

CITY PLAN COMMISSION
MONDAY, AUGUST 19, 2013 - 6:30PM
COUNCIL CHAMBERS, CITY HALL

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

Roll Call. Commissioners, Olson, Flower, Poetzinger, Alderman Hougan and Commissioner Gibbs. Also Present: Mayor Connors, City Attorney Draper, City Administrator Jordan, City Planner Slavney and Administrative Assistant Special. Absent: Commissioner Skates.

Approval of Minutes

Flower/ Hougan motion to approve Plan Commission meeting minutes of July 15, 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.

A Letter was received from Joe Cardiff on behalf of the Lake Geneva Economic Development Corporation in support of the Zoning Text change on tonight's agenda.

Letters received on behalf of Lara and David Wall, Jane and Kenneth Lochowicz and Frances Louise Corboy; all Summerhaven residents, asking for an extension on the Development Plan for the project.

All correspondence will be on record at the Clerk's office.

Public Hearing and recommendation for approval of a Zoning Map Amendment from NB Neighborhood Business to PD Planned Development, General Development Plan and Precise Implementation Plan filed by Susan Ekizian, 406 Wells Street, Lake Geneva, WI 53147, to allow for Commercial Indoor Lodging at 406 Wells Street, Lake Geneva, WI 53147 Tax Key No. ZOP 00353. Vernon Haan, 415 Wells Street Bldg. 1 approached the podium and expressed his concern for the parking that currently occurs on the street at this time. Susan Ekezian, 406 S. Wells Street approached the podium and explained her project. She stated that she has comfortably fit 8 cars in her driveway and there is also space on Baker Street for additional parking but she does not feel that any additional parking would be needed let alone spilling into any Wrightwood parking. She explains that the concern for the outdoor noise level will be included into the rental agreement. She is more concerned for the safety on the street than anything as the traffic seems to go quite fast. Hougan asked if they could put up a sign to not park at Wrightwood. She said she could. Flower confirmed that she will not be present while it is rented which would leave more space for cars in the garage. Ekezian stated that she could put it into the contract not to exceed 8 cars for her guests. Hougan/Olson motion to close the public hearing. Motion carried unanimously. Hougan/Gibbs **motion to approve the Planned Development, General Development Plan for Commercial Indoor Lodging at 406 Wells Street, Lake Geneva, WI 53147 Tax Key No. ZOP 00353 as presented.** Hougan stated his reasons for his motion. Motion carried unanimously. Hougan/Flower motion to approve the **Precise Implementation Plan to allow for Commercial Indoor Lodging at 406 Wells Street, Lake Geneva, WI 53147 Tax Key No. ZOP 00353 as presented.** Hougan once again stated his reasons for his motion. Hougan/Connors friendly amendment that **parking be limited to eight cars in the driveway and that the owner will notify the renters that no parking be allowed across the street on private property.** Motion carried on amendment. Hougan/Connors friendly amendment to **add the staff recommendations to the original motion.** Motion carried unanimously. **Original motion carried unanimously.**

Public Hearing and recommendation for zoning map amendments to assign standard zoning district designations on expired Planned Developments for the following locations: ZYUP 00137I, ZYUP 00137J, ZYUP 00192, and ZYUP 00193 Stone Ridge East from Planned Development (PD) to Single Family Residential (SR-3 and SR-4) ; ZSUM 00101 to ZSUM 00247 (formerly ZOP 00412A), Summerhaven, from Planned Development (PD) to Two Family Residential (TR-6); ZWRI 00201-00308, Wrightwood Condominiums, from Planned Development (PD) to Multi-family (MR-8) all within the City of Lake Geneva. Connors/Poetzinger motion to split these items into three different motions. Motion carried unanimously.

Commissioner Flower recused herself. Slavney explained the background of the development changes. The Stone Ridge East project has not gone forward since the General Development Plan was approved. The time frame has expired and the zoning should revert back to the original zoning districts. Olson/Poetzinger motion to close the public hearing. Motion

carried unanimously. **Connors/ Olson motion to assign a standard zoning district designation of Planned Development (PD) to Single Family Residential (SR-3 and SR-4) on Tax Key Numbers ZYUP 00137I, ZYUP 00137J, ZYUP 00192, and ZYUP 00193. Motion carried unanimously.**

Commission Flower returned to her seat. Gerry Holmberg, resident of Summerhaven, approached the podium and explained his concern of reverting the zoning to two family and hope to extend the development plan on the property. Spyro Condos, speaking for Summerhaven. He does not believe that any changes to this development will be good. He wished for an extension of this development and agrees with the former speaker. Slavney states that he doesn't think that an extension is a bad way to go and also explains that this item could be tabled to a later time. Draper stated that he spoke to the attorney of the potential investors and explained that it might be a good idea to see what is proposed for the development. **Connors/ Hougan motion to continue the public hearing for Summerhaven Condominiums, Tax Key Numbers ZSUM 00101 to ZSUM 00247 (formerly ZOP 00412A), from Planned Development (PD) to Two Family Residential (TR-6) to the September 16, 2013 Plan Commission meeting. Motion carried.**

Slavney expressed that there is a question with the covenants of Wrightwood and that it would be most applicable to extend the Development Plan. No comments from the public. **Connors/Poetzinger to continue the public hearing for Wrightwood Condominiums, Tax Key Numbers ZWRI 00201-00308, from Planned Development (PD) to Multi-family (MR-8) to the September 16, 2013 Plan Commission meeting. Motion carried.**

Public Hearing and recommendation to consider an amendment to the Zoning Ordinance of the City of Lake Geneva to revise and further clarify Commercial Entertainment land uses and add a new category Physical Activity Studio. The following sections of the Zoning Ordinance are proposed to be modified as listed:

Proposed Text to be Added is Double Underlined

Proposed Text to be Deleted is ~~Struckout~~

(4) Commercial Land Uses

[Text omitted; no changes to omitted sections]

(h) Indoor Commercial Entertainment

Description: Indoor commercial entertainment land uses include all land uses which provide entertainment services entirely within an enclosed building. Such activities often have operating hours which extend significantly later than most other commercial land uses. Examples of such land uses include restaurants, taverns, theaters, ~~health or fitness centers, all forms of training studios (dance, art, martial arts, etc.),~~ bowling alleys, arcades, roller rinks, and pool halls.

1. **Permitted by Right: Not applicable**
2. **Conditional Use Regulations {NO, PO, NB, PB, GB, CB, PI}:**
 - a. **If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property.**
 - b. **Facility shall provide bufferyard with minimum opacity of .60 along all borders of the property abutting residentially zoned property (see Section 98-610).**
 - c. **Shall comply with Section 98-905, standards and procedures applicable to all conditional uses.**
3. **Parking Regulations: One space per every three patron seats or lockers (whichever is greater); or one space per three persons at the maximum capacity of the establishment; (whichever is greater).**

[Text omitted; no changes to omitted sections]

(s) Physical Activity Studio

Description: Physical activity studio land uses include all land uses which provide a facility for training, instruction, and physical activity within an enclosed building. Such activities often have operating hours which extend significantly earlier or later than most other commercial land uses, and often employ amplified music to

set training tempo. Examples of such land uses include health or fitness centers, all forms of training studios (yoga, dance, art, martial arts, gymnastics, etc.), and music schools.

1. Permitted by Right: Not applicable
2. Conditional Use Regulations {NO, PO, NB, PB, GB, CB, PI, PBP}:
 - a. If located on the same side of the building as abutting residentially zoned property, no customer entrance of any kind shall be permitted within 150 feet, or as far as possible, of a residentially zoned property.
 - b. Facility shall provide bufferyard with minimum opacity of .60 along all borders of the property abutting residentially zoned property if outdoor physical activity takes place (see Section 98-610).
 - c. Shall comply with Section 98-905, standards and procedures applicable to all conditional uses.
3. Parking Regulations: One space per every three persons at the maximum capacity of the establishment.

[Text omitted; no further changes to this section]

The foregoing use is included into the following Sections:

98-105(3)(a)(2)(b)

98-105(3)(b)(2)(b)

98-105(3)(c)(2)(b)

98-105(3)(d)(2)(c)

98-105(3)(e)(2)(b)

98-105(3)(f)(2)(b)

98-105(3)(g)(2)(b)

98-105(3)(j)(2)(b)

The foregoing use is added to Table 98-203(4) Tables of Land Uses

Slavney stated that the current Indoor Commercial Entertainment ordinance has a broad variety of uses. Being able to differ some uses from taverns, pool halls and the like will allow more opportunity for additional uses in other zoning districts. Flower expresses her concern for multi-tenant buildings. Slavney stated that being able to utilize the conditional use on projects that come forward, allows for conditions to be put on the project to help regulate the uses. Slavney also states that the Plan Commission and Council have the ability to limit the Conditional Use to individuals and not just the property.

Joe Cardiff, 725 Pine Tree Lane, Executive Director of the Lake Geneva Economic Development Corporation approached the podium and explained that the LGEDC believes that this is a wise decision. Olson/Poetzinger motion to close the public hearing.

Hougan asked questions of Slavney. **Flower/Olson motion to approve the Zoning Text amendment to revise and further clarify Commercial Entertainment land uses and add a new category Physical Activity Studio as presented.** Flower gives her reasons for the motion. Motion carried unanimously

Public Hearing and recommendation on a Conditional Use Application filed by Christina Wozniak, 1400 Hunters Ridge Drive Unit 57, Genoa City, WI 53128, to operate a Dance Studio (Commercial Indoor Entertainment) in the Planned Business Park (PBP) zoning district at 921 Park Drive Suite D, Lake Geneva, WI 53147 Tax Key No. ZLGBP2 00001. Christina Wozniak approached the podium and explained her project. Hougan asked if there will be any retail on site. Wozniak stated not at this time but perhaps in the future. Olson asked what the retail would be, dance equipment? Wozniak stated yes, to ensure that the students would be properly geared up for class.

Joe Cardiff approached the podium and expressed his support for this project and on behalf of the board. Hougan/Olson motion to close the public hearing. Motion carried. **Hougan/ Flower motion to approve the Conditional Use Application filed by Christina Wozniak, 1400 Hunters Ridge Drive Unit 57, Genoa City, WI 53128, to operate a Dance Studio in the Planned Business Park (PBP) zoning district at 921 Park Drive Suite D, Lake Geneva, WI 53147 Tax Key No. ZLGBP2 00001 contingent on the zoning text amendment previous on the agenda.** Hougan gave his reasons for his motion.

Connors wanted to make a point of clarification that the Conditional Use could be limited to this owner. Flower/ Connors motion for a friendly amendment to restrict this Conditional Use to this applicant. Motion carried unanimously on the amendment. Original motion carried unanimously.

Public Hearing and recommendation on a Conditional Use Application filed by Doud Engineering Systems, 6613 West Matanuska Tr., McHenry, IL 60050, for a multi-tenant office/industrial group development complex at THE SOUTH 350.0 FEET OF LOTS 20, 21 & 22 OF 'LAKE GENEVA BUSINESS PARK, PHASE II' BEING A PART OF THE NE 1/4 OF THE SE 1/4, THE SE 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 31, TOWN 2 NORTH, RANGE 18 EAST, IN THE CITY OF LAKE GENEVA, COUNTY OF WALWORTH, STATE OF WISCONSIN. Tax Key No. ZLGBP2 00001, ZLGBP2 00002 and ZLGBP2 00003. Slavney explains that like Planned Developments, Conditional Uses have a sunset date as well. His recommendation is to extend his Conditional Use approval for another ten years. Flower questions the extension of ten years and wonders if it is too much. Slavney stated that he didn't think so. Discussion followed. The result of the discussion is that this will be treated as a new conditional use versus an extension of an existing one.

Joe Cardiff approached the podium and explained the diligence of the developer of completing two of the buildings. The economy prevented the need to build more buildings. Things are changing and the need for additional buildings is had now.

Gary Doud approached the podium and asked for some extra time in his approval. Flower asks if the alternative drawings are based upon the needs of the tenant. Doud agrees.

Hougan/Flower motion to close the public hearing. Motion carried unanimously. **Flower/Olson motion to approve the Conditional Use Application filed by Doud Engineering Systems, 6613 West Matanuska Tr., McHenry, IL 60050, for a multi-tenant office/industrial group development complex at THE SOUTH 350.0 FEET OF LOTS 20, 21 & 22 OF 'LAKE GENEVA BUSINESS PARK, PHASE II' BEING A PART OF THE NE 1/4 OF THE SE 1/4, THE SE 1/4 OF THE SE 1/4 AND THE SW 1/4 OF THE SE 1/4 OF SECTION 31, TOWN 2 NORTH, RANGE 18 EAST, IN THE CITY OF LAKE GENEVA, COUNTY OF WALWORTH, STATE OF WISCONSIN. Tax Key No. ZLGBP2 00001, ZLGBP2 00002 and ZLGBP2 00003.** Flower states her reasons for the motion. Motion carries unanimously.

Review and approval of a Certified Survey Map submitted by Doud Engineering Systems, 6613 West Matanuska Tr., McHenry, IL 60050 for land located on Tax Key No. ZLGBP2 00001, ZLGBP2 00002 and ZLGBP2 00003. Slavney give his recommendation on this project. **Hougan/Connors motion to approve the Certified Survey Map submitted by Doud Engineering Systems, 6613 West Matanuska Tr., McHenry, IL 60050 for land located on Tax Key No. ZLGBP2 00001, ZLGBP2 00002 and ZLGBP2 00003 including Staff recommendations.** It was also mentioned that when the conditional use was originally approved, the CSM was also approved but it was never recorded. Motion carried unanimously.

Site Plan amendment for the addition to the existing church for an elevator at the Lake Geneva United Methodist Church, 912 Geneva Street, Lake Geneva, WI 53147 Tax Key No. ZOP 00233 and ZOP 00234. Greg Odden approached the podium on behalf of the church and explained the project. Poetzing asks about the size of the elevator. Mr. Odden wasn't sure other than they oversized it so it could accommodate a casket. **Connors/ Hougan motion to approve the Site Plan amendment for the addition to the existing church for an elevator at the Lake Geneva United Methodist church, 912 Geneva Street, Lake Geneva, WI 53147 Tax Key No. ZOP 00233 and ZOP 00234.** The church is planning to use the reclaimed material to blend the addition in as much as possible. Motion carried unanimously.

Set public hearing on referral by City Council for recommendation on potential sale of a portion of right of way located on LaSalle Street adjacent to 1157 Edgewood Drive Tax Key No. ZEH 00038 and amendment of official map. Connors/Gibbs motion to set public hearing date on a referral by City Council for recommendation on potential sale of a portion of right of way located on LaSalle Street adjacent to 1157 Edgewood Drive Tax Key No. ZEH 00038 and amendment of official map for the September 16, 2013 Plan Commission meeting. Motion carried unanimously.

Downtown Design Review.

Thumbs Up. Repainting of the trim with the identical color. Flower/ Olson motion to approve the colors as presented. Motion carried.

Tuscan, 430 Broad Street. The request is for the new charcoaled colored awning on their new outdoor patio. Hougan/Flower motion to approve the charcoal colored awning at 430 Broad Street and that the signage on the awning is approved by staff. Motion carried unanimously.

Adjournment

Hougan/Flower motion to adjourn at 8: 07 p.m. Unanimously carried.

/s/ Jennifer Special Administrative Assistant

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BY THE PLAN COMMISSION**