

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

CALL TO ORDER

Mayor McAleer called the meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present

Mayor Ed McAleer
Kent Attwell (exited 6:31 p.m. & re-entered 8:31 p.m.)
Larry Chapman (arrived 6:31 p.m.)
Kevin Fitzgerald
Michael Frede
Beth Leonard
Roger Dupler, Planner
Gina Gresch, Clerk-Treasurer
Tom Maney, Building Inspector

Absent

Chris Smith
Dirilee Curtis-Costa

Also present

Christa Wollenzien, Yaggy Colby

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

There was no one present wishing to speak at this time.

**K. FITZGERALD MOTIONED TO CLOSE THE PUBLIC HEARING AT 6:32 P.M.
B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER
DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

2. DISCUSSION OF SMART GROWTH SURVEY RESULTS

R. Dupler explained a summary, data tables, and citizens comments related to the Smart Growth Survey had been compiled and would be included as an appendix to the Smart Growth document. While only approximately 17% of the people surveyed had returned a survey, the Plan Commission could still utilize the information as a "barometer" related to various issues found within the survey for future planning. He then reviewed statistical data relating to various components of the Smart Growth chapters being reviewed.

With regard to Agricultural, Natural and Cultural Resources, R. Dupler noted 65% of respondents thought agricultural land should be preserved and 75% agreed restrictions should be placed to protect lake views. Regarding Community Facilities, 57% of the people returning surveys agreed that City policy should require residential developers to plan for future municipal water in new subdivisions. A majority of the respondents thought the City should not encourage

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any further building of duplexes, apartments, condominiums, and housing valued at \$200,000 or less.

Economically, the respondents thought the top three characteristics of economic development were opined to be business attraction (38.8%) and business retention (32.6%). Employment opportunities and property values both came in third.

Respondents believed the top three items in defining neighborhood character in Delafield were preservation of woodlands/wetlands (68.8%), open space (63.4%), and distance between neighbors (60.7%). Also 51% identified that clustering was preferred, but in traditional neighborhoods, individuals should take responsibility for maintaining open space, and a majority of respondents thought individual lots should continue to have open space easements as was done today.

Traffic levels were considered acceptable to people and residents understood the traffic flow within the City with regard to objectionable traffic in peak travel times. More sidewalks were needed and 52.3% thought Highway 83 should remain a two lane road.

With regard to Intergovernmental Cooperation, 84.4% of respondents liked the idea of shared services between municipalities to keep the taxes down in the City. R. Dupler explained this was a summary of the survey results and provided information for future consideration.

B. Leonard suggested a blank survey be included in the appendix of the document as well for clarity.

Mayor McAleer stated he was happy to see the support for sharing services between municipalities as it made the effort to bring it to fruition worthwhile.

B. Leonard also suggested the survey provided information that residents might like additional educational information related to renewable energy sources and other environmental issues.

Discussion ensued regarding the Recycling Committee. Mayor McAleer stated only one person had applied and when there was enough interest, the Committee could begin working. L. Chapman volunteered to participate to be part of the Committee in the future.

R. Dupler explained the timeline for completion of the Smart Growth process remaining. A timeline for completion of tasks was to be included in the document as well. Changes to the City's zoning to be compliant with the Smart Growth Plan would be need to be completed by the end of 2009. It was noted that inconsistencies with land use and zoning had been compiled while working through the process and would be remedied as part of future review and would include the public hearing process.

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3. DISCUSSION AND ACTION ON FINAL DRAFT OF CHAPTER 5 - HOUSING

R. Dupler explained that modifications had been made to the last draft of the Housing chapter as requested and were distributed to the Commission. He went on to explain an analysis had been presented regarding potential housing units within the City. The units in the table of data supplied were considered legal lots that had been platted and were able to be built to determine how many the City would be able to produce for future planning purposes only. The data also included a range of densities and a map that was considered an auxiliary document.

Clarifications of location and ownership of lots specified on the map presented were then discussed. R. Dupler also explained the island had historically been considered a buildable lot and the various zoning options were also discussed at this time.

K. Fitzgerald questioned the number of apartments shown on Table 5-22 of the distributed materials. C. Wollenzien stated she would verify this data for accuracy in this case.

While the entire chapter and its contents were reviewed by the Commission, there were no noted changes to any section until reaching the final section-Section VI, Principles, Goals and Objectives. Proposed changes to that section were noted as followed:

VI. Principles, Goals and Objectives

Actions/Implementation

- Goal 1 Bullet point number 1-Quest

R. Dupler explained goal percentages for all types of housing have been determined in some other municipalities. In those municipalities, a policy is utilized to enforce those percentages with building permits throughout the year. K. Fitzgerald clarified the housing mix would be set and the policy would regulate the order it which it developed. Discussion ensued regarding whether the City should micromanage the building permit process to achieve an appropriate housing mix as in other municipalities. K. Fitzgerald requested the bullet point be removed because he was opposed to the micromanagement by the City that would result in this case. He thought the same result could be achieved by zoning and working through the development process. Mayor McAleer agreed.

- Goal 1, Bullet point 6- Change the word "Create" to "Evaluate."

Clarification was requested regarding incentive regulations for waterfront property. R. Dupler explained that in incentive zoning, tradeoffs can be utilized in working with applicants in development of lakeshore, such as if an applicant is willing to accept additional setbacks from the lake or sideyards, then incentive zoning would allow them to achieve additional footage in some areas requested. In this way, the City would be able to

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protect certain areas and an applicant would be able to still develop their property. Concern was expressed for having regulations in place currently that were being underutilized regarding hardship cases. Discussion ensued regarding the need for different zoning districts for lakeshore with varying setbacks. The proposed change above was the result of the discussion.

- Goal 3, change the proposed action bullet to “Evaluate a green incentive/recyclable policy”.

Discussion was held regarding the need for alternative energy sources, such as solar panels and wind energy, for future planning purposes. B. Leonard suggested additional verbiage be added to provide incentives for residents that encourage restoration or salvage of materials in home remodeling for re-use by others, such as Habitat for Humanity. Further discussion ensued regarding the need for incentive or mandate by the City for this action. Mayor McAleer stated he was not opposed to residents recycling building materials voluntarily, but did not think it should be mandated. L. Chapman suggested informational resources about various forms of recycling should be distributed by the Building Inspector’s office when possible. The Commission agreed.

B. LEONARD MOTIONED TO APPROVE THE DRAFT OF CHAPTER 5-HOUSING AS REVISED AND RECOMMEND TO COUNCIL OF THE SAME. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

R. Dupler explained the process the Council would undertake for review and public hearing in consideration of this chapter.

4. DISCUSSION AND ACTION ON FINAL DRAFT OF CHAPTER 7 – LAND USE.

R. Dupler explained the Commission had previously reviewed the contents of this chapter on January 14, 2009, and resulting changes had been incorporated into the draft presented this evening. He also distributed a revised Table 7.2 that reflected the changes requested as well as other supporting documentation for the data found in that table. The supporting data would not be placed in the appendix as it was only for the Commission’s comparative analysis purposes.

K. Fitzgerald questioned information found in line 6 of the spreadsheet provided on Vacant Lands with Residential Development Potential. R. Dupler stated he would check on the acreage amounts in that section. A map was also supplied to the Commission regarding vacant residential lands. Various sites were discussed. R. Dupler explained the some of the lots shown were sizable lots with subdivision potential that might have homes on them currently but the homesteads would not likely be preserved if developed.

A brief discussion was held regarding potential roadways, including extensions of Hirschman Lane, Copperfield, and Fair Lakes Parkway. R. Dupler suggested the Commission consider extending Cushing Park Road through Cushing Park up the

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hill to Oakwood Road. Mayor McAleer expressed concern that establishing potential roadway extensions within the document would send a signal that certain areas were being encouraged for development and that was not necessarily the case. R. Dupler stated if the lands discussed were ever developed, potential possibilities for roadways should be noted for future planning purposes. Mayor McAleer stated he would like to discuss the potential impacts from a future roadway through Cushing Park once the Park and Recreation chairperson was present. In addition, he expressed concern that if this roadway were included in planning documents, it would act as a signal to all that development should occur, when the desired result was to have a property owner approach the City if interested. M. Frede stated he thought it was presumptuous of the City to suggest a roadway be placed through a private landowner's property. It was noted this potential roadway location was discussed in 1991 and removed from the Thoroughfare Plan and was demapped after that time.

The Commission then reviewed the draft of Chapter 7- Land Use. Within the Chapter 7 draft pages, several changes were noted.

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 7

Introduction

No issues.

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.

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B. Land Supply

- Paragraph 1, Sentences 1 and 4, change the information related to 2007 Master Land Use Plan to 1991 information.
- Paragraph 3, Sentence 7, change the word “sine” to “since”-*this item was discovered when completing the post meeting minutes.*
- Paragraph 4, Sentence 1, omit the word “be”

Discussion ensued regarding the zoning designation for the Divine Redeemer Lutheran Church shown on the zoning map. R. Dupler provided the history of this zoning as it related to past administrations quest for placing water supply lines beneath Highway 16. He noted the church was considered Institutional and should be designated P-1. Additional discussion took place regarding the need to revise the Land Use Map to correlate accurately with zoning designations. It was also determined the B-6 zoning designation should be removed from the zoning map and redefined through use categories in the text. Conditional Uses were considered “stand alone” and would not be removed if the B-6 zoning designations were removed that held them.

R. Dupler suggested the development of Planned Mixed Use categories and creation of an ordinance amendment to identify what permitted uses should be allowed for that area. He did not think the highest and best use of the land would happen in industrial use areas where certain mixed uses were allowed. Further discussion ensued regarding the elimination of certain categories in this district. To eliminate certain currently existing designations, such as residential mixed use, within this category would be shortsighted in future planning. B. Leonard questioned whether it would be prudent to attempt to restrict “big box retail” to one zoning district in attempt to control its location within the City. R. Dupler noted “big box retail” was considered in some business zoning districts currently. Discussion ensued regarding how to best incorporate all B-6 uses, into other districts. K. Fitzgerald suggested categories be established for those “B-6” Residential and “B-6” Commercial uses. All agreed. R. Dupler explained the discussion of uses and categorical designation should be had by the Commission at a later date. Concerns were heard from various Commissioners regarding the unpredictability of planned mixed use designations if left as is currently proposed.

Mayor McAleer recessed the meeting at 8:15 p.m. and reconvened at 8:28 p.m.

C. Land Demand and Prices

- No issues.
1. Price of Bare Agricultural Land
 - Question regarding the Bare Farmland Acreage value

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R. Dupler will change language to accurately reflect statistics.

2. Sale Price of Single Family Homes
3. Department of Revenue Statement on Market Growth
 - All three items above had no issues.

While completing past 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

- With regard to property owned by Nashotah House Seminary currently being utilized in a Forest Reclamation project by the DNR, the land use is not designated correctly.

Lengthy discussion ensued regarding this issue. K. Fitzgerald questioned whether this land use should be designated as institutional. Discussion was held whether this land was being utilized as agricultural land, institutional land, rural estate land or conservancy land as it had many purposes and uses within the property. M. Frede questioned whether a land use map for planning purposes should demonstrate current use or what the planned land use should be in the future. R. Dupler suggested that in all cases other than agricultural land, the use should show future intent; however, if the agricultural land in this case is currently being utilized as a designation until it could be defined as RE-2; that should be done through a General Development Process. For example, if the Seminary came to the City and requested a change in designation to RE-2, the City should question the intent of the land use through a Master Plan for the property. In this way, by making the land agricultural in designation, value was not being denied as the land could be rezoned to a different land designation, such as RE-1, at a later date. M. Frede expressed concern for taking control of future land use through changing a residential use designation to agricultural land. R. Dupler explained that was not the case, as compliance was being required through the Master Planning process for the property. As a result, a landowner could request a change in rezoning and would show intent of use through the petitioners own Master Plan. The Commission then discussed whether to change the land use to match the zoning or the zoning to match the land use as it related to various parcels in discrepancy throughout the City. Mayor McAleer stated it was important to be

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consistent in how this was handled. R. Dupler suggested that if the Commission was not in support of density blending as had been established, then it would make sense to change the Land Use map to accurately reflect the zoning designations. The Commission agreed.

3. Existing Land Use Inventory

A. Land Use Guidelines

R. Dupler explained this section related to the section labeled 2030 Land Use Plan. Since the 2030 plan was a forecast of what the community should look like in that year, he thought it prudent to examine the two sections of the Smart Growth plan together at this time.

See item 5 on this agenda for changes to the proposed information on Land Use Guidelines that relate to the 2030 Recommended Land Use Plan.

4. Land Use Projections

- A. Residential Land Use Projections
 - No issue.
- B. Commercial Land Use Projections
 - No issue.
- C. Agricultural Land Use Projections
 - No issue.

5. 2030 Recommended Land Use Plan

R. Dupler reviewed the following sections with the Commission. *Recommended changes are noted below each section in the area discussed.*

- *Rural Estate*
 - Change .33 units per acre to .33 units per acre
 - Change map to reflect all land zoned agricultural should have a land use of agricultural.
 - Note homes of certain size were permitted use in agricultural districts and should be so noted in text.
 - Remove the two agricultural zoning designations from Rural Estate Permitted zoning districts
- *Lake Residential*
 - No issues.
- *Low Density Residential*

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- No issues.
- *Medium Density Residential*
 - No issues.
- *High Density Residential*
 - No issues.
- *Institutional*
 - Remove Paragraph 1, Sentence 3 regarding meetings

Discussion ensued regarding the discrepancy between actual use and institutional designations, such as having single family residential sites within institutional districts, and how to designate an area with different uses. In response to R. Dupler's suggestion to provide a "road map" for petitioners interested in changing the land use designation to accommodate different zoning, it was suggested the designation of P-1 be given to all areas and land uses, such as single-family residential, be listed in that designated use description. B. Leonard suggested that verbiage be provided that explains residential use is an accessory to the primary use of institutional so that all could match in zoning designation and no rights were removed for the property owner.

- Change permitted zoning districts to only P-1 and C-1 and change residential use to be an accessory use in this district
- *Utilities*
 - Add stricter language prohibiting sanitary sewer
- *Central Business District (CBD)*
 - No issues.
- *Commercial – Local and Highway Business*
 - Remove business service centers in Paragraph 1, Sentence 1
- *Office*
 - No issues.
- *Planned Mixed Use*

R. Dupler explained this section had undergone revision and there were parcels remaining in the City that would trigger the implementation of the General Development Plan process and demonstrate that uses can blend. R. Dupler noted this district posed the opportunity to become a redevelopment district with various planning elements necessary to determine permitted uses. Discussion ensued. The Commission expressed concern for the

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ambiguity associated with permitted uses in this district. R. Dupler will review the second paragraph and revise.

- *Light Industrial*
 - No issues.
- *Park*
 - Add 's' to Park in district title.
- *Conservancy*
 - No issues.
- *Private Recreational*
 - No issues.

R. Dupler then shared a revised Master Land Use Plan map depicting various color coded zoning areas. *The following are a list of changes to this map listed in order of topic discussion.*

- Divine Redeemer parcel should be shown as Institutional coloring
- Add Village Square parcel to Local and Highway Business colors.
- Area just west of University Lake School should be blue

R. Dupler questioned whether floodplain areas should be shown as conservancy lands in this future planning map. Discussion ensued. K. Fitzgerald suggested adding verbiage to the conservancy definition that would disallow the proposed lakeshore conservancy definition. Based on that definition, two sections (#5) would be deleted. Also, it was noted potential revisions to this map would have to take place in the future once the overlay district associated with LOMAR issues was determined.

- The gun club should be shown as RE-1 and a different color
- The American Legion area should be shown as Park

R. Dupler stated consideration should be given to expanding the downtown area to the east and west in the future as he thought it prudent to include the areas immediately adjacent to the park on the eastern side of downtown and the Public Safety Campus on the western side of downtown incorporated into the downtown designations. In this way, higher densities would be encouraged downtown with the potential for higher density residential or stronger intensity commercial use.

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- Garrison Court and Garner Ridge should be RE-1, Low Density Residential
- Commercial notation needed on the commercial parcels at Cushing Park Road (Kurt's) intersection
- All low density should be medium density west of Cushing Park Road
- West side of the City north of I-94 should be grey
- Confirm Dr. Murray's designation and churches on Highway C
- St. Joan of Arc should be blue color
- Confirm the Knoff farm parcel's agricultural land use except for the church

6. Resident Input

- A. 2008 City of Delafield Use Preference Survey
 - No issues.
- B. 2006 Waukesha County Survey
 - No issues.
- C. Open House Comments
 - No issues.

7. Principle, Goals and Objectives

Goal 1

K. Fitzgerald expressed opposition to planned developments as he believed he thought the goal would not ensure consistency and this was not the best approach for the City to take in planning.

Discussion ensued. Mayor McAleer stated densities had always been decreased as a result of a Planned Unit Development (P.U.D.) as the densities could not exceed the underlying zoning. K. Fitzgerald expressed concern for the ambiguity associated with a P.U.D. B. Leonard agreed, noting a concern for cohesive forms between the P.U.D. R. Dupler suggested the following verbiage be utilized in this section.

Encourage residential subdivision as planned developments to preserve natural features, promote neighborhood connectivity and establish integrated buffering.

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The Commission agreed.

- Add 's' to district in Goal 1e.

Goal 2

- No issue.

Goal 3

- No issue.

Goal 4

- No issue.

L. CHAPMAN MOTIONED TO APPROVE THE DRAFT OF CHAPTER 7-LAND USE AS REVISED AND RECOMMEND TO COUNCIL OF THE SAME. M. FREDE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

R. Dupler thanked K. Fitzgerald and the Commission for its hard work in review of these sections.

5. DISCUSSION AND ACTION ON FINAL DRAFT OF CHAPTER 9 – INTERGOVERNMENTAL COOPERATION.

R. Dupler explained the Commission would need to provide input on this Chapter at the next meeting. K. Fitzgerald suggested the Commission consider it at this time as he could only find one error in this section. No other comments or corrections were received.

Section 4B2. Processes to Resolve Conflicts

- Last bullet-clarification requested as it was completely in error. R. Dupler will clarify and change for correct verbiage.

K. FITZGERALD MOTIONED TO APPROVE CHAPTER 9-INTERGOVERNMENTAL COOPERATION AS REVISED AND RECOMMEND TO COUNCIL THE SAME. K. ATTWELL SECONDED THE MOTION. R. DUPLER SUGGESTED COMMENTS ON CHAPTER 10-IMPLEMENTATION SHOULD BE FORWARDED TO HIM PRIOR TO THE NEXT MEETING OF THE COMMISSION. M. FREDE STATED HE THOUGHT PERHAPS SOMETHING SHOULD BE ADDED TO PROMOTE AN EXTENSION OF THE DOWNTOWN AREA TOWARD THE LAKE AND POND FOUND IN ST. JOHN'S PARK. MAYOR MC ALEER EXPLAINED FUNDING RESOURCES WERE BEING EXPLORED FOR A NEW BRIDGE AND CONNECTIVITY TO THE POST OFFICE AND PARK AREAS. THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. M. FREDE VOTED NAY. MOTION CARRIED.

6. DISCUSSION AND ACTION ON FINAL DRAFT OF CHAPTER 10 – IMPLEMENTATION.

This item was discussed as part of the above motion.

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7. ADJOURNMENT

K. ATTWELL MOTIONED TO ADJOURN THE FEBRUARY 11, 2009, PLAN COMMISSION MEETING AT 10:50 P.M. B. LEONARD SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.