

**CITY PLAN COMMISSION
MONDAY, AUGUST 15, 2011 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL**

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

Roll Call: Commissioners Hill, Olson, Skates, Poetzingler and Alderman Hartz. Also Present: Mayor Connors, City Attorney Draper, Building/Zoning Administrator Brugger, Administrative Assistant Special and City Administrator Jordan (arrived at 6:41pm). City Planner Slavney and Commissioner Flower were excused.

Skates/Hill motion to approve minutes of July 18th, 2011 Plan Commission meeting. Motion 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 action on a Zoning Map Amendment from (ER-1) Estate Residential to (PD) Planned Development for approval of a General Development Plan and Precise Implementation Plan filed by John Matustik of Matustik Builders, 2413 W. Algonquin Rd. Suite 145, Algonquin, IL 60102 on behalf of Natvar Goyal, 817 N. Knoll Lane, Lake Geneva, WI 53147 to build two homes on two separate but substandard lots in the ER-1 zoning district at 817 N. Knoll Lane Lake Geneva, WI 53147 Tax Key Nos. ZYUP 00106D and ZYUP 00106C. John Matustik approached the podium on behalf of the applicants to explain the project more in detail. He explained some changes that were made since he was before the Plan Commission in June that were suggested by the Plan Commission. Mayor Connors asks if that Matustik was going to save is the tree near the garage is the one that is hollowed out. Hill asked about the substandard road issues and who addresses the road concerns. Brugger replied that Staff is asking the applicant to submit a plan that the engineer would review to assure that the road would remain in a usable condition throughout the construction season. Whether that is limiting heavy traffic to summertime when the ground is firm or in the winter time when the ground is frozen. The concern is in the spring and fall, during the wet seasons, that the ground becomes saturated around the road and heavy equipment goes through there and leaves deep ruts. We look to see what is going to correct the situation by the end of the day so the people can get back to their homes. Matustik stated that they will keep a bobcat on site, put down more gravel and they would be willing to have a bond in place. Matustik stated that is it is pretty bad shape already so their intent is to have it better than when they start. Olson stated that she was approached by a residence on N. Knoll to ask questions about how the construction traffic will be controlled as there will probably not be a lot of room for other traffic to flow. Matustik stated that they would like to demo the existing garage first, leave that driveway in place so there is parking space during construction. They will also use conveyors to help with the traffic and also he will develop a plan to accommodate the neighbors. Hartz asked about the City Engineer's comments on the storm water. Brugger stated we would be looking for that as a condition of approval. The City Engineer would be looking at locations for downspout discharge points and calculations on how much roof area is there. There wasn't enough time before the meeting to figure that all out. Matustik said that he is proposing to put some inlets in and connecting all the downspouts so it is not just sheet draining. They would collect from them and work with the City engineer to make sure that it is taken care of. Brugger said that another question that came up was where the storm discharge point was going to be. There is a storm structure at the end of the road so the City Engineer might want Matustik to tie into that. It will all depend on the calculations of the colume of water coming through

and checking pipe sizes and things like that. Hartz asked again about the houses being brought up closer to the road (as was discussed at the last meeting). Matustik did state that they shifted the houses forward a little leaving room for the potential for the road to be modified in the future. Hartz asked if the eastern most house garage could be turned to the side. So that the parking comes almost like a courtyard in front of the house. Matustik said they could but they were trying to preserve a tree to the east of the house. They didn't want to get any closer to the drip line of that tree and that would occur if the house was moved and shifted. Administrator Jordan arrived.

Mark Tebbe 864 N. Knoll. He stated that he is thrilled to see concern with the trees. He has concerns with the drainage that may come from having an extra home in the area. Mr. Tebbe expresses a concern with the widening of the road.

Hartz asked if there is an association. Brugger stated not that he was aware of. Hartz asked the City Attorney what right does the City have to require maintenance of that road (a private road) by the contractor if it is not a City road. Attorney Draper stated they applicant is asking for a GDP/PIP approval and that is something that the City can ask the applicant to do. However, Brugger stated that he expects the maintenance to occur during construction only. Once it is occupied (the home) it falls in the same category as any other neighbor. The City's concern was construction vehicle traffic rendering the road useless to the existing neighbors, thus the plan to prevent that. Draper made more comment about how the City is involved on a private street. Hartz said he just doesn't want the City to get involved in something that it doesn't need to. Discussion arose as to responsibility to the roadway if there is no association. Brugger stated that the road is owned by an undivided interest of all the property owners.

Julie Bush 795 S. Knoll. She asks who has seen the road. The condition of the road is terrible. She thinks that two homes on the two lots would be too much to keep the integrity of the neighborhood.

Hill asked what the definition of a substandard lot is. Brugger stated it is when the dimensions do not meet the minimum requirements for the zoning district they are located in (width, length, area etc.) These lots have been substandard since Barney began as an inspector. Matustik does bring the concern of the rutted out road and his intention is to lay more gravel down on day one to bring it to a better shape than what it currently is. Poetzingler asked who is going to sign off at the end of construction to say that the condition of the road is satisfactory. Brugger stated that perhaps it can be made a condition. Mr. Tebbe asks to have someone address the concerns of the drainage off the road to prevent further washouts of the road once the road is brought up to a good condition. Hill/Olson motion to close the public hearing. Motion carried. Hartz/Hill motion to continue to the next Plan Commission meeting for the applicant and the homeowners to meet and discuss how to maintain this road since the City is not involved with this road. Hartz/Hill to withdraw the motion. Hartz/Hill motion to reconsider the public hearing. Motion carried. Hartz/Hill motion to continue the public hearing to the next Plan Commission meeting. Motion carried. Administrator Jordan states that since this is coming up, the City can get the property owners the information (numbers) for bring the road up to current standards to see if they want to go forward now versus several years from now. Hill expresses her concern with the current road and how it is not in good shape and that the homeowners have not maintained it. She thinks that the homeowners and the applicant meeting together is a good idea. Discussion on the applicant and neighbors working together to form a joint decision on the road and the storm water was recommended.

Review and recommendation on a Certified Survey Map application submitted by Doug Olson of Jensen & Olson Land Surveying PO Box 322, Elkhorn, WI 53121 on behalf of Harold Hartshorne Jr., W3601 Hartshorne Lane, Lake Geneva, WI 53147 for land located in the Town of Linn that is within the City's Extra-territorial review jurisdiction. Doug Olson stood before the Plan Commission with an enlarged survey of the property in question. Mr. Olson gave a background of the property and the proposed project. Mr. Olson explains that although these lands do not meet the City's ETP code standard of having 35 acres, that of all the lands around this parcel, only one parcel meets the 35 acres and it is the polo field owned by the Wrigley's. It is not strictly surrounded by Agricultural parcels. The eight acre parcel Lot 1 is a lot line adjustment between two existing tax parcels taking lands

and adding it to Lot 1 to increase that existing lot. Lot 3 is the parcel they are trying to get to. Lot 4 is a 20 acre parcel located in the Town of Linn and is zoned A-2 and was under 20 acres so the idea was to get all of the A-2 lands and tax parcel JG34 00001C and add that to get a 24 acre parcel which meets the County zoning. The idea was to get all the same zoned parcels together so they can be maintained as the same usage. Mayor Connors asks about the box at the southwest corner that is identified as Lot 1 CSM 100 and what it is. Mr. Olson stated that there is a residence on it and it is a 40,000 square foot parcel that was created in the 1970's. This is not part of this existing Certified Survey. Mayor Connors asks if the 726 foot long road in this area is their access point. Mr. Olson says it is about 400 feet and that it is their driveway. Brugger stated they are looking at what the strip from Lot 1 down to that CSM is for. Mr. Olson stated that this is an access for Mr. Hartshorne (as he owns the property) that he uses to get to Snake Road. Brugger talks about the City's ordinance and the dwelling units per acre. He states that if there is no real development plans for these parcels, as he looks at it, Lots 2 and 4 are pretty close to the 35 acres as is Lot 3. Brugger asks if a possible solution would be to place a restriction on Lot 2 and 4 that between them they contain no more than 1 dwelling unit. Lot 3 then would contain a potential dwelling unit. That would satisfy the City ordinance, as long as they could bring the lots up to a 35 acre minimum combined or since Mr. Hartshorne owns additional acreage, he could just deed restrict further acreage so that the no more than one dwelling unit per 35 acres is still met. Brugger states that this is not necessarily a "per lot" restriction but that the overall CSM encompassed territory. Mr. Olson stated that it might be a possibility. Brugger suggests that perhaps we table this item for 30 days to try and work something out to make it work with the City's requirements. Olson stated that if the Commission is going to look at this hard and fast to hold to the ordinance and not see this as infill development then perhaps they should move forward to next month. Hartz asked what the access is from Lot 1 to a public road. Mr. Olson stated that when this land was conveyed to Mr. Harthshone in 1947, he was provided with 50 foot of access right along the section line that is half in each town (Geneva & Linn) so has an easement right of way over that. When CSM 428 and 446 were created, approximately in the 1980's, there was also another 16 feet shown on the north end of those CSM's as addition reservation of right of way. Attorney John Gallanas, representing the perspective buyer, approached the podium and explained what the buyer is planning to do. The buyer wants to keep the land as is. He wants to put a single house with stables on the parcels that he is buying. Gallanas also asks if they City put restrictions on it now can the City change those restrictions in the future. Draper stated that the City could, but it would require approvals from the Town of Geneva, Town of Linn and the County. Discussion followed on acreage requirements. Hartz/Skates motion to continue this matter until the next Plan Commission meeting. Discussion followed. Motion carried.

Discussion and recommendation per Wisconsin State Statute 62.23(5), regarding the sale of City owned land at 120 Sheridan Springs Rd. more precisely described as Tax Key No. ZYUP 00123 and the Southwest portion of ZYUP 00138. Administrator Jordan explained why this is before the Plan Commission tonight. This recommendation would encompass about 14 acres. Attorney Draper states that the Planning Commission is able to state that from a Planning standpoint, it is ok to sell the property. Approximately two acres is what is being proposed to be sold in the near future. Administrator Jordan envisions that the back portion of this land (behind it) can tie into Hillmoor and the property that the City already owns back there and keeping all the wetland area together under City ownership. Hartz/Skates recommend approval to the Common Council the sale land of the former WE Energies site (surplus land from the Edwards Blvd. Extension project). Discussion followed. Motion carried.

Review, Action and Recommendation per Wisconsin State Statute 62.23(5), on a Site Plan amendment filed by the City of Lake Geneva for an amendment to the Dunn Park Skate Park. Dan Winkler approached the podium and explained where the new Skate Park will be located. This location will be easier to monitor and will have more accessibility to not only the park but also to restrooms and parking (parking lot). This is also an easier location to monitor from a security point of view. Hartz asked if other parks were considered for an additional Skate Park. Winkler explained that there were more locations considered but this one seemed to be the best and most suitable. This location is also in the TIF district where other locations were not. Administrator Jordan also shared that the School was in favor of this location. Hartz asked if this was compliant to the Parks and Open Space Plan. Winkler states that he believes this is above and beyond that plan. Brugger reiterated that the old Skate Park would be dismantled and that no additional lighting will be installed at this time. Winkler agrees. Hill/ Olson motion to approve the Site Plan amendment to relocate the Skate Park at Dunn Park (the Plan Commission is endorsing this location according to State Statutes). Discussion followed. Motion carried.

Review, Action and Recommendation per Wisconsin State Statute 62.23(5), on a Site Plan amendment filed by the City of Lake Geneva for an amendment to Veteran's Park adding volleyball courts. Dan Winkler explained the project of having sand volleyball courts. The location will be near the maintenance building, in the middle near Molitor field. There are two rows of pine trees (Scott's pines) and it will be nestled in there, near the outfield and somewhat protected from the wind. It is a little higher than the surrounding area for adequate drainage to flow. There will be no additional lighting. Winkler stated that at some point there may be bleachers that will be placed on the side of the volleyball courts and of course people may pull up their chairs. More discussion followed on the proximity to center field of one of the baseball fields and comparisons to professional volleyball courts. Poetzinger asks if there was any way to get better scaled dimensions. Winkler stated that he could get something drawn to scale. Hartz/ Hill motion to approve this location subject to an end clearance of 26', with a side clearance of 16', and 10' in between the two standards. Motion carried.

Downtown Design Review

222 Center Street. I Love Funky's. Proposing a 9" by 24" projecting sign on the corner of the building in a purple and gray to match the existing colors on the outside of the building. Skates/Hartz motion to approve the sign as presented. Motion carried.

120 Broad Street. T-Shirt Center. 18" by 10' sign with 1" letters. White sign with deep charcoal gray lettering and border around the sign. Skates/Hartz motion to approve the sign as presented. Motion carried.

Skates/Hill motion to adjourn at 8:20 pm. Motion carried.

/s/ Jennifer Special, Building/Zoning Administrative Assistant

These minutes are not official until approved at the next Planning Commission meeting.