

TOWN OF DELAFIELD
PLAN COMMISSION MEETING
Tuesday, February 4, 2020, 6:30 p.m.

Members present: Supervisor Kranick, Commissioner Frank, Supervisor Dionisopoulos, Commissioner Diderrich, Commissioner Dickenson, Plan Commissioner Chairman Fitzgerald and Town Board Chairman Troy

Also present: Town Engineer Tim Barbeau, Town Attorney Eric Larson, and Administrator-Clerk/Treasurer Dan Green.

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

Chairman Fitzgerald called the meeting to order at 6:30 p.m., and led all in the Pledge of Allegiance.

Second order of business: Approval of the minutes of December 3, 2019.

MOTION MADE BY COMMISSIONER DIDERRICH TO APPROVE THE DECEMBER 3, 2019 PLAN COMMISSION MINUTES. SECONDED BY COMMISSIONER DICKENSON. MOTION CARRIED UNANIMOUSLY.

Third order of business: Communications (for discussion and possible action):

- A. City of Pewaukee (12/27/29) Notice of Public Hearing for Land Use Plan amendment for property on Bluemound Road.
- B. Village of Hartland (12/9/19), Ordinance adopting changes/amendments to the Hartland Comprehensive Plan.
- C. Waukesha County, Planning and Zoning Division (12/26/19), Conditional approval for commercial truck parking on the Steve Wittman property at N13 W28828 Silvernail Road.
- D. Waukesha County, Planning and Zoning Division (12/4/19), Draft animal keeping and miscellaneous zoning amendments.

Fourth order of business: Unfinished Business

- A. Town of Delafield, Re: Consideration and possible action on the adoption of an ordinance to repeal and recreate the definition of light industrial, in the definitions section of Chapter 17, and Sections 17.04 5. J. 2. c., 17.04 5. K. 2. c., 17.04 5. L. 2. c., 17.04 5. M. 2. c., 17.10 5. F., 17.10 5. G. 1.; repeal Section 17.10 5. E. 2., and create Section 17.04 5. R. Mixed Use of the Town of Delafield Municipal Code.

Chairman Troy stated that a public hearing is scheduled on February 17, 2020 for the zoning ordinance. This evening's meeting is to work on the final edits and get the final revisions for the public hearing. The chairman explained that there was a land use request by the owner of the Thomas farm. The land use plan is now at Waukesha County for review. We are drafting a zoning code that will fit the land use plan. The land is currently zoned agricultural and will remain that until we receive a master development plan. Currently there is no master development plan in the works. He explained that the January Plan Commission meeting was cancelled so that the zoning ordinance could be drafted. Mr. Troy also explained that Waukesha County sent a recommendation letter to the Town with their proposed changes which were included in the packet. He also explained that once the Town approves the zoning code ordinance it has to go through Waukesha County's approval process.

Engineer Tim Barbeau reviewed the changes that were made from the last time the ordinances was brought forward to the latest version. He reviewed each change with the Plan Commission members. Mr. Barbeau began with reviewing added language related to adequate capacity to sewer and water without negative impacts to the system. He also explained that any necessary upgrades to sewer or water would be at the expense of the developer. Commissioner Frank suggested that the ordinance language "on the land" in section 1c be removed. Chairman Troy stated that the intent was for water to be provided by the City of Delafield or the City of Pewaukee. The Commission also asked that the word "public" be added in front of sanitary sewer and water.

Chairman Troy explained that the Master Development Plan is structured so the developer has to show the Plan Commission and Town Board the entire property laid out including traffic, lighting, stormwater, landscaping and all other pieces described in this ordinance. These need to be provided before making any zoning changes.

Engineer Barbeau reviewed Sections R.3 and R.4 of the coding dealing with the procedures for the Master Development Plan and the pre-application or conceptual plan process. Chairman Troy explained that the review of the Master Development Plan by the Plan Commission will be an open process. He explained that once an applicant brings a zoning amendment to the Town, a joint public hearing will take place and the process will need to be approved by Waukesha County as well. R.4 explains the design criteria which there are ten criteria listed.

The Commission reviewed the permitted uses which included daycare and health club facilities. This was suggested by Jason Fruth from Waukesha County. Their reasoning was that the Town may want to include some service businesses that may be convenient to the developer and the residents in the area. Supervisor Kranick suggested that these services businesses be removed from the permitted uses section. He explained that health club is too broad and is not a fit for the development and daycare facilities could generate traffic. Chairman Fitzgerald suggested listing these as accessory uses inside a building. Engineer Barbeau explained that you may have an office building that has two or more tenants and one could be a standalone health club. Chairman Troy stated he is not opposed to taking out health clubs but would like to see day care remain inside a business. The Commission agreed that if traffic is a concern, both items should come out of this section.

The Plan Commission reviewed the proposed setback restrictions as it related to I-94. The original ordinance had a 600 feet buffer from the center line of I-94. The new ordinance gives flexibility for residential to be anywhere on the site. Mr. Barbeau explained the Town does not want to deny the ability to have multi-family closer to the highway. The Commission agreed to the revised ordinance with the opportunity to review the setback if it becomes an issue on the Master Development Plan.

Engineer Barbeau explained that restaurants and retail facilities were removed and those have been added to the prohibited uses. He reviewed proposed setbacks that were changed to 35 feet from the interior road and 100 feet from the exterior where the property borders a residential zoned property. The 100 foot buffer does not include the road right of way which adds 33 feet from the center line of the roadway. This leaves nearly 200 feet of buffer between a residential home and any proposed structures.

Mr. Barbeau explained that in the early versions of the ordinance the height was set at 55 feet. The newest version reflects a 47' for buildings with a pitched roof. A flat roof building will be restricted to 35' with the current screening codes for mechanicals. Chairman Fitzgerald explained the height is going to be no different than residential with eave height limits of 30' which go up from there when the roof is pitched. Commissioner Frank questioned if they wanted to create a larger setback for building heights of 35 feet or greater so it is less visible. Chairman Troy stated there will be landscaping barriers that will be required, especially for those facing Glen Cove Road and Elmhurst Road.

Mr. Barbeau reviewed the area of single family homes for this district which was reduced from 1500 square feet to 1200 square feet. Waukesha County suggested 1,100 square feet to comply with regional housing requirements. He explained there are sections in the code for minimum foot prints for more than one story homes.

The Commission discussed open space requirements which the previous ordinance proposed 35%. The revised ordinance suggests a 40% overall greenspace and 25% per lot. Chairman Troy stated that Waukesha County recommended 25-30% open space. Supervisor Kranick stated he would like to see a more conservation style development to fit the character of the Town. He proposed changing to 45-50% open space and Commissioner Frank agreed. Chairman Troy stated 50% open space was too high as the County was looking at 30%, but stated he could support 45%. The Commission all agreed to 45% open space.

Mr. Barbeau reviewed multi-family density which was originally proposed at 12 units per acre. The revised ordinance suggests 10 units per acre with the County proposing 20 units per acre. Waukesha County's proposal was to keep up with what other communities are doing. The Commission also reviewed the percentage of land to be developed as residential. The original ordinance required 45% as residential, with the revised ordinance proposing 25%. This would limit residential multi-unit developments to 250 unit maximum in regards to the Thomas property.

Commissioner Dickenson asked that Section 4h be amended to add the word "public" when referring to water and sewer. The Commission agreed to make the change. The Commission discussed parking lots which would be allowed 10 feet off the right of way which is consistent with the Town Code. They also reviewed Section 10 which gives the Board some flexibility in regards to the standards of some of the sections of the code. They also discussed a new section for potential developer agreements which would bring stormwater, grading and other development pieces into play.

Mr. Barbeau reviewed some other changes to the Town's Code which will be a result of the Land Use change including prohibiting other commercial or business districts to be allowed in a Mixed Use land use. Chairman Troy stated the Land Use change would affect 6 other properties which would fall in the Mixed Use land use.

Supervisor Kranick made a motion to set a public hearing date for February 17, 2020 for the proposed Mixed Use Zoning Ordinance. Seconded by Chairman Troy. Motion carried unanimously.

Chairman Fitzgerald explained the public hearing on February 17, 2020 will be at the Town Hall at 6:30 PM. The new version of the ordinance will be published on Town's website in the next two days. He asked that people submit their written comments for the Plan Commission to consider and public comment will be taken at the meeting. Mr. Barbeau explained that the Joint Public Hearing would be taking comments on the zoning code creation, not a zoning change.

Fifth order of business: New Business: None

Sixth Order of Business: Discussion: None

Seventh Order of Business: Announcements and Planning Items:

- A. Monday February 24, 2020 6:30 p.m. (to consider comments at the 2/17/20 public hearing and possible make a recommendation to the Town Board regarding contemplated chapter 17 code amendments).
- B. Tuesday, March 3, 2020, 6:30 p.m.

Eighth Order of Business: Adjournment

Motion by Supervisor Kranick to adjourn the February 4, 2020 Plan Commission meeting at 7:34 p.m. Seconded by Commissioner Frank. Motion carried unanimously.

Respectfully submitted,

Dan Green, CMC, WCMC
Administrator-Clerk/Treasurer

Minutes approved on: