

**CITY PLAN COMMISSION
MONDAY, OCTOBER 18, 2010 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL**

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

Roll Call: Commissioner Skates, Flower, Poetzinger, Alderman Hartz and Commissioner 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 September 20th, 2010 Plan Commission meeting. 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 in support of the addition and remodeling to Anne See's property from the Geneva Manor Association Architectural Review Committee. A copy will be on file at the Clerk's office.

Public Hearing on a Conditional Use Application filed by Rose Mennella, 433 Broad Street, Lake Geneva, WI 53147, for Commercial Indoor and Outdoor Entertainment (indoor and outdoor dining) and Group Development at 433 Broad Street, Tax Key Number ZOP 00114. Rose Mennella 1903 Loramoor Lane, Lake Geneva, and Eric Rose 802 Kendall Lane, Lake Geneva, approached the podium to explain their project. She began the project several years ago and wants to continue on. They plan on a retail adventure focusing on cheese, baked goods, deli counter with organic local foods and fresh salads and other prepared foods for consumption. There will be a small dining space if people want to dine on site. They hope to have demonstrations of cheese making and bread making. They want to cater to both the tourists and the local residents. They want to make several types of fresh cheeses such as Greek yogurts, fresh cream cheese, ricotta, buffalo mozz and things of that nature. Ideally these types of cheeses should be consumed within four days and they want to offer that to the public. Ms. Mennella wants to beautify her building. She wants to use red brick and black stucco. They already have a paved patio on site that they would like to utilize that for outside dining. The outside dining would be on private property. It would be about 9' by 25' in front of the one story building. They would like to put out a couple tables there with a railing and some flower boxes. There is a courtyard next to the building that they would like to fill in with some pavers and put out some tables and chairs. They are proposing an awning out in front of the store with black with gold pin stripes. The name for the business will be on the first floor of the two story building with goose neck fixtures to illuminate. They would also like a wall mount sign for pedestrians that will approach the building. Brugger asks about the stucco color scheme and that it is actually listed on the visual aid as dark charcoal as black is prohibited. Ms. Mennella states that the correct color is the dark charcoal. The courtyard patio area will be about 18'-20' wide by 18'-20'. Olson asks what will happen to the tree in front of the small building. She will keep it as it is a tree in the terrace. Mayor Connors asks about the two trees on the inside of the terrace on the Site Plan. Mennella says the trees will stay, until the addition is started. She will keep them trimmed. Mennella states that she would like to get started as soon as possible on the 1st phase and work on the interior throughout the winter. They would hope to open sometime in February. Flower asks about the scheduling for the additional phases. Mennella states it will depend on how business goes. The ideal plan is if it all goes well, they would be expanding due to needing more space. They would like to have

a baking kitchen that you can see from the street. She doesn't expect it all to happen sooner than one year. The courtyard could be there a year or so until the third phase happens. The courtyard will be on pavers. Poetzing asks about the seating capacity in the restaurant. Mennella explains that it will be limited seating, more of a snack bar seating. No more than twelve. The food will be self-serve and ready to eat. You would be going up to a counter and getting your own sandwiches and if you choose to eat, you would have a place to sit down and eat but you could certainly carry it out as well. Mayor Connors asks about the seating in the kitchen and the open office. It is there currently. It would be moved into the part that is labeled tenant A on the plans. Hartz asks if the awning is curved or straight. Mr. Rose says that the awning is to come straight out over the sidewalk, not in a curved fashion. It will extend to the edge of the property and not encroach on the city sidewalk. Hartz also asks if the application is for a number of things for all the phases not just phase one. Brugger states that he believed that Mennella was planning for it all to be approved tonight. Phase two is more of the group development however; it will have the same materials for the exterior as phase one. Brugger asks if on the corner part of the façade addition there is signage on the top of the canopy. Mennella states yes. Brugger then says that it would only be allowed on the face of the canopy. Mennella agrees. Flower asks about any odor that may come from the making of cheese that could be experienced by the neighbors. Mennella states that any odor that you would experience would only be if you were in the store. Flower also asks about the sale of wine and if the Plan Commission approves it. Brugger states that the Council approves that. Mennella states that they are applying for the sale of packaged goods. She states that there will be no consumption on site of the wine.

Charlene Klein, 817 Wisconsin Street, Lake Geneva. She is in favor of the business endeavor that is being proposed. She just wants the Plan Commission to keep in mind that this business is on the edge of the historic district and to try and take into consideration the architectural look of the area.

Mennella explained the history of the buildings and appreciates Ms. Klein's comments. She will try to keep the curb appeal and not make it seem too modern. Flower asks what will be on the second floor. Mennella states that her offices are on the second floor. Brugger states that the bakery (making the bakery goods) and cheese production will also require an additional Conditional Use that was not made known in the public notice and asks if it can be re-noticed and continued to the next meeting including the new additions. The bakery and the cheese production are considered light industrial uses. The façade approval can be done tonight as Ms. Mennella is anxious to get going on the façade before it gets too cold. Hartz/Flower motion to continue the Conditional Use to the November meeting and to review the façade during the Downtown Design Review tonight later in the meeting. Discussion followed. Hartz/Flower withdrawal of motion. Hartz/Flower motion to continue the public hearing (to the November meeting) and approve the Conditional Use Application for Indoor and Outdoor dining, and Group Development at 433 Broad Street Tax Key Number ZOP 00114. Motion carried.

Public Hearing on a Conditional Use Application filed by Ken Etten of Mc Cormack and Etten Architects LLP, for Anne See, 1605 N. Lake Shore Drive, Lake Geneva, WI 53147, for an addition and remodeling to an existing single-family residence in the ER-1 District using the setback requirements of the SR-4 District at 1605 N. Lake Shore Drive, Tax Key Number ZLM 00089A.

Ken Etten from Mc Cormack and Etten Architects LLP approached the podium to explain the project. Ms. See would like to put in some larger windows on the front of the house while expanding the deck and then adding a small mud room onto the side entrance into the house. The Geneva Manor Architectural Review Committee has reviewed this and sends a letter in support of the plan. Flower asks about the five foot encroachment. Brugger states that it is a provision in the Zoning Code to allow for that. Hartz asks about the neighbors and how they feel about it. One of the neighbors is Anne's sister and she doesn't have a problem with it and they are not sure about the other neighbor. Hartz/Flower motion to close the public hearing. Motion carried. Flower/ Skates motion to approve the Conditional Use Application submitted by Ken Etten on behalf of Anne See, 1605 N. Lake Shore Drive, Lake Geneva, WI 53147, for an addition and remodeling to an existing single-family residence in

the ER-1 District using the setback requirements of the SR-4 District at 1605 N. Lake Shore Drive, Tax Key Number ZLM 00089A. Motion carried unanimously.

Public Hearing on a Conditional Use Application filed by Robert Jr. and Janice Kalb, 406 Maxwell Street, Lake Geneva, WI 53147, to construct a second garage at 406 Maxwell Street, Tax Key Number ZOP 00058. Ron Amann 2492 Crest Drive Lake Geneva approached the podium on behalf of Robert and Janice Kalb 406 Maxwell Street and explained the project of desiring a two car (22' by 22') detached garage on the alley side. Their current garage is only nine feet wide. They use a neighbors garage (they have since 1983) to store lawn equipment, tools and another car. Skates asks if they have explored adding onto the current garage versus building a new one. Mr. Kalb explains several reasons why it wouldn't work. Flower asks about the five foot setback off the lot line and if that is ok. Brugger stated that it is within the setbacks for detached garages. Flower asks if the two driveways (one to the existing garage and one to the new one) will remain and if that is permitted. That is also ok according to the zoning code. Hartz asks about the landscaping and if any new landscaping will be proposed. Mr. Kalb explains that there will be some eventually. Skates/Olson motion to close the public hearing. Motion carried. Skates/ Poetzinger motion to approve the Conditional Use Application filed by Robert Jr. and Janice Kalb, 406 Maxwell Street, Lake Geneva, WI 53147, to construct a second garage at 406 Maxwell Street, Tax Key Number ZOP 00058. Flower asked about the impervious surface ratios. Brugger states that the Site Plan shows that there will be enough green space remaining after the garage is built. Motion carried unanimously.

Review and Recommendation on a Site Plan Review Application filed by Robert Wereski 304 S. Wells Street, Lake Geneva, WI 53147 for construction of an in-ground swimming pool at 304 S. Wells Street, Tax Key Number ZOP 00352A. Mr. Wereski, owner of Plaza Motel, approached the podium and explained his project. His pool is proposed to be at the south end of the property where the picnic area is. There is also a gazebo there currently. The pool is proposed to be 16' x 32'. The depth will be starting at 3 1/2 feet to 5 1/2 feet. He explained more specifics regarding the project. Brugger asks if the pool will be operating at night. Mr. Wereski stated no. Brugger stated if he wanted to operate the pool at night, it would fall under a Conditional Use approval. Hartz asks what kind of yard is the area where the pool is proposed. Brugger stated that he considers it the side yard. Hartz asks if any parking will be lost. Mr. Wereski stated that the pool is proposed to go on the lawn area and shouldn't obstruct any existing parking areas. The Gazebo will be relocated to the south east of the pool. Flower asks about steps to the gazebo, and Mr. Wereski stated that it shouldn't have steps but that it will be apart from the pool area. Skates asks about the electrical box, pumps and filters being placed behind the southern side of the building, and is that building the one that runs north and south. Mr. Wereski agrees and that it would be about 40 feet from the pool. Poetzinger asks about a large dirt pile and if a retaining wall will have to be erected at all. Mr. Wereski doesn't know right now but could possibly when the time comes. Flower asks about the fencing and if it will be cutting corners and run into the parking area. Mr. Wereski stated that he didn't give the surveyor specifics just a general area of where it will go so if things needed to be moved, it could be. Flower asks about approval and whether that can happen if we don't see it exactly that way on the site plan. Brugger stated that it can be approved with final site determination based on site conditions as he has plenty of setback room to move. Hartz/ Flower motion to recommend approval for construction of an in-ground swimming pool at 304 S. Wells Street, Tax Key Number ZOP 00352A including Staff recommendations. Motion carried unanimously.

Discussion and Concept Plan Review for a proposed Planned Development filed by Geneva Lake Area Chamber of Commerce for an Addition and Alteration to the existing building at 201 Wrigley Drive. Ken Etten approached the podium on behalf of the Geneva Lake Area Chamber of Commerce regarding their proposed addition. Mr. Etten explains that the Flat Iron park is zoned ER-1 and that there is no plat of survey of the property, it is also within the Shoreland Overlay district. There is a 100' setback within the Shoreland Overlay district. Which means that the closest part of the building to the shoreline is 86' away and another corner is about 93.3'. The closest corner of the addition would be about 95.3' from the shoreline. If you count the lagoon as part of the shoreline setback, the existing building is only about 40' off the spillway and the proposed new addition (the closest part) would be about 72' feet off the spillway. One thought is to treat this as a planned development/rezone to account for some flexibility in the setbacks. Brugger stated that he reviewed this with the City Planner to see if we can work within the City ordinance. He agreed that because of the proximity to the current lagoon, the ordinance, as it currently exists, will not permit the addition. Assuming the City wants this addition to happen, he and the City Planner looked at ways of amending the ordinance that would not detract from the environmental protection aspect of the lakeshore overlay zoning and might allow this type of addition to work. They also looked at if it worked in this instance, where else will it work and what other ramifications will there be. Currently, the lakeshore overlay is a straight 100' line measured directly from the ordinary high water mark, any navigable body of water as identified from SEWRPC maps. The idea behind the lakeshore overlay is to preserve and protect the lakeshore for a variety of reasons; development near the lakeshore causes erosion and disruption. The purpose of the district is to protect land and water margins from erosion due to site destruction, a natural vegetation buffer is provided to reduce water velocity and one of the requirements is that it remains in an undisturbed state. Since development started in the late 1800's there is very little lakeshore that is left in its natural state. They wanted to keep this in mind and try to recognize that fact while still providing protection for the erosion and natural beauty goals and objectives of the lakeshore district. There was a thought of redefining the district as 100' feet from the ordinary high water mark or to the nearest setback line of the principle use structure, which in this case would be the current setback of the Chamber building. Since the majority of our lakefront is residential though, Brugger looked more at how it would impact those properties and it still made sense to him that in subdivisions where the average setback for houses is 40-50 feet it will cause problems because now that lakeshore is probably beyond their entire house and they have little to no useable property left. A lot of them are 75 feet and then there are some that are over 100 feet. In those cases where there are no principle structures within 100 feet, the 100 foot line would still stand. If you are in an area where the average setback is 75 feet, the lakeshore would match essentially the fronts of these houses so everything from the front of the house to the lake still falls within the lakeshore protections areas. It would at least open up the option that if there were adequate setbacks based on the other provisions of the ordinance, you may have some side yard area to build on your property which you do not have available with this current provision. Brugger thought this was a win-win situation where it would not compromise any of the goals and objectives of the lakeshore district and yet it would give lakefront property owners a little more ability to make use of their properties that are already developed and never going to go back to an undeveloped shoreline. That is what the Staff came up with as a possible solution for allowing the Chamber to proceed with this kind of addition. Brugger mentions one other option. It would be to amend the Planned Development section to allow flexibility in these overlay zoning districts. Brugger thinks that this is less desirable, establishing another line and sticking within the regulations of that line. Typically when someone asks for flexibility, they can ask for anything at that point. They would have to go through 2 public hearings usually to get it and some discussion, so it's not like anything will be able to sneak through. Hartz asks if the owner of the building has been established. Brugger stated that he thought that the City owned the land but the Chamber owned the building. He believed that he saw that in some very old Council minutes.

George Hennerley, 545 S. Lake Shore Drive, Executive Director of the Chamber of Commerce, approached the podium to explain that the Chamber would be paying for the addition on its own. Hartz stated that the park is classified as a neighborhood park per the Comprehensive Plan. He stated that he would like to see the building disappear rather than add on to it. He explained his personal opinions behind that thought. Hennerley stated that they need restrooms year round and having them in an unoccupied building runs a number of different risks. He also explained about all the different functions that use the park. The original Chamber building was at the corner of Cook and Main (Library Park) in a temporary building and he stated that at some point someone felt that the current location was a good location for them to be. Flower asks how the other buildings are allowed within the 100 foot setback. They are allowed as public services (bathrooms, utilities, etc.). Perhaps this building could be used by the public (as a City building) and there could be a public service. Discussion followed. Mayor Connors asks what other properties would be affected if we changed the ordinance. Brugger stated that he would hope that we would make that a concern. Flower asks how this addition fits with the plans that the Park Commission has going. Hartz stated that he believes that the Council will be looking at the list of items from the Beautification Committee and that he didn't see the Chamber building on it. Skates said that the Chamber plans went before the Park Board and it was approved with one abstention. Hennerley stated it went before the Tree Board and it was ok providing that he replaced any trees that they may remove. Hartz asks what happens in several years when the Chamber needs to expand again. Do we add on to it again? Discussion followed. Brugger asks how many stalls are in the Chamber parking lot. Hennerley stated there are seven stalls. That number of stalls will not change. Discussion followed. This will be added to the Council agenda for discussion.

Downtown Design Review.

Boatyard Bagels, 846 Main Street. Signage was submitted, two sandblasted mahogany signs for the building and a front window vinyl sign. The two signs will be 20" x 20" and cannot exceed 3.5 square feet per code. The front window vinyl is well under the allowed 15% of coverage. It will be 36" across. Brugger mentions that the two exterior walls signs are the only ones subject to review. This is on the returns of the entry foyer. Flower/Hartz motion to approve the sign design as submitted. Motion carried unanimously.

Lake Geneva Museum, Mill Street. They want to replace windows on the west (Mill Street) side and also on the south (Main Street) side. This would upgrade the appearance of the building. A new entrance canopy is also part of the approved project. All of the awnings (to be placed) were not included in the bid (only some of them) but all would be preferred to be completed at some time. Flower/Olson motion to approve the museum exterior changes as presented. Motion carried unanimously.

Roses, 433 Broad Street. The red brick and the dark charcoal stucco are the proposed exterior colors. The size of the sign is determined by ordinance based on frontage. The Commission is looking at colors, fonts, fixtures, materials etc. this evening. Discussion followed. Flower/Hartz motion to approve the architectural appearance and signage as submitted for Phase 1 exterior. Motion carried unanimously.

Jasmine Salon and Spa, 251 Cook Street. They are proposing a monument sign and a projecting sign but they can only have one of those. Whichever sign is picked, it will be the same logo/colors (white background with purple lettering and a flower). Flower/Skates motion to approve the signage as presented (monument sign or projecting sign along with wall signage). Motion carried unanimously.

Flower/Skates motion to adjourn at 8:40pm. Motion carried.

/s/ Jennifer Special, Building/Zoning Administrative Assistant

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