

**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 (arrived 8:19 p.m.)  
Dirilee Curtis-Costa  
Kevin Fitzgerald  
Beth Leonard  
Chris Smith  
Roger Dupler, Planner  
Tim Schuenke City Administrator

Absent

Larry Chapman  
Michael Frede  
Gina Gresch, Clerk-Treasurer  
Tom Maney, Building Inspector

1. RE-APPROVE PLAN COMMISSION MEETING MINUTES OF NOVEMBER 19, 2008 MEETING

**C. SMITH MOTIONED TO RE-APPROVE PLAN COMMISSION MEETING MINUTES OF NOVEMBER 19, 2008 AS PRESENTED. B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. D. CURTIS COSTA ABSTAINED DUE TO ABSENCE AT THAT MEETING. MOTION CARRIED.**

2. APPROVE PLAN COMMISSION MEETING MINUTES OF DECEMBER 17, 2008

**K. FITZGERALD MOTIONED TO APPROVE PLAN COMMISSION MEETING MINUTES OF DECEMBER 17, 2008 AS PRESENTED. D. CURTIS COSTA SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. B. LEONARD ABSTAINED DUE TO ABSENCE AT THAT MEETING. MOTION CARRIED.**

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

Dick Schwab, 3701 Trinity Lane, stated he had the pleasure of living in Mission Woods. He spoke to the need to preserve the character of the "Lake Country" and Kettle Moraine areas. He thought it important for the City planners to understand the risk of making decisions that would forever change the character of the City through its planning. He shared four thoughts related to future planning of the City. First, he thought City planners should adopt a more European development style regarding housing with denser housing near

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the town center and agricultural land and open spaces preserved on the outer areas around the town. He noted the development trend of smaller housing with more pedestrian traffic as well as the use of condominiums over commercial space being utilized in several downtown areas across Wisconsin. Secondly, he noted the trend of growing food products locally and the subsequent need for maintaining agricultural land for its intended purpose rather than allowing housing development to drive the loss of that land. In addition, he thought there would be a trend toward regional transportation with the possibility and efficiency being enhanced with higher concentrations of people in downtown area housing stock. Third, he encouraged the cooperation of several adjoining municipalities in working together to provide a better use of the land along Highway 16 in the northwest quadrant of the City. He thought the land could be better served in a commercial use rather than trying to maintain residential housing that would be desirable by residents. City planners were encouraged to consider the balance of services provided to that area for development with the revenue stream that could be enhanced by allowing commercial development in that area. Traffic flow would be enhanced as a result of the potential commercial use as well. Fourth, he recommended consideration be given to preserve the character roads that comprise the "Rustic Roads" program. To that end, he stated he would request City support for inclusion of Mission Road in the Rustic Roads program permitting process in the future.

Linda Holton, 485 Lillian Court, questioned whether the purpose of planning and zoning was to protect the public as citizens. Assuming that was the case, she requested clarification on various classifications found within the proposed Smart Growth documents, such as mixed use in Chapter 7 on housing. Further, she questioned the projected land use and household numbers shown in a portion of the chapter as well. She encouraged City planners to determine the desired result for housing and land use before planning for it to occur. In this way, the City would be making the determination of what was desirable rather than allowing the housing market and trends to determine the City's growth in the future. She also requested the City discourage future commercial growth and consider changing some commercial land use designations to be residential or provide additional densities for commercial land use within those existing designations.

Discussion ensued regarding the concepts of "up zoning" and "down zoning" and possible perceptions by land owners for each.

**D. CURTIS COSTA MOTIONED TO CLOSE THE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:32 P.M. C. SMITH SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

4. DISCUSSION OF SMART GROWTH RESIDENTS SURVEY

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R. Dupler explained the results of the Smart Growth Residents Survey were not yet available. He noted the survey went out with limited duration for citizen response and a statistically viable number of surveys had not yet been returned. The survey information could be utilized as a user survey but should only be considered as advisory in nature. Survey results would be available at the next Plan Commission meeting.

### 5. DISCUSSION OF SMART GROWTH CHAPTER FIVE-HOUSING

R. Dupler explained the process for reviewing the Smart Growth chapter on Housing as well as a review of the timeline for completion of the Smart Growth process. He noted it was important to complete this chapter in order to maintain the schedule for completion.

B. Leonard stated she was concerned about the lack of public participation in this process as well as the lack of survey information yielded. District meetings would have provided information and survey information should have been coded to allow for contact information she stated. She would like to see the Plan Commission work to bring additional opportunities for public comment into this process and when considering other future planning endeavors.

Mayor McAleer noted more participation had been requested in this process than many others. Meetings that were held for the purpose of public participation yielded few residents in attendance and fewer comments. B. Leonard did not think those meetings were widely advertised and in the future would like to pursue other avenues for securing public comment in a more dynamic manner.

It was suggested that the Smart Growth document be completed and future amendments include additional public participation instead of trying to secure that participation for this document prior to the deadline for completion.

R. Dupler than reviewed Chapter 5-Housing.

*The following areas provided issue or comment for additional review. Areas of the chapter are underlined and issues and comments for each are beneath in bullet point format. Discussions are noted beneath the section of review in the order they occurred.*

### **Chapter 5**

#### **1. Housing**

Information utilized in this Comprehensive Plan is from the 2000 census data.

##### A. Total Housing Units

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- The City's rental percentage is double that of the County; change the second bullet point to "support" rather than promote affordable housing.

Discussion ensued regarding the concept of equating rental housing with affordable housing as that is not always the case.

B. Vacancy Rates

- No issues

C. Value of Specified Owner Occupied Housing Units

- Paragraph 2, sentence 2, change "then" to "than"
- Confusion was noted regarding the number of total units in Table 5.5 (actually one-sixth of the total or the total number of units).

D. Monthly Housing Costs

- No issues

E. Number of Bedrooms

- No issues

F. Structure Type and Year Built

- Upon the last review of the Comprehensive Plan in 1991, the Plan Commission discouraged duplex development.

Discussion ensued regarding the need to remove this prohibition from the current document. While the Commission indicated consensus for leaving the prohibition intact, leniency should be granted for providing "in law" type quarters. In addition, concern was expressed for permitting a prohibited use. Zoning should be changed to accommodate the use and in certain cases might be considered a "down zoning" of the property. Various locations of potential affected areas were reviewed. Discussion ensued regarding how land could be utilized in a CSM (Certified Survey Map) as it related to duplexes. Discussion further ensued regarding various past requests for duplexes within the City. R. Dupler will review the language for this section and provide new language at a future meeting of the Commission.

G. Existing Housing Stock Condition

- No issues

## 2. **Affordable Housing Assessment**

A. Definition of Affordable Housing

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- The definition of low income housing, as defined by HUD, would be \$54,160 (80% of median County income).

Concern was expressed that this number would be different in different locations throughout the State depending on the County in which the housing was located. R. Dupler agreed, noting this was a national standard with a definition of 80% of median county income. This meant that approximately 25% of the residents were burdened with high housing costs.

Discussion also ensued regarding the ambiguity found in underdeveloped lands as those parcels could potentially be inclusive or exclusive when considering zoning statistical data.

- B. City of Delafield Household Income
  - No issues
- C. Housing Cost Scenario
  - No issues
- D. Median Percent of Monthly Housing Costs
  - No issues
- E. Affordability Facts
  - No issues

### 3. Household Projections

K. Fitzgerald reiterated concern regarding the use of the term “underdeveloped” in this section as it could be inclusive or exclusive in nature depending on the interpretation. R. Dupler explained that many of the large lots were encumbered by conservation zoning issues that would place restrictive limitations on the property’s development, such as steep slopes, flood plain or a wetland area. In theory, the term implied underdevelopment but in reality that was not the case. K. Fitzgerald noted this discrepancy allowed for ambiguous statistical analysis.

Discussion ensued regarding the implications for planning for these underdeveloped areas that were not able to realistically be built out to those planned dimensions. Mayor McAleer stated it was important to be consistent in this matter. D. Curtis Costa also noted underdevelopment of an area implied that development and growth could be had in that location and that was not the case.

Mayor McAleer suggested the use of the two terms; “developed”-meaning a lot that had a development currently in existence, such as one or two

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houses or a restaurant like Seven Seas; and a second term “undeveloped”-meaning a lot that had no house, such as the vacant lots in Mission Woods.

K. Fitzgerald also expressed concern for a subsequent discrepancy in zoning for rural estate with the use of the term underdeveloped as whether or not the farmland was considered developed would establish a zoning designation that should match the use of the property. In addition, when considering the potential future development of current agricultural land, this plan would designate all land RE-2 because all densities were based on RE-2 zoning. He suggested the use of a range in Table 5-20 to mitigate this discrepancy.

D. Curtis Costa suggested the use of the lowest possible density rather than the highest possibility density for future planning of agricultural land.

Discussion ensued regarding the preservation of agricultural land in the future. It was suggested that incentives be included in the Implementation chapter for the preservation of agricultural lands. R. Dupler noted this suggestion could be utilized in the Land Use chapter of the Smart Growth document as well. R. Dupler will revise portions of the chapter including the information on household projections.

B. Leonard expressed concern for development and redevelopment of lake lots in the future. Discussion ensued regarding staggered setbacks for lakeshore properties as well as the possibility of incentives for lake lot construction.

### **4. Housing Programs Available in the County**

- No issues

### **5. Resident Input**

- Vestige language required revision, such as cluster development encouraged in one chapter and discouraged in another based on resident input. R. Dupler will further examine this language.
- Concern for four total comments received by residents in this section.
- Suggestion to contact the County Extension office for information on local energy grant opportunities.

### **6. Principle, Goals, and Objectives**

#### Goal 1

- Goal and objective needed regarding accommodations for people with disabilities, particularly the aging population

Mayor McAleer recessed the meeting at 8:55 p.m. and reconvened at 9:05 p.m.

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Discussion ensued regarding the need for the housing core to be located close to the downtown area in future planning endeavors. Housing in this area should be better designed to incorporate commercial centers and retail opportunity. This should also take into account redevelopment of existing properties. Areas for potential redevelopment should be identified throughout the City with prioritization of those areas.

- Incentives should be developed that would support “enviro-centric” opportunities in future development.
- Gather resident input on environmental energy programs, such as LEED programs, “green” building, or wind energy.

Discussion ensued regarding the last Action/Implementation item listed under Goal 1. Consensus of the Commission was to remove this item.

### Goal 2

- Regarding Item C, consider townhomes in the downtown center as specific high density development that is not multi-family and also consider how to designate those areas within the City
- With regard to housing areas near service areas, create an action item related to discussion of affordable housing types as it differs for people that would be migrating to jobs and those that live and work within the community for extended periods of time. This might include a discussion of single family housing for people that are downsizing or creating opportunities for smaller lot subdivisions.
- Analysis of current mixed housing is needed to establish housing policy
- County objectives should be removed

Discussion ensued regarding the Housing Affordability and Housing Costs Options for Consideration from Waukesha County. It was the consensus of the Commission to remove items 1-5 and keep items 6 and 7 only for that section.

R. Dupler will review all changes and revise the areas requiring change in this chapter. Final revisions will be submitted to the Commission at a later time for additional review.

## 6. DISCUSSION OF SMART GROWTH CHAPTER SEVEN- LAND USE

### **Chapter 7**

#### Introduction

R. Dupler began reviewing Chapter 7- Land Use. K. Fitzgerald questioned the Commission’s responsibility for making changes to the land use designation in this review or whether it would be done at a later time. He noted zoning designations of B-6, R-5, and CBD-3 were ruled unconstitutional earlier this

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year making certain land use designations in the document supported by unlawful zoning. It was decided that the Master Plan should be reviewed first and the necessary rezoning of certain areas would take place at a later date.

### 1. Adopted Land Use Plan and Regulations

- A. City of Delafield 1991 Comprehensive Plan
  - No issues
- B. Regional Plans
  - No issues
- C. Land Use Regulations
  - No issues
  - 1. Local Zoning Regulations
  - 2. Subdivision Regulation
  - 3. Official Mapping
    - All three items above had no issues

### 2. Land use Trend Analysis

- A. SEWRPC –Historic Growth and Trends Analysis
  - No issues
- B. Land Supply
  - No issues
- C. Land Demand and Prices
  - No issues
  - 1. Price of Bare Agricultural Land
  - 2. Sale Price of Single Family Homes
  - 3. Department of Revenue Statement on Market Growth
    - All three items above had no issues

*While completing post meeting minutes, it was discovered that there was no item D appearing in the text in this section. Thus, draft items labeled E and F reviewed in the meeting were relabeled as D and E respectively.*

- (D) Opportunities for Redevelopment
  - No issues
- (E) Existing/Potential Land Use Conflicts
  - No issues

### 3. Existing Land Use Inventory

- A. Land Use Guidelines

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R. Dupler reviewed each of the following land use guidelines sections. It was noted zoning designations should be consistently placed in all Land Use Guideline categories.

- *Rural Estate*

- In paragraph 2, of this section, remove Sentence 1
- Confirm Oakwood Park is considered Rural Estate
- Add language prohibiting “zoning blending” and “density blending” in agricultural areas (This language should be duplicated in the goals and objective section as well.)

Discussion ensued about the need for zoning to match land use designations regarding agricultural lands. ~~It was the consensus of the Commission that if land that was currently zoned agricultural and was not being utilized for agricultural purposes then the zoning designation should revert to rural estate.~~ It was the consensus of the Commission that if land currently had a land use of rural estate, but was zoned agricultural then the land use would be changed to agriculture. R. Dupler will provide verbiage regarding this issue at a later date for additional review. Discussion further ensued regarding the potential for the City to utilize tax dollars to purchase development rights for agricultural lands so that they could remain agricultural into perpetuity. Mayor McAleer stated he did not believe this was a good use of tax dollars; however, should a private entity wish to purchase development rights or a farmer wish to donate the land so that the land remained agricultural into perpetuity that would be supported in concept. R. Dupler will provide a full description of this section at a later date.

- *Lake Residential*

- Add foundation language supporting “anti-pyramiding” for these lots

- *Low Density Residential*

- In the last sentence of this section, R-1 should be RE-1

Discussion ensued regarding the implications of the City providing sewer to new development. A thorough review and discussion of the City’s sewer policy should be had at a later date.

- *Medium Density Residential*

- In the last sentence of this section, remove R-5 and add R-1
- In paragraph 2, add the word “pedestrian” to “good access”

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- *High Density Residential*
  - Confirm Hillside area zoning designation
- *Institutional*
  - Add Lake Country Lutheran Church and School, Lake Country Lutheran School and Divine Redeemer to list of church campuses as well as others

Discussion ensued regarding Paragraph 2 of this section and the need to have all land use match the zoning designation particularly in areas with differing designations in adjoining or abutting properties. R. Dupler will review and provide that language.

- Remove Sentence 1 from Paragraph 3.
- *Utilities*
  - No issues
- *Central Business District (CBD)*
  - In Paragraph 2, Sentence 2, remove the word “mixed”
  - Add language including areas of expansion to the west with this District to include the Public Safety Campus
  - Add information related to Downtown Development Plan
  - Remove Mill Pond from Paragraph 3, Sentence 1
  - Add Veterans Memorial Riverwalk to Paragraph 3

It was noted the Commission should hold a discussion on the “redefinition” of the CBD district at a later date.

- *Commercial – Local and Highway Business*

A brief discussion was held on the heading and why the areas of business were placed together in this category for planning purposes.

Mayor McAleer recessed the meeting at 10:26 p.m. and reconvened at 10:28 p.m.

- Remove Paragraph 2 and add language that would encourage use of vacant stores prior to constructing new development

Discussion ensued regarding the potential for new development of commercial land versus the redevelopment of vacant properties and whether language should be utilized to encourage filling vacant properties.

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- Within this section, consider inclusion of the “Corridor Compact” documents where its relationship to surrounding commercial areas referenced in that document.

Discussion ensued whether residential properties that abut commercial properties, such as those found near the Village Square, should be rezoned commercial or remain residential. Consensus was given for recommending consideration be given to further examination of this issue at a later time; however, for planning purposes of this document, future planning of those areas should include commercial zoning rather than residential.

- *Office*
  - Remove B-4 and B-6 zoning designations
- *Planned Mixed Use*

R. Dupler will provide revised language on this section.

Given the lateness of the hour, the remainder of the sections of this Chapter will be discussed at a future meeting of the Plan Commission.

Without objection from the Commission, Mayor McAleer moved to Item 7 on the Agenda.

- *Light Industrial*
- *Park*
- *Conservancy*
- *Private Recreational*

### **4. Land Use Projections**

- A. Residential Land Use Projections
- B. Commercial Land Use Projections
- C. Agricultural Land Use Projections

### **5. 2030 Recommended Land Use Plan**

### **6. Resident Input**

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- A. 2008 City of Delafield Use Preference Survey
- B. 2006 Waukesha County Survey
- C. Open House Comments

**7. Principle, Goals and Objectives**

Goal 1

Goal 2

Goal 3

Goal 4

7. ADJOURNMENT

**K. FITZGERALD MOTIONED TO ADJOURN THE JANUARY 14, 2009, PLAN COMMISSION MEETING AT 10:46 P.M. K. ATTWELL SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.**

Minutes prepared by:

Accurate Business Communications, Inc.