

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
Michele DeYoe
Kevin Fitzgerald
Chris Smith
Roger Dupler, Planner
Gina Gresch, City Clerk/Treasurer
Tim Schuenke, City Administrator

Absent

Dirilee Curtis Costa
Larry Chapman-
Michael Frede

ZONING CODE TEXT AMENDMENT – BOATHOUSE GEOMETRIC REQUIREMENTS

APPLICANT: CITY OF DELAFIELD

MATTER: CONSIDERATION OF AN ORDINANCE AMENDING **SECTIONS 17.22(7) - BOATHOUSES** OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD RELATING TO BOATHOUSES. MORE SPECIFICALLY, TO CLARIFY GEOMETRIC REQUIREMENTS THIS AMENDMENT MAY HAVE AN EFFECT ON ANY PROPERTIES ADJACENT TO SHORELAND WITHIN THE CITY, BUT WILL NOT AFFECT BOATHOUSE LOCATION. A MAP OF THE AFFECTED PROPERTIES MAY BE OBTAINED FROM THE CITY CLERK

Mayor McAleer opened the Public Hearing at 7:01 p.m.

There was no one present wishing to speak on this matter.

**K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING ON BOATHOUSE GEOMETRIC REQUIREMENTS AT 7:02 P.M.
K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.**

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PUBLIC HEARING #2: **CONDITIONAL USE TO EXTEND CELL TOWER HEIGHT**

APPLICANT: OPEN RANGE COMMUNICATIONS, INC. AND SBA TOWERS, INC.

OWNED BY: SBA TOWERS, INC. AND CUSHING PARK BUSINESS CENTER, LLC.

LEGAL DESCRIPTION DELC 0794.017.004, 258 ENTERPRISE ROAD

LOT 7 CUSHING PARK BUSINESS CENTER PT NW1/4 SEC 19 T7N R18E 2.41 AC R2239/948

MATTER: APPLICANT SEEKS APPROVAL OF A CONDITIONAL USE TO EXTEND AN EXISTING CELL TOWER FROM 120' IN HEIGHT TO 140' IN HEIGHT, AND RELATED GROUND MOUNTED APPLIANCES

Mayor McAleer opened the Public Hearing at 7:02 p.m.

There was no one present wishing to speak on this matter.

K. ATTWELL MOVED TO CLOSE THE PUBLIC HEARING ON THE CONDITIONAL USE TO EXTEND THE CELL TOWER HEIGHT AT 7:03 P.M. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

1. APPROVE PLAN COMMISSION MEETING MINUTES OF JANUARY 24, 2010

M. DEYOE MOVED TO APPROVE THE JANUARY 24, 2010 PLAN COMMISSION MEETING MINUTES AS PRESENTED. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. THREE WERE IN FAVOR. C.SMITH ABSTAINED. MOTION CARRIED.

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

Beth Leonard, 2313 Nagawicka Road, and Alderman for District 2, stated she was present regarding Item 9A related to tree preservation. As a Council member, she requested Staff and the Plan Commission review the issue of tree preservation. The City Code did a good job of protecting trees through ordinances related to new residential and commercial construction and planned developments; however there were no tree preservation regulations for single family lots in the City when residents were remodeling or rebuilding a structure. These regulations were needed particularly for lake lots where she believed trees were especially critical to mitigating erosion and runoff issues. She requested Staff research the matter with regard to other municipalities' regulations on this subject, and if needed, place the issue on a future agenda of the Plan Commission for additional discussion and recommendation.

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K. ATTWELL MOVED TO CLOSE CITIZEN'S COMMENTS PERTAINING TO SUBJECTS ON THE AGENDA AT 7:06 P.M. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

3. CONSENT AGENDA

G. Gresch read the items on the Consent Agenda.

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

- a. **DELC 0801.999.009, 2901 GOLF ROAD, DELAFIELD. OWNER: NAGAWAUKEE SQUARE, LLC. APPLICANT: WALGREEN CO, 2901 GOLF ROAD, DELAFIELD. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION AMENDMENT TO ALLOW THE SALE OF BEER AND LIQUOR. IF APPROVED, THE COMMON COUNCIL WILL TAKE ACTION ON THE CLASS "A" BEER AND "CLASS A" LIQUOR LICENSE**

Approved. See above.

- b. **DELC 0803.972, 1913 HILLSIDE COURT, DELAFIELD. OWNER/APPLICANT: STEVE WARE, 1913 HILLSIDE COURT, DELAFIELD. OWNER/APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A GENERAL CONTRACTOR CONSULTANCY BUSINESS, WARE DESIGN, LLC. HOURS OF OPERATION ARE WEEKDAYS 8:00 A.M. TO 5:00 P.M. WITH 1 PART-TIME AND 1 FULL-TIME EMPLOYEE**

Approved. See above.

- c. **DELC 0798.001, 600 MILWAUKEE STREET, DELAFIELD. OWNER: DMK INVESTMENTS, LLC. APPLICANT: DAVID E. KOWALSKE, SR., 4690 MARTHA LANE, PEWAUKEE. APPLICANT SEEKS APPROVAL OF A BUSINESS PLAN OF OPERATION FOR A KITCHEN AND BATH REMODELING BUSINESS, KOWALSKE KITCHEN AND BATH. HOURS OF OPERATION ARE WEEKDAYS 10:00 A.M. TO 5:30 P.M., SATURDAYS 10:00 A.M. TO 4:30 P.M. WITH 1 PART-TIME AND 2 FULL-TIME EMPLOYEES**

Approved. See above.

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4. FINAL CONSIDERATION, APPROVALS, PREVIOUS APPROVAL

- a. **DELC 0794.017.004, 258 ENTERPRISE ROAD, DELAFIELD.** OWNER: SBA TOWERS, INC. AND CUSHING PARK BUSINESS CENTER, LLC. APPLICANT: OPEN RANGE COMMUNICATIONS, INC. AND SBA TOWERS, INC. APPLICANT SEEKS APPROVAL OF A CONDITIONAL USE TO EXTEND AN EXISTING CELL TOWER FROM 120' IN HEIGHT TO 140' IN HEIGHT, AND RELATED GROUND MOUNTED APPLIANCES, AND RECOMMENDATION TO THE COMMON COUNCIL OF THE SAME.

Mayor McAleer noted a letter had been received from a resident that owned property in the business park next to the cell tower that had expressed concern about the proposed height of the pole and the ability to sell his adjacent lot in the future.

M. DeYoe questioned whether the proposed height of 140 feet was within the allowable height regulations in the City Code. R. Dupler explained this was the case; however, in this matter, the property was subject to conditional use with approval required for modifications, thus, the matter had been placed on this meeting agenda for Commission consideration. M. DeYoe questioned the "fall zone" for the tower. R. Dupler explained the property adjacent was not occupied and the fall zone would not impact anything outside the cell tower property.

M. DEYOE MOVED TO APPROVE A CONDITIONAL USE TO EXTEND AN EXISTING CELL TOWER FROM 120' FEET IN HEIGHT TO 140' IN HEIGHT AND RELATED GROUND MOUNTED APPLIANCES AS PRESENTED CONTINGENT UPON THE APPROVAL OF A YAGGY COLBY ENGINEER FOR DELC 0794.017.004, 258 ENTERPRISE ROAD, DELAFIELD. OWNER: SBA TOWERS, INC. AND CUSHING PARK BUSINESS CENTER, LLC. APPLICANT: OPEN RANGE COMMUNICATIONS, INC. AND SBA TOWERS, INC. K. ATTWELL SECONDED THE MOTION. R. DUPLER NOTED WITH REGARD TO THE ISSUE OF SCREEN FENCING, THE APPLICANT HAD AGREED TO MATCH THE MASONRY ARCHITECTURE OF THE FENCE TO THE BUILDING ARCHITECTURE ON SITE. M. DEYOE AMENDED THE MOTION TO APPROVE A CONDITIONAL USE TO EXTEND AN EXISTING CELL TOWER FROM 120' FEET IN HEIGHT TO 140' IN HEIGHT AND RELATED GROUND MOUNTED APPLIANCES CONTINGENT UPON THE APPROVAL OF A YAGGY COLBY ENGINEER, AND TO HAVE THE MASONRY SCREENING MATCH THE EXISTING ARCHITECTURE FOR DELC 0794.017.004, 258 ENTERPRISE ROAD, DELAFIELD. OWNER: SBA TOWERS, INC. AND CUSHING PARK BUSINESS CENTER, LLC. APPLICANT: OPEN RANGE COMMUNICATIONS, INC. AND SBA TOWERS, INC. AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME AS A MAJOR CHANGE TO THE CONDITIONAL USE FOR THE PROPERTY. K. ATTWELL AGREED TO THE AMENDMENT. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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5. PLANS OF OPERATION, SIGNAGE AND SITE PLAN

- a. **DELC 0803.972, 1913 HILLSIDE COURT, DELAFIELD. OWNER/APPLICANT: STEVE WARE, 1913 HILLSIDE COURT, DELAFIELD. OWNER/APPLICANT APPEALS STAFF RECOMMENDATION FOR DENIAL OF AN EXISTING SIGN.**

R. Dupler explained the applicant owned and operated an architectural business on Hillside Court in his home. The business was brought to the attention of Staff this winter. Steve Ware, applicant, and his wife were the only employees for the business currently in operation. Parking was not an issue; however, the sign for the business did not conform to the City's sign code due to its size and setback. R. Dupler also noted that if the sign were to be placed at the correct setback location, it would be located in the wooded portion of the lot. An alternative was suggested to utilize the sign as a construction sign for the business elsewhere. This item was on the agenda for this meeting, as Staff could not approve the sign due to its size.

C. Smith stated he had driven by the property and while he thought the sign looked great, he was surprised by how large the sign was in a residential neighborhood.

R. Dupler explained in response to a question by K. Attwell, that the appropriate sign program paperwork had not been submitted prior to this request.

Steve Ware, applicant, was present and explained the sign's original intent was as a construction sign to be utilized during the remodeling of the home. Since the construction was not yet finished, he thought it would be convenient if the sign could be left onsite until the remodeling was completed.

K. ATTWELL MOVED TO HAVE THE APPLICANT REMOVE THE SIGN AND WORK WITH STAFF TO PROVIDE SIGNAGE IN COMPLIANCE WITH THE CURRENT CITY SIGN CODE. MOTION FAILED FOR LACK OF A SECOND.

R. Dupler stated the sign was three times as large as it should be in this case.

S. Ware stated no one complained in the neighborhood.

Mayor McAleer stated he thought it was important to conform to the sign code in this case to avoid setting a precedent in the City.

K. Attwell stated there was a sign that was currently hanging in a tree along Highway 83, and he was not interested in having non-conforming signs all over the City as it did not support the intent of the sign program.

C. Smith stated while he was in agreement that the sign size should conform to City Code, he was willing to be flexible about the location of the sign.

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C. SMITH MOVED TO APPROVE THE SIGNAGE BEING PLACED CLOSER TO THE ROAD IN THIS LOCATION; BUT THE SIGN MUST CONFORM TO THE CITY SIGN CODE IN ITS SIZE. K. FITZGERALD SECONDED THE MOTION. K. ATTWELL STATED THIS MOTION WOULD ALLOW SIGNS IN RESIDENTIAL AREAS TO BE PLACED NEAR THE STREET. MAYOR MCALEER AGREED, NOTING THIS WOULD BE SETTING A PRECEDENT IF ALLOWED. K. FITZGERALD CLARIFIED THE SETBACK AS BEING 50 FEET DUE TO THE ZONING DESIGNATION FOR THIS LOT. R. DUPLER AGREED. MAYOR MCALEER QUESTIONED WHETHER THIS WOULD BE TYPICAL FOR ALL RESIDENTIAL ZONING DISTRICTS. R. DUPLER STATED THAT WOULD BE THE CASE FOR LOTS ZONED RURAL ESTATE (RE-1, 2, AND 3). THE CONCERN WAS RELATED TO KEEPING THE SIGN FROM BEING TOO CLOSE TO THE STREET. MAYOR MCALEER SUGGESTED THE USE OF A 20 FOOT SETBACK INSTEAD OF 50 FEET. M. DEYOE QUESTIONED WHETHER ANY OTHER OPTIONS WERE AVAILABLE IN THIS MATTER. R. DUPLER STATED A SANDWICH BOARD COULD BE PLACED, BUT NO OTHER SIGNAGE WOULD BE ALLOWED. K. ATTWELL EXPLAINED THE HOME BUSINESS ON HIGHWAY 83 HAD ALLOWABLE SIGNAGE DUE TO THE HIGH SPEED OF THE TRAFFIC ON THE ROADWAY AND THAT MOTORISTS WOULD NOT BE ABLE TO VIEW THE SIGN WHILE TRAVERSING THE ROADWAY AT THOSE SPEEDS IF IT WERE THE REQUIRED SIZE AND LOCATION. K. FITZGERALD CLARIFIED THAT SIGNAGE HAD ALREADY SET A PRECEDENT IN THE RE-2 ZONING DISTRICT. R. DUPLER AGREED. K. FITZGERALD NOTED THE LOCATION OF THE APPLICANT WAS ON A CUL DE SAC. K. ATTWELL QUESTIONED THE VALUE OF THE SIGN IN THIS LOCATION. S. WARE STATED THE SIGNAGE DESIGNATED HIS DRIVEWAY TO CLIENTS FROM ALL OTHER DRIVEWAYS LOCATED IN THE SAME AREA. **THERE WAS NO FURTHER DISCUSSION. TWO VOTED IN FAVOR. M. DEYOE, K. ATTWELL, AND MAYOR MCALEER VOTED NAY. MOTION FAILED.**

6. PRELIMINARY

- a. **DEL C 0622.999, 2777 MISSION ROAD, NASHOTAH.** OWNER: NASHOTAH HOUSE THEOLOGICAL SEMINARY. APPLICANT: MATT HEATON, 1407 E. SUNSET DRIVE, WAUKESHA. APPLICANT SEEKS PRELIMINARY FEEDBACK FOR A BUILDING ADDITION AND ASSOCIATED SITE PLAN MODIFICATIONS THAT CONSTITUTE A MAJOR CHANGE TO THE CONDITIONAL USE. CONSIDER SCHEDULING PUBLIC HEARING ON MARCH 31, 2010

R. Dupler stated he had worked with the applicant on this project thus far and he introduced Matt Heaton to the Commission.

M. Heaton, 1407 East Sunset Drive, Waukesha, architect for the project, was present representing the Nashotah House Theological Seminary. He provided an overview of the parcel and noted additions to the refectory and dining hall with a distinctive cone shaped roof with a cupola atop it. The existing structure had

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been built in 1964 and had no renovations since that time. He explained the existing structure included a one story building with a full basement and the addition would provide another one story building attached with a partially exposed basement. The addition would be constructed to the north and west of the existing building where the current tennis courts were located. A multi-purpose room with seating for over 200 people would be constructed along with supporting bathroom facilities for the refectory and dining hall. A new entrance way to the north would include bathroom facilities, elevator and gallery area to access the existing parking area for the new addition. An accessible ramp area was also being proposed as part of the construction. Approximately 4,550 square feet was being added to the upper level. The lower level would have five activity rooms, remodeled bathroom facilities as well as a lower level walkout and stairway to lead up to grade with a landscaped patio area. A choir loft was also being added to the multi-purpose area and would overlook the multi-purpose area below. A stairway from below would access the choir loft. No noted changes to elevations or grade would be made. The only difference noted from the previously submitted documents in this case was that the roof was being revised with light towers on the east and west ends over the choir loft and dining areas to allow light to enter these areas. A small gable roof was being modified from the submitted documents over the lobby area to allow light to enter this location as well.

K. Attwell stated he really liked the design and questioned the use of exterior materials. M. Heaton noted the exterior materials for the new construction would match the existing structure. The roof would also be designed with either a stamped metal roof or clay tiles being placed to match the existing architectural materials.

C. Smith stated he thought the designs presented were outstanding.

M. Heaton explained a civil engineer continued to work on the grading, storm water, and impervious surface calculations with that information being submitted to the City in early March, 2010.

C. Smith also suggested the use of LED lighting on site to the extent possible with the new construction.

K. ATTWELL MOVED TO SCHEDULE A PUBLIC HEARING ON MARCH 31, 2010, FOR A MAJOR CHANGE TO THE CONDITIONAL USE FOR DELC 0622.999, 2777 MISSION ROAD, NASHOTAH. OWNER: NASHOTAH HOUSE THEOLOGICAL SEMINARY. APPLICANT: MATT HEATON, 1407 E. SUNSET DRIVE, WAUKESHA AND TO INCLUDE A CAMPUS WIDE SITE REVIEW, MASTER PLAN, AND DESCRIPTION OF PARKING PROGRAM AS SPECIFIED BY THE CITY PLANNER. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

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- b. **DELC 0798.893, DELAFIELD LAKES PHASE 2 / DELAFIELD WOODS, EXTENSION OF BLEEKER STREET.** OWNER: JOE MCCORMICK. APPLICANT: JOHNSON DESIGN, INC., 211 W. SECOND STREET, OCONOMOWOC. APPLICANT SEEKS PRELIMINARY FEEDBACK FOR REVISED CONCEPT PLAN

R. Dupler explained the petitioner had returned with a modified concept of the Delafield Lakes Phase 2, Delafield Woods project that included an extension of Bleeker Street. He explained the architect for the applicant would discuss site plan changes in order to facilitate a specific recommendation to the Public Works Committee for additional review of this project.

Kent Johnson, of Johnson Designs, and Rob Davy of Lake Country Engineering, were present. K. Johnson noted Joe McCormick, applicant, was on his way to this meeting but had not yet arrived.

K. Johnson then reviewed the site location map for the revised concept plan. Lake Street would be abandoned as part of the project and Division Street would continue into the project. Nothing had changed in this concept with regard to density on site. However, there were areas requiring clarification from the Commission regarding the direction the project should take in moving forward. Concerns related to the alley location near the American Transmission site were heard, as well as the narrowing of Bleeker Street at the corner of Division and the extension of Bleeker Street as part of the project. Parking spaces were added and some sidewalks had been moved to accommodate the necessary parking for residents. Common areas and a bike path had also been added to the site plan

K. Johnson explained Jim Behrends owned the strip of land to the east from the site and J. Behrends had been working cooperatively with J. McCormick with no opposition to the project plans. K. Johnson would continue working with Knothe and Bruce of Madison to seek approval from the City in the next month or two to continue to move the project forward.

R. Davy reviewed the engineering issues related to the conceptual site plan at this time. Stormwater facilities would include the use of rain gardens as one method of infiltration. He also reviewed cross sections for various graded areas on the site. Concern was noted in the area of Wells and Bleeker Streets. Bleeker Street was currently 18 feet wide. The plans called for a road width of 27 feet that would need to match into the 18 foot width of Bleeker Street. He questioned how to make this happen. In addition, he noted there were pines on the site that would pose difficulty as the road width could potentially necessitate the removal of the trees. An eight foot bike path could be laid with minimal disturbance in certain areas and Division Street could continue through the site as planned.

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R. Davy explained that the Lake Street extension was currently a gravel drive right of way area that adjacent property owners used for parking. With the plan, the house on the adjacent parcel would be served off Division Street. R. Dupler further explained the project required two points of egress. He noted there was a benefit to the City in connecting the project to Lake Street as it connected the street grid.

Discussion ensued regarding which way the traffic would egress the project site to reach the nearby roadways to access the Interstate.

R. Davy also explained that at some point Bleeker Street had gotten shifted over 33 feet from where it was originally platted. The dilemma existed in how to get Bleeker from where it was in the 1800's to where it should be physically to accommodate the project. This plan was trying to keep a 14 foot lane width but near Wells Street the road would be 13 feet total road width with no parking near the corner.

K. Attwell questioned why the roadway could not be straightened. R. Davy explained there were two main power poles located where the road should be and many wires that connected to the poles.

Discussion ensued regarding the possible options for the roadways proposed. Mayor McAleer stated he thought it best for the Public Works Committee to review this plan and provide input. R. Dupler stated this situation was odd in that it had a wide right of way and a boulevard in the center of that right of way area. He thought it would be helpful to the City to include the sidewalks in the right of way area and to plat the right of way with an outlot in the center. In this way, the developer would be responsible for maintaining the center island area.

K. Fitzgerald questioned the density calculations related to lot size, width and necessary setbacks for the project. R. Dupler reviewed the density calculations for the Commission, noting that he would review these calculations and attempt to resolve the issue before the next Plan Commission meeting. The issue was confusing as the project included three different densities due to three different zoning designations that comprised the current parcels in the project. In addition, credited amounts in the calculations could be applied to other zoning areas where the calculated allowances fell short of the requirements. He believed the answer to this question could be found in the City's Comprehensive Plan but he would need time to research this matter more thoroughly before the next Commission meeting.

K. Johnson expressed concern for the need to redesign many of the plan elements if the calculations would need to be reconfigured. To bring the houses closer to the street would defeat the conceptual purpose of the project.

J. McCormick questioned whether it was possible to achieve the project design through the variance process. R. Dupler explained the Planned Unit Development in theory already allowed a variance to take place in this case.

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R. Davy questioned which option the Commission liked better for the bike path location. K. Attwell stated if there was no connection possible then he thought Division Street should be extended to Oneida. At the intersection of Oneida and Division Streets, the bike path could come through and connect to other sidewalk/path areas in the City.

A discussion of parking spaces for the project was held at this time. Locations were noted and the possibility of land bank parking was also discussed. It was better to have the parking on the site rather than on any new City streets to accommodate residential use for the project. A discussion of potential roadway connections and related travel routes to the Interstate was held briefly at this time.

R. Dupler stated this matter would be placed on next month's Plan Commission meeting agenda for additional discussion and consideration.

K. ATTWELL MOVED TO SCHEDULE A PUBLIC HEARING FOR A REVISED CONCEPT PLAN FOR DELC 0798.893, DELAFIELD LAKES PHASE 2 / DELAFIELD WOODS, EXTENSION OF BLEEKER STREET. OWNER: JOE MCCORMICK. APPLICANT: JOHNSON DESIGN, INC., 211 W. SECOND STREET, OCONOMOWOC ON MARCH 31, 2010 AND TO REQUEST THE APPLICANT PROVIDE A POPULATION ANALYSIS AS WELL AS ALL OTHER ORDINANCE REQUIREMENTS AS REQUESTED BY THE CITY PLANNER. M. DEYOE SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. ZONING AND ORDINANCE REVISION

- a. DISCUSSION AND ACTION TO RECOMMENDATION TO THE COMMON COUNCIL TO ADOPT ORDINANCE NO. 630, AN ORDINANCE REPEALING AND RECREATING SECTION 17.22(7) OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN RELATED TO BOATHOUSE LOCATION.

K. ATTWELL MOVED TO RECOMMEND TO THE COMMON COUNCIL TO ADOPT ORDINANCE NO. 630, AN ORDINANCE REPEALING AND RECREATING SECTION 17.22(7) OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN RELATED TO BOATHOUSE LOCATION. K. FITZGERALD SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

8. HEARING DATES

G. Gresch stated there were three public hearings slated for the March 31, 2010 Plan Commission Agenda.

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9. ADMINISTRATOR'S REPORT

A. DISCUSSION AND POSSIBLE ACTION ON TREE PRESERVATION

T. Schuenke stated Alderperson Leonard had requested research be conducted regarding a tree preservation policy, specifically related to single family dwellings and redevelopment of those single family lots.

Mayor McAleer expressed concern for having onerous permitting conditions for residents wishing to remove trees from a property; however, he thought a site plan review would be appropriate if a house was being torn down and reconstructed. A tree inventory could be provided as part of that site plan review.

C. Smith noted if a resident was building a house on a property; the property had more value if there were trees on it. T. Schuenke agreed that was frequently the case, although sometimes residents wanted the trees cut down as they believed them to be detrimental for their own use of the property.

B. Leonard stated she did not want to see lots clear cut to make way for a large house on a parcel of land. She was concerned for impacts to lower density subdivisions in the future if redeveloped.

Mayor McAleer stated historically there was a large consensus for not including a tree preservation policy in residential ordinances. He thought the same standards applied to residential lots would be onerous in comparison with commercial standards, but a site plan review for various lots that included a tree inventory would be appropriate.

K. Fitzgerald questioned whether Staff had queried other cities about ordinances related to tree preservation policies. T. Schuenke stated a quick search had been executed, but he would be happy to ask the State for additional information on this matter.

Concern was expressed by various Commissioners related to the parameters of any proposed ordinance related to tree preservation that would allow flexibility and minimize tree removal. C. Smith stated it might be more prudent to provide educational materials to residents as part of the site plan review process when a property was being redeveloped. K. Attwell stated he could support the educational materials being supplied to area residents for inclusion in the planning process. R. Dupler stated consideration of a scenic preservation ordinance might be helpful in this matter.

T. Schuenke stated he would meet with R. Dupler and the City Attorney to begin to research and craft verbiage related to this issue for discussion at a future Plan Commission meeting.

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10. PLANNER'S REPORT

A. UPDATE ON CUSHING PARK DIRECTIONAL SIGN

R. Dupler explained he had not yet received any response from Waukesha County Staff related to the Cushing Park Directional sign, thus, there was nothing further to report on at this time.

B. RECOMMENDED TEXT AMENDMENTS TO P-1 ZONING DESCRIPTION.

R. Dupler explained the Commission needed to review text amendments to the P-1 zoning district as conditional uses were eliminated as permitted uses for this district as a result of state mandated changes. A discussion of proposed Ordinance 617 was also needed at the next Plan Commission meeting.

11. BUILDING INSPECTOR'S REPORT

T. Maney stated the total number of permits to date was 12 with no occupancy permits this month and no new single family home permits.

12. BOARD OF ZONING APPEALS

None.

13. CORRESPONDENCE

None.

14. ADJOURNMENT

M. DEYOE MOVED TO ADJOURN THE FEBRUARY 24, 2010 PLAN COMMISSION MEETING AT 8:48 P.M. K. ATTWELL SECONDED THE MOTION. ALL WERE IN FAVOR. MOTION CARRIED.

Minutes prepared by:

Accurate Business Communications, Inc.