

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Call to Order

Attwell called the Wednesday, June 24, 2020 Plan Commission meeting to order at 7:00PM.

Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call for the Wednesday, June 24, 2020 Plan Commission meeting:

Present

Kent Attwell, Mayor

Dave Greenway

Dan Jashinsky

Ed Marek

Jim Reiher

Laura Schult

Robert Weiler

Amy Barrows, Planner

Absent

Tim Aicher, Ald.

1. Approve Plan Commission meeting minutes of the May 27, 2020 meeting.

REIHER MOVED TO APPROVE THE MAY 27, 2020 PLAN COMMISSION MEETING MINUTES AS PRESENTED. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

2. City of Delafield Citizen's Comments pertaining to subjects on the Consent Agenda:

Hearing no additional comments pertaining to subjects on the Consent Agenda:, Citizen's Comments were closed.

3. Consent Agenda:

- a. **DELC 0787.075, 810 Genesee Street, Delafield. Owner: Michael Graf, Applicant: Jean Mulvaney.** Applicant seeks approval for a Business Plan of Operation for the operation of Metro Brokers DR Realty. No signage is proposed at this time.

GREENWAY MOVED TO APPROVE THE CONSENT AGENDA AS PRESENTED. REIHER SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

4. City of Delafield Citizen's Comments pertaining to items on or off this Agenda:

Hearing no additional comments pertaining to items on or off this Agenda, Citizen's Comments were closed.

5. Unfinished Business. Items recommended for discussion and possible action:

- a. **DELC 0804.994.016, 2725 Hillside Drive, Delafield. Owner: Heritage Hillside LLC, Applicant: Greg Hughes.** Applicant seeks approval for an Amended Conditional Use Specific Implementation Plan for a Planned Development and Multi-Tenant Sign Program in order to modify the west façade and roofline of the existing building for future signage.

At the request of the applicant, this item was postponed to the July 29, 2020 Plan Commission meeting.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

6. New Business. Items recommended for discussion and possible action:
- a. **DELC 0797.070, 1505 3rd Street, Delafield. Owner: Don Harder.** Applicant seeks approval for a Site Plan and Appearance Review to construct a 6 ft. tall privacy fence along his north lot line.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

Don Harder, 1505 3rd Street, explained the existing 3.5 ft wire fence had posts that faced his residence. The fence had been there for 40 years. He wanted to keep the existing fence and the existing vegetation in its current location on the lot line as a buffer. There were existing trees that would not allow the fence to be moved any closer to the neighbors and a buffer space would be created to allow maintenance to occur. He had attempted to contact several surveyors regarding this matter. Only one responded with an anticipated cost of \$1,000 and survey work completed six to eight weeks in the future. The fence cost would be \$2,600. When talking with his fence contractor, the contractor indicated an unfinished cedar fence could be placed three feet back from the existing wire fence that was shown on the survey submitted for this request with the finished fence side toward the neighboring property. A three-foot buffer would be kept, and the fence location would be three feet off a known fence line. He requested the survey be waived in this matter.

WEILER MOVED TO APPROVE A SITE PLAN AND APPEARANCE REVIEW TO CONSTRUCT A 6 FT. TALL PRIVACY FENCE ALONG HIS NORTH LOT LINE FOR DELC 0797.070, 1505 3RD STREET, DELAFIELD. OWNER: DON HARDER, SUBJECT TO THE FOLLOWING CONDITIONS:

- 1. THE FENCE SHALL NOT BE CONSTRUCTED UNTIL A BUILDING PERMIT IS ISSUED.**
- 2. THE FENCE SHALL BE MOVED AND CONSTRUCTED AT A THREE-FOOT SETBACK FROM THE EXISTING FENCE AS NOTED ON THE SURVEY SUBMITTED WITH THIS REQUEST.**
- 3. THE FINISHED SIDE OF THE FENCE SHALL BE FACED TOWARD THE NEIGHBORING PROPERTY TO THE NORTH AND FIRST STREET.**
- 4. ALL INSTALLATION AND FUTURE MAINTENANCE ACTIVITIES SHALL OCCUR FROM THE SUBJECT PROPERTY ONLY UNLESS APPROVAL IS GRANTED BY THE ADJACENT PROPERTY OWNER.**
- 5. THE FENCE SHALL BE KEPT AND MAINTAINED IN GOOD, SOUND, AND PRESENTABLE CONDITION AT ALL TIMES.**

JASHINSKY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- b. **DELC 0742.013, 4703 Vista Park Court, Delafield. Owner: Parquelynn Village, LLC, Applicant: All Concrete Construction, Inc.** Applicant seeks approval to schedule a public hearing for an Amended Conditional Use, which includes a Planned Development, Site Plan and Appearance Review, and Permanent Signage for the replacement and enlargement of an existing sign.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

The applicant was not in attendance due to the request to schedule a public hearing.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

Barrows provided information on this request, noting the location of the sign would be shifted a bit due to the sign being double-sided instead of v-shaped; however the size of the sign would still comply with the Zoning Code at 94 sf. Setbacks did need to comply with the B-4 Zoning District unless they were modified as part of the Planned Development Conditional Use. The existing sign and new sign would not be any closer to the roadway than they currently were located at 13.9 feet from CTH R and 25.5 feet from Vista Park Road. The applicant had submitted a scaled survey today that noted the sign would not be closer to the roadway and would not be located within a vision corner. Barrows would contact the County Highway Department to be sure the signage was appropriately located. The applicants were still required to submit a scaled survey identifying the location of the proposed sign so that potential setback flexibility and vision corner concerns could be addressed for the July 29, 2020 Plan Commission meeting.

JASHINSKY MOVED TO SCHEDULE A PUBLIC HEARING FOR THE JULY 29, 2020 PLAN COMMISSION MEETING FOR AN AMENDED CONDITIONAL USE, WHICH INCLUDES A PLANNED DEVELOPMENT, SITE PLAN AND APPEARANCE REVIEW, AND PERMANENT SIGNAGE FOR THE REPLACEMENT AND ENLARGEMENT OF AN EXISTING SIGN FOR DELC 0742.013, 4703 VISTA PARK COURT, DELAFIELD. OWNER: PARQUELYNN VILLAGE, LLC, APPLICANT: ALL CONCRETE CONSTRUCTION, INC. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- c. **DELC 0793.990.002, 218 N. Cushing Park Road, Delafield. Owner: City of Delafield, Applicant: Tyson Strankman, Sunvest.** Applicant seeks approval to schedule a public hearing for an Amended Conditional Use, which includes a Site Plan and Appearance Review, for the installation of fencing around recently approved solar panels.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

A slightly revised submittal was received earlier in the day that noted the fence was moved approximately five feet toward the gravel driveway on the east side that potentially would reduce the number of arrays able to fit on the property. The move was done to better accommodate the fence location.

SCHULT MOVED TO SCHEDULE A PUBLIC HEARING AT THE JULY 29, 2020 PLAN COMMISSION MEETING FOR AN AMENDED CONDITIONAL USE, WHICH INCLUDES A SITE PLAN AND APPEARANCE REVIEW, FOR THE INSTALLATION OF FENCING AROUND RECENTLY APPROVED SOLAR PANELS FOR DELC 0793.990.002, 218 N. CUSHING PARK ROAD, DELAFIELD. OWNER: CITY OF DELAFIELD, APPLICANT: TYSON STRANKMAN, SUNVEST. GREENWAY SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

- d. **DELC 0793.990.001, East of 218 N. Cushing Park Road, Delafield. Owner: Delafield-Hartland WPC, Applicant: Tyson Strankman, Sunvest.** Applicant seeks approval to schedule a public hearing for an Amended Conditional Use, which includes a Site Plan and Appearance Review, for the installation of fencing around recently approved solar panels, which will also result in a reduction of the panel area.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

JASHINSKY MOVED TO SCHEDULE A PUBLIC HEARING AT THE JULY 29, 2020 PLAN COMMISSION MEETING FOR AN AMENDED CONDITIONAL USE, WHICH INCLUDES A SITE PLAN AND APPEARANCE REVIEW, FOR THE INSTALLATION OF FENCING AROUND RECENTLY APPROVED SOLAR PANELS, WHICH WILL ALSO RESULT IN A REDUCTION OF THE PANEL AREA FOR DELC 0793.990.001, EAST OF 218 N. CUSHING PARK ROAD, DELAFIELD. OWNER: DELAFIELD-HARTLAND WPCC, APPLICANT: TYSON STRANKMAN, SUNVEST. MAREK SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Tyson Strankman, Sunvest representative, questioned the process moving forward. The process was clarified regarding how best to proceed with ordering materials at this time.

- e. **DELC 0804.982.001, 2980 Golf Court, Delafield. Owner: Delasota, LLC, Applicant: Brian Randall, Davis & Kuelthau.** Applicant seeks approval for a Certified Survey Map to divide a lot into two lots, which will also require approval for a lot without access to a public road.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

Barrows noted sheet 3 of 6 related to the Certified Survey Map (CSM) showing the existing easement for this item was missing in the epacket. The information provided in the document distributed by the applicant at this meeting met the criteria of approval specified in the Engineer's comments pertaining to this matter. Surveyor's comments still required resolution and were anticipated to be easily met.

Brian Randall, of Randall, Davis, & Kuelthau, noted the complete CSM was distributed to all Commissioners at this meeting and the City Planner had an electronic copy also. Randall reviewed the seven pages provided relative to the Certified Survey Map. Sheets One and Two had no change. Sheet Two noted the vacated easements and the underground stormwater detention system. Sheet Three showed the other easements related to WE Energies and the tree on the far westerly side of the parcel. The tree had not been touched and looked good. Sheet Four was not in the epacket but showed the cross-access easement with the two parcels. Lot One (Chick-Fil-A) would need to have access rights through Lot Two to access Golf Court. Sheets Five through Seven had no change other than page numbers. Ownership of the two lots remained with the current owner; however, the proposed action could allow them to be conveyed together or separately in the future. There was no noted negative impact on the historic tree on the westerly portion of the site. The cross-access easement would be non-revocable into perpetuity. Stormwater maintenance was being assigned to Lot Two. The owner of Lot Two would be responsible for maintenance of the stormwater system despite the underground system being located under Lot One. The City of Delafield had the right to traverse the cross-access easement for any maintenance if defaulted by the owner.

MAREK MOVED TO APPROVE A CERTIFIED SURVEY MAP TO DIVIDE A LOT INTO TWO LOTS, WHICH WILL ALSO REQUIRE APPROVAL FOR A LOT WITHOUT ACCESS TO A PUBLIC ROAD UPON COMPLIANCE WITH THE SURVEYOR AND ENGINEER COMMENTS AND ALL NECESSARY EASEMENTS AND ASSOCIATED LANGUAGE SHALL BE REVIEWED, APPROVED, AND RECORDED IN CONJUNCTION WITH THE CSM, INCLUDING STORMWATER, ACCESS TO LOT 1 THROUGH LOT 2, ACCESS TO LOTS 1 AND 2 THROUGH GOLF COURT, AND ANY OTHER EASEMENTS NOTED BY THE SURVEYOR AND ENGINEER FOR DELC 0804.982.001, 2980 GOLF COURT, DELAFIELD. OWNER: DELASOTA, LLC, APPLICANT: BRIAN RANDALL, DAVIS & KUELTHAU AND TO RECOMMEND TO THE COMMON COUNCIL THE SAME. SCHULT SECONDED THE

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Attwell moved to Item 6g at this time.

- f. **DELC 0826.997.001, 3660 Kettle Court East & DELC 0807.985.013, 3708 Kettle Court East, Delafield. Owner: Raley, LLC., Applicant: John Kutz, MSI General.** Applicant seeks conceptual approval for Site Plan and Appearance Review to construct a 10,000 sq. ft. addition to the existing manufacturing building and additional parking.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

John Kutz, MSI General, explained proposed plans included a secondary storm system that would feed into a second basin as part of the proposed addition on the site. The driveway access was in the way of providing a larger basin. The proposed plans including sizing the basin to incorporate a future addition as well as the currently proposed plan. The parking lot had not been constructed by MSI General and was placed there with an understanding that approvals would be completed at the time of placement, but they did not. The current proposal included approval of the parking lot with some upgrades to meet the City's code requirements. The proposal also included a request for a metal panel on the west side of the building addition only. A few small additional windows could be installed if required but the plan was to remove them in the future once the final building expansion took place. Precedent had been set in the City in the immediate area for the use of the metal panel. The addition with the metal panel would be primarily used for warehousing of materials. Discussion ensued regarding parking, light poles, tree mitigation and enhanced landscaping on the site. Kutz agreed with all recommendations presented in the Planner's Report and noted the site would meet requirements.

JASHINSKY MOVED TO APPROVE CONCEPTUAL SITE PLAN AND APPEARANCE REVIEW TO CONSTRUCT A 10,000 SQ. FT. ADDITION TO THE EXISTING MANUFACTURING BUILDING AND ADDITIONAL PARKING SUBJECT TO THE FOLLOWING ITEMS BEING ADDRESSED:

- 1. SUBMITTAL OF A LANDSCAPING PLAN WITH CONSIDERATION GIVEN TO THE PARKING LOT REQUIREMENTS AND REMOVAL OF TWO TREES. IT IS RECOMMENDED THAT THE NORTH SIDE OF THE ADDITION AND PARKING LOT BE LANDSCAPED.**
- 2. SUBMITTAL OF A REVISED SITE PLAN THAT COMPLIES WITH STORMWATER MANAGEMENT AND PARKING REQUIREMENTS. THE PARKING LOT AISLES SHALL BE 24 FT. IN WIDTH.**
- 3. SUBMITTAL OF A DETAILED RENDERING OF THE DUMPSTER ENCLOSURE, INCLUDING THE TYPE AND COLOR OF ENCLOSURE AND ANY SCREENING.**
- 4. REVISED LIGHTING PLAN INCLUDING THE POLE LIGHTS SURROUNDING THE EXISTING PARKING LOT ON THE EAST SIDE OF THE PROPERTY**

FOR DELC 0826.997.001, 3660 KETTLE COURT EAST & DELC 0807.985.013, 3708 KETTLE COURT EAST, DELAFIELD. OWNER: RALEY, LLC., APPLICANT: JOHN KUTZ, MSI GENERAL. MAREK SECONDED THE MOTION. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

Attwell moved to Item 6h and the remainder of the agenda at this time.

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

- g. **DELC 0807.985.005, 3655 Kettle Court East, Delafield. Owner: 3655 Kettle Court, LLC, c/o John Barker, Applicant: AM Vehicles, LLC., dba Auto Elegance Collection.** Applicant seeks approval for a Business Plan of Operation to operate an internet auto sales business out of the building.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

The applicant was not present. This item would be placed on the July 29,2020 Plan Commission meeting agenda. Attwell moved to Item 6f.

- h. **DELC 0749.069, 3207 Sylvester Drive, Delafield. Owner/Applicant: Edward WD Smith II.** Applicant seeks a Special Exception from the Nonconforming Lot Standards in order to raze a detached garage and construct an attached garage.

PLEASE SEE PLANNER'S REPORT IN THE EPACKET FOR THIS MEETING TO LOCATE DETAILED INFORMATION ON THIS ITEM.

Barrows noted the applicants had conducted additional research since the time they received the Planning Report included in the epacket for this item. Applicants distributed researched information to Commissioners at this time to be able to clarify their request. The applicants had also indicated they would be willing to get rid of the proposed flex room as part of the proposal.

Ed and Sue Smith, 3207 Sylvester Drive, were present. E. Smith explained the information distributed at this meeting included the square footage of homes in the area at the time of sale. This information included data compiled without the garage to be able to address the floor area ratio (FAR). The Smith's proposal included 42.1% FAR without the flex room. Other houses located in the immediate neighborhood had lots of similar size and FARs that exceeded the Code requirements. The main reason that garage needed to be removed was due to the safety hazard associated with backing out in the roadway from a garage that was so close to the street. The garage was very old with dimensions of 20.5 ft by 20.5 ft that only allowed his two cars to fit and no other items, such as refuse cans. In addition, the Smith's house was 30 years old. New roofing siding materials would be applied to upgrade the house aesthetically. The proposed garage would be 25 feet wide to match the house and would be 27 feet long to provide storage at the front. The garage would be 27 feet at the 25-foot setback. The existing house did not have a basement. A letter of support from the Smith's adjacent neighbors at 3219 Sylvester Drive was read for the Commission at this time.

Discussion ensued. A new house would be limited to 40% FAR on a 10,000-sf lot. The Smith's lot was substandard in size and that was the reason for the special exception request. If this lot were sized at 10,000 sf, then the FAR requested would be allowed. The proposal included a request of 4,166 sf (45.9% FAR) with the flex room and 3,821 sf (42.1% FAR) without the flex room. Previous owners had opted to add more square footage into the house than the garage. Surrounding houses with greater FAR had been allowed variances in the past by the Board of Zoning Appeals. Standards had changed since that time and a hardship had to be proven that the property could not be used without approval of a variance. This was not the case for this property. In this case, the City had created an overlay district in the past that rendered the lot nonconforming for RL-2 zoning. The requirements of a special exception were noted. The safety implications of having a garage that close to the street and negative affects to drainage were questioned. E. Smith explained the proposed attached garage was on level land and the existing drainage swale would not be impacted. Discussion ensued regarding any potential attic

CITY OF DELAFIELD PLAN COMMISSION MEETING MINUTES

space created above the garage relative to the flex room concept. A discussion of precedent took place. The garage was a safety issue if left in its current state and location. There were other existing properties in the immediate neighborhood, some with substantially exceeded FARs. In this case, the safety of the new garage location and no negative effect on the drainage seemed to outweigh the non-conformance for this lot. The house and garage would be improved, and the nonconformity was reduced to a ratio smaller than surrounding existing homes. The first condition shown in the Planner's Report would no longer need to be met.

REIHER MOVED TO APPROVE A SPECIAL EXCEPTION FROM THE NONCONFORMING LOT STANDARDS IN ORDER TO RAZE A DETACHED GARAGE AND CONSTRUCT AN ATTACHED GARAGE SUBJECT TO THE FOLLOWING CONDITIONS BEING COMPLIED WITH AS PART OF THE ISSUANCE OF A BUILDING PERMIT:

2. NO ADVERSE DRAINAGE SHALL BE CAUSED ON ADJACENT PROPERTIES OR THE ROAD.

3. AN UPDATED SURVEY SHALL BE SUBMITTED THAT ILLUSTRATES THE LOCATION OF THE ATTACHED GARAGE, INCLUDING A GRADING AND DRAINAGE PLAN THAT ENSURES COMPLIANCE WITH CONDITION NO. 2.

4. THE EXISTING DETACHED GARAGE SHALL BE REMOVED. ONCE THE DETACHED GARAGE IS REMOVED, IT WILL HAVE LOST ITS LEGAL NONCONFORMING STRUCTURE STATUS

FOR DELC 0749.069, 3207 SYLVESTER DRIVE, DELAFIELD. OWNER/APPLICANT: EDWARD WD SMITH II. SCHULT SECONDED THE MOTION. HUSSINGER CLARIFIED NOTHING SHOULD BE CONSTRUCTED ABOVE THE GARAGE SPACE, OTHER THAN TRUSSES, WITH NO DEAD SPACE ALLOWED FOR STORAGE. THERE WAS NO FURTHER DISCUSSION. ALL WERE IN FAVOR. MOTION CARRIED.

7. Zoning and Ordinance Revision. Items recommended for discussion and possible action: None.

8. Reports of City Officials:

a. Clerk

1. Plan Commission Meeting Dates & Deadlines

i. Meeting July 29, 2020.

ii. Meeting Submittal Deadline July 14, 2020.

2. Correspondence

b. Planner – No report.

c. Building Inspector – No report.

9. Adjournment.

There was no further business; therefore, the Wednesday, June 24, 2020 Plan Commission meeting adjourned at 8:38PM.

Minutes Prepared By:

Accurate Business Communications, Inc.