

**PLAN COMMISSION MEETING
MONDAY, DECEMBER 17, 2018 – 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

Mayor Hartz called the meeting to order at 6:05 p.m.

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

Approve Minutes of the November 17th Plan Commission meeting as distributed.

Horne/Gibbs 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 be limited to 5 minutes.

Acknowledgement of Correspondence.

Correspondence was received from Kristin Stone, 233 Center Street, sharing concerns for the present building at 832 Geneva Street and any building being considered for this location. This correspondence was not received for the November 19th meeting due to an incorrect email address. Correspondence was received from Marilyn Ellman, resident of the Lake Shore Village Condominium Association, asking for postponement of the Public Hearing for the Summerhaven Phase II & III Development request. Correspondence was received by Penelope Jones, 1321 Dodge Street, and Loretta Shem, 499 Manning Way, in favor of the Conditional Use request at 846 Madison Street. Correspondence was also received from Joe Fusinato, 202 Summerhaven Lane, sharing concerns for the Summerhaven Development request. All correspondence has been distributed to the Plan Commission and the City Council.

Downtown Design Review

6.a. Application by Oakfire Properties LLC, for the Oakfire Restaurant, a request to install vinyl screening & window on the second floor exterior dining area, located at 831Wrigley Dr., in the Business Central (BC) zoning district, Tax Key No. ZOP00340.

David Scotney, 1551 Orchard Lane, owner of Oakfire, presented the application request. Planner Slavney stated the vinyl roll downs are a temporary use and suggested a sunset clause to remove the roll downs by May 1st as a part of the temporary approval. Slavney expects to see another application for a different roof over the pergola as depicted in photo. Mayor Hartz said the application would be an amendment to the PIP.

Esarco/ Horne motion to approve the temporary installation of vinyl roll downs with a sunset clause to be removed by May 1, 2019 and include all staff recommendations and fact finding.

Roll Call: Hartz, Gibbs, Hill, Horne, Esarco, Krajovic “yes.” Motion carried unanimously.

7. Conceptual review which is step 2 of a Planned Development process, filed by Patrick & Rachel Lynch, 30715 Cedar Dr., Burlington, WI 53105, requesting to reduce the current lake shore setback in the Estate Residential -1 (ER-1) land use zoning district, at 940 Maytag Rd., Lake Geneva, WI, 53147, Tax Key No. ZCE00005.

Jason Bernard, Lake Geneva Architects, representing Patrick & Rachel Lynch, presented the concept plan, asking for the SR-4 setbacks in the ER-1 zoning district and revised lake shore setback. Slavney explained the Planned Development process would give the Plan Commission the ability to add requirements if needed and allow the consideration of various factors for the project. Commissioner Gibbs asked if the owner received feedback from any neighbors. Owner, Patrick Lynch, 940 Maytag Road, met with owner at 930 Maytag to discuss the concept plan. The owners of 950 Maytag Road are there part time. Commissioner Hill is in favor of the revised setback. Commissioner Krajovic asked if city has vegetation regulations. Slavney said the city can suggest requirements. Krajovic stated the length of yard may not be as important as the quality of vegetation. He recommended the Plan Commission should consider ways to protect the water and the aesthetics of the vegetation. Hill asked about the existing trees on the

property. Slavney said one tree may be in the footprint of the new porch. Hartz suggested native planting along the lakeshore and a possible buffer around the house for a yard for the kids to play.

8. Conceptual review which is step 2 of a Planned Development process filed by Terence Pisano, 201 Broad St, Lake Geneva, for the possible relocation of the existing Brick & Mortar building currently located at 832 Geneva St., to the property at 333 Center St., with exceptions to the request which is to reduce the current setbacks in the Neighborhood Office (NO) zoning district, Tax Key No. ZOP00139.

Chris Pisano, engineer, on behalf of the owner, Terence Pisano, presented the concept plan to move the current building at 832 Geneva Street 2 ½ blocks to 333 Center Street. No tree will be disturbed in the move except for some trees on the 333 Center Street parcel. Any trees removed from the landscape footprint would be replaced or moved back into place. Only one electrical line on the Center street location would be moved. 333 Center Street is zoned Neighborhood Office with mixed use so the first floor will be commercial use with a new walk out basement and the second floor will be a residential apartment with attic space. There will be a new foundation for this building. Slavney stated the flexibilities needed for this Planned Development. Hill likes the plan and asked about liability for this project. Mr. Pisano said the Structural Moving Company has the proper insurance during the moving process. Terence Pisano, owner of 333 Center Street, explained the system used regarding the weight of the building when it is being moved. Hartz stated the city could ask for a bond to cover any road damage if this Planned Development gets approved. Attorney Draper said a Developers Agreement would be established to protect certain infrastructure such as the roads. Commissioners Esarco, Horne and Gibbs said they like the conceptual plan. Hartz said this building would be a nice transition to the neighboring lots.

9. Continuation of the Public Hearing and Recommendation on an application for the General Development Plan (GDP) filed by House Around the Corner LLC., 3389 South Shore Dr., Delavan, WI 53115, requesting a Planned Development to construct a 5600 square foot commercial building at 832 Geneva Street, Lake Geneva, WI 53147, located in Central Business (CB) zoning district, Tax Key No. ZOP00252.

Applicant has requested to continue the Public Hearing.

Hartz/Horne motion to continue the Public Hearing to the next Plan Commission meeting. Motion carried unanimously.

10. Public Hearing and Recommendation on an application for the Conditional Use Permit (CUP) filed by House Around the Corner LLC., 3389 South Shore Dr., Delavan, WI 53115, requesting a CUP to Raze or Remove the existing building located at 832 Geneva Street, Lake Geneva, WI 53147, located in Central Business (CB) zoning district, Tax Key No. ZOP00252.

Applicant has requested to continue the Public Hearing.

Hartz/Horne motion to continue the Public Hearing to the next Plan Commission meeting. Motion carried unanimously.

11. Public Hearing and Recommendation on an application for a Conditional Use Permit (CUP) filed by Michelle Lundquist., 7929-48th Ave, Kenosha, WI 53142, requesting a CUP to continue the existing Commercial Animal Boarding land use at the building located at 846 Madison St., Lake Geneva, WI 53147, located in General Industrial (GI) zoning district, Tax Key Nos. ZYUP00033 & ZYUP00033A.

Michelle & Eric Lundquist, 7929-48th Ave, Kenosha, WI, presented their request. Hartz asked how many dogs would be possible on-site. Ms. Lundquist is asking for a 40 dog limit which includes dog boarding, daycare, training & grooming. Hill asked about improvements & a timeline. Mr. Lundquist said they will paint, redo the roof, and work on the vegetation plus any needed interior updates and hopes to take occupancy within 60 days. Hartz asked about the number of staff members and what would take place if there is an issue overnight. Ms. Lundquist said there would be 5 staff members. Her parents live 5 minutes out of town and her sister has a business in town so either party would be available. Slavney asked when and where dogs would be outside and for how long. Ms. Lundquist said

daycare dogs would be in playgroups to be rotated indoor and outdoor, weather permitting. When outside, the dogs would be on the west side of the building.

Speaker #1: Candie Kirchberg, 917 Marshall Street, shared her support of this Conditional Use Permit.

Speaker #2: Cierra French, owner of 847 Madison Street, shared her support of this Conditional Use Permit.

Speaker #3: Alex Kondos, 10608 Main Street, Richmond, IL, current manager of The Dog Spot, shared her support of this Conditional Use Permit.

Speaker #4: Terry O'Neill, lives 400' away, shared his concerns and opposition of this Conditional Use Permit.

Speaker #5: Bill Huntress, 1015 Pleasant Street, shared his concerns for the current operation at this location and hopes the next owner will clean up and take care of the place.

Speaker #6: Christina Clements, 949 Madison Street, shared her concern of the current dog barking, but is not opposed to this request.

Speaker #7: Mary Jo Fesenmaier, 1085 S Lake Shore Drive, suggests adding a condition to place a yearly review for this permit request so neighbors have a process to weigh in.

Horne/Gibbs motion to close the Public Hearing. Motion carried unanimously.

Hill/Esarco motion to approve the limited Conditional Use Permit with a condition for the number of dogs for overnight stay limited to 10 and include all staff recommendations and fact finding.

Roll Call: Hartz, Gibbs, Hill, Horne, Esarco, Krajovic voting "yes." Motion carried unanimously.

12. Public Hearing and Recommendation on an General Development Plan (GDP) for the Summerhaven Subdivision Phases II & III filed by McMurr II, LLC., 351 Hubbard, Suite 610, Chicago, IL 60054, for the properties located in the Summerhaven Subdivision on Lake Geneva Blvd., Lake Geneva, WI 53147, located in Planned Development (PD) zoning district, Tax Key Nos. ZSUM00001 thru ZSUM00247.

Jim Howe, attorney at Godfrey Law Firm in Elkhorn, representing McMurr II LLC, presented the request. Gibbs asked about the single entrance to the subdivision. Howe stated the southern access road, presently, a fire safety access, will eventually become a 2nd entrance for the Phase III GDP. Hartz asked if there are as-builts for the improvements done to the property so far. Howe said the As-builts will be a part of the PIP for Phase II and Phase III. Hartz referenced 2 house plans: The Bombay and The Pine Ridge – which depict garages that stick out disproportionately to the house. Hartz asked the developer to reconsider these two layouts. Hartz also asked if the sidewalk on Wells Street can be replaced. Krajovic asked if there are guidelines, based on the density of this development, for greenspace or playground. Slavney explained the ordinance enables the city to require the dedication of land whenever additional residential units are created or a fee will be collected in lieu of land. The city does have the ability with any Conditional Use or Planned Development to require private recreational facilities. Esarco suggested enhancing the community by creating a play area for children. Gibbs recommended placing a tracking pad at the curb cut-out on Wells Street since there is mud on the sidewalk and road. Howe will relay these suggestions to his client.

Speaker #1: Al Kupsik, 717 S Lake Shore Drive, representing the Lake Shore Village Condo Association, shared concern regarding the flooding on the south side of Condo Association coming from Summerhaven. Kupsik identified other concerns such as erosion control, landscaping and who will maintain the retention ponds. Kupsik requested correspondence with the developer or documentation concerning the maintenance of the retention ponds, updates on the erosion plan and flooding issues.

Speaker #2: Helen Radloff, lives on south end of Lake Shore Village, shared concerns of flooding, landscaping and erosion control, and asked for an extension to review this project request.

Speaker #3: Bruce Jalouszynski, 870 Lake Geneva Blvd, shared concerns regarding increased traffic at the southern access road and the work hours for construction during the week and weekends.

Hill/Krajovic motion to close the Public Hearing. Motion carried unanimously.

Mayor Hartz listed a number of issues to be addressed in the PIP application: flooding issues for properties on the west and south side of the development, proper erosion control, Developers Agreement regarding retention pond maintenance, landscaping, a small recreational area for children and As-builts for the current improvements.

Hartz/Esarco motion to approve the General Development Plan and include all staff recommendations and fact finding.

Roll Call: Hartz, Gibbs, Hill, Horne, Esarco, Krajovic voting “yes.” Motion carried unanimously.

- 13. Continuation of the Public Hearing and Recommendation on an application for the General Development Plan (GDP) filed by Omega Homes, 201 O’Connor Dr. Suite 101, Elkhorn, WI 53121, requesting a Planned Development of 58 Single Family Homes at the property on LaSalle Street, also known as the Vistas of Lake Geneva (formerly Regent Hills subdivision), located in the Multi-Family – 8 (MR-8) zoning district, Tax Key No. ZA424700001.**

Applicant has requested to continue the Public Hearing.

Hartz/Hill motion to continue the Public Hearing to the next Plan Commission meeting. Motion carried unanimously.

- 14. Public Hearing and Recommendation for proposed changes to amend the existing Ordinance 18-09 for Tourist Rooming House guidelines. Applicant: City of Lake Geneva.**
Slavney presented the revisions to the Tourist Rooming House Ordinance with suggestions from staff and their experience with the Ordinance this past year.

8:25 pm - Commissioner Hill left the City Chambers

8:34 pm – Hill returned to the City Chambers

Horne asked what happens when owners transfer properties to one another. Plan Commission discussed a transfer of property from one LLC to another. Hartz offered his revisions to be reflected in the Ordinance Amendment.

Speaker #1: Doug Wheaton, on behalf of the Lakes Area Realtors Association, 1516 North County Club Pkwy, Elkhorn, shared a statement from the Lakes Area Realtors Association, with concerns regarding the Knox Box provisions in the proposed Ordinance Amendment.

Plan Commission discussed the Knox Box provisions, stating the Knox Box would be used to gain entry to properties for emergencies and required inspections which will be reflected in the revised language of the amendment.

Gibbs/Esarco motion to close the Public Hearing. Motion carried unanimously.

Hartz/Gibbs motion to recommend the city attorney write up the Amendment to the Ordinance, adopting the current edits in red and any additional edits made here tonight and then send the Amendment to the Ordinance directly to the Council.

Roll Call: Hartz, Gibbs, Hill, Horne, Esarco, Krajovic voting “yes.” Motion carried unanimously.

- 15. Potential Code Amendment Discussion to allow set-back averaging from ordinary mean hi-water line from the lake front.**
Slavney presented the potential Code Amendment. A Plan Commission discussion followed.

- 16. Adjournment.** Hill/Esarco motion to adjourn at 9:00 p.m. Motion carried unanimously.

/s/ Brenda Follensbee, Building & Zoning Administrative Assistant

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE PLAN COMMISSION