIELD,** APPLICANT: JESSICA KRUESEL. OWNER: TOM AUL. APPLICANT SEEKS APPROVAL OF A TEMPORARY BUSINESS PLAN OF OPERATION FOR TASTE OF DELAFIELD, A ONE-DAY EVENT ON SATURDAY, JUNE 24, 2006 ON MILWAUKEE STREET FROM 11:00 AM – 12:00 AM
- e. **TAX KEY 798.902, 1008 SUNSET DRIVE, DELAFIELD.** APPLICANTS: NICK AND KELLEY DENOR. APPLICANTS/OWNERS SEEK APPROVAL OF PROPOSED SITE PLAN FOR A PRIVACY FENCE.
- f. **TAX KEY 803.990.001, 2580 SUN VALLEY DRIVE, DELAFIELD.** OWNER: RICHARD FLATH. APPLICANT: TRIAD CREATIVE GROUP. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR MARTY'S PIZZA.

C. MURSKY MOTIONED TO APPROVE THE CONSENT AGENDA INCLUDING ALL CONDITIONS AND CONTINGENCIES IN THE STAFF RECOMMENDATIONS OF APRIL 21, 2006. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

- a. **TAX KEY 746.999, EAST SIDE OF MISSION ROAD, BETWEEN NASHOTAH ROAD AND MISSION AVENUE, NASHOTAH.** APPLICANT: JIM SIEPMANN. APPLICANT SEEKS APPROVAL OF A PRELIMINARY PLAT, DEVELOPMENT AGREEMENT, STORMWATER MAINTENANCE AGREEMENT, AND DEEDS, RESTRICTIONS AND COVENANTS FOR MISSION PRAIRIE, A 9-LOT SUBDIVISION AND TO REZONE THE PROPERTY FROM A-1 TO RE-2, CONDITIONAL USE PERMIT, DEVELOPER'S AGREEMENTS, AND STORMWATER.

J. Siepmann was present at the meeting and reviewed the plans. A nine lot subdivision is being proposed on approximately 21 acres to the east of Mission Road and east of Mission Woods. The nine lots are approximately three-quarters of an acre in size. Open space equates to approximately 53%. They are proposing a 1,200 foot cul de sac with all of the lots backing away from Mission Road and with a lot of green space along Mission Road. The Public Works Committee (PWC) reviewed the plans. They were comfortable with the 1,200 foot cul de sac and concurred that the emergency access should be put in near the end. The lands to the north of the 21 acres were looked at by the PWC and it was suggested that some potential future access to that acreage to the north be included, not to be built at this time, but that a road reservation be made. The side-yards, backyards, and front-yards were reviewed. The layouts are reflected on the preliminary plats. The plans include side entry garages which create larger spaces between the homes. There are only two homes that would have a garage-to-garage set up. There will be approximately 70-80' between the homes on the lots as presented.

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R. Dupler stated that the exhibit identified what he was asking for, namely the identification of the proposed building to building separation. With the rezoning to RE-2 this would create an opportunity for a PUD. The yield plans were submitted to the City last month and it was confirmed that the amounts of lots are achievable. With the PUD and consideration for the reduced side yards, it was his concern to identify the building separation. Given the analysis and the fact that the garages are on the high side of the lot, the buildings are backing up against someone else's driveway and there is ample separation. He thought it would be worth analysis and consideration in regards to the actual lot size; J. Siepmann is asking to employ RA-2 district density, but the smallest lot size is only 33,645 sf. This is 38.6% of the district's required lot size. He compared this to other approved PUDs. He thought that since there has been ample analysis and consideration given to the proximity of homes, it may not be an issue. The current plan provides for 54% open space to be preserved in common ownership. There is ample green space available that if the Plan Commission desired they could ask for the lots to be increased (backyards to be set deeper). J. Siepmann thought that this could be done. The landscape plan has been revised and resubmitted to Staff. He asked that engineering concerns be addressed as part of the SIP submittal. R. Dupler recommended approving the rezoning and conditional use approval and the mandatory documents for that conditional use, but he would like to see, per the recommendation of the City Engineer, stormwater calculations and soil borings to ensure that there is not a problem in the basin on the west. He recommended approval of the rezoning petition, conditional use and the four mandatory documents, but conditional approval on the preliminary plat, only conditional approval pending staff review of the stormwater calculations and DNR concurrence for the non-wetland. B. Leonard asked what the percent of the developments were leftover for open space in Waterleaf and Carriage Hills. R. Dupler thought that they needed to be 30% open space, but did not know what they actually were. B. Leonard discussed lot width and side yard setback. R. Dupler stated that they all meet the width, but the issue was house placement. J. Siepmann identified house building pads on the lots. He would like a 20' side yard versus a 30' side yard – this would allow them more width to move the houses from side to side. He felt that with his design, 75% of the lot would be green space. M. Court discussed the emergency access. B. Leonard stated that one of the assets to this design was that it allowed the site to absorb more stormwater than had it been divided into 1.5 acre lots. M. Sawall stated that his concern was the house to house setback/differential. J. Siepmann stated that they could indicate on the plat which side the garage had to be on for each of the lots. C. Mursky stated that the side yard issue was with the building envelope and not necessarily the structures themselves. J. Siepmann stated that this would give him more flexibility in terms of where he would put the houses on the lots in regards to spatial separation. This would give him

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more latitude in the design. R. Dupler suggested drawing the preliminary plat to illustrate a 20' side yard on one side and a 40' side yard on the other. This would give a building to building separation equal to the district requirement of 60'. J. Siepmann agreed to this. B. Leonard asked what size home the building footprints were sized for. J. Siepmann stated that pads were 30' depth and 36' wide for the garage and the home is 40' x 60'. T. Maney addressed the issue of having all large lots or small lots with open space. M. Carlson discussed the benefits of a PUD.

B. LEONARD MOTIONED TO APPROVE CONTINGENT UPON THE ADOPTION OF THE FOUR DOCUMENTS (STORMWATER MAINTENANCE AGREEMENT, RESTRICTIONS, CONDITIONAL USE PERMIT, AND THE DEVELOPMENT AGREEMENT) AND THAT THE LANDSCAPE PLAN REVISIONS PER LAST MONTH'S RECOMMENDATIONS BE INCORPORATED, THAT WETLAND ASSESSMENT DOCUMENTATION BE DONE TO INCLUDE SOIL BORING AND STORMWATER CALCULATIONS, AND THAT THE PLAT COMPLY WITH THE ITEMS IDENTIFIED IN THE SURVEYORS REVIEW LETTER, SO APPROVAL WOULD BE FOR THE PLAT AND REZONING. C. MURSKY SECONDED THE MOTION. IT WAS CLARIFIED THAT THE MOTION INCLUDED THE WETLAND ASSESSMENT DOCUMENT, SOIL BORING AND STORMWATER CALCULATIONS. B. LEONARD AMENDED THE MOTION TO INCLUDE THE SIDEYARDS OF 40' AND 20' AS MENTIONED ABOVE. C. MURSKY AGREED WITH AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 803.991.003, 2580 SUN VALLEY DRIVE, DELAFIELD.**
OWNER: RICHARD FLATH. APPLICANT SEEKS APPROVAL OF A CONDITIONAL USE AND BUSINESS PLAN OF OPERATION FOR MARTY'S PIZZA TO ALLOW FOR JELLI'S MARKET, A VEGETABLE STAND TO BE OPERATED BY OWNERS, JODY AND STEVE KNOEBEL IN THE PARKING LOT.

R. Dupler stated that the public hearing for this was held. Mr. Flath has incorporated this in his operation in 2002. He wishes to pursue this again. Staff has no issues, recommendation is to make sure that the cart is on the asphalt and the signs are part of the submittal.

J. Knoebel was present at the meeting and agreed with R. Dupler's statement. She clarified that there was only the one sign that they put on top of the sign and that this would be the only one.

M. SAWALL MOTIONED TO APPROVE AND RECOMMEND TO THE COMMON COUNCIL. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- c. **TAX KEY 788.012 AND 788.008.00**, CONSIDERATION OF A ZONING AMENDMENT TO REZONE TWO SINGLE-FAMILY HOMES FROM RL-2 AND R-3 TO RL-2

R. Dupler stated that these properties are being recommended by staff for consideration for rezoning. The zoning on the properties are remnants from previous developments and have not been corrected. He thought that it was in the City's best interest and in compliance with the Comprehensive Plan to modify the zoning to be homogeneous throughout both of the lots and to make sure that the R-3 portion of the lot is changed to RL-2. The public hearing had no comments. He recommended consideration for modification approval and recommendation to the Common Council.

C. MURSKY MOTIONED TO APPROVE. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 795.982, 437 SOUTH CUSHING PARK ROAD, DELAFIELD.** APPLICANTS: CHARLES & CARRIE GLAPINSKI. APPLICANTS SEEK APPROVAL OF A CONDITIONAL USE FOR A RESIDENCE AND HORSE FARM, A BUSINESS PLAN OF OPERATION FOR CEDAR VALLEY FARM, A HORSE FARM/STABLE AND A CERTIFIED SURVEY MAP. HOURS OF OPERATION ARE WEEKDAYS AND WEEKENDS, 7:00 AM – 7:00 PM WITH 2 FULL-TIME AND 2 PART-TIME EMPLOYEES.

C. Glapinski was present at the meeting and stated that there had not been any changes since the last meeting and that it had stayed consistent. The driveway has been defined and they would like this approved before preparing the actual easement.

R. Dupler stated that staff found no issues with the plans that were submitted. This is a conditional use as well as a CSM. The property will be split into two lots producing one five acre parcel with the balance remaining as the parent parcel. The two lots will share one driveway. Sixteen horses will be allowed on the parcel (one per acre). A manure management plan needs to be worked out. C. Glapinski has been in contact with Waukesha County and they will arrange to have a representative out once the stable is in operation. She addressed why the manure management plan is done after the stable is in operation. The surveyor conducted an analysis of the CSM. R. Dupler encouraged consideration for approval. M. Carlson stated that it may be prudent to link the issuance of a building permit for the house to the manure management plan. R. Dupler stated that the Glapinski's were willing to commit to a building permit within one year. M. Carlson stated that the conditional use permit could reference and tie-in the manure

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management plan with the issuance of the building permit. A stormwater management plan is not required with this.

M. SAWALL MOVED TO APPROVE AND RECOMMEND TO THE COMMON COUNCIL CONTINGENT ON THE CONDITIONS AND CHANGES NECESSARY IN THE SURVEYOR'S LETTER AND THE ESTABLISHMENT OF A MANURE MANAGEMENT PLAN TO BE LINKED WITH THE BUILDING PERMIT (SEPTIC AND WELL). B. LEONARD SECONDED WITH A FRIENDLY AMENDMENT THAT THE THINGS TO BE APPROVED WERE THE CONDITIONAL USE PERMIT, THE BUSINESS PLAN OF OPERATION, AND THE CSM. M. SAWALL ACCEPTED THE FRIENDLY AMENDMENT. DISCUSSION TOOK PLACE ON WAUKESHA COUNTY BEING INVOLVED WITH THE MANURE MANAGEMENT PLAN. THERE WAS NO OTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. RESOLUTION 2006-03 REVISING COMPREHENSIVE PLAN TEXT REGARDING LOCAL AND HIGHWAY BUSINESS LAND USE CATEGORY.

The Resolution was included in the Commissioner's packets. R. Dupler recommended approval.

C. Mursky discussed the first paragraph, the Local and Highway Business District, bottom of the page – she liked the word choice and thought that it helped give the framework for matching use and architecture. B. Leonard thought that a new category was going to be added; i.e., neighborhood business. She was hoping for different densities of commercial zoning. R. Dupler clarified that this was an amendment to the text.

C. MURSKY MOTIONED TO APPROVE. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. A ROLL CALL VOTE WAS TAKEN: P. SCHUMAN, AYE; M. COURT, AYE; C. MURSKY, AYE; B. LEONARD, AYE; M. SAWALL, AYE. MOTION CARRIED.

- f. RESOLUTION 2006-04 COMPREHENSIVE (MASTER) PLAN AMENDMENTS OF VARIOUS PARCELS TO LOCAL AND HIGHWAY BUSINESS AND PLANNED MIXED USE LAND USE CATEGORIES.

R. Dupler stated that this is a change to the Master Land Use Plan that implements the new land use category in the Vettelson Road area. It is the staff's recommendation to change the map to identify that area as local and highway business land use designation. The area in the southeast portion of the City – there is an area identified as light industrial in the 1991 Comprehensive Plan. It is believed that this is no longer accurate. Consideration should be given to change the Master

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Land Use Plan in that area from light industrial to planned mix use (more compatible with the type of land use in this area).

C. MURSKY MOTIONED TO APPROVE. M. SAWALL SECONDED THE MOTION. B. LEONARD ASKED IF THERE WAS A MAP THAT WOULD GO WITH THE DOCUMENT. R. DUPLER STATED THAT THERE WAS. M. CZUBKOWSKI IS WORKING WITH YAGGY COLBY ON A QUARTERLY BASIS TO UPDATE THE MAPS. M. CARLSON STATED THAT THE CITY HAS REQUESTED YAGGY COLBY TO PREPARE A MASTER PLAN MAP AND TO KEEP TRACK OF AMENDMENTS IN THE SAME FASHION AS ON THE ZONING MAP. R. DUPLER STATED THAT THE RESOLUTION IDENTIFIES THAT THE TABLE BE UPDATED. A ROLL CALL VOTE TOOK PLACE: P. SCHUMAN, AYE; M. COURT, ABSTAIN; C. MURSKY, AYE; B. LEONARD, AYE; M. SAWALL, AYE. MOTION CARRIED.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 787.074, 810 GENESEE STREET, DELAFIELD.** APPLICANT: TOM DUNNE. OWNER: MARTINA VERRE. APPLICANT SEEKS APPROVAL OF AN AMENDED BUSINESS PLAN OF OPERATION AND SITE PLAN FOR DONNYBROOK WINE & CHEESE TO INCLUDE SEASONAL DINING WITH MUSIC FROM MAY THROUGH OCTOBER. THE HOURS OF OPERATION WILL BE 7 DAYS A WEEK FROM 9:00 AM – 9:00 PM

T. Dunne, owner of Donnybrook Wine & Cheese, was present at the meeting.

R. Dupler stated that this was not on the consent agenda because of the live music. Donnybrook Wine & Cheese wants to expand the operation to the service in the backyard. He thought that the area was designed for that type of use. The live music would be limited to 9 p.m. There are few issues with this and he recommended consideration for approval.

It was clarified that there currently are liquor sales (bottled goods, not open container). T. Dunne stated that wine sampling takes place and each person can have two-three ounce samples of different wines for no charge up to 6 p.m. In order to pursue actual alcohol consumption T. Dunne would need to apply for a different beverage license. M. Czubkowski stated he does not qualify for a wine license because he would need a larger percent of food sales. T. Dunne stated that there probably would not be amplification of music; he is thinking more along the lines of a string trio or a jazz trio (all acoustic). If there was amplification, it would be for a piano keyboard.

C. MURSKY MOTIONED TO APPROVE WITH THE UNDERSTANDING THAT THE ONLY WAY TO CONSUMPTION ON PREMISES ARE THE

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SAMPLES ACCORDING TO LICENSE ISSUE AND THAT MUSIC BE ALLOWED ONLY UNTIL 9 P.M. ON ANY GIVEN NIGHT AND THAT THIS BE REVISITED IN ONE YEAR. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **TAX KEY 787.076, 601 MILWAUKEE STREET, DELAFIELD.**
APPLICANT: JESSICA KRUESEL. OWNER: TOM AUL. APPLICANT SEEKS APPROVAL OF BUSINESS PLAN OF OPERATION AND SIGNAGE FOR LITTLE HAVANA, A SEASONAL OUTDOOR CAFÉ. HOURS OF OPERATION ARE WEEKDAYS, 5:00 PM – 12:00 AM; SATURDAY, 1:00 PM – 12:00 AM, WITH 6 PART-TIME AND 4 FULL-TIME EMPLOYEES.

J. Kruesel was present at the meeting. R. Dupler clarified that the sign was submitted as part of the petition for the outdoor eating and the awnings were a separate item. J. Kruesel was asking to have the outdoor eating extended until midnight. This would keep it the same as the indoor restaurant. They are not open on Sundays nor do they plan to be.

R. Dupler stated that this was a modification to the business plan of operation which will reflect a change of the operation for the outdoor eating area. J. Kruesel stated that the sign was 2.5' circle. The sign for Jessica's Café is being repainted. R. Dupler stated that the only thing under consideration is the matter of the operation and the extended hours for the outdoor area. He suggested that the signage would be the replacement of a panel of an existing sign and that acceptance may be granted with staff approval. The colors and fonts are appropriate, but he would like to review the sign.

B. LEONARD MOTIONED TO APPROVE THE SIGNAGE SUBJECT TO STAFF REVIEW. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

In regards to the Business Plan of Operation, a letter objecting to the times for the music going to 1 a.m. from John & Julie Platz was reviewed. J. Kruesel stated that she would come back on a yearly basis. Last year they had music until 10 p.m.

B. LEONARD MOTIONED TO APPROVE THE BUSINESS PLAN OF OPERATION AS SUBMITTED WITH THE EXCEPTION THAT OUTDOOR MUSIC SHOULD TERMINATE AT 10 P.M. AND THAT IT BE REVIEWED IN ONE YEAR. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- c. **TAX KEY 787.076, 601 MILWAUKEE STREET, DELAFIELD,**
APPLICANT: JESSICA KRUESEL. OWNER: TOM AUL. APPLICANT
SEEKS APPROVAL OF NEW AWNINGS AT JESSICA'S CAFÉ

R. Dupler stated that this was for the addition of awnings to the base of Jessica's Café; this would be an architectural modification. He felt that aesthetically it was appropriate and recommended approval conditional upon the minimum 10' clearance beneath the awnings as required by ordinance.

B. LEONARD MOTIONED TO APPROVE. M. SAWALL SECONDED THE MOTION. R. DUPLER STATED THAT IN REGARDS TO THE SIGN PANEL, THE SIGN IS BEING REPAINTED BUT THERE HAVE NOT BEEN ANY GRAPHICS SUBMITTED FOR A NEW SIGN. J. KRUESEL DESCRIBED THE SIGN DESIGN. IT WAS CLARIFIED THAT THE MOTION WAS TO APPROVE THE AWNINGS. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.

- d. **TAX KEY 804.994.001, 2801 HILLSIDE DRIVE, DELAFIELD.**
APPLICANTS: DEB WALLACE, LAQUINTA; DAVID MOORE, SO-LITE
SIGN CO. OWNER: LQ MANAGEMENT, LLC. APPLICANT SEEKS
APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR
LAQUINTA INN, A HOTEL. HOURS OF OPERATION ARE 365 DAYS – 24
HOURS A DAY WITH 12 PART-TIME AND 6 FULL-TIME EMPLOYEES.

D. Moore, So-Lite Sign Company, was present at the meeting. He distributed the elevations for a smaller rooftop sign that was omitted from the Commissioner's packets. D. Wallace, LaQuinta, was also present.

R. Dupler stated that this is the former Baymont Inn. The Baymont had signs that were rooftop mounted. Baymont was part of a project that was approved as a conditional use. The Plan Commission was asked to determine if this was a minor change to the Conditional Use Planned Unit Development and to recommend it to Council as such. The Baymont signs were sized and approved as part of the Conditional Use and the submitted signs are all in conformance with those original sizes. R. Dupler offered the Petitioner the opportunity to have a sign on the west side of the building. His recommendation was if a sign would only be on the north side, the brackets should be removed from the west side. They have since modified the petition to employ the existing brackets and to put a sign on the west side of the building. The overall square footage was approximately 75.3 sf. M. Czubkowski stated that the drawing in the packet had two descriptions that did not agree. R. Dupler stated that the signs were smaller than what was approved for Baymont. There will be two signs on the building; one on the north and one on the west. It was clarified that both signs would be the same size. The panels on the pylon sign were discussed. The panel would be changed to illustrate

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their logo. R. Dupler did not see an issue with this. The other signs submitted were the directional signs; the panels would be switched out on the existing signs. The color was Sherman William's Llama White. C. Mursky stated that all of the sign packages in the area have a more consistent presentation. D. Moore stated that the entire box of the signs would be lit up versus individual letters. C. Mursky was concerned about the consistency on the pylon sign and wanted to try to get away from the different colored background panels. R. Dupler suggested that the Llama White background be mandatory. C. Mursky also suggested reducing the logo and increasing the lettering size on the pylon sign.

B. LEONARD MOTIONED TO APPROVE THE MONUMENT SIGN WITH THE ADJUSTMENTS BEING THAT THE BACKGROUND COLOR BE THE LLAMA WHITE TO MATCH THE PANEL DIRECTLY ABOVE IT, THAT THE LOGO SIZE BE REDUCED TO BE MORE IN SCALE WITH THE ATTACHED BUILDING SIGN, AND TO APPROVE THE DIRECTIONAL SIGNAGE AND THE WALL-MOUNTED AND ROOF-MOUNTED SIGNAGE. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. **TAX KEY 798.012, 708 GENESEE STREET, DELAFIELD.** APPLICANT: KELLI STUCKART. OWNER: JAMES MELTON. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR TADPOLES, A CHILDREN'S BOUTIQUE

K. Stuckart was present at the meeting.

R. Dupler stated that this was an existing business in the City of Delafield on Genesee and would be taking the location of the former jewelry store on the east side of the street. In regards to the sign, their intent is to take former signage and change it to a Tadpoles sign. However, the existing sign is oversized and should be limited to 12 sf per sign. To be consistent with the ordinance it should be brought down to size. The colors are consistent with the downtown approved colors.

K. Stuckart stated that she would like to take the existing sign and put her store's name on it. If she takes the sign down, there is a vacant spot on the building and it would most likely show extensive fading on the building. She suggested approval for her sign as is, and then when the building is repainted (three to five years) to change her sign to meet ordinance. General discussion took place. M. Carlson stated that when the BP converted their signage, the Plan Commission allowed a certain time period to come into compliance with the sign code. B. Leonard stated that she would be comfortable if this owner were allowed to phase in as BP was allowed to do in order to use the existing sign panel for a certain time period at which time the building is either painted or when the time period expires, that they comply with the 12 sf.

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B. LEONARD MOTIONED TO ALLOW THE USE OF THE EXISTING SIGN PANEL, APPROVE THE SIGN CONTINGENT UPON STAFF APPROVAL OF COLORS, AND THAT THE SIGN COME INTO SIZE COMPLIANCE WHEN THE BUILDING IS PAINTED OR NO LONGER THAN THREE YEARS, TO BE COORDINATED WITH THE SAME TIME THAT THE BP IS REQUIRED TO BECOME COMPLIANT. M. COURT SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- f. **TAX KEY 782.005, 1829 NAGAWICKA ROAD, HARTLAND.**
APPLICANT: KEVIN MCLAUGHLIN, REGENCY BUILDERS. OWNERS: SCOTT AND JULIE NEWCOMER. APPLICANT SEEKS APPROVAL OF A SITE PLAN FOR A BOATHOUSE.

K. McLaughlin, Regency Builders was present at the meeting. He described the boathouse and its location. R. Dupler stated that the neighbors had not been notified since it was not part of the standard procedure unless there are extenuating circumstances.

R. Dupler stated that as designed and situated on the lot, the boathouse is fully compliant with all applicable ordinances. However, the way the plan is illustrated and the requirement that it must be set back no more than 5' from the high water mark, there are some minor modifications needed on the site plan because the high water mark is not clearly identified on the site plan. He was concerned that the proposed retaining wall that is part of the site plan may not be necessary if the elevational change is incorporated into the foundation of the boathouse. The existing trees along the property line may be affected in regards to their root zone. He would prefer to see the wall removed and the elevational difference in the extension of the foundation. The layout and design of the building is appropriate. He discussed the site and design plans. He suggested flipping the floor plan. He requested receiving the revised documents. He recommended that the Plan Commission consider approval.

C. Mursky asked if there were elevations of the home to see how they matched. They were submitted with the original petition. It was clarified the exterior siding the shingles match the home. C. Mursky discussed the landscaping. She would like have a revised landscape be submitted to the staff. Mayor Schuman stated that the Lake Welfare Committee (LWC) is in the process of reviewing the boathouse ordinance. B. Leonard stated that she would like to see some protections put in place in regards to the boathouse ordinance to protect neighboring properties. Mayor Schuman expressed concern in regards to run-off from the cement slab. K. McLaughlin stated that pecculated tile material could be used. Mayor Schuman stated that the LWC would like to naturalize the shoreline more. He would like the LWC to review this proposal with the changes.

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M. SAWALL MOTIONED TO APPROVE CONTINGENT UPON THE GRADING PLAN, REVISED PLAN, AND HAVING LWC REVIEW, CHANGING THE RETAINING WALL AND INCORPORATING IT INTO THE FOUNDATION STRUCTURE, THE LANDSCAPE PLAN REFLECTING A RAIN GARDEN AND MORE EVERGREEN MATERIAL. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- g. **TAX KEY 804.987, 3400 HILLSIDE DRIVE, DELAFIELD.** APPLICANT: GARY WILSON FOR HOME DEPOT. APPLICANT SEEKS APPROVAL OF MODIFIED SITE PLAN FOR OUTDOOR DISPLAY AREAS.

G. Wilson was present at the meeting. He has met with R. Dupler and has submitted what they would like to do.

R. Dupler stated that last month G. Wilson was at the Plan Commission meeting requesting consideration for the outdoor garden center (an annual event). Storage/display of materials outside of the store was also discussed. In the original site plan, as approved in the B4 district, the outdoor display was identified as being the area adjacent to the building and contained between the two pedestrian entrances of the building. The history of continual violations of that agreement were discussed and Home Depot is trying to conform. Home Depot was asked to amend the approved site plan to allow for other areas for outdoor display and storage of materials. G. Wilson modified the storage and display areas to be consistent with the plan presented tonight.

M. Carlson reviewed the areas. M. Czubkowski stated that the area was cleaned up and it felt safer to walking in the areas. She felt that Item #6 had some problems. It was hard to make a left hand turn in this area. In the past, it was asked that the vehicles be moved to another place since they had advertisements on and could be construed as signage. The parking lot was very clean and parking was available closer to the building. Discussion took place regarding location #6. M. Sawall stated that he would like #6 moved over by #13. G. Wilson was agreeable to this. R. Dupler stated that by area #8 the northeast corner clean and the items intended for #8 be put to the south side of the overhead door. C. Mursky suggested adding landscaping/screening materials. G. Wilson did not anticipate any variances from the site plan.

B. LEONARD MOTIONED TO APPROVE SUBJECT TO THE CHANGES MADE TO DISPLAY AREA #6 (MOVING OVER TO DISPLAY AREAS #5 AND 13) AND CHANGES TO DISPLAY AREA #8 (MOVE IT TO BE ONLY SOUTH OF THE OVERHEAD DOORS LOCATED BY THE NORTHEAST CORNER OF THE BUILDING). M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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6. PRELIMINARY

- a. **TAX KEY 742.011, 4719 VISTA PARK COURT, NASHOTAH.**
APPLICANT: DAVID KOSCIELNIAK/TDI ASSOCIATES, INC. APPLICANT SEEKS APPROVAL OF A SITE PLAN AND CONDITIONAL USE PERMIT FOR THE CONSTRUCTION OF A CLUBHOUSE AND GARAGES AT PARQUELYNN VILLAGE, LLC.

R. Dupler reviewed the different zoning of this property. The entire parcel is like land use and is all under one ownership. It would be cleaner to do this as a one area PUD. He suggested scheduling a public hearing for next month and take action on it at that time with the Petitioner's consent. The site plan incorporates modifications to the site to provide to their existing residents with additional garage spaces. There are 15 new garage structures being proposed as well as the clubhouse. The garages range in size from four, six, and eight stalls and are scattered throughout the site and will be constructed on top of existing parking spaces. There will be no increase in impervious surfaces and no requirement exists for stormwater design as a result of the construction. The Clubhouse is new construction and does not trigger the necessity for stormwater. The Petitioner has agreed to consider handling stormwater with rain gardens. Setback requirements, landscaping, and parking requirements were reviewed. A photometric plan is needed. Materials for the clubhouse include vinyl siding. R. Dupler felt that a natural material such as hardy plank should be used instead of the vinyl siding. The garages will employ a plywood-type siding and is consistent with other materials on site. Staff felt this material was appropriate.

The Petitioner felt that a new conditional use or rezoning would not be an issue. M. Court stated that this should be reviewed by the Public Works Committee. R. Dupler felt that if this was to be rezoned as one zoning category, he would recommend R-6 to remove the B-4.

B. LEONARD MOTIONED TO SCHEDULE A PUBLIC HEARING FOR A CONDITIONAL USE PERMIT CHANGE GOING TO R-6 ZONING FOR THE ENTIRE DEVELOPMENT AND THAT THE PLAN COMMISSION RECOMMENDS APPROVAL CONTINGENT UPON THE CONTINUED REVIEW OF THE STORMWATER MANAGEMENT PLAN, PHOTOMETRIC PLAN, REVISED LANDSCAPING PLAN (PARTICULARLY MORE LANDSCAPING ALONG THE LONGER GARAGE BUILDING ELEVATIONS), THAT THIS BE REFERRED TO THE PUBLIC WORKS COMMITTEE FOR THEIR REVIEW, AND THE ARCHITECTURAL CHANGE FROM VINYL SIDING TO HARDING PLANK SIDING. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- b. **TAX KEY 733.989, 4439 VETTELSON ROAD, HARTLAND.**
APPLICANT: DANIEL SWITALSKI. OWNER: MIKE GATZOW.
APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION,
SITE PLAN, AND CONDITIONAL USE PERMIT FOR PERFECT IMAGE
DETAILING, INC., VEHICLE DETAILING/PORTERING. HOURS OF
OPERATION ARE WEEKDAYS, 7:00 AM – 5:00 PM; SATURDAY, 7:00 AM
– 2:00 PM, WITH ONE FULL-TIME EMPLOYEE.

D. Switalski was present at the meeting and explained the operations of the proposed business. It would include the cleaning and waxing of cars, no auto repair would take place, and all work would be conducted inside. The site plan reflected parking spaces for four vehicles in the back of the building to be used in a worst-case scenario. The business plan indicates that he would work on ten-twelve vehicles a week (approximately two per day) and in most cases vehicles would be gone the same day. He did not anticipate using the four parking spaces indicated on the site plan.

R. Dupler stated that this was a use not identified in the B1A zoning. He felt that a public hearing should be scheduled. The conditional use is unique to this operation.

A public hearing will be scheduled.

- c. **TAX KEY 782-026-001, 782-027, 782-991 AND 782-992, 2132, 2038 AND 2132 EVERGREEN LANE, HARTLAND,** OWNER: PERLICK NAGAWICKA LIMITED PARTNERSHIP. APPLICANT: STEVE BERGUM. APPLICANT SEEKS APPROVAL OF TWO CERTIFIED SURVEY MAPS.

S. Bergum was present at the meeting.

R. Dupler explained that this property has been worked on for many years and is a difficult project. There five unique tax parcels associated with this property. The proposal offers five unique buildable lots. R. Dupler provided the Commissioner's with a detailed explanation of the nonconformities on the existing land. Many of the existing nonconformities have been reduced or eliminated. However, the only one in question is the difference between lots that are not accessible by a public right-of-way. In their existing condition, there are three lots. However nonconformities after this CSM, lots not accessible by a public ROW will be four lots. The end result is something that satisfies a reasonable land split without increasing the demand on the surrounding private road system and without creating any new nonconformities. It is creating one less lake lot and creating one additional buildable lot on the interior. The existing topography is such that there is a depression that falls on lot #1 of CSM A, lot #1 of CSM B that needs to be respected

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because it is thought to be an infiltration location. They would like an easement created for this area.

The attorney for Perlick Nagawicka Limited Partnership was also present at the meeting. He distributed a document showing the current tax key numbers. He reviewed the existing nonconformities and the affect the proposed changes would have. R. Dupler clarified that the number of residences with direct lake front will be reduced. Discussion took place on possible growth in adjoining areas. B. Leonard stated that she appreciated how the character of the area was preserved. She thought that private roads made more sense than public. M. Carlson stated that the conversion in the CSM process that leads to nonconforming lots and the concept that you can't create a substandard lot through a CSM, but although this is true, this CSM improves the situation that is there now. Although there are still nonconformities, there are fewer. He asked if there was a different way to accomplish the vision; is it possible to eliminate the lots altogether and do one lot and create condominiums? P. Schuman stated that he did not think condominiums would be acceptable to the neighbors. M. Carlson clarified that he was not referring to multiple family, but ownership structure. B. Leonard stated that because of the character of the area, the private streets, and the constraints, she did not know what else could be done. T. Maney stated under the new proposal none of the created lots would not meet the RL1 zoning. Many of the nonconformities would be eliminated. B. Leonard felt that this was a good compromise. The public ROW was discussed. The Petitioner was willing to dedicate to the City the 5.5' necessary to bring it into compliance.

B. LEONARD MOTIONED TO APPROVE THIS IN CONCEPT, THAT R. DUPLER WORK OUT THE COMPLEXITIES OF THE CSM FORMAT, THAT A CREATION OF A DRAINAGE EASEMENT TAKE PLACE TO SAFEGUARD EXISTING RUN-OFF PATTERNS AND THAT THIS BE INCORPORATED INTO THE FINAL APPROVAL, AND THE MODIFICATION OF LOT 2 OF CSM A TO BE AT LEAST 120' WIDE. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. ZONING AND ORDINANCE REVISION

- a. **TAX KEY 786.998, 1600 GENESEE STREET, DELAFIELD.**
APPLICANT: CHRIST THE KING LUTHERAN CHURCH. APPLICANT SEEKS DIRECTION ON WHETHER THE ELECTRONIC SIGNAGE IS PERMISSIBLE.

No representative from the church was present.

M. Carlson stated that the church wants to replace the sign they have on Genesee Street and had inquired about an electronic reader board sign

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(copies were included in the Commissioner's package). He had notified the church that in the past the Plan Commission had not approved this type of sign and that he did not see the sign as being something to gain approval from the Plan Commission. He reviewed the discussion that took place on the banner issue and how it evolved to an electronic reader board sign by the Golf Road, Milwaukee Street intersection (near Perkins entrance).

B. Leonard thought that an electronic sign would not fit in well with the area, especially in downtown Delafield. She thought it would be more appropriate for a major thoroughfare in a more modern, or commercial area. M. Carlson stated that signs that convey changing non-commercial information (time/temperature) can be permitted, but that they may not include changing advertisements for products, services, or other messages of a commercial nature. Mayor Schuman stated that in consideration of the setting that the church is on, the sign is rather commercial and this is a residential setting. He would not be in favor of this type of signage in the area. C. Mursky stated that she was thinking about "projecting" as there are other nearby churches.

b. DISCUSSION REGARDING REZONING OF GEASON, HORWATH AND PARRY PROPERTIES TO FOLLOW-UP ON RECENT COMPREHENSIVE PLAN AMENDMENT

R. Dupler stated that the Comprehensive Plan was changed to incorporate all areas that are east of Highway 83 in association with the Geason parcel, the medium density residential, with an allowance of up to four units per acre. There was then conversation as to how to handle the four parcels that were not part of that original proposal by Mr. Geason. They include the Horwath property to the north, the John Geason property, and two properties owned by Parry in the south central portion of the site. Staff has the opinion that if the Plan Commission wished to rezone the parcels, they should be an R5 designation. He asked the Plan Commission that if this was their decision, densities need to be assigned to them. The densities prescribed in the CPU are four units per acre. They can realize density comparable to the densities in the multiple family portion of the Joe Geason parcel. If they were to equal those densities, they are still under their four unit per acre allowance in the CPU. Staff thought that an R5 zoning was appropriate. B. Leonard stated that she was trying not to leave it in a district that could imply commercial; however she was uncomfortable with the R5 densities. She asked if there was a less intense zoning. R. Dupler thought that these four parcels should be assigned a density consistent with the area west of the loop road within the current Geason proposal. This area is limited to the multifamily parcels. Rezoning this to R5 would produce a consistency along this area. R. Dupler clarified that he put the maximum amount of units on the plan. An R5 is a conditional use based with a maximum density prescribed. Because it is a PUD, it would

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be a PUD process and those petitions would come before the Plan Commission.

B. LEONARD MOTIONED TO HOLD A PUBLIC HEARING TO REZONE TO R5. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. HEARING DATES

A public hearing will be held on:

- o Parquelynn Village
- o Conditional Use for Perfect Image Detailing
- o Zoning Changes

9. ADMINISTRATOR'S REPORT

M. Carlson reminded the Commissioners about the orientation session on Saturday, April 29 beginning at 8 a.m.

10. BUILDING INSPECTOR'S REPORT

Total number of permits to date are 26, plus two occupancy permits. The new permits include one new single family, one new Radio Shack, one Loaf 'n Jug restaurant, and one Dinner by Designs service.

11. BOARD OF ZONING APPEALS

None.

12. CORRESPONDENCE

- a. Letter from Waukesha County Department of Public Works dated April 4, 2006 regarding proposed private driveway cul-de-sac located on CTH B, Nashotah House property.

13. ADJOURNMENT

B. LEONARD MOTIONED TO ADJOURN FROM THE MEETING. M. SAWALL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 10:42 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC