

**CITY OF DELAFIELD PLAN COMMISSION MINUTES**

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Ed McAleer  
Kent Attwell  
Michael Frede (entered 7:01 p.m.)  
Kevin Fitzgerald  
Beth Leonard  
Roger Dupler, Planner  
Gina Gresch, Clerk-Treasurer  
Tom Maney, Building Inspector  
Marilyn Czbukowski, City Administrator

Absent

Larry Chapman

1. APPROVE PLAN COMMISSION MEETING MINUTES OF APRIL 30, 2008 MEETING.

**B. LEONARD MOTIONED TO APPROVE THE MINUTES FROM THE APRIL 30, 2008 MEETING. K. ATTWELL 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.

No citizens wished to speak.

**K. FITZGERALD MOTIONED TO CLOSE CITIZEN'S COMMENTS. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA (RECOMMENDED APPROVALS IN ACCORDANCE WITH THE STAFF REPORT).

**K. ATTWELL MOTIONED TO APPROVE THE CONSENT AGENDA. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. **TAX KEY 0793.020.003, 524 MILWAUKEE STREET, DELAFIELD.** OWNER: JASON STEINER, ACE DELAFIELD PROPERTIES. APPLICANT: TARA DALL. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A MEDICAL CLINIC, ADVANCED LIPIDOLOGY, SC. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 5:00 P.M., WITH 5 PART-TIME EMPLOYEES AND 1 FULL-TIME EMPLOYEE.

Approved. See motion above.

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- b. **TAX KEY 0803.003, 2410 MILWAUKEE STREET, DELAFIELD.** OWNER: SHUDER DEVELOPMENT, LLC. APPLICANT: BADGERLANDBYOWNER.COM, LLC / 2.4 REALTY, LLC / TARANTINO FINANCIAL GROUP, LLC. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A REAL ESTATE, MORTGAGE AND INSURANCE AGENCY, BADGERLANDBYOWNER.COM, LLC / 2.4 REALTY, LLC / TARANTINO FINANCIAL GROUP, LLC. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 5:00 P.M., SATURDAY 9:00 A.M. TO 3:00 P.M., SUNDAY 9:00 A.M. TO 3:00 P.M., WITH 2 PART-TIME EMPLOYEES AND 4 FULL-TIME EMPLOYEES.

Approved. See motion above.

- c. **TAX KEY 0798.901.001 AND 0798.901.002.** OWNERS/APPLICANTS: CLAIRE ENTERS AND ANDREW NOWLIN. OWNERS/APPLICANTS SEEK APPROVAL FOR A PRIVACY FENCE.

Approved. See motion above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL.

- a. **TAX KEY 0798.965.002, 400 GENESEE STREET, DELAFIELD.** OWNER/APPLICANT: LANG RESIDENTIAL INVESTMENTS, LLC. OWNER/APPLICANT SEEKS APPROVAL OF A FINAL CERTIFIED SURVEY MAP TO AMEND AN EXISTING EASEMENT.

R. Dupler gave background information on this item. The Public Works Committee (PWC) reviewed and the minutes from their meeting were included in the Plan Commissioner's packets. The PWC made recommended various options of which one was a road reservation. This would enable the City to accept the dedication for direct connection from Oneida Street to Genesee Street. Other options were reviewed. It was clarified that the only item before the Plan Commission tonight is the approval of the survey document. R. Dupler recommended approval contingent on the issues in the May 23, 2008 letter from Yaggy Colby Associates.

R. Dupler emphasized that it was important to note that the land division created another buildable lot on the corner. He explained that road reservations were used by municipalities when there is a need or desire for a road at a later date. The purpose allows the petitioner to carry on with development until the City decides it wants the road reservation.

Rob Gerbitz was present at the meeting and stated that he was in agreement with approval of this.

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**K. ATTWELL MOTIONED TO APPROVE. K. FITZGERALD SECONDED THE MOTION. IN RESPONSE TO A QUESTION POSED BY B. LEONARD AS TO WHETHER ONEIDA STREET IS REFLECTED ON THE OFFICIAL THOROUGHFARE MAP, R. DUPLER STATED THAT THE MAP REFLECTED THE CURRENT CONDITION, BUT NOT THAT OF THE FUTURE. ALL WERE IN FAVOR OF THE MOTION. MOTION CARRIED.**

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN.

- a. **TAX KEY 0781.989, 1604 HWY 83, HARTLAND.** OWNER: JOHN & JOSEPH GEASON. APPLICANT: CAROLYN GEASON. APPLICANT SEEKS APPROVAL FOR AN ART MURAL ON A BARN, APPROXIMATELY 10 FEET X 13 FEET.

R. Dupler stated that this is an art mural which is on private land, the former site of a dairy. If this was to be considered signage, it would comply with regulations. Clarification was needed as to whether this was to be considered art or signage.

**K. ATTWELL MOTIONED TO APPROVE THIS AS ART CONTRIBUTING TO THE NEIGHBORHOOD. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. **TAX KEY 0804.994.011, 2801 HILLSIDE DRIVE, DELAFIELD.** OWNER: LQ MANAGEMENT. APPLICANT: LA QUINTA INN & SUITES. APPLICANT SEEKS APPROVAL FOR AN EXTERIOR PAINT SCHEME FOR THE LA QUINTA INN & SUITES.

La Quinta would like to change the color of their building through the use of paint. R. Dupler questioned whether this would constitute signage. Color representations illustrating the change were distributed to the Plan Commission members. R. Dupler recommended denial of this petition due to the fact that the painting was not due to required maintenance but because of the company's desire to reflect corporate colors.

A representative from La Quinta Inn & Suites was present at the meeting. He stated that the brand colors have changed and they are trying to project the brand identity. The outside of the building consists of vinyl siding and brick and he felt that by using the brand colors it would help bring guests in. He stated that La Quinta Inn & Suites takes pride not only in the exterior of the building but also the interior.

Mayor McAleer stated that he was mayor in 1994 when this building came in. He reviewed the history of the building. This is B6 zoning. One element that he would like to continue was that this building was

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originally requested to use maintenance free materials. By painting the building, it negated the maintenance free requirements. He felt that this would constitute a major change for a conditional use and appropriate steps for a major change would need to be taken in regards to the conditional use. B. Leonard stated that many architectural features have been added to make it look better; the painting of the building made these features dissolve. She was of the opinion that the painting reduced the architectural features. M. Frede clarified that what was being said was if the building was painted, it would reduce the standards for this zoning of B6. He thought that the owners would not want the building to look unattractive and that the owners were looking at this as an investment to help their business. R. Dupler did not think that this action was justified other than to promote corporate identity. The building was in good condition and was not in need of maintenance. Mayor McAleer stated that there was no guarantee that the building would be owned by the same owners four or five years into the future. General discussion took place regarding the color proposed for the building. Mayor McAleer thought that the architectural standards needed to remain high in the B6 zoning area and by changing the building to a non-maintenance-free exterior it did not adhere to these high standards. M. Frede asked if the original requirements for this building under the conditional use could be reviewed. He was not comfortable telling someone what they could or could not do with their building. K. Attwell stated that although he was not comfortable telling an owner what to do with their building, the paint may pose a maintenance issue in the future. It was clarified by Mayor McAleer that maintenance free materials are not a condition of the B6 zoning. However, he felt that the high standards needed to be kept. M. Frede stated that if this decision is based upon what was approved originally, the records should be pulled for verification. Discussion took place on the paint life cycle on brick and the difficulty of removing paint from brick. B. Leonard felt that it was the Plan Commission's job to look at the standards for architecture, colors, etc. and apply those standards to the buildings in this district. She felt that the aesthetic impact was that of signage. This type of zoning gives the Plan Commission control over what is in that area. M. Frede felt that one of the Plan Commission's tasks was to help businesses be profitable. If the painting of a building would help the business be profitable, that should be considered.

**K. ATTWELL MOTIONED TO APPROVE. K. FITZGERALD SECONDED THE MOTION. M. FREDE QUESTIONED WHETHER THIS SHOULD BE TABLED. M. CZUBKOWSKI STATED THAT IF APPROVED, THIS WOULD GO BEFORE THE COMMON COUNCIL. THIS WOULD NOT ONLY BE APPROVAL OF THE COLORS BUT WOULD ALSO BE RECOMMENDED TO THE COUNCIL. THE COMMON COUNCIL CAN THEN APPROVE, DENY, OR SEND IT BACK TO THE PLAN COMMISSISON. IT WAS EXPLAINED THAT THE PLAN COMMISSION CAN DETERMINE NOW IF THIS WAS A MAJOR OR MINOR CHANGE.**

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**T. MANEY FELT THAT THE COLOR CHANGE WAS DRASTIC ENOUGH TO BE CONSIDERED A MAJOR CHANGE. THE CRITERIA FOR DETERMINING A MAJOR VERSUS MINOR CHANGE WAS REVIEWED. THREE WERE IN FAVOR OF THE MOTION. MAYOR MC ALEER AND B. LEONARD OPPOSED. MOTION CARRIED.**

**K. FITZGERALD MOTIONED TO CONSIDER THIS A MINOR CHANGE. K. ATTWELL SECONDED THE MOTION. E. MC ALEER THOUGHT THAT BECAUSE THIS WOULD BE COVERING UP NATURAL MATERIALS, IT WOULD BE CONSIDERED A MAJOR CHANGE. B. LEONARD THOUGHT IT WAS A MAJOR CHANGE BECAUSE OF THE CHANGE IN THE APPEARANCE. M. CZUBKOWSKI STATED THAT THE COUNCIL WOULD HAVE THE OPPORTUNITY TO REVIEW PAST RECORDS WHEN THEY DISCUSSED THIS ITEM. DISCUSSION TOOK PLACE REGARDING THE CRITERIA OF USING NATURAL MATERIALS AND MAINTENANCE FREE MATERIALS IN THIS ZONING DISTRICT. IT WAS STATED THAT IF THE BRICK WAS PAINTED, IT WAS AN ARCHITECTURAL CHANGE. IF ONLY THE SIDING WAS TO BE PAINTED, IT WOULD BE A COMPLETELY DIFFERENT SITUATION. K. FITZGERALD WITHDREW HIS MOTION. K. AWELL WITHDREW HIS SECOND TO THE MOTION.**

**K. FITZGERALD MOTIONED THAT THIS BE CONSIDERED A MAJOR CHANGE TO THE CONDITIONAL USE PERMIT. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

A public hearing will take place at the next Plan Commission meeting.

6. PRELIMINARY

None.

7. ZONING AND ORDINANCE REVISION.

None.

8. HEARING DATES.

a. June 25, 2008 for the La Quinta Inn.

9. ADMINISTRATOR'S REPORT.

a. SIGNAGE APPROVED BY STAFF:

i. LEGENDS OF THE FIELD, 2910 GOLF ROAD, DELAFIELD.

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It was stated that this conformed to all of the standards. Although this is the last space available to lease, not all of the signage space has been used.

b. DISCUSSION OF A DOWNTOWN DEVELOPMENT PLAN – BOUNDARY, PUBLIC PARTICIPATION, SCHEDULE AND STREET CONFIGURATION.

R. Dupler requested input regarding the Statement of Intent. The recommended boundary for the Downtown Development Plan was presented to the Plan Commission. The Statement of Intent & Introduction was included in the Plan Commission's packets. This included the public input process and a map showing the boundaries. General discussion on the boundaries took place. The next step will be to include a photographic analysis to determine where the boundaries are and why, parking areas within this area will be reviewed in addition to road patterns, an open house for public input will be conducted, and information will be posted on the website. It was clarified that no action was required from the Plan Commission.

M. Czubkowski inquired about the yellow boundary and asked if this included all of the CBD zoning areas. R. Dupler clarified that all of CBD1 was included, but not all of the others, however there was nothing outside of the black area. Any area that had a contribution to the downtown was included within the black boundary line. This is a starting point and it was noted that the boundaries could change. All citizens were invited to participate in the input process. This would establish guidelines for development of the area and will help the City analyze petitions when they are brought forth.

A slide presentation was made outlining the downtown road analysis. The dendretic road system was recommended to be used in the 30 acre parcel behind the City Hall.

Mayor McAleer discussed the possibility of vacating a small portion of Division Street in order to create additional parking spaces for the new City Hall/Library. M. Frede expressed concern about the bike path along Wells Street if Wells Street were to be considered a main stem of the road system. The options presented showed either Wells Street or Division Street as the main stem. General discussion took place regarding the various road options. These road options will be looked at more thoroughly at the next Plan Commission meeting with a public hearing taking place in July and the plan being finalized in August.

The Plan B Committee site plan was reviewed in relation to the existing parking, proposed parking, and existing streets. R. Dupler showed how the vacation of the portion of Division Street could potentially double the parking space behind the new City Hall. He also discussed how the repositioning of the new City Hall could create an opportunity for a

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connector street to Genesee Street. B. Leonard and Mayor McAleer expressed concern about repositioning the City Hall. Accommodating the roadway, bike path, and pedestrians on Well Street was also discussed.

c. DISCUSSION AND APPROVAL OF FINAL DRAFT OF SMART GROWTH CHAPTER 3 – AGRICULTURAL, NATURAL AND CULTURAL RESOURCES ELEMENTS.

R. Dupler stated that no responses have been received from the City's website on the Smart Growth Plan. Citizens were encouraged to participate in this process.

Christa Wollenizien from Yaggy Colby was present to discuss Chapter 3. A memo identifying issues for discussion was included in the Commissioner's packet.

It was clarified that the boundary for the shale is being determined and will be put on the map. The shale layer is depicted on Table 3-4 on page 16 of Chapter 3. More specific information will be requested from EarthTech.

In regards to the flood map on page 29, an appeal is in the process and this map reflects the current boundary. It cannot be updated until the appeal is processed.

The PEC is a County policy. It is adopted with the County land use policy. The City only has conservation zoning currently defined by wetlands and floodplain. It was suggested that the PEC be recognized in the City ordinance. An overlay concept could be used.

Section 1 – K. Fitzgerald discussed his view of Delafield. He did not think there was a strong message about preserving agricultural land. This should be in the text. Mayor McAleer stated that under the Objectives and Goals he would like to add that in the agricultural land zoning section, density blending should be discouraged as a process. M. Czubkowski expressed the need that when agricultural land is developed that a clustering development plan be used to keep larger parcels of land open. R. Dupler stated that the Master Plan could include development phasing.

School capacity was discussed and will be covered in Chapter 4.

Traditional subdivision development should be forced to use the conditional use process. However, because this type of development is not used very often, the use of a conditional use permit has not been addressed. The use of a conditional use permit for any development may be something to be considered.

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Linda Holton, 485 Lillian Court – commented on Section 3, Historic Sites. She distributed information to the Plan Commission members regarding information from the DNR. Under “History of the Kettle Moraine Scenic Drive” she read the following: “The objective of a drive of this kind was to provide the most effective and scenic highway route which people could use to spend a day or possibly two, seeing the best in the way of natural features in the Kettle Moraine region.” She asked that the Plan Commission protect Highway C. The Commissioners concurred that this should be incorporated. Rustic roads and historic status of various properties were also discussed.

B. Leonard felt that stricter development standards on lake lots and tree preservation could be included. M. Frede stated that in the past, the Plan Commission had determined that they did not want to take rights away from landowners. Mayor McAleer suggested that as long as it is not detrimental to the lake, he did not want to dictate to the landowners. B. Leonard felt that there was enough data available to reduce run-off on lake lots and that some restrictions should be put on the re-development of those lake lots. She suggested conducting a scientific survey asking specific questions. She did not feel comfortable moving forward without some input in the form of a survey. R. Dupler reviewed the steps that would need to be taken to undertake a survey such as this. He noted that public input is lacking on the subject of Smart Growth. Survey topics could include agricultural issues, growth in general, lake issues, and environmentally sensitive areas.

**K. ATTWELL MOTIONED TO APPROVE CHAPTER 3. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- d. DISCUSSION OF INITIAL ISSUANCE OF SMART GROWTH CHAPTER 4 – COMMUNITY FACILITIES AND UTILITIES.

In regards to utilities, R. Dupler stated that major policy decisions needed to be made by the City, i.e. water systems. He suggested referring this Chapter to the Common Council for direction prior to the Plan Commission discussing it.

C. Wollenzien stated that since this is the initial issuance, it reflected a lot of County references that will be tailored in the future to the City.

10. BUILDING INSPECTOR’S REPORT.

Total number of permits to date are 36 including one occupancy permit. There were two permits for single family homes and one new bank.

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11. BOARD OF ZONING APPEALS.

a. APRIL 24, 2008 BOARD OF ZONING HEARINGS OUTCOME:

- i. **DELC 0786.073.001, 1823 West Shore Drive.** Rebuilding of detached garage and attaching to main home through a mud room/porch. **APPROVED**

b. MAY 22, 2008 BOARD OF ZONING HEARINGS OUTCOME:

- i. No meeting was held due to lack of quorum.

12. CORRESPONDENCE

- a. Letter from Yaggy Colby regarding Maple Bluff Estates Certified Survey Map Extraterritorial Review.  
b. Letter of resignation from Plan Commission member Keith Strege.

13. ADJOURNMENT.

**K. ATTWELL MOTIONED TO ADJOURN FROM THE MEETING. B. LEONARD SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED. THE MEETING ADJOURNED AT 10:06 P.M.**

Minutes prepared by:

Accurate Business Communications, Inc.