***NOTE: NEW MEETING TIME***

TOWN OF DELAFIELD PLAN COMMISSION MEETING
Tuesday, September 3, 2019, ***6:30 p.m.***
Town of Delafield Town Hall
W302 N1254 Maple Avenue, Delafield, WI 53018

AGENDA

1. Call to Order and Pledge of Allegiance

2. Approval of the minutes of August 6, 2019

3. Communications (for discussion and possible action):
   A. Sharon Tomlinson (8/12/19), e-mail regarding taxidermy studio

4. Unfinished Business:
   A. Peter Kafkas, N2 W31747 Twin Oaks Drive, (tabled 8/6/19) Re: Consideration and possible action on a request to approve a Certified Survey Map to split a 4.37 acre parcel of land at N2 W31747 Twin Oaks Drive into two lots.
   B. Discussion and possible action regarding the Town of Delafield Land Use Plan and zoning code modifications.

5. New Business:
   A. Veteran’s Electric, Scott Flaugher, owner, Consideration and possible action on the following items for a development to be located on property at the northwest corner of Cushing Park Road and Summit Avenue (USH 18).
      1. Site development, architectural plans and plan of operation for construction of a multi-tenant commercial building.
      2. Certified Survey Map to modify the common lot line between two existing parcels created by CSM No. 11698.

6. Discussion: None

7. Announcements and Planning Items: Next meeting-Tuesday, October 1, 2019

8. Adjournment

Mary T. Elsner, CMC, WCMC
Town Clerk/Treasurer

The Plan Commission may take action on any item on the agenda. It is possible that members of and possibly a quorum of members of other governmental bodies of the municipality may be in attendance at the above-stated meeting to gather information; no action will be taken by any governmental body at the above-stated meeting other than the governmental body specifically referred to above in this notice. Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service, contact Mary Elsner, Town Clerk, at W302 N1254 Maple Avenue, Delafield, WI 53018-7000. This agenda is for informational purposes only. Posted on 8/29/19
TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, August 6, 2019

Members present: K. Fitzgerald, R. Troy, E. Kranick, T. Frank, C. Diderrick, N. Dickenson, C. Dionisopoulos
Also present: T. Barbeau, Town Engineer, 9 citizens

First order of business: Call to Order and Pledge of Allegiance
Chairman Fitzgerald called the meeting to order at 7:00 p.m., and led all in the Pledge of Allegiance.

Second order of business: Approval of the minutes of July 2, 2019
MOTION MADE BY MR. KRANICK, SECONDED BY MR. DIDERRICH TO APPROVE WITH CORRECTIONS. MOTION CARRIED.

Third order of business: Communications (for discussion and possible action): None

MOTION MADE BY MR. KRANICK, SECONDED BY MR. DIDERRICH TO TAKE ITEM 4B OUT OF ORDER. MOTION CARRIED.

Fourth Order of Business: Unfinished Business:
B. Town of Delafield, Re: Consideration and possible action on the consideration of a zoning code amendment to allow Taxidermy Studios in the A-2 Rural Residential zoning district.

MOTION MADE BY MR. TROY, SECONDED BY MR. FRANK TO SCHEDULE A JOINT PUBLIC HEARING WITH THE TOWN BOARD ON SEPTEMBER 2. MOTION CARRIED.

Fifth Order of Business: New Business:
A. Peter Kafkas, N2 W31747 Twin Oaks Drive, Re: Consideration and possible action on a request to approve a Certified Survey Map to split a 4.37 acre parcel of land at N2 W31747 Twin Oaks Drive into two lots.

Engineer Barbeau stated that the town ordinance adopted in 1998 made existing subdivisions subject to the new town ordinance. The current code section (17.05 5. AM 2. R. (8)), states that there shall be no further divisions of any lot in the subdivision. The general consensus of the Plan Commission is to request a legal opinion to make sure they do not violate the ordinance if they were to consider approving the request.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. TROY TO TABLE PENDING LEGAL COUNSEL REVIEW. MOTION CARRIED.

B. Steve Cooper, W282 N3388 Taylors Woods Road, by Jim Winchell, J.W. Construction, Re: Consideration and possible action on a request for a variance to the driveway slope proposed for W282 N3388 Taylors Woods Road.

Engineer Barbeau stated that the grade between Taylors Woods Road and the proposed garage drops 26 ft., and the narrow lot does not provide room to extend the length of the driveway to reduce the slope. The existing slope is 14.4%, and the Town code allows for a maximum driveway slope of 12%.

MOTION MADE BY MR. KRANICK, SECONDED BY MR. DIDERRICH TO APPROVE A MAXIMUM DRIVEWAY SLOPE OF 14.4%, DUE TO THE FACT THAT THE NARROW LOT DOES NOT PROVIDE ROOM TO EXTEND THE LENGTH OF THE DRIVEWAY TO REDUCE THE SLOPE. MOTION CARRIED.

C. Mr. & Mrs. Koenig, N21 W28674 Louis Ave., by Jeff Nelson, Steeple Pointe Homes, LLC, Re: Consideration and possible action on a request to construct a retaining wall within 5 feet of the lot line.
Engineer Barbeau stated that the county requested plan commission review and recommendation of the subject request. Prior town codes required the applicant to come before the Plan Commission if the wall would be placed 5 ft. from the home and neighbor. The owners are requesting to install a retaining wall 2 feet from the property line to install an entrance to the front door. The current space between the house and lot line is 7 feet.

Billy Meinel, W287N2008 Stuart Drive, spoke on behalf of the homeowner's association. He stated that the adjacent property owners were notified and are in favor of this request.

MOTION MADE BY MR. DIDERRICH, SECONDED BY MR. TROY TO RECOMMEND APPROVAL TO WAUKESHA COUNTY SUBJECT TO TOWN ENGINEER APPROVAL OF GRADING AND DRAINAGE PLANS. MOTION CARRIED.

D. Town of Delafield, Re: Consideration and response to comments from Waukesha County Department of Parks and Land Use, Planning Division on the pending zoning code amendments.

The Plan Commission discussed the 5 comments/questions submitted by Waukesha County Planning and Zoning Manager Jason Fruth. There was no decision made on (1.) re: the open space percentage for development. The Plan Commission is working on revising percentages in several zoning districts. Minor corrections were suggested re: items 2. – 5. Engineer Barbeau was directed to contact legal counsel on whether or not a public hearing is required to address the corrections and will get back to Waukesha County.

Fourth Order of Business: Unfinished Business:
A. Discussion and possible action regarding the Town of Delafield Land Use Plan and zoning code modifications

Chairman Fitzgerald suggested the need to change "mixed use" definition in the town zoning code that would have concrete limits but allow for fairly broad discretion. The importance to provide guidance to applicants submitting proposals was discussed. Submittal of a master development plan should be required. Chairman Fitzgerald and Engineer Barbeau will compose a list of examples on density, open space, ranges, etc. and bring back to the next meeting for discussion. The Plan Commission was asked to review the information provided by Engineer Barbeau on proposed "mixed use" zoning modifications and submit comments to him.

Sixth Order of Business: Discussion: None

Seventh Order of Business: Announcements and Planning Items: Next meeting – Tuesday, September 3, 2019 @ 6:30 p.m.

Eighth Order of Business: Adjournment
MOTION MADE BY MS. DICKENSON, SECONDED BY MR. DIDERRICH TO ADJOURN AT 8:21 P.M. MOTION CARRIED.

Respectfully submitted,

Mary T. Eisner, CMC, WCMC
Town Clerk/Treasurer

Minutes approved on:
Hi Tim,

Just wanted to let you know that Randy and I will not be moving forward on the purchase. In order for this to work, we needed to be building by September. We wouldn’t be able to get things going again until next May.

Thank you so much for all of your efforts.

Sincerely,
Sharon

Sent from my U.S.Cellular© Smartphone

-------- Original message --------
From: "Barbeau, Tim" <Tim.Barbeau@raSmith.com>
Date: 8/2/19 11:04 AM (GMT-06:00)
To: 'stomlinson' <stomlinson@shorewest.com>
Subject: RE: Conditions for Taxidermy Studio

No, it will be more about the code language. I have included the draft ordinance if you want to provide me with some general comments.

Tim G. Barbeau, P.E., P.L.S., Associate

Town of Delafield Engineer

direct: 262-317-3307

From: stomlinson <stomlinson@shorewest.com>
Sent: Friday, August 02, 2019 10:06 AM
To: Barbeau, Tim <Tim.Barbeau@raSmith.com>
Subject: RE: Conditions for Taxidermy Studio

Tim,
Plan Commission Report for September 3, 2019

Kafka's Certified Survey Map
Agenda Item No. 4 A.

Applicant: Peter Kafka
Project: Land Split
Requested Action: Approval of Certified Survey Map
Zoning: A-3 PUD
Location: N2 W31747 Twin Oaks Drive

Report

Mr. Kafka has submitted a CSM in order to split his 4.37 acres of land into two parcels. The split would be such that the existing house, which currently fronts on Twin Oaks Drive would remain as it is presently, and the southerly lot being created would front on Scuppernong Valley Court. The land was formerly Lot 49 of the Twin Oaks subdivision developed in 1976 under a Residential Design Variation (RDV) Conditional Use. In 1998, the Town updated the zoning code and removed the RDV conditional use, but kept the Planned Unit Development (PUD) conditional use. All RDV lands were designated as PUD’s during the recodification process.

At the August meeting, the question of whether the land could be split based on code language in the Residential PUD section of the Town code that states that no further lands shall be split was sent to the town Attorney for a legal opinion. He has responded and has concluded that the code language alone does not prohibit the land to be split. The decision to split the land must still be approved by the Plan Commission and Town Board.

The lots being created will meet the minimum dimensional requirements of the A-3 PUD zoning district (lot area, lot width). The CSM is technically acceptable. Soil testing has been done at the site and a mound system is required for on-site septic. Due to hydric soils in some areas on the site, a seasonal high groundwater determination was performed for the southerly lot. The basement floor shall be greater than or equal to 974.4. Due to hydric soils, a wetland evaluation by a wetland ecologist was performed, but no wetlands were determined to be on the site.

Staff Recommendation:

Based on the information provided by our Town attorney, I am not opposed to the approval of the CSM on the basis that the land split is in compliance with items 1-8 of Section 18.01 (2) (b) “Basis of Approval” of the Town Code (enumerated below).

1. Compliance with Chapter 236 of the Wisconsin Statutes.
2. Compliance with any Town or County ordinance that is in effect when the subdivider submits a preliminary plat or a final plat if no preliminary plat is submitted.
3. Compliance with duly approved comprehensive plans, regional plans, County plans or comprehensive plan component including the Zoning Code and official map adopted by the Town.
4. Compliance with the rules of the Department of Safety and Professional Services, relating to lot size, lot elevation, percolation tests, test borings, etc.

5. Compliance with the rules of the Division of Highways, Department of Transportation Facilities, relating to traffic safety and preservation of public interest and investment in State trunk highways or connecting streets.

6. Compliance with rules of the State Department of Natural Resources setting water quality standards, preventing and abating pollution and regulating septic systems.

7. Compliance with the most restrictive requirements when requirements of approving authorities conflict.

8. Consideration of the Development Review Checklist as adopted by separate resolution of the Town Board which is attached hereto and incorporated herein as an exhibit, including any amendments that may be made thereunto from time to time by the Town Board by separate resolution.

Tim Barbeau, Town Engineer
August 28, 2019
Certified Survey Map

being a redivision of Lot 1, Certified Survey Map No. 5770 recorded on Feb. 24, 1989 as Document No. 1523976 in Volume 47, pages 53-55 of Certified Survey Maps, being a part of the Southwest Quarter and Southeast Quarter of the Southwest Quarter of Section 28, Town 7 North, Range 15 East, Town of Delafield, Waukesha County, Wisconsin.

Prepared for:

Peter D. Klages
Delafld, WI 53118
N28 W276283'21" E27282'37" NAD 83

Proposed by:

Hilmer & Associates LLC
Paul J. Hilmer
727 E Main Dr.
C/O 707 W Main St.
Ch=158356'

NOTES:

- Topography and Soil Sample Plan are from Waukesha County GIS mapping system and are approximate.
- See additional notes on Sheet 2 of 4.
- See additional notes on Sheet 2 of 4.

Legend:

○ Indicates a 1" iron pipe found.
○ Indicates a 2" iron pipe found.
○ Indicates a 3" iron pipe found.

This instrument drafted by Paul J. Hilmer

Rev. 7/10/19 Sheet 1 of 4 sheets.
Certified Survey Map

being a redivision of Lot 1, Certified Survey Map No. 5770 recorded on Feb. 24, 1989 as Document No. 1523976 in Volume 47, pages 53-55 of Certified Survey Maps, being a part of the Southwest Quarter and Southeast Quarter of the Southwest Quarter of Section 28, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin.

SURVEYORS CERTIFICATE

State of Wisconsin
County of Jefferson

I, Paul J. Hilmer, surveyor, do hereby certify: That I have surveyed, divided and mapped a redivision of Lot 1, Certified Survey Map No. 5770 recorded on Feb. 24, 1989 as Document No. 1523976 in Volume 47, pages 53-55 of Certified Survey Maps, being a part of the Southwest Quarter and Southeast Quarter of the Southwest Quarter of Section 28, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin.

That I have made such survey and map by the direction of Peter D. Kafias owner of said land.

That this map is a true representation of all of the exterior boundaries of the land surveyed and divided.

That I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the subdivision regulations of the Town of Delafield and Waukesha County Department of Parks and Land Use, Planning and Zoning Division in surveying, dividing, mapping the same.

Dated this 17th day of June, 2019.

Paul J. Hilmer
Professional Land Surveyor # 2496
Hilmer & Associates, LLC

Rev. 7/10/19
This instrument drafted by Paul J. Hilmer

Sheet 2 of 4 sheets.
Certified Survey Map

being a rededication of Lot 1, Certified Survey Map No. 5770 recorded on Feb. 24, 1989 as Document No. 1523976 in Volume 47, pages 53-55 of Certified Survey Maps, being a part of the Southwest Quarter and Southeast Quarter of the Southwest Quarter of Section 28, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin.

OWNER'S CERTIFICATE

As owner, I, Peter D. Kaikas do hereby certify that I have caused the land described on this map to be surveyed, divided and mapped as represented on this map. I further certify that this map is required by Chapter 236.34 of the Wisconsin Statutes and the Subdivision Regulations of the Town of Delafield and Waukesha County Department of Parks and Land Use and must be submitted to the following for approval:

1) Town of Delafield
2) Waukesha County Department of Parks and Land Use, Planning and Zoning Division

Witness the hand and seal of said owner this ______ day of ____________, 20____.

______________________________
Peter D. Kaikas, Owner

State of Wisconsin)
Waukesha County) SS

Personally came before me this ______ day of ____________, 20____, the above named, Peter D. Kaikas, to me known to be the same person who executed the foregoing instrument and acknowledged the same.

(Notary seal) 
Notary Public, _________________. Wisconsin.
My commission expires _________________.

Rev. 7/1/10
This instrument drafted by Paul J. Hilmer

Sheet 3 of 4 sheets.
Certified Survey Map

being a subdivision of Lot 1, Certified Survey Map No. 5770 recorded on Feb. 24, 1989 as Document No. 1523976 in Volume 47, pages 53-55 of Certified Survey Maps, being a part of the Southwest Quarter and Southeast Quarter of the Southwest Quarter of Section 28, Town 7 North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin.

PLAN COMMISSION APPROVAL
Approved by the Plan Commission of the Town of Delafield on this _____ day of __________, 20__.

__________________________  __________________________
Mary T. Elsner- Clerk               Kevin Fitzgerald- Chairperson

TOWN BOARD APROVAL
Approved by the Town Board of the Town of Ottawa on this _____ day of __________, 20__.

__________________________  __________________________
Mary T. Elsner - Clerk               Ronald A. Troy- Chairperson

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE

The above, which has been filed for approval as required by chapter 236 of the Wisconsin State Statutes, is hereby approved this _____ day of __________, 20__.

__________________________
Dale R. Shaver, Director

CITY OF DELAFIELD EXTRA- TERRITORIAL PLAN COMMISSION APPROVAL
Resolved that this Certified Survey Map, located within the extra-territorial review jurisdiction of the City of Delafield, is hereby approved by the Plan Commission on this _____ day of __________, 20__.

__________________________  __________________________
Kent Attwell, Mayor               Michelle Luedtke- Clerk

I hereby certify that the foregoing is a copy of a resolution adopted by the Plan Commission of the City of Delafield.

Date: ________________________

__________________________
Michelle Luedtke- Clerk
Plan Commission Report for September 3, 2019

Land Use Plan and Zoning Code Modifications
Agenda Item No. 4 B.

Report

Land Use Plan

At the last couple of meetings, the Plan Commission discussed what would be an appropriate land use for the Thomas farm. The suggestion was to consider allowing the land to be designated as the Mixed Use category. In the Town and County Land Use plans, mixed use is a category that is defined as follows:

*Development that may contain residential and could contain a combination of public, institutional, office, retail, service, light industrial, research and development, and or other commercial uses, including off street parking and may take the form of a business park.*

We have not received a formal request from the Thomas family landowners to change the land use from Commercial and Office Park to Mixed Use; however, we anticipate a request coming from them within the next few months. It is my recommendation that the only zoning district allowed in the Mixed Use land use area will be the Mixed Use zoning district for the Thomas property. To be clear, the Thomas property currently has three land use designations on the property — Primary Environmental Corridor (which will not change), Suburban I Density Residential (1.5 to 2.9 acre/unit) to the northeast and northwest, and Commercial and Office Park. Do we, as a Town, want all of the Thomas property currently designated as residential and commercial/office park to be designated as mixed use or only that portion that is now commercial and office park to be changed to mixed use. In the latter case, the Thomas family will have to decide where they want the line between the two designations. I anticipate that if the northerly portion stays residential, then the Town will get a residential PUD (could be single family or multiple family with a maximum density based on the current code requirements) on that portion of the land. The lands designated Mixed Use could get the same type of use or we could get a higher density housing development on a limited portion of the land, within the mixed use area. I bring this up based on multiple conversations with the Thomas family and the concerns they have raised as to what exactly the Town is thinking as to the two use designations.

Mixed Use Zoning District

Kevin and I have developed a proposed Mixed Use Zoning district for consideration at this meeting. I have outlined below some of the issues we discussed and our conclusions:

<table>
<thead>
<tr>
<th>Issue</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Requirements for public sanitary sewer and water</td>
<td>Required per language in the Statement of Intent</td>
</tr>
<tr>
<td>General development plan for entire property</td>
<td>Required per language in the Statement of Intent</td>
</tr>
<tr>
<td>Multi-family density</td>
<td>Set at 10 units per acre</td>
</tr>
<tr>
<td>Overall allowable residential density</td>
<td>To Be Determined — base it on the available sewer capacity</td>
</tr>
<tr>
<td>Retail Use</td>
<td>Allow separate retail uses up to 1% of the development area; if within an office or light industrial building, it is not counted against the 1% area.</td>
</tr>
<tr>
<td>Restaurant Use</td>
<td>Allow separate restaurant uses up to 1% of the development area; if within an office or light industrial building, it is not counted against the 1% area.</td>
</tr>
<tr>
<td><strong>Light Industrial</strong></td>
<td>industrial building, it is not counted against the 1% area.</td>
</tr>
<tr>
<td>--------------------------</td>
<td>------------------------------------------------------------</td>
</tr>
<tr>
<td><strong>Traffic Study Required?</strong></td>
<td>Language proposed in the code</td>
</tr>
<tr>
<td><strong>Uses</strong></td>
<td>Need to define what is meant or allowed; proposed definition created (thanks to Nicole!) for consideration. See below.</td>
</tr>
<tr>
<td><strong>Lot size, width</strong></td>
<td>General explanation in the Statement of Intent, specific uses in the “Permitted Uses” section of the code; there will need to be interpretation of uses when applications are presented since we cannot list or know all possible uses. (e.g. bakeries, farmer’s markets, etc.)</td>
</tr>
<tr>
<td><strong>Open Space</strong></td>
<td>Proposed at 40% per lot (we are assuming that there would be minimal common open space - maybe just for a regional storm water facility).</td>
</tr>
<tr>
<td><strong>Site, grading, architectural, landscape and lighting plans</strong></td>
<td>Requested as part of the submittal of information for review and approval</td>
</tr>
<tr>
<td><strong>Parking</strong></td>
<td>No mention of parking in the mixed use code; but the parking section of the code should be updated to allow for warehouse/manufacturing type uses and to allow for shared parking</td>
</tr>
<tr>
<td><strong>Developer’s Agreement</strong></td>
<td>Typically this is needed just for site that require public improvements to assure that they are installed and there is a financial guarantee for their installation.</td>
</tr>
<tr>
<td><strong>Additional Regulations and Design Standards</strong></td>
<td>In addition to the normal district requirements (intent, permitted uses, accessory uses, location, height, and area regulations, we have included a section for “Additional Regulations” and “Design Standards”</td>
</tr>
</tbody>
</table>

**Proposed Definition of Light Industrial:** Light Industrial – uses within enclosed buildings that include high technology industrial and incidental commercial uses of a light intensity which has minimal impacts; fabrication, manufacturing, assembly or processing of materials that are in refined form and that do not in their transformation create smoke, gas, odor, dust, noise, vibration of earth, soot or lighting to a degree that is offensive when measured at the property line, all which are characterized by parklike grounds and attractive buildings.

Tim Barbeau, Town Engineer
August 28, 2019
X. **MIXED USE**

1. **STATEMENT OF INTENT**

   A. The Mixed Use District is intended to be used as an implementation tool for the Town's Mixed Use Land Use designation as depicted in the adopted Land Use Plan. The Town's intent is to allow limited residential, office, limited medical related services, limited retail, business uses, and light industrial. These uses may occur on individual sites or as part of a planned larger development. The Mixed Use zoning district shall only be allowed on lands designated as Mixed Use on the Town’s Land Use Plan.

   B. Prior to amending parcels of land to Mixed Use, a Master Development Plan of the entire property and any adjacent properties owned by the same, related or affiliated owners must be prepared and presented to the Town Plan Commission for preliminary approval of the uses and site. The master development plan shall include the layout and proposed uses of the property as well as the items required in Section 18.14 Detailed Site Analysis of the Town Code and general sizing of storm water management facilities based on anticipated uses to assure that adequate space is set aside for the storm water facilities.

   C. Uses in this code section are dependent of the provision of public sanitary sewer and water. A condition of considering and zoning amendment to mixed use shall be that public sanitary sewer and water is available on the land or available to be extended to the land prior to development.

2. **USE REGULATIONS**

   a. Permitted Uses

   The following shall be permitted in the Mixed Use District subject to approval by the Plan Commission, of building, site, grading and drainage, landscape, lighting, and operational plans. All uses are subject to conformance to the statement of intent and to the limitations provided in subsection 6 of this ordinance.

   (1) Offices for professionals, business, studios, health care facilities and clinics, financial institutions, general clerical offices.

   (2) Light Industrial operations of limited intensity, including manufacturing, assembly, fabrication, and processing operations, warehousing associated with a primary office headquarters, wholesaling, and distribution operations (with limited semi-truck operations) All storage of products made on site shall be stored inside.

   (3) Laboratory and research facilities.

   (4) Residential, to include senior housing, single family, multi-family and condominiums to be located a minimum of 600 feet from the outside lane of I-94. Single family residential development on individual lots shall follow the requirements of Section 17.04 5. D. (R-3 Residential District).
(5) Restaurants (with no drive through) shall be located 500 feet from residentially zoned land that is not part of the mixed use development and limited to the percentage of land area designated in subsection 6 of this ordinance.

(6) Retail facilities limited to that percentage of the land area designated in subsection 6 of this ordinance.

b. Permitted Accessory Use

(1) Garages for residential uses.

(2) Off-street parking and loading area for businesses in the mixed use development, provided it is hard surfaced.

(3) Utilities such as power supply and other uses normally auxiliary to the principal uses in a mixed use development, provided they be screened from view by an appropriate vegetation, wall or fence.

(4) Roof-mounted solar collectors, provided a registered engineer or architect has certified that the structure is adequate to support the load.

c. Prohibited Uses

(1) Gas Stations
(2) Hospitals
(3) Truck or trailer sales
(4) New and used car lots
(5) Car wash facilities
(6) Bulk sales, storage or display of lumber
(7) Outdoor displays or storage of materials
(8) Drive-in theaters
(9) Mobile home sales, service or campgrounds
(10) Recreational vehicles, all-terrain vehicle or outdoor recreational vehicle sales and service
(11) Junkyards or wrecking yards
(12) Refining of petroleum or its products
(13) Petroleum storage yards, not including petroleum storage accessory to a permitted conditional use.
(14) Animal reduction facilities
(15) Forges
(16) Foundries
(17) Garbage or medical incinerators
(18) Rubbish storage or transfer station
(19) Slaughterhouses
(20) Stockyards
(21) Tanneries
(22) Bulk storage of salt, fertilizer, or similar materials; explosives, gasoline or other petroleum products and grease
(23) Storage of radioactive materials
(24) Manufacturing or processing of ammonia, asbestos, asphalt, cement, chlorine, coal tar, creosote, explosives, fertilizer, glue, gypsum, insecticides, poison, pulp, proxylin, radium and radioactive materials
(25) Outside product or equipment testing
(26) Mini-warehouses or multi-tenant storage
(27) Similar uses as determined by the Plan Commission

3. **BUILDING LOCATION**
   a. Setback: 50 feet
   b. Offset: 10 feet for non-residential principal or accessory structures
      20 feet for residential structures
      50 feet where adjacent district is residential;

4. **HEIGHT REGULATIONS**
   a. Principal Building: 30 feet maximum (base height)
      45 feet maximum (overall height)
   b. Accessory Building: 12 feet maximum base height
      20 feet maximum overall height
   c. A commercial building with a flat roof shall not exceed 45 feet to the top
      of a parapet wall unless otherwise approved by the Plan Commission.

5. **AREA REGULATIONS**
   a. Lot Size: 3 acre (office/business/light industrial)
      10,000 square feet (retail/restaurant)
      20,000 square feet (single family residential)
   b. Lot Width: 250 feet
   c. Floor Area: No minimum for commercial; 1500 square feet for residential
      (single family); 1000 square feet for multi-family unit.
   d. Open Space: 40% per lot

6. **ADDITIONAL REGULATIONS**
   a. The maximum density of senior housing or apartments shall be 10 units
      per acre.
   b. The maximum number of residential units on mixed use zoned
devvelopment parcel shall be _____. *(for Thomas farm, it may be
determined by the sanitary sewer capacity available to serve the land)*
   c. No more than 1% of the overall development land area shall be used for
      restaurants and no more than 1% of the overall development land area
      shall be used for retail. Banquet facilities and drive through facilities are
      prohibited. Should a restaurant or retail facility be located inside an office
      or light industrial building as an ancillary use to the primary building use,
      the area of that restaurant or retail area shall not be counted against the
      maximum 1% area for restaurants or retail.
d. All parking lots and driveways shall be hard surfaced.

e. Parking lots shall be shielded from adjoining properties by planting screen or decorative fencing and shall not be permitted within the base setback area.

f. All lands not used for buildings, parking lots, driveways, etc., shall be landscaped and kept in good appearance at all times, including required watering of lawns and shrubbery.

g. The site and operational plans shall include design features necessary to ensure that traffic generated by the operation, especially that involving heavy trucks, does not have an adverse effect on existing or planned roads and traffic movement considering especially adequacy, safety and efficiency. A traffic impact analysis shall be prepared for each development application.

h. The operation plan submitted for Plan Commission approval shall specify and quantitatively describe any noise, vibration, dust, gas, smoke, toxic matter and odors produced by the operation and plans for containing or abating such nuisance.

i. The planned hours of operation and nighttime lighting plans shall be included in the plan of operation submitted for Plan Commission approval.

7. DESIGN STANDARDS

a. All buildings shall be architecturally treated on all 4 sides.

b. Variability in size and shape of buildings shall occur.

c. Large, unbroken expanses and long, continuous roof lines shall be avoided.

d. All rooftop and wall mounted mechanical, electrical, communication, service equipment, satellite dishes and vent pipes shall be screened from view by parapet walls, or other means approved by the Plan Commission.

e. Building exteriors must be of an attractive material or must be faced with an attractive material such as face brick, natural stone, wood, decorative masonry and glass or other substantial materials approved by the Plan Commission. Dryvit, metal and stucco may be used as trim material, not to exceed 20% of the exterior area. Metal, vinyl or aluminum sided buildings are not acceptable.

f. Exterior building colors shall be nonreflective, subtle, neutral, or earth tone. The use of high intensity color, metallic colors, black or florescent colors shall be prohibited. Building trim and architectural accents elements may feature brighter colors, but such colors shall be muted, not metallic, not florescent, and not specific to particular uses or tenants.

g. The exterior of all structures, fences, planting screens, etc., shall be kept in good condition at all times by painting, trimming or other acceptable
maintenance procedures. Subsequent additions or changes in the building and grounds shall conform to or enhance the original construction and be consistent therewith.

h. All materials and all vehicles (other than employee and visitor parking), when not in use shall be stored inside except where it is demonstrated that such storage can be adequately shielded from view by planting screen or decorative fencing. In no event shall such storage be permitted within the base setback area.

i. All garbage and waste containers shall be within an enclosure. The enclosure shall be made of the same exterior materials as the building, unless otherwise approved by the Plan Commission. The enclosure shall be six feet high, shall not be located on the street side of the parcel, can be freestanding or attached to the main building. The enclosure shall be reviewed and approved by the Plan Commission.
Plan Commission Report for September 3, 2019

Veterans Electric Development
Agenda Item No. 5 A.

Applicant: Scott Flaugher, owner of Veterans Electric, LLC.

Project: Veterans Electric Development

Requested Action: Approval of Site Plan and Plan of Operation

Zoning: M-1/Industrial

Location: DELT 0842999003
Northwest corner of the intersection of Cushing Park Road and USH 18
Property address not assigned

Report

Background: This is a new development. Although the development is located almost entirely within the Waukesha County Shoreland Zoning District, with the exception of the driveway, Section 3(c)6 of the County Shoreland Ordinance allows for the Town to jointly review the site plan and plan of operation for this development.

Intent and permitted use: Per Chapter 17.04.5.M.1 of the Town Code, the intent of the M-1 industrial business district is to provide for the needs of those industries which require attractive settings and whose operations are such as to make them compatible and attractive neighbors in an otherwise residential community. Per Chapter 17.04.5.M.2 of the Town Code, industrial and commercial operations, the character of which complements the surrounding area and which are not for any reason detrimental thereto, are a permitted use in the M-1 district.

Site Plan/Plan of Operation: The applicant has provided an application including a site plan and plan of operation for Plan Commission approval in accordance with Chapter 17.03.1.C of the Town Code. The information in the application is summarized below.

1. Veterans Electric is proposing to erect a new 19,724 square feet, single-story, 28.2 feet high building on the subject lot located at the northwest corner of the intersection of Cushing Park Road and USH 18. This building meets the Town Code requirements for floor area, base height, total height, and open space.

2. This development does not have a name at this time.

3. Scott Flaugher is the owner of Veterans Electric, LLC, owner of the subject lot (Lot 1 of the proposed CSM), and also the owner of the lot adjacent to the west (Lot 2 of the proposed CSM). Prior to Mr. Flaugher purchasing Lot 2, there was an existing shared access agreement already in place. However, with this new development, the shared access location has changed and the shared agreement will need to be updated, executed, and recorded with an exhibit showing the new location.

4. Veterans Electric is a 100 Service Disabled Veteran small business specializing in government contracting. The intended use of the property is skilled and general contractor offices, warehouse, and storage facility. Veterans Electric does not perform any residential services and does not have a fleet of vehicles that perform service work. Currently all employees drive their company owned
vehicles home at night. All materials are delivered directly to the company’s job sites. Truck deliveries are not expected to exceed 2 or 3 times per year.

5. The primary tenant will be Veterans Electric, LLC, and will use 9,760 square feet of the structure shown as the West Shop and Office Unit A. The attached site plan shows where the business will be located within the building. The West Shop area of the new building will house various vehicles and/or trailers used for construction contracting. This space will also be used for occasional staging of materials and storage of left over materials. Veterans Electric will not be selling or distributing any physical products, and there will be no chemicals, hazardous wastes, or solvents stored on site. The remaining available spaces shown as Office Tenant Unit B (2,650 square feet), Tenant Unit C (3,150 square feet), and Tenant Unit D (3,640 square feet) will be listed for rent to an appropriate, and similarly structured contractor. Units C and D will initially built as one common space with the option to subdivide into two spaces. Screened outdoor storage space will be available to all tenants. There are no committed renters at this time. Mr. Flaugher is aware that future tenants will be required to submit their own plans of operation to the Town Plan Commission for approval prior to their occupancy.

6. As shown on the architectural plans, the theme is a rustic, earth-toned, lodge-style structure. The roof will be copper colored steel. All siding and doors will be steel. All windows will be vinyl. The front siding and doors will be a walnut tone to simulate wood, the exterior beams and columns will be wrapped in wood. Cultured stone façade will also be added to the front of the building. The sides and back of the building will be a terra tone color steel over tutor brown wainscot.

7. Veterans Electric is proposing outdoor storage of trailers used in construction, an office job site trailer, bins for decorative stone landscaping products, and excavation equipment. There will be no storage of any electrical materials outside of this building.

8. The plan of operation states that Veterans Electric would employ 4 full-time staff. All field employees will report directly to their job sites, with the exception of project managers who will report to the office once per week. Veterans Electric does not promote walk-in customers of any type. Regular business days were noted as Monday through Friday. Regular business hours were noted as 6:30 am until 6:00 pm.

9. The site plan shows a 4,032 square feet asphalt surface parking lot with 11 parking spaces. All 11 spaces are intended for Veterans Electric employees. The proposed number of parking spaces does not comply with Town Code requirement as shown below in the table; however, under Section 17.09 2.G. “the Plan Commission may allow deviations from the requirements of this section whenever it finds that the deviation will not adversely impact traffic circulation or public safety” and “the site plan must, subject to PC approval, be designed to provide sufficient open space on the subject site to accommodate the additional parking spaces otherwise required by this section.”

<table>
<thead>
<tr>
<th>Plan ID</th>
<th>Use of Building Space</th>
<th>Floor Area (SF)</th>
<th>No. of Parking Stalls Required (rounded up to nearest whole number)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office</td>
<td>Office</td>
<td>94 x 66 = 6,204</td>
<td>1 per 200 SF = 31 each</td>
</tr>
<tr>
<td>East Shop</td>
<td>Storage</td>
<td>65 x 104 = 6,760</td>
<td>1 per 5,000 SF = 2 each</td>
</tr>
<tr>
<td>West Shop</td>
<td>Storage</td>
<td>65 x 104 = 6,760</td>
<td>1 per 5,000 SF = 2 each</td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td>19,724</td>
<td>35 each</td>
</tr>
</tbody>
</table>

10. The parking area will be screened on the east side with a double row of spruce trees to protect the view from Cushing Park Road. The first row was planted in the spring of 2019 and the second row will be planted this fall.

11. Veterans Electric is proposing a single, unlit, free-standing, single-faced, 2’x3’, engraved stone sign that will be located at the entry. The exact location and other details as required by Town Code
Section 17.08 were not provided in this application and will be submitted to the Town for Plan Commission approval at a later date.

12. Storm water runoff generally drains from west to east across most of the site with the exception of the north end of the site at the new building location. A storm water management facility will be installed at the northwest corner of the site to collect and treat runoff from the new impervious areas including the rooftop and parking area. The building downspouts will connect to a storm drain along the backside of the building so that roof drainage can be routed to the pond. A storm sewer will also be installed in the front of the building to collect and route drainage from the paved parking area to the storm water management facility. A stub on the new storm sewer will be installed for future extension into the gravel area if it is ever replaced with asphalt to treat that area as well.

13. The new building, driveway, and parking areas are all located outside of the mapped floodplain.

14. One dumpster will be kept inside of the building.

15. A landscaping plan has not yet been provided to the Town for review.

16. The outdoor lighting will consist of warm white LED fixtures at the building entrance and exit locations. No parking lot lighting is being proposed at this time.

17. A lunch patio area will be located on the backside of the new building and will be constructed of decking material.

18. A sunken concrete delivery dock with a sidewalk to transport materials into the building will be located adjacent to the northwest corner of the new building.

19. It is anticipated that there will be limited vehicle traffic associated with this operation. Vehicles will arrive and depart at various times of the day. A permit will be required by the Wisconsin Department of Transportation.

Certified Survey Map (CSM): The purpose of the CSM is for the reconfiguration of the common lot line between Lots 2 and 3 of CSM 11698. The CSM has been reviewed for conformance to Town and State requirements. The following technical comments shall be addressed prior to execution:

1. Revise Waukesha County Shoreland jurisdiction line.
2. Signatures by all parties (Town will sign last and record document).

Staff Recommendation:

The proposed use is permitted in the M-1 zoning district. Subject to comments from the Plan Commission, I recommend that the Plan Commission approve the site plan, plan of operation, CSM, and parking stall amount waiver for Veterans Electric, LLC, with the following conditions to be addressed prior to occupancy (unless otherwise stated):

1. Shared access easement agreement shall be updated and recorded.
2. Per Section 17.04 5.M.6.d, the area used for outside materials and vehicles shall be adequately screened from view by a planting screen or decorative fencing. Said screening plan shall be submitted to staff for review and approval.
3. Owner shall submit a landscape plan for Town Plan Commission approval.
4. Site plan shall designate an area for expanded parking using dashed lines to indicate aisles, stalls, stall sizes, and ADA compliance (prior to building permit issuance).
5. Corrections to CSM.
6. Evidence of an access permit from WisDOT.
7. Sign plan as a separate submittal.

Tim Barbeau, Town Engineer
August 28, 2019
CERTIFIED SURVEY MAP NO.
A REDIVISION OF LOT 2 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 11698 BEING A PART OF THE SE. 1/4, SW. 1/4, NE. 1/4 AND NW. 1/4 OF THE SW. 1/4 OF SECTION 31, T.7N., R.18E., TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR:
KEITH A. KINDRED, PLS S-2082
SEH, INC.
501 MAPLE AVE.
DELAFIELD, WI 53018
(414) 949-8919
K kindred@sehinc.com

SURVEY FOR:
VETERANS ELECTRIC, LLC
383 KENNEDY ST. E
COLGATE, WI 53017
(414)-313-9096

LEGEND

- 1/16"X18" RED RIB, WT. = 1.50 LBS./LIN. FT.
- CONCRETE MONUMENT W/ BRASS CAP FOUND
- 1" IRON PIPE FOUND (UNLESS OTHERWISE STATED)

XXX NO VEHICULAR ACCESS

LOT DETAIL

LOT 1
OUTLOT 1
CSM #11908
66.00' WIDE SHARED ACCESS BY SEPARATE DOCUMENT

LOT 3
529,162 S.F.
12.15 AC.

FLOOD ELEV. 911.4 FIELD DELINATED BY SEH 6-24-19

WETLANDS FIELD DELINATED BY DNR MAY AND JUNE 2018

ONE ACCESS POINT, 689°31'38"E
DOC. #2287723

SOUTH LINE OF SOUTH 1/4 OF SECTION 31, T7N., R18E.
590°56'70"W 722.27'
421.24'

SCALE: 1" = 150'

PHONE: 414.949.8962
501 MAPLE AVENUE
DELAFIELD, WI 53018-9351
www.sehinco.com

PROJECT NO. VETEL-161203
THIS INSTRUMENT DRAFTED BY RAPHAE WILLIAMS
PAGE 2 OF 7
CERTIFIED SURVEY MAP NO.
A REDIVISION OF LOT 2 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 11698 BEING A PART OF THE
SE. 1/4, SW. 1/4, NE. 1/4 AND NW. 1/4 OF THE SW. 1/4 OF SECTION 31, T.7N., R.18E.,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.

SURVEYOR'S CERTIFICATE:

I, Keith A. Kindred, Professional Land Surveyor hereby certify;

That I have surveyed, divided and mapped Lot 2 and Lot 3 of Certified Survey Map No. 11698 being a part of the
Southeast 1/4, Southwest 1/4, Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 31, Town 7
North, Range 18 East, Town of Delafield, Waukesha County, Wisconsin, more particularly described as follows:

All of Lot 2 and all of Lot 3 of Certified Survey Map No. 11698.

Said lands contain 6,179,714 Sq.Ft. or 141.87 Acres.

That I have made such survey, land division and Certified Survey Map by the direction of the Veterans Electric,
LLC, owner of said lands.

That such survey is a correct representation of all the exterior boundaries of the lands surveyed and the division
thereof made.

That I have fully complied with the provisions of Chapter 236 of the Wisconsin State Statutes and the subdivision
regulations of the Town of Delafield and Waukesha County in surveying, dividing and mapping the same.

Dated this xth day of xxxxxx, 2019

Keith A. Kindred, PLS 2082

BASEMENT RESTRICTION -- GROUNDWATER

This Certified Survey Map is located in an area with mapped soils known to have seasonal high groundwater. The Waukesha
County Shoreland and Floodland Protection Ordinance currently requires that the lowest level of any principal building
must be at an elevation that is at least one (1) foot higher than the highest seasonal groundwater level, unless a variance from
that requirement is obtained from the Waukesha County Board of Adjustment. Therefore, additional soil testing in the vicinity
of any proposed principal building will be required to ensure compliance with this requirement. If the requirement regarding
vertical separation distance from the highest seasonal groundwater level is modified by a future amendment to the
Waukesha County Shoreland and Floodland Protection Ordinance, the requirement at the time of construction shall
apply. All groundwater separation requirements set forth by the Town of Delafield must also be complied with.
CERTIFIED SURVEY MAP NO.

A REDIVISION OF LOT 2 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 11698 BEING A PART OF THE
SE. 1/4, SW. 1/4, NE. 1/4 AND NW. 1/4 OF THE SW. 1/4 OF SECTION 31, T.7N., R.18E.,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.

OWNER'S CERTIFICATE OF DEDICATION:

As owner, Veterans Electric LLC, we hereby certify that we caused that land described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented on the Certified Survey Map. We also certify that this Certified Survey Map is required by s.236.10 or s.236.12 to be submitted to the following for approval or objection:

1) WAUKESHA COUNTY
2) TOWN OF DELAFIELD
3) VILLAGE OF SUMMIT

Date:______________ Signed:__________________________________________________________

__________________________________________ Member

STATE OF __________________________

__________________ COUNTY) SS

Personally came before me this ______ day of __________________________, 20____, the above named __________________________, to me known to be the same persons who executed the foregoing instrument and acknowledged the same.

________________________________________

Notary Public

__________________________ County, Wisconsin

My Commission Expires _____________

PHONE: 414.949.8962
501 MAPLE AVENUE
DELAFIELD, WI 53018-9351
www.sehinc.com

PROJECT NO. VETEL-151203
THIS INSTRUMENT DRAFTED BY DAPHNE WILLIAMS
SHEET 5 OF 7
CERTIFIED SURVEY MAP NO.
A REDIVISION OF LOT 2 AND LOT 3 OF CERTIFIED SURVEY MAP NO. 11698 BEING A PART OF THE
SE. 1/4, SW. 1/4, NE. 1/4 AND NW. 1/4 OF THE SW. 1/4 OF SECTION 31, T.7N., R.18E.,
TOWN OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN.

TOWN BOARD APPROVAL CERTIFICATE:

Resolved that the Certified Survey Map, in the Town of Delafield, is hereby approved by the Town Board.

All conditions have been met as of the __________ day of __________________ 20__

Date: ____________________ Signed: ____________________

Ron Troy, Town Chair

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the Town Board of the Town of Delafield.

Date: ____________________ Signed: ____________________

Mary Elmer, Town Clerk

PLAN COMMISSION APPROVAL CERTIFICATE:

APPROVED, that the Certified Survey Map, in the Town of Delafield, is hereby approved by the Plan Commission.

Approved as of the __________ day of ______________, 20__

Date: ____________________ Signed: ____________________

Kevin Fitzgerald, Chairman

I hereby certify that the foregoing is true and correct copy of a resolution adopted by the Plan Commission of the Town of Delafield.

Date: ____________________ Signed: ____________________

Mary Elmer, Town Clerk

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE:

The above, which has been filed for approval as required by Chapter 236.34, WI. Statutes and Waukesha County Shoreland and Floodplain Subdivision Control Ordinance, is hereby approved on this

________ day of __________ 20__

________________________________

Date Shaver, Director

Note: The Village of Summit has waived their extraterritorial review of this Certified Survey Map.
WETLAND/ SECONDARY ENVIRONMENTAL CORRIDOR

Those areas identified on this Certified Survey Map as Wetland/Secondary Environmental Corridor on sheets 2 and 3 of 7, shall be subject to the following restrictions:

1. Grading, filling and removal of topsoil or other earthen materials are prohibited, unless specifically authorized by the municipality in which this land is located and, if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.

2. The removal or destruction of any vegetative cover, i.e., trees, shrubs, grasses, etc., is prohibited, with the exception that invasive, dead, diseased, or dying vegetation may be removed, at the discretion of the landowner and with the approval from the Waukesha County Department of Parks and Land Use - Planning and Zoning Division. Silvicultural thinning, upon the recommendation of a forester or naturalist and with approval from the Waukesha County Department of Parks and Land Use - Planning and Zoning Division, shall also be permitted.

3. Grazing by domesticated animals, i.e., horses, cows, etc., is prohibited.

4. The introduction of plant material not indigenous to the existing environment is prohibited.

5. Ponds are prohibited unless designed to enhance the natural environment. Ponds that may be permitted are subject to the approval of the Municipality in which they are located, and if applicable, the Waukesha County Department of Parks and Land Use, the Wisconsin Department of Natural Resources and the Army Corps of Engineers.

6. The construction of buildings is prohibited.

7. The resource boundaries and restrictions contained herein may only be modified in compliance with the regulations of the Waukesha County Shoreland and Floodland Protection Ordinance or the Town of Delafield Zoning Ordinance, whichever applies, with approval from the jurisdictional authority.

WAUKESHA COUNTY DEPARTMENT OF PARKS AND LAND USE:

The above, which has been filed for approval as required by Chapter 236.34, WI. Statutes and Waukesha County Shoreland and Floodland Subdivision Control Ordinance, is hereby approved on this

____day of, _________, 20____

__________________________
Dale Shaver, Director