

**PLAN COMMISSION MEETING  
MONDAY, AUGUST 21, 2017 – 6:00 PM  
COUNCIL CHAMBERS, CITY HALL**

Building & Zoning Administrative Assistant Follensbee called the meeting to order at 6:00 p.m.

**Roll Call.** Present: Alderman Doug Skates, John Gibbs, Sarah Hill, Ann Esarco, Tyler Frederick, Ted Horne.  
Absent (Excused): Mayor Kupsik, City Administrator Oborn. Also Present: City Planner Slavney, City Attorney Draper, Building and Zoning Administrator Walling, Building & Zoning Administrative Assistant Follensbee.

Building & Zoning Administrative Assistant Follensbee opened nominations for a temporary chairman as Mayor Kupsik was not there to chair the meeting.

Esarco/Gibbs motion to nominate Alderman Skates as temporary chair. No other nominations were made.  
Motion carried 6 to 0. Alderman Skates took a seat as the temporary chairman.

**Approve the Minutes of July 17, 2017 Plan Commission meeting as distributed.**

Horne/Frederick motion to approve. Motion carried 6 to 0.

**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 5 minutes.**

Speaker 1: Karen Yancy, executive director of the Geneva Lake Conservancy. The Conservancy is concerned about the private recreation zoning requested by the developer, White River Holdings LLC, for the 60 acres of flood plain of the Hillmoor property in its proposed amendment request for the City of Lake Geneva's Comprehensive Plan. The Conservancy requests the zoning for the 60 acres of Hillmoor be amended to public park and open space zoning which allows for public recreational trails, parks, and public kayak & canoe launches and public natural or conservancy preservation areas. Reasons for rezoning: the land is Primary Environmental Corridor which is essential to the environmental health of the Lake Geneva area and its wildlife; this land should be designated as open space and restored to its environmental health by removing invasive species, stabilizing the stream banks and creating buffer zones to prevent polluted run-off into the river; the land should be managed to protect the adjacent land which has habitat for threatened species; the wetlands help with flood control & maintain quality of groundwater. If zoned as public park and open space, this property would have opportunities to receive federal, state and local grants.

Speaker 2: Dan Getzen, 500 S. Edwards Blvd, Unit #2, in favor of the Center Street North property to be kept as a green space to be used as a park with hiking and biking trails, asking for the support of the Plan Commission.

Speaker 3: Karen Mohar, 308 Maxwell Street, in full support of the Center Street North property to be used as a park with multi-use trails and hopes for the City's support.

Speaker 4: Alice Ogden - 108 Evelyn Lane, Unit D, Golfview Condo Association, lives in a lower unit on the west side of the former property of Hillmoor. She is concerned about the water run-off from the higher elevation south of Hwy 50. The proposed plans will flatten the terrain and remove most trees which could cause flooding. The proposed plans do not include a retention pond. Ogden asks the city and developer to consider this issue.

Speaker 5: Barbara Philips, 1600 Evergreen Lane, supports the Center Street North properties, making this property into a park and trails.

Speaker 6: Jaclyn Getzen, 15 Lakeview Drive, in support of the Center Street park, needing to preserve all the green space we can for future generations.

Speaker 7: Andy Kerwin, 1616 Evergreen Lane, in favor of the Center Street park, believing it is a great multi-use trail and park area and asks for the City's support.

Speaker 8: Mary Jo Fesenmaier, 1085 S Lake Shore Drive, read city mission statement, addressed agenda item 15.b. Geneva Inn, opposes annexation of the Geneva Inn and the proposed comprehensive plan change for zoning. On Agenda Item 15.c. Hillmoor, she opposes the proposed plan change, referencing the comprehensive plan work done to keep it rural holding and open space, prior to this request. Fesenmaier spoke about needing community projects in this property: The YMCA, Library, big community use projects which fit in with tourism.

Speaker 9: Jeff Leonard, 1504 Dodge Street, agenda item 15.d. Delaney Street Mercantile – request to change the Future Land Use designation, corner of Cook St and Main St, zoned as Planned Development and would like to change zoning to Central Business.

Speaker 10: Beverly Leonard, 1504 Dodge Street, agreed with her husband regarding the change for item 15.d. Leonard also referenced agenda item 11. United Methodist Church - CUP, a public hearing item, and read her letter to city regarding this item.

Speaker 11: Dick Malmin, N1991 S Lake Shore Dr, Town of Linn, a neighbor of the Geneva Inn, agenda item 15.b. Geneva Inn - Future Land Use change. He gave a history of the Geneva Inn property, sharing his opposition to the proposed Future Land Use and zoning change. Malmin referenced the extra territorial zoning process and questioned this process for the Geneva Inn.

Speaker 12: Maureen Marks, 834 Dodge Street, agenda item 15.b. Geneva Inn proposed Future Land Use change, opposes the zoning change for the Geneva Inn, stating she owned commercially zoned properties in Lake Geneva and never received special rights for owning these properties so the Geneva Inn should not have a special rule regarding request.

#### **Acknowledgement of Correspondence.**

Correspondence was received from Beverly Leonard regarding a Conditional Use request to allow paid parking on the property of the United Methodist Church at 912 Geneva Street. Correspondence was received from Charlene Klein, opposing the Comprehensive Plan changes for the Hillmoor property. Correspondence was also received from J. Tschetter, opposing the rezoning of the Hillmoor property.

#### **Review and Recommendation of approval for a CSM, filed by Robert E. Krawisz, 806 Pine Tree Lane, Lake Geneva, WI 53147, to clarify the property lot line identification for 806 Pine Tree Lane, Tax Key No. ZSY00028.**

Robert Krawisz, 806 Pine Tree Lane, presented his request for clarification of the property lot line due to the mistake the title company made recording the site.

Esarco/Frederick motion to approve the request for a lot line clarification as recorded in the property CSM.

Roll Call: Skates, Gibbs, Hill, Esarco, Frederick, Horne voting “yes.” Motion carried 6 to 0.

#### **Review and Recommendation of an Extraterritorial Jurisdiction (ETJ) CSM Lot Division in the Town of Geneva filed by Mark Larkin, 500 Stone Ridge Drive, Lake Geneva, WI 53147, to divide 12 acre parcel into 4 lots in the Town of Geneva, Tax Key No. JG25 00004.**

Mark Larkin, 500 Stone Ridge Drive, presented his request to divide a 12 acre parcel into 4 lots. Building and Zoning Administrator Walling, stated they will also create a cul-de-sac as part of the request. Walling spoke about the City of Lake Geneva’s standards for turn-a-round diameters in cul-de-sacs and road width as a future reference for possible annexation of this property. Planner Slavney said the CSM meets all the ETJ requirements and recommends approval.

Horne/Hill motion to approve ETJ CSM to divide a 12 acre parcel into 4 lots.

Roll Call: Skates, Gibbs, Hill, Esarco, Frederick, Horne voting “yes.” Motion carried 6 to 0.

## Downtown Design Review

### **Application by Hans Melges, 1100 Edwards Blvd, Lake Geneva, WI 53147, for a sign at 233 Center Street, Tax Key No. ZOP00284.**

Building and Zoning Administrator Walling referenced the slide for this project on the screen, pointing out one sign facing Starbucks was denied because it did not have a street side. After speaking with Mr. Melges, Walling established a plan B, allowing the sign to be placed on the alley side of this property which is an approved location for a sign. Melges distributed hard copies of the new artwork located on the north side of the building.

Hans Melges, 1100 Edwards Blvd, presented his request of a sign at 233 Center Street, showing samples of the sign materials and colors to be used in this project as well as the sign locations. Commissioner Hill asked Walling for the ordinance regarding sign location. Walling stated all signage shall be on a street frontage of the building which includes alleys.

Esarco/Gibbs motion to approve sign locations on the west and north side of the building.

Roll Call: Skates, Gibbs, Hill, Esarco, Frederick, Horne voting "yes." Motion carried 6 to 0.

### **Application by Linda Stevenson, 411 S Pearl St, Janesville, WI 53548, on behalf of Harley Davidson, for replacing an awning and signage at 704A Main Street, Tax Key No. ZOP00307.**

Building & Zoning Administrator Walling stated the applicant was unable to be at this meeting. Walling met with Ms. Stevenson and verifies the awning and decal for the Harley Davidson store do fall within the guidelines for size, location and building signage for Downtown Design. Walling stated the Harley Davidson corporate colors are copyrighted and the sign colors are therefore acceptable.

Hill/Horne motion to approve and include all staff recommendations.

Roll Call: Skates, Gibbs, Hill, Esarco, Frederick, Horne voting "yes." Motion carried 6 to 0.

### **Public Hearing and Recommendation on a Conditional Use filed by Kevin Sychowski, 830 Clover Street, Lake Geneva, WI 53147, to allow for the construction of an accessory structure of 1,950 square feet, at 830 Clover Street, Tax Key No. ZCL200008.**

Kevin Sychowski, 830 Clover Street, presented his request for a Conditional Use Permit, to allow a larger garage on his lot and handed out additional hard copies at this meeting. He has taken down a smaller garage on property since it was unsafe. Sychowski proposed a garage larger than 1000 square feet for his boat, moving trailer and cars to keep them out of sight and out of the weather. Properties to the west and to the north have a tree line which would block most of their view of the garage. Sychowski wants to add elements to the exterior so it doesn't look like a garage. He will abide by the height restrictions of the city ordinances. Planner Slavney said the plans submitted are consistent with the statements presented.

Speaker 1: Nathan Nelson, 835 Clover Street, supports this garage project and believes it will bring value to the neighborhood.

Speaker 2: Matt Mergener, 826 Clover Street, built a garage on 804 and 806 Clover Street property and had to follow the code restrictions. Mergener opposes the proposed garage because his windows face the location of this structure and he doesn't want to see this big building.

Speaker 3: Nick Staggs, 1237 Pleasant Street, concerned this allowance would lead to more light industrial development in the neighborhood. Staggs hopes the garage will look nice and fits the aesthetics of the residential neighborhood.

Speaker 4: Cindy Flower, 533 Haskin Street, is interested in seeing the architectural renderings of this garage which was not found in the online packet. Flower would like to see the plans to see what the building will look and check the setbacks. Planner Slavney described the drawings submitted at the meeting & Building & Zoning Administrator Walling added he asked Mr. Sychowski to get site renderings from an architect and received them in time for this meeting which will be available for the public.

Speaker 5: Bob Ott, 827 Clover St, understands the need for a garage but is concerned about the size and placement of garage which seems to be out of scale with the lot and existing home.

Hill/Horne motion to close the public hearing. Motion carried 6 to 0.

Commissioner Hill reviewed the process to build an accessory structure & asked Building & Zoning Administrator Walling about specifics in this process. Walling stated any structure larger than 1000 square feet requires a Conditional Use Permit. Commissioner Horne suggested the structure could use more architectural details so it looks like an extension of the home instead of an industrial garage.

Skates/Hornemade a motion to continue this hearing to the next Plan Commission meeting to give neighbors and the Plan Commission a chance to see in detail what this structure looks like beyond Mr. Synchronowski's description and last minute drawings. Motion carried 6 to 0.

**Public Hearing and Recommendation on a Conditional Use filed by Larry Kundert, N1279 White Pigeon Road, Lake Geneva, WI 53147, on behalf of United Methodist Church, to allow for a paid onsite parking lot located at Lake Geneva United Methodist Church at 912 Geneva Street, Tax Key No. ZA464800001.**

Terry Smith, N2982 Marshall Lane, Youth Director for United Methodist Church, presented request for a Conditional Use to allow for fundraising and an onsite paid parking lot with the Youth Group at different city events throughout the year. Commissioner Hill asked specifics about their fundraiser. Ms. Smith said the church used a Temporary Use permit to offer all day parking over the 4<sup>th</sup> of July at \$20/space which was used mostly by elderly or young families who needed a convenient place to park after other city parking options were filled. Hill asked how much the church plans to charge in the future. Alderman Skates stated the City cannot determine the amount to be charged for parking. Hill asked for the original intent of building a parking lot at the church. Smith stated the intent was to provide a convenient way for their congregation to park, since the street parking was not available during their worship services. Hill questioned the continued need of the two - 15 minute parking stalls. Ms. Smith said those spots are used during the busy morning drop-off for the daycare & Montessori school located in their church. Mr. Kundert commented that since it is a busy area, these extra parking spaces allow for a safer drop-off of the children.

Speaker 1: Beverly Leonard, 1504 Dodge Street, not opposed to the use of their parking lot, but maybe the church could communicate with the merchants that this parking is for a fundraiser for their Youth Group. Leonard requested a lesser charge per space.

Speaker 2: James Wilson, 1120 Park Row, concerned this request to allow paid parking could open the door for others to charge for parking on their property. He supports the congregation using the lot but not for the use of making money.

Speaker 3: Maureen Marks, 834 Dodge Street, supports the use of the two spaces in front of the church for the drop-off and pick-up of daycare & the Montessori school children. Marks doesn't think the church is trying to make money as a parking lot.

Hill/Skates motion to close the public hearing. Motion carried 6 to 0.

Commissioner Hill questioned the need for the additional 2 spaces on the street with the newly paved surface parking lot and showed concern for their request to charge for parking whenever they wanted throughout the year. Hill was also uneasy about the City not being able to set the charge rate. Alderman Skates shared the example of the PTO at Central Denison which does fundraiser a few times year, allowing people to park on the school property. The terms of temporary use permits was also discussed. Planner Slavney stated a Conditional Use Permit gives the city the ability to limit the number of times per year or the types of community events which can be named in the CUP. Skates added the Conditional Use can be pulled if there are any infractions to this permit. Commissioner Esarco asked if the CUP can state the specific events for this use and Alderman Skates verified it could.

Skates/Hornemotion to approve the Conditional Use to allow a paid onsite parking lot and staff recommendations to approve the affirmative findings, parking is limited to only the marked spaces and limited to 5 events of your choosing. Skates/Horne amended the motion to read "limited to 5 events with each event not to exceed 4 days."

Commissioner Hill asked if the church could do car washes, rummage sales or other fundraisers with this CUP application and Attorney Draper said this CUP would deny that part of it because of the conditions set for this Conditional Use; therefore they could not do the car washes, etc. Commissioner Horne asked if they could apply for a Temporary Use Permit for the items mentioned by Hill and Walling verified the church could apply but it is up to the discretion of the City to grant it.

Roll Call: Skates, Gibbs, Esarco, Frederick, Horne voting "yes" and Hill voting "no." Motion carried 5 to 1.

**Public Hearing and Recommendation on a Conditional Use for a new residence, filed by John & Susan Gullicksen, 1096 LaGrange Road, WI 53147, for SR-4 Setbacks in ER-1 Zoning District, at 1096 LaGrange Road, Tax Key No. ZLE00001.**

Todd Kaufmann, Lowell Custom Homes, representing the Gullicksen's, requesting to tear down the house and build a new home in the ER-1 Zoning District with SR-4 Setbacks. Building and Zoning Administrator Walling stated according to the site plan, the home will not get any closer to the lake or the sideyard setbacks than the existing home. They have identified the maximum height allowances of 35' and have met all the requirements: size and setbacks for SR-4 Zoning classification with the allowance of the CUP from the ER-1 Zoning.

Speaker 1: Cindy Flower, 533 Haskin Street, requests our city engineer to review the steep contours along the side yards on the grading plan. She asked if retaining walls would be used. She said clarification is needed.

Hill/Horne motion to close the public hearing. Motion carried 6 to 0.

Building and Zoning Administrator Walling said the engineering concerns will be addressed during the construction and contractor will have to maintain waters and erosion during construction and after the ground is stabilized so watershed does not go onto the neighboring properties.

Horne/Frederick motion to approve and include staff recommendations and fact finding including item 3 which states that the location of all approved building setbacks be verified by an onsite inspection by the Building Administrator prior to pouring the building foundation walls.

Roll Call: Skates, Gibbs, Hill, Esarco, Frederick, Horne voting "yes." Motion carried 6 to 0.

**Public Hearing and Recommendation on an Amendment to a Precise Implementation Plan, filed by Bill Henry, Kehoe-Henry & Associates, Inc., 25 North Wisconsin Street, Elkhorn, WI 53121, on behalf of Geneva Lake Christian Church, to amend the development details for an Indoor Institutional land use, a worship facility, at the SE corner of Bloomfield Rd. & Harmony Dr., Tax Key Nos. ZSF00231 & ZSF00232.**

Bill Henry, architect & engineer, and Pastor Chris Law, on behalf of the Geneva Lakes Christian Church, for an amendment to a PIP, to move the church building and parking lot closer to Harmony Drive. The driveway is shorter but is still in compliance with the 75' stacking area per the ordinance. All other features of the application are the same.

Alderman Skates verified the past approvals to date and the shifting of the church and parking lot. Henry said the parking lot was reconfigured with 10 additional stalls on north side of lot in the future.

Speaker 1: Cindy Flower, 533 Haskin Street, asked if the shifting of the church and parking lot was for a potential future expansion. Planner Slavney said there is room for expansion on this site but any plans would have to come back to the Plan Commission for review and approval.

Skates/Horne motion to close the public hearing. Motion carried 6 to 0.

Eсарco/Horne motion to approve and with staff recommendations.

Roll Call: Skates, Gibbs, Hill, Esarco, Frederick, Horne voting "yes." Motion carried 6 to 0.

**Discussion/Recommendation on Designation of the City's Center Street north properties, Tax Key No. ZSR00169 at approximately 43 acres and ZSR00170 at approximately 2 acres, as a City Park and Trail (Recommended by the Park Board on June 28, 2017)**

Planner Slavney stated this discussion takes place at this meeting because the Plan Commission makes recommendations to the Common Council any time a public park is being considered for improvement. This land was platted with the intent to be public open space land and now details have been presented to the Park Board, who has endorsed this idea.

Commissioner Hill asked for clarification on the Plan Commission's advisory role in this process. Slavney identified the Plan Commission's special awareness of city's plans which the Council may not be aware of. Attorney Draper said the Plan Commission has an advisory role because it deals with the development within the city: the master plan, the park plan, passes resolutions for the city, always involved with the building and development within the city. The Plan Commission is the perfect entity to discuss and give direction to the Council along with the Park Board.

Alderman Skates gave a history of this property and believes the development of this park would be beneficial to many but access is questionable at this time so the city wants to make it an official park. Draper said it is a way to let people know what's going on with the property in the city.

Esarco/Gibbs motion that the city designates the City's Center Street North properties as a City Park and Trail as recommended the Park Board on June 28, 2017.

Roll Call: Skates, Gibbs, Hill, Esarco, Frederick, Horne voting "yes." Motion carried 6 to 0.

### **Plan Commission Reviews the Comprehensive Plan Amendment Applications.**

City Planner Slavney explained the Comprehensive Plan Amendment process. Every year the City opens up the Comprehensive Plan to property owners to request modifications to the Future Land Use Map, which is the Land Use Plan for the City. During the months of July and August, applicants are welcome to explain their proposed amendments to the Plan Commission and the public. It allows the Plan Commission to discuss items informally and no motions are taken. This step is in preparation of a Public Hearing held in front of the Plan Commission & Common Council in October.

The city received four changes to the Future Land Use Map which recommends the future land use pattern. The Comprehensive Planning law says any proposed zoning map amendment has to be consistent with this particular map.

**A. Core Commercial Inc., PO Box 1154, Appleton, WI 54912 for property near Edwards Blvd & Geneva Parkway North with Tax Key Nos. ZGEC00001, ZGEC00001A and ZGEC00002.**

Application proposes the property near Edwards Blvd & Geneva Parkway North on Highway 120, south of Walmart, to change the designation from Business Park Land Use to Planned Business which allows a broader range of retail, personal and professional uses.

Kim Pischke, Core Commercial, presented their request, stating they will exclude the corner piece of the property which is the Keefe office building. A new CSM will be created combining the portion of this parcel along with the other 2 parcels. Pischke believes this property will lend itself to retail so they are requesting the Planned Business Land Use.

**B. Geneva Waterfront Inc., N2009 S Lake Shore Drive, Lake Geneva, WI 53147 and Bigfoot Holdings LLC (dta Geneva Inn) for Tax Key Nos. IL120000-5C, IL120000-5C2, IL120000-5D, IL120000-5E, IL120000-5F and IL120000-4.**

Application proposes the property of Geneva Inn which is outside of the city limits on both the east and west side of South Lake Shore Drive. The Geneva Inn has several properties and the areas currently in use are for Commercial Use and are shown as the Planned Business category on the Lake Geneva Future Land Use Map. However there are several portions of the properties which are shown as Agricultural or Rural. Owners beyond the city limits have a right to request a change and the applicant is asking for the Agricultural & Rural sections to be changed to Planned Business so all Geneva Inn properties are shown as Planned Business category.

Richard Torhorst, attorney representing Geneva Waterfront Inc. & 7 Bigfoot Holdings, LLC, requesting Planned Business Land Use for the entire property. Torhorst handed out a map showing most of the property is in Planned Business except the south west corner being used as a parking lot, single family dwelling and a garage. Future plans consist of building a banquet wedding facility on the property east of the Geneva Inn which presently are 2 older residential structures which have been converted into apartments.

Commissioner Hill referenced the parcels which are out of the city limits. Planner Slavney said the city has the right to make plan recommendations 1 ½ miles from its city limits. There is an Extra Territorial Planning Area that is allowed by state law to go 1 ½ miles inside towns. We cannot plan inside the limits of another village or city. Attorney Draper explained if someone wants to change the zoning, the first step is to change the Comprehensive Plan.

**C. White River Holdings LLC, 11 East Madison, Suite L-100, Chicago, IL 60602 for former Hillmoor Golf property on Tax Key Nos. ZYUP00001C, ZOP00001, ZYUP00131 and ZYUP00153.**

Application proposes to change the current designation in the future land use map from Private Recreation Facilities to Planned MixedUse in the central portion of the Hillmoor property, from Private Recreation to Two Family Residential in south western part of property. The northern part of the property, flood plain, is to remain in Private Recreation Facilities, with a narrow strip along Highway 50 proposed to remain as a buffer along the corridor.

Paul Fitzpatrick, 314 North Sheffield, Chicago, IL, representing 11 East Partners, requesting to leave the northern portion as Private Recreation, requesting a change in the two southern portions of property from Private Recreation to Planed Mixed use and Two Family Residential.

Planner Slavney referenced the comment from the Geneva Lake Conservancy regarding the northern portion of the property: restoring the habitat, removing evasive species, adding stream buffers and stabilizing the steam banks, which Slavney thought were good ideas and asked if they would be open to these changes. Fitzpatrick said they would consider it.

**D. Jeffrey & Beverly Leonard, 1504 Dodge Street, Lake Geneva, WI 53147 for 905 Main Street, Lake Geneva, WI for Tax Key No. ZOP00243A.**

The current category for 905 Main Street is Neighborhood Mixed Use which is a business category designed for small scale buildings, often a home which has been converted for business uses. Their request is to change to the Central Business Land Use which allows downtown type buildings with a zero front yard or street yard setback and can be built right up to the sidewalk.

Jeffrey Leonard, request for a Central Business Land Use designation which would enable them to apply for a zoning change in the future if desired so they can continue to thrive and contribute to the community.

Planner Slavney stated the state requires an extra long public notice period for any amendment to the Comprehensive Plan. At the end of this month the City will set the Public Hearing for Mid October and all applications will be frozen on August 28th where no other modifications are allowed.

**Adjournment.** Esarco/Horne motion to adjourn at 8:30 pm. Motion carried 6 to 0.

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/s/ Brenda Follensbee, Building & Zoning Administrative Assistant

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