

**CITY PLAN COMMISSION
MONDAY, FEBRUARY 18, 2013- 6:30 PM
COUNCIL CHAMBERS, CITY HALL**

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

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

Mayor Connors wanted to remind everyone that there is a Supreme Court election tomorrow and that all the polling places have been combined into one location and that will be here at City Hall.

Hougen/Skates motion to approve the January 21st 2013 minutes. Motion carried unanimously.

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.

The Commissioners received a letter from Don Voit of Vista del Lago in opposition to the request on the agenda tonight. A copy will be on file in the Clerk's office.

Correspondence was received from the Geneva Towers Homeowners Association in opposition to the request for outdoor music including live entertainment requested by Daniel Caravette. A copy will be on file in the Clerk's office.

Public Hearing and recommendation on a Conditional Use Application filed by Vista del Lago Homeowners Association, 1070 S. Lake Shore Drive, Lake Geneva, WI 53147, for landscaping (lawncare) including retaining walls, widening the lake path, remove and replace the patio and add a fire pit and plantings located in the Lakeshore Overlay District at 1070 S. Lake Shore Drive, Tax Key No. ZCNV 00001-58. Tony Panazzo, caretaker at Vista del Lago and Steve Scheel from Scheel & Associates approached the podium and explained the project before the Commission tonight. The erosion needs to be addressed before it becomes more of a problem. There is currently invasive plantings along the hill that are proposed to be replaced with native plantings. The lake path is proposed to be widened to accommodate the storage of the boat piers in the winter. The proposed patio is to be of a step down type as to not inhibit any lake views while utilizing the patio. Panazzo explained that after coming to the Plan Commission to see how the Commission would view the project, it then went before the Homeowners Association. Panazzo explained the necessary number of votes to go forward with the plan and that the majority of the people are in favor of the plan. There were some that voted no and some that did not vote at all. They have also hired an engineering firm which will begin boring samples next week. Skates asks more specifics on the lawn area. The lawn area (on top of the hill) has some slope but is very mow able. Skates also asks how much the rosetta stone mass has been reduced from the original proposal. Scheels stated maybe 8%-10% and Panazzo reiterated that ivy will be planted to assist in covering much of the stone. Brugger asks if the patio can be moved back to the other side of the sidewalk. Panazzo states that it would be very visible to the first floor owners and is not functional in its current state. The drainage flow also inhibits some of the location of this patio. The floor of the patio will be rosetta stone and permeable material. It will not be poured concrete.

John Dreffin, 1070 S. Lake Shore Dr. Bldg 9-2A approached the podium and explained his support of this project. Skates/Hougan to close the public hearing. Motion carried. **Skates/ Olson motion to recommend approval on the Conditional Use Application filed by Vista del Lago Homeowners Association, 1070 S. Lake Shore Drive, Lake Geneva, WI 53147, for landscaping (lawncare) including retaining walls, widening the lake path, remove and replace the patio and add a fire pit and plantings located in the Lakeshore Overlay District at 1070 S. Lake Shore Drive, Tax Key No. ZCNV 00001-58, with staff recommendations and request that an Erosion Control plan be submitted and approved prior to permit issuance.** Skates elaborated on his favor with the plan. Hougen stated his comments for and also against the project expressing his concerns. Attorney Draper explains that the County has no jurisdiction on this matter here in the City and the DNR may have some input depending on the amount of land being

disturbed. **Connors/Skates friendly amendment to have the DNR review this project. Amendment carried unanimously. Discussion followed. The original motion carries unanimously.**

Public Hearing and recommendation on a Conditional Use Application filed by Daniel Caravette, 664 Cedar Point Drive, Williams Bay, WI 53191, to allow outdoor music including live entertainment (Outdoor Commercial Entertainment) for their existing Outdoor Entertainment area at 642 Main Street, Tax Key No. ZOP 00305.

Dan Caravette, 664 Cedar Point Drive, Williams Bay approached the podium and explained his proposal. Brugger asks how he is going to control the music volume on the live music. Caravette states that the music will be going into the beer garden area and not out. He anticipates that it will only be about a three piece band and not heavy rock and roll band. Where he is planning to have the band is about a 12 foot drop from the street level and the music will be absorbed by a wall. The goal is to contain the sound in a 50' x 30' area. The live music will be Friday and Saturday only and go from no earlier than 5pm and no later than 9pm. Hougen asks about the music he has heard when he has walked by there before. Caravette explains that through the past music uses, he has brought in consultants to have better placement of the musician to make sure that the proper steps are taken care of to minimize the sound surrounding the property. Caravette talks about the flora that is along the concrete wall (post office) helps to absorb the sound and he was taught more about proper height/placement of the speakers to adjust the sound. Connors asks about the proximity of Mill Creek and assuring their potential issue with noise. Caravette states that he proposes to go over to Mill Creek and make sure that there is no noise problem on his end as well as the consensus of Mill Creek staff/guests. Brugger explains that part of this application is to allow for approximately 50 more guests to be allowed on the volleyball area in addition to the already allowed 46 patron. This project will also include allowing tents to be set up for special events. The previous approval already gave him permission to have the events outside. Slavney asks about additional lighting. Caravette states this will not be a permanent stage. It will only be a foot elevation, box set that would be put out there during the music being played. It will only be the musician and his instruments. No lighting, no fog machine etc. Brugger asks if there is any reason why the musician cannot be accommodated acoustically?

Caravette stated anything is possible but doesn't want to risk the musician not committing to playing because they may have not done it before. Slavney asks about the number of calls related to noise complaints that the police were called on. He also commented on the speakers on the roof and not remembering the City approving them. Caravette explained that it is his fault. He had speakers on the outside and they were within arms reach and were getting vandalized. He had them detached and put up on the roof. He accepts full responsibility. He is willing to make it work with the surrounding businesses to make sure that there will be no issue. Caravette explains that atmosphere music will turn on around 3pm and turn off for live music. They will turn back on until about 1am. Slavney states that if the City allows for this (technically for the first time) and the volume is not controlled appropriately, the City can proceed with action to have all of the speakers/outdoor music removed. Caravette explains that is why he is taking much action to assure this will not happen and will accept that decision. Hougen/Poetzinger motion to close the public hearing. Motion carried. **Hougen/ Skates motion to approve the Conditional Use Application filed by Daniel Caravette, 664 Cedar Point Drive, Williams Bay, WI 53191, to allow outdoor music including live entertainment (Outdoor Commercial Entertainment) for their existing Outdoor Entertainment area at 642 Main Street, Tax Key No. ZOP 00305, to include the addition of the four speakers that are currently installed, change the former volleyball area to a dining area, tents as approved by the fire department and that the sound from all outdoor music is limited to no further than the perimeter of the parcel. Skates friendly amendment to review this Conditional Use approval at the September Plan Commission meeting. Amendment fails for lack of second. Connors/Hougen friendly amendment that the music be limited to acoustic only, the hours as requested by the applicant, the outdoor music be no later than 11pm, with the music to not be discernible at the lot line and that the review will occur at the November Planning Commission. Amendment carried unanimously. Connors/Skates motion to limit this Conditional Use only to this owner and not be transferrable. Amendment carried unanimously.** Brugger explains that Bella Vista had a piano bar approved until 11pm. The Baker House had acoustic music approved in the garden area as well. **Original Motion carried unanimously.**

Public Hearing and recommendation on a Conditional Use Application filed by Marina Bay Boat Rentals, 300 Wrigley Drive, PO Box 51, Lake Geneva, WI 53147, to reduce the size of the current pier to 100 feet located in Baker Park in front of 300 Wrigley Drive. Tammy Carstensen, 300 Wrigley Drive approached the podium on behalf of Harbor Shores Condominiums, Terry Johnson, 2535 Countryside Drive, Delavan, approached the podium on behalf of Marina Bay Boat Rentals and also Jeff Reed, Reeds Construction, 1692 Walburg Rd, Burlington, WI also approached the podium. Johnson explains that he is here as a co-applicant with Harbor Shores. Attorney Draper explains that the Barker Park agreement gives the property owners (Harbor Shores) rights to have a pier on that property. Connors asks about

construction time frame and if it would start after then spawning season. Johnson has not heard back from the DNR on that. Hougen asks how the riparian rights were determined. This specific method is based off of an extension of the property lines.

Pete Milligan, leases the space next door from the Baker House, and wants to know how close the reconfigured pier will be and affect his business. Johnson states that there will be 30 feet between them.

Charles Colman, Geneva Lake Conservancy. He applauds the limits to the pier lengths on the lake.

Poetzingner/Skates motion to close the public hearing. Motion carried. **Connors/ Skates motion to recommend approval on a Conditional Use Application filed by Marina Bay Boat Rentals, 300 Wrigley Drive, PO Box 51, Lake Geneva, WI 53147, to reduce the size of the current pier to 100 feet located in Baker Park in front of 300 Wrigley Drive including staff recommendations and final approval by the DNR and Army Core of Engineers.** Motion carried unanimously.

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 a gymnasium addition to the North end of the existing school building (Indoor Institutional) located at 535 Sage Street, Tax Key No. ZOP 00003A. Bill Henry, Kehoe-Henry & Associates approached the podium on behalf of the Joint 1 School District and explained the project. The original school building was built in 1951. In 1965 an addition was built onto the south end of the building. There is a large storm sewer that runs through the site. It is 30 inch and 36 inch depending on what part of the line you are looking at. This line cuts through where the new addition is proposed therefore, three new manholes are to be installed to re route the storm sewer. Henry explains that they will be building into the hill, an area not utilized by the children. There will be a grade level entry from the existing building into the new area. There will be a ramp on the east side of the addition going toward the playground to provide handicapped accessibility. The addition will house just the gymnasium itself. Part of the old gymnasium will be remodeled into a library which will be a larger size and will be more accommodating to the number of students in this school as well as comparable to other schools in the district. The former library will be turned into a computer lab and a special education area for the students. The exterior is proposed at this time to be of brick and to be in similar texture/color to the 1951 brick that is currently on the building. There will be accent brick panels that will be slightly recessed to be similar in treatment when the windows were reduced in size when they were done in the 1980's. Hougen asks about the egress of students during construction. Henry states that he has not had a chance to look into that but will work with Brugger to find the best way to make that happen. Discussion occurred on the sanitary storm sewer locations. Connors asks about the exterior elevation difference between the old building and the new addition. The top of masonry is 13'4" and the top of the fascia is 12' 1". There is less than a foot and a 1/2 difference. The original gymnasium will still be the highest point of the buildings. That is not being altered at all. The dumpsters are planned to stay where they are and it was suggested by Brugger to maybe have some dumpster screening in the future.

Skates asks how this gym will be in comparison to the middle school gym. The middle school gym is about 50' x 84'. This gym floor will be 42' x 74'. This will be a little smaller than the middle school but still have adequate room for use. The main difference is the space around the perimeter of the court boundaries. It was asked in the Staff meeting why there are no windows in the gym. It was explained that windows are not ball friendly.

Eric Anderson, 611 Sage Street. He shares a driveway with the school and the new gym is proposed to go between his property and the existing school. He accepts many things that happen to his property for living next to the school. However, he doesn't care for the one spot on the 17 acres that the school has, of locating an addition right next to residential neighbors. He explains that he has a vacant lot that he bought specifically for no one to build on it to protect his views. He is also concerned that the gym addition will encourage more traffic (pedestrian and vehicular) to occur to get closer to the gym to pick up the kids or attend activities. Will people be parking on his lawn again (as they were prior to the parking lot being made). He expresses the concern that the lawn that has been maintained by him and the past owners of the property that he now owns makes it ten feet closer to where is appears the building it going. This was recently discovered. He doesn't contest the property line nor the care that he does for it. He in support of the school but just wanted to express his concerns.

Henry explains that other sites on the property were looked at for this expansion. He demonstrated some of the possible locations and then explained why it wasn't as workable. Olson left her seat at 8:05pm. Henry explains that when events are in the gym, parking will be in the South parking lot and access will be thru the school to the gym. Olson returned to her seat at 8:09pm. Henry explains that the addition is proposed to be brick with brick accents and plenty of landscaping as required by the City.

Diane Bauman, 602 Sage Street approached the podium and explained that one of the reasons they have stayed in their home so long is because of the view that they have of Dunn field. She feels that this will be a detriment to her property value and hopes that the location could be moved to the back side of the building (the east side).

Poetzingler/Olson to close the public hearing. Motion carried unanimously. **Hougen/ Skates motion to recommend approval of the 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 a gymnasium addition to the North end of the existing school building (Indoor Institutional) located at 535 Sage Street, Tax Key No. ZOP 00003A, subject to a general maintenance easement for any utility repairs that the City may make, final engineering as approved by the City Engineer and all staff recommendations.** Hougen explains that he would like to see some sort of architectural change to break up the "wall" of brick. He also expresses the possibility of researching options to allow for unbreakable windows/skylights. Connors reiterates that if parapets were added it would obstruct the vision more from the added height of the building. Brugger also commented that it could add extra expense depending on the height because it could cause for drift loads to be calculated and the roof top requiring more support. Rooftop mechanical units will be on top of this building and will be visible which is how you are able to view the current roof. **Connors/Skates friendly amendment on the old northwest corner of the building (between the new and old portion) door be restricted to emergency access only.** Brugger comments that the relocated spruce trees could be spotted along the north end of the building to break up the "wall". Brugger also shares that there is no sidewalk on the door that is being suggested to be emergency access only and only a landing so it is proposed to be a limited access door. **Unanimous approval on the amendment.** **Connors/Hougen amendment to have the School District work with Staff to relocate the proposed trees to break up the wall on the North side. Unanimous approval on the amendment.** Discussion occurred on the limitation of the gymnasium and nearby doors. **Connors/Skates amendment to the amendment that the limitation on the old northwest corner of the building door is limited to emergency access or staff use only. Unanimous approval on the amendment. Original motion carried unanimously.**

Review and Recommendation on a Certified Survey Map located in the Town of Linn within the City's extra territorial jurisdiction review area. Attorney Dennis Lynch approached the podium on behalf of George and Jacqueline Leedle. He would like to separate the farmhouse from the farm land for family use of both at this time. He explains that there is a recommendation from the City Engineer about a right of way dedication. The applicants have not been informed of this by any other jurisdiction and they are at a status quo about that decision at this time. He believes that if they comply with the City's request for the Right of Way dedication then it would violate the County's requirement for setback on the house. Brugger states that the City understands the issue and states that the City would settle for a reservation versus a dedication. The applicants would prefer to leave it as is and not make any concessions. Attorney Lynch states that all corrections will be made. The reservation will be an advantage as it will only be required when and if the land would come into this jurisdiction or any other jurisdiction. **Connors/ Skates motion to recommend approval on a Certified Survey Map located in the Town of Linn within the City's extra territorial jurisdiction review area including a 50' reservation of right of way for which ever jurisdiction it may come into and subject to all corrections suggested by the Department of Administration in a letter dated Feb 4, 2013 and Crispell Snyder in a letter dated Feb 12, 2013 for Tax Key No. IL24 00006. Motion carried unanimously.**

Downtown Design Review.

252 Center Street. Salon Renda. This is part of a multi-tenant monument sign. It is dark gray and black lettering with a gold perimeter border. Hougen/Skates motion to approve the signage as presented. Motion carried unanimously.

Skates/Hougen motion to adjourn at 8:47 pm. Motion carried.

/s/ Jennifer Special, Building/Zoning Administrative Assistant

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