

**CITY PLAN COMMISSION  
MONDAY, JULY 19, 2010 - 6:30 PM  
COUNCIL CHAMBERS, CITY HALL**

Meeting called to order by Mayor Connors at 6:30pm.

**Roll Call:** Alderman Hartz, Commissioner Skates, Flower and Olson. Also Present: Mayor Connors, City Attorney Draper, Building/Zoning Administrator Brugger, Administrator Jordan and Administrative Assistant Special. City Planner Slavney was excused.

Hartz/Skates motion to approve minutes of June 21st, 2010 Plan Commission meeting. Motion carries.

**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.**

Al and Geraldine Hinton sent a letter in favor of the Travlos Conditional Use and that letter was put in the packets. It will also be on file in the Clerk's office.

Ms. Mary Johnson sent a letter in opposition to the March annexation before the Commission tonight. Each of the Commissioners and Staff has received this letter and will also be on file in the Clerk's office.

**Public Hearing on a Petition for Direct Annexation by Unanimous Consent of Elector and Property Owners Pursuant to Section 66.0217(2), Wisconsin Statutes, and Temporary Zoning (NO- Neighborhood Office) filed by Larry G. March and Christine March, PO Box 1092 Lake Geneva, WI 53147, as the owners of record of all the real property in the territory sought to be annexed from the Town of Bloomfield, Walworth County Wisconsin, and John Kriske, 2260 C.T.H. H Lake Geneva, WI 53147, as the sole Elector residing in such territory being described as: CSM #1995, VOLUME 9, PAGE 268, LOCATED IN A PART OF THE SW 1/4 SECTION 6. TOWN 1 NORTH, RANGE 18 EAST, TOWN OF BLOOMFIELD, WALWORTH COUNTY, WISCONSIN. TAX KEY NUMBER MA1995 00001.**

Jim Howe from the Godfrey Law Firm approached the podium with his client Andrew Kokodynski DDS who plans to purchase this land and put a dentist office on the property. All other requirements have been completed for filing the annexation. Hartz asks when Dr. Kokodynski plans to begin construction. Dr. Kokodynski is in the process of making floor plans right now and would like to begin as soon as possible. Flower asks what the hours of operation would be. Dr. Kokodynski states roughly 7:30am - 4:30pm.

Zachary Chetnick W2365 N. Bloomfield Road wants to know if this affects him in any way. He is an abutting property owner. No it will not unless he wants to be.

Hartz/Skates motion to close the public hearing. Motion carried. Hartz/Flower motion to approve the petition for direct annexation as submitted. Motion carried.

**Public Hearing on a Conditional Use Application filed by Marina Travlos for Evangelia Travlos 833 S. Lake Shore Drive, Lake Geneva, WI 53147 for a fence located in the street yard in excess of three feet in height and more than 60% opaque at 833 S. Lake Shore Drive, Lake Geneva, TAX KEY NO. ZYUP 00100B.** Marina Travlos approached the podium on behalf of her mother Evangelia Travlos 833 S. Lake Shore Drive, Lake Geneva. Ms. Travlos gave a brief description of the application. Hartz asks how tall the stone wall is in the front yard. Ms. Travlos did not know. Hartz believes that it is 5 1/2 feet in height and this fence would be quite close in height to that stone fence. Ms. Travlos agrees. Flower asks about the driveway easement that was there. It is no longer there. Skates/Hartz motion to close the public hearing. Motion carried. Hartz/Skates motion to approve the Conditional Use Application as submitted including any staff recommendations. Motion carried. Discussion followed on the height of the fence.

**Public Hearing on a Conditional Use Application filed by Kenneth Pritz, 25521 Karen Street, Oak Park, MI 48237, for an espresso cafe (Indoor Commercial Entertainment) at 772 Main Street (Suite 105 & 106), Lake Geneva, TAX KEY NO. ZOP 00321.** Jeffrey and Kenneth Pritz approached the podium and explained their application. Jeffrey Pritz commented that the espresso café will also encompass learning how to use Mac/Apple products as well as using your own products. They are creating a place to cater to an individual's digital lifestyle. There will be different avenues for you to charge the battery for a device that you can use. He explains that in order to obtain other Mac/Apple devices you have to travel and he would like to offer the opportunity to serve the area with Mac/Apple products. Flower asks about the Indoor Commercial Entertainment, does it go farther than what that describes. Pritz states no, he may have some local talent come in sometimes. Skates asks if he will be an Apple retailer. Pritz explains that it will be more of a Mac store and is applying for an Apple re-sellers permit. He is working with another Apple re-seller and will received goods through that entity. Not only will the items be for sale but it will be a station to charge your items, work on your items, etc. Olson asks if this is the only one of its kind. Pritz stated yes it is, that is why it is so hard to explain it. Flower asks if they will offer printing and scanning. Pritz stated that they will as one of their free amenities. He also explains that he will offer Alterra coffee and their fresh baked goods. Hartz asked about the set hours. Pritz stated typically opening about 5:00-5:30am to 10:00-11:00pm. Hartz also asks about deliveries. Pritz stated that Alterra doesn't come all the way to Lake Geneva with their baked goods and he has worked it out with another individual to meet Alterra part way and bring back the baked goods. Hartz/Flower to close the public hearing. Motion carries. Skates/Hartz motion to approve the Conditional Use Application as submitted including Staff recommendations. Discussion followed. The sign for this business is not in a ready form yet but will come forward when the time comes. Pritz is considering using the former Elements of Nature sign - "re-used". Motion carries.

**Public Hearing on a Conditional Use Application filed by Lakeland Animal Welfare Society d/b/a 9 Lives, 812 Geneva Street, Lake Geneva, WI 53147, for a Retail Store (Indoor Sales and Service) in a Neighborhood Office District at 835 Geneva Street, Lake Geneva, Tax Key Number ZOP 00170.** Kristen Perry approached the podium on behalf of the Lakeland Animal Welfare Society and gave a background on the services that the Society provides to the communities of Walworth County. Dana Patton approached the business on behalf of the store 9 Lives. She is the store manager. She gave a background of the business and a brief description of the daily operations. She also expresses how this change in location (along with the business itself) will benefit the community. Hartz asks where all the deliveries/drop off's of items will be. Ms. Patton states that they have a dedicated spot on the side of the building to do that.

Beverly Leonard 1504 Dodge Street and owner of Delaney Street Mercantile stated she would be embarrassed if the Commission didn't the relocation this business.

Ted Harig 821 Geneva Street and co-owner of Geneva Street Antiques approached the podium and spoke positively about the store.

Mary Gagliardi 1024 Wisconsin Street spoke in favor of the store relocating.

Rick Hardwick 1807 Miller Court and co-owner of Bistro 220 spoke in favor of the store.

Pam Ellis, owner of Global Hands Fair Trade speaking in support of the store.

Ken Wenz 1807 Miller Court and co-owner of Bistro 220 spoke in favor of the store.

Maureen Allenstein 512 Madison Street spoke in favor of the store.

Hartz/Olson to close the public hearing. Motion carries. Hartz/Flower motion to approve the Conditional Use Application as submitted with the following conditions: 1) Store ownership and operation by the Lakeland Animal Welfare Society per the proposed site plan and no more than the proposed hours of operation. 2) Limit site access only to Geneva Street. 3) Limit exterior signage to only orient to Geneva Street traffic, and not Cook Street. 4) Any conditions identified by other City Staff. 5) Any conditions recommended by the Plan Commission and 6) An overall favorable review of the review criteria for conditional use permits contained in the Zoning Ordinance. Discussion followed.

Brugger stated that he would like the addition (to the conditions) of at least four conventional striped parking stalls on the property. Hartz/Olson motion to approve the amendment of adding the parking stalls condition to the original motion. Motion carried. To the original motion as stated above with the conditions; unanimously carried.

(Fact Finding )Hartz/Skates **motion** that the proposed conditional use, the use in general, independent of its location, is in general harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this chapter and any other plan, program or ordinance adopted or under consideration pursuant to official notice by the City. **Motion carried.**

Hartz/Flower **motion** that the proposed conditional use, the its specific location, is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this chapter and any other plan, program or ordinance adopted or under consideration pursuant to official notice by the City. **Motion carried.**

Hartz/Olson **motion** that the proposed conditional use, in its proposed location and as depicted on the site plan does not result in substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of way, or other matters affecting the public health, safety or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this chapter, the Comprehensive Plan or any other plan, program, map or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development. **Motion** carried.

Hartz/Flower **motion** that the proposed conditional use does not result in substantial or undue adverse impacts, because it maintains the existing single-family residential character of the site and structure, and is comparable in intensity and impacts to other properties in the vicinity. **Motion** carried.

Hartz/Skates **motion** that the proposed conditional use is located in an area that is already adequately served, and will be continued to be served, with appropriate public facilities, utilities and services. **Motion** carried.

Hartz/Olson **motion** that the potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use as identified in (1) - (5) above, after taking into consideration the applicant's proposal and any requirements recommended by the applicant to ameliorate such impacts. **Motion** carried.

The conditional use is approved.

**Recommendation on a request for a Gas Pipe Easement from WE Energies for the city park property off of Hickory Lane (forwarded from Common Council June 28, 2010).** In the parkland area that was dedicated in the Stone Ridge Subdivision, there is a utility site where there is a water tower and several cell antenna site users. There is a need for a gas powered generator and in order to get from the existing gas lines to the utility area (adjacent to or within the parkland) will necessitate them cutting through the park area and cannot do that without an easement. So they are requesting an easement. The City Council has referred the idea to the Plan Commission and not it will need to have a recommendation passed on to the Council. Staff has no objection. Brugger believes that this should go to the Park Board and also to Public Facilities from the Council. Skates/Olson to recommend the approval of the Gas Pipe Easement from WE Energies for the City Park property off of Hickory Lane (forwarded from Common Council June 28, 2010) to the Common Council. Flower asks if they will be clearing a 12 foot path through this area. She also asks if they will be directional boring it or trenching it. Brugger stated that he doesn't know. She could contact Dan Winkler. Flower also stated that she believes that the street name could be wrong. Flower asks that the motion be amended to include a review by the Park Board in regards to the vegetation and clearing proposed. Agreed upon by the first and second (Skates/Olson). Original motion with amendment unanimously carried.

#### **Downtown Design Review.**

Chicago Pizza/Lake Geneva Tattoo Building 150 Center Street. Hartz/Olson motion to approve the color scheme (peppercorn, dorian gray and site white) as submitted. Discussion followed. Historic Committee did approve the color scheme. Motion carried. Regarding the possible proposed vintage postcard replica that could be on the Southern wall of the building, there is no size limitation because it isn't really considered a sign. Brugger believes that there was a mural on this building some time ago. Mayor Connors thinks it would be a welcome part to the downtown area. Brugger's only concern is the maintenance of the postcard and that it is kept up or painted over at some point. Discussion followed. Positive response to the postcard replica was given, with the determination that the official design come forward when more information is available.

Flower/Skates motion to adjourn at 7:49pm. Motion carried.

/s/ Jennifer Special, Building/Zoning Administrative Assistant

*These minutes are not official until approved at the next Planning Commission meeting.*