

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
Dirilee Curtis Costa
Kevin Fitzgerald (arrived 7:25 p.m.)
Beth Leonard
Chris Smith
Roger Dupler, Planner
Gina Gresch, Clerk-Treasurer
Tom Maney, Building Inspector
Tim Schuenke, City Administrator

Absent

Larry Chapman
Michael Frede

1. APPROVE PLAN COMMISSION MEETING MINUTES OF FEBRUARY 25, 2009 AND MARCH 11, 2009 MEETINGS.

D. CURTIS COSTA MOTIONED TO APPROVE THE FEBRUARY 25, 2009 PLAN COMMISSION MEETING MINUTES AS AMENDED ON PAGE 13, CHAPTER 6, GOAL 5, CHANGE TO READ "SUPPORT THE PRESERVATION, DEVELOPMENT, AND REDEVELOPMENT OF A VARIETY OF SUITABLE INDUSTRIAL AND COMMERCIAL SITES BOTH IN TERMS OF PHYSICAL CHARACTERISTICS AND LOCATION." B. LEONARD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

D. CURTIS COSTA MOTIONED TO APPROVE THE MARCH 11, 2009 PLAN COMMISSION MEETING MINUTES AS AMENDED ON PAGE 9, ITEM 3, APPENDIX F-LAND USE ZONING CHANGES, IN THE FIRST MOTION, CHANGE "D. CURTIS COSTA WITHDREW THE MOTION." TO "D. CURTIS COSTA WITHDREW THE MOTION BECAUSE SHE WAS INFORMED IT WAS ALREADY DONE." AND ON THE SAME PAGE, SAME ITEM AND APPENDIX, THIRD MOTION, SENTENCE 4, CHANGE "RL-1" TO "RE-1." B. LEONARD 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

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

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K. ATTWELL MOTIONED TO CLOSE CITIZEN'S COMMENTS AT 7:09 P.M. D. CURTIS COSTA SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

D. CURTIS COSTA MOTIONED TO APPROVE THE ITEMS ON THE CONSENT AGENDA AS PRESENTED. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. MOTION CARRIED.

- a. **DEL 0804.994.017, 2742 HERITAGE DRIVE, DELAFIELD, WI 53018.**
OWNER: KENSINGTON DEVELOPMENT. APPLICANT: DOLLAR TREE STORES, INC. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A DOLLAR STORE, DOLLAR TREE. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 9:00 P.M., SATURDAY 8:00 A.M. TO 9:00 P.M., SUNDAY 8:00 A.M. TO 7:00 P.M. WITH 4 PART-TIME EMPLOYEES AND 2 FULL-TIME EMPLOYEES.

Approved. See above.

- b. **DEL 0804.999.008, 3220 GOLF ROAD, DELAFIELD, WI 53018.**
OWNER: SHOPPES AT NAGAWAUKEE, LLC., C/O TOLD DEVELOPMENT CO., GREG KOST. APPLICANT: SCOTTRADE, INC. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR FINANCIAL SERVICES / STOCK MARKET BUSINESS, SCOTTRADE. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 5:00 P.M., WITH 3 FULL-TIME EMPLOYEES.

Approved. See above.

- c. **DEL 0803.991.003, 2580 SUN VALLEY DRIVE, DELAFIELD, WI 53018.**
OWNER: EDWARD BAUTZ. APPLICANT: RICHARD FLATH - MARTY'S PIZZA AND JODY KNOEBEL - JELLI'S MARKET PRODUCE STAND. APPLICANT SEEKS APPROVAL OF A TEMPORARY BUSINESS PLAN OF OPERATION FOR A PRODUCE STAND, JELLI'S MARKET, LOCATED at MARTY'S PIZZA, 2580 SUN VALLEY DR, DELAFIELD, WI 53018. THE PRODUCE STAND WILL RUN FROM JUNE 1, 2009 TO SEPTEMBER 15, 2009. HOURS OF OPERATION ARE WEEKDAYS AND WEEKENDS 11:00 A.M. - 7:00 P.M., WITH 3 PART-TIME EMPLOYEES AND 1 FULL-TIME EMPLOYEE.

Approved. See above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- A. **DEL 0792.065.001, 1101 N. GENESEE STREET, DELAFIELD.**
OWNER/APPLICANT: ST. JOHN'S NORTHWESTERN MILITARY ACADEMY. OWNER/APPLICANT SEEKS A CONSIDERATION OF A REVISED MASTER PLAN AND SITE PLAN AMENDMENT.

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Ken Smits, Vice President of St. John's Northwestern Military Academy, stated materials had been submitted to the Commission reflecting the modifications being proposed as part of the revised Master Plan and Site Plan amendment. All revisions were believed to be consistent with the planned use for the Academy. He then reviewed the proposed changes related to the athletic fields, including a chain link style dugout being reconstructed of concrete block with a roof. This proposed change constituted a shelter requiring approval by the City Building Inspector and he thought the new shelter was consistent with City ordinances in this matter. The other change included transforming the football stadium to a football/lacrosse stadium. This change would require moving soil to change the grades necessary for the fields to be utilized in alternate seasons. All proposed changes were part of the long range plans for the Academy and funding was now available to do so. K. Smits stated he thought all modifications proposed were consistent with prior Plan Commission approval.

K. ATTWELL MOTIONED TO APPROVE THE REQUEST FOR A REVISED MASTER PLAN AND SITE AMENDMENT FOR DELC 0792.065.001, 1101 N. GENESEE STREET, DELAFIELD. OWNER/APPLICANT: ST. JOHN'S NORTHWESTERN MILITARY ACADEMY AND RECOMMEND APPROVAL TO THE COMMON COUNCIL AS A MINOR CHANGE TO THE

CONDITIONAL USE. D. CURTIS COSTA SECONDED THE MOTION. C. SMITH QUESTIONED WHETHER THE PUBLIC WORKS COMMITTEE SHOULD REVIEW THIS MATTER DUE TO THE CHANGE IN SOIL GRADING. HE ALSO SUGGESTED THE USE OF A RAIN GARDEN WHERE APPLICABLE ON SITE. R. DUPLER STATED THE GRADING WOULD BE REVIEWED AND OPPORTUNITIES FOR RAIN GARDENS UTILIZED. K. SMITS STATED THE USE OF RAIN GARDENS WAS NOT AN ISSUE AS THEY WERE PLANNING TO UTILIZE THEM IN MOVING FORWARD WITH PLANS. HE NOTED A PLAN DOES MODIFY AND CHANGE AND THE ACADEMY STAFF WAS WORKING ON A NEW MASTER CAMPUS PLAN THAT SHOULD BE BROUGHT BACK TO THE COMMISSION WITHIN THE NEXT SIX MONTHS. THIS PLAN WOULD SHOW WHERE THE ACADEMY CURRENTLY WAS IN TERMS OF PLANNING. CONCEPTUAL PLANNING WAS BEING UNDERTAKEN CURRENTLY FOR THE GOLF COURSE DEVELOPMENT AND THE ACADEMY WOULD LIKE TO MAKE SURE THAT WAS "IN SYNCH" WITH THE CITY'S SMART GROWTH PLAN. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **DELC 0792.055, 815 GENESEE STREET, DELAFIELD, WI 53018.**
OWNER/APPLICANT: RIVERSIDE INVESTMENTS, LLC, TOM AUL.
OWNER/APPLICANT SEEKS APPROVAL OF A SITE PLAN FOR A BUILDING EXPANSION.

Tom Aul, owner and applicant for Riverside Investments, LLC, was present. He explained he was present to request conceptual approval for this project.

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All necessary materials had been submitted to the City for review in this matter. He went on to explain an offer of purchase had been accepted for a parcel of land from the Steiner Group. This action would allow him an opportunity to expand his business space as the number of lawyers had increased. He then reviewed the history of the building's redevelopment, noting the current proposal would allow the building to expand in such a way that the south side and north side additions would mirror one another. He hoped to add four offices. An architect had been hired and a surveyor engaged in the project; however, he wanted to wait until approval was received from the City before moving forward. He had met with T. Maney regarding concerns for the building construction and issues with the Fire Code as well.

R. Dupler explained there were no planning issues associated with the request thus far, and his recommendation was to consider this matter as final approval contingent upon compliance with the National Fire Prevention Association (NFPA) and the International Business Code (IBC).

In response to questions from the Commission, T. Maney explained this request did not include an expansion of a non-conforming structure and there was a mistake on the drawings submitted related to the location of the building and the floodplain. In addition, he explained T. Aul would most likely be responsible for enclosing the exterior stairs on Mr. Steiner's building nearby and the current sump pump would be rerouted under the sidewalk westward to drain into the mill race area.

T. Aul explained he would be responsible for making the necessary changes as directed by T. Maney in this case. The survey work would show a new plat and the current WEBCo transformer box would be moved to the rear of the Steiner building and was considered to be a more desirable location by all. In response to a question about the need for additional parking spaces, he explained the new lawyers would include only one that would need to drive, the rest would walk so additional parking spaces were not required. In addition, all land around the addition was planned as green space with improvements being slated for the mill race area to make it look a bit nicer.

B. LEONARD MOTIONED TO APPROVE A SITE PLAN FOR A BUILDING EXPANSION FOR DELC 0792.055, 815 GENESEE STREET, DELAFIELD, WI 53018. OWNER/APPLICANT: RIVERSIDE INVESTMENTS, LLC, TOM AUL, SUBJECT TO REVISIONS DISCUSSED AND CONTINGENT UPON COMPLIANCE WITH THE NATIONAL FIRE PROTECTION ASSOCIATION AND INTERNATIONAL BUSINESS CODES. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0788.024, 1445 MILWAUKEE STREET, DELAFIELD, WI 53018.** OWNER: FRED & SUE WEIGEL. APPLICANT: R.I. CONSTRUCTION, ROMAN IWINSKI. APPLICANT SEEKS APPROVAL FOR A BOATHOUSE AS RECOMMENDED BY LAKE WELFARE COMMITTEE.

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Roman Iwinski, contractor for the project, and Fred and Sue Weigel, applicants, were present this evening regarding this matter. R. Iwinski explained this matter had been presented to the Lake Welfare Committee previously. The Committee had requested additional detail be presented to the Plan Commission regarding the height of the boathouse and design of the rain garden on site. He went on to explain the boathouse plans had been previously approved and currently Mr. Weigel had requested the boathouse be made four feet longer in width. No other specifications had changed since the prior approval of the boathouse design; however, the current building would be removed and rebuilt with the proposed new width if approved. He then distributed design drawings and specifications related to the construction of the proposed boathouse.

K. Attwell questioned whether notification had been given to the neighboring properties in this case since it was being proposed anew. G. Gresch stated due to accidental oversight, Staff had not sent written notice to the surrounding property owners as directed by the new City ordinance.

Discussion ensued regarding how to remedy the situation without subjecting the applicant to return for another review in one month's time.

Fred Weigel, owner/applicant of 1445 Milwaukee Street, stated all neighbors had been previously notified in the prior request and had no issues with the proposed boathouse at that time. He stated he was only removing the existing boathouse due to finding rotted timbers on the interior which necessitated the proposed expansion of four feet. While he would be willing to return to the April meeting of the Plan Commission on this agenda if necessary, he noted he was waiting to place a paved driveway on site after the completion of the boathouse as he wanted all the buildings on the property to match. Currently, it was very muddy and difficult to traverse the area and he was concerned about waiting an additional month to bring all plans to fruition.

R. Dupler suggested the Commission consider approval of this matter contingent upon receiving written notification from the appropriate neighbors as specified in the new City code on this issue showing there were no objections to the proposed project construction.

B. LEONARD MOTIONED TO APPROVE A BOATHOUSE AS RECOMMENDED BY LAKE WELFARE COMMITTEE FOR DELC 0788.024, 1445 MILWAUKEE STREET, DELAFIELD, WI 53018. OWNER: FRED & SUE WEIGEL. APPLICANT: R.I. CONSTRUCTION, ROMAN IWINSKI CONTINGENT UPON WRITTEN RECEIPT FROM NECESSARY ADJACENT PROPERTY OWNERS STATING THERE WERE NO OBJECTIONS TO THE PLANS. B. LEONARD AMENDED THE MOTION TO INCLUDE A DETAILED LANDSCAPE PLAN SHOWING THE DESIGN OF THE RAIN GARDEN BEING SUBJECT TO STAFF REVIEW AND APPROVAL. K. FITZGERALD SECONDED THE MOTION. G. GRESCH STATED WRITTEN

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NOTIFICATION AND REQUEST FOR LETTERS OF SUPPORT OR OBJECTION WOULD BE SENT ON MARCH 26, 2009. D. CURTIS COSTA CONFIRMED THE REQUEST WOULD BE RETURNED TO THE PLAN COMMISSION FOR ADDITIONAL REVIEW SHOULD ANY OBJECTIONS ARISE FROM THE NEIGHBORING PROPERTY OWNERS. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- c. **DELC 0804.994.017, 2742 HERITAGE DRIVE, DELAFIELD, WI 53018.** OWNER: KENSINGTON DEVELOPMENT. APPLICANT: DOLLAR TREE STORES, INC. APPLICANT SEEKS PLAN COMMISSION CONSIDERATION TO OVERTURN THE RECOMMENDATION OF STAFF REGARDING DENIAL OF SIGN PETITION.

Janet Couture, construction project manager for the Dollar Tree stores; stated she was present for issues associated with the Consent Agenda only and she was not prepared to speak to all sign issues at this time; however, she was available for any questions or comments the Commission might have of her.

R. Dupler explained the review sheet for this matter had been included in the Commission's packet for the meeting and he noted the signage as proposed did not comply with signage allowed in a B-3 district, nor did it comply with the requirements of the multi-tenant sign program for the building. In addition, the color did not match the Code requirements and the letter height was inconsistent as well. For these reasons, he would recommend denial of this request as proposed.

Discussion ensued regarding the history associated with the Blockbuster sign program previously located near by. C. Smith stated he understood the reasons the signage was being recommended for denial; however, he personally thought the logo with its green trademark letters made sense on the building.

B. LEONARD MOTIONED TO CONCUR WITH THE PLANNER'S RECOMMENDATION IN THIS CASE AND SUGGESTED THE APPLICANT RETURN WITH A REQUEST THAT IS COMPLIANT WITH THE SHOPPING CENTER'S SIGN PROGRAM. J. COUTURE STATED SHE WOULD NOTIFY THE SIGN COMPANY OF THIS DIRECTION. K. ATTWELL SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

6. PRELIMINARY

There were no preliminary items for consideration this evening.

7. ZONING AND ORDINANCE REVISION

- a. DISCUSSION OF DRAFT WIND GENERATOR ORDINANCE.

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Mayor McAleer stated he thought it important to consider drafting a wind generator ordinance for the City in an effort to be proactive in consideration of alternative forms of energy within the City.

R. Dupler explained information shared with the Commission included an ordinance from the Town of New Glarus, Wisconsin, and stated he thought it prudent for structural engineers to provide comment on the ordinance. He noted wind generation was feasible within the City with respect to the necessary wind speeds. He thought it important to review the standards as they would be unique to a more residential setting and consider review by other engineering staff also.

K. Attwell noted some wind turbines were smaller in size but mounted to tall towers. A brief discussion of the ramifications of roof mounting possibilities took place. T. Maney stated he thought all wind generators should have to be considered before the Plan Commission in the same way requests for boathouses were required.

Discussion ensued regarding how best to proceed with consideration of a wind generation ordinance for the City. Consideration was given to allowing the Council to decide the appropriate amount of allocation to be given to this type of ordinance. Mayor McAleer stated he would request this item be placed on a future Common Council Agenda.

8. HEARING DATES

G. Gresch noted no new hearing dates were required to be scheduled at this time.

9. ADMINISTRATOR'S REPORT

T. Schuenke stated there was nothing to report at this time.

C. Smith questioned whether the City codes allowed for flashing neon signs in businesses if they were mounted inside the business. T. Maney stated he was aware of the situation being referenced and Staff was handling this issue.

10. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date were 16, plus one occupancy permit. There were no permits for new single family homes this month.

11. BOARD OF ZONING APPEALS

G. Gresch noted the following hearing was scheduled for the Board of Zoning Appeals.

A. SCHEDULED HEARINGS FOR MARCH 26, 2009:

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- I. CASE 759 – APPEAL OF DAVID & GAIL ABBOT (OWNERS) AND ANTHONY FEDERSPILL, ANTHONY THOMAS BUILDERS, INC. (AGENT) FOR PROPOSED ADDITION AT 2129 WEST SHORE DR, DELC 0786.096, RELATING TO SECTION 17.39(9)(N) REGARDING MINIMUM OPEN SPACE REQUIREMENTS AND MAXIMUM FLOOR AREA RATIO REQUIREMENTS.

12. CORRESPONDENCE

None.

R. Dupler noted in being compliant with the public participation portion of the Smart Growth planning process, there would be a second Open House style meeting in the Fire Department Training Room from 5:00 p.m. to 7:00 p.m. on April 20, 2009. All were invited to attend.

13. ADJOURNMENT

K. ATTWELL MOTIONED TO ADJOURN THE MARCH 25, 2009, PLAN COMMISSION MEETING AT 8:03 P.M. C. SMITH SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.