

CITY PLAN COMMISSION
MONDAY, OCTOBER 21, 2013 - 6:30PM
COUNCIL CHAMBERS, CITY HALL

Mayor Connors called the meeting to order at 6:30 p.m.

Roll Call. Commissioners Flower, Poetzing, Alderman Hougen, Commissioners Gibbs, Olson and Skates. Also Present: Mayor Connors, City Attorney Draper, Zoning Administrator Robers, City Administrator Jordan, City Planner Slavney and Administrative Assistant Special.

Approval of Minutes

Hougan/Skates motion to approve Plan Commission meeting minutes of September 16, 2013, as distributed. Motion carried.

Comments from the public as allowed by Wis. Stats. §19.84(2), limited to items on this agenda, except for public hearing items. Comments will be limited to five (5) minutes. Applicants will be allowed when their item is discussed.

None.

Correspondence.

None.

Downtown Design Review.

None.

Public Hearing and recommendation on a Zoning Map Amendment filed by Kwik Trip, Inc., 1626 Oak Street La Crosse, WI 54601, to rezone from Planned Development (PD) to General Business (GB) at the following locations: Tax Key No's. ZA1776 00001 (630 and 700 Williams Street.), ZA1776 00002, ZA1776 00002, ZA00003, and ZA1776 00004. City Planner Slavney gave a synopsis on the rezone of these parcels and how they will be consistent with the plan that is proposed for that site (Kwik Trip). Prior to these parcels being zoned Planned Development, they were zoned General Business. Slavney states that he recommends approval of this zoning change.

Troy Mleziva, 1626 Oak St. La Crosse, WI 54601 approached the podium and explained the proposed project and how the change in zoning is planned to make the project comply with general zoning. All the existing building are proposed to be removed from the site. New landscaping and new curb and gutter are also planned. Connors reiterated that the travel agency, the Arrow products building and the auto garage will be demolished and all the parcels combined into one parcels. Mleziva stated yes and explained the project a bit more and the many jobs that will come along with this project. Hougan asks if there will be a location for alternative transportation. (Electric cars). Mleziva stated that there will be a bike rack and also proper pedestrian traffic to allow for safe access from the public sidewalk to the convenience store. Hougan asks if there will be areas within the project to allow for meetings to occur. Mleziva stated that there will be a small counter area inside (5-6 seats) as well as outdoor seating areas. No residential use is planned for the parcel.

Jim Strauss, 246 Ridge Road, approached the podium and gave his opinion on the proposed project and how he feels that it will be detrimental to the residential area nearby. He states that it is the beauty of this area that brings people here and that another gas station will not contribute to the beauty here in the city.

John Consolino, 501 Interchange North, approached the podium and explained that 6 of the 9 gas stations in the City are in the same area. He explains that the traffic count in this area has decreased. He brought a petition of 750 names of people who claim to not want another gas station. He strongly opposes the project.

Tom Kaczmarek, 605 Williams Street. He speaks in opposition to the project.

Rick Mistretta, representing 350 Edwards Blvd. (Mobil Station), He represents Prairie State Enterprises (Swatek) and opposes this project. He feels that this will not bring in new patrons but just redistribute the customers that are already here. He lists many reasons that he feels this should not happen.

Jacqueline Brower, 9220 Liberty Hill Ct, Cincinnati Ohio, who represents the Clark Station approached the podium and expressed her opposition to this project. She doesn't think that another gas station will improve the lives of the neighbors.

Jaime Anderson, 730 Madison Street, She is not opposed to the project, however, just not at this location. She gives an alternative site for the project.

Ken Kerns, 1929 N River Bay Road, Waterford, WI representing Mobil Station at 350 N Edwards Blvd., approached the podium and explained some challenges that will come of this location that they have chosen.

Shannon Zabroski, 822 Williams Street, an employee of the Clark Station, says she is an employee of the Clark Station, lives nearby, and has grown up going to Brookwood School and Badger High School. She wants to know what Kwik Trip offers that the other gas stations in town don't already offer.

Tom Landgraf, 14105 Field Point Drive, New Berlin, WI, owner of the property of the proposed project. He said he doesn't have a problem with the work of the project getting out, but he does have a problem with people being misinformed. Landgraf states that he has spoken with many people who do not want to go to a large store to get a few grocery items, that they would like to be able to walk to the store like when they were kids, having a location to offer high quality top tier gasoline and a smaller sized high end car wash. He apologizes for the way that the property looks and not being able to do anything about it. He has been trying to sell this property for 17 years. He says all this time, not one of the neighbors or other small businesses have approached him about using the property. He stated that cost has not been the issue. He talks about all the options that have been explored in all the years. He stated that he has approached all the surrounding property owners and all, except the Clark Station, are in favor of the project. Even the owner of the auto shop is in favor of it and he is the one losing his business. He explains that the Journal Sentinel has surveyed 1100 businesses in south eastern Wisconsin and Kwik Trip has been #1 the last two years.

Connors asks what happened with the church that received approval to be in this building. Landgraf stated that the cost of remodeling the building became too costly. Prior to the church approval, someone wanted to use it as storage and between zoning issues and financing for that type of use it wasn't able to happen.

Laura Berg, 500 S Edwards Blvd., She was a former resident of La Crosse and wanted to approach the City and explain many of the charities that Kwik Trip contributes to and how they give back to their community. She supports the project.

Hogan/Olson motion to close the public hearing. Hogan/Olson to withdraw the motion to allow the applicant to respond to questions.

Skates asks if the project will be open 24 hours a day. That is correct. Regular diesel will be provided and that the car wash is able to have limited hours and not be open 24 hours a day. They will oblige to a reasonable restriction.

Hogan/Olson motion to close the public hearing. Motion carried unanimously. Attorney Draper explains the rational basis of how to contemplate the decision of the vote on this Zoning Map Amendment. Once again, Slavney states that the property could still be used as warehousing, a church and a repair shop. Those uses are no longer current. The General Business zoning district is proposed, and what the travel agency is currently zoned as well as other businesses up and down Williams Street. He recommends returning the zoning to something that is broader in nature to allow for more uses and rezone to a General Business district. Discussion followed on development options. Discussion followed regarding the Comprehensive Plan in relation to this project. Hogan motion to deny the request for a **Zoning Map Amendment filed by Kwik Trip, Inc., 1626 Oak Street La Crosse, WI 54601, to rezone from Planned Development (PD) to General Business (GB) at the following locations: Tax Key No's. ZA1776 00001 (630 and 700 Williams Street.), ZA1776 00002, ZA1776 00002, ZA00003, and ZA1776 00004.** Attorney Draper gave his opinion on how Hogan was interpreting the Comprehensive Plan. Attorney Draper asks Slavney about the zoning history and the future for this property. Hogan asks if since this property is considered blighted, would it be eligible for TIF funding. Administrator Jordan stated that it (TIF) would need to be amended. **Motion fails.** Skates/Gibbs motion to **recommend approval** for a **Zoning Map Amendment filed by Kwik Trip, Inc., 1626 Oak Street La Crosse, WI 54601, to rezone from Planned Development (PD) to General Business (GB) at the following locations: Tax Key No's. ZA1776 00001 (630 and 700**

Williams Street.), ZA1776 00002, ZA1776 00002, ZA00003, and ZA1776 00004. Skates read the fact finding for supporting his motion. Connors states that he agrees with the reasons that the City Planner has mentioned regarding this portion of the project. Roll call vote: Connors: Y, Flower: Y, Poetzinger: Y, Hougan: N, Gibbs: Y, Olson: Y, Skates: Y. Motion carries (6-1).

Public Hearing and recommendation on a Conditional Use Application filed by Kwik Trip, Inc., 1626 Oak Street, La Crosse, WI 54601, for In-Vehicle Sales and Services (vehicular fuel station and car wash) incidental to on-site principle land use (convenience store) at the following locations: Tax Key No.'s ZA1776 00001 (630 and 700 Williams Street), ZA1776 00002, ZA1776 00003, ZA1776 00004 and ZRA 00037A (612 Williams Street).

Troy Mleziva, 1626 Oak Street, La Crosse, WI 54601 approached the podium and explained the project again before the City tonight. He talks about environmental considerations and air quality tests to maintain high quality areas. Slavney stated that the site plan is well designed and that City Staff has been working with the client to ensure a high functioning area. Slavney has several recommendations:

- 1) The pedestrian path from the city sidewalk in front of the site, to the store, is adequate, but a striped crosswalk should be provided across the car wash exit;
- 2) A directional pavement arrow and a "Do Not Enter" sign should be provided at the car wash exit to reduce the potential for cars entering at the exit;
- 3) Light pole heights should be reduced to a mounting height of 16 feet maximum;
- 4) Light levels should not exceed a site average of 2.5 foot candles;
- 5) Light levels should not exceed a spot maximum of 25 foot candles;
- 6) The outdoor display should be limited to the propane cage, one vending machine, and two ice cube freezers;
- 7) Utilizing water reclamation from the car wash;
- 8) Having a limitation on the hours of the car wash. (6am-9pm)
- 9) Keep the volume under the canopy to a limited volume level.
- 10) Consider if a high curb could be installed as an option to the number of bollards that are on the site plan.

Mleziva stated that there is a general slope to the property to accommodate the ADA portions of the entrance. He is also concerned for the snow removal and trip hazards that could be an issue. Connors asks Mleziva to explain how the snow will be removed. Mleziva stated that snow will be removed to the rear of the building and in the case of a large snow fall, there is a plan to truck the snow off the site. There is a plan to remediate any hazards on site (from the environmental impact study) prior to any development. Hougan asks if an electric charging station could be placed on site. Mleziva stated that they have done that before and that it could be accommodated. Flower states that she appreciates all that Kwik Trip could offer but worries that it could impose a potential for more blighted property in the near future and also wonders if the City really needs another gas station. Flower asks if the kind of curb they have in the back of the property is the right kinds of curb for proper snow removal. The southwest property line (Dunn lumbar) (C-101) Flower recommends that more landscaping be added. She also thinks that there should be more screening on the north property line to eliminate additional lighting. Downcast lighting is the kind that is proposed. Flower asks how much pavement will be between the Cleaners and the car wash on the South property line. Mleziva stated that there will be landscaping on their property for a buffer. Flower asks what kind of access from the alley will be utilized. Mleziva stated that the access will be primarily from Williams Street. Flower asks what kind of sound would be heard under the canopy. Mleziva stated there will be some music playing and also an occasional voice over the speaker from inside. The speakers are under the canopy.

Tom Kaczmarek, 605 Williams Street, wanted to clarify the comparison to healthy competition and also wanted to make sure that the City isn't in the business of helping to sell property for an individual. He is actually in favor of a convenience store, what he is opposed to is the gas station.

Ken Kerns, 1929 N River Bay Road, Waterford, WI, 350 N Edwards Blvd., He understands the zoning change. He understands the primary use of the convenience store. He is opposed to the Conditional Use for the gas station.

Jacqueline Brower, 9220 Liberty Hill Ct, Cincinnati, Ohio, wants the city to consider someone else to develop the property now that the zoning change has been approved.

Tom Landgraf, 14105 Field Point Drive, New Berlin, WI, Owner of the property for the proposed project. The environmental impact on this property was not from the former gas station. It was from the manufacturing business that was on the property. Kwik Trip is an expert at remediating properties and will handle this project very well. Landgraf

explains many of the issues that have prevented past applicants/interested parties from developing the properties. He stated Kwik Trip has a desire to improve this property well beyond what anyone in the last 17+ years has offered. This will be betterment for the neighborhood.

Rick Mistretta, 350 Edwards Blvd., he once again explains that customers will be distributed amongst all the stations in the city, that this project will not bring more people to the city.

Shannon Zabroski, 822 Williams Street, explained that it is not the city's responsibility allow this project to happen to allow the land to be sold from Mr. Landgraf. If Kwik Trip's primary concern is for a convenience store, then why do they need gas pumps?

Flower/Skates motion to close the public hearing. Motion carried. Connors asks Slavney if he has been a Planner in other cities that have allowed Kwik Trips. Slavney stated about a dozen communities, some smaller and some larger than Lake Geneva. The sound has not been a problem. Skates/Connors **motion to recommend approval on a Conditional Use Application filed by Kwik Trip, Inc., 1626 Oak Street, La Crosse, WI 54601, for In-Vehicle Sales and Services (vehicular fuel station and car wash) incidental to on-site principle land use (convenience store) at the following locations: Tax Key No.'s ZA1776 00001 (630 and 700 Williams Street), ZA1776 00002, ZA1776 00003, ZA1776 00004 and ZRA 00037A (612 Williams Street) with Staff recommendations and including water reclamation on the car wash, the hours of the car wash be from 6am-10pm, items 1-6 as previously approved and include a location for electric charging stations. Connors/Skates friendly amendment to recommendation to close the car wash at 9pm (6am-9pm) Motion carries with Alderman Hougan abstaining. Connors also asks if the sound is to terminate at the lot line. Slavney stated that the noise ordinance can be utilized or additional restriction can be enforced. Slavney states to limit the use of the speakers only to communication with the customers. Connors/Skates friendly amendment to limit the use of the speakers to communicate only between the Staff and the customer. Motion carries with Alderman Hougan abstaining. Connors/ Flower friendly amendment to have the City Engineer review and approve the project as presented prior to approval. Motion carries with Alderman Hougan abstaining. Flower/Connors friendly amendment to have the curb as presented (in the rear) be changed to a depressed curb or mountable curb (for snow handling). Motion carries with Alderman Hougan abstaining. Flower/ Skates friendly amendment to have additional screening on the north property line along the parking stalls and along the southwest property line (Dunn Lumber area) able to work with Staff. Motion carries with Alderman Hougan abstaining. Connors shared the fact finding that support the motions expressed above. Connors/Skates friendly amendment to enter the stated fact finding into the motion for this conditional use. Motion carries 4-3 (No – Alderman Hougan, Commissioners Olson and Flower). Discussion follows. **Roll Call on original motion including all friendly amendments:** Connors: Y, Poetzing: N, Hougan:N , Gibbs: N, Olson: N, Skates:Y , Flower: N. **Motion fails (2-5).****

Review and Action on an Application for a Certified Survey Map filed by Kwik Trip, Inc., 1626 Oak Street, La Crosse, WI 54601, for Tax Key No.'s: ZA1776 00001 (630 and 700 Williams Street, ZA1776 00002, ZA1776 00003, ZA1776 00004 and ZRA 00037A (612 Williams Street). Troy Mleziva approached the podium and explained the desire, contingent on purchase of the property. Slavney stated that this could be approved pending review by the City Engineer. **Skates/Connors motion to approve an Application for a Certified Survey Map filed by Kwik Trip, Inc., 1626 Oak Street, La Crosse, WI 54601, for Tax Key No.'s: ZA1776 00001 (630 and 700 Williams Street, ZA1776 00002, ZA1776 00003, ZA1776 00004 and ZRA 00037A (612 Williams Street) pending review by the City Engineer and the granting of this approval made to the owner(s) of the property. Motion carries 6-1 with Alderman Hougan voting No.**

Public Hearing and recommendation on a Conditional Use Application filed by Geneva Bay Club on behalf of Robert Wereski, 304 S Wells St. Lake Geneva, WI 53147, for the installation of a decorative fence in excess of three feet in the streetyard (on Wells and Cass Streets) at 304 S Wells Street, Lake Geneva, WI 53147, Tax Key no. ZOP 00352A. Bethany Souza, 327 Wrigley Drive approached the podium and explained that now, this item is requested on behalf of her and her partner Andrew Fritz. They have obtained ownership of the property since the application was made for publication. They would like to bring back the history of this town and come back in the future bringing the motel and incorporate it with the Maxwell Mansion. This property is to have the same kind of fence as the next agenda item to make the properties contiguous. They would like to make it like the estate that it once was. Connors asks if the entrance to the motel off of Wells Street will be closed off. Souza stated that they will install a gate. The fence will be erected first and

then the gates will be installed in the future when the lots will be combined and the parking potentially re-configured. She also explains that they want to preserve the complete parcel(s) and have had issues with people trespassing and some vandalism. Flower asks how the gates will be open/closed, hours of operations, employees etc. Souza stated that there will be a sensor that when someone drives up the gates will open. There will be at minimum a full car length of an area to pull into before the gate would start to open. Discussion followed on how the gates will work with events at the properties and how the ease of use will be done on Wells Street. For An event, the gates can easily be open to alleviate multiple cars being congested at a standstill on Wells Street. Discussion followed. Connors expresses a concern for emergency vehicles and the ability for them to have property ingress and egress. Souza stated that that will be addressed in the parking study that is being done and will be brought before the City before anything is changed. Slavney stated that on a commercial establishment that is fenced in needs to have a throat length for the entry area of 20 feet (two car lengths) inside the property Slavney's recommendation would be to approve the fence where there is landscaping and wait on a decision for the gate until more information has been brought back to the commission. Discussion occurred on approval of fencing but not the gates due to not having them documented as such on the site plan.

Linda Ahnert, 303 Oak Terrace approached the podium. Her property is located behind the YMCA, and is also kiddy corner from the 304 Wells Street property. She has lived there for about 36 years. She and her neighbors are very excited about the improvements to come and what has already occurred. They are excited to see what will happen.

Hougan/Gibbs motion to close the public hearing. Motion carried. Connors/Gibbs motion to recommend approval **on a Conditional Use Application filed by Geneva Bay Club on behalf of Robert Wereski, 304 S Wells St. Lake Geneva, WI 53147, for the installation of a decorative fence in excess of three feet in the streetyard (on Wells and Cass Streets) at 304 S Wells Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00352A but to not allow the mounting of the gates until the parking layout is established and have the applicant come back before the Plan Commission for the approval of the gates.** Motion carried unanimously.

Public Hearing and recommendation on a Conditional Use Application filed by Geneva Bay Club, 421 Baker Street. Lake Geneva, WI 53147, for the installation of a decorative fence in excess of three feet in the streetyard (on Wells and Baker Streets) at 421 Baker Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00352. Bethany Souza and Charles Fritz, 327 Wrigley Dr., approached the podium and explained project again. There will be a walking man-gate for people to walk thru on the Baker Street side and be in line with the posts that are existing on that property. The gate will be setback as necessary on the Wells Street side to allow for the cars to pull in. The gates could go into the property even more and have an even greater setback from the property line. Slavney states that the gate hinge and latch need to be a minimum of 20 feet from the lot line. Souza states that it should not be an issue. Slavney states that he is comfortable with approval of the fence and the gate as long as the gate adheres to the requirement of being 20 feet in off the lot line. Flower expresses her continued concern for the operations of the gate off of Wells St. in relation to the possible back up of vehicles onto Wells Street. She would feel more comfortable if the City Engineer looked at this plan. Slavney asks if the condition for now could be that the gates would remain open until a subsequent combined site and circulation plan for the entire property is presented and approved. This would allow for the construction to begin and in the future ask for the ability to close the gates, probably with conditions perhaps that they (the gates) remain open from 7:00 am to 9:00 pm or something similar to that. Slavney reminds that if in the future the gates become a problem, this is a conditional use and it can be revoked. Skates/Olson motion to close the public hearing. Motion carries. Skates/Hougan motion to recommend **approval on a Conditional Use Application filed by Geneva Bay Club, 421 Baker Street. Lake Geneva, WI 53147, for the installation of a decorative fence in excess of three feet in the streetyard (on Wells and Baker Streets) at 421 Baker Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00352and that the alignment of the fence is within the appropriate setback, that the gates are setback at least 20 feet and that the gate remain open until a revised Conditional Use comes back before the Plan Commission.** Motion carries.

Public Hearing and recommendation on a Conditional Use Application filed by Kehoe-Henry & Associates Inc. on behalf of Lake Geneva Joint 1 School District, 208 South Street, Lake Geneva, WI 53147, for the installation of an electronic message center on a freestanding sign located at Eastview Elementary School, 535 Sage Street, Tax Key No. ZOP 00003A. Commissioner Olson left her seat at 10:07 pm. Bill Henry from Kehoe-Henry & Associates Inc. approached the podium and explained the project. This is similar to many other school signs in the City. Skates/Poetzinger motion to close the public hearing. Motion carries. Commissioner Olson returned to her seat at 10:10pm. Skates/Gibbs motion to **recommend approval on a Conditional Use Application filed by Kehoe-Henry & Associates Inc. on behalf of Lake Geneva Joint 1 School District, 208 South Street, Lake Geneva, WI 53147, for the installation of an electronic message center on a freestanding sign located at Eastview Elementary School, 535 Sage Street, Tax Key**

No. ZOP 00003A. Skates/Gibbs friendly amendment to bring the timing of the sign and the illumination into compliance with the ordinance. Motion carries on amendment. Motion carried unanimously on the original motion.

Public Hearing and recommendation on a Conditional Use Application filed by Jacob and Heidi Nobilio, 192 Christie Lane, Twin Lakes, WI 53181 to operate a Crossfit Studio (Physical Activity Studio) in the Planned Business Park (PBP) zoning district at 700 Veterans Parkway Unit 209, Lake Geneva, WI 53147, Tax Key No. ZLGCC 00013. Jacob and Heidi Nobilio approached the podium and explained their project. There are currently no neighbors on either side of their unit. Skates asks if there will be any day time hours at this time. Heidi Nobilio said they will take a survey to see if the need will arise for daytime hours however because they currently work during the day they are unable to have it open during regular daytime hours. Flower asks about a changing facility. Jacob Nobilio stated that they do not have a designated changing area but the restroom could be used if necessary. The garage door does not bother the use of the unit. The garage door will remain closed especially in the winter. It is proposed that the door could be open in the summer to increase air flow. Slavney stated to be aware of the potential noise complaints that could happen. Outdoor running on the bike path could be part of the workouts. It was discussed to have this Conditional Use limited to this owner only.

Joe Cardiff, Executive director of the Lake Geneva Economic Development Corporation. He passes on that the Corporation wishes to not have the immediate outdoors used for this use. The second issue that the Corporation wishes to relay is that the signage size and color need to be limited to what is currently there and adhere to the Business Park agreement.

Jane Jacobson, 2501 Partridge Court, current owner of the unit just letting the commission know that all of the unit owners should have received this notice and if they were not at the meeting or sent correspondence, then they shouldn't have any issue. Hougan/Skates motion to close the public hearing. Motion carried. Skates/Flower motion to **recommend approval of the Conditional Use Application filed by Jacob and Heidi Nobilio, 192 Christie Lane, Twin Lakes, WI 53181 to operate a Crossfit Studio (Physical Activity Studio) in the Planned Business Park (PBP) zoning district at 700 Veterans Parkway Unit 209, Lake Geneva, WI 53147, Tax Key No. ZLGCC 00013 and to include that the hours of operation be 5am-10pm, seven days per week, that this Conditional Use be limited to this owner and no outdoor activity be done on site. The City Planners fact finding is to be part of the motion.** The application is in compliance with the Comprehensive Plan. Motion carried unanimously.

Adjournment

Skates/ Gibbs motion to adjourn at 10:31 p.m. unanimously carried.

/s/ Jennifer Special secretary

**THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED
BY THE PLAN COMMISSION**