

CITY PLAN COMMISSION
MONDAY, APRIL 15, 2013 - 6:30PM
COUNCIL CHAMBERS, CITY HALL

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

Roll Call. Mayor Connors, Alderman Hougen, Commissioners Gibbs, Flower, Olson, Skates and Poetzing. Also Present: City Attorney Draper, Building/Zoning Administrator Brugger, City Administrator Jordan and City Clerk Hawes.

Approval of Minutes

Hougen/Skates motion to approve Plan Commission meeting minutes of March 18, 2013, as distributed. Unanimously 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. None.

Public Hearing and recommendation on a Conditional Use Application filed by Nicholas E Petros and Angele Petros, PO Box 505, Lake Geneva, WI 53147, for amending their existing Group Development to add an additional unit in the Central Business zoning district at 704 Main St., Tax Key No. ZOP 00307

Ken Etten, architect from McCormack and Etten, presented the application on behalf of the applicant. He explained the proposal involved changing the property from two tenant spaces to three tenant spaces. Mr. Etten said he would ensure that the property met accessibility requirements.

Attorney John Olson spoke on behalf of the applicant, verifying that the applicant was not seeking an alcohol license at this time.

Attorney Richard Torhorst commented that according to a prior court order the alleyway adjacent to the property was to remain unblocked to the tenants to the west and south.

Hougen/Olson motion to close the public hearing. Unanimously carried.

Hougen/Skates motion to approve the Conditional Use Application filed by Nicholas E Petros and Angele Petros, PO Box 505, Lake Geneva, WI 53147, for amending their existing Group Development to add an additional unit in the Central Business zoning district at 704 Main St., Tax Key No. ZOP 00307, including all staff recommendations. Unanimously carried.

Public Hearing and recommendation on a Conditional Use Application filed by Dorothy Fiske, 324 Sage Street, Lake Geneva, WI 53147, for operating a bed and breakfast establishment in the Neighborhood Office (NO) zoning district at 324 Sage St., Tax Key No. ZOP 00134

Dorothy Fiske, 324 Sage St., Lake Geneva, stated she would like to occasionally rent out one or two rooms of her home. She said it would not be a full-time bed and breakfast. Commissioner Flower asked about the availability of parking. Ms. Fiske said there is parking for three in front of the house.

Flower/Skates motion to close the public hearing. Unanimously carried.

Skates/Flower motion to approve the Conditional Use Application filed by Dorothy Fiske, 324 Sage Street, Lake Geneva, WI 53147, for operating a bed and breakfast establishment in the Neighborhood Office (NO) zoning district at 324 Sage St., Tax Key No. ZOP 00134, including all staff recommendations. Unanimously carried.

Public Hearing and recommendation to consider an amendment to the Zoning Ordinance of the City of Lake Geneva to consider an amendment to Section 98-913(9)(c) to resolve a conflict in the Downtown Design Overlay regulations

Building/Zoning Administrator Brugger suggested amending Section 98-913(9)(c) of the Zoning Ordinance so that the residential construction review area would be consistent with the downtown design district boundaries. He said the west boundary should be changed from Forest St. to Cook St.

Skates/Poetzinger motion to close the public hearing.

Skates/Poetzinger motion to amend Section 98-913(9)(c) of the Zoning Ordinance of the City of Lake Geneva to resolve the conflict in the Downtown Design Overlay regulations. Unanimously carried.

Public Hearing on a zoning map amendment of Rural Holding (RH) to be placed on the following parcel located at W2358 N. Bloomfield Rd., recently annexed to the City of Lake Geneva: PT NW 1/4 SEC 6 T1N R18E DESCAS: COM SE COR NW 1/4 SEC 6,N2D29'W 726', S86D04'05"W TO NE COR GENEVA MEADOWS APARTMENTS, S3D3'55"E 694.07',E TO POB. 12.49 ANNEXED TO CITY OF LAKE GENEVA UNDER #852281 OMITS MB 6-7A. TAX KEY NO.: ZYUP 00195

Building/Zoning Administrator Brugger said the zoning map should be amended to reflect the permanent zoning of this recently annexed property. He said the zoning of Rural Holding (RH) would be appropriate.

Hougen/Olson motion to close the public hearing. Unanimously carried.

Hougen/Skates motion to approve a zoning map amendment of Rural Holding (RH) to be placed on the following parcel located at W2358 N. Bloomfield Rd., recently annexed to the City of Lake Geneva: PT NW 1/4 SEC 6 T1N R18E DESCAS: COM SE COR NW 1/4 SEC 6,N2D29'W 726', S86D04'05"W TO NE COR GENEVA MEADOWS APARTMENTS, S3D3'55"E 694.07',E TO POB. 12.49 ANNEXED TO CITY OF LAKE GENEVA UNDER #852281 OMITS MB 6-7A. TAX KEY NO.: ZYUP 00195. Unanimously carried.

Public Hearing on a zoning map amendment of Rural Holding (RH) to be placed on the following parcel located at the southwest corner of the intersection of N. Bloomfield Rd. and HWY 120, recently annexed to the City of Lake Geneva: LOT 1 CERTIFIED SURVEY NO.4330 AS RECORDED IN VOL 28 OFC.S. ON PAGE 51 WCR. LOCATED IN NW 1/4 SE 1/4 & SW 1/4 SE1/4 SEC 6 T1N R18E.506305 SQ FT OMITS MA3187-1 ANNEXED TO CITY OF LAKE GENEVA UNDER #852918 OMITS MA4330-1. TAX KEY NO.: ZA433000001

Building/Zoning Administrator Brugger said the zoning map should be amended to reflect the permanent zoning of this recently annexed property. He said the property owner was recently issued a conditional use permit to build a church. Mr. Brugger said the zoning of Rural Holding (RH) would continue to be appropriate.

Flower/Hougen motion to close the public hearing. Unanimously carried.

Hougen/Gibbs motion to approve a zoning map amendment of Rural Holding (RH) to be placed on the following parcel located at the southwest corner of the intersection of N. Bloomfield Rd. and HWY 120, recently annexed to the City of Lake Geneva: LOT 1 CERTIFIED SURVEY NO.4330 AS RECORDED IN VOL 28 OFC.S. ON PAGE 51 WCR. LOCATED IN NW 1/4 SE 1/4 & SW 1/4 SE1/4 SEC 6 T1N R18E.506305 SQ FT OMITS MA3187-1 ANNEXED TO CITY OF LAKE GENEVA UNDER #852918 OMITS MA4330-1. TAX KEY NO.: ZA433000001. Unanimously carried.

Public Hearing on a zoning map amendment of Single Family Residential (SR-4) to be placed on the following parcel located at 223 Skyline Drive, recently annexed to the City of Lake Geneva: LOT 1 CERTIFIED SURVEY NO.4457 AS RECORDED IN VOL 29 OFC.S. ON PAGE 78 WCR. LOCATED IN NW 1/4 SW 1/4 SEC 31 T2NR18E. 28347.15 SQ FT CITY OF LAKE GENEVA OUT OF N LY31-8 OMITS ZHIGH-15 TAX KEY NO.: ZA445700001.

Building/Zoning Administrator Brugger said the zoning map should be amended to reflect the permanent zoning of this recently annexed property. He said the property was given a temporary zoning of Single Family Residential (SR-4). He said SR-4 would be appropriate for its permanent zoning and it would be consistent with the comprehensive plan.

Skates/Olson motion to close the public hearing. Unanimously carried.

Skates/Poetzinger motion to approve a zoning map amendment of Single Family Residential (SR-4) to be placed on the following parcel located at 223 Skyline Drive, recently annexed to the City of Lake Geneva: LOT 1 CERTIFIED SURVEY NO.4457 AS RECORDED IN VOL 29 OFC.S. ON PAGE 78 WCR. LOCATED IN NW 1/4 SW 1/4 SEC 31 T2NR18E. 28347.15 SQ FT CITY OF LAKE GENEVA OUT OF N LY31-8 OMITTS ZHIGH-15 TAX KEY NO.: ZA445700001. Unanimously carried.

Public hearing and recommendation on a Petition for Direct Annexation by Unanimous Approval on behalf of the Property Owners of territory located in the Towns of Linn and Bloomfield, Walworth County, Wisconsin, to the City of Lake Geneva, Walworth County, Wisconsin, pursuant to Section 66.0217(2), Wisconsin Statutes, filed by Lake Geneva Economic Development Corporation, PO Box 1300, Lake Geneva, WI 53147, as the sole owners of record of the real property in the territory sought to be annexed, such territory being more particularly described as Lot 1 and Outlot 1 of Certified Survey Map No. 4088 according to the recorded plat thereof, recorded in Volume 25 of Certified Surveys on Page 272 as Document No. 721000, located in part of the SE 1/4 of the SE 1/4 of Section 12, Town 1 North, Range 17 East, and part of the SW 1/4 of the SW 1/4 of Section 7, Town 1 North, Range 18 East, all in Walworth County, Wisconsin. IA408800001 and IA408800002 MA408800001 & MA408800002. Also a parcel of land located in the Southeast 1/4 of Section 12, Town 1 North, Range 17 East, and the Southwest 1/4 of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the Northwest corner of said Southeast 1/4; thence N 89° 30' 05" E 550.00 feet to the point of beginning; thence continue N 89° 30' 05" E to the Northeast corner of said Southeast 1/4, 2096.67 feet; thence N 87° 35' 59" E along the North line of the Southwest 1/4 of Section 7, Town 1 North, Range 18 East, 840.72 feet; thence S 54° 29' 21" E 367.95 feet to the Westerly right of way of State Highway "120"; thence 959.63 feet: along the arc of a curve to the left with a radius of 2690.28 feet and a chord which bears S 30° 43' 08" W 954.55 feet; thence S 20° 30' 00" W 330.61 feet to the North line of Certified Survey Map No. 1878: thence N 66° 04' 07" W 597.95 feet to the Northwest corner of said Certified Survey Map; thence S 29° 07' 18" W along the West line of said Certified Survey Map and also the West line of Certified Survey Map No. 4088, 354.14 feet; thence S 76° 15' 35" W along the West line of Certified Survey Map No. 4088, 129.30 feet; thence 152.30 feet along the arc of curve to the right with a radius of 1055.00 feet and a chord which bears S 40° 26' 21" E, 152.17 feet; thence S 10° 26' 00" W 175.04 feet; thence S 13 06' 43" E 82.46 feet; thence N 66° 18' 34" W 102.17 feet; thence N 10° 36' 58" 48.66 feet; thence S 89° 26' 56" W 1911.36 feet; thence N 11° 20' 17" E 440.24 feet; thence N 61° 37' 54" E 111.80 feet; thence N 27° 33' 16" E 458.94 feet; thence N 1° 48' 12" W 225.00 feet; thence N 31° 32' 53" W 201.56 feet; thence N 22° 15' 40" W 429.57 feet to the place of beginning. IL 1200015B and MB70006B. EXCEPTING THEREFROM THE FOLLOWING: A parcel of land located in part of the SE 1/4 and NE 1/4 of the SE 1/4 of Section 12, T1N, R17E, Town of Linn, Walworth County, Wisconsin, more particularly described as follows: Commencing at the East 1/4 corner of said Section 12; thence along the East line of the SE 1/4 of said Section 12, S 01° 48' 53" E, 1087.26 feet to a point in the North line of Lot 1 of Certified Survey Map No.1878 thence N 66° 05' 47" W, 50.36 feet to the place of beginning, said place of beginning being 88 feet +/- from the shore of the existing pond; thence S 38° 15' 00" W, 304.42 feet to a point which is S 21° 42' 11" E, 60 feet +/- from the shore of the existing pond; thence S 21° 42' 11" E, 62.54 feet; thence N 29° 05' 26" E, 340.07 feet to the point of beginning, including the lands lying between the existing pond and the above-described parcel of land which parcel is approximately 301 feet along the shore of the existing pond.

Attorney Richard Torhorst spoke on behalf of the applicant, describing the location of the subject property. He said the applicant is requesting the zoning of Rural Holding (RH) because there are no specific redevelopment plans at this time. However, at a future time the property owner would like to develop a commercial park with a potential large development. Commissioner Skates asked if there is potential for any park or recreational space within the property. Mr. Torhorst said there is a nice pond on the property and there is potential for public park space in the future. Commissioner Flower asked about future utility needs. Mr. Torhorst said there would need to be extension of sewer and water service from the City to this property at the time of redevelopment. He said the City has the capacity to serve utilities to the property.

Penny Roehrer, 951 S. Lakeshore Dr. #1, Lake Geneva, asked the status of the City's Smart Growth Plan. She expressed concern with the timing of the annexation request. She said she would oppose creating a TID to support a future business park.

Dick Malmin, N1991 S. Lakeshore Dr., Town of Linn, expressed concern that the property could be contaminated from an old dump site that was located near the property.

Jim Strauss, 246 Ridge Road, Lake Geneva, said he was concerned that the annexation would lead to more "big box" development in the City. He said he was also concerned about getting into a land war with neighboring municipalities.

Attorney Torhorst said the timing is good for the City to annex the property. He said the City's master plan shows the property as a commercial development site. He said the property owner would work with the City to ensure any future development would be in the best interest of the City. Mr. Torhorst added that the property has been monitored for contamination and it was shown there was not any leakage or seepage from the former landfill site.

Flower/Olson motion to close the public hearing. Motion carried 6 to 0, Alderman Hougen abstained.

Connors/Skates motion to approve the Petition for Direct Annexation by Unanimous Approval on behalf of the Property Owners of territory located in the Towns of Linn and Bloomfield, Walworth County, Wisconsin, to the City of Lake Geneva, Walworth County, Wisconsin, pursuant to Section 66.0217(2), Wisconsin Statutes, filed by Lake Geneva Economic Development Corporation, PO Box 1300, Lake Geneva, WI 53147, as the sole owners of record of the real property in the territory sought to be annexed, such territory being more particularly described as Lot 1 and Outlot 1 of Certified Survey Map No. 4088 according to the recorded plat thereof, recorded in Volume 25 of Certified Surveys on Page 272 as Document No. 721000, located in part of the SE 1/4 of the SE 1/4 of Section 12, Town 1 North, Range 17 East, and part of the SW 1/4 of the SW 1/4 of Section 7, Town 1 North, Range 18 East, all in Walworth County, Wisconsin. IA408800001 and IA408800002 MA408800001 & MA408800002. Also a parcel of land located in the Southeast 1/4 of Section 12, Town 1 North, Range 17 East, and the Southwest 1/4 of Section 7, Town 1 North, Range 18 East, Walworth County, Wisconsin, more particularly described as follows: Commencing at the Northwest corner of said Southeast 1/4; thence N 89° 30' 05" E 550.00 feet to the point of beginning; thence continue N 89° 30' 05" E to the Northeast corner of said Southeast 1/4, 2096.67 feet; thence N 87° 35' 59" E along the North line of the Southwest 1/4 of Section 7, Town 1 North, Range 18 East, 840.72 feet; thence S 54° 29' 21" E 367.95 feet to the Westerly right of way of State Highway "120"; thence 959.63 feet: along the arc of a curve to the left with a radius of 2690.28 feet and a chord which bears S 30° 43' 08" W 954.55 feet; thence S 20° 30' 00" W 330.61 feet to the North line of Certified Survey Map No. 1878: thence N 66° 04' 07" W 597.95 feet to the Northwest corner of said Certified Survey Map; thence S 29° 07' 18" W along the West line of said Certified Survey Map and also the West line of Certified Survey Map No. 4088, 354.14 feet; thence S 76° 15' 35" W along the West line of Certified Survey Map No. 4088, 129.30 feet; thence 152.30 feet along the arc of curve to the right with a radius of 1055.00 feet and a chord which bears S 40° 26' 21" E, 152.17 feet; thence S 10° 26' 00" W 175.04 feet; thence S 13° 06' 43" E 82.46 feet; thence N 66° 18' 34" W 102.17 feet; thence N 10° 36' 58" E 48.66 feet; thence S 89° 26' 56" W 1911.36 feet; thence N 11° 20' 17" E 440.24 feet; thence N 61° 37' 54" E 111.80 feet; thence N 27° 33' 16" E 458.94 feet; thence N 1° 48' 12" W 225.00 feet; thence N 31° 32' 53" W 201.56 feet; thence N 22° 15' 40" W 429.57 feet to the place of beginning. IL 1200015B and MB70006B. EXCEPTING THEREFROM THE FOLLOWING: A parcel of land located in part of the SE 1/4 and NE 1/4 of the SE 1/4 of Section 12, T1N, R17E, Town of Linn, Walworth County, Wisconsin, more particularly described as follows: Commencing at the East 1/4 corner of said Section 12; thence along the East line of the SE 1/4 of said Section 12, S 01° 48' 53" E, 1087.26 feet to a point in the North line of Lot 1 of Certified Survey Map No.1878 thence N 66° 05' 47" W, 50.36 feet to the place of beginning, said place of beginning being 88 feet +/- from the shore of the existing pond; thence S 38° 15' 00" W, 304.42 feet to a point which is S 21° 42' 11" E, 60 feet +/- from the shore of the existing pond; thence S 21° 42' 11" E, 62.54 feet; thence N 29° 05' 26" E, 340.07 feet to the point of beginning, including the lands lying between the existing pond and the above-described parcel of land which parcel is approximately 301 feet along the shore of the existing pond.

Mayor Connors said the annexation and redevelopment of this property would be consistent with the City's master plan. He said it would meet the planned business designation on the land use map. It would be consistent with the goals of economic development in Chapter 9 and land use in Chapter 5. Mr. Connors added that the property is ideally situated from a transportation perspective.

Motion carried by a vote of 6 to 0, Alderman Hougen abstained.

Review and Action on a Site Plan Review filed by the City of Lake Geneva for replacing the existing restroom/concession building at Dunn Field, Tax Key No. ZOP 00003A

Ken Etten, architect from McCormack and Etten, presented a site plan for the replacement of the restroom/concession building at Dunn Field. He said the building would have increased capacity for restroom users and a larger concession area. It also would have a small office and storage area. Mr. Etten said the building would have a slightly larger footprint than the existing building. Building/Zoning Administrator Brugger asked if there is a curb ramp from the parking lot to the building. The Commission discussed various aspects of the building and generally expressed support for the site plan as presented.

Skates/Hougen motion to approve the Site Plan filed by the City of Lake Geneva for replacing the existing restroom/concession building at Dunn Field, Tax Key No. ZOP 00003A.

Connors/Skates motion an amendment to add a handicap ramp between the two handicap parking stalls that would connect to a sidewalk that would take a 90 degree bend left and go south connecting with the building. Unanimously carried.

Unanimously carried.

Downtown Design Review.

Building/Zoning Administrator Brugger said the new owner of the business located at 252 Center St. is requesting to use a new grill cooker with hood in the front lawn of the property. He noted the business was granted a conditional use to use the grill and the conditional use is scheduled to be reviewed by the Plan Commission in July. Commissioner Flower said the proposed grill looks portable which isn't consistent with the conditional use that had been granted. Commissioner Skates agreed, adding that he thought the grill would not fit in aesthetically with the downtown area. Skates/Flower motion to deny the grill cooker unit and hood as presented. Unanimously carried.

Adjournment

Skates/Hougen motion to adjourn at 8:07 p.m. Unanimously carried.

/s/ Michael D. Hawes, City Clerk

**THESE MINUTES ARE NOT OFFICIAL UNTIL APPROVED
BY THE PLAN COMMISSION**