

**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 7:45 p.m.)  
Michele DeYoe  
Kevin Fitzgerald (arrived 8:28 p.m.)  
Michael Frede  
Roger Dupler, City Planner  
Gina Gresch, City Clerk/Treasurer  
Tom Maney, City Building Inspector  
Tim Schuenke, City Administrator

Absent

Dirilee Curtis Costa  
Chris Smith

**PUBLIC HEARING #1: REZONE CERTAIN PROPERTIES SO THAT ZONING WILL BE CONSISTENT WITH THE CITY'S MASTER PLAN**

Mayor McAleer noted that despite the fact that a quorum of Commissioners was not present, a public hearing could be held at this time and comments taken as part of the Hearing. He then reviewed procedures for the Hearing.

R. Dupler explained the reasons for the pursuit of the rezoning were to make the Comprehensive Plan, the Zoning Map, and zoning ordinances consistent and compliant with State comprehensive planning law. The Comprehensive Plan had already been approved and action taken to begin to bring historically incorrect parcels into consistency with documentation. He noted there were three major areas of concern for residents including the C-1 updates throughout the entirety of the City in association with wetlands, flood plains, and conservancy lands. Also, there was a large area in the St. John's subdivision zoned R-5a that was being converted to R-5 with little impact to land use in those areas. Finally, there was an area immediately east of downtown that included expansion of the Central Business District (CBD) designation into an existing R-4 residential district. There were also various other miscellaneous changes included in the rezoning. He wanted to let residents know that the rezoning efforts undertaken were mandatory by the State and a great deal of effort had been placed into working on the Smart Growth planning process in the past two years with public participation a part of that plan. Efforts to bring the parcels into compliance had been conducted with transparency and an objective analysis of anticipated growth.

Steve Tikalsky, N26 W30851 Golf Hills Drive, Town of Delafield, commented on the border agreement for the Geeson property with the Town of Delafield, Village of Nashotah, and City of Delafield. While he was not present to object to the plan discussed by the Geeson family in

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

recent months regarding their land and this agreement, he questioned the zoning change as he thought it was incorrect in that the underlying zoning district for the property did not seem to accurately reflect the border agreement. He noted the letter from Attorney Hammes to that effect and stated he objected to the underlying zoning as being inconsistent with the single-family residential. He thought RE-1 would be more consistent zoning for the underlying use.

Jim Zahorik, 1948 West Shore Drive, was present regarding the change in zoning to a ten acre parcel owned with his wife south of I-94, and north of Lapham Peak. He explained that in the Environmental Corridor Map, there was a portion of the eastern edge of his property that was 50-60 feet wide that would be changed to C-1 conservancy as a result of the zoning changes. He noted Ordinance 619, put into effect on November 11, 2009, that explained the purpose of the corridor boundary was intended to include primary and secondary corridors. He had been assured in the past that this parcel was a two acre homesite and he never received notice of the meeting discussing Ordinance 619 even though it had affected his land. He thought the intent to change his agricultural land to conservancy seemed a taking as it reduced the land from accommodating five homes to two. He was also present representing a gentleman residing at 542 South Genesee Street on this matter. J. Zahorik stated he hoped the maps would soon be up to date and he thought the City should carefully review Ordinance 619 to ensure that the intent was accurate and would not increase the financial hardship of residents in this matter.

In response to a question from Mayor McAleer, J. Zahorik stated he did not receive a notice for the meeting regarding the November 11, 2009, consideration of Ordinance 619, but had received notice for this public hearing.

Joe Geason, 1424 Woodside Court, stated he had no problem with his B-6 property being changed to R-3 zoning as it seemed the most comparable zoning. He thought R-3 was close to half-acre lots as could possibility be in this case.

Gary Preston, 307 N. Lapham Peak Road, owned the property south of the Legion that would include conservancy land. He questioned whether there were rules for building setbacks as he would like to construct a garage. R. Dupler confirmed the proposed rezoning would have no impact on G. Preston's intent for his property construction.

Attorney Peter Kafkas, 312 Bluewater Court, Dousman, and owner of property on W. Shore Drive, stated he had spoken with R. Dupler regarding his property. He had purchased his property from the County and noted the zoning during the time of purchase. He had a problem with changing the zoning in mapping as there was a culvert that ran under West Shore Drive that was currently artificially retaining water on his property due to a blockage in the culvert and drainage ditch across the street that allowed water to drain to the lake. He thought the original mapping was correct in that it showed a wetland in the area that now retained water. He requested the Commission consider no change be made to his property and over time he would have a soil engineer examine his property for confirmation of a wetland. He thought to change the zoning to conservancy would cause more of an error and he would also consider this action a taking of his land as there was no building allowed on conservancy land.

R. Dupler confirmed the location of the parcel on a map for the Commission and noted the area designated by the DNR as a wetland boundary. P. Kafkas stated he thought he could work with

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

the drainage aspects with the DNR that could be corrected later and he would prefer not to have another error in the mapping change to deal with at that time.

Jay Lang, 345 Nashotah Road, of Lang Real Estate Group, was representing the Knopfs from Bil-Bar Farms with approximately 150 acres of land. He stated they objected to the new zoning ordinances and been discussing this issue for the past four years. Specifically, they objected to changing the density from five-acre lots to two-acre lots, and secondly, the conservancy designation would reduce the land use possibilities and this seemed a taking of rights. Efforts were underway to determine the wetland delineation for the property and he anticipated a different development plan would be submitted in 2010 for consideration by the Commission and he would like to deal with the mapping issues at that time.

Karen Duke, 2340 Woodland Park Drive, stated she was concerned about the C-1 updates and she questioned the impact to her property as she thought it was unnecessary given that her land was already part of a floodplain. The proposed action by the City would place unnecessary restriction on her land that would cause problems in the future for no reason.

R. Dupler located the parcel on a map and noted this proposed action would not impose any additional restrictions as it was simply mapping what was already in existence for limitations that would clearly identify environmental sensitivity. K. Duke stated she still thought it unnecessary and asked the Commission to reconsider the action being taken.

Lynn Morrison, 2366 Lakeview Court, stated she agreed with K. Duke in that the current restrictions placed on the properties on the West Shore were quite strict. She thought to call the strip of land being designated on the properties as conservancy would only burden the taxpayers of the City whenever there was activity on their properties. She was concerned that designating this land as C-1 land would have property owners giving up inherent rights and she thought it was unnecessary burdensome action in this case.

She also went on to provide comment on the CBD expansion area. She was not in agreement with expansion of the CBD district as half the street on the lake had been excluded and with the smaller houses and lots across the street, this expansion was not suitable. Also, there was no suitable parking area available for construction and she thought this action would not work for the future. She thanked the Commission for its time.

James and Jill LeRoy, 814 Milwaukee Street, were present. Mr. LeRoy stated they were concerned with the CBD change proposed as the current state of the economy was such that the switch in zoning would further exacerbate the problems for people in that area to gain mortgage loans. He did not see a need for additional commercial development and he thought this action would provide the opportunity to turn these parcels into distressed properties. He did not want to see that happen.

Jay Theisen, 817 Milwaukee Street, stated he was opposed to R-4 zoning being changed to the CBD -2 zoning as the commercial properties would become rental properties that would provide opportunities for additional unwanted traffic in the neighborhood. He did not want to see apartments in the area through mixed use retail possibilities as he was concerned for transient lifestyles being placed in this residential area. He also noted he had 13 signed documents

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

opposing the rezoning. He submitted this to G. Gresch and thanked the Commission for time spent on this matter.

Brian Milsted, 816 Mill Street, stated he lived in Delafield but worked and traveled to other areas of the world as a writer. He enjoyed the area immensely for its quiet and he was concerned about the current empty commercial properties within the City and he thought it was inappropriate to provide more commercial properties at this time.

Jacquelyn Valde, 816 Mill Street, stated she had lived in the City for nine years and had purchased her property for safety and the quiet nature of her street. She distributed informational packets to the Commission noting the map of area businesses that were empty in the downtown area. She could count the number of vehicles that would traverse her street and she thought additional business would bring a great deal of traffic. The business district should be close together and this area was too far away. If the businesses were kept closer together, pedestrians would be encouraged to shop there. Efforts should be made to build up the area already available and her property should not be part of the rezoning.

Jane Lazynski, 711 Wells Street, stated she was in favor of changing the zoning to CBD-2 as she thought it anchored the downtown more and she trusted that the Commission would consider all the needs of all residents when considering this action. She also supplied documentation with 21 signatures supporting the rezoning to G. Gresch.

Kristin Collins, 726 Milwaukee Street, stated she was in support of the rezoning for 700 Milwaukee Street block as some of the properties already had conditional uses in existence for certain properties.

Dan Collins, 726 Milwaukee Street, was in favor of the proposed rezoning and he would be directly affected by that rezoning. He lived on a block where part of the properties were zoned differently and he did not think it was correct to have differences of setbacks in the same block. He stated there was a lot of support for this action among residential downtown people and he had two dozen names on a petition supporting R-4 properties being rezoned to CBD-2. While he was originally concerned with tax ramifications, taxes were not going to be any higher than in the current zoning. He also thought the CBD-2 zoning would bring housing into conformity with current zoning and he liked that.

Jeannie Collins, 726 Milwaukee Street, was also in favor of the zoning change as the block was divided by the alley way. She would like to see uniformity in the block and thought the rezoning would provide benefit and advantages for her property. To have her block included in the downtown area would enhance the current business district, however, she did not think Mill Street should be included nor should the street be zoned for business. Regarding conservancy areas for the Legion parcel, she thought the Legion was a good reasonable neighbor that had worked to continually enhance the property. If the Legion were rezoned, these enhancements could not continue. She thought the Legion did a good job and was an asset to the community.

Thomas Graham, 824 Milwaukee St, noted he was speaking for his wife as well on this matter. He had supported a petition for the rezoning last week, and he requested his name be retracted

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

from that petition as he no longer thought additional business was needed in the downtown district as it would provide competition to what was there now. The City had a unique business district in two parts of the City and he wanted to keep traffic low in his block of Milwaukee Street, and maintain the business districts in both locations of the City. He requested the City not change his block from R-4 to CBD-2.

Tricia Madden, 804 Mill Street, stated she had lived in the downtown area for 20 years and seen businesses come and go. She was concerned this same pattern would continue to happen as a result of the proposed action. She agreed with the speakers before her that stated the area should be left alone.

Tim Madden, 804 Mill Street, had lived in the City for 20 years. He liked the work of Bob Lang and wished he was here to continue his building traditions. He was concerned for the “blotchy” look to various communities. He thought the City had people that worked in the downtown and left at the end of the day rather than make Delafield their home. He also thought more developers should come to the City with a “Bob Lang” type tradition of construction.

Charles Holland, 741 Milwaukee Street, stated his parents bought his house in 1946 and had also owned other properties nearby. At that time the house was zoned B-2 and that zoning was comparable to what was being proposed today; however, his parents had objected to elimination of the B-2 zoning. He thought his mother would like to see CBD-2 zoning in this location. With regard to the C-1 designation being sought for the American Legion Post, he was concerned as the mission of the veterans and community activities had been helped through modifications that were allowed to the Post and outbuildings. He thought the Legion would like to continue to be able to do so as various community activities would dictate need in the future. He thought to change the designation for that parcel would be short-sighted.

Chloe Wandschneider, 834 Mill Street, stated there was a difference of opinion on whether Smart Growth lived to its name as she thought state mandates sometimes caused communities to lose their identity. She was concerned that she had not heard anyone talk about identity and she thought that would be lost with the proposed business district designation for her area. There were many homes that were built in the area that had historical segments to them and she was quite concerned these would be lost. In addition, there was no parking in the area to support additional businesses and homes would need to be removed as a result. St. John’s Academy and the Nashotah House had historical context standards. She thought people go out of their way to view houses, properties, and neighborhoods that have historical content. She thought the rezoning would push people out of their homes that were proud of their heritage and history and had purposely chosen to live downtown for these reasons. She noted Native American Chiefs made decisions based on whether it would be considered wise for the next seven generations and she thought this mentality should be used here. In addition, a neighborhood was a community within a community and she thought to replace it with transient businesses and large buildings was not a good thing. The City should strive for balance and

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

she was very committed to her cause and would take action if needed. She stated it was important to know where people came from and she thought the City should not go through with this.

Russ Wandschneider, 834 Mill Street, stated he thought Delafield was a "bedroom town" where people commuted to various jobs and the City would stay that way because there were malls and shopping centers all around it. He did not think there was reason to expand the downtown district. Delafield was unique and the City should consider why people chose to live here and try to preserve that. The novelty shops represented the City very well and he did not want to see it destroyed by the proposed zoning.

Chrys Mursky, 724 Mill Street, stated she appreciated hearing the opinions of residents on this matter. She also appreciated the City's efforts to align the Comprehensive Plan and a balanced tax base for the City. She thought there were a couple of areas that were problematic, including the proposed action to rezone the south side of Mill Street. With residential zoning along the lake this would create spot zoning. There was little room for expansion in the area and the infrastructure on Mill Street was not conducive to expansion of the business district as proposed. There were various historic homes and sites located close to the roadway in certain parts of the proposed area that would make widening the road difficult, and sidewalks would further complicate this area. Also when the Comprehensive Plan was developed, there was a notion that the business district would expand eastward; however, that was not happening and expansion had taken a different route than originally thought. She thought it more prudent to reexamine the Comprehensive Plan than to rezone these two areas to accomplish City goals. She thanked the Commission for its time.

Steve Tikalsky, N26 W30851 Golf Hills Drive, thanked the Commission for allowing him to speak a second time. After hearing Mr. Geason speak, he remained concerned about the ramifications of the border agreement as it related to the Geason property and he was concerned there were misconceptions being made with regard to the conditional use for that property.

In response to a question from the audience, Mayor McAleer stated that the issues associated with the Public Hearing were most likely going to be discussed at a Special Meeting of the Plan Commission in January. In addition, he had received several emails from various residents on the subject of the Public Hearing. He requested the emails be made a part of the record for this hearing. *These emails have been attached to this set of minutes and can be found at the end in their entirety.*

Veronica Schmechel, 708 Lake Street, stated she had moved to the City 30 years ago for its quiet and peacefulness. She had lived through some difficult experiences in Milwaukee prior to moving here and she did not want a similar experience here as a result of the proposed rezoning. She liked the quiet, peaceful ways of the City and her neighbors and she did not want it to change. If her area were to be zoned for business, a negative change would be inevitable. There were already empty buildings downtown that she thought should be utilized and the residential spaces should be left alone in peace.

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

**M. DEYOE MOVED TO CLOSE THE PUBLIC HEARING AT 8:31 P.M. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

Mayor McAleer recessed the meeting at 8:32 p.m. and reconvened at 8:38 p.m. He asked that the Roll Call be taken at this time to determine if a quorum was present to conduct the business of the meeting. A Roll Call was taken at this time by G. Gresch.

ROLL CALL

Present

Mayor Ed McAleer  
Kent Attwell  
Larry Chapman  
Michele DeYoe  
Kevin Fitzgerald  
Michael Frede  
Roger Dupler, City Planner  
Gina Gresch, City Clerk/Treasurer  
Tom Maney, City Building Inspector  
Tim Schuenke, City Administrator

Absent

Dirilee Curtis Costa  
Chris Smith

1. APPROVE PLAN COMMISSION MEETING MINUTES OF OCTOBER 28, 2009

**K. ATTWELL MOVED TO APPROVE THE OCTOBER 28, 2009 PLAN COMMISSION MEETING MINUTES AS PRESENTED. M. DEYOE 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

**K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THIS AGENDA. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

3. CONSENT AGENDA

G. Gresch reviewed the Consent Agenda.

**M. DEYOE MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

- a. **DELCO 0792.056, 807 GENESEE STREET DELAFIELD. OWNER: STEINERGROUP COMMERCIAL REAL ESTATE. APPLICANT: HARRY AND**

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

MARY SCHAFF, W243 N2728 CREEKSIDE DRIVE, PEWAUKEE. APPLICANT SEEKS APPROVAL OF A GOURMET CHOCOLATE FRANCHISE STORE, ROCKY MOUNTAIN CHOCOLATE FACTORY. HOURS OF OPERATION ARE WEEKDAYS 10:00 A.M. TO 8:00 P.M., SATURDAY 10:00 A.M. TO 8:00 P.M., SUNDAY 12:00 P.M. TO 5:00 P.M. WITH FOUR PART-TIME AND TWO FULL-TIME EMPLOYEES.

Approved. See above.

4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **DELC 0807.978.014, 3700 HILLSIDE DRIVE, DELAFIELD.**  
OWNER/APPLICANT: FLOOR 360, LLC. OWNER/APPLICANT SEEKS APPROVAL OF A MINOR CHANGE TO THE SIGN PROGRAM TO ALLOW AN ELECTRONIC READER BOARD IN PLACE OF THE PREMISE SIGN

R. Dupler explained changes to the sign program for the Design Mart property were being requested at this time. He noted the property operated currently as a planned development that had been well conceived and executed by the City. The request for modification to the sign program included the use of an electronic reader board and change in coloration for the signage. R. Dupler noted that should the Commission agree with the proposed sign program, caution should be utilized when considering the safety of motorists regarding flashing message signs along Interstate 94.

Joe Kozlowski of Badger Sign Systems and Joe Cabovitch of Tech Teriors were present to share information regarding the request.

J. Kozlowski explained artwork showing the current and proposed designs of signage for the site, noting the electronic sign proposed would be five square feet less in dimension than the current signage. He also noted nearby buildings that had similar reader boards with the ability to change copy on them in a manner similar to this proposal. Signage programs typically dictated duration of time that a message on the electronic reader board could be displayed and he agreed with R. Dupler's comment regarding the safety issue related to flashing signage. In response to a question, J. Kozlowski went on to explain the request for change to the signage program was comprised of two parts. The first was for a change in the Tech Teriors sign from its current blue sign color to red in order to provide increased visibility from the highway. The second change was to replace the premise sign with an electronic reader board that would scroll various messages advertising the tenants and services available within the building.

With regard to the scrolling message portion of the electronic reader board, J. Cabovitch stated the message would need to be changed periodically and there was no interest in flashing or multi-message systems for this sign. The change in signage was being requested because it seemed people were not aware of the identity and location of all the tenants within the building at this site. It was his opinion that an electronic reader board would provide increased visibility from the

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

interstate and would direct people to the building more effectively than the current signage.

R. Dupler questioned the company signage for the location in Madison, Wisconsin, noting there was no moving signage at that location near an interstate. He further questioned whether there were any marketing changes that could be made at the Delafield location to provide the successful foot traffic found at the Madison store location. J. Kozlowski noted the physicality of the location in Madison was very different from this location and there was a different dynamic associated with the business as a result that was not present at the Delafield location and thus, the signage change was needed.

Clarification was provided by J. Kozlowski noting the tenants within the Delafield Design Mart building were aware of and supported the sign change for the building. The Tech Terior sign would be changed from blue to red and white to reflect corporate branding if possible and the electronic reader board could be lit from within with amber lights, instead of red, if desired by the City.

Mayor McAleer questioned R. Dupler as to why Staff recommended denial for this request. R. Dupler explained this constituted a minor change in his opinion; however the denial was recommended as he thought it compromised the intent of signage for this particular building.

Discussion ensued regarding the duration of time a message should scroll through the reader board.

M. Frede stated he appreciated all the hard work done in the City through the effort of Staff's planning skills, but he also thought efforts should be put forth to find ways to help retain businesses within the City. Advertising was a key component for businesses and he thought efforts should be put into finding a way to support business needs without compromising City goals. He thought flexibility was needed in this case.

Discussion ensued regarding creation of a new sign for the site. J. Kozlowski stated the electronic reader board could not be mounted on the glass. Electronic signs were quite expensive and there was concern from the tenants that the businesses were not getting adequate foot traffic to support the investment in the building as needed.

In response to a question, J. Kozlowski stated the scrolling message could be changed once an hour as a standard for this sign.

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

**K. FITZGERALD MOVED TO APPROVE A REQUEST FOR A MINOR CHANGE TO THE SIGN PROGRAM TO ALLOW AN ELECTRONIC READER BOARD IN PLACE OF THE PREMISE SIGN FOR DELC 0807.978.014, 3700 HILLSIDE DRIVE, DELAFIELD. OWNER/APPLICANT: FLOOR 360, LLC WITH NO FLASHING AND MOVING PARTS, WITH A MESSAGE TO CHANGE AT 30 MINUTE INTERVALS, AND RED LETTERING UTILIZED WITHIN THE READER BOARD, AND A COLOR CHANGE FROM BLUE TO RED AND WHITE FOR TECH TERIORS AND TO RECOMMEND TO COMMON COUNCIL THE SAME. L. CHAPMAN SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. K. ATTWELL OPPOSED. MOTION CARRIED.**

- b. **DELC 0804.994.019, 2726-2736 HILLSIDE DRIVE, DELAFIELD. OWNER/APPLICANT: HILLSIDE TERRACE SHOPPING CENTER C/O JASON ISRAEL. OWNER/APPLICANT SEEKS AN AMENDMENT TO THE EXISTING MULTI-TENANT SIGN PROGRAM TO INCORPORATE MULTIPLE CHANGES**

It was noted the applicant was present but left earlier in the meeting.

R. Dupler briefly explained the applicant was seeking an amendment to the existing multi-tenant sign program that would incorporate a variety of colors within the sign band for the building and would also include logos and copyrighted information related to business advertising. Staff was concerned about the aesthetic view of the signage for the building with numerous colors in the sign band.

Mayor McAleer stated it was important to be consistent and to have the applicant present to consider this matter. As a result, this item would be placed on the next Plan Commission meeting agenda for consideration and review.

5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **DELC 0804.994.002 & 0804.994.006, 2863 HERITAGE DRIVE, DELAFIELD. OWNER: WAL-MART STORE #1678. APPLICANT: WAL-MART STORE #1678 C/O KERRY HARDIN, RA SMITH NATIONAL. APPLICANT SEEKS APPROVAL OF A SITE PLAN, ARCHITECTURE AND BUSINESS PLAN OF OPERATION FOR A WAL-MART SUPERCENTER. SITE PLAN TO INCLUDE REVISED PHOTOMETRIC, LANDSCAPE PLANS AND TRAFFIC RELATED SITE ISSUES. HOURS OF OPERATION ARE WEEKDAYS AND WEEKENDS 5:00 A.M. TO MIDNIGHT WITH APPROXIMATELY 90 PART-TIME EMPLOYEES AND APPROXIMATELY 140 FULL-TIME EMPLOYEES AT ITS EXPANDED SUPERCENTER. ACTUAL NUMBERS OF EMPLOYEES WILL**

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

DEPEND ON CUSTOMER DEMANDS AND PART-TIME/FULL-TIME MAKEUP  
WILL DEPEND ON EMPLOYER DESIRES

K. Fitzgerald stated he would abstain from the vote on this matter this evening.

R. Dupler explained the applicant had returned seeking approval of a site plan, architecture and business plan of operation. In past consideration of this matter, the Commission had requested various modifications to the landscape plan, signage, a photometric plan, and traffic related issues. He noted the landscape plan had been submitted as requested with deciduous shrubs redesigned as evergreens. The lighting plan had been submitted without issue. Signage for the site was considered unresolved at this point and the only remaining issue requiring resolution by the Commission was related to truck access for the site. Requests had been heard by the applicant for modification of the truck access and turning movements for the site. Kerry Hardin, of R. A. Smith National, was present to address the modifications regarding truck access.

K. Hardin explained the landscape plan had been agreed to and further changes would be made as needed. The lighting plan met the City ordinance requirements. Signage on Highway 83 was to remain in its existing state as the applicant was not authorized to make changes. She went on to explain the truck access would be moved as far to the east as possible to provide screening of the loading dock. She then noted the movement of the trucks entering and exiting the site with a driveway width on Hillside Drive of 60 feet. Concerns had been raised by Wal-Mart Staff regarding utilizing Heritage Drive as an alternative to this proposed driveway entrance. She noted current traffic patterns included difficult truck movements on the site. Typically when Wal-Mart expanded its stores, standards were in place to make the stores look like a new store and efforts were included to separate truck traffic from pedestrian traffic. She further explained the circle drive proposed by R. Dupler to exit the site would be difficult due to safety concerns and was not considered ideal for this location as trucks would be required to exit the site to the north on the private drive and could potentially slide through the stop sign located at the intersection with Heritage Drive at the bottom of the hill. She thought it would be prudent to utilize a separate entrance for safety reasons as well.

R. Dupler noted the proposed truck movement could be limited to ingress only and narrow the width of the driveway. The issue of safety for truck movements was noted to be the same for any truck that made deliveries to businesses located in the area currently. To date, no accidents had occurred as a result of truck movements at this intersection.

Mayor McAleer stated he thought it was safer to have a separate entrance for trucks on this site.

A discussion of appropriate driveway width was had at this time. It was noted that the standard width of 54 feet was similar to the 60 feet width being

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

recommended and this additional distance would not be considered onerous to anyone should it be constructed in this manner.

**K. ATTWELL MOVED TO APPROVE THE SITE PLAN, ARCHITECTURE AND BUSINESS PLAN OF OPERATION FOR A WAL-MART SUPERCENTER. SITE PLAN TO INCLUDE REVISED PHOTOMETRIC, LANDSCAPE PLANS AND TRAFFIC RELATED SITE ISSUES. HOURS OF OPERATION ARE WEEKDAYS AND WEEKENDS 5:00 A.M. TO MIDNIGHT WITH APPROXIMATELY 90 PART-TIME EMPLOYEES AND APPROXIMATELY 140 FULL-TIME EMPLOYEES AT ITS EXPANDED SUPERCENTER. ACTUAL NUMBERS OF EMPLOYEES WILL DEPEND ON CUSTOMER DEMANDS AND PART-TIME/FULL-TIME MAKEUP WILL DEPEND ON EMPLOYER DESIRES FOR DELC 0804.994.002 & 0804.994.006, 2863 HERITAGE DRIVE, DELAFIELD. OWNER: WAL-MART STORE #1678. APPLICANT: WAL-MART STORE #1678 C/O KERRY HARDIN, RA SMITH NATIONAL, CONTINGENT UPON AMENDING THE LANDSCAPE PLAN AS DESCRIBED, DISALLOWANCE OF THE SIGN MODIFICATIONS ON THE HIGHWAY 83 MONUMENT SIGN AND A DRIVEWAY ENTRANCE WIDTH ONTO HILLSIDE DRIVE OF 54 FEET, AS WELL AS FINAL ENGINEERING APPROVAL BY THE CITY ENGINEER, APPROVAL OF A DEVELOPER'S AGREEMENT BY THE COMMON COUNCIL AND RECOGNITION OF THE PROPOSED LAND BANK PARKING. M. FREDE CLARIFIED 54 FEET OF WIDTH FOR THE DRIVEWAY ENTRANCE WOULD BE SUITABLE BUT QUESTIONED WHY THE APPLICANT RECOMMENDED 60 FEET. K. HARDIN EXPLAINED THE COMPUTER MODELING SYSTEM UTILIZED HAD RECOMMENDED 60 FEET; HOWEVER, SHE HAD SPOKEN WITH THE TRANSPORTATION AND SAFETY MANAGER FOR WAL-MART AND BOTH PARTIES THOUGHT THE 54 FEET COULD WORK IF REQUIRED. THERE WAS NO FURTHER DISCUSSION. FOUR WERE IN FAVOR. K. FITZGERALD ABSTAINED. MOTION CARRIED.**

- b. **DELC 0759.999, STH 83, ACROSS FROM INTERSECTION OF STH 83 AND WALNUT RIDGE DRIVE, DELAFIELD. OWNER: HARRY E. WOLCOTT FAMILY TRUST. APPLICANT: MARTY LARSON, REALTOR, 2772 SOUTH MORELAND ROAD, NEW BERLIN. APPLICANT SEEKS APPROVAL TO ALLOW A 32 SQUARE FOOT SIGN FOR 90 DAYS TO BE LOCATED AT STH 83, ACROSS FROM INTERSECTION OF STH 83 AND WALNUT RIDGE DRIVE**

R. Dupler explained this matter had been placed on the agenda for this meeting only because the request exceeded size limitations of the sign program for the City. He noted this signage was similar to signage approved for other properties in the last two years and would be located on the undeveloped parcel owned by the Wolcott Family along Highway 83.

Kim Schneeweis, representing the applicant, was present. He explained the listers of the property wanted the Commission to know the time of contract was for 18 months and they questioned whether the signage could be left in place for that length of time.

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

**L. CHAPMAN MOVED TO APPROVE A REQUEST TO ALLOW A 32 SQUARE FOOT SIGN FOR 90 DAYS TO BE LOCATED AT STH 83, ACROSS FROM INTERSECTION OF STH 83 AND WALNUT RIDGE DRIVE FOR DELC 0759.999, STH 83, ACROSS FROM INTERSECTION OF STH 83 AND WALNUT RIDGE DRIVE, DELAFIELD. OWNER: HARRY E. WOLCOTT FAMILY TRUST. APPLICANT: MARTY LARSON, REALTOR, 2772 SOUTH MORELAND ROAD, NEW BERLIN AS PRESENTED. K. ATTWELL SECONDED THE MOTION. M. DEYOE CLARIFIED THE LOCATION OF THE SIGNAGE AS BEING LOCATED ON THE SOUTHERLY CORNER OF THE PROPERTY. **THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.****

Mayor McAleer noted the approval was renewable every 90 days through the City Clerk's office.

- c. **DELC 0794.015.001, 134 ENTERPRISE ROAD, DELAFIELD. OWNER: JACK STYZA. APPLICANT: DELAFIELD STORAGE. APPLICANT SEEKS DETERMINATION OF A MINOR OR MAJOR CHANGE TO THE CONDITIONAL USE TO ALLOW OFFSITE SANDWICH BOARD SIGNS AT THE INTERSECTIONS OF CUSHING PARK ROAD AND MAIN STREET, AND CUSHING PARK ROAD AND ENTERPRISE DRIVE**

Jack Styza, and Catherine Styza, applicants, were present.

R. Dupler explained the applicants were present to express an interest in increasing their allowable signage in order to generate attention to their storage facility. While they had used a number of legal mechanisms to increase their sign exposure, a request was being made for temporary sandwich board signage to be displayed near Cushing Park Road and Main Street as well as the entrance to Enterprise Drive to further draw attention to the location of their business.

In response to a question by K. Attwell, R. Dupler explained in this case, the signage was a factor in economic survivability.

M. DeYoe stated she was not in favor of putting additional signage on this road as she traversed the roadway daily and there were too many there currently. She suggested consideration be given to providing another type of signage that would be more permanent in structure and less likely to fall over.

R. Dupler questioned whether the Styza's would be willing to work with other business owners in that area to provide directional signage similar to the kind being provided in the downtown area to direct traffic to businesses in the Enterprise Road location. J. Styza agreed, noting he was very willing to work with the City and other business owners to provide signage in that location. R. Dupler went on to suggest the signage be placed on public property on a light pole.

Discussion ensued regarding the possible placement of an entrance sign at Enterprise Drive that would list the tenants on the property. It was suggested

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

that a more permanent type sign be erected for the entire industrial park that would list the tenants within the industrial park area. K. Attwell suggested the Styza's meet with Staff and other business owners to determine more appropriate signage that would bring benefit to the businesses in the industrial park.

**K. ATTWELL MOVED TO DENY THE REQUEST TO ALLOW OFFSITE SANDWICH BOARD SIGNS AT THE INTERSECTIONS OF CUSHING PARK ROAD AND MAIN STREET, AND CUSHING PARK ROAD AND ENTERPRISE DRIVE FOR DELC 0794.015.001, 134 ENTERPRISE ROAD, DELAFIELD. OWNER: JACK STYZA. APPLICANT: DELAFIELD STORAGE. M. DEYOY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

6. PRELIMINARY

- a. **DELC 0798-079-001 TO 0798-079-004, 0798-083, 0798-084-001, 0798-972 AND 0798-973 (NO ADDRESS), DELAFIELD. OWNER/APPLICANT: JOE MCCORMICK/DELAFIELD LAKES, 101 N. MILL STREET, MADISON. OWNER/APPLICANT SEEKS PRELIMINARY FEEDBACK ON A PRELIMINARY PLAT FOR A NEW HOUSING CONCEPT WITH 16 SINGLE FAMILY HOMES IN COMBINATION WITH TWO 30 UNIT MULTI-FAMILY BUILDINGS**

Kent Johnson, of Johnson Designs, architect for the project, along with Pete Davis of the same firm, were present regarding gathering feedback on a preliminary plat for a new housing concept in the City. Joe McCormick, owner and applicant, was also present.

K. Johnson explained the architectural renderings and site maps for the project, noting the project boundaries included 14.5 acres bounded by Division Street, a future continuation of Bleeker Street and Devonshire Road, and a property owned by Jim Behrends to the east. The project proposed mixed-use residential development with two three-story unit buildings with underground and on-site parking for a total apartment mix of 60 units, comprised of 14 studio apartments, 14 one-bedroom apartments and 32 two-bedroom apartments. Parking was anticipated as 48 surface parking spaces, with 12 additional future parking spaces and 60 spaces underground for a total of 120 parking spaces overall. In addition, he noted there were several R-4 lots on the northerly end of the project that would remain as green space or a retention pond area.

The project also proposed placement of the garages behind the single-family homes with access through a private street to the back of the lots. Lots were anticipated to be approximately 60 feet wide and 280 feet deep. A 25 foot

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

boulevard area was also depicted to separate the multi-family style housing from single-family housing. Pedestrian access was also encouraged through this design and interchange with pedestrians on the walkway areas was also planned as a result of the “house forward” style of placement on the lots. Ingress and egress of the lots was to be from the back private drive with detached or attached garages. Houses were to be approximately 1,500 to 2,000 square feet with a cottage style. Strict guidelines would be in place to ensure the architecture was guided on the site. Social interactions were being encouraged with the street pedestrians, and “green” building would be utilized to the extent possible in addition to many rain gardens and indigenous plantings in the landscaping throughout the site.

J. McCormick then shared a rendering of the multi-family three-story building that would have asphalt shingles and metal roof accents, horizontal siding, and emphasized window and trim elements. Stone would be utilized near the base of the building and the colors would be very subtle and guided by architectural guidelines as well.

K. Fitzgerald stated he liked the concept of the garages located behind the house. Mayor McAleer agreed.

K. Johnson explained the setbacks from the street for housing would vary but would be approximately 15 feet from the sidewalk at all times.

M. DeYoe questioned the connectivity of the project to the downtown area and surrounding bike trails. K. Johnson noted several connections to roadways within the development could be made and this issue would be explored further in future planning.

K. Fitzgerald questioned the small lot sizes as a result of Smart Growth planning and planned development in this case as he thought this concept would only be allowed for environmental reasons only. R. Dupler explained this kind of development could be for utilization of a natural feature worthy of preservation. He went on to note the mix of housing calculations related to green space. He questioned a shortage of square footage of green space.

P. Davis stated the stormwater calculations in the R-4 green space being proposed were utilized to provide green space in this case. R. Dupler noted that if utilized in calculations, these lots would then be “locked into” green space into perpetuity.

R. Dupler went on to explain he supported the concept in this project, as many privately constructed projects did not support envirocentric planning with less impervious surface area. He encouraged the use of impervious pavement and questioned whether the Public Works Staff would support a raised median in the

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

boulevard area. He also suggested additional trees be added to the canopy area on the boulevard.

K. Fitzgerald stated he would like to respect the R-3 zoning for the project as that was the designation assigned to the land in this case.

Mayor McAleer stated he thought the quality of the project would offset the need for that.

Discussion ensued regarding whether the wooded green space on the southerly end of the property would be worthy of preservation. Further discussion ensued regarding the setbacks proposed for the project and whether planned unit development should be a planning mechanism for this project.

L. Chapman stated he liked the planned unit development as the natural features were preserved. He thought the project would result in a really nice housing project upon completion.

M. Frede stated he liked the plan but understood K. Fitzgerald's concern for the zoning issues. L. Chapman and K. Attwell agreed. K. Fitzgerald noted a great deal of time had been spent discussing the planning found within the Smart Growth document for this reason.

J. McCormick stated he thought when lots were grouped in this way; there was more of a neighborhood concept within the project.

Additional discussion ensued regarding the potential zoning for surrounding parcels and the impacts that could be realized for various housing projects on those parcels.

J. McCormick stated there could be 24 duplex units on the R-3 zoning portion of the project that was currently designated as green space as he thought this plan was far superior to that concept despite what was allowed by the zoning for these parcels.

R. Dupler explained the existing R-3 zoning did allow duplexes but the Smart Growth document discouraged this. If the lots were existing lots, then duplexes could be built at any time; however, since the lots were new, the City had the right to determine if the lots could be utilized as something else.

M. Frede liked the compromise of the planned unit development with fewer lots and less duplexes. Mayor McAleer stated he thought this made sense. K. Fitzgerald stated he was more comfortable utilizing the woods as a feature rather

## CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

than trading lot designation as he believed that was a “slippery slope” that could cause many problems in the future.

M. DeYoe stated she would like to see connector routes for bike paths examined as part of future planning for this project as she thought it was important to provide connections for people.

J. McCormick, K. Johnson, and P. Davis thanked the Commission for its time spent on this matter.

### 7. ZONING AND ORDINANCE REVISION

#### a. DISCUSSION AND ACTION ON MULTIPLE PARCELS PROPOSED FOR REZONING THROUGHOUT THE CITY, TO BE CONSISTENT WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN

Due to the lateness of the hour, Mayor McAleer stated there would be a special meeting of the Plan Commission to discuss this item on January 13, 2010, at 7:00 p.m. in a meeting room on the first floor of the Public Safety Building.

### 8. HEARING DATES

G. Gresch stated there were no hearing dates slated for the next month.

### 9. ADMINISTRATOR’S REPORT

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

### 10. PLANNER’S REPORT

R. Dupler stated he had met with a city resident recently regarding Ordinance 619. He thought valid points were made by the resident and he would have the City Attorney review the ordinance to make sure the intent of the ordinance was correctly written. More information would be available at a special meeting of the Plan Commission to consider the rezoning topics heard at this meeting. The Special meeting of the Plan Commission was slated for January 13, 2010, at 7:00 p.m. on the first floor of the Public Safety Building.

### 11. BUILDING INSPECTOR’S REPORT

T. Maney stated the total number of permits to date was 18 with no new occupancy permits and no new single family home permits for this month.

### 12. BOARD OF ZONING APPEALS

G. Gresch noted there were no items slated for a Board of Zoning Appeals Meeting at this time.

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

13. CORRESPONDENCE

- a. LETTER FROM ATTORNEY HAMMES REGARDING FOXWOOD CROSSINGS DEVELOPMENT - GEASON/NAGAWICKA VIEW DAIRY FARMS PROPOSED REZONING

14. ADJOURNMENT

**M. DEYOE MOTIONED TO ADJOURN THE DECEMBER 16, 2009, PLAN COMMISSION MEETING AT 10:39 P.M. L. CHAPMAN SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.**

Minutes prepared by:

Accurate Business Communications, Inc.

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

**EMAILS REGARDING PROPOSED REZONE CHANGES**

---

Date: Wed, 09 Dec 2009 19:15:47 -0600  
To: "Ed McAleer" emcaleer@ci.delafield.wi.us  
Subject: Legion rezoning

WE ARE OPPOSED TO THE CHANGING OF ZONING FROM R-3 TO C-1 FOR THE PROPERTY AT 333 N LAPHAM PEAK RD, DELAFIELD, THE DELAFIELD LEGION POST. IT WOULD ELIMINATE THE OPPORTUNITY FOR EXPANSION AND REMODELING IN WHICH THERE ARE PLANS FOR IN THE FUTURE.

SINCERELY, Paul and Audrey Kellner

---

Date: Wed, 09 Dec 2009 13:24:10 -0600  
To: emcaleer@ci.delafield.wi.us  
Subject: Proposed Post 196 Zoning change

As a member of Amer. Legion Post 96, I am totally opposed to a change from R-3 to C-1 Zoning for the post. The City of Delafield is supposed to support Vets----not get in their way.

Respectfully, Robert H. Hafmann

---

Date: Wed, 09 Dec 2009 13:31:37 -0600  
To: emcaleer@ci.delafield.wi.us  
Subject: Zone Changes

We at the Delafield Legion Post 196 Have received a notice from the City of Delafield notifying us that the city planner, has submitted to the planning commission a change in the zoning for the Delafield Legion property at 333 N Lapham Peak Rd Delafield WI 53018 from R3 to C1. That is from a residential status to a conservative status. This has been brought on by the need to rezone in order to abide by a Smart Growth plan the City of Delafield needs to establish.

We have the right and obligation to be heard on the fact we DO NOT want this change. Changing our zoning would mean that if anything would happen to the Legion Post Building we would not be able to rebuild, expand or remodel.

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

Please let the Planning Commission know that we do not want these changes in our zoning status. I cannot think of anyone who would want to zone their own property in such a manner that they could never improve, or change their property!

If anyone on the commission is willing to have their own property zoned in such a manner, I would love to acknowledge them. Honestly I know that no one would want such an ordinance on their back, please do not put it upon us, your true servants for the community.

Respectfully submitted, Veteran, Community member and friend, Neil E. Rand PhD, Past Legion Commander

---

Date: Wed, 09 Dec 2009 09:12:42 -0600  
To: emcaleer@ci.delafield.wi.us  
Subject: Zoning change of AL Post 196

WE ARE OPPOSED TO THE CHANGING OF ZONING FROM R-3 TO C-1 FOR THE PROPERTY AT 333 N LAPHAM PEAK RD, DELAFIELD, THE DELAFIELD LEGION POST. IT WOULD ELIMINATE THE OPPORTUNITY FOR EXPANSION AND REMODELING IN WHICH THERE ARE PLANS FOR IN THE FUTURE.

SINCERELY, LuAnn & Gary Meyers

---

Date: Wed, 09 Dec 2009 07:53:55 -0600  
To: emcaleer@ci.delafield.wi.us  
Subject: New Zoning Proposition

WE ARE OPPOSED TO THE CHANGING OF ZONING FROM R-3 TO C-1 FOR THE PROPERTY AT 333 N LAPHAM PEAK RD, DELAFIELD, THE DELAFIELD LEGION POST. IT WOULD ELIMINATE THE OPPORTUNITY FOR EXPANSION AND REMODELING IN WHICH THERE ARE PLANS FOR IN THE FUTURE.

SINCERELY, James L. Brucks, SAL member, Delafield Legion Post 196

---

Date: Tue, 08 Dec 2009 18:45:46 -0600  
To: emcaleer@ci.delafield.wi.us  
Subject: Delafield Legion Zoning

WE ARE OPPOSED TO THE CHANGING OF ZONING FROM R-3 TO C-1 FOR THE PROPERTY AT 333 N LAPHAM PEAK RD, DELAFIELD, THE DELAFIELD LEGION POST. IT WOULD ELIMINATE THE OPPORTUNITY FOR EXPANSION AND REMODELING IN WHICH THERE ARE PLANS FOR IN THE FUTURE.

SINCERELY, Candace Hare, 1308 E Devonshire Rd, Delafield, WI 53018

---

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

Date: Tue, 08 Dec 2009 19:47:25 -0600  
To: emcaleer@ci.delafield.wi.us  
Subject: Delafield Legion Zoning

WE ARE OPPOSED TO THE CHANGING OF ZONING FROM R-3 TO C-1 FOR THE PROPERTY AT 333 N LAPHAM PEAK RD, DELAFIELD, THE DELAFIELD LEGION POST. IT WOULD ELIMINATE THE OPPORTUNITY FOR EXPANSION AND REMODELING IN WHICH THERE ARE PLANS FOR IN THE FUTURE. Please think about what you will be doing to a long standing organization that does a tremendous amount of good for our community. We believe that rezoning would damage the future for both the Legion and the community.

SINCERELY, Pat and Bill Boenning, 1515 Milwaukee St, Delafield, WI 53018

---

Date: Thu, 10 Dec 2009 07:15:02 -0600  
To: emcaleer@ci.delafield.wi.us  
Subject: [SPAM]: Rezoning of American Legion

WE ARE OPPOSED TO THE CHANGING OF ZONING FROM R-3 TO C-1 FOR THE PROPERTY AT 333 N LAPHAM PEAK RD, DELAFIELD, THE DELAFIELD LEGION POST. IT WOULD ELIMINATE THE OPPORTUNITY FOR EXPANSION AND REMODELING IN WHICH THERE ARE PLANS FOR IN THE FUTURE.

SINCERELY, Sue Kerwin, 1315 E. Devonshire Rd., Delafield WI

---

**Sent:** Thursday, December 10, 2009 10:14 AM  
**To:** Roger Dupler  
**Subject:** Zoning Change

Roger:

In lieu of my attendance at the open house tonight, I wanted to state to you that I'm very much in favor of a CBD-1 Zoning for my parcels on Wells Street. Thanks for your hard work on behalf of the city.

Regards,

Jason Steiner, President and CEO, [Ace World Wide & Steiner Group Companies](#), 1900 E College Avenue, Cudahy, WI 53110

---

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

-----Original Message-----

From: Thomas Rolfs [mailto:[Tomrolfs@redtopcapital.com](mailto:Tomrolfs@redtopcapital.com)]  
Sent: Wednesday, December 16, 2009 3:35 PM  
To: Gina Gresch; [emcaleer@ci.delafield.wi.us](mailto:emcaleer@ci.delafield.wi.us)  
Subject: Zoning Change to CBD2

To whom it may concern,

I and my brother Theodore Rolfs are fully in favor of the proposed zoning change for the 700 block of N. Main Street. The zoning should be consistent within the block and consistent with the Master Plan of the City.

While the change from residential to commercial appears to be significant our use and remodeling of our property at 737 Main Street has caused no disruption to the neighborhood and has enhanced the value of our property and the properties around us. The intensity of use as a commercial structure will be governed by the operating agreement and the limited availability of parking.

Professional offices are a low impact and appropriate use of downtown properties. In addition our business and others like it enjoy the amenities that Delafield has to offer. The numerous restaurants and the Delafield Hotel are a great attraction for us and are used frequently by us and our business clientele.

A zoning change should not force people out of their homes and should be approached with caution and control. In this case the control is in place and there is no pending development that I am aware of, just a change in use from residential to a low impact business use. It also allows the City to have a say in the remodeling and use process through the Operating Agreements for Commercial Districts.

Thank-You for your time,

Tom Rolfs

---

Dear Mayor McAleer,

I am a property owner at 714 Milwaukee St in the proposed zoning change to CBD-2 area. I did sign a petition against the zoning change and it was submitted tonight at your hearing. I was unable to attend due to an illness. However, I did watch the hearing on the television. I would like to point out a few facts that I would hope you would consider before making your decision. One of the very few residential people in favor of the zoning change was Dan and Jeanie Collins. They spoke how it would benefit the community. They turned in a petition with signatures in favor of this and a few of the names were mentioned. Many of the signatures on that petition are NOT property owners in Delafield. Charles Holland who spoke in favor of the

**CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES**

zoning change and signed the petition from Dan Collins is NOT a property owner. Nick and Tami Wirth also signed that petition. They are renters, NOT property owners. I would hope that when you review petitions turned in for favoring or objecting to the zoning change, you would verify that the people who have signed, are the property OWNERS who pay taxes and not just token names to make the list longer. I am against the zoning change because we need the actual business district downtown now to be operating at full capacity and making use of the properties available there. Extending the district will cause more vacant buildings and will not make a happening tourist town of Delafield. It will show the tourists and potential shoppers that there isn't enough business and interest here to make them want to come to Delafield. Thank you for your consideration of these facts and I welcome any thoughts or comments you may have.

Lisa Gilbert

---

Date: Fri, 11 Dec 2009 07:16:40 -0600  
To: emcaleer@ci.delafield.wi.us  
Subject: Legion rezoning

WE ARE OPPOSED TO THE CHANGING OF ZONING FROM R-3 TO C-1 FOR THE PROPERTY AT 333 N LAPHAM PEAK RD, DELAFIELD, THE DELAFIELD LEGION POST. IT WOULD ELIMINATE THE OPPORTUNITY FOR EXPANSION AND REMODELING IN WHICH THERE ARE PLANS FOR IN THE FUTURE.

SINCERELY, Valerie B Marek, a Legion member

---