

**TOWN OF DELAFIELD  
PLAN COMMISSION MEETING  
TUESDAY, MARCH 2, 2021, 6:30 P.M.**

**Video Link:** <https://www.youtube.com/watch?v=f8iNZLA-Xhg>

**First order of business:** Call to Order and Pledge of Allegiance

Ron Troy called the meeting to order at 6:31 p.m. and led all in the Pledge of Allegiance.

Members present: Supervisor Kranick, Commissioner Diderrich, Commissioner Dickenson, Commissioner Frank, and Town Chairman Troy. Plan Commission Chairman Fitzgerald was excused.

Also present: Administrator-Clerk/Treasurer Dan Green, Engineer Tim Barbeau and Waukesha County Planning & Zoning Manager Jason Fruth.

**Second order of business:** Approval of the minutes of February 18, 2021.

*Motion made by Commissioner Frank to approve the February 18, 2021 Plan Commission minutes as presented. Seconded by Supervisor Kranick. Motion passed 5-0.*

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

**Fourth order of business:** Unfinished Business: None

**Fifth order of business:** New Business:

A. Review and discussion of the Thomas Farm Planned Development District Ordinance

Engineer Barbeau explained this ordinance was created from a variety of workgroup meetings with the community, developers, Waukesha County and Town staff. After the last attempt at an ordinance, the Town agreed to allow the County to help. The Land Use was adopted by the Town and moved to the County where it is pending as Mixed Use. The Land Use prior to that was residential to the north and commercial to the south.

Supervisor Kranick stated when they first went through this exercise last time, it was mixed use, but this is more specific to the farm. Engineer Barbeau explained that the ordinance needs to reflect the land use that was established and is pending. Mr. Barbeau explained that the Town may elect to use some of this code for other projects, but where it stands now, it would be solely for the Thomas Property.

Tim reviewed the Statement of Intent portion as well as the Applicability section of the code. Jason Fruth explained that the Applicability section is unique, where a district is created but only one property is impacted. The rezone will require that a General Development Plan (GDP) be submitted. Supervisor Kranick commented, even if we adopt this ordinance, the property would still be zoned A-1. Mr. Barbeau explained that the zoning change would take affect when an applicant applies for it and submits a General Development Plan. The approval of the GDP would trigger the zoning change. This ordinance would go hand in hand with the land use to the Waukesha County Board.

Engineer Barbeau explained that at the time of the rezoning, there would be a pre-petition meeting with Town and County staff. The applicant would then have to apply for a rezone petition, which is under the General Development Plan. The requirements of the GDP are outlined in 3.b.1 – 3.b.13. The engineer reviewed a list of issues that would need to be addressed including water, sewer, pedestrian paths, stormwater, and others. Commissioner Frank questioned why the County was not involved with the water. Jason Fruth stated the County are not subject matter experts regarding water but would reach out to SWRPC as well as the DNR.

Engineer Barbeau reviewed multi-family and office requirements. He mentioned involving an architect to help with reviewing design and architecture. He explained the workgroup reviewed garage doors on the front, as opposed to

the side. A mix of side and front entrances was proposed which can look good if done right. He reviewed roof structures, pedestrian paths, shared gathering spaces, landscaping, building entrances, etc. He explained that exceptions would be granted through the Plan Commission, Town Board and through the County Zoning Administrator. Jason Fruth explained the workgroup had debated being more specific on design criteria. Design preferences changed based on the examples that were used by developers. He explained they took that approach through this section (section 4) and if the Plan Commission wanted to key in on specific looks, or themes, it should be done outside of this ordinance. He stated a design preference survey may also be done where the Plan Commission members could vote on a design preference.

Engineer Barbeau reviewed the use regulations for each of the 6 zones. All uses in zones 4-6 would require a Plan of Operation, while zones 1-3 would go through a typical platting process. He explained that if senior uses are permitted, occupants must be 55 years and older, and would allow for long term care facilities. Any high density uses would require a public hearing in zones 4-6. Mr. Barbeau explained the statements regarding potential daycare facilities as being incidental uses within 4-6 for office or senior living facilities. Supervisor Kranick asked if there were rules which residents would have to abide by during public hearings for the high-density development/uses. Jason Fruth referred him to number 13 under the Specific Development Plan.

Engineer Barbeau explained that senior housing public hearings are subject only to this ordinance and not other parts of the Town's ordinance. Mr. Barbeau reviewed other incidental uses within some of these zones. Commissioner Frank questioned if one of the senior living facilities could turn into a 501 C-3 organization, in regard to taxes. Jason Fruth explained this would be something to consider when reviewing the Developer's Agreement. Supervisor Kranick asked what the acreage of these areas were, so they had a better understanding of the density.

Jason Fruth stated they did research on typical unit sizes for various uses, including single & multi family, senior living and office. He encouraged the Plan Commission to look at all different options in regard to density, not just maxing the density out as if solely senior living were to be developed on zones 4-6. He also stated that there are practical difficulties on the site that would not allow the maximum density, including stormwater needs, community areas, etc.

Engineer Barbeau reviewed the building location standards including setbacks and offsets. He explained that setbacks are based on the roadway, and offsets are from the side and rear lot lines. The base setbacks will be from the road right-of-way. Supervisor Kranick asked what the ROW was on Golf Road. Administrator Green stated Gold Road has a 100' ROW.

Commissioner Diderrich asked if the buffer zones were decided by the group or added later to the ordinance. Engineer Barbeau explained the idea of buffering was at the request of the workgroup. He explained that the landscape buffer along Golf Ridge is on private property. He explained the intent is that the outlots will be maintained by the HOA, as well as the buffers. The intent was not to have buffers on private property.

Engineer Barbeau reviewed the setbacks for internal roadways and stated they would be private and narrow, most likely with curb and gutter. Supervisor Kranick asked what the setbacks would be in zone 1, around the cul-de-sac. Engineer Barbeau stated the setback would be 35' with 15' side and 20' rear offsets, considering the environmental corridor in the back of the lots.

Engineer Barbeau reviewed height maximums compared to the Town's current code. He explained that he reviewed 12 properties on Crooked Creek and measured the homes in that area. The highest base height was 20 feet, and the proposed ordinance allows up to 25 feet. The highest overall height he founds was 41 feet. He thought the heights in the proposed ordinance were comparable. The other heights in the ordinance are based off the County's research on averages, from data gathered from various other development examples. Engineer Barbeau also added, that the Plan Commission may grant an exception to an exposed under ground parking facility. Jason Fruth made a correction to the bottom line of the height chart, stating it should read Senior – 2 story zones. He added that three story buildings would be buffered by Golf Road and trees.

Engineer Barbeau reviewed area regulations, included minimum square footage for single family and multi-family units. He explained the ordinance references another section of the Town code, which sets minimum floor areas for two story dwellings. Jason Fruth reviewed the multi-family minimum square footage and explained that these thresholds are higher, than what the County Code contains. He stated these numbers are near the middle of what other nearby communities have. Mr. Fruth looked at newer complexes that the county has been involved in, including higher end multi-family. He explained that the trend is smaller unit sizes with luxury, and high-end finishes. The County ordinance has each at 100 square feet less than is being proposing. He explained the area regulations for senior will go through a site review process. This will be based on the type of facility and services they provide.

Jason Fruth reviewed the maximum building footprint with an objective to get away from the floor to area provisions. They agreed on 17.5% which is in the middle of one story and two-story buildings. He explained it has worked well with the County for 15 plus years. As far as multi-family and senior, they have less experience with this. The County did a lot of local research and used impervious surface and building footprints. The 25% number landed well for all of those use types. Jason Fruth commented that the average of the office examples was just over 15%. He wanted to look at the top of the range for the future. He explained that senior housing examples averaged 25.8% but was slightly skewed by some projects having no greenspace. The average footprint most compatible with this site for senior use was between 16% and 22.4%.

The Plan Commission reviewed lot sizes and explained how the average width is calculated. Engineer Barbeau explained that lot sizes determined in zones 2-6, were based on what the market is driving.

Engineer Barbeau reviewed the open space chart and gave a definition of open space; all areas void of structures, parking areas, driveways, roads, patios, decks and pools. He reviewed open space credits to be transferred from Zone 2 to zone 3. Supervisor Kranick commented that 30% open space for single family seemed very low. Jason Fruth explained that some of the surrounding neighborhoods are 20% to 40%. He also explained it will be more than 30% with the environmental corridor. Supervisor Kranick commented that in zone 1, you are limited to the number of houses that can fit on a cul-de-sac. Engineer Barbeau explained that the adoption of this ordinance could authorize the development to exceed the 1,000-foot requirement of road length, ending in a cul-de-sac.

Commissioner Frank asked if lots could be in the Environmental Corridor. Engineer Barbeau said yes, but there would be a conservation easement. Mr. Fruth explained that any Environmental Corridor would be removed from the open space calculation.

Engineer Barbeau reviewed parking and sign regulations. He explained that parking regulations must follow the Town's Code (17.09). He stated the Town would want to get an idea of the use and how many vehicles would be at each location. He also reviewed screening parking areas and landscape islands with more than 20 parking stalls. Supervisor Kranick asked why the screening heights were 3 feet and not 4 feet. Mr. Fruth explained that it was a request from the ownership group. Staff did not think it was an unreasonable request.

Engineer Barbeau reviewed sections 14-18 of the ordinance including dumpster enclosures, outside storage, road layout, cul-de-sac length and the developer's agreement. He explained they are anticipating a road system through this development which will need to come through the General Development Plan. He explained the ordinance also suggest bump outs and walking path crossings to slow traffic through the development. Waukesha County indicated they will allow two access points off Golf Road. Other entrances and exits will be determined as traffic studies are done by the developer.

Supervisor Kranick asked if we would anticipate a separate developer's agreement for each zone. Engineer Barbeau commented he would anticipate a developer's agreement for each separate development. Commissioner Diderrick questioned if there was a certain type of traffic impact study required. Engineer Barbeau explained that the traffic study must be a DOT study, that would be subject to the Town and County staff review. Mr. Fruth added that all traffic studies use the same manuals.

Engineer Barbeau explained this document implements the Land Use Plan amendment to move forward. We consider this a neighborhood plan, with the intent to put laws in place that, if followed, will follow the Land Use Plan. Commissioner Frank questioned if the open space transfer should be phrased, such as to allow 5% provided in area 2. Mr. Fruth stated he did not want to specify numbers, as there has not been a delineation done on the property.

Commissioner Dickenson questioned why this is considered a district. Engineer Barbeau stated that the Town has numerous zoning districts. The owner requested a change from the commercial use to a mixed use which was a broad category. By creating this district, the Town will get the big picture early on, keeping the puzzle pieces compatible moving forward. Commissioner Dickenson questioned if this would be a new standard moving forward. Engineer Barbeau explained the Town does not typically create a new zoning district. This is unique, in that it is off Golf Road and I-94 and has the potential for sewer service. Supervisor Kranick stated this was driven by the Land Use amendment from commercial to mixed use in the southern portion of the property. He commented that the ordinance has good bones, but there are still some tweaks that need to be done. He recalled that a few months ago, a storage facility came to the Plan Commission and the applicant was told the development was too dense. He stated the Plan Commission needs to know what the maximum density is under this ordinance. The Plan Commission needs to understand what is being proposed as it is unprecedented to the Town. Chairman Troy asked that Jason send the Plan Commission the materials from the workgroup. He also stated the ordinance is a result of everyone working together as a compromise, where not all parties are completely satisfied.

Supervisor Kranick stated this is a big deal for everyone living in the Town, not just for the residents that live there in that particular area. He stated the commission needs to weigh the pros and the cons for all the potential uses. As a board member, the discussion of tax base should also be considered.

**Sixth Order of Business:** Discussion: None

**Seventh Order of Business:** Announcements and Planning Items: Next meeting date: March 16, 2021- Joint Plan Commission and Town Board Public Hearing for the Thomas Farm Planned Development District Ordinance followed by a Plan Commission meeting, to consider ordinance modifications and recommendation of the ordinance to the Town Board.

This will also be a public hearing for Waukesha County's Shoreland Ordinance. Jason Fruth reminded residents that the dedicated website regarding the Thomas development is still live on their website, including the visual aids used during the Open House meeting.

Supervisor Kranick questioned, if it was implied that the Town was going to put their touches on the ordinance. Mr. Fruth stated this ordinance was put together for a complicated site, as a general conclusion by the workgroup. There were some small issues that needed to be written in based on the comments from the workgroup. From his understanding, some of the workgroup members are reconsidering what was decided. Supervisor Kranick asked Mr. Fruth if he recalled the emotional comment at the end of the document. Mr. Fruth stated that it is important to answer that philosophical question as it is being asked. He stated that there is room for the Plan Commission to be responsive to comments. Staff attempts to get everything just right, but it is possible that they miss things. There is also an ordinance amendment process, if the Town deems that there are tweaks that need to be made while going through the process.

Commissioner Frank questioned if the open space and the Environmental Corridor percentages would be learned as the site is developed. Mr. Fruth urged the owner to delineate those Environmental Corridor areas and consider navigability determination studies to help determine those percentages.

**Eighth Order of Business:** Adjournment

*Motion by Commissioner Diderrich to adjourn the March 2, 2021 Plan Commission meeting at 8:33 p.m. Seconded by Commissioner Frank. Motion passed 5-0.*

Respectfully submitted,

Dan Green, CMC, WCMC  
Administrator-Clerk/Treasurer