

**PLAN COMMISSION MEETING
MONDAY, APRIL 16, 2018 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Kupsik called the meeting to order at 6:03 p.m.

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

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

Horne/Skates 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.

None.

Acknowledgement of Correspondence.

Correspondence was received from Charlene Klein, 817 Wisconsin Street, in favor of the Conditional Use Permit for Horticultural Hall which was distributed to the Plan Commission.

Downtown Design Review

6.A. Application by Harbor Shores Resort, to replace the existing balcony railings with a change to the existing color at 300 Wrigley Drive. Tax Key Nos. ZHC00101 – ZHC00526.

Clint Walsh, Corporate Contractors, on behalf of Harbor Shores, presented the request to change the railing from steel to aluminum with a bronze finish.

Kupsik/ Frederick motion to approve and include all staff recommendations and fact finding.
Roll Call: Kupsik, Skates, Hill, Horne, Frederick voting “yes.” Motion carried unanimously.

6.B. Application by Tara Pippin, 33601 Franklin Street, Burlington, WI, to recover an awning frame above the entrance of the business, The Hive, located in the lower level, at 755 W Main Street. Tax Key No. ZOP00269.

Diane Koen, on behalf of Tara Pippin, presented their request.

Horne/Kupsik motion to approve and include all staff recommendations and fact finding.
Roll Call: Kupsik, Skates, Hill, Horne, Frederick voting “yes.” Motion carried unanimously.

6.C. Application by Michael Cohen, 214 Broadway, Wisconsin Dells, WI, to change an awning store front for the T-Shirt Center at 756 W Main Street. Tax Key No. ZOP00320.

Linda Stevenson, Northrop Awning Co, presented the request. Commissioner Hill asked for clarification for black and white colors for Downtown Design. Planner Slavney confirmed that the color black is acceptable.

Skates/Horne motion to approve and include all staff recommendations and fact finding.
Roll Call: Kupsik, Skates, Hill, Horne, Frederick voting “yes.” Motion carried unanimously.

7. Review and Recommendation on a Condominium Plat, for a Land Division to create two condominium lots at an existing duplex building currently located at 530 & 532 South Stone Ridge Drive, situated in the Two-Family Residential – 6 (TR-6) zoning, filed by Judith E. Castleman, 530 South Stone Ridge Drive, Lake Geneva, WI 53147. Tax Key No. ZSR00066.

Ted Johnson, Godfrey Law Offices, presented the request. City Administrator Oborn stated two separate water services are needed for the two condo units. Utility Director Gajewski verified the separate services are needed for ownership and maintenance should the units become two separate parcels.

Skates/ Horne motion to continue item #7 to amend the documents and separate the existing water services for each condo unit to the satisfaction of the Utilities Director.

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

8. Review and Recommendation of a Certified Survey Map (CSM) for a Land Division for Kim Pischke of Core Commercial Inc. on the property located at 751 Geneva Parkway, to create three Lots that are 1.54, 1.51 acres and 2.54 acres, respectively with required easements on Tax Key Nos. ZGBC00001, ZGBC00001A, ZGBC00002.

Ryan Cardinal, Cardinal Engineering, on behalf of Core Commercial Inc, presented the CSM for Land Division. Administrator Oborn shared the concern regarding the separation and designating the water line as public on an amended CSM provided tonight at this meeting. The agreement has language which needs to be corrected regarding some access easements. Oborn said there are concerns for the Economic Development Corporation. Planner Slavney stated this CSM is linked to the site plans on the next 3 agenda items. Slavney suggested the CSM approval should be contingent upon on the approval of the 3 site plans.

Alderman Skates addressed the property’s access to Geneva Parkway. Skates reiterated the city staff’s recommendation to limit or cut off access through Keefe’s parking lot to Geneva Parkway. The Fire Department stated the driveway on the east side of the property and the Wal-mart entrance is all that is required. Administrator Oborn said the city staff shared their concerns of the driveway through Keefe’s parking lot and the applicant chose to keep their proposal as shown. Kim Pischke, of Core Commercial Inc, had a traffic study done on the area surrounding this site & introduced Traffic Engineer, John Bieberitz, of Traffic Analysis Design, who presented his findings. Oborn said Public Works had concerns with the island on Geneva Parkway being close to the driveway entering Keefe’s property. Skates also asked if the study considered the Symphony Bay subdivision being developed south of this property as well as apartments which have been approved the last 2 months. Bieberitz said another traffic study was done for the use of only the eastern driveway as an access point and confirmed the eastern driveway option was sufficient from a traffic operations standpoint.

Kupsik/Horne motion to approve the CSM contingent upon the language change, agreement with the Utility Department and approval of agenda items 9, 10, 11.

Skates/Frederick made an amendment to the original motion of the CSM, limiting access to the existing office building parking lot, by using the southern line of the driveway coming from the east shown on the current site plan drawing C-2, as a cut-off point.

Roll Call for amendment: Kupsik, Skates, Frederick voting “yes.” Hill and Horne voting “no.” Motion carried.

Roll Call for original motion including the amendment: Kupsik, Skates, Frederick voting “yes.” Hill and Horne voting “no.” Motion carried.

9. Review and Recommendation on a site plan review for Lot 1 that is 1.54 acres with required easements on a Certified Survey Map (CSM) proposed by Kim Pischke of Core Commercial Inc. on the property located at 751 Geneva Parkway, Tax Key Nos. ZGBC00001, ZGBC00001A, ZGBC00002.

Ryan Cardinal, Cardinal Engineering, on behalf of Core Commercial Inc, presented the site plan for Lot 1. Administrator Oborn recommended amending the CSM so the driveway to the north of Keefe’s parking lot is on the other lot. Planner Slavney said the staff report was written based on the current site plan. Slavney suggested a recommendation for the site plan to be modified to create a landscaped boundary at the north end of parking lot in Lot 1. Oborn recommended it be contingent upon the CSM in item 8. Draper clarified the CSM is approved by the City Council and the Site Plan is approved by the Plan Commission only.

Skates/Kupsik motion to approve the site plan for Lot 1 with required easements on the CSM to include modified landscaping to create a buffer on the north side of the parking lot, contingent upon consistency with the CSM on item #8 and include all staff recommendation and fact finding.

Roll Call: Kupsik, Skates, Frederick voting “yes.” Hill voting “no.” Horne abstained. Motion carried.

10. Review and Recommendation on a site plan review for Lot 2 that is 1.51 acres with required easements on a Certified Survey Map (CSM) proposed by Kim Pischke of Core Commercial Inc. on the property located at 751 Geneva Parkway, Tax Key Nos. ZGBC00001, ZGBC00001A, ZGBC00002.

Ryan Cardinal, Cardinal Engineering, on behalf of Core Commercial Inc, presented the site plan for Lot 2 which meets all setback, parking and landscaping requirements. Administrator Oborn stated Lot 2 is for one tenant at this time, but if another tenant is added, a Conditional Use Permit would be required. Planner Slavney recommended 3 requirements for the 2nd retail building: (a.) The lowest point in a parapet must be as high as the highest rooftop mechanical; (b.) Metal panels need concealed fasteners; (c.) If two or more tenants occupy the 2nd retail building, a Conditional Use Permit is required.

Skates/Kupsik motion to approve the site plan for Lot 2 with required easements on the CSM, contingent upon consistency with the CSM on item #8, (a.) The lowest point in a parapet must be as high as the highest rooftop mechanical; (b.) Metal panels need concealed fasteners; (c.) Retail Building #2 is limited to a single business. If two or more tenants occupy Retail Building #2, a Conditional Use Permit is required, and to include all staff recommendations and fact finding.

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

11. Review and Recommendation on a site plan review for Lot 3 that is 2.54 acres with required easements on a Certified Survey Map (CSM) proposed by Kim Pischke of Core Commercial Inc. on the property located at 751 Geneva Parkway, Tax Key Nos. ZGBC00001, ZGBC00001A, ZGBC00002.

Steve Schulfer, Sketchworks Architecture, on behalf of Core Commercial Inc, presented the site plan for Lot 3. Planner Slavney shared concern for 3 trees located on the east side of lot, suggesting an alternative location and stated the parapet will be required around the entire Ross building.

Kupsik/Skates motion to approve the site plan for Lot 3 with required easements on the CSM, contingent upon consistency with the CSM on item #8, (a.) The lowest point in a parapet must be as high as the highest rooftop mechanical with the parapet being required around the entire Ross Building; (b.) Relocate 3 trees from the east side of the lot to somewhere between the front of the building and Edwards Blvd, and requiring a revised landscaping plan; (c.) Metal panels need concealed fasteners, and to include all staff recommendations and fact finding.

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

12. Review and Recommendation of a Certified Survey Map (CSM) for Serendipity and Sunsets LLC, PO Box 649, Cary, IL 60013, c/o R.W. Torhorst to make a lot line adjustment for the property located at 962 Mariane Terrace. Tax Key No. ZSY00016.

Richard Torhorst, attorney for the applicant, presented the request which would include a 6 foot easement on the southern portion of the parcel. Staff discussed the need to note the private easement on the CSM.

Kupsik/Skates motion to approve CSM to make a lot line adjustment, to include a note on the survey acknowledging the existence of a possible easement and include all staff recommendations and fact finding.

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

13. Public Hearing and Recommendation on a Conditional Use Permit filed by Serendipity and Sunsets LLC. PO Box 649, Cary, IL, 60013, c/o R.W. Torhorst, for the demolition and new construction of a single family residence located at 962 Mariane Terrace. Property is located within the Estate Residential – 1 (ER-1) zoning district and applicant requests to utilize the Single Family–4 (SR-4) zoning. Tax Key No. ZSY00016.

Scott Lowell, Lowell Custom Homes, on behalf of Serendipity and Sunsets LLC, presented the request.

Speaker#1 Walter Bell, 938 Mariane Terrace, shared concern of the unresolved drainage issue at the present time and asks that the current drainage issue not be made worse with this project.

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

Hill/Horne motion to approve Conditional Use Permit and include all staff recommendations and fact finding.

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

14. Public Hearing and Recommendation to amend the existing Precise Implementation Plan filed by Geneva Theater, 244 Broad Street, Lake Geneva, WI, 53147, to allow for the installation of an exterior walkup concessions and ticket sales, hanging sign, & sandwich board sidewalk sign located in the Central Business (CB) zoning district. Tax Key No. ZOP00246, ZOP000247, & ZOP000248.

Shad Branen, Lake Geneva Theatre at 244 Broad Street, presented his request which included a wall sign to display movie titles, but not mentioned on the agenda. Slavney stated a hanging sign is permitted by Public Works ordinance since it is in the ROW. However the sandwich board is not allowed per the municipal code but our zoning code does allow a sign with variable messages on the front wall of the building.

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

Hill/Skates motion to amend the PIP for an exterior walkup concessions and ticket sales window, a hanging sign and an affixed wall sign, and include all staff recommendations and fact finding. This amendment does not allow a sandwich board sign.

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

15. Public Hearing and Recommendation on a Conditional Use Permit filed by Austin Pier Services Inc., applicant Darrell Frederick, for the owner Peggy Roth Trust 837 Bayview Drive located in the Estate Residential (ER-1) zoning, Lake Geneva, WI 53147, to construct a new Pier for George & Peggy Roth located at 837 Bayview Drive. Tax Key No. ZGR00007.

Tyler Frederick recused himself from this agenda item. Planner Slavney presented the request, noting the Plan Commission reviews pier requests in addition to the DNR review. The proposed facilities meet our pier and setback requirements. Slavney recommends approval of the CUP contingent on the DNR approval.

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

Kupsik/Skates motion to approve the Conditional Use Permit and include all staff recommendations and fact finding.

Roll Call: Kupsik, Skates, Hill, Horne voting “yes.” Frederick abstained. Motion carried.

16. Public Hearing and Recommendation on a Conditional Use Permit amending an existing site plan for the Farmers Market for the Horticultural Hall located at 330 Broad Street, applicant Sean Payne, 127 Summer Street, Genoa City, WI 53128. The proposed site plan to include the use of the public alley located in the Central Business (CB) zoning from April to October every Thursday and allow for the sales of homemade, home grown products: cheese vegetables, bread, fruit, flowers, hummus, oils, crapes, empanadas, sauces, desserts, popcorn, seafood, coffee, and crafts. Tax Key No. ZOP000163.

Sean Payne, 127 Sumner, Genoa City, presented the request. Payne clarified the Farmers Market takes place from April through October, not to October. Administrator Oborn stated this permit has gone through the Public Works Committee due to the ROW and alley which concluded with all staff in agreement.

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

Hill/Skates motion to approve Conditional Use Permit to include the use of the public alley and include all staff recommendations and fact finding.

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

17. Public Hearing and Recommendation on a Zoning Map Amendment for the property located at 100 North Edward Blvd. for TC Productions LLC. The request is to change the current zoning from Planned Development (PD) to Planned Business (PB). Tax Key No. ZA196100004.

Peter Juergens, 2689 Sunset Blvd, on behalf of TC Productions LLC, present the request. Planner Slavney stated this request meets requirements of the Planned Business zoning and is consistent with other business zoning along Edwards Blvd. and the Comprehensive Plan.

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

Kupsik/Horne motion to approve the Zoning Map Amendment and include all staff recommendations and fact finding.

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

18. Public Hearing and Recommendation on a Conditional Use Permit by TC Productions LLC for the property located at 100 North Edwards Blvd., to construct a new commercial building to be used as a Commercial Indoor Entertainment (Magic Theater) land use classification section 98-206(4)(h). Tax Key No. ZA196100004.

Pete Juergens, 2689 Sunset Blvd, on behalf of TC Productions LLC, presented the request. Juergens explained the exterior building materials to be used including stone work and horizontal lap siding. The applicant requested a change in the building material, from vertical corrugated steel to lap siding, since the ordinance prohibits exposed fasteners, which was needed for the corrugated steel installation.

Speaker #1: John Koons, 7243 Lawton Avenue, property owner west of the project location, was concerned about privacy and was interested in what will be done with the west side of the site and phase 2 of this project.

Speaker #2: Gary Dunham, 614 Sage Street, also working with applicant, said the future limitations on this site states much of the parking lot is necessary for the Magic Theatre and the future tenant size will be limited as well.

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

Hill/Skates motion to approve Conditional Use Permit and include all staff recommendations and fact finding.

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

19. Public Hearing and Recommendation of a proposed Ordinance Regulating Tourist Rooming Houses / Residential Short Term Rentals.

Planner Slavney summarized the proposed Tourist Rooming House/ Residential Short Term Rentals Ordinance. Slavney reiterated the Common Council will set the fees for this Ordinance.

Speaker #1: Doug Wheaton, 1516 N Country Club Pkwy, Elkhorn, on behalf of the Board of Directors of the Lakes Area Realtors Association, shared support of City regulation but asks the fees to be reasonable. Wheaton also requested specific regulations based on other municipalities.

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

Kupsik/Horne motion to approve the proposed ordinance regulating Tourist Rooming Houses/Residential Short Term Rentals and include all staff recommendations and fact finding.

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

Adjournment. Hill/Kupsik motion to adjourn at 8:48 pm. Motion carried unanimously.

/s/ Brenda Follensbee, Building & Zoning Administrative Assistant

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE PLAN COMMISSION