

**PLAN COMMISSION MEETING
MONDAY, MARCH 19, 2018 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Kupsik called the meeting to order at 6:00 p.m.

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

Approve Minutes of the February 19th Plan Commission meeting as distributed.

Horne/Frederick motion to approve. 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 to be limited to 5 minutes.

Speaker #1: Trish Schaefer, 403 Center Street, shared her opposing concerns for Short Term Rentals.

Acknowledgement of Correspondence.

Correspondence and petition was received from neighbors of the property: 615 Center Street, opposing the Conditional Use application for a bed and breakfast and has been distributed to the Plan Commission & Council.

Kupsik/Hill made motion to suspend the rules and asked to move item 15 to the top of the agenda since the presenter has another meeting. Motion carried unanimously.

15. Presentation on Form-Based Codes.

Carol Wyant presented the Form-Based Code concept. A discussion by the Plan Commission followed the presentation. Planner Slavney explained that downtown Lake Geneva already has a hybrid of Form-Based Code and the Neighborhood Business district also has elements of Form-Based Code. Slavney stated Form-Based Code could aid in extending our downtown on Broad Street and Main Street or work in other areas of the city. Attorney Draper added the Plan Commission and City Council would have to decide if this concept could be used in parts of the city.

Downtown Design Review

6.A. Application by Shad Branen with the Geneva Theater, a request to install a ticket sales service window and sign, located at 244 Broad Street, Tax Key No. ZOP00246 – ZOP00248.

Zoning Administrator Walling stated this request is a land use change that involves amending their Precise Implementation Plan Application so this item will be moved to the April Plan Commission Agenda.

7. Public Hearing and Recommendation of Conditional Use Permit for the applicant Mark Larkin, 500 Stone Ridge Drive, Lake Geneva, WI, 53147, to divide the property zoned SR-4 that is an approximately 6 acre property into 4 individual buildable parcels, 3 at .98 acres and 1 parcel at 2.96 acres located to the north of Dodge Street, and west of Freemont Ave located in the SR-4 zoning district. Tax Key No. ZYUP00053.

Ryan Cardinal, Cardinal Engineering, on behalf of Mark Larkin, presented the request, stating the CSM has been approved but because this property is located in the Woodland Overlay, it prompted a Conditional Use Permit application. Planner Slavney, stated this permit application will establish firm, maximum cutting limits and permanent protections for the remaining woodlands.

Hill/Kupsik motion to close the public hearing. Motion carried unanimously.

Kupsik/Horne motion to approve and include all staff recommendations and fact finding.

Roll Call: Kupsik, Hill, Horne, Esarco, Frederick voting “yes.” Motion carried unanimously.

8. Public Hearing and Recommendation for a Conditional Use Permit for the applicant, Samantha Strenger, 615 Center Street, Lake Geneva, WI 53147, to conduct a Bed and Breakfast Establishment (B&B) located in the Single Family – 4 (SR-4) zoning, Tax Key No. ZGC00160.

Samantha Strenger, 615 Center Street, presented her request. Zoning Administrator Walling verified this application meets the zoning criteria.

Speaker #1: Sandy Cooper, 621 Center St, shared her concerns opposing the B & B.

Speaker #2: Steve Cooper, 2135 Greenwood Dr. SE, Cedar Rapids, IA, read correspondence opposing the B & B, on behalf of his mother & her neighbors.

Speaker #3: Sherri Ames, 603 Center St., shared her concerns, opposing the B & B.

Speaker #4: Linda Regester, 614 Water St., shared her concerns, opposing the B & B.

Speaker #5: Gary Dunham, 614 Sage St., supports the B & B, has lived near a B & B and never had issues.

Speaker #6: Ray Ames, 603 Center St., shared his concerns, opposing the B & B.

Speaker #7: Dan Fischer, 614 Sage St., supports the B & B.

Speaker #8: Diane Bauman, 602 Sage St., shared his concerns, opposing the B & B.

Planner Slavney stated this permit is a Limited Conditional Use, limited to applicant, not the parcel. Slavney explained violations which can revoke this permit. Attorney Draper said the legislation has changed which limits the City's option to deny the request, requiring substantial evidence for denial. Slavney explained further. Horne discussed differences of B & B vs. Short Term Rental.

Kupsik/Hill motion to close the public hearing. Motion carried unanimously.

Esarco/ Horne motion to approve a Limited Conditional Use Permit and include all staff recommendations and fact finding. Roll Call: Kupsik, Hill, Horne, Esarco, Frederick voting "yes." Motion carried unanimously.

9. Public Hearing and Recommendation of a Conditional Use Permit Amendment filed by Sean Payne, on behalf of the Horticultural Hall, 330 Broad Street, Lake Geneva, WI, 53147, to amend the existing site plan in conjunction with the existing Conditional Use Permit for the Farmers Market use from April to October every Thursday, Tax Key No. ZOP000163.

Speaker #1: Charlene Kline, 817 Wisconsin St, favors the Farmers Market.

Speaker #2: Terry O'Neil, 954 George St, favors the Farmers Market.

Administrator Oborn clarified the need for the Conditional Use Permit amendment and the Public Works review.

Zoning Administrator Walling stated the city needs the site plan to be reviewed and approved by the Public Works Committee at a later date.

Kupsik/ Horne motion to continue item #9 and public hearing for the Conditional Use amendment for Horticultural Hall to the April Plan Commission Meeting.

10. Public Hearing and Recommendation to amend the existing Precise Implementation Plan filed by Oak Fire Properties LLC, 831 Wrigley Drive, Lake Geneva, WI, 53147, to allow for the installation of a second floor Pergola and install planter box street side to better identify the outdoor dining area. Tax Key No. ZOP00340. Located in the Central Business (CB) zoning district.

Zoning Administrator Walling corrected the Precise Implementation Plan request to only allow for the installation of a second floor Pergola at Oakfire.

David Scotney, 1551 Orchard Lane, owner of Oakfire, presented his request.

Speaker #1: Dimitrius Anagnos, 148 Cass St, owner of Popeye's, supports pergola, but not the flowers especially with the wind factor. He requests courtesy for neighboring business.

Kupsik/Horne motion to close the public hearing. Motion carried unanimously.

Kupsik/Horne motion to approve and include all staff recommendations and fact finding.

Roll Call: Kupsik, Hill, Horne, Esarco, Frederick voting "yes." Motion carried unanimously.

11. Lake Geneva Bicycle and Pedestrian Path update and review.

Jackie Mich, Vandewalle and Associates, has conducted workshops, received public feedback & worked with the Public Works Committee, Park Board, and City Council. Ms. Mich presented the plan updates, adding that when a bicycle and pedestrian plan is documented, it can be used to apply for grants in the future. This plan consists of recommendations which can be implemented as short-term or long-term projects depending on priority and can be developed as funding becomes available. The Lake Geneva Bicycle and Pedestrian Path document can be found online in the Plan Commission packet dated March 19, 2018. Esarco asked for clarification of the plan for the bicycle & pedestrian path going through Bigfoot State Park.

Speaker #1: Ross Adams, 1250 Wilmot Blvd, director of Lake Geneva Youth Camp, is in favor of the overall plan, willing to discuss easement possibilities on the Lake Geneva Youth Camp property.

Speaker #2: Mary Jo Fesenmaier, 1085 S Lake Shore Drive, in favor easement on South Side of South Street and opposes going through Bigfoot State Park.

Speaker #3: Tom Hartz, 1051 Lake Geneva Blvd, supports the plan, believes it will accommodate people in wheelchairs, scooters, bicycles and pedestrians. Hartz provided suggestions & details to promote safety.

Speaker #4: Dick Malmin, N1991 S Lake Shore Drive, opposes placing the bicycle trail through wetlands.

Kupsik/Hill motion to close the public hearing. Motion carried unanimously.

Horne clarified this plan is a framework and will evolve throughout the process. Esarco stated the City created this plan for safety concerns.

Kupsik/Hill motion to approve.

Roll Call: Kupsik, Hill, Horne, Esarco, Frederick voting "yes." Motion carried unanimously.

12. Conceptual plan for the Hampton Inn located at 1111 N. Edwards Blvd., filed by the applicants of 1111 N. Edwards Blvd LLC, to discuss the proposed construction of a 5 story 92 unit Hampton Inn hotel at the South East corner of the Sheridan Springs Rd. and North Edwards intersection adjacent to the Highway 12 corridor. Tax Key No. ZA468000003.

Jim Howe, Godfrey Law Firm, Elkhorn, WI, on behalf of 1111 N Edwards Blvd LLC, presented the concept plan. The request is for Planned Development for a hotel consisting of 92 units on 5 floors on a triangular lot with some flexibilities. Hill asked about the access points for the hotel and the time frame for building. Esarco asked about safety issues, setbacks, citing the congestion at intersection of Edwards Blvd and Sheridan Springs Road. Slavney stated the grading & landscape plan will solidify the site lines for vehicles and cyclists. Mayor Kupsik said this location will be a great venue for this project.

13. Conceptual plan for the proposed subdivision of Regent Hills, located on the 17.14 acres of land located south of LaSalle Street and west of Woodridge Ct., the applicant is looking to develop the property into a higher density single family development than currently permitted, which would require the need to submit as a Planned Development. Tax Key No. ZA424700001.

Ryan Cardinal, Cardinal Engineering, on behalf of Omega Homes, presented the concept plan. This development started back in early 2000's which includes one existing condominium building. This site has utilities already in place and building pads for condominiums. This parcel is zoned as MR-8. The developer wants to move forward with single family residences instead of condominiums and asks for Planned Development process to go to smaller lots.

Administrator Oborn sited the water pressure issue, the partial private roads, and added the staff concerns for the cul-de-sacs. Oborn said Lot 42 is located in the City ROW which may cause the City to abandon the road which comes up from Conant Street. Planner Slavney stated there are some narrow lots but the houses are the standard distance apart and some homes have large backyards. The average lot size in this development is close to the standard lot size of a new neighborhood. Mr. Cardinal said the developer is willing to work with the City to find a solution with the water pressure issues. Attorney Draper asked for clarification on the plat which includes the existing condominium building. Mr. Cardinal stated they would abandon the condominium plat, separating out the existing condominium and create a new condominium plat to include the private roads. Hill asked about the density of this proposed development. Slavney said it is less dense but equal to a new subdivision density. Hill asked about the private road vs. the public road. Slavney stated the private road is required to equal to the durability of a public street. Mr. Cardinal asked for feedback on the roads. Mayor Kupsik stated the road shall be built to the City standards. Oborn said there is

a park component to be discussed with the Plan Commission, which asks the developer to dedicate an area for a park or pay the park impact fee.

14. Residential Short Term Rental discussion and updates.

Slavney presented the first draft of the Residential Short Term Rental for the City of Lake Geneva. The State has passed a new administrative law which states no municipality, county or local government can pass laws to restrict the ability for a home owner to use a single family home for a Short Term Rental between 7-180 days. The City of Lake Geneva has been very strict about this item and has only allowed Short Term Rental in business districts and by Conditional Use Permit. This law change does allow municipalities to pass requirements for Residential Short Term Rental. The Lake Geneva Residential Short Term Rental document can be found online in the Plan Commission packet dated March 19, 2018. Attorney Draper and Administrator Oborn suggests the Plan Commission should approve this item as a Public Hearing so an ordinance can be in place.

Kupsik/Horne motion to set the Residential Short Term Rental item as a Public Hearing for the April Plan Commission Meeting. Roll Call: Kupsik, Hill, Horne, Esarco, Frederick voting “yes.” Motion carried unanimously.

Adjournment. Hill/Horne motion to adjourn at 9:15 pm. Motion carried unanimously.

/s/ Brenda Follensbee, Building & Zoning Administrative Assistant

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