

CITY OF LAKE GENEVA PLAN COMMISSION MEETING

MONDAY, MAY 19, 2014 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL

MINUTES

1. **Meeting called to order by Mayor Connors 6:30 PM.**

2. **Roll Call**

Present Kupsik, Gibbs, Flower, Olson, Skates, Robers, Connors, Draper

Also Present Administrator Jordan, Planner Slavney, Deputy Clerk Gregoles

3. **Approve Minutes of April 21, 2014 Plan Commission meeting as distributed.**

MOTION #1

Flower/Skates motion to approve the Minutes of 4/21/14 Plan Commission meeting as distributed.

The motion carried unanimously.

4. **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.**

NONE

5. **Acknowledgment of Correspondence.**

NONE

6. **DOWNTOWN DESIGN REVIEW**

A. **Application by Phillip Bona for a sign for his business, Bona's, located at 848 W. Main Street, Tax Key No. ZOP 00335.**

DISCUSSION

Robers gave a brief description of the application.

MOTION # 2

Kupsik/Gibbs moved to approve the application by Phillip Bona for a sign for his business, Bona's, located at 848 W. Main Street, Tax Key No. ZOP 00335. The motion carried unanimously.

B. **Application by Dori Davis-Beck for two signs for her business, Studio Dori, located at 619 W. Main Street, Tax Key No. ZOP 00291.**

DISCUSSION

Robers gave a brief description of the application.

MOTION # 3

Skates/Kupsik moved to approve the application by Dori Davis-Beck for two signs for her business, Studio Dori, located at 619 W. Main Street, Tax Key No. ZOP 00291. The motion carried unanimously.

- C. Application by Kenneth Conell for a sign for his tenants business, Terroir Bar, located at 725 W. Main Street, Tax Key No. ZOP 00335.**

DISCUSSION

Atty Draper voiced his concern about the name Terroir Bar, as they do not have a Conditional Use to operate a bar and they do not have a liquor license. He believes the sign will be misleading.

Skates asked can it be approved contingent on getting the appropriate license and Conditional Use permits. Robers recommended tabling it due to multiple concerns.

MOTION # 4

Skates/Olsen moved to table the application by Kenneth Conell for a sign for his tenants business, Terroir Bar, located at 725 W. Main Street, Tax Key No. ZOP 00335. The motion was unanimously denied.

MOTION # 5

Skates/Olsen moved to continue the application by Kenneth Conell for a sign for his tenants business, Terroir Bar, located at 725 W. Main Street, Tax Key No. ZOP 00335. The motion was unanimously carried to continue to the June Planning Commission meeting.

- D. Application by Michael Anagnos for two new awnings for his business, Popeye's Galley & Grog Ltd., located at 811 Wrigley Drive, Tax Key No. ZOP 00344.**

DISCUSSION

Robers gave a brief description of the application.

MOTION # 6

Kupsik/Gibbs moved to approve the application by Michael Anagnos for two new awnings for his business, Popeye's Galley & Grog Ltd., located at 811 Wrigley Drive, Tax Key No. ZOP 00344. The motion carried unanimously.

- E. Application by Kathleen Schoo for a new awning for her business, Lake Geneva Spice Company., located at 255 Broad Street, Tax Key No. ZOP 00263.**

DISCUSSION

Robers gave a brief description of the application.

MOTION # 7

Skates/Kupsik moved to approve the application by Kathleen Schoo for a new awning for her business, Lake Geneva Spice Company., located at 255 Broad Street, Tax Key No. ZOP 00263. The motion carried unanimously.

- F. Application by Josh Kahle for a sign at his business, @ home, located at 269 Broad Street, Tax Key No. ZOP 000262.**

DISCUSSION

Robers gave a brief description of the application.

Flowers and Skates asked questions regarding how it would look on the outside.

Robers responded.

MOTION # 8

Kupsik/Flower moved to approve the application by Josh Kahle for a sign at his business, @ home, located at 269 Broad Street, Tax Key No. ZOP 000262. The motion carried unanimously.

7. Continued Public Hearing and recommendation on a Precise Implement Plan (PIP) Amendment filed by McMurr II, LLC, 351 W. Hubbard St., Suite 610, Chicago, IL, 60654 to allow the developer to reduce the number of condominium dwelling units from thirty-four (34) to twenty-nine (29), Legal Description as follows:

SUMMERHAVEN OF LAKE GENEVA CONDOMINIUM –

THAT PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 36, TOWN 2 NORTH, RANGE 17 EAST, AND THE NORTHEAST ¼ OF THE NORTHEAST 1/4 OF SECTION 1, TOWN 1 NORTH, RANGE 17 EAST, CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE ORTHWEST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 754, RECORDED AS DOCUMENT NO. 28944 OF WALWORTH COUNTY CERTIFIED SURVEYS, SAID POINT LOCATED S 89DEG 31MIN 36SEC W, 733.28 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 36 (T2N, R17E); THENCE S 01DEG 33MIN 07SEC E, ALONG THE WEST LINE OF SAID LOT 1 CSM 754, 65.01 FEET; THENCE S 89DEG 38MIN 02SEC W, 340.89 FEET; THENCE S 04DEG 56MIN 22SEC E, 161.61 FEET; THENCE N 89DEG 41MIN 51SEC W, 124.31 FEET; THENCE N 06DEG 43 MIN 55 SEC W, 226.04 FEET; THENCE S 89DEG 55MIN 25SEC W, 103.47 FEET; THENCE N 00DEG 11MIN 05SEC W, 311.51 FEET; THENCE N 88DEG 58MIN 07SEC E, 199.39 FEET; THENCE S 86DEG 27MIN 48SEC E, 126.62 FEET; THENCE N 88DEG 41MIN 15SEC E, 42.80 FEET; THENCE N 01DEG 12MIN 03SEC W, 16.91 FEET; THENCE N 89DEG 31MIN 07SEC E, 24.01 FEET; THENCE N 01DEG 55MIN 11SEC W, 134.92 FEET; THENCE N 00DEG 41MIN 12SEC W, 50.00 FEET; THENCE N 89DEG 18MIN 48SEC E, 239.56 FEET TO THE SOUTHWEST LINE OF WELLS STREET; THENCE S 37DEG 55MIN 32SEC E ALONG WELLS STREET, 202.94 FEET TO THE WEST LINE OF LAKE GENEVA BOULEVARD; THENCE S 01DEG 34MIN 47SEC E, ALONG SAID BOULEVARD, 348.82 FEET TO THE NORTH LINE OF SAID CSM 754; THENCE S 89DEG 37MIN 23SEC W, 90.50 FEET; THENCE CONTINUE ALONG SAID CSM, S 89DEG 38MIN 40SEC W, 89.98 FEET TO THE POINT OF BEGINNING. CONTAINING 8.00 ACRES OF LAND MORE OR LESS. (END OF LEGAL DESCRIPTION) - 750 LAKE GENEVA BOULEVARD

DISCUSSION

Mr. Jim Howe – Godfrey Lawfirm – Elkhorn (representing agent)

Mr. Howe reminded the commission of the details of the application that was tabled from last month.

Mr. Howe updated progress since the last meeting. There was much discussion between Mr. Howe and the Commission regarding the obtained signatures, including clarification between actual home owners and proxy by the bank/developer. In addition they advised that they plan to have a meeting for the members on June 9th, to elect new members and also consider hiring a management company.

There was much discussion with regards to the access on Wells Street, the placement of the swimming pool, the retention ponds ability to hold storm water, etc.

Public Speaker #1 Jim McCullough, 1515 Evergreen Lane, Lake Geneva

Mr. McCullough voiced his deep concerns regarding the run-off he has experienced over the past ten years and would like to see that taken care of.

Public Speaker #2 Bruce Jaloszynski – 914 Lake Geneva Blvd., Lake Geneva

He voiced concerns regarding the location of the pool on lot 1, suggested an alternate location.

He voiced his concerns regarding closing the entryway on Wells regarding high traffic volume and safety issues.

Mr. Jaloszynski referenced Planning meeting held on 3-21-2005 regarding CSM# 754. He has concerns of ownership and would like to see proof of ownership. He has hired an attorney to see who owns that road and to see if the purchase was legal. He is concerned that no one owns Lot 1. By his attorney's advice he will go to the Chicago Title company for the proof of ownership and provide the city with his findings. He also has concerns for Phase 2 and Phase 3 EMS route being used for Construction.

Public Speaker #3 Mr. Rosiak (in audible) - 401 Oakwood Lane, Lake Geneva

For the last ten yrs weeds and water collected. There should be some type of fence, no safety of any kind there.

He voiced his concerns for the water basins.

MOTION #9

Kupsik/Skates moved to close the public hearing. The motion carried unanimously.

Item #7 Continued

DISCUSSION

The commission, Slavney and Administrator Jordan and Mr. Howe discussed and clarified specific points regarding the application: point of access, pool location, gated or not gated, what is required fencing and what specifically is being voted on, as well as Phase 1, 2 and 3. (Clarification 25 out of 29 home owners – 19 are proxy by the bank/developer.)

MOTION #10

Mayor Connors/Flower moved to approve the recommendation on a Precise Implement Plan (PIP) Amendment filed by McMurr II, LLC, 351 W. Hubbard St., Suite 610, Chicago, IL, 60654; to allow the developer to reduce the number of condominium dwelling units from thirty-four (34) to twenty-nine (29), Legal Description stated above. It passed unanimously with the following conditions (reviewed and approved by Atty. Draper, Mayor Connors and Inspector Robers):

1. Bank letter of consent.
2. Ponds cleaned and verified that they are built to specifications.
3. Road completed to second access on Lake Geneva Boulevard with binder coat and limited to Emergency Vehicle and limited construction traffic.
4. Final lift installed on road for phase one.
5. Complete site cleanup and maintained until project completed.
6. Silt fence around millings on North end and storm water diverted from going to adjacent North property.
7. Record Condominium plat and Amendment to Condominium agreement.
8. Developer's agreement with City of Lake Geneva.
9. Storm water Maintenance agreement with City of Lake Geneva.
10. No pool with this phase of project. Must be approved with development of future phases.
11. Verification that land was purchased for South Lake Geneva Boulevard access point.
12. Construction limited to Hours of 7:30AM – 7:00PM Monday thru Friday unless notice is given to Building Department for limited weekend construction.
13. All Staff recommendations.

8. **Continued Review and recommendation on a Land Division Review Application filed by McMurr II, LLC, 351 W. Hubbard St., Suite 610, Chicago, IL, 60654 to amend the Condominium Plat for phase 1 of the Summerhaven of Lake Geneva Condominium Development, Legal Description as follows:**

SUMMERHAVEN OF LAKE GENEVA CONDOMINIUM –

THAT PART OF THE SOUTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 36, TOWN 2 NORTH, RANGE 17 EAST, AND THE NORTHEAST ¼ OF THE NORTHEAST 1/4 OF SECTION 1, TOWN 1 NORTH, RANGE 17 EAST, CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN, DESCRIBED AS FOLLOWS:

BEGINNING AT THE ORTHWEST CORNER OF LOT 1 OF CERTIFIED SURVEY MAP NO. 754, RECORDED AS DOCUMENT NO. 28944 OF WALWORTH COUNTY CERTIFIED SURVEYS, SAID POINT LOCATED S 89DEG 31MIN 36SEC W, 733.28 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 36 (T2N, R17E); THENCE S 01DEG 33MIN 07SEC E, ALONG THE WEST LINE OF SAID LOT 1 CSM 754, 65.01 FEET; THENCE S 89DEG 38MIN 02SEC W, 340.89 FEET; THENCE S 04DEG 56MIN 22SEC E, 161.61 FEET; THENCE N 89DEG 41MIN 51SEC W, 124.31 FEET; THENCE N 06DEG 43 MIN 55 SEC W, 226.04 FEET; THENCE S 89DEG 55MIN 25SEC W, 103.47 FEET; THENCE N 00DEG 11MIN 05SEC W, 311.51 FEET; THENCE N 88DEG 58MIN 07SEC E, 199.39 FEET; THENCE S 86DEG 27MIN 48SEC E, 126.62 FEET; THENCE N 88DEG 41MIN 15SEC E, 42.80 FEET; THENCE N 01DEG 12MIN 03SEC W, 16.91 FEET; THENCE N 89DEG 31MIN 07SEC E, 24.01 FEET; THENCE N 01DEG 55MIN 11SEC W, 134.92 FEET; THENCE N 00DEG 41MIN 12SEC W, 50.00 FEET; THENCE N 89DEG 18MIN 48SEC E, 239.56 FEET TO THE SOUTHWEST LINE OF WELLS STREET; THENCE S 37DEG 55MIN 32SEC E ALONG WELLS STREET, 202.94 FEET TO THE WEST LINE OF LAKE GENEVA BOULEVARD; THENCE S 01DEG 34MIN 47SEC E, ALONG SAID BOULEVARD, 348.82 FEET TO THE NORTH LINE OF SAID CSM 754; THENCE S 89DEG 37MIN 23SEC W, 90.50 FEET; THENCE CONTINUE ALONG SAID CSM, S 89DEG 38MIN 40SEC W, 89.98 FEET TO THE POINT OF BEGINNING. CONTAINING 8.00 ACRES OF LAND MORE OR LESS. (END OF LEGAL DESCRIPTION) - 750 LAKE GENEVA BOULEVARD

DISCUSSION

Mr. Jim Howe – Godfrey Lawfirm – Elkhorn (representing agent)
Mr. Howe gave a brief description of what the application is for.

Item #8 Continued

MOTION #11

Kupsik/Skates moved to approve the recommendation on a Land Division Review Application filed by McMurr II, LLC, 351 W. Hubbard St., Suite 610, Chicago, IL, 60654 to amend the Condominium Plat for phase 1 of the Summerhaven of Lake Geneva Condominium Development, Legal Description stated above. The motion carried unanimously.

9. **Review and Recommendation on an Application for Land Division Review for a Certified Survey Map submitted by Barbara C Braden, 1175 S. Lake Shore Drive, Lake Geneva, WI 53147 to split her property into two parcels. Current Tax Key No. ZLG 00002.**

DISCUSSION

Slavney and the Mayor discussed comments from Staff review meeting regarding limited access on both lots as described here: Lot 1 would be limited to Elm Street and lot 2 would be limited to South Street.

MOTION #12

Mayor Connors/Kupsik moved to approve the recommendation on an Application for Land Division Review for a Certified Survey Map submitted by Barbara C Braden, 1175 S. Lake Shore Drive, Lake Geneva, WI 53147 to split her property into two parcels. Current Tax Key No. ZLG 00002. Limiting the access on lot 1 to Elm Street and limiting access to lot 2 to South Street. The motion carried unanimously.

10. **Public Hearing and recommendation on a Conditional Use Application filed by Scott Sweet and Candice Finnegan, 1134 Geneva Street, Lake Geneva, WI 53147, for the installation of a decorative fence in excess of three feet in the streetyard (on both Geneva and Maxwell) at 1134 Geneva Street, Lake Geneva, Tax Key No. ZOP 00218.**

DISCUSSION – Candice Finnegan - 1134 Geneva Street, Lake Geneva

Ms. Finnegan addressed the commission regarding the details of the application. Finnegan and the commission discussed details of the existing fencing, the perimeter of the property and existing chain link fencing.

PUBLIC SPEAKER

NONE

MOTION #13

Kupsik/Skates moved to CLOSE THE PUBLIC hearing.
The motion carried unanimously.

MOTION #14

Kupsik/Skates moved to approve the recommendation on a Conditional Use Application filed by Scott Sweet and Candice Finnegan, 1134 Geneva Street, Lake Geneva, WI 53147, for the installation of a decorative fence in excess of three feet in the street yard (on both Geneva and Maxwell) at 1134 Geneva Street, Lake Geneva, Tax Key No. ZOP 00218.
The motion carried unanimously.

14. ADDITIONAL NEWS

Commissioner Olsen – This will be her last meeting.

13. ADJOURNMENT

MOTION #15

Skates/Gibbs moved to adjourn the meeting at 8:12 pm. Motion carried unanimously.

/s/ Jackie Gregoles, Building & Zoning Administrative Assistant

THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED BY THE PLAN COMMISSION