

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

CALL TO ORDER

Mayor McAleer called the meeting to order at 7:00 P.M.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Ed McAleer  
Kent Attwell  
Larry Chapman (arrived 7:02 P.M.)  
Michael Frede  
Kevin Fitzgerald (arrived 7:57 P.M.)  
Beth Leonard  
Roger Dupler, Planner  
Marilyn Czubkowski, City Administrator  
Gina Gresch, Clerk-Treasurer  
Tom Maney, Building Inspector

Absent

Dirilee Curtis-Costa

**PUBLIC HEARING #1: DELC 0804.994.011**

CONDITIONAL USE PUBLIC HEARING FOR PROPERTY OWNED BY LQ MANAGEMENT, INC., 909 HIDDEN RIDGE, SUITE 600, IRVING, TX 75038. APPLICANT'S AGENT TED CZYZEWSKI, VP DESIGN SERVICES, LQ MANAGEMENT, LLC., 909 HIDDEN RIDGE, SUITE 600, IRVING, TX 75038, SEEKS TO AMEND AN EXISTING CONDITIONAL USE. LQ MANAGEMENT INC, PROPOSES TO MODIFY THE APPEARANCE OF THE LAQUINTA INN & SUITES FROM THE APPROVED PALETTE BY PAINTING OVER BRICK AND VINYL SIDING IN ORDER TO MAKE THE STRUCTURE CONFORM TO IDENTIFIABLE CORPORATE COLORS.

Mayor McAleer called the public hearing to order at 7:02 P.M.

John Finerty, 330 E. Kilbourn Avenue, Milwaukee, Attorney representing La Quinta Inns as LQ Management, stated he wanted to speak during the action item on this issue. Ted Czyzewski was also here with LQ Management to provide an update on materials and information on durability as it related to the proposed maintenance free concept.

T. Czyzewski stated he wanted to introduce the corporate brand colors of "Torch Light" and "Compatible Cream" to the Commission reflecting corporate colors through a nationwide color system on La Quinta buildings. He shared photos of the existing color scheme for the La Quinta Inn located on Hillside Drive in Delafield as well as the proposed color scheme for the same location. He went on to explain the paint to be utilized in the proposal was Sherwin Williams quality paint to last 25 years. He noted

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the building was located in a neighborhood area but it was the desire of LQ Management to reflect the corporate colors. In addition, it was the pursuit of LQ Management to make sure the building maintenance and upkeep were reflected on the property and he thought the proposal would allow that to happen.

Henry Derringer, General Manager of the Hillside Marcus Theatre Cinema, stated his main concern was putting a coat of paint color over the brick. He thought this concept did not lend itself to the same color in the area buildings, and most of the buildings into that area were unpainted brick. He had viewed a La Quinta building in Brookfield, Wisconsin and thought the paint scheme provided a monotone feel over the painted brick. In addition, he was concerned about the loss of character of the neighborhood area with painted brick. He suggested LQ Management consider altering the appearance though the trim color and between the bricks as well as in the entryway.

Gerry Holton, 485 Lillian Court, stated he felt compelled to comment on the life of the Sherwin Williams paint as he was a painting contractor and knew paint did not always last as long as promised. He noted there was a seven to eight year painting cycle in this climate and paint was only as good as the application and the material it was being applied to. Also, he thought in this case the paint scheme and application would change the building aesthetically and architecturally since brick would last a lifetime, but a paint job would not. Further, the brick would never be able to be restored to its original form if painted and thus, would change the lifetime look of the building.

M. Czubkowski stated, due to his absence, Kevin Fitzgerald had submitted an email for distribution to all Commissioners prior to this evening's meeting regarding this case.

**L. CHAPMAN MOTIONED TO CLOSE THE PUBLIC HEARING FOR PROPERTY OWNED BY LQ MANAGEMENT, INC., 909 HIDDEN RIDGE, SUITE 600, IRVING, TX 75038. APPLICANT'S AGENT TED CZYZEWSKI, VP DESIGN SERVICES, LQ MANAGEMENT, LLC., 909 HIDDEN RIDGE, SUITE 600, IRVING, TX 75038, SEEKS TO AMEND AN EXISTING CONDITIONAL USE. LQ MANAGEMENT INC, PROPOSES TO MODIFY THE APPEARANCE OF THE LAQUINTA INN & SUITES FROM THE APPROVED PALETTE BY PAINTING OVER BRICK AND VINYL SIDING IN ORDER TO MAKE THE STRUCTURE CONFORM TO IDENTIFIABLE CORPORATE COLORS AT 7:07 P.M. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

1. APPROVE PLAN COMMISSION MEETING MINUTES OF MAY 28, 2008 MEETING

**K. ATTWELL MOTIONED TO APPROVE THE PLAN COMMISSION MEETING MINUTES OF MAY 28, 2008, AS PRESENTED. B. LEONARD SECONDED**

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**THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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

David Barta, President of the Upper Nashotah Lake Association, stated he was present on behalf of the Association regarding Item 6 on the agenda for the evening. He expressed concern about the density of the proposed project. Given the limited access to road to Highway P to the north, he thought, it would create a significant issue for Mission Road, Sawyer Road and Highway C traffic patterns. He asked the Commission to be prudent in consideration of this development regarding changes in density. He suggested the Commission consider the density of the Binkowski property as it related to the sewer lines and consider how to decrease the density of the project. In addition, he thought some historical study of the property and how best to proceed should be considered and would be appreciated by the Association.

**B. LEONARD MOTIONED TO CLOSE THE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA AT 7:10 P.M. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA

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

- a. **TAX KEY 0792.065.001, 1101 GENESEE STREET, DELAFIELD.**  
OWNER/APPLICANT: ST. JOHN'S NORTHWESTERN MILITARY ACADEMY. OWNER/APPLICANT SEEKS BANNER SIGNAGE ON ALTERNATE UTILITY POLES ON BOTH SIDES OF GENESEE STREET, FROM MID-AUGUST 2008 THROUGH DECEMBER 2009

Approved. See above.

- b. **TAX KEY 0787.030, 924 LAKE DRIVE, DELAFIELD.**  
OWNER/APPLICANT: DALE & THERESA ANDERSON.  
OWNER/APPLICANT SEEKS APPROVAL FOR A PRIVACY FENCE

Approved. See above.

- c. **TAX KEY 0804.994.002, 2863 HERITAGE DRIVE, DELAFIELD.**  
OWNER: WAL-MART STORES EAST, LP. APPLICANT: WAL-MART STORE #1678. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AMENDMENT TO ALLOW THE SALE OF ALCOHOL. IF

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APPROVED, THE COMMON COUNCIL WILL TAKE ACTION ON THE CLASS "A" BEER AND "CLASS A" LIQUOR LICENSE

Approved. See above.

- d. **TAX KEY 0803.979.005, 2301 SUN VALLEY DRIVE, SUITE 200, DELAFIELD.** OWNER: PURITY REAL ESTATE. APPLICANT: PROHEALTH CARE. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A MEDICAL CLINIC, MORE SPECIFICALLY, A SLEEP DISORDER CLINIC, PROHEALTH CARE. HOURS OF OPERATION ARE WEEKDAYS 7:00 A.M. TO 5:00 P.M., AND SLEEP STUDIES CONDUCTED BY APPOINTMENT ONLY EVERY DAY OF THE WEEK, MONDAY THROUGH SUNDAY 7:00 P.M. TO 8:00 A.M., WITH 1 PART-TIME EMPLOYEE AND 9 FULL-TIME EMPLOYEES (4 DAY SHIFT AND 5 NIGHT SHIFT)

Approved. See above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **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

John Finerty, of LQ Management, stated LQ Management owned and operated over 600 hotels across the country. He stated he had seen three La Quinta properties in recent days while traveling around Wisconsin with the proposed color scheme and thought the new color scheme was desirable. With regard to previous comments on the paint color, he agreed the hotel was dated in its appearance and required substantial "touch up," and thought soft colors were being recommended. He stated he could not dispute the experience of G. Holton; however, the paint proposed carried a guarantee that would mitigate any concerns related to life of the paint. He also noted he had reviewed the history related to the property and found LQ Management increased the non-residential tax base of the City, with an assessment over \$5 million, and approximately \$75,000 in taxes. J. Finerty went on to state he had reviewed the information on the property and could not obtain an original Conditional Use Permit (CUP) for the building. He questioned whether the original CUP was available this evening.

M. Czubkowski stated the CUP was not present this evening as she had provided a CUP for the development of the overall property since the issue related to the color of the building.

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Mayor McAleer explained the documentation of the property had become more sophisticated within the City since the property was originally developed. It included a two-part process related to general development plans including the architectural details of the process and a second site implementation plan. He stated there was a plan for the entire development property including the La Quinta property and the theater property, but no CUP for this specific property only.

J. Finerty then extensively reviewed the chronology of the planning process associated with this property, noting there were only occasional mentions of color in the minutes related to this issue. In the final resolution approving the decision making process for the property, he also noted there was no mention of compatibility and color.

Mayor McAleer stated the issue was not about color but about architecture and a great deal of information was in the minutes about the architectural detail associated with the approval of the development plan for the hotel property. He was concerned that if the building was painted, the architectural details important at the time of approval would be lost. Should the brick be allowed to be painted, the building architecture would change for all time.

J. Finerty expressed concern regarding any potential attempt to infringe upon rights associated with signage and corporate advertising regulations.

Mayor McAleer stated his position on this case was that the architecture of the building would change, and while it was not an issue to have change, it needed to meet the City's zoning requirements for the property.

J. Finerty explained that LQ Management would be willing to work on a maintenance contract if the long-term maintenance painting was an issue. Further he stated despite the discussion at previous meetings, he thought if color was an issue, it would have been stated in previous meeting minutes related to the planning process. He also thought the City would be unsuccessful if the corporate colors were to constitute signage and require regulations as the City would run afoul of rights legislation in this case.

J. Finerty went on to explain he thought if a developer was required to implement maintenance free materials it would have been stated and it was not in the minutes. He also noted La Quinta placed a great deal of effort into maintaining its properties and utilizing quality materials and he thought the City would be better served to have a maintenance free building being profitable and that factor should be considered. Further, all these issues might have been discussed at many previous meetings,

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but none were specifically set out in the approval resolution or CUP regarding this case. He stated members of LQ Management present wanted information regarding how to satisfy the paint concerns with this property. He went on to note denial of this application required two specific findings as outlined in the City's ordinances on the subject.

R. Dupler then read into record the City Zoning Code regarding Section 17.29(2) for the Commission as it related to these two specific findings.

In response to a question by M. Frede, R. Dupler stated upon review of earlier Plan Commission meeting minutes, there was considerable evidence that color was discussed early in the process and the developer worked to conform with the requests at that time and had been asked to give depth and character in the architecture. Contrast was shown and information was shared regarding compatibility with other buildings near the site. R. Dupler then discussed photos in the Commissioner's packet for the meeting with the Commission. He noted a distinguishable color scheme in the neighborhood buildings such as the day care, Tire's Plus, with warm grays and forest greens and with green and grey in the gables of The Gathering restaurant. He further noted the red bricks in nearby buildings. In addition, the Tires Plus and Home Depot stores had maintained the brick and corporate colors through banding while keeping with depth, texture, and architecture to keep the buildings significantly compatible with Delafield ordinances. In discussion of the photos, R. Dupler further noted the Hillside Woods property included the same brick color as well as the Marcus Theatre building. He next showed the La Quinta hotel with proposed color scheme, noting how it was incompatible with the existing hotel. He did note the lighter color proposed was the base color for the existing brick, thus, it would beg the question of why the need for a corporate color when it was already there. He thought the La Quinta application fell far short of conforming to the Delafield preconceived idea of compatibility.

In response to a comment by J. Finerty, R. Dupler further stated while there may have been discussions of color in the 1994 meetings, there probably was no further discussion because the developer agreed, and if it had not been addressed, it would have been in the minutes. He thought LQ Management should be sensitive to the color scheme reflected in the minutes noting concern and that the "branding" concept could still take place while being sensitive to other ideas.

L. Chapman suggested leaving the brick alone and painting the portions of the building that jut out from the building the other color.

M. Frede questioned the authority of the Plan Commission regarding governance in this matter. M. Czubkowski stated the Plan Commission could consider this matter as it was part of the zoning code for the City

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and color changes were part of the Zoning code. She also stated she would like to gather some information from the City Attorney regarding the zoning as it related to being a governing factor in this case.

R. Dupler read the introduction to Section 17.29 of the City's zoning code into the record, noting it would be prudent to focus in on the design roles in this case as the petitioner needed to have help in providing a compatible presentation and being sensitive to the building surroundings while allow "branding" to take place.

Discussion ensued by the Plan Commission regarding how to allow the painting maintenance to take place with corporate colors being depicted through a band of colors on the building.

Mayor McAleer suggested the applicant return to work with Plan Staff regarding color accents as it might be a fruitful compromise in this case if the applicant was not pressured by time.

J. Finerty stated this was an excellent idea and he would present it to his clients.

Mayor McAleer stated he was concerned about the architecture and maintenance issues of the proposal. Currently, there was little maintenance with the brick and if painted it would require continued maintenance. Also, the real issue became one of architectural change and he thought there was a way to keep the integrity of the architecture that would allow the building to stand out as La Quinta property through corporate color s.

M. Czubkowski stated this item would be placed on the next Plan Commission agenda for further discussion and consideration.

M. Frede stated, in response to a comment by J. Finerty, that this body of people had never discussed this item prior to this meeting, and questioned J. Finerty's implications with his comment related to the Mayor taking a "head count" during the meeting. J. Finerty stated he was making a joke.

**K. ATTWELL MOTIONED TO HAVE THE APPLICANT RETURN TO WORK WITH CITY PLAN STAFF TO WORK WITH THE PROPOSAL AND TO PLACE THIS ITEM ON THE JULY 30, 2008, PLAN COMMISSION MEETING AGENDA, WITH AN ADDITIONAL REQUEST FOR THE ORIGINAL CUP FOR THE PROPERTY TO BE DISTRIBUTED TO THE COMMISSION PRIOR TO THAT MEETING. L. CHAPMAN SECONDED THE MOTION. R. DUPLER CLARIFIED THAT INFORMATION REQUESTED WOULD BE IN THE SIP FOR THIS PROJECT. MAYOR MCALEER STATED HE THOUGHT THE COMMISSION SHOULD RECEIVE BOTH THE GDP AND SIP FOR**

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REVIEW. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

J. Finerty requested the Lake Country Living newspaper article by Laura B., dated June 5, 2008, and the paint color scheme information be made part of the record for the review of this case.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **TAX KEY 0802.998.006, 663 GARRISON COURT, DELAFIELD. OWNER/APPLICANT: CHUCK HAJINIAN. OWNER/APPLICANT SEEKS APPROVAL FOR A BOATHOUSE**

**K. ATTWELL MOTIONED TO REFER THIS MATTER TO THE LAKE WELFARE COMMITTEE FOR ADDITIONAL REVIEW AND REQUESTED THE APPLICANT PROVIDE INFORMATION INCLUDING ARCHITECTURAL DETAIL FOR THE BOATHOUSE, LANDSCAPING, INCLUDING A RAIN GARDEN DEMONSTRATING HOW RUNOFF TO THE LAKE WOULD BE HANDLED. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- b. DISCUSSION AND ACTION OF PRE-APPROVED NON-PROFIT SIGN LOCATIONS

R. Dupler explained that signage demonstrating information pertaining to non-profit groups was usually allowed to be placed in right-of-way areas and on park properties within the City. He stated Staff would like to have one-time approval with a map to show petitioners consistent locations throughout the City were the signs could be placed.

**K. ATTWELL MOTIONED TO APPROVE PRE-APPROVED NON-PROFIT SIGN LOCATIONS, CONTINGENT UPON VERBIAGE BEING ADDED TO INCLUDE ONE OR TWO AREAS IN THE NORTHEAST PORTION OF THE CITY. L. CHAPMAN SECONDED THE MOTION AND SUGGESTED A TIME FOR REMOVAL BE ADDED AS WELL. DISCUSSION ENSUED REGARDING A LOGICAL TIMEFRAME FOR REMOVAL OF THE SIGNS. K. ATTWELL ACCEPTED THE FRIENDLY AMENDMENT TO INCLUDE A TIMEFRAME OF 30 DAYS FOR THE SIGN TO BE PLACED IN ONE LOCATION, AND THE SIGNAGE SHOULD BE REMOVED NO LATER THAN ONE WEEK FOLLOWING THE EVENT BEING ADVERTISED.**

M. Czubkowski stated this item will be placed on a future Plan Commission meeting agenda after review by the Park and Recreation Committee for comment.

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- c. **TAX KEY 0803.979.005, 2301 SUN VALLEY DRIVE, SUITE 200, DELAFIELD.** OWNER: PURITY REAL ESTATE. APPLICANT: PROHEALTH CARE. APPLICANT SEEKS APPROVAL OF AN AMENDED SIGN PROGRAM FOR A MULTI-TENANT BUILDING, PURITY BUILDING.

K. Fitzgerald stated he would be abstaining from any vote on this matter as Prohealth Care was a business client.

Lisa Due, of Purity Real Estate located at 2301 Sun Valley Drive, submitted a request for an amended sign program. The applicant desired a sign on the building and approval for a future sign on the front of the building. She submitted photos depicting the signage and location as well as potential size and color. She stated the ProHealth Care sign proposed would be located on the east side of the building.

R. Dupler stated when the development was approved the developer's intent was not to have signage on the building, since the building is afforded highway pylon signs as well as a ground mounted sign. However he thought the application should be approved, with a referral back to Staff regarding appropriate size of the sign. He further noted the ProHealth Care sign color would be blue and white.

**K. ATTWELL MOTIONED TO APPROVE A REQUEST FOR APPROVAL OF AN AMENDED SIGN PROGRAM FOR A MULTI-TENANT BUILDING, PURITY BUILDING AT 2301 SUN VALLEY DRIVE, SUITE 200, DELAFIELD. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED, WITH K. FITZGERALD ABSTAINING.**

6. PRELIMINARY

- a. DISCUSSION OF "THE COLONIES OF DELAFIELD" SUBDIVISION CONCEPTUAL LAYOUT, MLG DEVELOPMENT, 13400 BISHOP'S LANE, STE 100, BROOKFIELD, WI 53005. PROPERTY OWNED BY WILLIAM & BARBARA KNOFF, 345 NASHOTAH RD., NASHOTAH, WI 53058 AND BRADLEY BINKOWSKI & MARY SLEPEKIS, 1307 MARINER DR., HARTLAND, WI 53029.

Andy Bruce, Executive Vice-President of MLG Development, stated he was present to discuss the proposed project subdivision conceptual layout for "The Colonies of Delafield." He also noted the presence of Brad Binkowski, the previous owner of the property where "The Colonies" would be located.

Brad Binkowski, owner of the property, explained the history of the proposed property noting his family moved to Delafield in 1952. His father helped to incorporate the City of Delafield and in 1976, the

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property was purchased for agricultural use. Members of his family retained ownership of the homestead property and lived on the property today. In 2002, there were discussions with City Staff regarding planned future use of the property. With regard to that use, in 1986, the City had requested sewer lines to run across the property. At that time, he had provided an easement to allow sewer capacity for the future. Until those discussions in 2002, he had thought the sewered lines to be premature. He went on to explain he cared a great deal about his father's legacy associated with the development of the property. To that end, he had continued to work with the City to integrate the property with the Knopf property adjacent to his. He stated there were several developers interested in working with the development project. His family had agreed to work with MLG Development as he liked their other properties and he was confident they would work well with the City to create a development that would be a nice addition to the City without setting a precedent in its density.

Joe Bukovitch, MLG Development, provided a chronology of events regarding the project. He explained that access issues associated with Highway P had prompted the purchase of additional land for easement to no avail since the City of Oconomowoc Lake was reluctant to allow access through that municipality to Highway P. As a result, additional land was again purchased through the adjacent Knopf property. With the purchase the densities of the two proposed properties were different and would have two different size lots with a price difference once developed. The combined properties had now been reconfigured to have 120 foot wide lots with approximately 20,000 square feet to each lot, allowing the City to maximize its tax base in this area, and resulting in 195 lots total for the site.

A. Bruce stated he thought what was being proposed was a unique set of conditions that allowed for a unique design as there was a residential density next to agricultural land. According to the City's Master Plan, this would place very dense properties inside less dense property. His firm believed this plan blended the two densities of the parcels, still allowed access to Nashotah, and would also provide economical feasibility to the community.

In response to a question, R. Dupler explained the sum of the allowed units on the two parcels could be placed at 306; however, the MLG Development group proposed ~~196~~195. A portion of the property would qualify as protected environmental corridor (PEC) land.

Discussion ensued regarding the mixed densities within one overall parcel and whether rezoning would be in order at this time.

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A. Bruce stated the MLG Group wanted to gather guidance and opinion on the project and move forward in the planning process with a public hearing.

K. Fitzgerald expressed concern for high and low density housing being placed next to one another. A. Bruce noted while the lots at the northern end of the property (previously owned by Binkowski) would include a minimum of 20,000 square foot lots, there would be a difference in lot size south of the southernmost road for the project that would be one acre lots.

B. Leonard stated she was concerned about placing higher density home sites throughout the project to the south since it seemed like these events were all due to accessing Highway P. If that was the case, she would prefer to have additional discussions on the project. Further she stated if access to Highway 16 was the priority than she had no problem with the higher density; however, she did not like the idea of having the higher density areas throughout the project south to Nashotah Road and affecting the overall traffic flow and pattern throughout the other nearby neighborhoods.

B. Binkowski explained the original intent of the 66 foot easement was for access to the Highway system nearby. He had done everything the City had asked through the years knowing the land was going to be developed and would require access. He noted it would be nice to have interconnectivity between the municipalities. Since Oconomowoc Lake would not allow this to happen, he thought the proposed blended density solution providing a better development overall.

A. Bruce stated the lots proposed were close to one acre in lot size and there was a public park proposed as well as nature conservancy areas.

Mayor McAleer explained the history of the planning process as it related to this land and the Master Plan in 1991 with regard to public hearings related to density. At that time, there was concern for increasing the density of the property in that area. He stated he was concerned about setting a precedent for rural agricultural land with approval of the higher density as other remaining agricultural land might want the same consideration in the future. Despite these concerns, he stated he thought the proposal should move forward with a public hearing and have the public comment on the issues presented this evening.

Discussion ensued regarding these concerns and how best to mitigate them. Issues of appropriate access points were discussed and the process of all that the Binkowski family had done to accommodate the City in development issues. Inconsistencies to the Master Plan were noted as it related to the development of this property as well as how

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sewer access impacted the number of parcels allowed on the site and density.

Discussion further ensued regarding what kind of meeting to have on these topics. L. Chapman suggested the use of a public hearing, while B. Leonard stated she would like to have a smaller informal meeting on this as part of the Smart Growth discussion. M. Frede stated he thought the real issues were related to density and traffic in this case. Mayor McAleer agreed with M. Frede.

In response to the request for documentation to be supplied to the City for a public hearing, A. Bruce requested well site analysis be removed from the process list in this case as it was part of a different planning process and all parties knew the site had been sewered in anticipation of future development. He stated a transportation analysis would be supplied to the Commission as well.

In response to a question, it was determined there could have been 306 units allowed with the density zoned currently, however the highest number allowed as a result of the sewer agreement only allowed for 264 units. The MLG Development group was only proposing 195 units at this time.

A. Bruce stated the MLG Development group would begin preparing for a public hearing.

7. ZONING AND ORDINANCE REVISION

None.

8. HEARING DATES

G. Gresch noted a potential hearing date of July 13, 2008, for the Colonies project, and a date of July 23, 2008, for the Downtown Development Plan for a road grid system slated for 7:00 P.M. at Cushing Park School.

9. ADMINISTRATOR'S REPORT

a. SIGNAGE APPROVED BY STAFF:

- a. BADGERLAND BY OWNER, 2410 MILWAUKEE STREET
- b. ADVANCED LIPIDOLOGY, 524 MILWAUKEE STREET

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c. LEGENDS OF THE FIELD, 2910 GOLF ROAD

M. Czubkowski noted signage had been approved by Staff since the most recent Plan Commission meeting.

b. ADMINISTRATOR'S APPROVAL OF SON'S OF AMERICAN LEGION CORN ROAST FOR DELAFIELD BLOCK PARTY

M. Czubkowski explained since the last meeting of the Commission, the Son's of the American Legion had requested approval for a corn roast to coincide with the Delafield Block Party. Since time was of the essence, she had approved the request with the instruction not to use the City sidewalks. The group had complied with this request.

c. DISCUSSION OF SMART GROWTH CHAPTER 4 - COMMUNITY FACILITIES AND UTILITIES

At this time, without objection from the Commission, Mayor McAleer moved to Item 9e on the agenda for the meeting.

B. Leonard suggested the addition of a second Plan Commission meeting in the months of July, August, and September of this year to focus primarily on the Smart Growth chapters with further in depth discussion on the issues reviewed. The Commission agreed to these additional meetings.

R. Dupler explained C. Wolinzine, Staff planning assistant, had prepared a memorandum regarding facilities and utilities planning. He stated a discussion of whether the current water system policies should continue to be utilized for future subdivision were in order at this time. He requested the Commission and Council provide opinion on community desires for this issue and provide a policy recommendation to the Council at a later date.

K. Fitzgerald noted certain parts of the City were sewerred and certain parts were serviced by wells. To create a City wide water system seemed a duplication of service in some cases. He noted a pipe ran under Highway 83 to service the entire northwest quadrant of the City. He also questioned whether it made sense to provide different policies for different parts of the City depending upon the kind of service already in existence.

B. Leonard questioned whether the recent new construction developments included connections to water systems or well service.

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Mayor McAleer stated he thought it unfair to ask developers to implement a system that might never be realized for connection to city water in the future.

In response to a question, R. Dupler stated city sewer and water services were usually considered desirable in housing development area.

K. Fitzgerald stated with most of the City already having water in place and it seemed silly not to have areas, such as the northeast quadrant connected to the City water system as it was readily available. He stated it might be prudent to recommend connection in the foreseeable future if it was feasible and if not, then it should not be built into a connectivity plan.

Mayor McAleer stated historically it seemed as though the water issue had been decided when Genesee Street was constructed without implementation of water pipes.

R. Dupler questioned whether the onus should be on a developer to design for future water system expansion if there was no future in doing so throughout the City.

K. Attwell stated it seemed as though it would not make sense for a City wide water system, but would make sense for a sewer system.

Mayor McAleer stated if there were different policies for different areas of the City, the policies would need to be very specific.

Discussion ensued regarding how to specifically plan for City water expansion in certain areas. It was suggested that if the property with potential expansion was abutting a water service area than it should be planned for water service, such as people having frontage on Highway 83. This would allow expectations to be depicted through a map for developers.

L. Chapman stated this delineation would allow for the boundary lines to change over time.

R. Dupler stated Staff would investigate how to plan for water policies that included different policies for various areas of the City with different needs. Staff would place this item on a future Plan Commission agenda for further discussion and consideration.

Mayor McAleer recessed the meeting at 10:35 P.M. and reconvened the meeting at 10:38 P.M.

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With regard to sewer issues within the City, R. Dupler explained portions of the City were not in the sanitary sewer service district boundary area. The Southeast Regional Plan Commission (SEWRPC) recommended these areas be taken into account and included in boundary change areas for the future. He went on to explain most of the City was already developed and consideration should be given to the limited life span of septic systems if sewer lines were desirable. Current policy allowed non-sewered properties with lot sizes over 5 acres at a minimum, with a few exceptions within the boundary areas.

Discussion ensued regarding how to form possible language that would allow for expansion of sewer service in areas where it was currently non-sewered.

R. Dupler stated he would draft language on this topic and place it on a future Plan Commission agenda for additional discussion.

With regard to Chapter 4, Principles, Goals, and Implementation, R. Dupler noted modifications should be made to allow for commercial entities like day cares to be in City. With regard to combining services with neighboring municipalities, a statement of support of those shared services should be drafted as well as a statement to include desire of forming other shared services was also recommended. With regard to parks and services, he noted there were many shared services; however, they were not recorded as mandatory policy.

Other items to be reflected in this section included wireless service availability in the downtown area, stormwater system updates, such as MS4 standards, and language to be supplied as discussed earlier. Formation of a lake district, consideration of additional green spaces, and renewable sources of energy use were also suggested for inclusion in this section. R. Dupler noted that goals worth pursuing would be listed in the implementation chapter of the document and would plan for implementation in the next 10 to 15 years.

d. DISCUSSION OF INITIAL ISSUANCE OF SMART GROWTH CHAPTER 8 –  
TRANSPORTATION FACILITIES ELEMENT

This item would be discussed at a later date.

e. DISCUSSION OF DOWNTOWN DEVELOPMENT PLAN

R. Dupler shared a map of the undeveloped areas of downtown and noted the boundaries of these areas. He questioned which street should be the main collector street for this area located near Wells Street, Division Street, and the current City Hall property. He reviewed several options

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for connection of roadways and related impacts to site plans for the new City Hall and library site, with regard to benefits and concerns.

A discussion of vehicular and bicycle access to these areas was discussed. Additional discussion took place regarding how best to access Genesee Street as part of the options for consideration with the redevelopment plan for this area.

The Commission reviewed the options presented by R. Dupler and indicated consensus for leaving Oneida Street as it was with two street extensions to Wells Street and Division Street with no need to provide vacation on Division. R. Dupler noted certain streets were already engineered for connections due to previous planning of the area.

The Commission also indicated consensus for having the Department of Public Works Committee review this issue and again place this item on the July 30, 2008 Plan Commission meeting agenda for additional consideration.

M. Czubkowski stated information would be available on the City web site regarding a survey related to downtown development for residents to provide input.

f. LETTER FROM REINHART ATTORNEYS AT LAW REGARDING OAKWOOD CHURCH REGARDING SEMI-CIRCULAR ROAD CONSTRUCTION

M. Czubkowski explained a letter had been received from attorneys representing the Oakwood Church regarding how to utilize shared facilities with the church property and the adjacent park land. A map was shared with suggestions from the church regarding potential plans for construction of a driveway to access the church.

K. Attwell clarified there was no road slated for permanent construction within the park land at this time; however, there was a temporary gravel roadway placed to access the northern side of that park land.

10. BUILDING INSPECTOR'S REPORT.

T. Maney stated the total number of permits to date were 24, plus one occupancy permit. There was one permit for a new single family home this month.

11. BOARD OF ZONING APPEALS

A. JUNE 12, 2008 HEARING OUTCOMES:

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- I. DELC 0751.078, 2420 WOODLAND PARK DRIVE, FOR PROPOSED GARAGE AND MUD ROOM ADDITION - **APPROVED.**
  - II. DELC 0786.032, 1942 WEST SHORE DR. APPEAL FOR PROPOSED ADDITIONS PERTAINING TO MINIMUM INTERIOR SIDE YARD REQUIREMENTS. SECTION 17.57 STATES THAT ANY EXPANSION OF A NON-CONFORMING STRUCTURE REQUIRES A VARIANCE - **APPROVED.**
- B. SCHEDULED HEARINGS FOR JUNE 26, 2008:
- I. DELC 0794.983 - APPEAL FOR PROPOSED DETACHED GARAGE AT 211 S CUSHING PARK ROAD.
  - II. DELC 0797.954 - APPEAL FOR PROPOSED REBUILDING OF UTILITY GARAGE AT 203 WOODS DRIVE.
- G. Gresch noted the hearing scheduled for the June 26, 2008, Board of Zoning meeting.
12. CORRESPONDENCE
- There was no additional correspondence heard at this time.
13. ADJOURNMENT
- K. ATTWELL MOTIONED TO ADJOURN THE JUNE 25, 2008, PLAN COMMISSION MEETING AT 11:03 P.M. B. LEONARD SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.**

Minutes prepared by:

Accurate Business Communications, Inc.