



# CITY OF DELAFIELD MEETING AGENDA PLAN COMMISSION

Commissioners: Mayor Kent Attwell, Ald. Tim Aicher, Dan Cahalane, Mike Hausman, Dan Jashinsky, Edward Marek, Laura Schult, Robert Weiler

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Wednesday, March 30, 2022

7:00 p.m.

City Hall, Council Chambers  
500 Genesee St.

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## Regular Meeting

**DRAFT**

[YouTube Link](#)

### 1. Call to Order

Meeting was called to order at 7:00 PM.

### 2. Pledge of Allegiance

The pledge of allegiance was recited.

### 3. Roll Call

**Commissioners Present:** Kent Attwell, Mayor  
Tim Aicher, Ald. D7  
Dan Cahalane  
Mike Hausman  
Dan Jashinsky  
Laura Schult

**Commissioners Excused:** Ed Marek  
Robert Weiler

**Also present:** Amy Barrows, City Planner  
Molly Schneider, City Clerk

### 4. Minutes

Discussion and possible action on the following minutes:

#### A. Approval of minutes of the [February 23, 2022](#) Regular Meeting.

*Motion by Aicher seconded by Schult, to approve the minutes of the February 23, 2022 meeting as presented.*

*All in favor. Motion carried.*

### 5. Citizen Comments on Consent Agenda Items

Hearing no one present who wished to speak, citizen's comments on consent agenda items were closed.

### 6. Consent Agenda

Recommended approvals in accordance with the staff report. Items listed under the Consent Agenda are considered in one motion in accordance with the Staff Report unless a Plan Commission member or staff member requests that an item be removed from the Consent Agenda. Items recommended for discussion and possible action:

**A. DELC0798965004, 400 Genesee Street. Owner: Town Bank. Applicant: Melissa Cataldo, Innovative Signs. Applicant seeks approval of Permanent Signage, with a waiver from the front setback, to replace the existing freestanding sign for Town Bank.**

**B. DELC0804994019, 2734 Hillside Drive. Owner: NRF IX – Hillside, LLC. Applicant: Ahmed Zaher. Applicant seeks approval of Permanent Signage to advertise an existing business, which will be renamed from Endurance House to PlayTri – Swim-Bike-Run.**

- C. **DELC0793014002, 515 Wells Street. Owner: Hendricks Commercial Properties, LLC. Applicant: Pete Kraeger on behalf of Il Mito Café. Applicant seeks approval of Permanent Signage to advertise an existing restaurant, which will be renamed from America's to Il Mito Café.**
- D. **DELC0733998002, 3047 Village Square Drive. Owner: Delafield Station LLC. Applicant: Zane Nichols, Lemberg Electric. Applicant seeks approval of Permanent Signage to advertise Studio 83 Pilates.**
- E. **DELC0733998002, 3067 Village Square Drive. Owner: Delafield Station LLC. Applicant: Christina Nelson (Coreglow) & Zane Nichols (Lemberg Electric). Applicant seeks approval of a Business Plan of Operation and Permanent Signage to operate and advertise an infrared sauna wellness center known as Coreglow.**
- F. **DELC0793020001, 719 Genesee Street. Owner: Hendricks Commercial Properties, LLC. Applicant: Birchwood Wells. Applicant seeks approval of Permanent Signage to advertise a business known as Birchwood Wells.**

*See the Planner's Report in the March 30, 2022 ePacket for detailed information on these proposals.*

*Motion by Aicher seconded by Jashinsky, to approve the consent agenda as presented.*

*All in favor. Motion carried.*

#### **7. Citizen Comments on items other than Consent Agenda Items**

Marcia Stocks, 226 Genesee St – Spoke regarding item 10.A. Approves of the Land Use Plan and Zoning change for the neighborhood.

#### **8. Unfinished Business**

Discussion and possible action on the following items:

- A. **DELC0825994, 701 Maple Avenue. Owner: Hartland Sportsmen Club. Applicant: Brian Dorow (Delafield Oaks Range) & Mark Wershay, Architect. Applicant seeks approval of Site Plan and Appearance Review and Business Plan of Operation to operate an indoor firing range, including gun and firearms accessory sales and safety training classes, as well as indoor and outdoor event space.**

*See the Planner's Report in the March 30, 2022 ePacket for detailed information on this proposal.*

Brain Dorow and Mark Wershay were present to speak regarding the proposal.

Barrows summarized the zoning of the property and the proposed use. The proposed uses outside of the indoor range are not addressed in the code specifically but are similar to restaurant use. If the use is approved, the motion should state that the proposed uses are considered similar to the uses listed in B-6.

The proposed plan included widening the driveway, but the engineering report notes Right of Way improvements that would have to be approved by Town of Delafield. The parking lot will accommodate 73 spaces. Parking will be screened by vegetation and exceeds the required amount. The parking was calculated based off of the 1 space for every 250 sq ft. used for assembly or entertainment parking requirement. Structures that would be kept and removed were noted.

Wershay noted there was a large structure that was used as a backstop that would be staying temporarily. Dorow noted there are some other structures that were used for target shooting that would be removed. The backstop will be revisited for removal.

Barrows summarized the construction plans for the range facility. The range portion is mostly underground. There will be significant grading. Spoiled material will remain onsite and is tied into the existing grading. Several structures will be removed, but there will be a few structures that are being

proposed to remain on the property. Most structures do comply with the B-6 setback provisions, but some are also existing non-conforming structures. There is an issue with a door location not meeting setback requirements.

The City Engineer recommended that the Public Works Committee reviews the plans once the plan has been revised to comply with the conditions. Sewer is requested, but must be approved by SEWRPC.

A traffic analysis was completed and no improvements were required on the site.

There are easements needed and the well would need to be abandoned if the site were to be served by City water.

15 trees will be removed and replaced with trees that will be equal in total diameter the number of removed trees. Vegetation around building and parking lot is not being proposed, however landscape islands or perimeter plantings would be required.

The lighting plan does not leech onto any adjacent properties and it is all downlighting. The tables on the plan do not follow City code, but should still meet the City's limitation once calculated as required.

Cahalane asked about the lead remediation. Barrows explained that the DNR sets the program and the approval is contingent upon compliance with that program. Dorow noted some testing had been done already.

The building design was displayed.

For the business operations, there is an indoor and outdoor event space. The outdoor event space is in the north side of the property away from the residential properties. They are proposing food service provided by catering and food trucks with grab 'n' go selections onsite. They are proposing a Class "B" beer and wine license. They are proposing some special events and outdoor events and alcohol consumption will not be allowed in conjunction with the use of firearms.

Hausman asked about allowing bow hunting on the property outdoors. Dorow clarified that the City Deer Management Committee had approached him regarding use of the property for the City deer management operations. He is not in favor of this. Aicher noted that state laws may not allow for the City to restrict bow hunting on the property. However, bow hunting as part of the recreational usage is not allowed per the Zoning.

The range and retail hours begin after 9:00AM to 9:00 PM at the latest. The event space activities hours 9:00 AM – 10:00 PM Mon – Weds, and 9:00 AM – 11:00 PM Thurs and Sunday and 9:00AM – midnight Fri and Sat, but any outside service or activity would be closed down by 10:00PM on any day.

Signage and an entrance gate will be coming back for approval at a later date.

Barrows summarized the recommended conditions from the Planners Report provided.

Discussion ensued regarding the proposed events. Concerns about the number of events per year and the size of events was discussed. Schult suggested that there be 30 day written notice to the city of any live events.

Hausman asked about the restaurant and liquor license requirements.

Cahalane noted he appreciated the proposal.

Discussion occurred regarding determining if the use is listed in the B-6 district or is considered substantially similar. Barrows explained this would be a banquet/convention center style use, but that use is not listed anywhere in the code on its own. It is more of an accessory use to a restaurant use. Schult suggested this use would fall within the amusement establishment and cocktail lounge uses.

*Motion by Hausman seconded by Cahalane, to approve the Site Plan and Appearance Review and Business Plan of Operation to operate an indoor firing range, including gun and firearms accessory sales and safety training classes, as well as indoor and outdoor event space, which fall within the amusement establishment and cocktail lounge uses, subject to the conditions in the planners report dated March 30, 2022, except that condition number 9 shall be replaced with a condition that the outdoor uses that include port o' potties, temporary tents, and outdoor live amplified music, shall be noticed to the city and abutting neighbors 30 days prior to the event and events shall be limited to six per year per the BPO.*

*Discussion: Aicher is glad to see this is wrapping up the long-standing public safety issue with this property. Schult noted that it will benefit the City in many ways.*

*All in favor. Motion Carried.*

## 9. New Business

Discussion and possible action on the following items:

- A. DELC0784971003, DELC0784971004, & DELC0784975, 1100 STH 83. Owner: Elmbrook Church, Inc. Applicant: Jennifer Akin. Applicant is requesting that Plan Commission discuss and provide feedback regarding a Conditional Use Amendment to allow summer programming, including the installation of a temporary tent to provide shelter for outdoor activities and schedule a public hearing for the same.**

*See the Planner's Report in the March 30, 2022 ePacket for detailed information on this proposal.*

*Motion by Aicher seconded by Schult, to schedule a public hearing for April 27, 2022 for a Conditional Use Amendment to allow summer programming, including the installation of a temporary tent to provide shelter for outdoor activities.*

*All in favor. Motion carried.*

## 10. Zoning and Ordinance Revision:

- A. DELC0798964, 310 Genesee Street, Owner: Ryan Eisenhut; DELC0798962, 302 Genesee Street, Owner: William & Judy Pawlicki; DELC0798946005, 226 Genesee Street, Owner: Bradley & Marcia Stocks; DELC0798958, 208 Genesee Street, Owner: Jacob & Jacquelyn Feutz; DELC0798957, 200 Genesee Street, Owner: Jeffrey Rademacher & Nancy Harvey; DELC0798954 & DELC0798953, 124 Genesee Street, Owner: Michelle Kelly, and DELC0798892, 600 Poplar Path, Owner: City of Delafield. Applicant: City of Delafield. Discussion on potentially rezoning the subject properties and amending the land use plan to allow for low intensity commercial uses and to amend the land use plan and zoning for the cemetery.**

*See the Planner's Report in the March 30, 2022 ePacket for detailed information on this proposal.*

Barrows explained the Plan Commission had determined that the best route was to amend the Land Use Plan and allow for the rezone to happen over time. The neighbors are concerned about retail and having high traffic with customers. The rezone would require a Planned Development Conditional Use. The draft language was summarized. Aicher noted the intent in the draft language is clear. Barrows explained that the Land Use categories include a list of the appropriate Zoning districts. The Zoning districts included in the updated Land Use Plan were discussed. The new Zoning district would be called CBD-4. The use of retail as a description may be too broad. It may be better to limit retail as an accessory use to a low-intensity use such as a beauty salon selling hair products. There was suggestion to include the ability of the surrounding property owners to approve of the Conditional Use. Attwell noted there are no other instances where the property owners have veto power. Discussion occurred about the pros and cons with property owners having the ability to limit the rezoning. Aicher would like there to be more examples included for professional offices to limit those that might be inappropriate so near to a school or in a residential area. Limiting of customer vehicle traffic from Genesee Street was discussed. Signage was discussed. The size of sign should be limited to 12 sq ft. and the setbacks should allow for the buildings

to be closer to the road and allow for parking in the back. The side setbacks were discussed. 10 feet setbacks were agreed upon. 50% FAR was agreed upon. Discussion occurred about how to notice the surrounding property owners, due to the public hearing be at the Common Council meeting and not the Plan Commission meeting. The next Plan Commission meeting will have the resolution for the Plan Commission recommendation to Common Council and there will be a public hearing for Land Use Plan at the May Common Council meeting. The Land Use Plan amendments will be followed by the rezoning of some properties, which may begin in the next month.

## **11. Report of City Officials**

### **A. Plan Commission meeting dates and deadlines**

- 1) Regular meeting April 27, 2022**
- 2) Regular meeting submittal deadline April 12, 2022**

### **B. Correspondence**

### **C. Planner**

Barrows explained there have been some BPO requests that have been coming in that have been very small. Other communities have allowed for small items, such as name changes, owner change, or operator change, be part of staff approval. If the City were to make this change, a report would be provided to the Plan Commission for review.

### **D. Building Inspector**

## **12. Adjournment**

Having no further business, the meeting was adjourned at 9:03 PM.

Respectfully Submitted,

Molly Schneider,  
City Clerk