



City of Lake Geneva, 626 Geneva St, Lake Geneva, WI 53147- 262.248.3673- www.cityoflakegeneva.gov

**CITY OF LAKE GENEVA
626 GENEVA STREET
LAKE GENEVA, WI**

**PLAN COMMISSION MEETING
MONDAY, JANUARY 16, 2023 - 6:00 PM
COUNCIL CHAMBERS, CITY HALL**

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- Access Code: 9746153**

AGENDA

1. Meeting called to order by Charlene Klein
2. Roll Call
3. Approve Minutes of the December 19, 2022 Plan Commission meeting as distributed
4. 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
5. Acknowledgment of Correspondence
6. Review the request of the application to initiate a Planned Development received by John Engerman for the property located at 999 S. Lake Shore Dr. to develop and construct 3 single family homes Tax Key No. ZA206600002
7. Public Hearing and Recommendation for a Precise Implementation Plan for Fairwyn SB, Inc. to allow for the acceptance of the Phase 7 of Symphony Bay in the Planned Development (PD) zoning district, Tax Key No. ZSB00335 *(Continued from December 19, 2022 Plan Commission)*
8. Public Hearing and Recommendation for a Conditional Use Permit for CMA Arron Stranton, 4015 80th St, Kenosha WI, to allow the construction of 2 new Commercial Office Buildings in the Business Park located at 800 – 820 Geneva Pkwy. Located in the Planned Business Park (PBP) zoning district, Tax Key Nos. ZUN00007A & ZUN00007B

9. Public Hearing and Recommendation for a Conditional Use Permit for John Law, 1017 Geneva St. Apt. #2 Lake Geneva, to allow for the request to convert commercial space to a residential Commercial Apartment land use in the Central Business (CB) zoning district located at 101 Broad St., Tax Key Nos. ZCNG00001 thru ZCNG00041
10. Public Hearing and Recommendation for a Precise Implementation Plan (PIP) to allow for Phase 2 development of the Golden Years Planned Development (PD) located at 611 Harmony Dr., Tax Key No. ZA475600001
11. Public Hearing and Recommendation for a General Development Plan (GDP) & Precise Implementation Plan (PIP), applicant Lakeside Living LLC., to allow for the construction of 4 duplex units on each of the 2 tax parcels in the Planned Development (PD) zoning district located at 1120 S. Lake Shore Dr. Units 1 – 4 & Tiffany Dr., Tax Key Nos. ZCNS00028 – ZCNS00031 & ZCNS00001 – ZCNS00004
12. Presentation by Jackie Mich, Vandewalle & Associates, on proposed zoning ordinance amendments to establish enhanced building and site design standards for new nonresidential and multi-family development (Gateway Ordinance)
13. Public Hearing and Recommendation on proposed amendments to Chapter 98: Zoning that would establish enhanced building and site design standards for new nonresidential and multi-family development (Gateway Ordinance), specifically to amend Section 98-110 (Entry Corridor Design Overlay Zoning District), Section 98-111 (Community Gateway Design Overlay Zoning District), Section 98-707 (Exterior Lighting Standards), Section 98-718 (Exterior Construction Material Standards), and Section 98-720 (Fencing Standards)
14. Public Hearing and Recommendation on proposed amendments to Chapter 98: Zoning that would update the list of zoning district abbreviations in Tables (1) through (9) in Section 98-203 and correct a cross-reference in Section 98-905(5)(d)
15. Discussion regarding monthly staff report: building permits for new single family homes (83 new homes in 2022), short-term rentals & Commercial Indoor Lodging property list
16. Adjournment

QUORUM OF CITY COUNCIL MEMBERS MAY BE PRESENT

Requests from persons with disabilities, who need assistance in order to participate in this meeting, should be made to the City Clerk's office, in order for appropriate Accommodations.

PLAN COMMISSION MEETING

MONDAY, DECEMBER 19, 2022 – 6:00 PM

COUNCIL CHAMBERS, CITY HALL – VIRTUAL MEETING VIA ZOOM/IN PERSON

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

Roll Call. Present: Mayor Klein, Alderman Mary Jo Fesenmaier, John Gibbs, Joel Hoiland, Cindy Forster Fueredi, James Marquardt. Absent (Excused) Kyle Cary. Also Present: City Planner Mich, City Planner Kruesel, City Engineer Rauch, City Attorney Draper, City Administrator Nord, City Building & Zoning Administrator Walling, Building & Zoning Administrative Assistant Follensbee.

Approve Minutes of the November 21, 2022 Plan Commission Meeting as distributed.

Hoiland/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. None.

Acknowledgement of Correspondence. None.

Review and Recommendation of a proposed Final Plat Review for Fairwyn SB, Inc. to allow for the acceptance of the Phase 7 of Symphony Bay in the Planned Development (PD) zoning district, Tax Key No. ZSB00335.

Rick Zirk, Fairwyn SB, presented the request to allow the final plat of Phase 7 of Symphony Bay from the original GDP. Zirk explained the duplex lots are platted into separate lots on the final plat and the easement for a fall zone of an existing communications tower. Zirk addressed questions from the church regarding the shared drainage between the two properties and referred to the original approved plan. Alderman Fesenmaier asked if the pedestrian walkway connects from Townline Road to Bloomfield Road, with curb cuts for the walkway on both roads, since the question was asked at the Council Meeting. Zirk said the walkway map for the entire property was submitted with the clubhouse plan and verified the curb cuts would be done by Fairwyn SB. Fesenmaier asked about stop signs & Outlot 1 on the overall map named the Woodland Conservancy. Zirk said the stop sign location information was included in the overall site plan and Outlot 1 found on the map was conveyed to the City as a park dedication. Attorney Draper said Outlot 1 is not a registered conservancy. Fesenmaier asked if the church's approval allowed drainage to the adjacent property. Draper said yes, it was part of the overall plan for the whole project. Fesenmaier asked for the detention pond be reviewed and submitted to the city which will be covered in the PIP. Zirk said the agreement states the detention will be maintained by the HOA. Hoiland asked if a resolution has been reached between the church and the subdivision regarding the drainage on these properties. City Engineer Rauch said this concern came up today from the church so Rauch looked at the plans for the church and spoke with Rick Zirk and a church representative. The final engineering plans & final plat are complete for the PIP and have been reviewed by Kapur Engineering & Nielson, Madsen & Barber Engineering. Nielson, Madsen & Barber also reviewed & approved the grading plan, the storm water management plan and utilities. Rauch said Phase 7 meets the requirements of the ordinance. Rauch believes both property owners want to do the right thing and meet the storm water management of their site. Rauch stated the approved plans for the church shows part of the church parking lot drains to the swale and drains to their pond. Presently, the church also meets the requirements of the ordinance. If the desire is to not use a shared swale, work would have to be done on both properties. If changes are desired, the applicants would have to come back to Plan Commission for approval.

Hoiland/Gibbs motion to approve the Final Plat for Phase 7 of Symphony Bay and include all staff recommendations and fact finding in the affirmative.

Roll Call: Klein, Gibbs, Hoiland, Fueredi, and Marquardt "yes" and Fesenmaier "no." Motion carried 5-1.

Public Hearing and Recommendation for a Precise Implementation Plan for Fairwyn SB, Inc. to allow for the acceptance of the Phase 7 of Symphony Bay in the Planned Development (PD) zoning district, Tax Key No. ZSB00335.

Rick Zirk presented the information for item #6 & #7 in combination and offered to answer any questions regarding the PIP.

Speaker #1: Bill Henry, architect & engineer at Kehoe-Henry & Associates, architects for the Geneva Lakes Church project, and today was asked to represent the church at this hearing. Henry said the original design for drainage & the storm water pond on the east side of the property may have been designed to accommodate the drainage from those five lots and said he will check with the designer, Cardinal Engineering, tomorrow. Henry said to his knowledge, the agreement for joint maintenance of the storm water pond between the church & Symphony Bay has not been drafted yet. Henry gave a history of this property before it was divided into the church and Symphony Bay. Henry stated there is no storm water easement on the CSM for water draining from the north or northeast onto the church's property. There are storm water easements along Bloomfield Road & storm sewer in Harmony Drive that comes south to Bloomfield Road and goes east and discharges onto the church's property and into the pond. Henry said the church would like to get together with Symphony Bay to draft & execute the joint maintenance agreement for the pond.

Klein/ Hoiland motion to close the Public Hearing. Motion carried unanimously. 6-0.

Commissioner Gibbs asked why there needs to be more discussion since the GDP was approved. Draper said the properties storm drainage has been engineered and approved as a part of the overall plan. Engineer Rauch said the church's site plan shows the swale and Phase 7 shows the same swale.

6:55 - Commissioner Fueredi left the zoom meeting.

Hoiland/Fesenmaier motion to continue the Precise Implementation Plan application for Phase 7 of Symphony Bay. Roll Call: Klein, Fesenmaier, Gibbs, Cary, Hoiland, and Marquardt "yes." Motion carried unanimously 6-0.

Public Hearing and Recommendation for a Limited Conditional Use Permit for David Scotney, 140 Lincoln Pkwy, Williams Bay, to allow for the request of Commercial Indoor Lodging land use located at 830 Williams St. which is located in the General Business (GB) zoning district, Tax Key No. ZRA00017.

David Scotney, owner of 830 Williams Street, presented his request to allow a Commercial Indoor Lodging for rental purposes. Scotney said renovations have been made to the 4 bedroom home which has 7 parking spaces for the guests.

Klein/Hoiland motion to close the Public Hearing. Motion carried unanimously. 6-0.

City Planner Mich said this application will be a "Limited" Conditional Use Permit, limited to the current owner of the property. Mich said this application meets all standards for Commercial Indoor Lodging. Hoiland complimented Scotney on the updates made to the property.

Hoiland/Klein motion to approve the proposed Limited Conditional Use Permit to allow for Commercial Indoor Lodging and include all staff recommendations and fact finding in the affirmative.

Roll Call: Klein, Fesenmaier, Gibbs, Cary, Hoiland, and Marquardt "yes." Motion carried unanimously 6-0.

Continuation of a Public Hearing and Recommendation for a General Development Plan (GDP) & Precise Implementation Plan (PIP) request for 6801 Investments LLC, 6801 Roosevelt Rd, Berwyn, IL 60402 that will permit building renovations to include a drive-thru food service window at 393 N Edwards Blvd in the Planned Development (PD) zoning district., Tax Key No. ZRED00002.

Tim Hague, Keystone Ventures; along with Luigi Randazzo, architect; Eric Pedersen, Keystone Ventures; Joey Bounavolanto, Buona Group; and Luay Aboona, KLOA, traffic engineer, presented the request for continued GDP & PIP at 393 N Edwards Blvd, for a partial renovation of the building and partial new construction. Hague summarized the issue of traffic concerns from the last meeting, specifically the egress from the property. There are 3 access points with 2 entrances near Walgreen's with a cross-access easement and 1 entrance to property. After the discussion at the last meeting, a solution was given to include a left turn lane out, a right turn lane out and a middle lane to enter the property. Luay Aboona, explained the review they conducted since the last meeting, checking the traffic volume, car cuing and patterns, and location of the access drive for this area on N Edwards Blvd. Hoiland shared his concerns on the traffic patterns, the curves near the entrance of the property and the potential to become a public safety issue. Aboona used the ITE Industry standard when generating the traffic study and explained the various factors which went into their calculations. Aboona stated the City's consultants have reviewed the study and are in general agreement with KLOA's findings for the appropriateness of access to the site. Rauch has worked with Neal Styka, another traffic consultant who worked on improvements on Edwards Blvd in 2021.

Neal Styka has reviewed the crash history & traffic volume on N Edwards Blvd. Styka agrees with Aboona using the IT Trip generation manual to project out 11 years. Styka was concerned with the sight distance, for example, if a person driving along can stop when another person leaves the driveway too soon. Aboona reviewed the sight distance for 35 mph and found there is adequate time for a car to stop. Aboona also provided truck turning movements going in and out of the driveway. Fesenmaier asked what impact there would be if the speed limit was reduced. Styka said it may help to lower the speed limit but it would be more of an enforcement issue. Posting a lower speed limit would not change driver behavior unless there is strong police enforcement. Styka suggested options such as narrowing the roadway, making it more urban or compact, or planting trees along the roadway, may slow cars down. Fesenmaier asked if the plantings list in the packet include native plantings published by the DNR. Zoning Administrator Walling said the list of native plantings is used for the shoreland properties in the ER-1 zoning district & the commercial plantings schedule is identified in the back of the zoning ordinance. Mayor Klein asked if the building signs meet the City standards. City Planner Kruesel said the City provided to the applicant, the sign code requirements & allowances for wall signs & monument signs. The applicant then submits the sign application to the building & zoning staff for review. The Plan Commission does not approve the signs for this project. Hoiland asked about deliveries such as the size of trucks and the location of the deliveries. Hague said the deliveries include trucks showing up 2-3 times a week with additional deliveries in box trucks. Luigi said supplies would be taken to the north of the building and then to the sidewalk on the east side of the building which slopes down toward the basement. Deliveries would take place at non-operational hours. Klein asked for hours of operation: 10:30am - 10:30pm. Hoiland asked about parking for employees & customers. Joey Bounavalanto said 8-10 parking spaces would be used by employees and recently 25% of customers dine-in, doordash drivers, and online orders. Fesenmaier asked if the pedestrian walkway had a connection to the walkway along Hwy 50. Hague said yes. Fesenmaier asked about traffic volume in cross access points to Walgreens. Aboona said 70-80% of people will use Edwards Blvd to the main driveway but some people will use the first access point to get to Buona. Styka did not see a crash concern with the first right-in driveway.

Speaker #1: Alderman Joan Yunker, 101 Broad Street, shared her concerns regarding the shared lane with the Walgreens drive-thru and the left turn out of the driveway onto Edwards Blvd.

Klein/Hoiland motion to close the public hearing. Motion carried unanimously 5-0.

Hoiland asked the City to consider lighted or flashing signs to help slow down traffic but he is in support of the business on this property. Klein thanked the applicant for the building design while keeping the octagonal portion of the building as a nod to the City's history.

Realizing the agenda item wording was a bit confusing, Draper suggested the Plan Commission should make a motion for the GDP portion of the project and then have the public hearing for the PIP.

Hoiland/Gibbs motion to approve the GDP, with the right turn and left turn lanes leaving the site, allow flexibilities from the Planned Business base zoning district, and amendment to the prior Planned Development approvals at this location, include approval of the requested land uses to include Indoor Commercial Entertainment and In-Vehicle Sales and Service, and flexibility regarding paved surface setbacks and including all staff recommendations and fact finding in the affirmative.

Roll Call: Klein, Fesenmaier, Gibbs, Hoiland and Marquardt "yes." Motion carried unanimously 5-0.

Hague stated much of the PIP details were covered in the GDP discussion and asked for any items which may need to be explained further.

City Planner Kruesel provided an overview: GDP establishes the allowable land uses, the flexibilities being used by the Planned Development zoning process: adding the land use for in-vehicle sales & services (drive-thru lane), traffic impact, flexibility in pavement set-backs.

PIP establishes the more specific look and feel for the site planning & site design components: site layout, parking stall dimensions, parking-drive isles, number of stalls, architecture, landscaping, and lighting. The Plan Commission does not approve the signage at this level.

Klein/Hoiland motion to close the Public Hearing. Motion carried unanimously. 5-0.

Gibbs asked if the building will be remodeled or if there will be an addition. Hague stated the eastern portion of the building will be saved and the western side of the building will be demolished for the new construction, but the basement will stay in place. The new section will house the Buona restaurant and the older section will be for the ice cream shop.

Hoiland/ Fesenmaier motion to approve the PIP and including all staff recommendations and fact finding in the affirmative.

Roll Call: Klein, Fesenmaier, Gibbs, Hoiland and Marquardt “yes.” Motion carried unanimously 5-0.

Discussion/Action regarding setting public hearing for citywide design standards (Gateway Ordinance).

Walling stated the Public Notice for the Citywide Design Standards will go to the newspaper to be published for the January 16, 2023 meeting.

Klein/Hoiland motion to set a Public Hearing for the Citywide Design Standards (Gateway Ordinance) for January 16, 2023.

Roll Call: Klein, Fesenmaier, Gibbs, Hoiland and Marquardt “yes.” Motion carried unanimously 5-0.

Discussion/Recommendation regarding monthly staff reports including but not limited to: building permits, code enforcement, short-term rentals, ADA compliance, Comprehensive Plan implementation (request per Ald. Fesenmaier).

Fesenmaier explained the internal staff reports she has requested. This staff report process has begun in other committees to gather data which may help in decision-making going forward. Klein asked if staff is being asked to do additional tasks and if this type of request needs to go to FLR. Draper said maybe the Personnel Committee. Draper asked Fesenmaier what type of reports are needed for the Building Permits. Fesenmaier said the reports would be something the staff is already doing. Fesenmaier asked if the Plan Commission can pick one item to discuss and the other items can be carried to future meetings. Fesenmaier wants to pick Short Term Rentals since she feels residents are concerned with this item. Hoiland asked what she would be looking for in Short Term Rentals. Fesenmaier said the report has already been created regarding the applicants, locations, number of Short Term Rentals. Fesenmaier said it would be presented as a regular monthly report to the Plan Commission. Klein wants to be sure this request goes through the correct procedure. Fesenmaier is interested in the list which was published in the newspaper. Walling suggested a quarterly report since there isn't much change month to month. Gibbs asked what the Plan Commission should do with the quarterly information once submitted. Fesenmaier referenced the Short Term Rental document which she provided at this meeting, stating the information on the document could be discussed and a decision could be made if the document is needed for a STR application or license for tracking purposes, getting information to the public or changing Ordinances. Further discussion followed. Gibbs asked Draper if the Plan Commission can enforce code requirements. Draper said having the reports doesn't give the Plan Commission the authority to go forward with any action. Fesenmaier wants the Plan Commission to analyze data.

Fesenmaier/Hoiland motion to ask the building & zoning staff to submit quarterly Short Term Rental reports similar to the list provided to the Lake Geneva Regional News.

Roll Call: Klein, Fesenmaier, Hoiland and Marquardt “yes” and Gibbs “no.” Motion carried 4-1.

Fesenmaier/Hoiland motion to continue the other items to the January Plan Commission meeting.

Roll Call: Klein, Fesenmaier, Gibbs, Hoiland and Marquardt “yes.” Motion carried unanimously 5-0.

Adjournment. Klein/Hoiland motion to adjourn at 8:23 p.m. Motion carried unanimously.

/s/ Brenda Follensbee, Building & Zoning Administrative Assistant

THESE ARE NOT OFFICIAL MINUTES UNTIL APPROVED BY THE PLAN COMMISSION

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: January 16, 2023

Agenda Item: 6

Applicant:

John Engerman
W3411 Linton Rd.
Lake Geneva

Request:

999 S. Lake Shore Dr.
Step 2 Concept Plan of a Planned
Development
Tax Key No. ZA206600002

Description:

The applicant is submitting an application for a Conceptual Review as a step 2 in the Planned Development process for a proposed 3 single family planned development in the Single Family - 4 (SF-4) zoning district, Tax Key No. ZA206600002



Dear Planning Commission members,

We are happy to share our vision with you in creating "THREE LEAF LIVING" on South Lake Shore!

Our goal is to create an innovative collection of 3 analogous homes in a comfortable setting sharing common open spaces. A "Planned Development" will achieve good urban design characteristics which will be an asset to the city, its residents and the 3-unit owners.

We've positioned our homesites and proposed amenities to meet and exceed all current setbacks. Our layouts account for minimal disruptions to existing trees and other natural buffers. A shared outdoor recreation space is planned which will promote healthy living and community.

A condo form of ownership will assure the maintenance of all open spaces.

Thank you for considering what we feel to be an exciting addition to the City of Lake Geneva.

John T. Engerman

And Team Three Leaf

Development Review Committee (DRC) Application

Complete as much detailed information as possible to allow for a comprehensive departmental review prior to a Development Review Committee meeting. This application must be returned to the Building Inspector, with all conceptual plans, designs and other information prior to the scheduling a DRC meeting.

Applicant Information

Property Address Lot 2 CSM 2066
Applicant name Woodley Assets
Applicant email jengerman@engermancontracting.com Phone Number 262-248-9210

Architect/Contractor/Designer Name John Engerman
Architect/Contractor/Designer Email jengerman@engermancontracting.com Phone Number 262-248-9210

Type of Construction: New X Addition _____ Remodel _____
Type of Development: Single-family X Multi-family _____ Commercial _____ Industrial _____
Type of Business _____

Engineering

Site Plans should include the following: Project title and owner's/developer's name and address noted, architect's and/or engineer's name and address noted, property boundaries and dimensions, abutting property zoning classifications, general description of building materials, façade and roof detail, setback lines indicated, easements for access, if any, 100-year floodplain identification, existing and proposed topography shown at a contour interval of one foot, indicating proposed grade and location of improvements, signage and outdoor lighting, number of parking spaces provided, type, size and location of all structures with all building dimensions shown, location of existing and general location of proposed sanitary sewers, storm sewers, water-mains, and any proposed stormwater management facilities, location, extent and type of proposed landscaping and landscaping plantings and buffers to adjacent property, including fencing or other screening, location of pedestrian sidewalks and walkways, graphic outline of any development staging that is planned, driveway locations and sizes, handicap accessibility, environmental concerns (odor, smoke, noise, graphic scale and north arrow).

- Storm water management provisions provided? YES / NO **PENDING**
 - As-built/certification notification
- Erosion control plan provided? YES / NO **PENDING**
- Wetlands, floodplains, environmental corridors, groundwater Identified. YES / (NO)
- Utility Plans Provided
 - Watermain
 - Sanitary Sewer
 - ☒ Storm Water
- Is a Land Division required? YES / (NO)
- Access points and dimensions shown? (YES) / NO
 - WISDOT Right-of-way?
 - County Right-of-way?

- Estimated Traffic impacts _____
 - Traffic Study Required YES/NO
 - Traffic Control Plan Required YES/NO
 - Will construction affect street parking or intersections? YES/NO
- Paving Materials, Typical Sections? YES/NO
- WDNR Notice of Intent required? (Land disturbance more than 1 acre)? YES/NO
- Watermain extension required? YES/NO
- Sanitary sewer extension required? YES/NO
- SEWRPC Service Area Amendment needed? YES/NO
- Is a Chapter 30 Permit (wetland/waterway) required? YES/NO
- Proposed building/expansion dimensions See site plan for condo building boxes
- Will there be signage? YES/NO type (mounted, freestanding) 2 entry columns
- Exterior lighting plans? YES/NO
- What kind of noise or level of noise will the business have? none
- Detailed property Site Plan? YES/NO Date of Plan: 12/5/2023
- Green Space Calculations (Existing vs. Proposed) YES/NO
- Are landscape plans provided? YES/NO
- Is a Land Division required? YES/NO

Water/Sewer Utilities

If an existing structure please circle the following:

- Will existing sewer & water connections be used? YES/NO
- Will your project require the installation of a grease interceptor? YES/NO

If the development is Commercial or Industrial, please provide the following:

- Water service size requirement _____
- Estimated daily water usage in gallons per day _____
- Estimated maximum water flow in gallons per minute _____
- Number of bathrooms _____
- Brief description of process (if Industrial) _____

If the development is a multi-family dwelling, please provide the following:

- Number of units _____
- Number of bedrooms in each unit _____
- Water service size requirement _____



CLIENT

LOT 2 CSM #2066
PRELIMINARY
CONDOMINIUM LAYOUT

PROPOSED

CARDINAL
PLAN-SURVEY-ENGINEER
DESIGNING IN TRUE DIRECTIONS
1200 LA SALLE STREET
LAKE GENEVA, WI 53147
262-757-8776
CARDINALENGINEERINGWI.COM

NO.	REVISION DESCRIPTION	REV DATE

SCALE 1" = 30'

PROJECT NUMBER 22460

DATE 01/05/2023

PROJECT MGR

DRAWN BY JOB

DESIGNED BY JOB

SHEET NUMBER

1 OF 1
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STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: January 16, 2023

Agenda Item #7

Applicant:

Fairwyn SB, Inc.
875 Townline Rd, Unit 103
Lake Geneva, WI 53147

Request:

Planned Development – PIP
Symphony Bay Phase 7
Located south of Townline Road and north of
Bloomfield Road

Description:

The applicant is requesting approval of a Precise Implementation Plan (PIP) for development of Phase 7 of the Symphony Bay subdivision, located south of Townline Road and north of Bloomfield Road in the City of Lake Geneva. Final Plat approval was granted at the December 19, 2022, Plan Commission meeting. Phase 7 is the final phase of the overall development and totals 25.79 acres in area. Phase 7 includes 85 platted lots for 85 total dwelling units. Of these, 55 lots are for single family dwelling units. Another 30 lots are for duplex units (15 total structures which are divided by zero-lot line land divisions). The plat also includes extension of Cadence Circle and Britten Drive.

The subject property is currently zoned Planned Development with previous General Development Plan (GDP) approvals. The Precise Implementation Plan (PIP) sets the detailed site approvals including site layout and design, grading, utilities, parking, landscaping, lighting, and architecture.

Relationship to Base Zoning Standards:

Any PIP must be consistent with previously approved GDPs. The applicants have submitted a project narrative documenting consistency with the approved GDP. For example, the overall approved total unit count of 369 single family units and 58 duplex units (which the applicant is calling “Villa Units”) will be maintained for all phases (1-7).

Staff Review Comments:

General Site Layout and Design – The three public streets are shown to be platted with a 60’ right of way width. Allowable lot widths are as shown on the submitted Final Plat. There are no concerns with the overall layout from a planning or zoning perspective. Engineering firm Neilson Madsen Barber has completed a detailed engineering review for the City of Lake Geneva for the Final Plat and PIP.

Public Open Space / Path - The overall GDP shows green space and a bicycle/pedestrian path on the far east side of the proposed Phase 7 PIP development area. The proposed path connects to other planned trail construction in prior phases of Symphony Bay to the north. This path will provide views of the open space to the east and will be connected to the City’s bicycle and pedestrian network. Bicycle and pedestrian connectivity throughout Symphony Bay is a recommendation in the City’s Bicycle and Pedestrian Plan (2018). Staff feels that these connections throughout the development are a high priority, and that completion of the north-south path should be completed with all other public improvements as part of the Phase 7 development. Note that the PIP plans submitted show the path ending in the detention pond. The path should instead continue to connect with Cadence Circle.

Setbacks – The PIP proposes to establish the following building setbacks for the Phase 7 development.

	Single Family Lots	Duplex Lots
Front Yard Setback	25’	25’
Side Yard Setback	5’	7.5’
Rear Yard Setback	15’	15’

The submitted Final Plat includes an Asterix on the duplex lot setback description, which states that the front yard setback for duplex lots “may vary depending on building size” and that the side yard setback for duplex lots “may vary depending on easement location”. The applicant clarified that this note is intended to mean that buildings may be setback further than the 25’ front yard setback for example, but does not authorize variances that conflict with the minimum building setback.

Architecture – the application states that no elevations other than those previously approved are proposed. Any future new house elevations will be submitted for approval as outlined in the Symphony Bay Development Agreement.

Landscaping – the application states no deviation from previously approved landscape plans is requested.

Action by the Plan Commission:

As part of the consideration of a requested Planned Development / Precise Implementation Plan (PIP) step, the Plan Commission is required to:

- Provide the Common Council with a *recommendation* regarding the proposed PIP
- Include *findings* required by the Zoning Ordinance for PIPs; and,
- Provide specific suggested *requirements* to modify the project as submitted.

Required Plan Commission Findings on the PIP for Recommendation to Common Council:

A proposed PIP must undergo the review standards for all Conditional Use Permits, below:

- A. If, after the public hearing, the Commission wishes to recommend *approval*, then the appropriate fact finding would be in agreement with Factors 1-6 of the following.
1. The proposed PIP (the use in general, independent of its location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 2. The proposed PIP (in its specific location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 3. The proposed PIP, in its proposed location and as depicted on the required site plan (see (3)(d), above), does not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or

ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.

4. The proposed PIP maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
5. The proposed PIP is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
6. The potential public benefits of the proposed PIP outweigh all potential adverse impacts of the proposed PIP (as identified in Items 1. through 5., above), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

B. If, after the public hearing, the Commission wishes to recommend *denial*, then the appropriate fact finding would be in disagreement with at least one of Factors 1-6 listed above.

Staff Recommendation:

Staff recommends that the Plan Commission recommend *approval* of the PIP as submitted.

Suggested Motions:

- *Approve:* I recommend approval of the *Precise Implementation Plan for Fairwyn SB, Inc. 875 Townline Rd. Suite 103, Lake Geneva to allow for the construction Phase 7 of the Symphony Bay development for the property located in the Planned Development (PD) zoning district, Tax Key No. ZSB00335* including the affirmative set of findings, and any additional conditions of approval recommended by staff.
- *Deny:* I recommend denial of the *Precise Implementation Plan for Fairwyn SB, Inc. 875 Townline Rd. Suite 103, Lake Geneva to allow for the construction Phase 7 of the Symphony Bay development for the property located in the Planned Development (PD) zoning district, Tax Key No. ZSB00335* based on the following finding of fact, because *[provide rationale for denial, based on disagreement with at least one of Items 1 through 6 above]*

*Sonja Kruesel, AICP
City Planning Consultant
Vandewalle & Associates*



Nielsen Madsen + Barber
CIVIL ENGINEERS AND LAND SURVEYORS

November 14, 2022

Mr. Fred Walling
Building and Zoning Administrator
City of Lake Geneva
626 Geneva Street
Lake Geneva, WI 53147

RE: Symphony Bay Phase 7
Construction Plans and Storm Water Management Plan Review
City of Lake Geneva

Dear Mr. Walling:

We have reviewed the Symphony Bay Phase 7 Construction Plans dated November 11, 2022; the Symphony Bay Phase 7 Storm Water Management Report dated November 1, 2022; and the Symphony Bay Encore Final Plat dated November 1, 2022; prepared by Kapur & Associates, Inc.

Our previous review comments have been addressed, and we recommend approval of the plans, SWMP, and plat.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads 'Mark R. Madsen'.

Mark R. Madsen, P.E., P.L.S.

Cc: Naomi Rauch, Kapur & Associates

File: Z:\2016\2016.0011.03\Design Documents\Correspondence\Municipality\Approval\2016.0011.03 Symphony Bay Approval.docx

Memo to City of Lake Geneva

To: Fred Walling, Zoning Administrator **Date:** December 29, 2022

From: Naomi Rauch, P.E.
262-758-6032

CC: Brian Pollard – Fairwyn
Rick Zirk - Fairwyn
Dave Nord – City Administrator
Brenda Follensbee – Building and Zoning Administrative Assistant
Tom Earle – Director of Public Works
Josh Gajewski – Utility Director

Subject: REVISED STORMWATER CALCULATION APPROVAL – Symphony Bay Phase 7
Kapur Project No. 22.0160 Phase 16

BACKGROUND AND REQUEST:

Fairwyn Homes has requested review and approval of revised stormwater management calculations for Symphony Bay Phase 7 subdivision.

The following plan and calculations were submitted for review:

- **Symphony Bay Phase 7 Storm Water Management Report**, prepared by Kapur and Associates, dated November 1st 2022, last revised December 22nd 2022.

Comments:

We concur that the revised stormwater management calculations demonstrate the following:

1. Stormwater runoff from the rear of lots 148-151, 732/331 (adjacent to the Geneva Lakes Christian Church parcel) and runoff from the lots 717-730 is included as part of Area 3 that flows undetained to Bloomfield Road (4.26 acres). The calculations, that include this undetained flow, demonstrate that the Symphony Bay Phase 7 development meets the release rate and water quality provisions of the municipal ordinance.
2. The proposed grading of Area 3 maintains the predevelopment and existing drainage patterns of the site.

The plans have been reviewed for conformance with generally accepted engineering practices and City of Lake Geneva policies. Although the material has been reviewed, the applicant is ultimately responsible for the thoroughness and accuracy of the plans and supplemental data and for compliance with state, county, and other local ordinances and procedures.

Please contact me if you have any questions or comments pertaining to this project.

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: January 16, 2023

Agenda Item #8

Applicant:

Aaron Stranton
4015 80th St.
Kenosha, WI

Request:

800-820 Geneva Pkwy
Conditional Use Permit
Group Development

Description:

The applicant is submitting a proposal for a Conditional Use Permit (CUP) for a Group Development within the Planned Business Park (PBP) zoning district. Group Development approval is required when more than one principal land use is proposed per parcel. In this case, the applicants propose two new office buildings to be added to a singular parcel with two existing office buildings, for a total of four total office buildings.

The proposal is a build-out the anticipated office uses on site. The parcel is in a condominium form of ownership, which establishes common areas as shared amongst the building sites. There are adequate shared driveways serving all buildings. Parking proposed meets minimum requirements. Minimum pavement setbacks are met. The applicants are also providing appropriate turn around areas for the City's fire apparatus. Architecturally, the new buildings match the brick on the two existing buildings and also introduce LP Smart Side for material accents. The site plans are subject to any final comments from engineering or utility review.

Action by the Plan Commission:

Recommendation to the Common Council on the proposed Conditional Use Permit (CUP).

As part of the consideration of the requested CUP, the Plan Commission is required to:

- Provide the Common Council with a *recommendation* regarding the proposed CUP;
- Include *findings* required by the Zoning Ordinance for CUPs; and,
- Provide specific suggested *requirements/conditions* to modify the project as submitted.

Required Plan Commission Findings on the CUP for Recommendation to the Common Council:

A proposed CUP must be reviewed by the standards, below:

- A. If, after the public hearing, the Commission wishes to recommend *approval*, then the appropriate fact finding would be all of the following:
1. In general, the proposed conditional use is in harmony with the purposes, goals, objectives, policies and standards of the City's Comprehensive Plan, Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 2. Specific to this site, the proposed conditional use is in harmony with the purposes, goals, objectives, policies and standards of the City's Comprehensive Plan, Zoning Ordinance, and any

other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.

3. The proposed conditional use in its proposed location, and as depicted on the required site plan does not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the Comprehensive Plan or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.
4. The proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
5. The proposed conditional use is located in an area that will be adequately served by and will not impose an undue burden on any improvements, facilities, utilities or services provided by public agencies serving the subject property.
6. The potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

B. If, after the public hearing, the Commission wishes to recommend *denial*, then the appropriate fact finding would be in disagreement with at least one of Factors 1-6 listed above.

Staff Recommendation:

1. Staff recommends that the Plan Commission recommend approval of the proposed conditional use as submitted, with the findings under A.1-6., above.
2. Staff recommends the Plan Commission adopt the *affirmative set of findings* provided above.
3. Staff recommends the following *additional conditions of approval* be attached:
 - a. None

Suggested Motions:

- *Approve:* I recommend approval of the proposed *Conditional Use Permit for Aaron Stranton, 4015 80th St., Kenosha, WI, to allow for construction of two new Commercial Office Buildings in the Planned Business Park (PBP) zoning district located at 800-820 Geneva Pkwy., Tax Key Nos, ZUN00007A and ZUN00007B*, including the affirmative set of findings, and any additional conditions of approval recommended by staff.
- *Deny:* I recommend denial of the proposed *Conditional Use Permit for Aaron Stranton, 4015 80th St., Kenosha, WI, to allow for construction of two new Commercial Office Buildings in the Planned Business Park (PBP) zoning district located at 800-820 Geneva Pkwy., Tax Key Nos, ZUN00007A and ZUN00007B*, because *[provide rationale for denial, based on substantial evidence]*

Sonja Kruesel, AICP
City Planning Consultant
Vandewalle & Associates

APPLICATION FOR CONDITIONAL USE
City of Lake Geneva

Site Address/Parcel No. and full Legal Description required (attach separate sheet if necessary):
800-820 Geneva Parkway Lake Geneva WI

Name and Address of Current Owner: Randal J Wright
Po Box 794 Mukwonago WI 53149

Telephone No. with area code & Email of Current Owner: 262-378-9144
Randyw3860@yahoo.com

Owner Signature: _____

Name and Address of Applicant:
CMA Aaron Stanton
4015 80th Street Kenosha WI

Telephone No. with area code & Email of Applicant: 262-705-203
astanton@cmaofwi.com

Proposed Conditional Use: Office Building

Zoning District in which land is located: Plan Business Park

Names and Addresses of architect, professional engineer and contractor of project:
Partners in Design 600-52nd Street Kenosha WI 53140 Mark Molinaro Jr, Dan Grecco P.E. 1042 Maple Ave
Suite 130 Lisle IL 60532, CMA 4015 80th Street Kenosha WI 53142 Aaron Stanton

Short statement describing activities to take place on site:
Construct two buildings to complete office complex

Conditional Use Fee payable upon filing application: \$400.00 [\$100.00 for Application Under Sec. 98-407(3)]

Date

12/09/2022

Signature of Applicant

[Signature]

Cost Recovery # _____

Petitioner Name _____

Project Address _____

OFFICE USE ONLY

Description of Request _____

Agreement for Services

REIMBURSABLE BY THE PETITIONER / APPLICANT. The city may retain the services of the professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposals coming before the Plan commission and/or Common Council. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal including any financing charges that may accrue. The City applies the charges for these services to the Petitioner. The City Administrator at any time may require an applicant to submit an advance deposit of \$900 to \$5,000 depending on the complexity and anticipated involvement of the City's consultants or continuing advance deposits against future billings by the City for recovery of costs provide by this ordinance 98-935(4). An advanced deposit shall be required for the application related to Extraterritorial matters. Surplus deposits shall be returned to the Applicant at the conclusion of the project.

CMA - Aaron Stanton _____, as applicant/petitioner for

Project: Lake Geneva Office Park _____

Project Address: 800-820 Geneva Parkway Lake Geneva WI _____

Parcel No. ZUN 00001, 00002, 00003, 00004, ZUN 00005, 00006, 00007, ZUN 00007A, ZUN 00007B _____

Name: CMA Aaron Stanton _____

Address: 4015 80th Street Kenosha WI 53142 _____

Cell Phone: (262) - 705 - 2303 _____

Phone: (262) - 842 - 0551 _____

Email: astanton@cmaofwi.com _____

Dated this 30 Day of November, 20 22

Aaron Stanton _____

Printed Name of Applicant / Petitioner


Signature of Applicant/Petitioner

Applicant/Petitioner agrees that in addition to those normal costs payable by an applicant/petitioner (e.g., filing or permit fees, publication expenses, recording fees, etc.), that in the event the action applied or petitioned for requires the City of Lake Geneva, in the judgment of its staff, to obtain additional professional service(s), (e.g., engineering, surveying, planning, legal) than would be routinely available "in house" to enable the City to properly address, take appropriate action on, or determine the same, applicant/petitioner shall reimburse the City for the costs thereof

Section 98-935 Fees:

(1) Fees for Procedures or Permits Requested by a Private Party: The fees for the procedures and permits established by this Chapter shall be established by resolution of the Common Council of the City of Lake Geneva

(2) Fees for Procedures Requested by the City of Lake Geneva: There shall be no fee in the case of applications filed in the public interest by the Common Council or the Plan Commission, other agency, or official of the City of Lake Geneva.

(3) Payment of Fees: Fees shall be payable at the time applications are filed with the appropriate officer of the City (per the requirements of this Chapter), and are not refundable.

(4) Professional Consultant Review Services: The City may retain the services of professional consultants (including planners, engineers, architects, attorneys, environmental specialists, recreation specialists, and other experts) to assist in the City's review of a proposal coming before the Plan Commission. The City may apply the charges for these services to the Petitioner. The City will require the Petitioner to sign a professional consultant review services form. The City Administrator at any time may require an applicant to submit an advance deposit of \$500 to \$5,000 depending on the complexity and anticipated involvement of the City's consultants or continuing advance deposits against future billings by the City for recovery of costs provide by this ordinance 98-935(4). An advanced deposit shall be required for the application related to Extraterritorial matters. The City may delay acceptance of the application or petition as complete, or may delay final approval of the proposal, until such fees are paid by the Petitioner. The submittal of a development proposal application or petition by a Petitioner shall be construed as an agreement to pay for such professional review services applicable to the proposal. Review fees which are applied to a Petitioner, but which are not paid, may be assigned by the City as a special assessment to the subject property.

APPLICATION SUBMITTAL REQUIREMENTS

PD STEP 3: GENERAL DEVELOPMENT PLAN (GDP)

Prior to submitting the 8 complete applications as certified by the Zoning Administrator, the Applicant shall submit 1 initial draft application packet and 1 digital copy for staff review, followed by one revised draft final application packet based upon staff review and comments.

Initial Packet (1 Copy and 1 Digital Copy to Zoning Administrator)

Date _____ by: _____

↓

Draft Final Packet (8 Copies and 1 Digital Copy to Zoning Administrator)

Date: 12/02/2022 by: _____

↓

_____ A. Provide Zoning Administrator with a draft GDP Submittal Packet for determination of completeness prior to placing the proposed PD on the Plan Commission agenda for GDP review. The submittal packet shall contain all of the following items:

_____ (1) A location map of the subject property and its vicinity at 11" x 17", as depicted on a copy of the City of Lake Geneva Land Use Plan Map;

_____ (2) A map of the subject property for which the PD is proposed:

_____ Clearly indicating the current zoning of the subject property and its environs, and the jurisdiction(s) which maintains that control;

_____ Map and all its parts clearly reproducible with a photocopier;

_____ Map size of 11" x 17" and map scale not less than one inch equals 800 feet;

_____ All lot dimensions of the subject property provided;

_____ Graphic scale and north arrow provided.

_____ (3) A general written description of proposed PD including:

_____ General project themes and images;

_____ The general mix of dwelling unit types and/or land uses;

_____ Approximate residential densities and non-residential intensities as described by dwelling units per acre, floor area ratio and impervious surface area ratio;

_____ The general treatment of natural features;

_____ The general relationship to nearby properties and public streets;

_____ The general relationship of the project to the Master Plan,

_____ A statement of Rationale as to why PD zoning is proposed. This shall identify barriers that the Applicant perceives in the form of requirements of standard zoning districts and opportunities for community betterment the Applicant suggests are available through the proposed PD zoning.

_____ A complete list of zoning standards which will not be met by the proposed PD and the location(s) in which they apply and a complete list of zoning standards which will be more than met by the proposed PD and the location(s) in which they apply shall be identified. Essentially, the purpose of this listing shall be to provide the Plan Commission with information necessary to determine the relative merits of the project in regard to private benefit versus public benefit,

and in regard to the mitigation of potential adverse impacts created by design flexibility.

_____ A written description of potentially requested exemption from the requirements of the underlying zoning district, in the following order:

1. Land Use Exemptions;
2. Density and Intensity Exemptions;
3. Bulk Exemptions;
4. Landscaping Exceptions;
5. Parking and Loading Requirements Exceptions.

_____ (4) **A General Development Plan Drawing** at a minimum scale of 1"=100' (11" x 17" reduction shall also be provided by Applicant) of the proposed project showing at least the following information in sufficient detail to make an evaluation against criteria for approval:

_____ A conceptual plan drawing (at 11" x 17") of the general land use layout and the general location of major public streets and/or private drives. The Applicant may submit copies of a larger version of the plan in addition to the 11" x 17" reduction;

_____ Location of recreational and open space areas and facilities and specifically describing those that are to be reserved or dedicated for public acquisition and use;

_____ Statistical data on minimum lot sizes in the development, the approximate areas of large development lots and pads, density/intensity of various parts of the development, floor area ratio, impervious surface area ratio and landscape surface area ratio of various land uses, expected staging, and any other plans required by the Plan Commission or City Council; and

_____ Notations relating the written information provided in (3), above to specific areas on the GDP Drawing.

_____ (5) **General conceptual landscaping plan** for subject property, noting approximate locations of foundation, street, yard and paving, landscaping, and the compliance of development with all landscaping requirements of this Ordinance (except as noted in the listing of exceptions) and the use of extra landscaping and bufferyards;

_____ (6) **A general signage plan** for the project, including all:

_____ Project identification signs;

_____ Concepts for public fixtures and signs (street light fixtures and/or poles or street sign faces and/or poles) which are proposed to vary from City standards or common practices;

_____ (7) **Written justification** for the proposed Planned Development. *(See Section 98-905 for requirements of the conditional use procedure.)*

FINAL APPLICATION PACKET INFORMATION
PD STEP 3: GENERAL DEVELOPMENT PLAN (GDP)

The process for review and approval of the PD shall be identical to that for conditional use permits per Section 98-905 of the Zoning Ordinance and (if land is to be divided) to that for preliminary and final plats of subdivision per the Municipal Code. All portions of an approved PD/GDP not fully developed within five years of final City Council approval shall expire, and no additional PD-based development shall be permitted. The City Council may extend this five years period by up to five additional years via a majority vote following a public hearing.

- _____ **Receipt of 1 full scale copy in blueline or blackline
of complete Final Application Packet by Zoning Administrator:** **Date:** _____ **by:** _____
- _____ **Receipt of 8 reduced (8.5" by 11" text and 11" x 17" graphics)
copies of complete Final Application Packet by Zoning Administrator:** **Date:** _____ **by:** _____
- _____ **A digital copy of Final Application Packet shall be emailed to the
Building and Zoning Department upon submittal deadline.** **Date:** _____ **by:** _____
- _____ **Certification of complete Final Application Packet and
required copies to the Zoning Administrator by City Clerk:** **Date:** _____ **by:** _____
- _____ **Class 2 Legal Notice sent to official newspaper by City Clerk:** **Date:** _____ **by:** _____
- _____ **Class 2 Legal Notice published on _____ and _____** **by:** _____

Development Review Committee (DRC) Application

Complete as much detailed information as possible to allow for a comprehensive departmental review prior to a Development Review Committee meeting. This application must be returned to the Building Inspector, with all conceptual plans, designs and other information prior to the scheduling a DRC meeting.

Applicant Information

Property Address 801 Geneva Parkway Lake Geneva WI
Applicant name CMA - Aaron Stanton
Applicant email astanton@cmaofwi.com Phone Number 262-705-2903
Partners In Design Architects - Mark Molinaro Jr., CMA - Aaron Stanton
Architect/Contractor/Designer Name - Dan Grecco, P.E.
Architect/Contractor/Designer Email marlon@pidarchitects.com Phone Number 262-652-2800 262-842-0551
astanton@cmaofwi.com, dgrecco@netcscpe.net 630-745-0524
Type of Construction: New ☒ Addition ☐ Remodel ☐
Type of Development: Single-family ☐ Multi-family ☐ Commercial ☒ Industrial ☐
Type of Business Office Building

Engineering

Site Plans should include the following: Project title and owner's/developer's name and address noted, architect's and/or engineer's name and address noted, property boundaries and dimensions, abutting property zoning classifications, general description of building materials, facade and roof detail, setback lines indicated, easements for access, if any, 100-year floodplain identification, existing and proposed topography shown at a contour interval of one foot, indicating proposed grade and location of improvements, signage and outdoor lighting, number of parking spaces provided, type, size and location of all structures with all building dimensions shown, location of existing and general location of proposed sanitary sewers, storm sewers, water mains, and any proposed stormwater management facilities, location, extent and type of proposed landscaping and landscaping plantings and buffers to adjacent property, including fencing or other screening, location of pedestrian sidewalks and walkways, graphic outline of any development staging that is planned, driveway locations and sizes, handicap accessibility, environmental concerns (odor, smoke, noise, graphic scale and north arrow).

- Storm water management provisions provided? YES / NO
 - As-built/certification notification
- Erosion control plan provided? YES / NO
- Wetlands, floodplains, environmental corridors, groundwater identified. YES / NO
- Utility Plans Provided
 - ☒ Watermain
 - ☒ Sanitary Sewer
 - ☒ Storm Water
- Is a Land Division required? YES / NO
- Access points and dimensions shown? YES / NO EXISTING
 - WISDOT Right-of-way?
 - County Right-of-way?

- Estimated Traffic Impacts N/A
 - Traffic Study Required YES/NO No
 - Traffic Control Plan Required YES/NO
 - Will construction affect street parking or intersections? YES/NO
- Paving Materials, Typical Sections? YES/NO
- WDNR Notice of Intent required? (Land disturbance more than 1 acre)? YES/NO
- Watermain extension required? YES/NO
- Sanitary sewer extension required? YES/NO
- SEWRPC Service Area Amendment needed? YES/NO
- Is a Chapter 30 Permit (wetland/waterway) required? YES/NO
- Proposed building/expansion dimensions 1) 60 x 95.7 2) 58.3 x 87.3
- Will there be signage? YES/NO type (mounted, freestanding) Mounted
- Exterior lighting plans? YES/NO
- What kind of noise or level of noise will the business have? Light traffic
- Detailed property Site Plan? YES/NO Date of Plan: 12.01.2022
- Green Space Calculations (Existing vs. Proposed) YES/NO Matching previous development
- Are landscape plans provided? YES/NO
- Is a Land Division required? YES/NO

Water/Sewer Utilities

If an existing structure please circle the following:

- Will existing sewer & water connections be used? YES/NO
- Will your project require the installation of a grease interceptor? YES/NO

If the development is Commercial or Industrial, please provide the following:

- Water service size requirement 1 1/2 inch service line
- Estimated daily water usage in gallons per day 700
- Estimated maximum water flow in gallons per minute 1.732 inch service line will flow at 20 gallons per minute, with 80 psi pressure
- Number of bathrooms 8
- Brief description of process (if Industrial) N/A

If the development is a multi-family dwelling, please provide the following:

- Number of units N/A
- Number of bedrooms in each unit N/A
- Water service size requirement N/A

800-820 Lake Geneva Parkway Lake Geneva WI

Storm Water Management Provision:

Detailed impervious calcs before and after attached below. I would recommend reporting....

Pre-existing

Impervious = 56858 SF Turf/Landscaping = 53400 SF

Proposed

Impervious = 74967 Turf/Landscaping = 35291 SF

Out of a total property area estimated at 110,258 SF

Important to note that the newly proposed impervious was all previously accounted for in the original PUD design.

11-30-22

Re: 800-820 Geneva Parkway Office Complex

Items 3 and Item 7

Dear Lake Geneva Commission members,

The General Description and Justification for the proposed project is simply to complete the construction of a P.U.D. that was originally permitted approximately 15 years ago. We seek to build the 2 remaining buildings on lots 3 & 4 to complete the development.

- Building 3 can occupy 1 to 4 office tenants.
- Building 4 can occupy 1 to 3 office tenants.

The site project will also include the completion of a dumpster enclosure. Currently the dumpsters are out in the open. Additionally, we will be completing the asphalt parking lot.

Overall, the work we are seeking to accomplish is meeting the existing parameters that was previously designed and approved through the PD process. We have also completed the DRT meeting process that resulted in the need to include a couple items. We have included those items in the proposed plan and they were as follows:

1. Add the dumpster enclosure
2. Include a fire truck turn around to meet the code requirement

A few details to note:

- There is no Zoning change and zoning standards have been identified during the DRT meeting process and standards are met.
- No impact on street parking
- The buildings compliment the other building in the subdivision
- This will complete the Master Plan
- Utility infrastructures are already in place
- We exceed the parking load requirements

We're excluding parking to the south of Building 3 which in effect, increases the green space and beautification of the property facing the pond. We are including an increase in impervious area as compared to the original PD.

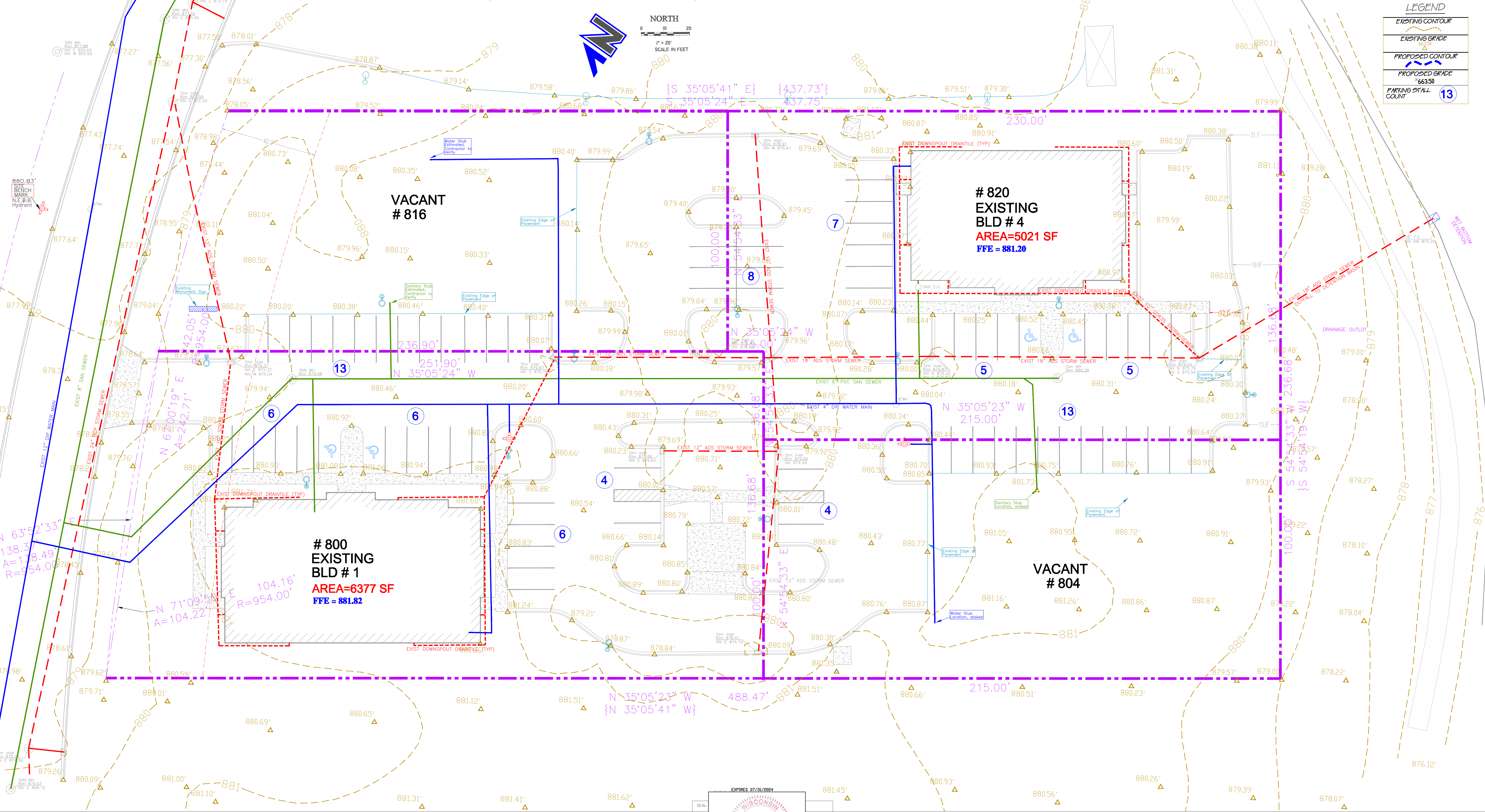
Impervious Area = 74,967 S.F.

Turf & Landscape Area = 35,291 S.F.

Total property area = 101,258 S.F.

LAKE GENEVA COMMERCIAL 800-820 GENEVA PKWY, LAKE GENEVA, WI

EXISTING GEOMTRIC, UTILITY, & GRADING PLAN



LEGAL DESCRIPTION

THE WESTERLY 36.68 FEET OF LOT 11 AND LOT 13, 13, 14, AND 15 OF LAKE GENEVA BUSINESS PARK, A SUBDIVISION BEING LOCATED IN PART OF THE SOUTHEAST ¼ OF THE NORTHWEST ¼, THE SOUTHWEST ¼ OF THE NORTHEAST ¼, THE NORTHWEST ¼ OF THE SOUTHEAST ¼, THE NORTHEAST ¼ OF THE SOUTHEAST ¼, AND THE SOUTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 31, TOWN 2 NORTH, RANGE 18 EAST, CITY OF LAKE GENEVA, WALWORTH COUNTY, WISCONSIN

EXPIRES 02/28/2024

Daniel J. Grecco

DANIEL J. GRECCO
Professional Engineer
No. 111111
Exp. 02/28/2024

SIGNATURE

I HEREBY CERTIFY THAT THE PROPOSED STORMWATER DRAINAGE IMPROVEMENTS WILL NOT ADVERSELY IMPACT THE SUBJECT PROPERTY, THE SURROUNDING PROPERTIES OR THE PUBLIC RIGHT-OF-WAY WITH RESPECT TO STORMWATER DRAINAGE AND THAT A SAFE OVERFLOW ROUTE FOR REAR/YARD STORM WATER HAS OR IS ALREADY BEEN ESTABLISHED.

I DENY THE PRESENCE, UTILIZING PUBLIC INFORMATION AVAILABLE, OF THE PRESENCE OF ANY LFPA, FLOODPLAIN PRESENT ON THIS SITE.

I ALSO HEREBY CONFIRM THE PRESENCE, UTILIZING PUBLIC INFORMATION AVAILABLE AND PROFESSIONAL INVESTIGATION, OF THE PRESENCE OF WETLAND AND ASSOCIATED BUFFERS LOCATED ON THIS SITE.

Scenario	Site Usage	Req. Parking Space Rate	Req. Parking Spaces	Provided Parking Spaces
Existing Building Space Square Footage	11,398 sqft	1 stall / 300 sqft	38 spaces	75 spaces (4 H.C.)
PUD Building Space Square Footage	~22,301 sqft	1 stall / 300 sqft	75 spaces	105 spaces (max planned)
Proposed Building Space Square Footage	22,301 sqft	1 stall / 300 sqft	75 spaces	93 spaces (4 H.C.)

SHEET:
C1

1. OCT 24, 2023 ISSUED FOR PERMIT REVIEW

2. DEC 01, 2023 UPDATED FOR PERMIT REVIEW

3.

4.

5.

6.

7.

LAKE GENEVA COMMERCIAL
800-820 GENEVA PKWY
LAKE GENEVA, WI

EXISTING
CONDITIONS PLAN

CIVIL ENGINEER:
Dan Grecco
1042 Maple Ave., Suite 130
Libelle, IL 60532
630-745-0524
dgrecco@aum.com

ARCHITECT:
Partners in Design
600 Fifty-Second St
Kenosha, Wisconsin 53140
(262) 652-2800
markm@pdaarchitects.com

C.M.A., Inc.
Aaron W. Stanton, Sr. Manager
4015 80th St. Ste f
Kenosha, WI 53142
(262) 842-0551
astanton@umaofwi.com

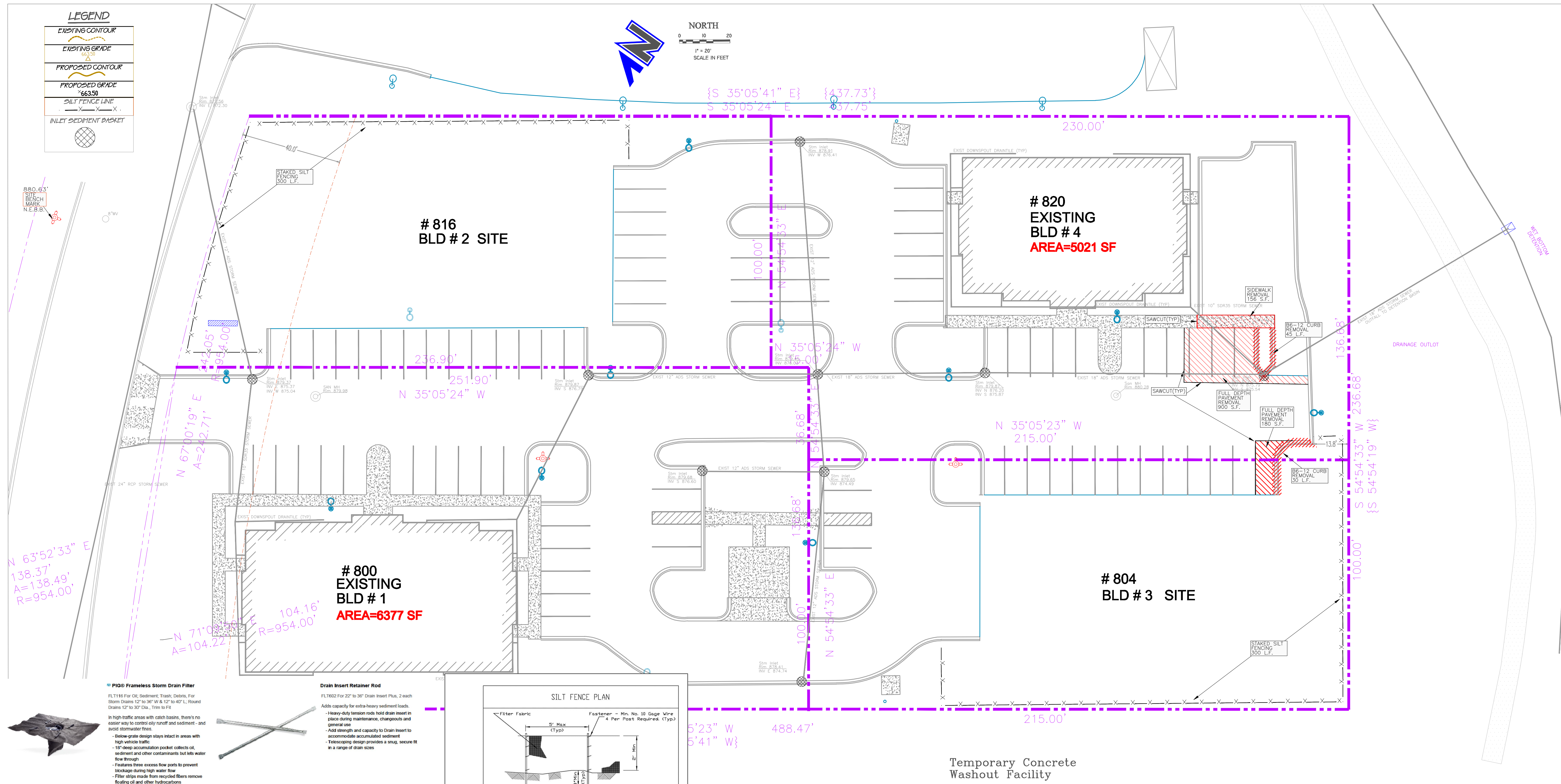
SCALE
AS SHOWN

SHEET
C1

Date
DECEMBER 01, 2022

LAKE GENEVA COMMERCIAL 800-820 GENEVA PKWY, LAKE GENEVA, WI

DEMOLITION AND SESC PLAN



P1020 Frameless Storm Drain Filter
FLT116 For Oil, Sediment, Trash, Debris. For Storm Drains 12" to 36" W & 12" to 40" L. Round Drains 12" to 30" Dia., 11m to 14m.

- In high traffic areas with catch basins, there's no easier way to control oil runoff and sediment - and avoid stormwater fines.
- Below-grade design stays intact in areas with high vehicle traffic.
- 18" deep accumulation pocket collects oil, sediment and other contaminants but lets water flow through.
- Features three excess flow ports to prevent blockage during high water flow.
- Filter strips made from recycled fibers remove fueling oil and other hydrocarbons.
- Trim excess fabric once grate is in place for neater appearance or leave untrimmed for easier maintenance.
- Ideal when you need to capture trash, sediment, oil and hydrocarbons.
- Add strength and capacity by filling heavy-duty Retainer Rods (sold separately) through attached loops.

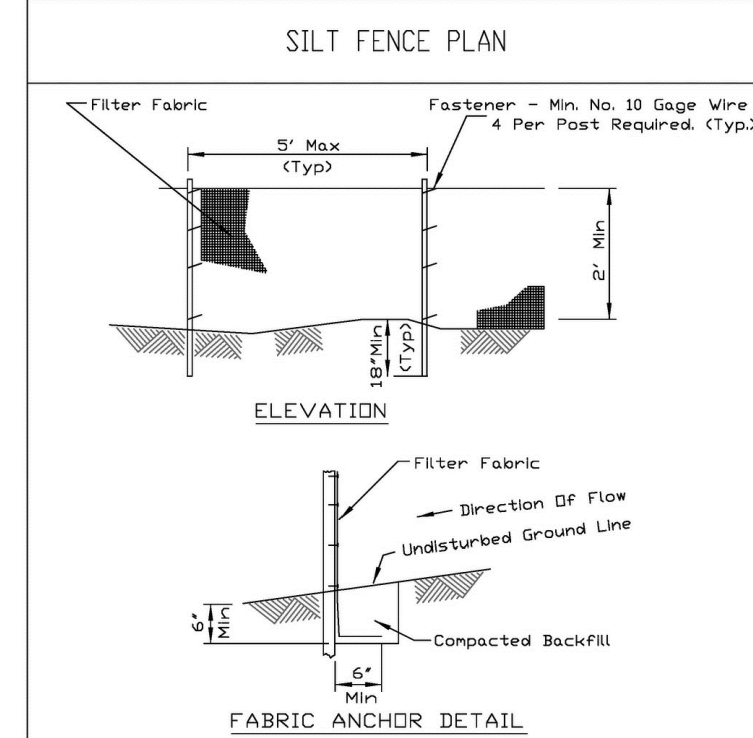


Drain Insert Retainer Rod
FLT1602 For 22" to 36" Drain Insert Plus, 2 each.

- Adds capacity for extra heavy sediment loads.
- Heavy-duty tension rods hold drain insert in place during maintenance, changeouts and general use.
- Add strength and capacity to Drain Insert to accommodate accumulated sediment.
- Telescoping design provides a snug, secure fit in a range of drain sizes.

Specifications	
Use With	22" to 36" Drain Insert Plus
Color	Silver
Build as	2 per box
Weight	3.000 lbs.
# per Pallet	100
Composition	Steel
UNSPSC	30102404
Metric Equivalent	
Weight	1.4 kg

Technical Information
One Park Avenue • Tipton, PA 16684-0004
1-800-833-4447 • Fax: 1-800-621-7447 • sales@newpig.com • www.newpig.com

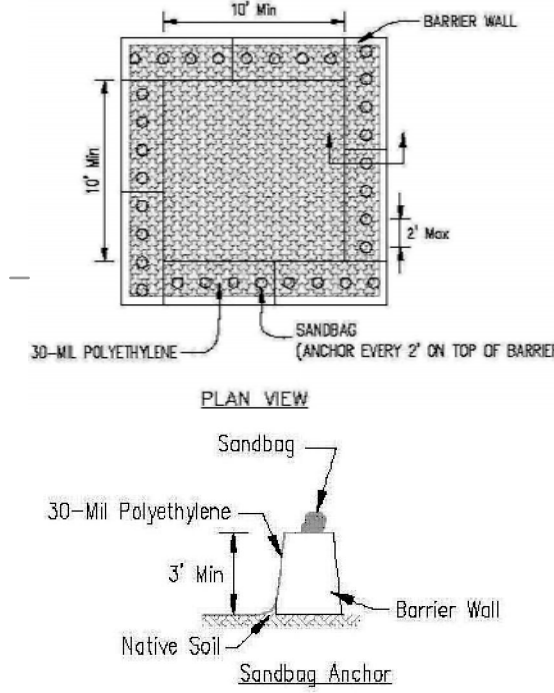


NOTES:
1. Temporary sediment fence shall be installed prior to any grading work in the area to be protected. They shall be maintained throughout the construction period and removed in conjunction with the final grading and site stabilization.
2. Filter fabric shall meet the requirements of material specification 552 Geotextile Table 1 or 2, Class 1 with equivalent opening size of at least 30 for nonwoven and 40 for woven.
3. Fence posts shall be either standard steel post or wood post with a minimum cross-sectional area of 3.0 sq. in.

REFERENCE	DATE
Project	Site
Design	Site
Detail	Site
Approved	Site

EXPIRES 07/31/2024
DANIEL J. GRECCO
Professional Engineer
No. 1000000000
State of Wisconsin
I HEREBY CERTIFY THAT THE PROPOSED STORMWATER DRAINAGE IMPROVEMENTS WILL NOT ADVERSELY IMPACT THE SUBJECT PROPERTY, THE SURROUNDING PROPERTIES OR THE PUBLIC RIGHT-OF-WAY WITH RESPECT TO STORMWATER DRAINAGE AND THAT I HAVE REVIEWED THE RECORDS FOR NEARBY YARD STORM WATER HAS OR IS ALREADY BEEN ESTABLISHED.

Temporary Concrete Washout Facility



Notes:
Silt fencing to be secured with sandbags where any hard surface exists along or near the property line. Construction and silt fencing to be installed prior to any other construction activity.
Exact Gas Main Location unknown, Contractor to verify.
Where natural vegetation is removed during grading, SE/SC shall be initiated and vegetation shall be promptly reestablished within 30 days in sufficient density to provide effective erosion control. Efforts will be made to minimize the amount of natural vegetation removed.
Existing entrances to be utilized as construction entrances only.

SHEET:
C2

LAKE GENEVA COMMERCIAL
800-820 GENEVA PKWY
LAKE GENEVA, WI

DEMOLITION AND
SESC PLAN

CIVIL ENGINEER:
Dan Grecco
1042 Maple Ave., Suite 130
Libelle, IL 60532
630-745-0524
dgrecco@aaim.com

ARCHITECT:
Partners in Design
600 Fifty-Fifth St
Kenosha, Wisconsin 53140
(262) 692-2800
mar-kim@pdaarchitects.com

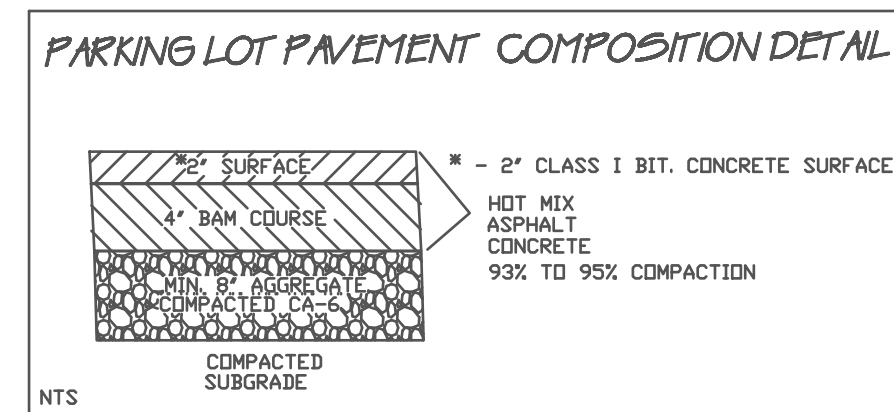
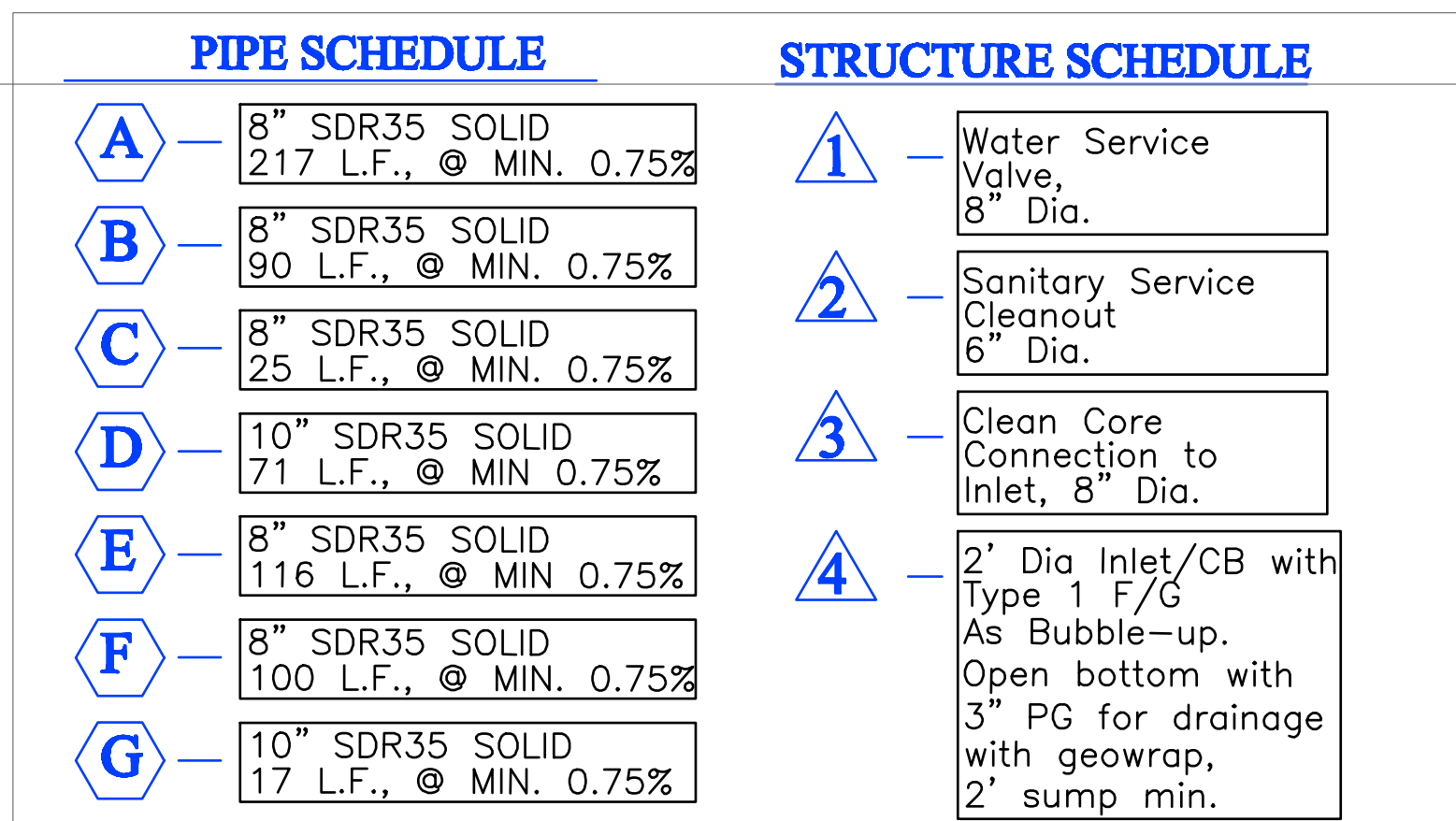
C.M.A., Inc.
Aaron W. Stanton, Sr. Manager
4015 80th St. Ste. f
Kenosha, WI 53142
(262) 842-0551
astanton@cmawwi.com

SCALE
AS SHOWN

SHEET
C2

Date
DECEMBER 01, 2022

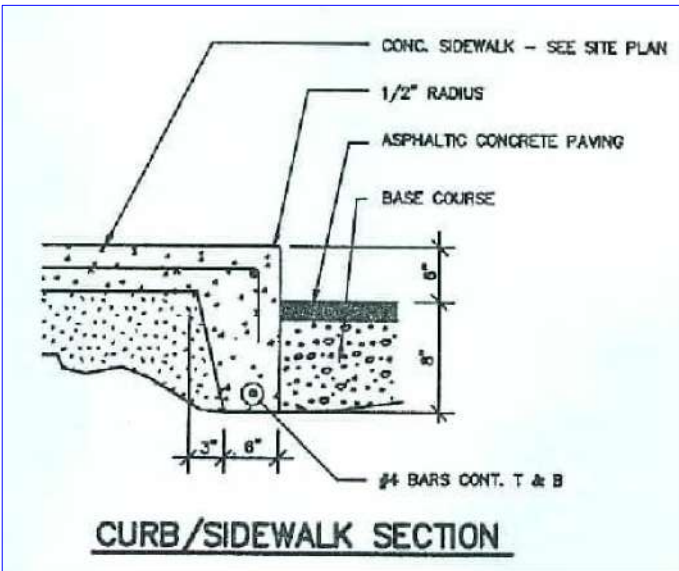
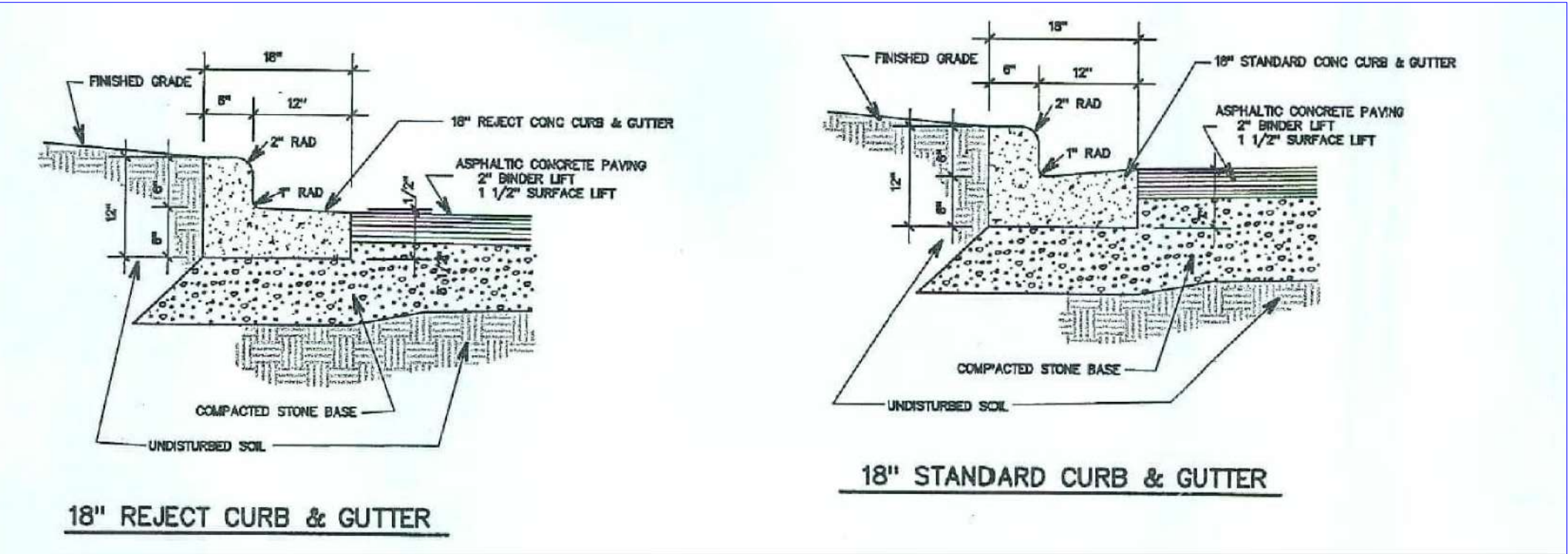
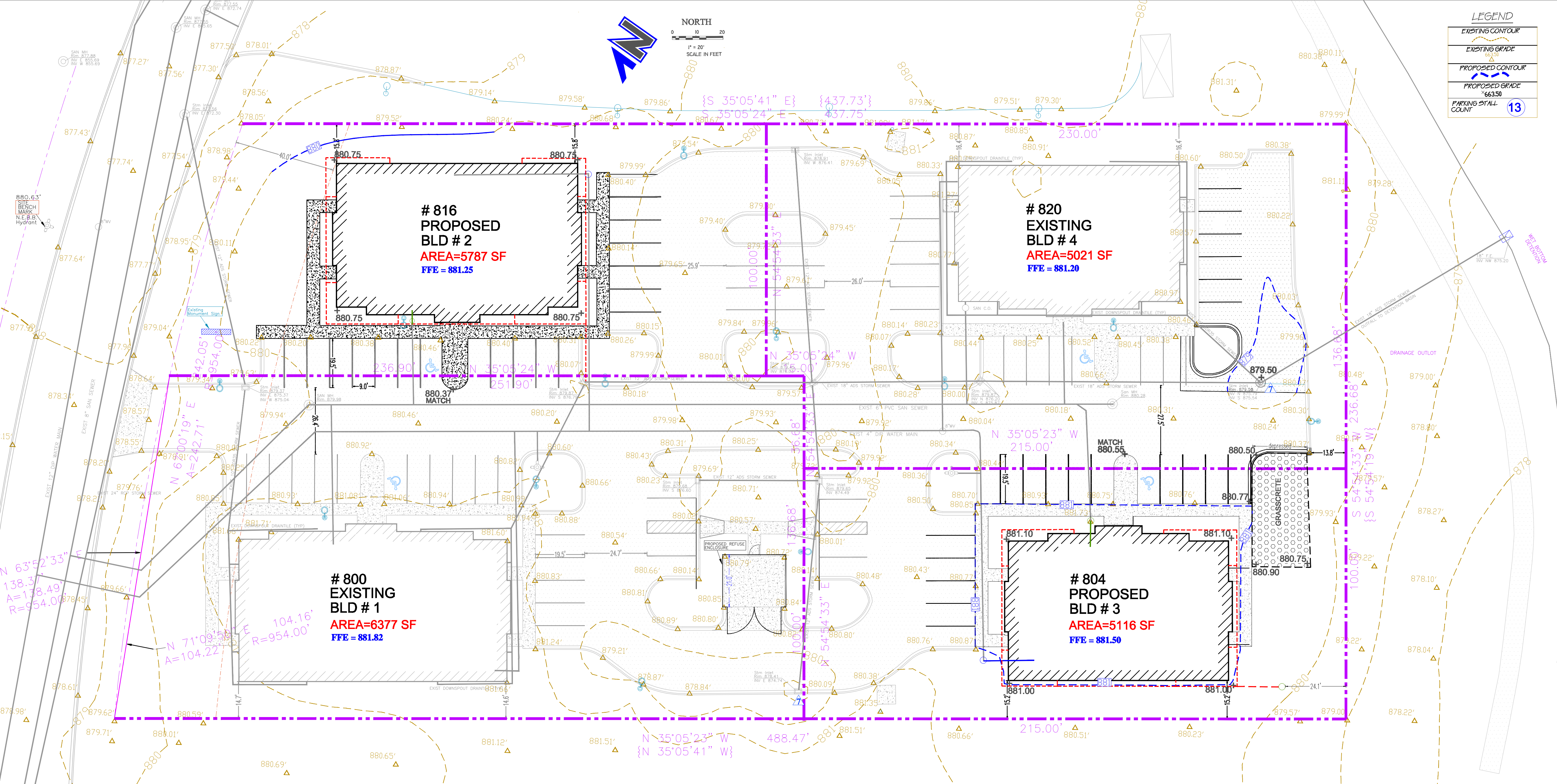
Scenario	Site Usage	Req. Parking Space Rate	Req. Parking Spaces	Provided Parking Spaces
Existing Building Space Square Footage	11,398 sqft	1 stall / 300 sqft	38 spaces	75 spaces (4 H.C.)
PLUD Building Space Square Footage	~22,301 sqft	1 stall / 300 sqft	75 spaces	105 spaces (max planned)
Proposed Building Space Square Footage	22,301 sqft	1 stall / 300 sqft	75 spaces	95 spaces (4 H.C.)



Page 31 of 87

LAKE GENEVA COMMERCIAL 800-820 GENEVA PKWY, LAKE GENEVA, WI

PROPOSED GRADING AND DRAINAGE PLAN



EXPIRES 07/31/2024

DANIEL GRECCO
Professional Engineer
No. 1042
State of Wisconsin

SIGNATURE

I HEREBY CERTIFY THAT THE PROPOSED STORMWATER DRAINAGE IMPROVEMENTS WILL NOT ADVERSELY IMPACT THE SUBJECT PROPERTY, THE SURROUNDING PROPERTIES OR THE PUBLIC RIGHT-OF-WAY WITH RESPECT TO STORMWATER DRAINAGE, AND THAT I HAVE DEVELOPED ROUTES FOR NEARBY FIRE WATER HAS OR IS ALREADY BEEN ESTABLISHED.

I BENT THE PRESENCE, UTILIZING PUBLIC INFORMATION AVAILABLE OF THE PRESENCE OF ANY LPDA, FLOODPLAIN PRESENT ON THIS SITE.

I ALSO HEREBY CONFIRM THE PRESENCE, UTILIZING PUBLIC INFORMATION AVAILABLE AND PROFESSIONAL INVESTIGATION OF THE PRESENCE OF WETLAND AND ASSOCIATED BUFFERS LOCATED ON THIS SITE.

SHEET: C4

LAKE GENEVA COMMERCIAL
800-820 GENEVA PKWY
LAKE GENEVA, WI

GRADING AND DRAINAGE PLAN

CIVIL ENGINEER:
Dan Grecco
1042 Maple Ave, Suite 130
Lake, IL 60032
630-745-0524
dgrecco@aum.com

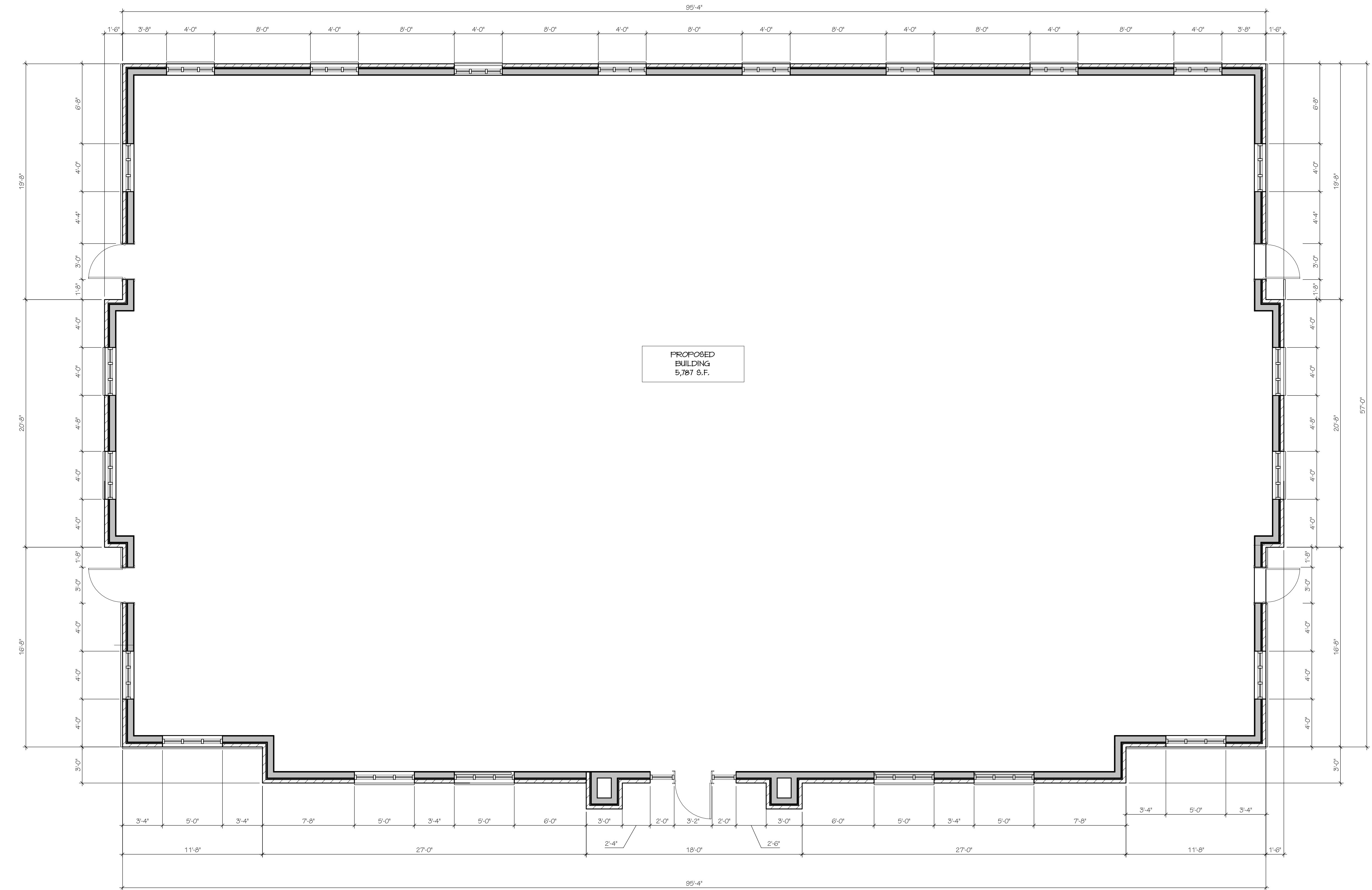
ARCHITECT:
Partners in Design
600 Fifty-Second St
Kenosha, Wisconsin 53140
(262) 652-2800
markm@pdaarchitects.com

C.M.A., Inc.
Aaron W. Stanton, Sr. Manager
4015 80th St. Ste. f
Kenosha, WI 53142
(262) 842-0551
astanton@cmawwi.com

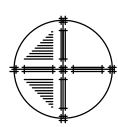
SCALE:
AS SHOWN

SHEET:
C4

Date:
DECEMBER 01, 2022



1
A3.1
PROPOSED FLOOR PLAN
1/4" = 1'-0"



REVISIONS	
LAKE GENEVA COMMERCIAL 816 GENEVA PKWY N, LAKE GENEVA, WI BUILDING 816 PROPOSED FLOOR PLAN	
600 Fifty-Second Street Suite 220 Kenosha, Wisconsin 53140 Ph.: (262)652-2800	Partners in Design ARCHITECTS
PROJECT NO.: 161.22.057	
DRAWN BY: ACJ	CHECKED BY: LEK
DATE: 12.01.2022	
SHEET NO.: A3.1	



1 EAST ELEVATION
A4.2 1/4" = 1'-0"



3 SOUTH ELEVATION
A4.2 1/4" = 1'-0"

EXTERIOR MATERIAL KEY

- ASPHALT SHINGLES - MATCH ADJACENT EXISTING BUILDINGS
- BRICK VENEER - MATCH ADJACENT EXISTING BUILDINGS
- FIBER CEMENT SIDING - HARDIE BOARD PLANK, TIMBER BARK
- ALUMINUM FRAMING - KAWNEER ALUMINUM FRAMING, BRONZE
- VITRO GLAZING - SOLAR GREY

REVISIONS

LAKE GENEVA COMMERCIAL
816 GENEVA PKWY N, LAKE GENEVA, WI
BUILDING 816 EXTERIOR ELEVATIONS

600 Fifty-Second Street
Suite 220
Kenosha, Wisconsin 53140
Ph.: (262)652-2800

PartnersinDesign
ARCHITECTS

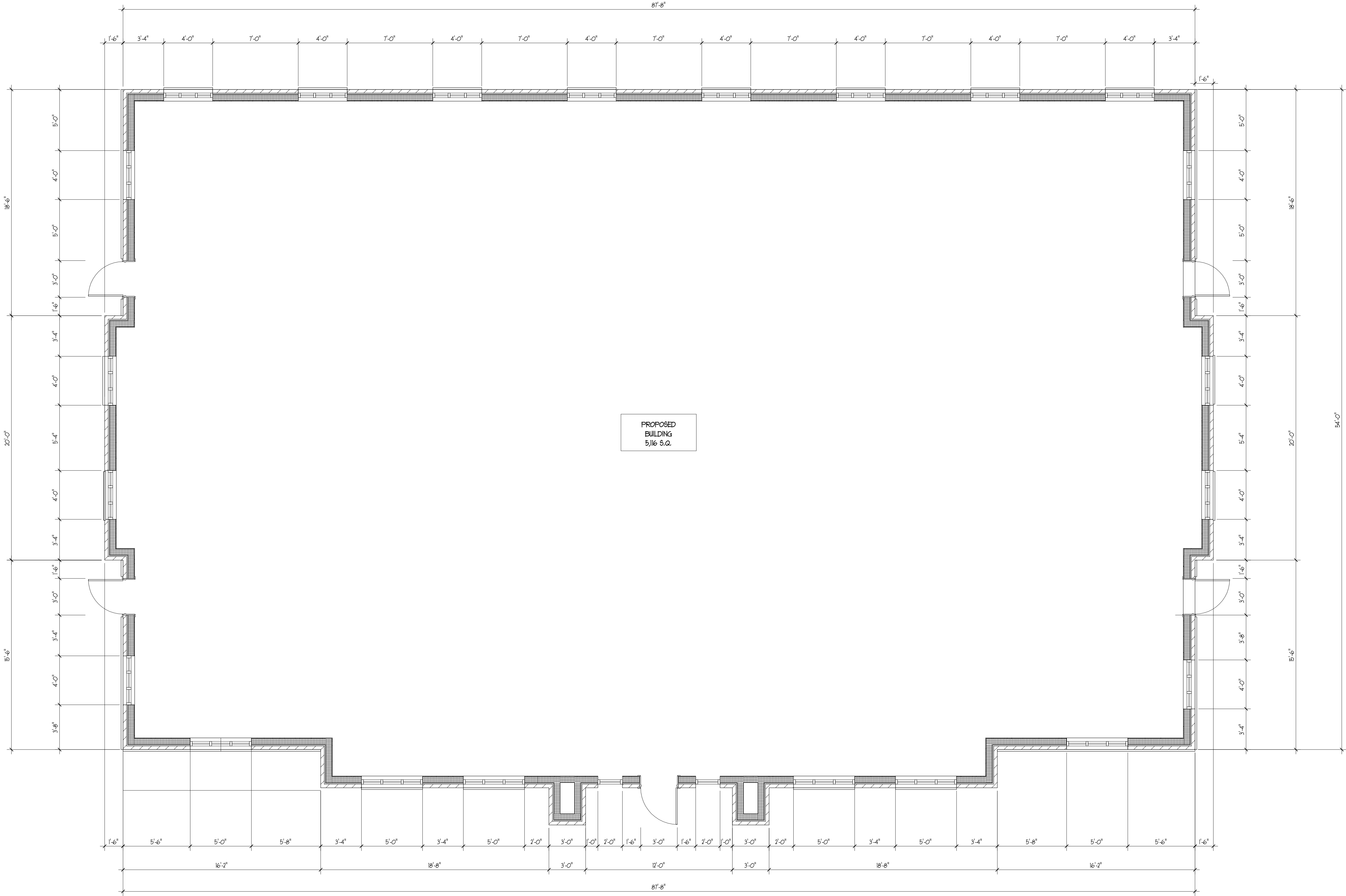
PROJECT NO.:
161.22.057

DRAWN BY:
ACJ

CHECKED BY:
LEK

DATE:
12.01.2022

SHEET NO.:
A4.2



PROPOSED FLOOR PLAN
1/4" = 1'-0"



REVISIONS

LAKE GENEVA COMMERCIAL

801 GENEVA PKWY N, LAKE GENEVA, WI

BUILDING 804 PROPOSED FLOOR PLAN

Partners in Design

ARCHITECTS

600 Fifty-Second Street

Suite 220

Kenosha, Wisconsin 53140

Ph.: (262)652-2800

PROJECT NO.: 161.22.057

DRAWN BY: ACJ CHECKED BY: LEK

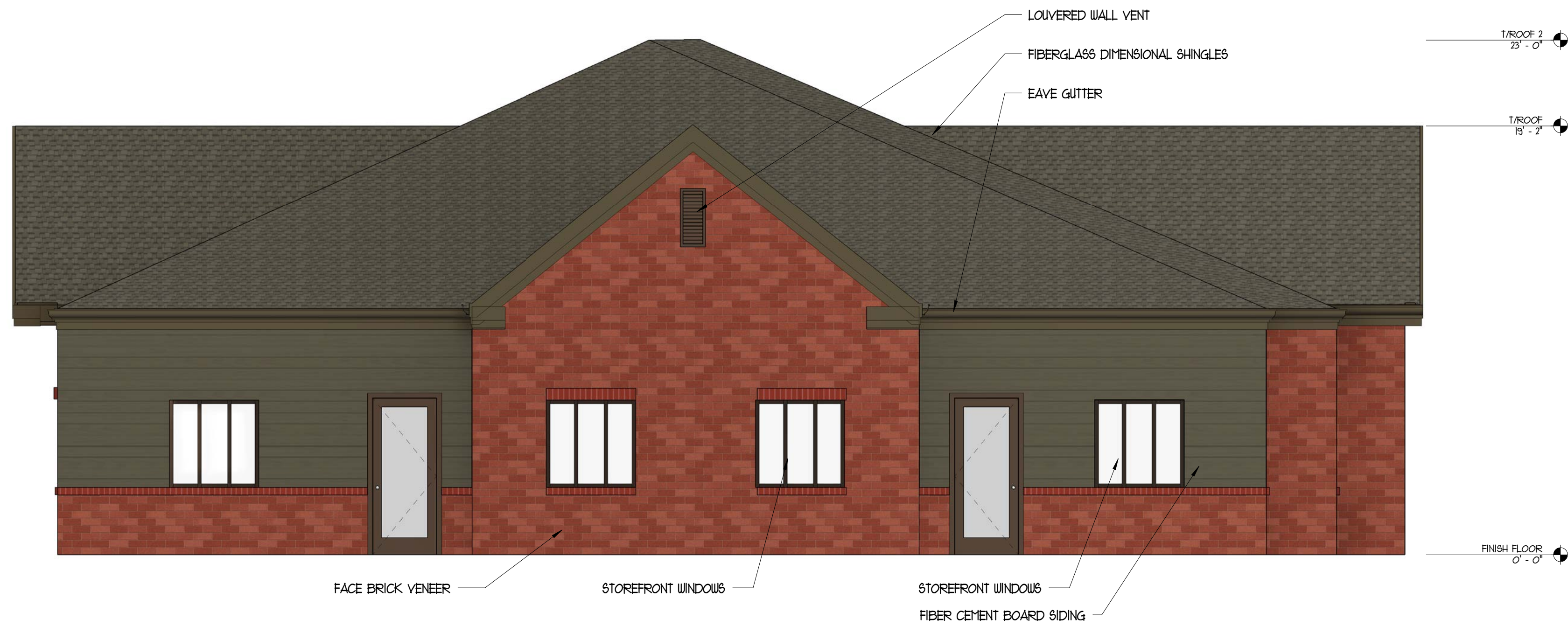
DATE: 12.01.2022

SHEET NO.: A3.1

Page 36 of 87



1 EAST ELEVATION
A4.1 1/4" = 1'-0"



2 SOUTH ELEVATION
A4.1 1/4" = 1'-0"

EXTERIOR MATERIAL KEY

- ASPHALT SHINGLES - MATCH ADJACENT EXISTING BUILDINGS
- BRICK VENEER - MATCH ADJACENT EXISTING BUILDINGS
- FIBER CEMENT SIDING - HARDIE BOARD PLANK, TIMBER BARK
- ALUMINUM FRAMING - KALNEER ALUMINUM FRAMING, BRONZE
- VITRO GLAZING - SOLAR GREY

REVISIONS

LAKE GENEVA COMMERCIAL
804 GENEVA PKWY N, LAKE GENEVA, WI

BUILDING 804 EXTERIOR ELEVATIONS

600 Fifty-Second Street
Suite 220
Kenosha, Wisconsin 53140
Ph.: (262)652-2800

Partners in Design
ARCHITECTS

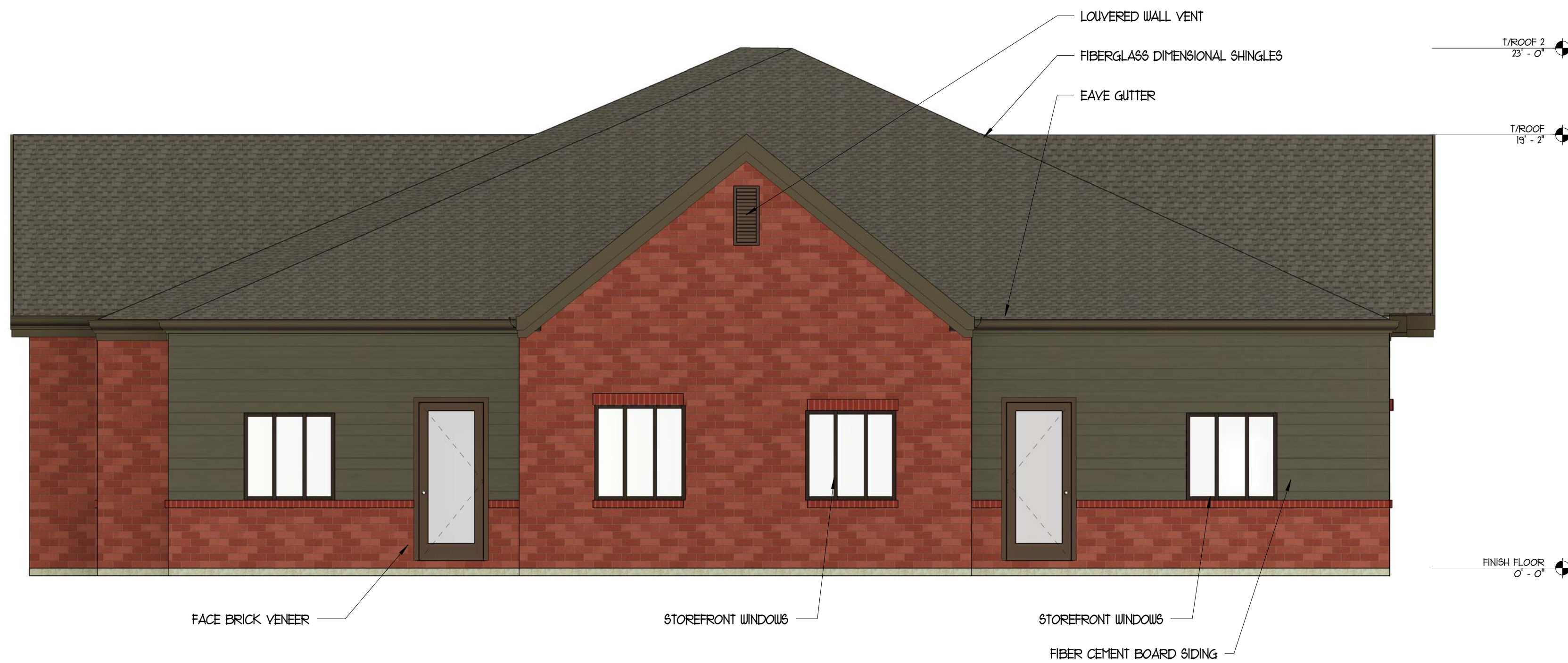


PROJECT NO.: 161.22.057
DRAWN BY: ACJ CHECKED BY: LEK
DATE: 12.01.2022
SHEET NO.:

A4.1



1 WEST ELEVATION
A4.2 1/4" = 1'-0"



2 NORTH ELEVATION
A4.2 1/4" = 1'-0"

EXTERIOR MATERIAL KEY

- ASPHALT SHINGLES - MATCH ADJACENT EXISTING BUILDINGS
- BRICK VENEER - MATCH ADJACENT EXISTING BUILDINGS
- FIBER CEMENT SIDING - HARDIE BOARD PLANK, TIMBER BARK
- ALUMINUM FRAMING - KAWNEER ALUMINUM FRAMING, BRONZE
- VITRO GLAZING - SOLAR GREY

REVISIONS

LAKE GENEVA COMMERCIAL
804 GENEVA PKWY N, LAKE GENEVA, WI
BUILDING 804 EXTERIOR ELEVATIONS

600 Fifty-Second Street
Suite 220
Kenosha, Wisconsin 53140
Ph.: (262)652-2800

Partners in Design
ARCHITECTS

PROJECT NO.:
161.22.057

DRAWN BY: ACJ CHECKED BY: LEK

DATE:
12.01.2022

SHEET NO.:
A4.2



STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: January 16, 2023

Agenda Item #9

Applicant:

John Law
1017 Geneva Street, Apt #2
Lake Geneva, WI

Request:

101 Broad Street
Tax Key No. ZCNG00001 thru ZCNG00041
Proposed Conditional Use Permit for a
Commercial Apartment

Description:

The applicant is requesting approval of a Conditional Use Permit (CUP) on behalf of 101 Broad Street LLC for a change of use at Geneva Towers at 101 Broad Street. The subject property is zoned Central Business (CB).

The applicant proposes to convert a tenant space from office use to residential use. More specifically, it involves remodeling of the second floor office units 205 and 206 into a single residential unit of approximately 961 square feet. The zoning ordinance term for a residential unit located within a commercial or mixed use building as a “Commercial Apartment.” This requires a Conditional Use Permit.

Proposed improvements involve interior renovations only. No alterations are proposed to the building exterior or site. No changes to parking are proposed.

The applicant notes that Geneva Towers prohibits short-term vacation rentals.

Staff Review Comments:

The proposed Commercial Apartment meets all zoning code requirements. The change in use would not impact parking requirements as the property is zoned Central Business (CB). A surface parking lot is provided on the north side of the property, and Vandewalle staff feels that the parking provided is adequate.

The Fire Chief notes that the change of occupancy from commercial to residential will require that units 205 and 206 will need to be brought up to fire code with both fire sprinklers and alarms. The remainder of the floor may remain as is. This item is listed as a condition of approval later on the following page of this report.

Staff Recommendation on the CUP Application:

Procedural steps require a recommendation by the Plan Commission to the Common Council on the proposed CUP. Staff recommends approval of the submitted CUP request with the following findings of fact and conditions of approval:

Findings of Fact:

1. In general, the proposed conditional use is in harmony with the purposes, goals, objectives, policies and standards of the City's Comprehensive Plan, Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
2. Specific to this site, the proposed conditional use is in harmony with the purposes, goals, objectives, policies and standards of the City's Comprehensive Plan, Zoning Ordinance, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
3. The proposed conditional use in its proposed location, and as depicted on the required site plan does not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of the Zoning Ordinance, the Comprehensive Plan or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.
4. The proposed conditional use maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
5. The proposed conditional use is located in an area that will be adequately served by, and will not impose an undue burden on any improvements, facilities, utilities or services provided by public agencies serving the subject property.
6. The potential public benefits of the proposed conditional use outweigh all potential adverse impacts of the proposed conditional use after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

Conditions of Approval:

1. Applicant shall secure all necessary approvals from the Fire Department before any building permits are issued.

Suggested Motions:

- *Approve:* I recommend approval of the proposed *Conditional Use Permit for John Law, 1017 Geneva Street, Apt #2 Lake Geneva, WI, to change Units 205 and 206 from Office to a Commercial Apartment land use in the Central Business (CB) zoning district for the property located at 101 Broad St, Tax Keys ZCNG00001 thru ZCNG00041*, including the affirmative set of findings, and any additional conditions of approval recommended by staff.
- *Deny:* I recommend denial of the proposed *Conditional Use Permit for John Law, 1017 Geneva Street, Apt #2 Lake Geneva, WI, to change Units 205 and 206 from Office to a Commercial Apartment land use in the Central Business (CB) zoning district for the property located at 101 Broad St, Tax Keys ZCNG00001 thru ZCNG00041*, because [provide rationale for denial, based on substantial evidence]

*Jackie Mich, AICP
City Planning Consultant
Vandewalle & Associates*

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: January 16, 2023

Agenda Item #10

Applicant:

Golden Years
270 Ridge Road
Walworth, WI 53184

Request:

Proposed Precise Implementation Plan (PIP)
Golden Years Planned Development – Phase 2
Skilled Nursing and Rehabilitation Services Facility

Represented by:

Jon Stankevitz
270 Ridge Road
Walworth, WI 53184

Description:

The applicant is submitting a Precise Implementation Plan (PIP) application for Phase 2 of the Golden Years development, a skilled and assisted living senior campus located on the north side of North Bloomfield Road, approximately 500 feet east of Edwards Boulevard.

The Golden Years originally received GDP approval in 2017 and GDP re-approval in 2022. The project also obtained PIP approval to complete the build out of Phase 1. The existing phase 1 includes a one-story senior care facility totaling 31,500 sf. The proposed Phase 2 development will include two one-story additions for skilled care totaling 15,500 sf added space.

The overall 11.5-acre Golden Years development provides continuum of care services (rehabilitation, independent living, assisted living, memory care and long-term care). It includes a 58-unit senior apartment complex, a 44-bed CBRF licensed assisted living residence, and 30-bed skilled nursing facility. The application notes the project will continue to be implemented in multiple phases totaling 175 units and 202,000 square feet.

Consistency with the Comprehensive Plan:

A GDP approval constitutes an official rezoning request (map amendment). All zoning map amendments shall be consistent with the Comprehensive Plan in accordance with State law. The Comprehensive Plan recommends this area as Planned Neighborhood. This category allows for institutional uses such as the proposed senior housing project. Therefore, the proposed GDP is consistent with the Comprehensive Plan.

Relationship to Base Zoning Standards:

All Planned Developments must identify any flexibilities being requested from the base zoning standards in the most comparable regular zoning district. In this instance, the Planned Office (PO) zoning district, which is often applied to large institutional developments, provides that comparison zoning district. The project is requesting 4 flexibilities:

1. Density and intensity exemptions: Zoning code allows up to 50 units per acre as a conditional use. The applicant requests a density of 15.2 units per acre via the Planned Development approval process rather than a conditional use permit process.
2. Building Height: Request to exceed the 35-foot height due to grade changes, specifically at the west end of the building.
3. Accessory building height: Request to exceed the 15-foot height maximum, allowing a 20-foot height to park a bus needed for transportation for residents of the facility.
4. Parking: the required minimum parking based on total units is 169 stalls. The project proposes 134 stalls.

The Plan Commission re-approved the overall project GDP at the November 2022 Plan Commission meeting which established the above project flexibilities.

Staff Review Comments:

The proposed project maintains building elevations that gently rise from east to west, with significant building setbacks provided in all directions, particularly in relation to Bloomfield Road. The tallest rooflines are on the west end of the building, adjacent to the planned commercial development called for along the east side of Edwards Boulevard / WIS 120.

Parking areas are small and distributed around the site. Planning staff is comfortable with the proposed amount of parking, noting that the provision of spaces reflects actual parking use at comparable facilities. Further, ample room is available to enlarge most parking areas if more spaces are needed in the future.

Generous areas are available for all required landscaping. The site layout will enable preservation of the grove of mature trees in the southeast corner of the site along North Bloomfield Road.

Overall, staff finds the project appropriate given the needed market for senior continuum of care facilities, and that it maintains the desired consistency of land uses, land use intensities, and land use impacts as a transition between planned residential and institutional development to the east and northeast and planned commercial development to the west.

Action by the Plan Commission:

As part of the consideration of a requested Planned Development - Precise Implementation Plan (PIP) step, the Plan Commission is required to:

- Provide the Common Council with a *recommendation* regarding the proposed PIP
- Include *findings* required by the Zoning Ordinance for PIPs; and,
- Provide specific suggested *requirements* to modify the project as submitted.

Required Plan Commission Findings on the PIP for Recommendation to Common Council:

A proposed PIP must undergo the review standards for all Conditional Use Permits, below:

- A. If, after the public hearing, the Commission wishes to recommend *approval*, then the appropriate fact finding would be in agreement with Factors 1-6 of the following.
 1. The proposed PIP (the use in general, independent of its location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 2. The proposed PIP (in its specific location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any

other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.

3. The proposed PIP, in its proposed location and as depicted on the required site plan (see (3)(d), above), does not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.
4. The proposed PIP maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
5. The proposed PIP is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
6. The potential public benefits of the proposed PIP outweigh all potential adverse impacts of the proposed PIP (as identified in Items 1. through 5., above), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

B. If, after the public hearing, the Commission wishes to recommend *denial*, then the appropriate fact finding would be in disagreement with at least one of Factors 1-6 listed above.

Staff Recommendation:

Staff recommends that the Plan Commission recommend *approval* of the PIP as follows:

Suggested Motions:

- *Approve:* I recommend approval of the *Precise Implementation Plan for Golden Years, 270 Ridge Road, Walworth, WI 53184 to allow for the construction Phase 2 of the Golden Years development for the property located in the Planned Development (PD) zoning district, Tax Key No. ZA475600001* including the affirmative set of findings, and any additional conditions of approval recommended by staff.
- *Deny:* I recommend denial of the *Precise Implementation Plan Precise Implementation Plan for Golden Years, 270 Ridge Road, Walworth, WI 53184 to allow for the construction Phase 2 of the Golden Years development for the property located in the Planned Development (PD) zoning district, Tax Key No. ZA475600001* based on the following finding of fact, because *[provide rationale for denial, based on disagreement with at least one of Items 1 through 6 above]*

Conditions of Approval:

1. Allowed flexibilities from the Planned Office base zoning district include approval of the requested density by Planned Development zoning, and exceedance of maximum building height and maximum accessory building height.

2. The proposed walkway network shall connect to the public sidewalk network planned along Harmony Way and the pedestrian/bicycle path along North Bloomfield Road.
3. A traffic study shall be submitted in with future phased reviews to confirm whether an additional vehicular access to North Bloomfield Road will be permitted, and if so, how it shall be configured.

*Sonja Kruesel, AICP
City Planning Consultant
Vandewalle & Associates*

Memo to City of Lake Geneva

To: Fred Walling, Zoning Administrator **Date:** December 28, 2022

From: Naomi Rauch, P.E.
262-758-6032

CC: Jon Stankevitz – Golden Years
Dave Nord – City Administrator
Brenda Follensbee – Building and Zoning Administrative Assistant
Tom Earle – Director of Public Works
Josh Gajewski – Utility Director

Subject: GDP Amendment– Golden Years - 611 Harmony Drive (PIN ZA475600001)
Kapur Project Number 22.0160 – Phase 13

BACKGROUND AND REQUEST:

A General Development Plan (GDP) application was submitted by Golden Years for the construction of two additions to the existing structure for skilled care services. The property is located at 611 Harmony Drive (PIN ZA475600001). The new construction would be approximately 15,550 SF in building floor area on the existing 11.5 acres site. The primary entrance to the site will be maintained on Harmony Way. A secondary access point, in the future, is planned off Bloomfield Road.

The following plan and calculations were submitted for review:

- **Golden Years – Lake Geneva Site Plan**, prepared by Groth Design Group, 4 sheets, dated 9/16/2022.
- **Golden Years of Lake Geneva Landscape & Photometric Plan**, prepared by InSite Landscape Design, 5 sheets, dated 12/02/2022.
- **Golden Years – Lake Geneva Structural Plan**, prepared by Groth Design Group, 3 sheets, dated 11/29/2022.

Comments:

We have reviewed the information submitted and require comments be addressed prior to recommending approval of the PIP. Based on our review we offer the following comments:

General:

1. A stormwater maintenance agreement is required to cover Phase 1 and Phase 2 of this development. Attached is the document that was submitted for Phase 1. A fully signed and recorded copy has not been provided to the City. Please ensure that the maintenance agreement is revised to include Phase 1 and Phase 2 improvements and address the requirements of Municipal Ordinance 78-247 (k) (an example can be provided to the applicant).





2. A utility easement is required along the watermain within Phase 1. Draft easement language and exhibit had previously been reviewed by Kapur for Phase 1, see attached. In response to this document Kapur commented in email correspondence dated December 30, 2019, "The description on the Golden Year's Water Main Easement has been reviewed by Kapur. We concur with the location of the proposed easement and request the description be revised to include ***"The side lines of the above-described centerline to lengthen or shorten with respect to the west right of way line of Harmony Drive"***. This change is requested to ensure that the entire easement reaches the right-of-way as the intersection is not of 90 degrees. " The City has no record that this easement was fully executed.
3. The proposed Site Plan and Landscaping Plan do not match in the PIP submittal.
4. Line type and hatching legends shall be included on all sheets.
5. No secondary access point is planned for this phase.

Site Plan:

6. Per Lake Geneva Zoning Ordinance, stall depth shall be a minimum of 18.5-ft including a 1.5-ft curb overhang. Drive aisle width shall be a minimum of 26-ft wide.
7. All sidewalk and walking paths shall have a cross slope no greater than 2%.
8. Slopes shall be no greater than 3:1. Slopes of 2:1 are currently proposed adjacent to the Northeast Pond.
9. A landing pad with a slope no greater than 2% in any direction shall be provided for access to the new proposed parkin area. A detectable warning field shall be included for any access point to the parking lot.

Stormwater Management:

10. Our recommendation for approval of the GDP was conditional upon the following comment "Stormwater management is required for the proposed improvements. The Phase 1 stormwater management plan shall be updated to include all Phase 1 and Phase 2 improvements. Modifications to the existing detention facilities may be required." Please provide the required information.
11. The drainage from the roof has been redirected towards the uncaptured area of the site instead of the SW pond. This change must be reflected in the updated stormwater management calculations, or the site plan must be revised to ensure stormwater runoff from the proposed improvements enters an appropriately designed stormwater management facility.
12. The proposed site plan doesn't show the removal of drain tile facilities on the west side of the existing building. The new addition is proposed over top of the existing drain tile.

Utilities:

13. The Watermain utility shown on the site plan does not match the 2019 As-Built Drawing, see attached.
14. All underground utilities constructed as a part of the Phase 1 improvements shall be shown on the site plan.

The plans have been reviewed for conformance with generally accepted engineering practices and City of Lake Geneva policies. Although the material has been reviewed, the applicant is ultimately responsible for the thoroughness and accuracy of the plans and supplemental data and for compliance with state, county, and other local ordinances and procedures.



Please contact me if you have any questions or comments pertaining to this project.

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: January 16, 2023

Agenda Item #11

Applicant:

Lakeside Living, LLC

Request:

Planned Development - GDP and PIP
Duplex Residential Development
1120 S Lake Shore Drive and Tiffany Drive

Represented by:

Stephen Greenberg
Lakeside Living LLC
937 Tarrant Drive
Fontana, WI 53125

Description:

The applicant is requesting approval of a General Development Plan (GDP) application and a Precise Implementation Plan (PIP) application. Approval of the GDP and PIP would authorize development of four duplex units on tax key numbers ZCNS00028 – ZCNS00031, and four duplex units on tax key numbers ZCNS00001 – ZCNS00004.

According to the zoning map, the subject property is currently zoned Planned Development. However, there is no record of an approved GDP on file within the required timeframe. As such, the project requires approval of both a GDP and a PIP in order to proceed. A GDP establishes the zoning for the project while the PIP establishes the detailed site approvals including site layout and design, grading, utilities, parking, landscaping, lighting, and architecture.

Relationship to Base Zoning Standards:

All Planned Developments must identify any flexibilities being requested from the base zoning standards in the most comparable regular zoning district. In this instance, the ER-1 zoning district provides that comparison zoning district. The project is requesting the following flexibilities:

1. Land Use Allowances: The Planned Development would allow for duplex land uses, multiple principal land uses per parcel, and approval of Clear Cutting of more than 30% of the existing tree cover.
2. Minimum Zoning District Area: The south parcel proposed size is approximately 33,000 sf, which is less than 40,000 sf minimum lot size.
3. Minimum Dwelling Unit Separation: Less than required 60’.

Staff Review Comments:

General Site Layout and Design – The applicant proposes to develop Units 1-4 on the south side of the private drive. Two duplex buildings are proposed for a total of four units. The applicant proposes to

develop Units 28-31 on the north side of the private drive. Two duplex buildings are proposed for a total of four units.

On the south parcel, the minimum setback proposed from Lake Shore Drive is 26.3 feet. The setback from Tiffany Drive is 39.2 feet. The setback from the south property line is 33.7 feet. Total Landscape Surface Ratio is 63%.

On the north parcel, the minimum setback proposed from Lake Shore Drive is 25.9 feet. The setback from Tiffany Drive is 32.5 feet. The setback from the north property line is 49.4 feet. Total Landscape Surface Ratio is 68%.

Landscaping – Both parcels proposed for development are within the woodland overlay district. Clear cutting (more than 30% removal) of trees is permitted as a conditional use in all woodland areas, per the requirements of Section 98-206(2)(g). The submitted Planned Development request includes consideration of authorizing this land use. The applicant has provided tree exhibits for both parcels showing current conditions and larger trees to be affected by development and construction. They have also provided a replanting plan.

Site plans note that “about 60% of the existing trees are proposed to be removed from the building and drives” with “36 trees saved”. The site plan further notes that the “landscape plan will show replacement of 10-12 3” deciduous trees”. The landscaping plans show removal dead trees of various sizes, as well as removal of maples and oaks for development. On the north parcel, 16 new maples are proposed, and 9 new oaks are proposed, as well as other canopy trees, shrubs, and ornamental plantings. On the south parcel, 16 new maples and 9 new oaks are also proposed, as well as other canopy trees, shrubs, and ornamental plantings.

Architecture – Each structure is two stories tall with tuck-under two-car garages for each unit. Materials include LP Smart Side siding, with thin stone veneer at the base. LP Shake siding is used on the upper story and within the gables. Roofing material includes 30-year architectural shingles and metal roof components. Overall, materials proposed are decorative and higher quality.

Staff Recommendation on the GDP Application:

Procedural steps require a recommendation by the Plan Commission to the Common Council on the proposed Zoning Map Amendment. Staff recommends approval of the submitted Planned Development GDP request with the following findings of fact and conditions of approval:

Findings of Fact:

1. The proposed GDP furthers the purposes of the Zoning Ordinance as outlined in Section 98-005.
2. One or more of the following factors have arisen that are not properly addressed on the current Official Zoning Map.
 - a. The designation of the Official Zoning Map should be brought into conformity with the Comprehensive Plan.
 - b. A mistake was made in mapping on the Official Zoning Map.
 - c. Factors have changed, making the subject property more appropriate for the proposed GDP zoning.

- d. Growth patterns or rates have changed, thereby creating the need for an amendment to the Official Zoning Map.
3. The proposed GDP amendment to the Official Zoning Map maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.

Staff Recommendation:

Staff recommends that the Plan Commission recommend *approval* of the GDP as follows:

Suggested Motions:

- *Approve:* I recommend approval of the *General Development Plan for Lakeside Living, LLC to allow for the construction of 4 duplex units on each of the 2 tax parcels in the Planned Development zoning district located at 1120 S. Lake Shore Drive Units 1-4 & Tiffany Drive, Tax Key Nos. ZCNS00028 – ZCNS00031 & ZCNS00001 – ZCNS00004*, including the affirmative set of findings, and any additional conditions of approval recommended by staff.
- *Deny:* I recommend denial of the *General Development Plan for Lakeside Living, LLC to allow for the construction of 4 duplex units on each of the 2 tax parcels in the Planned Development zoning district located at 1120 S. Lake Shore Drive Units 1-4 & Tiffany Drive, Tax Key Nos. ZCNS00028 – ZCNS00031 & ZCNS00001 – ZCNS00004*, based on the following finding of fact, because *[provide rationale for denial, based on disagreement with at least one of Items 1 through 6 above]*

Required Plan Commission Findings on the PIP for Recommendation to Common Council:

A proposed PIP must undergo the review standards for all Conditional Use Permits, below:

- A. If, after the public hearing, the Commission wishes to recommend *approval*, then the appropriate fact finding would be in agreement with Factors 1-6 of the following.
 1. The proposed PIP (the use in general, independent of its location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 2. The proposed PIP (in its specific location) is in harmony with the purposes, goals, objectives, policies and standards of the City of Lake Geneva Comprehensive Plan, this Chapter, and any other plan, program, or ordinance adopted, or under consideration pursuant to official notice by the City.
 3. The proposed PIP, in its proposed location and as depicted on the required site plan (see (3)(d), above), does not result in a substantial or undue adverse impact on nearby property, the character of the neighborhood, environmental factors, traffic factors, parking, public improvements, public property or rights-of-way, or other matters affecting the public health, safety, or general welfare, either as they now exist or as they may in the future be developed as a result of the implementation of the provisions of this Chapter, the Comprehensive Plan, or any other plan, program, map, or ordinance adopted or under consideration pursuant to official notice by the City or other governmental agency having jurisdiction to guide development.

4. The proposed PIP maintains the desired consistency of land uses, land use intensities, and land use impacts as related to the environs of the subject property.
5. The proposed PIP is located in an area that will be adequately served by, and will not impose an undue burden on, any of the improvements, facilities, utilities or services provided by public agencies serving the subject property.
6. The potential public benefits of the proposed PIP outweigh all potential adverse impacts of the proposed PIP (as identified in Items 1. through 5., above), after taking into consideration the Applicant's proposal and any requirements recommended by the Applicant to ameliorate such impacts.

B. If, after the public hearing, the Commission wishes to recommend *denial*, then the appropriate fact finding would be in disagreement with at least one of Factors 1-6 listed above.

Staff Recommendation:

Staff recommends that the Plan Commission recommend *approval* of the PIP as follows:

Suggested Motions:

- *Approve:* I recommend approval of the *Precise Implementation Plan for Lakeside Living, LLC to allow for the construction of 4 duplex units on each of the 2 tax parcels in the Planned Development zoning district located at 1120 S. Lake Shore Drive Units 1-4 & Tiffany Drive, Tax Key Nos. ZCNS00028 – ZCNS00031 & ZCNS00001 – ZCNS00004*, including the affirmative set of findings, and any additional conditions of approval recommended by staff.
- *Deny:* I recommend denial of the *Precise Implementation Plan for Lakeside Living, LLC to allow for the construction of 4 duplex units on each of the 2 tax parcels in the Planned Development zoning district located at 1120 S. Lake Shore Drive Units 1-4 & Tiffany Drive, Tax Key Nos. ZCNS00028 – ZCNS00031 & ZCNS00001 – ZCNS00004*, based on the following finding of fact, because *[provide rationale for denial, based on disagreement with at least one of Items 1 through 6 above]*

Conditions of Approval:

1. Approval is subject to resolution of any outstanding engineering and utility review comments.

*Sonja Kruesel, AICP
City Planning Consultant
Vandewalle & Associates*

Memo to City of Lake Geneva

To: Fred Walling, Zoning Administrator **Date:** December 28, 2022

From: Naomi Rauch, P.E.
262-758-6032

CC: Stephen Greenberg – Canyon Development
Warren Hansen, P.E. – Farris Hansen & Associates
Dave Nord – City Administrator
Brenda Follensbee – Building and Zoning Administrative Assistant
Tom Earle – Director of Public Works
Josh Gajewski – Utility Director

Subject: PIP REVIEW – 1120 S. Lakeshore Drive (Units #1-#4 and #28-#31)
Kapur Project Number 22.0160 Phase 17

BACKGROUND AND REQUEST:

A site plan application was submitted by Canyon Development Group for the construction of duplexes at Units 1-4 of Somerset Condominiums and Units 28-31, 1120 S. Lakeshore Drive, tax parcels ZCNS 00028, ZCNS 00029, ZCNS 00030, and ZCNS 00031. The proposed development includes construction of 4- duplex buildings separated by Tiffany Drive, a private road.

Units 28-31 are to the north of the private drive and consist of 2-duplexes (approximately 3,700 SF each) and 5662 SF of paved surface for a new impervious surface of 13,068 SF. Sanitary sewer connections are proposed from the public sanitary sewer main on LaGrange Drive. Water services are shown off S. Lakeshore Drive. This site plan includes a biofiltration basin downstream of the new impervious surface.

Units 1-4 are to the south side of the private road (Tiffany Drive) and have two ingress/egress locations from Tiffany. The development proposes 2-2 unit townhomes (approximately 3,700 SF each) and 5,100 SF of paved surface for a new impervious surface area of 12,500 SF. Proposed sanitary service connection is to the existing sanitary main on Tiffany Drive. Water services are proposed off Lake Sore Drive existing 10-inch watermain. The site plan includes two separate stormwater rain gardens sized to maintain the existing 25-year peak flow rate from the site.

The following plan and calculations were submitted for review:

- **Site, Grading, Drainage and Erosion Control Plan**, Units 28-31 of Somerset Condominiums General Development & Precise Implementation Plan, prepared by Farris Hansen & Associates, 3 sheets, dated May 20, 2019, last revised November 21, 2022.
- **Stormwater Management Plan** Units 28-30 Somerset Condominium, prepared by Farris Hansen & Associates dated May 06, 2020 and revised November 2022.





- **General Development & Precise Implementation Plan Units 1-4 of Somerset Condominiums**, prepared by Farris Hansen & Associates, 3 sheets, dated May 20, 2019, last revised November 21, 2022.
- **Stormwater Management Plan**, Units 1-4 Somerset Condominium prepared by Farris Hansen & Associates dated November 2022.

Units #28-#31

1. Our previous review stated "In order to individually meter each of the 4 units, each unit would need its own service with a curb box in the ROW, not a branch service (as shown) and clustered curb boxes." As currently drawn, the one valve within the right-of-way is the only valve accessible for City shut off. Should the valve be shut off all units will be affected.
2. The condominium documents must describe shared ownership and maintenance responsibilities of the branch sewer all the way to the sewer main connection. A copy of the condominium documents shall be provided for review.
3. The water service is shown to connect to the main at 936.0. The ground elevation above the lateral at the structure is approximately 938. Note 540.A.2 on sheet 3 states "Install water service piping with 6-1/2 feet minimum cover except provide 5 feet minimum cover at ditches." This note shall be included on Sheet 1.
4. A storm drain is proposed along LaGrange , a private road, within Lake Geneva East Shore Estates. This drain is critical to the functioning of the proposed biofiltration basin. Written approval from Lake Geneva East Shore Estates must be obtained for this work. A copy of the written approval shall be provided to the City prior to construction.
5. Construction details for the drainage pipe installation and catch basins are required.

Units #1-#4

1. Please specify the distance between the proposed sanitary lateral and the upstream manhole.
2. Our previous review stated "In order to individually meter each of the 4 units, each unit would need its own service with a curb box in the ROW, not a branch service (as shown) and clustered curb boxes." As currently drawn, the one valve within the right-of-way is the only valve accessible for City shut off. Should the valve be shut off all units will be affected.
3. The water service is shown to connect to the main at 935.0. The ground elevation above the lateral at the structure is approximately 938. Note 540.A.2 on sheet 3 states "Install water service piping with 6-1/2 feet minimum cover except provide 5 feet minimum cover at ditches." This note shall be included on Sheet 1.
4. Construction details for the drainage pipe installation and catch basins are required.
5. A stormwater maintenance plan shall be provided for the proposed rain gardens.

General

6. As-built drawings of the proposed stormwater management facilities must be reviewed and approved by the City.
7. The stormwater maintenance agreements, after review and approval from the City, must be recorded with Walworth County.
8. A letter of credit is required in the amount of 120% of the cost to install the stormwater management facilities and for construction/restoration within the public right-of-way. Please provide an engineer's cost estimate for review. The letter of credit shall be provided prior to start of construction.



The plans have been reviewed for conformance with generally accepted engineering practices and City of Lake Geneva policies. Although the material has been reviewed, the applicant is ultimately responsible for the thoroughness and accuracy of the plans and supplemental data and for compliance with state, county, and other local ordinances and procedures.

Please contact me if you have any questions or comments pertaining to this project.

Draft Zoning Ordinance Amendments: Upgrades to Citywide Design Standards

Public Hearing Draft – 12.29.2022

The following draft text is intended to be a working document and should be vetted and refined by the Plan Commission and the Common Council through the public hearing process.

Section 98-110: Entry Corridor Design Overlay Zoning District

~~Section 98-110 Entry Corridor Design Overlay Zoning District~~

- ~~(1) Purpose. This district is intended to implement the urban design recommendations of the Comprehensive Master Plan, by preserving and enhancing the historical quality of the STH 50 corridor west of the downtown and the CTH H corridor north and south of the downtown, and by enhancing the economic redevelopment potential of the STH 120 corridor north and south of the downtown; the USH 12 corridor within the city limits; and the STH 50 corridor east of the downtown. (Policy Question). As emphasized by the Plan, this district is designed to forward both aesthetic and historic preservation objectives of the City by controlling the site design and appearance of development within the district in a manner which is consistent with sound land use, urban design, and economic revitalization principles. The application of these standards will ensure long term progress and broad participation toward these principles. Refer to Section 98-913(20)-(29) for the procedures applicable to proposal review in this overlay district.~~

Section 98-110 (Reserved)

Section 98-111 Community Gateway Design Overlay Zoning District

~~Section 98-111 Community Gateway Design Overlay Zoning District~~

~~This district is intended to implement the urban design recommendations of the Comprehensive Master Plan, by requiring that development located at and around the most important entrances to the community has a character which recognizes the City's adopted objectives of establishing an attractive and high-quality image. These important community gateways are located around the STH 120 interchange, the STH 12 interchange, and the intersection of CTH H and STH 120. As emphasized by the Plan, this district is designed to forward both aesthetic and economic development objectives of the City by controlling the site design and appearance of development within the district in a manner which is consistent with sound land use, urban design, and economic development principles. The application of these standards will ensure long term progress and broad participation toward these principles. Refer to Section 98-913(30)-(39) for the procedures applicable to proposal review in this overlay district.~~

Section 98-111 (Reserved)

Section 98-707: Exterior Lighting Standards

No changes proposed to subsections (1)-(7) ...

- (8) All exterior light fixtures and poles shall be decorative and shall complement the overall design of the building and site, as determined by the Plan Commission. Such fixtures and poles shall be used consistently throughout the site.

Section 98-718: Development Design Standards

Section 98-718 ~~Development Design Standards~~ ~~Exterior Construction Material Standards~~

- (1) **Purpose:** The purpose of this Section is to regulate site and building design so as to attain a higher quality appearance and thus maintain and enhance the attractiveness and property values within all zoning districts. the use of certain exterior construction materials creation so as to attain a degree of uniformity in exterior appearance, and thus maintain and enhance the attractiveness and property value of certain zoning districts. This Section is also intended to implement the urban design recommendations of the Comprehensive Master Plan by preserving and enhancing the historical quality of development and by enhancing the economic redevelopment potential throughout the City. This Section is designed to forward both aesthetic and historic preservation objectives of the City by controlling the site design and appearance of development in a manner which is consistent with sound land use, urban design, and economic revitalization principles. The application of these standards will ensure long-term progress and broad participation toward these principles. Additionally, enhanced greenspace, landscaping, and paving requirements further City sustainability objectives of incorporating natural features into the built environment, supporting pollinators, expanding wildlife habitat, and reducing impervious surface to improve water quality.
- (2) **Jurisdiction:** The Plan Commission shall apply the requirements of this Section through the Site Plan review process found in Section 98-908. The City Staff, including consultants to the City, may advise the Plan Commission on any requirement of this Section.
- (3) **Applicability:**
 - (a) Additional requirements, specific to the proposed land use(s), may be found in Section 98-206, and shall be enforced in addition to the following requirements. All other requirements of the Zoning Ordinance and the Municipal Code shall also be enforced.
 - (b) **New Buildings, Structures, and Sites.** The requirements of this Section shall apply to all new buildings, structures, and sites developed after the effective date of this Section, except for single family or two-family buildings.
 - (c) **Existing Buildings, Structures, and Sites.** All structures and buildings legally developed prior the effective date of this Section shall be granted blanket confirming status and shall be subject to the regulations of Section 98-408 pertaining to nonconforming structures and buildings. All sites legally developed prior to the effective date of this Section shall be granted blanket confirming status and shall be subject to the regulations of Section 98-307 pertaining to nonconforming development.
 1. **Additions to Buildings Constructed Prior to the Effective Date of this Section.**
 - a. All additions shall match or be substantially similar to the design and materials of the existing building. Use of prohibited materials shall not be utilized for building additions; permitted materials shall be used instead.
 - b. Any modifications to the footprint of an existing building will require the resulting paved area to comply with the landscaping requirements found in Subsection (5)(b).
 - c. Any expansion, extension, or enlargement of an existing paved area will require the resulting paved area to comply with the setback requirements in Subsection (5)(a) and the landscaping requirements found in Subsection (5)(b).
 2. **Alterations.** For buildings constructed prior to the effective date of this Section, alterations that do not impact the floor area of the building shall comply with the standards of this Section or shall match or be substantially similar to the existing building design and materials. Ordinary repairs and maintenance are not considered alterations.

(d) **Exceptions and Appeals.**

1. **Exceptions.** Exceptions to the standards set forth in this Section may be granted by the Plan Commission, or designee, to permit substitute building materials or construction of comparable quality or design when it can be demonstrated that the provisions of this Section are infeasible and that the granting of such exception is in keeping with the purpose of this Section or to support the development of workforce or affordable housing.
2. **Appeals.** Appeals from the decisions of the Plan Commission, or designee, may be made per the provisions of the Municipal Code and state statutes.
3. **Variances.** The Plan Commission is authorized to grant variances from the strict application of the building design standards within this Section when it is claimed that the intent of the standards in this Section have been incorrectly interpreted, do not apply, or their enforcement causes unnecessary hardship.
 - a. The procedure for the granting of variances by the Plan Commission shall be the same as that required for variances in Section 98-910, with the exception that the Plan Commission shall serve the role of the Zoning Board of Appeals.
 - b. When taking action on variances, the Plan Commission shall make findings as described in Section 98-910(5)(a).
 - c. Planned Development Procedures shall not be used solely to negotiate minimum standards imposed by this Section.

(4) **Exterior Building Materials.**

- (a) **Applicability:** The exterior building materials requirements in this Subsection apply to all land uses and activities except:
 1. Exposed foundations not to exceed three feet in height from the adjacent grade.
 2. Development in the GI or HI zoning districts.
 3. Single family and two family development and related accessory structures.

Buildings shall be predominately clad in one or more of the following materials: brick; brick veneer; stone; stone veneer; glass (curtain/storefront); stucco; and wood, wood composite siding, or fiber cement siding.
- (b) **The following materials may be used as accents and trim not to exceed 40% of the total building façade: split-face or decorative block; EIFS; seamless metal siding; architectural/decorative metal panels; residential aluminum siding; vinyl siding; brick panels; and stone panels. For development in the PBP and LI zoning districts, this percentage may be increased to 70%.**
- (c) **The following materials are prohibited: smooth-face or non-decorative concrete block or cinder block; non-decorative concrete foundation walls or panels (tilt-up or precast); nondecorative metal panels; corrugated or other metal with exposed fasteners; metal siding with seams; non-decorative wood (plywood, chipboard, etc.); asphaltic siding, poly-roofing siding; or other materials using exposed fastener systems or non-decorative surfaces as determined by the Plan Commission.**
- (d) **Accessory Buildings and Other Structures.** All other buildings and structures on the site shall

employ the same durable materials and colors of the ground floor of the principal building.

Standards for all Residential, Office, Commercial, and the PI Zoning Districts:

- ~~(e) Except for exposed foundations not to exceed three feet in height from the adjacent grade, all non-single family development located within the RH, CR-5ac, ER-1, SR-3, SR-4, TR-6, MR-8, NO, PO, NB, PB, GB, CB, and PI districts shall employ only high-quality, decorative exterior construction materials on the visible exterior of the following portions of all structures and buildings:~~
- ~~1. any portion of the building or structure visible from adjacent residentially zoned property;~~
 - ~~2. any portion of the building or structure located within 50 feet of a public right-of-way; or;~~
 - ~~3. any other portion of the building or structure visible from a public street and/or situated at an angle of 60 degrees or less: from a line which is parallel to the nearest right-of-way (for uncurved rights-of-way); or from a line which is parallel to a chord connecting the right-of-way boundary on the inside side of the curve at points located at, or opposite from, the two outer boundaries of the subject property along the right-of-way line (for curved rights-of-way).~~
- ~~(f) The following exterior construction materials shall not be considered “high quality, decorative”: non-decorative concrete block or cinder block, non-decorative concrete foundation walls or panels, corrugated or other metal with exposed fasteners, non-decorative plywood, asphaltic siding, or other materials using exposed fastener systems or non-decorative surfaces as determined by the Plan Commission.~~

- (5) **Site Design Standards.** The Plan Commission may grant exceptions to site design standards as described in Subsection (3)(d)1., above.

- (a) **Building and Pavement Setbacks.** Refer to Tables 98-402 and 98-403. All zoning districts must have front and street pavement setbacks equal to or greater than the district’s required building front and street setback.

1. **Exceptions.**

- a. Access driveways are exempt from pavement setback requirements.
- b. Pedestrian walkways, patios, sign footings, and other essential services are exempt from pavement setback requirements.
- c. Existing paved areas located between the required building setback and the public right-of-way are considered legal nonconforming paved areas, which may be maintained without bringing the paved area’s footprint into compliance with this section.

(b) **Landscaping Requirements.**

1. **Street Frontage Landscaping Requirements.** Within this overlay district, the landscaping requirements for street frontages found in Table 98.606 are doubled.
2. **Paved Area Landscaping Requirements.** Within this overlay district, the landscaping requirements for paved areas found in Table 98.607 are doubled.

3. **Exceptions.**
 - a. The above landscaping requirements are only applicable to the area of a parcel within 100 feet of the nearest road right-of-way, or between the road and the provided building front setback, whichever is less.
 - b. The Plan Commission may grant exceptions as described in Subsection (3)(d)1., above.
- (c) **Parking.**
 1. Parking lots and parking structures should not visually dominate the development site and should enhance the City's aesthetic qualities and natural surroundings. Parking facilities should be designed and landscaped with increased emphasis on pedestrian-ways that provide public connectivity to and through the site. The visual impacts of parking lots shall be mitigated through measures such as landscaping, screening, or situating parking areas away from the front of buildings.
 2. No parking spaces shall be located between any principal or accessory building and the front or street lot line, unless necessary to meet ADA requirements or other city requirements. On corner lots, parking spaces may be permitted between the principal or accessory building and the secondary street right-of-way, as determined by the Zoning Administrator.
 3. Interior Parking Lot Landscaping. Interior parking lot landscaping shall be required for any parking lot with more than 20 parking spaces. Internal parking lot landscaping shall be accomplished by the installation of landscaped planter islands or other types of landscaping application approved by the Zoning Administrator.
- (d) **In-Vehicle Sales or Service Uses.** The following shall not be permitted between the principal building and a public street:
 1. Drive-in, drive-up, or drive-through windows
 2. Service or loading areas
 3. Gas pumps, accessory car washes, and similar accessory structures related to auto service
- (e) **Site Grading:**
 1. Proposed site grading shall preserve existing grades to the greatest extent possible.
 2. Within five feet of the entire perimeter of the site, in no instance shall proposed grading create transitions to adjoining properties or rights-of-way greater than 1 foot of vertical change for ten feet of horizontal run. All areas of steeper slopes and all retaining walls shall not be located within five feet of the entire perimeter of the site.
 3. In no instance shall proposed grading create transitions to adjoining properties or rights-of-way that are in any manner deemed unsafe, unstable, or that create drainage problems, as determined by the City Engineer or designee.
- (f) **Existing Natural Features and Site Vegetation:**
 1. Any and all proposed site disturbance shall be in full compliance with the requirements for protecting natural resources contained in Article V of the Zoning Ordinance, including floodways, flood fringes, floodplains, wetlands, lakeshores, drainageways, woodlands, and steep slopes.

2. Areas of protected vegetation (protected woodlands and protected specimen trees) should not be disturbed by grading or stormwater management facilities.
 3. To the extent possible, topsoil used at the site should be from the site.
- (g) **Site Layout in Relation to Abutting Streets:**
1. The general site layout shall result in an attractive appearance to all abutting streets, as determined by the Plan Commission.
- (h) **Trash Enclosures:**
1. Trash enclosures shall be designed to fully conceal the contents of the enclosure.
 2. Trash enclosures shall be constructed of the same durable materials, finishes, and colors as the ground floor of the principal building.
 3. Natural wood or synthetic wood-look gates shall be used and shall be arranged to provide complete screening of the trash enclosure contents.
- (i) **Freestanding Canopy Structures (gas stations, drive-in or drive-up facilities, and similar):**
1. Freestanding canopy structures shall be designed to complement the design of the principal building.
 2. Canopy roofs shall employ the same roof pitch, roof materials, and roof color as the roof of the principal building.
 3. Canopy supports shall be fully enclosed in the same durable materials and colors of the ground floor of the principal building. Exposed supports are not permitted.
- (j) **Outdoor Display:**
1. All outdoor display areas and outdoor display enclosures must be clearly depicted on the Site Plan. Each outdoor display area shall be clearly labeled to specify the general types of material to be displayed using either the following general terms or using more detailed terms where known. Examples include retail sales display, retail equipment display, retail vehicle display, rental equipment display, rental vehicle display, vending machine display (e.g. beverages, food, video, etc.), container display (e.g. ice, propane tanks, etc.), bulk materials display (e.g. landscaping materials, Christmas trees, etc.), tent display, etc. For other display, specify the displayed materials.
 2. The requirements and procedures of Section 98-206(4)(d) of this Zoning Ordinance for Outdoor Display land uses shall be followed.
- (k) **Outdoor Storage:**
1. All outdoor storage areas and storage enclosures must be clearly depicted on the Site Plan. Each outdoor storage area shall be clearly labeled to specify the general types of material to be stored using either the following general terms or using more detailed terms where known. Examples include equipment storage, vehicles storage bulk materials storage (e.g., landscaping materials, construction materials, etc.). For other storage, specify the storage materials.
 2. The requirements and procedures of Section 98-206(5)(b) of this Zoning Ordinance for Outdoor Storage land uses shall be followed.

(6) **Building Design Standards.**

- (a) **All Land Uses.** These standards apply to all land uses, except single and two family development, constructed after the effective date of this Section:
1. Trademark architecture shall not be permitted. No portion of a building exterior or appurtenance, other than signage, may have an integral color or surface paint color associated with a specific building tenant.
 2. Architectural design is subject to the Site Plan Review process, (see Section 98-908).
 3. Roofs. Roof forms shall be compatible and harmonious with those of existing buildings in the immediate area, as determined by the Plan Commission. Bare metal and galvanized metal roofs shall not be used, except as architectural highlights.
 4. Exterior Building Appurtenances. Building exteriors shall be uncluttered by the minimal use and careful placement of brackets, wiring, meters, antennae, gutters, downspouts, and other appurtenances. Where necessary, such features shall be colored to blend in, rather than contrast, with the immediately adjacent building exterior. Safety equipment that relies on high visibility such as Fire Department Connections and alarm pulls, shall be exempt from this requirement.
 5. **Awnings:**
 - a. Awnings shall complement the character of the building, as determined by the Plan Commission.
 - b. Backlighting of awnings is prohibited.
 - c. Awnings with a message or graphic are considered on-building signs.
 - d. Awnings located over doorways, stoops, and private sidewalks shall meet the vertical clearance requirement of the Building Code.
 - e. Awnings located over public sidewalks, alleys, and drives shall meet the vertical clearance requirements of the Subdivision Ordinance and Public Works Code.
- (b) **Multi-Family Uses.** These standards apply to all multi-family buildings and structures constructed after the effective date of this Section.
1. **Building Entrance.**
 - a. The primary entrance shall be on the front façade facing the street.
 - b. The primary entrance shall be covered a minimum of 3 feet from the door. Recessed entries shall be deemed to meet this requirement.
 - c. Exterior entry doors for individual units shall be residential in style (and shall include frame and panel (real or decorative)).
 - d. Exterior entry doors for multiple units may be residential (as described above) or commercial in style (glass).
 2. **Façade Articulation.**
 - a. Façade lengths shall not be greater than 40 feet without articulation such as:
 - i. Recesses or projections that step back or project a portion of the main façade plane.

- ii. Recesses or projections of upper floors from the ground floor façade plane.
 - iii. Vertical division using different textures or materials.
 - iv. Division of the façade into individual units through the use of windows, entrances, arcades, porches, decks, balconies, lighting, etc.
 - v. Roof form variation such as the inclusion of dormers, change in roof lines, or change in roof type.
 - b. On façades facing the street, windows and/or doors shall be required in order to promote a visual connection to the street.
 - i. The total area of windows and doors, including trim, shall comprise a minimum of 20 percent of the total façade area, excluding gables.
3. Wall Details, Trim, and Windows.
- a. Exterior windows shall be appropriate to the architectural character of the building.
 - b. All façade openings shall be articulated or appropriately trimmed through the use of materials such as lintels, sills, surrounds, shutters, etc.
 - c. Natural wood shall be painted or stained unless it is cedar, redwood or other naturally weather-resistant species intended to be exposed.
 - d. Pressure-treated lumber shall be painted or stained after a curing period of no greater than 18 months.
4. Patios, Decks, and Balconies.
- a. Ground-level patios and decks facing the street shall be bordered with landscape treatments.
 - i. Covered porches are exempt from this requirement.
 - b. Exterior stairs leading to a deck or balcony are not permitted on the front or street side of a building.
 - i. On corner lots, exterior stairs shall be permitted on the interior side façade.
 - c. Exterior corridors shall be covered by the building roof, shall be located within the footprint of the building foundation, and shall not be visible from the street.
 - d. Upper-story decks and balconies shall be cantilevered, supported by vertical columns, or supported from above.
5. Mechanical and Exterior Building Systems.
- a. Drainage pipes on exterior walls shall match or be complementary to the color of the roof and wall onto which they are mounted.
 - b. Air intakes and exhaust vents for high-energy gas appliances and meters shall not be permitted on any façade that faces a public street, unless they are screened or if they match the color of the façade on which they are located.
 - c. Building-mounted Equipment.
 - i. Window-mounted air conditioning units shall not be permitted in any window that faces a public street.

- (i) When no alternative is available, units shall be masked (painted, encased, etc.) in order to blend into the building's exterior finish and shall be flush-mounted so as not to project beyond the main plane of the façade more than necessary.
 - ii. Building-mounted equipment installed on the façade visible from an adjacent public right-of-way or residential district must be disguised with screening that is:
 - (i) Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - (ii) Incorporated as part of the building wall and/or flush-mounted so as not to project beyond the main plane of the façade.
 - (iii) Consistent with the color of the structure to which the equipment is attached.
 - d. Roof-mounted Equipment. Roof-mounted equipment shall be screened, preferably by parapet walls. Other acceptable screen types shall be:
 - i. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - ii. Consistent with the color of the structure to which the equipment is attached.
 - iii. Designed to be an integral part of the building's architectural design and give the impression that it is something other than a mechanical screen.
 - e. See 98-605 for screening requirements for ground-mounted mechanical systems.
- 6. Wall or Roof-Mounted Lighting.
 - a. Full cutoff light fixtures are required.
 - b. The design, color, height, location, and light quality of all on-building light fixtures shall be consistent throughout the entire site, unless the building is divided into individual components; in such case, all on-building light fixtures shall be consistent within each individual component.
 - c. All entrances shall be lit after sunset. The minimum illumination at each entrance shall be 1.0 foot-candles.

(c) Commercial Uses and Mixed Use Buildings

These standards apply to all commercial and mixed use structures constructed after the effective date of this Section. These standards also apply to mixed use buildings.

- 1. Orientation.
 - a. Buildings are encouraged to be oriented so that the front façade faces the road with the highest traffic volumes.
 - b. Façades facing the road with the highest traffic volumes shall be designed to have the appearance of a front façade and shall include windows, doors and/or other

architectural components typically associated with front façades, as approved by the Plan Commission, or designee.

2. Building Entrance.

- a. The primary entrance shall be on the front façade facing the street.

3. Façade Articulation.

- a. Façade lengths shall not be greater than 50 feet without articulation such as:
 - i. Division of the façade into individual components (i.e., storefronts, distinct uses) through the use of architectural elements such as porches, balconies, windows, covered entrances, arcades, awnings, marquees, lighting, signage, etc.
 - ii. Recesses or projections that step back or project a portion of the main façade plane.
 - iii. Recesses or projections of upper floors from the ground floor façade plane.
 - iv. Vertical division using different textures or materials.
 - v. Roof form variation such as the inclusion of dormers, change in roof lines, or change in roof type.
- b. Buildings shall be designed to provide interest and variety. Flat, unadorned walls shall be avoided. Each façade of a building shall include at least 1 design element to break up the flatness of blank walls and shall at a minimum include varied materials or colors, change in texture, expressed joints and details, or surface relief.
 - i. Additional elements used to break up the façade may include balconies, lintels, sills, headers, belt courses, reveals, pilasters, windows, chimneys, and other ornamental features as deemed appropriate by the Plan Commission or designee.
- c. On the front façade facing the street, windows and/or doors shall be required in order to promote a visual connection to the street.
 - i. The total area of windows and doors, including trim, shall comprise a minimum of 20 percent of the total façade area, excluding gables.

4. Building Entrance.

- a. The main entrance shall be clearly defined and accentuated through the use of detailing, distinctive materials, and/or colors, projections or recesses, porticos, covered entrances, stoops, or other features as deemed appropriate by the Plan Commission, or designee.

5. Mechanical and Exterior Building Systems.

- a. Drainage pipes on exterior walls shall match or be complementary to the color of the roof and wall onto which they are mounted.
- b. Air intakes and exhaust vents for high-energy gas appliances and meters shall not be permitted on any façade that faces a public street.
- c. Building-mounted Equipment.
 - i. Window-mounted air conditioning units shall not be permitted in any window

that faces a public street.

- (i) When no alternative is available, units shall be masked (painted, encased, etc.) in order to blend into the building's exterior finish and shall be flush-mounted so as not to project beyond the main plane of the façade.
 - ii. Building-mounted equipment installed on the façade visible from an adjacent public right-of-way or residential district must be disguised with screening that is:
 - (i) Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - (ii) Incorporated as part of the building wall and/or flush-mounted so as not to project beyond the main plane of the façade.
 - (iii) Consistent with the color of the structure to which the equipment is attached.
 - d. Roof-mounted Equipment. Roof-mounted equipment shall be screened, preferably by parapet walls.
 - i. Screening shall be architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - ii. Equipment shall be consistent with the color of the structure to which the equipment is attached.
 - iii. Screening shall be designed to be an integral part of the building's architectural design and give the impression that it is something other than a mechanical screen.
 - e. See Section 98-605 for screening requirements for ground-mounted mechanical systems.
6. Wall or Roof-Mounted Lighting.
- a. Full cutoff light fixtures are required at each entrance.
 - b. The design, color, height, location, and light quality of all on-building light fixtures shall be consistent throughout the entire site, unless the building is divided into individual components; in such case, all on-building light fixtures shall be consistent within each individual component.
 - c. All entrances shall be lit after sunset. The minimum illumination at each entrance shall be 1.0 foot-candles.
7. For buildings with a Gross Floor Area exceeding 60,000 square feet, refer to Section 98-725 pertaining to Large Developments.

(d) Industrial Uses

- 1. Façade Articulation.

- a. Façade lengths shall not be greater than 70 feet without articulation such as:
 - i. Division of the façade into individual components (i.e., storefronts, distinct uses) through the use of architectural elements such as windows, covered entrances, arcades, awnings, marquees, lighting, signage, etc.
 - ii. Recesses or projections that step back or project a portion of the main façade plane.
 - iii. Recesses or projections of upper floors from the ground floor façade plane.
 - iv. Vertical division using different textures or materials.
 - v. Roof form variation such as the inclusion of dormers, change in roof lines, or change in roof type.
 - b. Orientation. Buildings shall be oriented so as to face the road with the highest traffic volumes. This requirement shall not apply to buildings with frontage on state or federal highways, unless there is direct access from the development to the highway.
 - i. If a visitor, office, and/or customer entrance component is included in the building, such space(s) shall be clearly defined and accentuated through the use of detailing, windows, distinctive materials and/or colors, projections or recesses, or other architectural features as deemed appropriate by the Plan Commission, or designee.
2. Mechanical and Exterior Building Systems.
- a. Applicability. See Section 98-605 to determine whether screening is required.
 - b. Drainage pipes on exterior walls shall match or be complementary to the color of the roof and wall onto which they are mounted
 - c. Building-mounted Equipment.
 - i. Building-mounted equipment installed on the façade visible from an adjacent public right-of-way or residential district must be disguised or screened in one of the following ways:
 - (i) Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.
 - (ii) Incorporated as part of the building wall and/or flush-mounted so as not to project beyond the main plane of the façade.
 - (iii) Consistent with the color of the structure to which the equipment is attached.
 - d. Roof-mounted Equipment. Roof-mounted equipment visible from an adjacent public right-of-way or residential district shall be screened, preferably by parapet walls. Other acceptable screen types shall be:
 - i. Architecturally compatible with the primary structure to which the equipment is attached. Screening materials shall be identical to or substantially similar to the materials used on the building façade to which the equipment is attached.

- ii. Consistent with the color of the structure to which the equipment is attached.
- iii. Designed to be an integral part of the building's architectural design and give the impression that it is something other than a mechanical screen.

(7) Beyond the rules in this Section, additional building design standards may apply to:

- (a) Group Developments (Section 98-208)
- (b) Large Developments (Section 98-725)
- (c) Conditional Uses (Article II)

(8) **Bicycle and Pedestrian Facilities.**

- (a) Purpose. The purpose of this section is to support the use of alternative modes of transportation and promote the safety and general welfare of the public by establishing requirements for pedestrian and bicycle access and bicycle parking.
- (b) Applicability. The requirements of this section shall apply to all new development or redevelopment.
- (c) Quantity. One pedestrian and bicycle access shall be provided on at least one street frontage.
- (d) Off-site connections. Pedestrian and bicycle access shall include appropriate connections to the existing and planned pedestrian and bicycle facilities in the community and in surrounding neighborhoods.
- (e) On-site connections. The entire development shall provide walkways for full and safe pedestrian and bicycle access within the development.
 - 1. Walkways shall provide pedestrian access through or around off-street parking areas from street sidewalks to building entries. Walkways shall be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination, and walkways shall not be located and aligned solely based on the outline of a parking lot configuration unless such configuration allows for direct pedestrian access.
 - 2. Pedestrian connections shall be a minimum of 5 feet wide.
 - 3. Walkways shall have an acceptable dust-free surface not less than five feet in width and shall be grade-separated from the parking lot or otherwise delineated with pavement markers, planters, or alternate paving materials.
 - 4. The entirety of the on-site pedestrian walkway system shall be marked and defined using pavement treatments, signs, lighting, median refuge areas, and landscaping as appropriate and as consistent with the Americans with Disabilities Act and the Building Code, as approved by the Zoning Administrator.
 - 5. Where a pedestrian connection crosses any area where motorized vehicles may be present, a crosswalk clearly delineated by standard pavement markings (and potentially also by paving materials, color or texture) is required.
 - 6. The material and layout of the pedestrian walkway shall be continuous as the pedestrian access crosses the driveway, with a break in continuity of the driveway paving and not in the pedestrian accessway.
- (f) Bicycle Parking Standards.

1. Required provision of bicycle parking areas.
 - a. For all multifamily, commercial, institutional, and industrial uses, a minimum of four bicycle spaces shall be provided.
 - b. For parking lots containing more than 40 automobile parking spaces, off-street bicycle parking spaces shall be provided. The number of off-street bicycle parking spaces to be provided shall be equal to 5 percent of the automobile parking space requirement or 20 bicycle parking spaces, whichever is less.
 - c. A nonresidential use's automobile parking requirement may be reduced by providing additional bicycle parking. After the bicycle parking requirement has been met, a minimum of four bicycle parking spaces may be provided in lieu of one required automobile parking space, with a maximum reduction of up to five automobile parking spaces.
2. Specifications for bicycle parking spaces.
 - a. The "inverted-U" type bike rack is the preferred bicycle parking rack and means of providing off-street bicycle parking spaces as required in this section, but all types of bicycle parking racks are acceptable. One inverted-U type rack counts as two bicycle parking spaces.
 - b. All bicycle parking provided shall be on a hard-surfaced area and shall be set back from walls and other objects, so the bicycle rack is useable. Freestanding bicycle parking racks shall be securely fastened to the ground.
 - c. Bicycle parking spaces shall be installed in conformance with setback requirements applicable to automobile parking lots. The racks shall be placed where bicyclists would naturally transition to pedestrian mode. The placement of the racks shall not conflict with pedestrians and motorized traffic.

Section 98-720: Fencing Standards

- (1) **Purpose.** The purpose of this section is to regulate the materials, location, height, and maintenance of fencing, landscaping walls and decorative posts in order to prevent the creation of nuisances and to promote the general welfare of the public.
- (2) **Applicability.** The requirements of this section apply to all fencing, landscape walls and decorative posts equal to, or exceeding, 30 inches in height, for all land uses and activities.
- (3) **Standards:**
 - (a) Materials:
 1. Residential districts. All fencing shall employ wrought iron, metal pickets, natural wood, or wood-embossed material. Landscape walls, including retaining walls shall employ natural stone, decorative block, or brick which complement the principal building, as determined by the Plan Commission. Acceptable materials for constructing fencing, landscape walls, and decorative posts include wood, stone, brick, wrought iron, chain link, vinyl and wire mesh, except that wire mesh and chain link fencing is not permitted within required front yard or street yard areas. Any fence within a street yard, including along property lines which intersect a right-of-way, shall be a minimum of 60% opaque, except with the granting of a conditional use permit per Section 98-905.

1. Nonresidential districts. ~~All fencing shall employ wrought iron, metal pickets, natural wood, wood-embossed material, chain-link, or wire mesh. Landscape walls, including retaining walls shall employ natural stone, decorative block, or brick which complement the principal building, as determined by the Plan Commission. Acceptable materials for constructing fencing, landscape walls, and decorative posts include wood, stone, brick, wrought iron, chain-link, and wire mesh.~~ Barbed wire fencing shall not be permitted. Any fence within a street yard, including along property lines which intersect a right-of-way, shall be a maximum of 60% opaque, except with the granting of a conditional use permit per Section 98-905.

...

No changes proposed to remainder of Section 98-720.

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: January 16, 2023

Agenda Item #14

Applicant:
Zoning Administrator

Request:
Zoning Ordinance Amendments

Description:

This proposal would amend the city's zoning ordinance to address issues identified by editors from General Code. These amendments are cleanup items rather than policy changes. They are summarized below. A redline draft is provided as Attachment A.

Staff Review:

This proposal would amend text in the following sections of the City's zoning ordinance:

- Section 98-203, Tables (1) through (9), Tables of Land Uses – *update list of zoning district abbreviations to include the Extraction/Disposal zoning district*
- Section 98-905(5)(d), pertaining to conditional use review and approval – *remove an incorrect cross-reference*

Staff Recommendation:

Suggested Motion:

- *Approve: I recommend approval of the proposed ordinance to amend zoning ordinance Sections 98-203 and 98-905(5)(d), as indicated in Attachment A.*

*Jackie Mich, AICP
City Planning Consultant
Vandewalle & Associates*

ATTACHMENT A: PROPOSED ZONING ORDINANCE AMENDMENTS (CLEANUP)

Proposed Zoning Ordinance Amendment to Section 98-203

Add EX District to list of zoning district abbreviations at the end of Tables (1) through (9)

Table 98-203(1) Tables of Land Uses

- P = Permitted by Right in a Conventional Development (See 98-206(1)(a).)
 C = Permitted as a Conditional Use (See Section 98-905)
 CI = Permitted as a Conditional Use in a Cluster Development (See Section 98-206(1)(b))
 I = Permitted as a Conditional Use in an Institutional Residential Development (See 98-206(1)(c))
 M = Permitted as a Conditional Use within a Mobile Home Development or Park (See 98-206 (1)(d) or (e))
 + = Permitted as a Conditional Use until 365 days after the Effective Date of this Zoning Ordinance

Zoning District Abbreviations

RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use
																		DWELLING UNIT TYPES (SEE 98-034)
P	P	P	P	P	P	P	P		P									(1) Single-Family Detached 35 acre lot
	P	P	P	P	P	P	P		P									(2) Single-Family Detached 5 acre lot
	CI	P	P	P	P	P	P		P									(3) Single-Family Detached 40,000 sf lot
			P	P	P	P	P		P									(4) Single-Family Detached 15,000 sf lot
				P	P	P	P		P									(5) Single-Family Detached 9,000 sf lot
				+	P	P	C		C									(6) Twin Homes/Duplex 6,000 sf per du
				+	C	P	C		C									(7) Two-Flat 9,000 sf lot
						P	C		C									(8) Townhouse 4,500 sf lot
						P	C		C									(9) Multiplex 4,500 sf per du
						P	C		C									(10) Apartment 4,500 sf per du
						I	I	I	I	I	I	I						(11) Institutional Residential 9,000 sf lot
					M													(12) Mobile Home 9,000 sf lot

RH Rural Holding	TR Two-family Res	NB Neighborhood Business	PI Planned Industrial
CR Countryside Res	MR Multi-family Res	PB Planned Business	GI General Industrial
ER Estate Residential	NO Neighborhood Office	GB General Business	HI Heavy Industrial
SR Single-family Res	PO Planned Office	CB Central Business	PBP Planned Business Park
EX Extraction/Disposal			

Table 98-203(2) and (3) Tables of Land Uses

P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
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P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
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Zoning District Abbreviations	
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RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use
																		NONRESIDENTIAL LAND USES
																		AGRICULTURAL USES (98-206(2)(L))
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		(a) Cultivation
C																		(b) Husbandry
C																		(c) Intensive Agriculture
C															C			(d) Agricultural Services
P																		(e) On-Site Agricultural Retail
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(f) Selective Cutting
C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C			(g) Clear Cutting
																		INSTITUTIONAL USES (98-206(3)(L))
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		(a) Passive Outdoor Public Recreational
P	P	P	P	P	P	P	P	P	P	P	P	P	P					(b) Active Outdoor Public Recreational
C	C	C	C	C	C	C	P	P	P	P	P	P	P					(c) Indoor Institutional
C	C	C	C	C	C	C	C	C	C	C	C	C	C					(d) Outdoor Institutional
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		(e) Public Services and Utilities
						C	C	C	C	C	C	C						(f) Institutional Residential
P	P	P	P	P	P	P	C		C									(g) Community Living Arrangement (1-8 res.)
	C	C	C	C	P	P	C	C	C									(h) Community Living Arrangement (9-15)
						C	C	C	C									(i) Community Living Arrangement (16+)
RH Rural Holding						TR Two-family Res						NB Neighborhood Business						PI Planned Industrial
CR Countryside Res						MR Multi-family Res						PB Planned Business						GI General Industrial
ER Estate Residential						NO Neighborhood Office						GB General Business						HI Heavy Industrial
SR Single-family Res						PO Planned Office						CB Central Business						PBP Planned Business Park
EX Extraction/Disposal																		

Table 98-203(4) Tables of Land Uses

P = Permitted by Right (98-202(2))

C = Permitted as a Conditional Use (98-202(4))

Zoning District Abbreviations

RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use
																		COMMERCIAL USES (98-206(4)())
							P	P	P	P	P	P	P	P	P	P	P	(a) Office
							P	P	P	P	P	P	P			P		(b) Personal or Professional Services
							C	C	P	P	P	P	C					(c) Indoor Sales or Services
										C	C	C						(d) Outdoor Display (Ord. No. 01-19 2/12/01)
									P	P	P	P	P	P	P		P	(e) Indoor Maintenance Service
															C	C	P	(f) Outdoor Maintenance Service
								C	C	C	C	C						(g) In-Vehicle Sales or Service
							P	P	P	P	P	P	P					(h) Indoor Commercial Entertainment, Small Scale
							C	C	C	C	C	C	C					(i) Indoor Commercial Entertainment, Large Scale
C							C	C	C	C	C	C	C					(j) Outdoor Commercial Entertainment
C										C	C		C	C		C		(k) Commercial Animal Boarding
								C		C	C	C						(l) Commercial Indoor Entertainment Lodging
C	C	C	C	C	C	C	C		C	C	C	C						(m) Bed and Breakfast Establishments
					C	C	C	C	C	C	C	C	C	C		C		(n) Group Day Care Center (9+children)
C																		(o) Campground
						C	C		C		C	C						(p) Boarding House
															C			(q) Sexually-Oriented Land Use
										C	C			C	C			(r) Vehicle Repair and Maintenance
C										C								(s) Intensive Outdoor Recreation
							C	C	C	C	C	C	C			C		(t) Physical Activity Studio
							P	P	P	P	P	P	P					(u) <u>Personal or Professional Service involving tattoos and permanent cosmetics above the clavicle.</u>

RH Rural Holding	TR Two-family Res	NB Neighborhood Business	PI Planned Industrial
CR Countryside Res	MR Multi-family Res	PB Planned Business	GI General Industrial
ER Estate Residential	NO Neighborhood Office	GB General Business	HI Heavy Industrial
SR Single-family Res	PO Planned Office	CB Central Business	PBP Planned Business Park
EX Extraction/Disposal			

Table 98-203(5), (6) and (7) Tables of Land Uses
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P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
------------------------------------	--

P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
------------------------------------	--

Zoning District Abbreviations	
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																	Type of Land Use	
RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	
													P	P	P		P	STORAGE/DISPOSAL (98-206(5)())
														C	P		P	(a) Indoor Storage or Wholesaling (Ord. No. 01-19 2/12/01)
													C	C			P	(b) Outdoor Storage or Wholesaling
																	C	(c) Personal Storage Facility
																	C	(d) Junkyard or Salvage Yard
																	C	(e) Waste Disposal Facility
																	C	(f) Composting Operation
																		TRANSPORTATION USES (98-206(6)())
											P	P		P	P			(a) Off-Site Parking Lot
C								C					C	C	C			(b) Airport/Heliport
														C	C			(c) Freight Terminal
													C	P	P			(d) Distribution Center
																		INDUSTRIAL USES (98-206(7)())
													P	P	P			(a) Light Industrial
															P			(b) Heavy Industrial
C													C	C	C			(c) Communication Tower
																	C	(d) Extraction Use

CR Countryside Res

ER Estate Residential

SR Single-family Res

EX Extraction/Disposal

MR Multi-family Res

NO Neighborhood Office

PO Planned Office

PB Planned Business

GB General Business

CB Central Business

GI General Industrial

HI Heavy Industrial

PBP Planned Business Park

[illegible]

Table 98-203(8) Tables of Land Uses

P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
------------------------------------	--

P = Permitted by Right (98-202(2))	C = Permitted as a Conditional Use (98-202(4))
------------------------------------	--

Zoning District Abbreviations	
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RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	PBP	EX	Type of Land Use
									C	C	C	C						ACCESSORY USES (98-206(8)(L))
																		(a) Commercial Airport
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(b) Farm Residence
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(c) Private Residential Garage or Shed
							P	P	P	P	P	P	P	P	P			(d) Company Cafeteria
							P/C	P/C		P/C	P/C	P/C	P/C	P/C	P/C			(e) Company Provide On-Site Recreation
C										C	C							(f) Outdoor Display Incidental
							C	C	C	C	C	C	C					(g) In-Vehicle Sales and Services
													P	P	P			(h) Indoor Sales Incident to Light Ind. Use
									C	C	C	C						(i) Light Ind. Incidental to Indoor Sales
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(j) Home Occupation
P	P	P	P	P	P	P												(k) Family Day Care Home (4-8 children)
C	C	C	C	C	C	C												(l) Intermediate Day Care Home (8-15 children)
C															C			(m) Migrant Labor Camp
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(n) On-Site Parking Lot
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(o) Private Residential Recreational Facility
C	C	C																(p) Private Residential Kennel
C																		(q) Private Residential Stable
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(r) Drainage Structure
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(s) Filling
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(t) Lawn Care of Subject Property
C	C	C																(u) Septic Systems
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(v) Exterior Communication Devices
	C	C																(w) Caretaker's Residence
C	C	C	C	C	C	C												(x) Second Private Residential Garage
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P			(y) Tourist Rooming House
RH Rural Holding						TR Two-family Res						NB Neighborhood Business						PI Planned Industrial
CR Countryside Res						MR Multi-family Res						PB Planned Business						GI General Industrial
ER Estate Residential						NO Neighborhood Office						GB General Business						HI Heavy Industrial
SR Single-family Res						PO Planned Office						CB Central Business						PBP Planned Business Park
EX Extraction/Disposal																		

Table 98-203(9) Tables of Land Uses

T = Permitted as a Temporary Use (98-202(6))

Zoning District Abbreviations																Type of Land Use
RH	CR-5ac	ER-1	SR-3	SR-4	TR-6	MR-8	NO	PO	NB	PB	GB	CB	PI	GI	HI	
									T	T	T	T				TEMPORARY USES (98-206(9)(_))
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	(a) General Temporary Outdoor Sales
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	(b) Outdoor Assembly
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	(c) Contractor's Project Office
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	(d) Contractor's On-Site Equipment Storage
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	(e) Relocate-able Residence
T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	T	(f) On-Site Real Estate Sales Office
T									T	T	T	T	T	T		(g) Outdoor Sales of Farm Products
RH Rural Holding						TR Two-family Res						NB Neighborhood Business				PI Planned Industrial
CR Countryside Res						MR Multi-family Res						PB Planned Business				GI General Industrial
ER Estate Residential						NO Neighborhood Office						GB General Business				HI Heavy Industrial
SR Single-family Res						PO Planned Office						CB Central Business				PBP Planned Business Park
EX Extraction/Disposal																

Proposed Zoning Ordinance Amendment to Section 98-905(5)(d)

Remove incorrect cross-reference

Sec. 98-905 Conditional use review and approval.

- (5) Review, public hearing, and recommendation by the Plan Commission. The Common Council shall not approve a conditional use without allowing for a recommendation from the Plan Commission per the provisions of this subsection.
- (a) The Plan Commission shall schedule a reasonable time and place for a public hearing to consider the application within 45 days after the acceptance and determination of the complete application as determined by the Zoning Administrator. A public hearing may be held more than 45 days from the filing of the complete application when requested by the applicant in writing. The applicant may appear in person, by agent, and/or by attorney. Notice of the proposed conditional use and the public hearing shall conform to the requirements of Section 62.23(7)(de) of the Wisconsin Statutes. Said notice shall contain a description of the proposed conditional use. In addition, at least 10 days before said public hearing, the City Clerk shall mail an identical notice to the applicant, and to the Clerk of any municipality whose boundaries are within 1,000 feet of any portion of the jurisdiction of this chapter. Failure to mail said notice, provided that it is unintentional, shall not invalidate proceedings under this section.
1. Statements of personal preferences or speculation not based on substantial evidence must be disregarded by the Plan Commission. "Substantial evidence" means facts and information, other than merely personal preferences or speculation, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion.
 2. The Plan Commission may request further information and/or additional reports from the Zoning Administrator, applicant, and/or from any other source. If such necessary expertise is not available from City staff, public academic institutions, or from appropriate regional, state, or federal agencies, the Commission may consult with a third party to effectively evaluate a conditional use permit application. The application for the conditional use permit shall bear all reasonable costs and expenses associated with such consultation. Applicants retain the right to withdraw a pending conditional use permit application if they choose not to pay consultant fees.
 3. The Plan Commission shall hear all substantial evidence regarding the proposed conditional use permit from staff, the applicant, and the public during the public hearing. Any evidence not deemed substantial evidence as defined in Subsection (5)(a)1, above, shall not be admissible.
- (b) At the public hearing, the Zoning Administrator shall provide a written report of preliminary recommended findings. The report shall contain, at minimum, all substantial evidence presented in the public hearing, evaluation of compliance with the standards of Subsection (4)(d)1 through 6, the recommended findings, and the recommended motion to either approve the use as originally proposed, approve the proposed conditional use with modifications and/or conditions, or deny approval of the proposed conditional use.
- (c) The Plan Commission shall consider the report and may take final action by resolution on the application to either approve the use as originally proposed, approve the proposed conditional use with modifications and/or conditions, or deny approval of the proposed conditional use. Final action by the Plan Commission action shall consist of all of the following:
1. The formal finding of facts concerning the requirements of Subsection (4)(d)1 through 6.

2. The City's decision to approve or deny the permit must be supported by substantial evidence. Any condition imposed by the City must be related to the purpose of the chapter and be based on "substantial evidence" as defined in Wis. Stat. 62.23(7)(de)1b.
 - (a) Conditions, if based on substantial evidence, may include, and are not limited to the following, as well as other conditions necessary to meet the findings above:
 - (1) Expiration dates on conditional use permits, except for permits for communication towers under Section 98-206(7)(c). Continuation or extension of an expired conditional use requires reapplication and approval by the Plan Commission and Common Council.
 - (2) Limits on hours or days of operation, or number of events each year.
 - (3) Limits on numbers of employees.
 - (4) Limits on numbers of total people, vehicles, or animals on the premises at any one time.
 - (5) Limits on total quantity or volume of product on the premises at any one time.
 - (6) Limits on square footage of buildings or outdoor areas devoted to the proposed use.
 3. The conditions described under Subsection (5)(c)2(a), above, must be reasonable and, to the extent practicable, measurable and may include conditions such as the permit's duration, transfer, or renewal.
 4. The applicant must demonstrate whether the application and all requirements and conditions established by the City related to the conditional use are or will be satisfied, both of which must be supported by substantial evidence per Subsection (5)(a)1.
 5. If an applicant for a conditional use permit meets or agrees to meet all of the requirements and conditions specified in this section or those imposed by the Plan Commission and the Common Council, the City shall grant the conditional use permit.
- (d) If the Plan Commission fails to make a report within 60 days after the filing of said complete application [and in the absence of an applicant-approved extension ~~per (b), above~~], then the Common Council may hold a public hearing within 30 days after the expiration of said sixty-day period. Failure to receive said written report from the Plan Commission per Subsection (5)(a), above, shall not invalidate the proceedings or actions of Common Council. If such a public hearing is necessary, the Common Council shall provide notice per the requirements of Subsection (a), above. State Law Reference: Section 62.23(7)(de).

STAFF REPORT
To Lake Geneva Plan Commission
Meeting Date: January 16, 2023

Agenda Item: 15

Staff Monthly report from
Building and Zoning

I have provided the 3 types of Tourist Rental properties within Lake Geneva.

1. Bed and Breakfast (traditional).
2. Short Term Rental (6 months only).
3. Commercial Indoor Lodging.

Additionally staff was requested to provide an update to the New Single Family dwellings constructed in 2022 – in total we have 83 New Homes, down from 113 new homes in 2020.

Bed and Breakfast establishments permitted by conditional use

Address	Business Name	Owner Name
421 Madison St.	Humble INN BNB	Elizabeth Iverson
615 Center St.	Lost Oak BNB	Samantha Strenger
429 S Lakeshore Dr.	Letitia Bennett	Letitia Bennett
834 Dodge St.	TC Smith House BNB	Maureen Marks
816 Wisconsin St.	Northern Waters LLC.	Tom Keefe/ Samantha Strenger

Commercial Indoor Lodging permitted by conditional use

Address	Business Name	Owner Name	Resolution#
237 S Lakeshore Dr.	LKG Compound	Tony Scalzetti	16R38
233 S. Lakeshore Dr.	LKG Compound	Tony Scalzetti	16R37
512 Wells St.	Wells St. House	Tony Scalzetti	13R71
416 Center St (Nautical Inn)	Nautical Inn	Tony Scalzetti	8R9
705 Wisconsin St. (Nautical Inn)	Nautical Inn	Tony Scalzetti	5R3
328 Center St	Center St. Loft	Alex Paredes	14R16
640 W Main St.	The Downtowner	Letitia Bennett	16R49
493 Wrigley Dr.	Eleven Gables	Gary Milliette	?
412 Wells St.	412 Wells, LLC	Brian Dalton	6R82
821 Geneva St.	Geneva St. Inn	TNT LLC. Ted	PIP 8/22/16
725 W. Main St.	Tom Keefe/ Samantha Strenger	Tom Keefe/ Samantha Strenger	15R05
824 Williams St.	Pedal Inn	Karen Klipp	17R38
682 S Wells St.	Seven Oaks BNB	Joanne Wright	16R58
415 Cass St	Indelible Holdings LLC	Patricia Bradamore	21R89
717 Geneva St.	Geneva St. Getaway	Steven and Jen Evans	17R35
723 Geneva St	Nautical Cottage	Bill and Carol Dick	18R40
220 Cook St.	Ole Bistro Inn	Ken Wenz	21R30
695 Wells St.	Geneva Beach House	Samantha Strenger	19R50
414 Baker St.	Hazels Hideaway	Nathan Austin	PIP 5/23/16
406 Wells St (limited)	KBM Rentals	Kevin & Brian Dalton	19R51
729 W Main St (limited)	12th and Brown	Ron & Sharon Smith	19R57
721 Geneva St	Geneva St. Bungalow	Samantha Strenger	16R36
827 Wisconsin St.	726 Wisconsin St.	Ken and Michele Shields	18R66
501 1/2 Broad St	Medusa Suites	Samantha Strenger	18R48
640 W. Main St.	The Downtowner	FYF LLC.	18R46
715 Williams St.	Kwik Trip Getaway	Samantha Strenger	19R79
731 W Main St.	731 Main St. LLC	Tom Keefe/ Samantha Strenger	20R91
756 Geneva St	731 main St. LLC	Tom Keefe/ Samantha Strenger	20R92
512 1/2 Broad St	Kammes Investments LLC	Nicholas Kammes	21R07
743 W. Main St.	Tom Keefe/ Samantha Strenger	Tom Keefe/ Samantha Strenger	21R40
940 Marshall St.	Timothy Reuss	Timothy Reuss	20R33
111 Center St. Unit 128	Lake Beach Life LLC	Kevin McMahon	INSIDE COVE
111 Center St. Unit 200	Cove by Owner	Kris Malzone/ Julie Knafl	INSIDE COVE
717 1/2 W Main St	717 Main Properties LLC	Jeff Podhajsky	21R76
703 W Main St.	Tom Keefe/ Samantha Strenger	Tom Keefe/ Samantha Strenger	20R59
723 Williams St	Justin Lanasa	Justin Lanasa	22-R21
912-914 Williams St.	Todd Birkholz	Williams St. Holdings	22-R03
831 Dodge St.	Bjorn Scheinsberg	Bjorn Scheinsberg	22-R28
415 Cass St.	Indelible Holdings LLC	Patricia Bradamore	21-R89
747-747 1/2 Ann St	Susan Jacobs	Susan Jacobs	22-R43

Tourist Rooming House Registration

	Address	Owner	Property Manager	Expiration Date	Rental Term	State TRH EXPIRES	LG Room Tax Permit #	LG Business License #	LG TRH License
1	1719 Miller Ct.	Mary Black	Mary Black	5/13/2023	6/1-12/1 2022	6/30/2023	2022-47	2022-150	2022-0577
2	444 Eugene Dr.	Stephanie Stewart	Ellie Money	3/24/2023	5/1-9/27 2022	6/30/2022	2022-24	2022-32	2022-0287
3	925 Dodge St.	John Stanzi	Ray Mann	3/23/2023	5/1 to 10/31 2022	6/30/2022	2022-23	2022-31	2022-0272
4	609 Water St.	Dean Spieker	Dean Spieker	5/28/2022	2/28/21-11/28/2022	6/30/2021	2021-28	2021-220	2021-0682
5	1326 Pleasant St.	Victoria Slotterbeck	Victoria	6/7/2023	6/1-11/30 2022	6/30/2023	2022-76	2022-383	2022-0651
6	415 S Lakeshore Dr.	Lumobay Investments LLC	Luke Pfiefer	2/24/2023	5/13/22-11/13/22	6/30/2022	2022-15	2022-18	2022-0176
7	245 Elmwood Ave.	Erin/Todd Huemann	Rich Durante	4/14/2023	6/1-11/27 2022	6/30/2021	2022-36	2022-80	2022-0479
8	1065 Mobile St.	Russell Denton	Orlando Michaca	3/3/2023	6/1/22-11/28/22	6/30/2022	2022-18	2022-21	2022-0203
9	1329 Dodge St.	Stephan McMahon	Susan Smolarek	5/11/2023	5/10-11/10 2022	6/30/2023	2022-46	2022-149	2022-0553
10	1024 Geneva St	Paul Petersen	Fred Gelderman	5/17/2022	6/1-11/30 2022	6/30/2023	2022-84	2022-456	2022-0811
11	1030 Wheeler St	Greg Gunderson	Larry Clinton	5/4/2022	5/1-10/31/2022	6/30/2022	2022-78	2022-397	2022-0669
12	501 Madison St.	Natalie Stanzi	Ray Mann	3/23/2023	5/1 to 10/31 2022	6/30/2021	2022-25	2022-33	2022-0278
13	330 Oakwood Ln.	Christina Anchondo	Christina Anchondo	3/17/2023	5/25-11/24 2022	6/30/2022	2022-38	2022-82	2022-0480
14	1004 Tolman St.	Brennan Williams	TLC INC.	3/30/2023	4/3-9/30/2022	6/30/2022	2022-27	2022-35	2022-0302
15	1201 W Main St.	Mary Forbis	Keefe Vacation	4/30/2022	6/1-11/30/2021	6/30/2020	2021-55	2021-457	2021-1213
16	1021 Dodge St. Lower	Nick Backes	Katie Hickman	5/21/2023	5/21-11/21/2022	6/30/2022	2022-65	2022-330	2022-0622
17	1124 Park Row	Jamie Sanders	Samantha Strenger	2/21/2023	5/28-11/24/2022	6/30/2022	2022-14	2022-17	2022-0171
18	1034 Dodge St.	Joey Rumps	Billy Knight	6/1/2023	6/1-11/30/2022	6/30/2022	2022-35	2022-79	2022-0477
19	1021 Dodge St Upper	Nick Backes	Katie Hickman	11/11/2021	11/23/20-5/22/21	6/30/2021	2022-65	2022-330	2020-1413
20	234 Warren St	James Matthews	James Matthews	1/24/2023	3/1/22-8/31/22	6/30/2022	2022-9	2022-10	2022-0087
21	1029 Dodge St.	Stephanie and Sean Princis	Karina Villanueva	3/22/2023	5/1/22-10/31/22	6/30/2022	2022-22	2022-30	2022-0268
22	495 Manning Way	Renata Geciene	Alan Aguilera	1/24/2023	5/1/22-10/31/22	6/30/2022	2022-10	2022-11	2022-0090
23	1019 W Main St #2	Lisa Penticoff	Lisa Penticoff	1/6/2022	2/27-8/27/21	6/30/2021	2020-46	2020-1793	2020-0014
24	930 Marshall St.	Christine Quinn	Christine Quinn	3/7/2023	5/13-11/12 2022	6/30/2022	2022-19	2022-27	2022-0221
25	1024 S Lakeshore	Dr. Raymond Egan	Keefe Vacation	5/15/2022	5/15-11/15/2022	6/30/2023	2021-87	2022-460	2022-0833
26	1000 Timothy Dr.	Tito Jimenez	Barry Trilla	2/25/2023	3/1-8/31/2022	6/30/2022	2022-16	2022-19	2022-0185
27	429 S Lakeshore Dr.	Letitia Bennet	Letitia Bennett	5/5/2022	5/29-11/25 2021	6/30/2021	2020-11	2020-1552	2021-0610
28	420 Campbell St.	Angela Garcia	Adam Kriticos	5/7/2023	6/1-11/30 2022	6/30/2022	2022-85	2022-457	2022-0815
29	1230 Center St	Lindsay Kashyap	Tamara Gonzalez	5/19/2022	5/1-11/30 2022	6/30/2022	2022-81	2022-414	2022-0695
30	1225 Pleasant St	Luke Bohac	Janice Bohac	3/8/2023	5/1-10/30/2022	6/30/2022	2022-21	2022-29	2022-0227
31	325 Cook St.	Leslie McClenahan	Keefe Vacation	5/9/2023	5/15-11/15/2022	6/30/2022	2022-45	2022-148	2022-0541
32	1215 Center St.	Carol Ann Saunders	Madeline Harbaugh	5/1/2023	5/1-10/31/2022	6/30/2022	2022-82	2022-415	2022-0703
33	1019 W Main St #4	Lisa Penticoff	Lisa Penticoff	11/12/2023	2/3/2021-6/3/2022	6/30/2022	2021-61	2021-503	2021-1825
34	1123 Pleasant St.	Ashley Weinrich	Kevin Daleen	1/21/2023	5/1-10/31 2022	6/30/2022	2022-8	2022-9	2022-0070
35	1097 Bonnie Brae Ln	Bernard Fay	Dympna Fay Hart	12/1/2022	1/1-6/30/2023	6/30/2022	2021-77	2021-548	2022-0086
36	434 Cook St.	Andrew Hogan	Susan Smolarek	1/24/2023	5/1-10/31 2022	6/30/2022	2022-11	2022-12	2022-0091

[illegible]

Insurance Policy EXP
5/22/2023
4/1/2023
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