

CITY OF DELAFIELD PLAN COMMISSION MINUTES

PUBLIC HEARINGS

1. REQUEST OF ZONING AMENDMENT FROM R-3 (SINGLE AND TWO-FAMILY RESIDENTIAL DISTRICT) TO R-6 (MULTIPLE FAMILY RESIDENTIAL DISTRICT) AND CONSIDERATION OF A CONDITIONAL USE PERMIT TO ALLOW FOR A PROPOSED DEVELOPMENT OF TWO (6) SIX-UNIT BUILDINGS, **TAX KEY 793.991.002 AND 793.991.003, 232 MAIN STREET, DELAFIELD.**

Tosca Miller, 503 Cushing Park Road – She also owns the two family that is next to the property. She was opposed to building a 12 family condo project and was concerned about the impact this would have on her property and the amount of green space.

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

T. AUL MOTIONED TO CLOSE THE PUBLIC HEARING. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED. THE PUBLIC HEARING WAS CLOSED.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Phil Schuman
Dick Kuchler
Tom Aul
Chris Mursky
Roger Dupler
Tom Maney
Matt Carlson
Marilyn Czubkowski

Absent

Ron Miskelley
Christopher Smith
Keith Strege

It was clarified that there was a quorum.

1. APPROVE PLAN COMMISSION MEETING MINUTES OF JUNE 28, 2006 MEETING

T. AUL MOTIONED TO APPROVE THE MINUTES OF THE JUNE 28, 2006 MEETING. C. MURSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. THREE WERE IN FAVOR. D. KUCHLER ABSTAINED. MOTION CARRIED.

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

Bill Restock, 4527 Vettelson Road – He shares a complete lot line with the Village Square Development. He spoke about Item 4b. Was concerned with the location of

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the Tumbleweed Restaurant in the Village Square development. The residents were promised a buffer behind their residences like an office building or something that is open 9 a.m. – 5 p.m. He referenced Section 17, page 59, section 6, item b of the City of Delafield's zoning regarding land use compatibility. Was mostly concerned about the item of "preserving privacy". As a resident, he thought that the proposed location for the restaurant was poor because of compatibility with surrounding residences. Specifically, outdoor seating, hours of operation, and lighting were concerns. He asked that the plans be reworked to move the restaurant and put something else in this corner that would have less impact on the surrounding residences.

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

D. KUCHLER MOTIONED TO CLOSE CITIZENS COMMENTS. T. AUL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

T. AUL MOTIONED TO APPROVE THE CONSENT AGENDA, CONTINGENT UPON THE REVISION OF THE SIGNATURE BLOCK FOR INTERLAKEN VILLAGE. C. MURSKY SECONDED. C. MURSKY MADE A FRIENDLY AMENDMENT TO INCLUDE ALL COMMENTS FROM THE STAFF REPORT OF JULY 21, 2006. T. AUL AGREED. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

a. **TAX KEY 787.081, 613 B MILWAUKEE STREET, DELAFIELD.** OWNER: THOMAS KELLEY. APPLICANT: LYNN MORRISON. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR THROUGHPUT CONSULTING, INC., SOFTWARE DEVELOPMENT. HOURS OF OPERATION ARE WEEKDAYS, 7:30 A.M. – 6:00 P.M., WITH 6 FULL-TIME EMPLOYEES.

Approved. See above.

b. **TAX KEY 794.013, 24 ENTERPRISE ROAD, UNIT F, DELAFIELD.** OWNER: GREG SMITH. APPLICANT: CRAIG DEJARDIN. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR OIL EQUIPMENT CO., A PETROLEUM EQUIPMENT CONTRACTOR. HOURS OF OPERATION ARE WEEKDAYS 7:00 A.M. – 5:00 P.M., WITH 6 FULL-TIME EMPLOYEES

Approved. See above.

c. INTERLAKEN VILLAGE EXTRATERRITORIAL – FINAL PLAT REVIEW.

Approved. See above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVALS

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- a. **TAX KEY 793.991.002 AND 793.991.003, 232 MAIN STREET, DELAFIELD.** APPLICANTS: WALLY AND MARK NEUMANN, DAVE NOSEK, AND DAVE KOSCIELNIAK, TDI ASSOCIATES. APPLICANTS SEEK FINAL APPROVAL OF A CONDITIONAL USE PERMIT, REZONING AND GENERAL DEVELOPMENT PLAN FOR A CONDOMINIUM DEVELOPMENT

Wally Neumann was present at the meeting and reviewed the proposal. They would like to rezone the property from R3 to R6 to accommodate a 12 unit condominium. The elevations, landscape, etc. were displayed. The plan has been reduced from the original 18 units to 12 units. There will be over 50% green space on the property. Each unit will be 1800-2350 sf, have an attached two car garage, surface parking for guests, and will be compatible with what Delafield is doing with their most recent developments.

R. Dupler stated that a report was supplied to the commissioners. The property is being proposed as a conditional use. The zoning is currently R3 and the petition is to rezone it to R6 multi-family residential. The R6 zoning is compatible with the Comprehensive Plan. There are 1.55 acres on the property and this equates to 7.7 units per acre. This density is compatible with the existing multi-family homes in the immediate area. There is a considerable amount of open space; the property exhibits greater than 7,000 sf per unit, well above the minimum standards. This is for consideration as a GDP. The two lots need to be reconsolidated via CSM. The site plan shows the guest parking identified on the concept plan, but engineering plans do not illustrate it and staff recommends that guest parking be realized at least ¼ space per unit (at least 4 parking spaces) and engineering plans need to be brought into conformance with that. A tree survey/inventory is needed. Details on the shoreline treatment of the detention ponds are requested to ensure proper erosion control and landscaping in this area. The public sidewalk also needs to be incorporated into the plans. Lighting, dumpster, and signage are not included at this time. If they are to be incorporated, this information is needed. There are shrubs listed on the landscaping plan that are invasive and are on the DNR "Do Not Plant" list; they should be removed. There are landscaping beds within the high water mark of the pond; this should be modified. Green islands should be employed in the auto court. The Petitioner stated that they have this and that it has been amended. Engineering concerns were: curb and gutter should be put in along Main Street, the public sidewalk should be extended, more information on the water feature is requested along with the controller identified and screened, grading directs water off of the property and must be resolved, and soil borings for the detention basin in the front were requested. The Petitioner stated that soil borings have been done. There will not be a dumpster (it will be interior within the garage), signage will be moderate, and they have looked at the plantings. R. Dupler stated that standard documents have been submitted, but since this is a condo, the condo agreement documents supercede what would normally be covenants and restrictions. The City does not review condo documents. He asked that the criteria for conditional use be considered in the motion. The Petitioner will be back before the Plan Commission with an SIP. R. Dupler stated that the concept and GDP are worth considering and that they are compatible with the Comprehensive Plan and many of the neighboring

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developments in the area. Approval should be contingent upon approved CSM, staff approval of mitigation plan, shoreline treatment, additional guest parking, extension of the public sidewalk to Wells Street, revised landscape plan, and Public Works Committee approval. With the GDP the recommendation needs to go to the Common Council. He encouraged the recommendation for approval.

The Petitioner stated that the detention basin will have a clay lined liner. It will retain water and will be filled either via natural water or by the well that is on the property. It will retain a water level and will have a circulating pump with a small waterfall. D. Kuchler requested that staff make sure that the wells are of adequate size to keep up with the water level requirements of the pond. R. Dupler stated that because the pond is in the front yard, maintaining the water level would make it an aesthetic feature. It will have an impact on the type of vegetation that can be realized in that space. Discussion took place on how the pond would operate. The use of environmentally friendly/safe materials will be made a part of the condition.

T. Aul referenced the payments to the City listed on page 5 of proposed permit application and conditional use permit. Discussion took place as to how these fees are determined.

C. Mursky suggested the use of rain gardens on the property. She also asked R. Dupler's opinion of the screening to the property to the west. R. Dupler thought that there was ample screening at the location of what is proposed as the turnout for the guest parking. It would be beneficial to get more canopy trees or large evergreen trees immediately west of the building to create a separation and better buffer. The Petitioner stated that they have looked at this and would like to make it as compatible as possible with the surrounding area. They have contacted a landscaper, but have not decided on a species yet. They will be addressing this.

The plans in respect to fire vehicle access have been reviewed by plan staff. The Fire Chief had no issues in regard to emergency access.

T. AUL MOTIONED APPROVAL CONTINGENT UPON AN APPROVED CSM, STAFF APPROVAL OF EXISTING MITIGATION PLAN, SHORELINE TREATMENT, ADDITION OF GUEST PARKING, EXTENSION OF THE PUBLIC SIDEWALK TO WELLS STREET, REVISED LANDSCAPE, AND PUBLIC WORKS COMMITTEE APPROVAL. D. KUCHLER SECONDED THE MOTION. C. MURSKY MADE A FRIENDLY AMENDMENT ADDING THE CONTINGENCIES OF WORKING WITH PLAN STAFF TO INCORPORATE RAIN GARDENS INTO THE LANDSCAPE PLAN IF FEASIBLE AND THAT ENVIRONMENTALLY/BIOLOGICALLY SAFE CHEMICALS BE USED. T. AUL AND D. KUCHLER AGREED TO THE AMENDMENTS. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

The Petitioner discussed the buffers that they would be using to screen the west side of the property.

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- b. **TAX KEY 733.990.003, 2961 VILLAGE SQUARE DRIVE, HARTLAND,**
OWNER: UNITED PROPERTIES. APPLICANTS: JOHN O'POLKA,
TUMBLEWEED SOUTHWEST GRILL, D/BA/ DIAMONDBACK
MANAGEMENT, INC. APPLICANTS SEEK APPROVAL OF A SPECIFIC
IMPLEMENTATION PLAN (SIP) FOR TUMBLEWEED RESTAURANT AT
VILLAGE SQUARE.

John O'Polka was present at the meeting. The updated plan included information on the reconfigured parking, additional glass on the front of the building, roofline enhancements, in addition to other staff suggestions. B. Restock's comments regarding the location of the building were discussed. Landscaping berms to the south of this location are along the property line. J. O'Polka stated that he had assumed that the developer had already addressed these concerns in the Master Plan. B. Restock stated that there is not a complete berm along the lot line. C. Mursky stated that Bob Borkowski called and although he was not able to attend the meeting tonight, he shared the same concerns that were expressed during public comment since his property is adjacent. R. Dupler stated that this is very compatible with the approved GDP. The office space was moved to the area directly north of the well house as part of the Settlement Agreement discussions as a way to screen the two residential units from the grocery store in the upper northeast corner. R. Dupler stated that there have been considerable conversations in regards to the screening. The Developer of the overall project proposed the berms and landscaping. It was also pointed out that the homes on the north side of Vettleson are residences, but are business zoned parcels. The owners of these parcels objected to changing their zoning to residential. Mayor Schuman stated that it is compatible with surrounding property because the properties are zoned business. T. Aul stated that he has looked at the overall Sentry/Kohls center and has observed how it backs up to the Nagawaukee Golf Course. He thought that the buffer and transitional zone behind the shopping center has been done nicely and they are compatible. On the east side of this particular development is the Arbors, a very high end residential development. All three of these uses coexist in this neighborhood in a very tight setting and all get along well with the way the landscaping and buffers have been created. M. Carlson stated that the SIP for this development has already been approved and the tenant is coming in for one small piece of the overall plan. The opportunity to increase the buffer or landscaping is gone because the SIP has already been approved for the development. Mayor Schuman stated that accommodations were made to the neighbors at that time. M. Carlson stated that B. Restock was raising an issue of compatibility which had been resolved for years. This project has been proven to be compatible with the neighbors and the project has been approved. This issue is over. With respect to the berm, it is shown on the site development plan. This is what was approved as part of the SIP. If United Properties wants to change that plan, they can petition the Plan Commission to make that change.

R. Dupler commented that this was an SIP for a project that has been in the most part approved. The gross aggregate square footage on the site, the building square footage is misrepresented and will have to be modified with other petitions as they come in. In regards to the design, flow, and function

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of the property, he suggested that the Petitioner consider reorienting the parking on the south side of the buildings. The Petitioner stated that he was going to do that and would put a 5' walkway down the center. R. Dupler requested to see the plan. In regards to overall green space, they are compatible with the original site plan as proposed. Site lighting has not been proposed and it is important that it be properly lighted; staff will need to review. Landscaping materials need to be substituted, the identified canopy trees need to be at least 2" caliper and screening material (evergreens) need to be at least 6' in height. He asked that they switch out the red maples out of the parking lot. Plan Staff suggested that additional windows needed to be added particularly along the south side of the building, that the color of brick be reconsidered (different than that already approved on other buildings), and that details on how the screened patio is constructed be provided. The construction of the patio was discussed.

The hours of operation would be 11-11 and 11-12 on Friday and Saturdays. A business plan of operation was not on this agenda. The sign as proposed cannot be approved at this meeting and needs a business plan. R. Dupler stated that the Petitioner is given ample direction in order to proceed with the building and site design.

The architect showed the revised elevations and the material board. R. Dupler stated that the brick color was not identical to the other buildings. The colors of the building were discussed. R. Dupler stated that with the changes of the elevation, the addition of the buildings, full windows, and dormers he was happy with the plan.

D. KUCHLER MOTIONED TO APPROVE CONTINGENT UPON REORIENTATION OF THE PARKING LOT SO THAT THE PARKING SPACES ARE PERPENDICULAR TO THE WAY THEY ARE SHOWN NOW SUBJECT TO STAFF APPROVAL AND THAT THE PHOTOMETRICS BE APPROVED BY STAFF AS REQUIRED WITH ½ CANDLE AT THE PROPERTY LINE TO THE SOUTH. C. MURSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

M. Czubkowski clarified that this would be recommended to Council.

c. **TIME WARNER WIRELESS PROJECT IN DOWNTOWN DELAFIELD**

M. Carlson introduced Dan Conrad and Paul Dosbach from Time Warner Cable. Time Warner approached the City regarding a pilot project in downtown Delafield with respect to wireless internet. Time Warner Cable conducted a presentation to the Plan Commissioners stating that they would like to conduct the project for one year. Authentication is required. Current Roadrunner subscribers will be able to use their current user name and password to authentic without a fee. Non-Roadrunner subscribers would pay a fee (amount to be determined) through the use of a credit card (also used for authentication). This would cover the downtown area, but there was a little concern about coverage on the west side. Internet speed would

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be high-speed, but would be dependent on distance. T. Aul thought it would be a wonderful enhancement for downtown Delafield.

T. AUL MOTIONED TO APPROVE THE PROJECT SUBJECT TO STAFF OVERSIGHT TO MAKE THAT AESTHETICS ARE PROPERLY ADHERED TO AND THAT THE WIRING SITUATION IN DOWNTOWN IS CLEANED UP. C. MURSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

d. NORTHWEST QUADRANT PLANNING STUDY - CITY STAFF REQUESTS APPROVAL OF PARK ANALYSIS

R. Dupler stated that last month they analyzed the potential for park development in the northwest quadrant following Plan Commission recommendations as well as that of the Park & Recreation Commission. The Plan Commission members had a synopsis in their packets identifying planning procedure and the service area that can be achieved by implementation of the parks in the northwest, identification of how they are in the locations and how they are compatible with the Five Year Park Program, the Comprehensive Plan, and the adopted amendment to the Master Plan for a circle route around the lake. This information is identified on the maps. With approval, this information will be incorporated into the final document and would come back to the Plan Commission for approval at the next meeting.

Mayor Schuman stated that this has gone before the Park & Recreation Commission. M. Carlson stated that the Park & Recreation Commission met on June 26, 2006 and discussed this issue. The minutes from this meeting were included in the Plan Commission members' packets. He thought that the material identified that if the components of the park were obtained, it would satisfy the requirements that were laid out in the City's Five Year Park & Recreation Plan and the City's Master Plan (Comprehensive Plan) for this northwest quadrant. The Park & Recreation motion had specifics included in their motion. These were "to recommend four acres dedicated as a public park with public access to the private land, this would be the 57 acres that they proposed on their development plan plus four acres adjacent to the road with the park coming off of the access of the proposed road." M. Carlson stated that this included the preservation of park land in conformance with two planning elements; one being the northwest quadrant planning analysis and the other being the Binkowski/Knoff development. He liked the incorporation of the bike trails. C. Mursky asked if the intention was to have pedestrian and bike traffic in a separate place other than the road or if they would be mixed with motorized vehicles. M. Carlson stated that there were sections of the trail where it was mixed. The intention for the northwest quadrant is to provide some extra travel to incorporate the bike and pedestrian trails. However, there was discussion to have it completely separated and that it become part of the site planning for that neighborhood plan through the MLG proposed development. R. Dupler stated that a solution has already been realized by Waterleaf Subdivision where the trail has been accommodated within the right of way and in some cases by easements to cross onto private property. C. Mursky stated that

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this was preferable. This should be kept in mind wherever possible. Mixing the uses can be problematic. T. Aul stated if pedestrian use was going to be promoted, this is particularly true. M. Carlson stated that with the vacant remaining land in Delafield, this process gives the City the ability to look into the future and see what kind of amenities the community really wants to include.

C. MURSKY MOTIONED TO APPROVE THE ANALYSIS. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 792.055, 817-C GENESEE STREET, DELAFIELD.** OWNER: TOM AUL. APPLICANT: JORY PRADJINSKI, TRIAD CREATIVE GROUP. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR THOMAS, A SALON FOR HAIR.

T. Aul abstained from discussion of this item.

R. Dupler stated that this was the former Tadpoles location. The sign hangs on an arm on the building and does not encroach on the right of way. Last month the bottom half of the sign was approved. The colors are appropriate, the font is appropriate, and the size is appropriate. He recommended approval. The signs are compatible with each other.

D. KUCHLER MOTIONED TO APPROVE. C. MURSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. TWO WERE IN FAVOR. T. AUL ABSTAINED. MOTION CARRIED.

- b. **TAX KEY 793.020.002, 715 GENESEE, DELAFIELD.** OWNER: LANG INVESTMENTS. APPLICANT: THOMAS LABISCH AND ALPHA NEONX. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AND SIGNAGE FOR INSTEP RUNNING & WALKING CENTERS, A WALKING AND RUNNING SHOE STORE. HOURS OF OPERATION ARE WEEKDAY, 11:00 A.M. – 7:00 P.M.; SATURDAY, 11:00 A.M. – 5:00 P.M.; SUNDAY, 12:00 – 7:00 P.M. TWO PART-TIME AND 1 FULL-TIME EMPLOYEE.

R. Dupler stated that the business plan of operation, proposed use and hours are appropriate. There are no modifications to the building or site plan. This is a historic building. They are making use a sign arm. Staff is concerned that the sign as proposed encroaches into the right of way. When this happens, it should maintain at least 10' of clearance below the sign. The existing stoop already obstructs the right of way. If you make the assumption that the clearance beneath the sign in the right of way is to ensure reasonable access and use of the right of way, in this particular instance, this is already obstructed by the stairs. The size is appropriate as proposed, the colors and font are appropriate. Recommended consideration for approval.

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T. Labisch was present at the meeting. The materials were appropriate. T. Aul was glad to see that they would be open until 7 p.m., but thought that perhaps they should open earlier on Saturday morning. The hours of operation were discussed and were modified to reflect 9 a.m. – 5 p.m. on Saturday and 9 a.m. – 5 p.m. on Sundays; weekdays from 9 a.m. – 7 p.m.

T. AUL MOTIONED TO APPROVE THE BUSINESS PLAN AND SIGN WITH THE AMENDED HOURS OF OPERATION. D. KUCHLER SECONDED THE MOTION. C. MURSKY ASKED IF THERE WAS A REQUEST FOR A SANDWICH BOARD SIGN. IT WAS CLARIFIED THAT APPROVAL IS NEEDED FOR A SANDWICH BOARD SIGN. T. AUL STATED THAT AS SOON AS THE PERMANENT SIGNS GO UP, THE SANDWICH BOARD SIGN NEEDS TO COME DOWN, NO LATER THAN AUGUST 15, 2006. TEMPORARY SIGNS ARE ADMINISTRATIVELY APPROVED AND ARE GOOD FOR UP TO 90 DAYS. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **TAX KEY 793.014.001, 601-637 GENESEE STREET, DELAFIELD SQUARE.** OWNER: LANG INVESTMENTS. APPLICANT SEEKS APPROVAL OF A SIGN PROGRAM FOR DELAFIELD SQUARE

R. Gerbitz was present at the meeting. He wanted to do a sign package for the building.

R. Dupler stated that since this property is governed by conditional use, the Plan Commission needed to determine whether or not this was a major or a minor change to the existing conditional use. He advised that it was a minor change. The signs in many cases have exceeded the 12 sf guideline which is identified for flush mounted building signs. No lighting is identified on the signs. The Petitioner is aware that should they elect to light them, they would need to come back with identification of that lighting. Approval of this sign program is not extended to any potential tenants at this time. They will need to seek individual approval of their graphics.

T. Aul stated that in regards to the 12 sf limit, consideration should be given to the size of the building in proportion to the sign. R. Dupler clarified that this item was the consideration of the sign program for this building which will identify the materials, location, size, and how they are lighted. The scalloping or squaring of the corners on the signs should be considered if consistency is desired. It was stated that the scalloped edge made a nice presentation. The orientation of the signs along the band was addressed. R. Gerbitz stated that if any lights were used for the signs, they would be the same as on their other buildings, i.e. old fashioned kind with bent over lighting with a green or black metal shade on it. General discussion took place on the size of the signs and the scalloping of the signs.

T. AUL MOTIONED TO APPROVE A SIGNAGE PROGRAM FOR THIS PROJECT THAT WOULD REQUIRE THE SIGNS TO BE CONSISTENT IN DESIGN, RECOMMENDED WITH A SCALLOPPED EDGE, THAT THIS IS A MINOR CHANGE TO THE CONDITIONAL USE PERMIT, AND THAT THE SIZING AND LOCATION OF EACH INDIVIDUAL SIGN BE LEFT TO STAFF APPROVAL BECAUSE OF THE NATURE OF THE BUILDING. D.

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KUCHLER SECONDED THE MOTION. T. AUL AMENDED THE MOTION TO REFLECT THAT WHAT IS PROPOSED WOULD BE THE MAXIMUM SIZE SIGN AND IF ADDITIONAL LIGHTING ON THE BUILDING WOULD BE USED, THAT IT BE CONSISTENT FOR EACH SIGN. D. KUCHLER AGREED WITH THE AMENDMENT. T. AUL CLARIFIED THAT IF A PAINTED OR PHYSICAL MOULDING OR PAINTED TRIM AROUND THE SIGN WAS EMPLOYED, IT SHOULD BE NO LARGER THAN 2X10. D. KUCHLER AGREED. C. MURSKY STATED SHE WAS UNCOMFORTABLE WITH MAKING AN EXCEPTION FOR AN ENTIRE SIGN PACKAGE. T. AUL STATED THAT THIS WAS THE LARGEST BUILDING IN TOWN. C. MURSKY ASKED HOW DECISIONS WOULD BE MADE AND WHAT GUIDELINES WOULD BE USED TO MAKE THESE DECISIONS. M. CARLSON STATED THAT THE ORDINANCE GIVES THE PLAN COMMISSION THE ABILITY TO CARVE OUT EXCEPTIONS WHEN THEY ARE WARRANTED. DISCUSSION TOOK PLACE. MAYOR SCHUMAN CALLED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **TAX KEY 793.014.001, 637 GENESEE STEET, DELAFIELD SQUARE.** OWNER: LANG INVESTMENTS. APPLICANT: NICKOLAS GAGLIANO. APPLICANT SEEKS APPROVAL OF SIGNAGE FOR GAGLIANO'S MARKET, A SPECIALTY GROCERY STORE.

N. Gagliano was present at the meeting.

R. Dupler stated that the sign graphics as proposed satisfy the City's Historic color palette. The font is appropriate. The design is compatible with the pre-approved building signage plan. He recommended approval.

T. Aul suggested using scalloped corners.

T. AUL MOTIONED TO APPROVE. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- e. **TAX KEY 793.021,** OWNER: GARY NEURNBERG. APPLICANT: CARRIE MADDERON. APPLICANT SEEKS APPROVAL OF A TEMPORARY BUSINESS PLAN OF OPERATION FOR CARRIE'S PREMIUM POPCORN

C. Madderon was present at the meeting.

R. Dupler stated that it should be considered whether this should be a temporary business plan. He thought it was appropriate with the identified special events and the hours as identified on the business plan operation application. Because it is mobile, it may be appropriate to consider this on a temporary basis or trial period where the Petitioner would be allowed to operate for a certain amount of time during special and then come back to the Plan Commission for final approval. C. Madderon stated that it was her intent to run the business for as long as there was adequate foot traffic. T. Aul thought that a business like this would encourage foot traffic. It was suggested that a trial period of one year be used. C. Madderon reviewed how she planned to keep the area clean.

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T. AUL MOTIONED TO RECOMMEND APPROVAL OF THE PROPOSAL BASED ON THE PRESENTATION FOR A ONE YEAR PERIOD. D. KUCHLER SECONDED THE MOTION. MORE INFORMATION WILL BE SUPPLIED IN REGARDS TO SECURING THE POPCORN WAGON. ALL WERE IN FAVOR. MOTION CARRIED.

6. PRELIMINARY

- a. **TAX KEY 740.996.006 AND 740.996.007, LOT 3 AND 4, APPLICANTS: MICHAEL KRILL, ICON DEVELOPMENT, LLC. APPLICANTS SEEK PRELIMINARY APPROVAL OF A PLANNED UNIT DEVELOPMENT SITE PLAN FOR BLUE SPRUCE LANE CONDOMINIUMS, A SINGLE-FAMILY CONDOMINIUM DEVELOPMENT.**

M. Krill was present at the meeting. The proposed development consists of three different sites. He reviewed the parcels, acreage, zoning, and existing conditions of the properties. The site plan was reviewed. They are requesting a total of 17 units on the project. They are creating a condominium development for people to build single family homes consistent with a set of regulations and architectural control as to what they are planning to build. The style would be a Nantucket/New England type style development. The units would be upscale and would be a minimum of 3,000 sf. Lake access will be on the present Gunderson parcel and was shown on the drawing. According to DNR regulations, there could be 17 boat slips, but conditions will not allow that. The number of boat slips is being reviewed and would be less. Boat slips would be sold separately from the property. The property will be serviced by sanitary sewer and the developers intend to build a community well. Bio-swales versus retention ponds will be used on the property.

T. Aul thought that the access going out to Blue Spruce should be used only for emergency vehicles. It was thought that the streets should be public streets versus private.

D. KUCHLER MOTIONED TO HAVE A PUBLIC HEARING ON THIS PROJECT. T. AUL SECONDED THE MOTION. M. CARLSON STATED THAT THE STANDARD SET OF REQUIREMENTS WOULD BE NECESSARY FOR DISTRIBUTION BEFORE THE PUBLIC HEARING IS SCHEDULED. TRAFFIC STUDIES FOR GREENFIELD SITES, FINANCIAL IMPACT ANALYSIS AND GIVEN THAT THIS IS A REDEVELOPMENT OF AN EXISTING SITE, M. CARLSON ASKED IF THE PLAN COMMISSION THOUGHT THIS WAS WARRANTED OR NOT. MAYOR SCHUMAN ASKED THAT A TREE INVENTORY BY THE ROAD BE DONE, BUT DID NOT THINK THAT A FISCAL IMPACT STATEMENT WAS NEEDED BECAUSE THIS IS A REDEVELOPMENT. R. DUPLER STATED THAT STANDARD GDP SUBMITTAL WOULD APPLY (GRADING PLAN, CONCEPTUAL LANDSCAPE PLAN, ARCHITECTURE AS PRESENTED, TREE MITIGATION/TREE IDENTIFICATION PLAN OF EXISTING MATERIALS, ANALYSIS OF STORMWATER, AND HOW MANY BOAT SLIPS CAN BE ACHIEVED). M. CZUBKOWSKI STATED THAT A SITE PLAN WITH

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DRIVEWAYS, ETC. IS NEEDED. R. DUPLER CLARIFIED THAT CURB AND GUTTER MAY BE MORE APPROPRIATE THAN THE CONCEPT OF THE BIO-SWALES. ALL WERE IN FAVOR. MOTION CARRIED.

- b. TAX KEY 781.990, 1605 HIGHWAY 83, HARTLAND. OWNER: JOE AND MARALYN GEASON. APPLICANT: BOB COVELLI, U.S. CELLULAR. APPLICANT SEEKS APPROVAL OF A CONDITIONAL USE PERMIT AND SITE PLAN FOR A TELECOMMUNICATIONS FACILITY.

Jim Wymann, U.S. Cellular was present at the meeting. U.S. Cellular would like to put antennas on the Geason's silo. The Commissioner's had copies of the site plan. The antennas would be painted to match the existing silo and cables would run down the east side of the silo into their equipment shelter which would be designed to match the existing equipment shelters located on the west side of the silos. The lean-to would need to be removed for the equipment shed to be on the east side. After the lean-to is removed, the face of the building would be painted to match the exterior of the other building and with landscaping installed around it.

R. Dupler stated that the property is governed by a conditional use. With the addition of the structure (the service building on ground level) it constitutes a major change and the Plan Commission should consider it in that regard and schedule a public hearing. The limitations to the existing conditional use include a limit of 12 antennas on top of each silo. There are 12 antennas on top of the silos now, but the additional antennas are being proposed to line the top of the silos (below the top of it) and would not be seen. They would not be contributing to the antenna structure above the building. He stated that the Plan Commission might wish to reconsider reconsideration of the limit of twelve. The building is 240 sf and would match the materials of the other existing buildings.

T. AUL MOTIONED TO HAVE A PUBLIC HEARING. R. DUPLER STATED THAT THIS IS UNDER CONDITIONAL USE AND THERE IS AN EXISTING RESTRICTION ON THE GEASON LAND; IF THE GEASON PROPERTY DEVELOPS AS RESIDENTIAL THE CONDITIONAL WOULD BE REPEALED. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. ZONING AND ORDINANCE REVISION

None.

8. HEARING DATES

Board of Zoning Appeals – August 10th regarding a garage on Nagawicka Avenue.

Two public hearing dates as scheduled above.

Documents have not been received from the Lang/Lauth proposal. There will not be a public hearing on this subject on August 24.

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9. ADMINISTRATOR'S REPORT

a. DISCUSSION ITEM REGARDING SPACE CONSERVATION STRATEGIES IN THE CITY OF DELAFIELD

A copy of a white paper prepared by the City Intern was distributed to the Plan Commission and the Park & Recreation Commission dealing with the issues of conserving properties in Delafield. These bodies were asked to have the materials on their agenda for consideration and discussion. Discussion on this item was postponed to a future date.

b. DISCUSSION ITEM REGARDING LIVE BROADCAST AND TEMPORARY SCHEDULING OF PLAN COMMISSION MEETINGS

M. Carlson discussed the practice of holding meetings for public hearings that are anticipated to generate a lot of interest. When projects are thought to generate a lot of interest, the meetings are held at larger facilities. However, there is an issue of not being able to broadcast meetings held off premises "live". M. Carlson stated that on the larger issues, he thought it was more important to hold them at a larger location and sacrifice the live broadcast but when it comes to the normal Plan Commission meetings and normal City Council meetings, they need to be held in a location where the broadcast can be "live". He also discussed a two-meeting per month format for the Plan Commission. Additional staff time required for holding the additional meeting were estimated at approximately ten hours. Additional meetings were discussed because of the length of the meetings and space constraints. The 11 p.m. curfew was discussed. The Commissioners thought that it would be appropriate to have special meetings for special projects. M. Carlson suggested looking at past trends to determine what times of year may require extra meetings. It was also suggested to have an earlier starting time. R. Dupler will provide the City with a list of communities who have two Plan Commission meetings per month.

c. OTHER

M. Carlson discussed impact fees and reported that the Wisconsin Legislation has changed. He distributed a summary of the new legislation that was prepared by the City's financial advisor. The new law requires communities to spend impact fees within seven years (previous law required ten years) with the requirement being retroactive. The City of Delafield began collecting impact fees almost seven years ago. The City Attorney has been contacted regarding what kind of expenses the impact fee revenues can be used for. There are also new rules in lieu of park land dedication in the field. Fees can no longer be charged in lieu of park land dedication. Legal advice is being sought as to how the City's municipal code compares with the new legislation. The City charges an impact fee by ordinance. The ordinance requires the City to review the impact fees annually; they are broken down by specific function. This issue will come back to the Plan Commission as a Zoning Text Amendment if the requirements need to be changed in the Municipal Code.

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10. BUILDING INSPECTOR'S REPORT

Total number of permits to date are 34 plus two occupancy permits. New permits include three new single family homes.

11. BOARD OF ZONING APPEALS

A meeting is scheduled for August 10, 2006 for a garage on Nagawicka Avenue.

12. CORRESPONDENCE

- a. Memo from Shantelle Schmidt, City Forester, regarding a site visit to conduct a tree inventory at Village Square on June 29, 2006.
- b. Memo from Tom Hafner regarding a Notice of Intent to apply for Storm Water Permit dated June 28, 2006.
- c. **Tax Key DELC0803.994, 2675 Sun Valley Drive, Delafield WI;** Applicant: Jim Feine, Open Pantry. Applicant requests determination of a minor change to the Conditional Use Amendment for Open Pantry

ADJOURNMENT

T. AUL MOTIONED TO ADJOURN FROM THE MEETING. D. KUCHLER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 10:14 P.M.

Respectfully submitted:

Minutes Prepared By:

Marilyn Czubkowski, CMC
City Clerk/Treasurer

Accurate Business Communications LLC