

MINUTES

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

2. Roll Call

Present: Al Kupsik, John Gibbs, Doug Skates, Cindy Flower, Tyler Frederick
Also Present: Planner Mike Slavney, Atty. Dan Draper, Mayor Connors, Administrator Oborn, Inspector Robers,
Assistant Gregoles
Not Present: Sarah Adams

3. Approve Minutes of August 17, 2015 Plan Commission meeting as distributed.

MOTION #1

Skates/Gibbs moved to approve the minutes of August 17, 2015 Plan Commission meeting as distributed.
The motion carried unanimously.

4. 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. None

5. Acknowledgment of Correspondence. None

6. Downtown Design Review.

A. Application by Geneva Java Coffee Shop, Inc, 252 Center Street, Lake Geneva, WI 53147 for a new exterior signs on the storefront and rear at Tax Key No. ZOP 00258.

DISCUSSION

Inspector Robers gave brief overview of sign details and there was a brief discussion amongst the Commission to clarify those details.

MOTION #2

Kupsik/Skates moved to approve the application by Geneva Java Coffee Shop Inc, 252 Center Street, Lake Geneva, WI 53147 for a new exterior sign on the storefront and rear at Tax Key No. ZOP 00258.
The motion carried unanimously.

B. Application by Tristan Crist Magic Theatre, 609 W Main Street, Lake Geneva, WI 53147 for two new exterior signs on the storefront at Tax Key No. ZOP 00291.

DISCUSSION – Tristan Crist (applicant) & Gary Dunham (Keefe Real Estate)

Applicant gave brief overview of sign details and there was a brief discussion amongst the Commission to clarify those details.

MOTION #3

Kupsik/Flowers moved to approve the application by Tristan Crist Magic Theatre, 609 W Main Street, Lake Geneva, WI 53147 for two new exterior signs on the storefront at Tax Key No. ZOP 00291, contingent on the approval of the Conditional Use and having matching paint chips samples approved by Inspector Robers.
The motion carried unanimously.

- C. **Application by Mark T Braden for Braden Dental Center, 101 Broad Street, Lake Geneva, WI 53147 for a new exterior sign at the storefront at Tax Key No. ZA276000001.**

DISCUSSION - Mark Braden (Applicant)

Applicant gave brief overview of sign details and there was a brief discussion amongst the Commission to clarify those details.

MOTION #4

Skates/Kupsik moved to approve the application by Mark T Braden for Braden Dental Center, 101 Broad Street, Lake Geneva, WI 53147 for a new exterior sign at the storefront at Tax Key No. ZA276000001. The motion carried unanimously.

- D. **Application by AJE Associates PC, 252 Center Street, Lake Geneva, WI 53147 for a new exterior signs on the Monument Sign at Tax Key No. ZOP 00258.**

DISCUSSION

Applicant gave brief overview of sign details and there was a brief discussion amongst the Commission to clarify those details.

MOTION #5

Kupsik/Skates moved to approve the application by AJE Associates PC, 252 Center Street, Lake Geneva, WI 53147 for a new exterior signs on the Monument Sign at Tax Key No. ZOP 00258. The motion carried unanimously.

7. **Review and Recommendation on an Application for Land Division Review for a Certified Survey Map submitted on behalf of Woodhill Farms Nursery, by Schmitt Engineering, 215 West Calhoun, Woodstock IL 60098 for land located in the extra-territorial plat review area at State Hwy 120 & Willow Road, Lake Geneva, WI 53147, Tax Key No. IL1400009A.**

DISCUSSION – Cully Pillman & Connor Pillman (applicants)

Applicant gave brief overview and there was a brief discussion amongst the Commission to clarify those details.

MOTION #6

Mayor Connors/Kupsik moved to approve the recommendation on an Application for Land Division Review for a Certified Survey Map submitted on behalf of Woodhill Farms Nursery, by Schmitt Engineering, 215 West Calhoun, Woodstock IL 60098 for land located in the extra-territorial plat review area at State Hwy 120 & Willow Road, Lake Geneva, WI 53147, Tax Key No. IL1400009A, including the correction to the spelling of the word Nursery by the City Engineer. The motion carried unanimously.

8. **Continued Public Hearing and recommendation for a Planned Development (PD), General Development Plan (GDP) & Precise Implementation Plan (PIP) filed by Kim Pischke for Core Commercial, Inc., PO Box 1154, Appleton, WI, 54912, to allow for a multi-tenant commercial building at 351 Peller Road, Lake Geneva, WI 53147, Tax Key No. ZA76100001.**

DISCUSSION – Jason Dae / Excel Engineering & Tim Kent / Architect

Dae gave brief overview and there was a brief discussion amongst the Commission to clarify those details.

He discussed some revisions that were made to the plans since last meeting, as well as some additional exceptions for codes and requirements that they could not meet. He also listed the following requested exceptions that they have:

- #1 Street Yard Building Setback – Taking this from the required 40 ft to a minimum dimension of 5 ft. This would take place basically along the DOT's vision triangle.
- #2 Pavements along the Street Right Of Way – This would only be for the patio's adjacent to the building.
- #3 One Parking Stall – Requirement is 61 and they are asking for 60 stalls.
- #4 Interior Landscaped Islands – This would maximize the parking area.
- #5 Sump Pump Basin Requirements
- #6 Ground Sign between Building and State Hwy – To reduce the setback from 8ft to 4ft.

Planner Slavney commented that these requests and plans were reviewed at the staff meeting and they are comfortable with the changes. However, Staff did agree that they would like to see instead of curb stops at the parking space ends for the central area, they would like to see a solid curb there with several inlets. A second change that we would like to see is that the grading along Peller Rd. be done to accommodate for a future sidewalk on Peller Rd., just inside the terrace.

There was also discussion regarding the letter sent by Kapur Engineering dated 9-18-15 with recommendations that Staff was in agreement with and Mr. Dae stated they had been in communication and everything seemed to be agreed upon. The grease traps will be relocated to the west side of the building. They had some concerns regarding the curbing around the island that they may lose capacity and would like a 4" curb for storm water requirements.

A Developer's Agreement will be needed per Planner Slavney because of the work that's being done in the public right of way for the curb along the west side of the property and will include all public improvements. Mr. Kent gave a brief overview of the exterior of proposed building. There was a conversation about the sign base matching the building in some fashion. Skates brought up the potential traffic issues and there was considerable discussion amongst the Commissioners and the applicants regarding safety and traffic issues.

PUBLIC SPEAKER #1 –Theresa Geasey

She voiced her concerns regarding the environment in this location.

MOTION #7

Kupsik/Gibbs moved to close the Public Hearing. The motion carried unanimously.

DISCUSSION

Further discussion was had regarding the recommendation amongst the Planning members. There will be 11% more green space in this new site than in its current condition. The potential traffic issues were discussed at length again. It was decided to have Kapur and City Staff review the traffic counts at the intersection and make a recommendation to the Council on traffic regarding this project.

MOTION #8

Kupsik/Gibbs moved to approve the recommendation for a Planned Development (PD), General Development Plan (GDP) & Precise Implementation Plan (PIP) filed by Kim Pischke for Core Commercial, Inc., PO Box 1154, Appleton, WI, 54912, to allow for a multi-tenant commercial building at 351 Peller Road, Lake Geneva, WI 53147, Tax Key No. ZA76100001. To include the engineer's letter dated 9-18-15, that a developer's agreement be agreed upon between the City and the applicant, to include the utilities along Peller Road – over that portion of the property, future sidewalk grading, solid curb in the center, the monument sign with a brick base and a report to the Council by Kapur and City staff regarding the projected traffic generation from the site, as well as a recommendation to the Council on the intersection. The item carried unanimously.

Amendment #1:

Flower/Skates made an amendment to have Kapur and City staff review the traffic counts at the intersection and make a recommendation to the Council on traffic regarding this project. The amendment carried unanimously.

9. Public Hearing and recommendation on a Conditional Use Application filed by Tristan Crist Magic Theatre to operate a Indoor Commercial Entertainment Facility (Magic Theater) at 609 Main Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00291.

DISCUSSION – Tristan Crist (applicant)

Applicant gave brief overview and there was a brief discussion amongst the Commission to clarify those details.

MOTION #9

Kupsik/Gibbs moved to close the Public Hearing. The motion carried unanimously.

MOTION #10

Flowers/Gibbs moved to approve the recommendation on a Conditional Use Application filed by Tristan Crist Magic Theatre to operate a Indoor Commercial Entertainment Facility (Magic Theater) at 609 Main Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00291, to include the finding of facts and staff recommendations. The motion carried unanimously.

10. Public Hearing and recommendation on a Conditional Use Application filed by Monty & Patricia, 860 Maytag Road, Lake Geneva, WI 53147, for the installation of a decorative fence in excess of three feet (four feet) in the front street yard setback, on Maytag Road, at 860 Maytag Road, Lake Geneva, Tax Key No. ZCE 00012.

DISCUSSION – Monty Enoch (applicant)

Applicant gave brief overview and there was a brief discussion amongst the Commission to clarify those details.

MOTION #11

Kupsik/Skates moved to close the Public Hearing. The motion carried unanimously.

MOTION #12

Kupsik/Gibbs moved to approve the recommendation on a Conditional Use Application filed by Monty & Patricia, 860 Maytag Road, Lake Geneva, WI 53147, for the installation of a decorative fence in excess of three feet (four feet) in the front street yard setback, on Maytag Road, at 860 Maytag Road, Lake Geneva, Tax Key No. ZCE 00012 and to include findings of fact and staff recommendations. The motion carried unanimously.

11. Public Hearing and recommendation on a Precise Implement Plan (PIP) Amendment filed by Ken Wenz, 1131 Wisconsin Street, Lake Geneva, WI 53147 for his property to convert from a Commercial Apartment and Retail space to Commercial Indoor Lodging at 220 Cook Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00243.

DISCUSSION – Ken Wenz (applicant)

Applicant gave brief overview and there was a brief discussion amongst the Commission to clarify those details.

PUBLIC SPEAKER #1 – Jeff Leonard1504 Dodge Street, LG (owner of business next door)

Leonard is against this, his wife is not against it.

Mr. Leonard has concerns with regard to noise levels and that Mr. Wenz will be an absentee landlord.

Also knowing that the parcel is currently for sale he is concerned that there could be new owners.

PUBLIC SPEAKER #2 – Gary Dunham – Keefe Real Estate

Mentioned that there are rental management services available to manage a rental like this in the absence of a landlord.

PUBLIC SPEAKER #3 - Tracy Geasey

She voiced her concerns about parking and sprinkler system.

MOTION #13

Kupsik/Skates moved to close the Public Hearing. The motion carried unanimously.

DISCUSSION

Further discussion was had regarding the recommendation amongst the Planning members.

MOTION #14

Skates/Flower moved to approve the recommendation on a Precise Implement Plan (PIP) Amendment filed by Ken Wenz, 1131 Wisconsin Street, Lake Geneva, WI 53147 for his property to convert from a Commercial Apartment and Retail space to Commercial Indoor Lodging and one remaining retail space at 220 Cook Street, Lake Geneva, WI 53147, Tax Key No. ZOP 00243 on the condition of having a bonnified lease to run the term of the rental, no outside storage, noise not discernible past the lot line and meet the state fire code, the Commercial Indoor Lodging for Ken Wenz would be for the current owner only and would not run with the property. The motion carried unanimously.

Amendment

Mayor Connors/Skates moved to amend the Motion to include a bonnified lease for the parking stalls. The lease term must be concurrent as long as it's operated as the application states. Bonnified lease would show a valid consideration between the parties. It can be open ended but must continually renew in some form. It must have a valid description of the property that is subject to the lease and must be legally enforceable. Amendment carried unanimously.

12. Public Hearing and recommendation on an Application for a Petition for Direct Annexation submitted by 120 Properties, LLC, PO Box 935, Lake Geneva, WI 53147 for vacant land located in the town of Lyons, on the Northwest corner of the intersection of South Edwards Boulevard and Townline Road, Tax Key No. NLY 3100013A.

DISCUSSION – Jim Howe (Agent for applicant)

Applicant gave brief overview and there was a brief discussion amongst the Commission to clarify those details.

PUBLIC SPEAKER #1 – Denise Sherrer... 701 Joshua Lane-LG

Concerned that there will be more than one entrance into this newly proposed development site. The traffic on Townline and Edwards is already bad and he feels that a stop light would then be needed. He would like to see a walking path to the North of the site and is further concerned of the sewer capacities.

PUBLIC SPEAKER #2 - Gary Dunham – Keefe Real Estate

Dunham responded to some of the concerns mentioned by Ms. Sherrer.

MOTION #15

Kupsik/Skates moved to close the Public Hearing. The motion carried unanimously.

DISCUSSION

Further discussion was had regarding the recommendation amongst the Planning members. Planner Slavney discussed processes that would be forthcoming if the Annexation goes forward.

MOTION #16

Kupsik/Gibbs moved to approve the recommendation on an Application for a Petition for Direct Annexation submitted by 120 Properties, LLC, PO Box 935, Lake Geneva, WI 53147 for vacant land located in the town of Lyons, on the Northwest corner of the intersection of South Edwards Boulevard and Townline Road, Tax Key No. NLY 3100013A; to include all staff recommendations and to assign temporary rural holding to the property. The motion carried unanimously.

13. Adjournment

MOTION #17

Skates/Flower moved to adjourn the meeting at 9:27 pm.
The motion carried unanimously.

/s/Jackie Gregoles, B&Z Administrative Assistant

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