

**CITY PLAN COMMISSION
MONDAY, FEBRUARY 20, 2012 - 6:30 PM
COUNCIL CHAMBERS, CITY HALL**

Meeting called to order by Alderman Hartz at 6:30pm.

Roll Call: Commissioners Hill, Olson, Flower, Poetzinger and Alderman Hartz. Also Present: City Attorney Draper, Building/Zoning Administrator Brugger, City Planner Slavney, City Administrator Jordan and Administrative Assistant Special. Mayor Connors, Commissioner Skates and City Planner Slavney were excused.

Flower/Poetzinger motion to approve the January 16th 2012 minutes. 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.

Continued Public Hearing and recommendation on a Conditional Use Application filed by Wrigley Drive LLC, PO Box 460, Lake Geneva, WI 53147, for a commercial indoor lodging facility in the Central Business zoning district at 835 Wrigley Drive, Tax Key No. ZOP 00339. Jason Bernard, architect for the project, approached the podium and explained the project of remodeling the old book store. They would like to have a tenant before the summer begins. Flower asks if the raised patio would need a railing. Brugger states that if it less than 30 inches off the ground, they do not need a railing. Poetzinger asks about the current setbacks of the patio. Without a current renter on the first floor, would they need to come forward for approval before they rent it out? Brugger states they would not need your approval for the tenant unless the use requires a conditional use for that zoning district. Bernard states that they do have a buffer between the patio and the property line. Flower/Olson motion to close the public hearing. Motion carried. Hill asks what the “neighborhood amenity” specification refers to. Brugger stated it would refer to a place where someone could just sit on a bench as they pass by, or if someone is shopping inside and another person with them doesn’t want to be inside, they could go outside and sit down. That kind of use would not require a Conditional Use approval. **Hill/ Poetzinger motion to approve the Conditional Use Application filed by Wrigley Drive LLC, PO Box 460, Lake Geneva, WI 53147, for a commercial indoor lodging facility in the Central Business zoning district at 835 Wrigley Drive, Tax Key No. ZOP 00339 including all staff recommendations including the need to make a determination that the proposed setbacks for the patio is “an essential component of the site design”. Motion carried unanimously.**

Public Hearing and recommendation on a Precise Implementation Plan (PIP) filed by Ryan Companies US, Inc., 111 Shuman Blvd, Suite 400, Naperville, IL 60563, to create two lots in accordance with the approved GDP for the property located to the east of the Target Co. property parking lot more precisely identified as Tax Key Number ZA3997 00003. (withdrawn by the applicant).

Public Hearing and recommendation on a Conditional Use Application filed by filed by East Shore Estates Property Owners Association C/O Mark Kammermeier (President), 727 La Grange Drive, Lake Geneva, WI 53147, to amend the existing Conditional Use granted to Fairwyn, Ltd. on behalf of the property owner Antoinette Sottrel on November 9, 2010 and August 30, 2011, to reduce the site area of 1084 La Grange by 579 square feet for a lot line adjustment to comply with the riparian zone boundary requirements for the pier on the adjoining property. The Conditional Use Application amended is for the property located at 1084 La Grange Drive, Tax Key Number ZLE 00003. Attorney Jim Howe approached the podium on behalf of the Property Owners Association and explained the project. Howe stated that if you look at the plat of survey included with the Conditional Use Application, the northern most lot is the lot owned by the Association. It is 50 feet wide and the association pier extends out on this lot. This has been there they believe since the 1970’s. Recently, someone has a riparian boundary map drawn and it disclosed that a couple of the southernmost slips off the association pier were encroaching on the neighboring property. The current owner of the property (that is being encroached upon) has been approached to contract to purchase 30 feet of shorefront to eliminate the riparian encroachment. There will be no addition slips, and no more boat will be moored at this location. The

lot from which the land is being reduced will still more than meet the required area for this ER-1 zoned lot. Hill/Flower motion to close the public hearing. Motion carried. **Poetzinger/ Olson motion to approve the Conditional Use Application filed by filed by East Shore Estates Property Owners Association C/O Mark Kammermeier (President), 727 La Grange Drive, Lake Geneva, WI 53147, to amend the existing Conditional Use granted to Fairwyn, Ltd. on behalf of the property owner Antoinette Sottrel on November 9, 2010 and August 30, 2011, to reduce the site area of 1084 La Grange by 579 square feet for a lot line adjustment to comply with the riparian zone boundary requirements for the pier on the adjoining property. The Conditional Use Application amended is for the property located at 1084 La Grange Drive, Tax Key Number ZLE 00003 including all staff recommendations.** Hartz asks if the signature (by the Property owners association) is legal in order to carry forward with this request. Attorney Howe states that as the contract purchaser they are allowed to do this. They also have Ms. Sottrel's signature on file. **Motion carried unanimously.** Brugger explains that essentially the Conditional Use approval is to allow for the lot line adjustment to occur, therefore there is no need to approve the lot line adjustment separately unless the Commission wants to. **Flower/Hill motion to approve the lot line adjustment as submitted. Motion carried unanimously.**

Public Hearing and recommendation on a Conditional Use Application filed by filed by Michael and Nancy McCabe, PO Box 203, Fontana, WI 53125 for the construction of a single family residential home in an ER-1 District using SR-4 District requirements per Sec. 98-407 at Tax Key Number ZCE 00031 located on Maytag Road. Ken Etten, architect for the project, approached the podium on behalf of the property owners and explained the project. Hartz asked if there was a landscape plan in the packet. Brugger stated that it is not necessary to have one in the ER-1 district nor the SR-4 district. There was some discussion about the trees on the lot. Flower asks if there was a grading plan for the lot. Etten explains that there wasn't one in the packet but there would be something provided to the building inspector when the plans are submitted. Flower/Hill motion to close the public hearing. Motion carried. Flower/ Poetzinger motion to **approve the Conditional Use Application filed by filed by Michael and Nancy McCabe, PO Box 203, Fontana, WI 53125 for the construction of a single family residential home in an ER-1 District using SR-4 District requirements per Sec. 98-407 at Tax Key Number ZCE 00031 located on Maytag Road including all staff recommendations.** Discussion followed on drainage review for the parcel. Flower/Poetzinger friendly amendment to allow for staff review of the drainage and grading plan. **Motion carried unanimously on amendment to original motion and also on original motion as stated.**

Public Hearing and recommendation on a Conditional Use Application filed by Rick Bittner on behalf of Bittner's Bakery, 259 Sky Lane, Lake Geneva, WI 53147, for a light industrial use (bakery) incidental to retail sales at 495 Interchange North, Tax Key number ZYUP 00140B. Rick Bittner, 259 Sky Lane, Lake Geneva, approached the podium and explained the project. The Conditional Use of this project is the light industrial use for which the bakery will provide wholesale goods baked on site. Bittner explains the short term as well as the long range goals for the building. They would like to be operating by the end of April. Olson asked about the future outdoor area and wanted more of an explanation. Bittner explains there is a small green space there and would like to utilize it, but that would be another Conditional Use. There is plenty of parking there. Flower asks about the drive thru. Bittner explains that it was left over from a previous plan; he does not envision a drive thru to happen at this location. Hartz asks if the U-haul trucks are in this location. Brugger stated that the trucks are located on the other end of the building. Flower asks if a review of the exterior would have to come before the Commission. Brugger stated that they don't have to. Olson/ Flower motion to close the public hearing. Motion carried. **Hill/ Flower motion to approve the Conditional Use Application filed by Rick Bittner on behalf of Bittner's Bakery, 259 Sky Lane, Lake Geneva, WI 53147, for a light industrial use (bakery) incidental to retail sales at 495 Interchange North, Tax Key number ZYUP 00140B including staff recommendations.** Discussion followed. **Motion carried unanimously.**

Public Hearing and recommendation on a Precise Implementation Plan filed by Anchor Covenant Church, PO Box 351, Lake Geneva, WI 53147, to allow for an Indoor Institutional Use (Church) at 630 Williams Street Tax Key Numbers ZA1776 00001, ZA1776 00002, ZA1776 00003 and ZA1776 00004. Ned Sutherland, 1132 Wheeler Street, Lake Geneva, approached the podium on behalf of the Anchor Covenant Church and explained the project more in detail. Sutherland passed around a larger material specimen to show in larger detail. Sutherland did explain that he received written documentation today stating that he could utilize additional parking from Dunn Lumber after working hours and also on Sundays. Brugger asked if the exterior façade changes to the building and the parking lot/landscaping would all be installed prior to opening the use a church. Sutherland stated it would be Phase I. Sutherland would like to occupy a part of the building, for church services, prior to the parking lot being finished. They would like to begin church services as

soon as they can. They would plan to work on the parking lot during the summer time and have the parking lot finished before the asphalt plants close next fall. Hill asks if the intention on the exterior is to bring a consistent looking feel across all of the buildings. Sutherland said yes and explained the look of the building looking more uniform from a short distance away. Hill reiterated that the purchase of the property will include the large building and the muffler shop. Yes.

Sutherland stated that there are 173 street parking spaces in the blocks around the building. There are actually 12 spaces right on Williams Street. Brugger asked what the time frame is with removing the muffler shop. Sutherland explains that it is a touchy subject and that they will give the business 60-90 days. Apparently he has been on a 30 notice for removal for the past couple years. Sutherland says they would like to get going as quickly as possible but also be as fair as they can with the removal of the business that has been operating there. Hill asks how long the property has been for sale. Mr. Tom Landgraf, owner of the property currently residing in New Berlin, states that he has owned the property for 15 years. It has been available for sale for a "very long time". He states that the muffler shop has been aware of this situation for closer to ten years. Brugger asks if there is anyone renting any storage space in the building right now. Not that Sutherland is aware of. Hartz asked if the only change to the general development plan is to put a circle drive in front of the building. Hartz also asked if the sign that was passed around (dimensions mentioned in the packet) was part of the approval tonight. It is. The little roof over the sign is to facilitate down lights for the sign without polluting the neighborhood. Brugger stated that if the Plan Commission goes forward with approval, that the sign be approved with an electronic message center and not have to come forward for another Conditional Use. Hartz asked if the existing easement around the Travel building and the main building (proposed for the church) is still being maintained. It is. The Church is proposing to put a walkway between the Travel building and the church instead of a driveway as a former applicant had asked for. There is still an area from Williams street to the travel center to allow for cars to travel in and out. He believes that it has to be 28' wide. Hartz asked what will happen to the part of the building that will not be worked upon at this time. Sutherland stated they are not sure, but it could be a potential boat storage facility. Flower asks for clarification of the access to the Travel building. Discussion followed. Rick Hammer, member of the church, approached the podium to clarify some parking issues. Sutherland went over some of the kinds of uses that they considering in correlation with the potential parking increase. Bruce Bruns pastor at Anchor Covenant Church approached the podium to explain that on a good day, they have 80 people. The parking lot is something they are going to want to grow into. He also comments that he wants to cooperate with the neighbors. The Travel building is for sale and after the first newspaper story came out, they were approached by the owner of the Travel building to buy the building. The church said they would have to wait and see and potentially purchase the large building first and see what happens with that. Since the owners of the travel building do not know who they are going to be dealing with as an owner/renter, it's hard for the church to know how to work with that area. Brugger explains that the City Planner has sent correspondence to suggest a provision in development in an existing area that would have some issues with current requirements (i.e. parking requirements). Alderman Hartz read the suggestion. Brugger continued to explain that in order for this building to develop into anything, there is going to have to be some flexibility in parking and the Commission is going to have to find a way to consider that. Flower asked for clarification on the movement of the power poles that are on the property. Sutherland stated that they have already contacted the power company on that movement of the poles and they will be moved.

Alderman Ellyn Kehoe, 222 Warren Street, approached the podium and asks if they building needs to be sprinkler-ed. Brugger stated it already is sprinkler-ed. Kehoe also suggests some other local businesses that she believes should be asked to utilize their parking lots.

Sutherland stated that he has asked other businesses but because he is not the owner of the building, they said they would get back to him. Once they are owners, they can indemnify the owners of the parking lot. Hill/Olson to close the public hearing. Motion carried. Discussion followed on traffic and easements on the Travel business parcel. **Hill/Poetzinger motion to approve the Precise Implementation Plan filed by Anchor Covenant Church, PO Box 351, Lake Geneva, WI 53147, to allow for an Indoor Institutional Use (Church) at 630 Williams Street Tax Key Numbers ZA1776 00001, ZA1776 00002, ZA1776 00003 and ZA1776 00004 as submitted (limited to the current floor plan as depicted), the applicants come forward for any other additional uses other than the current storage use and including all staff recommendations as well as the electronic message center of the sign will not need to come forward for an addition Conditional Use.** Flower asks if they would be coming forward with additional uses for more Precise Implementation plans. Brugger explains how it would come forward each time a new use would commence. The parking could be revisited each time they come forward. Brugger would like to clarify the time frame for the parking lot completion as a condition as well as other exterior improvements. Hill stated she did not see a need to put that time frame in the motion for approval, that they have a very ambitious project ahead of them and it seems that they want to get going as soon as possible. Discussion followed. Roll call vote: Hill: Aye, Olson: Aye, Flower: Aye, Poetzinger: Aye, Hartz: Aye. **Motion carried unanimously.**

Discussion on a Concept Plan for Delaney Street Mercantile 905 W. Main Street, Lake Geneva, WI 53147 for a possible Planned Development. Jeff and Beverly Leonard, 1504 Dodge Street and Owners of Delaney Street Mercantile approached the podium and explained their project. They would like to complete the beautification of the property by adding this conservatory. They would like to achieve this by making a zoning change to Planned Development. Flower asks where the dumpster will be moved to. It will be put behind the conservatory. Brugger wants to know what will be in the new area. Leonard explains they will put statues in there. Leonard also asks to have outdoor display like many of his neighbors already have because of their zoning and will be able to with the new zoning. Discussion followed on the neighboring land uses. Brugger asks if they would consider a conditional use for the temporary outdoor display versus thru the planned development. Leonard said they could consider it in addition to the conservatory. Hill asks how many other properties to the West are in the Neighborhood Office zoning district. There are two more properties (in addition to Delaney Street store) to the West. Brugger explains that the packets will probably not change much since he did such a complete job on this packet. Flower asks how close to the property line will this addition is. Brugger states that is why they are asking for a Planned Development. Otherwise they would have to adhere to a 25' rear yard setback and a minimum 6' side yard in that district. That is why he is asking for flexibility for setbacks. He is also asking for flexibility on parking as he would be required to add a stall with the increase in square footage with the addition. It would be detrimental for him to have to add another space due to his location and lack of onsite parking available. Hill showed positive feedback. She wants to know what the neighbors think about the transition to PD. Poetzinger showed positive feedback as well. Olson also showed positive feedback and favors the statues to be moved inside. Flower showed positive feedback, but would like to see the distances to the lot line and more dumpster information. Hartz says that the addition fits in with the Comprehensive Plan with the mixed use and provides a good transition to the residential area. He also has positive feedback.

Discussion on outdoor entertainment for “Summer Stock” theater within the 300 feet of residential dwellings. Bethany Souza and Andrew Fritz, 327 Wrigley Drive approached the podium to discuss the idea of having outdoor entertainment within 300 feet of residential dwellings. Ms. Souza read a description of Summer Stock Theater written in a recent Wisconsin publication. They are looking to bring theatre back to Lake Geneva. They are soon to be acquiring the Golden Oaks Mansion and are looking to have this summer stock under a tent in the parking area of the property at 421 Baker Street. Brugger explains that this project came up and then the patio at 835 Wrigley Street, both would have to be 300 feet (approximately 1 city block) away from residential lots. Brugger has spoken with the City Planner to discuss how other cities have re-defined their commercial outdoor entertainment and separated the larger more activity based uses out. This would be more for the sedate outdoor uses like dining and other assembly like uses. The current restrictions force them to be at least 300 feet away from residential properties and with the proposed revision, they would not have to adhere to that. Slavney also thought that the amount of buffering could be lowered. If you are across the street (from residential) there would be enough distance separation (i.e. obstructing lake views from patios). Brugger explains that the Commission would need to amend the ordinance to remove the restriction of being 300 feet away from residential properties. A Conditional Use would still be needed and potential nuisances could be addressed at that time. Hill reiterates that the ordinance be changed and then a Conditional Use would still need to be applied for on a case by case basis. Hill supports the idea but stresses making sure that all the details are taken care of. Poetzinger also supports this idea and likes the idea of theater for kids, adults and guests of the city. Olson supports the idea but expresses the concern for the parking. Souza expects that many guests will walk from the Theater area to the hundreds of hotel room's downtown. The parking requirements will be addressed. The running of the Golden Oaks will continue as it has been except many renting only about three rooms versus the six rooms that have been rented (and changing the name of the mansion). Flower likes the idea of live theater in this community and fully supports the idea. The only issue Flower foresees is a noise issue. Souza states that nothing will be occurring after 9:00pm. Flower asks if the food and beverage would be served outdoors. Brugger states that the serving would be part of the Conditional Use. Hartz states that there is Music in the Park on Thursday nights in the summer. He feels that this theater would compliment the event and hopes that they can have a very detailed plan when it comes forward. Hartz is not worried about the 300 feet versus the 75 feet. He thinks the neighbors would like to be a part of everything. Attorney Draper feels that this process can be

initiated by the Plan Commission to begin the amendment process. Flower/ Olson motions to direct staff to begin the amendment process and set a public hearing for the March meeting. Motion carried.

Downtown Design Review.

727 Geneva Street. Bread Loaf Book Store. They would like to move their sign from the former location on Wrigley to the current location on Geneva Street. Hill/ Olson motion to approve the sign as presented. Motion carried.

101 Broad Street. Braden Dental Center. They would like to add an awning to Broad Street and Wrigley Street 2nd floor awnings. They are permitted the awnings but not the signage according to the ordinance. Flower/Poetzinger motion to approve the green awnings as presented. Motion carried.

755 Main Street. Refined Rustic. They would like to have an awning with signage. It will be a tan awning with black thin stripes. Hill/ Olson motion to approve the awning with signage as presented. Motion carried.

812 Geneva Street. Former Wild Birds Unlimited building. The stucco will be the pure earth, trim will be divine wine and the columns and window/door framing will be pure bliss. Signage will come at a later date. Flower/ Hill motion to approve as presented. Motion carried.

521 Broad Street. Sweet House of Madness. They would like to change out the awning for an orange color and also include metal brackets as presented. Flower asked if anyone wanted to motion. Olson/Poetzinger motion to approve as presented. Motion carried with 1 abstention (Hartz).

Poetzinger/Hill motion to adjourn at 9:14 pm. Motion carried.

/s/ Jennifer Special, Building/Zoning Administrative Assistant

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